

**RESOLUTION NO. 2018-05**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, ISSUING A NOTICE OF INTENT TO ADOPT A TEMPORARY MORATORIUM ON ACCEPTING APPLICATIONS AND THE ISSUANCE OF BUILDING PERMITS IN THE RSF ZONING DISTRICT REGARDING NEW CONSTRUCTION AND CONSTRUCTION THAT INCREASES THE SIZE OF THE EXISTING STRUCTURE MORE THAN FIFTY PERCENT OR WHERE THE COST EXCEEDS FIFTY PERCENT OF THE EXISTING STRUCTURE; PROHIBITING THE ISSUANCE OF BUILDING PERMITS; DIRECTING THE TOWN CLERK TO SCHEDULE A PUBLIC HEARING ON THE MORATORIUM AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, there has been discussion over the recent weeks regarding the construction of new single family residential structures and additions to existing single family residential structures that appear to be too large for the building sites they occupy and unconventional in nature; and,

**WHEREAS**, it is believed that the aforesaid new construction and improvements to existing single family residences are only the beginning of a trend that could increase as the older single family residences in the Town are sold for demolition or reconstruction; and,

**WHEREAS**, the Town Commission is concerned that the construction of these unconventional structures within established neighborhoods, adjacent to long standing single family residences, is contrary to the established "character" of the neighborhoods in which they are located; and,

**WHEREAS**, it is both proper and appropriate for the Town Commission to provide that a comprehensive review and determination of any building and zoning issue related to such unconventional structures be performed; and,

**WHEREAS**, in conjunction with the review to be conducted as directed by the Town Commission, it is also appropriate to provide certain restrictions and prohibitions in regard to accepting applications and the issuance of building permits for the activities under study, due to the potential detrimental impact upon the existing neighborhoods of the Town; and,

**WHEREAS**, the proposed building and zoning review should encompass, but not be limited to, building size, amount of bedrooms and bathrooms as this relates to the size of the drain field, required onsite parking spaces, relationship of the building to the site and to the neighborhood; and,

**WHEREAS**, although the Town Commission is fully cognizant and respectful of the rights of the owners of single family residential properties in the Town, the Town Commission has determined that the potential for severe and detrimental consequences to the existing RSF zoning district of the Town is realistic and likely if the unregulated construction of unconventional structures within the Town is permitted to continue, and that the institution of a temporary moratorium on accepting building permit applications and the issuance of building permits is both required and justified at this time in order for a proper review and study of the problem and related issues to be conducted:

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:**

**Section 1.** The Town Commission hereby declares its intent to adopt a moratorium on the acceptance of building permit applications and the issuance of any building permits for new construction or the addition to a structure, where the new

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construction added increases the size of the existing structure by more than 50% of the existing structure or where the cost of improvements to the structure exceed 50% of the cost of the existing structure, of any structures located in the RSF zoning district.

**Section 2.** That in accordance with this notice of intent to adopt a temporary moratorium on the acceptance of applications and the issuance of building permits, no building permit applications shall be accepted nor shall building permits be issued for new construction or the addition to a structure, where the construction of the addition increases the size of the existing structure by more than 50% of the existing structure or where the cost of improvements to the structure exceed 50% of the cost of the existing structure, regarding properties located in the RSF zoning district.

**Section 3.** That the Town Clerk is hereby directed to schedule a public hearing, before the Town Commission, for the ordinance regarding the temporary moratorium on the acceptance of applications and the issuance of building permits, on May 7, 2018 and on June 4, 2018.

**Section 4.** This Resolution shall take effect immediately upon adoption.

Commissioner de Haseth offered the foregoing resolution. Commissioner Coz seconded the motion, and upon being put to a vote, the vote was as follows:

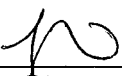
	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
JAMES A. BONFIGLIO, MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DON MAGRUDER, VICE MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STEVE COZ, COMMISSIONER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KRISTINE DE HASETH, COMMISSIONER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILIP BESLER, COMMISSIONER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Mayor thereupon declared the Resolution duly passed and adopted this 30<sup>th</sup> day of April, 2018.

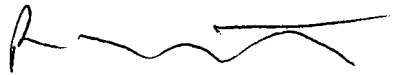
TOWN OF OCEAN RIDGE, FLORIDA

BY:   
James A. Benfiglio, Mayor

ATTEST:

BY:   
Tracey L. Stevens, Town Clerk

REVIEWED FOR FORM AND LEGAL SUFFICIENCY

BY:   
R. Brian Shutt, Town Attorney