

ORDINANCE NO. 2019-05

1 **AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-**
2 **THE-SEA, FLORIDA AMENDING CHAPTER 30 “UNIFIED**
3 **LAND DEVELOPMENT REGULATIONS;” ARTICLE V**
4 **“ZONING;” SECTION 30-313 “GENERAL PROVISIONS”**
5 **TO MODIFY REGULATIONS CONCERNING CHAIN**
6 **LINK FENCES AND DELETE ZERO LOT LINE**
7 **REGULATIONS CONCERNING MAXIMUM**
8 **RESIDENTIAL PRIVACY FENCE AND WALL HEIGHT**
9 **REQUIREMENTS; PROVIDING FOR CODIFICATION;**
10 **PROVIDING FOR SEVERABILITY; PROVIDING FOR**
11 **CONFLICTS; AND PROVIDING FOR AN EFFECTIVE**
12 **DATE**

13 **WHEREAS**, the Town of Lauderdale-by-the-Sea (the “Town”) Commission recognizes
14
15 that changes to the adopted Code of Ordinances are periodically necessary in order to ensure that
16 the Town’s regulations are current and consistent with the Town’s planning and regulatory
17 needs; and

18 **WHEREAS**, the Town Commission desires to update the Land Development Code to
19 modify regulations concerning chain link fences and delete zero (0)-lot line regulations
20 concerning maximum residential privacy fence and wall height requirements; and

21 **WHEREAS**, the Planning and Zoning Board, sitting as the Local Planning Agency, has
22 reviewed the contents of this Ordinance at a duly noticed public hearing on June 5, 2019, and
23 recommended the amendments be approved; and

24 **WHEREAS**, the Town Commission conducted a first and second reading of this Ordinance
25 at duly noticed public hearings, as required by law, and after having received input from and
26 participation by interested members of the public and staff, the Town Commission has determined
27 that this Ordinance is consistent with the Town’s Comprehensive Plan and in the best interest of the
28 Town, its residents, and its visitors.

29 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE**
30 **TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, THAT:**

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64 regulations set forth in section 30-137 of the Town Code, non-conforming
65 chain link fences shall be required to comply with the above regulations within
66 a two (2) year time period commencing on July 23, 2019.

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68 ~~1. Zero lot line lots. Privacy fences and/or walls separating porches, patios, and~~
69 ~~pools along zero lot lines may be built to height not to exceed eight feet subject~~
70 ~~to building setback requirements of the residential zoning district where~~
71 ~~fence/walls are erected.~~

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73 **SECTION 3. Codification.** This Ordinance shall be codified in accordance with the

74 foregoing. It is the intention of the Town Commission that the provisions of this Ordinance shall
75 become and be made a part of the Town of Lauderdale-By-The-Sea Code of Ordinances; and that
76 the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be
77 changed to "section," "article" or such other appropriate word or phrase in order to accomplish such
78 intentions.

79 **SECTION 4. Severability.** If any section, sentence, clause, or phrase of this Ordinance
80 is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding
81 shall in no way affect the validity of the remaining portions of this Ordinance.

82 **SECTION 5. Conflicting Ordinances.** All prior ordinances or resolutions, or parts
83 thereof, in conflict herewith are hereby repealed to the extent of said conflict.

84 **SECTION 6. Effective Date.** This Ordinance shall be in full force and effect
85 immediately upon its passage on second reading.

86 Passed on the first reading, this 9th day of July, 2019.

87 Passed and adopted on the second reading, this 27th day of August, 2019.

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MAYOR CHRIS VINCENT

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First Reading

Second Reading

Mayor Vincent
Vice-Mayor Sokolow
Commissioner Oldaker
Commissioner Strauss
Commissioner Malkoon

Yay
Yay
Yay
Abstain
Yay

Yay
Yay
Yay
Yay
Yay

ATTEST:



Tedra Smith, Town Clerk
Allen

APPROVED AS TO FORM:



Susan L. Trevarthen, Town Attorney