

ORDINANCE 2022-30

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 ZONING, ARTICLE VI. SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 4. ACCESSORY STRUCTURES, SECTION 110-478. C-4, MARINE COMMERCIAL ZONES, SECTION 110-484. PLACEMENT, TO PROVIDE THAT ACCESSORY STRUCTURES FOR WORKING WATERFRONTS OR MARINA USES ARE PERMITTED WITHIN THE REQUIRED SETBACK, OF THE CODE OF ORDINANCES OF THE CITY OF MADEIRA BEACH, PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, working waterfronts and marina uses have certain structures and equipment required by their function to be immediately proximate to the water's edge; and

WHEREAS, the City of Madeira Beach Board of Commissioners has considered the Planning Commission's recommendations and received input from the public at two public hearings.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the City of Madeira Beach, Florida that;

Section 1. That Section 110-478. – C-4 Marine Commercial Zones of Chapter 110 – Zoning of the Code of Ordinances of the City of Madeira Beach is hereby amended and shall read as follows:

Sec. 110-478. C-4, marine commercial zones.

Accessory structures may not be located in front yards in C-4, marine commercial zones. Accessory structures in C-4, marine commercial zones must provide the same side and rear setbacks as are required for the principal structure. Accessory structures for working waterfronts or marina uses, which are required by their function to be immediately proximate to the water's edge, are permitted within the required setback.

Section 2. That Section 110-484. - Placement of Chapter 110 – Zoning of the Code of Ordinances of the City of Madeira Beach is hereby amended and shall read as follows:

Sec. 110-484. Placement.

An accessory type structure may not be placed forward of the front entrance of the principal structure. In no case shall an accessory type structure be placed closer to any lot line adjacent to a street than provided for the principal structure nor closer than 18 feet to any seawall on the Gulf of Mexico, unless the structure is required by its function to be immediately proximate to the water's edge and located in the C-4, marine commercial zoning district.

Section 3. All ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. In the event a court of competent jurisdiction finds any part or provision of the Ordinance unconstitutional or unenforceable as a matter of law, the same shall be stricken and the remainder of the Ordinance shall continue in full force and effect.

Section 5. This Ordinance shall be in full force and effect from and after its adoption and approval in the manner approved by law.

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF
MADEIRA BEACH, FLORIDA, THIS _____ day of _____, 2022.**

John B. Hendricks, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk

APPROVED AS TO FORM:

Thomas J. Trask, City Attorney

PASSED ON FIRST READING: _____

PUBLISHED: _____

PASSED ON SECOND READING: _____