

ORDINANCE NO. 354-87

ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWN OF GOLDEN BEACH PROVIDING PROCEDURE FOR WAIVER OF PLATS AND REPLATS; DUTIES OF THE TOWN MANAGER AND THE BUILDING OFFICIAL; REQUIREMENTS FOR BOND; PAYMENT OF COSTS AND EXPENSES; RECORDING; DIRECTIONS TO CODIFIERS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

WHEREAS, the Town of Golden Beach has been completely platted in accordance with law, and

WHEREAS, from time to time it becomes necessary and proper for the development of property that portions of the Town be replatted or plats waived, and

WHEREAS, the Metropolitan Dade County Code of Ordinances Chapter 28 provides a procedure for replatting or waiver of plat subject to the requirements of the Town of Golden Beach, and

WHEREAS, the Town Council of the Town of Golden Beach finds that it is necessary and proper to establish a procedure for replat or waiver of plat.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH HEREBY ORDAINS.

Section 1: That the Code of Ordinances of the Town of Golden Beach be in the same as hereby amended to add thereto the following:

PLATS, WAIVER OF PLATS.

1. All plats, replats or petitions for waiver of plat shall comply with the following requirements:

a. The provisions of the Dade County Code of Ordinances Chapter 28.

b. No building permit shall be issued for any structure on a lot within the Town of Golden Beach unless the lot is a lot within a plat which has been approved and recorded in the manner prescribed by law unless the recording of the plat is not required, waived or excepted by this Code of Ordinances. All applications for replat or waiver of plat shall be submitted to the Town Manager and the Building Official of the Town of Golden Beach on such forms and with attachments, exhibits and information required by the Code of Ordinances of

Dade County, Florida and the Town. The Town Manager and the Building Official shall determine the following:

1. Whether or not the proposed replat or waiver of plat conflicts in any respect with the comprehensive plan of the Town.
2. If all documents required by law are attached to the application.
3. The application is accompanied by a deposit of costs of no less than the amount of Three Hundred \$300.00 dollars payable to the Town of Golden Beach to defray the cost of the Town incurred in checking the application for waiver of plat or replat and investigating all representations prior to final approval including survey and legal expense. All amounts in addition to the said sum shall be paid to the Town. The applicant shall pay all charges, or fees of Dade County.
4. The Town Manager and the Building Official shall determine if the proposed waiver of plat or replat:
 - (a) Meets the requirements of the Ordinances of the Town,
 - (b) Whether or not a bond is required to be posted and the amount thereof if improvements are required,
 - (c) Whether dedications, or reservations are required,
 - (d) The matter may be submitted to the Building Regulation Board for advisory opinion by the Town Manager.
5. The Town Manager and the Building Official shall certify whether or not the public health, safety, and welfare is served by the proposed design of the lots described in the waiver of plat or replat and that adequate utilities and

services are proposed or available, that there are adequate provisions for the safe and convenience of vehicular and pedestrian travel, and whether additional improvements for the protection of the environment are necessary. In the event the Town Manager or the Building Official fails or refuses to accept or certify the proposed waiver of plat or replat, the applicant may appeal the decision of the Town Manager or the Building Official to the Town Council whose decision shall be final.

6. Upon approval by the Town Manager and the Building Official or the decision of the Town Council the applicant shall submit the proposed replat or waiver of plat to the plat division of Metropolitan Dade County in accordance with law. Upon approval by Dade County Plat Division the plat or waiver of plat shall be recorded in the records of the office of the Clerk of the Circuit Court.

Section 2. All ordinances or parts of ordinances in conflict be in the same as hereby repealed insofar as they are in conflict.

Section 3. That the codifiers of the Town be and they are hereby directed to codify this ordinance in their discretion.

Section 4. This ordinance shall take effect in manner provided by law.

PASSED AND ADOPTED this 21 day of July, 1987.

The Motion to adopt the foregoing Ordinance was offered by: Vice Mayor Tweddle, second by: Councilman Sorota and on roll call the following vote ensued:

COUNCIL VOTE:

Vice - Mayor Tweddle
Council Member Fried
Council Member Duffner
Council Member Sorota

aye
aye
aye
aye

First Reading 6/16/87
Second Reading 7/21/87

MAYOR

ATTEST:

TOWN CLERK

APPROVED AS TO LEGALITY AND FORM:

TOWN ATTORNEY