

TOWN OF YANKEETOWN

ORDINANCE NO. 2024-5

AN ORDINANCE OF THE TOWN OF YANKEETOWN FLORIDA PROVIDING FOR AMENDMENT TO THE TOWN OF YANKEETOWN LAND DEVELOPMENT CODE; AMENDING SECTION 18-178 - COMMON STANDARDS FOR ALL DISTRICTS, SUBSECTION (t) OF THE LAND DEVELOPMENT CODE; PROVIDING EFFECTIVE DATES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF YANKEETOWN, FLORIDA, AS FOLLOWS:

WHEREAS, the TOWN COUNCIL has requested and received the recommendation of the Planning and Zoning Commission with regard to amendment of the Land Development Code to provide additional rights of property owners to construct a limited number and type of structures on real property owned by them prior to construction of a principal structure; and

WHEREAS, the Planning and Zoning Commission has proposed amendments to Section 18-178 (t) of the Land Development Code; and

WHEREAS, the TOWN COUNCIL has considered and reviewed the proposed amendments to the Land Development Code, received public comment through at least two (2) public hearings on the proposed amendments; and

WHEREAS, the TOWN COUNCIL has received and considered any and all comment letters from the state and other commenting agencies; and

WHEREAS, the TOWN COUNCIL has determined that the adoption of this Ordinance is in the best interest of the public health, safety and welfare and meets state requirements,

NOW, THEREFORE, BE IT FURTHER ORDAINED BY THE YANKEETOWN TOWN COUNCIL TO ADOPT THE LAND DEVELOPMENT CODE AMENDMENTS AS FOLLOWS:

AMENDMENT OF Sec. 18-178. – COMMON STANDARDS FOR ALL DISTRICTS, Subsection (t)

Amended Land Development Code text (underline and ~~strike through~~):

Sec. 18-178. - Common Standards for all Districts.

.....

- (t) The principal structure must have a certificate of occupancy before approval of an allowable accessory structure with the exception of:
- (1) ~~With the exception of a dock; and~~
 - (2) Fencing; and
 - (3) a well; and
 - (4) ~~With the exception of a storage shed if an active principal construction permit exists; and~~
 - (5) a seawall or riprap; and
 - (6) live landscaping; and
 - (7) irrigation systems; and
 - (8) utilities serving such otherwise permitted docks, wells, and irrigation systems.

Section 2. SEVERABILITY. If any section, sentence, phrase, word, or portion of this Ordinance proves to be invalid, unlawful or unconstitutional, it shall not be held to impair the validity of the Ordinance or effect of any other action or part of this Ordinance.

Section 3. EFFECTIVE DATE OF INDEPENDENT QUESTIONS. The code amendments shall become

effective upon passage by the Town Council pursuant to Section 15 of the Town Charter and shall be incorporated into and become a part of the Town of Yankeetown Code of Ordinances.

Section 4. REPEAL OF ORDINANCES IN CONFLICT. Any portion of any ordinance in conflict with the Town of Yankeetown Charter, to the extent of such conflict, is hereby repealed and compliance is required with the Town of Yankeetown Charter as may be amended by the voters.

FIRST HEARING HELD ON _____, 2024.

SECOND HEARING HELD ON _____, 2024.

PASSED AND DULY ADOPTED, with a quorum present and voting, this ____ day of _____, 2024, by a vote of ____ yeas and ____ nays.

TOWN OF YANKEETOWN, FLORIDA, BY AND THROUGH THE TOWN COUNCIL OF THE TOWN OF YANKEETOWN

By: _____
ERIC ERKEL, Mayor of Yankeetown

ATTEST:

By:

WILLIAM ARY, Town Clerk

APPROVED AS TO FORM AND CONTENT FOR THE RELIANCE OF THE TOWN OF YANKEETOWN ONLY:

Norm Fugate, Town Attorney