



Village of Biscayne Park Commission Agenda Report

Village Commission Meeting Date: September 1, 2015

Subject: Ordinance 2015-05 – Allow a variance for roof materials

Prepared By: Maria C. Camara, Village Clerk

Sponsored By: Staff

BACKGROUND

Currently section 10.4.6 of the Village's Land Development Code covering roof materials does not allow for a variance from any of the provisions listed. Upon review of the current language and under the advisement of the Village Attorney, this Ordinance, at first reading on August 4th, proposed to remove the blanket prohibition.

A motion was made to approve the Ordinance at first reading, but to amend the language to allow a permitted metal roof approved by staff on or before the enactment of the ordinance. Ordinance 2015-05 has been amended and is presented for second reading.

FISCAL / BUDGET IMPACT

Cost for advertisement for second reading of the Ordinance.

STAFF RECOMMENDATION

Staff recommends approval of Ordinance 2015-05 at second reading.

ATTACHMENTS

- Ordinance 2015-05

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3 (g) No variances from any of these provisions shall be granted. However, if a metal
4 roof that does not meet the requirements of this section has been fully permitted and approved by
5 staff on or before August 1, 2015, that roof shall be allowed. However, if and/or when that roof
6 is replaced, any new roof must fully comply with the requirements of this section.
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8 **Section 3.** **Conflicts.** That all Ordinances or parts of Ordinances, Resolutions or parts
9 thereof in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

10 **Section 4.** **Severability.** The provisions of this Ordinance are declared to be
11 severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason
12 be held to be invalid or unconstitutional, such decision shall not affect the validity of the
13 remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in
14 effect, it being the legislative intent that this Ordinance shall stand notwithstanding the
15 invalidity of any part.

16 **Section 5.** **Codification.** It is the intention of the Village Commission of the Village of
17 Biscayne Park, that the provisions of this Ordinance shall become and made a part of the Code
18 of Ordinances of the Village of Biscayne Park, Florida, and that the Sections of this Ordinance
19 may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section,"
20 "Article" or other word or phrase in order to accomplish such intention.

21 **Section 6.** **Effective Date.** This Ordinance shall be effective upon adoption on
22 second reading.

23 The foregoing Ordinance was offered by _____, who moved its adoption. The
24 motion was seconded by _____ and upon being put to a vote, the vote was as
25 follows:
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27 PASSED AND ADOPTED upon first reading this 4th day of August, 2015.

28 PASSED AND ADOPTED upon second reading this ____ day of _____, 2015.

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David Coviello, Mayor

Attest:

Maria C. Camara, Village Clerk

Approved as to form:

John J. Hearn, Village Attorney

The foregoing ordinance upon being put to a
vote, the vote was as follows:

Mayor Coviello: ____
Vice Mayor Anderson: ____
Commissioner Jonas: ____
Commissioner Ross: ____
Commissioner Watts: ____