

RESOLUTION NO. 2013-317

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, FLORIDA, DETERMINING THE POTENTIAL NEED FOR CHANGES IN THE CITY'S ORDINANCES AND DIRECTING STAFF TO ACTIVELY PURSUE PROPOSED CHANGES; IMPOSING A TEMPORARY MORATORIUM ON THE ERECTION, PLACING OR ESTABLISHMENT OF ACCESSORY STRUCTURES IN THE FRONT YARD OF PARCELS WITHIN THE CITY OF PARKER; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH AND RECITING AN EFFECTIVE DATE.

WHEREAS, land use controls and restrictions on property within the City of Parker, Florida ("City"), affect social, economic and aesthetic aspects of the community, thereby impacting property values, health, safety and welfare of the citizens of the City;

WHEREAS, the City Council has determined that the regulations contained in the City Code of Ordinances and the City's Land Development Regulations pertaining to the placement of accessory structures in the front yard of parcels within the City may be unclear and need to be revised;

WHEREAS, the City Council has determined that there is confusion among residents and property owners within the City as to the placement of accessory structures in the front yard of parcels located within the City;

WHEREAS, based upon the foregoing, the City Council has decided to temporarily suspend the permitting process for the erection, placement or establishment of accessory structures in the front yard of parcels within the City, pending the adoption of an

ordinance or resolution that can set out more specific criteria pertaining to accessory structures;

WHEREAS, after considering a variety of alternatives, the City anticipates that amendments to the City ordinances may be necessary to address, promote and protect property values within the City and the public health, safety and welfare of the citizens of the City;

WHEREAS, the City Council hereby instructs staff to actively pursue the development of amendments to its codes, ordinances or regulations relating to regulating the erection, placement or establishment of accessory structures in the front yard of parcels within the City;

WHEREAS, the City Council requires time to study the alternatives available to the City before adopting one or more of the amendments to the City codes, ordinances or regulations; and

WHEREAS, the City Council wants to alert the public about the potential changes that may affect accessory structures while the City reviews policies so that there should be no reliance on existing code, ordinances and regulations that may change in the near future.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, FLORIDA AS FOLLOWS:

Section 1. From the date of adoption of this Resolution and for a period of ninety (90) days thereafter, or until the 10/15/2013

2013-317

adoption of an ordinance amending current codes, plans and/or regulations, whichever occurs first, no application for a permit shall be considered by the City for the erection, placement or establishment of any accessory structure in the front yard, as that term is defined in the City's Land Development Regulations, of any parcel of land within the City.

Section 2. This moratorium shall not apply to the placement of accessory structures for purposes of sale on the premises of a dealer properly licensed for such purpose.

Section 3. The City's designated person or entity who is delegated the authority and responsibility to issue development and building permits on behalf of the City is hereby directed not to issue any development or building permit for the erection, placement or establishment of any accessory structure in the front yard of any parcel of land within the City, except as provided herein, for the extent of the moratorium.

Section 4. If any person or entity shall be aggrieved by this Resolution, the aggrieved party may appeal to the City Council which shall explain the status of the ordinances under consideration and consider the specific situation of such person or entity and determine whether it is likely that the final regulations adopted by the City will prohibit the activity requested. If not, such person or entity shall be permitted to proceed with the understanding that they are nonetheless proceeding

at their own risk, that the City has not taken final action, and that the final regulations may indeed proscribe the activity requested.

Section 5. All other resolutions or parts of resolutions of the City in conflict with the provisions of this Resolution are hereby repealed to the extent of such conflict.

Section 6. If any section, paragraph, sentence, or clause hereof or any provision of this Resolution is declared to be invalid or unconstitutional, the remaining provisions of this Resolution shall be unaffected thereby and shall remain in full force and effect.

Section 7. This Resolution shall take effect immediately upon its passage.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Parker, Florida on this 15th day of October, 2013.

CITY OF PARKER

Richard Musgrave
RICHARD MUSGRAVE, MAYOR

ATTEST:

Nancy A. Rowell
NANCY A. ROWELL, CITY CLERK

Examined and approved by me, this 8 day of NOVEMBER, 2013.

Richard Musgrave
RICHARD MUSGRAVE, MAYOR

10/15/2013

2013-317