

RESOLUTION NO. 2014-320

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, FLORIDA, EXTENDING THE MORATORIUM IMPOSED IN RESOLUTION NO. 2013-317, DETERMINING THE POTENTIAL NEED FOR CHANGES IN THE CITY'S ORDINANCES AND DIRECTING STAFF TO ACTIVELY PURSUE PROPOSED CHANGES; EXTENDING THE TEMPORARY MORATORIUM IMPOSED IN RESOLUTION NO. 2013-317 ON THE ERECTION, PLACEMENT OR ESTABLISHMENT OF ACCESSORY STRUCTURES IN THE FRONT YARD OF PARCELS WITHIN THE CITY OF PARKER FOR AN ADDITIONAL 45 DAYS FROM JANUARY 13, 2014; REPEALING ALL RESOLUTIONS IN CONFLICT HERewith AND RECITING AN EFFECTIVE DATE.

WHEREAS, on October 15, 2013, the City Council ("City Council") of the City of Parker, Florida ("City"), enacted Resolution 2013-317, imposing a ninety day moratorium on the erection, placement or establishment of accessory structures in the front yard of parcels within the City;

WHEREAS, as a part of Resolution No. 2012-317, the City Council made certain findings and determinations concerning the erection, placement or establishment of accessory structures in the front yard of parcels within the City;

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

WHEREAS, based upon the foregoing, the City Council enacted Resolution No. 2013-317 and 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 could set out more specific criteria pertaining to accessory structures;

WHEREAS, after considering a variety of alternatives, the City Council found 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 instructed staff to actively pursue the development of amendments to its codes, ordinances or regulations relating to the erection, placement or establishment of accessory structures in the front yard of parcels within the City;

WHEREAS, the City Council determined that it required time to study the alternatives available to the City before adopting one or more of the amendments to the City codes, ordinances or regulations;

WHEREAS, the moratorium imposed by Resolution No. 2013-317 is set to expire on January 13, 2014;

WHEREAS, City staff and the Planning Commission are still in the process of pursuing the directive of the City Council and in developing amendments to its code, ordinances or regulations relating to the erection, placement or establishment of accessory structures in the front yard of parcels within the City;

WHEREAS, the City Council requires additional 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 also 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. The moratorium imposed by Resolution No. 2013-317 shall be extended for an additional forty-five (45) day period. The moratorium extension period shall commence on January 13, 2014, and shall continue until February 27, 2014, or until the adoption of an ordinance amending current codes, plans and/or regulations, whichever occurs first. During the period of the moratorium, 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 7<sup>th</sup> day of January, 2014.

CITY OF PARKER

Richard Musgrave  
RICHARD MUSGRAVE, MAYOR

ATTEST:

Nancy A. Rowell  
NANCY A. ROWELL, CITY CLERK

Examined and approved by me, this 7<sup>th</sup> day of January, 2014.

Richard Musgrave  
RICHARD MUSGRAVE, MAYOR