

ORDINANCE NO. 129

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF GOLF AMENDING THE VILLAGE LAND DEVELOPMENT REGULATIONS BY ADDING SECTION 10.13 ADMINISTRATIVE FEES AND SECTION 10.14 WITHDRAWAL, CONTINUATION AND RESUBMISSION OF APPLICATIONS; PROVIDING FOR CONFLICTS AND SEVERABILITY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, the Village has adopted Resolution No. 2020-04 establishing fees for various administrative and professional charges incurred in connection with applications submitted pursuant to the Village Land Development Regulations (LDRs); and

WHEREAS, the Village desires to ensure that provision for such fees is cross-referenced and incorporated in the LDRs as well as the resolutions establishing such fees from time to time; and

WHEREAS, the Village desires to establish procedures and requirements for withdrawal, continuation and resubmittal of applications submitted pursuant to the LDRs;

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF GOLF, FLORIDA THAT:

SECTION 1: The Village Land Development Regulations are amended to add the following provisions:

10.13 ADMINISTRATIVE FEES: The Village Council shall establish by resolution adopted from time to time the administrative fees associated with review of applications filed pursuant to the Village land development regulations. Such administrative fees shall include the fees charged by consultants and other professionals hired by the Village to review applications. All administrative fees are payable immediately upon receipt of the invoice from the Village and failure to pay such fees when due shall

result in delay of any further processing or public hearing on the application for which such fees apply. Due to the timing of a public hearing, there may be additional administrative fees that are invoiced following the date of the public hearing. Failure to pay such additional fees shall result in a delay in and/or withdrawal of any approval by the Village Council that occurred at the public hearing in connection with the application for which such fees apply.

and

10.14 WITHDRAWAL, AMENDMENT, CONTINUATION AND RESUBMITTAL OF APPLICATIONS.

A. Withdrawal of applications.

1. Any application submitted pursuant to the Village land development regulations may be withdrawn by an applicant or designated representative by giving written notice to the Village Manager prior to a public hearing on the application. An application may be withdrawn at a public hearing at the request of the applicant or designated representative. After the conclusion of the public hearing concerning an application, an application may be withdrawn only upon a majority affirmative vote of the Local Planning Agency or the Village Council, depending on which review authority has conducted the public hearing.

2. If an application is resubmitted or an amended application for some or all of the same property is submitted after withdrawal of the original application and the resubmitted application or an amended

application is withdrawn for any reason, unless such time period is waived by a majority vote of the Village Council, the Village Council shall not consider any further application for all or any part of the same property for a period of twelve (12) months from the date of such withdrawal.

B. Amendments to Application

Any application filed pursuant to the Village land development regulations may be amended prior to the publication of notice of public hearing. A written request for amendment to the application shall be made in writing to the Village Manager. A request of this nature shall require an additional amendment processing fee. Such amended applications shall be considered new applications and shall be processed by the Village as a new application.

C. Continuation of Applications.

Any application submitted pursuant to the Village land development regulations may be continued for a period not to exceed 60 days at the request of the Village Manager or the Village Council, if the authority requesting the continuation determines there is need for further study or information.

D. Resubmittal of Applications Upon Denial.

When an application submitted pursuant to the Village land development regulations is denied by the appropriate reviewing authority, unless such time period is waived by a majority vote of

such reviewing authority, an application affecting all or part of the same property and containing some or all of the same request(s) for approval as the denied application shall not be resubmitted for a period of 12 months following the denial. The reviewing authority may waive this provision if new circumstances or material changes affect the application.

E. These provisions do not apply to Village-initiated applications.

Section 2: All ordinances or parts of ordinances in conflict with this Ordinance are repealed.

Section 3: Should any section or provision of this Ordinance or any portion hereof, or any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

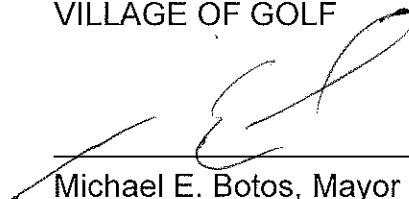
Section 4: Specific authority is hereby granted to codify this Ordinance.

Section 5: This Ordinance shall take effect immediately upon passage.

FIRST READING this 21st day of April 2021.

SECOND AND FINAL READING this 12th day of May 2021.

VILLAGE OF GOLF



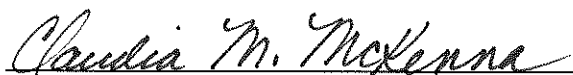
Michael E. Botos, Mayor

ATTEST:


Donn M. Lynn, Village Clerk

(SEAL) /

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY


Claudia M. McKenna, Village Attorney