



TOWN OF GOLDEN BEACH

**One Golden Beach Drive
Golden Beach, FL 33160**

**Official Agenda for the September 18, 2013
First Budget Hearing & Special Town Council Meeting called for 7:00 P.M.**

A. MEETING CALLED TO ORDER

B. ROLL CALL

C. PLEDGE ALLEGIANCE

D. PRESENTATIONS / TOWN PROCLAMATIONS

E. MOTION TO SET THE AGENDA

ADDITIONS/ DELETIONS/ REMOVAL OF ITEMS FROM CONSENT
AGENDA/ AND CHANGES TO AGENDA

F. GOOD AND WELFARE

G. MAYOR'S REPORT

H. COUNCIL COMMENTS

I. TOWN MANAGER REPORT

J. TOWN ATTORNEY REPORT

K. FISCAL YEAR 2013-2014 BUDGET HEARING REPORT

- 7. A Resolution of the Town Council Adopting the Proposed Millage Rate for the Fiscal Year Commencing October 1, 2013 through September 30, 2014**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ADOPTING THE PROPOSED MILLAGE RATE OF THE TOWN OF GOLDEN BEACH FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); SETTING A DATE FOR A FINAL PUBLIC HEARING TO

ADOPT THE MILLAGE RATE; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7
Resolution No. 2320.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2320.13

8. A Resolution of the Town Council Adopting the Tentative Budgets for the Fiscal Year Commencing October 1, 2013 through September 30, 2014

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ADOPTING THE TENTATIVE BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 8
Resolution No. 2321.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2321.13

L. ORDINANCES – SECOND READING

1. An Ordinance of the Town Council Amending Chapter 66, Zoning; Article III, District Regulations.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 66, ZONING; ARTICLE III, DISTRICT REGULATIONS, TO CLARIFY PERMITTED AND PROHIBITED USES IN THE SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 556.13

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 556.13

2. An Ordinance of the Town Council Amending the Town of Golden Beach Employees Pension Plan.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN OF GOLDEN BEACH EMPLOYEES PENSION PLAN (THE "PLAN") CODIFIED IN DIVISION 1 "GENERAL EMPLOYEES" OF ARTICLE II "RETIREMENT" OF CHAPTER 24 "PERSONNEL" IN THE TOWN'S MUNICIPAL CODE OF ORDINANCES TO CHANGE THE DEFINITION OF "FULL-TIME EMPLOYMENT" TO AT LEAST 40 HOURS PER WEEK AND AT LEAST SIX MONTHS PER YEAR; BY AMENDING SECTION 24-31 "DEFINITIONS" OF ARTICLE II "RETIREMENT"; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2
Ordinance No. 557.13

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 557.13

M. ORDINANCES - FIRST READING

None

N. QUASI JUDICIAL RESOLUTIONS

3. A Resolution of the Town Council Approving a Variance Request for 434 Golden Beach Drive.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 434 GOLDEN BEACH DR., GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE DOCK TO EXTEND OUT INTO THE WATERWAY AT 7.5' WHERE 6' IS REQUIRED BY THE TOWNS CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 3
Resolution No. 2317.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2317.13

4. A Resolution of the Town Council Approving a Variance Request for 508 North Parkway.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 508 NORTH PARKWAY., GOLDEN BEACH, FLORIDA 33160 TO PERMIT A 31% PERVIOUS AREA WHERE 35% IS REQUIRED BY THE TOWNS CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 2318.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2318.13

O. CONSENT AGENDA

5. Minutes of the August 20, 2013 Regular Town Council Meeting.

6. A Resolution of the Town Council Approving Settlement of Administrative Action by Former Police Officer Angel Ortiz.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING SETTLEMENT OF ADMINISTRATIVE ACTION BROUGHT BY FORMER POLICE OFFICER ANGEL ORTIZ.

Exhibit: Agenda Report No. 6
Resolution No. 2319.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2319.13

P. TOWN RESOLUTIONS

7. A Resolution of the Town Council Adopting the Proposed Millage Rate for the Fiscal Year Commencing October 1, 2013 through September 30, 2014.

8. A Resolution of the Town Council Adopting the Tentative Budgets for the Fiscal Year Commencing October 1, 2013 through September 30, 2014.

9. A Resolution of the Town Council Reauthorizing the Town's Schedule of Building Permit and Processing Fees.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, REAUTHORIZING THE TOWN'S SCHEDULE OF BUILDING PERMIT AND PROCESSING FEES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 9
Resolution No. 2322.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2322.13

10. A Resolution of the Town Council Increasing the Stormwater Utility Fees.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, INCREASING THE STORMWATER UTILITY FEES EFFECTIVE AS OF SEPTEMBER 18, 2013; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 10
Resolution No. 2323.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2323.13

11. A Resolution of the Town Council Authorizing the Agreement between the City of Sunny Isles and the Town to Continue Utilizing the Sungard/OSSI Computer System.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE AGREEMENT BETWEEN THE CITY OF SUNNY ISLES' INFORMATION TECHNOLOGY DEPARTMENT AND THE TOWN TO CONTINUE UTILIZING SUNGARD/OSSI COMPUTER SYSTEM AND INFORMATION TECHNOLOGY

SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 11
Resolution No. 2324.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2324.13

12. A Resolution of the Town Council Approving Amendment #4 to the 2012-2013 Fiscal Year Operating Budget.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AMENDMENT #4 TO THE 2012-2013 FISCAL YEAR OPERATING BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 12
Resolution No. 2325.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2325.13

Q. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Judy Lusskin:
None Requested

Councilmember Amy Isackson-Rojas:
None Requested

Councilmember Kenneth Bernstein:
None Requested

Councilmember Bernard Einstein:
None Requested

Town Manager Alexander Diaz
None Requested

R. ADJOURNMENT:

DECORUM:

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COUNCIL SHALL BE BARRED FROM THE COUNCIL CHAMBERS BY THE PRESIDING OFFICER. NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACE CARDS SHALL BE ALLOWED IN THE COUNCIL CHAMBERS. PERSONS EXITING THE COUNCIL CHAMBERS SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE COUNCIL CHAMBERS IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS.

PURSUANT TO FLORIDA STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR THAT PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHER INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

IF YOU NEED ASSISTANCE TO ATTEND THIS MEETING AND PARTICIPATE, PLEASE CALL THE TOWN MANAGER AT 305-932-0744 EXT 224 AT LEAST 24 HOURS PRIOR TO THE MEETING.

RESIDENTS AND MEMBERS OF THE PUBLIC ARE WELCOMED AND INVITED TO ATTEND.



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: September 18, 2013
To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz, *Alex B*
Town Manger

Subject: Ordinance No. 556.13 – Amending Chapter 66, Zoning,
Specifically by Amending Article III, Entitled “District
Regulations.”

Item Number:

1

Recommendation:

It is recommended that the Town Council adopt the attached Ordinance No. 556.13 as presented.

Background:

This item is on second reading.

At your June 24, 2013 Special Town Council Meeting, you approved Ordinance 556.13 at first reading. This Ordinance will provide for additional enforceable provisions to ensure that homes in Town are being used for the purposes provided within the Ordinance.

We anticipate that this Ordinance will assist our efforts to limit the type of activities homes in Town are being used for (i.e. commercial parties, hosted evens for other purposes, etc.).

Fiscal Impact:

None

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 556.13

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 66, ZONING; ARTICLE III, DISTRICT REGULATIONS, TO CLARIFY PERMITTED AND PROHIBITED USES IN THE SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town is incorporated as a residential community;

WHEREAS, the Charter of the Town of Golden Beach at Section 1.02(c)(3) prohibits the Town Council from permitting any use of any land within the Town for any purpose other than for single family residential use; Town of Golden Beach governmental purposes; and social and athletic nonprofit clubs and organizations that are operated for the benefit and use of residents of the Town on public property designated for this purpose;

WHEREAS, Chapter 66 of the Town Code of Ordinances, Zoning, Section 66-67 zones all parcels of land within the corporate limits of the Town as: (1) Single-Family Residential [SF]; (2) Governmental or community facilities [CF]; or (3) Social and athletic or public recreation [R-2];

WHEREAS, Chapter 66 of the Town Code of Ordinances, Zoning, Section 66-62 Requires that all lots and parcels of land within the corporate limits of the Town shall be used in accordance with the zoning districts set forth in Section 66-67 and for no other purpose;

WHEREAS, the Town desires to clarify the uses permitted and prohibited in the Single-Family Residential Zoning District;

WHEREAS, the proposed amendments to Chapter 66 were reviewed by the Town Council meeting as the Local Planning Agency on September 18, 2013 and direction was provided to the Town Manager and Building Official;

WHEREAS, the Town Manager and Building Official has prepared the proposed text amendments;

WHEREAS, the Town Council meeting as the Local Planning Agency considered this matter on September 18, 2013 and recommended adoption of this ordinance to the Town Council; and

WHEREAS, after careful consideration of this matter, the Town Council has determined that it is in the best interests of the Town to approve the text amendments to Chapter 66, Zoning; Article III, District Regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. Each of the above stated recitals are hereby adopted, confirmed and incorporated herein.

Section 2. Amendment. Chapter 66 of the Town Code is amended by making modifications to Article III, in the following particulars:

ARTICLE III. DISTRICT REGULATIONS.

* * *

Sec. 66-67 - Zoning Districts

* * *

(b) Single-Family Residential District. Within the SF district, the following uses are permitted:

(i) Dwellings. All property within the SF district shall be used for the principle purpose of dwellings occupied by individual families.

(ii) Additionally a family may use an improved property for social and recreational activities customarily associated with single family residential use within the Town, including swimming and boating.

(iii) Prohibited uses. Except as provided in Section 66-91 governing Residential Transient Use and Section 15-10 governing Filming, no business, professional or other commercial uses are permitted from or with any SF district. No person may use any property within the SF district as a venue for any event, party, other commercial or promotional activity where a fee is charged for entry or any type of compensation is directly or indirectly given to the property owner for the use of the property, nor may any person hold any third party promotional event (other than a traditional, daytime open house) at the property for the purpose of advertising or otherwise exposing the property for sale.

(b) (c) The Future Land Use/Transportation Map adopted by Ordinance 368-88, as amended, shall constitute the Land Use and Zoning Map of the Town until adoption of an official zoning map pursuant thereto.

Section 3. Implementation. The Town Clerk and Town Manager are hereby authorized to take any and all action necessary to implement this Ordinance and make it part of the Town Code including re-numbering or re-lettering the code references and ordering.

Section 4. Severability. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 5. Conflicts. To the extent that this Ordinance conflicts wholly or partially with any existing provision in the Town Code, the terms of this Ordinance shall prevail.

Section 6. Effective Date. This Ordinance shall be effective immediately upon adoption.

Sponsored by the **Town Administration.**

The Motion to adopt the foregoing Ordinance was offered by Vice Mayor Lusskin, seconded by Councilmember Rojas, and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice-Mayor Judy Lusskin	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>
Councilmember Amy Isackson-Rojas	<u>Aye</u>

PASSED AND ADOPTED on first reading this 24th day of June, 2013.

The Motion to adopt the foregoing Ordinance was offered by _____, seconded by _____ and on roll call the following vote ensued:

Mayor Glenn Singer	___
Vice Mayor Judy Lusskin	___
Councilmember Kenneth Bernstein	___
Councilmember Amy Isackson-Rojas	___
Councilmember Bernard Einstein	___

PASSED AND ADOPTED on second reading this 18th day of September, 2013.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: September 18, 2013

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz, *Alex B*
Town Manager

Subject: **Ordinance No. 557.13 – Amending the Town of Golden Beach
Employee Pension Plan**

Item Number:

2

Recommendation:

It is recommended that the Town Council adopt the attached Ordinance No. 557.13 as presented.

Background:

This Item is on second reading.

At your August 20, 2013 Regular Town Council meeting, you approved this item on first reading. I am proposing that we change the definition of Employee for the purpose of determining which employees are pension eligible. The Ordinance currently allows those employees who work 20 hours per week to join the Town's Pension. We are recommending that we change it to 40 hours per week.

Fiscal Impact:

None

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 557.13

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN OF GOLDEN BEACH EMPLOYEES PENSION PLAN (THE “PLAN”) CODIFIED IN DIVISION 1 “GENERAL EMPLOYEES” OF ARTICLE II “RETIREMENT” OF CHAPTER 24 “PERSONNEL” IN THE TOWN’S MUNICIPAL CODE OF ORDINANCES TO CHANGE THE DEFINITION OF “FULL-TIME EMPLOYMENT” TO AT LEAST 40 HOURS PER WEEK AND AT LEAST SIX MONTHS PER YEAR; BY AMENDING SECTION 24-31 “DEFINITIONS” OF ARTICLE II “RETIREMENT”; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Golden Beach (the “Town”) currently maintains a defined benefit pension plan for its general employees and police officers, which is known as the Town of Golden Beach Employees Pension Plan (the “Plan”) as provided for in Chapter 24 “Personnel” of the Town’s Municipal Code of Ordinances;

WHEREAS, the Town desires to change the definition of “full-time employment” from at least 20 hours per week and at least five months per year to at least 40 hours per week and at least six months per year and;

WHEREAS, the Town Council finds that it is in the best interest of the Town to change the definition of “full-time employment” on or after the ratification date of this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA:¹

Section 1. Recitals Adopted. That the foregoing WHEREAS clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Town Code Amended. That Section 24-31 "Definitions" of Chapter 24 "Personnel" of the Town's Municipal Code of Ordinances is hereby amended as follows:

Sec. 24-31. - Definitions

* * *

Employee means any person who is employed by the City on a full-time basis and whose salary or wages are subject to withholding for purposes of federal income taxes and the Federal Insurance Contributions Act. For this purpose, "full-time employment" shall mean at least 40 hours per week and at least six months per year ~~at least 20 hours per week and at least five months per year~~. Persons employed under contract for a definite period or for the performance of a particular, special service shall not be eligible for participation in the Plan.

* * *

Section 3. Repeal. That all sections or parts of sections of the Town Municipal Code of Ordinances, all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 4. Severability. That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not effect the

¹ Proposed additions to existing Town Code text are indicated by an underline; proposed deletions from existing Town Code text are indicated by ~~strike through~~.

validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, and they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Inclusion in Code. That it is the intention of the Town Council that the provisions of this Ordinance shall become and be made a part of the Town Municipal Code of Ordinances and that the sections of this Ordinance may be renumbered or relettered and the word “Ordinances” may be changed to “Chapter,” “Section,” “Article,” or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed.

Section 6. Effective Date. That this Ordinance shall take effect upon adoption on second reading.

The Motion to adopt the foregoing Ordinance was offered by Vice Mayor Lusskin, seconded by Councilmember Bernstein, and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice-Mayor Judy Lusskin	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>
Councilmember Amy Isackon-Rojas	<u>Aye</u>

PASSED AND ADOPTED on first reading this 20th, day of August, 2013.

The Motion to adopt the foregoing Ordinance was offered by _____,
seconded by _____ and on roll call the following vote ensued:

Mayor Glenn Singer	_____
Vice Mayor Judy Lusskin	_____
Councilmember Kenneth Bernstein	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Bernard Einstein	_____

PASSED AND ADOPTED on second reading this 18th day of September, 2013.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY

Retirement Plan for Employees of the Town of Golden Beach
Actuarial Impact of Proposed Amendment

The attached proposed **Town Of Golden Beach, Florida Ordinance No. XXX.13** would amend The Town Of Golden Beach Employees Pension Plan (The "Plan") Codified In Division 1 "General Employees" Of Article II "Retirement" Of Chapter 24 "Personnel" in the Town's Municipal Code Of Ordinances to change the definition of "full-time employment" for purposes of determining plan eligibility from "at least 20 hours per week and at least five months per year" to "at least 40 hours per week and at least six months per year".

The Town of Golden Beach has confirmed that no employees currently participating in the Retirement Plan would be affected by this change. Therefore, all current participants will meet the requirements for participation under the amended plan. So, in this instance there will be no immediate cost or savings to implementing the amendment.

The proposed amendment complies with my understanding of Chapter 112, Part VII, Florida Statutes and Section 14 Article X of the Florida Constitution.



Paul B. Burdulis, EA, ASA, FCA, MAAA
Senior Vice President / Consulting Actuary
PBurdulis@shdr.com
(864) 527-0630

August 14, 2013
Date



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: September 18, 2013

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Subject: Resolution No. 2317.13 – Variance Request for 434 Golden Beach Drive,
Golden Beach, FL 33160 (Dock)

Item Number:

3

Recommendation:

It is recommended that the Town Council allow the applicant the opportunity to seek approval of the variance request presented in Resolution No. 2317.13

Background and History:

The Town Code of Ordinances Section 46-84 General specifications for docks. No dock shall be permitted to be constructed, repaired, or reconstructed within the limits of the Town which shall extend more than six feet outside the lot property line into an inside (width of 100 feet or less) waterway nor more than ten feet outside the lot property line into an outside (width greater than 100 feet) waterway.

The applicant is requesting that the dock be allowed to extend into the waterway at 7.5', where a maximum of 6' has been established by the code.

The applicant has reduced the variance request, for the Town Council meeting, from a previous 10' encroachment request to a 7.5' variance request.

The Building Regulation Advisory Board met March 13, 2013 and recommended approval of a the variance, the motion failed with a Board vote of 3-0. The motion failed for lack of an affirmative vote.

No one in attendance spoke in opposition to this item.

Attachments:

- Resolution
- Building Official Critique
- Notice of Hearing
- Building Regulation Advisory Board Application
- Copy of resident notification listing
- Summary minutes

Financial Impact: None

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2317.13

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 434 GOLDEN BEACH DR., GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE DOCK TO EXTEND OUT INTO THE WATERWAY AT 7.5' WHERE 6' IS REQUIRED BY THE TOWNS CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicants, Michael Newman, (“the applicant”), filed a Petition for a Variance/exception, Article IV – Seawall and Docks: Section 46-84 General specifications for docks, allowing the dock to extend into the waterway at 7.5’, in lieu of the Town Codes requirement of 6’ at 434 Golden Beach Dr., Golden Beach, Florida 33160 (Golden Beach Section “E”, Lot 42 & N ½ of Lot 43, Block F, as recorded in PB 8-122, of the Public Records of Miami-Dade County, (Folio No. 19-1235-005-0490 (the “Property”) and ;

WHEREAS, the Town’s Building Regulation Advisory Board held an advertised public hearing on the Petition for Variance/Exception and recommended disapproval of the variance by the Town Council; and,

WHEREAS, a public hearing of the Town Council was advertised and held, as required by law, and all interested parties were given an opportunity to be heard; and

WHEREAS, the Town Council having considered the evidence presented, finds that the Petition of Variance meets the criteria of the applicable codes and ordinances to the extent the application is granted herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE
TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:**

Section 1. Recitals Adopted. Each of the above stated recitals are hereby adopted and confirmed.

Section 2. Approval. The Petition for Variance to permit each of the requested variances is hereby granted.

Section 3. Conditions. The Petition for Exception/Variance as granted is subject to the following conditions:

- (1) Applicant shall record a certified copy of this Resolution in the public records of Miami-Dade County; and
- (2) Construction shall be completed substantially in accordance with those certain plans, S-1 through S-6, by Dynamic Engineering Solutions, Inc., John Omslaer, PE 52733, dated 8/7/2013, and the Sketch of Boundary Survey, prepared by Javier De La Rocha, L.B. 7551, Exacta Commercial Land Surveyors, dated 7/23/2013, for the property located at 434 Golden Beach Dr., Golden Beach, FL. 33160

Section 4. Implementation. That the Building and Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Town of Golden Beach Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this Resolution. A copy of this Resolution shall be attached to the building permit application documents.

Section 5. Effective Date. This Resolution shall be effective immediately upon adoption.

Sponsored by the **Town Administration.**

The Motion to adopt the foregoing Resolution was offered by _____,
seconded by _____ and on roll call the following vote ensued:

Mayor Glenn Singer	_____
Vice Mayor Judy Lusskin	_____
Councilmember Kenneth Bernstein	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Bernard Einstein	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 18th day September, 2013

ATTEST:

MAYOR GLENN SINGER

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY

Town of Golden Beach

MEMORANDUM

TOWN COUNCIL
SEPT 18, 2013

To: Building Regulation Advisory Board
From: Daniel B. Nieda, R.A. Building Official
Date: September 10, 2013
Re: Variance Petition for Boat Dock at Newman Residence
434 Golden Beach Drive

(305)
677-3254

Background:

The applicant has submitted for approval a 50 foot wide by 7.5 foot deep boat dock attached to six wood post supports and the face of the existing concrete cap. The proposed boat dock is located on an rectangular lot open to the internal Golden Beach canal, at 434 Golden Beach Drive, where the dock structure projects 7.5 feet into a waterway of 100 feet or less from the property line. The proposed wood dock projects 1.5 foot beyond the permitted 6 foot waterway projection stipulated per Section 46-84 to cause this variance petition. The variance petition appears to be an owner driven request. A companion request for a boat lift projecting 24 feet into the waterway is compliant with the Code and will be heard under separate cover. The construction drawings consist of S-1 through S-6, prepared by John Omslayer, dated August 7, 2013

Waterway Projection

Section 66-41 of the Code of Ordinances requires that seven conditions be met to demonstrate an undue hardship. In recommending the granting of a variance the Building Regulation Advisory Board may prescribe appropriate conditions and safeguards in conformity with the Town of Golden Beach's Code. In reviewing the Variance Petition the Board shall confirm the findings of the Building Official as follows:

1. Yes, this petition constitutes a variance, since the applicant has requested to permit a proposed boat dock structure projecting 7.5 feet or 1.5 foot beyond the 6 foot waterway projection permitted per Section 46-84 of the Code.
2. No, the land is not peculiar in nature as an internal rectangular lot with 75 feet of waterway frontage on the internal Golden Beach canal, at 434 Golden Beach Drive is not unusual. However, the property line is located on the landward edge of the seawall cap, instead of the centerline of the cap, from where waterway projections are measured.
3. No, the variance petition is not generated by the peculiar nature of the lot's location or relative to submerged waterway grasses, but driven by the actions of the applicant. However, the applicant claims that existing riprap reduce water depth forcing the boat dock to be further offshore.
4. Yes, the granting the variance would confer upon the applicant a special privilege as the requested internal Golden Beach canal dock projection is not compatible with other lands in the same District. However, adjacent neighbors to the north and south of the subject property have granted letters of consent and no objection to the applicant.

5. No, the literal interpretation of the provision of the Zoning Code for the requested boat dock projection rights of 1.5 foot does not appear to deprive the applicant the rights commonly enjoyed by other properties with boat lifts in the same Zone 3 Residential District.
6. No, rejection of this variance petition will not deprive the applicant of reasonable use of his land.
7. No, the granting of the requested boat dock projection variance petition may not be in harmony with the intent and purpose of the Zoning Code and may be injurious to the area and detrimental to the public welfare by the reduction of the canal's width for appropriate navigation.

In conclusion, the variance petition seeking relief from the maximum allowed projection of 6 feet allowed into the waterway per Section 46-87(b) of the Code, where the applicant seeks placement for a proposed boat dock projecting 7.5 feet into the waterway, does not seem to rise to the hardship standard required for granting of this variance petition.

The Building Review Advisory Board needs to determine if a negative recommendation of this variance petition deprives the applicant of reasonable use of his land. Alternately, the Board could recommend that other stipulated conditions may be required to raise this variance petition to the standards required by Section 66-41 of the Code, where the variance petition may be favorably considered.



TOWN OF GOLDEN BEACH RE-NOTICE OF PUBLIC HEARING

The **Town Council** of the Town of Golden Beach will hold a Public hearing on the following proposal:

 X Variance Request(s)
 Accessory Structures

Proposed construction of a new dock.

Relief from Town Code Section 46-84 General specifications for docks
No dock shall be permitted to be constructed, repaired, or reconstructed within the limits of the Town which shall extend more than six feet outside the lot property line into an inside (width of 100 feet or less) waterway nor more than ten feet outside the lot property line into an outside (width greater than 100 feet) waterway.

Request is to allow the dock to extend out into the waterway 7.5' in lieu of the 6' which is required by the code.

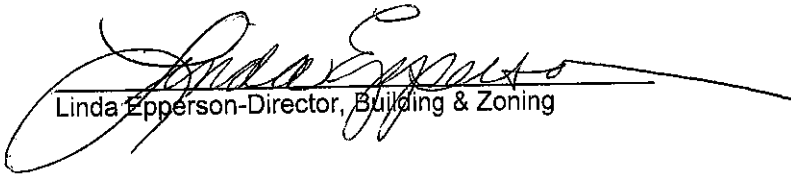
JOB ADDRESS: 434 Golden Beach Drive, Golden Beach, FL. 33160
OWNER ADDRESS: 1160 NW 163rd Drive, Miami, FL. 33169
REQUESTED BY: Michael Newman
LEGAL DESCRIPTION: Lot 42 and N ½ of Lot 43, Block F, GB Sect E, PB 8-122
FOLIO NO.: 19-1235-005-0490

The **TOWN COUNCIL** will consider this item:

PLACE: GOLDEN BEACH TOWN HALL
 1 GOLDEN BEACH DR., GOLDEN BEACH, FL
DATE: September 18, 2013 at 7:00pm

If you wish to submit written comments for consideration, they should be submitted to the Office of the Golden Beach Town Manager, prior to the scheduled meeting. If you have any questions regarding the proposed action, you may contact the Building Department at (305) 9320744

DATED: September 6, 2013


Linda Epperson-Director, Building & Zoning

PURSUANT TO FLA. STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COUNCIL, BOARD OR COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. ANY INDIVIDUAL WHO BELIEVES HE OR SHE HAS A DISABILITY WHICH REQUIRES A REASONABLE ACCOMMODATION IN ORDER TO PARTICIPATE FULLY AND EFFECTIVELY IN A MEETING OF THE BUILDING REGULATION BOARD MUST SO NOTIFY THE TOWN CLERK, AT (305) 932-0744 AT LEAST 24 HOURS PRIOR TO THE DATE OF THE MEETING.

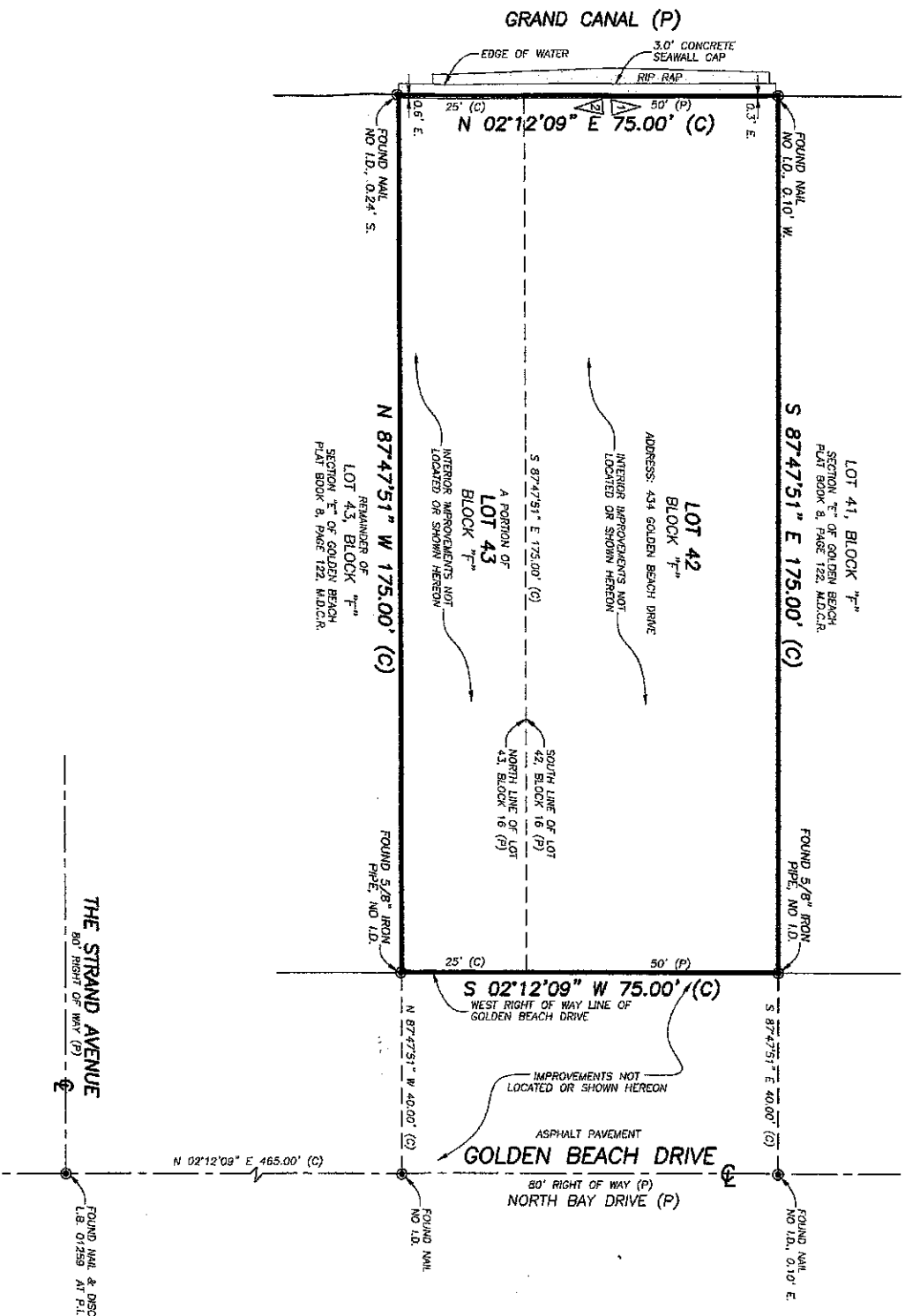
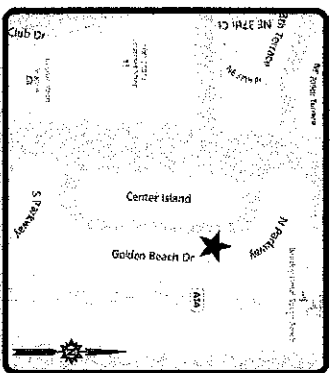
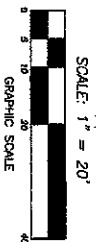
SKETCH OF BOUNDARY SURVEY OF: 434 GOLDEN BEACH DR., GOLDEN BEACH, FL

- LEGEND:**
- M.D.C.R. MIAMI-DADE COUNTY RECORDS
 - L.B. LICENSED BUSINESS
 - P.I. POINT OF INTERSECTION
 - P.C. PAGE
 - ID. IDENTIFICATION
 - (C) CALCULATED
 - (P) DENOTES BEARING AND/OR DISTANCE BASED ON PLATS OF RECORD
 - ⊕ CENTERLINE



VIEW 1
NOT TO SCALE

VIEW 2
NOT TO SCALE



LEGAL DESCRIPTION:
 LOT 42 AND THE NORTH 1/2 OF LOT 43, BLOCK "E", OF SECTION "E" OF GOLDEN BEACH, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 122, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

- SURVEY NOTES:**
1. THIS SURVEY REPRESENTS A BOUNDARY SURVEY AS DEFINED BY MINIMUM TECHNICAL STANDARDS FOR SURVEYING AND MAPPING, CHAPTER 32-17, FLORIDA ADMINISTRATIVE CODES. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 2. THE BEARINGS SHOWN HEREON ARE BASED ON A BEARING OF S 87°47'51" E, ALONG THE NORTH LINE OF LOT 42, BLOCK "E" OF SECTION "E" OF GOLDEN BEACH, PLAT BOOK 8, PAGE 122, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND REFER TO THE FLORIDA STATE PLANE COORDINATES SYSTEM, EAST ZONE, 1983 (1990) ADJUSTMENT.
 3. THE PROPERTY SHOWN HEREON LIES WITHIN FLOOD ZONES A-E, ELEVATION-7' (NGVD 29) AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 12088C 0153, COMMUNITY NUMBER 1206-42, TOWN OF GOLDEN BEACH, MIAMI-DADE COUNTY, FLORIDA, MAP REVISED DATE, SEPTEMBER 11, 2009.
 4. THE SYMBOLS REFLECTED IN THE LEGEND AND ON THIS SURVEY MAY HAVE BEEN ENLARGED FOR CLARITY. THE SYMBOLS HAVE BEEN PLOTTED AT THE CENTER OF THE FIELD LOCATION AND MAY NOT REPRESENT THE ACTUAL SHAPE OR SIZE OF THE FEATURE.
 5. THE INFORMATION REPORTED ON THIS SURVEY REPRESENTS THE RESULTS OF A FIELD SURVEY ON CONDITIONS EXISTING AT THAT TIME.
 6. THE INFORMATION CONTAINED IN THIS DOCUMENT WAS PREPARED BY EXACTA COMMERCIAL SURVEYORS, INC. EXACTA HAS TAKEN ALL REASONABLE STEPS TO ENSURE THE ACCURACY OF THIS DOCUMENT. WE CANNOT GUARANTEE THAT ALTERATIONS AND/OR MODIFICATIONS WILL NOT BE MADE BY OTHERS AFTER IT LEAVES OUR POSSESSION. THIS DOCUMENT MUST BE COMPARED AGAINST THE ORIGINAL RECORDS OF THE INFORMATION CONTAINED HEREON AND TO FURTHER ENSURE THAT ALTERATIONS AND/OR MODIFICATIONS HAVE NOT BEEN MADE. EXACTA MAKES NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACCURACY OF THE INFORMATION CONTAINED IN THIS OR ANY DOCUMENT TRANSMITTED OR REVIEWED BY COMPUTER OR OTHER ELECTRONIC MEANS. CONTACT EXACTA DIRECTLY FOR VERIFICATION OF ACCURACY.
 8. THE SURVEYOR DID NOT INSPECT THE PROPERTY SHOWN HEREON FOR ENVIRONMENTAL HAZARDS.

- SURVEY NOTES:**
9. SUBSURFACE UTILITIES, FOUNDATIONS AND ENCROACHMENTS WERE NOT LOCATED AND ARE NOT SHOWN HEREON. THIS SITE COULD HAVE UNDERGROUND INSTALLATIONS THAT ARE NOT SHOWN HEREON BEFORE DESIGN, CONSTRUCTION OR EXCAVATION. CONTRACT SUNSHINE STATE ONE CALL OF FLORIDA (1-800-432-4770) AND THE APPROPRIATE UTILITY COMPANIES FOR FIELD VERIFICATION OF UTILITIES. THIS SURVEY IS LIMITED TO ABOVEGROUND FEATURES ONLY.
 10. THE PROPERTY SHOWN HEREON CONTAINS 13,129 SQUARE FEET (0.30 ACRES), MORE OR LESS.
 11. IRRIGATION LINES, WELLS AND SPRINKLERS HEADS (IF ANY), NOT LOCATED OR SHOWN HEREON.
 12. EXACTA COMMERCIAL SURVEYORS, INC., DID NOT SEARCH THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS AFFECTING THE PROPERTY BEING SURVEYED. THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
 13. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

THIS SURVEY IS CERTIFIED TO:
 OCEAN CONSULTING, LLC.

CERTIFICATE:

THIS IS TO CERTIFY THAT THIS BOUNDARY SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JAVIER DE LA ROCHA
 PROFESSIONAL SURVEYOR AND MAPPER NO. 6080
 STATE OF FLORIDA

John@exactalands.com
 EXACTA COMMERCIAL SURVEYORS, INC. L.B. 7551

TELEPHONE NO. 561-314-0769 FAX NO. 561-314-0770

EXACTA
 COMMERCIAL LAND SURVEYORS
 L.B. 7551

3460 FAIRLANE FARMS ROAD, SUITE 6, WELLINGTON, FL. 33414

SEAL
 NOT VALID UNLESS
 SEALED HERE WITH
 AN EMBOSSED
 SURVEYOR'S SEAL

SKETCH OF BOUNDARY SURVEY

**LOT 42 AND THE NORTH 1/2 OF LOT 43
 BLOCK 16, SECTION "E" OF GOLDEN BEACH
 PLAT BOOK 8, PAGE 122, MIAMI DADE COUNTY RECORDS**

484 GOLDEN BEACH DRIVE, GOLDEN BEACH, FL 33160

CLIENT: OCEAN CONSULTING, LLC.
 DATE: 07/29/13
 DRAWN BY: J.E.C.
 CHECKED BY: JDLR
 LAST FIELD DATE: 07/29/13
 REVISIONS:

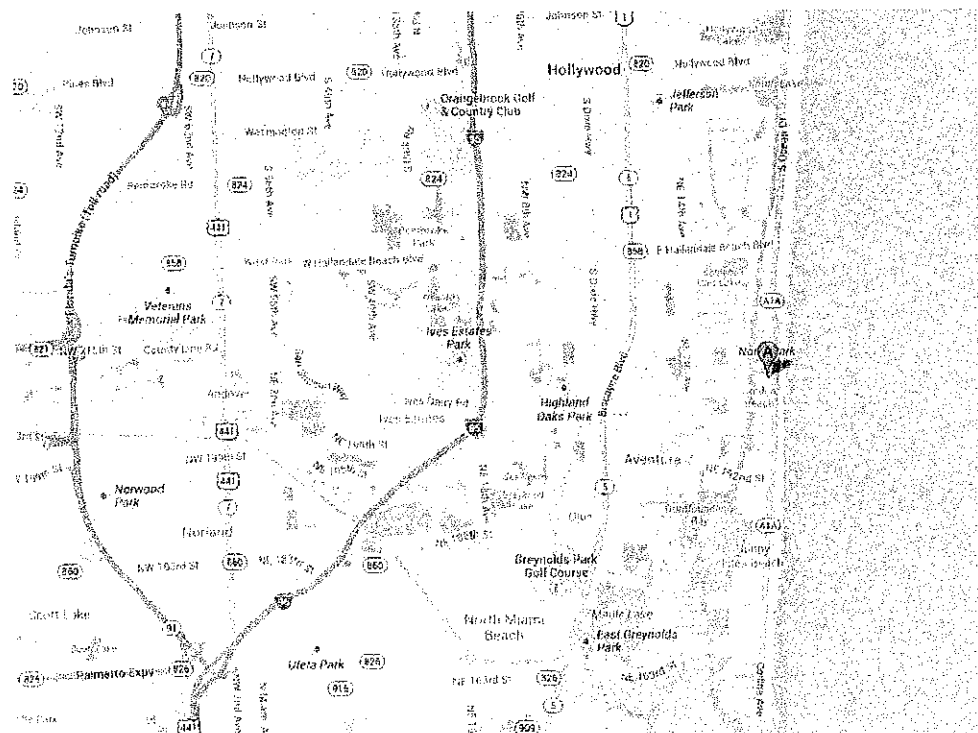
JOB NO.
FL 1307-2302

SHEET NO.
 01
 OF

01



LOCATION MAP AND LEGAL DESCRIPTION



PROJECT SITE LOCATION:
434 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL 33160

LATITUDE: 25°58'3.98"N
LONGITUDE: 80° 7'17.02"W

FOLIO No.: 19-1235-005-0490

PROJECT SITE LEGAL DESCRIPTION:
GOLDEN BEACH SEC E

PB 8-122
LOT 42 & N1/2 OF LOT 43 BLK F
LOT SIZE 75.000 X 175
OR 21070-0771 05 2001 1
COC 26010-4330 10 2007 5

GENERAL NOTES:

1. ELEVATIONS SHOWN REFER TO THE NATIONAL GEODETIC VERTICAL DATUM (NGVD) OF 1929.
2. ALL DIMENSIONS ON PLANS ARE SUBJECT TO VERIFICATION IN THE FIELD.
IT IS THE INTENT OF THESE PLANS TO BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION. ANY DISCREPANCIES BETWEEN THESE PLANS AND APPLICABLE CODES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF ENGINEER BEFORE PROCEEDING WITH WORK. CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR ALL LINES, ELEVATIONS, AND MEASUREMENTS IN CONNECTION WITH THEIR WORK.
3. IT IS THE INTENT OF THESE PLANS AND THE RESPONSIBILITY OF THE CONTRACTOR TO COMPLY WITH LOCAL, STATE, AND FEDERAL ENVIRONMENTAL PERMITS ISSUED FOR THIS PROJECT. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FAMILIARIZE AND GOVERN HIMSELF BY ALL PROVISIONS OF THESE PERMITS.
4. APPLICABLE BUILDING CODE: FLORIDA BUILDING CODE, 2010 EDITION (AND CURRENT ADDENDUMS).
5. APPROVED CONTRACTOR TO DETERMINE THE SUITABILITY OF EXISTING STRUCTURES AND VERIFY ALL DIMENSIONS. THE APPROVED CONTRACTOR IS RESPONSIBLE FOR ALL METHODS, MEANS, SEQUENCES AND PROCEDURES OF WORK.
6. DO NOT SCALE DRAWINGS FOR DIMENSIONS.
7. CONTRACTOR TO VERIFY LOCATION OF EXISTING UTILITIES PRIOR TO COMMENCING WORK.
8. CONTRACTOR TO PROPERLY FENCE AND SECURE AREA WITH BARRICADES.
9. ANY DEVIATION AND/OR SUBSTITUTION FROM THE INFORMATION PROVIDED HEREIN SHALL BE SUBMITTED TO THE ENGINEER FOR APPROVAL PRIOR TO COMMENCEMENT OF WORK.
10. ALL NEW MATERIALS AND/OR PATCHWORK SHALL BE PROVIDED TO MATCH EXISTING MATERIALS AND/OR ADJOINING WORK WHERE PRACTICAL EXCEPT AS SPECIFICALLY NOTED HEREIN.
11. LICENSED CONTRACTOR SHALL USE ALL POSSIBLE CARE TO PROTECT ALL EXISTING MATERIALS, SURFACES, AND FURNISHINGS FROM DAMAGE DURING ALL PHASES OF CONSTRUCTION.
12. THE LICENSED CONTRACTOR TO INSTALL AND REMOVE ALL SHORING AND BRACING AS REQUIRED FOR THE PROPER EXECUTION OF THE WORK.
13. ALL NEW WORK AND/OR MATERIALS SHALL CONFORM TO ALL REQUIREMENTS OF EACH ADMINISTRATIVE BODY HAVING JURISDICTION IN EACH PERTAINING CIRCUMSTANCE.

BOLTS

1. ALL BOLTS SHALL BE HOT-DIPPED GALVANIZED, UNLESS OTHERWISE NOTED.

WOOD

1. PRIMARY WOOD FRAMING MEMBERS SHALL BE NUMBER 2 PRESSURE TREATED SOUTHERN PINE OR BETTER.
2. ALL DIMENSIONS ON PLANS ARE SUBJECT TO VERIFICATION IN THE FIELD.

DOCK: LL 60 PSF

TOWN OF GOLDEN BEACH
BUILDING ADVISORY BOARD
HEARING DATE

SEP 10 2013

APPROVED _____
DISAPPROVED _____
VARIANCE FILED _____

NEWMAN BOAT LIFT PROJECT

Golden Beach, Florida 33160

CLIENT:
MR. JOEL NEWMAN
434 GOLDEN BEACH DR
GOLDEN BEACH, FL 33160

ENVIRONMENTAL CONSULTANT:

OCEAN CONSULTING, LLC
340 Minorca Avenue, Suite 7
Coral Gables, Florida 33134
Tel: (305) 921-9344
Fax: (305) 677-3254

CONTRACTOR:

PROJECT ENGINEER:

DYNAMIC ENGINEERING SOLUTIONS, INC.
950 N. Federal Highway, Suite 212
Pompano Beach, FL 33062
Tel: (954) 545-1740
Fax: (954) 545-1721

SEAL / SIGNATURE / DATE

John Omslaer
Digitally signed by John Omslaer
DN: c=US, st=FL, o=Pompano Beach, email=des_inc@bellsouth.net, o=Dynamic Engineering Solutions, Inc., cn=John Omslaer
Date: 2013.08.16 10:43:50 -04'00'

John Omslaer
PE 52733, EB 26829

PERMIT SKETCHES

Issue #	Issue Date
①	August 7, 2013

PROJECT: 12-3060

GENERAL NOTES & LOCATION MAP

SCALE: AS SHOWN
SHEET NO.

S-1

RECEIVED

AUG 16 2013

DERM Coastal Resources Section
Natural Resources Regulation & Restoration Division (NRRD)

NEWMAN BOAT LIFT PROJECT

Golden Beach, Florida 33160

CLIENT:
MR. JOEL NEWMAN
434 GOLDEN BEACH DR
GOLDEN BEACH, FL 33160

ENVIRONMENTAL CONSULTANT:
OCEAN CONSULTING, LLC
340 Minorca Avenue, Suite 7
Coral Gables, Florida 33134
Tel: (305) 921-9344
Fax: (305) 677-3254

CONTRACTOR:

PROJECT ENGINEER:
DYNAMIC ENGINEERING SOLUTIONS, INC.
950 N. Federal Highway, Suite 212
Pompano Beach, FL 33062
Tel: (954) 545-1740
Fax: (954) 545-1721

SEAL / SIGNATURE / DATE

John Omslaer
Digitally signed by John Omslaer
DN: cn=US, fo=FL, o=Pompano Beach,
ou=Dynamic Engineering Solutions, Inc., c=John Omslaer
Date: 2013.08.16 10:44:34 -0400

John Omslaer
PE 52733, EB 26829

PERMIT SKETCHES

Issue #	Issue Date
①	August 7, 2013

PROJECT: 12-3060

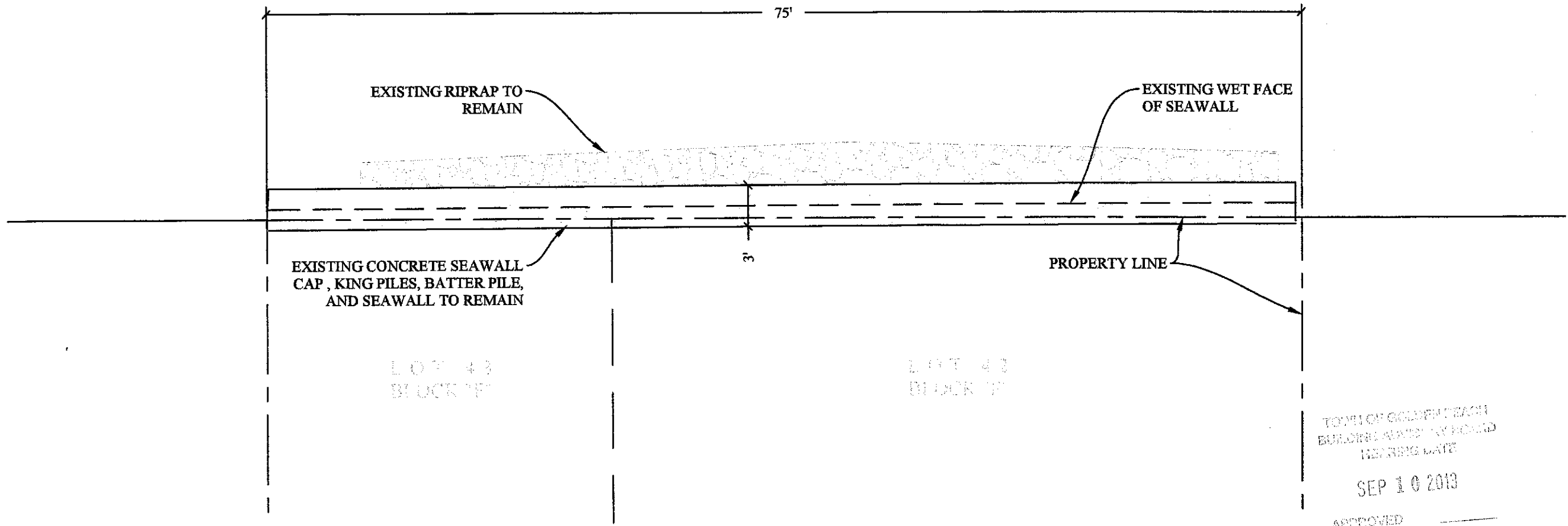
EXISTING CONDITIONS

SCALE: AS SHOWN
SHEET NO.

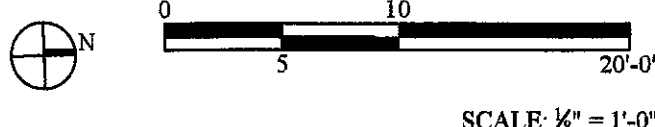
S-2

RECEIVED
AUG 16 2013
DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (NRRRD)

G R A N D C A N A L



EXISTING CONDITIONS
434 GOLDEN BEACH DRIVE



TOWNSHIP OF GOLDEN BEACH
BUILDING DEPARTMENT
RECEIVED DATE
SEP 10 2013
APPROVED _____
DISAPPROVED _____
VARIANCE REQ: _____

NEWMAN BOAT LIFT PROJECT

Golden Beach, Florida 33160

CLIENT:
MR. JOEL NEWMAN
 434 GOLDEN BEACH DR
 GOLDEN BEACH, FL 33160

RECEIVED
 AUG 16 2013
 DERM Coastal Resources Section
 Natural Resources Regulation & Restoration Division (NRRRD)

ENVIRONMENTAL CONSULTANT:
OCEAN CONSULTING, LLC
 140 Minorca Avenue, Suite 7
 Coral Gables, Florida 33134
 Tel: (305) 921-9344
 Fax: (305) 677-3254

CONTRACTOR:

PROJECT ENGINEER:
DYNAMIC ENGINEERING SOLUTIONS, INC.
 950 N. Federal Highway, Suite 212
 Pompano Beach, FL 33062
 Tel: (954) 545-1740
 Fax: (954) 545-1721

SEAL / SIGNATURE / DATE

John Omslaer
Digitally signed by John Omslaer
 DN: c=US, st=FL, l=Pompano Beach,
 email=jos_123@bellsouth.net,
 o=Dynamic Engineering Solutions, Inc., cn=John Omslaer
 Date: 2013.08.16 10:49:27 -0400

John Omslaer
 PE 52733, EB 26829

PERMIT SKETCHES

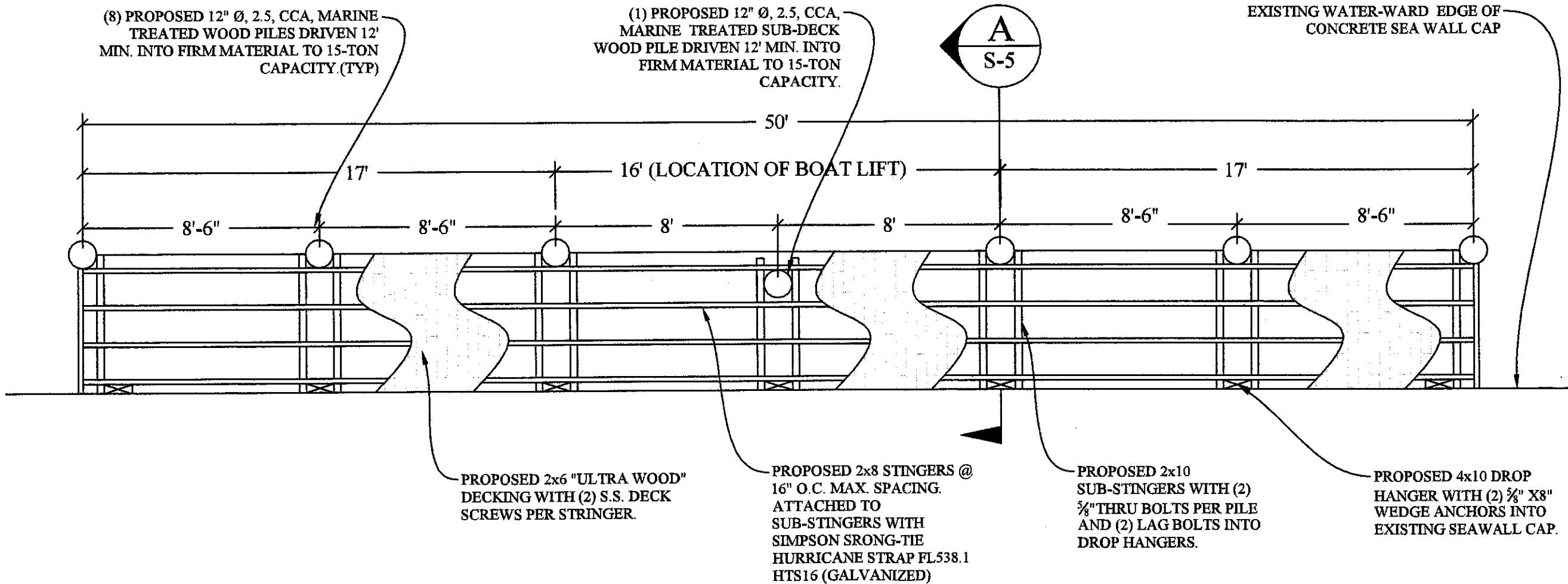
Issue #	Issue Date
①	August 7, 2013

PROJECT: 12-3060

PROPOSED FRAMING PLAN

SCALE: AS SHOWN
 SHEET NO.

S-4



(8) PROPOSED 12" Ø, 2.5, CCA, MARINE TREATED WOOD PILES DRIVEN 12' MIN. INTO FIRM MATERIAL TO 15-TON CAPACITY (TYP)

(1) PROPOSED 12" Ø, 2.5, CCA, MARINE TREATED SUB-DECK WOOD PILE DRIVEN 12' MIN. INTO FIRM MATERIAL TO 15-TON CAPACITY.

EXISTING WATER-WARD EDGE OF CONCRETE SEA WALL CAP

PROPOSED 2x6 "ULTRA WOOD" DECKING WITH (2) S.S. DECK SCREWS PER STRINGER.

PROPOSED 2x8 STRINGERS @ 16" O.C. MAX. SPACING. ATTACHED TO SUB-STRINGERS WITH SIMPSON STRONG-TIE HURRICANE STRAP FL538.1 HTS16 (GALVANIZED)

PROPOSED 2x10 SUB-STRINGERS WITH (2) 5/8" THRU BOLTS PER PILE AND (2) LAG BOLTS INTO DROP HANGERS.

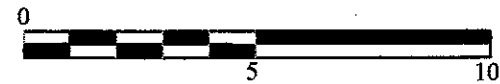
PROPOSED 4x10 DROP HANGER WITH (2) 5/8" X8" WEDGE ANCHORS INTO EXISTING SEAWALL CAP.

PROPOSED FRAMING PLAN

TOWN OF GOLDEN BEACH
 BUILDING ADVISORY BOARD
 MEETING DATE

SEP 10 2013

APPROVED _____
 DISAPPROVED _____
 VARIANCE REQ? _____



SCALE: 1/4" = 1'-0"

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Application fee: _____

Request hearing in reference to:

New residence/addition: _____ Variance(s): Marginal dock to extend more than 6 feet from property line
Exterior alterations: _____ Other Structure: _____
Date application filed: _____ For hearing date: _____

1. Project information:
Project description: Proposed dock to extend 7'-6" feet from property line.

Legal Description: GOLDEN BEACH SEC E PB 8-122 LOT 42 & N1/2 OF LOT 43 BLK F LOT
SIZE 75.000 X 175 OR 21070-0771 05 2001 1 COC 26010-4330 10 2007 5
Folio #: 19-1235-005-0490
Address of Property: 434 Golden Beach Drive

2. Is a variance(s) required: Yes X No _____ How Many? 1
(If yes, please submit variance application form for each request).

Owner's Name: Joel Newman Phone 305-495-7373 Fax _____
Owner's address: 1160 NW 163 Drive City/State Miami, FL Zip 33169
Agent: Ocean Consulting, LLC Phone (305) 921-9344 Fax (305) 677-3254
Agent's address: 340 Minorca Ave. Suite 7 City/State Coral Gables, FL Zip 33134
Architect: _____ Phone _____ Fax _____
Contractor: Southeast Marine Construction Phone (954) 630-2300 Fax (954) 630-2381

3. Describe project and/ or reason for request of hearing: Install marginal dock
extending 7'-6" feet into the canal from property line, to meet a boatlift that only
extends a total of 24' from property line. The marginal dock extends 5' from
seawall cap.
4. The following information is submitted for assisting in review:

Building Plans:

Conceptual: _____ Preliminary: _____ Final: _____
Other: _____

5. Estimated cost of work: \$ 15,000
Estimated market value of: Land \$ N/A
Building \$ N/A

(Note: If estimated cost of work is 40% of the market value of the building an independent appraisal is required).

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Property Address: 434 Golden Beach Drive, Golden Beach, FL 33160
Legal Description: GOLDEN BEACH SEC E PB 8-122 LOT 42 & N1/2 OF LOT 43 BLK F LOT SIZE 75.000 X 175 OR 21070-0771 05 2001 1 COC 26010-4330 10 2007 5
Owner's Name: Mr. Joel Newman Phone 305-495-7373 Fax _____
Agent's Name: Kirk Lofgren, Ocean Consulting, LLC Phone 305-921-9344 Fax (305) 677-3254
Board Meeting of: _____

- NOTE: 1. Incomplete applications will not be processed.
2. Applicant and/or architect must be present at meeting.

Application for: Extension of dock more than 6' into the water from the property line
Lot size: 13,125 sq ft
Lot area: N/A
Frontage: N/A
Construction Zone: N/A
Front setback: N/A
Side setback: N/A
Rear setback: N/A
Coastal Construction: Yes No _____ East of coastal const. control line: Yes _____ No
State Road A1A frontage: N/A
Swimming pool: N/A Yes _____ No _____ Existing: _____ Proposed: _____
Fence Type: N/A Existing: _____ Proposed: _____
Finished Floor elevation N.G.V.D.: N/A
Seawall: N/A Existing: _____ Proposed: _____
Lot Drainage: N/A
How will rainwater be disposed of on site? N/A

Adjacent use (s): N/A
Impervious area: N/A
% of impervious area: N/A
Existing ground floor livable area square footage: N/A
Proposed ground floor livable area square footage: N/A
Existing 2nd floor livable area square footage: N/A
Proposed 2nd floor livable area square footage: N/A
Proposed % of 2nd floor over ground floor: N/A
Vaulted area square footage: N/A
Vaulted height: N/A
Color of main structure: N/A
Color of trim: N/A
Color & material of roof: N/A
Building height (above finished floor elevation): N/A
Swale: (Mandatory 10'-0" from edge of payment, 10 ft. wide x 1 ft. deep minimum):
N/A
Existing trees in Lot: N/A in Swale: _____
Proposed trees in Lot: N/A in Swale: _____
Number & type of shrubs: N/A
Garage Type: N/A Existing: _____ Proposed: _____
Driveway width & type: N/A

Signature of Applicant:  Date: 8/9/13

TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
APPLICATION FOR
PETITION FOR VARIANCE

Date: _____

Fee: _____

I, Joel Newman hereby petition the Town of Golden Beach for a variance from the terms of the Town of Golden Beach Code of Ordinances affecting property located at: 434 Golden Beach Drive, Golden Beach, FL Folio No. 19-1235-005-0490

As specified in the attached "Application for Building Regulation Advisory Board" and related supporting material.

1. The Variance requested is for relief from the provisions of (list section number(s) of the Town of Golden Beach Code of Ordinances): Section 46-84

2. In order to recommend the granting of the variance, it must meet all the following criteria (please provide a response to each item):

- a. The Variance is in fact a Variance from a zoning regulation as set forth within the Zoning Chapter of the Town Code. Confirmed.

- b. Special conditions and circumstances exist which are peculiar to the land or structure involved, and which are not applicable to other lands or structures in the same district. Property line is located on the inside edge of the seawall cap. In addition, riprap extends approximately 8 to 10 feet offshore, limiting existing water depths nearshore as well. The boatlift is proposed 24 feet waterward in compliance, adjacent to the proposed dock extending more than 6 feet from property line to meet that boatlift (a total of 7'6").

- c. The special conditions and circumstances do not result from the actions of the applicant. Riprap and shallow water depths exist at the property pushing the dock further offshore. The boatlift is in compliance and does not require a variance.

- d. Granting the Variance requested will not confer on the applicant any special privilege that is denied by the Zoning Chapter of the Town Code to other lands or structures in the same district.

Docks immediately to the south and north exceed zoning code. Adjacent boatlift to the south also extends in same approximate dimensions offshore as this pending application.

TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
PETITION FOR VARIANCE

3. Literal interpretations of the provisions of the Zoning Chapter of the Town Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of zoning regulations and would work unnecessary and undue hardship on the applicant. Dock immediately to the south and north exceed zoning code. Therefore, proposed dock is in-line with these two docks (and further landward). Proposed boatlift complies with code.

4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. 7'-6" dock from project to meet boatlift at max distance waterward.

5. The granting of the Variance will be in harmony with the general intent and purpose of the Town Code and the Variance will not be injurious to the area involved or otherwise detrimental to the public welfare. Confirmed. Dock will match both north and south neighbor extension. Boatlift is in compliance with Zoning code.

Does the Variance being requested comply with all the above listed criteria?
 Yes No

6. Our code states that submission of a written statement is invited and encouraged. Has the applicant (petitioner) explained the variance to the owners of the nearest adjacent residences and sought their approval in writing? Yes No.
Please attach any written letters of no objection to this petition.

7. Is this request related to new construction? Yes No

8. Is construction in progress? No

9. Is this request as a result of a code violation? No

10. Did this condition exist at the time property was acquired? Yes No

11. Is this request sought as a remedy to a case to be heard, or action taken by the Special Magistrate? No

12. Do you have a building permit? Yes No

Building Permit No. _____ Date issued: _____

TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
PETITION FOR VARIANCE
AFFIDAVIT BY OWNER

Affidavit by Owner for Variance Request(s):

Folio No.: 19-1235-005-0490 Address: 434 Golden Beach Drive

Legal Description: GOLDEN BEACH SEC E PB 8-122 LOT 42 & N1/2 OF LOT 43 BLK F LOT
SIZE 75.000 X 175 OR 21070-0771 05 2001 1 COC 26010-4330 10 2007 5

Being duly sworn, deposes and says: That He/She is the Owner named in the application for Building Advisory Board for the hearing date of _____ relating to Variance requests for construction or other work to be performed on, or in connection with, the premises located as indicated in the application.

I acknowledge notification by The Town of Golden Beach, that granting of a variance(s) by The Town Council, is conditioned on the following:

1. That a Building Permit for the contemplated work pursuant to the Variance must be issued within two (2) years from the date of the approval of the Resolution granting such variance request.
2. If a Building Permit is not issued within the two (2) year time limit set then the Resolution granting the Variance approval will be null and void.
3. That as the applicant, and at my own expense, I shall record a certified copy of the Resolution in the public records of Miami-Dade County and return two (2) certified copies to the Golden Beach Town Hall for inclusion into my property records.



Signature of Owner or Legal Representative



Sworn to and subscribed before me this 10th day of, 200 August 2013



Notary Public State of Florida at Large

Personally know to me Produced Identification



LETTER OF CONSENT

Note: Please insert applicable information

Date: _____

Miami-Dade County DERM
Class I Permitting Program
701 NW 1st Court
Miami FL, 33136

Re: Letter of Consent for Miami-Dade County DERM Class I Permit Application Number
CLI-2010-00286, (insert Class I Permit application number), for work proposed at
434 Golden Beach Drive, Golden Beach, FL 33160

(insert address of proposed work)

Ladies and Gentlemen:

I, Igor Sivokozov, President, Alpha International of America, Inc. (insert name), am the owner of the property located at
428 Golden Beach Drive, Golden Beach, FL 33160

(insert address of adjoining riparian property)

which is an adjoining riparian property to the above-referenced property. I have reviewed the
plans entitled New Dock & Boatlift

(insert title of plans)

prepared by Dynamic Engineering Solutions dated January 16, 2013, and preliminarily approved
by DERM on January 22, 2013 for the above-referenced project. Pursuant to Section
24-48.3(1)(j)(iii) of the Code of Miami-Dade County, Florida, I hereby consent to the above-
referenced project.

Sincerely,



Adjoining Riparian Property Owner

SUBSCRIBED AND SWORN TO ME THIS 28 DAY OF January, 2013

BY Igor Sivokozov

PERSONALLY KNOWN PRODUCED IDENTIFICATION (PLEASE CHECK ONE)

TYPE OF ID PRODUCED D.L.



NOTARY PUBLIC



LETTER OF CONSENT

Note: Please insert applicable information

Date: _____

Miami-Dade County DERM
Class I Permitting Program
701 NW 1st Court
Miami FL, 33136

Re: Letter of Consent for Miami-Dade County DERM Class I Permit Application Number
CLI-2010-00286 (insert Class I Permit application number), for work proposed at
434 Golden Beach Drive, Golden Beach, FL 33160
(insert address of proposed work)

Ladies and Gentlemen:

I, Isaias Vayda (insert name), am the owner of the property located at
440 Golden Beach Drive, Golden Beach, FL 33160
(insert address of adjoining riparian property)

which is an adjoining riparian property to the above-referenced property. I have reviewed the
plans entitled New Dock & Boatlift
(insert title of plans)

prepared by Dynamic Engineering Solutions dated January 16, 2013, and preliminarily approved
by DERM on January 22, 2013 for the above-referenced project. Pursuant to Section
24-48.3(1)(i)(iii) of the Code of Miami-Dade County, Florida, I hereby consent to the above-
referenced project.

Sincerely,

[Signature]
Adjoining Riparian Property Owner

SUBSCRIBED AND SWORN TO ME THIS 31st DAY OF Jan, 20 13
BY Isaias Vayda
PERSONALLY KNOWN PRODUCED IDENTIFICATION (PLEASE CHECK ONE)
TYPE OF ID PRODUCED
[Signature] NOTARY PUBLIC
Notary Public State of Florida
Liliane Smatt
My Commission DD848720
Expires 12/27/2015

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
9900 SOUTHWEST 107th AVE, SUITE 203
MIAMI, FLORIDA 33176

March 27, 2013

REPLY TO
ATTENTION OF

Reg. Division
Permits Branch
Section
01581(NW-JLC)

1601
1601 Blvd
Golden Beach, FL 33160

Mr. Newman:

Your application for a Department of the Army (DA) permit received on February 06, 2013 has been assigned number SAJ-2010-01581. A review of the information and drawings submitted shows the work is for the installation of a 24,000 pound capacity boat lift with two (2) steel boat lift support piles.

The project site is located in an artificial canal tributary to the Intracoastal Waterway at Golden Beach Drive; legally described as Lot 42 and North ½ of Lot 43, Block F of Golden Beach Section E, PB 8-122; in Section 35, Township 51 South, Range 42 East, Golden Beach, Duval County, Florida 33160 (folio # 19-1235-005-0490).

COORDINATE/LONGITUDE:

Latitude 25.96775°

Longitude -80.12136°

Your project, as depicted on the enclosed drawings, date-stamped by the U.S. Army Corps of Engineers (Corps) on **March 27, 2013** (3 pages), is authorized by the Nationwide Nationwide Permits (NWP) Number 2. **In addition, project specific conditions have been enclosed. This authorization is valid until March 18, 2017.** Please access the U.S. Army Corps of Engineers' Jacksonville District's Regulatory webpage to access web links to view the Final Nationwide Permits, Federal Register Vol. 77, dated February 21, 2012, specifically pages 10270 through 10276; the Corrections to the Final Nationwide Permits, Federal Register 77, March 19, 2012, and the List of Regional Conditions. The website address is as follows:
www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm

Please be aware this web address is case sensitive and should be entered as it appears on the website. Once there you will need to click on "Nationwide Permits." These files contain the details of the NWP authorization, the NWP general conditions, and the regional conditions,

ply specifically to this verification for NWP 2. Additionally, enclosed is a list of the six conditions, which apply to all DA authorizations. You must comply with all of the general conditions and any project specific condition of this authorization or you may be subject to enforcement action. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification may be required.

Following special conditions are included with this verification:

Reporting Address: All reports, documentation and correspondence required by the terms of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, 9900 Southwest 107th Avenue, Suite 203, Miami, Florida 33176. The Permittee shall reference this permit number, SAJ-2013-00371(NW-0001) in all submittals.

Self-Certification: Within sixty (60) days of completion of the authorized work or at termination of the construction authorization of this permit, whichever occurs first, the Permittee shall complete the attached "Self-Certification Statement of Compliance" form and submit to the Corps. In the event that the completed work deviates, in any manner, from the authorized work, the Permittee shall describe, on the Self-Certification Form, the deviations between the work authorized by the permit and the work as constructed. Please note that the description of any deviations on the Self-Certification Form does not constitute approval of any deviations by the Corps.

Assurance of navigation and maintenance: The Permittee understands and agrees that future operations by the United States require the removal, relocation, or other alteration, of structures or work herein authorized, or if, in the opinion of the Secretary of the Army or authorized representative, said structure or work shall cause unreasonable obstruction to the navigation of the navigable waters, the Permittee will be required, upon due notice from the United States, to remove, relocate, or alter the structural work or obstructions caused thereby, without cost to the United States. No claim shall be made against the United States on account of any removal or alteration.

Historic Resources: No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National

Sea turtle and smalltooth sawfish conditions: The Permittee shall comply with the U.S. Marine Fisheries Service's "Sea Turtle and Smalltooth Sawfish Construction Guidelines" dated March 23, 2006, attached to this permit.

Manatee Conditions: The Permittee shall comply with the "Standard Manatee In-Water Work – 2011," attached to this permit.

Best Management Practices: Environmental controls and best management practices shall be implemented to properly contain construction materials and prevent fugitive particulates from surrounding waters during the construction of the project.

Turbidity Barriers: Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend to 10 feet of the bottom around all work areas that are in, or adjacent to, surface waters. The barriers shall remain in place and be maintained until the authorized work has been completed and all erodible materials have been stabilized. Turbidity curtains must be removed once turbidity reaches background levels.

Commencement Notification: Within ten (10) days from the date of initiating the work, the Permittee shall provide to the Corps a written notification of the date of commencement of work authorized by this permit.

Reverification: Should any other regulatory agency require changes to the work authorized by this permit, the Permittee is advised that a reverification of this permit is required prior to initiation of those changes. It is the Permittee's responsibility to request a reverification from the Miami Regulatory Office.

Posting of Permit: The Permittee shall ensure that all contractors, sub-contractors, and personnel associated with the implementation of the project review, understand, and comply with the approved plans and special conditions made part of this permit. Complete copies of the approved plans shall be available at the construction site at all times. Failure to comply with the approved plans and permit special conditions may subject the Permittee to enforcement action.

Water Quality Certification: This letter of authorization does not obviate the need to obtain any other Federal, State, or local permits, which may be required. Prior to the initiation of any construction, projects qualifying for this Nationwide Permit must qualify for an authorization under section 403.813(1), F.S. or 373.406, F.S., or otherwise be authorized by the Nationwide Permit required under Part IV of Chapter 373, F.S., by the Department of Environmental Protection, a water management district under section 373.069, F.S., or a local government with delegated authority under section 373.441, F.S., and receive Water Quality Certification (WQC) and applicable Coastal Zone Consistency Concurrence (CZCC) or waiver from the Corps as any authorizations required for the use of state-owned submerged lands under section 373.406, F.S. and, as applicable, Chapter 258, F.S. You should check State-permitting

with the Florida Department of Environmental Protection or the appropriate water district.

This letter of authorization does not include conditions that would prevent the 'take' of fish or wildlife species. These species are protected under sec. 379.411, Florida Statute and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife designated as species of special concern or threatened by the State of Florida, it is advisable for coordinating directly with the Florida Fish and Wildlife Conservation Commission (FWC). You can visit the FWC license and permitting webpage (<http://www.fwc.com/license/wildlife/>) for more information, including a list of those fish and wildlife designated as species of special concern or threatened. The Florida Natural Heritage Inventory (<http://www.fnai.org/>) also maintains updated lists, by county, of documented species of those species.

This letter does not give absolute Federal authority to perform the work as specified on the NWP. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, or the expiration date for the above referenced NWP, please contact Jessica Cordwell at the address, by electronic mail at Jessica.L.Cordwell@usace.army.mil, by telephone at 305-526-7184, or by fax at 305-526-7184.

Thank you for your cooperation with our regulatory program. The Corps Jacksonville Regulatory Division is committed to improving service to our customers. We strive to do so in a friendly and timely manner while working to preserve our environment.

Please take a few minutes to visit <http://per2.nwp.usace.army.mil/survey.html> and complete our automated Customer Service Survey. Your input is appreciated – favorable or

Sincerely,



Jessica L. Cordwell
Project Manager

alltooth sawfish construction conditions
conditions for in-water work
Statement of Compliance
amped by the Corps on March 27, 2013

Services (wrt615@gmail.com)

GENERAL CONDITIONS

33 CFR PART 320-330

PUBLISHED FEDERAL REGISTER DATED 13 NOVEMBER 1986

When completing the work authorized ends on **date identified in the letter**. If you need more time to complete the authorized activity, submit your request for a new permit to this office for consideration at least one month before the above date is reached.

At the end of the activity authorized by this permit in good condition and in accordance with the terms and conditions of this permit. You are not relieved of this obligation to maintain the permitted activity, although you may make a good faith transfer of the activity in compliance with General Condition 4 below. Should you wish to cease to conduct the authorized activity or should you desire to abandon it without a good faith transfer, you must request modification of this permit from this office, which may require restoration of the site.

If you discover any previously unknown historic or archeological remains while conducting the activity authorized by this permit, you must immediately notify this office of the discovery. We will initiate the Federal and state coordination required to determine if the site is worthy of a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

If you change the property associated with this permit you must obtain the signature of the new property owner, provide a copy of the permit to this office to validate the authorization.

If a water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your information, a copy of the certification is attached if it contains such conditions.

A representative from this office may inspect the authorized activity at any time to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

Compliance with the following protected species construction conditions:

1. You shall instruct all personnel associated with the project of the potential presence of sea turtles and the need to avoid collisions with sea turtles and smalltooth sawfish. All personnel are responsible for observing water-related activities for the presence of sea turtles and smalltooth sawfish.

2. You shall advise all construction personnel that there are civil and criminal penalties for harassing or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.

3. All enclosures shall be made of material in which a sea turtle or smalltooth sawfish cannot be properly secured, and be regularly monitored to avoid protected species entrapment. Enclosures may not block sea turtle or smalltooth sawfish entry to or exit from their natural habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.

4. Vessels associated with the construction project shall operate at "no wake/idle" speeds at all times in the construction area and while in water depths where the draft of the vessel exceeds ten-foot clearance from the bottom. All vessels will preferentially follow marked channels (where marked channels) whenever possible.

5. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily dredging operation or vessel movement, all appropriate precautions shall be taken for its protection. These precautions shall include cessation of operation of any equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is within 50 yards of the equipment. Activities may not resume until the protected species has departed the area of its own volition.

6. Any death or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-3333) or a local authorized sea turtle stranding/rescue organization.

7. Any other conditions, required of your specific project, outside these general conditions shall be addressed in the primary consultation.

Smalltooth Sawfish Construction Conditions.doc



BARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The following conditions intended to protect manatees from direct project

activities with the project shall be instructed about the presence of manatees and the need to avoid collisions with and injury to manatees. The permittee shall instruct all construction personnel that there are civil and criminal penalties for killing manatees which are protected under the Marine Mammal Protection Act and the Florida Manatee Sanctuary Act.

Vessels participating in the construction project shall operate at "Idle Speed/No Wake" at all times in the immediate area and while in water where the draft of the vessel provides less than 1 foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.

Physical barriers shall be made of material in which manatees cannot become entangled. Barriers must be properly secured, and shall be regularly monitored to avoid manatee injury. Barriers must not impede manatee movement.

Activities that are responsible for observing water-related activities for the presence of manatees. All water-related operations, including vessels, must be shutdown if a manatee(s) is observed in the immediate area of the operation. Activities will not resume until the manatee(s) has moved at least 50 feet from the project operation, or until 30 minutes elapses if the manatee(s) is observed within 50 feet of the operation. Animals must not be herded away or harassed.

Any collision with a manatee shall be reported immediately to the Florida Fish and Wildlife Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury shall be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida, (1-772-562-3909) for south Florida, and to FWC at FWC@fwc.com.

Signs warning of manatees shall be posted prior to and during all in-water project activities. Signs shall be removed by the permittee upon completion of the project. Temporary signs that have been approved for this use by the FWC must be used. One sign which reads "Idle Speed/No Wake" must be posted. A second sign measuring at least 8 1/2" by 11" explaining the "Idle Speed/No Wake" and the shut down of in-water operations must be posted. Signs must be prominently visible to all personnel engaged in water-related activities. These signs can be found at www.fwc.com/manatee. Questions concerning these signs can be sent to FWC@fwc.com.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

**When a manatee is within 50 feet of work
all in-water activities must**

SHUT DOWN

CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: SAJ-2010-01581(NW-JLC)

Description (or type): _____

Date Work Completed: _____

Use: stabilization, residential or commercial filling, docks,

Waters of the United States:

(if applicable): _____

Permit (attach drawing(s) depicting the deviations):

Compliance (if applicable) was done in accordance with the limitations of the permit. Any deviations as described above are depicted on the

Signature of Permittee

Date

STATEMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-2010-01581(NW-JLC)

Authorized by this permit are still in existence at the time the
and conditions of this permit will continue to be binding on the
though the construction period for works authorized by
is finite, the permit itself, with its limitations, does not expire.

perme and the associated responsibilities associated with
ditions, have the transferee sign and date below and mail to the
forcement Section, 9900 Southwest 107th Ave, Suite 203,

SUBDIVISION

(SUBDIVISION)

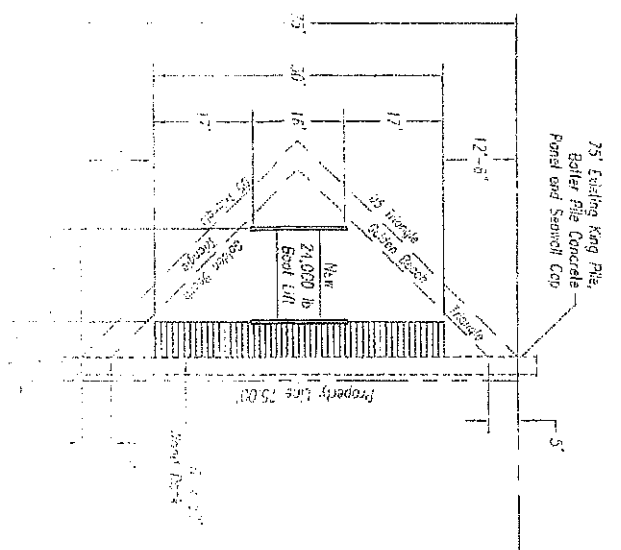
(LOT)

(BLOCK)

(STREET ADDRESS)

CITY

CANAL



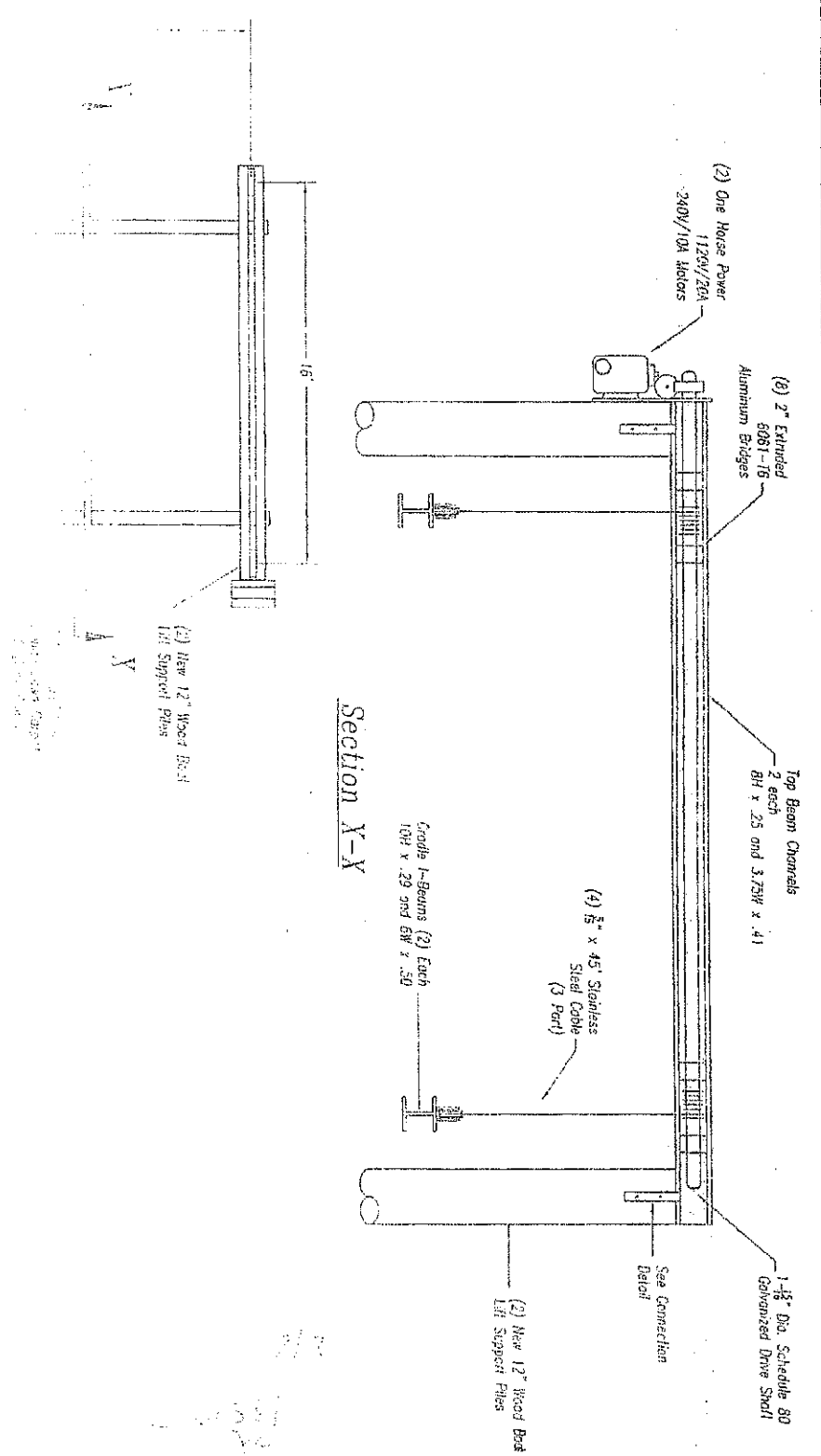
Vacant Lot

Property Line 175.60'

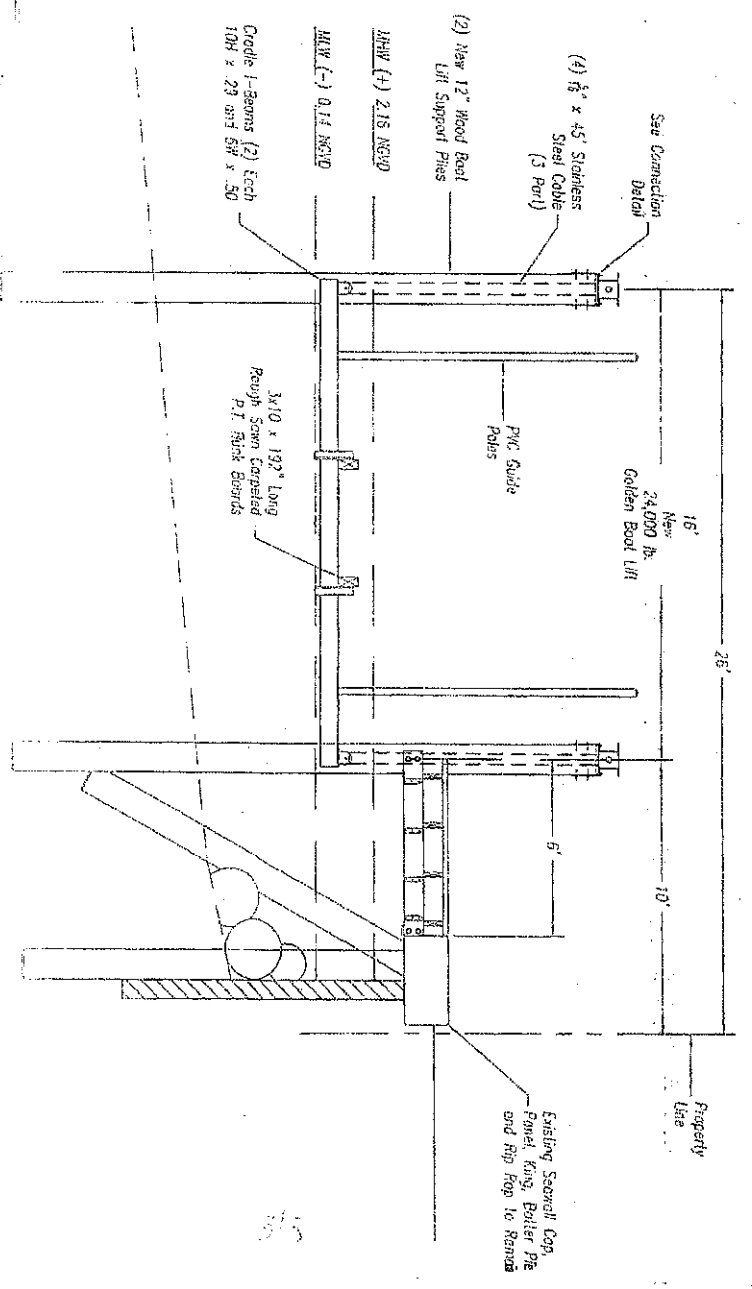
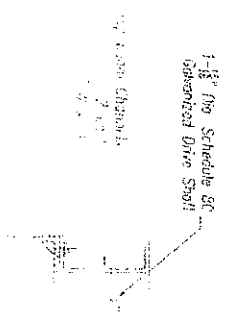
Property Line 75.00'

Golden Beach Drive

Property Line 175.60'



10/15/2011
 10/15/2011



Golden Boat Lift

3/15



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
MIAMI REGULATORY OFFICE
9900 SOUTHWEST 107th AVE, SUITE 203
Miami, Florida 33176

REPLY TO
ATTENTION OF

Regulatory Division
South Permits Branch
Miami Regulatory Office
SAJ-2010-01581 (GP-JLH)

MAY 05 2011

Joel Newman
355 Ocean Boulevard
Golden Beach, FL 33160

Dear Mr. Newman:

Your application for a Department of the Army (DA) permit received on April 27, 2011, has been assigned number SAJ-2010-01581. A review of the information and drawings provided shows the work is to install a 6 foot wide by 50 foot long marginal wood dock with six (6) dock piles. Floating turbidity barriers will be deployed prior to the commencement of work, which will remain in place until the work is completed and all erodible materials have stabilized. Work is authorized in and over U.S. navigable waters.

The project is located at a single family residence adjacent to a residential canal tributary to the Intracoastal Waterway at 434 Golden Beach Drive; legally described as Lot 42 & the northern half of Lot 43, Block F of Golden Beach Section E, PB 8-122; in Section 35, Township 51 South, Range 42 East, in Golden Beach, Miami-Dade County, Florida 33160 (folio # 19-1235-005-0490).

Your project, as depicted on the enclosed drawings date-stamped by the U.S. Army Corps of Engineers (Corps) on May 03, 2011, is authorized by Regional General Permit (GP) SAJ-20. This authorization is valid until May 01, 2012. Please access the Corps' Regulatory web to view the special and general conditions for SAJ-20, which apply specifically to this authorization. Our website address is as follows:

<http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm>.

Please be aware this web address is case sensitive and should be entered as it appears above. Once there you will need to click on "General Permits." Then you can click on the specific SAJ

permit. You must comply with all of the special and general conditions and any project-specific conditions of this authorization or you may be subject to enforcement action. The following project-specific conditions are included with this authorization:

The following project specific conditions are included with this verification:

1. All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, 9900 Southwest 107th Avenue, Suite 203, Miami, Florida 33176. The Permittee shall reference this permit number, SAJ-2010-01581 (GP-JLH), on all submittals.

2. Within sixty (60) days of completion of the authorized work or at the expiration of the construction authorization of this permit, whichever occurs first, the Permittee shall complete the attached "Self-Certification Statement of Compliance" form (attached) and submit to the Corps. In the event that the completed work deviates, in any manner, from the authorized work, the Permittee shall describe, on the Self-Certification Form, the deviations between the work authorized by the permit and the work as constructed. Please note that the description of any deviations on the Self-Certification Form does not constitute approval of any deviations by the Corps.

3. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

4. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Permittee or other party on the Permittee's behalf, shall conduct a search in the National

Register Information System (NRIS). Information can be found at: <http://www.cr.nps.gov/nr/research/>. Information on properties eligible for inclusion in the National Register can be identified by contacting the Florida Master File Office by email at fmsfile@dos.state.fl.us or by telephone at 850-245-6440.

If unexpected cultural resources are encountered at any time within the project area that was not the subject of a previous cultural resource assessment survey, work should cease in the immediate vicinity of such discoveries. The Permittee, or other party, should notify the SHPO immediately, as well as the appropriate Corps office. After such notifications, project activities should not resume without verbal and/or written authorization from the SHPO.

If unmarked human remains are encountered, all work shall stop immediately, and the proper authorities notified in accordance with Section 872.05, Florida Statutes, unless on Federal lands. After such notifications, project activities on non-Federal lands shall not resume without verbal and/or written authorization from the Florida State Archaeologist for finds under his or her jurisdiction.

5. The Permittee shall comply with National Marine Fisheries Service's "Sea Turtle and Smalltooth Sawfish Construction Conditions," dated March 23, 2006, attached to this permit.

6. The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work - 2011," attached to this permit.

7. Prior to construction, this work must be authorized under Part IV of Chapter 373 by the Department of Environmental Protection, a water management district under §. 373.069, F.S., or a local government with delegated authority under §. 373.441, F.S. and receive Water Quality Certification (WQC) and Coastal Zone Consistency Concurrence (CZCC) or waiver thereof, as well as any authorizations required for the use of sovereignty submerged lands that must be obtained as part of the associated WQC or CZCC. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.

8. Environmental controls and best management practices must be implemented to prevent any materials related to construction activities from entering the surrounding water. Any material

removed as well as material applied to accomplish the project must be contained so as to prevent fugitive particulates and/or discharge to surface waters.

9. Prior to the initiation of any of the work authorized by this permit the Permittee shall install floating turbidity barriers with weighted skirts that extend to within 1 foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained until the authorized work has been completed and all erodible materials have been stabilized. Turbidity curtains must be removed once turbidity reaches background levels.

10. Within ten (10) days from the date of initiating the authorized work, the Permittee shall provide to the Corps a written notification of the date of commencement of work authorized by this permit.

11. Should any other regulatory agency require changes to the work authorized or obligated by this permit, the Permittee is advised that a reverification of this permit may be required prior to initiation of those changes. It is the Permittee's responsibility to request a reverification from the Miami Regulatory Office.

12. The dock structure authorized by the General Permit-20 shall moor no more than two (2) vessels at any given time. Mooring vessels in excess of two (2) is inconsistent with the conditions under which the General Permit-20 was verified.

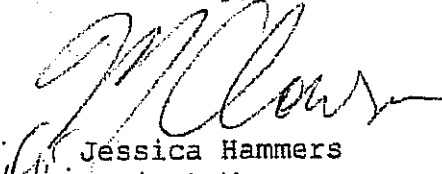
Generally, authorization of activities that have commenced or are under contract to commence in reliance of the GP will remain in effect provided the activity is completed within twelve (12) months of the date a GP expired or was revoked. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification will likely be required.

This letter does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced RGPs, please contact Jessica Hammers at the letterhead address, by electronic mail at Jessica.L.Hammers@usace.army.mil, by telephone at 305-779-6056, or by fax at 305-526-7184.

Thank you for your cooperation with our regulatory program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit <http://per2.nwp.usace.army.mil/survey.html> and complete our automated Customer Service Survey. Your input is appreciated - favorable or otherwise.

Sincerely,



Jessica Hammers
Project Manager

Enclosures:

General Conditions
Sea turtle and smalltooth sawfish construction conditions
Standard Manatee conditions for in-water work
Self-Certification Statement of Compliance
Permit transfer form
Site plans date-stamped by the Corps on May 03, 2011

Copies Furnished:

CESAJ-RD-PE

Bill Thomas,
SFS, Inc. (via e-mail: wrt615@hotmail.com)

GENERAL CONDITIONS
33 CFR PART 320-330

PUBLISHED FEDERAL REGISTER DATED 13 NOVEMBER 1986

7. The time limit for completing the work authorized ends on date identified in the letter. If you find that you need more time to complete the authorized activity, submit your request for time extension to this office for consideration at least one month before the above date is reached.

8. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

9. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

10. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

11. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

12. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle-stranding/rescue organization.
- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

Revised: March 23, 2006

O:\Forms\Sea Turtle and Smalltooth Sawfish Construction Conditions.doc



STANDARD MANATEE CONDITIONS FOR IN-WATER WORK
2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.

All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.

Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.

All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.

Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or in Vero Beach (1-772-562-3909) for south Florida, and emailed to FWC at ImperiledSpecies@myFWC.com.

Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at http://www.myfwc.com/WILDLIFEHABITATS/manatee_sign_vendors.htm. Questions concerning these signs can be forwarded to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:

Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC



SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: SAJ-20
Application Number: SAJ-2010-01581

Permittee's Name & Address (please print or type): _____

Telephone Number: _____

Description of the Work: _____

Date Work Started: _____ Date Work Completed: _____

Description of the Work (e.g., bank stabilization, residential or commercial filling, docks, dredging, etc.): _____

Area or Square Feet of Impacts to Waters of the United States: _____

Describe Mitigation completed (if applicable): _____

Describe any Deviations from Permit (attach drawing(s) depicting the deviations): _____

I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

Signature of Permittee

Date

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-2010-01581 (GP-JLH)

When the structures or work authorized by this permit are in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is on a site, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019.

(TRANSFeree-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT) (BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

Golden Beach Dr, Golden Beach, FL 33160-

Location Map

CONFERS

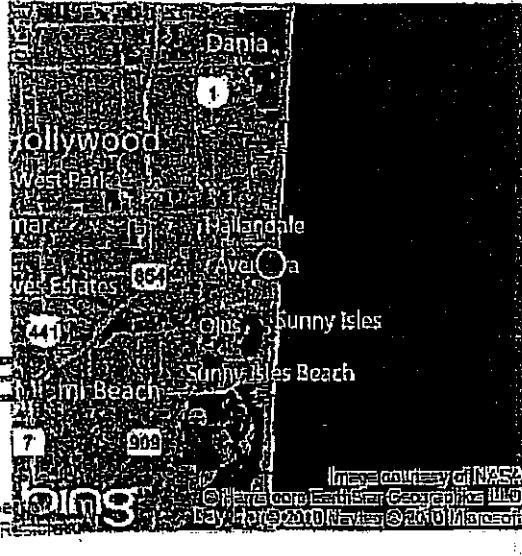
186

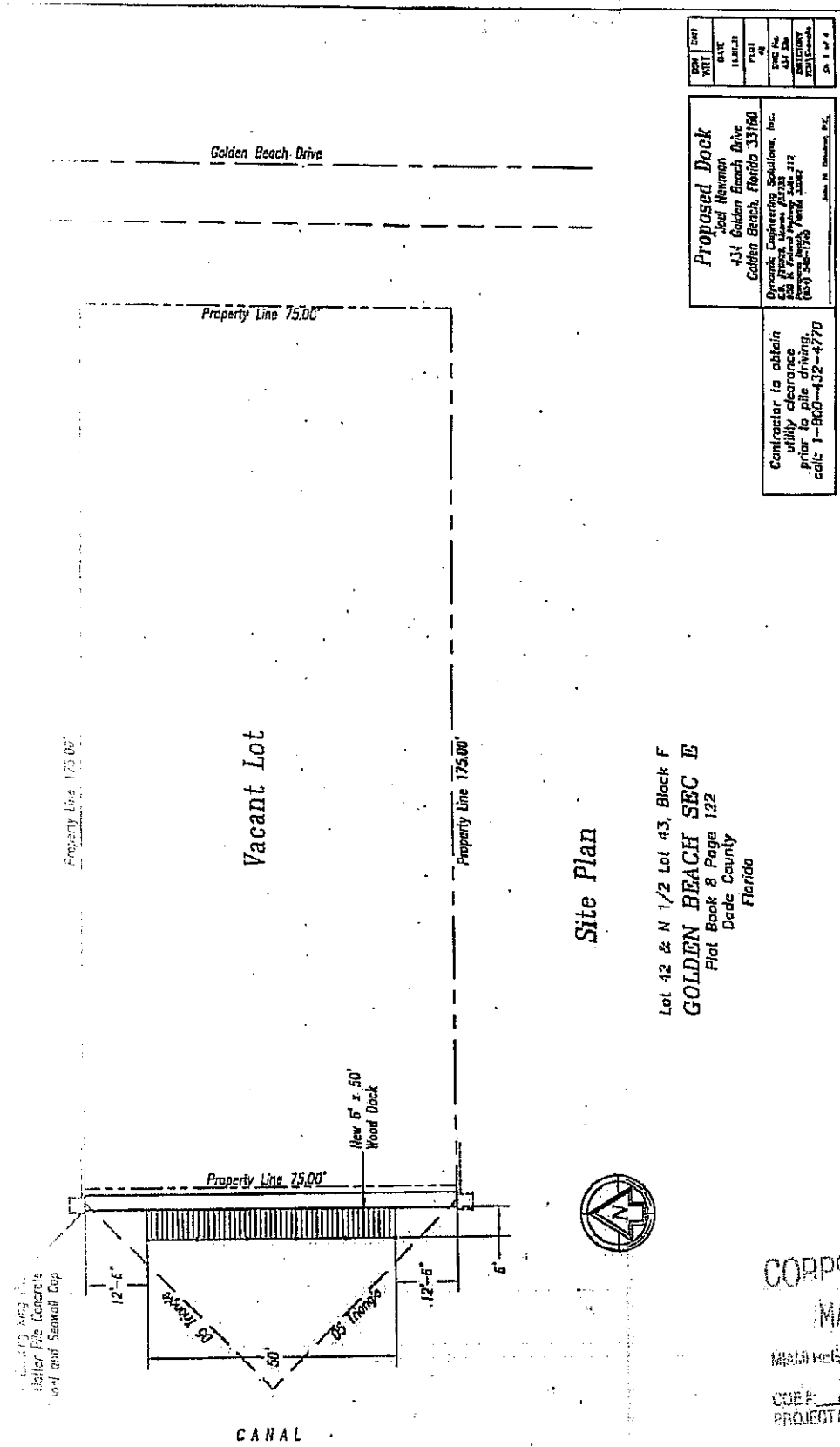
581
J.L.B.
SITE

RECEIVED

AUG 05 2010

DERM Coastal Resources Section
Natural Resources Regulation & Research
Miami Beach (MSRD)





Golden Beach Drive

Property Line 75.00'

Property Line 75.00'

Vacant Lot

Property Line 75.00'

Site Plan

Lot 42 & N 1/2 Lot 43, Block F
GOLDEN BEACH SEC E
 Plat Book 8 Page 122
 Dade County
 Florida



Call 305-463-1111
 Heller Pile Concrete
 and Sewall Cop

CANAL

New 6' x 50'
 Wood Dock

Property Line 75.00'

12'-6"

50'

50'

12'-6"

6"

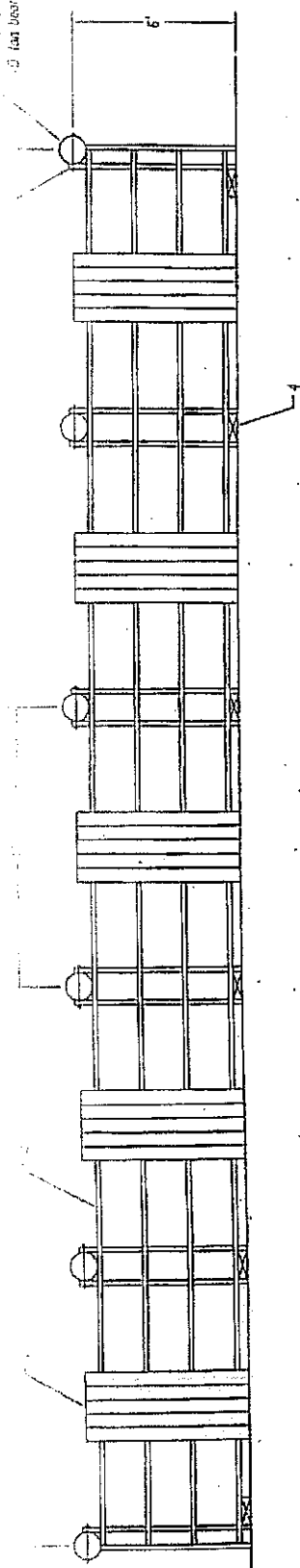
DATE	BY
REV	BY
DATE	BY
DATE	BY
DATE	BY
DATE	BY
DATE	BY

Proposed Dock
 Joel Hannon
 434 Golden Beach Drive
 Golden Beach, Florida 33760
 Dynamic Engineering Solutions, Inc.
 6500 Pines Lane, Suite 212
 Golden Beach, Florida 33762
 (813) 540-1740

Contractor to obtain
 utility clearances
 prior to construction
 call: 1-800-432-4770

US ARMY
 CORPS OF ENGINEERS
 MAY 03 2011 3086
 MAJOR REGULATORY OFFICE
 CDR: 2010-01581
 PROJECT MANAGER: JLH

2x4 Pile, attach to
10" dia bearing cap.



Framing Plan

1. 2x6 "Ultra Wood" decking with (2) stainless steel deck screws per stringer.
2. 2x8 stringers @ 24" max spacing.
3. 2x8 Substringers with (2) 1/2" thru bolts per pile and (2) 3/4" lag bolts into drop lingers.
4. 4x10 drop lingers with (2) 1/2" x 8 wedge anchors into existing small cap.
5. Hurricane strap Simpson Strong-Tie FLS36 P-HS16 (Galvanized)

DATE	10/11/11
BY	JCH
PROJECT	PROPOSED DOCK
DESCRIPTION	40'x10' DOCK
SCALE	AS SHOWN
SHEET NO.	1 OF 1

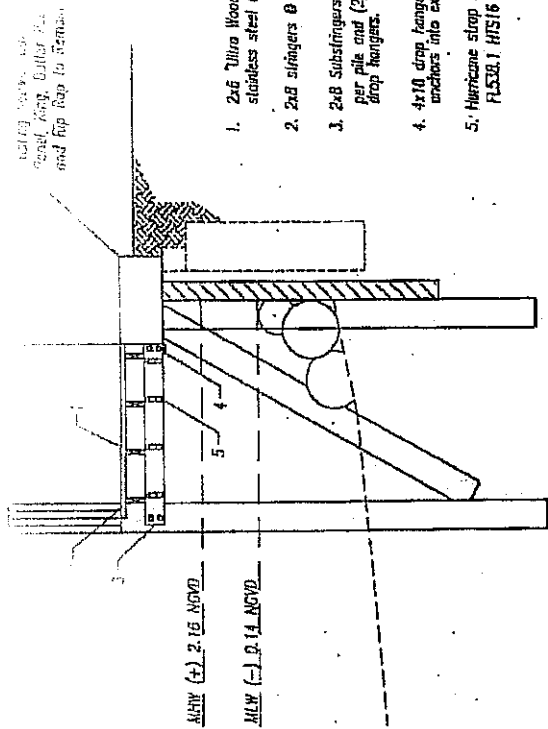
Proposed Dock
 Joei Naveen
 434 Golden Beach Drive
 Golden Beach, Florida 33160

Dynamic Engineering Solutions, Inc.
 6000 S. Orange Avenue, Suite 117
 Orange Park, Florida 32067
 (352) 345-1760

John H. Overman, P.E.

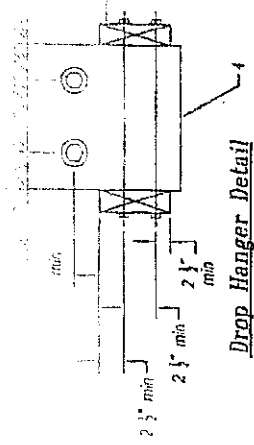
Contractor to obtain utility clearance prior to pile driving call: 1-800-432-4770

US ARMY
 CORPS OF ENGINEERS
 MAY 08 2011 486
 MIAMI RESOLUTION OFFICE
 COE # 2010-01581
 PROJECT MANAGER JCH

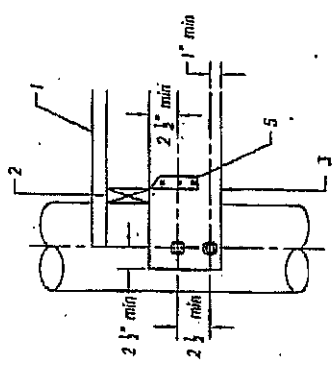


1. 2x6 "Ultra Wood" decking with (2) stainless steel deck screws per stringer.
2. 2x8 stringers @ 24" max spacing.
3. 2x8 Substringers with (2) 3/8 thru bolts per pile and (2) 3/8 lag bolts into drop hangers.
4. 4x10 drop hanger with (2) 1/2 x 8 wedge anchors into existing seawall cap.
5. Hurricane strap Simpson Strong-Tie FLSB.1 HFS16 (Galvanized)

Dock Section



Drop Hanger Detail



Pile Connection Detail

REV	DATE
1	11/10/10
2	05/07/11
3	04/28/11
4	04/28/11
5	04/28/11
6	04/28/11

Proposed Dock
 Joel Newman
 414 Golden Beach Drive
 Golden Beach, Florida 33160
 Dynamic Engineering Solutions, Inc.
 230 E. Federal Hwy, Suite 212
 Pompano Beach, Florida 33062
 (954) 785-1746

Contractor to obtain utility clearance prior to pile driving.
 call: 1-800-432-4770

US ARMY
 CORPS OF ENGINEERS
 MAY 03 2011 5086
 MIAMI HEADQUARTERS OFFICE
 COE # 2010-01581
 PROJECT MANAGER: JCH

4) The contractor shall be responsible for the maintenance of the work area and shall be responsible for the safety of the work area.

5) All hardware to be fabricated steel (unless otherwise noted).
 Design in accordance with 2007 edition of the Florida Building Code (2009 supplement).
 Elevations shown hereon are based on the National Geodetic Vertical Datum of 1929.
 Approved contractor to determine the suitability of existing structures and verify all dimensions, the approved contractor is responsible for all methods, means, sequences and procedures of work.

4) The contractor shall be responsible for the maintenance of the work area and shall be responsible for the safety of the work area.

- 1) Do not scale drawings for dimensions.
- 2) Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for their approval prior to commencement of work.
- 3) All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
- 4) All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each pertaining circumstance.
- 5) All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
- 6) Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
- 7) Licensed Contractor to verify location of existing utilities prior to commencing work.
- 8) The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
- 9) Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.

5) Piles shall be driven with a variation of not more than 1/4 inch per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than three inches.

- 6) Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

WOOD PILE NOTES

- 1) Wood piles shall be 2.5 lb. CCA treated in accordance with AWPA standard C18.
- 2) Wood piles shall be driven to a minimum bearing capacity of 10 tons.
- 3) All metal hardware including but not limited to bolts, nuts, and hurricane straps shall be stainless steel unless otherwise specified.
- 4) Wood piles shall be a minimum 12" diameter.

STRUCTURAL TIMBER NOTES

- 1) All structural framing shall be #2 Grade, pressure treated Southern Pine.

US ARMY
 CORPS OF ENGINEERS
 MAY 03 2011
 REGULATION OFFICE
 COE # 2010-0158
 PROJECT MANAGER JZ/H

PROJ. NO.	DATE	SCALE	BY	CHKD.
Proposed Dock				
Joe Memmon 434 Golden Beach Drive Golden Beach, Florida 33160				
Dynamic Engineering Solutions, Inc. 2500 E. Palmetto Avenue #2023 Fort Lauderdale, Florida 33322 (954) 345-1740				
John A. Oshroff, P.E.				
Contractor to obtain utility clearance prior to pile driving call: 1-800-438-4770				



OCEAN CONSULTING, LLC · 340 Minorca Avenue, Suite 7 · Coral Gables, FL 33134
Tel: 305-921-9344 · Fax: 305-677-3254
www.oceanconsultingfl.com

12-3060

August 16, 2013

Ms. Linda Epperson
TOWN OF GOLDEN BEACH
1 Golden Beach Drive
Golden Beach, FL 33160

RE: APPLICATION FOR VARIANCE FOR A MARGINAL DOCK PROJECT AT 434 GOLDEN BEACH DRIVE, IN THE TOWN OF GOLDEN BEACH, MIAMI-DADE COUNTY, FLORIDA

Dear Ms. Epperson:

On behalf of our clients, Mr. Michael Newman and Mr. Joel Newman, this is to respectfully submit a Letter of Intent for a marginal dock project ("Project") at 434 Golden Beach Drive, in the Town of Golden Beach, Miami-Dade County, Florida.

The Project is requesting a variance from the Town of Golden Beach Commission for the following scope of work:

- a. A marginal dock that extends a maximum of 7 feet 6 inches from the property line, to reach the proposed boatlift (Code of Ordinances Section 46-84). This marginal dock is proposed to extend only as far as the neighboring docks, or 5 feet from the existing seawall cap face. However, the property line is located on the west edge of the cap. In addition, the existing riprap along the shoreline, placed to satisfy Miami-Dade County's code of 1 cubic yard of riprap for every new linear foot of seawall installed, is located immediately adjacent to the seawall and prevents further limitation of the dock extension in the waterward direction.

Note that the property owner did reduce the dock from 6 feet down to 5 feet in width, to shorten the dimension from the property line to the waterward edge of the dock. This revision was made following completion of the Building Regulation Advisory Board (BRAB) in June.

For your review and use, enclosed please find the following:

1. An executed Town of Golden Beach Variance Application;

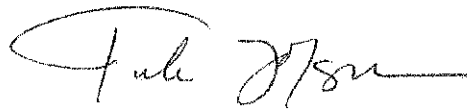
Environmental Management · Permitting · Coastal Engineering
Tel: (305) 921-9344 - Fax: (305) 677-3254

12-3060
Ms. Linda Epperson
August 16, 2013
Page 2

2. A check made payable to the Town of Golden Beach in the amount of \$372;
3. Signed Miami-Dade County Letters of Consent from both adjacent neighboring properties;
4. Signed/sealed plans;
5. Two U.S. Army Corps of Engineers permits for the Project - the first for the dock and the second for the boatlift; and
6. A copy of the boundary survey.

Thank you for your review of this information. Should you have any questions or require additional information, please do not hesitate to contact me at (305) 921-9344.

Sincerely,
OCEAN CONSULTING, LLC



Kirk Lofgren
Principal

KL:
Enclosures



BARBARA A. SHAHEEN
416 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

ROBERT AND APRIL SNYDER
487 CENTER ISLAND DRIVE
GOLDEN BEACH, FL. 33160

JUNE M. KROGOLL TRS
422 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

PATRICIA A. RILEY
483 CENTER ISLAND DRIVE
GOLDEN BEACH, FL. 33160

IGOR SIVOKOZOV
428 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

MIRIAM DUM
3075 NE 208 TERRACE
AVENTURA, FL. 33180

BARRY AND SUE HONOWITZ
429 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

SANTONE LLC & ANTHONY H
COHEN
1140 HARBOR COURT
HOLLYWOOD, FL. 33019

STEVEN AND HILARY KATES
437 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

MICHAEL AND ELIZABETH YOUNG
465 CENTER ISLAND DRIVE
GOLDEN BEACH, FL. 33160

ISAIAS AND PILAR VAYDA
440 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

ALVARO AND CRISTINA DASILVA
455 CENTER ISLAND DRIVE
GOLDEN BEACH, FL. 33160

BOISVERT FINANCIAL
445 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

IGOR SIVOKOZOV
428 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

JOE ACKERMAN & YAEL
MARCUSCHAMER
456 NORTH PARKWAY
GOLDEN BEACH, FL. 33160

MICHAEL NEWMANN
20201 E. COUNTRY CLUB DR. #309
AVENTURA, FL. 33180

MICHAEL S. GERTSMAN
STACEY HONOWITZ TRS.
460 NORTH PARKWAY
GOLDEN BEACH, FL. 33160

GINO AND PHYLLIS VOLTAPETTI
400 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

462 ENTERPRISES LLC
1170 E. HALLANDALE BEACH BLVD #C
HALLANDALE BEACH, FL. 33009

400 GB LLC
19495 BISCAYNE BLVD., # 702
AVENTURA, FL. 33180

3. Michael Newman
1160 N.W. 163rd Drive
Miami, FL. 33169

Property Address: 434 Golden Beach Drive, Golden Beach, FL. 33160
Folio No: 19-1235-005-0490
Legal Description: Lot 42 & N ½ of Lot 43, Block F, GB Sect E, PB 8-122

Building Official Nieda read his comments into the record
Kirk Lofgren, Ocean Consulting spoke on the applicants behalf

Proposed construction of a new dock.

Relief from Town Code Section 46-84 General specifications for docks
No dock shall be permitted to be constructed, repaired, or reconstructed within the limits of the Town which shall extend more than six feet outside the lot property line into an inside (width of 100 feet or less) waterway nor more than ten feet outside the lot property line into an outside (width greater than 100 feet) waterway.

Request is to allow the dock to extend out into the waterway 10' in lieu of the 6' which is required by the code.

A motion to recommend approval was made by Fred Chouinard for the dock to extend out from the property line into the waterway at 10', Seconded by Fred Chouinard

On roll call: Eric Cohen-Nay, Jerome Hollo-Nay, Fred Chouinard-Nay
The motion failed 3 – 0

G. OLD BUSINESS:

H. NEW BUSINESS

4. Alan Rotter and Karen Gross
439 Center Island Drive
Golden Beach, FL. 33160

Property Address: 439 Center Island Drive, Golden Beach, FL. 33160
Folio No: 19-1235-005-1020
Legal Description: Lot 15, Block L, GB Sect. E, PB 8-122

Building Official Nieda read his comments into the record
Steve Sanders spoke on behalf of the applicants.

Construction of a new dock

A motion was made by Eric Cohen to approve the dock as submitted,
Seconded by Fred Chouinard.
On roll Call: Eric Cohen – Aye, Jerome Hollo-Aye, Fred Chouinard-Aye
The motion passed 3 – 0

5. Enfi Enterprises LP
199 Golden Beach Drive
Golden Beach, FL. 33160



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: September 18, 2013

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Subject: **Resolution No. 2318.13 – Variance Request for 508 North Parkway,
Golden Beach, FL 33160 (Pervious Area Percentage)**

Item Number:

4

Recommendation:

It is recommended that the Town Council allow the applicant the opportunity to seek approval of the variance request presented in Resolution No. 2318.13

Background and History:

The Town Code of Ordinances Section 58-35 Preservation of Lot Area.
A minimum of 35 percent of the area of each lot, including the swale adjacent thereto, shall be maintained as pervious surface.

The applicant is requesting a 31% pervious are be allowed,, where a 35% area has been established by the code.

The Building Regulation Advisory Board met Sept. 10, 2013 and recommended approval of a the variance, the motion failed with a Board vote of 4-0. The motion failed for lack of an affirmative vote.

Matthew Kay, 504 North Parkway, spoke in opposition and submitted a written statement
Lior Ben Shmuel spoke on his behalf.

Attachments:

- Resolution
- Building Official Critique
- Notice of Hearing
- Building Regulation Advisory Board Application
- Copy of resident notification listing
- Summary minutes

Financial Impact: None

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2318.13

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 508 NORTH PARKWAY., GOLDEN BEACH, FLORIDA 33160 TO PERMIT A 31% PERVIOUS AREA WHERE 35% IS REQUIRED BY THE TOWNS CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant, Lior Ben Shmuel, (“the applicant”), filed a Petition for a Variance/exception, Article II – Design Standards: Section 53-35 Preservation of Lot area, allowing a 31% pervious area, in lieu of the Town Codes requirement of 35% at 508 North Parkway., Golden Beach, Florida 33160 (Golden Beach Section “F”, Lot 23 & a Port. Of 24, Block F, as recorded in PB 10-11, of the Public Records of Miami-Dade County, (Folio No. 19-1235-006-0760 (the “Property”) and ;

WHEREAS, the Town’s Building Regulation Advisory Board held an advertised public hearing on the Petition for Variance/Exception and recommended disapproval of the variance by the Town Council; and,

WHEREAS, a public hearing of the Town Council was advertised and held, as required by law, and all interested parties were given an opportunity to be heard; and

WHEREAS, the Town Council having considered the evidence presented, finds that the Petition of Variance meets the criteria of the applicable codes and ordinances to the extent the application is granted herein.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. Each of the above stated recitals are hereby adopted and confirmed.

Section 2. Approval. The Petition for Variance to permit each of the requested variances is hereby granted.

Section 3. Conditions. The Petition for Exception/Variance as granted is subject to the following conditions:

- (1) Applicant shall record a certified copy of this Resolution in the public records of Miami-Dade County; and
- (2) Construction shall be completed substantially in accordance with those certain plans, D-1 by FACS, Inc., dated 5/6/2010, and S-1 through S-3, by J.N. Sheingold P.E. 21181, undated, side marked Shore Marine Construction, for the property located at 508 North Parkway, Golden Beach, FL. 33160

Section 4. Implementation. That the Building and Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Town of Golden Beach Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this Resolution. A copy of this Resolution shall be attached to the building permit application documents.

Section 5. Effective Date. This Resolution shall be effective immediately upon adoption.

Sponsored by Administration.

The Motion to adopt the foregoing Resolution was offered by _____,
seconded by _____ and on roll call the following vote ensued:

Mayor Glenn Singer	_____
Vice Mayor Judy Lusskin	_____
Councilmember Kenneth Bernstein	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Bernard Einstein	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 18th day September, 2013

ATTEST:

MAYOR GLENN SINGER

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY

Town of Golden Beach

MEMORANDUM

To: Building Regulation Advisory Board
From: Daniel B. Nieda, R.A. Building Official
Date: September 10, 2013
Re: Variance Petition for Lior Residence
508 North Parkway

Background:

The applicant has submitted for approval a variance petition in connection with a pool deck addition to an existing residence, in the Zone 3 Single Family Residential District, at 508 North Parkway. The scope of work consists of a new wood deck spanning from the waterway face of the swimming pool to the existing dock. The submitted Construction Documents are prepared by J.N. Sheingold, P.E; dated June 8, 2013 consisting of drawings S-1 through S-3.

Pervious Lot Area Variance

Site plan drawing S-1 shows the proposed pool deck spanning from the waterway side of the swimming pool to the dock seawall cap and approximately 8.33 by 51 feet or 425 square feet. The proposed wood deck exceeds the minimum pervious lot area requirements. Section 58-35 of the Code requires a minimum pervious lot area of 35%, where the existing lot is already built out to the permitted maximum limit of 65% impervious lot area. In order for the deck to be considered feasible a mitigation plan would have to be prepared indicating where an additional 425 square feet of pervious lot area may be obtained by reducing other areas currently paved.

Section 66-41 of the Code of Ordinances requires that seven conditions be met to demonstrate an undue hardship. In recommending the granting of a variance the Building Regulation Advisory Board may prescribe appropriate conditions and safeguards in conformity with the Town of Golden Beach's Code. In reviewing the Variance petition the Board shall confirm the following conditions:

1. Yes, this petition constitutes a variance, since the applicant has requested a wood deck in excess of the minimum permitted pervious grade lot area of 35% by Section 58-35 of the Code. The requested 425 square foot wood deck reduces the pervious green area to 31.1 % or 4.9% less than the minimum 35% required.
2. Yes, the land is peculiar in nature as the applicant seeks to place a new 425 square foot deck on a 10,762 square foot radial lot on the North Parkway cul de sac.
3. No, the variance petition does not stem from special conditions and circumstances of the property, but rather from the applicant's wish for a wood deck extension to the pool deck.
4. No, the granting the variance would confer upon the applicant a special privilege. An approval of this variance would allow a use that is not granted to other lands in the same District.

5. No, literal interpretation of the provision of the Zoning Code would not deprive the applicant the rights commonly enjoyed by other properties in the same District.
6. No, this variance is not the minimum petition that will allow the applicant reasonable use of the land.
7. Yes, the granting of the pervious lot coverage variance with a reduced lot pervious drainage capacity of 31.1% might be injurious to the area or detrimental to the public welfare.

In conclusion, the variance petition seeking relief from Section 58-35 for a minimum pervious lot area of 35% to a 31.1% or 4.9% less than the minimum does not seem to rise to the hardship standard required for granting of a variance.



TOWN OF GOLDEN BEACH NOTICE OF PUBLIC HEARING

The **Building Regulation Board** and the **Town Council** of the Town of Golden Beach will hold a **Public Hearing** on the following proposal:

 (1) Variance Request(s)
 X New Construction

New residence under construction

Relief from Town code Sections 58-35. - Preservation of lot area.

A minimum of 35 percent of the area of each lot, including the swale adjacent thereto, shall be maintained as pervious surface.

Request is to allow a 31 percent of pervious area where the code requires a 35 percent pervious area.

JOB ADDRESS: 508 North Parkway, Golden Beach, FL. 33160
OWNER ADDRESS: 570 North Island Drive, Golden Beach, FL. 33160
REQUESTED BY: Lior Ben Shmuel
LEGAL DESCRIPTION: Lot 23 & a Portion of Lot 24, Block F, GB Sect. F, PB 10-11
FOLIO NO.: 19-1235-006-0760

The **BUILDING REGULATION ADVISORY BOARD** will consider this item:

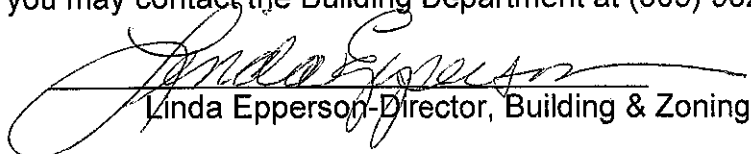
PLACE: GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL
DATE: September 10, 2013 at 6:00pm

The **TOWN COUNCIL** will consider this item:

PLACE: GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL
DATE: September 18, 2013 at 7:00pm

If you wish to submit written comments for consideration, they should be submitted to the Office of the Golden Beach Town Manager, prior to the scheduled meeting. If you have any questions regarding the proposed action, you may contact the Building Department at (305) 932-0744

DATED: August 30, 2013


Linda Epperson-Director, Building & Zoning

PURSUANT TO FLA. STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COUNCIL, BOARD OR COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. ANY INDIVIDUAL WHO BELIEVES HE OR SHE HAS A DISABILITY WHICH REQUIRES A REASONABLE ACCOMMODATION IN ORDER TO PARTICIPATE FULLY AND EFFECTIVELY IN A MEETING OF THE BUILDING REGULATION BOARD MUST SO NOTIFY THE TOWN CLERK, AT (305) 932-0744 AT LEAST 24 HOURS PRIOR TO THE DATE OF THE MEETING

2-13-07-5572

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Application fee: 100.00

Request hearing in reference to:

New residence/addition: _____ Variance(s): _____
Exterior alterations: POOL DECK Other Structure: _____
Date application filed: _____ For hearing date: _____

1. Project information:
Project description: NEW POOL DECK

Legal Description: GOLDEN BEACH SEC F PB 10-11 LOT 23 & PORT OF LOT 24
BLK F
Folio #: 19-1235-006-0760
Address of Property: 509 N PARKWAY ST

2. Is a variance(s) required: Yes _____ No _____ How Many? _____
(If yes, please submit variance application form for each request).

Owner's Name: LIOR BEN SHMUEL Phone 3052199530 Fax _____

Owner's address: 570 N ISLAND DR City/State GOLDEN BEACH Zip 33160

Agent: JOSE CALVO Phone 3052199530 Fax _____ E-MAIL: JOSE.CALVO26@GMAIL.COM

Agent's address: 601 NE 36 ST, 2010 City/State MIAMI Zip 33137

Architect: _____ Phone _____ Fax _____

Contractor: SHORE MARINE CONST. Phone 3052199530 Fax _____

3. Describe project and/ or reason for request of hearing: BUILD NEW WOOD POOL DECK

4. The following information is submitted for assisting in review:

Building Plans:

Conceptual: _____ Preliminary: _____ Final: _____
Other: _____

5. Estimated cost of work: \$ 8,000.00
Estimated market value of: Land \$ 1,356,012.00
Building \$ 7,200.00

(Note: If estimated cost of work is 40% of the market value of the building an independent appraisal is required).

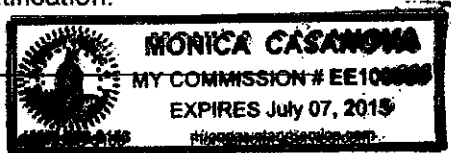
TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

6. Is hearing being requested as a result of a Notice of Violation? NO
7. Are there any structures on the property that will be demolished? NO
8. Does legal description conform to plat? YES
9. Owner Certification: I hereby certify that I am the owner of record (*) of the property described in this application and that all information supplied herein is true and correct to the best of my knowledge.

Signature of owner(s): [Signature]

Acknowledged before me this 5-28 day of, 2013

Type of identification:



[Signature]
Notary Public

Owner/Power of Attorney Affidavit:

I, being duly sworn, depose and say I am the owner (*) of the property described in this application and that I am aware of the nature and request for: _____
_____ relative to my property and I
am hereby authorizing _____ to be my legal
representative before the Building Regulation Advisory Board and Town Council.

Signature of owner(s)

Acknowledged before me this _____ day _____ 20_____

Type of identification:

Notary Public

(*) If owner of record is a corporation then the president with corporate seal, the president and the secretary (without corporate seal), or duly authorized agent for the corporation may execute the application.

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING


Property Address: 508 N PARKWAY ST
Legal Description: GOLDEN BEACH SEC F PB 10-11 LOT 23 & PORT OF LOT 24, BLK F
Owner's Name: LIOR BEN SHMUEL Phone 3057907900 Fax _____
Agent's Name: JOSE CALVO Phone 3052199530 Fax _____
Board Meeting of: _____

- NOTE: 1. Incomplete applications will not be processed.
2. Applicant and/or architect must be present at meeting.

Application for: NEW POOL DECK
Lot size: 10762 SF
Lot area: _____
Frontage: _____
Construction Zone: _____
Front setback: _____
Side setback: _____
Rear setback: _____
Coastal Construction: Yes _____ No East of coastal const. control line: Yes _____ No
State Road A1A frontage: _____
Swimming pool: _____ Yes No Existing: _____ Proposed: _____
Fence Type: _____ Existing: _____ Proposed: _____
Finished Floor elevation N.G.V.D.: _____
Seawall: N/A Existing: _____ Proposed: _____
Lot Drainage: _____
How will rainwater be disposed of on site? _____

Adjacent use (s): _____
Impervious area: _____
% of impervious area: _____
Existing ground floor livable area square footage: _____
Proposed ground floor livable area square footage: _____
Existing 2nd floor livable area square footage: _____
Proposed 2nd floor livable area square footage: _____
Proposed % of 2nd floor over ground floor: _____
Vaulted area square footage: _____
Vaulted height: _____
Color of main structure: _____
Color of trim: _____
Color & material of roof: _____
Building height (above finished floor elevation): _____
Swale: (Mandatory 10'-0" from edge of payment, 10 ft. wide x 1 ft. deep minimum): _____

Existing trees in Lot: _____ in Swale: _____
Proposed trees in Lot: _____ in Swale: _____
Number & type of shrubs: _____
Garage Type: _____ Existing: _____ Proposed: _____
Driveway width & type: _____

Signature of Applicant:  Date: 5/28/13

TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
APPLICATION FOR
PETITION FOR VARIANCE

Date: 8/27/2013

Fee: _____

I, Lior BEN-SHAUVEL hereby petition the Town of Golden Beach for a variance from the terms of the Town of Golden Beach Code of Ordinances affecting property located at: 508 N. PARKWAY Folio No. _____

As specified in the attached "Application for Building Regulation Advisory Board" and related supporting material.

1. The Variance requested is for relief from the provisions of (list section number(s) of the Town of Golden Beach Code of Ordinances): 5835

2. In order to recommend the granting of the variance, it must meet all the following criteria (please provide a response to each item):

a. The Variance is in fact a Variance from a zoning regulation as set forth within the Zoning Chapter of the Town Code. Yes 5835

b. Special conditions and circumstances exist which are peculiar to the land or structure involved, and which are not applicable to other lands or structures in the same district. Yes Pic stamp smaller lot

c. The special conditions and circumstances do not result from the actions of the applicant. Yes

d. Granting the Variance requested will not confer on the applicant any special privilege that is denied by the Zoning Chapter of the Town Code to other lands or structures in the same district. Yes they will not confer on the applicant any special privilege.

TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
PETITION FOR VARIANCE

3. Literal interpretations of the provisions of the Zoning Chapter of the Town Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of zoning regulations and would work unnecessary and undue hardship on the applicant. YES

4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. yes

5. The granting of the Variance will be in harmony with the general intent and purpose of the Town Code and the Variance will not be injurious to the area involved or otherwise detrimental to the public welfare. yes and it will not be injurious to the areas involved

Does the Variance being requested comply with all the above listed criteria?
 Yes No

6. Our code states that submission of a written statement is invited and encouraged. Has the applicant (petitioner) explained the variance to the owners of the nearest adjacent residences and sought their approval in writing? Yes No. Not available
Please attach any written letters of no objection to this petition.

7. Is this request related to new construction? Yes No

8. Is construction in progress? yes

9. Is this request as a result of a code violation? NO

10. Did this condition exist at the time property was acquired? Yes No
Pic shaft

11. Is this request sought as a remedy to a case to be heard, or action taken by the Special Magistrate? NO

12. Do you have a building permit? Yes No

Building Permit No. B-11-10-3065 Date issued: 10-22-2010

TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
PETITION FOR VARIANCE
AFFIDAVIT BY OWNER

Affidavit by Owner for Variance Request(s):

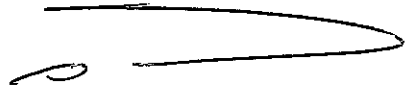
Folio No.: 19-1235-006-0760 Address: 508 N. Parkway

Legal Description: GOLDEN Beach SEC F PB 10-11
LOT 23 & Part of LOT 24 DESC BEG SELV COR OF LOT 24 TH

Being duly sworn, deposes and says: That He/She is the Owner named in the application for Building Advisory Board for the hearing date of _____ relating to Variance requests for construction or other work to be performed on, or in connection with, the premises located as indicated in the application.

I acknowledge notification by The Town of Golden Beach, that granting of a variance(s) by The Town Council, is conditioned on the following:

1. That a Building Permit for the contemplated work pursuant to the Variance must be issued within two (2) years from the date of the approval of the Resolution granting such variance request.
2. If a Building Permit is not issued within the two (2) year time limit set then the Resolution granting the Variance approval will be null and void.
3. That as the applicant, and at my own expense, I shall record a certified copy of the Resolution in the public records of Miami-Dade County and return two (2) certified copies to the Golden Beach Town Hall for inclusion into my property records.



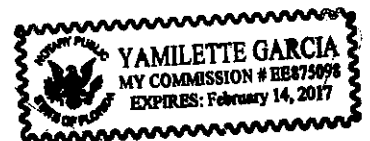
Signature of Owner or Legal Representative

Sworn to and subscribed before me this 21st day of, 2013

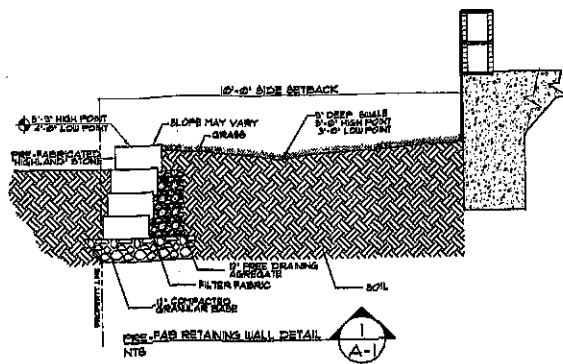


Notary Public State of Florida at Large

Personally know to me Produced Identification



ALL WORK AND MATERIALS TO BE INSTALLED BY THE ARCHITECT AND PROPERTY OF ARCHITECT AND CONTRACTOR. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PROPERTY AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PROPERTY AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PROPERTY.

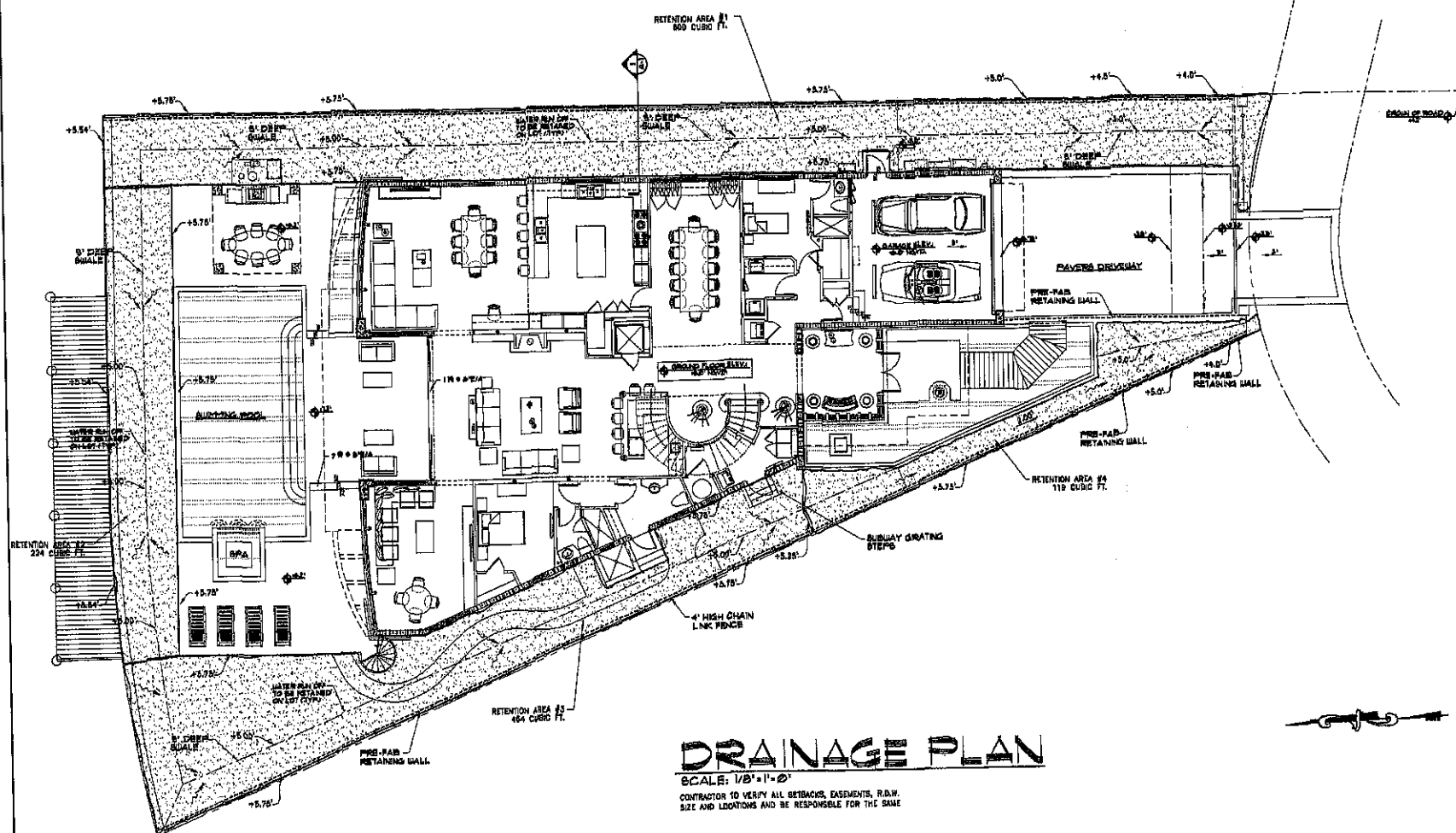


TOWN OF GOLDEN BEACH DRAINAGE COMPUTATIONS DEFINITIONS

P:	Rainfall depth in inches	A:	Total area of property in square feet.
S:	Soil storage capacity in inches.	AP:	Total pervious areas within property in square feet.
R:	Runoff depth in inches.	V:	Volume of runoff in cubic feet.

A_i: Total area of roof, pavement and walkways within property in square feet (i.e. total impervious area).

- Determine A = 10,780 s/f.
- Determine AP = 3,771 s/f.
- Determine A_i = 7,009 s/f.
- Determine the average NGVD elevation of pervious areas within property:
Average Elevation of Pervious Areas = 4.30 feet NGVD
- Determine distance between the average high ground water elevation and the average elevation of pervious areas:
Distance = 2.72 feet.
- Determine S = 1.88 inches.
- Determine S as: $S = AP/A \cdot S_i = 3,771/10,780 \cdot 1.88 S_i = 0.35 \cdot 1.88 S_i = 0.658 S_i$
- Determine runoff depth (R) as:
 $R = (P - 0.2 \cdot S) / (P + 0.2 \cdot S)$
Where P = 3.3 inches of rainfall produced during a 5 year, one-hour storm. Then:
 $R = (3.3 - 0.2 \cdot 0.658) / (3.3 + 0.2 \cdot 0.658) = 4.12 / 4.13 = 1.00$
- Determine runoff volume (V) as:
 $V = A \cdot R / 12 = 10,780 \cdot 1.00 / 12 = 898.33$
V is the volume of runoff generated during a 5-year, one-hour storm within the property. This is the volume of runoff water that must be contained within the property.
- Compute "retention volume provided" (VP) as the retention volume capacity, in cubic feet, of existing retention areas and drains within property:
 $VP = 1,416$ c/f.
- Compare values of retention volume with retention volume needed.
 $VP = 1,416$ cubic feet $> V = 1,374$ cubic feet



DRAINAGE PLAN
SCALE: 1/8" = 1'-0"
CONTRACTOR TO VERIFY ALL SETBACKS, ELEVATIONS, R.O.W. SIZE AND LOCATIONS AND BE RESPONSIBLE FOR THE SAME

LEGAL DESCRIPTION:
LOT 23 AND A PORTION OF LOT 24, BLOCK 'F' OF GOLDEN BEACH SECTION 'F', PLAT BOOK (10-11)

TOWN OF GOLDEN BEACH
BUILDING ADVISORY BOARD
MEETING DATE
AUG 13 2013 9-10-13
APPROVED
DEPARTMENT
VICTORIANO

REVISIONS	BY

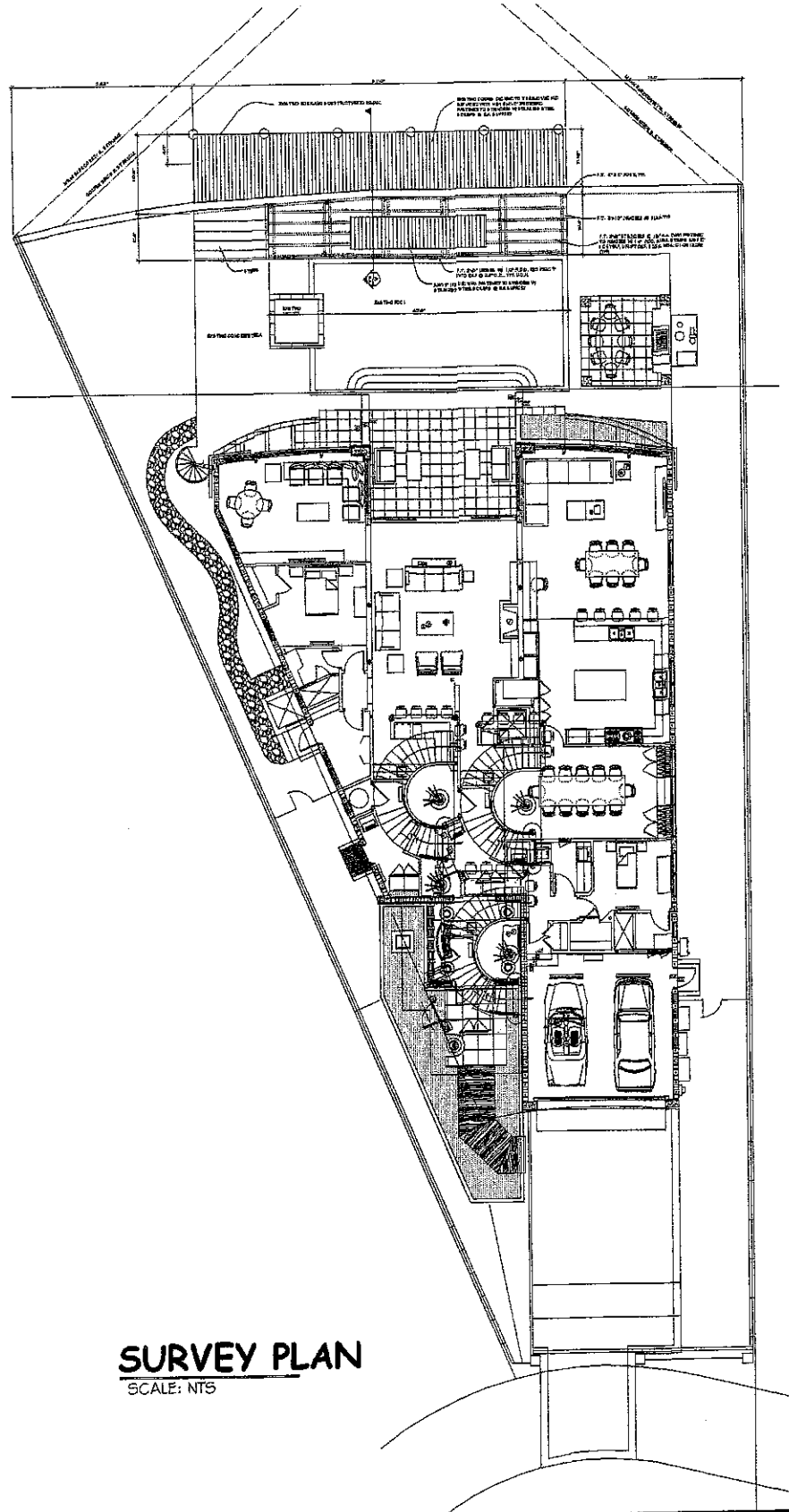
**PROPOSED RESIDENCE FOR:
LION BEN SHAMEL**

LOT 23, BLOCK 'F' SECTION 'F' OF GOLDEN BEACH (10-11)
340 NORTH ISLAND DRIVE, GOLDEN BEACH, FLORIDA 33440
PROPERTY ADDRESS: 1808 NORTH PARKWAY DR, GOLDEN BEACH, FLORIDA 33440

florida architectural services inc.
BOROGON ARCHITECTS architect/planner
34 N.W. 168 TH. STREET, NORTH MIAMI BEACH, FL 33168 (305) 653-0212

DRAWN	MV
CHECKED	DS
DATE	08-06-2013
JOB NO.	LION BEN SHAMEL
FILE	

SHEET NO.	D-1
OF 3 SHEETS	



SURVEY PLAN
SCALE: N.T.S.

LOCATION PLAN
SCALE: N.T.S.

GENERAL NOTES

STEEL

1. ALL BOLTS SHALL BE TYPE 316 STAINLESS STEEL.

MISCELLANEOUS

1. FASTENERS EMBEDDED INTO DOCK STRUCTURE SHALL BE ANCHORED WITH TWO PARTY EPOXY ADHESIVE ("RAWL") CHEM-FAST CARTRIDGE SYSTEM OR EQUAL. ANCHOR HOLES SHALL BE DRILLED TO 1/8" GREATER THAN THE SPECIFIED PASTER. HOLES SHALL BE DRILLED TO MINIMUM DEPTH SHOWN ON THE PLANS, AND SHALL BE THOROUGHLY CLEANED OUT AND DRY PRIOR TO INJECTION OF EPOXY.

GENERAL

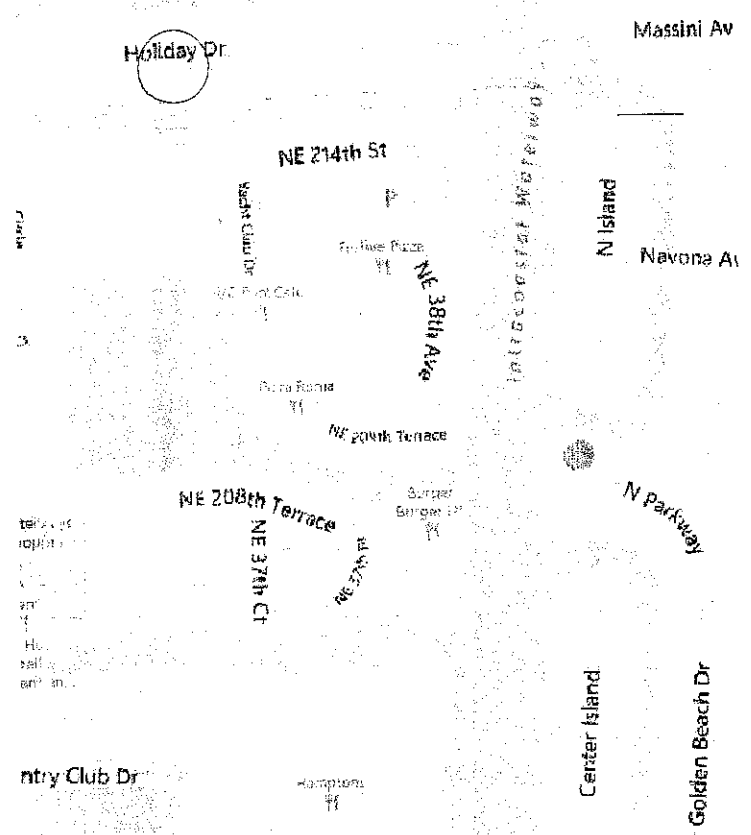
ELEVATIONS SHOWN REFER TO THE NATIONAL GEODETIC VERTICAL DATUM (NGVD) OF 1929.
ALL DIMENSIONS ON PLANS ARE SUBJECT TO VERIFICATION IN THE FIELD. IT IS THE INTENT OF THESE PLANS TO BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION ANY DISCREPANCIES BETWEEN THESE PLANS AND APPLICABLE CODES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF ENGINEER BEFORE PROCEEDING WITH WORK.

IT IS THE INTENT OF THESE PLANS AND THE RESPONSIBILITY OF THE CONTRACTOR TO COMPLY WITH LOCAL, STATE AND FEDERAL ENVIRONMENTAL PERMITS ISSUED FOR THIS PROJECT IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FAMILIARIZE AND GOVERN HIMSELF BY ALL PROVISIONS OF THESE PERMITS.

APPLICABLE BUILDING CODE: FLORIDA BUILDING CODE, 2007 EDITION.

DESIGN LOADS

1. DOCK LL 60 PSF
1. PRIMARY WOOD FRAMING MEMBERS SHALL BE NO. 2 PRESSURE TREATED SOUTHERN PINE OR BETTER, (FB=1050 PSI MINIMUM).
2. ALL DIMENSIONS ON PLANS ARE SUBJECT TO VERIFICATION IN THE FIELD.
3. IT IS THE INTENT OF THESE PLANS TO BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION. ANY DISCREPANCIES BETWEEN THESE PLANS AND APPLICABLE CODES SHALL BE IMMEDIATELY BROUGHT TO ATTENTION OF



TOWN OF GARDNER
 AUG 18 2011 9-10-13
 APPROVED
 J. N. SHEINGOLD P.E.
 CONSULTING ENGINEER

[Handwritten Signature]
13

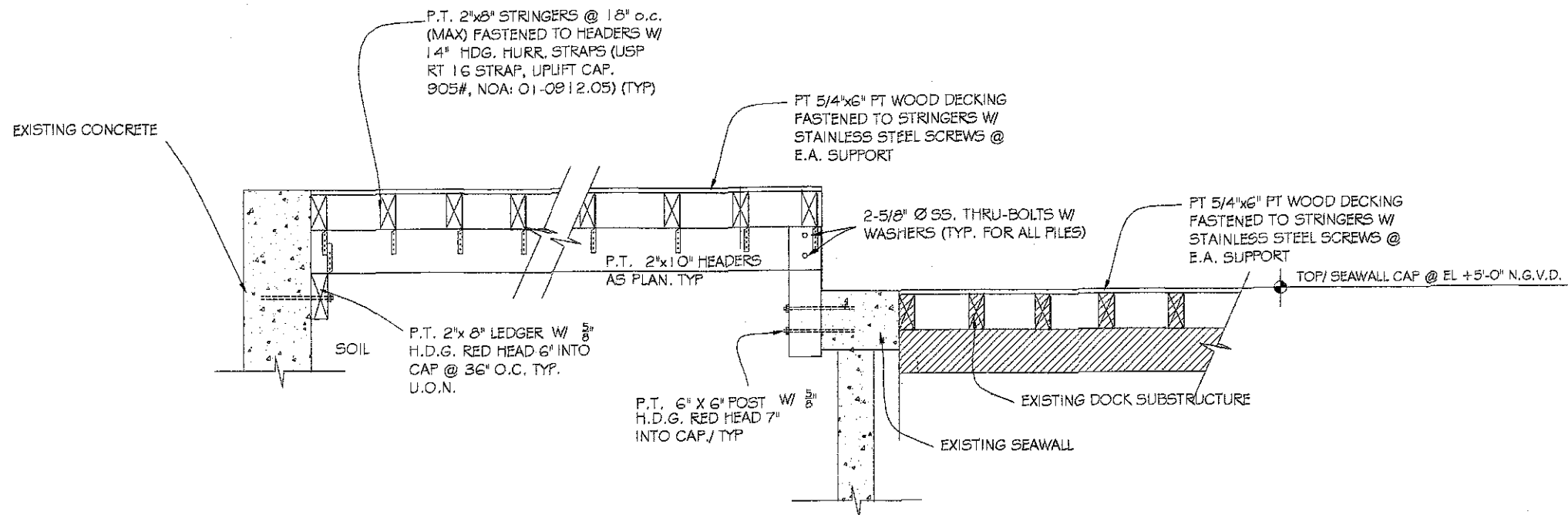
MARINE DESIGN PERMITS AND PLAN-
 REGULATORY COMPLIANCE-
 MITIGATION & MONITORING
 305-219-9530 (M)
SHORE MARINE SMC CONSTRUCTION, INC.
 JOSE.CALVO@EMAIL.COM

job name: **LOR RES.**
508 N PARKWAY ST.
MIAMI, FLORIDA.
 title: **WOOD DECK**

CONSULTANT:
J. N. SHEINGOLD P.E.
 2420 SW 75 AVE. PHONE: (305) 376-1244
 MIAMI, FLORIDA 33156
 CONSULTING ENGINEER
 PROFESSIONAL BUILDING INSPECTION
 PE # 21161

sheet no.
S-1
 1 of 3

THESE PLANS ARE THE PROPERTY OF SHORE MARINE CONSTRUCTION, INC. NO REPRODUCTION OF THESE PLANS IS ALLOWED UNLESS AUTHORIZED BY SHORE MARINE CONSTRUCTION, INC.



SECTION A
SCALE: 3/8" = 1'-0"

TEAM OF PROFESSIONALS
 ENGINEERS AND ARCHITECTS
 1000 N. MIAMI AVE.
 MIAMI, FLORIDA 33136
 AUG 13 2013
 APPROVED _____
 CONSULTANT _____
 V. J. SHEINGOLD

[Handwritten Signature]

SHORE MARINE CONSTRUCTION, INC.
 MARINE DESIGN PERMITS AND PLAN-
 REGULATORY COMPLIANCE-
 MITIGATION & MONITORING
 305-219-9530 (M)
 JOSE.CALVO26@GMAIL.COM

job name: **LIOR RES. 506 N PARKWAY ST. MIAMI, FLORIDA.**
 title: **WOOD DECK**

CONSULTANT:
J. N. SHEINGOLD P.E.
 2420 SW 75 AVE. PHONE: (305) 378-1244
 MIAMI, FLORIDA 33156
 CONSULTING ENGINEER
 PROFESSIONAL BUILDING INSPECTION
 PE # 21181

sheet no.
S-3
 3 of 3



TOWN OF GOLDEN BEACH

1 Golden Beach Drive
Golden Beach, Fl. 33160

**SUMMARY MINUTES
BUILDING REGULATION ADVISORY BOARD
September 10, 2013 at 6:00pm**

- A. CALL MEETING TO ORDER:** 6:00pm
- B. BOARD ATTENDANCE:** Stephanie Halfen, Eric Cohen, Jose Iglesias, Fred Chouinard, and Jerome Hollo-(6:30pm)
- C. STAFF ATTENDANCE:** Building Official Nieda and Building & Zoning Director Epperson
- D. APPROVAL OF MINUTES:** August 13, 2013

A motion to approve the minutes was made by Dr. Iglesias, Seconded by Fred Chouinard.

On roll call: Stephanie Halfen-Aye, Eric-Cohen-Aye, Dr. Iglesias-Aye and Fred Chouinard-Aye

Motion passed 4 – 0

- E. REQUEST FOR ADDITIONS, DEFERRALS, DELETIONS & WITHDRAWALS**

- 1. GBX Oceanfront Estates LLC
675 3rd Avenue, 26th Floor
New York, N.Y. 10017

Property Address: VL a/k/a 135, 137 & 145 Ocean Blvd.,
Golden Bch, FL

Folio No: 19-1235-003-0050; 0070 and 0080

Three variance requests – table to October 2013 meeting.

A motion to table these items was made by Dr. Iglesias, Seconded by Fred Chouinard.

On roll call: Stephanie Halfen-Aye, Eric-Cohen-Aye, Dr. Iglesias-Aye and Fred Chouinard-Aye

Motion passed 4 – 0

- F. VARIANCE REQUEST(S):**

- 2. Lior Ben Shmuel
570 North Island Drive
Golden Beach, FL. 33160

Property Address: 508 North Parkway Dr., Golden Beach, FL.
Folio No: 19-1235-006-0760
Legal Description: Lots 23 and a port of 24, Blk F, GB Sect. F, PB
10-11

Building Official Nieda read his comments into the record
Matthew Kay, 504 North Parkway, spoke in opposition to this item and
submitted a written letter into the record in opposition of the request.
Pictures taken 504 North Parkway were submitted to the Board for
discussion on the item.

Lior Ben Shmuel, 570 North Island Drive, owner of the property spoke
on his own behalf.

House under construction

Relief from Town code Sections 58-35. - Preservation of lot area.
A minimum of 35 percent of the area of each lot, including the swale
adjacent thereto, shall be maintained as pervious surface.

Request is to allow a 31 percent of pervious area where the code
requires a 35 percent pervious area.

In accordance with Town Code Section 66-41, "authorized, general
procedure", pertaining to variances, the board considered all evidence
and testimony presented by the applicant, the public and the Town
and made a finding that the applicant has complied with the seven
criteria.

A motion to recommend approval was made by Dr. Iglesias,
Seconded by Fred Chouinard.

On roll call: Stephanie Halfen-Nay, Eric-Cohen-Nay, Dr. Iglesias-Nay
and Fred Chouinard-nay

Motion failed 4 – 0

G. OLD BUSINESS:

3. Michael Newman
1160 N.W. 163rd Drive
Miami, FL. 33169

Property Address: 434 Golden Beach Dr., Golden Beach, FL. 33160
Folio No: 19-1235-005-0490
Legal Description: Lot 42 & N ½ of Lot 43, Block F, GB Sect E, PB 8-
122

Building Official Nieda read his comments into the record
Kirk Lofgren of Ocean Consulting spoke on behalf of the applicant.

Proposed installation of a new boat lift.

A motion was made by Dr. Iglesias, Seconded by Stephanie Halfen
On roll call: Stephanie Halfen-Aye, Eric-Cohen-Aye, Jerome Hollo-
Aye, Dr. Iglesias-Aye and Fred Chouinard-Aye
Motion passed 5 – 0

4. Phister Company Inc.
25 SE 2nd Avenue, Suite 1235
Miami, FL. 33131

Property Address: 385 Center Island Drive, Golden Beach, FL.
Folio No: 19-1235-005-0870
Legal Description: All of lots 20 & 21, lot 22 less n 12.5', Blk K, GB
Sect E, PB 8-122

Building Official Nieda read his comments into the record.
Alfredo Gamara, Architect, spoke on behalf of the applicant.

Revisions to exterior façade and pool of a residence under
construction and a new dock.

A motion to approve was made by Fred Chouinard, conditioned on
proper equipment screening and compliance with the code, Seconded
by Dr. Iglesias.

On roll call: Fred Chouinard-Aye, Dr. Iglesias-Aye, Jerome Hollo-Aye,
Eric Cohen-Aye and Stephanie Halfen-Aye
Motion passed 5 – 0

H. NEW BUSINESS

5. Brookman Fels at Golden Beach LLC
16375 NE 18th Ave., #225
North Miami Beach, FL. 33162

Property Address: 524 North Island Drive, Golden Beach, FL. 33160
Folio No: 19-1235-006-0840
Legal Description: Lot 7 & N 25' of Lot 8, Block M, GB Sect F, PB
10-11

Building Official Nieda read his comments into the record.
Kirk Lofgren of Ocean Consulting spoke on behalf of the applicant

Approval for the construction of a new boat dock and boat lift on a
property under construction.

A motion was made by Dr. Iglesias, Seconded by Eric Cohen
On roll call: Stephanie Halfen-Aye, Eric-Cohen-Aye, Jerome Hollo-
Aye, Dr. Iglesias-Aye and Fred Chouinard-Aye
Motion passed 5 – 0

6 Alan Rotter and Karen Gross
439 Center Island Drive
Golden Beach, FL. 33160

Property Address: 439 Center Island Dr., Golden Beach, FL. 33160
Folio No: 19-1235-005-1020
Legal Description: Lot 15, Block L, GB Sect. E, PB 8-122

Building Official Nieda read his comments into the record.

Approval of landscaping plan for property under renovation.

A motion to approve was made by Dr. Iglesias, Seconded by
Stephanie Halfen.

On roll call: Stephanie Halfen-Aye, Eric-Cohen-Aye, Jerome Hollo-
Aye, Dr. Iglesias-Aye and Fred Chouinard-Aye
Motion passed 5 – 0

7. Mariam Dum
3075 NE 208th Terrace
Aventura, FL. 33180

Property Address: 475 Center Island Dr., Golden Beach, FL. 33160
Folio No: 19-1235-005-0940
Legal Description: Lot 7 and S ½ of Lot 8, Blk L, GB Sect E, PB 8-122

Building Official Nieda read his comments into the record.
Board Member Stephanie Halfen is the representative for the item and
has recused herself from voting.
Stephanie Halfen spoke on behalf of the applicant.

Revisions to a previously approved design and the addition of a
Gazebo.

A motion to approve was made by Fred Chouinard, Seconded by
Eric Cohen.
On roll call: Eric Cohen-Aye, Jerome Hollo-Aye, Dr. Iglesias-Aye and
Fred Chouinard-Aye.
Motion passed 4 – 0

8. Uri Mareyna
Margie Zonana Blang A
277 Golden Beach Drive
Golden Beach, FL. 33180

Property Address: 277 Golden Beach Dr., Golden Beach, FL.
Folio No: 19-1235-004-0890
Legal Description: Lot 25, & S 20' of Lot 24, Blk 5, GB Sect D,
PB10-10

Building Official Nieda read his comments into the record
Martin Littman spoke on behalf of the applicant.

Addition to and remodel of an existing residence.

A motion was made by Eric Cohen, Seconded by Stephanie Halfen
Conditioned on deletion of the cabana bath in the rear of residence.
On roll call: Stephanie Halfen-Aye, Eric-Cohen-Aye, Jerome Hollo-
Aye, Dr. Iglesias-Aye and Fred Chouinard-Aye
Motion passed 5 – 0

9. Boris Mareyna and Jeaninne Azoubel
15901 Collins Avenue, #508
Sunny Isles Beach, FL.

FL Property Address: VL a/k/a 299 Golden Beach Dr., Golden Beach,
Folio No: 19-1235-004-0870
Legal Description: Lot 22 & the N 10' of 23, Blk 5, GB Sect D, PB
10-11

Building Official Nieda read his comments into the record
Martin Littman spoke on behalf of the applicant

Approval for construction of a new two-story single-family residence
with a new pool.

A motion was made by Eric Cohen, Seconded by Fred Chouinard.
Conditioned on; the pool to be setback from 7.5' to 10', all walls in
setback areas to be no higher than 36 inches above the crown of the
road, all mechanical equipment to be setback in accordance with the
code and properly screened, and submittal of grading and drainage at
permitting.

On roll call: Stephanie Halfen-Aye, Eric-Cohen-Aye, Jerome Hollo-
Aye, Dr. Iglesias-Aye and Fred Chouinard-Aye
Motion passed 5 – 0

10. Valdljo Group
20900 N.E. 30th Avenue, #303
Aventura, FL. 33180

Property Address: 612 Golden Beach Dr., Golden Beach, FL. 33160
Folio No: 19-1235-006-0380
Legal Description: Lots 3 & 4, Block E, GB Sect. F, PB 10-11

Building Official Nieda read his comments into the record
Susana Weisleder spoke on behalf of the applicant.

Approval for construction of new one-story single-family residence with a new pool.

A motion was made by Eric Cohen, Seconded by Stephanie Halfen
To table this item.

On roll call: Stephanie Halfen-Aye, Eric-Cohen-Aye, Jerome Hollo-Aye, Dr. Iglesias-Aye and Fred Chouinard-Aye

Motion passed 5 – 0

I ITEMS FOR DISCUSSION AND BOARD APPROVAL

J. ADJOURNMENT

PURSUANT TO FLA. STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR THAT SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHER INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

ROLANDO & ANA GARCIA
526 NORTH PARKWAY
GOLDEN BEACH, FL. 33160

YVONNE GIBB
516 NORTH PARKWAY
GOLDEN BEACH, FL. 33160

RICHARD & DINA NICOLELLA
522 NORTH PARKWAY
GOLDEN BEACH, FL. 33160

JONAS & JUDITH MIMOUN
550 NORTH ISLAND DRIVE
GOLDEN BEACH, FL. 33160

EDUARD & SVETLANA NAKHAMKIN
3501 N. OCEAN DR., APT V-12
HOLLYWOOD, FL. 33019

CAREN SREDNI TRUST
540 NORTH ISLAND DRIVE
GOLDEN BEACH, FL. 33160

MATTHEW & JENNIFER KAY
504 NORTH PARKWAY
GOLDEN BEACH, FL. 33160

LIOR BEN SHMUEL
570 NORTH ISLAND DRIVE
GOLDEN BEACH, FL. 33160

ALBERT J. ANGEL
1895 NE 214TH TERRACE
NORTH MIAMI BEACH, FL. 33179

THE CORAL GABLES TRUST CO.
THE PLATANO FL EXEMPT TR
1630 DIPLOMAT PARKWAY
HOLLYWOOD, FL. 33019

PATRICIA WEXLER
480 NORTH PARKWAY
GOLDEN BEACH, FL. 33160

ERI MARKETS HOLDING INC.
MARK C. KATZEF PA
2999 NE 191ST ST., SUITE 605
MIAMI, FL. 33180

GLENN H. SINGER
552 NORTH ISLAND DRIVE
GOLDEN BEACH, FL. 33160

BUCHANAN STREET REALTY LLC
2600 ISLAND BLVD., SUITE 1702
AVENTURA, FL. 33160

TOWN OF GOLDEN BEACH
BUILDING DEPARTMENT

TOWN OF GOLDEN BEACH
BUILDING DEPARTMENT

September 5th, 2013

FOR
508 NPARK
READ INTO
RECORDS
AT 9/10/13

To whom it may Concern:

As residents of 504 North Parkway, we have had numerous issues surrounding the development of the property to the East of us over the last couple of years. Initially, there was a question as to the variance offered to condone the building of a house on a lot size that was less than that which was required in Golden Beach statutes at that time (11,250 square feet). Once the variance was granted permitting the construction of the house, a situation which we opposed from the onset based upon the scale of the house in terms of square footage that they were going to be building, we subsequently went to additional variance hearings. One specifically addressed the building of a 3rd floor rooftop deck in which an elevator would go to the 3rd floor. At the building and zoning committee meeting we went to, the committee clearly sided with us and stated that they recommended against the building of an elevator. In spite of this, the developer placed an elevator in the house which apparently goes to the third floor from my understanding. We also complained significantly about this house because of the dimensions that they were creating within the extremely small confines of the lot would directly intrude upon our personal privacy, specifically with windows and rooftop deck looking into my teenage daughter's room. We were absolutely assured that the landscaping plan would consist of extremely heavy shrubbery and landscaping which would preclude the ability to view from their property into my daughter's bedroom. However, the scant shrubbery that was placed is by no means dense enough to block any view of their housing structure. In fact, numerous of the plants have already died. As I am dictating this letter, I am looking directly at their house which was supposed to be shrouded in lush landscaping. The landscaper at the adjacent property then asked my wife if she wanted to continue the shrubbery forward and move our landscaping. I insisted that this issue be addressed by the original planning committee that approved the construction of the property and the initially approved landscaping plan. Over the approximately two years that this house has been in development, we have had innumerable individuals comment on the rather gross size of the structure on the small property. I also have a question as to whether their driveway is actually intruding upon our personal lot, and I would like a formal survey by the city to delineate the boundaries of our respective properties.

In light of all the above, we have just received notice that the developer seeks yet another variance to extend beyond the "minimum of 35%" of land which "shall be maintained as pervious surface". The developer apparently would like to reduce the pervious area to only 31%. As you can see, the extension of greater than 10% of the required minimum is absolutely and unequivocally not acceptable to us as neighbors. We feel that the gross size of this lot which has obviously already been built out to the maximum permitted on an extremely small lot to begin with would only further intrude and disrupt the enjoyment of our personal residence. We feel that this property has already resulted in damage to the value of our house, and I suspect that further encroachment upon the maximum allotted land use would further denigrate the value and enjoyment of our personal property.

I hope that all of this is taken into consideration at the upcoming request for a variant.

Sincerely,

Matthew and Jennifer Kay
Owners of 504 N. Parkway
Golden Beach, FL 33160

FOX
508 N. PALM

①



(7)





3



H








TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: September 18, 2013

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Lissette Perez,
Town Clerk 

Subject: **Town Council Minutes**

Item Number:

5

Recommendation:

It is recommended that the Town Council adopt the attached minutes of the Town's August 20th, 2013 Regular Town Council Meeting.



TOWN OF GOLDEN BEACH
One Golden Beach Drive
Golden Beach, FL 33160

**Official Minutes for the August 20, 2013
Special Town Council Meeting called for 7:00 P.M.**

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7 p.m.

B. ROLL CALL

Councilmember's Present: Mayor Glenn Singer, Vice Mayor Judy Lusskin, Councilmember Amy Isackson-Rojas, Councilmember Judy Lusskin, Councilmember Kenneth Bernstein, Councilmember Einstein

Staff Present: Town Manager Alexander Diaz, Town Clerk Lissette Perez, Police Chief Don De Lucca, Finance Director Maria D. Camacho, Town Attorney Steve Helfman, Commander CaDavid, Marie Talley, Michael Glidden, Sheila Pirrone

C. PLEDGE ALLEGIANCE

Police Chief led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

Swearing-In of Part-time Police Officer Thomas Moran – Officer Moran was running late, and sworn-in later in the meeting

Employee of the First & Second Quarter 2013 – Administrative Staff of Town Hall

Town Manager presented the Town's Distinguished Budget Award

E. MOTION TO SET THE AGENDA

ADDITIONS/ DELETIONS/ REMOVAL OF ITEMS FROM CONSENT AGENDA/ AND CHANGES TO AGENDA

F. GOOD AND WELFARE

Dr. Gregg Friedman, 190 Golden Beach Drive

Thanked the Town Council for all of the work with the undergrounding of the power lines. However there is one minor issue, Dr. Friedman stated that he thinks the power has been cut to some of the lights on the South Island Bridge, because all of those lights have been out since the power lines were placed underground.

Jan Solomon, FIU Prestige Cultural Series

Just wanted to thank the Town for its partnership with the prestige cultural series and thanked the town for all of its support. She also welcomed the Council and residents to attend any of the cultural series events.

G. MAYOR'S REPORT

Urged residents to be careful driving down Golden Beach Drive now that school is back in session. Renovations at Tweddle Park have been completed, and he encouraged residents to visit the park. The barges are gone at the bridges, and the bridge project is getting closer to completion. Town is right on budget and right on time. Also commented on the light poles coming down throughout Town, and what a great accomplishment this is for the Town. Congratulated the police department on achieving its accreditation. Asked Police Chief to elaborate on this achievement. (Police Chief spoke briefly on what it entails.) Also commented on the millage rate remaining the same for the last seven years, since 2007.

H. COUNCIL COMMENTS

Councilmember Rojas

Asked if the Town still has recycling going on, because her recyclable have not been picked up in three weeks. The **Town Manager** advised that the program is a curbside program only. Also stated that now that the Town is looking so nice, she wanted to urge the Town's code enforcement department to pick up a little bit more. Was also wondering if there will be any space in the budget for dredging and asked about putting pavers in the parking area of North Parkway so it is not always a mess.

Councilmember Bernstein

Commended the staff and **Town Manager** for the amazing job done with the undergrounding work in Town. Inquired about the dredging issue created by the barges at the bridge and if anything had been done to rectify those issues? Also addressed the beach committee. Believes that the Council needs to redefine what it wants that beach to be, and answer some basic questions before moving forward. The Town's beach pavilion is the best amenity to him the Town has, and the Town should enhance it. Spoke on the super storm the Town went through, and thanked the Administration and police for how it was handled.

Councilmember Einstein

Spoke on the power lines coming down behind his house. What a momentous occasion that really was for him, and how happy he was to have been able to finally see that day. Thanked the Town Manager and the staff for all of the hard work that has been done to accomplish this.

Vice Mayor Lusskin

Gave kudos to the Town for changing and improving channel 35. Also mentioned that there are some communities that have some things on their channels that we might want to add to our programming. Congratulated the Police department on receiving the accreditation. Has seen a few things in terms of housekeeping that she wants the Town Manager to look at. The trees in the greenway have dead leaves that are coming down so low that they are hitting the sidewalk and are yellow. On the eastside of Golden Beach Drive, the trees on the swale also have leaves that are hanging all the way down and it is beginning to give the Town a bad look. Also mentioned that several residents have had problems with their water meters and electrical meters, which she wanted to

discuss with the Town Manager after the meeting. The landscaping at the median on A1A is looking better, but especially on the north end of Town its growing high. Tips are so high that motorists cannot see the oncoming cars.

***** Mayor Singer** recognized and swore-in Officer Thomas Moran at this time. *******

I. TOWN MANAGER REPORT

Recognized the Police Department for receiving its accreditation. Addressed Vice Mayor Lusskin's issues with the maintenance and landscaping of the Town, and promised to look at the new requirements of the Public Works staff related to landscaping, now that the CIP enhancements have been done.

***CIP Report & Update**

Stated that when the program started it was a 14.5 million dollar project. When it ends, the Town will have built 39-million dollars worth of projects in Town. The Town raised, in private grants, 24-million dollars in free money to residents.

Also asked the Council to look at the variance report, because the Town was able to carry over 400-thousand dollars in savings for the next budget year.

J. TOWN ATTORNEY REPORT

None

K. ORDINANCES – SECOND READING

None

L. ORDINANCES - FIRST READING

1. An Ordinance of the Town Council Amending the Town of Golden Beach Employees Pension Plan.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN OF GOLDEN BEACH EMPLOYEES PENSION PLAN (THE "PLAN") CODIFIED IN DIVISION 1 "GENERAL EMPLOYEES" OF ARTICLE II "RETIREMENT" OF CHAPTER 24 "PERSONNEL" IN THE TOWN'S MUNICIPAL CODE OF ORDINANCES TO CHANGE THE DEFINITION OF "FULL-TIME EMPLOYMENT" TO AT LEAST 40 HOURS PER WEEK AND AT LEAST SIX MONTHS PER YEAR; BY AMENDING SECTION 24-31 "DEFINITIONS" OF ARTICLE II "RETIREMENT"; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 557.13

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 557.13

A motion to approve was made by Vice Mayor Lusskin seconded by Councilmember Bernstein.

On roll call, the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Lusskin	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Isackson-Rojas	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

Town Manager stated that the Town's code is outdated and the Town wishes to amend it to bring it up to date, to classify a full-time employee as one working 40 hours a week or more.

M. QUASI JUDICIAL RESOLUTIONS

2. A Resolution of the Town Council Approving a Variance Request for the Property Located at 298 South Parkway to Permit a Dock Extension.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 298 SOUTH PARKWAY, GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE DOCK TO EXTEND INTO AN OUTSIDE WATERWAY AT 17.4', WHERE 10' IS REQUIRED BY THE TOWNS CODE.

Exhibit: Agenda Report No. 2
Resolution No. 2296.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2296.13

A motion to approve was made by Vice Mayor Lusskin seconded by Councilmember Rojas.

On roll call, the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Lusskin	<u>Aye</u>

Councilmember Einstein	<u>Aye</u>
Councilmember Isackson-Rojas	<u>Aye</u>
Councilmember Bernstein	<u>Nay</u>

The motion passed.

Building Official Dan Nieda read into the record the seven conditions required for approval of the variance request. The Building Regulation Advisory Board voted against granting this variance.

Attorney Steve Warnick, 1 SE 3rd Avenue, Miami, FL, spoke on behalf of the property owner. Stated that there are two different variances that are being requested. Stated that this is a replacement of a dock and wave break that has existed for 25 years. Not proposing anything beyond what was there before. The dock itself ranges from 6 feet to 10 feet in surface. The actual width of the dock would be 3 to 4 feet, so it would be very difficult to create a dock that meets the technical requirements. Proposed the same footprint that was there previously. Did not seek to extend the dock any further. Does meet the criteria under 66-41.

Town Manager stated that in this particular property not only are they asking to go further out than what the code asks for; their particular seawall is already outside of the property line. In addition, all because there is a pre-existing nonconforming condition, that should not be the basis for granting the variance.

Mayor Singer asked the **Building Official Nieda**, how could they get this approved? Building Official Nieda advised that if they exceeded 50% of the cost of the entire seawall, he could have compelled them to demolish the entire seawall, which is the only way to get an approved seawall.

Councilman Einstein asked what kind of dock if any; can they build in this house? Building Official Nieda stated that because they have an encroachment, they could only build a 5.42-foot dock.

Mr. Warnick stated that because of the shape of the dock, in the middle there would be only like 3 feet.

Mr. Elenson, 276 South Parkway

First off thanked the Town for everything it did with the poles. However, by allowing this variance the Town is creating a hardship for the waterways. The Town should not follow the mistakes it made 25 years ago. The neighbors agree with Dan and Mr. Diaz on this matter, and would not approve it being built.

Building Official Nieda stated that it is important to note that the dock has been demolished. The seawall remains outside the property.

Mayor Singer asked why the Town would give them a permit to demolish the dock if the structure was illegal to begin with. **Building Official Nieda** advised that if it did not exceed the 50% rule, they are not compelled to remove it

Town Manager stated that 25 years ago when the seawall and dock were put in, at that point those structures were not permitted. Our concern is not with the 50% rule, the problem is that when they put in the seawall without a permit 25 years ago, they put it in a location that they should not have, expending their property by 3.62 feet.

Mayor Singer stated that the Town should have never given them a permit to fix the seawall. **Town Manager** stated that the code requires the Town to issue a permit so long as the 50% rule is not exceeded.

Town Attorney stated that he says there is nothing that states that a submerged land couldn't be adversely possessed by the Town. But he is not sure who owned that submerged land to begin with.

Mr. Kirk Lofgren, Ocean Consulting, LLC (representing the homeowner) stated that the homeowner has the state's approval and the army corps of engineers approval to move forward with this project, as well as letters of consent from the two adjacent neighbors.

Fred Chouinard asked for the letters from the adjacent neighbors.

Mr. Elenson mentioned again that the dock is illegal, and a water hazard.

Mr. Chouinard stated that the board keeps running into this. The board spends three hours following the code the Town established, and then the owners come before the Council and talk them into granting the variance.

Councilman Bernstein stated that he is sympathetic for the owners but there is a board that meets and discusses these things. And he is completely sympathetic and the owners should speak with their attorney about why they were not advised about this, but he feels that this sets a dangerous precedent for the community.

Councilwoman Rojas stated that this is a house on the intercoastal waterway, and people who buy houses on the intercoastal waterway want to enjoy the water and this was something that was approved wrongly in the first place, and it is not the homeowners fault.

Attorney Warnick stated that approving this variance does not set a precedent. It is a unique situation.

3. A Resolution of the Town Council Approving a Variance Request for the Property Located at 298 South Parkway to permit the Wave Break Wall to Extend.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 298 SOUTH PARKWAY, GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE WAVE BREAK WALL TO EXTEND INTO AN

OUTSIDE WATERWAY AT 39.5', WHERE 25' IS REQUIRED BY THE TOWNS CODE.

Exhibit: Agenda Report No. 3
Resolution No. 2297.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2297.13

A motion to approve was made by Vice Mayor Lusskin seconded by Councilmember Einstein.

On roll call, the following vote ensued:

Mayor Singer	<u>Nay</u>
Vice Mayor Lusskin	<u>Nay</u>
Councilmember Einstein	<u>Nay</u>
Councilmember Isackson-Rojas	<u>Nay</u>
Councilmember Bernstein	<u>Nay</u>

The motion failed.

Building Official Nieda gave a brief synopsis of the request and the conditions.

Mayor Singer stated that he feels that the wave break is an eyesore and a navigational hazard especially at night for other vessels traveling north and south on the intracoastal.

4. A Resolution of the Town Council Approving a Variance Request for the Property Located at 357 Center Island Drive To Permit the Viewing Platform Structure to Encroach 13' Outside the D5 Triangle.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 357 CENTER ISLAND DR., GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE VIEWING PLATFORM (DOCK) STRUCTURE TO ENCROACH 13' OUTSIDE THE D5 TRIANGLE, AND INTO THE 5' SIDE YARD SETBACK WHEREAS DOCKS ARE REQUIRED TO BE WITHIN THE D5 TRIANGLE AND MAINTAIN A 5' SIDE YARD SETBACK AS REQUIRED BY THE TOWN'S CODE.

Exhibit: Agenda Report No. 4
Resolution No. 2305.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2305.13

A motion to approve was made by Vice Mayor Lusskin seconded by Councilmember Rojas.

On roll call, the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Lusskin	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Isackson-Rojas	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

Building Official Nieda briefly spoke on the item. Building Regulatory Advisory Board (BRAB) did not approve this item, with a unanimous vote against it of 5-0.

Mr. Kirk Lofgren spoke on behalf of the applicant to explain of the difference between a viewing platform and a dock. He also explained that the structure is in place now, but the current structure needs to be replaced.

Mayor Singer asked **Mr. Fred Chouinard** to explain why the board said no to the variance when it is essential the same result.

Mr. Chouinard explained that it was denied by the BRAB because it encroaches into the D5 triangle.

Councilmember Bernstein stated that the Council should at least give direction to the BRAB to be able to make subjective decisions, instead of just following the rules as they are stated.

Mayor Singer stated that they want to follow the building code, but this is a unique situation.

Vice Mayor Lusskin asked if what Mr. Chouinard was recommended is that they tear it down and rebuild it different than the way it currently it is. Mr. Chouinard agreed, so long as it is not in the side setback.

5. A Resolution of the Town Council Approving a Variance Request for the Property Located at 357 Center Island Drive To Permit the Elevation of the Viewing Platform Structure.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 357 CENTER ISLAND DR., GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE ELEVATION OF THE VIEWING PLATFORM (DOCK) STRUCTURE TO BE AT A 5/5' NGVD

IN LIEU OF THE 5' NGVD ELEVATION REQUIRED BY THE TOWN'S CODE.

Exhibit: Agenda Report No. 5
Resolution No. 2306.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2306.13

A motion to approve was made by Vice Mayor Lusskin seconded by Councilmember Einstein.

On roll call, the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Lusskin	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Isackson-Rojas	<u>Absent</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

Building Official Nieda stated that the board agreed to recommend approval of the variance request with a vote of 3-2.

6. A Resolution of the Town Council Approving a Variance Request for the Property Located at 132 South Island Drive to Permit the Dock to Extend Out.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 132 SOUTH ISLAND DR., GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE DOCK TO EXTEND OUT INTO THE WATERWAY AT 8.67' WHERE 6' IS REQUIRED BY THE TOWNS CODE.

Exhibit: Agenda Report No. 6
Resolution No. 2307.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2307.13

A motion to approve was made by Vice Mayor Lusskin seconded by Councilmember Bernstein.

On roll call, the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Lusskin	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Isackson-Rojas	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

Building Official Nieda stated that the applicant is requesting to reconstruct a boat dock in a nonconforming footprint. The Board did not recommend this favorably. It failed by a vote of 4-1.

Mr. Kirk Lofgren, the owner's representative, stated that the owner is just asking to repair the seawall cap not reconstruct it. The owner is not proposing to change the line of pilings. Requesting to remain consistent with the approval the Town Council permitted back in 1998.

Vice Mayor Lusskin stated that she went out to the property to see what the applicant was requesting exactly.

Mayor Singer asked **Fred Chouinard** to explain why the board denied it. Mr. Chouinard stated that if the Council denies, they just need to stay within the D5 triangle.

Councilmember Bernstein stated that the issue is that the Town has set up a standard under which the Council wants everything to be built. So whenever you have a situation with an older property, they are going to be able to make this argument to the Council. Suggested that at a minimum, the Town Council provide the BRAB with some guidance on how to deal with these situations, without feeling like they are wasting their time.

Mayor Singer stated that the BRAB is not wasting their time, because what they are doing is making a recommendation to the Council and sometimes we agree and sometimes we do not agree.

Vice Mayor Lusskin stated that by definition a variance and/or appeal, that is what that means. And she would feel remiss if every time she opened up a variance application she voted the same way the BRAB voted without looking into the matter.

Town Manager stated that the BRAB members should vote according to the letter of the code. The Council does not work by the same rules.

Building Official Nieda gave a brief explanation of the variance application process.

7. A Resolution of the Town Council Approving a Variance Request for the Property Located at 44 Terracina Avenue for Construction of a Single-Family Residence on a Vacant Lot.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH,
FLORIDA, AUTHORIZING AND APPROVING A VARIANCE

REQUEST FOR THE PROPERTY LOCATED AT 44 TERRACINA AVENUE, GOLDEN BEACH, FLORIDA 33160 FOR THE CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE ON A VACANT LOT.

Exhibit: Agenda Report No. 7
Resolution No. 2308.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2308.13

A motion to approve was made by Vice Mayor Lusskin seconded by Councilmember Einstein.

On roll call, the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Lusskin	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Isackson-Rojas	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

Building Official Nieda gave a brief description of the variance request. Board voted favorably on this requested. He did as well. And the two neighbors that would be impacted also have favorable letters on file.

Alan Rosenthal, representative for the applicant, spoke on the reasons for the variance request.

Councilmember Einstein stated that the Council should specify rationale for allowing the setback on this property.

Town Manager stated that this is a very unique circumstance that the Town would not normally allow. The Town strongly recommends favorable approval.

Mark Turquel, the architect, spoke on the reasons behind asking for the front yard setback.

8. A Resolution of the Town Council Approving a Variance Request for the Property Located at 277 Golden Beach Drive for Additions and Remodeling.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 277 GOLDEN BEACH DRIVE, GOLDEN BEACH, FLORIDA

33160 TO PERMIT ADDITIONS AND REMODELING OF
THE EXISTING RESIDENCE.

Exhibit: Agenda Report No. 8
Resolution No. 2309.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2309.13

A motion to approve was made by Vice Mayor Luskin seconded by Councilmember Rojas.

On roll call, the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Luskin	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Isackson-Rojas	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

Building Official Nieda spoke briefly on the variance request. The applicant is requesting a 267 square foot addition to the front façade to add a bedroom. He recommended in favor of this matter, feeling that this is a hardship. The Board disagreed, and recommended that it not be favorably considered. There is one letter of objection on file, and a neighbor appeared at the meeting to object to the application.

Martin Lippmann, 277 Golden Beach, he spoke on behalf of the applicant. He stated that it is a very small area. The reason why they are requesting this is because this house is under flood level and it would have to be torn down if they do a different design.

Vice Mayor Luskin stated that she went to see the house to understand visually. She stated that if she understands it correctly, what they are asking for on the south side of the house does not encroach on the neighbor's property, just brings the house forward a few feet to the west, which is still within the allowed buildable area within the Town's code. She asked Building Official Nieda, why this was not voted on favorably by the BRAB?

Building Official Nieda stated that the side setback of the home is already nonconforming, so essentially the applicant is requesting to extend that conformity.

N. CONSENT AGENDA

9. Minutes of the June 24, 2013 Special Town Council Meeting

10. A Resolution of the Town Council Authorizing the Payment of \$1,000 to Florida International University Biscayne Bay Campus.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$1,000.00 TO FLORIDA INTERNATIONAL UNIVERSITY BISCAYNE BAY CAMPUS IN MEMORIAM OF RICHARD FISHBEIN; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 10
Resolution No. 2310.12

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2310.12

11. A Resolution of the Town Council Authorizing the Use of LETF Funds for the Implementation of Community Policing Initiatives.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF LETF FUNDS FOR THE IMPLEMENTATION OF COMMUNITY POLICING INITIATIVES AND AWARENESS PROGRAMS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 11
Resolution No. 2311.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2311.13

12. A Resolution of the Town Council Renewing the Agreement for a Comprehensive Health Insurance Plan for the Benefit of the Town of Golden Beach Employees.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, RENEWING THE AGREEMENT FOR A COMPREHENSIVE HEALTH INSURANCE PLAN FOR THE BENEFIT OF THE TOWN OF GOLDEN BEACH EMPLOYEES AND ELIGIBLE DEPENDENTS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 12

Resolution No. 2312.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2312.13

13. A Resolution of the Town Council Renewing the Agreements for a Dental Insurance and a Vision Insurance Plan for the Benefit of the Town of Golden Beach Employees.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, RENEWING THE AGREEMENTS FOR A DENTAL INSURANCE AND A VISION INSURANCE PLAN FOR THE BENEFIT OF THE TOWN OF GOLDEN BEACH EMPLOYEES AND ELIGIBLE DEPENDENTS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 13
Resolution No. 2313.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2313.13

14. A Resolution of the Town Council Accepting the Benefit Proposal for Short Term/Long Term Disability Insurance, Life, and Accidental Death and Dismemberment Insurance Submitted by Mutual of Omaha Insurance.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, ACCEPTING THE BENEFIT PROPOSAL FOR SHORT TERM/LONG TERM DISABILITY INSURANCE, LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE SUBMITTED BY MUTUAL OF OMAHA INSURANCE; PROVIDING FOR CONDITIONS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 14
Resolution No. 2314.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2314.13

15. A Resolution of the Town Council Declaring Certain Personal Property Owned by the Town to Have no Intrinsic Monetary Value.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, DECLARING CERTAIN PERSONAL PROPERTY (POLICE K-9 DOG) OWNED BY THE TOWN TO HAVE NO INTRINSIC MONETARY VALUE AND PROVIDING FOR DISPOSITION; AUTHORIZING THE TOWN MANAGER TO PROVIDE FOR THE DISPOSITION OF SUCH PERSONAL PROPERTY BY BILL OF SALE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 15
Resolution No. 2315.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2315.13

Consensus vote 4 Ayes 0 Nays. Items N9-N15 passed.

(*** **Councilmember Bernstein** was not present when the vote took place)

O. TOWN RESOLUTIONS

16. A Resolution of the Town Council Ratifying the Maximum Proposed Millage Rate for F/Y 2013-2014.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, RATIFYING THE MAXIMUM PROPOSED MILLAGE RATE FOR F/Y 2013-2014 THAT WAS TRANSMITTED TO THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE OF THE STATE OF FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 16
Resolution No. 2316.13

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2316.13

A motion to approve was made by Vice Mayor Lusskin seconded by Councilmember Einstein.

On roll call, the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Lusskin	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Isackson-Rojas	<u>Aye</u>
Councilmember Bernstein	<u>Absent</u>

The motion passed.

(*** **Councilmember Bernstein** was not present when the vote took place)

Town Manager explained that this resolution explains the information that was transmitted to the property appraiser on August 2, 2013 through the DR-420.

P. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Amy Isackson-Rojas:
None Requested

Councilmember Judy Lusskin:
None Requested

Councilmember Kenneth Bernstein:
None Requested

Councilmember Bernard Einstein:
None Requested

Town Manager Alexander Diaz

**F/Y 2013-2014 Proposed Operating Budget – he advised that the budget will be discussed at the first budget hearing which is scheduled for September 18.

****New Stormwater Fee Rates**

Explained that during the budget process, the Administration has asked to increase the stormwater fee by \$15 per month (from \$35 to \$50). He referred back to the back-up document that was provided to the Council on the dais. The goal is to slowly phase out the contribution rate to the General Fund, so that in the year 2015/2016 the Town will be able to start paying back the \$2.4 million that the Stormwater Fund owes the General Fund. **Mayor Singer** asked what year the \$35 started.

Town Manager stated that it began in 1996.

****New Building Permit Fees for F/Y 2013-2014**

Administration is proposing two new fees. One is to create a revenue stream for the Town's curb and gutter replacement and maintenance program. Asking that for any home that is being constructed, the Town charge \$50 per linear foot of frontage, and for

remodel work charge \$20 per linear foot of frontage, which would go towards the replacement and maintenance of curbs and gutters.

Councilmember Einstein asked what is considered a remodel.

Town Manager advised that remodel is considered things like a kitchen remodel or a bathroom remodel.

Councilmember Bernstein mentioned that the remodel fee is pretty steep.

Town Manager stated that now that the Town has new infrastructure, it has to come up with ways to maintain that infrastructure, and the only fair way that does not affect all residents, but instead those that bring in new traffic that is tearing up the Town's curbs and gutters.

Mayor Singer asked if the administration has calculated how much revenue that would generate in a given year?

Town Manager stated that he could get that information for the next Council meeting.

Councilmember Einstein asked how much the Town currently pays for curb replacement.

Town Manager advised that the Town currently pays \$76 per linear foot of installation (not including all of the other costs involved with curb replacement).

Councilmember Bernstein stated that he does not see the correlation for larger lots to have to pay more for a remodel simply because those lots are bigger.

Town Manager stated that maybe it could be imposed as a flat fee or the amount of the fee could depend on the costs of the remodel.

Councilmember Bernstein stated that maybe the Town should just impose a flat fee.

Town Manager advised that the second fee involves projects in Town that take an extremely long time. The Town currently has no way to remedy construction projects that take a very long time to complete. Town proposing that in Zone 1, any project that takes longer than 36 months, they have to pay 30% of the master permit fee. In zone 2 and 3, any project that takes more than 24 months has to pay 30% of the master permit fee. This may motivate developers to complete their projects a little bit faster.

Councilmember Bernstein asked why the Town is distinguishing between zone 1 and zone 2 and 3.

Town Manager stated that the permitting process in zone 1 is a lot more cumbersome, that is why the Town is giving them more time.

Q. ADJOURNMENT:

A motion to adjourn the Council Meeting was made by Mayor Singer, seconded by Vice Mayor Lusskin.

Consensus vote 5 Ayes 0 Nays. Motion passes.

The meeting adjourned at 9:55 p.m.

Respectfully submitted,

Lissette Perez
Lissette Perez
Town Clerk



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: September 18, 2013

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Lissette Perez,
Town Clerk 

Subject: **Resolution No. 2319.13 – Approving Settlement with Former Officer Angel Ortiz**

Item Number:

6

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2319.13 as presented.

Background:

The Town's Attorneys have prepared the attached resolution and settlement documentation (Exhibit's "A" and "B") to settle and close the Appeal from former officer Angel Ortiz

Fiscal Impact:

One-time payment of \$2,500.

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2319.13

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING SETTLEMENT OF ADMINISTRATIVE ACTION BROUGHT BY FORMER POLICE OFFICER ANGEL ORTIZ.

WHEREAS, on August 12, 2010, former Town police officer Angel Ortiz filed a charge of discrimination with the Miami-Dade County Commission on Human Rights (“MDCCHR”) alleging that, during his employment with the Town, the Town discriminated and retaliated against him; and

WHEREAS, on July 5, 2012, the MDCCHR issued a Statement of Determination in which it found that the Town did not engage in discriminatory or retaliatory actions towards Mr. Ortiz; and

WHEREAS, on or about September 28, 2012, Mr. Ortiz filed an appeal (the “Appeal”) with the MDCCHR challenging the MDCCHR’s finding that the Town did not discriminate or retaliate against him; and

WHEREAS, the Town and Mr. Ortiz (the “Parties”) recognize that the resolution of their differences in a manner favorable to their respective interests cannot be reasonably predicted and that continued litigation and/or administrative action to resolve these differences will require the expenditure of significant funds and resources by the Parties; and

WHEREAS, the Parties hereto prefer to enter into a compromise in order to avoid the uncertainties and expense of further proceedings and have in fact reached a tentative settlement of the Appeal;

WHEREAS, in furtherance of the tentative settlement, the attorney representing the Town in the Appeal, Jeffrey L. Hochman, has prepared relevant settlement documentation including a General Release, No Lien Affidavit, Indemnification Agreement and No Contact Agreement (Exhibit “A”), which Mr. Ortiz has executed, and a Stipulation for Dismissal with Prejudice (Exhibit “B”); and

WHEREAS Commission approval is necessary for effectuation of the tentative settlement between the Parties, including the authorization for Mr. Hochman to counter-sign the Stipulation for Dismissal with Prejudice.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF GOLDEN BEACH, FLORIDA, THAT:

Section 1. Recitals. The foregoing “Whereas” clauses are hereby ratified and confirmed by the Town Commission, and incorporated herein.

Section 2. Settlement Authorization. The Town Council of the Town of Golden Beach, Florida, hereby authorizes the settlement of the Appeal as follows: (1) The Town Manager is authorized to issue a settlement check in the amount of \$2,500 to Mr. Ortiz in full and complete settlement of the Appeal; and (2) Mr. Hochman is authorized to counter-sign the Stipulation of Dismissal with Prejudice and undertake such additional efforts as may be relevant and necessary to settle the Appeal.

Section 3. Severability. If any clause, section, or other part of this Resolution shall be held by any Court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Resolution.

Section 4. Conflict. All Resolutions or parts of Resolutions in conflict herewith

are hereby repealed to the extent of such conflict.

Section 5. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

Sponsored by the **Town Administration.**

The Motion to adopt the foregoing resolution was offered by _____, seconded by _____, and on roll call the following vote ensued:

Mayor Glenn Singer	_____
Vice Mayor Judy Lusskin	_____
Councilmember Kenneth Bernstein	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Bernard Einstein	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 18th day of September, 2013.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY

MIAMI-DADE COUNTY COMMISSION ON HUMAN RIGHTS
MIAMI, FLORIDA

ANGEL ORTIZ, MDCCHR Charge No. 10-0811-120
EEOC Charge No. 15C-2010-00472

Petitioner,
v.

TOWN OF GOLDEN BEACH,

Respondent.

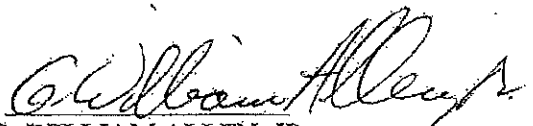
STIPULATION FOR DISMISSAL WITH PREJUDICE

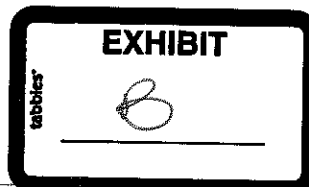
The parties, Petitioner ANGEL ORTIZ and Respondent TOWN OF GOLDEN BEACH, by and through undersigned counsel, hereby (1) stipulate to the dismissal with prejudice of all claims and requests for remedies in this matter and in connection with MDCCHR Charge No. 10-0811-120 (EEOC Charge No. 15C-2010-00472), (2) confirm that all such claims and requests have been waived, and (3) request the entry of a final order of dismissal with prejudice.

JOHNSON, ANSELMO, MURDOCH, BURKE
PIPER & HOCHMAN, P.A.
Attorneys for Town of Golden Beach
2455 E. Sunrise Boulevard, Suite 1000
Fort Lauderdale, Florida 33304
Tel: (954) 463-0100
Fax: (954) 463-2444

G. WILLIAM ALLEN, JR.
310 Southeast 13th Street
Fort Lauderdale, Florida 33316
Tel: (954) 522-4433
Fax: (954) 765-1919

By: _____
JEFFREY L. HOCHMAN
Florida Bar Number: 902098
DAMIAN H. ALBERT
Florida Bar Number: 145040

By: 
G. WILLIAM ALLEN, JR.
Florida Bar No. 186411



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing was furnished via mail on September _____, 2013, to the Miami-Dade County Commission on Human Rights, 111 N.W. 1 Street, Suite 22 Floor, Miami, Florida 33128.

JOHNSON, ANSELMO, MURDOCH, BURKE
PIPER & HOCHMAN, P.A.
Attorneys for Town of Golden Beach
2455 E. Sunrise Boulevard, Suite 1000
Fort Lauderdale, Florida 33304
Tel: (954) 463-0100
Fax: (954) 463-2444

By: _____
JEFFREY L. HOCHMAN
Florida Bar Number: 902098
DAMIAN H. ALBERT
Florida Bar Number: 145040

**GENERAL RELEASE, NO LIEN AFFIDAVIT,
INDEMNIFICATION AGREEMENT, AND NO CONTACT AGREEMENT**

KNOW ALL MEN BY THESE PRESENTS:

That Angel Ortiz, for and in consideration of the sum of **TWO THOUSAND FIVE HUNDRED and NO/100 (\$2,500) DOLLARS**, and other valuable consideration, received from or on behalf of the TOWN OF GOLDEN BEACH, the receipt whereof is hereby acknowledged,

Release

HEREBY irrevocably remises, releases, acquits, satisfies, and forever discharges the TOWN OF GOLDEN BEACH, together with each of the TOWN OF GOLDEN BEACH's current and former officials, officers, police officers, agents, representatives, administrators, employees, and insurance carriers (all hereinafter collectively referred to as "the Town") of and from all, and all manner of action and actions, cause and causes of action, suits, attorneys' fees and costs, specialties, covenants, contracts, controversies, agreements, liens, subrogated interests, rights of indemnity and contribution, promises, variances, trespasses, damages, awards, remedies, judgments, executions, opportunities, demands, proceedings, appeals, and claims whatsoever at the local level, state level, and federal level, at law and in equity (collectively "CLAIMS") and also hereby waives all CLAIMS which Angel Ortiz ever had, now has, or which any personal representative, successor, heir, or assign of Angel Ortiz has or may have, against the Town for, upon, or by reason of any matter, cause or thing whatsoever, from the beginning of the world to the day of these presents. This General Release includes, but is not limited to, each claim and all CLAIMS raised in, that could have been raised in, or arising out of the matters, facts, allegations, and proceedings identified as Miami-Dade County Commission on Human Rights Charge No. 10-0811-120, Equal Employment Opportunity Commission Charge No. 15C-2010-00472, and all other applications for relief of any kind pursued by Angel Ortiz against the Town (collectively "Disputed Matters").

No Lien and Indemnification

Angel Ortiz also specifically undertakes and agrees to indemnify the Town and to hold the Town harmless for and against any potential CLAIMS of any kind, including all hospital and medical provider claims, demands, and liens, that are or may be asserted against the Town, including those that are or may be asserted by Aetna Health Plans or the Rawlings Company. Angel Ortiz hereby represents that all bills arising out of incidents referenced in the Disputed Matters have been or will be satisfied and paid in full and that no liens or CLAIMS of any kind remain pending.

No Contact

As additional, separate, and independent consideration, Angel Ortiz also hereby agrees to refrain from communicating with the Town in any manner whatsoever until January 1, 2014, and thereafter agrees that any effort to communicate with the Town will be conducted only and exclusively through a member of the Florida Bar in good standing. Any breach of this "No Contact" provision by Angel Ortiz will trigger an automatic and immediate obligation on the part of Angel Ortiz to pay \$2,500 to the TOWN OF GOLDEN BEACH in Miami-Dade County, Florida, but the trigger of such a repayment obligation or the repayment of such sum shall not otherwise alter or limit the effect, operation, or significance of Angel Ortiz's release, waiver, duty to indemnify, or duty to hold the Town harmless.




Compromise Of Disputed Claims Only

It is further understood and agreed that this settlement is the compromise of doubtful and disputed claims, and that any payment is not to be construed as an admission of liability, wrongdoing, or misconduct by the Town, by whom all potential liability, alleged wrongdoing, and alleged misconduct are expressly denied. Angel Ortiz further understands that any payment and any settlement hereunder is simply part of an overall effort to terminate an existing controversy.

Written Consent by Angel Ortiz

I have freely and voluntarily executed this document on August 17th, 2013, after having reviewed the entire document carefully with a full and opportunity to secure the assistance of an attorney.

Signed, sealed and delivered
in the presence of:

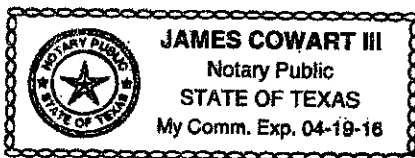

Angel Ortiz


Clara Yen
Print Name of Witness No. 1
Shirley Kethwal
Print Name of Witness No. 2

STATE OF Texas)
) SS:
COUNTY OF Montgomery)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared **Angel Ortiz** individually, or to me known to be the person described or who presented the following identification Texas Driver License and who executed the foregoing instrument and acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 17th day of August, 2013.




NOTARY PUBLIC, STATE OF Texas
My Commission Expires:
Commission No. 12896221-0



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: September 18, 2013

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz, *Alex B*
Town Manager

Subject: Resolution No. 2320.13 & Resolution 2321.13 – Adopting the
Proposed Combined Millage and Proposed Operating Budget
for Fiscal Year 2013-2014

Item Number:

7 & 8

Recommendation:

It is recommended that the Town Council adopt the Proposed Combined Millage and Proposed Operating Budget as provided by the companion Resolutions that follow.

Background:

Please see the **Proposed Budget Message Pages 26 through 34 of the Proposed Operating and Capital Fiscal Year 2013-2014 book.**

Fiscal Impact:

General Fund Revenues and Expenditures of \$6,340,816.00

Capital Budget and Revenues of \$1,374,200.00

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2320.13

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ADOPTING THE PROPOSED MILLAGE RATE OF THE TOWN OF GOLDEN BEACH FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); SETTING A DATE FOR A FINAL PUBLIC HEARING TO ADOPT THE MILLAGE RATE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 2nd, 2013, the Town transmitted to the Property Appraiser its "Proposed Millage Rate" for the fiscal year commencing October 1, 2013 and further scheduled the public hearing required by Section 200.065 of the Florida Statutes to be held on September 18, 2013 at 7:00 p.m.; and

WHEREAS, the Property Appraiser has properly noticed the public hearing scheduled for September 18, 2013 at 7:00 p.m. at One Golden Beach Drive, Golden Beach, Florida, as required by Chapter 200 of the Florida Statutes; and

WHEREAS, said public hearing, as required by Section 200.065(2)(c), was held by the Town Council on September 18, 2013, commencing at 7:00 p.m., as previously noticed and the public and all interested parties having had the opportunity to address their comments to the Town Council and the Town Council having considered the comments of the public regarding the proposed millage rate and having complied with the "TRIM" requirements of the Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA AS FOLLOWS:

Section 1. That the proposed millage rate for the Town of Golden Beach for the fiscal year commencing October 1, 2013 through September 30, 2014, be and is hereby fixed at the rate of 7.1130 mills which is \$ 7.1130 dollars per \$1,000.00 of assessed property value within the Town of Golden Beach.

Section 2. That the rolled-back rate is 6.2823 and the proposed millage rate is 7.1130 mills which is 13.22% over the rolled-back rate.

Section 3. That the voted debt service millage for the fiscal year will be 1.3870 mills.

Section 4. That the final public hearing to adopt a final millage rate and budgets for the fiscal year will be held at One Golden Beach Drive, Golden Beach, Florida, on Wednesday, September 25, 2013 at 7:00 p.m.

Section 5. That the Town Clerk is hereby directed to advertise said public hearing as required by law.

Section 6. That this resolution shall be effective immediately upon adoption.

Sponsored by the **Town Administration**.

The Motion to adopt the foregoing resolution was offered by _____, seconded by _____, and on roll call the following vote ensued:

Mayor Glenn Singer	_____
Vice Mayor Judy Luskin	_____
Councilmember Bernard Einstein	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Kenneth Bernstein	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 18th day of September, 2013.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2321.13

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ADOPTING THE TENTATIVE BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Manager presented to the Town Council a “Proposed Operating and Capital Budget” for the fiscal year commencing October 1, 2013 and the Town Council scheduled the public hearing required by Section 200.065(2)(c) of the Florida Statutes to be held on September 18, 2013 at 7:00 p.m.; and

WHEREAS, the Property Appraiser has properly noticed the public hearing scheduled for September 18, 2013 at 7:00 p.m. in the Council Chamber, located at One Golden Beach Drive, Golden Beach, Florida, as required by Chapter 200 of the Florida Statutes; and

WHEREAS, said public hearing, as required by Section 200.065(2)(c), was held by the Town Council on September 18, 2013, commencing at 7:00 p.m., as previously noticed and the public and all interested parties having had an opportunity to address their comments to the Town Council and the Town Council having had an opportunity to amend the tentative budgets as it deemed appropriate and having considered the comments of the public regarding the tentative budgets and having complied with the “TRIM” requirements of the Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA AS FOLLOWS:

Section 1. Upon final adoption of the proposed millage rate, which is hereby ratified, the attached tentative budgets of the Town of Golden Beach for the fiscal year commencing October 1, 2012 are hereby approved and adopted.

Section 2. This resolution shall be effective immediately upon adoption.

Section 3. That a public hearing to adopt the final budgets for the fiscal year will be held at One Golden Beach Drive, Golden Beach, Florida on Wednesday, September 25, 2013 at 7:00 p.m.

Sponsored by the **Town Administration.**

The Motion to adopt the foregoing resolution was offered by _____,
seconded by _____, and on roll call the following vote ensued:

Mayor Glenn Singer	_____
Vice Mayor Judy Lusskin	_____
Councilmember Bernard Einstein	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Kenneth Bernstein	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 18th day of September, 2013.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ,
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN,
TOWN ATTORNEY



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: September 18, 2013

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz, *Alex B*
Town Manager

Subject: Resolution No. 2322.13 - Reauthorizing the Building Permit
Fees and Associated Fee Schedule

Item Number:

9

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2322.13 as presented.

Background:

I am proposing the reauthorization of the Building Permit Fees and Associated Fee Schedule. In the proposed Fee Schedule, I am also recommending two new fees.

They are:

A Sidewalk, Gutter and Street Maintenance Fee:

- New construction, and addition work = \$50 per LF
- Remodel work = \$20 per LF

A Development Extension Fee:

- New Construction or Remodel in Zone 1- 36 months from the date the Master Permit is issued a renewal fee of 30% of the original Master Permit Fee is required
- New Construction or Remodel in Zone 2 and 3- 24 months from the date the Master Permit is issued a renewal fee of 30% of the original Master Permit Fee is required

Fiscal Impact:

None.

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2322.13

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, REAUTHORIZING THE TOWN'S SCHEDULE OF BUILDING PERMIT AND PROCESSING FEES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Fla. Stat. 166.222, the Town imposes fees upon applicants for various development permits for development within the Town; and

WHEREAS, the Town desires to reauthorize the schedule of fees attached hereto as Exhibit "A" to defer the reasonable costs of inspection and enforcement of the provisions of the Town's building code; and

WHEREAS, the Town Council finds that the reauthorization of the Town's schedule of permit fees is in the best interest of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. The foregoing recitals are adopted, confirmed and incorporated herein.

Section 2. Reauthorize Schedule of Fees. Pursuant to Fla. Stat. 166.222 and Section 50-8(e) of the Town's Code of Ordinances, the Schedule of Permit and Processing Fees attached to this Resolution as Exhibit "A" is hereby adopted and supersedes all prior schedules and fees for said services.

Section 3. Implementation. The Town Manager and Town Mayor are hereby authorized to take all reasonable measures to implement this Resolution and the

Schedule of Fees adopted herein.

Section 4. Effective Date. The Resolution shall become immediately effective upon adoption.

Sponsored by **the Town Administration.**

The Motion to adopt the foregoing resolution was offered by _____
_____, seconded by _____, and on roll call the following vote ensued:

Mayor Glenn Singer	_____
Vice Mayor Judy Lusskin	_____
Councilmember Kenneth Bernstein	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Bernard Einstein	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 18th day of September, 2013.

ATTEST:

MAYOR GLENN SINGER

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY

TOWN OF GOLDEN BEACH BUILDING DEPARTMENT FEE SCHEDULE

EXHIBIT TO RESOLUTION NUMBER: _____

DESCRIPTION		Current			
		Fee Schedule	Proposed Changes	New Fee	
I Upfront - Permit Processing Fee					
	All Permits; Building, Electrical, Plumbing, Mechanical	Value of Project x	0.75%	0	0.75%
	Change in Value of Project - Revision	Value increase x	0.75%	0	0.75%
II Permit Fees:					
a	New Construction, or Addition to Existing Res.	Air Conditioned Space x	3	0	3
b	New Construction, or Addition to Existing Res.	Non-Air Conditioned Space x	1.5	0	1.5
c	All other building permits	Value of Project x	3	0	3
d	Electrical, Mechanical, Plumbing & Structural	Value of Project x	3	0	3
e	Minimum permit fee		\$175.00	0	\$175.00
f	Shop Drawing fees	Per review	\$175.00	0	\$175.00
g	Trash Hauling/Dumtper Container Fees		\$300.00	0	\$300.00
h	Change of Contractor fee		\$250.00	0	\$250.00
i	Revision to active permit	Per Trade Review	\$175.00	0	\$175.00
j	Lost permit card		\$125.00	0	\$125.00
k	Expired permit - new plan submittal & plan review required	100% of original fees paid		0	
l	Replacement of plans for an active permit:	Cost of Reproduction	at cost	0	at cost
		Recertification - Building	\$175.00	0	\$175.00
		Recertification - Electrical	\$175.00	0	\$175.00
		Recertification - Mechanical	\$175.00	0	\$175.00
		Recertification - Plumbing	\$175.00	0	\$175.00
		Recertification - Structural	\$175.00	0	\$175.00
m	Contractor registration fee	First Time Application	\$50.00	0	\$50.00
		Renewal each Fiscal Year	\$30.00	0	\$30.00
n	Educational Fund for building department personnel	Per 1,000 of value project	\$0.30	0	\$0.30
o	Building permit imaging	Per plan sheet submitted	\$1.50	0	\$1.50
		Per 8 1/2 x 11 and 14	\$.46	0	\$.46
p	Special projects, meetings	Per hour	\$50.00	0	\$50.00
q	Certificates of Occupancy and Completion	Temporary	\$200.00	0	\$200.00
		Final	\$300.00	0	\$300.00
r	Lien Search Requests	Regular - 5 Day Response	\$60.00	0	\$60.00
		Expedited - 3 Day Response	\$70.00	0	\$70.00
s	Minimum per square foot pricing for:	New Construction	\$275.00	0	\$275.00
		Addition	\$175.00	0	\$175.00
		Remodel	\$150.00	0	\$150.00
t	Reinspection Fees:	Failed Inspections-1st & 2nd	\$75.00	0	\$75.00
		Failed Inspections- 3rd	\$125.00	0	\$125.00
u	Building Code Compliance Fee	Per 1,000 of value project	\$0.60	0	\$0.60
v	Street Sweeping Fee (charged to all permitting)	Per 1,000 of value project	\$0.20	0	\$0.20
w	Sidewalk, gutter and street maintnenace fees:	Basis:			
	**New construction, and addition work = \$50 per LF	Linear Frontage of Property	0	\$50/LF	\$50/LF
	**Remodel work = \$20 per LF	Linear Frontage of Property	0	\$20/LF	\$20/LF
x	Extension Fee:				
	New construction, addition and remodel work permits				
	Zone 1:				
	Construciton work that exceeds 36 months	30% of Master Permit Fee	0	See	See
	from permit date issuance shall pay an additional fee			Descript.	Descript.
	based on the Original Master Permit Fee cost				
	Zones 2 & 3:				
	Construciton work that exceeds 24 months	30% of Master Permit Fee	0	See	See
	from permit date issuance shall pay an additional fee			Descript.	Descript.
	based on the Original Master Permit Fee cost				

** to offset the cost of future repairs and maintenance to all sidewalks, gutters and roadway systems within the Town.



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: September 18, 2013

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Item Number:

10

Subject: Resolution No. 2323.13 – Establishing a New Stormwater Fee

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2323.13 as presented.

Background:

At the May 21st, 2013 Regular Town Council meeting I recommended to the Mayor and Town Council that we evaluate the need to increase the Towns Stormwater Utility Fee. In doing so, we discovered that the current fee of \$35 per Equivalent Residential Unit (ERU) has been in place since 1996. And, year after year the Stormwater Fund has had to borrow funds from the General Fund to meet its obligations.

The Stormwater Fund owes the General Fund \$2,426,800, and this number continues to grow every year. I am proposing a two-prong approach to alleviating this matter: (1) First, that we increase the current \$35 per ERU to \$50 per ERU; and (2) second, that each year we reduce the General Fund Administration Fee until we reach \$160,000 (this fee was \$197,200 in 2005), to help accelerate the repayment.

The attached Spreadsheet is our review and analysis of our current and potential Stormwater Activity.

Fiscal Impact:

\$15 per ERU monthly to our residents.

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2323.13

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, INCREASING THE STORMWATER UTILITY FEES EFFECTIVE AS OF SEPTEMBER 18, 2013; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the provisions of Article IV, Chapter 42, of the Code of Ordinances (the "Code") of the Town of Golden Beach (the "Town"), the Town created a Town-wide Stormwater Utility in order to implement a Stormwater Management Program for the Town; and

WHEREAS, Section 42-78 of the Code established and assessed the initial Stormwater Utility Fees against each developed and undeveloped property within the Town for the services and facilities provided by the Stormwater Management Program; and

WHEREAS, the Stormwater Utility Fees set forth in Section 42-78 of the Code have not been amended since 1996 ; and

WHEREAS, the Council hereby determines that based upon a study conducted by Town Manager Alexander Diaz and Finance Director Maria D. Camacho, the increased costs of operating and maintaining the Stormwater Utility necessitates an increase in the Stormwater Utility Fees at this time; and

WHEREAS, Section 42-78 of the Code provides that adjustments to the Stormwater Utility Fees shall be set by resolution of the Town Council.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above stated recitals is hereby adopted and confirmed.

Section 2. Establishment of New Stormwater Utility Fees. That effective October 1st, 2013, the Stormwater Utility Fees shall be set at a rate of \$50.00 per ERU, per month.

Section 3. Effective Date. That this Resolution shall be effective immediately upon adoption.

Sponsored by **the Town Administration.**

The Motion to adopt the foregoing Resolution was offered by _____,
seconded by _____ and on roll call the following vote ensued:

Mayor Glenn Singer	_____
Vice Mayor Judy Lusskin	_____
Councilmember Kenneth Bernstein	_____
Councilmember Bernard Einstein	_____
Councilmember Amy Isackson-Rojas	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 18th day of September, 2013.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY

Stormwater Proposed Utility Fee Increase

Stormwater Budget Revenues	
Stormwater Utility Fee	166,000
New Local Option Gas Tax	9,856
Electric Franchise Fee	85,000
Utility Tax-Electric	95,000
Interest	150
Total:	356,006

Stormwater Budget Revenues	
Increased Stormwater Utility Fee	237,600
New Local Option Gas Tax	9,856
Electric Franchise Fee	85,000
Utility Tax-Electric	95,000
Interest	150
Transfer from GF Balance	10,481
Total:	438,087

Stormwater Budget Revenues	
Increased Stormwater Utility Fee	237,600
New Local Option Gas Tax	9,856
Electric Franchise Fee	85,000
Utility Tax-Electric	95,000
Interest	150
Transfer from GF Balance	481
Total:	428,087

Stormwater Budget Revenues	
Increased Stormwater Utility Fee	237,600
New Local Option Gas Tax	9,856
Electric Franchise Fee	85,000
Utility Tax-Electric	95,000
Interest	150
Total:	427,606

Stormwater Budget (Current)		FY 2012-2013
Admin. Fee		200,000
Loan Pmt		161,960
Other		76,127
Total:		438,087

Difference: (82,081)

Stormwater Budget (Proposed)		FY 2013-2014
Admin. Fee		200,000
Loan Pmt		161,960
GF Repayment		
Other		76,127
Total:		438,087

Difference: -

Stormwater Budget (Proposed)		FY 2014-2015
Admin. Fee		190,000
Loan Pmt		161,960
GF Repayment		
Other		76,127
Total:		428,087

Difference: -

Stormwater Budget (Proposed)		FY 2015-2016
Admin. Fee		180,000
Loan Pmt		161,960
GF Repayment		9,519
Other		76,127
Total:		427,606

Difference: - Which will start the repayment

Due to the General Fund

2,426,800		FY 2012
2,626,800	200,000	2012-2013
2,837,281	210,481	2013-2014
2,837,762	481	2014-2015
2,828,243	(9,519)	2015-2016
2,798,724	(29,519)	2016-2017
2,769,205	(29,519)	2017-2018
2,739,686	(29,519)	2018-2019
2,710,167	(29,519)	2019-2020
2,680,648	(29,519)	2020-2021
2,651,129	(29,519)	2021-2022
2,621,610	(29,519)	2022-2023
2,592,091	(29,519)	2023-2024
2,562,572	(29,519)	2024-2025
2,533,053	(29,519)	2025-2026
2,341,574	(191,479)	2026-2027

Stormwater Proposed Utility Fee Increase

Stormwater Budget Revenues	
Increased Stormwater Utility Fee	237,600
New Local Option Gas Tax	9,856
Electric Franchise Fee	85,000
Utility Tax-Electric	95,000
Interest	150
Total:	427,606

Stormwater Budget Revenues	
Increased Stormwater Utility Fee	237,600
New Local Option Gas Tax	9,856
Electric Franchise Fee	85,000
Utility Tax-Electric	95,000
Interest	150
Total:	427,606

Stormwater Budget Revenues	
Increased Stormwater Utility Fee	237,600
New Local Option Gas Tax	9,856
Electric Franchise Fee	85,000
Utility Tax-Electric	95,000
Interest	150
Total:	427,606

Stormwater Budget Revenues	
Increased Stormwater Utility Fee	237,600
New Local Option Gas Tax	9,856
Electric Franchise Fee	85,000
Utility Tax-Electric	95,000
Interest	150
Total:	427,606

Stormwater Budget Revenues	
Increased Stormwater Utility Fee	237,600
New Local Option Gas Tax	9,856
Electric Franchise Fee	85,000
Utility Tax-Electric	95,000
Interest	150
Total:	427,606

Stormwater Budget (Proposed)	FY 2016-2017
Admin. Fee	170,000
Loan Pmt	161,960
GF Repayment	19,519
Other	76,127
Total:	427,606

Difference: -

Stormwater Budget (Proposed)	FY 2017-2018
Admin. Fee	160,000
Loan Pmt	161,960
GF Repayment	29,519
Other	76,127
Total:	427,606

Difference: -

Stormwater Budget (Proposed)	FY 2018-2019
Admin. Fee	160,000
Loan Pmt	161,960
GF Repayment	29,519
Other	76,127
Total:	427,606

Difference: -

Stormwater Budget (Proposed)	FY 2019-2020
Admin. Fee	160,000
Loan Pmt	161,960
GF Repayment	29,519
Other	76,127
Total:	427,606

Difference: -

Stormwater Budget (Proposed)	FY 2020-2021
Admin. Fee	160,000
Loan Pmt	161,960
GF Repayment	29,519
Other	76,127
Total:	427,606

Difference: -

Stormwater Proposed Utility Fee Increase

Stormwater Budget Revenues	
Increased Stormwater Utility Fee	237,600
New Local Option Gas Tax	9,856
Electric Franchise Fee	85,000
Utility Tax-Electric	95,000
Interest	150
Total:	427,606

Stormwater Budget (Proposed)		FY 2021-2022
Admin. Fee		160,000
Loan Pmt		161,960
GF Repayment		29,519
Other		76,127
Total:		427,606

Difference: -

Stormwater Budget Revenues	
Increased Stormwater Utility Fee	237,600
New Local Option Gas Tax	9,856
Electric Franchise Fee	85,000
Utility Tax-Electric	95,000
Interest	150
Total:	427,606

Stormwater Budget (Proposed)		FY 2022-2023
Admin. Fee		160,000
Loan Pmt		161,960
GF Repayment		29,519
Other		76,127
Total:		427,606

Difference: -

Stormwater Budget Revenues	
Increased Stormwater Utility Fee	237,600
New Local Option Gas Tax	9,856
Electric Franchise Fee	85,000
Utility Tax-Electric	95,000
Interest	150
Total:	427,606

Stormwater Budget (Proposed)		FY 2023-2024
Admin. Fee		160,000
Loan Pmt		161,960
GF Repayment		29,519
Other		76,127
Total:		427,606

Difference: -

Stormwater Budget Revenues	
Increased Stormwater Utility Fee	237,600
New Local Option Gas Tax	9,856
Electric Franchise Fee	85,000
Utility Tax-Electric	95,000
Interest	150
Total:	427,606

Stormwater Budget (Proposed)		FY 2024-2025
Admin. Fee		160,000
Loan Pmt		161,960
GF Repayment		29,519
Other		76,127
Total:		427,606

Difference: -

Stormwater Budget Revenues	
Increased Stormwater Utility Fee	237,600
New Local Option Gas Tax	9,856
Electric Franchise Fee	85,000
Utility Tax-Electric	95,000
Interest	150
Total:	427,606

Stormwater Budget (Proposed)		FY 2026-2027
Admin. Fee		160,000
Loan Pmt		-
GF Repayment		191,479
Other		76,127
Total:		427,606

Loan Paid in full in 2026

Difference: -



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: September 18, 2013

Item Number:

To: Honorable Mayor Glenn Singer &
Town Council Members

11

From: Alexander Diaz,
Town Manager

Subject: Resolution No. 2324.13- Agreement to Utilize Sungard/OSSI
Computer System and Information Technology Services

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2324.13 as presented.

Background:

Since 2009, the City of Sunny Isle Police Department's Information Technology Department has maintained the Town's police computers and records management system. The current contract expires September 30, 2013. The term for the new agreement is for a period of three (3) years, subject to renewal for an additional two (2) years, for a total of five (5) years.

Financial Impact:

Total cost for the annual maintenance fees for RMS and Laptop Computers, per year, is as follows;

2014---\$20,394.64
2015---\$21,006.48
2016---\$21,636.67
2017---\$22,285.77
2018---\$22,954.34

Attachments:

- Contract Agreement
- Cost breakdown Worksheet

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2324.13

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE AGREEMENT BETWEEN THE CITY OF SUNNY ISLES' INFORMATION TECHNOLOGY DEPARTMENT AND THE TOWN TO CONTINUE UTILIZING SUNGARD/OSSI COMPUTER SYSTEM AND INFORMATION TECHNOLOGY SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Since 2009 the Town of Golden Beach has entered into an agreement with the City of Sunny Isles Police Department's Information Technology Department to maintain the Town's police computers and records management system; and

WHEREAS, The Town's current agreement with the City of Sunny Isles expires on September 30, 2013; and

WHEREAS, the Town wishes to continue using the services from the City of Sunny Isles and enter into a new agreement for a period of three (3) years and subject to renewal for an additional two (2) years; and

WHEREAS, the Town Council hereby finds and determines that it is in the Town's best interest to continue to use police computer technology, maintenance and record services offered by the City of Sunny Isles.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. Each of the above stated recitals is hereby adopted and confirmed.

Section 2. Agreement Approved. That the agreement is hereby approved in substantially the form attached hereto as Exhibit "A", subject to approval by the Town Attorney as to form and legal sufficiency.

Section 3. Implementation. The Mayor and Town Manager are authorized to take any and all action which is necessary to implement this Resolution.

Section 4. Effective Date. That this Resolution shall become effective immediately upon approval of the Town Council.

Sponsored by the **Town Administration.**

The Motion to adopt the foregoing Resolution was offered by _____,
seconded by _____ and on roll call the following vote ensued:

Mayor Glenn Singer	_____
Vice Mayor Judy Lusskin	_____
Councilmember Kenneth Bernstein	_____
Councilmember Bernard Einstein	_____
Councilmember Amy Isackson-Rojas	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 18th day of September, 2013.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY



**City of Sunny Isles Beach
18070 Collins Avenue
Sunny Isles Beach, Florida 33160**

**AGREEMENT TO UTILIZE SUNGARD / OSSI COMPUTER SYSTEM AND INFORMATION
TECHNOLOGY SERVICES**

On this 1st day of October of 2013, **The City of Sunny Isles Beach**, hereafter referred to as "**THE CITY**", through its Information Technology Department agrees to maintain the Police computers for **The Town of Golden Beach**, hereafter referred to as "**THE TOWN**" for a period of three years commencing on this date. At the end of this period, the agreement is subject to renewal for two (2) additional one (1) year periods, for a total of five (5) years under the terms of this Agreement.

IT IS UNDERSTOOD AND AGREED BY ALL PARTIES HERETO THAT:

1. **THE CITY** hereby agrees to maintain **THE TOWN's** Police computers for the monthly amount per computer as described in **Exhibit "B"**, for the proper maintenance of said computing equipment, with **THE CITY** as licensor and **THE TOWN** as licensee. All services provided by **THE CITY** are detailed in the attached **Scope of Services (Exhibit "A")**. Any services requested by **THE TOWN** that are not included in the attached **Scope of Services** will require a separate proposal to be prepared by **THE CITY** and agreed to by **THE TOWN** prior to such additional services being rendered.
2. All amounts due under the terms of this Agreement shall be due at the beginning of the contract year.
3. This license confers no interest whatsoever in property and is recoverable anytime by **THE CITY** upon ninety (90) days notice. No use for a particular purpose other than the maintenance of the laptop computer equipment necessary to operate a police mobile laptop computer system is granted and no alterations or modifications are to be made to the laptops of the OSSI software equipment without **THE CITY's** approval.
4. Use of all property is at the sole risk of **THE TOWN** to the extent permitted under Section 768.28 of the Florida Statutes, and subject to the monetary limits set forth in that section. **THE TOWN** agrees to be responsible to, indemnify and hold harmless **THE CITY** for any loss, damage, legal action or claim occasioned by **THE TOWN's** use of all laptop computer property and related equipment at **THE CITY** WHETHER OR NOT LOSS OR DAMAGE IS TO PROPERTY OWNED/LEASED BY **THE CITY** OR ANY OTHER PERSON, AND INCLUDING PROPERTY OF OTHERS IN THE CARE, CUSTODY OR CONTROL OF **THE CITY**.
5. In the event that the equipment or other property of **THE CITY** shall be in any manner damaged by/through the use of the communications equipment, or by the

representatives of **THE TOWN, THE TOWN** shall indemnify **THE CITY** and pay **THE CITY** all sums which may be incurred to repair, reconstruct, and/or replace the damaged equipment or property, subject to the limitations set forth in Section 768.28 of the Florida Statutes.

6. It is understood and agreed that this Agreement does not constitute a bailment. **THE TOWN** retains and has custody and access to their laptop computers but agrees to relinquish all administrative rights to said computers solely to **THE CITY**. **THE CITY** shall maintain all communication links, maintenance and administrative control of all computers connected directly or indirectly to **THE CITY**.
7. No modifications to this Agreement shall be enforceable unless in writing and signed by an authorized agent of both **THE CITY** and **THE TOWN**.
8. **THE CITY** building at 18070 Collins Avenue, Sunny Isles Beach, Florida, is generally regarded as a reasonably safe location for this laptop communications equipment to be worked on or otherwise maintained. Undertaking to move or evacuate laptop computer communications equipment shall not be deemed an assumption of responsibility for the safety, security and care of any communications equipment by **THE CITY**, nor shall **THE CITY** be deemed a bailer of the laptop computer communications equipment. In consideration thereof, **THE TOWN** agrees to the following terms and conditions:
 - A. To pay **THE CITY** upon demand all costs incurred by **THE CITY** in repairing, replacing, and/or reconstructing **THE CITY'S** facilities damaged in any matter as a result of the continued presence of said **TOWN** laptop computer communications equipment during an emergency; and
 - B. To indemnify and hold harmless **THE CITY**, its partners, employees and agents, from any and every loss, claim, liability and suit of any kind, including without limitation costs of suit and reasonable attorney's fees, arising out of any and all damage done to property of others as a result of the continued presence of said communications equipment during an emergency.
9. **THE TOWN** shall pay all costs, including reasonable attorney's fees incurred by **THE CITY**, in judicial and non-judicial proceeding and appeals therefrom to enforce any and all provisions of this Agreement and effect collections of any sums due **THE CITY**. In the event **THE CITY** sues or is sued in tort of contract, or otherwise, in any action arising out of or in relation to this Agreement and **THE CITY** is the prevailing party by means of judgment, dismissal, or otherwise, whether or not such action presented a justifiable issue of law or fact, or whether or not **THE CITY** was a plaintiff or defendant in said action, **THE CITY** shall recover its costs and expenses directly incurred because of any said action, including its reasonable attorney's fees, whether taxable or not, from the losing party.
10. In the event any portion of this Agreement shall be deemed to be in violation of any law of the United States or any law of the State of Florida, said portion and said portion only, shall be deemed null and void. This Agreement shall be interpreted in accordance with the laws of the United States and the State of Florida.

11. The statute of limitations for enforcement of either party's rights under this Agreement shall be applicable statutes of limitations of the State of Florida and any laches defense raised by either party shall be construed to always be within the period of said applicable statutes of limitations.
12. In the event the parties wish to extend the term of this Agreement beyond the initial three (3) years, the parties shall notify each other of their mutual intent to renew in writing no later than 30 (thirty) days prior to the expiration of the current term.
13. **THE CITY** maintains the ability to cancel this Agreement at any time for any reason with 30 days notice.

EXECUTED THIS _____ DAY OF _____, 2013.

ATTEST:

TOWN OF GOLDEN BEACH

By: _____
Town Clerk

By: _____
Alexander Diaz, City Manager

By: _____
Don De Lucca, Chief of Police

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: _____

ATTEST:

CITY OF SUNNY ISLES BEACH

By: _____
Jane A. Hines, CMC, City Clerk

By: _____
Christopher J. Russo, City Manager

By: _____
Fred A. Maas, Chief of Police

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: _____
Hans Ottinot, City Attorney

**AGREEMENT TO UTILIZE SUNGARD / OSSI COMPUTER SYSTEM AND
INFORMATION TECHNOLOGY SERVICES**

EXHIBIT A – SCOPE OF SERVICES

Services to be provided by **THE CITY** shall be as follows:

- **THE CITY** shall prepare (or “image”) **THE TOWN’s** computer systems by installing current operating system software and applications necessary to support the OSSI public safety applications. However, **THE CITY** shall not be responsible for purchasing or obtaining valid license keys for any software required, unless specifically stated otherwise in this scope of services.
- **THE CITY** shall install and maintain wireless communications equipment (known as “aircards”), in proper working order on any “portable” computer systems maintained under this Agreement. Wireless services and associated communications equipment shall be procured and managed by **THE TOWN** directly.
- **THE CITY** shall provide support services to **THE TOWN’s** users of equipment maintained under this Agreement, solely with respect to the OSSI public safety applications and issues directly related thereto. **THE CITY** shall not be responsible for general operating system support, user training, hardware repairs, interacting with vendors on behalf of **THE TOWN** (with the exception of the vendors listed below for supporting software provided by **THE CITY** as part of this Agreement), or other issues
- **THE CITY** shall administer user accounts, biometric credentials for authentication, and related items within the OSSI public safety environment for **THE TOWN’s** authorized users.
- **THE CITY** shall provide, as part of the monthly maintenance under this Agreement, the following software licenses: Digital Persona client (multifactor authentication system), Antivirus client (currently Panda antivirus, but subject to change at **THE CITY’s** discretion), and any necessary Microsoft Windows CAL’s required for the servers accessed by **THE TOWN’s** client computers. These licenses are not transferable to **THE TOWN** at any time, and should this Agreement be terminated, these software applications would need to be removed from **THE TOWN’s** computer equipment. **THE TOWN** shall be responsible for operating system licensing (Windows licenses), Microsoft Visio licensing for the OSSI Accident Wizard, Microsoft Office licensing, and/or any other software required beyond that provided by **THE CITY** under this Agreement.
- **THE CITY** shall provide support for **THE TOWN’s** users during normal business hours, 8:30 am – 5:00 pm, for any issues relating only to an individual mobile computer. Emergency support shall be provided as needed for any issue affecting the core OSSI functionality (for example, CAD server, message switch, RMS server) which impacts all users, 24 hours a day/7 days per week.

Golden Beach IT Cost Breakdown Worksheet

Item	Recurring Cost	Device Cost	Device Annualized Over 5 Year	Utilization	Year 1	Year 2	Year 3	Year 4	Year 5
1. Labor	\$50 /Hr.			120 Hrs/Year	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00
2. Internet Connection	\$2475 /Mo.			13%	\$3,861.00	\$3,861.00	\$3,861.00	\$3,861.00	\$3,861.00
3. Firewalls	\$1150/Yr.	\$12,000	\$2,400.00	13%	\$461.50	\$461.50	\$461.50	\$461.50	\$461.50
4. Digital Persona	\$14/Yr .			37 Users	\$518.00	\$518.00	\$518.00	\$518.00	\$518.00
5. Server Cluster & Virtual Servers	\$1200/Yr.	\$43,452	\$8,690.40	35%	\$3,461.64	\$3,461.64	\$3,461.64	\$3,461.64	\$3,461.64
6. EqualLogic Storage	\$2500/Yr.	\$20,000	\$4,000.00	35%	\$2,275.00	\$2,275.00	\$2,275.00	\$2,275.00	\$2,275.00
7. Backup Device	\$4599/Yr.	\$30,000	\$6,000.00	16%	\$1,695.84	\$1,695.84	\$1,695.84	\$1,695.84	\$1,695.84
8. Virus Software	\$13.38			20 Laptops	\$267.60	\$267.60	\$267.60	\$267.60	\$267.60
Sub-Totals					\$18,540.58	\$18,540.58	\$18,540.58	\$18,540.58	\$18,540.58
CPI Adjustment	3%				\$0	\$19,096.80	\$19,669.70	\$20,259.79	\$20,867.59
Administration	10%				\$1,854.06	\$1,909.68	\$1,966.97	\$2,025.98	\$2,086.76
Yearly Subtotals					\$20,394.64	\$21,006.48	\$21,636.67	\$22,285.77	\$22,954.34
Upfront Costs (see attached Upfront Costs Worksheet)					\$5,677.20				
Yearly Totals					\$26,071.84	\$21,006.48	\$21,636.67	\$22,285.77	\$22,954.34

Notes

1. Labor- Represents the estimated hours per month servicing GB Devices/Users & Maintaining Infrastructure; 2. Internet Connection- Circuit connection utilized by all users, GB Users represent 13% of the total SIB Users Group; 3. Firewalls- Represents cost of Maintaining Network Security Devices (Items 5,6,7- Represent Additional Infrastructure Costs); 4. (Items 5 & 6) GB Servers Represent 35% of the utilization on Cluster and Storage, whereas GB servers represent 16% of the Total Servers Backed up on SIB Storage Device.

- Yearly Price per Device

	\$886.72	\$913.33	\$940.72	\$968.95	\$998.01
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- Monthly Price per Device

	\$73.89	\$76.11	\$78.39	\$80.75	\$83.17
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TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: September 18, 2013

Item Number:

To: Honorable Mayor Glenn Singer &
Town Council Members

12

From: Alexander Diaz,
Town Manager

Subject: Resolution No. 2325.13 – Authorizing the Mayor to Award a
one-time bonus to the Employees of the Town of Golden
Beach

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2325.13 as presented.

Background:

I am recommending that we acknowledge their hard-work and dedication to the Town by awarding a one time bonus to all General Employees, as outlined in Attachment B.

We have worked throughout the last twelve months cutting costs and controlling expenditures which will result in Operating savings in the 2012-2013 Operating Budget.

Fiscal Impact:

An amount not to exceed \$36,900 transferred from the contingency fund if needed and applied to specific Department Funds accordingly. Some Departments have sufficient Funds to cover the Bonus.

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2325.13

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AMENDMENT #4 TO THE 2012-2013 FISCAL YEAR OPERATING BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Golden Beach, Florida (the "Town") adopted an Operating Budget for the 2012-2013 Fiscal Year; and

WHEREAS, the Town Manager has recommended certain amendments as described in the September 18, 2013 Memorandum attached to this Resolution as Exhibit "A"; and

WHEREAS, the amendments exclusively pertain to a one-time bonus for all employees, including the Town Manager for their performance during the 2012-2013 Fiscal Year, and

WHEREAS, the Town Council finds that the proposed amendments are in the best interest of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above-stated recitals is hereby adopted and confirmed.

Section 2. Amendment. The 2012-2013 fiscal year Operating Budget is hereby amended as reflected on Exhibit "A" to this Resolution and the funds are appropriated for the purposes therein.

Section 3. Implementation. That the Mayor is authorized to take any and all action, which is necessary to implement this Resolution.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.

Sponsored by the **Town Administration.**

The Motion to adopt the foregoing resolution was offered by _____,
seconded by _____, and on roll call the following vote ensued:

Mayor Glenn Singer	_____
Vice Mayor Judy Lusskin	_____
Councilmember Kenneth Bernstein	_____
Councilmember Amy Isackson-Rojas	_____
Councilmember Bernard Einstein	_____

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 18th day of September, 2013.

MAYOR GLENN SINGER

ATTEST:

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY



Authorization of Budget Transfer
Fiscal Year 2012 - 2013

REQUEST DATE

18-Sep-13

Account No.	Description	Council Approved Budget	Transfer	Amended Budget
All Departments			IN	
001-512-110	Town Manger	\$ 137,190.00	\$ 20,000.00	\$ 157,190.00
001-512-120	General Employees	\$ 80,770.00	\$ 500.00	\$ 81,270.00
001-512-113100	Town Clerk	\$ 59,292.00	\$ 1,000.00	\$ 60,292.00
001-512-125100	Support Service Clerk	\$ 36,393.00	\$ 500.00	\$ 36,893.00
001-513-110	Finance Director	\$ 68,499.00	\$ 1,000.00	\$ 69,499.00
001-513-120	General Employees	\$ 46,585.00	\$ 500.00	\$ 47,085.00
001-521-110	Police Chief	\$ 10,500.00	\$ 1,000.00	\$ 11,500.00
001-521-100	Commanders	\$ 135,300.00	\$ 2,000.00	\$ 137,300.00
001-521-120	General Employees	\$ 41,019.00	\$ 500.00	\$ 41,519.00
001-521-121	Sargeants	\$ 104,850.00	\$ -	\$ 104,850.00
001-521-125	Police Officers	\$ 729,856.00	\$ -	\$ 729,856.00
001-521-125100	Part Time Officers	\$ 102,336.00	\$ -	\$ 102,336.00
001-524-110	Building Official	\$ 51,270.00	\$ 1,000.00	\$ 52,270.00
001-524-120	General Employees	\$ 95,421.00	\$ 1,500.00	\$ 96,921.00
001-524-125	Code Compliance	\$ 35,875.00	\$ -	\$ 35,875.00
001-539-110	Public Works Director	\$ 58,345.00	\$ 1,000.00	\$ 59,345.00
001-541-112	Facilities & General Maint.	\$ 52,525.00	\$ 1,000.00	\$ 53,525.00
001-539-120	General Employees	\$ 304,147.00	\$ 4,500.00	\$ 308,647.00
001-572-120	Lifeguard	\$ 39,675.00	\$ 500.00	\$ 40,175.00
001-572-136	Part Time Lifeguards	\$ 58,416.00	\$ 50.00	\$ 58,466.00
001-572-125100	Beach Attendants	\$ 73,341.00	\$ 350.00	\$ 73,691.00
	Total		\$ 36,900.00	
Step 2 General Government			OUT	
001-519-910	Contingency	\$ 215,000.00	\$ 36,900.00	\$ 178,100.00
	Total		\$ 36,900.00	

DEPARTMENT EXPLANATION:

As per Reso 2325.13

Request by:

Finance Director:

Approved by Town Manager

ACTING T.M. FOR A.D.