

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2639.19

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 399 GOLDEN BEACH DR., GOLDEN BEACH, FLORIDA 33160 TO PERMIT AN ENTRANCE CANOPY TO ENCROACH AT VARYING FRONT SETBACKS, FROM 26.05' AT THE CURVE OF THE NORTH FRONT PROPERTY LINE TO 33.27' FROM THE SOUTH FRONT PROPERTY LINE, INSTEAD OF THE 35 FOOT FRONT SETBACK OUTLINED IN THE CODE.

WHEREAS, the applicants, Galsky Construction Enterprises 2 LLC, ("the applicant"), filed a Petition for Variances/exceptions, from Town Code Section 66.69-2 Zone Two, (f) front yard setback: (2) Lots fronting east side of Golden Beach Drive. Lots with Frontage on the east side of Golden Beach Drive shall provide front yard Setbacks as follows: a) For Full Size Lots, no building or part thereof, including garages, shall be erected nearer than 35 feet from the west lot line thereof.

WHEREAS, the applicant's request is to allow the front entrance Canopy/Trellis structure to encroach at varying front setbacks; from a front setback of 26.05' at the curve of the north front property line to front setback of 33.27' from the south front property line. Instead of the 35 foot setback outlined in the code.

WHEREAS, these variances and exceptions are for the property at 399 Golden Beach Dr., Golden Beach, FL. 33160 (Golden Beach Section "E", N 19.50' of lot 39 and all of Lot 40, Block 4, as recorded in PB 8-122, of the Public Records of Miami-Dade County, (Folio No. 19-1235-005-0330 (the "Property") and;

WHEREAS, the Town's Building Regulation Advisory Board held an advertised public hearing on the Petition for Variance/Exception and recommended approval of the request for the entrance canopy, for approval 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/exception 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 the construction shall be completed substantially in accordance with those certain plan pages SD-0.0 through SD 2.2, dated May 14, 2019, Gonzalo Paz, PE, #60734, Eastern Engineering Group, and the Sketch of Boundary Survey, prepared by John Ibarra & Associates, Inc., Professional Land Surveyors, dated 7/17/2019, for the property located at 399 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 Administration.

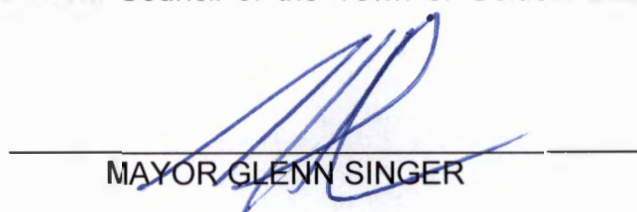
The Motion to adopt the foregoing Resolution was offered by Councilmember Lusskin, seconded by Councilmember Bernstein, and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>

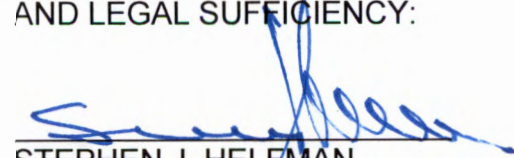
PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 17th day September, 2019

ATTEST:


LISSETTE PEREZ
TOWN CLERK


MAYOR GLENN SINGER

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


STEPHEN J. HELFMAN
TOWN ATTORNEY