

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2344.14

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 135, 137, 145 OCEAN BOULEVARD, GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE POOL AND TERRACE DECKS TO BE OFFSET 35' FROM THE BUILDING'S CENTERLINE, WHEN THE TOWN'S CODE REQUIRES THAT THEY NOT EXCEED 50% OF THE WIDTH OF THE BUILDING AND SHALL BE ALIGNED ON THE BUILDING'S CENTERLINE.

WHEREAS, the applicants, GBX Oceanfront Estates LLC, ("the applicant"), filed a Petition for a Variance/exception, DIVISION 4- SETBACK AND LOT LINE RESTRICTIONS. Section 66-137 (a) No portion of any house shall be placed closer to the east rear lot line than behind a line drawn between the corners of the nearest existing adjacent residences parallel to the beach. Notwithstanding the foregoing, stairs and/or terraces may be located closer to the east rear lot line than behind a line drawn between the corners of the nearest existing adjacent residences parallel to the beach, subject to the following restrictions:

- (1) Elevation. The stairs and/or terraces area shall not exceed an elevation of 20 feet NVGD;
- (2) Width. The width of the stairs and/or terraces area shall not exceed 50 percent of the width of the principal building. In addition, the stairs and/or terraces area shall be aligned on the principal building's centerline; and
- (3) Depth. The depth of the stairs and/or terraces area shall not exceed 25 percent of the width of the principal building. To allow the Terrace and

Pool Deck to be offset 35' from the building's centerline, in lieu of the being aligned on the building's centerline, as set by the Town's code, at the property location of three vacant lots a/k/a 135,137 and 145 Ocean Boulevard, Golden Beach, FL. 33160 (Golden Beach Section "C", N ½ of Lot 7, all of Lots 8, 9, 10 & 11, Block A, as recorded in PB 9-52, of the Public Records of Miami-Dade County, (Folio No. 19-1235-003-0050, 19-1235-003-0070 and 19-1235-003-0080 (the "Properties") 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 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, Cover Sheet Variance Package 2, Item 3 Pool Deck Height, and those sheets A-3 through A-6, by Add Inc., Jonathan Cardello, Architect, License # AR93391, undated, and the Sketch of Boundary Survey, prepared by Peter De La Rosa P.L.S. Inc., L.N. 3814, dated 06/23/2013, for the vacant lot properties located at Ocean Boulevard., Golden Beach, FL. 33160, a/k/a 135, 137 and 145 Ocean Boulevard, 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 Rojas, seconded by Councilmember Lusskin and on roll call the following vote ensued:

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

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 23rd day April, 2014

ATTEST:


LISSETTE PEREZ
TOWN CLERK


MAYOR GLENN SINGER

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


STEPHEN J. HELFMAN
TOWN ATTORNEY