

TOWN OF GOLDEN BEACH
RESOLUTION NO. 1001.96

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, RELATING TO A VARIANCE REQUEST OF NICHOLAS AND JEAN ANDREW, FOR THE PROPERTY LOCATED AT 326 SOUTH PARKWAY, GOLDEN BEACH, LOT 35 LESS W 3FT., BLK. G, SECTION E, PB 8-122; REQUESTING (1) RELIEF FROM TOWN CODE SECTION 46-85, TO HAVE A BOAT LIFT ENCROACH INTO THE CANAL 21.3 FEET FROM THE LOT REAR PROPERTY LINE IN LIEU OF THE MAXIMUM ENCROACHMENT OF 10 FEET ALLOWED BY THE CODE; AND (2) RELIEF FROM TOWN CODE SECTION 46-87 TO PERMIT A DOCK TO BE BUILT UP TO THE WEST PROPERTY LINE IN LIEU OF THE 10 FOOT SETBACK FROM THE PROJECTION OF THE PROPERTY LINE AS REQUIRED.

WHEREAS, Nicholas and Jean Andrews, have applied for the following:

(1) VARIANCE requesting relief from town code section 46-85, to have a boat lift encroach into the canal 21.3 feet from the lot rear property line in lieu of the maximum encroachment of 10 feet allowed by the code; and

(2) VARIANCE requesting relief from town code section 46-87 to permit a dock to be built up to the west property line in lieu of the 10 foot setback from the projection of the property line as required.

SUBJECT PROPERTY:

GOLDEN BEACH, LOT 35 LESS W 3FT., BLK. G,
SECTION E, PB 8-122;
FOLIO NUMBER 19 1235 005 0620

ADDRESS:

326 SOUTH PARKWAY,
GOLDEN BEACH, FLORIDA 33160

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

WHEREAS, upon due and proper consideration having been given to the matter it is the opinion of this Town Council that the requested variance is not contrary to public interest and that special conditions do exist whereby a literal enforcement of the provisions of the Town's Code of Ordinances will result in unnecessary and undue hardship on the applicant.

Golden Beach: NOW, THEREFORE BE IT RESOLVED by the Town Council, of the Town of

Section 1. That the requested variances are hereby approved as follows:

Item # 1. to permit relief from town code section 46-85, to have a boat lift encroach into the canal 21.3 feet from the lot rear property line in lieu of the maximum encroachment of

10 feet allowed by the code; and

Item # 2. to permit relief from town code section 46-87 to permit a dock to be built up to the west property line in lieu of the 10 foot setback from the projection of the property line as required.

Section 2. That the application as approved, is subject to the following conditions:

A. A Building Permit for work where the Variance has been granted must be obtained within two (2) years from the date of Variance approval. If no Building Permit is issued within the two (2) year time limit, then the Variance approval will be considered null and void.

Section 3. 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.

WHEREAS, the following Resolution was offered by Councilmember Rosenthal and seconded by Councilman Addicott and upon poll of members present, the vote was as follows:

Mayor Cuenca	<u>AYE</u>
Councilwoman Lowrance	<u>ABSENT</u>
Councilman Rosenthal	<u>AYE</u>
Vice Mayor Fistel	<u>ABSENT</u>
Councilman Addicott	<u>AYE</u>

PASSED AND ADOPTED this 17th day of September, 1996.

MAYOR JUDY CUENCA
Judy Cuenca
TOWN CLERK
Barbara Bygones

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Jon M. Henning
JON M. HENNING
TOWN ATTORNEY

NOTICE OF PUBLIC HEARING

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

XXX Variance Requests
XXX Addition/Alteration to Existing Structure
____ New Building

REQUEST FOR RELIEF FROM TOWN CODE SECTION 46-85 TO HAVE A BOAT LIFT ENCROACH INTO THE CANAL 21.3 FEET FROM THE LOT REAR PROPERTY LINE IN LIEU OF THE MAXIMUM ENCROACHMENT OF 10 FEET ALLOWED BY CODE. RELIEF FROM TOWN CODE SECTION 46-87 TO PERMIT A DOCK TO BE BUILT UP TO THE WEST PROPERTY LINE IN LIEU OF THE 10 FOOT SETBACK FROM THE PROJECTION OF THE PROPERTY LINE AS REQUIRED.

JOB ADDRESS:

Vacant Lot (assigned address 326 South Parkway
OWNER ADDRESS: 322 South Parkway

REQUESTED BY:

Nicholas & Jean Andrew

LEGAL DESCRIP:

Lot 35 less W 3 ft, Blk G, Section E PB 8-122
Folio # 19 1235 005 0620

THE BUILDING REGULATION BOARD will consider this item:

PLACE: GOLDEN BEACH TOWN HALL,
1 GOLDEN BEACH DR., GOLDEN BEACH, FL

DATE: August 13, 1996 @ 4:30 P.M.

THE TOWN COUNCIL will consider this item:

PLACE: GOLDEN BEACH TOWN HALL,
1 GOLDEN BEACH DR., GOLDEN BEACH, FL

DATE: September 17, 1996 @ 7:30 P.M.

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 Official, 932-0744 extension 20 or the Manager, 932-0744 extension 21.

BY: JAIMIE A. MITRANI, P.E.
ASSISTANT TOWN MANAGER/
BUILDING OFFICIAL

NOT TO FIA. STATUTE 286.105, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON
TO APPEAL ANY DECISION MADE BY THE COUNCIL, BOARD OR COMMITTEE WITH RESPECT TO ANY
CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND
FOR SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE
HEARING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS
BASED.
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