

RESOLUTION NO. 886.94

RESOLUTION NO. 886.94 OF THE TOWN COUNCIL OF TOWN OF GOLDEN BEACH RELATING TO THE REQUEST OF VARIANCE REQUEST OF JONAS AND JUDITH MIMOUN, 254 OCEAN BOULEVARD, LOTS 11 AND 12, BLOCK "5", TOWN OF GOLDEN BEACH, DADE COUNTY, FLORIDA, FOR RELIEF FROM PROVISION OF SECTION 13.14(D), TOWN CODE, WALLS, FENCES AND HEDGES, TO BUILD A SIX FOOT HIGH FENCE ON THE FRONT PROPERTY LINE.

WHEREAS, JONAS MIMOUN and JUDITH MIMOUN (the "Applicants") have applied for the following:

1. Non-Use Variance for relief from the provisions of Section 13.14(d), of the Town's Code of Ordinances, in order to exceed by two feet (2') the maximum permitted height of four feet (4') in order to install a six feet (6') high fence on Applicants' front property line.

Subject Property: Lots 11 and 12, Block "5", Town of Golden Beach, Dade County, Florida

Address: 254 Ocean Boulevard
Golden Beach, FL 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 the Town Council that the requested non-use 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 an unnecessary and undue hardship on the Applicants; and

WHEREAS, the following resolution was offered by _____
Councilman Mena and seconded by *Councilman Duffner* and upon poll
of the members present, the vote was as follows:

Mayor Nelson
Vice Mayor Rosenthal
Councilman Duffner
Council Mena
Councilman Addicott

Aye
Abstain
Yes
Aye
Absent

NOW, THEREFORE, be it resolved by the Town Council of the Town of Golden Beach that the requested non-use variance set forth in item number 1 above be, and the same is hereby approved, subject to the following conditions:

1. That the fence be built in accordance with that certain plan prepared by Lane Pettigrew Karp Architects, dated January 1994, last revised April 14, 1994, provided the material used therefor is wrought iron on aluminum.

2. That the Applicants shall take all necessary steps to obtain a building permit for the work; same to be issued by the Building and Zoning Director for the Town of Golden Beach within a period of two (2) years from the date of the hearing (to wit: April 19, 1994), unless the issuance of such permit is stayed by an appeal to the appropriate court.

3. That in the event no building permit is issued within the aforementioned two (2) year time limitation, then this variance approval will be deemed null and void.

This Resolution does not constitute a permit, but upon presentation of this Resolution to the Building and Zoning Director


of the Town of Golden Beach, coupled with proof of compliance of all applicable conditions, a permit application shall be processed in accordance with, and pursuant to the applicable ordinances of the Town of Golden Beach.

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.

PASSED AND ADOPTED this 19th day of April, 1994.



MAYOR



~~TOWN CLERK~~/DEPUTY TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

ALAN J. KAN, Town Attorney

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