

RESOLUTION NO. 900.94

RESOLUTION NO. 900.94 OF THE TOWN COUNCIL OF TOWN OF GOLDEN BEACH REQUESTING RELIEF FROM TOWN CODE SECTION 13.14, WALLS, FENCES AND HEDGES, ARTICLE (A), TO PERMIT THE RAISING OF AN EXISTING SIDE WALL AT THE NORTH PROPERTY LINE TO BE RAISED TO A HEIGHT OF 8'-3 1/2" IN LIEU OF THE 6'-0 PERMITTED BY THE TOWN CODE. VICTOR POSNER, 615 OCEAN BOULEVARD, LOTS 14, 15 AND 16, BLOCK D.

WHEREAS, VICTOR POSNER has applied for the following:

1. NON-USE VARIANCE for relief from Town Code section 13.14, walls, fences and hedges, article (a), to permit the raising of an existing side wall at the north property line to be raised to a height of 8'-3 1/2" in lieu of the 6'-0 permitted by the Town Code. AND,

SUBJECT PROPERTY: Lots 14, 15 and 16, Block D

ADDRESS: 615 Ocean Blvd.
Golden Beach, Dade County, 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

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WHEREAS, upon due and proper consideration having been given to the matter it is the opinion of this 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 unnecessary and undue hardship on the applicant.

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

Section 1. That the requested non-use variance:

Item #1, to permit the raising of an existing side wall at the north property line to be raised to a height of 8'-3 1/2" in lieu of the 6'-0" permitted by the Town Code, be and the same is hereby approved for up to 30 linear feet with landscaping installed, with the approval of the Director of Building, Zoning, and Engineering, on the north side of the wall at the section that is over six feet in height, subject to the approval of the adjacent property owner where the landscaping is to be installed, and,

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 COUNCILMAN MENA and seconded by COUNCILMAN DUFFNER and upon poll of members present, the vote was as follows:

Mayor Nelson	AYE
Vice Mayor Rosenthal	AYE
Councilman Duffner	AYE
Councilman Mena	AYE
Councilman Addicott	AYE

PASSED AND ADOPTED this 16th day of August, 1994.


VICE MAYOR KERRY ROSENTHAL


~~TOWN CLERK~~/DEPUTY TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

5/
JON M. HENNING
TOWN ATTORNEY