

**TOWN OF GOLDEN BEACH  
RESOLUTION NO. 918.95**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH RELATING TO THE VARIANCE REQUEST OF MICHAEL & HANNAH LEVIN, 44 TERRACINA AVE, THE W 45 FEET OF LOT 33 AND ALL OF LOT 34, BLOCK H SECTION "D" OF GOLDEN BEACH, FOR RELIEF FROM SECTION 13.12(D) OF THE TOWN CODE TO PERMIT THE REHABILITATION OF AN EXISTING STRUCTURE MAINTAINING A REAR SETBACK OF 25 FEET IN LIEU OF THE 35 FEET REQUIRED BY THE CODE.**

**WHEREAS, MICHAEL & HANNAH LEVIN have applied for the following:**

**1. NON-USE VARIANCE for relief from Town Code section 13.12(D) of the Town Code to permit the rehabilitation of an existing structure maintaining a rear setback of 25 feet in lieu of the 35 feet required by the code.**

**SUBJECT PROPERTY: W 45 Feet of Lot 33 and all of Lot 34, Block H Section "D" of Golden Beach, Florida.**

**ADDRESS: 44 Terracina Ave.  
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 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.**

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

**Section 1.** That the requested non-use variance:

1. For relief from Town Code section 13.12(D) of the town code to permit the rehabilitation of an existing structure maintaining a rear setback of 25 feet in lieu of the 35 feet required by the code.

**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. 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 10 day of January, 1995.

  
VICE MAYOR ROSENTHAL

  
TOWN CLERK/DEPUTY TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

JON M. HENNING  
TOWN ATTORNEY

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