

**TOWN OF GOLDEN BEACH
RESOLUTION NO. 919.95**

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 FRONT SETBACK OF 19.26 FT. IN LIEU OF THE 35 FT 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 front setback of 19.26 ft. In lieu of the 35 ft 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.

RESOLUTION NO. 919.95

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 front setback of 19.26 ft. in lieu of the 35 ft 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.

B. The removal of all permanent structures from the right of way and the maintenance of a 5 ft. or greater walkway from the end of the pavement on Terracina to the seawall, and the landscaping in the right of way.

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 DUFFNER and seconded by VICE MAYOR ROSENTHAL. 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