

RESOLUTION NO. 943.95

RESOLUTION NO. 943.95 OF THE TOWN COUNCIL OF TOWN OF GOLDEN BEACH RELATING TO THE REQUEST OF LAS BALMERAS CORP., 421 OCEAN BLVD., GOLDEN BEACH SEC B, PB 9-52, LOT 4 THRU 8 INC, BLK C, FOLIO # 19 1235 002 0530 RELIEF FROM TOWN CODE DIVISION 11 "ACCESSORY BUILDINGS" SECTION 66-251 TO PERMIT THE CONSTRUCTION OF A TENNIS COURT (PADDLE TENNIS) ADJACENT TO AN EXISTING STRUCTURE WITH THE PROPER SETBACKS, AS AN ADDITIONAL ACCESSORY STRUCTURE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Las Balmeras Corp. have applied for the following:

1. NON-USE VARIANCE, and, relief from Town Code Division 11 "Accessory Buildings" Section 66-251 to permit the construction of a tennis court (paddle tennis) adjacent to an existing structure with the proper setbacks, as an additional accessory structure.

SUBJECT PROPERTY:

GOLDEN BEACH SEC B, PB 9-52, LOT 4  
THRU 8 INC, BLK C, FOLIO # 19 1235  
002 0530

ADDRESS:

421 Ocean Blvd.  
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:

Item #1, relief from Town Code Division 11 "Accessory Buildings" Section 66-251 to permit the construction of a tennis court (paddle tennis) adjacent to an existing structure with the proper setbacks, as an additional accessory structure, 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.

B. Any outdoor lighting related to the paddle tennis court shall not be operated between April 15 and October 15, as a precaution for the sea turtle nesting season.

C. If lights are used, the light shall be shielded from the adjacent property.

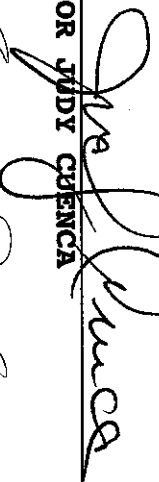
Section 3. The Building and Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Town of Golden Beach Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this Resolution. A copy of this Resolution shall be attached to the building permit application documents.

WHEREAS, the following Resolution was offered by VICE MAYOR LOWRANCE and seconded by COUNCILMAN FISTEL, and upon poll of members present, the vote was as follows:

Mayor Cuenca	AYE
Vice Mayor Lowrance	AYE
Councilman Rosenthal	ABSENT
Councilman Fistel	AYE
Councilman Addicott	ABSENT

PASSED AND ADOPTED this 20th day of JUNE, 1995.

MAYOR JUDY CUENCA



TOWN CLERK/DEPUTY TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

JON M. HENNING  
TOWN ATTORNEY

