

MOTION DENIED ON A TWO TO TWO VOTE.  
VARIANCE REQUEST DENIED

TOWN OF GOLDEN BEACH  
RESOLUTION NO. 948.95

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
GOLDEN BEACH RELATING THE VARIANCE REQUEST OF GINO  
& PHYLLIS VOLTAPETTI, 400 GOLDEN BEACH DR., GOLDEN  
BEACH SECTION E, PB 8-122, LOT 47 & SOUTH 1/2 OF  
LOT 46 & LOT 48, BLOCK F, REQUESTING RELIEF FROM  
TOWN CODE SECTION 38-26 "HABITABLE VEHICLES  
RESTRICTED" TO ALLOW A BOAT TRAILER TO REMAIN  
INDEFINITELY ON THE PROPERTY.

WHEREAS, GINO & PHYLLIS VOLTAPETTI have applied for the  
following:

1. NON-USE VARIANCE, and, relief from Town Code  
Section 38-26 "Habitable Vehicles Restricted" to allow a boat  
trailer to remain indefinitely on the property.

SUBJECT PROPERTY: Section E, Pb 8-122, Lot 47 & South  
1/2 of Lot 46 & Lot 48, Block F

ADDRESS: 400 Golden Beach Drive  
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 contrary to public interest and  
that special conditions do not 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. 948.95

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 Section 38-26 "Habitatable Vehicles Restricted" to allow a boat trailer to remain indefinitely on the property, 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 ROSENTHAL and seconded by MAYOR CUENCA and upon poll of members present, the vote was as follows:

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

MOTION FAILED ON TWO TO TWO VOTE\RESOLUTION DENIED this 18th day of JULY, 1995.

MAYOR JUDY CUENCA

TOWN CLERK/DEPUTY TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

JON M. HENNING  
TOWN ATTORNEY

RESOLUTION NO. 948.95