

TOWN OF GOLDEN BEACH

RESOLUTION NO. 962.95

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, RELATING TO A VARIANCE REQUEST OF BERNARD AND HELENE BROIDE, 18778 BISCAYNE BLVD., MIAMI, FL. 33180; REGARDING THE PROPERTY LOCATED AT 445 GOLDEN BEACH DRIVE, GOLDEN BEACH, FL. 33160, LOT 29 AND N 1/2 OF LOT 30, BLK 3, GB SEC. E, FOLIO # 19 1235 005 0090; REQUESTING RELIEF FROM TOWN CODE SEC. 66-138(b), FOR A THIRTY FOOT FRONT SETBACK FOR AN EXISTING STRUCTURE WITH AN ADDITION, WHICH IS A SUBSTANTIAL IMPROVEMENT PROJECT IN LIEU OF THE THIRTY-FIVE FOOT REQUIRED BY CODE FOR NEW CONSTRUCTION AND BY STATE STATUTES IN CASES OF SUBSTANTIAL IMPROVEMENT.

WHEREAS, BERNARD AND HELENE BROIDE have applied for the following:

1. NON-USE VARIANCE, and, relief from Town Code Sec. 66-138(b), for a thirty foot front setback for an existing structure with an addition, which is a substantial improvement project in lieu of the thirty-five foot required by code for new construction and by state statutes in cases of substantial improvement.

SUBJECT PROPERTY: LOT 29 AND N 1/2 OF LOT 30, BLK 3, GB SEC.  
E, FOLIO # 19 1235 005 0090

ADDRESS: 445 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 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.

*Withdrawn from  
agenda - see  
minutes Jan 9 1996*

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 Sec. 66-138(b), for a thirty foot front setback for an existing structure with an addition, which is a substantial improvement project in lieu of the thirty-five foot required by code for new construction and by state statutes in cases of substantial improvement 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 and seconded by and upon poll of members present, the vote was as follows:

Mayor Cuenca  
Vice Mayor Lowrance  
Councilman Rosenthal  
Councilman Fistel  
Councilman Addicott

PASSED AND ADOPTED this 9th day of January, 1996.

MAYOR JUDY CUENCA

TOWN CLERK/DEPUTY TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

JON M. HENNING  
TOWN ATTORNEY

RESOLUTION NO. 962.95

*withdrawn Jim Olanda*

TOWN OF GOLDEN BEACH

RESOLUTION NO. 962.95

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, RELATING TO A VARIANCE REQUEST OF BERNARD AND HELENE BROIDE, 18778 BISCAYNE BLVD., MIAMI, FL. 33180; REGARDING THE PROPERTY LOCATED AT 445 GOLDEN BEACH DRIVE, GOLDEN BEACH, FL. 33160, LOT 29 AND N 1/2 OF LOT 30, BLK 3, GB SEC. E, FOLIO # 19 1235 005 0090; REQUESTING RELIEF FROM TOWN CODE ARTICLE 4, DIV. 4, SEC. 66-138(b), "FRONT AND REAR LOT LINE RESTRICTIONS, ZONE 2" FOR A THIRTY FOOT FRONT SETBACK FOR THE SECOND STORY MATCHING THE NON-CONFORMING EXISTING FRONT SETBACK OF THE GROUND FLOOR, IN LIEU OF THE THIRTY FIVE FOOT REQUIRED.

WHEREAS, BERNARD AND HELENE BROIDE have applied for the following:

1. NON-USE VARIANCE, and, relief from Town Code Section 66-138 "Front and Rear Lot Line Restrictions, Zone 2" for a thirty foot front setback for the second story matching the non-conforming existing front setback of the ground floor, in lieu of the thirty five foot requirement.

SUBJECT PROPERTY: LOT 29 AND N 1/2 OF LOT 30, BLK 3, GB  
SEC. E, FOLIO # 19 1235 005 0090

ADDRESS: 445 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 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. 962.95

*Withdrawn by Council*  
*Meeting 11/21/95*

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 66-138 "Front and Rear Lot Line Restrictions, Zone 2" for a thirty foot front setback for the second story matching the non-conforming existing front setback of the ground floor, in lieu of the thirty five foot requirement, 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 VICE MAYOR LOWRANCE and seconded by COUNCILMAN ROSENTHAL and upon poll of members present, the vote was as follows:

Mayor Cuenca  
Vice Mayor Lowrance  
Councilman Rosenthal  
Councilman Fistel  
Councilman Addicott

PASSED AND ADOPTED this 21st day of November, 1995.

*Wittmann*  
MAYOR JUDY CUENCA

*meeting 11/21/95*  
TOWN CLERK/DEPUTY TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

JON M. HENNING  
TOWN ATTORNEY