

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2305.13**

**A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 357 CENTER ISLAND DR., GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE VIEWING PLATFORM (DOCK) STRUCTURE TO ENCROACH 13' OUTSIDE THE D5 TRIANGLE, AND INTO THE 5' SIDE YARD SETBACK WHEREAS DOCKS ARE REQUIRED TO BE WITHIN THE D5 TRIANGLE AND MAINTAIN A 5' SIDE YARD SETBACK AS REQUIRED BY THE TOWN'S CODE**

**WHEREAS**, the applicant, Jonathan Brief, ("the applicants"), filed a Petition for a Variance/exception, Article IV – Seawall and Docks: Section 46-87 Proximity of lot lines, allowing the viewing platform (dock) structure to encroach 13' into the D5 Triangle and into the 5' side yard setback, in lieu of the Town Codes requirement to be within the D5 Triangle and maintain a 5' setback for the viewing platform (dock), at 357 Center Island Dr., Golden Beach, Florida 33160, Golden Beach Section "E", Portions of Lots 14 & 15, Block K, as recorded in PB 8-122, of the Public Records of Miami-Dade County, (Folio No. 19-1235-005-0850 (the "Property") and ;

**WHEREAS**, the Town's Building Regulation Advisory Board held an advertised public hearing on the Petition for Variance/Exception and recommended disapproval of the variance by the Town Council; and,

**WHEREAS**, a public hearing of the Town Council was advertised and held, as required by law, and all interested parties were given an opportunity to be heard; and

**WHEREAS**, the Town Council having considered the evidence presented, finds that the Petition of Variance meets the criteria of the applicable codes and ordinances to the extent the application is granted herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** Each of the above stated recitals are hereby adopted and confirmed.

**Section 2. Approval.** The Petition for Variance to permit each of the requested variances is hereby granted.

**Section 3. Conditions.** The Petition for Exception/Variance as granted is subject to the following conditions:

- (1) Applicant shall record a certified copy of this Resolution in the public records of Miami-Dade County; and
- (2) Construction shall be completed substantially in accordance with those certain plans, S-1 through S-9, by Dynamic Engineering Solutions, Inc., John Omslaer, PE 52733, dated 5/3/2013, and the Sketch of Survey, by Cousins Surveys, dated 06/15/2011, for the property located at 357 Center Island Dr., Golden Beach, FL. 33160

**Section 4. Implementation.** That 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.

**Section 5. Effective Date.** This Resolution shall be effective immediately upon adoption.

Sponsored by the **Town Administration.**

The Motion to adopt the foregoing Resolution was offered by Vice Mayor Lusskin, seconded by Councilmember Rojas and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Judy Lusskin	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Amy Isackson-Rojas	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 20<sup>th</sup> day August, 2013

ATTEST:

  
LISSETTE PEREZ  
TOWN CLERK

  
MAYOR GLENN SINGER

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
STEPHEN J. HELFMAN  
TOWN ATTORNEY