

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2226.12

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 200 SOUTH ISLAND DR., GOLDEN BEACH, FLORIDA 33160. TO ALLOW A BOAT LIFT TO BE INSTALLED AT AN EXISTING BOAT NOTCH WITH A 0' SIDE SETBACK, IN LIEU OF THE REQUIRED 5' SETBACK ESTABLISHED FOR THE D-5 TRIANGLE, AND TO ALLOW THE LIFT STRUCTURE TO BE INSTALLED CLOSER THAN 10' FROM THE SIDE YARD PROPERTY LINE. PROVIDING FOR CONDITIONS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE;

WHEREAS, the applicants, Steve and Dalia Berman, (the "Applicants"), filed a Petition for a Variance, from Chapter 46 "Waterways"; Section 46-87 (b) (1) Proximity of Lot Lines and 46-55 (2) (3) Vessels, Floating Docks, and other Structures Moored or installed at a Seawall or Dock, of the Town Code.

1. To allow a Boat Lift to be installed into an existing boat notch at a 0' side setback, whereas a 10' minimum setback from the waterward projection of the side property lines is required and the Boat Lift shall be maintained entirely within the established setback.

2. To allow the boat lift to protrude outside the 5' setback established for the D-5 Triangle, at the property location 200 South Island Dr., Golden Beach, Florida 33160 (Golden Beach Section "D", Portions of Lot 29 & 30, Block J, GB Section D, as recorded in PB 10-10, of the Public Records of Miami-Dade County, (Folio No. 19-1235-004-0680) (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-4, by John Omslaer, P.E., Dynamic Engineering Solutions, dated 1/5/2012, for the property located at 200 South Island Drive, 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 Administration.

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

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

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 27th day of March, 2012

ATTEST:


LISSETTE PEREZ
INTERIM TOWN CLERK


MAYOR GLENN SINGER

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


STEPHEN J. HELFMAN
TOWN ATTORNEY