

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 1926.08

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 680 GOLDEN BEACH DRIVE, GOLDEN BEACH, FLORIDA 33160 TO PERMIT TENNIS COURT FENCING TO ENCROACH SIX FEET INTO THE SIDE SETBACK, WHERE TEN FEET IS REQUIRED, AND TWENTY FEET INTO THE FRONT SETBACK, WHERE THIRTY FIVE FEET IS REQUIRED, AND TO ALLOW A FENCE HEIGHT OF TEN FEET, WHERE A SIX FOOT HEIGHT IS REQUIRED. PROVIDING FOR CONDITIONS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE;

WHEREAS, the applicants, Alex and Alla Schegol (the "Applicants"), filed a Petition for Variance from Section 66-136 of the Town of Golden Beach Code (the "Code") for the purpose of allowing tennis court fencing to encroach six feet into the side setback, where ten feet is required, from Section 66-139 of the Code, to allow tennis court fencing to encroach into the front setback twenty feet from the front property line, where thirty five feet is required, and from Section 66-186(b) of the Town Code, to allow a fence height of ten feet, where six feet is required for the residence located at 680 Golden Beach Drive, Golden Beach, Florida 33160 (Golden Beach Section "F", all of lots 17 and 18, and the NWLY ½ of 16, Block E, as recorded in PB10-11, of the Public Records of Miami-Dade County, Folio No. 19-1235-006-0500 and 0510) (the "Property") and ;

WHEREAS, the Town's Building Regulation Advisory Board held an advertised public hearing on the Petition for Variance and recommended approval 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 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 entitled "New Single Family Residence – SCHEGOL RESIDENCE", located at 680 Golden Beach Drive, Golden Beach, Florida 33160 as prepared by SKLARchitecture, 2310 Hollywood Blvd, Hollywood, Florida, dated 4/07/08, 4/11/08 and containing pages A-0 through A-7, & L-1

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 Vice Mayor Rojas, seconded by Councilmember Lusskin and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Amy Rojas	<u>Aye</u>
Councilmember Ben Einstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Ken Bernstein	<u>Absent</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 24th day of June, 2008.

ATTEST:


MAYOR GLENN SINGER


ELIZABETH SEWELL
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


STEPHEN J. HELFMAN
TOWN ATTORNEY