

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 1977.09

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 487 OCEAN BOULEVARD, GOLDEN BEACH, FLORIDA 33160 TO ALLOW A NEW SECOND FLOOR WALL SETBACK OF 4.25 FEET FROM THE NORTH PROPERTY LINE, IN LIEU OF A 15.08 FOOT SECOND FLOOR OFFSET AS REQUIRED BY CODE; PROVIDING FOR CONDITIONS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the applicants, Robert and Deborah Poppiti (the "Applicants"), filed a Petition for Variance from the Town of Golden Beach Code of Ordinances (the "Code") for the purpose of allowing a new second floor addition to align up on the existing first floor wall setback a distance of 4.25 feet from the north property line, in lieu of a 15.08 foot second floor offset as required by Code in Section 66-69 (Minimum frontage, building square footage and height of residence) for the property located at 487 Ocean Boulevard, Golden Beach, Florida 33160 (Golden Beach Section "B", Lot 19, Block C, as recorded in PB 9-52, of the Public Records of Miami-Dade County, Folio No. 19-1235-002-0620) (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 Code and ordinances and desires to grant the Petition for Variance subject to the conditions provided 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 the requested variance is hereby granted subject to the conditions below.

**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 "Existing Single Family Residence", located at 487 Ocean Boulevard, Golden Beach, Florida 33160, as prepared by Pacetti Architects, 7134 SW 117 Avenue, Miami, Florida, dated 12/05/08 and containing pages CVR, L-, G-1, A-1 through A-7 and D-1 through D-2.

**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.**

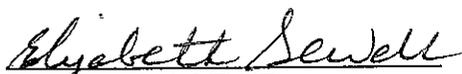
The Motion to adopt the foregoing Resolution was offered by Councilmember Lusskin, seconded by Councilmember Bernstein and on roll call the following vote ensued:

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>Aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 25<sup>th</sup> day of February, 2009.

  
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MAYOR GLENN SINGER

ATTEST:

  
ELIZABETH SEWELL  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
STEPHEN J. HELFMAN  
TOWN ATTORNEY