

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2064.10

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 615 OCEAN BOULEVARD, GOLDEN BEACH, FLORIDA 33160 TO ALLOW A FRONT WALL AND GATE WITH DECORATIVE COLUMNS, WITH TWO COLUMNS AT 7' IN HEIGHT, TWO COLUMNS AT 7'6" IN HEIGHT, TWO COLUMNS AT 8' IN HEIGHT, AND A DOUBLE ENTRY GATE WITH A MAXIMUM HEIGHT OF 9'6", IN LIEU OF THE HEIGHT RESTRICTIONS OF 6' SET FORTH IN THE TOWN CODE; PROVIDING FOR CONDITIONS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the applicants, Kenneth & Rhonda Israel (the "Applicant"), filed a Petition for Variance from Section 66-186 (a) and (e) of the Town of Golden Beach Code of Ordinances (the "Code") pertaining to a variance request from height restrictions on a front privacy wall and gate with decorative columns, for the purpose of allowing two (2) columns at 7' in height, two (2) columns at 7'6" in height, two (2) columns at 8' in height, and a double entry gate with a maximum height of 9'6", in lieu of the 6' required by Code, for the residence located at 615 Ocean Boulevard, Golden Beach, Florida 33160 (Lots 14 through 16, Block D, Golden Beach Section "A", as recorded in PB 9-52, of the Public Records of Miami-Dade County, Folio No. 19-1235-001-0480) (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 that certain plan entitled "Remodeling & Alterations to Dr. & Mrs. Kenneth Israel Single Family Home", located at 615 Ocean Boulevard, Golden Beach, Florida 33160, as prepared by Merlo & Associates, Inc., 7340 S.W. 48<sup>th</sup> Street, Suite 104, Miami, Florida, dated 9/19/09 and containing pages SLP-1, A1 and A28.

**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 Einstein and on roll call the following vote ensued:

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

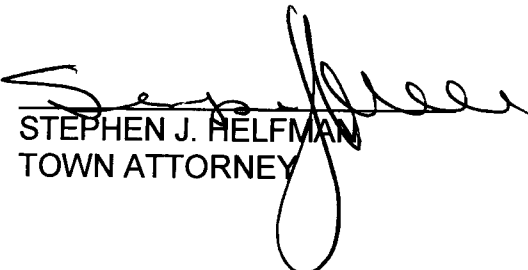
**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach, Florida, this 26<sup>th</sup> day of January, 2010.

ATTEST:

  
MAYOR GLENN SINGER

  
ELIZABETH SEWELL  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
STEPHEN J. HELFMAN  
TOWN ATTORNEY