

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2075.20

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 508 NORTH PARKWAY STREET, GOLDEN BEACH, FLORIDA 33160 TO ALLOW AN ELEVATOR OVERRIDE AT THE ROOFTOP LEVEL TO BE AT A HEIGHT OF 35 FEET, IN LIEU OF 27.5 FEET REQUIRED BY THE CODE; PROVIDING FOR CONDITIONS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant, Lior Ben-Shmuel (the "Applicant"), filed a Petition for Variance from the Town of Golden Beach Code of Ordinances (the "Code") for the purpose of allowing an elevator override at the rooftop level to be at a height of 35 feet, in lieu of 27.5 feet required under Section 66-69 of the Code, for the residence located at 508 North Parkway Street, Golden Beach, Florida 33160 (Lot 23 and a portion of Lot 24, Block F, of Golden Beach Section "F", as recorded in Plat Book 10, Page 11, of the Public Records of Miami-Dade County, Florida, Folio No. 19-1235-006-0760) (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 "New Single Family Residence", located at 508 North Parkway Street, Golden Beach, Florida 33160, as prepared by Florida Architectural Services, Inc., Architect, 34 N.W. 168 Street, North Miami Beach, Florida, dated 12/11/09 and containing pages A1 through A8, L1 and D1.

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 Vice Mayor Einstein and on roll call the following vote ensued:

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

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 23rd day of February, 2010.

ATTEST:


MAYOR GLENN SINGER


ELIZABETH SEWELL
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


STEPHEN J. HELFMAN
TOWN ATTORNEY