

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2081.10

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 350 GOLDEN BEACH DRIVE, GOLDEN BEACH, FLORIDA 33160 TO ALLOW A FRONT SETBACK OF 31.05', IN LIEU OF THE 35' REQUIRED BY THE CODE; PROVIDING FOR CONDITIONS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant, Alice K. Schloss (the "Applicant"), filed a Petition for Variance from the Town of Golden Beach Code of Ordinances (the "Code") for the purpose of allowing a front setback of 31.05 feet, in lieu of the required 35 feet under Section 66-139 of the Code, for the residence located at 350 Golden Beach Drive, Golden Beach, Florida 33160 (Lots 40 and 41, Block G, Golden Beach Section "E", as recorded in PB 8, Page 122, of the Public Records of Miami-Dade County, Florida, Folio No. 19-1235-005-0670) (the "Property"); and

WHEREAS, the Town's Building Regulation 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 "Schloss Residence 350 Golden Beach Drive – Site Plan", located at 350 Golden Beach Drive, Golden Beach, Florida 33160, as prepared by Gene Farmer & Associates, Architects, 13321 Southwest 124 Street, Miami, Florida, dated 12/18/08 and containing pages A1 and Survey dated 11/02/09 by Schwebke-Shiskin & Associates, Inc.

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 with amendments was offered by Councilmember Rojas, seconded by Vice Mayor Einstein and on roll call the following vote ensued:

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

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 16th day of March, 2010.

ATTEST:



MAYOR GLENN SINGER


ELIZABETH SEWELL
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


STEPHEN J. HELFMAN
TOWN ATTORNEY