

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2489.17**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING VARIANCE REQUESTS FOR THE PROPERTY LOCATED AT 587 OCEAN BOULEVARD, GOLDEN BEACH, FLORIDA; SPECIFICALLY TO PERMIT A FIRST FLOOR FINISHED ELEVATION AT 21.49' N.G.V.D. WHEN THE TOWN CODE REQUIRES THE FINISH FLOOR ELEVATIONS NOT TO EXCEED 20.02' N.G.V.D.; AND TO ALLOW AN OPEN SPACE FRONT YARD AREA OF 1,100 SQUARE FEET WHERE THE CODE DOES NOT PROVIDE FOR FRONT YARD OPEN SPACE; AND TO ALLOW FOR A ROOF TOP SPA WHERE THE CODE DOES NOT ALLOW FOR A ROOF TOP SPA; AND TO ALLOW FOR AN ELEVATOR OVERRIDE AND VESTIBULE UP TO 110 SQUARE FEET IN AREA, WHERE THE CODE ALLOWS FOR AN AREA NOT TO EXCEED 5' X 10'.**

**WHEREAS**, the applicants, Jan Marks Trs., (“the Applicants”), filed a Petition for Variances (the “Petition”) to allow: (1) the first finished floor elevation to be at 21.49' N.G.V.D., in lieu of the 20.02' N.G.V.D set by the Town’s code; and (2) 1,113 square feet of yard space where the Town’s code does not allow front yard open space; and (3) a roof top spa where the code does not allow for a spa; and (4) a roof top elevator and covered elevator vestibule of up to 110 square feet where the Town permits 50 square feet, at the property 587 Ocean Boulevard, Golden Beach, Florida 33160 (the “Property”) (Golden Beach Section “A”, Lots 22, Block D, as recorded in PB 9-52, of the Public Records of Miami-Dade County, (Folio No. 19-1235-001-0550); and

**WHEREAS**, the Town’s Building Regulation Advisory Board held an advertised public hearing on the Petition and recommended approval of the variances to 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 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.** Each of the variances requested are hereby granted, subject to the following conditions:

(1) Applicants shall record a certified copy of this Resolution in the public records of Miami-Dade County; and except for the variances granted, the construction shall be completed substantially in accordance with those certain plan pages A-1 through A-6.02, by Kobi Karp, Architect and the Sketch of Boundary Survey, prepared by John Ibarra, dated 3/17/2016, for the Property.

(2) The height of the home shall not exceed 46.5' N.G.V.D.

**Section 3. 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 4. Effective Date.** This Resolution shall be effective immediately upon adoption.

**Sponsored by Administration.**

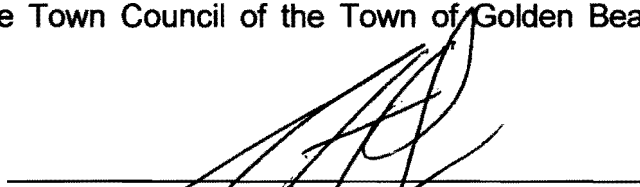
The Motion to adopt the foregoing Resolution was offered by Councilmember Bernstein, seconded by Vice Mayor Lusskin and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Judy Lusskin	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Amy Isackson-Rojas	<u>Absent</u>
Councilmember Jaime Mendal	<u>Aye</u>

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach, Florida, this 21<sup>st</sup> day March 2017.

ATTEST:

  
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LISSETTE PEREZ  
TOWN CLERK

  
\_\_\_\_\_  
MAYOR GLENN SINGER

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
STEPHEN J. HELFMAN  
TOWN ATTORNEY