

**TOWN OF GOLDEN BEACH
RESOLUTION NO. 1155.99**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, GRANTING A VARIANCE TO WAIVE TOWN CODE SECTION 66-136, SIDE SETBACK REQUIREMENTS, TO PERMIT THE NORTH SIDE SETBACK FOR A NEW BEDROOM TO BE SEVEN FEET FOUR INCHES (7'4") IN TWO LOCATIONS WHERE A TEN FOOT (10') SETBACK IS REQUIRED AND A VARIANCE TO WAIVE TOWN CODE SECTION 66-136, SIDE SETBACK REQUIREMENTS, TO PERMIT THE SOUTH SIDE SETBACK FOR A NEW GARAGE TO BE AT SEVEN FEET ZERO INCHES (7'0") WHERE TEN FEET (10') IS REQUIRED FOR EMANUEL AND ESTRELLA GOLDSZMIDT, 260 SOUTH ISLAND DRIVE, LOT 44 AND THE NORTH ½ OF LOT 45, BLOCK J, GOLDEN BEACH SECTION "D", GOLDEN BEACH, FLORIDA, AS RECORDED IN PLAT BOOK 10 AT PAGE 10 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FL.

WHEREAS, Emanuel and Estrella Goldszmidt have applied for the following:

A VARIANCE requesting relief from Town Code Section 66-136, Side Line Restrictions, to permit the north side setback for a new bedroom to be seven feet four inches (7'4") in two locations where a ten foot (10') side setback is required, and

A VARIANCE requesting relief from Town Code Section 66-136, Side Line Restrictions, to permit the south side setback for a new garage to be at seven feet zero inches (7'0") where a ten-foot setback (10') is required.

SUBJECT PROPERTY:

**GOLDEN BEACH SECTION "D", LOT 44
AND THE NORTH ½ OF LOT 45, BLOCK "J",
AS RECORDED IN PB10/10 OF THE PUBLIC
RECORDS OF DADE COUNTY**

ADDRESS:

**260 SOUTH ISLAND DRIVE,
GOLDEN BEACH, FLORIDA 33160**

WHEREAS, a public hearing of the Town Council of the Town of Golden Beach was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Town Council that the requested variances are not contrary to public interest and that special conditions do exist whereby a literal enforcement of the provisions of the Town's Code of Ordinances will result in unnecessary and undue hardship on the applicant.

NOW, THEREFORE BE IT RESOLVED by the Town Council, of the Town of Golden Beach:

Section 1. That the requested variance is hereby approved as follows: To permit relief from Town Code Section 66-136, Side Line Restrictions, on the north side to permit a new bedroom to be seven feet four inches in two locations where a ten foot setback is required by the Town Code.

Section 2. That the requested variance is hereby approved as follows: To permit relief from Town Code Section 66-136, Side Line Restrictions, on the south side to permit a new garage to be seven feet zero inches where ten feet is required by the Town Code.

Section 3. That the application as approved, is subject to the following conditions:

A. A Building Permit for work where the Variance has been granted must be obtained within two (2) years from the date of Variance approval. If no Building Permit is issued within the two (2) year time limit, then the Variance approval will be null and void.

Section 3. 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.

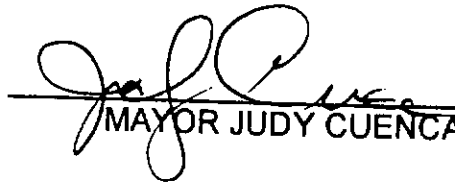
The Motion to adopt Section 1 of the foregoing Resolution was offered by Councilmember Fistel, seconded by Vice-Mayor Chikovsky, and on roll call the following vote ensued:

Mayor Cuenca	<u>aye</u>
Vice Mayor Chikovsky	<u>aye</u>
Councilmember Fistel	<u>aye</u>
Councilmember Lidsky	<u>aye</u>
Councilmember Rodriguez	<u>aye</u>

The Motion to adopt Section 2 of the foregoing Resolution was offered by Vice-Mayor Chikovsky, seconded by Councilperson Fistel and on roll call the following vote ensued:

Mayor Cuenca	<u>aye</u>
Vice-Mayor Chikovsky	<u>aye</u>
Councilperson Fistel	<u>aye</u>
Councilperson Lidsky	<u>aye</u>
Councilperson Rodriguez	<u>aye</u>

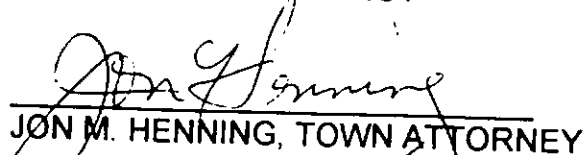
PASSED AND ADOPTED by the Mayor and Town Council of the Town of Golden Beach, Florida, this 19th day of January, 1999.


MAYOR JUDY CUENCA

ATTEST:


TOWN CLERK ROSEMARY WASCURA

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


JON M. HENNING, TOWN ATTORNEY