

GOLDEN BEACH, FLORIDA

RESOLUTION NO. 1160.99

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA; RELATING TO A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT: 317 OCEAN BOULEVARD, GOLDEN BEACH, SECTION B, LOTS 15, 16 AND 17, BLOCK B, AS RECORDED IN PB 9-52 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; REQUESTING RELIEF FROM TOWN CODE SECTION 66-69 (9) MAXIMUM HEIGHT, TO PERMIT THE STAIRCASE STRUCTURE TO EXCEED THE MAXIMUM ROOF HEIGHT OF 32'0" IN LIEU OF THE 30'0" MAXIMUM ALLOWED BY THE CODE; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICT, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Joel Hochberg and his wife, Marcia, have applied for the following variance:

- (1) A Variance requesting relief from Town Code Section 66-69 (9) Maximum Height, to permit the staircase structure to exceed the maximum roof height by 2'0", making that height 32'0" in lieu of the 30'0" maximum allowed by the code.

SUBJECT PROPERTY:

GOLDEN BEACH SECTION B, LOTS 15, 16 AND 17,
BLOCK B, AS RECORDED IN PB 9-52 OF THE PUBLIC
RECORDS OF MIAMI-DADE COUNTY, FLORIDA
FOLIO NO. 19 1235 002 0460

ADDRESS:

317 OCEAN BOULEVARD
GOLDEN BEACH, FL 33160

WHEREAS, a public hearing of the Town Council of the Town of Golden Beach, Florida 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 Variance is 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, FLORIDA, AS FOLLOWS:

Section 1. That the requested Variance is hereby approved as follows: To permit relief from Town Code Section 66-69 (9), to allow a staircase with a roof height of 32'0" in lieu of the 30'0" maximum height allowed by the Code.

Section 2. 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 the variance is approved.
- (b) The applicant shall record a certified copy of this resolution in the Public Records of Miami-Dade County, Florida.

Section 3. The Building & Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Town of Golden Beach Building & 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. Severability. That the provisions of this Resolution are declared to be severable and if any section, sentence, clause or phrase of this Resolution shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clauses, sentences and phrases of this Resolution but they shall remain in effect, notwithstanding the invalidity of any part.

Section 6. Conflict. That all resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.


Section 7. Effective Date. That this Resolution shall become effective immediately upon approval of the Town Council.

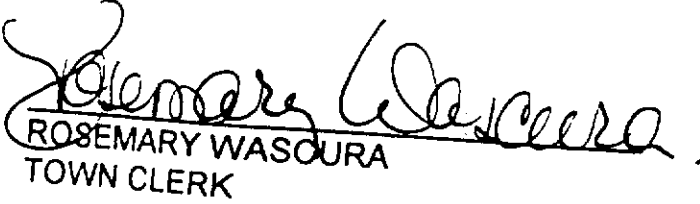
The Motion to adopt the foregoing Resolution was offered by Councilman Einstein, seconded by Mayor Addicott and on roll call the following vote ensued:

Mayor Addicott	<u>YES</u>
Vice Mayor Paruas	<u>YES</u>
Councilmember Chikovsky	<u>YES</u>
Councilmember Einstein	<u>YES</u>
Councilmember Feinman	<u>YES</u>

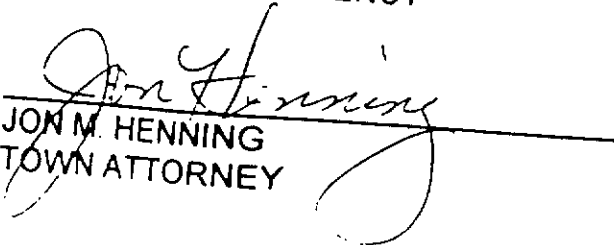
PASSED AND ADOPTED by the Town Council of the Town of Golden Beach this 16TH day of MARCH, 1999.

ATTEST:


MAYOR MICHAEL ADDICOTT


ROSEMARY WASOURA
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


JON M. HENNING
TOWN ATTORNEY