

**TOWN OF GOLDEN BEACH  
RESOLUTION NO. 1163.99**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA; GRANTING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 307 OCEAN BOULEVARD, GOLDEN BEACH, FLORIDA, SECTION "B", LOTS 18 AND 19, BLOCK B, AS RECORDED IN PB 9-52 OF THE PUBLIC RECORDS OF MIAMI - DADE COUNTY; REQUESTING RELIEF FROM TOWN CODE SECTION 66-69(9), *MINIMUM FRONTAGE, BUILDING SQUARE FOOTAGE AND HEIGHT OF RESIDENCE*, TO PERMIT A PORTION OF A NEW TWO-STORY RESIDENCE TO HAVE A HEIGHT OF THIRTY-TWO FEET (32') IN LIEU OF THE THIRTY FEET (30') ALLOWED BY CODE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Alberto Franco has applied for the following:

A variance requesting relief from Town Code section 66-69(9), *Minimum Frontage, Building Square Footage and Height of Residence*, to permit a portion of a new two-story residence to have a height of thirty-two feet (32') in lieu of the thirty feet (30') allowed by code.

SUBJECT PROPERTY:

GOLDEN BEACH SECTION "B", LOTS 18 AND 19, BLOCK B, AS RECORDED IN PB 9-52 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.  
FOLIO NO. 19 1235-002-0490;

ADDRESS:

307 OCEAN BOULEVARD,  
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 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:

**Section 1.** That the requested variance is hereby approved as follows: Relief from Town Code Section 66-69(9), *Minimum Frontage, Building Square Footage and Height of Residence*, to permit a portion of a new two-story residence to have a height of thirty-two feet (32') in lieu of the thirty feet (30') permitted by 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 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.

(b). The applicant shall record a certified copy of this resolution in the public records of Miami-Dade County.

(c) The dome shall be painted and maintained white in color.

(d) The footprint of the tower shall not exceed 18' x 18' (324 sq. ft.).

**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.

**Section 4. Conflict.** That all resolutions or parts of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.


**Section 5. Severability.** Should any provisions of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Resolution as a whole, or any part thereof, other than the part declared to be invalid.

**Section 6. Effective Date.** That this Resolution shall become effective upon approval of the Town Council.

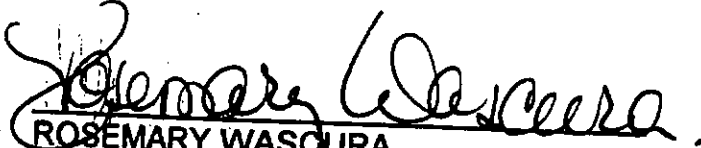
The Motion to adopt the foregoing Resolution was offered by Councilwoman Chikovsky, seconded by, Vice-Mayor Paruas and on roll call the following vote ensued:

Mayor Addicott	<u>aye</u>
Vice Mayor Paruas	<u>aye</u>
Councilwoman Chikovsky	<u>aye</u>
Councilman Einstein	<u>aye</u>
Councilman Feinman	<u>aye</u>

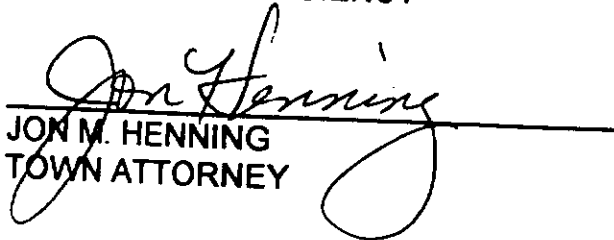
**PASSED AND ADOPTED** by the Mayor and Town Council of the Town of Golden Beach, Florida, this 20th day of April 1999.

  
MAYOR MICHAEL ADDICOTT

ATTEST:

  
ROSEMARY WASOURA  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
JON M. HENNING  
TOWN ATTORNEY