

TOWN OF GOLDEN BEACH  
RESOLUTION NO. 1172.99

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, GRANTING A VARIANCE FROM TOWN CODE 66-140, SETBACKS AREA- GENERALLY, TO MR. & MRS. IRA LAMPERT, FOR FIVE (5) TRELLISES AS DEPICTED IN EXTERIOR RENOVATION PLANS DATED APRIL 2, 1999, BY RALPH CHOEFF, ARCHITECT, FOR A RESIDENCE AT 125 OCEAN, GOLDEN BEACH, FLORIDA, LOT 6 AND THE SOUTH 25' OF LOT 7, BLOCK 'A', SECTION 'C', AS RECORDED IN PLAT BOOK 9 AT PAGE 52 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

WHEREAS, Mr. & Mrs. Ira Lampert have requested relief from Town Code 66-140 Setback Areas - Generally for five (5) trellises called for in exterior renovation plans dated April 2, 1999, by Ralph Choeff, Architect.

SUBJECT PROPERTY:

GOLDEN BEACH, BLOCK 'A', SECTION C, LOT 6 & S 25' OF LOT 7, AS RECORDED IN OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

FOLIO NO. 19 1235 003 0040

ADDRESS:

125 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 Variances are hereby approved as follows:

To permit relief from Town Code Section 66-140 to allow exterior renovation to include five (5) trellises. Trellises must conform to the following:

- (a) Trellises terminate no less than one foot (1') away from property line

- (b) Trellises shall never exceed the height of the adjacent party wall.
- (c) The trellises never are more than 7 ½ feet above the ground, which would not be higher than the neighbor's adjacent wall.

Section 2.  
conditions:

That the application, as approved, is subject to the following

- (a) The applicant shall record a certified copy of this Resolution in the Public Records of Miami-Dade County, Florida.
- (b) A Building Permit for work where the Variance has been granted must be obtained within two (2) years from the date of the Variance approval. If no Building Permit is issued within the next two years (2) time limit, then the Variance approval will be null and void.

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 That all resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

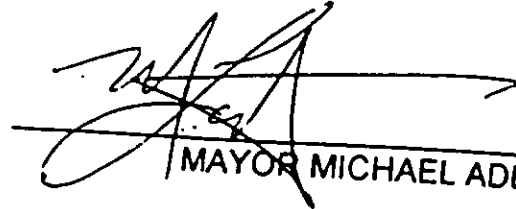
Section 6. Effective Date. That this Resolution shall become effective immediately upon approval of the Town Council.

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

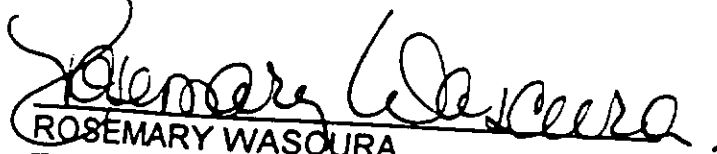
Mayor Addicott  
Vice Mayor Paruas  
Councilmember Chikovsky  
Councilmember Einstein  
Councilmember Feinman

AYE  
AYE  
AYE --  
ABSENT  
AYE

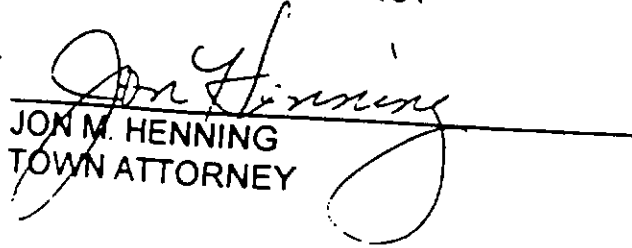
PASSED AND ADOPTED by the Town Council of the Town of Golden Beach this 15TH day of JUNE, 1999.

  
MAYOR MICHAEL ADDICOTT

ATTEST:

  
ROSEMARY WASOURA  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
JON M. HENNING  
TOWN ATTORNEY