

TOWN OF GOLDEN BEACH
RESOLUTION NO. 1180.99

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA; GRANTING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 405 CENTER ISLAND, GOLDEN BEACH, FLORIDA, SECTION "E", LOTS 24 & 25, BLOCK L, AS RECORDED IN PB 8-122 OF THE PUBLIC RECORDS OF MIAMI - DADE COUNTY; REQUESTING RELIEF FROM TOWN CODE SECTION 46-85, TO PERMIT CONSTRUCTION OF A DOCK TO EXTEND 14.90 FEET FROM THE PROPERTY LINE; IN LIEU OF THE 10 FEET REQUIRED BY CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

CERTIFICATION

certify this to be a true and correct copy of the record in Town Hall files.
WITNESSETH my hand and official seal of the Town of Golden Beach, Florida, this 21st day of September, 1977.

WHEREAS, Barry and Shoshoshana Shelomovitz have applied for the following:

A variance requesting relief from Town Code section 46-85, to permit construction of a dock to extend 14.90 feet from the property line; In lieu of the 10 feet required by the code.

SUBJECT PROPERTY:

GOLDEN BEACH SECTION "E", LOTS 24 AND 25, BLOCK L, AS RECORDED IN PB 8-122 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
FOLIO NO. 19 1235-005-1070;

ADDRESS:

405 CENTER ISLAND,
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 applicants.

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

Section 1. That the above stated Preambles are true and correct and are hereby adopted as part of this Resolution.

Section 2. That the requested variance is hereby approved as follows: Relief from Town Code section 46-85, to permit construction of a dock to extend 14.90 feet from the property line; In lieu of the 10 feet required by the 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.

(b). If at any time on or before August 17, 2019 (20 years after adoption of the Resolution) the Town determines, based upon bona fide architectural or engineering plans that the protrusion of the additional 4.9 feet of dock surface into the Intracoastal Waterway, authorized by this Resolution, is an interference with the design or use of the Town's adjacent waterfront property on Center Island, then the Applicants or their successors in title shall remove the 4.9 feet of dock surface and encroaching structure at no expense to the town.

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

Section 4. 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 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. Severability. Should any provisions of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the

CERTIFICATION

2 certify this to be a true and correct copy of the record in Town Hall files.
WITNESSETH my hand and official seal of the Town of Golden Beach, Florida, this 21st day of September 2019.

validity of the Resolution as a whole, or any part thereof, other than the part declared to be invalid.


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

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

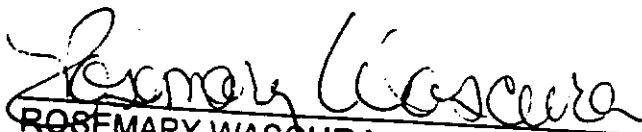
Mayor Addicott
Vice Mayor Paruas
Councilwoman Chikovsky
Councilman Einstein
Councilman Feinman

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PASSED AND ADOPTED by the Mayor and Town Council of the Town of Golden Beach, Florida, this 17th, day of August 1999.


MAYOR MICHAEL ADDICOTT

ATTEST:

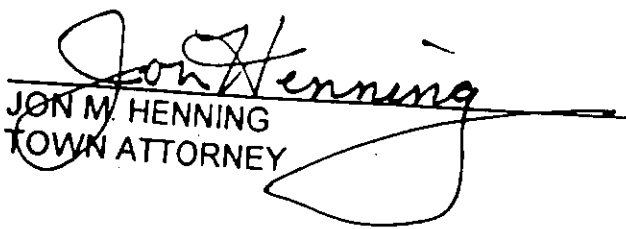

ROSEMARY WASCURA
TOWN CLERK

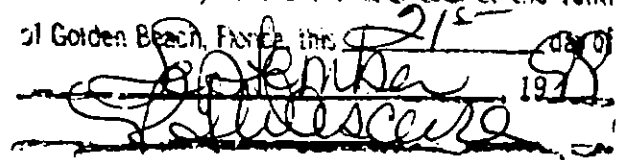
CERTIFICATION

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

certify this to be a true and correct copy of the record in Town Hall files.

WITNESSETH my hand and official seal of the Town of Golden Beach, Florida, this 21st day of


JON M. HENNING
TOWN ATTORNEY


1999

CONSENT OF OWNERS

Barry Shelomovitz and Shoshana Shelomovitz (husband & wife) on behalf of themselves, their successors and assigns, do hereby consent to the terms and conditions of this Resolution which grants a variance for a dock for the subject property. Applicants acknowledge that they have had the benefit of legal counsel in this matter and they understand and agree to the conditions of approval as contained in this Resolution.

Barry Shelomovitz
Barry Shelomovitz

Shoshana Shelomovitz
Shoshana Shelomovitz

FRIDA POZNANSKI
Witness

ANDREW TARC
Witness

STATE OF FLORIDA)
)SS
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 3rd day of September, 1999, by Barry Shelomovitz and Shoshana Shelomovitz, who are personally known to me, or who have produced _____ as identification, and who did/did not take an oath.

FRIDA POZNANSKI
Notary Public, State of Florida

Print Notary Name: FRIDA POZNANSKI

My Commission Expires:

