

TOWN OF GOLDEN BEACH
RESOLUTION NO. 1203.99

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA; GRANTING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 165 OCEAN BOULEVARD, GOLDEN BEACH, FLORIDA, SECTION "C", LOTS 14 & N ½ LOT 13, BLOCK A, AS RECORDED IN PB 9-52 OF THE PUBLIC RECORDS OF MIAMI - DADE COUNTY; REQUESTING RELIEF FROM TOWN CODE SECTION 66-186(A), TO PERMIT CONSTRUCTION OF A NEW FRONT ENTRANCE GATE, COLUMNS, AND FENCE AT A HEIGHT OF 5 FEET, 6 INCHES OVER THE SITE ELEVATION (OR 17.00 N.G.V.D.); IN LIEU OF THE 6 FEET MAXIMUM HEIGHT, OVER THE CROWN OF THE ROAD ELEVATION REQUIRED BY CODE (OR 15.52 N.G.V.D.); RESULTING IN A REQUEST FOR 7.48 FEET (17.00 NGVD) TOTAL HEIGHT OR A 1.48 OVER THE CROWN OF THE ROAD ELEVATION FEET VARIANCE REQUEST; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Arey and Raquel Rubin have applied for the following:

A variance requesting relief from Town Code section 66-186(a), to permit a new front entrance gate, columns and fence at a height of 5 feet 6 inches, in lieu of the 6 feet 0 inches maximum over the crown of the road elevation required by the code; resulting in a variance of 1.48 feet and a total height of 7.48 feet over the crown of the road elevation.

SUBJECT PROPERTY:

GOLDEN BEACH SECTION "C", LOT 14 & N ½
OF LOT 13, BLOCK A, AS RECORDED IN PB 9-
52 OF THE PUBLIC RECORDS OF MIAMI-DADE
COUNTY, FLORIDA.
FOLIO NO. 19 1235-003-0110;

ADDRESS:

165 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 66-186(a), to permit a new front entrance gate, columns and fence at a height of 5 feet 6 inches over the site elevation (or 17.00 N.G.V.D.), in lieu of the 6 feet 0 inches maximum height over the crown of the road elevation required by code (or 15.52 N.G.V.D.) resulting in a variance of 1.48 feet or a total height of 7.48 over the crown of the road.

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.

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.

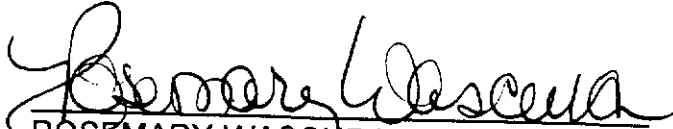
The Motion to adopt the foregoing Resolution was offered by Council member Chikovsky, seconded by, Council member Einstein and on roll call the following vote ensued:

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>

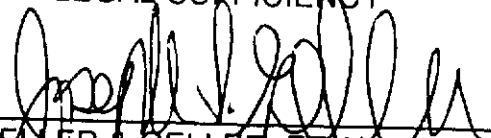
PASSED AND ADOPTED by the Mayor and Town Council of the Town of Golden Beach, Florida, this 21st day of September 1999.


MAYOR MICHAEL ADDICOTT

ATTEST:


ROSEMARY WASCURA
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


GELLER & GELLER, ET AL,
TOWN ATTORNEY