

TOWN OF GOLDEN BEACH  
RESOLUTION NO. 1214.00

A RESOLUTION OF THE TOWN COUNCIL OF GOLDEN BEACH FLORIDA; GRANTING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 698 NORTH ISLAND DRIVE, GOLDEN BEACH, FLORIDA, SECTION "F", LOT 46 LESS N 30 FEET AND LOT 47, BLOCK M, AS RECORDED IN PB 10-11 OF THE PUBLIC RECORDS OF MIAMI - DADE COUNTY; REQUESTING RELIEF FROM TOWN CODE SECTION 66-237, (6), POOLS IN SETBACK AREAS; REQUIRING 10 FEET FROM WATERWAYS, REQUEST IS FOR 8 FEET, 8 INCHES FROM SIDE PROPERTY LINE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Beny and Marta Rub have applied for the following:

A variance requesting relief from Town Code section 66-237, (6), Pools in Setback Areas, Requiring 10 feet from waterways;

WHEREAS, request is made for a setback of 8 feet 8 inches from side property line.

SUBJECT PROPERTY:

GOLDEN BEACH SECTION "F", LOT 46 LESS N 30 FEET & LOT 47, BLOCK M, AS RECORDED IN PB 10-11 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.  
FOLIO NO. 19 1235-006-1160;

ADDRESS:

698 NORTH 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 were given an opportunity to be heard, and

WHEREAS, upon due and proper consideration, This Town Council has determined that the requested variance is not contrary to the 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 66-237, (6), Pools in Setback Areas, Requiring 10 feet from waterways; Whereas, a variance is granted to permit a setback of 8 feet 8 inches from side property line.

**Section 2.** That the application as approved, is subject to the following conditions:

(a). A Building Permit for the contemplated work pursuant to the Variance must be obtained within two (2) years from the date of this Resolution. 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.

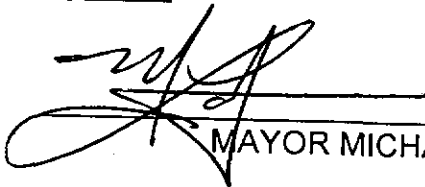
**Section 5. Severability.** Should any provisions of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Resolution as a whole, or any part thereof, other than the part declared to be invalid.

**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 Councilman Einstein, seconded by, Councilman Feinman 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>

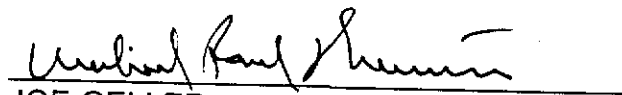
**PASSED AND ADOPTED** by the Mayor and Town Council of the Town of Golden Beach, Florida, this 18<sup>th</sup>, day of January 2000.

  
MAYOR MICHAEL ADDICOTT

ATTEST:

  
ROSEMARY WASCURA  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
JOE GELLER  
TOWN ATTORNEY