

**TOWN OF GOLDEN BEACH
RESOLUTION NO. 1222.00**

A RESOLUTION OF THE TOWN COUNCIL OF GOLDEN BEACH FLORIDA; GRANTING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 255 GOLDEN BEACH DRIVE, GOLDEN BEACH, FLORIDA, SECTION "D", LOT 29, BLOCK 5, AS RECORDED IN PB 10-10 OF THE PUBLIC RECORDS OF MIAMI - DADE COUNTY; REQUESTING RELIEF FROM TOWN CODE SECTION 66-138(B), FRONT SETBACK; ALLOWING A FRONT SETBACK OF 21 FEET 6 INCHES FROM THE EAST LOT LINE IN LIEU OF THE 35 FEET REQUIRED BY THE CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Stephen Bermingham has applied for the following:

A variance requesting relief from Town Code section 66-138(B), front setback / no building or part thereof can be nearer than 35' from the east lot line. Whereas request is made for 21 feet 6 inches from east lot line for an addition of a front porch.

SUBJECT PROPERTY:

**GOLDEN BEACH SECTION "D", LOT 29,
BLOCK 5, AS RECORDED IN PB 10-10 OF THE
PUBLIC RECORDS OF MIAMI-DADE COUNTY,
FLORIDA.
FOLIO NO. 19- 1235-004-0930**

ADDRESS:

**255 GOLDEN BEACH DRIVE
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 66-138, front setback, no building or part thereof can be nearer than 35' from the east lot line. Whereas request is made for 21 feet 6 inches from the east lot line for an addition of a front porch.

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, Mayor Addicott seconded by, Councilwoman Chikovsky and on roll call the following vote ensued:

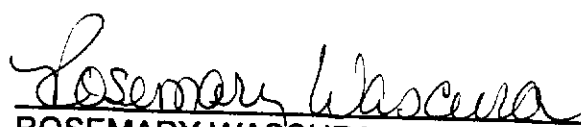
Mayor Addicott	<u>AYE</u>
Vice Mayor Feinman	<u>AYE</u>
Councilwoman Chikovsky	<u>AYE</u>
Councilman Einstein	<u>AYE</u>
Councilman Paruas	<u>AYE</u>

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Golden Beach, Florida, this 21st day of March 2000.



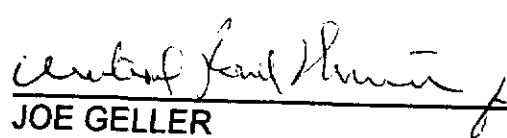
MAYOR MICHAEL ADDICOTT

ATTEST:



ROSEMARY WASCURA
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



JOE GELLER
TOWN ATTORNEY