

**TOWN OF GOLDEN BEACH
RESOLUTION NO. 1236.00**

A RESOLUTION OF THE TOWN COUNCIL OF GOLDEN BEACH FLORIDA; GRANTING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 500 NORTH PARKWAY, GOLDEN BEACH, FLORIDA, LOT 25 AND 26, BLOCK F, GB SECTION F, AS RECORDED IN PB 8-122 OF THE PUBLIC RECORDS OF MIAMI - DADE COUNTY; REQUESTING RELIEF FROM TOWN CODE SECTION 66-69 (9). RESIDENTIAL STRUCTURES BUILT IN THE TOWN SHALL NOT EXCEED 30 FEET IN HEIGHT IF BUILT ON 100-FOOT FRONTAGE OR LARGER PARCEL OR LOTS. ALL HEIGHT MEASUREMENT S REFERENCED IN THIS SUBSECTION SHALL BE MEASURED FROM THE LOWEST HABITABLE ROOM FINISHED FIRST FLOOR ELEVATION (EXCLUDING GARAGES) TO THE HIGHEST RIDGE OF THE ROOF. THE HEIGHT SHALL BE MEASURED FROM THE LOWEST HABITABLE FINISHED FLOOR; ALLOWING FOR THE CHIMNEY TO PROJECT TO A HEIGHT OF 37 FEET TO THE TOP OF THE ROOF RIDGE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Gary and Carolyn Bodzin have applied for the following:

A variance requesting relief from Town Code section 66-69(9) to allow the height of the chimney to project to a height of 37 feet instead of the 30 foot maximum measured to the top of the roof ridge.

SUBJECT PROPERTY:

**GOLDEN BEACH SECTION "F", LOT 25 AND 26,
BLOCK F, AS RECORDED IN PB 8-122 OF THE
PUBLIC RECORDS OF MIAMI-DADE COUNTY,
FLORIDA.
FOLIO NO. 19- 1235-006-0780**

ADDRESS:

**500 NORTH PARKWAY
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 66-69 (9). To allow the chimney to project to a height of 37 feet measured from the top of the roof ridge instead of the 30 foot maximum height.

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, Councilman Einstein seconded by, Councilman Paruas and on roll call the following vote ensued:

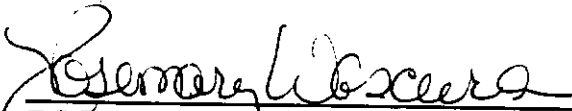
Mayor Addicott	<u>ABSENT</u>
Vice Mayor Feinman	<u>AYE</u>
Councilwoman Chikovsky	<u>AYE</u>
Councilman Einstein	<u>AYE</u>
Councilman Paruas	<u>AYE</u>

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Golden Beach, Florida, this 18 th day of April 2000.



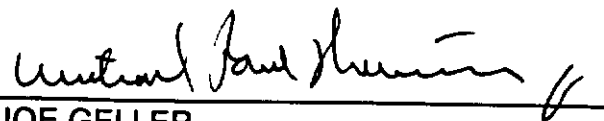
MAYOR MICHAEL ADDICOTT

ATTEST:



ROSEMARY WASCURA
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



JOE GELLER
TOWN ATTORNEY