TOWN OF GOLDEN BEACH RESOLUTION NO.1246.00

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA DETERMINING THAT THE OWNER OF THE PROPERTY LOCATED 495 CENTER ISLAND DRIVE, GOLDEN BEACH, FLORIDA, GB SECTION "E", LOTS 1&2, BLOCK L, AS RECORDED IN PB 8-122 OF THE PUBLIC RECORDS OF MIAMI - DADE COUNTY HAS VESTED RIGHTS TO ALLOW A 7.5 FEET EXTENSION OF AN EXISTING DOCK INTO AN INSIDE WATERWAY IN LIEU OF THE 6 FEET REQUIRED BY CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Edward Nakhamkin has applied for the following:

A variance requesting relief from Town Code section 46-86, to allow a 7.5 feet extension into an inside waterway in lieu of the 6 feet required by code.

SUBJECT PROPERTY:

GOLDEN BEACH SECTION "E", LOTS 1 AND 2, BLOCK L, AS RECORDED IN PB 8-122 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

FOLIO NO. 19 1235-005-0900;

ADDRESS:

495 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 owner of the subject property has vested rights to allow the existing structure;

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

Section 1. The Town Council hereby determines that the owner of the subject property has vested rights to allow a 7.5 feet extension of an existing dock into an inside waterway in lieu of the 6 feet required by code.

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.
- <u>Section 5.</u> 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	AYE
Vice Mayor Feinman	AYE
Councilwoman Chikovsky	AYE
Councilman Einstein	AYE
Councilman Paruas	AYE

PASSED AND ADOPTED by the Mayor and Town Council of the Town of

Golden Beach, Florida, this 15th day of AUGUST, 2000.

ATTEST:

INTERIM TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

TOWN ATTORNEY

OR MICHAEL ADDICOTT