

**TOWN OF GOLDEN BEACH
RESOLUTION NO. 1252.00**

A RESOLUTION OF THE TOWN COUNCIL OF GOLDEN BEACH FLORIDA DETERMINING THAT THE OWNER OF THE PROPERTY LOCATED AT 500 NORTH ISLAND DRIVE, GOLDEN BEACH, FLORIDA, LOT 1 AND 2, BLOCK M, GB SECTION F, AS RECORDED IN PB 10-11 OF THE PUBLIC RECORDS OF MIAMI - DADE COUNTY HAS VESTED RIGHTS FOR RELIEF FROM TOWN CODE SECTION 66-136 TO ALLOW AN EXISTING SIDE STRUCTURE SETBACK STRUCTURE SETBACK OF 9.9 FEET IN LIEU OF 10 FEET REQUIRED BY CODE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Eli and Miriam Levy have applied for the following:

A variance requesting relief from Town Code section 66-136, to allow an existing side structure setback of 9.9 feet side setback, in lieu of the 10 feet required by code.

SUBJECT PROPERTY:

**GOLDEN BEACH SECTION "F", LOTS 1 AND 2,,
BLOCK M, AS RECORDED IN PB 10-11 OF THE
PUBLIC RECORDS OF MIAMI-DADE COUNTY,
FLORIDA.
FOLIO NO. 19- 1235-006-0790**

ADDRESS:

**500 NORTH ISLAND 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 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 an existing side structure setback of 9.9 feet in lieu of 10 feet required by the 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.

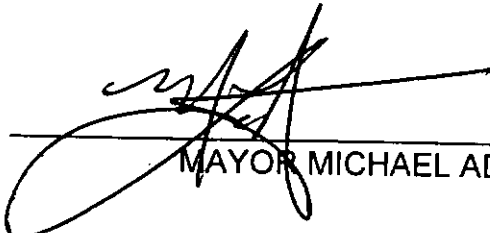
Section 5. Severability. Should any provisions of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Resolution as a whole, or any part thereof, other than the part declared to be invalid.

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, Mayor Addicott and on roll call the following vote ensued:

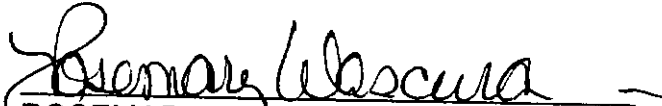
Mayor Addicott	<u>AYE</u>
Vice Mayor Feinman	<u>AYE</u>
Councilwoman Chikovsky	<u>AYE</u>
Councilman Einstein	<u>AYE</u>
Councilman Paruas	<u>AYE</u>

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Golden Beach, Florida, this 15 th day of August 2000.



MAYOR MICHAEL ADDICOTT

ATTEST:



ROSEMARY WASCURA
INTERIM TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



ROSEN AND KREILING
TOWN ATTORNEY