

**GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 1744.05**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THREE VARIANCE REQUESTS FOR THE PROPERTY LOCATED AT 304 SOUTH PARKWAY, GOLDEN BEACH, FLORIDA 33160 TO PERMIT A SECOND TO FIRST FLOOR AREA RATIO OF 69.75%, TO PERMIT A REAR YARD SETBACK OF 32'-3", AND TO PERMIT A REAR YARD SETBACK OF 31'-0"; PROVIDING FOR CONDITIONS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the applicants, Josef and Deborah Yosifove (the "Applicant"), filed a Petition for Variance from Sections 66-69(3) and 66-139 of the Town Code to permit a second to first floor area ratio of 69.75%, to permit a rear yard setback of 32'-3" for the family room area, and to permit a rear yard setback of 31'-0" for the spiral staircase on the property located 304 South Parkway, Golden Beach, Florida 33160 (the "Property") legally described as follows:

Golden Beach Section "E", Lot 29, Block G, as recorded in PB 8-122, of the Public Records of Miami-Dade County  
Folio No. 19-1235-005-0570

**WHEREAS**, the Town's Building Regulation Advisory Board held an advertised public hearing on the Petition for Variance and recommended approval of the variances by the Town Council; and

**WHEREAS**, a public hearing of the Town Council was advertised and held, as required by law, and all interested parties were given an opportunity to be heard; and

**WHEREAS**, the Town Council having considered the evidence presented, finds that the Petition for Variance meets the criteria of the applicable codes and ordinances to the extent the application is granted herein.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

**Section 1.**     **Recitals Adopted.** That each of the above-stated recitals is hereby adopted and confirmed.

**Section 2.**     **Approval.** The Petition for Variance to permit each of the requested variances is hereby granted.

**Section 3.**     **Conditions.** The Petition for Variance as granted, is subject to the following conditions:

- (1) Applicant shall record certified copy of this Resolution in the public records of Miami-Dade County; and
- (2) Construction shall be completed substantially in accordance with those certain plans entitled Yosifove 304 S. Parkway, as prepared by Jaya Kader Zebede, AIA., dated August 23, 2005, and containing 9 pages; and
- (3) A Building Permit for the contemplated work pursuant to the Petition for Variance must be obtained within one (1) year from the date of this Resolution. If no Building Permit is issued within the one (1) year time limit, then the Variance approval shall be null and void.

**Section 4.**     **Implementation.** That 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.

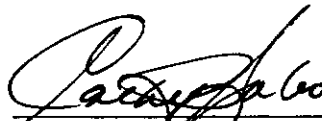
**Section 5.** **Effective Date.** That this Resolution shall be effective immediately upon adoption.

The Motion to adopt the foregoing Resolution was offered by Councilmember Einstein, seconded by Mayor Singer and on roll call the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Lusskin	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Iglesias	<u>Aye</u>

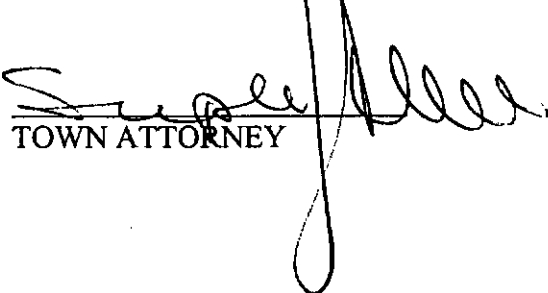
PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida,  
this 18<sup>th</sup> day of October, 2005.

ATTEST:

  
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CATHY STABO, CMC  
TOWN CLERK

  
\_\_\_\_\_  
MAYOR, GLENN SINGER

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
TOWN ATTORNEY