

**GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 1750.05**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 526 NORTH PARKWAY STREET, GOLDEN BEACH, FLORIDA 33160 TO PERMIT AN ENCROACHMENT INTO THE REAR SETBACK AREA OF 1'-8"; PROVIDING FOR CONDITIONS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the applicants, Rolando and Ana Garcia (the "Applicant"), filed a Petition for Variance from Section 66-141 of the Town Code to permit the rear circular staircase overhang on the property located 526 North Parkway Street, Golden Beach, Florida 33160 (Golden Beach Section "F", Lot 18, Block F, as recorded in PB 10-11, of the Public Records of Miami-Dade County, Folio No. 19-1235-006-0720) (the "Property") to encroach into the rear setback area 1'-8"; and

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

**Resolution No. 1750.05**

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

**Section 2. Approval.** The Petition for Variance 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 M/M Garcia Residence, as prepared by Jorge L. Esteban, dated January 14, 2002, and containing pages A1 – A5.

**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 Iglesias, seconded by Vice Mayor Lusskin and on roll call the following vote ensued:

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

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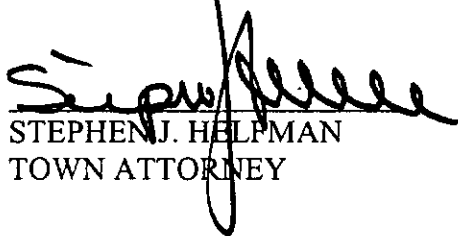
PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida,  
this 15 day of November, 2005.

ATTEST:

  
CATHY SABO, CMC  
TOWN CLERK

  
MAYOR GLENN SINGER

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
STEPHEN J. HELPMAN  
TOWN ATTORNEY