

GOLDEN BEACH, FLORIDA

RESOLUTION NO. 1823.06

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING A PREVIOUSLY GRANTED VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 520 NORTH PARKWAY, GOLDEN BEACH, FLORIDA 33160 TO PERMIT ENCLOSURE OF 182 SQ FEET OF THE SECOND FLOOR AREA TO ENCROACH INTO THE SIDE YARD SETBACK AT 7.75', WHERE A PREVIOUS SIDE YARD SETBACK WAS GRANTED FOR THE FIRST FLOOR AREA, IN LIEU OF THE 10' REQUIRED BY CODE; PROVIDING FOR CONDITIONS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicants, Musa E. and Poli Newman Milhem (the "Applicants"), filed a Petition for Variance from Section 66-136 of the Town Code to allow a second story addition over the northeast corner of residence located 520 North Parkway, Golden Beach, Florida 33160 (Golden Beach Section "E", Lot 20, Block E, as recorded in PB 10-11, of the Public Records of Miami-Dade County, Folio No. 19-1235-006-0740) (the "Property") to encroach 7.75 feet into the side line of the, where a previous side yard setback variance for the first floor had been granted, in lieu of the 10 feet required by Code; 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:

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

Section 2. Approval/Denial. 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 a 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 Revision 2, as prepared by Ames Design International, Shane Ames, dated May 24, 2006, and containing pages 00,01,04, & 05.

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.

Sponsored by Town Administration.

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


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

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida,
this 12th day of December, 2006.

ATTEST:



MAYOR GLENN SINGER



BONILYN WILBANKS-FREE
TOWN MANAGER

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



TOWN ATTORNEY

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