

TOWN OF GOLDEN BEACH COMMUNITY DEVELOPMENT MEMORANDUM

To: Building Regulatory Advisory Board
Town of Golden Beach

From: Michael J. Miller, AICP *MJM*
Consultant Town Planner

Date: December 19th, 2018

Subject: Zoning Variance Application
Architectural Projection – Front Elevation of House
616 North Island Drive
Lot 28 and south 30 feet of Lot 29, Block M, Section F
MMPA Acct. No.: 04-0101-0513

ISSUE

The applicant, Daniel Sorogon, as agent for the property owner Flavio & Juliana Schmeil / FGAS 1980 LLC, has submitted an application with the Town for a variance for the new single-family home now under construction at 616 North Island Drive. The request is for one (1) variance related to the building front setback for an architectural embellishment; a decorative aluminum grill that projects 6" off the second story of the front of the home. The BRAB approved the architectural feature in September 2017 and the Town subsequently issued permits for its construction. At that time a series of Code amendment was proposed – one of which would allow such features; however, the formal Code amendment for this specific issue was delayed – it is now moving forward for consideration. It was believed the Code amendment would be adopted prior to the installation of the architectural feature. If the Code amendment is adopted as drafted no variance would be necessary. However, if the Town does not adopt the Code amendment a variance would be required, as the now installed feature projects into the front setback.

The following is the applicant's request:

- Variance from §66-69.3(f) for the required 35' front setback to 34.5' for an architectural embellishment - a decorative aluminum grill that projects 6 inches off the second story of the front of the home.

ANALYSIS

As per the Town's request MMPA has completed our review of the above referenced variance application request and provide the following comments for consideration:

- 1) Variance from §66-69.3(f) to allow a 6" architectural projection to be installed 34.5' from the front property line as opposed to the required 35' front setback.

The BRAB approved this modification to the front elevation at the upper right corner of the concrete façade in September 2017. The total size of the aluminum grill is 16'-3" in height and 24'-10" in length and is composed of varying shapes / sizes of aluminum tubes ranging from 1" to 4" in width, surrounded with a 4" frame. At that time, MMPA had prepared and provided the Town with a draft ordinance to amend the Land Development Regulations to allow such features; however, the ordinance was not brought forward as a priority. So, although the applicant submitted an application to the BRAB and it was approved, and a building permit was issued, and the improvement installed, it does not comply with the current Town Code and requires a variance to remain.

NON-USE VARIANCE JUSTIFICATION

- 1) *The variance requested is for relief from the provisions of the Town Code.*

The applicant seeks relief from §66-69.3(f) of the Town's Code of Ordinances which is related to the front setback of building.

- 2) *Special conditions and circumstances exist which are peculiar to the land or structure involved, and which are not applicable to other lands or structures in the same district.*

This is a typical rectilinear property with no unique characteristics.

- 3) *The special conditions and circumstances do not result from the actions of the applicant.*

The architectural projection is a design choice made by the applicant. The applicant followed the process to have the architectural projection approved. It was presumed the Code amendment would have been approved more timely before the feature was installed. As the Code is not yet amended it is technically not permitted by the Code.

- 4) *Granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Chapter of the Town Code to other lands or structures in the same district.*

Approval of the applicant's request would, in our opinion, grant them the ability to construct this home unlike others in the area. However, the 6" encroachment into the front setback is minor, is only on the second story, and was approved by the Town presuming the Code would be modified prior to its installation. Currently few yard encroachments are allowed - typically Codes allow minor architectural projections, sometimes balconies, eyebrows, and eaves to project in to setbacks much further. Again, a draft ordinance to allow such projections to be permitted is now being processed.

- 5) *Literal interpretations of the provisions of the Zoning Chapter of the Town Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of zoning regulations and would work unnecessary and undue hardship on the applicant.*

Without the variance the applicant could construct a new home that meets the Town's Code; however, in all fairness the applicant filed for an application to allow this architectural projection, building permits were issued, it was constructed, and to remove it from the home would negatively affect the new construction appearance.

- 6) *The variance granted is the minimum variance that will make possible the reasonable use of the land or structure.*

The variance of a 6" deviation in the front setback on the second story would be the minimum needed to allow it to remain. It is such a small deviation and given the circumstances as to how it came to be installed it would be reasonable to allow it to remain.

- 7) *The granting of the variance will be in harmony with the general intent and purpose of the Town Code and the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

One of the intents of Zoning Codes and other Land Development Regulations (LDRs) is to balance the interest of the general welfare of the Town and that of individual property owners. The applicant submitted an application to the BRAB to install this feature, it was approved, a building permit was issued, and the improvement was installed. Our records reveal the Town was aware of the Code conflict and believed a Code amendment was imminent that would allow the architectural feature. Our records reveal the Town was trying to accommodate the developer / owner as the Code was being amended – unfortunately this Code amendment was delayed. Architectural projections are typically allowed by Codes to allow more creativity in design of homes, and an ordinance to allow such features is now in process again. In our view allowing this architectural projection to remain does not pose any harm or detriment to the Town.

SUMMARY

MMPA was requested to review and comment on the requested variance related to an installed architectural projection. Due to circumstances beyond the applicant's control the feature was installed with a permit but does not comply with the current Town's Code. It was anticipated that the Town's Code would be revised to allow it when the application was approved by the BRAB. The applicant filed an application specifically for this architectural feature which was approved by the BRAB and a building permit was issued by the Town. The architectural projection technically violates the front setback by 6". The Town Code allows other encroachments such as balconies, eyebrows, and eaves to project much further into front and other setbacks. In our opinion the requested deviation is minor and enhances the appearance of the structure. To require the owner to remove it after believing the approval process was being followed seems unfair and would negatively affect the appearance of the new structure by removing it. Given the above, MMPA supports approval of the requested variance.



TOWN OF GOLDEN BEACH Notice of Public Hearing

The **Building Regulation Board** and the **Town Council** of the Town of Golden Beach will hold a Public hearing on the following proposal:

 X Variance Request(s)
 New Residential Structure

New home under construction

Variance request from Town Code 66-69.3 - Zone Three; (f) Front Yard Setbacks: No building or part thereof, including garages, shall be erected closer than 35 feet to the front lot line.

Request is to allow a 6" architectural projection to be installed at 34.5' from the front property line instead of the 35' front setback required by the Town's code.

JOB ADDRESS: 616 North Island Drive, Golden Beach, FL. 33160
OWNER ADDRESS: 801 Brickell Avenue, #1610, Miami, FL. 33131
REQUESTED BY: FGAS 1980 LLC
LEGAL DESCRIPTION: Lot 28 & S 30' of Lot 29, Block M, GB Section F, PB 10-11
FOLIO NO.: 19-1235-006-1010

The **BUILDING ADVISORY BOARD** will consider this item:

PLACE: GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL
DATE: January 8, 2019 at 6:00pm

The **TOWN COUNCIL** will consider this item:

PLACE: GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL.
January 22, 2019 at 7:00pm

If you wish to submit written comments for consideration, they should be submitted to the Office of the Golden Beach Town Manager, prior to the scheduled meeting. If you have any questions regarding the proposed action, you may contact the Building Department at (305) 932-0744

DATED: December 21, 2018


Linda Epperson-Director, Building & Zoning

PURSUANT TO FLA. STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COUNCIL, BOARD OR COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. ANY INDIVIDUAL WHO BELIEVES HE OR SHE HAS A DISABILITY WHICH REQUIRES A REASONABLE ACCOMMODATION IN ORDER TO PARTICIPATE FULLY AND EFFECTIVELY IN A MEETING OF THE BUILDING REGULATION BOARD MUST SO NOTIFY THE TOWN CLERK, AT (305) 932-0744 AT LEAST 24 HOURS PRIOR TO THE DATE OF THE MEETING.

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD MEETING/HEARING

Property Location: 616 North Island Dr Meeting Date: JAN. 8, 2019
Variance Hearing Dates: Advisory Board X Town Council _____

APPROVAL FROM THE BUILDING REGULATION ADVISORY BOARD IS REQUIRED FOR:

- A. Plans for new residence
- ☒ B. Plans for addition to or exterior alterations of an existing structure.
- C. Additional structures on premises of existing residences
- D. Review of landscape plan for new construction, renovation or addition to existing residence.
- ☒ E. Recommendation to Town Council for the approval or denial of variances and special exceptions.
- F. Recommendation to Town Council for interpretation regarding Town of Golden Beach Building Regulation, Advisory Board inconsistencies in the zoning provisions in Chapters 46 & 66 Hearing Date

APPLICATION HEARING PROCESS

JAN 08 2019

Building Approval:

Applicant submit 8 complete packages for approval: each package shall consist of an application, survey, warranty deed and drawings as required. The plans shall be sized as follows: 7 sets; 11" x 17", 1 full size set and 1 CD containing all drawings marked with the address. Separate from the landscaping plan submittal

Landscape Approval:

Applicant submit, separate from the Building application, 8 complete packages for approval. Each package shall consist of an application, existing landscape survey, and drawings as required. The plans shall be sized as follows: 7 sets; 11 x 17, 1 full size set and 1 CD containing all drawings separate from the building plan submittal.

*** Zoning Variance Approval:**

Submittals for a zoning variance: submit 16 complete packages for approval: each package shall consist of an application, survey, warranty deed and drawings are required. The plans shall be sized as follows: 15 sets; 11" x 17", 1 full size set and 1 CD containing all drawings.

As directed by the Building Official or Building Director.

The Building Regulation Advisory Board (B.R.A.B.) meets at 6:00 P. M. on the second Tuesday of every month. Applications must be submitted 30 days prior to scheduled meeting, (**not including the day of the meeting**), by 2:00 P.M. that day to allow for preliminary review and for mailing of a public notice if a variance is requested.

Fees must be paid at time of application submittal.

Any variances required must be heard and approved by the Town Council after the Building Regulation Advisory Board has considered the item. The Variance will be heard by the Town Council, in the following month, (on the third Tuesday), after the Building Regulation Advisory Board's action, at the Town Council's regularly scheduled meeting.

Please see page 5 for required documents.

****NOTICE****

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. PLEASE MAKE SURE THAT YOU, THE APPLICANT, HAVE CHECKED AND MARKED ALL ITEMS ON PAGE 5. THANK YOU.

**TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
SCHEDULE OF FEES**

Appropriate fee shall be paid at time of application. These fees are not refundable.

<u>Type of request</u>	<u>Fee</u>
1. Residence (new construction).....	\$300.00
2. Addition/Remodel of existing structure.....	\$225.00
3. Fencing, site walls, driveways, pool decks (charged per each item included in the plans)	\$150.00
4. Accessory Building or Structure.....	\$150.00
5. Swimming pools.....	\$100.00
6. Docks.....	\$100.00
7. Boat Lifts.....	\$100.00
9. Carports, awnings.....	\$100.00
10. Landscape plan review; required for new construction, addition and remodeling project. (submit plans with site plan elevations separate from the building plan approval package)	\$300.00
11. Resubmissions, based on original fee paid...	75.0%
12. Zoning Variances and special exceptions, per variance or exception:	
a. First variance/ exception.	\$750.00
b. Per additional variance/exception, for the same initial variance (example: request for a dock, affecting two different codes)	\$200.00
c. When a variance is granted, the property owner, at his expense, shall have the resolution for the variance recorded in the public records of Miami-Dade county, and two (2) certified copies of the recorded resolution shall be submitted to the Town for inclusion into the property records	
d. If the Town Council grants a variance, a building permit must be secured within two years of the approval date or the variance will become null and void	
13. Request to the Board for verification of any section of the Zoning Code, For each Section to be verified.....	\$100.00

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Application fee: _____

Request hearing in reference to:

New residence/addition: _____ Variance(s): ☒
Exterior alterations: DECORATIVE ARCHITECTURAL GRILLE Other Structure: _____
Date application filed: DEC 7, 2018 For hearing date: JAN 8, 2019

1. Project information:
Project description: DECORATIVE ARCHITECTURAL GRILLE
Legal Description: SEC F PB10-11 LOT 28 & S30 FT of LOT 29 BLKM
Folio #: 19-1235-006-1010
Address of Property: 616 North Island Drive

2. Is a variance(s) required: Yes _____ No _____ How Many? _____
(If yes, please submit variance application form for each request).

Owner's Name: FGAS 1980, LLC Phone 305-409-7336 Fax _____
Owner's address: 801 Brickell Ave. #1610 City/State Miami, FL Zip 33131
Email address: JUPARELLI@GMAIL.COM
Agent: DANIEL SOROGON Phone 305-970-1235 Fax _____
Agent's address: 34 N.W. 168th City/State N.M.B Zip 33169
Email address: DANNY@DANNYSOROGON.COM
Architect: Daniel Sorogon Phone 305 970 1235 Fax _____
Email address: danny@dannysorogon.com
Contractor: FCLS, Inc / Danny Sorogon Phone 305 970 1235 Fax _____

3. Describe project and/ or reason for hearing request: ARCHITECTURAL DECORATIVE GRILLE WAS APPROVED BY BRAB & MICHAEL MILLER ON AUG 8, 2017. CONST. PLANS WERE SUBMITTED & APPROVED, GRILLE WAS BUILT, INSTALLED & INSPECTED. CITY MANAGER ALLEGES IT IS ENCRACHING 6" INTO FRONT SETBACK
4. The following information is submitted for assisting in review:

Building Plans:

Conceptual: _____ Preliminary: _____ Final: ☒
Other: _____

5. Estimated cost of work: \$ 22,000
Estimated market value of: Land \$ _____
Building \$ _____

(Note: If estimated cost of work is 40% of the market value of the building an independent appraisal is required).

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

6. Is hearing being requested as a result of a Notice of Violation? NO

7. Are there any structures on the property that will be demolished? NO

8. Does legal description conform to plat? YES

9. Owner Certification: I hereby certify that I am the owner of record (*) of the property described in this application and that all information supplied herein is true and correct to the best of my knowledge.

X Signature of owner(s): [Signature]

Acknowledged before me this 5th day of DEC. 20 18

Type of identification:

personally known to me


KENNETH DELGADO
Commission # GG 200733
Expires March 27, 2022
Bonded Thru Budget Notary Services

Notary Public

Owner/Power of Attorney Affidavit:


I, being duly sworn, depose and say I am the owner (*) of the property described in this application and that I am aware of the nature and request for: ARCHITECTURAL GRILLE relative to my property and I am hereby authorizing DANIEL SOROGON to be my legal representative before the Building Regulation Advisory Board and Town Council.

X [Signature]
Signature of owner(s)

Acknowledged before me this 5th day of DEC 20 18

Type of identification:

personally known to me


KENNETH DELGADO
Commission # GG 200733
Expires March 27, 2022
Bonded Thru Budget Notary Services

Notary Public

(*) If owner of record is a corporation then the president with corporate seal, the president and the secretary (without corporate seal), or duly authorized agent for the corporation may execute the application, proof that the corporation is a corporation in good standing.

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Property Address: 616 North Island Dr
Legal Description: PN: 19-1235-006-1010 SECF PG10-11 lot 28 & S 30 ft lot 29 BCK M
Owner's Name: FGAS 1980 LLC Phone _____ Fax _____
Agent's Name: DANIEL SOROGON Phone 305 970 1235 Fax _____
Board Meeting of: JAN. 8, 2019

- NOTE: 1. **Incomplete applications will not be processed.**
2. Applicant and/or architect must be present at meeting.

Application for: FRONT GRILLE VARIANCE
Lot size: 80' x 165'
Lot area: 13,200 sq ft
Frontage: 85 ft
Construction Zone: 2
Front setback: 3560"
Side setback: _____
Rear setback: _____
Coastal Construction: Yes _____ No _____ East of coastal const. control line: Yes _____ No X
State Road A1A frontage: NO
Swimming pool: _____ Yes _____ No Existing: _____ Proposed: _____
Fence Type: _____ Existing: _____ Proposed: _____
Finished Floor elevation N.G.V.D.: _____
Seawall: _____ Existing: _____ Proposed: _____
Lot Drainage: _____
How will rainwater be disposed of on site? _____

Adjacent use (s): _____
Impervious area: _____
% of impervious area: _____
Existing ground floor livable area square footage: _____
Proposed ground floor livable area square footage: _____
Existing 2nd floor livable area square footage: _____
Proposed 2nd floor livable area square footage: _____
Proposed % of 2nd floor over ground floor: _____
Vaulted area square footage: _____
Vaulted height: _____
Color of main structure: _____
Color of trim: _____
Color & material of roof: _____
Building height (above finished floor elevation): _____
Swale: (Mandatory 10'-0" from edge of payment, 10 ft. wide x 1 ft. deep minimum): _____

Existing trees in Lot: _____ in Swale: _____
Proposed trees in Lot: _____ in Swale: _____
Number & type of shrubs: _____
Garage Type: _____ Existing: _____ Proposed: _____
Driveway width & type: _____

* Signature of Applicant:  Date: Dec. 5, 2018
BUILDING REGULATION ADVISORY BOARD APPLICATION (September 2016)
Page 8 of 12

TOWN OF GOLDEN BEACH
ACKNOWLEDGEMENT and AFFIDAVIT BY OWNER
Chapter 46 Waterways of the Code of Ordinances
Article IV Seawalls and Docks.

Affidavit by Owner:

Folio No.: _____ Address: _____

Legal Description: _____

Being duly sworn, deposes and says: That He/She is the Owner named in the permit application for construction or other related work to be performed on, or in connection with, the premises, as indicated above, and is in agreement that granting of a permit for construction on said premises, agrees to repair, or replace said seawall in question, to a conforming 4 foot elevation and to replace/and or repair any deteriorated seawall or portion thereof, as required by the Town's Code of Ordinances, Article IV "Seawalls and Docks, The Dept. of Environmental Resource Management, and the Florida Building Code 2010.

Signature of Owner or Legal Representative
Print Name: _____

Sworn to and subscribed before me this _____ day of, 20_____

Notary Public State of Florida at Large

_____ Personally know to me

_____ Produced Identification

TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
APPLICATION FOR
PETITION FOR VARIANCE

Date: Dec 7, 2018

Fee: _____

I, DANIEL SOROGON hereby petition the Town of Golden Beach for a variance from the terms of the Town of Golden Beach Code of Ordinances affecting property located at: 666 North Island Drive Folio No. 19-1235-006-1010

As specified in the attached "Application for Building Regulation Advisory Board" and related supporting material.

1. The Variance requested is for relief from the provisions of (list section number(s) of the Town of Golden Beach Code of Ordinances): _____

SEC 66-69.3.

2. In order to recommend the granting of the variance, it must meet all the following criteria (please provide a response to each item):

a. The Variance is in fact a Variance from a zoning regulation as set forth within the Zoning Chapter of the Town Code. No building, or part thereof, shall be erected closer than 35 ft to the front lot line.

b. Special conditions and circumstances exist which are peculiar to the land or structure involved, and which are not applicable to other lands or structures in the same district. The BEARB has previously approved this grille. Michael Miller & Assoc approved the zoning. Now City Manager believes that the grille is encroaching the front setback.

c. The special conditions and circumstances do not result from the actions of the applicant. The applicant has followed all rules & regulations in obtaining the approval and the permit and in the installation of this grille.

d. Granting the Variance requested will not confer on the applicant any special privilege that is denied by the Zoning Chapter of the Town Code to other lands or structures in the same district. It will not.

TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
PETITION FOR VARIANCE

3. Literal interpretations of the provisions of the Zoning Chapter of the Town Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of zoning regulations and would work unnecessary and undue hardship on the applicant. Yes, it would deprive the applicant as this
sign has already been approved & installed.

4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. Yes

5. The granting of the Variance will be in harmony with the general intent and purpose of the Town Code and the Variance will not be injurious to the area involved or otherwise detrimental to the public welfare. Yes

Does the Variance being requested comply with all the above listed criteria?
X Yes No

6. Our code states that submission of a written statement is invited and encouraged. Has the applicant (petitioner) explained the variance to the owners of the nearest adjacent residences and sought their approval in writing? Yes No.
Please attach any written letters of no objection to this petition.

7. Is this request related to new construction? Yes No

8. Is construction in progress? JUST COMPLETED

9. Is this request as a result of a code violation? NO

10. Did this condition exist at the time property was acquired? Yes (No)

11. Is this request sought as a remedy to a case to be heard, or action taken by the Special Magistrate? NO

12. Do you have a building permit? Yes No

Building Permit No. B-15-06-6986 Date issued: JUNE 23, 2015

TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
PETITION FOR VARIANCE
AFFIDAVIT BY OWNER

Affidavit by Owner for Variance Request(s):

Folio No.: 19-1235-006-1010 Address: 616 North Island Drive
Legal Description: Sec F PB10-11 Lot 28 & S 30 ft of Lot 29 BLK M

Being duly sworn, deposes and says: That He/She is the Owner named in the application for Building Advisory Board for the hearing date of Nov. 8, 2019 relating to Variance requests for construction or other work to be performed on, or in connection with, the premises located as indicated in the application.

I acknowledge notification by The Town of Golden Beach, that granting of a variance(s) by The Town Council, is conditioned on the following:

1. That a Building Permit for the contemplated work pursuant to the Variance must be issued within two (2) years from the date of the approval of the Resolution granting such variance request.
2. If a Building Permit is not issued within the two (2) year time limit set then the Resolution granting the Variance approval will be null and void.
3. That as the applicant, and at my own expense, I shall record a certified copy of the Resolution in the public records of Miami-Dade County and return two (2) certified copies to the Golden Beach Town Hall for inclusion into my property records.


Signature of Owner or Legal Representative

Sworn to and subscribed before me this 5th day of DEC 2018



KENNETH DELGADO
Commission # GG 200733
Expires March 27, 2022
Bonded Thru Budget Notary Services

Notary Public State of Florida at Large

☒ Personally know to me ☐ Produced Identification

December 5, 2018

To whom it may concern,

I have no objection to the decorative architectural grille installed on the facade of the project located at 616 North Island Drive. My property is located at 610 North Island Drive, adjacent to the project in question.

Cordially,



Michael Klinger
Owner of 610 North Island Drive

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

JAN 08 2019

APPROVED _____
DISAPPROVED _____
VARIANCE REQ. _____

MICHAEL G. KLINGER
C/O BERGMAN & JACOBS PA
20900 NE 20TH AVE., STE 811
AVENTRUA, FL. 33180

MICHAEL & SOFIA IOANNOU
500 NORTH ISLAND DRIVE
GOLDEN BEACH, FL. 33160

616 NID- MAILING LIST FOR
VARIANCE REQUEST JAN 2019

DELIO & ROSARIO MEDINA
600 NORTH ISLAND DRIVE
GOLDEN BEACH, FL. 33160

ALBERTO & GAY PEISACH
588 NORTH ISLAND DRIVE
GOLDEN BEACH, FL.

JAMES & NICOLE BANNER
620 NORTH ISLAND DRIVE
GOLDEN BEACH, FL. 33160

JOSE CHEREM & Yael
SCHLESINGER
636 NORTH ISLAND DRIVE
GOLDEN BEACH, FL. 33160

MARLEN RODRIGUEZ
648 NORTH ISLAND DRIVE
GOLDEN BEACH, FL. 33160

ZVI SHIFF TRUST
660 NORTH ISLAND DRIVE
GOLDEN BEACH, FL. 33160

JEROME S. & BETTINA C. HOLLO
668 NORTH ISLAND DRIVE
GOLDEN BEACH, FL. 33160

CORINA ABADI
680 NORTH ISLAND DRIVE
GOLDEN BEACH, FL. 33160

BENY & MARTA L. RUB
698 NORTH ISLAND DRIVE
GOLDEN BEACH, FL. 33160



TOWN OF GOLDEN BEACH

1 Golden Beach Drive
Golden Beach, FL. 33160

**SUMMARY MINUTES
BUILDING REGULATION ADVISORY BOARD
January 8, 2019 at 6pm**

- A. CALL MEETING TO ORDER:** 6:13pm
- B. BOARD ATTENDANCE:** Eric Cohen, Jerome Hollo and Zvi Shiff
- C. STAFF ATTENDANCE:** Christopher Gratz – Miller Planning & Development, Linda Epperson-Director, Building & Zoning
- D. APPROVAL OF MINUTES:** November 13, 2018
Motion to approve the minutes as presented by Zvi Shiff, Seconded by Eric Cohen
On roll call: Eric Cohen-Aye, Jerome Hollo-Aye and Zvi Shiff-Aye
Motion passed 3 – 0
- E. REQUEST FOR ADDITIONS, DEFERRALS, DELETIONS & WITHDRAWALS**
- F. VARIANCE REQUEST(S):**

- 1. Golden Beach Owners LLC.
150 East 58th Street, 3rd Floor
New York, NY 10115

Property Address: Vacant Lot – a/k/a 401 Ocean Boulevard, GB FL. 33160
Folio No: 19-1235-002-0510
Legal Description: Lots 1 & 2, Block C, GB Sect B, PB 9-52

Michael Miller Planning summarized and entered their report into the record.
Chad Oppenheim-Architect, Charles Kane and Kevin McMorris with Oppenheim Architecture spoke on behalf of the applicant
No one spoke in opposition.

New two-story single-family residence with a basement, roof top elements and recreational accessory structures.

- 1. Variance request from Town Code 66-69.1 - Zone One; (d) (1) (c): Building Height.

(1) Main Residence.

c - The height measurement for main residences shall be measured from the lowest habitable Living Area which is a maximum of two feet above the FDEP lowest structural member (18.2 feet NGVD). This height measurement shall include all portions of the main residence east of the 60-foot front Setback line or Coastal Construction Control Line (CCCL), whichever is more westerly. Areas occupied below 18.2 feet NGVD, including only garages,

storage areas and one bathroom shall not be considered habitable areas. If any other use occurs in the area below 18.2 feet NGVD it is considered expendable from a flood or wave action damage standpoint, and those areas shall be considered habitable; therefore, the building height shall be measured from the lowest floor level below 18.2 feet NGVD.

Request is to allow the first floor finished elevation to start at 23.6' NGVD instead of 20.02' NGVD as required by the Town's code.

In accordance with Town Code Section 66-41, "authorized, general procedure", pertaining to variances, the board considered all evidence and testimony presented by the applicant, the public and the Town and made a finding that the applicant has complied with the seven criteria.

A motion to recommend approval was made by Eric Cohen, Seconded by Zvi Shiff

On roll call: Eric Cohen-Aye, Jerome Hollo-Aye and Zvi Shiff-Aye

Motion passed 3 – 0

2. Variance Request from 66-69.1 – Zone One (d) (1) (b) and (c)
(d) Building Height - (1) Main Residence.

b. Primary residential structures built on lots with a street Frontage of 100 feet or more shall not exceed 30 feet in height.

c. The height measurement for main residences shall be measured from the lowest habitable Living Area which is a maximum of two feet above the FDEP lowest structural member (18.2 feet NGVD). This height measurement shall include all portions of the main residence east of the 60-foot front Setback line or Coastal Construction Control Line (CCCL), whichever is more westerly. Areas occupied below 18.2 feet NGVD, including only garages, storage areas and one bathroom shall not be considered habitable areas. If any other use occurs in the area below 18.2 feet NGVD it is considered expendable from a flood or wave action damage standpoint, and those areas shall be considered habitable; therefore, the building height shall be measured from the lowest floor level below 18.2 feet NGVD.

Request is to allow for an overall height of 31.6' above the first-floor elevation instead of the 30' required by the Town's code.

In accordance with Town Code Section 66-41, "authorized, general procedure", pertaining to variances, the board considered all evidence and testimony presented by the applicant, the public and the Town and made a finding that the applicant has complied with the seven criteria.

A motion to recommend approval was made by Zvi Shiff, Seconded by Eric Cohen

On roll call: Eric Cohen-Nay, Jerome Hollo-Aye and Zvi Shiff-Nay

Motion failed 2 – 1 (Jerome Hollo-Aye)

2. FGAS 1980 LLC
801 Brickell Avenue, #1610
Miami, FL. 33131

Property Address: 616 North Island Dr., Golden Beach, FL. 33160
Folio No: 19-1235-006-1010
Legal Description: Lt 28 & S30' of Lot 29, Block M, GB Sect F, PB 10-11

Michael Miller Planning summarized and entered their report into the record.
Daniel Sorogon-Architect, spoke on this item.

Variance request from Town Code 66-69.3 - Zone Three; (f) Front Yard Setbacks: No building or part thereof, including garages, shall be erected closer than 35 feet to the front lot line.

Request is to allow a 6" architectural projection to be installed at 34.5' from the front property line instead of the 35' front setback required by the Town's code.

In accordance with Town Code Section 66-41, "authorized, general procedure", pertaining to variances, the board considered all evidence and testimony presented by the applicant, the public and the Town and made a finding that the applicant has complied with the seven criteria.

A motion to recommend approval was made by Eric Cohen, Seconded by Zvi Shiff

On roll call: Eric Cohen-Aye, Jerome Hollo-Aye and Zvi Shiff-Aye
Motion passed 3 – 0

G. OLD BUSINESS:

H. NEW BUSINESS:

3. Golden Beach Owners LLC.
150 East 58th Street, 3rd Floor
New York, NY 10115

Property Address: Vacant Lot – a/k/a 401 Ocean Boulevard, GB FL. 33160
Folio No: 19-1235-002-0510
Legal Description: Lots 1 & 2, Block C, GB Sect B, PB 9-52

Miller Planning summarized their report and it was entered into the record.
Chad Oppenheim with Oppenheim Architecture spoke on behalf of the applicant.

New two-story single-family residence with a basement, roof top elements and recreational accessory structures.

No action was taken by the Board until approval or denial of the variance requests receive an action from the Town Council.

I PRELIMINARY DESIGN REVIEWS - ITEMS FOR DISCUSSION AND POSSIBLE APPROVAL

4. Ricardo and Luz Gonzalez.
236 Golden Beach Drive
Golden Beach, FL. 33160

Property Address: VL a/k/ 234 Golden Beach Drive, GB, FL. 33160
Folio No: 19-1235-004-0060
Legal Description: Lot 8, Block G, GB Sect. D, PB 10-10

Michael Miller Planning summarized and entered their report into the record.
Ramon Valdez-Denis-Architect spoke on behalf of the applicant.
No one spoke in opposition to this item.

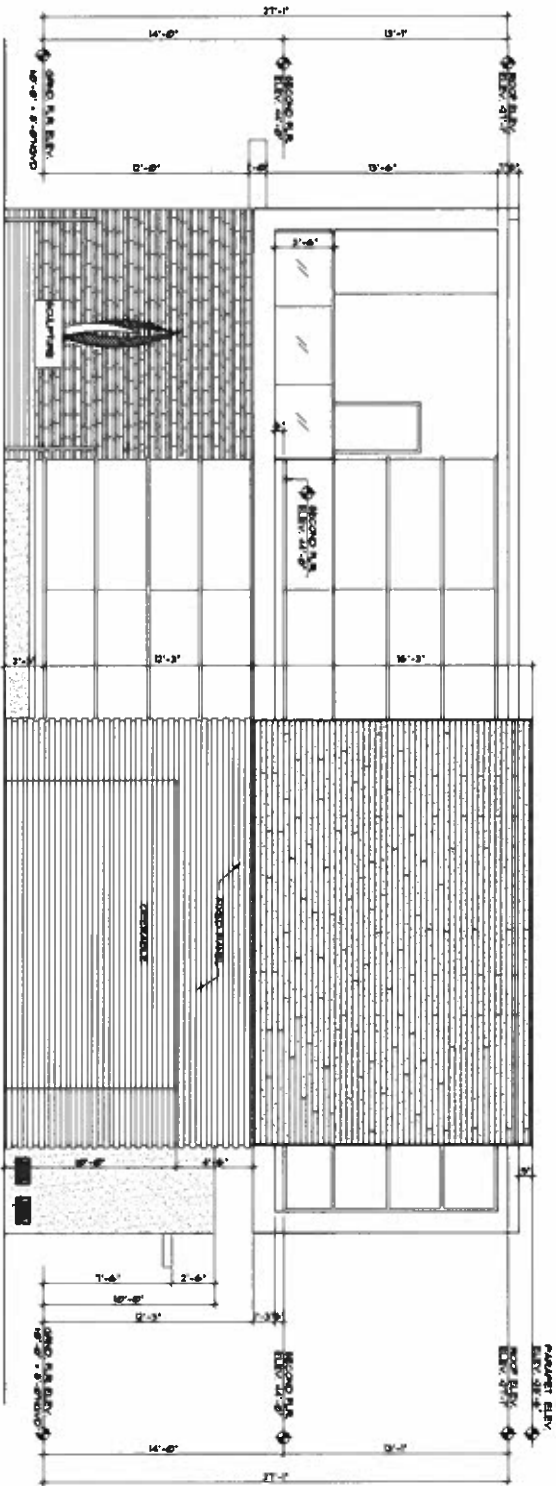
Construction of new two-story single family residence.

A motion to approve was made by Eric Cohen, Seconded by Zvi Shiff
Condition on the following: 1. Compliance with landscaping comments, 2.
Seawall to be brought to into compliance with the new Town Code of a
minimum 5' or maximum 6' NAVD elevation 3. Setback of the rear decking
off of the seawall by 5' or installation of a drainage system approved by the
Town. 4. Aluminum Shutter for screening of the cut out for the mechanical
equipment.

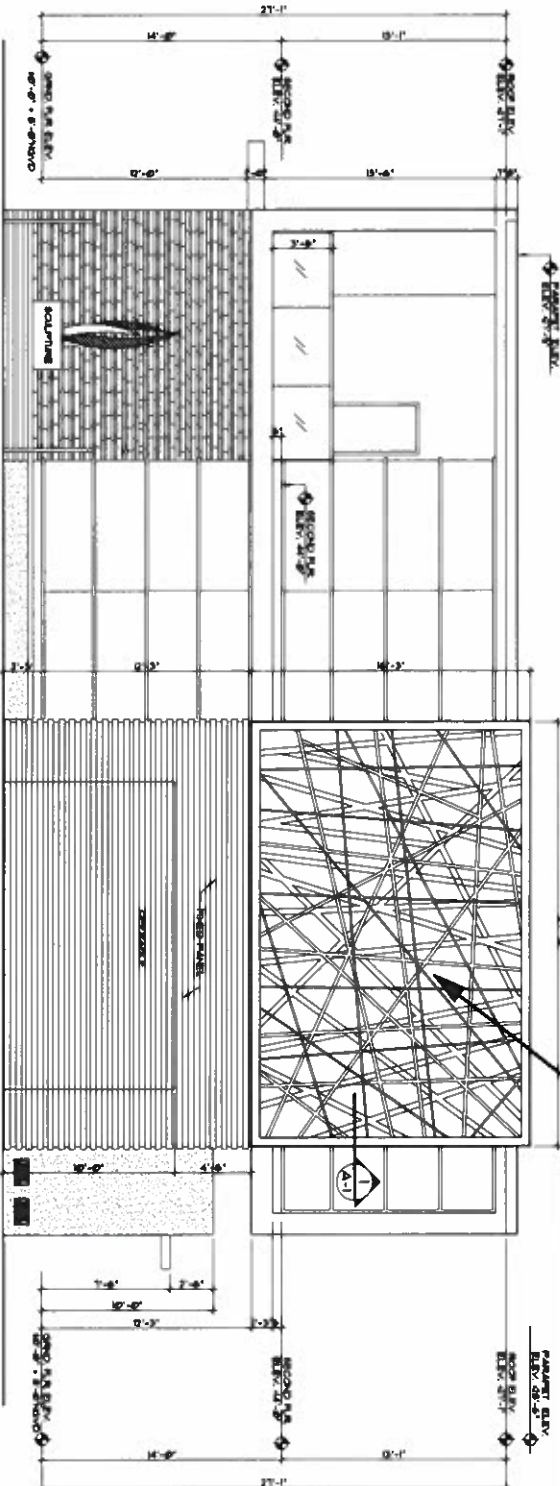
J. ADJOURNMENT

PURSUANT TO FLA. STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR THAT SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHER INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES I

PROPOSED NEW FRONT ELEVATION CHANGE TO:
JULIANA & FLAVIO SCHMEIL'S RESIDENCE
616 NORTH ISLAND DR. GOLDEN BEACH, FLORIDA 33160



PREVIOUSLY APPROVED FRONT ELEVATION
SCALE 1/4" = 1' - 0"

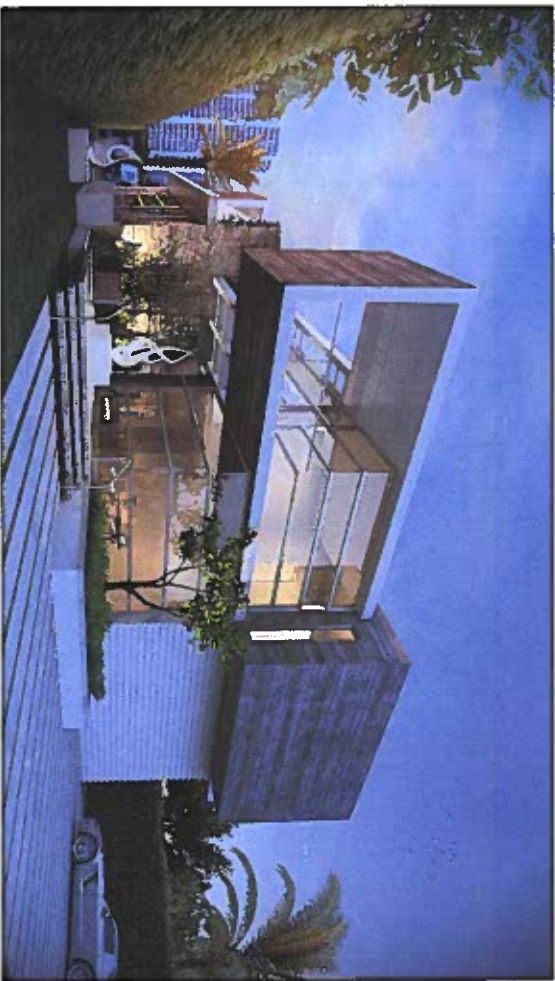


PROPOSED NEW FRONT ELEVATION
SCALE 1/4" = 1' - 0"

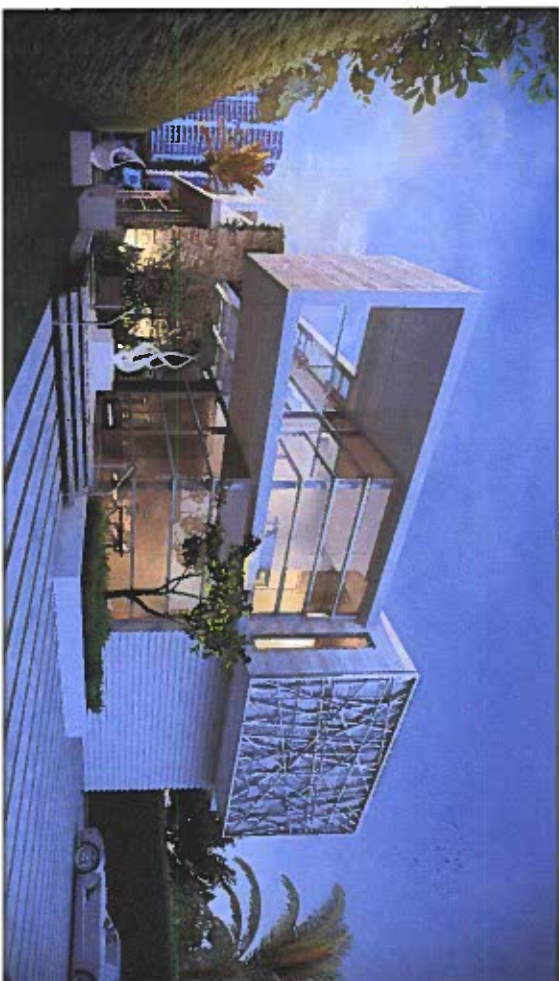
LEGAL DESCRIPTION:
LOT 26, AND SOUTH 30 FEET OF LOT 29, BLOCK H OF SECTIONS 6 F OF GOLDEN BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 11 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

NEW CHANGE
NEW ALUMINUM GRILLE MADE OUT OF DIFFERENT SIZE ALUMINUM TUBES SUCH AS 1"x1", 1"x2", 1"x4" AND 4"x4" ALUMINUM FRAME ALL AROUND

- 1"x1" ALUMINUM TUBE
- 1"x2" ALUMINUM TUBE
- 1"x4" ALUMINUM TUBE
- 3"x3" ALUMINUM TUBE AT 48" O.C. ALL AROUND
- 4"x4" ALUMINUM FRAME ALL AROUND
- EXISTING 8" CONCRETE WALL
- 6"x6" X 1/4" ALUMINUM PLATE BOLTED TO CONCRETE W/ (4) 3/8" TAPCONS 4" DEEP
- 35' FRONT SETBACK



PREVIOUSLY APPROVED FRONT RENDERING



PROPOSED NEW FRONT RENDERING
SHOWING ALUMINUM GRILLE OVER EXISTING CONCRETE WALL

APPROVED
DISAPPROVED
VARIANCE REQ.

6102 8 0 NW

6102 8 0 NW
APPROVED
DISAPPROVED
VARIANCE REQ.

florida architectural services inc.
daniel sorogon AR 0010415 architect/planner
34 N.W. 168 TH. STREET, NORTH MIAMI BEACH FL. 33160 (305) 653-0212

PROPOSED NEW FRONT ELEVATION CHANGE TO JULIANA & FLAVIO SCHMEIL'S RESIDENCE
616 NORTH ISLAND ROAD, GOLDEN BEACH, FLORIDA 33160
LEGAL OWNERS: FLAVIO SCHMEIL - POAS 1980 LLC
OWNER ADDRESS: 801 BRICKELL AVE. SUITE 1010, MIAMI FL. 33131
EOL 12.5
75-235-0000-1010