

**TOWN OF GOLDEN BEACH
COMMUNITY DEVELOPMENT
MEMORANDUM**

To: Building Regulatory Advisory Board
Town of Golden Beach

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

Date: April 3rd, 2019

Subject: Zoning Variance Applications
Various Items Related to Tennis Court
650 Golden Beach Drive
Lots 9, 10 and Portion of Lot 11 / Block E / Section F
MMPA Project No.04-0101-0514

ISSUE

The applicant, X Group, LLC, has filed an application with the Town for approval of a new single-family home (over 100 feet in width). The applications include a (1) BRAB site design as well as (2) a request for several variances from the Town Code in order to construct a proposed tennis court in the front yard of the lot.

Following is the applicant's current request:

- Variance from Section 66-93(a) to allow a recreational facility (tennis court) to be built with a five (5) foot front yard setback instead of providing a 25-foot front yard setback for such facilities as required;
- Variance from Section 66-93(a) which requires all recreational facilities to be enclosed on its perimeter by a minimum 10-foot tall black or green chain-link fence that is screened from adjoining roads and neighboring sites by hedges and other landscaping material. The applicant is proposing a retractable fencing system in lieu of the chain-link fence; and
- Variance from Section 66-69.3(e) which requires a minimum of 35% of the lot area to be pervious area. The Town Code only allows a 50% credit for "pervious pavers" if it can be demonstrated the pavers allow percolation of water. The applicant is requesting to allow a 50% credit for a clay surfaced tennis court as part of the 35% requirement.

ANALYSIS

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

Variance from Section 66-93(a) to allow a recreational facility (tennis court) to be built with a five (5) foot front yard setback instead of providing a 25-foot front yard setback for such facilities as required;

The applicant is requesting a variance to allow for the construction of a "scaled-down" tennis court as compared to a regulation sized tennis court (55' x 112' vs. 60' x 120') in the front yard of a new home development. The Town's Code currently requires a 25-foot minimum setback for such facilities with fencing requirements and screening requirements (LDRs adopted in 2011). The former residence / site improvements that were recently demolished (site is now vacant) apparently had a paved basketball court in the same location for many years. It is alleged the basketball court had been there for 20+/- years. Town staff researched the public records which revealed no previous variances for the basketball court – which was probably not necessary as there were no rules until 2011 to regulate them. While basketball courts / tennis courts / similar facilities are common accessory uses for residential developments they are typical built on larger lots either free-standing or in side or rear yard areas screened from view. Often noise, lighting and hours of operation are issues. The Town's 2011 Code amendment addressed all of those things for new facilities. The applicant is arguing that because there was previously a "court" facility at the front yard location they should be allowed to repurpose the site for a tennis court facility. The initial Site Development Plans submitted showed a zero (0) foot front yard setback. At the request of Town staff, the facility will be moved to provide a 5-foot front yard setback so landscape screening can be installed along the street frontage. MMPA has not been provided with revised plans at this time depicting this, nor do we review landscaping plans for the Town. Some communities allow previous nonconforming site improvements to be rebuilt. Other communities recognize that older developments may not meet new modern appearance requirements or are even desired – and require that all new development meets current Code requirements. It is up to each local government to decide these issues – there is no right or wrong – just local preference. It is presumed since the Town adopted new regulations for recreational court facilities in 2011 that some concern was expressed about such facilities.

There appears to be some support for this request from the Town's Administrative staff. MMPA understands the reason for the request and offers no recommendation – it is really up to the Town officials if they feel the request is reasonable and the appearance / operation will be acceptable. In general, the front yard areas of homes in the Town are open and lushly landscaped.

Variance from Section 66-93(a) which requires all recreational facilities to be enclosed on its perimeter by a minimum 10-foot tall black or green chain-link fence that is screened from adjoining roads and neighboring sites by hedges and other landscaping material. The applicant is proposing a retractable fencing system in lieu of the chain-link fence.

The applicant is requesting a variance to not install the required permanent 10-foot tall chain-link fencing around the tennis courts. In lieu of the fencing requirement the applicant desires to install a retractable fencing system that can be lowered during playing times and raised when no activity occurs. This would help minimize the visual impact of the tennis court facility.

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Again, there appears to be some support for this request from the Town's Administrative staff. MMPA understands the reason for the request and offers no recommendation – it is really up to the Town officials if they feel the request is reasonable and the appearance / operation will be acceptable.

Variance from Section 66-69.3(e) which requires a minimum of 35% of the lot area to be pervious area. The Town Code only allows a 50% credit for "pervious pavers" if it can be demonstrated the pavers allow percolation of water. The applicant is requesting to allow a 50% credit for a clay surfaced tennis court as part of the 35% requirement.

The applicant is requesting a variance to count 50% of the surface area of the tennis court in the Town's minimum 35% pervious area for each development site. The Town has historically had flooding problems due to the low land elevations of the 1920s as-built roads / homesites. While the Town has done an excellent job addressing flooding issues the Code requires a certain amount of open space on each site and requires that a certain amount of stormwater be retained on each site prior to run-off. This site is 24,674 sq. ft. in overall size. 35% of that square footage is 8,636 sq. ft. The applicant's plans include an exhibit showing that 8,799 sq. ft. of pervious area will exist upon redevelopment; however, the calculation is based on counting 50% credit for the clay-surfaced tennis court. Without the credit the site would have only 5,719 sq. ft. / 23.2% pervious area. The applicant has submitted documents on the tennis court surface product that is being analyzed by the Town's experts. At this time there is no agreement that the product will provide much drainage percolation. Adequate drainage can be provided by other means (swales / underground holding pipes / tanks / etc. The question is should any surface area of the tennis court be counted in the 35% pervious area calculations. The Town Code currently only allows certain pavers used for driveways and walkways to be counted if they can provide evidence acceptable to the Town.

Again, there appears to be some support for this request from the Town's Administrative staff in this instance. MMPA understands the reason for the request and offers no recommendation – it is really up to the Town officials if they feel the request is reasonable and the appearance / operation will be acceptable. Adequate drainage can be accomplished by other methods than open areas of the site.

NON-USE VARIANCE JUSTIFICATION

In recent years the Town has studied its Land Development Regulations (LDRs) and updated many Code provisions to address perceived problems or inadequacies. In 2011 the Town created LDRs for recreational facilities. However, when communities adopt new LDRs there are often pre-existing conditions that fail to meet the new design criteria. This appears to be one of those instances – a basketball court had existed in a prominent front yard location for an extended period of time (alleged 20+ years). The previous site improvements have been totally demolished and removed from the site (site is vacant). The new land owner expected that the previous basketball location somehow "vested" an ability to build a new similar facility at the same location (tennis court is larger than the former basketball court). Once a nonconforming improvement is removed from a property, unless expressly allowed, all vesting is typically lost. The Town's Code is silent on this matter.

It is really up to the Town to determine if the request is reasonable and agree that due to a previous use of land at the requested location (no longer allowed) there is reason to approve

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the new court facility in the same location. The house design could be reconfigured to place the tennis court elsewhere and comply with the current Town Code requirements – the house might be smaller or shaped differently. The lot is quite large. Not every site can accommodate a land owner's wishes for site improvements due to setbacks and open space requirements.

Due to the above situation, the applicant did not submit individual responses to the justification statements for each variance; rather they submitted one set of general responses to the justification statements. Below are the applicant's justification and MMPA responses.

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

The applicant seeks relief from Sections 66-93(a) and Section 66-69.3(a) of the Town's Code of Ordinances.

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.

The applicant stated there was an existing court on the site when they purchased it and desired to modify the court at the same location. They recognized the former court was a non-conformity and believed they could "re-purpose" the same site. They mention the fencing changes (no chain-link fence / install a retractable fence). It is claimed the new clay surface has a 50% previous value. This has not been agreed to as yet. It is claimed a tennis court is less noisy than a tennis court. This is not always true. However, the old basketball court has been removed from the site and the site is vacant. To our knowledge the Town did not officially provide any assurances the court could be replaced. It is recognized that adequate drainage can be accommodated on the site by some means other than in the normal 35% open space landscaped areas. The 35% criteria is also related to site overcrowding – not just drainage.

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

The applicant stated that the court was in place when they purchased the site. Evidence was submitted using old aerial photos the previous court was there since 2001+/- . However, communities change their Codes all the time and just because something was allowed decades ago does not mean they are allowed for ever. It is up to the Town to decide if they feel the replacement court is acceptable.

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.

The applicant stated that they wish to modify an "existing" non-conforming facility. However, there is no longer an "existing" facility – the lot is vacant. Since 2011 when the Town Code was changed no others have been allowed this locational privilege. MMPA again notes it is up to the Town officials to determine if they want a new larger facility like this in a front yard area of the Town.

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

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district under the terms of zoning regulations and would work unnecessary and undue hardship on the applicant.

The applicant stated they are simply requesting to modify an existing non-conformity – not create a new use on the site. The applicant claims the design changes make the facility less visible. This would be true since a 10-foot tall chain-link fence would be less visible than a retractable fence. With required landscaping along the street frontage the facility will be partially screened, as well as the house.

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

The applicant states the new tennis court is sized smaller than a regulation-sized tennis court (55' x 112' vs/ 60' x 120'). MMPA notes the new tennis court is larger than the old basketball court. The new site layout can be re-designed to place the court elsewhere.

- 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.*

The applicant states the new tennis court is sized as small as possible and landscaping will screen the facility. MMPA notes the Town adopted a new Code provision in 2011 most likely to address other similar front yard locations of large court facilities. It is up to the Town officials if they wish to allow this location to be used again as another court facility.

SUMMARY

MMPA was requested to review and comment on the requested variances. MMPA has attempted to analyze each request and provide urban design comments. MMPA understands some of the existing Town Codes or lack thereof frustrate development, but communities are allowed to update their Codes and prohibit previously approved improvements.



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)
 X Accessory Structures

Proposed construction of a tennis court for a new single-family residence

Relief from Town Code Sec. 66-93. - Recreational facilities.

Tennis courts, basketball courts, or similar outdoor recreational facilities may be constructed in any Residential District provided:

- (a) The entire recreational facility is set back a minimum of 25 feet from front and rear lot lines, and a minimum of ten feet from any side lot line.
- (b) The perimeter of the recreation facility area is fenced with a minimum ten-foot high black or green vinyl clad fence, and otherwise obscured from views of adjacent properties or the right-of-way by hedges and landscape material.
- (c) Recreational facilities may be lit provided a photometric study establishes to the Building Official's satisfaction that no light will spill onto adjacent properties or the right-of-way. The position of the lights shall be adjusted immediately upon request of the Building Official to ensure that light does not impact adjacent properties or the right-of-way. Lights may not be operated between the hours of 11:00 p.m. and 7:00 a.m.

Relief from Town Code Sec. 66-69.3. - Zone Three.

e) *Minimum pervious area.* A minimum of 35 percent of the area of each lot shall be maintained as pervious surface. The use of Pervious Pavers will be considered in the calculation to the extent the applicant provides credible evidence of the permeability of the surface. Pervious area calculations shall be provided by a State of Florida registered Architect, Engineer, or Landscape Architect. Notwithstanding the above, not more than 50 percent credit shall be given for Pervious Pavers

Applicants request is to:

- 1. Allow the Tennis Court to be setback at 5 feet from the front yard property line instead of the 25 feet required by the code
- 2. Allow retractable fencing instead of the minimum ten-foot high black or green permanent vinyl clad fence.
- 3. Allow for the Clay Tennis Court area to count toward the Pervious area calculation to be at the same rate of calculation as Pervious Pavers are permitted; a rate of not more than a 50% credit toward the pervious area calculation.

JOB ADDRESS: 650 Golden Beach Drive, Golden Beach, FL. 33160
OWNER ADDRESS: 18851 NE 29th Avenue, #413, Miami, FL. 33180
REQUESTED BY: X Group LLC
LEGAL DESCRIPTION: Lots 9 & 10 and a Port of 11, Block E, GB Sect F, PB 10-11
FOLIO NO.: 19-1235-006-0440 and 19-1235-006-0450

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

PLACE: GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL
DATE: April 9, 2019 at 6pm

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

PLACE: GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL.
April 16, 2019 at 7:00 pm

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: March 27, 2019



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.

F. VARIANCE REQUEST(S):

6. X Group LLC
650 Golden Beach Dr.
Golden Beach, FL. 33160

Property Address: 650 Golden Beach Dr., Golden Beach, FL 33160
Folio No: 19-1235-004-0440 & 0460
Legal Description: GB Sect F, Pb 10-11, Lt 11 Less Beg at NE COR Lot 11

Proposed construction of a tennis court for new construction of a single-family residence

Michael Miller Planning's Staff recommendation was entered into the record.

Jennifer McConney-Grayoso, Architect for the project spoke on behalf of the applicant.

Carolina Montero, Landscape Architect for the project spoke on behalf of the applicant.

Juan Abelairas, contractor for the Tennis Court spoke on this item.

Eric Bouskila, Owner of the property spoke on his own behalf.

Al Paruas, 645 Golden Beach Drive, spoke in support of the front setback and has concerns with the retractable fencing and use of Clay for the tennis court.

Relief from Town Code Sec. 66-93. - Recreational facilities.

Tennis courts, basketball courts, or similar outdoor recreational facilities maybe constructed in any Residential District provided:

a) The entire recreational facility is set back a minimum of 25 feet from front and ear lot lines, and a minimum of ten feet from any side lot line.

b) The perimeter of the recreation facility area is fenced with a minimum ten-foot high black or green vinyl clad fence, and otherwise obscured from views of adjacent properties or the right-of-way by hedges and landscape material.

Relief from Town Code Sec. 66-69.3. - Zone Three.

e) *Minimum pervious area.* A minimum of 35 percent of the area of each lot shall be maintained as pervious surface. The use of Pervious Pavers will be considered in the calculation to the extent the applicant provides credible evidence of the permeability of the surface. Pervious area calculations shall be provided by a State of Florida registered Architect, Engineer, or Landscape Architect. Notwithstanding the above, not more than 50 percent credit shall be given for Pervious Pavers

Applicants request is to:

1. Allow the Tennis Court to be setback at 5 feet from the front yard property line instead of the 25 feet required by the code

2 Allow retractable fencing instead of the minimum ten-foot high black or green permanent vinyl clad fence.

3. Allow for a material change to permit the Clay Tennis Court area to count toward the pervious area calculation at the same rate as outlined in the code for Pervious Pavers, to count for not more than a 50% credit toward the pervious area calculation.

1. In accordance with Town Code Section 66-41, "authorized, general procedure", pertaining to variances and exceptions, 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 for the 5' front yard setback was made by Isaac Murciano, Seconded by Stephanie Halfen

On roll call: Stephanie Halfen-Nay, Isaac Murciano-Nay, Eric Cohen-Aye and Judy Mimoun-Aye – Motion died 2 – 2.

The motion to amend the recommendation to approve was made and accepted by Isaac Murciano to recommend approval of the 5 foot front setback, Seconded by Stephanie Halfen.

On roll call: Stephanie Halfen-Nay, Isaac Murciano-Nay, Eric Cohen-Nay and Judy Mimoun-Aye – Motion failed 3 – 1.

There was discussion on the side yard zero setback – there was no action taken.

2. In accordance with Town Code Section 66-41, "authorized, general procedure", pertaining to variances/exceptions, 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 for the retractable fencing was made by Isaac Murciano, Seconded by Stephanie Halfen Conditioned on the fence color being Black

On roll call: Stephanie Halfen-Aye, Isaac Murciano-Aye, Eric Cohen-Aye and Judy Mimoun-Aye

Motion passed 4 – 0

3. In accordance with Town Code Section 66-41, "authorized, general procedure", pertaining to variances/exceptions, 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 for a material use of a Clay Tennis Court as presented, was made by Isaac Murciano, Seconded by Stephanie Halfen Conditioned on perimeter drains swales and additional landscaping to prevent water runoff from the property.

On roll call: Stephanie Halfen-Aye, Isaac Murciano-Aye, Eric Cohen-Aye and Judy Mimoun-Aye

Motion passed 4 – 0

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

Property Location: 650 Golden Beach Drive Meeting Date: April 9th, 2019
Variance Hearing Dates: Advisory Board April 6th, 2019 Town Council April 16th 2019

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 apparent conflicts or inconsistencies in the zoning provisions in Chapters 46 & 66

APPLICATION HEARING PROCESS

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.

BUILDING REGULATION ADVISORY BOARD APPLICATION (September 2016)

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Town of Golden Beach
Building Regulation Advisory Board
Hearing Date
APR 09 2019
APPROVED _____
DISAPPROVED _____
VARIANCE REQ: _____

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

1. The application deadline date will be strictly complied with. No application shall be accepted after that date and time.
2. The Building Official and/ or the Building Director will review the application package. If it is determined that the application is incomplete, the item will tabled and not placed on the Agenda for that month.
3. During the three (3) week period from deadline date to the hearing date, the following events shall take place in proper order:
 - a. During the first week of submittal, the Building Official, or agent will endeavor to review the application, and complete a comment sheet 15 days prior to the meeting. The critique sheet will specify all deficiencies for correction.
 - b. The critique sheet will be faxed, or emailed, to the applicant as soon as the review is completed.
 - c. If the deficiencies are substantial the application will be moved to the next scheduled meeting/hearing of the B.R.A.B.
 - d. If the deficiencies are minor, the applicant must submit the corrections including the revised paperwork within 5 days of the scheduled meeting/hearing. Corrections not received for a scheduled Agenda item will be deferred to the next B.R.A.B. meeting/hearing date.
4. A Notice of Hearing for variance will be mailed no later than 10 days before the date of meeting, as per Town Code.
5. During the third week all applications with plans and documents shall be properly arranged. One complete copy of the package will be given to the processor and the Friday, prior to the scheduled meeting one set will be delivered to each Board member. The Building Dept shall retain all originals for the records.
6. All applicants shall be made aware that incomplete applications or deficiencies not corrected in time as per these regulations, will not be included on the agenda, and are hereby rejected, and will be returned to the applicant.
7. After the meeting, three (3) copies of the approved items (one full size and 2 ledger) shall be retained by the building department, the applicant must request the two reduced sized sets for inclusion into the building permit package.

**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
BUILDING REGULATION ADVISORY BOARD
SCHEDULE OF FEES**

14. Application for the legalization of construction built without the approval of the B.R.A.B., when the Board should have approved such construction, will be assessed a fee equal to four (4) times the regular fee applicable to the matter.

15. Special Requests for a meeting, variance, or waiver of plat hearing:

- a. For matters that have been heard, but the process had not been completed, i.e., tabled subjects, or unfinished subjects to be continued, the applicant must notify the Building & Zoning Department in writing if they would like the item continued

If the notification is received by the Department before the deadline for the next B.R.A.B. meeting, there will be no charge for the continuance. If the notification is received after the deadline, and the applicant still wants the matter included in the agenda for the next meeting, there will be a special fee of

\$200.00

- b. If the agenda has already been prepared and the applicant wants the matter to be heard, the request must be received in writing to be added to the agenda at the beginning of the meeting with the approval of the Building Official or Building & Zoning Director. There will be a special fee of

\$200.00

- c. When a special meeting or hearing of the B.R.A.B. is requested by an applicant, for either a new matter or continuance of a subject already heard, there will be a special fee for a 2 hour time period of

\$500.00

If the time limit is exceeded, an additional fee of ½ of the fee will be assessed for the second time period

\$250.00

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Applicant check here	Complete application, sign, and notarize.	Bldg Dept Use
	<p>If a zoning variance is applied for, the petition for variance, pages 9, 10 and 11 shall be submitted with the application and shall include:</p> <ol style="list-style-type: none"> Property Legal Description Property Folio number Street address Owners of record Owner and agent names and signatures properly notarized. 	
	<p>Eight (8) property surveys, building plans, Warranty Deeds, and applications (1 original, 7 copies). Survey not older than six (6) months. Completed sets are to be submitted as follows: Seven (7) copies no larger than 11" x 17" & 1 original at full size. Sixteen (16) copies are required for a variance, (15 copies no larger than 11" x 17" and 1 original at full size). Each completed package shall consist of 1 each of an application, survey, Warranty Deed and building plans. Submit 1 CD with all documents included</p>	
	<p>Conceptual construction drawings prepared and signed by a licensed design professional that shall include, at a minimum, the following:</p> <ol style="list-style-type: none"> Site plan at a scale not less than 1/8" = 1'-0" (Include grade elevations) Proposed Floor Plan views, at a scale not less than 1/4"=1'-0" Cross and longitudinal sections preferably through vaulted areas, if any. Typical exterior wall cross section. Full elevations showing flat roof and roof ridge height and any other higher projections. Sample board of construction materials to be used. Existing and proposed ground floor elevations (NGVD). Grading & Drainage Calculations Zone 3 Properties: Affidavit of Seawall Conformity 	
	<p>Landscaping Plan, separate from building plan package, prepared and signed by a licensed landscape design professional: Each completed package shall consist of 1 each of an application, existing landscape survey, Warranty Deed, landscape plans with building site plans. Seven (7) 11 x 17 and One (1) full size set. Submit 1 CD with all documents included. Mark CD accordingly (separate from building)</p>	
	<p>Pervious area calculations marking the geometrical areas used to calculate the overall required pervious area percentage.</p>	
	<p>Colored rendering showing new or proposed addition Work marked with the applicable address.</p>	
	<p>Estimated cost of proposed work. For additions/remodels fair market value of property showing land value and structure value separately.</p>	
	<p>Site plan detailing construction site personnel parking.</p>	

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Application fee: _____

Request hearing in reference to:

New residence/addition: New Residence Variance(s): Yes, 1 variance
Exterior alterations: _____ Other Structure: _____
Date application filed: March 8th, 2019 For hearing date: April 9th, 2019

1. Project information:

Project description: New construction of a 2 story residence totaling 9,746sf including the garage. A variance is being requested for the modification of the existing basketball court into a tennis court with a 0' setback (existing) from the front property line.

Legal Description: (*see attached legal description*) _____

Folio #: 19-1235-006-0440 and 19-1235-006-0460
Address of Property: 650 Golden Beach Drive, Golden Beach, FL

2. Is a variance(s) required: **Yes** ☒ **No** _____ How Many? 1
(If yes, please submit variance application form for each request).

Owner's Name: Mr. Eric Bouskila Phone 305-753-8585 Fax _____

Owner's address: 650 Golden Beach Drive City/State Golden Beach, FL Zip 33160

Email address: eric@ari-gg.com

Agent: Jennifer McConney, Architect Phone 305-606-4105 Fax _____

Agent's address: 7500 NE 4th Ct, suite 103 City/State Miami, FL Zip _____

Email address: jennifer@studio-mcg.com

Architect: Jennifer McConney Phone 305-606-4105 Fax _____

Email address: jennifer@studio-mcg.com

Contractor: CDC Contractors Phone 786-251-8983 Fax _____

3. Describe project and/ or reason for hearing request: **The project is new construction of a 2 story home designed by the Architecture Firm SAOTA and the Architect of Record is Studio Mc+G Architecture.** _____

4. The following information is submitted for assisting in review:

Building Plans:

Conceptual: _____ Preliminary: ☒ Final: _____

Other: _____

5. Estimated cost of work: **\$ 4,000,000**

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).

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? Yes, previously demolished
8. Does legal description conform to plat? _____
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.

Signature of owner(s): _____

Acknowledged before me this 8th day of March day of, 20 19

Type of identification: Florida Driver License #

B240-425-64-361-0

 **RIMMA PORTNOVA**
Notary Public COMMISSION # GG013627
EXPIRES August 08, 2020

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: approval for construction of a new home relative to my property and I am hereby authorizing _____ to be my legal representative before the Building Regulation Advisory Board and Town Council.



Signature of owner(s)

Acknowledged before me this 8th day MARCH 20 19

Type of identification: Florida Driver License #

B240-425-64-361-0



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.

 **RIMMA PORTNOVA**
MY COMMISSION # GG013627
EXPIRES August 08, 2020

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Property Address: 650 Golden Beach Drive, Golden Beach, FL
Legal Description: (see attached)
Owner's Name: Eric Bouskila Phone 305-753-8585 Fax _____
Agent's Name: Jennifer McConney-Gayoso Phone 305-606-4105 Fax _____
Board Meeting of: April 9th, 2019

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

Application for: **New Construction of a 2 story home**

Lot size: north = 176.30 / South = 175' Canal = 125' / GBD = 155.29

Lot area: 24,674 sqft

Frontage: 155.29'

Construction Zone: zone 3

Front setback: 60'-10"

Side setback: 10'

Rear setback: 39'

Coastal Construction: Yes _____ No x East of coastal const. control line: Yes _____ No x

State Road A1A frontage: No

Swimming pool: x Yes _____ No _____ Existing: _____ Proposed: _____

Fence Type: chain link Existing: _____ **Proposed: Alum/conc retaining wall where needed**

Finished Floor elevation N.G.V.D.: 8.0'ngvd

Seawall: existing concrete sea wall Existing: concrete Proposed: raised where necessary

Lot Drainage: **to conform with ToGB - retain a 10yr/24hr storm event that produces a rainfall amount of 7" with no offsite discharge**

How will rainwater be disposed of on site? **drainage swales and perimeter landscape berms along with an exfiltration trench**

Adjacent use (s): residences on both north and south

Impervious area: 15,874.6sf

% of impervious area: 64.3%

Existing ground floor livable area square footage: n/a

Proposed ground floor livable area square footage: 4,870 sf

Existing 2nd floor livable area square footage: n/a

Proposed 2nd floor livable area square footage: 4,249 sf

Proposed % of 2nd floor over ground floor: 87%

Vaulted area square footage: n/a

Vaulted height: n/a

Color of main structure: white with coral stone

Color of trim: gray

Color & material of roof: aluminum gray

Building height (above finished floor elevation): 30'-0"

Swale: (Mandatory 10'-0" from edge of payment, 10 ft. wide x 1 ft. deep minimum):

See attached drainage calculations (complies with above)

Existing trees in Lot: 15 in Swale: 1 (tree) 5 (palms)

Proposed trees in Lot: 15 in Swale: 5 (trees)

Number & type of shrubs: **414 Shrubs (clusia, wild coffee, hope philodendron, green island ficus, begonia)**

Garage Type: enclosed garage Existing: _____ Proposed: _____

Driveway width & type: pavers 18' wide

Signature of Applicant: _____ Date: _____

TOWN OF GOLDEN BEACH
ACKNOWLEDGEMENT and AFFIDAVIT BY OWNER
Chapter 46-85 Height of Seawalls and Docks and Extension of Deck of Dock.
of the Code of Ordinances
Article IV Seawalls and Docks.

Affidavit by Owner: X Group, LLC

Folio No.: 19-1235-006-0440 Address: 650 Golden Beach Drive, Golden Beach, Florida 33160

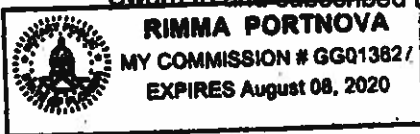
Legal Description: GOLDEN BEACH SEC F PB 10-11 LOTS 9 & 10 BLK E
LOT SIZE 100.00 X 175.00 OR 20334-0775 03 2002 4

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 minimum 3.425 feet above NAVD-88 or to a maximum 4.425 feet NAVD-88 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 Miami Dade County DERM Division, State of Florida DEP Coastal Division, the Army Corp of Engineers (if applicable) and the current Florida Building Code.

For general historical information only, the May 8, 2018 amendment to this section, converted measurements from NGVD to NAVD resulting in revised seawall heights from a minimum 4 feet NGVD to a minimum 5 feet NGVD and from a maximum 5 feet NGVD to a maximum 6 feet NGVD


Signature of Owner or Legal Representative
Print Name: Jonathan Carpenter, Manager

Sworn to and subscribed before me this 28th day of March 20 19




Notary Public State of Florida at Large

X Personally know to me _____ Produced Identification

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

Date: March 6, 2019

Fee: _____

I, Eric Bouskila 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: 650 Golden Beach drive Folio No. 19-1235-006-0440 and 19-1235-006-0460

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): 66-93 Recreational facilities (b)a 25' setback is required for recreational facility The requested setback is 5' from the front property line
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. There is an existing court on site when the site was purchased and the applicant requests to keep the setback of the basketball court in the front of the property and modify it while seeking a variance from section 66-93b of the Zoning Code
 - 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 existing court is a non-conformity with the code and the applicant requests to repurpose the court in a manner that is more elegant while removing the 10' high chain link fence on the north side. The fence will be replaced with a retractable 10' high fence and the fence will only be raised while there is a game in session. The hard surface basketball court will be replaced with a 50% pervious soft red clay surface that is not visible from the street. The landscaping has been designed to provide views through to the house that allows a neighborhood feel instead of creating a barrier from the street. The Tennis court is also typically less noisy than a basketball court.
 - c. The special conditions and circumstances do not result from the actions of the applicant. The court is an existing non-conformity that was in place at the time of the sale of the property and has been there since at least 2001. See attached google image from 2001 and 2017
 - 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. The applicant is requesting to modify an existing non-conformity, not create a new use on site. The applicant is also enhancing the court to make it less visible but still maintain an open view towards the home

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. **The applicant is requesting to modify an existing non-conformity, not create a new use on site. The applicant is also enhancing the court to make it less visible but still maintain an open view towards the home**
4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. **The tennis court proposed is smaller than a regulation tennis court. A regulation court is 60' x 120' and the court proposed is 55' x 112'**
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. **The court has been design to be as small as possible and the landscape has been designed to screen the lower area of the court while maintaining open views towards the home.**

Does the Variance being requested comply with all the above listed criteria?
☒ 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? no
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. n/a Date issued: _____

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

Affidavit by Owner for Variance Request(s):

Folio No.: 19-1235-006-0440 and 19-1235-006-0460 Address: 650 Golden Beach Drive

Legal Description: (see attached) _____

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 _____ 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.

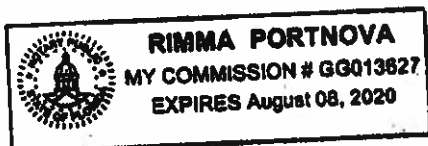
I acknowledge notification by The Town of Golden Beach, that granting of a variance(s) by The Town Council, is conditioned on the following:

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 MARCH, 8 day of, 20 19





Notary Public State of Florida at Large

☒ Personally know to me _____ Produced Identification

Legal Description:

LAND DESCRIPTION:

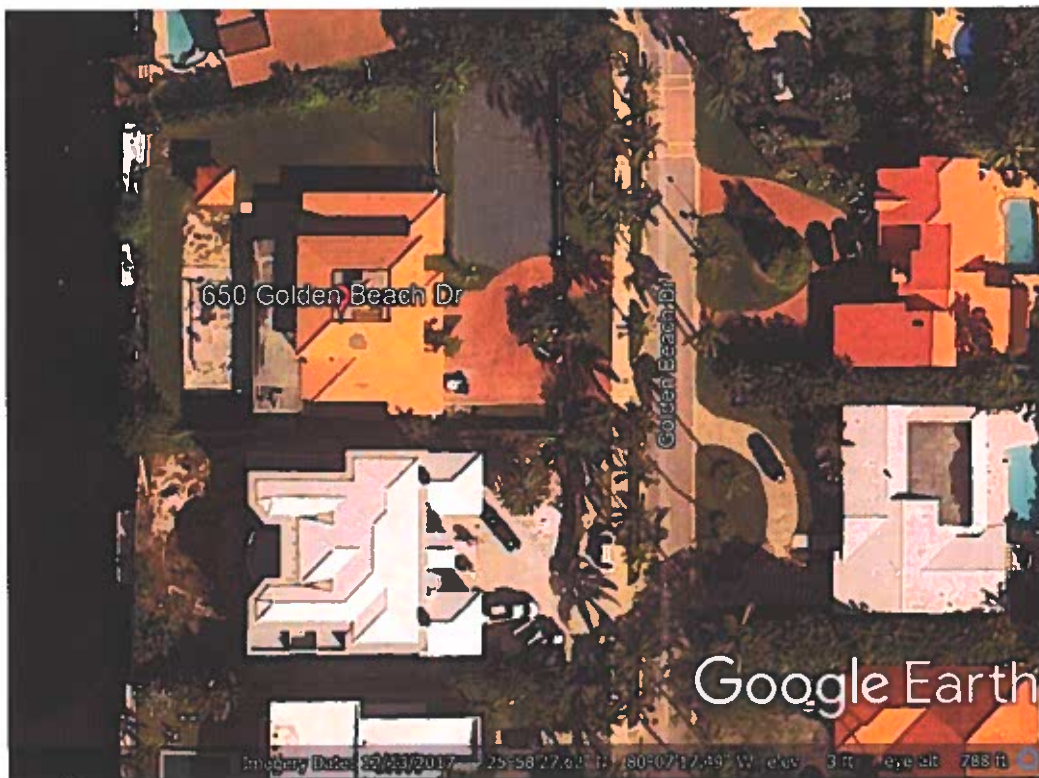
ALL OF LOTS 9 AND 10, BLOCK E, "SECTION 'F' OF GOLDEN BEACH", AS RECORDED IN PLAT BOOK 10, PAGE 11 OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA, AND LOT 11, BLOCK E, "SECTION 'F' OF GOLDEN BEACH", AS RECORDED IN PLAT BOOK 10, PAGE 11 OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA, LESS THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 11; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST HAVING FOR ITS ELEMENTS A CENTRAL ANGLE OF 00 DEGREES 22' 49" AND A RADIUS OF 440.00 FEET, FOR A DISTANCE OF 2.92 FEET TO A POINT; THENCE RUN SOUTH 83 DEGREES 16' 22.5" WEST FOR A DISTANCE OF 176.30 FEET TO A POINT, SAID POINT LYING ON THE WESTERLY LINE OF SAID LOT 11 AND BEING A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST HAVING FOR ITS ELEMENTS A CENTRAL ANGLE OF 03 DEGREES 57' 47" AND A RADIUS OF 265.00 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CIRCULAR CURVE FOR A DISTANCE OF 18.33 FEET TO THE NORTHWEST CORNER OF SAID LOT 11; THENCE RUN NORTHEASTERLY ALONG THE NORTH LINE OF SAID LOT 11 FOR A DISTANCE OF 175.00 FEET TO THE POINT OF BEGINNING.

2001 Aerial view of basketball court



2017 Aerial view of basketball court



Basketball Court at 650 Golden Beach Drive



Basketball Court at 650 Golden Beach Drive



Tennis Court at 680 Golden Beach Drive



TOWN OF GOLDEN BEACH

650 Golden Beach Drive – New SFR

Plans Dated (signed): March 11th, 2019

Received by MMPA: March 14th, 2019

Comments: March 19th, 2019

Site Data Information

Lot Size = 24,674 sq. ft. / .5564 Acres

Lot Dimensions - North = 176.30 / South = 175.00

Canal = 125.00' / GBD = 155.29'

Comments:

1. The lot shape is not exactly rectilinear. The application form lists incorrect lot dimensions (124' x 175') by using only one or rounded numbers. Please use correct dimensions or refer to the actual plans for correct dimensions. Also, the Site Data Table has incorrect dimensions too.

Response: updated, see sheet A0.01 INDEX AND DATA

2. The lot is cleared and vacant according to the 2/19 survey provided. There are no physical improvements remaining such as the former basketball court referenced as being "repurposed". Therefore, there is no "grandfathering" of any previous improvements in our opinion.

Response: Basketball court was located on the property for 20+years and we are requesting to maintain the use of the "court" in the location that it occupied.

3. For Zone 3 properties an Affidavit of Seawall Conformity is required to be submitted with a new home application. The survey indicates the existing seawall height is only 3.4' – 3.67' NGVD when the minimum is 3.42 NAVD (4.98 NGVD). The Town Code requires all older deficient / low seawalls to be rebuilt when a new home is constructed.

Response: The height of the seawall will be 3.44' NAVD (5'ngvd). The site plan has been revised to show this new height and attached is the Affidavit of Seawall conformity

4. While drainage calculations were submitted there was no preliminary civil engineer drainage plan submitted for review. Further the overall plan set fails to include several proposed elevations for accessory features such as walkways and decks. The Code has limitations on the height of such features above grade.

Response: updated, see sheet A1.00 SITE PLAN for elevation heights.

Town of Golden Beach
Building Regulatory Advisory Board
hearing Date

APR 09 2019

APPROVED _____
DISAPPROVED _____
VARIANCE REQ: _____

TOWN OF GOLDEN BEACH

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Response: updated, see sheet A1.00 SITE PLAN for elevation heights.

Town of Golden Beach
Building Regulatory Advisory Board
Heating Date

APR 09 2019

APPROVED _____
DISAPPROVED _____
VARIANCE REQ. _____

5. Near the waterfront a small sun deck is shown with a note "existing". There is no deck there now and the location violates the Town's 5-foot rear setback for such features.

Response: Sun deck is removed from plans, see A1.00 site plan

6. The survey shows two boat lift davits near the seawall. These are not shown on the plans. Will they be removed? Please clarify.

Response: Concrete davits are added to plan, see updated, see sheet A1.00 SITE PLAN

7. The plan does not include elevations for the ground mounted mechanical equipment such as A/C units, pool equipment, heaters, etc. Some of those items are not shown at all. Sec. 66-140.

Response: See sheet A1.00 SITE PLAN with added elevation tag at 8'-0" ngvd, same elevation as the house. The screen also can be seen on A4.00 SECTION in section and A3.01 NORTH ELEVATION, it is clear it is at 8', full height karri timber screen

8. The plan also does not include details for screening the ground level mechanical equipment such as A/C units, pool equipment, heaters, etc. Again, some are not shown at all. Sec. 66-140.

Response: The screen can be seen on A4.00 SECTION in section and A3.01 NORTH ELEVATION, it is clear it is at 8', full height karri timber screen

9. The plan does not include proposed finished elevations for the various deck areas / walkways. Such features cannot be greater than 36" above grade.

Response: updated, see sheet A1.00 SITE PLAN

10. The Town requires each single-family lot to provide a minimum of 35% pervious area (landscaping). The plan notes there will be 35.7% pervious area. However, it appears from the illustration on Sheet A1-01 that part of the proposed impervious tennis court is included in the "pervious" calculation – NOT. Please clarify – only open landscaped areas can be included in the 35% calculation (no pool areas / decks / tennis courts / spas / etc.). Only pervious pavers (design specs approved by Town) for driveway / walkways can count for up to 50% credit. Without detailed calculations provided on the plans as required our visual plan review notes the site layout is far deficient in pervious area. As designed the new site plan violates the Town's minimum pervious area requirements. Sec. 66-69.3(e).

Response: The drainage information is attached for the red clay court from the supplier. We are only counting 50% of the court as pervious based on the civil engineers calculations and the information from the manufacturer. This material is being used throughout south Florida because of its pervious qualities.

11. The plans are not clear if the design meets the Town's 2nd story 1/3 -2/3 building step back requirements. Provide calculations for the required 2nd floor side setbacks of an additional 1' setback for each 1' of total building height above 18'. Highlight the area(s). The additional setback is required to ensure that the home design is not a "box". Our quick analysis seems to show correct calculations, but they need to be added to the Zoning Data table. §66-69.3(h)(3)

APPROVED _____
DISAPPROVED _____
VARIANCE REQ: _____

APR 09 2019

Response: See attached 2nd story setback diagram on sheet A0.01 INDEX AND DATA

12. The maximum building height can be 30 feet above BFE. The plan cross section on Sheet A3.00 show the maximum height at 30'-2". Lower the building height or adjust the math.

Response: Sheet A3.00 shows 30'-0" building height.

13. At the southwest corner of the site a "box-like" shape is shown with no notes identifying its use. Please identify or remove the shape. If it is a structure (i.e. gazebo) it must meet setbacks.

Response: The box is removed, see sheet A1.00 SITE PLAN

14. The plans show a proposed retaining wall system; however, no detail of its design is included in the plan set. Sec. 66-186.

Response: updated, see sheet A5.00 SITE PLAN

15. Provide elevations for the pool and the spa; they may not to exceed 2' above grade. §66-237(c)

Response: updated, see sheet A1.00 SITE PLAN

16. Show the location where refuse bins will be stored and that they are properly screened.

Response: Location added, see sheet A1.00 SITE PLAN

17. 2019-03-27 from Linda by e-mail: 'Can you please detail the amount of encroachment you are requesting for the tennis court to encroach into the front yard. The code states 25 feet, where is this court being placed?'

Response: See A1.00 SITE PLAN for a dimension on the site plan showing that the tennis court is 5'-0" from the front property line

18. 2019-03-27 from Linda by e-mail: 'You will need to supply us with a Unity of Title combining 19-1235-006-0440 and 0460. (...) One of the comments refers to a Seawall conformity affidavit. Although it is within the application it is the outdated form. Attached is the correct form for signature.'

Response: owner will provide the form

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

APR 09 2019

APPROVED _____
DISAPPROVED _____
VARIANCE REQ: _____

DATE: Mar 08 2019

Step 4:

Determine the distance between the average high ground water elevation and the average elevation of the previous areas. For design purposes, the average high ground water elevation for most of Golden Beach is 2 feet NGVD (Additionally, please check with your geotechnical engineer and/or geotechnical report.)

Distance = 3.70 feet

Step 5:

Determine an S_1 value from the table below:

Distance between ground water table and average elevation of pervious areas.	S_1
1 foot	0.45 inches
2 feet	1.88 inches
3 feet	4.95 inches
4 feet	8.18 inches
>4 feet	8.18 inches

If necessary, compute a value of S_1 by interpolation.

S_1 = 7.21 inches

Step 6:

Determine S as:

$$S = \frac{AP}{A} * S_1$$

S is computed in inches S = 2.57 inches

Step 7:

Determine runoff depth (R) as:

$$R = \frac{(P - 0.2 * S)^2}{(P + 0.8 * S)}$$

Where P = 7.00 inches of rainfall produced during a 10-year / one-day storm. Then:

$$R = \frac{(7.00 - 0.2 * S)^2}{(7.00 + 0.8 * S)}$$

R is computed in inches R = 4.64 inches

Town of Golden Beach
 Building Regulatory Advisory Board
 Hearing Date

APR 09 2019

APPROVED _____
 DISAPPROVED _____
 VARIANCE REQ. _____

Step 8:

Determine runoff depth (R) as:

$$V = A * \frac{R}{12}$$

V is computed in cubic feet. V is the volume of runoff generated during a 10-year / one day storm within the property or sub-basin of the property. This is the volume of runoff that must be contained within the property.

$$V = \underline{9,549} \text{ cubic feet}$$

Step 9:

Compute "retention volume provided" (VP) as the retention volume capacity, in cubic feet, of swales, retention areas, and drains within the property or sub-basin within the property.

- o **Attach calculations showing how the volume was calculated.**
- o **Calculations must be consistent with existing and proposed elevations shown on design plans.**

$$VP = \underline{4,816} \text{ cubic feet}$$

Step 10:

Compare values of retention volume provided (VP in Step 9) with retention volumes needed (V in Step 8). Retention volume provided (VP) must be larger than retention volume needed (V). (VP = 4,816 cubic feet) < (V = 9,549 cubic feet)

*an on-site, private drainage system will be designed to retain the surplus volume.

NOTE: These volume calculations are needed to satisfy the Town of Golden Beach Comprehensive Plan Level of Service (LOS) and Code requirements.

DEFINITIONS			
P:	Rainfall depth in inches.	A:	Total area of property in square feet.
S:	Soil storage capacity in inches.	AP:	Total pervious areas within property in square feet.
R:	Runoff depth in inches.	V:	Volume of runoff in cubic feet.
AI:	Total area of roof, pavement, patios, pool decks, walkways and any other hardscape areas within the property in square feet (i.e., total impervious area).		

Note: * means multiply.

Town of Golden Beach
 Building Regulatory Advisory Board
 Hearing Date

APR 09 2019

APPROVED _____
 DIS _____
 V _____

I. PROJECT DESCRIPTION:

Private Single Family Residence (650 Golden Beach Drive) located within Township 51, Range 42, Section 35 in Golden Beach, FL 33160. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map 12086C0151L, this project lies within Flood Zone AE (EL: 6'). The proposed residential development encompasses 0.57 acres. According to site observations and a provided survey, the (3) combined lots are currently vacant with minimal trees planted on the property. No existing structural elements are erected onsite besides a perimeter chain link fence. Future development is proposing to construct a multi-story residential home with an attached 3-car garage, a tennis court, an elevated pool and an associated pool deck. The proposed residential building will have a FFE of 9' NGVD for both the main home and garage. The tennis court will be constructed of a porous composite material that enables water to percolate through its voids. Offsite improvements will include a proposed concrete driveway with miscellaneous landscaping within the right-of-way.

II. PROPOSED DRAINAGE MODIFICATIONS:

The proposed drainage system will be designed in accordance to the Town of Golden Beach Public Works stormwater standards and requirements. In accordance to the Town's stormwater design guidelines, all proposed developments within the Town's jurisdiction is required to retain a 10yr/24hr storm event that produces a rainfall amount of 7-inches with no offsite discharge. Proposed drainage swales and perimeter landscape berms will be evaluated for potential storage volume prior to any implementation of exfiltration trenches and/or drainage wells. The most effective and cost efficient method of retaining and discharging the required stormwater runoff will be implemented.

III. SITE DATA INFORMATION

	sq. ft.	ac.	%	Proposed Elevations	
				Highest	Lowest
Total Area	24,674.0	0.57	100.0%	8.00	3.40
Building Area:	-	-	0.0%	9.00	9.00
Lake Area (water features, pools, etc....):	-	-	0.0%	8.50	8.50
Pervious Areas (landscape, swales etc....):	8,799.4	0.20	35.7%	8.00	3.40
Impervious Area (sidewalk, driveways, etc....):	15,874.6	0.36	64.3%	8.00	3.40

IV. GROUND STORAGE CALCULATIONS

Depth to Water Table

	Elevation (ft.)
Average Developed Elevation:	5.70
Average Water Table Elevation:	2.00
Average Depth to Water Table:	3.70

Developed Available Storage

Soil type: Coastal

Depth to Water Table (ft.)	Comp. Avail. Storage (in.)	Comp. CN Value
1.0	0.45	96
2.0	1.88	84
3.0	4.95	71
4.0	8.18	60

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

APR 09 2019

APPROVED _____
DISAPPROVED _____
VARIANCE REQ. _____

Available Soil Storage

Because the average grade after development will place the water table > 3.70' below the surface, the developed available storage for this site is taken to be 7.21 inches

Calculated soil storage:

$$\text{Soil Storage (S)} = \left(\frac{\text{Pervious Area}}{\text{Total Area}} \right) \times \text{Developed available storage}$$

$$(S) = 35.7\% \times 7.21 \text{ inches}$$

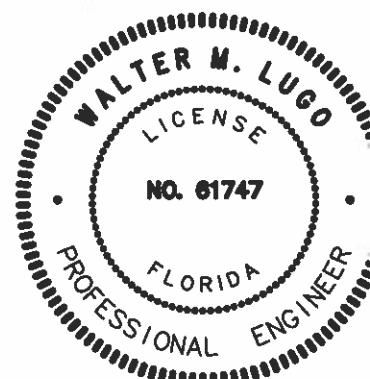
$$(S) = \underline{2.57 \text{ inches}}$$

V. Rainfall Data (P):

A- 10 year 24hr storm event: 7.00 inches

This item has been digitally signed and sealed by
Walter M. Lugo, P.E. on date adjacent to the seal.

Printed copies of this document are not considered
signed and sealed and the signature must be
verified on any electronic copies.



DATE: Mar 08, 2019

VI. Calculated Runoff

Estimated stormwater runoff (Q) generated by the specified rainfall event (P) for a given site with a weighted soil moisture storage value for maximum retention parameter (S).

$$R = \frac{(P - 0.2S)^2}{(P + 0.8S)}$$

where:

R = direct runoff (inches)

P = rainfall (inches)

S = soil storage (inches) as determined based on soil type and depth to water table.

$$(R_{10}) = \underline{4.64 \text{ inches}}$$

VOLUME OF RUNOFF (V)

Volumes of runoff generated during a specified storm (V)

$$V = \frac{(\text{Total Area}) \times (R)}{12}$$

$$(V_{10}) = \underline{219 \text{ ac-ft}} \quad \underline{9,549 \text{ CF}}$$

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

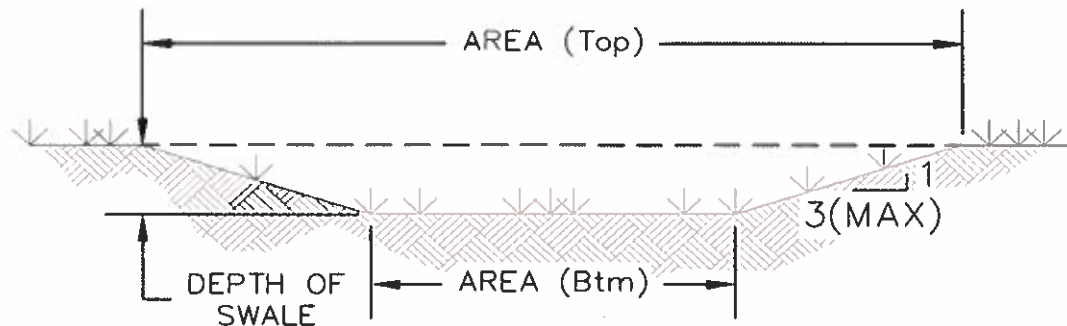
APR 09 2019

APPROVED _____
DISAPPROVED _____
VARIANCE REQ: _____

VII. STORAGE PROVIDED

Surface volume storage developed by the proposed landscape swale areas are calculated by using the following formula:

$$\text{Swale storage volume (V)} = (\text{Area}_{\text{Top}} + \text{Area}_{\text{Btm}}) \times \text{Height}$$



Swale	Area _{Top} (sf.)	Area _{Btm} (sf.)	Average Area (sf.)	Elev. Top	Elev. Btm	Depth of Swale (FT)	Volume (CF)
SW-1	1252.32	27.66	639.99	6.00	3.50	2.50	1,599.98
SW-2	296.18	4.52	150.35	5.00	4.00	1.00	150.35
SW-3	2302.50	149.81	1,226.16	6.00	3.50	2.50	3,065.39
Total Swale Areas =							4,815.71

Volume of storage provided by the proposed swale areas=

4,815.71cf.

Required volume to be treated by proposed Exfiltration Trench =

9,549.27

-4,815.71 = 4,733.55cf.

= 0.109 ac-ft.

VIII. CONCLUSION

The above drainage calculations indicate that the accumulated volume developed by the multiple landscape swales placed throughout the project site does not have the capacity of retaining the 7-inches produced by the required 10yr/24hr storm event. As a result, the surplus 0.109 ac-ft will be discharged into a designed subsurface drainage system.



TESTING TECHNOLOGY FOR SPORT

LABORATORY PERFORMANCE REPORT

Sample Reference Porplastic RedClay Pro

Report Number 18468/7306

Report Status Final

Issue Date 17/01/2018

Client VIACOR Polymer GmbH
Graf-Bentzel-Straße 78
D-72108 Rottenburg
Germany

FOREWORD

1. This report has been prepared by Sports Labs limited with all reasonable skill, care and diligence within the terms of the contract with the Client and within the limitations of the resources devoted to it.
2. This report is confidential to the Client and Sports Labs Limited accepts no responsibility whatsoever to third parties to whom this report, or any part thereof, is made known. Any such party relies upon the report at their own risk.
3. This report shall not be used for engineering or contractual purposes unless signed by the Author and the Checker and unless the report status is "Final".
4. *Not all tests carried out are within our scope of ISO 17025 Accreditation.
5. Comments and opinions are outwith the scope of our ISO 17025 accreditation

APPROVED: _____
DISAPPROVED: _____
VARIANCE REQ: _____



HEAD OFFICE

Sports Labs Ltd
1 Adam Square,
Brucefield Industry Park
Livingston
EH54 9DE

Tel: +44(0)1506 444 755
Email: info@sportslabs.co.uk

REGIONAL LOCATIONS

Johannesburg
Ghent
Ankara
Boston & Seattle
Casablanca

Registered in
Scotland No 186755



1.0 INTRODUCTION

We refer to the sample of sports flooring identified as 'Porplastic RedClay Pro' delivered to our laboratory. The purpose was to carry out an agreed programme of performance testing.

Prepared By Craig Melrose
Laboratory Coordinator
17/01/2018

Checked By Sean Ramsay
Laboratory Director
17/01/2018

Test Details	
Product Name	Porplastic RedClay Pro
Nominal Thickness	30 mm
Substrate	Concrete
Temperature Range	21.0 – 25.0 °C
Humidity Range	40 – 60 %

2.0 TEST DETAILS

- 2.1 The test specimens were prepared in accordance with the manufacturer's instructions.
- 2.2 The specimens were tested in the conditions and temperatures as described in EN 14904:2006.

Town of Golden Beach
Building Regulatory Advisory Bo.
Hearing Date

APR 09 2019



3.0 TESTING

- 3.1 Force Reduction EN 14808: 2005
- 3.2 * Resistance to Impact EN 1517: 2000
- 3.3 * Resistance to Indentation EN 1516: 1999
- 3.4 Drainage Capacity (Water Infiltration Rate) EN 12616: 2013
- 3.5 * Heat Reflection FIFA Test Method 14 adapted for Tennis

(* note: these tests are outwith our scope of ISO 17025 Accreditation)


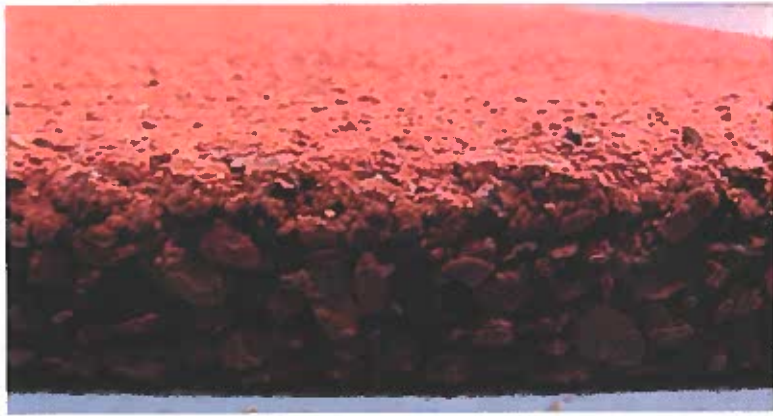

4.0 TEST RESULTS

- 4.1 Detailed test results are given below in tabular format.

5.0 TEST RESULTS

Test Results			
Property	Test Method	Mean Result	
Force Reduction	EN 14808: 2005	18 %	
Resistance to Impact	* EN 1517: 2000	0.0 mm – Clay top layer was displaced however no damage observed to base layer	
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		0.0 mm	0.0 mm
Drainage Capacity (Water Infiltration Rate)	EN 12616: 2013	1756 mm/hr	
Heat Reflection	* FIFA Test Method 14 adapted for Tennis	Maximum temperature observed = 53.6 °C	

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date


SAMPLE PICTURES	
Plan View	
Side View	
During Heat Reflection testing	

Town of Golden Beach
Building Regulatory Advisory Board
Meeting Date

APR 09 2019

MANUFACTURERS DATA SHEET

SYSTEM DATA SHEET



The sports brand by VIAVIT.

PORPLASTIC *RedClay pro*

tennis court with clay-feeling, all weather for OUTDOOR or dust-free for INDOOR

SYSTEM LAYERS

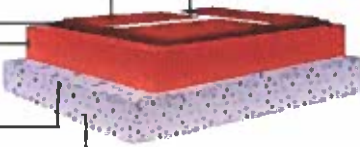
Lining:
PVC Tennis lines, white, 5 cm


Top layer
PORPLASTIC RedClay Top / RedClay PUR slide (clay sand)



Base layer:
binder PORPLASTIC T772 with
PORPLASTIC RedClay basic (clay chippings) and SBR (optional)
broadcast with fine particles rubber or red quartz sand

Decoupling layer (for asphalt, concrete):
binder PORPLASTIC T772
broadcast with SBR-rubber granules 1-8 mm

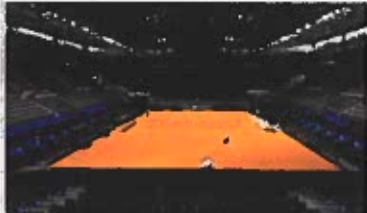
Sub base (level, stable)
-bound sub base
-unbound sub base
-existing classic clay court, artificial turf,
hard court, carpet etc.





SYSTEM DESCRIPTION



- ITF classified court pace: category 1 – slow
- optical / playing properties like watered / classic clay court
- equal ball reflection
- easy on joints and ligaments, avoids injuries
- excellent sliding properties
- exceptional durability, ideal for renovation
- on-site-installation → leveling of sub base unevenness
- OUTDOOR:** total system thickness: 30 mm
- playable all year
- low maintenance, no foot holes
- water-permeable, playable immediately after rain
- winter resistant lines, frost proof
- INDOOR:** total system thickness: 25 mm
- no irrigation needed,
- permanent humidity due to PUR slide-top layer
- no need for indoor shoes, odourless

PORPLASTIC Sportbau w. C. GmbH & Co. KG
 Graf-Bentzel-Str. 78, D-72108 Rottenburg a. N.
 Tel. +49 (0)7472 937970 • info@porplastic.de

End of report

Town of Golden Beach
 Building Regulatory Advisory Board
 Hearing Date

Prepared by and return to:

David M. Lazarus, Esq.

Attorney at Law

Fromberg, Perlow & Kornik, P.A.

20295 N.E. 29 Place Suite 200

Aventura, FL 33180

305-933-2000

File Number: 12413.013

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 15th day of March, 2018 between TSO Golden Beach, LLC, a Florida limited liability company whose post office address is 20925 NE 31 Place, Aventura, FL 33180, grantor, and X Group, LLC, a Florida limited liability company whose post office address is 2875 NE 191 Street, Aventura, FL 33180, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Miami-Dade County, Florida to-wit:

All of Lots 9 and 10, Block E, Section "F" of Golden Beach, as recorded in Plat Book 10, at page 11, of the Public Records of Miami-Dade County, Florida, and Lot 11, Block E, Section "F" of Golden Beach, as recorded in Plat Book 10, at Page 11, of the Public Records of Miami-Dade County, Florida, Less the following described parcel:

Commence at the Northeast corner of said Lot 11; thence run Southwesterly along the arc of a circular curve concave to the Southwest having for its elements a central angle of 0° 22' 49" and a radius of 440.00 feet, for a distance of 2.92 feet to a point; thence run South 83° 16' 22.5" West for a distance of 176.30 feet to a point, said point lying on the Westerly line of said Lot 11 and being a point on a circular curve concave to the Southwest having for its elements a central angle of 3° 57' 47" and a radius of 265.00 feet; thence run Northeasterly along the arc of said circular curve for a distance of 18.33 feet to the Northwest corner of said Lot 11; thence run Northeasterly along the North line of said Lot 11 for a distance of 175 feet to the Point of Beginning.

Parcel Identification Number: 19-1235-006-0440 & 19-1235-006-0460

This conveyance is made subject to the following matters:

- 1. Taxes and assessments for the year 2018 and subsequent years; and**
- 2. Restrictions, conditions, limitations and easements of record, if any, but this provision shall not operate to reimpose same; and**
- 3. Zoning, restrictions and prohibitions, if any, imposed by governmental authority.**

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2017.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: DAVID M. LAZARUS

Witness Name: TATIANA YATSKU

Witness Name: GLADYS OTH

Witness Name: TATIANA YATSKU

TSO Golden Beach, LLC, a Florida limited liability company

By: Tomer Osovitzki, Manager

By: Sharon Osovitzki, Manager

State of Florida
County of Miami-Dade

The foregoing instrument was acknowledged before me this 15 day of March, 2018 by Tomer Osovitzki, Manager and Sharon Osovitzki, Manager of TSO Golden Beach, LLC, on behalf of the limited liability company. They ☒ are personally known to me or ☐ have produced a driver's license as identification.

[Notary Seal]



Notary Public

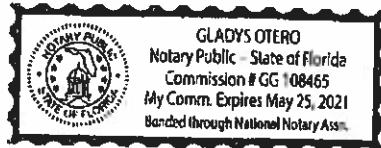
Printed Name: DAVID M. LAZARUS

My Commission Expires: _____

State of Florida
County of Miami-Dade

The foregoing instrument was acknowledged before me this 16 day of March, 2018 by Sharon Osovitzki, Manager, who
☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]



Gladys Otero
Notary Public

Printed Name: _____

My Commission Expires: _____



TESTING TECHNOLOGY FOR SPORT

LABORATORY PERFORMANCE REPORT

Sample Reference Porplastic RedClay Pro

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Livingston
EH54 9DE

Tel: +44(0)1506 444 755
Email: info@sportslabs.co.uk

REGIONAL LOCATIONS

Johannesburg
Ghent
Ankara
Boston & Seattle
Casablanca

Registered in
Scotland No 186755



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17/01/2018

Checked By Sean Ramsay
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Plan View	
Side View	
During Heat Reflection testing	 

MANUFACTURERS DATA SHEET

SYSTEM DATA SHEET



The sports brand by **VIA CER**

PORPLASTIC *RedClay pro*

tennis court with clay-feeling, all weather for OUTDOOR or dust-free for INDOOR

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 Graf-Bentzel-Str. 78, D 72108 Rottenburg a. N.
 Tel +49 (0)7472-937970 • info@porplastic.de

End of report

X GROUP LLC
18851 NE 29TH AVE., #413
MIAMI, FL. 33180-2824

ADALBERTO & DAGMARA PARUAS
645 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

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

JOSE EDERY & CLAUDIA VAINRUB
654 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

JOHATHAN A. KESSLER AND
CATHIE L. PASS
633 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

LYDIA ESKENAZI
660 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

AVISHAI & IRENE SLOCHOWSKI
625 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

MICHAEL & CHARLENE KOONIN
668 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

AVI BENAYOUN & LEIGH SHERMAN
615 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

ALEKSANDR & ALLA SCHEGOL
724 TODTHILL ROAD
STATEN ISLAND, NY 10304

VADLIJO CORP.
20900 NE 20TH AVENUE, #303
AVENTURA, FL. 33180

ALEKSANDR & ALLA SCHEGOL
680 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

MAXIMILIAN & MARIA GRACIELA
LINDENFELD
622 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

FREDDY MORGENSTERN AND
TATIANA PEISACH
685 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

VILLA HELENA INVESTMENTS INC.
630 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

JOSE MINSKI
675 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

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

JUDY LUSSKIN
665 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

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

JOSEPH AND ELENA EDELMAN
655 GOLDEN BEACH DRIVE
GOLDEN BEACH, FL. 33160

JEROME S. & BETTINA C. HOLLO
668 NORTH ISLAND DRIVE
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