

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2601.19

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING VARIANCE REQUESTS FOR THE PROPERTY LOCATED AT 650 GOLDEN BEACH DRIVE, GOLDEN BEACH, FLORIDA 33160 1). TO PERMIT A TENNIS COURT TO BE SETBACK FIVE FEET FROM THE FRONT YARD PROPERTY LINE AND ZERO FEET FROM THE SIDE PROPERTY LINE, INSTEAD OF THE 25 FEET FROM THE FRONT PROPERTY LINE AND 10 FEET FROM THE SIDE PROPERTY LINE, AS REQUIRED BY THE CODE. 2. TO PERMIT A RETRACTABLE FENCE SYSTEM INSTEAD OF THE MINIMUM 10 FOOT HIGH BLACK OR GREEN PERMANENT VINYL CLAD FENCE. 3. TO ALLOW FOR A RED CLAY TENNIS COURT MATERIAL TO COUNT TOWARD THE PERVIOUS AREA CALCULATION AT THE SAME RATE OF CALCULATION AS PERVIOUS PAVERS ARE PERMITTED; A RATE OF NOT MORE THAN A 50% CREDIT TOWARD THE PERVIOUS AREA CACULATION.

WHEREAS, the applicants, X Group LLC ("the applicant"), filed a Petition for Variances/exceptions, 1). Section 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. 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, and;

WHEREAS, the applicant's request is to allow the Tennis Court to be setback at five feet from the front property, Zero feet from the side property line, instead of the twenty-five and ten foot setbacks required by the code and to allow a retractable fence system in place of the minimum ten-foot high permanent black or green vinyl clad fence and request to allow for a Red Clay Tennis Court Material to count toward the pervious Area Calculation at the same rate of Calculation as Pervious Pavers are permitted; a rate of not more than a 50% credit toward the area calculation, and;

WHEREAS, these variances and exceptions are for the property at 650 Golden Beach Drive, Golden Beach, FL. 33160 (Golden Beach Section "F", Lots 9 & 10, and a portion of Lot 11, Block D, as recorded in PB 10-11, of the Public Records of Miami-Dade County, (Folio No. 19-1235-006-0440 and 19-1235-006-0450 (the "Property") and ;

WHEREAS, the Town's Building Regulation Advisory Board held an advertised public hearing on the Petition for Variance/Exception and recommended approval of the retractable fence and Clay Court Material change, denied the five foot front setback request and took no action on the Zero side lot line setback, for approval by the Town Council; and,

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

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

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

Section 1. Recitals Adopted. Each of the above stated recitals are hereby adopted and confirmed.

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

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

(1) Applicant shall record a certified copy of this Resolution in the public records of Miami-Dade County; and the construction shall be completed substantially in accordance with those certain plan pages C200 by Ocean Engineering and IDC Dwg A.1000 – A1003, IDC plans labeled tennis court variance and attached elevations by Saota and A0.00 and A0.1 and A1.00 through A500, dated 4/1/2019 and the Sketch of Boundary Survey, prepared by Cousins Surveyors, Richard E. Cousins, #4188, dated 1/30/2019, for the property located at 650 Golden Beach Dr., Golden Beach, FL. 33160

Section 4. Implementation. That the Building and Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Town of Golden Beach Building and Zoning Department and to issue all permits in

accordance with the terms and conditions of this Resolution. A copy of this Resolution shall be attached to the building permit application documents.

Section 5. Effective Date. This Resolution shall be effective immediately upon adoption.


Sponsored by Administration.

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

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 16th day April, 2019

ATTEST:



LISSETTE PEREZ
TOWN CLERK



MAYOR GLENN SINGER

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



STEPHEN J. HELFMAN
TOWN ATTORNEY