

**TOWN OF GOLDEN BEACH  
RESOLUTION NO. 1029.97**

**RESOLUTION OF THE TOWN COUNCIL OF THE  
TOWN OF GOLDEN BEACH, FLORIDA,  
RELATING TO A VARIANCE FOR THE  
PROPERTY LOCATED AT 335 OCEAN  
BOULEVARD, GOLDEN BEACH, LOT 12 and N½  
LOT 13, BLK B; REQUESTING RELIEF FROM  
TOWN CODE SECTION 66-186, HEIGHT  
RESTRICTIONS - WALLS, FENCES & HEDGES  
TO ALLOW A SIDE WALL TO BE 10 FEET UP  
TO THE END OF THE STRUCTURE IN LIEU OF  
THE SIX FOOT ALLOWED BY CODE.**

WHEREAS, Mr. Bruce Weber, has applied for the following:

(1) **VARIANCE** requesting relief from town code section 66-186, height restrictions - Walls, Fences & Hedges to allow a side wall to be 10 feet up to the end of the structure in lieu of the six foot allowed by code; and

**SUBJECT PROPERTY:** **GOLDEN BEACH, LOT 13 & N ½ LOT 13, BLK B;  
FOLIO NO. 19 1235 002 0430;**

**ADDRESS:** **335 Ocean Boulevard,  
GOLDEN BEACH, FLORIDA 33160**

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

WHEREAS, upon due and proper consideration having been given to the matter it is the opinion of this Town Council that the requested variance is not contrary to public interest and that special conditions do exist whereby a literal enforcement of the provisions of the Town's Code of Ordinances will result in unnecessary and undue hardship on the applicant.

NOW, THEREFORE BE IT RESOLVED by the Town Council, of the Town of Golden Beach:

Section 1. That the requested variance is hereby approved as follows:

To permit relief from town code section 66-186, height restrictions - Walls, Fences & Hedges to allow a side wall to be 10 feet up to the end of the structure in lieu of the six foot allowed by code; and

Section 2. That the application as approved, is subject to the following conditions:

A. A Building Permit for work where the Variance has been granted must be obtained within two (2) years from the date of Variance approval. If no Building Permit is issued within the two (2) year time limit, then the Variance approval will be considered null and void.

B. A covenant be submitted whereby they have three options: 1.) Sell the properties together (with 325 Ocean Blvd.); 2.) Obtain a variance; 3.) If the variance is not granted, correct the violation.

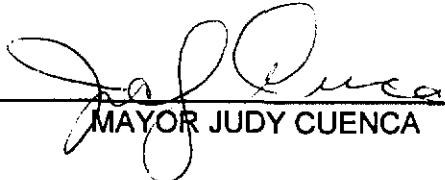
C. Certification by a structural engineer that the wall as built meets the South Florida Building Code.

Section 3. 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.

The Motion to adopt the foregoing Resolution was offered by COUNCIL MEMBER LOWRANCE seconded by VICE MAYOR CHIKOVSKY, and on roll call the following vote ensued:

Mayor Cuenca	<u>AYE</u>
Vice Mayor Chikovsky	<u>AYE</u>
Councilmember Lowrance	<u>AYE</u>
Councilmember Addicott	<u>ABSENT</u>
Councilmember Fistel	<u>AYE</u>

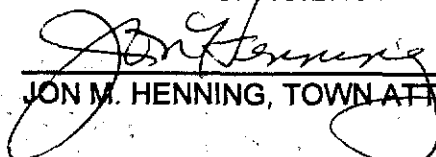
**PASSED AND ADOPTED** by the Mayor and Town Council of the Town of Golden Beach, Florida, this 20<sup>th</sup> day of May, 1997.

  
MAYOR JUDY CUENCA

ATTEST:

  
TOWN CLERK PATRICIA MONGIELLO

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
JON M. HENNING, TOWN ATTORNEY

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