

**TOWN OF GOLDEN BEACH
RESOLUTION NO. 1030.97**

**RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF GOLDEN BEACH, FLORIDA,
RELATING TO A VARIANCE REQUEST, FOR
THE PROPERTY LOCATED AT 335 OCEAN
BOULEVARD, GOLDEN BEACH, LOT 12 and N½
LOT 13, BLK B; REQUESTING RELIEF FROM
TOWN CODE SECTION 66-237 SIDE SETBACK
REQUIREMENTS TO ALLOW A 70'-10" LONG
BY 20'-4" WIDE LAP POOL TO BE 4 FEET 8
INCHES FROM THE SIDE PROPERTY LINE IN
LIEU OF THE TEN FOOT REQUIRED.**

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

(1) **VARIANCE** requesting relief from section 66-237 Side Setback Requirements, to allow a 70'-10" long by 20'-4" wide lap pool to be 4 feet 8 inches from the side property line in lieu of the ten foot required.

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:

Item # 1. To permit relief from town code section 66-237 Side Setback Requirements, to allow a 70'-10" long by 20'-4" wide lap pool to be 4 feet 8 inches from the side property line in lieu of the ten foot required.

Section 1. That the requested variance is hereby approved:

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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.

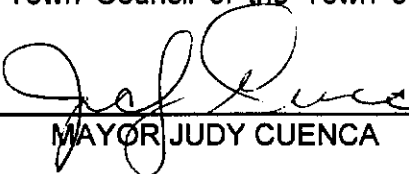
B. A covenant be submitted whereby they have three options: 1.) Sell the properties together (with 325 Ocean Blvd.); 2.) Obtain a variance; 3.) If the variance is not granted, correct the violation.

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>

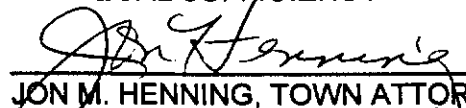
PASSED AND ADOPTED by the Mayor and Town Council of the Town of Golden Beach, Florida, this 20th day of May, 1997.


MAYOR JUDY CUENCA

ATTEST:


TOWN CLERK PATRICIA MONGIELLO

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


JON M. HENNING, TOWN ATTORNEY

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