

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 46-85 to permit an encroachment into the canal of 8 feet in lieu of the 6 feet allowed by the code.

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 null and void.

(b). The applicant shall record a certified copy of this resolution in the public records of Dade County.

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.

Section 4. Conflict. That all resolutions or parts of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

Section 5. Severability. Should any provisions of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Resolution as a whole, or any part thereof, other than the part declared to be invalid.

Section 6. Effective Date. That this Resolution shall become effective upon approval of the Town Council.

The Motion to adopt the foregoing Resolution was offered by Councilman Fistel 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 Addicott	<u>Aye</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 January, 1998.

ATTEST:



ROBERT JOHNSTON
INTERIM TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



JON M. HENNING
TOWN ATTORNEY



MAYOR JUDY CUENCA