

**TOWN OF GOLDEN BEACH  
RESOLUTION NO. 1148.98**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA; RELATING TO A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT: 317 SOUTH PARKWAY, GOLDEN BEACH, SECTION "B", LOTS 15, 16 & 17, BLOCK B, AS RECORDED IN PB 9-52 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA; REQUESTING RELIEF FROM TOWN CODE SECTION 66-237, SETBACK AREA REQUIREMENTS TO PERMIT AN EXISTING SWIMMING POOL SETBACK OF EIGHT FEET SIX INCHES (8'6") IN LIEU OF THE TEN FEET (10') REQUIRED; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE**

**WHEREAS, Joel Hochberg and his wife, Marcia, have applied for the following variance:**

- (1) A Variance requesting relief from Town Code Section 66-237 to allow an existing swimming pool with a rear setback of eight feet six inches (8'6") where a setback of ten feet (10') is required.**

**SUBJECT PROPERTY: GOLDEN BEACH SECTION "B", LOTS 15, 16 AND 17, BLOCK B, AS RECORDED IN PB 9-52 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA**

**FOLIO NO. 19 1235 00020460**

**ADDRESS: 317 OCEAN BOULEVARD  
GOLDEN BEACH, FL 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 66-237, to allow a swimming pool with a rear setback of 8' 6" in lieu of the 10' required setback.**

*Corrected from  
1148.98 A. - Typo  
in heading; omission  
of "existing" before  
pool.*

**CERTIFICATION**

I certify this to be a true and correct copy of the record in Town Hall files.  
WITNESSETH, my hand and official seal of the Town of Golden Beach, Florida, this 31<sup>st</sup> day of July 1988

**TOWN OF GOLDEN BEACH  
RESOLUTION NO. 1148.98a**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA; RELATING TO A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT: 318 SOUTH PARKWAY, GOLDEN BEACH, SECTION "B", LOTS 15, 16 & 17, BLOCK B, AS RECORDED IN PB 9-52 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA; REQUESTING RELIEF FROM TOWN CODE SECTION 66-237, SETBACK AREA REQUIREMENTS TO PERMIT A SWIMMING POOL SETBACK OF EIGHT FEET SIX INCHES (8'6") IN LIEU OF THE TEN FEET (10') REQUIRED; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Joel Hochberg and his wife, Marcia, have applied for the following variance:

- (1) A Variance requesting relief from Town Code Section 66-237 to allow a swimming pool with a rear setback of eight feet six inches (8'6") where a setback of ten feet (10') is required.

**SUBJECT PROPERTY:**

GOLDEN BEACH SECTION "B", LOTS 15, 16 AND 17, BLOCK B, AS RECORDED IN PB 9-52 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA

FOLIO NO. 19 1235 00020460

**ADDRESS:**

317 OCEAN BOULEVARD  
GOLDEN BEACH, FL 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 66-237, to allow a swimming pool with a rear setback of 8' 6" in lieu of the 10' required setback.

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

(a) A building permit for work where the variance has been granted must be obtained within two (2) years from the date variance approval.

(b) The applicant shall record a certified copy of this resolution in the Public Records of Dade County, Florida.

Section 3. The Building & Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Town of Golden Beach Building & 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 provision 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.

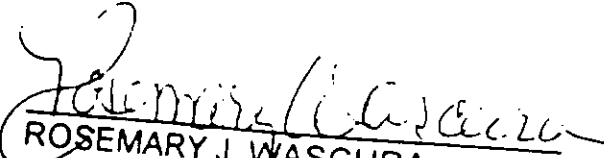
Section 6. Effective Date: That this Resolution shall become effective upon approval of the Town Council.

The Motion to adopt the foregoing Resolution was offered by Councilwoman Lidsky seconded by Councilman Rodriguez and on roll call the following vote ensued:

Mayor Cuenca	<u>aye</u>
Vice Mayor Chikovsky	<u>aye</u>
Councilman Fistel	<u>aye</u>
Councilwoman Lidsky	<u>aye</u>
Councilman Rodriguez	<u>aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach this 17<sup>th</sup> day of November, 1998.

ATTEST:

  
ROSEMARY J WASCURA  
TOWN CLERK

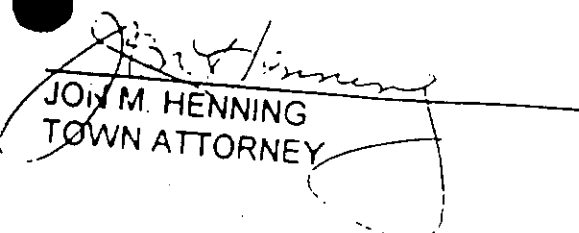
  
MAYOR JUDY CUENCA

CERTIFICATION

certify this to be a true and correct copy of the record in Town Hall files.

WITNESSETH my hand and official seal of the Town of Golden Beach, Florida, this 31<sup>st</sup> day of November, 1998

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

  
JON M. HENNING  
TOWN ATTORNEY

