

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2703.20

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING VARIANCE REQUESTS FOR THE PROPERTY LOCATED AT 268 SOUTH PARKWAY, GOLDEN BEACH, FLORIDA 33160 TO PERMIT A BOAT LIFT TO BE INSTALLED AND TO ALLOW AN ELEVATED BOAT TO ENCROACH INTO THE SIDE SETBACK .

WHEREAS, the applicant, Jason Rubin, ("the applicant"), filed a Petition for Variances/exceptions, from Section 46-87 – Proximity of Lot Lines and Section 46-55 Vessels.

WHEREAS, the applicant's request is to allow for the boat lift to be installed at the boat slipway at a side setback of 6.7' instead of the required 10' and;

WHEREAS, the applicant also requested to be allowed an elevated boat to encroach in any instance within the side setback area of 10' as established by the code.

WHEREAS, these variances and exceptions are for the property at 268 South Parkway, Golden Beach, FL. 33160 (Golden Beach Sec D, Lots 18 & 19, Blk G, as recorded in PB 10-10, of the Public Records of Miami-Dade County, (Folio No. 19-1235-004-0140 (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 request for the Boat Lift, 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 ED/PC, Seal dated 02/06/2020, SP, Seal dated 10/6/2020, DTL-1, Seal dated 02/02/2020, Diana C. Correa, Professional Engineer, #86862, Biagi and Associates Engineering, Pages 1 – 3 of Neptune Boat Lifts, NW Engineering, unsealed, dated 05/12/2015, and the Sketch of Boundary Survey, prepared by John Ibarra & Associates, Inc., field dated 1/2018, for the property located at 268 South Parkway, 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 Lusskin, seconded by Councilmember Mendal, and on roll call the following vote ensued:

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

The motion passed.

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 20th day October, 2020.

ATTEST:



 LISSETTE PEREZ
 TOWN CLERK



 MAYOR GLENN SINGER

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



 STEPHEN J. HELFMAN
 TOWN ATTORNEY