

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2724.21**

**A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING VARIANCE REQUESTS FOR THE PROPERTY LOCATED AT VL, (A/K/A 699), OCEAN BLVD, GOLDEN BEACH, FLORIDA 33160. TO PERMIT THE ELEVATOR OVERRIDE NOT TO BE CENTERED ON THE ROOF, AND TO BE SETBACK 9'-7" FROM THE NORTH SIDE PROPERTY LINE AND 4'-2" FROM THE WEST FRONT AND SIDE PROPERTY LINE OF THE LOT INSTEAD OF THE 10' REQUIRED BY THE CODE.**

**WHEREAS**, the applicants, 7AOA1A Ocean, LLC, ("the applicant"), filed a Petition for Variances/exceptions, from Section 66-261 – Roof Top Activities (b) (5) (b) Within Zone One, the roof of the highest roofed structure may be used for passive leisure activities, including entertainment and other passive recreational/leisure uses subject to the following limitations:

(5) An elevator and any covered elevator vestibule serving the rooftop shall be limited to an area of no more than 110 square feet. Any elevator and any covered elevator vestibule, if permitted, shall be placed near the center of the rooftop, but not less than seven and one half feet from the edge of the roof on lots less than 75 feet in width, or less than ten feet from the edge of the roof on lots 75 feet or more in width, and.

**WHEREAS**, the applicant's request is to allow the elevator override not to be centered on the roof, and to be setback 9'-7" from the North side property line and 4'-2" from the West front property line of the Lot., and;

**WHEREAS**, these variances and exceptions are for the property at Vacant Lot a/k/a 699 Ocean Boulevard, Golden Beach, FL. 33160 (GB Section A, unnumbered lot North of Lot 1, Block D., 100 feet of E 325 feet of Govt Lot 1, as recorded in PB 9-52, of the Public Records of Miami-Dade County, (Folio No. 19-1235-000-0010 (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 elevator override not to be centered on the roof, and to be setback 9'-7" from the North side property line and 4'-2" from the West front property line of the Lot, 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 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 T1.1 – T1.6, and A1.1 – A3.3, dated 11/1/2020 & 12/19/2020, by John Dwyer-AIA, Architects and the Sketch of Boundary Survey, prepared by Fortin, Leavy, Skiles, Inc., dated 11/5/2020, for the property located at the Vacant Lot, a/k/a 699, Ocean Boulevard, 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 Vice Mayor Lusskin, seconded by Councilmember Einstein and on roll call the following vote ensued:

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

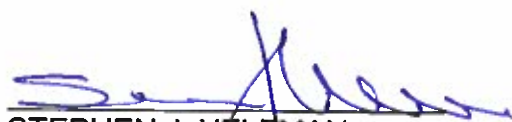
PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 16<sup>th</sup> day March, 2021.

ATTEST:

  
LISSETTE PEREZ  
TOWN CLERK

  
MAYOR GLENN SINGER

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
STEPHEN J. HELFMAN  
TOWN ATTORNEY