

TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
PETITION FOR VARIANCE

3. Literal interpretations of the provisions of the Zoning Chapter of the Town Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of zoning regulations and would work unnecessary and undue hardship on the applicant. YES, DUE TO THE FACT THAT ADHERING TO THE NEW REQUIREMENTS WILL COMPROMISE THE DESIGN INTEGRITY AND EFFICIENCY OF THE SITE AND THEREFORE RENDER IT NOT FEASIBLE. THE STATE DEP WILL NOT ALLOW EXCAVATION OF FILL EAST OF THE COASTAL CONSTRUCTION CONTROL LINE (CCCL)

4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. THIS VARIANCE WILL GRANT THE MINIMUM REQUIRED TO MAKE THIS PROJECT VIABLE AND STILL MAINTAIN THE ORIGINAL CONFIGURATION AND PRE-APPROVED HEIGHTS, INCLUDING ZONING REQUIREMENTS.

5. The granting of the Variance will be in harmony with the general intent and purpose of the Town Code and the Variance will not be injurious to the area involved or otherwise detrimental to the public welfare. GRANTING OF THE VARIANCE WILL BE IN HARMONY WITH THE GENERAL INTENT AND PURPOSE OF THE CODE, KEEPING PUBLIC WELFARE INTACT. THE VARIANCE REQUESTED MEETS WITH ALL THE CONDITIONS ABOVE.

Does the Variance being requested comply with all the above listed criteria?
☒ Yes ☐ No

6. Our code states that submission of a written statement is invited and encouraged. Has the applicant (petitioner) explained the variance to the owners of the nearest adjacent residences and sought their approval in writing? Yes ☐ No ☒
Please attach any written letters of no objection to this petition.

7. Is this request related to new construction? ☒ Yes ☐ No

8. Is construction in progress? NO

9. Is this request as a result of a code violation? NO

10. Did this condition exist at the time property was acquired? ☒ Yes ☐ No

11. Is this request sought as a remedy to a case to be heard, or action taken by the Special Magistrate? NO

12. Do you have a building permit? ☐ Yes ☒ No

Building Permit No. _____ Date issued: _____

TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
PETITION FOR VARIANCE
AFFIDAVIT BY OWNER

Affidavit by Owner for Variance Request(s):

Folio No.: 19-1235-003-0150

Address: 185 OCEAN BLVD. GOLDEN BEACH, FL

Legal Description: LOT 18, BLOCK A, SECTION C, GOLDEN BEACH ACCORDING
TO PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 52. MIAMI-DADE PUBLIC RECORDS

Being duly sworn, deposes and says: That He/She is the Owner named in the application for Building Advisory Board for the hearing date of 7/13/21 relating to Variance requests for construction or other work to be performed on, or in connection with, the premises located as indicated in the application.

I acknowledge notification by The Town of Golden Beach, that granting of a variance(s) by The Town Council, is conditioned on the following:

1. That a Building Permit for the contemplated work pursuant to the Variance must be issued within two (2) years from the date of the approval of the Resolution granting such variance request.
2. If a Building Permit is not issued within the two (2) year time limit set then the Resolution granting the Variance approval will be null and void.
3. That as the applicant, and at my own expense, I shall record a certified copy of the Resolution in the public records of Miami-Dade County and return two (2) certified copies to the Golden Beach Town Hall for inclusion into my property records.

Pablo Umanak

Signature of Owner or Legal Representative

Sworn to and subscribed before me this 28 day of, May, 2021

[Signature]
Notary Public State of ~~Florida~~ at Large
Virginia



Notarized online using audio-video communication

☐ Personally know to me

☒ Produced Identification

TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
APPLICATION FOR
PETITION FOR VARIANCE

Date: _____

Fee: _____

I, PABLO J. UMANSKY hereby petition the Town of Golden Beach for a variance from the terms of the Town of Golden Beach Code of Ordinances affecting property located at: 185 OCEAN BLVD. GOLDEN BEACH, FLORIDA 33160 Folio No. 19-1235-003-0150

As specified in the attached "Application for Building Regulation Advisory Board" and related supporting material.

1. The Variance requested is for relief from the provisions of (list section number(s) of the Town of Golden Beach Code of Ordinances): _____

SECTION 66-69.1 (h) (1) (c) BUILDING SIDE SETBACK

2. In order to recommend the granting of the variance, it must meet all the following criteria (please provide a response to each item):

- a. The Variance is in fact a Variance from a zoning regulation as set forth within the Zoning Chapter of the Town Code. SECTION 66-69.1 (h) (1) (c) BUILDING SIDE SETBACK

- b. Special conditions and circumstances exist which are peculiar to the land or structure involved, and which are not applicable to other lands or structures in the same district. BUT, BECAUSE OF THE EXISTING CONDITION OF BEING ONE OF THE ORIGINAL NARROWER LOTS WHICH IS GREATLY AFFECTED WITH THE SHORTEST FRONTAGE DIMENSION OF 50 FEET, AND HAVING THE PRECEDENT OF THE APPROVAL OF THIS VARIANCE ON SIMILAR PROPERTIES LIKE THE ONE LOCATED AT 495 OCEAN BLVD. AND WITH THE CAVEAT OF THE ADDITION OF 2 NEW SUITES ON THE HIGHEST HABITABLE LEVEL, AND WITH THE PRIOR SUPPORT OF THE TOWN MANAGER, THE APPLICANT WOULD LIKE TO REQUEST A VARIANCE FOR THE PROPOSED BUILDING TO BE ERECTED TO THE MAX. ALLOWABLE HEIGHT THROUGHOUT ITS FULL LENGTH.

- c. The special conditions and circumstances do not result from the actions of the applicant. NO SPECIAL CONDITIONS AND/OR CIRCUMSTANCES WILL BE PRODUCED BY THE GRANTING OF THIS VARIANCE AND ACTIONS OF THE APPLICANT. THE PROPOSED BUILDING WILL KEEP COMPLYING WITH THE REQUIRED MAX. ALLOWABLE BUILDING HEIGHT.

- d. Granting the Variance requested will not confer on the applicant any special privilege that is denied by the Zoning Chapter of the Town Code to other lands or structures in the same district. NO PRIVILEGES WILL BE GRANTED TO THE OWNER. THE BUILDING COMPLIES WITH THE REQUIRED MAX. ALLOWABLE BUILDING HEIGHT AND WILL BE COMPATIBLE WITH THE HEIGHTS OF THE ADJACENT PROPERTIES TO THE NORTH AND SOUTH SIDES.

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4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. THIS VARIANCE WILL GRANT THE MINIMUM REQUIRED TO MAKE THIS PROJECT VIABLE AND STILL MAINTAIN THE REQUIRED CONFIGURATION AND PRE-APPROVED HEIGHTS.

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Does the Variance being requested comply with all the above listed criteria?
☒ Yes ☐ No

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Pablo Umanak

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