

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

DATE: 7-29-21

FEE: _____

I, 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:
399 OCEAN BOULEVARD Folio No. 19-1235-002-0370

Variance #4

1. The Variance requested is for relief from the provisions of (list section number(s) of the Town of Golden Beach Code of Ordinances): Variance from Section 66-69.1 (h)(1)(b) reduce northern side setback for the main structure to 7.5ft (10ft is the minimum permitted by code); variance from Section 66-69.1 (h)(1)(c) partial relief for additional side setback along 1/4 (as opposed to 2/3) of second story building along northern property line only.

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.

Yes this is a variance from the current zoning regulation

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.

- Unique property location with noisy *Public Beach Club* to the north, reducing the setback to 7.5ft and reducing the additional step back requirement would allow owner to allocate storage, back of house program and an architectural feature privacy shield along northern property line for added privacy and noise buffer. (Note, existing property has a 5ft northern setback)
- Buffering against noisy *Public Beach Club* is important for the livability of subject property. Beach Club visitors will easily be able to view into subject property therefore extra screening is required.
 - Partial relief of additional setback requirement on 2nd floor allows a uniform wall structure to be created to further protect privacy and noise on 2nd floor bedrooms. Code requires 2/3 of 2nd floor to have additional 1:1 step-back for building over 18ft. Owner is requesting a partial relief to allow 1/4 of step-back instead.
 - Minimal windows will be added along northern facade – instead, pockets of greenery to create interesting facade from *Beach Club* parking lot.

- Per town manager's request an architectural feature/aesthetic element as *architectural artwork* will be added along northern elevation for additional privacy and sound buffer. We want to confirm, per code Section 64-144 (f) this falls under the code definition of 'architectural feature' - code extract below:

Section 64-144 (f).

Architectural features such as awnings, canopies, planting bins, decorative non-accessible balconies, oriel windows, cornices, decorative bands, architectural artwork, plaques, and other similar features may project into setback areas which abut interior lot lines not more than 1.5 feet and into setback areas which abut on streets or waterways not to exceed two feet for full-size lots; however, not more than 1.5 feet which abut side lot lines for undersized lots.

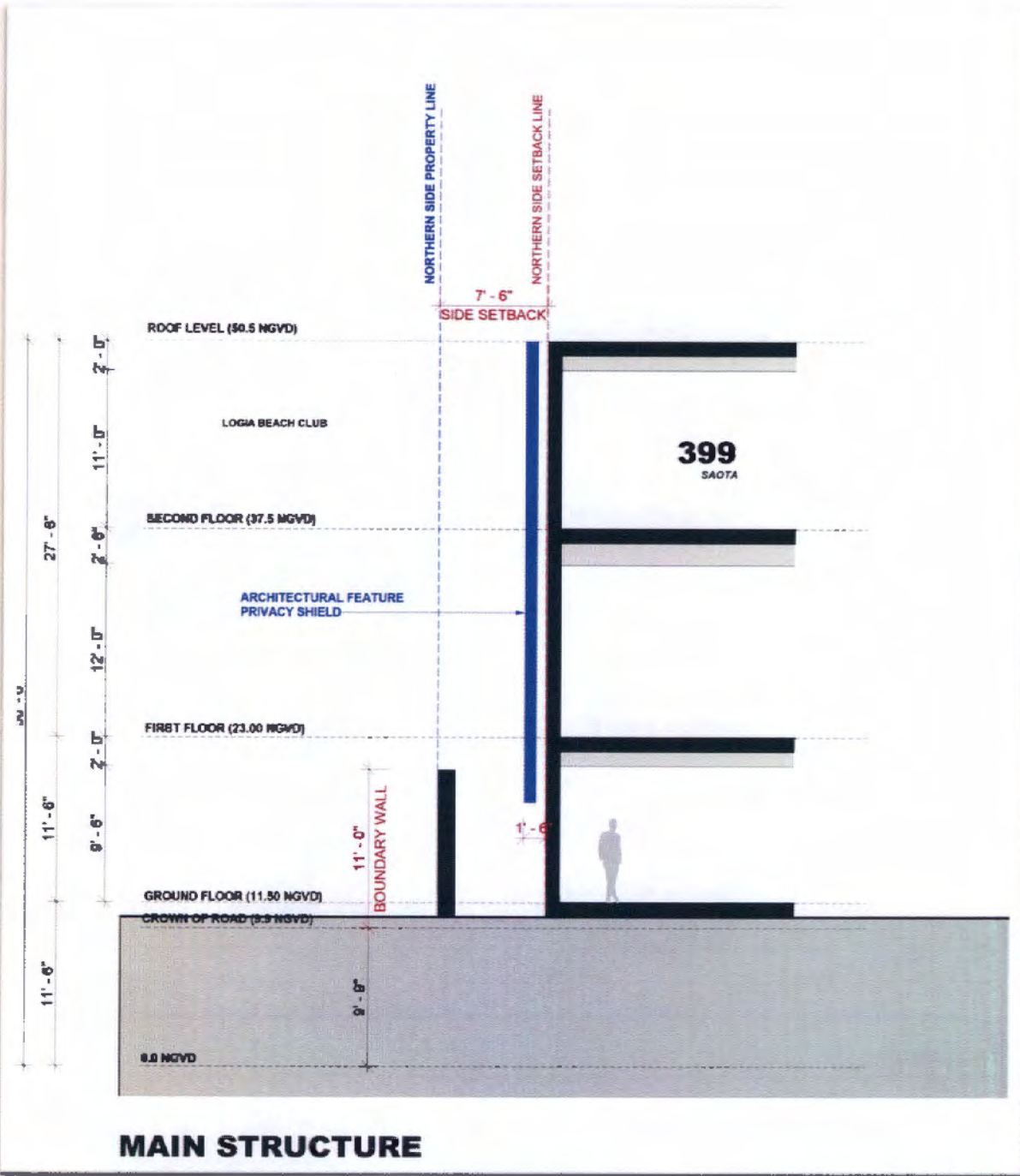
- Design focuses on south easterly views/exposures turning its back against Beach Club. Without the variance of subject property space along northern facade would be wasted as space not useful due to privacy and noise concern from beach club on north creating unnecessary hardship as it would not allow us to enjoy our full property as other Golden Beach zone one residents do.
- Home needs to focus and maximize views south and east to minimize the impact of Public Beach Club – therefore we have located all storage spaces along the northern façade to locate primary accommodation in south easterly direction.
- *Public Beach Club* vehicular entry and pedestrian path very noisy. Pedestrian path very close to property line (approx. 7ft). Reduced setback would help bounce away noise before getting too deep into subject property.

GROUND FLOOR



FIRST FLOOR







**note, this rendering is extremely rough as the structure, shield materials and design have not been finalized. This rendering is strictly for illustrative purposes of what a 7.5ft set-back with a consistent shield would entail.*

- c. The special circumstance is the not a result of the applicant.

The Beach Club was established for public use.

- 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.

Granting this variance will not confer special privilege to the current owner but will allow the development for a more private residence and consistent with accommodations granted to other properties.

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

A literal interpretation of the code would cause unnecessary hardship. Without the variance, the entire 10' setback and step back would not allow for necessary mitigation to ensure a privacy and noise buffer across the norther boundary.

4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure.

Yes, granting this variance would make a reasonable use of the land and the structure while protecting the privacy of this property.

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.

The granting of this variance is in harmony with the code and does not pose a threat to the public.

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

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

DATE: 7-29-21

FEE: _____

I, 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:
399 OCEAN BOULEVARD Folio No. 19-1235-002-0370

Variance #5

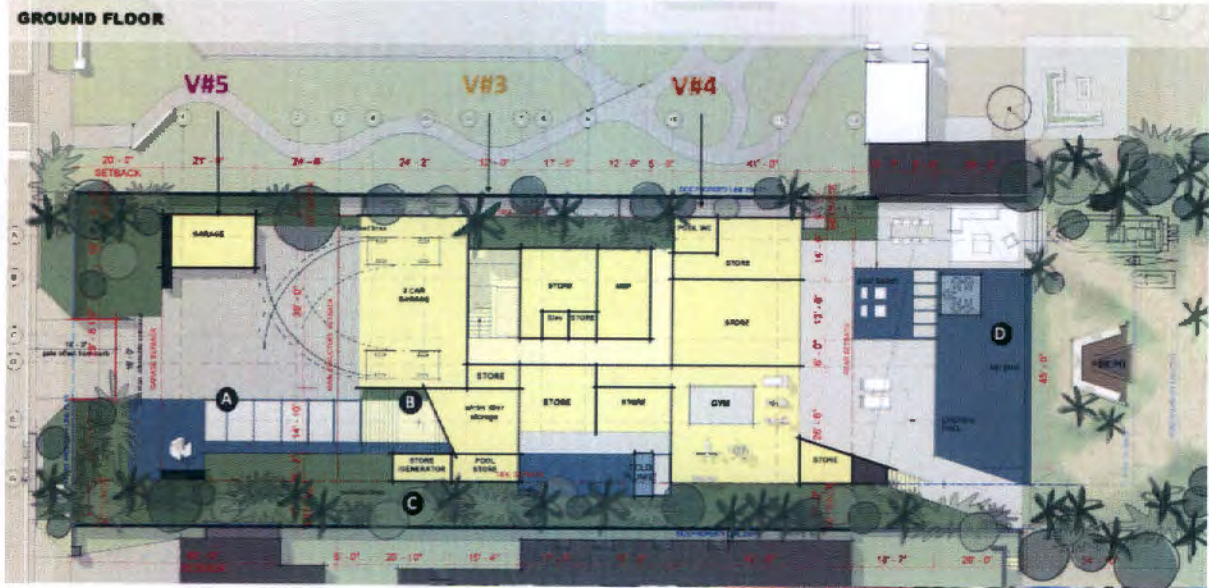
1. The Variance requested is for relief from the provisions of (list section number(s) of the Town of Golden Beach Code of Ordinances): Variance from Section 66-69.1(h)(2) to reduce setback to 5ft on detached structure of northern property only (10ft is the minimum permitted by code) & omit requirement for additional side setback along 2/3 of building higher than 18ft along northern property line only.
2. In order to recommend the granting of the variance, it must meet all the following criteria (please provide a response to each item):

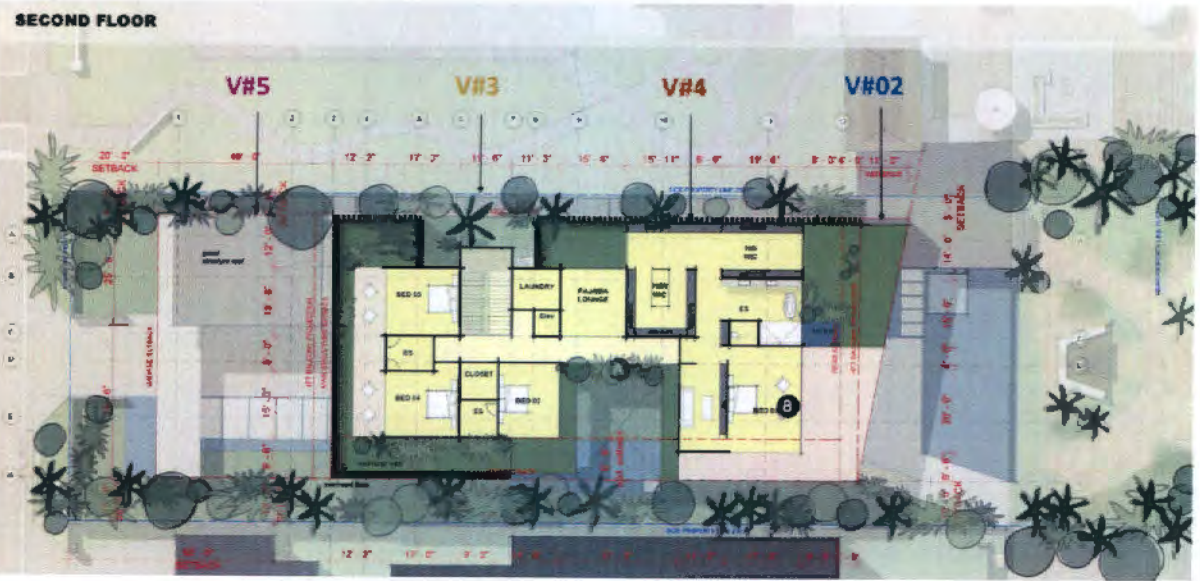
- a. The Variance is in fact a Variance from a zoning regulation as set forth within the Zoning Chapter of the Town Code.

Yes this is a variance from the current zoning regulation

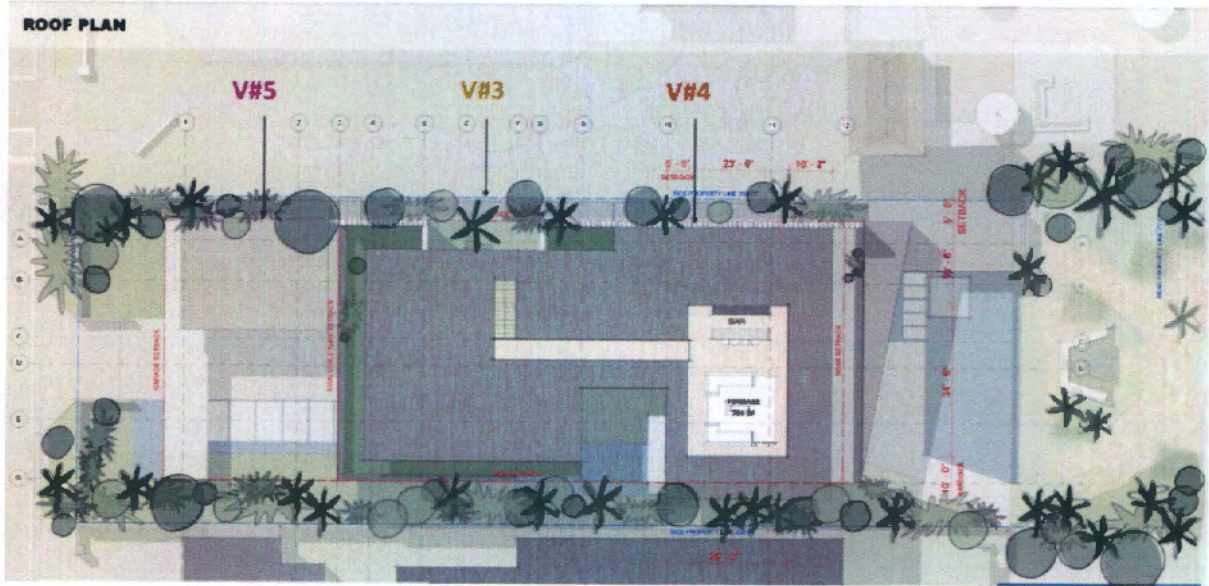
- b. Special conditions and circumstances exist which are peculiar to the land or structure involved, and which are not applicable to other lands or structures in the same district.
 - *Public Beach Club* parking entrance, pedestrian pathway and *Collins* rumble pads adjacent to subject property; lots of cars and lots of people in a concentrated space.
 - Sound buffer needed - 11ft boundary wall won't allow much vegetation to grow in this area (narrow & shaded)
 - Most effective way to screen (privacy/noisy) is with a solid wall/building as close to source as possible.
 - Reducing northern setback would also allow noise to bounce directly back onto *Public Beach Club* and *Collins*.
 - Minimal impact to beach club parking lot.
 - No step-back allows a uniform attractive shield and wall structure to be created to protect privacy and noise.
 - Southern side yard densely vegetated to create buffer against southern neighbor. Their current setback is approximately 3ft (10ft max allowable by code).

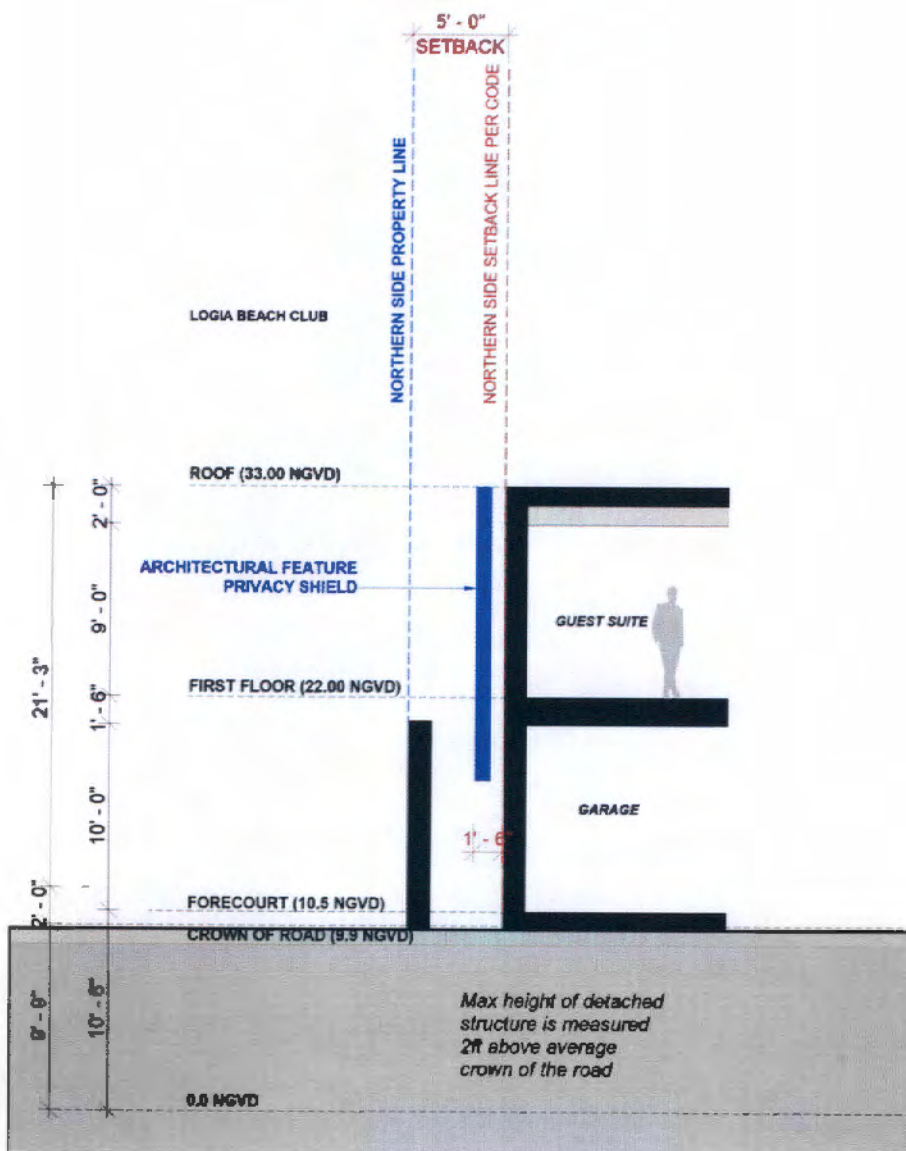
GROUND FLOOR





ROOF PLAN





DETACHED STRUCTURE



**note, this rendering is extremely rough as the structure, shield materials and design have not been finalized. This rendering is strictly for illustrative purposes of what a 5ft setback of detached structure would look like. As you can see it is completely hidden, blocked by vegetation.*

- c. The special circumstance is the not a result of the applicant.

The Beach Club was established for public use.

- 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.

Granting this variance will not confer special privilege to the current owner but will allow the development for a more private residence.

- 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

A literal interpretation of the code would cause unnecessary hardship. Without the variance, the entire 10' setback and step back would not allow for necessary mitigation to ensure a privacy and noise buffer across the norther boundary.

- 4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure.

Yes, granting this variance would make a reasonable use of the land and the structure while protecting the privacy of this property.

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.

The granting of this variance is in harmony with the code and does not pose a threat to the public.

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

PREPARED BY:
Gavin S. Banta, Esq.
Angelo & Banta, P.A.
515 East Las Olas Boulevard
Suite 850
Fort Lauderdale, Florida 33301

CFN: 20210202408 BOOK 32411 PAGE 179
DATE: 03/23/2021 08:33:33 AM
DEED DOC 59,700.00
HARVEY RUVIN, CLERK OF COURT, MIA-DADE CTY

APPROVED _____
DISAPPROVED _____
VARIANCE FEE _____

Parcel ID # 19-1235-002-0370

WARRANTY DEED

THIS WARRANTY DEED made as of this 17th day of March, 2021 by and between GH OCEAN BLVD, LLC, a Florida limited liability company, whose post office address is 1212 SE Third Avenue, Fort Lauderdale, Florida 33316, hereinafter called the Grantor, and BARRY E. SOMERSTEIN, AS TRUSTEE UNDER TRUST AGREEMENT DATED MARCH 10, 2021, as may be amended from time to time, whose post office address is 200 East Broward Boulevard, Suite 1800, Fort Lauderdale, FL 33301 ("Grantee"). The Grantee, as Trustee, shall have the power and authority to protect, to conserve, to sell, to lease, or to encumber, or otherwise to manage and dispose of the real property conveyed by this Deed, is effective to vest, and is declared to have vested, in such Trustee full power and authority as granted and provided by this Deed to deal in and with such property, or interest therein or any part thereof, held in trust under this Deed. It being the intent to vest in Grantee full rights as authorized and contemplated by Section 689.073, Florida Statutes.

W I T N E S S E T H:

That Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee the real property (the "Property") located in Miami-Dade County, Florida, and more particularly described as follows:

Lot 1, Block B, Golden Beach Section B, according to the plat thereof, recorded in Plat Book 9, Page 52, of the Public Records of Miami-Dade County, Florida.

SUBJECT TO:

(1) All restrictions and matters on the Plat of Golden Beach Section B as recorded in Plat Book 9, Page 52, of the Public Records of Miami-Dade County, Florida or otherwise common to the subdivision, provided that this instrument shall not reimpose same; (2) real estate taxes for the year 2021 and all subsequent years; (3) existing applicable governmental building and zoning ordinances and other governmental regulations; (4) easement over the rear 2.5 feet for public utilities as reserved in Warranty Deed recorded in Deed Book 397, Page 405, of the Public Records of Miami-Dade County, Florida; and (5) all matters of survey.

TOGETHER with all the tenements, hereditaments and appurtenances belonging or in any way appertaining to the Property.

TO HAVE AND TO HOLD the same in fee simple forever.

AND GRANTOR hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property; and that Grantor does hereby fully warrant the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

[Execution on Following Page]

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed by its duly authorized representative on the day and year first above written.

Witnesses:

GH OCEAN BLVD, LLC, a Florida limited liability company

By: Maria Ojeda
Name: Maria Ojeda

By: 1212 SE THIRD AVENUE PROPERTY
MANAGEMENT, LLC, a Florida limited
liability company, its Manager

By: Alvin Soto
Name: ALVIN SOTO

By: Thomas P. Angelo
Thomas P. Angelo, Authorized Signatory

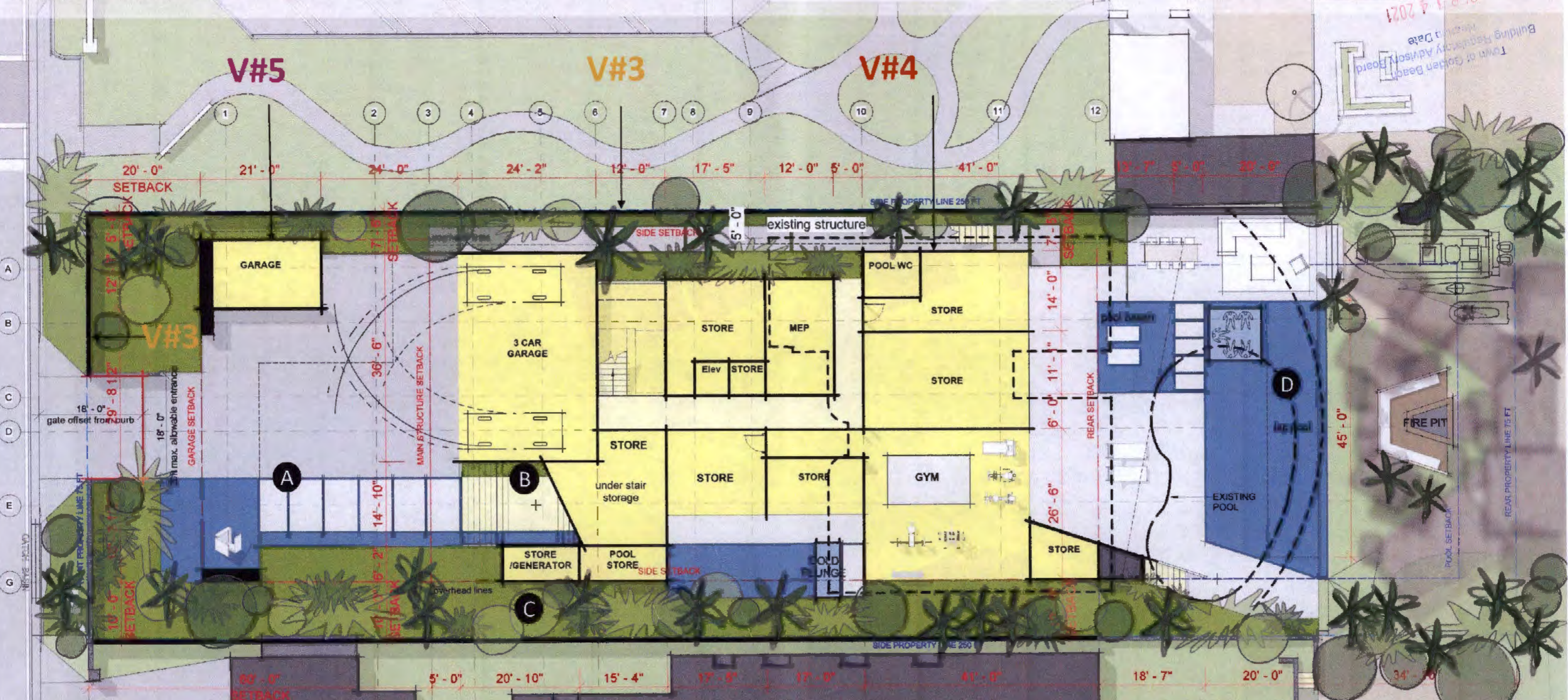
STATE OF FLORIDA)
) SS:
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 16th day of March, 2021 by Thomas P. Angelo, as Authorized Signatory of 1212 SE Third Avenue Property Management, LLC, a Florida limited liability company, the Manager of GH OCEAN BLVD, LLC, a Florida limited liability company, on behalf of and as an act of the companies. He is personally known to me or presented _____ as identification and did not take an oath.



Maria Ojeda
Notary Public, State of Florida
Print Name: _____
My Commission Expires: _____

GROUND FLOOR

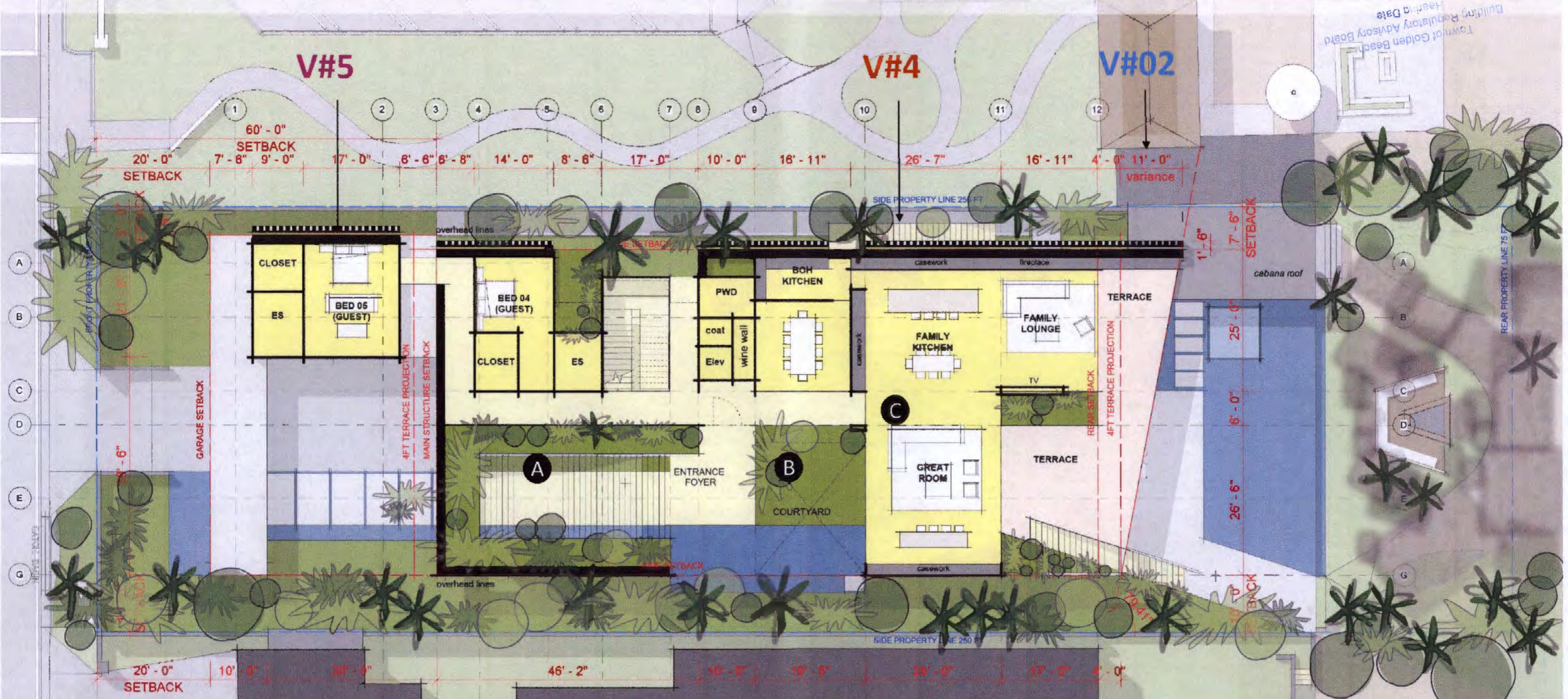


VARIANCE REQUEST

- V1: FDEP 20.2 NGVD to BE RAISED TO 23.0 NGVD; MAX BUILDING HEIGHT 27.5 NGVD
- V2: L1 BALCONY PROJECTS ON A DIAGONAL OVER ALLOWABLE 4FT IN TO REAR YARD (northern corner only).
- V3: 11FT BOUNDARY WALL ALONG NORTHERN PROPERTY LINE AND NORTH-EAST CORNER OF PROPERTY
- V4: NORTHERN SIDE YARD SETBACK OF MAIN STRUCTURE REDUCED FROM 10FT TO 7'-6" & PARTIAL RELIEF OF REQUIRED ADDITIONAL SETBACK ON SECOND STORY
- V5: SETBACK FOR DETACHED GARAGE REDUCE FROM 10FT TO 5'-0" OMIT REQUIRED ADDITIONAL SETBACK ON SECOND STORY



FRIST FLOOR



VARIANCE REQUEST

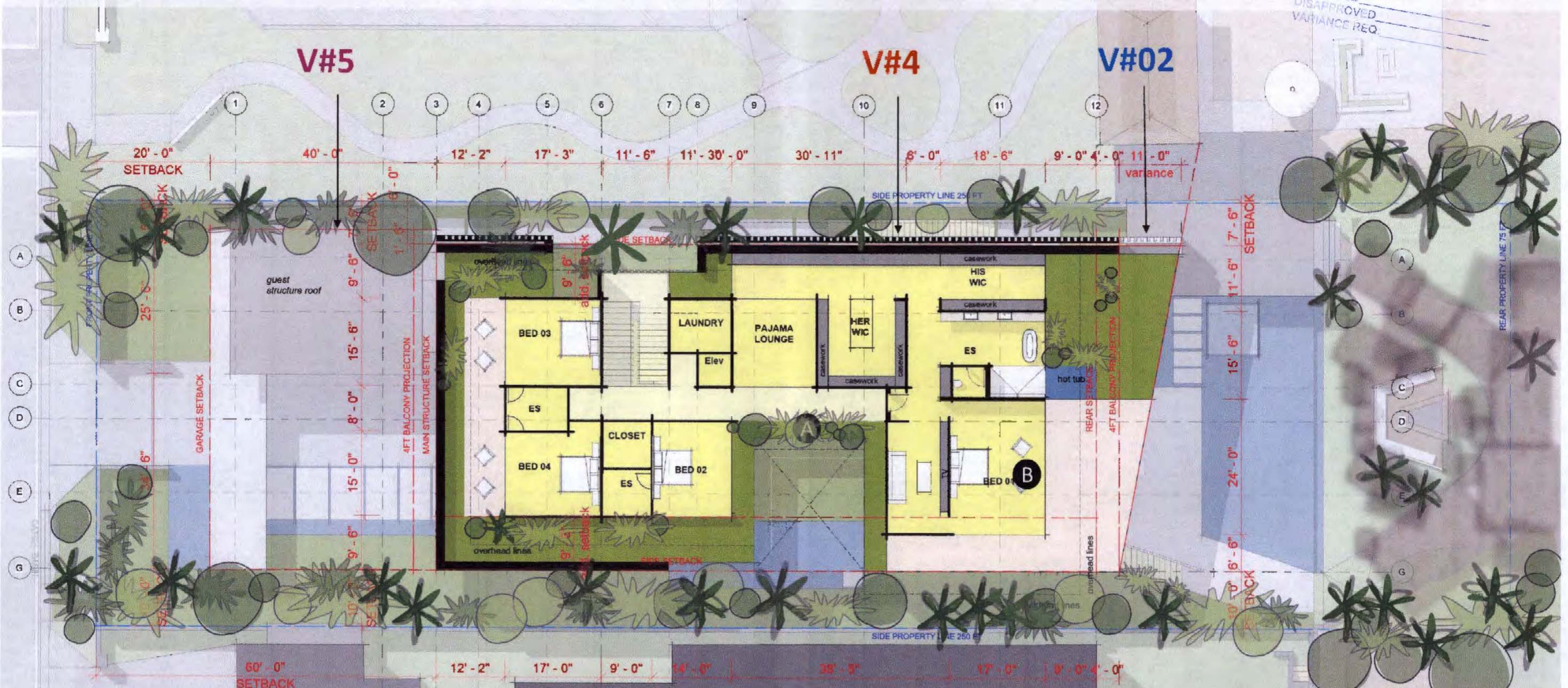
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- V3:** 11FT BOUNDARY WALL ALONG NORTHERN PROPERTY LINE AND NORTH-EAST CORNER OF PROPERTY
- V4:** NORTHERN SIDE YARD SETBACK OF MAIN STRUCTURE REDUCED FROM 10FT TO 7'-6" & PARTIAL RELIEF OF REQUIRED ADDITIONAL SETBACK ON SECOND STORY
- V5:** SETBACK FOR DETACHED GARAGE REDUCE FROM 10FT TO 5'-0" OMIT REQUIRED ADDITIONAL SETBACK ON SECOND STORY



SEP 14 2021

APPROVED
DISAPPROVED
VARIANCE REQ.

SECOND FLOOR



VARIANCE REQUEST

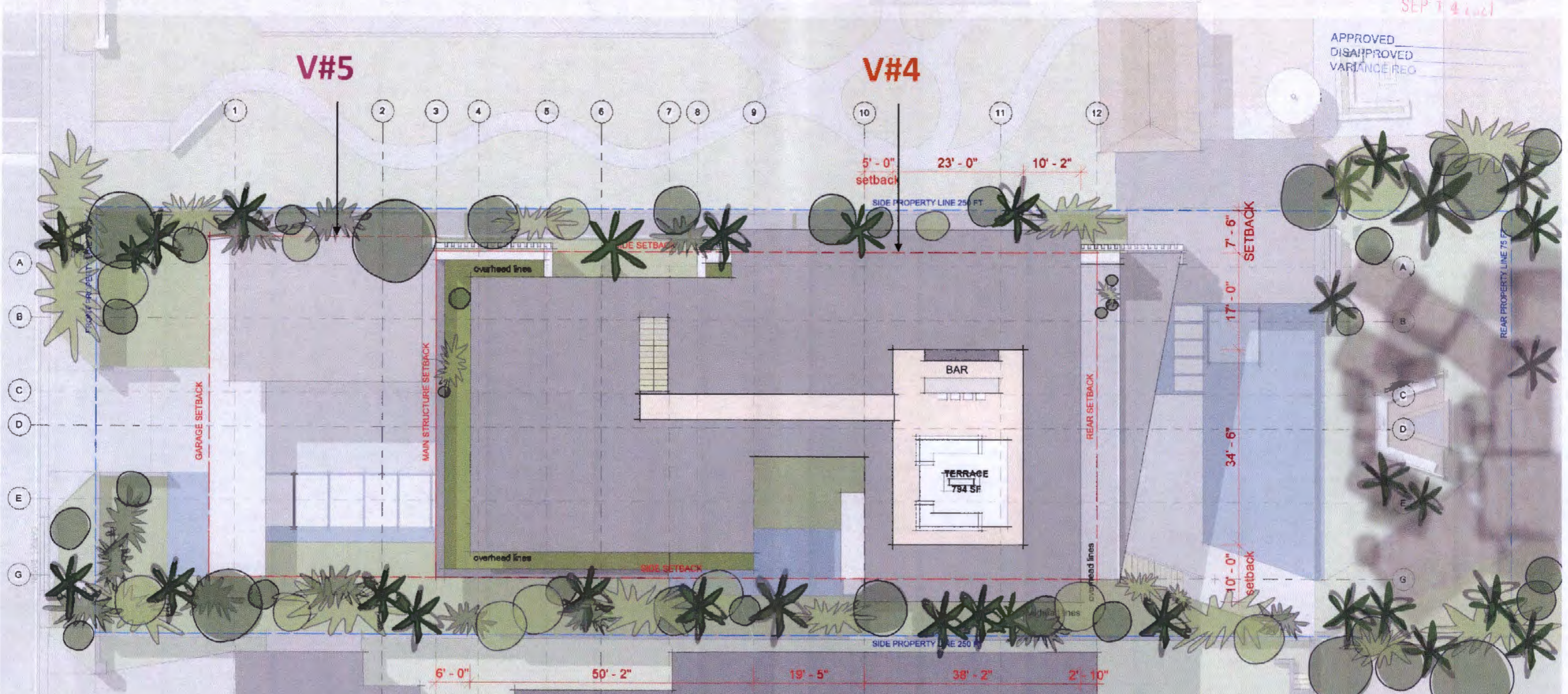
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MAX BUILDING HEIGHT 27.5 NGVD
- V2:** L1 BALCONY PROJECTS ON A DIAGONAL OVER ALLOWABLE
4FT IN TO REAR YARD (northern corner only).
- V3:** 11FT BOUNDARY WALL ALONG NORTHERN PROPERTY LINE AND
NORTH-EAST CORNER OF PROPERTY
- V4:** NORTHERN SIDE YARD SETBACK OF MAIN STRUCTURE REDUCED
FROM 10FT TO 7'-6" & PARTIAL RELIEF OF REQUIRED
ADDITIONAL SETBACK ON SECOND STORY
- V5:** SETBACK FOR DETACHED GARAGE REDUCE FROM 10FT TO 5'-0"
OMIT REQUIRED ADDITIONAL SETBACK ON SECOND STORY



SEP 14 2021

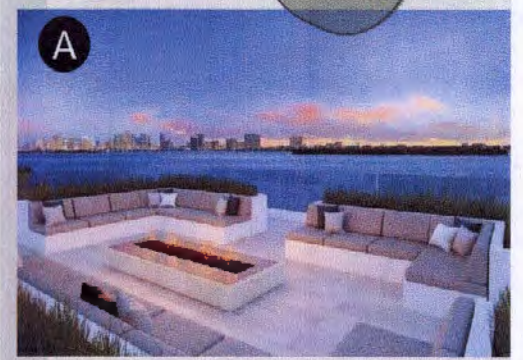
APPROVED
DISAPPROVED
VARIANCE REQ

ROOF PLAN



VARIANCE REQUEST

- V1:** FDEP 20.2 NGVD to BE RAISED TO 23.0 NGVD;
MAX BUILDING HEIGHT 27.5 NGVD
- V2:** L1 BALCONY PROJECTS ON A DIAGONAL OVER ALLOWABLE
4FT IN TO REAR YARD (northern corner only).
- V3:** 11FT BOUNDARY WALL ALONG NORTHERN PROPERTY LINE AND
NORTH-EAST CORNER OF PROPERTY
- V4:** NORTHERN SIDE YARD SETBACK OF MAIN STRUCTURE REDUCED
FROM 10FT TO 7'-6" & PARTIAL RELIEF OF REQUIRED
ADDITIONAL SETBACK ON SECOND STORY
- V5:** SETBACK FOR DETACHED GARAGE REDUCE FROM 10FT TO 5'-0"
OMIT REQUIRED ADDITIONAL SETBACK ON SECOND STORY





TOWN OF GOLDEN BEACH
1 Golden Beach Drive
Golden Beach, Fl. 33160

Summary Minutes - DRAFT
BUILDING REGULATION ADVISORY BOARD
September 14, 2021 at 6pm

Zoom Meeting ID: 892 9110 8015 Passcode: 752288 For Dial in only call: 929-205-6099

- A. **CALL MEETING TO ORDER:** 6pm
- B. **BOARD ATTENDANCE:** Eric Cohen, Zvi Shiff, Stephanie Halfen, Jerome Hollo
Absent: Judy Mimoun, Isaac Murciano and Alan Macken
- C. **STAFF ATTENDANCE:** Michael Miller – Michael Miller Planning and Linda Epperson-
Director, Building and Zoning.
- D. **APPROVAL OF MINUTES:** August 10, 2021
Motion to approve the minutes by Zvi Shiff, Seconded by Stephanie Halfen
On roll call: Eric Cohen-Aye, Zvi Shiff-Aye, Stephanie Halfen-Aye and Jerome Hollo-Aye
Motion passed 4 – 0

E. REQUEST FOR ADDITIONS, DEFERRALS, DELETIONS & WITHDRAWALS

- 1. 416 Golden Beach LLC
17600 Collins Ave
Sunny Isles Beach, FL 33160

Property Address: 416 Golden Beach Drive, Golden Beach, FL 33160-0000
Folio No: 19-1235-005-0520
Legal Description: Lot 47 & S1/2 of Lot 46 & Lot 48 Blk F

Construction of a new single-family residence and landscape design approval.

- 2. Pablo J. Umansky Trs. - Umansky Family Trust
57 E Willow Tree Rd
Spring Valley, NY 10977

Property Address: 185 Ocean Blvd., Golden Beach, FL 33160-0000
Folio No: 19-1235-003-0150
Legal Description: Lot 18 BLK A GB Sec C PB 9-52

Demolition of an existing structure and construction of a new three story single-family residence.

- 3. Jean Jacques & Deborah Myara
342 South Parkway
Golden Beach, FL 33160

Property Address: 342 South Parkway, Golden Beach, FL 33160-0000
Folio No: 19-1235-005-0660
Legal Description: Lot 39 BLK GB Sec E PB 8-122

Seawall Reinforcement and new dock.

Motion to approve deferral of items 1 – 3 by Zvi Shiff, Seconded by Stephanie Halfen
On roll call: Eric Cohen-Aye, Zvi Shiff-Aye, Stephanie Halfen-Aye and Jerome Hollo-Aye
Motion passed 4 – 0

F. VARIANCE REQUEST(S):

4. David and Lorena Rodriguez
17475 Collins Avenue, #1402
Sunny Isles Beach, FL. 33160

Property Address: 125 Ocean Boulevard, Golden Beach, FL. 33160
Folio No: 19-1235-003-0040
Legal Description: Lot 6 & S /2 of Lot 7, Block A, GB Sect C., PB 9-52

Construction of a new home Zone 1 – Ocean Front.

Stephanie Halfen recused herself from voting on this item
Michael Miller – Michael Miller Planning summarized his report into the record.
Stephanie Halfen – Architect – spoke on behalf of the applicant

1 .Variance request from Town Code 66-69.1 - Zone One; (d) (1) (a) (c): Lowest Habitable Floor Height. Main Residence and Building Height:

(b). Primary residential structures built on lots with a street Frontage of 75 feet or more shall not exceed 27.5 feet in height.

(c) The height measurement for main residences shall be measured from the lowest habitable Living Area which is a maximum of two feet above the FDEP lowest structural member (18.2 feet NGVD). This height measurement shall include all portions of the main residence east of the 60-foot front Setback line or Coastal Construction Control Line (CCCL), whichever is more westerly.

Request is to allow the first habitable floor to start at 23.6' NGVD instead of 20.2' NGVD as stated in the Town's code and to increase the overall building height listed in the code of 27.5' NGVD

Chairperson – Hollo, questioned the height of the structure (building envelope), and stated he wanted to reconsider his vote due to the Building height not being outlined. After much discussion, the vote remained the same.

Chairperson – Hollo requested that the height of the structure (building envelope) be outlined in what the request is asking for and what the height of the structure (building envelope) would be without the request:

Height of the structure (building envelope) without the variance: $20.2' \text{ FFE} + 27.5' = 47.7'$, with the variance the building envelope height is 50'.10" NGVD (A300), 3'.3" difference (taller) in the height of the structure measured from the First Floor Finished elevation of 23.6'

In accordance with Town Code Section 66-41 a motion to recommend approval was made by Eric Cohen, Seconded by Zvi Shiff – with a height not to exceed 50'10" NGVD
On roll call: Eric Cohen-Aye, Zvi Shiff-Aye, and Jerome Hollo-Aye.
Motion passed 3 – 0

5. 255 OB LLC
18200 NE 19th Ave., Suite 101
North Miami Beach, FL. 33162

Property Address: 255 Ocean Boulevard, Golden Beach, FL. 33160
Folio No: 19-1235-003-0250
Legal Description: Lots 34 & 35, Block A, GB Section C, PB 9-52

Construction of a new home Zone 1 – Ocean Front.

Stephanie Halfen recused herself from voting on this item
Michael Miller – Michael Miller Planning summarized his report into the record.
Stephanie Halfen – Architect – spoke on behalf of the applicant

1. Relief from Town Code 66-69.1 - Zone One; (d) (1) (b) (c): Lowest Habitable Floor Height. Main Residence and Building Height:

(b). Primary residential structures built on lots with a street Frontage of 100 feet or more shall not exceed 30 feet in height.

(c) The height measurement for main residences shall be measured from the lowest habitable Living Area, which is a maximum of two feet above the FDEP lowest structural member (18.2 feet NGVD). This height measurement shall include all portions of the main residence east of the 60-foot front Setback line or Coastal Construction Control Line (CCCL), whichever is westerly.

Request is to allow the first habitable floor to start at 24.6' NGVD instead of 20.2' NGVD as stated in the Town's code with a building height not exceed 51.6' NGVD

Height of the structure (building envelope) without the variance: 20.2' FFE + 30' = 50.02', with the variance the building envelope height is 51.6' NGVD, 1.6' difference (taller) in the height of the structure measured from the First Floor Finished elevation of 24.6'

In accordance with Town Code Section 66-41 a motion to recommend approval was made by Zvi Shiff, Seconded by Eric Cohen – with a building envelope height not to exceed 51.6' NGVD
On roll call: Eric Cohen-Aye, Zvi Shiff-Aye, and Jerome Hollo-Aye.
Motion passed 3 – 0

2. Relief from Town Code Sec. 66-102. - Minimum lot and swale elevations; grade.

(a) The finished grade of any lot shall not exceed an elevation of 24 inches above the crown of the road adjacent to the lot and in no event shall exceed an elevation of six feet N.G.V.D. except for lots abutting Ocean Boulevard where the minimum elevation shall be 12 inches above the crown of the road, and the maximum elevation shall not exceed an elevation of 11 feet N.G.V.D. Exterior slabs and walkways shall not exceed an elevation of 36 inches above the crown of the road adjacent to the lot.

Request is to allow portions of the rear yard elevation area to be at 13.0' NGVD.

In accordance with Town Code Section 66-41 a motion to recommend approval was made by Zvi Shiff, Seconded by Eric Cohen
On roll call: Eric Cohen-Aye, Zvi Shiff-Aye, and Jerome Hollo-Aye.
Motion passed 3 – 0

6. Barry E. Somerstein Trs, Under Trust Agreement dated March 10, 2021
200 East Broward Blvd., Suite 1800
Ft Lauderdale, FL. 33301

Property Address: 399 Ocean Boulevard, Golden Beach, FL. 33160
Folio No: 19-1235-002-0370
Legal Description: Lot 1, Block B, GB Section B, PB 9-52

Construction of a new home Zone 1 – Ocean Front.

Michael Miller – Michael Miller Planning – Summarized his report into the record.
Steve Brandt – SH Brandt and Associates, Architect – spoke on behalf of the applicant.
Tucker Gibbs – Attorney for Michael Newman – spoke in opposition to all five variances – Mr. Gibbs letter was entered in as part of the record.

1 .Variance request from Town Code 66-69.1 - Zone One; (d) (1) (b) (c): Lowest Habitable Floor. Height. Main Residence and Building Height:

(a). Primary residential structures built on lots with a street Frontage of 75 feet shall not exceed 27.5 feet in height.

(c) The height measurement for main residences shall be measured from the lowest habitable Living Area which is a maximum of two feet above the FDEP lowest structural member (18.2 feet NGVD). This height measurement shall include all portions of the main residence east of the 60-foot front Setback line or Coastal Construction Control Line (CCCL), whichever is westerly.

Request is to allow the first habitable floor to start at 23' NGVD instead of 20.2' NGVD as stated in the Town's code and not exceed a building height of 50.5' NGVD

In accordance with Town Code Section 66-41 a motion to recommend approval was made by Stephanie Halfen, Zvi Shiff

On roll call: Eric Cohen-Aye, Zvi Shiff-Aye, Stephanie Halfen-Aye, and Jerome Hollo-Aye.
Motion passed 4 – 0

Height of the structure (building envelope) without the variance: $20.2' \text{ FFE} + 27.6' = 47.7'$, with the variance the building envelope height is 50.6' NGVD, 3' difference (taller) in the height of the structure measured from the First Floor Finished elevation of 23'

2. Variance request from Town Code Section 66-186 (a). - Height restrictions.

a). In Zone One no wall or fence between estates or lots shall be constructed or altered to exceed in height the following: Parallel to the side property line within 60 feet of the west property line, a height of six feet; thence easterly along patios and main house structure to height of six feet; thence easterly for 30 feet, a height of four feet; thence easterly to the ocean front, a height of two feet. No wall or fence higher than two feet may be erected on the east (Ocean Front) property line. No wall or fence higher than six feet above the crown of the road may be erected on the (Ocean Boulevard) property line.

Request is to allow the wall along the North side property line to be at 11' from finished site grade to the eastern edge of the Lot.

In accordance with Town Code Section 66-41 a motion to recommend approval was made by Eric Cohen, Seconded by Stephanie Halfen
On roll call: Eric Cohen-Nay, Zvi Shiff-Nay, Stephanie Halfen-Nay, Jerome Hollo-Nay.
Motion failed 4 – 0

3. Variance request from Town Code Section 66.69-1- Zone One (Oceanfront properties).

(h) Side yard Setbacks. 1 - Main Residence.

- (a) For lots or any combination of lots with 75 feet or more of Frontage, no portion of any building shall be closer than ten feet from each side lot line
- (b) All residences designed as two-story structures shall be required to increase the side Setbacks along two-thirds of the length of the second story by one foot for each one foot (1:1) of building height above the first 18 feet.

Request is to allow a 7.5' side yard setback from the North side property line instead of the 10' outlined in the code and to allow the upper floors along the North side property line of proposed structure partial relief to allow the side yard setback of the second-story above the 18' (1':1") increased setback along the norther side of the lot for ¼ of its' length as opposed to two-thirds (2/3rd) of its' length which is outlined in the code.

In accordance with Town Code Section 5=66-41 a motion to recommend approval was made by Eric Cohen, Seconded by Zvi Shiff
On roll call: Eric Cohen-Nay, Zvi Shiff-Nay, Stephanie Halfen-Nay, and Jerome Hollo-Nay.
Motion failed 4 – 0

4. Variance request from Town Code Section 66-262(b) (1) Balconies

(b) Balconies are permitted in Zones One, Two, and Three subject to the following criteria:

(1) Balconies located on the front or rear façade of a building may not extend more than four feet into the yard beyond the respective setback.

And from Town Code Section 66-141 – Projections

(b) Balconies and rooftops designed to support habitable activities consistent with section 66-261, and stairs leading to balconies or such rooftops shall not extend into side Setbacks and shall not extend more than four feet into rear or front yard Setback areas.

Request is to allow for the angled balconies on the 1st and 2nd floors to extend out from the rear of the home (east façade of the house) to encroach more than 4' into the rear yard setback at 11.0' aligning with the Pavilion bathrooms.

In accordance with Town Code Section 66-41 a motion to recommend approval was made by Stephanie Halfen, Seconded by Zvi Shiff
On roll call: Eric Cohen-Nay, Zvi Shiff-Nay, Stephanie Halfen-Nay, and Jerome Hollo-Nay.
Motion failed 4 – 0

5. Variance request from Town Code Section 66-69.1(h) (b) (c) (2)

(h) Side yard Setbacks. (1) Main Residence.

b. For lots or any combination of lots with 75 feet or more of Frontage, no portion of any building shall be closer than ten feet from each side lot line.

c. All residences designed as two-story structures shall be required to increase the side Setbacks along two-thirds of the length of the second story by one foot for each one foot (1:1) of building height above the first 18 feet.

(2) Garage/Guest Accommodations. A garage structure may be built separate from the main house, in which event it shall be set back a minimum ten feet from any Side Property Line. If such a structure is constructed with a second story, the sidewalls shall be set back along two-thirds of the length of the second story an additional one foot for each one-foot (1:1) of total building height above the first 18 feet.

Request is to allow for a reduction of the 10' minimum side setback for a freestanding garage/guest quarters to be at a 5' side yard setback and to not require the 2nd floor building above the 18' feet in height to be setback the required 1':1 increase over the 18 foot height.

In accordance with Town Code Section 66-41 a motion to recommend approval was made by Stephanie Halfen, Seconded by Zvi Shiff
On roll call: Eric Cohen-Nay, Zvi Shiff-Nay, Stephanie Halfen-Nay, and Jerome Hollo-Nay.
Motion failed 4 – 0

G. OLD BUSINESS:

7. 422 GB LLC
18200 Ne 19 Ave, Ste 101
North Miami Beach, FL 33162

Property Address: 422 Golden Beach Drive, Golden Beach, FL 33160-0000
Folio No: 19-1235-005-0510
Legal Description: Lot 45 & N1/2 of Lot 46 BLK F GB Sec E PB 8-122

Michael Miller summarized his report into the record.
Bill Thomas spoke on behalf of the applicant.
(Jerome Hollo left the meeting)

Seawall Reinforcement and new dock.

Motion to approve by Eric Cohen, Seconded by Zvi Shiff (Linda Epperson served as quorum).

On roll call: Eric Cohen-Aye, Zvi Shiff
Motion passed 2 – 0

8. David Rubin
Anna Rubin
236 South Island Drive,
Golden Beach, FL 33160

Property Address: 236 South Island Drive, Golden Beach, FL 33160
Folio No: 19-1235-004-0730
Legal Description: Golden Beach Sec D Pb 10-10, Lot 39 & Port Lot 40 Blk J Desc, Beg Sw Cor Lot 39 NLY Alg W/L, Lots 39 & 40 A Dist Of 128.32ft, S 62 Beg E 152.06ft Sly Alg E/L, Lots 39 & 40 A Dist Of 59.88ftw

Michael Miller summarized his report into the record.
Chris Aria, Architect for the project spoke on behalf of the applicant.
(Jerome Hollo re-entered the meeting)

Remodeling & Addition to existing SFR.

Motion to approve by Stephanie Halfen, Seconded by Zvi Shiff
Conditioned on the mechanical equipment being screened in the current location
On roll call: Eric Cohen-Aye, Zvi Shiff- Aye, Stephanie Halfen, and Jerome Hollo-Aye

Motion passed 4 – 0

9. Germany House LLC
136 Ocean Blvd
Golden Beach, FL 33160

Property Address: 136 Ocean Blvd., Golden Beach, FL 33160-0000
Folio No: 19-1235-003-0610
Legal Description: Lot 12 & 13, Blk 6 GB Sec C PB 9-52

Stephanie Halfen recused herself from vote from
Michael Miller summarized his report into the record.
Stephanie Halfen, Architect for the project spoke on behalf of the applicant.

Construction of a new single-family residence, terrace, and landscape design approval.

Chairperson Hollo – requested that Administration review the spa/pool on the 2nd Floor Terrace level to make sure that it is permitted under our Zoning Code.

Motion to approve by Eric Cohen, Seconded by Zvi Shiff
Conditioned on a roof height not to exceed 30' NGVD.
On roll call: Eric Cohen-Aye, Zvi Shiff- Aye, and Jerome Hollo-Aye
Motion passed 3 - 0

10. GB 620 LLC
19495 Biscayne Blvd 608
Aventura, FL 33180

Property Address: 620 Ocean Blvd., Golden Beach, FL 33160-0000
Folio No: 19-1235-001-0060
Legal Description: Lot 6 & 7 Blk 1 GB Sec A PB 9-52

Michael Miller summarized his report into the record.
Emilio Fuster MG 3 Developer Group spoke on behalf of the applicant.
Alberto Llorente spoke on behalf of the applicant.

Construction of a new single-family residence and landscape design approval.

Motion to approve by Zvi Shiff, Seconded by Eric Cohen
On roll call: Eric Cohen-Aye, Zvi Shiff- Aye, Stephanie Halfen- Aye and Jerome Hollo-Aye
Motion passed 4 – 0

11. Mark Feldman
Colette B. Feldman
3752 NE 199 Street,
Aventura, FL 33180

Property Address: 138 South Island Drive, Golden Beach, FL 33160
Folio No: 19-1235-004-0540
Legal Description: Lot 12, Blk J GB Sec D PB 10-10

Michael Miller summarized his report into the record
Collette Feldman owner of the property spoke on her behalf
Architect spoke on their behalf.

Construction of a new two story single-family residence and landscape design approval.

Motion to approve by Zvi Shiff, Seconded by Eric Cohen

On roll call: Eric Cohen-Aye, Zvi Shiff- Aye, Stephanie Halfen – Aye, and Jerome Hollo-Aye

Motion passed 4 – 0

12. Evgeny Melashchenko
194 South Island Drive
Sunny Isles Beach, FL 33160

Property Address: 194 South Island Drive, Golden Beach, FL 33160
Folio No: 19-1235-004-0650
Legal Description: Lot 26 & S35FT of Lot 27 Blk J GB Sec D PB 10-10

Michael Miller summarized his report into the record
Michael Klinger spoke on his own behalf
Chris Aria, Architect, spoke on the behalf of the applicant.

Construction of a new two story single-family residence, gazebo, and landscape design approval.

Motion to approve by Eric Cohen, Seconded by Zvi Shiff

Conditioned on the mechanical equipment to be screened.

On roll call: Eric Cohen-Aye, Zvi Shiff- Aye, Stephanie Halfen – Aye and Jerome Hollo-Aye

Motion passed 4 – 0

H. NEW BUSINESS:

I. PRELIMINARY DESIGN REVIEWS - ITEMS FOR DISCUSSION AND POSSIBLE APPROVAL

13. David and Lorena Rodriguez
17475 Collins Avenue, #1402
Sunny Isles Beach, FL. 33160

Property Address: 125 Ocean Boulevard, Golden Beach, FL. 33160
Folio No: 19-1235-003-0040
Legal Description: Lot 6 & S /2 of Lot 7, Block A, GB Sect C., PB 9-52

Construction of a new three story single-family residence, gazebo, and landscape design approval.

14. 255 OB LLC
18200 NE 19th Ave., Suite 101
North Miami Beach, FL. 33162

Property Address: 255 Ocean Boulevard, Golden Beach, FL. 33160
Folio No: 19-1235-003-0250
Legal Description: Lots 34 & 35, Block A, GB Section C, PB 9-52

Construction of a new three story single-family residence, gazebo, and landscape design approval.

15. Barry E. Somerstein Trs, Under Trust Agreement dated March 10, 2021
200 East Broward Blvd., Suite 1800
Ft Lauderdale, FL. 33301

Property Address: 399 Ocean Boulevard, Golden Beach, FL. 33160
Folio No: 19-1235-002-0370
Legal Description: Lot 1, Block B, GB Section B, PB 9-52

Construction of a new single-family residence and landscape design approval.

All items will be moved to the next BRAB meeting in October 2021

An announcement was made by Director Epperson stating that the Town was in process to change the First Floor Finished Elevation to 9.5' NAVD 88' in zones 1 and 2 and that all new projects for review and approval will now be submitted at that starting Elevation.

J. ADJOURNMENT : 9:15pm

PURSUANT TO FLA. STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR THAT SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHER INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES I

399 Ocean

JOEL NEWMAN &W EDITH
355 OCEAN BLVD
GOLDEN BEACH, FL 33160-2211

LINDA G BROWN TRS
LIINDA GAIL BROWN LIVING TRUST
370 OCEAN BLVD
GOLDEN BEACH, FL 33160

CENTRAL PARK TOWER CORP
C/O JENNIFER LEVIN ESQ
20295 NE 29 PL STE 200
AVENTURA, FL 33180

JOSE RAFAEL BADELL
MARIA GRAU
364 OCEAN BLVD
GOLDEN BEACH, FL 33160 USA

OCEAN BLVD GOLDEN LLC
251 LITTLE FALLS DR
WILMINGTON, DE 19808

NASTASSIA PRUDNIKAVA
6538 COLLINS AVE UNIT 337
MIAMI BEACH, FL 33141

BARRY E SOMERSTEIN TRS
UNDER TRUST AGREEMENT DATED
MARCH 10 2021
200 EAST BROWARD BLVD 1800
FORT LAUDERDALE, FL 33301

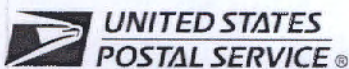
GOLDEN BEACH OWNERS LLC
150 EAST 58 ST 3 FLOOR
NEW YORK, NY 10115 USA

MJ OCEAN LLC
2500 COMMERCE CENTER WAY #100
PEMBROKE PARK, FL 33023

MARCOS CARMONA &W LEA
410 OCEAN BLVD
GOLDEN BEACH, FL 33160-2214

NILDO HERRERA TRS
NILDO HERRERA AND ISORA HERRERA
REVOCABLE LIVING TRUST
ISORA HERRERA TRS
400 OCEAN BLVD
GOLDEN BEACH, FL 33160 USA

AIDA E MARTINEZ (TRUST)
HUGO L & AIDA E MARTINEZ TRS
380 OCEAN BLVD
GOLDEN BEACH, FL 33160-2212



Shipment Confirmation Acceptance Notice

A. Mailer Action

Note to Mailer: The labels and volume associated to this form online, **must** match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 09/17/2021

Shipped From:

Name: TOWN OF GOLDEN BEACH

Address: 1 GOLDEN BEACH DRIVE

City: GOLDEN BEACH

State: FL ZIP+4® 33160-2296

Type of Mail	Volume
Priority Mail Express®*	
Priority Mail®	0
First-Class Package Service®	
Returns	
International*	
Other	12
Total	12

*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

B. USPS Action

Note to RSS Clerk:

1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

USPS EMPLOYEE: Please scan upon pickup or receipt of mail.
Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0031 7352 84



Name and Address of Sender
TOWN OF GOLDEN BEACH
1 GOLDEN BEACH DRIVE
GOLDEN BEACH FL 33160-2296

- Check type of mail or service
- Adult Signature Required
 - Adult Signature Restricted Delivery
 - Certified Mail
 - Certified Mail Restricted Delivery
 - Collect on Delivery (COD)
 - Insured Mail
 - Priority Mail
 - Priority Mail Express
 - Registered Mail
 - Return Receipt for Merchandise
 - Signature Confirmation
 - Signature Confirmation Restricted Delivery

Affix Stamp Here
 (for additional copies of this receipt).
Postmark with Date of Receipt.

USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee	
1. 9214 8901 5960 4200 0223 27	JOEL NEWMAN &W EDITH 355 OCEAN BLVD GOLDEN BEACH FL 33160-2211	0.53	3.75	Handling Charge - if Registered and over \$50,000 in value							1.85				
2. 9214 8901 5960 4200 0223 34	CENTRAL PARK TOWER CORP C/O JENNIFER LEVIN ESQ STE 200 20295 NE 29TH PL AVENTURA FL 33180-4109	0.53	3.75									1.85			
3. 9214 8901 5960 4200 0000 0223 41	OCEAN BLVD GOLDEN LLC 251 LITTLE FALLS DR WILMINGTON, DE 19806	0.53	3.75									1.85			
4. 9214 8901 5960 4200 0000 0223 58	BARRY E SOMERSTEIN TRS UNDER TRUST AGREEMENT DATED MARCH 10 2021 200 EAST BROWARD BLVD 1800 FORT LAUDERDALE, FL 33301	0.53	3.75						Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling
5. 9214 8901 5960 4200 0223 65	GOLDEN BEACH OWNERS LLC FRNT 3 150 E 58TH ST NEW YORK NY 10155-0002	1.16	3.75									1.85			
6. 9214 8901 5960 4200 0000 0223 72	MJ OCEAN LLC 2500 COMMERCE CENTER WAY #100 PEMBROKE PARK, FL 33023	0.53	3.75						Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	1.85	Signature Confirmation	Signature Confirmation Restricted Delivery	
7. 9214 8901 5960 4200 0223 89	MARCOS CARMONA &W LEA 410 OCEAN BLVD GOLDEN BEACH FL 33160-2214	1.16	3.75									1.85		Signature Confirmation Restricted Delivery	
8. 9214 8901 5960 4200 0223 96	NILDO HERRERA TRS NILDO HERRERA AND ISORA HERRERA REVOCABLE LIVING TRUST ISORA HERRERA TRS 400 OCEAN BLVD GOLDEN BEACH FL 33160-2214	0.53	3.75									1.85			

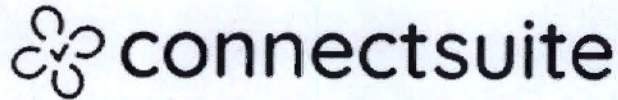
Total Number of Pieces Listed by Sender: **12**

Total Number of Pieces Received at Post Office: _____

Postmaster, Per (Name of receiving employee)

Linda Epperson

From: ConnectSuite e-Certify <noreply@connect-suite.com>
Sent: Friday, September 17, 2021 12:42 PM
To: Linda Epperson
Subject: Connect-Suite eCertify - EFN: 92750901193562000031735284 - Accepted



powered by ConnectSuite e-Certify

Notification

Company Name: **Town of Golden Beach [91]**
User Name: **lepperson@goldenbeach.us [341]**
Status: **USPSAccepted**
EFN: **92750901193562000031735284**
Piece Count: **12**
Received: **9/17/2021 10:57:39 AM**
Transaction ID: **2943165**

The USPS has accepted your mailing. Please take your mail, a copy of the firmbook and present both to the USPS.

Should you have any questions or concerns please contact us.
The ConnectSuite e-Certify Team

For Support Please Contact us at:

Quadient
Phone: 888-267-9381 ext 2
Email: us.SoftwareSupport@quadient.com

Please add us.SoftwareSupport@quadient.com to your address book.