TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2752.21

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 185 OCEAN BLVD, GOLDEN BEACH, FLORIDA 33160. TO PERMIT THE UPPER SECTION OF THE PROPOSED STRUCTURE TO NOT INCREASE THE SIDE SETBACKS ALONG TWO-THIRDS OF THE SECOND STORY BY ONE FOOT FOR EACH ONE FOOT (1:1) OF BUILDING HEIGHT ABOVE THE 18 FEET, WHEN THE CODE REQUIRES A 10' SIDE SETBACK AND REQUIRES AN INCREASE TO THE SIDE SETBACKS ALONG TWO-THIRDS OF THE LENGTH OF THE SECOND STORY BY ONE FOOT (1:1) OF BUILDING HEIGHT ABOVE THE FIRST 18'.

WHEREAS, the applicants, Pablo J. Umansky Trs., Umansky Family Trust, ("the applicant"), filed a Petition for Variances/exceptions, from Section 66-69.1 – Zone One (Ocean Front Properties) – (h) Side Yard Setbacks (1) Main Residence. (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, and;

WHEREAS, the applicant's request is to allow for the second-story to not step in one foot for every 18' of height, and;

WHEREAS, these variances and exceptions are for the property at 185 Ocean Boulevard, Golden Beach, FL. 33160 (GB Section C, Lot 18, Block A., as recorded in PB 9-52, of the Public Records of Miami-Dade County, (Folio No. 19-1235-003-0150 (the "Property") and,

WHEREAS, the Town's Building Regulation Advisory Board held an advertised public hearing on the Petition for Variance/Exception and recommended denial 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, labeled Cover Sheet A-00 (Building design to be approved at a later date), plan page dated 7/15/2021.by Shane Ames, Architect -Ames International Architecture, and the Sketch of Boundary Survey, prepared by Robert L. Thompson, LS 3869, Accurate Land Surveyors, dated 05/21/2021, for the property located at 185 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.
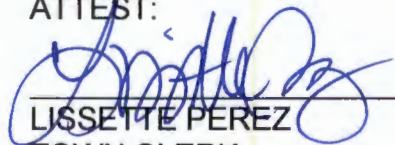
Sponsored by Administration.

The Motion to adopt the foregoing Resolution was offered by Vice Mayor Lusskin seconded by Councilmember Mendal and on roll call the following vote ensued:

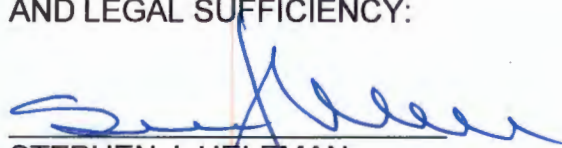|	
Mayor Glenn Singer	Aye
Vice Mayor Judy Lusskin	Aye
Councilmember Bernard Einstein	Aye
Councilmember Jaime Mendal	Aye
Councilmember Kenneth Bernstein	Aye

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 31st day August, 2021.

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MAYOR GLENN SINGER

ATTEST:

_____
LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

_____
STEPHEN J. HELFMAN
TOWN ATTORNEY