


**TOWN OF GOLDEN BEACH
COMMUNITY DEVELOPMENT
MEMORANDUM**

To: Building Regulatory Advisory Board
Linda Epperson, Building & Zoning Director
Town of Golden Beach

From: Michael J. Miller, AICP 
Consultant Town Planner

Date: February 24th, 2021

Subject: Zoning Variance Applications
699 Ocean Boulevard
Five (5) Variance Requests - Various Items
Un-numbered Site North of Lot 1, Block D, Section A
As Recorded in PB 9 at PG 52 of the Public Records of Miami-Dade County
MMPA Project No. 04-0101- 0525

ISSUE

The applicant, Arash Allaei, as agent for the property owner, 7A0A1A Ocean LLC., has filed a variance application with the Town for consideration that will guide the future design of a proposed new single-family home on a vacant oceanfront site (un-numbered / not subdivided) that is approximately 100' in width at northern edge of Town fronting the ocean. The application includes a request for five (5) zoning variances from the Town Code in order to construct the owner's desired single-family residence. Due to the location of the site which adjoins an existing high-rise (20+/- stories) multi-family residential development in the City of Hallandale Beach (Parker Dorado Condominiums) the applicant is seeking to design a house that relates to the unique situation. The applicant's requests are mostly related to screening and mitigating the negative impacts of the high-rise. MMPA was requested to review the variance application and provide analysis for the Town's consideration.

BACKGROUND INFORMATION

The subject site is currently vacant. We have been informed a house previously existed on the site but have no information as to when. The subject site is the most northerly lot in the Town adjoining the Atlantic Ocean. The site is "un-numbered / not subdivided" according to the surveyor but has been specifically delineated for many years. The site may need to be platted prior to development – to be determined by Miami-Dade County. The north edge of the site separates Broward County / Miami-Dade County. The City of Hallandale Beach's City Limits abuts the north side of the subject site. Oceanfront development in Hallandale Beach is

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exclusively high-rise residential. The 20+/- story Parker Dorado Condominium (PC) is located adjacent to the subject site in Hallandale Beach. There are portions of two (2) existing 6'+/- concrete walls (retaining / screening) along the entire north property line apparently owned by the PC that encroach in a few instances into the subject site (next to where the house is proposed). A surface parking lot area for the PC Condo adjoins the wall. Near Ocean Blvd. the PC site is open (main driveway / parking) with the nearest point of the high-rise located about 100' east of Ocean Blvd. Within the PC site a raised parking structure (20'+/- tall) with recreational facilities on its rooftop (pool / sun deck) exists about 20' north of their south property line. The garage is open to the south negatively affecting the subject site (vehicle noise / light / odors). It is believed solid waste receptacles for the PC are also in this area negatively affecting the site.

The applicant is proposing to construct a new 3-story home on the site. To offset some of the negative impacts of the PC development the applicant is proposing a home design that "turns it back" to the PC site and faces primarily south & east to the ocean. As part of the design concept the applicant is requesting five (5) variances including: reduced northern side yard setback (for main house), an adjusted rooftop elevator location (northern edge – not centered on roof), permission to expand the rooftop activity area to the edge of the roof, permission to construct a 11' tall buffer wall along portions of the north property line, allow large balconies attached to the house facing the ocean, allow walkways over 36" in height in the rear yard, and as related to the site land elevations / flooding concerns a request to increase the lowest habitable floor from the allowable 20'-2" to 24.0" NGVD.

Following are the applicant's current requests:

- Variance from Section 66-69.1(d)(1)(c) to allow the lowest habitable floor height to be increased from 20.2' (18.2 + 2' max.) to allow 24.0 NGVD with the overall building height not to exceed 52' NGVD.
- Variance from Section 66-186 (a) to allow a wall along the north property line to be higher than six (6) above the crown of the road. The applicant is requesting to a maximum of 11' above grade.
- Variance from Section 66-261(b)(2) and Section 66-261(b)(5) to allow a rooftop elevator vestibule NOT centered on the roof as required (9'-7" from north / 4'-2" from west) and to allow a rooftop activity area within the 10' roof edge setback.
- Variance from Section 66-69.1(h)(1)(c) to allow for a 5' side setback from the north property line when 10' is required, and to not require the upper floors along the north side of the proposed house to provide the normally required additional step-back setback for buildings above 18'.
- Variance from Sec. 66-69.1(g)(1), Sec. 66-69.1(g)(2), Sec. 66-141(b) and Sec. 66-141(c) to allow for balconies on the east face of the house to encroach more than 4' into the rear (ocean) setback (5'-5"), and to allow a structure to be taller than 36" above grade in the rear setback area.

PROPERTY DESCRIPTION

The subject site is rectangularly shaped extending from Ocean Boulevard to the Atlantic Ocean. The site is approximately 100' in width. The north property line is about 325' in length while the south property line is about 320' in length. The site area is 32,250 sq. ft. / .74 acres in size according to the survey and MDPA records. An additional beach area is located between the eastern property line and mean sea level. The site is generally level with substantial vegetation along the edges of the site. An existing single-family home exists on the lot south of the site. The northern property line is the county line separating Broward County / Miami-Dade County. The northern property line is also the City Limits separating Golden Beach and Hallandale Beach. An older 20+/- story high-rise multifamily residential development exists to the north – Parker Dorado Condominium (built 1980+/-). Along the common north property line is a large retaining wall for the PC complex, as one of their parking areas (depressed) abuts the wall. Portions of the wall encroach into the subject site, which affects the useability of the site to a degree. Public records reveal a new single-family home was proposed for this site in 2002. The Town granted a variance for a 15' tall wall (lower near OB / Ocean) with design conditions as part of that approval. The previous site plan / variance expired in 2004 as per a condition (had to file a BP within 2 years). According to Miami-Dade records the site ownership has changed several times over the years.

SUMMARY ANALYSIS

As per the Town's request MMPA has completed our review of the above referenced variance application requests and provide the following comments for consideration:

Variance #1 - Variance from Section 66-69.1(d)(1)(c) to allow the lowest habitable floor height to be increased from 20.2' (18.2 + 2' max.) to allow 24.0 NGVD with the overall building height not to exceed 52' NGVD.

The applicant is requesting a variance to raise the first habitable floor slab elevation to a height of 24.00' NGVD versus the 20.2' height limit set forth in the Town Code (max. 2' above the lowest structural member @ 18.2' NGVD east of the CCCL). The stated reason is the ground elevation is about 12.0' NGVD and FDEP prohibits substantial excavation or soil removal from the dune system so the owner seeks enough distance from the ground to the beam for allowable accessory uses. Town's administration will support this request, provided the building height is not increased above the allowance granted to others in a similar situation at 52.0' NGVD. Due to the undulating oceanfront lot grades these sites tend to occasionally have unique situations, as well as limitations in site grading allowed by the state permit agencies. The Town has granted several similar variances for oceanfront lots due to the FDEP rules and to allow functionality of the ground level.

Variance #2 - Variance from Section 66-186 (a) to allow a wall along the north property line to be higher than six (6) above the crown of the road. The applicant is requesting to a maximum of 11' above grade at certain location to help shield the PC complex to the north.

The applicant is requesting a variance to raise the allowable wall height along portions of the north property line from six (6) feet (Code limit) to eleven (11) feet from Ocean Blvd. to the front edge of the house and then from the rear edge of the house toward the ocean. As stated above, there are portions of two (2) existing 6'+/- concrete walls (retaining / screening) along the entire north property line apparently owned by the PC that encroach in a few instances into the subject site

(next to where the house is proposed). Allowing taller walls where there will be no house structure will help screen the PC complex. In 2002 the Town approved a redevelopment plan for a new single-family home. As part of that approval the Town granted a variance in 2002 to the landowner at that time for a 15' tall buffer wall (6' tall max. in 20' nearest OB) along the north property line for screening. Those approvals both expired in 2004 as no building permit was filed. The Town's administration will support this request to help screen the high-rise.

Variance #3 - Variance from Section 66-261(b)(2) and Section 66-261(b)(5) to allow a rooftop elevator vestibule to NOT be centered on the roof as required (9'-7" from north / 4'-2" from west) and to allow a rooftop activity area within the 10' roof edge setback.

The applicant is requesting a variance to allow the rooftop elevator override structure to be placed closer to the northern edge of the roof so it can act as part of the screen to the high-rise complex. As to the rooftop activity areas normally a 10' setback is required on a rooftop to minimize impacts on neighbors. In this instance the neighbor to the north is a high-rise complex. While MMPA understands the applicant wants to use more of the rooftop, we question why one would want to be closer to the northern edge of the roof at 52' overlooking the pool / recreational complex on the adjoining PC parking garage. Perhaps the applicant will consider some type of screening panel.

Variance #4 - Variance from Section 66-69.1(h)(1)(c) to allow for a 5' side setback from the north property line when 10' is required, and to not require the upper floors along the north side of the proposed house to provide the normally required additional step-back setback for buildings above 18'.

The applicant is requesting a variance to allow a 5'-6" side setback for the house structure at the north property line while at least 10' is required for the lower portions of the structure - and increased step-back setbacks are required over 18'. The Town requires taller portions of homes to step-back and increase setbacks for "scaling" to neighboring sites. In this instance the neighboring site to the north is a high-rise condo. The conceptual plans show a 6'+ setback at grade level with a cantilevered side setback of 5'-6" for the upper two floors (no step-back). The side yard area between the house and north property line is proposed to be gated and have landscaping - but we feel not much will grow in this narrow / shaded area - even tall palm trees that could be used for screening will have difficulty growing. MMPA notes there are windows shown on the northern house facade which could be viewed as contrary to the purpose of the variance to screen-out the high-rise complex. But as to "scale" compatibility the house and high-rise complex separation / view vistas is not that important.

Variance #5 - Variance from Sec. 66-69.1(g)(1), Sec. 66-69.1(g)(2), Sec. 66-141(b), and Sec. 66-141(c) to allow for balconies on the east face of the house to encroach more than 4' into the rear (ocean) setback (5'-5"), and to allow walkways to be taller than 36" above grade in the rear setback area.

The applicant is requesting a variance to allow a several proposed balconies on the east façade of the house to extend out 5'-5" in lieu of the normal 4' allowance. Also, the applicant is requesting a related variance for these structures as they are over 36" in the side setback area. This section of the Code is really for grade level walkways / patios in setback yards - not elevated balconies. As with the other requests they argue the need is related to the adjoining high-rise complex. It is noted the PC parking garage / recreational complex structure extend seaward fairly far.

NON-USE VARIANCE JUSTIFICATION

- 1) *The variance requested is for relief from the provisions of the Town Code.*

The applicant recites the applicable Town Code sections in each instance.

MMPA Comment – The Code section stated is correct.

- 2) In order to recommend the granting of the variance, it must meet all the following criteria:

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

The applicant states in each instance: True – this is a variance from the zoning regulations.

MMPA Comment – The Code sections stated is correct.

- 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.*

The applicant states in each instance: True – this is the only property in Zone 1 on the border of Broward. The justification statement attached argues the Hallandale Beach multifamily complex creates a burden that other oceanfront sites do not have. See justification statement.

MMPA Comment – The lot is quite large (32,750 sq. ft. / .74 acres) and not oddly-shaped, which is the usual reason for granting zoning variances. In this instance the site is uniquely situated next to an existing 20+/- story high-rise multifamily complex. This presents the Town with the ability to consider variations in the normal land development regulations. Buffering from the unattractive high-rise complex is important to the livability of this site. Residents of the multifamily complex will be easily able to view into this site from the high-rise condo unit tower and garage rooftop pool / recreational complex. In our opinion the north façade of the house should be more solid with few windows and extra screening is warranted both at ground level and for upper floors.

- c. *The special conditions and circumstances do not result from the actions of the applicant.*

The applicant states: True – the multifamily housing complex to the north does not result from the actions of the applicant. See justification statement.

MMPA Comment – See the above MMPA comments. In our opinion, there is a valid reason for the requested variances due to the unique location of this lot and the negative impacts caused by the high-rise complex. It is up to the Town BRAB and TC to determine if some or all of the variance requests are reasonable or with modifications.

- 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.*

The applicant states: True – no other property in Zone 1 is on the border of Broward. Please see attached justification statement.

MMPA Comment – See the above MMPA comments. In our opinion, there is a valid reason for the requested variances due to the unique location of this lot and the negative impacts caused by the high-rise complex. It is up to the Town BRAB and TC to determine if some or all of the variance requests are reasonable or with modifications.

- 3) Literal interpretation 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.

The applicant states: True – without the variances the view and privacy of the property will be handicapped by the multifamily property to the north and create undue hardship on the applicant. See justification statements.

MMPA Comment – See the above MMPA comments. In our opinion, there is a valid reason for the requested variances due to the unique location of this lot and the negative impacts caused by the high-rise complex. It is up to the Town BRAB and TC to determine if some or all of the variance requests are reasonable or with modifications.

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

The applicant states: True – this is the minimum required variance that allows the design of the home to minimize the impact of the multifamily property. See justification statements.

MMPA Comment – See the above MMPA comments. In our opinion, there is a valid reason for the requested variances due to the unique location of this lot and the negative impacts caused by the high-rise complex. It is up to the Town BRAB and TC to determine if some or all of the variance requests are reasonable or with modifications. MMPA does believe that without granting most of the requested variances a similar exclusive home could be easily designed and built with adequate screening to the north.

- 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 applicant states: True – it is in harmony with the Code and will not be injurious to the southern neighbor as we are only requesting the variances on the north and east portions of the house.

MMPA Comment – One of the intents of Zoning Codes and other Land Development Regulations (LDRs) is to balance the interest of the general welfare of the Town and that of individual property owners. In this instance the requested variance would not be injurious to the area involved or otherwise detrimental to the public welfare. In our opinion, there is a valid reason for at least some of the requested variances.

SUMMARY & RECOMMENDATIONS

MMPA was requested to review and comment on the requested zoning variances for a proposed replacement single-family home. MMPA has attempted to analyze each request and provide urban design comments and advise to the Town.

As to Variance request #1 – For the reasons stated herein related to reasonable use of the grade level area and raising the lowest habitable floor due to lot topography and state regulatory constraints, MMPA feels the requested height increase is reasonable for the lowest habitable floor height from 20.2 NGVD (18.2' + 2') to allow 24.0' NGVD (with the maximum building height not to exceed 52'), similar to other Town approvals.

As to Variance request #2 - For the reasons stated herein related to allowing for the construction of taller screening walls (11' above grade) along the north property line from Ocean Blvd. to the front façade of the proposed house structures and for that portion from the rear edge of the house to the cabana, MMPA feels the wall height increase is reasonable and needed to help screen the high-rise multifamily complex north of the site. It should be acknowledged there are existing retaining / screen walls built by the Parker Dorado Condo along and encroaching onto the subject site. Removing the retaining wall would damage the below grade parking lot at the multifamily complex. The applicant has stated they will let those existing walls remain and build the new walls next to them. The footers of the house / walls should be designed to not affect the existing retaining walls. MMPA recommends that the proposed screening wall in the 20' setback area east of Ocean Blvd. be limited to 6' in height, similar to the Town's 2002 variance for a taller screen wall (Res. No. 1436.02).

As to Variance request #3 - For the reasons stated herein related to the location of the rooftop elevator override (north edge of the rooftop) and allowing the rooftop activity area to extend to roof edge, MMPA feels the elevator location request is reasonable and will provide some additional screening to the rooftop. Since the sole reason for this variance request seems to be for the scale relationship of the new house to the Parker Dorado Condo and at 52' NGVD persons on the rooftop will look down on residents at

the condo pool / recreational complex, we question why a closer situation is requested. It would seem a taller roof edge wall would be requested to help screen; therefore, MMPA recommends the Town consider these points in the deliberations.

As to Variance request #4 - For the reasons stated herein related to allowing for a reduced side setback for the house near the north property line, we fail to understand the request to place the house nearer to the objectionable land use to the north. As noted above, the conceptual plans show some windows facing northerly to the condo tower and garage rooftop pool / recreational complex. If one were to “turn their backs” to the objectionable land use, we believe the house design should do more to screen the PC high-rise complex. The difference between a 10’ base setback and 6’+/- is negligible but would allow more room for landscaping. The upper floor addition step-back setback request is understandable and scaling to the northern neighbor is not necessary. MMPA feels the base setback request is unnecessary but agrees with the upper floor step-back request.

As to Variance request #5 - For the reasons stated herein related to allowing some oceanfront balconies to extend slightly more easterly the effect will be negligible. The request related to the balconies being above 36” in the setback areas is unnecessary but we understand why the applicant requested it – the Code section is really for ground level features such as walkways and stairs. The request does not really seem related to the adjoining northern neighbor except for improved view vistas – but the views may be to the condo pool / recreational complex. In our opinion a 1’-6” balcony extension will not improve a view vista much to the ocean. This is a Town decision.



TOWN OF GOLDEN BEACH Notice of Public Hearing

The **Town Council** of the Town of Golden Beach will hold a Public hearing on the following proposal:

 (6) Variance Request(s)
 X New Residential Structure

Construction of a new home Zone 1 – Ocean Front.

1. Variance request 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 more westerly.

Request is to allow the first habitable floor to start at 24' NGVD instead of 20.02' NGVD as stated in the Town's code and to increase the overall building height to 52' NGVD

2. Variance request from Town Code 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.

Request is to allow for a covered elevator override not to be centered on the roof as required and at a setback of 9'-7" from the North side and 4'-2" from the West side instead of the 10' outlined in the Code.

3. Variance request from Town Code Section 66-261 – Roof Top Activities (b) (2)

(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:

(2) The usable area of the roof must be set back a minimum of ten feet from the edge of the roof in all directions except from the rear (ocean front), where no setback is required; however, for lots of less than 64 feet in width, the useable area may be reduced to seven and one half feet from the edge of the roof in all directions except the rear (ocean front), where no setback is required.

Request is to allow for the usable area at the North side to be a 0' setback instead of the 10' setback outlined in the Code.

4. 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. Terminating with the Condominium wall along the North property line.

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

(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.

Request is to allow a 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 to not increase the side Setbacks along two-third of the length of the structure by one foot for each one foot of building height above the first 18'.

6. Variance request from Town Code Section 66-69.1 (g) (1) & (2)

- (g) Rear yard Setbacks. No portion of any house shall be placed closer to the east "rear" lot line abutting the Atlantic Ocean than behind a line drawn between the corners of the nearest existing residences parallel to the beach. Notwithstanding the foregoing, stairs and/or balconies may be located closer to the east "rear" lot line than behind a line drawn between the corners of the nearest adjacent residences parallel to the beach, subject to the following restriction

- (1) Elevation. The stairs and/or balconies area shall not exceed an elevation of 20.2 feet NGVD;
- (2) Width. The width of the stairs and/or balconies shall not exceed 50 percent of the width of the principal building. In addition, the stairs and/or balconies shall be aligned on the building's center

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.
- (c) In Zone One no walkways, patios, steps, terraces, or platforms shall be constructed closer than 36 inches to the adjacent side lot lines. In Zone One no such accessory structure shall be permitted east of the established bulkhead line. In Zones Two and Three no walkways, patios, steps, terraces, or platforms shall be constructed closer than 36 inches to the adjacent side or rear lot lines. In all Zones a walkway with or without steps extending from a driveway or directly from an adjoining street to the front door not exceeding 8 feet in width shall be permitted in front yards or street-side (corner lots) yards. No steps or platforms over 36 inches in height above the average lot grade shall extend into minimum side, rear or front yard Setback areas.

Request is to allow for the balconies on the east façade of the house to encroach more than 4' into the rear yard setback at 5'-5" and to allow the structure to be taller than 36" in height above the average grade of the lot.

JOB ADDRESS: Vacant Lot – Ocean Boulevard, Golden Beach, FL.
OWNER ADDRESS: 17141 Collins Avenue, Suite 3201
Sunny Isles Beach, FL. 33160
REQUESTED BY: 7A0A!A OCEAN LLC
LEGAL DESCRIPTION: N 100 Feet of E 325 Feet of Govt Lot 1
FOLIO NO.: 19-1235-000-0010

The **BUILDING REGULATION ADVISORY BOARD** will consider this item:

PLACE: GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL
DATE: March 9, 2021 at 6:00pm (Via Zoom)

Join Zoom Meeting

<https://us02web.zoom.us/j/89291108015?pwd=NS8rWnJhN21mSUdlcmFadHErei8yZz09>

Meeting ID: 892 9110 8015

Passcode: 752288

The **TOWN COUNCIL** will consider this item:

PLACE: GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL.
March 16th, 2021 or April 6th, 2021 at 5pm via Zoom

If you wish to submit written comments for consideration, they should be submitted to the Office of the Golden Beach Town Manager, prior to the scheduled meeting. If you have any questions regarding the proposed action, you may contact the Building Department at (305) 932-0744

DATED: February 26, 2021


Linda Epperson-Director, Building & Zoning

PURSUANT TO FLA. STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COUNCIL, BOARD OR COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. ANY INDIVIDUAL WHO BELIEVES HE OR SHE HAS A DISABILITY WHICH REQUIRES A REASONABLE ACCOMMODATION IN ORDER TO PARTICIPATE FULLY AND EFFECTIVELY IN A MEETING OF THE BUILDING REGULATION BOARD MUST SO NOTIFY THE TOWN CLERK, AT (305) 932-0744 AT LEAST 24 HOURS PRIOR TO THE DATE OF THE MEETING.

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD MEETING/HEARING

Property Location: 699 Ocean Blvd

Meeting Date: _____

Variance Hearing Dates: Advisory Board _____

Town Council _____

APPROVAL FROM THE BUILDING REGULATION ADVISORY BOARD IS REQUIRED FOR:

- A. Plans for new residence
- B. Plans for addition to or exterior alterations of an existing structure.
- C. Additional structures on premises of existing residences
- D. Review of landscape plan for new construction, renovation or addition to existing residence.
- E. Recommendation to Town Council for the approval or denial of variances and special exceptions.
- F. Recommendation to Town Council for interpretation regarding apparent conflicts or inconsistencies in the zoning provisions in Chapters 46 & 66

Town of Golden Beach
Hearing Date
MAR 09 2021
APPROVED
VARIANCE REQ.

APPLICATION HEARING PROCESS

Building Approval:

Applicant shall submit 2 completed packages for review and approval. Each package shall consist of an application, survey, warranty deed and drawings as required. The plans shall be sized as follows: 1 set 11" x 17", 1 **full size** set 24" x 36" and 1 CD containing all drawings marked with the address. This is separate from the landscaping plan submittal

Landscape Approval - Separate Submittal from the Building Submittal

Applicant shall submit 2 complete packages for review and approval. Each package shall consist of an application, existing landscape and tree disposition survey, proposed site plan and landscape plans as required. The plans shall be sized as follows: 1 set 11 x 17, 1 **full size** set 24" x 36" and 1 CD containing all drawings separate from the building plan submittal.

Zoning Variance Approval:

Submittals for a zoning variance: submit 2 complete packages for approval: each package shall consist of an application, survey, warranty deed and drawings are required. The plans shall be sized as follows: 1 set; 11" x 17", 1 **full size** set, 24" x 36" and 1 CD containing all drawings.

Final Submittal Requirement:

Eight days prior to the meeting and after all approvals have been obtained. The applicant shall submit for the Board's approval an additional 6 completed application packages, for both Building and Landscaping, which shall consist of a copy of the completed application, approved plans 1 **full size** set, 24" x 36", and 7 sets 11 x 17, a survey, warranty deed, and any other required documentation by the reviewer.

The Building Regulation Advisory Board (B.R.A.B.) meets at 6:00 P. M. on the second Tuesday of every month. Applications must be submitted 40 days prior to scheduled meeting, **(not including the day of the meeting)**, by 2:00 P.M. that day to allow for preliminary review and for mailing of a public notice if a variance is requested.

Any variances required must be heard and approved by the Town Council after the Building Regulation Advisory Board has considered the item. The Variance will be heard by the Town Council, in the following month, (on the third Tuesday), after the Building Regulation Advisory Board's action, at the Town Council's regularly scheduled meeting.

****NOTICE****

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. PLEASE MAKE SURE THAT YOU, THE APPLICANT, HAVE CHECKED AND MARKED ALL THE REQUIREMENTS OF THE APPLICATION.

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

1. The application deadline date will be strictly complied with. No application will be accepted after that date and time.
2. The Building Department will review the application package. If it is determined that the application is incomplete, the item will not be accepted and returned to the applicant for correction.
3. During the three (3) week period from deadline date to the hearing date the following events shall take place in proper order:
 - a. During the first week of submittal, the zoning and landscape reviewers, or the Town's designated agent will review the application and complete a comment sheet specifying all deficiencies for correction.
 - b. The comment sheet will be emailed to the applicant as soon as the review is completed.
 - c. If the deficiencies are substantial the application will be moved to the next scheduled meeting/hearing of the B.R.A.B.
 - d. If the deficiencies are minor, the applicant must submit the corrections including the revised paperwork within 15 days of the scheduled meeting/hearing. Corrections not received for a scheduled Agenda item will be deferred to the next B.R.A.B. meeting/hearing date.
4. A Notice of Hearing for variance will be mailed no later than 10 days before the date of meeting, as per Town Code.
5. During the third week all applications with plans and documents shall be properly arranged. One complete copy of the package will be given to the processor and prior to the scheduled meeting one set will be delivered to each Board member. The Building Dept shall retain all originals for the records.
6. All applicants shall be made aware that incomplete applications or deficiencies not corrected in time as per these regulations, will not be included on the agenda, and are hereby rejected, and will be returned to the applicant.
7. After the meeting, three (3) copies of the approved items (one full size and 2 ledger) will be retained by the building department, the applicant must request the two reduced sized sets for inclusion into the building permit package.

**TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
SCHEDULE OF FEES**

Appropriate fee shall be paid at time of application you will be charged for each item included in the plans. These fees are not refundable.

<u>Type of request</u>	<u>Fee</u>
1. Residence (new construction).....	\$300.00
2. Addition/Remodel of existing structure.....	\$225.00
3. Fencing, site walls, driveways, pool decks (charged per each item included in the plans)	\$150.00
4. Accessory Building or Structure.....	\$150.00
5. Swimming pools.....	\$100.00
6. Docks.....	\$100.00
7. Boat Lifts.....	\$100.00
9. Carports, awnings.....	\$100.00
10. Landscape plan review; required for new construction, addition and remodeling project. (submit plans with site plan elevations separate from the building plan approval package)	\$300.00
11. Resubmissions, based on original fee paid...	75.0%
12. Zoning Variances and special exceptions, per variance or exception:	
a. First variance/ exception.	\$750.00
b. Per additional variance/exception, for the same initial variance (example: request for a dock, affecting two different codes)	\$200.00
c. When a variance is granted, the property owner, at his expense, shall have the resolution for the variance recorded in the public records of Miami-Dade county, and two (2) certified copies of the recorded resolution shall be submitted to the Town for inclusion into the property records	
d. If the Town Council grants a variance, a building permit must be secured within two years of the approval date or the variance will become null and void	
13. Request to the Board for verification of any section of the Zoning Code, For each Section to be verified	\$100.00

**TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
SCHEDULE OF FEES**

14. Application for the legalization of construction built without the approval of the B.R.A.B., when the Board should have approved such construction, will be assessed a fee equal to four (4) times the regular fee applicable to the matter.

15. Special Requests for a meeting, variance, or waiver of plat hearing:

- a. For matters that have been heard, but the process had not been completed, i.e., tabled subjects, or unfinished subjects to be continued, the applicant must notify the Building & Zoning Department in writing if they would like the item continued

If the notification is received by the Department before the deadline for the next B.R.A.B. meeting, there will be no charge for the continuance. If the notification is received after the deadline, and the applicant still wants the matter included in the agenda for the next meeting, there will be a special fee of \$200.00

- b. If the agenda has already been prepared and the applicant wants the matter to be heard, the request must be received in writing to be added to the agenda at the beginning of the meeting with the approval of the Building Official or Building & Zoning Director. There will be a special fee of \$200.00

- c. When a special meeting or hearing of the B.R.A.B. is requested by an applicant, for either a new matter or continuance of a subject already heard, there will be a special fee for a 2 hour time period of \$500.00

If the time limit is exceeded, an additional fee of ½ of the fee will be assessed for the seconded time period \$250.00

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Applicant check here	Complete application, sign, and notarize.	Bldg Dept Use
<input type="checkbox"/>	If a zoning variance is applied for, the petition for variance, pages 9, 10 and 11 shall be submitted with the application and shall include: a. Property Legal Description b. Property Folio number c. Street address d. Owners of record e. Owner and agent names and signatures properly notarized.	
<input type="checkbox"/>	Initial submittal as directed on page one; surveys, building plans, Warranty Deeds, and applications, After Zoning approval is issued completed sets are to be submitted 8 days prior to the meeting date as follows: Seven (7) copies no larger than 11" x 17" & 1 original full size sealed set 24" x 26". The same amount of copies are required for a variance. Each completed package shall consist of 1 each of an application, survey, Warranty Deed and building plans. Submit 1 CD with all documents included	
<input type="checkbox"/>	Conceptual construction drawings prepared and signed by a licensed design professional that shall include, at a minimum, the following: a. Site plan at a scale not less than 1/8" = 1'-0" (Include grade elevations) b. Proposed Floor Plan views, at a scale not less than 1/4"=1'-0" c. Cross and longitudinal sections preferably through vaulted areas, if any. d. Typical exterior wall cross section. e. Full elevations showing flat roof and roof ridge height and any other higher projections. f. Sample board of construction materials to be used. g. Existing and proposed ground floor elevations (NGVD). h. Grading & Drainage Calculations i. Zone 3 Properties: Affidavit of Seawall Conformity	
<input type="checkbox"/>	Landscaping Plan, separate from building plan package, prepared and signed by a licensed landscape design professional: The same amount of copies as outlined in the Building plan submittal. Each completed package shall consist of 1 each of an application, existing landscape survey, Warranty Deed, landscape plans with building site plans. Mark CD accordingly (separate from building)	
<input type="checkbox"/>	First Floor and Second Floor area calculations marking the geometrical areas used to calculate the overall floor areas.	
<input type="checkbox"/>	Colored rendering showing new construction or proposed addition. Marked with the applicable address.	
<input type="checkbox"/>	Estimated cost of proposed work. For additions/remodels fair market value of property showing land value and structure value separately.	
<input type="checkbox"/>	Site plan detailing construction site personnel parking.	

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Application fee: _____

Request hearing in reference to:

New residence/addition: New Residence Variance(s): Yes
Exterior alterations: _____ Other Structure: _____
Date application filed: _____ For hearing date: _____

1. Project information:

Project description: Construction of single family home at 699 Ocean Blvd

Legal Description: See attached survey for legal description

Folio #: 19-1235-000-0010

Address of Property: 699 Ocean Blvd

2. Is a variance(s) required: Yes No How Many? 5
(If yes, please submit variance application form for each request).

Owner's Name: 7A0A1A Ocean LLC Phone 954-288-0652 Fax _____

Owner's address: 17141 Collins Ave #3201 City/State Sunny Isles, FL Zip 33160

Email address: arash@kasaholdings.com

Agent: Arash Alaei Phone 954-288-0652 Fax _____

Agent's address: 17749 Collins Ave #601 City/State Sunny Isles, FL Zip 33160

Email address: arash@kasaholdings.com

Architect: John Dwyer Phone 612-270-4429 Fax _____

Email address: johndwyerarchitect@gmail.com

Contractor: _____ Phone _____ Fax _____

3. Describe project and/ or reason for hearing request: The project is to build a single family home.
The hearing is being requested for landscape approval and zoning variance approvals.

4. The following information is submitted for assisting in review:

Building Plans:

Conceptual: Preliminary: Final:
Other: _____

5. Estimated cost of work: \$ 5,000,000
Estimated market value of: _____
Land \$ 5,900,000
Building \$ 5,000,000

(Note: If estimated cost of work is 40% of the market value of the building an independent appraisal is required).

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

6. Is hearing being requested as a result of a Notice of Violation? none
No
7. Are there any structures on the property that will be demolished? none
No
8. Does legal description conform to plat? none
9. Owner Certification: I hereby certify that I am the owner of record (*) of the property described in this application and that all information supplied herein is true and correct to the best of my knowledge.

Signature of owner(s): _____

Acknowledged before me this _____ day of _____, _____

Type of identification:

Notary Public

Owner/Power of Attorney Affidavit:

I, being duly sworn, depose and say I am the owner (*) of the property described in this application and that I am aware of the nature and request for: _____
_____ relative to my property and I am hereby authorizing _____ to be my legal representative before the Building Regulation Advisory Board and Town Council.

Signature of owner(s)

Acknowledged before me this _____ day _____ 20_____

Type of identification:

Notary Public

(*) If owner of record is a corporation then the president with corporate seal, the president and the secretary (without corporate seal), or duly authorized agent for the corporation may execute the application, proof that the corporation is a corporation in good standing.

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Property Address: 699 Ocean Blvd
Legal Description: See attached survey (too long to fit here)
Owner's Name: 7A0A1A Ocean LLC Phone 9542880652 Fax _____
Agent's Name: Arash Allaei Phone 9542880652 Fax _____
Board Meeting of: _____

- NOTE: 1. **Incomplete applications will not be processed.**
2. Applicant and/or architect must be present at meeting.

Application for: Construction of single family home
Lot size: .903 acres
Lot area: 39,314 square feet
Frontage: 100.15 feet
Construction Zone: 1
Front setback: 60 feet
Side setback: 10 feet on the South, minimum of 5' feet on the North
Rear setback: established by drawing a line between the corners of the southern neighbor to eastern edge of northern multifamily
Coastal Construction: Yes No East of coastal const. control line: Yes No
State Road A1A frontage: Yes
Swimming pool: Yes No Existing: none Proposed: yes
Fence Type: Solid Wall Existing: none Proposed: yes
Finished Floor elevation N.G.V.D.: 12
Seawall: _____ Existing: _____ Proposed: _____
Lot Drainage: _____
How will rainwater be disposed of on site? Rainwater will be disposed of onsite through retention swales and underground drains
Adjacent use (s): single family residence to the south, Broward county multifamily tower to the north
Impervious area: 23,498 square feet
% of impervious area: 59.8%
Existing ground floor livable area square footage: 0
Proposed ground floor livable area square footage: 8417 square feet
Existing 2nd floor livable area square footage: 0
Proposed 2nd floor livable area square footage: 6138 square feet
Proposed % of 2nd floor over ground floor: 72.9
Vaulted area square footage: 290
Vaulted height: 26
Color of main structure: Limestone & White Stucco
Color of trim: Black
Color & material of roof: Rubberized Membrane
Building height (above finished floor elevation): 52' NGVD
Swale: (Mandatory 10'-0" from edge of payment, 10 ft. wide x 1 ft. deep minimum):
Existing trees in Lot: 33 in Swale: 0
Proposed trees in Lot: 73 in Swale: 0
Number & type of shrubs: More than 800, please see landscape plan plant list for type
Garage Type: Attached & Detached Existing: none Proposed: yes
Driveway width & type: 19'8" Poured Concrete

Signature of Applicant: _____ Date: _____

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

Date: 1/27/21

Fee: _____

I, Arash Allaei 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: 699 Ocean Blvd Folio No. 19-1235-000-0010

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)**: 66-186.a

The privacy wall on the north side of the property will scale to a maximum height of approximately 11' over grade.

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. True, this is a variance from zoning regulations.

- 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. True. The property is on the border of Broward County and has an unattractive multi family housing complex directly north of it.

This is the only property in zone 1 on the border of Broward. See attached justification statement.

- c. The special conditions and circumstances do not result from the actions of the applicant. True, the multi family housing complex to the north does not result from the actions of the applicant. See attached justification statement.

- 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. True, no other property in zone 1 is on the border of Broward County. See attached justification statement.

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. True, without the variance there will be increased noise, smell and light from vehicles in the open parking structure. There will also be diminished views as a result of the multi family property.
Please see attached justification statement.
4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. True, variance is the minimum required to reduce the negative impacts from the multifamily building to the North. See attached justification statement.
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. True. This benefits neighbor to the south as it reduces the impact of the multifamily property for that property as well. See attached statement.

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.: 19-1235-000-0010 Address: 699 Ocean Blvd

Legal Description: See attached survey (too long to fit here)

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 3/9/21 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.

Signature of Owner or Legal Representative

Sworn to and subscribed before me this _____ day of _____, _____

Notary Public State of Florida at Large

Personally know to me Produced Identification

View of the multifamily complex from our property



Surface parking lot and garage entrances directly adjacent to our property



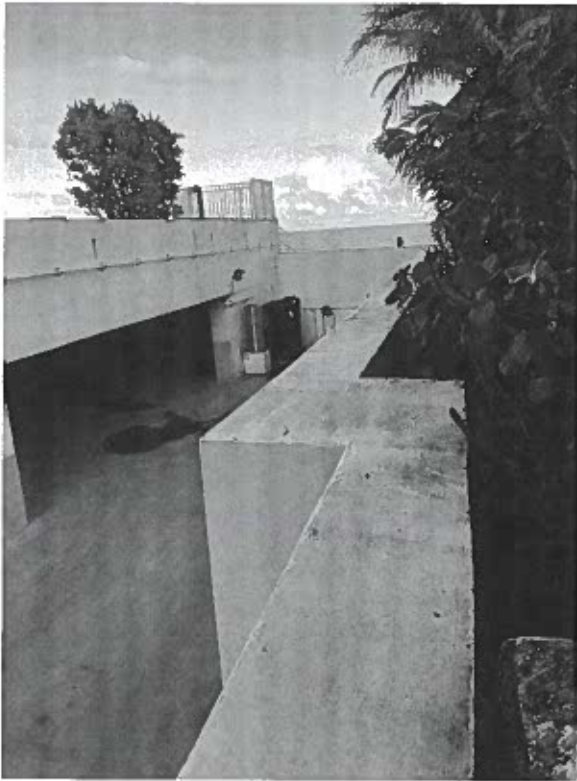
Surface parking adjacent to our property



View of parking structure and surface parking from our property



Additional view of parking structure from our property



View of multifamily building and parking structure from our property



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

Date: 1/27/21

Fee: _____

I, Arash Allaei 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: 699 Ocean Blvd Folio No. 19-1235-000-0010

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)**: 66-69.1.d.1.c, 66-101.a.1
The first floor of habital space is to start at 24' NGVD which is over 20.2'. The total structure height is 52' which is over 50'.

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. True, this is a variance from zoning regulations.

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. True, the average elevation of the land east of the CCCL is almost 12'. Per DEP regulations, no soil can be removed from east of the CCCL. See attached justification statement.

c. The special conditions and circumstances do not result from the actions of the applicant. True, these conditions did not result from the actions of the applicant.

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. True, it does not grant any special privilege that was denied to others.

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. True. Since grade is approximately 12', if the first habitable floor were to start at 20'2" it would result in the first uninhabitable floor having an unusable ceiling height of 6'. This would create undue hardship on the applicant. See attached justification statement.
4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. True, this is the minimum variance to make the first uninhabitable floor useful. See attached justification statement.
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. True, this is not injurious to the area involved or detrimental to the public welfare.

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.: 19-1235-000-0010 Address: 699 Ocean Blvd

Legal Description: Please see attached survey. (too long to fit here)

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 3/9/21 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.

Signature of Owner or Legal Representative

Sworn to and subscribed before me this _____ day of _____, _____

Notary Public State of Florida at Large

Personally know to me

Produced Identification

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

Date: 1/27/21

Fee: _____

I, Arash Allaei 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: 699 Ocean Blvd Folio No. 19-1235-000-0010

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)**: 66-69.1.h.1.b, 66-69.1.h.1.c, 66-140.b
The northern side setback has been reduced to 5' instead of 10'. The third floor side setbacks do not increase beyond the second floor.

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. True, this is a variance from zoning regulations.

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. True, this is the only property in zone 1 on the order of Broward.
See attached justification statement.

c. The special conditions and circumstances do not result from the actions of the applicant. True, the multi family housing complex to the north does not result from the actions of the applicant. See attached justification statement.

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. True, no other property in zone 1 is on the border of Broward. Please see attached justification statement.

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. True. A literal interpretation of the code would cause unnecessary hardship. Without the variance, the entire 10' setback would be wasted space since the design of our home faces South and East to reduce the impact of the multifamily property to the North. See attached justification statement.
4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. True, the variance requested is the minimum needed to avoid wasted space while allowing enough northern yard space to plant palm trees to shield the 2nd and 3rd floors from the impact of the multifamily housing. Please see attached justification statement.
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. True, variance is not injurious to our southern neighbor. In fact it is beneficial as the majority of the house is along the Northern property which leaves the border with our neighbor to the south very open. Please see attached justification statement.

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.: 19-1235-000-0010 Address: 699 Ocean Blvd

Legal Description: See attached survey. (too long to fit here)

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 3/9/21 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.

Signature of Owner or Legal Representative

Sworn to and subscribed before me this _____ day of _____, _____

Notary Public State of Florida at Large

Personally know to me Produced Identification

View of the multifamily complex from our property



Surface parking lot and garage entrances directly adjacent to our property



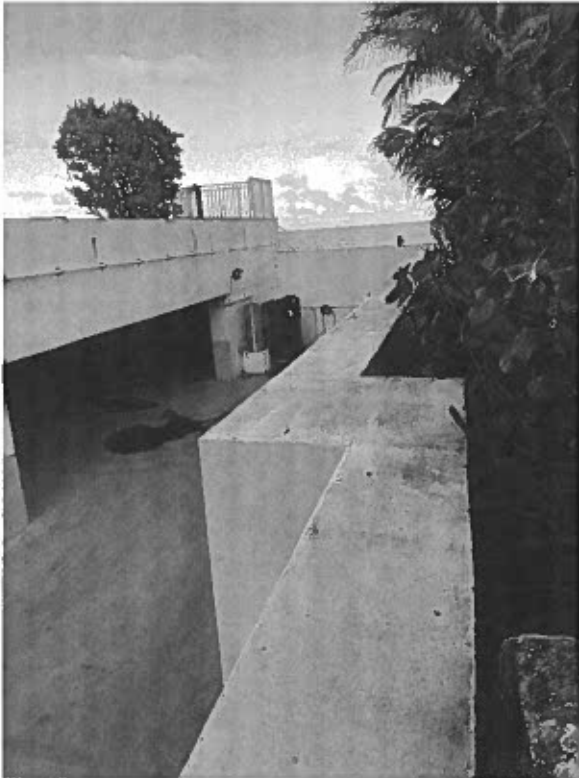
Surface parking adjacent to our property



View of parking structure and surface parking from our property



Additional view of parking structure from our property



View of multifamily building and parking structure from our property



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

Date: 1/27/21

Fee: _____

I, Arash Allaei 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: 699 Ocean Blvd Folio No. 19-1235-000-0010

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)**: 66-261.b.5 , 66-261.b.2

The covered elevator vestibule to the rooftop is located along the northern side of the property and

not centered on the roof. The elevator vestibule is 9'7" from the north edge of the roof and 4'2" from

the west edge of the roof which is less than 10' from the edge of the roof. Useable area of rooftop offset from northern side of structure is 0' instead of 10'.

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. True, it is a variance from 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. True. The property is on the border of Broward County and has an unattractive multi family housing complex directly north of it.

This is the only property in zone 1 on the border of Broward. See attached justification statement.

- c. The special conditions and circumstances do not result from the actions of the applicant. True, the multi family housing complex to the north does not result from the actions of the applicant. See attached justification statement.

- 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. True, no other property in zone 1 is on the border of Broward County. See attached justification statement.

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. True. A literal interpretation would require a second elevator to be installed and would create unnecessary and undue hardship on the applicant.

See attached justification statement.

4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. True, this is the minimum variance that will make possible the reasonable use of the land. See attached justification statement.

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. True. It is in harmony and benefits the neighbors to the South as the elevator vestibule and rooftop activities are further from the Southern property. See attached justification statement.

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.: 19-1235-000-0010 Address: 699 Ocean Blvd

Legal Description: See attached survey (too long to fit here)

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 3/9/21 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.

Signature of Owner or Legal Representative

Sworn to and subscribed before me this _____ day of _____, _____

Notary Public State of Florida at Large

Personally know to me

Produced Identification

View of the multifamily complex from our property



Surface parking lot and garage entrances directly adjacent to our property



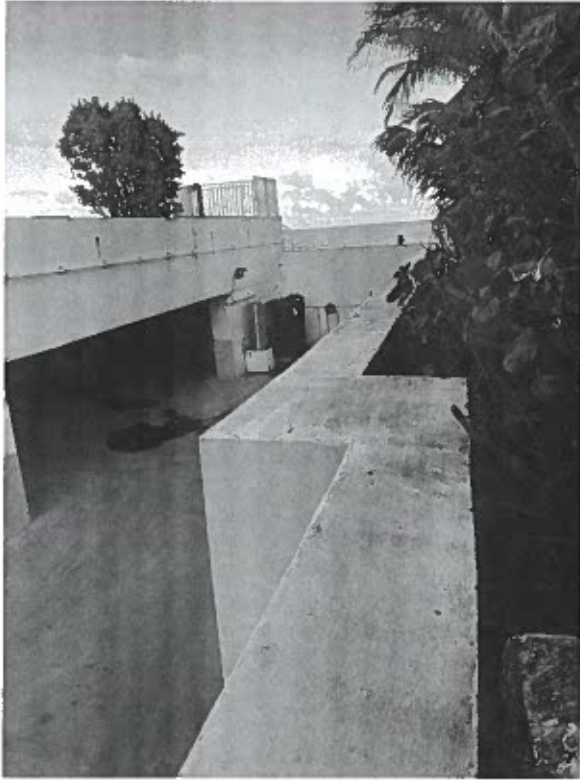
Surface parking adjacent to our property



View of parking structure and surface parking from our property



Additional view of parking structure from our property



View of multifamily building and parking structure from our property



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

Date: 1/27/21

Fee: _____

I, Arash Allaei 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: 699 Ocean Blvd Folio No. 19-1235-000-0010

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):** 66-69.1.g.1, 66-69.1.g.2
66-140.b, 66-141.c Balconies on north half of house extends into rear setback up to 5'5", they are over 20.2' NGVD, they do not align on the buildings centerline and create a structure over 36" in height in the rear 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. True, this is a variance from zoning regulations.

 - 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. True, this is the only property in zone 1 on the border of Broward.
See attached justification statement.

 - c. The special conditions and circumstances do not result from the actions of the applicant. True, the multi family housing complex to the north does not result from the actions of the applicant. See attached justification statement.

 - 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. True, no other property in zone 1 is on the border of Broward. Please see attached justification statement.

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. True, without the variance the view and privacy of the property will be handicapped by the multifamily property to the north and create undue hardship on the applicant. See justification statement.
4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. True, this is the minimum required variance that allows the design of the home to minimize the impact of the multifamily property. See justification statement.
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. True, it is in harmony with the code and will not be injurious to the southern neighbor as we are only requesting the variance for the balconies on the north half of the house facing east. See justification statement.

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.: 19-1235-000-0010 Address: 699 Ocean Blvd

Legal Description: See attached survey (too long to fit here)

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 _____ 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.

Signature of Owner or Legal Representative

Sworn to and subscribed before me this _____ day of _____, _____

Notary Public State of Florida at Large

Personally know to me Produced Identification

View of the multifamily complex from our property



Surface parking lot and garage entrances directly adjacent to our property



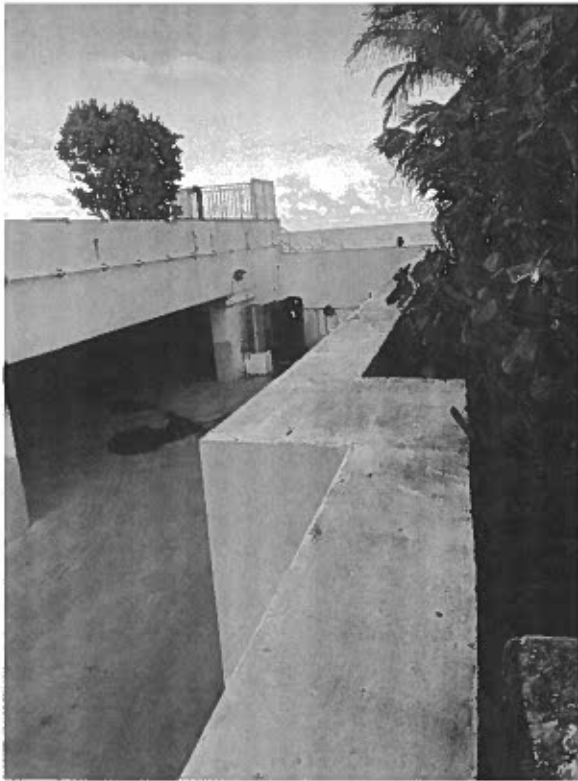
Surface parking adjacent to our property



View of parking structure and surface parking from our property



Additional view of parking structure from our property



View of multifamily building and parking structure from our property



TOWN OF GOLDEN BEACH

DRAINAGE COMPUTATION WORKSHEET

Last updated January 24th, 2017

In order to help professionals designing residential developments (single family units) the Town has developed a worksheet to aid applicants in determining the volume of runoff generated during a 10-year / one-day storm. This has been the adopted Level of Service (LOS) standard in the Town's Comprehensive Plan since December 1988 and is also the drainage standard specified in the Miami-Dade County Public Works Manual, Section D4 - Water Control. The calculations follow the methodology recommended by the SFWMD in their publication "Management and Storage of Surface Waters, Permit Information Manual, Volume 4" and in their publication "Technical Publication EMA #390 - Frequency Analysis of Daily Rainfall Maxima for Central and South Florida" dated January 2001. Applicants may include the calculations on this worksheet with their permit application. A registered professional engineer or a registered architect must perform these calculations.

Once the volume of runoff generated during a 10-year / one-day storm within the property or a sub-basin within the property is determined, the applicant must include calculations showing this volume will be contained within the property. Retention of this volume can be provided within shallow retention swales, injection wells, collection systems for reuse (example - cistern for irrigation), underground drains or other methods approved by the Town.

The applicant must also provide plans showing existing and proposed land elevations throughout the property demonstrating the volume of runoff generated during the design storm (10-year / one-day) will be contained within the on-site retention system. The existing and proposed land elevations must also show no overflow from the property will occur to adjacent properties or Right-of-Ways during a 10- year/ one-day storm.

Definitions are located below the worksheet.

Step 1:

Determine A A= 39314 square feet

Step 2:

Determine AP AP= 15816 square feet

AI= 23498 square feet

Note= P= Pervious/ I = Impervious

Step 3:

Determine the average NGVD land elevation of pervious areas within property or sub-basin within the property.

Average Elevation of Pervious Areas= 12 feet NGVD

Step 4:

Determine the distance between the average high ground water elevation and the average elevation of the pervious areas. For design purposes, the average high ground water elevation for most of Golden Beach is 2 feet NGVD (Additionally, please check with your geotechnical engineer and/or geotechnical report.)

Distance= 10 feet

Step 5:

Determine an S_1 value from the table below:

Distance between ground water table and average elevation of pervious areas,	S_1
1 foot	0.45 inches
2 feet	1.88 inches
3 feet	4.95 inches
4 feet	8.18 inches
>4 feet	8.18 inches

If necessary, compute a value of S_1 by interpolation.

S_1 = 8.18 inches

Step 6:

Determine S as:

$$S = \frac{AP}{A * S_1}$$

S is computed in inches $S =$.0492 inches

Step 7:

Determine runoff depth (R) as:

$$R = \frac{(P - 0.2 * S)^2}{(P + 0.8 * S)}$$

Where P= 7.00 inches of rainfall produced during a 10- year/ one-day storm. Then:

$$R = \frac{(7.00 - 0.2 * S)^2}{(7.00 + 0.8 * S)}$$

$$(7.00+0.8*S)$$

R is computed in inches R= 6.941 inches

Step 8:

Determine runoff depth (R) as:

$$V = \frac{A * R}{12}$$

V is computed in cubic feet. V is the volume of runoff generated during a 10 year- year/ one day storm within the property or sub-basin of the property.

$$V = \underline{22739.87} \text{ cubic feet}$$

Step 9:

Compute "retention volume provided" (VP) as the retention volume capacity, in cubic feet, of swales, retention areas, and drains within the property or sub-basin within the property.

- o **Attach calculation showing how the volume was calculated.**
- o **Calculations must be consistent with existing and proposed elevations shown on design plans.**

$$VP = \underline{\hspace{2cm}} \text{ cubic feet}$$

Step 10:

Compute values of retention volume provided (VP in Step 9) with retention volumes needed (V in Step 8). Retention volume provided (VP) must be larger than retention volume needed (V). (VP= cubic feet) > (V= 22730.04 cubic feet)

NOTE: These volumes calculations are needed to satisfy the Town of Golden Beach Comprehensive Plan Level of Service (LOS) and Code requirements.

DEFINITIONS			
P:	Rainfall depth in inches.	A:	Total area of property in square feet.
S:	Soil storage capacity in inches.	AP:	Total pervious areas within property in square feet.
R:	Runoff depth in inches.	V:	Volume of runoff in cubic feet.
AI:	Total area of roof, pavement patios, pool decks, walkways and any other hardscape areas within the property in square feet (ie., total impervious area).		

Note:* means multiply.



CFN 2020R0599009
 OR BK 32153 Pgs 4202-4203 (2Pgs)
 RECORDED 10/20/2020 12:46:44
 DEED DOC TAX \$35,400.00
 SURTAX \$26,550.00
 HARVEY RUVIN, CLERK OF COURT
 MIAMI-DADE COUNTY, FLORIDA

THIS INSTRUMENT PREPARED BY:
 Craig D. Savage, Esquire
 CRAIG D. SAVAGE, P. A.
 18851 NE 29th Avenue Suite 303
 Aventura, FL 33180
 Property Appraisers Tax ID No.: 19-1235-000-0010

WARRANTY DEED

THIS DEED, made this 5th day of October 2020, between **VICTOR K. RONES, a married man, Individually and as Trustee**, whose address is 16015 NE 18th Avenue, North Miami Beach, FL 33162 as "GRANTOR", and **7A0A1A OCEAN LLC, a Florida limited liability company**, whose post office address is 17141 Collins Avenue # 3201, Sunny Isles, FL 33160, as "GRANTEE".

(Wherever used herein, the terms "GRANTOR" and "GRANTEE" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH:

That the GRANTOR, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations in hand paid to GRANTOR by said GRANTEE, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the GRANTEE the following described real property, and rights and interest in real property located and situated in the County of Miami-Dade and State of Florida, to wit:

The unnumbered Lot North of Lot 1, Block D, Section "A" of Golden Beach, as recorded in Plat Book 9, Page 52, of the Public Records of Miami-Dade County, Florida, more particularly described as follows: Beginning at the intersection of the North Line of Section 35, Township 51 South, Range 42 East, with the High water line of the Atlantic Ocean, thence run West along said North Line of Said Section 35, for a Distance of approximately 325 feet, to the Easterly line of the Public Highway known as Ocean Boulevard; thence run Southerly along said Easterly line of said Public Highway for distance of 100.2 feet to the Northwest corner of Lot 1, Block D; Section "A", of Golden Beach, as shown on the map of Golden Beach, recorded in Plat Book 9, at Page 52, of the Public Records of Miami-Dade County, Florida, then East parallel with said North line of said Section 35, for a distance of approximately 320 feet to the High water line of the Atlantic Ocean, then Northerly meandering the High water line of the Ocean for a distance of approximately 100 feet to the Point of Beginning.

SUBJECT TO:

1. Real property taxes for the year 2020 and subsequent years; and
2. Zoning or other regulatory laws and ordinances affecting the land; and
3. Covenants, restrictions, public utility easements of record.

This property is not and never has been the homestead and or residence of the Trustee or his spouse. This property is not and never has been contiguous to the homestead and or residence of the Trustee or his spouse.

Page 2 of WARRANTY DEED.

The Grantor hereby covenants with said Grantee that the Grantor has good right and lawful authority to sell and convey said land. Grantor hereby covenants with Grantee and will forever defend Grantee against claims of all persons claiming by, through or under Grantor. No other covenants or warranties, express or implied, are given by this Warranty Deed.

Signed, sealed and delivered
in the presence of:

[Handwritten Signature]

Witness Signature
Print Witness Name: EDUARDO GALLARDO

[Handwritten Signature]

Witness Signature
Print Witness Name: JEANETTE C. COUF

[Handwritten Signature]
By: _____
Name: VICTOR K. RONES, a married man
Title: INDIVIDUALLY AND AS TRUSTEE

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I HEREBY CERTIFY that on the 31st day of October 2020, before me, by means of physical presence, the undersigned authority, personally appeared VICTOR K. RONES, a married man, individually and as trustee, to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same. He is personally known to me or furnished his Florida driver's license as identification.

[Handwritten Signature]
Notary Public, State of Florida

My Commission Expires:



Jeanette C. Couf
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG203424
Expires 4/4/2022

7AOAIA Ocean LLC
17141 Collins Avenue, Suite 3201
Sunny Isles, FL. 33160

Alexi A. & Gyulnara A. Semenova
2136 NE 123rd Street
Miami, FL. 33181

Neil Karlin LE
Neil J. Karlin Rev Trust
687 Ocean Boulevard
Golden Beach, FL. 33160

Mare Nostrum Properties LLC
c/o Gunster
600 Brickell Ave., Ste 3500
Miami, FL. 33131

Isaac Sredni (TR)
21500 Biscayne Blvd., Suite 504
Aventura, FL. 33180

Scott Scharg TRS
Scott Scharg Declaration of Trust
667 Ocean Boulevard
Golden Beach, FL. 33160

Stuart Irwin & Dannah Carrier Meyers
655 Ocean Boulevard
Golden Beach, FL. 33160

652 Golden Beach, LLC
652 Ocean Boulevard
Golden Beach, FL. 33160

Juan Mesa
662 Ocean Boulevard
Golden Beach, FL. 33160

Golden Beach 674 LLC
7021 174th Street
Fresh Meadows, NY 11365

IMAX LLC
21500 Biscayne Blvd., Suite 504
Aventura, FL. 33180



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

SUMMARY MINUTES
BUILDING REGULATION ADVISORY BOARD
March 9, 2021 at 6pm

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

- A. CALL MEETING TO ORDER:** 6:01pm
- B. BOARD ATTENDANCE:** Stephanie Halfen, Isaac Murciano, Zvi Shiff and Jerome Hollo
- C. STAFF ATTENDANCE:** Linda Epperson Building & Zoning Director, Michael Miller – Michael Miller Planning
- D. APPROVAL OF MINUTES:** February 9, 2021

Isaac Murciano made a motion to approve the minutes of February 9, 2021, Seconded by Zvi Shiff
Stephanie Halfen – Aye, Isaac Murciano – Aye, Zvi Shiff – Aye and Jerome Hollo- Aye
Motion passed 4 – 0

E. REQUEST FOR ADDITIONS, DEFERRALS, DELETIONS & WITHDRAWALS

- 1. Joel & Edith Newman
355 Ocean Blvd
Golden Beach, FL 33160-2211

Property Address: 355 Ocean Blvd, Golden Beach, FL 33160-0000
Folio No: 19-1235-002-0420
Legal Description: Lot 7 to 11 INC Blk B GB Sec B PB 9-52

Remodeling & Addition to existing SFR.

- 2. 310 South Parkway LLC
310 S Parkway
Golden Beach, FL 33160

Property Address: 310 South Parkway, Golden Beach, FL 33160-0000
Folio No: 19-1235-005-0590
Legal Description: Lot 31 & 32 BLK G GB Sec E PB 8-122

Relocated Pool/ Deck Misc.

Zvi Shiff made a motion to defer items 1 and 2, Seconded by Isaac Murciano
Stephanie Halfen – Aye, Isaac Murciano – Aye, Zvi Shiff – Aye and Jerome Hollo- Aye
Motion passed 4 – 0

F. VARIANCE REQUEST(S):

- 3. 7A0A1A Ocean LLC
17141 Collins Ave 3201
Sunny Isle, FL 33160

Property Address: 699 Ocean Blvd, Golden Beach, FL 33160-0000
Legal Description: N 100 Feet of E 325 Feet of Govt Lot 1
Folio No.: 19-1235-000-0010

Michael Miller – Michael Miller Planning – Summarized his report and entered into the record for items 1 - 6
Arash Allaei – Owner of the property spoke on his behalf
Mrs. Allaei – Owner of the property spoke on her behalf

Construction of a new home Zone 1 – Ocean Front.

1. Variance request 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 more westerly.

Request is to allow the first habitable floor to start at 24' NGVD instead of 20.02' NGVD as stated in the Town's code and to increase the overall building height to 52' NGVD

In accordance with Town Code Section 66-41, "authorized, general procedure", pertaining to variances, the board considered all evidence and testimony presented by the applicant, the public and the Town and made a finding that the applicant has complied with the seven criteria.

A motion to recommend approval was made by Isaac Murciano, Seconded by Zvi Shiff
On roll call: Stephanie Halfen-Nay, Isaac Murciano – Aye, Zvi Shiff- ~~Aye~~, Nay and Jerome Hollo- Nay
Motion failed 3 – 1

2. Variance request from Town Code 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.

Request is to allow for a covered elevator override not to be centered on the roof as required and at a setback of 9'-7" from the North side and 4'-2" from the West side instead of the 10' outlined in the Code.

In accordance with Town Code Section 66-41, "authorized, general procedure", pertaining to variances, the board considered all evidence and testimony presented by the applicant, the public and the Town and made a finding that the applicant has complied with the seven criteria.

A motion to recommend approval was made by Stephanie Halfen, Seconded by Isaac Murciano
On roll call: Stephanie Halfen-Aye, Isaac Murciano – Aye, Zvi Shiff- Aye and Jerome Hollo- Aye
Motion passed 4 – 0

3. Variance request from Town Code Section 66-261 – Roof Top Activities (b) (2)

(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:

(2) The usable area of the roof must be set back a minimum of ten feet from the edge of the roof in all directions except from the rear (ocean front), where no setback is required; however, for lots of less than 64 feet in width, the useable area may be reduced to seven and one half feet from the edge of the roof in all directions except the rear (ocean front), where no setback is required.

Request is to allow for the usable area at the North side to be a 0' setback instead of the 10' setback outlined in the Code.

In accordance with Town Code Section 66-41, "authorized, general procedure", pertaining to variances, the board considered all evidence and testimony presented by the applicant, the public and the Town and made a finding that the applicant has complied with the seven criteria.

A motion to recommend approval was made by Stephanie Halfen, Seconded by Isaac Murciano
On roll call: Stephanie Halfen-Aye, Isaac Murciano – Aye, Zvi Shiff- Aye and Jerome Hollo- Aye
Motion passed 4 – 0

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

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. Terminating with the Condominium wall along the North property line.

In accordance with Town Code Section 66-41, "authorized, general procedure", pertaining to variances, the board considered all evidence and testimony presented by the applicant, the public and the Town and made a finding that the applicant has complied with the seven criteria.

A motion to recommend approval was made by Isaac Murciano, Seconded by Zvi Shiff
On roll call: Stephanie Halfen-Aye, Isaac Murciano – Aye, Zvi Shiff- Aye and Jerome Hollo- Aye
Motion passed 4 – 0

5. Variance request from Town Code Section 66.69-1- Zone One (Oceanfront properties).
(h) Side yard Setbacks. 1 - Main Residence.

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

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 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 to not increase the side Setbacks along two-third of the length of the structure by one foot for each one foot of building height above the first 18'.

In accordance with Town Code Section 66-41, "authorized, general procedure", pertaining to variances, the board considered all evidence and testimony presented by the applicant, the public and the Town and made a finding that the applicant has complied with the seven criteria.

A motion to recommend approval was made by Isaac Murciano, Seconded by Zvi Shiff
On roll call: Stephanie Halfen-Aye, Isaac Murciano – Aye, Zvi Shiff- Aye and Jerome Hollo- Nay
Motion passed 3 – 1 (Jerome Hollo-Nay)

6. Variance request from Town Code Section 66-69.1 (g) (1) & (2)

(g) Rear yard Setbacks. No portion of any house shall be placed closer to the east "rear" lot line abutting the Atlantic Ocean than behind a line drawn between the corners of the nearest existing residences parallel to the beach. Notwithstanding the foregoing, stairs and/or balconies may be located closer to the east "rear" lot line than behind a line drawn between the corners of the nearest adjacent residences parallel to the beach, subject to the following restriction

Elevation. The stairs and/or balconies area shall not exceed an elevation of 20.2 feet NGVD;

Width. The width of the stairs and/or balconies shall not exceed 50 percent of the width of the principal building. In addition, the stairs and/or balconies shall be aligned on the building's center 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.

In Zone One no walkways, patios, steps, terraces, or platforms shall be constructed closer than 36 inches to the adjacent side lot lines. In Zone One no such accessory structure shall be permitted east of the established bulkhead line. In Zones Two and Three no walkways, patios, steps, terraces, or platforms shall be constructed closer than 36 inches to the adjacent side or rear lot lines. In all Zones a walkway with or without steps extending from a driveway or directly from an adjoining street to the front door not exceeding 8 feet in width shall be permitted in front yards or street-side (corner lots) yards. No steps or platforms over 36 inches in height above the average lot grade shall extend into minimum side, rear or front yard Setback areas.

Request is to allow for the balconies on the east façade of the house to encroach more than 4' into the rear yard setback at 5'-5" and to allow the structure to be taller than 36" in height above the average grade of the lot

In accordance with Town Code Section 66-41, "authorized, general procedure", pertaining to variances, the board considered all evidence and testimony presented by the applicant, the public and the Town and made a finding that the applicant has complied with the seven criteria.

A motion to recommend approval was made by Isaac Murciano, Seconded by Zvi Shiff
On roll call: Stephanie Halfen-Nay, Isaac Murciano – Nay, Zvi Shiff- Nay and Jerome Hollo- Nay
Motion failed 4 – 0

G. OLD BUSINESS:

H. NEW BUSINESS:

4. 7A0A1A Ocean LLC
17141 Collins Ave 3201
Sunny Isle, FL 33160

Property Address: 699 Ocean Blvd, Golden Beach, FL 33160-0000
Legal Description: N 100 Feet of E 325 Feet of Govt Lot 1
Folio No.: 19-1235-000-0010

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

A motion to defer this item to the next Building Advisory Board meeting by Zvi Shiff, Seconded by Isaac Murciano,
All were in favor no one opposed.
Motion passed 4 – 0

5. 483 Center Island LLC
483 Center Island Dr
Miami, FL 33160

Property Address: 483 Center Island Dr, Golden Beach, FL 33160-0000
Folio No: 19-1235-005-0930
Legal Description: Lot 6 & N 30 FT OF Lot 5 BLK L GB Sec E PB 8-122

Michael Miller – Michael Miller Planning summarized his report and it was entered into the record.
Bill Thomas – Approved Permit Services – spoke on behalf of the applicant.

Dock & Seawall cap repair for Single Family Residence.

Stephanie Halfen made a motion to approve the item, Seconded by Zvi Shiff
Stephanie Halfen – Aye, Isaac Murciano – Aye, Zvi Shiff – Aye and Jerome Hollo- Aye
Motion passed 4 – 0

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

J. ADJOURNMENT – 7:20pm

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