

**TOWN OF GOLDEN BEACH
COMMUNITY DEVELOPMENT
MEMORANDUM**

To: Building Regulatory Advisory Board
Town of Golden Beach

From: Michael J. Miller, AICP *MDM*
Consultant Town Planner

Date: September 30th, 2021

Subject: Zoning Variance Application
Elevation of Lowest Habitable Floor
577 Ocean Boulevard
Lots 23 / 24 / 25 of Block D, Section A (PB 9 / PG 52 DCR)
MMPA Project No.04-0101-0531

ISSUE

The applicant, Sabal Construction, LLC, on behalf of the landowners, 577 Ocean, LP, represented by attorney Carli Koshai Hemnani (Bercow / Randall / Fernandez / Larkin / Tapanes law firm), has filed applications with the Town for approval of a new single-family home on a full-sized oceanfront lot (150-foot street width). The applications include (1) a BRAB Site Development Plan for the new house design, as well as (2) a request for one variance from the Town Code, in order to construct a proposed new single-family residence. MMPA completed an initial review of the Site Development Plans and provided comments to the applicant on 9/08/21. Based on this initial review significant changes will be required to comply with the Town's Codes; otherwise, additional variances would be required to vary from the normal Code requirements. As of the date of this report the plan revisions obtained by MMPA on 9/30/21 for review fail to address a major Code issue noted (open space separation between main house / garage & guest quarters); therefore, unless the plans are modified, or a variance is granted, the plans cannot be approved. In addition, at a minimum at least one other variance is required for the new design - as the current house / other site improvements / lot grades already exceed 11.0' NGVD in many instances - the maximum allowed in Zone One per Sec. 66-102(a). It is preferred that applicants comply with the Town Code, but on occasion due to the oceanfront undulating dune elevations / other site features conflicts can exist.

Following is the applicant's current singular variance request:

- Variance from Section 66-69.1(d)(1)(c) to allow the lowest habitable floor to be constructed at an elevation of 21.5' NGVD vs. 20.2' NGVD which is the maximum permitted by Code. **Note:** The applicant cited Sec. 66-101(a)(1) which has the same requirements. The Town has used Code Sec. 66-69.1(d)(1)(c) for this type of variance request.

ANALYSIS

As per the Town's request MMPA has completed our review of the above referenced variance application and provide the following comments for consideration. As noted above there are two Code sections addressing Zone One lowest structural beam / lowest habitable floor elevations. As instructed MMPA will only refer to Sec. 66-69.1(d)(1)(c) in our analysis and recommendation:

Variance from Section 66-69.1(d)(1)(c) to allow the lowest habitable floor (not ground level) to be at an elevation of 21.5' NGVD vs. 20.2' NGVD which is the maximum permitted.

The applicant is requesting a variance to raise the lowest habitable floor slab elevation to a height of 21.5' NGVD versus the 20.2' height limit set forth in the Code (max. 2.0' above the lowest structural member @ 18.2' NGVD east of the CCCL). The applicant primarily argues that due to the existing house's FFE elevation (11.34' NGVD) and more particularly the proposed new house design (10.6' NGVD at ground level) there would be inadequate height for some of the ground level uses. While no interior dimension was mentioned this would only allow about 7.6' of clearance to an 18.2' structural beam. As the Town has seen in several other similar situations – and granted dimensional variance relief – this dimension would not provide adequate clearance for the reasonable use of the ground level (those uses listed in Sec. 66-69.1(d) such as a garage / storage areas / gym / bathroom / etc.). The applicant refers to potential sea level rise issues – but that is why FDEP set the minimum lowest structural members / habitable floor elevation at 18.2' NGVD, and FEMA has designated most of the oceanfront lots in Zone "X" which is outside of a 500-year flood event. In the last 100 years the sea level near the Town (Haulover Inlet) has risen about 9.63 inches. It is expected further sea level rise will occur – but how much and when are unknown. Experts feel there may be about a 1'-2'+/- increase by 2060, if current global warming trends continue. This would not significantly affect the Town's oceanfront lots very much (lower areas near ICW absolutely / Town is studying possible solutions) – as the oceanfront homes (at grade) are built about 10'-13'+/- NGVD and the lowest FFE must be at 20'+ NGVD. A large storm surge could create a tidal wave that could affect the ground level of oceanfront lots – that is why the ground level areas of those homes cannot be habitable / must be disposable breakaway areas.

One of the correct Code sections is cited by the applicant for the main house FFE, but the real hardship is the existing / proposed land elevations, the FDEP oceanfront building height & structural requirements, and the Town's height measurement criteria. Other oceanfront landowners with similar land elevation situations have focused on that as justification which is valid. The Town should request the applicant to revise their variance application justification text to include a discussion about the existing undulating / high land grades, the FDEP and Town 18.2' / 20.2' limits, and the limited useability of the grade level spaces due to the limited height span.

As related to this site, where the house and other improvements will be located the existing / proposed land elevations range between 10.0' – 13.0' NGVD with lower land elevations near Ocean Blvd. and the Atlantic Ocean. The existing home to be demolished has a FFE at 11.34' NGVD according to the survey. The proposed new ground level floor (garage / storage / other allowed uses) is proposed at 10.6' NGVD. Since FDEP requires the lowest structural beam to be at least 18.2' NGVD and the Town allows a maximum of 2' above that for the lowest habitable floor (20.2' NGVD) this would leave only about 7.6' of useable height for the ground floor areas. Typically, at least 8' is necessary for a garage / storage use and about 9' of useable height is desired for a functional floor. The applicant is requesting a variance to increase the lowest

habitable floor elevation from 20.2' NGVD to 21.5' NGVD which would provide about 8.9' of height for the ground / grade level home areas (floor to beam). Several other oceanfront owners have requested / been granted similar variances (a range of hgt. increases have been approved) due to the undulating oceanfront dune elevations. In the past the Town's administration has supported raising the first habitable floor elevation slightly, to provide for an adequate inside dimension for use (9'+/-). This would equal 19.6' NGVD to the lowest structural member instead of 18.2' NGVD (10.6' + 9.0') and 21.5' (20.0' + 1.5') to the lowest habitable floor. The applicant is requesting the additional height to provide a reasonable interior height for functionality and so as to not alter the grade level areas. FDEP does not allow significant land elevation alterations of the oceanfront dune system (excavation / soil removal). The applicant has committed that if the variance is granted, the overall height of the house would not exceed (be less than) the normal height limit (30' above 21.5' NGVD = 51.5') but the applicant has committed to 50.2' NGVD. As shown the maximum height of the main house is 28.8' above 21.5' NGVD = 50.2' NGVD. MMPA believes this site is similar to other oceanfront sites that have built recently following the current standards or requesting elevation increases to about 21.5' – 23.0' NGVD to the 1st habitable floor elevation.

NON-USE VARIANCE JUSTIFICATION

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

Applicants Response: The applicant seeks relief from Section 66-69.1(d)(1)(c) of the Town's Code of Ordinances.

MMPA Comment – The Code section cited is correct.

- 2) *In order to recommend the granting of the variance, it must meet all of 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 Zoning Code.*

Applicants Response: The applicant seeks relief from Section 66-69.1(1)(d)(c) of the Code.

MMPA Comment – Yes, we agree.

- 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.*

Applicants Response: A special condition exists which is peculiar to the land or structure involved and which is not applicable to other lands or structures in the same zoning district. The existing finished first floor elevation of the structure is 11.34' NGVD, which renders the current structure under the required elevation.

MMPA Comment – We disagree with the applicant's statement – no special condition peculiar to this site exists compared to similar oceanfront lots – in fact the exact same condition exists for most of the parcels of land along the Town's

oceanfront. The real hardship is the existing / proposed land elevations, the FDEP oceanfront building height & structural requirements, and the Town's height measurement criteria. Other oceanfront landowners with similar land elevation situations have used that justification which is valid. The Town should request the applicant to revise their variance application justification text to include a discussion about the existing undulating / high lot grades, the FDEP and Town 18.2' / 20.2' height limits and the limited useability of the grade level spaces due to the limited height span. The lot grades east of the CCCL cannot be easily altered or excavated from the property due to FDEP limitations to protect the dune system. The existing lot grades where the house footprint will be range from 10.0' NGVD to 13.0' NGVD, which renders the space below the living areas pretty much unusable for storage / parking / etc. Per conversations with FDEP, they would allow for limited excavation of portions of the existing dune if the excavated material was to remain in the immediate area from which it was removed. However, the applicant does not propose much excavation – they desire to build the grade level floor lower at 10.6' NGVD and request that the 1st habitable floor beams / finished floor be increased to 21.5' NGVD. If the Town allows the internal grade level floor height of 10.6' from finished floor to the lowest structural member (19.5'), which is adequate, the 1st habitable floor at 21.5' NHVD is reasonable. The applicant is requesting additional height for a 9'+/- interior height. It is noted the current proposed house design has a much taller interior parking garage height (22.2') presumably for vehicle lifts / tall vehicles than the other grade level areas (9'+/-).

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

Applicants Response: The special condition is not a result from the actions of the applicant. First, the applicant purchased the property as it currently exists. This special condition is a result of the existing home as built, and not a result of the actions of the applicant. Second, the land below grade is not the result of the actions of the applicant, but is a naturally occurring condition of sea level rise and the home's proximity to sand dunes. As a result, the proposed home requires the first floor of the proposed home to be built at 21.5' NGVD.

MMPA Comment – We agree the conditions and circumstance are not a result of actions of the applicant. But acquisition of an older non-conforming site is not really a valid hardship – this is known by all parties during the due diligence period prior to closing. The existing land elevations, FDEP restrictions, and Town Code limitations create the site conditions the designers must deal with. The oceanfront land elevations undulate from north to south and from Ocean Blvd. to the Atlantic Ocean - no two lots are exactly the same. In this instance, where the house will be located, the existing / proposed land elevations range 10.0' to 13.0' NGVD. The proposed new grade level floor is proposed at 10.6' NGVD. Since FDEP requires the lowest structural beam to be at least 18.2' NGVD and the Town allows a maximum of 2' above that for the lowest habitable floor (20.2' NGVD) this would leave only about 7.6' of useable height for the ground floor areas. Typically, at least 8' is necessary for a garage / storage use and about 9' of useable

height is desired for a functional floor. The applicant is requesting a variance to increase the lowest habitable floor elevation from 20.2' NGVD to 21.5' NGVD which would provide about 9' of height for the ground / grade level home areas.

- 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.*

Applicants Response: The granting of the variance requested will not confer on the applicant any special privilege that is denied by the chapter to other lands or structures in the same district. The proposed home will be elevated in order to be as resilient as possible to sea level rise and flooding. Oceanfront lots in this area have similar site conditions due to the raised coastal dune system. The property will be updated in a manner consistent with similar structures in the same zoning district because at least three (3) nearby homes have first floor elevations above what is permitted in the Code. See Figure 1, below. Having the first floor of the proposed home elevated above the required NGVD is enjoyed by the applicant's immediate neighbor to the north, other properties along the coastline, and necessary to protect the property from sea level rise and flooding. The property owner immediately to the north of received a variance to permit their first-floor elevation to be constructed at 21.49'. See Exhibit C, Resolution 2489.17. Nearby property owners will have, or have had, the same opportunity to construct the first floor of their properties above than the permitted NGVD.

MMPA Comment – Due to the unique undulating land elevations of the oceanfront lots several other oceanfront owners have requested / been granted similar variances (a range of hgt. increases have been approved) due to the undulating oceanfront dune elevations. In our opinion this request has nothing to do with possible sea level rise or flooding – the land elevation is very high and FDEP has already regulated the lowest FFE / structures, and neither FEMA nor any other agency feels this land will flood from sea level rise. Variances are supposed to be based on a case-by-case site specific basis and no precedent is ever set. MMPA believes it is true similar conditions (land elevations / Code limits) exist for the Town's oceanfront lots and the Town has acknowledged ground floor height limitations in their other variance approvals. In the past the Town's administration has supported raising the first habitable floor elevation to provide for an adequate inside dimension for use (8' - 9'+/-). This would equal 19.5'+/- NGVD to the lowest structural member instead of 18.2' (10.6' + 9.0') and 21.5' (20.0' + 1.5') to the lowest habitable floor. The applicant is requesting a variance to increase the lowest habitable floor elevation which would provide about 9' of height for the ground / grade level home areas and so as to not alter the garage / other grade level areas. The applicant has committed that if the variance is granted, the overall height of the house would not exceed (will be less) the normal height limit at 50.2' NGVD.

- 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.*

Applicants Response: A literal interpretation of the provisions of this chapter would deprive the applicant the right to reasonable use of their waterfront private property, a right that is commonly enjoyed by property owners throughout the Zone One zoning district, the Town, and Ocean Boulevard in particular. There are at least three (3) properties that have received variances for first floor elevations above the permitted elevation allowed by the Code. Furthermore, the closest existing residence to the property has a first-floor elevation of 21.49'. See Exhibit C, Resolution 2489.17. As such, the applicant's property should enjoy the same reasonable use as these properties because they are similarly situated on Florida's coastal dune system.

MMPA Comment – MMPA believes there is some truth to the applicant's response. Due to the unique undulating land elevations of the oceanfront lots several other oceanfront owners have requested / been granted similar variances (a range of hgt. increases have been approved) due to the undulating oceanfront dune elevations. Without this variance the useability of the ground level spaces would be restricted with excavation. If the ground floor areas were used for "habitable" purposes the overall building height would be measured from the floor of that area – not the FDEP height. Again, variances are supposed to be based on a case-by-case site specific basis and no precedent is ever set. MMPA believes it is true similar conditions (land elevations / Code limits) exist for the Town's oceanfront lots and the Town has acknowledged ground floor height limitations in their other variance approvals.

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

Applicants Response: Allowing the first floor of the proposed home to be at 21.5' NGVD is the minimum variance that will make possible the reasonable use of the land because properties directly abutting the beach, and more specifically the coastal dune system, need to be at higher elevations due to increased risk of sea level rise and flooding. Further, the increased finished floor elevation of the proposed home from the existing condition will make the property more adaptable to future road raising projects. The proposed finished floor elevation is wholly compatible with the surrounding area and will protect and make the property more resilient. Without approval of the variance, the proposed home would be susceptible to sea level rise and flooding in the future, which could damage the proposed home and property itself. Allowing the first-floor elevation of 21.5' NGVD is a reasonable use of the property because it will create a safer home, thus leaving the homeowner undisturbed.

MMPA Comment – MMPA disagrees with the applicant's claim that the variance requested is the "minimum" variance necessary for a reasonable use of the land or structure. Other oceanfront owners have designed / built new homes complying with the Code requirements. As stated previously it is acknowledged that due to the Town's undulating dune system / FDEP & Town requirements it is difficult to provide a reasonable interior height (9'+/-) between the grade level floor (10.6' in this case) and the lowest structural beam; therefore, we believe a height increase is

warranted, as it has been for several other new homes. Again, variances are supposed to be based on a case-by-case site specific basis and no precedent is ever set. Ocean Blvd. (SR A1A) within the Town is built at about 9'-10' NGVD and will likely never be increased in height by FDOT. The height of this roadway in nearby cities is much lower - in the range of 3' -5' NGVD (Hollywood / Sunny Isles Bch.). The local roadways within the Town at low elevations start east of Golden Beach Drive and extend to the ICW at similar elevations. In our opinion this request has nothing to do with sea level rise or flooding – the subject land elevation is very high and FDEP has already regulated the lowest FFE / structures. The actual habitable areas of this home will be above 20' NGVD regardless of if the variance is granted – if the sea level rises that much or a tropical storm surge wave crosses the Town - most of the South Florida from the Atlantic Ocean to the Everglades will be under water. As to the real reason for this variance – to provide a reasonable interior height for the ground level area floor below the upper two floors this request, as it has been for other similar homes has merit as explained herein. The requested FFE height (21.5') is within the range previously approved by the Town.

- 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.*

Applicants Response: The granting of the variance is in harmony with the general intent and purpose of Chapter 66 of the Code and the variance will not be injurious to the area involved or otherwise detrimental to the public welfare. The intent and purpose of Chapter 66 is to regulate the development of land necessary to implement the Town's Comprehensive Plan. See Sec. 66-00, Code. The variance request supports Goal 1 of the Comprehensive Plan, which is to encourage a high-quality lifestyle with the development of all private property as residential single-family residences while minimizing environmental impacts. Granting the variance will encourage a high-quality lifestyle because the proposed home is an elegantly designed, modern structure suitable for the family's needs. Further, granting of the variance will minimize environmental impacts because it will make the proposed home and property more resilient to sea level rise, soil erosion, and flooding. The variance request also supports Objective 1.2, that is, to ensure no adverse impacts occur to natural resources, because there will be no excavation of the property. Last, granting the variance will not be injurious to the area or otherwise detrimental to the public welfare. Allowing the finished floor elevation to be 21.5' NGVD will improve the area by creating a new, resilient home on Ocean Boulevard. The construction of the proposed home will safeguard the property's value, which improves the neighborhood and contributes more to ad valorem taxes collected by the Town.

MMPA Comment – MMPA agrees with the applicant's claim that the variance requested would be in harmony with the general intent and purpose of the Code, and there would not be "injury" to the surrounding area or general welfare. New construction would be better than older structures that predate the modern Florida Building Code (FBC) and FEMA flood requirements, let alone the Town's Codes. Added taxable value / permit revenue is also important to the Town.

Several other oceanfront owners have requested / been granted similar variances (a similar range of hgt. increases have been approved). MMPA believes this request is really related to better functionality of the ground level floor areas to provide a taller space (9'+/-) for those use allowed below the FDEP habitable floor heights. While the arguments presented about protection from possible sea level rise, flooding and resiliency is popular, in this instance the land elevation is very high already compared to nearby areas, excavation is already restricted by FDEP, a home built with the lowest "habitable" floor elevation at either 20.2' NGVD or 21.5' NGVD will far surpass any expected flooding concerns in South Florida (most of the site where the home will be built is within FEMA FIRM Flood Zone "X" - not within any flood zone). While most of the older homes along the oceanfront are built with the lowest habitable floor at dune grade (pre-FEMA / pre-FDEP regulations) all newer construction is far more resilient for damage today.

SUMMARY

MMPA was requested to review and comment on the requested variances. MMPA has attempted to analyze the request and provide the Town with analysis / design comments.

As we mentioned earlier, the applicant's variance request is but one (1) necessary to build the home submitted – this request is to provide a reasonable ground level interior height. The plans submitted are still very conceptual and many Code comments were issued and issues remain. At a minimum the existing / proposed lot grades exceed 11.0' feet so a variance from Code Sec. 66-102(a) is also required. Based on the continued review of revised plans additional variances may be filed by the applicant if they do not want to follow normal Code requirements.

In our opinion variance requests should not be submitted to the Town until the Site Development Plans are more thoroughly reviewed by staff to flush out all issues. Code compliance is always desired - but an applicant may wish to pursue "desired" design variations – not really true hardship variance reasons - just desired issues.

MMPA feels the current FFE variance request is quite reasonable and is the same as similar variances granted by the Town for the same reason – undulating dune elevations that conflict with FDEP / Town Code height limitations meant to safeguard low lying areas from damage and keep overall building height in check. If the Town approves the variance the overall allowable building height should be maintained.



TOWN OF GOLDEN BEACH Notice of Public Hearing- Corrected

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

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

Construction of a new home Zone 1 – Ocean Front.

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

Height, Main Residence and Building Height:

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

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

Request is to allow the first habitable floor to start at 21.5' NGVD instead of 20.2' NGVD as stated in the Town's code with no increase in building height (Allowable Building Height – 20.02' + 30' = 50'-2" to the roof)

JOB ADDRESS: 577 Ocean Boulevard, Golden Beach, FL 33160
OWNER ADDRESS: 577 Ocean Boulevard
Golden Beach, FL 33160
REQUESTED BY: 577 Ocean LP
LEGAL DESCRIPTION: Lots 23 – 25, Block D GB Section A PB 9-52*
FOLIO NO.: 19-1235-001-0250*

The BUILDING REGULATION ADVISORY BOARD will consider this item:

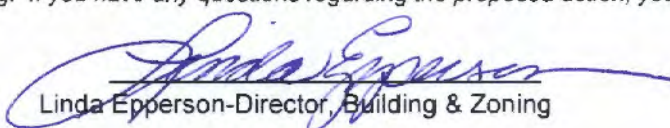
PLACE: GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL
DATE: October 12, 2021 at 6pm (via zoom)
Zoom Meeting <https://us02web.zoom.us/j/89291108015?pwd=NS8rWnJhN21mSUdlcmFadHErei8yZz09>
Meeting ID: 892 9110 8015 Passcode: 752288

The TOWN COUNCIL will consider this item:

PLACE: GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL.
October 19, 2021 at 6pm (tentatively) – via zoom – visit website:goldenbeach.us for details.

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: October 7, 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 Notice of Public Hearing

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

(1) Variance Request(s)
☒ New Residential Structure

Construction of a new home Zone 1 – Ocean Front.

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

Height, Main Residence and Building Height:

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

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

Request is to allow the first habitable floor to start at 21.5' NGVD instead of 20.2' NGVD as stated in the Town's code with no increase in building height (Allowable Building Height – 20.02' + 30' = 50'-2" to the roof)

JOB ADDRESS: 577 Ocean Boulevard, Golden Beach, FL 33160
OWNER ADDRESS: 577 Ocean Boulevard
Golden Beach, FL 33160
REQUESTED BY: 577 Ocean LP
LEGAL DESCRIPTION: Lots 34 & 35, Block A, GB Section C, PB 9-52
FOLIO NO.: 19-1235-003-0250

The BUILDING REGULATION ADVISORY BOARD will consider this item:

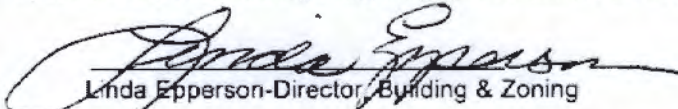
PLACE: GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL
DATE: October 12, 2021 at 6pm (via zoom)
Zoom Meeting <https://us02web.zoom.us/j/89291108015?pwd=NS8rWnJhN21mSUdlcmFadHErei8yZz09>
Meeting ID: 892 9110 8015 Passcode: 752288

The TOWN COUNCIL will consider this item:

PLACE: GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL.
October 19, 2021 at 7pm (tentatively) – via zoom – visit website; goldenbeach.us for details.

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: September 28, 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

OCT 12 2021

Property Location: 577 Ocean Boulevard

Variance Hearing Dates: Advisory Board _____

APPROVED _____
Meeting Date: _____
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

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 7 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

Applicant check here	Complete application, sign, and notarize.	Bldg Dept Use
<input checked="" type="checkbox"/>	<p>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:</p> <ul style="list-style-type: none"> 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 checked="" type="checkbox"/>	<p>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 36". 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</p>	
<input checked="" type="checkbox"/>	<p>Conceptual construction drawings prepared and signed by a licensed design professional that shall include, at a minimum, the following:</p> <ul style="list-style-type: none"> 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 checked="" type="checkbox"/>	<p>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)</p>	
<input checked="" type="checkbox"/>	<p>First Floor and Second Floor area calculations marking the geometrical areas used to calculate the overall floor areas.</p>	
<input checked="" type="checkbox"/>	<p>Colored rendering showing newconstruction or proposed addition. Marked with the applicable address.</p>	
<input checked="" type="checkbox"/>	<p>Estimated cost of proposed work. For additions/remodels fair market value of property showing land value and structure value separately.</p>	
<input checked="" type="checkbox"/>	<p>Site plan detailing construction site personnel parking.</p>	

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Application fee: _____

Request hearing in reference to:

New residence/addition: New Residence at 577 Ocean Boulevard Variance(s): Finish First Floor Elevation
Exterior alterations: _____ Other Structure: _____
Date application filed: _____ For hearing date: _____

1. Project information:

Project description: Design review of a new, 2-story home and variance request pursuant to Section 66-41 on vacant lot.

Legal Description: Please see attached.

Folio #: 19-1235-001-0560

Address of Property: 577 Ocean Boulevard

2. Is a variance(s) required: Yes ☒ No ☐ How Many? 1
(If yes, please submit variance application form for each request).

Owner's Name: 577 OCEAN LP Phone (305) 343-3671 Fax _____

Owner's address: 577 Ocean Boulevard City/State Golden Beach, FL Zip 33160

Email address: pascal@ki2f.com

Agent: Carli Koshal Hemnani / BRFLT Phone (305) 377-6223 Fax (305) 377-6222

Agent's address: 200 S. Biscayne Boulevard, Suite 300 City/State Miami Zip 33131

Email address: CKoshal@brzoninglaw.com / dbutter@brzoninglaw.com

Architect: EAV LTD, LLC Phone _____ Fax _____

Email address: eddy@ki2f.com

Contractor: _____ Phone _____ Fax _____

3. Describe project and/ or reason for hearing request: Design review of a new, 2-story home and a variance request to increase the Finished First Floor Elevation above the required elevation allowed in Section 66-101(a)(1).

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

Building Plans:

Conceptual: ☐ Preliminary: ☒ Final: ☐
Other: _____

5. Estimated cost of work: \$ 10,000,000

Estimated market value of: Land \$ 10,942,274.00
Building \$ 681,233.00

(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? No
7. Are there any structures on the property that will be demolished? Yes
8. Does legal description conform to plat? Yes
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): [Signature] HAYLEY OSSIP, MANAGER, 577 OCEAN LP

Acknowledged before me this 23 day of AUGUST, 2021

Type of identification:

DRIVER'S LICENCE

[Signature]
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: construction of a new, 2-story home and variance request relative to my property and I am hereby authorizing Carli Koshal Hemnani, Eduardo Vazquez to be my legal representative before the Building Regulation Advisory Board and Town Council.

[Signature]
Signature of owner(s) HAYLEY OSSIP
MANAGER, 577
OCEAN LP

Acknowledged before me this 23 day of AUGUST, 2021

Type of identification:

DRIVER'S LICENSE

[Signature]
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: 577 Ocean Boulevard
 Legal Description: Please see attached.
 Owner's Name: 577 OCEAN LP Phone (305) 343-3671 Fax _____
 Agent's Name: Carli Koshal Hemnani Phone (305) 377-6223 Fax _____
 Board Meeting of: _____

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

Application for: Design review of a new, 2-story home and variance request
 Lot size: 300' X 150'
 Lot area: 48,689
 Frontage: 150 feet
 Construction Zone: Zone 01
 Front setback: 60'
 Side setback: 10' and 10.2'
 Rear setback: See Plans. Rear setback is from the back wall of the 2 adjacent properties.
 Coastal Construction: Yes ☒ No ☐ East of coastal const. control line: Yes ☒ No ☐
 State Road A1A frontage: 150 ft
 Swimming pool: ☒ Yes ☐ No Existing: Yes Proposed: _____
 Fence Type: _____ Existing: Yes Proposed: _____
 Finished Floor elevation N.G.V.D.: 10'-6" NGVD
 Seawall: _____ Existing: Yes Proposed: _____
 Lot Drainage: Below Grade ex-filtration tranche
 How will rainwater be disposed of on site? _____

Adjacent use (s): Residential
 Impervious area: 23,810 square feet
 % of impervious area: 49%
 Existing ground floor livable area square footage: 5,317
 Proposed ground floor livable area square footage: 9,149
 Existing 2nd floor livable area square footage: 3,052
 Proposed 2nd floor livable area square footage: 7,201
 Proposed % of 2nd floor over ground floor: _____
 Vaulted area square footage: N/A
 Vaulted height: N/A
 Color of main structure: White
 Color of trim: Light grey
 Color & material of roof: White and Bitumen Roof
 Building height (above finished floor elevation): 50'-2" NGVD
 Swale: (Mandatory 10'-0" from edge of payment, 10 ft. wide x 1 ft. deep minimum): _____

Existing trees in Lot: 72 Existing (2 for transplant + 70 to Remove) in Swale: 2 Existing to Remain
 Proposed trees in Lot: 24 (16 Tree + 8 Palms) in Swale: 4 (2 Trees + 2 Palms)
 Number & type of shrubs: 1,381 (for type please refer to Landscape Drawings)
 Garage Type: _____ Existing: _____ Proposed: Concrete
 Driveway width & type: 31 feet and impervious.

Signature of Applicant:  Date: 8/27/2021 | 4:16:41 PM ET

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

Date: _____

Fee: _____

I, Hayley Ossip, as Manager of 577 OCEAN LP 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: 577 Ocean Boulevard Folio No. 19-1235-001-0560

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

1. The Variance requested is for relief from the provisions of **(list section number(s) of the Town of Golden Beach Code of Ordinances)**: Section 66-101(a)(1)

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. Please see attached Letter of Intent.

 - 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. Please see attached Letter of Intent.

 - c. The special conditions and circumstances do not result from the actions of the applicant. Please see attached Letter of Intent.

 - 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. Please see attached Letter of Intent.

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. Please see attached Letter of Intent.
- _____
- _____

4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. Please see attached Letter of Intent.
- _____
- _____

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. Please see attached Letter of Intent.
- _____
- _____

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):

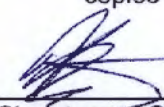
Folio No.: 19-1235-001-0560 Address: 577 Ocean Boulevard

Legal Description: Please see attached.

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.

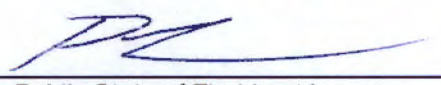
I acknowledge notification by The Town of Golden Beach, that granting of a variance(s) by The Town Council, is conditioned on the following:

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
MANAGER, 577 OCEAN L.P.

Sworn to and subscribed before me this 23 day of, AUGUST, 2021



Notary Public State of Florida at Large
PROVINCE OF ONTARIO

☐ Personally know to me ☒ Produced Identification



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= 34,696 square feet

Step 2:

Determine AP AP= 11,322 square feet

AI= 23,374 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.

Page 1 of 3

Average Elevation of Pervious Areas= 10.00 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= 8.00 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 is computed in inches $S = \frac{A * S_1}{A}$ 2.67 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= 4.58 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.

$$V = \underline{13,242} \text{ cubic feet}$$

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.

$$VP = \underline{13,246} \text{ cubic feet}$$

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= 13,246 cubic feet) > (V= 13,242 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.



200 S. Biscayne Boulevard
Suite 300, Miami, FL 33131

www.brzoninglaw.com

305.377.6223 office
305.377.6222 fax
ckoshal@brzoninglaw.com

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

August 31, 2021

OCT 12 2021

VIA ELECTRONIC MAIL

APPROVED _____
DISAPPROVED _____
VARIANCE REQ: _____

Ms. Linda Epperson
Building and Zoning Director
Town of Golden Beach
1 Golden Beach Drive
Golden Beach, FL 33160

Re: Design Review of Proposed New Single-Family Home
Located at 577 Ocean Boulevard, Golden Beach,

Dear Ms. Epperson:

This law firm represents Sabal Constructions, LLC (the "Applicant") in connection with the property located at 577 Ocean Boulevard ("Property") in the Town of Golden Beach (the "Town"). This letter shall serve as the letter of intent in support of the accompanying application for 1) design review of the proposed home, and 2) a Variance of the Town's Zoning Code ("Code") to permit the first floor of the residence to be constructed higher than the permitted two (2) feet above the minimum permitted elevation of 18.2' NGVD.

Property Description. The Property is a waterfront parcel located on the east side of Ocean Boulevard, directly abutting the beach and the Atlantic Ocean. See Exhibit A, Property Appraiser Summary. The Miami-Dade County Property Appraiser's Office identifies the Property through tax folio identification number 19-1235-001-0560. The Property is further described as Lots 23, 24, and 25 of Block D, Section A of Golden Beach Plat recorded in the Public Records of Miami-Dade County in Plat Book 9 at Page 52. See Exhibit B, Plat. Based on the Miami-Dade County Property Appraiser records, the Property is approximately 40,050 square feet (0.91 acres) in size. Pursuant to the Town's Comprehensive Plan, the Property is designated Single-Family Residential and is included in Zone One.

Project. The Applicant proposes to construct an elegantly designed, two-story modern residence ("Proposed Home"). The Proposed Home is centrally located on the lot, which allows for ample open and outdoor living space, particularly towards the rear of the Proposed Home. Behind the home, there is a spacious backyard with a covered dining area, lounge, barbeque area, as well as a pool with an adjacent cabana with a green roof. At the entrance, the Proposed Home features a one-story garage structure and a floating walkway across a water feature. The Proposed Home features numerous large glass windows, which are complimented by wood louvers on all elevations. Overall, the Proposed Home masterfully maximizes the space within lot while reducing its scale and massing by allowing light and view corridors through the home to the Atlantic Ocean. The Proposed Home complies with the requirements of the Zone One zoning district with respect to living area, height, and setbacks.

Variance Request. The Applicant respectfully requests approval of a Variance of Section 66-101(a)(1) of the Code to permit the Proposed Home's Finished First Floor Elevation above the required two (2) feet above the minimum permitted elevation of 18.2' NGVD.

Variance Criteria. Approval of the request complies with the standards set forth in Section 66-41 of the Code. Specifically, an application for a Variance shall be approved only if it demonstrates all of the following:

- 1) *The Variance is in fact a Variance from a zoning regulation as set forth within this chapter.*

The Applicant seeks relief from Section 66-101(a)(1) of the Code.

- 2) *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.*

A special condition exists which is peculiar to the land or structure involved and which is not applicable to other lands or structures in the same zoning district. The existing finished first floor elevation of the structure is 11.34' NGVD, which renders the current structure under the required elevation.

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

The special condition is not a result from the actions of the Applicant. First, the Applicant purchased the Property as it currently exists. This special condition is a result of the existing home as built, and not a result from the actions of the Applicant. Second, the land being below grade is not the result of the actions of the Applicant, but is a naturally occurring condition of sea level rise and the home's close proximity to sand dunes. As a result, the Proposed Home requires the first floor of the Proposed Home to be built at 21.5' NGVD.

- 4) *Granting the Variance requests will not confer on the applicant any special privilege that is denied by this chapter to other lands or structures in the same district.*

The granting of the variance requested will not confer on the Applicant any special privilege that is denied by the chapter to other lands or structures in the same district. The Proposed Home will be elevated in order to be as resilient as possible to sea level rise and flooding. Oceanfront lots in this area have similar site conditions due to the raised coastal dune system. The Property will be updated in a manner consistent with similar structures in the same zoning district because at least three (3) nearby homes have first floor elevations above what is permitted in the Code. See Figure 1, below. Having the first floor of the Proposed Home elevated above the required NGVD is enjoyed by the Applicant's immediate neighbor to the north, other properties along the coastline, and necessary to protect the Property from sea level rise and flooding. The property owner immediately to the north of received a variance to permit their first-floor elevation to be constructed at 21.49'. See Exhibit C, Resolution 2489.17. Nearby property owners will have, or have had, the same opportunity to construct the first floor of their properties above than the permitted NGVD.

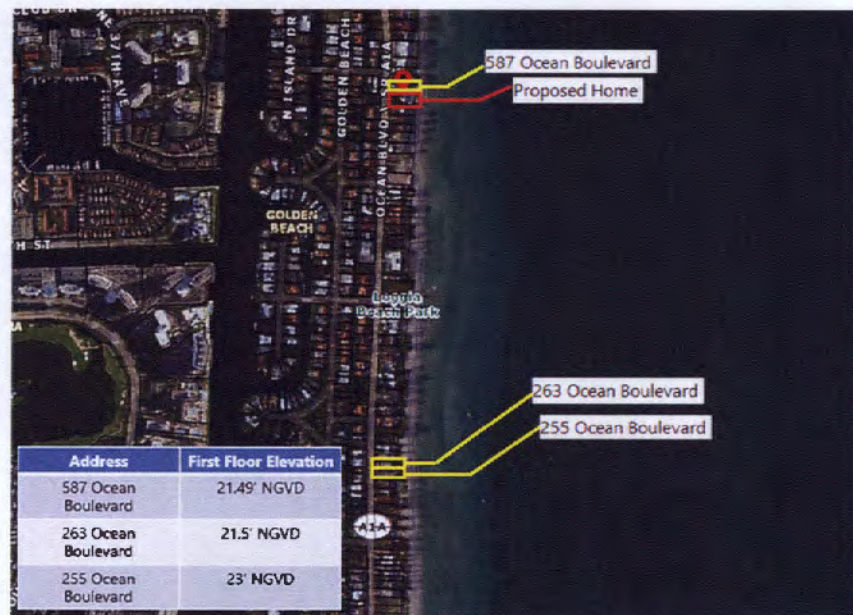


Figure 1, Aerial

- 5) *Literal interpretation of the provisions of this chapter 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.*

A literal interpretation of the provisions of this chapter would deprive the Applicant the right to reasonable use of their waterfront private property, a right that is commonly enjoyed by property owners throughout the Zone One zoning district, the Town, and Ocean Boulevard in particular. There are at least (3) properties that have received variances for first-floor elevations above the permitted elevation allowed by the Code. Furthermore, the closest existing residence to the Property has a first-floor elevation of 21.49'. See Exhibit C, Resolution 2489.17. As such, the Applicant's Property should enjoy the same reasonable use as these properties because they are similarly situated on Florida's coastal dune system.

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

Allowing the first floor of the Proposed Home to be 21.5' NGVD is the minimum variance that will make possible the reasonable use of the land because properties directly abutting the beach, and more specifically the coastal dune system, need to be at higher elevations due to increased risk of sea level rise and flooding. Further, the increased Finished

Floor Elevation of the Proposed Home from the existing condition will make the Property more adaptable to future road raising projects. The proposed Finished Floor Elevation is wholly compatible with the surrounding area, and will protect and make the Property more resilient. Without approval of the variance, the Proposed Home would be susceptible to sea level rise and flooding in the future, which could damage the Proposed Home and Property itself. Allowing the first-floor elevation of 21.5' NGVD is a reasonable use of the Property because it will create a safer home, thus leaving the homeowner undisturbed.

- 7) The granting of the Variance will be in harmony with the general intent and purpose of this chapter and the Variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

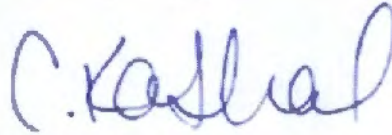
The granting of the variance is in harmony with the general intent and purpose of Chapter 66 of the Code and the variance will not be injurious to the area involved or otherwise detrimental to the public welfare. The intent and purpose of Chapter 66 is to regulate the development of land necessary to implement the Town's Comprehensive Plan. See Sec. 66-00, Code. The variance request supports Goal 1 of the Town's Comprehensive Plan, which is to encourage a high-quality lifestyle with the development of all private property as residential single-family residences while minimizing environmental impacts. Granting of the variance will encourage a high-quality lifestyle because the Proposed Home is an elegantly designed, modern structure suitable for the family's needs. Further, granting of the variance will minimize environmental impacts because it will make the Proposed Home and Property more resilient to sea level rise, soil erosion, and flooding. The variance request also supports Objective 1.2, that is, to ensure no adverse impacts occur to natural resources, because there will be no excavation of the Property. Last, granting the variance will not be injurious to the area or otherwise detrimental to the public welfare. Allowing the Finished Floor Elevation to be 21.5' NGVD will improve the area by creating a new, resilient home on Ocean Boulevard. The construction of the Proposed Home will safeguard the Property's value, which improves the neighborhood and contributes more to ad valorem taxes collected by the Town.

Conclusion. The Applicant's proposed design offers a beautifully constructed, modern home. Ultimately, the Proposed Home complements the existing mosaic of architectural styles of nearby properties on Ocean Boulevard, is consistent with the intent of the Code in all respects, and improves the resilience of the Property. We therefore respectfully ask for your favorable review and recommendation, and approval of the request made above with regards to the Variance to the Property.

Ms. Linda Epperson
August 31, 2021
Page 6

Should you have any questions or comments, please do not hesitate to phone me at (305) 377-6223.

Very truly yours,



Carli Koshal

Enclosures

CC: Michael Larkin
David Butter



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 8/3/2021

Property Information	
Folio:	19-1235-001-0560
Property Address:	577 OCEAN BLVD Golden Beach, FL 33160-2215
Owner	577 OCEAN LP
Mailing Address	577 OCEAN BLVD GOLDEN BEACH, FL 33160 USA
PA Primary Zone	1300 SGL FAMILY - 2801-3000 SQ
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	11 / 10 / 0
Floors	2
Living Units	1
Actual Area	9,619 Sq.Ft
Living Area	8,369 Sq.Ft
Adjusted Area	8,483 Sq.Ft
Lot Size	40,050 Sq.Ft
Year Built	Multiple (See Building Info.)



Assessment Information			
Year	2021	2020	2019
Land Value	\$10,942,274	\$10,612,008	\$11,534,792
Building Value	\$681,233	\$681,922	\$683,301
XF Value	\$74,177	\$74,848	\$75,520
Market Value	\$11,697,684	\$11,368,778	\$12,293,613
Assessed Value	\$6,017,113	\$5,934,037	\$5,800,623

Benefits Information				
Benefit	Type	2021	2020	2019
Save Our Homes Cap	Assessment Reduction	\$5,680,571	\$5,434,741	\$6,492,990
Homestead	Exemption	\$25,000	\$25,000	\$25,000
Second Homestead	Exemption	\$25,000	\$25,000	\$25,000
Widow	Exemption	\$500	\$500	\$500
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

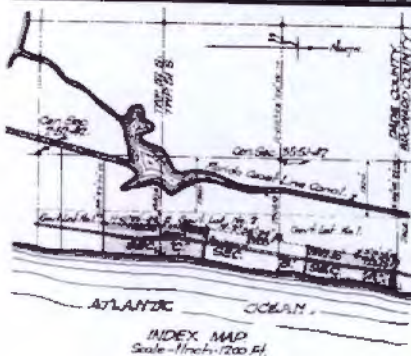
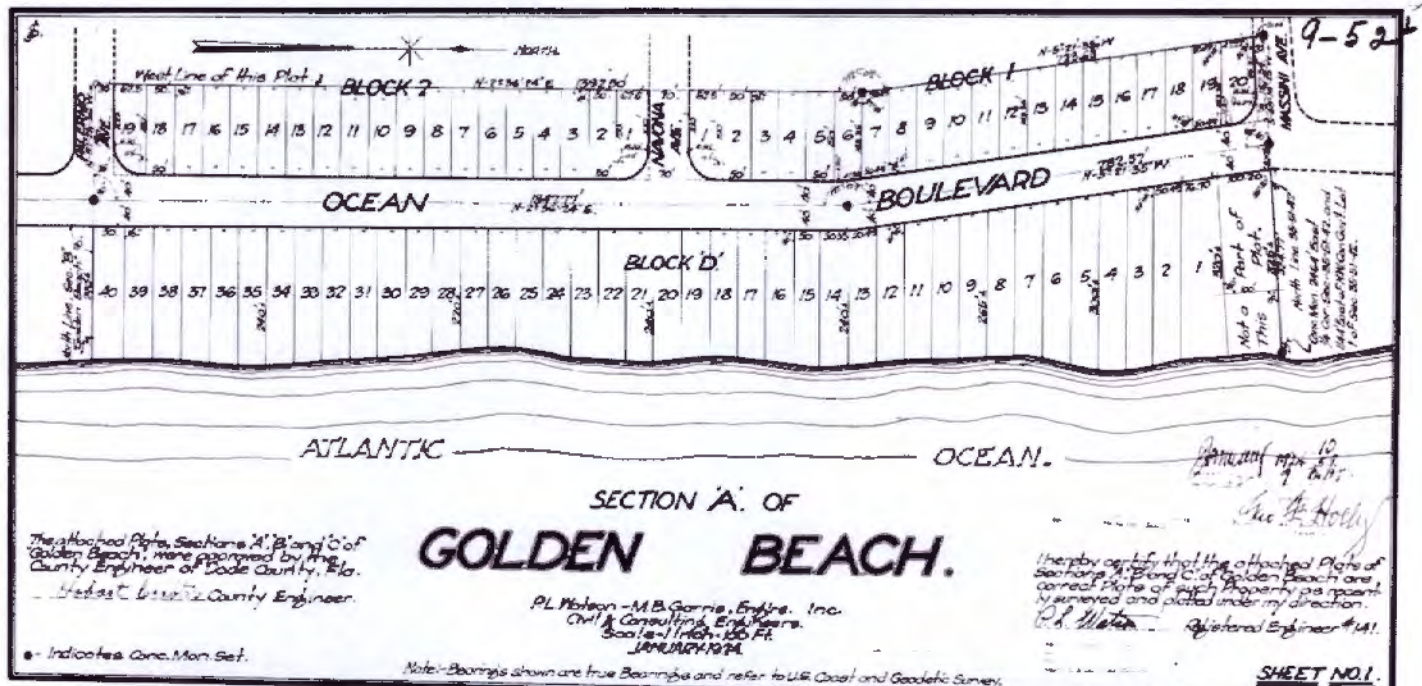
Short Legal Description	
GOLDEN BEACH SEC A PB 9-52 LOTS 23 THRU 25 BLK D LOT SIZE 150.000 X 267 OR 12604-1768 0685 5	

Taxable Value Information			
	2021	2020	2019
County			
Exemption Value	\$50,500	\$50,500	\$50,500
Taxable Value	\$5,966,613	\$5,883,537	\$5,750,123
School Board			
Exemption Value	\$25,500	\$25,500	\$25,500
Taxable Value	\$5,991,613	\$5,908,537	\$5,775,123
City			
Exemption Value	\$50,500	\$50,500	\$50,500
Taxable Value	\$5,966,613	\$5,883,537	\$5,750,123
Regional			
Exemption Value	\$50,500	\$50,500	\$50,500
Taxable Value	\$5,966,613	\$5,883,537	\$5,750,123

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
06/08/2021	\$22,200,000	32571-4880	Qual by exam of deed
11/01/1980	\$898,250	10921-1417	Sales which are qualified

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:



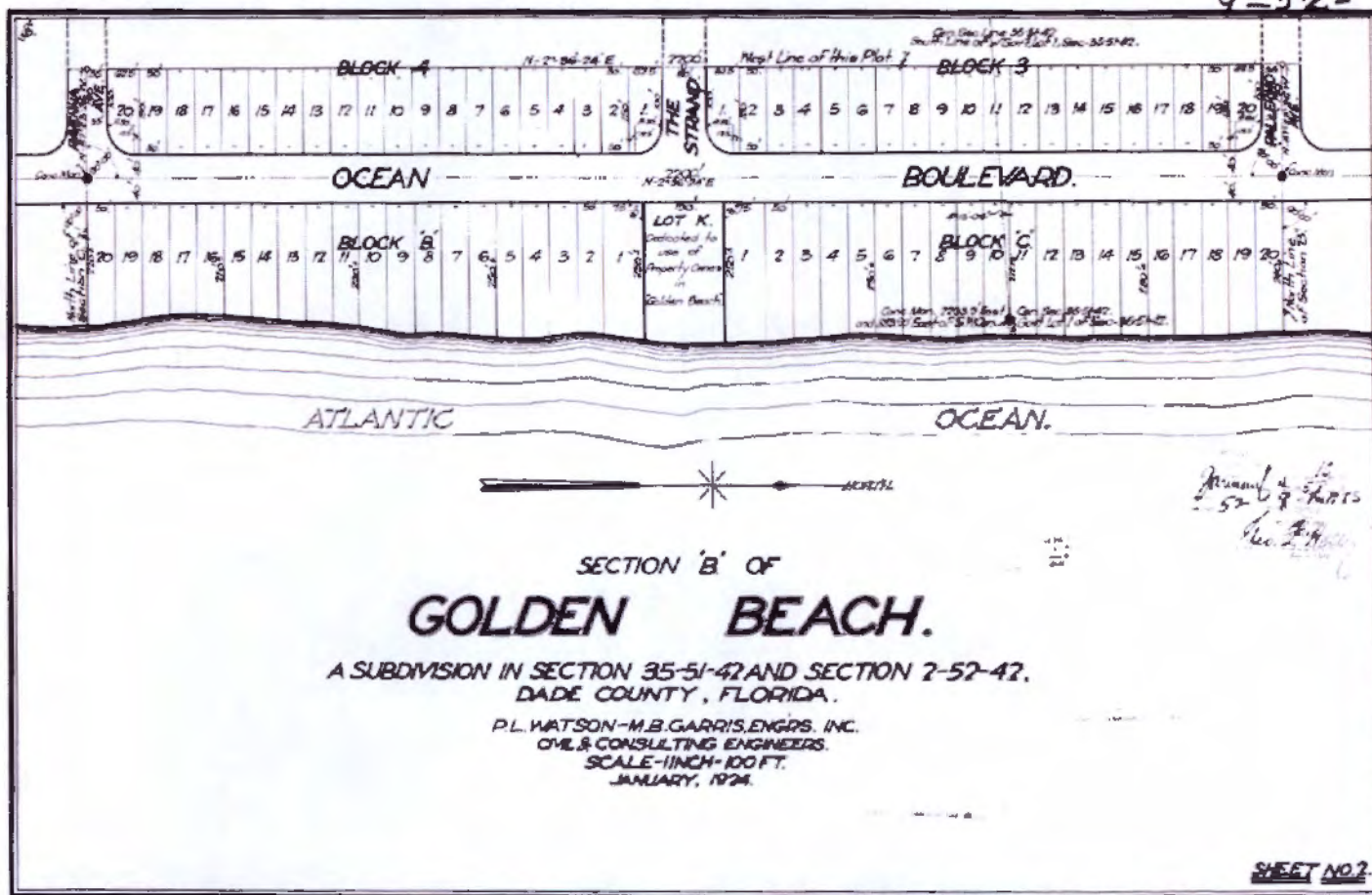
KNOW ALL MEN BY THESE PRESENTS:-

KNOW ALL MEN BY THESE PRESENTS, That the Golden Beach Corporation, a corporation organized and existing under and by virtue of the laws of the State of Florida, has caused to be made the attached Plats of Sections 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848,

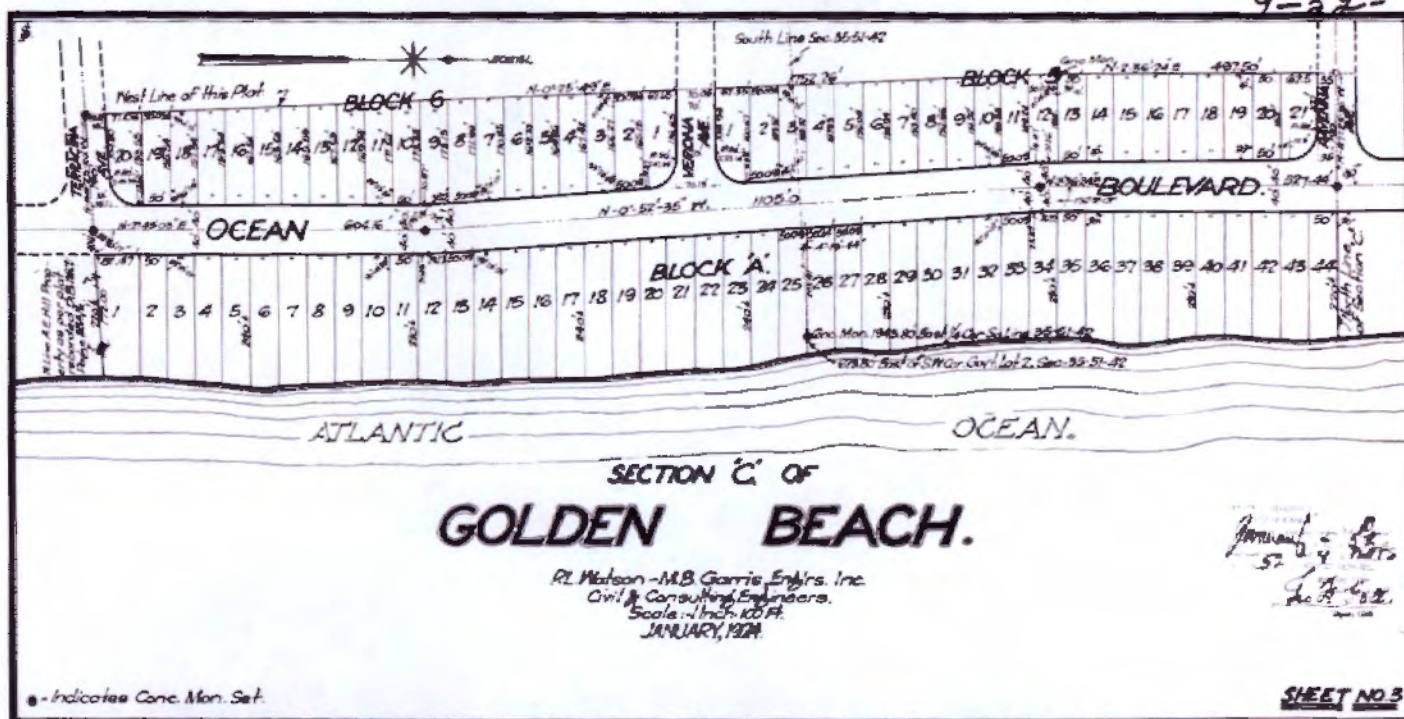
proper and desirable for the use of said owners of lots in Golden Beach and for said Golden Beach Corporation and to plant trees, plants, shrubbery and flowers, and to maintain same thereupon for so long a time as said corporation may so desire.

In Witness Whereof, the said Golden Beach Corporation has hereunto set its corporate name and affixed hereto its corporate seal, by and through its President and Secretary, at Miami, Florida this 7 day of January, 1974.

STATE OF FLORIDA Secretary John E. ... President ...
COUNTY OF DADE S.S.
Before me this day personally appeared William ...
President and John E. ... Secretary of said Golden Beach Cor-
poration, whom I did know and declare that as such
officers of said Corporation they signed and executed the above
instrument of the Board of Directors and I recognized the
signature of the Corporation and of said Corporation, being with the
said William ... and John E. ... and for the uses and purposes
therein expressed and I declare that said Golden Beach Corporation
is a duly organized and lawful corporation of Florida.
This I do at the City of Atlanta, Georgia.
My Commission expires: ... State of Florida.



9-523



TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2489.17

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING VARIANCE REQUESTS FOR THE PROPERTY LOCATED AT 587 OCEAN BOULEVARD, GOLDEN BEACH, FLORIDA; SPECIFICALLY TO PERMIT A FIRST FLOOR FINISHED ELEVATION AT 21.49' N.G.V.D. WHEN THE TOWN CODE REQUIRES THE FINISH FLOOR ELEVATIONS NOT TO EXCEED 20.02' N.G.V.D.; AND TO ALLOW AN OPEN SPACE FRONT YARD AREA OF 1,100 SQUARE FEET WHERE THE CODE DOES NOT PROVIDE FOR FRONT YARD OPEN SPACE; AND TO ALLOW FOR A ROOF TOP SPA WHERE THE CODE DOES NOT ALLOW FOR A ROOF TOP SPA; AND TO ALLOW FOR AN ELEVATOR OVERRIDE AND VESTIBULE UP TO 110 SQUARE FEET IN AREA, WHERE THE CODE ALLOWS FOR AN AREA NOT TO EXCEED 5' X 10'.

WHEREAS, the applicants, Jan Marks Trs., ("the Applicants"), filed a Petition for Variances (the "Petition") to allow: (1) the first finished floor elevation to be at 21.49' N.G.V.D., in lieu of the 20.02' N.G.V.D set by the Town's code; and (2) 1,113 square feet of yard space where the Town's code does not allow front yard open space; and (3) a roof top spa where the code does not allow for a spa; and (4) a roof top elevator and covered elevator vestibule of up to 110 square feet where the Town permits 50 square feet, at the property 587 Ocean Boulevard, Golden Beach, Florida 33160 (the "Property") (Golden Beach Section "A", Lots 22, Block D, as recorded in PB 9-52, of the Public Records of Miami-Dade County, (Folio No. 19-1235-001-0550); and

WHEREAS, the Town's Building Regulation Advisory Board held an advertised public hearing on the Petition and recommended approval of the variances to the Town Council; and

WHEREAS, a public hearing of the Town Council was advertised and held, as required by law, and all interested parties were given an opportunity to be heard; and

WHEREAS, the Town Council having considered the evidence presented, finds that the Petition meets the criteria of the applicable codes and ordinances to the extent the application is granted herein.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. Each of the above stated recitals are hereby adopted and confirmed.

Section 2. Approval. Each of the variances requested are hereby granted, subject to the following conditions:

(1) Applicants shall record a certified copy of this Resolution in the public records of Miami-Dade County; and except for the variances granted, the construction shall be completed substantially in accordance with those certain plan pages A-1 through A-6.02, by Kobi Karp, Architect and the Sketch of Boundary Survey, prepared by John Ibarra, dated 3/17/2016, for the Property.

(2) The height of the home shall not exceed 46.5' N.G.V.D.

Section 3. Implementation. That the Building and Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Town of Golden Beach Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this Resolution. A copy of this Resolution shall be attached to the building permit application documents.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.

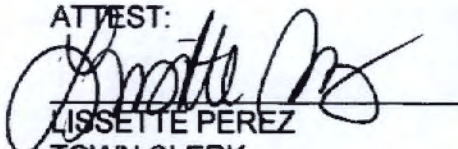
Sponsored by Administration.

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

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Judy Lusskin	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Amy Isackson-Rojas	<u>Absent</u>
Councilmember Jaime Mendal	<u>Aye</u>

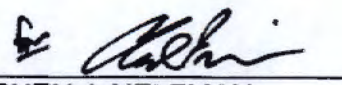
PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 21st day March 2017.

ATTEST:


LISSETTE PEREZ
TOWN CLERK


MAYOR GLENN SINGER

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


STEPHEN J. HELFMAN
TOWN ATTORNEY

Prepared by:
GEORGE R. MORAITIS
Attorney at Law
Moraitis, Karney, Moraitis & Quailley
915 Middle River Drive, Suite 506
Fort Lauderdale, FL 33304
954-563-4163
File Number: 21R-497M

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

OCT 12 2021

APPROVED _____
DISAPPROVED _____
VARIANCE REQ. _____

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 8 day of June, 2021 between SANDRA LEVY, an unremarried widow, whose post office address is 326 Atlantic Avenue, Sunny Isles Beach, FL 33160, grantor, and 577 Ocean, LP, a Florida limited partnership whose post office address is 577 Ocean Boulevard, Golden Beach, FL 33160, grantee:

(Whenever 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Miami-Dade County, Florida to-wit:

Lots 23, 24 and 25, Block "D", Section "A" of GOLDEN BEACH, according to the Map or Plat thereof, as recorded in Plat Book 9, Page(s) 52, of the Public Records of Miami-Dade County, Florida, commonly known as 577 Ocean Boulevard, Golden Beach, Florida.

Parcel Identification Number: 19-1235-001-0560

Subject to taxes for 2021 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2020.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Tracy Martinez
Witness Name: Tracy Martinez
George R. Moraitis
Witness Name: George R. Moraitis

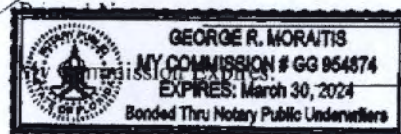
Sandra Levy
SANDRA LEVY

State of Florida
County of Broward

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 8th day of June, 2021 by SANDRA LEVY, who ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]

George R. Moraitis
Notary Public



577 Ocean

535 OCEAN LLC
1835 E HALLANDALE BLVD
HALLANDALE, FL 33009

OLIVA INVESTMENTS LTD
599 OCEAN BLVD
GOLDEN BEACH, FL 33160 USA

ERIC COHEN
PAMELA SAUNEE COHEN
600 OCEAN BLVD
GOLDEN BEACH, FL 33160 USA

JAN A MARKS TRS
587 OCEAN BOULEVARD TRUST
587 OCEAN BLVD
GOLDEN BEACH, FL 33160 USA

RICHARD SAUL WURMAN TRS
LOVE AND TRUST REVOCABLE TRUST
GLORIA NAGY WURMAN TRS
584 OCEAN BOULEVARD
GOLDEN BEACH, FL 33160 USA

577 OCEAN LP
577 OCEAN BLVD
GOLDEN BEACH, FL 33160 USA

ELIZABETH SHAPKIN
570 OCEAN BLVD
GOLDEN BEACH, FL 33160-2216

RONALD & MARYROSE TRAPANA
561 OCEAN BLVD
GOLDEN BEACH, FL 33160-2215

BLAISE MATUIDI
ISABELLE HELENE MARIE MATUIDI
560 OCEAN BLVD
GOLDEN BEACH, FL 33160

555 OCEAN BLVD
20801 BISCAYNE BLVD STE
400AVENTURA, FL 33180

SERGEY SANDLER
550 OCEAN BLVD
MIAMI, FL 33160

T AND D HOLDINGS LLC
2665 S BAYSHORE DR STE 703
MIAMI, FL 33133

ADRIAN DAVID GORDON
MARIA ALEJANDRA GORDON
540 OCEAN BLVD
GOLDEN BEACH, FL 33160 USA

605 OCEAN BLVD LLC
18909 NE 29 AVE
AVENTURA, FL 33180

CAROLYN TRAVIS GILSON
601 OCEAN BLVD
GOLDEN BCH, FL 33160-2217



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

SUMMARY MINUTES - DRAFT
BUILDING REGULATION ADVISORY BOARD
October 12, 2021 at 6pm

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

- A. CALL MEETING TO ORDER:** 6:05pm
- B. BOARD ATTENDANCE:** Eric Cohen, Zvi Shiff and Isaac Murciano
Eric Cohen state as Chairperson in the absence of Chair Jerome Hollo
Absent: Jerome Hollo, Stephanie Halfen, Alan Macken and Judy Mimoun
- C. STAFF ATTENDANCE:** Alexander Diaz, Town Manager and Linda Epperson, Building and Zoning Director

Town Manager Diaz opened up the meeting by informing the Board that Michael Miller Planning will no longer be the Town's Planner or be performing Zoning reviews for the Town, and that we were meeting with several entities for a replacement.

Mr. Diaz emphasized that the Council is extremely appreciative of the hard work and efforts put in by this Board. Mr. Diaz spoke about the newly adopted Ordinance that will give the Building Advisory Board a Broader reach in design elements being submitted by the applicant and that the Town is planning an educational workshop for the Members on how the Ordinance effects their duties as a Board.

All the applicants who were participating on Zoom were welcomed by Town Manager Diaz as he announced the Town's intentions regarding the First Floor Finished elevation for all new homes in Zones 2 and 3 to be at 9' NAVD. He stated that those applicants who would like to go higher may be permitted to be at 9.5' NAVD height. He explained that there is 1.51' overall difference between NGVD and NAVD, and if a Surveyor finds a small difference in the height established by the Town and requests to keep that elevation the Town would listen and it may be approved administratively.

Mr. Diaz cautioned all applicants that construction plans must be submitted at permitting with a minimum 9' NAVD First Floor Finished elevation or their plans will be rejected.

Chairperson Cohen applauded the Town Manager on what he felt was a prudent move in protecting the Town's assets.

- D. APPROVAL OF MINUTES:** September 14, 2021
A motion was made by Zvi Shiff to approve the minutes, Seconded by Eric Cohen
All were in favor – no one opposed
Motion passed 3 – 0
- E. REQUEST FOR ADDITIONS, DEFERRALS, DELETIONS & WITHDRAWALS**

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

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

Request is to allow the first habitable floor to start at 21.5' NGVD instead of 20.2' NGVD as stated in the Town's code with no increase in building height (Allowable Building Height – 20.02' + 30' = 50'-2" to the roof)

In accordance with Town Code Section 66-41 a Motion to recommend approval of the item was made by Zvi Shiff, Seconded by Isaac Murciano.

On roll call: Eric Cohen- Aye, Zvi Shiff-aye, and Isaac Murciano-Aye

Motion passed 3 – 0

OLD BUSINESS:

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

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

Linda Epperson summarized the Zoning report into the record.

Mr. Myara applicant spoke on his own behalf

Alexander Diaz spoke on this item.

Seawall Reinforcement and new dock.

A motion was made by Isaac Murciano to approve the item, Seconded by Zvi Shiff

On roll call: Eric Cohen- Aye, Zvi Shiff-aye, and Isaac Murciano-Aye

Motion passed 3 – 0

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

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

Linda Epperson summarized the Zoning report into the record

Ifhat Benayon Fishman, Architect for the project spoke on behalf of the applicant.

Markus A. Frankel, Architect for the project spoke on behalf of the applicant.

Jorge Matamoros represented the owner and spoke on their behalf.

Town Manager Diaz spoke on this item regarding inconsistencies with the Town's Zoning Code.

1). The Starting FFE to be at 9' NAVD 2). A separate Guest Suite on the First Floor is not permissible by the Town's current code and cannot be approved as presented on the plans 3). The Pergola requires a reduction in size from 500 square foot to 437.5 sq. feet 4). The seawall

F. VARIANCE REQUEST(S):

1. Vivian Niremborg
330 South Parkway,
Golden Beach, FL 33160

Property Address: 330 South Parkway, Golden Beach, FL,
Folio No: 19-1235-005-0630
Legal Description: Lot 36, Block G, GB Sect E, PB 8-122

Linda Epperson summarized the Zoning report into the record
Kirk Lofgren spoke on behalf of the applicant

Construction of a dock and seawall improvements.

Relief from Town Code Sec. 46-87 – Proximity of Lot Lines (b)

(b) No portion of a dock, boat lift, hydro hoist or any other method of elevation, mooring piles, boat davits, dolphin piles or any other structure, and no portion of a boat elevated above the water moored at a dock or seawall, shall protrude into the waterway, unless it is within the triangle formed by connecting the points indicated below, that form a triangle where the waterfront property line is the base of the triangle and the triangle sides extend towards the waterway at a 45 degree angle until the lines intersect on the waterway side of the lot, but never to exceed 25 feet into the waterway from each of the lot property line. Neither elevated boats nor docks shall encroach in any instance within the side setback area. The base of the triangle shall be determined as follows:

- (1) The base of the D5 triangle for all lots is set back five feet inside each of the side property lines.
- (2) When the lot line is curved, the base shall be measured at the straight line, forming the chord, connecting the two side property lines (or the two side setback lines) at the point where they cross the seawall. The side setback shall be determined based upon the length of the chord as provided in this subsection,

Request is to allow the Dock to encroach outside the D-5 Triangle.

In accordance with Town Code Section 66-41 a Motion to recommend approval of the item was made by Zvi Shiff, Seconded by Isaac Murciano.

On roll call: Eric Cohen- Aye, Zvi Shiff-aye, and Isaac Murciano-Aye
Motion passed 3 – 0

2. 577 OCEAN LP
577 Ocean Blvd.
Golden Beach, FL 33160

Property Address: 577 Ocean Boulevard, Golden Beach, FL,
Folio No: 19-1235-001-0560
Legal Description: Lot 23 THRU 25 Block D, GB Sect A, PB 9-52

Linda Epperson summarized the Zoning report into the record.
Carli Koshal with Bercow, Radell, Fernandez, Larkin and Tapanes represented the applicant and waiver her right to speak on the item.

Construction of a new home Zone 1 – Ocean Front.

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