

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2502.17

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 386 GOLDEN BEACH DR., GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE EXISTING SEAWALL TO EXTEND OUT INTO THE WATERWAY FROM THE PROPERTY LINE 3'-9" WHERE THE CODE REQUIRES THAT NO SEAWALL IS ALLOWED TO EXTEND BEYOND THE PROPERTY LOT LINE INTO A WATERWAY IN THE TOWN.

WHEREAS, the applicants, Volodymyr Symonenko and Oksana Kirpenko, ("the applicants"), filed a Petition for a Variance/exception, Article IV – Seawall and Docks: Section 46-81 Extension of seawalls into waterways, allowing the existing seawall to extend into the waterway from the property lot line at 3'-9" when the Town Code requires that the seawall not extend beyond the property lot line into a waterway, at 386 Golden Beach Dr., Golden Beach, Florida 33160 (Golden Beach Section "E", N ½ of Lot 48 & Lot 49, Block G, as recorded in PB 8-122, of the Public Records of Miami-Dade County, (Folio No. 19-1235-005-0720 (the "Property") and ;

WHEREAS, the Town's Building Regulation Advisory Board held an advertised public hearing on the Petition for Variance/Exception and recommended approval of the variance by the Town Council; and,

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

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

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

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

Section 2. Approval. The Petition for Variance to permit each of the requested variances is hereby granted.

Section 3. Conditions. The Petition for Exception/Variance as granted is subject to the following conditions:

- (1) Applicant shall record a certified copy of this Resolution in the public records of Miami-Dade County; and
- (2) Construction shall be completed substantially in accordance with those certain plans, S-1 through S-6, by Dynamic Engineering Solutions, Inc., John Omslaer, PE 52733, seal dated 1/11/17, and the Sketch of Boundary Survey, prepared by Javier De La Rocha, L.B. 7551, Exacta Commercial Land Surveyors, dated 2/6/2016, for the property located at 386 Golden Beach Dr., Golden Beach, FL. 33160

Section 4. Implementation. That the Building and Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Town of Golden Beach Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this Resolution. A copy of this Resolution shall be attached to the building permit application documents.

Section 5. Effective Date. This Resolution shall be effective immediately upon adoption.


Sponsored by Administration.

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

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

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 20th day of June, 2017

ATTEST:


LISSETTE PEREZ
TOWN CLERK


MAYOR GLENN SINGER

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


STEPHEN J. HELFMAN
TOWN ATTORNEY