

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2592.19**

**A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 401 OCEAN BOULEVARD, GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE FIRST FLOOR FINISHED ELEVATION TO START AT 23.0' N.G.V.D INSTEAD OF 20.02 FEET N.G.V.D ESTABLISHED BY TOWN CODE.**

**WHEREAS**, the applicants, Golden Beach Owners, LLC, ("the applicant"), filed a Petition for a Variance/exception, from Town Code 66-69.1 - Zone One; (d) (1) (c): Building Height. (1) Main Residence. 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. Areas occupied below 18.2 feet NGVD, including only garages, storage areas and one bathroom shall not be considered habitable areas. If any other use occurs in the area below 18.2 feet NGVD it is considered expendable from a flood or wave action damage standpoint, and those areas shall be considered habitable; therefore, the building height shall be measured from the lowest floor level below 18.2 feet NGVD plus 2 feet or 20.02 feet, request is to allow a first floor finished elevation to be at 23.0 feet NGVD, in lieu of the first floor finished elevation of 20.02' N.G.V.D. set by the Town's code, at the property 401 Ocean Boulevard, Golden Beach, FL. 33160 (Golden Beach Section "C", Lots 1 & 2, Block C, as recorded in PB 9-52, of the Public Records of Miami-Dade County, (Folio No. 19-1235-002-0510 (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 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 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 request for a variance to allow for a first floor elevation at 23' N.G.V.D. is hereby granted subject to the following conditions:

(1) Applicant shall record a certified copy of this Resolution in the public records of Miami-Dade County; and with the exception of the first floor elevation, the property shall be completed substantially in accordance with those certain plans, A-100 through A-103, A-300 through A-303, A-400 and A-401, A-1000 through A-1003, by Oppenheim Architecture, dated 12/13/2018, and the Sketch of Boundary Survey, prepared by Ross Engineering, Inc. G-002, Site Plan G-003, Zoning Overview, G-004, dated 12/13/2018, for the property.

(2) The overall height of the proposed home shall not exceed 51.6' N.G.V.D.

**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 Councilmember Bernstein, seconded by Councilmember Lusskin and on roll call the following vote ensued:

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

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 22<sup>nd</sup> day of January, 2019

ATTEST:

  
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LISSETTE PEREZ  
TOWN CLERK

  
\_\_\_\_\_  
MAYOR GLENN SINGER

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
STEPHEN J. HELFMAN  
TOWN ATTORNEY