

TOWN OF GOLDEN BEACH, FLORIDA**RESOLUTION NO. 2690.20**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING VARIANCE REQUESTS FOR THE PROPERTY LOCATED AT 365 OCEAN BLVD., GOLDEN BEACH, FLORIDA 33160 TO PERMIT AN INCREASE IN THE SIZE OF THE ELEVATOR OVERRIDE TO 134.95 SQUARE FEET INSTEAD OF THE 110 SQUARE FEET STATED IN THE CODE.

WHEREAS, the applicants, Central Park Tower Corp., (“the applicants”), filed a Petition for Variances/exceptions, Code Section 66-261 – Roof Top Activities (b) (5).

(b) Within Zone One, the roof of the highest roofed structure may be used for passive leisure activities, including entertainment and other passive recreational/leisure uses subject to the following limitations:

(5) An elevator and any covered elevator vestibule serving the rooftop shall be limited to an area of no more than 110 square feet. Any elevator and any covered elevator vestibule, if permitted, shall be placed near the center of the rooftop, but not less than seven and one half feet from the edge of the roof on lots less than 75 feet in width, or less than ten feet from the edge of the roof on lots 75 feet or more in width, and;

WHEREAS, the applicant’s request is to allow the elevator override to be increased in size to 134.95 square feet.

WHEREAS, these variances and exceptions are for the property at 365 Ocean Boulevard, Golden Beach, FL. 33160 (Golden Beach Section “B”, Lots 5 & 6, Block B, as recorded in PB 9-52, of the Public Records of Miami-Dade County, (Folio No. 19-1235-002-0410 (the “Property”) and ;

WHEREAS, the Town’s Building Regulation Advisory Board held an advertised public hearing on the Petition for Variance/Exception and recommended denial of the

increase in the Elevator Override size to 134.95 square feet for approval by the Town Council; and,

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

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

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

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

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

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

(1) Applicant shall record a certified copy of this Resolution in the public records of Miami-Dade County; and the construction shall be completed substantially in accordance with those certain plan pages CV 0-0, EX-1.0 through EX 1.3, A-1.0 through A-7. And C-100 through C-400, request for Variances, undated 5/1/2019, by DOMO Architecture + Design, and the Sketch of Boundary Survey, prepared by Maser Consulting, dated 7/2/2020, for the property located at 365 Ocean Boulevard, Golden Beach, FL. 33160.

Section 4. Implementation. That the Building and Zoning Director is hereby directed to make the necessary notations upon the maps and records of the

Town of Golden Beach Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this Resolution. A copy of this Resolution shall be attached to the building permit application documents.

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

Sponsored by Administration.

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

Mayor Glenn Singer	<u>Nay</u>
Vice Mayor Bernard Einstein	<u>Nay</u>
Councilmember Judy Lusskin	<u>Nay</u>
Councilmember Jaime Mendal	<u>Nay</u>
Councilmember Kenneth Bernstein	<u>Nay</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 8th day September, 2020.

ATTEST:

MAYOR GLENN SINGER

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY