

TOWN OF GOLDEN BEACH

BUILDING AND ZONING DEPARTMENT

MEMORANDUM



TO: Building Regulatory Advisory Board

FROM: Christopher M. Gratz, AICP, Consulting Planner

DATE: December 12th, 2022

SUBJECT: Variance, 448 Golden Beach Drive

GENERAL PROPERTY INFORMATION

Land Use Designation: Low Density Residential

Zoning District: Zone Three (3)

Address: 448 Golden Beach Drive

Legal Description: South 10' of Lot 38, all of Lot 39 & Lot 40 less the south 25', Block "F", Section "E" of Golden Beach, According to the Plat thereof, as recorded in Plat Book 8, Page 122 of the Public Records of Miami-Dade County.

Lot Information: Under-sized lot, 76.26' wide, 175' deep, 16,596 square feet (0.38 acres)

APPLICATION INFORMATION

Owner/Applicant: Ronni and Paul Bianco/ Robert Shan

REQUEST

Variance **FROM:** Town Code §46-81 which does not allow any part of seawalls, including slabs, to extend beyond any lot property line into any waterway in the Town and requires that during the construction of a new seawall or renovation of an existing seawall if it is found that portions of the existing seawall encroach into a public waterway adjoining a lot, those portions of the seawall encroachment shall be modified or removed, unless a Variance is granted by the Town;

TO: allow the existing seawall to remain encroaching into a Town waterway by as much as 4.38' into the waterway (total of 530.5 sq. ft. of the Town's submerged land); 62'-10" of the 76'-4" of the 2' wide seawall was constructed entirely in the waterway. The property line is curved and the seawall was constructed in a straight line.

HISTORY

A 2-story 6,728 sq. ft. home was constructed on the property in 2000 according to the Miami-Dade County Property Appraiser. Information as to when the existing seawall was constructed in error was not provided.

APPLICATION DETAILS

The applicant is proposing to:

- Remove the existing wood dock and piles; wood mooring piles; and unauthorized floating dock with PVC piles.
- Raise the seawall from 2.44' to 4.425' NAVD
- Install a 275 square foot concrete dock and 20,000 lb. boatlift

All aspects of the proposed new structures are compliant; the only issue is the seawall encroachment.

ANALYSIS

DIVISION 2. - VARIANCES

§66-41. - Authorized, general procedure.

(a) The Building Regulation Advisory Board may recommend pursuant to the hearing as provided in §66-42 the granting of a Variance by the Town Council from the terms of the zoning provision of this chapter if it is not contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. In order to recommend any Variance from the terms of this chapter, the Board shall find the following:

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

The request is for a variance from zoning regulation.

- (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.

This property line on the waterway is curved and this condition exists on other waterfront lots in Zone 3 and the Town's requirement that seawalls not encroach into the Town's waterway is applicable to all properties. Instead of constructing a curved seawall that follows the property line, one that is in a straight line was built.

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

The variance request is a direct result of the applicant's desire to leave the existing encroaching seawall in place.

(4) Granting the Variance requested 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 Town Code does not allow encroachments into its waterways unless a variance is granted. Granting the variance will give the owner the privilege to occupy approximately 530.5 square feet of Town property for free in perpetuity.

(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.

No owners have the right to have a seawall encroach into the Town's waterway and use the Town's land for free in perpetuity; the basis for this request is financial.

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

The requested is variance minimum the applicant needs to avoid reconstructing the seawall in the correct location. No evidence has been presented that reconstructing the seawall within the property lines as required is not possible.

(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 intent of the Town Code is to promote the construction of luxury homes; consistency in the placement of seawalls is an inherent quality of a luxury home community. The survey shows the seawall is in alignment with the neighboring seawalls and was constructed in a straight line rather than following the curvature of the property line.

(b) In recommending the granting of any Variance, the Building Regulation Advisory Board may prescribe appropriate conditions and safeguards in conformity with this Code. Violation of the conditions and safeguards, when made a part of the terms under which the Variance is granted, shall be deemed a violation of the Code of Ordinances. The Building Regulation Advisory Board may prescribe a reasonable time limit wherein the Construction of the structure subject to the Variance is required to be completed.

It would be reasonable to approve the request if the owner is required to pay for the use of the Town's submerged land in both assessed value and the taxes for this land in perpetuity.

(c) Under no circumstances shall the Building Regulation Advisory Board recommend the granting of a Variance or a use not generally permitted in the district involved or any use expressly or by implication prohibited by the terms of this Code in the district. No nonconforming use of neighboring lands, structures or buildings in the same district and no permitted use of lands, structures or buildings in other districts shall be considered grounds for a Variance.

The property survey shows that the seawall is aligned with the neighboring properties. While the property line is curved, the seawall was built in a straight line.

RECOMMENDATION

The applicant has failed to provide any substantial competent evidence to support the request and fails to meet the criteria required by the Town Code for the granting of a variance; therefore **denial** of the application is recommended.



TOWN OF GOLDEN BEACH NOTICE OF PUBLIC HEARING

The **BUILDING ADVISORY BOARD** and the **TOWN COUNCIL** of the **TOWN OF GOLDEN BEACH** will hold a Public hearing on the following proposal:

 X Variance Request(s)
 Accessory Structures

Construction of a new seawall, dock and installation of a Boat Lift.

Relief from Town Code Sec. 46-81. - Extension of seawall into waterways.

No part of any seawall, including slabs may extend beyond any lot property line into any waterway in the Town. The piles and cap beam may encroach into the waterway, if approved by the agency having jurisdiction.

Request is to allow the new seawall cap and panels to encroach outside the property line into the waterway at various depths along the seawall.

JOB ADDRESS:	448 Golden Beach Drive, Golden Beach, FL.
OWNER ADDRESS:	448 Golden Beach Drive, Golden Beach, FL.
REQUESTED BY:	Paul and Ronnie Bianco
LEGAL DESCRIPTION:	S 10' of Lot 8 & all of Lot 39, Lot 40 less S 25', Blk F, GB Sect E, PB 8-122
FOLIO NO.:	19-1235-005-0470

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

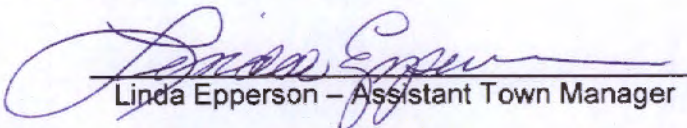
GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL.
January 10, 2023 at 6pm
<https://us02web.zoom.us/j/89291108015?pwd=NS8rWnJhN21mSUdlcmFadHErei8yZz09>
Meeting ID: 892 9110 8015
Passcode: 752288

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

GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL.
January 17, 2023 at 6pm

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: December 15, 2022


Linda Epperson – Assistant Town Manager

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

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

Property Location: 448 Golden Beach Drive

Meeting Date: _____

Variance Hearing Dates: Advisory Board ☐

Town Council ☐

APPROVAL FROM THE BUILDING REGULATION ADVISORY BOARD IS REQUIRED FOR:

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

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

DEC 13 2022

APPROVED
DISAPPROVED
VARIANCE REQ

APPLICATION HEARING PROCESS

Building Approval:

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

Landscape Approval - Separate Submittal from the Building Submittal

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

Zoning Variance Approval:

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

Final Submittal Requirement:

Eight days prior to the meeting and after all approvals have been obtained. The applicant shall submit for the Board's approval an additional 6 completed application packages, for both Building and Landscaping, which shall consist of a copy of the completed application, approved plans 1 full size set and 5 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.

BUILDING REGULATION ADVISORY BOARD APPLICATION (October 2019)

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

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

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

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

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

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

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

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

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

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

\$200.00

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

\$200.00

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

\$500.00

If the time limit is exceeded, an additional fee of ½ of the fee will be assessed for the second time period

\$250.00

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Applicant check here	Complete application, sign, and notarize.	Bldg Dept Use
<input type="checkbox"/>	<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 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 (6) copies no larger than 11" x 17" & 1 original full size sealed set. 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 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 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 type="checkbox"/>	<p>First Floor and Second Floor area calculations marking the geometrical areas used to calculate the overall floor areas.</p>	
<input type="checkbox"/>	<p>Colored rendering showing new construction or proposed addition. Marked with the applicable address.</p>	
<input 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 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: _____ Variance(s): Encroachment of Existing Seawall
Exterior alterations: _____ Other Structure: _____
Date application filed: _____ For hearing date: _____

1. Project information:

Project description: Installation of a new 52.6' x 5.5' (275 square-foot) concrete dock, a new 20,000 pound boatlift, as well as install a new 36" x 39" concrete cap overpour, supported by (9) new batter piles.

Legal Description: GOLDEN BEACH SEC E PB 8-122 S10FT LOT 38 & ALL LOT 39 & LOT 40 LESS S25FT BLK F LOT SIZE 16596 SQ FT

Folio #: 19-1235-005-0470

Address of Property: 448 Golden Beach Drive

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

Owner's Name: Mr. Paul Bianco Phone _____ Fax _____

Owner's address: 448 Golden Beach Drive City/State Golden Beach, FL Zip 33160

Email address: pbianco@fleitip.com

Agent: Robert Shan Phone 305-934-1131 Fax _____

Agent's address: 134 S Dixie Hwy Ste 208 City/State Hallandale Beach, FL Zip 33009

Email address: robertshan@me.com

Architect: MW Engineering Inc. Phone 754-333-0877 Fax _____

Email address: williamr@unlimitedps.net

Contractor: Southeast Marine Construction, Inc Phone (954) 630-2300 Fax (954) 630-2381

3. Describe project and/ or reason for hearing request: The Project proposes the installation of a new 52.6' x 5.5' (275 square-foot) concrete dock, a new 20,000 pound boatlift, as well as install a new 36" x 39" concrete cap overpour, supported by (9) new batter piles.

The existing seawall encroaches into the waterway.

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

Building Plans:

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

5. Estimated cost of work: \$80,000

Estimated market value of: Land \$ _____
Building \$ _____

(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.

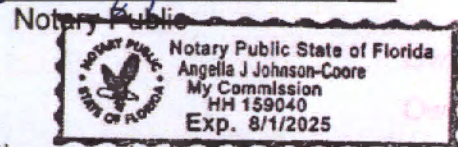
Signature of owner(s): ROOR

Acknowledged before me this 14th day of November 2022

Type of identification:

FL B520-684-65-146-0 Angella J Johnson-Coore

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: Waterfront Improvements relative to my property and I am hereby authorizing ROBERT SHAN to be my legal representative before the Building Regulation Advisory Board and Town Council.

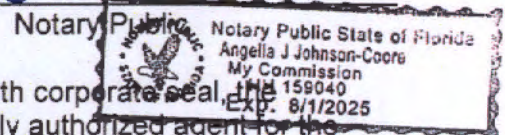
ROOR

Signature of owner(s)

Acknowledged before me this 14th day of November 20 22

Type of identification:

FL B520-684-65-146-0 Angella J. Johnson-Coore



(*) 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: 448 Golden Beach Drive

Legal Description: GOLDEN BEACH SEC E PB 8-122 S10FT LOT 38 & ALL LOT 39 & LOT 40 LESS S25FT BLK F

Owner's Name: Mr. Paul Bianco

Phone 305-423-9620

Fax _____

Agent's Name: Robert Shan

Phone 305-934-1131

Fax _____

Board Meeting of: _____

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

Installation of a new 52.6' x 5.5' (275 square-foot) concrete dock, a new 20,000 pound bouldift, as well as install a new 36" x 39" concrete cap overpour, supported by (9) new batter piles.

Application for: _____

Lot size: _____

Lot area: _____

Frontage: _____

Construction Zone: Over-Water

Front setback: _____

Side setback: _____

Rear setback: _____

Coastal Construction: Yes ☒ No ☐ East of coastal const. control line: Yes ☐ No ☒

State Road A1A frontage: _____

Swimming pool: ☐ Yes ☐ No Existing: Yes Proposed: _____

Fence Type: unpainted Existing: Yes Proposed: _____

Finished Floor elevation N.G.V.D.: _____

Seawall: Proposed Existing: Yes Proposed: _____

Lot Drainage: _____

How will rainwater be disposed of on site? _____

Adjacent use (s): _____

Impervious area: _____

% of impervious area: _____

Existing ground floor livable area square footage: _____

Proposed ground floor livable area square footage: _____

Existing 2nd floor livable area square footage: _____

Proposed 2nd floor livable area square footage: _____

Proposed % of 2nd floor over ground floor: _____

Vaulted area square footage: _____

Vaulted height: _____

Color of main structure: _____

Color of trim: _____

Color & material of roof: _____

Building height (above finished floor elevation): _____

Swale: (Mandatory 10'-0" from edge of payment, 10 ft. wide x 1 ft. deep minimum): _____

Existing trees in Lot: _____ in Swale: _____

Proposed trees in Lot: _____ in Swale: _____

Number & type of shrubs: _____

Garage Type: _____ Existing: _____ Proposed: _____

Driveway width & type: _____

Signature of Applicant: Robert Shan

Date: 11/14/22

BUILDING REGULATION ADVISORY BOARD APPLICATION (October 2019)

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

Date: _____

Fee: _____

I, Mr. Paul Bianco 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: 448 Golden Beach Drive Folio No. 19-1235-005-0470

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)**: Sec. 46-81 - extension of existing seawall beyond the property line.

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. Yes. The existing wetface of the vertical seawall extends beyond the property line.

- 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. Yes. The existing wetface of the vertical seawall extends beyond the property line.

- c. The special conditions and circumstances do not result from the actions of the applicant. Yes, correct. the wetface of the existing vertical seawall extends beyond the property line, and was not built by the current property owner. This seawall also existed prior to the rule change in the Town of Golden Beach.

- 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. Yes, correct. This variance will allow for the existing seawall to remain with no gaps between neighboring seawalls. The Town has approved several variances for this exact condition for other Town residences.

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. Yes. The same variance has been granted to several Town residents. Demolition of the existing seawall and re-build at the property line would create environmental concerns, additional owner expenses, and a gap between neighboring properties/seawalls.

4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. Yes, correct. The existing seawall will remain in place, only repairs to the seawall are proposed. The new dock would remain at 10-feet from the wet face of the seawall cap.

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. Yes. This variance has been granted to many residents with similar conditions.

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.: 19-1235-005-0470

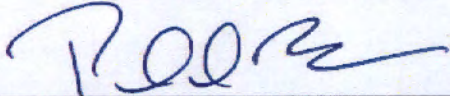
Address: 448 Golden Beach Drive

Legal Description: GOLDEN BEACH SEC E PB 8-122 S10FT LOT 38 & ALL LOT 39 & LOT 40 LESS S25FT BLK F

Being duly sworn, deposes and says: That He/She is the Owner named in the application for Building Advisory Board for the hearing date of _____ relating to Variance requests for construction or other work to be performed on, or in connection with, the premises located as indicated in the application.

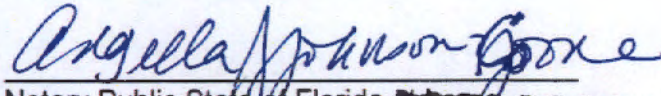
I acknowledge notification by The Town of Golden Beach, that granting of a variance(s) by The Town Council, is conditioned on the following:

1. That a Building Permit for the contemplated work pursuant to the Variance must be issued within two (2) years from the date of the approval of the Resolution granting such variance request.
2. If a Building Permit is not issued within the two (2) year time limit set then the Resolution granting the Variance approval will be null and void.
3. That as the applicant, and at my own expense, I shall record a certified copy of the Resolution in the public records of Miami-Dade County and return two (2) certified copies to the Golden Beach Town Hall for inclusion into my property records.



Signature of Owner or Legal Representative

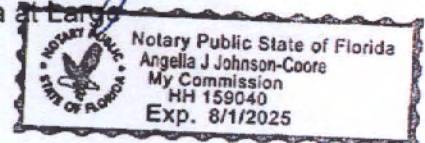
Sworn to and subscribed before me this 14th day of November 2022



Notary Public State of Florida at Large

☒ 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 _____ square feet

Step 2:

Determine AP _____ square feet

AI= _____ square feet

Note= P= Pervious/ I = Impervious

Step 3:

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

Average Elevation of Pervious Areas= _____ 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= _____ 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 = _____ inches

Step 6:

Determine S as:

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

S is computed in inches S = _____ 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:

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

$$(7.00+0.8*S)$$

R is computed in inches R= _____ 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= _____ 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= _____ cubic feet

Step 10:

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

TOWN OF GOLDEN BEACH
ACKNOWLEDGEMENT and AFFIDAVIT BY OWNER
Chapter 46-85 Height of Seawalls and Docks and Extension of Deck of Dock.
of the Code of Ordinances
Article IV Seawalls and Docks.

Affidavit by Owner: Mr. Paul Bianco

Folio No.: 19-1235-005-0470

Address: 448 Golden Beach Drive

Legal Description: GOLDEN BEACH SEC E PB 8-122 S10FT LOT 38 & ALL LOT 39 & LOT 40 LESS S25FT BLK F

Being duly sworn, deposes and says: That He/She is the Owner named in the permit application for construction or other related work to be performed on, or in connection with, the premises, as indicated above, and is in agreement that granting of a permit for construction on said premises, agrees to repair, or replace said seawall in question, to a conforming minimum 3.425 feet above NAVD-88 or to a maximum 4.425 feet NAVD-88 elevation and to replace/and or repair any deteriorated seawall or portion thereof, as required by the Town's Code of Ordinances, Article IV "Seawalls and Docks, The Miami Dade County DERM Division, State of Florida DEP Coastal Division, the Army Corp of Engineers (if applicable) and the current Florida Building Code.

For general historical information only, the May 8, 2018 amendment to this section, converted measurements from NGVD to NAVD resulting in revised seawall heights from a minimum 4 feet NGVD to a minimum 5 feet NGVD and from a maximum 5 feet NGVD to a maximum 6 feet NGVD

PAUL D. BIANCO

Signature of Owner or Legal Representative

Print Name: PAUL D. BIANCO

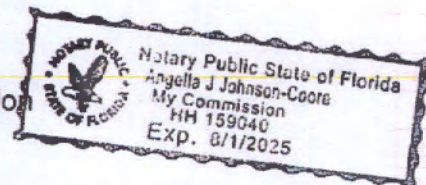
Sworn to and subscribed before me this 14th day of November 2022

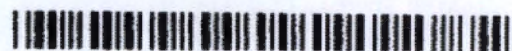
Angella J. Johnson-Coore
Notary Public State of Florida at Large

☒

Personally know to me

☐ Produced Identification





CFN 2003R0844493
DR Bk 21818 Pgs 3885 - 3886 (2pgs)
RECORDED 11/12/2003 18:27:07
DEED DOC TAX 13,359.00
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

THIS INSTRUMENT PREPARED BY AND RETURN TO:
LAW OFFICES OF SALLY N. SAWH, P.A.
1054 Kane Concourse
Bay Harbor, FL 33154
(305) 865 1224

Building Regulatory Advisory Board
Hearing Date

Property Appraisers Parcel Identification No.: 19-1235-005-0470

DEC 13 2022

WARRANTY DEED

THIS WARRANTY DEED made the 21st day of October, 2003, by GABRIEL DICKSTEIN and JUDY DICKSTEIN, as Husband and Wife (the "Grantor"), whose address C/O. 1054 Kane Concourse, Bay Harbor Islands, Florida 33154 to RONNI BIANCO and PAUL BIANCO, as Husband and Wife (hereinafter called the "Grantee"), whose post office address is 448 Golden Beach Drive, Golden Beach, Florida 33160.

APPROVED

DISAPPROVED
VARIANCE REQ

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

WITNESSETH

That the Grantor, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration paid to Grantor by Grantee, receipt whereof hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, that certain property situated in Miami-Dade County, Florida (the "Property"), as more particularly described as follows:

THE SOUTH 10.00 FEET OF LOT 38, ALL OF LOT 39 AND LOT 40 LESS THE SOUTH 25.00 FEET THEREOF, BLOCK F, SECTION "E" OF GOLDEN BEACH, according to the Plat thereof recorded in Plat Book 8, at Page 122 of the Public Records of Miami- Dade County, Florida.

This conveyance is subject to:

1. Real estate taxes and assessments for the year 2003 and subsequent years.
2. Covenants, conditions, easements, restrictions, limitations and reservations of record, if any; provided, however, this shall not serve to reimpose same.
3. Zoning ordinances and other restrictions imposed by applicable governmental authorities.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of said Grantor, whether in law or in equity, to the only proper use, benefit and behoof of said Grantee forever.

AND, Grantor covenants with Grantee that, except as noted above, the Grantor does fully warrant title to said land and will defend same against the lawful claims of all persons whomsoever.

OR BK 21818 PG 3886
LAST PAGE

IN WITNESS WHEREOF, the Grantor has caused this Warranty Deed to be executed in its name on the day and year first above written.

Signed, sealed and delivered
in the presence of:

WITNESSETH:

SELLER:

Sofia Elias
Print Name: ELIA ELIAS

Paolo Della Casa
Print Name: PAOLO DELLA CASA

Sofia Elias
Print Name: ELIA ELIAS

Paolo Della Casa
Print Name: PAOLO DELLA CASA

GABRIEL DICKSTEIN

Address of Grantor C/O:
1054 Kane Concourse
Bay Harbor Islands, FL 33154

Judy Dickstein
JUDY DICKSTEIN

Address of Grantor C/O:
1054 Kane Concourse
Bay Harbor Islands, FL 33154

STATE OF Florida
COUNTY OF Dade)SS:

The foregoing instrument was acknowledged before me this 2nd day of October, 2003, by GABRIEL DICKSTEIN. He is ☒ personally known to the undersigned or ☐ has produced a driver's license, as identification and did not take an oath.

Notary Public

Print Name:

My Commission Expires:

STATE OF Florida
COUNTY OF Dade)SS:

The foregoing instrument was acknowledged before me this 2nd day of October 2003, by JUDY DICKSTEIN. She is ☒ personally known to the undersigned or ☐ has produced a driver's license, as identification and did not take an oath.

Notary Public

Print Name:

My Commission Expires:



Book21818/Page3886

Page 2 of 2



PEDRO J. GARCIA MIAMI-DADE PROPERTY APPRAISER



Address Owner Name Subdivision Name Folio

SEARCH: bianco,paul



[Back to Search Results](#)

PROPERTY INFORMATION ⓘ

Folio: 19-1235-005-0470

Sub-Division:
GOLDEN BEACH SEC E

Property Address
448 GOLDEN BEACH DR

Owner
RONNI BIANCO
PAUL BIANCO

Mailing Address
448 GOLDEN BEACH DR
GOLDEN BEACH, FL 33180-2244

PA Primary Zone
1300 SGL FAMILY - 2801-3000 SQ

Primary Land Use
0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT

Beds / Baths / Half	5 / 4 / 1
Floors	2
Living Units	1
Actual Area	6,728 Sq.Ft
Living Area	5,081 Sq.Ft
Adjusted Area	5,627 Sq.Ft
Lot Size	16,596 Sq.Ft
Year Built	2000



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[Glossary](#)
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[PA Additional Online Tools](#)
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[Non-Ad valorem Assessments](#)

[Property Record Cards](#)
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[Tax Estimator](#)

[Property Taxes](#)
[TRIM Notice](#)

[Value Adjustment Board](#)

ASSESSMENT INFORMATION ⓘ

Year	2022	2021	2020
Land Value	\$2,821,320	\$2,489,400	\$2,721,744
Building Value	\$1,013,535	\$742,784	\$752,049
Extra Feature Value	\$25,763	\$58,466	\$57,170
Market Value	\$3,890,618	\$3,288,630	\$3,530,963
Assessed Value	\$1,728,488	\$1,678,142	\$1,854,973

BENEFITS INFORMATION ⓘ

Benefit	Type	2022	2021	
Save Our Homes Cap	Assessment Reduction	\$2,152,132	\$1,610,488	\$1.87%
Homestead	Exemption	\$25,000	\$25,000	\$2.00%
Second Homestead	Exemption	\$25,000	\$25,000	\$2.00%

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional)

TAXABLE VALUE INFORMATION ①

	2022	2021	2020
COUNTY			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$1,678,486	\$1,628,142	\$1,604,973
SCHOOL BOARD			
Exemption Value	\$25,000	\$25,000	\$25,000
Taxable Value	\$1,703,486	\$1,653,142	\$1,629,973
CITY			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$1,678,486	\$1,628,142	\$1,604,973
REGIONAL			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$1,678,486	\$1,628,142	\$1,604,973

FULL LEGAL DESCRIPTION ①

GOLDEN BEACH SEC E
 PB 8-122
 S10FT LOT 38 & ALL LOT 39 & LOT
 40 LESS S25FT BLK F
 LOT SIZE 16598 SQ FT
 OR 17498-0125 0197 1
 COC 21818-3885 10 2003 1

SALES INFORMATION ①

Previous Sale	Price	OR Book-Page	Qualification Description
10/01/2003	\$2,228,500	21818-3885	Sales which are qualified
01/01/1997	\$400,000	17498-0125	Sales which are qualified
10/01/1992	\$365,000	15671-1410	Sales which are qualified
05/01/1992	\$150,000	15563-1495	Deeds that include more than one parcel

For more information about the Department of Revenue's Sales Qualification Codes.

2022 2021 2020

LAND INFORMATION ①

Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Valu
GENERAL	R-1	1300 - SGL FAMILY - 2801-3000 SQ	Square Ft.	16,596.00	\$2,821.32

BUILDING INFORMATION ①

Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Valu
1	1	2000	6,728	5,081	5,827	\$1,013.52

Current Building Sketches Available

EXTRA FEATURES ①

Description	Year Built	Units	Calc Valu
Aluminum Modular Fence	2014	75	\$2.42
Patio - Marble	2000	852	\$8.07
Pool 8' res BETTER 3-8' dpth, tile 650-1000 sf	2000	1	\$31.80
Whirlpool - Attached to Pool (whirlpool area only)	2000	72	\$7.96
Dock - Wood on Light Posts	1995	300	\$5.70

ADDITIONAL INFORMATION

* The information listed below is not derived from the Property Appraiser's Office records. It is provided for convenience and is derived from other government agencies.

LAND USE AND RESTRICTIONS

Community Development District:	NONE	Community Redevelopment Area:	NONE
Empowerment Zone:	NONE	Enterprise Zone:	NONE
Urban Development:	INSIDE URBAN DEVELOPMENT BOUNDARY	Zoning Code:	ZONE 3 -
Existing Land Use:	10 - SINGLE-FAMILY, MED.-DENSITY (2-5 DU/GROSS ACRE).	Government Agencies and Community Services	

OTHER GOVERNMENTAL JURISDICTIONS

Business Incentives	Childrens Trust	City of Golden Beach	Environmental Considerations
Florida Inland Navigation District	PA Bulletin Board	Special Taxing District and Other Non-Ad valorem Assessment	School Board
Tax Collector			South Florida Water Mgmt District

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>
For inquiries and suggestions email us at <http://www.miamidade.gov/PAPortal/ContactForm/ContactFormMain.aspx>.
Version: 2.0.3

EXEMPTIONS & BENEFITS	REAL ESTATE	TANGIBLE PERSONAL PROPERTY	PUBLIC RECORDS	ONLINE TOOLS	TAX ROLL ADMINISTRATION
Deployed Military	40 Yr Building Re-Certification	Appealing your Assessment	Address Blocking	Property Search	Appealing your Assessment
Disability Exemptions	Appealing Your Assessment	Assessment Information Search	Change of Name	Property Sales	Reports
Homestead	Defective Drywall	Exemptions	Change of Address	Tax Estimator	
Institutional	Folio Numbers	Extension Requests	Change of Ownership & Title	Tax Comparison	
Senior Citizens	Mortgage Fraud	Filing Returns	Declaration of Condominium	Homestead Exemption and Portability	
More >	More >	More >	More >	More >	More >