

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2725.21

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING VARIANCE REQUESTS FOR THE PROPERTY LOCATED AT VL, (A/K/A 699), OCEAN BLVD, GOLDEN BEACH, FLORIDA 33160. TO PERMIT THE USABLE ROOF TOP AREA TO BE SETBACK AT 0' AT THE NORTH SIDE PROPERTY LINE OF THE LOT INSTEAD OF THE 10' REQUIRED BY THE CODE.

WHEREAS, the applicants, 7AOA1A Ocean, LLC, ("the applicant"), filed a Petition for Variances/exceptions, from 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:

(2) The usable area of the roof must be set back a minimum of ten feet from the edge of the roof in all directions except from the rear (ocean front), where no setback is required; however, for lots of less than 64 feet in width, the useable area may be reduced to seven and one half feet from the edge of the roof in all directions except the rear (ocean front), where no setback is required, and,

WHEREAS, the applicant's request is to allow the usable roof top area to be setback at 0' from the North side property line, and,

WHEREAS, these variances and exceptions are for the property at Vacant Lot a/k/a 699 Ocean Boulevard, Golden Beach, FL. 33160 (GB Section A, unnumbered lot North of Lot 1, Block D., 100 feet of E 325 feet of Govt Lot 1, as recorded in PB 9-52, of the Public Records of Miami-Dade County, (Folio No. 19-1235-000-0010 (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 roof top usable area to be at a 0' setback from the North side property line, 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 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 T1.1 – T1.6, and A1.1 – A3.3, dated 11/1/2020 & 12/19/2020, by John Dwyer-AIA, Architects and the Sketch of Boundary Survey, prepared by Fortin, Leavy, Skiles, Inc., dated 11/5/2020, for the property located at the Vacant Lot, a/k/a 699, 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 Vice Mayor Lusskin, seconded by Councilmember Einstein and on roll call the following vote ensued:

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

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 16th day March, 2021.

ATTEST:



LISSETTE PEREZ
TOWN CLERK



MAYOR GLENN SINGER

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



STEPHEN J. HELFMAN
TOWN ATTORNEY



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: March 16, 2021

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz, *Alex B*
Town Manager

Subject: **Resolution No. 2725.21 – Variance Request for VL a/k/a 699 Ocean Blvd,
Golden Beach, FL 33160 (Roof Top Usable Area - Setback– Zone One)**

Item Number: <hr/> 3 <hr/>

Recommendation:

It is recommended that the Town Council allow the applicant the opportunity to seek approval of the variance request presented in Resolution No. 2725.21.

Background and History:

Variance request from Town Code Section 66-261 – Roof Top Activities (2):

(2) The usable area of the roof must be set back a minimum of ten feet from the edge of the roof in all directions except from the rear (ocean front), where no setback is required; however, for lots of less than 64 feet in width, the useable area may be reduced to seven and one half feet from the edge of the roof in all directions except the rear (ocean front), where no setback is required.

The applicant's request is to allow for the usable area at the North side of the roof top structure to be a 0' setback instead of the 10' setback outlined in the Code.

The Building Regulation Advisory Board met March 9, 2021 and recommended approval of the variance request, the motion passed 4 – 0.

Attachments:

- Resolution
- Michael Miller Planning Critique
- Notice of Hearing
- Building Regulation Advisory Board Application
- Copy of resident notification listing
- Summary minutes

Financial Impact: None