

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2777.21

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 330 SOUTH PARKWAY, GOLDEN BEACH, FLORIDA 33160 TO PERMIT A DOCK TO ENCROACH OUTSIDE THE D-5 TRIANGLE, WHEN TOWN CODE SECTION 46-87 REQUIRES THE DOCK TO BE WITHIN THE TRIANGLE.

WHEREAS, the applicant, Vivian Niremberg, ("the applicant"), filed a Petition for Variances/exceptions, from Section 46-87 – Proximity of Lot Lines. (b)) No portion of a dock, boat lift, hydro hoist or any other method of elevation, mooring piles, boat davits, dolphin piles or any other structure, and no portion of a boat elevated above the water moored at a dock or seawall, shall protrude into the waterway, unless it is within the triangle formed by connecting the points indicated below, that form a triangle where the waterfront property line is the base of the triangle and the triangle sides extend towards the waterway at a 45 degree angle until the lines intersect on the waterway side of the lot, but never to exceed 25 feet into the waterway from each of the lot property line. Neither elevated boats nor docks shall encroach in any instance within the side setback area. The base of the triangle shall be determined as follows: (1) the base of the D5 triangle for all lots is set back five feet inside each of the side property lines, and from a dock or seawall: (2) shall maintain a setback of at least ten feet from the water ward projection of the side property lines, and (3) shall be maintained entirely within the setback established

WHEREAS, the applicant's request is to allow for the dock to be installed outside the D-5 Triangle when the code requires the dock be within the D-5 Triangle.

WHEREAS, these variances and exceptions are for the property at 330 South Parkway, Golden Beach, FL. 33160 (Golden Beach Sec E, Lot 36, Blk G, as recorded in PB 8-122, of the Public Records of Miami-Dade County, (Folio No. 19-1235-005-0630 (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 request, 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 1 – 6 Proposed Dock/Seawall Repair, by Mark E. Weber PE, Seal dated 01/26/2021, and the Sketch of Boundary Survey,

prepared by John Ibarra & Associates, Inc., field dated 7/9/2020, for the property located at 330 South Parkway, 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 Mendal and on roll call the following vote ensued:

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

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 19th day October, 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: October 19, 2021

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Alex B

Item Number:

1

Subject: Resolution No. 2777.21 – Variance Request for 330 South Parkway,
Golden Beach, FL 33160 (Dock Encroachment outside D-5 Triangle)

Recommendation:

It is recommended that the Town Council allow the applicant the opportunity to seek approval of the variance request presented in Resolution No. 2777.21.

Background and History:

Town Code Section 46-87 Proximity of Lot Lines requires that docks be built within the D-5 Triangle.

The applicant's request is to allow the dock to encroach outside the D-5 Triangle that is not allowed under the code.

The Building Regulation Advisory Board met October 12, 2021 and recommended approval of the variance request, the motion passed with a Board vote of 3 – 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

TOWN OF GOLDEN BEACH COMMUNITY DEVELOPMENT MEMORANDUM

To: Building Regulatory Advisory Board
Town of Golden Beach

From: Michael J. Miller, AICP *MJM*
Consultant Town Planner

Date: August 19th, 2021

Subject: Zoning Variance Application
Dock Encroachment into Golden Beach D5 Triangle
330 South Parkway
Lot 36 of Block G, Section E
MMPA Acct. No.: 04-0101-5030

ISSUE

The applicant, Ocean Consulting LLC., as agent for the property owner, Vivian Niremborg, is requesting a zoning variance for portions of a proposed replacement dock which currently does / will encroach into the Golden Beach D5 (GB D5) triangle. The subject property adjoins the Grand Canal and at this site location the width of the canal exceeds 100'. The Town owns the waterways surrounding the platted lots and can chose to allow improvements to be built – there is no guaranteed right to upland adjoining owners to build private improvements on public land. The lot frontage on the canal is only 45' in width. On June 8th, 2021, the BRAB approved the construction of a new 2-story house with approximately 4,236 square feet for this property. The existing one-story house on the property will be demolished. The applicant is requesting to construct a new boat dock in the same historical footprint as the existing dock. The plans show that a new seawall / seawall cap / batter piles and rock rip rap will be installed – a separate BRAB application is required for those improvements – this application is limited only to a variance to reconstruct a dock in the same location and the same size as the existing dock. If the Town approves the variance, the owner must file a separate application for the extensive seawall / dock work. The existing dock complies with the Miami-Dade D5 triangle setbacks but encroaches slightly into portions of the Golden Beach D5 triangle setbacks. Instead of building the new dock to comply with the Golden Beach regulations the applicate is requesting to re-build the dock in the same location. Due to the narrow lot width, the curved rear lot line, and setback requirements the allowable area to construct a dock is compromised. Town Code Sec. 46-87(b) sets forth the Town's GB D5 triangle requirements.

Following is a brief description of the variance:

- Variance from Town Code Section 46-87(b) to allow a dock to be constructed in the same location as currently exists that does not meet Town's Code regulations.

ANALYSIS

As per the Town's request MMPA has completed our review of the above referenced variance application and provide the following comments for consideration:

Variance Request – The application as submitted request a variance from the Town Code Section 46-87(b) to allow for the construction of a replacement boat dock to encroach into portions of the GB D5 triangle adjoining the site in the Grand Canal waterway. At this location the Grand Canal exceeds 100' in width; therefore, up to a 10' encroachment into the waterway is allowed. The platted lot can best be described as a "reverse pie-shaped" lot with a wider frontage on the street (75'+/-) but only 45' of frontage on the Grand Canal. According to the Miami-Dade County Property Appraiser the existing house was constructed on the property in 1946. It has not been determined when the existing dock was constructed. The applicant would like to reconstruct a new wooden dock in the same location and the same size as the current dock. The present dock meets the Town's side setback requirement of 10' for side property lines. The existing dock canal encroachment of 8'-5" from the rear property line also meet the current regulations (10' allowed). If the replacement dock was constructed within the GB D5 triangle as required, the new dock width would be approximately 15' in width and not 25' as presently constructed and proposed.

NON-USE VARIANCE JUSTIFICATION

- 1) *The variance requested is for relief from the provisions of the Town Code.*

The applicant seeks relief from Town Zoning Code Section 46-87(b) of the Town's Code of Ordinances.

MMPA Comment – The Code sections stated are correct.

- 2) In Order to recommend the granting of the variance, it must meet the following criteria.

- a. The variance is in fact a Variance from a zoning regulation as set forth within the Zoning Chapter of the Town Code.

Applicants Response: Yes

MMPA Comment – Yes, we agree.

- 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.*

Applicants Response: Yes, the dock extends beyond the GB D-5 viewing triangle but replaces the existing dock within the same historic footprint.

MMPA Comment – The applicant did not provide any description of unique special conditions or circumstances of the land is provided. They only reference the existing dock location and size and request it be allowed to be rebuilt in the same location. That is really not a valid reason to grant a variance – to rebuild an older nonconforming improvement as-is. Governments change their Codes all the time to address various urban design issues, and it is expected that new and/or replaced improvements must comply with current Code criterion. Otherwise, how does a community cure past problems. MMPA notes that the platted lot can best be described as a "reverse pie-shaped" lot with a wider frontage on the street (75'+/-) but only 45' of frontage on the Grand Canal. The present dock meets the Town's side setback requirement of 10' for side property lines. The existing / proposed dock canal encroachment of 8'-5" from the rear property line also meet the current regulations (10' allowed). The current and proposed dock complies with the Miami-Dade D5 triangle setbacks. However, if the replacement dock was constructed within the Golden Beach D5 triangle as required, the new dock width would be approximately 15' in width and not 25' as presently constructed and proposed. Only the "tips" of the dock edges encroach into the GB D5 triangle. This loss of reasonable / useable dock width could be considered a hardship due to the unique shape of this lot that is not applicable to most other sites. In our opinion special circumstance peculiar to this site exist. While the dock encroachment into the Town's waterway setback decreases views and could affect boat mobility, this situation has existed with the current dock location / size.

- c. *The special conditions and circumstances do not result from the actions of the applicant.*

Applicants Response: Yes, correct. The dock is being re-built in the same footprint. The present owners did not build the existing dock.

MMPA Comment – See the above commentary on the nonconforming dock and replacement options. The applicant could follow the current Code and design the dock to meet the Town's required regulations. However, due to the narrow lot width and setbacks the result would be a small barely useable dock for mooring of a vessel.

- 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.*

Applicants Response: Yes, correct. This variance will allow for reasonable use the property and access to the water

MMPA Comment – See the above commentary on the nonconforming dock and replacement options. The applicant could follow the current Code and design the dock to meet the Town's required regulations. However, due to the narrow lot width and setbacks the result would be a small barely useable dock for mooring of a vessel. While it could be argued the lot owner would receive a special privilege that others do not, due to the circumstances the request is not unreasonable in our opinion.

- 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.*

Applicants Response: Yes, without the variance, the property owner cannot build a reasonable sized dock providing access to the water.

MMPA Comment – See the above commentary on the nonconforming dock and replacement options. Due to the original narrow platted lot sizes / widths, lot configurations, and changing Codes over the years variances are not uncommon in this community. No description or identification of similar encroachments or variances was provided by the applicant addressing this issue. In our opinion the proposed new encroachment is self-created. In our opinion, while it could be argued the lot owner would receive a special privilege that others do not, due to the circumstances the request is not unreasonable in our opinion.

- 4) *The Variance granted in the minimum Variance that will make possible the reasonable use of the land or structure.*

Applicants Response: Yes, correct. Miami-Dade County DERM has preliminary approved the drawings.

MMPA Comment – No description was provided by the applicant addressing the Code question or stating why this variance is the minimum necessary to have reasonable use of the land or structure. See the above commentary on the nonconforming dock and replacement options. The new replacement dock design could be modified to angle the encroaching edges of the replacement dock to comply with the Town's D5 triangle. However, in our opinion, it could be argued the lot owner's request is minimal to achieve a typical squared-off dock design. The Town has a more restrictive D5 triangle than the County and the existing / proposed replacement dock complies with the MD D5 triangle setbacks. The replacement dock is in the same location / size as the existing dock, and the neighbors will not experience any further view vista limitations. Due to the circumstances the request is not unreasonable in our opinion.

- 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.*

Applicants Response: Yes, all the properties along this waterfront are allowed to construct a dock for waterfront access. This is a historic dock being re-built in the same footprint.

MMPA Comment – No description was provided by the applicant addressing the Code question or stating why this variance would result in a situation that would be in harmony or will not be injurious to the area or general welfare. The Town recognizes its has allowed waterfront owners to construct docks / other marine facilities in its public waterways. Each site is different as to width and other features. MMPA is not aware of other docks / marine facilities commonly encroaching into the Golden Beach D5 setbacks, but some older docks / pilings that predate the current Codes could exist. That does not ensure a nonconforming dock / marine facility can be rebuilt in the exact same location or size. However, due to the circumstances the request is not unreasonable in our opinion. The small tips of the corner edges of the replacement dock that exist now and will encroach into the GB Golden Beach D5 triangle if approved is minimal.

SUMMARY

MMPA was requested to review and comment on this non-use variance for a replacement dock encroachment into the required Golden Beach D5 triangle on each side of the dock. Our analysis of the existing dock location and size, Code requirements, unique lot shape and their impacts on proposed marine facilities lead MMPA to a conclusion that this variance request is not unreasonable and minimal as to impact to the community. Due to the circumstances the request is not unreasonable in our opinion.

Should the Town decide to grant the variance, the owner must file a formal BRAB application as per the Code requirements to construct a new seawall, seawall cap, batter piles, and boat dock in the same historical footprint as the existing dock as shown on the plans submitted. This application is limited only to consideration of a variance to reconstruct a dock in the same location and the same size as the existing dock.



TOWN OF GOLDEN BEACH CORRECTED 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)
 X Accessory Structures

Construction of a dock and seawall improvements.

Relief from Town Code Sec. 46-87 – *Proximity of Lot Lines (b)*

(b) No portion of a dock, boat lift, hydro hoist or any other method of elevation, mooring piles, boat davits, dolphin piles or any other structure, and no portion of a boat elevated above the water moored at a dock or seawall, shall protrude into the waterway, unless it is within the triangle formed by connecting the points indicated below, that form a triangle where the waterfront property line is the base of the triangle and the triangle sides extend towards the waterway at a 45 degree angle until the lines intersect on the waterway side of the lot, but never to exceed 25 feet into the waterway from each of the lot property line. Neither elevated boats nor docks shall encroach in any instance within the side setback area. The base of the triangle shall be determined as follows:

(1) The base of the D5 triangle for all lots is set back five feet inside each of the side property lines.

(2) When the lot line is curved, the base shall be measured at the straight line, forming the chord, connecting the two side property lines (or the two side setback lines) at the point where they cross the seawall. The side setback shall be determined based upon the length of the chord as provided in this subsection.

Request is to allow the Dock to encroach outside the D-5 Triangle.

JOB ADDRESS: 330 South Parkway, Golden Beach, FL,
OWNER ADDRESS: 330 South Parkway, Golden Beach, FL.
REQUESTED BY: Vivian Niremborg c.
LEGAL DESCRIPTION: Lot 36, Block G, GB Sect E, PB 8-122
FOLIO NO.: 19-1235-005-0630

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

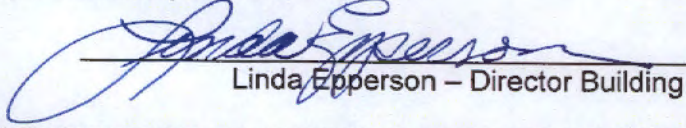
: GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL.
October 12, 2021 at 6pm (Via Zoom)
<https://us02web.zoom.us/j/89291108015?pwd=NS8rWnJhN21mSUdlcmFadHErei8yZz09>
Meeting ID: 892 9110 8015
Passcode: 75228

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

GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL.
October 19, 2021 at 6pm – tentatively
(via zoom – please check the Town's website; goldenbeach.us, for details)

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: September 10, 2021


Linda Epperson – Director Building & Zoning

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 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:

☒ Variance Request(s)
☒ Accessory Structures

Construction of a dock and seawall improvements.

Relief from Town Code Sec. 46-87 – Proximity of Lot Lines (b)

(b) No portion of a dock, boat lift, hydro hoist or any other method of elevation, mooring piles, boat davits, dolphin piles or any other structure, and no portion of a boat elevated above the water moored at a dock or seawall, shall protrude into the waterway, unless it is within the triangle formed by connecting the points indicated below, that form a triangle where the waterfront property line is the base of the triangle and the triangle sides extend towards the waterway at a 45 degree angle until the lines intersect on the waterway side of the lot, but never to exceed 25 feet into the waterway from each of the lot property line. Neither elevated boats nor docks shall encroach in any instance within the side setback area. The base of the triangle shall be determined as follows:

- (1) The base of the D5 triangle for all lots is set back five feet inside each of the side property lines.
- (2) When the lot line is curved, the base shall be measured at the straight line, forming the chord, connecting the two side property lines (or the two side setback lines) at the point where they cross the seawall. The side setback shall be determined based upon the length of the chord as provided in this subsection,

Request is to allow the seawall to encroach into the waterway outside of the property line approximately 3'

JOB ADDRESS: 330 South Parkway, Golden Beach, FL,
OWNER ADDRESS: 330 South Parkway, Golden Beach, FL. .
REQUESTED BY: Vivian Niremborg c.
LEGAL DESCRIPTION: Lot 36, Block G, GB Sect E, PB 8-122
FOLIO NO.: 19-1235-005-0630

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

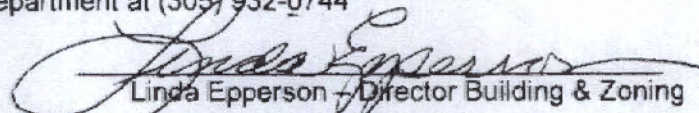
: GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL.
September 14, 2021 at 6pm (Via Zoom)
<https://us02web.zoom.us/j/89291108015?pwd=NS8rWnJhN21mSUdIcmFadHErei8yZz09>
Meeting ID: 892 9110 8015
Passcode: 75228

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

GOLDEN BEACH TOWN HALL
1 GOLDEN BEACH DR., GOLDEN BEACH, FL.
October 19, 2021 21 at 6pm – tentatively
(via zoom – please check the Town's website; goldenbeach.us, for details)

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: August 26, 2021


Linda Epperson – Director Building & Zoning

PURSUANT TO FLA. STATUTE 288.0105, 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 HEARING

Application fee: _____

Request hearing in reference to:

New residence/addition: _____ Variance(s): _____
Exterior alterations: _____ Other Structure: _____
Date application filed: _____ For hearing date: _____

1. Project information:

Project description: Installation of a new 25' x 7' (175 square-foot) wood dock that crosses the Town D-5 triangle.
The dock extends beyond the property line a maximum of 8-feet, 5-inches.

Legal Description: GOLDEN BEACH SEC E PB- 8-122

LOT 36 BLK 6 LOT SIZE 59.800 X 175

Folio #: 19-1235-005-0630

Address of Property: 330 South Parkway

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

Owner's Name: Ms. Vivian Niremborg Phone _____ Fax _____

Owner's address: 330 South Parkway City/State Golden Beach, FL Zip 33160

Email address: _____

Agent: Ocean Consulting LLC Phone (305) 921-9344 Fax _____

Agent's address: 340 Minorca Avenue Suite 7 City/State Coral Gables, FL Zip 33134

Email address: kirk@oceanconsultingfl.com / daniela@oceanconsultingfl.com

Architect: _____ Phone _____ Fax _____

Email address: _____

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
25' x 7' (174 square-foot) wood dock that extends beyond the Town D-5 viewing triangle. The proposed dock extends
approximately 5-feet more than the Town code will allow, as it surpasses the Town of Golden Beach D5 triangle.

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

Building Plans:

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

5. Estimated cost of work: \$ 20,000

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).

SEP 14 2021

APPROVED _____
DISAPPROVED _____
VARIANCE REQ. _____

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? No
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): [Signature]

Acknowledged before me this 23 day of July, 2021

Type of identification:

FL Driver's license

[Signature]
Notary Public

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:

relative to my property and I
am hereby authorizing Ocean Consulting, LLC c/o Mr. Kirk Lofgren to be my legal representative before the Building Regulation Advisory Board and Town Council.

[Signature]
Signature of owner(s)

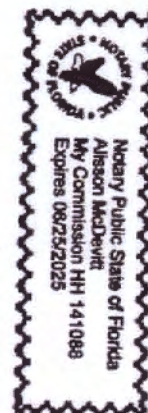
Acknowledged before me this 23 day of July, 2021

Type of identification:

FL Driver's license

[Signature]
Notary Public

(*) 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
Building Regulatory Advisory Board
Hearing Date

SEP 14 2021

APPROVED _____
DISAPPROVED _____
VARIANCE REQ. _____

APPROVED _____
DISAPPROVED _____
VARIANCE REQ: _____

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

Date: _____

Fee: _____

I, Ms. Vivian Niremborg 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: 330 South Parkway Folio No. 19-1235-005-0630

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. 46-84, - General specifications for docks.
(Ord. No. 514.06, § 3, 10-17-06)

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.

 - 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 dock extends beyond the D-5 viewing triangle, but replaces the existing dock within the same historic footprint.

 - c. The special conditions and circumstances do not result from the actions of the applicant. Yes, correct. The dock is being re-built in the same footprint. The present-day property owners did not build the existing dock.

 - 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 reasonable use of the property, and access to the water.

Town of Golden Beach
Building Regulation Advisory Board
Hearing Date

SEP 14 2021

APPROVED _____
DISAPPROVED _____
VARIANCE REQ: _____

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, without the variance, the property owners cannot build a reasonable sized dock providing access to the water.

4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. Yes, correct. Miami-Dade County DERM has preliminarily approved the drawing set.

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, all the properties along this waterfront are allowed to construct a dock for waterfront access. This is a historic dock being re-built in the same footprint.

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 Regulatory Advisory Board
Hearing Date

SEP 14 2021

APPROVED _____

DISAPPROVED _____

VARIANCE REV. _____

TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
PETITION FOR VARIANCE
AFFIDAVIT BY OWNER

Affidavit by Owner for Variance Request(s):

Folio No.: 19-1235-005-0630


Address: 330 South Parkway

Legal Description: GOLDEN BEACH SEC E PB- 8-122, LOT 36 BLK 6 LOT SIZE 59,800 X 175

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 23 day of July, 2021


Notary Public State of Florida at Large

☒ Personally know to me

☐ Produced Identification



SEP 14 2021

APPROVED _____
DISAPPROVED _____
VARIANCE REQ. _____

Last updated January 24th, 2017

APPROVED _____
DISAPPROVED _____
VARIANCE REQ _____

Property Address 330 South Parkway

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:

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

SEP 14 2021

Property Address _____

$$(7.00+0.8*5)$$

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
 Building Advisory Board
 Building Date
 Hearing Date

SEP 14 2021

APPROVED _____
 DISAPPROVED _____
 VARIANCE REQ. _____

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.

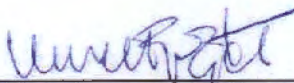
Affidavit by Owner: Ms. Vivian Niremberg

Folio No.: 19-1235-005-0630 Address: 330 South Parkway

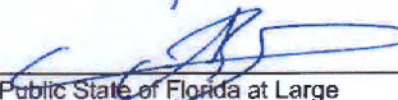
Legal Description: GOLDEN BEACH SEC E PB-8-122, LOT 36 BLK 6 LOT SIZE 59.600 X 175

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.

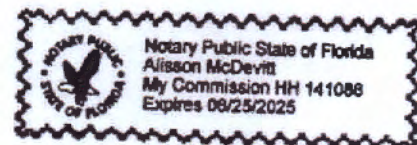
For general historical information only, the May 8, 2018 amendment to this section, converted measurements from NGVD to NAVD resulting in revised seawall heights from a minimum 4 feet NGVD to a minimum 5 feet NGVD and from a maximum 5 feet NGVD to a maximum 6 feet NGVD


Signature of Owner or Legal Representative
Print Name: _____

Sworn to and subscribed before me this 23 day of July 20 21


Notary Public State of Florida at Large

☒ Personally know to me _____ Produced Identification



Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

SEP 14 2021

APPROVED _____
DISAPPROVED _____
VARIANCE REQ. _____

THIS INSTRUMENT PREPARED BY:

Ira R. Shapiro
16375 N.E. 18th Avenue, Suite 225
North Miami Beach, FL 33162
Cheroff 7160.2

RECORD AND RETURN TO:

Fromberg, Perlow & Kornik, P.A.
20295 NE 29th Place, Suite 200
Aventura, Florida 33180

WARRANTY DEED

THIS WARRANTY DEED, made this 1st day of July, 2020, by Richard P. Cheroff and Debra A. Cheroff, husband and wife, hereinafter called grantors, to Vivian Niremborg, a married woman, hereinafter called grantee, whose post office address is 364 Golden Beach Drive, Golden Beach, FL 33160.

WITNESSETH: That the grantors, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situate in Miami-Dade County, Florida, viz:

Folio #: 19-1235-005-0630

Lot 38, Block G, 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, Florida

Subject to the following:

1. Real estate taxes for the year 2020 and subsequent years, which are not yet due and payable.
2. Restrictions, limitations, covenants, dedications, prohibitions and other requirements imposed by governmental authority; restrictions and matters appearing on the plat or otherwise common to the subdivision and easements of record, without the intention of reimposing the same.
3. Zoning laws and other governmental regulations.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantors hereby covenant with said grantee that the grantors have good right and lawful authority to sell and convey said land, and that the grantors hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except real estate taxes accruing subsequent to December 31, 2019.

[Signatures appear on the following pages.]

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

SEP 14 2021

APPROVED _____

DISAPPROVED _____

VARIANCE REQ. _____

Warranty Deed

Page 2

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered
in the presence of:

Witness Signature

IRA R. SHAPIRO

Printed Name

Witness Signature

BAYLEE L. SHIENBAUM

Printed Name

COUNTRY/STATE OF FLORIDA
CITY/COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged, sworn to and subscribed before me by means of ☒ physical presence OR ☐ online notarization on this 1 day of July, 2020, by Debra A. Cheroff, ☐ who is personally known to me OR ☒ who produced a driver's license as identification.

My Commission Expires:



IRA R SHAPIRO
Commission # GG 131467
Expires December 4, 2021
Bonded Thru Budget Notary Services

Notary Public/American Embassy
IRA R. SHAPIRO

Commission/Serial Number (if any)

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

SEP 14 2021

APPROVED _____
DISAPPROVED _____
VARIANCE REQ. _____

Warranty Deed
Page 3

✓ Nicole Schneider
Witness Signature
NICOLE SCHNEIDER
Printed Name

✓ [Signature]
Witness Signature
[Signature]
Printed Name

COUNTRY/STATE OF New Mexico
CITY/COUNTY OF Santa Fe

X [Signature]
Richard P. Cherooff
330 South Parkway
Golden Beach, FL 33160

The foregoing instrument was acknowledged, sworn to and subscribed before me by means of ☒ physical presence OR ☐ online notarization on this 24th day of June, 2020, by Ricahrd P. Cherooff, ☐ who is personally known to me OR ☒ who produced a Florida Drivers License as identification.

My Commission Expires: 7-10-22

X [Signature]
_____, Notary Public/American Embassy
1122705
Commission/Serial Number (if any)



OFFICIAL SEAL
SHARON MONTANO
NOTARY PUBLIC-State of New Mexico

My Commission Expires 7-10-22

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

SEP 14 2021

APPROVED _____
DISAPPROVED _____
VARIANCE REQ. _____

ALLEGRO ACQUISITIONS CORP
343 CENTER ISLAND DR
GOLDEN BEACH, FL 33160-2201

STEVEN BLOCK TRS
140 SOUTH COLUMBIA AVE
COLUMBUS, OH 43209

ALICE K SCHLOSS TR
4525 NO PARK
INDIANAPOLIS, IN 46205

ALLEGRETTO HOLDINGS LLC
5150 TAMiami TRAIL NORTH 302
NAPLES, FL 34103 USA

GREGG D & SUSAN SCHNEIDER
288 S PARKWAY
GOLDEN BEACH, FL 33160-2219

JEAN JACQUES MY ARA
DEBORAH MY ARA
342 SOUTH PARKWAY
GOLDEN BEACH, FL 33160

ALLEGRO ACQUISITIONS
CORPORATION
349 CENTER ISLAND DR
GOLDEN BEACH, FL 33160 USA

OUR RILEY LLC
288 SOUTH PWKY
GOLDEN BEACH, FL 33160

GEORGE & KAREN RAIS
338 S PARKWAY
GOLDEN BEACH, FL 33160-2220

IONATHAN BRIEF
PO BOX 800008
AVENTURA, FL 33280

EDWARD ELENSON
DEBRA ELENSON
276 S PARKWAY
GOLDEN BEACH, FL 33160

334 S PARKWAY LLC
8333 NW 53 ST STE 501
MIAMI, FL 33166 USA

310 SOUTH PARKWAY LLC
310 S PARKWAY
GOLDEN BEACH, FL 33160

JASON RUBIN
268 S PARKWAY
GOLDEN BEACH, FL 33160

VIVIAN NJREMBERG
330 S PARKWAY
GOLDEN BEACH, FL 33160 USA

ALAN A BEHAR & W CINDY
354 GOLDEN BEACH DR
GOLDEN BEACH, FL 33160-2243

RICHARD GINSBURG
LAINIE GINSBURG
318 SOUTH PARKWAY
GOLDEN BEACH, FL 33160 USA

LCM 18 SOLUTIONS LLC
326 S PARKWAY
GOLDEN BEACH, FL 33160

REGENCY DEVELOPMENT GROUP LLC
121 W FORSYTH ST STE 200
JACKSONVILLE, FL 32202 USA

ALAN A & CINDY BEHAR
354 GOLDEN BEACH DR
GOLDEN BEACH, FL 33160-2243

CHRISTIAN MASCIATTI
OKSANA MASCIATTI
322 SOUTH PARKWAY
GOLDEN BEACH, FL 33160



TOWN OF GOLDEN BEACH
1 Golden Beach Drive
Golden Beach, FL. 33160

SUMMARY MINUTES - DRAFT
BUILDING REGULATION ADVISORY BOARD
October 12, 2021 at 6pm

Zoom Meeting ID: 892 9110 8015 Passcode: 752288 For Dial in only call:
929-205-6099

- A. CALL MEETING TO ORDER:** 6:05pm
- B. BOARD ATTENDANCE:** Eric Cohen, Zvi Shiff and Isaac Murciano
Eric Cohen state as Chairperson in the absence of Chair Jerome Hollo
Absent: Jerome Hollo, Stephanie Halfen, Alan Macken and Judy Mimoun
- C. STAFF ATTENDANCE:** Alexander Diaz, Town Manger and Linda Epperson, Building and Zoning Director

Town Manager Diaz opened up the meeting by informing the Board that Michael Miller Planning will no longer be the Town's Planner or be performing Zoning reviews for the Town, and that we were meeting with several entities for a replacement.

Mr. Diaz emphasized that the Council is extremely appreciative of the hard work and efforts put in by this Board. Mr. Diaz spoke about the newly adopted Ordinance that will give the Building Advisory Board a Broader reach in design elements being submitted by the applicant and that the Town is planning an educational workshop for the Members on how the Ordinance effects their duties as a Board.

All the applicants who were participating on Zoom were welcomed by Town Manager Diaz as he announced the Town's intentions regarding the First Floor Finished elevation for all new homes in Zones 2 and 3 tol be at 9' NAVD. He stated that those applicants who would like to go higher may be permitted to be at 9.5' NAVD height. He explained that there is 1.51' overall difference between NGVD and NAVD, and if a Surveyor finds a small difference in the height established by the Town and requests to keep that elevation the Town would listen and it may be approved administratively.

Mr. Diaz cautioned all applicants that construction plans must be submitted at permitting with a minimum 9' NAVD First Floor Finished elevation or their plans will be rejected.

Chairperson Cohen applauded the Town Manager on what he felt whose a prudent move in protecting the Town's assets.

- D. APPROVAL OF MINUTES:** September 14, 2021
A motion was made by Zvi Shiff to approve the minutes, Seconded by Eric Cohen
All were in favor – no one opposed
Motion passed 3 – 0
- E. REQUEST FOR ADDITIONS, DEFERRALS, DELETIONS & WITHDRAWALS**

F. VARIANCE REQUEST(S):

1. Vivian Niremberg
330 South Parkway,
Golden Beach, FL 33160

Property Address: 330 South Parkway, Golden Beach, FL,
Folio No: 19-1235-005-0630
Legal Description: Lot 36, Block G, GB Sect E, PB 8-122

Linda Epperson summarized the Zoning report into the record
Kirk Lofgren spoke on behalf of the applicant

Construction of a dock and seawall improvements.

Relief from Town Code Sec. 46-87 – Proximity of Lot Lines (b)

(b) No portion of a dock, boat lift, hydro hoist or any other method of elevation, mooring piles, boat davits, dolphin piles or any other structure, and no portion of a boat elevated above the water moored at a dock or seawall, shall protrude into the waterway, unless it is within the triangle formed by connecting the points indicated below, that form a triangle where the waterfront property line is the base of the triangle and the triangle sides extend towards the waterway at a 45 degree angle until the lines intersect on the waterway side of the lot, but never to exceed 25 feet into the waterway from each of the lot property line. Neither elevated boats nor docks shall encroach in any instance within the side setback area. The base of the triangle shall be determined as follows:

- (1) The base of the D5 triangle for all lots is set back five feet inside each of the side property lines.
- (2) When the lot line is curved, the base shall be measured at the straight line, forming the chord, connecting the two side property lines (or the two side setback lines) at the point where they cross the seawall. The side setback shall be determined based upon the length of the chord as provided in this subsection,

Request is to allow the Dock to encroach outside the D-5 Triangle.

In accordance with Town Code Section 66-41 a Motion to recommend approval of the item was made by Zvi Shiff, Seconded by Isaac Murciano.

On roll call: Eric Cohen- Aye, Zvi Shiff-aye, and Isaac Murciano-Aye
Motion passed 3 – 0

2. 577 OCEAN LP
577 Ocean Blvd.
Golden Beach, FL 33160

Property Address: 577 Ocean Boulevard, Golden Beach, FL,
Folio No: 19-1235-001-0560
Legal Description: Lot 23 THRU 25 Block D, GB Sect A, PB 9-52

Linda Epperson summarized the Zoning report into the record.
Carli Koshal with Bercow, Radell, Fernandez, Larkin and Tapanes represented the applicant and waived her right to speak on the item.

Construction of a new home Zone 1 – Ocean Front.

1. Relief from Town Code 66-69.1 - Zone One; (d) (1) (b) (c): Lowest Habitable Floor Height. Main Residence and Building Height:

(b). Primary residential structures built on lots with a street Frontage of 100 feet or more shall not exceed 30 feet in height.

(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 westerly.

Request is to allow the first habitable floor to start at 21.5' NGVD instead of 20.2' NGVD as stated in the Town's code with no increase in building height (Allowable Building Height – 20.02' + 30' = 50'-2" to the roof)

In accordance with Town Code Section 66-41 a Motion to recommend approval of the item was made by Zvi Shiff, Seconded by Isaac Murciano.

On roll call: Eric Cohen- Aye, Zvi Shiff-aye, and Isaac Murciano-Aye

Motion passed 3 – 0

OLD BUSINESS:

3. Jean Jacques & Deborah Myara
342 South Parkway
Golden Beach, FL 33160

Property Address: 342 South Parkway, Golden Beach, FL 33160-0000

Folio No: 19-1235-005-0660

Legal Description: Lot 39 BLK G Sec E PB 8-122

Linda Epperson summarized the Zoning report into the record.

Mr. Myara applicant spoke on his own behalf

Alexander Diaz spoke on this item.

Seawall Reinforcement and new dock.

A motion was made by Isaac Murciano to approve the item, Seconded by Zvi Shiff

On roll call: Eric Cohen- Aye, Zvi Shiff-aye, and Isaac Murciano-Aye

Motion passed 3 – 0

4. Pablo J. Umansky Trs. - Umansky Family Trust
57 E Willow Tree Rd
Spring Valley, NY 10977

Property Address: 185 Ocean Blvd., Golden Beach, FL 33160-0000

Folio No: 19-1235-003-0150

Legal Description: Lot 18 BLK A GB Sec C PB 9-52

Linda Epperson summarized the Zoning report into the record

Ifhat Benayon Fishman, Architect for the project spoke on behalf of the applicant.

Markus A. Frankel, Architect for the project spoke on behalf of the applicant.

Jorge Matamoros represented the owner and spoke on their behalf.

Town Manager Diaz spoke on this item regarding inconsistencies with the Town's Zoning Code.

1). The Starting FFE to be at 9' NAVD 2). A separate Guest Suite on the First Floor is not permissible by the Town's current code and cannot be approved as presented on the plans 3). The Pergola requires a reduction in size from 500 square foot to 437.5 sq. feet 4). The seawall

Building Advisory Board Summary Minutes - Draft

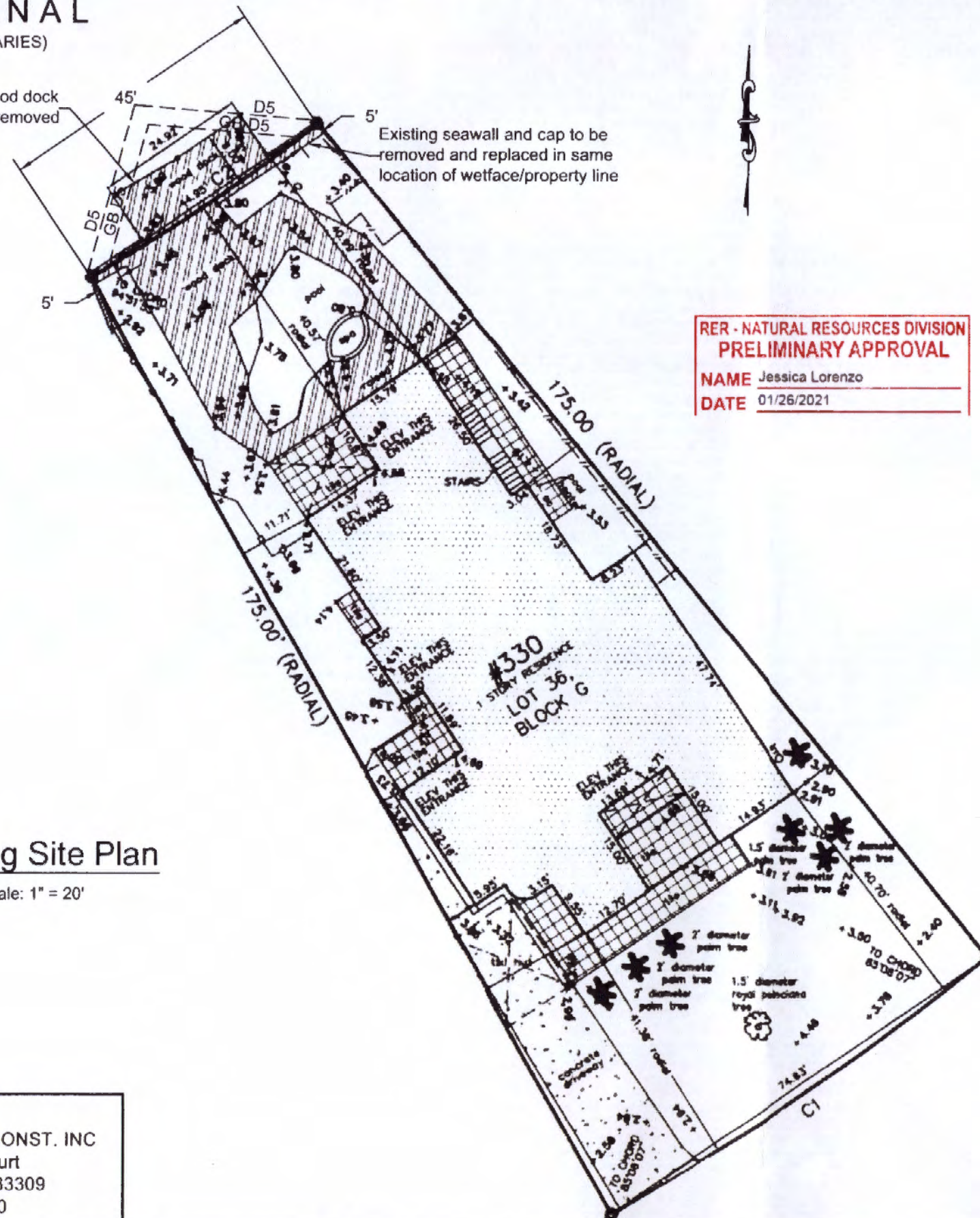
October 12, 2021 at 6pm Via Zoom

GRAND CANAL

(RIGHT OF WAY VARIES)

Existing (224sf) wood dock and wood piles to be removed

Existing seawall and cap to be removed and replaced in same location of wetface/property line



Existing Site Plan

Scale: 1" = 20'

PREPARED FOR:
SOUTHEAST MARINE CONST. INC
1121 NW 51 Court
Ft. Lauderdale, FL 33309
(954) 630-2300

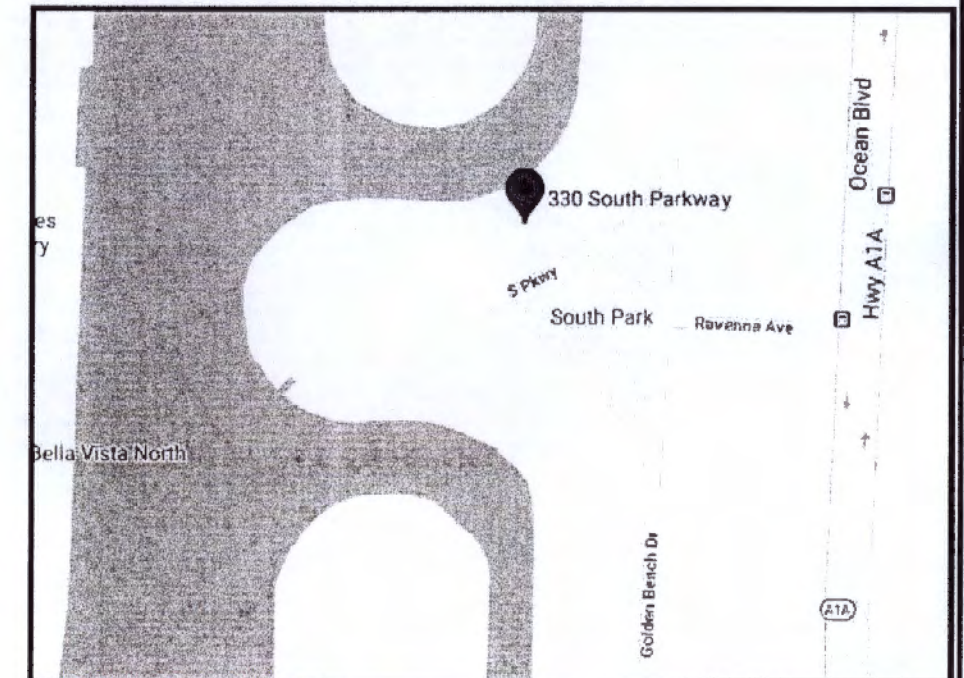
RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL

NAME Jessica Lorenzo
DATE 01/26/2021

See attached survey supplied by owner for exact property information.

Short Legal Description

GOLDEN BEACH SEC E PB 8-122
LOT 36 BLK G
LOT SIZE 59.800 X 175
OR 15935-3957 0593 4



Location Map

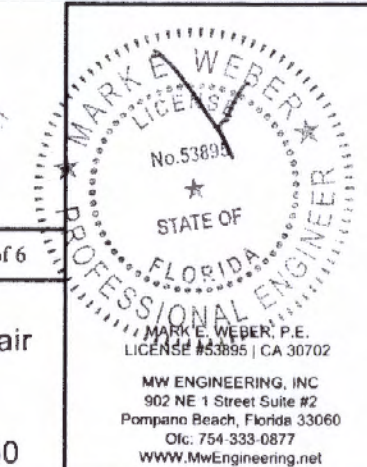
SEP 14 2021

APPROVED _____
DISAPPROVED _____
VARIANCE REQ: _____

JAN 26 2021

Sheet 1 of 6

Project:
Proposed Dock/Seawall Repair
Vivian Niremberg
330 South Parkway
Golden Beach, Florida 33160



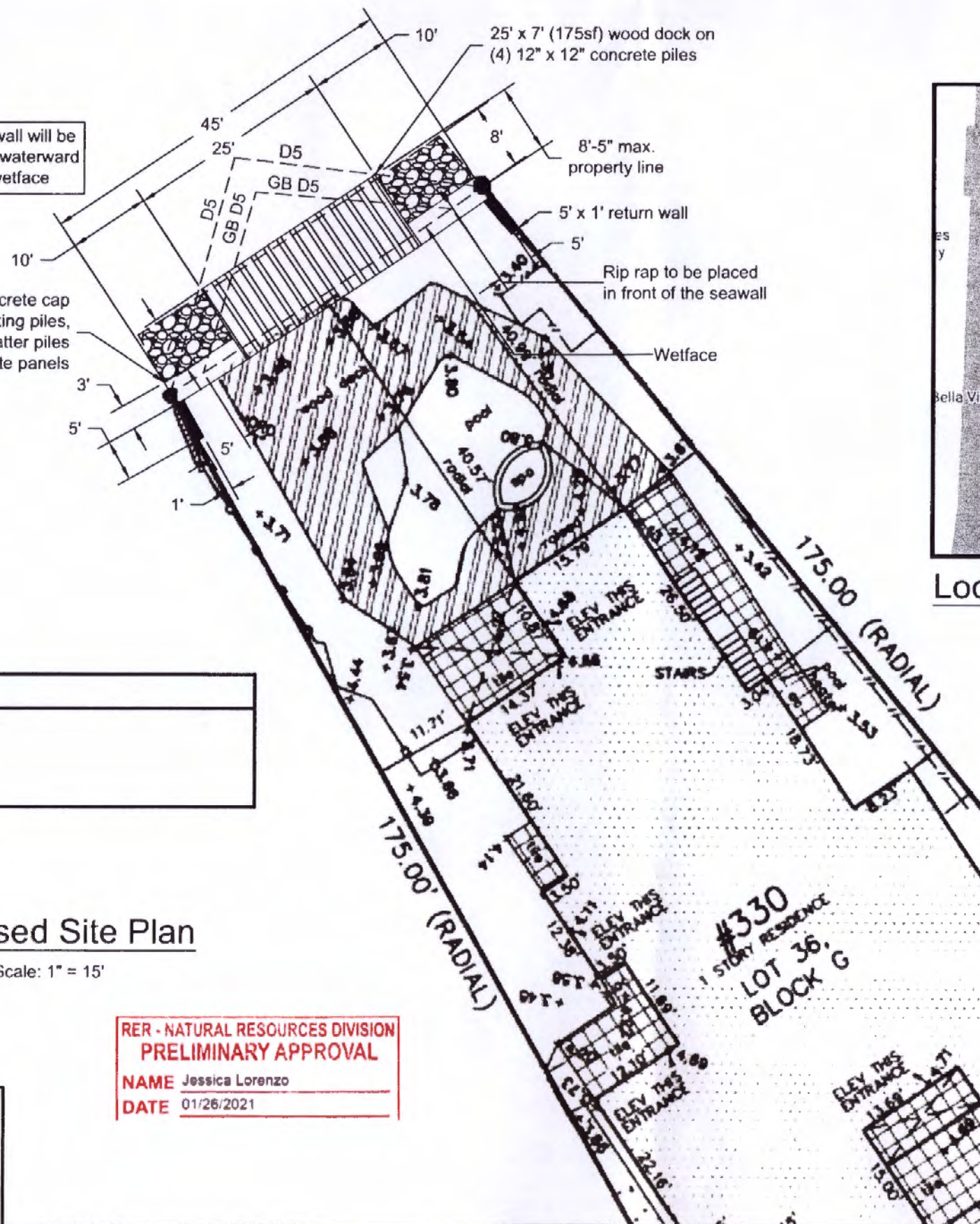
GRAND CANAL

(RIGHT OF WAY VARIES)

See attached survey supplied by owner for exact property information.

Note: Wetface of new seawall will be located a maximum of 12" waterward of the previously existing wetface

45' of new 36" wide x 24" concrete cap with (6) 12" x 12" concrete king piles, (6) new 12" x 12" concrete batter piles and concrete panels



Short Legal Description

GOLDEN BEACH SEC E PB 8-122
LOT 36 BLK G
LOT SIZE 59.800 X 175
OR 15935-3957 0593 4

Proposed Site Plan

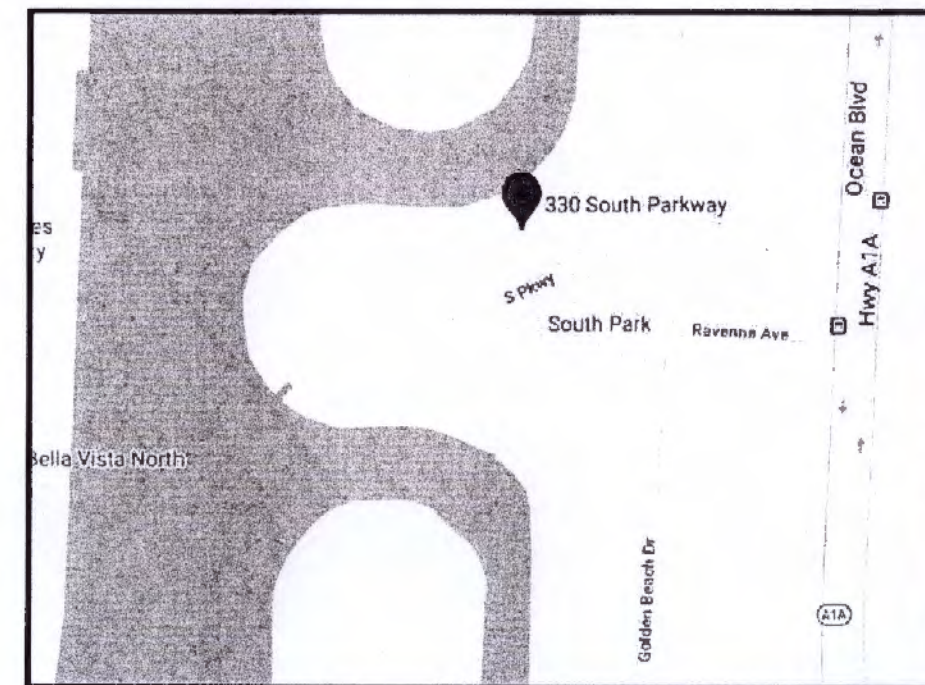
Scale: 1" = 15'

RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL

NAME Jessica Lorenzo
DATE 01/26/2021

PREPARED FOR:

SOUTHEAST MARINE CONST. INC
1121 NW 51 Court
Ft. Lauderdale, FL 33309
(954) 630-2300



Location Map

PILE NOTE:

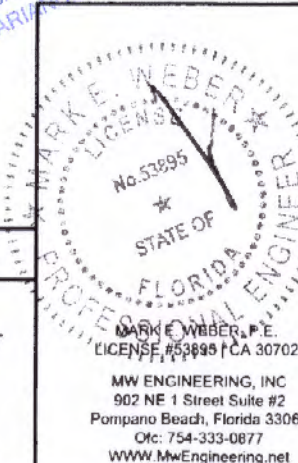
Piles shall be driven in accordance with DyanTech Engineering Corp. geotechnical report dated June 19th 2020 to 30' BESL or refusal to achieve minimum 10 ton capacity

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date
SEP 14 2021

APPROVED
DISAPPROVED
VARIANCE REQ

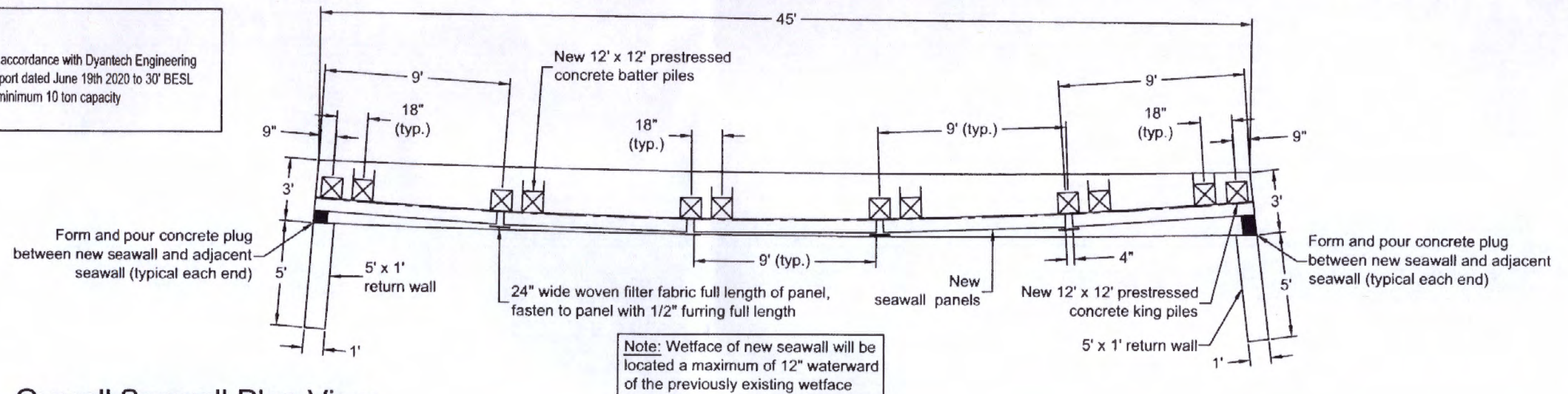
Sheet 2 of 6

Project:
Proposed Dock/Seawall Repair
Vivian Niremberg
330 South Parkway
Golden Beach, Florida 33160



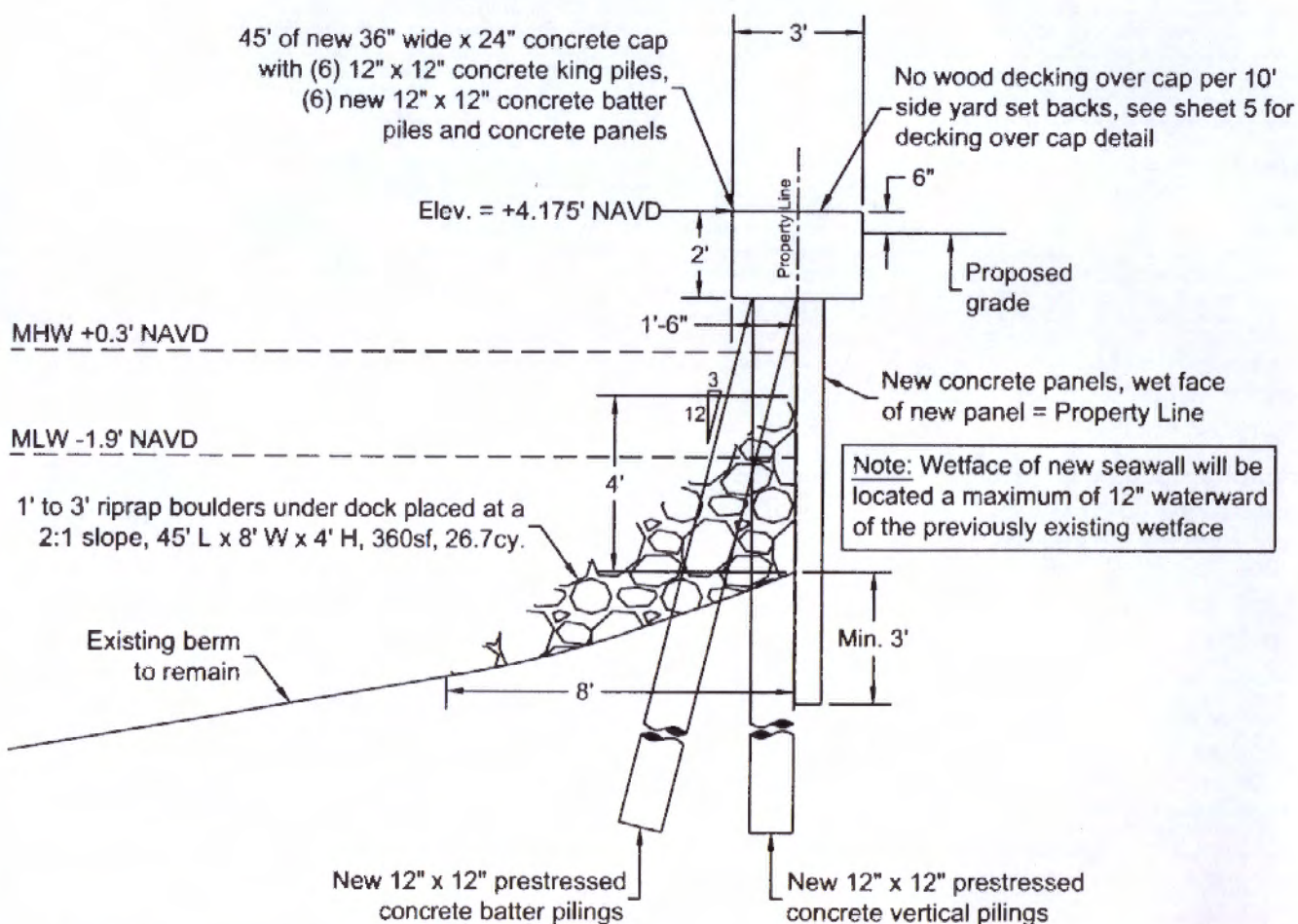
PILE NOTE:

Piles shall be drive in accordance with Dyantech Engineering Corp. geotechnical report dated June 19th 2020 to 30' BESL or refusal to achieve minimum 10 ton capacity



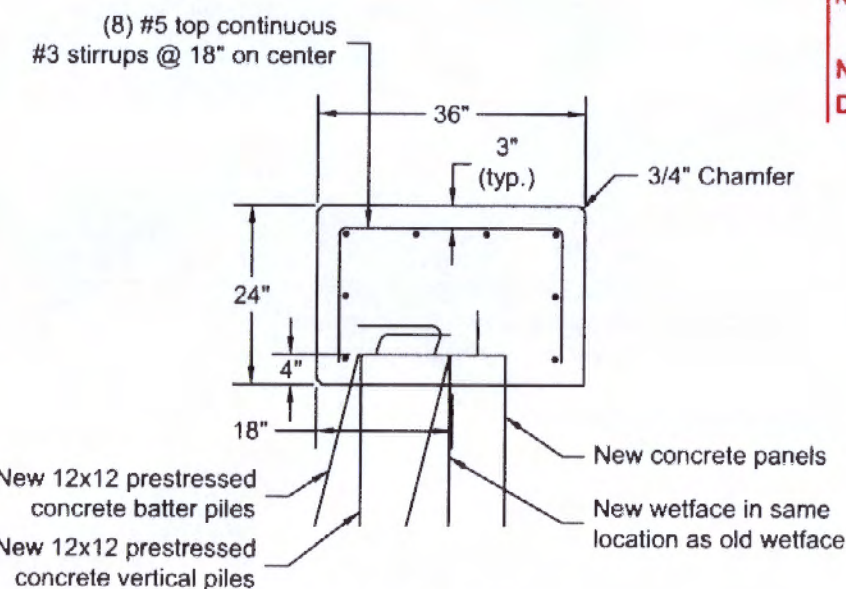
Overall Seawall Plan View

SCALE: 3/16" = 1'-0"



Seawall Section

Scale 1/4" = 1'-0"



Cap Steel Detail

Scale: 1/2" = 1'-0"

RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL
NAME Jessica Lorenzo
DATE 01/26/2021

Town of Golden Beach
 Building Regulatory Advisory Board
 Hearing Date
SEP 14 2021

APPROVED
 DISAPPROVED
 VARIANCE REQ.

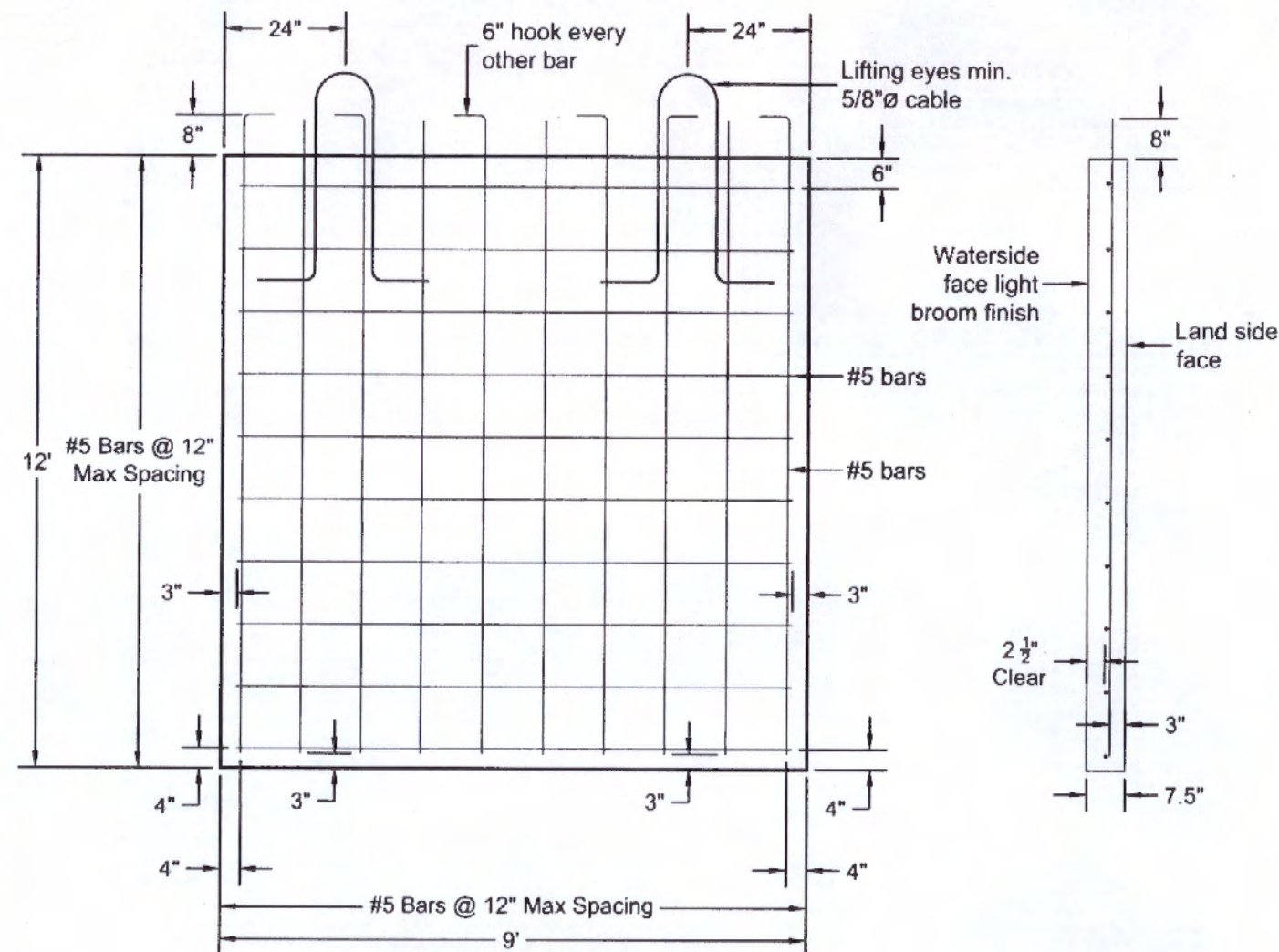
JAN 26 2021

Sheet 3 of 6

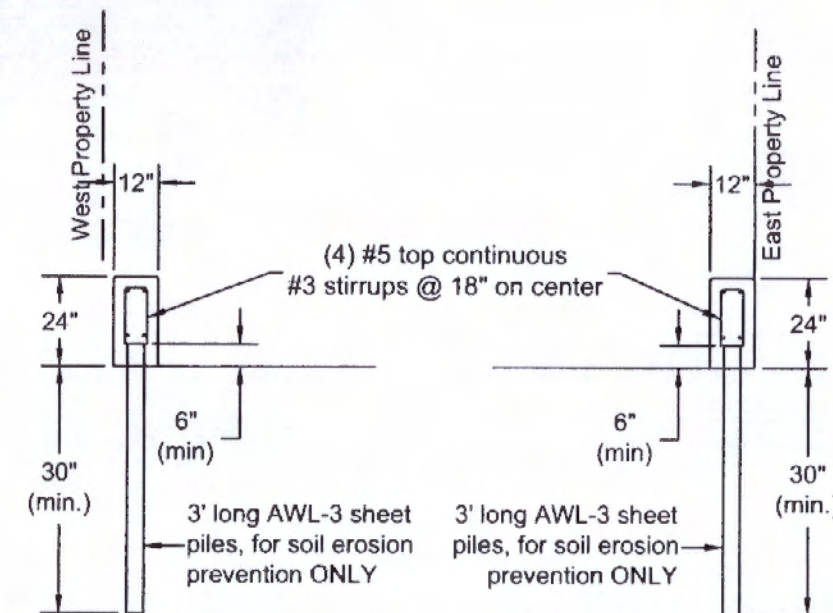
PREPARED FOR:
SOUTHEAST MARINE CONST. INC
 1121 NW 51 Court
 Ft. Lauderdale, FL 33309
 (954) 630-2300

Project:
Proposed Dock/Seawall Repair
 Vivian Niremberg
 330 South Parkway
 Golden Beach, Florida 33160

MARK E. WEBER
 LICENSE #53895
 STATE OF FLORIDA
 PROFESSIONAL ENGINEER
 JAN 26 2021
 MARK E. WEBER, P.E.
 LICENSE #53895 | CA 30702
 MW ENGINEERING, INC
 902 NE 1 Street Suite #2
 Pompano Beach, Florida 33060
 Ofc: 754-333-0877
 WWW.MwEngineering.net



PANEL DETAIL "C"
Scale 1/4" = 1'-0"



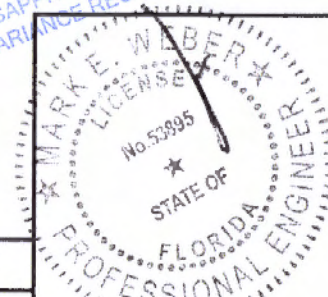
Return Detail
Scale 1/4" = 1'-0"

Return Detail
Scale 1/4" = 1'-0"

RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL
NAME Jessica Lorenzo
DATE 01/26/2021

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date
SEP 14 2021

APPROVED
DISAPPROVED
VARIANCE REQ:



Sheet 4 of 6

PREPARED FOR:
SOUTHEAST MARINE CONST. INC
1121 NW 51 Court
Ft. Lauderdale, FL 33309
(954) 630-2300

Project:
Proposed Dock/Seawall Repair
Vivian Niremberg
330 South Parkway
Golden Beach, Florida 33160

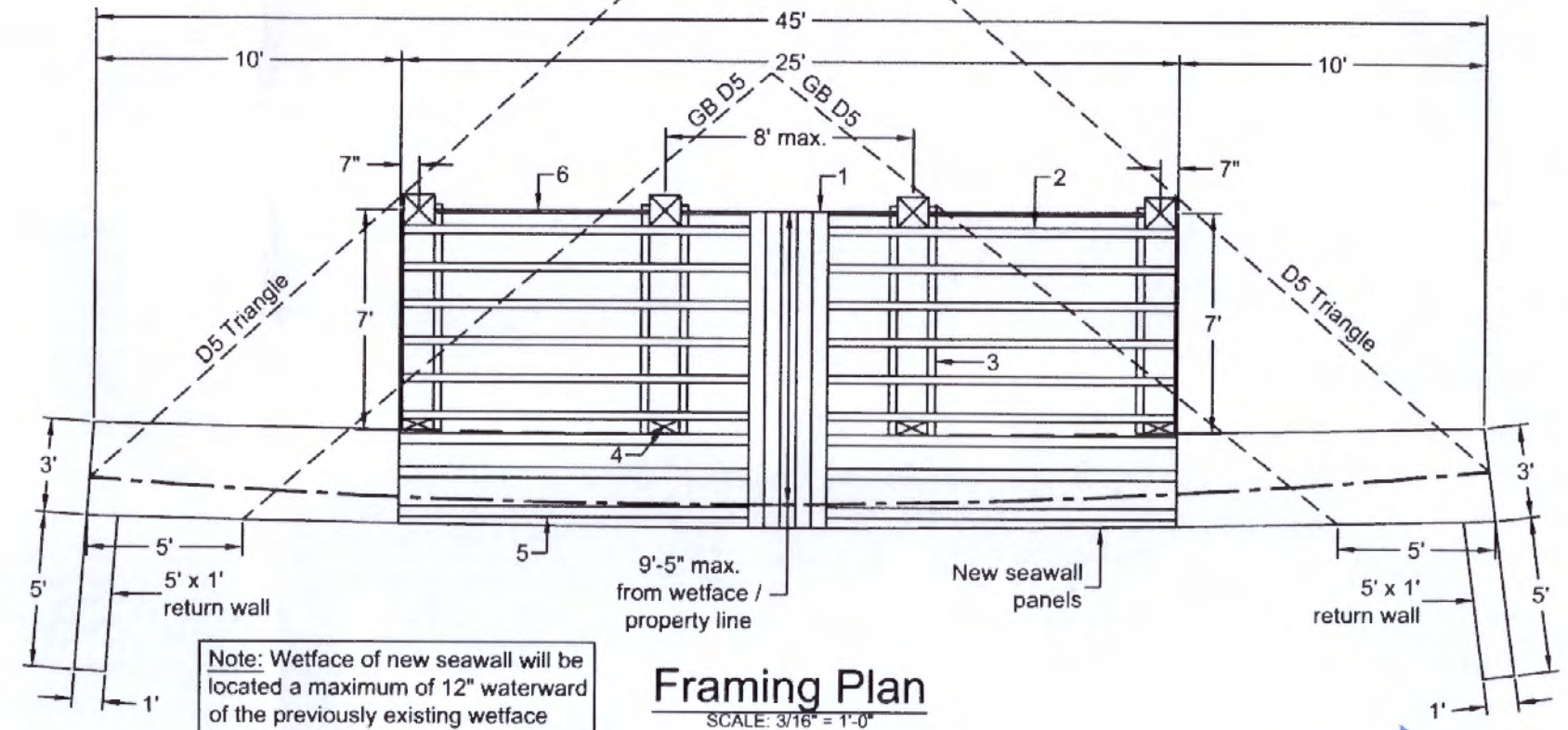
MARK E. WEBER, P.E.
LICENSE #53895 | CA 30702
MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
Ofc: 754-333-0877
WWW.MwEngineering.net

**RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL**

NAME Jessica Lorenzo
DATE 01/26/2021

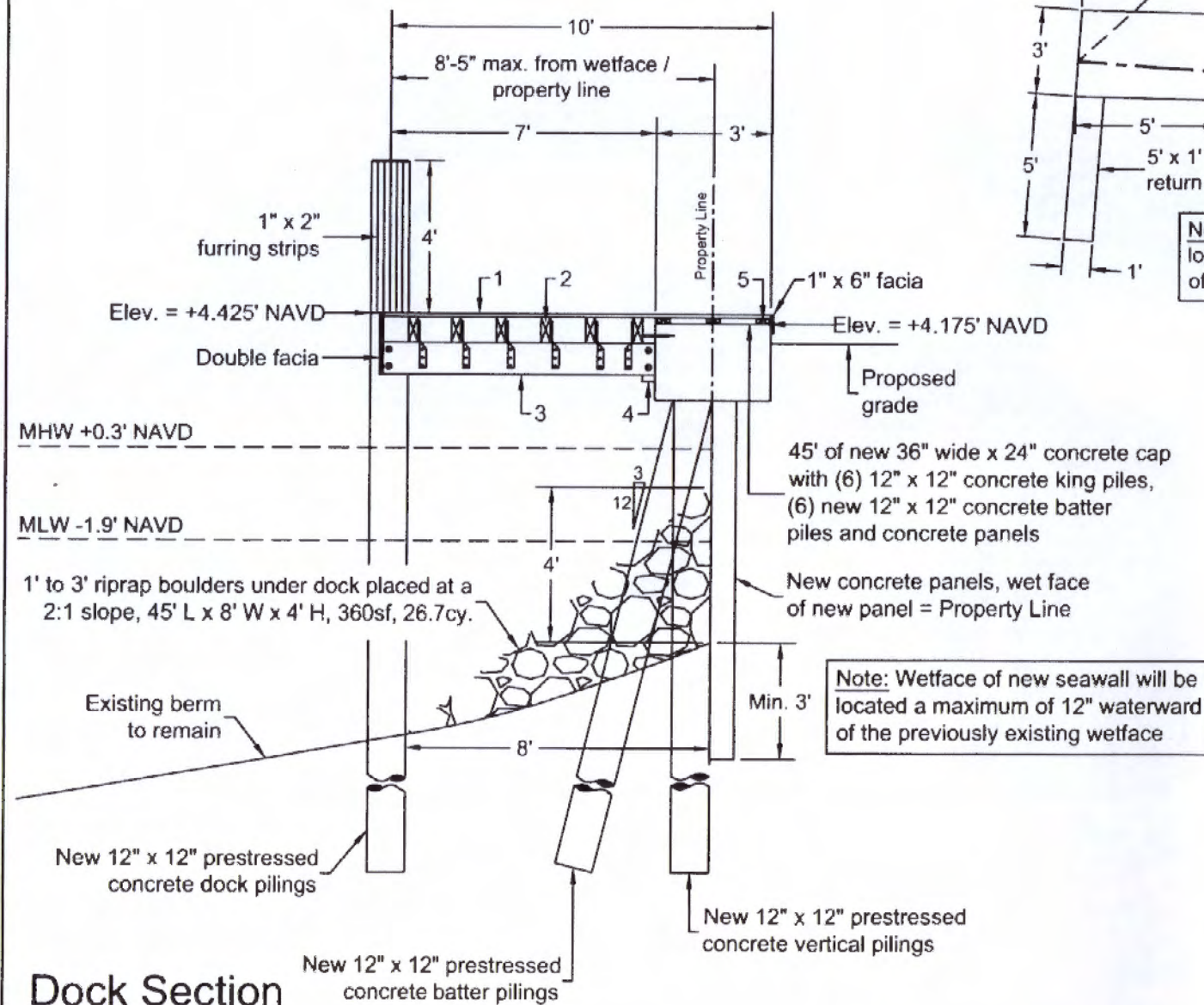
PILE NOTE:

Piles shall be drive in accordance with Dyantech Engineering Corp. geotechnical report dated June 19th 2020 to 30' BESL or refusal to achieve minimum 10 ton capacity



Framing Plan
SCALE: 3/16" = 1'-0"

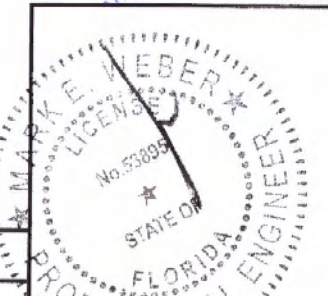
- 1x6 "Azek" or "Trex" decking with (2) #10x3" s.s. wood screws per stringer
- 3x8 stringers @ 16" max spacing attach to substringer with Simpson hurricane strap H2.5A (FL10456) with (5) 8d nails each leg into substringer
- 3x10 substringer with (2) 5/8" thru bolts into concrete dock piles and (2) 5/8" lag bolts into drop hanger (minimum embedment = 4")
- 4x12 drop hanger with (2) 5/8" wedge anchors into new seawall cap (min. embedment = 5")
- 2x4 sleeper with 3/16" tapcons @ 18" on center into existing seawall cap



Dock Section
Scale 1/4" = 1'-0"

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date
SEP 14 2021

APPROVED
DISAPPROVED
VARIANCE REQ.



Sheet 5 of 6

PREPARED FOR:
SOUTHEAST MARINE CONST. INC
1121 NW 51 Court
Ft. Lauderdale, FL 33309
(954) 630-2300

Project:
Proposed Dock/Seawall Repair
Vivian Niremborg
330 South Parkway
Golden Beach, Florida 33160

MARK E. WEBER, P.E.
LICENSE #33895 | CA 30702
MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
Ofc: 754-333-0877
WWW.MwEngineering.net

GENERAL NOTES:

1. Construction to follow the Florida Building Code 7th Edition (2020) and amendments as applicable and all Local, State and Federal Laws.
2. Licensed contractor shall verify the existing conditions prior to the commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawing shall be brought to the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements in connection with their work.
3. Do not scale drawings for dimensions.
4. Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for approval prior to commencement of work.
5. All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
6. All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each appertaining circumstance.
7. All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
8. Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
9. Licensed Contractor to verify location of existing utilities prior to commencing work.
10. The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
11. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
12. Turbidity barriers to be marked with site contractor's company name using permanent markings no smaller than 3 inches in height on the top of the barrier.

PILE DRIVING:

1. Piles shall be driven using an approved cushion block consisting of material so arranged so as to provide the transmission of hammer energy.
2. Piles shall be driven to required capacity (min. 10 tons) a minimum of 8' into berm or refusal.
3. Piles shall be driven with a drop hammer or gravity hammer provided the hammer shall weight no less than 3,000 pounds, and the fall of the hammer shall not exceed 6'.
4. Piles shall be driven with a variation of not more than $\frac{1}{4}$ inch per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than three inches.
5. Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

CONCRETE NOTES:

1. Concrete shall conform to ACI 318 (latest edition) and shall be regular weight, sulfate resistant, with a design strength of 5000 psi at 28 days with a maximum water-cementitious materials ratio, by weight aggregate concrete of 0.40.
2. Owner shall employ and pay for testing services from an independent testing laboratory for concrete sampling and testing in accordance with ASTM.
3. Licensed contractor is responsible for the adequacy of forms and shoring and for safe practice in their use and removal.
4. Concrete cover shall be 3" unless otherwise noted on the approved drawings.
5. Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
6. Splices in reinforcing bars shall be not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners or changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
7. Defective, cracked or loose concrete areas must be cut out, the rebar must be cleaned, coated with zinc and repaired with at least 3" of expoxy-concrete mix or gunnite concrete with sulfate-resistant cement.

PILE NOTES:

1. Concrete piles shall attain 6000 psi compressive strength in 28 days.
2. Concrete piles shall be reinforced with four - $\frac{7}{16}$ " \emptyset lo-lax strands, 270 kips, and 5 ga. spiral ties.
3. Concrete piles shall be 12"x12" square, minimum length of 20'.
4. Concrete piles shall be cut to leave strands exposed a min. of 18" and tied to dock or cap steel or drill and epoxy (2) #5 8"x12" hook bars 6" into pile.

WOOD DOCK NOTES:

1. All materials to be pressure treated pine unless otherwise noted.
2. All frame work materials to be Southern Pine Grade #1.
3. All Decking materials to be grade #1 unless otherwise noted.
4. All hardware to be Stainless Steel or Galvanized unless otherwise noted.

RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL
NAME Jessica Lorenzo
DATE 01/26/2021

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date
SEP 14 2021

APPROVED
DISAPPROVED
VARIANCE REQ.

JAN 26 2021

Sheet 6 of 6

PREPARED FOR:
SOUTHEAST MARINE CONST. INC
1121 NW 51 Court
Ft. Lauderdale, FL 33309
(954) 630-2300

Project:
Proposed Dock/Seawall Repair
Vivian Niremberg
330 South Parkway
Golden Beach, Florida 33160

MARK E. WEBER, P.E.
No. 53895
STATE OF FLORIDA
PROFESSIONAL ENGINEER
MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
Ofc: 754-333-0877
WWW.MwEngineering.net