

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2780.21**

**A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 255 OCEAN BOULEVARD. GOLDEN BEACH, FLORIDA 33160 TO PERMIT THE REAR YARD TO BE AT AN ELEVATION OF 13.0' N.G.V.D. WHEN THE TOWN'S CODE ALLOWS FOR A MAXIMUM ELEVATION OF 11' N.G.V.D.**

**WHEREAS**, the applicants, 255 OB LLC, ("the applicant"), filed a Petition for Variances/exceptions, from Town Code Section 66-102. – Minimum lot and swale elevations; grade., (a) The finished grade of any lot shall not exceed an elevation of 24 inches above the crown of the road adjacent to the lot and in no event shall exceed an elevation of six feet N.G.V.D. except for lots abutting Ocean Boulevard where the minimum elevation shall be 12 inches above the crown of the road, and the maximum elevation shall not exceed an elevation of 11 feet N.G.V.D. Exterior slabs and walkways shall not exceed an elevation of 36 inches above the crown of the road adjacent to the lot.

**WHEREAS**, the applicant's request is to allow the rear yard to be at an Elevation of 13' NGVD.

**WHEREAS**, these variances and exceptions are for the property at 255 Ocean Boulevard, Golden Beach, FL. 33160 (GB Section C, Lots 34 & 35,, Block A., as recorded in PB 9-52, of the Public Records of Miami-Dade County, (Folio No. 19-1235-003-0250 (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 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 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 A-000-A-001, A-100.1 through A-100.7, A-102 through A-103, A-200 through A201, A-301 through A-302, A-400 and A-500 entitled SDH\_Studio Architecture + Design, undated, and the Sketch of Boundary Survey, prepared by Jose David Morales, Surveyor, dated 1/21/2020 for the property located at 255 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 Bernstein 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 19<sup>th</sup> 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

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## MEMORANDUM

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**Date:** October 19, 2021

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Alexander Diaz, *Alex B*  
Town Manager

**Subject:** **Resolution No. 2780.21 – Variance Request for 255 Ocean Boulevard, Golden Beach, FL 33160 (Site elevations/grading rear yard – Zone 1)**

Item Number:  4
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### Recommendation:

It is recommended that the Town Council allow the applicant the opportunity to seek approval of the variance request presented in Resolution No. 2780.21.

### Background and History:

Town Code Section 66-102. – Minimum lot and swale elevations; grade. (a) The finished grade of any lot shall not exceed an elevation of 24 inches above the crown of the road adjacent to the lot and in no event shall exceed an elevation of six feet N.G.V.D. except for lots abutting Ocean Boulevard where the minimum elevation shall be 12 inches above the crown of the road, and the maximum elevation shall not exceed an elevation of 11 feet N.G.V.D.

The applicant's request is to for the rear yard Elevation to be at 13' NGVD.

The Building Regulation Advisory Board met September 14, 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