

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2585.18

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 555 OCEAN BOULEVARD, GOLDEN BEACH, FLORIDA 33160 TO PERMIT EXISTING AIR CONDITIONING EQUIPMENT TO BE REPLACED AT THE EXISTING SETBACK OF 5.0' IN LIEU OF THE CURRENT SETBACK REQUIREMENT OF 10' BY THE TOWN'S CODE.

WHEREAS, the applicants, Golden Beach 555 Corp., ("the applicants"), filed a Petition for a Variance/exception, from 66-140 Setback areas-Generally, paragraph (a) No structure, the height of which shall exceed 36 inches above the crown of the road adjacent to the lot shall be constructed in any Setback, with the exception of mechanical equipment, that can be constructed in such a way that its bottom is located at the required base flood elevation as established by the Flood Insurance Rate Map (FIRM), and any subsequent revised map adopted by the National Flood Insurance Program. A maximum of four distinct pieces of mechanical equipment, including pool pumps and related pool heater equipment, may be installed a minimum of 10 feet from any property line, to allow the existing air conditioning equipment to be replaced at the existing setback of 5' in lieu of the 10' setback as required by the Town Code. At 555 Ocean Boulevard, Golden Beach, Florida 33160 (Golden Beach Section "A", Lot 28 & N ½ of Lot 29, Block D, as recorded in PB 9-152, of the Public Records of Miami-Dade County, (Folio No. 19-1235-001-0580 (the "Property") and;

WHEREAS, the Town's Building Regulation Advisory Board held an advertised public hearing on the Petition for Variance/Exception and recommended disapproval of the variance 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 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
- (2) Construction shall be completed substantially in accordance with those certain plans, A-0.0 through A-3.2 by James Smith, AIA, JAS Group, Architects, seal dated 10/9/2018, for the property located at 555 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 Town Administration.

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

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Jaime Mendal	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Absent</u>
Councilmember Amy Rojas	<u>Absent</u>
Councilmember Judy Lusskin	<u>Aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 20th day of November, 2018.

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: November 20, 2018

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz, Town Manager *Alex B*

Subject: Resolution No. 2585.18 - Variance Request for 555 Ocean Boulevard,
Golden Beach, FL 33160 (Air Conditioning Equipment)

Item Number:

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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. 2585.18.

Background and History:

Relief from Town Code Sections:

1. 66-140(a) to allow existing air conditioning equipment to be replaced at the existing setback of 5' in lieu of the current setback requirement of 10'.

The Building Regulation Advisory Board met November 13, 2018 and recommended approval of the variance, the motion passed with a Board vote of 2 - 1.

There was an objection to this Variance request: Sandra Levy – 577 Golden Beach Dr., Golden Beach, FL.

Attachments:

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

Financial Impact: None