

TOWN OF GOLDEN BEACH BUILDING REGULATORY ADVISORY BOARD APPLICATION and REVIEW PROCEDURE

Thank you for applying to the Building Advisory Board for approval of your project. Below is a brief guideline on how the application review process works and what can be expected. The attached application form contains additional guidelines and information pertinent to your submittal. Please follow all directions contained within the application prior to submitting your package to our office:

Submittal

Submit your completed application package to the Town by the required deadlines which are available on the Town's website at www.goldenbeach.us.

Upon receipt of your application and within the first week after you submit, the Town's zoning and landscape reviewers will perform their first review. Following their review you will receive reports for an approval or comments requesting additional information and/or needed corrections to your plans and/or your application.

Reports

Two basic types of reports can be issued under a zoning and landscape review; the first report that may be issued will list code deficiencies, if any, as the zoning and landscape reviewer sees them in relationship to the Town's current Zoning Code, the report for zoning will be entitled "Planning and Zoning Comments". This process will continue each time updated information is received and until all issues have been addressed.

After all deficiencies have been addressed and the zoning and Landscape reviewers do not find any deficiencies then a second report will be issued entitled "Town of Golden Beach – Community Development Memorandum" this report is the clearance memorandum to allow the item to move forward and be placed on the Agenda for possible approval by the Board. You will receive two separate reports one from zoning and one from landscaping.

Deadlines - Agenda Placement

A positive review prior to the meeting is required in order for your application to be placed on the Agenda. As with all applications sufficient time is needed by the Town's reviewers and staff for processing prior to the item moving forward for placement on the Agenda.

Your application will require a satisfactory review within the seven days prior to the scheduled meeting in order to be placed on the Agenda. If a satisfactory recommendation is not received within the time period specified, then the application will be tabled to the next Building Advisory Board meeting in the next month, pending approval of the application. Building Advisory Board meetings are scheduled for the Second Tuesday of each month pending quorum. All notifications will be sent via email on the progress of your application and the Board's ability to meet.

Special Note

Simple applications might not receive comment sheets and will move directly to a "Town of Golden Beach – Community Development Memorandum" mentioned in the previous paragraph allowing the item to be placed on the Agenda to be heard by the Board.

Questions

You may direct all questions to the Building department via email; lepperson@goldenbeach.us

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

Property Location: _____ 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

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: 2 sets 11" x 17" and 1 USB/ flash drive containing everything submitted hard copy (including application). 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 USB/ flash drive containing everything submitted hard copy (including application).

Zoning Variance Approval:

Submittal 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: 2 sets 11" x 17" and 1 USB/ flash drive containing everything submitted hard copy (including application).

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 8 completed application packages, for both Building and Landscaping, which shall consist of a copy of the completed application, approved plans 8 sets 11 x 17 of the approved building and landscape applications, a survey, warranty deed, any other required documentation by the reviewer, and USB/ flash drive containing everything submitted hard copy (including application).

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

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.

**TOWN OF GOLDEN BEACH APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING**

1. The application deadline date will be adhered to. No application will be accepted after the date and time specified.
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 Forty Day (40) period from the deadline date to the hearing date the following events shall take place in proper order:
 - a) During the first week upon 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 which will be emailed to you the applicant/agent of record.
 - b) Corrections for any deficiencies must be submitted within 15 days of the scheduled meeting/hearing date. Corrections not approved or received for a scheduled Agenda item will be deferred to the next B.R.A.B. meeting/hearing date.
 - c) 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.
 - d) Upon receipt of a Staff Recommendation report approving the project the balance of the applications with plans and documents, need to be submitted to the Building Department for distribution to the Board Members and Staff. The Building Dept. shall retain all originals for the records. At that time the applicant's request will be placed on the Agenda for approval by the B.R.A.B. Board Members.
4. After approval of the item by the Board, You will also need to retain a copy of the BRAB approved application package with the minutes for submission at the time of the permit application. Make sure to request a copy of the minutes on the 3rd Tuesday of the following month of your approval.
5. If a Variance: A Notice of Hearing for variance will be mailed no later than 10 days before the date of meeting, as per Town Code.
6. Variance have a two step process: The Building Advisory Board is a recommendation Board to the Town Council – The Town Council is the ultimate authority on Granting or Denial of Variance requests. The Town council will hear your requests for the Variance at the next hearing, it is at that Hearing that the Town Council will either approve or deny your requests. Someone needs to be present at the meeting. The Town Council meetings are held every 3rd Tuesday of every month.
7. After approval of the item by the Board, The Resolutions approving your variance will need to be prepared and you will be notified when they are ready to be picked up and get recorded with the Miami Dade County Clerk's recording office. You will need to forward us a Certified copy of recorded Resolutions and retain a copy for your records.
8. Required for permitting: A copy of the Certified copy of recorded Resolutions and BRAB approved application package along with the minutes.

**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>	<u>Qty</u>
1. New single-family residence- per submittal and resubmittal	\$700.00	_____
2. Addition/Remodel of existing structure- per submittal and resubmittal	\$225.00	_____
3. Accessory Building (Cabana, Pergola, or Gazebo) - per submittal and resubmittal	\$150.00	_____
4. Pools, Spas and Water Features - per submittal and resubmittal	\$100.00	_____
5. Fencing, site walls, driveways, pool decks - for each item per submittal and resubmittal	\$150.00	_____
6. Seawalls and docks - for each item, per submittal and resubmittal	\$200.00	_____
7. Boat Lift- per submittal and resubmittal	\$100.00	_____
8. Landscape plan review is required for new construction, addition and remodeling projects (submit plans with site plan elevations separate from the building plan approval package).	\$300.00	_____
9. Resubmissions, based on original fee paid	75.0%	_____
10. 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		
11. 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**

12. 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.

13. 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
	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: - Property Legal Description - Property Folio number - Street address - Owners of record - Owner and agent names and signatures properly notarized.	
	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: Eight (8) copies 11" x 17". 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 USB with all documents included	
	Conceptual construction drawings prepared and signed by a licensed design professional that shall include, at a minimum, the following: - Site plan at a scale not less than 1/8" = 1'-0" (Include grade elevations) - Proposed Floor Plan views, at a scale not less than 1/4"=1'-0" - Cross and longitudinal sections preferably through vaulted areas, if any. - Typical exterior wall cross section. - Full elevations showing flat roof and roof ridge height and any other higher projections. - Sample board of construction materials to be used. - Existing and proposed ground floor elevations (NGVD). - Grading & Drainage Calculations - Zone 3 Properties: Affidavit of Seawall Conformity	
	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 USB accordingly (separate from building)	
	First Floor and Second Floor area calculations marking the geometrical areas used to calculate the overall floor areas.	
	Colored rendering showing new construction or proposed addition. Marked with the applicable address.	
	Estimated cost of proposed work. For additions/remodels fair market value of property showing land value and structure value separately.	
	Site plan detailing construction site personnel parking.	

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: _____

Legal Description: _____

Folio #: _____

Address of Property: _____

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

Owner's Name: _____ Phone _____ Fax _____

Owner's address: _____ City/State _____ Zip _____

Email address: _____

Agent: _____ Phone _____ Fax _____

Agent's address: _____ City/State _____ Zip _____

Email address: _____

Architect: _____ Phone _____ Fax _____

Email address: _____

Contractor: _____ Phone _____ Fax _____

3. Describe project and/ or reason for hearing request: _____

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

Building Plans:

Conceptual: _____ Preliminary: _____ Final: _____
Other: _____

5. Estimated cost of work: \$ _____
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? _____
7. Are there any structures on the property that will be demolished? _____
8. Does legal description conform to plat? _____
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): _____

Acknowledged before me this _____ day of _____, _____

Type of identification:

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 _____ to be my legal
representative before the Building Regulation Advisory Board and Town Council.

Signature of owner(s)

Acknowledged before me this _____ day _____ 20_____

Type of identification:

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
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Property Address: _____
Legal Description: _____
Owner's Name: _____ Phone _____ Fax _____
Agent's Name: _____ Phone _____ Fax _____
Board Meeting of: _____

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

Application for: _____
Lot size: _____
Lot area: _____
Frontage: _____
Construction Zone: _____
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: _____ Proposed: _____
Fence Type: _____ Existing: _____ Proposed: _____
Finished Floor elevation N.G.V.D.: _____
Seawall: _____ Existing: _____ 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: _____

Date: _____

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

Date: _____

Fee: _____

I, _____ 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: _____ Folio No. _____

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):** _____

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. _____

- 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. _____

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

- 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. _____

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. _____

4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. _____

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. _____

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? _____

9. Is this request as a result of a code violation? _____

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? _____

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.: _____ Address: _____

Legal Description: _____

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 _____ day of _____, _____

Notary Public State of Florida at Large

_____ Personally know to me _____ Produced Identification

Chapter 52 - Landscaping

OPEN SPACE

TREES

SHRUBS

Last updated January 24th, 2017

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:

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

$$(7.00+0.8*S)$$

R is computed in inches R= _____ inches

Step 8:

Determine runoff depth (R) as:

$$V=A*\frac{R}{12}$$

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.

$$V= \text{_____ cubic feet}$$

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.

$$VP= \text{_____ cubic feet}$$

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: _____

Folio No.: _____ Address: _____

Legal Description: _____

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;

- a) All new and replacement seawalls shall be constructed at an elevation of 4.425 feet above the North American Vertical Datum of 1988 (NAVD-88). Except as provided in section (b) below, all new and replacement docks shall be constructed at a minimum height of 3.425 NAVD-88, and a maximum not to exceed 4.425 NAVD-88. No finished material installed or applied to the seawalls or docks shall exceed three inches in thickness. No cover shall be permitted to be erected in connection with any dock.

- b) Where any legal non-conforming seawall exists, a new or replacement dock may be constructed at an elevation which is not more than one foot below the top of the cap of the existing seawall.

Signature of Owner or Legal Representative
Print Name: _____

Sworn to and subscribed before me this _____ day of _____

Notary Public State of Florida at Large

_____ Personally know to me _____ Produced Identification

**ACKNOWLEDGMENT OF RECEIPT
FOR ZONE 1 PROPERTIES ONLY (OCEAN FRONT)**

Date: _____

Ref: Address of the Property: _____

I acknowledge receipt of the following documents from the Town of Golden Beach, Building and Zoning Department for properties situated in Zone One.

1. One-Hundred- Year Storm Elevation Requirements for Habitable Structures Located Seaward of a Coastal Construction Control Line
2. Flood Resistant Provisions in the 7th Edition Florida Building Code (2020)
3. Flood Damage- Resistant Materials Requirements
4. Non- Conversion Agreement for Enclosures below the base flood elevation or Design Flood Elevation –fully execute and submit to the building department
5. New Construction/ Addition/ Remodel Permit Documentation Log

Name and Title

Signature



TOWN OF GOLDEN BEACH

One Golden Beach Drive, Golden Beach, FL 33160

Phone: (305) 932-0744 Fax: (305) 933-3825

www.goldenbeach.us

NON-CONVERSION AGREEMENT FOR ENCLOSURES BELOW THE BASE FLOOD ELEVATION OR DESIGN FLOOD ELEVATION

This DECLARATION made this ___ day of ___, 20___, by _____ ("Owner") having an address at _____ in the Town of Golden Beach, Florida designated in the Tax Records as Folio # _____ as recorded in the public records of Miami Dade County in Book No. _____, Page No. _____.

WITNESSETH:

WHEREAS, the Owner has applied for a permit to construct, improve, or repair the property owned by _____ (name) at _____ (address) in the Town of Golden Beach and:

- 1) It is identified by building Permit No. _____, dated _____;
- 2) It is located on a flood hazard area identified on Flood Insurance Rate Map Panel # _____, dated _____;
- 3) It is located in flood zone(s):

_____ Base Flood Elevation _____
_____ Base Flood Elevation _____
_____ Base Flood Elevation _____

Seaward of LiMWA or community defined Coastal A Zone limit: ☐ Yes ☐ No

Seaward of Coastal Construction Control Line: ☐ Yes ☐ No

Florida Department of Environmental Protection 100-Year Storm Elevation _____ (NGVD).

- 4) It is designed to conform to the requirements of the Town of Golden Beach Floodplain Management Ordinance referred herein as "Land Development Regulations," of Golden Beach and the most current edition of the Florida Building Code - Residential; and
- 5) If unauthorized improvements, modifications, alterations, conversions or repairs are made to it in the future, the structure could be made noncompliant by such unauthorized actions, including such actions by future owners.

WHEREAS, the Owner agrees to record this DECLARATION OF LAND RESTRICTION (NON-CONVERSION AGREEMENT) in the public records of Miami Dade County and certifies, accepts and declares that the following covenants, conditions and restrictions are placed on the affected property as a condition of granting the Permit, and affects rights and obligations of the Owner and any future owners, and shall be binding on the Owner, his heirs, personal representatives, successors and assigns.

THE PERMITTED STRUCTURE SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE FLORIDA BUILDING CODE – RESIDENTIAL AND/OR LOCAL FLOODPLAIN MANAGEMENT REGULATIONS, AS APPLICABLE AND SUBJECT TO THE CONDITIONS, as follows:

1. The structure or part thereof to which these conditions apply is:
☐ An enclosure that is below the Base Flood Elevation or Design Flood Elevation.

- ☐ A detached, allowable accessory structure that is not elevated.
2. Enclosed areas below the Base Flood Elevation or Design Flood Elevation, whichever is higher, shall be used solely for parking of vehicles, limited storage, or access to the building. All interior walls, ceilings and floors within the enclosed area shall be unfinished or constructed of flood damage-resistant materials and shall not be used for recreational or habitable purposes. Installation of minimal electrical, mechanical and plumbing equipment, devices and fixtures as allowed by the Florida Building Code.
 3. The walls of the enclosed areas below the Base Flood Elevation or Design Flood Elevation of the structure or part thereof identified in #1 shall be designed to breakaway. The breakaway walls shall not be altered in any way that prevents the walls from breaking away, as designed, under flood conditions.
 4. The breakaway walls of the enclosed areas below the Base Flood Elevation or Design Flood Elevation of the structure or part thereof identified in #1 shall be equipped with flood openings. The flood openings shall not be blocked, covered, manually closed or modified in any way that would alter the intended performance to allow floodwaters to automatically enter and exit.
 5. Any conversion, alteration, modification, improvement, repair or changes from these conditions constitute a violation of the Permit and this agreement, and may render the structure non-compliant with minimum requirements, and result in higher NFIP flood insurance rates. The Town of Golden Beach, as the jurisdiction issuing the Permit and enforcing this agreement, may take any appropriate legal action to correct any violation.
 6. A duly appointed representative of the City is authorized to enter the property for the purpose of inspecting the exterior and interior of the enclosed area to verify compliance with this Declaration. Such inspections will be conducted upon due notice to the Owner and no more frequently than once year. More frequent inspections may be conducted if the annual inspection discovers a violation of the Permit
 7. Other conditions: _____

In witness whereof the undersigned set hands and seals this ____ day of _____, 20____.

Owner's Name (Printed)	Signature of Owner	Date
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Owner's Name (Printed)	Signature of Owner	Date
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Witness's Name (Printed)	Signature of Witness	Date
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Sworn to and Subscribed before me this _____ day of _____, 20____.

(SEAL)

Signature – State of Florida Notary Public

Personally known _____ OR, Produced Identification _____
Type of ID Produced _____

(DOCUMENT MUST BE RECORDED AND PROOF OF RECORDING PROVIDED)