

**TOWN OF GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 2883.23**

**A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 309 CENTER ISLAND DRIVE, GOLDEN BEACH, FLORIDA 33160. TO PERMIT A SEAWALL TO ENCROACH OUTSIDE THE PROPERTY LINE INTO THE WATERWAY BY APPROXIMATELY 1'7" WHEN TOWN CODE SECTION 46-81 DOES NOT PERMIT THE SEAWALL TO ENCROACH OUTSIDE THE PROPERTY LINE.**

**WHEREAS**, the applicant, Alexandre Luiz M Do Amaral, ("the applicant"), filed a Petition for Variances/exceptions, from Section 46-81 – Extension of seawall into waterways. No part of any seawall, including slabs may extend beyond any lot property line into any waterway in the Town. The piles and cap beam may encroach into the waterway, if approved by the agency having jurisdiction.

**WHEREAS**, the applicant's request is to allow the seawall to encroach into the waterway outside the property line by approximately 1'.7"

**WHEREAS**, these variances and exceptions are for the property at 309 Center Island Drive, Golden Beach, FL. 33160 (Golden Beach Sec E, Lots 3 & 4, 36, Block G, in PB 8-122, of the Public Records of Miami-Dade County, (Folio No. 19-1235-005-0770 (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 the seawall encroachment, 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 by Mark E. Weber, Professional Engineer, pages numbered 1 through 9, Seal dated 4/28/2023, Sketch of Boundary Survey, prepared by Gary B. Castel, #4129, FL Licensed Surveyor and Mapper, dated 3/19/2023 for the property located at 309 Center Island Drive, 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 Councilmember Luskin seconded by Vice Mayor Bernstein and on roll call the following vote ensued:

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

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach, Florida, this 22<sup>nd</sup> of August, 2023.

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:** August 22, 2023

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

**From:** Alexander Diaz,  
Town Manager

Item Number:

3

**Subject:** Resolution No. 2883.23 – Variance Request for 309 Center Island Drive,  
Golden Beach, FL. (seawall encroachment into the waterway)

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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. 2883.23.

### **Background and History:**

Town Code Section 46-81- Extension of seawalls into the waterways.

No part of any seawall, including slabs may extend beyond any lot property line into any waterway in Town.

The applicant's request is to allow the seawall to encroach into the waterway at 1'7".

The Building Regulation Advisory Board met July 11, 2023 and recommended approval of the variance request, the motion passed with a Board vote of 3 – 0.

### **Attachments:**

- Resolution
- Christopher Gratz, Zoning Review Memorandum
- Notice of Hearing
- Building Regulation Advisory Board Application
- Copy of resident notification listing
- Summary minutes

**Financial Impact:** None