

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2884.23

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR THE PROPERTY LOCATED AT 200 OCEAN BLVD., GOLDEN BEACH, FLORIDA 33160 TO PERMIT CONSTRUCTION OF A CABANA IN THE REAR YARD WHEN TOWN CODE SECTION 66-251 DOES NOT PERMIT A CABANA IN ZONE 2.

WHEREAS, the applicant, Chay Amar and Nehama Amar, ("the applicants"), filed a Petition for Variances/exceptions, from Section 66-251 – Cabanas/Gazebos/Pergolas. (b) In Zones Two and Three, one Pergola or Gazebo separate from the main house structure may be permitted to be erected and only within the rear yard. The roofed area of such structure shall not exceed two percent of the lot area up to a maximum floor area of 500 square feet. The roofed area measurement shall not include eaves or overhangs. Cabanas are not permitted.

WHEREAS, the applicant's request is to allow a Cabana in the rear yard of the property.

WHEREAS, these variances and exceptions are for the property at 200 Ocean Boulevard, Golden Beach, FL. 33160 (Golden Beach Sec C, Lots 1 & 2, Block 5, in PB 9-52, of the Public Records of Miami-Dade County, (Folio No. 19-1235-003-0330 (the "Property") and ;

WHEREAS, the Town's Building Regulation Advisory Board held an advertised public hearing on the Petition for Variance/Exception and recommended denial of the request for the Cabana, 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 Taylor B. Reid, Registered Architect, for Artek Design Corp, Pages C-0, SP1 - SP 3, D-1 – D-3, A-1 -7, seal dated 6/15/2023, and S-2 Seal dated 6/19/2023 by Alloskar Ganem, Engineer, Sketch of Boundary Survey, prepared by John A. Ibarra, #47806, FL Licensed Surveyor and Mapper, dated 3/21/2023 for the property located at 200 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 Councilmember Lusskin, 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 Lusskin	<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 22nd 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

MEMORANDUM

Date: August 22, 2023

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Item Number:

4

Subject: Resolution No. 2884.23 – Variance Request for 200 Ocean Boulevard,
Golden Beach, FL. (Cabana in Zone 2)

Recommendation:

It is recommended that the Town Council allow the applicant the opportunity to seek approval of the variance request presented in Resolution No. 2884.23.

Background and History:

Town Code Section 66-251 Cabanas/Gazebos/Pergolas. (b) In Zones Two and Three, one Pergola or Gazebo separate from the main house structure may be permitted to be erected and only within the rear yard.

The roofed area of such structure shall not exceed two percent of the lot area up to a maximum floor area of 500 square feet. The roofed area measurement shall not include eaves or overhangs. Cabanas are not permitted.

The applicant's request is to allow a Cabana in the rear yard.

The Building Regulation Advisory Board met July 11, 2023 and recommended approval of the variance request, the motion failed 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