

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2924.24

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE REQUEST FOR PROPERTY LOCATED AT 212 GOLDEN BEACH DRIVE, GOLDEN BEACH, FLORIDA 33160. TO PERMIT THE FIRST FLOOR FINISHED ELEVATION TO BE AT 7.44' NAVD 88, INSTEAD OF THE REQUIRED 9' NAVD 88 ELEVATION AS STIPULATED IN THE CODE.

WHEREAS, the applicant, Josi Kibliskey, ("the applicant"), filed a Petition for Variances/exceptions, from Section Sec. 66-101. - Elevation of house and garage floors. (2) Zones Two and Three. The top of the First Finished Floor of residences to be constructed on lots in Zone Two and Zone Three shall be at a height of nine (9) feet NAVD (North American Vertical Datum of 1988), and,

WHEREAS, due to an error in the survey, where a datum number was not converted from NGVD to NAVD 88, causing the first-floor finished elevation to be lower, at 7.44' NAVD 88 than the required 9' NAVD 88 elevation stipulated in the Code. The applicant's request is to allow the first-floor finished elevation of the main house to be at an elevation of 7.44' NAVD 88, and,

WHEREAS, these variances and exceptions are for the property at 212 Golden Beach Drive, Golden Beach, FL. 33160 (Golden Beach Sec D, Lots 3 & 4, Block G, as recorded in PB 10-10, of the Public Records of Miami-Dade County, (Folio No. 19-1235-004-0030 (the "Property") and,

WHEREAS, the Town's is requesting to waive the requirements outlined in Town Code Section Sec. 2-79. - Jurisdiction and duties. and,

WHEREAS, the Town's is requesting to waive the requirements outlined in Town Code Sec. 2-81. - Notice to neighboring property owners. and,

WHEREAS, a public hearing of the Town Council was 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 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, the Sketch of Boundary Survey, prepared by Cousins Surveyors & Assoc, dated 2/6/2024, for the property located at 212 Golden Beach 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 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 27th day February, 2024.

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: February 27, 2024

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Item Number:

1

Subject: Resolution No. 2924.24 – Variance Request for 212 Golden Beach Drive, Golden Beach, FL 33160 (1st Floor Finished Elevation)

Recommendation:

It is recommended that the Town Council allow the applicant the opportunity to seek approval of the variance request presented in Resolution No. 2924.24.

Background and History:

Variance request from Town Code 66-101 Elevation of House and Garage Floor

(a) The First Finished Floor of residences shall be as follows:

(2) Zones Two and Three. The top of the First Finished Floor of residences to be constructed on lots in Zone Two and Zone Three shall be at a height of nine (9) feet NAVD (North American Vertical Datum of 1988).

The applicant is requesting approval for the first-floor finished elevation to be at 7.44' NAVD 88 instead 9' NAVD 88, required by the code. An error in not converting a datum number, in the physical survey, from NGVD to NAVD 88 caused the first-floor finished elevation to be lower than that required by the Town's code.

Attachments:

- Resolution
- Building Regulation Advisory Board Application

Financial Impact: None