

TOWN OF GOLDEN BEACH
BUILDING AND ZONING DEPARTMENT
MEMORANDUM



TO: Building Regulatory Advisory Board
FROM: Christopher M. Gratz, AICP, Consulting Planner
DATE: March 12th, 2024
SUBJECT: Seawall and Dock Variances, 138 South Island Drive

GENERAL PROPERTY INFORMATION

Land Use Designation: Low Density Residential
Zoning District: Zone Three (3)
Address: 138 South Island Drive
Legal Description: Lot 12, Block "J", Section "D" of Golden Beach, According to the Plat thereof, as recorded in Plat Book 10, Page 10 of the Public Records of Miami-Dade County.
Lot Information: Under-sized lot, 31.42' frontage by 150' deep, 11,774 square feet (0.27 acres)

APPLICATION INFORMATION

Owner/Applicant: Mark Feldman, Colette B. Feldman / Kirk Lofgren, Ocean Consulting, LLC

REQUEST

Variance #1 **FROM:** Town Code §46-85(a) Height of seawalls and docks and extension of deck of dock. 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.

TO: allow the existing seawall to remain at an elevation of 4.65' NAVD at its highest point (0.225'/2.7" higher);

Variance #2 **FROM:** Town Code §46-85(a) Height of seawalls and docks and extension of deck of dock. 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.

TO: allow a new dock and finish material on the seawall to be constructed at an elevation of 5.10' NAVD (0.425'/5.1" higher);

Variance #3 **FROM:** §46-84 General specifications for docks, No dock shall be permitted to be constructed, repaired, or reconstructed within the limits of the Town which shall extend more than 6 feet outside the lot property line into an inside (width of 100 feet or less) waterway nor more than 10 feet outside the lot property line into an outside (width greater than 100 feet) waterway.

TO: to allow a new dock to be constructed that extends a maximum of 14'-2" into the waterway (4'-2" more).

HISTORY

The BRAB, on September 14th, 2021, approved the design of a new home on the property.

In 2022 the previous home was demolished and a new home is currently under construction.

On February 13th, 2024, the BRAB considered one (1) variance related to this application because the others were not advertised.

Variance **FROM:** Town Code §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. If during the construction of a new seawall or renovation of an existing seawall it is found that portions of the existing seawall encroach into a public waterway adjoining a lot, those portions of the seawall encroachment shall be modified or removed, unless a Variance is granted by the Town;

TO: allow an 11'-7" portion of the existing seawall to remain encroaching a maximum 18" into a Town waterway.

APPLICATION DETAILS

A new home is being constructed and all requirements related to the development of the site including the seawall and dock are required to comply with the Town Code. The applicant has requested variances to leave the existing seawall in its present nonconforming condition.

Records show the last application made with Miami-Dade County DERM was in 1993 and was not for the existing improvements. There is no Town of Golden Beach permit for what exists.

- The 1993 permit shows the seawall to be built at 5.5' NGVD (Above M.S.L. was used at the time), and the Town Code required seawalls to be 4-5' NGVD at that time
- The seawall is now at 5.10' NAVD (6.68' NGVD)
- The 10' x 30' dock on the 1993 plans is setback 30' from the north property line
- The existing dock is around 14.8' from the property line and within the Golden Beach Triangle

The property is on the Grand Canal and curved along the waterway which ranges in width from 100' on the north end, immediately increasing in width at the property line, to 143.59' on the south end. The seawall was constructed in two (2) straight segments with more than half of it, 63' of 125.66', being constructed entirely behind the property line by as much as 6'-2".

There is a dock with a moored vessel directly across from the proposed dock, and the location of both docks is near where the waterway begins to narrow to 100'. The property is being redeveloped and there is no apparent reason, other than design preference, that the home could have been laid out so that the location of a new dock, which is integrated with the design of the pool deck, could be at the south end of the property where the seawall is constructed as much as 6'-2" behind the property line and where the waterway is as much as 43.59' wider.

The applicant is proposing to:

- Remove the existing wood dock and piles
- Leave the seawall in place with an 11'-7" portion encroaching a maximum 18", and at the existing elevation of 4.65' NAVD at its highest point, 0.225'/2.7" higher than the Code allows
- Construct a new 300 sq. ft. dock setback 18'-4" from the north property line that is 26'-5" long, extending into the waterway 9'-3" from the property line on the north end and 14'-2" on the south end which is 4'-2" (10' max.) more than the Code allows.
- Place a finished material on the seawall and new dock at an elevation of 5.10' NAVD (0.425'/5.1" higher), the seawall height is uneven and the material is being applied in a manner that makes the seawall and dock a uniform height

ANALYSIS

DIVISION 2. - VARIANCES

§66-41. - Authorized, general procedure.

(a) The Building Regulation Advisory Board may recommend pursuant to the hearing as provided in §66-42 the granting of a Variance by the Town Council from the terms of the zoning provision of this chapter if it is not contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. In order to recommend any Variance from the terms of this chapter, the Board shall find the following:

(1) The Variance is in fact a Variance from a zoning regulation as set forth within this chapter.

The request is for variances from zoning regulations.

(2) 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.

This property is in Zone 3 and the Town's requirements are applicable to all properties.

(3) The special conditions and circumstances do not result from the actions of the applicant.

The variance requests are a direct result of the applicant's desire to leave the existing seawall in place and construct a dock in a location that they prefer.

(4) Granting the Variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands or structures in the same district.

The granting of the variance directly confers special privileges to the owner others do not have.

(5) Literal interpretation of the provisions of this chapter 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.

No evidence has been presented that an undue hardship would be incurred by redeveloping the property in compliance in the Town Code.

(6) The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure.

The requested is variance minimum the applicant needs to avoid reconstructing the seawall in the correct location and elevation. No evidence has been presented that making the seawall comply with the Town Code is not possible. The location of the dock is a design choice; it can be placed at the southern end of the property where the waterway is wider.

(7) The granting of the Variance will be in harmony with the general intent and purpose of this chapter and the Variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

The intent of the Town Code is to promote the construction of luxury homes; consistency in the placement of seawalls is an inherent quality of a luxury home community. Nothing that is proposed presents an apparent detriment to the public; the navigability of the waterway will be equal to what

it is north of the property where the waterway narrows to 100', but the location is a design choice and it can be placed at the southern end of the property where the waterway is over 40' wider.

(b) In recommending the granting of any Variance, the Building Regulation Advisory Board may prescribe appropriate conditions and safeguards in conformity with this Code. Violation of the conditions and safeguards, when made a part of the terms under which the Variance is granted, shall be deemed a violation of the Code of Ordinances. The Building Regulation Advisory Board may prescribe a reasonable time limit wherein the Construction of the structure subject to the Variance is required to be completed.

No conditions are recommended.

(c) Under no circumstances shall the Building Regulation Advisory Board recommend the granting of a Variance or a use not generally permitted in the district involved or any use expressly or by implication prohibited by the terms of this Code in the district. No nonconforming use of neighboring lands, structures or buildings in the same district and no permitted use of lands, structures or buildings in other districts shall be considered grounds for a Variance.

The request is not for a use variance.

RECOMMENDATION

The applicant has failed to provide any substantial competent evidence to support the request and fails to meet the criteria required by the Town Code for the granting of a variance; therefore **denial** of the application is recommended.

TOWN OF GOLDEN BEACH
BUILDING AND ZONING DEPARTMENT
MEMORANDUM



TO: Building Regulatory Advisory Board
FROM: Christopher M. Gratz, AICP, Consulting Planner
DATE: February 13th, 2024
SUBJECT: Seawall and Dock Variances, 138 South Island Drive

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Lot Information: Under-sized lot, 31.42' frontage by 150' deep, 11,774 square feet (0.27 acres)

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TO: allow an 11'-7" portion of the existing seawall to remain encroaching a maximum 18" into a Town waterway;

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TO: allow a new dock and finish material on the seawall to be constructed at an elevation of 5.10' NAVD (0.425'/5.1" higher);

Variance #4 **FROM:** §46-84 General specifications for docks, No dock shall be permitted to be constructed, repaired, or reconstructed within the limits of the Town which shall extend more than 6 feet outside the lot property line into an inside (width of 100 feet or less) waterway nor more than 10 feet outside the lot property line into an outside (width greater than 100 feet) waterway.

TO: to allow a new dock to be constructed that extends a maximum of 14'-2" into the waterway (4'-2" more).

HISTORY

The BRAB, on September 14th, 2021, approved the design of a new home on the property.

In 2022 the previous home was demolished and a new home is currently under construction.

APPLICATION DETAILS

A new home is being constructed and all requirements related to the development of the site including the seawall and dock are required to comply with the Town Code. The applicant has requested variances to leave the existing seawall in its present nonconforming condition. No records were provided by the applicant, as was requested, showing that the existing seawall and dock were permitted and complied with the Town Code when they were constructed.

The property is on the Grand Canal and curved along the waterway which ranges in width from 100' on the north end, immediately increasing in width at the property line, to 143.59' on the south end. The seawall was constructed in two (2) straight segments with more than half of it, 63' of 125.66', being constructed entirely behind the property line by as much as 6'-2".

There is a dock with a moored vessel directly across from the proposed dock, and the location of both docks is near where the waterway begins to narrow to 100'. The property is being redeveloped and there is no apparent reason, other than design preference, that the home could have been laid out so that the location of a new dock, which is integrated with the design of the pool deck, could be at the south end of the property where the seawall is constructed as much as 6'-2" behind the property line and where the waterway is as much as 43.59' wider.

The applicant is proposing to:

- Remove the existing wood dock and piles
- Leave the seawall in place with an 11'-7" portion encroaching a maximum 18", and at the existing elevation of 4.65' NAVD at its highest point, 0.225'/2.7" higher than the Code allows
- Construct a new 300 sq. ft. dock setback 18'-4" from the north property line that is 26'-5" long, extending into the waterway 9'-3" from the property line on the north end and 14'-2" on the south end which is 4'-2" (10' max.) more than the Code allows.
- Place a finished material on the seawall and new dock at an elevation of 5.10' NAVD (0.425'/5.1" higher), the seawall height is uneven and the material is being applied in a manner that makes the seawall and dock a uniform height

ANALYSIS

DIVISION 2. - VARIANCES

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(a) The Building Regulation Advisory Board may recommend pursuant to the hearing as provided in §66-42 the granting of a Variance by the Town Council from the terms of the zoning provision of this chapter if it is not contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. In order to recommend any Variance from the terms of this chapter, the Board shall find the following:

- (1) The Variance is in fact a Variance from a zoning regulation as set forth within this chapter.

The request is for variances from zoning regulations.

(2) 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.

This property is in Zone 3 and the Town's requirements are applicable to all properties.

(3) The special conditions and circumstances do not result from the actions of the applicant.

The variance requests are a direct result of the applicant's desire to leave the existing seawall in place and construct a dock in a location that they prefer.

(4) Granting the Variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands or structures in the same district.

The granting of the variance directly confers special privileges to the owner others do not have.

(5) Literal interpretation of the provisions of this chapter 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.

No evidence has been presented that an undue hardship would be incurred by redeveloping the property in compliance in the Town Code.

(6) The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure.

The requested is variance minimum the applicant needs to avoid reconstructing the seawall in the correct location and elevation. No evidence has been presented that making the seawall comply with the Town Code is not possible. The location of the dock is a design choice; it can be placed at the southern end of the property where the waterway is wider.

(7) The granting of the Variance will be in harmony with the general intent and purpose of this chapter and the Variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

The intent of the Town Code is to promote the construction of luxury homes; consistency in the placement of seawalls is an inherent quality of a luxury home community. Nothing that is proposed presents an apparent detriment to the public; the navigability of the waterway will be equal to what it is north of the property where the waterway narrows to 100', but the location is a design choice and it can be placed at the southern end of the property where the waterway is over 40' wider.

(b) In recommending the granting of any Variance, the Building Regulation Advisory Board may prescribe appropriate conditions and safeguards in conformity with this Code. Violation of the conditions and safeguards, when made a part of the terms under which the Variance is granted, shall be deemed a violation of the Code of Ordinances. The Building Regulation Advisory Board may prescribe a reasonable time limit wherein the Construction of the structure subject to the Variance is required to be completed.

No conditions are recommended.

(c) Under no circumstances shall the Building Regulation Advisory Board recommend the granting of a Variance or a use not generally permitted in the district involved or any use expressly or by implication prohibited by the terms of this Code in the district. No nonconforming use of neighboring lands, structures or buildings in the same district and no permitted use of lands, structures or buildings in other districts shall be considered grounds for a Variance.

The request is not for a use variance.

RECOMMENDATION

The applicant has failed to provide any substantial competent evidence to support the request and fails to meet the criteria required by the Town Code for the granting of a variance; therefore **denial** of the application is recommended.



TOWN OF GOLDEN BEACH NOTICE OF PUBLIC HEARING

The **BUILDING ADVISORY BOARD** and the **TOWN COUNCIL** of the **TOWN OF GOLDEN BEACH** will hold a Public hearing on the following proposal:

 X Variance Request(s)
 Accessory Structures

Construction of a new seawall and dock.

Relief from Town Code Sec. 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.

Request is to allow an 11'-7" portion of the existing seawall to remain encroaching a maximum 18" into a Town waterway;

JOB ADDRESS: 138 South Island Drive, Golden Beach, FL, 33160
OWNER ADDRESS: 3752 NE 199 Street, Aventura, FL 33180
REQUESTED BY: Mark Feldman and Colette B. Feldman
LEGAL DESCRIPTION: Lot 12 & Blk J, GB Sect D, PB 10-10
FOLIO NO.: 19-1235-004-0540

The **BUILDING ADVISORY BOARD** will consider this item:

Golden Beach Town Hall
1 Golden Beach Dr.
Golden Beach, FL 33160
<https://us02web.zoom.us/j/89291108015?pwd=NS8rWnJhN21mSUdlcmFadHErei8yZz09>
Meeting ID: 892 9110 8015
Passcode: 752288
February 13, 2024 at 6pm

The **TOWN COUNCIL** will consider this item:

Golden Beach Town Hall
1 Golden Beach Dr.
Golden Beach, FL 33160.
March 26, 2024 at 6pm

If you wish to submit written comments for consideration, they should be submitted to the Office of the Golden Beach Town Manager, prior to the scheduled meeting. If you have any questions regarding the proposed action, you may contact the Building Department at (305) 932-0744.

Dated: January 31, 2024


Linda Epperson - Assistant Town Manager

PURSUANT TO FLA. STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COUNCIL, BOARD OR COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. ANY INDIVIDUAL WHO BELIEVES HE OR SHE HAS A DISABILITY WHICH REQUIRES A REASONABLE ACCOMMODATION IN ORDER TO PARTICIPATE FULLY AND EFFECTIVELY IN A MEETING OF THE BUILDING REGULATION BOARD MUST SO NOTIFY THE TOWN CLERK, AT (305) 932-0744 AT LEAST 24 HOURS PRIOR TO THE DATE OF THE MEETING.



TOWN OF GOLDEN BEACH NOTICE OF PUBLIC HEARING

The **BUILDING ADVISORY BOARD** and the **TOWN COUNCIL** of the **TOWN OF GOLDEN BEACH** will hold a Public hearing on the following proposal:

3 Variance Request(s)
 Accessory Structures

Construction of a new seawall and dock.

1. Relief from Town Code §46-85(a) Height of seawalls and docks and extension of deck of dock. 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.

Request is to: allow the existing seawall to remain at an elevation of 4.65' NAVD at its highest point (0.225'/2.7" higher);

2. Relief from: Town Code §46-85(a) Height of seawalls and docks and extension of deck of dock. 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.

Request is to: allow a new dock and finish material on the seawall to be constructed at an elevation of 5.10' NAVD (0.425'/5.1" higher);

3. Relief from: §46-84 General specifications for docks, No dock shall be permitted to be constructed, repaired, or reconstructed within the limits of the Town which shall extend more than 6 feet outside the lot property line into an inside (width of 100 feet or less) waterway nor more than 10 feet outside the lot property line into an outside (width greater than 100 feet) waterway.

Request is to: to allow a new dock to be constructed that extends a maximum of 14'-2" into the waterway (4'-2" more).

JOB ADDRESS:	138 South Island Drive, Golden Beach, FL, 33160
OWNER ADDRESS:	3752 NE 199 Street, Aventura, FL 33180
REQUESTED BY:	Mark Feldman and Colette B. Feldman
LEGAL DESCRIPTION:	Lot 12 & Blk J, GB Sect D, PB 10-10
FOLIO NO.:	19-1235-004-0540

The **BUILDING ADVISORY BOARD** will consider this item:

Golden Beach Town Hall
 1 Golden Beach Dr.
 Golden Beach, FL 33160
<https://us02web.zoom.us/j/89291108015?pwd=NS8rWnJhN21mSUdlcmFadHErei8yZz09>
 Meeting ID: 892 9110 8015
 Passcode: 752288
 March 12, 2024 at 6pm

The **TOWN COUNCIL** will consider this item:

Golden Beach Town Hall
 1 Golden Beach Dr.
 Golden Beach, FL 33160.
 March 26, 2024 at 6pm

If you wish to submit written comments for consideration, they should be submitted to the Office of the Golden Beach Town Manager, prior to the scheduled meeting. If you have any questions regarding the proposed action, you may contact the Building Department at (305) 932-0744.

Linda Epperson – Assistant Town Manager

Dated: March 1, 2024

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: Installation of a new 300 square foot dock and 439.8 square feet of decking over the existing seawall cap.

Legal Description: 35 51 42-2 52 42 GOLDEN BEACH SEC D PB 10-10 LOT 12 BLK J LOT SIZE 11774 SQUARE FEET OR 19257-1945 06 2003 1

Folio #: 19 1235- 004-0540

Address of Property: 138 South Island Drive

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

Owner's Name: Mr. Mark Feldman Phone _____ Fax _____

Owner's address: 3752 NE 199 ST City/State Aventura, Florida Zip 33180

Email address: _____

Agent: Mr. Kirk Lofgren // Ocean Consulting, LLC Phone 305-921-9344 Fax _____

Agent's address: 359 Alcazar Ave Suite 200 City/State Coral Gables, FL Zip 33134

Email address: kirk@oceanconsultingfl.com & daniele@oceanconsultingfl.com

Architect: _____ Phone _____ Fax _____

Email address: _____

Contractor: _____ Phone _____ Fax _____

3. Describe project and/ or reason for hearing request: The existing seawall exceeds the maximum height of 4.425' NAVD allowed by the Town Code. Decking over the cap is proposed to level the surface of the uneven seawall, but this will slightly increase the overall top elevation. In addition, a portion of the seawall is built beyond the property line. As a result of this condition the proposed dock will also extend more than the 10 feet from the property line.

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

Building Plans:

Conceptual: Preliminary: Final:
Other: _____

5. Estimated cost of work: \$ 100,00.00
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
Building Regulatory Advisory Board
Hearing Date

FEB 13 2024

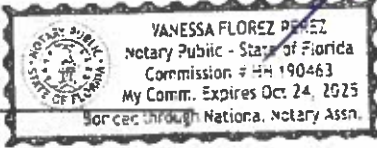
APPROVED _____
DISAPPROVED _____
VARIANCE REQ _____

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

6. Is hearing being requested as a result of a Notice of Violation? No
7. Are there any structures on the property that will be demolished? Yes
8. Does legal description conform to plat? Yes
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): [Signature] C. May

Acknowledged before me this 1st day of December, 2023

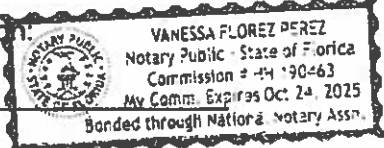
Type of identification:  [Signature]
Notary Public

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: 138 South Island Drive Dock Project relative to my property and I am hereby authorizing Mr. Kirk Lotgren of Ocean Consulting, LLC to be my legal representative before the Building Regulation Advisory Board and Town Council.

[Signature]
Signature of owner(s)

Acknowledged before me this 1st day of December, 2023

Type of identification:  [Signature]
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
Building Regulatory Advisory Board
Hearing Date

FEB 13 2024

APPROVED _____
DISAPPROVED _____
VARIANCE REQ. _____

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Property Address: 138 South Island Drive
 Legal Description: 35 51 42-2 52 42 GOLDEN BEACH SEC D PB 10-10 LOT 12 BLK J LOT SIZE 11774 SQUARE FEET OR 19257-1945 06 2000 1
 Owner's Name: Mr. Mark Feldman Phone _____ Fax _____
 Agent's Name: Mr. Kirk Lofgren // Ocean Consulting, LLC Phone 305-921-9344 Fax _____
 Board Meeting of: _____

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

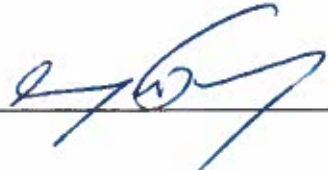
Application for: Installation of a new 300 square foot dock and 439.8 square feet of decking over the existing seawall cap.
 Lot size: 11,774 Sq.Ft
 Lot area: _____
 Frontage: _____
 Construction Zone: Waterfront
 Front setback: _____
 Side setback: _____
 Rear setback: _____
 Coastal Construction: Yes 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: _____

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

FEB 13 2021

APPROVED
DISPERSED
VARIANCE REQ

 Date: 12/1/2023

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

Date: _____

Fee: _____

I, Mr. Mark Feldman 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: 138 South Island Drive Folio No. 19-1235-004-0540

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): §46-81 (Extension of seawall into waterways) and §46-85(a) (The seawall is higher than Town Code allows)

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. Yes, a portion of the existing seawall is built beyond the property line, and the seawall is higher than the Town Code allows, therefore installing the proposed decking over the cap is not allowed. The proposed dock also extends more than 10 feet from the property line as a result of the conditions of the existing seawall.

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. Yes. The seawall is existing and it is not possible to relocate the portion of the seawall that extends beyond the property line. No work to the existing seawall proposed. The existing seawall has uneven elevations throughout and exceeds the maximum height of 4.425' NAVD. It is not possible to achieve the leveling of the seawall overlay by adding a concrete nor by grinding it at some sections to reduce the elevation. The property line also curves beyond the property line resulting in a dock that exceeds the property line more than 10 feet.

c. The special conditions and circumstances do not result from the actions of the applicant. Correct. The seawall is existing and was not built by the current property owner.

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. Correct. The existing seawall is already out of compliance, therefore the applicant has limited opportunities to improve their waterfront without infringing on the Town code further. Similar variances have been granted to neighboring properties.

Town of Golden Beach
Building Regulation Advisory Board
Hearing Date

FEB 13 2024

APPROVED _____
DISAPPROVED _____
VARIANCE REQ _____

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. Correct. Without these variances, the applicant cannot enjoy their waterfront or extend a dock for safe mooring

4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. Correct. The variance would allow the existing seawall conditions to remain and allow for the evening out of the seawall cap surface with new wood decking. In addition, the variances would allow for reasonable use by a dock and boat that extends similar dimensions as neighboring docks.

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. Yes, many of the property owners along the Town waterfront have been allowed to make improvements to their seawall and dock despite the existing (and sometimes proposed) conditions not meeting Town code for the purpose of the safe mooring of a vessel and aesthetic. The proposed conditions of this project are not unreasonable and do not negatively affect 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? No

9. Is this request as a result of a code violation? No

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? No

12. Do you have a building permit? Yes No

Building Permit No. _____ Date issued: _____

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

FEB 13 2024

APPROVED
DISAPPROVED
VARIANCE REQ

TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
PETITION FOR VARIANCE
AFFIDAVIT BY OWNER

Affidavit by Owner for Variance Request(s):

Folio No.: 19-1235-004-0540 Address: 138 South Island Drive

Legal Description: 35 51 42-2 52 42 GOLDEN BEACH SEC D PB 10-10 LOT 12 BLK J LOT SIZE 11774 SQUARE FEET

OR 19257-1945 06 2000 1

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.

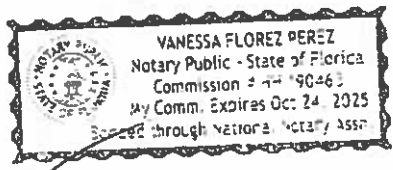
I acknowledge notification by The Town of Golden Beach, that granting of a variance(s) by The Town Council, is conditioned on the following:

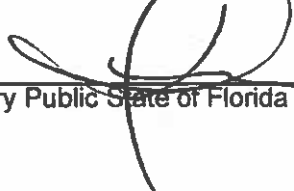
1. That a Building Permit for the contemplated work pursuant to the Variance must be issued within two (2) years from the date of the approval of the Resolution granting such variance request.
2. If a Building Permit is not issued within the two (2) year time limit set then the Resolution granting the 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 15th day of December 2023





Notary Public State of Florida at Large

Personally know to me Produced Identification

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

FEB 13 2024

APPROVED _____
DISAPPROVED _____
VARIANCE REQ _____

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: Mr. Mark Feldman

Folio No.: 19-1235-004-0540 Address: 138 South Island Drive

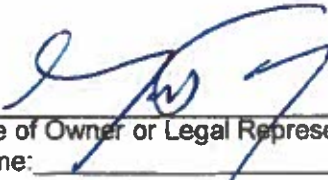
Legal Description: 35 51 42-2 52 42 GOLDEN BEACH SEC D PB 10-10 LOT 12 BLK J LOT SIZE 11774

SQUARE FEET OR 19257-1945 06 2000 1

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 1st day of December 2023



Notary Public State of Florida at Large

Personally know to me Town of Golden Beach Produced Identification
Building Regulatory Advisory Board
Hearing Date



FEB 13 2024

BRAB APPLICATION (10.5.23) Page 17 of 20
APPROVED _____
DISAPPROVED _____
VARIANCE REQ _____

THIS INSTRUMENT PREPARED BY:
GARY A. BODZIN, ESQ.
c/o TRANS-STATE TITLE AGENCY, LLC
18205 BISCAYNE BLVD. SUITE 2201
AVENTURA, FLORIDA 33160
Office: (305) 931-5000

RETURN TO:
Leopold Korn, P.A.
20801 Biscayne Blvd., Suite 501
Aventura, FL 33180
305-935-3500

Property Appraiser's Parcel Identification (Folio) Number:
19-1235-004-0540

SPACE ABOVE THIS LINE FOR RECORDING DATA

WARRANTY DEED

THIS WARRANTY DEED, made the 11th day of December, 2020 by PENNY T. IGLESIAS A/K/A PENNY TENZER-IGLESIAS, a single woman, hereinafter called the "Grantor," whose post office address is: 138 South Island Dr., Golden Beach, FL 33160, to MARK FELDMAN and COLETTE B. FELDMAN, husband and wife, hereinafter called the "Grantee," whose post office address is: 3752 NE 199th Street, Aventura, FL 33180.

WITNESSETH: That the Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in MIAMI-DADE County, State of Florida, viz.:

Lot 12, Block "J", of SECTION "D" OF GOLDEN BEACH, according to the plat thereof as recorded in Plat Book 10, Page 10, of the Public Records of Miami-Dade County, Florida.

Subject to easements, conditions, and restrictions of record, if any, without reimposing the same, and subject to real estate taxes for the year 2021 and thereafter.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

Page 1 of 2, Warranty Deed (Lot 12, Block "J", Section "D" of Golden Beach)

Town of Golden Beach
Building Reg. (Lot 12, Block "J", Section "D" of Golden Beach)
Hearing Date

FEB 13 2024

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written:

[Signature] I.S.
PENNY T. IGLESIAS
A/K/A PENNY TENZER-IGLESIAS (Grantor)

In the presence of two witnesses as follows:

[Signature]
Witness #1 (sign above line)
Print name: SOPHYA BODZIN

[Signature]
Witness #2 (sign above line)
Print name: JAREZA JUMAN

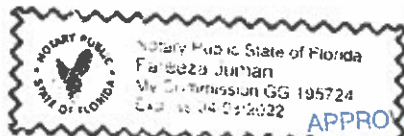
STATE OF FLORIDA
COUNTY OF MIAMI-DADE ss.

Before me, the undersigned notary, personally appeared PENNY T. IGLESIAS A/K/A PENNY TENZER-IGLESIAS, who appeared before me by means of physical presence, and she is personally known to me or she produced FL Dr License as identification, and she acknowledged before me that she executed the foregoing instrument for the purposes therein expressed, this 11th day of December, 2020.

[Signature]
NOTARY PUBLIC, STATE OF FLORIDA
My Commission Expires:
(Official Stamp/Seal)

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

FEB 13 2024



APPROVED
DISAPPROVED
VARIANCE REQ

VIVIAN NORMA SCHWARTZBERG
132 S ISLAND DR
GOLDEN BEACH, FL 33160

PETER R CICALÉ
DELIA CICALÉ
164 S ISLAND DR
N MIAMI BEACH, FL 33160

YANIV SANANES
122 GOLDEN BEACH DR
MIAMI, FL 33160-2241

SERGIO STIBERMAN &W KEILA
124 S ISLAND DR
GOLDEN BEACH, FL 33160

PAUL S GROLL &W CHERYL
170 S ISLAND DR
GOLDEN BEACH, FL 33160

JOHNNY GROBMAN
NOEMI A GELLER
100 GOLDEN BEACH DR
MIAMI, FL 33160

120 SOUTH ISLAND LLC
428 GOLDEN BEACH DR
GOLDEN BEACH, FL 33160

ADI SHARVIT
17901 COLLINS AVE, SUITE 1104
MIAMI, FL 33160

RICARDO HALFEN
STEPHANIE DORNBUSCH DE HALFEN
96 GOLDEN BEACH DR
GOLDEN BEACH, FL 33160

STEVEN BANDEL
MINNIE BANDEL
110 S ISLAND DR
GOLDEN BEACH, FL 33160

GREGG FRIEDMAN &W JULIE
190 GOLDEN BEACH DR
GOLDEN BEACH, FL 33160-2241

JACOBO ALBERTO KAMHAZI BASSAL
BEATRIZ AKERMAN
92 N TERRACINA AVE
GOLDEN BEACH, FL 33160

JENNY IVCHER
100 S ISLAND DR
GOLDEN BEACH, FL 33160

OFER TAL
KEREN TAL
180 GOLDEN BEACH DR
GOLDEN BEACH, FL 33160

MARCOS LENCOVSKI &W SARA
294 S ISLAND DR
GOLDEN BEACH, FL 33160-0000

JOEL EIDELSTEIN
LILIANA EIDELSTEIN
172 GOLDEN BEACH DR
GOLDEN BEACH, FL 33160

MARK FELDMAN
COLETTE B FELDMAN
3752 NE 199 ST
AVENTURA, FL 33180

JACQUES CLAUDIO STIVELMAN TRS
142 SOUTH ISLAND DR
GOLDEN BEACH, FL 33160

FARIS A HANNA
150 GOLDEN BEACH DR
GOLDEN BEACH, FL 33160-224

LEONARD SCHWARTZ
SVETLANA SCHWARTZ
160 S ISLAND DR
GOLDEN BEACH, FL 33160

RACHEL DAGAN
154 S ISLAND DR
GOLDEN BEACH, FL 33160

JOSEPH I CASSUTO TRS
JOSEPH I CASSUTO
ARLYNE CASSUTO
146 GOLDEN BEACH DR
GOLDEN BEACH, FL 33160

MICHEL BERG
126 GOLDEN BEACH DR
GOLDEN BEACH, FL 33160

MEIR ELFASSY
JOELLE BENCHIMOL
156 S ISLAND DRIVE
GOLDEN BEACH, FL 33160

MONICA PEISACH SASSON
136 GOLDEN BEACH DR
GOLDEN BEACH, FL 33160



**TOWN OF GOLDEN BEACH
1 Golden Beach Drive
Golden Beach, FL. 33160**

**SUMMARY MINUTES- DRAFT
BUILDING REGULATION ADVISORY BOARD
March 12, 2024 at 6pm**

Zoom Meeting ID: 892 9110 8015 Passcode: 752288 For Dial in only call: 929-205-6099

- A. CALL MEETING TO ORDER: 6:03 PM**
- B. BOARD ATTENDANCE:** Michael Klinger, Alan Macken, and Isaac Murciano
- C. STAFF ATTENDANCE:** Christopher M. Gratz, AICP, Consulting Planner, Monica Diaz- Permit Clerk, and Alexander Diaz- Town Manager
- D. APPROVAL OF MINUTES:** February 13, 2024

Motion to approve the minutes by Alan Macken, Second by Isaac Murciano
All were in favor – no one opposed
Motion passed 3 – 0

E. REQUEST FOR ADDITIONS, DEFERRALS, DELETIONS & WITHDRAWALS:

1. 310 South Parkway LLC-
310 South Parkway
Golden Beach, FL 33160

Property Address: 310 South Parkway, Golden Beach, FL, 33160
Folio No: 19-1235-005-0590
Legal Description: Lot 31 & 32, Block G, GB Sect E, PB 8-122

Installation dock replacement & seawall repair.

2. Pablo J Umansky Trs
Umansky 2015 Family Trust
57 E Willow Tree Rd.
Spring Valley, NY 10977

Property Address: 185 Ocean Boulevard, Golden Beach, FL, 33160
Folio No: 19-1235-003-0150
Legal Description: Lot 18 Blk A, GB Sect C, PB 9-52

Modifications to the exterior of an existing house under construction.

3. David Pratt Esq Trs
The Cypress House Trust
422 Golden Beach Drive
Golden Beach, FL 33160

Property Address: 422 Golden Beach Drive, Golden Beach, FL, 33160
Folio No: 19-1235-005-0010
Legal Description: Lot 45 & N1/2 of Lot 46 Blk F Less Beg NW COR Lot 1

Installation of a new floating dock.

4. Caren Sredni Trs
540 North Island Drive
Golden Beach, FL 33160

Property Address: 540 North Island Drive, Golden Beach, FL, 33160
Folio No: 19-1235-006-0860
Legal Description: Lot 10-11, Block M, GB Sect F, PB 10-11

Installation dock replacement & seawall repair.

5. Gregory M Cogan Trs
Florida Land Trust No 1gb
151 Tremont St Ste 110 Pmb 392
Boston, Ma 02111

Property Address: 291, 287, and 299 Ocean Boulevard, Golden Beach, FL, 33160 (Through Unity of Title)
Folio No: 19-1235-003-0310, 003-0290, 002-0500
Legal Description: Lot 20, N ½ of Lot 40, All Lot 41, 42, 43, and 44, Blk A & B, GB Sec C PB 9-52

Construction of a new single-family residence and landscape design approval.

Motion to defer items 1 – 5 by Isaac Murciano, Seconded by Alan Macken
All were in favor no one opposed
Motion passed 3 – 0

F. VARIANCE REQUEST(S):

6. Mark Feldman
Colette B Feldman
3752 NE 199 Street
Aventura, FL 33180

Property Address: 138 South Island Drive, Golden Beach, FL, 33160
Folio No: 19-1235-004-0540
Legal Description: Lot 12 & Block J, GB Sect D, PB 10-10

Christopher Gratz summarized his report and it was entered into the record.
Kirk Lofgren, Ocean Consulting, spoke on behalf of the applicant.

Installation of a new seawall and dock repair.

1. Relief from Town Code §46-85(a) Height of seawalls and docks and extension of deck of dock. 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.

Request is to: allow the existing seawall to remain at an elevation of 4.65' NAVD at its highest point (0.225'/2.7" higher);

A motion was made to recommend approval by Isaac Murciano, based on the current plans submitted, seconded by Michael Klinger
On roll call –Michael Klinger-Aye, Alan Macken -Aye, Isaac Murciano-Aye

Motion passed 3-0

2. Relief from: Town Code §46-85(a) Height of seawalls and docks and extension of deck of dock. 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.

Request is to: allow a new dock and finish material on the seawall to be constructed at an elevation of 5.10' NAVD (0.425'/5.1" higher);

Applicant reduced the request to allow a new dock and finish material on the seawall to be 3 inches above the existing seawall constructed at an elevation of 4.9' NAVD (0.225'/2.7" higher);

A motion was made to recommend approval by Isaac Murciano, based on the current plans submitted, seconded by Alan Macken

On roll call –Michael Klinger-Aye, Alan Macken -Aye, Isaac Murciano-Aye

Motion passed 3-0

3. Relief from: §46-84 General specifications for docks, No dock shall be permitted to be constructed, repaired, or reconstructed within the limits of the Town which shall extend more than 6 feet outside the lot property line into an inside (width of 100 feet or less) waterway nor more than 10 feet outside the lot property line into an outside (width greater than 100 feet) waterway.

Request is to: to allow a new dock to be constructed that extends a maximum of 14'-2" into the waterway (4'-2" more).

A motion was made to recommend approval by Isaac Murciano, based on the current plans submitted, seconded by Alan Macken

On roll call –Michael Klinger-Aye, Michael Klinger -Aye, Isaac Murciano-Nay

Motion passed 2-0

Comments from Town Manager Diaz:

Town Manager Diaz addressed the Board on a future proposed code change:

1. Allowing seawalls constructed within the property lines that meet height requirements to be administratively approved rather than coming to the Board for approval.

G. OLD BUSINESS:

7. Gabajac Developers LLC
1510 Daytonia Rd
Miami Beach, FL 33141

Christopher Gratz summarized his report and it was entered into the record.
Juan Azulay, Creative Director at MTTR MGMT, spoke on behalf of the applicant

Property Address: 532 North Island Drive, Golden Beach, FL, 33160
Folio No: 19-1235-006-0850
Legal Description: Lot 9 & S25FT Lot 8, Blk M, GB Sec F, PB 10-11

Construction of a new single-family residence and landscape design approval.

Motion to approve by Isaac Murciano, Seconded by Zvi Shiff
Conditioned on revise the location of the pool equipment to the required set back.

On roll call –Michael Klinger-Aye, Alan Macken -Aye, Isaac Murciano-Aye

Motion passed 3-0

H. NEW BUSINESS:

8. Center Island LLC
393 Center Island Drive
Golden Beach, FL 33009 USA

Christopher Gratz summarized his report and it was entered into the record.
Shane Ames, Architect, spoke on behalf of the applicant.

Property Address: 397 Center Island Drive, Golden Beach, FL 33160
Folio No: 19-1235-005-0885
Legal Description: Lot 24 Less S12 50 FT & Lot 25 Blk GB Sec E PB 8-122

Design changes.

A motion was made to approve by Isaac Murciano, based on the current plans submitted,
seconded by Michael Klinger.

On roll call –Michael Klinger-Aye, Alan Macken -Aye, Isaac Murciano-Aye

Motion passed 3-0

9. Center Island LLC
393 Center Island Drive
Golden Beach, FL 33009 USA

Christopher Gratz summarized his report and it was entered into the record.
Shane Ames, Architect, spoke on behalf of the applicant.

Property Address: 393 Center Island Drive, Golden Beach, FL 33160
Folio No: 19-1235-005-0880
Legal Description: Lot 24, Less S12 50 FT & Lot 25 Blk GB Sec E PB 8-122

Design changes.

A motion was made to approve by Isaac Murciano, based on the current plans submitted,
seconded by Michael Klinger.

On roll call –Michael Klinger-Aye, Alan Macken -Aye, Isaac Murciano-Aye

Motion passed 3-0

I. PRELIMINARY DESIGN REVIEWS - ITEMS FOR DISCUSSION AND POSSIBLE APPROVAL

J. ADJOURNMENT 6:45 PM

PURSUANT TO FLA. STATUTE 286.0106, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR THAT SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHER INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT



**TOWN OF GOLDEN BEACH
1 Golden Beach Drive
Golden Beach, FL. 33160**

**SUMMARY MINUTES
BUILDING REGULATION ADVISORY BOARD
February 13, 2024 at 6pm**

Zoom Meeting ID: 892 9110 8015 Passcode: 752288 For Dial In only call: 929-205-6099

A. CALL MEETING TO ORDER: 6:06 PM

B. BOARD ATTENDANCE: Jerome Hollo, Michael Klinger, Stephanie Halfen, and Isaac Murciano

C. STAFF ATTENDANCE: Linda Epperson- Asst. Town Manager, Christopher Gratz-Zoning Reviewer

D. APPROVAL OF MINUTES: December 12, 2023

Motion to approve the minutes by Stephanie Halfen, Second by Michael Klinger
All were in favor – no one opposed
Motion passed 3 – 0

E. REQUEST FOR ADDITIONS, DEFERRALS, DELETIONS & WITHDRAWALS:

1. 310 South Parkway LLC-
310 South Parkway
Golden Beach, FL 33160

Property Address: 310 South Parkway, Golden Beach, FL, 33160
Folio No: 19-1235-005-0590
Legal Description: Lot 31 & 32, Block G, GB Sect E, PB 8-122

Installation dock replacement & seawall repair.

2. Pablo J Umansky Trs
Umansky 2015 Family Trust
57 E Willow Tree Rd.
Spring Valley, NY 10977

Property Address: 185 Ocean Boulevard, Golden Beach, FL, 33160
Folio No: 19-1235-003-0150
Legal Description: Lot 18 Blk A, GB Sect C, PB 9-52

Modifications to the exterior of an existing house under construction.

3. David Pratt Esq Trs
The Cypress House Trust
422 Golden Beach Drive
Golden Beach, FL 33160

Property Address: 422 Golden Beach Drive, Golden Beach, FL, 33160
Folio No: 19-1235-005-0010
Legal Description: Lot 45 & N1/2 of Lot 46 Blk F Less Beg NW COR Lot 1

Installation of a new floating dock.

4. Caren Sredni Trs
540 North Parkway
Golden Beach, FL 33160

Property Address: 540 North Parkway, Golden Beach, FL, 33160
Folio No: 19-1235-006-0860
Legal Description: Lot 10-11, Block M, GB Sect F, PB 10-11

Installation dock replacement & seawall repair.

5. Gregory M Cogan Trs
Florida Land Trust No 1gb
151 Tremont St Ste 110 Pmb 392
Boston, Ma 02111

Property Address: 291, 287, and 299 Ocean Boulevard, Golden Beach, FL, 33160 (Through Unity of Title)
Folio No: 19-1235-003-0310, 003-0290, 002-0500
Legal Description: Lot 20, N ½ of Lot 40, All Lot 41, 42, 43, and 44, Blk A & B, GB Sec C PB 9-52

Construction of a new single-family residence and landscape design approval.

Motion to defer items 1 – 5 by Michael Klinger, Seconded by Isaac Murciano
All were in favor no one opposed
Motion passed 4 – 0

F. VARIANCE REQUEST(S):

6. 101 Ocean Blvd LLC
101 Ocean Blvd
Golden Beach, FL 33160

Property Address: 101 Ocean Boulevard, Golden Beach, FL, 33160
Folio No: 19-1235-003-0010
Legal Description: Lot 1 Less Beg NW COR Lot 1

Christopher Gratz summarized his report and it was entered into the record.
Stephanie Halfen, SDH Studio, spoke on behalf of the applicant.

Construction of a new single-family residence, covered terrace, pool, cabana, and roof top terrace and landscape design approval.

1. Relief from Town Code Sec. 66.69.1.(g) - Rear yard Setbacks. No portion of any house shall be placed closer to the east "rear" lot line abutting the Atlantic Ocean than behind a line drawn between the corners of the nearest existing residences parallel to the beach.

Request is to allow the rear setback to match that of the existing home, which is 30 feet from the rear line of the residence to the north.

A motion was made to recommend approval by Isaac Murciano, based on the current plans submitted, seconded by Michael Klinger
On roll call --Isaac Murciano-Aye, Jerome Hollo- Aye, Michael Klinger -Aye

Motion passed 3-0

2. Relief from Town Code Sec. 66-69.1 (h)(1)(a) Side yard Setbacks. Main Residence. For lots or any combination of lots with 50 feet or more of Frontage, but less than 75 feet of Frontage, no portion of any building shall be closer than 7.5' from each side lot line.

Request is to reduce the side setback on the south side of the home to 5'-2".

A motion was made to recommend approval by Isaac Murciano, based on the current plans submitted, seconded by Michael Klinger

On roll call –Isaac Murciano-Aye, Jerome Hollo- Aye, Michael Klinger -Aye

Motion passed 3-0

3. Relief from Town Code Sec. 66-141(d) Same—Projections. Eaves. The lower border of a roof that meets or overhangs a building wall may project up to four (4) feet into any Setback area.

Request is to increase the maximum allowed projection to 5'-6" at the southwest corner of the second floor, and 8'-6" at the southeast corner of the second floor.

A motion was made to recommend approval by Isaac Murciano, based on the current plans submitted, seconded by Michael Klinger

On roll call –Isaac Murciano-Aye, Jerome Hollo- Aye, Michael Klinger -Aye

Motion passed 3-0

7. Colette B Feldman
3752 NE 199 Street
Aventura, FL 33180

Property Address: 138 South Island Drive, Golden Beach, FL, 33160

Folio No: 19-1235-004-0540

Legal Description: Lot 12 & Block J, GB Sect D, PB 10-10

Installation of a new dock and seawall repair.

Christopher Gratz summarized his report and it was entered into the record.
Kirk Lofgren, Ocean Consulting, spoke on behalf of the applicant.

Relief from Town Code Sec. 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.

Request is to allow an 11'-7" portion of the existing seawall to remain encroaching a maximum 18" into a Town waterway;

Motion to approve by Isaac Murciano, Seconded by Michael Klinger
Conditioned on derm approval of the current plans.

On roll call –Isaac Murciano-Aye, Jerome Hollo- Aye, Michael Klinger -Aye, Stephanie Halfen-Aye

Motion passed 4-0

G. OLD BUSINESS:

8. 255 OB LLC
18200 NE 19th Avenue, 101

North Miami Beach, FL 33162

Property Address: 255 Ocean Blvd., Golden Beach, FL 33160
Folio No: 19-1235-003-0250
Legal Description: Lot 34 & 35, Blk A, GB Sec C, PB 9-52

Christopher Gratz summarized his report and it was entered into the record.
Stephanie Halfen, SDH Studio, spoke on behalf of the applicant.

Modifications of a previous approved of cabana.

A motion was made to approve by Michael Klinger based on the current plans submitted,
Seconded by Jerome Hollo
On roll call – Jerome Hollo-Aye, Michael Klinger- Aye

Motion passed 2-0

9. David M Lazarus Trs
88 Terracina Land Trust
Jeffrey M Perlow Trs
20295 Ne 29 Pl Ste 200
Aventura, Fl 33180

Property Address: 88 Terracina Avenue, Golden Beach, FL 33160
Folio No: 19-1235-004-0350
Legal Description: Lot 23 & 24, Blk H, GB Sec D, PB 10-10

Christopher Gratz summarized his report and it was entered into the record.
Bill Thomas, Unlimited Permit Services, Inc, spoke on behalf of the applicant.

Installation of a new dock and seawall repair.

A motion was made to approve by Isaac Murciano, based on the current plans submitted,
seconded by Stephanie Halfen

On roll call –Isaac Murciano-Aye, Jerome Hollo- Aye, Michael Klinger -Aye, Stephanie Halfen-
Aye

Motion passed- 4-0

10. 200 Golden Beach LLC
17201 Collins Ave 3501
Sunny Isles Beach, Fl 33160

Property Address: 200 Golden Beach Drive, Golden Beach, FL 33160
Folio No: 19-1235-004-0010
Legal Description: Lot 1 & 2, Blk G, GB Sec D, PB 10-10

Installation of a new dock and seawall repair.

A motion was made to approve by Isaac Murciano, based on the current plans submitted,
seconded by Stephanie Halfen

On roll call –Isaac Murciano-Aye, Jerome Hollo- Aye, Michael Klinger-Aye, Stephanie Halfen- Aye
Motion passed- 4-0

11. GB Real Estate Holdings LLC
1200 Brickell Avenue, Ste 950
Miami, FL 33131

Christopher Gratz summarized his report and it was entered into the record.
Kirk Lofgren, Ocean Consulting, spoke on behalf of the applicant.

Property Address: 534 North Parkway, Golden Beach, FL, 33160
Folio No: 19-1235-006-0700
Legal Description: Lot 16 & Port of Lot 15, Block F, GB Sect F, PB 10-11

Installation concrete seawall.

A motion was made to approve by Isaac Murciano, based on the current plans submitted,
seconded by Stephanie Halfen

On roll call –Isaac Murciano-Aye, Jerome Hollo- Aye, Michael Klinger -Aye, Stephanie Halfen-
Aye
Motion passed- 4-0

12. GB Real Estate Holdings LLC
1200 Brickell Avenue, Ste 950
Miami, FL 33131

Property Address: 538 North Parkway, Golden Beach, FL, 33160
Folio No: 19-1235-006-0690
Legal Description: A Port of Lot 15 & S1/2 of Lot 14 Blk F GB Sect F, PB 10-11

Christopher Gratz summarized his report and it was entered into the record.
Kirk Lofgren, Ocean Consulting, spoke on behalf of the applicant.

Installation concrete seawall.

A motion was made to approve by Isaac Murciano, based on the current plans submitted,
seconded by Stephanie Halfen

On roll call –Isaac Murciano-Aye, Jerome Hollo- Aye, Michael Klinger -Aye, Stephanie Halfen-
Aye
Motion passed- 4-0

13. Kenneth R Bernstein
550 Golden Beach Dr.
Golden Beach, FI 33160

Property Address: 550 Golden Beach Drive, Golden Beach, FL 33160
Folio No: 19-1235-006-0650
Legal Description: S1/2 of Lot 10 & Lots 11 & 12, Blk F GB Sec F PB10-11

Christopher Gratz summarized his report and it was entered into the record.
Kirk Lofgren, Ocean Consulting, spoke on behalf of the applicant.

Installation new dock & boatlift.

A motion was made to approve by Isaac Murciano, based on the current plans submitted,
seconded by Stephanie Halfen

On roll call –Isaac Murciano-Aye, Jerome Hollo- Aye, Michael Klinger -Aye, Stephanie Halfen-
Aye
Motion passed- 4-0

14. David J Blumberg
415 Center Island Drive

Golden Beach, FL, 33160

Property Address: 415 Center Island Drive, Golden Beach, FL, 33160
Folio No: 19-1235-005-1060
Legal Description: Lot 22 & 23, Blk L, GB Sect E, PB 8-122

Construction of a new seawall and dock.

A motion was made to approve by Isaac Murciano, based on the current plans submitted, seconded by Stephanie Halfen

On roll call –Isaac Murciano-Aye, Jerome Hollo- Aye, Michael Klinger -Aye, Stephanie Halfen-Aye

Motion passed- 4-0

H. NEW BUSINESS:

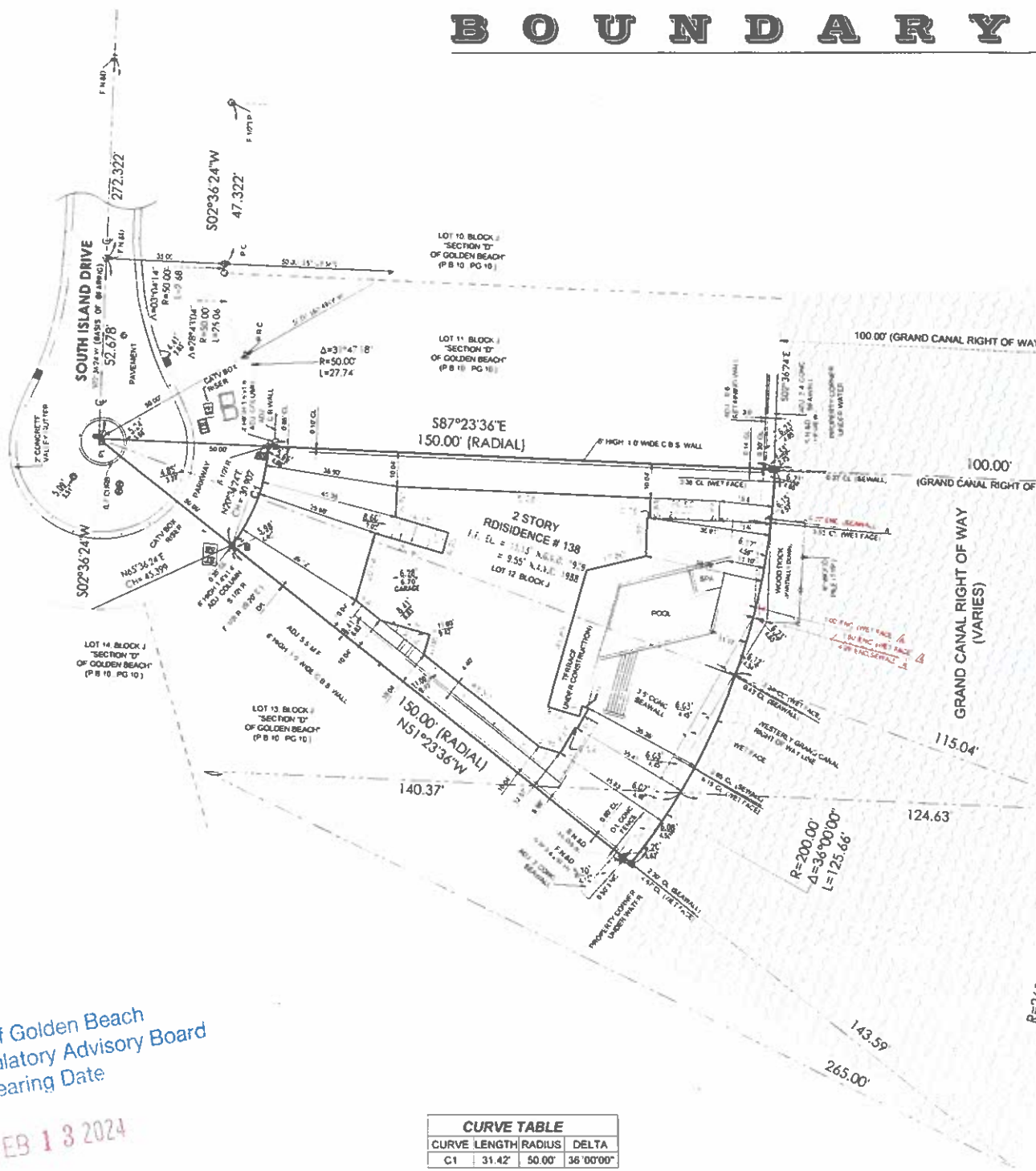
NONE

I. PRELIMINARY DESIGN REVIEWS - ITEMS FOR DISCUSSION AND POSSIBLE APPROVAL

J. ADJOURNMENT 7:12 PM

PURSUANT TO FLA. STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR THAT SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHER INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES I

BOUNDARY



Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

FEB 13 2024

APPROVED
DISAPPROVED
BY: _____
DATE: _____

CURVE TABLE		
CURVE LENGTH	RADIUS	DELTA
C1	31.42'	50.00'
		36° 00' 00"

LEGEND AND ABBREVIATIONS	
A	ARC
ADJ	ADJACENT
AC	ADJACENT TOWER PAD
ATMA	AS THEIR INTERESTS MAY APPEAR
C B	CATCH BASIN
C L F	CHAIN LINK FENCE
CL	CENTER LINE
CL	CLEAR
CONC	CONCRETE
C B S	CONCRETE BLOCK STRUCTURE
E	EAST
ENC	ENCROACHMENT
EL	ELEVATION
Δ	DELTA
F F EL	FRESH FLOOR ELEVATION
F P C P	FOUND PERMANENT CONTROL POINT
F I P 1/2"	FOUND IRON PIPE 1/2"
F I R 1/2"	FOUND IRON REBAR 1/2"
F N	FOUND NAIL
F N & D	FOUND NAIL AND DISC
F P P R M	FOUND PERMANENT REFERENCE WORKMENT
F M	FENCING MESH
L M E	LAKE MAINTENANCE EASEMENT
ISAQA	ITS SUCCESSORS AND/OR ASSIGNS
(M)	MEASURED
N	NORTH
N A V D	NORTH AMERICAN VERTICAL DATUM
N G V D	NATIONAL GEODETIC VERTICAL DATUM
OL	ON LINE
OS	OFF SET
OH	OVERHEAD WIRES LINE
PI	POINT OF INTERSECTION
PL	PLANTER
PG	PAGE
P B	PLAT BOOK
P C C	POINT OF COMPOUND CURVATURE
P R C	POINT OF REVERSE CURVE
P C B	POINT OF BEGINNING
P C C	POINT OF COMMENCEMENT
P C	POINT OF CURVATURE
P C P	PERMANENT CONTROL POINT
P F	PLASTIC FENCE
R	RADIUS
(R)	RECORD
R P	RADIUS POINT
S	SOUTH
1/2" IR	SET 1/2" IRON REBAR
R W	RIGHT OF WAY
S B T	BELL SOUTH TELEPHONE
SWK	SIDEWALK
S N & D	SET NAIL & DISC
T	TANGENT
T B M	TEMPORARY BENCHMARK
T Y P	TYPICAL
U E	UTILITY EASEMENT
W	WEST
W M	WATER METER
W F	WOOD FENCE

GARY B. CASTEL

PROFESSIONAL LAND SURVEYOR

25465 S W, 134th PLACE, HOMESTEAD, FLORIDA 33032

Mobile Phone: (786) 486-6786
E-Mail: esplandsinc@gmail.com

THE
FILE
CO

See attached survey supplied by owner for exact property information

S87°23'36"E 150.00' (RADIAL)

N20°36'24"E
CH = 30.902'

RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL
NAME Jessica Rios
DATE 01/12/2024

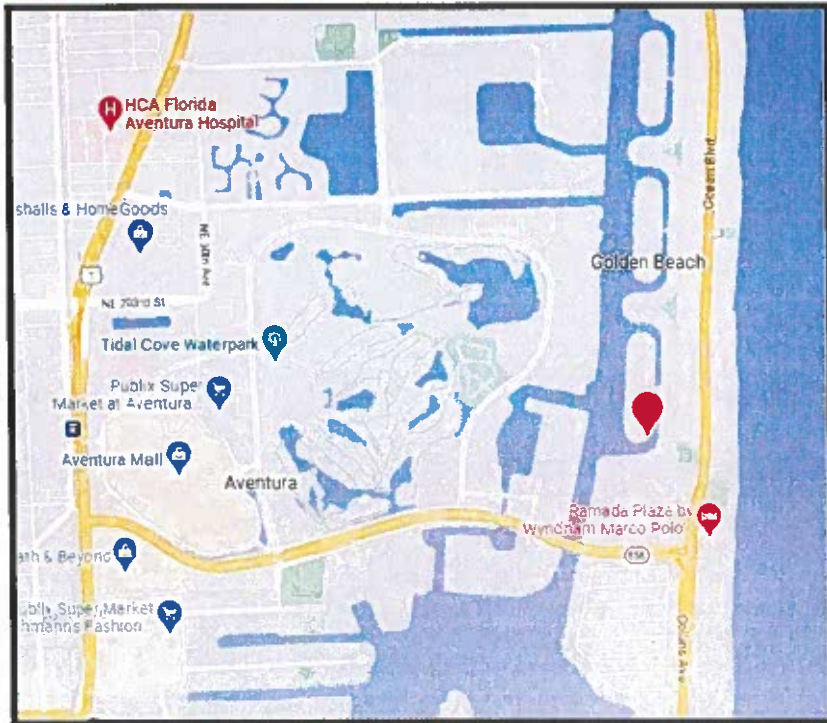
2 STORY
RESIDENCE # 138
F.F. EL. = 11.13' N.G.V.D. 1929
= 9.55' N.A.V.D. 1988
LOT 12, BLOCK J

TERRACE
UNDER CONSTRUCTION)

Town of Golden Beach
Building Regulatory
Hearing Board
LOT 12, BLOCK J
"SECTION "D"
OF GOLDEN BEACH"
(P.B.10 , PG.10)
FEB 13 2024

APPROVED
DISAPPROVED
VARIANCE

Location Map



150.00' (RADIAL) N51°23'36"W

Exist. S
Wet F
1

LEGAL DESCRIPTION:
LOT 12, BLOCK J
"SECTION "D"
OF GOLDEN BEACH"
(P.B.10 , PG.10)

Existing Site Plan

Scale 1" = 15'

S87°23'36"E 150.00' (RADIAL)

N20°36'24"E
CH = 30.902'

**RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL**
NAME Jessica Rios
DATE 01/12/2024

**2 STORY
RESIDENCE # 138**
F.F. EL. = 11.13' N.G.V.D. 1929
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LOT 12, BLOCK J

LOT 13, BLOCK J
"SECTION "D"
OF GOLDEN BEACH"
(P.B.10 , PG.10)

TERRACE
UNDER CONSTRUCTION)

150.00' (RADIAL) N51°23'36"W

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

FEB 13 2024

APPROVED
APPROVED
ANCE REQ

LEGAL DESCRIPTION:
LOT 12, BLOCK J
"SECTION "D"
OF GOLDEN BEACH"
(P.B.10 , PG.10)

Exist S
Wet Fa
R
1

Proposed Site Plan

Scale: 1" = 15'

REVISIONS		
1	12.27.2023	Show wet face of existing seawall

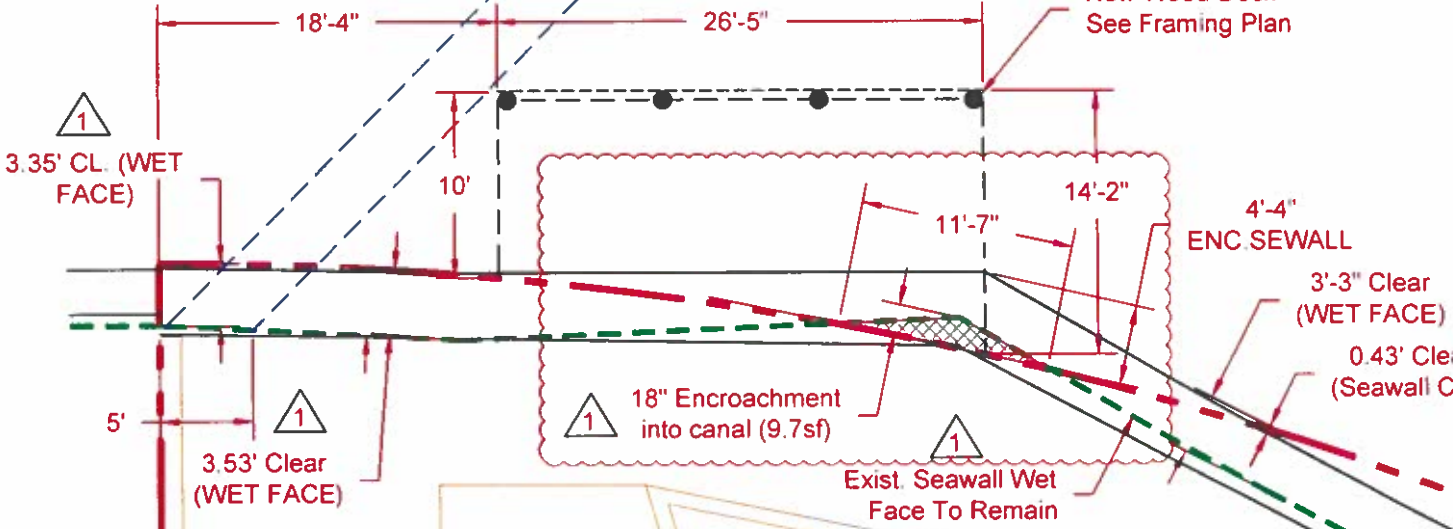
Length of Pro

GRAND



D5 Triangle
GB Triangle

New Wood Dock -
See Framing Plan



SPA

POOL

Exist. Seawall, C
Rip Rap To Re

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

FEB 13 2024

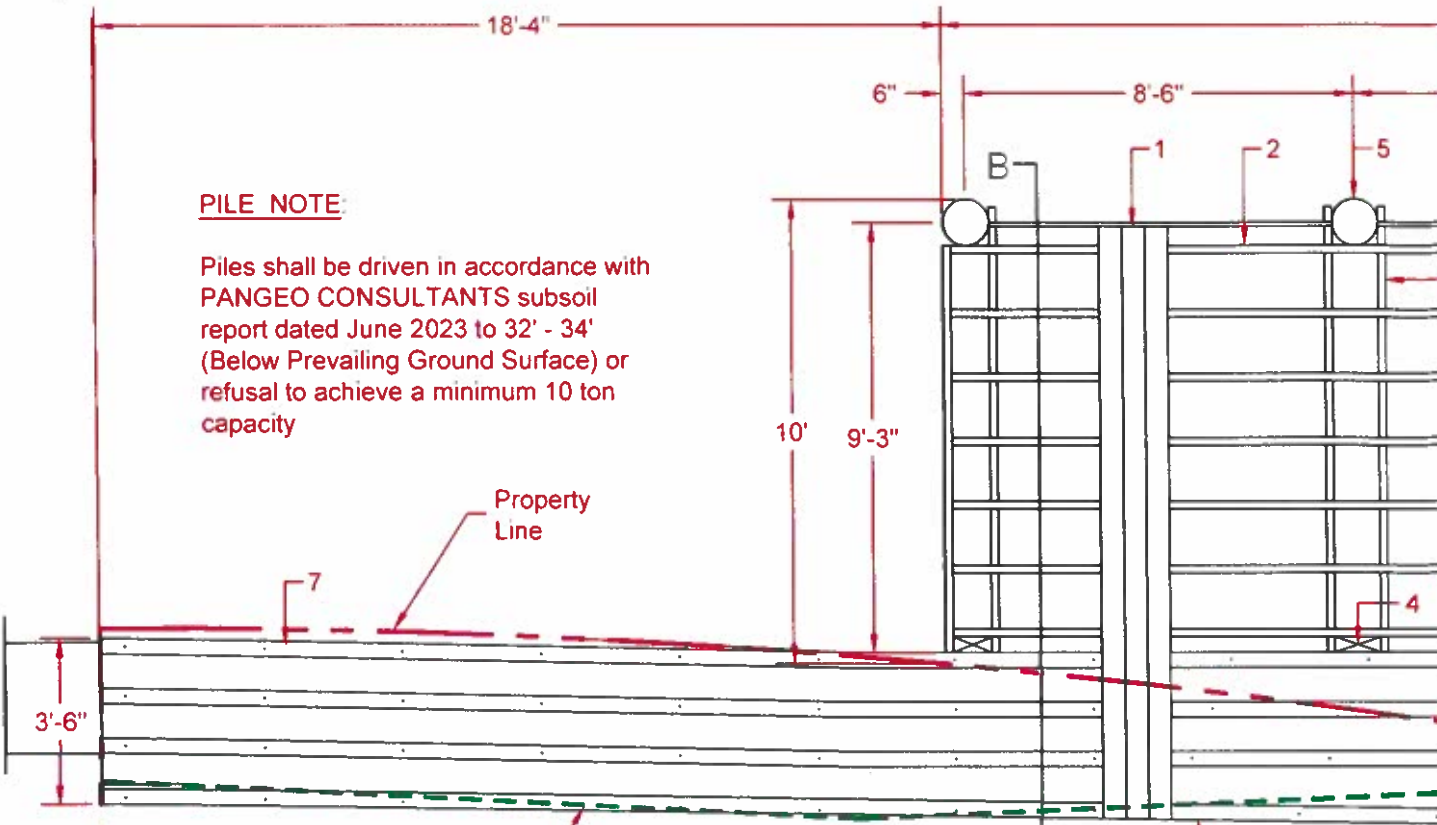
APPROVED
DISAPPROVED
VARIANCE REQ

Site Plan - Encroachment

Scale: 1" = 10'

PILE NOTE:

Piles shall be driven in accordance with PANGEO CONSULTANTS subsoil report dated June 2023 to 32' - 34' (Below Prevailing Ground Surface) or refusal to achieve a minimum 10 ton capacity



Existing seawall, ca and rip rap to remain

Exist. Seawall Wet Face To Remain

RER - NATURAL RESOURCES DIVISION
PRELIMINARY APPROVAL
 NAME Jessica Rios
 DATE 01/12/2024

Framing Plan

Scale 1/4" = 1'-0"

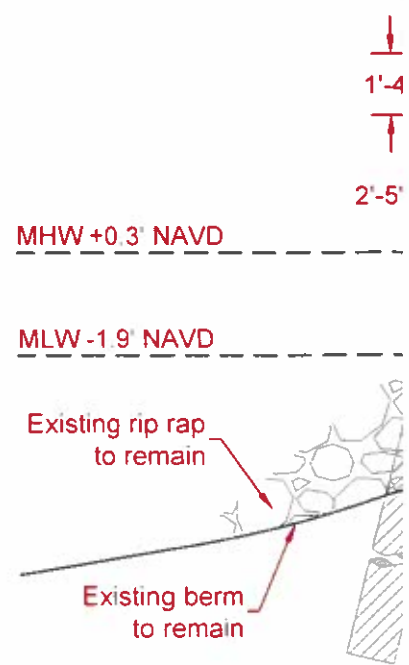
Town of Golden Beach
 Building Regulatory Advisory Board
 Hearing Date

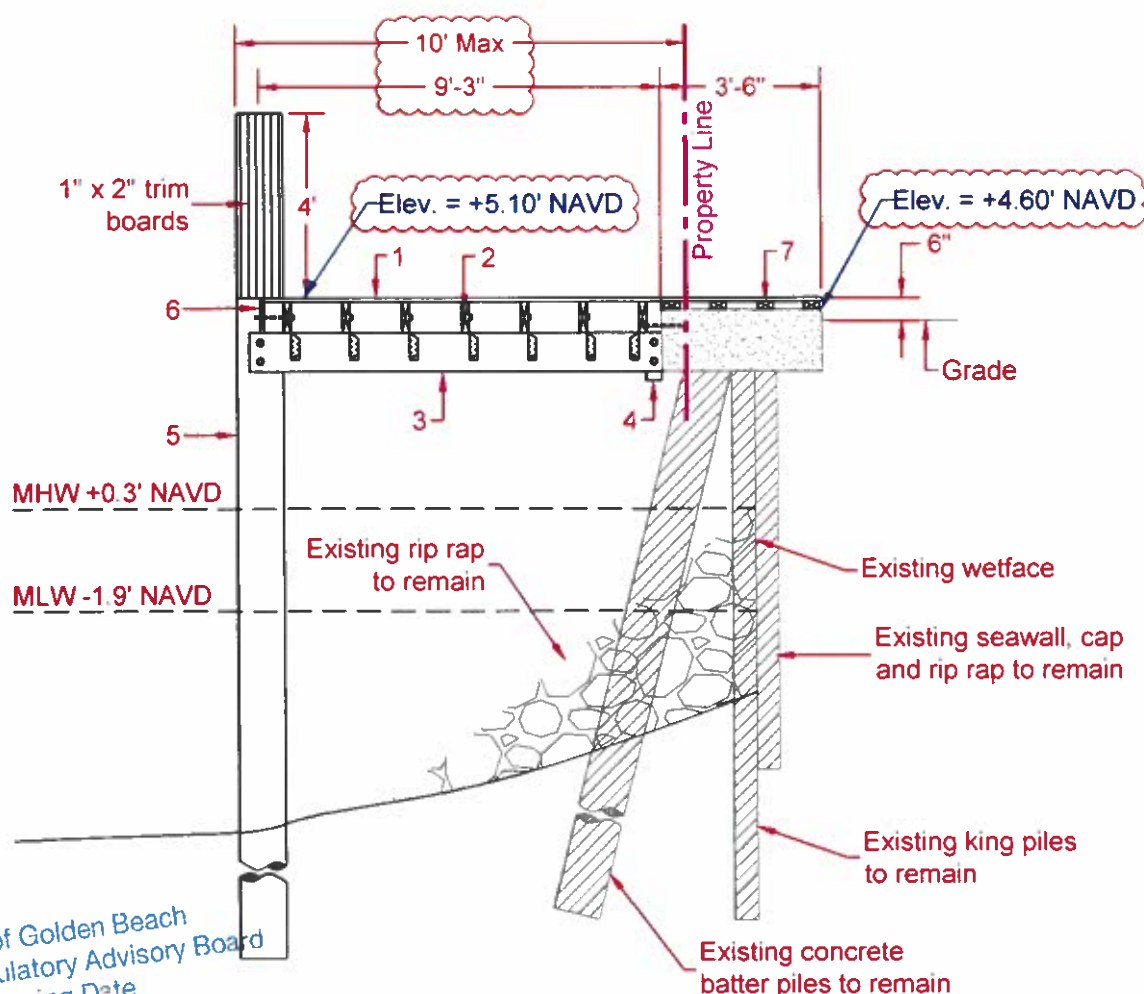
FEB 13 2024

Elev. = +5.10' NAVD

APPROVED
 DISAPPROVED
 VARIANCE REQ.

1. 1x6 "Azek" or "Trex" decking with (2) #10x3" S.S. wood Screws per stringer
2. 2x8 stringers @ 16" max. spacing attach with Hurricane Strap H2.5A (FL10456) with (5) 8d nails each leg into substringers
3. 3x12 substringer with (2) 3/4"Ø thru bolts into wood dock piles and (2) 3/4"Ø lag bolts into drop hanger (minimum embedment = 4")
4. 4x12 drop hanger with (2) 3/4"Ø wedge anchors into existing seawall cap (min. embedment = 5")
5. New 12"Ø wood piles
6. Double 1x6 fascia board around perimeter of wood dock
7. 2x4 continuous sleepers with 1/4"Ø x 3 1/2" tapcons @ 36" o.c.





Dock Section "B"

Scale 1/4" = 1'-0"

Town of Golden Beach
 Building Regulatory Advisory Board
 Hearing Date

FEB 13 2024

APPROVED
 DISAPPROVED
 VARIANCE REQ

1. 1x6 "Azek" or "Trex" decking with (2) #10x3" S.S. wood Screws per stringer
2. 2x8 stringers @ 16" max. spacing attach with Hurricane Strap H2.5A (FL10456) with (5) 8d nails each leg into substringers
3. 3x12 substringer with (2) 3/4"Ø thru bolts into wood dock piles and (2) 3/4"Ø lag bolts into drop hanger (minimum embedment = 4")
4. 4x12 drop hanger with (2) 3/4"Ø wedge anchors into existing seawall cap (min. embedment = 5")
5. New 12"Ø wood piles
6. Double 1x6 fascia board around perimeter of wood dock
7. 2x4 continuous sleepers with 1/4"Ø x 3 1/2" tapcons @ 36" o.c.

PILE NOTE:

Piles shall be driven in accordance with PANGEO CONSULTANTS subsoil report dated June 2023 to 32' - 34' (Below Prevailing Ground Surface) or refusal to achieve a minimum 10 ton

1" x 2" trim board

MHW +0.3' NAVD

MLW -1.9' NAVD

Do

GENERAL NOTES:

1. Construction to follow the Florida Building Code 8th Edition (2023) and amendments as applicable and all Local, State and Federal Laws.
2. Licensed contractor shall verify the existing conditions prior to the commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawing shall be brought to the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements in connection with their work.
3. Do not scale drawings for dimensions.
4. Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for approval prior to commencement of work.
5. All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
6. All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each appertaining circumstance.
7. All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
8. Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
9. Licensed Contractor to verify location of existing utilities prior to commencing work.
10. The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
11. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
12. Turbidity barriers to be marked with site contractor's company name using permanent markings no smaller than 3 inches in height on the top of the barrier.

Bolts

PILE DRIVING:

1. Piles shall be driven using an approved cushion block consisting of material so arranged so as to provide the transmission of hammer energy.
2. Piles shall be driven in accordance with PANGEO CONSULTANTS subsoil report dated June 2023 to 32' - 34' (Below Prevailing Ground Surface) or refusal to achieve a minimum 10 ton capacity.
3. Piles shall be driven with a drop hammer or gravity hammer provided the hammer shall weight no less than 3,000 pounds, and the fall of the hammer shall not exceed 6'.
4. Piles shall be driven with a variation of $\frac{1}{4}$ inch per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than three inches.
5. Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

APPROVED _____
DISAPPROVED _____
VARIANCE REQ _____

PILE NOTES

1. Wood piles to be 2.5 lb. CCA treated in accordance with AWPA standard C18.
2. Wood piles shall be a minimum diameter of 10", Miami Dade County requires minimum diameter of 12".

RER - NATURAL RESOURCES DIV
PRELIMINARY APPROV.
NAME Jessica Rios
DATE 01/12/2024