TOWN OF GOLDEN BEACH

BUILDING AND ZONING DEPARTMENT MEMORANDUM



TO:

Building Regulatory Advisory Board

FROM:

Christopher M. Gratz, AICP, Consulting Planner

DATE:

January 9th, 2024

SUBJECT:

Variances, 101 Ocean Boulevard

GENERAL PROPERTY INFORMATION

Land Use Designation:

Low Density Residential

Zoning District:

Zone One (1)

Address:

101 Ocean Boulevard

Legal Description:

Lot 1, Block "A", Section C, Golden Beach, according to the plat thereof,

as recorded in Plat Book 9, at Page 52 of the Public Records of Miami-

Dade County.

Lot Information:

Under-sized oceanfront lot, 60' frontage, 331.9' average depth, 18,262 square feet (0.419 acres) to the bulkhead line, 16,260 square feet (0.37 acres) buildable area. Ranging from 7.79' NGVD on the Ocean Boulevard property line to 13.21' NGVD at the east plat line, then to 8.99' NGVD at

the rear (oceanfront) lot line.

APPLICATION INFORMATION

Owner/Applicant:

101 Ocean Blvd LLC/ Stephanie Halfen of SDH Studio

REQUEST

Variance #1 **FROM**: Town Code §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; **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. The southern property line is the Town boundary and the view of the ocean from the property to the north will be unchanged.

Variance #2 **FROM**: Town Code §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; **TO**: reduce the side setback on the south side of the home to 5'-2".

Variance #3 **FROM:** §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; 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.

HISTORY

The property contains a 1-story 3,462 square foot single family home constructed in 1967, according to the Miami-Dade County Property Appraiser's website.

APPLICATION DETAILS

Construction of a new home the property is proposed; a concurrent application for approval of a new dwelling has been submitted. This is a unique property; it is the southernmost ocean front lot in the Town, which has been dwarfed by 39 floor Regalia condominium in the City of Sunny Isles Beach. The incompatibility this structure creates is substantial; the Town's Code regulates compatibility between one and two story homes, so in this instance the requirements meant to provide compatibility with the property to the south are virtually irrelevant. The applicant has requested variances from setback and projection requirements that relate to construction on the southern and rear property lines; all other Town Codes are being met.

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 requests are 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.

The adjacent 39 floor Regalia condominium in the City of Sunny Isles Beach creates extreme special conditions and circumstances for this property that are not applicable anywhere else in the Town.

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

The applicant has not created the special conditions and circumstances relating to this property, they were created by the City of Sunny Isles Beach and the developer of the Regalia condominium.

(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 applicant would be granted a special privilege by not having to meet the Town's requirements relating to construction along the southern and rear property lines; however it is critical to note that these requirements are virtually irrelevant because they regulate compatibility between one and two story home and property to the south is developed with a building with 39 floors.

(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.

Without these variances the applicant would not be deprived of any rights that other properties possess, however meeting all of the Town Code's requirements relating to compatibility with the property to the south presents an unnecessary hardship since these requirements are intended to regulate one and two story single family homes.

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

It is not reasonable to require strict compliance with the Town Code's requirements that relate to the property to the south and what has been requested are the minimum the owner desires to justify constructing a new home on the property.

(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 that are compatible with existing development and have a cohesive architectural character; granting these variances to allow this home to be constructed closer to the 39 floor Regalia condominium will not be injurious or a detrimental to the public welfare as these distances will comply with the building separation required by the Florida Building Code.

(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 additional conditions are being recommended.

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.

This is not a request for variances to allow a use or something not allowed by the Town Code, and no nonconforming uses of neighboring lands within the Town are being cited as a reason to grant the request.

RECOMMENDATION

The applicant did not need to provide substantial competent evidence to support the request, the incompatibility with the Regalia condominium is obvious, the requests are reasonable and criteria required by the Town Code for the granting of a variance are being met; therefore **approval** 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:

_____3 ____Variance Request(s) ______Accessory Structures

Construction of a new seawall and dock.

 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.

 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".

 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.

JOB ADDRESS: 101 Ocean Blvd., Golden Beach, FL, 33160 OWNER ADDRESS: 101 Ocean Blvd., Golden Beach, FL, 33160

REQUESTED BY: 101 Ocean Blvd. LLC

LEGAL DESCRIPTION: Lot 1 less beg NW COR Lot 1, GB Sect C, PB 9-52

FOLIO NO.: 19-1235-003-0010

The BUILDING ADVISORY BOARD will consider this item:

Golden Beach Town Hall 1 Golden Beach Dr. Golden Beach, FL 33160

https://us02web.zoom.us/i/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 RECORDES A REASONABLE ACCOMMODATION IN ORDER TO PARTICIPATE FULLY AND EFFECTIVELY IN A MEETING OF THE BUILDING REQULATION BOARD MUST SO NOTBY THE TOWNCLERK AT (XXS) \$22–0744 AT LEAST 24 HOURS PRIOR TO THE DATE OF THE MEETING.

TOWN OF GOLDEN BEACH APPLICATION FOR BUILDING REGULATION ADVISORY BOARD HEARING

_		Application f	ee:
Request h	earing in reference to:		
	ence/addition: 101 Ocean Blvd	Variance(s):	Yes
Exterior al	terations:	Other Struct	ure:
Date appli	cation filed:	For hearing of	date:
1.	Project information: Project description: New 3 si	tory single family residence with 2 garages, cov	ered terrace, pool capana and
	Legal Description: Lot 1. Bloo	ck "A", Section "C" of Golden Beach, Plat Book !	9, Page 52 of Miami Dade
	except portion described on survey		
	Folio #: 19-1235-003-0010		
	Address of Property:	101 Ocean Blvd, Golden Beach, Fl. 33160	
2.	Is a variance(s) required: '(If yes, please submit varia	Yes No How Many? _ ance application form for each requ	uest).
Owner's N	lame: 101 Ocean Blvd LLC	Phone (786) 718-0385	Fax
Owner's a	ddress; 101 Ocean Bivd	City/State Golden Beach	Zip 33160
Email add	ress: danielhomeloanscor@yahoo.c	om	
Agent:		Phone	Fax
Agent's ac	ldress:	City/State	Zip
Email add	ress:		
Architect:	SDH Studio	Phone (305) 501-5013	Fax
Email add	ress; stephanie@sdhstudio.com		
Contractor		Phone	Fax
	Describe project and/ or re	eason for hearing request: Request for les, covered terrace, pool, cabana and rooftop t	new construction of a 3 story
4.	The following information	is submitted for assisting in review	e
	Building Plans:		
	Conceptual: Other:	Preliminary:	Final:
5.	Estimated cost of work: \$1	5.869.150	
	Estimated market value of	f: Land \$ 9.053,675.00	
		Building \$ 345,786.00	
	(Note: If estimated cost of independent appraisal is r	work is 40% of the market value or equired).	of the building an

BUILDING REGULATION ADVISORY BOARD APPLICATION (July 2020) Page 6 of 15 $\,$

TOWN OF GOLDEN BEACH APPLICATION FOR BUILDING REGULATION ADVISORY BOARD HEARING

- 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.

 Town of Golden Beach
- 8. Required for permitting: A copy of the Certified copy of recorded Resilding Regid BRAB\dvisory Board approved application package along with the minutes.

 Hearing Date

BUILDING REGULATION	ADVISORY	BOARD	APPLICATION	f.hite	20201
Page 2 of 15				(our,	4020/

JAN n 9 2024

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.

Type o	of requ	rest	Fee	Qty
1.	Resid	dence (new construction)	\$300.00	1
2.	Addit	ion/Remodel of existing structure	\$225.00	0
3.	(char	ing, site walls, driveways, pool decks ged per each item included in the plans)	\$150.00	4
4,		ssory Building or Structure	\$150.00	{
5.	Swim	ming pools	\$100.00	ı
6.	Dock	S	\$100.00	0
7.	Boat	Lifts	\$100.00	0
9.	Carpo	orts, awnings	\$100.00	_0
	from t	scape plan review; required for new construction, addition and deling project. (submit plans with site plan elevations separate he building plan approval package) pmissions, based on original fee paid	\$300.00 75.0%	1
	Zonin	g Variances and special exceptions, per variance seption:	7 3.0 76	
	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	2
	C.	When a variance is granted, the property owner, at his expense resolution for the variance recorded in the public records of Mia and two (2) certified copies of the recorded resolution shall be Town for inclusion into the property records	mi-Dado couch	,
	d.	If the Town Council grants a variance, a building permit must be stwo years of the approval date or the variance will become null ar	secured within	
13.	Reque For ea	est to the Board for verification of any section of the Zoning Code, ach Section to be verified	\$100.00	0

BUILDING REGULATION ADVISORY BOARD APPLICATION (July 2020) Page 3 of 15

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?
 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 3rd day of NOVEMBER, 2023
Type of identification:
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: Foot of Aveyorand
am hereby authorizing to be my legal representative before the Building Regulation Advisory Board and Town Council.
Acknowledged before me this 3000 day 1000000000000000000000000000000000000
Acknowledged before me this 300 day 1000000000000000000000000000000000000
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: 101 Ocean Blvd		
Legal Description: Lot 1 Block At Section of Golden Beach Plat Book	9. Page 52 of Miami Darie Critich less not on.	
Owner's Name: 101 Ocean Bldv LLC	Phone (786) 718-0385 Fa	
Agent's Name:	PhoneFa	ax
Board Meeting of:		ax
NOTE: 1. Incomplete applications will not be p	rocessed.	
Applicant and/or architect must be pres	ent at meeting.	
	**	
Application for: New 3 story single family residence Lot size: 16.260		
Lot area: 16.260		
Frontage: 60'		
Construction Zone: 1		
Front setback: 20' guest quarters & 60' main house		
Side setback: 7'-6" North and 5' South		
Rear setback: As per Plans		
Coastal Construction: Yes No East of co		
State Road A1A frontage: 60'	astal const. control line: Ye	es 🖾 Noll
0	201.50	
Farmer T. M. M. C.	ng: no Proposed	
Finished Floor elevation N.G.V.D.:24 16	ng: roposed	:
	ng: n/a Proposed:	
Lot Drainage: Swales and trench drains, refer to child place		
How will rainwater be disposed of on site? Retained of	On Swales and trench drains, tales to	oint alone
The state of the s	and french draits, refer to	Civil plans
Adjacent use (s): Residential and multilamily		
Impervious area: 10418.53		
% of impervious area: 60		
Existing ground floor livable area square footage:	3317	
Proposed ground floor livable area square footage	5833	
Existing 2 ^{no} floor livable area square footage: n/a		
Proposed 2nd floor livable area square footage: 5101		
Proposed % of 2 nd floor over ground floor, 87		
Vaulted area square footage: na		
Vaulted height:		
Color of main structure; White and metal		
Color of trim: bronze		
Color & material of roof: white and stone		
Building height (above finished floor elevation): 25'-1		
Swale: (Mandatory 10'-0" from edge of payment, 1	0 ft. wide x 1 ft. deep minir	mum):
Existing trees in Lot: As perplans	in Country	
Proposed trees in Lot: As per plans	in Swale:	
Number & type of shrubs; As per plans	in Swale:	
	ig:Pro	onosed:
Driveway width & type: 20' - Concrete pavers		oposed
(1751)		
Signature of Applicant:	Date:	
BUILDING REGULATION ADVISORY BOARD APPLICATI	ON (July 2020)	
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TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD APPLICATION FOR PETITION FOR VARIANCE

		Date.
		Fee:
from t	he term ean Blvd	hereby petition the Town of Golden Beach for a variance s of the Town of Golden Beach Code of Ordinances affecting property located at: Folio No. 19-1235-003-0010
As spe	ecified i	n the attached "Application for Building Regulation Advisory Board" and related
1.	THO I C	ariance requested is for relief from the provisions of (<u>list section number(s)</u> of <u>pwn of Golden Beach Code of Ordinances</u>); Section 66-69.1 (h)(c) Side Yard Setbacks. 66-101 (a)(1) Elevation of house and garage floors. Section 66-141(d) Projections
2.	in orde (pleas	er to recommend the granting of the variance, it must meet all the following criteria e 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 Request to eliminate additional side setback in South
		Property Line instead of additional 1' setback for eevery feet in height above 18'. Request to allow the first habitable floor to start at 24.5' NGVD instead of 20.2' NGVD as stated in the Town's
		Request to allow for 5'6" projection and 8'6" projection to the south lot line of property. at front and rear
		setback, instead of 4.
	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 existing elevation of the current house and for cause the necessity to raise the elevation of the house to avoid excess ve digging in an ocean property which is not allowed by the FDEP. Yes- The lot is the first lot to the East of Ocean Bivd, at south vectnity, the presence of a big multifamily high rise presents different conditions than those that a single family home would represent. Adjutaments are
		necessary to recognize the difference of scales between the building and the proposed home.
	C.	The special conditions and circumstances do not result from the actions of the applicant. Conditions do not result from 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. $\underline{^{NO}}$

TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD PETITION FOR VARIANCE

. .1 **

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, Yes
4.	The Variance granted is the minimum Variance that will make possible the reasonable
	use of the land or structure. Yes
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
	Does the Variance being requested comply with <u>all</u> the above listed criteria?
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 V. No. Please attach any written letters of no objection to this petition.
7.	Is this request related to new construction?
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 NoDate issued:



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November 22nd, 2023 101 Ocean Blvd. Golden Beach FL 33160 Single Family Residence - New Design Planning and Zoning Comments

Town of Golden Beach Building Regulatory Advisory Board Hearing Date

JAN 0 9 2024

Dear Planning and Zoning,	APPROVED DISAPPROVED VARIANCE REQ
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The following document clarifies the itemized list of requested variances, to further explain the details and reasons behind each variance request. Please refer to the items listed below, along with each corresponding explanation.

1. Request for variance of section 66-69.1 (h)(c)1 & 2 - Side Yard Setbacks

The subject property is the first property, facing the Ocean, in the Town of Golden Beach immediately adjacent to the limits of the city of Sunny Isles. Because of this location and condition, the property has single-family residences to the north and a multifamily high-rise to the South. Given the fact that the south side of this property is faced with a building that has a considerably larger scale, the applicant requests to have the requirement for additional setbacks waived at the South of the house, both on Guest Quarters and Main house, to be able to turn back on the building directly adjacent to the future house. Furthermore, given the scale of the building, the applicant requests contemplation for a variance of this section of the code not to give this building the same considerations that would be given to a single-family home.

Furthermore, the existing property is setback 5' from the property line. The applicant requests to maintain this setback, in lieu of the 7'-6" required, to occupy the lot in a more beneficial way for the project.

2. Request for variance of section 66-141 (d) – Projections – Eaves

The subject property is the first property, facing the Ocean, in the Town of Golden Beach, immediately adjacent to the limits of Sunny Isles. Because of this location and condition, the property has singlefamily residences to the north and a multifamily high-rise to the South. Given that the south side of this property is faced with a building that has a considerably larger scale, the applicant requests to have the requirement for eaves projections waived to allow for more prominent projections. Waiving this requirement will allow the applicant to provide a view for the building facing northeast instead of a view toward the building on the south. The code allowance for projections is 4'. The applicant requests to have the following projections:

• 5'-6" projection at the southwest corner of the second floor.

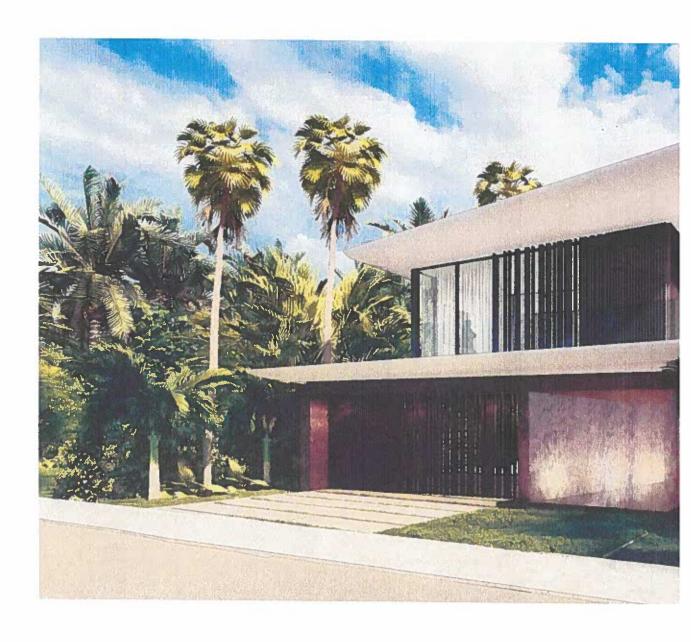
Girls A . A

• 8'-6" projection at the southeast corner of the second floor.

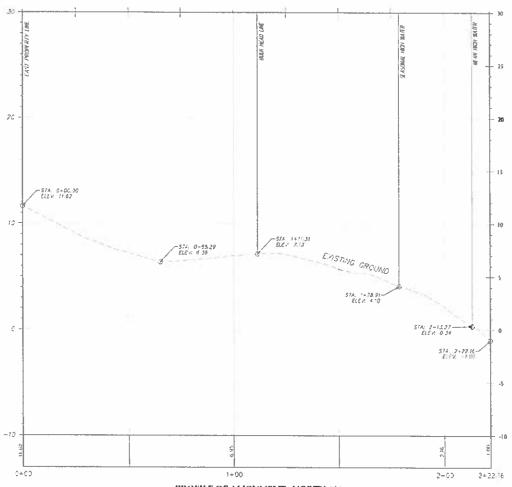
Please note that this request is only for the second story and only at the south side of the subject property, no variance is being requested at any other side or any other story.

3. Request for variance of section 66-69.1 (g) - Rear Yard Setbacks

Section 66-69.1 (g) states the following: "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." Given that this line cannot be established, since the property to the South is the multifamily Regalia on the city of Sunny Isles, the applicant requests to have the rear setback established by the current property's rear limit.

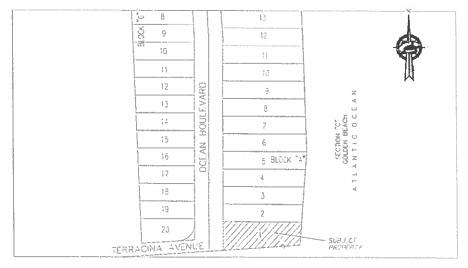


	ARCHITECTURE	CIVIL	LANDSCAPING	RE
DRAWING	A 000	C4 DRANGEPAN C2 SIDER DRANGED HALS		£.
PROJECT TEAM				



PROFILE OF ALIGNMENT - NORTH 101 HORIZONTAL 1 1" = 2(Y VERTICAL 1 1" = 4"

ELEVATIONS SHOWN ARE I BATT IN CONVERSE 0.00 MAYDES = 1,50 i



VACINITY VAP

LEGAL DESCRIPTION (PUBLIC PECRES)
101 1. BLOCK A. STERROY "C" OF SOLDEN
PROPARE WE PLAN BOOK 9, PACK 52 OF TH
LESS WAY CERTAIN PORTION NERFOR DESCRE
BYTCHMAR AT THE NORTHEST COPINY OF IL
BYTCHMAR AT THE NORTHEST COPINY OF IL
BYTCHMAR AT THE NORTHEST COPINY OF IL
BYTCHMAR THENCE PLAN SOUTH 2 DYGGETS, 43 %
OF LOT 1, FOR A DISTANCE OF 2147 FETT 1
MAUTES, 57 SECONDS EAST, ALONG A LIME FO
HOW THOSE LINE OF THE ATLANTO COCEAN, THE
THE HIGH TIDE LINE OF THE ATLANTO COCEAN
LIVE OF SAID LOT IT, THENCE PUN NOFTH 9.7
THE MORTH LINE OF SAID LOT 1, FOR A DISTAN
BEGGINNING.

SURVEYOR'S NOTES: NO UNDERGROUND FOOTINGS WERE LOCATED, L

THE CLIENT PROMETO THE LEGAL DESCRIPTION

CAMERSHIP IS SUBJECT TO OPITION OF TITLE.

NO ENCROPERMENTS MERE NOTED BY THIS SUI

ANY NOTCRICES EMBENCE OF COCUPATION RIGHT-OF-WAY, MIGHESS OF ECHESS IS SH SLAVER COES NOT PURPORT TO REFLECT MY THAN SHOWN ON THE PECORDED PLAT OR STA THIS BRAWNO.

THE CAMERSHIP OF THE FENCES AND/OR WALL

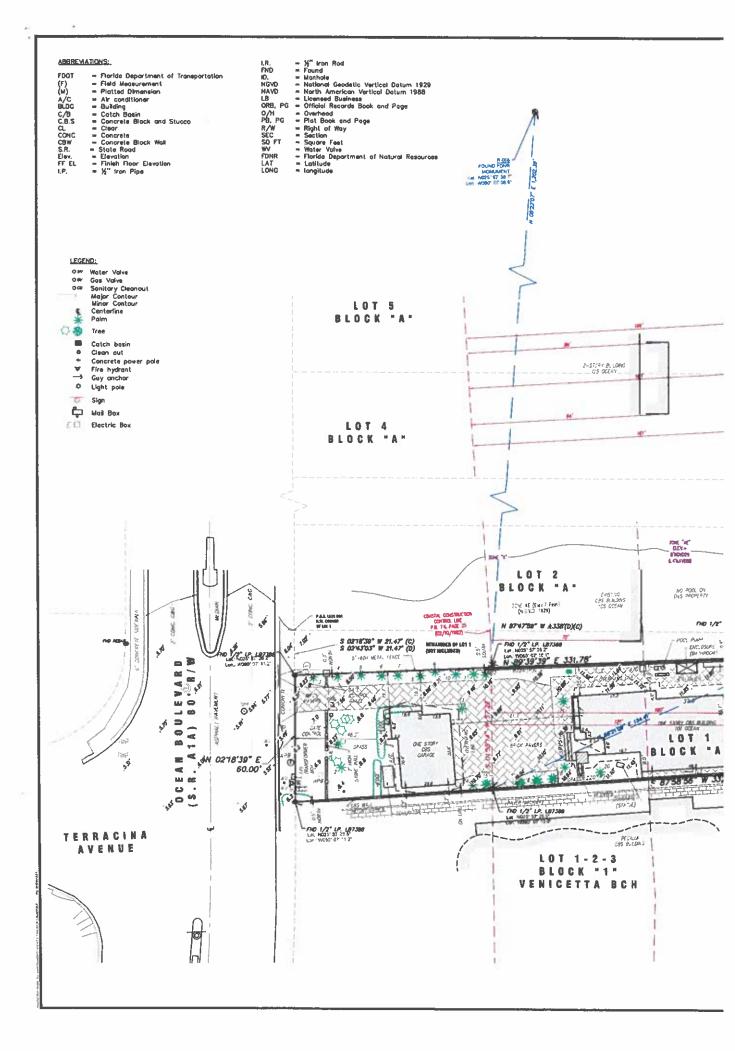
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ALL MEASUREVENTS ARE IN US SURVEY FOOT







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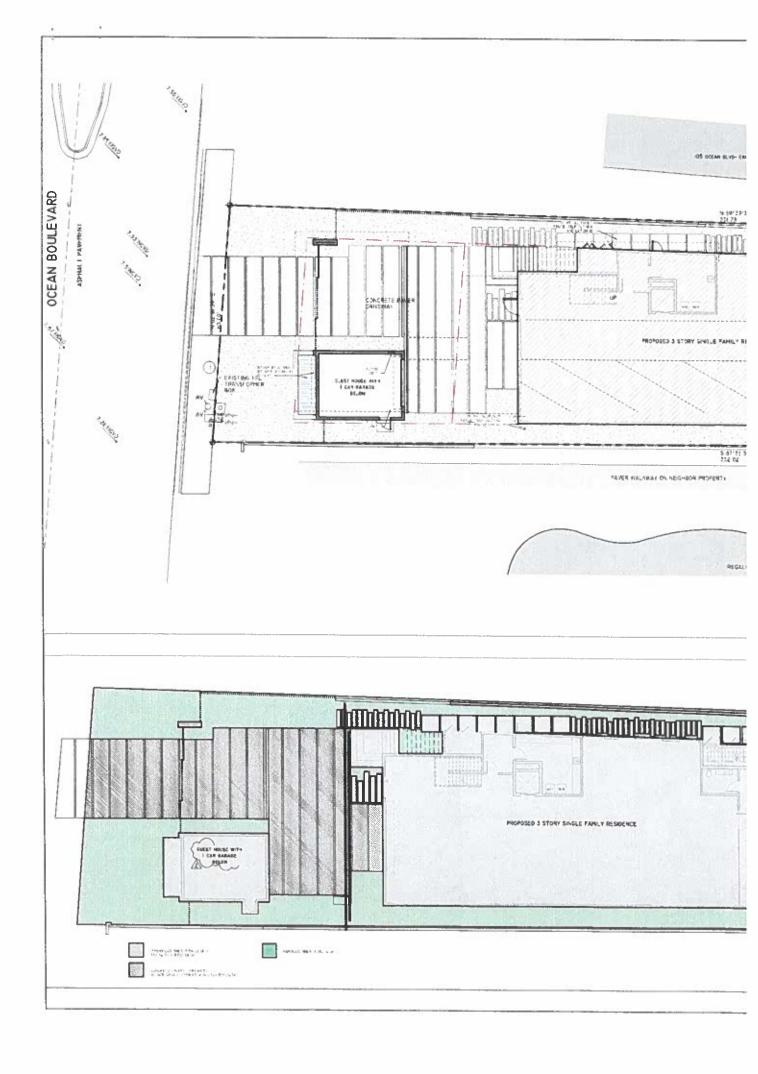
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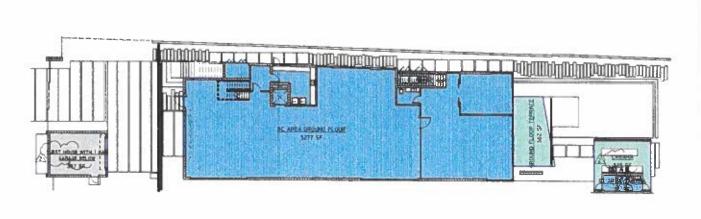
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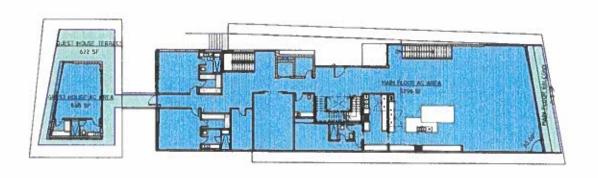
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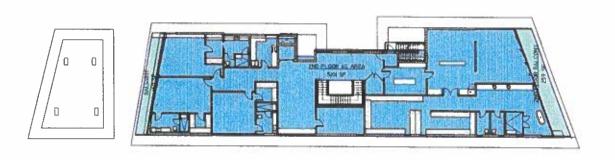




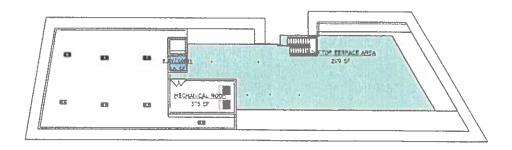
GROUND FLOOR



2 MAIN FLOOR
1/16' = 11-0'

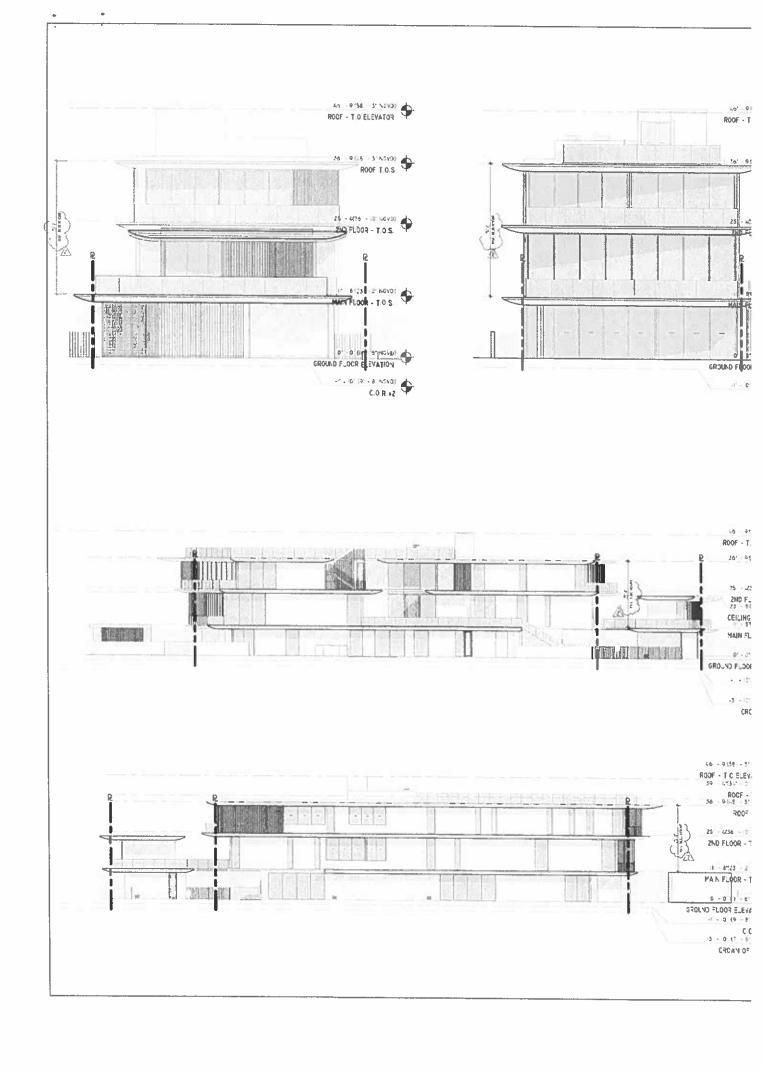


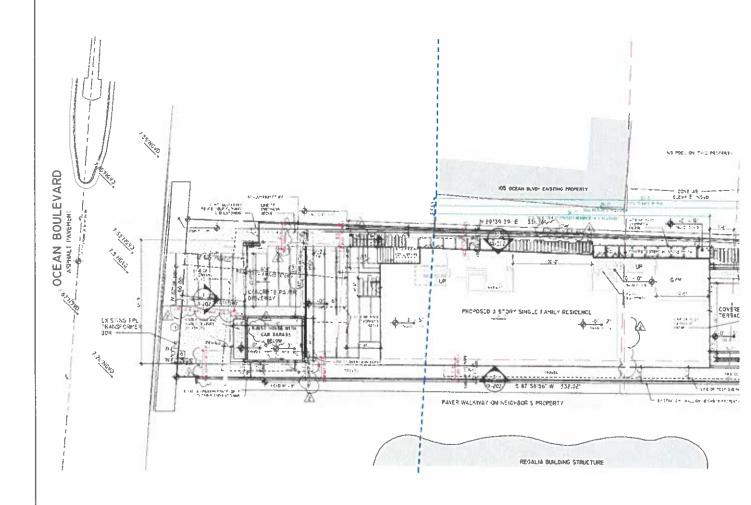
3 2ND FLOOR - T.O.S.



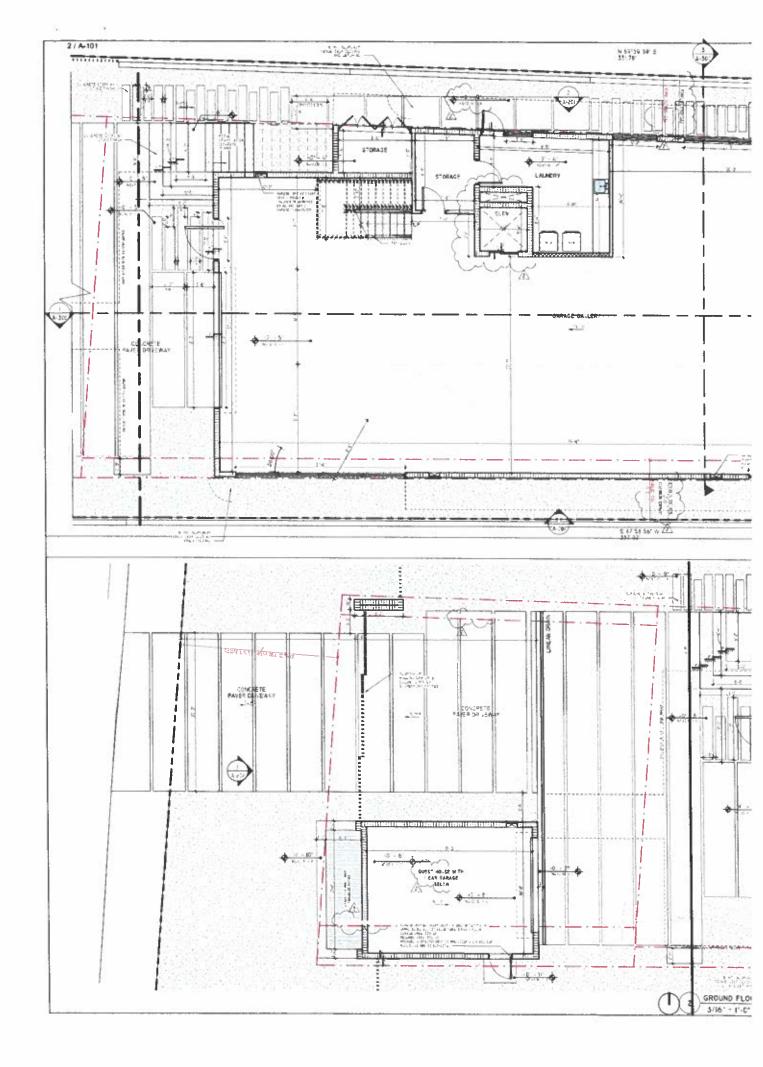
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AC AREA CABANA	- 2E	
HAIN FLOCK AC AREA	5298 55	
QUEST HOUSE AD AREA	535 SF	
ABPA DA FOOJE GINS	510 SF	
FLEY LORBY	44 SF	
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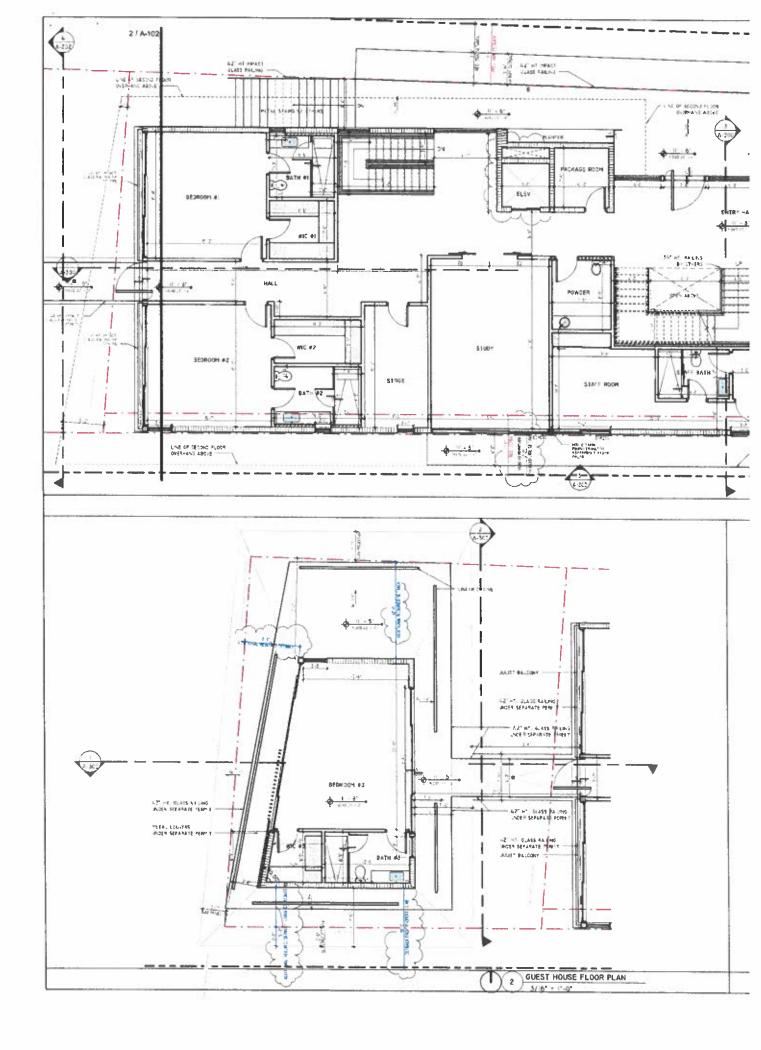
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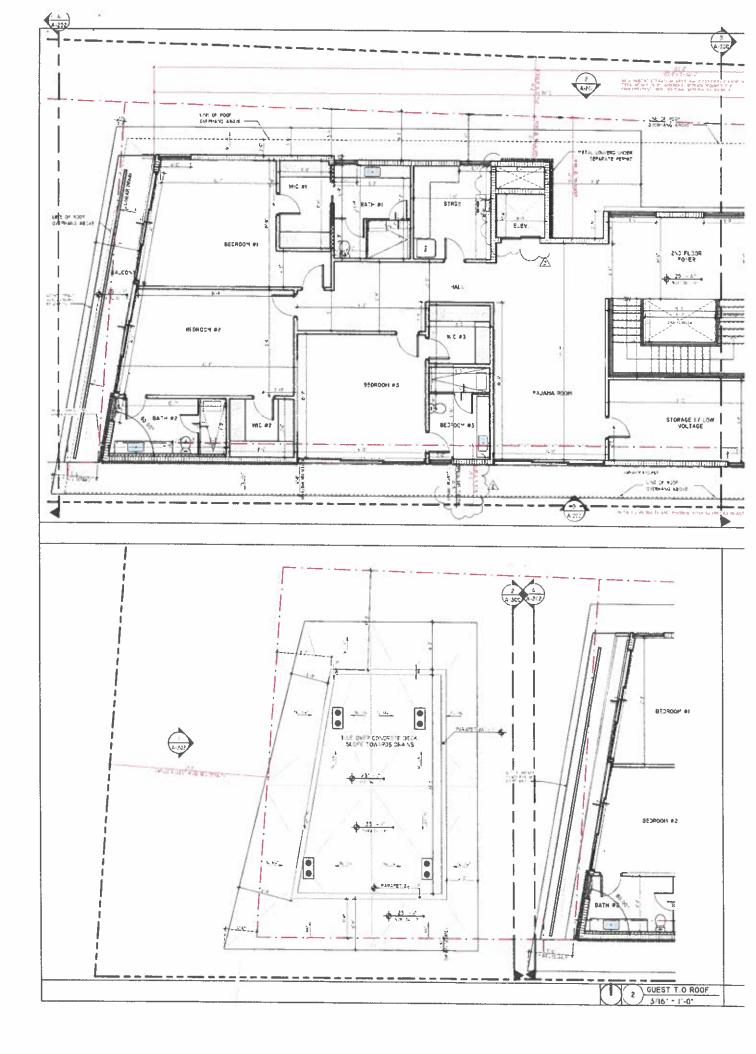


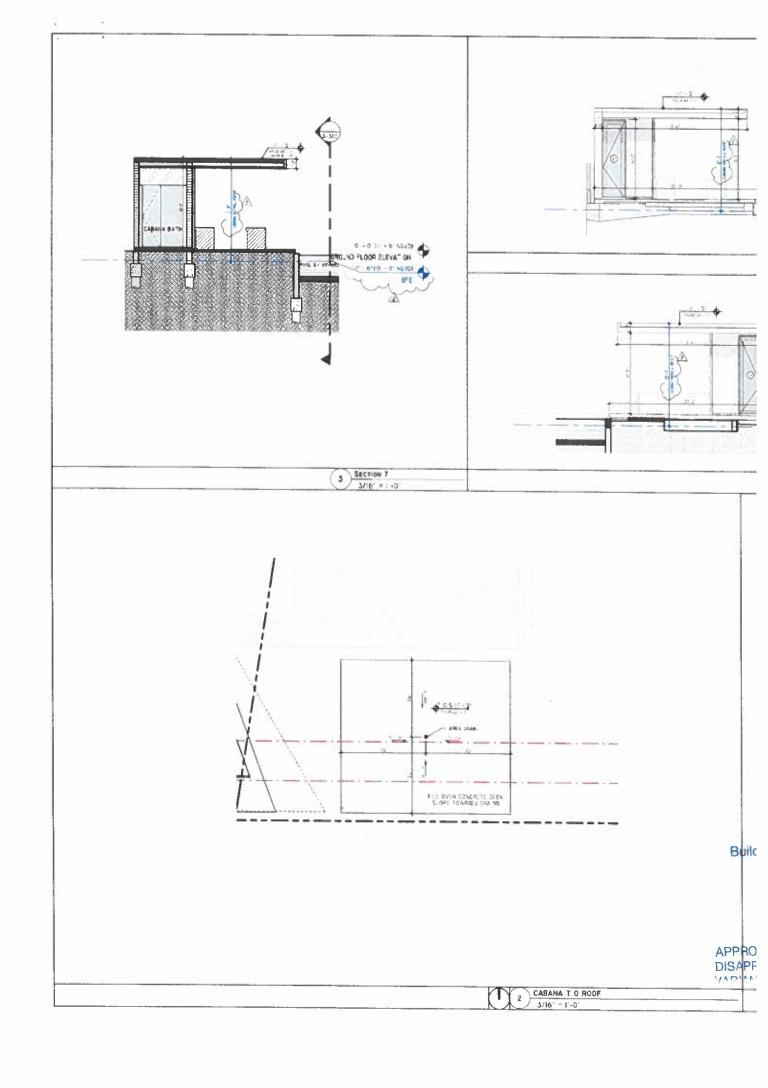


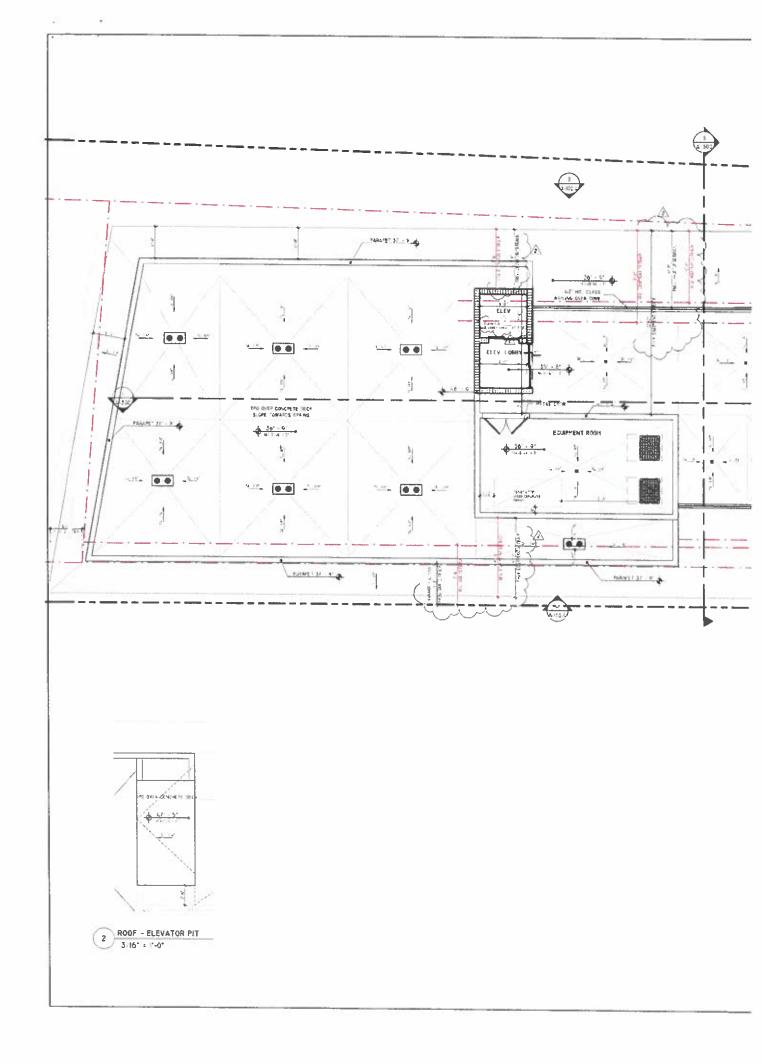
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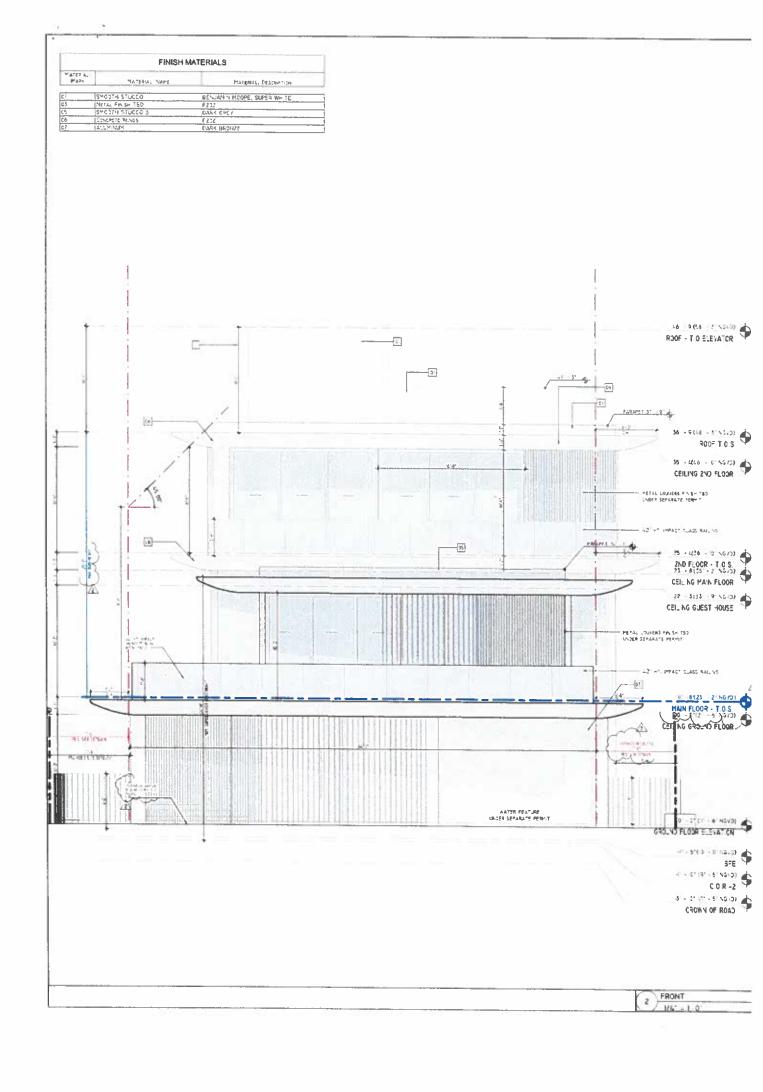


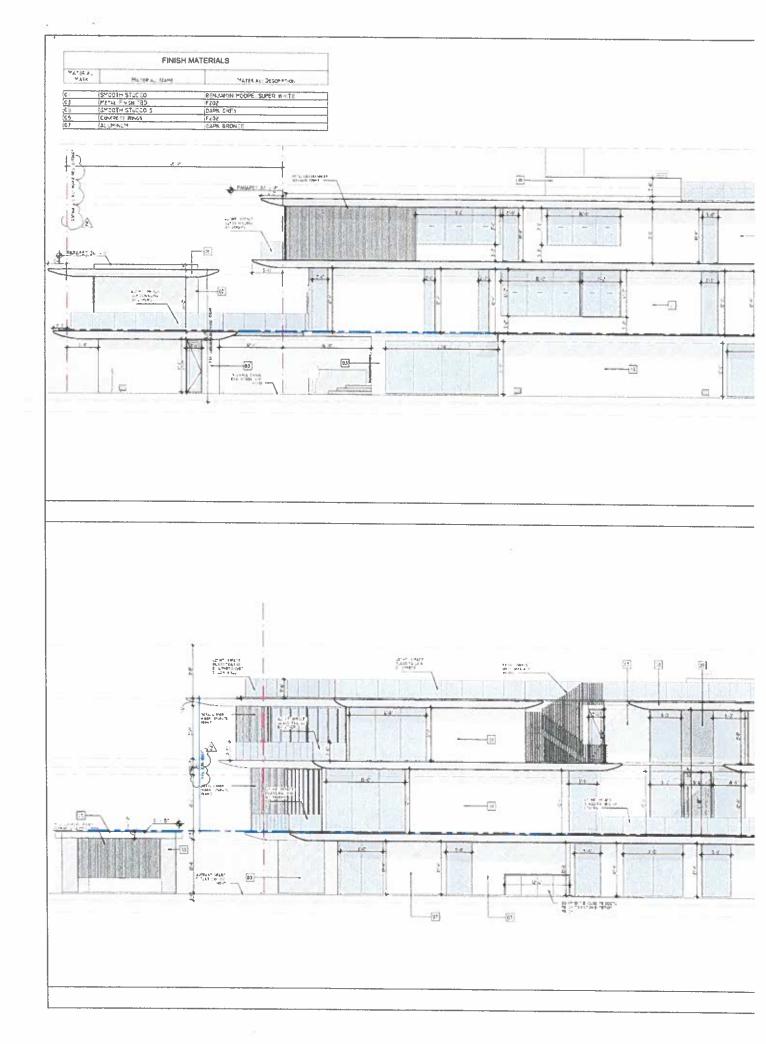


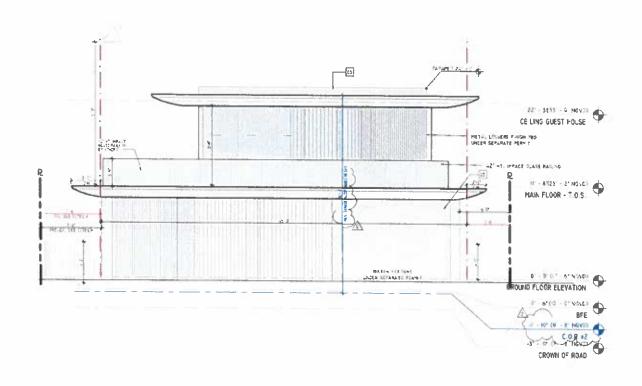


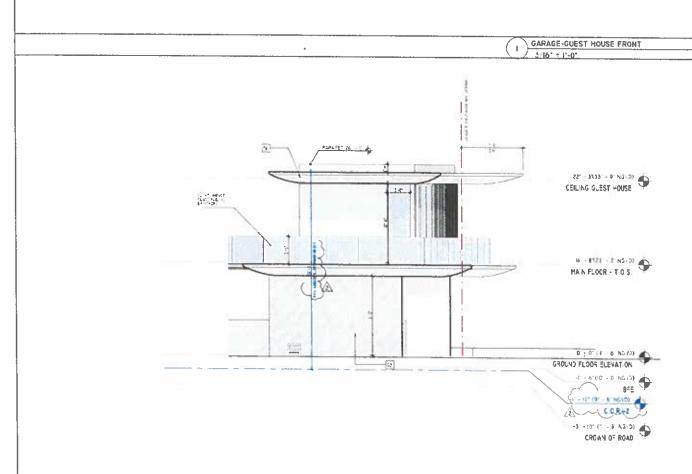


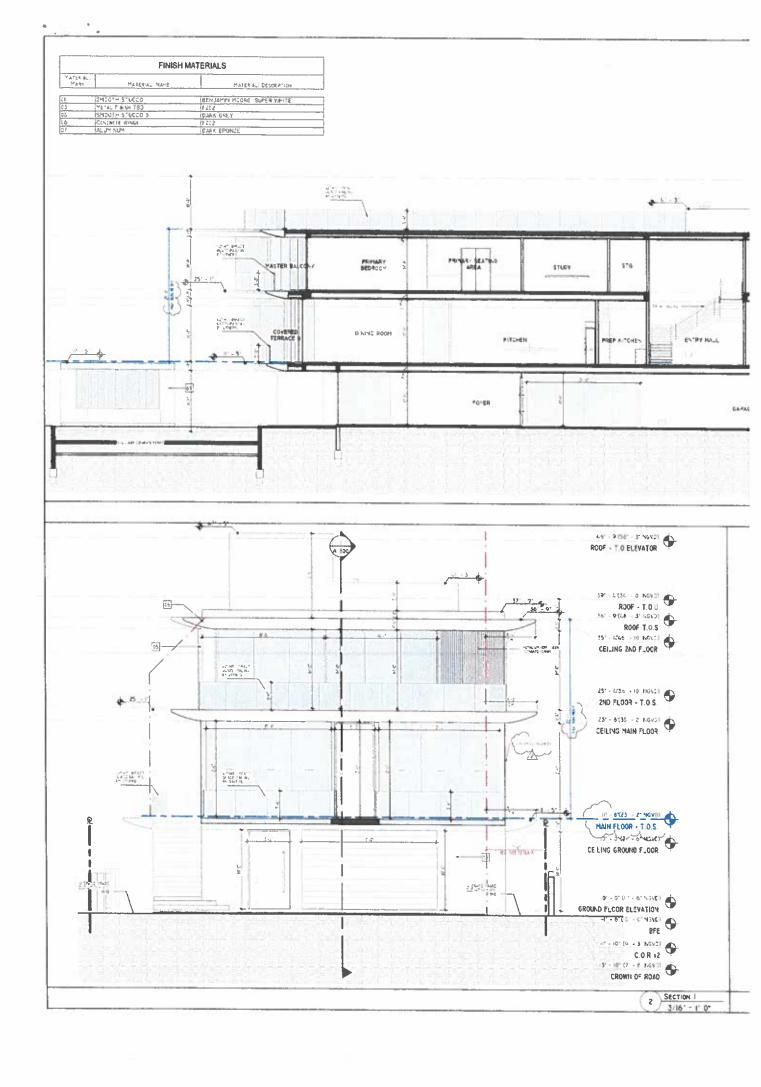












101 OCEAN BLVD LLC 101 OCEAN BLVD GOLDEN BEACH, FL 33160

115 OCEAN BLVD GB LLC 105 OCEAN BLVD GOLDEN BEACH, FL 33160

DAVID R RODRIGUEZ LORENA RODRIGUEZ 17475 COLLINS AVE 1402 SUNNY ISLES BEACH, FL 33160

145 OCEAN BLVD LLC 16901 COLLINS AVE UNIT 805 SUNNY ISLES BEACH, FL 33160

O B DEVELOPMENT LLC 128 OCEAN BLVD GOLDEN BEACH, FL 33160

GERMANY HOUSE LLC 136 OCEAN BLVD GOLDEN BEACH, FL 33160

GABRIEL ABITAN 146 OCEAN BLVD GOLDEN BEACH, FL 33160-2261

> ORIAN AZULAY DIKLA E AZULAY 152 OCEAN BLVD GOLDEN BEACH, FL 33160

> 115 OCEAN BLVD GB LLC 115 OCEAN BLVD GOLDEN BEACH, FL 33160



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:

 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.

 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.

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.

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.

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 1/2 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):

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

 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

 Colette B Feldman 3752 NE 199 Street Aventura, FI 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:

 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

 David M Lazarus Trs 88 Terracina Land Trust Jeffrey M Perlow Trs 20295 Ne 29 Pt Ste 200 Aventura, Ft 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

200 Golden Beach LLC
 17201 Collins Ave 3501
 Sunny Isles Beach, FI 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

 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

 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

Kenneth R Bernstein
 550 Golden Beach Dr.
 Golden Beach, Fl 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 !NADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES!