



TOWN OF GOLDEN BEACH

100 Ocean Boulevard
Golden Beach, FL 33160

MEMORANDUM

Date: April 23, 2025

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Item Number:

1

Subject: Resolution No. 3001.25 – Variance Request for 472 North Parkway, Golden Beach, FL 33160 (Swimming Pool Setbacks)

Recommendation:

It is recommended that the Town Council allow the applicant the opportunity to seek approval of the variance request presented in Resolution No. 3001.25

Background and History:

Town Code Section 237 – Setbacks (b) Swimming Pools, Hot Tubs and Spas may be built in the rear or side Setback areas, provided they are not less than ten feet from waterways or Property Lines.

The applicant's request is to allow for the swimming pool to be Setback 7.5' from the side yard property lines.

The Building Regulation Advisory Board met April 8, 2025 and recommended approval of the variance request; the motion failed with a Board vote of 4 – 0.

Mr. Klinger spoke on his project

Mr. Adam Gibb spoke in opposition to the request and read his letter into the record.

Mrs. Elaine Gibb spoke in opposition to the request.

Attachments:

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

Financial Impact: None

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 3001.25

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING VARIANCE REQUESTS FOR PROPERTY LOCATED AT 472 NORTH PARKWAY, GOLDEN BEACH, FLORIDA 33160. TO PERMIT THE POOL TO BE SETBACK 7.5" FROM THE SIDE YARD PROPERTY LINES, WHEN THE CODE REQUIRES THE POOL TO BE SETBACK 10'.

WHEREAS, the applicants, Saber Amarilla Park II LLC, ("the applicant"), filed a Petition for Variances/exceptions, from Section 66-237 Setback Areas (b) Swimming Pools, Hot Tubs and Spas may be built in rear or side Setback areas providing they are not less than ten feet from waterways or Property Lines, and;

WHEREAS, the applicant's request is to allow for the swimming pool to be setback 7.5' from the side yard property lines.

WHEREAS, these variances and exceptions are for the property at 472 North Parkway, Golden Beach, FL. 33160 (GB Section E, Lot 33, Block F., as recorded in PB 8-122, of the Public Records of Miami-Dade County, (Folio No. 19-1235-005-0410 (the "Property") and,

WHEREAS, the Town's Building Regulation Advisory Board held an advertised public hearing on the Petition for Variance/Exception and recommended denial, for approval by the Town Council; and,

WHEREAS, a public hearing of the Town Council was advertised and held, as required by law, and all interested parties were given an opportunity to be heard; and

WHEREAS, the Town Council, having considered the evidence presented, finds that the Petition of Variance meets the criteria of the applicable codes and ordinances to the extent the application is granted herein.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. Each of the above stated recitals are hereby adopted and confirmed.

Section 2. Approval. The Petition for Variance to permit the requested variances/exception is hereby granted.

Section 3. Conditions. The Petition for Exception/Variance as granted is subject to the following conditions:

(1) Applicant shall record a certified copy of this Resolution in the public records of Miami-Dade County; and the construction shall be completed substantially in accordance with those certain plans containing 12 sheets, prepared by Rosa I Balsera, Architect, LLC and attached hereto as Exhibit "A", for the property located at 472 North Parkway, Golden Beach, FL. 33160.

Section 4. Implementation. That the Building and Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Town of Golden Beach Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this Resolution. A copy of this Resolution shall be attached to the building permit application documents.

Section 5. Effective Date. This Resolution shall be effective immediately upon adoption.

Sponsored by Town Administration.

The Motion to adopt the foregoing Resolution was offered by Vice Mayor Lusskin,
seconded by Councilmember Bernstein and on roll call the following vote ensued:


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

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida, this 23rd day of April, 2025.

ATTEST:



LISSETTE PEREZ
TOWN CLERK



MAYOR GLENN SINGER

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



STEPHEN J. HELFMAN
TOWN ATTORNEY