

TOWN OF GOLDEN BEACH
BUILDING AND ZONING DEPARTMENT
MEMORANDUM



TO: Building Regulatory Advisory Board
FROM: Christopher M. Gratz, AICP, Consulting Planner
DATE: January 14th, 2025
SUBJECT: Variances, 115 Ocean Boulevard

GENERAL PROPERTY INFORMATION

Land Use Designation: Low Density Residential
Zoning District: Zone One (1)
Address: 605 Golden Beach Drive
Legal Description: Lots 2, 3, 4, 5 and a portion of Lot 1, Block A, "Golden Beach Section C", According to the Plat thereof, as recorded in Plat Book 9, Page 52 of the Public Records of Miami-Dade County.
Lot Information: Full-sized lot, 221'-6" frontage, 415'-8" deep, 89,605 square feet (0.17 acres) Average Crown of Road 8.314' NGVD, the lot ranges from 8.53' NGVD at the front property line to 1.97' NGVD at the rear property line.

APPLICATION INFORMATION

Owner/Agent: 115 OCEAN BLVD GB/ Nicholas Rodriguez / Carli Koshal

REQUEST

Variance#1 **FROM:** Town Code §66-102(a) Minimum lot and swale elevations; grade, which requires that finished grade of any lot abutting Ocean Boulevard minimum 12 inches above the crown of the road, and the maximum 11 feet NGVD. Exterior slabs and walkways shall not exceed an elevation of 36 inches above the crown of the road adjacent to the lot;

TO: allow the finished grade of the lot to be 13' NGVD (2' higher); and exterior slabs, decks, and walkways to exceed the crown of the road (8.204' NGVD) to be as much as 15'-6" NGVD (7.296' higher).

HISTORY

The property contains 3 (three) 2-story homes originally constructed in 1936, 1954, and 1956 according to the Miami-Dade Property Appraiser.

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 1 and the Town Code's requirements are applicable to all properties in the district. The property has existing elevations higher than the Code allows.

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

The variance requests are a result of the existing grades and elevations.

- (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 variances does not directly confer special privileges the owner.

- (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.

It is undesirable to excavate a property adjacent to the Ocean and significantly disturb the existing grades and elevations.

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

The requested variance is what the minimum needed to construct a new home without significantly disturbing the existing grades and elevations; the walkway and decks are proposed at reasonable heights given the site conditions.

(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 with the designs of new development that are compatible with existing development and have a cohesive architectural character per Town Codes §50-2(a) & (c). The applicants' design fits into the existing grades and elevations of the property and does not pose any intrusions.

(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 provided substantial competent evidence showing the existing grades and elevations require variances from the Town Code to redevelop the property and meets the criteria required by the Town Code for the granting of a variance; 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:

 X Variance Request(s)
 Accessory Structures

Construction of a new single-family residence.

Relief from Town Code §66-102(a) Minimum lot and swale elevations; grade, which requires that finished grade of any lot abutting Ocean Boulevard minimum 12 inches above the crown of the road, and the maximum 11 feet NGVD. Exterior slabs and walkways shall not exceed an elevation of 36 inches above the crown of the road adjacent to the lot.

Request is to allow the finished grade of the lot to be 13' NGVD (2' higher); and exterior slabs, decks, and walkways to exceed the crown of the road (8.314' NGVD) to be as much as 15'-6" NGVD (7.186' higher).

Job Address: 105 & 115 Ocean Boulevard, Golden Beach, Fl, 33160 (Through Unity of Title)
Owner Address: 105 Ocean Blvd & 115 Ocean Blvd, Golden Beach, Fl 33160
Requested By: 115 Ocean Blvd GB LLC
Legal Description: Lot 2-5, Blk A & Beg NW Cor Lot 1 S21.47 Ft E To Htl Of Ocean N5.665ft W To POB Blk A, Gb Sec C Pb 952
Folio No.: 19-1235-003-0030, 19-1235-003-0020

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

Golden Beach Town Hall
100 Ocean Boulevard
Golden Beach, FL 33160
<https://us02web.zoom.us/j/89291108015?pwd=NS8rWnJhN21mSUdlcmFadHEre18yZz09>
Meeting ID: 892 9110 8015
Passcode: 752288
January 14, 2025 at 6pm

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

Golden Beach Town Hall
100 Ocean Boulevard
Golden Beach, FL 33160.
<https://us02web.zoom.us/j/84846705084?pwd=bjNxUVNuUUx0andxRDJlSClEdTJkUT09>
Meeting ID: 848 4670 5084
Passcode: 949843
January 21, 2025 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: December 20, 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 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

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

HEDY WHITEBOOK &H
DANIEL S WHITEBOOK
155 OCEAN BLVD
AVENTURA, FL 33160-2208

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

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

ARYEH RUBIN TRS
THE BAYIT NEEMAN TRUST
RAQUEL LEVENTHAL RUBIN TRS
165 OCEAN BLVD
GOLDEN BEACH, FL 33160

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

AVRAM SABAN
ESTY DANINO SABAN
162 OCEAN BLVD
GOLDEN 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



PROPERTY APPRAISER OF MIAMI-DADE COUNTY

Summary Report

Generated On: 01/15/2025

PROPERTY INFORMATION	
Folio	19-1235-003-0030
Property Address	115 OCEAN BLVD GOLDEN BEACH, FL 33160-2208
Owner	115 OCEAN BLVD GB LLC
Mailing Address	115 OCEAN BLVD GOLDEN BEACH, FL 33160
Primary Zone	1300 SGL FAMILY - 2801-3000 SQ
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths /Half	4 / 3 / 2
Floors	2
Living Units	1
Actual Area	11,308 Sq.Ft
Living Area	9,121 Sq.Ft
Adjusted Area	9,525 Sq.Ft
Lot Size	42,750 Sq.Ft
Year Built	Multiple (See Building Info.)



ASSESSMENT INFORMATION			
Year	2024	2023	2022
Land Value	\$25,246,163	\$21,038,469	\$16,183,480
Building Value	\$2,939,341	\$2,971,116	\$3,002,890
Extra Feature Value	\$61,955	\$62,459	\$62,964
Market Value	\$28,247,459	\$24,072,044	\$19,249,334
Assessed Value	\$23,291,693	\$21,174,267	\$19,249,334

BENEFITS INFORMATION			
Benefit	Type	2024	2023 2022
Non-Homestead Cap	Assessment Reduction	\$4,955,766	\$2,897,777

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

SHORT LEGAL DESCRIPTION
GOLDEN BEACH SEC C PB 9-52
LOTS 3-4 & 5 BLK A
LOT SIZE 150.000 X 285
OR 17856-0557 1097 1

TAXABLE VALUE INFORMATION			
Year	2024	2023	2022
COUNTY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$23,291,693	\$21,174,267	\$19,249,334
SCHOOL BOARD			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$28,247,459	\$24,072,044	\$19,249,334
CITY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$23,291,693	\$21,174,267	\$19,249,334
REGIONAL			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$23,291,693	\$21,174,267	\$19,249,334

SALES INFORMATION			
Previous Sale	Price	OR Book-Page	Qualification Description
06/21/2021	\$21,000,000	32599-1425	Qual by exam of deed
03/09/2018	\$14,000,000	30895-2183	Qual by exam of deed
04/28/2014	\$12,000,000	29137-1664	Qual by exam of deed
10/01/1997	\$2,600,000	17856-0557	Sales which are qualified

The Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidad.e.gov/info/disclaimer.asp>



PROPERTY APPRAISER OF MIAMI-DADE COUNTY

Summary Report

Generated On: 01/15/2025

PROPERTY INFORMATION	
Folio	19-1235-003-0020
Property Address	105 OCEAN BLVD GOLDEN BEACH, FL 33160-2208
Owner	115 OCEAN BLVD GB LLC
Mailing Address	105 OCEAN BLVD GOLDEN BEACH, FL 33160
Primary Zone	1300 SGL FAMILY - 2801-3000 SQ
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths /Half	3 / 3 / 0
Floors	2
Living Units	1
Actual Area	5,096 Sq.Ft
Living Area	4,202 Sq.Ft
Adjusted Area	4,091 Sq.Ft
Lot Size	17,736.03 Sq.Ft
Year Built	Multiple (See Building Info.)



ASSESSMENT INFORMATION			
Year	2024	2023	2022
Land Value	\$14,462,556	\$13,453,541	\$7,272,184
Building Value	\$1,693,674	\$1,616,968	\$1,634,354
Extra Feature Value	\$27,645	\$27,961	\$28,278
Market Value	\$16,183,875	\$15,098,470	\$8,934,816
Assessed Value	\$10,811,126	\$9,828,297	\$8,934,816

BENEFITS INFORMATION			
Benefit	Type	2024	2023 2022
Non-Homestead Cap	Assessment Reduction	\$5,372,749	\$5,270,173

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

SHORT LEGAL DESCRIPTION
35 51 42
GOLDEN BEACH SEC C PB 9-52
LOT 2 & BEG NW COR LOT 1 S21.47FT
E TO HTL OF OCEAN N5.665FT W TO
POB BLK A

TAXABLE VALUE INFORMATION			
Year	2024	2023	2022
COUNTY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$10,811,126	\$9,828,297	\$8,934,816
SCHOOL BOARD			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$16,183,875	\$15,098,470	\$8,934,816
CITY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$10,811,126	\$9,828,297	\$8,934,816
REGIONAL			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$10,811,126	\$9,828,297	\$8,934,816

SALES INFORMATION			
Previous Sale	Price	OR Book-Page	Qualification Description
08/27/2021	\$10,000,000	32820-2895	Qual by exam of deed
09/17/2009	\$6,580,000	27018-0035	Qual by exam of deed
05/01/1985	\$450,000	12526-2600	Sales which are qualified
01/01/1981	\$425,000	10998-2096	Sales which are qualified

The Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidad.e.gov/info/disclaimer.asp>

TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD MEETING/HEARING

JAN 14 2025

Property Location: 105-115 Ocean Boulevard

Variance Hearing Dates: Advisory Board _____

APPROVED Meeting Date: _____
DISAPPROVED _____
TOWN COUNCIL _____
VARIANCE HEARING _____

APPROVAL FROM THE BUILDING REGULATION ADVISORY BOARD IS REQUIRED FOR:

- A. Plans for new residence
- B. Plans for addition to or exterior alterations of an existing structure.
- C. Additional structures on premises of existing residences
- D. Review of landscape plan for new construction, renovation or addition to existing residence.
- E. Recommendation to Town Council for the approval or denial of variances and special exceptions.
- F. Recommendation to Town Council for interpretation regarding apparent conflicts or inconsistencies in the zoning provisions in Chapters 46 & 66

APPLICATION HEARING PROCESS

Building Approval:

Applicant shall submit 2 completed packages for review and approval. Each package shall consist of an application, survey, warranty deed and drawings as required. The plans shall be sized as follows: 2 sets 11" x 17" and 1 USB/ flash drive containing everything submitted hard copy (including application). This is separate from the landscaping plan submittal.

Landscape Approval - Separate Submittal from the Building Submittal Applicant shall submit 2 complete packages for review and approval. Each package shall consist of an application, existing landscape and tree disposition survey, proposed site plan and landscape plans as required. The plans shall be sized as follows: 1 set 11 x 17, 1 full size set 24" x 36" and 1 USB/ flash drive containing everything submitted hard copy (including application).

Zoning Variance Approval:

Submittal for a zoning variance: submit 2 complete packages for approval: each package shall consist of an application, survey, warranty deed and drawings are required. The plans shall be sized as follows: 2 sets 11" x 17" and 1 USB/ flash drive containing everything submitted hard copy (including application).

Final Submittal Requirement:

Eight days prior to the meeting and after all approvals have been obtained. The applicant shall submit for the Board's approval an additional 8 completed application packages, for both Building and Landscaping, which shall consist of a copy of the completed application, approved plans 8 sets 11 x 17 of the approved building and landscape applications, a survey, warranty deed, any other required documentation by the reviewer, and USB/ flash drive containing everything submitted hard copy (including application).

The Building Regulation Advisory Board (B.R.A.B.) meets at 6:00 P. M. on the second Tuesday of every month. Applications must be submitted 40 days prior to scheduled

Any variances required must be heard and approved by the Town Council after the Building Regulation Advisory Board has considered the item. The Variance will be heard by the Town Council, in the following month, (on the third Tuesday), after the Building Regulation Advisory Board's action, at the Town Council's regularly scheduled meeting.

****NOTICE****

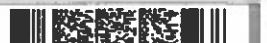
INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. PLEASE MAKE SURE THAT YOU, THE APPLICANT, HAVE CHECKED AND MARKED ALL THE REQUIREMENTS OF THE APPLICATION. IF SUBMITTALS HAVE BEEN INACTIVE FOR 90 DAYS OR MORE, THEY WILL AUTOMATICALLY BE PLACED ON INACTIVE STATUS AND NEW SUBMITTALS WILL BE REQUIRED.

**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.

<u>Type of request</u>	<u>Fee</u>	<u>Qty</u>
1. New single-family residence- per submittal and resubmittal	\$700.00	<u>1</u>
2. Addition/Remodel of existing structure- per submittal and resubmittal	\$225.00	<u> </u>
3. Accessory Building (Cabana, Pergola, or Gazebo) - per submittal and resubmittal	\$150.00	<u>1</u>
4. Pools, Spas and Water Features - per submittal and resubmittal	\$100.00	<u>1</u>
5. Fencing, site walls, driveways, pool decks - for each item per submittal and resubmittal	\$150.00	<u>1</u>
6. Seawalls and docks - for each item, per submittal and resubmittal	\$200.00	<u> </u>
7. Boat Lift- per submittal and resubmittal	\$100.00	<u> </u>
8. Landscape plan review is required for new construction, addition and remodeling projects (submit plans with site plan elevations separate from the building plan approval package).	\$300.00	<u>1</u>
9. Resubmissions, based on original fee paid	75.0%	<u> </u>
10. Zoning Variances and special exceptions, per variance or exception:		
a. First variance/ exception.	\$750.00	<u>1</u>
b. Per additional variance/exception, for the same initial variance (example: request for a dock, affecting two different codes	\$200.00	<u> </u>
c. When a variance is granted, the property owner, at his expense, shall have the resolution for the variance recorded in the public records of Miami-Dade county, and two (2) certified copies of the recorded resolution shall be submitted to the Town for inclusion into the property records		
d. If the Town Council grants a variance, a building permit must be secured within two years of the approval date or the variance will become null and void		
11. Request to the Board for verification of any section of the Zoning Code, For each Section to be verified	\$100.00	<u> </u>

2200002E-2235-45D5-8D2A-6F997B0AC5A3 - 2024-08-28-07 17:09 -8:00



**TOWN OF GOLDEN BEACH
BUILDING REGULATION ADVISORY BOARD
SCHEDULE OF FEES**

12. Application for the legalization of construction built without the approval of the B.R.A.B., when the Board should have approved such construction, will be assessed a fee equal to four (4) times the regular fee applicable to the matter.

13. Special Requests for a meeting, variance, or waiver of plat hearing:

- a. For matters that have been heard, but the process had not been completed, i.e., tabled subjects, or unfinished subjects to be continued, the applicant must notify the Building & Zoning Department in writing if they would like the item continued

If the notification is received by the Department before the deadline for the next B.R.A.B. meeting, there will be no charge for the continuance. If the notification is received after the deadline, and the applicant still wants the matter included in the agenda for the next meeting, there will be a special fee of

\$200.00 _____

- b. If the agenda has already been prepared and the applicant wants the matter to be heard, the request must be received in writing to be added to the agenda at the beginning of the meeting with the approval of the Building Official or Building & Zoning Director. There will be a special fee of

\$200.00 _____

- c. When a special meeting or hearing of the B.R.A.B. is requested by an applicant, for either a new matter or continuance of a subject already heard, there will be a special fee for a 2 hour time period of

\$500.00 _____

If the time limit is exceeded, an additional fee of ½ of the fee will be assessed for the seconded time period

\$250.00 _____

2200002E-2335-45D5-8D2A-6F997B0AC5A3 ... 2021-08-28 07:17:09 -8:00



TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Applicant check here	Complete application, sign, and notarize.	Bldg Dept Use
<input type="checkbox"/>	If a zoning variance is applied for, the petition for variance, pages 9, 10 and 11 shall be submitted with the application and shall include: <ul style="list-style-type: none"> a. Property Legal Description b. Property Folio number c. Street address d. Owners of record e. Owner and agent names and signatures properly notarized. 	
<input type="checkbox"/>	Initial submittal as directed on page one; surveys, building plans, Warranty Deeds, and applications, After Zoning approval is issued completed sets are to be submitted 8 days prior to the meeting date as follows: Eight (8) copies 11" x 17". The same amount of copies are required for a variance. Each completed package shall consist of 1 each of an application, survey, Warranty Deed and building plans. Submit 1 USB with all documents included	
<input type="checkbox"/>	Conceptual construction drawings prepared and signed by a licensed design professional that shall include, at a minimum, the following: <ul style="list-style-type: none"> a. Site plan at a scale not less than 1/8" = 1'-0" (Include grade elevations) b. Proposed Floor Plan views, at a scale not less than 1/4"=1'-0" c. Cross and longitudinal sections preferably through vaulted areas, if any. d. Typical exterior wall cross section. e. Full elevations showing flat roof and roof ridge height and any other higher projections. f. Sample board of construction materials to be used. g. Existing and proposed ground floor elevations (NGVD). h. Grading & Drainage Calculations i. Zone 3 Properties: Affidavit of Seawall Conformity 	
<input type="checkbox"/>	Landscaping Plan, separate from building plan package, prepared and signed by a licensed landscape design professional: The same amount of copies as outlined in the Building plan submittal. Each completed package shall consist of 1 each of an application, existing landscape survey, Warranty Deed, landscape plans with building site plans. Mark USB accordingly (separate from building)	
<input type="checkbox"/>	First Floor and Second Floor area calculations marking the geometrical areas used to calculate the overall floor areas.	
<input type="checkbox"/>	Colored rendering showing new construction or proposed addition. Marked with the applicable address.	
<input type="checkbox"/>	Estimated cost of proposed work. For additions/remodels fair market value of property showing land value and structure value separately.	
<input type="checkbox"/>	Site plan detailing construction site personnel parking.	

2200002E-2335-45D5-8D2A-6F997B0AC5A3 -- 2024-08-28 07:17:08 -8:00



TOWN OF GOLDEN BEACH
APPLICATION FOR
BUILDING REGULATION ADVISORY BOARD HEARING

Application fee: _____

Request hearing in reference to:

New residence/addition: New Residence Variance(s): yes
Exterior alterations: _____ Other Structure: _____
Date application filed: _____ For hearing date: _____

1. Project information:

Project description: New Residence for the property located at 105-115 Ocean Boulevard

Legal Description: See Exhibit A

Folio #: 19-1235-003-0020 and 19-1235-003-0030

Address of Property: 105 and 115 Ocean Boulevard

2. Is a variance(s) required: Yes No How Many? 1
(If yes, please submit variance application form for each request).

Owner's Name: 115 OCEAN BLVD GB LLC Phone _____ Fax _____

Owner's address: 115 Ocean Boulevard City/State Golden Beach, FL Zip 33160

Email address: _____

Agent: Nicholas Rodriguez / Carli Koshal Phone 305-374-5300 Fax _____

Agent's address: 200 South Biscayne Boulevard, Suite 300 City/State Miami, FL Zip 33131

Email address: nrodriguez@brzoninglaw.com / ckoshal@brzoninglaw.com

Architect: BIG - Bjarke Ingels Group Phone _____ Fax _____

Email address: dovo@big.dk / nicholasr@big.dk

Contractor: e@amarilla.us Phone _____ Fax _____

3. Describe project and/ or reason for hearing request: design and variance review associated with new single family residence at 105 and 115 Ocean Boulevard

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

Building Plans:

Conceptual: Preliminary: Final:
Other: _____

5. Estimated cost of work: \$ 1,000 / sqf x 24,801 sqf = \$24,801,000
Estimated market value of: Land \$ 39,708,719
Building \$ n/a

(Note: If estimated cost of work is 40% of the market value of the building an independent appraisal is required).

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? generally
- 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): _____

Acknowledged before me this _____ day of _____, _____

Type of identification: _____

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: design and variance review and consideration relative to my property and I am hereby authorizing Nicholas Rodriguez / Carli Koshal to be my legal representative before the Building Regulation Advisory Board and Town Council.

DocuSigned by:

Signature of owner(s)

Acknowledged before me this _____ day 08/28/2024 _____ 20_____

Type of

Diana Ramos

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: 105 and 115 Ocean Boulevard
Legal Description: See Exhibit A
Owner's Name: 115 Ocean BLVD GB LLC Phone _____ Fax _____
Agent's Name: Nicholas Rodriguez / Carli Koshal Phone _____ Fax _____
Board Meeting of: BRAB / Town Council

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

Application for: design and variance review
Lot size: 89,605 SF
Lot area: 2.06 acres
Frontage: 221.51 FT
Construction Zone: Zone 1
Front setback: 60 FT FOR PRIMARY STRUCTURE, 20 FT FOR GARAGE/GUEST ACCOMMODATION
Side setback: 10 FT, AND AT SECOND STORY, INCREASED ALONG 2/3 OF THE LENGTH BY 1 FT FOR EACH 1 FT OF HEIGHT ABOVE FIRST 18 FT
Rear setback: LINE DRAWN BETWEEN THE CORNERS OF THE NEAREST EXISTING RESIDENCES PARALLEL TO THE BEACH
Coastal Const. Location: Yes No East of coastal const. control line: Yes No
State Road A1A frontage: 221.51 FT
Swimming pool: Yes No Existing: N/A Proposed: _____
Fence Type: REFER TO SHEETS A.010 AND A.502 Existing: N/A Proposed: _____
Finished Floor elevation N.G.V.D.: FIRST HABITABLE LEVEL SET AT 21'-6"
Seawall: N/A Existing: N/A Proposed: N/A
Lot Drainage: 89,605 SF
How will rainwater be disposed of on site? Stormwater runoff will be retained onsite by utilizing, swales, exfiltration trenches

Adjacent use (s): RESIDENTIAL
Impervious area: 30,101 SQF
% of impervious area: 34% OF TOTAL SITE
Existing ground floor livable area square footage: N/A
Proposed ground floor livable area square footage: 7,310 SF
Existing 2nd floor livable area square footage: N/A
Proposed 2nd floor livable area square footage: 7,516 SF
Proposed % of 2nd floor over ground floor: 100%
Vaulted area square footage: N/A
Vaulted height: N/A
Color of main structure: Refer to sheet A.010, A.201, and A.202
Color of trim: N/A
Color & material of roof: N/A - Flat vegetated roof
Building height (above finished floor elevation): 26 FT
Swale: (Mandatory 10'-0" from edge of payment, 10 ft. wide x 1 ft. deep minimum):
Noted
Existing trees in Lot: 5 in Swale: 0
Proposed trees in Lot: 74 in Swale: 14
Number & type of shrubs: 770 SHRUBS & 16 TYPES OF SHRUBS
Garage Type: DETACHED, ENCLOSED Existing: _____ Proposed: _____
Driveway width & type: PERVIOUS PAVING - WIDTH VARIES 17' TO 23'-6" AT EXISTING CURB CUTS

Date: _____

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

Date: _____

Fee: _____

I, Shimon Katz, on behalf of 115 Ocean BLVD GB LLC 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: 105 and 115 Ocean Boulevard Folio No. 19-1235-003-0020 and 19-1235-003-0030

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)**: Section 66-102(a) related to the maximum elevation of the lot. See letter of intent for additional information related to the request.

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. The requested variance is a variance from Section 66-102(a). Described further in letter of intent.

 - 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. Please see letter of intent.

 - c. The special conditions and circumstances do not result from the actions of the applicant. Please see letter of intent.

 - 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. Please see letter of intent.

2200002E-2335-45D5-8D2A-6F997B0AC5A3 --- 2024-08-28 07:17:09 - 8:00

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. Please see letter of intent.

4. The Variance granted is the minimum Variance that will make possible the reasonable use of the land or structure. Please see letter of intent.

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. Please see letter of intent.

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: _____

2200002E-2335-45D5-8D2A-6F997B0AC5A3 ... 2024-08/28 07:17:09 -8:00



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

Affidavit by Owner for Variance Request(s):

Folio No.: 19-1235-003-0020 and 19-1235-003-0030 Address: 105 and 115 Ocean Boulevard

Legal Description: See Exhibit A

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 10/24 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.

DocuSigned by:


0C7AC21A8887486
Signature of Owner or Legal Representative

Sworn to and subscribed before me this _____ day of, 08/28/2024, _____



Diana Ramos

Notary Public State of Florida at Large

Personally know to me

Produced

Diana Ramos
Commission # HH 386927
Notary Public - State of Florida
My Commission Expires Apr 16, 2027



ACKNOWLEDGMENT OF RECEIPT FOR ZONE 1 PROPERTIES ONLY (OCEAN FRONT)

Date: 8/26/2024


Ref: Address of the Property: 105 and 115 Ocean Boulevard

I acknowledge receipt of the following documents from the Town of Golden Beach, Building and Zoning Department for properties situated in Zone One.

1. One-Hundred- Year Storm Elevation Requirements for Habitable Structures Located Seaward of a Coastal Construction Control Line
2. Flood Resistant Provisions in the 7th Edition Florida Building Code (2020)
3. Flood Damage- Resistant Materials Requirements
4. Non- Conversion Agreement for Enclosures below the base flood elevation or Design Flood Elevation –fully execute and submit to the building department
5. New Construction/ Addition/ Remodel Permit Documentation Log

Shimon Katz Authorized signatory

Name and Title

DocuSigned by:

 0C7AC21A68B7466

Signature

2200002E-2335-45D5-8D2A-6F997B0AC5A3 ... 2024/08/28 07:17:09 -8:00





TOWN OF GOLDEN BEACH

100 Ocean Boulevard, Golden Beach, FL 33160
Phone: (305) 932-0744 Fax: (305) 933-3825
www.goldenbeach.us

NON-CONVERSION AGREEMENT FOR ENCLOSURES BELOW THE BASE FLOOD ELEVATION OR DESIGN FLOOD ELEVATION (ZONE 1- OCEAN FRONT)

This DECLARATION made this ___ day of, 20___, by _____ ("Owner") having an address at 105 and 115 Ocean Boulevard in the Town of Golden Beach, Florida designated in the Tax Records as Folio # 19-1235-003-0020 and 19-1235-003-0030 as recorded in the public records of Miami Dade County in Book No. _____, Page No. _____.

WITNESSETH:

WHEREAS, the Owner has applied for a permit to construct, improve, or repair the property owned by 115 Ocean BLVD GB LLC (name) at 105 and 115 Ocean Boulevard (address) in the Town of Golden Beach and:

- 1) It is identified by building Permit No. _____, dated _____;
- 2) It is located on a flood hazard area identified on Flood Insurance Rate Map Panel # 12086C0153L, dated 9/11/2009;
- 3) It is located in flood zone(s):

<u>VE</u>	Base Flood Elevation	<u>10</u>
<u>AE</u>	Base Flood Elevation	<u>10</u>
<u>AE</u>	Base Flood Elevation	<u>8</u>

Seaward of LiMWA or community defined Coastal A Zone limit: Yes No

Seaward of Coastal Construction Control Line: Yes No

Florida Department of Environmental Protection 100-Year Storm Elevation 18.2' NGVD (NGVD).

- 4) It is designed to conform to the requirements of the Town of Golden Beach Floodplain Management Ordinance referred herein as "Land Development Regulations," of Golden Beach and the most current edition of the Florida Building Code - Residential; and
- 5) If unauthorized improvements, modifications, alterations, conversions or repairs are made to it in the future, the structure could be made noncompliant by such unauthorized actions, including such actions by future owners.

WHEREAS, the Owner agrees to record this DECLARATION OF LAND RESTRICTION (NON-CONVERSION AGREEMENT) in the public records of Miami Dade County and certifies, accepts and declares that the following covenants, conditions and restrictions are placed on the affected property as a condition of granting the Permit, and affects rights and obligations of the Owner and any future owners, and shall be binding on the Owner, his heirs, personal representatives, successors and assigns.

THE PERMITTED STRUCTURE SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE FLORIDA BUILDING CODE – RESIDENTIAL AND/OR LOCAL FLOODPLAIN MANAGEMENT REGULATIONS, AS APPLICABLE AND SUBJECT TO THE CONDITIONS, as follows:

- 1. The structure or part thereof to which these conditions apply is:
 - An enclosure that is below the Base Flood Elevation or Design Flood Elevation.



A detached, allowable accessory structure that is not elevated.

2. Enclosed areas below the Base Flood Elevation or Design Flood Elevation, whichever is higher, shall be used solely for parking of vehicles, limited storage, or access to the building. All interior walls, ceilings and floors within the enclosed area shall be unfinished or constructed of flood damage-resistant materials and shall not be used for recreational or habitable purposes. Installation of minimal electrical, mechanical and plumbing equipment, devices and fixtures as allowed by the Florida Building Code.
3. The walls of the enclosed areas below the Base Flood Elevation or Design Flood Elevation of the structure or part thereof identified in #1 shall be designed to breakaway. The breakaway walls shall not be altered in any way that prevents the walls from breaking away, as designed, under flood conditions.
4. The breakaway walls of the enclosed areas below the Base Flood Elevation or Design Flood Elevation of the structure or part thereof identified in #1 shall be equipped with flood openings. The flood openings shall not be blocked, covered, manually closed or modified in any way that would alter the intended performance to allow floodwaters to automatically enter and exit.
5. Any conversion, alteration, modification, improvement, repair or changes from these conditions constitute a violation of the Permit and this agreement, and may render the structure non-compliant with minimum requirements, and result in higher NFIP flood insurance rates. The Town of Golden Beach, as the jurisdiction issuing the Permit and enforcing this agreement, may take any appropriate legal action to correct any violation.
6. A duly appointed representative of the City is authorized to enter the property for the purpose of inspecting the exterior and interior of the enclosed area to verify compliance with this Declaration. Such inspections will be conducted upon due notice to the Owner and no more frequently than once year. More frequent inspections may be conducted if the annual inspection discovers a violation of the Permit
7. Other conditions: _____

In witness whereof the undersigned set hands and seals this _____ day of _____, 20_____.

Owner's Name (Printed)	Signature of Owner	Date
------------------------	--------------------	------

Owner's Name (Printed)	Signature of Owner	Date
------------------------	--------------------	------

Witness's Name (Printed)	Signature of Witness	Date
--------------------------	----------------------	------

Sworn to and Subscribed before me this _____ day of _____, 20_____.

(SEAL)

Signature – State of Florida Notary Public

Personally known _____ OR, Produced Identification _____
Type of ID Produced _____

(DOCUMENT MUST BE RECORDED AND PROOF OF RECORDING PROVIDED)





ZONING, LAND USE AND ENVIRONMENTAL LAW

200 S. Biscayne Boulevard
Suite 300 Miami, FL 33131

www.brzoninglaw.com

305.377.6234 office

305.377.6222 fax

NRodriguez@brzoninglaw.com

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

JAN 14 2025

VIA HAND DELIVERY

October 31, 2024

APPROVED _____
DISAPPROVED _____
VARIANCE REQ _____

Ms. Lissett Rovira
Building and Zoning Director
Town of Golden Beach
1 Golden Beach Drive
Golden Beach, FL 33160

Re: Design Review and Variance Request for Proposed New Single-Family Home Located at 105-115 Ocean Boulevard, Golden Beach, Florida

Dear Ms. Rovira:

This law firm represents 115 Ocean Blvd GB LLC (the "Applicant") in connection with the property located at 105-115 Ocean Boulevard (the "Property") in the Town of Golden Beach (the "Town"). This letter shall serve as the letter of intent in support of the accompanying application for design review of the proposed home, as well as a request for a variance from the maximum finished lot grade pursuant to Section 66-102(a) of the Town Code of Ordinances (the "Town Code").

Property Description. The Property is an oceanfront parcel located on the east side of Ocean Boulevard, directly abutting the beach. See Exhibit A, Property Appraiser Summary. The Miami-Dade County Property Appraiser's Office identifies the Property through tax folio identification numbers 19-1235-003-0020 and 19-1235-003-0030. The Property is approximately 89,605 square feet (2.05 acres) in size. Pursuant to the Town's Comprehensive Plan, the Property is designated Single-Family Residential and is zoned Zone One. The Property is improved with an existing single-family home that is proposed to be redeveloped.

Project. The Applicant proposes a unique single-family home to serve the needs of a large family with numerous children (the "Proposed Home"). The Proposed Home design is a unique two-story contemporary style centered around a central courtyard

that is open to the sky. The Proposed Home is resiliently designed and centrally located on the Property. The design features high quality materials such as natural stone, permeable pavers, as well as abundant glazing on the public-facing facades.

The Proposed Home is accessed via two existing driveways from Ocean Boulevard. The southern driveway will be one-way ingress only, while the northern driveway will permit ingress and egress, consistent with the driveway configuration of the existing home at the Property. The Applicant proposes a five-car garage structure at the front of the Property along Ocean Boulevard. The Proposed Home features additional parking at the northwest corner of the Property, as well as sufficient space along the driveways to allow additional parking and accommodate all of the family's parking needs.

The Proposed Home's living spaces are centered around the internal courtyard and covered exterior corridors, which connect different zones within the home. At the understory level, the Applicant proposes a gym that features an enclosed basketball half court, a bathroom, laundry facilities, and abundant storage rooms to meet the needs of the Applicant's large family. The primary access to the home occurs at the central staircase leading to the first covered exterior corridor on the first habitable level. There is also a secondary access through an entrance foyer that connects to an interior staircase leading directly to the living room on the first habitable level.

The first habitable level of the home is elevated to 21'-6" NGVD and features the primary social spaces, including kosher kitchens, a family room, dining room, study, playrooms, and large oceanfront living room. The first level also includes two staff bedrooms. All rooms on the first level are connected internally except for the staff bedrooms and playrooms, which are accessed from the covered exterior corridor surrounding the courtyard at the center of the Proposed Home.

The second level of the Proposed Home contains the majority of the bedrooms. The bedrooms on the east/northeast portion of the second level, including the primary bedroom, are internally connected by an interior hallway accessible via an interior spiral staircase or the covered exterior corridors surrounding the central courtyard. The bedrooms on the south side of the home are connected by an interior hallway accessed from the covered exterior corridors surrounding the central courtyard. The west side of the second level contains a movie room and lounge/game room that are only accessible from the covered exterior corridor surrounding the central courtyard. Above the second habitable level the Proposed Home features a modest rooftop terrace that complies with all requirements of the Town Code.

Overall, the Proposed Home is designed to meet the unique needs of the Applicant's large family and accommodate the Applicant's family's religious practices. The Applicant seeks to embrace the variable South Florida climate through indoor/outdoor living within a series of interconnected spaces surrounding a central courtyard. The Proposed Home will be lushly landscaped with native and Florida-friendly species that will complement the home's unique and interesting design. The Proposed Home complies with the requirements of the Town Code and is compatible with the character of oceanfront lots in the Town.

Variance Request. The Applicant respectfully requests approval of a Variance of Section 66-102(a) of the Code to permit portions of the Property's finished grade to exceed 11 feet NGVD.

Analysis of Criteria. Approval of the request complies with the standards set forth in Section 66-41 of the Code. Specifically, an application for a Variance shall be approved only if it demonstrates all of the following:

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

The Applicant seeks relief from Section 66-102(a) of the Town Code.

- 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.*

A special condition exists which is peculiar to the land involved and which is not applicable to other lands in the same zoning district. Portions of the existing lot grade are elevated to 11.24 feet NVGD due to natural land accretion along the oceanfront. In order to redevelop the Property, a substantial amount of earth must be redistributed on the lot, which results in portions of the lot with a finished grade above 11 feet NGVD.

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

The special condition is not a result from the actions of the Applicant. The Applicant purchased the Property as it currently exists. This special condition is a result of the existing home as built and natural conditions associated with oceanfront property, and not a result from the actions of the Applicant.

- 4) *Granting the Variance requests 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 requested will not confer on the Applicant any special privilege that is denied by the chapter to other lands or structures in the same district. The Applicant will not be importing any fill material to the Property, as only the cut generated by the development of the Proposed Home will be used to grade the Property. The resulting grade will only be slightly above 11 feet NGVD due the existing natural conditions of the Property. The variance request allows for the development of a resilient understory home typology, which have become more common in the Town as concerns over coastal flooding increase due to sea level rise and hurricane induced storm surge. Oceanfront lots in this area have similar site conditions due to the raised coastal dune system, and other oceanfront properties in the Town have received similar variances to allow redevelopment of oceanfront properties with understory homes.

- 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.*

A literal interpretation of the provisions of this chapter would deprive the Applicant the right to reasonable use of their oceanfront private property, a right that is commonly enjoyed by property owners throughout the Zone One zoning district, the Town of Golden Beach, and Ocean Boulevard in particular.

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

Allowing the finished grade of the Property slightly above 11 feet NGVD will make possible the reasonable use of the land because properties directly abutting the beach, and more specifically the coastal dune system, tend to have existing lot elevations at or near 11 feet NGVD. In order to construct a resilient understory home typology, cut will be generated which will then be used as fill to grade the lot. The Proposed Home is wholly compatible with the surrounding area, will protect and make the Property more resilient. The requested variance is the minimum variance that will allow the Applicant to improve the safety of the Property in order to make possible the reasonable use of the Property. Without approval of the variance, the Proposed Home would be susceptible to sea level rise and flooding in the future, which could damage the Proposed Home and Property itself.

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 granting of the Variance request will be on harmony with the general and intent and purpose of the Town Code. The Variance allows for development of a high-quality home on an oceanfront lot along the dune system similar to many other homes along Ocean Boulevard. Granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Cost Evaluation. Construction of the Proposed Home is estimated to cost approximately \$24,801,000.00

Conclusion. The Applicant's proposed design offers a beautifully constructed, modern home. Ultimately, the Proposed Home complements the existing collection of architectural styles of nearby properties on Ocean Boulevard, is consistent with the intent of the Code in all respects, and improves the resilience of the Property. We therefore respectfully ask for your favorable review and recommendation, and approval of this application.

Should you have any questions or comments, please do not hesitate to phone me at (305) 377-6234.

Very truly yours,

A handwritten signature in blue ink that reads "Nicholas Rodriguez". The signature is written in a cursive, flowing style.

Nicholas Rodriguez, Esq.

Enclosures

CC: Carli Koshal, Esq.

EXHIBIT A



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On: 10/31/2024

PROPERTY INFORMATION	
Folio	19-1235-003-0020
Property Address	105 OCEAN BLVD GOLDEN BEACH, FL 33160-2208
Owner	115 OCEAN BLVD GB LLC
Mailing Address	105 OCEAN BLVD GOLDEN BEACH, FL 33160
Primary Zone	1300 SGL FAMILY - 2801-3000 SQ
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths /Half	3 / 3 / 0
Floors	2
Living Units	1
Actual Area	5,096 Sq.Ft
Living Area	4,202 Sq.Ft
Adjusted Area	4,091 Sq.Ft
Lot Size	17,736.03 Sq.Ft
Year Built	Multiple (See Building Info.)

2024 Aerial Photography
600 ft

ASSESSMENT INFORMATION			
Year	2024	2023	2022
Land Value	\$14,462,556	\$13,453,541	\$7,272,184
Building Value	\$1,693,674	\$1,616,968	\$1,634,354
Extra Feature Value	\$27,645	\$27,961	\$28,278
Market Value	\$16,183,875	\$15,098,470	\$8,934,816
Assessed Value	\$10,811,126	\$9,828,297	\$8,934,816

BENEFITS INFORMATION				
Benefit	Type	2024	2023	2022
Non-Homestead Cap	Assessment Reduction	\$5,372,749	\$5,270,173	

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

SHORT LEGAL DESCRIPTION
35 51 42 GOLDEN BEACH SEC C PB 9-52 LOT 2 & BEG NW COR LOT 1 S21.47FT E TO HTL OF OCEAN N5.665FT W TO POB BLK A

TAXABLE VALUE INFORMATION			
Year	2024	2023	2022
COUNTY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$10,811,126	\$9,828,297	\$8,934,816
SCHOOL BOARD			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$16,183,875	\$15,098,470	\$8,934,816
CITY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$10,811,126	\$9,828,297	\$8,934,816
REGIONAL			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$10,811,126	\$9,828,297	\$8,934,816

SALES INFORMATION			
Previous Sale	Price	OR Book-Page	Qualification Description
08/27/2021	\$10,000,000	32820-2895	Qual by exam of deed
09/17/2009	\$6,580,000	27018-0035	Qual by exam of deed
05/01/1985	\$450,000	12526-2600	Sales which are qualified
01/01/1981	\$425,000	10998-2096	Sales which are qualified

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability. see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On: 10/31/2024

PROPERTY INFORMATION	
Folio	19-1235-003-0030
Property Address	115 OCEAN BLVD GOLDEN BEACH, FL 33160-2208
Owner	115 OCEAN BLVD GB LLC
Mailing Address	115 OCEAN BLVD GOLDEN BEACH, FL 33160
Primary Zone	1300 SGL FAMILY - 2801-3000 SQ
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths /Half	4 / 3 / 2
Floors	2
Living Units	1
Actual Area	11,308 Sq.Ft
Living Area	9,121 Sq.Ft
Adjusted Area	9,525 Sq.Ft
Lot Size	42,750 Sq.Ft
Year Built	Multiple (See Building Info.)

2024 Aerial Photography
600 ft

ASSESSMENT INFORMATION			
Year	2024	2023	2022
Land Value	\$25,246,163	\$21,038,469	\$16,183,480
Building Value	\$2,939,341	\$2,971,116	\$3,002,890
Extra Feature Value	\$61,955	\$62,459	\$62,964
Market Value	\$28,247,459	\$24,072,044	\$19,249,334
Assessed Value	\$23,291,693	\$21,174,267	\$19,249,334

BENEFITS INFORMATION			
Benefit	Type	2024	2023 2022
Non-Homestead Cap	Assessment Reduction	\$4,955,766	\$2,897,777

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

SHORT LEGAL DESCRIPTION
GOLDEN BEACH SEC C PB 9-52
LOTS 3-4 & 5 BLK A
LOT SIZE 150.000 X 285
OR 17856-0557 1097 1

TAXABLE VALUE INFORMATION			
Year	2024	2023	2022
COUNTY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$23,291,693	\$21,174,267	\$19,249,334
SCHOOL BOARD			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$28,247,459	\$24,072,044	\$19,249,334
CITY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$23,291,693	\$21,174,267	\$19,249,334
REGIONAL			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$23,291,693	\$21,174,267	\$19,249,334

SALES INFORMATION			
Previous Sale	Price	OR Book-Page	Qualification Description
06/21/2021	\$21,000,000	32599-1425	Qual by exam of deed
03/09/2018	\$14,000,000	30895-2183	Qual by exam of deed
04/28/2014	\$12,000,000	29137-1664	Qual by exam of deed
10/01/1997	\$2,600,000	17856-0557	Sales which are qualified

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

This instrument prepared by:

Steven Goldman, Esq.
Greenberg Traugott, P.A.
333 S.F. 2nd Avenue
Miami, Florida 33131

After recording return to:

Riverside Abstract, LLC
212 Second Street
Suite 502
Lakewood, NJ 08701

Miami Dade County Property Appraiser's
Folio No. 19-1235-003-0030

Town of Golden Beach
Building Regulatory Advisory Board
Hearing Date

JAN 14 2025

APPROVED _____
DISAPPROVED _____
VARIANCE REQ. _____

(Space Reserved for Clerk of Court)

WARRANTY DEED

THIS WARRANTY DEED is made and effective as of the 21 day of June, 2021 by **EJNRA, Ltd., a Florida limited partnership** (the "Grantor"), whose mailing address is 2200 Biscayne Boulevard, Miami, Florida 33137, to **115 Ocean Blvd GB, LLC, a Delaware limited liability company** (the "Grantee"), whose mailing address is 115 Ocean Boulevard, Golden Beach, Florida 33160. Wherever used herein, the terms "Grantor" and "Grantee" shall include all of the parties to this instrument and their successors and assigns.

WITNESSETH:

GRANTOR, for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained and sold, and by these presents does hereby grant, bargain and sell to Grantee and Grantee's successors and assigns forever, the following described land situate and being in Miami-Dade County, Florida (the "Property"), to wit:

Lots 3, 4 and 5, in Block "A", of SECTION "C" OF GOLDEN BEACH, according to the Plat thereof, as recorded in Plat Book 9, at Page 52, of the Public Records of Miami-Dade County, Florida.

THIS CONVEYANCE is subject to: (a) taxes and assessments for the year 2021 and all subsequent years; (b) existing zoning and governmental regulations, if any; and (c) covenants, restrictions and public utility and other easements of record, if any, but this reference shall not operate to reimpose same.

TOGETHER WITH all the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE and to hold the same in fee simple forever.

GRANTOR hereby covenants with Grantee that it is lawfully seized of the Property in fee simple, that it has good right and lawful authority to sell and convey the Property, that it hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons whomsoever.

This instrument prepared by:

Steven Goldman, Esq.
Greenberg Traurig, P.A.
333 S.E. 2nd Avenue
Miami, Florida 33131

After recording return to:

Riverside Abstract, LLC
3839 Flatlands Avenue
Suite 208
Brooklyn, New York 11234

Miami-Dade County Property Appraiser's
Folio No. 19-1215-003-0020

(Space Reserved for Clerk of Court)

WARRANTY DEED

THIS WARRANTY DEED is made and effective as of the 27 day of August, 2021 by **Sonny Kahn and Suzanne Passi Kahn, husband and wife** (collectively the "Grantor"), whose mailing address is 105 Ocean Blvd, Golden Beach FL 33160, to **115 Ocean Blvd GB, LLC, a Delaware limited liability company** (the "Grantee"), whose mailing address is 105 Ocean Boulevard, Golden Beach, Florida 33160. Wherever used herein, the terms "Grantor" and "Grantee" shall include all of the parties to this instrument and their successors and assigns.

WITNESSETH:

GRANTOR, for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained and sold, and by these presents does hereby grant, bargain and sell to Grantee and Grantee's successors and assigns forever, the following described land situate and being in Miami-Dade County, Florida (the "Property"), to wit:

Lot 2, and that portion of Lot 1, in Block "A", of SECTION "C", OF GOLDEN BEACH, according to the Plat thereof, recorded in Plat Book 9, at Page 52, of the Public Records of Miami-Dade County, Florida, described as follows, to-wit:

Beginning at the Northwest corner of Lot 1, of said Block "A", Section "C", GOLDEN BEACH; thence run South 2°43'03" West along the West line of Lot 1, for a distance of 21.47 feet to a point; thence run South 89°55'57" East, along a line for a distance of 337.86 feet, more or less, to the high tide line of the Atlantic Ocean; thence run in a Northerly direction, meandering the high tide line of the Atlantic Ocean to the intersection thereof with the North line of said Lot 1; thence run North 87°23'35" West along the North line of said Lot 1, for a distance of 338 feet, more or less, to the Point of Beginning.

THIS CONVEYANCE is subject to: (a) taxes and assessments for the year 2021 and all subsequent years; (b) existing zoning and governmental regulations, if any; and (c) covenants, restrictions and public utility and other easements of record, if any, but this reference shall not operate to reimpose same.

TOGETHER WITH all the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE and to hold the same in fee simple forever.

GRANTOR hereby covenants with Grantee that it is lawfully seized of the Property in fee simple, that it has good right and lawful authority to sell and convey the Property, that it hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor have signed, sealed and delivered these presents as of the day and year first above written.

Signed, sealed and delivered in our presence as to Grantor:

[Signature]
Name: Sonny Kahn

[Signature]
Name: Suzanne Passi Kahn

STATE OF FLORIDA

COUNTY OF MIAMI DADE

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 27th day of August, 2021, by Sonny Kahn, who is personally known to me or produced as identification.

[Signature]
Name: RITA M JONES
Notary Public, State of FLORIDA
Commission No.

My commission expires:

STATE OF FLORIDA

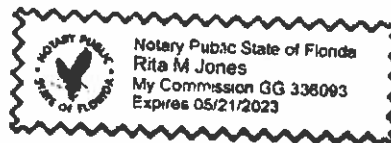
COUNTY OF MIAMI DADE



The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 27 day of August, 2021, by Suzanne Passi Kahn, who is personally known to me or produced as identification.

[Signature]
Name: RITA M JONES
Notary Public, State of FLORIDA
Commission No.

My commission expires:



RIVERSIDE ABSTRACT, LLC
As Agent for
CHICAGO TITLE INSURANCE COMPANY
SCHEDULE A LEGAL DESCRIPTION

Title No.: **RAFL-43197A**

Lot 2, and that portion of Lot 1, in Block "A", of SECTION "C", OF GOLDEN BEACH, according to the Plat thereof, recorded in Plat Book 9, at Page 52, of the Public Records of Miami-Dade County, Florida, described as follows, to-wit:

Beginning at the Northwest corner of Lot 1, of said Block "A", Section "C", GOLDEN BEACH; thence run South 2°43'03" West along the West line of Lot 1, for a distance of 21.47 feet to a point; thence run South 89°55'57" East, along a line for a distance of 337.86 feet, more or less, to the high tide line of the Atlantic Ocean; thence run in a Northerly direction, meandering the high tide line of the Atlantic Ocean to the intersection thereof with the North line of said Lot 1; thence run North 87°23'35" West along the North line of said Lot 1, for a distance of 338 feet, more or less, to the Point of Beginning.



240824_GOLDEN_BRAB_APPLICATION AND REVIEW FORM.pdf

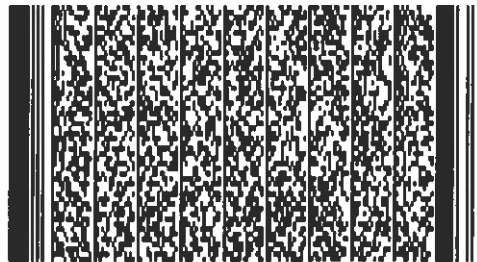
DocVerify ID: 2200002E-2335-45D5-8D2A-6F997B0AC5A3
Created: August 28, 2024 07:17:09 -8:00
Pages: 12
Electronic Notary: Yes / State: FL

This document is a DocVerify VeriVaulted protected version of the document named above. It was created by a notary or on the behalf of a notary, and it is also a DocVerify E-Sign document, which means this document was created for the purposes of Electronic Signatures and/or Electronic Notary. Tampered or altered documents can be easily verified and validated with the DocVerify veriCheck system.

Go to www.docverify.com at any time to verify or validate the authenticity and integrity of this or any other DocVerify VeriVaulted document.

E-Signature Summary

E-Signature Notary: Diana Ramos (dra)
August 28, 2024 07:20:23 -8:00 [DC91EF3CBA5E] [74.220.90.117]
dramos@brzoninglaw.com



DocVerify documents cannot be altered or tampered with in any way once they are protected by the DocVerify VeriVault System. Best viewed with Adobe Reader or Adobe Acrobat. All visible electronic signatures contained in this document are symbolic representations of the persons signature, and not intended to be an accurate depiction of the persons actual signature as defined by various Acts and or Laws.



Exhibit A

105 Ocean Boulevard

Lot 2, and that portion of Lot 1, in Block "A", of SECTION "C", OF GOLDEN BEACH, according to the Plat thereof, recorded in Plat Book 9, at Page 52, of the Public Records of Miami-Dade County, Florida, described as follows, to-wit:

Beginning at the Northwest corner of Lot 1, of said Block "A", Section "C", GOLDEN BEACH; thence run South 2°43'03" West along the West line of Lot 1, for a distance of 21.47 feet to a point; thence run South 89°55'57" East, along a line for a distance of 337.86 feet, more or less, to the high tide line of the Atlantic Ocean; thence run in a Northerly direction, meandering the high tide line of the Atlantic Ocean to the intersection thereof with the North line of said Lot 1; thence run North 87°23'35" West along the North line of said Lot 1, for a distance of 338 feet, more or less, to the Point of Beginning.

115 Ocean Boulevard

Lots 3, 4 and 5, in Block "A", of SECTION "C" OF GOLDEN BEACH, according to the Plat thereof, as recorded in Plat Book 9, at Page 52, of the Public Records of Miami-Dade County, Florida.



**TOWN OF GOLDEN BEACH
100 OCEAN BOULEVARD
Golden Beach, Fl. 33160**

**SUMMARY MINUTES (DRAFT)
BUILDING REGULATION ADVISORY BOARD
January 14, 2025, at 6pm**

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

- A. CALL MEETING TO ORDER: 6:02 pm**
- B. BOARD ATTENDANCE:** Michael Klinger, Jerome Hollo and Zvi Shiff
- C. STAFF ATTENDANCE:** Linda Epperson-Asst Town Manager, Lissett Rovira-Building & Zoning Director, Christopher Gratz-Zoning Reviewer, Elena Cheung-Asst to the Town Clerk, and Monica Diaz-Permit Clerk
- D. APPROVAL OF MINUTES:** December 10, 2024
A motion to approve the minutes was made by Zvi Shiff, Seconded by Michael Klinger.
All were in favor – no one opposed
Motion passed 3 – 0
- E. REQUEST FOR ADDITIONS, DEFERRALS, DELETIONS & WITHDRAWALS:**

1. 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

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

2. Matthew Kay & Jennifer
504 N Parkway St
Golden Beach, Fl 33160

Property Address: 504 North Parkway, Golden Beach, FL. 33160
Folio No.: 19-1235-006-0770
Legal Description: Lot 24 Less Beg Sely Cor Of Lot 24 Th Nwly167.87ft Swly Ad 10ft Sely To POB Blk F, GB Sec F PB 10-11

Installation dock replacement & seawall repair.

3. Leon J Huppert Trs.
Leon J Huppert Revocable Trust
440 Golden Beach Dr
Golden Beach, Fl 33160

Property Address: 440 Golden Beach Dr, Golden Beach, FL, 33160
Folio No: 19-1235-005-0480
Legal Description: S25FT of Lot 40 & All lot 41, Blk F, GB Sect E, PB 8-122

Construction of a new seawall and dock.

4. NRE Miami Corp
1925 Brickell Ave, D205
Miami, FI 33129

Property Address: 360 Ocean Blvd, Golden Beach, FL. 33160
Folio No.: 19-1235-002-0260
Legal Description: Lots 8 & N1/2 of Lot 9, Blk 4, GB Section B, PB 9-52

Exterior alternation and addition.

5. Allegro Acquisitions Corporation
349 Center Island Dr.
Golden Beach, FI 33160

Property Address: 349 Center Island Drive, Golden Beach, FL, 33160
Folio No: 19-1235-005-0840
Legal Description: Lot 13 & BEG NE COR Lot 14, Block K GB Sect E, PB 8-122

Variance request for construction of a new seawall and dock.

6. Allegro Acquisitions Corporation
349 Center Island Dr
Golden Beach, FI 33160

Property Address: 345 Center Island Drive, Golden Beach, FL, 33160
Folio No: 19-1235-005-0830
Legal Description: Lot 12 & BK K GB Sect E, PB 8-122

Variance request for construction of a new seawall and dock.

7. Allegro Acquisitions Corporation
349 Center Island Dr
Golden Beach, FI 33160

Property Address: 345 Center Island Drive, Golden Beach, FL, 33160
Folio No: 19-1235-005-0830
Legal Description: Lot 12 & BK K GB Sect E, PB 8-122

Construction of a new seawall and dock.

8. Allegro Acquisitions Corporation
343 Center Island Dr
Golden Beach, FI 33160

Property Address: 343 Center Island Drive, Golden Beach, FL, 33160
Folio No: 19-1235-005-0820
Legal Description: Lot 11 & BK K GB Sect E, PB 8-122

Construction of a new seawall and dock.

9. Allegro Acquisitions Corporation
343 Center Island Dr
Golden Beach, FL 33160

Property Address: 343 Center Island Drive, Golden Beach, FL, 33160
Folio No: 19-1235-005-0820
Legal Description: Lot 11 & BK K GB Sect E, PB 8-122

Variance request for construction of a new seawall and dock.

10. Beach Dream Properties LLC
325 Center Island Drive
Golden Beach, FL 33160

Property Address: 325 Center Island Drive, Golden Beach, FL, 33160
Folio No: 19-1235-005-0800
Legal Description: Lots 7 thru 8, Blk BK GB Sect E, PB 8-122

Construction of a new seawall and dock.

11. 115 OCEAN BLVD GB LLC
115 Ocean Blvd.
Golden Beach, FL 33160

Property Address: 115 Ocean Blvd., Golden Beach, FL, 33160
Folio No: 19-1235-003-0030
Legal Description: Lots 3-4 & 5 Blk A GB Sect C, PB 9-52

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

A motion was made by Michael Klinger to defer agenda items 1 through 11 to the next Building Advisory Board meeting date, Seconded by Zvi Shiff
All were in favor – no one opposed
Motion passed 3 – 0

F. VARIANCE REQUEST(S):

12. 115 OCEAN BLVD GB LLC
105 & 115 Ocean Blvd.
Golden Beach, FL 33160

Christopher Gratz summarized his report into the record.
Nicholas Rodriguez – 200 S Biscayne Boulevard, Miami, FL 33131 – Attorney and
Dominyka Voelkle – 45 Main Street, Brooklyn, New York City, New York – Architect
spoke on behalf of the applicant.

Property Address: 105 & 115 Ocean Boulevard, Golden Beach, FL, 33160
(Through Unity of Title)
Folio No: 19-1235-003-0030, 19-1235-003-0020
Legal Description: Lot 2-5, Blk A & Beg NW COR Lot 1 S21.47 Ft E To HTL of
Ocean N5.665ft W To POB Blk A, GB Sec C Pb 952

Relief from Town Code 66-102(a) Minimum lot and swale elevations; grade, which
requires that finished grade of any lot abutting Ocean Boulevard minimum 12 inches
above the crown of the road, and the maximum 11 feet NGVD. Exterior slabs and

walkways shall not exceed an elevation of 36 inches above the crown of the road adjacent to the lot.

Request is to allow the finished grade of the lot to be 13' NGVD (2' higher); and exterior slabs, decks, and walkways to exceed the crown of the road (8.314' NGVD) to be as much as 15'-6" NGVD (7.186' higher).

In accordance with Town Code Section 66-41, "authorized, general procedure", pertaining to variances, the board considered all evidence and testimony presented by the applicant, the public and the Town and made a finding that the applicant has complied with the seven criteria

Zvi Shiff made a motion to recommend approval of the variance, Seconded by Michael Klinger.

On roll call: Zvi Shiff-Aye, Jerome Hollo-Aye, and Michael Klinger-Aye

Motion passed 3 – 0

G. OLD BUSINESS:

13. Bradley Jacob Dayan Trs
Bradley Jacob Dayan Living Tr
3300 NE 188 Street, 415
Aventura, FL 33180

Christopher Gratz summarized his report into the record.

Kyle Mailloux (Engineer & Principal), Blue Horizon Engineering, 1110 SE 3rd Ave Fort Lauderdale, Fl 33316 and Christopher Fernandez (Architect & Principal) CFZ Architecture Group, 36 NE 1st St, Suite 936, Miami, FL 33027, spoke on behalf of the applicant.

Property Address: 296 Ocean Blvd., Golden Beach, FL, 33160

Folio No: 19-1235-003-0480

Legal Description: Lots 20 & 21, Blk 5, GB Sect C, PB 9-52

Addition and remodel of a single-family residence and landscape design approval.

A motion to approve was made by Michael Klinger, Seconded by Zvi Shiff.

On roll call: Zvi Shiff-Aye, Jerome Hollo-Aye, and Michael Klinger-Aye

Motion passed 3 – 0

H. NEW BUSINESS

14. Mike and Maya Peisach
20900 Ne 30 Ave 915
Aventura, Fl 33180

Christopher Gratz summarized his report into the record

William Thomas, Unlimited Permit Services, Inc, 902 NE 1 Street, Suite #2, Pompano Beach, FL 33060, spoke on behalf of the applicant.

Property Address: 230 Golden Beach Drive, Golden Beach, FL. 33160

Folio No.: 19-1235-004-0050

Legal Description: N1/2 Lot 6 & All Lot 7 Blk G, GB Sec D PB 10-10

Seawall repair and dock replacement.

A motion was made and amended to approve the project by Michael Klinger, amendment accepted, and Seconded by Zvi Shiff, conditioned on the dock width being at 6'.

On roll call: Zvi Shiff-Aye, Jerome Hollo-Aye, and Michael Klinger-Aye

Motion passed 3 – 0

I. **DISCUSSION:**

Proposed changes to the Code of Ordinance regarding grading and site elevation.

Page 12 Discussion:

- **Michael's Concerns about Retaining Walls:** Michael raises concerns about retaining dirt on a site, especially regarding the height of retaining walls. Distinctions are made between "two A" and "three A" in terms of wall height (two feet above grade). The purpose is to minimize the visual impact of the walls for adjacent properties and keep them as low as possible.

Page 13 Discussion:

- **Retaining Wall Heights and Definitions:** The discussion shifts to the height limits of walls, specifically retaining walls. It is suggested that the term "fence" be eliminated in favor of defining the structure as a "retaining wall." There is debate over measuring wall height from grade rather than the Finished Floor Elevation (FFE) of the property.
- **Design Uniformity:** It is emphasized that both sides of the wall should be finished for aesthetic consistency.

Page 14 Discussion:

- **Height Limitations and Elevation:** A suggestion is made to allow a maximum wall height of six feet above the crown of the road or four feet above the average lot elevation. Consistency in measurement is important, and slope conditions in driveways are also discussed due to challenges with parking or navigating steep driveways. Concerns about the discomfort and accessibility issues caused by steep slopes are noted, as well as the challenge of maintaining aesthetic consistency in wall and fence designs.

Pool and Setback Regulations:

- **Pool Setup:** The pool and deck must be placed 10 feet or more from the seawall, with a maximum height of 8.5 feet. This is an option, not a requirement, offering flexibility in design.
- **Landscaping:** Pool setups must include landscaping between the pool deck and the seawall, with grass six inches below the seawall's top (based on code). Soil type should dictate the direction of the slope (towards the pool or water).

Page 15-19: General Discussion on Elevation, Setbacks, and Drainage:

- **Setbacks for Pool Decks and Landscaping:** The conversation covers the setback requirements for pool decks, ensuring that pools are sufficiently distanced from property lines and seawalls. There are concerns about large walls near property lines impacting the aesthetics and potential drainage issues when pool decks are located too close to the seawall. Flexibility in design is discussed, including using landscaping to screen pool walls and adjusting the height of pool decks for a more harmonious fit with the landscape.

- **Steps and Elevation Differences:** The group talks about the practicalities of steps when there are significant elevation differences, such as when the pool or deck is higher than the surrounding ground. The aim is to minimize the number of steps while addressing privacy concerns with walls or screens.

Page 20: Landscaping and Pool Regulations:

- **Wet Wall Landscaping:** Landscaping is required for non-infinity edge pools to cover wet walls.
- **Elevation of 4.675 NAVD:** There's a discussion regarding a specific elevation of 4.675 NAVD, which is referenced by the civil engineer or town code. However, there was confusion about the origin of this elevation.
- **Grade and Sloping:** The grass should be six inches below the seawall's top, and the slope should be determined by soil conditions and design choices.

Page 21: Pool Deck Elevation and Patio Options:

- **Patio and Pool Deck Elevation:** For existing homes, if the patio is six inches below the finished floor elevation (FFE), the pool deck can be six inches below the patio. The pool may be a maximum of 2 feet above the pool deck.
- **Clarifying the Option:** This is an option for homeowners who want their pool to match their house's elevation, providing flexibility in design.
- **Side Yard Setback:** The minimum side setback is 3 feet. Projections like steps from the pool must stay at least 3 feet from the side property line.

Page 22 Discussion:

- **Clarifying Language and Setback Regulations:** The group discusses adjusting the language around setbacks and pool deck designs to ensure uniformity and clarity across different sections of the regulations. There's a specific focus on the **10-foot setback** from the property line for pool decks, which was emphasized as a requirement.
- **Minimum Side Setback:** A minimum side setback of 3 feet from the side property line is confirmed, especially concerning projections like steps or other structures that extend from the pool. The steps should not encroach into the 3-foot setback zone.

J. ADJOURNMENT: 8:15pm

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