

RESOLUTION No. 2007-111-618-Z-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY ADVANCE BUSINESS ASSOCIATES, LLP, FOR A NON-USE VARIANCE OF SEC. 33-259(69)(A)(3) OF THE ZONING CODE OF ORDINANCES TO INCREASE THE SHOWROOM/RETAIL SALES FLOOR AREA OF A SALESROOM/SHOWROOM WAREHOUSE BUILDING FROM A PREVIOUSLY APPROVED 91% OF FLOOR TO 97% OF FLOOR AREA WHERE A MAXIMUM OF 50% OF THE TOTAL FLOOR AREA IS PERMITTED, IN THE IU-1 DISTRICT; AND MODIFICATION OF CONDITION TWO (2) OF RESOLUTION CZAB3-16-01 APPROVING REVISED PLANS, PROPERTY LOCATED AT 1500 NW 167 STREET, PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, Advance Business Associates, LLP ("Applicant"), owns certain
2 property located south of Northwest 167th Street between Northwest 16th Court and
3 Northwest 15th Avenue, more particularly described on Exhibit "A" attached hereto, and

4 WHEREAS, the Applicant seeks the following approval:

- 5 1. A non-use variance of Sec. 33-259(69)(a)(3) of the Zoning Code to
6 increase the showroom/retail sales floor area of a salesroom/showroom
7 building from an existing 91% of floor area to 97% of floor area where a
8 maximum of 50% of the total floor area is permitted.
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10 2. Modification of condition two (2) of Resolution CZAB3-16-01 approving
11 revised plans.

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13 WHEREAS, the City Council held a public hearing on the application on July 18,
14 2007, and

15 WHEREAS, the City's Planning & Zoning staff has made a determination that the
16 application is consistent with the Comprehensive Development Master Plan, and

17 WHEREAS, the City's Planning & Zoning staff recommends approval of the
18 application subject to certain conditions, and

19 WHEREAS, the City Council considered the testimony of the Applicant, if any,
20 and

21 WHEREAS, the City Council also considered the testimony of the City's Planning
22 & Zoning staff, and the Staff Report attached hereto as Exhibit "B," incorporated herein
23 by reference,

24 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
25 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

26 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
27 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
28 made a specific part of this Resolution.

29 Section 2. The City Council of the City of Miami Gardens hereby approves the
30 application submitted by the Applicant for:

31 1. A non-use variance of Sec. 33-259(69)(a)(3) of the Zoning Code to
32 increase the showroom/retail sales floor area of a salesroom/showroom
33 building from an existing 91% of floor area to 97% of floor area where a
34 maximum of 50% of the total floor area is permitted.

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36 2. Modification of condition two (2) of Resolution CZAB3-16-01 approving
37 revised plans.

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39 provided that the issuance of a certificate of occupancy or certificate of use or the
40 completion of a final inspection for the facility described hereinabove shall be subject to
41 the following conditions:

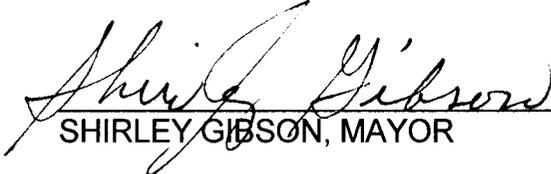
42 a. Submitted Plans: The plans submitted for building permit and/or Certificate
43 of Use and Occupancy shall be substantially in compliance with that
44 submitted for the public hearing and consisting of the following: Plans
45 entitled "An Existing Facility for City Furniture," as prepared by Architecture
46 6400, Inc., dated 3/16/07 and constituting of Sheets A-3, A-4, LA-1 and LA-
47 2, and a plan entitle "a Proposed Showroom Renovation for City Furniture",
48 as prepared by Architecture 6400, Inc., consisting of Sheet A-1, signed and
49 sealed March 16, 2007 and Sheet A-2.1 signed and sealed March 5, 2007.

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b. Sidewalk on Northwest 167th Street: A six (6) foot wide sidewalk shall be constructed along property abutting Northwest 167th Street.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT THE ZONING MEETING HELD ON JULY 18, 2007.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

Prepared by JAMES C. BRADY, ESQ.
Assistant City Attorney

SPONSORED BY: Dr. Danny O. Crew, City Manager

MOVED BY: Councilman Braynon
SECONDED BY: Councilman Bratton

VOTE: 5-1

Mayor Shirley Gibson	<u> x </u> (Yes)	<u> </u> (No)
Vice Mayor Oscar Braynon, II	<u> x </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> x </u> (Yes)	<u> </u> (No)
Councilman Aaron Campbell	<u> x </u> (Yes)	<u> </u> (No)
Councilman André Williams	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> </u> (Yes)	<u> x </u> (No)
Councilwoman Barbara Watson	<u> </u> (Yes)	<u> </u> (No) Out of town

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