

RESOLUTION No. 2004-113-164-Z-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION OF UNIVERSAL TRUTH CENTER FOR BETTER LIVING, INC. FOR CERTAIN NON-USE VARIANCES; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Universal Truth Center For Better Living, Inc. ("Applicant") submitted an application for the following requests:

- (1) To permit a religious facility setback of 47'2" (50' required) from the interior side (west) property line;
- (2) To permit parking and driveways within 25' of official rights-of-way (not permitted);
- (3) To permit the religious facility to be spaced less than 75' from a residential structure to the west (not permitted);
- (4) To permit a landscape buffer varying from 4' to 7' (7' landscape buffer required for parking lots that abuts rights-of-way) along the north, east and south property lines.

WHEREAS, the City Council has considered the testimony of the Applicant as well as the testimony of City's Planning and Zoning staff and has also considered the Staff Report attached hereto as Exhibit "A" and incorporated herein by reference,

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

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

Section 2. APPROVAL OF APPLICATION: The City Council for the City of Miami Gardens hereby approves or denies the application submitted by Universal Truth

Center For Better Living, Inc., as follows:

(1) To permit a religious facility setback of 47'2" (50' required) from the interior side (west) property line;

APPROVAL: Yes No

(2) To permit parking and driveways within 25' of official rights-of-way (not permitted);

APPROVAL: Yes No

(2) To permit the religious facility to be spaced less than 75' from a residential structure to the west (not permitted);

APPROVAL: Yes No

(3) To permit a landscape buffer varying from 4' to 7' (7' landscape buffer required for parking lots that abuts rights-of-way) along the north, east and south property lines.

APPROVAL: Yes No

Section 3. CONDITIONS: If approved, the aforementioned approval is subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit; said plan to include among other things but not be limited thereto, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing and entitled "Universal Truth Center for Better Living, Inc. Southeastern Regional Annex", as prepared by KDI, Architecture, Inc., consisting of 8 sheets, dated/stamped/received 09/02/04.

3. That the use be established and maintained in accordance with the approved plan.

4. That the applicant obtain a Certificate of Use from the Department, upon compliance with all terms and conditions, the same subject to

cancellation upon violation of any of the conditions.

5. That the applicant submit to the Department for its review and approval of a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.

6. That no trailers, tents or similar structures and no temporary use of any type shall be permitted on the premises.

7. That the applicant comply with all applicable conditions and requirements of the Department of Environmental Resources Management (DERM) as contained in their memorandum pertaining to this application.

8. That the applicant comply with all applicable conditions and requirements of the Public Works Department as contained in their memorandum pertaining to this application.

9. The parking spaces shown on the west side of the site plan shall be removed and a landscape buffer shall be installed.

10. Street trees shall be installed every fifteen feet on N.W. 215 Street, N.W. 37th Avenue, Countyline Road, and N.W. 213th Street.

11. Subject to the City effecting an agreement with Broward County to maintain the Broward County right-of way located on the north side of the Broward/Dade County line, applicant shall provide street trees for that land located north of the subject property.

12. The Applicant shall execute a covenant that shall run with the land agreeing to all of the conditions stated herein.

Section 4. EFFECTIVE DATE: This Resolution shall take effect immediately upon the approval of Ordinance No. 2004-22-38, approving the rezoning of the subject property from BU-1 and RU-TH to RU-3.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS ZONING MEETING HELD ON NOVEMBER 3, 2004.


Shirley Gibson, Mayor

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA K. KNIGHTON, ESQ.
City Attorney

SPONSORED BY: DANNY O. CREW, CITY MANAGER

MOVED BY:
SECONDED BY:

VOTE: 6-0

Mayor Gibson	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Vice Mayor Campbell	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilman Melvin L. Bratton	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilman Oscar Braynon, II	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilwoman Audrey J. King	<input type="checkbox"/> (Yes)	<input type="checkbox"/> (No) Not present
Councilwoman Sharon Pritchett	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilwoman Barbara Watson	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)

SKK/bfc
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