

RESOLUTION NO. 2004-34-85-Z-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE ZONING APPLICATION SUBMITTED BY THE GREATER MIAMI JEWISH FEDERATION (Z03-274/04-1-CMG-8) SUBJECT TO CERTAIN CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE.

I. RECITALS

WHEREAS, on January 7, 2004, and February 4, 2004, the City Council, of the City of Miami Gardens, held public hearings on the Greater Miami Jewish Federation's application (Z03-274/04-1-CMG-8) for the following zoning request(s):

- 1. SPECIAL EXCEPTION to permit a self-service storage facility in the BU-1A district.**
- 2. Permit for lot coverage of 67% (40% maximum permitted).**
- 3. Permit for 0 street trees (10 street trees required).**
- 4. Permit 12% landscaping open space (16% required).**
- 5. Permit 0 lot trees (75 required).**
- 6. Permit 0 shrubs (850 shrub required).**
- 7. Requesting to waive the require 5' high masonry wall along the property line separating the BU-1A property from a residential district.**
- 8. Requesting to permit a floor area ration (F.A.R.) of 0.64 (0.51 allowed).**

LOCATION: Lying approximately 90" east of N.W. 28 Avenue and lying north of N.W. 207 Street, City of Miami Gardens, Florida;

And;

WHEREAS, notice has been provided to all interested parties and a neighboring jurisdiction regarding the application; and

WHEREAS, the City Council has been advised by Miami-Dade County Department of Planning and Zoning that the subject application has been reviewed for applicable standards under Section 33-311(A)(16) (Alternative Site Development Option for the BU Zoning District) or under Section 33-311 (A(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance) of the Miami-Dade County Code; and

WHEREAS, a public hearing of the City Council was advertised and held as required by law and all interested parties concerned in the matter were heard, and upon due and proper consideration having been given to the matter; and

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

II. APPROVAL/DENIAL

Section 1. **Approval/Denial.** Based upon substantial competent evidence provided by Miami-Dade County and staff, based on the fact that Requests #3, 5, 6, and 7 are withdrawn by applicant, Requests # 1, 2, 4, and 8, described hereinabove, are hereby approved, subject to the following terms and conditions;

- a. That a site plan be submitted to and meet with the approval of the Director of Planning and Zoning upon submittal of an application for a building permit; said plan to include among other things but not limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
- b. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Storage Facility for Universal Storage Group," as prepared by HSDM Architects, consisting 12 sheets, date stamped received 9/17/03, as further modified at Public Hearing.
- c. That the use be established and maintained in accordance with approved plans.
- d. That the applicant, at its sole expense, shall extend the existing fences located within the rear yard of the single-family homes that abut the applicant's property, to the applicant's property line. The extended fences shall be perpendicular to the boundary line of the applicant's property. If any utility company should need to remove the fencing within the rear yard of the single-family homes in order to perform routine maintenance, or to install new utilities, the applicant at its sole expense shall remove and replace the fencing over the easement area.

II. SEVERABILITY AND EFFECTIVE DATE.

Section 2. **Severability.** If any section, subsection, clause or provision of this Resolution is held invalid, the remainder shall not be affected by such invalidity. All Resolutions or parts of resolutions in conflict herewith shall be and hereby are repealed.

Section 3. **Effective Date.** This Resolution shall become effective upon adoption.

PASSED and ADOPTED this 4th day of February, 2004.

CITY OF MIAMI GARDENS, FLORIDA
By its City Council

By: Shirley Gibson
Shirley Gibson, Mayor

ATTEST:

Ronetta Taylor
Ronetta Taylor, CMC, City Clerk

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**

Hans Ottinot
Hans Ottinot, City Attorney

VOTE: 5-1 Moved by Mayor Gibson, seconded by Councilwoman King to approval of the requested zoning modifications, and upon a roll call the vote was 5 - 1 in favor:

Mayor Gibson	<u> x </u> yes	<u> </u> no
Vice Mayor Campbell	<u> x </u> yes	<u> </u> no
Councilman Bratton	<u> x </u> yes	<u> </u> no
Councilman Braynon	<u> </u> yes	<u> </u> no Out of town
Councilwoman King	<u> x </u> yes	<u> </u> no
Councilwoman Pritchett	<u> </u> yes	<u> x </u> no
Councilwoman Watson	<u> x </u> yes	<u> </u> no