

**RESOLUTION NO. 2004-36-87-Z-12**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE ZONING APPLICATION SUBMITTED BY ZETTIE JONES (Z03-307/04-2-CMG-3) SUBJECT TO CERTAIN CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**I. RECITALS**

**WHEREAS**, on February 4, 2004, the City Council, of the City of Miami Gardens, held a public hearing on Zettie Jones' application (Z03-307/04-2-CMG-3) for the following zoning request(s):

- 1. Permit for a single family residence setback varying from 10' to 14.83' (25' required) from the rear (south) property line.**
- 2. Permit for a single family residence with a lot coverage of 39.4% (35% maximum permitted).**
- 3. Permit for 1 lot tree (3 lot trees required) and 30 shrubs (60 shrubs required).**

**PROPERTY ADDRESS:** 1330 N.W. 207<sup>th</sup> Street, 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)(14 (Alternative Site Development Option) 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, Request #3 described hereinabove is hereby denied. Requests #1

& 2 as 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 Residence of Mr. & Mrs. Jones," as prepared by Sonny Comm. Dev. Corp., consisting of 5 sheets, date stamped received 10/8/03, and as further modified at Public Hearing. Except as specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
- c. That the use be established and maintained in accordance with approved plans.
- d. That the applicant submits to the Department for its review and approval, 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 final zoning inspection.

**II. SEVERABILITY AND EFFECTIVE DATE.**

**Section 2. Severability.** If any section, subsection, clause of 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 4<sup>th</sup> day of February, 2004.

**CITY OF MIAMI GARDENS, FLORIDA**

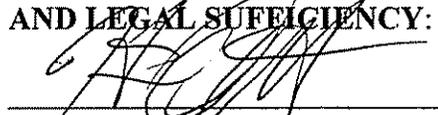
By its City Council

By: Shirley Gibson  
Shirley Gibson, Mayor

**ATTEST:**

Ronetta Taylor  
Ronetta Taylor, CMC, City Clerk

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

  
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Hans Ottinot, City Attorney

**VOTE: 6-0**, Moved by Councilwoman Watson, seconded by Vice Mayor Campbell to approve of the requested zoning modifications, and upon a roll call the vote was   6   -   0   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>  x  </u> yes	<u>    </u> no
Councilwoman Watson	<u>  x  </u> yes	<u>    </u> no