

RESOLUTION No. 2005-135-312-Z-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION OF MARVEL JONES FOR FOUR (4) NON-USE VARIANCES AND DENYING THE APPLICATION FOR ONE (1) NON-USE VARIANCE, FOR PROPERTY LOCATED AT 340 NORTHWEST 183RD STREET, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR CONDITIONS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Marvel Jones has filed an application ("Application") with the City of Miami Gardens for the approval of five (5) non-use variances for property located at 340 Northwest 183rd Street, more particularly described on Exhibit "A" attached hereto, and

WHEREAS, the Applicant is seeking a non-use variance of lot size requirements to permit a lot size of 9,432.3 sq. ft. as opposed to the minimum 10,000 sq. ft. required by Code; a non-use variance of parking lot buffer requirements to permit a parking lot buffer of 5'5" along the east and west property lines as opposed to the 7' required by Code; a non-use variance of the lot tree requirements to provide 6 lot trees as opposed to the 7 trees required by Code; a non-use variance to waive the shrub requirements; and a non-use variance to waive the street tree requirement along Northwest 183rd Street, and

WHEREAS, a public hearing on this matter has been held on September 7, 2005, and

WHEREAS, the City Council has reviewed the Application and approves all of the requests except the non-use variance to waive the shrub requirements,

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: The City Council of the City of Miami Gardens hereby approves the Application submitted by Marvel Jones for five (5) non-use variances, as follows:

- a) A non-use variance of lot size requirements to permit a lot size of 9,432.3 sq. ft., as opposed to the minimum 10,000 sq. ft. required by Code;
- b) A non-use variance of parking lot buffer requirements to permit a parking lot buffer of 5'5" along the east and west property lines, as opposed to the 7' required by Code;
- c) A non-use variance of the lot tree requirements to provide 6 lot trees as opposed to the 7 trees required by Code;
- d) A non-use variance to waive the street tree requirement along Northwest 183rd Street.

Section 3. DENIAL: The City Council of the City of Miami Gardens hereby denies the Applicants request for a non-use variance to waive the shrub requirement.

Section 4. CONDITION: This approval is subject to the following conditions:

- a) That a site plan be submitted to and meet with the approval of the Zoning Administrator upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy;

said plan to include among other things, the location of structure(s), the type(s), size(s) and location of sign(s), lighting standards, off-street parking areas, exit and entrance drive(s), perimeter walls or fences and the landscaping details.

- b) That the plan be substantially in accordance with that submitted for the hearing entitled "Remodeling Plans & Carpet Enclos. For Homebound Care," as prepared by Arcon Engineering Group, dated 09/01/03 and 09/07/03, and consisting of three (3) sheets.
- c) That regular parking spaces be a minimum of eight and one-half (8.5) feet by eighteen (18) feet.
- d) That three (3) street trees, twelve (12) feet to fourteen (14) feet high at the time of planting, be installed along the front of the property abutting the right-of-way of N.W. 183rd Street.
- e) That, in addition to the five and one half (5.5) foot landscaped strip buffer, a three (3) feet high masonry wall be provided along the front property line on Miami Gardens Drive.

Section 5. 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 ITS ZONING MEETING HELD ON OCTOBER 5, 2005.


SHIRLEY GIBSON, MAYOR

ATTEST:



RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY O. CREW, CITY MANAGER

MOVED BY: Vice Mayor Braynon
SECONDED BY: Councilwoman Watson

VOTE: 6-0

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)
Councilwoman Sharon Pritchett	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Barbara Watson	<u> x </u> (Yes)	<u> </u> (No)

SKD/bfc

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