

RESOLUTION No. 2005-144-321-Z-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION OF GRACE BIBLE WAY APOSTOLIC CHURCH FOR A SPECIAL EXCEPTION TO PERMIT THE EXPANSION OF A RELIGIOUS FACILITY, APPROVING A NON-USE VARIANCE; AND AMENDING RESOLUTION CZAB4-6-99 TO DELETE CERTAIN NON-USE VARIANCES AND TO MODIFY A CONDITION; PROVIDING FOR NEW CONDITIONS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Grace Bible Way Apostolic Church ("Applicant") owns certain property located at 17100-17120 Northwest 27th Avenue ("Property"), and

WHEREAS, the Property was the subject of a prior application submitted to Miami-Dade County Community Zoning Appeals ("CZAB") via Resolution CZAB4-6-99, and

WHEREAS, certain approvals were granted on the property by virtue of Resolution CZAB4-6-98, including a Special Exception to permit a proposed religious facility, and various Non-use Variances, and

WHEREAS, the applicant would like to amend Resolution CZAB4-6-99 to delete the non-use variances that were granted, and

WHEREAS, the applicant is seeking the following new approvals for the Property:

1. Special Exception to permit a Religious Facility to expand onto additional property,
2. Non-Use Variance of Parking Regulations to permit a proposed one-way drive of 12' (minimum 14' required), and

WHEREAS, the applicant would also like to modify condition #2 of CZAB4-6-99 as follows:

From: That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing

entitled "Grace Bible Way Apostolic Church" as prepared by Walter Quintyn, Consulting Engineer, dated 4/20/98 consisting of 6 sheets except herein as modified.

2a. To include trees at least 12' to 14' in height at time of planting and planted along 25' centers along the open space abutting the north property line of Lot 9 Block 9 and along the north, west and south property lines of Lots 4-7 of Block 1.

2b. To delete the backout onto official rights-of-way of Northwest 27th Avenue and to provide the required backout for the one parking space.

To: That in the approval of the plan, the same be substantially in accordance with that submittal for the hearing entitled "Grace Bible Way Apostolic Church" as prepared by Pyramid Design and Development Services, last revised on 5/22/03, and consisting of 3 sheets, and

WHEREAS, the City Council of the City of Miami Gardens held public hearings on the application on October 5, 2005 and on November 2, 2005, and

WHEREAS, the City Council considered the testimony of the Applicant, if any, and the Staff Report attached hereto as Exhibit "A" and incorporated herein by reference, and

WHEREAS, the City Council also considered the testimony of the City's Planning and Zoning staff, and

WHEREAS, the City Council approves the application filed by the Applicant,

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 the Applicant as follows:

1. Special Exception to permit a Religious Facility to expand

onto additional property.

2. Non-Use Variance of Parking Regulations to permit a proposed one-way drive of 12' (minimum 14' required).
3. Modification of Condition 2 of Resolution CZAB4-6-99, passed and adopted by the zoning appeals board, reading as follows:

From: That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Grace Bible Way Apostolic Church" as prepared by Walter Quintyn, Consulting Engineer, dated 4/20/98 consisting of 6 sheets except herein as modified.

2a. To include trees at least 12' to 14' in height at time of planting and planted along 25' centers along the open space abutting the north property line of Lot 9 Block 9 and along the north, west and south property lines of Lots 4-7 of Block 1

2b. To delete the backout onto official rights-of-way of Northwest 27th Avenue and to provide the required backout for the one parking space

To: That in the approval of the plan, the same be substantially in accordance with that submittal for the hearing entitled "Grace Bible Way Apostolic Church" as prepared by Pyramid Design and Development Services, last revised on 5/22/03, and consisting of 3 sheets.

The Special Exception that was approved by virtue of Resolution CZAB4-6-99 as well as all of the other conditions of Resolution CZAB4-6-99 that are not being modified by this Resolution, shall remain in full force and effect.

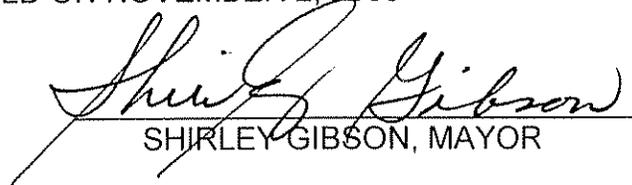
Section 3. AMENDMENT: The prior non-use variances that were granted by virtue of Resolution CZAB4-6-99, that permitted the church to have a lot frontage of 100' (minimum of 150' required), and that permitted 27 parking stalls (32 required), are hereby deleted.

Section 4. CONDITIONS: The Applicant's request is approved subject to the following conditions:

1. 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.
2. That two (2) 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 Northwest 183rd Street.
3. That, in addition to the five-foot CBS wall, a landscaped strip buffer of at least three (3) feet in width be provided along the north and west property lines.
4. That the storage container located on the site of the proposed parking lot be removed within thirty (30) days of this approval so as to comply with Condition #5 of Resolution CZAB4-6-99, said condition to be adhered to.
5. That the Applicant secures necessary building permits and is substantially under construction within two (2) years of this approval; failure to do so shall invalidate and otherwise nullify this approval.

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 NOVEMBER 2, 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	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Vice Mayor Oscar Braynon, II	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilman Melvin L. Bratton	<input type="checkbox"/> (Yes)	<input type="checkbox"/> (No) Not Present
Councilman Aaron Campbell	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilman Ulyssis Harvard	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilwoman Sharon Pritchett	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilwoman Barbara Watson	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)

SKD/bfc

S:\MIAMI\RESOS\GRACEBIB.DOC