

RESOLUTION No. 2005-146-323-Z-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION OF AARON AND BERNARD EDELSTEIN FOR NON-USE VARIANCES OF THE FRONT AND REAR SETBACK REQUIREMENTS FOR A PROPOSED SINGLE-FAMILY RESIDENCE; PROVIDING FOR CONDITIONS, PROVIDING FOR THE ADOPTION OF REPRESENTATIONS, PROVIDING AN EFFECTIVE DATE.

WHEREAS, Aaron and Bernard Edelstein filed an application ("Application") for the approval of non-use variances for a proposed single-family residence for property located at 16767 N W. 7th Road ("Property"), and

WHEREAS, the Applicant is seeking a non-use variance for the southwest property line, to permit a front setback of 13'-8," where a minimum of 25'-0" is required, and

WHEREAS, the Applicant is seeking a non-use variance for the east property line, to permit a rear setback of 20'-0" where a minimum of 25'-0" is required, and

WHEREAS, a public hearing on this matter has been held on November 2, 2005, and

WHEREAS, the City Council considered the testimony of the Applicant, if any, and

WHEREAS, the City Council also considered the testimony of the City's Planning and Zoning staff, and the Staff Report attached hereto as Exhibit "A," 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: The City Council of the City of Miami Gardens hereby approves the Application submitted by Aaron and Bernard Edelstein for the following non-use variances:

- a) A non-use variance for the southwest property line, to permit a front setback of 13'-8," where a minimum of 25'-0" is required.
- b) A non-use variance for the east property line, to permit a rear setback of 20"-0" where a minimum of 25'0" is required.

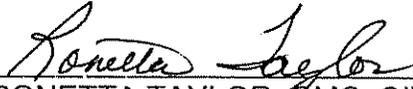
Section 3. CONDITIONS: This approval is subject to the following conditions:

- 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), and ingress egress drive(s), perimeter walls or fences and the landscaping details.
- b) That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled the "Edelstein Project" as prepared by Workshop +, last revised April 19, 2005.

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.

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK


SHIRLEY GIBSON, MAYOR

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: 5-0

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> </u> (Yes)	<u> </u> (No)	Not present
Councilman Aaron Campbell Jr.	<u> x </u> (Yes)	<u> </u> (No)	
Councilman Ulyssis Harvard	<u> x </u> (Yes)	<u> </u> (No)	
Councilwoman Sharon Pritchett	<u> </u> (Yes)	<u> </u> (No)	Not present
Councilwoman Barbara Watson	<u> x </u> (Yes)	<u> </u> (No)	

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