

RESOLUTION No. 2005-156-333-Z-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, GRANTING THE APPLICATION OF NORLAND UNITED METHODIST CHURCH DAYCARE EXPANSION, TO MODIFY THE CONDITIONS APPROVED BY MIAMI- DADE COUNTY RESOLUTION 4-ZAB-113-41, PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, prior to the City of Miami Gardens being incorporated, Miami-Dade County adopted Resolution 4-ZAB-113-41 which approved an unusual use to permit the continuation of an existing church and associated daycare/nursery use, without the issuance of a certificate of use and occupancy, and which also approved two (2) non-use variances relating to private schools to permit the aforementioned daycare nursery with a classroom area of 2,492 square feet, an outdoor recreational area of 3,161 square feet and to permit seventy-seven (77) parking spaces.

WHEREAS, Resolution No. 4-ZAB-113-41 was adopted contingent upon the Applicant complying with certain enumerated conditions, and

WHEREAS, Norland United Methodist Church, ("the Applicant") has requested that Conditions Nos. 2 and 7 of Resolution 4-ZAB-113-41, be amended as follows:

**CONDITION 2:**

**FROM:** "2". That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Norland United Methodist Church,' dated 12-26-80 and consisting of three pages."

**TO:** "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Norland United Methodist Church,' dated, stamped,

and received 11-11-05 and consisting of three (3) pages."

**MODIFICATION OF CONDITION 7 OF RESOLUTION 4-ZAB-113-41:**

**FROM:** "7. That the use shall be approved for and be restricted to a maximum number of 75 children."

**TO:** "7. That the use shall be approved for and be restricted to a maximum number of 150 children."

WHEREAS, City Staff has reviewed the Applicant's request and is recommending that the City Council approve the Applicant's request, and

WHEREAS, a Public Hearing on this matter has been held on December 13, 2005, and

WHEREAS, the City Council has reviewed the application, heard testimony from City staff as well as the Applicant, if any, and

WHEREAS, the City Council approves the request of the Applicant to modify the conditions contained in Resolutions 4-ZAB-113-41,

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 for the City of Miami Gardens hereby approves a modification to the conditions provided in Resolution 4-ZAB-113-41 as follows:

**CONDITION 2:**

**FROM:** "2". That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Norland United Methodist Church,' dated 12-26-80 and consisting of three pages."

**TO:** "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Norland United Methodist Church,' dated, stamped, and received 11-11-05 and consisting of three (3) pages."

**MODIFICATION OF CONDITION 7 OF RESOLUTION 4-ZAB-113-41:**

**FROM:** "7. That the use shall be approved for and be restricted to a maximum number of 75 children."

**TO:** "7. That the use shall be approved for and be restricted to a maximum number of 150 children."

Section 3. CONDITIONS: The Applicant's request is approved subject to the following additional conditions:

1. That all conditions of Resolution 4-ZAB-113-41 remain in full force and effect except as herein modified.

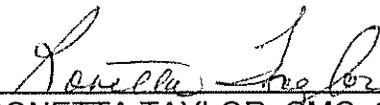
Section 4. EFFECTIVE DATE: This Resolution shall take effect immediately

upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS ZONING MEETING HELD ON DECEMBER 13, 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: Councilwoman Watson  
SECONDED BY: Vice Mayor Braynon

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 checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Councilman Aaron Campbell	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Councilman Ulysses Harvard	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Councilwoman Sharon Pritchett	<input type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No) Not present
Councilwoman Barbara Watson	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)

SKD/bfc