

RESOLUTION No. 2006-12-358-Z-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING RESOLUTION NO. 3284 APPROVED BY THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS, TO DELETE CONDITION NO. 2, TO PERMIT A BUILDING TO BE SET BACK LESS THAN 100 FEET FROM STATE ROAD 7; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Applicant is the owner of certain real property located at the Southeast corner of State Road 7 and Northwest 215th Street, and

WHEREAS, on May 21, 1959, the Miami-Dade Board of County Commissioners approved Resolution No. 3284 rezoning certain property from GU, Interim District, and AU, Agricultural District to BU-1A, and

WHEREAS, as a condition for the rezoning, the Board required that a deed restriction be recorded to provide that the building setback be no less than 100 feet from State Road 7, and

WHEREAS, as a result of the Florida Department of Transportation's ("FDOT") widening of State Road 7, the building setback for this particular property will be less than 100 feet from State Road 7, and

WHEREAS, the Applicant is seeking an amendment to Condition No. 2 of Resolution 3284 to permit a setback that will be less than 100 feet, and

WHEREAS, the City Council for the City of Miami Gardens has reviewed the staff recommendation relating to this matter and does not object thereto, and

WHEREAS, the City Council approves the Applicant's request subject to certain conditions,

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.

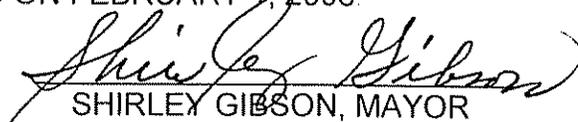
Section 2. AMENDMENT: The City Council for the City of Miami Gardens hereby authorizes an Amendment to Condition No. 2 of Resolution No. 3284 to permit a building setback of less than 100 feet from State Road 7, subject to the conditions outlined below:

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

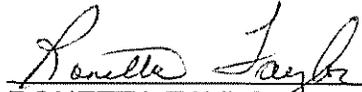
- a. All of the conditions of Resolution No. 3284 shall remain in full force and effect, except as herein modified
- b. That a revised Deed Restriction reflecting the change in the setback from State Road 7 be submitted to the Department of Planning and Zoning within ninety (90) days after the final public hearing approving of this application, unless a time extension is granted by the Director, for good cause shown.

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 FEBRUARY 1, 2006.


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: Councilman Campbell

SECONDED BY: Councilwoman Watson

VOTE: 4-1

Mayor Shirley Gibson	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)	
Vice Mayor Oscar Braynon, II	<input type="checkbox"/> (Yes)	<input type="checkbox"/> (No)	Not present
Councilman Melvin L. Bratton	<input type="checkbox"/> (Yes)	<input type="checkbox"/> (No)	Out of room
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 checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)	
Councilwoman Barbara Watson	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)	

SKD/bfc

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