RESOLUTION No. 2006-53-399-Z-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY ADELL P. HACKET, GRANTING A NON-USE VARIANCE OF SETBACK REQUIREMENTS TO PERMIT A PROPOSED BEDROOM, BATHROOM, STUDY ROOM AND FAMILY ROOM ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE TO HAVE A REAR SETBACK OF 15' – 0" FROM THE NORTH PROPERTY LINE WHERE A MINIMUM OF 25' – 0" IS REQUIRED; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR A CONDITION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Adell P. Hackett, ("Applicant") own certain property located at 1501 N.W. 175th Terrace ("Property"), and

WHEREAS, the Applicant seeks a non-use variance to permit a proposed bedroom, bathroom, study room and family room addition to an existing single-family residence to have a rear setback of 15' – 0" from the north property line (minimum 25' – 0" required), and

WHEREAS, the City Council of the City of Miami Gardens held a public hearing on the application on June 7, 2006, and

WHEREAS, the City's Planning and Zoning staff has made a determination that the application is consistent with the Comprehensive Development Master Plan, and

WHEREAS, the City's Planning and Zoning staff recommends approval of the application, 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 the Applicant for a non-use variance of setback requirements to permit a proposed bedroom addition to an existing single-family residence to have a rear setback of 15'-0" from the north property line (minimum 25' – 0").

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

A. That a six (6) foot opaque wall or wooden fence be erected along the north property line so as to preclude horizontal vision and protect the privacy of the adjoining property to the north; and

B. That, within 6 months of approval of this request, the applicant secures all necessary building, electrical, plumbing and structural permits and completes all necessary modifications to the principal structure per said permits and the plans submitted at the hearing as prepared by Charles E. Mitchell, P.E., received January 11, 2006.

Section 4. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

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PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS ZONING MEETING HELD ON JUNE 7TH, 2006.

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA K. DICKENS, ESQUIRE
City Attorney

SPONSORED BY: DANNY O. CREW, CITY MANAGER

MOVED BY: Vice Mayor Braynon
SECONDED BY: Councilman Harvard

**VOTE:** 5-0

| | | |
|---|---|---|
| Mayor Gibson | x (Yes) | ___(No) |
| Vice Mayor Oscar Braynon, III | x (Yes) | ___(No) |
| Councilman Melvin L. Bratton | x (Yes) | ___(No) |
| Councilman Aaron Campbell | ___(Yes) | ___(No) Not present |
| Councilman Ulysses Harvard | x (Yes) | ___(No) |
| Councilwoman Sharon Pritchett | x (Yes) | ___(No) |
| Councilwoman Barbara Watson | ___(Yes) | ___(No) Out of town |

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