

RESOLUTION No. 2006-54-400-Z-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY CAPONE ENTERPRISE INC., FOR A NON-USE VARIANCE OF LOT AREA REQUIREMENTS TO PERMIT FOUR (4) SINGLE-FAMILY RESIDENCES IN THE RU-1 DISTRICT WITH LOT AREAS OF 6,291.6 SQUARE FEET (7,500 SQ. FT. REQUIRED); APPROVING A NON-USE VARIANCE OF LOT FRONTAGE REQUIREMENTS TO PERMIT FOUR (4) SINGLE-FAMILY RESIDENCES IN THE RU-1 DISTRICT WITH LOT FRONTAGE OF 60' (75' REQUIRED); PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Capone Enterprise Inc., ("Applicant") owns certain property generally located at the southeast corner of N.W. 165th Street and N.W. 42nd Avenue ("Property"), more particularly described in Exhibit "A," attached hereto, and

WHEREAS, the Applicant seeks a non-use variance of lot area requirements to permit four (4) single-family residences in the RU-1 district with lot areas of 6,291.6 sq. ft. (7,500 sq. ft. required), and

WHEREAS, the Applicant is also seeking a non-use variance of lot frontage requirements to permit four (4) single-family residences in the RU-1 district with lot frontage of 60' (75' 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

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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 as follows:

- a. A non-use variance of lot area requirements to permit four (4) single-family
residences in the RU-1 district with lot areas of 6,291.6 sq. ft. (7,500 sq. ft.
required); and
- b. A non-use variance of lot frontage requirement to permit four (4) single-
family residences in the RU-1 district with lot frontage of 60' (75' required)

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

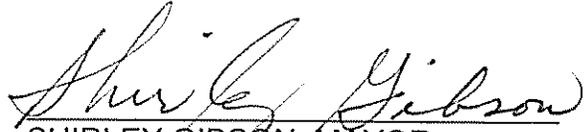
- a. That a site plan be submitted to and meet with the approval of the
City upon the submittal of an application for a building permit and/or
Certificate of Use and Occupancy; said plan to include among other
things, location of structure(s), off-street parking areas, exit and
entrance drive(s), perimeter walls or fences and the landscaping
details; and
- b. That in the approval of the plan, the same be substantially in
accordance with the plans submitted for the hearing, entitled *New
Residence for Capone Enterprises*, and consisting of 4 sheets
depicting the Site, Floor & Landscape Plan, and the Elevations for

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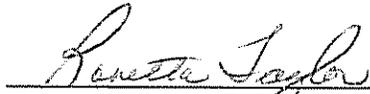
all 4 Models, as prepared by A. M. Julien Plans. All sheets dated and stamped Feb. 3, 2006.

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 JUNE 7TH, 2006.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: Dr. Danny O. Crew, City Manager

MOVED BY: Vice Mayor Braynon
SECONDED BY: Councilman Harvard

VOTE: 5-0

Mayor Gibson	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Vice Mayor Oscar Braynon, III	<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 type="checkbox"/> (Yes)	<input type="checkbox"/> (No) Not present
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 type="checkbox"/> (Yes)	<input type="checkbox"/> (No) Out of town