

RESOLUTION No. 2006-73-419-Z-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION OF VILA BUILDERS, INC., AND VILA MCLAUGHLIN DEVELOPMENT, INC., FOR A NON-USE VARIANCE OF LOT AREA AND LOT FRONTAGE REQUIREMENTS FOR TWELVE SINGLE-FAMILY RESIDENCES, PROVIDING FOR CONDITIONS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Vila builders, Inc. and Vila McLaughlin Development, Inc., ("Applicants") own certain property located East of N.W. 23rd Avenue and approximately 100' South of N.W. 171st Terrace, more particularly described on Exhibit "A" attached hereto. ("Property"), and

WHEREAS, the Applicants seek an approval for a non-use variance of lot area requirements to permit 12 single-family residences in the RU-1 district with lot areas of 5,000 square feet (7,500 square feet required), and

WHEREAS, the Applicants also seek a non-use variance of lot frontage requirements to permit 12 single-family residences in the RU-1 district with lot frontages of 50 square feet (75 square feet required), and

WHEREAS, the City Council held a public hearing on the application on July 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 "B," 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 the Property as follows:

- (a) A non-use variance of lot area requirements to permit 12 single-family residences in the RU-1 district with lot areas of 5,000 square feet (7,500 square feet required), and
- (b) A non-use variance of lot frontage requirements to permit 12 single-family residences in the RU-1 district with lot frontages of 50 feet (75 feet 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;
- (b) That in the approval of the plan, the same be substantially in accordance with the plans submitted for the hearing, entitled *Residence for Sol Vila II Development*, and consisting of the following 5 sheets: ST-1, Site Plan/Landscape Plan & Location Sketch; A-1, Model "A" Floor Plan; A-2, Model "A" Elevation Plans; A-1, Model

"B", Floor Plan; A-2, Model "B" Elevation Plans. All sheets dated and stamped April 28, 2006;

- (c) That a five-foot sidewalk be constructed along both sides of the proposed N.W. 170th Terrace extension within the development; said sidewalk to meet all City's requirements and to be extended the length of the development on the west side of N.W. 23rd Avenue upon the construction of said road;
- (d) That a total of eighteen (18) street trees, twelve (12) feet to fourteen (14) feet high at the time of planting, be planted along both sides of the proposed N.W. 170th Terrace extension within the development.
- (e) That the Applicant constructs and dedicates that 1/2 portion of 23rd Avenue that abuts the Property.

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 JULY 5, 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: Vice Mayor Braynon
SECONDED BY: Councilman Harvard

VOTE: 6-1

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> x </u> (Yes)	<u> </u> (No)

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Councilman Aaron Campbell
Councilman Ulysses Harvard
Councilwoman Sharon Pritchett
Councilwoman Barbara Watson

<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
<input type="checkbox"/> (Yes)	<input checked="" type="checkbox"/> (No)
<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)

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LEGAL DESCRIPTION

APPLICANT: Vila Builders, Inc. & Vila McLaughlin Development, Inc.

PROJECT LOCATION: NE & SE of theoretical N.W. 170th Terr. & N.W. 23rd Ave.

LEGAL DESCRIPTION: Lots 234 and 235 Less The West 5.00 Feet Of "Radio Gardens", According to the Plat Thereof, As Recorded In Plat Book 8 At Page 97 Of The Public Records of Miami-Dade County, Florida.