

RESOLUTION NO. 01-42 EF

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; APPROVING AN ENTRANCE FEATURE FILED IN ACCORDANCE WITH SECTION 33-112 OF THE TOWN CODE FOR PROPERTY LOCATED AT NW 155th STREET AND 79TH AVENUE; PROVIDING CONDITIONS OF APPROVAL; PROVIDING FOR RECORDATION; PROVIDING FOR PUBLICATION; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 33-112 of the Town Code¹, Luxcom Development, Inc. (the "Applicant") has applied to the Town for approval of an Entrance Feature, Application No. 01-EF-06 & 07 (the "Entrance Feature"); and

WHEREAS, Section 33-112 of the Town Code provides for an administrative process to review an application for an Entrance Feature; and

WHEREAS, the Miami- Dade County Directors of Planning and Zoning and Public Works, (the "Directors"), in their capacity as Town staff, have reviewed the application and recommend approval, with conditions, as set forth in the Directors' Decision dated May 21, 2001, (the "Directors' Decision"), attached as Exhibit "A" and incorporated into this Resolution by this reference.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals.

The above recitals are true and correct and incorporated into this Resolution by this reference.

¹ Pursuant to Section 8.3 of the Town Charter and Ordinance 2001-01, the applicable provisions of Chapter 33 of the Miami-Dade County Code of Ordinances serve as the Town's Zoning Code.

Section 2. Approval.

In accordance with Section 33-112(h) of the Town Code, the Town Council approves the Entrance Feature for property located at NW 155th Street and NW 79th Avenue to be constructed in accordance with plans prepared by Oliva, Moez-Ortiz, Architects & Planners, Inc. consisting of five sheets dated March 28, 2001, subject to the conditions set forth in Section 4 below.

Section 3. Conditions of Approval.

Approval of the Entrance Feature is granted subject to the Applicant's compliance with the following conditions:

- (1) The landscape plan shall be approved by the Planning Section of the Miami-Dade County Department of Planning and Zoning, in its capacity as Town staff, prior to issuance of a building permit.
- (2) The resident only entrance sign shall be modified to indicate that visitors are to use the NW 82nd Avenue entrance.
- (3) No concrete structure or footing shall be allowed within any water & sewer line easements.
- (4) Execution of a covenant, in accordance with the Town Code, stating that all structures and landscaping shall be maintained in good condition and repair. The executed covenant shall be delivered to the Miami-Dade County Department of Planning and Zoning for review, and forwarded to the Town by the Department for approval. The approved covenant shall be duly recorded prior to the issuance of any permits.

Section 4. Recordation.

The decision of the Town Council to approve the Entrance Feature shall be recorded on the official zoning maps of the Town.

Section 5. Publication.

A copy of the decision of the Town Council shall be published in a newspaper of general circulation. The Town Clerk is directed to forward a fully executed copy of this Resolution to the Director for publication.

Section 6. Effective Date.

The approvals provided in this Resolution shall become effective fifteen (15) days after the decision of the Town Council is published as provided in Section 5 above.

Section 7. Appeal.

In accordance with Section 33-112(i) and 33-311(A)(2) of the Town Code, the Applicant, or any aggrieved property owner in the area, may appeal the decision of the Town Council within fifteen (15) days after the decision is published. If an appeal is made by an aggrieved property owner in the area, the Director may stop or suspend any construction authorized by this Resolution until a decision has been made on the appeal.

PASSED AND ADOPTED this 25th day of September 2001.

Wayne Slaton
WAYNE SLATON, MAYOR

ATTEST:

Beatis M. Gault
TOWN CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

WTB
ACTING TOWN ATTORNEY

m-collins / s-meador

Council voted <u>7-0</u> as follows:	
Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Roberto Alonso	<u>yes</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Robert Meador	<u>yes</u>
Councilmember Michael Pizzi	<u>yes</u>
Councilmember Nancy Simon	<u>yes</u>
Councilmember Peter Thomson	<u>yes</u>

RECOMMENDATION OF THE JOINT DIRECTORS OF THE MIAMI DADE COUNTY

PLAT DIVISION TO THE TOWN OF MIAMI LAKES

ON

AN APPLICATION FOR AN ENTRANCE FEATURE

Application Number: 01-EF-06 & 07
Applicant's Name: Luxcom Development Inc.
Address of Property: NW 155th Street & NW 79th Avenue
Legal Description: See attached application

DIRECTOR'S DECISION

Recommended for approval subject to the following conditions: To be constructed in accordance with plans prepared by Oliva, Meoz-Ortiz, Architects & Planners Inc. consisting of five sheets dated March 28, 2001 and subject to the following requirements:

1. Landscape plan to be approved by the Planning Section prior to building permit.
2. Modify the resident only entrance sign to indicate that visitors are to use the NW 82nd Avenue entrance.
3. No concrete structure of footing allowed within water & sewer lines easements.


Note: Be advised that the required building permit for the Entrance Feature will be held up pending recording of the Maintenance Agreement reflecting the approved set of plans, once approved by the Town of Miami Lakes. Please contact the Zoning Hearings Section as soon as possible for instructions regarding the submittal of the Maintenance Agreement, the current Opinion of Title and Joinders by Mortgagees for review by Legal Counsel.

RAP


Director, Miami-Dade County Public Works Department

5/16/01

Date



Director, Miami-Dade County Department of Planning and Zoning

5/21/01

Date

JD:mf
WP7/DRS/APP 99EF

R-01-42-EF

EXHIBIT "A"