

RESOLUTION NO. 04-~~219~~

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, PROVIDING FOR A FEE SCHEDULE FOR RESIDENTIAL NON-USE VARIANCE APPLICATIONS; PROVIDING FOR METHOD OF MINIMIZING COSTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 8.3 of its Town Charter, the Town of Miami Lakes (the “Town”) adopted the Miami-Dade County (the “County”) Code as its own, at the time of the Town’s incorporation; and

WHEREAS, on August 13, 2002, the Town adopted Ordinance No. 02-21, which amended the Town Zoning Code; and

WHEREAS, in accordance with Section 33-310(g) of the Town Zoning Code, the fees for applications for development reviews are those provided in County Ordinance 99-137, as amended, until the Town Council sets its own fees by resolution; and

WHEREAS, the current fee for a residential variance request is \$1425.00 or \$2280.00 with a violation, plus additional mailing and notification fees of approximately \$60.

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 herein by this reference.

Section 2. **Variance Fee.** The fees for a processing and review of a residential variance application, which shall include the public hearing application fees, mailing fees and the non-use residential variance fee (“Residential Variance”), shall be as follows:

<u>Time Period</u>	<u>Application</u>	<u>Total Fee</u>
Between March 11 & June 11, 2004	Residential Variance with violation	Out of pocket costs incurred by the Town
Between March 11 & June 11, 2004	Residential Variance without violation	Out of pocket costs incurred by the Town
From June 12, 2004 forward	Residential Variance with violation	\$2,280.00 plus mailing costs
From June 12, 2004 forward	Residential Variance without violation	\$1,425.00 plus mailing costs.

Section 3. Method to Minimize Costs. The Town reserves the right to hold, in abeyance, variance applications contemplated by this resolution, until there are enough to minimize advertising costs to the extent possible to the Applicant, at the discretion of the Town Manager. In the event an Applicant opts to have the variance application heard prior to such time, the Applicant shall bear the actual out-of-pocket costs to the Town.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 11th day of March, 2004.

Motion to adopt by Pizzi, second by Simon.

FINAL VOTE AT ADOPTION: 4-3

Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Roberto Alonso	<u>NO</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Robert Meador	<u>NO</u>
Councilmember Michael Pizzi	<u>yes</u>
Councilmember Nancy Simon	<u>yes</u>
Councilmember Peter Thomson	<u>NO</u>

Wayne Slaton
Wayne Slaton
MAYOR

ATTEST:

Beatris M. Arguelles
Beatris M. Arguelles, CMC
TOWN CLERK

Approved as to form and legality for the use
and benefit of the Town of Miami Lakes only:

MM
Weiss, Serota, Helfman, Pastoriza, Guedes
Cole & Boniske, P.A.
TOWN ATTORNEY

F:/700/702001/Resolutions/Temp Reduction of Variance Fee