

RESOLUTION NO. 12-988

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING A REQUEST IN ACCORDANCE WITH DIVISION 3.8 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE FOR A FINAL PLAT ENTITLED MIAMI LAKES FIRE RESCUE STATION NUMBER 64 SUBMITTED FOR PROPERTY GENERALLY LOCATED IN THE SOUTHEAST CORNER OF NORTHWEST 154 STREET AND NORTHWEST 77 COURT, MIAMI LAKES, FLORIDA, FOLIO NUMBER 32-2022-009-0040, IN THE IU-C, INDUSTRIAL CONDITIONAL ZONING DISTRICT; PROVIDING FINDINGS; PROVIDING FOR APPROVAL; PROVIDING FOR CONDITIONS; PROVIDING FOR VIOLATION OF CONDITIONS; PROVIDING FOR AUTHORIZATION; PROVIDING FOR APPEAL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Division 3.8 of the Town of Miami Lakes Land Development Code (the “Town LDC”), Miami-Dade County (“the Applicant”) has applied for approval of a final plat entitled MIAMI LAKES FIRE RESCUE STATION NUMBER 64 for property legally described in EXHIBIT 1 (attached hereto); and

WHEREAS, pursuant to Division 3.8(f)2 of the Town of Miami Lakes Land Development Code (the “Town LDC”), the Town of Miami Lakes Town Council approved the associated Preliminary Plat at its May 8, 2011 meeting; and

WHEREAS, in accordance with Division 3.9 of the Town LDC, proper notice was posted, published and mailed to the appropriate property owners of record; a public hearing on the final plat was held on May 8, 2012 at 6:30 p.m. at the Royal Oaks Park Community Center, 16500 NW 87 Avenue, Miami Lakes, FL 33018; and all interested parties had an opportunity to address their comments to the Town Council; and

WHEREAS, the Director of Planning and Zoning, acting as the Administrative Official, determined that the Applicant has met all the conditions and prerequisites to final plat approval

contained in Division 3.8 of the Town LDC and recommended approval of the final plat, with conditions as set forth in the Staff Analysis and Recommendation (the “Staff Analysis”), attached as Exhibit 2, and incorporated into this Resolution by reference.

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

Section 1. Recitals.

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

Section 2. Findings.

In accordance with Division 3.8 of the Town LDC and after having considered public testimony, evidence in the record and the recommendation of staff, the Town Council has considered and finds:

1. The final plat is consistent with the Town of Miami Lakes Comprehensive Plan.
2. The final plat satisfies all the conditions and prerequisites for final plat approval contained in the Town LDC, is in compliance with all applicable Divisions of the Town’s LDC, and is consistent with the Town LDC.

Section 3. Approval of Final Plat.

The final plat is approved with conditions.

Section 4. Conditions.

The Town Council approves the Final Plat, subject to the following conditions:

1. The approval of the final plat shall be in accordance with the copy of the Final Plat of MIAMI LAKES FIRE RESCUE STATION NUMBER 64 as submitted for approval to the Town Council and prepared by Keith and Schnars, P.A., Robert K. Krisak, Professional Surveyor and Mapper, State of Florida, License No. 4641, consisting of two (2) sheets.
2. The Applicant shall comply with all requirements and obtain approval from the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs (PERA) and the Miami-Dade County Water and Sewer Department (WASD), prior to issuance of a final building permit.
3. No certificate of occupancy shall be issued until the final plat is recorded.

4. Any site plan approval or other development order on the subject property shall be in accordance with the approved final plat.
5. Any required infrastructure improvements shall be completed in conjunction with construction on the property.
6. Upon recordation of this final plat, the Applicant shall provide the Town with one original drawn or printed on 24 X 36 inch mylar and two paper (2) copies.

Section 5. Violation of Conditions.

Failure to adhere to the terms and conditions of this Resolution shall be considered a violation of the Town LDC and persons found violating the conditions shall be subject to the penalties prescribed by the Town LDC, including but not limited to, the revocation of any of the approval(s) granted in this Resolution. The Applicant understands and acknowledges that it must comply with all other applicable requirements of the Town LDC before it may commence construction or operation, and that the foregoing approval in this Resolution may be revoked by the Town at any time upon a determination that the Applicant is in non-compliance with the Town LDC.

Section 6. Authorization.

Subject to review by the Town Attorney, the Town Manager, the Town Clerk and Town Surveyor are authorized to sign the final plat and to execute any other needed documents consistent with and to implement the intent of the Town Council.

Section 7. Appeal.

In accordance with Division 3.10 of the Town LDC, the Applicant, or any aggrieved property owner in the area, may appeal the decision of the Town Council by filing a Writ of Certiorari to the Circuit Court of Miami-Dade County, Florida, in accordance with the Florida Rules of Appellate Procedure.

Section 8. Effective Date.

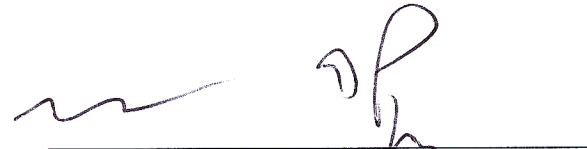
This Resolution shall take effect immediately upon adoption by the Town Council.

PASSED AND ADOPTED this 8th day of May, 2012.

Motion to adopt by Mayor Michael Pizzi, second by Vice-Mayor Ceasar Mestre.

Mayor Michael Pizzi	<u>Yes</u>
Vice-Mayor Ceasar Mestre	<u>Yes</u>
Councilmember Mary Collins	<u>NO</u>
Councilmember Tim Daubert	<u>Yes</u>
Councilmember Nelson Hernandez	<u>Yes</u>
Councilmember Nick Perdomo	<u>Yes</u>
Councilmember Richard Pulido	<u>Yes</u>

This Resolution was filed in the Office of the Town Clerk on this 9 day of May, 2012.



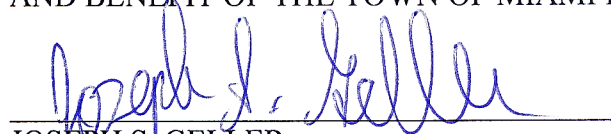
MICHAEL PIZZI
MAYOR

ATTEST:



MARJORIE TEJEDA
TOWN CLERK

APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF MIAMI LAKES ONLY:



JOSEPH S. GELLER
GREENSPOON MARDER P.A.
TOWN ATTORNEY

EXHIBIT 1

LEGAL DESCRIPTION

A PORTION OF SECTION 22, TOWNSHIP 52 SOUTH, RANGE 40 EAST, BEING A PORTION OF LAND SHOWN ON A STATE OF FLORIDA STATE ROAD DEPARTMENT (FLORIDA DEPARTMENT OF TRANSPORTATION) RIGHT OF WAY MAP, STATE ROAD 826, SECTION 87260-2533, DATED DECEMBER 1970, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 22, SAID CORNER ALSO BEING STATION 20+00 OF THE CENTERLINE OF N.W. 154TH STREET AS DEPICTED ON SAID RIGHT OF WAY MAP; THENCE SOUTH 89°45'08" WEST, ALONG THE NORTH LINE OF SAID SECTION 22 AND ALONG SAID CENTERLINE; 766.30 FEET TO A POINT; THENCE SOUTH 00°14'52" EAST 160.00 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING ON A LIMITED ACCESS RIGHT OF WAY LINE SHOWN ON SAID RIGHT OF WAY MAP; THENCE CONTINUE SOUTH 00°14'52" EAST, ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE, 44.72 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 730.00 FEET, ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 40°17'21", FOR AN ARC LENGTH OF 513.32 FEET TO A POINT OF INTERSECTION WITH A LINE RADIAL TO SAID CURVE; THENCE SOUTH 49°27'47" WEST, ALONG SAID RADIAL LINE, 30.00 FEET TO A POINT; THENCE NORTH 40°32'13" WEST, ALONG A LINE WHICH IS PARALLEL WITH AND 50 FEET EASTERLY, AS MEASURED AT RIGHT ANGLES, OF THE WEST RIGHT OF WAY LINE OF A FRONTAGE ROAD SHOWN ON SAID RIGHT OF WAY MAP, 376.97 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 475.00 FEET, THROUGH A CENTRAL ANGLE OF 21°27'42", FOR AN ARC LENGTH OF 177.92 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE NORTH 04°44'41" WEST, ALONG SAID NON-TANGENT LINE, 95.04 FEET; THENCE NORTH 89°45'08" EAST, ALONG A LINE WHICH IS PARALLEL WITH AND 160.00 FEET SOUTH, AS MEASURED AT RIGHT ANGLES, OF THE NORTH LINE OF SAID SECTION 22 AND SAID CENTERLINE OF N.W. 154TH STREET, 188.20 FEET TO THE POINT OF BEGINNING.

SAID LAND LYING IN MIAMI-DADE COUNTY, FLORIDA, AND CONTAINING 60,337 SQUARE FEET (1.385 ACRES) OF LAND, MORE OR LESS.