

**RESOLUTION NO. 13-1072**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING A REQUEST IN ACCORDANCE WITH SECTION 13-308 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE FOR A FINAL PLAT ENTITLED MIAMI LAKES WEST FIRE RESCUE STATION 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 Section 13-308 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 WEST FIRE RESCUE STATION for property legally described in EXHIBIT 1 (attached hereto); and

**WHEREAS**, pursuant to Section 13-308(f)(2) of the Town LDC, the Town of Miami Lakes Town Council approved the associated Preliminary Plat at its May 10, 2011 meeting; and

**WHEREAS**, the Town of Miami Lakes Town Council approved a Final Plat at its May 8, 2012 meeting; and

**WHEREAS**, the Applicant has subsequently determined, prior to completion of the platting process, that it is necessary to revise the Final Plat approval in order to dedicate additional right-of-way; and

**WHEREAS**, in accordance with Section 13-309 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 April 1, 2013 at 4:00 p.m. at Miami Lakes Town Hall, 15150 NW 79<sup>th</sup>

Court, Miami Lakes, FL 33016; and all interested parties had an opportunity to address their comments to the Town Council; and

**WHEREAS**, the Town Manager, acting as the Administrative Official, determined that the Applicant has met all the conditions and prerequisites to final plat approval contained in Section 13-308 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 Section 13-308 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, 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 WEST FIRE RESCUE STATION 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 Section 13-310 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.**

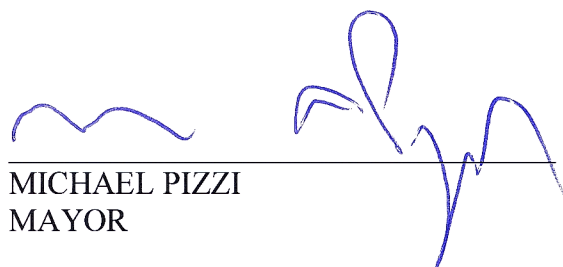
This Resolution shall take effect immediately upon adoption by the Town Council.

PASSED AND ADOPTED this 1 day of April, 2013.

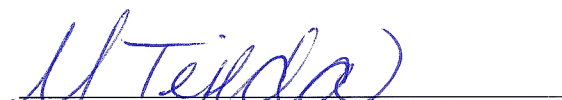
Motion to adopt by Nelson Rodriguez, second by Michael Pizzi.

Mayor Michael Pizzi	<u>YES</u>
Vice-Mayor Ceasar Mestre	<u>YES</u>
Councilmember Many Cid	<u>YES</u>
Councilmember Tim Daubert	<u>YES</u>
Councilmember Tony Lama	<u>YES</u>
Councilmember Nelson Hernandez	<u>YES</u>
Councilmember Nelson Rodriguez	<u>YES</u>

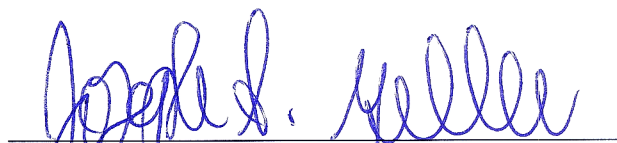
This Resolution was filed in the Office of the Town Clerk on this 1 day of April, 2013.

  
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:

  
GREENSPOON MARDER P.A.  
TOWN ATTORNEY