

RESOLUTION NO. 25-2092

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, PURSUANT TO SUBSECTION 13-305(f)(1) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE; PERTAINING TO A REQUEST IN ACCORDANCE WITH SECTION 13-303 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE FOR A CONDITIONAL USE; ALL BEING SUBMITTED FOR THE PROPERTY LOCATED AT 15520 NW 77th Ct., AS PROVIDED AT EXHIBIT "A", MIAMI LAKES, FLORIDA, FOLIO NO. 32-2015-006-0010; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FINDINGS; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Subsection 13-303 of the Town of Miami Lakes ("Town") Land Development Code ("LDC"), Children's Paradise Learning Center #5 Inc., (the "Applicant") applied to the Town for approval of a Conditional Use to allow operation of an Educational Facility for children up to 2nd grade, dated stamped received April 4, 2025, consisting of three (3) sheets, as prepared by MEC Design. A copy of the Site Plan (the "Site Plan") being attached hereto as Exhibit "A" and a Letter of Intent (the "Letter of Intent") being attached hereto as Exhibit "B", for property located at 15520 NW 77th Ct., bearing Miami-Dade Tax Folio No. 32-2015-006-0010, and legally described on the survey as provided in Exhibit "A" ("Property"); and

WHEREAS, in accordance with Section 13-309 of the Town LDC, proper notice was mailed to the appropriate property owners of record, notice was posted at the property, and duly advertised in the newspaper; for a quasi-judicial public hearing on Site Plan and Conditional Use as noticed for Tuesday, April 15, 2025 at 6:30 P.M. at Town Hall, 6601 Main Street, Miami Lakes, Florida; and all interested parties had the opportunity to address their comments to the Town Council; and

WHEREAS, Town staff has reviewed the application and recommends approval with a modification, subject to conditions, of the request for a Conditional Use Approval, as set forth

the Town of Miami Lakes Clerk's Office and incorporated into this Resolution by reference.

WHEREAS, the Town Council now desires to approve the Applicant's Conditional Use requests.

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

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section 2. Findings. In accordance with Section 13-303, the Town Council finds that the Applicant, subject to the conditions in Section 5 below, meets the criteria for a conditional use approval which are as follows:

1. Land Use Compatibility; and
2. Sufficient Site Size, Site Specifications, and Infrastructure to Accommodate the Proposed Use; and
3. Compliance with the Comprehensive Plan and Land Development Code; and
4. Proper Use of Techniques; and
5. Hazardous Waste.

Section 3. Approval of Conditional Use. The Conditional Use request to permit operation of an Educational Facility for children up to 2nd grade in the BU-1A (Limited Business) Zoning District is hereby approved with conditions as set out below,

1. 1. The project must be developed in substantial accordance with the submitted plans and letter of intent.
2. Upon issuance of the Certificate of Use, student enrollment shall be limited to 124 students, of which 10 children are in first grade or higher. Should the applicant seek to expand enrollment beyond 124 students or to include or annex additional square footage, an

expand enrollment beyond 124 students or to include or annex additional square footage, an administrative amendment to this Conditional Use approval will be required.

3. Prior to the issuance of the Certificate of Use, all required impact fees, including Mobility Fees, must be paid in full.

4. The applicant shall obtain a Certificate of Use (CU) upon meeting all terms and conditions of this approval, which may be subject to cancellation by the Town in the event of any violations. A business tax receipt, if applicable, must also be obtained.

5. The applicant must secure all necessary building permits and/or Certificates of Use within one (1) year from the date of this approval. If these permits and/or certificates are not obtained within the prescribed time frame, or if no extension is granted, this approval shall become void.

6. The applicant must comply with all other applicable laws not specifically addressed in these conditions.

7. All fees owed to the Town in relation to this request must be paid in full prior to the issuance of the development order.

Section 4. 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 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 5. Appeal. In accordance with Section 13-310 of the Town LDC, the Applicant, or any affected party may seek review of development orders of the Town Council

by the filing of an appeal or writ of certiorari in the appropriate court as prescribed in the Florida Rules of Appellate Procedure.

Section 7. Final Order.

This is a Final Order.

Section 8. Effective Date. This Resolution shall become effective immediately upon adoption hereof.

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PASSED AND ADOPTED this 15th day of April 2025.

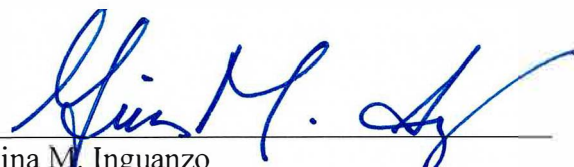
The foregoing resolution was offered by Vice Mayor Morera who moved its adoption. The motion was seconded by Councilmember Herzberg and upon being put to a vote, the vote was as follows:

FINAL VOTE AT ADOPTION

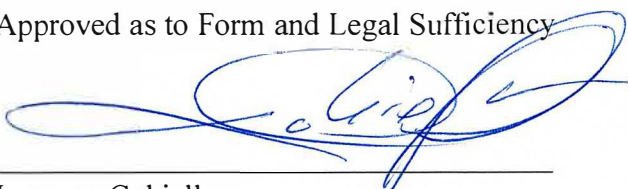
Mayor Joshua Dieguez	Yes
Vice Mayor Bryan Morera	Yes
Councilmember Juan Carlos Fernandez	Yes
Councilmember Angelo Cuadra Garcia	Yes
Councilmember Ray Garcia	Yes
Councilmember Steven Herzberg	Yes
Councilmember Alex Sanchez	Yes


Joshua Dieguez
MAYOR

Attest:


Gina M. Inguanzo
TOWN CLERK

Approved as to Form and Legal Sufficiency


Lorenzo Cobiella
DEPUTY TOWN ATTORNEY

This Resolution was filed in the Office of the Town Clerk on this 17th day of April, 2025.


Gina M. Inguanzo
TOWN CLERK

EXHIBIT A
SITE PLAN

EXHIBIT B
SURVEY

EXHIBIT C

RENDERING