

**RESOLUTION NO. 2016-R-61**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE ATTACHED WAIVER OF PLAT FOR THE UN-PLATTED PROPERTY OF APPROXIMATELY 3.9 ACRES IN SIZE, GENERALLY LOCATED AT 12200 NE 14<sup>TH</sup> AVENUE AND SPECIFICALLY IDENTIFIED WITH MIAMI-DADE COUNTY FOLIO NUMBER: 06-2229-000-0171, IN ACCORDANCE WITH ARTICLE 3, DIVISION 8, SECTION 3-802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, CHAPTER 28, SECTION 28-4.1 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES, AND CHAPTER 177, FLORIDA STATUTES (2015); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**WHEREAS**, the property owner, MKR Properties, LLC, through its agent Savits Enterprises II, Inc. (“Applicant”), proposes to subdivide a single-lot property of approximately 3.9 acres in size, generally located at 12200 NE 14<sup>th</sup> Avenue, and specifically identified with Miami-Dade County Folio Number: 06-2229-000-0171 (“Subject Property”); and

**WHEREAS**, the proposed subdivision of the Subject Property into two (2) separate lots, will encompass a parcel of approximately 1.8 acres in size (Parcel A), and a parcel of approximately 2.1 acres in size (Parcel B); and

**WHEREAS**, each of the two (2) subdivided Parcels will independently satisfy the dimensional requirements for uses permitted in the M-1 Industrial District, pursuant to Section 4-303, of the City of North Miami Code of Ordinances, Land Development Regulations (LDRs); and

**WHEREAS**, the Applicant seeks to obtain a Waiver of Plat for the subdivision of the Subject Property pursuant to Article 3, Division 8, Section 3-802, LDRs, Chapter 28, Section 28-4.1 of the Miami-Dade County Code of Ordinances (“County Code”), and Chapter 177, Florida Statutes (2015); and

**WHEREAS**, the County Code requires the City to approve the proposed Waiver of Plat pursuant to the requirements of Section 3-802, LDRs; and

**WHEREAS**, the North Miami Planning Commission (“Planning Commission”) is required to review the proposed Waiver of Plat at a regularly scheduled public hearing, to ensure that it conforms with the requirements of the LDRs and the North Miami Comprehensive Plan (“Comprehensive Plan”); and

**WHEREAS**, on May 3, 2016, the Planning Commission conducted its review at a duly noticed public hearing and unanimously found the Applicant’s proposed Waiver of Plat, conforms with the requirements of the LDRs and Comprehensive Plan; and

**WHEREAS**, the Planning Commission recommended approval to the Mayor and City Council with the conditions propounded in the attached staff report and for the Applicant to provide an updated power of attorney from the owner of the Subject Property; and

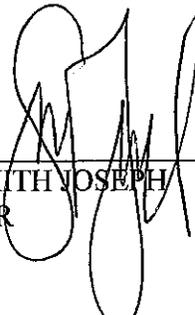
**WHEREAS**, the Mayor and City Council find that the approval of the Waiver of Plat, as proposed by the Applicant and approved by the Planning Commission, is consistent with the LDRs, the Comprehensive Plan, and does not adversely affect the public health, safety, and general welfare.

**NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:**

**Section 1.** **Approval of Waiver of Plat.** The Mayor and City Council of the City of North Miami, Florida, hereby approve the attached Waiver of Plat for the un-platted property of approximately 3.9 acres in size, generally located at 12200 NE 14<sup>th</sup> Avenue and specifically identified with Miami-Dade County Folio Number: 06-2229-000-0171, in accordance with Article 3, Division 8, Section 3-802 of the City of North Miami Code of Ordinances, Land Development Regulations, Chapter 28, Section 28-4.1 of the Miami-Dade County Code of Ordinances, and Chapter 177, Florida Statutes (2015).

**Section 2.** **Effective Date.** This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by a 5 - 0 vote of the Mayor and City Council of the City of North Miami, Florida, this 24<sup>th</sup> day of May, 2016.

  
DR. SMITH JOSEPH  
MAYOR

ATTEST:



\_\_\_\_\_  
MICHAEL A. ETIENNE, ESQ.  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



\_\_\_\_\_  
JEFF P. H. CAZEAU, ESQ.  
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Galvin

Seconded by: Keys

**Vote:**

Mayor Smith Joseph, D.O., Pharm. D.  
Vice Mayor Alix Desulme  
Councilman Scott Galvin  
Councilwoman Carol Keys, Esq.  
Councilman Philippe Bien-Aime

<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)