

RESOLUTION NO. 2016-R-72

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE ATTACHED WAIVER OF PLAT FOR THE APPROXIMATELY 18,234-SQUARE FEET PARCEL LOCATED AT 821 NE 144TH STREET, NORTH MIAMI, FL 33161, WITH MIAMI-DADE FOLIO NUMBER: 06-2219-006-0380, IN ACCORDANCE WITH ARTICLE 3, DIVISION 8, SECTION 3-802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, AND CHAPTER 28, SECTION 28-4.1 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES, IN ORDER TO SUBDIVIDE SAID PARCEL INTO TWO (2) INDIVIDUALLY PLATTED SINGLE-FAMILY LOTS MEASURING 66 FEET BY 138 FEET EACH; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, the applicant, SMS Distribution, Inc., (“Applicant”) proposes to subdivide the parent tract into two (2) single-family lots with the intent of building a new single family residence on the proposed westerly lot (Lot A), which is currently undeveloped, and remodeling and bringing into code compliance the existing single-family sitting on the proposed easterly lot (Lot B); and

WHEREAS, the property is approximately 18,234-square feet in size and located at 821 NE 144th Street, North Miami (“Subject Property”), and with each of the two (2) subdivided parcels to independently satisfy all of the minimum dimensional requirements under Section 4-203 of the North Miami Code of Ordinances, Land Development Regulations (“LDRs”); and

WHEREAS, the Applicant seeks to obtain a waiver plat for the subdivision of the Subject Property pursuant to Article 3, Division 8, Section 3-802 LDRs and Chapter 28 of the Miami-Dade County Code of Ordinances (“County Code”); 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 Section 28-4.1, County Code; 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 January 5, 2016, the Planning Commission conducted its review at a duly noticed public meeting and found that the Applicant's proposed Waiver of Plat, conforms with the LDRs and Comprehensive Plan; and thereby recommended approval to the Mayor and City Council; 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 a Waiver of Plat (attached hereto as "Exhibit 1") for the approximately 18, 234-square feet parcel located at 821 N.E. 144th Street, North Miami, FL 33161, with Miami-Dade Folio Number: 06-2219-006-0380, in accordance with Article 3, Division 8, Section 3-802 of the City of North Miami Code of Ordinances, Land Development Regulations, and Chapter 28, Section 28-4.1 of the Miami-Dade County Code of Ordinances, in order to subdivide said parcel into two (2) individually platted single-family lots measuring 66 feet by 138 feet each.

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 28th day of June, 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: Joseph

Seconded by: Bien-Aime

Vote:

Mayor Smith Joseph, D.O., Pharm. D.
Vice Mayor Alix Desulme
Councilman Scott Galvin
Councilman 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)