



RESOLUTION #2018-58

RESOLUTION OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF WEST MIAMI APPROVING SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT # 2018-003 AT 5770 SW 9TH TERRACE, WEST MIAMI, FL 33144, THE PROPERTY IS CURRENTLY ZONED FOR R-1 SINGLE FAMILY. THE APPLICANT IS REQUESTING TO RE-DEVELOP THE PARCEL TO ALLOW A TWO-STORY HOUSE AND IN LIEU OF THEREOF, REQUIRING CERTAIN TERMS AND CONDITIONS PURSUANT TO ZONING ORDINANCE 282 SECTION 2B,4.1.

WHEREAS, Luxor Homes LLC, hereinafter referred to as "owner", as owner of the real property has submitted an application for SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT # 2018-003, together with a site plan of the proposed development plans, showing certain subdivision improvements and easements which the owners covenant and agree to make; and

WHEREAS, said owner has agreed to the terms and conditions set forth in this resolution in consideration for the granting of the site plan approval.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WEST MIAMI AS FOLLOWS:

Section 1. The aforementioned statements are true and correct and adopted as is fully stated herein.

Section 2. In consideration of the foregoing, Owner is hereby granted SUPPD # 2018-003 of the above described Parent Tract located and being in the City of West Miami, County of Miami-Dade, State of Florida, on the following terms and conditions:

- A.) "Public Hearing" on October 9th, 2018 before the Planning and Zoning Board. During the hearing the people expressed their views on this project. After hearing all the views the Planning and Zoning Board made a motion to recommend the development with the below stated items for a favorable recommendation to the City Commission. On October 17th, 2018 a "Public Hearing" was held at the West Miami Commission Chamber to hear views and concerns of the area property owners. The development was presented and no different views were expressed.

- B.) The review of the proposed "Special Use Permit for Plan Development" of a two-family two-story duplex at 5770 SW 9 Terrace, West Miami, FL 33144

The building requirements are as follows:

- Shall provide Impact windows for first and second floor
 - Shall provide Impact Doors for first and second floors
 - Shall provide cement tile roofs for the structure
- C.) Developer shall reimburse the City for all administrative, legal and engineering costs incurred by the City in conjunction with this proposed development.
- D.) Owner shall provide detailed plans for the construction of proposed development as agreed to in the hearing and shall be shown on the plans submitted under SUPPD # 2018-003 heretofore submitted to the City, prior to issuance of building permits for improvements.
- E.) Owner agrees that the City shall have the right to invoke and enforce the conditions, restrictions, limitations and reservations set forth within the Special Use Permit for Planned Development, at developers/owner's expense.

The reviews by Planning and Zoning Department and the "Public Hearing" on October 9th, 2018 before the Planning and Zoning Board and the "Public Hearing" on October 17th, 2018 before the City of West Miami City Commission have determined that the proposed "Special Use Permit for Plan Development" of a two-story story single family at 5770 S.W. 9th Terrace, West Miami, FL 33144, is in compliance with the intent of Zoning Ordinance 282.

Section 3. This Resolution shall take effect immediately upon passage by the City Commission and signature of the Mayor.

PASSED AND ADOPTED this 17th day of October, 2018



RHONDA A. RODRIGUEZ, VICE-MAYOR

Attest:



ANNERY GONZALEZ, CITY CLERK

APPROVED AS TO FORM AND SUFFICIENCY:



JOSE A. VILLALOBOS, CITY ATTORNEY

ROLL CALL VOTE:

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| MAYOR EDUARDO H. MUHIÑA | <u>ABSENT</u> |
| VICE -MAYOR RHOINDA A RODRIGUEZ | <u>Y</u> |
| COMMISSIONER CANDIDA BLANCA | <u>Y</u> |
| COMMISSIONER JUAN M. BLANES | <u>ABSENT</u> |
| COMMISSIONER LUCIANO L. SUAREZ | <u>Y</u> |