

RESOLUTION No 2006-28-374-Z-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION OF YVONNE OWENS FOR NON-USE VARIANCES OF LOT COVERAGE AND SETBACK REQUIREMENTS FOR AN EXISTING FRONT PORCH ADDITION TO A SINGLE-FAMILY RESIDENCE; APPROVING A NON-USE VARIANCE OF SETBACK REQUIREMENTS TO PERMIT A PROPOSED TWO-BEDROOM ADDITION TO A SINGLE-FAMILY RESIDENCE; APPROVING NON-USE VARIANCES OF SETBACK AND SPACING REQUIREMENTS FOR AN EXISTING UTILITY SHED; PROVIDING FOR CONDITIONS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Yvonne Owens ("Applicant") owns certain property located at 19111 N.W. 42nd Court, more particularly described on Exhibit "A" attached hereto ("Property"), and

WHEREAS, the Applicant seeks the following approvals:

1. Non-Use Variance of Lot Coverage Requirements to permit an existing front porch and proposed bedroom addition to an existing single-family residence, resulting in a total lot coverage of 38% (maximum 35% permitted);
2. Non-Use Variance of Setback Requirements to permit an existing front porch addition to an existing single-family residence to have a front setback of 18'-0" from the west property line (minimum 25'-0" required);
3. Non-Use Variance of Setback Requirements to permit a proposed two-bedroom addition to a single-family residence to have a rear setback of 14'-5" from the east property line (minimum 25'-0" required);

Resolution No. 2006-28-374-Z-47

4. Non-Use Variance of Setback Requirements to permit an existing utility shed to have an interior side setback of 3'-9" from the south property line (minimum 7'-6" required); and
5. Non-Use Variance of Spacing Requirements to permit said utility shed to have a spacing of 7'-0" (minimum 10'-0" required) from the existing single-family residence

WHEREAS, the City Council held a public hearing on the application on April 5, 2006, and

WHEREAS, the City's Planning and Zoning staff has made a determination that the application is consistent with the Comprehensive Development Master Plan, and

WHEREAS, the City's Planning and Zoning staff recommends approval of the application, and

WHEREAS, the City Council considered the testimony of the Applicant, if any, and

WHEREAS, the City Council also considered the testimony of the City's Planning and Zoning staff, and the Staff Report attached hereto as Exhibit "B," incorporated herein by reference,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby

Resolution No. 2006-28-374-Z-47

made a specific part of this Resolution.

Section 2. APPROVAL: The City Council of the City of Miami Gardens, hereby approves the application submitted by the Applicant as follows:

1. Non-Use Variance of Lot Coverage Requirements to permit an existing front porch and proposed bedroom addition to an existing single-family residence, resulting in a total lot coverage of 38% (maximum 35% permitted);
2. Non-Use Variance of Setback Requirements to permit an existing front porch addition to an existing single-family residence to have a front setback of 18'-0" from the west property line (minimum 25'-0" required);
3. Non-Use Variance of Setback Requirements to permit a proposed two-bedroom addition to a single-family residence to have a rear setback of 14'-5" from the east property line (minimum 25'-0" required);
4. Non-Use Variance of Setback Requirements to permit an existing utility shed to have an interior side setback of 3'-9" from the south property line (minimum 7'-6" required); and
5. Non-Use Variance of Spacing Requirements to permit said utility shed to have a spacing of 7'-0" (minimum 10'-0" required) from the existing single-family residence.

Section 3. CONDITIONS: The Applicant's request is approved subject to the condition that the Applicant secures all necessary building, plumbing and electrical permits and completes all necessary modifications to the principal structure per said permits within six months of approval.

Resolution No. 2006-28-374-Z-47

Section 4. Section 5. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS ZONING MEETING HELD ON APRIL 5, 2006.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY O. CREW, CITY MANAGER

MOVED BY: Vice Mayor Braynon
SECONDED BY: Councilman Harvard

VOTE: 6-0

Mayor Shirley Gibson	<u> x </u> (Yes)	<u> </u> (No)
Vice Mayor Oscar Braynon, II	<u> x </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> </u> (Yes)	<u> </u> (No) Not present
Councilman Aaron Campbell	<u> x </u> (Yes)	<u> </u> (No)
Councilman Ulysses Harvard	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Barbara Watson	<u> x </u> (Yes)	<u> </u> (No)

SKD/bfc