

RESOLUTION NO. 16- _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING A REQUEST IN ACCORDANCE WITH SUBSECTION 13-308(F)(3) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE FOR A FINAL PLAT ENTITLED “DUNNWOODY LAKE” SUBMITTED FOR PROPERTY LOCATED NORTH OF NW 154TH STREET AND BETWEEN NW 87TH AVENUE AND I-75, MIAMI LAKES, FLORIDA, FOLIO NUMBER 32-2016-000-0020, IN THE RM-13 ZONING DISTRICT; PROVIDING FINDINGS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR APPROVAL; PROVIDING FOR CONDITIONS; PROVIDING FOR VIOLATION OF CONDITIONS; PROVIDING FOR AUTHORIZATION; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Subsection 13-308(f)(3) of the Town of Miami Lakes’ (the “Town”) Land Development Code (the “LDC”), Lennar Homes, LLC (the “Applicant”) has applied to the Town for approval of a final plat, a copy of the Plat being attached hereto as Exhibit “A” and incorporated herein by reference (the “Final Plat”), for property generally located at the northwest corner of NW 87 Avenue and NW 154 Street, which is a portion of Miami-Dade Tax Folio No. 32-2016-000-0020 (“Property”), as legally described in Exhibit “B”, and containing approximately 142.67 acres of land, located north of NW 154th Street and between NW 87th Avenue and I-75; and

WHEREAS, Subsection 13-308(f)(3) of the Town LDC sets forth the authority of the Town Council to consider and act upon an application for a final plat; and

WHEREAS, the Town Council approved the associated preliminary plat April 5, 2016, and the proposed final plat is consistent with the approved preliminary plat; and

WHEREAS, in accordance with Section 13-309 of the Town LDC, proper notice was mailed to the appropriate property owners of record, the property was posted as required, the hearing was duly advertised in the newspaper, and courtesy mailed notice was provided to homeowners’ and/or condominium associations and/or neighborhood organizations which are located within a 1-mile radius of the property; the public hearing on the Final Plat was noticed

for Tuesday, June 7, 2016, at 6:30 P.M. at Town Hall, 6601 Main Street, Miami Lakes, Florida; and all interested parties have had the opportunity to address their comments to the Town Council; and

WHEREAS, Town staff has reviewed the application and recommends approval, subject to conditions, of the request for a Final Plat, as set forth in the Town's Staff Analysis and Recommendation, a copy of which is on file in the Town's Clerk's Office and incorporated into this Resolution by reference; and

WHEREAS, the Director of Planning, acting as the Administrative Official, has determined that the Applicant has met the conditions and prerequisites imposed in Section 13-308 of the LDC and in accordance with the approved preliminary plat; and

WHEREAS, the Town Council, in accordance with Section 13-308(f)(2)(c)(3) has considered the physical characteristics of the property, the availability of community services, traffic impact, economic impacts, appropriateness of the type and intensity of the proposed development, existing and future development, existing and future development patterns, compliance with land development regulations, relationship of the project to the capital improvements program; and other such factors as may relate to the Comprehensive Plan or elements thereof; and

WHEREAS, the Town Council has considered the written recommendations of staff, any other reviewing agencies, and presentations by the public.

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. Approval of Final Plat. Subject to the conditions set forth in Section 3 of this Resolution, the Final Plat for "DUNNWOODY LAKE," as attached hereto as Exhibit "A", is approved.

Section 3. Conditions of Approval. The Town Council approves the Final Plat in Section 2, above, subject to the following conditions:

1. The approval of the final plat shall be in accordance with the copy of the Final Plat of "DUNNWOODY LAKE" as submitted for approval to the Town Council and prepared by Ford, Armenteros & Fernandez, Inc., Omar Armenteros, Professional Surveyor and Mapper, consisting of 15 sheets and stamped as received on 5.27.15.

2. The Applicant shall comply with all platting requirements of the Town LDC, including but not limited to posting any performance guarantees needed for required improvements, and Chapter 28 of the Miami-Dade County Code.
3. No building permit shall be issued until the final plat is recorded.
4. Upon recordation of the final plat, the Applicant shall provide the Town with one original on 30 X 36 inch mylar and two paper copies.

Section 4. Violations 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. Authorization. Subject to review by the Town Attorney, the Town Manager, the Town Clerk and the Town Surveyor are authorized to sign the face of the Final Plat and to execute any other required documents necessary for approval of the Final Plat consistent with and to implement the intent of the Town Council.

Section 6. 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. Effective date. This Resolution shall become effective immediately upon adoption hereof.

Passed and adopted this 7TH day of June, 2016.

The foregoing resolution was moved for adoption by _____. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

Mayor Michael Pizzi	_____
Vice Mayor Tim Daubert	_____
Councilmember Manny Cid	_____
Councilmember Tony Lama	_____
Councilmember Ceasar Mestre	_____
Councilmember Frank Mingo	_____
Councilmember Nelson Rodriguez	_____

Michael Pizzi
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY