

RESOLUTION No. 2004-96-147-Z-19

A RESOLUTION OF THE CITY OF MIAMI GARDENS APPROVING THE APPLICATION OF NICHOLAS AND GLADYS PASCUAL FOR CERTAIN NON-USE VARIANCES PURSUANT TO THE MIAMI-DADE COUNTY ZONING CODE; PROVIDING FOR CERTAIN CONDITIONS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Nicholas and Gladys Pascual ("Applicants") submitted an application for the following requests:

1. To permit a bedroom addition setback 8'6" from the rear (south) property line (25' required);
2. To permit lot coverage of 46.86% (35% allowed);
3. To permit an existing addition to a single-family residence setback varying from 2.7' to 3.5' from the interior side (west) property line (7.5' required);
4. To permit a metal canopy carport addition to setback 1' from the interior side (east) property line (2' required);
5. To permit 2 metal canopy carports (1 permitted), and

WHEREAS, the City Council has considered the testimony of the Applicants as well as the Applicants' representatives, if any, and the Staff Report attached hereto as Exhibit "A" and incorporated herein by reference, and

WHEREAS, the City Council has also considered the testimony of the Planning and Zoning staff for Miami-Dade County,

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 made a specific part of this Resolution.

Section 2. APPROVAL OF APPLICATION: The City Council for the City of Miami Gardens hereby approves the application submitted by Nicholas and Gladys Pascual for the following requests:

1. To permit a bedroom addition setback 8'6" from the rear (south) property line (25' required).

Approval  Yes  No

2. To permit lot coverage of 46.86% (35% allowed).

Approval  Yes  No

3. To permit an existing addition to a single-family residence setback varying from 2.7' to 3.5' from the interior side (west) property line (7.5' required).

Approval  Yes  No

4. To permit a metal canopy carport addition to setback 1' from the interior side (east) property line (2' required).

Approval  Yes  No

5. To permit 2 metal canopy carports (1 permitted).

Approval  Yes  No

Section 4. CONDITIONS: The aforementioned approvals are subject to the following conditions:

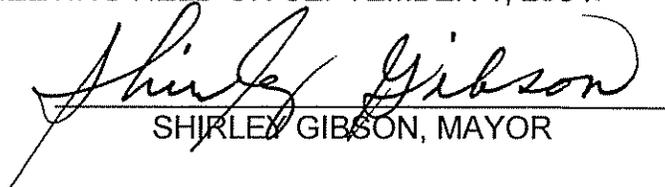
- a. Enhanced Landscaping on the property – five street trees, native or similar, and

three lot trees, (1 fruit and 2 natives), a minimum height at planting of 12 feet; three lot trees, with a minimum height at planting of 8 feet for native, and 10 feet for non-native, a minimum of 50 cocoplum shrubs, with minimum heights of 18 inches. Shrubs are to be placed on the side closest to neighbors.

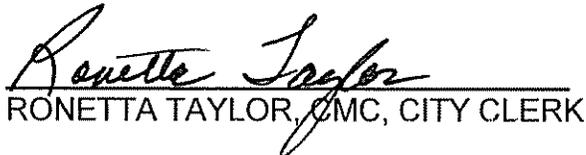
- b. Removal of both carports.
- c. Removal of the kitchen, with proper inspections to ensure to proper removal of all gas lines and electrical lines installed in the kitchen.
- d. Obtain "as built" permits - 180 day time period to come into compliance.
- e. A gutter to address run off water onto neighbor's property.
- f. Removal of the wooden fence along the west side of the property and replacement with shrubs.

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 SEPTEMBER 1, 2004.

  
SHIRLEY GIBSON, MAYOR

ATTEST:

  
RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA K. KNIGHTON, ESQ.  
City Attorney

SPONSORED BY: DANNY O. CREW, CITY MANAGER

MOVED BY:

**VOTE: 7-0**

Mayor Gibson	<u>  x  </u> (Yes)	<u>    </u> (No)
Vice Mayor Campbell	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilman Melvin L. Bratton	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilman Oscar Braynon, II	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilwoman Audrey J. King	<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)

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