

RESOLUTION NO. 2015-22

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A REQUEST BY BAY VILLAGE VENTURE, LLC FOR A SPECIAL USE EXCEPTION PURSUANT TO SECTION 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE RESIDENTIAL AND COMMERCIAL STRUCTURE WITH A PARKING GARAGE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT AT 1725 KENNEDY CAUSEWAY; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATION OF CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 152.098 and 152.030(C) of the North Bay Village Code of Ordinances (the “Village Code”), Bay Village Venture, LLC has applied to North Bay Village for approval of a Special Use Exception for development of a mixed-use commercial structure in the CG (General Commercial) Zoning District at 1725 Kennedy Causeway; and

WHEREAS, Section 152.098 and Section 152.102 of the Village Code set forth the authority of the Village Commission to consider and act upon an application for a Special Use Exception specified in Section 152.098; and

WHEREAS, in accordance with Section 152.096 of the Village Code, a public hearing by the Planning and Zoning Board was noticed for December 2, 2014, at 7:30 P.M. at 1666 Kennedy Causeway, #101, North Bay Village, Florida and the Planning and Zoning Board reviewed the application, conducted a public hearing and recommended approval of the request; and

WHEREAS, in accordance with Section 152.096 of the Village Code, public hearings by the Village Commission were noticed for January 27, 2015 and February 24, 2015 at 7:30 P.M. at the Village Hall, 1666 Kennedy Causeway, #101, North Bay Village, Florida 33141 and all interested parties have had the opportunity to address their comments to the Village Commission; and

WHEREAS, the Village Commission has reviewed the application, and considered the recommendation of the Planning and Zoning Board and comments from the public, and determined that the proposed use does not substantially affect adversely the subject property or adjacent properties.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Recitals.

The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Finding.

1. In accordance with Section 152.098 of the Village Code, the Village Commission finds that the proposed Special Use Exception to for development of a mixed-use commercial structure in the CG (General Commercial) Zoning District will not substantially affect adversely the uses permitted in these regulations of adjacent property.

Section 3. Grant.

The Special Use Exception request for development of a mixed-use commercial structure in the CG (General Commercial) Zoning District at 1725 Kennedy Causeway, North Bay Village, Florida is hereby granted.

Section 4. Appeal.

In accordance with Section 152.104 of the Village Code, the Applicant, or any aggrieved property owner, may appeal the decision of the Village Commission by filing a Writ of Certiorari to the Circuit Court of Miami-Dade County, Florida, in accordance with the Florida Rules of Appellate Procedure.

Section 5. Effective Date.

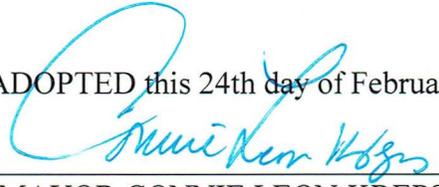
This Resolution shall become effective upon its adoption.

The motion to adopt the foregoing Resolution was offered by Commissioner Richard Chervony seconded by Commissioner Wendy Duvall.

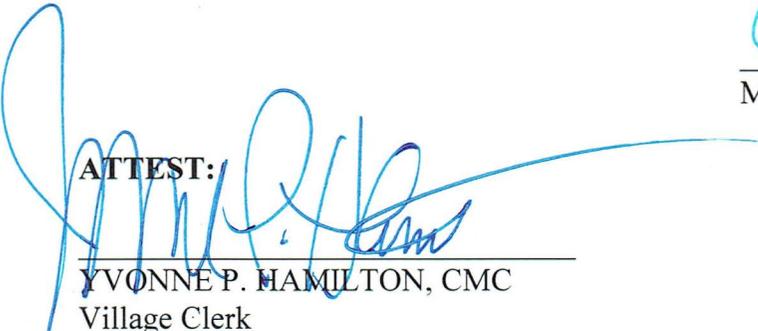
FINAL VOTE AT ADOPTION:

| | |
|-------------------------------|------------|
| Mayor Connie Leon-Kreps | <u>Yes</u> |
| Vice Mayor Jorge Gonzalez | <u>Yes</u> |
| Commissioner Richard Chervony | <u>Yes</u> |
| Commissioner Wendy Duvall | <u>Yes</u> |
| Commissioner Eddie Lim | <u>Yes</u> |

PASSED and ADOPTED this 24th day of February 2015.


MAYOR CONNIE LEON-KREPS

ATTEST:


YVONNE P. HAMILTON, CMC
Village Clerk

APPROVED AS TO FORM:



Robert L. Switkes & Associates, P.A.
Village Attorney

North Bay Village Resolution: 1725 Kennedy Causeway Development-Special Use Exception