

BLUE BAY TOWER

RESOLUTION NO. 2002-41

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, MAKING THE REQUIRED FINDINGS PURSUANT TO SECTION 152.0296(H) OF THE CITY OF NORTH BAY VILLAGE CODE OF ORDINANCES AND APPROVING AN APPLICATION FOR DEVELOPMENT UNDER THE PLANNED RESIDENTIAL DEVELOPMENT (PRD) REGULATIONS AS PER THE APPLICATION BY TROPICAL RENTALS, INC. FOR THE PROPERTY LOCATED AT 7927 WEST DRIVE, LOT 76 AND 7929 WEST DRIVE, LOT 78, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA; SETTING AN EFFECTIVE DATE.

WHEREAS, Tropical Rentals, Inc. has made an application for the properties located at 7927 West Drive, lot 76 and 7929 West Drive, lot 78, Harbor Island, North Bay Village, Florida, property situated within the RM-70 Zoning District, High Density Multiple-Family Residential District, Treasure Island, North Bay Village, Florida as follows:

1. AN APPLICATION REQUESTING APPROVAL OF A 35-UNIT PLANNED RESIDENTIAL DEVELOPMENT (PRD) CONDOMINIUM APARTMENT BUILDING CONSISTING OF TWELVE (12) STORIES OF RESIDENTIAL UNITS TO BE CONSTRUCTED ABOVE A THREE (3) LEVEL PARKING GARAGE PEDESTAL PURSUANT TO SECTION 152.0296 OF THE CITY OF NORTH BAY VILLAGE CODE OF ORDINANCES.

WHEREAS, the Planning & Zoning Board of the City of North Bay Village held a Public Hearing on July 8, 2002 and considered said application and has recommended that the application for Planned Residential Development (PRD) be approved with the conditions listed below based on the following findings:

1. The application is consistent with the City's Comprehensive Plan and the Land Development Regulations.
2. The proposed development will have a favorable effect on the economy of the City.
3. The proposed development will not generate or result in excessive noise or traffic.
4. The proposed development will not cause an undue or excessive burden on public facilities and services, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities, which have been constructed or which are planned or budgeted for construction.

5. The proposed development will not tend to create a fire hazard or other dangerous conditions.
6. The proposed development will not cause excessive overcrowding or concentration of people or population that would create evacuation concerns.
7. The proposed development will be compatible with the surrounding area and its development and does not demonstrate innovative design in order to minimize impact on surrounding properties.
8. The proposed development is a reasonable use of the property and results in a public benefit including but not limited to the enhancement of the subject real property and/or the redevelopment of structures in deteriorated or poor condition.

Conditions:

1. Shoreline Review Approval must be given for this project. (Any changes affecting setbacks must require a re-review by the Planning & Zoning Board and the City Commission.)
2. The twenty percent (20%) pervious area provision must be provided. This condition has been confirmed on the record.
3. The thirty percent (30%) landscaping of the Pedestal's roof must be verified by calculations. This condition has been confirmed on the record.
4. **Public access must be given to the Boardwalk, preferably by a recorded easement.**
5. DERM approval must be given for sewer and water impacts, and Marina and any other agency approval necessary.
6. A Developer Agreement should be provided to ensure that the developer will provide and maintain landscaping for the public area in front of the development.
7. All appropriate Impact Fees and other requirements, including appropriate agency approvals must be met prior to approval of any Building Permit by the City.
8. Submittal of a recorded Unity of Title consistent with the PRD requirements.
9. Fees will be charged to compensate for special PRD planning review services provided.

WHEREAS, the City Commission after Public Hearings held on July 9, 2002 and July 23, 2002 concurs with the findings enumerated in the body of this Resolution pursuant to Section 152.0296(H).

WHEREAS, the City Commission after Public Hearings held on July 9, 2002 and July 23, 2002 determines that that the application for Planned Residential Development complies with the purpose and intent of Section 152.0296.

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

Section 1. The above whereas clauses are incorporated herein.

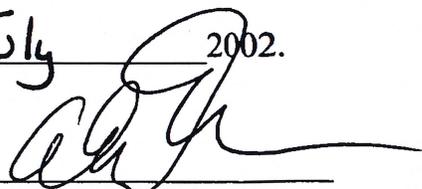
Section 2. That a vote was taken with respect to the findings heretofore stated in the body of this Resolution, and the City Commission hereby accepts the recommendation of the Planning & Zoning Board and the Zoning Official to approve the application by Tropical Rentals, Inc. for development under the Planned Residential Development regulations with the aforementioned conditions.

Section 2. This resolution shall become effective upon its adoption.

First Public Hearing this 9th day of July, 2002.

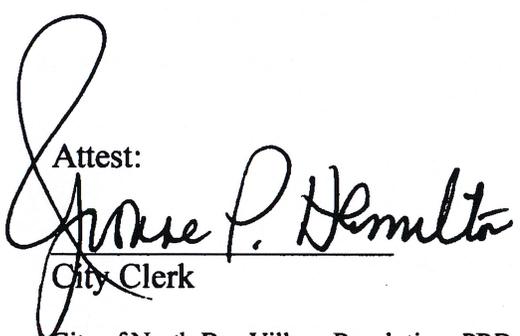
Second and Final Public Hearing this 23rd day of July, 2002.

PASSED AND ADOPTED this 23rd day of July 2002.



Mayor Alan Dorne

Attest:



City Clerk

City of North Bay Village Resolution: PRD Application: 7927-7929 West Drive

APPROVED AS TO FORM:

Earl G. Gallop
Earl G. Gallop, City Attorney

FINAL VOTE AT ADOPTION:

Mayor Alan Dorne

Yes

Vice Mayor Eric D. Isicoff

Absent

Commissioner Armand Abecassis

Yes

Commissioner George A. Kane

Yes

Commissioner Connie Leon-Kreps

Yes

City of North Bay Village Resolution: PRD Application: 7927-7929 West Drive