

SPACE 01

RESOLUTION NO. 2002-42

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, MAKING THE REQUIRED FINDINGS PURSUANT TO SECTION 152.105(C)(9) OF THE CITY OF NORTH BAY VILLAGE CODE OF ORDINANCES AND APPROVING SITE PLAN AS WELL AS BUILDING HEIGHT BONUSES IN ACCORDANCE WITH SECTION 152.029(C)(7) AS PER THE APPLICATION BY MOTTY GREEN FOR THE PROPERTY LOCATED AT 7934 WEST DRIVE, LOTS 32, 34, & 36, HARBOR ISLAND; SETTING AN EFFECTIVE DATE.

WHEREAS, Motty Green has made an application for the property located at 7934 West Drive, lots 32, 34, & 36 Harbor Island, North Bay Village, Florida, property situated within the RM-70 (High Density Multiple-Family Residential) District, Treasure Island, North Bay Village, Florida for the following:

- A. Site plan approval pursuant to Section 152.105(C)(9) of the City of North Bay Village Code of Ordinances and approval of Building Height Bonuses in accordance with Section 152.029(C)(7) in connection with the development of a 54 unit multiple-family residential condominium dwelling structure.

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 Site Plan as well as Building Height Bonuses be approved subject to the following conditions:

1. Submittal of an affidavit stating that the proposed units will not create multiple bedrooms. The subject multi-family units must be sold, offered and marketed as one bedroom units and any proposed changes to the units to create multiple bedrooms must obtain appropriate permit approval, consistent with Section 152.105 of the City of North Bay Village's Code of Ordinances. Any unit may be partitioned, as per code requirements; however, the partitioned areas may not be used for multiple bedroom dwellings.
2. Approval must be granted by the Shoreline Review Committee. If footprint changes are recommended by the Shoreline Review Committee, the plan must then be reviewed again by the Planning and Zoning Board and the City Commission.

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.

Section 1. The above whereas clauses are incorporated herein.

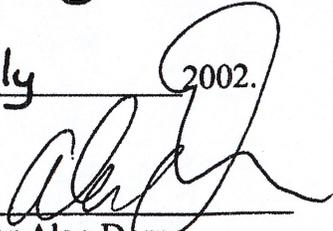
Section 2. That a vote was taken with respect to the findings heretofore stated in the body of this Resolution, and the City Commission hereby accepts the recommendation of the Planning & Zoning Board and the Zoning Official to approve the application by Motty Green for Site Plan Approval as well as Building Height Bonuses.

Section 3. This resolution shall become effective upon its adoption.

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

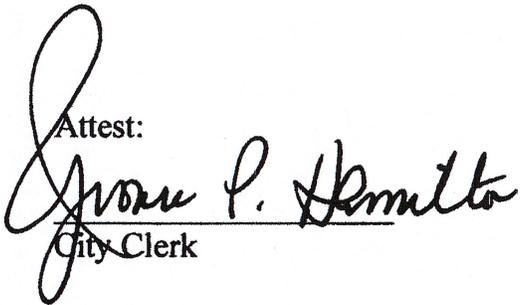
Second and Final Public Hearing this 23rd day of July, 2002.

PASSED AND ADOPTED this 23rd day of July, 2002.



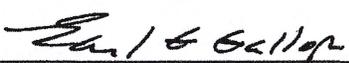
Mayor Alan Dorne

Attest:



Joan P. Hermitte
City Clerk

APPROVED AS TO FORM:



Earl G. Gallop, City Attorney

FINAL VOTE AT ADOPTION:

Mayor Alan Dorne
Vice Mayor Eric D. Isicoff
Commissioner Armand Abecassis
Commissioner Connie Leon-Kreps
Commissioner George Kane

Yes
Absent
Yes
Yes
Yes Absent