

1 foot (6 ft.) offset should be situated towards the east boundary. As to Building 18, the six foot (6 ft.)
2 offset should be set back towards the west boundary.

3
4 14.2 In addition, along the 110 foot setback portion of Buildings 16 and 18, there should
5 be a colonnade or arcade, with first floor roof-like structure, to break-up the monolithic volume.

6
7 14.3 In compliance with section 7.14, Live Oak trees, or other equivalent type trees, with
8 an overall size of 16 feet in height, should be planted along the remaining east side of Building 18
9 and along the remaining west side of Building 16, every 20 feet on-center for the length of the
10 structures (area not covered by the first floor roof-like arcade structured area). The 16 foot trees
11 should be root pruned to encourage their ability to survive the shock of planting.

12
13 15. Enforcement.

14
15 15.1 Non compliance with the approved site plan shall result in the denial of future
16 permits and may result in a daily fine, per violation, as provided under section 15.2, below.

17
18 15.2 A violation of any of the development approvals and/or conditions of the Village
19 Council will result in a \$500.00 a day fine, per violation. The Village shall provide Applicant with a
20 reasonable period of time to cure. The Applicant is entitled to an appeal of the notice of civil
21 citation pursuant to the procedures for the Village Special Magistrate, found at section 2-205 of the
22 Village's Code.

23
24 15.3 Cross-reference with specific enforcement provisions relating to section 4.6 as to
25 student population and removal of portables under section 5.11.

26
27 15.4 Authorization for the Village of Palmetto Bay to Withhold Permits and Inspections.
28 In the event the terms herein are not being complied with, in addition to any other remedies
29 available, the Village is authorized to withhold any further permits, and refuse to make any
30 inspections or grant any approvals, until such time as the conditions contained herein are complied
31 with. The Village shall provide Applicant with a reasonable notice to cure period. The Applicant
32 may follow the procedures for the Village Special Magistrate regarding any appeal.

33
34 15.5 Cross-reference with section 11.6.

35
36 This is a final order.

37
38 Section 5. Record.

39 The record shall consist of the notice of hearing, the application, documents submitted by
40 the applicant and the applicant's representatives to the Village of Palmetto Bay Planning and Zoning
41 Department in connection with the applications, the Village's recommendation and attached cover
42 sheet and documents, the testimony of sworn witnesses and documents presented at the quasi-
43 judicial hearing, and the tape and minutes of the hearing. The record shall be maintained by the
44 Village Clerk.

1 Section 6. This resolution shall take effect immediately upon approval.

2 PASSED and ADOPTED this 29 day of August, 2012.

3 Attest:

4 Meighan Alexander
5 Village Clerk

6 Shelley Stanczyk
7 Mayor

8 APPROVED AS TO FORM:

9 Eve A. Boutsis
10 Village Attorney

11 FINAL VOTE AT ADOPTION:

12 Council Member Patrick Fiore YES

13 Council Member Howard Tendrich YES

14 Council Member Joan Lindsay YES

15 Vice-Mayor Brian Pariser YES

16 Mayor Shelley Stanczyk YES