



ZONING HEARING OF WEDNESDAY, SEPTEMBER 9, 2015
VILLAGE HALL COUNCIL CHAMBERS
9705 E. HIBISCUS STREET, PALMETTO BAY, FLORIDA

NOTICE: THE FOLLOWING HEARING IS SCHEDULED FOR 7:00 PM.
ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE VILLAGE OF PALMETTO BAY COUNCIL SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE VILLAGE OF PALMETTO BAY COUNCIL BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE COUNCIL BE GRANTED BY THE MAJORITY VOTE OF THE COUNCIL MEMBERS PRESENT.

THE NUMBER OF CORRESPONDENCE RECEIVED IN SUPPORT OF AN APPLICATION AND THE NUMBER OF CORRESPONDENCE RECEIVED AGAINST AN APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE VILLAGE OF PALMETTO BAY ZONING HEARING MEETING DATE FOR THIS COUNCIL.

- 1. Call to Order, Roll Call, Pledge of Allegiance**
- 2. Reading of decorum statement/Swearing in of witnesses**
- 3. Public Hearing Item:**

The following item is being considered pursuant to Divisions 30-30.5 and 30-110 of the Village's Land Development Code:

Applicant: Palmer Trinity Private School, Inc. (VPB-15-009)

Folios: 33-5034-000-0580, 33-5034-000-0620

**Location: 7900 SW 176th Street
East ½ of Northwest ¼ of Southeast ¼ of Section 34, Township 55, Range 40 East, less north 35 feet, in Miami-Dade County**

8001 SW 184th Street:
East ¾ of Southwest ¼ of the Southeast ¼ of Section 34, Township 55,
Range 40 East, in Miami-Dade County

Zoned: Estate Modified (E-M).

Request: A modification of Resolution No. 2014-67, adopted pursuant to Division 30-110 and section 30-30.5, relating to certain conditions of the Palmer Trinity approved site plan relating to access at SW 176th Street, temporary modular buildings during construction phasing, and a pedestrian path within the 50' landscape buffer.

PLANS ARE ON FILE FOR THE ABOVE APPLICATION AND MAY BE EXAMINED IN THE DEPARTMENT OF PLANNING AND ZONING AT VILLAGE HALL. PLANS MAY BE MODIFIED AT THE PUBLIC HEARING.

NOTICE OF APPEAL RIGHTS

Decisions of the Village of Palmetto Bay Council (VPB) are appealed to the Circuit Court. Appeals to Circuit Court must be filed within 30 days of the execution of the Village of Palmetto Bay resolution. Pursuant to Florida Statutes 286.0105, the Village hereby advises the public that if a person decides to appeal any decision made by this Council with respect to any matter considered at its meeting or hearing, he or she will need a record of the proceedings, and that for such purpose, the affected person may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the Village for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

Further information and assistance may be obtained by contacting the Legal Counsel's office for the Department of Planning & Zoning at (305) 760-8544, or the Village Clerk at (305) 259-1234. For filing or status of Appeals to Circuit Court, you may call the Clerk of the Circuit Court at (305) 375-5955.



VILLAGE OF PALMETTO BAY

Mayor Eugene Flinn
Vice Mayor John DuBois
Council Member Karyn Cunningham
Council Member Tim Schaffer
Council Member Larissa Siegel Lara

Village Manager Edward Silva
Village Attorney Dexter Lehtinen
Village Clerk Meighan J. Alexander

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter, or hearing impaired to participate in this proceeding should contact the Village Clerk at (305) 259-1234 for assistance no later than four days prior to the meeting.

VILLAGE COUNCIL SPECIAL MEETING AGENDA

Wednesday, September 9, 2015 - 7:00 pm (to immediately follow Zoning Hearing)
Village Hall Chambers, 9705 E. Hibiscus Street
(305) 259-1234

1. **CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE**
2. **DECORUM STATEMENT:** Any person making impertinent or slanderous remarks, or who becomes boisterous, while addressing the Council may be barred from further appearance before the Council by the Mayor, unless permission to continue or again address the Council is granted by a majority vote of the Council. Applauding speakers shall be discouraged. Heckling or verbal outbursts in support or opposition to a speaker, or his or her remarks, shall be prohibited. No signs or placards shall be allowed in the Council meeting. Persons exiting the Council meeting shall do so quietly. All cellular telephones and beepers are to be silenced during the meeting.
3. **REQUESTS, PETITIONS AND PUBLIC COMMENTS**
4. **RESOLUTIONS**
 - A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATED TO SETTLEMENT OF LITIGATION BETWEEN THE VILLAGE OF PALMETTO BAY AND PALMER TRINITY SCHOOL (11TH JUDICIAL CIRCUIT CASE NOS: 08-28977 CA 30 AND 10-034016 CA 01); AUTHORIZING THE VILLAGE MANAGER TO EXECUTE SAME; AND PROVIDING AN EFFECTIVE DATE.

5. ORDINANCES FOR FIRST READING AND PUBLIC HEARING

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; AMENDING SECTION 30-90.17(b) OF THE LAND DEVELOPMENT CODE RELATING TO SCHOOL SIGNAGE WITHIN RESIDENTIAL DISTRICTS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.
- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE MAYOR AND VILLAGE COUNCIL AND AS THE LOCAL PLANNING AGENCY, RELATING TO THE VILLAGE'S COMPREHENSIVE PLAN; AMENDING THE LAND USE ELEMENT ADDING POLICY 5.4.5 TO PROVIDE LANGUAGE ADOPTING THE STATE OF FLORIDA COASTAL HIGH HAZARD AREA MAP; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.
- C. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE MAYOR AND VILLAGE COUNCIL AND AS THE LOCAL PLANNING AGENCY, CREATING THE VILLAGE'S COMPREHENSIVE PLAN LAND USE CATEGORY, "FRANJO ACTIVITY CENTER"; PROVIDING FOR PERMITTED USES; CREATING POLICIES IN SUPPORT THEREOF AND AMENDING CERTAIN PROVISION IN CONFLICT THERETO; AND RELATING TO A LARGE SCALE AMENDMENT OF THE FUTURE LAND USE MAP (FLUM) CONSISTENT WITH 163.3161 AND 163.3184, FLORIDA STATUTES; CHANGING THE LAND USE DESIGNATION OF CERTAIN LANDS WITHIN THE DOWNTOWN AREA OF THE VILLAGE OF PALMETTO BAY, AS FURTHER DESCRIBED AT ATTACHMENT A, FROM LOW DENSITY RESIDENTIAL, LOW MEDIUM RESIDENTIAL, MEDIUM RESIDENTIAL MEDIUM HIGH RESIDENTIAL, BUSINESS OFFICE, NEIGHBORHOOD MIXED-USE, AND MIXED-USE CORRIDOR, TO FRANJO ACTIVITY CENTER (FAC); PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.
- D. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; CREATING SECTION 30-50.23, ENTITLED "DOWNTOWN DISTRICT", CREATING ZONING DEVELOPMENT REGULATIONS FOR A DOWNTOWN PALMETTO BAY DISTRICT; AND AMENDING THE OFFICIAL ZONING MAP; CHANGING THE ZONING OF CERTAIN

LANDS AS DESCRIBED ON THE MAP AT ATTACHMENT A FROM R-1, SINGLE FAMILY DISTRICT; R-2, TWO FAMILY RESIDENTIAL DISTRICT; R-4L, LIMITED APARTMENT HOUSE DISTRICT; R-4H, HOTEL MOTEL DISTRICT; R-O, BUSINESS OFFICE; MM, MIXED-USE MAIN STREET; MN, MIXED USE NEIGHBORHOOD; AND MC, MIXED-USE COMMERCIAL; TO DUV, DOWNTOWN URBAN VILLAGE DISTRICT; IN PALMETTO BAY, FLORIDA; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

6. NEXT MEETING AND ADJOURNMENT

PURSUANT TO FLORIDA STATUTES 286.0105, THE VILLAGE HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.