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**RESOLUTION NO. 03-11**

**ZONING APPLICATION 03-1-VPB-3 (02-332)**

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; APPROVING THE APPLICATION OF PIERRE AND SANDRA ECONOMACOS. FOR ALTERNATIVE SITE DEVELOPMENT ORDER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant made applications for alternative site development order and for alternative non-use variance, as described in the Miami-Dade Department of Planning and Zoning Recommendation to the Village of Palmetto Bay, which is attached to this resolution; and,

WHEREAS, the village council of the Village of Palmetto Bay conducted a quasi-judicial hearing on the application at Southwood Middle School on January, 28, 2003; and,

WHEREAS, the mayor and village council finds, based on substantial competent evidence in the record, that the application for alternative site development order is consistent with the Miami-Dade County comprehensive plan and the applicable land development regulations; and,

WHEREAS, based on the foregoing finding, the mayor and village council determined to grant the applications, as provided in this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. A hearing on the present applications was held on January 28, 2003 in accordance with ordinance. no. 02-03, entitled "Quasi-judicial hearing procedures." Pursuant to the hearing, the village council makes the following findings of fact, conclusions of law and order.

Section 2. Findings of fact.

1. The applicant is Pierre and Sandra Economacos. The property is single family residence located at 17050 S.W. 74<sup>th</sup> Ave..

- 1           2.     The applicant requests approval of a permit for a playroom and bathroom  
2           addition to an existing single family home within the 25" rear setback.. The  
3           requests are further described in the attached county recommendation.  
4           3.     The village council adopts the portions of the cover sheet to, and the county  
5           recommendation, entitled Previous Zoning Hearings on the Property;  
6           Enforcement History; Introduction-Requests, Summary of Requests,  
7           Location, Size, Impact, Zoning Hearings History, Comprehensive  
8           Development Master Plan (CDMP), Neighborhood Characteristics, Site and  
9           Buildings and Neighborhood Services as its findings of fact.  
10

11           Section 3.     Conclusions of law.

- 12           1.     The village council adopts the portions of the county recommendation,  
13           entitled Pertinent Requirements/Standards-Alternative Site Development  
14           Option for Single Family and Duplex Dwellings and Alternative non-use  
15           variance standard; and Analysis as its conclusions of law.  
16           2.     The village council further concludes that the application for alternative site  
17           development order is consistent with the Miami-Dade County  
18           comprehensive plan and comply with the applicable land development  
19           regulation, §33-311(A)(14)(Alternative Site Development Option).  
20

21           Section 4.     Order.

- 22           1.     The application for alternative site development order is granted subject to  
23           the conditions contained in the county recommendations at page 1 and the  
24           following additional conditions.  
25

26           Additional conditions. None.  
27

28           Section 5.     Record.

29           The record shall consist of the notice of hearing, the applications, documents  
30           submitted by the applicant and the applicant's representatives to the Miami-Dade County  
31           Department of Planning and Zoning in connection with the applications, the county  
32           recommendation and attached cover sheet and documents, the testimony of sworn  
33           witnesses and documents presented at the quasi-judicial hearing, and the tape and  
34           minutes of the hearing. The record shall be maintained by the village clerk.  
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36           Section 6.     This resolution shall take effect immediately upon approval.

1 PASSED and ADOPTED this 28<sup>th</sup> day of January, 2003.

2  
3 Attest:

4 Meighan J. Pier  
5 Meighan Pier  
6 Village Clerk

7 Eugene P. Flinn, Jr.  
8 Eugene P. Flinn, Jr.  
9 Mayor

10 APPROVED AS TO FORM:

11 Earl G. Gallop  
12 Earl G. Gallop,  
13 Village Attorney

14 FINAL VOTE AT ADOPTION:

15 Council Member Ed Feller	<u>AYE</u>
16 Council Member Paul Neidhart	<u>AYE</u>
17 Council Member John Breder	<u>AYE</u>
18 Vice-Mayor Linda Robinson	<u>AYE</u>
19 Mayor Eugene P. Flinn, Jr.	<u>AYE</u>

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