RESOLUTION NO. 05-98

REGARDING ZONING APPLICATION 05-9-VPB1/04-96

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; MOVING TO REHEAR THE APPLICATION OF AN DEALERSHIP HOLDING CORP. FOR A SPECIAL EXCEPTION TO MODIFY PREVIOUSLY APPROVED PLANS FOR A USED AUTOMOBILE DEALERSHIP TO INCLUDE A NEW AND USED AUTOMOBILE DEALERSHIP AND AN ACCOMPANYING REPAIR FACILITY; AND AN APPLICATION TO MODIFY THE DELCARATION OF RESTRICTIONS ASSOCIATED WITH THE PREVIOUSLY APPROVED SITE PLANS TO ALLOW FOR NEW CAR SALES AT THE SITE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant made application for a special exception to permit the modification of previously approved plans in order to expand from simply a used automobile dealership to a new and used automobile dealership and repair facility, 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 applicant also sought to modify two conditions from a previously filed declaration of restrictions tied to a prior site plan; in order to modify the restrictions to specifically provide for new car sales at the site; and

WHEREAS, the village council of the Village of Palmetto Bay conducted a quasi-judicial hearing on the application at Southwood Middle School on September 12, 2005, which was deferred and a final quasi-judicial hearing on the application was held on November 14, 2005, at Southwood Middle School, 16301 SW 80 Avenue; and,

WHEREAS, the mayor and village council seeks to rehear the application at its January 2006 zoning hearing; and,

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

Section 1. The village council, by a majority vote moves to rehear the item at its January 2006 zoning hearing.

Section 2. This resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 5 day of December, 2005.

Attest:

Meighan Pier
Village Clerk

Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:

Eve A. Boutsis, Office of
Village Attorney
Nagin Gallop & Figueredo, P.A.

FINAL VOTE AT ADOPTION:

Council Member Ed Feller	YES
Council Member Paul Neidhart	YES
Council Member John Breder	YES
Vice-Mayor Linda Robinson	YES
Mayor Eugene P. Flinn, Jr.	YES

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