

1 **WHEREAS**, the Mayor and Village Council found, based on
2 substantial competent evidence in the record, that the application for
3 the Existing Daycare Expansion is consistent with the Village of
4 Palmetto Bay Comprehensive Plan and the applicable Land
5 Development Regulations; and

6
7 **WHEREAS**, based on the foregoing finding, the Mayor and
8 Village Council determined to grant approval for the application, as
9 provided in this Resolution.

10
11 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND**
12 **VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY,**
13 **FLORIDA, AS FOLLOWS:**

14
15 **Section 1.** A public hearing on the present application was held
16 on June 21, 2022, in accordance with the Village's "Quasi-judicial
17 Hearing Procedures". Pursuant to the testimony and evidence
18 presented during the hearing, the Village Council makes the following
19 findings of fact, conclusions of law and final order.

20
21 **Section 2.** Findings of fact.

22
23 1. That the subject property is located at 17925 SW 97th Avenue
24 (Franjo Road).

25
26 2. After hearing testimony from Village Staff, the applicant, the
27 owner and the public, the Village Council accepted the findings of
28 Village Staff as it relates to compliance with the following provisions of
29 the Village's Code of Ordinances: Division 30-110 "Religious Facilities,
30 Private Schools, Child Care Facilities, and Other Non-Governmental
31 Public Assembly Uses " and Section 30-50.23.3-02.1 "Main Street
32 Sector".

33
34 3. The application for the Existing Daycare Expansion is
35 consistent with the Village's Comprehensive Plan, as further specified in
36 the Planning and Zoning Division Staff Report.

37
38 4. The Village Council adopts and incorporates by reference the
39 Planning and Zoning Division Staff Report, which expert report is
40 considered competent substantial evidence.

1 **Section 3.** Conclusions of Law.

2
3
4
5
6
7
8

The application for the Existing Daycare Expansion was reviewed pursuant to Division 30-110 “Religious Facilities, Private Schools, Child Care Facilities, and Other Non-Governmental Public Assembly Uses “ and Section 30-50.23.3-02.1 “Main Street Sector” of the Village’s Code of Ordinances and was found to be consistent.

9 **Section 4.** Order.

10
11
12
13
14
15
16
17
18

The Village Council approves the application for the Existing Daycare Expansion, Bright Adventure Academy, located at 17925 SW 97th Avenue (Franjo Road), identified with folio number: 33-5033-000-0890 consistent with Division 30-110 “Religious Facilities, Private Schools, Child Care Facilities, and Other Non-Governmental Public Assembly Uses “ and Section 30-50.23.3-02.1 “Main Street Sector” of the Village Zoning Code.

19 **THIS IS A FINAL ORDER.**

20

21 **Section 5.** Record.

22
23
24
25
26
27
28

The record shall consist of the notice of hearing, the Planning and Zoning Division Staff Report, the application, all documents submitted by the applicant and the owner in connection with the application, the testimony of sworn witnesses and documents presented at the quasi-judicial hearing, and the tape and minutes of the hearing. The record shall be maintained by the Village Clerk.

29
30
31
32

Section 6. This Resolution shall be recorded on the public records of Miami-Dade County and returned to the Village’s Department of Community and Economic Development.

33
34
35

Section 7. This Resolution shall take effect immediately upon approval.

36
37
38
39
40

PASSED AND RESOLVED this 21st day of June 2022.

1 **Attest:**

2

3

4 DocuSigned by:

Missy Arocha

5

6 **Missy Arocha**
7 **Village Clerk**

8

9

DocuSigned by:

Karyn Cunningham

Karyn Cunningham
Mayor

10 **APPROVED AS TO FORM AND LEGAL SUFFICIENCY:**

11

12

13 DocuSigned by:

John C. Dellagloria, Esq.

14

15 **John C. Dellagloria**
16 **Village Attorney**

17

18

19 **FINAL VOTE AT ADOPTION:**

20

21 Council Member Patrick Fiore YES

22

23 Council Member Steve Cody YES

24

25 Council Member Marsha Matson YES

26

27 Vice-Mayor Leanne Tellam YES

28

29 Mayor Karyn Cunningham YES