

1 RESOLUTION NO: 2015-86

2  
3 ZONING APPLICATION VPB-15-011

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5 A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE  
6 VILLAGE OF PALMETTO BAY, FLORIDA, PURSUANT TO SECTION  
7 30-50.21, RELATING TO A SITE PLAN MODIFICATION OF A  
8 PREVIOUSLY APPROVED FIRE RESCUE FACILITY FOR THE  
9 PROPERTY LOCATED AT 14251 OLD CUTLER ROAD; AND  
10 PROVIDING AN EFFECTIVE DATE.

11  
12 WHEREAS, on October 20, 2014, the Mayor and Village Council adopted Resolution No.  
13 2014-75, which approved and authorized the siting of a fire rescue facility for the property located at  
14 14251 Old Cutler Road; and

15  
16 WHEREAS, the property owner, Miami-Dade Fire Rescue now proposes a modification to  
17 that approved site plan along with other operational conditions; and

18  
19 WHEREAS, the proposed changes include greater setbacks, landscaping and fencing to  
20 further protect the adjacent neighborhood from any perceived impacts; and

21  
22 WHEREAS, the Mayor and Village Council desire to approve the site plan modification  
23 request for the property locate at 14251 Old Cutler Road.

24  
25 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE  
26 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

27  
28 Section 1. A hearing on the present application was held on October 19, 2015, in  
29 accordance with section 30-50.21 of the Village's Code of Ordinances. Pursuant to the hearing, the  
30 Mayor and Village Council make the following findings of fact, and conclusions of law.

31  
32 Section 2. Findings of fact.

33  
34 1. The subject property is located at 14251 Old Cutler Road, as more specifically  
35 described as:

36  
37 Lot 8 of Sunny South Acres Subdivision as recorded in Plat Book 58 Page 40 of the  
38 public records of Dade County, Florida, on the 11<sup>th</sup> day of March, 1954.

39  
40 2. The above whereas clauses incorporated herein are true.

41  
42 3. The requested site plan modification is consistent with the Village's Comprehensive  
43 Plan, as further specified in the Analysis Section of the Village's staff report.

44  
45 4. The rules that govern the conditions upon which a public facility is governed is  
46 located at Section 30-50.21.

1  
2 5. The Village adopts and incorporates by reference the Planning & Zoning  
3 Department staff report, which expert report is considered competent substantial evidence.  
4

5 6. The Village Council accepts the findings of staff as so presented in the written  
6 analysis and as presented at the hearing as it relates to compliance with the Village's Code and the  
7 findings of the Village's Public Works Department.  
8

9 7. The Village Council finds Miami-Dade Fire Rescue's site plan modification  
10 application submittal and the testimony provided at the hearing to be consistent with the Village's  
11 Code.  
12

13 8. The Village Council did not have any substantive disclosures regarding ex-parte  
14 communications and the applicant did not raise any objections as to the form or content of any  
15 disclosures by the Council.  
16

17 9. The Village Council accepts all proposed modifications and conditions in the Section  
18 entitled, "Order", as proposed by the applicant.  
19

20 **Section 3. Conclusions of law.**  
21

22 1. The Application is in compliance with the adopted 2015, Village of Palmetto Bay  
23 Comprehensive Plan and Future Land Use Map.  
24

25 2. The standard of review for a public (fire rescue) facility is found at 30-50.21 of the  
26 Village of Palmetto Bay's Land Development Code. The Applicant's request to modify a previously  
27 approved site plan for a fire rescue station is in compliance with the applicable standards, as  
28 conditioned below.  
29

30 **Section 4. Order.**  
31

32 The Village Council, pursuant to Section 30-50.21, of the Land Development Code,  
33 approves the plans entitled "Fire Station No. 2.", consisting of four (4) pages, as prepared by Miami-  
34 Dade Fire Rescue, Angel H. Lamela, date stamped September 24, 2015, with the following  
35 conditions:  
36

- 37 1. Compliance with all conditions listed by the Village's Public Works department on  
38 their letter dated September 24, 2015 as attached.  
39 2. Fire station staff will not use the ringing of bells or other alarms in the exterior for  
40 notification of emergencies.  
41

42 This is a final order.  
43  
44

1           **Section 5.**    Record.

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3           The record shall consist of the notice of hearing, the application, documents submitted by  
4 the Applicant and the Applicant's representatives to the Village of Palmetto Bay Planning and  
5 Zoning Department in connection with the application, the Village's staff report and  
6 recommendation and attached cover sheet and documents, the testimony of sworn witnesses and  
7 documents presented at the quasi-judicial hearing, and the tape and minutes of the hearing. The  
8 record shall be maintained by the Village Clerk.

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10          **Section 6.**    This resolution shall take effect immediately upon approval.

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12          PASSED and ADOPTED this 19<sup>th</sup> day of October, 2015.

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14          Attest:   
15  
16                Meighan Alexander  
17                Village Clerk

  
Eugene Flinn  
Mayor

18  
19  
20          APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE  
21          USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

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23            
24          Dexter W. Lehtinen  
25          Village Attorney

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28  
29          FINAL VOTE AT ADOPTION:

- 30  
31          Council Member Karyn Cunningham           Absent  
32  
33          Council Member Tim Schaffer                YES  
34  
35          Council Member Larissa Siegel Lara         YES  
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37          Vice-Mayor John DuBois                    YES  
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39          Mayor Eugene Flinn                           YES

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42          This Resolution was filed in the Office of the Village Clerk on this 2<sup>nd</sup> day of November, 2015.

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44            
45          Meighan Alexander  
46          Village Clerk



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**Department of Public Works  
Planning and Zoning Comment Sheet**

**Project:** Proposed Miami Dade County Fire Rescue 2-Bay Station

**Project Site:** Miami Dade County Fire Rescue 2-Bay Station Site Plan Review,  
14251 Old Cutler Road, Palmetto Bay, Florida 33158

**Reviewer:** Danny Casals

**Date:** September 24, 2015

The Village of Palmetto Bay Public Works Department (VPBPWD) has reviewed the proposed Site Plan, dated 9/04/15. The proposed site plan must meet the minimum requirements of Chapter 30 of the Village of Palmetto Bay Code of Ordinances.

Compliance with the following comments listed below is required prior to approval of permit.

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**Comments:**

1. Plans must be submitted to Miami-Dade County Public Works Waste Management (PWWM) for review and approval of driveway improvements located within Old Cutler Road (Sheet A-1.0) public right of way.
2. Provide stormwater runoff calculations to ensure that resulting increased proposed elevation of structure will not drain stormwater into adjoining properties and/or public rights-of-way as per Section 30-30.2(n) and 30-60.1(c) of the Village of Palmetto Bay Code of Ordinances.
3. If sidewalk connectivity is proposed at a later time, sidewalks are required to extend across all driveways around the site to include pedestrian (ADA) ramp improvements where applicable.
4. Provide detailed plans for connection to Water and Sewer.
5. VPB to approval species of trees recommended for placement on SW 142<sup>nd</sup> Terrace.
6. Provide detailed plans for Landscape (legend detailing existing and new trees).

**Project Requirements**

1. All off-site improvements shall be constructed prior to issuance of CO.

2. The Public Works Department reserves the right to add or modify requirements based upon any additional information that may be received during and after this review process.

Should you need additional information or clarification on this matter, please contact the Department of Public Works at (305) 969-5011.

CC: Corrice Patterson, Public Works Director  
Darby Delsalle, Planning and Zoning Director  
Travis Kendall, Planning & Zoning Administrator