

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

4
5 **Section 1.** A public hearing on the present application was held on May 21,
6 2018, in accordance with the Village’s “Quasi-judicial Hearing Procedures”.
7 Pursuant to the testimony and evidence presented during the hearing, the
8 Village Council makes the following findings of fact, conclusions of law, and
9 final order.

10
11 **Section 2.** Findings of fact.

- 12
13 a. That the property is located at 16475 South Dixie Highway.
- 14
15 b. The requested variance is consistent with the Village’s
16 Comprehensive Plan, as further specified in the Analysis Section of
17 the Village’s Staff Report.
- 18
19 c. After hearing testimony from staff, the applicant, the applicant’s
20 experts, and the public, the Village Council found the plat request is
21 consistent with the plat criteria at Section 30-80.1 of the Village’s
22 Land Development Code.
- 23
24 d. The Village adopts and incorporates by reference the Planning and
25 Zoning Department staff report, which expert report is considered
26 competent substantial evidence.
- 27
28 e. The Village Council did not have any substantive disclosures
29 regarding ex-parte communications and the applicant did not raise
30 any objections as to the form or content of any disclosures by the
31 Council.

32
33 **Section 3.** Conclusions of law.

34 The requested plat was reviewed pursuant to Section 30-80.1 of the
35 Village’s Land Development Regulations and was found to be consistent.

36
37 **Section 4.** Order.

38 The Village Council approves the plat requests for certain lands within the
39 Village of Palmetto Bay, located at 16475 South Dixie Highway, bearing
40 folio number 33-5028-000-0600, as more particularly described in the

1 attachment marked "Tentative Plat" that is included in this public hearing
2 package, creating one lot and separating the rear 25 feet for dedication to
3 the Village of Palmetto Bay as public right-of-way. This is the final order.
4

5 **Section 5. Record.**

6 The record shall consist of the notice of hearing, the applications,
7 documents submitted by the applicant and the applicants' representatives
8 to the Village of Palmetto Bay Department of Planning and Zoning in
9 connection with the applications, the testimony of sworn witnesses and
10 documents presented at the quasi5 judicial hearing, and the tape and
11 minutes of the hearing. The record shall be maintained by the Village Clerk.
12

13 **Section 6.** This Resolution shall take effect immediately upon approval.

14
15 **PASSED AND ADOPTED** this 21st day of May, 2017.

16
17 Attest: DocuSigned by:
Missy Arocha
6EDC211E5E8C48C...
18 Missy Arocha
19 Village Clerk
20

DocuSigned by:
Eugene Flinn
3B8854AD569F494...
Eugene Flinn
Mayor
21

22 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
23 AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

24 DocuSigned by:
Dexter W. Lehtinen
1B1D06E71321445...
25 Dexter Lehtinen, Esq.
26 Village Attorney
27
28

29 **FINAL VOTE AT ADOPTION:**

- 30
- 31 Council Member Karyn Cunningham YES
- 32
- 33 Council Member David Singer ABSENT
- 34
- 35 Council Member Larissa Siegel Lara YES
- 36
- 37 Vice-Mayor John DuBois YES
- 38
- 39 Mayor Eugene Flinn YES
- 40