RESOLUTION NO. 05-25

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, APPROVING THE WAIVER OF PLAT FOR A PARCEL OF LAND, LOCATED AT S. DIXIE HIGHWAY AND S.W. 157th STREET, PALMETTO BAY, FLORIDA MORE SPECIFICALLY IN SECTION 28, TOWNSHIP 55 SOUTH, RANGE 40 EAST, COUNTY OF MIAMI-DADE, STATE OF FLORIDA, TOGETHER WITH A PORTION OF BLOCK 5 OF "CORAL REEF HOMESITES" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 45, AT PAGE 94 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the subject property, described as a portion of Block 5 of "Coral Reef Homesites" was not platted as a legal building site; and

WHEREAS, the subject property, has caused the Village of Palmetto Bay to deny issuance of any development permits for the subject property; and

WHEREAS, Zamora and Associates, Inc. a Florida corporation, now presents to the Village Council a Waiver of Plat for a parcel of land lying in Palmetto Bay, Florida, located at 15725 S. Dixie Highway, Miami, Florida 33157-1835, more specifically a parcel of land in section 28, township 55 south, range 40 east, county of Miami-Dade, State of Florida, together with a portion of Block 5 of "Coral Reef Homesites" according to the plat thereof as recorded in Plat Book 45 at page 94 of the Public Records of Dade County, Florida; and

WHEREAS, Miami-Dade County Plat Committee completed their standard review process and approved this Waiver of Plat at its meeting of March 4, 2005 per the attached Notice of Action; and

WHEREAS, the new owner of the subject property have agreed to relocate the drainage structure and provide sidewalks prior to issuance of final Certificate of Occupancy; and

WHEREAS, the Village of Palmetto Bay and Miami-Dade County are requiring the developer to submit a bond for the relocation of the drainage structure and sidewalk as a condition of approval; and

WHEREAS, the Village is requiring the addition of enhanced landscaping as a condition of approval; and

WHEREAS, it appears that all requirements of the law concerning this Waiver of Plat insofar as the regulations of the authority of this Council are concerned have been complied with; and

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

Section 1. Waiver of Plat Approved. The Village Council of the Village of Palmetto Bay hereby approves the Waiver of Plat Survey submitted to the Village for approval by Zamora and Associates, Inc. for the subject property described as a portion of the Southwest corner of Block 5 of "Coral Reef Homesites" which property is located at 15725 S. Dixie Highway, Miami, Florida; that waiver of plat restrictions listed on the waiver of plat are approved and are to be enforced; that the approval of the waiver of plat is not a waiver of any zoning regulations and this approval is conditioned upon proper execution of all documents required by the Village's Attorney's office.

Section 2. This resolution shall take effect immediately upon approval by the Village Council.

PASSED and ADOPTED this 11th day of April, 2005.

Attest:

Meighan Pier
Village Clerk

Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:

Eve Boutsis,
Village Attorney

FINAL VOTE AT ADOPTION:

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

K:\Users\cpatterson\resolution\March Agenda\resolutionPLAT CORAL REEF HOMESITES.doc