



**RESOLUTION # 2020-01**

**A RESOLUTION OF THE CITY OF WEST MIAMI, FLORIDA, GRANTING A “SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT” FOR ELITE HOMES 14 XX CORPORATION FOR THE PROPERTY AT 1431-33 AND 1441-43 SW 66 AVENUE ALSO KNOWN AS FOLIO NUMBER 15-4012-041-0161 ALLOWING FOR THE CONSTRUCTION OF TWO (2) TWO STORY DUPLEX EACH CONSISTING OF FOUR (4) BEDROOM FIVE (5) BATHS ON THE LOTS HAVING 6,221 SQUARE FEET, REQUIRING CERTAIN IMPROVEMENTS TO THE RIGHT-OF-WAY OF SW 66 AVENUE BETWEEN SW 14 STREET AND SW 15 STREET IN THE CITY OF WEST MIAMI AND IN LIEU OF THEREOF, REQUIRING CERTAIN IMPROVEMENTS, DEDICATIONS AND OTHER TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, ELITE HOMES 14XX CORPORATION, hereinafter referred to as “owners”, as owners of the real property described in the attached Exhibit “A” hereinafter referred to as “parent tract” have submitted an application for “Special Use Permit for Planned Development”, together with a “proposed site plans”, showing certain construction of two (2) two (2) story duplex on each lot, providing easements and zoning setbacks which the owners covenant and agree to make; and

**WHEREAS**, the application was recommended by the City Administration; and

**WHEREAS**, the application was properly advertised and heard before the Planning and Zoning Board at a meeting held on October 22, 2019 and was unanimously approved with conditions; and

**WHEREAS**, said owners have agreed to the terms and conditions set forth in this resolution in consideration for the granting of the Special Use Permit for Planned Development.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of West Miami as follows:

**Section 1.** The aforementioned statements are true and correct and adopted as is fully stated herein.

**Section 2.** In consideration of the foregoing. Owners are hereby granted a Special Use Permit for Planned Development of the above described Parent Tract located and being in the City of West Miami, County of Miami-Dade, State of Florida, on the following terms and conditions:

A) Owner shall provide the City with an opinion of title prepared by an attorney-at-law duly licensed in the State of Florida, certifying the names of all title holders and lien holders of the Parent Tract, who shall execute and join the covenant running with the land and other documents required by this resolution as a condition precedent which opinion of title has been submitted by Owner, original of which is attached hereto and made part thereof.

B) Owner shall subdivide that Parent Tract into two (2) separate parcels as depicted in the Tentative Plat Survey, heretofore submitted to the City.

C) Owner shall provide water system on your side of the road, fire flow, sanitary sewer system, storm water improvements, and construction of the roadway from SW 15 Street to the North property line of the northern most lot as required by the City to serve the two (2) parcels. Owner shall contact Florida Power and Light Company for placement of street light(s) as required to match existing blocks. Owner shall submit plans for all proposed regulations pertaining thereto. As-built construction plans shall be provided to the City for all improvements. All necessary easements and dedications required for said public improvements shall be provided and executed prior to acceptance of the improvements by the City.

D) Owner shall reimburse the City for all administrative, legal and engineering costs incurred by the City in conjunction with this Tentative Plat.

E) Owner shall provide detailed plans for the construction of road depicted on the Tentative Plat Survey heretofore submitted to the City, prior to issuance of building permits for improvements. Said plans shall include all of the utilities stated above and the construction of the roadway and shall be subject to approval by the City and all governing agencies.

F) Owner shall provide individual certified legal descriptions for each of the two (2) lots.

G) Owner agrees that no Certificate of Occupancy or Temporary Certificate of Occupancy shall be granted for any of the single-family residences until all easements, dedications and improvements made a part of this resolution are completed and approved by the City of West Miami and all other pertinent government agencies.

H) Owner shall execute a Covenant Running with the land which shall include all terms and conditions provided in this Resolution which document shall be recorded in the Public Records of Miami-Dade County, Florida at owner's expense.

I) Owner agrees that the City shall have the right to invoke and enforce the covenants, conditions, restrictions, limitations and reservations set forth within the Tentative Plat, covenant and Special Use Permit for Planned Development at owner's expense.

Section 3. This Resolution shall take effect immediately upon passage by the City Commission and signature of the Mayor.


PASSED AND ADOPTED this 15<sup>th</sup> day of January, 2020.

  
RHONDA A. RODRIGUEZ, MAYOR

ATTEST:

  
ANNERY GONZALEZ, CMC CITY CLERK

APPROVED AS TO FORM AND SUFFICIENCY:

  
JOSE A. VILLALOBOS, CITY ATTORNEY

ROLL CALL VOTE:

MAYOR RHONDA A. RODRIGUEZ	<u>Y</u>
VICE-MAYOR LUCIANO L. SUAREZ	<u>Y</u>
COMMISSIONER CANDIDA BLANCA	<u>Y</u>
COMMISSIONER JUAN M. BLANES	<u>Y</u>
COMMISSINER ERIC DIAZ-PADRON	<u>Y</u>