

**RESOLUTION NO. Z04-22**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF  
THE CITY OF DORAL, FLORIDA, APPROVING THE  
APPLICATION OF BLUE VIEW II, LLC FOR THE  
PROJECT KNOWN AS BLUE VIEW AT DORAL.**

**WHEREAS**, the Applicant, Blue View II, LLC, has submitted an application concerning the Property described in Exhibit "A", attached hereto, seeking the following:

1. To rebut the presumption that the subdivision of its hotel results in a change of use to a non-hotel use pursuant to Section 33-222.1.1 of the Miami-Dade County Zoning Code; and
2. To permit 20' spacing between buildings where doors, windows or other openings face a wall of the same building or another building on the same site; and
3. To permit driveways within 25' right-of-way; and
4. To permit a dumpster/compactor and maintenance building in front of the principal structure; and
5. To permit an 8' high perimeter fence.

**WHEREAS**, a public hearing of the City of Doral Council was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard; and

**WHEREAS**, upon due and proper consideration having been given to the matter, there was finding by Doral City Council that the Petitioner's proposal, as conditioned by the recommendation of staff, satisfied the Code standard; and

**WHEREAS**, the application is approved upon the following conditions being satisfied:

1. That no more than five percent (5%) of the individual hotel units in the hotel shall be occupied by the same individuals for more than six (6) consecutive months. Those units must be specifically designated by the owner upon completion of the project. The designation of the units may be modified if approved by the City Manager or her designee.
2. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said site plan is to include, among other things, but not be limited

thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences and landscaping.

3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Blue View at Doral," as prepared by Bruce Howard & Associates, Inc., consisting of 17 sheets and dated received June 7, 2004.

4. That the applicant proffers a Declaration of Restriction acceptable to the City restricting the use on the property to apartment hotel us.

5. That the use established and maintained in accordance with the approved plan.

6. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use and Occupancy.

7. That the applicant obtain a Certificate of Use and Occupancy from (and promptly renew the same annually with) the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

8. That the applicant comply with all applicable Department of Environmental Resources Management (DERM), Public Works Department and Fire Department regulations.

9. That a Public Works permit is required for construction and curve cuts in the public right-of-way.

**WHEREAS**, a motion to approve the application was offered by Councilman

DiPietro, who moved its adoption. The motion was seconded by Councilwoman

Ruiz and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	absent
Vice Mayor Peter Cabrera	yes
Councilmember Michael DiPietro	yes
Councilwoman Sandra Ruiz	yes
Councilmember Robert Van Name	yes

**NOW, THEREFORE BE IT RESOLVED** by the City of Doral Council, upon proper consideration and findings that the application, with conditions, has met the standards and hereby approves the Application of Blue View, LLC.

If any section, part of section, paragraph, clause, phrase or word of this Resolution is declared invalid, the remaining provisions of this Resolution shall not be affected.

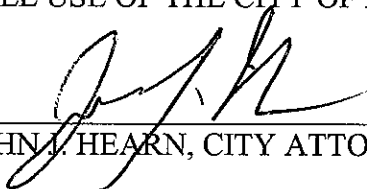
PASSED AND ADOPTED this 28<sup>th</sup> day of July, 2004.

  
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

  
SHEILA PAUL, CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE  
SOLE USE OF THE CITY OF DORAL:

  
JOHN J. HEARN, CITY ATTORNEY