

RESOLUTION NO. Z-04-12

WHEREAS, MICC VENTURES applied for the following:

Vested Rights Determination on a portion of Tract A of "Park At MICC", PB 157 PG 25

SUBJECT PROPERTY: A portion of TRACT "A" of PARK AT MICC" as recorded in Plat Book 157 Page 25 of the Public Records of Miami-Dade County, Florida and being more particularly described as follows:

Beginning at the Northwest corner of said Tract "A"; Thence: South 90°00'00" East along the North line of said Tract "A", a distance of 98.49 feet to a point on the arc of a circular curve, concave to the Southwest, having a radius of 40.00 feet and a radial bearing of N37°21'31"E; Thence: Easterly and Southerly through a central angle of 52°38'29" an arc distance of 36.75 feet to the Point of Tangency; Thence: South 00°00'00" East, a distance of 11.18 feet, to the Point of Curvature of a circular curve, concave to the East, having a radius of 256.29 feet; Thence: Southerly and Easterly along said curve through a central angle of 16°44'17", an arc distance of 74.87 feet; Thence: South 16°44'17" East, a distance of 41.08 feet, to a point of curvature of a circular curve, concave to the Northwest, having a radius of 36.63 feet; Thence: Southerly and Westerly along said curve, through a central angle of 72°40'56", an arc distance of 46.67 feet to the Point of Tangency; Thence: South 55°56'39" West, a distance of 113.77 feet; Thence: South 88°35'02" West, a distance of 21.63 feet; Thence: North 01°24'58" West, a distance of 261.35 feet to the Point of Beginning.

Said lands lying and being in the City of Doral, Miami-Dade County, Florida and containing 28,033 square feet (0.6435 acres) more or less.

LOCATION: Southwest corner of NW 79 Avenue and NW 25th Street, Doral, Florida

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, it is the opinion of this Council that the requested vested rights determination would be compatible with the neighborhood and area concerned, it is consistent with the City of Doral Comprehensive Plan, and would not be in conflict with the principle and intent of the plan for the development of the City of Doral, Florida, and should be approved; and

WHEREAS, a motion to approve the application for a total of 17 additional trips was offered by Councilwoman Ruiz, who moved its adoption. The motion was second by Vice Mayor Cabrera and upon being put to a vote, the vote was as follows:

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

NOW THEREFORE BE IT RESOLVED by the City of Doral Council that based on the development actions and approval history put into evidence by the applicant it finds that the applicant has met the standards for vested rights and the vested rights is hereby GRANTED.

BE IT FURTHER RESOLVED that the denial of waiver of plat D-21670 is hereby reversed. The City finds that the subject property is vested for 17 additional trips.

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.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the City of Doral and the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 26th day of May 2004.


JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:


SHEILA PAUL, CMC, CITY CLERK

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


JOHN J. HEARN, ESQ., CITY ATTORNEY