

RESOLUTION No. 18-93

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A SPECIAL EXCEPTION APPLICATION TO PERMIT THE SALE OF NEW AND USED AUTOMOBILE DEALERSHIP ON APPROXIMATELY .78+/- ACRE PARCEL OF LAND THEORETICALLY LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF NW 97 AVENUE AND NW 12 STREET, IN ACCORDANCE WITH SECTION 74-152(5) OF THE LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on March 21st, 2018, the Mayor and City Council adopted Ordinance No. 2018-02, Amending Section 74-152 of the Land Development Code establishing new regulations to permit the sale of new and used automobiles on sites between three-quarter (3/4) and two net acres; and

WHEREAS, Section 74-152(5) of the Land Development Code requires that new and used automobile dealerships located in less than two-acres be approved by the governing body through special exception and meet other corresponding requirements of the Code; and

WHEREAS, the Easton Real Estate Holdings, LLC (the Applicant) and owner of the property is requesting approval of this special exception to permit a new and used automobile dealership in a parcel of land theoretically located on the southwest corner of the intersection of NW 97th Avenue and NW 12th Street, as legally described in Exhibit A, in accordance with Section 74-152(5) of the Land Development Code; and

WHEREAS, upon due and proper consideration given to this request, the City Council is approving this special exception application.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:**

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. Decision. The special exception requested by the Applicant to permit a new and used automobile dealership in a parcel of land theoretically located on the southwest corner of the intersection of NW 97th Avenue and NW 12th Street, as legally described in Exhibit A, in accordance with Section 74-152(5) of the Land Development Code, is hereby approved.

Section 3. Implementation. The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purposes and provisions of this Resolution.

Section 4. Effective Date. This Resolution shall become effective upon its passage and adoption by the City Council and is binding on all successors and assigns.

The foregoing Resolution was offered by Vice Mayor Rodriguez who moved its adoption. The motion was seconded by Councilmember Mariaca and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Ana Maria Rodriguez	Yes
Councilman Pete Cabrera	Not Present at Time of the Vote
Councilwoman Christi Fraga	Yes
Councilwoman Claudia Mariaca	Yes

PASSED AND ADOPTED this 23 day of May, 2018.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, CMC
CITY CLERK

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



WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.
CITY ATTORNEY

EXHIBIT “A”

Exhibit A
Legal Description

A portion of the southeast $\frac{1}{4}$ of Section 32, Township 53 South, Range 40 East, Miami-Dade County, Florida being more particularly described as follows:

Begin at the intersection of the southerly right of way line of N.W. 12th Street as shown on the plat of "International Corporate Park Section 4" as recorded in Plat Book 150 at Page 79 with the westerly right of way line of N.W. 97th Avenue as recorded in Official Records Book 17500 at Page 3719 both of the Public Records of Dade County, Florida; Thence south 89 degrees 54 minutes 42 second west, along said southerly right of way line of N.W. 12th Street, for 179.09 feet to a point of curvature; thence continue along said southerly right of way line along a circular curve to the left having a radius of 1960.00 feet and a central angle of 00 degrees 36 minutes 41 seconds for an ARC distance of 20.91 feet; thence south 00 degrees 05 minutes 18 seconds east for 179.74 feet; thence north 89 degrees 54 minutes 42 seconds east, along the northerly line of a 100 foot railroad right of way as recorded in Official Records Book 4357 at 18 minutes 29 seconds east, along said westerly right of way line of N.W. 97th Avenue, for 180.98 feet to the point of beginning.

I hereby certify: that this "boundary survey" of the property described hereon is true and correct to the best of my knowledge and belief as recently surveyed and drawn under my supervision and direction. This survey complies with the minimum technical standards adopted by the Florida State Board of Surveyors and Mappers pursuant to Chapter 5J-17, Florida Administrative Code.