

**RESOLUTION NO. 16-\_\_**

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING VARIANCE APPLICATION FOR SIGNAGE FOR PETERSON'S HARLEY- DAVIDSON SOUTH LOCATED AT 19825 SOUTH DIXIE HIGHWAY, TO PERMIT A MONUMENT SIGN TO BE 137.7 SQUARE FEET WHERE 48 SQUARE FEET IS ALLOWED; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, D & D Realty, LLC (the "Applicant") has submitted a variance application to permit a 137.7 square foot monument sign where 48 square feet is allowed per Section 3-114 (3) of the Town Code; and

**WHEREAS**, the proposed sign will replace the existing pole sign; and

**WHEREAS**, public notice was provided in accordance with law; and

**WHEREAS**, after a duly noticed public hearing, the Town Council, based upon competent substantial evidence in the record, found that the Application met the requirements of the Town Code and is consistent with the Town's Comprehensive Plan; and

**WHEREAS**, the Town Council finds that this Resolution is in the best interest and welfare of the residents of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:**

**Section 1.    Recital.** The above recitals are true and correct and are incorporated herein by this reference.

**Section 2.    Approval.** The Town Council, after review of competent substantial evidence in the record and a duly noticed public hearing, hereby approves the variance application to permit a 137.7 square foot monument sign.

**Section 3.    Violation.** Failure to adhere to the terms of this approval shall be considered a violation of the Town Code. Penalties for such violation shall be as prescribed by the Town Code, which include, but are not limited to, the revocation of the approval granted by this Resolution.

**Section 4.    Effective Date.** This Resolution shall take effect immediately upon enactment.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
PEGGY R. BELL  
Mayor

Attest:

\_\_\_\_\_  
Town Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE  
SOLE USE OF THE TOWN OF CUTLER BAY:

\_\_\_\_\_  
WEISS SEROTA HELFMAN  
COLE & BIERMAN, P.L  
Town Attorney

Moved By: \_\_\_\_\_  
Seconded By: \_\_\_\_\_

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell \_\_\_\_\_  
Vice Mayor Sue Ellen Loyzelle \_\_\_\_\_  
Council Member Mary Ann Mixon \_\_\_\_\_  
Council Member Michael P. Callahan \_\_\_\_\_  
Council Member Roger Coriat \_\_\_\_\_