

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

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION FOR SIGNAGE FOR BURLINGTON LOCATED AT 19191 SOUTH DIXIE HIGHWAY, TO PERMIT A WALL SIGN TO BE 179 SQUARE FEET WHERE 60 SQUARE FEET IS ALLOWED; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Equity One Portfolio Inc., (the “Applicant”) has submitted a variance application on property located at 19191 South Dixie Highway to permit a 179 square foot wall sign where 60 square feet is allowed per Section 3-114 B (3) of the Town Code; 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 179 square foot wall sign where the code allows 60 square feet.

**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 \_\_\_\_\_