

RESOLUTION NO. 17-__

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL
OF THE TOWN OF CUTLER BAY, FLORIDA,
APPROVING A VARIANCE APPLICATION FOR
SIGNAGE FOR PETERSON'S HARLEY- DAVIDSON
SOUTH LOCATED AT 19825 SOUTH DIXIE HIGHWAY,
TO PERMIT A MONUMENT SIGN TO BE 75 SQUARE
FEET WHERE 40 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 75 square foot monument sign where 40 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 75 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 October, 2017.

PEGGY R. BELL
Mayor

Attest:

DEBRA E. EASTMAN, MMC
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 _____