

RESOLUTION NO. 18-__

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL
OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING
A VARIANCE APPLICATION FOR ROSS STORES INC.,
LOCATED AT 18437 S. DIXIE HIGHWAY, TO PERMIT
FOUR (4) BANNER SIGNS TO BE FORTY EIGHT (48)
SQUARE FEET WHERE SIXTEEN (16) SQUARE FEET IS
PERMITTED; AND PROVIDING FOR AN EFFECTIVE
DATE.**

WHEREAS, Ross Stores, Inc. (the “Applicant”) has submitted to the Town of Cutler Bay (the “Town”) in accordance with Section 3-36 of the Town Code of Ordinances (the “Code”) a variance application (the “Application”) for property located at 18437 South Dixie Highway (the “Property”) to permit four (4) banner signs to be forty-eight (48) square feet where Section 3-119(d) of the Town Code allows for banner signs to be sixteen (16) square feet; and

WHEREAS, the proposed banner signs will not replace any existing signs at the Property; and

WHEREAS, Section 3-119(d) of the Town Code permits four (4) banner signs annually at sixteen (16) square feet each; 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, finds that the Application meets 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 Application to permit four (4) banner signs to be forty eight (48) square feet at the Property where the Town Code permits sixteen (16) 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 adoption.

PASSED AND ADOPTED this _____ day of July, 2018.

Attest:

PEGGY R. BELL
Mayor

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	_____