

RESOLUTION NO. 18-____

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL
OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING
A VARIANCE APPLICATION FOR SIGNAGE FOR
PLANET FITNESS, LOCATED AT 19151 SOUTH DIXIE
HIGHWAY, TO PERMIT A WALL SIGN TO BE 145.83
SQUARE FEET WHERE 60 SQUARE FEET IS ALLOWED;
AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Equity One (Florida Portfolio), LLC. (the “Applicant”) has submitted a variance application (the “Application”) to the Town of Cutler Bay (“Town”) for property located at 19151 South Dixie Highway (the “Property”) to permit one (1) wall sign to be one hundred forty five point eight three (145.83) square feet where Section 3-114(B) of the Town Code allows for wall signs to be sixty (60) square feet; and

WHEREAS, the proposed wall sign will replace an existing sign at the Property; 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 one (1) wall sign to be one hundred forty five point eight three (145.83) 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 October, 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 _____