



Legislation Details (With Text)

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**File created:** 6/13/2018    **In control:** Town Council

**On agenda:** 6/20/2018    **Final action:** 6/20/2018

**Title:** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE IV, DISTRICTS AND DEVELOPMENT STANDARDS, SEC. 3-60(4) OF THE TOWN CODE RELATING TO THE MINIMUM PERCENTAGE REQUIRED FOR BUILDING FRONTAGE FOR 1622 INVESTMENT CORP GENERALLY LOCATED SOUTHWESTERLY OF CARIBBEAN BOULEVARD AND U.S. 1 EXTENDING A DISTANCE OF 917.27 FEET (FOLIO NOS. 36-6007-000-0333, 36-6007-000-0334, 36-6007-000-0330, 36-6007-000-0336); AND PROVIDING FOR AN EFFECTIVE DATE. V-2016-021(a)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Manager Memo-1622 Investment Corp Frontage Variance, 2. Manager Memo-Attachment A-Town Consultant Report, 3. Manager Memo-Attachment B-Variance Application, 4. Manager Memo-Attachment C-Ad Courtesy Notice Posting, 5. Resolution-Approving 1622 Investment Corp Frontage Variance

Date	Ver.	Action By	Action	Result
6/20/2018	1	Town Council	adopted	Pass

# MEMORANDUM

To: Honorable Mayor and Town Council

From: Rafael G. Casals, ICMA-CM, CFM, Town Manager

Date: June 20, 2018

Re: 1622 Investment Corp -Variances V-2016-021(a) thru (g)

## REQUESTS

### **V-2016-021(a)**

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE IV, DISTRICTS AND DEVELOPMENT STANDARDS, SEC. 3-60(4) OF THE TOWN CODE RELATING TO THE MINIMUM PERCENTAGE REQUIRED FOR BUILDING FRONTAGE FOR 1622 INVESTMENT**

**CORP GENERALLY LOCATED SOUTHWESTERLY OF CARIBBEAN BOULEVARD AND U.S. 1 EXTENDING A DISTANCE OF 917.27 FEET (FOLIO NOS. 36-6007-000-0333, 36-6007-000-0334, 36-6007-000-0330, 36-6007-000-0336); AND PROVIDING FOR AN EFFECTIVE DATE.**

**V-2016-021(b)**

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE IV, DISTRICTS AND DEVELOPMENT STANDARDS, SEC. 3-60(4) OF THE TOWN CODE RELATING TO THE FRONT (MINIMUM/MAXIMUM) PRINCIPAL STRUCTURE SETBACKS FOR 1622 INVESTMENT CORP GENERALLY LOCATED SOUTHWESTERLY OF CARIBBEAN BOULEVARD AND U.S. 1 EXTENDING A DISTANCE OF 917.27 FEET (FOLIO NOS. 36-6007-000-0333, 36-6007-000-0334, 36-6007-000-0330, 36-6007-000-0336); AND PROVIDING FOR AN EFFECTIVE DATE.

**V-2016-021(c)**

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE IV, DISTRICTS AND DEVELOPMENT STANDARDS, SEC. 3-60(4) OF THE TOWN CODE RELATING TO THE REAR PRINCIPAL STRUCTURE SETBACKS FOR 1622 INVESTMENT CORP GENERALLY LOCATED SOUTHWESTERLY OF CARIBBEAN BOULEVARD AND U.S. 1 EXTENDING A DISTANCE OF 917.27 FEET (FOLIO NOS. 36-6007-000-0333, 36-6007-000-0334, 36-6007-000-0330, 36-6007-000-0336); AND PROVIDING FOR AN EFFECTIVE DATE.

**V-2016-021(d)**

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE VI. - ARCHITECTURE AND FORM STANDARDS, SEC. 3-80(U) OF THE TOWN CODE RELATING TO NONRESIDENTIAL AND MIXED-USE DEVELOPMENTS FOR 1622 INVESTMENT CORP GENERALLY LOCATED SOUTHWESTERLY OF CARIBBEAN BOULEVARD AND U.S. 1 EXTENDING A DISTANCE OF 917.27 FEET (FOLIO NOS. 36-6007-000-0333, 36-6007-000-0334, 36-6007-000-0330, 36-6007-000-0336); AND PROVIDING FOR AN EFFECTIVE DATE.

**V-2016-021(e)**

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE X. - OFF-STREET PARKING AND LOADING AREAS, SEC. 3-144 OF THE TOWN CODE RELATING TO THE REQUIRED NUMBER OF PARKING SPACES FOR 1622 INVESTMENT CORP GENERALLY LOCATED SOUTHWESTERLY OF CARIBBEAN BOULEVARD AND U.S. 1 EXTENDING A DISTANCE OF 917.27 FEET (FOLIO NOS. 36-6007-000-0333, 36-6007-000-0334, 36-6007-000-0330, 36-6007-000-0336); AND PROVIDING FOR AN EFFECTIVE DATE.

**V-2016-021(f)**

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE X. - OFF-STREET PARKING AND LOADING AREAS, SEC. 3-147 OF THE TOWN CODE RELATING TO OFF-STREET LOADING REQUIREMENTS FOR 1622 INVESTMENT CORP GENERALLY LOCATED SOUTHWESTERLY OF CARIBBEAN BOULEVARD AND U.S. 1 EXTENDING A DISTANCE OF 917.27 FEET (FOLIO NOS. 36-6007-000-0333, 36-6007-000-0334, 36-6007-000-0330, 36-6007-000-0336); AND PROVIDING FOR AN EFFECTIVE DATE.

**V-2016-021(g)**

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE VII, LANDSCAPING AND TREE PRESERVATION, SEC. 3-102 OF THE TOWN CODE RELATING TO THE LANDSCAPING REQUIRED FOR SURFACE PARKING AREAS AND BUILDING PERIMETERS FOR 1622 INVESTMENT CORP GENERALLY LOCATED SOUTHWESTERLY OF CARIBBEAN BOULEVARD AND U.S. 1 EXTENDING A DISTANCE OF 917.27 FEET (FOLIO NOS. 36-6007-000-0333, 36-6007-000-0334, 36-6007-000-0330, 36-6007-000-0336); AND PROVIDING FOR AN EFFECTIVE DATE.**

**APPLICATION SUMMARY**

Applicant/Representative: 1622 Investment Corp.

Location: Southwesterly of Caribbean Blvd and US 1 extending a distance of 917.27 ft

Total Acreage/Square Feet: 1.05 +/- Acres

Building Size/Square Feet: 3 buildings proposed with a total of 18,182 s.f.

Current Future Land Use

Plan Map Designation: Town Center

Existing Zoning/ Site

Condition: Town Center Sub-District

Folio Number: 36-6007-000-0333, 36-6007-000-0334, 36-6007-000-0330,  
36-6007-000-0336

Legal Description: This land referred to herein below is situated in the County of Miami-Dade, State of Florida, and is described as follows:

**PARCEL 1:**

A Parcel of land lying in the NW ¼ of the NE ¼ of Section 7, Township 56 South, Range 40 East, Miami-Dade County, Florida Being Particularly described as follows:

Commence at the Southwest corner of the NW ¼ of the NE ¼ of said Section 7; Thence run S00°07'19"E along the West boundary of the SW ¼ of the NE ¼ of said Section 7 for a distance of 485.24 feet to the Point of Intersection with the Northwesterly Right-Of-Way boundary of State Road No. 5; Thence run N42°15'01"E along the last described line for a distance of 910.00 feet to the Point of Beginning of the Parcel of land hereinafter to be described; Thence on the last described course for a distance of 172.27 feet to a Point; Thence run N47°44'59"W for a distance of 50.00 feet to the Point of Intersection with the Southeasterly Right-Of-Way boundary of the Florida East Coast Railway; Thence run S42°15'01"W along the last described line a distance of 172.27 feet to a point, said point being 855.19 feet Northeasterly as measured along Southeasterly Right-Of-Way boundary of said Florida East Coast Railway from the West boundary of the SW ¼ of the NE ¼ of said Section 7; Thence run S47°44'59"E a distance of 50.00 feet to the Point of Beginning.

PARCELS 2 AND 3:

A Parcel of land lying in the NE ¼ of Section 7, Township 56 South, Range 40 East, Miami-Dade County, Florida more particularly described as Follows:

Commence at the Northwest corner of the SW ¼ of the NE ¼ of said Section 7; Thence run S00°07'19"E along the Westerly line of the SW ¼ of the NE ¼ of said Section 7 for a distance of 411.05 feet to a point on the Southeasterly Right-Of-Way line of the Florida East Coast Railroad; Thence run N42°15'01"E along the Southeasterly Right-Of-Way line of the Florida East Coast Railroad for a distance of 1332.46 feet to the Point of Beginning of the parcel of land hereinafter to be described; Thence continue along the last mentioned course, (The Southeasterly Right-Of-Way of Florida East Coast Railroad) for a distance of 440 feet to a point on the South Right-Of-Way Line of Caribbean Blvd., Thence run N47°44'59"W for a distance of 50 feet to a point of the Northwesterly Right-of-Way Line of State Road No. 5 (U.S. Highway No. 1); Thence run N42°15'01"E along the Northwesterly Right-of-Way line of said State Road No. 5 for a Distance of 440 feet to a point; Thence run N47°44'59"W for a distance of 50 feet to the Point of Beginning;

Less that portion of the above-described property deeded to Miami-Dade County, Florida which is more particularly described as Follows:

That Area Bounded by the Northwesterly Right-Of-Way Line of State Road No. 5 (US No. 1) as shown on State Road Right-Of-Way Map in the NE ¼ of Section 7, Township 56 South, Range 40 East, and recorded in Plat Book 83, at Page 51, of the Public Records of Miami-Dade County, Florida, and bounded by the Southwesterly Right-Of-Way of Caribbean Boulevard as shown on the Right-Of-Way Deed, dated October 16, 1957 and recorded in Official Records Book 2195, at Page 436, of the Public Records of Miami-Dade County, Florida, and bounded by 25 foot radius arc concave to the West, said arc being tangent to Both of the Last Described Lines.

PARCEL 4:

A Parcel of land lying in the NW ¼ of the NE ¼ of Section 7, Township 56 South, Range 40 East, Miami-Dade County, Florida, more particularly described as follows:

Commencing at the Northwest corner of the SW ¼ of the NE ¼ of said Section 7; thence run S00°07'19"E along the Westerly line of the SW ¼ of the NE ¼ of said Section 7, a distance of 411.05 feet; Thence run N42°15'01"E along the Southeasterly Right-Of-Way line of the Florida East Coast Railway a distance of 1027.46 feet to the Point of Beginning of the Parcel of land hereinafter to be described; Thence continue along the last mentioned course, along the Southeasterly Right-Of-Way of the Florida East Coast Railway a distance of 305 feet; Thence run S47°44'59"E for a distance of 50 feet to a Point on the Northwesterly Right-Of-Way line of State Road No. 5, also known as Dixie Highway; Thence run S42°15'01"W along the Northwesterly Right-Of-Way line of said State Road No. 5, a distance of 305 feet; Thence run N47°44'59"W for a distance of 50 feet to the Point of Beginning.

**RECOMMENDATION**

On September 16, 2016 Staff assigned Town Consultant Calvin, Giordano and Associates the task of reviewing the proposed variance.

Enclosed please find Town Consultants findings (*Attachment "A"*) with a recommendation of **approval** for the proposed variance to the Town Land Development Regulations.

**Attachments:**

- Attachment "A" - Town Consultant Report
- Attachment "B" - Variance Application
- Attachment "C" - Advertisement, Courtesy Notice, and Posting