

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2020-31

A RESOLUTION OF THE CITY COMMISSION GRANTING CONDITIONAL USE APPROVAL PURSUANT TO ZONING CODE ARTICLE 4, "ZONING DISTRICTS," SECTION 4-206, "BUSINESS IMPROVEMENT OVERLAY DISTRICT (BIOD)", TO PERMIT OUTDOOR SEATING FRONTING MIRACLE MILE FOR A NONRESTAURANT FACILITY WOLFE'S WINE SHOPPE ON PROPERTY LEGALLY DESCRIBED AS LOTS 16 AND 17, BLOCK 3 OF CRAFTS SECTION (124 MIRACLE MILE); INCLUDING REQUIRED CONDITIONS; PROVIDING FOR SEVERABILITY, REPEALER, AND AN EFFECTIVE DATE.

WHEREAS, an Application was submitted requesting conditional use review to allow tables and chairs for sidewalk seating on Miracle Mile for a non-restaurant facility on property zoned Commercial (C) District legally described as lots 16 and 17, Block 3 of Crafts Section (124 Miracle Mile), Coral Gables, Florida; and

WHEREAS, the Application requires City of Coral Gables conditional use review and public hearing consideration pursuant to the Zoning Code Article 4, "Zoning Districts," Section 4-206, "Business Improvement Overlay District"; and

WHEREAS, after notice of public hearing was duly published and notifications of all property owners of record within one-thousand (1,000) feet, a public hearing was held before the Planning and Zoning Board of the City of Coral Gables on January 8, 2020, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the Planning and Zoning Board's January 8, 2020 meeting, the Board recommended approval regarding the proposed conditional use (vote: 6-0); and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one-thousand (1,000) feet, a public hearing was held before the City Commission on January 28, 2020, at which hearing this item was presented and all interested persons were afforded the opportunity to be heard; and

WHEREAS, the City Commission on January 28, 2020, approved the requested conditional use (vote: 5-0); and

WHEREAS, public hearings have been completed as indicated herein by the Coral Gables City Commission in consideration of a request for conditional use review as required by the Zoning Code and including careful consideration of written and oral comments by members of the public;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES THAT:

SECTION 1. The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of the Resolution upon adoption hereof.

SECTION 2. The proposed conditional use review to allow tables and chairs for open-air seating on Miracle Mile for a non-restaurant facility on property legally described as lots 16 and 17, Block 3 of Crafts Section (124 Miracle Mile), Coral Gables, Florida, Coral Gables, Florida, shall be and is hereby approved.

SECTION 3. That the applicant shall further be required to comply with all applicable zoning regulations and any changes to the application herein granted shall be in conformance with the requirements of Zoning Code Section 3-410, “Changes to conditional use approvals”.

SECTION 4. This Resolution by the City of Coral Gables does not in any way create any right on the part of an applicant to obtain a permit from a county, state or federal agency. Likewise, this Resolution does not create any liability on the part of the City of Coral Gables for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a county, state or federal agency, or if the applicant undertakes actions that result in a violation of county, state or federal law. In addition, as a condition of this approval, all county, state and federal permits must be obtained before commencement of the development.

SECTION 5. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-EIGHTH DAY OF JANUARY, A.D., 2020.
(Moved: Keon / Seconded: Lago)
(Yeas: Lago, Mena, Fors, Jr., Valdes-Fauli)
(Unanimous: 5-0 Vote)
(Agenda Item: F-6)

APPROVED:




RAUL VALDES- FAULI
MAYOR

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS
CITY ATTORNEY

ATTEST:



BILLY Y. URQUIA
CITY CLERK