

VILLAGE OF EL PORTAL, FLORIDA

RESOLUTION NO 2021-08

A RESOLUTION OF THE VILLAGE COUNCIL OF EL PORTAL, FLORIDA, GRANTING SPECIAL EXCEPTION FOR AN ALCOHOL BEVERAGE SERVICE ESTABLISHMENT WITHIN THE APPROVED RECREATIONAL FACILITY AT 533 NE 83RD STREET IN ZONE 5, URBAN CENTER ZONE, IN THE VILLAGE OF EL PORTAL KNOWN AS “SKATE PARK” ON APPLICATION BY THE DECK MIAMI, LLC: PROVIDING FOR FINDINGS, PROVIDING FOR CONDITIONS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application for Special Exception for an alcohol beverage service establishment known as “Skate Park” has been submitted by The Deck Miami, LLC (“Applicant”) pursuant of Section 17.59 of the Village of El Portal Code of Ordinances; and

WHEREAS, the recreational facility is located in Transect Zone 5 – Urban Center Zone of the Village of El Portal and consists of higher density mixed-use building types that accommodate retail and office uses, rowhouses and apartments; and

WHEREAS, in accordance with Chapter 24, Appendix B, Article III, Uses: Zone 5 Standards-Urban Center, d. Commercial-Alcohol Beverage Establishment of the El Portal Code of Ordinances, in order to proceed with the proposed development, the application requests a special exception; and,

WHEREAS, in accordance with Section 17-64 of the Village Code, the Planning and Zoning Committee held a public hearing on May 11, 2021 at 7:30 P.M. at Village Hall, 500 N.E. 87th Street, El Portal, Florida 33138, which conducted a public hearing and recommended approval of the application to the Village Council; and

WHEREAS, in accordance with Section 17-64 of the Village Code, the Village Council noticed a public hearing for May 25, 2021 at 7:00 P.M. at Village Hall, 500 N.E. 87th Street, El

Portal, Florida 33138 and all interested parties have had the opportunity to address their comments to the Village Council;

WHEREAS, the Village Council has considered the application, the requirements of Section 17-59 Requirements and Procedures for Site Plan and Special Exceptions of the Village of El Portal Code of Ordinances, the recommendation of the Planning and Zoning committee, comments from consultants, and public comments; and

WHEREAS, the Village Council finds that the proposed project has met the standards and conditions for approval of a special exception set forth in Section 17-59 Requirements and Procedures for Site Plan and Special Exceptions of the Village of El Portal Code of Ordinances; and

NOW THEREFORE, BE IT DULY RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals.

The foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are made a specific part of this Resolution.

Section 2. Approval of special exceptions.

The Village Council hereby grants and approves a Special Exception in accordance with the application therefore, subject to the following conditions:

A. Grant of this special exception does not in any way create a right on the part of the Applicant to obtain a permit from a state or federal agency and does not create liability on the part of the Village for approval if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of federal or state law; and

B. all applicable state and federal permits must be obtained before commencement of construction; and

C. this Resolution shall be recorded with the County Recorder’s Office, Miami-Dade County Clerk of the Court.

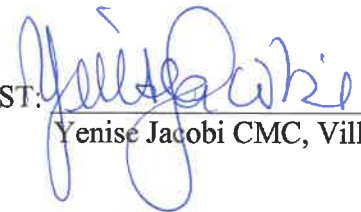
Section 3. Effective Date.

This Resolution shall take effect immediately upon adoption.

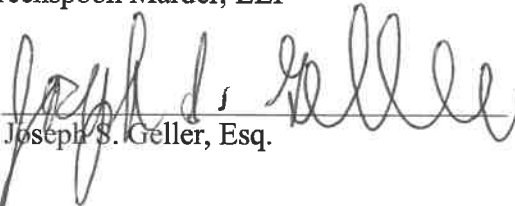
PASSED AND ADOPTED by the Village Council of the Village of El Portal Florida, this 25
day of May, 2021.



Omarr C. Nickerson, Mayor
Village of El Portal

ATTEST: 
Yenise Jacobi CMC, Village Clerk

Approved as to form and legal sufficiency:
Interim Village Attorney
Greenspoon Marder, LLP


By: 
Joseph S. Geller, Esq.

Vote:

Councilperson Lightfoot-Ward:	<input type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Councilperson Martin:	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Councilperson Pirela:	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Vice Mayor Urbom:	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Mayor Nickerson:	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)

Mot: Lightfoot-Ward 2nd: Martin

I, Yenise Jacobi, CMC, Village Clerk of the Village of El Portal, Miami-Dade County, Florida, do hereby certify that this is a true and correct copy of Resolution No.: 202108 adopted on May 25, 2021, as shown in the Official Records of the Village of El Portal, Miami-Dade County, Florida. Given under my hand and seal, this 25 day of May, 2021.


Yenise Jacobi
Village Clerk