

**RESOLUTION: \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FOLLOWING A DULY NOTICED PUBLIC HEARING, AS REQUIRED PURSUANT TO SECTION 82-93(B) OF THE CITY CODE, FINDING THAT THE CRITERIA FOR GRANTING A REVOCABLE PERMIT PURSUANT TO SECTION 82-94 OF THE CITY CODE HAS BEEN SATISFIED, FOLLOWING THE PUBLIC WORKS DEPARTMENT'S REVIEW AND RECOMMENDATION TO GRANT THE REVOCABLE PERMIT REQUEST AS SET FORTH IN THE COMMISSION MEMORANDUM ACCOMPANYING THIS RESOLUTION, AND HEREBY APPROVING A REVOCABLE PERMIT REQUEST BY THE TOWNLEY CONDO APTS. INC. (THE "APPLICANT" AND "OWNER") OF THE PROPERTY LOCATED AT 4010 NORTH MERIDIAN AVENUE, MIAMI BEACH, FOR THE INSTALLATION OF AN ALUMINUM FENCE SURROUNDING THE PROPERTY, AND ENCROACHING INTO THE CITY'S RIGHT-OF-WAY BY APPROXIMATELY 2 FEET ON THE SOUTHERLY SIDE OF SAID PROPERTY ALONG WEST 40 STREET, THEN FOLLOWING THE RADIUS AT THE INTERSECTION OF WEST 40 STREET AND MERIDIAN AVENUE, THEN CONTINUING NORTHERLY AND ENCROACHING INTO THE RIGHT-OF-WAY BY APPROXIMATELY 10 FEET ALONG THE EASTERLY SIDE OF THE PROPERTY ALONG MERIDIAN AVENUE, FOR A TOTAL OF APPROXIMATELY 587 LINEAR FEET; AND FURTHER, AUTHORIZING THE CITY MANAGER TO EXECUTE THE REVOCABLE PERMIT.**

**WHEREAS**, Townley Condo Apts. Inc. (the "Applicant" and "Owner") of the property located at 4010 North Meridian Avenue, Miami Beach, is requesting a revocable permit for installation of an aluminum fence surrounding the property, and encroaching into the City's right-of-way, by approximately 2 feet on the southerly side of said property along west 40 street, then following the radius at the intersection of West 40th Street and Meridian Avenue, then continuing northerly and encroaching into the right-of way, by approximately 10 feet along the easterly side of the property along Meridian Avenue for a total of approximately 587 linear feet.

**WHEREAS**, the property is identified by Miami-Dade County as Folio No. 02-3222-025-0001 with the following legal description: Townley Condo Apts. Inc. 41 Street Business Sub PB 34-92 LOT 4 & ELY 10 FT LOT 3 BLK 3; and is located at 4010 North Meridian Avenue, Miami Beach; and

**WHEREAS**, pursuant to Section 82-93(a) of the City Code, notices of the public hearing have been mailed to owners of land lying within 375 feet of the existing permit area at least 15 days prior to the public hearing; and

**WHEREAS**, pursuant to Section 82-94 of the City Code, the City Commission shall review the revocable permit request and determine whether the request shall be granted or denied based upon the required criteria; and

**WHEREAS**, Public Works has analyzed and determined that the criteria contained in Sections 82-94 has been satisfied; a summary of the Public Works Department's review and recommendation to grant the revocable permit request is set forth in the Commission memorandum accompanying this Resolution, which memorandum is incorporated by reference herein.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA,** that the Mayor and City Commission of the City of Miami Beach, Florida, following a duly noticed public hearing, as required pursuant to Section 82-93(b) of the City Code, hereby find that the criteria for granting a revocable permit pursuant to Section 82-94 of the City Code has been satisfied, and consistent with the Public Works Department's review and recommendation to grant the revocable permit request as set forth in the Commission Memorandum accompanying this Resolution, the City Commission hereby approves a revocable permit request by the Townley Condo Apts. Inc. (the "Applicant" and "Owners") for the property located at 4010 North Meridian Avenue, Miami Beach, for the installation of an aluminum fence surrounding the property, and encroaching into the City's right-of-way by approximately 2 feet on the southerly side of said property along West 40 Street, then following the radius at the intersection of West 40 Street and Meridian Avenue, then continuing northerly and encroaching into the right-of-way by approximately 10 feet along the Easterly side of the property along Meridian Avenue, for a total of approximately 587 linear feet; and further, authorize the City Manager to execute the revocable permit.

**PASSED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**ATTEST:**

\_\_\_\_\_  
Dan Gelber, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

APPROVED AS TO FORM AND  
LANGUAGE AND FOR EXECUTION

  
\_\_\_\_\_  
City Attorney NK

7-12-22  
Date