

RESOLUTION NO. \_\_\_\_\_

**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 SET FORTH IN SECTION 82-94 OF THE CITY CODE HAS BEEN SATISFIED, AND APPROVING A REVOCABLE PERMIT REQUEST BY 420 LINCOLN ROAD DEVELOPMENT, LLC., OWNER OF THE PROPERTY LOCATED AT 420 LINCOLN ROAD, MIAMI BEACH, IN ORDER TO ALLOW THE INSTALLATION OF AN ELECTRIC SIGN ALONG DREXEL AVENUE THAT WILL ENCROACH APPROXIMATELY 3.05' BY 1' OVER THE PUBLIC RIGHT-OF-WAY; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE REVOCABLE PERMIT.**

**WHEREAS**, 420 Lincoln Road Development, LLC., (the "Applicant") is the owner of the property located at 1601 Drexel Avenue (the "Property") in Miami Beach, and is requesting a revocable permit to allow the encroachment of an electric sign along Drexel Avenue, that will encroach approximately 3.05' by 1' over the City's Right-of-Way; and

**WHEREAS**, this permit request is compliant with development approvals granted by the Planning Board ("PB") on May 23, 2017 and Historic Preservation Board ("HPB") on March 13, 2017 (the "Prior Orders"); and

**WHEREAS**, the Prior Orders approved the use of the Property as a restaurant to be operated by Time Out Market and, like all restaurants in Miami Beach, Time Out Market desires to provide signage on site so that patrons can recognize and locate the restaurant; and

**WHEREAS**, the approved sign design requires a 3.05' by 1' encroachment into the abutting public right-of-way along Drexel Avenue; and

**WHEREAS**, pursuant to Section 82-93(b), 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 following the public hearing; and

**WHEREAS**, the Public Works Department's review, and recommendation to grant the Permit request is set forth on the Commission Memorandum accompanying this Resolution, which Memorandum is incorporated by reference herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission, following a duly noticed public hearing, as required pursuant to Section 82-93(b) of the City Code, find that the criteria set forth in Section 82-94 of the City Code has been satisfied, and approve a Revocable Permit request by 420 Lincoln Road Development, LLC., owner of the property located at 420 Lincoln Road, Miami Beach, in order to allow the installation of an electric sign along Drexel Avenue that will encroach approximately 3.05' by 1' over the public right-of-way; and authorize the Mayor and City Clerk to execute the Revocable Permit.

**PASSED and ADOPTED** this 16<sup>th</sup> day of January, 2019.

**ATTEST:**

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

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Rafael E. Granado, City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

*R. L. C.*  
City Attorney

1-2-19  
Date