

CITY OF MARGATE, FLORIDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARGATE,
FLORIDA, DENYING AUTOMOBILE USES AT
1690 BANKS ROAD AND 1700 BANKS ROAD.

WHEREAS, on December 1, 2005, the City Commission of the City of Margate approved Ordinance RZ-1-2005 to rezone the properties located at 1690 Banks Road and 1700 Banks Road, from M-1A Industrial Park to M-1 Light Industrial; and

WHEREAS, at the September 13, 2005 Planning and Zoning Board meeting the rezoning application for 1690 Banks Road and 1700 Banks Road was reviewed. At those meetings the applicant made a representation that although the requested M-1 Light Industrial zoning district allowed auto uses such as sales, repair, body shop, and painting, the property owner would voluntarily prohibit auto uses at 1690 Banks Road and 1700 Banks Road if the rezoning was approved; and

WHEREAS, Section 3.3 of the Margate Zoning Code provides that any representation made before any city board, and administrative board, or the city commission in the application for a variance, special exception, conditional use or request for any other permit shall be deemed a condition of the granting of the permit. Should any representation be false or should said representation not be continued as represented, same shall be deemed a violation of the permit and a violation of this section; and

WHEREAS, on March 29, 2016 the property owner of 1690 Banks Road and 1700 Banks Road submitted a written affidavit requesting permission to utilize automobile uses at 1690 Banks Road and 1700 Banks Road. The supporting affidavit includes a provision that there will be no automobiles outside of the building with "Auto for Sale" signs.

WHEREAS, on April 20, 2016 and again on May 10, 2016, the City Commission denied the property owner's request to utilize automobile uses at 1690 Banks Road and 1700 Banks Road.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

SECTION 1: That the City Commission of the City of Margate, Florida, hereby denies the request to allow auto uses to operate at 1690 Banks Road and 1700 Banks Road by negating the voluntary restriction of the property owner to include auto uses at the aforementioned locations.

SECTION 2: That all representations by the applicant are incorporated as part of the conditions for this resolution.

SECTION 3: That this resolution shall become effective immediately upon its passage.

PASSED, ADOPTED AND APPROVED THIS _____ day of _____, 2017.

ATTEST:

JOSEPH J. KAVANAGH
CITY CLERK

MAYOR TOMMY RUZZANO

RECORD OF VOTE

Caggiano	_____
Simone	_____
Peerman	_____
Schwartz	_____
Ruzzano	_____