

CITY OF MARGATE, FLORIDA

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA, CLARIFYING THE CONDITIONS OF APPROVAL FOR A SPECIAL EXCEPTION USE THAT WAS GRANTED ON JANUARY 25, 2017 FOR PERMISSION TO BUILD A NEW GASOLINE SERVICE STATION IN THE TOC-C CORRIDOR ZONING DISTRICT, LOCATED AT 5485 WEST ATLANTIC BOULEVARD; PROVIDING FOR AN EFFECTIVE DATE.

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**WHEREAS**, the City Commission of the City of Margate approved with conditions a special exception use to permit a new gasoline service station within the TOC-C Corridor zoning district for Cumberland Farms, to be located at 5485 West Atlantic Boulevard; and

**WHEREAS**, Resolution 17-012 declares the approval of the special exception use for the Cumberland Farms gasoline service station, and Section 2 of Resolution 17-012 provides 21 conditions of approval; and

**WHEREAS**, the 18<sup>th</sup> condition of approval provided in Resolution 17-012 sets forth the following requirement, "Provide windows on the south façade of the building in the patio area;" and

**WHEREAS**, the applicant has submitted a building permit application and final site plans; and

**WHEREAS**, during the review of final site plans and building permit application, the applicant has provided faux windows on the plans submitted; and

**WHEREAS**, the applicant did not make clear the intention of installing faux windows on the south façade of the building during the quasi-judicial hearing, but has expressed concern of internal conflict with installing standard windows on this façade; and

**WHEREAS**, the applicant desires clarification from the City Commission of condition #18 as provided in Resolution 17-012; and

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

**SECTION 1:** The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2:** The City Commission hereby provides clarification of condition #18 of Resolution 17-012 to mean the applicant shall provide \_\_\_\_\_ windows on the south façade of the building in the patio area.

**SECTION 3:** This Resolution shall take effect immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

ATTEST:

\_\_\_\_\_  
JOSEPH KAVANAGH  
CITY CLERK

\_\_\_\_\_  
MAYOR ARLENE SCHWARTZ

**RECORD OF VOTE**

Peerman	_____
Simone	_____
Ruzzano	_____
Caggiano	_____
Schwartz	_____