

RESOLUTION NO. 22-19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, GRANTING THE REQUEST FOR VARIANCE PETITION #V 5-3-21, ATTACHED HERETO AS EXHIBIT “A” AND INCORPORATED HEREIN, FROM METROPOLITAN BAPTIST CHURCH OF MIAMI, FL LLC (OWNER) AND MATTAMY HOMES (PETITIONER) FOR THE PROPERTY GENERALLY LOCATED AT 8701 SHERIDAN STREET, APPROXIMATELY 1,300 FEET EAST OF PINE ISLAND ROAD IN COOPER CITY, FLORIDA, TO REDUCE THE MINIMUM LOT WIDTH FROM 60’ TO 50.6’, TO REDUCE THE INTERIOR SETBACK FROM 7.5’ TO 3’ FOR ONE SIDE, AND TO INCREASE THE MAXIMUM BUILDING COVERAGE FROM 33% TO 42% OF THE LOT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Metropolitan Baptist Church of Miami, FL, Inc., the owner, and Mattamy Homes, the petitioner, (collectively, the “Applicant”), filed an application for a variance (#V 5-3-21) from Section 23-34(c) of the City’s Code of Ordinances (the “Code”), to reduce the minimum lot width from 60’ to 50.6’; from Section 23-34(f)(3) of the Code to reduce the interior setback from 7.5’ to 3’ for one side; and from Section 23-34(d) of the Code to increase the maximum building coverage from 33% to 42% of the lot for the property generally located at 8701 Sheridan Street, approximately 1,300 feet east of Pine Island Road, Cooper City, Florida; and

WHEREAS, a Public Hearing on this request was held by the Planning & Zoning Board on May 2, 2022, after due notice of publication; and

WHEREAS, the Planning & Zoning Board has submitted to the City Commission their recommendation, a copy of which is included in the Staff Report attached hereto as Exhibit “B”, and recommends approval of the requested variance; and

WHEREAS, public notice was provided in accordance with law; and

WHEREAS, the City Commission has reviewed the Applicant's request and considered the recommendation of the Planning and Zoning Board and finds that granting the Applicant's request for a variance is in the best interests of the citizens and residents of the City.

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

Section 1: **Recitals Adopted.** That each of the above stated recitals is hereby adopted and confirmed.

Section 2: **Approval.** That the Applicant's request (#V5-3-21) is hereby approved and in accordance with Section 23-153 of the Code of Ordinances of the City of Cooper City, as reflected on Exhibit "A", attached hereto and made a part hereof by this reference, the following variance is granted for the property generally located at 8701 Sheridan Street, approximately 1,300 feet east of Pine Island Road in Cooper City:

- 1) Variance from Section 23-32(c) of the City code to reduce the minimum lot width from 60' to 50.6'.
- 2) Variance from Section 23-34(f)(3) of the City Code to reduce the side interior setback from 7.5' to 3' for one side only.
- 3) Variance from Section 23-34(d) of the City Code to increase the maximum building coverage from 33% to 42% of the lot.

Section 3: Issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the

permit 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 state or federal law.

Section 4. **Conflicts.** All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.

Section 5. **Severability.** If any section, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

Section 6. **Effective Date.** This Resolution shall become effective upon its passage and adoption by the City Commission.

PASSED AND ADOPTED this _____ day of _____, 2022.

GREG ROSS
Mayor

ATTEST:

TEDRA ALLEN
City Clerk

APPROVED AS TO LEGAL FORM:

OFFICE OF THE CITY ATTORNEY

ROLL CALL

Mayor Ross	_____
Commissioner Pulcini	_____
Commissioner Meltzer	_____
Commissioner Shrouder	_____
Commissioner Green	_____