

RESOLUTION NO. 26-Z- 222

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SUNNY ISLES BEACH, FLORIDA, APPROVING A SITE PLAN APPLICATION (PZ2025-15) SUBMITTED BY DEZER BLUE GRASS, LLC, FOR A TEMPORARY SALES CENTER CONSISTING OF A ONE STORY BUILDING WITH 4,480 SQUARE FEET OF FLOOR AREA RATIO (FAR); PROVIDING THE CITY MANAGER WITH THE AUTHORITY TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Dezer Blue Grass, LLC (“Applicant”) submitted a site plan application (PZ2025-15) (“Application”), to the City of Sunny Isles Beach, Florida (“City”), for a temporary sales center to be located at the following property:

LEGAL: The North 100 Feet of Tract “O”, and also the South 100 Feet of the North 200 Feet of Tract “O”, North Biscayne Beach Amended, according to the Plat thereof recorded in Plat Book 44, Page 42 of the Public Records of Miami-Dade County, Florida, the foregoing being the same property previously submitted to condominium in the Declaration of Condominium of Blue Grass Beach Club, a motel condominium, recorded in Official Records Book 12326, Page 1959 of the Public Records of Miami-Dade County, Florida.

ADDRESS: 18325 Collins Avenue, Sunny Isles Beach

FOLIO: 31-2202-003-0220

WHEREAS, the Applicant’s site plan application requests the following:

1. Pursuant to Section §265-18 of the City of Sunny Isles Beach Land Development Regulations, a site plan approval for a one-story temporary sales center with 4,480 square feet of floor area.
2. Pursuant to Section §265-57 of the City of Sunny Isles Beach Land Development Regulations, the use of murals and graphics on a temporary construction fence; and

WHEREAS, on February 19, 2026, the City Commission conducted a public hearing on the Application; and

WHEREAS, the public hearing was duly advertised and held as required by law, all interested parties concerned with the matter were heard, and due and proper consideration was given to the matter and to the information contained in the City's Planning and Zoning Department Staff Report; and

WHEREAS, notice was provided to all interested parties regarding the Application; and

WHEREAS, the City Commission reviewed the Application, the written and oral recommendations of the Planning & Zoning Department, including the recommended conditions, and hereby finds competent substantial evidence to support a showing by the Applicant that the request for site plan approval is in compliance with the City's Land Development Regulations and the Comprehensive Plan, and maintains the basic intent and purpose of the zoning, subdivision or other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community, subject to the conditions described herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SUNNY ISLES BEACH, AS FOLLOWS:

Section 1. Incorporation of Recitals. The foregoing recital paragraphs are hereby ratified and confirmed as being true and the same are hereby made part of this Resolution.

Section 2. Findings and Conclusions. Based upon an analysis of the Application and the standards for approval of a site plan under the City's Land Development Regulations, and the Comprehensive Plan of the City, the City Commission hereby finds and concludes, that the Application is in compliance with the City's Land Development Regulations and the Comprehensive Plan of the City, and there is substantial competent evidence to support approval of the Application.

Section 3. Approval.

- A. The Applicant's request for a one-story temporary sales center with 4,480 square feet of floor area, is hereby approved, subject to all conditions set forth in Section 4, below.
- B. The Applicant's request for the use of murals and graphic designs on a temporary construction fence, is hereby approved, subject to all conditions set forth in Section 4, below.

Section 4. Conditions.

A. Conditions to be completed before below grade or building permits are issued.

- 1. That the plans be substantially in accordance with that submitted for public hearing, which are entitled "Miami Beach Club Sales Center", prepared by Cohen, Freedman, Encinosa & Associates Architects, PA, stamped received January 23, 2026, consisting of ten (10) sheets; survey prepared by Fortin, Leavy, Skiles, Inc., stamped received December 2, 2025, consisting of one (1) sheet; landscape plans entitled, "Miami Beach Club Sales Center," prepared by Enea Landscape Architecture, Inc., stamped received January 23, 2026, consisting of ten (10) sheets; civil plans entitled, "Civil Design Plans for Sales Center – Sunny Isles," prepared by Kimley Horn, stamped received January 23, 2026, consisting of thirteen (13) sheets.

2. Upon the submittal of an application for a building permit, the plans submitted shall be approved by the Planning and Zoning Department and be consistent with the specific site plan approved by the City Commission. Plans shall include all the required elements of the site plan pursuant to the City's Land Development Regulations and recommendations. Should compliance with recommendations result in a change that would not be considered "minor" in accordance with Section 265-18 of the City Code; the Applicant shall be required to obtain another approval of the City Commission.
3. That the Applicant complies with all conditions and permit requirements, including but not limited to, Miami-Dade County DERM, Florida Department of Transportation (FDOT), the Miami-Dade County Fire Department (MDFD), Water and Sewer Departments, etc.
4. That the Applicant shall submit an updated Demolition and Construction Staging and Traffic Management Plan, before commencing any construction activity. The staging plan shall provide a schedule of activities such as, parking arrangements, lane closures, sidewalk closures, any other required activity that may provoke an impact at the surrounding areas. The staging plan shall include arrangements to mitigate against construction trucks idling, driving through, or parking in the Golden Shores neighborhood. The parking arrangements set forth in the staging plan shall provide that construction personnel shall not park their private vehicles nor walk through the Golden Shores neighborhood to access the project. The staging plan should be approved administratively by the City Manager or designee.
5. That the Applicant shall address comments provided by the City's traffic consultants, Calvin, Giordano & Associates, Inc., regarding traffic issues per the memo dated February 5, 2026. All comments are to be addressed prior to issuance of building permit.
6. That the Applicant shall address comments provided by the City's civil engineering consultants, Calvin, Giordano & Associates, Inc., regarding civil issues per the memo dated February 5, 2026.
7. That palms along Collins Avenue be at least 12' clear-wood Medjool Palms or shall match adjacent palms' heights, to be consistent with the City Streetscape Master Plan.
8. If approved, the Applicant must submit a separate building permit prior to installation of murals or graphics on temporary construction fencing to be approved administratively by the City Manager or designee.
9. That the Applicant shall pay all fees related to the review of the application described herein and shall have paid all other fees due to the City.

B. Other Conditions

1. That the Applicant obtains a Certificate of Occupancy and a Certificate of Use from the City upon compliance with all terms and conditions. The Certificate of Occupancy and Certificate of Use shall be subject to cancellation upon violation of any of the conditions.
2. That the approved site plan shall remain valid for a period of 24-months from the date of the site plan modification approval. If no building permit is issued within the 24-month time period, the site plan shall be considered null and void and of no force and effect.
3. That the Applicant complies with all City Ordinances, County, State and Federal Laws and Regulations applicable to development and permit approvals.

NO BUILDING PERMIT SHALL BE ISSUED UNLESS THE APPLICANT HAS SUBMITTED ALL DOCUMENTS REFERRED TO UNDER THIS RESOLUTION AND SHALL HAVE PAID ALL IMPACT FEES, BONUSES AND PROFESSIONAL FEES (AS PER SECTION 267-4 OF THE CODE OF THE CITY OF SUNNY ISLES BEACH) AND ALL OTHER FEES DUE AND OWING PURSUANT TO THE APPLICABLE LAND DEVELOPMENT REGULATIONS, AND SHALL HAVE SUBMITTED PAYMENT TO THE CITY FOR ALL TRANSFER OF DEVELOPMENT RIGHTS, OR SHALL HAVE OTHERWISE PRODUCED EVIDENCE THAT THE PERMITTED PRIVATE DEVELOPMENT RIGHTS AS SET FORTH HEREINABOVE HAVE BEEN TRANSFERRED.

FAILURE BY THE CITY TO TIMELY ENFORCE ANY OF THE ABOVE CONDITIONS DOES NOT CONSTITUTE A WAIVER OF THE SAME AND IF THE APPLICANT, ITS SUCCESSORS, OR, ASSIGNS, DOES NOT PERFORM SUCH CONDITIONS WITHIN FIVE (5) DAYS AFTER WRITTEN NOTICE, THE CITY RETAINS THE RIGHT TO STOP CONSTRUCTION, IF NECESSARY, UNTIL THAT CONDITION IS MET. BY ACTING UNDER THIS APPROVAL, APPLICANT HEREBY CONSENTS TO ALL THESE TERMS AND CONDITIONS.

Section 5. Authorization of City Manager. The City Manager is hereby authorized to do all things necessary to effectuate this Resolution.

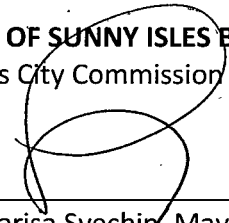
Section 6. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provisions and such holding shall not affect the validity of the remaining portions of this Resolution.

Section 7. Repealer. All Resolutions or parts of Resolutions in conflict herewith shall be and are hereby repealed.

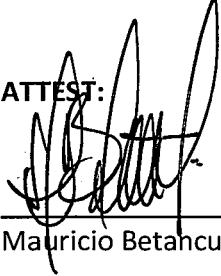
Section 8. Effective Date. This Resolution shall become effective upon adoption.

PASSED and ADOPTED this 19th day of February 2026.

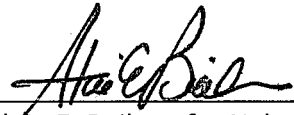
CITY OF SUNNY ISLES BEACH, FLORIDA
By its City Commission

By: 
Larisa Svechin, Mayor

ATTEST:


Mauricio Betancur, CMC, City Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


Alain E. Boileau for Nabors, Giblin
& Nickerson, P.A., City Attorney

Moved by: COMMISSIONER JOSEPH

Seconded by: COMMISSIONER LAMA

Vote:

Mayor Svechin
Vice Mayor Viscarra
Commissioner Joseph
Commissioner Lama
Commissioner Stuyvesant

(Yes) (No)
 (Yes) (No)
 (Yes) (No)
 (Yes) (No)
 (Yes) (No)