BEFORE THE COMMUNITY REDEVELOPMENT BOARD
CITY OF STUART, FLORIDA

RESOLUTION NUMBER 10-2020 CRA

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT BOARD OF THE CITY OF STUART, FLORIDA, GRANTING A MINOR URBAN CODE CONDITIONAL USE APPROVAL FOR PUBLIC ARTWORK (MURAL) NAMED 'HOUSE OF REFUGE' ON PROPERTY LOCATED AT 11 SE OSCEOLA STREET, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL TO PAINT MURAL ON THE EXTERIOR EASTERN WALL OF THE DEHON BUILDING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, pursuant to Section 3.01.08 of the Land Development Regulations of City of Stuart, Steven Vitali (The "Applicant") filed an application on September 18, 2020 for a Minor Urban Code Conditional Use permit to implement the public artwork (mural) project called "House of Refuge" on the exterior eastern wall of the Dehon Building located in the Urban Center (UC) zoning district within the City's Community Redevelopment Area (CRA); and

WHEREAS, the Community Redevelopment Board held a properly noticed hearing on October 6, 2020, to consider the application for public artwork (mural) as a conditional use; and

WHEREAS, at a public hearing the applicant has shown by substantial competent evidence that the proposed development does not create any detrimental effects on adjacent properties, within three hundred (300) feet of the proposed location; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMUNITY REDEVELOPMENT BOARD OF THE CITY OF STUART, FLORIDA that:

SECTION 1: Subject to the conditions attached hereto, the Community Redevelopment Board hereby grants a Minor Urban Code Conditional Use Approval to Steven Vitali, property owner, for mural located at 11 SE Osceola Street, Stuart, Florida. This conditional use is not assignable or transferable.

SECTION 2: A legal description of the Property is set forth in **"Exhibit A"** of this Resolution. A map depicting the property and location of the public artwork (mural) is attached hereto as **"Exhibit B"** and made a part hereof by reference; and

SECTION 3: The Applicant shall operate in accordance with all conditions set forth in **"Exhibit C"**, as attached.

SECTION 4: The Community Redevelopment Board approves the proposed mural rendering attached hereto as **"Exhibit D"** and shall be deemed as part of the development conditions.

SECTION 5: This resolution shall take effect immediately upon its adoption.

Board Member _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Board Member _____, and upon being put to a roll call vote, the vote was as follows:

	YES	NO	ABSENT	ABSTAIN
FRANK WACHA, CHAIRMAN				
NATHAN RITCHEY, VICE CHAIRMAN				
TOM CAMPENNI, BOARD MEMBER				
PETER WALSON, BOARD MEMBER				
FAYE JAMES, BOARD MEMBER				
CHRIS LEWIS, BOARD MEMBER				
KATIE MAKEMSON, BOARD MEMBER				

Resolution #10-2020
House of Refuge Mural – Dehon Building
Minor Urban Code Conditional Use

ADOPTED this _____ day of_____, 2020.

ATTEST:

_____
MARY KINDEL
CITY CLERK

_____
FRANK WACHA
CHAIRMAN

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL MORTELL
CITY ATTORNEY

ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS CONTAINED IN THE FOREGOING RESOLUTION, AND ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE FOREGOING RESOLUTION. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY, ITS CONDITIONS, AND THE DEVELOPMENT DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS RESOLUTION MAY BE AMENDED OR REPEALED BY THE CITY COMMISSION, AND THAT OTHER ADMINISTRATIVE ACTIONS AND PENALTIES MAY BE TAKEN AGAINST THE UNDERSIGNED, ITS SUCCESSORS OR ASSIGNS, BY THE CITY, INCLUDING BUT NOT LIMITED TO SANCTIONS DESCRIBED IN THIS RESOLUTION, CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING SUSPENSIONS OR REVOCATIONS, AND ANY OR ALL OTHER APPLICABLE CIVIL AND CRIMINAL ACTIONS.

IN WITNESS WHEREOF THE UNDERSIGNED HAS EXECUTED THIS ACCEPTANCE AND AGREEMENT:

WITNESSES:

_____ By:_____
Print Name:_____ Steven Vitali, Property Owner

_____
Print Name:_____

OWNERS ACKNOWLEDGMENT

The above Acceptance and Agreement of Resolution No. 10-2020 was acknowledged before me this _____ day of _____, 2020, by _____
_____

_____
Notary Public, State of Florida
My Commission Expires:
Notary Seal

Personally Known _____ OR Produced Identification _____
Type of Identification Produced ____

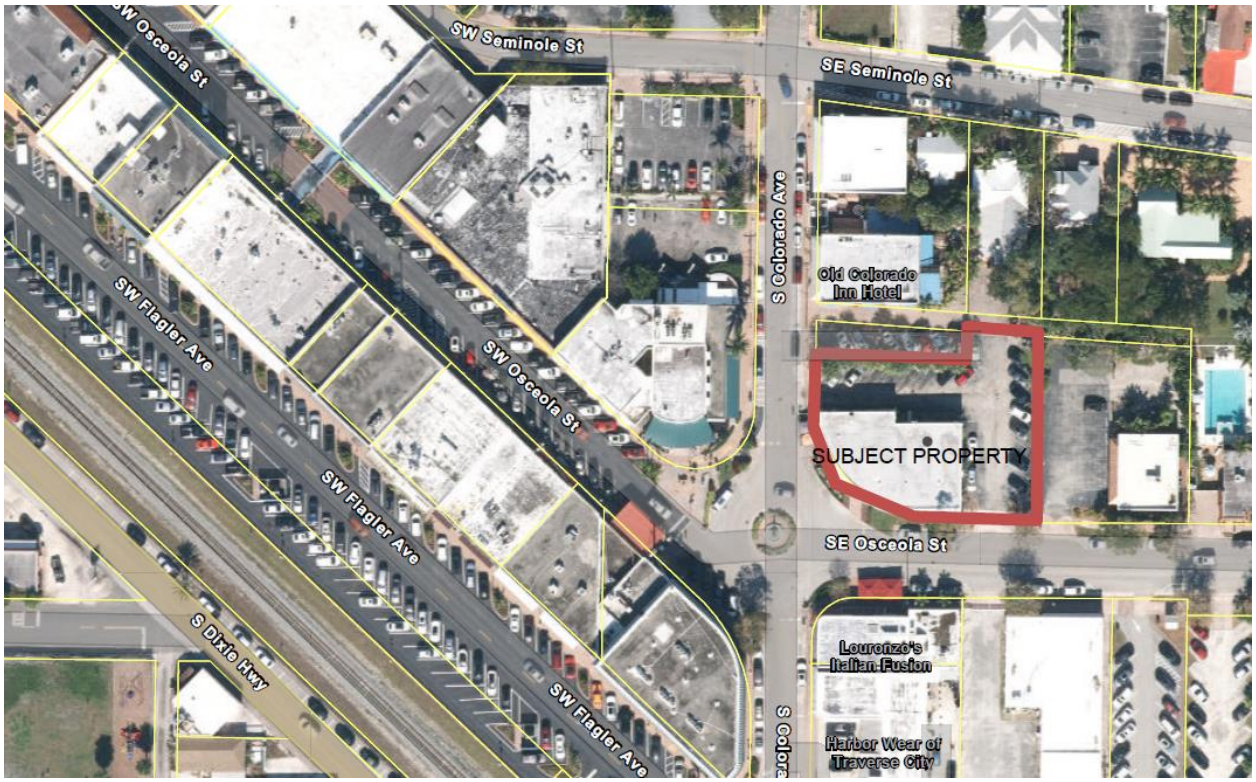
"Exhibit A"
Legal Description

All of Lots 12, 25, 26, 27, 28 and the South 9 feet of Lot 24, Block 3, AMENDED PLAT OF CHAS. A. PORTER ADDITION, to the Town of Stuart, Florida, according to the Plat thereof, recorded in the Office of the Clerk of the Circuit Court in and for Palm Beach (now Martin) County, Florida, in Plat Book 2, Page 75, Public Records;

LESS AND EXCEPTING THEREFROM: That portion of Lots Twenty-Six (26), Twenty-Seven (27), and Twenty-Eight (28) in Block Three (3), according to the Amended Plat of Chas. A. Porter Addition to the Town of Stuart, Florida, filed February 8, 1913, in Plat Book 2, Page 75, Palm Beach (now Martin) County, Florida, public records, more particularly described as follows: Begin at a point on the East line of Lot Twenty-Eight (28) which point is fifteen (15) feet South of the Northeast corner of said Lot Twenty-Eight (28); Thence continue South on the aforesaid East line of Lot Twenty-Eight (28) a distance of ten (10) feet; thence continue Westerly along the North line of Osceola Avenue in a general curve, with unequal radii, Westerly and Northerly along the East line of North Colorado Avenue to a point on the North Line of Lot Twenty-Six (26) where the aforesaid curve intersects such North line of said Lot Twenty-Six (26), which point is Ninety-Nine (99) feet West of the Northeast corner of said Lot Twenty-Six (26); thence East along the North line of said Lot Twenty-Six (26) a distance of five (5) feet; thence Southerly and Easterly along the West side of said Lots Twenty-Six (26), Twenty-Seven (27), and Twenty-Eight (28) in a general curve, with unequal radii to point of beginning; as is more particularly shown by the shade area on map attached to instrument recorded in Deed Book 12, Page 370, Martin County, Florida, public records; and

LESS AND EXCEPTING THEREFROM: Beginning at the Southeast corner of Lot 12, Block 3, Amended Plat of Chas. A. Porter Addition to the Town of Stuart, Florida, according to the Plat thereof, recorded in the Office of the Clerk of the Circuit Court in and for Palm Beach (now Martin) County, Florida, in Plat Book 2, Page 75, Public Records; thence North along the East line of said Lot for a distance of 9.38 feet; thence South 89 degrees, 37 minutes West a distance of 50 feet; thence South a distance of 9.55 feet; thence along the South line of said Lot a distance of 50 feet to the Point of Beginning.

"Exhibit B"
Location Map



"Exhibit C"
Conditions of Approval

1) The project shall comply with the attached mural rendering in Exhibit D.

2) The property owner shall be responsible for maintenance of artwork (mural) on Dehon Building.

"Exhibit D"
Mural Rendering

