

ORDINANCE NO. 2020-049

ORDINANCE REZONING PROPERTY FROM GU (MIAMI-DADE COUNTY ZONING DESIGNATION) TO MH (INDUSTRIAL DISTRICT). **PROPERTY LOCATED ON THE EAST SIDE OF NW 102 AVENUE AND NORTH OF NW 142 STREET, HIALEAH, WITH FOLIO NUMBER 04-2020-002-0020.** REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board at its meeting of August 26, 2020 recommended approval of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The below described property is hereby rezoned from GU (Miami-Dade County Zoning Designation) to MH (Industrial District).

Section 2: The below described property is located on the east side of NW 102 Avenue and north of NW 142 Street, Hialeah, with folio number 04-2020-002-0020 and legally described as follows:

A portion of Tract E, of RINKER LAKE, according to the Plat thereof, as recorded in Plat Book 82, at Page 47, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northwest corner of Section 20, Township 52 South, Range 40 East; thence run South 2 degrees 29' 00" East, along the East line of said Section 20, for 37.50 feet; thence South 89 degrees 50' 15" West, along the North line of Tract "D" of said Plat and its Easterly prolongation, for 1798.63 feet, to the Point of Beginning of the following described parcel:

Thence continue South 89 degrees 50' 15" West, along the last described course, for 832.02 feet to a point on the East right-of-way line of NW 102 Avenue; thence North 2 degrees 29' 48" West, for

354.65 feet, to a point of curvature; thence Northerly, Northeasterly and Easterly, along a circular curve to the right, having a radius of 30.00 feet and central angle of 90 degrees 00' 00", for a distance of 47.12 feet, to a point on said curve; thence North 2 degrees 29' 48" West, radial to the last mentioned curve for 158.32 feet (Deed 188.32) (last mentioned three courses being coincident with the said East right-of-way line of NW 102 Avenue and the Westerly boundary of the aforementioned Tract "E"); thence North 89 degrees 50' 15" East, along a line parallel with the South line of the North ½ of the Southeast ¼, of Section 20, for 802.12 feet; thence South 2 degrees 29' 00" East, along a line parallel with the East line of said Section 20, for 544.19 feet, the Point of Beginning.

Lying and being in the North ½ of the Southeast ¼ of Section 20, Township 52 South, Range 40 East, Miami-Dade County, Florida.

Section 3: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be assessed a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 5: Severability Clause.

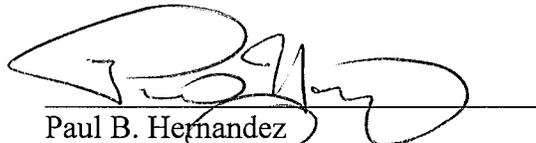
If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such

invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 6: Effective Date.

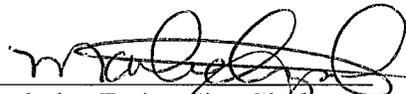
This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

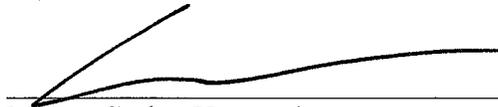
PASSED and ADOPTED this 22 day of September, 2020.


Paul B. Hernandez
Council President

Attest:

Approved on this 16 day of October, 2020.


Marbelys Fatjo, City Clerk


Mayor Carlos Hernandez

Approved as to legal sufficiency and form:


Lorena E. Bravo, City Attorney

Ordinance was adopted by 7-0 vote with Councilmembers, Cue-Fuente, De la Rosa, Garcia-Roves, Hernandez, Perez, Tundidor and Zogby voting "Yes."