

**RESOLUTION NO. 2014-79**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA UPHOLDING THE FINAL DECISION OF THE PLANNING AND ZONING BOARD, DECISION NO. 14-08 THAT GRANTED AN ADJUSTMENT ON CONDITION THAT THE TERRACE REMAIN AN OPEN TERRACE AND THAT ALL IMPROVEMENTS BUILT WITHOUT THE BENEFIT OF A BUILDING PERMIT BE LEGALIZED WITHIN 180 DAYS ON PROPERTY LOCATED AT **3293 WEST 77 PLACE, HIALEAH, FLORIDA;** AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Planning and Zoning Board, at its regular meeting of April 23, 2014 entered a final decision, Decision No. 14-08, subject to review by the Hialeah City Council.

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

**Section 1:** The Mayor and the City Council of the City of Hialeah, Florida hereby approve Final Decision 14-08 granting an adjustment of 2 feet, as to the rear setback, where 5 feet are required, to accommodate a terrace built without the benefit of a building permit on condition that the terrace remain an open terrace on all three sides and that all improvements built without the benefit of a building permit be legalized within 180 days. The property is located at 3293 West 77 Place, Hialeah, Florida, zoned R-Z (Residential Zero Lot Line District).

**Section 2:** This resolution shall become effective upon signature of the Mayor of the City of Hialeah, Florida 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 10 day of June, 2014.

\_\_\_\_\_  
Isis Garcia-Martinez  
Council President

Attest:

Approved on this 11 day of June, 2014.

\_\_\_\_\_  
Marbelys L. Fatjo, Acting City Clerk

\_\_\_\_\_  
Mayor Carlos Hernandez

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Lorena E. Bravo, Acting City Attorney

Resolution was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez, Hernandez and Lozano voting "Yes".