

RESOLUTION NO. 2022-071

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, APPROVING THE FINAL DECISION OF THE PLANNING AND ZONING BOARD, **DECISION NO. 2022-08** GRANTING AN ADJUSTMENT ON THE PROPERTY LOCATED AT **780 SE 5 PLACE, HIALEAH, FLORIDA, ZONED R-1 (ONE-FAMILY DISTRICT)**; AND PROVIDING FOR AN EFFECTIVE DATE.

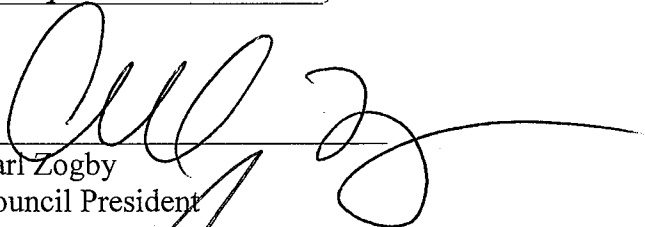
WHEREAS, the Planning and Zoning Board, at its meeting of April 27, 2022 entered a final decision, Decision No. 2022- 08 subject to review by the Hialeah City Council.

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 2022-08 granting an interior west side setback of 5.7 feet, where 6 feet are required and allow rear setback of 14.8 feet, where 20 feet are required for an existing terrace to be legalized; subject to the condition that the terrace remains open on three sides. Property located at 780 SE 5 Place, Hialeah, Florida, zoned R-1 (One-Family 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 24 day of may, 2022.



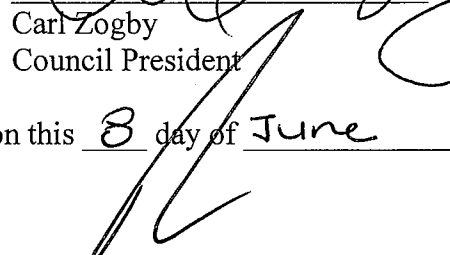
Carl Zogby
Council President

Attest:



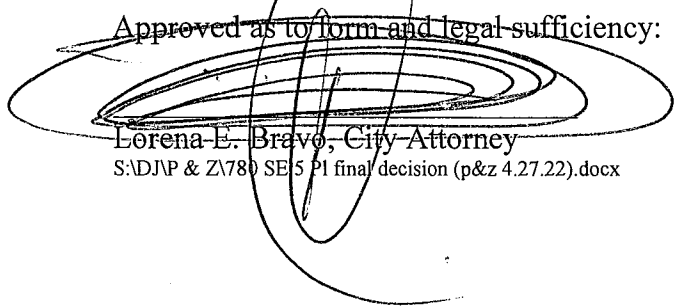
Marbelys Fatjo, City Clerk

Approved on this 8 day of June, 2022.



Mayor Esteban Bovo, Jr.

Approved as to form and legal sufficiency:



Lorena E. Bravo, City Attorney

S:\DJJP & Z\780 SE 5 P1 final decision (p&z 4.27.22).docx

Resolution was adopted by 7-0 vote with Councilmembers Calvo, Garcia-Roves, Perez, Casáls-Muñoz, Rodriguez, Tundidor, and Zogby voting "Yes"

IN THE PLANNING AND ZONING BOARD
IN AND FOR THE CITY OF HIALEAH, FLORIDA

DECISION NO. 2022-08

IN RE:)
Justo A. Diaz)

DECISION

THIS CAUSE came on to be heard upon the application of Justo A. Diaz regarding property(ies) located at 780 SE 5th Place before the Hialeah Planning and Zoning Board on April 27th, 2022, under agenda item numbered 2 and the Hialeah Planning and Zoning Board, after reviewing the report of the Principal Planner, reviewing written evidence, including charts, graphics, diagrams, and photographs, if any, that were submitted and made a part of the record, considering the testimony and argument offered by the applicant and/or his representative or attorney and testimony and argument from affected or interested persons, if any, and being otherwise fully advised in the premises thereof, decrees and makes the following findings of fact:

1. The Planning and Zoning Board adopts the findings of fact contained in the report of the Principal Planner.

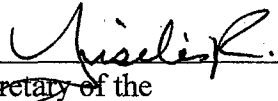
It is hereupon decreed as follows:

- a. An adjustment of the interior west side setback of 5.7 feet, where 6 feet are required, and rear setback of 14.8 feet, where 20 feet are required for an existing terrace to be legalized shall be granted.

- b. The aforesaid application is hereby granted with the following conditions: Approval with the condition that the terrace remains open on three sides.

Done and ordered in Hialeah, Miami-Dade County, Florida on this 28th day of April.

Attest:



Secretary of the
Planning and Zoning Board

Chairperson of the
Planning and Zoning Board

Approved as to legal
sufficiency and as to form:

David Jove, Assistant City Attorney

A copy furnished to applicant.