

ORDINANCE NO. 2018-020

ORDINANCE GRANTING A CONDITIONAL USE PERMIT (CUP) TO ALLOW THE EXPANSION OF AN EXISTING SCHOOL PURSUANT TO HIALEAH CODE OF ORDINANCES § 98-181; PROPERTY ZONED R-1 (ONE FAMILY DISTRICT); **PROPERTY LOCATED AT 2590 WEST 76 STREET, 7590 WEST 24 AVENUE, 7400 WEST 24 AVENUE, AND 2501 WEST 74 STREET, HIALEAH, FLORIDA;** REPEALING ALL 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 January 24, 2018, recommended approval of this ordinance;

WHEREAS, traffic flow shall proceed as shown as exhibit "A", attached, thereby eliminating the need for a declaration of restrictive covenants.

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 granted a conditional use permit (CUP) to allow expansion of the existing school pursuant to Hialeah Code of Ordinances § 98-181. Property located at **2590 West 76 STREET, 7590 West 24 Avenue, 7400 West 24 Avenue, and 2501 West 74 Street**, Hialeah, Florida, and legally described as follows:

Tracts 33 and 34, in Section 27, Township 52 South, range 40 East of "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", as recorded in Plat Book 2, at Page 17, of the Public Records of Miami-Dade County, Florida.

Section 2: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: 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 4: Severability Clause.

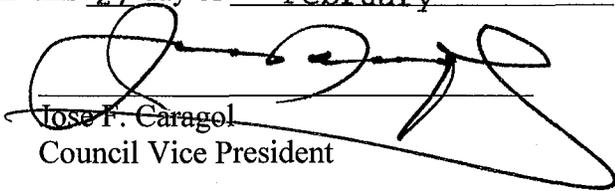
If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 5: Effective Date.

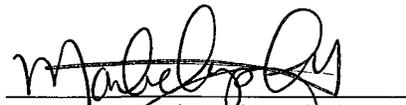
This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED and ADOPTED this 27 day of February, 2018.

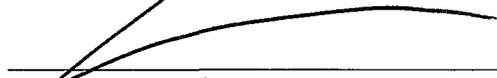
THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.


Jose F. Caragol
Council Vice President

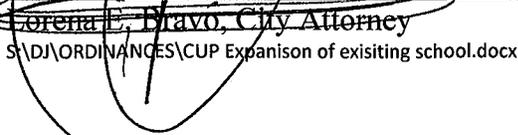
Attest:


Marbelys Fatjo, City Clerk

Approved on this 5 day of March, 2018.


Carlos Hernandez, Mayor

Approved as to legal sufficiency and form:


Lorena E. Bravo, City Attorney
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Ordinance was adopted by a 5-0-2 vote with Councilmembers, Caragol, Zogby, Lozano, Cue-Fuente, and Hernandez voting "Yes" and Casals-Munoz and Garcia-Martinez being absent.