

ORDINANCE NO. _____

ORDINANCE GRANTING A VARIANCE PERMIT TO ALLOW A TEMPORARY WAIVER OF A PLAT PURSUANT TO HIALEAH LAND DEVELOPMENT CODE § 10-4(c), PROVIDED THAT THE PROPERTY WILL BE REPLATTED WITHIN EIGHTEEN MONTHS OF THE APPROVAL OF THIS ORDINANCE; PROPERTY ZONED R-1 (ONE FAMILY DISTRICT). **PROPERTY LOCATED AT 621 AND 631 EAST 14TH STREET, F/K/A 1421 EAST 6TH COURT, 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 June 28, 2017, 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: A variance permit is hereby granted to allow a temporary waiver of a plat provided that the property will be replatted within eighteen months pursuant to Hialeah Land Development Code § 10-4(c) that provides in pertinent part: "*Temporary waiver of plat. A temporary waiver of plat is of a limited time duration and may be granted only conditioned on obtaining an approved plat within a reasonable time agreed to by the city.*" Property located at **621 and 631 East 14th Street f/k/a 1421 EAST 6TH Court, Hialeah, Florida**, zoned R-1. and legally described as follows:

Lot 22, Block 5 of SECTION ONE SUN-TAN VILLAGE, according to the Plat thereof as recorded in Plat Book 50, Page 3, 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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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.

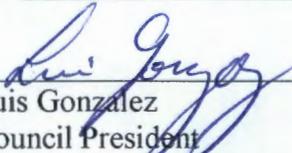
If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or 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 22 day of August, 2017.

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


Luis Gonzalez
Council President

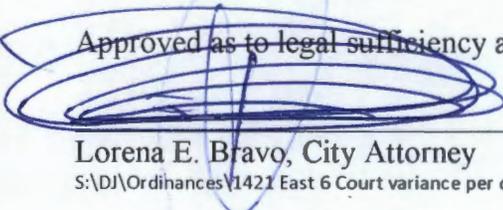
Attest:

Approved on this 25 day of August, 2017.


Marbelys Fatjo, City Clerk


Mayor Carlos Hernandez

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, Lozano, Gonzalez, Hernandez, Cue-Fuente and Garcia-Martine voting "Yes". Councilmember Casáls-Muñoz not present and Councilmember Caragol absent.