

ORDINANCE NO. 2017-087

ORDINANCE REZONING PROPERTY FROM R-1 AND R-2 (ONE FAMILY DISTRICT) TO P (PARKING DISTRICT). **PROPERTY ZONED R-1 LOCATED AT 502, 512, 522, 532, AND 552 EAST 26TH STREET, HIALEAH, FLORIDA AND PROPERTY ZONED R-2 LOCATED AT 540 EAST 26TH STREET, HIALEAH, FLORIDA.** 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 October 25, 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: The below-described properties are hereby rezoned from R-1 (One Family District) to P (Parking District). Property located at 502, 512, 522, 532, and 552 East 26th Street, Hialeah, Florida, and legally described respectively as:

Lot 1, and the West 20 feet of Lot 2, in Block 35-B, AMENDED PLAT OF THE AMENDED PLAT OF THIRTEENTH ADDITION TO HIALEAH, according to the Plat thereof, as recorded in Plat Book 34, at Page 26, of the Public Records of Miami-Dade County, Florida along with the North ½ of Alleyway lying south and adjacent.

Lot 3, and the East 20 feet of Lot 2, in Block 35-B, AMENDED PLAT OF THE AMENDED PLAT OF THIRTEENTH ADDITION TO HIALEAH, according to the Plat thereof, as recorded in Plat Book 34, at Page 26, of the Public Records of Miami-Dade County, Florida along with the North ½ of Alleyway lying south and adjacent.

Lot 4, and the West 20 feet of Lot 5, in Block 35-B, AMENDED PLAT OF THE AMENDED PLAT OF THIRTEENTH ADDITION TO HIALEAH, according to the Plat thereof, as recorded in Plat Book 34, at Page 26, of the Public Records of

Miami-Dade County, Florida along with the North ½ of Alleyway lying south and adjacent.

All of Lot 5, less the West 20 feet thereof and all of Lot 6, in Block 35-B, AMENDED PLAT OF THE AMENDED THIRTEENTH ADDITION TO HIALEAH, according to the Plat thereof, as recorded in Plat Book 34, at Page 26, of the Public Records of Miami-Dade County, Florida along with the North ½ of Alleyway lying south and adjacent.

Lot 9, and the East 20 feet of Lot 8, in Block 35-B, AMENDED PLAT OF THE AMENDED THIRTEENTH ADDITION TO HIALEAH, according to the Plat thereof, as recorded in Plat Book 34, at Page 26, of the Public Records of Miami-Dade County, Florida along with the North ½ of Alleyway lying south and adjacent.

Section 2: The below-described property is hereby rezoned from R-2 (One and Two Family District) to P (Parking). Property located at 540 East 26th Street, and legally described as:

Lot 7, and the West 20 feet of Lot 8, in Block 35-B, AMENDED PLAT OF THE AMENDED PLAT OF THIRTEENTH ADDITION TO HIALEAH, according to the Plat thereof, as recorded in Plat Book 34, at Page 26, of the Public Records of Miami-Dade County, Florida along with the North ½ of Alleyway lying south and adjacent.

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.

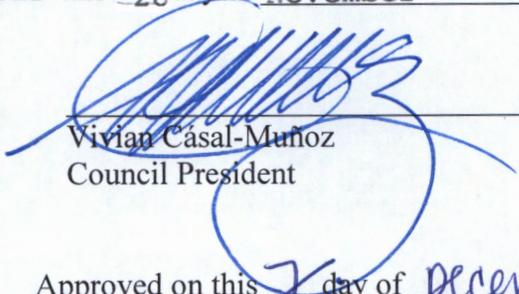
If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or 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 28 day of November, 2017.

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


Vivian Casal-Muñoz
Council President

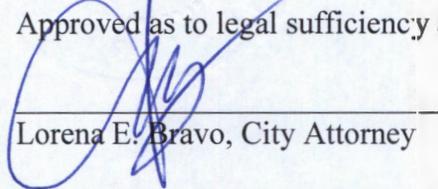
Attest:

Approved on this 7 day of December, 2017.


Marbelys Fatjo, City Clerk


Carlos Hernandez, Mayor

Approved as to legal sufficiency and form:


Lorena E. Bravo, City Attorney

Ordinance was adopted by a (5-0-2) vote with Councilmembers, Caragol, Zogby, Cue-Fuente and Casáls-Muñoz voting "Yes". Councilmember Hernandez and Garcia-Martinez absent.