

ORDINANCE NO. 2018-055

ORDINANCE ALLOWING FOR THE REPLATTING OF LOTS 8 AND 10 OF BLOCK 3 ROBIN HEIGHTS INTO TWO PROPOSED SUBSTANDARD LOTS: LOT 1 WITH A FRONTAGE OF APPROXIMATELY 60 FEET, DEPTH OF 73.27 FEET AND AN AREA OF 4,396 SQUARE FEET; AND LOT 2 WITH A FRONTAGE OF 65 FEET; A DEPTH OF 100 FEET; WITH A STANDARD LENGTH AND AREA; WHERE A FRONTAGE FOR EACH LOT IS REQUIRED OF 75 FEET; AND AN AREA OF 7,500 SQUARE FEET IS REQUIRED; ALL CONTRA TO HIALEAH CODE OF ORDINANCES § 98-779. **PROPERTY LOCATED AT 22 WEST 42 STREET, AND 4160 PALM AVENUE HIALEAH, FLORIDA.** PROPERTY ZONED RO (RESIDENTIAL OFFICE). 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 May 23, 2018 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 property is hereby allowed to replat lots 8 and 10 of Block 3 Robin Heights into two proposed substandard lots: lot 1 with a frontage of approximately 60 feet, depth of 73.27 feet and an area of 4,396 square feet; and lot 2 with a frontage of 65 feet; depth of 100 feet; and a standard length and area; where a frontage for each lot is required of 75 feet; a depth of 100 feet; with an area of 7,500 square feet is required, contra to Hialeah Code of Ordinances § 98-779 that provides: "Minimum lot area. In the RO residential office district, the minimum lot area shall be 7,500 square feet with an average minimum depth

of 100 feet and an average minimum width of 75 feet.” Property located at 22 West 42 Street, Hialeah, Florida, and legally described as follows:

Lots 8 and 10, of Block 3 of ROBIN HEIGHTS, according to the Plat thereof, as recorded in Plat Book 49, at Page 85, 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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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.

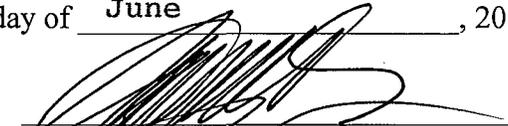
If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or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

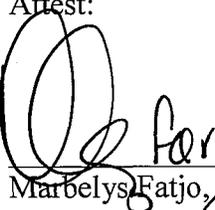
PASSED and ADOPTED this 26 day of June, 2018.

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


Vivian Casals-Munoz
Council President

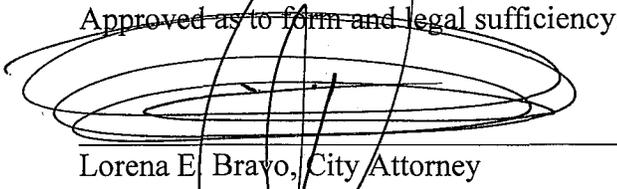
Attest:

Approved on this 28 day of June, 2018.


Marbelys Fatjo, City Clerk


Mayor Carlos Hernandez

Approved as to form and legal sufficiency:


Lorena E. Bravo, City Attorney

Ordinance was adopted by a 7-0 vote with Councilmembers, Caragol, Zogby, Lozano, Casals-Munoz, Garcia-Martinez, Hernandez and Cue-Fuente voting "Yes".