

ORDINANCE NO. 2015-07

ORDINANCE GRANTING A VARIANCE PERMIT TO ALLOW A SINGLE FAMILY HOME ON A SUBSTANDARD-SIZED LOT HAVING A FRONTAGE OF 54.30 FEET, WHERE AT LEAST 75 FEET ARE REQUIRED, AND A TOTAL AREA OF 5,158 SQUARE FEET, MORE OR LESS, WHERE A TOTAL AREA OF AT LEAST 7,500 SQUARE FEET IS REQUIRED, CONTRA TO HIALEAH CODE § 98-499. **A VACANT LOT LOCATED AT 660 WEST 23 STREET, HIALEAH, FLORIDA.** REPEALING ALL ORDINANCES OR PARTS OF 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 28, 2015, 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 granted a variance permit to allow a single-family home on a substandard-sized lot having a frontage of 54.30 feet, where at least 75 feet are required, and a total area of 5,158 square feet, more or less, where a total area of at least 7,500 square feet is required, contra to Hialeah Code § 98-499, which provides in pertinent part: “The minimum building site in the R-1 one-family district shall be one lot or parcel of land containing at least 7,500 square feet of area for each one-family. Such parcels or lots shall have an average width of at least 75 feet and

shall also have a minimum average depth of 100 feet. ” A vacant lot located at 660 West 23 Street, Hialeah, Miami-Dade County, Florida and legally described as follows:

THE EAST 54.3 FEET OF TRACT 7 LESS THE SOUTH 124 FEET OF SEMINOLA CITY, SECTION ONE ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 9, PAGE 75 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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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.

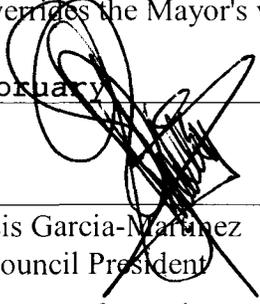
Section 4: Severability Clause.

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.

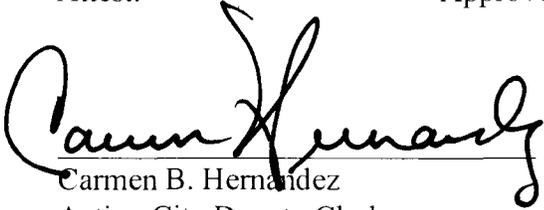
PASSED and ADOPTED this 24 day of February, 2015.



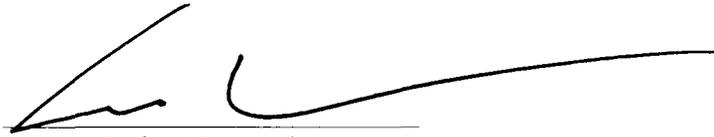
Isis Garcia-Martinez
Council President

Attest:

Approved on this 02 day of March, 2015.



Carmen B. Hernandez
Acting City Deputy Clerk



Mayor Carlos Hernandez

Approved as to form and legal sufficiency:



Lorena E. Bravo, City Attorney

Ordinance was adopted by a (7-0) unanimous vote with Councilmembers, Caragol, Casáls-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez, Hernandez and Lozano voting "Yes".