RESOLUTION NO. 13-28

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA APPROVING THE FINAL DECISION OF THE PLANNING AND ZONING BOARD, DECISION NO. 12-04 THAT GRANTED AN ADJUSTMENT ON CONDITION THAT A CONCRETE BLOCK AND STUCCO WALL BE BUILT ALONG THE PROPERTY'S SOUTH BOUNDARY LINE, THE TERRACE TO BE LEGALIZED REMAIN OPEN ON THREE SIDES, AND THE INTERIOR LAYOUT OF THE WEST SIDE ADDITION BE LEGALIZED, ON PROPERTY LOCATED AT **860 EAST 36 STREET, HIALEAH, FLORIDA;** AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board, at its regular meeting of February 27, 2013 entered a final decision, Decision No. 12-04, subject to review by the Hialeah City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The Mayor and the City Council of the City of Hialeah, Florida hereby approve Final Decision 12-04 granting an adjustment of 9.01 feet, as to the rear setback, where 20 feet are required, to maintain an open terrace built without the benefit of a building permit on condition that a concrete block and stucco wall be built along the property's south boundary line, the terrace to be legalized remain open on all three sides and the interior layout of the west side addition be legalized. The property is located at 860 East 36 Street, Hialeah, Florida, zoned R-1 (One Family District).

Section 2: This resolution shall become effective upon signature of the Mayor of the City of Hialeah, Florida 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 March, 2013.

Isis Garcia-Martinez
Council President

Attest:

Marbelys L. Fatjo, Acting City Clerk

Approved on this 1 day of April, 2013.

Mayor Carlos Hernandez

Approved as to form and legal sufficiency:

William M. Grodnick, City Attorney

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Resolution was adopted by a 5-0 vote with Council Members, Garcia-Martinez, Casals-Munoz, Cue-Fuente, Hernandez and Lozano voting "Yes", Council Members Caragol and Gonzalez absent.