RESOLUTION NO. 2013-44

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. 13-05 THAT GRANTED AN ADJUSTMENT ON CONDITION THAT THE IMPROVEMENTS BUILT WITHOUT THE BENEFIT OF A BUILDING PERMIT BE LEGALIZED WITHIN 18 MONTHS FROM THE EFFECTIVE DATE OF THIS RESOLUTION ON PROPERTY LOCATED AT **1031 WEST 55 PLACE, HIALEAH, FLORIDA;** AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board, at its regular meeting of April 24, 2013 entered a final decision, Decision No. 13-05, 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 13-05 granting an adjustment of 13.5 feet for a distance of 19 feet, as to the rear setback, where 20 feet are required, to accommodate a bedroom on the northeast corner of the lot built without the benefit of a building permit on condition that all the improvements built without the benefit of a building permit be legalized without 18 months from the effective date of this resolution. The property is located at 1031 West 55 Place, 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 28 day of May, 2013.

Isis Garcia-Martinez
Council President

Attest:

Marbelys L. Patjo, Acting City Clerk

Approved on this 31 day of may, 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 unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez, Hernandez and Lozano voting "Yes".

IN THE PLANNING AND ZONING BOARD
IN AND FOR THE CITY OF HIALEAH, FLORIDA

DECISION NO. **2013-5**

IN RE:)
APPLICATION OF:
ARIEL ESPINOZA
)
)

DECISION

THIS CAUSE came on to be heard upon the application of Ariel Espinoza to adjust the rear setback to 13.5 feet (20 feet required), for existing addition, zoned R-1 (One Family District).

regarding property(ies) located at 1031 West 55 Place, Hialeah, Florida

before the Hialeah Planning and Zoning Board on April 24,2013, under agenda item numbered 3, and the Hialeah Planning and Zoning Board, after reviewing the report of the Principal Planner, reviewing written evidence, including charts, graphics, diagrams and photographs, if any, that were submitted and made a part of the record, considering the testimony and argument offered by the applicant and/or his representative or attorney and testimony and argument from affected or interested persons, if any, and being otherwise fully advised in the premises thereof, decrees and makes the following findings of fact:

1. The Planning and Zoning Board adopts the findings of fact contained in the report of the Principal Planner.

It is hereupon decreed as follows:

The aforesaid application is hereby granted with the following conditions proffered by the applicant: Approved with condition that the legalization process gets completed within 18 months.

24 day of April 2013.

Attest:

Secretary of the
Planning and Zoning Board

Chairperson of the
Planning and Zoning Board

Approved as to legal
sufficiency and as to form:
(s:/WMG/Legislation/Ords/Board of Adjustment Decision 3.doc)

Lorena Bravo, Assistant City Attorney

A copy furnished to applicant.

APRIL 24TH, 2013 PLANNING AND ZONING BOARD MEETING

ITEMS RECEIVED BY CITY CLERKS OFFICE FOR CITY COUNCIL 2013 MAY 28, 2013

APPLICANT AND SUBJECT PROPERTY	TYPE OF HEARING	DATE SUBMITTED	RECEIVED BY
Ariel Espinoza 1031 West 55 Place Hialeah, FL 33012	**Final Decision** to adjust rear setback to 13.5' (20' required), for existing addition. Property located at 1031 West 55 Place, Hialeah, zoned R-1 (One Family District). Applicant: Ariel Espinoza	5/28/13	