RESOLUTION NO. 2013-55

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. 13-06 THAT GRANTED ADJUSTMENTS ON PROPERTY LOCATED AT **4041 WEST 6 COURT, HIALEAH, FLORIDA**, ON CONDITION THAT THE IMPROVEMENTS BUILT WITHOUT THE BENEFIT OF A BUILDING PERMIT BE LEGALIZED WITHIN 180 DAY AND THE TERRACE REMAIN SCREENED-IN ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board, at its regular meeting of May 23, 2013 entered a final decision, Decision No. 13-06, 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 13-06 granting an adjustment of 16 feet, where 20 feet are required, as to the distance between the main residence and an accessory building, an adjustment of 2.5 feet as to the north side setback, where 7.5 feet are required, for a distance of 23 feet, to accommodate a screened-in terrace built without the benefit of a building permit and an adjustment of 3.5 feet as to the north side setback, where 7.5 feet are required, to accommodate an accessory building built without the benefit of a building permit, on condition that the improvements built without the benefit of a building permit be legalized within 180 days and the terrace remain screened-in only. The property located at 4041 West 6 Court, 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 11 day of June, 2013.

Isis Garcia-Martinez
Council President

Attest:

Marbelys Fajjo, Acting City Clerk

Approved on this 19 day of June, 2013.

Mayor Carlos Hernandez

Approved as to form and legal sufficiency:

William M. Grodnick, City Attorney

Resolution was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez, Hernandez and Lozano voting "Yes".

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

DECISION NO. **2013-6**

IN RE:)
APPLICATION OF:)
VICTOR DELGADO &)
MAYRA TRUJILLO

_____)

DECISION

THIS CAUSE came on to be heard upon the application of Victor Delgado to adjust the north side setback to 2.5' (7.5'), for exsiting screened-terrace; adjust the existing distance between the main resident and accessory building to 16' (20' required and north side setback to 3.5' (7.5' required), for accessory building.

regarding property(ies) located at 4041 West 6 Court, Hialeah FL

before the Hialeah Planning and Zoning Board on May 22, 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.

Done and ordered in Hialeah, Miami-Dade County, Florida on this _22_ day of May, 2013.

Attest:

Secretary
Planning and Zoning Board

Chairperson
Planning and Zoning Board

Approved as to form and legal sufficiency:

Lorena Bravo, Assistant City Attorney

A copy furnished to applicant.

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