RESOLUTION NO. 10-08

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. 09-33 THAT GRANTED ADJUSTMENTS ON PROPERTY LOCATED AT **111 SOUTHEAST 5 AVENUE, HIALEAH, FLORIDA;** AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board, at its regular meeting of November 18, 2009 entered a final decision, Decision No. 09-33, subject to review by the Hialeah City Council; and

WHEREAS, the Petitioner proffered to complete the legalization of the screened terrace built without the benefit of a building permit within 180 days, to which the City accepts.

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

Section 1: The foregoing facts and recitations contained in the preamble to this ordinance is hereby adopted and incorporated as if fully set forth herein.

Section 2: The Mayor and the City Council of the City of Hialeah, Florida hereby approve Final Decision 09-33 granting an adjustment of 5.5 feet, as to the rear setback, where 20 feet are required, and an adjustment of 5 feet, as to the side setback, where 6.1 feet are required, to accommodate an existing screened aluminum-roofed terrace built without the benefit of a building permit. The property located at 111 Southeast 5 Avenue, Hialeah, Florida, zoned R-1 (One-Family District).

Section 3: 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 12th day of January, 2010.

Carlos Hernandez
Council President

Attest:

Approved on this ____ day of _____, 2010.

MAYOR'S SIGNATURE WITHHELD

Rafael E. Granado, City Clerk

Mayor Julio Robaina

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, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes".