RESOLUTION NO. 10-42

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. 10-05 THAT GRANTED AN ADJUSTMENT ON CONDITION THAT THE SIDE DOOR ON THE WEST FROM THE PROPOSED PLAYROOM TO THE SIDE YARD BE BLOCKED AND REPLACED WITH A WINDOW AND THE IMPROVEMENTS BUILT WITHOUT THE BENEFIT OF A BUILDING PERMIT BE LEGALIZED WITHIN 180 DAYS FROM THE EFFECTIVE DATE OF THIS RESOLUTION, ON PROPERTY LOCATED AT **650 WEST 77 STREET, HIALEAH, FLORIDA;** AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board, at its regular meeting of March 24, 2010 entered a final decision, Decision No. 10-05, 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 10-05 granting an adjustment of 6.5 feet, as to the rear setback, where 7.5 feet are required, to accommodate a CBS accessory building built without the benefit of a building permit, on condition that the side door on the west from the proposed playroom to the side yard be blocked and replaced with a window and the improvements built without the benefit of a building permit be legalized within 180 days from the effective date of this Resolution. The property located at 650 West 77 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 27th day of April, 2010.

Carlos Hernandez
Council President

Attest:

Approved on this 28 day of April, 2010.

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 4-2 vote with Councilmembers, Casals-Muñoz, Garcia-Martinez, Gonzalez, and Yedra voting "Yes", Councilmembers, Caragol and Hernandez voting "No", Councilmember Cue absent.