

ORDINANCE NO. 2021-130

ORDINANCE REZONING PROPERTY FROM R-1 (ONE-FAMILY DISTRICT) AND R-2 (ONE-AND TWO-FAMILY RESIDENTIAL DISTRICT) TO TOD (TRANSIT ORIENTED DEVELOPMENT DISTRICT). **PROPERTIES LOCATED AT 932, 942 AND 952 EAST 26 STREET, HIALEAH, ZONED R-1 (ONE-FAMILY DISTRICT) AND R-2 (ONE-AND TWO-FAMILY RESIDENTIAL DISTRICT).** REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board at its meeting of October 13, 2021 recommended approval of this ordinance; and

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

Section 1: The below-described property is hereby rezoned from R-1 (One-Family District) and R-2 (One-and Two-Family Residential District) to TOD (Transit Oriented Development District). Properties located at 932, 942 and 952 East 26 Street, Hialeah, zoned R-1 (One-Family District) and R-2 (One and Two-Family Residential District) and legally described as follows:

The East 20 feet of Lot 5, all of Lots 6, 7, 8, 9, and the West 20 feet of Lot 10, Block 95B of AMENDED PLAT OF THE AMENDED PLAT OF THIRTEENTH ADDITION TO HIALEAH, according to the Plat thereof, as recorded in Plat Book 34, at Page 26 of the Public Records of Miami-Dade County, Florida.

Folios: 04-3108-002-1600, 1610 and 1620

Section 2: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be assessed a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate

offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

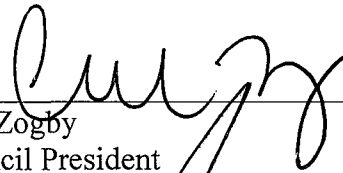
Section 4: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 5: Effective Date.

This ordinance shall become effective when passed by the City Council and signed by the Mayor 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 9 day of November, 2021.



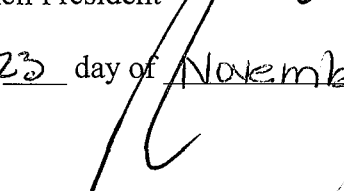
Carl Zogby
Council President

Attest:

Approved on this 23 day of November, 2021.



Marbelys Fatjo, City Clerk



Mayor Esteban Bovo, Jr.

Approved as to form and legal sufficiency:



Lorena E. Bravo, City Attorney

Ordinance was adopted by 6-0-1 vote with Councilmembers, Cue-Fuente, De la Rosa, Garcia-Roves, Hernandez, Tundidor, and Zogby voting "Yes" and with Council Vice President absent.