

ORDINANCE No. 2004-18-34

AN ORDINANCE OF THE CITY OF MIAMI GARDENS APPROVING THE REZONING OF CERTAIN PROPERTY LOCATED AT NORTHWEST 199TH STREET AND NORTHWEST 37TH AVENUE IN THE CITY OF MIAMI GARDENS, FROM RU-3M, MINIMUM APARTMENT HOUSE DISTRICT, TO BU-1A, LIMITED BUSINESS DISTRICT, A LEGAL DESCRIPTION OF WHICH IS ATTACHED HERETO AS EXHIBIT "A"; MAKING CERTAIN FINDINGS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the YWCA of Greater Miami, Inc. has submitted an application to the City of Miami Gardens through the Miami-Dade County Department of Planning and Zoning to change the zoning on the property described on Exhibit "A," attached hereto, from RU-3M, Minimum Apartment House District to BU-1A, Limited Business District, and

WHEREAS, the City Council for the City of Miami Gardens held a public hearing on the proposed Application, and

WHEREAS, the City Council has considered the testimony of the applicant as well as the testimony of Planning and Zoning staff for Miami-Dade County and for the City of Miami Gardens, and

WHEREAS, the City Council has also considered other competent substantial evidence,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, as follows:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. APPROVAL OF REZONING: The City Council for the City of

Miami Gardens hereby approves the rezoning of that certain property generally located on the Southwest corner of Northwest 199th Street and Northwest 37th Avenue in the City of Miami Gardens, and more particularly described on Exhibit "A" attached hereto, from RU-3M, Minimum Apartment House District, to be BU-1A, Limited Business District.

SECTION 3. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING IN FULL ON THE 22nd DAY OF September, 2004.

PASSED ON SECOND READING BY TITLE ONLY THE 6th DAY OF October, 2004.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 6th DAY OF October, 2004.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA K. KNIGHTON, ESQ.
City Attorney

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MOVED BY:

SPONSORED BY: DANNY O. CREW, CITY MANAGER

VOTE: 7-0

Mayor Gibson	<u> x </u> (Yes)	<u> </u> (No)
Vice Mayor Campbell	<u> x </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> x </u> (Yes)	<u> </u> (No)
Councilman Oscar Braynon, II	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Audrey J. King	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Barbara Watson	<u> x </u> (Yes)	<u> </u> (No)

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