

RESOLUTION No. 15-175

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA SITTING AS THE LOCAL PLANNING AGENCY, APPROVING A VARIANCE APPLICATION FOR GRAND DORAL I AND II RESIDENTIAL DEVELOPMENT TO PERMIT THE FRONT SETBACK TO BE 15 FEET WHERE 25 FEET IS REQUIRED PER SECTION 53-127 (MF-3 ZONING DISTRICT) OF THE CITY LAND DEVELOPMENT CODE ON PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF N.W. 112 AVENUE AND N.W. 82 STREET, DORAL, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 8.46 ± ACRES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Pablo Jose Valdes Florida Irrevocable Trust, ("Applicant"), has requested approval of a variance from Sections 53-127/68-220 of the Land Development Code to allow a front setback of 15 feet where 25 feet is required in the MF-3 Zoning District; and

WHEREAS, after careful review and deliberation, staff has determined that this variance application is not consistent with the Land Development Code; and

WHEREAS, on September 16, 2015, the City Council held a quasi-judicial hearing and received testimony and evidence related to the Application from the Applicant and other persons, and found that the variance is with the Land Development Code; and

WHEREAS, the City Council has reviewed City staff's report which evaluates the variance request.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF DORAL, FLORIDA THAT:**

Section 1. The above recitals are true, correct, and incorporated herein by this reference.

Section 2. The LPA hereby recommends approval/denial to differ from Sections 53-127/ 68-220 of the Land Development Code to allow a front setback of 15 feet where 25 feet is required in the MF-3 Zoning District on property totaling 8.46 ± acres generally located on the southeast corner of the intersection of NW 112th Avenue and NW 82nd Street, Doral, Florida.

Section 3. If this Resolution is approved, it shall not become effective until a Final Non-Appealable Order approving Ordinance No. 2015-02 (the “Comprehensive Plan Amendment Ordinance”) and Ordinance No. 2015-03 (Rezoning Ordinance). If the Comprehensive Plan Amendment and Rezoning Ordinances are not ultimately approved this ordinance shall be void abinitio.

Section 4. If this Resolution is approved, it shall be recorded in the Public Records of Miami-Dade County, Florida, with the Applicant to pay the costs thereof.

The foregoing Resolution was offered by Councilmember Cabrera who moved its adoption. The motion was seconded by Vice Mayor Ruiz and upon being put to a vote, the vote was as follows:

Mayor Luigi Boria	Yes
Vice Mayor Sandra Ruiz	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Absent
Councilwoman Ana Maria Rodriguez	Absent/Excused

PASSED AND ADOPTED this 16 day of September, 2015.




LUIGI BORIA, MAYOR

ATTEST:



CONNIE DIAZ, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE SOLE USE
OF THE CITY OF DORAL



WEISS, SEROTA, HELFMAN, COLE, & BIERMAN, PL
CITY ATTORNEY