

RESOLUTION NO. 14-151

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA APPROVING/DENYING A VARIANCE FROM SECTION 68-168(1)(F) OF THE LAND DEVELOPMENT CODE TO ALLOW 12-FEET FRONT YARD SETBACK IN LIEU OF THE MINIMUM 15-FEET, A VARIANCE FROM SECTION 68-168(1)(H) OF THE LAND DEVELOPMENT CODE TO PERMIT AN 8-FEET REAR YARD SETBACK IN LIEU OF THE 10-FEET MINIMUM, AND A VARIANCE FROM SECTION 68-168(1)(I) OF THE LAND DEVELOPMENT CODE TO ALLOW A 5-FEET SIDE YARD SETBACK IN LIEU OF THE MINIMUM 15-FEET, FOR THE PROPERTY GENERALLY LOCATED ON NW 33 STREET AND NW 91 AVENUE, CITY OF DORAL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Doral Luxury Patio Homes, LLC (“Applicant”), has requested approval of a variance from Section 68-168(1)(f) of the Land Development Code (LDC) to allow a front yard setback of 12-feet in lieu of the minimum 15-feet; a variance from Section 68-168(1)(h) of the Land Development Code to allow a 8-feet rear yard setback in lieu of a minimum 10-feet; and a variance from Section 68-168(1)(i) of the Land Development Code to allow a 5-feet side yard setback in lieu of the minimum 15-feet.

WHEREAS, at a properly advertised hearing received testimony and evidence related to the Application from the Applicant and other persons and found that after careful review and deliberation, including a review of staff's recommendation, determined that the variance request is/is not consistent with the City’s Land Development Code;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DORAL THAT:

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. Decision. The Variance request from Section 68-168(1)(f) of the Land Development Code (LDC) to allow a front yard setback of 12-feet in lieu of the minimum 15-feet; a variance from Section 68-168(1)(h) of the Land Development Code to allow a 8-foot rear yard setback in lieu of a minimum 10-feet; and a variance from Section 68-168(1)(i) of the Land Development Code to allow a 5-foot side yard setback in lieu of the minimum 15-foot is/is not consistent with the City's Land Development Code, and is therefore approved/denied with the following conditions:

1. The applicant shall comply with the City of Doral and Miami-Dade County Public Works standards prior to the issuance of an administrative site plan approval.

Section 3. Effective Date. This Resolution shall become effective immediately upon adoption.

The foregoing resolution was offered by Councilmember Ruiz_who moved its adoption. The motion was seconded by Councilmember Rodriguez Aguilera and upon being put to a vote, the vote was as follows:

Mayor Luigi Boria	Yes
Vice Mayor Christi Fraga	Yes
Councilwoman Ana Maria Rodriguez	Yes
Councilwoman Bettina Rodriguez Aguilera	Yes
Councilwoman Sandra Ruiz	Yes

PASSED and ADOPTED this 17 day of September, 2014.



LUIGI BORIA, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

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



WEISS SEROTA HELFMAN PASTORIZA COLE & BONISKE,
PL CITY ATTORNEY