

ORDINANCE NO. 04-11

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, PROVIDING FOR DISPOSITION OF AN AMENDMENT TO THE MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN AS ADOPTED BY THE CITY OF DORAL CHARTER TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS AND ALL OTHER REQUIRED GOVERNMENTAL AGENCIES OR ENTITIES FOR THEIR REVIEW; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Pursuant to Chapter 163, Part 2, Florida Statutes (F.S.) and Chapters 9J-5, 9J-11, and 9J-12, Florida Administrative Code (F.A.C.), the comprehensive Development Master Plan ("CDMP") for Miami-Dade County was adopted by the Miami-Dade County Board of County Commissioners in November 1988; and

WHEREAS, Section 2-116 of the Code of Miami-Dade County, Florida (the "County Code") provides procedures for amending the CDMP which comply with the requirements of the Florida Statutes and Administrative Code referenced above; and

WHEREAS, pursuant to Section 8.03 of the City of Doral (the "City") Charter, the CDMP and the County Code are the City's CDMP and City Code respectively; and

WHEREAS, Aran Properties, Inc. has submitted an application for amendment to the Land Use Plan of the Comprehensive Master Plan from Office / Residential to Business and Office. Located North of NW 41 Street between NW 109 Avenue and NW 114 Avenue with an area of 26 acres, Legal Description illustrated in Exhibit "A"; and

WHEREAS, the City Council acting as the Local Planning Agency ("LPA") conducted a duly noticed public hearing on February 28, 2004 and has acted in accordance with the referenced State and City procedures, the City Council approved the transmittal of the application under Resolution No. 04-01 to Florida Department of Community Affairs; and

WHEREAS, the approval of an amendment to the CDMP does not assure favorable action upon any application for zoning or other land use approval but is part of the overall land use policies of the City; and

WHEREAS, any application for zoning or other land use approval involves the application of the City's overall land use policies to the particular request under consideration; and

WHEREAS, the City's overall land use policies include, but are not limited to the CDMP in its entirety and the City's land development regulations; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by references as if they fully set forth herein.

Section 2. Approvals. The City Council having considered the following application requesting amendment to the CDMP; hereby approves the requested amendment to the CDMP Land Use Plan Map from Office / Residential to Business and Office.. Located North of NW 41 Street between NW 109 Avenue and NW 114 Avenue with an area of 26 acres.

Section 3. Repealer. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 4. Severability. If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 5. Effective Date. This ordinance shall become effective immediately upon adoption.

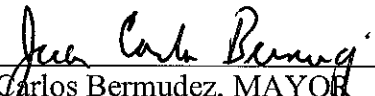
The foregoing Resolution was offered by Vice Mayor Cabrera who moved its adoption.

The motion was seconded by Councilman DiPietro and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	yes
Vice Mayor Peter Cabrera	yes
Councilman Michael DiPietro	yes
Councilwoman Sandra Ruiz	yes
Councilman Robert Van Name	yes

PASSED and ADOPTED on first reading this 21st day of June, 2004.

PASSED and ADOPTED on second reading this 23rd day of June, 2004.



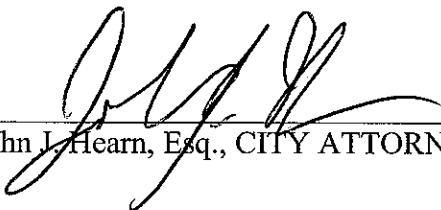
Juan Carlos Bermudez, MAYOR

ATTEST:



Sheila Paul, CMC, CITY CLERK

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



John J. Hearn, Esq., CITY ATTORNEY

EXHIBIT "A"
LEGAL DESCRIPTION

Tract 40 less the West 35.00 feet and the South 65.00 feet, Florida Fruit Lands Company's Subdivision in Section 19, Township 53 South, Range 40 East, according to the Plat thereof, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida.

AND

Tract 57, less the South 65.00 feet for Right-of-Way, Florida Fruit Lands Company's Subdivision in Section 19, Township 53 South, Range 40 East, according to the Plat thereof, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida.

AND

The North 1/2 of Tract 58, Florida Fruit Lands Company's Subdivision in Section 19, Township 53 South, Range 40 East, according to the Map or Plat thereof, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida.

AND

Tract 58, less the North 1/2, Florida Fruit Lands Company's Subdivision No. 1 in Section 19 Township 53 South, Range 40 East, according to the Map or Plat thereof, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida.

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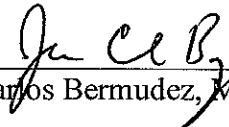
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Mayor Juan Carlos Bermudez	yes
Vice Mayor Peter Cabrera	yes
Councilman Michael DiPietro	yes
Councilwoman Sandra Ruiz	yes
Councilman Robert Van Name	yes

PASSED and ADOPTED on first reading this 21st day of June, 2004.

PASSED and ADOPTED on second reading this 23rd day of June, 2004.

RATIFIED and ADOPTED on this 14th day of July, 2004.



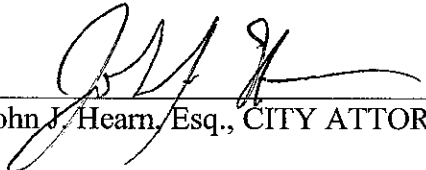
Juan Carlos Bermudez, MAYOR

ATTEST:



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