

ORDINANCE No. 2005-37-75

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING AN APPLICATION SUBMITTED BY MARCIAL RODRIGUEZ TO APPROVE A REZONING OF PROPERTY GENERALLY LOCATED AT 3350 NORTHWEST 189TH STREET FROM AU-AGRICULTURAL TO RU-1Z, SINGLE FAMILY ZERO LOT LINE DEVELOPMENT, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR CONDITIONS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Marcial Rodriguez ("Applicant") has filed an Application with the City of Miami Gardens to approve a rezoning from AU-Agricultural to RU-1Z, Single Family Zero Lot Line for property generally located at 3350 Northwest 189th Street, more particularly described on Exhibit "A" attached hereto, and

WHEREAS, City Staff has reviewed the Application and is recommending that the City Council approve the Applicant's request, and

WHEREAS, a public hearing has been held on this matter, and

WHEREAS, the City Council has reviewed the Application and approves the same,

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: The City Council for the City of Miami Gardens hereby approves the Application submitted by Marcial Rodriguez for a rezoning of property from AU-Agricultural to RU-1Z, Single Family Zero Lot Line, for property generally located at 3350

Northwest 189th Street, more particularly described on Exhibit "A" attached hereto.

SECTION 3. CONDITIONS: This Ordinance is conditioned the Miami-Dade County School Board final impact fee analysis, and the acceptance of the same, in writing, by the Applicant.

SECTION 4. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

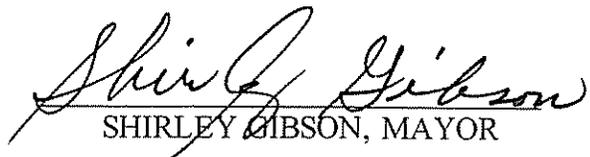
SECTION 5. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. INCLUSION IN CODE: It is the intention of the City Council of the City of Miami Gardens that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Miami Gardens and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 7. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 7<sup>th</sup> DAY OF SEPTEMBER, 2005.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS ZONING MEETING HELD ON THE 5<sup>th</sup> DAY OF OCTOBER, 2005.

  
SHIRLEY GIBSON, MAYOR

ATTEST:

  
RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.  
City Attorney

SPONSORED BY: DANNY O. CREW, CITY MANAGER

MOVED BY: Vice Mayor Braynon

SECONDED BY: Councilman Bratton

**VOTE:** 5-1

Mayor Shirley Gibson	<u>  x  </u> (Yes)	<u>    </u> (No)
Vice Mayor Oscar Braynon II	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilman Melvin L. Bratton	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilman Aaron Campbell Jr.	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilwoman Sharon Pritchett	<u>    </u> (Yes)	<u>  x  </u> (No)
Councilwoman Barbara Watson	<u>  x  </u> (Yes)	<u>    </u> (No)

SKD/bfc

S:\MIAMI\ORDS\MARCIAL Rodriguez.DOC