

ORDINANCE No. 2006-05-86

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING AN APPLICATION SUBMITTED BY IVAN AND W. VASHTI SPENCER, TO REZONE CERTAIN PROPERTY LOCATED AT 19080 N.W. 32<sup>ND</sup> AVENUE, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM AU (AGRICULTURAL) TO RU-1M(A) (MODIFIED SINGLE-FAMILY RESIDENTIAL); PROVIDING FOR THE EXECUTION OF A DECLARATION OF RESTRICTIVE COVENANTS AS SHOWN ON EXHIBIT "B" ATTACHED HERETO; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ivan and W. Vashti Spencer ("Applicants") have filed an application with the City of Miami Gardens to rezone certain property located at 19080 N.W. 32<sup>nd</sup> Avenue, more particularly described on Exhibit "A" attached hereto, from AU (Agricultural) to RU-1M (a), (Modified Single Family Residential), and

WHEREAS, City staff has reviewed the Applications and is recommending that the City Council approve the Applicants' request, and

WHEREAS, City staff has confirmed that the rezoning complies with the Comprehensive Development Master Plan, and

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

WHEREAS, the City Council has reviewed the Applications and approved 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 Ivan and W. Vashti Spencer to rezone certain property

located at 19080 N.W. 32<sup>nd</sup> Avenue, more particularly described on Exhibit "A" attached hereto, from AU (Agricultural) to RU-1M(a) (Modified Single Family)

SECTION 3. DECLARATION OF RESTRICTIONS: The Declaration of Restrictions attached hereto as Exhibit "B" shall be recorded in the Public Records of Miami-Dade County.

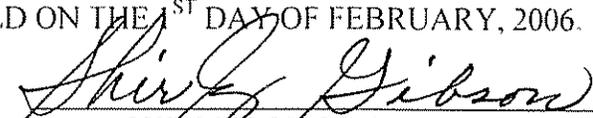
SECTION 4. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

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

PASSED ON FIRST READING ON THE 4<sup>TH</sup> DAY OF JANUARY, 2006.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS ZONING MEETING HELD ON THE 1<sup>ST</sup> DAY OF FEBRUARY, 2006.

  
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: Councilwoman Watson

VOTE: 5-1

Mayor Shirley Gibson	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Vice Mayor Oscar Braynon II	<input type="checkbox"/> (Yes)	<input type="checkbox"/> (No) Not present
Councilman Melvin L. Bratton	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)

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Councilman Aaron Campbell  
Councilman Ulysses Harvard  
Councilwoman Sharon Pritchett  
Councilwoman Barbara Watson

(Yes)  (No)  
 (Yes)  (No)  
 (Yes)  (No)  
 (Yes)  (No)

SKD/bfc  
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