

ORDINANCE NO. 2013-13-301

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY SIERRA NORWOOD CALVARY BAPTIST CHURCH, INC. FOR THE REZONING OF PROPERTY LOCATED AT 495 N.W. 191 STREET, MIAMI GARDENS, FLORIDA, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R-1, SINGLE FAMILY RESIDENTIAL TO NC, NEIGHBORHOOD COMMERCIAL; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Applicant, Sierra Norwood Calvary Baptist Church, Inc., is the owner of that certain property located at 495 NW 191 Street, more particularly described on Exhibit "A" attached hereto, and

WHEREAS, the Applicant is seeking to redevelop the property which will require the demolition of an existing building and the construction of a new building that will provide direct access to the existing church building, and

WHEREAS, the property is currently zoned R-1, Single Family Residential, which is a non-conforming use under the City's current Land Development Code, and

WHEREAS, the Applicant is seeking a rezoning to NC, Neighborhood Commercial to allow the proposed redevelopment of its existing site, and

WHEREAS, the proposed rezoning of the property to NC, Neighborhood Commercial is consistent with the policies and objectives of the City's Comprehensive Development Master Plan,

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 paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

Section 2. Authorization: The City Council of the City of Miami Gardens, Florida, hereby rezones that certain property located at 495 NW 191 Street, more particularly described on Exhibit "A" attached hereto, from R-1, Single Family Residential to NC, Neighborhood Commercial.

Section 3. CONFLICT: All Ordinances or Code provisions in conflict herewith are hereby repealed.

Section 4. 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 5. 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 section 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.

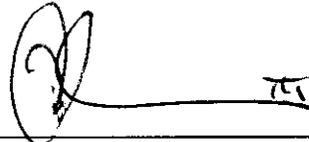
Section 6. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

Ordinance No. 2013-13-301

PASSED ON FIRST READING ON THE 24TH DAY OF APRIL, 2012.

PASSED ON SECOND READING ON THE 24TH DAY OF MAY, 2012.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF
MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 24TH DAY OF
MAY, 2013.



OLIVER GILBERT, III, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: DR. DANNY CREW, CITY MANAGER

Moved by: Councilman Williams
Second by: Vice Mayor Davis

VOTE: 7-0

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| Mayor Oliver Gilbert, III | <u>X</u> (Yes) | ____ (No) |
| Vice Mayor Lisa Davis | <u>X</u> (Yes) | ____ (No) |
| Councilwoman Lillie Q. Odom | <u>X</u> (Yes) | ____ (No) |
| Councilman David Williams Jr | <u>X</u> (Yes) | ____ (No) |
| Councilwoman Felicia Robinson | <u>X</u> (Yes) | ____ (No) |
| Councilman Rodney Harris | <u>X</u> (Yes) | ____ (No) |
| Councilman Erhabor Ighodaro, Ph.D. | <u>X</u> (Yes) | ____ (No) |