

ORDINANCE 16-____

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE REQUEST OF JAVIER GIRAUD, ON THE BEHALF OF CHANTARELLE PROPERTIES INC., TO PERMIT A REZONING FROM SR (SINGLE FAMILY RESIDENTIAL DISTRICT) TO NR (NEIGHBORHOOD RESIDENTIAL DISTRICT) ON PROPERTY GENERALLY LOCATED ON S.W. 200 TERRACE AND S.W. 87 AVENUE (FOLIO NUMBER 36-6009-002-1820), AS LEGALLY DESCRIBED IN EXHIBIT “A”, CONSISTING OF APPROXIMATELY 1.08 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Javier Giraud, on the behalf of Chantarelle Properties Inc., (the “Applicant”) has applied to the Town of Cutler Bay (the “Town”), for approval of a rezoning from SR (Single-Family Residential District) to NR (Neighborhood Residential District), for property generally located on S.W. 200 Terrace and S.W. 87 Avenue, as legally described in Exhibit “A,” consisting of approximately 1.08 acres (the “Property”); and

WHEREAS, the Property is located in an area along S.W. 200 Terrace where properties are currently developed in a manner consistent with the NR (Neighborhood Residential District); and

WHEREAS, public notice was provided in accordance with law; and

WHEREAS, this Ordinance was heard and recommended by the Town Council, in its capacity as the Town’s Local Planning Agency; and

WHEREAS, after due notice and hearing, the Town Council finds this Ordinance to be consistent with the Town Code and the Town’s Comprehensive Plan (Growth Management Plan); and

WHEREAS, the Town Council finds that this Ordinance is in the best interest and welfare of the residents of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:

Section 1. Recital. The above recitals are true and correct and are incorporated herein by this reference.

¹Additions to existing code text are shown by underline; deletions from existing code text are shown by ~~strike through~~. Changes between first and second reading are indicated with **highlight**.

Section 2. Approval. The Town Council hereby approves a rezoning for the Property, legally described in Exhibit “A,” from SR (Single-Family Residential District) to NR (Neighborhood Residential District).

Section 3. Condition. The approval granted by this Resolution is subject to compliance with the following condition, to which the Applicant stipulated and agreed to at the public hearing:

1. That the applicant proffer a recorded covenant running with the land that no duplexes or apartments will be constructed on the Parcel with Folio No. 36-6009-002-1820.

Section 3 4. Recording. The Town, or the Applicant if so requested by the Town Clerk, shall record this Ordinance at the Applicant’s sole expense in the Public Records of Miami-Dade County, Florida.

Section 4 5. Effective Date. This Ordinance shall take effect immediately upon enactment.

PASSED AND ADOPTED on first reading this 20th day of April 2016.

PASSED AND ADOPTED on second reading this _____.

PEGGY R. BELL
Mayor

Attest:

JACQUELINE N. WILSON
Town Clerk

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APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE SOLE
USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.
Town Attorney

First Reading:

Moved by: Vice Mayor Sochin

Seconded by: Council Member Coriat

Second Reading:

Moved by: _____

Seconded by: _____

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell _____

Vice Mayor Ernest N. Sochin _____

Council Member Roger Coriat _____

Council Member Sue Ellen Loyzelle _____

Council Member Mary Ann Mixon _____

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