

ORDINANCE NO. 16- _____

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE ZONING MAP TO PERMIT A REZONING FROM NC-2 (NEIGHBORHOOD CENTER 2) TO MR-13 (MULTIFAMILY RESIDENTIAL DISTRICT) ON PROPERTY GENERALLY LOCATED SOUTH OF S.W. 216TH STREET BETWEEN S.W. 93RD PATH AND S.W. 88TH PLACE (FOLIO NUMBER 36-6016-000-0027), AS LEGALLY DESCRIBED IN EXHIBIT “A,” CONSISTING OF APPROXIMATELY +/-18.57 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Arc Treo, LLC. (the “Applicant”) has applied to the Town of Cutler Bay (the “Town”), for approval of a rezoning from NC-2 (Neighborhood Center 2) to MR-13 (Multifamily Residential District), for property generally located south of S.W. 216th Street between S.W. 93rd Path and S.W. 88th Place, as legally described in Exhibit “A,” consisting of approximately 18.57 acres (the “Property”); and

WHEREAS, the Town staff has reviewed the Application and recommends denial; and

WHEREAS, public notice was provided as required by applicable 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 AS FOLLOWS:

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

Section 2. Approval. The Town Council hereby approves a rezoning for the Property, legally described in Exhibit “A,” from NC-2 (Neighborhood Center 2) to MR-13 (Multifamily Residential District).

Section 3. 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. Effective Date. This Ordinance shall take effect immediately upon adoption. However, the zoning map change approved by the Town Council is contingent upon the concurrent comprehensive plan amendment becoming effective.

PASSED on first reading this __ day of _____, 2016.

PASSED AND ADOPTED on second reading this __ day of _____, 2016.

PEGGY R. BELL
Mayor

Attest:

JACQUELINE N. WILSON
Town Clerk

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: _____
Seconded By: _____

Second Reading:
Moved By: _____
Seconded By: _____

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell _____

Vice Mayor Ernest N. Sochin _____

Councilmember Roger Coriat _____

Councilmember Sue Ellen Loyzelle _____

Councilmember Mary Ann Mixon _____