

**ORDINANCE NO. 20-\_\_\_\_\_**

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE ZONING MAP FROM NEIGHBORHOOD RESIDENTIAL TO INSTITUTIONAL ON PROPERTY LOCATED AT 8165 SW 210TH STREET (FOLIO NO. 36-6016-000-0030) CONSISTING OF APPROXIMATELY 8.45 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Saga South Development, Inc. (the “Applicant”) has applied to the Town of Cutler Bay (the “Town”), for approval of a rezoning from NR (Neighborhood Residential District) to INT (Institutional), on a portion of the property generally located at 8165 SW 210<sup>th</sup> St, as legally described in Exhibit “A,” consisting of approximately 8.45 acres (the “Property”); and

**WHEREAS**, the Institutional Zoning District would permit uses such as governmental facilities, educational facilities, communications facilities, religious institutions, fraternal organizations, hospitals, congregate care and nursing homes, on the Property; and

**WHEREAS**, Town staff has reviewed the Application and recommends approval; 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, based upon competent substantial evidence, 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.

**Section 2. Approval.** The Town Council hereby approves, based upon competent substantial evidence, a rezoning for the Property, legally described in Exhibit “A”, from NR (Neighborhood Residential District) to INT (Institutional District), as shown on Exhibit “B”.

**Section 3.** **Effective Date.** This Ordinance shall become effective upon passage and adoption. However, the effective date of this Ordinance shall be when the companion small scale amendment (Application No. FLUM-2020-003) to the Comprehensive Plan Future Land Use Map becomes effective.

PASSED on first reading this \_\_\_\_\_ day of August, 2020.

PASSED AND ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
TIM MEERBOTT  
Mayor

Attest:

\_\_\_\_\_  
DEBRA E. EASTMAN, MMC  
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 Tim Meerbott \_\_\_\_\_

Vice Mayor Sue Ellen Loyzelle \_\_\_\_\_

Council Member Robert “BJ” Duncan \_\_\_\_\_

Council Member Michael P. Callahan \_\_\_\_\_

Council Member Roger Coriat \_\_\_\_\_