

RESOLUTION No. 17-22

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A SPECIAL EXCEPTION FOR THE INSTALLATION OF A LOW VOLTAGE SECURITY ELECTRIC FENCE CONSISTENT WITH SECTION 74-270 OF THE LAND DEVELOPMENT CODE FOR A PORTION OF A COMMERCIAL PROPERTY LOCATED IN THE INDUSTRIAL ZONING DISTRICT AT 1904 NW 97 AVENUE, DORAL, FLORIDA 33172; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on November 18th 2015, the Mayor and City Council for the City of Doral (the “City”) adopted Ordinance No. 2015-45, amending Section 74-270 of the Land Development Code of Ordinances (the “Code”) to permit the installation of low voltage security electric fence in the industrial zoning districts of the City; and

WHEREAS, pursuant to Section 74-270 of the Code, the installation of low voltage security electric fences are permitted in the City through special exception approval by the Mayor and City Council; and

WHEREAS, Electric Guard Dog, LLC (the “Applicant”) on behalf of KTR SF II LLC, the property owner, submitted an application, attached hereto as Exhibit “A” (the “Application”), requesting the approval of the special exception to install a low voltage security electric fence at the southern portion of Ryder Truck facility located at 1904 NW 97th Avenue, Doral, Florida, as legally described in Exhibit “B” (the “Property”); and

WHEREAS, section 74-270(4) provides that “[l]ow voltage electric fences shall be permitted only in Industrial Commercial (IC), Industrial (I), and Industrial Restrictive (I-R), provided however, that electric fences shall be prohibited on properties abutting any residential, park, school, or other similar uses or properties along Doral Boulevard, NW 58 Street, NW 87 Avenue, and NW 107 Avenue, unless the City Council determines either

that the proposed placement of the electric fence will not present an undue hazard, or that conditions of the approval mitigate the hazards potentially created by placing an electric fence in proximity of such uses”; and

WHEREAS, while the area to be fenced is located approximately 950 feet from an education facility, the area to be fenced is part of the Property (same folio number), which abuts an education facility to the north; and

WHEREAS, given the entire Property’s proximity to the education facility, staff has recommended denial of the special exception.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, THAT:

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. Decision. Given that the area to be fenced shall be limited to a southern portion of the Property (as indicated in the Application, which is incorporated herein and made a part hereof by this reference), which is 950 feet from the education facility, and that said portion of the Property is segregated from the education facility by several chain-link fences, the special exception request by the Applicant to install a low voltage security electrical fence at the Ryder Truck facility located at 1904 NW 97th Avenue, Doral, Florida, is hereby approved.

Section 3. Effective Date. This Resolution shall become effective upon its passage and adoption by the City Council and is binding on all successors and assigns.

The foregoing Resolution was offered by Vice Mayor Cabrera who moved its adoption. The motion was seconded by Councilmember Fraga and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Claudia Mariaca	No
Councilwoman Ana Maria Rodriguez	Absent/Excused

PASSED AND ADOPTED this 25 day of January, 2017.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, CMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.
CITY ATTORNEY

Exhibit A
Legal Description

32 53 40 23.063 AC AHS CORP 2ND ADD PB 109-61 TR B LESS COMM SE COR OF TRB TH N365FT W159FT FOR POB CONT W511FT S349.04FT E511.15FTN361.21FT TO POB & LESS BEG SW COR OF TR B TH N442FT E329.57FT S107.33FT E337.84FT S342.61FT W667.39FT TO POB & LESS S336.62FT OF E159FT & PORT OF TR A OF PB 89-43 DESC BEG SW COR OF TR A TH E 1318.12FT N356.75FT W802.18FT 3193.45FT W475.80FT S149.79FT TO POB LESS W20FT OF N132.54FT OF S149.79FT FOR RW OR 18614-3451 0599 1 F/A/U 30-3032-007-0010.