

ORDINANCE #2010 - 31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING THE REZONING FROM IC (INDUSTRIAL COMMERCIAL) TO PUD (PLANNED UNIT DEVELOPMENT) OF ± 16.82 ACRES LOCATED AT 5300 NW 87th AVENUE IN THE CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA; APPROVING THE MODIFICATION OF RESOLUTION Z04-22 AND THE DECLARATION OF RESTRICTIONS TO INCREASE THE LIMITATION ON UNITS THAT MAY BE OCCUPIED FOR MORE THAN 6 CONSECUTIVE MONTHS FROM 5% TO 40%; PROVIDING FOR RECORDATION; PROVIDING AN EFFECTIVE DATE

WHEREAS, Blueview Golf Villas, LLC. ("Applicant"), has requested approval of: (1) a rezoning of ± 16.82 acres located at 5300 NW 87th Avenue, Doral, Florida, from IC (Industrial Commercial) to PUD (Planned Unit Development); (2) a modification to an existing declaration of restrictions to increase limitation on Units that may be occupied for more than six (6) consecutive months from five percent (5%) to forty percent (40%) and (3) a modification of Condition # 1 from Resolution Z04-22 to increase the limitation on the units that may be occupied for more than six (6) months from five percent (5%) to forty percent (40%); and

WHEREAS, after careful review and deliberation, staff has determined that this application has complied with the Code; and

WHEREAS, on January 12th, 2011, the City Council held a quasi-judicial hearing and received testimony and evidence related to the Application from the Applicant and other persons and found that the rezoning is consistent with the Comprehensive Plan and is in the best interest of the citizens of Doral;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF DORAL, FLORIDA THAT:**

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance upon adoption hereof.

Section 2. A rezoning of ± 16.82 acres located at 5300 NW 87th Avenue, Doral, Florida, from IC (Industrial Commercial) to PUD (Planned Unit Development) ; and

Section 3. A modification to an existing declaration of restrictions to increase limitation on Units that may be occupied for more than six (6) consecutive months from five percent (5%) to forty percent (40%); and

Section 4. A modification of Condition # 1 from Resolution Z04-22 to increase the limitation on the units that may be occupied for more than six (6) months from five percent (5%) to forty percent (40%); is hereby approved

Section 5. Effective Date. This Ordinance shall be effective upon adoption on second reading.

WHEREAS, a motion to approve the Ordinance was offered by Vice Mayor DiPietro who moved its adoption. The motion was seconded by Councilman Cabrera and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Michael DiPietro	Yes
Councilmember Luigi Boria	Yes
Councilmember Peter Cabrera	Yes
Councilmember Ana Maria Rodriguez	Yes

PASSED AND ADOPTED upon first reading the 10th day of November, 2010

PASSED AND ADOPTED upon second reading the 12th day of January, 2011.



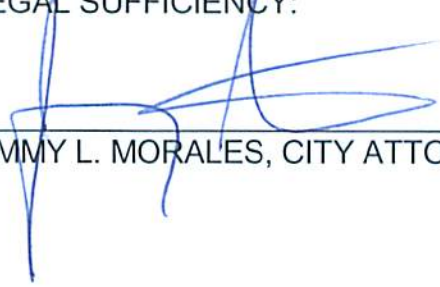
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



JIMMY L. MORALES, CITY ATTORNEY