

RESOLUTION #Z05 - 48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA APPROVING A VARIANCE FROM SECTION 33-50 OF THE MIAMI-DADE COUNTY CODE PERTAINING TO MINIMUM SETBACKS FOR THE RU-1 ZONING DISTRICT FOR THE PROPERTY LOCATED AT 11351 NW 71 STREET, DORAL, FLORIDA; APPROVING A TERRACE ADDITION TO BE PLACED WITHIN 11.2 FEET OF THE REAR PROPERTY LINE IN LIEU OF THE REQUIRED 25-FOOT MINIMUM BUILDING SETBACK REQUIRED BY CODE; PROVIDING FOR RECORDATION; PROVIDING AN EFFECTIVE DATE

WHEREAS, Mr. And Mrs. Rivera ("Applicants") have requested approval of a variance from Section 33-50 of the Miami-Dade County Code, which has been adopted by the City of Doral, on property located at 11351 NW 71 Street, Doral, Florida; and

WHEREAS, according to Section 33-50 of the Miami-Dade County Code, a terrace addition must meet the minimum 25' rear; and

WHEREAS, Applicants have requested a variance based on the criteria for variances provided for in Section 33-36.1(f)(10) of the Miami-Dade County Code as adopted by the City of Doral; and

WHEREAS, on November 30, 2005 the City Council, after careful review and deliberation of staff's report and of the testimony and evidence before it, has determined that the Applicants meet the requirements for a variance as provided for in Section 33-36 of the Miami-Dade County Code as adopted by the City of Doral;

**NOW, THEREFORE, BE IT RESOLVED 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 Resolution upon adoption hereof.

Section 2. The City Council of the City of Doral hereby approves Applicants' request for approval of a variance from Section 33-50 of the Miami-Dade County Code.

Section 3. In granting this variance, the City Council reviewed Section 33-36 of the Miami-Dade County Code, as adopted by the City of Doral, and found that:

(1) The variance request was in harmony with the general appearance and character of the subject block face and would not result in a significant diminution of value to adjacent property.

(2) The variance request will not be detrimental to public welfare in that it will not have a substantial impact on public safety.

(3) The variance request will not create a materially greater adverse privacy impact on adjacent residences than that permitted by the underlying district regulations.

Section 4. This Resolution shall be recorded in the Public Records of Dade County, Florida, with the Applicant to pay the costs thereof.

Section 5. This resolution shall become effective upon its passage and adoption by the City Council.

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


Mayor Juan Carlos Bermudez	yes
Vice Mayor Peter Cabrera	yes
Councilmember Michael DiPietro	yes
Councilwoman Sandra Ruiz	yes
Councilmember Robert Van Name	yes

PASSED AND ADOPTED this 30th day of November, 2005.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE CITY OF DORAL:



JOHN J. HEARN, CITY ATTORNEY