

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2009-197**

A RESOLUTION WAIVING ALL BUILDING PERMIT FEES AND VARIANCE FEES FOR FOUR AFFORDABLE HOUSING UNITS TO BE BUILT IN THE MACFARLANE HOMESTEAD DISTRICT (FOLIOS 03-4120-006-1100; 03-4120-006-1280; 03-4120-006-1290 AND 03-4120-006-1530); FURTHER DEFERRING PAYMENT OF THOSE IMPACT FEES FOR TWO OF THE FOUR AFORMENTIONED HOMES (I.E. FOLIOS 03-4120-006-1100 AND 03-4120-006-1280), UNTIL SUCH TIME THAT SAID HOMES ARE SOLD OUTSIDE OF THE ESTABLISHED FEDERAL (DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT) GUIDELINES FOR AFFORDABLE HOUSING THAT ARE ADMINISTERED BY MIAMI-DADE COUNTY GOVERNMENT; FURTHER ACKNOWLEDGING LAURA RUSSO, ESQUIRE'S INTENT, ON BEHALF OF THE LOLA B. WALKER HOMEOWNERS FOUNDATION OF CORAL GABLES, TO RESOLVE SAID ISSUES MORE PARTICULARLY DESCRIBED HEREIN VIA DEED RESTRICTION, AND/OR A DECLARATION OF RESTRICTIVE COVENANT, AND TO WORK WITH THE CITY ATTORNEY, AND THE CITY MANAGER, THROUGH HIS DESIGNATED REPRESENTATIVE (NAMELY MARIA JIMENEZ), TO ADDRESS ALL ISSUES GERMANE TO THE AFORMENTIONED MATTER.

**WHEREAS**, in October, 2005, Miami-Dade County conveyed four lots (folios 03-4120-006-1110; 03-4120-006-1280; 03-4120-006-1290 and 03-4120-006-1530) to the Lola B. Walker Homeowners Foundation of Coral Gables, Inc.; and

**WHEREAS**, the conveyance of the lots was conditioned on the development of the lots as affordable housing to families / buyers at or below 80 percent of area media family income per CDBG public benefit requirements; and

**WHEREAS**, on June 19, 2009 the Coral Gables Historic Preservation Board unanimously approved the architectural plans for the proposed homes on the lots; and

**WHEREAS**, the Coral Gables City Commission recognizes that the building of the affordable housing units will benefit the neighborhood; and

**WHEREAS**, the Lola B. Walker Homeowners Foundation of Coral Gables requests that all City building permit fees and variance fees associated with the development of these lots be waived by the City Commission; and

**WHEREAS**, the Lola B. Walker Homeowners Foundation of Coral Gables also requests deferral of impact fees for two of the four houses (namely, folios 03-4120-006-1100 and 03-4120-006-1280), until such time that said homes are sold outside of HUD federal guidelines for affordable housing, that is administered by Miami-Dade County; and

**WHEREAS**, Laura Russo, Esquire on behalf of Lola B. Walker Homeowners Foundation, has pledged to work along with the City Attorney and representative of the City Manager's Office (namely Assistant City Manager) in resolving said matter; has pledged to file a deed restriction and/or a declaration of restrictive covenant in addressing the aforementioned issues in connection herewith;

**NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:**

**SECTION 1.** That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** That the City Commission does hereby approve the waiver of all building permit fees and variance fees for four affordable housing units to be built in the MacFarlane District be waived; further deferring payments of impact fees for two of the aforementioned until the affected homes are sold outside of HUD federal guidelines for affordable housing, that is administered by Miami-Dade County.

**SECTION 3.** That Laura Russo, Esquire, does hereby state her intent on behalf of Lola B. Walker Homeowners Foundation to submit a deed restriction of restrictive covenant/declaration regarding said matter.

**SECTION 4.** That said resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS SEVENTH DAY OF JULY, A.D., 2009.

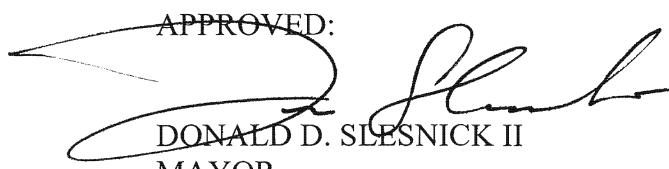
(Moved: Anderson / Seconded: Kerdyk)

(Yea: Withers, Anderson, Cabrera, Kerdyk, Slesnick)

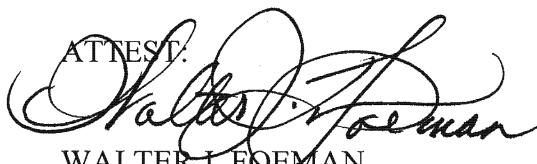
(Unanimous: 5-0 Vote)

(Agenda Item: D-3)

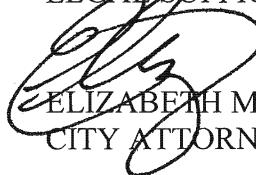
APPROVED:

  
DONALD D. SLESNICK II  
MAYOR

ATTEST:

  
WALTER J. Fadem  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
ELIZABETH M. HERNANDEZ  
CITY ATTORNEY