

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2008-07**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES FOR A CHANGE OF LAND USE FROM "RESIDENTIAL USE (SINGLE-FAMILY) LOW DENSITY" TO "COMMERCIAL USE, LOW-RISE DENSITY" ON LOT 24, BLOCK 1B, MACFARLANE HOMESTEAD AND ST. ALBANS PARK SECTION (230 FLORIDA AVENUE), CORAL GABLES, FLORIDA; FOR A CHANGE OF LAND USE, REZONING AND SITE PLAN REVIEW; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Application No. 08-07-024-P was submitted requesting an amendment to the Future Land Use Map of the "City of Coral Gables Comprehensive Plan" in order to provide that Lot 24, Block 18, MacFarlane Homestead and St. Albans Park Section (230 Florida Avenue), Coral Gables, Florida, shall be changed from "Residential Use (Single-Family) Low Density" to "Commercial, Low-Rise Intensity" revising the previously approved commercial project referred to as "Bahamian Village"; and

**WHEREAS**, a change of land use, rezoning and site plan approval was granted for the "Bahamian Village" project on property the surrounding the subject single-family residence on January 25, 2005 (Ordinances No. 2005-03 and 2005-04), at which time the single-family residence was under separate ownership and was not a part of the application; and

**WHEREAS**, the developer of the surrounding "Bahamian Village" project has since purchased the subject single-family residence located on Lot 24 and wishes to revise the previously approved site plan by incorporating this property into the project; and

**WHEREAS**, the change of land use is necessary to permit the proposed revisions for the previously approved "Bahamian Village" project; and

**WHEREAS**, the City of Coral Gables, pursuant to Florida Statutes and the City of Coral Gables Zoning Code, has designated the Planning and Zoning Board as the Local Planning Agency; and

**WHEREAS**, after notice of public hearing duly published and notification of all property owners of record within one thousand (1000) feet, public hearings were held before the Local Planning Agency (Planning and Zoning Board) of the City of Coral Gables on January 9, 2008, at which hearings all interested persons were afforded the opportunity to be heard; and

**WHEREAS**, at a public hearing held on January 9, 2008, the Local Planning Agency (Planning and Zoning Board) recommended approval of the change of land use, change in zoning and site plan approval (vote: 5-0); and

**WHEREAS**, as a part of this application, the applicant at the Planning and Zoning Board meeting agreed to the conditions of approval; and

**WHEREAS**, pursuant to the provisions of Chapter 163.3187 Florida Statutes, the City Commission held a public hearing on February 12, 2008 at which hearing all interested persons were afforded an opportunity to be heard and this application was approved on first reading (vote: 5-0); and

**WHEREAS**, this request is considered a small scale amendment, and would not require review by the Department of Community Affairs;

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

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

**SECTION 2.** That the request for a land use amendment to the "City of Coral Gables Comprehensive Plan," and in particular that portion of the Future Land Use Element, known as the Future Land Use Map of Coral Gables, shall be and it is hereby amended to show henceforth a change in the Future Land Use by changing the "Land Use Category" on Lot 24, Block 18, MacFarlane Homestead and St. Albans Park Section (230 Florida Avenue), Coral Gables, Florida, from "Residential Use (Single-Family) Low Density" to "Commercial, Low-Rise Intensity."

**SECTION 3.** All rights, actions, proceedings and Contracts of the City, including the City Commissioners, the City Manager, or any of its departments, boards or officers undertaken pursuant to the existing code provisions, shall be enforced, continued, or completed, in all respects, as though begun or executed hereunder.

**SECTION 4.** All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

**SECTION 5.** If any section, part of session, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

**SECTION 6.** It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of the City of Coral Gables, Florida, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

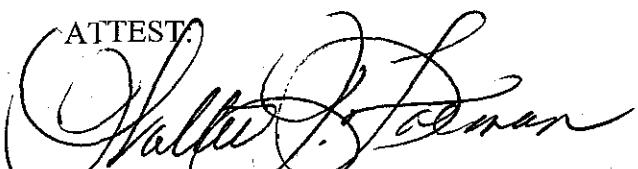
**SECTION 7.** This ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-FIFTH DAY OF MARCH, A.D., 2008.  
(Moved: Anderson / Seconded: Kerdyk)  
(Yea: Withers, Anderson, Kerdyk, Slesnick)  
(Absent: Cabrera)  
(Majority (4-0) Vote)  
(Agenda Item: E-3)

APPROVED:



DONALD D. SLESNICK II  
MAYOR

ATTEST:  
  
WALTER J. EOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



ELIZABETH HERNANDEZ  
CITY ATTORNEY