

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2009-34**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES APPROVING A CHANGE OF ZONING FROM SINGLE FAMILY RESIDENTIAL (SFR) TO SPECIAL USE DISTRICT (S) FOR A 1.0 ACRE PARCEL PROPOSED FOR USE AS AN ATHLETIC FIELD FOR THE ST. THOMAS CHURCH/SCHOOL, LOCATED ON PORTIONS OF LOT 2, AVOCADO LAND COMPANY'S SUBDIVISION (5450 NORTH KENDALL DRIVE), CORAL GABLES, FLORIDA (LEGAL DESCRIPTION ON FILE); PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Application No. 02-07-456-P was submitted requesting a change of zoning from Single Family Residential (SFR) to Special Use District (S) for a 1.0 acre parcel proposed for use as an athletic field for the St. Thomas Church/School, located on portions of Lot 2, Avocado Land Company's Subdivision (5450 North Kendall Drive), Coral Gables, Florida; and

**WHEREAS**, St. Thomas Church/School proposes construction of an athletic field on property immediately east of existing campus and modifications to the existing parking lots necessary to accommodate the new athletic field; and

**WHEREAS**, the proposed change of zoning has been submitted concurrently with a request for change of land use, that is required to comply with the property's proposed "Religious/Institutional" land use designation, and as a prerequisite to the applicant's request for site plan review at public hearings; and

**WHEREAS**, after notice of public hearing duly published and notifications of all property owners of record within one thousand (1000) feet, public hearings were held before the Planning and Zoning Board of the City of Coral Gables on June 3, 2009, at which hearing all interested persons were afforded the opportunity to be heard; and

**WHEREAS**, at the June 3, 2009 Planning and Zoning Board meeting, the Board recommended approval of the proposed change of zoning (vote: 5-0); and

**WHEREAS**, the City Commission on July 7, 2009 passed the proposed change of zoning on First Reading as provided herein (vote: 5-0); and

**WHEREAS**, public hearings have been completed as indicated herein by the Coral Gables City Commission in consideration of a request to change the zoning pursuant to Florida Statutes, and including careful consideration of written and oral comments by members of the public;

**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 Zoning Code of the City of Coral Gables be amended to change the zoning designation from Single Family Residential (SFR) to Special Use District (S) for a 1.0 acre parcel proposed for use as an athletic field for the St. Thomas Church/School, located on portions of Lot 2, Avocado Land Company's Subdivision (5450 North Kendall Drive), Coral Gables, Florida (legal description on file).

**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 ordinance 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 ten days upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-NINTH DAY OF JULY, A.D.,  
2009.

(Moved: Kerdyk / Seconded: Withers)  
(Yea: Kerdyk, Withers, Cabrera, Slesnick)  
(Majority (4-1) Vote)  
(Nays: Anderson)  
(Agenda Item: E-4)

APPROVED:



DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



ELIZABETH HERNANDEZ  
CITY ATTORNEY