

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2009-32

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES GRANTING SITE PLAN APPROVAL FOR A PROPOSED ONE STORY, LESS THAN 1,000 SQUARE FEET “PLANT CONSERVATION BUILDING”, LOCATED CENTRALLY WITHIN THE MONTGOMERY FOUNDATION PROPERTY, AND LEGALLY DESCRIBED AS A PORTION OF THE ROBERT H. MONTGOMERY SECTION (11901 OLD CUTLER ROAD), CORAL GABLES, FLORIDA; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Application No. 05-09-086-P was submitted requesting site plan review for a proposed new building referred to as the “Plant Conservation Building”, located centrally within the Montgomery Foundation Property, and legally described as a portion of the Robert H. Montgomery Section (11901 Old Cutler Road), Coral Gables, Florida; 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 hearings all interested persons were afforded the opportunity to be heard; and

WHEREAS, at the Planning and Zoning Board’s June 3, 2009 meeting, the Board recommended approval of the proposed site plan (vote: 5-0); and

WHEREAS, the City Commission held a public hearing on July 7, 2009 at which hearing all interested persons were afforded an opportunity to be heard and this application was approved on first reading (vote: 3-0);

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 hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The proposed the “Plant Conservation Building”, located centrally within the Montgomery Foundation Property, and legally described as a portion of the Robert H. Montgomery Section (11901 Old Cutler Road), Coral Gables, Florida, shall be and is hereby approved.

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 passage and adoption herein.

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

(Moved: Anderson / Seconded: Kerdyk)

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

(Unanimous: 5-0 Vote)

(Agenda Item: E-2)

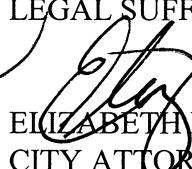
APPROVED:


DONALD D. SLESNICK II
MAYOR

ATTEST:


WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


ELIZABETH M. HERNANDEZ
CITY ATTORNEY