

ORDINANCE NO. 2013-8

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE,
FLORIDA, REZONING PROPERTY LOCATED AT 971
CRANDON BOULEVARD FROM O-1 LIGHT INTENSITY
OFFICE TO C-1 LIGHT INTENSITY COMMERCIAL; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Village of Key Biscayne (the “Village”) Village Council desires to rezone property located at 971 Crandon Boulevard (the “Property”) so that it is consistent with the adopted Comprehensive Plan; and

WHEREAS, the Village Council, sitting in its capacity as the Local Planning Agency, has reviewed this Ordinance and recommends approval; and

WHEREAS, the Village Council finds that the changes within this Ordinance meet the applicable review criteria set forth in Section 30-71(b) of the Code; and

WHEREAS, the Village Council finds that the adoption of this Ordinance is in the best interest of the residents of the Village.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS¹:

Section 1. The preceding “Whereas” clauses are ratified and incorporated as the legislative intent of this Ordinance.

Section 2. **Rezoning Approved.** Zoning of the approximately 1.829 acre Property, as legally described on the attached Exhibit “A,” is changed as follows:

Existing: O-1 Light Intensity Office

New: C-1 Light Intensity Commercial

¹ Coding: underlined words are additions to existing text, ~~struck through~~ words are deletions from existing text. Hightlighted words are changes made between First and Second Reading.

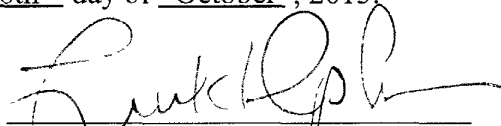
Section 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Conflicts. All ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.


Section 5. Effective Date. That this Ordinance shall be effective immediately upon adoption on second reading.

PASSED on first reading this 27th day of August, 2013.

PASSED AND ADOPTED on second reading this 8th day of October, 2013.

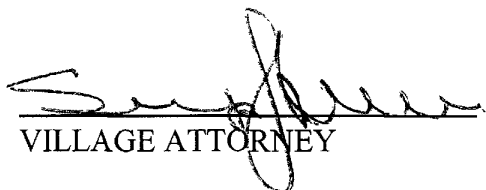

MAYOR FRANKLIN H. CAPLAN

ATTEST:



CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY


VILLAGE ATTORNEY

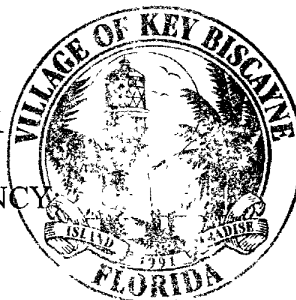


EXHIBIT "A"

Commence at the intersection of the north line of Tract 1 of Canoga Properties, Plat Book 65, page 88 of the public records of Maimi-Dade County, Florida, with the Northeasterly right of way line of Crandon Boulevard, as the same is shown on the plat of Cape Florida subdivision, Section 1, Plat Book 68, at Page 81 of the public records of Miami-Dade County, Florida; thence run North 89 degrees 52 minutes 45 seconds East along the North line of said Tract 1 for a distance of 515.93 feet; thence run South 00 degrees 07 minutes 15 seconds East for a distance of 30.00 feet to the point of the beginning of the parcel of the land herein described; thence continue South 00 degrees 07 minutes 5 seconds East for a distance of 320 feet; thence run south 89 degrees 52 minutes 40 seconds West for a distance of 30.00 feet to a point on the Northeasterly right of way line of Crandon Boulevard; thence run North 54 degrees 19 minutes 08 seconds West, along the Northeasterly right of way line of Crandon Boulevard for a distance of 469.63 feet to the beginning of a tangential circular curve; thence run Northwesternly, Northerly and Northeasterly along said circular curve concave to the East having a radius of 25 feet through a central angle of 144 degrees, 11 minutes 53 seconds for an arc distance of 62.92 feet to the end of said curve, thence run North 89 degrees 52 minutes 45 seconds East for a distance of 396.94 feet to the Point of beginning containing 1.829 acres more or less.

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida



STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

VILLAGE OF KEY BISCAIYNE OFFICE OF THE VILLAGE CLERK

PUBLIC NOTICE

Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida, that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

Notice is hereby given that the Village Council of the Village of Key Biscayne, sitting as the Local Planning Agency (LPA), will hold a public hearing on Tuesday, October 8, 2013, at 7:00 p.m., in the Council Chamber, located at 560 Crandon Boulevard, (behind Fire Station) Key Biscayne, Florida; to consider making a recommendation to the Village Council on the following ordinance. The Village Council shall then consider adoption of the ordinance on second reading, at a public hearing, following the completion of the LPA hearing:

VILLAGE OF KEY BISCAIYNE - ORDINANCE REZONING PROPERTY
LOCATED AT 971 CRANDON BOULEVARD, ETC

AN ORDINANCE OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, REZONING PROPERTY LOCATED AT 971 CRANDON BOULEVARD FROM O-1 LIGHT INTENSITY OFFICE TO C-1 LIGHT INTENSITY COMMERCIAL; AND PROVIDING FOR AN EFFECTIVE DATE.

in the XXXX Court,
was published in said newspaper in the issues of

A copy of the proposed ordinance is available for public inspection and may be obtained at Village Hall, Office of the Village Clerk, 88 West McIntyre Street, Suite 220, Key Biscayne, Florida 33149. Interested parties may appear at the Public Hearings and be heard with respect to the proposed ordinance.

09/26/2013

In accordance with the Americans With Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this proceeding because of that disability should contact the Office of the Village Clerk, 88 West McIntyre Street, Suite 220, Key Biscayne, Florida 33149; telephone number (305) 365-5506, not later than two business days prior to such proceeding.

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Should any person desire to appeal any decision of the Village Council with respect to any matter to be considered at this meeting, that person shall insure that a verbatim record of the proceedings is made including all testimony and evidence upon which any appeal may be based (F.S. 286.0105).

Sworn to and subscribed before me this

Comments of any interested party relative to this matter may be submitted in writing or presented in person at the public hearing.

26 day of SEPTEMBER, A D 2013

Conchita H. Alvarez, MMC
Village Clerk

9/26

13-4-160/2156934M

(SEAL)

MARIA MESA personally known to me

