

ORDINANCE No. 2021-10

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING TEXT AMENDMENTS TO THE CITY OF DORAL LAND DEVELOPMENT CODE, CHAPTER 77 “ROADS AND VEHICULAR USE AREAS,” TO REVISE SECTION 77-88 “VARIANCES”; TO ALLOW THE PUBLIC WORKS DEPARTMENT TO APPROVE MINOR VARIANCES FROM CHAPTER 77 ADMINISTRATIVELY; PROVIDING FOR IMPLEMENTATION AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, prior to the City’s incorporation property’s developed within City limits adhered to the standards at the time; and

WHEREAS, when a property owner desires to redevelop, they are required to adhere to the current standards and life safety criteria; and

WHEREAS, due to a property’s existing conditions it is possible that a variance may be required if hardship is established; and

WHEREAS, section 77-88 – “Variances” addresses only access control for one-family and two-family residences and does not allow for the variances to be approved administratively; and

WHEREAS, the Public Works Department (PWD) is requesting to amend Chapter 77 of the City’s Code of Ordinance, Section 77-88 titled “Variances” to allow for the Public Works Department to approve minor variances administratively and allows the section to address commercial and industrial properties as well; and

WHEREAS, the City’s Public Works Department has reviewed the subject Chapter and issued its recommendations.

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Words in underscored type are additions.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:**

Section 1. Recitals. The recitals and findings contained in the Preamble to this Ordinance are adopted and incorporated as if fully set forth in this Section.

Section 2. Code Amended. Chapter 77 – “Roads and Vehicular Use Areas”, Article III – “Access Control”, Division 1 – “Generally”, Section 77-88 - “Variances” the Code of Ordinances of the City of Doral is hereby amended as follows:

CHAPTER 77. ROADS AND VEHICULAR USE AREAS

ARTICLE III. – ACCESS CONTROL

DIVISION A. – GENERALLY

Sec. 77-88. – Variances.

~~Where the department concurs that unique traffic engineering considerations exist on a specific site, variances from this article may be authorized through the development plan approval process, or at the time of building permit application for one-family and two-family residences. However, if the department objects to a proposed variance from this article, a formal variance shall be requested in accordance with provisions for such in this Land Development Code.~~

Where the Public Works Department concurs that unique traffic engineering constraints exist on a specific site, whether the site is commercial, industrial, or residential, minor variances from this article may be authorized and approved by the Public Works Director when a hardship, other than financial, has been established.

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Section 7. Effective Date. This Ordinance shall become effective after second reading.

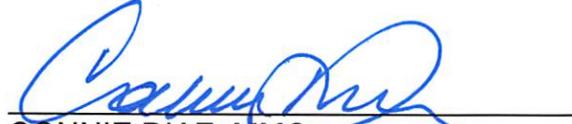
The foregoing Ordinance was offered by Councilmember Mariaca who moved its adoption. The motion was seconded by Councilmember Cabral upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Digna Cabral	Yes
Councilwoman Claudia Mariaca	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED on FIRST READING this 24 day of March, 2021.

PASSED AND ADOPTED on SECOND READING this 28 day of April, 2021.

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK



JUAN CARLOS BERMUDEZ, MAYOR

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY

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