



September 3<sup>rd</sup>, 2021

Pedro J. Garcia  
7301 SW 57<sup>th</sup> Court, Suite 540  
South Miami, Florida 33143

**Re: ZIF NO. 211057 - Folio No. 10-7908-036-0020**

*City Council*

To whom it may concern:

Steven D. Losner  
Mayor

Patricia D. Fairclough-Staggers, Ed.S  
Vice Mayor

Erica G. Ávila  
Councilwoman

Jenifer N. Bailey  
Councilwoman

Sean L. Fletcher  
Councilman

Larry Roth  
Councilman

Stephen R. Shelley  
Councilman

Cate McCaffrey  
City Manager

This correspondence is in response to your zoning verification request. The subject property is zoned *Retail Commercial (B-2) district* and has a Future Land Use Map (FLUM) of *Light Commercial Use (LCU)*. The LCU land use designation is implemented by the B-1A, B-1, R-4 and B-2 districts excluding automotive and other heavy commercial/industrial uses. Permitted uses within the LCU include hotel/motel, office, retail and other business uses which have significant nuisance and negative visual characteristics, generate little truck traffic, and generally require frontage locations on major roadways. Permitted B-2 district uses include but are not limited to every use permitted by the B-1 zone, automobile gas station/self-serve or attendant, catering, funeral homes, medical laboratories, pet shops and dog beauty parlors, shoe repair shops, commercial retail uses. For your reference attached herein is a copy of the B-2 zoning district list of permitted uses, which may also be found by visiting the website for the City of Homestead code of ordinances – [www.municode.com](http://www.municode.com)

- Pursuant to attached *Resolution No. 87-12-48*; the City of Homestead granted annexation to the subject property on February 1<sup>st</sup>, 1988.
- Pursuant to attached *Ordinance No. 93-12-113*; the City of Homestead granted a rezoning from G to B-2 to South Florida New Holland Equipment Corp., Richards Tractors & Implements, Inc. and Jose Cardenal on February 7<sup>th</sup>, 1994.

*City Hall*

Future development approval will require that the proposal be consistent with the City's Land Development Regulations as well as concurrency approvals. Building permits will be subject to compliance with all applicable code requirements.

100 Civic Court  
Homestead, FL 33030

305-224-4400

[www.cityofhomestead.com](http://www.cityofhomestead.com)

Should you need additional zoning information, please contact this office at (305) 224-4512.

Sincerely,

Alessandra Alvarez, Zoning Associate  
Development Services Department

Exhibits:

- Copy of B-2 Retail Commercial District Code Section 30-276
- Copy of B-1 Restricted Retail Commercial District Code Section 30-256
- Copy of Resolution No. 87-12-48 Annexation
- Copy of Ordinance No. 93-12-113 Rezone

## **DIVISION 12. - B-2 RETAIL COMMERCIAL DISTRICT<sup>131</sup>**

Footnotes:

--- (13) ---

**Cross reference**— Sidewalk sales, § 16-296; sign regulations in certain zoning districts, § 23-80.

Sec. 30-276. - Uses permitted.

- (a) No building or land in the B-2 retail commercial district shall be used and no building shall be erected, constructed, reconstructed or structurally altered which is designed, arranged or intended to be used or occupied for any purpose, unless otherwise provided for, excepting for one (1) or more of the following uses; and provided further that all storage of materials and products and all operations of work of every character are carried on entirely within the enclosing walls and under the roof of a building constructed in accordance with the requirements herein provided. Notwithstanding the foregoing, ice machines and propane gas tanks (sales or swap-out programs) which are incidental and ancillary to the principal permitted use, may be located, placed or stored outside subject to approval by the development services director or designee. Ice machines and propane gas tanks shall not be located, placed or stored adjacent to any building entrance, impede pedestrian or vehicular traffic, obstruct emergency vehicular access or present a hazard to public health, safety and welfare. Ice machines and propane gas tanks shall only be permitted with the installation of bollards or other similar protective safety devices.
- (b) Uses permitted as of right:
  - (1) Every use permitted in a B-1 zone;
  - (2) Addressing and mailing service;
  - (3) Air conditioning business sales and service;
  - (4) Automobile new parts and equipment or accessory stores, salesrooms only;
  - (5) Automobile new, sales and service, authorized dealer for, must have building for office, minimum required size of B district. The service area shall be located in the rear of the building and shall only be used in conjunction with vehicles of the dealership;
  - (6) Automobile service stations, which may include facilities available for sale of other retail products and services related to the servicing of automobiles. As an accessory use, the service station may perform minor automobile repairs as herein listed:
    - (a) Sale and servicing of spark plugs and batteries;
    - (b) Tire repair and servicing, but no recapping;
    - (c) Replacement of mufflers and tailpipes, water hose, fan belts, brake fluids, light bulbs, floor mats, seat covers, wiper blades, arms for windshields, and replacement of grease retainers and wheel bearings;
    - (d) Radiator cleaning and flushing;
    - (e) Washing and polishing;
    - (f) Greasing and lubrications;
    - (g) Exchanging fuel pumps and installing fuel lines;
    - (h) Minor servicing or replacement of carburetors;
    - (i) Emergency wiring repairs;

- (j) Adjusting brakes and installing or exchanging brake shoes;
  - (k) Tuning engines, with the exception of grinding valves, cleaning carbon or removing the head of engines and/or crankcases;
  - (l) Wheel balancing and aligning;
  - (m) Shock absorbers.
- (7) Automobile gas stations, self serve or attendant;
  - (8) Bait and tackle shops;
  - (9) Billiard rooms and pool rooms;
  - (10) Bowling alleys, provided that such establishments are not located closer than five hundred (500) feet to a residential district, unless such building is so constructed as to prevent the emission of sound and vibration;
  - (11) Catering;
  - (12) Dance halls in air conditioned buildings providing no intoxicating beverages of any kind are served, providing that such establishments are not located closer than five hundred (500) feet to a residential district, unless such building is so constructed as to prevent the emission of sound or vibration;
  - (13) Data processing;
  - (14) Dental laboratories;
  - (15) Dog and pet hospitals in air conditioned buildings (boarding of animals is not permitted);
  - (16) Dressmaking and alteration shops for wearing apparel;
  - (17) Drive-in theaters and other drive-thru businesses where a majority, or a substantial portion of business thereof, is completed by ordering at a drive-thru window, picking up said merchandise, and removing said food stuff or merchandise from the premises for use or consumption;
  - (18) Dry cleaning and pressing establishments, provided:
    - (a) That no gasoline or explosive of any kind are stored on the premises or used in connection therewith;
    - (b) That perchlorethylene cleaning fluid, only, is used;
    - (c) That only gas fired or electric boilers shall be used;
    - (d) That no noise, odors, obnoxious fumes or smokes shall be emitted from the building;
    - (e) That the entire installation shall be subject to approval by the fire department.
  - (19) Fruit stores, retail only, provided all merchandise shall be completely enclosed within the building;
  - (20) Funeral homes;
  - (20.5) Laundries, self-service/coin operated;
  - (21) Medical laboratories;
  - (22) Nurseries, propagating and growing plants for sale. Fertilizers, manure, compost and soil shall be limited in quantities for immediate use and sale and shall be kept at least two hundred (200) feet from residential districts and buildings.
  - (23) Parking lots, commercial;
  - (24) Pet shops and dog beauty parlors in air conditioned buildings (no overnight boarding of animals permitted);

- (25) Photograph developing and printing;
- (26) Printing shops, mimeographing, photostating, photocopying;
- (27) Rentals, formal wear and costumes;
- (28) Repair shops for electrical appliances, radio, television, jewelry, watches, typewriters, business machines, cameras and golf clubs;
- (29) Retail electric stores and repair shops;
- (30) Retail plumbing supply stores;
- (31) Self-service ice stations;
- (32) Self-service storage facilities. Use shall only be permitted upon the submission of a site plan which shall be approved by the director of building and zoning or at the discretion of the director by a public hearing before the city's planning and zoning board.

Self-service storage facility shall be defined as a fully enclosed space used for warehouseing which contains individual storage units with floor area no greater than four hundred (400) square feet and an interior height not to exceed twelve (12) feet. No wholesale or retail sales are permitted;

- (33) Shoe repair shops;
- (34) Sign paint shop;
- (35) Skating rinks, shall not be located closer than five hundred (500) feet to a residential district unless such building is so constructed as to prevent the emission of sound [or] vibration;
- (36) Surgical and orthopedic appliance sales;
- (37) Tailor shops;
- (38) Telegraph stations;
- (39) Telephone answering service;
- (40) Telephone exchange;
- (41) Tires, new, automobile, retail sales only, service or service installation no recapping on premises;
- (42) Upholstery shops, provided the business is limited to recovering of furniture only, painting or repainting is done elsewhere, showroom and office is in front of store, separated from work area by a partition;

\*\* Other similar enterprises or businesses which are not more obnoxious or detrimental to the welfare of the particular community than the businesses or enterprises herein enumerated.

- (c) The following uses shall be permitted by special exception approval in accordance with sections 30-45, 30-531 and 30-536.4 of this chapter:
  - (1) Commercial retail uses exceeding twenty thousand (20,000) square feet of usable floor area.

(Ord. No. 73-10-46, § XVI, 12-18-73; Ord. No. 78-07-51, § 1, 7-24-78; Ord. No. 88-06-42, § 2, 7-5-88; Ord. No. 89-07-60, § 1, 8-7-89; Ord. No. 89-11-93, § 1, 11-20-89; Ord. No. 90-06-29, § 3, 7-2-90; Ord. No. 2008-09-28, § 4, 9-15-08; Ord. No. 2014-04-04, § 3, 5-21-14; [Ord. No. 2015-06-05, § 3, 6-17-15](#).)

**Cross reference**— Unusual uses in the B-2 district requiring special public hearing, § 30-531.

Sec. 30-277. - Building site area requirements.

No minimum requirements except that in no case shall a multiple dwelling be erected on a site which provides an area less per family than is required under the minimum area provisions stipulated for the R-2, R-3 and R-4 districts.

(Ord. No. 73-10-46, § XVI, 12-18-73)

Sec. 30-278. - Setbacks.

- (a) *Front yard requirements.* Setbacks on all retail commercial property shall be twenty (20) feet unless setback is already established at a lesser distance by two (2) or more buildings in the block, but no setback shall be less than fifteen (15) feet. For R-1, R-2, R-3 and R-4 uses, front yard requirements shall be the same as required under that particular use district. For zoned properties abutting Krome Avenue, the front yard setback shall be reduced to a minimum of five (5) feet. However, if two (2) adjoining (touching) buildings are less than five (5) feet from such setback, the new structure may come to the building line of the two (2) adjoining buildings, even if same is less than five (5) feet. These setback requirements shall not pertain to the "fringe and core" areas located on Krome Avenue, if the setback amendments would violate more liberal setback requirements which had been previously granted to those areas.
- (b) *Side yard requirements.* No side yard required, except as use of R-1, R-2, R-3 and R-4, where side yard requirements shall be the same as required under that use district.
- (c) *Rear yard requirements.* There shall be a rear yard not less than twenty (20) feet in depth, except as use of R-1, R-2, R-3 and R-4, where rear yard requirements shall be the same as required under the use district.
- (d) *Side and rear setbacks abutting residential zones.* In any B-1 or B-2 zone abutting A-1, A-2, R-1, R-2, R-TH, R-CH, R-3 or R-4 zones, the side setbacks shall be a minimum of ten (10) feet and the rear shall be a minimum of twenty (20) feet.

(Ord. No. 73-10-46, §§ III(17), XVI, 12-18-73; Ord. No. 94-02-16, § 2, 3, 2-21-94)

**Cross reference**— Side setbacks, § 30-404.

Sec. 30-279. - Floor area requirements.

There shall be a minimum of five hundred (500) square feet of floor space per store for retail commercial use. If R-1, R-2, R-3 and R-4 use, floor area will be the same as required under that use district.

That as an alternative to the minimum five hundred (500) square feet of floor area per commercial use, as set forth above, additional licenses may be issued to the same address subject to the following conditions:

- (a) That the original structure has a minimum of five hundred (500) square feet of floor area.
- (b) That each desk for which a license is applied, would have no inventory on the premises.
- (c) That each desk license shall provide one (1) car space over and above the minimum as set forth in the parking requirements.
- (d) That each desk license application shall provide a floor plan showing the location of all desk area, halls, exits, bathrooms, etc.
- (e) That a maximum of three (3) licensed desks for alternative uses shall be granted per five hundred (500) square feet of floor area in each structure.
- (f) That each licensed application shall have a site plan showing additional parking spaces, if required, with striping, bumpers and driveways where required.

(g) That each licensed application shall meet all other requirements under the zoning code.

(Ord. No. 73-10-46, § XVI, 12-18-73; Ord. No. 74-06-33, § 3, 7-1-74; Ord. No. 88-9-61, § 1, 9-19-88)

Sec. 30-280. - Parking, landscaping and sidewalk requirements.

The parking, landscaping and sidewalk requirements are in the chart entitled schedule of zoning regulations on file in the city clerk's office.

(Ord. No. 73-10-46, § XVI, 12-18-73)

Sec. 30-281. - Pre-engineered buildings.

Pre-engineered buildings will be considered for erection within a B-2, B-3 or all I districts provided all fire and building codes are met and proper engineering drawings with calculations are submitted to the proper authorities.

Sec. 30-282. - Fences.

Fence restrictions shall be as provided in section 30-486 et seq.

Sec. 30-283. - Landscaping.

Landscaping shall be as required in the applicable provisions of chapter 29.

Sec. 30-284. - Parking.

Parking shall be as required in section 30-431 et seq.

Sec. 30-285. - Sidewalks.

Sidewalks shall be as required in section 24-41 et seq.

Sec. 30-286. - Signs.

Signs shall be as provided in section 23-41 et seq.

Sec. 30-287. - Building height limitations.

The maximum building height shall be seventy (70) feet or six (6) stories whichever is less.

(Ord. No. 89-03-18, §§ 1, 2, 3-20-89)

**Editor's note**— Section 30-287 has been included herein pursuant to instructions of the city and the adoption of Ord. No. 89-03-18, adopted Mar. 20, 1989.

Sec. 30-288. - Maximum lot coverage.

Total lot coverage by buildings, driveways, sidewalks, swimming pools and all other impervious surfaces shall not exceed eighty-five (85) percent of the total lot area.

(Ord. No. 90-11-86, Pt. 3, 12-3-90)

Sec. 30-289. - Rooftop screening.

All rooftop equipment including, but not limited to mechanical equipment and vents, shall be screened by a parapet wall or similar solid materials as may be approved by the department of development services.

(Ord. No. 2004-10-41, § 10(30-295.1), 10-18-04)

**Editor's note**— Ord. No. 2004-10-04, § 10, adopted Oct. 18, 2004, supplied provisions to be set out as § 30-295.1. In order to preserve the style of the Code, and provide ease in future supplementation, these provisions have been renumbered as § 30-289 to read as set out herein.

Secs. 30-290—30-295. - Reserved.



## DIVISION 11. - B-1 RESTRICTED RETAIL COMMERCIAL DISTRICT<sup>[12]</sup>

Footnotes:

--- (12) ---

**Cross reference**— Sidewalk sales, § 16-296 et seq., sign regulations in certain zoning districts, § 23-80.  
Sec. 30-256. - Uses permitted.

- (a) No building or land in the B-1 restricted retail commercial district shall be used and no building shall be erected, constructed, reconstructed or structurally altered which is designed, arranged, or intended to be used or occupied for any purpose, other than one (1) or more of the following uses. All storage of materials and products and all operations of work of every character shall be carried on entirely within the enclosing walls and under the roof of a building constructed in accordance with the requirements provided herein. Notwithstanding the foregoing, ice machines and propane gas tanks (sales or swap-out programs) which are incidental and ancillary to the principal permitted use, may be located, placed or stored outside subject to approval by the development services director or designee. Ice machines and propane gas tanks shall not be located, placed or stored adjacent to any building entrance, impede pedestrian or vehicular traffic, obstruct emergency vehicular access or present a hazard to the public health, safety and welfare. Ice machines and propane gas tanks shall only be permitted with the installation of bollards or other similar protective safety devices. Restaurants with courtyards and outside dining and drive-in restaurants with their principal business of ordering food from and serving food in motor vehicles to be consumed on the premises shall be exempt from the requirement as set forth immediately above regarding operations to be carried out entirely within enclosing walls or under the roof of a building.
- (b) Within the areas designated Downtown Mixed Use or Professional Mixed Use in the comprehensive plan, B properties may be used for work lofts (the first floor of the use is used for an approved business use and the second floor is used as the residence for the business owner).
- (c) The following uses shall be permitted by special exception approval in accordance with sections 30-45, 30-531 and 30-536.4 of this chapter:
  - (1) Commercial retail uses greater than ten thousand (10,000) square feet up to a maximum of twenty thousand (20,000) square feet of useable floor area.
- (d) Other permitted uses:
  - (1) Abstract and/or title company.
  - (2) Accountant.
  - (3) Actuaries.
  - (4) Adjusters, insurance.
  - (5) Administrative office.
  - (6) Advertising office, no shops.
  - (7) Appraisers.
  - (8) Antique and curio shops.
  - (9) Architects.
  - (10) Art goods stores.
  - (11) Artists' studio.

- (12) Attorneys.
- (13) Auctioneers, office only.
- (14) Auditoriums.
- (15) Auditors.
- (16) Automobile rentals or leasing, office only.
- (17) Bake shop, retail only and employing under five (5) persons.
- (18) Banks, trust companies, savings institutions, finance companies and other similar financial institutions, excluding drive-in teller facilities.
- (19) Barber shops.
- (20) Beauty shops.
- (21) Bicycle stores, sales, rental, repairs (parking and storage to be within building).
- (22) Book stores, except adult book stores.
- (23) Boarding houses and lodging houses.
- (24) Broker, mortgage.
- (25) Building, electrical or plumbing contractor, office only, no shop or storage.
- (26) Business analyst, counselor or broker.
- (27) Cafe, cafeterias, delicatessens, restaurants, including drive-in restaurants where the food is ordered from and served in motor vehicles as the primary service of said business.
- (28) Calculating and statistical services.
- (29) China, crockery, glassware and earthenware stores.
- (30) Church/religious institution(s).
- (31) Cigar and cigarette shops, retail only.
- (32) Cleaning and laundry agency, where no gasoline or explosive of any kind are stored or used and provided no cleaning or laundry shall be done on the premises.
- (33) Clinic, medical or dental, establishments where two (2) or more medical or dental practitioners have offices together with consultation rooms, laboratories and other common facilities.
- (34) Clothing stores.
- (35) Computer software development.
- (36) Confectionery and ice cream stores, retail only.
- (37) Conservatories, school of fine arts.
- (38) Consignment stores.
- (39) Consulates.
- (40) Consultants.
- (41) Convenience stores as defined in section 30-1 of the Code (open between 11 p.m. and 5 a.m.) and ancillary self-service gas pumps shall be permitted in B-1 zoning, following public hearing approval and the submission of an application to the development services department of the city and a recommendation from the planning and zoning board to the city council as to whether to issue a special exception permit, said special exception permit to be adopted by resolution.
- (42) Cosmetics, perfumes and toiletries stores.

- (43) Court reporting, public stenographers.
- (44) Credit reporting.
- (45) Dancing academies.
- (46) Day care center.
- (47) Department and dry goods stores.
- (48) Dentists.
- (49) Detective agency.
- (50) Drug and sundry stores.
- (51) Employment agencies.
- (52) Engineers, professional.
- (53) Florist shops, no outside nurseries.
- (54) Furniture stores, retail only, new merchandise.
- (55) Grocery stores, no handling of live poultry.
- (56) Guest houses and tourist homes.
- (57) Haberdashery shops.
- (58) Hardware stores - including minor service and repair of the types of retail items sold, ancillary to the principal use.
- (59) Hobby supplies.
- (60) Hotel.
- (61) Importers/exporters, office only.
- (62) Insurance agencies and bond offices.
- (63) Interior decorating, costuming, drapery stores, retail only.
- (64) Investment and securities dealers.
- (65) Jewelry stores.
- (66) Leather goods stores.
- (67) Lodge halls and convention halls.
- (68) Luggage shops.
- (69) Manufacturer's agents.
- (70) Market research.
- (71) Medical doctors.
- (72) Millinery shops.
- (73) Miscellaneous service establishments.
- (74) Model agency.
- (75) Modest wearing apparel and furriers.
- (76) Motel.
- (76) Music, radio, television and electrical appliance stores, retail only.
- (78) Newsstands, all merchandise shall be enclosed in an approved structure.

- (79) Notary public.
- (80) Offices for business and professional purpose.
- (81) Office supply and equipment stores, retail only.
- (82) Optical stores.
- (83) Optometrist.
- (84) Paint stores, retail only.
- (85) Photo equipment and supplies.
- (86) Photographers, photograph galleries.
- (87) Post offices.
- (88) Public relations.
- (89) Real estate sales and management offices.
- (90) Soft drink stands, provided they shall be completely enclosed by an approved structure.
- (91) Shoe stores, retail only.
- (92) Souvenir stores and gift shops.
- (93) Sporting goods stores.
- (94) Stationary stores.
- (95) Stock exchange and brokerage offices.
- (96) Tax consultants.
- (97) Telegraph and telephone offices—Does not include telephone exchanges.
- (98) Theatres and motion pictures houses—Except the following:
  - a. Open air or drive-in type; and
  - b. Adult motion picture theatres.
- (99) Ticket offices and waiting rooms for airplane, bus, railroad and ships.
- (100) Travel agency.
- (101) Video rental and sales, x-rated tapes shall comply with applicable Florida Statutes as to accessibility and availability to the public.
- (102) Other retail stores, new merchandise only unless specifically stated herein.
- (103) Open air cafes and/or restaurants.
- (104) Bowling alleys, provided that such establishments are not located closer than five hundred (500) feet to a residential district, unless such building is so constructed as to prevent the emission of sound and vibration.
- (105) Commercial retail uses not exceeding ten thousand (10,000) square feet of useable floor area.

All businesses required to be licensed by, and regulated by, the State of Florida Department of Professional Regulation, shall be allowed to establish said business in a B-1 zone and, if the location for the proposed business is zoned B-1, the only information required by the City of Homestead shall be a notification of proper zoning and a copy of their license from the Florida Department of Professional Regulation prior to the issuance of a City of Homestead business receipt. Notwithstanding the foregoing, no commercial retail use shall be permitted to exceed a maximum of twenty thousand (20,000) square feet of usable floor area.

(Ord. No. 73-10-46, § XIV, 12-18-73; Ord. No. 76-08-47, 9-27-76; Ord. No. 78-07-51, § 1, 7-27-78; Ord. No. 81-11-65, § 2, 11-2-81; Ord. No. 88-05-33, § 1, 5-16-88; Ord. No. 88-06-42, § 1, 7-5-88; Ord. No. 89-07-60, § 1, 8-7-89; Ord. No. 90-06-29, §§ 1, 2, 7-2-90; Ord. No. 93-07-64, § 1, 7-19-93; Ord. No. 90-11-86, Pt. 3, 12-3-90; Ord. No. 93-09-85, §§ 1, 2, 9-20-93; Ord. No. 93-11-105, §§ 1, 2, 12-6-93; Ord. No. 97-11-50, § 1, 12-1-97; Ord. No. 97-03-08, § 1, 3-17-97; Ord. No. 99-05-25, §§ 1, 2, 5-17-99; Ord. No. 00-05-15, § 1, 6-5-00; Ord. No. 2003-06-23, § 24, 6-23-03; Ord. No. 2003-06-24, § 13, 6-23-03; Ord. No. 2007-08-26, § 16, 8-6-07; Ord. No. 2008-09-28, § 3, 9-15-08; Ord. No. 2011-03-06, § 2, 3-23-11; Ord. No. 2013-03-08, § 4, 3-20-13; Ord. No. 2014-04-04, § 3, 5-21-14; [Ord. No. 2015-06-05, § 3, 6-17-15](#).)

**Cross reference**— Unusual uses in the B-1 district requiring special public hearing, § 30-531.

Sec. 30-257. - Building height limitations.

The maximum height of buildings shall be seventy (70) feet or six (6) stories whichever is less.

(Ord. No. 73-10-46, § XIV, 12-18-73; Ord. No. 74-11-66, § 3, 11-19-74; Ord. No. 89-03-18, §§ 1, 2, 3-20-89)

Sec. 30-258. - Building site area requirements.

No minimum requirements, except that in no case shall a single or multiple dwelling be erected on a site which provides an area less per family than is required under the minimum area provisions stipulated for the R-1, R-2, R-3 and R-4 districts.

(Ord. No. 73-10-46, § XIV, 12-18-73)

Sec. 30-259. - Setbacks.

- (a) *Front yard requirements.* Setbacks on all retail commercial property shall be twenty (20) feet unless setback is already established at a lesser distance by two (2) or more buildings in the block, but no setback shall be less than fifteen (15) feet. For R-1, R-2, R-3 and R-4 uses, front yard requirements shall be the same as required under that particular use district. For zoned properties abutting Krome Avenue, the front yard setback shall be reduced to a minimum of five (5) feet. However, if two (2) adjoining (touching) buildings are less than five (5) feet from such setback, the new structure may come to the building line of the two (2) adjoining buildings, even if same is less than five (5) feet. These setback requirements shall not pertain to the "fringe and core" areas located on Krome Avenue, if the setback amendments would violate more liberal setback requirements which had been previously granted to those areas.
- (b) *Side yard requirements.* No side yard required, except for R-1, R-2, R-3 and R-4 uses where side yard requirements shall be the same as required under that use district.
- (c) *Rear yard requirements.* There shall be a rear yard not less than twenty (20) feet in depth, except for R-1, R-2, R-3 and R-4 uses where rear yard requirements shall be the same as required under that use district.
- (d) *Side and rear setbacks abutting residential zones.* In any B-1 or B-2 zone abutting A-1, A-2, R-1, R-2, R-TH, R-CH, R-3 or R-4 zones, the side setbacks shall be a minimum of ten (10) feet and the rear shall be a minimum of twenty (20) feet.

(Ord. No. 73-10-46, §§ III(17), XIV, 12-18-73; Ord. No. 94-02-16, §§ 2, 3, 2-21-94)

**Cross reference**— Side setbacks, § 30-404.

Sec. 30-260. - Reserved.

**Editor's note**— Ord. No. 90-11-86, Pt. 3, adopted Dec. 3, 1990, repealed former § 30-260, relative to floor area requirements, which derived from Ord. No. 73-10-46, § XIV, adopted Dec. 18, 1973; Ord. No. 74-06-33, § 2, adopted July 1, 1974; and Ord. No. 88-9-61, § 1, adopted Sept. 19, 1988.

Sec. 30-261. - Fences.

Fence restrictions shall be as provided in section 30-486 et seq.

Sec. 30-262. - Landscaping.

Landscaping shall be as required in the applicable provisions of chapter 29.

Sec. 30-263. - Parking.

Parking shall be as required in section 30-431 et seq.

Sec. 30-264. - Sidewalks.

Sidewalks shall be as required in section 24-41 et seq.

Sec. 30-265. - Signs.

Signs shall be as provided in section 23-41 et seq.

Sec. 30-266. - Maximum lot coverage.

Total lot coverage by buildings, driveways, sidewalks, swimming pools and all other impervious surfaces shall not exceed eighty-five (85) percent of the total lot area, except for lots located within the downtown core and fringe areas of the city, in which case these maximum lot coverage restrictions shall not apply.

(Ord. No. 90-11-86, Pt. 3, 12-3-90)

Sec. 30-267. - Rooftop screening.

All rooftop equipment including, but not limited to mechanical equipment and vents, shall be screened by a parapet wall or similar solid materials as may be approved by the department of development services.

(Ord. No. 2004-10-41, § 9(30-275.1), 10-18-04)

**Editor's note**— Ord. No. 2004-10-04, § 9, adopted Oct. 18, 2004, supplied provisions to be set out as § 30-275.1. In order to preserve the style of the Code, and provide ease in future supplementation, these provisions have been renumbered as § 30-267 to read as set out herein.

Secs. 30-268—30-275. - Reserved.

## RESOLUTION NO. R87-12-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOMESTEAD, DADE COUNTY, FLORIDA, INITIATING AND REQUESTING A PROPOSED BOUNDARY CHANGE; AUTHORIZING THE MAYOR, THE CITY MANAGER, THE CITY CLERK AND OTHER PROPER OFFICERS AND OFFICIALS OF THE CITY TO TAKE ANY AND ALL ACTIONS AS MAY BE NECESSARY TO SUBMIT A REQUEST FOR THE PROPOSED BOUNDARY CHANGE TO THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 5.04 of the Dade County Home Rule Charter and Section 20-3 of the Code of Metropolitan Dade County, Florida, the City may by resolution of its governing body initiate a proposed boundary change; and

WHEREAS, the City Council desires to initiate a proposed change to the boundary of the City to include the tract of land hereinafter described; and

WHEREAS, a public hearing has been held with respect to such proposed boundary change pursuant to notice as required pursuant to said Section 20-3; and

WHEREAS, the majority of private owners of the lands lying within the described lands responding to a letter of inquiry have requested to participate in the annexation process.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD, DADE COUNTY, FLORIDA:

Section 1 That the City Council of the City of Homestead hereby approves the changes, extension, and enlargement of the municipal boundaries of the City of Homestead, Florida, and the amendment of the Charter of the City of Homestead, Florida, to effect such change, by the annexation to the City of Homestead of the property legally described on the attached "Exhibit A".

Section 2 The City Council hereby requests that the Board of County Commissioners of Dade County, Florida, adopt an ordinance changing, extending, and enlarging the City's municipal boundaries as provided above and amending the Charter of the City to reflect such change.

Section 3 The Mayor, the City Manager and the City Clerk each and every other officer or official of the City are each hereby authorized and directed to take any and all such actions and to execute such certificates, documents and agreements as may be deemed by any such officer or official to be necessary or desirable in connection with the submission of the request for such boundary change to the County Commission of Dade County, Florida, for approval.

Section 4 All resolutions or orders and parts thereof in conflict herewith, to the extent of such conflicts, are hereby superseded and repealed.

Section 5 That this resolution shall take effect upon its passage and adoption.

PASSED AND ADOPTED this 1st day of February, 1988.

*Ruth L. Campbell, Jr. Mayor*  
\_\_\_\_\_  
J. W. DEMILLY, III, MAYOR

ATTEST:

*Evelyn Prunett*  
\_\_\_\_\_  
EVELYN PRUNETT, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

*Michael Watkins*  
\_\_\_\_\_  
MICHAEL WATKINS, CITY ATTORNEY







LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF SECTIONS 8, 9, 16, 17 AND 21, TOWNSHIP 57 SOUTH, RANGE 39 EAST, CITY OF HOMESTEAD, DADE COUNTY, FLORIDA, AND ALSO BEING A PART OF THE "PLAT OF LANDS BELONGING TO THE MIAMI LAND AND DEVELOPMENT COMPANY", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 10 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF THE NORTHEAST ONE QUARTER (NE 1/4) OF SAID SECTION 21; THENCE S0°29'34"E ALONG THE EAST LINE OF SAID SECTION 21 FOR 1002.19 FEET TO THE INTERSECTION WITH THE EASTERLY PROLONGATION OF THE NORTH LINE OF TRACT 28, BLOCK 1 OF SECTION 21, OF THE "PLAT OF LANDS BELONGING TO THE MIAMI LAND AND DEVELOPMENT COMPANY", HEREAFTER REFERRED TO AS "SUBDIVISION", SAID INTERSECTION ALSO BEING THE MUNICIPAL LIMITS OF THE CITY OF HOMESTEAD; THENCE S89°31'56"W ALONG SAID MUNICIPAL LIMITS FOR 889.00 FEET TO THE SOUTHEAST CORNER OF TRACT 5, BLOCK 1 OF SAID SECTION 21 OF SAID "SUBDIVISION"; THENCE N0°29'02"W ALONG THE EAST LINE OF SAID TRACT 5 AND ITS NORTHERLY PROLONGATION FOR 1002.10 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 16 OF SAID "SUBDIVISION"; THENCE S89°31'46"W ALONG SAID SOUTH LINE FOR 444.41 FEET TO AN INTERSECTION WITH THE SOUTHERLY PROLONGATION OF THE EAST LINE OF TRACT 20, BLOCK 4 OF SAID SECTION 16 OF SAID "SUBDIVISION"; THENCE N0°22'26"W ALONG THE SOUTHERLY PROLONGATION AND ALONG THE EAST LINE OF TRACTS 20 AND 14 FOR 1332.75 FEET TO THE NORTHEAST CORNER OF SAID TRACT 14; THENCE S89°34'01"W ALONG THE NORTHERLY LINE OF SAID TRACT 14 AND ITS WESTERLY PROLONGATION FOR 1334.32 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF SAID SECTION 16; THENCE S89°37'30"W ALONG THE EASTERLY AND WESTERLY PROLONGATION OF TRACTS 27 AND 14, BLOCK 3 OF SAID SECTION 16 OF SAID "SUBDIVISION" AND ALONG THE NORTHERLY LINE OF SAID TRACT 27 AND 14 FOR 2667.38 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF THE SOUTHEAST ONE QUARTER (SE 1/4) OF SAID SECTION 17; THENCE S89°40'39"W ALONG THE EASTERLY PROLONGATION OF TRACT 27, BLOCK 4 OF SAID SECTION 17 OF SAID "SUBDIVISION" AND ITS NORTHERLY LINE FOR 1356.82 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE S0°27'45"E ALONG THE WESTERLY LINE OF SAID TRACT 27 FOR 333.11 FEET TO THE NORTHEAST CORNER OF TRACT 20, BLOCK 4 OF SAID SECTION 17 OF SAID "SUBDIVISION"; THENCE S89°41'41"W ALONG THE NORTHERLY LINE OF TRACT 15 THROUGH 20 INCLUSIVE, AND THE WESTERLY PROLONGATION OF TRACT 15 OF SAID BLOCK 4 FOR 1357.31 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 17; THENCE N0°22'40"W ALONG SAID WESTERLY LINE FOR 1663.49 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SAID SECTION 17; THENCE N1°46'32"W ALONG THE WESTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17 FOR 1106.27 FEET TO A POINT ON THE WESTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE N89°27'31"E ALONG A LINE 115.00 FEET NORTHERLY OF, AS MEASURED AT RIGHT ANGLES AND PARALLEL TO THE SOUTH LINE OF LOT 14, BLOCK 1, OF SECTION 17 OF SAID "SUBDIVISION" FOR 1348.64 FEET; THENCE S2°05'31"E FOR 115.04 FEET TO

CITY OF HOMESTEAD ANNEXATION BOUNDARY

NOVEMBER 13, 1987

SHEET 1 OF 2

ENGINEERING • PLANNING • ARCHITECTURE

THE SOUTHEAST CORNER OF THE AMENDED PLAT OF "COCOAPALM VILLAGE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 4 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; THENCE  $N89^{\circ}27'31''E$  FOR 727.76 FEET TO AN INTERSECTION OF THE SOUTHERLY LINE OF THE LIMITED ACCESS RIGHT-OF-WAY LINE OF THE HOMESTEAD EXTENSION FLORIDA TURNPIKE; THENCE  $N55^{\circ}35'29''E$  ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR 732.58 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE  $N2^{\circ}24'21''W$  ALONG SAID EASTERLY LINE FOR 1255.79 FEET TO THE NORTHEAST CORNER OF SAID SECTION 17; THENCE  $S89^{\circ}12'25''W$  FOR 2680.00 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE  $N1^{\circ}10'16''W$  FOR 663.39 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 8; THENCE  $S89^{\circ}12'31''W$  FOR 669.47 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 8; THENCE  $N1^{\circ}06'24''W$  FOR 663.56 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 8, SAID POINT ALSO BEING THE POINT OF TERMINATION OF THE MUNICIPAL LIMITS OF THE CITY OF HOMESTEAD; THENCE  $N89^{\circ}13'25''E$  FOR 668.72 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 8; THENCE  $N89^{\circ}23'37''E$  FOR 2676.10 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 8 ALSO BEING THE SOUTHWEST CORNER OF THE PLAT OF "21ST CENTURY HOMES 1ST SECTION" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 94, PAGE 27 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; THENCE  $N88^{\circ}43'12''E$  ALONG THE SOUTHERLY LINE OF THE PLATS OF "21ST CENTURY HOMES 1ST SECTION" AS RECORDED IN PLAT BOOK 94, PAGE 27, "21ST CENTURY HOMES 4TH SECTION" AS RECORDED IN PLAT BOOK 100, PAGE 35 AND "21ST CENTURY HOMES 2ND SECTION" AS RECORDED IN PLAT BOOK 94, PAGE 85, ALL OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA FOR 2758.19 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SAID SECTION 9; THENCE  $N88^{\circ}40'34''E$  ALONG THE SOUTHERLY LINE OF PLATS OF "CASEIL HEIGHTS SECTION TWO" AS RECORDED IN PLAT BOOK 94, PAGE 81 AND "CASEIL HEIGHTS SECTION THREE" AS RECORDED IN PLAT BOOK 99, PAGE 16 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA FOR 2655.40 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE  $S2^{\circ}32'30''E$  FOR 1331.37 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 16; THENCE  $S0^{\circ}16'00''E$  FOR 2735.67 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 16; THENCE  $S0^{\circ}19'30''E$  FOR 2663.80 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 16, ALSO BEING THE POINT OF BEGINNING.

CONTAINING 976.69 ACRES, MORE OR LESS.

CERTIFICATE OF CLERK

I HEREBY CERTIFY that the foregoing Resolution No. R-87-12-48,  
 was offered by Mr. Kirk and that a motion was made by  
Mr. Kirk, seconded by Mr. Warren, for the  
 adoption of the foregoing resolution, and, upon being put to a vote, the  
 vote was as follows:

Nicholas Sincore	yes
Roscoe Warren	yes
Jeff Kirk	yes
Ruth Campbell	yes
Ron Dorris	yes
Olin Wright	yes
J.W. DeMilly, III	absent

The Mayor thereupon declared the resolution duly passed and  
 adopted by the City Council of the City of Homestead, Dade County,  
 Florida this 1st. day of February, 19 88

*Carol Purth*  
 \_\_\_\_\_  
 City Clerk

RECORDED IN OFFICIAL RECORDS BOOK  
 OF DADE COUNTY, FLORIDA.  
 RECORD VERIFIED  
 RICHARD P. BRINKER  
 CLERK CIRCUIT COURT



STATE OF FLORIDA,  
COUNTY OF DADE.

Personally appeared before me the undersigned authority, Richard A. Hackney, to me well known who being duly sworn deposes and says that he is the Publisher of the South Dade News Leader, a newspaper of general circulation, published at Homestead, Dade County, Florida. Affiant further says that the above named newspaper has continuously published daily, in Dade County, Florida, for more than one year immediately preceding the first publication of said Legal Notice or Advertisement and was during all such time and now is entered as second class mail matter in the United States Post Office in Homestead, Dade County, Florida, and that the Legal Notice or Advertisements, a true copy of which is hereto attached, was published in the

SOUTH DADE NEWS LEADER.....

on the following days:

JANUARY 21, 1988.....

Signed, *Richard A. Hackney*.....

Sworn to and subscribed before me this 21<sup>st</sup> day of

JANUARY 1988.....

*W. Lawrence Magnum III*

Notary Public State of Florida at Large

My commission expires

EDGARY PUBLIC STATE OF FLORIDA  
BY COMMISSION EXP. NOV 19 1988  
BOEDED THRU GENERAL ISS. UND.

NOTICE OF  
PROPOSED ADOPTION  
OF RESOLUTION

Notice is hereby given that on February 1, 1988, at 7:00 P.M., in the Council Chambers of the Homestead City Hall, 790 N. Homestead Boulevard, the City Council of the City of Homestead proposes to adopt a Resolution which is entitled:

RESOLUTION NO. R87-12-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOMESTEAD, DADE COUNTY, FLORIDA, INITIATING AND REQUESTING A PROPOSED BOUNDARY CHANGE; AUTHORIZING THE MAYOR, THE CITY MANAGER, THE CITY CLERK AND OTHER OFFICIALS OF THE CITY TO TAKE ANY AND ALL ACTIONS AS MAY BE NECESSARY TO SUBMIT A REQUEST FOR THE PROPOSED BOUNDARY CHANGE TO THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

A copy of the proposed Resolution and legal description may be inspected by the public at the office of the City Clerk, at the above address, and interested persons may appear at the above meeting to be heard with respect to the proposed Resolution.

CITY OF HOMESTEAD  
By: Evelyn R. Pruett  
City Clerk

January 21, 1988

STATE OF FLORIDA,  
COUNTY OF DADE.

Personally appeared before me the undersigned authority, Richard A. Hackney, to me well known who being duly sworn deposes and says that he is the Publisher of the South Dade News Leader, a newspaper of general circulation, published at Homestead, Dade County, Florida. Affiant further says that the above named newspaper has continuously published daily, in Dade County, Florida, for more than one year immediately preceding the first publication of said Legal Notice or Advertisement and was during all such time and now is entered as second class mail matter in the United States Post Office in Homestead, Dade County, Florida, and that the Legal Notice or Advertisements, a true copy of which is hereto attached, was published in the

SOUTH DADE NEWS LEADER.....

on the following days:

NOVEMBER 25, 1987.....

Signed *Richard A. Hackney*.....

Sworn to and subscribed before me this 11.....

day of DECEMBER 19, 1987..... A.D.

*Richard A. Hackney*.....

Notary Public State of Florida at Large

My commission expires

.....  
 ENERGY POLICE STATE OF FLORIDA  
 BY COMMISSION EXP. NOV 19 1988  
 BONDED TRRU GENERAL INS. USD.  
 1/1/88

NOTICE OF  
PROPOSED ENACTMENT  
OF ORDINANCE

Notice is hereby given that on December 7, 1987, at 7:00 P.M., in the Council Chambers of the Homestead City Hall, 790 N. Homestead Boulevard, the City Council of the City of Homestead proposes to adopt a Resolution which is entitled:

RESOLUTION NO. R87-12:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOMESTEAD, DADE COUNTY, FLORIDA, INITIATING AND REQUESTING A PROPOSED BOUNDARY CHANGE; AUTHORIZING THE MAYOR, THE CITY MANAGER, THE CITY CLERK AND OTHER PROPER OFFICERS AND OFFICIALS OF THE CITY TO TAKE ANY AND ALL ACTIONS AS MAY BE NECESSARY TO SUBMIT A REQUEST FOR THE PROPOSED BOUNDARY CHANGE TO THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

A copy of the proposed Resolution may be inspected by the public at the office of the City Clerk, at the above address, and interested persons may appear at the above meeting to be heard with respect to the proposed ordinance.

CITY OF HOMESTEAD  
By: Evelyn Pruett  
City Clerk

November 25, 1987

**ORDINANCE NO. 93-12-113**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOMESTEAD, FLORIDA, AMENDING ORDINANCE NO. 73-10-46, SAME BEING KNOWN AS THE MASTER ZONING ORDINANCE OF THE CITY OF HOMESTEAD, BY REZONING THE PROPERTY LOCATED AT 1995 NE 8TH STREET, HOMESTEAD, FLORIDA AND LEGALLY DESCRIBED AS FOLLOWS: SEC 8, TOWNSHIP 57, RGE 39, 4.735 ACRES, W $\frac{1}{2}$  OF SE $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF SE $\frac{1}{4}$  LESS S35 FT., SEC 8, TOWNSHIP 57, RGE. 39, 4.735 ACRES MORE OR LESS E $\frac{1}{2}$  OF SE $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF SE $\frac{1}{4}$  LESS 38 FT. FOR RIGHT-OF-WAY, FROM A G (GENERAL) USE TO A B-2 (RETAIL COMMERCIAL DISTRICT) ZONE.

WHEREAS, under Public Hearing No. 93-73 of the Planning and Zoning Board of the City of Homestead, SOUTH FLORIDA FORD NEW HOLLAND EQUIPMENT CORP., RICHARDS TRACTORS & IMPLEMENTS, INC. AND JOSE CARDENAL have made a request for the rezoning of the below described property; and

WHEREAS, the City Council of the City of Homestead finds it in the best interest of the City to rezone said property;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD, DADE COUNTY, FLORIDA:

SECTION 1.

LEGAL DESCRIPTION	OLD CLASSIFICATION	NEW CLASSIFICATION
-------------------	--------------------	--------------------

---

Sec 8, twndshp 57, rge 39, 4.735 acres, W $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ less S35 ft., Sec. 8, Twndshp 57, Rge. 39, 4.735 acres more or less E $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ less 38 ft. for right-of-way.	G	B-2
---	---	-----

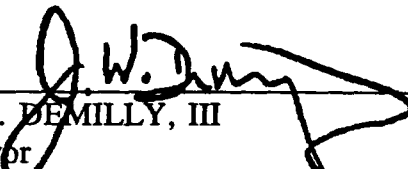
Location: 1995 NE 8th Street  
Homestead, FL

Folio No. 10-7908-000-045-00  
10-7908-000-045-10

SECTION 2. That granting of this rezoning is from a G (General Use) to a B-2 (Retail Commercial District) zone.

SECTION 3. That the applicant and holder of this rezoning reclassification shall be responsible for costs incurred in recording this instrument.


PASSED AND ADOPTED this 2<sup>nd</sup> day of February, 1994.

  
\_\_\_\_\_  
J.W. DEMILLY, III  
Mayor

ATTEST:

  
\_\_\_\_\_  
VELVA BURCH  
City Clerk

APPROVED AS TO FORM & CORRECTNESS:

  
\_\_\_\_\_  
MICHAEL E. WATKINS  
City Attorney

FINAL VOTE AT ADOPTION

*Mayor J.W. DeMilly, III*  
*Vice Mayor Roscoe Warren*  
*Councilman Ruth Campbell*  
*Councilman Jeff Kirk*  
*Councilman Eliza Perry*  
*Councilman Steve Shiver*  
*Councilman Nick Sincore*

YES  
\_\_\_\_\_  
YES  
\_\_\_\_\_  
YES  
\_\_\_\_\_  
YES  
\_\_\_\_\_  
ABSENT  
\_\_\_\_\_  
YES  
\_\_\_\_\_  
ABSENT  
\_\_\_\_\_

93-12-113