

RESOLUTION NO. Z-2-03

WHEREAS, **GENET FAMILY LTD. PARTNERSHIPS NO. 1 & 2** had applied to

Community Zoning Appeals Board 5 for the following:

AU to RU-3M

SUBJECT PROPERTY: Tract 16, less the right-of-way for State Road 93 (I-75), together with portions of Tracts 1, 2, 3, 4 & 5, FLORIDA FRUIT LANDS COMPANY' S SUBDIVISION NO. 1, in Section 9, Township 52 South, Range 40 East, Plat book 2, Page 17, being more particularly described as follows:

Commence at the Northeast corner of said Section 9; thence run S2°38' 18"E, along the east line of said Section 9, for 1,571.76' ; thence S89°35' 0"W, along a line parallel with and 254.81' south of, as measured at right angles to, the south line of said Tract 4, for 886.43' , to the Point of beginning of the following described parcel: thence continue S89°35' 0"W, along the last mentioned course, for 433.85' ; thence N2°38' 8"W, along the west line of said Tract 5, 4, 3 & 2, for 1,243.2' ; thence S89°36' 38"W, along the south line of said Tract 16, for 352.93' , to a point on a curve, said point bears N38°37' 32"W, from the radius point of said curve; thence NE/ly, along a circular curve to the right, having a radius of 550' and a central angle of 23°12' 11", for an arc distance of 222.73' , to a point on said curve, said point bears N15°25' 21"W, from the radius point of the last described curve; thence N89°37' 11"E, along the right-of-way line of State Road 93 (I-75), for 585.11' ; thence S2°38' 18"E, along a line parallel with and 885.76' west of, as measured at right angles to, the east line of said Section 9, for 1,342.14' , to the Point of beginning. Bearings mentioned herein relate to an assumed bearing of N2°38' 18"W along the east line of Section 9.

LOCATION: South of theoretical N.W. 186 Street & approximately 900' ± west of N.W. 87 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of Community Zoning Appeals Board 5 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 5 that the requested district boundary change to RU-3M would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied without prejudice and said application was denied by Resolution No. CZAB5-7-02, and

WHEREAS, GENET FAMILY LTD. PARTNERSHIPS NO. 1 & 2 appealed the decision of Community Zoning Appeals Board 5 to the Board of County Commissioners, for the following:

AU to RU-3M

SUBJECT PROPERTY: Tract 16, less the right-of-way for State Road 93 (I-75), together with portions of Tracts 1, 2, 3, 4 & 5, FLORIDA FRUIT LANDS COMPANY' S SUBDIVISION NO. 1, in Section 9, Township 52 South, Range 40 East, Plat book 2, Page 17, being more particularly described as follows:

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LOCATION: South of theoretical N.W. 186 Street & approximately 900' ± west of N.W. 87 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions, and

WHEREAS, after reviewing the record and decision of Community Zoning Appeals Board 14 and after having given an opportunity for interested parties to be heard, it is the opinion of this Board to vacate resolution CZAB5-7-02 and to remand the application back to Community Appeals Board 5 for further consideration with leave to amend, and

WHEREAS, a motion to vacate resolution CZAB5-7-02 and to remand the application back to Community Appeals Board 5 for further consideration with leave to amend was offered by Commissioner Jose "Pepe" Diaz, seconded by Commissioner Jimmy L. Morales, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	absent	Dennis C. Moss	nay
Jose "Pepe" Diaz	aye	Dorin D. Rolle	aye
Betty T. Ferguson	absent	Natacha Seijas	absent
Sally A. Heyman	aye	Katy Sorenson	nay
Joe A. Martinez	aye	Rebeca Sosa	absent
Jimmy L. Morales	aye	Javier D. Souto	aye

Chairperson Barbara M. Carey-Shuler aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that Resolution CZAB5-7-02 is vacated and that the application is hereby remanded to Community Zoning Appeals Board 5 for further consideration with leave to amend.

BE IT FURTHER RESOLVED that Resolution No. CZAB5-7-02 is hereby null and void.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning.

No. 02-11-CZ8-2
ej

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By 
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 31ST DAY OF MARCH, 2003.