RESOLUTION NO. CZAB12-22-03

WHEREAS, **TASNIM UDDIN** applied for the following:

EU-1 to RU-3M

SUBJECT PROPERTY: A portion of Lot 4 of KIRK ACREAGE, Plat book 47, Page 59, being more particularly described as follows:

Begin at the Northwest corner of said Lot 4; thence run N87°3′ 28″E along the north line of said Lot 4 for a distance of 372.345′ ; thence run S36°40′ 41′ W for a distance of 129.8′ to a point on the south line of said Lot 4; thence run S87°3′ 10″W along the south line of said Lot 4 for a distance of 289.285′ ; thence run N3°6′ 8″W along the west line of said Lot 4 for a distance of 100′ to the Point of beginning.

LOCATION: East of S.W. 89 Court & approximately 508′ north of S.W. 72 Street (Sunset Drive), Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, 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 which among other things provided:

1) That the Property will be developed for residential purposes to be conveyed initially as an ownership (not rental) community.

2) That a concrete block wall, a minimum of five (5) feet in height, with trees at a maximum spacing of 25 feet on center apart, of a type approved by Miami-Dade County with a minimum height of fourteen (14) feet at planting, will be placed along the north property line prior to the final zoning approval for the first residential unit on the Property.

3) That the Property will be developed with a maximum of eight (8) residential units.

4) That any building(s) on the Property will be no more than two (2) stories in height.

5) That any building(s) on the Property will be setback a minimum of 35 feet from the side (north) property line.

6) That the Owner will not remove the existing Royal Poinciana tree located along SW 89 Court near the northwest corner of the Property.

7) As a condition precedent to obtaining plat approval, the Owner shall submit a site plan to the Miami-Dade County Planning and Zoning Department. Said site plan is to assure logic, imagination, innovation and variety in the design process and insure the congruity of the proposed development and its compatibility with the

surrounding area. No request for plat shall be approved until the Owner obtains the approval of a site plan from the Planning and Zoning Department.

8) That the Owner will utilize graffiti-resistant materials and design in the required concrete wall along the north property line.

9) That the Owner will provide open space on any approved site plan in the east property area for the availability of all residents on the Property.

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to RU-3M would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the proffered Declaration of Restrictions should be accepted, and

WHEREAS, a motion to accept the proffered Declaration of Restrictions and to approve the application was offered by Douglas Krueger, seconded by Millie Herrera, and upon a poll of the members present the vote was as follows:

Douglas Krueger	aye	Jose I. Valdes	nay
Millie Herrera	aye	Nelson Varona	aye
		Robert W. Wilcosky	aye

Peggy Brodeur nay

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12, that the requested district boundary change to RU-3M be and the same is hereby approved and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED that, pursuant to Section 33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered covenant and does exercise

its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

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.

PASSED AND ADOPTED this 11th day of June, 2003.

Hearing No. 03-2-CZ12-1
ej

STATE OF FLORIDA

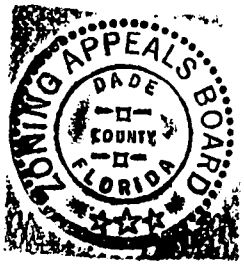
COUNTY OF MIAMI-DADE

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board CZAB# 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-22-03 adopted by said Community Zoning Appeals Board at its meeting held on the 11th day of June, 2003.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 1st day of July, 2003.

Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL



MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE

DP&Z

DEPARTMENT OF PLANNING AND ZONING

MAIN OFFICE
❑ 111 NW 1 STREET, SUITE 1210
MIAMI, FLORIDA 33128
(305) 375-2800

PERMITTING AND INSPECTION OFFICE
11805 S.W. 26 Street
MIAMI, FLORIDA 33175

❑ IMPACT FEE SECTION
(786) 315-2670 • SUITE 145

❑ ZONING INSPECTION SECTION
(786) 315-2660 • SUITE 223

❑ ZONING PERMIT SECTION
(786) 315-2666 • SUITE 106

❑ ZONING PLANS PROCESSING SECTION
(786) 315-2650 • SUITE 113

July 1, 2003

Tasnim Uddin
c/o Jerry Proctor
2500 First Union Financial Center
Miami, FL 33131

Re: Hearing No. 03-2-CZ12-1
Location: East of S.W. 89 Court & approximately 508' north of S.W. 72 Street (Sunset Drive), Miami-Dade County, Florida

Dear Applicant:

Enclosed herewith is Resolution No. CZAB12-22-03, adopted by the Miami-Dade County Community Zoning Appeals Board 12, which accepted your Declaration of Restrictions and approved your district boundary change to RU-3M on the above described property.

Once the use has been established, failure to maintain compliance with any of the required conditions will result in the immediate issuance of a civil violation notice for each condition violated. Each ticket issued will require payment of a daily monetary fine in the amount of $500.00.

If there are any anticipated changes from the plan submitted for the hearing, a plot use plan should be submitted to this department in triplicate before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

Application for necessary permits and /or Certificate of Use and Occupancy permits should be made with this Department, or the Building Department as appropriate. At time of permit application you must provide a copy of this resolution.

Sincerely,

Earl Jones

Earl Jones
Deputy Clerk

Enclosures