

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-16-04

WHEREAS, MAYRA MORENO had applied to Community Zoning Appeals Board

10 for the following:

AU to RU-1M(a)

SUBJECT PROPERTY: Tract 27 of J.G. HEAD'S FARMS SUBDIVISION in Section 10, Township 54 South, Range 39 East, Plat book 46, Page 44.

LOCATION: The Southwest corner of theoretical S.W. 20 Street & S.W. 144 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of Community Zoning Appeals Board 10 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:

Density / Number of Dwelling Units

The maximum number of dwelling units to be constructed on the property shall not exceed six (6) dwelling units per gross acre.

WHEREAS, upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 10 that the requested district boundary change to RU-1M(a) 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 said application was approved by Resolution No. CZAB10-1-04, and

WHEREAS, CONCERNED CITIZENS OF WEST DADE, INC. SUB. #1 appealed the decision of Community Zoning Appeals Board 10 to the Board of County Commissioners for the following:

AU to RU-1M(a)

SUBJECT PROPERTY: Tract 27 of J.G. HEAD'S FARMS SUBDIVISION in Section 10, Township 54 South, Range 39 East, Plat book 46, Page 44.

LOCATION: The Southwest corner of theoretical S.W. 20 Street & S.W. 144 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 revised Declaration of Restrictions which among other things provided:

Density / Number of Dwelling Units

The maximum number of dwelling units to be constructed on the Property shall not exceed six (6) dwelling units per gross acre. That no more than 25 residential units shall be developed on the Property.

WHEREAS, after reviewing the record and decision of Community Zoning Appeals Board 10 and after having given an opportunity for interested parties to be heard, it is the opinion of this Board that the requested district boundary change to RU-1M(a) 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 revised proffered Declaration of Restrictions should be accepted, and that the grounds and reasons specified in the appeal were insufficient to merit a reversal of the ruling made by Community Zoning Appeals Board 10 in Resolution No CZAB10-1-04 and that the appeal should be denied and that the decision of Community Zoning Appeals Board 10 should be sustained, and

WHEREAS, a motion to accept the revised Declaration of Restrictions, to approve the application, and to deny the appeal and sustain the decision of Community Zoning Appeals Board 10 was offered by Commissioner Joe A. Martinez, seconded by Commissioner Rebeca Sosa, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	absent	Dennis C. Moss	aye
Jose "Pepe" Diaz	aye	Dorrin D. Rolle	aye
Betty T. Ferguson	absent	Natacha Seijas	aye
Sally A. Heyman	aye	Katy Sorenson	aye
Joe A. Martinez	aye	Rebeca Sosa	aye
Jimmy L. Morales	aye	Javier D. Souto	aye
Chairperson Barbara M. Carey-Shuler		absent	

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the requested district boundary change to RU-1M(a) be and the same is hereby approved.

BE IT FURTHER RESOLVED that the appeal be and the same is hereby denied and that the decision of Community Zoning Appeals Board 10 is hereby sustained.

BE IT FURTHER RESOLVED that Resolution No. CZAB10-1-04 shall remain in full force and effect except as herein modified.

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.

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.

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 29th day of April, 2004, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 04-1-CZ10-3
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 19TH DAY OF MAY, 2004.

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 Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-16-04 adopted by said Board of County Commissioners at its meeting held on the 29th day of April, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 19th day of May, 2004.

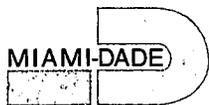


Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL



MIAMI-DADE COUNTY, FLORIDA



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

May 20, 2004

Mayra Moreno
c/o Javier Vazquez
8061 nw 155th Street
Miami Lakes, FL 33014

Re: Hearing No. 04-1-CZ10-3
Location: The Southwest corner of theoretical S.W. 20 Street
& S.W. 144 Avenue, Miami-Dade County, Florida

Dear Appellant:

Enclosed herewith is Resolution No. Z-16-04, adopted by the Board of County Commissioners, which accepted your proffered covenant, approved your application, and, denied the appellant's appeal and sustained the decision of Community Zoning Appeals Board 10 on the above-described property. Failure to comply with stipulated conditions, if any, will result in the immediate issuance of a civil violation notice for each condition violated. Each notice issued may require payment of a daily monetary fine.

If stipulated in the resolution that building permits and/or use, occupancy or completion certificates will be required, please note that permits must be obtained and final inspection approvals received for construction work done or required prior to issuance of the applicable certificate(s) pursuant to Section 33-8 of the Zoning Code. Payment of certificates may be subject to annual renewal by this Department. Application for required permits and/or certificates related to use, occupancy or completion 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.

If there are anticipated changes from any plan submitted for the hearing, a plot use plan is to 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.

The Board's decision may be appealed by an aggrieved party to Circuit Court within 30 days of the date of transmittal of the resolution to the Clerk of the County Commission. The transmittal date is **May 19, 2004**. In the event an appeal is filed, any building permit sought shall be at the risk of the party seeking said permit. Copies of any court filings concerning this matter should be served upon both my office and:

Robert A. Ginsburg, County Attorney
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128-1993

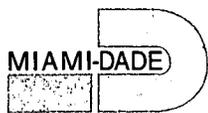
The County Attorney is not permitted to accept official service of process.

Sincerely,

Earl Jones
Deputy Clerk

Enclosures

MIAMI-DADE COUNTY, FLORIDA



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MAIN OFFICE

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May 20, 2004

Mayra Moreno
c/o Jorge L. Reyes
6495 Coral Way
Miami, Florida 33155

Re: Hearing No. 04-1-CZ10-3
Location: The Southwest corner of theoretical S.W. 20 Street
& S.W. 144 Avenue, Miami-Dade County, Florida

Dear Appellant:

Enclosed herewith is Resolution No. Z-16-04, adopted by the Board of County Commissioners, which denied your appeal and sustained the decision of Community Zoning Appeals Board 10 on the above-described property.

Be advised that the decision of the Board may be appealed to Circuit Court within 30 days of the date of the transmittal of the resolution to the Clerk of the County Commission. The date of transmittal is May 20, 2004.

Copies of any court filings concerning this matter should be served upon both my office and:

Robert A. Ginsburg, County Attorney
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128-1993

The County Attorney is not permitted to accept official service of process.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Earl Jones'.

Earl Jones
Deputy Clerk

Enclosures