

# Memorandum



**Date:** September 9, 2004

**To:** Lynne Talleda, Supervisor  
Zoning Hearings Section  
Department of Planning and Zoning.

**From:** Earl Jones, Deputy Clerk  
Department of Planning and Zoning

**Subject:** Case No. 04-035AP

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Attached is the Opinion of the Appellate Division of the Eleventh Judicial Circuit Court for the above referenced case. Please be advised that the Circuit Court denied the applicant's petition for writ of certiorari from the Board of County Commissioners' resolution No. Z-24-03

If you have any questions, please contact me directly at extension 4149.

NOT FINAL UNTIL TIME  
EXPIRES TO FILE RE-HEARING  
MOTION, AND IF FILED,  
DISPOSED OF.

IN THE CIRCUIT COURT OF THE  
ELEVENTH JUDICIAL CIRCUIT IN AND  
FOR MIAMI-DADE COUNTY, FLORIDA

APPELLATE DIVISION  
CASE NO. 04-035 AP

LOWER COURT CASE NO.  
ZZ403

CYNTHIA HERSCH, JILL OSIT,  
and MITCHELL BELKIN,  
Petitioners,

vs.

MIAMI-DADE COUNTY BOARD OF  
COUNTY COMMISSIONERS, MANUEL C.  
DIAZ, EMILIA DIAZ, and LENNAR  
HOMES, INC.,  
Respondents.

THE ORIGINAL FILED  
ON JUL 6 2004

IN THE OFFICE OF  
CIRCUIT COURT DADE CO. FL

Opinion filed: July 6, 2004

A Petition for Writ of Certiorari from the Miami-Dade County Board of County  
Commissioners for Miami-Dade County, Florida.

Sean P. O'Connor, Esquire, The Law Office of Sean P. O'Connor, P.A., for petitioners.

Robert A. Ginsburg, Miami-Dade County Attorney, Jay W. Williams, Assistant County  
Attorney, Elliot H. Scherker, Esquire, Greenberg Traurig, P.A., Miguel Diaz de la Portilla, Esquire,

Duane Morris, LLP, and Augusto E. Maxwell, Esquire, Akerman Snterfitt, for respondents.

Before Leon M. Firtel, Pedro P. Echarte, Jr., and Zarah Zabel, JJ.

PER CURIAM.

Denied.

COPIES FURNISHED TO COUNSEL  
OR RECORD AND TO ANY PARTY  
NOT REPRESENTED BY COUNSEL.

Exhibit "G"