

RESOLUTION NO. CZAB15-4-05

WHEREAS, BLACK CREEK L. C. & BLACK CREEK TRUST applied for the following:

- (1) AU to RU-1M(a)
- (2) UNUSUAL USE to permit lake excavations.

Plans are on file and may be examined in the Zoning Department entitled "Old Silver Palm Trail," as prepared by Bellon, Milanese, Architects, dated 12-10-03 and consisting of 10 pages.

SUBJECT PROPERTY: PARCEL 1: A portion of Tract 3 of AMENDED PLAT OF EAST DIXIE PARK, Plat 31, Page 61, and a portion of the right-of-way of S.W. 224th Street, lying north of and adjacent to said Tract 3 (said right-of-way closed by Resolution No. 7275), and a portion of the west ½ of Section 17, Township 56 South, Range 40 East, all being particularly described as follows:

Commencing at the Southwest corner of the NW ¼ of the SW ¼ of Section 17, Township 56 South, Range 40 East; thence run N89° 16'32"E along the south line of the said NW ¼ of the SW ¼ of Section 17 for a distance of 531.64' to a Point of intersection with the east right-of-way line of the Homestead Extension of Florida's Turnpike (State Road No. 821); thence run N0° 48'42"W along said east right-of-way line of the Homestead Extension of Florida's Turnpike (State Road No. 821); for a distance of 50' to the Point of beginning of the tract of land herein described; thence from the above established Point of beginning run the following courses and distances along the said east right-of-way line of the Homestead Extension of Florida's Turnpike (State Road No. 821), N0° 48'42"W for 497.94'; N01° 05'51"E for 300.17'; N0° 48'42"W for 529.71' to a Point of intersection with the south right-of-way line of Old Cutler Road said point lying on a circular curve concave to the north and bearing S08° 46'03"W from the center of said curve; thence departing the said east right-of-way line of Homestead Extension of Florida's Turnpike (State Road No. 821) run the following courses and distances along the said south right-of-way line of Old Cutler Road; along said circular curve to the left having for its elements a radius of 2,914.93' and a central angle of 10° 41'55" for an arc distance of 544.29' to the Point of tangency of said curve N88° 04'08"E for 380.06' to a Point of intersection with the W/ly right-of-way line of the Central and Southern Florida Flood Control District Canal C-1 (Black Creek); thence departing the said south right-of-way line of Old Cutler Road run the following courses and distances along the said W/ly right-of-way line of the Central and Southern Florida Flood Control District Canal C-1 (Black Creek); S02° 01'55"E for 5.26'; S07° 34'00"W for 727.16' to the beginning of a circular curve to the left; thence to the left along said curve having for its elements a radius of 760' and a central angle of 45° 43'36" for an arc distance of 606.54' to a Point of intersection with a line that is 50' north of and parallel to the south line of the north ½ of the SW ¼ of said Section 17 said point bearing S51° 50'24"W from the center of said curve; thence departing the W/ly right-of-way line of the Central and Southern Florida Flood Control District Canal C-1 (Black Creek) run S89° 16'32"W along a line that is 50' north and parallel to the said south line of the north ½ of the SW ¼ of said Section 17 for a distance of 973.93' to the Point of beginning.

AND: PARCEL 2: That portion of the SW ¼ of the SW ¼ of Section 17, Township 56 South, Range 40 East, lying e/ly of the following described Florida Turnpike right-of-way.

Commence at the Southwest corner of said Section 17; thence N89° 22'47"E along the south line of said Section 17, as a basis of bearings of 224.76' to the intersection with the W/ly right-of-Way line of S. R. No. 821 (Florida's Turnpike), Florida State Department of Transportation Right-of-Way map, Section #87005-2305, said point being the Point of beginning of the herein described parcel of land; thence N00° 48'42"W along said west Right-of-Way line for 1,332.49' to the north line of the SW ¼ of the SW ¼ of said Section 17; thence N89° 16'30"E along the north line of the SW ¼ of the SW ¼ of said Section 17 for 300' to the intersection with the E/ly line of said S. R. #821 (Florida's Turnpike); thence S00° 48'42"E for 1,333.04' to the south line of the SW ¼ of the SW ¼ of said Section 17; thence S89° 22'47"W for 300' to the Point of beginning. AND: PARCEL 3: Right-of-Way for drainage outfall, right of Station 5084-77.29 (Centerline of Project). That part of the NE ¼ of the SW ¼ lying W/ly of Black Creek Canal (Canal C-1), and Tract 3 of AMENDED PLAT EAST DIXIE PARK, Plat book 31, Page 61, all lying and being in Section 17, Township 56 South, Range 40 East, lying within the following described boundaries, to wit:

Commence at the Northwest corner of the SW ¼ of Section 17, Township 56 South, Range 40 East; run thence S01° 06'28"E (bearing derived from the Florida State System of Plane Coordinates) along the W/ly boundary of said Section 17, 1,332.11' to a point; run thence N89° 16'31"E, 531.64' to the Point of beginning of the herein described parcel; thence run N00° 48'42"W, 50' to a point; thence run N89° 16'31"E, 973.64' to a Point of intersection with the existing W/ly right-of-way line of Black Creek Canal (Canal C-1), said point being on a curve, concave to the Northeast, having a radius of 760'; thence from a tangent bearing S38° 10'38"E, run SE/ly along said curve 65.20', through a central angle of 04° 54'57", to a point on said curve; thence, from a tangent bearing S43° 05'35"E, run S89° 16'31"W, 1,015.39' to the Point of beginning.

LOCATION: The Southeast corner of the Homestead Extension of Florida's Turnpike and Old Cutler Road, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 15 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, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request for a district boundary change (Item #1), and the requested unusual use (Item #2) 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, and

WHEREAS, a motion to deny the entire application without prejudice was offered by Leonard Anthony, seconded by Deborah Ann Vaz, and upon a poll of the members present the vote was as follows:

Leonard Anthony	aye	Nancy McCue	aye
Patricia Forbes	nay	Alfonsina Sergio	aye
Ernesto Martinez, Jr.	aye	Deborah Ann Vaz	aye
	Paul S. Vrooman	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 15, that the request for a district boundary change (Item #1), and the requested unusual use (Item #2) be and the same are hereby denied without prejudice.

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

PASSED AND ADOPTED this 15th day of February, 2005.

Hearing No. 05-2-CZ15-1
ls

STATE OF FLORIDA

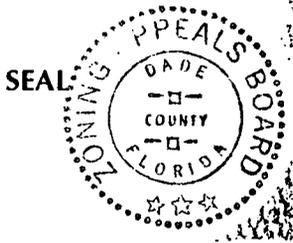
COUNTY OF MIAMI-DADE

I, Luis Salvat, 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 15, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB15-4-05 adopted by said Community Zoning Appeals Board at its meeting held on the 15th day of February 2005.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 22nd day of February, 2005.



Luis Salvat, Deputy Clerk (2678)
Miami-Dade County Department of Planning and Zoning





DEPARTMENT OF PLANNING AND ZONING

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(786) 315-2660 • SUITE 223
- ZONING PERMIT SECTION
(786) 315-2666 • SUITE 106
- ZONING PLANS PROCESSING SECTION
(786) 315-2650 • SUITE 113

Black Creek L.C. & Black Creek Trust
c/o Javier Vazquez
8061 N.W. 155 Street
Miami Lakes, FL 33016

Re: Hearing No. 05-2-CZ15-1 (04-161)
Location: Southeast corner of the Homestead Extension of Florida's Turnpike
and Old Cutler Road, Miami-Dade County, Florida

Dear Mr. Vazquez:

Enclosed herewith is Resolution No. CZAB15-4-05, adopted by the Miami-Dade County Community Zoning Appeals Board 15, which denied without prejudice your client's request on the above-noted location for a district boundary change to RU-1M(a) and unusual use to permit lake excavations.

Please note that an aggrieved party may appeal the Board's decision to the Board of County Commissioners, within 14 days from the date of posting on the 11th floor of the Stephen P. Clark Building, 111 N.W. 1st Street, Miami, FL 33128. February 22, 2005, is the date of posting.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Salvat".

Lou Salvat
Deputy Clerk

Enclosure