



**COMMUNITY ZONING APPEALS BOARD 15**  
**SOUTH DADE GOVERNMENT CENTER-ROOM 203 (OLD BUILDING)**  
**10710 SW 211 Street, Miami**  
**Wednesday, April 21, 2004 at 7:00 p.m.**

**PREVIOUSLY DEFERRED**

- |    |              |  |                         |        |          |   |
|----|--------------|--|-------------------------|--------|----------|---|
| A. | 03-12-CZ15-2 | SUMMERVILLE DEVELOPMENT, INC.                                  | <i>Exhibit complete</i> | 03-262 | 19-56-40 |   |
| B. | 02-4-CZ15-1  | LUCAS GOLDSMITH PROPERTIES,<br>INC. F/K/A: TAZ INVESTMENTS LLC | <i>NO Exhibits</i>      | 01-160 | 5-56-40  |   |
| C. | 03-1-CZ15-6  | H.R. REALTY & INVESTMENTS, INC.                                | <i>NOT FOUND</i>        | 02-305 | 17-56-40 | N |
| D. | 04-1-CZ15-1  | D & G PROPERTIES, INC. & MERLE L.<br>JACKSON                   | <i>no exhibits</i>      | 00-157 | 34-56-39 |   |
| E. | 04-2-CZ15-5  | SUAREZ HOLDINGS GROUP LLC                                      | <i>no exhibits</i>      | 03-309 | 23-56-39 |   |

**CURRENT**

- |    |             |                          |                    |        |          |   |
|----|-------------|--------------------------|--------------------|--------|----------|---|
| 1. | 04-4-CZ15-1 | VILLAGE SQUARE TRUST     | <i>no exhibits</i> | 02-242 | 05-56-40 | N |
| 2. | 04-4-CZ15-2 | PRINCETON PARK HOMES LLC | <i>NO exhibits</i> | 03-182 | 23-56-39 | N |

EXHIBIT LIST

COMMUNITY ZONING APPEALS BOARD 15

APRIL 21, 2004

RESOLUTION # CZAB15- -04

ITEM#	HEARING#	APPLICANT'S NAME	SS-TT-RR
A	03-262	SUMMERVILLE DEVELOPMENT, INC.	19-56-40

(Deferral to July 14, 2004)

EX. #	EXHIBIT DESCRIPTION	IN FILE
✓ A-1	Letter from Kent Robbins to CZAB 15	Yes
A-2		
A-3		
A-4		
A-5		
A-6	<i>Exhibit complete</i>	
A-7		
A-8		
A-9		
A-10		
A-11		
A-12		
A-13		
A-14		
A-15		
A-16		
A-17		
A-18		

**KENT HARRISON ROBBINS**

ATTORNEY AT LAW  
1224 WASHINGTON AVENUE  
MIAMI BEACH, FLORIDA 33139

(305) 532-0500

RECEIVED BY CLERK  
Item # 03-262  
CZAB # 15 Exhibit # A-1  
APR 21 2004

April 21, 2004

CLERK OF THE BOARD

Re: Summerville Development- PH No. 03-262

To The Community Council District 15  
Miami-Dade County

Dear Council Members:

I am Kent Harrison Robbins and I represent The Farm, Inc., 11999 SW 248 Street, Miami, Florida 33032. My renewed lobbyist registration form is attached.

The Farm Inc. vehemently objects to another deferral of this matter.

Continuances and deferrals are to be granted freely for good cause when a party acts in good faith and due to reasons beyond its control.

The applicant here has not acted in good faith and the reason given for the deferral is not due to reasons beyond the applicant's control.

From the very beginning, the applicant has acted in bad faith. In the first September 3, 2003 Letter of Intent, the applicant represented that the purpose of the rezoning was to allow the use of an existing single family home on the subject site for use as a sales center.

In September, the applicant did not disclose to this council nor to Miami-Dade County planning and zoning department that the ultimate intent of the applicant was to develop a shopping center, parking lot and multifamily residential development on the 4.3 acre site.

The charade that the developer wanted to build only a minimal development on the site continued through two meetings of this council but eventually this council, during its hearings in December and January, uncovered that much more was planned.

In March, the developer submitted plans to the Miami-Dade zoning and planning department to develop a 47,230 square foot commercial shopping center and a 35 unit 44,730 square foot residential apartment units and 260 parking spaces on this small 4.3 acre site. The setbacks of the

plan were wrong and require variances. Moreover, the developer, proposes a variance to remove any barrier between this mixed commercial site and the proposed single family homes adjacent to it.

More importantly, the submitted plans, according to the April 15, 2004 letter from the attorney for the developer, does not comport with the Comprehensive Development Master Plan which is the basis of its request for another deferral.

The reason for the deferral given by the attorney for the developer was caused by the negligence of the developer in failing to design plans that were consistent with the Comprehensive Development Master Plan .

This deferral should be denied and the application rejected because the plans are inconsistent with the Comprehensive Development Master Plan . No further delays should be allowed because the applicant is the cause of the delay because it did not provide plans from the beginning of the process and this delay is the cause of the developer not being ready for these proceedings. The underlying cause for the delay is that the developer repeatedly was not candid with the council and not candid with the public.

I urge you to reject the deferral and deny the project because of its admitted inconsistency with the Master Plan.

Sincerely,



KENT HARRISON ROBBINS

Enclosure

fxc: The Farm Inc.,305-258-0128

MM

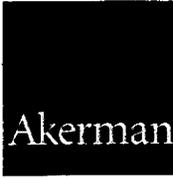
MM

making it appear like a  
6 day notice

Received on MONDAY  
April 19,  
2 DAYS BEFORE

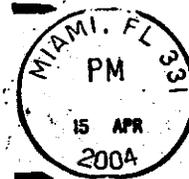
Stamped by their  
office on the 15<sup>th</sup>  
(THURSDAY) -

THE HEARING



**Akerman Senterfitt**  
ATTORNEYS AT LAW

One Southeast Third Avenue  
28th Floor  
Miami, Florida 33131-1714



Mr. Manuel Dorta-Duque  
24120 SW 119 Avenue  
Homestead, Florida 33032

33032X4302 13



24120 SW 119 Avenue  
Homestead, Florida 33032

Re: Summerville Development - PH No. 03-262

Dear Mr. Dorta-Duque:

We represent the Applicant, Summerville Development, in the zoning public hearing for their property located on S.W. 248<sup>th</sup> Street. You appeared at the public hearing before the Community Zoning Appeals Board #15 on December 20, 2003, expressing your interest in the application, which requested a rezoning to a business zoning district.

Fort Lauderdale  
Jacksonville  
Miami  
Orlando  
Tallahassee  
Tampa  
West Palm Beach

One Southeast Third Avenue  
28th Floor  
Miami, Florida 33131-1714  
www.akerman.com  
305 374 5600 *tel* 305 374 5095 *fax*

April 15, 2004

**U.S. MAIL**

Mr. Manuel Dorta-Duque  
24120 SW 119 Avenue  
Homestead, Florida 33032

**Re: Summerville Development – PH No. 03-262**

Dear Mr. Dorta-Duque:

We represent the Applicant, Summerville Development, in the zoning public hearing for their property located on S.W. 248<sup>th</sup> Street. You appeared at the public hearing before the Community Zoning Appeals Board #15 on December 20, 2003, expressing your interest in the application, which requested a rezoning to a business zoning district.

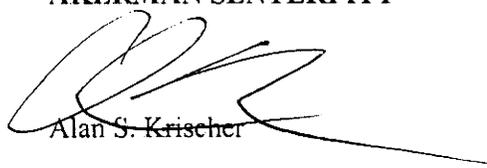
As was discussed at that hearing, the Applicant is preparing a full site plan for the ultimate development of the property, and wants to ensure that there is adequate time for interested members of the public to review any proposed plans. A site plan was prepared and submitted to the Miami-Dade County Planning and Zoning Department. However, in the course of the County's review of the site plan, the Department determined that the plan of development would need to be modified to comport with the County's Comprehensive Development Master Plan. Those modifications will require changes to the site plan and a new advertisement, which will require a deferral of this Application from the CZAB's meeting of April 21, 2004.

Accordingly, we intend to request a deferral of this item until the CZAB's meeting of **July 14, 2004**.

If you have any objections to our request, please contact the undersigned as soon as possible.

Very truly yours,

**AKERMAN SENTERFITT**

  
Alan S. Krischer