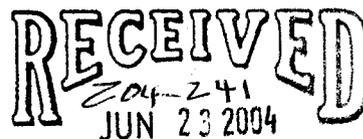


ZONING HEARING APPLICATION
MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING & ZONING



ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

LIST ALL FOLIO #S: 30-2133-002-2830 30-2133-002-2840

Date Received

1. **NAME OF APPLICANT** (Provide complete name of applicant, exactly as recorded on deed, if applicable. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required).

Century Capital Group, Inc.

2. **APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:**

Mailing Address: P.O. BOX 347511
City: Coral Gables State: Florida Zip: 33234-7511 Phone#: (305) 740-4373

3. **OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:**

Owner's Name (Provide name of ALL owners): Century Capital Group, Inc.
Mailing Address: same as above
City: _____ State: _____ Zip: _____ Phone#: _____

4. **CONTACT PERSON'S INFORMATION:**

Name: Georgina Santiago Company: Gables Partnership, Inc.
Mailing Address: P.O BOX 347511
City: Coral Gables State: FL Zip: 33234
Phone#: (305) 740-4373 Fax#: (305) 740-5868 E-mail: GABLESPAR@AOL.COM

5. **LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION**

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, range. If the application contains multiple rezoning requests, then a legal description for each sub-area must be provided. Attach separate sheets, as needed).

Lot 12, less the S. 15 feet and E. 5 feet for Right-of-Way and Lots 13&14, less the S. 15 feet for Right-of-Way, Block 13, ACME GULFAIR 2ND ADDITION, Plat Book 44, page 68, Miami-Dade County, Florida

6. **ADDRESS OR LOCATION OF PROPERTY** (For location, use description such as NE corner of, etc.)

3215 NW 103rd St., Miami, FL (NW Corner of NW 32nd Avenue and NW 103rd ST)

7. **SIZE OF PROPERTY** (in acres): approximately 0.5 acres (divide total sq. ft. by 43,560 to obtain acreage)

8. **DATE** property acquired leased: March 1999

9. **Lease term:** N/A years
(month & year)

10. **IF CONTIGUOUS PROPERTY IS OWNED BY THE SUBJECT PROPERTY OWNER(S),** provide complete legal description of said contiguous property.

N/A

11. **Is there an option** to purchase or lease the subject property or property contiguous thereto?
 no yes (If yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

12. **PRESENT ZONING CLASSIFICATION:** RU-2

13. **APPLICATION REQUESTS** (Check all that apply and describe nature of the request in space provided)
(DBC's require special exception to permit site plan approval unless rezoning 3 acres or less to residential categories)

- District Boundary Changes (DBC) [Zone class requested]: from RU-2 to BU-1(A)
- Unusual Use: _____
- Use Variance: _____
- Alternative Site Development: _____
- Special Exception: _____
- Modification of previous resolution/plan: _____
- Modification of Declaration or Covenant: _____

14. **Has a public hearing been held on this property within the last year & a half?** no
 yes.

If yes, provide applicant's name, and date, purpose and results of hearing, and resolution number:

15. **Is this hearing is as a result of a violation notice?** no yes . If yes, give name to whom the violation notice was served: _____ and describe the violation: _____

16. **Describe structures on the property:** empty lot

17. **Is there any existing use on the property?** no yes . If yes, what use and when established?

Use: _____ Year: _____

APPLICANT'S AFFIDAVIT

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

OWNER OR TENANT AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) the [] owner [] tenant of the property described and which is the subject matter of the proposed hearing.

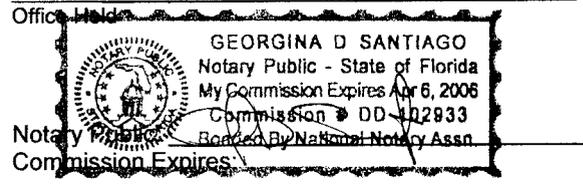
Signature _____ Signature _____
Sworn to and subscribed to before me this ____ day of _____, _____. Notary Public: _____ Commission Expires: _____

CORPORATION AFFIDAVIT

(I)(WE), Szymon Trojecki _____, being first duly sworn, depose and say that (I am)(we are) the [X] President [] Vice-President [] Secretary [] Asst. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; and that said corporation is the [X] owner [] tenant of the property described herein and which is the subject matter of the proposed hearing.

Attest: _____ Authorized Signature _____
President _____

(Corp. Seal)



Sworn to and subscribed to before me this 11 day of FEB, 2004 Notary Public: _____ Commission Expires: _____

PARTNERSHIP AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) partners of the hereinafter named partnership, and as such, have been authorized to file this application for a public hearing; and that said partnership is the ! owner ! tenant of the property described herein which is the subject matter of the proposed hearing.

(Name of Partnership) _____
By _____ % By _____ %
By _____ % By _____ %

Sworn to and subscribed to before me this ____ day of _____, _____. Notary Public: _____ Commission Expires: _____

ATTORNEY AFFIDAVIT

I, _____, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner of the property described and which is the subject matter of the proposed hearing.

Signature _____
Sworn to and subscribed to before me Notary Public: _____
this ____ day of _____, _____. Commission Expires: _____

RESPONSIBILITIES OF THE APPLICANT

I AM AWARE THAT:

1. The Public Works Department, the Department of Environmental Resources Management (DERM), and other County agencies review and critique zoning applications which may affect the scheduling and outcome of applications. These reviews may require additional public hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM or Public Works conditions and advise this office in writing if my application will be withdrawn.
2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property. In addition to mailing costs, fees related to application changes, plan revisions, deferrals, re-advertising, etc., may be incurred. Applications withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. I understand that fees must be paid promptly.
3. The South Florida Building Code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and that a building permit will probably be required. I am responsible for obtaining permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of Use and Occupancy must be obtained for the use of the property after it has been approved at Zoning Hearing, and that failure to obtain the required permits and/or Certificates of Completion or of Use and Occupancy will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
4. The 3rd District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Development Master Plan (CDMP) cannot be approved by a zoning board based upon considerations of fundamental fairness. Therefore, I acknowledge that if the hearing request is inconsistent with the CDMP and I decide to go forward then my hearing request can only be denied or deferred, but not approved.
5. In Miami-Dade County v. Omnipoint Holdings, Inc., Case No. 3D01-2347 (Fla. 3rd DCA 2002), the 3rd District Court of Appeal has held invalid the standards for non-use variances, special exceptions, unusual uses, new uses requiring a public hearing and modification of covenants. This is not a final decision and the County Attorney's Office is seeking further review. In the interim, the County Attorney's Office is working with the Planning and Zoning Department's professional staff to develop new standards that will address the Court's concerns. While the new standards are being developed, applicants are advised that any non-use variance, special exception, unusual use, new use requiring a public hearing or request for modification of covenants granted under the existing standards are subject to being reversed in the courts. An applicant wishing to avoid the substantial legal risks associated with going forward under the existing standard may seek a deferral until the new standards are developed.
6. Any covenant to be proffered must be submitted to the Department's Legal Counsel, on County form, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. And that Legal Counsel can advise as to additional requirements applicable to foreign corporations. Documents submitted to Legal Counsel must carry a cover letter indicating subject matter, application number and hearing date. Legal Counsel may be reached at (305) 375-3075.



(Applicant's Signature)

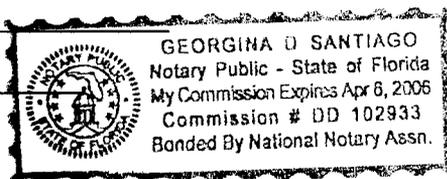
Szymon Trojecki
(Print Name)

Sworn to and subscribed before me this 11 day of FEBRUARY, 2004. Affiant is personally known to me or has produced _____ as identification.



(Notary Public)

My commission expires _____



**OWNERSHIP AFFIDAVIT
FOR CORPORATION**

STATE OF Florida

Public Hearing No. _____

COUNTY OF Miami-Dade

Before me, the undersigned authority, personally appeared Szymon Torjecki, hereinafter the Affiant, who being first duly sworn by me, on oath, deposes and says:

1. Affiant is the president of Century Capital Group, Inc. with the following address:

2812 NW 35th St., Miami, FL 33142

2. The Corporation owns the property, which is the subject of the proposed hearing.

3. The subject property is legally described as: _____

Lot 12, less the S. 15 feet and E. 5 feet for Right-of-Way and Lots 13&14, less the S. 15 feet for Right-of-Way, Block 13, ACME GULFAIR 2ND ADDITION, Plat Book 44, page 68, Miami-Dade County, Florida

4. Affiant is legally authorized to file this application for public hearing.

5. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

[Signature]
Signature

Nesior Almas
Print Name

[Signature]
Simon Torjecki, President

Century Capital Group, Inc.

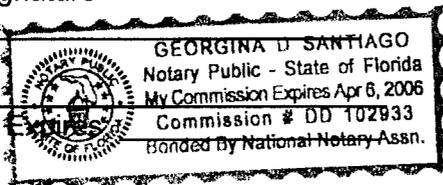
[Signature]
Signature

Manuel Gonzalez
Print Name

Sworn to and subscribed before me on the 11 day of FEBRUARY, 2004.
Affiant is personally known to me or has produced _____
as identification.

[Signature]
Notary Public Signature

Print Name _____
State of _____
My Commission # _____



**CORPORATION'S
POWER OF ATTORNEY FOR
PUBLIC HEARING**

I THE UNDERSIGNED, do by these presents hereby make, constitute and appoint **Georgina Santiago** of the County of Dade and the State of Florida, true and lawful Attorney-in-Fact for me and in my name, place, stead, to sign on my behalf, and do all acts necessary, including speak at a public hearing in furtherance of an application for **Public Hearing Application No. 04-241** with the Miami Dade County for a hearing before the Community Zoning Appeals Board Area 8(CZAB 8) or County Commission of Dade County. (Explain nature of hearing).

District Boundary Change from Two-Family Residential District (RU-2)
to Limited Business District (BU-1A)

concerning the property described as:

See Attached Exhibit "A"

Granting and giving unto said Attorney-in-Fact, full authority and power to do and perform any and all acts necessary or incident to the performance and execution of the powers herein above expressly granted, with power to do and perform all acts authorized hereby, as fully to all intents and purposes as the grantor might or could do if personally present, with full power of substitution.

Signed, witnessed, executed, and acknowledged on this 31 day of January 2005.

WITNESSES:

[Signature]
Signature

Nestor Alvarez
Print Name

[Signature]
Signature
Manuel Gonzalez
Print Name

Print Name

Century Capital Group, Inc.

Name of Corporation

Szymon Trojecki, President

Print Name

Address: 3250 NW 36th St
Miami, FL 33142

by [Signature]
(President, Vice-President or CEO)

**STATE OF FLORIDA
COUNTY OF DADE**

The foregoing instrument was acknowledged before me by **Szymon Trojecki**, the **President of Century Capital Group, Inc.** on behalf of the corporation. He is personally known to me or has produced _____, as identification.

Witness my signature and official seal this 31 day of January, 2005, in the County and State aforesaid.

[Signature]
Notary Public State of Florida
Janka Rodriguez
Print Name

My Commission Expires:

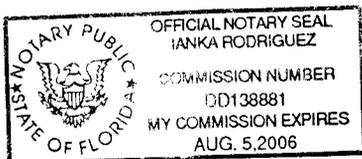


Exhibit "A"

LEGAL DESCRIPTION:

LOT 12, LESS THE SOUTH 15 FEET AND THE EAST 5 FEET FOR THE RIGHT-OF-WAY AND LOTS 13 AND 14, LESS THE SOUTH 15 FEET FOR THE RIGHT-OF-WAY, BLOCK 13, ACME GULFAIR 2ND ADDITION, PLAT BOOK 44, PAGE 68, MIAMI-DADE COUNTY, FLORIDA