

PETITION OF APPEAL FROM DECISION OF
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY CAA AMOUNT OF FEES \$1,082.84
RECEIPT # I 2006 21254
DATE HEARD 11/1/06
BY CZAB # C14

RECEIVED
05-249
NOV 20 2006

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

BY _____
DATE RECEIVED STAMP _____

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. 05-249

Filed in the name of (Applicant) Genesis Property Development, L.L.C.

Name of Appellant, if other than applicant see above

Address/location of APPELLANT'S property: _____

Application, or part of Application being Appealed (Explanation): Entire Application

Appellant (name): Genesis Property Development

hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:
(State in brief and concise language):

The Community Zoning Appeals Board, in denying the requested district boundary change, based its decision, not on substantial competent evidence in the record, but on a conclusion that, because the property is located between two active agricultural enterprises, the application was "premature." The evidence in the record, including a staff recommendation in favor of the application, reflected that the clear majority of the surrounding area was zoned, platted or developed with estate density residential homes. The County Code does not permit a Community Zoning Appeals Board to deny a zoning application based solely on a perception that immediate adjacent lands may still have agricultural potential. The Community Zoning Appeals Board's action was therefore arbitrary and should be reversed.

APPELLANT'S AFFIDAVIT OF STANDING
(must be signed by each Appellant)

STATE OF FLORIDA

COUNTY OF BROWARD

Before me the undersigned authority, personally appeared Randy Greenfield, Managing Member (Appellant) who was sworn and says that the Appellant has standing to file the attached appeal of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record In Community Zoning Appeals Board matter because of the following:

(Check all that apply)

- 1. Participation at the hearing
- 2. Original Applicant
- 3. Written objection, waiver or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury I and that under penalties of perjury I Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

Heidi Mock
Signature

Heidi Mock
Print Name

Carol Brands
Signature

CAROL BRANDS
Print Name

Randy Greenfield
Appellant's Signature

Randy Greenfield
Print Name

Appellant's Signature

Print Name

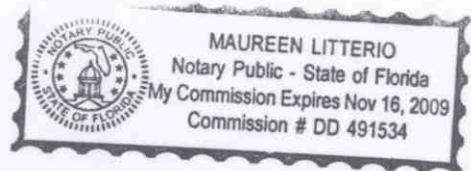
Sworn to and subscribed before me on the 10 day of Nov year 2006.

Appellant is personally know to me or has produced _____ as identification.

Maureen Litterio
Notary Public

(stamp/seal)

Commission Expires:



APPELLANT MUST SIGN THIS PAGE

Date 10 day of Nov, year: 2006

Signed _____



Randy Greenfield, Managing Member
Genesis Property Development, L.L.C.
Print Name

751 N.W. 108 Avenue
Fort Lauderdale, Florida 33324

c/o Graham Penn, Bercow and Radell, P.A.
200 S. Biscayne Boulevard, Suite 850
Miami, Florida 33131

305-377-6229
Phone

305-377-6222
Fax

REPRESENTATIVE'S AFFIDAVIT
If you are filing as representative of
of an association or other entity, so
indicate

Representing

Signature

Print Name

Mailing Address

Phone

Fax

Subscribed and Sworn to before me on the 10 day of Nov, year 2006

Maureen Bitterio
Notary Public

(stamp/seal)

Commission Expires:

