

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-9-07

WHEREAS, **GENESIS PROPERTY DEV. L. L. C.** applied to Community Zoning

Appeals Board 14 for the following:

AU & EU-1 to EU-1

SUBJECT PROPERTY: The north ½ of the south ½ of the north ½ of the west ¾ of the SW ¼ all in Section 31, Township 56 South, Range 39 East, less the west 62.5' for right-of-way.

LOCATION: The Southeast corner of S.W. 177 Avenue (Krome Avenue) & theoretical S.W. 274 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of Community Zoning Appeals Board 14 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 was the opinion of Community Zoning Appeals Board 14 that the requested district boundary change to EU-1 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 said application was denied by Resolution No. CZAB14-36-06, and

WHEREAS, **GENESIS PROPERTY DEV. L. L. C.** appealed the decision of Community Zoning Appeals Board 14 to the Board of County Commissioners for the following:

AU & EU-1 to EU-1

SUBJECT PROPERTY: The north $\frac{1}{2}$ of the south $\frac{1}{2}$ of the north $\frac{1}{2}$ of the west $\frac{3}{4}$ of the SW $\frac{1}{4}$, all in Section 31, Township 56 South, Range 39 East, less the west 62.5' for right-of-way.

LOCATION: The Southeast corner of S.W. 177 Avenue (Krome Avenue) & theoretical S.W. 274 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, 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, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, after reviewing the record and decision of the Metropolitan Dade County Zoning Appeals Board 14 and after having given an opportunity for interested parties to be heard, it was the opinion of the Board of County Commissioners, Miami-Dade County, Florida, that that the grounds and reasons alleged by the appellants specified in the appeal were insufficient to merit a reversal of the ruling made by the Zoning Appeals Board in Resolution No. CZAB14-36-06, and that the appeal should be denied, and the decision of Community Zoning Appeals Board 14 should be sustained, and that the requested district boundary change to EU-1 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 appeal with prejudice, sustain the decision of Community Zoning Appeals Board 14, and deny the application with prejudice was offered

by Commissioner Katy Sorenson, seconded by Commissioner Dennis C. Moss, and upon a poll of the members present the vote was as follows:

Jose "Pepe" Diaz	nay	Dennis C. Moss	aye
Audrey M. Edmonson	nay	Dorrin D. Rolle	nay
Carlos A. Gimmenez	aye	Natacha Seijas	nay
Sally A. Heyman	aye	Katy Sorenson	aye
Barbara J. Jordan	aye	Rebecca Sosa	absent
Joe A. Martinez	aye	Sen. Javier D. Souto	absent
		Bruno A. Barreiro	aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the appeal be and the same is hereby denied with prejudice and the decision of Community Zoning Appeals Board 14 is sustained.

BE IT FURTHER RESOLVED that the requested district boundary change to EU-1 be and the same is hereby denied with prejudice.

BE IT FURTHER RESOLVED that Resolution No. CZAB11-36-06 remains in full force and effect.

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

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 10th day of May, 2007, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 06-11-CZ14-1
ej

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida
By **KAY SULLIVAN**
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 17TH DAY OF MAY, 2007.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Deputy Clerk's Name, 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 Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-9-07 adopted by said Board of County Commissioners at its meeting held on the 10th day of May, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 16th day of May, 2007.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL





Carlos Alvarez, Mayor

miamidade.gov

- ADA Coordination
- Agenda Coordination
- Animal Services
- Art in Public Places
- Audit and Management Services
- Aviation
- Building
- Building Code Compliance
- Business Development
- Capital Improvements
- Citizens' Independent Transportation Trust
- Commission on Ethics and Public Trust
- Communications
- Community Action Agency
- Community & Economic Development
- Community Relations
- Consumer Services
- Corrections & Rehabilitation
- Cultural Affairs
- Elections
- Emergency Management
- Employee Relations
- Empowerment Trust
- Enterprise Technology Services
- Environmental Resources Management
- Fair Employment Practices
- Finance
- Fire Rescue
- General Services Administration
- Government Information Center
- Historic Preservation
- Homeless Trust
- Housing Agency
- Housing Finance Authority
- Human Services
- Independent Review Panel
- International Trade Consortium
- Juvenile Services
- Medical Examiner
- Metro-Miami Action Plan
- Metropolitan Planning Organization
- Park and Recreation
- Planning and Zoning**
- Police
- Procurement Management
- Property Appraisal
- Public Library System
- Public Works
- Safe Neighborhood Parks
- Seaport
- Solid Waste Management
- Strategic Business Management
- Team Metro
- Transit
- Task Force on Urban Economic Revitalization
- Vizcaya Museum And Gardens
- Water & Sewer

May 21, 2007

Genesis Property Dev. L. L. C.
c/o Graham Penn
First Union Financial Center
200 South Biscayne Blvd.
Suite 850
Miami, FL 33131

Re: Hearing No. 06-11-CZ14-1
Location: The Southeast corner of S.W. 177 Avenue
(Krome Avenue) & theoretical S.W. 274 Street,
Miami-Dade County, Florida

Dear Applicant:

Enclosed herewith is Resolution No. Z-9-07, adopted by the Board of County Commissioners, which denied your appeal with prejudice, sustain the decision of CZAB 14, and denied the application with prejudice.

Be advised that the decision of the Board may be appealed to Circuit Court within 30 days of the date of the transmittal of the resolution to the Clerk of the County Commission. The date of transmittal is **May 17, 2007**.

Copies of any court filings concerning this matter should be served upon both my office and:

Murray A. Greenberg, County Attorney
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128-1993

The County Attorney is not permitted to accept official service of process.

Sincerely,

Earl Jones
Deputy Clerk

Enclosure

Delivering Excellence Every Day