Department of Planning and Zoning
Stephen P. Clark Center
111 NW 1st Street • Suite 1210
Miami, Florida 33128-1902
T 305-375-2800

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 Construction Coordination
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
Historic Preservation
Homeless Trust
Housing Agency
Housing Finance Authority
Human Services
Independent Review Panel
International Trade Consortium
Juvenile Assessment Center
Medical Examiner
Metro-Miami Action Plan
Metropolitan Planning Organization
Park and Recreation
Planning and Zoning
Police
Procurement Management
Property Appraiser
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

November 1, 2005

True Deliverance Church of Christ, Inc.
c/o Javier Vazquez, Esq.
8061 N.W. 155 Street
Miami Lakes, FL 33016

Re: Hearing No. 05-10-CZ14-3 (04-455)
Location: 18300 S.W. 109 Avenue, Miami-Dade County, Florida

Dear Mr. Vazquez:

Enclosed herewith is Resolution No. CZAB14-40-05 adopted by the Miami-Dade County Community Zoning Appeals Board 14, which accepted your client's Declaration of Restrictions and approved a district boundary change to RU-3M on the above noted location.

Please note that any 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. The date of posting is October 28, 2005.

In the event an appeal is filed, any action undertaken during the appeal period is at the applicant's risk.

Sincerely,

Lou Salvat
Deputy Clerk

Enclosure

Delivering Excellence Every Day

RESOLUTION NO. CZAB14-40-05

WHEREAS, **TRUE DELIVERANCE CHURCH OF CHRIST, INC.** applied for the following:

AU to RU-3M

SUBJECT PROPERTY: The west 292.09' of the south ½ of the SE ¼ of the SW ¼ of the SE ¼, all in Section 31, Township 55 South, Range 40 East.

LOCATION: 18300 S.W. 109 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County 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 which among other things provided:

(1) **Site Plan**
The Property shall be developed substantially in accordance with that plan submitted with the Declaration, entitled 'Eureka Point Townhomes,' as prepared by Bellon, Milanes Architects, dated 4-22-05 and consisting of seven (7) sheets.

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, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to RU-3M would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the proffered Declaration of Restrictions should be accepted, and

WHEREAS, a motion to accept the proffered Declaration of Restrictions and to approve the application was offered by Curtis Lawrence, seconded by Wilbur B. Bell, and upon a poll of the members present the vote was as follows:

Samuel Ballinger	aye	Rose L. Evans-Coleman	absent
Wilbur B. Bell	aye	Don Jones	absent
Dawn Lee Blakeslee	aye	Curtis Lawrence	aye

Dr. Pat Wade aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 14, that the requested district boundary change to RU-3M be and the same is hereby approved and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED that, pursuant to Section 33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the approval herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 17th day of October, 2005.

Hearing No. 05-10-CZ14-3
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 14, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB14-40-05 adopted by said Community Zoning Appeals Board at its meeting held on the 17th day of October 2005.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 1st day of November, 2005.

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

SEAL

MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE

DP&Z

DEPARTMENT OF PLANNING AND ZONING

MAIN OFFICE
❑ 111 NW 1 STREET, SUITE 1210
MIAMI, FLORIDA 33128
(305) 375-2800

HERBERT S. SAFFIR
PERMITTING AND INSPECTION CENTER
11805 S.W. 26 Street
MIAMI, FLORIDA 33175

❑ IMPACT FEE SECTION
(786) 315-2670 • SUITE 145

❑ ZONING INSPECTION SECTION
(786) 315-2660 • SUITE 223

❑ ZONING PERMIT SECTION
(786) 315-2666 • SUITE 106

❑ ZONING PLANS PROCESSING SECTION
(786) 315-2650 • SUITE 113

Palmetto Community covenant Church, Inc.
c/o Simon Ferro
Greenberg Traurig, P.A.
1221 Brickell Avenue
Miami, Florida 33131

Re: Hearing No. 04-9-CZ14-2 (04-12)
Location: Approximately 338' north of S.W. 184 Street, between theoretical S.W. 109 Avenue & S.W. 110 Avenue, Miami-Dade County, Florida

Dear Mr. Ferro:

Enclosed herewith is Resolution No. CZAB14-29-04, adopted by the Miami-Dade County Community Zoning Appeals Board 14, which accepted your client's Declaration of Restrictions and approved the request for a district boundary change to RU-TH on the above described property.

Please note the conditions in the Declaration of Restrictions under which said approval was granted, inasmuch as strict compliance therewith will be required. Failure to comply with the stipulated conditions, if any, will result in the immediate issuance of a civil violation notice for each condition violated. Each notice issued may require payment of a daily monetary fine.

Sincerely,

L. Salvat

Lou Salvat
Deputy Clerk

Enclosure

RESOLUTION NO. CZAB14-29-04

WHEREAS, **PALMETTO COMMUNITY COVENANT CHURCH, INC.** applied for the following:

AU to RU-TH

SUBJECT PROPERTY: Section 31, Township 55 South, Range 40 East, north ½ of the SE ¼ of the SW ¼, less the east 25' for right-of-way; Section 31, Township 55 South, Range 40 East, east 3/5 of the south ½ of the NE ¼ of the SW ¼ of the SE ¼ and Section 31, Township 55 South, Range 40 East, the west 2/5 of the south ½ of the NE ¼ of the SW ¼ of the SE ¼; A/K/A: A portion of the SW ¼ of the SE ¼, Section 31, Township 55 South, Range 40 East, being more particularly described as follows:
Commence at the Southwest corner of Section 31, Township 55 South, Range 40 East; thence S87° 10'13"W, a distance of 1,341.05'; thence N4° 1'1"W, a distance of 338.69'; thence S87° 7'52"W, a distance of 25.01'; to the Point of beginning; thence S87° 7'52"W, a distance of 645.81'; thence N4° 4'8"W, a distance of 676.47'; thence N87° 3'11"E, a distance of 671.42'; thence S4° 1'1"E, a distance of 338.69'; thence S85° 58'59"W, a distance of 25'; thence S4° 1'1"E, a distance of 338.18' to the Point of beginning.

LOCATION: Approximately 338' north of S.W. 184 Street & between theoretical S.W. 109 Avenue & S.W. 110 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County 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 which among other things provided:

1. That said Property shall be developed substantially in accordance with the plans previously submitted, prepared by Bellon Milanes, Architects Planners, entitled "EUREKA-PALM GARDEN TOWNHOME COUNTRY VILLAGE, Miami-Dade County, Florida," dated the 3rd day of November 2003, and last signed and sealed September 27, 2004, said plans being on file with the Miami-Dade County Department of Planning & Zoning, and by reference made a part of the agreement.

2. That the Owner shall purchase and apply 12 Severable Use Rights (SURs) to the development of said Property, and shall create a homeowners' association which will be responsible for the maintenance of all common areas in the proposed development.

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, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to RU-TH would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the proffered Declaration of Restrictions should be accepted, and

WHEREAS, a motion to accept the proffered Declaration of Restrictions and to approve the application was offered by Curtis Lawrence, seconded by Charlie McGarey, and upon a poll of the members present the vote was as follows:

Samuel L. Ballinger	absent	Curtis Lawrence	aye
Mabel G. Dijkstra	absent	Charlie McGarey	aye
Don Jones	aye	Dr. Pat Wade	aye

Wilbur B. Bell absent

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 14, that the requested district boundary change to RU-TH be and the same is hereby approved and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED that, pursuant to Section 33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the approval herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 6th day of October, 2004.

Hearing No. 04-9-CZ14-2
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 14, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB14-29-04 adopted by said Community Zoning Appeals Board at its meeting held on the 6th day of October 2004.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 19th day of October, 2004.

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

SEAL

RESOLUTION NO. Z-116-96

WHEREAS, **930 CORP., ET AL** had applied for the following:

(1) A DISTRICT BOUNDARY CHANGE from AU (Agricultural) to EU-M (Estates Modified 1 Family).

(2) USE VARIANCE to permit an agricultural use, to wit: farming row crops in the EU-M zone as would be permitted in the AU zone.

(3) NON-USE VARIANCE OF LOT FRONTAGE AND LOT AREA REQUIREMENTS to permit one lot containing 14,850 sq. ft. (15,000 sq. ft. required) and a frontage of 105' (120' required).

A plan is on file and may be examined in the Zoning Department entitled "Sketch to show proposed lots to be rezoned as EUM," as prepared by Wenceslao Ortega, dated 4-3-96. Plan may be modified at public hearing.

SUBJECT PROPERTY: Lots 1 through 5 of Block 13 and Lots 1 through 9 of Block 14, THE REDLANDS SECTION, Plat book 99, Page 85.

LOCATION: The Southeast corner of theoretical S.W. 274 Street & theoretical S.W. 173 Avenue & the Southwest corner of theoretical S.W. 276 Street & theoretical S.W. 170 Avenue, 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

WHEREAS, upon due and proper consideration having been given to the matter, it was the opinion of this Board that the requested district boundary change to EU-M (Item #1) would be incompatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Dade County, Florida, and should be denied and that the requested use variance and non-use variance would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and should be denied, and

WHEREAS, a motion to deny the application was offered by Commissioner Katy Sorenson, seconded by Commissioner Miguel Diaz de la Portilla, and upon a poll of the members present the vote was as follows:

James Burke	absent	Dennis Moss	aye
Betty T. Ferguson	absent	Alex Penelas	aye
Maurice Ferre	aye	Pedro Reboredo	aye
Bruce Kaplan	absent	Katy Sorenson	aye
Gwen Margolis	absent	Javier Souto	aye
Natacha S. Millan	absent	Arthur Teele	absent

Chairman Miguel Diaz de la Portilla aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the requested district boundary change to EU-M (Item #1) be and the same is hereby denied without prejudice.

BE IT FURTHER RESOLVED that the requested use variance and non-use variance (Items #2 and #3) be and the same are hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Dade County Department of Planning Development and Regulation.

***PASSED AND ADOPTED* this 18th day of July, 1996.**

No. 96-7-CC-12
bn

DADE COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

KAY SULLIVAN

by Harvey Ruvin, Clerk
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 16TH DAY OF AUGUST, 1996.

STATE OF FLORIDA

COUNTY OF DADE

I, Harvey Ruvin, Clerk of the Circuit Court in and for Dade County, and Ex-Officio Clerk 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-116-96, adopted by the said Board of County Commissioners at its meeting held on the 18th day of July, 1996.

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

KAY SULLIVAN

Harvey Ruvin, Clerk
Board of County Commissioners
Dade County, Florida

SEAL

COUNTY COMMISSIONERS DADE COUNTY FLORIDA

By Marcy Gr
Deputy Clerk

65

RESOLUTION NO. Z-220-89

The following resolution was offered by Commissioner Barry D. Schreiber, seconded by Commissioner Jorge (George) Valdes, and upon poll of members present the vote was as follows:

Barbara M. Carey	aye	Barry D. Schreiber	aye
Charles Dusseau	nay	Jorge (George) Valdes	aye
Joseph M. Gersten	aye	Sherman S. Winn	nay
Larry Hawkins	nay	Stephen P. Clark	aye
Harvey Ruvin	nay		

WHEREAS, PAT & ROSE PROCACCI, had applied for the following:

M/a

(1) MODIFICATION of Section 1 of an existing Declaration of Restrictions recorded under Official Record Book 13243, Pages 1185 through 1188, recorded on the 14th day of April, 1987, as follows:

FROM: "1. That said property shall be developed substantially in accordance with the spirit and intent of the plans previously submitted, prepared by Robert W. Clark, A.I.A., entitled 'Proposed Development for Pat Procacci,' dated the 18th day of November, 1986, received January 14, 1987 by Zoning Hearing Section."

TO: "1. That said property shall be developed substantially in accordance with the spirit and intent of the plans previously submitted, prepared by Robert W. Clark, A.I.A., entitled 'Proposed Development for Pat Procacci,' dated the 7th day of July, 1989 and 'Boundary Survey,' as prepared by Ford Land Surveyors, Inc., dated the 5th day of July, 1989."

The purpose of this request is to permit the applicant to submit a new site plan.

REQUEST #1 ON THE FOLLOWING:

PARCEL A: The north 434.66' of the following described parcel of land: The east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 31, Township 55 South, Range 40 East. LESS: the west 25' thereof and less the east 35' thereof and less that certain right-of-way for S.W. 184th Street as same is shown on sheet 7 of 10 and and recorded in Road Plat Book 101, Page 70. Also less the external area of a 25' radius curve at the Southwest corner of the above described parcel, said curve being concave to the Northeast, and being tangent to a line 25' east of the west line of the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31 and tangent to a line being 65.5' north of the south line of the SW 1/4 of said Section 31. Also less the external area of a 25' radius curve at the Southeast corner of the above described parcel, said curve being concave to the Northwest, and being tangent to a line 35' west of the east line of the SW 1/4 of said Section 31 and tangent to a line being 65.5' north of the south line of SW 1/4 of said Section 31.

AND:

PARCEL B: The east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 31, Township 55 South, Range 40 East. LESS: the east 35' thereof and less that certain right-of-way for S.W. 184th Street as same is shown in Sheet 7 of 10, Road Plat Book 101, Page 70. Also less the external area of a 25' radius curve at the Southeast corner of the above described parcel, said curve being concave to the Northwest, and being tangent to a line 35' west of the east line of the SW 1/4 of said Section 31 and tangent to a line 65.5' north of the south line of the SW 1/4 of said Section 31, less the north 434.66' thereof, less the west 106.57' thereof.

AND:

PARCEL C: The east 81.57' of the west 106.57' of the following described parcel of land; the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 31, Township 55 South, Range 40 East. LESS: that certain right-of-way for S.W. 184th Street as same is shown in sheet 7 of 10, Road Plat Book 101, Page 70. ALSO LESS: The external area of a 25' radius curve at the Southwest corner of the above described parcel, said curve being concave to the Northeast, and being tangent to a line 25' east of the west line of the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31 and tangent to a line being 65.5' north of the south line of the SW 1/4 of said Section 31, less the north 434.66' thereof.

A/a

(2) MODIFICATION of Section 1 of an existing Declaration of Restrictions recorded under Official Record Book 13498, Pages 1652 through 1655, recorded on the 4th day of December, 1987, as follows:

FROM: "1. That said property shall be developed substantially in accordance with the spirit and intent of the plans previously submitted, prepared by Robert W. Clark, A.I.A., entitled 'Proposed Development for Pat Procacci,' dated the 6th day of May, 1987."

TO: "1. That said property shall be developed substantially in accordance with the spirit and intent of the plans previously submitted, prepared by Robert W. Clark, A.I.A., entitled 'Proposed Development for Pat Procacci,' dated the 7th day of July, 1989 and 'Boundary Survey,' as prepared by Ford Land Surveyors, Inc. dated the 5th day of July, 1989."

The purpose of this request is to permit the applicant to submit a new site plan.

REQUEST #2 ON THE FOLLOWING:

PARCEL A: The north 434.66' of the following described parcel of land: The east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 31, Township 55 South, Range 40 East. LESS: the west 25' thereof and less the east 35' thereof and less that certain right-of-way for S.W. 184th Street as same is shown on sheet 7 of 10 and and recorded in Road Plat Book 101, Page 70. Also less the external area of a 25' radius curve at the Southwest corner of the above described parcel, said curve being concave to the Northeast, and being tangent to a line 25' east of the west line of the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31 and tangent to a line being 65.5' north of the south line of the SW 1/4 of said Section 31. Also less the external area of a 25' radius curve at the Southeast corner of the above described parcel, said curve being concave to the Northwest, and being tangent to a line 35' west of the east line of the SW 1/4 of said Section 31 and tangent to a line being 65.5' north of the south line of SW 1/4 of said Section 31.

PARCEL B: The east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 31, Township 55 South, Range 40 East. LESS: the east 35' thereof and less that certain right-of-way for S.W. 184th Street as same is shown in Sheet 7 of 10, Road Plat Book 101, Page 70. Also less the external area of a 25' radius curve at the Southeast corner of the above described parcel, said curve being concave to the Northwest, and being tangent to a line 35' west of the east line of the SW 1/4 of said Section 31 and tangent to a line 65.5' north of the south line of the SW 1/4 of said Section 31, less the north 434.66' thereof, less the west 106.57' thereof.

AND:

PARCEL C: The east 81.57' of the west 106.57' of the following described parcel of land; the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 31, Township 55 South, Range 40 East. LESS: that certain right-of-way for S.W. 184th Street as same is shown in sheet 7 of 10, Road Plat Book 101, Page 70. ALSO LESS: The external area of a 25' radius curve at the Southwest corner of the above described parcel, said curve being concave to the Northeast, and being tangent to a line 25' east of the west line of the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31 and tangent to a line being 65.5' north of the south line of the SW 1/4 of said Section 31, less the north 434.66' thereof.

A | C

(3) MODIFICATION of Section 1 of an existing Declaration of Restrictive Covenants in lieu of Unity of Title recorded under Official Record Book 13814, Pages 874 through 883, recorded on the 7th day of September, 1988 as follows:

FROM: "1. The property will be developed in substantial conformity with the site plan entitled 'Proposed Development for Pat Procacci,' prepared by Robert W. Clark, A.I.A., dated the 6th day of May, 1987."

TO: "1. The property will be developed in substantial conformity with the site plan entitled 'Proposed Development for Pat Procacci,' prepared by Robert W. Clark, A.I.A., dated the 7th day of July, 1989 and Boundary Surveyors, Inc., dated the 5th day of July, 1989."

The purpose of this request is to permit the applicant to submit a new site plan.

REQUEST #3 ON THE FOLLOWING:

PARCEL NO. 1: The east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 31, Township 55 South, Range 40 East. LESS: the east 35' thereof and less that certain right-of-way for S.W. 184th Street as same is shown in Sheet 7 of 10, Road Plat Book 101, Page 70. Also less the external area of a 25' radius curve at the Southeast corner of the above described parcel, said curve being concave to the Northwest, and being tangent to a line 35' west of the east line of the SW 1/4 of said Section 31 and tangent to a line 65.5' north of the south line of the SW 1/4 of said Section 31, less the north 359.66' thereof, less the west 106.57' thereof.

AND:

PARCEL NO. 2: The east 81.57' of the west 106.57' of the following described parcel of land; the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 31, Township 55 South, Range 40 East. LESS: that certain right-of-way for S.W. 184th Street as same is shown in sheet 7 of 10, Road Plat Book 101, Page 70. ALSO LESS: The external area of a 25' radius curve at the Southwest corner of the above described parcel, said curve being concave to the Northeast, and being tangent to a line 25' east of the west line of the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31 and tangent to a line being 65.5' north of the south line of the SW 1/4 of said Section 31, less the north 359.66' thereof.

A (4) NON-USE VARIANCE OF ZONING REGULATIONS requiring a 5' high decorative masonry wall or wood fence along the rear (north) property line in the BU-1 and BU-1A zones when abutting residential zoning; to waive same to permit no wall or fence.

A (5) NON-USE VARIANCE OF PARKING REQUIREMENTS to permit 34 parking spaces (55 parking spaces required).

A (6) NON-USE VARIANCE OF PARKING REGULATIONS as applied to compact parking spaces to permit 14 compact parking spaces (12 compact parking spaces permitted).

REQUESTS #4, #5 & #6 ON THE FOLLOWING:

PARCEL NO. 1: The east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 31, Township 55 South, Range 40 East. LESS: the east 35' thereof and less that certain right-of-way for S.W. 184th Street as same is shown in Sheet 7 of 10, Road Plat Book 101, Page 70. Also less the external area of a 25' radius curve at the Southeast corner of the above described parcel, said curve being concave to the Northwest, and being tangent to a line 35' west of the east line of the SW 1/4 of said Section 31 and tangent to a line 65.5' north of the south line of the SW 1/4 of said Section 31, less the north 359.66' thereof, less the west 106.57' thereof.

AND:

PARCEL NO. 2: The east 81.57' of the west 106.57' of the following described parcel of land; the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 31, Township 55 South, Range 40 East. LESS: that certain right-of-way for S.W. 184th Street as same is shown in sheet 7 of 10, Road Plat Book 101, Page 70. ALSO LESS: The external area of a 25' radius curve at the Southwest corner of the above described parcel, said curve being concave to the Northeast, and being tangent to a line 25' east of the west line of the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31 and tangent to a line being 65.5' north of the south line of the SW 1/4 of said Section 31, less the north 359.66' thereof.

(7) UNUSUAL USE to permit parking in a more restrictive zone than the use it serves is located, to wit: parking in the RU-1 zone to serve the BU-1 and BU-1A zone and proposed RU-5A zone.

The east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 31, Township 55 South, Range 40 East LESS: The west 25' thereof and less the east 35' thereof and less that certain right-of-way for S.W. 184th Street as same is shown in sheet 7 of 10 and recorded in Road Plat Book 101, Page 70 ALSO LESS: The external area of a 25' radius curve at the Southwest corner of the above described parcel, said curve being concave to the Northeast, and being tangent to a line 25' east of the west line of the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31 and tangent to a line being 65.5' north of the south line of the SW 1/4 of said Section 31, also less the external area of a 25' radius curve at the Southeast corner of the above described parcel, said curve being concave to the Northwest, and being tangent to a line 35' west of the east line of the SW 1/4 of said Section 31 and tangent to a line 65.5' north of the south line of the SW 1/4 of said Section 31, less the north 359.66' thereof, LESS:

PARCEL NO. 1: The east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 31, Township 55 South, Range 40 East. LESS: the east 35' thereof and less that certain right-of-way for S.W. 184th Street as same is shown in Sheet 7 of 10, Road Plat Book 101, Page 70. Also less the external area of a 25' radius curve at the Southeast corner of the above described parcel, said curve being concave to the Northwest, and being tangent to a line 35' west of the east line of the SW 1/4 of said Section 31 and tangent to a line 65.5' north of the south line of the SW 1/4 of said Section 31, less the north 359.66' thereof, less the west 106.57' thereof.

AND:

PARCEL NO. 2: The east 81.57' of the west 106.57' of the following described parcel of land; the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 31, Township 55 South, Range 40 East. LESS: that certain right-of-way for S.W. 184th Street as same is shown in sheet 7 of 10, Road Plat Book 101, Page 70. ALSO LESS: The external area of a 25' radius curve at the Southwest corner of the above described parcel, said curve being concave to the Northeast, and being tangent to a line 25' east of the west line of the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31 and tangent to a line being 65.5' north of the south line of the SW 1/4 of said Section 31, less the north 359.66' thereof.

AND:

PARCEL D: A portion of the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 31, Township 55 South, Range 40 East. Less the west 25' thereof and less the east 35' thereof, being more particularly described as follows:

Commence at the Northwest corner of the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31, Township 55 South, Rnage 40 East; thence N87°4'11"E along the north line of said SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31 for 25' to the Point of beginning of the parcel of land hereinafter described; thence continue along the last described course for 25'; thence S4°0'30"E along a line parallel with west line of the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31, for 249.25'; thence S89°59'30"W along a line perpendicular to west line of the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31, for 25'; thence N4°0'30"W along a line 25' east of and parallel with west line of the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31 for 249.72' to the Poine of beginning.

(8) RU-1 to RU-5A

OR IN THE ALTERNATIVE:

(9) USE VARIANCE to permit a proposed two-story office building in the RU-1 zone as would be permitted in the RU-5A zone.

AND WITH EITHER REQUEST THE FOLLOWING:

(10) NON-USE VARIANCE OF LOT AREA REQUIREMENTS to permit a proposed semi-professional office building site with a lot area of 8,973 sq. ft. (10,000 sq. ft. required).

(11) NON-USE VARIANCE OF SETBACK REQUIREMENTS to permit a proposed semi-professional office building setback 15' (25' required) from the front (west) property line and setback 8.5' (25' required) from the rear (east) property line and setback 0' (15' required) from the interior side (south) property line and setback 10' (15' required) from the interior side (north) property line.

(12) NON-USE VARIANCE OF PARKING REQUIREMENTS to permit 0 parking spaces (28 parking spaces required).

(13) NON-USE VARIANCE OF LOT COVERAGE REQUIREMENTS to permit a proposed two-story office building with a lot coverage of 65% (40% lot coverage permitted).

REQUESTS #8- #13 ON THE FOLLOWING:

A portion of the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 31, Township 55 South, Range 40 East. Less the west 25' thereof and less the east 35' thereof, being more particularly described as follows:

Commence at the Northwest corner of the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31, Township 55 South, Range 40 East; thence N87°4'11"E along the north line of the said SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31 for 25'; thence S4°0'30"E along a line 25' east of and parallel with the west line of the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31, for 249.72' to the Point of beginning; thence N89°59'30"E along a line perpendicular to the west line of the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31, for 81.57'; thence S4°0'30"E parallel with west line of the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31, for 111.54'; thence S87°4'11"W along a line parallel with the west line of the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31, for 81.58'; thence N4°0'30"W along a line 25' east of and parallel with west line of the east 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of said Section 31, for 249.72' to the Point of beginning.

The aforementioned plans are on file and may be examined in the Zoning Department. Plans may be modified at public hearing.

LOCATION: Lying between S.W. 112 Avenue and S.W. 112 Court, and north of S.W. 184 Street (Eureka Drive), Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners, Dade County, Florida, was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to RU-5A (Item #8) would be incompatible with the neighborhood and area concerned and would be in conflict with the principles and intent of the plan for

the development of Dade County, Florida, and that the requested Modification of Section 1 of an existing Declaration of Restrictions recorded under Official Record Book 13243 (Item #1), Modification of Section 1 of an existing Declaration of Restrictions recorded under Official Record Book 13498 (Item #2), Modification of Section 1 of an existing Declaration of Restrictive Covenants (Item #3), on a modified basis (deletion of the proposed office building and replacing same with landscaping and eliminating the row of parking spaces adjacent to Southwest 112 Avenue and replacing same with landscaping), non-use variances and unusual use (Items #4, 5, 6 and 7) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance, and should be approved, subject to conditions, but that the alternate requested use variance (Item #9), and non-use variances (Items #10, 11, 12, and 13) would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance and should be denied without prejudice, 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, this Board finds from the evidence submitted at the hearing that the strict application of the Master Plan would result in a breach of the "Fundamental Fairness Doctrine" as it applies to the subject property and applicant;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the requested district boundary change to RU-5A (Item #8) be and the same is hereby denied without prejudice;

BE IT FURTHER RESOLVED that the requested Modification of Section 1 of an existing Declaration of Restrictions recorded under Official Record Book 13243 (Item #1), Modification of Section 1 of an existing Declaration of Restrictions recorded under Official Record Book 13498 (Item #2), Modification of Section 1 of an existing Declaration of Restrictive Covenants (Item #3), on a modified basis (deletion of the proposed office building and replacing same

with landscaping and eliminating the row of parking spaces adjacent to Southwest 112 Avenue and replacing same with landscaping), non-use variances and unusual use (Items #4, 5, 6 and 7) be and the same are hereby approved, subject to the following conditions:

1. That the proposed "Future Office Building" in the RU-1 zone be eliminated and that the 42' wide landscape buffer along the west property line to the north be extended southerly to the business zone boundary line. That the 20 parking spaces near the Southwest 112 Avenue (east) property line and the northerlymost driveway along S.W. 112 Avenue be eliminated and replaced with additional landscaping.

2. That in the approval of the plan special attention be provided along the north and west landscaped areas and that dense landscaping be provided along the north 51' and west 42' wide buffers to provide sufficient screening for the property owners to the north and west.

3. That the applicants comply with all the requirements of the Public Works Department and the Department of Environmental Resources Mangement.

4. That the revised agreements, as approved herein, be recorded within 90 days from the date of this Resolution.

BE IT FURTHER RESOLVED that the alternate requested use variance and non-use variances (Items #9, 10, 11, 12 and 13) be and the same are hereby denied without prejudice;

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED the 19th day of October, 1989.

September, 1989
No. 89-9-CC-21
11/2/89
mr

DADE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By Richard P. Brinker, Clerk
Deputy Clerk

This resolution transmitted to the Clerk of the Board of County Commissioners on the 3rd day of NOVEMBER, 1989.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED the 19th day of October, 1989.

September, 1989
No. 89-9-CC-21
11/2/89
mr

DADE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By Richard P. Brinker, Clerk
Deputy Clerk

This resolution transmitted to the Clerk of the Board of County Commissioners on the 3rd day of NOVEMBER, 1989.