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Sec. Twp. Range

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

LIST ALL FOLIO #S: 30-4033-001-0054, 30-4033-001-0550

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).

Merrineck Estates, L.L.C. & Medico International Realty Holdings, L.L.C.

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

Mailing Address: see Contact Person

City: _____ State: _____ Zip: _____ Phone#: _____

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

Owner's Name (Provide name of ALL owners): See Contact Person

Mailing Address: _____

City: _____ State: _____ Zip: _____ Phone#: _____

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

Name: Ben Fernandez Company: Bercow & Radell, P.A.

Mailing Address: 200 S. Biscayne Boulevard, Suite 850

City: Miami State: Florida Zip: 33131

Phone#: (305) 374-5300 Fax#: (305) 377-6222 E-mail: bfernandez@brzoninglaw.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).

See Attached Exhibit A

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6. ADDRESS OR LOCATION OF PROPERTY (For location, use description such as NE corner of, etc.)
7600 & 7650 SW 87 Avenue

7. SIZE OF PROPERTY (in acres): 1.90 (divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property acquired leased: 9/2006 9. Lease term: _____ 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-5A

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

District Boundary Changes (DBC) [Zone class requested]: _____

Non Use Variances: _____

Alternative Site Development: _____

Special Exception: _____

Modification of previous resolution/plan: Modify site plan reference in Z-42-85

Modification of Declaration or Covenant: Delete Declaration of Restrictions recorded in Official Record 12486 Pages 842-47 and associated with Resolution Z-42-85. See letter of intent for more details.

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 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: Vacant. Former nursery demolished.

17. Is there any existing use on the property? no yes. If yes, what use and when established?
Use: N/A Year: _____

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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. (1)(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: _____

LIMITED LIABILITY COMPANY AFFIDAVIT

I, Hamid Bolooki, being first duly sworn, depose and say that I am the Managing Member of Merrineck Estates, L.L.C., and authorized signatory for Medico International Realty Holdings, L.L.C., and as such, have been authorized by the limited liability companies to file this application for public hearing; and that said limited liability companies are the owners of the property described herein and which is the subject matter of the proposed hearing.

Attest:

[Handwritten signature]

[Handwritten signature]

Authorized Signature Managing Member

Office Held

Sworn to and subscribed to before me this 4th day of March, 2007.

Notary Public: [Signature] Commission Expires: MARIA M. MONTALVO MY COMMISSION # DD 206446



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 this ___ day of, _____, _____.

Notary Public: _____ Commission Expires: _____



ZONING HEARINGS SECTION MIAMI-DADE PLANNING AND ZONING DEPT. BY [Signature]

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...
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.
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.
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.
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.
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.

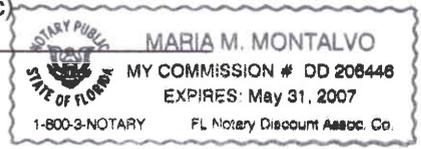
Handwritten signature of Hamid Bolooki in blue ink, with '(Applicant's Signature)' printed below it.

Hamid Bolooki, Managing Member (Print Name)

Sworn to and subscribed before me this 7th day of March. Affiant is personally known to me or has produced Known to me as identification.

Handwritten signature of Maria M. Montalvo, with '(Notary Public)' printed below it.

My commission expires



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

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
See attached Exhibit B	
_____	_____
_____	_____
_____	_____
_____	_____

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: _____ N/A

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____ N/A

<u>NAME AND ADDRESS</u>	<u>Percent of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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If there is a **CONTRACT FOR PURCHASE** by a corporation, Trust or Partnership, list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: N/A

<u>NAME ADDRESS AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

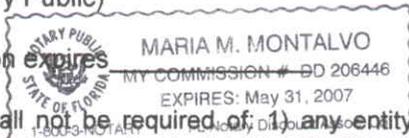
NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in his application to the best of my knowledge and belief.

Signature: *Hamid Bolooki* Hamid Bolooki, Managing Member and Authorized Signatory
(Applicant)

Sworn to and subscribed before me this 7 day of March 2007. Affiant is personally known to me or has produced Known to me as identification.

Maria M. Montalvo
(Notary Public)



My commission expires _____

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or a other country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five percent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership corporation or trust.

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Exhibit A

Legal Description

Parcel A: Tract 33 of Dade County Development Co., Sub. P. B. 1, Page 84 in Section 33, Township 54 S, Range 40 E less the S 450' and less the right of way as described in Official Record Book 9451, Page 1178.

Parcel B: N 111' of S 450' of tract 33 of Dade County Development Co., Sub., Section 33, Township 54 S, Range 40 E, P. B. 1, Page 84 Public Records of Dade County.

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