

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-28-08

WHEREAS, KROME GOLD RANCHES II L. L. L. P applied to Community Zoning

Appeals Board 11 for the following:

- (1) GU to EU-2
- (2) UNUSUAL USE to permit a lake excavation.
- (3) UNUSUAL USE to permit a private recreational facility; to wit: a clubhouse, including stables and boat storage.
- (4) Applicant is requesting to waive the zoning regulations requiring half-section line rights-of-way to be 70' in width; to permit no dedication for theoretical S.W. 182 Avenue and theoretical S.W. 128 Street.
- (5) Applicant is requesting to to permit Lots 33, 34 and 35 with frontages varying from 94.52' to 138.02' (200' required).
- (6) Applicant is requesting to waive the zoning and subdivision regulations requiring non-residential lots to have frontage on a public street; to permit a lot containing the private recreation facility with no frontage on a public street (200' required) and to have access to the said lot by means of a private easement.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #4 and #5 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance) and approval of request #6 must be considered under Chapter 28 §19(A) of the Public Works Code.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Paradise Lake Ranches, Krome Gold Ranches II, LLLP," as prepared by Perez, Pascual and Kiliddjian and Assocs., consisting of 25 sheets and dated stamped received 2/29/08.

SUBJECT PROPERTY: The south ¼ of Section 13, Township 55 South, Range 38 East, less the following parcels:

The east ½ of the SW ¼ of the SW ¼ of the SW ¼ of Section 13, Township 55 South, Range 38 East, less the south 40' thereof for right-of-way purposes; A/K/A: Lot 74 of CIARA INVESTMENTS, INC. AND: The west ½ of the SE ¼ of the SW ¼ of the SW ¼ of Section 13, Township 55 South, Range 38 East, less the south 40' thereof for right-of-way purposes; A/K/A: Lot 75 of CIARA INVESTMENTS, INC.; AND: The east ½ of the SE ¼ of the SW ¼ of the SW ¼ of Section 13, Township 55 South, Range 38 East, less the south 40' thereof for right-of-way purposes; A/K/A: Lot 76 of CIARA INVESTMENTS, INC.

LOCATION: Lying north of S.W. 136 Street, between S.W. 177 Avenue and S.W. 187 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of Community Zoning Appeals Board 11 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 was the opinion of Community Zoning Appeals Board 11 that the requested district boundary change to EU-2 (Item #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 that the requested unusual uses to permit a lake excavation (Item #2) and a private recreational facility; to wit: a clubhouse, including stables and boat storage (Item #3), and the requests to waive the zoning regulations requiring half-section line rights-of-way to be 70' in width; to permit no dedication for theoretical S.W. 182 Avenue and theoretical S.W. 128 Street (Item #4), to permit Lots 33, 34 and 35 with frontages varying from 94.52' to 138.02' (Item #5) and to waive the zoning and subdivision regulations requiring non-residential lots to have frontage on a public street; to permit a lot containing the private recreation facility with no frontage on a public street and to have access to the said lot by means of a private easement (Item #6) would not be compatible with the area and its development and 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 that the requested unusual uses (Items #2 & 3) would have an adverse impact upon the public interest and should be denied, and said application was denied without prejudice by Resolution No. CZAB11-14-08, and

WHEREAS, **KROME GOLD RANCHES II L. L. P** appealed the decision of Community Zoning Appeals Board 11 to the Board of County Commissioners for the following:

- (1) GU to EU-2
- (2) UNUSUAL USE to permit a lake excavation.
- (3) UNUSUAL USE to permit a private recreational facility; to wit: a clubhouse, including stables and boat storage.
- (4) Applicant is requesting to waive the zoning regulations requiring half-section line rights-of-way to be 70' in width; to permit no dedication for theoretical S.W. 182 Avenue and theoretical S.W. 128 Street.
- (5) Applicant is requesting to permit Lots 33, 34 and 35 with frontages varying from 94.52' to 138.02' (200' required).
- (6) Applicant is requesting to waive the subdivision regulations requiring lots to have frontage on a public street; to permit a lot containing the private recreation facility with no frontage on a public street and to have access to the said lot by means of a private easement.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #4 and #5 may be considered under §33-311(A)(14) (Alternative Site Development Option for Single-Family and Duplex Dwelling Units or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance) and approval of request #6 must be considered under Chapter 28 §19(A) of the Public Works Code.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Paradise Lake Ranches, Krome Gold Ranches II, LLLP," as prepared by Perez, Pascual and Kiliddjian and Assocs, consisting of 25 sheets and dated stamped received 2/29/08. Plans may be modified at public hearing.

SUBJECT PROPERTY: The south $\frac{3}{4}$ of Section 13, Township 55 South, Range 38 East, less the following parcels:

The east $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, Township 55 South, Range 38 East, less the south 40' thereof for right-of-way purposes; A/K/A: Lot 74 of CIARA INVESTMENTS, INC. AND: The west $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, Township 55 South, Range 38 East, less the south 40' thereof for right-of-way purposes; A/K/A: Lot 75 of CIARA INVESTMENTS, INC.; AND: The east $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, Township 55 South, Range 38 East, less the south 40' thereof for right-of-way purposes; A/K/A: Lot 76 of CIARA INVESTMENTS, INC.

LOCATION: Lying north of S.W. 136 Street, between S.W. 177 Avenue and S.W. 187 Avenue, 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 requested permission to withdraw the requested district boundary change from GU to EU-2 (Item #1), the request for an unusual use to permit a private recreational facility; to wit: a clubhouse, including stables and boat storage (Item #3), the request to permit Lots 33, 34 and 35 with frontages varying from 94.52' to 138.02 (Item #5), and the request to waive the subdivision regulations requiring lots to have frontage on a public street; to permit a lot containing the private recreation facility with no frontage on a public street; and to have access to the said lot by means of a private easement (Item #6), and

WHEREAS, the applicant proffered a Declaration of Restrictions which among other things provided:

1. **Site Plan.** That the Property shall be developed substantially in accordance with the plans previously submitted, entitled, "Paradise Lake Ranches, Krome Gold Ranches II, LLLP," as prepared by Perez, Pascual and Killidjian and Assocs., consisting of 18 sheets C1-C2, SP1-SP5 and L1-L5, dated stamped received September 12, 2008, and sheets A1-A6, dated stamped received February 29, 2008.. Said plans being on file with the Miami-Dade County Department of Planning and Zoning (the "Department"), and by reference made a part of this Declaration, as may be amended during the public hearing on the Application (the "Plans"). Notwithstanding the approval of the plans, the Owner shall install, and thereafter maintain, a continuous row of palms (the "Palms Buffer"), except for points of ingress and egress, of such size and species as may be approved by the Department, twenty-five feet (25') on center, along the Property's eastern and southern boundaries adjacent to the right-of-way for SW 177th Avenue and SW 136th Street (the "Roadways"). The Palms Buffer must be installed prior to the issuance of a certificate of completion for any residence adjacent to the Roadways. The location of the proposed farm residences on each parcel as shown on the Plans is strictly conceptual. The exact location of each farm residence on each of the parcels will be determined as the Property is developed. However, no residential structure may be located within two hundred feet (200) of the Roadways, which area may only be used for any permitted agricultural uses, activities and structures. The owner of each parcel may obtain a building permit or a zoning improvement permit for the construction of any accessory structure(s) on the parcel provided any such structure(s) conform to all applicable zoning regulations. All future additions

on each parcel that are in compliance with the applicable zoning regulations may be permitted as of right and shall not require approval at a public hearing.

2. **Maximum Number of Farm Residences.** That as reflected on the Plans, and notwithstanding the approval of the Application, no more than forty-seven (47) farm residences may be developed on the Property.
3. **Development Limitations & Criteria.** That all architectural expressions and design features shown on the facades shall remain as depicted on the elevation drawing Sheets SA-3 through SA-5 and A2 through A6 within the Plans. A substitution of an architectural element for another shall only be permitted upon approval by the Director of the Department.
4. **Traffic Improvements.** To facilitate ingress/egress to and from the Property, prior to the approval of a final plat for any portion of the Property, the Owner shall apply to either the Miami-Dade County Public Works Department or the Florida Department of Transportation (whichever by law has jurisdiction) for the approval of a deceleration/acceleration lane along portions of the Property on Krome Avenue (the "Traffic Improvements"). Notwithstanding anything in the Plans to the contrary, prior to the issuance of a building permit for any dwelling unit within the Property, the Owner shall install the Traffic Improvements. If after diligent efforts the Owner is unable to secure the necessary approvals for the Traffic Improvements, the Owner's obligation under this Paragraph shall be null and void and the Owner shall be released of any further liability under this Paragraph. For purposes of this Paragraph, the exercise of "diligent efforts" shall not require the Owner to institute administrative or judicial litigation to secure the necessary governmental approvals for the Traffic Improvements.
5. **Lake.** That the lake on the Property shall be owned and maintained by a homeowner's association, or similar entity, in accordance with applicable regulations. The lake on the Property shall be ancillary to the farm residences on the Property and, therefore, upon its completion, the lake shall be used solely (i) to satisfy the applicable drainage and storm water retention requirements applicable to the Property; (ii) for recreational purposes by the residents of the Property and their guests; and (iii) to the extent permitted by law, to draw water for irrigation of groves, nurseries, yards and landscaped area within the Property. The placement of accessory improvements, including docks and decks, and landscaping water ward of the top of slope on the residential lots on the Property shall conform to the regulations contained in Section 33-16.1 of the Code of Miami-Dade County. As required by the applicable regulations and conditions, the Owner will be required to post a cash performance bond or such equivalent instrument (the "Bond") as may be approved by the Director of the Department. The Bond shall not be released until the completion of the following: (i) the lake excavation, in accordance with the approved plans and regulations; (ii) the Traffic Improvements enumerated in, and subject to the conditions of, Paragraph 4 of this Declaration; (iii) the Equestrian Trail, as described in Paragraph 6 of this Declaration; (iv) the Private Drives, as described in Paragraph 7 of this Declaration; and (v) the roadway and landscaping at the entrance to the community, as depicted on the Plans. Upon completion of the lake, the Owner shall establish fish stocks in the lake in such a manner as to

maximize the lake's potential for fishing and to attract waterfowl and other wildlife to the Property.

6. **Equestrian Trail.** That as shown on the Plans, the Owner shall build a fifteen foot (15') wide shaded equestrian trail within the Property for the use and enjoyment of residents and their guests. Each farm residence shall have access to the equestrian trail. The equestrian trail shall be maintained by a homeowner's association, or similar entity, in accordance with applicable regulations.
7. **Private Drives.** That the Private drives, as shown on the Plans, shall be maintained by a homeowner's association, or similar entity, in accordance with applicable regulations. The guard/entrance feature will require separate zoning approvals. Should the Owner or the homeowner's association elect to provide a guardhouse at the entrance to the Property, as a means of controlling access to and from the Property, subject to the receipt of all necessary governmental approvals, said guardhouse shall be staffed by an off-duty police officer. In addition, the guardhouse shall be supplied with a portable defibrillator of such make and capacity as may be approved by the Miami-Dade Fire and Rescue Department.
8. **Notice of Proximity to Agricultural Operations and Activities.** That notwithstanding the zoning classification of the Property, or of the surrounding area, the Owner shall comply with the disclosure requirements of Section 33-284.1(b)(1) of the Code of Miami-Dade County; provided further, that the disclosure will inform its recipients that agricultural activities may take place both on the Property and in the surrounding area.

WHEREAS, the applicant proffered an additional condition at public hearing which among other things, provided:

That contemporaneously with the commencement of the excavation of the lake on the Property, the Owner shall, subject to obtaining the required permits, commence the construction of a low permeability barrier along the full length of the Property's western boundary. This barrier or cut-off wall shall be constructed so as to minimize the amount of seepage water from the Everglades National Park into the project and lake and, as such, the Owner shall construct this low permeability barrier (subject to obtaining the required permits) to a depth of approximately thirty feet (measured from land surface) and to consist of a slurry wall or such other barrier as may be approved by the Miami-Dade Department of Environmental Regulations and such other applicable regulatory agencies.

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 Miami-Dade County Community Zoning Appeals Board 11 and after having given an opportunity for interested parties to be heard, it is the opinion of the Board of County Commissioners, Miami-Dade County, Florida, that the grounds and reasons alleged by the appellants and specified in the appeal were sufficient to merit a reversal of the ruling made by the Community Zoning Appeals Board in Resolution No. CZAB11-14-08 and that the appeal should be approved and the decision of Community Zoning Appeals Board 11 should be overruled, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested unusual use to permit a lake excavation (Item #2) and the requests to waive the zoning regulations requiring half-section line rights-of-way to be 70' in width and to permit no dedication for theoretical S.W. 182 Avenue and theoretical S.W. 128 Street (Item #4) would be compatible with the area and its development, 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; that the requested unusual use to permit a lake excavation (Item #2) would not have an adverse impact upon the public interest and should be approved; that the proffered Declaration of Restrictions and the extra condition proffered by the applicant should be accepted; that the requested withdrawal of the request for a district boundary change from GU to EU-2 (Item #1), the request for an unusual use to permit a private recreational facility; to wit: a clubhouse, including stables and boat storage (Item #3), the request to permit Lots 33, 34 and 35 with frontages varying from 94.52' to 138.02 (Item #5), and the request for a waiver of the zoning and subdivision regulations requiring non-residential lots to have frontage on a public street, to permit a lot containing the private recreation facility with no frontage on a public street, and to have access to the said lot by means of a private easement (Item #6) should be granted, and

WHEREAS, a motion to grant the appeal, overrule the decision of Community Zoning Appeals Board 11, accept the proffered Declaration of Restrictions and the extra condition proffered by the applicant, approve Item #2 and deem the lake a permitted unusual residential use, approve Item #4 as a non-use variance, allow the withdrawal of Items #1, 3, 5, and 6 without prejudice, and deny Item #4 without prejudice as an alternative non-use variance was offered by Commissioner Joe A. Martinez, seconded by Commissioner Jose "Pepe" Diaz, and upon a poll of the members present the vote was as follows:

Jose "Pepe" Diaz	aye	Dennis C. Moss	nay
Audrey M. Edmonson	absent	Dorrin D. Rolle	aye
Carlos A. Gimmenez	aye	Natacha Seijas	aye
Sally A. Heyman	aye	Katy Sorenson	nay
Barbara J. Jordan	nay	Rebecca Sosa	aye
Joe A. Martinez	aye	Sen. Javier D. Souto	nay
		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 approved and the decision of Community Zoning Appeals Board 11 is overruled.

BE IT FURTHER RESOLVED that the requested unusual use to permit a lake excavation (Item #2) be and the same is hereby approved, and that the requests to waive the zoning regulations requiring half-section line rights-of-way to be 70' in width and to permit no dedication for theoretical S.W. 182 Avenue and theoretical S.W. 128 Street (Item #4) be and the same are hereby approved as a non-use variance, with Items #2 and #4 subject to the following conditions:

1. That the plans submitted for a building permit be substantially in accordance with those submitted for the hearing entitled "Paradise Lake Ranches, Krome Gold Ranches II, LLLP," as prepared by Perez, Pascual and Killiddjian and Assocs., consisting of 18 sheets C1-C2, SP1-SP5 and L1-L5, dated stamped received September 12, 2008, and sheets A1-A6, dated stamped received February 29, 2008.
2. That the use be established and maintained in accordance with the approved plan.

3. That the lake tract be platted; no building permit shall be issued for the site until the lake excavation is completed and lake as-built drawings submitted to and approved by the Department of Planning and Zoning.
4. That complete lake excavation plans prepared and sealed by a Florida-licensed surveyor and/or professional engineer be submitted to and meet with the approval of the Director upon the submittal of an application for a lake excavation permit; said plans shall be substantially in accordance with that submitted for the hearing entitled "Paradise Lake Ranches," as prepared by Pascual, Perez, Killiddjian and Associates, Inc., dated stamped received 09/12/08 on sheets C-1 and C-2.
5. That the grading, levelling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project develops and the excavation progresses. In accordance with this requirement, the applicant will submit "as built" surveys prepared and sealed by a Florida-licensed surveyor and/or professional engineer at one-fourth, one-half, three-fourths and final completion of the excavation or at six month intervals, whichever is of a lesser duration, or upon request of the Director of the Department of Planning and Zoning or the Director of the Department of Environmental Resources Management (DERM).
6. That the property shall be staked to meet with the approval of the Director of the Department of Planning and Zoning and the Director of the Department Environmental Resources Management; said stakes shall be maintained in proper position so that the limits of the excavation, slopes and grade levels may be easily determined.
7. That the property shall be suitably posted to meet with the approval of the Director of the Department of Planning and Zoning and the Director of the Department of Environmental Resources Management (DERM); said posting shall denote the lake excavation operation and warn the public concerning possible hazards, prior to commencement of the excavation.
8. That upon completion of the project, the property shall be restored and left in an acceptable condition meeting with the approval of the Director of the Department of Planning and Zoning and the Director of the Department of Environmental Resources Management.
9. Excess excavated material may be removed from the premises; however, the sale of said material shall be strictly prohibited.
10. That the use of explosives shall be strictly prohibited in connection with the lake excavation operation.
11. That the hours of the lake excavation operation shall be controlled by the Director of the Department of Planning and Zoning to ensure that the same does not become a nuisance to the surrounding area.

12. That, once the lake excavation operation commences, it shall be carried on continuously and expeditiously so that the entire project will be completed in three (3) years.
13. If the lake excavation operation is discontinued, abandoned, falls behind schedule or time expires, the existing excavation shall immediately be sloped to conform with the approved plans and the entire operation shall be removed from the premises.
14. That in order to insure compliance with all terms and conditions imposed, a cash bond or substantially equivalent instrument meeting with the approval of the Director shall be posted with the Department of Planning and Zoning, payable to Miami-Dade County, in an amount as may be determined and established by the Director of the Department of Planning and Zoning; said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County and said instrument shall be executed by the property owner and any and all parties who have an interest in the land, such as mortgagees, etc. The bond amount shall be based on the volume of cut required to create the approved slope configuration.
15. Upon the issuance of a lake excavation permit, the title of the property in question shall not be transferred without the approval of the Director of the Department of Planning and Zoning unless the excavation of the subject property has been completed and/or unless the bond has been released.
16. That the applicant obtain an Excavation Use Permit from and promptly renew the same annually with the Department of Planning and Zoning, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
17. All excavations shall be completely enclosed by a safety barrier, with a minimum height of 6 feet, consisting of either orange plastic safety fence or wood slat storm fencing installed on 4" x 4" posts spaced every 10 feet. Said barrier shall be installed prior to issuance of the excavation permit and commencement of excavating and shall remain in place until work is complete and the performance bond is released.
18. All excavations shall be posted every 50 feet with warning signs a minimum of 18" x 18" in size.
19. That the lake fill shall only be used on the subject property or within the current urban development boundary.
20. That contemporaneously with the commencement of the excavation of the lake on the subject property, the Owner shall, subject to obtaining the required permits, commence the construction of a low permeability barrier along the full length of the subject property's western boundary. This barrier or cut-off wall shall be constructed so as to minimize the amount of seepage water from the Everglades National Park into the project and lake and, as such, the Owner shall construct this low permeability barrier (subject to obtaining the required permits) to a depth of

approximately thirty feet (measured from land surface) and to consist of a slurry wall or such other barrier as may be approved by the Miami-Dade Department of Environmental Resources Management and such other applicable regulatory agencies.

21. That the applicant comply with all applicable conditions and requirements of the *Department of Environmental Resources Management*.
22. That the applicant comply with all applicable conditions and requirements of the Public Works Department.
23. That the applicant comply with all applicable conditions and requirements of the Fire-Rescue Department.

BE IT FURTHER RESOLVED that the requested withdrawal of the request for a district boundary change from GU to EU-2 (Item #1), the request for an unusual use to permit a private recreational facility; to wit: a clubhouse, including stables and boat storage (Item #3), the request to permit Lots 33, 34 and 35 with frontages varying from 94.52' to 138.02 (Item #5), and the request for a waiver of the subdivision regulations requiring non-residential lots to have frontage on a public street, to permit a lot containing the private recreation facility with no frontage on a public street, and to have access to the said lot by means of a private easement (Item #6) be and the same is hereby granted and said Items are hereby withdrawn without prejudice.

BE IT FURTHER RESOLVED that Item #4 be and the same is hereby denied without prejudice as an alternative non-use variance.

BE IT FURTHER RESOLVED that Resolution No. CZAB11-14-08 is hereby null and void.

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

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.

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 6th day of November, 2008, 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. 08-6-CZ11-3
ej

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By **KAY SULLIVAN**
Deputy Clerk

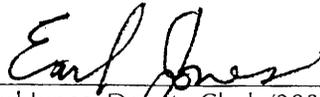
THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 18TH DAY OF DECEMBER, 2008.

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-28-08 adopted by said Board of County Commissioners at its meeting held on the 6th day of December, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 18th day of December, 2008.



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

SEAL





Planning and Zoning
 111 NW 1st Street • Suite 1210
 Miami, Florida 33128-1902
 T 305-375-2800

December 18, 2008

miamidade.gov

Carlos Alvarez, Mayor

Krome Gold Ranches II L. L. P.
 c/o Juan Mayol
 701 Brickell Avenue, Suite 3000
 Miami, Florida 33131

- 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

Re: Hearing No. 08-6-CZ11-3
 Location: Lying north of S.W. 136 Street, between S.W. 177 Avenue
 and S.W. 187 Avenue, Miami-Dade County, Florida

Dear Applicant:

Enclosed herewith is Resolution No. Z-28-08, adopted by the Board of County Commissioners, which granted your appeal, accepted your proffered Declaration of restrictions, approved Items #2 and #4, and withdrew Items #1, 3, 5, and 6 on the above-described property. Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required. Failure to comply with 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.

If stipulated in the resolution that building permits and/or use, occupancy or completion certificates will be required, please note that permits must be obtained and final inspection approvals received for construction work done or required prior to issuance of the applicable certificate(s) pursuant to Section 33-8 of the Zoning Code. Payment of certificates may be subject to annual renewal by this Department. Application for required permits and/or certificates related to use, occupancy or completion should be made with this Department, or the Building Department as appropriate. At time of permit application you must provide a copy of this resolution.

If there are anticipated changes from any plan submitted for the hearing, a plot use plan is to be submitted to this Department in triplicate before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

The Board's decision may be appealed by an aggrieved party to Circuit Court within 30 days of the date of transmittal of the resolution to the Clerk of the County Commission. The transmittal date is **December 18, 2008**. In the event an appeal is filed, any building permit sought shall be at the risk of the party seeking said permit. Copies of any court filings concerning this matter should be served upon both my office and:

R. A. Cuevas, Jr.,
 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

111 NW 1st Street, Suite 2810