

2	5	3
7	4	9

Sec. Twp. Range

RECEIVED
 211-121
 OCT 18 2011

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

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

LIST ALL FOLIO #S: 30-4927-010-0010

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).

Miller Square LLC

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: Graham Penn Company: Bercow Radell & Fernandez

Mailing Address: 200 S. Biscayne Boulevard, Suite 850

City: Miami State: Florida Zip: 33131

Phone#: (305) 377-6229 Fax#: (305) 377-6222 E-mail: gpenn@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.

6. ADDRESS OR LOCATION OF PROPERTY (For location, use description such as NE corner of, etc.)

13714 SW 56 Street

7. SIZE OF PROPERTY (in acres): 23 (divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property acquired leased: 5/2004 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.
Tract F, West Miller Square Plat Book 113, Page 12 of the Official Records of Miami-Dade County, Florida

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: BU-2

13. APPLICATION REQUESTS (Check all that apply and describe nature of the request in space provided)
(DBC's require 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 Variance: Required recreational open space for school use / classroom space
- Alternative Site Development: _____
- Special Exception: _____
- Modification of previous resolution/plan: _____
- Modification of Declaration or Covenant: _____

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 is 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: Shopping Center Buildings

17. Is there any existing use on the property? no yes. If yes, what use and when established?

Use: Shopping Center Year: c. 1980

RECEIVED
211-121
OCT 18 2011
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AT

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.

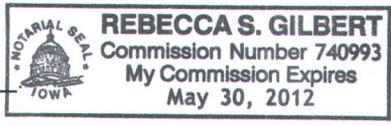
LIMITED LIABILITY COMPANY AFFIDAVIT

I, Kevin J. Stubbs, being first duly sworn, depose and say that I am Director - Engineering Services of Miller Square, LLC and, as such, have been authorized by the limited liability company to file this application for public hearing; and that said limited liability company is an owner of the property described herein and which is the subject matter of the proposed hearing.

Attest: [Signature]

[Signature]
Authorized Signature Kevin J. Stubbs
Director
Office Held Engineering Services

Sworn to and subscribed to before me this 31 day of August, 2011



Notary Public: Rebecca S. Gilbert
Commission Expires: May 30, 2012

RECEIVED
211-121
OCT 18 2011
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AT

RECEIVED
211-121
OCT 18 2011

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

ACKNOWLEDGEMENT BY APPLICANT

BY ADJ

1. The Public Works Department, the Department of Environmental Resources Management (DERM), and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM or Public Works conditions and advise this office in writing if my application will be withdrawn.
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 and I am responsible for paying the additional radius mailing costs. In addition to mailing costs, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred. I understand that fees must be paid promptly. Applications withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. Refunds must be requested in writing.
3. Applicable Florida Building Code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and a building permit will probably be required. I am responsible for obtaining any required permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of Use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
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. Therefore, I acknowledge that if the hearing request is inconsistent with the CDMP and I decide to go forward then my hearing request can only be denied or deferred, but not approved.
5. Any covenant to be proffered must be submitted to the Department's Legal Advisor, on County form, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Legal Advisor can advise as to additional requirements applicable to foreign corporations. Documents submitted to Legal Advisor must carry a cover letter indicating subject matter, application number and hearing date. Legal Advisor may be reached at (305) 375-3075

[Signature]

(Applicant's Signature)

Kevin J. Stubbs
Director
Engineering Services

(Print Name of Applicant)

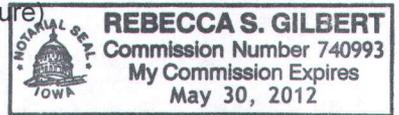
Sworn to and subscribed before me on the

31 Day of August, 2011.

Affiant is personally known to me or has produced _____ as identification.

Rebecca S. Gilbert

(Notary Public's Signature)



My commission expires May 30, 2012

State of: Iowa

Print Name

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: Miller Square, LLC

NAME AND ADDRESS Percentage of Stock

Principal Real Estate Holding Company* 100%

801 Grand Avenue

Des Moines, IA 50392-1370

RECEIVED
211-121
OCT 18 2011

*Entity has more than 5,000 interest holders

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

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: N/A

NAME AND ADDRESS Percentage of Stock

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

NAME AND ADDRESS Percent of Ownership

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

RECEIVED
21-121
OCT 18 2011

OWNERSHIP AFFIDAVIT
FOR
LIMITED LIABILITY COMPANY

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

STATE OF
COUNTY OF

Public Hearing No. _____

Before me, the undersigned authority, personally appeared Kevin J Stubbs, hereinafter the Affiant, who being first duly sworn by me, on oath, deposes and says:

- Affiant is the Director - Engineering Services of Miller Square, LLC, with the following address:
c/o Principal Real Estate Investors LLC, 801 Grand Avenue 1400 NW 107 Avenue,
5th Floor Miami FL 33172
- The subject property owned by Miller Square, LLC is legally described as:

See Attached
- The Affiant is legally authorized to file this application for public hearing.
- Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

[Signature]
Signature

Nathan Adams
Print Name

[Signature]
Signature

ERIK S. TACEY
Print Name

[Signature]

Affiant's signature
Kevin J. Stubbs
Director
Engineering Services

Affiant's title

Sworn to and subscribed before me on the 31 day of August, 2011.
Affiant is personally known to me or has produced _____ as identification.

My Commission expires: May 30, 2012 Rebecca S. Gilbert
Notary
(Stamp/Seal)

