214-003

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JAN / 8 2014
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY FG

32	56	39
Sec.	Twp.	Range

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

LIST ALL FOLIO #S: 30-6932-000-0350, 351, 352 and 353

_____ Date Received

1. NAME OF APPLICANT (Owner(s) of record of the property or lessee. 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).

Helen Michael and Preferred Enterprises, Inc., a Florida corporation

2. APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:

Mailing Address: c/o Juan J. Mayol, Jr., Esq. / Holland and Knight / 701 Brickell Avenue

City: Miami State: Fl Zip: 33131 Phone#: 305-78-7787

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

Owner's Name (Provide name of ALL owners): Helen Michael and Preferred Enterprises Inc., a Florida corporation

Mailing Address: c/o Juan J. Mayol, Jr., Esq. / Holland and Knight / 701 Brickell Avenue

City: Miami State: Fl Zip: 33131 Phone#: 305-789-7787

4. CONTACT PERSON'S INFORMATION:

Nam: Same as above Company: _____

Mailing Address: _____

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

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, and range. If the application contains multiple rezoning requests, a legal description for each requested zone must be provided. Attach separate sheets as needed and clearly label (identify) each legal description attached. In addition to paper version it is requested that lengthy metes and bounds descriptions be provided on diskette or compact disc in Microsoft Word or compatible software.)

See Exhibit "A"

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

NW corner of SW 159 Ave and SW 278 Street

7. SIZE OF PROPERTY _____ ft x _____ ft (in acres): 20 +/-

(divide total sq. ft. by 43,560 to obtain acreage)

214-003

8. **DATE** property X acquired ☐ leased: 10/2005 (month & year)

9. **Lease term:** _____ years

10. **IS CONTIGUOUS PROPERTY OWNED BY THE SUBJECT PROPERTY OWNER(S)?**
No X Yes If yes, provide complete legal description of said contiguous property.

_____

_____

_____

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:** AU

13. **APPLICATION REQUESTS** (Check all that apply and describe nature of the request in space provided)

X District Boundary(zone) Changes [Zone(s) requested]: EU-M

(Provide a separate legal description for each zone requested)

☐ Unusual Use: _____

☐ Use Variance: _____

Non-Use Variance: _____

☐ Alternative Site Development: Option:

☐ 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 X Yes
If yes, provide applicant's name, date, purpose and result of hearing, and resolution number:

15. **Is this application a result of a violation notice?** No X Yes ☐. If yes, give name to whom the violation notice was served: _____ and describe the violation:

_____

16. **Describe structures on the property:** None

17. **Is there any existing use on the property?** No ☐ Yes X. If yes, what use and when established?

Use: Farming Year: _____

18. **Do you require a translator for the actual hearing?** Yes ☐ No X
If yes: Spanish ☐ **Haitian Creole** ☐
Other (Please specify which language) _____

OWNERSHIP AFFIDAVIT
FOR
CORPORATION

STATE OF Florida **Public Hearing No.** _____
COUNTY OF Miami-Dade

Before me, the undersigned authority, personally appeared Paul Michael, in his capacity as President of Preferred Enterprises, Inc., a Florida corporation hereinafter the Affiant(s), who being first duly sworn by me, on oath, deposes and says:

1. Affiant is the president of the Corporation, with the following address:
   1849 Watermill Road, Monticello, Fl. 32344
2. The Corporation owns the property which is the subject of the proposed hearing.
3. The subject property is legally described as:
   See Exhibit "A"
4. Affiant is legally authorized to file this application for public hearing.
5. 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:

Preferred Enterprises, Inc., a Florida corporation

Signature

Print Name

Signature

Print Name

Affiant's signature

Paul Michael
Print Name

Sworn to and subscribed before me on the 7 day of January, 2014.

Affiant is personally known to me or has produced Fl driverslicense as identification

Notary

(Stamp/Seal)

Commission Expires:

JOSHUA DESHA
MY COMMISSION # DD 994542
EXPIRES: May 23, 2014
Bonded Thru Notary Public Underwriters

ACKNOWLEDGEMENT BY APPLICANT

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 (CO.) 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) should not be approved by a zoning board and the recommendation will be for denial or deferral. 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. I also understand that I will not be reimbursed any fees paid unless I withdraw within 60 days of filing and then I will receive a 50% refund.

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.

Preferred Enterprises, Inc., a Florida corporation

(Applicant's Signature)

Paul Michael
(Print name of Applicant)

My commission expires May 23, 2014

State of: Florida

Sworn to and subscribed before me on the

7 day of January, 2014.

Affiant is personally known to me or has produced FL drivers license as identification.

(Notary Public's Signature)

Joshua DeSha
Print Name

JOSHUA DESHA
MY COMMISSION # DD 994542
EXPIRES: May 23, 2014
Bonded Thru Notary Public Underwriters

ACKNOWLEDGEMENT BY APPLICANT

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Helen Michael
(Applicant's Signature)

Helen Michael
(Print name of Applicant)

My commission expires May 23, 2014

State of: Florida

Sworn to and subscribed before me on the
7 day of January, 2014.

Affiant is personally known to me or has produced FL drivers license as identification.

Joshua DeSha
(Notary Public's Signature)

Joshua DeSha
Print Name

JOSHUA DESHA
MY COMMISSION # DD 994542
EXPIRES: May 23, 2014
Bonded Thru Notary Public Underwriters

OWNERSHIP AFFIDAVIT
FOR
INDIVIDUAL

STATE OF Florida **Public Hearing No.** _____
COUNTY OF Miami-Dade

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

1. Affiant is the fee owner of the property that is the subject of the proposed hearing.
2. The subject property is legally described as:
   See Exhibit "A"
3. 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

Joshua DeSha
Print Name

Grace Fields
Signature

Grace Fields
Print Name

Helen Michael
Affiant's signature

Helen Michael
Print Name

Sworn to and subscribed before me on the 7 day of January, 2014.

Affiant is personally known to me or has produced FL drivers license as identification

Notary

(Stamp/Seal)

JOSHUA DESHA
MY COMMISSION # DD 994542
EXPIRES: May 23, 2014
Bonded Thru Notary Public Underwriters

Commission Expires:

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. (I)(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), Helen Michael, being first duly sworn, depose and say that (I am) (we are) the **owner X** tenant of the property described and which is the subject matter of the proposed hearing.

Helen Michael
Signature

Signature

Sworn to and subscribed to before me this 2 day of January, 2014.

Notary Public:
Commission Expires:

JASON BORGER
MY COMMISSION # EE 092196
EXPIRES: May 10, 2015
Bonded Thru Notary Public Underwriters

****

CORPORATION AFFIDAVIT

(I)(WE), Paul MIchael, being first duly sworn, depose and say that (I am) (we are) the X President ☐ Vice-President ☐ Secretary ☐ Asst. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; and that said corporation is the ☐ owner ☐ tenant of the property described herein and which is the subject matter of the proposed hearing.

Attest: Helen Michael

(Corp. Seal)

Preferred Enterprises, Inc, a Florida corporation
Paul Michael
Authorized Signature
President

Office Held

Notary Public: Joshua Desha
Commission Expires:

JOSHUA DESHA
MY COMMISSION # DD 994542
EXPIRES: May 23, 2014
Bonded Thru Notary Public Underwriters

Sworn to and subscribed to before me this 7 day of January, 2014.

****

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:

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 other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Preferred Enterprises, Inc., a Florida corporation and Helen Michael Individually

NAME AND ADDRESS	Percentage of Stock
Paul Michael on behalf of Preferred Enterprises and Helen Michael	100%
1849 Watermill Road	
Monticello, Fl. 32344	

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and the 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_____

NAME AND ADDRESS	Percentage of Stock

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME:_____

NAME AND ADDRESS	Percentage of Stock

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 other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: Land Baron II, LLC, a Florida limited liability company

NAME AND ADDRESS AND OFFICE (if applicable)	Percentage of Stock
Wayne Rosen	50%
Drew Rosen	50%
c/o Terri Sonn, Eq.	
2999 NE 191 Street, Suite 409	
Aventura, Fl. 33180	

Date of contract: December 11, 2013

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

NOTICE: For any 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 this application to the best of my knowledge and belief.

Signature: _____

(Applicant) Paul Michael in his capacity as President of Preferred Enterprises, Inc., a Florida corporation and Helen Michael Indidvdually

Sworn to and subscribed before me this 7 day of January, 2014. Affiant is personally know to me or has produced FL Drivers License as identification.

_____
(Notary Public)

My commission expires: May 23, 2014

Seal

JOSHUA DESHA
MY COMMISSION # DD 994542
EXPIRES: May 23, 2014
Bonded Thru Notary Public Underwriters

*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 another 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 per cent (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.