31	54	41
Sec.	Twp.	Range

RECEIVED
214-094
AUG 19 2014
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES DEVELOPMENT SERVICES
By AH

ZONING HEARING APPLICATION
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES

LIST ALL FOLIO #S: 30-4131-025-0011 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).
   J. David Scheiner & Joan Scheiner

2. **APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER**:
   Mailing Address: 8180 Erwin Rd (SW 47 Avenue)
   City: Miami-Dade State: FL Zip: 33143-6208 Phone#: 305-662-9895

3. **OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER**:
   Owner's Name (Provide name of ALL owners): J. David Scheiner & Joan Scheiner
   Mailing Address: 8180 Erwin Rd (SW 47 Avenue)
   City: Miami-Dade State: FL Zip 33143-6208 Phone#: 305-662-9895

4. **CONTACT PERSON'S INFORMATION**:
   Name: Javier F. Aviñó. Company: Bilzin Sumberg Baena Price & Axelrod LLP
   Mailing Address: 1450 Brickell Avenue, 23rd Floor
   City: Miami State: FL Zip: 33131-3456 Phone#: 305-350-7202
   Phone# 305-978-6593 Fax# 305-351-2275 E-mail: javino @bilzin.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, 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 attached legal description~~ The S132' of tract 80 of 2nd Amended plat of cocoaplum heights. pb 1-73

6. **ADDRESS OR LOCATION OF PROPERTY** (For location, use description such as NE corner of, etc.)
   8180 Edwin Rd

7. **SIZE OF PROPERTY** _____ ft x _____ ft (in acres): 0.89 +/-
   (divide total sq. ft. by 43,560 to obtain acreage)

8. **DATE** property X acquired ☐ leased: May, 2004 (month& year)

RECEIVED
214-094
AUG 19 2014
MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING, ECONOMIC RESOURCES DEVELOPMENT SERVICES

9. **Lease term**: N/A 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 X yes ____(If yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

12. **PRESENT ZONING CLASSIFICATION**: EU-1

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

☐ District Boundary(zone) Changes [Zone(s) requested]: _____
(Provide a separate legal description for each zone requested)
☐ Unusual Use: _____
☐ Use Variance: _____
X Non-Use Variance: Lot coverage
☐ Alternative Site Development: Option: _____
X Special Exception: to permit a complex of buildings to be use only as a single family residence
☐ 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, 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**: Single family residential structure

17. **Is there any existing use on the property?** no ☐ yes ☒. If yes, what use and when established?
Use: Residential Year: 1969

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

19. **If you would like a preliminary courtesy review of your application by the technical staff of the Developmental Impact Committee, please check Yes** ☐
If yes, the application will be placed on the next available Developmental Impact Committee agenda. There is no additional charge for this service

APPLICANT'S AFFIDAVIT

The Undersigned, firsts being duly sworn deposes 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), J. David Scheiner, 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 19 day of JUNE, 2014

Notary Public: _____

Commission Expires: _____

Notary Public State of Florida
Anamaria Cortes
My Commission EE 218163
Expires 07/19/2016

****

CORPORATION AFFIDAVIT

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

Attest: _____

_____
Authorized Signature

_____
Office Held

(Corp. Seal)

Sworn to and subscribed to before me this _____ day of _____, _____

Notary Public: _____

Commission Expires: _____

****

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.

RECEIVED
214-094
AUG 19 2014
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES DEVELOPMENT SERVICES
By

_____
(Name of Partnership)

By _____ % By _____ %

By _____ % By _____ %

Sworn to and subscribed to before me this _____ day of _____, _____

Notary Public: _____

Commission Expires: _____

****

ATTORNEY AFFIDAVIT

I, Javier F. Avino 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.

IBIS DIAZ
MY COMMISSION # FF 111262
EXPIRES: May 24, 2018
Bonded Thru Budget Notary Services

Signature

Sworn to and subscribed to before me this 14 day of August, 2014

Notary Public: _____

Commission Expires: _____

****

APPLICANT'S AFFIDAVIT

The Undersigned, firsts being duly sworn deposes 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), Joan Scheiner, 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.

Joan Scheiner
Signature

Signature

Sworn to and subscribed to before me this 19 day of June, 2014

Notary Public: Notary Public State of Florida Anamaria Cortes My Commission EE 218183 Expires 07/19/2016

Commission Expires:

****

CORPORATION AFFIDAVIT

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

Attest: _____

Authorized Signature

Office Held

(Corp. Seal)

Sworn to and subscribed to before me this _____ day of _____, _____

Notary Public: _____

Commission Expires:

****

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.

RECEIVED
24-094
AUG 19 2014
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES DEVELOPMENT SERVICES
By AB

_____
(Name of Partnership)

By _____ % By _____ %

By _____ % By _____ %

Sworn to and subscribed to before me this _____ day of _____, _____

Notary Public: _____

Commission Expires:

****

ATTORNEY AFFIDAVIT

I, Javier F. Avino 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 14 day of August, 2014

IBIS DIAZ
MY COMMISSION # FF 111262
EXPIRES: May 24, 2018
Bonded Thru Budget Notary Services

Notary Public:

Commission Expires:

****

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 (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) 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.

J. David Scheiner
(Applicant's Signature)

J. David Scheiner
(Print Name of Applicant)

Sworn to and subscribed before me on the
19 Day of June, 2014

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

My commission expires:
State of:

Notary Public State of Florida
Samaria Cortes
My Commission EE 218163
Expires 07/19/2016

(Notary Public's Signature)

Samaria Cortes
Print Name

RECEIVED
214-094
AUG 19 2014
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES DEVELOPMENT SERVICES
By AG

MIAMI 4143279.1 78986/44456

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 (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) 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.

Joan Scheiner
(Applicant's Signature)

Joan Scheiner
(Print Name of Applicant)

Sworn to and subscribed before me on the

19 Day of June, 2014.

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

(Notary Public's Signature)

Anamaria Cortes
Print Name

My commission expires
State of: _____

Notary Public State of Florida
Anamaria Cortes
My Commission EE 218163
Expires 07/19/2016

RECEIVED
214-094
AUG 19 2014
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES DEVELOPMENT SERVICES
By

MIAMI 4143279.1 78986/44456

OWNERSHIP AFFIDAVIT
FOR
INDIVIDUAL

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

Before me, the undersigned authority, personally appeared J. David Scheiner and Joan Scheiner 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: The S132' of tract 80 of 2nd Amended plat of Cocoplum Hights PB 1-73
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
Jorge L Vera
Print Name

J. David Scheiner signature
J DAVID SCHEINER
J. David Scheiner

Joan Scheiner signature
Joan Scheiner
Joan Scheiner

Signature
ANAMARIA CORTES
Print Name

Sworn to and subscribed before me on the 19 day of JUNE 2014

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

Notary (Stamp/Seal)

Notary Public State of Florida
Anamaria Cortes
My Commission EE 218163
Expires 07/19/2016

Commission Expires:

RECEIVED
214-094
AUG 19 2014
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES DEVELOPMENT SERVICES
By AJ

MIAMI 4143279.1 78986/44456