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Sec. Twp. Range

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

LIST ALL FOLIO #s: 30-4131-016-0040

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).

Duffield W. Matson, III and wife Sarah Matson

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

Mailing Address: 4960 Sunset Drive

City: Miami State: FL Zip: 33143 Phone#: (305) 662-3852

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

Owner's Name (Provide name of ALL owners): SAME

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone#: \_\_\_\_\_

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

Name: Jeffrey Bercow Company: Bercow Radell & Fernandez

Mailing Address: 200 S Biscayne Blvd, Ste 850

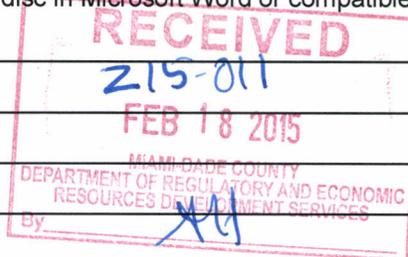
City: Miami State: FL Zip: 33131

Phone# 305-374-5300 Fax# 305-377-6222 E-mail: jbercow@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, 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.)

4960 Sunset Drive, Miami, FL 33143

7. SIZE OF PROPERTY 289.5 ft x 127 ft (in acres): 0.84  
(divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property  acquired  leased: March 2014 (month & year)

9. Lease term: \_\_\_\_\_ years

10. IS CONTIGUOUS PROPERTY OWNED BY THE SUBJECT PROPERTY OWNER(S)?

no  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?

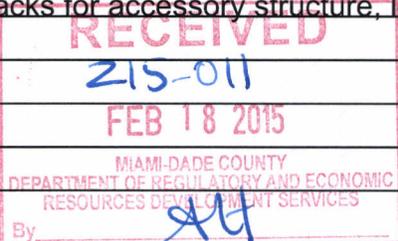
no  yes  (If yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

\_\_\_\_\_

12. PRESENT ZONING CLASSIFICATION: 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: \_\_\_\_\_
- Non-Use Variance: side and rear yard setbacks for accessory structure, lot size
- 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  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  yes . If yes, give name to whom the

violation notice was served: \_\_\_\_\_ and describe the violation:

\_\_\_\_\_

16. Describe structures on the property: single family residence and accessory structures

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

Use: residential Year: 1938

18. Do you require a translator for the actual hearing? Yes  No

If yes: Spanish  Haitian Creole  Other  (Please specify which language)

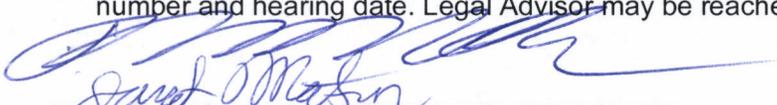
\_\_\_\_\_

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.

**ACKNOWLEDGEMENT BY APPLICANT**

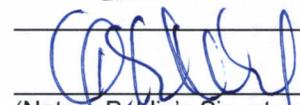
1. The Public Works Department, the Department of Environmental Resources Management (DERM), and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before DERM's Environmental Quality 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 3<sup>rd</sup> 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

  
 \_\_\_\_\_  
 (Applicant's Signature)

Duffield and Sarah Matson  
 \_\_\_\_\_  
 (Print Name of Applicant)

Sworn to and subscribed before me on the  
7th Day of November, 2014.

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

  
 \_\_\_\_\_  
 (Notary Public's Signature)

My commission expires June 19, 2016  
 State of: Florida

Dinia Cavaliere  
 \_\_\_\_\_  
 Print Name



**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), Duffield and Sarah Matson, 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

[Signature]  
Signature



Sworn to and subscribed to before me this 17th day of November, 2014.  
Notary Public: [Signature]  
Commission Expires: June 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  owner  tenant of the property described herein and which is the subject matter of the proposed hearing.

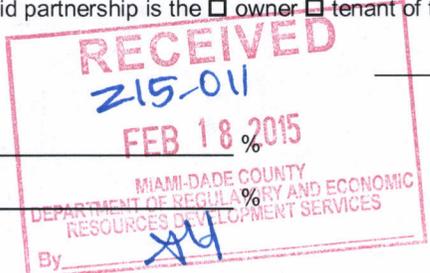
Attest: \_\_\_\_\_  
Authorized Signature  
Office Held

(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.



By \_\_\_\_\_ %  
By \_\_\_\_\_ %  
(Name of Partnership)  
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.

Sworn to and subscribed to before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_  
Signature

OWNERSHIP AFFIDAVIT  
FOR  
INDIVIDUAL

STATE OF Florida Public Hearing No. \_\_\_\_\_

COUNTY OF Miami-Dade

Before me, the undersigned authority, personally appeared Duffield & Sarah Matson, hereinafter the Affiant, who being first duly sworn by me, on oath, deposes and says:

- Affiant is the fee owner of the property that is the subject of the proposed hearing.
- The subject property is legally described as:  
See Exhibit A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 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 \_\_\_\_\_

D. PLUMMER  
\_\_\_\_\_

Print Name

Signature \_\_\_\_\_

D. PLUMMER  
\_\_\_\_\_

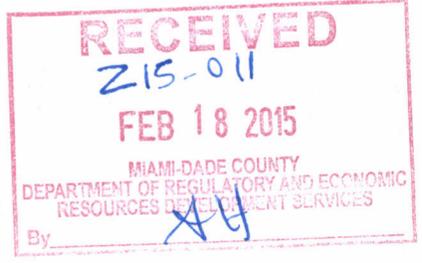
Print Name

\_\_\_\_\_  
Affiant's signature Sarah Matson

Duffield Matson  
\_\_\_\_\_  
Print Name Sarah Matson

Sworn to and subscribed before me on the 7<sup>th</sup> day of November, 2014

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



Notary [Signature]

(Stamp/Seal)



Commission Expires: June 19, 2016

Exhibit A  
Legal Description

**PARCEL 1 (Fee Parcel)**

That portion of the East 526.16 feet, less the East 399.62 feet thereof, of the East 1/2 of Lot 1 of the CORRECTION OF MAP OF THE SUBDIVISION OF THE PROPERTY OF A.E. KINGSLEY, according to the Plat thereof, recorded in Plat Book 1 at Page 41, of the Public Records of Miami-Dade County, Florida, lying North of the centerline of that certain 15 foot ingress and egress easement recorded in Official Records Book 1501 at Page 424, of the Public Records of Miami-Dade County, Florida, less the North 50 feet thereof for highway purposes recorded in Official Records Book 21684 at Page 1346, of the Public Records of Miami-Dade County, Florida.

**PARCEL 2 (Easement Parcel)**

The right of use and interest in of that certain 30 foot private roadway easement described in the RIGHT OF WAY EASEMENT, recorded in Official Records Book 926 at Page 266, of the Public Records of Miami-Dade County, Florida; together with an interest in the perpetual easement for a 15 foot private road described in that certain Indenture, recorded in Official Records Book 1501 at Page 424, of the Public Records of Miami-Dade County, Florida.

