Sec.	Twp.	Range

Pre-Application No.:
Pre-Application Meeting Date: Z2015P0017

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MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC
RESOURCES DEVELOPMENT SERVICES
By _____ Date Received DKH

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

LIST ALL FOLIO #s: 30-4131-009-0120

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).

Melissa Wolin Trustee of Ponce de Leon Trust under unrecorded Trust Agreement dated 7/29/09

2. APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER, E-MAIL:

Mailing Address: 3250 NE 1st Avenue, #334
City: Miami State: Florida Zip: 33137
Phone# 305-594-2877 Fax# 305-594-2878 E-mail: felix@lasartelaw.com

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

Owner's Name (Provide name of ALL owners): Melissa Wolin Trustee of Ponce de Leon Trust
Mailing Address: 7677 Ponce de Leon Road
City: Miami State: Florida Zip: 33143

4. CONTACT PERSON'S INFORMATION:

Name: Felix M. Lasarte, Esq. Company: The Lasarte Law Firm
Mailing Address: 3250 NE 1st Avenue, #334
City: Miami State: Florida Zip: 33137
Phone# 305-594-2877 Fax# 305-594-2878 E-mail: felix@lasartelaw.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 CD in Microsoft Word.)

Lot 3, Blk 3 Granada Park Amended Plat Book 40, Page 21 of the Public Records of Miami-Dade County, Florida and the East 25 feet of Road lying West of the Lot.

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

7677 Ponce de Leon Road, Miami, FL 33143

7. SIZE OF PROPERTY _____ ft x _____ ft (in acres): 48,803 sq/ft
(divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property ■ acquired ☐ leased: 9/15/2009 (month & year)

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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)
7677 Holdings, LLC

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]: EU-5
(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 ■ 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 Home

17. **What is the project's P.M. peak hour trip generation?** 2 **trips – Please list all of the (ITE) Institute of Transportation Engineers code(s) that were used in determining the numbers of P.M. peak hour trips:**
Code: 210 Peak PM: 2

18. Please indicate whether this property was subject to a recent ***Comprehensive Development Master Plan (CDMP) amendment***. If so, please indicate the ordinance #: No

19. **Is there any existing use on the property?** no ☐ yes ■. If yes, what use and when established?
Use: Single Family Home Year: Over 30 Years

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

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), Melissa Wolin, Trustee of Ponce de Leon Trust, 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.

x _____ Signature

_____ Signature NOTARY

Sworn to and subscribed to before me this 12th day of NOV, 2015.

Notary Public: _____
Commission Expires:

ALBERTO J. PARLADE
MY COMMISSION EXPIRES July 4, 2017
#FF-02010
Bonded thru Notary Public Underwriters
NOTARY PUBLIC STATE OF FLORIDA

****

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)

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MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES
DEVELOPMENT SERVICES

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 aforesaid 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, Felix M. Lasarte, Esq., 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 16th day of November, 2015.

Notary Public: Dagmara Amaro
Commission Expires 11/04/2016

DAGMARA AMARO
MY COMMISSION #EE848962
EXPIRES: NOV 04, 2016
Bonded through 1st State Insurance
NOTARY PUBLIC STATE OF FLORIDA

ACKNOWLEDGEMENT BY APPLICANT

1. RER Platting and Traffic Review Section, RER Division 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 Platting and Traffic 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 on County forms, 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 the Department must carry a cover letter indicating subject matter, application number and hearing date.

x _____
(Applicant's Signature)

Melissa Wolin, Trustee of Ponce de Leon Trust
(Print Name of Applicant)

Sworn to and subscribed before me on the
12th Day of Nov., 2015.

Affiant is personally known to me or has produced
Fl. Driv. Lic. as identification.

_____
(Notary Public's Signature)

My commission expires _____

State of: _____

ALBERTO J. PARLADE
MY COMMISSION EXPIRES
July 4, 2017
#FF 028010
Bonded thru Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA

_____
Print Name

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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: _____

NAME AND ADDRESS	Percentage of Stock

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 Ponce de Leon Trust

NAME AND ADDRESS	Percentage of Interest
Gregory Wolin	50%
7677 Ponce de Leon Road, Miami, FL	
Melissa Wolin	50%
7677 Ponce de Leon Road, Miami, FL	

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 Ownership

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: 7677 Holdings, LLC

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
Jose Boschetti, Jr.	100%
1200 Ponce de Leon Blvd	
Coral Gables, FL 33134	

Date of contract: _____

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 X _____ (Applicant) MELISSA LOCIN TRUSTEE (Print Applicant name)

Sworn to and subscribed before me this 12th day of Nov., 2015. Affiant is personally know to me or has produced FL. DRV. LIC. as identification.

_____ (Notary Public)

ALBERTO J. PARLADE
MY COMMISSION EXPIRES July 4, 2017
#FF 028010
Bonded thru Notary Public Underwriters
NOTARY PUBLIC STATE OF FLORIDA

My commission expires: _____ Seal

*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.

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DEVELOPMENT SERVICES

OWNERSHIP AFFIDAVIT
FOR
INDIVIDUAL(S)

STATE OF Florida **Public Hearing No.** _____

COUNTY OF Miami-Dade

Before me, the undersigned authority, personally appeared Melissa Wolin, Trustee of Ponce De Leon Trust, 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:
Lot 3, in Block 3, of GRANADA PARK AMENDED, according to the Plat thereof, as recorded in Plat Book 40, at Page 21, of the Public Records of Miami-Dade County, Florida, and the East 25 feet of Road lying West of the Lot

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

Aixa L. Perez
Print Name

Signature

Michelle P. Corey
Print Name

x
Affiant's Signature

MELISSA WOLIN, Trustee of PONCE DE LEON TRUST
Print Affiant's Name

Affiant's Signature

Print Affiant's Name

Sworn to and subscribed before me on the 12 day of November, 2015

Affiant is personally known to me or has produced FL. DRIVER'S LICENSE as identification.

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DEPARTMENT OF REGULATORY AND
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DEVELOPMENT SERVICES

Notary _____

(Stamp/Seal)

ALBERTO J. PARLADE
MY COMMISSION EXPIRES
July 4, 2017
#FF 028010
Bonded thru
Notary Public Underwriters
NOTARY PUBLIC STATE OF FLORIDA

Commission Expires: _____

[L:forms/afficorp.sam (1/04)]

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Office Use Only
Pre-Application # Z2015P00174
Pre-Application Meeting date: 10/1/15 2:30p
Reviewer Name Ronald Connally

ZONING HEARINGS PLAN REVIEW CHECKLIST

Applicant(s) name(s Melissa Wolin, Trustee Ponce de Leon Trust

Site Location/Address 7677 Ponce de Leon Road

Folio Number(s) # 304131-009-0100

1. Are the uses permitted in the current or proposed zoning district?
(yes) [ ] (no) [✓] (N/A) [ ]

Are all required site plan, floor plan, building elevation and landscape plans submitted?
(yes) [ ] (no) [✓] (N/A) [ ] If no, what plan is missing?

Need, at a minimum, site plan showing the proposed lot splits and dimensions.
Proposes lot frontage requires a non-use variance.

2. Does the site plan show a title block identifying the project name, location and preparer information, all dimensions measured to centerline of the streets, street designations, setback distances, spacing distances between buildings, typical and dimensions for parking stalls, width of all drives and driveways, north arrow, zoning legend, location of baby stroller and bicycle racks locations, legal description?
(yes) [ ] (no) [✓] (N/A) [ ] If no, what is missing from plans?

Site plan needs a zoning legend for the proposed zone, lot dimensions, r-o-w
dimensions. If existing residences are to remain, must provide setback dimensions
for all structures.

3. Is lot area and/or frontage meeting current zone? (yes) [ ] (no) [✓] (N/A) [ ]
If no, are area and frontage variances needed? (yes) [✓] (no) [ ] (N/A) [ ]

4. Are setbacks within zone requirements? yes) [ ] or (no) [✓] (N/A) [ ]
If not, are setback variances needed? (yes) [✓] (no) [ ] (N/A) [ ]

5. Does the site data show the required and provided FAR and lot coverage square footage? (yes) [ ] (no) [ ] (N/A) [✓]

6. Does the site data include the required and provided parking calculations for all uses on the property? (yes) [ ] (no) [ ] (N/A) [✓] If no, what is missing?

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7. Does the site plan show the proposed and existing construction?
(yes) [ ] (no) [ ] (N/A) [✓] If no, what is missing?

Need a site plan. If current buildings are to remain on the site, they must be shown on the site plan.

8. Is the safe sight distance triangle shown on plan? (yes) [ ] (no) [ ] (N/A) [✓]

9. Does the floor plan show dimensions of each room, the use of each room and the accessibility from one room to another? (yes) [ ] (no) [ ] (N/A) [✓] If no, what is missing?

10. Does the floor plan and elevation plan agree as to location of windows, doors, and overhead doors? (yes) [ ] (no) [ ] (N/A) [✓] If not, what is missing?

11. Does the elevation plan show the highest point of the building measured from grade?
yes) [ ] or (no) [ ] (N/A) [✓]
Is the height of the parapet wall shown on plan? (yes) [ ] (no) [ ] (N/A) [✓]

12. If signage is a part of submittal, are the sign detail, dimension, height and setback for existing and proposed signage shown? (yes) [ ] (no) [ ] (N/A) [✓]

13. Are all existing and or proposed height and type of fence/wall shown?
yes) [ ] (no) [ ] (N/A) [✓]

14. (a) Does the landscape plan show the landscape legend, all required lot, street and dissimilar land use buffer trees and material type and amounts?
(yes) [ ] (no) [ ] (N/A) [✓] If no, what is missing?

(b) Does the landscape plan show required greenbelt and width of same?
yes) [ ] (no) [ ] (N/A) [✓]

(c) Does the legend show the height of all trees? (yes) [ ] (no) [ ] (N/A) [✓]

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15. Is survey, less than 1 year old submitted? (yes) or (no). If yes, are all structures shown? (yes) ☐ (no) ☐ (N/A) ☑

16. Is a special purpose survey required (yes) ☐ (no) ☐ (N/A) ☑
If yes, what type of survey is required?

_____

17. Have all resolutions and agreements been found and copied for the file?
(yes) ☑ (no) ☐ (N/A) ☐

18. Are modifications of resolutions and/or agreements needed?
(yes) ☐ (no) ☐ (N/A) ☑

19. Is private school or charter school checklist submitted?
(yes) ☐ (no) ☐ (N/A) ☑

20. Is required copy of the charter for the charter school required?
(yes) ☐ (no) ☐ (N/A) ☑

21. Is required documents for wireless supported service facilities (cell towers) as referenced in Section 33-311(A)(3) and 33-311(A)(18)submitted?
(yes) ☐ (no) ☐ (N/A) ☑

22. If rezoning to a residential or mixed use district that permits residential uses, provide the number of proposed or allowable residential units for the subject parcel.

Provide any additional comments not addressed above:

Must provide a survey less than 1 year old.
Must provide a site plan to include lot dimensions, building dimensions and setbacks, r-o-w dimensions, zoning legend including lot area, proposed zone, setbacks for existing buildings if they are to remain.
~~Provide photographs of the site to include the existing structures on site.~~

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