

Approved: \_\_\_\_\_ Mayor

Veto: \_\_\_\_\_

Override: \_\_\_\_\_

**RESOLUTION NO. Z-16-08**

*WHEREAS*, **CUSTOM BUILDERS OF MIAMI LLC** applied for the following:

DELETION of a Declaration of Restrictions recorded in Official Records Book 22176, Pages 2674-2678.

The purpose of the request is to allow the applicant to delete an agreement tying the site to plans for a townhouse development and to allow the applicant to develop the site in accordance with the Naranja Community Urban Center District zoning regulations.

Upon a demonstration that the applicable standards have been satisfied, approval of the request may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants after Public Hearing).

**SUBJECT PROPERTY:** The east ½ of the south ½ of the SE ¼ of the NE ¼ of the SE ¼ in Section 27, Township 56 South, Range 39 East.

**LOCATION:** Lying on the Northwest corner of S.W. 260 Street and S.W. 137 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requested deletion of a Declaration of Restrictions recorded in Official Records Book 22176, Pages 2674-2678 would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance, and

WHEREAS, a motion to approve the Item under Section 33-311(A)(7) and to deny the Item without prejudice under Section 33-311(A)(17) was offered by Commissioner Katy Sorenson, seconded by Commissioner Jose "Pepe" Diaz, and upon a poll of the members present the vote was as follows:

Jose "Pepe" Diaz	aye	Dennis C. Moss	absent
Audrey M. Edmonson	aye	Dorrin D. Rolle	aye
Carlos A. Gimmenez	absent	Natacha Seijas	absent
Sally A. Heyman	absent	Katy Sorenson	aye
Barbara J. Jordan	aye	Rebecca Sosa	aye
Joe A. Martinez	absent	Sen. Javier D. Souto	absent
		Bruno A. Barreiro	aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida that the requested deletion of a Declaration of Restrictions recorded in Official Records Book 22176, Pages 2674-2678 be and the same are hereby approved under Section 33-311(A)(7).

BE IT FURTHER RESOLVED, that the Item be and the same is hereby denied without prejudice under Section 33-311(A)(17).

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

***THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED*** this 5<sup>th</sup> day of June, 2008, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 08-6-CC-1  
ej

HARVEY RUVIN, Clerk  
Board of County Commissioners  
Miami-Dade County, Florida  
**HARVEY RUVIN**  
By \_\_\_\_\_  
Deputy Clerk

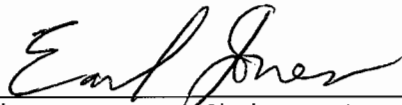
**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 12<sup>TH</sup> DAY OF JUNE, 2008.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-16-08 adopted by said Board of County Commissioners at its meeting held on the 5<sup>th</sup> day of June, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 11<sup>th</sup> day of June, 2008.



\_\_\_\_\_  
Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Planning and Zoning

**SEAL**

