

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

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

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

**RESOLUTION NO. Z-4-07**

*WHEREAS*, **KENDALL PROPERTIES & INVESTMENTS** applied for the following:

Appeal of the Director's Administrative Decision denying a rock crushing and screening plant as a principal use.

**SUBJECT PROPERTY:** All of Sections 24, 25 and 36 in Township 54 South, Range 38 East, less the following described parcels of land:

Begin at the southeast corner of said Section 36; thence S89°45'52"W along the south line of said Section 36 for 225.14' to an intersection with a line being 225' W/ly of, as measured at right angles and parallel to the east line of said Section 36; thence N02°13'03"W along said parallel line for 714.06'; thence continue along said parallel line N02°12'58"W for 1,082.1'; thence N87°47'08"E for 225' to an intersection with the east line of said Section 36; thence along the east line of said Section 36 for the following two courses: (1) S02°12'58"E for 1,081.83'; (2) S02°13'03"E for 722.1' to the Point of beginning.

**LOCATION:** 5800 S.W. 177 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*, after reviewing the decision of the Director of the Department of Planning and Zoning, and after having given an opportunity for interested parties to be heard, it was the opinion of the Board of County Commissioners, Miami-Dade County, Florida that the grounds and reasons alleged by the appellants specified in the appeal were sufficient to merit a reversal of the decision made by the Director of the Department of Planning and Zoning in her determination set forth in a letter dated February 14, 2007, which denies a

rock crushing and screening plant as a principal use, and that the appeal should be granted and that the decision of the Director of the Department of Planning and Zoning should be overruled, and

*WHEREAS*, a motion to grant the appeal and reverse the Director's decision was offered by Commissioner Joe A. Martinez, seconded by Commissioner Sally A. Heyman, 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. Gimenez	aye	Natacha Seijas	aye
Sally A. Heyman	aye	Katy Sorenson	nay
Barbara J. Jordan	aye	Rebecca Sosa	absent
Joe A. Martinez	aye	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 appeal of the administration decision be and the same is hereby granted and that the interpretation of the Director of the Department of Planning and Zoning set forth in a letter dated February 14, 2007, which denies a rock crushing and screening plant as a principal use, be and the same is hereby reversed and the decision of the Director of the Department of Planning and Zoning is overruled.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

**THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED** this 22<sup>nd</sup> day of March, 2007, 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. 07-2-CC-2  
ej

**HARVEY RUVIN, Clerk**  
**Board of County Commissioners**  
**Miami-Dade County, Florida**

By \_\_\_\_\_  
Deputy Clerk

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE \_\_\_\_<sup>TH</sup> DAY OF MARCH, 2007.**

**THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED** this 22<sup>nd</sup> day of March, 2007, 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. 07-2-CC-2  
ej

HARVEY RUVIN, Clerk  
Board of County Commissioners  
Miami-Dade County, Florida

By **KAY SULLIVAN**  
Deputy Clerk

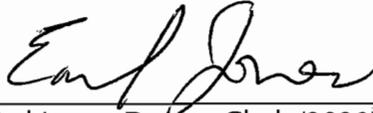
THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 23<sup>RD</sup> DAY OF APRIL, 2007.

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

I, Deputy Clerk's Name, 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-4-07 adopted by said Board of County Commissioners at its meeting held on the 22<sup>nd</sup> day of March, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 23<sup>rd</sup> day of April, 2007.



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

**SEAL**

