

# Memorandum

MIAMI-DADE  
COUNTY

**Date:** June 28, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

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Attached is resolution Z-6-11 from the Board of County Commissioners meeting on June 23, 2011.

**Please be advised that resolution Z-4-11 and Z-5-11 will be distributed at a later date.**

Any missing resolutions must be reported to this office (ext. 2129) no later than five (5) days from the date of this memo.

## Attachments

Distribution: Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board – Linda Cave, MDC -17th Floor  
Property Appraiser – Eugenio Alonso/Angela Hall, MDC - 8th Floor

CLERK OF THE BOARD  
2011 JUN 28 PM 3:56  
CLERK, CIRCUIT & COUNTY CLERK  
MIAMI-DADE COUNTY, FLA.  
#1

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

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

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

**RESOLUTION NO. Z-6-11**

**WHEREAS, COLUMBIA LAGRANGE HOSPITAL, INC. & KENDALL HEALTHCARE GROUP, LTD.** applied for the following:

- (1) UNUSUAL USE to permit a proposed heliport.
- (2) MODIFICATION of Condition #2 of Resolution # Z-8-04, passed and adopted by the Board of County Commissioners on the 18<sup>th</sup> day of December, 2004, only as it applies to the subject property and reading as follows:

FROM: "2. That the property will be developed in substantial compliance with the site plan entitled Kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2<sup>nd</sup> day of December, 2003."

TO: "2. That the property will be developed in substantial compliance with the site plan entitled Kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2<sup>nd</sup> day of December, 2003, and "Kendall Medical Center Helipad Addition" prepared Gresham Smith and Partners, dated stamped received April 6, 2011."

- (3) Modification of paragraph #1 of the a Declaration of Restriction recorded in Official Record Book 22393, PGS 2160-2170, reading as follows:

FROM: "2. That the property will be developed in substantial compliance with the site plan entitled Kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2<sup>nd</sup> day of December, 2003. ("Site Plan"). If the property is developed in phases, each phase will be developed in substantial accordance with the site plan.

TO: "2. That the property will be developed in substantial compliance with the site plan entitled Kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2<sup>nd</sup> day of December, 2003. ("Site Plan") and "Kendall Medical Center Helipad Addition" prepared Gresham Smith and Partners, dated stamped received April 6, 2011. If property is developed in phases, each phase will be developed in substantial accordance with the site plan."

The purpose of the request is to allow the applicant to submit plans showing the location the proposed heliport on the roof of the existing hospital building.

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** A portion of the SE ¼ of Section 13, Township 54 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Southeast corner of said Section 13, thence S 89°05'20" W, along the South line of said Section 13, for 330.00 feet; thence N 00°54'55" W, along a line parallel with and 330.00 feet West of the East line of the SE ¼ of said Section 13, for 50.00 feet to the POINT OF BEGINNING of a parcel of land hereinafter described; thence S 89°05'20" W, along a line parallel with and 50.00 feet North of the South line of said Section 13, for 575.50 feet; thence N 00°54'55" W, along a line parallel with and 905.50 feet West of the East line of the SE ¼ of said Section 13, for 238.81 feet; thence N 89°58'25" E for 15.56 feet; thence N 00°54'55" W for 145.00 feet; thence N 89°58'25" E for 159.96 feet to a point on a line that is parallel with and 730.00 feet West of the East line of the SE ¼ of said Section 13; thence N 00°54'55" W, along said parallel line for 274.77 feet to a point on the South right-of-way line of S.W. 40th Street; thence N 90°00'00" E, along said South right-of-way line of S.W. 40th Street for 400.05 feet, to a point on a line that is parallel with and 330.00 feet West of the East line of the SE ¼ of said Section 13; thence S 00°54'55" E, along said parallel line for 647.51 feet, to the POINT OF BEGINNING. TOGETHER WITH: Lots 40, 41 and 42 of "BIRD ROAD FARMSITES" according to the Plat thereof as recorded in Plat Book 46 at Page 3 of the Public Records of Miami-Dade County, Florida, Less the North 10.00 feet thereof, also referred to by metes and bounds description as, begin at the Southwest corner of Lot 40 of "BIRD ROAD FARMSITES" according to the Plat thereof as recorded in Plat Book 46 at Page 3 of the Public Records of Miami-Dade County, Florida; thence run N 00°54'35" W along the West line of said Lot 40 a distance of 389.86 feet to a point 10.00 feet South of as measured at right angles to the North line of said Lot 40; thence run N 89°05'20"E along a line 10.00 feet South of and parallel to the North line of Lots 40, 41, 42 of said "BIRD ROAD FARMSITES" a distance of 338.90 feet to a point on the circular curve concave to the southwest; thence along said circular curve having a radius of 25.00 feet through a central angle of 36°52'10" for an arc distance of 16.09 feet to the end of said curve and to a point on the East line of said Lot 42; thence run S 00°54'35" E along the East line of said Lot 42 for 349.88 feet to the beginning of a tangential circular curve concave to the Northwest; thence along said tangential circular curve having a radius of 25.00 feet through a central angle of 89°59'55" for an arc distance of 39.27 feet to the end of said curve and to a point on the South line of said Lot 42; thence run S 89°05'20" W along the South line of said Lots 42, 41, and 40 for 318.90 feet to the POINT OF BEGINNING. TOGETHER WITH: Lots 1 through 7, Block 17, SECOND ADDITION TO SOUTHERN ESTATES, according to the Plat thereof, as recorded in Plat Book 73 at Page 15 of the Public Records of Miami-Dade County, Florida. TOGETHER WITH: Tracts A and B of American Medical Plaza, according to the Plat thereof, as recorded in Plat Book 108 at Page 51 of the Public Records of Miami-Dade County, Florida. TOGETHER WITH: Tract A of T-Farm Parcel, according to the Plat thereof, as recorded in Plat Book 150, at Page 41.

**LOCATION:** 11750 BIRD ROAD, 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 at which time the applicant proffered a Declaration of Restrictions which among other things provided:

1. That the Property will be developed in substantial compliance with the site plan entitled Kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2<sup>nd</sup> day of December, 2003, as modified by that certain site entitled Kendall Medical Center – Helipad Addition, prepared by Gresham Smith and Partners, dated the 5<sup>th</sup> day of April, 2011 (collectively, the “Site Plan”). If the Property is developed in phases, each phase will be developed in substantial accordance with the Site Plan.”
2. That all the terms and conditions of Resolution No. Z-8-04, and the Covenant, remain in full force and effect, except as herein modified.
3. That Owner will install buffering along the interior side (west) property line of the property described as Lot Number 41 of “BIRD ROAD FARMSITES,” according to the Plat thereof as recorded in Plat Book 46 at Page 3 of the Public Records of Miami-Dade County, Florida, less the North 10.00 feet thereof (“Lot 41”), as referred to in “Exhibit B” in the submitted plans, in the form of a continuous 6’ in order to prevent overflow parking on the property described as Lot Number 40 of Bird ROAD FARMSITES,” according to the Plat thereof as recorded in Plat Book 46 at Page 3 of the Public Records of Miami-Dade County, Florida, less the North 10.00 feet thereof (“Lot 40”), for so long as parking is prohibited on Lot 40. Said buffering shall be installed prior to obtaining a certificate of use for the proposed heliport addition.
4. That parking of vehicles is prohibited on Lot 40.
5. That the parking stops and grave area located on Lot 40 will be replaced with sod prior to obtaining a certificate of use for the proposed heliport addition.
6. That the Owner will comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments.
7. That except as hereby amended, all other terms and conditions in the covenant shall remain in full force and effect.

*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 unusual use to permit a proposed heliport (Item #1) and the requested modifications of Condition #2 of Resolution # Z-8-04, passed and adopted by the

Board of County Commissioners on the 18<sup>th</sup> day of December, 2004, only as it applies to the subject property (Item #2) and of paragraph #1 of the a Declaration of Restriction recorded in Official Record Book 22393, PGS 2160-2170 only as it applies to the subject property (Item #3) would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the proffered Declaration of Restrictions should be accepted, and

*WHEREAS*, a motion to approve Items #1, 2, and 3 was offered by Commissioner Commissioner Sen. Javier D. Souto, seconded by Dennis C. Moss, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	nay	Barbara J. Jordan	nay
Lynda Bell	absent	Jean Monestime	aye
Esteban Bovo, Jr.	aye	Dennis C. Moss	aye
Jose "Pepe" Diaz	aye	Rebecca Sosa	aye
Audrey M. Edmonson	absent	Sen. Javier D. Souto	aye
Sally A. Heyman	absent	Xavier L. Suarez	aye
		Joe A. Martinez	aye

*NOW THEREFORE BE IT RESOLVED* by the Board of County Commissioners, Miami-Dade County, Florida, that the requested unusual use to permit a proposed heliport (Item #1) and the requested modifications of Condition #2 of Resolution # Z-8-04, passed and adopted by the Board of County Commissioners on the 18<sup>th</sup> day of December, 2004, only as it applies to the subject property (Item #2) and of paragraph #1 of the a Declaration of Restriction recorded in Official Record Book 22393, PGS 2160-2170 (Item #3) be and the same are hereby approved, subject to the following conditions:

1. That all the conditions of Resolution #Z-8-04, and the Declaration of Restriction recorded in ORB 22393, PGS 2160-2170, remain in full force and effect except as herein modified.
2. That buffering be provided along the interior side (west) property line, of lot #41, referred to as "Exhibit B" in the submitted plans, in the form of a continuous 6' high

CBS wall, or chain link fence with a hedge, not less than 3' high at the time of planting, which shall grow to and be maintained at a height of 6' in order to prevent overflow parking on Lot #40. Said buffering shall be installed prior to obtaining a certificate of use for the proposed heliport addition.

3. That no vehicles be allowed to park on Lot #40 of the south parcel of the south parcel of the hospital referred to as "Exhibit B" in the submitted plans.
4. That the parking stops and the gravel area on Lot #40 be removed and replaced with sod.
5. That the applicant comply with all of the applicable conditions, requirements, recommends, requests and other provisions of the various Departments as contained in the Departmental memoranda which are part of the record of this recommendation incorporated herein by reference.
6. That this Resolution will not be transmitted to the Clerk of the Commission until the required Declaration of Restrictions is submitted in final, recordable form acceptable to the Department.

*BE IT FURTHER RESOLVED* that the requested modification of Condition #2 of Resolution # Z-8-04, passed and adopted by the Board of County Commissioners on the 18<sup>th</sup> day of December, 2004, only as it applies to the subject property (Item #2), shall read as follows:

2. That the property will be developed in substantial compliance with the site plan entitled Kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2<sup>nd</sup> day of December, 2003, and "Kendall Medical Center Helipad Addition" prepared Gresham Smith and Partners, dated stamped received April 6, 2011.

*BE IT FURTHER RESOLVED* that the requested modification of paragraph #1 of the a Declaration of Restriction recorded in Official Record Book 22393, PGS 2160-2170 only as it applies to the subject property (Item #3), shall read as follows:

2. That the property will be developed in substantial compliance with the site plan entitled Kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2<sup>nd</sup> day of December, 2003. ("Site Plan") and "Kendall Medical Center Helipad Addition" prepared Gresham Smith and Partners, dated stamped received April 6, 2011. If property is developed in phases, each phase will be developed in substantial accordance with the site plan

*BE IT FURTHER RESOLVED* that, pursuant to Section 33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

*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 23<sup>rd</sup> day of June, 2011, 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. 11-6-CC-4  
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HARVEY RUVIN, Clerk  
Board of County Commissioners  
Miami-Dade County, Florida

By DIANE COLLINS  
Deputy Clerk

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 28<sup>TH</sup> DAY OF JUNE, 2011.**

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-6-11 adopted by said Board of County Commissioners at its meeting held on the 23<sup>rd</sup> day of June, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 28<sup>th</sup> day of June, 2011.



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

SEAL

