



ZONING MEETING
Board of County Commissioners
July 26, 2007

Prepared by: Nelson Diaz

EXHIBITS LIST

NO.	DATE	ITEM #	DESCRIPTION
1	7/26/2007		Order of the Day
2	7/26/2007		Zoning Action Sheets
3	7/26/2007		Exhibits List – of exhibits received by the Clerk’s office.
4	7/26/2007		Memorandum Re Absenteeism for Commissioner Martinez
5	7/26/2007	App. No.4	Resolution No. Z-30-06 re: Valencia School Development LLC.
6	7/26/2007	App. No.5	Resolution No. Z-5-05 re: Northwestern Grant LLC.
7	7/26/2007		Speaker’s Cards
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MIAMI-DADE BOARD OF COUNTY COMMISSIONERS

ORDER OF THE DAY

THURSDAY, JULY 26, 2007

9:30 A.M.

ZONING HEARING

CALL TO ORDER

ROLL CALL

MOMENT OF SILENT MEDITATION

PLEDGE OF ALLEGIANCE

SWEARING IN OF ATTORNEY/WITNESSES

SWEARING IN OF TRANSLATOR

DEFERRALS OR WITHDRAWALS

ADJOURNMENT

**COMPREHENSIVE DEVELOPMENT
MASTER PLAN**

CALL TO ORDER

ADJOURNMENT

12:00 P.M.

WORKING LUNCH

RE- CONVENE B.C.C

CALL TO ORDER

CARRYOVER ITEMS

6:30 P.M.

ADJOURNMENT

ZONING ACTION

MEMORANDUM

Harvey Ruvin

Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners

(305) 375-5126

(305) 375-2484 FAX

www.miami-dadeclerk.com



DATE: 7/26/2007

#Z-22-07

ITEM: A

APPLICANT: EUREKA COVE L.L.C. (06-9-CZ14-4/06-3)

MOTION: Approval of the application and appeal, as revised subject to the Board's acceptance of the proffered covenant.

ROLL CALL	M/S	YES	NO	ABSENT
Diaz	S	X		
Edmonson		X		
Gimenez		X		
Heyman		X		
Martinez				X
Moss	M	X		
Rolle		X		
Seijas		X		
Sorenson		X		
Sosa		X		
Souto		X		
Vice Chairwoman Jordan		X		
Chairman Barreiro		X		
TOTAL		12	0	1

DATE: 7/26/2007

#Z-

ITEM: 1

APPLICANT: MICHAEL MUSKAT (06-5-CZ12-1/05-167)

MOTION: Defer to October 4, 2007 Zoning Meeting.

ROLL CALL	M/S	YES	NO	ABSENT
Diaz	S	X		
Edmonson		X		
Gimenez		X		
Heyman		X		
Martinez				X
Moss		X		
Rolle		X		
Seijas				X
Sorenson	M	X		
Sosa		X		
Souto		X		
Vice Chairwoman Jordan		X		
Chairman Barreiro		X		
TOTAL		11	0	2

DATE: 7/26/2007

#Z-23-07

ITEM: B

APPLICANT: VARIETY CHILDREN'S HOSPITAL D/B/A: MIAMI CHILDREN'S HOSPITAL (07-3-CZ10-9/07-13)

MOTION: Denial of appeal and requests \$11 through #22; modified approval of appeal and staff's recommendation of parcel A (requests #1 through #10) and all conditions pertaining to parcel A except as modified (all except request #3 and #13); modification of condition #2 to reduce Building 7 to a maximum of 80 Ft. including the utility and elevator towers; delete the expansion of Buildings 10 and 11, and allow a 90 degree surface parking along the South and East walls, and provide sound attenuation on existing and new garages; a covenant incorporating all conditions and deletion of any reference to the single family home use be submitted to staff, and approved by the director within 30 days after the Board's decision was final; and approval of placing 4 Ft. above the 80 Ft. of Building 7 for the Helipad.

ROLL CALL	M/S	YES	NO	ABSENT
Diaz		X		
Edmonson		X		
Gimenez	S	X		
Heyman		X		
Martinez				X
Moss		X		
Rolle		X		
Seijas		X		
Sorenson		X		
Sosa	M	X		
Souto		X		
Vice Chairwoman Jordan		X		
Chairman Barreiro		X		
TOTAL		12	0	1

ZONING ACTION

MEMORANDUM

Harvey Ruvin
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
(305) 375-5126
(305) 375-2484 FAX
www.miami-dadeclerk.com



DATE: 7/26/2007

#Z- 24-07

ITEM: 2

APPLICANT: DANIEL & JANE LYONS (07-4-CZ14-2/06-223)

MOTION: Approval of application and appeal, subject to the Board's proffered covenant.

Table with 5 columns: ROLL CALL, M/S, YES, NO, ABSENT. Lists names of board members and their votes for item 2.

DATE: 7/26/2007

#Z- 25-07

ITEM: 3

APPLICANT: VELASCO LTD. PARTNERSHIP HOLDINGS, INC. (06-6-CZ12-4/06-158)

MOTION: Approval of appeal, with acceptance of the Board's proffered covenant.

Table with 5 columns: ROLL CALL, M/S, YES, NO, ABSENT. Lists names of board members and their votes for item 3.

ZONING ACTION

MEMORANDUM

Harvey Ruvin
 Clerk of the Circuit and County Courts
 Clerk of the Board of County Commissioners
 (305) 375-5126
 (305) 375-2484 FAX
 www.miami-dadeclerk.com



DATE: 7/26/2007

#Z-26-07

ITEM: 4

APPLICANT: VALENCIA SCHOOL DEVELOPMENT L.L.C.
(07-7-CC-2/07-156)

MOTION: Approval of application, with modification for a maximum of 700 students, subject to conditions and the Board's acceptance of the proffered covenant.

ROLL CALL	M/S	YES	NO	ABSENT
Diaz	M	X		
Edmonson	S	X		
Gimenez			X	
Heyman				X
Martinez				X
Moss		X		
Rolle		X		
Seijas		X		
Sorenson			X	
Sosa		X		
Souto				X
Vice Chairwoman Jordan			X	
Chairman Barreiro		X		
TOTAL		7	3	3

DATE: 7/26/2007

#Z-27-07

ITEM: 5

APPLICANT: NORTHWESTERN GRANT L.L.C. (07-7-CC-3/07-157)

MOTION: Approval of application, subject to conditions and acceptance of the Board's proffered covenant.

ROLL CALL	M/S	YES	NO	ABSENT
Diaz	M	X		
Edmonson		X		
Gimenez		X		
Heyman				X
Martinez				X
Moss		X		
Rolle		X		
Seijas		X		
Sorenson		X		
Sosa	S	X		
Souto				X
Vice Chairwoman Jordan		X		
Chairman Barreiro		10	0	3
TOTAL				



ZONING MEETING
Board of County Commissioners
July 26, 2007

Prepared by: Nelson Diaz

EXHIBITS LIST

NO.	DATE	ITEM #	DESCRIPTION
1	7/26/2007	A-1	<u>EUREKA COVE L.L.C. (06-9-CZ-14 -4/06-3)</u> Binder booklet titled "EUREKA Cove, LLC." submitted by Holland & Knight.
2	7/26/2007	A-2	Letter from Alexander and Margaret Delval in support of the zoning change from RU-TH (town homes) to RU-1M (single family homes).
3	7/26/2007	B-1	<u>VARIETY CHILDREN'S HOPITAL D/B/A:</u> <u>MIAMI CHILDREN'S HOSPITAL (07-3-CZ10-9/07-13)</u> Binder booklet titled "THE SCHENLEY PARK PRESERVATION SOCIETY INC. DOES NOT HAVE STANDING TO BRING THIS APPEAL" submitted by Bilzin Sumberg Baena Price & Axelrod LLP.
4	7/26/2007	B-2	Declaration of Restriction submitted by William W. Riley, Esq. Bilzin Sumberg Baena Price & Axelrod LLP.
5	7/26/2007	B-3	Declaration of Restriction submitted by William W. Riley, Esq. Bilzin Sumberg Baena Price & Axelrod LLP.
6	7/26/2007	B-4	One sheet showing the breakdown of petitions submitted by Miami Children's Hospital. (by district) -District 1: 2 small boxes -District 8: 2 small boxes -District 2: 2 small boxes -District 9: 2 small boxes -District 3: 2 small boxes -District 10: 3 small boxes -District 4: 2 small boxes -District 11: 2 small boxes -District 5: 2 small boxes -District 12: 1 large box & 1 small box -District 6: 3 large boxes -District 13: 2 small boxes -District 7: 2 small boxes



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EXHIBITS LIST

7	7/26/2007	B-5	Variance Request History (1 sheet)
8	7/26/2007	B-6	Copy of Property Information Map from Miami-Dade County Website
9	7/26/2007	B-7	3 sky view computer images of Children's Hospital shown from different angles.
10	7/26/2007	B-8	Copy of resolution titled " <u>A RESOLUTION OF THE HOLLYWOOD HILLS CIVIC ASSOCIATION IN THE CONDITIONAL SUPPORT OF THE BROWARD HOSPITAL DISTRICT'S REZONING REQUEST AND INTERLOCAL AGREEMENT WITH THE CITY OF HOLLYWOOD.</u> "
11	7/26/2007	B-9	Submitted document describing the zoning history of Schenley Park until present.
12	7/26/2007	B-10	Document highlighting the qualifications of John Richard Medina. (Architect)
13	7/26/2007	B-11	Copy of facts sheet including "Full Disclosure" forms
14	7/26/2007	B-12	Petition from architect Nilo Puentes urging the Board of County Commissioners to deny the expansion plans for the proposed application.
15	7/26/2007	1-A	<u>MICHAEL MUSKAT is appealing the decision of COMMUNITY ZONING APPEALS BOARD # 12 (06-5-CZ12-1/05-167)</u> Copy of a Hearing Map with showing the proposed application area highlighted in yellow.
16	7/26/2007	1-B	Booklet titled " <u>Say NO to Dice Point</u> ".
17	7/26/2007	1-C	Letters submitted from the East Kendall Homeowners Organization, Continental Park Homeowner's Associations, Inc. and the Board of Directors of the Kendall Trace homeowners association all in opposition of the re-zoning application
18	7/26/2007	1-D	Email printout from Jack Luft.
19	7/26/2007	1-E	Continental Park Neighborhood Traffic Study
20	7/26/2007	1-F	Letter from James M. Jones in opposition to the zoning change.



ZONING MEETING
Board of County Commissioners
July 26, 2006

Prepared by: Nelson Diaz

EXHIBITS LIST

NO.	DATE	ITEM #	DESCRIPTION
21	7/26/2007	1-G	Brochure on the People's Transportation Plan
22	7/26/2007	2-A	<u>DANIEL & JANE Lyons (07-4-CZ14-2/06-223)</u> Copies of zoning maps.
23	7/26/2007	3-A	<u>VELASCO PARTNERSHIP HOLDINGS, INC (06-6-CZ-4/06-158)</u> Copies of zoning maps and one aerial photo of the area of the proposed application.
24	7/26/2007	4-A	<u>VALENCIA SCHOOL DEVELOPMENT L.L.C. (07-7-CC-2/07-156)</u> Binder booklet titled " <u>VALENCIA SCHOOL DEVELOPMENT, LLC</u> " containing maps, charts, and photographs submitted by Holland & Knight.
25	7/26/2007	4-B	Letter from a Gary D. Liscio a concerned parent in support of Somerset Academy.
26	7/26/2007	4-C	Copy of Resolution No. Z-30-06
27	7/26/2007	4-D	Copy of the Proposed Condition
28	7/26/2007	4-E	Copy of chart showing the school grades for the different schools around the area for the past 3 years and how many portables each one has.
29	7/26/2007	5-A	<u>NORTHWESTERN GRANT L.L.C. (07-7-CC-3/07-157)</u> Binder booklet titled " <u>NORTHERN GRANT, LLC</u> " containing letters, maps, and charts submitted by Holland & Knight.
30	7/26/2007	5-B	Copy of Resolution No. Z-5-05.

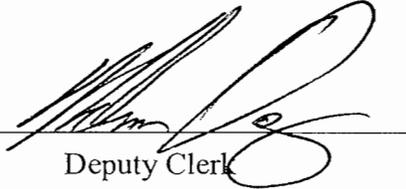
Submitted for the record this 31st day of July, 2007

ATTEST:



HARVEY RUVIN, Clerk
Clerk of Circuit and County Courts

By


Deputy Clerk

TRANSFERRED TO THE CARE, CUSTODY AND CONTROL OF THE DEPARTMENT OF PLANNING AND ZONING.

RECEIVED BY:

(SIGN)

(DATE)

(PRINT)



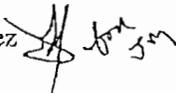
Earl Jones



JOE A. MARTINEZ
MIAMI DADE COUNTY COMMISSIONER
DISTRICT 11

Memorandum

To: The Honorable Chairman Bruno Barreiro and
Members of the Board of County Commissioners

From: Commissioner Joe A. Martinez 

Date: July 23, 2007

Re: Board of County Commission Meetings – Week of 7/23/07

I will be unable to attend the Board of County Commission meetings scheduled for this week as I was briefly hospitalized this morning with chest and back pain. After numerous tests were done this afternoon, I was diagnosed to have acute pneumonia and placed on bed rest.

It is with deep regret that I will be missing these important meetings given the importance of the items that are being heard this week prior to the August recess. Although the millage rate has been preliminarily set by legislative action earlier last month, I was planning on being present to discuss the proposed budget as well as other important issues pertaining to said process. However, I will present these issues to my colleagues via memorandum after the Budget and Finance Committee meets in August.

I apologize in advance for any inconvenience that this may cause.

If you should have any questions please call my office at (305) 552-1155.

Thank you.

JM/lg

Cc: Honorable Mayor Carlos Alvarez
George Burgess, County Manager
Robert Cuevas, County Attorney

Item #4

Exhibit

VALENCIA School
Development LLC

7/26/07

Approved: _____ Mayor

Veto: _____

Override: _____

07 -156

RESOLUTION NO. Z-30-06

WHEREAS, VALENCIA SCHOOL DEVELOPMENT L. L. C. applied for the following:

- (1) SPECIAL EXCEPTION to permit the expansion of a charter school from 600 students to 800 students.
- (2) SPECIAL EXCEPTION to permit a middle school within a 1/2 mile of the Urban Development Boundary.
- (3) Deletion of "Modification of a Declaration of Restrictions," recorded in Official Record Book 22546, Pages 650 – 660, last modified by a second "Modification of Declaration of Restrictions," recorded in Official Record Book 23207, Pages 4593 – 4602.

The purpose of request #3 is to delete 2 covenant modifications tying the previously approved charter school to the number of students and Certificates of Occupancy, preserving the original covenant, which required the site to be developed with a 3-acre charter school.

- (4) MODIFICATION of Paragraph #15 of a Declaration of Restrictions, recorded on Official Records Book 24718, Pages 4115 - 4144, reading as follows:

FROM: "1. The charter school shall be limited to elementary grades K thru 5. Grade 6 would be permitted provided the Owner obtains a letter from the Miami-Dade County School District confirming that grade 6 is an elementary school grade. The maximum number of students at the charter school shall not exceed six hundred (600 students)."

TO: "1. The charter school shall be limited to elementary grades K thru 5 8. ~~Grade 6 would be permitted provided the Owner obtains a letter from the Miami-Dade County School District confirming that grade 6 is an elementary school grade.~~ The maximum number of students at the charter school shall not exceed ~~six hundred (600 students)~~ eight hundred (800 students)."

The purpose of request #4 is to allow the applicant to increase the number of students and grade levels for the previously approved charter school.

- (5) Applicant is requesting to permit the charter school setback 22.4' (50' required) from the interior side (north) property line.

- (6) Applicant is requesting to permit a 3' wide (5' wide required) dissimilar land use buffer zone along the interior side (north) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of request #3 and #4 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants) and approval of requests #5 & #6 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Valencia School Development L.L.C.," as prepared by Civica, consisting of 8 sheets and dated stamped received 6/12/06. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of Section 2, Township 56 South, Range 39 East, being more particularly described as follows: Commence at the Northwest corner of the east ½ of the NW ¼ of said Section 2; thence S00°28'13"E along the west line of said Section 2 for a distance of 334.19'; thence N88°13'55"E for a distance of 35.01' of the Point of beginning of the following described parcel; thence continue N88°13'55"E for a distance of 507.85'; thence S01°15'36"E for a distance of 258.97'; thence S88°44'24"W for a distance of 485.99' to a Point of curvature; thence 39.61' along the arc of a curve to the right, said curve having a radius of 25', and a central angle of 90°47'23" to a Point of tangency; thence N00°28'13"W for a distance of 229.15' to the Point of beginning.

LOCATION: 18591 S.W. 134 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 and to the recommendation of the Developmental Impact Committee, it is the opinion of this Board that the requested special exception to permit the expansion of a charter school from 540 to 800 students in grades K-8 be approved on a modified basis to permit a temporary expansion to 706 students in grades K-8 for the 2006-2007 school year with a permanent reduction to 600 students in grades K-8 commencing the following school year and thereafter (Item #1) would be

compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance, and that the special exception to permit a middle school within a ½ mile of the Urban Development Boundary (Item #2), and the requests to permit the charter school setback 22.4' from the interior side (north) property line (Item #5) and to permit a 3' wide dissimilar land use buffer zone along the interior side (north) property line (Item #6) would be compatible with the area and its development and 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 that the requested modification of Paragraph #15 of a Declaration of Restrictions, recorded on Official Records Book 24718, Pages 4115 – 4144 as it pertains to an expansion of students to 800 in grades K-8 be approved on a modified basis to permit a temporary expansion to 706 students in K-8 for the 2006-2007 school year with the number of students being reduced to 600 students in K-8 commencing the following school year (Item #4) and the requested deletion of "Modification of a Declaration of Restrictions," recorded in Official Record Book 22546, Pages 650 – 660, last modified by a second "Modification of Declaration of Restrictions," recorded in Official Record Book 23207, Pages 4593 – 4602 (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 that the special exceptions (Items #1 and 2) on a modified basis would not have an adverse impact upon the public interest and should be approved, and

WHEREAS, a motion to approve Items #1 and 4 on a modified basis, approve Items #2, 3, 5, and 6 was offered by Commissioner Katy Sorenson, seconded by Commissioner Carlos A. Gimmenez, and upon a poll of the members present the vote was as follows:

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

Chairperson Joe A. Martinez aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that requested special exception on a modified basis to permit a temporary expansion to 706 students in grades K - 8 for the 2006-2007 school year with a permanent reduction to 600 students the commencing following school year and thereafter (Item #1), the requested special exception to permit a middle school within a ½ mile of the Urban Development Boundary (Item #2), the requested deletion of "Modification of a Declaration of Restrictions," recorded in Official Record Book 22546, Pages 650 – 660, last modified by a second "Modification of Declaration of Restrictions," recorded in Official Record Book 23207, Pages 4593 – 4602 (Item #3), that the requested modification of Paragraph #15 of a Declaration of Restrictions, recorded on Official Records Book 24718, Pages 4115 – 4144 as it pertains to an expansion of students to 800 in grades K-8 on a modified basis to permit a temporary expansion to 706 students in K-8 for the 2006-2007 school year only with the number of students being reduced to 600 students in K-8 commencing the following school year (Item #4), and the requests to permit the charter school setback 22.4' from the interior side (north) property line (Item #5) and to permit a 3' wide dissimilar land use buffer zone along the interior side (north) property line (Item #6) be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include among other things but not be limited thereto, location of structure or structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Valencia School Development L.L.C." as prepared by Civica, consisting of 8 sheets and dated stamped received 6/12/06.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submit to the Department of Planning and Zoning for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
5. That a revised Declaration of Restrictions be submitted to the Department within 90 days of approval of this application unless a time extension is granted for good cause shown.
6. That the applicant obtain a Certificate of Use from and promptly renew the same annually with the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
7. That no outside speakers shall be permitted on the property.
8. That the waste pick-up for the charter school shall be performed by a private commercial entity and shall be limited to pick-up between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except during arrival and dismissal times.
9. That the school gates shall be opened at least 30 to 45 minutes prior to the arrival and dismissal times.
10. That the charter school use shall be limited to grades K through 8th for a temporary maximum of 706 students for the 2006-2007 school year only, and shall be further limited as follows:

K – Grade 1:	271 Students
Grades 2 – 3:	191 Students
Grades 4 - 5	104 Students
Grades 6 - 8	140 Students
11. That the charter school use shall be limited to grades K through 8th starting in the 2007-2008 school and there after for a permanent maximum of 600 students, and shall be further limited as follows:

K – Grade 1:	100 Students
Grades 2 – 3	230 Students
Grades 4 - 5	110 Students
Grades 6 - 8	160 Students

12. That the staggered shifts of arrival and dismissal for students at the charter school for the 2006-2007 school year shall be as follows:

7:30 AM – 1:30 PM	K – Grade 1:	271 Students
7:30 AM – 2:30 PM	Grades 2 – 3:	191 Students
8:00 AM – 3:00 PM	Grades 4 - 5	104 Students
8:30 AM – 3:30 PM	Grades 6 - 8	140 Students

13. That the staggered shifts of arrival and dismissal for students at the charter school for the 2007-2008 school year and there after shall be as follows:

7:30 AM – 1:30 PM	K – Grade 1:	100 Students
7:30 AM – 2:30 PM	Grades 2 – 3	230 Students
8:00 AM – 3:00 PM	Grades 4 - 5	110 Students
8:30 AM – 3:30 PM	Grades 6 - 8	160 Students

14. That the school shall provide or cause to be provided transportation other than individual passenger vehicles to and from the school for up to 100 students.

15. That the school prohibits ingress to the school premises from the west bound lane.

BE IT FURTHER RESOLVED, that the requested modification of Paragraph #15 of a Declaration of Restrictions, recorded on Official Records Book 24718, Pages 4115 – 4144 on a modified basis, as modified shall read as follows:

1. The charter school shall be limited to grades K thru 8. The maximum number of students at the charter school shall not exceed Seven Hundred six (706 students) for the 2006-2007 year only and that the maximum of students at the charter shall not exceed Six Hundred (600 students) commencing for the following school year (2007-2008) and thereafter.

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 14th day of September, 2006, 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. 06-8-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 13TH DAY OF NOVEMBER, 2006.

Item #5 Exhibit 7/26/07
North western GRANT LL

Approved: _____ Mayor

07-157

Veto: _____

Override: _____

RESOLUTION NO. Z-5-05

WHEREAS, CENTURY PRESTIGE II L. L. C applied for the following:

SPECIAL EXCEPTION to permit a charter school.

Plans are on file and may be examined in the Zoning Department entitled "Century Gardens Charter School," as prepared by Civica, consisting of 7 sheets dated, signed and sealed 12/6/04. Plans may be modified at public hearing.

SUBJECT PROPERTY: Tract "A", CENTURY GARDENS, Plat book 161, Page 21.

LOCATION: Lying on the Northwest corner of N.W. 178 Street & N.W. 90 Court, 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 Owner submit a site plan to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include among other things but not be limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That the charter school shall be established and maintained substantially in accordance with that plan submitted for the hearing entitled "Century Gardens Charter School," as prepared by Civica, dated stamped received December 9, 2004, consisting of six (6) sheets (the "Plan").
3. That the Owner shall submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
4. That the Owner obtain a Certificate of Use from (and promptly renew the same annually with) the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

5. That the Owner shall comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments.
6. That no outside loudspeakers shall be permitted on the property.
7. That the waste pick-up for the charter school shall be performed by a private commercial entity and shall be limited to pick-up between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except during arrival and dismissal times.
8. That night activities and/or functions at the charter school shall be limited to 10 events per year and shall end no later than 10:00 p.m.
9. That the school gates shall be opened at least 30 to 45 minutes prior to the arrival and dismissal times.
10. That the charter school be limited to grades K through 5th for a maximum of 640 students.
11. That if the charter school is constructed but fails to begin operation and/or the charter school fails after its establishment, the Owner, within thirty-six (36) months of the charter school's failure to begin operation or closure, shall:
 - a) cause the charter school to be in full compliance with all zoning regulations applicable to the Property allowing a use other than the charter school use, or
 - b) transfer the operation of the charter school to another charter school operator or to the School Board, after securing the necessary approvals from the Miami-Dade County School Board, or
 - c) convert the charter school to a permitted use within the zoning district, provided said use has first been authorized through the issuance of the appropriate permits, or
 - d) secure necessary public hearing approvals to convert the charter school to a use not otherwise permitted within the zoning district.

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, and to the recommendation of the Developmental Impact Committee, it is the opinion of this Board that the requested special exception would be compatible with the area and its

development and would conform with the requirements and intent of the Zoning Procedure Ordinance, and that the requested special exception would not have an adverse impact upon the public interest and should be approved, and

WHEREAS, a motion approve the application was offered by Commissioner Jose "Pepe" Diaz, seconded by Commissioner Rebecca Sosa, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	aye	Dorrian D. Rolle	aye
Jose "Pepe" Diaz	aye	Natacha Seijas	aye
Carlos A. Gimenez	aye	Dr. Barbara M. Carey-Shuler	aye
Sally A. Heyman	aye	Katy Sorenson	aye
Barbara J. Jordan	absent	Rebecca Sosa	aye
Dennis C. Moss	aye	Sen. Javier D. Souto	aye
Chairperson Joe A. Martinez			aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the requested special exception be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include among other things but not be limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled Century Gardens Charter School, by Civica dated/stamped/received December 9, 2004.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to issuance of a Certificate of Use.
5. That the applicant obtain a Certificate of Use from (and promptly renew the same annually with) the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

6. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments.
7. That no outside speakers shall be permitted on the Property.
8. That the waste pick-up for the charter school shall be performed by a private commercial entity and shall be limited to pick-up between the hours of 9:00 a.m. 4:00 p.m., Monday through Friday, except during arrival and dismissal times.
9. That night activities and/or functions at the charter school shall be limited to 10 events per year and shall end no later than 10:00 p.m.
10. That the school gates shall be opened at least 30 to 45 minutes prior to the arrival and dismissal times.
11. That the charter school use shall be limited to grades K-5 for a maximum of 640 students.

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 3rd day of March, 2005, 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. 05-3-CC-1

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 14TH DAY OF MARCH, 2005.

AGAINST

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 7-26-07 BCC Mtg. Date 7-26-07 Agenda Item # Velasco

Subject: VELASCO REZONING REQUEST

Name: MYRNA WHEATMAN

Address: 9455 SW 92 ST, MIAMI 33176

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: CHERRY GROVE NEIGHBORS ASSN, INC.
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: No:

AGAINST

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date _____ BCC Mtg. Date _____ Agenda Item # Velasco

Subject: Velasco / Century

Name: Juan Carlos Ruiz

Address: 9221 S.W. 94 place

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: @Henry Grove Homeowners

Organization

Firm

Client

Have you registered with the Clerk of the Board? Yes: No:

AGAINST

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 7-26-07 BCC Mtg. Date _____ Agenda Item # Velasco

Subject: Velasco

Name: Daagberto Rodriguez

Address: 9120 SW 93 AVE

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: Cherry Grove Homeowners
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: No:

AGAINST

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 07/26/2007 BCC Mtg. Date 7/26/2007 Agenda Item # Velasco Holdings

Subject: appeal of CZAB 12 - decision CZ12-4

Name: Luis E. Perez

Address: 9380 SW 92 Street

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: _____ No:

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: _____ No:

AGAINST

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 7-26-07 BCC Mtg. Date 7-26-07 Agenda Item # Velasco

Subject: ~~MARCIA FINKEL~~ Velasco Rezoning Request

Name: MARCIA FINKEL

Address: 7395 SW 89 ST, Miami, FL 33176

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: No:

AGAINST

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 7-26-2007 BCC Mtg. Date 7-26-2007 Agenda Item # 2-56-39
~~07-7-CC-2/07-156~~

Subject: VALENCIA SCHOOL DEVELOPMENT LLC

Name: ELSA ARELLANO

Address: 18701 SW 134 AVE MIA FL 33177

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: _____ No:

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: _____ No:

