MIAMI-DADE COUNTY
FINAL OFFICIAL MINUTES
Board of County Commissioners Zoning Board

Board of County Commissioners
Stephen P. Clark Government Center
111 NW 1st Street
Miami, Florida 33128

May 17, 2012
As Advertised

Harvey Ruvin, Clerk
Board of County Commissioners

Christopher Agrippa, Division Chief
Clerk of the Board Division

Alicia Stephenson, Commission Reporter
(305) 375-1475

CLERK'S SUMMARY AND OFFICIAL MINUTES
BOARD OF COUNTY COMMISSIONERS ZONING HEARING
May 17, 2012

The Board of County Commissioners met in regular session in the County Commission Chambers on the Second Floor of the Stephen P. Clark Government Center, 111 NW First Street, Miami, Florida, at 9:30 a.m., on May 17, 2012, there being present upon roll call Chairman Joe A. Martinez; Vice Chairwoman Audrey M. Edmonson; and Commissioners Lynda Bell, Jean Monestime, Rebeca Sosa, Javier D. Souto, and Xavier L. Suarez; (Commissioner Sally Heyman was excused; Commissioners Bruno A. Barreiro, Esteban L. Bovo, Jose "Pepe" Diaz, Barbara J. Jordan, and Dennis C. Moss arrived late).

Also present were: Assistant County Attorney Craig Coller; Mr. Eric Silva, Assistant Director, Community Planning Division of the Sustainability, Planning, and Economic Enhancement Department (SPEED); SPEED Director Marc LaFerrier, and Deputy Clerks Doris Dickens and Alicia Stephenson were also present

Chairman Martinez called the meeting to order at 10:05 a.m. and asked that a moment of silence be observed, followed by the Pledge of Allegiance.

SPEED's Office of Community Planning Interim Assistant Director Eric Silva, announced that in accordance with the Code of Miami-Dade County, all items on today's (5/17) zoning agenda were legally advertised, notices were mailed, and the properties were posted. He noted additional copies of the agenda were available in the Chamber, and he presented the procedures to be followed during today's proceedings.

ALL WITNESSES WERE SWORN IN BY THE CLERK PRIOR TO MAKING THEIR TESTIMONIES BEFORE THE BOARD.

ALL WITNESSES WERE SWORN IN BY THE DEPUTY CLERK BEFORE MAKING THEIR TESTIMONIES BEFORE THE BOARD.

The official interpreters were sworn in by the Clerk.

In response to Chairman Martinez' question regarding any changes to the agenda, Assistant County Attorney Craig Coller advised that a request for withdrawal of an appeal had been made, which the Board may wish to consider first.

1. KING METAL RECYCLING, LLC

Mr. Augusto Maxwell, Attorney representing King Metal Recycling, LLC, appeared before the Board and stated that the company wished to withdraw its appeal of the Community Zoning Appeals Board's (CZAB) resolution.

In response to Chairman Martinez' question regarding whether the CZAB resolution was for denial of the application, Mr. Eric Silva, SPEED's Office of Community Planning Interim Assistant Director, noted that was correct.

In response to Chairman Martinez' inquiry regarding what it would mean if the Board approved the request to withdraw the appeal, Assistant County Attorney Coller advised that this application was previously approved and that administratively, the owner could continue conducting its activities; however, he had to make certain improvements to the property consistent with the previously approved plan. He said that Departmental staff could outline those improvements.

In response to Chairman Martinez' question regarding whether, pursuant to the Board's Rules of Procedure, Board approval of the owner's request to withdraw its appeal of the CZAB resolution would mean that the appeal was no longer before the Board and therefore would become an administrative matter, Mr. Coller noted that was correct.

Mr. Silva explained that the subject property was located on NW 36th Avenue. He stated that in 1950, the Board of County Commissioners (the Board) zoned this property and the other properties adjacent to the train tracks along NW 36th Avenue as industrial. Mr. Silva indicated that in 1954, an application was approved to construct residences across from this property; require the developer to provide a landscaping buffer; and ensure the houses did not face any steel fabrication plant. In 1955, he advised, a site plan for a steel fabrication plant on the subject property was approved. According to Mr. Silva, in 1961 the owner requested a modification to expand the plant and a non-use variance submitted to allow steel fabrication within 64 feet of residences. He explained that the plant was subsequently transferred to a new property owner, who requested permission in 2010 to perform metal recycling on the property, and who consequently submitted a site plan and a proposed use as part of a "substantial compliance process." Mr. Silva said staff approved the use under certain conditions, including that some of the buildings be demolished, parking issues be fixed, landscaping be added, and the operation be screened from view. He advised that the property owner did not agree to the conditions, was denied by the CZAB after submitting his case to them, and subsequently appealed to the Board. Mr. Silva indicated that since then, the property owner had agreed to comply with the original conditions; and as part of a new substantial compliance process, had also agreed to replace missing metal slats on three sides of the building on the property and to border the property with an 8-foot wall.

Mr. Maxwell confirmed that King Metal Recycling had agreed to the conditions, upon the advice of his lawyers.

Mr. Silva responded to Chairman Martinez' query regarding whether the owner would receive a permit once he complied with the conditions he agreed to. He stated that currently, the owner was operating under a temporary Certificate of Use (CU) that would expire in two months; but if he complied with the conditions in the next two months, he would be issued a permanent CU.

Pursuant to questions from Chairman Martinez regarding any options available to the Board to prevent the appeal from undergoing the administrative process, Assistant County Attorney Coller advised that even if the Board rejected the owner's withdrawal and denied the application, the owner still had the "substantial compliance" administrative determination. He confirmed that the

Board would have no power to change the administrative proceedings. Mr. Coller indicated he believed someone could challenge the Department's administrative process of determination, but no one had done so.

In response to Commissioner Monestime's inquiry as to what would happen if staff discovered that the owner had not complied with the conditions within the two months, Mr. Silva said this would be handled through the normal Code compliance process: the owner would be issued a warning and if he persisted, would receive a violation.

Mr. Coller noted the owner could indicate his intended schedule for completing the required improvements, and said the Code contained a process that allowed an individual to appeal his/her violation.

Mr. Maxwell said the conditions imposed by staff would cost $400,000 to execute; and because the owner had been uncertain of his legal rights, he had not spent that money. He said now that the administrative determination was made, the owner would complete these improvements in a timely manner in an effort to receive the CU.

Commissioner Monestime stated that just a few days ago, a 210-day extension was granted to a company that had not complied with conditions. He inquired whether a grace period would be granted to the owner if he did not comply within the two months.

Mr. Silva noted the temporary CU would expire on July 27, 2012.

In response to Commissioner Monestime's inquiry as to the typical length of the extension granted to an entity or individual when their permit expired and they had not met the conditions established by staff, Mr. Silva noted it had been six months for a temporary CU.

In response to Mr. Silva's answer, Commissioner Monestime noted that the subject property could not continue in a mess indefinitely and that progress was subjective. He later noted he had no knowledge of how many times the owner could apply for extensions that would indefinitely draw out the process. Commissioner Monestime inquired whether some minimum requirements could be established that the owner had to meet to qualify for a permit. He indicated his question was in aid of ensuring that the residents of the area would know that progress would be made and could later see progress being made.

Mr. Silva said that as the developer had an active permit to pave the entire site, it would be reasonable to require him to do that within the next two months.

Mr. Maxwell indicated that the owner had permits to begin some of the required work, including the paving. He said the owner would do that immediately. Mr. Maxwell also indicated that the owner would submit an application for a permit to build a wall and enclose the building.

Commissioner Monestime asked staff to keep him updated on the progress which the developer made to comply with the conditions.

It was moved by Commissioner Monestime to approve Kin Metal Recycling's request to withdraw its appeal of the decision of the Community Zoning Appeals Board (CZAB). This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 11-0 (Commissioners Suarez, and Heyman were absent).

During Chairman Martinez' attempts to ensure that everyone who had signed up to speak understood what had just occurred, Ms. Dinet McCoy, 8543 NW 35 Place, stated that she believed King Metal Recycling was trying to bar the residents from testifying.

In response to Commissioner Moss' question regarding whether an administrative appeal process was available to the residents, Assistant County Attorney Coller advised that such a process existed for a substantial compliance determination, but he did not know whether that process was still available to the residents.

Chairman Martinez noted for clarification that the appeal in question pertained to whether the company had complied with the department's conditions, not to the company's ability to get its application approved.

Assistant County Attorney Coller said staff indicated that another, more recent substantial compliance determination was about to be published, and the residents would have 15 days to challenge it. But, he pointed out, any challenge would be part of an administrative process. Mr. Coller noted essentially, the CZAB's decision would stand pursuant to the withdrawal of this appeal.

Ms. McCoy, 8543 NW 35 Place, requested the Board members look at her petition, noting it read: "We the residents of the community of Elson Manors, also known as Broadmore community, request the denial of the appeal of King Metal Recycling, LLC to change the zoning of the area from GU to IU3 and to permit the facility to be spaced less than the required 500 feet distance from residences, to allow a lesser set back of the building from the property line, to permit less parking spaces than required, and to allow walls higher than required by Miami-Dade County's Building and Zoning Department. The reasons for the request are (1) damage to our homes from the constant vibrations coming from the recycling compactor, which leads to cracks; (2) constant noise on weekdays and weekends; (3) health problems arising or being aggravated by the particles of metals and dust floating in the environment, which are inhaled by residents; (4) fear of fire and explosion from torches; (5) constant traffic of large trucks on NW 36th Avenue, 83rd Street and 87th Street, ignoring traffic speeding signs near Madison Middle and Broadmore Elementary Schools; and (6) destruction of neighborhood streets."

Ms. McCoy said the residents of Elson Manors attended the January 2012 CZAB meeting at which the King Metal Recycling's zoning change request was discussed. She said the CZAB scheduled a follow-up meeting for February 2012, and prior to that meeting, the residents met on February 8, 2012 with their district commissioner.

Commissioner Monestime clarified that when the residents came to his office, he asked them whether a zoning application was pending; and when they confirmed it was, he told them he could not discuss the matter with them, as they would have to appear before the Commission. In response to Chairman Martinez' further explanation that the department's administrative process now prevailed, Ms. McCoy said many residents were frustrated with the process and felt they had lost all ground, and the recycling plant had turned their lives upside down.

Chairman Martinez asked Mr. Silva and Assistant County Attorney Coller to meet with Ms. McCoy.

In response to Commissioner Sosa's question as to when it was decided that these cases would fall under the authority of the Mayor, Assistant County Attorney Coller advised that the substantial compliance determination process had been in the Zoning Code for years, and was not based upon a Strong Mayor form of government. He explained that according to this process an owner with prior approval who wished to make minor changes could have a determination made by the department that they were in substantial compliance with the prior approval.

In response to Commissioner Souto's inquiry as to how many extensions could be obtained by an entity attempting to fully comply with the County's conditions, Assistant County Attorney Coller advised that Building Department staff determined what extensions to grant and for what amount of time.

Commissioner Souto pointed out that three different extensions had been granted for the building on 4260 SW 111 Avenue, which had been in construction for the past four years. Yet, he noted, the extensions were repeatedly violated, and were used by developers to buy time. He stated that he became aware of the Administration's decisions after the fact. He opined that this was a travesty of the democratic process, involving a big bureaucracy which crushed the residents.

Mr. Silva responded to Commissioner Moss' query as to how staff would ensure that the required buffer, which would separate the business from the rest of the community, was maintained over time. He explained that this type of buffer was enforced based on complaints and it was hard for staff to ensure that every buffer was maintained. Mr. Silva noted in the King Metal case, that the Administration realized the building had been improperly maintained only when the company underwent the substantial compliance process.

Commissioner Moss observed that this was often the case with owners who believed that they had to comply with the conditions initially, but that they did not have to maintain the improvements on their properties. He asked the department to examine the provisions of the Code to determine whether they addressed this issue.

The foregoing appeal was withdrawn by the Board and set forth in the Record of Resolutions and assigned Zoning # Z-12-12.

2. FONTAINEBLEAU LAKES, LLC ET AL

Mr. Eric Silva, Assistant Director, Community Planning Division of the Sustainability, Planning, and Economic Enhancement Department (SPEED), read the foregoing application into the record, noting no protests or waivers had been filed regarding this application.

Commissioner Souto read the applicant's requests. He pointed out that Fontainebleau was strategically placed next to the airport and its population density was greater than that of any other community in the County. Consequently, he noted, the Board must ensure that any requests to modify it would not interfere with the residents' lifestyle. Commissioner Souto asked Board members to defer this item until they had sufficient information to consider it properly.

Chairman Martinez requested that the applicant make its presentation regarding the application.

Ms. Melissa Tapanes Llahues, Attorney with the law firm of Bercow, Radell and Fernandez, representing the Related Group and its affiliate, Fontainebleau LLC, owner of the 34-acre parcel located just south of State Road 836 between 97th Avenue and 87th Avenue and Fontainebleau Park, appeared before the Board. She indicated that she was joined by George Gonzales of the Related Group, the project architect and engineer, as well as her partners. The attorney stated that they had the full support of the area residents, including the "Keep the Bleau Green" committee. She noted they had been working on this application since July 2011, had done extensive outreach into the community, and no protests or waivers had been filed.

Ms. Tapanes Llahues advised that the applicant was requesting a site plan modification as well as certain associated unusual uses, and non-use variances for the 78-acre North East Golf Course of the 152-acre Fontainebleau East community. She urged the Board members' approval, consistent with the staff recommendations and the support of area residents. Ms. Llahues noted that the property was designated medium-density residential, which permitted up to 1091 units. She said in 2006 the property was re-zoned to RU-4M and a site plan for 770 units was approved.

Ms. Tapanes Llahues pointed out that the proposed site plan would reduce the density from 770 units to 720 units; reduce the height from eight stories to three; and be carried out by the Related Group, which had a reputation of building iconic structures throughout the County. She commented that 26 three-story residential buildings were proposed, as well as two resort-style club houses, and the intent was to maximize views of over 44 acres of green lawns, lakes and water features. Ms. Tapanes Llahues asserted that numerous covenants proffered since 2006 had tied up the subject property and the 272-acres subject to the master plan, and each time one parcel of the 272 acres was modified the owner was required to enter into new covenants. She communicated that for this reason, the applicant was seeking to release itself from three previous covenants in order to proffer a covenant superseding them, for purposes of clarifying the title. She later noted that the superseding covenant had been submitted and was part of the record, and it would carry over all of the requirements of the previous covenants. Ms. Llahues stated that the owner purchased the property in January 2012, and submitted applications for permits in March 2012. She stressed that this was a significant investment, worth over $120 million.

Ms. Tapanes Llahues noted Requests 1 and 2 on the zoning hearing advertisement were for unusual uses to permit entrance features, lake excavations and lake fills. She said that the fill generated from this lake excavation would be used to meet flood criteria requirements for the project and that filling portions of the existing lakes would provide additional lands. Upon completion, the developer would improve these areas with water features, jogging paths, and pedestrian walkways, she stated. Ms. Tapanes Llahues indicated that requests 3 and 6 were to modify the 2006 approved plans and replace them with a new covenant; requests 7 to 9 were for variances to accommodate the uniqueness of the project; the parking variance was required because the owner would provide a number of parking spaces as garages; while 1,206 parking spaces were required, the owner would provide 1,124 surface parking spaces and an additional 102 parking spaces within garages. Ms. Tapanes Llahues indicated that the variance of the tennis court fence's height was needed because the court abutted the canal right-of-way.

Ms. Tapanes Llahues pointed out that all of these requests satisfied the County Code and were compatible with the area. She stated that the covenant had been executed by all mortgagee, homeowner's associations, property owners, and interest holders within the 272-acre development.

Pursuant to Commissioner Edmonson's question regarding whether Ms. Tapanes Llahues' last statement meant that everyone within the development supported the application, Ms. Tapanes Llahues noted that was correct. She noted the covenant also required the maintenance of the common areas, private drives, lakes and green areas within the property. She urged the commissioners to proceed with this matter today (5/17), noting the developer was moving forward with Phase 1 at a $60 million cost. She pointed out that the applicant was barred by the Jennings Rule from discussing this project further with the District Commissioner, but her entire team was present to answer any questions the commissioners might have.

Chairman Martinez opened the public hearing on Application No.2 and the following persons appeared in support:

1. Jesus Carcasses, 580 NW 99 PL, Fontainebleau, Miami
2. Claude Fabre, 10464 NW 5 Terrace, Miami, FL 33172

Chairman Martinez closed the public hearing after no other persons appeared wishing to speak.

Commissioner Souto noted he would retract his previous motion to defer. However, he indicated that when the Fontainebleau development was originally approved, the Keep The Bleau Green Committee, Inc. (the homeowner's association) signed an agreement with the existing property owners and Shoma (the developer) that required Shoma to maintain the green spaces through Special Taxing Districts (STD's); and the STD's were to be given to the new homeowners, not the old ones. He noted he was concerned that the old homeowners were being burdened, and he asked the Assistant County Attorney to clarify whether this was the case.

Assistant County Attorney Coller said his understanding was that the new covenant identified Tracts A, B and C; those tracts corresponded to the green areas; and the covenant required that the tracts be maintained by their owners.

Mr. Silva indicated that Mr. Coller was referring to #5 in the covenant, which provided: "The owners shall maintain all common areas including private drives, stone water retention lakes and green areas within Tracts A, B and C through an association." He stated that this would apply if the property was developed into a condominium; however, if it remained as apartments, the owner would still be required to maintain everything.

Commissioner Souto said problems with the owners regarding the maintenance of the golf course were continual. He asked whether matters were settled with neighbors and new owners concerning who would maintain the golf course and such areas.

Mr. Silva indicated this responsibility for maintenance was clearly noted under #5 in the covenant. He said prior to today's (5/17) hearing, he had spoken with the applicant about continual maintenance issues, and he believed the applicant had begun to address them.

Mr. Carcasses said the developer would finally be in charge of maintaining green areas on the eastern portion of Fontainebleau. He spoke about previous and current attempts to reach an agreement with the County's parks department (currently the Parks, Recreation, and Open Spaces Department, or PROS) for a park on the western portion of the development. He clarified that a special taxing district was created on the western portion of Fontainebleau to help pay for the park.

In response to Commissioner Souto's inquiry regarding whether this application and the maintenance issues mentioned would be hindered by issues concerning the park that Mr. Carcasses referred to, Mr. Carcasses said they would not.

Ms. Tapanes Llahues stated for the record that no changes would be made to the private settlement agreements as part of this process and that the maintenance of the green areas would remain in place. She indicated that the developer, as the owner of 720 units, would join the Green Spaces Association and pay its fair share for the maintenance of the eastern part of the development, i.e., Tracts A, B and C.

Commissioner Souto asked Mr. Carcasses to explain to him why the Parks, Recreation and Open Spaces Department (PROS) had not taken up the residents' offer of land.

Chairman Martinez indicated that this issue would best be discussed at committee level.

Commissioner Sosa said she was pleased that the lakes would be reconfigured for safety and that the density of the area would be reduced. She commended the neighbors for working with the developers for the good of their community.

Commissioner Suarez noted he concurred with Commissioner Sosa and explained that the developers intended to reduce the number of units by 8 percent and the floor area ratio (FAR) by 37.5 percent because of the height. He said he agreed with Chairman Martinez that the Recreation and Cultural Affairs Committee should examine why the Parks, Recreation and Open Spaces Department had not taken up the residents' offer of land.

Ms. Tapanes Llahues noted the issue was that PROS wanted an active park while the neighbors wanted a passive park.

In response to Commissioner Souto's inquiry as to who would maintain the areas around the walls, Assistant County Attorney Coller advised that #5 in the covenant said the owners of the tracts would have to maintain them.

Mr. Silva confirmed that Tracts A, B and C would be maintained by their owners.

Commissioner Souto said that he wanted to avoid a situation where a few months from now, the grass would be overgrown and he would be called in to address the situation. He asked Mr. Silva to ensure that the owners were completely aware of their responsibility to mow the grass regularly.

Ms. Tapanes Llahues assured Commissioner Souto that his point was clearly understood.

It was moved by Commissioner Souto that Application 2 be approved as recommended by the Department of Permitting, Environment and Regulatory Affairs. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 12-0; (Commissioner Heyman was absent).

The foregoing resolution was adopted by the Board and set forth in the Record of Resolutions and assigned Zoning # Z-13-12.

All exhibits submitted for the record at the 5/17/12 meeting were transferred to the care, custody and control of the Department of Permitting, Environment and Regulatory Affairs.

ADJOURNMENT

There being no further business to come before the Board, the zoning hearing adjourned at 11:35 a.m.

Note: These minutes were archived without the Chairman's signature because the Chairman's term of office expired before acquiring his signature.

_____

Chairman Joe A. Martinez
Board of County Commissioners Zoning Hearing

ZONING MEETING
Board of County Commissioners
May 17, 2012

Prepared by: Jill Thornton

EXHIBITS LIST

NO.	DATE	ITEM #	DESCRIPTION
1	05/17/2012		Memo from Commissioner Heyman re: her absence from the May 16 & 17 CDMP, Zoning, and MPO meetings.
2	05/17/2012		KITS – Listing of Zoning Hearings
3	05/17/2012		Official Zoning Agenda
4	05/17/2012	Item 1	Declaration of Restrictions and Site Plan
5	05/17/2012	Item 1	Documents of an appeal to Miami-Dade Board of County Commissioners from the residents of "Elson Manors" aka "Broadmoore Community" re: Hearing #11-037 of King Metal Recycling, LLC
6	05/17/2012	Item 2	Presentation – RD Fountainebleau LLC/Fountainebleau Lakes, public hearing No. 11-130
7	05/17/2012	Item 1	Speaker's Cards
8	05/17/2012	Item 2	Speaker's Cards
9	05/17/2012		Exhibits List submitted to the Planning and Zoning Department
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MEMORANDUM
BOARD OF COUNTY COMMISSIONERS
COMMISSIONER SALLY A. HEYMAN
DISTRICT 4

TO: Honorable Joe A. Martinez, Chairman and Members of the Board of County Commissioners

DATE: May 14, 2012

FROM: Sally A. Heyman
Commissioner
District 4

SUBJECT: CDMP, Zoning and MPO Meetings, May 16 & May 17, 2012

Please be advised that I will not be able to attend the CDMP, Zoning and MPO Meetings scheduled on May 16 and 17, 2012. I will be traveling on County Business.

Thank you for your attention in this matter.

cc: Carlos A. Gimenez, Mayor
Alina T. Hudak, County Manager
Charles Anderson, Commission Auditor
Eric Silva, PERA Interim Assistant Director
Irma San Roman, Interim Director
Christopher Agrippa, Division Chief

RECEIVED
By the Clerk for the record.
MAY 17 2012
Item:
Exhibit:
Meeting:

Exhibit- 5/17/2012 Zoning

FINAL AGENDA

BOARD OF COUNTY COMMISSIONERS
ZONING HEARINGS
THURSDAY, MAY 17, 2012

PLACE OF MEETING: COUNTY COMMISSIONERS CHAMBERS
OF THE STEPHEN P. CLARK CENTER – 2ND FLOOR
111 NW 1 STREET, MIAMI

TIME OF MEETING 9:30 A.M.

APPEAL		HEARING #	DISTRICT
1.	**KING METAL RECYCLING, LLC**	11-037	2

Request(s): The applicant is seeking to allow a zone change to IU-3 and to permit a recycling center spaced less than required from residences. The applicant also seeks to permit the recycling plant with variances to the setback, parking and drives and other zoning regulations.

Location: 8600 NW 36 Avenue, Miami-Dade County, Florida.
Within the Urban Development Boundary (UDB)

CURRENT

2.	**FONTAINBLEAU LAKES LLC ET AL**	11-130	10

Request(s): The applicants seek to permit entrance and water features to a previously approved residential development as well as to permit the excavation and partial filling of lakes within the development. Additionally, the applicants seek to modify resolutions and delete covenants which tied the development to a larger tract of land with both residential and commercial developments and to allow the applicants to submit revised site plans showing the proposed residential development, lake excavations and lake fillings. The applicants also seek to permit the proposed development with less parking spaces and a greater fence height around the tennis courts than allowed by the Code and to permit an accessory structure in front of the principal buildings on the residential site.

Location: Lying North of West Flagler Street, south of State Road #836, west of NW 87 Avenue and east of NW 107 Avenue,
Miami-Dade County, Florida.
Within the Urban Development Boundary (UDB)

RECEIVED
Clerk for the record.
MAY 17 2012
Item
Exhibit
Meeting Zoning

Exhibit

Official Zoning Agenda

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSION MEETING OF THURSDAY, MAY 17, 2012

NOTICE: THE FOLLOWING HEARING IS SCHEDULED FOR 9:30 A.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMISSION SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMISSION BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE COMMISSION BE GRANTED BY THE MAJORITY VOTE OF THE COMMISSION MEMBERS PRESENT.

NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE COMMISSION CHAMBER. PERSONS EXITING THE COMMISSION CHAMBER SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE COMMISSION CHAMBERS IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE CHAMBERS TO ANSWER INCOMING CELL PHONE CALLS. COUNTY EMPLOYEES MAY NOT USE CELL PHONE CAMERAS OR TAKE DIGITAL PICTURES FROM THEIR POSITIONS ON THE DAIS.

THE NUMBER OF FILED PROTESTS AND WAIVERS ON EACH APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE ZONING HEARING MEETING DATE FOR THIS BOARD.

SWEARING IN OF WITNESSES

RECEIVED
By the Clerk for the record.
MAY 17 2012
Item
Exhibit
Meeting Zoning

Exhibit

1. **KING METAL RECYCLING, LLC (12-1-CZ8-2/11-037)** **09-53-41**
BCC/District 02

Applicant is appealing the decision of Community Zoning Appeals Board #8, which denied the following:

(1) DISTRICT BOUNDARY CHANGE from GU (Interim) to IU-3 (Industry-Unlimited).

(2) SPECIAL EXCEPTION to permit the metal recycling facility to be spaced less than the required 500' from any RU or EU zoning district.

(3) NON-USE VARIANCE to permit a proposed building setback a minimum of 4' (20' required, 14' previously approved) from the front (east) property line, setback a minimum of 12'10" (15' required) from the interior side (north) property line.

(4) NON-USE VARIANCE to permit 19 parking spaces (36 required).

(5) NON-USE VARIANCE to permit a 1-way drive with a minimum width of 12'10" (14' required).

(6) NON-USE VARIANCE to waive the zoning regulations requiring recycling operations be carried on entirely within an enclosed building or confined and completely enclosed within masonry walls.

(7) NON-USE VARIANCE to permit a wall with a height of 16' (4' maximum permitted) along the front (east) property line.

(8) NON-USE VARIANCE to waive the zoning regulations requiring the height of a fence or wall not to exceed 2.5' in height when located within 10' of the edge of driveway leading to a public right-of-way; to permit a 16' high wall within 10' of the edge of driveway.

Plan are on file and may be examined in the Permitting, Environment and Regulatory Affairs or its successor department entitled "Office Building For: King Metal recycling" as prepared by IMEC Design Consultants, Inc. Sheets A-1 and A-3 dated stamped received 10/11/11 and the remaining 6 sheets dated stamped received 4/4/11 for a total of 8 sheets. Plans may be modified at public hearing.

LOCATION: 8600 NW 36 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2 Acres

Department of Permitting, Environment and Regulatory Affairs Recommendation: Approval, subject to the acceptance of the proffered covenant.

Protests: 35 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

2. FONTAINBLEU LAKES LLC (12-5-CC-1/11-130)

04/05-54-40
54/55-53-40
BCC/Districts 10

(1) Unusual Use to permit entrance features including a guard house, entry gates, water features and wall signs.

(2) Unusual Use to permit lake excavations & lake fills.

REQUESTS #1 AND #2 ON EXHIBIT "1"

(3) Modification of Condition #2 of the general conditions and Conditions #1 & #2 of the lake excavations and golf course of Resolution No. Z-208-69 passed and adopted by the Board of County Commissioners, last modified by Resolution CZAB10-21-06, passed and adopted by the Community Zoning Appeals Board 10, only as it applies to Exhibit "1" and reading as follows:

GENERAL CONDITIONS:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Fontainebleau East' as prepared by Pascual, Perez, Kiliddjian & Associates, consisting of 68 sheets dated, signed and sealed 12/22/05."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Fontainebleau Lakes" as prepared by MSA Architects consisting of 39 sheets, plans prepared by Dix Lathrop and Associates, Inc., consisting of 12 sheets and plans prepared by Development Consulting Group, consisting of 5 sheets, for a total of 56 sheets, dated stamped received 3/9/12 with sheets SP-1, SP-1A, SP-1B, SP-1C & AM-1.2 dated stamped received 3/16/12."

LAKE EXCAVATIONS & GOLF COURSE:

FROM: "1. That detailed plans be submitted to and must meet with the approval of the Directors of the Public Works Department and the Department of Planning and Zoning that said plan be substantially in compliance with that submitted for the hearing entitled 'Lake Areas,' as prepared by Milian, Swain & Assoc., Inc., consisting of 4 pages and dated, signed & sealed 6/27/05."

TO: "1. That detailed plans be submitted to and must meet with the approval of the Directors of the Public Works Department and the Department of Permitting, Environment and Regulatory Affairs that said plan be substantially in compliance with that submitted for the hearing entitled "Fontainebleau Lakes" as prepared by Development Consulting Group, dated stamped received 3/9/12 and consisting of 5 sheets."

FROM: "2. That the perimeter be backfilled and graded & slopes to be substantially in accordance with the plans submitted entitled 'Lake Area,' as prepared by Milian, Swain & Associates, Inc. and consisting of four pages dated, signed & sealed 6/27/05."

TO: 2. That the perimeter be backfilled and graded & slopes to be substantially in accordance with the plans submitted entitled "Fontainebleau Lakes" as prepared by Development Consulting Group and consisting of 5 sheets, dated stamped received 3/9/12."

(4) Modification of Conditions #4, #8, & #20 of Resolution No. CZAB10-21-06, passed and adopted by the Community Zoning Appeals Board 10, only as it applies to the Exhibit "1" and reading as follows:

FROM: "4. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Fontainebleau East" (68 pages) and "Fontainebleau West" (51 pages), as prepared by Pascual Perez Kiliddjian & Associates Architects Planners, dated stamped sealed December 21, 2005 (East Parcel) and August 05, 2005 (West Parcel), except as herein modified to provide the required number of parking spaces."

TO: "4. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Fontainebleau Lakes" as prepared by MSA Architects consisting of 39 sheets, plans prepared by Dix Lathrop and Associates, Inc., consisting of 12 sheets and plans prepared by Development Consulting Group, consisting of 5 sheets, for a total of 56 sheets, dated stamped received 3/9/12 with sheets SP-1, SP-1A, SP-1B, SP-1C & AM-1.2 dated stamped received 3/16/12."

FROM: "8. That complete lake excavation plans prepared and sealed by a Florida-licensed surveyor and/or professional engineer be submitted to and meet with the approval of the Director upon the submittal of an application for a lake excavation permit; said plans shall be substantially in accordance with that submitted for hearing entitled "Lake Areas," as prepared by MSA, Civil & Environmental Engineers consisting of 4 sheets and dated stamped received June 28, 2005."

TO: "8. That complete lake excavation plans prepared and sealed by a Florida-licensed surveyor and/or professional engineer be submitted to and meet with the approval of the Director upon the submittal of an application for a lake excavation permit; said plans shall be substantially in accordance with that submitted for hearing entitled "Fontainebleau Lakes" as prepared by Development Consulting Group, dated stamped received 3/9/12 and consisting of 5 sheets."

FROM: "20. That the plans submitted with the permit application shall be substantially in compliance with the approved lake fill plan entitled "Lake Areas" as prepared by MSA, Civil & Environmental Engineers dated stamped received 6/20/05 consisting of 4 sheets. The permit application plans shall include a copy of the approved lake fill plan and at least (3) sets of the proposed fill project permit plans, sealed by a Florida licensed surveyor and/or professional engineer."

TO: "20. That the plans submitted with the permit application shall be substantially in compliance with the approves lake fill plan entitled "Fontainebleau Lakes" as prepared by Development Consulting Group consisting of 5 sheets dated stamped received 3/9/12. The permit application plans shall include a copy of the approved lake fill plan and at least (3) sets of the proposed fill project permit plans, sealed by Florida licensed surveyor and/or professional engineers."

(5) Deletion of a Declaration of Restrictions recorded in Official Record Book 27820 Pages 1556 – 1567 only as it applies to Exhibit "1".

(6) Deletion of a portion of a legal description in a Declaration of Restriction recorded in Official Record Book 24467 Pages 3173 - 3181, last modified by Second Modification of Declaration of Restrictions Recorded at Official Records Book 24467, Pages 3173 recorded in Official Records Book 27903 Pages 704 – 724 only as it applies to Exhibit "1".

The purpose of requests #3 - #6 is to allow the applicant to submit a new site plan showing a different site layout for the previously approved residential development described in Exhibit "1" and to remove said residential development from certain covenants that are tied to the previously approved residential and commercial developments.

REQUESTS #3 - #6 ON EXHIBIT "1".

(7) NON-USE VARIANCE to permit 1,124 parking spaces (1,206 required).

(8) NON-USE VARIANCE to permit a tennis court with a fence height of 20' (14' maximum permitted).

(9) NON- USE VARIANCE to permit accessory uses in front of the principle buildings (not permitted).

REQUESTS #7 THROUGH #9 ON EXHIBIT "1".

The aforementioned plans are on file and may be examined in the Permitting, Environment and Regulatory Affairs or its successor department. Plans may be modified at public hearing.

LOCATION: Lying North of West Flagler Street, south of State Road #836, west of NW 87 Avenue and east of NW 107 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 272 Acres +/-

Department of Permitting, Environment and Regulatory Affairs Recommendation: Approval, subject to the Board's acceptance of the proffered covenant.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

THE END

NOTICE OF APPEAL RIGHTS

Decisions of the Community Zoning Appeals Board (CZAB) are appealed either to Circuit Court or to the Board of County Commissioners (BCC) depending upon the items requested in the Zoning Application. Appeals to Circuit Court must be filed within 30 days of the transmittal of the CZAB resolution. Appeals to BCC must be filed with the Zoning Hearings Section of the Department of Permitting, Environment and Regulatory Affairs (PERA), or it's successor Department within 14 days of the posting of the results in the department.

Further information and assistance may be obtained by contacting the Zoning Hearings Section for the Department of Permitting, Environment and Regulatory Affairs (PERA), or it's successor Department at (305) 375-2640. For filing or status of Appeals to Circuit Court, you may call the Clerk of the Circuit Court at (305) 349-7409.

Exhibit -
5/17/2012 BCC Zoning Meeting

This instrument was prepared by:
Pedro L. Amador
8600 NW 36th Avenue
Miami, Florida, 33147

BCC — May 17, 2012
Item #1 — 11-037
King Metal Recycling.

Received by
Zoning Agenda Coordinator

MAY 16 2012

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, at 8600 NW 36th Avenue, Miami, Florida, 33147, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the attorney's opinion, and

IN ORDER TO ASSURE the County that the representations made by the owner during consideration of Public Hearing No. Z2011000037 will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

(1) Work will be carried out in accordance with the attached site plan, shown as Exhibit "B".

(2) The business will be open in accordance with the following hours:

- Monday thru Friday: 7am to 6pm
- Saturday : 8am to 5pm

(3) The use of the property shall be that which is customary of a metal recycling facility in accordance with the 2002 NAICS Code Numbers; 423930 & 562920, engaged in the collection, sales and processing of ferrous and non ferrous scrap material via the use of a shredder mill, hammer mill, shears, shear balers, balers, material loaders, and/or other similar and necessary equipment & machinery used to carry out the daily functions and operations as described below; and which engages in the merchant wholesale distribution of industrial scrap, household scrap, automotive scrap and other recyclable ferrous and non-ferrous scrap which includes but is not limited to the following:

Section-Township-Range:
Folio number

- Buying, selling, trading, transporting, loading, storing, stocking, shearing, cutting, crushing, torching, reducing, bailing, sorting, shredding, milling, fragmentizing of HMS 1 (heavy metal steel) prepared and unprepared steel, iron, scrap metals, cast iron, nickel, high temp alloys, alloys, sheet iron, brake drums, hubs, rotors, rebar, reinforcing steel, beam, square tubing, angles, rods, flat bars, mandrill coils, motor blocks, chain, wire, turnings and plate of which said materials come in all shapes, sizes and conditions.

- Buying, selling, trading, transporting, loading, storing, stocking, shearing, cutting, crushing, torching, reducing, bailing, sorting, shredding, milling, fragmentizing of shredable metal goods and white goods, including but not limited to appliances, automobiles whole, automobile parts, equipment, whole parts, semi whole parts, scrap metals, busheling, punchings, whole/semi whole scrap of which said materials come in all sizes, shapes and conditions.

(Space reserved for Clerk)

County Inspection. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of all of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion

Recording. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Sustainability, Planning and Economic Enhancement Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

Acceptance of Declaration. Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

Owner. The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]

LIMITED LIABILITY COMPANY

Signed, witnessed, executed and acknowledged on this ___ day of January, 2012.

IN WITNESS WHEREOF, King Metal Recycling, LLC., has caused these presents to be signed in its name by its proper officials.

Witnesses:

_____
Signature

_____
Print Name

_____
Signature

_____
Print Name

King Metal Recycling, LLC.
Name of LLC
Address:
8600 NW 36th Avenue
Miami, Florida, 33147

By _____
Pedro L. Amador, Managing Member

[*Note: All others require attachment of Original corporate resolution of authorization]

STATE OF FLORIDA **COUNTY OF MIAMI DADE**

The foregoing instrument was acknowledged before me by Pedro L. Amador, the Managing Member of King Metal Recycling, LLC, on behalf of the LLC.

He is personally known to me.

Witness my signature and official seal this 10 day of January, 2012, in the County and State aforesaid.

_____
Signature
Notary Public-State of FLORIDA
MANUEL ESCORCIA
Print Name

My Commission Expires:

MANUEL U. ESCORCIA
Commission DD 818859
Expires October 22, 2012
Bonded Thru Troy Fain Insurance 800-385-7019

[f:/forms/182321823_1.DOC (1/6/12)]

Signed, sealed and acknowledged on this 28th day of December, 2011

WITNESSES:

Sign_____

Print E. Patricia Gutierrez

Sign_____

Print Ixcia Janeiro.

Pedro L. Amador

Sign_____

Address:
8600 NW 36th Avenue, Miami, Florida, 33147

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 28th day of December 2011, by Pedro L. Amador, as Owner of the subject property. He is personally known to me.

Notary Public, State of Florida

Sign_____

Print MANUEL ESCORCIA

MANUEL U. ESCORCIA
Commission DD 818859
Expires October 22, 2012
Bonded Thru Troy Fain Insurance 800-385-7019

State of Florida at Large (Seal)

My Commission Expires:

Section-Township-Range:
Folio number:

(Space reserved for Clerk)

JOINDER BY MORTGAGEE
CORPORATION

The undersigned Continental Mutual Mortgage Corporation, a Florida corporation, in its capacity as a mortgagee and the servicer of that certain mortgage dated December 8, 2006 and recorded December 11, 2006 in Official Records Book 25179, Page 3202 of the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing agreement, does hereby acknowledge that the terms of this agreement are and shall be binding upon the undersigned and its successors in title.

IN WITNESS WHEREOF, these presents have been executed this 10th day of January, 2012.

Witnesses:

Signature

Julie A. Turner
Print Name

Continental Mutual Mortgage Corporation
Name of Corporation
Address:
706 South Dixie Highway
Second Floor
Coral Gables, Florida 33146
Attn: Thomas W. Olsen III

Kristina Layman
Signature

KRISTINA LAYMAN
Print Name

By Thomas W Olsen III
(President, Vice-President or CEO*)

Print Name: Thomas W. Olsen III, President

[*Note: All others require attachment of original corporate resolution of authorization]

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by Thomas W. Olsen, III the President of Continental Mutual Mortgage Corporation, on behalf of the corporation. He is personally known to me or has produced Florida Identification as identification.

Witness my signature and official seal this 10th day of January, 2012, in the County and State aforesaid. FL DL #: 0425-839-41-378-0

Notary Public State of FLORIDA

Print Name MANUEL ESCORCIA
My Commission Expires: 10/22/2012
[I:\forms\18232\827_1.DOC (1/10/12)]

EXHIBIT "A"

LEGAL DESCRIPTION OF SUBJECT PROPRETY:

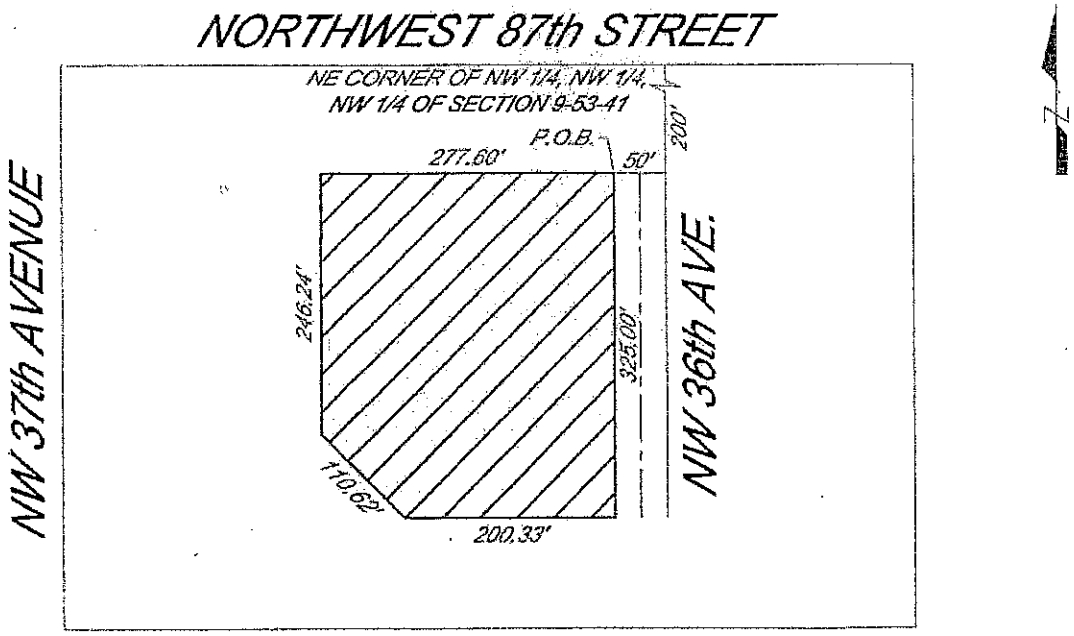
EXHIBIT A

All that certain piece of parcel of land in the NW 1/4 of the NW 1/4 of the NW 1/4 of Section 9, Township 53 South, Range 41 East, Miami-Dade County, Florida, more particularly described as follows:

Beginning at a point that is 200 feet South and 50 feet West of the Northeast corner of the NW 1/4 of the NW 1/4 of the NW 1/4 of said Section 9, thence Southerly along a line 50 feet West of and parallel to the East boundary of the NW 1/4 of the NW 1/4 of the NW 1/4 of said Section 9, a distance of 325 feet to a point, thence Westerly parallel to the North boundary of said Section 9, a distance of 200.33 feet to a point; thence deflecting to the right 45° 23' 44" run a distance of 110.62 feet to a point; thence deflecting to the right 44° 50' 31" run distance of 246.24 feet to a point; thence deflecting to the right 89° 45' 45" run along a line parallel to the North boundary of said Section 9, a distance of 277.60 feet to the POINT OF BEGINNING.

LOCATION SKETCH

NOT TO SCALE



LEGAL DESCRIPTION:

ALL THAT CERTAIN PARCEL OF LAND IN THE NW 1/4 OF THE NW 1/4 OF THE NW 1/4 OF SECTION 9, TOWNSHIP 53 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS 200.00 FEET SOUTH AND 50.00 FEET WEST OF THE NORTHEAST CORNER OF THE NW 1/4 OF THE NW 1/4 OF THE NW 1/4 OF SECTION 9; THENCE SOUTHERLY ALONG A LINE 50.00 FEET WEST OF AND PARALLEL TO THE EAST BOUNDARY OF THE NW 1/4 OF THE NW 1/4 OF THE NW 1/4 OF SAID SECTION 9, A DISTANCE OF 325.00 FEET TO A POINT, THENCE WESTERY PARALLEL TO THE NORTH BOUNDARY OF SAID SECTION 9, A DISTANCE OF 200.33 FEET TO A POINT; THENCE DEFLECTING TO THE RIGHT 45 DEGREES 23 MINUTES 44 SECONDS A DISTANCE OF 110.62 FEET TO A POINT; THENCE DEFLECTING TO THE RIGHT 44 DEGREES 50 MINUTES 31 SECONDS RUN A DISTANCE OF 246.24 FEET TO A POINT; THENCE DEFLECTING TO THE RIGHT 89 DEGREES 45 MINUTES 45 SECONDS RUN ALONG A LINE PARALLEL TO THE NORTH BOUNDARY OF SAID SECTION 9, A DISTANCE OF 277.60 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"

SITE PLAN

1.– EXISTING STEEL FACILITY.

COMPLIANCE METHOD:
–WORK AREA COMPLIANCE METHOD.

ZONING SITE DATA:

PROJECT ADDRESS	8800 NW 36 AVE, MIAMI , FLORIDA.
ZONING	GU–IU–1
NET SITE AREA	87,177.107 SQ. FT.
JURISDICTION	MIAMI DADE COUNTY.
EXISTING BUILDINGS AREA	STORAGE : 25,331.43 SQ. FT.
	OFFICE : 1,557.60 SQ. FT.
APPROVED/ALLOWED LOT COVERED	30,650.00 SQ. FT.
PROPOSED LOT COVERED	26,919.03 SQ. FT.
TOTAL PAVEMENT AREA	54,655.10 SQ. FT.
ADDITIONAL APPROVED ROOFED AREA FOR FUTURE USE	4,942.97 SQ. FT.
NUMBER OF EMPLOYEES	18

LANDSCAPING LEGEND:

APPROVED LANDSCAPING AS FOLLOWS:

–EXISTING 9 TREES ON THE OUTSIDE OF PROPERTY BOUNDARY TO REMAIN AS IS.
–ADDITIONAL ONE TREE TO COMPLY W/ RESOLUTION ASKING FOR 10 TREES.
–OUTSIDE OF PROPERTY SODDED AREA——3872.24 SQ. FT.

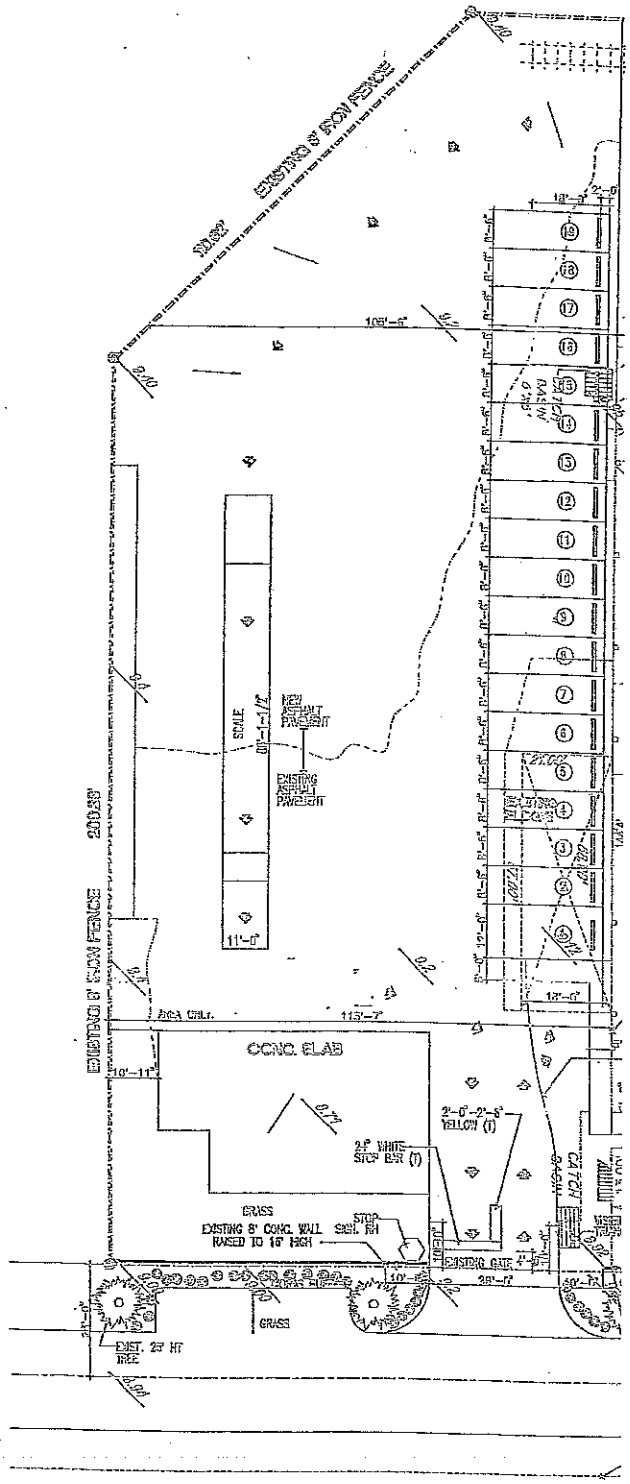
PROPOSED LANDSCAPING:
INTERIOR PROPERTY
–SODDED AREA ——3593.64 SQ. FT.
–EXCESS BUFFER

PARKING CALCULATION:

PARKING SPACES REQUIRED ——19 SPACES
PARKING SPACES PROVIDED ——19 SPACES
NOTE: ACCORDING TO MIAMI DADE COUNTY CODE 33–124(a)2

GENERAL NOTES:

1. ALL MATERIALS AND CONSTRUCTION SHALL COMPLY WITH THE LATEST EDITIONS OF THE FLORIDA BUILDING CODE, THE ACI AND AISC SPECIFICATIONS AND RECOGNIZED PRACTICE.
2. NO DIMENSIONS SHALL BE SCALED FROM DRAWINGS.
3. GENERAL CONTRACTOR SHALL CHECK, REVIEW, AND VERIFY ALL PLANS, DIMENSIONS, AND SITE CONDITIONS PRIOR TO CONSTRUCTION. ANY DISCREPANCIES OR OMISSIONS NOTED ON THE DRAWINGS OR IN THE SPECIFICATIONS OR ANY VARIATIONS NEED IN ORDER TO CONFORM TO CODES, RULES, AND REGULATIONS SHALL BE NOTIFIED IN WRITING TO THE ARCHITECT. ANY SUCH DISCREPANCIES, OMISSIONS, OR VARIATIONS NOT REPORTED DURING THE BIDDING PERIOD SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR WHO SHALL PERFORM THE CORRECTED WORK AS PER THE ENGINEER'S INSTRUCTIONS.
4. GENERAL CONTRACTOR SHALL RESTRICT AND PROPERLY ISOLATE ALL CONSTRUCTION EQUIPMENT AND LOADS FROM INDUCING OR TRANSMITTING VIBRATIONS TO THE STRUCTURE DURING CONSTRUCTION.
5. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE DISPOSAL OF ALL ACCUMULATED WATER IN FROM EXCAVATION AND DEWATERING OPERATIONS IN SUCH A WAY AS TO NOT CAUSE INCONVENIENCE TO THE WATER DAMAGE TO THE STRUCTURAL ELEMENTS.
6. WHEN PERFORMING WORK BELOW GRADE, CARE SHALL BE TAKEN TO AVOID DAMAGING ANY EXISTING UTILITIES. ALL UNKNOWN UTILITIES DISCOVERED DURING CONSTRUCTION SHALL BE BROUGHTBROUGHT TO THE ATTENTION OF THE ARCHITECT–ENGINEER.
7. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR UPDATING HIS CONSTRUCTION DOCUMENTS WITH ANY REVISED DRAWINGS, SPECIFICATIONS, FIELD ORDERS, CHANGE ORDERS, AND CLARIFICATIONS SKETCHED ISSUED DURING THE COURSE OF CONSTRUCTION.
8. TYPICAL DETAILS AND NOTES ON THESE DRAWINGS SHALL APPLY UNLESS SPECIFICALLY NOTED OTHERWISE. CONSTRUCTION DETAILS AND SECTIONS NOT COMPLETELY SHOWN OR NOTED SHOULD BE SIMILAR TO DETAILS AND SECTIONS SHOWN OR NOTED FOR SIMILAR CONDITIONS.
9. THE GENERAL CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL EXCAVATION PROCEDURES INCLUDING LAGGING, SHORING, AND PROTECTION, IN ACCORDANCE WITH THE LOCAL BUILDING DEPARTMENT.
10. TEMPORARY BRACING SHALL BE PROVIDED AS REQUIRED TO HOLD ALL COMPONENTS OF THE STRUCTURE IN PLACE UNTIL FINAL SUPPORT IS SECURELY ANCHORED.
11. THE CONTRACTOR SHALL SUPPLY ALL LABOR, MATERIALS, EQUIPMENT AND SERVICES OF EVERY KIND, INCLUDING WATER AND POWER, NECESSARY FOR THE PROPER EXECUTION OF THE WORK SHOWN OR INDICATED ON THESE DRAWINGS. ALL MATERIAL SHALL BE NEW. MATERIALS AND WORKMANSHIP SHALL OF GOOD QUALITY. ALL WORKMEN AND SUBCONTRACTORS SHALL BE SKILLED IN THEIR TRADE.
12. THE CONTRACTOR SHALL ADEQUATELY PROTECT HIS/HER WORK, ADJACENT PROPERTY AND THE PUBLIC, AND BE RESPONSIBLE FOR DAMAGE OR INJURY DUE TO HIS/HER WORK, ADJACENT PROPERTY AND THE PUBLIC, AND BE RESPONSIBLE FOR DAMAGE OR INJURY DUE TO HIS ACT OR NEGLECT.
13. THE PREMISES SHALL BE KEPT FREE FROM ACCUMULATION OF WATER, MATERIALS, AND DEBRIS, AND AT THE END OF THE JOB THE TOOLS AND LEAVE THE BUILDING BROOM CLEAN.
14. SHOP DRAWINGS ARE AN AID FOR FIELD PLACEMENT AND ARE SUPERSEDED BY THE STRUCTURAL DRAWINGS. IT SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO MAKE CERTAIN THAT ALL CONSTRUCTION IS IN FULL AGREEMENT WITH THE LATEST STRUCTURAL DRAWINGS.
15. THE CONTRACTOR SHALL SUPPLY THE ENGINEER WITH ONE SEPIA COPY OR SIX BLUE LINE COPIES OF SHOP DRAWINGS A MINIMUM OF TWO WEEKS PRIOR TO PLACEMENT. THE REVIEW OF SHOP DRAWINGS BY THE ENGINEERS IS ONLY FOR GENERAL COMPLIANCE WITH THE STRUCTURAL DRAWINGS AND SPECIFICATIONS. THIS REVIEW DOES NOT GUARANTEE IN ANY WAY THAT THE SHOP DRAWINGS ARE CORRECT OR THAT IT DIFFERS THAT THEY SUPERSEDED THE STRUCTURAL DRAWINGS.
16. ALL FINISHES, MATERIALS, COLORS, TREATMENTS, ETC. SHALL BE SELECTED BY OWNER.



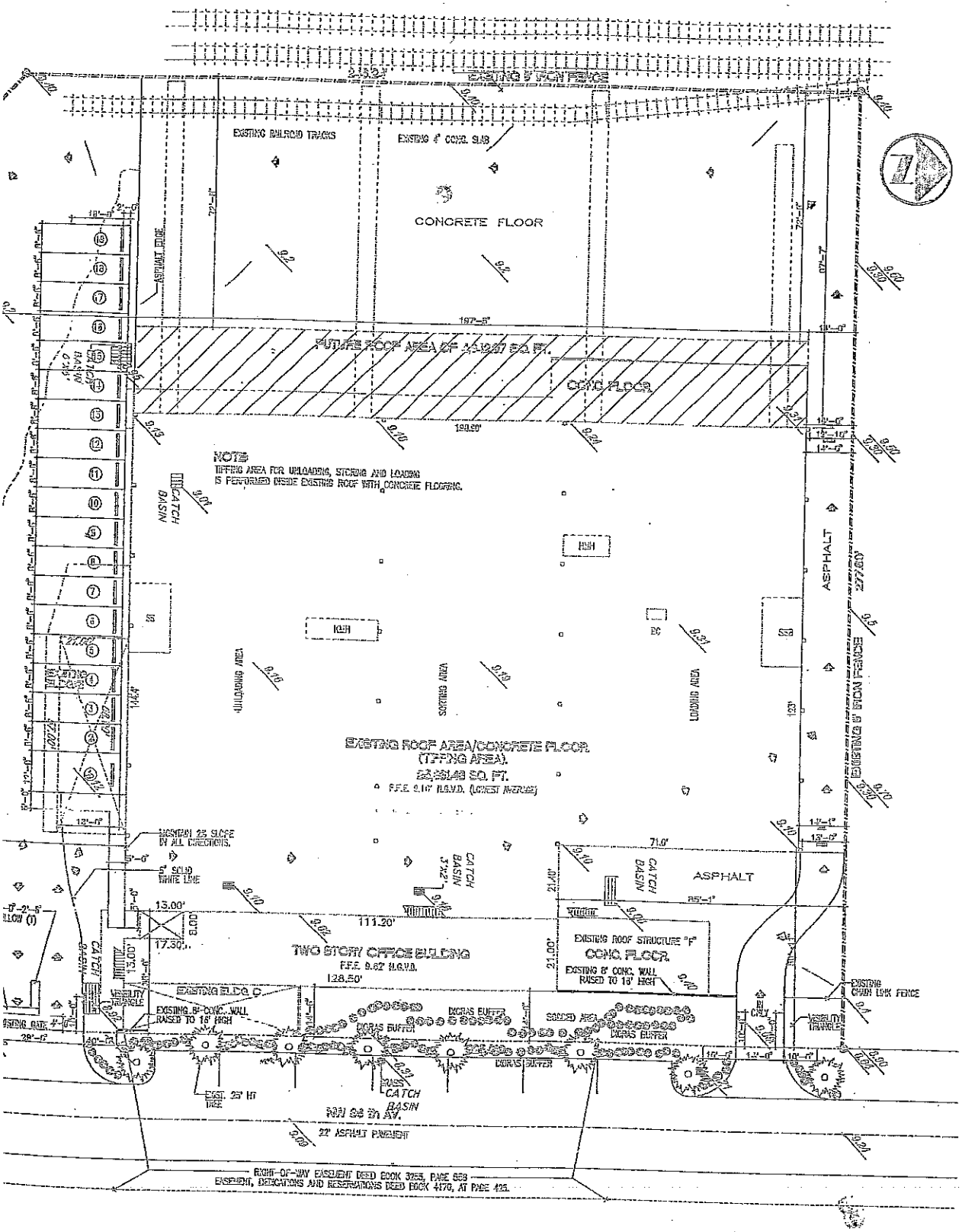
SCALE 1" = 20'-0"

LEGAL DESCRIPTION:

ALL THAT CERTAIN PARCEL OF LAND IN THE NW ¼ OF THE NW ¼ OF THE NW ¼ OF SECTION 9, TOWNSHIP 53 SOUTH, RANGE 41 BEST, MIAMI–DADE COUNTY, FLORIDA MORE PARTICULARY DESCRIBED ON SURVEY.

CONTR
–G.C. VERIF
COMMENCEM
ENGINEER C
–G.C. RESP
INTEGRITY C
–ALL DIMEN
INSPECTION.
REPORT AN
COMMENCEM

EXHIBIT "B"



CONTRACTOR NOTES:

-G.C. VERIFY ALL EXISTING CONDITIONS PRIOR TO COMMENCEMENT OF ANY WORK & INFORM ARCHITECT & ENGINEER OF ANY DISCREPANCIES.

-G.C. RESPONSIBLE FOR VERIFYING THE STRUCTURAL INTEGRITY OF EXISTING STRUCTURE.

-ALL DIMENSIONS GIVEN ON PLANS ARE BASED ON FIELD INSPECTION. G.C. TO VERIFY ALL EXISTING CONDITIONS AND REPORT ANY DISCREPANCIES TO ARCHITECT PRIOR TO COMMENCEMENT OF ANY WORK.

NOTE:

EXISTING BARBWIRE WHICH SITS ON TOP OF THE FENCES ALONG THE PERIMETER OF THE PROPERTY WILL BE CORRECTED TO EXTEND ONLY INSIDE THE PROPERTY LINE.

design consultants, inc.
6167 NW 167TH STREET SUITE: H-24
MIAMI, FLORIDA 33015
ID 0001355/B0000591 CA NO. 26681 PE NO. 31509
JOSE A. MARTINEZ P.E.

SEAL:

PROJECT NAME & ADDRESS:

OFFICE BUILDING.
FOR:
KING METAL RECYCLING.
8600 NW. 36 AVE. MIAMI, FL. 33142.

THIS DRAWING CONTAINS PROPRIETARY INFORMATION, IS THE PROPERTY OF "HED DESIGN CONSULTANTS, INC." AND MUST NOT BE REPRODUCED OR DISTRIBUTED WITHOUT THE EXPRESSED WRITTEN PERMISSION OF "HED DESIGN CONSULTANTS, INC."

REVISION NO	DATE	BY
1	02-03-2011	
2	02-03-2011	
3	06-16-2011	

CHECKED BY: HC

DRAWN BY: OG

DATE: 08-28-2010

SHEET TITLE:

SITE PLAN.

DATE. 08-28-2010

SHEET NO.

A-1

RECEIVED
By the Clerk for the record.

MAY 17 2012
Item 1
Exhibit 1-A
Meeting BCC ZONING
(12-1-CZ8-2/11-037)

TO: BOARD OF COUNTY COMMISSIONERS CHAMBERS
111 NW 1 STREET, 2ND FLOOR
MIAMI DADE COUNTY, FLORIDA 33125

RE: HEARING #11-037 OF KING METAL RECYCLING, LLC.

APPEAL TO THE HONOURABLE BOARD OF COUNTY COMMISSIONERS OF MIAMI DADE.

We the residents of the Community of "ELSON MANORS" A/K/A "Broadmoore Community" request the denial of the appeal of "KING METAL RECYCLING, LLC." To change the zoning of the area from "GU to IU-3" and to permit the facility to be spaced less than the required 500 feet distance from residences, to allow a lesser setback of the building from the property line, to permit less parking spaces than the required and to allow walls higher than that required by Dade County Building and Zoning Department.

Reason for our Request.

1 Damage to our homes from the constant vibration coming from the recycling compacter (cracks in the walls, ceilings, floors and drive-ways).

2 The constant noise, week-days and week-ends. Residents cannot have peace and tranquility in their homes.

3 Health problems arising or being aggravated by the particles of metal and dust floating in the environment which are inhaled by residents. Our families cannot enjoy being outdoors any more, since the kids and elderly are being plagued with respiratory problems.
The particles of "LAMPBLACK OR FINE DUST" appears on our furniture, terraces and cars.

4 Fear of fire and explosion when torch is being used, which cause lots of black smoke.

5 The constant traffic of large trucks (20 and 40 feet) on NW 36 Avenue, 83 and 87 Street ignoring speeding signs near Madison Middle and Broadmoore Elementary schools.

6 Destruction of neighborhood streets.

First Hearing with the Community Hearing Board on January 18, 2012.

The residents of Elson Manors attended a meeting on January 18, 2012 with the Community Hearing Board at the Henry Reaves Elementary School regarding the zoning change request of King Metal Recycling LLC.
At that meeting the Board's conclusions was that another hearing would be held on February 15, 2012 in order for the County to gather more information from the Permitting Department regarding the County ordinances on clean air, pollution, traffic, etc.

Meeting with Commissioner Jean Monestine on February 8, 2012.

Prior to the second hearing the residents met on February 8, 2012 with our Commissioner Mr. Jean Monestine and at that time we expressed our concerns about the way Dade County had granted a recycling company a permit to operate in our neighborhood without meeting the requirements stated in Dade County Ordinances.
At the meeting with Mr. Monestine we presented photos of the location condition, the streets leading to the facility, the vehicles trafficking the neighborhood, also samples of the dust collected in our homes and on our vehicles. Mr. Monestine told us that he would request a hearing before the County Board of Commissioners where we could explain our concerns and present our proofs.

Second Hearing with the Community Hearing Board on February 15, 2012.

During the hearing on February 15, 2012 at the Henry Reeves Elementary School, King Metal Recycling presentation by their contractors with pictures of the building and the main street in front of the facility did not satisfy the Community Hearing Board due to them not being able to answer specific questions relating to noise, vibration and pollution control.

At this meeting King Metal Recycling request was denied by the Community Hearing Board, without prejudice, allowing them to appeal the decision of the Board. At this meeting the residents were not allowed to speak or to present any more evidence of the existing problem.

Observation.

This facility is located too close to a residential area, with only North West 36 Avenue separating it from residential homes and whatever changes to the facility that have been made or will be made will not alleviate the problem.

Residents Information.

The residents of this community have been in this location for many years, and choose to purchase our homes in this community. We have a great amount of retirees, who at this age would like to have a normal life and enjoy our homes, but cannot do so in this situation.

There are damages to our homes from the operation of the recycling plant, and every day there are more appearing. This is part of our life, we have invested our years/life into this community and will not allow this in our community.

Following are photos of the damages to our homes.

Photos Re: King Metal Recycling LLC

Photo #1 King Metal Recycling operation one year ago December, 2011.

Photo #2 Type of items that are recycled at the facility (including steel, iron, refrigerators, old school busses, all machinery, metal containers to be cut into scrap), and condition of the facility.

Photo #3 Distance of the facility to the residencies showing less than 500 feet per regulation.

Photo #4 Truck used to wet the street to keep down dust.

Photo #5 Street condition due to so much traffic.

Photo #6 One of the company's 18 wheeler truck exiting the facility going very near to the fences of the homes on 36 avenue.

RD FONTAINEBLEAU, LLC
Fontainebleau Lakes

Public Hearing No. 11-130
Board of County Commissioners
May 17, 2012

RELATED

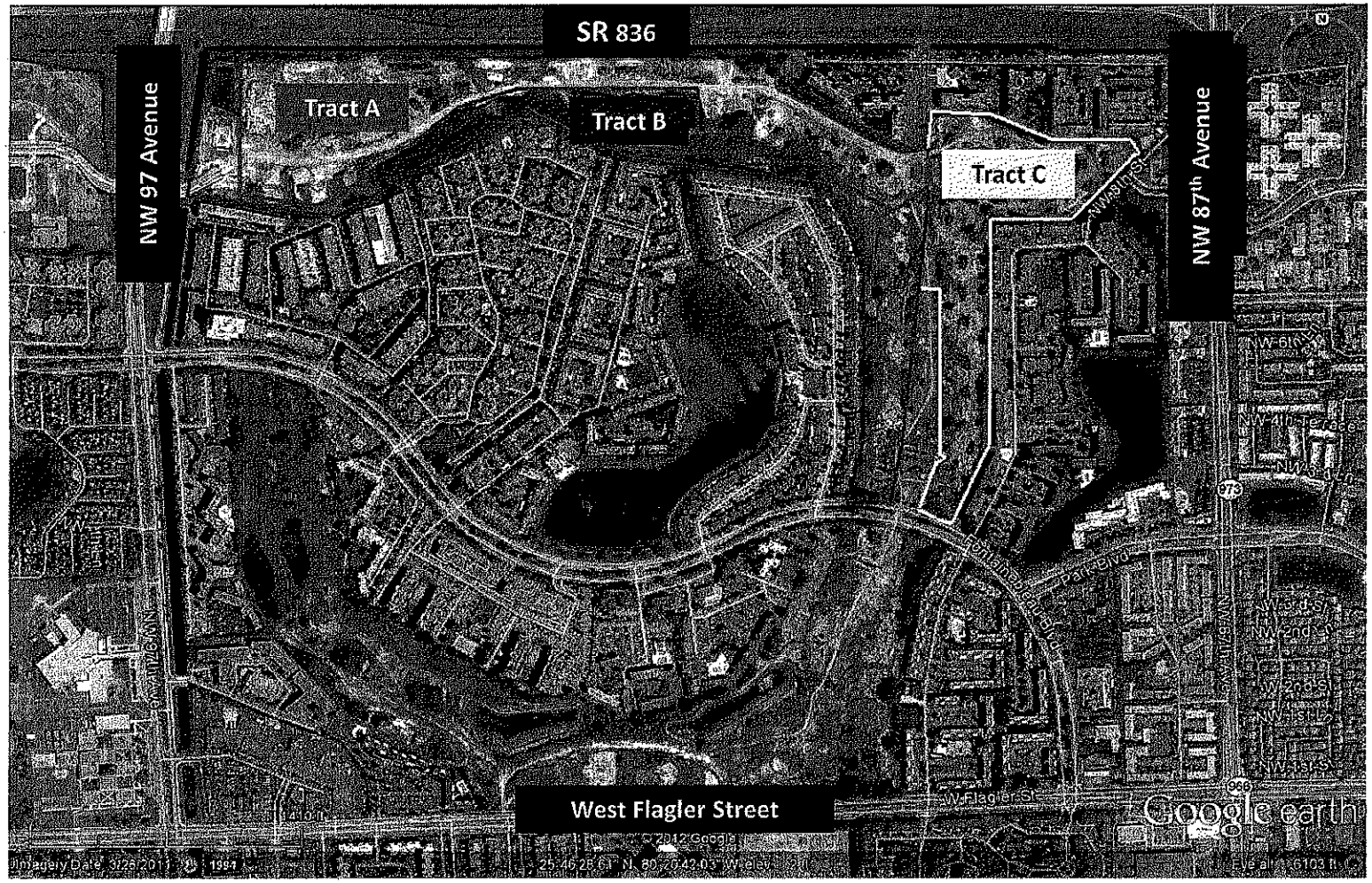
BERCOW RADELL & FERNANDEZ
ZONING, LAND USE AND ENVIRONMENTAL LAW

RECEIVED
By the Clerk for the record
MAY 17 2012
Item 2

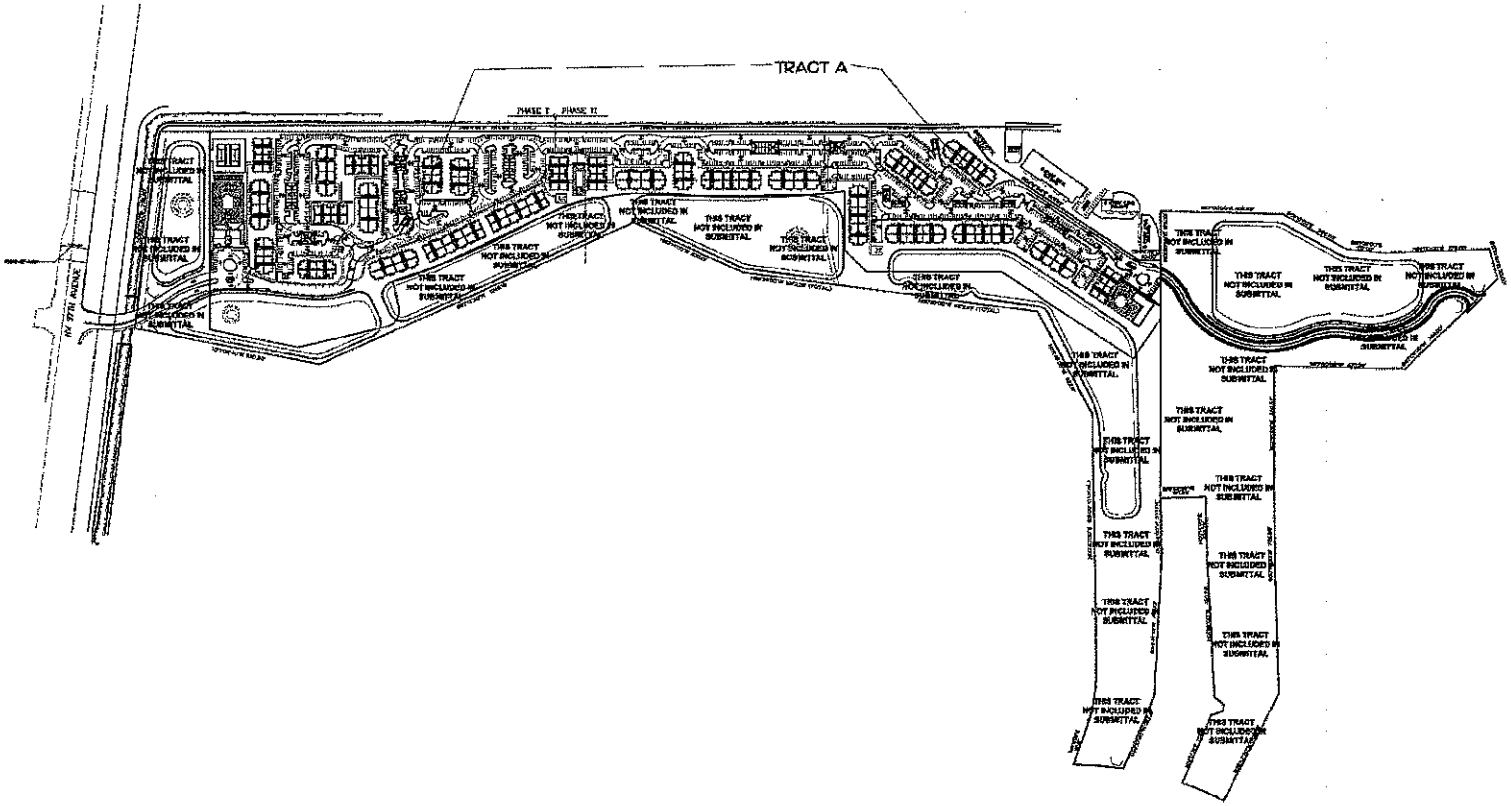
Exhibit 2-A
Meeting BCC ZONING (12-5-CC-1/11-130)

Rendering

Aerial

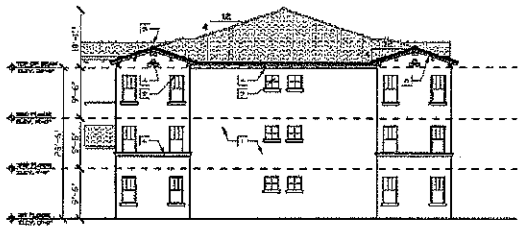

SR 836
NW 97 Avenue
Tract A
Tract B
Tract C
NW 87th Avenue
West Flagler Street
Google earth

Overall Site Plan

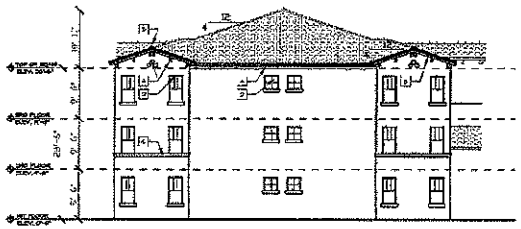


RD FONTAINEBLEAU, LLC
Public Hearing No. 11-130

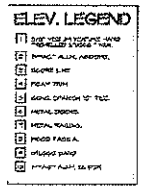
Elevation Building Type I

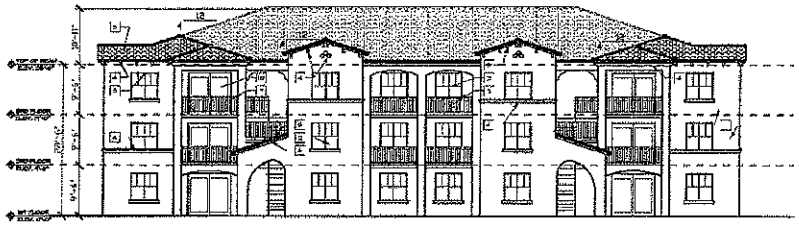


RIGHT ELEVATION

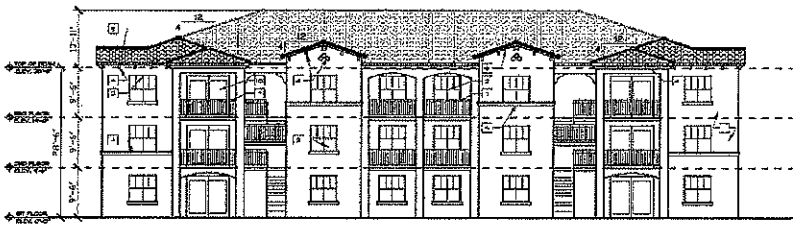


LEFT ELEVATION



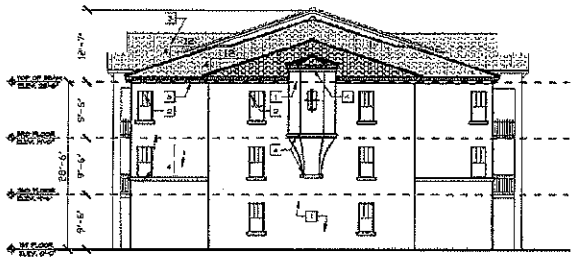


FRONT ELEVATION



REAR ELEVATION

Elevation Building Type II



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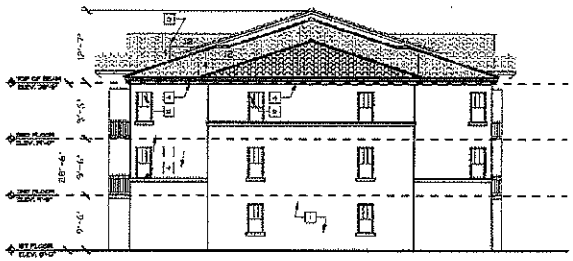

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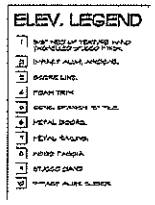

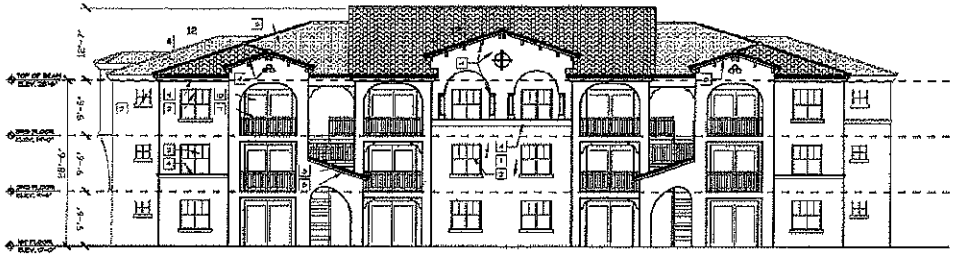

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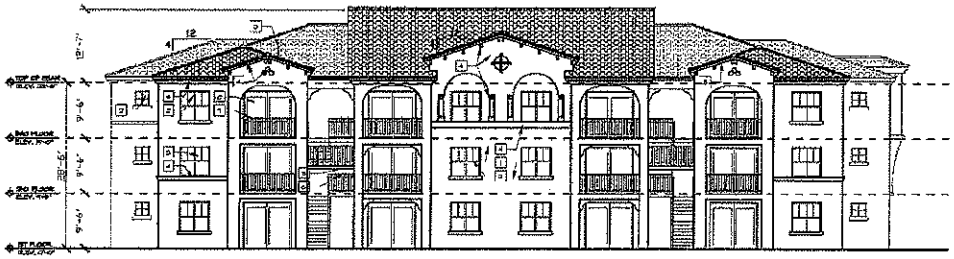
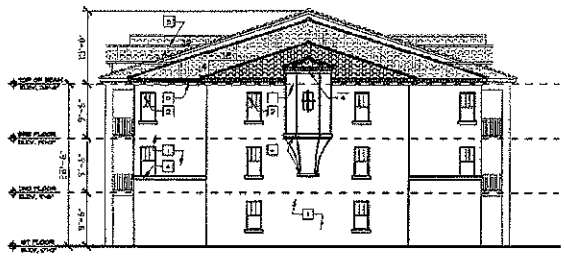
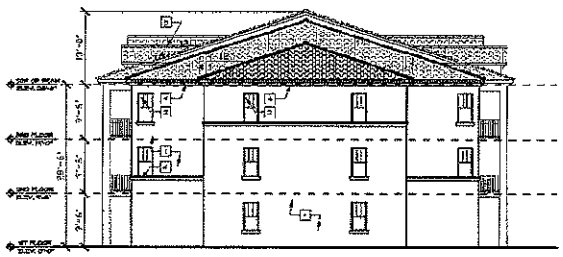


REAR ELEVATION

Elevation Building Type III



RIGHT ELEVATION



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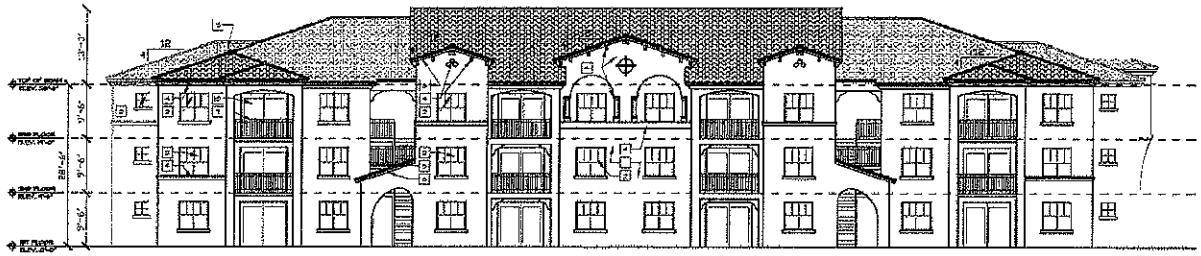
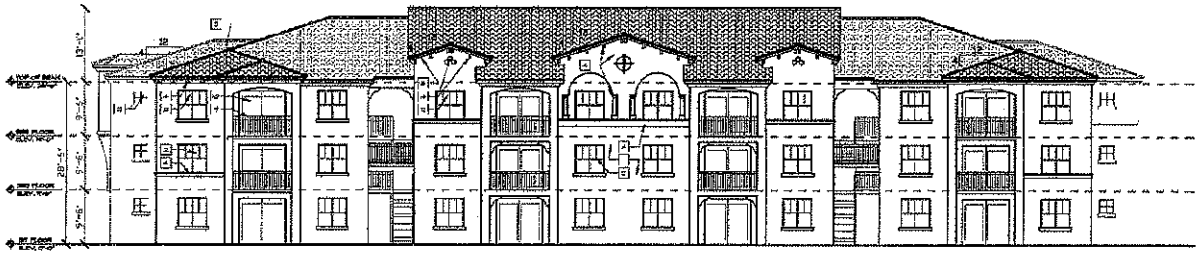
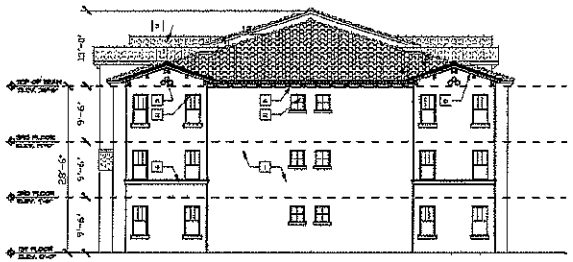


FRONT ELEVATION



REAR ELEVATION

Elevation Building Type IV



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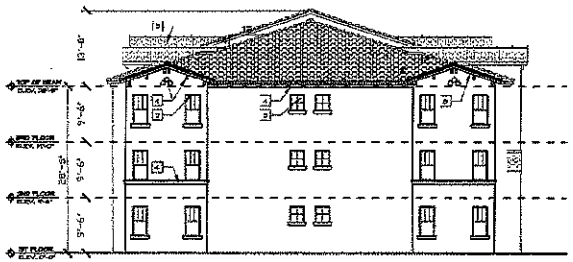

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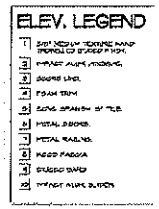
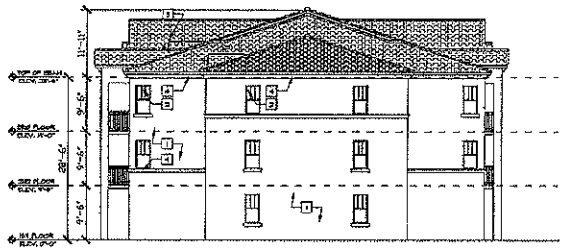


FRONT ELEVATION

REAR ELEVATION

RD FONTAINEBLEAU, LLC
Public Hearing No. 11-130

Elevation Building Type V



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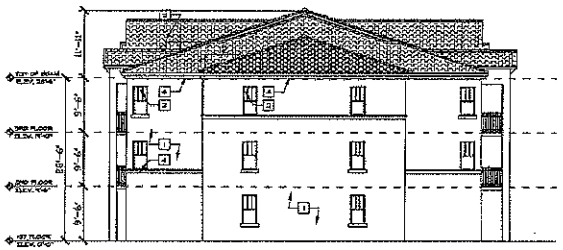

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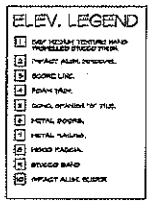

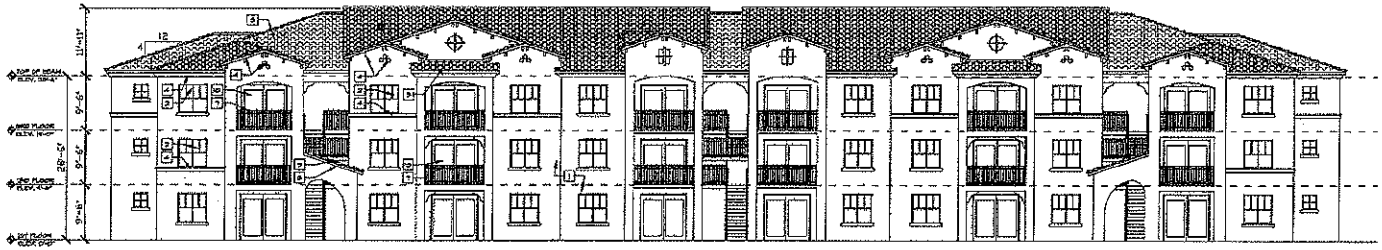

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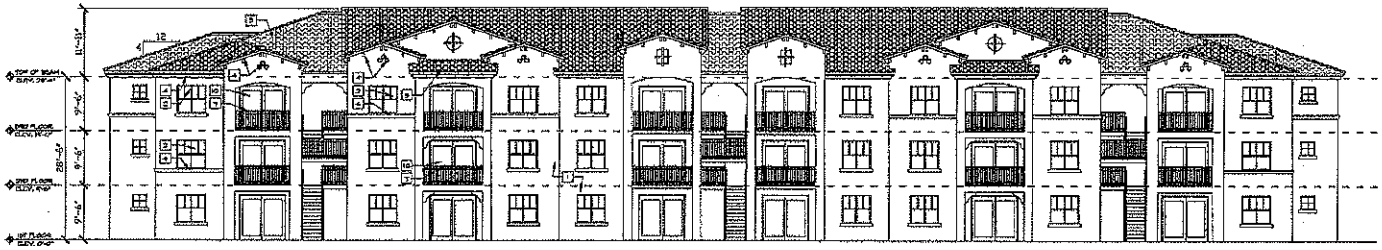
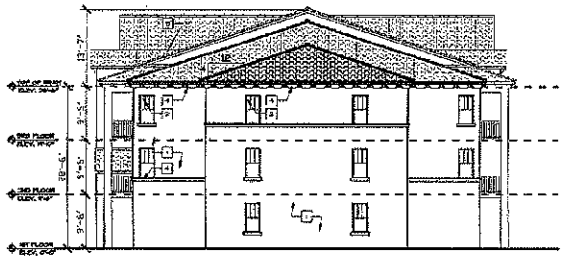


REAR ELEVATION

Elevation Building Type VI



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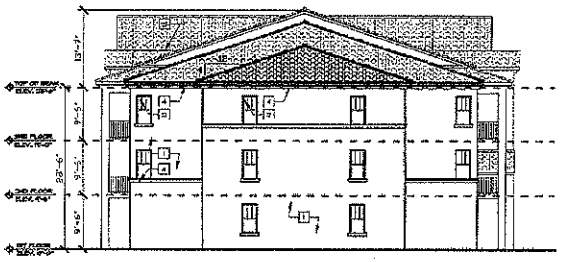
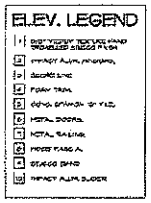


LEFT ELEVATION

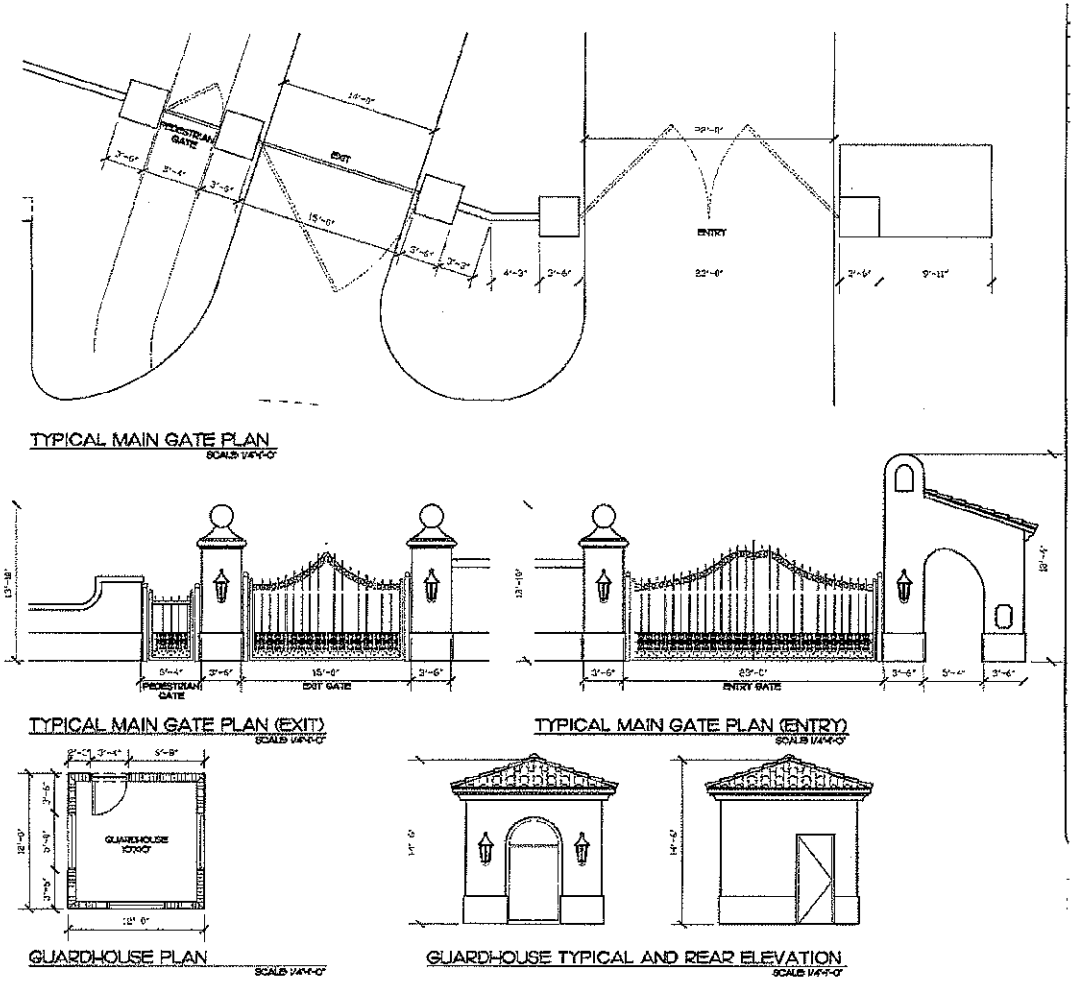


FRONT ELEVATION

REAR ELEVATION

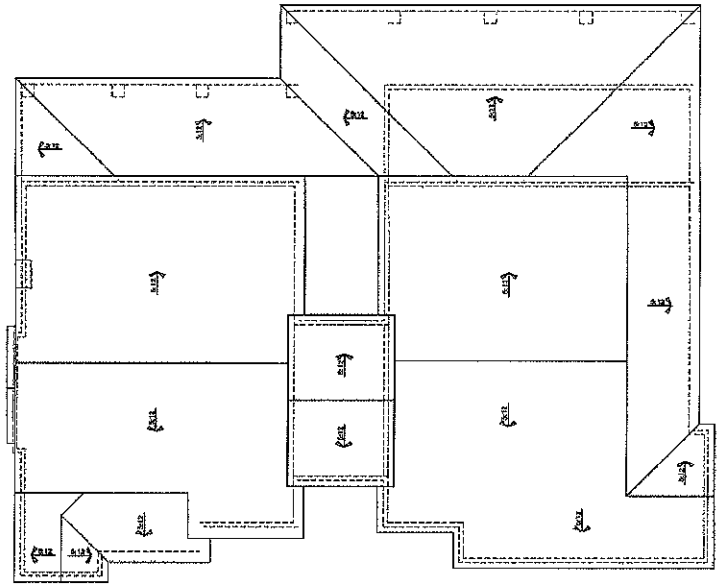
RD FONTAINEBLEAU, LLC
Public Hearing No. 11-130

Main Entrance

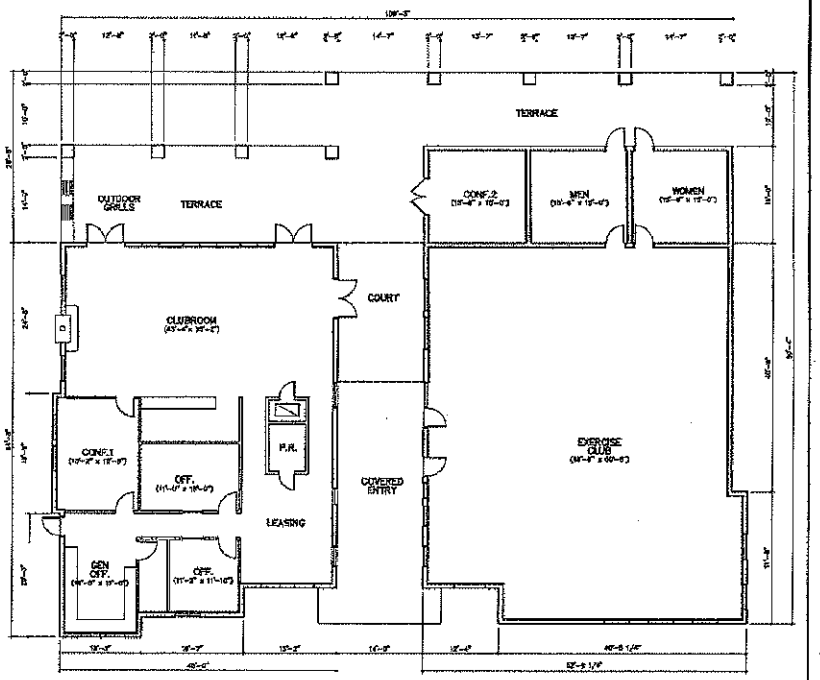


RD FONTAINEBLEAU, LLC
Public Hearing No. 11-130

Club House Phase I

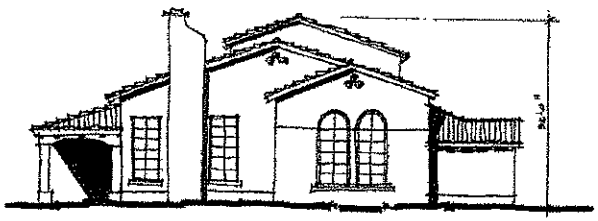


CLUBHOUSE ROOF PLAN
SCALE: 1/8"=1'-0"



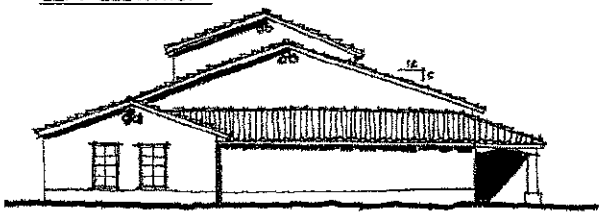
CLUBHOUSE FLOOR PLAN
A/C AREA = 6,682.00 SF
PORCH AREA = 2,873.84 SF
TOTAL AREA = 9,555.84 SF
SCALE: 1/8"=1'-0"

Clubhouse Phase I

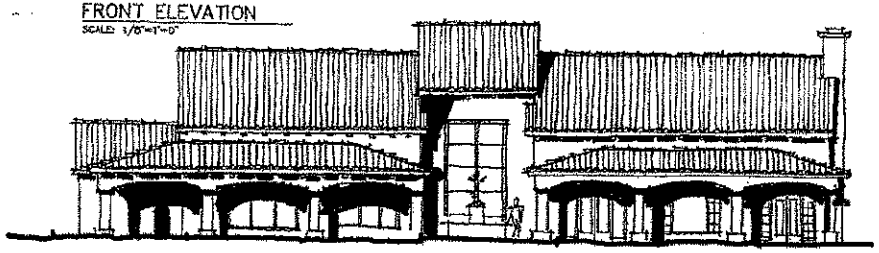


LEFT ELEVATION

FRONT ELEVATION

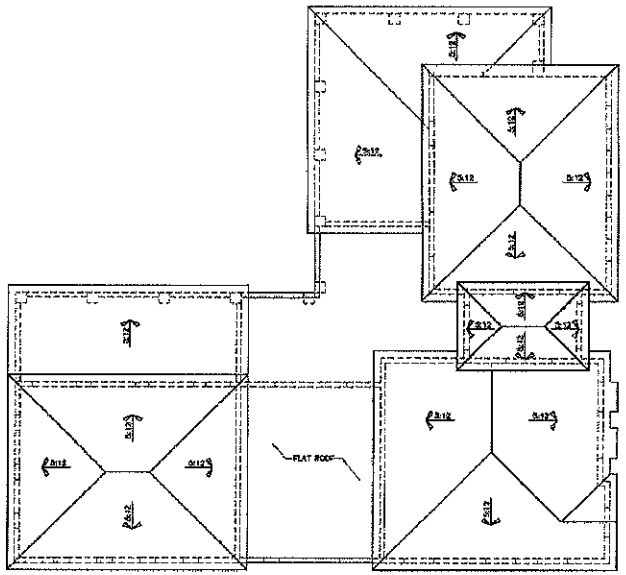


RIGHT ELEVATION

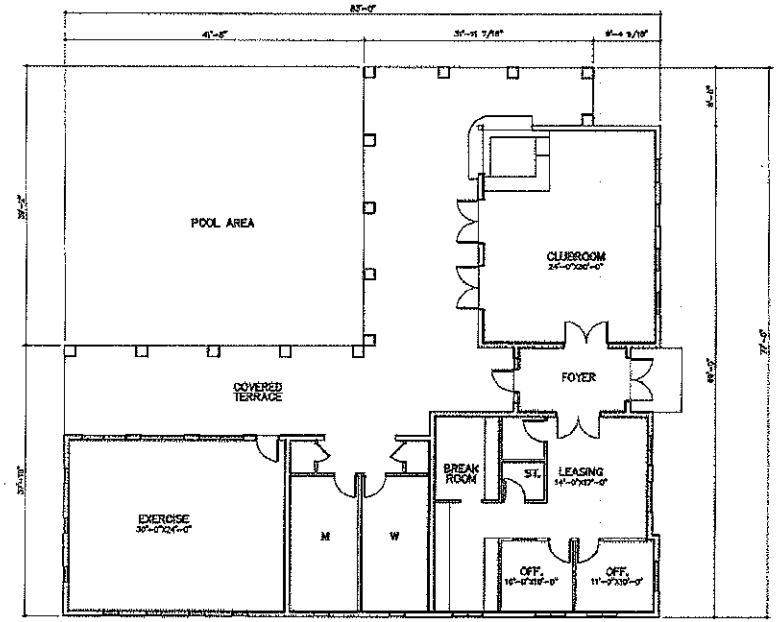


REAR ELEVATION

Clubhouse Phase II

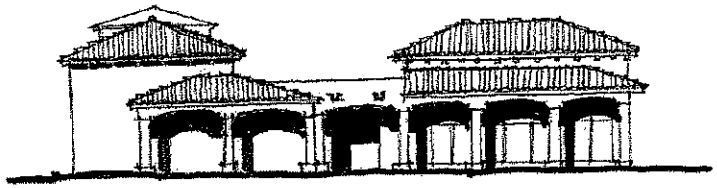


CLUBHOUSE ROOF PLAN
SCALE: 1/8"=1'-0"

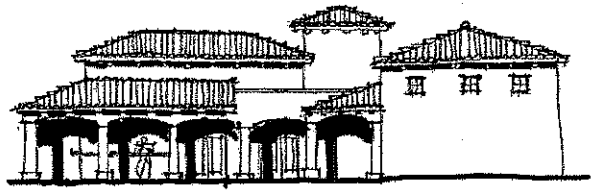


CLUBHOUSE FLOOR PLAN
A/C AREA = 3,132.94 SF
PORCH AREA = 1,497.46 SF
TOTAL AREA = 4,630.40 SF
SCALE: 1/8"=1'-0"

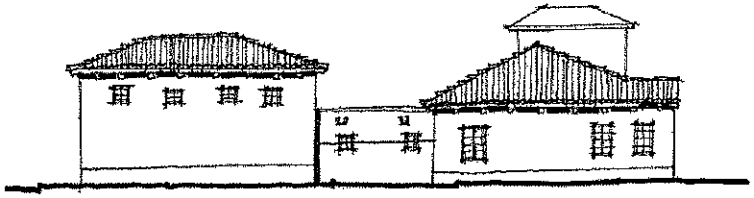
Clubhouse Phase II



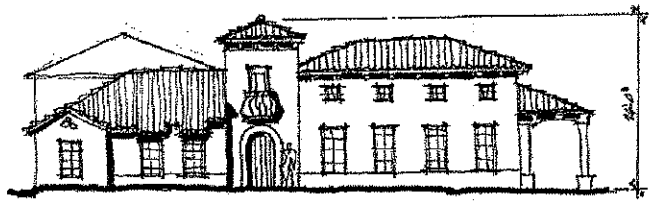
RIGHT SIDE ELEVATION



REAR ELEVATION

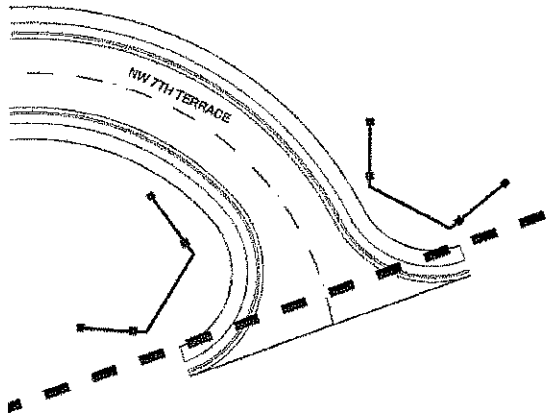


LEFT SIDE ELEVATION

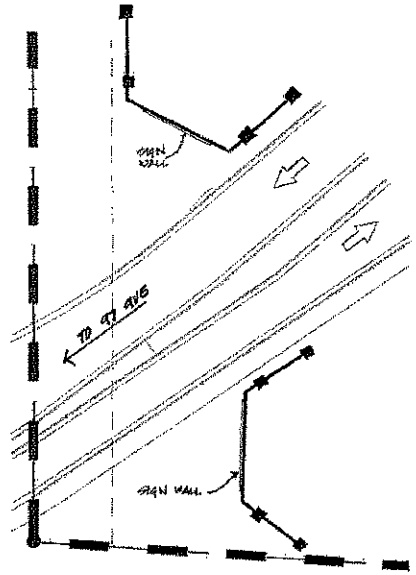


FRONT ELEVATION

Signage Plans



ENTRY SIGNAGE FEATURE
N.T.S.



ENTRY SIGNAGE FEATURE
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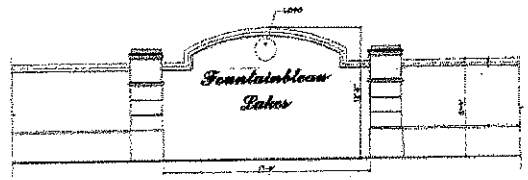
DIRECTIONAL SIGNAGE FEATURE ELEVATION



ENTRY SIGNAGE FEATURE ELEVATION
TYPICAL

ENTRY SIGNAGE FEATURE
N.T.S.

ENTRY SIGNAGE FEATURE
N.T.S.

ENTRY SIGNAGE FEATURE ELEVATION
TYPICAL

RD FONTAINEBLEAU, LLC
Public Hearing No. 11-130

RD FONTAINEBLEAU, LLC

Fontainebleau Lakes

Public Hearing No. 11-130

Board of County Commissioners

May 17, 2012

RELATED

BERCOW RADELL & FERNANDEZ

ZONING, LAND USE AND ENVIRONMENTAL LAW

X

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 5-17-12 BCC Mtg. Date: 5-17-12 Agenda Item#: 11-037

Subject: KING. METAL RECYCLING.

Name: JUAN HEREDIA

Address: 8526 N.W. 35 PLC. MIA. FLA. 33147

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, 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: BROADMOORE COMMUNITY

Organization Firm Client

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

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 5/17/12 BCC Mtg. Date: 5/17 Agenda Item#: 11-037

Subject: King metal

Name: Mayra Arias

Address: 9421 NW 33 ct

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, 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: Broadmore Community

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

X

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 5/17/2012 BCC Mtg. Date: _____ Agenda Item#: 11-037

Subject: King Metal Recycling Hearing

Name: Jon Labate

Address: 8613 NW 35 Pl Miami FL 33147

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, 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

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 05/17/12 BCC Mtg. Date: _____ Agenda Item#: 09-53-41 11037

Subject: KING METAL RECYCLING

Name: DINET GALOP McCOY

Address: 8543 NW 35 PL. MIAMI, FL. 33147

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, 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: BROADMOORE COMMUNITY

Organization Firm Client

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 5/17/12 BCC Mtg. Date: _____ Agenda Item#: 11 130

Subject: FONTAINEBLEAU LAKES LLC

Name: CLAUDE FABRE

Address: 10464 NW 5 TER, MIAMI, FL 33172

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, 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

Do you require an Interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 1/17/12 BCC Mtg. Date: _____ Agenda Item#: (3) 11-130

Subject: Fontainebleau Lakes LLC

Name: JESUS CAMCASSES

Address: 780 NW 99 PL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, 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

Do you require an interpreter?

¿Necesita un intérprete? ☐ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ☐ Creole/*Kreyol*

AGAINST Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 5-17-12 BCC Mtg. Date: _____ Agenda Item#: 2

Subject: Fontainebleau Lakes

Name: Sandy Contreras

Address: 9703 SW 1 St

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, 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

Do you require an interpreter?

¿Necesita un intérprete? ❑ Spanish/*Español* *Èske w bezwen yon Entèprèt?* ❑ Creole/*Kreyol*

ZONING MEETING
BOARD OF COUNTY COMMISSIONERS
May 17, 2012

Prepared by: Alicia Stephenson

EXHIBITS LIST

NO.	DATE	ITEM #	DESCRIPTION
1	5/17/2012	Item No. 1	Appeal to the Board of County Commissioners Regarding King Metal Recycling, LLC's Application-From Residents of Elson Manors
2	5/17/2012	Item No. 1	Letter Confirming the Applicant's Withdrawal of the Item
3	5/17/2012	Item No. 2	Presentation- RD Fontainbleau, LLC/Fontainbleau Lakes

The foregoing exhibits were submitted for the record on May 17, 2012 and transferred to the care, custody, and control of the Department of Planning & Zoning on May 23, 2012.

ATTEST:

HARVEY RUVIN, Clerk
Clerk of Circuit and County Courts
Miami-Dade County, Florida

Alicia Stephenson
Deputy Clerk

RECEIVED BY: Earl Jones — Earl Jones — 5/23/2012

(SIGN) **(PRINT)** **(DATE)**