

Memorandum

MIAMI-DADE
COUNTY

Date: April 20, 2010
To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

Agenda Item No. 5(D)

From: George M. Burgess,
County Manager



Subject: AGUIRRES AT WESTWOOD LAKE

Recommendation

The following plat is hereby submitted for consideration by the Board of County Commissioners for approval. The Miami-Dade County Plat Committee recommends approval and recording of the plat listed below. This plat is bounded on the north by Westwood Lake South, on the east by approximately SW 110 Avenue, on the south by SW 51 Terrace, and on the west by approximately SW 111 Avenue.

Scope

This plat is located within the boundaries of Commission District 10.

Fiscal Impact /Funding Source

Not Applicable

Track Record/Monitor

Not Applicable

Background

AGUIRRES AT WESTWOOD LAKE (T-22229)

- Located in Section 19, Township 54 South, Range 40 East
- Commission District: 10
- Zoning: RU-1
- Proposed Usage: Single family residences
- Number of parcels: 2
- This plat meets concurrency

Plat Restrictions

- That the Terrace, as illustrated on the plat, together with all existing and future planting, trees, shrubbery and fire hydrants thereon, are hereby dedicated to the perpetual use of the public for proper purposes, reserving to the dedicators, their successors or assigns, the reversion or reversions thereof whenever discontinued by law.
- That individual wells shall not be permitted within this subdivision, except for swimming pools, sprinkler systems and/or air conditioners.
- That the use of septic tanks will not be permitted on any lot within this subdivision, unless approved for temporary use, in accordance with County and State regulations.
- That all new electric and communication lines, except transmission lines, within this subdivision, shall be installed underground.
- That areas adjacent to the lake and canal are to be graded to prevent overland stormwater runoff into the lake and canal.

- That the lands lying within the areas designated as Canal Maintenance Easement in the plat, and the drainage system relating thereto, are hereby reserved unto Westwood Lake, Inc., its successors and assigns, to enable Westwood Lake, Inc., its successors and assigns access to said lands for the purpose of maintaining the canal and drainage system relating thereto; and such reservations shall continue until the maintenance of the canal and drainage system relating thereto is assumed and taken over by a Public Agency at which time the aforementioned lands shall automatically be dedicated to such public agency for such maintenance purposes and Miami-Dade County, Florida shall have the right to use said "Canal Maintenance Easement" for such maintenance purposes.
- That the waters of Westwood Lake South, as illustrated in the plat, are hereby dedicated to the joint and several uses and ownership of the present and future owners of lots shown by this plat and said present and future owners shall have the right in favor of themselves, their families, their tenants and their guests, to full access, use and enjoyment of said Westwood Lake South for purposes of swimming, boating, fishing and other lawful purposes which said rights may be exercised without involving trespass upon the lot or property of other owners and without constituting said Westwood Lake South a nuisance to other lot owners; provided, however, access, use and enjoyment herein mentioned shall not be exercised for any commercial purposes or for any purpose of obtaining profit; and said use and enjoyment shall not authorize the construction and maintenance of boathouse on the shores of said Westwood Lake South or extending into the waters thereof. Also the waters of said lake and the land covered thereby are hereby dedicated to the public for the purposes and to the extent of permitting full and unlimited activity of any public agency in the installation and maintenance properly required in the drainage of said Westwood Lake South and adjacent areas if and when responsibility for such drainage may be assumed or taken over by such public agency, Canal I is dedicated to the public for use as a public canal and for all purposes incidental thereto and the only rights retained by Westwood Lake, Inc., a Florida corporation, in and to the waters of said lake and canal and the land covered thereby, are such as will be required to enable proper maintenance of the lake and canal and related drainage system and drainage operations by Westwood Lake, Inc., pursuant to agreement entered into between said corporation and Veterans Administration and others for said maintenance purposes and such rights shall continue to be retained by Westwood Lake, Inc., until such time as governmental agency takes over the maintenance of said lake, at public expense, or other satisfactory arrangement for said maintenance is made to the satisfaction of Federal Housing Administration and/or Veterans Administration and with Miami-Dade County and Miami-Dade County Health Department.
- That the canal, as illustrated on the plat, is hereby dedicated to the public for the purpose and to the extent of permitting full and unlimited activity of Westwood Lake, Inc., its successors and assigns in maintenance operations as legally required and for inspection and maintenance operations by any public agency having jurisdiction therein, otherwise, said canal is hereby reserved for joint and several use of the present and future owners of lots abutting said canal and said present and future owners of lots shall have the right in favor of themselves, their families, their tenants and their guests to full access, use and enjoyment of said canal for lawful purposes, excepting that lot owners may not trespass or go over and across other properties in connection with the use of said canal or create a nuisance to other lot owners; and said use and enjoyment shall not authorize the construction and maintenance of boat houses on the shores of said canal or piers or docks, extending into the waters thereof. Westwood Lake, Inc. hereby agrees to maintain said canal until such time as some governmental agency takes over the maintenance of said canal or portions thereof at public expense, and as when portions of said canal is maintained by a public governmental agency, then Westwood Lake, Inc., will continue to maintain those portions of the canal which are not maintained by a public or governmental agency.
- That the utility easements, depicted by dashed lines on the plat, are hereby reserved for the installation and maintenance of public utilities.

Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners
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Developer's Obligation

- None, all improvements are in place.

Should you need additional information, please contact Mr. Raul Pino, PLS, Chief, Land Development Division, Public Works Department at (305) 375-2112.



Assistant County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss DATE: April 20, 2010
and Members, Board of County Commissioners

FROM: R. A. Cuevas, Jr. SUBJECT: Agenda Item No. 5(D)
County Attorney

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No. 5 (D)

Veto _____

4-20-10

Override _____

RESOLUTION NO. _____

RESOLUTION APPROVING THE PLAT OF AGUIRRES AT WESTWOOD LAKE, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 54 SOUTH, RANGE 40 EAST (BOUNDED ON THE NORTH BY WESTWOOD LAKE SOUTH, ON THE EAST BY APPROXIMATELY SW 110 AVENUE, ON THE SOUTH BY SW 51 TERRACE, AND ON THE WEST BY APPROXIMATELY SW 111 AVENUE)

WHEREAS, Uriel Aguirre and Alexandra Aguirre and Armando Llizo and Concepcion Llizo, have this day presented to this Board a plat of certain lands lying in Miami-Dade County, Florida, said plat to be known as AGUIRRES AT WESTWOOD LAKE, the same being a replat of Lots 25 and 26, Block 78 of "Seventh Addition to Westwood Lake", according to the plat thereof, as recorded in Plat Book 65, at Page 101, of the Public Records of Miami-Dade County, Florida, lying and being in the Southeast 1/4 of Section 19, Township 54 South, Range 40 East, Miami-Dade County, Florida, and it appears that all requirements of law concerning said plat insofar as the authority of this Board is concerned have been complied with,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that said plat is hereby approved; that the dedication of the streets, alleys and other rights-of-way however designated or depicted on said plat is hereby accepted; that the Miami-Dade County Plat Restrictions as listed on said plat are approved and are to be enforced; that approval of the plat is not a waiver of any zoning regulations and that the requirements of the zoning existing on this land at the time this resolution is approved shall be enforced whether or not the various parcels on this plat conform

to those requirements; this approval is conditioned upon the proper execution of all documents required by the County Attorney's Office.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro
Carlos A. Gimenez
Barbara J. Jordan
Dorin D. Rolle
Katy Sorenson
Sen. Javier D. Souto

Audrey M. Edmonson
Sally A. Heyman
Joe A. Martinez
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of April, 2010. This resolution 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.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

BY: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. 
Joni Armstrong Coffey

AGUIRRE'S AT WESTWOOD LAKE
T-22229

