Memorandum

MIAMI-DADE COUNTY

Date: November 3, 2011

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

Agenda Item No. 5(B)

From: Carlos A. Gimenez
Mayor

Subject: Rescinding the Plat for HOLLY POINTE

Recommendation
The Miami-Dade County Plat Committee recommends rescinding the plat indicated below. The ownership as noted on the plat and Resolution No. R-1458-04 (attached), was changed after the plat was approved by the Miami-Dade County Board of County Commissioners (BCC) on December 14, 2004 and prior to the plat's recordation. This plat is bounded on the north by SW 260 Street, on the east by SW 137 Avenue, on the south by SW 264 Street, and on the west by SW 138 Avenue.

Scope
This plat is located within the boundaries of Commission District 9.

Fiscal Impact/Funding Source
Not Applicable

Track Record/Monitor
Not Applicable

Background
HOLLY POINTE (T-21390)

- Located in Section 27, Township 56 South, Range 39 East
- Commission District: 9
- Zoning: NCUCD
- Proposed Usage: Townhomes
- Number of parcels: 146
- The ownership as noted on the plat and resolution R-1458-04 changed after the plat was approved by the BCC and prior to the plat being recorded. However, no transfer of title occurred of any individual lot as shown on said plat. In addition, the Naranja Community Urban Center Zoning District was adopted by Chapter 33 of the Miami-Dade County Code of Ordinances, subsequent to the plat's approval, to promote urban centers in places where mass transit, roadways and highways are highly accessible. As such, the manner in which the site was to be originally developed was amended with the approval of a new site plan which complied with the aforementioned zoning district regulations. The new site plan was approved on July 9, 2007 by the Planning and Zoning Department.

Plat Restrictions
Not Applicable

Developer's Obligation
Not Applicable

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

County Manager/Deputy Mayor

MEMORANDUM

(Revised)

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

DATE: November 3, 2011

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 5(B)

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
Veto _____
Override _____

Agenda Item No. 5(B)
11-3-11

RESOLUTION NO. _____

RESOLUTION RESCINDING RESOLUTION NO. R-1458-04 REGARDING THE PLAT OF HOLLY POINTE, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 57 SOUTH, RANGE 39 EAST (BOUNDED ON THE NORTH BY SW 260 STREET, ON THE EAST BY SW 137 AVENUE, ON THE SOUTH BY SW 264 STREET, AND ON THE WEST BY SW 138 AVENUE)

WHEREAS, Holly Pointe, Ltd., a Florida limited partnership, presented to this Board for consideration a plat of certain lands lying in Miami-Dade County, Florida, said plat to be known as HOLLY POINTE, the same being a subdivision lying and being in a portion of the Southeast 1/4 of Section 27, Township 56 South, Range 39 East, Miami-Dade County, Florida, and it appeared that all requirements of law concerning said plat insofar as the authority of the Board were concerned had been complied with

WHEREAS, the ownership as noted on the plat and Resolution No. R-1458-04 was changed after the plat was previously approved by the Board of County Commissioners, and before the plat was recorded; and

WHEREAS, an expressed purpose of this resolution is to rescind Resolution No. R-1458-04 adopted on the 14th day of December, 2004; and

WHEREAS, a new site plan depicting a revised development design of this site was approved July 9th, 2007 by the Planning and Zoning Department which supersedes and replaces the previous site plan approved February 2nd, 1999, the new site plan being different

than the lot and block configuration as shown on the unrecorded plat of HOLLY POINTE, approved by the Board of County Commissioners by said Resolution No. R-1458-04; and

WHEREAS, a new, revised tentative plat entitled Costa Blanca Homes, Tentative Plat number T-22814, was submitted to, and approved by, the Miami-Dade County Plat Committee on May 20th, 2011, which conforms to the most recently approved site plan designed in accordance with the Naranja Community Urban Center Zoning District as approved pursuant to Resolution No. Z-13-05,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that said Resolution No. R-1458-04 adopted December 14th, 2004 which approved the plat of HOLLY PONTE is rescinded to allow the future development and platting of the property in accordance with the current plans and regulations.

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:

Joe A. Martinez, Chairman
Audrey M. Edmonson, Vice Chairwoman

Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of November, 2011. 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. JM

John McInnis

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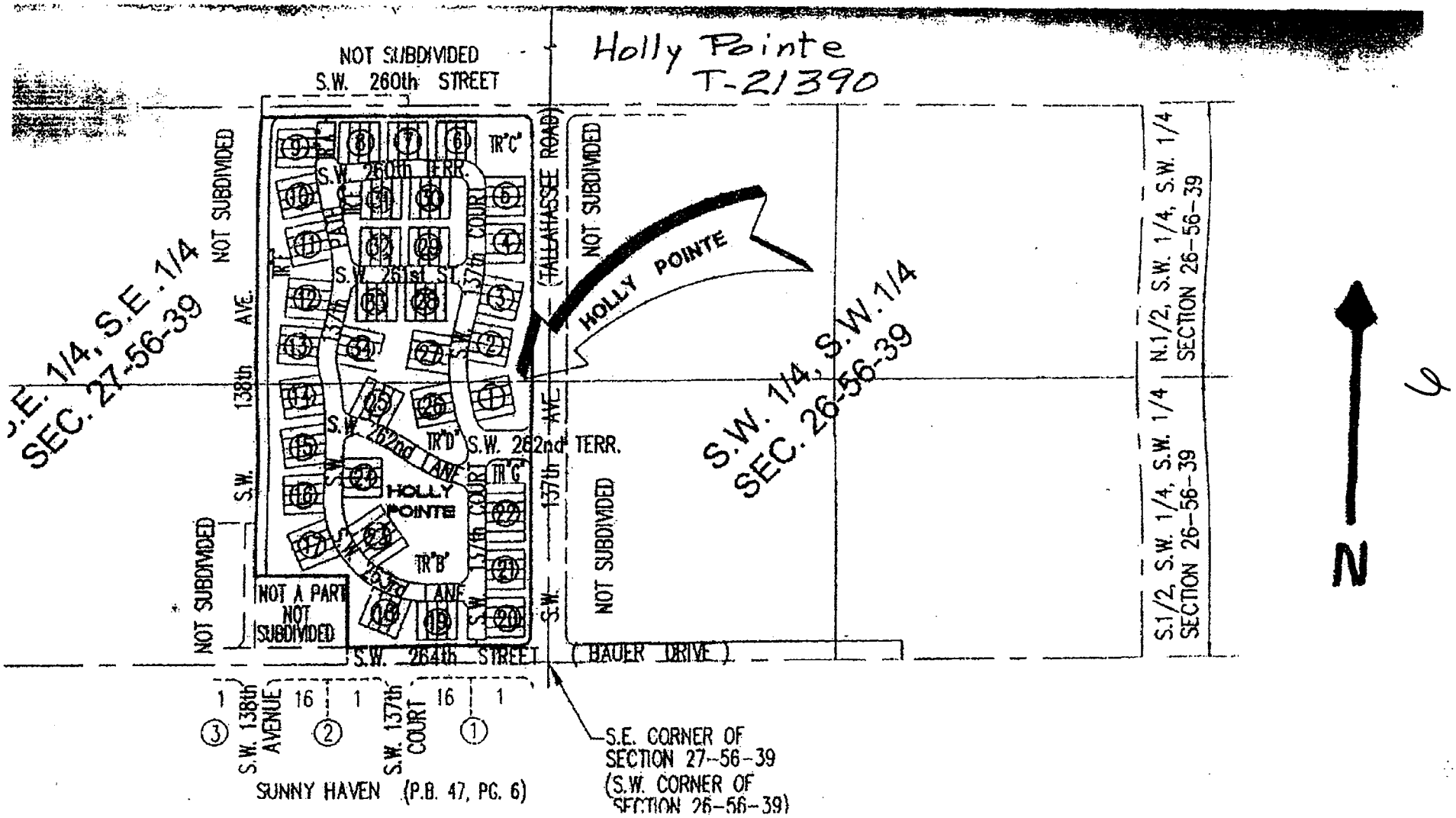
Holly Pointe
T-21390



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Memorandum

MIAMI-DADE COUNTY

Agenda Item No. 4(H)

Date: December 14, 2004

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

From: George M. Burgess
County Manager

Subject: HOLLY POINTE

The following plat meets concurrency and is hereby submitted for consideration by the Board of County Commissioners on December 14, 2004. The Miami-Dade County Plat Committee recommends approval and recording of the plat listed below. This plat is bounded on the north by SW 260 Street, on the east by SW 137 Avenue, on the south by SW 264 Street, and on the west by SW 138 Avenue.

HOLLY POINTE (T-21390)

- Located in Section 27, Township 56 South, Range 39 East
- Commission District: 9
- Zoning: RU-TH
- Proposed Usage: Townhomes
- Number of parcels: 146

If additional information is deemed necessary, please contact Raul Pino, Chairperson, Miami-Dade County Plat Committee.

Deputy County Manager

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MEMORANDUM
(Revised)

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

DATE: December 14, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 4(H)

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

✓ **No committee review**

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Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 4(H)

12-14-04

RESOLUTION NO. _____

RESOLUTION APPROVING THE PLAT OF HOLLY POINTE, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 56 SOUTH, RANGE 39 EAST (SW 264 STREET AND SW 137 AVENUE)

WHEREAS, Holly Pointe, Ltd., a Florida limited partnership, has this day presented to this Board a plat of certain lands lying in Miami-Dade County, Florida, said plat to be known as HOLLY POINTE, the same being a subdivision lying and being in a portion of the Southeast 1/4 of Section 27, Township 56 South, Range 39 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:

Joe A. Martinez, Chairman
Dennis C. Moss, Vice-Chairman

Bruno A. Barreiro	Dr. Barbara Carey-Shuler
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

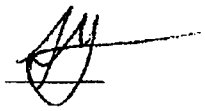
The Chairperson thereupon declared the resolution duly passed and adopted this 14th day of December, 2004. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

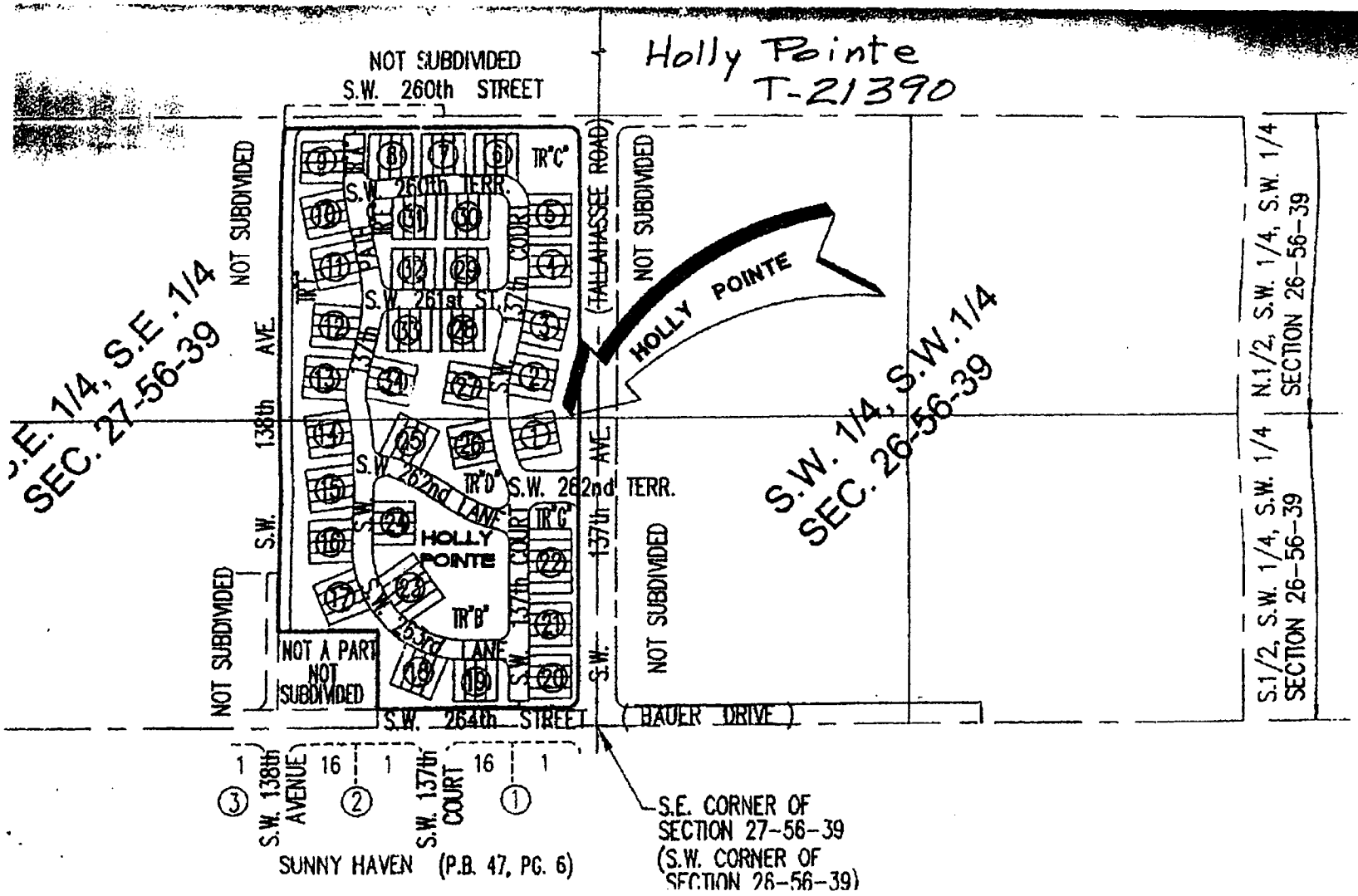
By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Thomas Goldstein

Holly Pointe
T-21390



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