Memorandum

MIAMI-DADE COUNTY

Date: November 3, 2011

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

Agenda Item No. 5(C)

From: Carlos A. Gimenez
Mayor

Subject: Approving the Waiver of Plat for MICHAIL BIBERMAN AND CONGREGATION OHEL ROCHEL, INC.

Recommendation

The following waiver of plat is hereby submitted for consideration by the Board of County Commissioners for approval. This waiver of plat is bounded on the north approximately 200 feet south of NE 177 Street, on the east approximately 230 feet west of NE 7 Avenue, on the south by NE 176 Street, and on the west by NE 6 Avenue. The Miami-Dade County Plat Committee, comprised of representatives from the Florida Department of Transportation, the Florida Department of Health, the Miami-Dade School Board and Miami-Dade County departments of Fire Rescue, Parks, Recreation and Open Spaces, Permitting Environment and Regulatory Affairs, Public Works and Waste Management and Water and Sewer, recommends approval of this waiver of plat.

Scope

This waiver of plat is located within the boundaries of Commission District 4.

Fiscal Impact /Funding Source

There is no associated fiscal impact to Miami-Dade County with the approval of this waiver of plat; all improvements are in place.

Track Record/Monitor

The Public Works and Waste Management Department, Land Development/Right-of-Way Division administers the processing of plats waivers of plat and the person responsible for this function is Raul A. Pino, PLS, Land Development/Right-of-Way Division Chief.

Background

MICHAIL BIBERMAN AND CONGREGATION OHEL ROCHEL, INC. (D-23157)

- Located in Section 7, Township 52 South, Range 42 East
- Commission District: 4
- Zoning: RU-1
- Proposed Usage: Single family residences
- Number of parcels: 2
- This waiver of plat meets concurrency
- The property encompassed by the boundaries of this waiver of plat will create two legal, buildable sites pursuant to applicable requirements stipulated in Chapter 28, Subdivisions, of the Miami-Dade County Code.

Plat Restrictions

- Plat restrictions: none, waiver of plat.
- Covenant requirements: none, waiver of plat.

Developer's Obligation

- None, all improvements are in place.

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(C)

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(C)
11-3-11

RESOLUTION NO. _____

RESOLUTION APPROVING THE WAIVER OF PLAT OF MICHAIL BIBERMAN AND CONGREGATION OHEL ROCHEL, INC., D-23157, LOCATED IN THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 52 SOUTH, RANGE 42 EAST (BOUNDED ON THE NORTH APPROXIMATELY 200 FEET SOUTH OF NE 177 STREET, ON THE EAST APPROXIMATELY 230 FEET WEST OF NE 7 AVENUE, ON THE SOUTH BY NE 176 STREET, AND ON THE WEST BY NE 6 AVENUE)

WHEREAS, Michail Biberman and Congregation Ohel Rochel, Inc., a Florida non for profit corporation, have this day presented to this Board a waiver of plat of certain lands lying in Miami-Dade County, Florida, said waiver of plat of the property legally described as Lot 13, Block 11, of "Highland Manor Section Three", according to the plat thereof, as recorded in Plat Book 57, at Page 95 of the Public Records of Miami-Dade County, Florida, and a portion of land, lying and being in the Northeast 1/4 of Section 7, Township 52 South, Range 42 East, Miami-Dade County, Florida, and it appears that all requirements of law concerning said waiver of 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 waiver of plat is hereby approved; that the property has been found to be in compliance with Chapter 28, Subdivisions, of the Miami-Dade County Code; that approval of this waiver of 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 waiver of 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
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.

Craig H. Coller

MICHAIL BIBERMAN AND CONGREGATION OHEL ROCHEL, INC. (D-23157)

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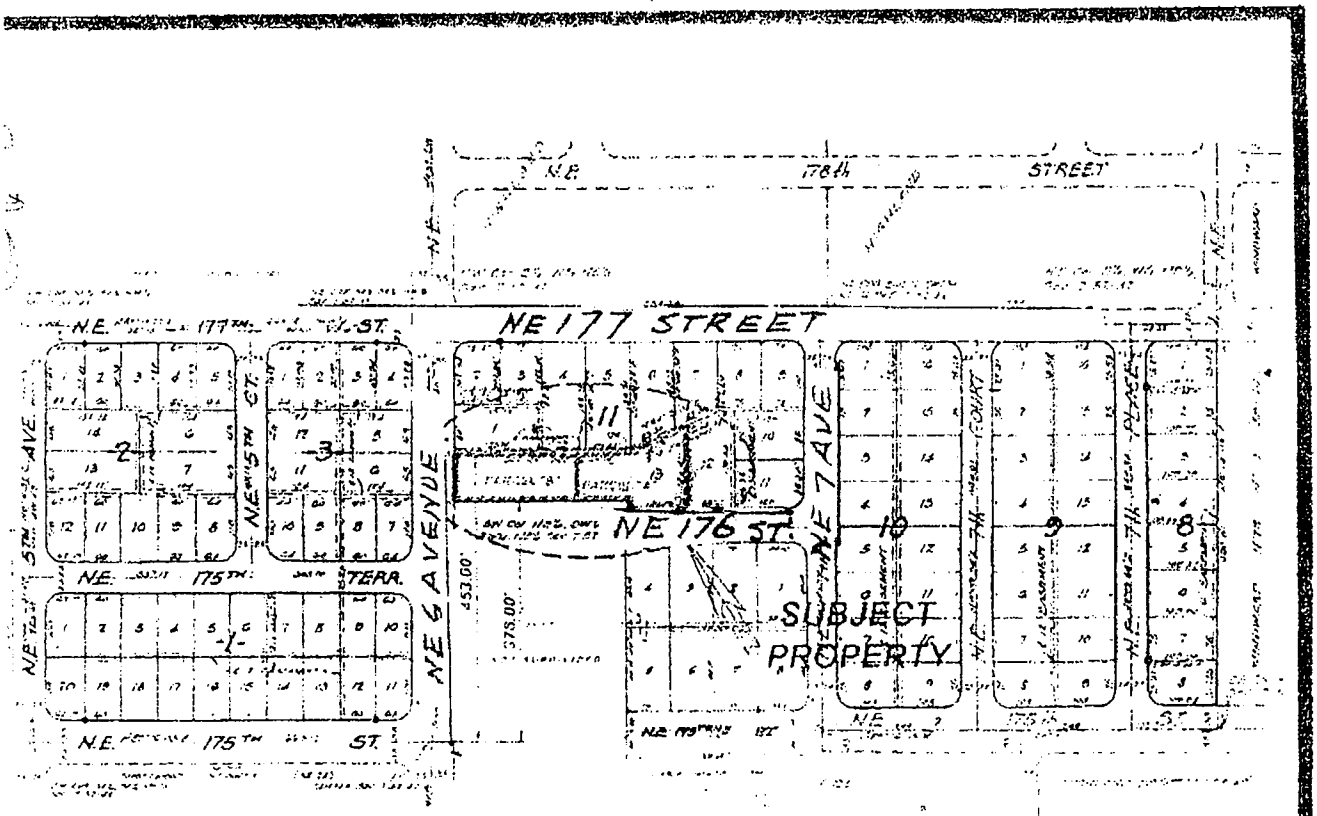

LOCATION SKETCH SCALE: 1"=300'

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