Memorandum

MIAMI-DADE COUNTY

Date: December 4, 2012

To: Honorable Vice Chairwoman Audrey M. Edmonson
And Members, Board of County Commissioners

Agenda Item No. 5(J)

From: Carlos A. Gimenez
Mayor

Subject: Resolution approving the Waiver of Plat for JAVIER PEDRE AND B & W HEAVY EQUIPMENT, INC.

Recommendation
The following waiver of plat is hereby submitted for consideration by the Board of County Commissioners for approval. This plat is bounded on the north approximately 735 feet south of NW 50 Street, on the east by NW 72 Avenue, on the south by NW 47 Street, and on the west approximately 238 feet east of NW 73 Avenue. The Miami-Dade County Plat Committee, comprised of representatives from the Florida Department of Transportation, the Florida Department of Health, the Miami-Dade County School Board and Miami-Dade County departments of Fire Rescue, Parks, Recreation and Open Spaces, Regulatory and Economic Resources, Public Works and Waste Management (PWWM), and Water and Sewer, recommends approval of this waiver of plat.

Scope
This waiver of plat is located within the boundaries of Commission District 12.

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 Regulatory and Economic Resources Department, Development Services Division, administers the processing of plats and waivers of plat, and the person responsible for this function is Raul A. Pino, P. L. S.

Background
JAVIER PEDRE AND B & W HEAVY EQUIPMENT, INC. (D-23108)

- Located in Section 23, Township 53 South, Range 40 East
- Commission District: 12
- Zoning: IU-2
- Proposed Usage: Office building and storage
- Number of parcels: 2
- This plat meets concurrency

Plat Restrictions

- Plat restrictions: none, waiver of plat.

Developer's Obligation

- None, all improvements are in place.

Jack Osterholt, Deputy Mayor

MEMORANDUM
(Revised)

TO: Honorable Vice Chairwoman Audrey M. Edmonson and Members, Board of County Commissioners

DATE: December 4, 2012

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

SUBJECT: Agenda Item No. 5(J)

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(J)
12-4-12

RESOLUTION NO. _____

RESOLUTION APPROVING THE WAIVER OF PLAT OF JAVIER PEDRE AND B & W HEAVY EQUIPMENT, INC., D-23108, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST (BOUNDED ON THE NORTH APPROXIMATELY 735 FEET SOUTH OF NW 50 STREET, ON THE EAST BY NW 72 AVENUE, ON THE SOUTH BY NW 47 STREET, AND ON THE WEST APPROXIMATELY 238 FEET EAST OF NW 73 AVENUE)

WHEREAS, Javier Pedre, a married man, and B & W Heavy Equipment, Inc., a Florida 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 a portion of Lots 1, 2 and 3, Block 2, of "Phoenix Farms No. 3", according to the plat thereof, as recorded in Plat Book 16, at Page 79, of the Public Records of Miami-Dade County, Florida, lying and being in the Southwest 1/4 of Section 23, Township 53 South, Range 40 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:

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	Juan C. Zapata

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of December, 2012. 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.

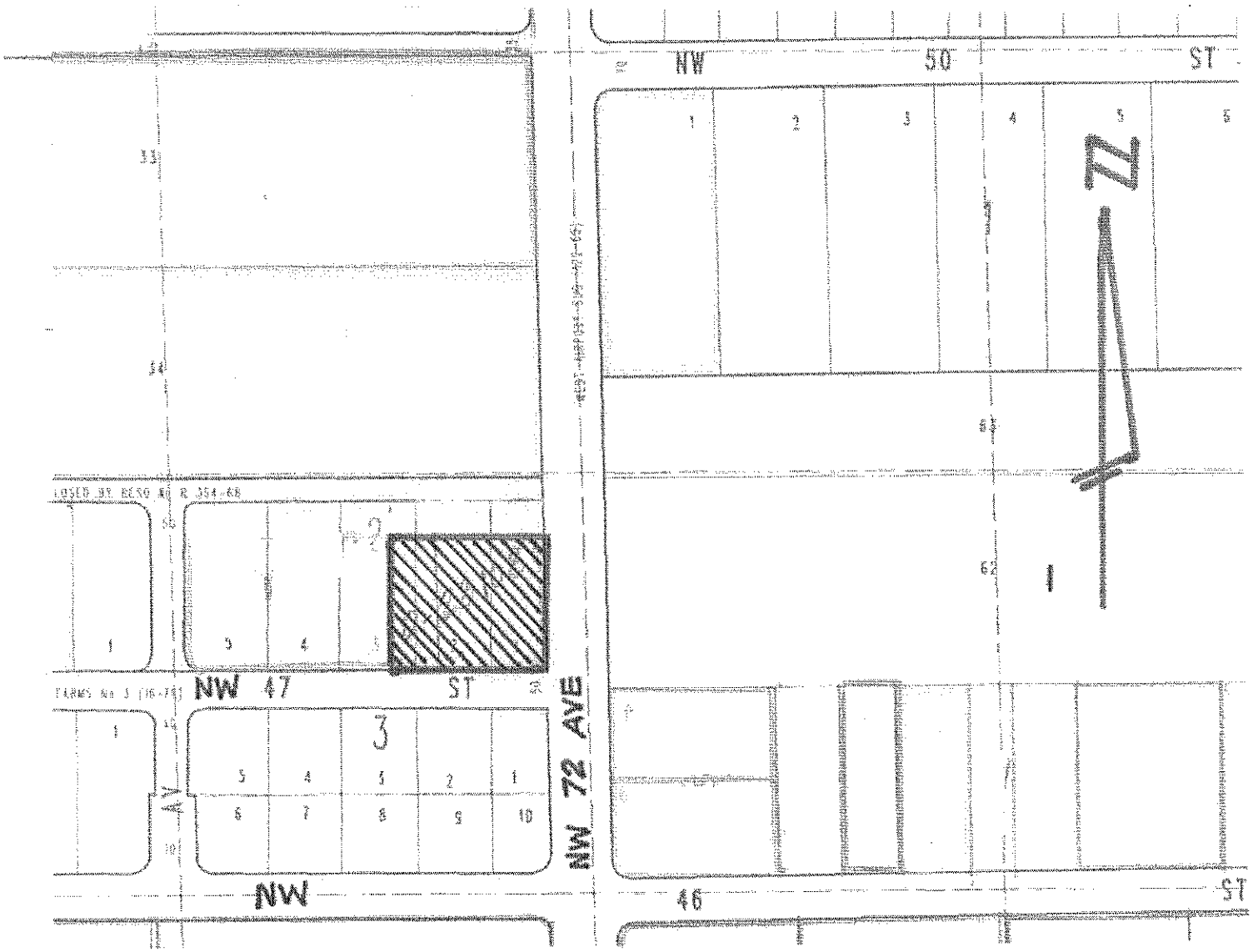
MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. JM

John D. McInnis



JAVIER PEDRE AND B & W HEAVY EQUIPMENT, INC. (D-23108)

SEC. 23, TWP. 53 S, RGE. 40 E