

# Memorandum



**Date:** December 17, 2013

**To:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

Agenda Item No. 5(D)

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Resolution approving the Plat of VICTORIA GARDENS

## Recommendation

The following plat is hereby submitted for consideration by the Board of County Commissioners for approval. This plat is bounded on the north approximately 140 feet south of NW 9 Street, on the east approximately 60 feet west of NW 128 Avenue, on the south approximately 140 feet north of NW 8 Terrace, and on the west by NW 128 Court. 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 and recording of this plat.

## Scope

This plat is located within the boundaries of Commission District 12, Commissioner Jose "Pepe" Diaz.

## Fiscal Impact/Funding Source

If this plat is approved, the fiscal impact to the County would be approximately \$ 50.00 per year for the annual maintenance cost of a portion of minor, newly-constructed cul-de-sac pavement area and proposed sidewalk once constructed, adjacent to the project which will be funded through PWWM General Fund allocation.

## Track Record/Monitor

RER, 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

VICTORIA GARDENS (T-19909)

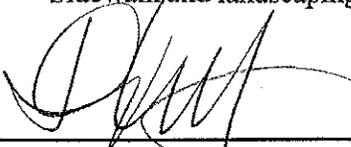
- Located in Government Lot 2 between Section 35, Township 53 South, Range 39 East and Section 2, Township 54 South, Range 39 East
- Zoning: RU-1Z
- Proposed Usage: Single family residences
- Number of parcels: 5
- This plat meets concurrency

**Plat Restrictions**

- That the Lane and Court, 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 and 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 the utility easements, depicted by dashed lines on the plat, are hereby reserved for the installation and maintenance of public utilities.
- That the perpetual four (4) foot drainage, maintenance easements, as depicted by dashed lines on the side/rears of certain lots, are reserved for maintenance and drainage of the adjacent lots, and with the exception of walls and/or fences, the easements shall be kept free of structures.

**Developer's Obligation**

- Sidewalk and landscaping. Bonded under bond number 7882 in the amount of \$8155.00.



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Jack Osterholt, Deputy Mayor



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** December 17, 2013

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

**SUBJECT:** Agenda Item No. 5(D)

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 Mayor'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(D)  
12-17-13

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING THE PLAT OF VICTORIA GARDENS, LOCATED IN THE SOUTHEAST 1/4 OF GOVERNMENT LOT 2 BETWEEN SECTION 35, TOWNSHIP 53 SOUTH, RANGE 39 EAST AND SECTION 2, TOWNSHIP 54 SOUTH, RANGE 39 EAST (BOUNDED ON THE NORTH APPROXIMATELY 140 FEET SOUTH OF NW 9 STREET, ON THE EAST APPROXIMATELY 60 FEET WEST OF NW 128 AVENUE, ON THE SOUTH APPROXIMATELY 140 FEET NORTH OF NW 8 TERRACE, AND ON THE WEST BY NW 128 COURT)

WHEREAS, Victoria Gardens Development, LLC, a Florida limited liability company, has this day presented to this Board a plat of certain lands lying in Miami-Dade County, Florida, said plat to be known as VICTORIA GARDENS, the same being a subdivision of a portion of land lying and being in the Southeast 1/4 of Government Lot 2 between Section 35, Township 53 South, Range 39 East and Section 2, Township 54 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:

Rebeca Sosa, Chairwoman  
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 17<sup>th</sup> day of December, 2013. 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.



Laura E. Morse

**VICTORIA GARDENS (T-19909)**

**GOV. LOT 2 BETWEEN SEC. 35, TWP. 53, RGE.  
39 E AND SEC. 2, TWP. 54 S, RGE. 39 E**

