

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to the Board of County Commissioners**

PH: Z17-338

October 29, 2020

Item No. A

<b>Recommendation Summary for Board of County Commissioners</b>	
<b>Commission District</b>	7
<b>Applicants</b>	Northeastern Golf, LLC and Fort Dallas Golf Club, Ltd.
<b>Summary of Request</b>	The applicants are requesting the partial release of a restriction as recorded in Official Record Book 5891, Page 633, which limited the use of the property to a golf course, club house and ancillary uses.
<b>Location</b>	9400 SW 130 Avenue, Miami-Dade County, Florida.
<b>Property Size</b>	168.129± acres
<b>Existing Zoning</b>	GU
<b>Existing Land Use</b>	Vacant, former golf course
<b>2020-2030 CDMP Land Use Designation</b>	Parks and Recreation
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP.
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(7) Generalized Modification Standards <i>(See attached Zoning recommendation Addendum)</i>
<b>Recommendation</b>	<b>Approval with a condition</b>

This item was deferred from the February 20, 2020, meeting of the Board of County Commissioners (BCC) due to a lack of quorum. Subsequently, the item was deferred from the March 19, 2020 meeting date due to the emergency.

**REQUEST:**

PARTIAL RELEASE of a Restriction recorded in Official Record Book 5891, Page 633, only as it applies to the subject property.

The purpose of the application is to release a restriction limiting the use of the property to a golf course, country club, and ancillary uses, only as it applies to the subject property.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	GU; vacant, former golf course	Parks and Recreation
<b>North</b>	EU-M; Single family residences	Low Density Residential (2.5 to 6 du/a)
<b>South</b>	EU-M; Single family residences and vacant lots	Low Density Residential (2.5 to 6 dwelling units per acre)  Parks and Recreation
<b>East</b>	EU-M; Single family residences	Low Density Residential (2.5 to 6 dwelling units per acre)
<b>West</b>	EU-M; Single family residences	Low Density Residential (2.5 to 6 dwelling units per acre)

**PROJECT DESCRIPTION AND PROJECT HISTORY:**

The subject property was previously approved and used as a privately-owned golf course (known as Calusa Golf Course) located at 9400 SW 130 Avenue, Miami-Dade County, Florida. There are 146 properties comprised of single-family residences and vacant lots abutting the subject property.

Pursuant to Resolution #3-ZAB-342-67, in August 1967, the Zoning Appeals Board (ZAB) approved the subject property for an unusual use to permit a golf course, practice fairway, and golf course club house with ancillary uses, including a pro-shop, dining room, and bar. Among the conditions for approval of the unusual use were “[t]hat restrictive covenants running with the land in proper covenant form, meeting with the approval of the Zoning Director, be recorded to insure that the golf course be perpetually maintained as such.” The ZAB resolution also recommended approval of a district boundary change from GU, Interim District to EU-M, Single-family Modified Estate District, on a 180’ strip surrounding the subject property (the “ring lots”), which the Board of County Commissioners (BCC) subsequently approved pursuant to Resolution #Z-167-67. But the BCC approval for the ring lots did not reference or address, and was not subject to any covenant or other restriction regarding, the unusual use on the subject property.

On March 28, 1968, in furtherance of the condition on the unusual use approval, the then-owner of the subject property executed a Restriction that the subject property “may only be used for the following purposes: A golf course and for the operation of a country club which may include a clubhouse, pro shop, locker rooms, swimming pools, cabanas, liquor, beer and wine bar facilities, dining room facilities, parking, tennis courts, putting greens, golf driving ranges and all other uses incidental thereto.” The Restriction further provided that its terms “shall continue for a period of ninety-nine years unless released or revised by the Board of County Commissioners of the County of Dade, State of Florida, or its successors with the consent of 75 percent of the members of the corporation owning the aforescribed property and those owners within 150 feet of the exterior boundaries of the aforescribed property.” The Restriction was recorded on April 3, 1968, and therefore does not expire until 2067.

The property that is the subject of this application consists of the former golf course property (Exhibit A) as outlined on the subject survey, excluding the following parcels: 1) the contiguous property (referred to as the “postage stamp”), which is included with the former golf course property in Folio Number 30-5902-000-0010 but which is not itself subject to the Restriction; and 2) the cross-hatched area in green (referred to as the “spur” and also known as Superior Calusa Estates), which the applicants do not own but which is, and will remain, subject to the Restriction.

The applicants now seek a partial release of the aforementioned Restriction, only as it applies to the subject property.



surrounding development providing that such development is consistent with the goals, objectives and policies of the CDMP. Except as consistent with the provisions below, however, this allowance does not apply to land designated Parks and Recreation that was set aside for park recreation or open space use as a part of, or as a basis for approving the density or other aspect of, a residential (or other) development or is otherwise subject to a restrictive covenant accepted by a public entity." The subject property is currently subject to such a restrictive covenant, the release of which is the only request in this application.

Staff notes that the subject property is currently zoned GU, Interim District, which, for properties inside the Urban Development Boundary, allows for development in accordance with the minimum standards of the EU-2, Single-family Five Acre District regulations, unless the Director of the Department of Regulatory and Economic Resources (RER) determines, through a trend determination process, that a particular use or uses predominates in adjoining properties. The Director has not determined that there is a particular development trend on adjoining properties. As such, with the release of the Restriction, and without any further zoning action, the applicants would only be able to develop the property at a density of one residence per five acres. Staff opines that with the necessary internal roadway dedication within the property for such a development, the applicants would only be able to develop the former golf course with approximately 30 residential units. The CDMP land use interpretative text provides that "[a]ll existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter entitled 'Concepts and Limitations of the Land Use plan Map.'" Accordingly, releasing the Restriction and allowing the subject property to be developed in accordance with the underlying GU zoning district regulations is consistent with the CDMP.

Although no specific development proposal is directly at issue in this application, the amount of open space that could be required in a future zoning application under the subject property's existing CDMP designation is relevant to this application to delete the Restriction. This property could be considered for a future rezoning application to allow residential developments ranging from 2.5 to 6 dwelling units per acre, but where a property designated Parks and Recreation is limited by a restrictive covenant, the CDMP requires, among other things, that any future application for development maintain at least 50 percent of the property as open space. The applicants have obtained an interpretation letter from the Planning and Development Services (Zoning) Divisions of the Department of Regulatory and Economic Resources, confirming that, if the Restriction is released, then the subject property would not be subject to the 50 percent open space set-aside requirement, because, unlike other golf courses, the subject property was not used for density or open space calculations of the neighboring properties. Accordingly, with the release of the Restriction, the applicants could apply for a future public hearing for additional residential development ranging from 2.5 to 6 dwelling units per acre. But any such application for development beyond what the underlying GU zoning district would currently allow would have to be separately noticed for hearing and is not at issue here.

As previously stated, the applicants seek to permit the partial release of the existing Restriction as to the subject property. In accordance with the release provision set forth above, which requires consent of "the Board of County Commissioners of the County of Dade, State of Florida, or its successors with the consent of 75 percent of the members of the corporation owning the aforescribed property and those owners within 150 feet of the exterior boundaries of the aforescribed property," releasing the Restriction requires the consent of the owners of 110 of the total 146 properties within 150 feet of the subject property (the "surrounding properties"). As described in more detail in the zoning analysis, the applicants submitted to staff recordable instruments confirming that the owners of at least 110 of the surrounding properties have consented to the requested release.

The subject request is limited to the partial release of the Restriction; as expressed in the applicants' letter of intent, the purpose of this request is to allow them to file future applications regarding the actual use, development and zoning of the property, but they make no such requests here. **For the reasons expressed above, Staff finds the request to release the Restriction and leave the property subject to the existing GU zoning district consistent with the goals, objectives, and policies of the Land Use Element of the CDMP.**

### **ZONING ANALYSIS:**

The applicants seek a partial release of a Restriction recorded in Official Record Book 5891, Page 633, only as it applies to the former golf course subject property. Approval of the application will release the restriction that the property only be used for "[a] golf course and for the operation of a country club which may include a clubhouse, pro shop, locker rooms, swimming pools, cabanas, liquor, beer and wine bar facilities, dining room facilities, parking, tennis courts, putting greens, golf driving ranges and all other uses incidental thereto," and thereby allow the applicants to file applications for the development of the property in the future.

As noted in the CDMP analysis above, without any further zoning action, the requested release would allow the subject property to be developed in accordance with the GU, Interim Zoning regulations, which would allow approximately development of up to 30 residential units on the 162-acre property. When the request is analyzed under Section 33-311(A)(7) Generalized Modification Standards, staff opines that approval of the requested release would be **compatible** with the area concerned, when considering the necessity and reasonableness of the modifications in relation to the present and future development of the area concerned.

Based on the memoranda from the Platting and Traffic Review Section and the Division of Environmental Resource Management (DERM) of the Department of Regulatory and Economic Resources (RER), and the other departments that reviewed this application, including the Miami-Dade Fire Rescue Department (MDFRD) and the Miami-Dade Water and Sewer Department (WASD), approval with conditions of this application will not create an undue burden on the traffic, environmental, or parks resources, nor tend to create a fire or other equally or greater dangerous hazard.

As previously noted, release of the Restriction requires the consent of at least 75 percent of the golf course owners and those owners within 150 feet of the subject property. Thus, to move forward with this application, the applicants were required to obtain the consent of at least 110 property owners of the total 146 properties within 150 feet of the subject golf course property. Below is the procedure that staff employed in reviewing and accepting the required consents:

A list of properties in the 150 foot radius was produced from the Miami-Dade County Property Appraisers' database. The consent forms submitted by the applicants were reviewed by staff from the Development Services Division of the Miami-Dade County Department of Regulatory and Economic Resources (RER) to ensure all required criteria were met. The criteria to accept a consent form were: the address on the form was located within the required radius; \*the owner(s) name and property address matched the Property Appraiser's records; the owner's name was signed and printed; the signature was legible; there was a witness signature; and the form was notarized.

The criteria to reject a consent form were: the address was not located within the required radius; \*the owner(s) name and property address did not match the Property Appraiser's records; duplicates (one consent per property regardless of the number of owners); no owner signature(s) or illegible signature(s); no witness signature(s).

\*Note: Additional evidence such as a Power of Attorney, Opinion of Authority, deed, Florida Division of Corporations authority verification, or court action conferring the legal right to act on behalf of the property owner, such as guardianship, were required if an owner delegated authority to another party or if the property was owned by a Corporation or Trust.

Upon completion of the review, RER confirmed that consents had been executed by the owners of 120 properties, which is equivalent to 82% of "owners within 150 feet of the exterior boundaries" of the Restriction Property.

**Based on the aforementioned analysis, staff recommends approval with a condition of the request under Section 33-311(A)(7) Generalized Modification Standards.**

**ACCESS, CIRCULATION AND PARKING:** N/A

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

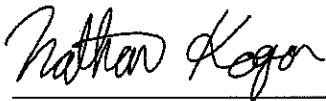
**OTHER:** N/A

**RECOMMENDATION:** Approval with a condition.

**CONDITION FOR APPROVAL:**

That the restrictions recorded in Official Record Book 5891, Page 633, remain in full force and effect on the property that is not the subject of this application.

NK:JB:NN:CDH:CH



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Nathan Kogon, AICP, Assistant Director  
Development Services Division  
Miami-Dade County Department of Regulatory and Economic Resources

## ZONING RECOMMENDATION ADDENDUM

Northeastern Golf, LLC and Fort Dallas Golf Club, Ltd.  
PH: Z17-338

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS</b>	
<i>Division of Environmental Resource Management (RER)</i>	<i>No comment</i>
<i>Platting and Traffic Review Section (RER)</i>	<i>No objection</i>
<i>Parks, Recreation and Open Spaces</i>	<i>No objection</i>
<i>Fire Rescue</i>	<i>No objection</i>
<i>Water and Sewer Department</i>	<i>No objection</i>
<i>*Subject to conditions in their memorandum.</i>	

### COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

<p><b>Parks and Recreation</b> (Pg. I-51)</p>	<p><i>The Land Use Plan map specifically illustrates parks and recreation areas of metropolitan significance, including State parks and the Biscayne and Everglades National Parks. Also illustrated are golf courses and other parks of approximately 40 acres and larger which are significant community features. Most neighborhood local parks smaller than 40 acres in size are not specifically shown on the Plan map; however, this omission should not be interpreted as meaning that these parks will be taken out of public use. Compatible parks are encouraged in all of the residential categories and may be allowed in all other categories of the LUP map. The siting and use of future parks and recreation areas shall be guided by the Park and Open Space, and Capital Improvements Elements, and by the goals, objectives and policies of the CDMP. Both governmentally and privately owned lands are included in areas designated for Parks and Recreation use. Most of the designated privately owned land either possesses outstanding environmental qualities and unique potential for public recreation, or is a golf course included within a large scale development. Unless otherwise restricted, the privately owned land designated as Parks and Recreation may be developed for a use or a density comparable to, and compatible with, surrounding development providing that such development is consistent with the goals, objectives and policies of the CDMP. Except as consistent with the provisions below, however, this allowance does not apply to land designated Parks and Recreation that was set aside for park recreation or open space use as a part of, or as a basis for approving the density or other aspect of, a residential (or other) development or is otherwise subject to a restrictive covenant accepted by a public entity.</i></p> <p><i>The long term use of golf courses or other private recreation or open space on privately owned land designated as Park and Recreation may be previously limited by deed restriction or restrictive covenant. A new development plan governing such land set-aside for park, recreation or open space use (restricted lands) may be approved at public hearing by the Board of County Commissioners or the applicable zoning board only if the following is demonstrated: (1) that the restricted land is subject to a restrictive covenant relating to development served by the open space, that such restrictive covenant continues to limit the use of the land to open space, and that this limitation in the restrictive covenant may be modified only with the written consent of adjacent or proximate property owners or a prescribed percentage thereof; (2) that the required written consents of the adjacent or proximate property owners have been obtained; and (3) that the proposed development will replace park or recreation land or open space that has fallen into prolonged disuse or disrepair to the detriment of the surrounding neighborhood. The development plan for such land (1) shall provide for development compatible with adjacent development; (2) shall provide by restrictive covenant that not less than two-thirds of the land subject to the new development plan (or such other proportion deemed appropriate by the Board of County Commissioners and/or appropriate Community Zoning Appeals Board but in no event less than 50 percent of such land) shall be maintained as Park, Recreational or open space for use by residents or other residents or users of the entire development for which the open space had originally been provided; (3) shall provide a financial means of assuring such maintenance, by homeowner's association, special tax</i></p>
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## ZONING RECOMMENDATION ADDENDUM

Northeastern Golf, LLC and Fort Dallas Golf Club, Ltd.  
PH: Z17-338

	<p><i>district or other comparable means approved at public hearing or by the Director of the Department of Regulatory and Economic Resources or successor agency; and (4) shall provide that the residential density of the portion of the Park and Recreation-designated land eligible for development shall not exceed either the gross existing density of the development in connection with which the park-designated land was originally set aside, or the gross density of all the ownership parcels immediately abutting the entire the park-designated land whichever is lower. An approval pursuant to this provision may allow the gross density of the combined new and existing development, and its existing zoning, to exceed the maximum otherwise allowed by the LUP map, but only to the extent necessary to enable reuse of the park designated land in accordance with this provision. Nothing herein shall be construed to permit development of property subject to a restrictive covenant accepted by the country or other public entity without compliance with the terms that covenant including, but not limited to, those terms governing modification or amendment thereof.</i></p>
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### PERTINENT ZONING REQUIREMENTS/STANDARDS

<p><b>Section 33-311(A)(7) Generalized Modification Standards.</b></p>	<p><i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.</i></p>
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# Memorandum



**Date:** September 28, 2020

**To:** Jack Osterholt, Deputy Mayor/Director  
Department of Regulatory and Economic Resources

**From:** Rashid Istambouli, P.E.  
Department of Regulatory and Economic Resources

**Subject:** Z2017000338-R1  
Northeastern Golf LLC and Fort Dallas Golf Club, Ltd.  
9400 SW 130<sup>th</sup> Avenue  
Calusa Golf Course – Request for Release of Restrictions  
(GU) (168.129 Acres)  
02-55-39

A handwritten signature in black ink, appearing to read "R. Istambouli". The signature is written in a cursive style with a large initial "R" and a long horizontal stroke at the end.

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The Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) has reviewed the above referenced zoning application for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code).

Based on the information provided, DERM has no pertinent comments regarding this application since the request does not entail any environmental concern.

Concurrency Review Summary

A concurrency review has been conducted for this application and DERM has determined that the same meets all applicable LOS standards for an initial development order as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. This concurrency approval is valid only for this initial development order. Pursuant to Chapter 33G of the Code, a final concurrency statement will be issued at the time of final development order.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

cc: Nathan Kogon, Department of Regulatory and Economic Resources

# Memorandum



**Date:** December 4, 2017

**To:** Nathan Kogon, Assistant Director  
Department of Regulatory and Economic Resources

**From:** Raul A. Pino, PLS, Chief  
Platting and Traffic Review Section  
Department of Regulatory and Economic Resources

**Subject:** Z2017000338  
Name: Northeastern Golf LLC and Fort Dallas Golf Club Ltd.  
Location: 9400 SW 130 Avenue  
Section 02 Township 55 South Range 39 East

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The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has **no objections**.

This land **may require** platting in accordance with Chapter 28 of the Miami-Dade County Code. Any right-of-way dedications and/or improvements required will be accomplished thru the recording of a plat.

## Standard Conditions:

- During the platting and/or permitting process, applicant must submit paving, grading and pavement marking plans to the Department of Regulatory and Economic Resources Platting Section for review. The set of plans shall be signed and sealed by an engineer in compliance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways as well as County Standards. Additional improvements may be required once the detailed set of plans are submitted to this Section.
- During the platting and/or permitting process, applicant must submit paving, grading and pavement marking plans to the Department of Regulatory and Economic Resources Platting Section for review.
- All landscaping, walls, fences, entrance features, etc. will be subject to the Safe Sight Distance Triangle as per Section 33-11 of the Miami-Dade County Code and G5.3 of the Public Works and Waste Management Department Manual.

# Memorandum



**Date:** December 4, 2017

**To:** Nathan Kogon, Assistant Director  
Development Services  
Department of Regulatory and Economic Resources (RER)

**From:** Maria A. Valdes, CSM, LEED® Green Associate  
Chief, Planning & Water Certification Section  
Water and Sewer Department (WASD)

**Subject:** Zoning Application Comments - Northeastern Golf LLC and Fort Dallas Golf Club, Ltd  
Application No. Z2017000338

The Water and Sewer Department (WASD) has reviewed the zoning application for the proposed development. Below, please find the comments for the subject application. The information provided below is preliminary and it does not affect the Zoning Process. The applicant is advised to consult with their engineer and the WASD Plans Review staff to finalize points of connection and capacity approval.

Application Name: Northeastern Golf LLC and Fort Dallas Golf Club, Ltd

Location: The proposed project is located on approximately 159.48 acres at 9400 SW 130<sup>th</sup> Avenue with Folio No. 30-5902-000-0010, in unincorporated Miami-Dade County.

Proposed Development: Modification of Covenant for a request to release the Restriction recorded in the Official Records Book 5891 at Page 633 of the Public Records of Miami-Dade County, Florida, as it relates to the subject Property to allow for a Low Density Residential development.

The water and sewer flows could not be calculated, since no Site Plan with a specific development was submitted with this application.

Water: The proposed development is located within the WASD's water service area. The water supply will be provided by the Alexander Orr Water Treatment Plant. Currently, there is adequate treatment and water supply capacity for the proposed project consistent with Policy WS-2 A (1) of the CDMP.

There is an existing 8-inch water main at the intersection of theoretical SW 131<sup>st</sup> Avenue and North Calusa Club Drive from where the developer may connect and extend a minimum 8-inch water main heading southerly along North Calusa Club Drive, thence within the property in an easement and/or a dedicated public right-of-way, in a looped system as required to provide service to the proposed development.

Any public water main extension within the property shall be 8-inch minimum diameter. If two (2) or more fire hydrants are to be connected to a public water main extension within the property, then the water system shall be looped with two (2) points of connection. Final points of connection and capacity approval to connect to the water system will be provided at the time the applicant requests connection to the water infrastructure.

A Water Supply Certification (WSC) letter will be required for the proposed development to ensure that adequate water supply is available. The WSC will be issued at the time the applicant requests connection to the water system. The required WSC is consistent with Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the WASD's 20-year Water Use Permit.

In addition, all future development will be required to comply with water use efficiency techniques for indoor water use and with landscape standards in accordance with Sections 8-31, 32-84, 8A-381 and 18-A and 18-B of the Miami-Dade County Code and consistent with Policies WS-5E and WS-5F of the CDMP, respectively.

For more information about our Water Conservation Program please go to <http://www.miamidade.gov/conservation/home.asp>

For information concerning the Water-Use Efficiency Standards Manual please go to [http://www.miamidade.gov/conservation/library/WUE\\_standards\\_manual\\_final.pdf](http://www.miamidade.gov/conservation/library/WUE_standards_manual_final.pdf)

Sewer: The proposed development is located within the WASD's sewer service area. The wastewater flows for the proposed development will be transmitted to the South District Wastewater Treatment Plant (SDWWTP) for treatment and disposal. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection. Currently, there is adequate sewer treatment and disposal capacity for the proposed project consistent with Policy WS-2 A (2) of the CDMP.

There is an existing 8-inch sewer force main located at the intersection of SW 133<sup>rd</sup> Avenue and North Calusa Club Drive to where the developer may connect and extend a minimum 8-inch sewer force main heading easterly/ southerly along North Calusa Drive to the subject property as required to connect to a new public pump station. A minimum 45 ft. x 65 ft. site must be dedicated for the public pump station. Any proposed gravity sewer extension within the developer's property shall be 8-inch minimum diameter. Final points of connection and capacity approval to connect to the sewer system will be provided at the time the applicant requests connection to the sewer infrastructure.

WASD will be the utility providing sewer services subject to the following conditions:

- Adequate transmission and plant capacity exist at the time of the owner's request consistent with policy WS-2 A(2) of the CDMP. Capacity evaluations of the plant for average flow and peak flows will be required. Connection to the COUNTY'S sewage system will be subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the COUNTY and the United States, the State of Florida and/or any other governmental entity, including but not limited to, the Consent Order entered on April 9, 2014 in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as

well as all other current, subsequent or future enforcement and regulatory actions and proceedings.

- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Any public water or sewer infrastructure must be within a public right-of-way, or within a utility easement.

Below please find additional links to WASD portal which provides information on the Construction & Development process for water and sewer infrastructure.

<http://www.miamidade.gov/water/construction-development.asp>

<http://www.miamidade.gov/water/construction-service-agreement.asp>

<http://www.miamidade.gov/water/construction-existing-service.asp>

<http://www.miamidade.gov/water/library/forms/service-agreement.pdf>

Should you have any questions, please call me at (786) 552-8198 or Alfredo Sanchez at (786) 552-8237.

# Memorandum



**Date:** November 27, 2017  
**To:** Nathan M. Kogon, Assistant Director  
Regulatory and Economic Resources  
**From:** Alejandro G Cuello, Principal Planner  
Miami-Dade Fire Rescue Department  
**Subject:** Z2017000338

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The Miami-Dade Fire Rescue Department has **no objection** with the above referenced zoning application. According with the letter of intent uploaded to "Energov" on 11/16/17 the applicant is only seeking to release a restriction recorded on the property. However, any change in the original site plan will be subject to a site plan review and shall comply with MDFR access road requirements.

For additional information, please contact at [acuello@miamidade.gov](mailto:acuello@miamidade.gov) or call 786-331-4545.

**Building and Neighborhood Compliance**

**ENFORCEMENT HISTORY**

NORTHEASTERN GOLF LLC/FORT  
DALLAS GOLF CLUB LTD

9400 SW 130 AVENUE  
MIAMI-DADE COUNTY, FLORIDA.

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**APPLICANT**

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**ADDRESS**

PENDING

Z2017000338

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**DATE**

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**HEARING NUMBER**

**FOLIO NO.: 30-5902-000-0010**

**REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:**

November 17, 2017

**NEIGHBORHOOD REGULATIONS:**

**Case No. 201703000031** was opened on 01/05/2017 for Junk/Trash/Overgrowth on Unimproved/Improved Property. An inspection conducted on 01/19/2017 revealed that the violation was corrected. Case was closed on 01/19/2017.

**Case No. 201703005660** was opened on 10/25/2017 for Junk/Trash/Overgrowth on Unimproved/Improved Property. Case was closed on 10/31/2017 for following reason: Complaint is not enforceable e under County Code.

**BUILDING SUPPORT REGULATIONS:**

There are no open/closed cases in BSS post 2016.

**VIOLATOR:**

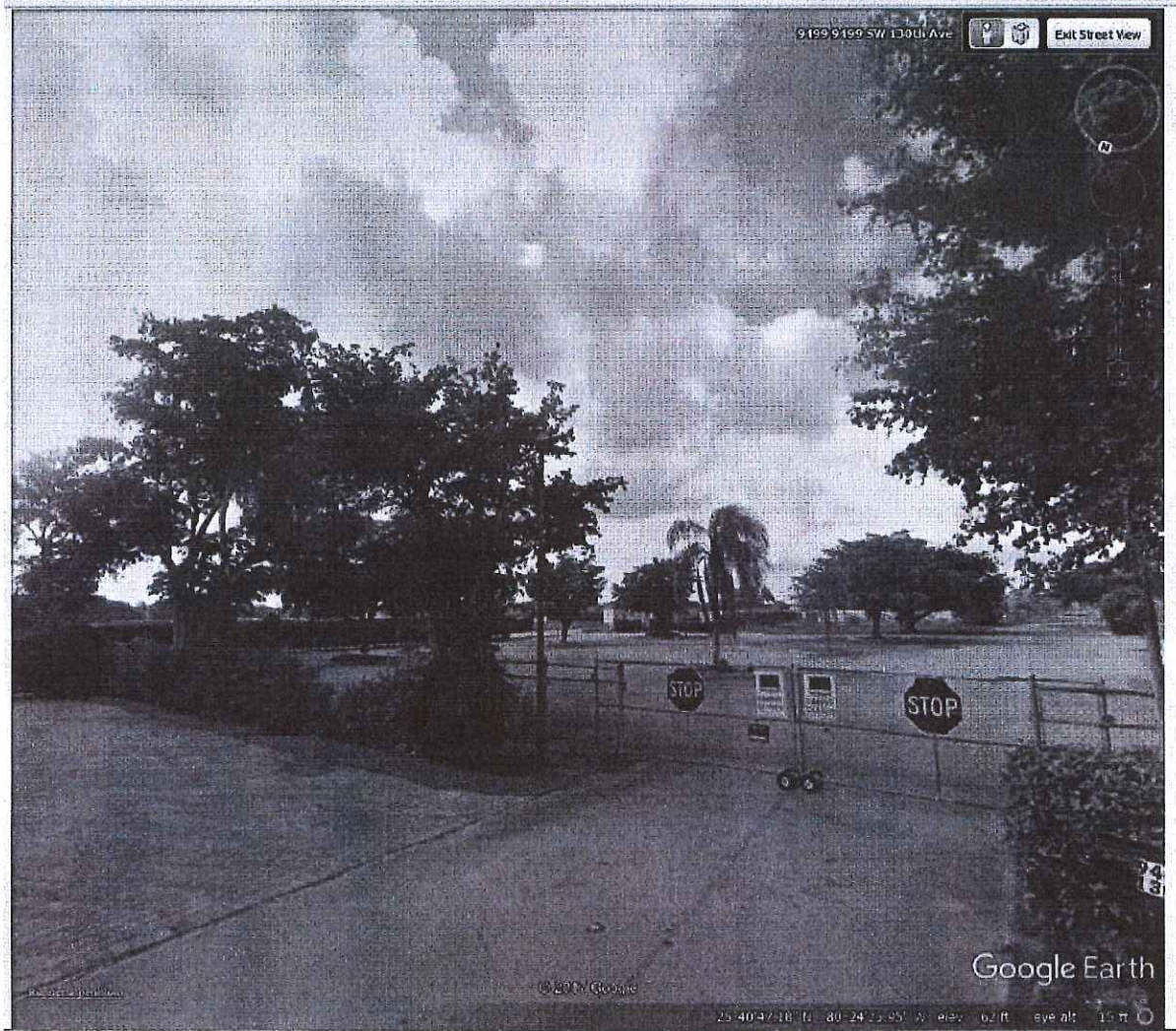
NORTHEASTERN GOLF LLC/FORT DALLAS GOLF CLUB LTD

**OUTSTANDING LIENS AND FINES:**

There are no outstanding liens for fines.

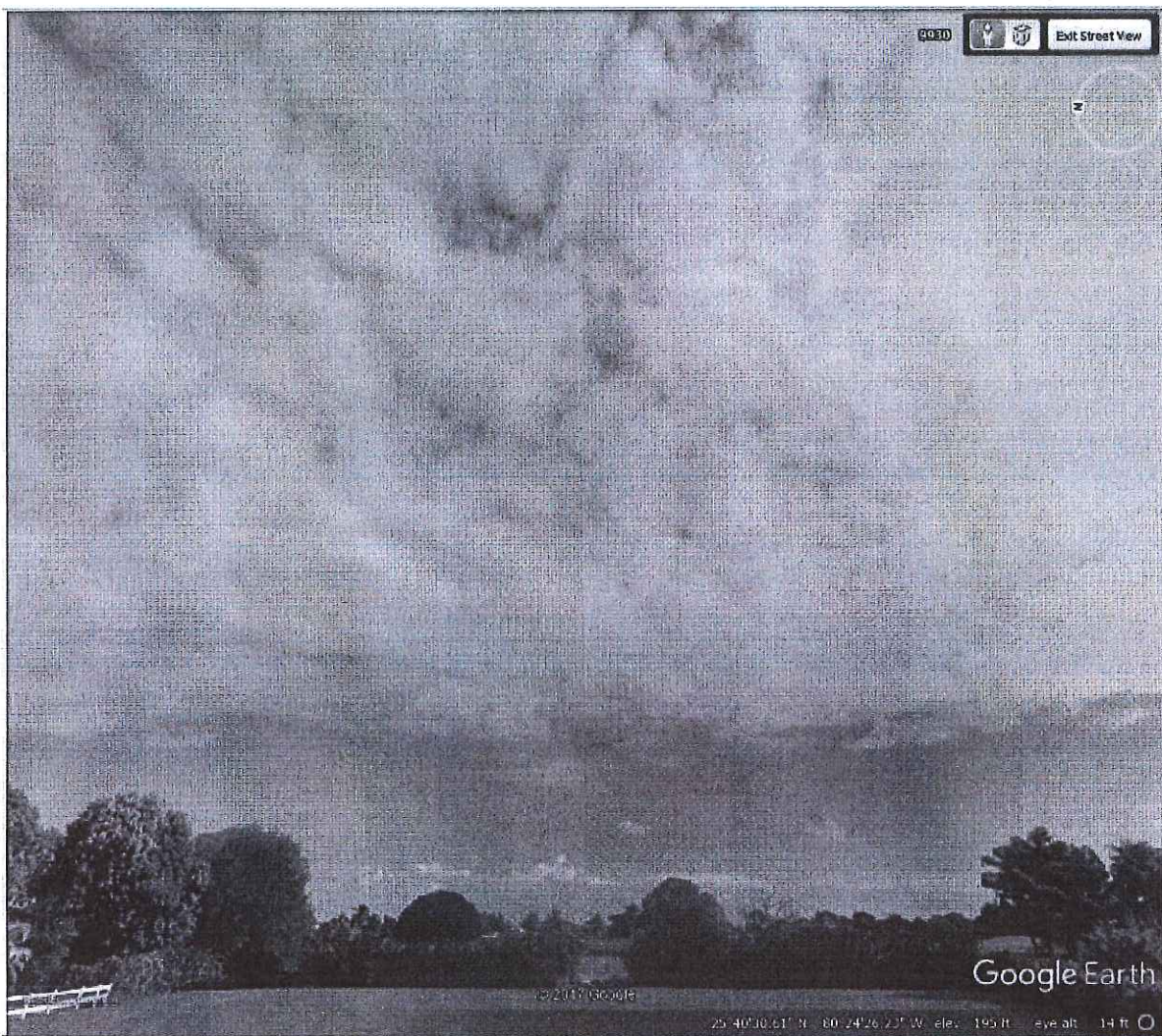
**PHOTOGRAPHS - submit photos showing entire site and all structures**

**FRONT ELEVATION**



**RECEIVED**  
Z17-338  
NOV 15 2017  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND ECONOMIC  
RESOURCES DEVELOPMENT SERVICES  
By \_\_\_\_\_

**SIDE ELEVATION**

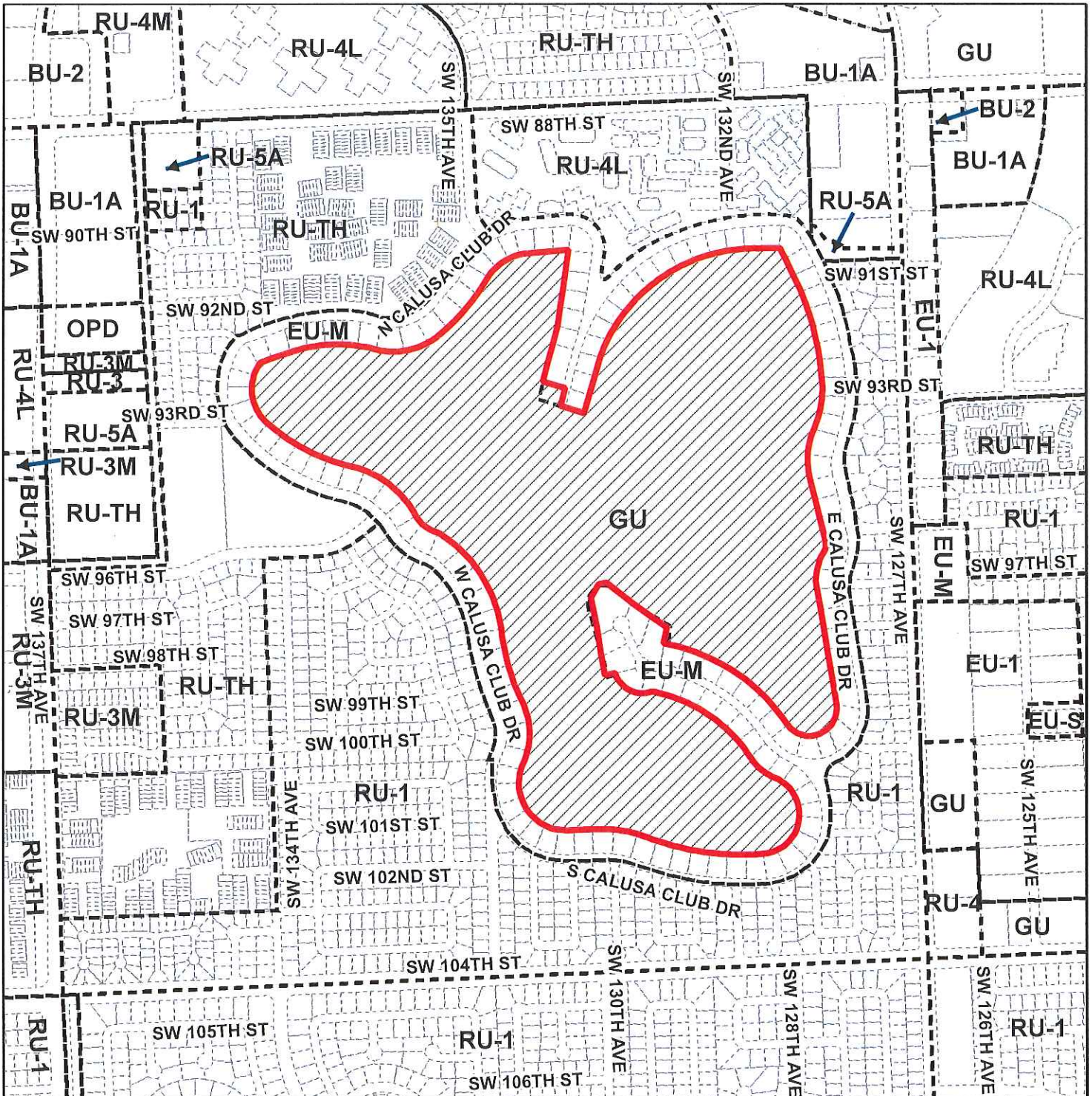


**RECEIVED**  
217-338  
NOV 15 2017  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND ECONOMIC  
RESOURCES DEVELOPMENT SERVICES  
By

REAR ELEVATION



**RECEIVED**  
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NOV 15 2017  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND ECONOMIC  
RESOURCES DEVELOPMENT SERVICES  
By \_\_\_\_\_





**MIAMI-DADE COUNTY**

**HEARING MAP**

Process Number

**Z2017000338**

**Legend**

-  Subject Property Case
-  Zoning



Section: 02 Township: 55 Range: 39  
 Applicant: Northeastern Golf LLC Fort Dallas Golf Club Ltd  
 Zoning Board: Board of County Commissioners  
 Commission District: 7  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS



SKETCH CREATED ON: Friday, November 17, 2017

REVISION	DATE	BY
		19



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2015**

Process Number  
**Z2017000338**

**Legend**  
 Subject Property



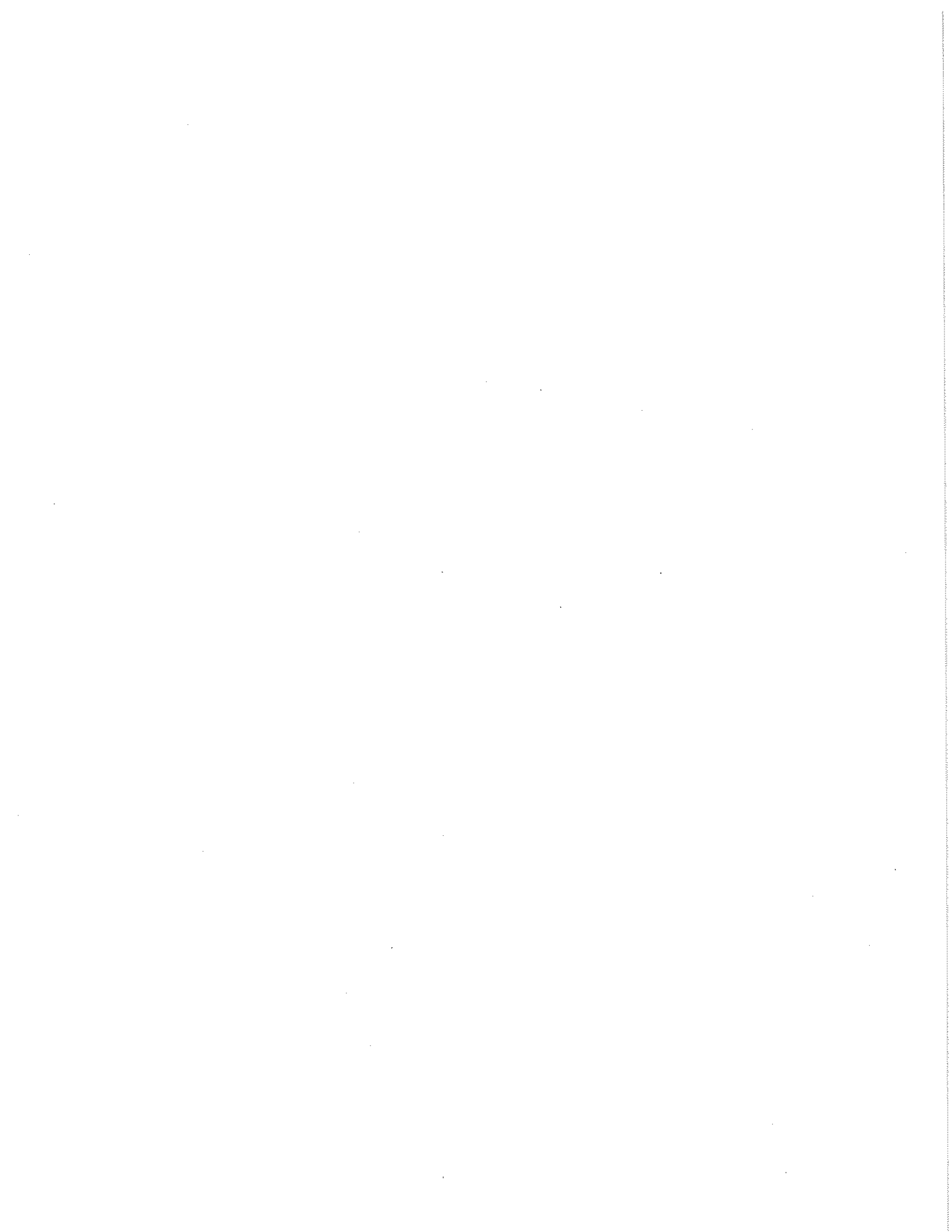
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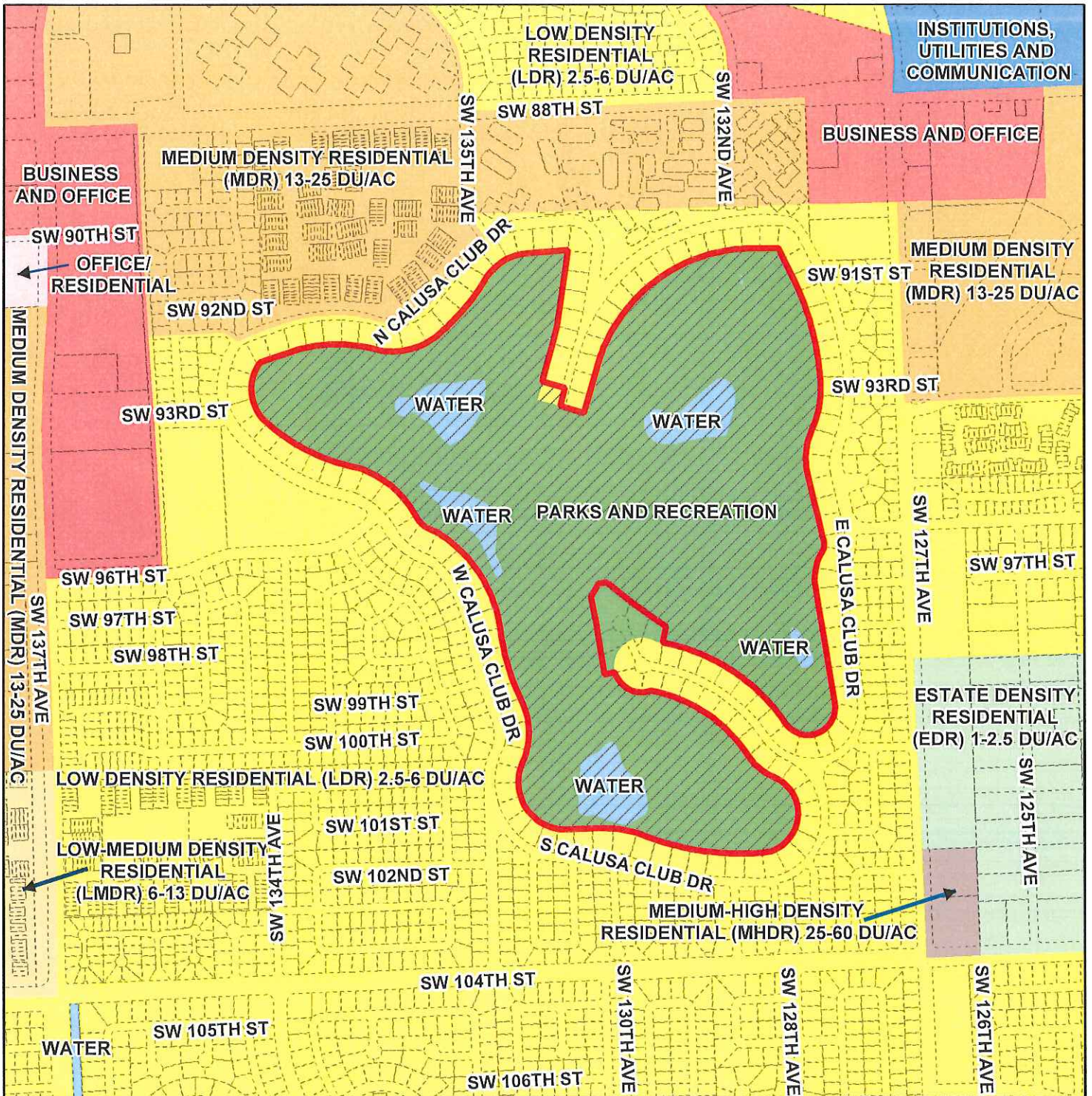


SKETCH CREATED ON: Friday, November 17, 2017

REVISION	DATE	BY
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**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number

**Z2017000338**

Section: 02 Township: 55 Range: 39  
 Applicant: Northeastern Golf LLC Fort Dallas Golf Club Ltd  
 Zoning Board: Board of County Commissioners  
 Commission District: 7  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Friday, November 17, 2017

REVISION	DATE	BY

5301 - 033

2-55-39

SEE CO 1 E

Repealed from

RP

Res. # 2-169-77

RESTRICTION

THIS INSTRUMENT made this 28th day of March, 1968, by MOST AVAILABLE, INC., a Florida corporation, being the owner in fee simple of that certain real property located in Dade County, Florida, described as follows, to-wit:

A 162 acre parcel of land in Section 2, Township 55 South, Range 39 East, particularly described as follows, to-wit:

Commence at the SW corner of the SE $\frac{1}{4}$  of Section 2, Township 55 South, Range 39 East; Thence run due North along the West line of the SE $\frac{1}{4}$  of said Section 2 for a distance of 1,170.0 feet to a point on a circular curve; Thence run due East for a distance of 180.0 feet to the point of beginning of the tract of land herein described; Thence run South and East along a circular curve concave to the NE, having a radius of 300.0 feet through a central angle of 90 degrees for an arc distance of 471.24 feet to the end of said curve; Thence run due East for a distance of 210.0 feet to the beginning of a tangential circular curve; Thence run Easterly along said circular curve concave to the South, having a radius of 630.0 feet through a central angle of 23 degrees 30 minutes for an arc distance of 258.40 feet to a point of reverse curve; Thence run in an Easterly direction along a circular curve, concave to the North, having a radius of 1,625.0 feet through a central angle of 26 degrees 00 minutes for an arc distance of 737.40 feet to a point of compound curve; Thence run North-easterly and Westerly along said curve, concave to the West, having a radius of 245.0 feet through a central angle of 150 degrees 00 minutes for a distance of 641.41 feet to a point of reverse curve; Thence Westerly along said curve whose center bears North 27 degrees 30 minutes East having a radius of 470.0 feet through a central angle of 30 degrees 15 minutes for an arc distance of 248.14 feet to a point of reverse curve; Thence run in a Westerly direction along said curve, concave to the Southwest, having a radius of 860.0 feet through a central angle of 46 degrees 19 minutes 49 seconds for an arc distance of 695.41 feet to the end of said curve. ] The center of the aforesaid circular curve bears South 11 degrees 25 minutes 11 seconds West; Thence run West, North and East along

This instrument prepared by:  
Arnold Nevins, Attorney  
825 Arthur Godfrey Road, M.B.

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a circular curve whose center bears North 19 degrees 12 minutes 42 seconds West and having a radius of 170.0 feet through a central angle of 235 degrees 58 minutes 28 seconds for an arc distance of 700.15 feet to the intersection of a circular curve whose center bears South 10 degrees 44 minutes 08 seconds West; Thence run Southeasterly along said circular curve having a radius of 1,160.0 feet through a central angle of 47 degrees 00 minutes 52 seconds for an arc distance of 951.84 feet to a point of reverse curve; Thence run Easterly and Northerly along said circular curve concave to the Northwest having a radius of 170.0 feet through a central angle of 155 degrees 45 minutes for an arc distance of 462.12 feet to the end of said curve; Thence run North 8 degrees 00 minutes West for a distance of 680.0 feet to the beginning of a tangential circular curve; Thence run Northerly along said circular curve, concave to the East having a radius of 350.0 feet through a central angle of 34 degrees 45 minutes for an arc distance of 212.28 feet to a point of reverse curve; Thence run Northerly along said curve, concave to the West, having a radius of 215.0 feet through a central angle of 37 degrees 45 minutes for an arc distance of 141.66 feet to the end of said curve; Thence run North 11 degrees 00 minutes West for a distance of 325.0 feet to the beginning of a tangential circular curve; Thence run North along said curve concave to the East, having a radius of 500 feet through a central angle of 32 degrees 00 minutes for an arc distance of 279.25 feet to a point of reverse curve; Thence run North along said curve, concave to the West, having a radius of 950.0 feet through a central angle of 30 degrees 30 minutes for an arc distance of 505.71 feet to a point of compound curve; Thence run Northwesterly along said curve concave to the Southwest having a radius of 2,180.0 feet through a central angle of 18 degrees 40 minutes 43 seconds for an arc distance of 710.69 feet to the end of said curve whose center bears South 61 degrees 49 minutes 17 seconds West; Thence run North 88 degrees 00 minutes West for a distance of 104.55 feet to the beginning of a tangential circular curve; Thence run Southwesterly along said curve concave to the Southeast, having a radius of 1,130.0 feet through a central angle of 36 degrees 30 minutes for an arc distance of 719.86 feet to a point of compound curve; Thence run Southerly along said curve, concave to the Southeast having a radius of 880.0 feet through a central angle of 37 degrees 00 minutes for an arc distance of 560.28 feet to the end of said curve; Thence run South 18 degrees 30 minutes West for a distance of 340.0 feet to a point; Thence run North 71

degrees 30 minutes ~~East~~<sup>West</sup> for a distance of 300.0 feet to a point; Thence run North 10 degrees 30 minutes East for a distance of 480.0 feet; Thence run North 10 degrees 30 minutes East for a distance of 470.0 feet to a point; Thence run South 88 degrees 00 minutes West for a distance of 255.0 feet to the beginning of a tangential circular curve; Thence run Southwesterly along said curve concave to the Southeast having a radius of 360.0 feet through a central angle of 54 degrees 30 minutes for an arc distance of 342.43 feet to a point of reverse curve; Thence run Southwesterly along said curve concave to the Northwest, having a radius of 1,215.0 feet through a central angle of 20 degrees 45 minutes for an arc distance of 440.02 feet to a point of compound curve; Thence run along said curve concave to the North having a radius of 470.0 feet through a central angle of 53 degrees 45 minutes for an arc distance of 440.91 feet to a point of reverse curve; Thence run Westerly along said curve concave to the South, having a radius of 640.0 feet through a central angle of 21 degrees 14 minutes 22 seconds for an arc distance of 237.25 feet to a point of compound curve;

Thence run Westerly along said curve concave to the Southeast having a radius of 1,350.0 feet through a central angle of 19 degrees 48 minutes 51 seconds for an arc distance of 466.86 feet to the end of said curve whose center bears South 23 degrees 03 minutes 13 seconds East; Thence run Southerly along a circular curve, whose center bears South 55 degrees 30 minutes East, having a radius of 275.0 feet through a central angle of 75 degrees 00 minutes for an arc distance of 359.91 feet to a point of compound curve; Thence run Easterly along said curve concave to the Northeast having a radius of 975.0 feet through a central angle of 31 degrees 30 minutes for an arc distance of 536.03 feet to the end of said curve; Thence South 72 degrees 00 minutes East for a distance of 130.0 feet to the beginning of a tangential circular curve; Thence run Southeasterly along said curve concave to the Southwest having a radius of 590.0 feet through a central angle of 45 degrees 15 minutes for an arc distance of 465.96 feet to a point of reverse curve; Thence run Southeasterly along said curve concave to the Northeast having a radius of 230.0 feet through a central angle of 41 degrees 15 minutes for an arc distance of 165.59 feet to a point of reverse curve; Thence run southeasterly along said curve concave to the Southwest having a radius of 410.0 feet through a central angle of 24 degrees 00 minutes for an arc distance of 171.74 feet to a point of compound curve; Thence run Southerly along said curve concave to the Southwest having a radius of 910.0 feet through a central angle of 37 degrees 00 minutes for an arc distance of 587.65 feet to a point of reverse curve; Thence run Southerly along said curve concave to the Northeast having a radius of 1,800.0 feet

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through a central angle of 15 degrees 00 minutes for an arc distance of 471.24 feet to a point of reverse curve; Thence run South along said curve concave to the West, having a radius of 470.0 feet through a central angle of 45 degrees 00 minutes for a distance of 369.14 feet to a point of reverse curve; Thence run South along said curve concave to the East having a radius of 300.0 feet through a central angle of 23 degrees 00 minutes for an arc distance of 120.43 feet to the point of beginning.

The aforescribed property may only be used for the following purposes:

A golf course and for the operation of a country club which may include a clubhouse, pro shop, locker rooms, swimming pools, cabanas, liquor, beer and wine bar facilities, dining room facilities, parking, tennis courts, putting greens, golf driving ranges and all other uses incidental thereto.

These restrictions shall continue for a period of ninety-nine years unless released or revised by the Board of County Commissioners of the County of Dade, State of Florida, or its successors with the consent of 75% of the members of the corporation owning the aforescribed property and those owners within 150 feet of the exterior boundaries of the aforescribed property.

IN WITNESS WHEREOF, the undersigned has caused these presents to be signed by its proper officers, and its corporate seal to be affixed, the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

*Allen R. Allen*  
*Regina B. Long*

MOST AVAILABLE, INC.

By *Stanley Glaser*  
Stanley Glaser, President

Attest: *Carl Westman*  
Carl Westman, Secretary

STATE OF FLORIDA )  
COUNTY OF DADE ) SS:

(Corporate Seal)

I HEREBY CERTIFY that on this 28th day of March, 1968, before me personally appeared Stanley Glaser and Carl Westman, President and Secretary respectively of Most Available, Inc., a corporation under the laws of the State of Florida, to me known to be the persons who signed the foregoing instrument as such officers and severally acknowledged the execution thereof to be their free act and deed as such officers for the uses and purposes therein mentioned and that they affixed thereto the official seal of said corporation, and that the said instrument is the act and deed of said corporation.

WITNESS my signature and official seal at Miami, in the County and State aforesaid, the day and year last aforesaid.

*Allen R. Allen*  
Notary Public

State of Florida, County of Dade  
This instrument was filed for record the 3 day of March 1968 at 2:30 PM and duly recorded in OFFICIAL RECORDS Book 5891 on Page 23 File No. 68-2-58402  
E. B. LEATHERMAN  
Clerk Circuit Court By *E. B. Leatherman* D. C.