

# Memorandum



Date: October 21, 2008

To: Honorable Chairman Bruno A. Barreiro and Members,  
Board of County Commissioners

From: George M. Burgen  
County Manager

A handwritten signature in black ink, appearing to read "Burgen", written over the printed name of the County Manager.

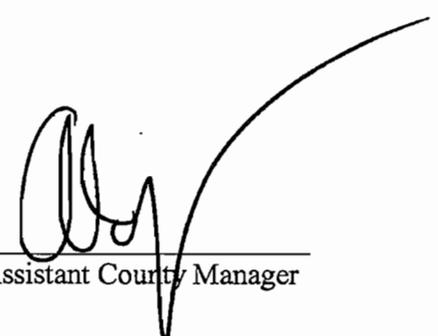
Agenda Item No. 5(I)

Resolution No. R-1114-08

Subject: Class IV Permit Application by Royal Home Villas, LLC, to Impact 19.29 Acres of Wetlands for a Residential Development and Accept a Restrictive Covenant to Preserve and Enhance 0.91 Acres of Wetlands On-site

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Attached, please find for your consideration an application by Royal Home Villas, LLC for a Class IV Permit. Also, attached is the recommendation of the Director of the Department of Environmental Resources Management and a Resolution seeking the Board's approval of the aforesaid Class IV Permit.



Assistant County Manager

# Memorandum



**Date:** October 21, 2008

**To:** George M. Burgess  
County Manager

**From:** Carlos Espinosa, P.E., Director  
Environmental Resources Management

A handwritten signature in black ink, appearing to read "Carlos Espinosa". The signature is written in a cursive style and is positioned to the right of the typed name.

**Subject:** Class IV Permit Application by Royal Home Villas, LLC, to Impact 19.29 Acres of Wetlands for a Residential Development and Accept a Restrictive Covenant to Preserve and Enhance 0.91 Acres of Wetlands On-site

## **Recommendation**

I have reviewed the application for a Class IV Permit by Royal Home Villas, LLC. Based upon the applicable evaluation factors set forth in Section 24-48.3 of the Code of Miami-Dade County, I recommend that the Board of County Commissioners approve the issuance of a Class IV Permit for the reasons set forth below.

## **Scope**

The subject property is located south of SW 336<sup>th</sup> Street and west of theoretical SW 169<sup>th</sup> Avenue, which is within County Commission District 9, Commissioner Dennis C. Moss.

## **Fiscal Impact/Funding Source**

Not applicable.

## **Track Record/Monitor**

Not applicable.

## **Background**

The subject Class IV Permit application involves the proposed dredging and filling of 19.29 acres of wetlands that do not support salt tolerant vegetation for a residential development, and the proffering of a Restrictive Covenant to preserve and enhance 0.91 acres of wetlands on-site. The subject property is located south of SW 336<sup>th</sup> Street and west of theoretical SW 169<sup>th</sup> Avenue in Section 19, Township 57 South, Range 39 East, Miami-Dade County, Florida. Chapter 24-48 of the Code of Miami-Dade County, which regulates the permitting of environmental resources, requires Board approval for the issuance of Class IV Permits to dredge and fill more than 15 acres of wetlands. The issuance of this approval does not relieve the applicants from obtaining all applicable federal, state and local permits.

The proposed project site is adjacent to undeveloped wetlands on the east and south, an agricultural field to the west and a residential development to the north. The proposed project site is located within the Urban Development Boundary. The wetlands that will be impacted within the project site have been drained and cultivated, the native vegetation no longer remains. The wetlands within the project site are historically characterized as a sawgrass marsh. Compensatory mitigation for the ecological impacts related to the removal of wetland communities will be accomplished by purchasing 5.58 freshwater herbaceous mitigation credits in the Everglades Mitigation Bank, owned and managed by Florida Power & Light Company.

The wetland restoration and enhancement projects conducted within Everglades Mitigation Bank has enhanced property in the South Dade Wetland Basin by removing exotic vegetation, replanting with native species, restoring filled areas to natural wetland grade, and the implementation of a fire management program. Each mitigation credit within Phase I of this bank will result in the preservation and enhancement of approximately 10 acres of wetlands. In addition, a restrictive covenant has been proffered for the preservation and enhancement of 0.91 acres of wetlands on-site.

The proposed project has been designed in accordance with all relevant Miami-Dade County Class IV Permit criteria and is consistent with all other Miami-Dade County wetland protection provisions. Please find attached a Project Report from the Department of Environmental Resources Management (DERM) Wetland Resources Section, which sets forth in more detail the reasons this project is recommended for approval by DERM pursuant to the applicable evaluation factors set forth in Section 24-48.3 of the Code of Miami-Dade County, Florida. The conditions, limitations, and restrictions set forth in the Project Report attached hereto are incorporated herein by reference hereto.

**Attachments**

- Attachment A: Class IV Permit Application  
Restrictive Covenant  
Site Plans  
Affidavit of Florida Limited Liability Company
- Attachment B: Applicants/Authorized Agents Letter  
Engineer's Certification Letter
- Attachment C: Zoning Approval Letter  
DERM Water Control's Cut & Fill Approval  
Mitigation Acceptance Letter
- Attachment D: Adjacent Property Owner's List
- Attachment E: Project Report

NOTICE OF PUBLIC HEARING ON AN APPLICATION BY THE ROYAL HOME VILLAS, LLC FOR A CLASS IV PERMIT TO IMPACT 19.29 ACRES OF WETLANDS FOR A RESIDENTIAL DEVELOPMENT AND ACCEPT A RESTRICTIVE COVENANT TO PRESERVE AND ENHANCE 0.91 ACRES OF WETLANDS ON-SITE SOUTH OF SW 336 STREET AND WEST OF THEORETICAL SW 169 AVENUE, IN SECTION 19, TOWNSHIP 57 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA

BOARD OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA

**NOTICE IS HEREBY GIVEN** pursuant to Article IV, Division 1 of Chapter 24 of the Code of Miami-Dade County that the Board of County Commissioners of Miami-Dade County will hold and conduct a Public Hearing on a request by Royal Home Villas, LLC for a Class IV Permit to impact 19.29 acres of wetlands for a residential development and accept a Restrictive Covenant to preserve and enhance 0.91 acres of wetlands on-site. Such Public Hearing will be held on the 21<sup>st</sup> day of October 2008, at 9:30 am, at the County Commission Chambers on the 2nd Floor of the Stephen P. Clark Center in Miami, Florida.

Plans and details concerning the work requested in the application may be reviewed by interested persons at the office of the Miami-Dade County Department of Environmental Resources Management, 701 NW 1<sup>st</sup> Court, Suite 400, Miami, Florida, 33136-3912.

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Oral statements will be heard and appropriate records made. For accuracy of records, all important facts and arguments should be prepared in writing in triplicate, with two copies being submitted to the Deputy Clerk of the County Commission at the hearing or mailed to her beforehand (Kay Sullivan, Deputy Clerk), 111 N.W. 1st Street, Stephen P. Clark Center, Suite 17-202, Miami, Florida 33128; and with one copy being submitted beforehand to the Miami-Dade County Department of Environmental Resources Management, 701 NW 1<sup>st</sup> Court, Suite 400, Miami, Florida, 33136.

A person who decides to appeal any decision made by any Board, Agency, or Commission with respect to any matter considered at its meeting or hearing, will need a record of proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

BOARD OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA

HARVEY RUVIN, CLERK

BY: \_\_\_\_\_  
Kay Sullivan, Deputy Clerk

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# MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

DATE: October 21, 2008

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

SUBJECT: Agenda Item No. 5(I)

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

Approved  Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 5(I)  
10-21-08

RESOLUTION NO. R-1114-08

RESOLUTION RELATING TO AN APPLICATION BY ROYAL HOME VILLAS, LLC FOR A CLASS IV PERMIT TO IMPACT 19.29 ACRES OF WETLANDS FOR A RESIDENTIAL DEVELOPMENT AND ACCEPTING A RESTRICTIVE COVENANT TO PRESERVE AND ENHANCE 0.91 ACRES OF WETLANDS ON-SITE SOUTH OF SW 336 STREET AND WEST OF THEORETICAL SW 169 AVENUE, IN SECTION 19, TOWNSHIP 57 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference ,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board having considered all the applicable factors contained within Section 24-48.3 of the Code of Miami-Dade County hereby approves the application by Royal Home Villas, LLC for a Class IV Permit to impact 19.29 acres of wetlands for a residential development and hereby accepts the restrictive covenant to preserve and enhance 0.91 acres of wetlands on-site, subject to the conditions set forth in the memorandum from the Director of the Miami-Dade County Department of Environmental Resources Management, a copy of which is attached hereto and made a part hereof. The issuance of this approval does not relieve the applicant from obtaining all applicable Federal, State, and local permits.

The foregoing resolution was offered by Commissioner **Dennis C. Moss** who moved its adoption. The motion was seconded by Commissioner **Carlos A. Gimenez** and upon being put to a vote, the vote was as follows:

	Bruno A. Barreiro, Chairman	<b>aye</b>	
	Barbara J. Jordan, Vice-Chairwoman	<b>aye</b>	
Jose "Pepe" Diaz	<b>aye</b>	Audrey M. Edmonson	<b>aye</b>
Carlos A. Gimenez	<b>aye</b>	Sally A. Heyman	<b>aye</b>
Joe A. Martinez	<b>aye</b>	Dennis C. Moss	<b>aye</b>
Dorrin D. Rolle	<b>aye</b>	Natacha Seijas	<b>absent</b>
Katy Sorenson	<b>absent</b>	Rebeca Sosa	<b>aye</b>
Sen. Javier D. Souto	<b>absent</b>		

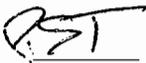
The Chairperson thereupon declared the resolution duly passed and adopted this 21<sup>st</sup> day of October, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK



By: **Kay Sullivan**  
Deputy Clerk

Approved by County Attorney as to form and legal sufficiency. 

Peter S. Tell

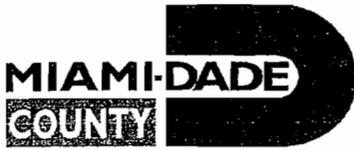
ATTACHMENT A

Class IV Permit Application Form

Restrictive Covenant

Site Plans

Affidavit of Florida Limited Liability Company



**RECEIVED**  
 Class IV Wetland  
 OCT 01 2008 Permit Application

For Official Use Only CORPS Application Number: DEP/SFWMDC Application Number:	Date Received Environmental Resources Regulation Division	Application Number <span style="font-size: 1.2em;">FW 07-074</span>
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**1. Applicant Information:**

Name: Royal Home Villas, LLC  
 Address: 9560 SW 107th Avenue, Suite 107  
Miami, FL.  
 Zip Code: 33176 Phone # (305) 275-0650  
 Email lvilarcho@aol.com Fax # (305) 273-9199

**2. Applicant's authorized permit agent:**

Rainer W. Schael, President  
 Name: RS Environmental Consulting, Inc.  
 Address: PO Box 161158  
Miami, FL  
 Zip Code: 33116-1158 Phone 305-383-3404  
 Email rainer@rs-env.com Fax # 305-383-3270

**3. Location where proposed activity exists or will occur:**

South of SW 336th Street and west of theoretical SW 169th Ave.  
 Street, road, or other descriptive location

Section: 19 City of Homestead  
 Township: 57S Incorporated city or town  
 Range: 39E 10-7919-001-0450  
 Folio Number

**4. Proposed use:**

Private Single Dwelling	<input type="checkbox"/>	Commercial	<input type="checkbox"/>
Multi-Family Dwelling	<input type="checkbox"/>	Agricultural	<input type="checkbox"/>
Multi-Single Family	<input checked="" type="checkbox"/>	Public	<input type="checkbox"/>
Please explain:		Other	<input type="checkbox"/>

Class IV Standard Form Permit Application Number FW 07-074 (Folio #10-7919-001-0450) and EEOS Application #: 2007-CLIV-PER-00074, Royal Home Villas for the Dredging and Filling of 19.29 Acres of Wetlands for the Construction of a Residential Development and the enhancement of 0.91 acres of wetlands in Section 19, Township 57S, Range 39E.

**5. Description of Project (Use additional sheets, if necessary)**

Total Acreage of Wetlands to be Impacted	19.29
<b>A. Lake Excavation or Dredging:</b>	
1. Total wetland acreage to be excavated or dredged	0.60
2. Cubic yards: Total for Project	24,200
a. Depth of excavated/dredged area	
b. Type of material to be excavated/dredged	
<b>B. Placement of Fill</b>	
1. Total wetland acreage to be filled	18.69
a. Cubic yards	150,766
2. Type of material to be used	Clean limerock fill
3. Source of fill material to be used	On-site lake & nearby borrow pit

CONTINUED ON NEXT PAGE

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5. Description of Project (continued)

C. Agriculture

1. Total wetland area to be cleared and/or plowed \_\_\_\_\_

2. Total area to be bedded for planting \_\_\_\_\_

3. Type of agriculture to be conducted (check any that apply):

a. Row Crops

b. Grove

c. Field Nursery

d. Container Nursery

e. Shade House Nursery

f. Other

(please explain) \_\_\_\_\_

4. If proposed project involves the construction of any drainage, water containment or conveyance facilities (I.e. ditches, diked areas, ponds, swales), please describe the proposed facilities:

\_\_\_\_\_

NOTE: If the project involves construction of any residential, office, storage facilities or other structures, or if the project involves the placement of a trailer on the property, separate approval from Miami-Dade County Building and Zoning Department (305-375-2500) is required:

6. Date activity is proposed to commence ASAP

Date activity is proposed to be completed 3 years

7. Previous permits for this project (or any part thereof) have been:

	State*	Corps*
A. Denied (date) _____	_____	_____
B. Issued (date) _____	_____	_____
C. Other (please explain) _____	_____	_____

\*Differentiate between existing work and proposed work on the drawings.

8. ADDITIONAL ITEMS REQUIRED FOR APPLICATION SUBMITTAL. (Please note that, in addition to the information requested on this application form, there are several other items which must be submitted with your application. See Instruction pamphlet for the additional information required for this application.)

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9. AFFIDAVIT OF OWNERSHIP OR CONTROL of the property on which the proposed project is to be undertaken.

I CERTIFY THAT I AM THE RECORD OWNER, LESSEE, OR RECORD EASEMENT HOLDER OF THE PROPERTY DESCRIBED BELOW.

NOTE: Lessees must provide a signed, notarized statement from the property owner indicating that the owner has reviewed the proposed project, including all proposed plans, and has agreed to allow the proposed project to occur on his or her lands.

LEGAL DESCRIPTION OF PROPERTY SITUATED IN MIAMI-DADE COUNTY, FLORIDA  
(use additional sheets if necessary)

Please see attached legal description

*Lucy Raurell*

Signature

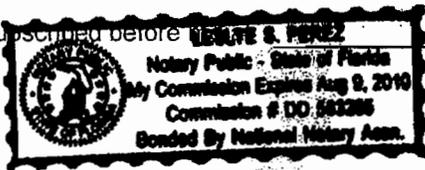
Lucy Raurell

Print Name

Managing Member of Royal Home Villas, LLC

Official Title

Sworn and subscribed before VERIFE S. PEREZ Miami-Dade county, this 1 day of October, 2008



*Verife S. Perez*

Notary Public

My commission expires: \_\_\_\_\_

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10. APPLICATION IS MADE FOR A PERMIT(S) TO AUTHORIZE THE ACTIVITIES DESCRIBED HEREIN.

- A. I authorize the agent listed in Item #2 to negotiate modifications or revisions, when necessary, and accept or assent to any requirements on my behalf.
- B. I agree to provide entry to the project site for inspectors with proper identification or documents from Miami-Dade County Department of Environmental Resources Management for the purpose of making preliminary analyses of the site. Further, I agree to provide entry to the project site for such inspectors to monitor permitted work if a permit is granted.
- C. Further, I hereby acknowledge the obligation and responsibility for obtaining all of the required state, federal or local permits **before** commencement of construction activities. I also understand that before commencement of this proposed project I must be granted separate permits or authorizations from the U.S. Army Corps of Engineers, the Department of Environmental Protection and the South Florida Water Management District, as necessary.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities.

  
\_\_\_\_\_  
Signature of Applicant(s)

10/1/08  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Lucy Raurell  
Print Name

\_\_\_\_\_  
Managing Member of Royal Home Villas, LLC  
Official Title

\_\_\_\_\_  
Signature of Applicant(s)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Official Title

NOTE: THIS APPLICATION MUST BE SIGNED by the person(s) who desires to undertake the proposed activity or by an authorized agent. If an agent is applying on behalf of the applicant, attach proof of authority for the agent to sign and bind the applicant.

NOTICE TO PERMIT APPLICANTS

This is a Class IV Permit Application; It is **NOT** A Class IV Permit! You Must Obtain **ALL** Required Local, State, and Federal Authorizations or Permits **BEFORE** Commencing work!!

Revised 6-7-07

B

# Appendix A

Royal Home Villas

Legal Description

TRACTS 4 AND 5, IN BLOCK 4, OF SECTION 19, TOWNSHIP 57 SOUTH, RANGE 59 EAST, ACCORDING TO THE MIAMI LAND & DEVELOPMENT COMPANY'S SUBDIVISION, AS RECORDED IN PLAT BOOK 5 PAGE 16, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

Parcel Identification Number: 10-7919-001-0450

**RESTRICTIVE COVENANT RUNNING WITH THE LAND IN FAVOR OF**  
**MIAMI-DADE COUNTY**

The undersigned, Royal Home Villas, LLC, being the present owner(s) of the following real property (hereinafter called "the Property"), lying, being and situated in Miami-Dade County, Florida, to wit:

See Exhibit A

pursuant to Section 24-48.2(I)(B)(2)(b) of the Code of Miami-Dade County, Florida hereby proffers this executed Restrictive Covenant Running With The Land in Favor of Miami-Dade County, Florida as part of Miami-Dade County Department of Environmental Resources Management Class IV Permit Application Number FW 07-074:

1. The owner, its heirs, successors, assigns and grantees, covenants to Miami-Dade County to comply with all conditions set forth in the Miami-Dade County Class IV Wetland Permit No. FW 07-074 attached hereto as Exhibit B and incorporated herein by reference.
2. The owner, its heirs, successors, assigns and grantees, covenants to Miami-Dade County that neither native trees nor native understory shall be removed from the Property without the prior written consent of the Miami-Dade County Department of Environmental Resources.
3. The owner, its heirs, successors, assigns and grantees, shall notify Miami-Dade County in writing not later than thirty (30) days after any conveyance, sale, grant or transfer of the Property or any portion thereof, to any heirs, successors, assigns or grantees.
4. The owner, its heirs, successors, assigns and grantees, covenants to Miami-Dade County to prohibit and prevent public access to all areas of the Property. In the event that the Property is being degraded (i.e., the area is being destroyed or damaged, plants removed or trampled upon or trash and debris are accumulating in the area), then Miami-Dade County may require the owner to install protective barriers around any area within the Property, which has been degraded.
5. This Restrictive Covenant shall run with the land and shall be recorded in the Public Records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned, and their heirs, successors, grantees and assigns until such time as the same is modified or released in writing by Miami-Dade County, Florida.

6. The undersigned agree(s) and covenant(s) that this Restrictive Covenant and the provisions contained herein may be enforced against any person permitting, allowing, letting, causing or suffering any violation of the terms of this Restrictive Covenant by the Department of Environmental Resources Management, or its successor, by temporary, permanent, prohibitory, and mandatory injunctive relief as well as otherwise provided by law or ordinance and also may include an action for and to recover civil penalties, damages, costs and expenses, and attorney's fees in favor of Miami-Dade County against said person(s) as authorized by law or ordinance. All of the remedies provided herein shall be deemed to be independent and cumulative and shall be deemed to be supplemental to any remedies provided by law or ordinance.

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 1<sup>st</sup> day of October, 2008.

Witnesses:

sign [Signature]  
print Regla Rodriguez  
sign [Signature]  
print Leslye Perez

Property Owner

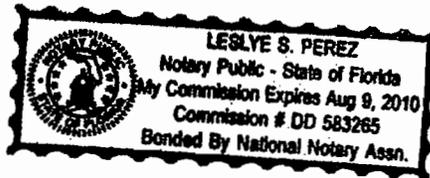
sign [Signature]  
print Lucy Ravrell  
Title Managing Member of Royal Home Villas, LLC  
Address 9560 SW 107<sup>th</sup> Avenue, Suite 107  
Miami, Florida 33176

STATE OF FLORIDA, COUNTY OF DADE

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of October, 2008, by Lucy Ravrell as \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

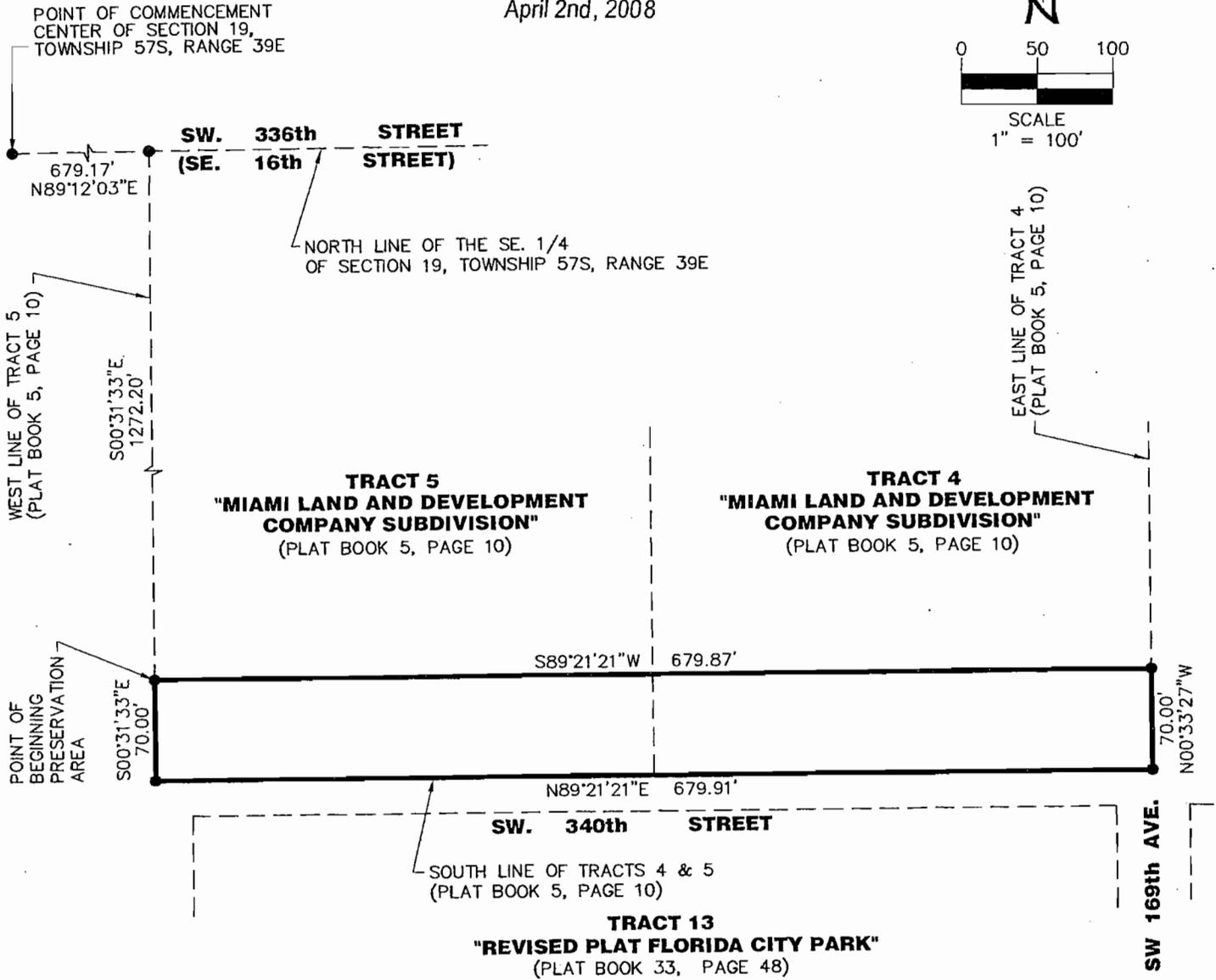
NOTARY PUBLIC:

sign [Signature]  
print Leslye Perez  
State of Florida at Large (Seal)  
My Commission Expires:



Sketch to Accompany Legal Description  
 For  
**ROYAL HOMES VILLAS, LLC.**  
 Prepared by  
**HADONNE CORP.**  
 on  
**April 2nd, 2008**

**EXHIBIT A**



**Legal Description of Preservation Area:**

A portion of Tracts 4 and 5 of "MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION" lying in the SE. 1/4 of Section 19, Township 55 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Center Corner of said Section 19; thence N89°12'03"E along the North Line of the SE. 1/4 of said Section 19 for 679.17 feet; thence S00°31'33" along the West Line of said Tract 5 for 1272.20 feet to the Point of Beginning of the parcel of land hereinafter described; thence continue S00°31'33"E along so West Line of Tract 5, for 70.00 feet; thence N89°21'21"E along the South Line of said Tracts 4 and 5, for 679.91 feet; thence N00°33'27"W along the East Line of said Tract 4, for 70.00 feet; thence S89°21'21"W along a line parallel with and 70.00 feet north of the South Line of said Tracts 4 and 5, for 679.87 feet to the Point of Beginning.

Containing 47,592 Square Feet, more or less, by calculation.

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Sketch to Accompany Legal Description  
For  
ROYAL HOMES VILLAS, LLC.  
Prepared by  
HADONNE CORP.  
on  
April 2nd, 2008

EXHIBIT A

**SOURCES OF DATA:**

The Legal Description of the Subject Property was generated from Township Maps, prepared by Miami-Dade County, Public Works Department, Engineering Division, for Section 19, Township 57 South, Range 39 East, in Miami-Dade County.

In addition, the following sources of data were used to the extent required to complete this document in a defensible matter, that is to say:

Sketch provided by the client showing the approximate area of the future easement.

Bearings as shown hereon are based upon the North Line of the SE. 1/4 of Section 19, Township 57 South, Range 39 East, Miami-Dade County, Florida, with a bearing of N89°12'03"E.

**EASEMENTS AND ENCUMBRANCES:**

No information was provided as to the existence of any easements other than what appears on the underlying Plat of record. Please refer to the Limitations portion with respect to possible restrictions of record and utility services.

**LIMITATIONS:**

Since no other information other than what is cited in the Sources of Data were furnished, the Client is hereby advised that there may be legal restrictions on the subject property that are not shown on the Sketch or contained within this Report that may be found in the Public Records of Miami-Dade County, Florida or any other public and private entities as their jurisdictions may appear.

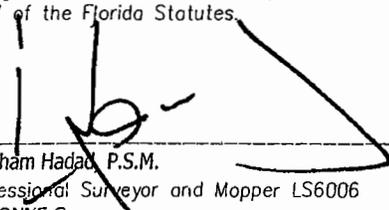
This document does not represent a field boundary survey of the described property, or any part or parcel thereof.

**INTENDED USE/EXPRESS PURPOSES:**

It is understood by the Surveyor that the intended use of this document is to create a Preservation Area being more particularly depicted in a Boundary Survey and Tentative Plat, Sheet 4 of 4, Project No. 05033, last revision dated on December 12, 2007, said area being labeled as Tract "I".

**SURVEYOR'S CERTIFICATE:**

I hereby certify that this "Sketch to Accompany Legal Description," was prepared under my direction and is true and correct to the best of my knowledge and belief and further, that said Sketch meets the intent of the "Minimum Technical Standards for Land Surveying in the State of Florida", pursuant to Rule 61G17-6 of the Florida Administrative Code and its implementing Rule, Chapter 472.027 of the Florida Statutes.

By:  10/01/08

Abraham Hadad, P.S.M.  
Professional Surveyor and Mapper LS6006  
HADONNE Corp.  
Land Surveyors and Mappers  
Certificate of Authorization LB7097  
7855 N.W. 12th Street, Suite 202  
Doral, Florida 33126  
305.266.1188 phone  
305.207.6845 fax

NOTICE: Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Each Sheet as incorporated therein shall not be considered full, valid and complete unless attached to the others. This Notice is required by Rule 61G17-6 of the Florida Administrative Code.

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**NOTICE: Not full and complete without page 1 of 2.**

Page 2 of 2

# PLANS FOR ROYAL HOME VILLAS

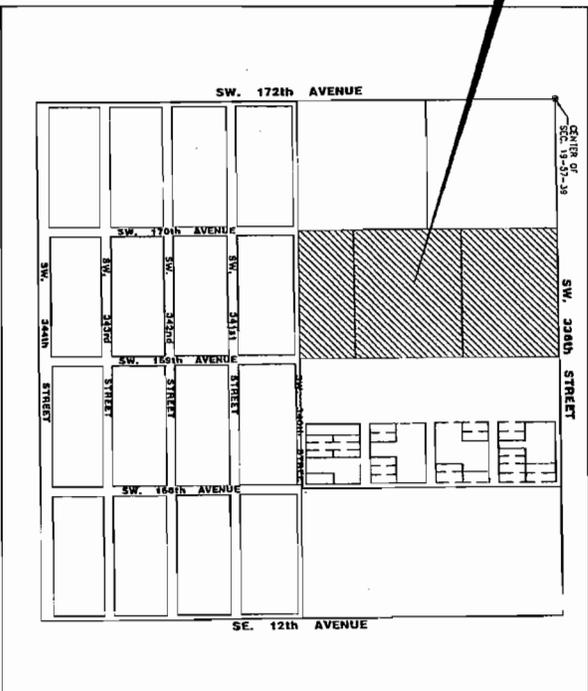
## S.W. CORNER OF S.W. 336th STREET AND S.W. 169th AVENUE

### CITY OF HOMESTEAD, FLORIDA

#### SUBJECT PROPERTY

#### INDEX OF DRAWINGS

SHEET NO.	SHEET DESCRIPTION
C-1	COVER SHEET AND LOCATION MAP
C-1	GENERAL NOTES
C-3	TYPICAL CROSS SECTIONS
C-4	PAVING, GRADING AND DRAINAGE PLAN
C-5	PAVING, GRADING AND DRAINAGE PLAN
C-6	PAVING, GRADING AND DRAINAGE PLAN
C-7	QUALITY OF DRAINAGE STRUCTURES
C-4	DRAINAGE DETAILS
C-8	PAVING DETAILS
C-2B	LANE EXCAVATION PLAN
C-2B	LANE EXCAVATION CROSS SECTIONS



LOCATION SKETCH  
SCALE 1"=300'

PREPARED FOR:

APCO HOME BUILDERS

PREPARED BY:



APPROVED:	DATE:
<i>[Signature]</i>	11/27/08
PROJECTED:	1/5
DESIGNED:	MJT / DMW
DATE:	09-25-08
	SHEET 1
	0.5
	A.M.
	C-1

**GENERAL NOTES:**

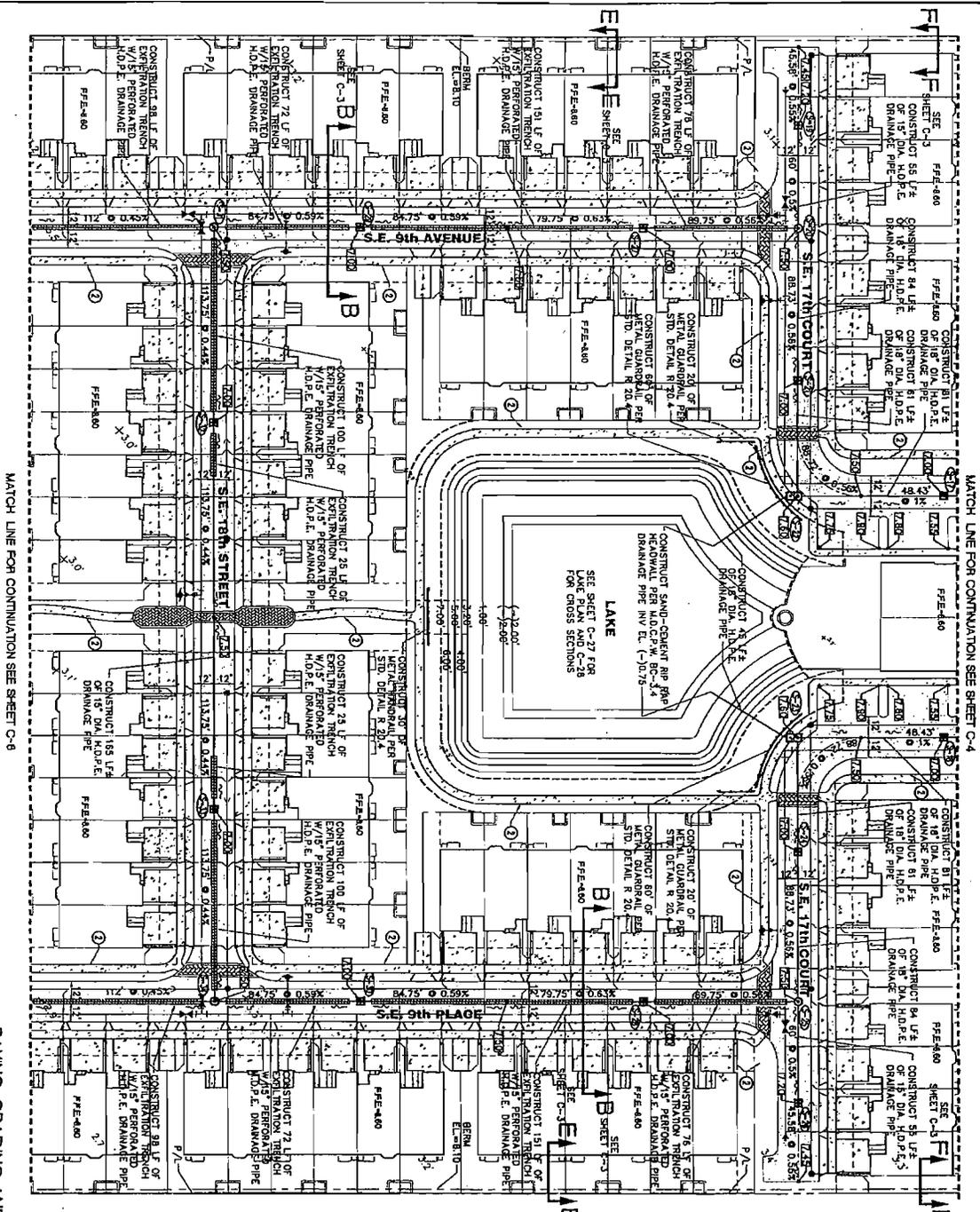
1. EXISTING TOPOGRAPHIC AND TREE LOCATION INFORMATION HAS BEEN OBTAINED FROM THE SHEET OF TOPOGRAPHIC SURVEY PERFORMED BY HADSONE CORP., DATED 6/13/98. UNLESS NOTED OTHERWISE, THE ORNAMENTS ARE IN FEET BASED ON NATIONAL GEODETIC VERTICAL DATUM 1929 (N.G.V.D.).
2. FLOOD CRITERIA ELEVATION IS 6.00 FEET BASED ON MIAMI-DADE COUNTY FLOOD CRITERIA MAPS.
3. ALL GRASS AREAS AFFECTED BY CONSTRUCTION SHALL BE SOODED.
4. IN ACCORDANCE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NUMBER 12285, ZONE X, SOODED SHALL BE WITH AN ELEVATION OF 8.00 FEET.
5. THE LOCATION AND SIZE OF ALL EXISTING UTILITIES SHOWN ON THE PLAN ARE APPROXIMATE. ADDITIONAL UTILITIES MAY EXIST WHICH ARE NOT SHOWN ON PLANS. THE CONTRACTOR SHALL VERIFY ALL UTILITIES BY ELECTRIC METHODS PRIOR TO BEGINNING ANY CONSTRUCTION OPERATIONS. ANY AND ALL CONFLICTS OF EXISTING UTILITIES WITH PROPOSED IMPROVEMENTS MUST BE RESOLVED BY THE ARCHITECT/ENGINEER AND THE OWNER. THIS WORK BY THE CONTRACTOR SHALL BE SHALL BE ALLOWED TO THE CONTRACT AND NO ADDITIONAL COMPENSATION.
6. 48 HOURS PRIOR TO BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL CONTACT THE STATE ONE CALL OF FLORIDA, INC. (1-800-432-4770) TO ASSURE THAT ALL UTILITIES HAVE BEEN IDENTIFIED.
7. ANY EXISTING BUILDING, PAVEMENT OR OTHER EXISTING IMPROVEMENTS NOT SPECIFIED FOR REMOVAL WHICH IS TEMPORARILY DAMAGED, EXPOSED OR IN ANY WAY DISTURBED BY CONSTRUCTION PERFORMED UNDER THIS CONTRACT SHALL BE REPAIRED, PATCHED OR REPLACED AT NO ADDITIONAL COST TO THE OWNER.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING APPROPRIATE SAFETY PRECAUTIONS DURING EXCAVATION AND TRENCHING OPERATIONS AS REQUIRED BY THE TRENCH SAFETY ACT.
9. THE CONTRACTOR SHALL VERIFY THE INVERT ELEVATIONS OF THE EXISTING SANITARY SEWER PRIOR TO CONSTRUCTION OF NEW SEWER, AND NOTIFY THE ARCHITECT/ENGINEER OF ANY DISCREPANCIES.
10. FOR CONTINUATION OF WATER SUPPLY SYSTEM AND SEWER SYSTEM FROM APPROXIMATELY 5 FEET OUTSIDE THE BUILDING SET, PUMPING DRAWINGS, ALL DRAINAGE CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH THE REQUIREMENTS OF MIAMI-DADE COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT.
11. CONTRACTOR IS TO PREVENT INTRODUCTION OF DEBRIS OR DIRT INTO NEW STONE DRAINAGE SYSTEM AS A RESULT OF CONSTRUCTION ACTIVITIES. ALL LINES AND STRUCTURES SHALL BE CLEANED PRIOR TO FINAL INSPECTION AND ACCEPTANCE.
12. FOR RELOCATION AND REMOVAL OF EXISTING LIGHT POLES, ELECTRICAL BOXES AND OTHER ELECTRICAL OR COMMUNICATIONS IMPROVEMENTS, SEE ELECTRICAL DRAWINGS, IF APPLICABLE.
13. DIMENSIONS IN PAVED AREAS ARE TO THE EDGE OF THE ASPHALT.
14. ALL UNSUITABLE MATERIAL UNDER THE NEW PAVEMENT SHALL BE REMOVED AND REPLACED WITH ACCEPTABLE MATERIALS BEFORE PROCEEDING WITH CONSTRUCTION.
15. ALL PAVING SHALL BE A WHEEL STOP AS DETAIL.
16. ALL RADI SHALL BE 3 FEET UNLESS OTHERWISE NOTED.
17. CONTRACTOR SHALL COORDINATE AND INSTALL ALL ORNAMENTS PRIOR TO BEGINNING SUBGRADE CONSTRUCTION.
18. ALL LUMPY AND ORGANIC MATERIALS FOUND WITHIN THE PROJECT AREA SHALL BE REMOVED AND REPLACED WITH CLEAN FILL MATERIAL IN 6 INCH LIFTS COMPACTED TO NOT LESS THAN 95% MAXIMUM DENSITY AT OPTIMUM MOISTURE IN ACCORDANCE WITH MASHTO T-190.
19. ALL BRACKS REFER TO FINISH ASPHALT ELEVATIONS.
20. CONTRACTOR SHALL ADJUST ALL EXISTING VALES, BOXES, CATCH BASINS GRATES, MANHOLES COVERS, ETC. TO MEET NEW GRASSES WHERE APPLICABLE.
21. PROVIDE A SMOOTH TRANSITION WHERE NEW PAVEMENT, SIDEWALK, OR CURB MEETS EXISTING GRASS AREAS.
22. WHERE NEW PAVEMENT MEETS EXISTING CONSTRUCTION SHALL BE MADE IN A NEAT MANNER. ALL CONSTRUCTION SHALL BE MADE IN ACCORDANCE WITH THE SPECIFICATIONS OF THE SOUTH FLORIDA BUILDING CODE. IF ANY ITEM OF WORK IS NOT COVERED IN EITHER OF THE SPECIFICATIONS, IT SHALL BE CONSTRUCTED PER THE FLORIDA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
23. FOR SPECIFICATIONS REGARDING WATER AND SEWERAGE SEWER OF THIS PROJECT REFER TO MIAMI-DADE WATER AND SEWER DEPARTMENT STANDARDS.
24. ALL SEWER SYSTEM CONSTRUCTION (PERMIT # 0400) SHALL BE IN STRICT ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF MIAMI-DADE WATER AND SEWER DEPARTMENT.
25. PRIOR TO REMOVAL AND/OR RELOCATION OF EXISTING TREES, IF REQUIRED, THE CONTRACTOR MUST OBTAIN APPROVAL FROM THE CITY OF MIAMI-DADE.
26. CONTRACTOR SHALL HAVE A SET OF PLANS WITH CURRENT FIELD CHANGES MARKED THEREON AND SHALL DELIVER THESE PLANS TO THE ENGINEER UPON COMPLETION OF CONSTRUCTION.
27. CONTRACTOR SHALL NOTIFY THE ENGINEER WHEN CONFLICTS BETWEEN DRAWINGS AND ACTUAL CONDITIONS ARE DISCOVERED.
28. ALL EXCAVATION SHALL BE BACKFILLED. THEREFORE ORIGINAL GRADE SHALL BE RESTORED UPON COMPLETION OF CONSTRUCTION, SOODED OR SEEDED AND MULCHING.
29. BACKFILLING PAVEMENT CUTS AND EXCAVATION WITHIN 2 FEET OF PAVEMENT EDGE SHALL MEET THE FOLLOWING ADDITIONAL REQUIREMENTS:
  - (A) COMPACT TO A DENSITY NOT LESS THAN 98% (ASTM D-1557-70)
  - (B) DENSITY TESTS SHALL BE CONDUCTED EVERY 12" OF UNCOMPACTED DEPTH OR AS DIRECTED BY THE ENGINEER.
30. THE CONTRACTOR SHALL PROVIDE ALL WARNING LIGHTS, SIGNALS, SIGNS AND BARRIERS AS REQUIRED BY THE MIAMI-DADE COUNTY DEPARTMENT OF PUBLIC WORKS.
31. ALL ROAD CROSSINGS ARE OPEN CUT UNLESS OTHERWISE NOTED ON THE DRAWINGS.
32. THE CONTRACTOR SHALL REPLACE ALL PAVING, STUDOLIZED CURB, CURBS, DRIVEWAYS, SIDEWALKS, SIGNS, AND OTHER IMPROVEMENTS, WITH THE SAME TYPE OF MATERIAL THAT WAS REMOVED DURING CONSTRUCTION AS DIRECTED BY THE ENGINEER.
33. REPAIRS SHALL BE TYPE "F" UNLESS OTHERWISE NOTED. CONCRETE CURB AND OTHERS DAMAGED DURING CONSTRUCTION SHALL BE REPAIRED TO MEET THE MIAMI-DADE COUNTY PUBLIC WORKS MANUAL, PART 1 (STANDARD DETAIL, R141), WHERE IT IS NECESSARY TO DEFLECT PIPE EITHER HORIZONTALLY OR VERTICALLY. PIPE JOINT OPENING SHALL NOT EXCEED 50% OF THE MANUFACTURER'S RECOMMENDED OPENING.
34. ALL PUBLIC LAND CORNERS, BENCH MARKS, MONUMENTS AND REFERENCED POINTS WITHIN THE LIMITS OF CONSTRUCTION ARE TO BE PROTECTED AND REFERENCED POINTS IN CONFLICT WITH THE WORK AND IN DANGER OF BEING DAMAGED, DESTROYED OR COVERED HAVE TO BE PROPERLY REFERENCED BY A PROFESSIONAL LAND SURVEYOR OR ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS FOR CONSTRUCTION AND SURVEYING. THE CONTRACTOR SHALL RETAIN THE LAND SURVEYOR TO REFERENCING WORK AT THAT SITE. UPON COMPLETION OF THE WORK, ALL SUCH CORNERS AND MONUMENTS AND SHALL FURNISH TO THE ENGINEER A SIGNED AND SEALED COPY OF THE LAND SURVEYOR'S REFERENCING DRAWING.

2

	<p><b>PROJECT NAME</b> ROYAL HOME VILLAS</p> <p><b>CLIENT</b> APOCO HOME BUILDERS</p>	<p><b>SHEET TITLE</b> GENERAL NOTES</p>
<p><b>DATE</b> 3-25-2007</p> <p><b>DATE</b> 3-25-2007</p> <p><b>DESIGNED BY</b> _____</p> <p><b>CHECKED BY</b> _____</p> <p><b>REVISIONS</b> _____</p>	<p><b>SCALE</b> AS SHOWN</p> <p><b>DATE</b> 3-25-2007</p> <p><b>DESIGNED BY</b> _____</p> <p><b>CHECKED BY</b> _____</p> <p><b>DATE</b> 3-25-2007</p>	<p><b>SHEET</b> C-2</p>



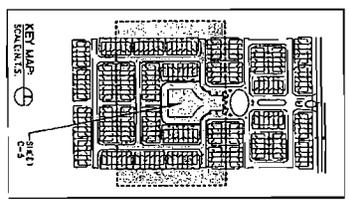




MATCH LINE FOR CONTINUATION SEE SHEET C-3

MATCH LINE FOR CONTINUATION SEE SHEET C-4

PAVING, GRADING AND DRAINAGE PLAN  
SCALE: 1" = 30'



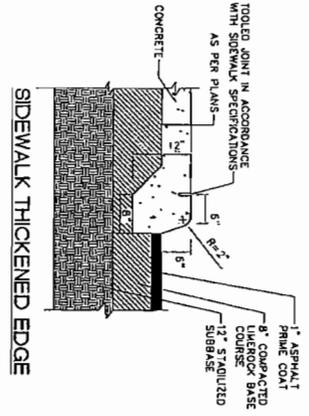
LEGEND:	
[Symbol]	CONCRETE DRIVEWAY AND SIDEWALK
[Symbol]	NEW ASPHALT & CONCRETE
[Symbol]	PAVEMENT TYPE BARRIER
[Symbol]	F. ASPHALT CONCRETE
[Symbol]	COMPACTED LIME/LOCK BASE COURSE
[Symbol]	7" STABILIZED SUBGRADE
[Symbol]	MINER LOCK PAVES
[Symbol]	PER DETAIL SHOWN ON SHEET C-4
[Symbol]	1 MATCH DRIVEWAY GRADE
[Symbol]	2 CONSTRUCT 4" THICK CONCRETE SIDEWALK PER DETAIL SHOWN ON SHEET C-4
[Symbol]	3 CONSTRUCT 8" VALLEY GUTTER PER DETAIL SHOWN ON SHEET C-6
[Symbol]	7.51 EXISTING ELEVATION
[Symbol]	NEW ELEVATION
[Symbol]	CONSTRUCT 24" DIA. H.O.P.E. DRAINAGE PIPE PER DETAIL SHOWN ON SHEET C-4
[Symbol]	CONSTRUCT 15" DIA. SOLID H.O.P.E. DRAINAGE PIPE AS SHOWN ON PLAN
[Symbol]	CONSTRUCT 6" DIA. SOLID H.O.P.E. DRAINAGE PIPE AS SHOWN ON PLAN AND PER DETAIL SHOWN ON SHEET C-4
[Symbol]	CONSTRUCT 15" U.F. OF EXHAUSTION TRENCH WITH PERFORATED H.O.P.E. DRAINAGE PIPE PER DETAIL SHOWN ON SHEET C-6
[Symbol]	CONSTRUCT 8" VALLEY GUTTER PER DETAIL SHOWN ON SHEET C-6
[Symbol]	STRUCTURE NUMBER
[Symbol]	RAMP/FLOW

<p><b>PROJECT NAME</b> ROYAL HOME VILLAS</p> <p><b>CLIENT</b> APCO HOME BUILDERS</p>	<p><b>SHEET TITLE</b> PAVING, GRADING AND DRAINAGE PLAN</p>	<p><b>DATE:</b> 2-28-2002</p> <p><b>DESIGNED BY:</b></p> <p><b>CHECKED BY:</b></p>	<p><b>SCALE:</b> 1" = 30'</p> <p><b>SHEET:</b> C-5</p>	<p>ORST ORST CONSULTANTS 1111 S. W. 11th Street, Suite 1111 Fort Lauderdale, FL 33315 Phone: 954.574.1111 Fax: 954.574.1112</p>
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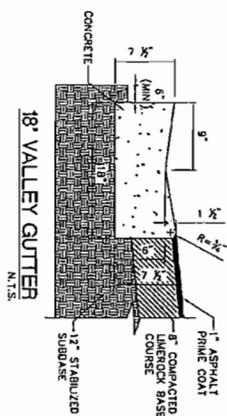




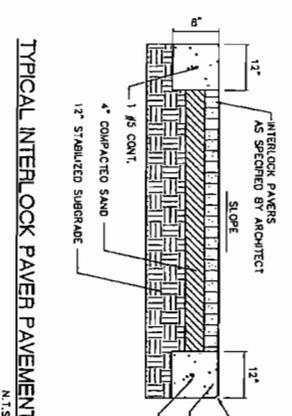




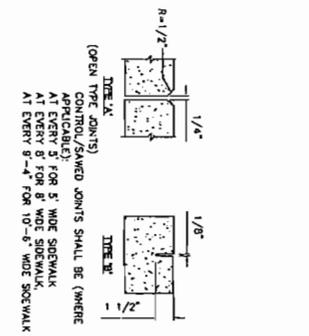
**SIDEWALK THICKENED EDGE**  
N.T.S.



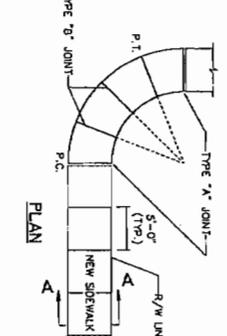
**18" VALLEY GUTTER**  
N.T.S.



**TYPICAL INTERLOCK PAVEMENT**  
N.T.S.



**EXPANSION JOINTS**  
CONTROL/SAVED JOINTS SHALL BE (WHERE APPLICABLE):  
AT EVERY 5'-0" FOR 5' WIDE SIDEWALK  
AT EVERY 8'-0" FOR 8' WIDE SIDEWALK  
AT EVERY 8'-0" FOR 10'-0" WIDE SIDEWALK



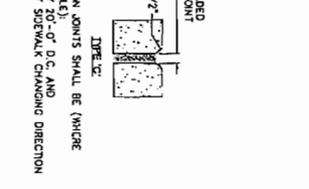
**PLAN**  
SECTION A-A

TABLE OF SIDEWALK JOINTS	
TYPE	LOCATION
'A'	P.C. AND P.T. OF CURVES, JUNCTION OF EXISTING AND NEW SIDEWALKS.
'B'	5'-0" CENTER TO CENTER ON SIDEWALKS
'C'	WHEELER SIDEWALK ABUTS CONCRETE CURBS, DRIVEWAYS AND SIMILAR STRUCTURES

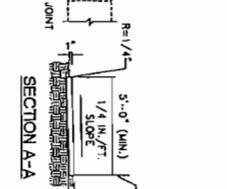
\*WITH 6"x6" #10 GALVANIZED MESH

TABLE OF SIDEWALK THICKENING	
LOCATION	THICKENING
RESIDENTIAL AREAS	4"
AT DRIVEWAYS AND OTHER AREAS	8"

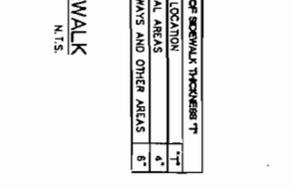
**CONCRETE SIDEWALK**  
N.T.S.



**TYPICAL PAVEMENT**  
N.T.S.



**PAVEMENT MATCH DETAIL**  
N.T.S.



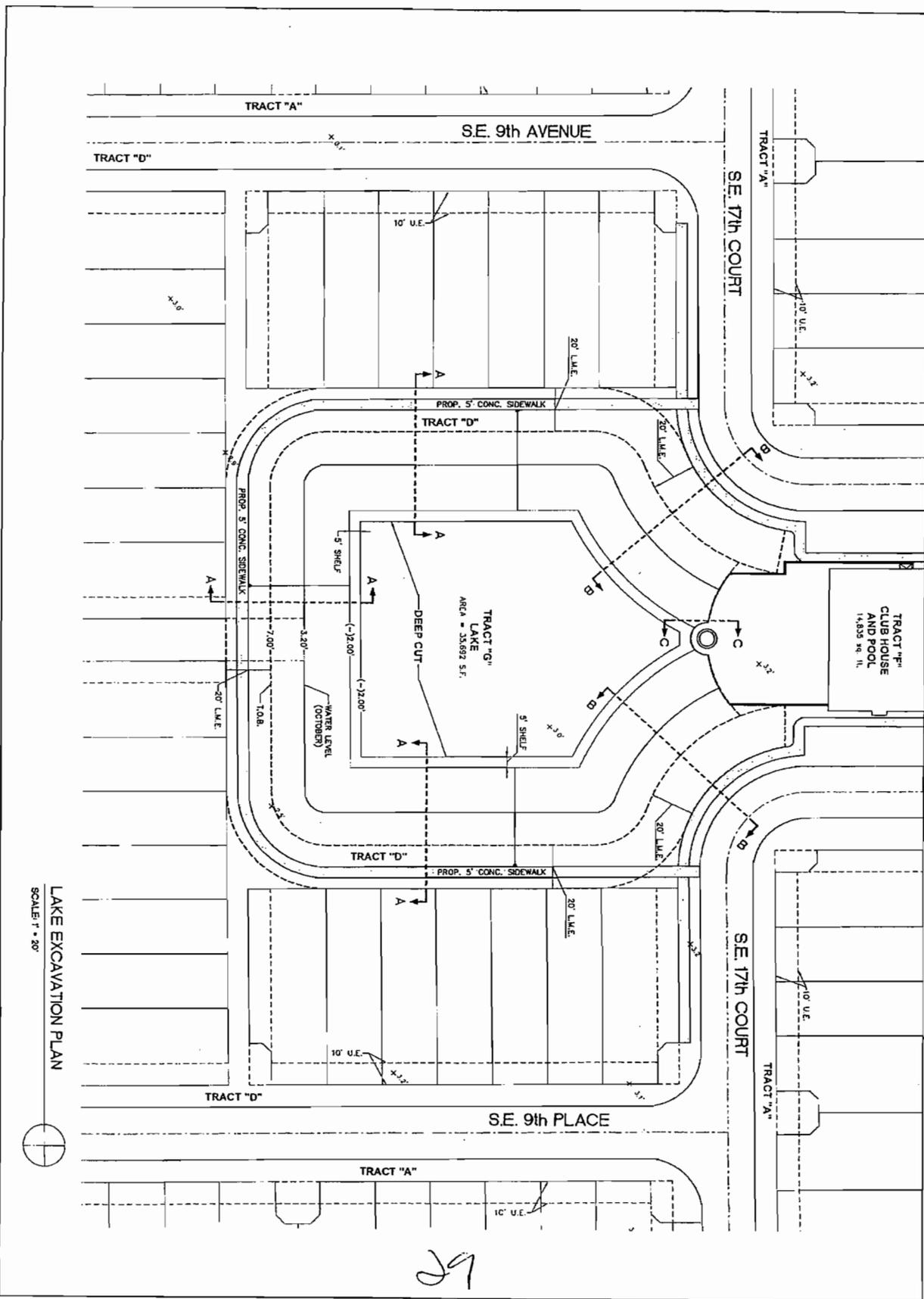
**CONCRETE CURB**  
TYPE 'D'  
N.T.S.

- ASPHALT PAVEMENT NOTES:**
1. LIEROCK BASE SHALL BE COMPACTED TO A DENSITY OF NOT LESS THAN 98% OF MAXIMUM DENSITY AS DETERMINED BY ASTM 1-180 AND PRIMED.
  2. ASPHALT PAVEMENT SHALL BE TYPE S-4 AS SPECIFIED IN SECTION 211 OF THE FLORIDA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
  3. SEE LAYOUT AND PAVING PLAN FOR WIDTHS OF DRIVES AND PARKING AREAS.
  4. STABILIZED SUBGRADE SHALL BE COMPACTED TO A DENSITY OF NOT LESS THAN 95% OF MAXIMUM DENSITY AS DETERMINED BY ASTM 1-180

**TYPICAL PAVEMENT**  
N.T.S.

**NOTE:**  
1) CONCRETE SHALL BE CLASS 1 AND SHALL ATTAIN A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI IN 28 DAYS

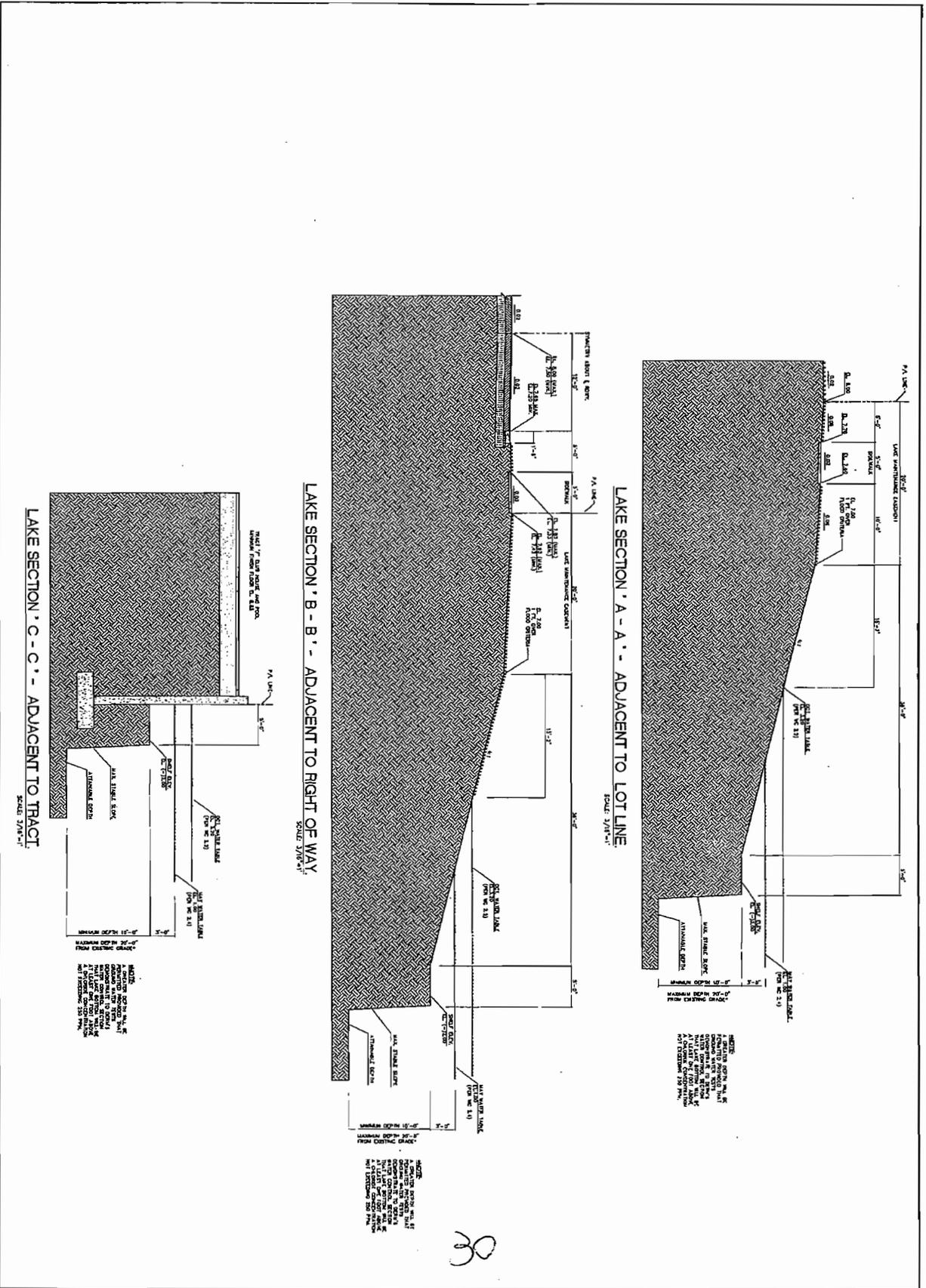
	PROJECT NAME <b>ROYAL HOME VILLAS</b>
	CLIENT <b>APCO HOME BUILDERS</b>
SHEET TITLE <b>PAVING DETAILS</b>	REVISIONS NO. DESCRIPTION DATE 1. 1/2/05 2. 1/2/05
DRAWN BY: <i>[Signature]</i> CHECKED BY: <i>[Signature]</i> DATE: 5-28-2007 S.A.S. PROJ. NO.: 0372 NORTH ARROW (N) 0°	SHEET NO. <b>C-9</b>



LAKE EXCAVATION PLAN  
SCALE: 1" = 20'

29

SHEET C-28	data description no.	REVISIONS	DATE: 3-25-2007 DESIGNED BY: S.L. CHECKED BY: J.C.S.	S.A. S. PROJ. No.: 0707 OLIVIERO SANCHEZ PRINCIPAL ENGINEER	SHEET TITLE <b>LAKE EXCAVATION PLAN</b>	PROJECT NAME <b>ROYAL HOME VILLAS</b>	CONSULTING ENGINEERS 11714 N. 19th Ave., Suite 100, Phoenix, AZ 85021 Phone: 602.998.1111 Fax: 602.998.1112 www.srsi.com
	CLIENT APCO HOME BUILDERS						



30

<b>PROJECT NAME</b> ROYAL HOME VILLAS <b>CLIENT</b> APCO HOME BUILDERS	<b>SHEET TITLE</b> LAKE ESCAVATION CROSS SECTIONS	<b>DATE</b> 4/25/02
		<b>SCALE</b> 3/8"=1'
<b>DESIGNED BY</b> J.C.L.		
<b>CHECKED BY</b> J.C.L.		
<b>APPROVED BY</b> [Signature]		
<b>PROJECT NO.</b> 0207		
<b>DATE</b> 4-25-2002		
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<b>APPROVED BY</b> [Signature]		
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<b>DATE</b> 4		

**AFFIDAVIT OF MEMBERS, MANAGING MEMBERS,  
AND MANAGERS OF FLORIDA LIMITED LIABILITY COMPANY**

WE, (Print full name(s) and all title(s) of person(s) or entity(s) in the following spaces; if more space needed print additional names and title(s) on separate paper marked as Exhibit A and attach Exhibit A to this Affidavit; the list of names and titles shall include all names on the list required by Section 608.4101(1)(a), Fla. Stat. (2004), as same may be amended from time to time)

<u>Full name</u>	<u>Title(s)</u>
<u>Miriam Gilmore</u>	<u>Managing Member</u>
<u>Lucy Raurell</u>	<u>Managing Member</u>

hereby swear or affirm that :

1. The foregoing persons or entities set forth above and on Exhibit A, if applicable, which Exhibit A is attached hereto and incorporated herein by reference hereto, constitute and are all of the Members, Managing Members, and Managers, as those terms are defined in Section 608.402, Fla. Stat.(2004), as same may be amended from time to time, of the Florida Limited Liability Company known as Royal Home Villas, LLC (Print name of the Florida Limited Liability Company as the name appears in the Articles of Organization currently filed with the Secretary of State of the State of Florida);
2. There are no Members, Managing Members or Managers of the aforesaid Florida Limited Liability Company other than the persons or entities set forth above and on Exhibit A, if applicable.
3. There are no provisions in any Articles of Organization of the aforesaid Florida Limited Liability Company or in any operating agreement, written or oral, of the aforesaid Florida Limited Liability Company, as those terms are defined in Section 608.402, Fla. Stat.(2004), as same may be amended from time to time, which prohibit, restrict or limit in any way or in any manner the execution of the instrument or document attached hereto and incorporated herein by reference hereto, to wit, Class IV Standard Form Permit Application FW 07-074, EEOS Application # 2007-CLIV-PER-00074 (Print the title of the instrument or document) by any of the foregoing persons or entities set forth above and on Exhibit A, if applicable, for and on behalf of the aforesaid Florida Limited Liability Company and to bind and obligate the aforesaid Florida Limited Liability as set forth in the foregoing instrument or document.
4. All of the foregoing persons or entities set forth above and on Exhibit A, if applicable, are authorized by the foregoing Florida Limited Liability Company; to execute the instrument or document attached hereto and incorporated herein by reference hereto, to wit, Class IV Standard Form Permit Application FW 07-074, EEOS Application # 2007-CLIV-PER-00074 (Print the title of the instrument or document) for and on behalf of the aforesaid Florida Limited Liability Company and to bind and obligate the

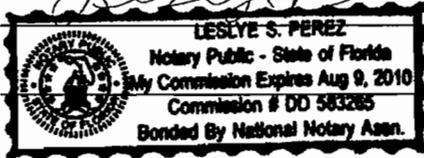
aforesaid Florida Limited Liability Company as set forth in the foregoing instrument or document.

5. All of the provisions of this Affidavit shall be construed in accordance with the laws of the State of Florida.

[Signature] Managing Member, Royal Home Villas, LLC  
Signature Title(s)

Sworn to and subscribed before me this 4 day of December, 2007  
(year) by Judy Rawell (print name legibly), who is personally  
known to me or who has produced D.L. (type of identification).

[Signature] (Signature of Notary Public)



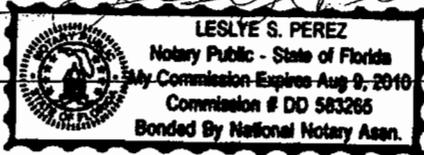
(Print, type or stamp name of notary public)

(Add additional Signature, Title(s), and Notary Public areas for all other LLC Members, Managing Members, and Managers, as needed)

[Signature] Managing Member, Royal Home Villas, LLC  
Signature Title(s)

Sworn to and subscribed before me this 4 day of December, 2007  
(year) by Miriam Gilmore (print name legibly), who is personally  
known to me or who has produced D.L. (type of identification).

[Signature] (Signature of Notary Public)



(Print, type or stamp name of notary public)

ATTACHMENT B

Applicants/Authorized Agents Letter

Engineer's Certification Letter

# **RS ENVIRONMENTAL CONSULTING, INC.**

## Permit Applicant/ Authorized Agent Statement

October 1, 2008

Miami-Dade County DERM  
Wetland Resources Section  
701 N.W. 1<sup>st</sup> Court  
Miami, Florida 33136

**RE: Class IV Standard Form Permit Application Number FW 07-074 (Folio #10-7919-001-0450) and EEOS Application #: 2007-CLIV-PER-00074, Royal Home Villas for the Dredging and Filling of 19.29 Acres of Wetlands for the Construction of a Residential Development and the enhancement of 0.91 acres of wetlands in Section 19, Township 57S, Range 39E.**

By the attached Class IV Standard Form permit application with supporting documents, I, Mr. Rainer W. Schael, am the permit applicant (applicant's authorized agent) and hereby request permission to perform the following: Class IV Standard Form Permit Application Number FW 07-074 (Folio #10-7919-001-0450) and EEOS Application #: 2007-CLIV-PER-00074, Royal Home Villas for the Dredging and Filling of 19.29 Acres of Wetlands for the Construction of a Residential Development and the enhancement of 0.91 acres of wetlands in Section 19, Township 57S, Range 39E. I understand that a Miami-Dade County Class IV Standard Form Permit is required to perform this work.

If approval is granted for the proposed work by the Board of County Commissioners, complete and detailed plans and calculations of the proposed work shall be prepared by an engineer registered/licensed in the State of Florida in accordance with the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida. Said plans and calculations shall be subject to the review and approval of the Department of Environmental Resource Management. The permit applicant will secure the services of an engineer registered/licensed in the State of Florida to conduct inspections throughout the construction period, and said engineer shall prepare all required drawings of record.

Respectfully submitted,



Mr. Rainer W. Schael, President, RS Environmental Consulting, Inc.  
Authorized Agent

## ENGINEER LETTER OF CERTIFICATION

October 9, 2008

Miami-Dade County DERM  
Wetland Resources Section  
701 NW 1<sup>st</sup> Court, 6<sup>th</sup> Floor  
Miami, Florida 33136

**Re: Class IV Standard Form Permit Application Number FW 07-074 (Folio #10-7919-001-0450) and EEOS Application #: 2007-CLIV-PER-00074, Royal Home Villas for the Dredging and Filling of 19.29 Acres of Wetlands for the Construction of a Residential Development and the enhancement of 0.91 acres of wetlands in Section 19, Township 57S, Range 39E.**

Ladies and Gentlemen:

This letter will certify that I am an engineer registered/licensed in the State of Florida, qualified by education and experience in the area of construction, and that to the best of my knowledge and belief, the proposed work does not violate any laws of the State of Florida or any provision of the Code of Miami Dade County which may be applicable, that diligence and recognized standard practices of the engineering profession have been exercised in the engineer's design process for the proposed work, and in my opinion based upon my knowledge and belief, the following will not occur:

- a. Harmful obstruction or undesirable alteration of the natural flow of the water within the area of the proposed work.
- b. Harmful or increased erosion, shoaling of channels or stagnant areas of water. (Not applicable to class IV permits)
- c. Material injury to adjacent property.
- d. Adverse environmental impacts from changes in water quality or quantity. (Applicable to class IV permits only)

Further I have been retained by the applicant to provide inspections throughout the construction period and prepare a set of reproducible record prints of drawings showing changes made during the construction process based upon the marked-up prints, drawings, and other data furnished by the contractor to me.

Sincerely,



Oliverio Sanchez, P.E.  
Florida Reg. No. 44771

ATTACHMENT C

Zoning Approval Letter

DERM Water Control's Cut & Fill Approval

Mitigation Acceptance Letter



Discover the Opportunities™

*City Council*

Lynda Bell  
Mayor

Jon Burgess  
Vice-Mayor

Wendy Lobos  
Councilwoman

Melvin McCormick  
Councilman

Nazy Sierra  
Councilwoman

Judy Waldman  
Councilwoman

Curtis K. Ivy, Jr.  
City Manager

January 15, 2008

Miami-Dade County DERM  
Wetland Resources Section  
701 NW 1<sup>st</sup> Court, Suite 400  
Miami, Florida 33136-3912

**RE: Class IV Standard Form Permit Application Number FW07-074 (Folio#10-7919-001-0450) and EEOS Application# 2007-CLIV-PER-00074, Royal Home Villas for the Dredging and Filling of 19.29 Acres of Wetlands for the Construction of a Residential Development and the enhancement of 0.91 acres of wetlands in Section 19, Township 57S, Range 39E, Miami-Dade County, Florida (as shown on plans entitled Royal Homes Villas, signed and sealed on June 7, 2007.**

Ladies and Gentlemen:

The proposed usage of the property upon which the proposed work would occur does not violate any zoning law applicable to the area of the proposed work.

If you need additional information, please feel free to contact me at (305) 224-4512

Sincerely,

Fran Schwartz,  
Planning & Zoning Administrator

cc: file

*City Hall*  
790 N. Homestead Blvd.  
Homestead, FL 33030  
305-224-4400  
www.cityofhomestead.com

# Memorandum



Date: September 30, 2008

To: Kathryn Skindzier, Biologist II  
Wetlands Resources Section

From: Rogelio Mata, Engineer II  
Water Control Section *RM*

Subject: Class IV Application FW 07-074 (2007-CLIV-PER-00074)  
Folio no. 10-7919-001-0450  
Section 19-57-39

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Water Control Section has reviewed the submitted site plans and project information for the subject project and the determined the following:

1. The proposed work will not result in adverse environmental impacts to water quality or quantity.
2. Project is located outside of the Cut and Fill Basins.
3. An Individual Environmental Resource Permit issued by the South Florida Water Management District and a Class II Permit issued by the Department of Environmental Resources Management must be obtained before construction of the proposed surface water management system.

If you should have any questions, please advise.



**EVERGLADES**  
MITIGATION BANK

August 21, 2008

RECEIVED  
SEP 05 2008

DERM  
Environmental Processes Regulation Division

Mr. Lazaro Vilarchao  
Royal Home Villas, LLC  
9560 SW 107th Avenue Suite 107  
Miami, FL 33176

**Re: Everglades Mitigation Bank Credit Reservation:  
U. S. Army Corps of Engineers Permit # SAJ-2007-754 (IM-MCL)  
South Florida Water Management District Permit # 13-04009-P**

Please be advised that the Everglades Mitigation Bank (the "EMB") has reserved the 5.58 Freshwater Herbaceous mitigation credits necessary to offset the unavoidable wetland impact for the above referenced project. Phase I of the EMB has a signed Mitigation Banking Instrument acknowledged by both FDEP and USACE and sufficient credits are currently available on the EMB ledger to offset the proposed impacts. **The EMB acknowledges receiving a deposit for the above referenced credits.**

Please contact me at 561-694-6388 for any additional information or questions regarding this matter.

Regards,

Joseph R. Sicbaldi  
Everglades Mitigation Bank



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ATTACHMENT D

Adjacent Property Owner's List



ATTACHMENT E

Project Report

PROJECT REPORT

CLASS IV PERMIT APPLICATION NO. FW 07-074

Royal Home Villas, LLC

October 8, 2008

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Staff's recommendation of approval for the above-referenced project is based upon the applicable evaluation factors set forth in Section 24-48.3, Code of Miami-Dade County. The following is a summary evaluation of the proposed project with respect to each applicable evaluation factor:

1. Potential Adverse Environmental Impact – The proposed project will result in an adverse environmental impact to 19.29 acres of wetlands. However, the mitigation, as set forth in Number 14 below, will compensate for the loss of wetland values associated with the proposed project.
2. Potential Cumulative Adverse Environmental Impact – The proposed project will result in minimal cumulative adverse environmental impacts. However, the mitigation, as set forth in Number 14 below, will compensate for the loss of wetland values associated with the proposed project within the subject property.
3. Hydrology - The proposed project, as designed, is not reasonably expected to adversely affect surface water drainage or retention of storm water.
4. Water Quality – The proposed project, as designed, is not reasonably expected to adversely affect applicable Miami-Dade County water quality standards.
5. Wellfields – The proposed project is not located within a wellfield protection area.
6. Water Supply – The proposed project is not reasonably expected to adversely affect the water supply.
7. Aquifer Recharge – The proposed project is not reasonably expected to adversely affect aquifer recharge.
8. Aesthetics - The proposed project is designed to be aesthetically compatible with the surrounding area.
9. Navigation – Not applicable.
10. Public Health - The proposed project is not reasonably expected to adversely affect the public health.
11. Historic Values – The proposed project is not reasonably expected to adversely affect historic values.
12. Archaeological Values – There is no known archaeological site located within the boundaries of this application.
13. Air Quality – The proposed project is not reasonably expected to adversely affect air quality.

14. Marine and Wildlife Habitats - The proposed project will result in the dredging and filling of 19.29 acres of herbaceous wetlands disturbed as a result of agriculture. Compensatory mitigation for the ecological impacts related to the loss of wetland functions will be accomplished by purchasing 5.58 freshwater herbaceous mitigation credits in the Everglades Mitigation Bank, owned and managed by Florida Power & Light Company. The wetland restoration and enhancement projects conducted within the Everglades Mitigation Bank has enhanced property in the South Dade Wetland Basin by removing exotic vegetation, replanting with native species, restoring filled areas to natural wetland grade, and the implementation of a fire management program. In addition, a restrictive covenant has been proffered for the preservation and enhancement of 0.91 acres of wetlands on-site.
15. Wetland Soils Suitable for Habitat - The proposed project will result in the permanent removal of wetland soils. However, the mitigation, as set forth in Number 14, will result in the enhancement of existing wetland habitat and soils by restoring appropriate wetland elevations and removing exotics, thereby promoting re-vegetation with native wetland plant species and soil-vegetative interactions.
16. Floral Values - The proposed project will impact herbaceous wetlands. However, the mitigation, as set forth in Number 14 above, will provide for the establishment of native wetland vegetation appropriate for promoting the natural ecosystem.
17. Faunal Values - The proposed project will disturb native wildlife habitat. However, the mitigation, as set forth in Number 14 above, will provide for high quality habitat for native fauna.
18. Rare, Threatened and/or Endangered Species - The proposed project is not reasonably expected to result in adverse impacts to rare, threatened or endangered species.
19. Natural Flood Damage Protection - The water management features of the project have been reviewed by DERM's Water Control Section and are in compliance with DERM's criteria for development in this area. (see attachment C).
20. Wetland Values - The proposed project will result in the dredging and filling of 19.29 acres of jurisdictional wetlands. However, the mitigation, as set forth in Number 14 above, will compensate for the loss of wetland values associated with the proposed project.
21. Land Use Classification - The City of Homestead Planning and Zoning Department has determined the proposed usage does not violate any zoning law applicable to the area of the proposed work. (See Attachment C)

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22. Recreation – The proposed project does not conflict with the recreation element of the Miami-Dade County Comprehensive Development Master Plan and the recreation element of the Biscayne Bay Management Plan recreation elements.
23. Other Environmental Values Affecting the Public Interest – There are no other known environmental factors that will affect the public interest.
24. Standard Construction Procedures and Practices and Design and Performance Standards - The proposed project complies with the standard construction procedures and practices and design and performance standards of the applicable portions of the following:
  - a. Miami-Dade County Public Works Manual
  - b. Chapter 33B of the Code of Miami-Dade County
25. Comprehensive Environmental Impact Statement (CEIS) - In the opinion of the Director, the proposed mitigation plan will compensate for the loss of wetland values associated with the proposed project. As such, a CEIS was not required by DERM to evaluate the proposed project.
26. Conformance with All Applicable Federal and State Laws and Regulations – The proposed project is in conformance with the following applicable State, Federal and local laws and regulations:
  - a) United States Clean Water Act (US Army Corps of Engineers and US Environmental Protection Agency)
  - b) Federal Endangered Species Act (US Fish & Wildlife Service)
  - c) Florida Department of Environmental Protection Regulations
  - c) Chapter 24 of the Code of Miami-Dade County
  - d) Rules of the South Florida Water Management District
  - e) Basis of Review for Surface Water Management Permit Applications Within the South Florida Water Management District
27. Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP) – In the opinion of DERM, the proposed land use is consistent with the CDMP. Specifically, the proposed project complies with the following CDMP Elements and Policies:

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LAND USE ELEMENT:

Objective 1 – Growth management - The proposed project is generally consistent with the goals, objectives and policies contained in the Conservation, Aquifer Recharge and Drainage Element.

Objective 3/Policies 3B, 3C - Protection of natural resources and systems. - The proposed project is consistent with all applicable environmental regulations, as well as all other elements of the CDMP. The proposed project is compatible with surrounding land uses and does not involve development in the Big Cypress area of Critical State concern or the East Everglades.

CONSERVATION, AQUIFER RECHARGE AND DRAINAGE ELEMENT:

Objective 2/Policy 2A – Protection of ground and surface water resources – The proposed project adheres to all relevant storm water management criteria.

Objective 3/Policies 3A, 3B, 3D - Wellfield protection area protection. - The proposed project is not located within a wellfield protection area.

Objective 3/Policy 3E - Limestone mining within the area bounded by the Florida Turnpike, the Miami-Dade/Broward Levee, N.W. 12 Street and Okeechobee Road. - The proposed project is not located within the above area.

Objective 4/Policies 4A, 4B, 4C - Water storage, aquifer recharge potential and maintenance of natural surface water drainage. - The proposed project is not reasonably expected to adversely affect water storage, aquifer recharge potential, or natural surface water drainage.

Objective 5/Policies 5A, 5B, 5F - Flood protection and cut and fill criteria - The water management features of the proposed project have been reviewed by DERM's Water Control Section and are in compliance with DERM's criteria for development in this area.

Objective 6/Policy 6A - Areas of highest suitability for mineral extraction. - The proposed project is not located in an area proposed or suitable for mineral extraction.

Objective 6/Policy 6B - Guidelines for rock quarries for the re-establishment of native flora and fauna. – Not applicable.

Objective 6/Policy 6D - Suitable fill material for the support of development. – The proposed project will not cause premature urban encroachment. The proposed project must use suitable fill material in order to meet the requirements of Chapter 24 of the Code of Miami-Dade County.

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Objective 7/Policy 7A - No net loss of high quality, relatively unstressed wetlands. – The wetlands associated with this project are not high quality. The loss of wetland values associated with the proposed project will be mitigated as set forth in Number 14 above.

Objective 9/Policies 9A, 9B, 9C - Protection of habitat critical to Federal or State-designated threatened or endangered species. - The proposed project is not expected to affect any rare, threatened, or endangered species.

28. Conformance with Chapter 33B, Code of Miami-Dade County (East Everglades Zoning Overlay Ordinance) – The proposed project is not within the East Everglades Zoning overlay area.
29. Conformance with Miami-Dade County Ordinance 81-19 (Biscayne Bay Management Plan) – The proposed project is not within the area of the Biscayne Bay Management Plan.
30. Conformance with Manatee Protection Plan – Not applicable.
31. Consistency with Miami-Dade County Criteria for Lake Excavation – Not applicable.
32. Municipality Recommendation - The City of Homestead Planning and Zoning Department has determined the proposed usage does not violate any zoning law applicable to the area of the proposed work. (See Attachment C)
33. Coastal Resources Management Line – Not Applicable.
34. Maximum Protection of a Wetland’s Hydrological and Biological Functions Through Adherence to the Following Fill Limitations: -
  - i) Placement of the minimum fill necessary to provide for the land usage alternative which results in the least adverse environmental impact and the least cumulative adverse environmental impact – The proposed project uses the minimum amount of fill necessary to provide for the proposed land usage alternative.
  - ii) Placement of temporary fill pads and fill roads for the purpose of conducting rock mining. - Not applicable.

The proposed project was also evaluated for compliance with the minimum required standards contained in Section 24-48.3 (2), (3), and (4) of the Code of Miami-Dade County. The following is a summary of the proposed project’s compliance with said standards:

24-48.3 (2) Dredging and/or Filling for Class I Permit – Not applicable.

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24-48.3 (3) Docks and Piers for Mooring Purposes - Not applicable.

24-48.3 (4) Clean Fill in Wetlands - The proposed project involves the placement of clean fill material only.

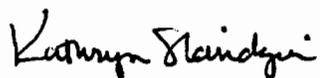
24-48.3 (6) Basin Fill Criteria – The proposed project complies with criteria for the total volume of fill material placed on a project. Specifically, the drainage plans and calculations for the subject project demonstrate the project meets the water quality and water quantity for stormwater. The project is located outside of the Cut and Fill Basins. A Class II Permit must be obtained prior to construction of the proposed surface water management system.

SUMMARY

BASED ON THE FOREGOING, IT IS RECOMMENDED THAT A CLASS IV PERMIT BE APPROVED.

 10-8-08

Matthew Davis, Manager  
Wetland Resources Section

 11/8/08

Kathryn Skindzier, Biologist II  
Wetland Resources Section