

Memorandum



Date: December 6, 2011

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

From: Carlos A. Gimenez
Mayor

Agenda Item No. 5(G)

Resolution R-1039-11

Subject: Approving the Plat for FONTAINEBLEAU WEST - NORTH

Recommendation

The following plat is hereby submitted for consideration by the Board of County Commissioners for approval. This plat is bounded on the north by State Road 836, on the east by NW 97 Avenue, on the south by Fontainebleau Boulevard, and on the west approximately 980 feet east of NW 107 Avenue. The Miami-Dade County Plat Committee, comprised of representatives from the Florida Department of Transportation, the Florida Department of Health, the Miami-Dade County School Board and Miami-Dade County departments of Fire Rescue, Parks, Recreation and Open Spaces, Permitting, Environment and Regulatory Affairs, Public Works and Waste Management and Water and Sewer, recommends approval and recording of this plat.

Scope

This plat is located within the boundaries of Commission District 10.

Fiscal Impact /Funding Source

There is no associated fiscal impact to Miami-Dade County by the approval of this plat; all improvements along Fontainebleau Boulevard adjoining this property are in place. Minor modifications to the existing roadway at the intersection of Fontainebleau Boulevard and NW 99 Court (i.e. milling, resurfacing, removal of existing, and relocation (addition) of curb and gutter, etc.) will not increase the existing maintenance costs for the previously constructed roadway.

Track Record/Monitor

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

Background

FONTAINEBLEAU WEST - NORTH (T-23171)

- Located in Section 5, Township 54 South, Range 40 East and Government Lot 5 lying between Section 32, Township 53 South, Range 40 East and Section 5, Township 54 South, Range 40 East
- Commission District: 10
- Zoning: RU-4M
- Proposed Usage: Single family residences
- Number of parcels: 271
- This plat meets concurrency

Plat Restrictions

- That Fontainebleau Boulevard, as illustrated on the plat, together with all existing and future planting, trees, shrubbery and fire hydrants thereon, are hereby dedicated to the perpetual use of the public for proper purposes, reserving to the dedicators, their successors or assigns, the reversion or reversions thereof whenever discontinued by law.
- That individual wells shall not be permitted within this subdivision, except for swimming pools, sprinkler systems and/or air conditioners.

- That the use of septic tanks will not be permitted on any lot or tract within this subdivision, unless approved for temporary use, in accordance with County and State regulations.
- That all new electric and communication lines, except transmission lines, within this subdivision, shall be installed underground.
- That the utility easements, depicted by dashed lines on the plat, are hereby reserved for the installation and maintenance of public utilities.
- That Tract "A", as shown on the plat, is hereby reserved for common area for the joint and several use of the property owners within this subdivision and blocks 1, 2, 3, and 20 of Fontainebleau West, recorded in Plat Book 166, Page 45, as a means of ingress-egress to the individual lots and tracts, and for the installation and maintenance of public utilities, and shall be owned and maintained by the Miami-Dade County approved Fontainebleau Lakes Community Development District, or maintained by a Miami-Dade County approved Special Taxing District.
- That Tracts "B", "D", "E", "H", "J", "K", "L", "M", "P", and "A1" as shown on the plat are hereby reserved for common area for the joint and several use of the property owners within this subdivision and blocks 1, 2, 3, and 20 of Fontainebleau West, recorded in Plat Book 166, Page 45, for landscaping purposes, and for the installation and maintenance of public utilities, and shall be owned and maintained by a Miami-Dade County approved homeowners' association or the Miami-Dade County approved Fontainebleau Lakes Community Development District, or maintained by a Miami-Dade County approved Special Taxing District.
- That Tract "C", as shown on the plat, is hereby reserved for common area for the joint and several use of the property owners within this subdivision and blocks 1, 2, 3, and 20 of Fontainebleau West, recorded in Plat Book 166, Page 45, for landscaping and recreational purposes, and shall be owned and maintained by a Miami-Dade County approved homeowners' association or the Miami-Dade County approved Fontainebleau Lakes Community Development District.
- That Tracts "F", "N", and "B1", as shown on the plat, are hereby reserved for common area for the joint and several use of the property owners within this subdivision and blocks 1, 2, 3, and 20 of Fontainebleau West, recorded in Plat Book 166, Page 45, for landscaping purposes, and shall be owned and maintained by the Miami-Dade County approved Fontainebleau Lakes Community Development District, or maintained by a Miami-Dade County approved Special Taxing District.
- That Tract "G", as shown on the plat, is hereby reserved for common area for the joint and several use of the property owners within this subdivision and blocks 1, 2, 3, and 20 of Fontainebleau West, recorded in Plat Book 166, Page 45, for open space, landscaping, and recreational purposes, and for the installation and maintenance of public utilities, and shall be owned and maintained by the Miami-Dade County approved Fontainebleau Lakes Community Development District.
- That Tracts "Q", "R", and "S", as shown on the plat, are hereby reserved for common area for the joint and several use of the property owners within this subdivision and blocks 1, 2, 3, and 20 of Fontainebleau West, recorded in Plat Book 166, Page 45, for landscaping purposes as landscape buffers, and shall be owned and maintained by a Miami-Dade County approved homeowners' association or the Miami-Dade County approved Fontainebleau Lakes Community Development District, or maintained by a Miami-Dade County approved Special Taxing District.
- That Tract "T", as shown on the plat, is hereby reserved for common area for the joint and several use of the property owners within this subdivision and blocks 1, 2, 3, and 20 of Fontainebleau West, recorded in Plat Book 166, Page 45, for clubhouse and recreational purposes, and shall be owned and maintained by a Miami-Dade County approved homeowners' association or the Miami-Dade County approved Fontainebleau Lakes Community Development District.

- That Tract "U", as shown on the plat, is hereby reserved for common area for the joint and several use of the property owners within this subdivision and blocks 1, 2, 3, and 20 of Fontainebleau West, recorded in Plat Book 166, Page 45, for parking area and landscaping purposes, and shall be owned and maintained by a Miami-Dade County approved homeowners' association or the Miami-Dade County approved Fontainebleau Lakes Community Development District, or maintained by a Miami-Dade County approved Special Taxing District.
- That Tract "V", as shown hereon, is hereby reserved as a pump station site and shall be owned and maintained by Miami-Dade County.
- That Tracts "W" and "X", as shown on the plat, are hereby reserved for common area for the joint and several use of the property owners within this subdivision and blocks 1, 2, 3, and 20 of Fontainebleau West, recorded in Plat Book 166, Page 45, for open space, landscaping and recreational purposes, and for the installation and maintenance of public utilities, and shall be owned and maintained by the Miami-Dade County approved Fontainebleau Lakes Community Development District. Additionally, Tracts "W" and "X" will not be used as building sites and all storm water management areas within said tracts are hereby reserved as storage basins for storm water drainage purposes.
- That Tracts "Y" and "Z", as shown on the plat, are hereby reserved for common area for the joint and several use of the property owners within this subdivision and blocks 1, 2, 3, and 20 of Fontainebleau West, recorded in Plat Book 166, Page 45, for open space and landscaping purposes, and shall be owned and maintained by the Miami-Dade County approved Fontainebleau Lakes Community Development District or maintained by a Miami-Dade County approved special taxing district. Additionally, Tract "Y" will not be used as a building site and the storm water management area within said tract is hereby reserved as a storage basin for storm water drainage purposes.
- That Tract "C1", as shown on the plat, is hereby reserved for the use of a guardhouse, and shall be owned and maintained by a Miami-Dade County approved homeowners' association or the Miami-Dade County approved Fontainebleau Lakes Community Development District.
- The storm water management areas shown on the plat are hereby reserved as storage basins for storm water discharge from public roads and abutting property, access, and proper use. No use shall be made of the storm water management areas which would interfere with storm water discharge into said areas through and from the drainage easements as shown hereon. Drainage flow rights across and through said storm water management areas are hereby dedicated for public purposes.
- The areas adjacent to the storm water management areas are to be graded to prevent overland discharge into the storm water management areas.
- The drainage easements shown hereon are hereby dedicated to the perpetual use of the public for the installation and maintenance of drainage facilities.

Developer's Obligation

- Mobilization, clearing embankment, paving, milling, resurfacing, curb and gutter, traffic control signs and striping. Bonded under bond number 7843 in the amount of \$17,230.00.



County Manager/Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: December 6, 2011

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

SUBJECT: Agenda Item No. 5(G)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No. 5(G)

Veto _____

12-6-11

Override _____

RESOLUTION NO. R-1039-11

RESOLUTION APPROVING THE PLAT OF FONTAINEBLEAU WEST - NORTH, LOCATED IN THE NORTH 1/2 OF SECTION 5, TOWNSHIP 53 SOUTH, RANGE 40 EAST AND GOVERNMENT LOT 5 LYING BETWEEN SECTION 32, TOWNSHIP 53 SOUTH, RANGE 40 EAST AND SECTION 5, TOWNSHIP 54 SOUTH, RANGE 40 EAST (BOUNDED ON THE NORTH BY STATE ROAD 836, ON THE EAST BY NW 97 AVENUE, ON THE SOUTH BY FONTAINEBLEAU BOULEVARD, AND ON THE WEST APPROXIMATELY 980 FEET EAST OF NW 107 AVENUE)

WHEREAS, Fontainebleau Single Family Homes West, LLC, a Florida limited liability company, Fontainebleau Lakes Community Development District, an independent special district established pursuant to Chapter 190 of the Florida Statutes, and Fontainebleau Lakes, LLC, a Florida limited liability company, have this day presented to this Board a plat of certain lands lying in Miami-Dade County, Florida, said plat to be known as FONTAINEBLEAU WEST - NORTH, the same being a replat of Tracts "A", "B", "C", "D", "E", "F", "G", "H", "J", "K", "L", "M", and "N", and all of Blocks 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of "Fontainebleau West", according to the plat thereof, as recorded in Plat Book 166, at Page 45, of the Public Records of Miami-Dade County, Florida, lying and being in the North 1/2 of Section 5, Township 54 South, Range 40 East and Government Lot 5 lying between Section 32, Township 53 South, Range 40 East and Section 5, Township 54 South, Range 40 East, Miami-Dade County, Florida, and it appears that all requirements of law concerning said plat insofar as the authority of this Board is concerned have been complied with,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that said plat is hereby approved; that the dedication of the streets, alleys and other rights-of-way however designated or depicted on said plat is hereby accepted; that the Miami-Dade County Plat Restrictions as listed on said plat are approved and are to be enforced; that approval of the plat is not a waiver of any zoning regulations and that the requirements of the zoning existing on this land at the time this resolution is approved shall be enforced whether or not the various parcels on this plat conform to those requirements; this approval is conditioned upon the proper execution of all documents required by the County Attorney's Office.

The foregoing resolution was offered by Commissioner **Sen Javier D. Souto**

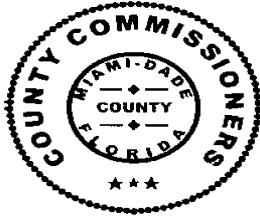
who moved its adoption. The motion was seconded by Commissioner **Joe A. Martinez**

and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	aye		
Audrey M. Edmonson, Vice Chairwoman	aye		
Bruno A. Barreiro	aye	Lynda Bell	aye
Esteban L. Bovo, Jr.	aye	Jose "Pepe" Diaz	aye
Sally A. Heyman	aye	Barbara J. Jordan	aye
Jean Monestime	aye	Dennis C. Moss	aye
Rebeca Sosa	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of December, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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



HARVEY RUVIN, CLERK

BY: **Christopher Agrippa**

Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

JM

John McInnis

Section 5, Township 54S,
Range 40E, Govt Lot 5
between Section 32,
Township 53S, Range 40E
& Section 5, Township 54S,
Range 40E

