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OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Agenda Item No. 5(A)

Resolution No. R-173-12

Date: February 21, 2012

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

From: Carlos A. Gimenez
Mayor

Subject: Approving the Waiver of Plat for BJA 74th Avenue, LLC

Recommendation
The following waiver of plat is hereby submitted for consideration by the Board of County Commissioners for approval. This plat is bounded on the north approximately 695 feet south of SW 42 Street, on the east approximately 310 feet west of SW 73 Avenue, on the south approximately 258 feet north of SW 45 Street, and on the west by SW 74 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 (PWWM), Sustainability, Planning and Economic Enhancement, and Water and Sewer, recommends approval of this waiver of plat.

Scope
This waiver of plat is located within the boundaries of Commission District 7.

Fiscal Impact /Funding Source
There is no associated fiscal impact to Miami-Dade County with the approval of this waiver of plat; all improvements are in place.

Track Record/Monitor
PWWM, Land Development/Right-of-Way Division administers the processing of plats and the person responsible for this function is Raul A. Pino, PLS, Land Development/Right-of-Way Division Chief.

Background
BJA 74TH AVENUE, LLC (D-23204)

- Located in Section 23, Township 54 South, Range 40 East
- Commission District: 7
- Zoning: IU-2
- Proposed Usage: Office and Warehouse
- Number of parcels: 1
- This plat meets concurrency

Plat Restrictions

- Plat restrictions: none, waiver of plat.

Developer's Obligation

- None, all improvements are in place.

County Manager/Deputy Mayor

MEMORANDUM

(Revised)

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

DATE: February 21, 2012

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

SUBJECT: Agenda Item No. 5(A)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_✓_ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous_____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(A)
2-21-12

RESOLUTION NO. R-173-12

RESOLUTION APPROVING THE WAIVER OF PLAT OF BJA 74TH AVENUE, LLC, D-23204, LOCATED IN THE NORTHWEST 1/4 OF SECTION 23, TOWNSHIP 54 SOUTH, RANGE 40 EAST (BOUNDED ON THE NORTH APPROXIMATELY 695 FEET SOUTH OF SW 42 STREET, ON THE EAST APPROXIMATELY 310 FEET WEST OF SW 73 AVENUE, ON THE SOUTH APPROXIMATELY 258 FEET NORTH OF SW 45 STREET, AND ON THE WEST BY SW 74 AVENUE)

WHEREAS, BJA 74th Avenue, LLC, a Florida limited liability company and Ronald P. Weil, as Successor Trustee under the Provisions of Trust Agreement Number 83-201, dated July 25, 1983, have this day presented to this Board a waiver of plat of certain lands lying in Miami-Dade County, Florida, said waiver of plat of the property legally described as a portion of land lying and being in the Northwest 1/4 of Section 23, Township 54 South, Range 40 East, Miami-Dade County, Florida, and it appears that all requirements of law concerning said waiver of plat insofar as the authority of this Board is concerned have been complied with,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that said waiver of plat is hereby approved; that the property has been found to be in compliance with Chapter 28, Subdivisions, of the Miami-Dade County Code; that approval of this waiver of plat is not a waiver of any zoning regulations and that the requirements of the zoning existing on this land at the time this Resolution is approved shall be enforced whether or not the parcel on this waiver of plat conforms 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 **Xavier L. Suarez**, who moved its adoption. The motion was seconded by Commissioner **Jean Monestime** 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	**absent**
Sally A. Heyman	**aye**	Barbara J. Jordan	**absent**
Jean Monestime	**aye**	Dennis C. Moss	**absent**
Rebeca Sosa	**aye**	Sen. Javier D. Souto	**aye**
Xavier L. Suarez	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of February, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

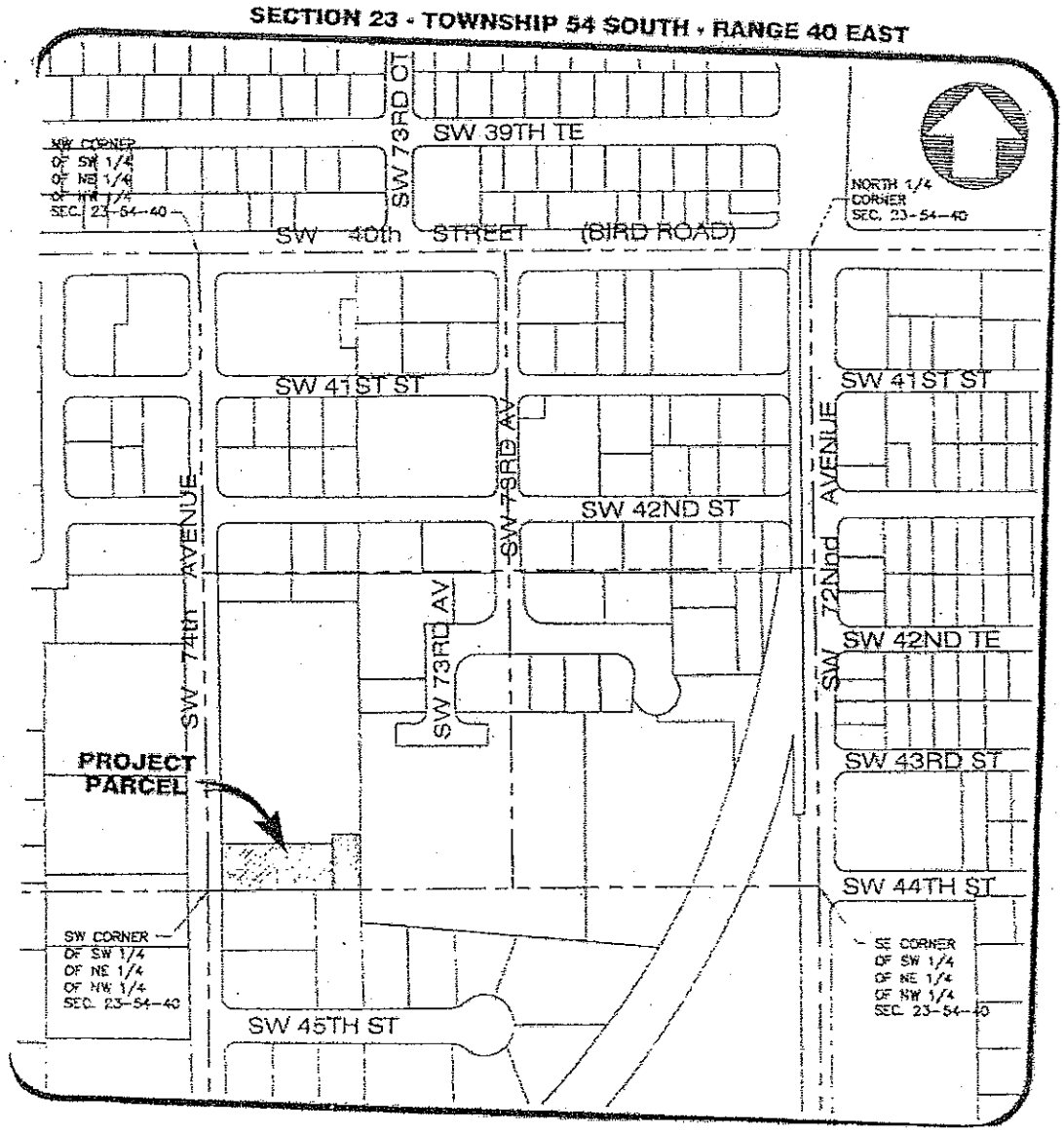
MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Christopher Agrippa**
Deputy Clerk

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

John McInnis



BJA 74TH AVENUE, LLC