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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: November 17, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

Agenda Item No. 5(F)

From: Carlos A. Gimenez
Mayor

Subject: Resolution Approving the Waiver of Plat of Mountain Cove Homes at SW 35 St., LLC

Resolution No. R-1033-15

Recommendation

The following waiver of plat is submitted for consideration by the Board of County Commissioners for approval. The waiver of plat of Mountain Cove Homes at SW 35 St., LLC is bounded on the north approximately 140 feet south of SW 34 Street, on the east approximately 150 feet west of SW 92 Avenue, on the south by SW 35 Street, and on the west approximately 920 feet east of SW 94 Avenue.

The Miami-Dade County Plat Committee (Plat Committee) recommends approval of this waiver of plat. The Plat Committee is comprised of representatives from:

- Florida Department of Transportation;
- Florida Department of Health;
- Miami-Dade County School Board; and
- Miami-Dade County departments of Fire Rescue; Parks, Recreation and Open Spaces; Regulatory and Economic Resources (RER); Transportation and Public Works; and Water and Sewer.

Scope

This waiver of plat is located in Commission District 10, which is represented by Senator Javier D. Souto.

Fiscal Impact/Funding Source

If this waiver of plat is approved, the fiscal impact to the County would be approximately $50.00 per year for the maintenance of new drainage structure and minimal pavement construction along SW 35 Street once constructed adjacent to the project. These costs would be covered by the Department of Transportation and Public Works' annual General Fund allocation.

Track Record/Monitor

The Development Services Division of RER administers the processing of plats and waivers of plat, and the person responsible for this function is Raul A. Pino, P. L. S.

Background

Mountain Cove Homes at SW 35 St., LLC (D-23524)

- Located in Section 16, Township 54 South, Range 40 East
- Zoning: RU-1
- Proposed Usage: 2 single family residences
- Number of parcels: 2
- This plat meets concurrency.

Plat Restrictions

- Plat restrictions: none, waiver of plat.

Developer's Obligation

- Mobilization, clearing, paving and drainage. Bonded under bond number 7942 in the amount of $13,821.00.

Jack Osterholt
Deputy Mayor

MEMORANDUM
(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 17, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 5(F)

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**

_____ **Statement of social equity required**

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

✓ **No committee review**

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

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

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 5(F)
11-17-15

RESOLUTION NO. R-1033-15

RESOLUTION APPROVING THE WAIVER OF PLAT OF MOUNTAIN COVE HOMES AT SW 35 ST., LLC, D-23524, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 54 SOUTH, RANGE 40 EAST (BOUNDED ON THE NORTH APPROXIMATELY 140 FEET SOUTH OF SW 34 STREET, ON THE EAST APPROXIMATELY 150 FEET WEST OF SW 92 AVENUE, ON THE SOUTH BY SW 35 STREET, AND ON THE WEST APPROXIMATELY 920 FEET EAST OF SW 94 AVENUE)

WHEREAS, Mountain Cove Homes at SW 35 St., LLC, a Florida limited liability company, has 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 Lot 2, Block 2, of "Happy Farms Acres No. 2", according to the plat thereof, as recorded in Plat Book 43, at Page 53, of the Public Records of Miami-Dade County, Florida, lying and being in the Southwest 1/4 of Section 16, 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 various parcels on this waiver of plat conforms to those requirements.

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

Jean Monestime, Chairman **aye**
Esteban L. Bovo, Jr., Vice Chairman **aye**

Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**absent**	Barbara J. Jordan	**aye**
Dennis C. Moss	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**absent**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of November, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

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

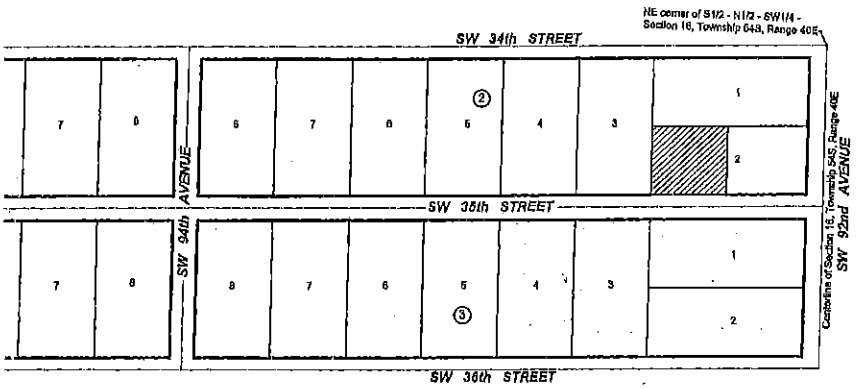
HARVEY RUVIN, CLERK

By: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Lauren E. Morse

MOUNTAIN COVE HOMES AT SW 35 ST., LLC
(D-23524)
SEC. 16, TWP. 54 S, RGE. 40 E



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