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

Memorandum

MIAMI-DADE COUNTY

Date: May 17, 2016

Agenda Item No. 5(J)

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

From: Carlos A. Gimenez
Mayor

Subject: Resolution Approving the Plat of Kendall 172 West

Resolution No. R-353-16

Recommendation

The following plat is submitted for consideration by the Board of County Commissioners for approval. This plat for Kendall 172 West is bounded on the north by North Kendall Drive, on the east by SW 172 Avenue, on the south by theoretical SW 90 Street, and on the west approximately 1,320 feet east of SW 177 Avenue.

The Miami-Dade County Plat Committee recommends approval and recording of this 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 Resource; Transportation and Public Works; and Water and Sewer.

Scope

This plat is located in Commission District 11, which is represented by Commissioner Juan C. Zapata.

Fiscal Impact/Funding Source

If this plat is approved, the fiscal impact to the County would be approximately $5,400.00 per year for the maintenance of the recently constructed SW 172 Avenue and a signalized intersection on North Kendall Drive and SW 172 Avenue, which is 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 the Department of Regulatory and Economic Resources administers the processing of plats and waivers of plat, and the person responsible for this function is Raul A. Pino, P. L. S.

Background

Kendall 172 West (T-23584)

- Located in Section 31, Township 54 South, Range 39 East
- Zoning: BU-1A and RU-4M
- Proposed Usage: Apartment buildings with 150 units and shopping center
- Number of parcels: 3
- This plat meets concurrency.

Plat Restrictions

- That the Avenue and Street, as illustrated on the plat, together with all existing and future plantings, 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 and 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 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.

Developer's Obligation

- Mobilization, clearing, paving, sidewalks, and monumentation, which are bonded under bond number 7964 in the amount of $63,657.00.

Jack Osterholt
Deputy Mayor

MEMORANDUM

(Revised)

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

DATE: May 17, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 5(J)

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(J)
5-17-16

RESOLUTION NO. R-353-16

RESOLUTION APPROVING THE PLAT OF KENDALL 172 WEST, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 54 SOUTH, RANGE 39 EAST (BOUNDED ON THE NORTH BY NORTH KENDALL DRIVE, ON THE EAST BY SW 172 AVENUE, ON THE SOUTH BY THEORETICAL SW 90 STREET, AND ON THE WEST APPROXIMATELY 1,320 FEET EAST OF SW 177 AVENUE)

WHEREAS, Kendall Investors 172, LLC, a Florida limited liability company, has this day presented to this Board a plat of certain lands lying in Miami-Dade County, Florida, said plat to be known as Kendall 172 West, the same being a replat of a portion of Lots 43, 53, 54, and 59 of "Subdivision of Lands of the Miami Everglade Land Company Limited in Dade County, Florida", according to the plat thereof, as recorded in Plat Book 2, at Page 3, of the Public Records of Miami-Dade County, Florida, lying and being in the Southwest 1/4 of Section 31, Township 54 South, Range 39 East, Miami-Dade County, Florida, and those portions of SW 84 Street and SW 90 Street lying within the boundaries of this plat vacated by Resolution No. R-733-14, 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.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Audrey M. Edmonson** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman **absent**
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	**absent**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**aye**		

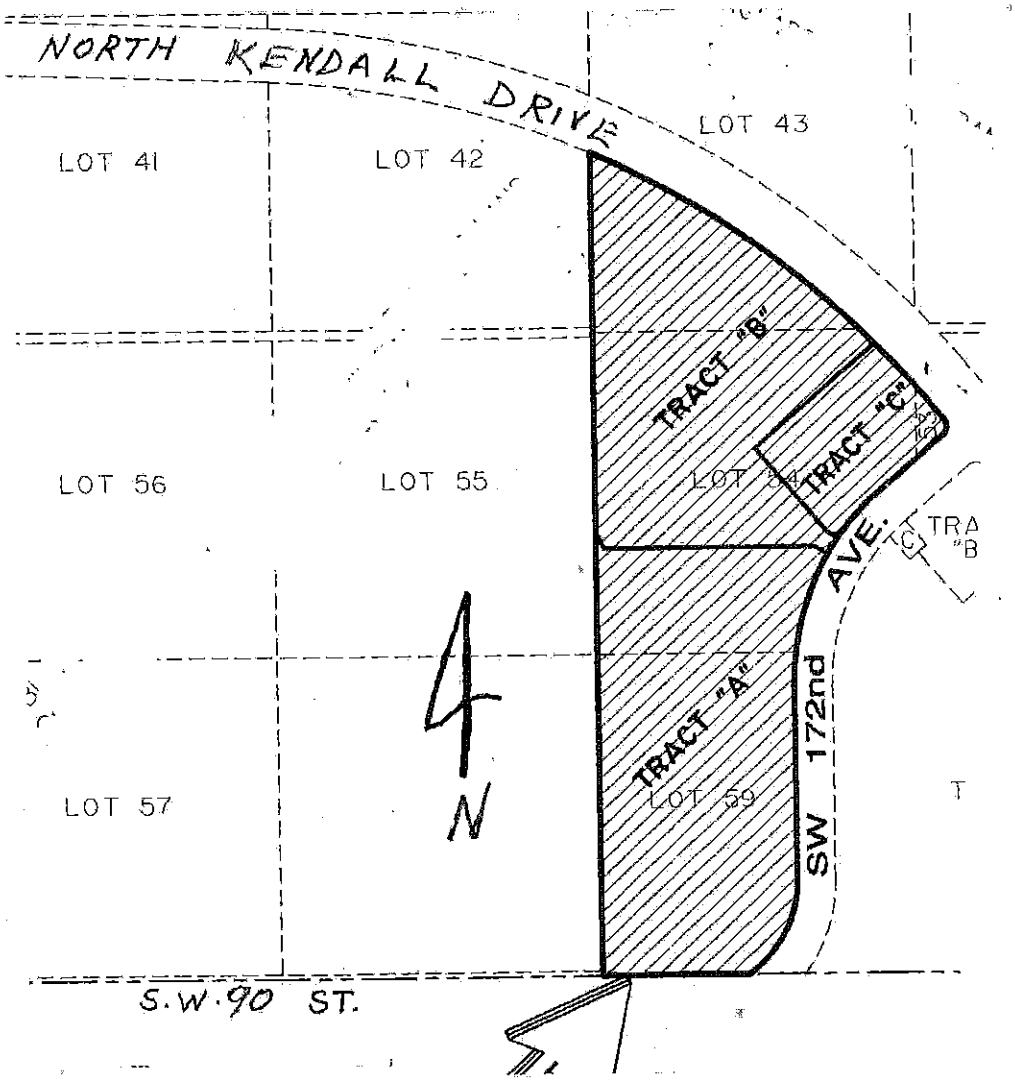
The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of May, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by 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

KENDALL 172 WEST (T-23584)
SEC. 31, TWP. 54 S, RGE. 39 E