

APPLICATION TO AMEND THE  
COMPREHENSIVE DEVELOPMENT MASTER PLAN

RECEIVED  
2016 MAY 26 A 11: 12  
ZONING-PLANNING DIVISION

1. APPLICANT

12499 Holdings, LLC  
c/o Gilberto Pastoriza, Esq.  
2525 Ponce de Leon Blvd., Suite 700  
Coral Gables, FL 33134

2. APPLICANT'S REPRESENTATIVE

Gilberto Pastoriza, Esq.  
Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.  
2525 Ponce de Leon Blvd., Suite 700  
Coral Gables, FL 33134  
Tel (305)854-0800

By:

  
(Signature of Applicant's Representative)

 Date

5/26/16

3. DESCRIPTION OF REQUESTED CHANGE

A. A change to the Land Use Element, Land Use Plan map is requested.

B. Description of the Subject Property

Subject property is vacant land and consists of 2.55 acres located in Section 24, Township 56, Range 39. The legal description of the property is attached as Exhibit "A". The property is located on the south side of SW 232 Street within walking distance of US Highway #1.

C. Gross and Net Acreage

Application Area:

2.55 gross acres

2.44 net acres after future dedication

D. Requested Change

1. It is requested that the application area be redesignated on the Land Use Plan map from LOW DENSITY (2.5 to 6 dwelling units per gross acre) TO LOW-MEDIUM DENSITY RESIDENTIAL (6 to 13 dwelling units per gross acre)
2. It is requested that this application be processed as a Small-Scale Amendment under the expedited procedures.

4. REASONS FOR AMENDMENT

The property is within the Urban Development Boundary.

The property is located within a short walking distance of South Dixie Highway/US. 1 (“US 1”) and the parallel bus system linking south Miami-Dade County (the “County”) to the rest of the County.

The property is vacant and underutilized. There are no historical archaeological and or environmental features which would require special consideration and/or preservation.

The property is naturally buffered from lower density development to the south by a canal. The property immediately to the west is zoned RU-3M which allows up to 12.9 units per acres. The requested designation of up to 13 units per gross acre is consistent and compatible with this zoning. Infrastructures are available on abutting rights of way. Accordingly, the proposed designation is consistent and compatible with several goals, policies and objectives in the County’s Comprehensive development Master Plan, to name a few LU-1C which states:

LU-1C: Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.

It is a first priority under LU-2B which states:

LU-2B: Priority in the provision of services and facilities and the allocation of financial resources for services and facilities in Miami-Dade County shall be given first to serve the area within the Urban Development Boundary (UDB) of the Land Use Plan (“LUP”).

Any objective LU-6 which states:

Objectives LU-6: Miami-Dade County shall protect, preserve, ensure the proper management, and promote public awareness of historical, architectural and archaeologically significant sites and districts in Miami-Dade County, and shall continue to seek the addition of new listings to the National Register, and increase the number of

locally designated historical and archeological sites, districts and zones.

LU-7A which states:

LU-7A: Through its various planning, regulatory and development activities, Miami-Dade County shall encourage development of a wide variety of residential and non-residential land uses and activities in nodes around rapid transit stations to produce short trips, minimize transfers, attract transit ridership, and promote travel patterns on the transit line that are balanced directionally and temporally to promote transit operational and financial efficiencies. Land uses that may be approved around transit stations shall include housing, shopping and offices in moderate to high densities and intensities, complemented by compatible entertainment, cultural uses and human varying mixes. The particular uses that are approved in a given station area should, a) respect the character of the nearby community, b) strive to serve the needs of the community for housing and services, and, c) promote a balance in the range of existing and planned land uses along the subject transit line. Rapid transit station sites and their vicinity shall be developed as “urban centers” as provided in this plan element under the heading Urban Centers.

For these reasons the Low-Medium Density Residential designation is consistent with the CDMP and compatible with the area.

5. LOCATION MAP FOR APPLICATION – See attached map
6. ADDITIONAL MATERIAL SUBMITTED – Aerial maps
7. LEGAL DESCRIPTION – See attached legal description and survey (Exhibit “A”)
8. COMPLETE DISCLOSURE OF INTEREST FORM – See attached Disclosure of Interest

**EXHIBIT "A"**  
**Legal Description**

The NW 1/4 of the NE 1/4 of the NW 1/4 of the NW 1/4 of Section 24, Township 56 South, Range 39 East, less the North 35 feet and the West 25 feet thereof, contained 2.24 acres, more or less, lying and being in Miami-Dade County, Florida.

And

That portion of the N 1/2 of the SW 1/4 of the NE 1/4 of the NW 1/4 of the NW 1/4 , lying Northeasterly of Canal 102N-1, Canal right of way lying within Section 24, Township 56 South, Range 39 East, less the West 25 feet thereof, lying and being in Miami-Dade County, Florida.

## DISCLOSURE OF INTEREST

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

### 1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: 12499 Holdings, LLC c/o Gilberto Pastoriza, 2525 Ponce de Leon Blvd., #700 Coral Gables, FL 33134

APPLICANT B \_\_\_\_\_ :

APPLICANT C: \_\_\_\_\_

APPLICANT D: \_\_\_\_\_

APPLICANT E: \_\_\_\_\_

APPLICANT F: \_\_\_\_\_

APPLICANT G: \_\_\_\_\_

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

2. **PROPERTY DESCRIPTION:** Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.

<u>APPLICANT</u>	<u>OWNER OF RECORD</u>	<u>FOLIO NUMBER</u>	<u>SIZE IN ACRES</u>
12499 Holdings, LLC	12499 Holdings, LLC	30-6924-000-0670	2.55 (gross acres)

3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2. above.

APPLICANT	OWNER	LESSEE	CONTRACTOR FOR PURCHASE	OTHER (Attach Explanation)
A	X			

4. DISCLOSURE OF APPLICANT'S INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.

- a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>

- b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: 12499 Holdings, LLC

<u>NAME, ADDRESS, AND OFFICE ( if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
See attached Exhibit "A"	

- c. If the applicant is a TRUSTEE, list the trustee's name, the name and address of the beneficiaries of the trust, and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

**TRUSTEES**  
**NAME:** \_\_\_\_\_

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and behalf.

Applicant's Signatures and Printed Names

  
\_\_\_\_\_  
Jose Daccarett, as CEO of Coinco Investment Company, Inc.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sworn to and subscribed before me

this 26 day of May, 192016

  
\_\_\_\_\_  
Notary Public, State of Florida at San Jose, CA  


**My Commission Expires:**

Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests including all interests at each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

**EXHIBIT "A"**

12499 Holdings, LLC is fully owned by Lion Development, LLC ("Lion"). Lion is fully owned by Coinco Investment Company, Inc. ("Coinco"). Coinco is owned by:

<b><u>TRUST</u></b>	<b><u>% OF OWNERSHIP</u></b>	<b><u>BENEFICIARY</u></b>
LCC ESBT GST TRUST	32.74%	Jose F. Daccarett
ECC ESBT GST TRUST	32.73%	Alexandra Lynn Davila
RCC ESBT GST TRUST	32.73%	Jaqueline Marcos
Alberto Davila Char Trust	0.30%	Alberto Davila
Giancarlo Davila Trust	0.30%	Giancarlo Davila
Loren Char Marcos Trust	0.30%	Loren Char Marcos
Roberto Char Marcos Trust	0.30%	Roberto Char Marcos
Pauline Daccarett Trust	0.30%	Paulina Daccarett
Sofia Daccarett Trust	0.30%	Sofia Daccarett

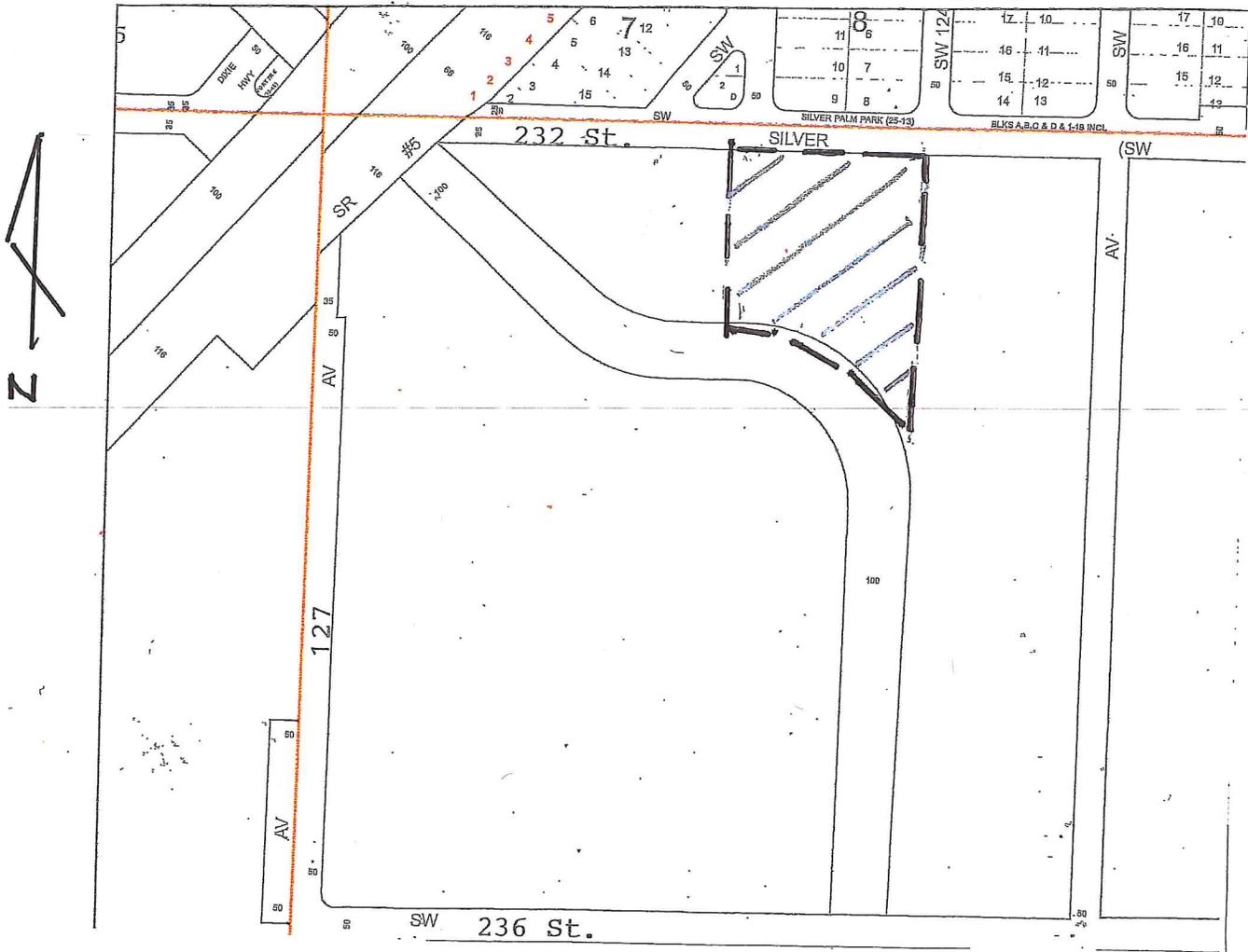
c/o Gilberto Pastoriza, Esq.  
2525 Ponce de Leon Blvd.  
Suite 700  
Coral Gables, FL 33134

**LOCATION MAP FOR APPLICATION  
TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**

APPLICANT/REPRESENTATIVE  
12499 Holdings, LLC

DESCRIPTION OF SUBJECT AREA:

Subject property is vacant land and consists of 2.55 acres located in Section 24, Township 56, Range 39. The legal description of the property is attached as Exhibit "A". The property is located on the south of SW 232 Street within walking distance of US Highway #1.



LEGEND



APPLICATION AREA



AREA OWNED BY APPLICANT

Prepared By Record and return to:  
Gryska Sotolongo  
Union Title Services, Inc.  
90 Almeria Avenue  
Coral Gables, FL 33134

Property Appraisers Parcel  
Identification (Folio) Number: 30-6924-000-0670

\_\_\_\_\_  
*SPACE ABOVE THIS LINE FOR RECORDING DATA*

## WARRANTY DEED

THIS WARRANTY DEED made this <sup>23<sup>rd</sup></sup> day of May, 2016, A.D. by 232 HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY whose post office address is: 844 SW 1<sup>st</sup> STREET, MIAMI, FL 33140 to: 12499 HOLDINGS, LLC, a Florida limited liability company whose post office address is: 844 SW 1<sup>st</sup> STREET MIAMI, FL 33140, (hereinafter called the "Grantee"):

*(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)*

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the said Grantee and Grantee's heirs, successors and assigns forever, all of that certain land, situate, lying and being in the County of Miami-Dade, State of Florida to wit:

The Northwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 24, Township 56 South, Range 39 East, LESS the north 35 feet and the West 25 feet thereof, lying and being in Miami-Dade County, Florida.

AND

That portion of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of the Northwest 1/4, lying Northeasterly of Canal 102N-1, Canal right-of-way lying within Section 24, Township 56 South, Range 39 East, LESS the West 25 feet thereof, lying and being in Miami-Dade County, Florida.

**NOTE TO THE CLERK: NO DOCUMENTARY STAMP TAX IS DUE IN CONNECTION WITH THIS DEED PURSUANT TO F.S. SECTION 201.02 AS THE GRANTEE IS THE BENEFICIAL OWNER OF THE GRANTOR.**

1. Easements, rights of way, limitations, reservations, covenants and restrictions of records, if any, which are not hereby being re-imposed; and,
2. Zoning or other regulatory laws and ordinances affecting the land, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

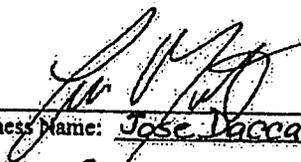
To have and to hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December, 2015.

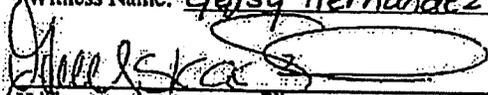
- Warranty Deed -

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

  
Witness Name: Jose Vaccarett

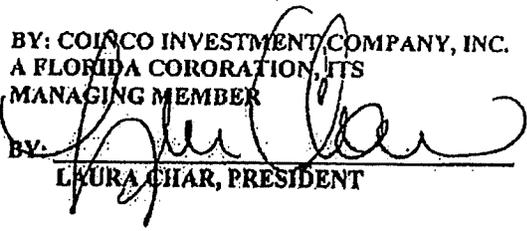
  
Witness Name: Gelsy Hernandez

  
Witness Name: Gayska Soriano

232 HOLDINGS, LLC  
A FLORIDA LIMITED LIABILITY COMPANY

BY: LION DEVELOPMENT, LLC  
A FLORIDA LIMITED LIABILITY COMPANY, ITS  
AUTHORIZED MEMBER

BY: COINCO INVESTMENT COMPANY, INC.  
A FLORIDA CORPORATION, ITS  
MANAGING MEMBER

  
BY: Laura Char, President

STATE OF FLORIDA            )  
  ) ss:  
COUNTY OF MIAMI-DADE    )

BEFORE ME, a Notary Public duly authorized to administer oaths and take acknowledgments in the State and County set forth above, personally appeared LAURA CHAR, AS PRESIDENT FOR COINCO INVESTMENT COMPANY, INC., A FLORIDA CORPORATION, AS MANAGING MEMBER FOR LION DEVELOPMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY; THE AUTHORIZED MEMBER FOR 232 HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, on behalf of the Company who is personally known to me or who has produced \_\_\_\_\_ as identification, and he acknowledged before me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, in the state and county aforesaid, this 23 day of May, 2016.



Valeria Negrin  
Commission # FF 073685  
Expires: Dec. 01, 2017  
WWW.AARONNOTARY.COM

  
NOTARY PUBLIC  
Print Name: Valeria Negrin  
My Commission Expires: Dec. 01, 2017

(SEAL)

**Prepared By Record and return to:**

Gryska Sotolongo  
Union Title Services, Inc.  
90 Almeria Avenue  
Coral Gables, FL 33134

**Property Appraisers Parcel  
Identification (Folio) Number: 30-6924-000-0670**

SPACE ABOVE THIS LINE FOR RECORDING DATA

**WARRANTY DEED**

THIS WARRANTY DEED made this 25<sup>th</sup> day of May, 2016, A.D. by 232 HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY whose post office address is: 844 SW 1<sup>st</sup> STREET, MIAMI, FL 33140 to: 12499 HOLDINGS, LLC, a Florida limited liability company whose post office address is: 844 SW 1<sup>st</sup> STREET MIAMI, FL 33140, (hereinafter called the "Grantee"):

*(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)*

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the said Grantee and Grantee's heirs, successors and assigns forever, all of that certain land, situate, lying and being in the County of Miami-Dade, State of Florida to wit:

The Northwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 24, Township 56 South, Range 39 East, LESS the north 35 feet and the West 25 feet thereof, lying and being in Miami-Dade County, Florida.

AND

That portion of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of the Northwest 1/4, lying Northeasterly of Canal 102N-1, Canal right-of-way lying within Section 24, Township 56 South, Range 39 East, LESS the West 25 feet thereof, lying and being in Miami-Dade County, Florida.

**NOTE TO THE CLERK: NO DOCUMENTARY STAMP TAX IS DUE IN CONNECTION WITH THIS DEED PURSUANT TO F.S. SECTION 201.02 AS THE GRANTEE IS THE BENEFICIAL OWNER OF THE GRANTOR.**

1. Easements, rights of way, limitations, reservations, covenants and restrictions of records, if any, which are not hereby being re-imposed; and,
2. Zoning or other regulatory laws and ordinances affecting the land, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To have and to hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December, 2015.

- Warranty Deed -

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2015.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

*[Signature]*  
Witness Name: L. Aurora Monterrey

*[Signature]*  
Witness Name: John J. Elisabeth

Kitoki Investment & Realty, LLC,  
a Florida limited liability company

By: *[Signature]*  
Josue J. Elisabeth, Sole Member and a Manager

State of Florida  
County of Miami-Dade

The foregoing instrument was acknowledged before me this 24 day of May, 2016 by Josue J. Elisabeth, Sole Member and a Manager of Kitoki Investment & Realty, LLC, a Florida limited liability company, on behalf of the corporation. He  is personally known to me or  has produced a driver's license as identification.

[Notary Seal]



*[Signature]*  
Notary Public

Printed Name: L. Aurora Monterrey

My Commission Expires: \_\_\_\_\_