

**APRIL 2005
APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT
MASTER PLAN**

FOR MIAMI-DADE COUNTY, FLORIDA



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Mayor

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APRIL 2005
APPLICATIONS TO AMEND
THE COMPREHENSIVE DEVELOPMENT
MASTER PLAN

June 5, 2005

Miami-Dade County
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INTRODUCTION

The purpose of this report is to present the applications to amend Miami-Dade County's Comprehensive Development Plan (CDMP) which were filed for evaluation during the April 2003 amendment review cycle. Amendments to the Plan may be needed to correct an error, to reflect changing circumstances or conditions in the community, or to improve the ability of the Plan to fulfill its purposes and goals. This report contains the tentative schedule of activities for this amendment review period along with a list and table summarizing all of the applications, followed by a complete copy of each application. The next report will be the April 2005 Initial Recommendations report to be published on August 25, 2005.

Section 2-116.1 of the Miami-Dade County Code establishes the exclusive procedures for the CDMP to be reevaluated and amended periodically, usually semiannually. These procedures involve thorough County and State review as required by Chapter 163, Florida Statutes, and Chapters 9J-5 and 9J-11, Florida Administrative Code. Current procedures provide for the filing of applications in April and October, with the amendment process generally taking eleven months to complete. The April 2007 filing period is the next cycle that is in the odd numbered year, when the Miami-Dade County Department of Planning and Zoning changes to the Land Use Plan map outside the Urban Development Boundary (UDB) may be considered. Plan components eligible for amendment application during the various semiannual filing periods are summarized below. *

Application Filing Period (month)	Plan Components Eligible for Amendment	
	Even Numbered Years	Odd-Numbered Years
April Filing Period	All Components Except UDB, UEA and Land Use Outside UDB [Mandatory Cycle]	All Components Including UDB and UEA [Mandatory Cycle]
October Filing Period	All Components Except UDB, UEA and Land Use Outside UDB [Optional Cycle]	All Components Except UDB and UEA and Land Use Outside UDB [Mandatory Cycle]

*Source: Section 2-116.1, Code of Miami-Dade County.

The Plan review and amendment process provides for the filing of amendment applications, staff analysis of the applications, and public participation in the process. Each application will be thoroughly evaluated by the Department of Planning and Zoning will be subject to review at a series of public hearings. The final action adopting, adopting with a change, or denying each of the applications will be made by the Board of County Commissioners. Further details about the hearings and the review process are discussed in the next section.

Application Review Process and Schedule of Activities

Following is a summary of the Plan review and amendment activities and tentative schedule as required by Section 2-116.1, Code of Miami-Dade County (See Table 1). After all privately filed applications were finalized, the Department of Planning and Zoning published this Applications Report on June 5, 2005 listing all applications filed.

The Department of Planning and Zoning (DPZ) will submit its initial recommendations to the Planning Advisory Board (PAB) regarding each requested change, no later than August 25, 2005. Community Councils, which have been elected into districts throughout unincorporated Miami-Dade County, at their option may make recommendations to the PAB and Board of County Commissioners on local planning matters, including proposals to amend the CDMP. Each Community Council, in which a proposed amendment to the Land Use Plan map is located, will have the opportunity to hold a public hearing in September 2005 to discuss the application(s) and to formulate recommendation(s) regarding the request(s). The PAB, acting as Miami-Dade County's Local Planning Agency (LPA) pursuant to Chapter 163, Part 2, Florida Statutes, will hold a public hearing scheduled for October, 2005, to receive comments on the proposed amendments and on the initial staff recommendations, and to formulate its recommendations to the Board of County Commissioners regarding adoption of requested "small-scale" amendments and regarding transmittal to the Florida Department of Community Affairs (DCA) for review and comment of all requested standard amendments for initial review and comments by State agencies. The Board of County Commissioners is scheduled to hold a public hearing in November 2005, to consider taking final action on requested "small-scale" amendments, and to consider transmittal of the requested standard amendments to DCA, as well as any of the requested "small-scale" amendments that the commission elects to process through the regular procedure. Adopted small-scale amendments will become effective 31 days after adoption unless there is a citizen challenge.

Transmittal of "standard" (non-small-scale) amendment proposals to DCA for review and comment does not constitute adoption of requested amendments. A second phase of the review addressing the standard applications begins after transmittal of the applications to the DCA and associated State agencies. Also, the Board of County Commissioners may opt to neither adopt or deny a requested small-scale amendment at its first public hearing but may, instead, decide to transmit to DCA for State-agency review and comment as a "standard" amendment request.

With transmittal to DCA expected to occur on or around November 2005, DCA will return comments or an Objections, Recommendations and Comments (ORC) report in early February 2006 addressing all transmitted applications. The PAB acting as the Local Planning Agency would then conduct its final public hearing during February or March 2006, and the Board of County Commissioners would conduct a public hearing and take final action in April 2006. During the DCA review period, the Department of Planning and Zoning will also review comments received at the transmittal hearings and any additional submitted material and may issue a Revised Recommendations report reflecting any new information prior to the final public hearings. Final action by the Board of County Commissioners will be to adopt, adopt with change, or not adopt each of the transmitted applications.

Outside this regular CDMP amendment process, requests to amend the CDMP can be made only by the County Commission under a "Special" amendment process, or by an applicant for approval or amendment of a Development of Regional Impact (DRI), or for a closed or realigned military base. Procedures for processing such "Special" or DRI- or military base-related amendments are established in Section 2-116.1 of the Miami-Dade County Code.

Staff and members of various boards should have adequate time to review covenants. If the Department is to consider the covenant in its written recommendation on an application in the Initial Recommendations report, it must be received at least four weeks prior to the publication date. If the Department is to consider the covenant in its written recommendation on an application in the Revised Recommendations report, it must be sent at least four weeks prior to the Final hearing of the Planning Advisory Board. If a Community Council (CC), the Planning Advisory Board (PAB), or the Board of County Commissioners (BCC) is to consider a covenant in its decision-making, the Members should receive the draft that they are considering in their agenda package, which should be sent at least a week prior to the hearing. The covenant must be finalized in its final form at least 10 days prior to its inclusion in an agenda package for the BCC, PAB, or CC.

Small-Scale Amendments

A procedure is provided for the expedited processing of "Small-Scale" amendments as defined in Section 163.3187(1)(c), F.S. This procedure authorizes the Board of County Commissioners to take final action on small-scale requests to amend the Land Use Plan Map (version dated October 2001) at the transmittal public hearing. During the April 2005 filing period, eight amendments application were eligible for expedited processing as "small-scale" amendments under the following conditions:

1. The proposed amendment involves a land use change of 10 acres or less.
2. The cumulative annual acreage of all small-scale amendments shall not exceed 120 acres, and not more than 60 acres of the total can be located outside of areas designated in the CDMP as urban infill or urban redevelopment transportation concurrency exception areas, or in the Dadeland Chapter 380 Regional Activity Center.
3. Outside of the foregoing infill and redevelopment areas and Regional Activity Center, amendments involving residential land uses are limited to maximum density of 10 dwelling units per acre, but amendments inside these designated areas are eligible to request and density.
4. The proposed amendment does not involve the same property granted an amendment in the prior 12 months; and
5. The proposed amendment does not involve the same owner's property within 200 feet of property granted a change within the prior 12 months.
6. The proposal cannot involve any text changes to the Plan's goals, objectives, and policies.

Applicants who want their eligible applications processed under the expedited "small-scale" amendment procedure must explicitly make such a request in the application. Generally, small-scale amendments will not be reviewed by the Florida Department of Community Affairs (DCA) or issued a notice of intent, and they will take effect 31 days after adoption by the Commission unless a challenge is filed.

At its initial public hearing to address the April 2005 cycle applications, the Commission could elect to adopt, adopt with change, or not adopt small-scale amendments. If it does not adopt a small-scale amendment, the Commission may elect to transmit it to DCA for review along with the standard amendment requests and take final action at its second public hearing, which will occur after State-agency review. Of course, failure to adopt as a small-scale amendment or to transmit effectively denies approval of the application.

Additional Information

Of the 24 applications filed seeking changes to the Land Use Plan map (as described on the following pages), five are situated in existing and proposed municipal areas. Application No. 5 in the municipalities of Hialeah and Hialeah Gardens and Nos. 23 and 24 in the City of Homestead involves moving of the Urban Development Boundary (UDB) to include the application sites and the redesignation of land currently outside the UDB. Section 2-116.1.2 of the Miami-Dade Code addresses the applicability of the CDMP to municipalities. This section states that the location of the UDB and the permitted land uses outside the UDB shall be governed by the Miami-Dade CDMP notwithstanding the fact that the UDB may lie within a municipality. Private parties filled the applications in Homestead and the City of Hialeah filed Application No. 5. These applications will be heard by Planning Advisory Board and the Board of County Commissioners but not by Community Council.

Application Nos. 18 and 19 are located in the proposed municipality of Cutler Ridge, which was approved by the voters on January 11, 2005. Depending on action by the Board of County Commissioners in June 2005, the vote by the electorate on the municipal charter may occur on the proposed date of August 2, 2005. If the voters approve the charter, Cutler Ridge becomes a municipality the day after the vote. If the mayor and members of City Council are elected prior to the Board of County Commissioners scheduled hearing on November 21, 2005 for these applications, the amendment application review process and subsequent actions on these CDMP applications will be dictated by interlocal agreement, or some other mechanism, between the County and the municipality.

Anyone having questions regarding any aspect of the CDMP review and amendment process should visit or call the Metropolitan Planning Section of the Miami-Dade County Department of Planning and Zoning at 111 NW 1st Street, Suite 1210; Miami, Florida 33128-1972; telephone (305) 375-2835.

Table 1
SCHEDULE OF ACTIVITIES

APRIL 2005-2006 CDMP AMENDMENT CYCLE

Application Filing Period	April 1 - 30, 2005
Deadline to Withdraw Application and Obtain Return of Full Fee	May 9, 2005
Deadline for Resubmittal of Unclear or Incomplete Applications	Seventh business day after notice of deficiency: May 11, 2005
Applications Report Published by Department of Planning and Zoning	June 5, 2005
Initial Recommendations Report Released by Department of Planning and Zoning	August 25, 2005
Community Council(s) Public Hearing(s)	Specific date(s) to be set in September 2005
Planning Advisory Board (PAB) acting as Local Planning Agency (LPA) Hearing to Formulate Recommendations Regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendment Requests to Florida Department of Community Affairs (DCA)	October 17, 2005* County Commission Chamber 111 NW 1st Street
Board of County Commissioners Hearing and Action on Adoption of Small-Scale Amendments and Transmittal of Standard Amendment Requests to DCA	November 21, 2005* County Commission Chamber 111 NW 1 Street
Transmittal to DCA for Comment	December, 2005**
Deadline for Filing Supplementary Reports by the Public	Forty-five (45) days after Commission transmittal hearing
Receipt of DCA Comments	February, 2006** (Approximately 75 days after transmittal)
Public Hearing and Final Recommendations: Planning Advisory Board (Local Planning Agency)	Specific date(s) to be set in March, 2006** (Within 30 days after DCA comments received)
Public Hearing and Final Action on Applications: Board of County Commissioners	Specific date(s) to be set in April, 2006** (No later than 60 days after receipt of DCA comments)

Note: * Date is currently scheduled but subject to change. All hearings will be noticed by newspaper advertisement.
 ** Estimated Date.

Table 2
SCHEDULE OF COVENANT DEADLINES

April 2005-2006 CDMP Amendment Cycle

Deadline for submitting covenants to be considered in the Initial Recommendations Report	July 28, 2005
Deadline for submitting covenants to be considered at Community Council(s) Public Hearing(s)	Seventeen days prior to Community Council hearing
Deadline for submitting covenants to be considered at Planning Advisory Board (PAB) Hearing Regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendments	September 27, 2005
Deadline for submitting covenants to be considered at Board of County Commissioners (BCC) Hearing Regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendments	October 25, 2005
Deadline for submitting covenants to be considered in the Revised Recommendations Report	Four weeks prior to PAB Public Hearing Regarding Final Recommendations
Deadline for submitting covenants to be considered at PAB Hearing Regarding Final Recommendations	Seventeen days prior to hearing
Deadline for submitting covenants to be considered at BCC Hearing Regarding Adoption of Standard Amendments	Seventeen days prior to hearing

OVERVIEW OF APRIL 2005 AMENDMENT APPLICATIONS

A total of 27 applications were filed during this amendment cycle, of which 24 were filed by private parties and the City of Hialeah requesting changes to the CDMP Land Use Plan map (approximately 1,757 acres), one application was filed by the private sector requesting changes to the text and two text applications were filed by the Department of Planning and Zoning (DP&Z). Eight of the private Applications (Nos. 2, 8, 9, 12, 14, 19, 20, and 21) have requested to be processed in the expedited small-scale amendment process, whereby requesting the redesignation of approximately 27 acres of changes to the Land Use Plan (LUP) map.

Fifteen privately filed requests are standard amendment Applications (Nos. 1, 3, 4, 6, 7, 10, 11, 12, 15, 16, 17, 18, 22, 23 and 24), that are also seeking to redesignate parcels of land (totaling approximately 1,730 acres) on the CDMP LUP map. The City of Hialeah has filed a standard amendment application, No. 5 which also seeks to redesignate land. Eight privately filed applications (Nos. 6, 9, 10, 11, 13, 17, 23 and 24) and the application for the City of Hialeah are seeking to redesignate parcels on the LUP map outside the year 2005 Urban Development Boundary (UDB) and to expand the UDB to include these application areas. These nine applications to expand the UDB encompass a total of approximately 1528 acres. UDB applications Nos. 5 and 17 also seek to modify text in the Land Use Element. One private sector application, No. 25, was filed to amend Policy 8G of the Land Use Element.

The Department of Planning and Zoning (DP&Z) filed two applications, (Nos. 26-27). Application No. 26 provides a disclaimer in the Land Use Plan Map Legend that provides for the refinement of Urban Center boundaries. Application No. 27 updates the Schedule of Improvements in the Capital Improvements Element (CIE). The Applications Report does not contain the tables to be amended due to the difference in scheduling of the CDMP amendment process and the preparation of the annual County budget. These CIE tables will be formulated during the budget preparation process and will be published in the "April 2005 Initial Recommendations Report" to be issued on August 25, 2005.

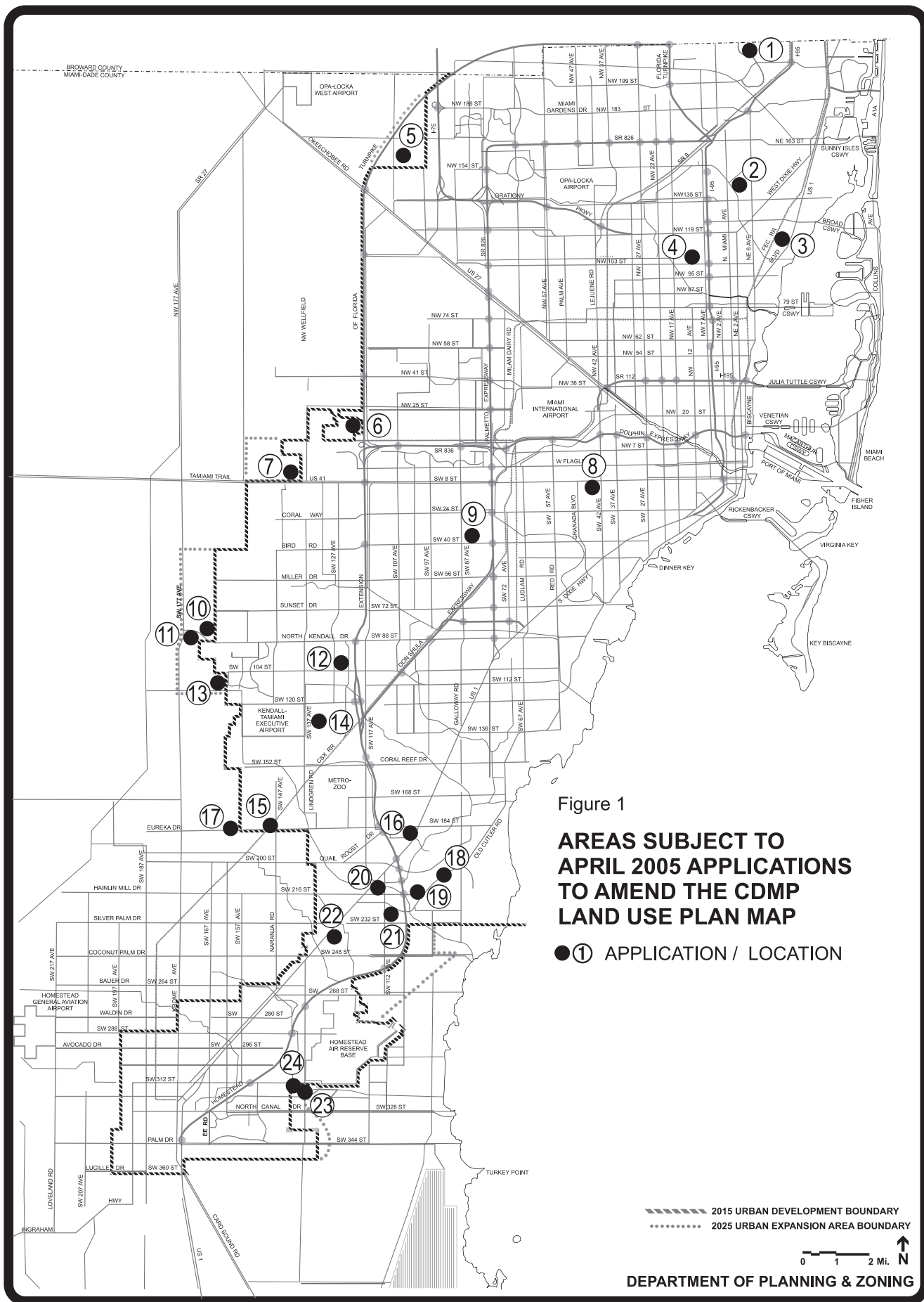


Table 3
LIST OF APRIL 2005 APPLICATIONS REQUESTING AMENDMENTS TO THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

Application Number	Applicant / Representative Location REQUESTED CHANGE(S)	Acres
1	46 ACRES, LLC / Mr. Juan J. Mayol, Esq. Southside of NE 215 Street approximately 900 feet east of San Simeon Way From: Industrial and Office To: Low-Medium Density Residential (5 to 13 DU/Ac.) Standard Amendment	26.13 net
2	Akouka Inc. / Stanley B. Price, Esq. and William W. Riley, Esq. East side of Memorial Hwy at theoretical NE 145 Street From: Low Density Residential (2.5 to 6 DU/Ac.) To: Low-Medium Density Residential (5 to 13 DU/ Ac.) Small-Scale Amendment	2.65 net
3	Dynamic Biscayne Shores Associates, Inc. / Jeffrey Bercow, Esq. and Michael Larkin, Esq. West side of Biscayne Boulevard to NE 13 Avenue between NE 112 and NE 115 Streets From: Low (2.5 to 6 DU/ac.) & Low-Medium Density Residential (5 to 13 DU/ac.) & Business and Office To: Medium Density Residential (13 to 25 DU/Ac on Parcel A, B, C, & D) and Business And Office (Parcel E) Standard Amendment	20.88 net
4	Liberty Investment, Inc. / Michael W. Larkin, Esq. and Graham Penn, Esq NW 12 Avenue to NW 9 Avenue between NW 95 Terrace and NW 99 Street From: Low-Medium Density Residential (5 to 13 DU/Ac.) To: Parcels A, C, D, & E: Medium Density Residential (13 to 25 DU/Ac.) and Parcel B: Medium-High Density Residential (25 to 60 DU/Ac.) Standard Amendment	27.6 net
5	City of Hialeah / Augusto E. Maxwell, Esq. Between NW 97 Avenue and the Turnpike (HEFT) and between NW 154 Street and NW 170 Street 1) Move the 2005 Urban Development Boundary to encompass the application area 2) Change to "Open Land Subareas" map and related text in the Land Use Element. 3) From: Open Land To: Industrial and Office Standard Amendment	793.8 gross

Application Number	Applicant / Representative Location REQUESTED CHANGE(S)	Acres
6	Doral West Commerce Park , LLC / Felix M. Lasarte, Esq. West of the Turnpike (HEFT) and east of NW 122 Avenue at approximately NW 22 Street From: Open Land To: Restricted Industrial and Office and Include within the Urban Development Boundary Standard Amendment	3.0 net
7	LOWE'S HOME CENTERS, INC. / Juan J. Mayol, Jr., Esq. and Richard A. Perez, Esq. Northwest corner of Theoretical SW 138 Avenue and north of the Tamiami Canal (SW 8 Street) From: Open Land To: Business And Office and Include within the Urban Development Boundary Standard Amendment	21.6 net
8	PMBC Homes at Gables Edge, LLC / Gilbert Pastoriza, Esq. South of SW 8 Street and west of SW 42 Avenue From: Low Density Residential (2.5 to 6 DU/Ac.) To: A) Business And Office And B) Medium Density Residential (13-25 DU/Ac.) Small-Scale Amendment	2.14 net
9	Eduardo Reyes / Juan J. Mayol, Jr., Esq. and Ines Marreo-Priegues, Esq. From SW 38 Street to Bird Road (SW 40 St.) between SW 84 Avenue and theoretical SW 85 Avenue From: Business And Office and Low Density Residential (2.5 to 6 DU/Ac.) To: Business And Office Small-Scale Amendment	1.41 net
10	Newest Kendall, LLC / Simon Ferro, Esq. Northwest corner of SW 88 Street and SW 167 Avenue From: Agriculture To: Low Density Residential (2.5 to 6.0 DU/Ac.) and Include within the Urban Development Boundary Standard Amendment	193.24 gross
11	David Brown, Steven Brown, & Victor Brown / Chad Williard, Esq. South side of Kendall Drive (SW 88 St.) west of SW 167 Avenue From: Agriculture To: Part A Business And Office (29.44 Ac.) Part B Office/Residential:(9.06 Ac.) and Include within the Urban Development Boundary Standard Amendment	38.5 net

Application Number	Applicant / Representative Location REQUESTED CHANGE(S)	Acres
12	Vanguardian Village, LLP / Felix M. Lasarte, Esq. Northeast corner of SW 127 Avenue and SW 104 Street From: Estate Density Residential (1 to 2.5 DU/Ac.) To: Office/ Residential Small-Scale Amendment	4.0 net
13	Shoma IX, Inc. a Florida corporation / Stanley B. Price, Esq. and Brian S. Adler, Esq. Southeast corner of SW 104 Street and SW 167 Avenue From: Agriculture To: Low Density Residential (2.5 to 6.0 DU/Ac.) and Include within the Urban Development Boundary Standard Amendment	81.61 gross
14	London Square, LLC / Jeffrey Bercow, Esq. and Graham Penn, Esq. Approximately 660 feet east of SW 137 Avenue and north of SW 124 Street From: Industrial And Office To: Business And Office Small-Scale Amendment	9.93 net
15	Pasadena Capital, Inc. / Stanley B. Price, Esq., Brian S. Adler, Esq. and Alexandra L. Deas, Esq. Northwest corner of SW 147 Avenue and SW 184 Street, lying southeast of the CSX Railroad ROW From: Low Density Residential (2.5 to 6.0 DU/Ac.) To: Business And Office Standard Amendment	24.02 net
16	EBP Parcel 1, LLC, EBP Parcel 3, LLC, Ryder Investments, LLC and West Perrine Community Development Corporation, Inc. / Gilbert Pastoriza, Esq. East and west of Homestead Avenue between SW 184 and SW 186 Streets From: Industrial And Office To: Part A - Parcels 1 and 2 Business And Office Part B - Parcel 3 Medium Density Residential (13 to 25 DU/Ac.) w/ DI-1 (Density Increase of one category with good urban design) Standard Amendment	6.59 net

Application Number	Applicant / Representative Location REQUESTED CHANGE(S)	Acres
17	Eureka Palms Partnership, LLLP / Jeffrey Bercow, Esq. and Melissa Tapanes Llahues, Esq. The NW, SE and SW corners of SW 184 Street and SW 157 Avenue 1) Move the 2005 Urban Development Boundary to encompass the application area. 2) From: Agriculture To: PART A) Estate Density Residential (1 to 2.5 DU/Ac.) (295.45 Ac.) PART B) Business And Office (10 Ac.) 3) Revise existing Land Use Policy 8H (i)(c) by removing an area south of SW 184 Street from the list of areas not to be considered for UDB expansion. Standard Amendment	305.35 gross
18	GCF Investments, Inc. / Juan J. Mayol, Jr. Esq. and Stephen M. James, Esq. East side of Old Cutler Road between SW 208 and SW 212 Streets From: Low Density Residential (2.5 to 6.0 DU/Ac.) To: Business And Office Standard Amendment	35.61 net
19	Pinto Realty Company / Chad Williard, Esq. Northeast corner of SW 216 Street and SW 99 Avenue From: Low Density Residential (2.5 to 6.0 DU/Ac.) To: Business And Office Small-Scale Amendment	1.4 net
20	J. L. Brown Development Corporation / James L. Brown, Sr. Northwest corner of SW 112 Avenue and SW 216 Street From: Medium Density Residential (13 to 25 DU/Ac.) To: Business And Office Small-Scale Amendment	3.08 net
21	Kaza 112 Property Corporation / Wissam Naamani Southeast corner of SW 112 Avenue and SW 224 Street From: Low Density Residential (2.5 to 6.0 DU/Ac.) To: Business And Office Small-Scale Amendment	0.62 net

Application Number	Applicant / Representative Location REQUESTED CHANGE(S)	Acres
22	Princeton Land Investments, LLC / Jeffrey Bercow, Esq. and Graham Penn, Esq. Northwest and southeast corners of SW 127 Avenue and SW 240 Street From: Low Density Residential (2.5 to 6.0 DU/Ac.) To: Parcel A) Low-Medium Density Residential (2.5 to 6.0 DU/Ac) (38.32 Ac) Parcel B) Medium Density Residential (13 to 25 DU/Ac.) 20.19 Ac) Standard Amendment	58.0 gross
23	GCF Investments, Inc. / Miguel Diaz De la Portilla, Esq. Southwest corner of SW 312 Street and SW 137 Avenue. From: Agriculture To: Business And Office and Include within the Urban Development Boundary Standard Amendment	72.41 net
24	Pedro Talamas, Juan J. Valdez, & Nidia Valdes / Stanley B. Price, Esq. Southeast corner of SW 142 Avenue and SW 312 Street From: Agriculture To: Business And Office and Include within the Urban Development Boundary Standard Amendment	14.35 net
25	Builders Association of South Florida & Latin Builders Association/ Richard Horton and Gus Gil Amendment to Policy 8G of the Comprehensive Development Master Plan Land Use Element Text Standard Amendment	
26	Miami-Dade County Department of Planning and Zoning / Diane O'Quinn Williams, Director LAND USE ELEMENT To provide for further refinement of the urban center boundaries Standard Amendment	
27	Miami-Dade County Department of Planning and Zoning / Diane O'Quinn Williams, Director CAPITAL IMPROVEMENTS ELEMENT Tables of Proposed Projects. Modify the following currently adopted tables as indicated in the application and related information: Table 2, Aviation; Table 3, Coastal Management; Table 4, Conservation; Table 5, Drainage; Table 6, Park and Recreation; Table 7, Seaport; Table 8, Sewer Facilities; Table 9, Solid Waste Management; Table 10, Traffic Circulation; Table 11, Mass Transit; and Table 12, Water Facilities. Standard Amendment	

APPLICATION NO. 1
STANDARD AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
46 ACRES, LLC, a Florida limited liability company c/o Juan J. Mayol, Jr., Esq. Holland and Knight, LLP 701 Brickell Avenue, Suite 3000 Miami, Florida 33131	Juan J. Mayol, Jr., Esq. Holland and Knight, LLP 701 Brickell Avenue, Suite 3000 Miami, Florida 33131 (305) 789-7787 (305) 679-6302 (fax)

Requested Amendment to the Land Use Plan Map

From: INDUSTRIAL AND OFFICE

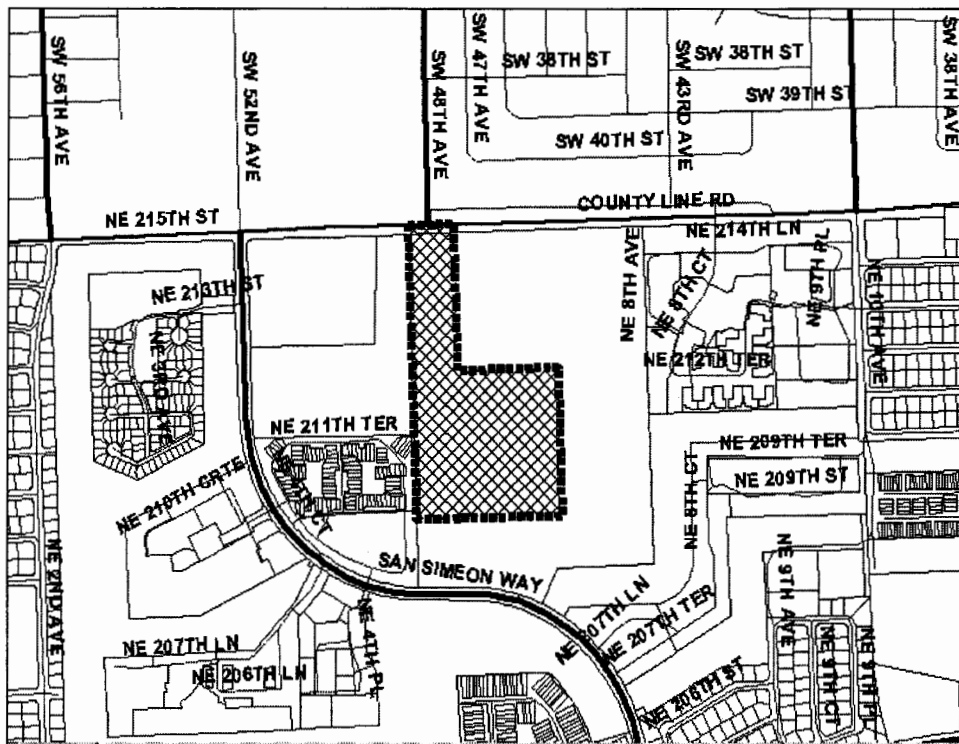
To: LOW-MEDIUM DENSITY RESIDENTIAL (5 to 13 DU/AC.)

Location: Southside of NE 215 Street approximately 900 feet east of San Simeon Way

Acreage: Application area: 26.13 Gross Acres

Application area: 26.13 Net Acres

Acreage Owned by Applicant: 0 acres.



Note: This summary page is not part of the actual application that follows.

①
5

**APPLICATION FOR AN AMENDMENT TO THE
LAND USE PLAN MAP
OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANTS

46 ACRES, LLC, a Florida limited liability company
c/o Juan J. Mayol, Jr., Esq.
Holland & Knight LLP
701 Brickell Avenue, Suite 3000
Miami, Florida 33131

2. APPLICANT'S REPRESENTATIVE

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juan.mayol@hklaw.com

By: 

Juan J. Mayol, Jr., Esq.


4-29-05
Date

3. DESCRIPTION OF REQUESTED CHANGE

A. 1. Change the Land Use Plan Map. A change to the Land Use Element, Land Use Plan map (Item A.1(d) in the fee schedule) is requested. The Applicant requests the re-designation of the subject property from "Industrial and Office" to "Low-Medium Density Residential."

B. Description of Subject Area.

The subject property consists of approximately +/-26.13 gross acres of land located in Section 31, Township 51, Range 42, in unincorporated Miami-Dade County. More specifically, the subject property is located south of NE 215th Street, generally west of NE 8th Avenue.

C. Acreage.

Subject application area: ±26.13 gross acres
Acreage owned by Applicant: ±0 gross acres*
(*Applicant has property under contract)

D. Requested Change.

It is requested that the subject area be re-designated on the Land Use Plan map from "Industrial and Office" to "Low-Medium Density Residential"

4. REASONS FOR AMENDMENT

The Applicant requests the re-designation of the Property from "Industrial and Office" to "Low-Medium Density Residential" (5.0 to 13.0 dwelling units per gross residential acre) to permit the development of much needed residential development within the Urban Development Boundary ("UDB").

The Applicant requests the re-designation from "Industrial and Office" to "Low-Medium Density Residential" to permit the development of a residential community on the subject property and the adjacent 46 acres on the east. The 46 acre parcel was re-designated in 1990 from Industrial and Office to Low-Medium Density. The re-designation of the subject property would afford the applicant the opportunity to develop the entire 72.13 acres under a unified plan of development.

Though currently zoned for industrial uses and improved with a BellSouth facility, the property is located in the midst of the California Club Golf Course residential community. In fact, the property is adjacent on the west to an existing residential community. As such, the proposed residential development would not only be compatible with the surrounding development, but would also be preferable to the continued industrial operations at the property.

The development of the property for residential purposes will help accommodate the County's projected population growth within the UDB. The Property lies within the County's North Planning Analysis Tier (the "North Tier"), and more specifically within Minor Statistical Area 2.2 ("MSA"). The County's most recent assessment of available residential land availability within the North Tier strongly suggests that the requested amendment would be beneficial in meeting the continuing growing residential needs of that community. Specifically, during the April 2004 Amendment Cycle, the Department of Planning and Zoning, Planning Research Section, projected that the available residential land within the North Tier will be depleted by the year 2014. The Planning Research Section estimated that all remaining residential land within the Urban Development Boundary is projected to be exhausted by the year 2020.

Conversely, industrially designated land is quite plentiful. The Department's own analysis in recent applications requesting land use plan map designation changes from "Industrial and Office" to "Low-Medium Density Residential" has indicated that "[t]he County has been placing greater emphasis in accommodating growth inside the existing UDB to reduce the need for urban expansion. On the other hand, the projected year for depletion of industrial land is 2025 or beyond." See, Initial Recommendations, April 2003 Applications to Amend the Comprehensive Development Master Plan at Page 1-171. Moreover, lacking direct access to a major expressway and located far away from the airport and the Port of Miami, the subject property is not a suitable

site for major industrial and office development. The subject property has thus remained largely underdeveloped.

Based on the foregoing, the Applicant believes that the approval of this application would be timely, compatible and will help to satisfy a looming deficiency in the available housing stock.

Accordingly, approval of the requested Amendment would further implementation of the following CDMP policies:

LAND USE POLICY 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.

LAND USE POLICY 1E: In conducting its planning, regulatory, capital improvements and intergovernmental coordination activities, Miami-Dade County shall seek to facilitate the planning of residential areas as neighborhoods which include recreational, educational and other public facilities, houses of worship, and safe and convenient circulation of automotive, pedestrian and bicycle traffic. (Mixed Use).

LAND USE POLICY 1F: In planning and designing all new residential development and redevelopment in the county, Miami-Dade County shall vigorously promote implementation of the "Guidelines for Urban Form" contained in the "Interpretation of the Land Use Plan Map" text adopted as an extension of these policies. (Residential Communities).

LAND USE POLICY 1P: Miami-Dade County shall seek to prevent discontinuous scattered development at the urban fringe particularly in the Agriculture Areas, through its CDMP amendment process, regulatory and capital improvements programs and intergovernmental coordination activities.

LAND USE OBJECTIVE 2: Decisions regarding the location, extent and intensity of future land use in Miami-Dade County, and urban expansion in particular, will be based upon the physical and financial feasibility of providing, by the year 2005, all urbanized areas with services at levels of service (LOS) which meet or exceed the minimum standards adopted in the Capital Improvements Element.

LAND USE POLICY 4C: Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic.

LAND USE OBJECTIVE 5: Upon the adoption of this plan, all public and private activities regarding the use, development and redevelopment of land and the provision of urban services

and infrastructure shall be consistent with the goal, objectives, and policies of this Element, with the adopted Population Estimates and Projections, and with the future uses provided by the adopted Land Use Plan (LUP) map and accompanying text titled "Interpretation of the Land Use Plan Map" as balanced with the Goals, Objectives and Policies of all Elements of the Comprehensive Plan.

LAND USE POLICY 5B: All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives, and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning [and Zoning] shall be the principle administrative interpreter of the CDMP.

LAND USE OBJECTIVE 8: Miami-Dade County shall maintain a process for periodic amendment to the Land Use Plan map, consistent with the adopted Goals, Objectives and Policies of this Plan, which will provide that the Land Use Plan map accommodates countywide growth.

LAND USE POLICY 8A: Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; proximity and accessibility to employment, commercial and cultural centers; character of existing and adjacent or surrounding neighborhoods; avoidance of natural resource degradation; maintenance of quality of life and creation of amenities. Density patterns should reflect the Guidelines for Urban Form contained in this Element.

LAND USE POLICY 8F: Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated to consider consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would: i) satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County.

5. ADDITIONAL MATERIAL SUBMITTED

_____ Additional information will be supplied at a later date under separate cover.

6. COMPLETED DISCLOSURE FORMS

☒ Attached as Exhibit "B"

Attachments: Legal Description of Property owned by Applicant - Exhibit "A"
Disclosure of Interest Form - Exhibit "B"
Location Map for Application - Exhibit "C"
Aerial Photograph - Exhibit "D"

2558014_v2

EXHIBIT "A"

Legal Description

Tract A. WESTERN ELECTRIC SITE, according to the Plat thereof, as recorded in Plat Book 102, Page 70, of the Public Records of Dade County, Florida, lying and being in the North 1/2 of Section 31, Township 51 South, Range 42 East, Dade County, Florida,

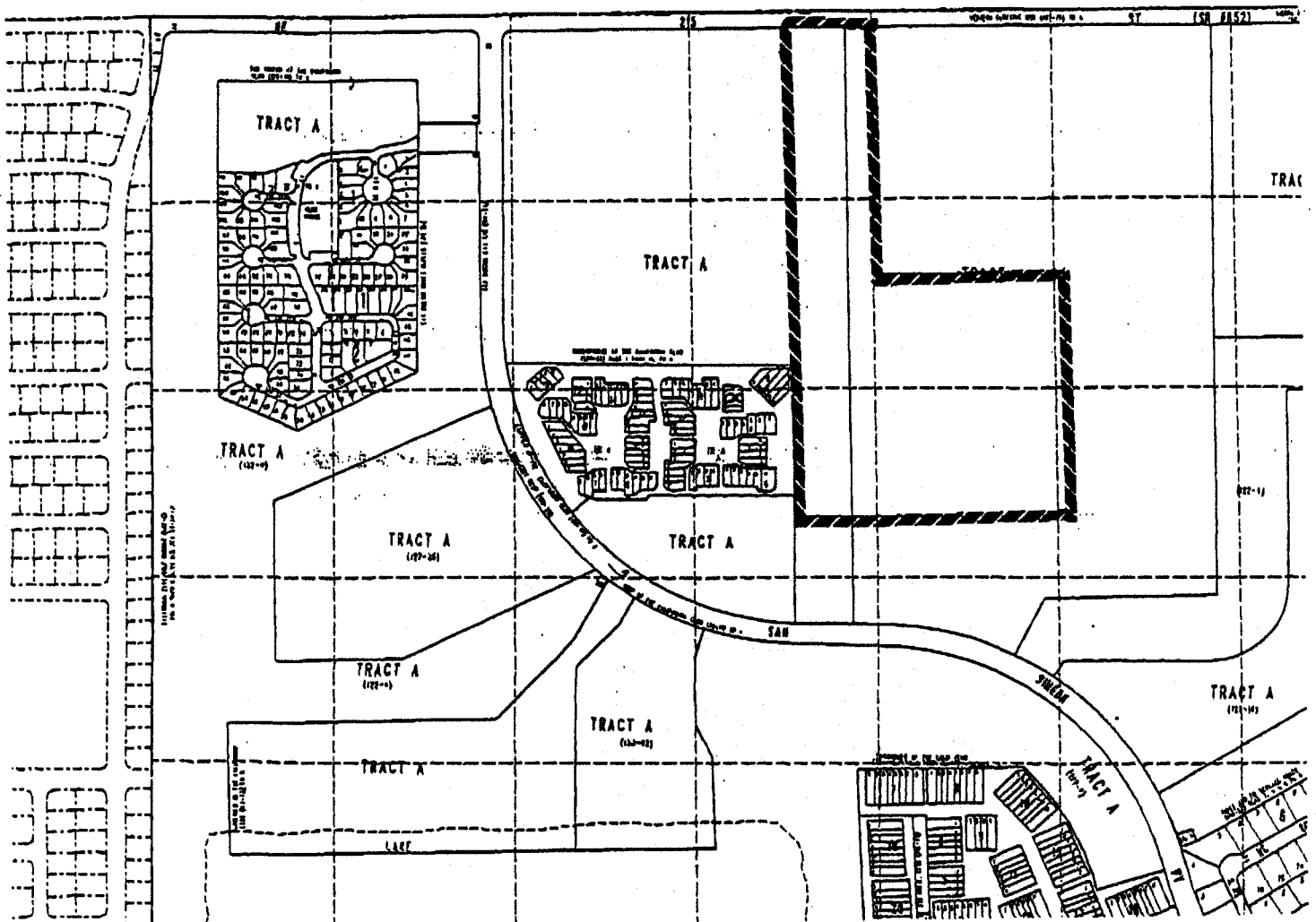
LESS

Begin at the Northeast corner of said Tract "A"; thence North $86^{\circ}-36'-00''$ West along the Northerly line of said Tract "A", said Northerly line also being the Southerly right-of-way line of N.E. 215th Street for 1145.44 feet; thence South $03^{\circ}-03'-49''$ West along a line parallel with and 350.00 feet East of the Westerly line of said Tract "A" for 826.34 feet; thence South $86^{\circ}-56'-11''$ East for 608.17 feet; thence South $03^{\circ}-03'-49''$ West for 885.98 feet; thence North $86^{\circ}-56'-11''$ West for 958.17 feet to a point on the West line of said Tract "A", said point being 1713.08 feet as measured along the West line of said Tract "A" from the Northwest corner of said Tract "A"; thence South $03^{\circ}-03'-49''$ West along the West line of said Tract "A" for 388.96 feet to a point on a circular curve whose radius point bears North $07^{\circ}-58'-41''$ East for 1060.00 feet; the following six (6) courses being along the exterior lines of said Tract "A", courses (1) through (3) also being along the Northerly road right-of-way line of the 80.00 foot wide SAN SIMON WAY per Plat Book 114, page 37; (1) thence Easterly along said 1060.00 foot radius curve leading to the left through a central angle of $05^{\circ}-22'-49''$ for an arc of 99.54 feet to a point of tangency; (2) thence South $87^{\circ}-24'-08''$ East for 187.05 feet to a point of curvature; (3) thence Southwesterly along a 1140.00 foot radius curve leading to the right through a central angle of $27^{\circ}-32'-00''$ for an arc of 547.82 feet; (4) thence North $30^{\circ}-07'-52''$ East along a line radial to the last described course for 226.08 feet; (5) thence South $87^{\circ}-33'-34''$ East for 600.00 feet; (6) thence North $02^{\circ}-26'-26''$ East for 2014.00 feet to the POINT OF BEGINNING.

Lying and being in Dade County, Florida.

EXHIBIT "C"

Location Map



**Pages Of Disclosure Form Not Applicable To This Application Are
Intentionally Omitted From This Printing.**

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: 46 Acres, LLC

c/o Mr. Troy Ballard

2159 Coral Way

Miami, Florida 33125

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.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN SQ. FT.
-----------	-----------------	--------------	--------------------

A	BellSouth Telecommunications, Inc.	30-1231-001-0010	1,138,222.8
---	------------------------------------	------------------	-------------

*apportioned
5/7m*

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.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF
INTEREST

- 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 46 ACRES, LLC, a Florida limited liability company

NAME, ADDRESS, AND OFFICE (if applicable)

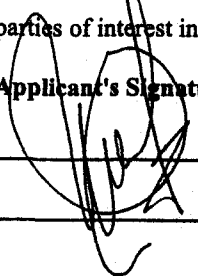
PERCENTAGE OF
STOCK

SEE EXHIBIT A

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

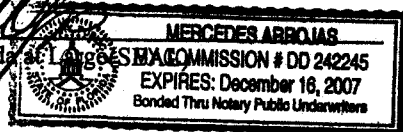


JOSE R. BOSCHETTI, MANAGER

Sworn to and subscribed before me

this 29 day of April, 2005


Notary Public, State of Florida



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 FMGM 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"

DISCLOSURE OF INTEREST

BC 46 ACRES, LLC				63.64%
	Prestige Builders Group, LLC		50%	
	Marty Caparros	70%		
	Otto Rodriguez	10%		
	Alex Vega	10%		
	Julio Robaina	10%		
	Boschetti Capital Partners, LLC		50%	
	Jose Boschetti	60%		
	Luis Boschetti	40%		
CENTURY 46 ACRES, LLC				31.66%
	Sergio Pino	100%		
BALLARD HOLDINGS, LLC				5%
	Troy Ballard	99%		
	Gina Zea	1%		
TOTAL				100%

2561900_v1

APPLICATION NO. 2
SMALL-SCALE AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
AKOUKA LLC, A Florida limited liability company	Stanley B. Price, Esq. and William W. Riley, Esq. Bilzin Sumberg Baena Price & Axelrod, LLC 200 South Biscayne Boulevard, Suite 2500 Miami, Florida 33131 (305) 350-2361 (SBP) (305) 351-2259 (WWR)

Requested Amendment to the Land Use Plan Map

From: LOW DENSITY RESIDENTIAL (2.5 to 6 DU/ GR.AC.)
To: LOW-MEDIUM DENSITY RESIDENTIAL (5 to 13 DU/ GR.AC.)
Location: East side of Memorial Hwy at theoretical NE 145 Street.
Acreage: Application area: 2.98 Gross Acres
Application area: 2.65 Net Acres
Acreage Owned by Applicant: 2.65 Acres.



Note: This summary page is not part of the actual application that follows.

(2)
9

**APPLICATION FOR AN AMENDMENT
TO THE LAND USE PLAN MAP
OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

SMALL SCALE AMENDMENT

1. APPLICANTS

**AKOUKA LLC,
a Florida limited liability company**

2. APPLICANTS' REPRESENTATIVE

**Stanley B. Price, Esq. and
William W. Riley, Esq.
Bilzin Sumberg Baena Price & Axelrod, LLC
200 South Biscayne Boulevard, Suite 2500
Miami, Florida 33131
(305) 350-2361
FAX (305)351-2250**

By:

W. W. Riley
William W. Riley

April 27, 2005

Date

3. DESCRIPTION OF REQUESTED CHANGE

A. A change to the Land Use Element, Land Use Plan Map
(Item A.1 in the fee schedule) is requested

B. Description of the subject property

The Property comprises approximately 2.98 acres located at 14521 Memorial Highway in unincorporated Miami-Dade County, Florida. The Property lies entirely within Section 24, Township 57, Range 39 and is more particularly described in the legal description attached hereto and incorporated herein as Exhibit "A".

APPLICATION (continued)

C. Gross Acreage

Application area: 2.9826+/- gross acres
2.6534 +/- net acres
Acreage owned by applicant: 2.9826+/- gross acres
2.6534 +/- net acres

D. Requested Change

1. It is requested that the Property be re-designated on the Land Use Plan Map from LOW DENSITY RESIDENTIAL (2.5 to 6 dwelling units per gross acre) to LOW-MEDIUM DENSITY RESIDENTIAL (5 to 13 dwelling units per gross acre).
2. It is requested that this application be processed as a Small-Scale Amendment pursuant to the State of Florida and Miami-Dade County's expedited procedure.

4. REASON FOR AMENDMENT

The applicant respectfully petitions Miami-Dade County to amend the Comprehensive Development Master Plan (CDMP) Future Land Use Plan Map (FLUM) designation for approximately 2.9826 acres of land located at 14521 Memorial Highway (the "Property"). The requested amendment (the "Amendment") seeks to change the Property's land use designation from Low Density to Low-Medium Density Residential. Approval of the Amendment will further the goals, objectives and policies of the CDMP by promoting urban infill within environmentally suitable areas, by encouraging the production of affordable housing, and by establishing compatibility among proximate land uses.

The Property fronts along Memorial Highway situated approximately one-block south of North Miami Avenue, one of Miami-Dade County's major north-and-south arterial roadways. To the south, the Property abuts a new religious facility situated on 6.34± acres owned and operated by Haitian Evangelical Baptist Church, Inc. To the north, the Property abuts a three-unit multifamily structure situated on 1.09± acres of land recently acquired by New Revelation Church of C.M.A., Inc., which is the planned site of a new religious institution. As demonstrated below, these new facilities are consistent with the development trend of property fronting along Memorial Highway in the application area.

The portion of Memorial Highway located within the application area is predominantly comprised of commercial establishments, religious facilities, and low-medium density residential uses. With the exception of the area situated between the Spur Canal and NE 146 Street, which extends a short 1,250± feet, all land situated in the application area fronting along Memorial Highway is zoned RU-3M (Minimum Apartment House District), BU-1 (Neighborhood Business District), or BU-1A (Limited Business District).

APPLICATION (continued)

The Property, which is situated within the center of the 1,250± foot stretch between the Spur Canal and NE 146 Street, is one of only three remaining single-family homes fronting on Memorial Highway within the application area. Less than a block north of the Property, across NE 146 Street, are several contiguous parcels fronting on Memorial Highway zoned BU-1, designated Business and Office, and developed with retail uses. Less than one block to the south of the Property, along NE 142 Street, is the Woodlands condominium complex zoned RU-3M, designated Low-Medium Density Residential, and developed with 78 residential units. Additionally, as mentioned above, land abutting the Property's northern and southern boundary lines are being converted from low density residential uses to religious facilities. The Property's current use as a single-family home and future use as low density residential property is incompatible with these substantially more intense surrounding uses.

Redevelopment of the Property in accordance with the regulations and limitations of the Low-Medium Density Residential designation will foster smart growth through urban infill within the application area that will promote the county-wide need for additional affordable housing units. The Property lies within Miami-Dade County's Minor Statistical Area 2.1. In 1998, this area had the second highest estimated population of all the areas located within Miami-Dade County at 142,239 residents. Moreover, this residential base is projected to grow with the addition of 18,125 new residents by 2015. As such, the applicant believes that the approval of the Amendment to provide for additional affordable housing within the application area would be an act of prudent community planning at the appropriate time.

Additionally, the approval of the Amendment would further the implementation of the following CDMP goals, objectives and policies:

LAND USE OBJECTIVE 1:

The location and configuration of Miami-Dade County's urban growth through the year 2015 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.

LAND USE POLICY 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.

LAND USE POLICY 1G:

To promote housing diversity and to avoid creation of monotonous developments, Miami-Dade County shall vigorously promote the inclusion of a variety of housing types in all residential communities through its area planning, zoning, subdivision, site planning and housing finance activities, among others.

APPLICATION (continued)

LAND USE OBJECTIVE 4:

Dade County shall, by the year 2015, reduce the number of land uses which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.

LAND USE POLICY 4A:

When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

LAND USE POLICY 5C:

All planning activities pertaining to development and redevelopment and the provisions of public services and facilities in Dade County shall be consistent with the "Population Estimates and Projections" contain in this Element, and with the locations and extent of future land uses as identified by the LUP map and its interpretive text.

LAND USE POLICY 8A:

Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial and cultural centers; character of existing adjacent or surrounding neighborhoods; avoidance of natural resource degradation; maintenance of quality of life and creation of amenities.

LAND USE POLICY 8F:

Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated to consider consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would:

- i) Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;
- ii) Enhance or impede provision of services at or above adopted LOS Standards;
- iii) Be compatible with abutting and nearby land uses and protect the character of established neighborhoods;
- iv) Enhance or degrade environmental or historical resources, features or systems of County significance; and
- v) If located in a planned Urban Center, or within ¼ mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective 7, herein.

LAND USE POLICY 9E:

Miami-Dade County shall enhance and formalize its standards for defining and ensuring compatibility among proximate uses, and requirements for buffering.

HOUSING ELEMENT OBJECTIVE 3:

Assist the private sector in providing affordable housing products in sufficient numbers throughout the County by the year 2015, (approximately 272,000 units), keeping in mind the housing needs of existing and future residents as well as making an appropriate percentage (about 49 percent) of new affordable housing available to very low, low and moderate income residents.

HOUSING ELEMENT GOAL II:

Identify and provide more affordable housing opportunities from within the existing housing stock and ensure its efficient use through rehabilitation, infill development, and adaptive conversion of non-residential structures to housing use throughout Dade County.

5. COMPLETED DISCLOSURE FORMS

See Attached

**Attachments: Exhibit "A" – Property Legal Description
Exhibit "B" – Disclosure of Interest Form
Exhibit "C" – Aerial Photograph
Exhibit "D" – Location Map**

LEGAL DESCRIPTION:

THAT PART OF THE SE $\frac{1}{4}$ OF THE NE $\frac{1}{2}$ OF SECTION 24, TOWNSHIP 52 SOUTH, RANGE 41 EAST, BOUNDED ON THE SOUTH BY A LINE PARALLEL TO AND 663.84 FEET NORTH OF THE SOUTH BOUNDARY (PRODUCED WEST) OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 42 EAST; BOUNDED ON THE EAST BY THE EAST LINE OF THE SE $\frac{1}{4}$ OF THE NE $\frac{1}{2}$ OF THE AFORESAID SECTION 24; BOUNDED ON THE NORTH BY A LINE PARALLEL TO AND 829.80 FEET NORTH OF THE SOUTH BOUNDARY (PRODUCED WEST) OF THE NW $\frac{1}{4}$ OF SECTION 10, TOWNSHIP 52 SOUTH, RANGE 42 EAST; AND BOUNDED ON THE SOUTHWEST BY THE CENTER LINE OF BISCAVNE DRAINAGE CANAL; SUBJECT TO THE DEDICATION OF MEMORIAL HIGHWAY AND BISCAVNE DRAINAGE CANAL AS DEDICATED BY DEED RECORDED IN DEED BOOK 1877, AT PAGE 142 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, EXCEPTING THE EAST 200 FEET THEREOF.

LOCATION MAP FOR APPLICATION TO AMEND
THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

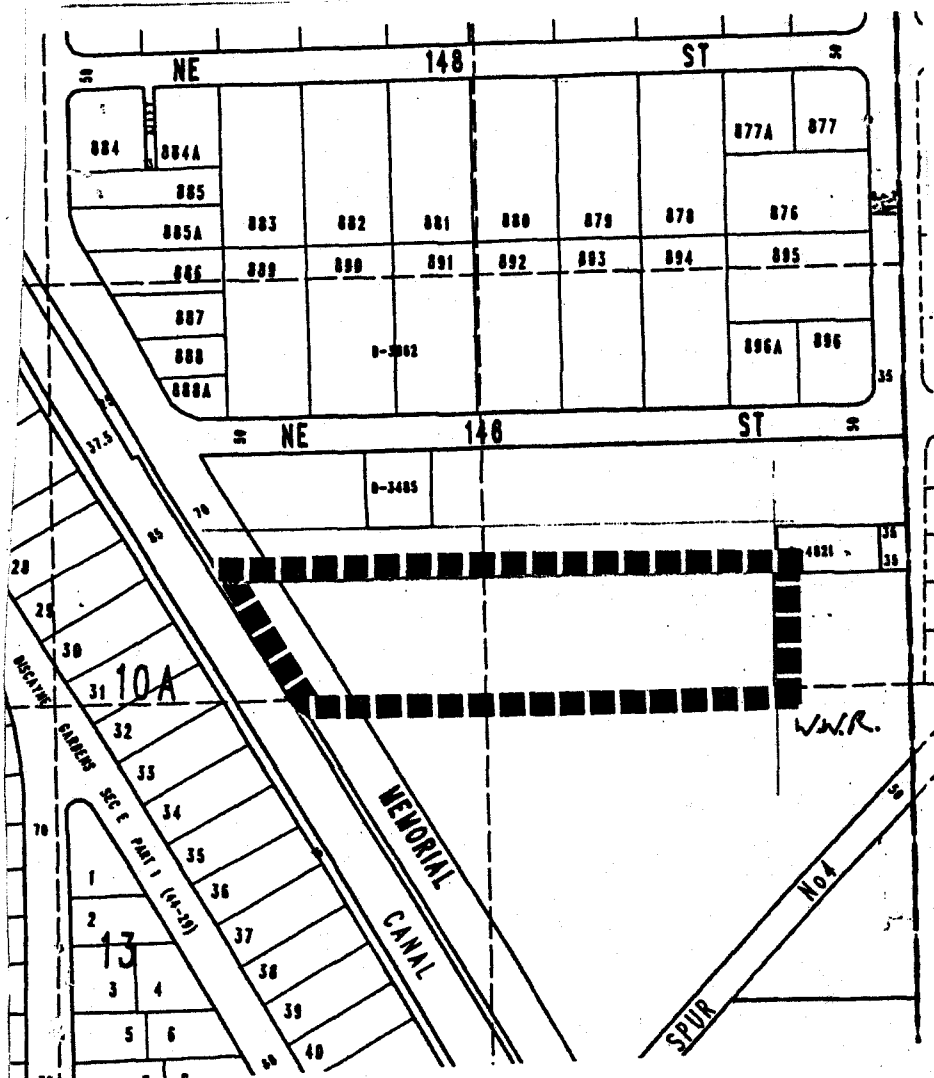
APPLICANT/REPRESENTATIVE

AKOUKA LLC,
a Florida limited liability company

DESCRIPTION OF SUBJECT AREA

The Property comprises approximately 2.6534+/- acres located at 14521 Memorial Highway in unincorporated Miami-Dade County, Florida. The Property lies entirely within Section 24, Township 57, Range 39 and is more particularly described in the legal description attached hereto and incorporated herein as Exhibit "A".

Folio # 30-2124-000-0100



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:	Akouka LLC, a Florida limited liability company 1960 NE 118 Road North Miami, Florida 33181
	APPLICANT B:	
	APPLICANT C:	
	APPLICANT D:	
	APPLICANT E:	
	APPLICANT F:	
	APPLICANT G:	
	APPLICANT H:	

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.			
	APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
	Akouka, LLC, a Florida limited liability company	Yes	30-2124-000-0100	2.6534+/-

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)
	Akouka LLC, a Florida limited liability company	Yes			

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>
	NOT APPLICABLE	
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:		AKOUKA LLC, a Florida limited liability company
	<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
	Isaak Akouka Living Trust 1960 NE 118 Road North Miami, Florida 33181	100%
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:		ISAAK AKOUKA LIVING TRUST	
	<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>	
	Isaak Akouka, Trustee 1960 NE 118 Road North Miami, Florida 33181	100%	

d.	If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP , list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner(s) shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].
PARTNERSHIP NAME: NOT APPLICABLE	

		<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF INTEREST</u>
e.	If the applicant is a CONTRACT FOR PURCHASE , whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners, [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, 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].		
		<u>NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
		NOT APPLICABLE	
		Date of Contract: _____	
If any contingency clause or contract terms involve additional parties, list all individuals or officers if a corporation, partnership, or trust.			

5.	DISCLOSURE OF OWNER'S INTEREST: Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.		
a.	If the owner is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.		
		<u>NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
		NOT APPLICABLE	
b.	If the owner 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		NOT APPLICABLE	
		<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
	c.	If the owner is a TRUSTEE, and list the trustee's name, the address of the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(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].	
TRUSTEE'S NAME:		NOT APPLICABLE	
		<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
	d.	If the owner is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(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].	

PARTNERSHIP NAME:		NOT APPLICABLE	
		<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF OWNERSHIP</u>
	e.	If the owner is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, 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].	
		<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF INTEREST</u>
		NOT APPLICABLE	
		Date of Contract: _____	

If any contingency clause or contract terms involve additional parties, list all individuals or officers if a corporation, partnership, or trust.

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

AKOUKA LLC, a Florida limited liability company

By: Isaak Akouka
Isaak Akouka, Trustee
Managing Member of Akouka LLC

Sworn to and subscribed before me this
5th day of April, 2005

Carol Bonnema
Notary Public, State of Florida at Large (SEAL)



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) 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.

**APPLICATION NO. 3
STANDARD AMENDMENT APPLICATION**

<u>Applicant</u>	<u>Applicant's Representative</u>
Dynamic Biscayne Shores Associates, Ltd. 681 Fifth Avenue, 9 th Floor New York, New York 10022	Jeffrey Bercow, Esq. Michael Larkin, Esq. Bercow and Radell, PA 200 South Biscayne Boulevard, Suite 850 Miami, Florida 33131 (305) 374-5300

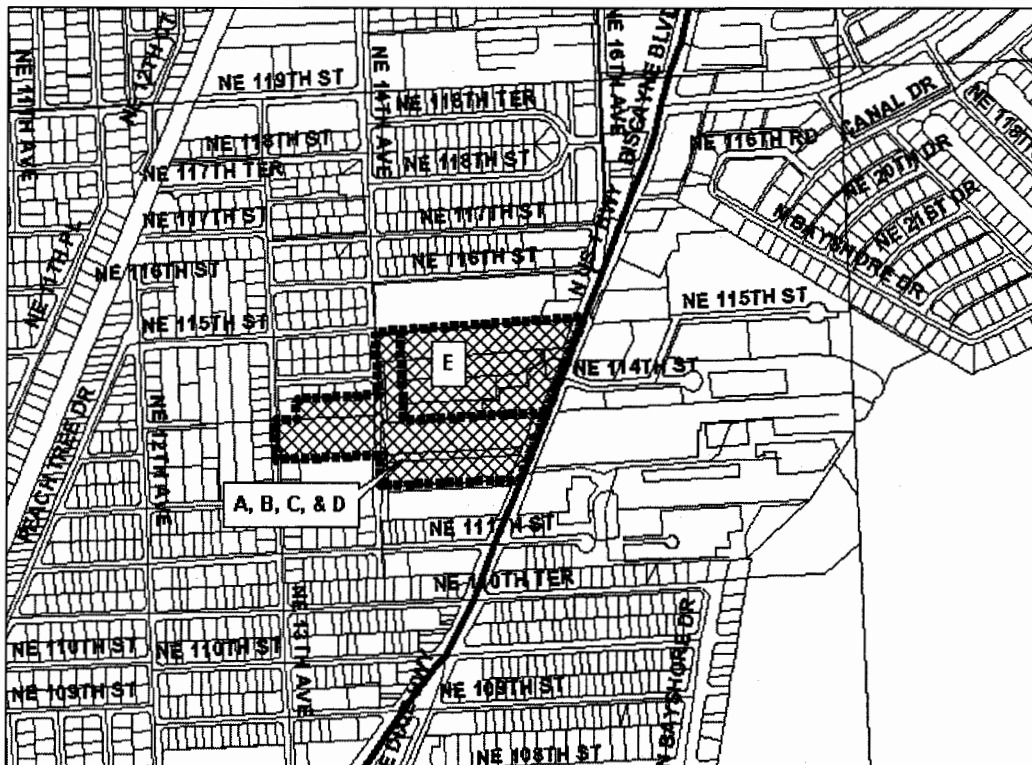
Requested Amendment to the Land Use Plan Map

From: LOW (2.5 to 6 DU/ac.) & LOW-MEDIUM DENSITY RESIDENTIAL (5 to 13 DU/ac.) & BUSINESS and OFFICE

To: MEDIUM DENSITY RESIDENTIAL (13 to 25 DU/AC on Parcel A, B, C, & D) and BUSINESS AND OFFICE (Parcel E)

Location: West side of Biscayne Boulevard to NE 13 Avenue between NE 112 St and NE 115 Streets.

Acreage: Application area: 21.54 Gross Acres
Application area: 20.88 Net Acres
Acreage Owned by Applicant: 0 acres.



Note: This summary page is not part of the actual application that follows.

3


**STANDARD AMENDMENT REQUEST
TO THE
LAND USE ELEMENT/LAND USE PLAN MAP
APRIL 2005-2006 AMENDMENT CYCLE
MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**


1. APPLICANT

Dynamic Biscayne Shores Associates, Ltd.
681 Fifth Avenue, 9th Floor
New York, New York 10022

2. APPLICANT'S REPRESENTATIVES

Jeffrey Bercow, Esq.
Michael Larkin, Esq.
Bercow & Radell, P.A.
200 South Biscayne Boulevard
Suite 850
Miami, Florida 33131
(305) 374-5300

By:  fer Date: May 2, 2005
Jeffrey Bercow, Esq.

By:  Date: May 2, 2005
Michael W. Larkin, Esq.

3. DESCRIPTION OF REQUESTED CHANGES

An amendment to the Comprehensive Development Master Plan Land Use Plan Map is requested.

A. A change to the Land Use Element, Land Use Plan Map (item A. 1 in the fee schedule) is requested.

B. Description of Application Area

The Application Area consists of 21.54 gross acres located in Section 32, Township 52, Range 42 in unincorporated Miami-Dade County. See Attached Survey.

C. Acreage

Application Area: 20.88 net acres; 21.54 gross acres.

Acreage owned by Applicant: 0 acres.

D. Requested Changes

- 1) It is requested that Parcel A of the Application Area be redesignated on the Land Use Plan Map from Low Density Residential to Medium Density Residential.
- 2) It is requested that Parcel B of the Application Area be redesignated on the Land Use Plan Map from Low-Medium Density Residential to Medium Density Residential.
- 3) It is requested that Parcel C of the Application Area be redesignated on the Land Use Plan Map from Low-Medium Density Residential to Medium Density Residential.
- 4) It is requested that Parcel D of the Application Area be redesignated on the Land Use Plan Map from Low-Medium Density Residential and Business and Office to Medium Density Residential.
- 5) It is requested that Parcel E of the Application Area be redesignated on the Land Use Plan Map from Low-Medium Density Residential and Business and Office to Business and Office.

4. REASONS FOR AMENDMENT

The Application Area is an irregularly shaped parcel located on the west side of Biscayne Boulevard at the approximate intersection of Biscayne Boulevard and N.E. 114th Street. The majority of the Application Area is situated between Biscayne Boulevard and N.E. 14th Avenue ("East Application Area"). A smaller portion of the Application Area, consisting of three separately platted lots, stretches between N.E. 14th Avenue on the east and N.E. 13th Avenue on the west ("West Application Area"). The overwhelming majority of the East and West Application Areas is designated as Low-Medium Density Residential. It appears that the frontage of the East Application Area along Biscayne Boulevard is already designated as Business and Office. However, it is presently difficult to determine the exact depth of the existing Business and Office designation along this portion of the East Application Area.

Accordingly, in an abundance of caution, the Applicant is requesting the redesignation of the foregoing described area to Business and Office. See Sketch for Parcel E. The Applicant intends to submit a request for a Director's interpretation confirming the exact depth of the existing Business and Office designation along Biscayne Boulevard, and further intends to withdraw such confirmed Business and Office designation from this application. The Applicant is seeking to redesignate the remainder of the East Application Area to Medium Density Residential. See Sketches for Parcels C and D. The Applicant is requesting to redesignate the

West Application Area to Medium Density Residential. See Sketches for Parcels A and B. The majority of the East Application Area is zoned RU-3B. The southern portion of the East Application Area is zoned RU-3M and RU-4A. The portion of the East Application Area that fronts upon Biscayne Boulevard is zoned BU-1A. The western portion of the East Application Area is zoned RU-2. Finally, the West Application Area is zoned RU-3M.

The majority of the East Application Area contains a trailer park use. The southern portion of the East Application Area covers a structure containing a restaurant use that fronts upon Biscayne Boulevard. In addition, the southern portion of the East Application Area covers an existing building containing an office use. The remainder of the acreage within the East Application Area is vacant. The West Application Area, consisting of Lots 7, 8, and 9, contains a building functioning as a church. The remainder of the West Application Area is vacant. A Miami-Dade county park is located to the north of the East Application Area. There are two multi-family residential developments, the Jockey Club and the Cricket Club, located across from the East Application Area on the east side of Biscayne Boulevard. There is an office building situated along the southern boundary of the East Application Area. There are single-family homes and duplexes located to the west of the East Application Area. There are single-family homes and duplexes located to the north and west of the West Application Area. There is a large FPL facility located to the south of the West Application Area.

Generally speaking, with the exception of the multi-family residential developments on the east side of Biscayne Boulevard and some commercial development in the general area, the surrounding neighborhood is in a state of disrepair. The blighted condition of this small area of unincorporated Miami-Dade County straddling Biscayne Boulevard has worsened with the passing of each decade. The number of undesirable uses in the area has proliferated during the long economic downturn that this neighborhood has experienced. The trailer park use within the East Application Area is a prime example of a substandard use within the neighborhood. As the neighborhood has deteriorated, so has the condition of the trailer park. While it seems that the southern end of Biscayne Boulevard in the City of Miami and the northern end of Biscayne Boulevard in the City of Aventura are enjoying beneficial economic growth, this section of Biscayne Boulevard has been left behind and not been able to participate in the revitalization of this historic roadway. The Applicant, however, envisions a renaissance for this area of Biscayne Boulevard as well.

The approval of the application could provide a turning point for this neighborhood. The Application Area is clearly within the County's Urban Infill Area. The application is a classic example of an urban infill project. The Applicant is proposing a vertically mixed use project within the Application Area. The project will contain commercial and residential components. The approval of the Applicant's redesignation requests will permit a greater residential density within the Application Area. The greater residential density will not only make the project economically feasible but provide a customer base for the commercial uses within the project and the surrounding area. The mixed use project will occur within the East Application Area. The Applicant is considering constructing a charter school and affordable housing within the West Application Area.

The property is located within the eastern part of the North Central Miami-Dade planning analysis tier. Table 2-5 of the Initial Recommendations with regard to the October 2004 applications to amend the CDMP states that the capacity, or supply, of multi-family and single family housing types is expected to be exhausted in the year 2025. While the residential supply in the North Central Miami-Dade planning analysis tier will not be exhausted in the near future, it is always good planning to increase the number of residential units in the Urban Infill Area, particularly east of I-95 where new development can take advantage of existing infrastructure.

Table 2-8 of the Initial Recommendations with regard to the October 2004 applications to amend the CDMP depicts the projected absorption of Commercial Land in Miami-Dade County from 2003-2025. The Application Area is located within Minor Statistical Area 4.1. With regard to MSA 4.1, Table 2-8 states that there are only 46 vacant acres that are commercially designated or zoned within the entirety of MSA 4.1. In addition, Table 2-8 shows that in 2015 the ratio of commercial acreage per 1,000 population will be 5.1 in MSA 4.1 which is below the Countywide average of 6.1 for the same year. Accordingly, it would be appropriate to add commercial acreage in MSA 4.1 to narrow the gap between the Countywide ratio and the MSA 4.1 ratio. In addition, the small amount of vacant commercial acreage in this area of Biscayne Boulevard may hamper an economic revitalization of the neighborhood. As a result, the County should begin to add to the inventory of commercial acreage within MSA 4.1 to provide a solid foundation for growth within the neighborhood.

A redevelopment of the Property would be consistent with the policy set forth in the Land Use Element regarding redevelopment of vacant or substandard properties in currently urbanized areas. Specifically, Policy 1C within the Land Use Element states that the County shall give priority to infill development on vacant sites and redevelopment of substandard properties in currently urbanized areas. The trailer park use of the property is a substandard use. In addition, much of the acreage within the Application Area is vacant. Finally, the Application Area is located within a heavily urbanized area within northeastern Miami-Dade County.

The approval of the application would also be consistent with Policy 8G within the Land Use Element which requires that the Urban Development Boundary (UDB) contain developable land having capacity to sustain projected Countywide residential demand for a period of 15 years of residential capacity beyond the date of adoption of the most recent evaluation and appraisal report (EAR). On a Countywide basis, Table 2-3 set forth in the October 2004 Initial Recommendations shows that the depletion year for both types of housing is 2021. Based upon an anticipated depletion year of 2021 and the mandatory UDB residential capacity set forth in Policy 8G, it is clear that now is the most appropriate time to add residential capacity within Miami-Dade County.

The application is also consistent with Objective One of the Land Use Element which states that the "location and configuration of Miami-Dade County's urban growth through the year 2015 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl." Here, the approval of the application will transform a property that has become an eyesore for the community, a slowly deteriorating trailer park. In

addition, the redevelopment of the trailer park, and adjacent vacant acreage, will constitute a contiguous urban expansion since it is surrounded on all sides by an already urban neighborhood.

The application is also consistent with Policy 9D of the Land Use Element which states that Miami-Dade County shall continue to investigate, maintain, and enhance methods, standards and regulatory approaches which facilitate sound compatible mixing of uses in projects and communities. The Applicant is proposing a vertically mixed use project that will blend together a variety of commercial uses with a multifamily residential use. The Applicant's proposed mixed use project will be compatible with the surrounding neighborhood and provide much-needed commercial uses for area residents. Finally, the application is consistent with Policy 10A which states that "Miami-Dade County shall facilitate continuous urban development, infill, redevelopment of substandard or underdeveloped urban areas, high intensity activity centers, mass transit supportive development, and mixed use projects to support energy conservation." The application falls under several of the foregoing described categories. A vertically mixed use project of this magnitude can certainly promote energy conservation by reducing the number of automobile trips that would otherwise be generated by a strictly residential project. Since the Applicant's proposed mixed use project will contain a variety of commercial uses, this will reduce the number of automobile trips residents within the project, and surrounding neighborhood, would otherwise have to take fulfill basic retail needs.

5. ADDITIONAL MATERIAL SUBMITTED

- 1) Section Map with Application Area Indicated
- 2) 8 1/2 X 11 sheet showing Application Area Location
- 4) Aerial Photograph with Application Area Indicated
- 5) Sketches and accompanying Legal Descriptions
of parcels within Application Area

The Applicant reserves the right to supplement the application with additional documentation within the time permitted by the Code of Miami-Dade County.

6. COMPLETE DISCLOSURE FORMS: See attached.

LEGAL AND SKETCH

SURVEYOR'S NOTES:

1. BEARINGS ARE BASED ON WEST LINE OF SE1/4, NW1/4, SECTION 32-52-42 (S02°36'58"E)
2. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THIS SKETCH DOES NOT REPRESENT A LAND SURVEY

LEGEND:

POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING
POT POINT OF TERMINATION
P.B. PLAT BOOK

PG. PAGE
sf SQUARE FEET
R/W RIGHT OF WAY
SEC. SECTION

LEGAL DESCRIPTION:

LOTS 7 AND 8 AND THE EAST 425.13 FEET OF LOT 9 OF BLOCK 1, "BAYVIEW ACRES" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34 AT PAGE 88 OF PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND

THAT PORTION OF THE NORTH 495 FEET OF S1/2 OF NE1/4 OF SECTION 32, TOWNSHIP 52 EAST, RANGE 42 SOUTH LYING WEST OF THE WESTERLY RIGHT-OF-WAY OF BISCAYNE BOULEVARD (U.S. 1) (S.R. 5).

AND

THE TRACT A, "SEARENTO REVISED" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34 AT PAGE 21 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY: THAT THE LEGAL AND SKETCH OF THE PROPERTY DESCRIBED HEREON WAS MADE UNDER MY SUPERVISION AND THAT THE LEGAL AND SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 61G17-6. FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES. AND, THAT THE SKETCH HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON. THIS SKETCH DOES NOT REPRESENT A LAND SURVEY.

LUDOVICI AND ORANGE CONSULTING ENGINEERS INC. L.B. #1012

By: 

Arturo A. Sosa
Surveyor and Mapper 2629
State of Florida

OVERALL

PROJ. NO: 2005 01N | DATE: 3-31-2004 | DRAWN: CM | CHECKED: AAS | SCALE: AS SHOWN



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

SHEET
1

SHEET 1 OF 2 SHEETS

P.B. 12, PG. 6 (154)

[illegible]

NE 14th AVE.

THE NORTH

SHEET
1

43



SEC 32
T 52 S
R 42 E
524232

Photo Date:
01/25/2005

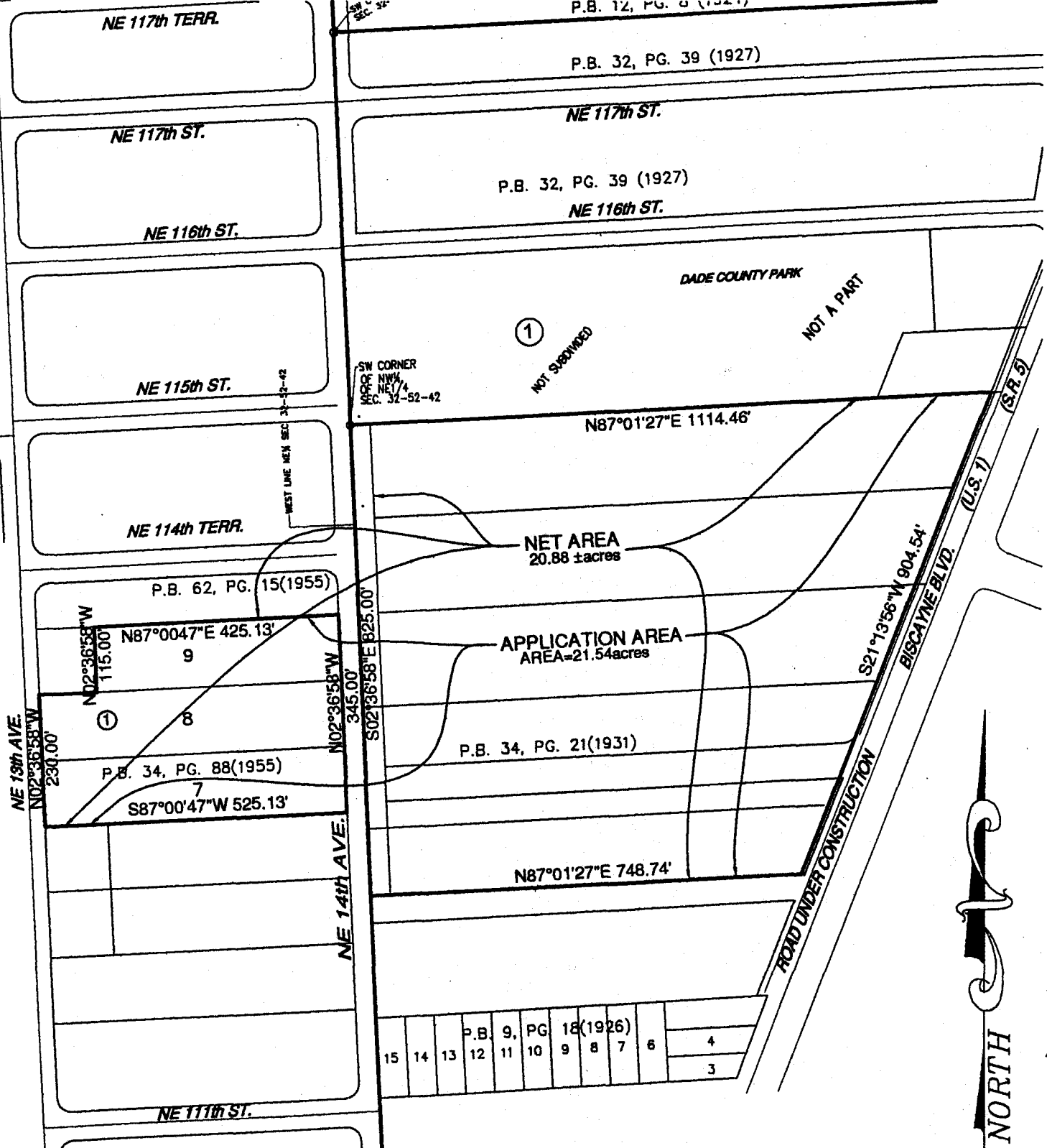


This is not a survey

MIAMI-DADE COUNTY
FLORIDA
DEPARTMENT OF PUBLIC WORKS
PLANNING AND DESIGN DIVISION
1000 N.W. 10TH AVENUE
MIAMI, FL 33136
(305) 375-1000



LEGAL AND SKETCH



PROJ. NO: 2005 01N

DATE: 4-22-2005

DRAWN: BBL

CHECKED: AS

SCALE: NTS



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CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1800 • LB 1012

SHEET
2

SHEET 2 OF 2 SHEETS

LEGAL AND SKETCH

SURVEYOR'S NOTES:

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LEGEND:

POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING
POT POINT OF TERMINATION
P.B. PLAT BOOK

PG. PAGE
sf SQUARE FEET
R/W RIGHT OF WAY
SEC. SECTION

LEGAL DESCRIPTION:

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LUDOVICI AND ORANGE CONSULTING ENGINEERS INC. L.B. #1012

By: _____

Arturo A. Sosa
Surveyor and Mapper 2629
State of Florida

PARCEL A

PROJ. NO: 2005 01N | DATE: 3-31-2004 | DRAWN: CM | CHECKED: AAS | SCALE: AS SHOWN



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

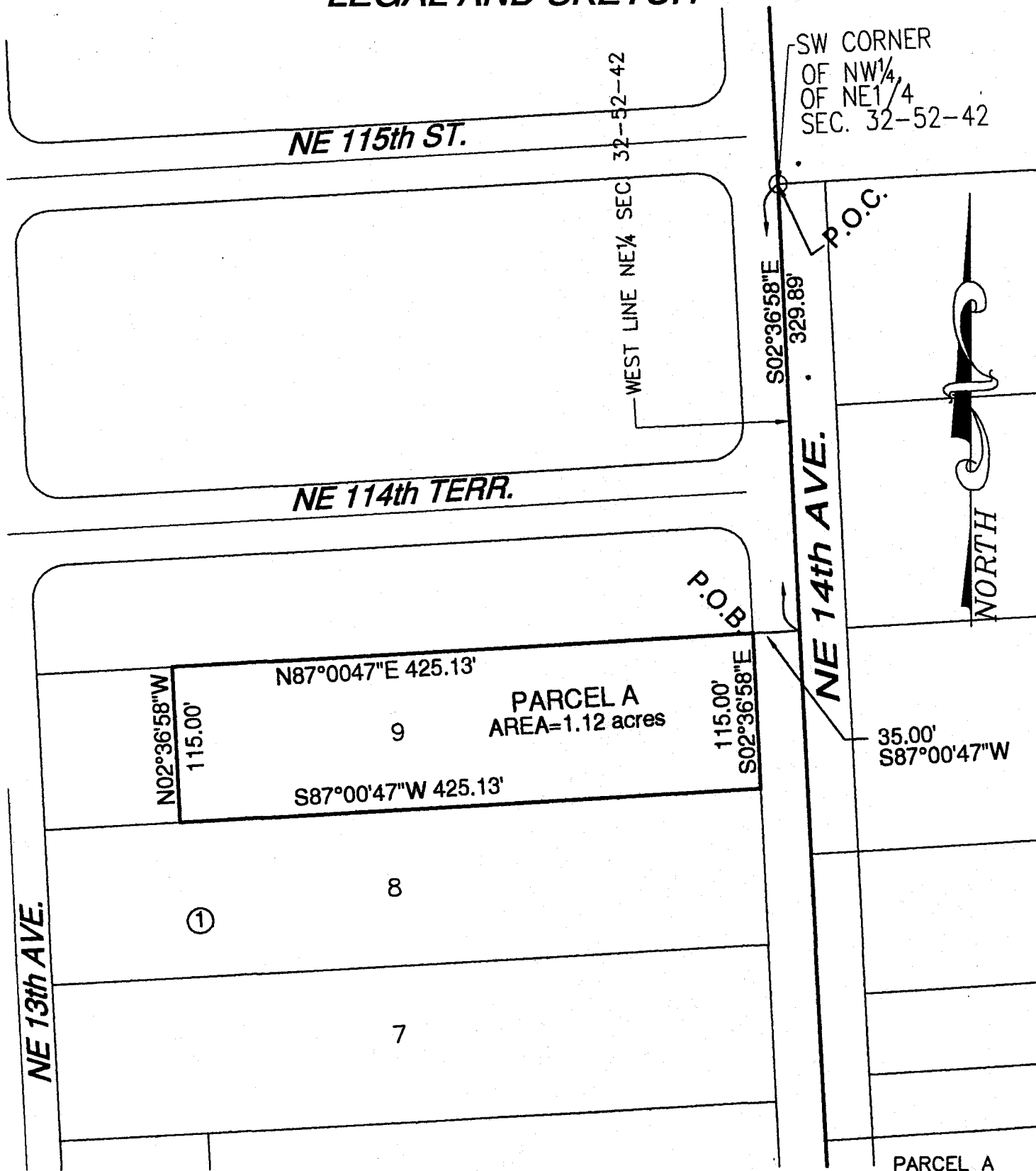
329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

SHEET

1

SHEET 1 OF 2 SHEETS

LEGAL AND SKETCH



PROJ. NO: 2005 01N

DATE: 4-22-2005

DRAWN: BBL

CHECKED: AS

SCALE: NTS



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CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

SHEET
2

SHEET 2 OF 2 SHEETS

LEGAL AND SKETCH

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POT POINT OF TERMINATION
P.B. PLAT BOOK

PG. PAGE
sf SQUARE FEET
RW RIGHT OF WAY
SEC. SECTION

LEGAL DESCRIPTION:

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LUDOVICI AND ORANGE CONSULTING ENGINEERS INC. L.B. #1012

By: 

Arturo A. Sosa
Surveyor and Mapper 2629
State of Florida

PARCEL B

PROJ. NO: 2005 01N | DATE: 3-31-2004 | DRAWN: CM | CHECKED: AAS | SCALE: AS SHOWN



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

SHEET
1

SHEET 1 OF 2 SHEETS

LEGAL AND SKETCH

NE 115th ST.

SW CORNER
OF NW $\frac{1}{4}$
OF NE $\frac{1}{4}$
SEC. 32-52-42

WEST LINE NE $\frac{1}{4}$ SEC 32-52-42

NE 114th TERR.

P.O.C.



S02°36'58"E 444.89'

NE 14th AVE.

35.00'
S87°00'47"W

P.O.B.

S87°00'47"W 525.13'

9

8

PARCEL B

AREA=2.78 acres

7

S87°00'47"W 525.13'

R/W

S02°36'58"E 230.00'

PARCEL B

NE 13th AVE.

N02°36'58"W 230.00'

①

PROJ. NO: 2005 01N | DATE: 4-22-2005 | DRAWN: BBL | CHECKED: AS | SCALE: NTS



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

SHEET
2

SHEET 2 OF 2 SHEETS

LEGAL AND SKETCH

SURVEYOR'S NOTES:

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3. THIS SKETCH DOES NOT REPRESENT A LAND SURVEY

LEGEND:

POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING
POT POINT OF TERMINATION
P.B. PLAT BOOK

PG. PAGE
sf SQUARE FEET
R/W RIGHT OF WAY
SEC. SECTION

LEGAL DESCRIPTION:

THE WEST 125 FEET OF:

THE NORTH 495 FEET OF S1/2 OF NE1/4 OF SECTION 32, TOWNSHIP 52 EAST, RANGE 42 SOUTH.

AND

THE WEST 125 FEET OF:

THE NORTH 1/2 OF TRACT A, "SEARENTO REVISED" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34 AT PAGE 21 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

SURVEYOR'S CERTIFICATE:

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LUDOVICI AND ORANGE CONSULTING ENGINEERS INC. L.B. #1012

By: _____

Arturo A. Sosa
Surveyor and Mapper 2629
State of Florida

PARCEL C

PROJ. NO: 2005 01N | DATE: 3-31-2004 | DRAWN: CM | CHECKED: AAS | SCALE: AS SHOWN



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

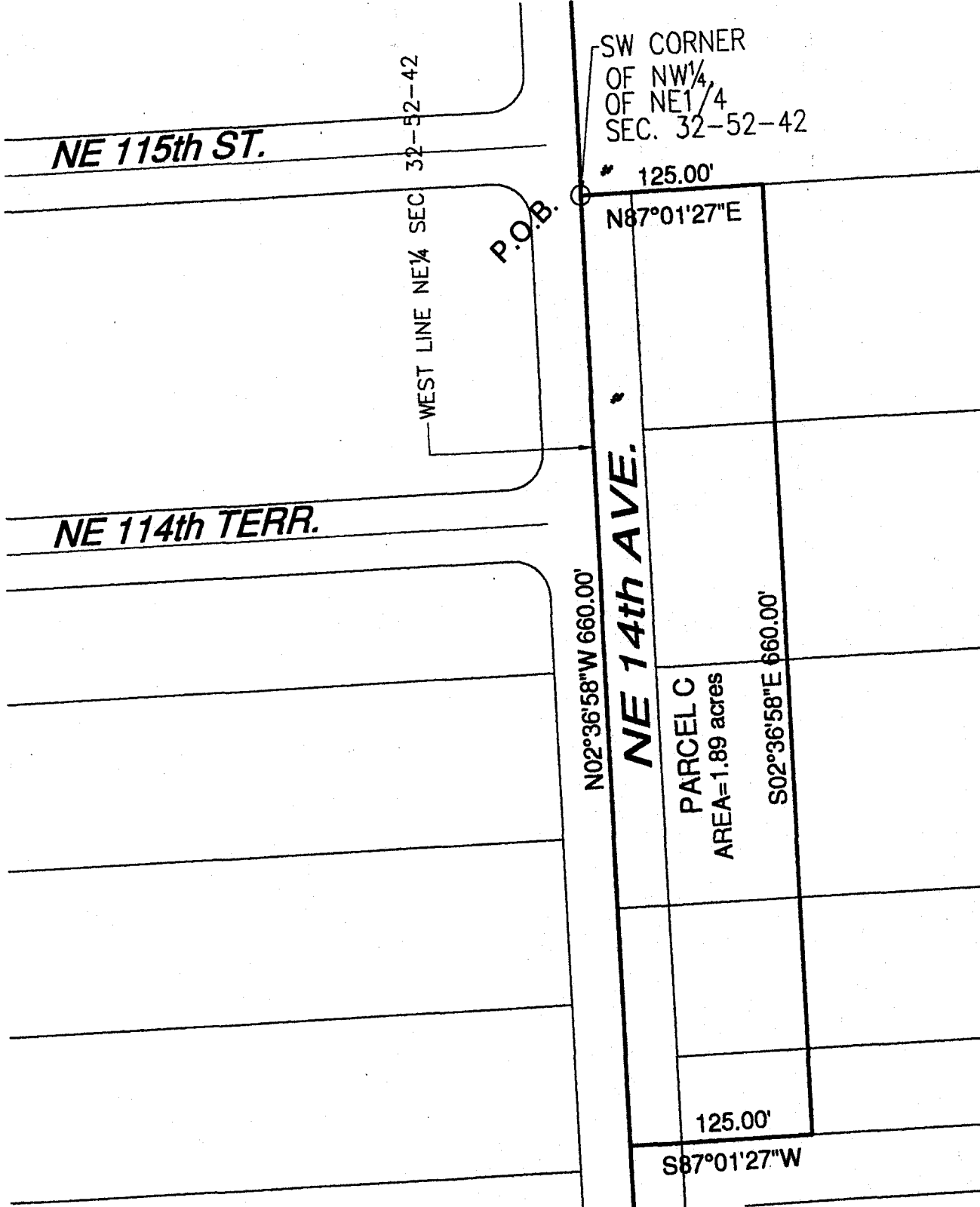
329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

SHEET

1

SHEET 1 OF 2 SHEETS

LEGAL AND SKETCH



PARCEL C				
PROJ. NO: 2005 01N	DATE: 4-22-2005	DRAWN: BBL	CHECKED: AS	SCALE: NTS
LUDOVICI & ORANGE CONSULTING ENGINEERS, INC.				SHEET 2
329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012				SHEET 2 OF 2 SHEETS

LEGAL AND SKETCH

SURVEYOR'S NOTES:

1. BEARINGS ARE BASED ON WEST LINE OF SE1/4, NW1/4, SECTION 32-52-42 (S02°36'58"E)
2. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THIS SKETCH DOES NOT REPRESENT A LAND SURVEY

LEGEND:

POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING
POT POINT OF TERMINATION
P.B. PLAT BOOK

PG. PAGE
sf SQUARE FEET
RW RIGHT OF WAY
SEC. SECTION

LEGAL DESCRIPTION:

THE SOUTH 1/2 OF TRACT A, "SEARENTO REVISED" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34 AT PAGE 21 OF PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY: THAT THE LEGAL AND SKETCH OF THE PROPERTY DESCRIBED HEREON WAS MADE UNDER MY SUPERVISION AND THAT THE LEGAL AND SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 61G17-6. FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES. AND, THAT THE SKETCH HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON. THIS SKETCH DOES NOT REPRESENT A LAND SURVEY.

LUDOVICI AND ORANGE CONSULTING ENGINEERS INC. L.B. #1012

By: _____

Arturo A. Sosa
Surveyor and Mapper 2629
State of Florida

PARCEL D

PROJ. NO: 2005 01N | DATE: 3-31-2004 | DRAWN: CM | CHECKED: AAS | SCALE: AS SHOWN



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

SHEET

1

SHEET 1 OF 2 SHEETS

LEGAL AND SKETCH

NOT SUB.

SW CORNER
OF NW 1/4
OF NE 1/4
SEC. 32-52-42

WEST LINE NE 1/4 SEC. 32-52-42

P.O.C.

S02°36'58"E 660.00'
NE 14th AVE.

P.O.B.

165.00'
N02°36'58"W

N87°01'27"E 821.89'

PARCEL D

AREA=2.97 acres

N87°01'27"E 748.74'

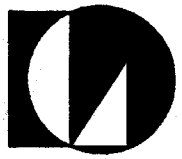
180.91'
S21°43'56"W

BISCAYNE BLVD.



PARCEL D

PROJ. NO: 2005 01N | DATE: 4-22-2005 | DRAWN: BBL | CHECKED: AS | SCALE: NTS



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

SHEET
2

SHEET 2 OF 2 SHEETS

LEGAL AND SKETCH

SURVEYOR'S NOTES:

1. BEARINGS ARE BASED ON WEST LINE OF SE1/4, NW1/4, SECTION 32-52-42 (S02°36'58"E)
2. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THIS SKETCH DOES NOT REPRESENT A LAND SURVEY

LEGEND:

POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING
POT POINT OF TERMINATION
P.B. PLAT BOOK

PG. PAGE
sf SQUARE FEET
R/W RIGHT OF WAY
SEC. SECTION

LEGAL DESCRIPTION:

THAT PORTION OF THE NORTH 495 FEET OF S1/2 OF NE1/4 OF SECTION 32, TOWNSHIP 52 EAST, RANGE 42 SOUTH LYING WEST OF THE WESTERLY RIGHT-OF-WAY OF BISCAYNE BOULEVARD (U.S. 1) (S.R. 5) LESS THE WEST 125 FEET .

AND

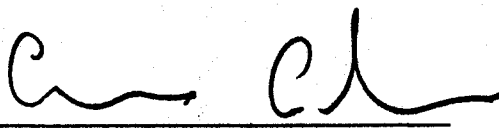
THE NORTH 1/2 OF TRACT A, "SEARENTO REVISED" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34 AT PAGE 21 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE WEST 125 FEET.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY: THAT THE LEGAL AND SKETCH OF THE PROPERTY DESCRIBED HEREON WAS MADE UNDER MY SUPERVISION AND THAT THE LEGAL AND SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 61G17-6. FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES. AND, THAT THE SKETCH HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON. THIS SKETCH DOES NOT REPRESENT A LAND SURVEY.

LUDOVICI AND ORANGE CONSULTING ENGINEERS INC. L.B. #1012

By:



Arturo A. Sosa
Surveyor and Mapper 2629
State of Florida

PARCEL E

PROJ. NO: 2005 01N | DATE: 3-31-2004 | DRAWN: CM | CHECKED: AAS | SCALE: AS SHOWN



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

SHEET
1

SHEET 1 OF 2 SHEETS

LEGAL AND SKETCH

NE 116th St.

DADE COUNTY PARK

NOT A PART

①

NOT SUBMITTED

SW CORNER
OF NW 1/4
OF NE 1/4
SEC. 32-52-42
P.O.B.
125.00'

N87°01'27"E

N87°01'27"E 989.46'

AREA=12.78 acres
PARCEL E

N02°36'58"W 660.00'

P.B. 34, PG. 21(1931)

S87°01'27"W 696.88'

JAMAICA INN.

S21°13'56"W 723.63'

BISCAYNE BLVD.
(U.S. 1)

ROAD UNDER CONSTRUCTION

NORTH

PARCEL E

PROJ. NO: 2005 01N

DATE: 4-22-2005

DRAWN: BBL

CHECKED: AS

SCALE: NTS



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

SHEET
2

SHEET 2 OF 2 SHEETS

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.

APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Dynamic Biscayne Shores Associates, Ltd.
 681 Fifth Avenue, 9th Floor
 New York, New York 10022

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>ACRES IN SIZE (net)</u>
A.	Biscayne Shores Development Group, LLC	30-2232-000-0050	3.58
	Abbot Financial, Inc. and Jonas and Barbara Royal Flagg	30-2232-000-0151	5.5
		30-2232-000-0150	.31
		30-2232-000-0120	1.32
	Biscayne 114 Center, LLC	30-2232-008-0020	3.23
	Searento Trust, LLC	30-2232-008-0010	0.84
	11190 Biscayne, LLC	30-2232-008-0030	2.01
	Charles A. Battisti	30-2232-015-0081	1.15
	El Shaddai Ministries International, Inc.	30-2232-015-0070	2.83

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

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>OTHER (Attach Explanation)</u>
------------------	--------------	---------------	------------------------------------	--

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.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

N/A	

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:

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF
STOCK

- c. If the applicant is a TRUSTEE, list the trustee's name, the name 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: N/A

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>N/A</u>	

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner (s) consist of another partnership(s), corporation (S) trust (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].

PARTNERSHIP NAME: Dynamic Biscayne Shores Associates, Ltd.

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>See Exhibit A</u>	

- e. If the applicant is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, 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].

<u>NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	

Date of Contract:

If any contingency clause or contract terms involve additional parties, list all individuals or officers if a corporation, partnership, or trust.

N/A

5. DISCLOSURE OF OWNER'S INTEREST: Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

- a. If the owner 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>
Charles A. Battisti 5835 Granada Boulevard Coral Gables, FL 33146	N/A
Jonas and Barbara Royal Flagg 20185 Country Club Drive, Unit # 2304 Aventura, FL 33180	N/A

- b. If the owner 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: Biscayne Shores Development Group, LLC
12790 S. Dixie Highway, Miami FL 33156
See Exhibit A.

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF STOCK

CORPORATION NAME: Abbot Financial, Inc.
P.O. Box 546830 Surfside, FL 33154
See Exhibit A.

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF STOCK

CORPORATION NAME: Biscayne 114 Center, LLC
4815 Avenue N, Brooklyn, NY 11234
See Exhibit A.

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF STOCK

CORPORATION NAME: Searento Trust, LLC
15500 New Barn Road, #104
Miami Lakes, FL 33014
See Exhibit A.

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF STOCK

CORPORATION NAME: 11190 Biscayne LLC
3737 W. Arthur
Lincolnwood, IL 60712
See Exhibit A.

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF STOCK

CORPORATION NAME: El Shaddai Ministries International, Inc.
11303 N.E. 13 Avenue
Miami, FL 33161
See Exhibit A.

e. If the owner is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, 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].

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF INTEREST</u>
Dynamic Biscayne Shores Associates, Ltd. 681 Fifth Avenue, 9 th Floor New York, New York 10022	100%

(see attached Exhibit A for full disclosure of interest)

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

For any changes of ownership or changes in contract for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

Brad ZACKSON
Brad Jackson

Sworn to and subscribed before me
this 28 day of April, 2005.

Notary Public, State of Florida at Large (SEAL)
My Commission Expires:

[Signature]



Yanet Godoy
Commission # **ED088157**
Expires Jan. 31, 2006
Active Notary
1-800-350-5161

EXHIBIT A

Disclosure of Interest

1) Dynamic Biscayne Shores Associates, Ltd., a Florida limited partnership

a) General Partner: Dynamic Miami, LLC 0.1%

- Brad Zackson 33.33%
681 5th Avenue, 4th Floor
New York, NY 10022
- Pat Morelli 33.33%
3830 Gunn Highway
Tampa, Florida 33618
- Jay Quinn 33.33%
80 Glen Head Road
Suite 200
Glenhead, NY 11545

b) Limited Partners

- Dynamic Miami Investor, LLC 79.9%
 - Brad Zackson 33.33%
681 5th Avenue, 4th Floor
New York, NY 10022
 - Pat Morelli 33.33%
3830 Gunn Highway
Tampa, Florida 33618
 - Jay Quinn 33.33%
80 Glen Head Road
Suite 200
Glenhead, NY 11545
- The Keegan Development Company, LLC 20%
 - Timothy J. Keegan 100%
11111 Biscayne Boulevard
Unit No. 1552
Miami, Florida 33181

- 2) Biscayne Shores Development Group, LLC
- Edeed Ben-Josef 69%
48 West 37th Street
New York, NY 10018
 - Timothy J. Keegan 31%
11111 Biscayne Boulevard
Unit No. 1552
Miami, Florida 33181
- 3) Biscayne 114 Center, LLC
- Mr. Abraham Podolsky 100%
4815 Avenue N
Brooklyn, NY 11234
- 4) 11190 Biscayne, LLC
- SFBC International, Inc. 100%
(public company traded on NASDAQ)
- 5) El Shaddai Ministries International, Inc.
(Florida nonprofit)
- Jean D. St. Germain
13651 S. Biscayne River Drive
Miami, Florida 33161
 - Brian Kelso
4700 SW 188th Avenue
Ft. Lauderdale, Florida 33332
 - Gary Malloch
6735 Casa Grande Way
Delray Beach, Florida 33446
 - Bresile St. Germain
15041 SW 141 Lane
Miami, Florida 33106

- Michael Pappas
1 SE 3rd Avenue, Suite 1100
Miami, Florida 33131
- Michael McMillan
411 Seaside Lane
Juno Beach, Florida 33408

6) Abbot Financial, Inc.

- Francis J. Martin
7150 Blacksberg Road
Suite 304
Town of Catawba, VA 24070
- Robert A. Martin
333 Ashloop Road
Blue Ridge, GA 30513
- Constance Mastellone
1966 Windward Way
Vero Beach, Florida 32963
- Mary Galivan
16721 S.W. 278th Street
Homestead, Florida 33031
- Anne Holeroock
7699 N.W. 79th Avenue
Unit 107
Tamarac, Florida 33321

7) Searento Trust LLC

- Robert L. Elias, III
15500 New Barn Road
Suite 104
Miami Lakes, FL 33014

APPLICATION NO. 4
STANDARD AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
Liberty Investments, Inc. 4875 North Federal Highway Ft. Lauderdale, Florida 33308	Michael W. Larkin, Esq. & Graham Penn, Esq. Bercow and Radell, P.A. 200 South Biscayne Boulevard, Suite 850 Miami, Florida 33131 (305) 374-5300

Requested Amendment to the Land Use Plan Map

From: LOW-MEDIUM DENSITY RESIDENTIAL (5 to 13 DU/AC.)
To: MEDIUM DENSITY RESIDENTIAL (13 to 25 DU/AC.) (Parcels A, C, D, & E)
 & MEDIUM-HIGH DENSITY RESIDENTIAL (25 to 60 DU/AC.) (Parcel B)
Location: NW 12 Avenue to NW 9 Avenue between NW 95 Terrace and NW 99 Street.
Acreage: Application area: 27.6 Gross Acres
 Application area: 27.227 Net Acres
 Acreage Owned by Applicant: 27.6 acres.



Note: This summary page is not part of the actual application that follows.

**STANDARD AMENDMENT REQUEST
TO THE
LAND USE ELEMENT/LAND USE PLAN MAP
OCTOBER 2005-2006 AMENDMENT CYCLE
MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT


Liberty Investments, Inc.
4875 North Federal Highway
Ft. Lauderdale, Florida 33308

2. APPLICANT'S REPRESENTATIVES

Michael W. Larkin, Esq.
Graham Penn, Esq.
Bercow & Radell, P.A.
200 South Biscayne Boulevard
Suite 850
Miami, Florida 33131
(305) 374-5300

By: 
Michael W. Larkin, Esq.

Date: May 2, 2005

By: 
Graham Penn, Esq.

Date: May 2, 2005

3. DESCRIPTION OF REQUESTED CHANGES

An amendment to the Comprehensive Development Master Plan Land Use Plan Map is requested.

A. A change to the Land Use Element, Land Use Plan Map (item A. 1 in the fee schedule) is requested.

B. Description of Application Area

The Application Area consists of 27.60 acres of a 28.52 acre parent tract located in Section 2, Township 53, Range 41 in unincorporated Miami-Dade County. See Attached Survey.

C. Acreage

Application area: 27.60 acres.

Acreage owned by Applicant: 27.60 acres.

D. Requested Changes

- 1) It is requested that the Application Area be redesignated on the Land Use Plan Map from Low-Medium Density to Medium Density and Medium-High Density. The overwhelming majority of the Application Area will be redesignated to Medium Density. See Parcel A within Survey. The Applicant is requesting that Parcel B within the Application Area, consisting of one acre in size, be redesignated to Medium High Density. See Parcel B within Survey.

4. REASONS FOR AMENDMENT

The property is an irregularly shaped parcel situated on the north side of N.W. 95th Street slightly west of I-95. The Application Area is designated as Low-Medium Density Residential. The majority of the Application Area is zoned GU. The northern portion of the Application Area adjacent to N.W. 99th Street is zoned RU-2. The eastern portion of the Application Area is zoned RU-3B. Currently, the Property contains a trailer park use. Based upon the Application Area's proximity to major transportation corridors within Miami-Dade County, this is a substandard use of the property. The Application Area is located within the Urban Infill Area (UIA). Finally, the Application Area is immediately north of a hospital located on the south side of N.W. 95th Street. The hospital is a major employment center for the neighborhood. Accordingly, a residential redevelopment of the Application Area will give employees of the hospital a housing choice very close to their place of employment.

There are single family homes located to the north of the Application Area on the north side of N.W. 99th Street. There are duplexes and single-family homes located to the east of the Application Area. There is a large lake situated to the west of the Application Area. There are apartment buildings situated to the south of the Application Area. The Applicant proposes to redesignate the majority of the Application Area from Low-Medium Density Residential to Medium Density Residential. The applicant proposes to redesignate a one acre parcel, located along the southern perimeter of the Application Area, from Low-Medium Density Residential to Medium-High Density Residential. See Parcel B within Survey. Finally, the Applicant agrees to reserve a one acre parcel in the southwestern corner of the Application Area for a future civic or institutional use. See Parcel C within Survey.

The Citizens' Master Plan within the North Central Miami-Dade Charrette Report, adopted by the Board of County Commissioners of Miami-Dade County on April 27, 2004,

identified a future civic center use within the southwestern corner of the property. The Applicant is voluntarily complying with the desire expressed by area residents who participated in the charrette process by reserving a portion of the Application Area for a use that will serve the surrounding neighborhood. In the future, however, neighbors in the surrounding area may prefer an institutional use such as a daycare. Accordingly, the Applicant will reserve the one acre parcel for a future civic or institutional use to serve residents in the surrounding neighborhood. At time of zoning, the Applicant will determine the level of support for the preferred use within this area of the Property. The remainder of the Application Area will be developed with a multifamily residential use. The Applicant desires that the residential redevelopment of the Application Area be compatible with the surrounding neighborhood. Accordingly, in order to match the residential character of the community to the north and east of the Application Area, the Applicant will redevelop Parcels D and E with townhomes fronting on NW 99th Street and NW 9th Avenue.

A residential redevelopment of the Property would be consistent with the policy set forth in the Land Use Element regarding redevelopment of vacant or substandard properties in currently urbanized areas. Specifically, Policy 1C within the Land Use Element states that the County shall give priority to redevelopment of substandard properties in currently urbanized areas. The trailer park use of the property is a substandard use. In addition, the Application Area is located within a heavily urbanized area within North Central Miami-Dade County.

The property is located within the eastern part of the North Miami-Dade planning analysis tier. Table 2-4 of the Initial Recommendations with regard to the October 2004 applications to amend the CDMP states that the capacity, or supply, of multi-family and single family housing types is expected to be exhausted in the year 2017. Since the depletion year for the residential capacity in the eastern part of the North Miami-Dade planning analysis tier is expected to be reached in 12 years, it is good planning to begin to increase the number of residential units in the residential inventory for the North Miami-Dade planning analysis tier in 2005.

The redesignation of this Property to a higher residential density category would also be consistent with Policy 8G within the Land Use Element which requires that the Urban Development Boundary (UDB) contain developable land having capacity to sustain projected Countywide residential demand for a period of 15 years of residential capacity beyond the date of adoption of the most recent evaluation and appraisal report (EAR). On a Countywide basis, Table 2-3 set forth in the October 2004 Initial Recommendations shows that the depletion year for both types of housing is 2021. Based upon an anticipated depletion year of 2021 and the mandatory UDB residential capacity set forth in Policy 8G, it is clear that now is the most appropriate time to add residential capacity within Miami-Dade County.

The application is also consistent with Objective One of the Land Use Element which states that the "location and configuration of Miami-Dade County's Urban growth through the year 2015 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl." The application will redevelop what has become an

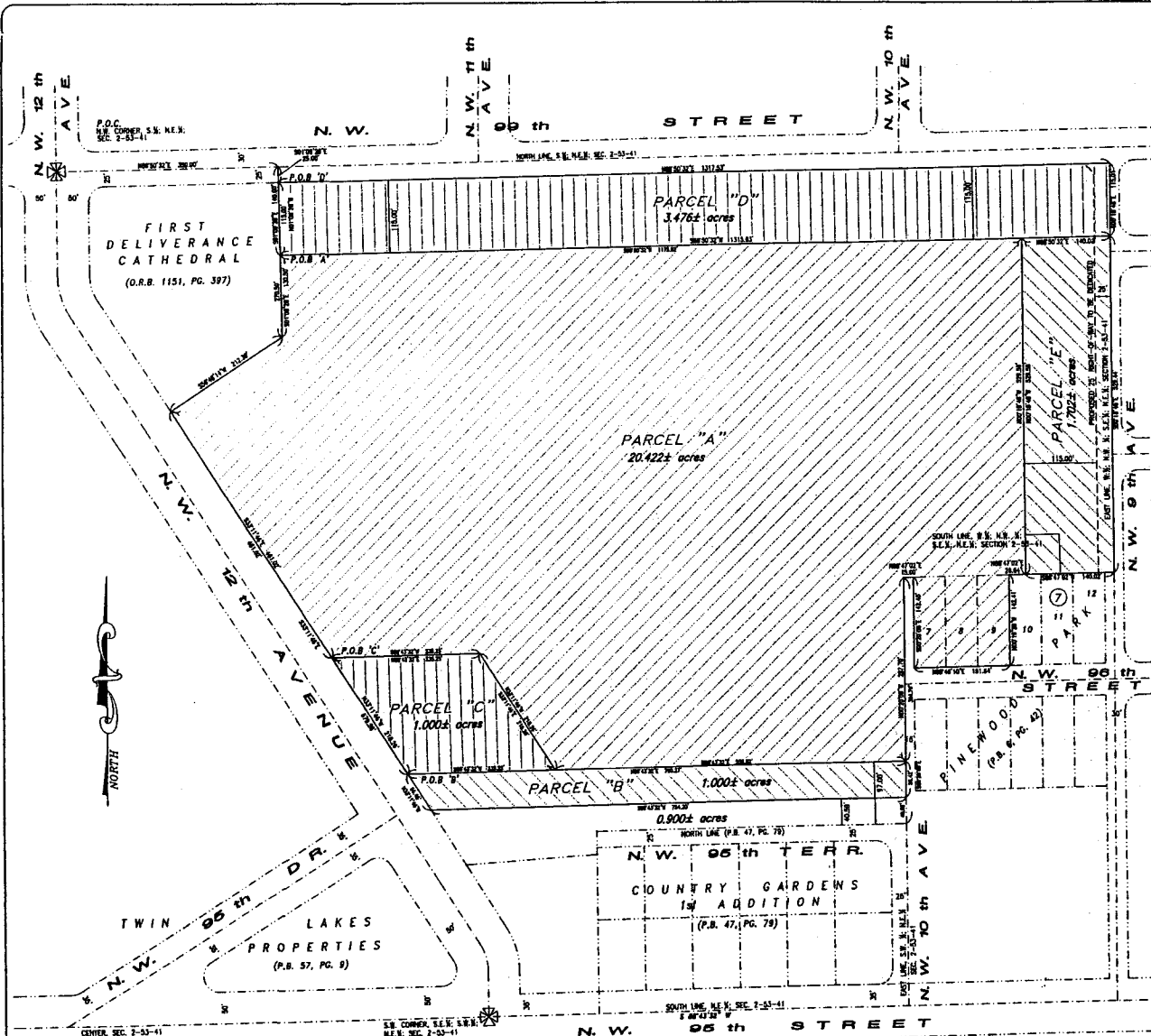
eyesore for the community, a slowly deteriorating trailer park. In addition, the redevelopment of the trailer park will constitute a contiguous urban expansion since it is surrounded on all sides by an already urban neighborhood. The application is also consistent with Policy 1G of the Land Use Element which states that Miami-Dade County shall vigorously promote the inclusion of a variety of housing types in all residential communities. Here, the applicant is proposing a civic/institutional use in the southwestern corner of the property, townhomes on the northern and eastern perimeter of the property, and multi-family residential buildings within the interior of the property. Finally, the application is consistent with Policy 9G of the Land Use Element which states that "Miami-Dade County shall review and revise development regulations to promote building designs in multi-family residential zoning districts which are more compatible with, and sensitive to, surrounding neighborhoods...." By agreeing to construct town homes on the periphery of the Application Area adjacent to the single-family homes on the north side of N.W. 99th Street and the single-family homes and duplexes on the east side of N.W. 9th Avenue, the applicant is attempting to be compatible with the surrounding residential neighborhood.

5. ADDITIONAL MATERIAL SUBMITTED

- 1) Survey
- 2) Aerial Photograph

The Applicant reserves the right to supplement the application with additional documentation within the time permitted by the Code of Miami-Dade County.

6. COMPLETE DISCLOSURE FORMS: See attached.



LEGAL DESCRIPTION:

PARCEL "A":
A portion of the South 1/2 of the Northeast 1/4 of Section 2, Township 53 South, Range 41 East, Together With Lots 7, 8 and 9, Block 7, "PINEWOOD PARK" as recorded in Plot Book 6, Page 42 of the Public Records of Dade County, Florida all being more particularly described as follows:

Commence at the Northwest corner of the South 1/2 of the Northeast 1/4 of said Section 2; thence North 88 degrees 50 minutes 32 seconds East, along the North line of said South 1/2 of the Northeast 1/4, for 350.00 feet; thence South 01 degrees 09 minutes 28 seconds East for 140.00 feet to the Point of Beginning; thence continue South 01 degrees 09 minutes 28 seconds East for 130.50 feet; thence South 56 degrees 48 minutes 14 seconds West for 212.39 feet; thence South 33 degrees 11 minutes 46 seconds East, along the Eastern Right of Way line of N. W. 12th Avenue as shown on the plot of "TWIN LAKE PROPERTIES" as recorded in Plot Book 57, Page 9 of the Public Records of Dade County, Florida for 461.02 feet; thence North 88 degrees 43 minutes 32 seconds East, parallel with the South line of the Northeast 1/4 of said Section 2, for 235.25 feet; thence North 33 degrees 11 minutes 46 seconds West, parallel with said Eastern Right of Way line of N. W. 12th Avenue, for 218.26 feet; thence North 88 degrees 43 minutes 32 seconds East, parallel with and 97.00 feet North of the North line of the plot of "COUNTRY GARDENS 1ST ADDITION" as recorded in Plot Book 47, Page 9 of the Public Records of Dade County, Florida for 555.02 feet; thence North 00 degrees 20 minutes 08 seconds West, along the East line of the Southeast 1/4 of the Northeast 1/4 of said Section 2, for 287.70 feet; thence North 88 degrees 47 minutes 02 seconds East for 15.00 feet to the Northeast corner of said Lot 7; thence South 00 degrees 20 minutes 08 seconds East, along the West line of Lot 7, for 142.45 feet; thence North 88 degrees 46 minutes 10 seconds East, along the South line of said Lots 7, 8 and 9, for 151.64 feet; thence North 00 degrees 19 minutes 28 seconds West, along the East line of Lot 9, for 142.41 feet; thence North 88 degrees 47 minutes 02 seconds East, along the North line of said Block 7, for 26.64 feet; thence North 00 degrees 18 minutes 48 seconds West, parallel with and 140.00 feet West of the East line of the West 1/2 of the Northeast 1/4 of the Southeast 1/4 of said Section 2, for 529.58 feet; thence South 88 degrees 50 minutes 32 seconds West, parallel with and 140.00 feet South of the North line of the South 1/2 of the Northeast 1/4 of said Section 2, for 1175.82 feet, to the Point of Beginning. Lying and being Miami-Dade County, Florida.

PARCEL "B":
A portion of the South 1/2 of the Northeast 1/4 of Section 2, Township 53 South, Range 41 East, being more particularly described as follows:

Commence at the Northeast corner of the South 1/2 of the Northeast 1/4 of said Section 2; thence North 88 degrees 50 minutes 32 seconds East along the North line of said South 1/2 of the Northeast 1/4, for 350.00 feet; thence South 01 degrees 09 minutes 28 seconds East for 270.50 feet; thence South 56 degrees 48 minutes 14 seconds West for 212.39 feet; thence South 33 degrees 11 minutes 46 seconds East, along the Eastern Right of Way line of N. W. 12th Avenue as shown on the plot of "TWIN LAKE PROPERTIES" as recorded in Plot Book 57, Page 9 of the Public Records of Dade County, Florida for 679.28 feet to the Point of Beginning; thence North 88 degrees 43 minutes 32 seconds East, parallel with and 97.00 feet North of the North line of the Plot of "COUNTRY GARDENS 1ST ADDITION" as recorded in Plot Book 47, Page 9 of the Public Records of Dade County, Florida, for 790.27 feet; thence South 00 degrees 20 minutes 08 seconds East, along the East line of the Southeast 1/4 of the Northeast 1/4 of said Section 2, for 56.42 feet; thence North 88 degrees 43 minutes 32 seconds West for 754.20 feet; thence North 33 degrees 11 minutes 46 seconds West, along said Eastern Right of Way line of N. W. 12th Avenue, for 66.46 feet to the Point of Beginning. Lying and being in Miami-Dade County, Florida.

PARCEL "C":
A portion of the South 1/2 of the Northeast 1/4 of Section 2, Township 53 South, Range 41 East, being more particularly described as follows:

Commence at the Northeast corner of the South 1/2 of the Northeast 1/4 of said Section 2; thence North 88 degrees 50 minutes 32 seconds East, along the North line of said South 1/2 of the Northeast 1/4, for 350.00 feet; thence South 01 degrees 09 minutes 28 seconds East for 270.50 feet; thence South 56 degrees 48 minutes 14 seconds West for 212.39 feet; thence South 33 degrees 11 minutes 46 seconds East, along the Eastern Right of Way line of N. W. 12th Avenue as shown on the plot of "TWIN LAKE PROPERTIES" as recorded in Plot Book 57, Page 9 of the Public Records of Dade County, Florida, for 461.02 feet to the Point of Beginning; thence North 88 degrees 43 minutes 32 seconds East for 235.25 feet; thence South 33 degrees 11 minutes 46 seconds East, parallel with the Eastern Right of Way line of N. W. 12th Avenue, for 218.26 feet; thence South 88 degrees 43 minutes 32 seconds West, parallel with and 97.00 feet North of the Western prolongation of the North line of the Plot of "COUNTRY GARDENS 1ST ADDITION" as recorded in Plot Book 47, Page 9 of the Public Records of Dade County, Florida, for 235.25 feet; thence North 33 degrees 11 minutes 46 seconds West, along said Eastern Right of Way line of N. W. 12th Avenue for 218.26 feet to the Point of Beginning. Lying and being in Miami-Dade County, Florida.

PARCEL "D":
A portion of the South 1/2 of the Northeast 1/4 of Section 2, Township 53 South, Range 41 East, being more particularly described as follows:

Commence at the Northeast corner of said South 1/2 of the Northeast 1/4; thence North 88 degrees 50 minutes 32 seconds East, along the North line of the South 1/2 of the Northeast 1/4 of the Northeast 1/4, for 350.00 feet; thence South 01 degrees 09 minutes 28 seconds East for 25.00 feet to the Point of Beginning; thence North 88 degrees 50 minutes 32 seconds East, parallel with the North line of said South 1/2 of the Northeast 1/4 of the Northeast 1/4 for 1317.53 feet; thence South 00 degrees 18 minutes 48 seconds East, along the East line of the West 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of said Section 2, for 115.01 feet; thence South 88 degrees 50 minutes 32 seconds West, parallel with and 140.00 feet South of the North line of said South 1/2 of the Northeast 1/4, for 1315.83 feet; thence North 01 degrees 09 minutes 28 seconds West for 115.00 feet to the Point of Beginning. Lying and being in Miami-Dade County, Florida.

PARCEL "E":
The East 140.00 feet of the West 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 2, Township 53 South, Range 41 East, LESS the North 140.00 feet thereof lying and being in Miami-Dade County, Florida.

BEARINGS SHOWN HEREON REFER TO AN ASSUMED BEARING OF S. 0° 16' 48" E. ALONG THE EAST LINE, N. W. 1/4, S. E. 1/4, N. E. 1/4, SECTION 2-53-41

LEGEND:
 - - - - - BOUNDARY LINE
 --- --- --- BOUNDARY OF SUBDIVISION
 P.B. BOUNDARY OF RECORD

REVISIONS		
Date	Remarks	By

LEGAL DESCRIPTION
OF PORTIONS OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 53 SOUTH, RANGE 41 EAST.

MIAMI-DADE COUNTY, FLORIDA.

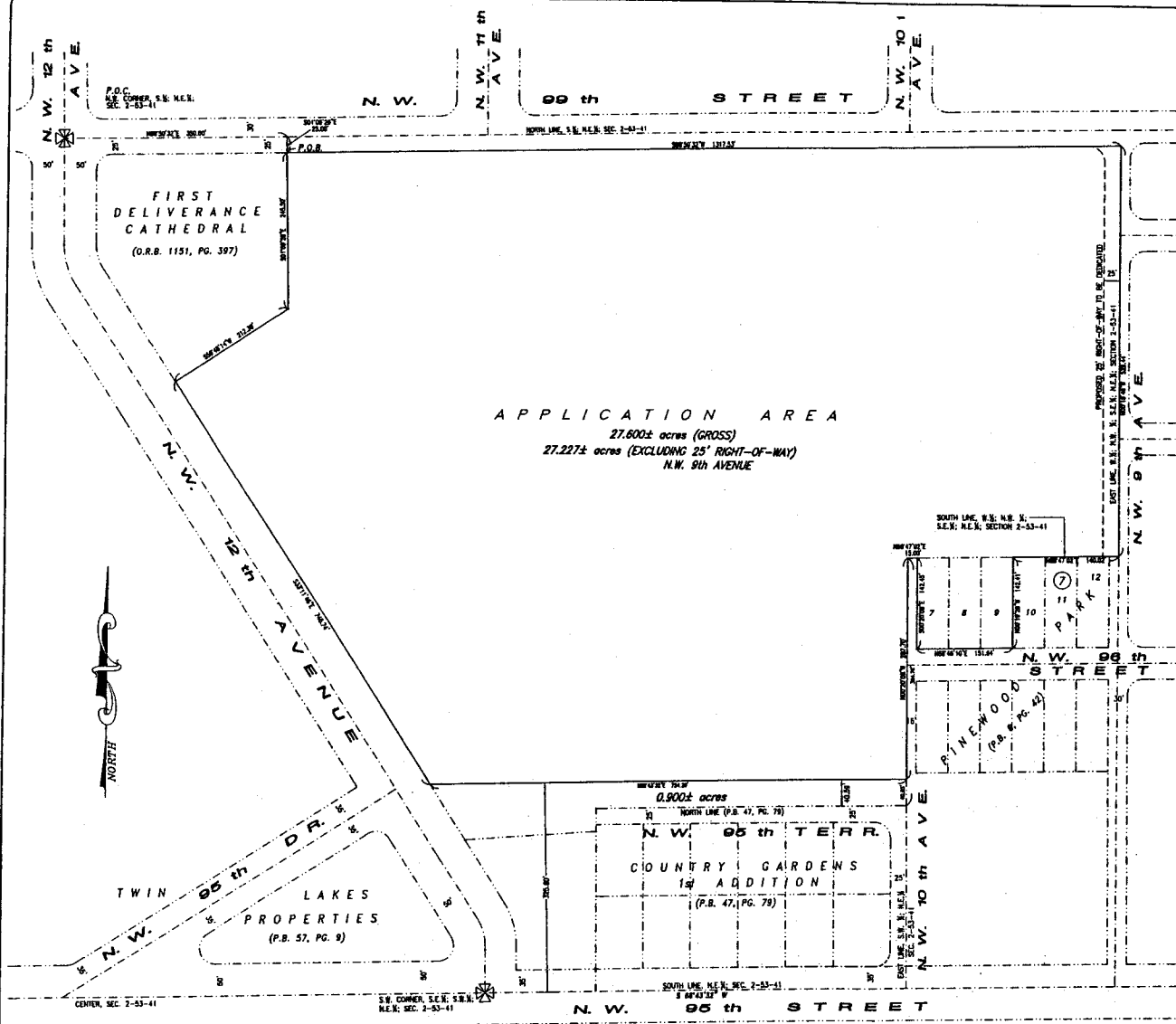
Schwelke Shiskin & Associates, Inc.
 5440 CORPORATE PARKWAY, SUITE 200
 MIAMI, FLORIDA 33156
 TEL: 305.432.7010 FAX: 305.432.8284

Drawn By: D.B.L. Date: 06-18-05
 Check By: Date:

Scale: 1" = 80'
 Plot No. AJ-2591 C Sheet No. 1 of 1 Sheet

NOT: Automatic copies of this drawing will be sent to the owner and the affected Professional Land Surveyor or Professional Engineer.

03/02/05/1/0000 HOME PARK/LEGAL DESCRIPTION/Parcel-A.dwg



LEGAL DESCRIPTION

APPLICATION AREA:

A portion of the South 1/2 of the Northeast 1/4 of Section 2, Township 53 South, Range 41 East, Together With Lots 7, 8 and 9, Block 7, "PINEWOOD PARK" as recorded in Plat Book 6, Page 42 of the Public Records of Dade County, Florida, all being more particularly described as follows:

Commence at the Northeast corner of the South 1/2 of the Northeast 1/4 of said Section 2; thence North 88 degrees 50 minutes 32 seconds East, along the North line of said South 1/2 of the Northeast 1/4, for 350.00 feet; thence South 01 degrees 09 minutes 28 seconds East for 25.00 feet to the Point of Beginning; thence continue South 01 degrees 09 minutes 28 seconds East for 245.50 feet; thence South 56 degrees 48 minutes 14 seconds West for 212.39 feet; thence South 33 degrees 11 minutes 46 seconds East, along the Easterly Right of Way line of N. W. 12th Avenue as shown on the plat of "TWIN LAKES PROPERTIES" as recorded in Plat Book 57, Page 9 of the Public Records of Dade County, Florida for 745.74 feet; thence North 88 degrees 43 minutes 32 seconds East, parallel with and 40.59 feet North of the North line of the plat of "COUNTRY GARDENS" 1ST ADDITION" as recorded in Plat Book 47, Page 79 of the Public Records of Dade County, Florida, for 754.20 feet; thence North 00 degrees 20 minutes 08 seconds West, along the East line of the Southeast 1/4 of the Northeast 1/4 of said Section 2, for 287.70 feet; thence North 88 degrees 47 minutes 02 seconds East for 15.00 feet to the Northeast corner of said Lot 7; thence South 00 degrees 20 minutes 08 seconds East, along the West line of Lot 7, for 142.45 feet; thence North 88 degrees 48 minutes 10 seconds East, along the South line of said Lots 7, 8 and 9, for 151.64 feet; thence North 00 degrees 19 minutes 28 seconds West, along the East line of Lot 9, for 142.41 feet; thence North 88 degrees 47 minutes 02 seconds East, along the North line of said Block 7, for 140.02 feet; thence North 00 degrees 18 minutes 48 seconds West, along the East line of the West 1/2 of the Northeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of said Section 2, for 529.44 feet; thence South 88 degrees 50 minutes 32 seconds West, parallel with and 25.00 feet South of the North line of the South 1/2 of the Northeast 1/4 of said Section 2, for 1317.53 feet, to the Point of Beginning. Lying and being in Miami-Dade County, Florida.

BEARINGS SHOWN HEREON REFER TO AN ASSUMED BEARING OF
S 07°18'40"E ALONG THE EAST LINE, R.N. N.E. S.E.N. SECTION 2-53-41

LEGEND:	
—	BOUNDARY LINE
—	RIGHT-OF-WAY LINE
—	RIGHT-OF-WAY OF ADJACENT
—	RIGHT-OF-WAY OF ADJACENT

REVISIONS		
Date	Remarks	By

LEGAL DESCRIPTION
OF A PORTION OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 53 SOUTH, RANGE 41 EAST.
MIAMI-DADE COUNTY, FLORIDA.

Schwabke-Shishin & Associates, Inc.
LAND PLANNERS ENGINEERS LAND SURVEYORS
3240 CORNWALL WAY MIRAMAR, FLORIDA 33026 TEL: 305.852.7010 FAX: 305.852.8284

By: *Robert F. Jackson* PRESIDENT
Registered Land Surveyor No. 2408, State of Florida
Registered Engineer No. _____ State of Florida

Drawn By: R.F.J. Date: 04-18-08 Checked By: _____
Scale: 1" = 80'
File No. AJ-2691 D Sheet No. 1 of 1 Sheets

SEC 02 T 53S R 41E JAN 21, 2003

PHOTOGRAPHIC SURVEY, INC. - MIAMI, FL (305) 225-7801
225 7801 • FAX 225 7802 • WWW.PHOTOGRAPHIC-SURVEY.COM

MIAMI-DADE
COUNTY

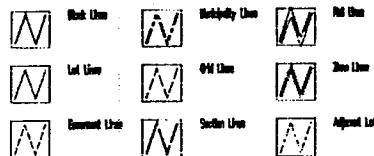


Department Of Public Works
MIAMI-DADE COUNTY, FLORIDA



REVISIONS

07/10/85: P/L 104 SE 1/4
N/W DEED NW 65 ST & NW 8 AV (CHUBBS FC370-8)
02/02/87: LOTS 32/4
N/W DEED NW 65 ST & NW 8 AV (CHUBBS FC370-8)
04/06/88: E3-A1 NW 1/4
DUNE ESTATES
12/20/88: E3-A5 NW 1/4
NORTH SHORE ESTATES
04/14/89: E3-A9 E3/2
NORTH SHORE HOMES



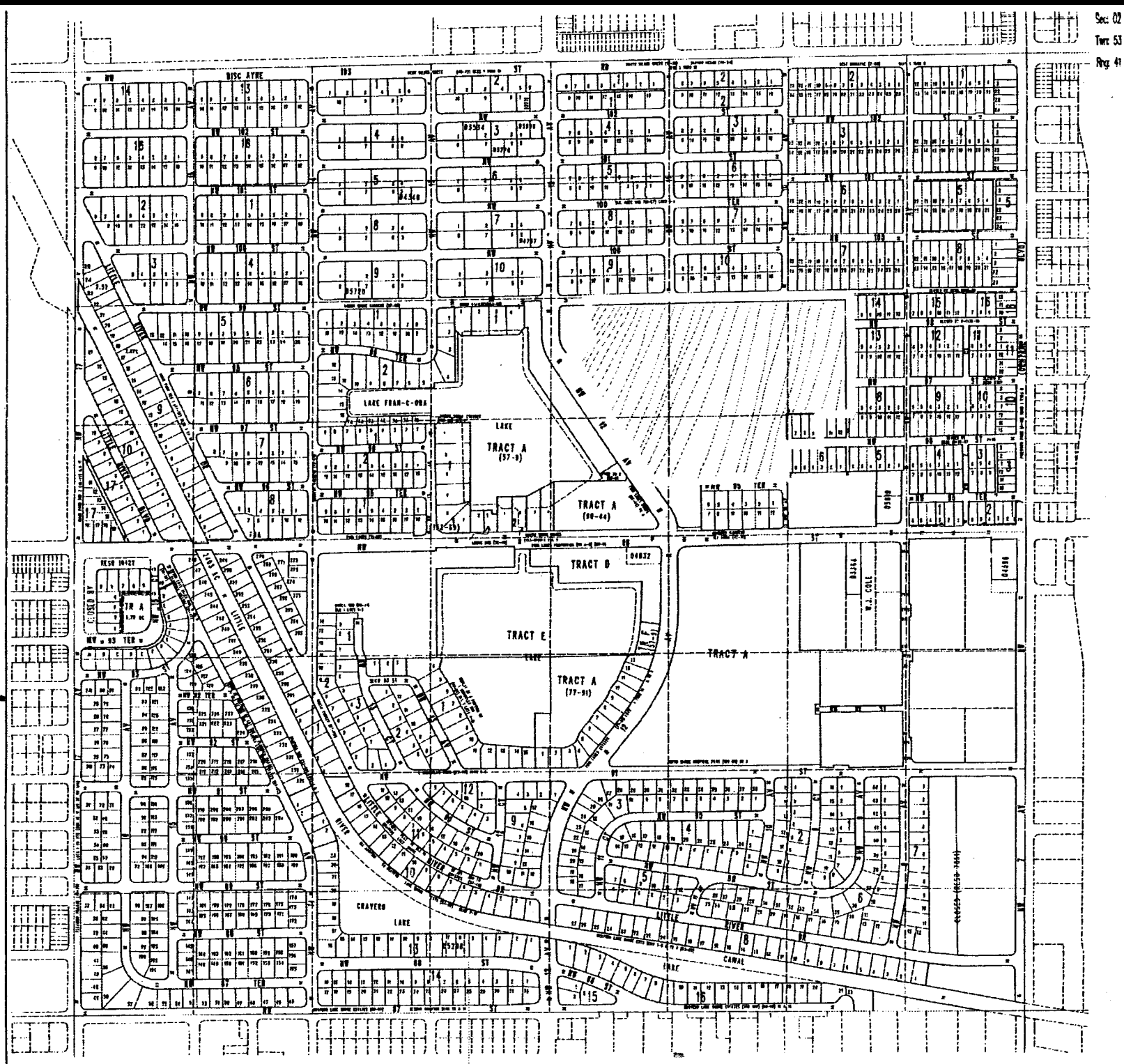
Scale 1" = 300'



NOTE: The portion of this map which lies within the limits of a multiplicity is not updated rapidly and may be incomplete or obsolete.

NOTICE

This map was created using the Digital Land Database as an approved base which is a work and Copyrighted by PWS, INC and contains copyrighted material. The map and associated information is to be used only for public business as may be authorized by law and no reproduction for commercial use or sale is permitted. No expressed or implied warranties including but not limited to the implied warranties of MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE are made. The materials contained herein are provided "as is" and may contain inaccuracies. It is urged to utilize the materials herein at one's own risk and to verify the materials accuracy independently and assume the risk of any and all loss. For further information regarding license to use the Digital Land Database, please contact PWS at 1-800-584-5700. This notice shall be placed on all copies reproduced in the course of public business as authorized by law.



**Pages Of Disclosure Form Not Applicable To This Application Are
Intentionally Omitted From This Printing.**

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.

APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Liberty Investments, Inc.

APPLICANT B: _____

APPLICANT C: _____

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

APPLICANT G: _____

APPLICANT H: _____

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>ACRES IN SIZE (net)</u>
		30-3102-013-0360; 30-3102-000-0411	
Liberty Investments, Inc.	same	30-3102-013-0350; 30-3102-000-0400 a portion of 29.27 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.**

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR</u> (Attach <u>FOR PURCHASE</u>)	<u>OTHER</u> <u>Explanation)</u>
<u>A</u>	<u>X</u>			

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.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

N/A

- 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: Liberty Investments, Inc.

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENT AGE OF STOCK

See Exhibit A

- c. If the applicant is a TRUSTEE, list the trustee's name, the name 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: _____

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

N/A

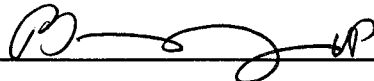
- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner (s) consist of another partnership(s), corporation (S) trust (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].

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

For any changes of ownership or changes in contract for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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


P.D. Young Vice Pres

Sworn to and subscribed before me
this 29 day of April, 2005.

Notary Public, State of Florida at Large (SEAL)
My Commission Expires:



Yanet Godoy
Commission # DD088157
Expires Jan. 31, 2006
Aaron Notary
1-800-350-5161

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

Disclosure of Interest

Janeth Brody	90%
Liberty Investments, Inc.	
P.O. Box 101494	
Ft. Lauderdale, Florida 33310'	

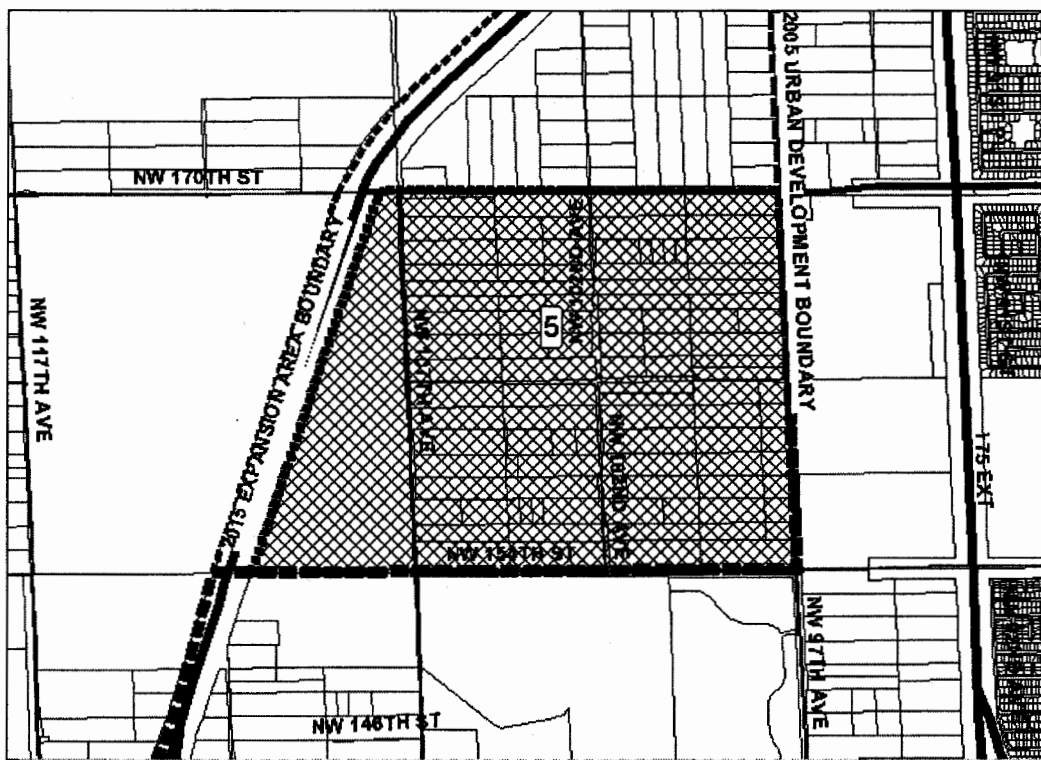
Oscar Brody	10%
Liberty Investments, Inc.	
P.O. Box 101494	
Ft. Lauderdale, Florida 33310	

APPLICATION NO. 5
STANDARD AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
Debora Storch Acting Zoning Director City of Hialeah 501 Palm Avenue Hialeah, Florida 33010-4789	Augusto E. Maxwell, Esq. Akerman, Senterfitt, & Eidson, P. A. One Southeast Third Avenue, 26 th Floor Miami, Florida 33131 (305) 374-5600 (305) 374-5095 (fax)

Requested Amendment to the Land Use Plan Map

- 1) Move the 2005 Urban Development Boundary to encompass the application area.
 - 2) Change to "Open Land Subareas" map and related text in the Land Use Element.
 - 3) From: OPEN LAND
 To: INDUSTRIAL AND OFFICE
- Location:** Between NW 97 Avenue and the Turnpike (HEFT) and between NW 154 Street and NW 170 Street
- Acreage:** Application area: 793.79 Gross Acres
 Application area: 748.27 Net Acres
 Acreage Owned by Applicant: 0 acres.



Note: This summary page is not part of the actual application that follows.

(5)
I

**APPLICATION FOR AN AMENDMENT TO THE
LAND USE PLAN MAP
OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

Debora Storch
Acting Zoning Director
City of Hialeah
501 Palm Avenue
Hialeah, FL 33010-4789

2. APPLICANT'S REPRESENTATIVE

Augusto E. Maxwell, Esq.
Akerman, Senterfitt, & Eidson P.A.
One Southeast Third Avenue, 26th Floor
Miami, FL 33131
(305) 374-5600
(305) 374-5095 (fax)

By: _____

Augusto E. Maxwell, Esq.

Apr. 129/05

Date

3. DESCRIPTION OF REQUESTED CHANGE

A. 1. Change the Land Use Plan Map.

Changes to the Land Use Element, Land Use Plan map to amend the Urban Development Boundary ("UDB") and re-designate an area from "Open Land" to Industrial and Office." (Items A.1(d), (e) in the fee schedule.)

2. Other Changes.

Changes to the "Open Land Subareas" map and related text.

B. Description of Subject Area.

The Subject Area is Section 17, and a portion of Section 18 Township 52, Range 40 East, in Miami-Dade County. It consists of approximately 793.79 acres located west of NW 97th Avenue and east of the Florida Turnpike; south of NW 170th Street and north of 154th St. [Please see Tab A]

C. Acreage.

Subject application area: 793.79 gross acres
748.27 net acres

Acreage owned by applicant: 0 acres

D. Requested Changes.

1. It is requested that the Urban Development Boundary be extended to include the Subject Area. [Please see Tab B]
2. It is requested that the Land Use Plan map be amended to re-designate the Subject Area from "Open Land" to "Industrial and Office."
3. It is requested that Figure 4, "Open Land Subareas," on Page I-51 and the related text on I-50 be amended to exclude the Subject Area.

4. REASONS FOR AMENDMENT

Background

The City of Hialeah ("the City") requests that Miami-Dade County ("the County") amend its Comprehensive Development Master Plan ("CDMP") to extend the Urban Development Boundary to include the Subject Area which currently lies within the Urban Expansion Area 2005-2015 and re-designate it from "Open Land" to "Industrial and Office."¹

The Subject Area consists of two parts. The first is the entirety of Section 17 which the City annexed from the County by way of a 2003 Interlocal Agreement ("the Interlocal Agreement"). [Please see Tab C] The second part is that trapezoidal portion of Section 18 between Section 17 and the Florida Turnpike (the "Section 18 Piece"). That Piece falls within the jurisdiction of the City of Hialeah Gardens.

The Interlocal Agreement under which the City annexed Section 17 from the County covered a broader annexation of a three square mile area that abuts the City to its northwest; from I-75 on the east to NW 107 Avenue on the west, and from NW 170th Street on the north to NW 138th Street on the south (the "Annexation"). The Annexation is largely vacant, with lakes, quarry and construction landfills throughout. Section 17 which is the northwest portion of the Annexation, is particularly degraded; it holds 34 landfills including the massive Peerless Dade landfill. [Please see Tab D] That site is the subject of ongoing environmental enforcement litigation and of a Petition for Involuntary Bankruptcy. See *Miami-Dade County v. Peerless-Dade*, Case No. 03-02059 CA 09 (Fla.

¹ Also it requests that Figure 4, the "Open Land Areas" at I-51 and related text on I-50 be amended to exclude the Subject Area.

11th Cir. filed January 27, 2003) *In re Peerless Dade, Inc.*, Case No. 05-12096-BKC-AJC (S.D. Fla. filed March 23, 2005).

The City's overall vision for the Annexation arose from its recognition that the City is almost fully built, and that it needs well designed residential neighborhoods to keep its younger, more prosperous residents close to their families; currently the City lacks such neighborhoods. The City also recognized that it needs affordable housing for its elderly. Accordingly, the City sought the Annexation as an opportunity to transform the mostly undeveloped area into keenly needed residential and other compatible urban land uses. This vision is more particularly articulated in a conceptual plan entitled "Hialeah Heights Residential, Land Development Regulations," produced by Jaime Correa & Associates, ("the Hialeah Heights Plan") [Please see Tab E] This Hialeah Heights Plan calls for residential uses including mixed uses and related commercial uses under strong Urban Design principles east of NW 97th Avenue. West of NW 97th Avenue (including Section 17), the Plan calls for limited mix use commercial or industrial uses such as warehouses, with a complimentary allocation of parks and government facilities.

Consistent with the Hialeah Heights Plan, the Interlocal Agreement provided that the City would amend its municipal Master Plan to (1) exclude residential land uses from the Annexation west of N.W. 97th Avenue; and (2) provide low and medium residential densities (5-13 units/gross acre) with an eye to affordable elderly housing east of N.W. 97th Avenue (3) in a manner suited to nearby rock mining. These City amendments to its municipal Master Plan were finalized in December 2004. [Please see Tab F]

It was during the consideration of the City's amendments to its municipal Master Plan that the necessity of the instant Application was made clear. The City's initial application included a request that Section 17 be designated "Industrial." under its municipal land use categories. However during review by the South Florida Regional Planning Council on July 12, 2004, it was pointed out that under the Interlocal Agreement, although the City had annexed Section 17 it had not acquired land use jurisdiction over it. Rather for the City to acquire that jurisdiction, the County had to first change the UDB to include Section 17. Accordingly the City withdrew from that application its request to re-designate Section 17 under its municipal Master Plan and left it shown "Open Land" as it is currently designated on the County CDMP. Then as contemplated Interlocal Agreement, the City has filed this instant application to move the UDB to obtain land use jurisdiction over Section 17. [City Resolution # 05-39; please see Tab G] Once this application is approved, the City would then exercise its land use jurisdiction over Section 17 and amend its municipal Master Plan to implement the final component of the Hialeah Heights Plan. The City has included the Section 18 Piece in this application as that Piece consists almost entirely of lakes (approximately 112 out of 154 acres) and these could be used to provide stormwater retention, wetlands mitigation and other ancillary benefits for the development of Section 17. (This use was not identified in the Hialeah Heights Plan.)

Accordingly the City's request to move the UDB and to designate the Subject Area from "Open Land" to "Industrial and Office" is abundantly justified for the reasons that follow.

Specific Reasons for Amending the UDB to include the Subject Area and re-designating "Industrial and Office."

The specific reasons for amending the UDB to include the Subject Area and designating it "Industrial and Office" include but are not limited to the following:

- (1) it will serve to rehabilitate degraded land defiled by at least 34 County approved landfills including the Peerless Dade facility;
- (2) it effectuates the City's Annexation of Section 17 and will allow the City to implement its Hialeah Heights Plan amendments to its municipal Master Plan;
- (3) the County's "Industrial & Office" designation is consistent with the Hialeah Heights Plan under which Section 17 will be integrated with the surrounding areas by limiting its uses to (a) a 30-50 acre park, (b) public facilities and (c) industrial warehouses as well as other (4) compatible mixed uses;
- (4) the Industrial and Office designation is compatible with the existing industrial uses in the broader surrounding area;
- (5) the Subject Area is within the Urban Expansion Area 2005-20015;
- (6) the Florida Turnpike abutting the Subject Area on its western boundary will serve as a hard barrier discouraging further western expansion of the UDB.

(1) Amending the UDB to include the Subject Area and changing its designation from "Open Land" to "Industrial and Office" will be a first step in addressing that Area's marked environmental degradation. Since 1989 the County has permitted 34 separate unusual uses allowing landfills in Section 17 that have resulted in a long history of code enforcement not only against illegal dumping and animal slaughter, but also against the *permitted* uses themselves. In *Miami-Dade County v. Peerless-Dade*, Case No. 03-02059 CA 09 (Fla. 11th Cir. filed January 27, 2003) the County's Department of Environmental Resources has alleged that the Peerless facility has failed to abide by consent decree regarding closure of the landfill. This among other causes has precipitated the filing of an involuntary bankruptcy proceeding against the operators of that facility. *In re Peerless Dade, Inc.*, Case No. 05-12096-BKC-AJC (S.D. Fla. filed March 23, 2005). Indeed it is safe to say that Section 17 which contains no jurisdictional wetlands, is perhaps the most environmentally degraded area in Miami-Dade County. Amending the UDB to include the Subject Area and allow for compatible uses in not only does not impact or threaten to impact, any environmentally sensitive lands, but will allow for rehabilitating grossly degraded lands.

(2) Under the terms of the Interlocal Agreement moving the UDB to include the Subject Area would also finalize the City's annexation of Section 17.² The Interlocal Agreement has already established the most significant features of the future land uses for the Annexation

² As noted above, the Subject Area also includes the Section 18 Piece that lies within the City of Hialeah Gardens.

including Section 17. Namely that (1) there will be no residential land uses west of N.W. 97th Avenue; and (2) that east of NW 97th Avenue there will be low and medium residential densities (5-13 units/gross acre)³ including affordable elderly housing (3) in a manner suited to nearby rock mining. Finalizing the City's jurisdiction over Section 17 will allow the City to amend its municipal Master Plan and finalize implementation of its Hialeah Heights Plan. Through that process area residents as well as the other relevant regulatory agencies will have the opportunity to better and more exactly integrate Section 17 to its surroundings. As things stand now, the Section 17 constitutes a square mile blank area in the City's Future Land Use map such that the logic of the surrounding designations is not apparent.

(3) Re-designating the Subject Area from "Open Land" to "Industrial and Office" will allow the City flexibility in implementing the Hialeah Heights Plan that calls for a 30-50 acre park, a governmental facility (potentially a fire station), industrial warehouses and other compatible mixed uses. These uses are an ideal transition from the residential uses east of NW 97th Avenue and the Florida Turnpike to the west.

(4) Re-designating the Subject Area that extends from NW 170th Street to NW 154th Street to "Industrial and Office" is also consistent with trends in the surrounding area. As noted above, the City has already designated the area immediately to the south from NW 154th Street to NW 138th Street "Industrial" in its municipal Master Plan. The County CDMP continues that trend with its "Industrial and Office" or "Restricted Industrial" designations with few exceptions along a mile wide swath abutting the Florida Turnpike to NW 90th Street. It is also consistent with the County's own pending amendment to re-designate from "Estate Density Residential" to "Industrial and Office" 260 acres just north east of the Subject Area from NW 170th Street along NW 97th Avenue and I-75 to just above 186th Street where that area abuts the Florida Turnpike. [Please see Application 2, April 2004 Cycle Applications to Amend the CDMP]

(5,6) As the County has long recognized through its designation of the Subject Area as part of its Urban Expansion Area 2005-2015, the time is now appropriate for adjusting the boundary to accommodate the urban developments on the eastern side of the Florida Turnpike in this area. Indeed the Florida Turnpike serves as a clean hard barrier against further western expansion of the UDB in that area.

5. ADDITIONAL MATERIAL SUBMITTED

As referenced above the following documents are being submitted with this Application:

- A. Aerial photograph and legal description of the Section 18 Piece.
- B. Proposed UDB.
- C. Interlocal Agreement between the City of Hialeah and Miami-Dade County approved by County Resolution No. 03-216 October 21, 2003.

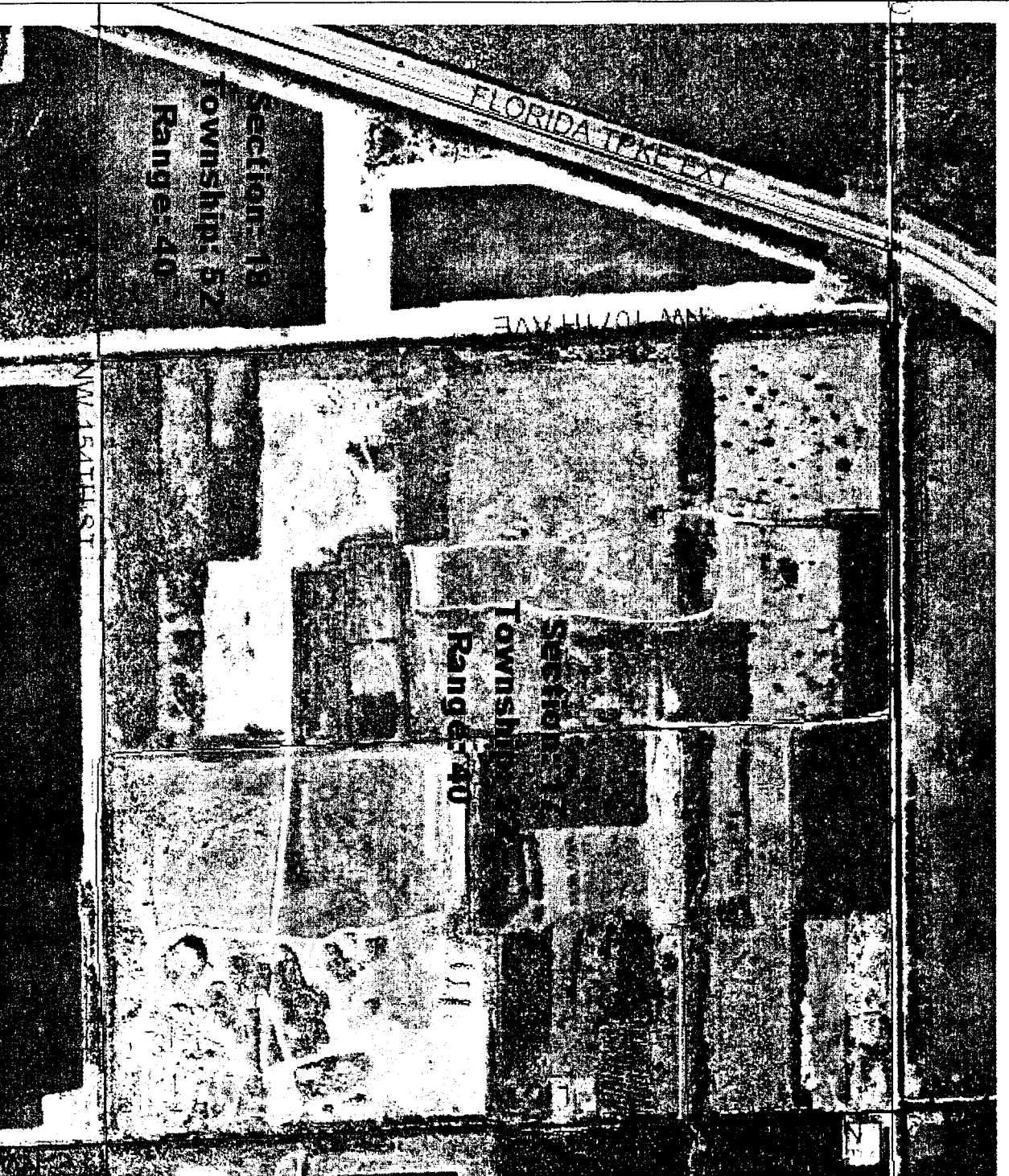
³ Under the City's zoning regulations that density is limited to no more than 8 units an acre.

- D. County Zoning Map and Resolution Log for Section 17.
- E. "Hialeah Heights, Land Use Regulations," prepared by Jaime Correa & Associates.
- F. City of Hialeah Amendments to its municipal Master Plan 2003-2015.
- G. City of Hialeah Resolution Authorizing Submission of this Application No. 05-39.

6. **COMPLETED DISCLOSURE FORMS**

Attached as Exhibit "H."

EXHIBIT 'F' IS NOT INCLUDED *AM*
~~HEREIN~~



Proposed UDB Amendment

City of Hialeah
Section: 17
Township: 52
Range: 40
and part of
Section: 18



- — — 2005 URBAN DEVELOPMENT BOUNDARY
- — — 2005 PROPOSED URBAN DEVELOPMENT BOUNDARY
- • 2015 URBAN EXPANDED AREA BOUNDARY

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 10(A)(1)
10-21-03

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA

RESOLUTION NO. R-1177-03

RESOLUTION APPROVING AN INTERLOCAL AGREEMENT
BETWEEN MIAMI-DADE COUNTY AND THE CITY OF
HIALEAH IN CONNECTION WITH THE PROPOSED
ANNEXATION BY THE CITY OF HIALEAH; AUTHORIZING
THE COUNTY MANAGER TO EXECUTE THE AGREEMENT
AND TAKE ANY ACTION REQUIRED OF THE COUNTY
HEREIN

WHEREAS, Section 5.04 of the Home Rule Charter establishes the framework by
which municipal boundaries are changed; and

WHEREAS, County Commission Ordinance No. 03-216 approved the
annexation of certain property subject to conditions, including that the County and the City of
Hialeah enter into this Interlocal Agreement; and

WHEREAS, the City of Hialeah has approved this Interlocal Agreement at its
meeting of April 29, 2003,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

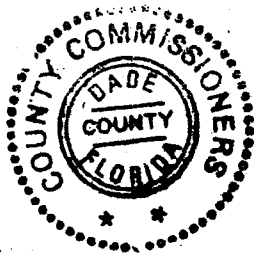
Section 1. The matters set forth above are hereby incorporated by reference in this
Resolution.

Section 2. The Interlocal Agreement between Miami-Dade County and the City of
Hialeah as required by Miami-Dade County Ordinance No. 03-216, is hereby approved, in
substantially the form attached hereto and the County Manager is hereby authorized to execute
such agreement and take any action required of the County herein.

The foregoing resolution was offered by Commissioner Jose "Pepe" Diaz , who moved its adoption. The motion was seconded by Commissioner Natacha Seijas and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson	aye		
Katy Sorenson, Vice-Chairperson	nay		
Bruno A. Barreiro	aye	Jose "Pepe" Diaz	aye
Betty T. Ferguson	aye	Sally A. Heyman	aye
Joe A. Martinez	aye	Jimmy L. Morales	aye
Dennis C. Moss	aye	Dorin D. Rolle	aye
Natacha Seijas	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of October, 2003. 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: **KAY SULLIVAN**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

CAC

Craig H. Collier

INTERLOCAL AGREEMENT

10/11/03
10/11/03
OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA

This agreement is entered into this _____ day of _____, 2003, by and between Miami-Dade County, Florida ("County") and the City of Hialeah, Florida ("City"), a Florida municipal corporation.

WITNESSETH

WHEREAS, section 5.04 of the Home Rule Charter for Miami-Dade County authorizes the County to approve changes to municipal boundaries; and

WHEREAS, the City desires to change its boundary to include and annex the tract of land described in attached Exhibit "A"; and

WHEREAS, the City and the County desire to enter into an agreement that will provide that the City will ensure that any development that is within this tract of land and outside the Urban Development Boundary be compatible with the County's Comprehensive Development Master Plan; and

WHEREAS, the City and County desire to enter into an agreement that will provide for points of compromise, mitigation and other matters.

NOW, THEREFORE, the City and the County agree as follows:

A. Definitions.

1. *County's Comprehensive Development Master Plan* means and refers to the Comprehensive Development Master Plan (CDMP) for Miami-Dade County, as amended.
2. *Conform to and be consistent with the County's Comprehensive Development Master Plan* means and refers to all action of the City of

Hialeah involving development orders or land development regulations as defined by section 163.3164(6), (7) and (23), Florida Statutes (2002) or affecting land use or development shall conform to the County's Comprehensive Development Master Plan.

3. ***City's Comprehensive Plan*** mean and refers to the City of Hialeah's Comprehensive Plan 2003-2015 that is being reviewed by the Florida Department of Community Affairs and that is subject to final adoption, or as amended.
4. ***Development*** means and refers to implementation of any use permitted on land by applicable zoning regulations or making any material change in the use or character of the land, including, but not limited to, the deposit of refuse, solid or liquid waste or fill, or the placement of structure or structures on land. When appropriate to the context, development refers to the act of zoning or rezoning through district boundary changes, site plan approvals, or otherwise, that authorizes or allows land development. Moreover, the term "development" shall also be defined pursuant to section 380.04, Florida Statutes (2002).
5. ***Urban Development Boundary*** means or refers to the Urban Development Boundary (UDB) [2005] currently found in the CDMP adopted 2005 and 2015 Land Use Plan Map for Miami-Dade County and described in the interpretative text contained in the Land Use Element of the County's Comprehensive Development Master Plan, as amended.

6. *Land outside the Urban Development Boundary but within the Annexation Area.* The land outside the Urban Development Boundary (UDB) means and refers to that land located within the Annexation Area bounded by NW 107 Avenue to the west, NW 97 Avenue to the east, Miami Lakes Drive to the south and NW 170th Street to the north as depicted in the map identified in attached Exhibit "B".

B. Land Inside the Urban Development Boundary (UDB):

1. The City of Hialeah agrees to file an application for an amendment to the City's Comprehensive Plan for the Annexation area to exclude residential land use classifications and zoning designations inside the UDB west of NW 97th Avenue. The City agrees to proceed with this application in good faith to a vote by the governing body on adoption. Compliance with a court order that requires the City to allow a residential land use classification or zoning designation inside the UDB west of NW 97th Avenue or compliance with a recommendation of a mediator pursuant to state law or court proceeding, or the implementation of a court-approved settlement, shall not be deemed a violation of this Agreement.
2. The City agrees to file an application for an amendment to its Comprehensive Plan for the Annexation area providing for a land use policy to govern the allocation of residential density east of NW 97 Avenue that recognizes the close proximity to blasting, rock mining and uses ancillary to rock mining that would materially impact residential

development and that such policy include a statement that it is an overall goal to avoid conflicts between blasting, rock mining and uses ancillary to rock mining that would materially impact residential development. The City agrees to proceed with this application in good faith to a vote by the governing body on adoption.

3. The City shall file an application for an amendment to the City's Comprehensive Plan for the Annexation area providing for an overriding policy and goal to allocate greater residential densities to points furthest from blasting, rock mining and uses ancillary to rock mining that would materially impact residential development. The City agrees to proceed with this application in good faith to a vote by the governing body on adoption.
4. Residential densities east of NW 97 Avenue within the Annexation Area. The City shall file an application for an amendment to its Comprehensive Plan to provide low and medium residential densities (5 to 13 units per gross acre) east of NW 97 Avenue within the territorial boundaries of the Annexation Area. Exempted from this calculation are affordable housing developments or subsidized elderly housing developments that are owned and/or managed by the City of Hialeah or the Hialeah Housing Authority. The City agrees to proceed with this application in good faith to a vote by the governing body on adoption.

C. Land Outside the Urban Development Boundary (UDB)

The City agrees:

1. The location of the UDB and permitted land uses outside the UDB shall be governed by the County's Comprehensive Development Master Plan (CDMP) notwithstanding the fact that the UDB may lie within the City of Hialeah.
2. Any amendments to the UDB or land uses outside the UDB permitted by the County's CDMP shall be filed and processed according to a procedure that will require first consideration by the Planning and Advisory Board, without hearing before a Community Council, and then the Board of County Commissioners of Miami-Dade County.
3. All City of Hialeah land use regulations and development decisions outside the UDB shall conform to and be consistent with the County's CDMP.
4. The municipality shall notify the County Planning and Zoning Director of any proposals to adopt or revise the municipal Land Development Regulations (LDRs) applicable to the area outside the UDB as well as applications for zoning actions on property in that area and shall be subject to the following provisions;
 - a. The County Planning and Zoning Director shall determine whether or not such proposed land development regulation or zoning action is consistent with the County's CDMP.

- b. If the Department of Planning and Zoning Director determines that the regulation or zoning action is consistent with the CDMP, he or she shall (after the appeal period as provided by this agreement) issue notice to the municipality that it may approve the proposal. If the Director determines that the regulation, revision or zoning action is inconsistent with the CDMP, the municipality shall not have authority to consider approval of the proposal.
 - c. The Director of Planning and Zoning shall have the authority to make recommendations to the municipality for municipal land development regulation or zoning action as found to be reasonably necessary to implement the County's CDMP.
 - d. The municipality shall submit to the Director of the Department of Planning and Zoning annual reports listing, by type and location, development permits issued in the area outside the UDB.
- 5 Notwithstanding the foregoing, if the County subsequent to this interlocal agreement changes the UDB line, then the City will acquire jurisdiction over all land use, zoning and development regulation and decisions for any additional land located within the Annexation Area, which is inside the UDB.
6. The County's Planning and Zoning Director's decisions/determinations regarding consistency of the municipality's LDRs with the County's CDMP may be appealed to the Board of County Commissioners within 14 days of the date of the Director of the Department of Planning and

Zoning's decision. The Board of County Commissioners shall be the final decisionmaker upon *de novo* review.

D. Debt Service. Obligation of the City.

1. **Utility Taxes and Franchise Fees.** Pursuant to current applicable law and the Code of Miami-Dade County, the County shall continue to receive and retain the electrical franchise fee generated from the annexation area through the life of the franchise agreement, and utility tax revenues derived from the annexation area in perpetuity.
2. **Stormwater Utility Debt Service.** The City agrees to pay the County the annexation area's remaining stormwater utility debt service payments calculated at \$786.00 per year until the year 2024, or pay in a lump sum within 30 days of annexation in satisfaction of this obligation. The City will begin the annual debt service payment upon the annexation area's inclusion into the City of Hialeah's Stormwater Utility.
3. **Fire Debt Service.** The City agrees to continue paying the fire debt service for the annexation area at the appropriate millage rate until the year 2022, currently calculated at .079 mills, or pay in a lump sum within 30 days of annexation in satisfaction of this obligation. The City agrees to make the annual debt payments on or before each April 1.

E. Term:

The provisions of this agreement shall be in full force and effect commencing on the date of the execution of this agreement and continuing in perpetuity.

F. Representation by City and County.

Each party represents that his agreement has been duly approved and executed by its governing body and that it has the required power and authority to enter into and perform the obligations hereunder.

G. Remedies.

The provisions of this agreement may be enforced by any party in law or in equity, including but not limited to an equitable action for specific performance.

H. Invalidation of Provisions, Severability.

Wherever possible, each provision of this agreement shall be interpreted in such a manner as to be effective and valid under applicable law, but if any provision of this agreement is prohibited or invalid under applicable law, the remaining provisions of this interlocal agreement shall not be affected by such invalidity.

I. Existing Agreements.

Any and all existing interlocal agreements between the County or any of its departments of agencies (such as but not limited to DERM, WASD, Public

Safety, etc.) and the City of Hialeah shall remain in full force and effect and shall not be altered, changed, modified, amended or terminated as a result of this agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective and duly authorized representatives.

Attest:

By:

Daniel F. DeLoach

CITY OF HIALEAH, FLORIDA

By:

1377
Mayor Raul L. Martinez

3-5-04
Date

Approved for legal sufficiency and form:

William Grodnick

William M. Grodnick
City Attorney

Attest:

Harvey Ruvin, Clerk

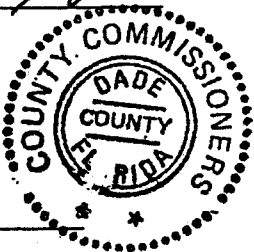
By:

Deputy Clerk

Approved as to form:

CAK

County Attorney



MIAMI-DADE COUNTY, FLORIDA

By:

George Burgess
County Manager

Date

DADE COUNTY ENGINEERING DEPARTMENT.
DADE COUNTY, FLORIDA.

Corner Quarter No.
School
Useage

Dusted From Zoning Jurisdiction
Res. of Co. Comm. 1458 6-41
Reinstated Res. 2955 8-48

NW 156TH ST

NW 162ND ST

18.
52-40

NW 154TH ST

GOLDEN

GLADES

DRIVE

AU

CITY OF MIAMI

7500 SF

Res. 2955 8-48

TIME W/F

99

16.

52-40

II-10

Miami Dade County Resolution Reference Book

Wednesday, March 30 2005

S	T	R	Item #	Resol. Appl. Name	Proc # Resol. #	Type of change & conditions	Leg.- Descript./Location
17	52	40	1	Pedro Hernandez	Z1989000028 4-ZAB-159-89	U.U. to perm. a dumpsite for the disposal of clean construction debris	Tr. 38 / Fla. Fruit Land Co. Subd. (2-17)
17	52	40	2	A.B. Martin Mortgage Corp.	Z1988000680 4-ZAB-514-88	U.U. to perm. a dumpsite for the disposal of clean construction debris	Tr. 30,31 32 & tr. 29 less S100' (2-17)
17	52	40	3	A.B. Martin Landfill Inc.	Z1989000367 4-ZAB-342-89	U.U. to perm. a dumpsite for the disposal of clean construction debris	Tr. 28 less N 100' / Fla. Fruit Lands (2-17)
17	52	40	4	John Caldwell Bryan C.	Z1989000440 4-ZAB-380-89	U.U. to perm. a dumpsite for the disposal of clean construction debris	Tr. 1 / Fla. Fruit Land Co. Subd. 1(2-17)
17	52	40	5	Teodoro Torres Trustee.	Z1989000638 4-ZAB-17-90	U.U. to perm. a dumpsite for the disposal of clean construction debris	W 1/2 tr.35 / Fla. Fruit Land Co. Subd. (2-17)
17	52	40	6	Anthonyo Mijares Jr. Trustee	Z1990000008 4-ZAB-120-90	U.U. to perm. a dumpsite for the disposal of clean construction debris	S 100' W 1/2 tr. 21 less N 100' W 1/2 Tr.22 &23 Tr.24,25,26& 48
17	52	40	7	Jesus Montecagudo	Z1990000276 4-ZAB-236-90	U.U. to perm. a landfill operation for the disposal of clean construction debris	Tr.63 / Fla.Fruit Lands Co. Subd.(2-17)
17	52	40	8	Star Invest. Corp.	Z1990000689 4-ZAB-35-91	U.U. to perm. a dump for the disposal of clean construction debris	Tr.56 / Fla. Fruit Land Co. Subd. 1 (2-17)
17	52	40	9	Dade Recycling Center	Z1990000679 4-ZAB-66-91	U.U. to perm. a dump for the disposal of clean construction debris	W 1/2 tr.14 / Fla. Fruit Lands Co. Subd. 1 (2-17)
17	52	40	10	A.B. Martin Land Devl.	Z1990000734 4-ZAB-67-91	U.U. to perm. a dump for the disposal of clean construction debris	Tr. 27 / Fla. Fruit Land Co.Sub. (2-17)
17	52	40	11	Lois J. Fogel	Z1991000106 4-ZAB-99-91	U.U. to perm. a dump for the disposal of clean construction debris	Tr. 62 / Fla. Fruit Lands Co. Sub. (2-17)
17	52	40	12	Arnold Kanen	Z1991000434 4-ZAB-287-91	U.U. to perm. a dump for the disposal of clean construction debris	Tr. 61 / Fla. Fruit Land Co. Subd. (2-17)

COPY

Miami Dade County Resolution Reference Book

Wednesday, March 30 2005

S	T	R	Item #	Resol. Appl. Name	Proc # Resol. #	Type of change & conditions	Leg.- Descript./Location
17	52	40	13	Arnold Kamen	Z1991000567 4-ZAB-4-92	U.U. to perm. a dump for the disposal of clean costruction debris	Tr. 33 & 34 / Fla. Fruit Land Co. (2-17)
17	52	40	14	Arnold Kamen	Z1991000595 4-ZAB-108-92	U.U. to perm. a dump for the disposal of clean costruction debris	Tr. 39 / Fla. Fruit Land Co. Sub. (2-17)
17	52	40	15	Dade Recycling Center	Z1991000436 4-ZAB-299-92	U.U. to perm. a dump for the disposal of clean costruction debris	Tr. 60 / Fla. Fruit Land Co.Sub.(2-17) less west 35'
17	52	40	16	Jose M. Sanchez	Z1992000173 4-ZAB-314-92	U.U. to perm. a prpd. dump for the costruction debris	W 1/2 tr.43 / Fla. Fruit Land Co. Sub.(2-17)
17	52	40	17	Dade Recycling Center	Z1992000345 4-ZAB-426-92	U.U. to perm. a dump for the disposal of clean costruction debris / N.U.V. of lot area req. in the AU district to perm. a parcel of land with 3.75 gross acres (5acres req) as a bldg. site.	E 3/4 E 1/2 Tr. 59 / Fla. Fruit Land Co.Sub.(2-17)
17	52	40	18	Dade Recycling Center	Z1992000348 4-ZAB-427-92	U.U. to perm. a dump for the disposal of clean costruction debris	Tr.3 & 4 less S 100' / Fla. Fruit Land Co.Sub. (2-17)
17	52	40	19	Dade Recycling Center	Z1992000350 4-ZAB-428-92	U.U. to perm. a dump for the disposal of clean costruction debris	E 1/2 tr.14 / Fla. Fruit Land Co.Sub. (2-17)
17	52	40	20	Dade Recycling Center Inc.	Z1992000349 4-ZAB-45-93	U.U. to perm. a dump for the disposal of clean costruction debris	E 155' Tr. 36 in 36-17-52 / Fla. Fruit Lands Co. Subd. 1 (2-17)
17	52	40	21	Anthony Mijares Jr. Trustee	Z1992000634 4-ZAB-63-93	U.U. to perm. a dump for the disposal of clean costruction debris	All of trs. 40,41,42,55,57 &58 / Fla. Fruit Lands Co. Subd. (17- 52-40)(2-17)
17	52	40	22	Arnold D. Kamen ET AL & Robert Cheetham ET AL	N/A 4-ZAB-175-93	U.U. to perm. a pyro-thermal reduction sustem or an open air burner incinerator, includ'g the recycl'g & redistribution of the construction debris material by-products. / N.U.V. of set. req. to perm. prpd. 12' high strg. bin set. 45'(75'req) from the front E.P.L. / N.U.V. of zon'g reg. req. accessory uses to be placed behind the principal bldg.; to waive same to perm. the aforementioned 12' high strg. bins in front of the principal bldg.	Tr. 38 / Fla. Fruit Land Co. Subd. 1 (2-17)

Miami Dade County Resolution Reference Book

Wednesday, March 30 2005

S	T	R	Item #	Resol. Appl. Name	Proc # Resol. #	Type of change & conditions	Leg.- Descript./Location
17	52	40	23	C & C Recycling Inc.	Z1993000157 4-ZAB-211-93	U.U. to perm. a dump for the disposal of clean costruction debris	Tr. 12 W 1/2 tr. 11,10,9 / Fla. Fruit Land Co.(2-17)
17	52	40	24	Arnold P. Kamen ET AL	Z1993000072 4-ZAB-210-93	U.U. to perm. a dump for the disposal of clean costruction debris	Trs. 45 & 46 W 160' tr. 36 / Fla. Fruit Land Co. (2-17)
17	52	40	25	Walter Fassbinder	Z1993000396 5-ZAB-91-94	U.U. to perm. a landfill for the disposal of clean costruction debris	Tr.49 / Fla. Fruit Land Co.(2-17)
17	52	40	26	Jose Martinez	Z1993000398 5-ZAB-92-94	U.U. to perm. a landfill for the disposal of clean costruction debris	Tr. 37 / Fla.Fruit Land Co. Subd. (2-17)
17	52	40	27	ST LAURENT CORP	Z1993000763 5-ZAB-106-94	U.U. to perm. a landfill for the disposal of clean costruction debris	Tr.49,50,51,52 / Fla. Fruit Land Co. Subd. 1 (2-17)
17	52	40	28	Dade Recycling	Z1993000764 5-ZAB-107-94	U.U. to perm. a landfill for the disposal of clean costruction debris	Tr. 53 / Fla. Fruit Land Co. Subd. (2-17)
17	52	40	29	Dom Inc.	Z1994000309 5-ZAB-324-94	U.U. to perm. a landfill for the disposal of clean costruction debris	Tr. 15,16 & 17 /Fla. Fruit Land Co.(2-17)
17	52	40	30	Provencial Realty Assoc.	Z1993000757 5-ZAB-152-94	U.U. to perm. a landfill for the disposal of clean costruction debris	E 1/2 22,23 / Fla. Fruit Land Co. (2-17)
17	52	40	31	All Dade Recycling	Z1994000575 5-ZAB-6-95	Mod. of cond. #6 of res. 5-ZAB-92-94,passed & adopt. by ZAB on the 9th day of March,1994,as follows:	Tr.37 /Fla. Fruit Land Co.(2-17)
17	52	40	32	All Dade Recycling	Z1994000574 5-ZAB-382-95	Mod. of cond. #2 of res. 5-ZAB-152-94,passed & adopt. by the ZAB on the 27th day of April,1994, / Mod. of cond. #21 of res. 4-ZAB-514-88,passed & adopt. by the ZAB on the 14th day of Decmber,1988, / Mod. of cond. #17 of res 4-ZAB-342-89,passed & adopt. by the ZAB on the 27th day of September,1990 / Mod. of cond. #20 of res. 4-ZAB-120-90,passed & adopt. by the ZAB on the 25th day of April,1990 / Mod. of cond. #20 of res. 4-ZAB-67-91, pas	Port. NW 1/4 & SW 1/4
17	52	40	33	All Dade Recycling	Z1995000301 5-ZAB-124-96	U.U. to perm. a recycling facility for construction material in conj. with exist. landfill operation.	Tr.37,44,45,46 & W 165' Tr.36 / Fla. Fruit Lands (2-17)

Miami Dade County Resolution Reference Book

Wednesday, March 30 2005

S	T	R	Item #	Resol. Appl. Name	Proc # Resol. #	Type of change & conditions	Leg. Descript./Location
17	52	40	34	Dade Recycling Center	Z1997000018 5-ZAB-95-97	Mod. of Cond. # 2 res. 4-ZAB-63-93	Tr. 40-42 / Fla. Fruit Lands Co.(2-17)
17	52	40	35	Dade Recycling Center Inc.	N/A 5-ZAB-142-97	U.U. to perm. an air curtain incinerator	Tr. 53 / Fla. Fruit Lands Co. Subd. (2-17)
17	52	40	36	Federico Pena & Raymond Valdez	Z1996000372 5-ZAB-204-97	Mod. of cond. # 19 & 20 of res. 4-ZAB-17-90, passed & adopt. by ZAB on the 10th day of January, 1990, read'g as follows: From:"19. That upon completion , 1) foot (min.) of clean soil cover shall be placed over all filled areas." TO:"19. That upon completion , a clean soil cover of at least 6" shall be placed over all filled areas. Said clean soil cover shall be capable of supportir vegetation. An impervious layer shall underline the clean soil cover. Said layer shall meet the ir	The W1/2 of TR. 35 (2-17)
17	52	40	37	FLA RECYCLING CENTER, INC	Z1997000051 CZAB6398	U.U. to perm. a landfill for the disposal of clean construction debris, includ'g an ancillary mechanized materials recycl'g facility. / N.U.V. of lot area req. to prem a parcel of land with 3.299 acres (5 acres req)	E 1/2 Tr.21 / Fla. Fruit Lands Co. (2-17)
17	52	40	38	WAYNE T BITTLES	Z1997000403 CZAB6998	Mod. of cond. #2 of res. 4-ZAB-380-89, passed & adopt. by ZAB on the 25th day of October, 1989. / U.U. to perm. a materials recovery facility / U.U. to perm. prpd. trailer / N.U.V. of park'g req. to perm. 8 park'g spcs. (128 park'g spcs req)	Tr. 1 / Fla. Fruit Lands Co.(2-17)
17	52	40	39	Mark Lauderdale	Z1998000079 CZAB61198	U.U. to perm. a 100' high cellular communications tower with multiple antennas & ancillary equipment.	Tr.5 less N 100' / Fla. Fruit Land Co (2-17)
17	52	40	40	Dade Recycling Center	N/A Z-34A-95	U.U. to perm. a material recovery facility	Tr. 55 / Fla. Fruit Lands Co.(2-17)
17	52	40	41	Dade Recycling Center	Z1995000635 5-ZAB-192-96	Mod. of cond. #3 of res. 4-ZAB-427-92, passed & adopt. by ZAB on the 2nd day of December, 1992, / Mod. of cond. #20 of res. 4-ZAB-66-91, passed & adopt. by ZAB on the 13th day of March, 1991 / Mod. of cond. #3 of res. 4-ZAB-428-92, passed & adopt. by ZAB on the 2nd day of December, 1992 / Mod. of cond. #2 of res. 4-ZAB-45-93, passed & adopt. by ZAB on the 24th day of February, 1993 / Mod. of cond. #2 of res. 4-ZAB-63-93, passed & adopt. by ZA	Port. of sec.

RESOLUTION NO. 05-39

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA APPROVING AN APPLICATION TO EXTEND THE URBAN DEVELOPMENT BOUNDARY AS IDENTIFIED IN THE MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN FROM NW 154 STREET TO NW 170 STREET, BETWEEN NW 97 AVENUE AND NW 107 AVENUE, AND TO FURTHER EXTEND THE URBAN DEVELOPMENT BOUNDARY TO INCLUDE A PARCEL OF LAND LARGELY COMPRISING ONE LAKE AND A PORTION OF ANOTHER LAKE THAT IS CONTIGUOUS TO THE CITY PARCEL THAT IS SOUGHT TO BE EXTENDED, AS SHOWN IN EXHIBIT "1" ATTACHED HERETO AND MADE A PART HEREOF, AND AUTHORIZING THE CITY TO PURSUE SUCH ACTS IN FURTHERANCE THEREOF

WHEREAS, pursuant to Miami-Dade County Ordinance No. 03-216 (Oct. 21, 2003), Miami-Dade County approved the annexation of land to the City of Hialeah that was formerly located in unincorporated Miami-Dade County; and

WHEREAS, approximately one square mile of the three square miles that the City of Hialeah annexed is located outside the Urban Development Boundary and that area is bounded by NW 154 Street, to the south; NW 170 Street, to the north; NW 97 Avenue, to the east; and NW 107 Avenue, to the west; and

WHEREAS, on March 19, 2004, the City of Hialeah and Miami-Dade County entered into an Interlocal Agreement that *inter alia* allows the City to request an amendment to the Urban Development Boundary subject to the Board of County Commissioners' approval; and

WHEREAS, pursuant to Hialeah, Fla., Resolution 04-47 (May 6, 2004), the City of Hialeah expressed its intent to amend its Comprehensive Plan and transmitted its proposed plan to the Department of Community Affairs, with the intention, when the time was appropriate, to consider the future land uses for the area outside the Urban Development Boundary to include industrial uses and a regional park and government facilities to be located within the boundaries; and

WHEREAS, the City of Hialeah finds that it is in the best interest of the health, safety and welfare of the City and its residents and property owners to extend the Urban Development Boundary within the City of Hialeah to designate future uses consistent with the intent of the City as expressed in the comprehensive plan amendment transmitted

RESOLUTION NO. 05-39

Page 2

pursuant to Hialeah, Fla., Resolution 04-47 together with a parcel of land located in the City of Hialeah Gardens, which may be suitable for parks, open space, wetlands, mitigation, water retention or such future uses as proposed in the adjoining parcel.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

Section 2: The City of Hialeah, Florida hereby approves an application to extend the Urban Development Boundary as identified in the Miami-Dade County Comprehensive Development Master Plan from NW 154 Street to NW 170 Street, between NW 97 Avenue and NW 107 Avenue, and to further extend the Urban Development Boundary to include a parcel of land largely comprising one lake and a portion of another lake that is continuous to the City parcel that is sought to be extended, as shown in Exhibit "1" attached hereto and made a part hereof; and further authorizes the City to pursue such acts in furtherance thereof.

PASSED AND ADOPTED this 26th day of April, 2005.


Julio Robaina
Council President

Attest:


Daniel F. DeLoach, City Clerk

Approved on this 27th day of April, 2005.


Mayor Raul L. Martinez

Approved as to form and legal sufficiency:


William M. Grodnick, City Attorney

s:\wmg\legis\reso-05\applicationtoextendUDB.doc

Resolution was adopted by a unanimous vote with Councilmembers Bovo, Bravo, Casas, Gonzalez, Miel, Robaina and Yedra voting "Yes."

Proposed UDB Amendment City of Hialeah

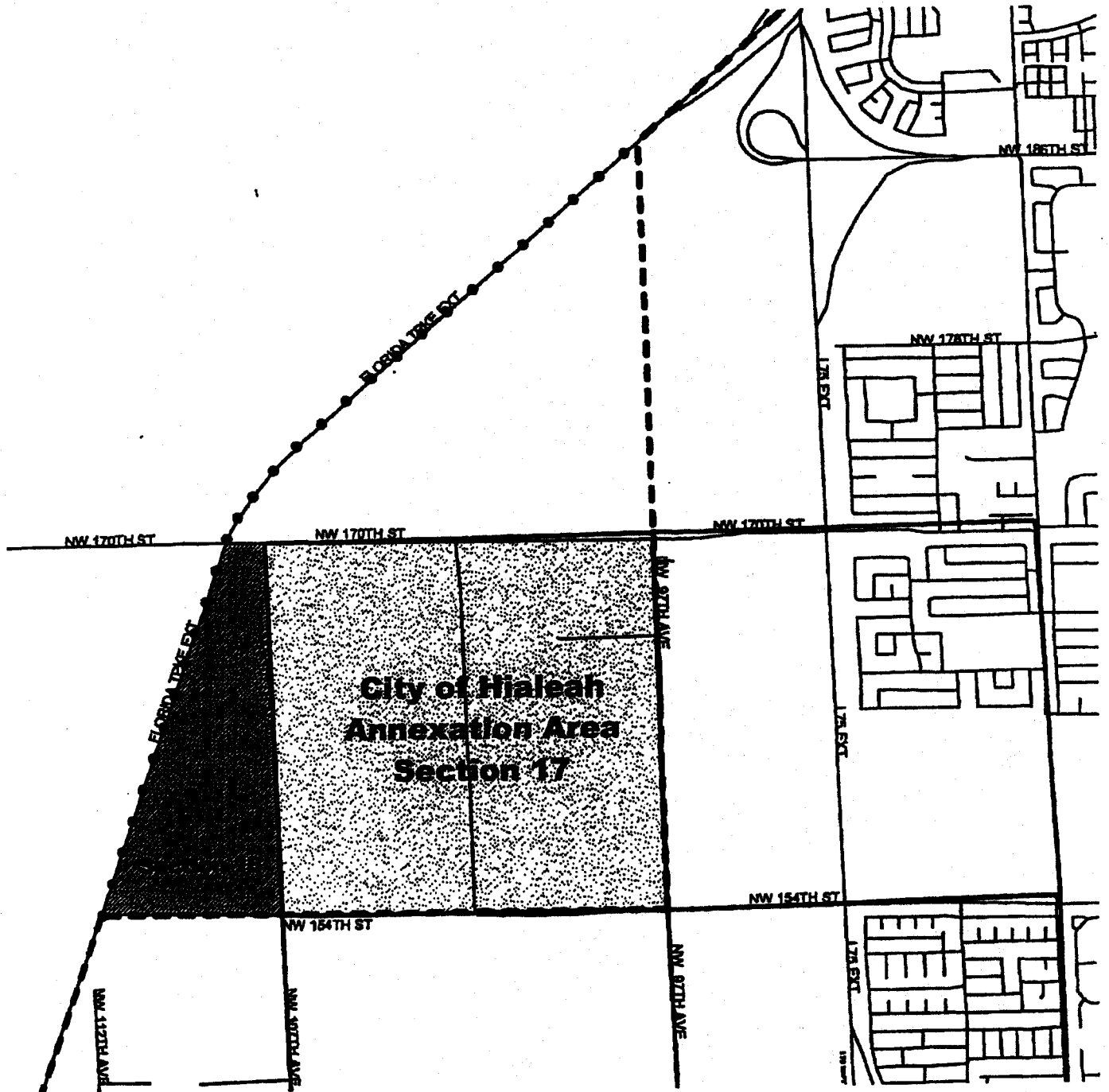


EXHIBIT "1"

Pages Of Disclosure Form Not Applicable To This Application Are
Intentionally Omitted From This Printing.

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: City of Hialeah, 501 Palm Avenue, Hialeah, FL 33010

APPLICANT B:

APPLICANT C:

APPLICANT D:

APPLICANT E:

APPLICANT F:

APPLICANT G:

APPLICANT H:

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

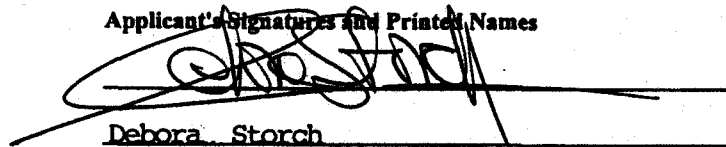
2. **PROPERTY DESCRIPTION:** Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
A	City of Hialeah has no ownership interest on any real property covered by this application.		

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

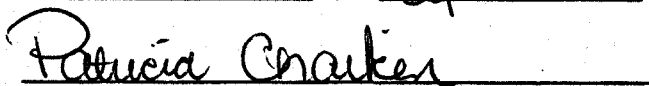


Debora Storch

Acting Zoning Director, City of Hialeah

Sworn to and subscribed before me

this 28 day of April, 2005



Notary Public, State of Florida at Large(SEAL)

My Commission Expires:

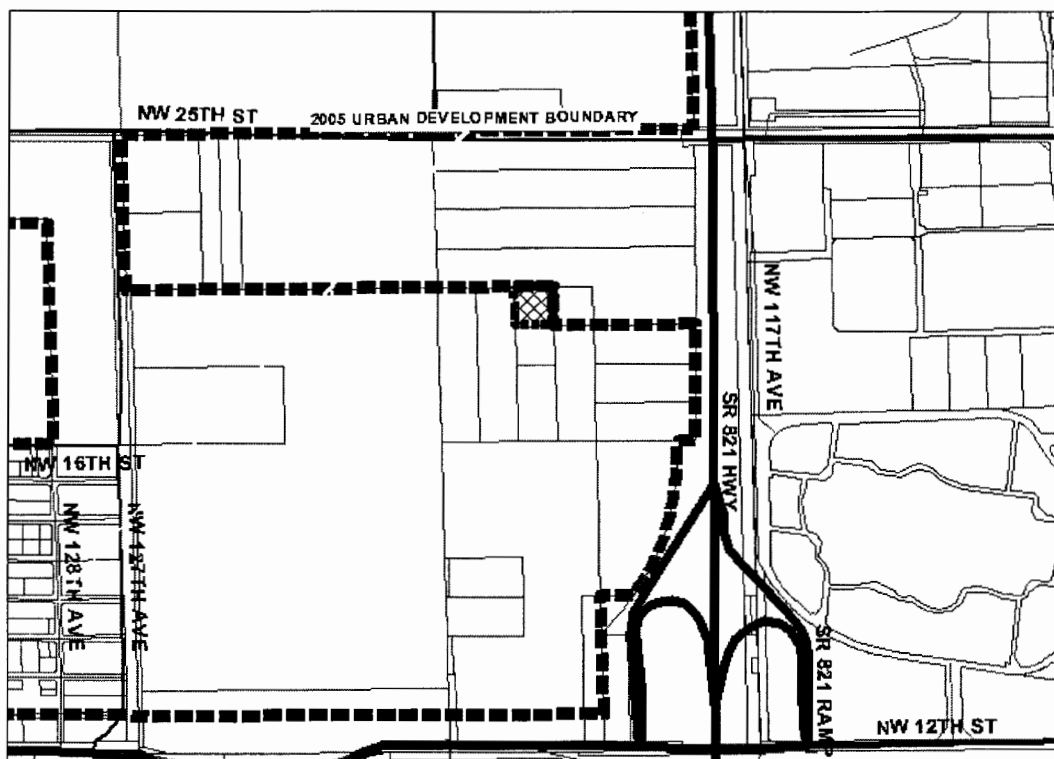
Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; any entity where ownership interests are held in a partnership, corporation or trust consisting of more FMGM 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.

APPLICATION NO. 6 **STANDARD AMENDMENT APPLICATION**

<u>Applicant</u>	<u>Applicant's Representative</u>
Doral West Commerce Park , LLC 6065 NW 167 th Street Suite B-23 Miami, Florida 33105	Felix M. Lasarte, Esq. Holland and Knight, LLP 701 Brickell Avenue, Suite 3000 Miami, Florida 33131 (305) 374-8500 (305) 679-6326 (fax)

Requested Amendment to the Land Use Plan Map

From: OPEN LAND
To: RESTRICTED INDUSTRIAL AND OFFICE and
INCLUDE WITHIN THE URBAN DEVELOPMENT BOUNDARY
Location: **West of the Turnpike (HEFT) and east of NW 122 Avenue at approximately NW 22 Street.**
Acreage: Application area: 2.5 Gross Acres
Application area: 2.5 Net Acres
Acreage Owned by Applicant: 2.5 acres.



Note: This summary page is not part of the actual application that follows.

**APPLICATION FOR AN AMENDMENT TO THE
LAND USE PLAN MAP
OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANTS

Doral West Commerce Park, LLC
6065 N.W. 167th Street
Suite B-23
Miami, FL 33105

2. APPLICANT'S REPRESENTATIVE

Felix M. Lasarte, Esq.
Holland & Knight, LLP
701 Brickell Avenue, Suite 3000
Miami, FL 33131
(305) 374-8500
(305) 679-6326 (fax)

By: _____

Felix M. Lasarte, Esq.

Date

5/2/05

3. DESCRIPTION OF REQUESTED CHANGE

A. 1. Expand the Urban Development Boundary. An amendment is requested to expand the Urban Development Boundary ("UDB") to include the subject property. (Item A.1e in the fee schedule).

2. Change the Land Use Plan Map. A change to the Land Use Element, Land Use Plan map (Item A.1(d) in the fee schedule) is requested. The Applicant is requesting the redesignation of the subject property from "Open Land" to "Restricted Industrial and Office".

B. Description of Subject Area.

Subject property consists of approximately 2.5 acres of land located in Section 36, Township 53, Range 40, in unincorporated Miami-Dade County. This subject area is located west of the Flat-pike south of NW 25th Street, north of NW 17th Street and east of NW 122nd Avenue, as depicted on the location map accompanying the legal description provided herein.

C. Acreage.

Subject application area: 2.5 acres
Acreage owned by applicant: 2.5 acres

D. Requested Changes.

1. It is requested that the Urban Development Boundary ("UDB") be amended to include the subject property.
2. It is requested that subject property be re-designated on the Land Use Plan map from "Open Land" to "Restricted Industrial and Office".
3. It is requested that Parcel "A" be re-designated on the Land Use Plan map from "Open Land" to "Restricted Industrial and Office".
4. It is requested that Parcel "B" be re-designated on the Land Use Plan map from "Open Land" to "Restricted Industrial and Office".

4. REASONS FOR AMENDMENT

The Applicant is requesting a redesignation of the subject area from "Open Land" to "Restricted Industrial and Office", together with a concomitant change in the Urban Development Boundary to permit development of the subject property. The subject property consists of 3 acres, located in Section 36 of Township 53 South, Range 39 East. This subject property is located west of the Flat-pike south of NW 25th Street, N of NW 17th Street and east of NW 122nd Avenue. The subject property is in an area commonly known as "Beacon Lakes". Beacon Lakes is a development approved by the Miami-Dade Board of County Commissioners (BCC) in 2003, which moved the Urban Development Boundary to cover specific properties lying in this general area. The Urban Development Boundary was expanded to cover properties as far west as NW 137th Avenue. The result is that many properties in that area were left out creating what is known as a "hole in the donut". Properties east, west, north and south of the subject property have been designated as industrial and office and the Urban Development Boundary has been moved to accommodate the development.

The Applicant seeks to develop the subject property into an office warehouse facility, and will proffer a Declaration of Restrictive Covenants and a Bubble Plan, showing said development.

More significant, however, is the importance of MSA 3.2 as the repository of the vast bulk of the County's available inventory of commercial land – and the consumption of that inventory at the fastest rate in the entire County. According to the Research Section's analysis, the North-Central Tier contains almost 28.5% of all of the available industrial inventory in the County – and nearly 65% of that inventory lies within MSA 3.2. even more significant is the fact that the average annual absorption rate for commercial land within MSA 3.2 is projected to be 58.7 acres per year – more than any other MSA, and over 22% of the absorption for the entire County.

significant is the scarcity of parcels that are large enough to accommodate the applicant's intended use.

The County's Comprehensive Development Master Plan (CDMP) Future Land Use Element provides that the expansion of urban area should be managed to occur at a rate commensurate with projected population and economic growth, and in locations which optimize efficiency in public service delivery and conservation of natural resources. This property is surrounded by properties within the Urban Development Boundary and in the center of a commercial development. The property is located near section line roadways and only a short distance from the Florida Turnpike and State Road 836, which shall allow for the efficient delivery of public services with minimal impacts.

Based on the foregoing, the Applicant believes that there is a need to provide additional Industrial and Office inventory within both the immediate vicinity of the Property, and the broader MSA and Planning Analysis Tier, and that the subject property is the appropriate location for this additional inventory.

Accordingly, approval of the requested Amendment would further the implementation of the following CDMP goals, objectives and policies:

LAND USE POLICY 1P: Miami-Dade County shall seek to prevent discontinuous, scattered development at the urban fringe particularly in the Agricultural Areas, through its CDMP amendment process, regulatory and capital improvements programs and intergovernmental coordination activities.

LAND USE POLICY 4B: Uses designated on the LUP map and interpretive text, which generate or cause to generate significant noise, dust, odor, vibration, or truck or rail traffic shall be protected from damaging encroachment by future approval of new incompatible uses such as residential uses.

LAND USE POLICY 4C: Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust, or traffic.

LAND USE POLICY 8H: When considering land areas to add to the UDB, after demonstrating that county-wide need exists,

- iii) The following areas shall be given priority for inclusion, subject to conformity with Policy 7G and the foregoing provisions of this policy:
 - a) Land within Planning Analysis Tiers having the earliest projected supply depletion year; and
 - b) Land contiguous to the UDB

LAND USE OBJECTIVE 10: Energy efficient development shall be accomplished through metropolitan land use patterns, site planning, landscaping, building design, and development of multi-modal transportation systems. (Energy Efficiency/Conservation).

5. ADDITIONAL MATERIAL SUBMITTED

Additional information will be supplied at a later date under separate cover.

6. COMPLETED DISCLOSURE FORMS

Attached as Exhibit "B"

Attachments: Legal Description - Exhibit "A"
Disclosure of Interest Form - Exhibit "B"
Location Map for Application - Exhibit "C"
Aerial Photograph – Exhibit "D"

2811444_v1

Legal Description:

THE NORTH 1/2 OF THE NORTH 1/2 OF THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 IN SECTION 36, TOWNSHIP 53 SOUTH, RANGE 39 EAST, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. SAID LANDS SITUATE LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

Property Address: 120XX NW 21 ST, MIAMI, FL

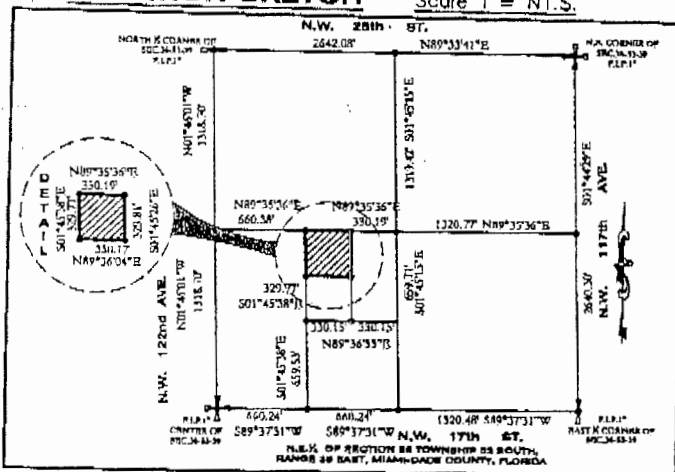
For:

Folio No. 30-3936-000-0027

Date: 05/23/2003

LOCATION SKETCH

Scale 1" = N.T.S.



ABBREVIATION AND MEANING

A= ARC	F.F.E.= FINISHED FLOOR ELEVATION	P.R.G.= POINT OF REVERSE
A/C= AIR CONDITIONER PAD	F.N.D.= FOUND NAIL & DISK	P.B.= PLAT BOOK
A/E= ANCHOR EASEMENT	FR= FRAME	P.G.= PAGE
A/R= ALUMINUM ROOF	FT= FEET	P.W.= PARKWAY
A/S= ALUMINUM SHED	FNIP= FEDERAL NATIONAL INSURANCE	PRM= PERMANENT REFERENCE MONUMENT
ASPH.= ASPHALT	P.N.= FOUND NAIL	P.L.S.= PROFESSIONAL LAND SURVEYOR
B.C.= BLOCK CORNER	H.= HOH (HIGHT)	R.= RECORDED DISTANCE
B.L.G.= BUILDING	IN.A.C.G.= INGRESS AND EGRESS EASEMENT	R.R.= RAIL ROAD
B.M.= BENCH MARK	L.P.= LIGHT POLE	RES.= RESIDENCE
B.O.B.= BASE OF BEARINGS	L.F.C.= LOWEST FLOOR ELEVATION	R/W= RIGHT-OF-WAY
C.= CALCULATED	L.M.E.= LAKE MAINTENANCE EASEMENT	RAD.= RADIUS OF RADIAL
C.B.= CONCRETE BLOCK STRUCTURE	M.= MEASURED DISTANCE	R.P.= RADIUS POINT
C.B.W.= CONCRETE BLOCK WALL	M/H.= MANHOLE	ROE.= RANGE
C.H.= CHORD	M/L= MONUMENT LINE	SEL.= SECTION
C.H.B.= CHORD BEARING	N.A.P.= NOT A PART OF	STY.= STORY
C.= CLEAR	NOVD= NATIONAL GEODETIC VERTICAL DATUM	SWK.= SIDEWALK
C.L.F.= CHAIN LINK FENCE	N.= NORTH	S.L.P.= SET IRON PIPE L.B.
C.M.E.= CANAL MAINTENANCE EASEMENTS	N.T.S.= NOT TO SCALE	S.= SOUTH
CONC.= CONCRETE	N.O.= NUMBER	S.= SECONDS
C.P.= CONC. PORCH	O/S.= OFFSET	T.= TANGENT
C.S.= CONCRETE SLAB	O.H.= OVERHEAD #1044	TW= TOWNSHIP
D.E.= DRAINAGE EASEMENT	O.H.L.= OVERHEAD UTILITY LINES	UTL.= UTILITY
D.M.E.= DRAINAGE MAINTENANCE EASEMENTS	O.V.H.= OVERHANG	U.P.= UTILITY POLE
DRIVE= DRIVEWAY	P.W.T.= PAVEMENT	W.M.= WATER METER
D.E.G.= DEGREES	PL.= PLANTER	W.F.= WOOD FENCE
E.= EAST	P.L.= PROPERTY LINE	W.S.= WOOD SHED
E.T.P.= ELECTRIC TRANSFORMER PAD	P.C.= POINT OF COMPOUND CURVE	W/R= WOOD SHED
ELEV.= ELEVATION	P.C.= POINT OF CURVE	Δ= CENTRAL ANGLE
ENCR.= ENCROACHMENT	P.T.= POINT OF TANGENCY	◁= ANGLE
F.H.= FIRE HYDRANT	P.O.C.= POINT OF COMMENCEMENT	
F.I.P.= FOUND IRON PIPE	P.O.B.= POINT OF BEGINNING	
F.I.R.= FOUND IRON ROD		

LEGEND TYPICAL

--- CHAIN LINK FENCE
--- C.B.S. WALL (CBW)
--- FENCE
--- OVERHEAD UTILITY LINES
--- WOOD FENCE
0.00 = EXISTING ELEVATIONS.
[0.00] = PROPOSED ELEVATIONS.

SURVEYOR'S NOTES:

- 1) IF SHOWN, BEARINGS ARE REFERRED TO AN ASSUMED MERIDIAN, BY SAID PLAT IN THE DESCRIPTION OF THE PROPERTY. IF NOT, WHEN BEARINGS ARE REFERRED TO COUNTY, TOWNSHIP MAPS.
- 2) IF SHOWN, ELEVATIONS ARE REFERRED TO
B.M. = ELEV. _____ FEET.
OF N.G.V.D. OF 1929.
- 3) THIS IS A SPECIFIC PURPOSE SURVEY.
- 4) THE CLOSURE IN THE BOUNDARY SURVEY IS ABOVE 1:7500 FT. I HEREBY CERTIFY THAT THIS "BOUNDARY SURVEY" OF THE PROPERTY DESCRIBED HEREON, AS RECENTLY SURVEYED AND DRAWN UNDER MY SUPERVISION, COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE PURSUANT TO 472.027, FLORIDA STATUTES.

LEGAL NOTES TO ACCOMPANY SKETCH OF SURVEY (SURVEY):

THERE MAY BE EASEMENTS RECORDED IN THE PUBLIC RECORDS NOT SHOWN ON THIS SURVEY. THE PURPOSE OF THIS SURVEY IS FOR USE IN OBTAINING TITLE INSURANCE AND FINANCING AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.

EXAMINATIONS OF THE ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTING THE PROPERTY. THIS SURVEY IS SUBJECT TO DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS OR EASEMENTS OF RECORD. LEGAL DESCRIPTIONS PROVIDED BY CLIENT OR ATTESTING TITLE COMPANY.

BOUNDARY SURVEY MEANS A DRAWING AND/OR A GRAPHIC REPRESENTATION OF THE SURVEY WORK PERFORMED IN THE FIELD, COULD BE DRAWN AT A SHOWN SCALE AND/OR NOT TO SCALE.

EASEMENTS AS SHOWN ARE FOR PLAT BOOK, UNLESS OTHERWISE SHOWN.

THE TERM "ENCROACHMENT" MEANS VIOLATE AND ARCHITECTS SHALL VERIFY ZONING REGULATIONS, RESTRICTIONS AND SETBACKS AND THEY WILL BE RESPONSIBLE FOR SUBMITTING PLAT PLANS WITH THE CORRECT INFORMATION FOR THEIR APPROVAL FOR AUTHORIZATION TO AUTHORITIES IN A NEW CONSTRUCTION, UNLESS OTHERWISE NOTED. THIS FIRM HAS NOT ATTEMPTED TO LOCATE FOOTING AND/OR FOUNDATIONS.

FENCE ENCROACHMENT NOT DESIGNATED.

THIS PLAN OF SURVEY, HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON. THE CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PARTY.

THE FIRM FLOOD MAPS HAVE DESIGNATED THE HEREIN DESCRIBED LAND TO BE

Situated in Zone: AE Community/Panel/Suffix: 120635-0160-J

Date of Firm: 07/17/1995 Base Flood Elevation: 7FT

Certified to: TRANSATLANTIC BANK, ITS SUCCESSORS AND/OR ASSIGNS

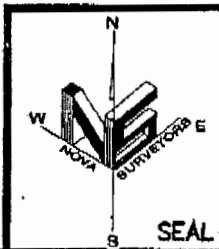


EXHIBIT "A"

2800 N.W. 7th STREET, SUITE 202
MIAMI, FLORIDA 33128
TELEPHONE (305) 254-2900
FAX (305) 254-2900

Nova Surveyors Inc.

LAND SURVEYORS

SURVEY NO. 02-0151

SHEET NO. 2 OF 2

BOUNDARY SURVEY

Scale 1" = 50'

THE NORTH LINE OF THE SW 1/4
OF THE N.E. 1/4 OF SEC. 29, T3N, R20E

N 88° 25' 20" E
200.15'

4' C&F

25' DEEDING FOR FUTURE E/W

THE WEST LINE OF THE E 1/2
OF THE SW 1/4 OF THE NE 1/4
OF SEC. 30, T3N, R20E

25' DEEDING FOR FUTURE E/W

VACANT LOT
THE LAND AREA = ± 100,850 SQ. FT.
= ± 2.50 ACRES

THE EAST LINE OF THE E 1/2
OF THE SW 1/4 OF THE NE 1/4 OF
THE NE 1/4 OF SEC. 29, T3N, R20E

220.17'
N 88° 25' 20" E

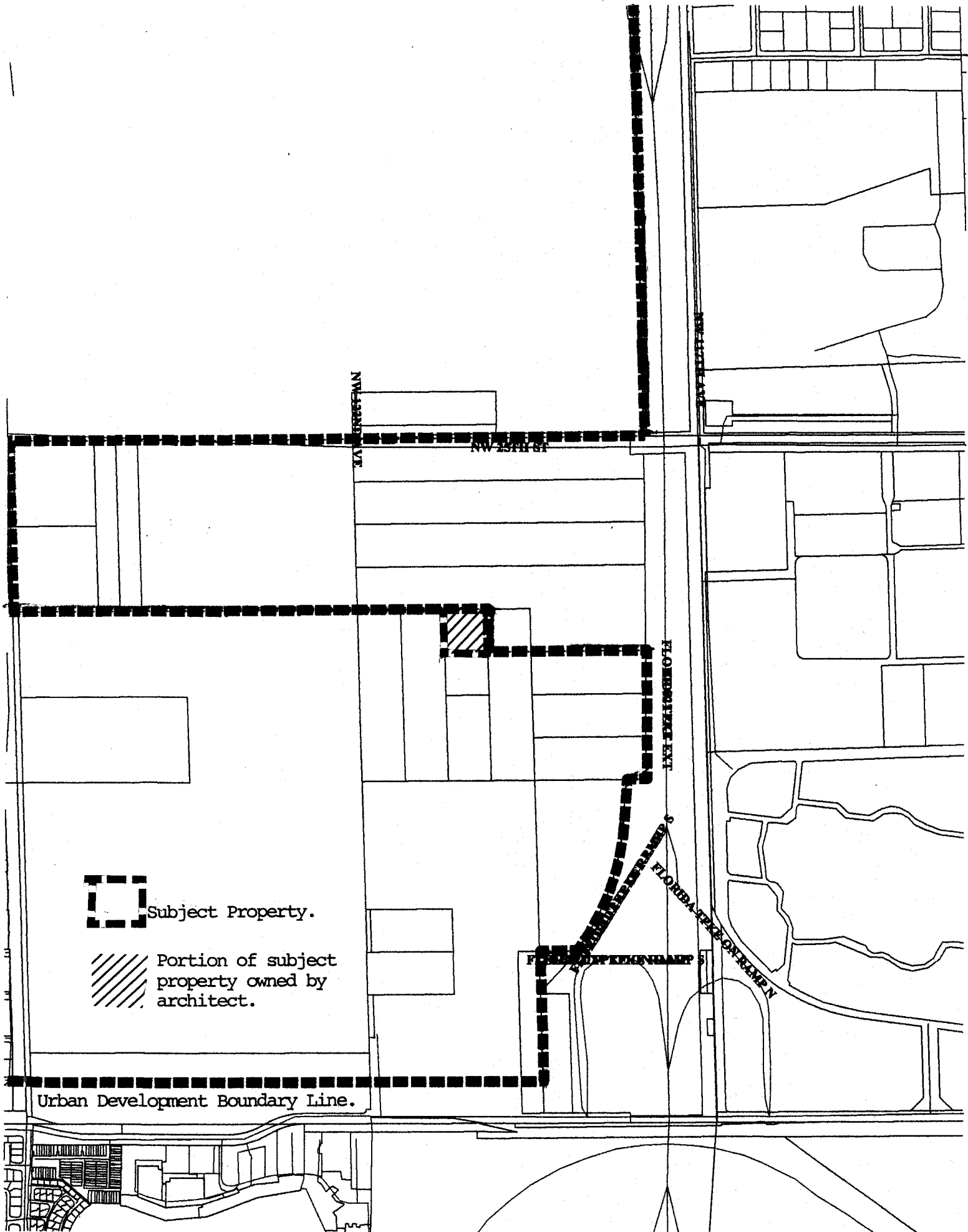
THE SOUTH LINE OF THE N 1/2 OF THE N 1/2
OF THE SW 1/4 OF THE N.E. 1/4 OF SEC. 29, T3N, R20E

Surveyor's Note:

There is no vehicular access to the
Subject Property.

There may be Easements recorded in the
Public Records not shown on this Survey.

The purpose of this Survey is for use in obtaining Title Insurance and
Financing and should not be used for Construction purposes.



Subject Property.



Portion of subject
property owned by
architect.

Urban Development Boundary Line.

- 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 Doral West Commerce Park, LLC

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
<u>Mahmood Rahmanaparst, 13354 S.W. 58 Ave., Pinecrest, FL 33156</u>	<u>33.33%</u>
<u>Pablo O. Orta, 15230 S.W. 170 Terrace, Miami, FL 33187</u>	<u>33.33%</u>
<u>Jorge Ramos, 14024 N.W. 82 Avenue, Miami Lakes, FL 33106</u>	<u>33.33%</u>

- 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: N/A

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

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(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].

PARTNERSHIP NAME: N/A

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF INTEREST</u>

- e. If the applicant is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, 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].

NAME AND ADDRESS

PERCENTAGE OF
INTEREST

N/A

Date of Contract March, 2005

If any contingency clause or contract terms involve additional parties, list all individuals or officers if a corporation, partnership, or trust.

N/A

5. **DISCLOSURE OF OWNER'S INTEREST:** Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

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

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF
INTEREST

Doral West Commerce Park, LLC

100%

6065 N.W. 167 Street, Suite B-23, Miami, FL 33105

- b. If the owner 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: N/A

NAME, ADDRESS AND OFFICE (if applicable)

PERCENTAGE OF
STOCK

- c. If the owner is a TRUSTEE, and 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), another trust(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].

TRUSTEE'S

NAME: N/A

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF
INTEREST

- d. If the owner is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(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].

PARTNERSHIP: N/A

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF
OWNERSHIP

- e. If the stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, 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].

NAME, ADDRESS AND OFFICE (if applicable)

PERCENTAGE OF
INTEREST

Date of Contract March 2005

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust

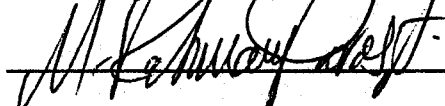
N/A

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

DORAL WEST COMMERCE PARK, LLC

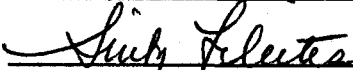


MAHMOOD RAHMANAPARST

Manager

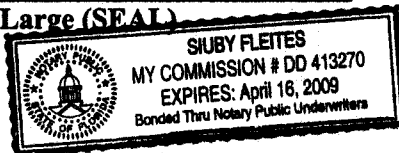
Sworn to and subscribed before me

this 2nd day of May, 2005.



Notary Public, State of Florida at Large (SEAL)

My Commission Expires:



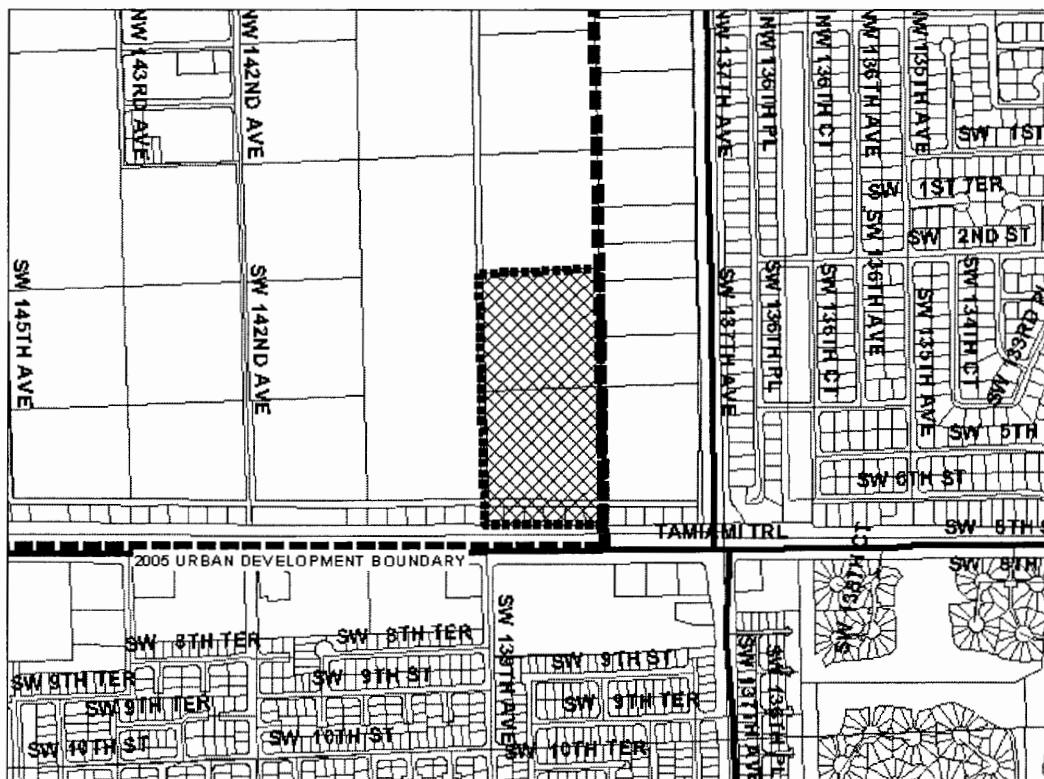
Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; any entity where ownership interests are held in a partnership, corporation or trust consisting of more FMGM 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.

2810672_v1

<u>Applicant</u>	<u>Applicant's Representative</u>
LOWE'S HOME CENTERS, INC. c/o Chris Thalmann Lowe's Companies, Inc. 1000 SE Monterey Commons Boulevard Suite 302 Stuart, Florida 34996	Juan J. Mayol, Jr. Esq. Richard A. Perez, Esq. Holland and Knight, LLP 701 Brickell Avenue, Suite 3000 Miami, Florida 33131 (305) 374-8500 (305) 679-6305 (fax)

From: OPEN LAND
To: BUSINESS AND OFFICE and
INCLUDE WITHIN THE URBAN DEVELOPMENT BOUNDARY

Acreage: Application area: 21.6 Gross Acres
Application area: 21.6 Net Acres
Acreage Owned by Applicant: 21.6 Acres.



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7

**APPLICATION FOR AN AMENDMENT TO THE
LAND USE PLAN MAP
OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANTS

LOWE'S HOME CENTERS, INC.
c/o Chris Thalman
Lowe's Companies, Inc.
1000 SE Monterey Commons Boulevard
Suite 302
Stuart, Florida 34996

2. APPLICANT'S REPRESENTATIVE

Juan J. Mayol, Jr., Esq.
Richard A. Perez, Esq.
Holland & Knight, LLP
701 Brickell Avenue, Suite 3000
Miami, FL 33131
(305) 374-8500
(305) 679-6105 (fax)

By: 

Juan J. Mayol, Jr., Esq.

4.29.05
Date

3. DESCRIPTION OF REQUESTED CHANGE

A. Change the Land Use Plan Map.

1. Expand the Urban Development Boundary. Applicant requests an amendment to expand the Urban Development Boundary (the "UDB") to include the subject property.

2. Change the Land Use Plan Map. Applicant requests a change to the Land Use Element, Land Use Plan map. The Applicant requests the re-designation of the subject property from "Open Land" to "Business and Office."

B. Description of Subject Area.

Subject property consists of approximately 21.6 gross acres of land located in Section 3, Township 54, Range 39, in unincorporated Miami-Dade County. The

subject property is located west of the northwest corner of S.W. 8th Street (Tamiami Trail) and S.W. 137th Avenue and is bounded on the south by Tamiami Trail, on the north by theoretical S.W. 2nd Street, on the east by S.W. 137th Avenue, and on the west by theoretical S.W. 139th Avenue, as depicted on the location map attached as Exhibit "C."

C. Acreage.

Subject application area: ±21.6 gross acres

Acreage owned by applicant: ±21.6 gross acres

D. Requested Changes.

1. Applicant requests an amendment to the Urban Development Boundary (the "UDB") to include the subject property.
2. Applicant requests a re-designation of the subject property on the Land Use Plan map from "Open Land" to "Business and Office."

4. REASONS FOR AMENDMENT

The Applicant is requesting a re-designation of the subject property from "Open Land" to "**Business and Office**," together with an amendment to include the subject property within the Urban Development Boundary. The subject property consists of approximately 21.6 gross acres, located in Section 3 of Township 54 South, Range 39 East. The subject property, which is situated near the northwest corner of SW 8th Street (Tamiami Trail) and SW 137th Avenue, is contiguous to urban development to the south and east. To the south, the development pattern consists of commercial parcels fronting Tamiami Trail, serving the many residential communities extending westward along Tamiami Trail to SW 157th Avenue. To the east, the parcels immediately adjacent to the subject property were re-designated from "Industrial and Office" to "Business and Office" during the April 2003 Comprehensive Development Master Plan Amendment Cycle and further east along Tamiami Trail are low density residential communities, while development along the SW 137th Avenue corridor has been largely characterized by open yard storage of construction equipment.

The subject property is located within the 2015 Expansion Area Boundary within the County's North-Central Planning Analysis Tier ("North-Central Tier"), and more specifically within Minor Statistical Area 3.2 ("MSA"). The subject property sits between the large-scale mining operations of the Lake Belt Area and the existing residential developments to the south and east. As such, development of the subject property affords an appropriate opportunity to provide an effective transition between the intensive mineral extraction/industrial uses that characterize the Lake Belt and the largely single-family neighborhoods along the southern boundary.

The County's Comprehensive Development Master Plan (CDMP) Future Land Use Element provides that the expansion of urban area should be managed to occur at a rate

commensurate with projected population and economic growth, and in locations which optimize efficiency in public service delivery and conservation of natural resources. This property is contiguous to the Urban Development Boundary on two sides, bounded on the east and south by extensive residential development with the vacant property to the west having been designated as a future Urban Expansion Area (UEA). The property is located adjacent to two (2) section line roadways and only a short distance from the Florida Turnpike and State Road 836, which shall allow for the efficient delivery of public services with minimal impacts.

Furthermore, as contemplated by the Applicant, the development of the subject property is consistent with the Comprehensive Development Master Plan's Guidelines for Urban Form. These Guidelines provide that "[i]ntersections of section line roads shall serve as focal points of activity, hereafter referred to as activity nodes. Activity nodes shall be occupied by any non-residential components of the neighborhood including public and semi-public uses. When commercial uses are warranted, they should be located within these activity nodes." Consequently, the intersection of Tamiami Trail and SW 137th Avenue is an appropriate location for the proposed commercial designation.

Based on the foregoing, the Applicant believes that there is a need to provide additional **Business and Office** inventory within both the immediate vicinity of the property to serve the needs of this community, and the broader MSA and Planning Analysis Tier, and that the subject property is the appropriate location for this additional inventory.

Accordingly, approval of the requested Amendment would further implementation of the following CDMP policies:

LAND USE POLICY IP: Miami-Dade County shall seek to prevent discontinuous, scattered development at the urban fringe particularly in the Agricultural Areas, through its CDMP amendment process, regulatory and capital improvements programs and intergovernmental coordination activities.

LAND USE POLICY 4B: Uses designated on the LUP map and interpretive text, which generate or cause to generate significant noise, dust, odor, vibration, or truck or rail traffic shall be protected from damaging encroachment by future approval of new incompatible uses such as residential uses.

LAND USE POLICY 4C: Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust, or traffic.

LAND USE POLICY 8H: When considering land areas to add to the UDB, after demonstrating that a county-wide need exists,

iii) The following areas shall be given priority for inclusion, subject to conformity with Policy 7G and the foregoing provisions of this policy [] ... Land contiguous to the UDB.

LAND USE OBJECTIVE 10: Energy efficient development shall be

accomplished through metropolitan land use patterns, site planning, landscaping, building design, and development of multi-modal transportation systems. (Energy Efficiency/Conservation).

LAND USE POLICY 1H: Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the County is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways. (Urban Form)

5. ADDITIONAL MATERIAL SUBMITTED

Additional information will be supplied at a later date under separate cover.

6. COMPLETED DISCLOSURE FORMS

Attached as Exhibit "B"

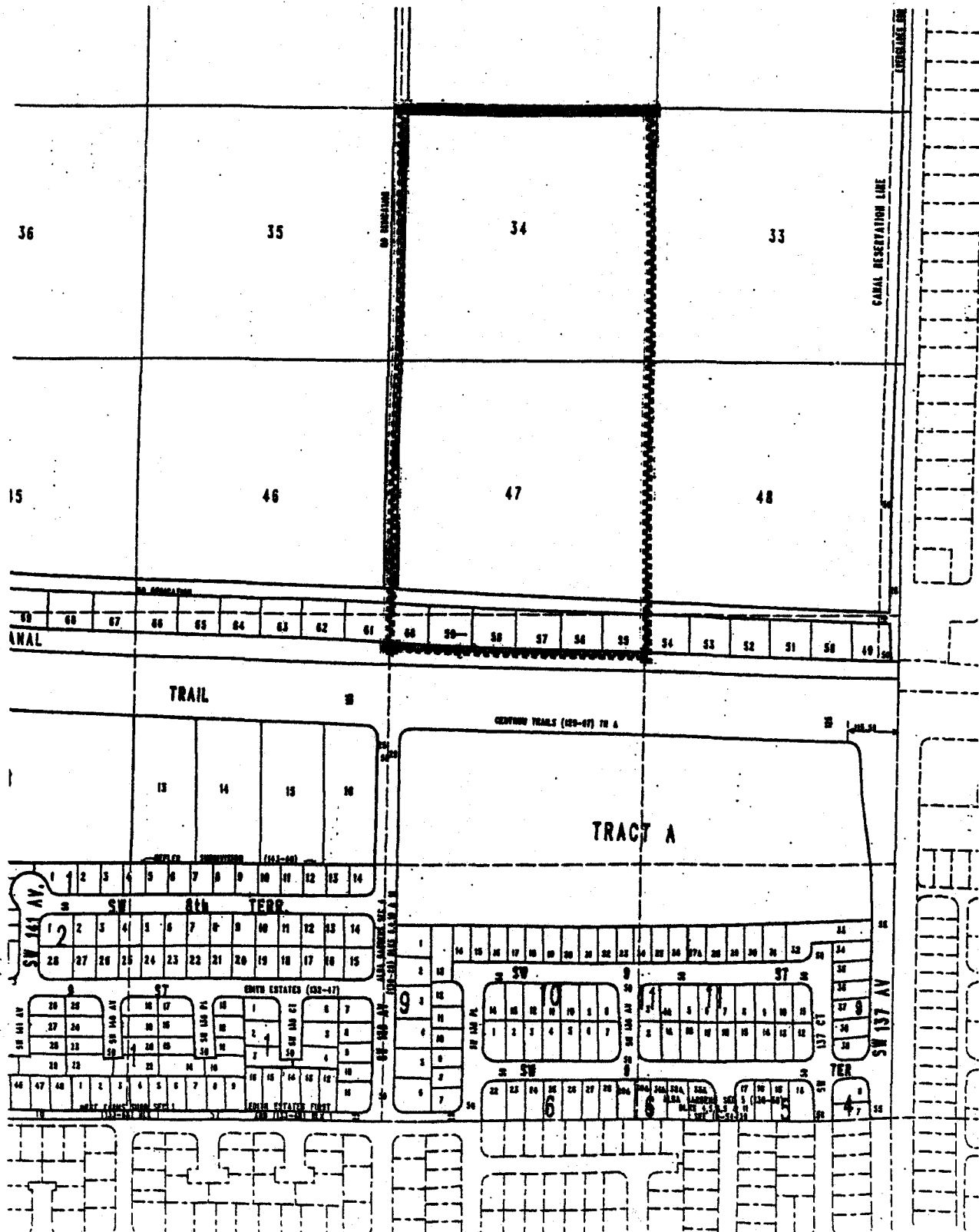
Attachments: Legal Description - Exhibit "A"
Disclosure of Interest Form - Exhibit "B"
Location Map for Application - Exhibit "C"
Aerial Photograph - Exhibit "D"

Exhibit "A"
Legal Description

ALL OF TRACTS 34 AND 47 AND ALL OF TRACTS 55 THROUGH 60, INCLUSIVE, ALL OF "EVERGLADES GARDENS," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, AT PAGE 14, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

2806476_v1

EXHIBIT "C" LOCATION MAP



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:

LOWE'S HOME CENTERS, INC.
C/O CHRIS THALMANN
LOWE'S COMPANIES, INC.
1000 SE MONTEREY COMMONS BOULEVARD
SUITE 302
STUART, FLORIDA 34996

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.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
Lowe's Home Centers, Inc.		30-4903-003-0310	21.6
		30-4903-003-0440	
		30-4903-003-0570	
		30-4903-003-0560	
		30-4903-003-0550	
		30-4903-003-0540	
		30-4903-003-0530	
		30-4903-003-0520	

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)
-----------	-------	--------	----------------------------	--------------------------------

Lowe's Home Center, Inc.	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.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF
INTEREST

N/A

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 LOWE'S HOME CENTERS, INC., a North Carolina corporation

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
---	--------------------------------

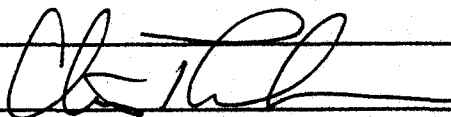
a wholly owned subsidiary of LOWE'S COMPANIES, INC.,	
a PUBLICLY TRADED COMPANY	N/A

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

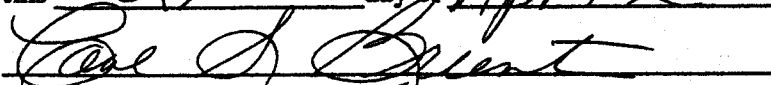
LOWE'S HOME CENTERS, INC.



F. CHRISTOPHER THALMANN

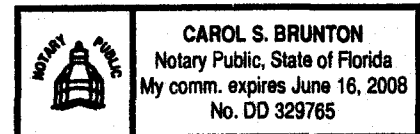
Sworn to and subscribed before me

this 29th day of April, 2005



Notary Public, State of FL at Large (SEAL)

My Commission Expires: 6-16-08



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 FMGM 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.

APPLICATION NO. 8
SMALL-SCALE AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
PMBC Homes at Gables Edge LLC 9415 SW 72 Street, Suite 111 Miami, Florida 33173	Gilbert Pastoriza, Esq. Weiss Serota Helfman Pastoriza Cole & Boniske, P. A. 2665 South Bayshore Drive, Suite 420 Miami, Florida 33133 (305) 854-0800

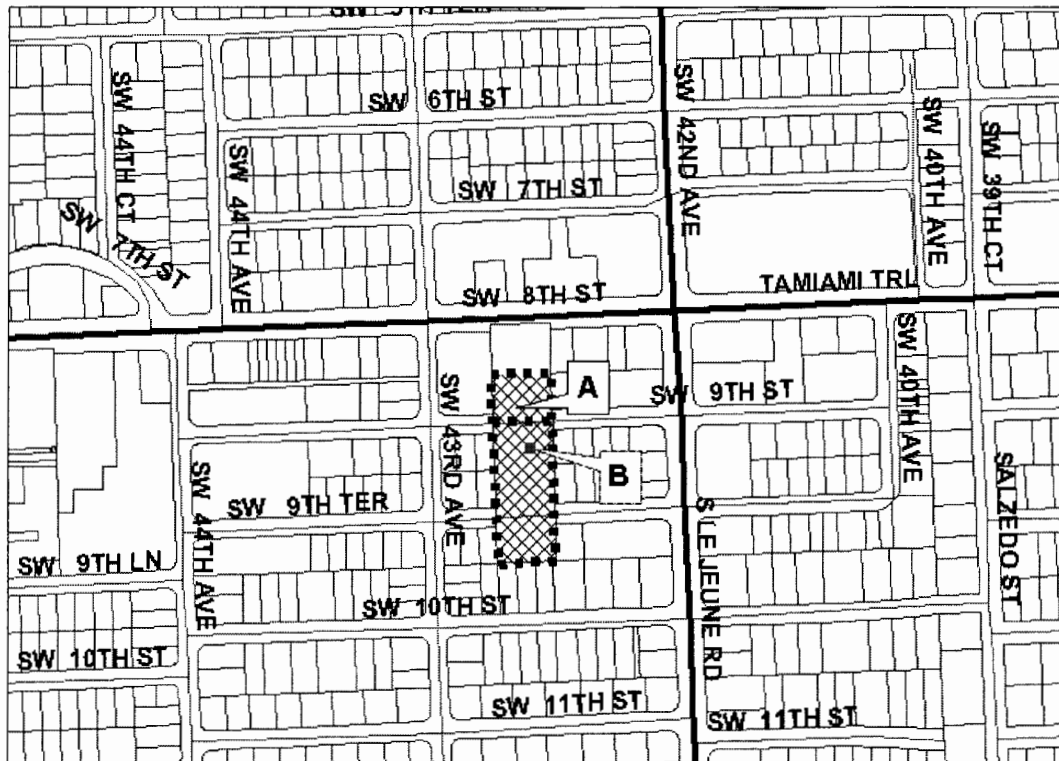
Requested Amendment to the Land Use Plan Map

From: LOW DENSITY RESIDENTIAL (2.5 to 6 DU/AC.)

To: A) BUSINESS AND OFFICE AND
B) MEDIUM DENSITY RESID. (13-25 DU/AC.)

Location: South of SW 8 Street and west of SW 42 Avenue.

Acree: Application area: 2.14 Gross Acres
Application area: 2.14 Net Acres
Acree Owned by Applicant: 2.14 acres.



Note: This summary page is not part of the actual application that follows.

**APPLICATION REQUESTING AN
AMENDMENT TO THE LAND USE PLAN MAP**

1. **Applicants**

PMBC Homes at Gables Edge LLC
c/o Gilberto Pastoriza, Esq. whose address and telephone number is provided in
Item 2 of this application below.

2. **Applicant's Representative**

Gilberto Pastoriza, Esq.
Weiss Serota Helfman Pastoriza Cole & Boniske, P.A.
2665 South Bayshore Drive
Suite 420
Miami, Florida 33133
Phone #: (305) 854-0800

By: 

Gilberto Pastoriza
April 21, 2005

3. **Description of Requested Changes.**

A. **Change the Land Use Plan Map.**

A change to the Land Use Element Land Use Plan Map (Item A.1 (d) in the fee schedule is requested. The Applicant is requesting to convert the north portion of the property, designated Parcel 1 and legally described in the attached Exhibit "A", which is approximately 0.57 net acres from Low Density Residential to Business and Office, and the south portion of the property, designated Parcel 2 and legally described in the attached Exhibit "A", which is approximately 1.20 net acres from Low Density Residential to Medium Density Residential (13-25 dwelling units per acre).

B. **Description of Subject Property.**

(1) The Subject property consists of 2.14 acres located in Section 8, Township 54 South, Range 41 East. The Property is generally located on the south side of SW 8th Street between 42nd Avenue and SW 43rd Avenue. The

applicant owns the entire property as shown on the map provided on the attached Exhibit "C".

(2) Acreage.

Subject Application area (net):

Parcel 1 (seeking "Business and Office"):	0.57 acres
Parcel 2 (seeking "Medium Density Residential"):	1.20 acres
TOTAL (net):	1.77 acres
TOTAL (gross):	1.96 acres

Acreage owned by Applicant (net):

Portion already designated "Business and Office":	0.37 acres
Parcel 1 (seeking "Business and Office"):	0.57 acres
Parcel 2 (seeking "Medium Density Residential"):	1.20 acres
TOTAL area (net):	2.14 acres
TOTAL area (gross):	2.46 acres

- (3) The present CDMP land use designations of Parcels 1 and 2 are Low Density Residential. The Applicant is requesting to convert the north portion of the property, designated Parcel 1 and legally described in the attached Exhibit "A", which is approximately 0.57 net acres from Low Density Residential to Business and Office, and the south portion of the property, designated Parcel 2 and legally described in the attached Exhibit "A", which is approximately 1.20 net acres from Low Density Residential to Medium Density Residential (13-25 dwelling units per acre).
- (4) This application is eligible for expedited processing as a "Small Scale" amendment. Accordingly, the Applicants request this application be processed under the expedited procedure for the "Small Scale" amendment.
- (5) The full-size Miami-Dade County plat map at a scale of 1 inch = 300 feet and full size aerial of Section 8, Township 54 South, Range 41 East are included as Exhibits "D" and "E" to this application. Additionally, an 8 1/2" x 11", black and white map depicting the application boundaries is included as Exhibit "C".

4. Reasons for Amendment.

The property consists of approximately 2.14 net acres and is located on the south side of SW 8th Street and 42nd and 43rd Avenues (the "Property"). The Property is

rectangular in shape and runs from SW 8th Street to just south of SW 9th Terrace. Although the Property lies within unincorporated Miami-Dade County it is bounded on the north by the City of Miami (across SW 8th Street) and is within one and ½ blocks of the City of Coral Gables.

Immediately adjacent to the Property on the east side there is an existing Walgreen's store which extends to SW 42nd Avenue to the east and runs from SW 8th Street to SW 9th Street. Immediately to the west of the Property there is a Florida Power and Light substation which extends to SW 43rd Avenue on the west and which runs from SW 8th Street to SW 9th Street.

The Property abuts SW 8th Street which is depicted as a major roadway in Miami-Dade County's Adopted 2005-2015 Land Use Plan (the "Land Use Plan"). The Property also lies within an existing/future transportation node as depicted in the Land Use Map. There are existing bus routes along SW 8th Street and along SW 42nd Avenue. LeJeune Road (SW 42nd Avenue) is shown as a proposed transit corridor in the Future Mass Transit System 2015-2025, see Figure 1, Application No. 2, Page 48, of Staff Applications October 2004 Cycle Application to Amend the CDMP.

The land use designation for the Property is Business and Office along SW 8th Street. We have been advised by the Planning Department that this designation runs 100 feet south of SW 8th Street. The balance of the Property is designated Low Density Residential. The Applicant is proposing to extend the Business and Office designation south to SW 9th Street in line with the existing boundaries of the Walgreen's to the east and the Florida Power & Light substation to the west (the "Business and Office Extension") and redesignate the balance of the Property to Medium-Density Residential (the "Residential Designation").

The Property is used as a trailer park. It is rundown and in dire need of redevelopment. There are no environmental or historic features on the Property. The Applicant intends to develop the Property with an office/retail/residential component on the Business and Office portion of the Property and townhomes on the balance.

The Property lies within the Urban Development Boundary. The Property is the classical in fill property and as such public facilities such as water, sanitary sewer, solid waste, drainage, fire and police services are readily available.

The proposed densities are compatible with the densities across the street on the City of Miami properties. In fact, the properties on the north side of SW 8th Street could be developed at a density of 150 units to the acre.

This application and the proposed development are consistent with the goals, policies and objectives of the County's Comprehensive Development Master Plan, including:

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.

LU-2B. Priority in the provisions 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) map. Second priority shall support the staged development of the Urban Expansion Area (UEA). Urban services and facilities which support or encourage urban development in Agriculture and Open Land areas shall be avoided, except for those improvements necessary to protect public health and safety and which service the localized needs of these non-urban areas.

LU-7. Miami-Dade County shall require all new development and the redevelopment in existing and planned transit corridors and urban centers to be planned and designed to promote transit-oriented development (TOD) and transit use, which mixes residential, retail, office, open space, and public uses in a pedestrian-friendly environment that promotes the use of rapid transit services.

LU-10A. Miami-Dade County shall facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, high intensity activity centers, mass transit supportive development, and mixed use projects to promote energy conservation.

Items 115 Housing Varieties which states:

Residential communities having a variety of housing types, such as standards single-family detached homes, townhouse, other single-family attached homes, and multi-family units, are encouraged by this plan. Toward this end, all new residential developments should include housing types which will contribute to the diversity of housing types in the immediate area, and in all instances residential developments exceeding 40 acres in size shall contain more than one of the foregoing housing types. It is especially important to mix townhouses with single-family detached and the former with multi-family units. Multi-family buildings should offer a variety of sizes ranging from efficiency units through two and three bedroom apartments, see Amendment No. 1 Page 55 of

Staff Applications October 2004 Cycle Applications to Amend the
CDMP.

Items 133, 134, and 135 Mixed Use Development, see amendment No. 1,
Page 67 of Staff Applications October 2004 Cycle Applications to Amend
the CDMP.

MT-2B which states:

The area surrounding future rapid transit stations not yet sited and
depicted on the Land Use Plan map shall be designed and developed, at a
minimum, as community urban centers, containing land use and
development designs that promote transit use as defined in Land Use
Element.

Water and Sewer Subelement polices WS-1A, WS1-B

Solid Waste Subelement SW1-A.

The redesignation of this underutilized urban infill property with a mixture of
different type of residential uses and non-residential uses adjacent to public
transportation will in our opinion serve the public interest by creating different
housing opportunities in the urban areas, thus easing the pressure to extend the
Urban Development Boundary and alleviating traffic through the use of the
adjacent public transportation system.

5. **Additional Materials Submitted.**

Additional materials will be supplied at a later date under separate cover.

6. **Completed Disclosure Forms.**

Attached as Exhibit "B"

7. **Attachments.**

Exhibit "A" – Legal Description
Exhibit "B" – Disclosure of Interest Form
Exhibit "C" – Location Map for Application
Exhibit "D" - Full size Miami-Dade County Plat Map
Exhibit "E" – Aerial Photograph
Exhibit "F" – Survey

EXHIBIT "A"
Legal Description

Entire parcel owned by Applicant:

Lot "G" less the West One Hundred Seventy Five (W' 175 feet) thereof of DEGARMO ROBERTS TRACT, according to the Plat thereof, as recorded in Plat Book "B" at Page 159 of the Public Records of Miami-Dade County, Florida and further less and excepting that certain parcel of land lying in Section 8, Township 54 South, Range 41 East, Miami-Dade County, Florida, being the South 5.00 feet of the North 20.00 feet of Tract G, less the West 175.00 feet thereof of DEGARMO ROBERTS TRACT, according to the plat thereof, as recorded in Plat Book B, Page 159, of the Public Records of Miami-Dade County, Florida.

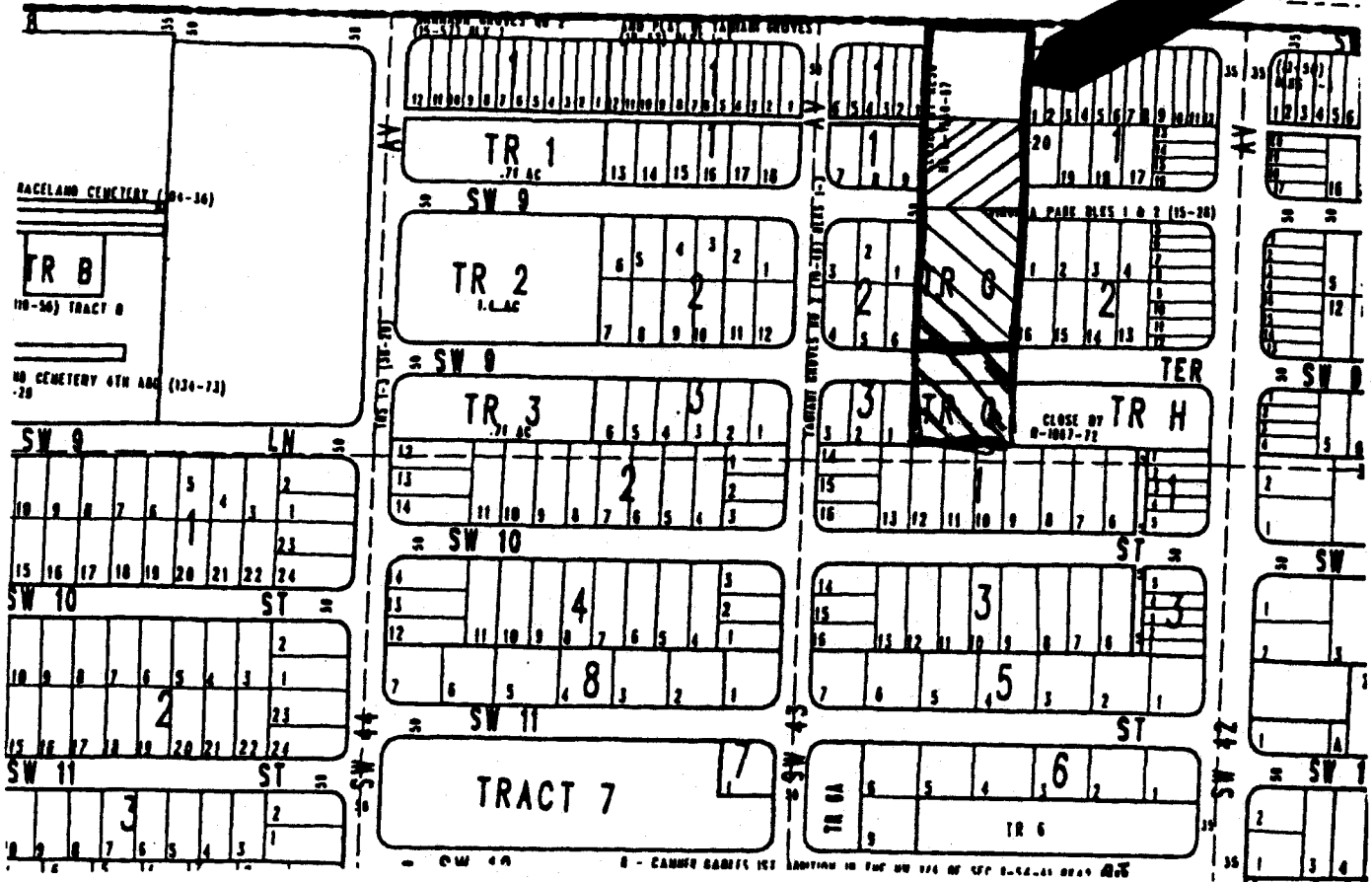
Portion of parcel Applicant is seeking to designate "Business and Office" (Parcel 1):

The South 190 feet of the North 255 feet of Lot "G" less the West One Hundred Seventy Five (W' 175 feet) thereof of DEGARMO ROBERTS TRACT, according to the Plat thereof, as recorded in Plat Book "B" at Page 159 of the Public Records of Miami-Dade County, Florida and further less and excepting that certain parcel of land lying in Section 8, Township 54 South, Range 41 East, Miami-Dade County, Florida, being the South 5.00 feet of the North 20.00 feet of Tract G, less the West 175.00 feet thereof of DEGARMO ROBERTS TRACT, according to the plat thereof, as recorded in Plat Book B, Page 159, of the Public Records of Miami-Dade County, Florida.

Portion of parcel Applicant is seeking to designate "Medium Density Residential" (Parcel 2):

Lot "G" less the West One Hundred Seventy Five (W' 175 feet) thereof of DEGARMO ROBERTS TRACT, according to the Plat thereof, as recorded in Plat Book "B" at Page 159 of the Public Records of Miami-Dade County, Florida, less and excepting the North 255 feet, and further less and excepting that certain parcel of land lying in Section 8, Township 54 South, Range 41 East, Miami-Dade County, Florida, being the South 5.00 feet of the North 20.00 feet of Tract G, less the West 175.00 feet thereof of DEGARMO ROBERTS TRACT, according to the plat thereof, as recorded in Plat Book B, Page 159, of the Public Records of Miami-Dade County, Florida.

EXHIBIT "C"



Small Scale Comprehensive Plan Amendment

↑
N

Section 8
Township 54 South
Range 41 East

Application Area:



Proposed Business and Office



Proposed Medium Density Residential
(13-25 Dwelling Units Per Acre)

Pages Of Disclosure Form Not Applicable To This Application Are
Intentionally Omitted From This Printing.

EXHIBIT "B"

**PAGES OF DISCLOSURE FORM NOT APPLICABLE TO
THIS APPLICATION ARE INTENTIONALLY OMITTED FROM THIS PRINTING**

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 NAME AND ADDRESS:

APPLICANT: PMBC Homes at Gables Edge, LLC
9415 SW 72 Street
Suite 111
Miami, Florida 33173

Use the above alphabetical designation for applicants in completing Section 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 Numbers</u>	<u>Size In Acres</u>
<u>A</u>	<u>PMBC Homes at Gables Edge, LLC</u>	<u>30-4108-013-0010</u>	<u>±2.4</u>

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

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>Other (Attach Explanation)</u>
<u>A</u>	<u>X</u>			

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.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF
INTEREST

N/A

- 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: PMBC Homes at Gabled Edge, LLC

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
<u>Eloy Cepero/Member</u>	<u>25%</u>
<u>Alina Cepero/Member</u>	<u>25%</u>
<u>Helena Naft/Member</u>	<u>25%</u>
<u>Jorge Rawecz/Member</u>	<u>25%</u>
<u>All c/o Gilberto Pastoriza, Esq.</u>	
<u>2665 South Bayshore Drive, Suite 420, Miami, FL 3333</u>	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

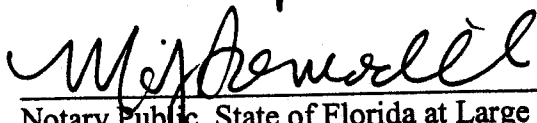
Applicant's Signature and Printed Names

PMBC HOMES AT GABLES EDGE, LLC,
a Florida limited liability company

By: 

Gilberto Pastoriza, Esq.
Attorney for the Applicant

Sworn to and subscribed before me
this 21 day of April, 2005



Notary Public, State of Florida at Large (Seal)

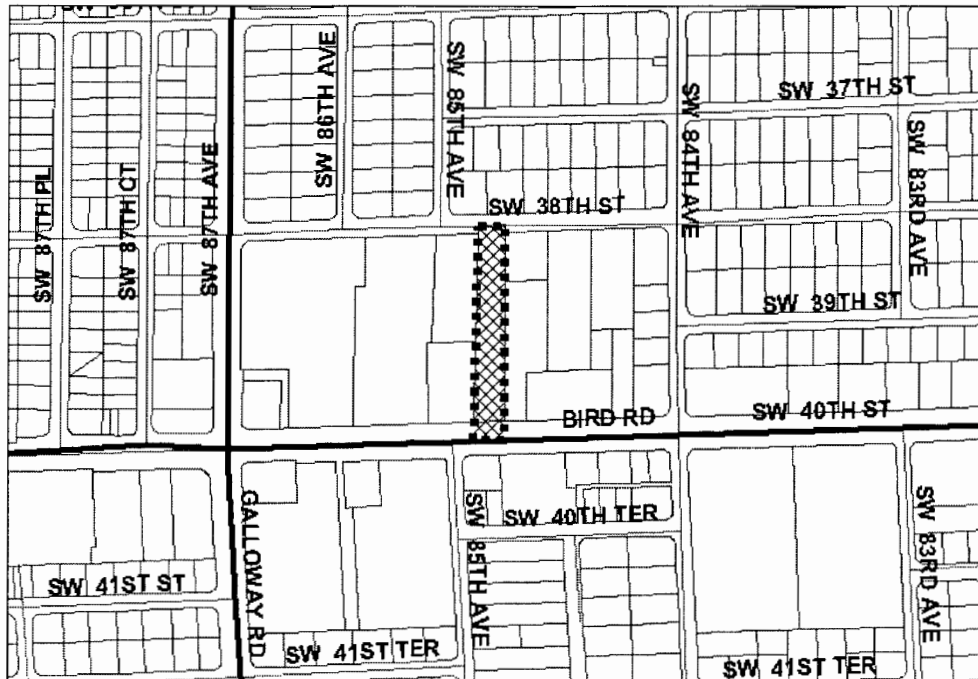
My Commission Expires
 MARILYN SOMODEVILLA
MY COMMISSION # DD 222204
Expires September 13, 2007
Bonded Thru Budget Notary Services

APPLICATION NO. 9
SMALL-SCALE AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
Eduardo Reyes 10351 SW 60 Street Miami, Florida 33173	Juan J. Mayol, Jr., Esq. Ines Marreo-Priegues, Esq. Holland and Knight, LLP 701 Brickell Avenue, Suite 3000 Miami, Florida 33131 (305) 374-8500

Requested Amendment to the Land Use Plan Map

From: BUSINESS AND OFFICE and LOW DENSITY RESIDENTIAL (2.5 to 6 DU/AC.)
To: BUSINESS AND OFFICE
Location: **From SW 38 Street to Bird Road (SW 40 St.) between SW 84 Avenue and theoretical SW 85 Avenue.**
Acreage: Application area: 1.41 Gross Acres
Application area: 1.41 Net Acres
Acreage Owned by Applicant: 0 acres.



Note: This summary page is not part of the actual application that follows.

9 Q

**APPLICATION FOR A SMALL SCALE AMENDMENT TO THE
LAND USE PLAN MAP
OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

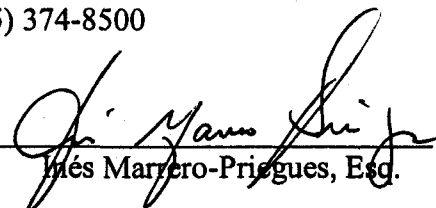
1. APPLICANT

Eduardo Reyes
10351 S.W. 60 Street
Miami, Florida 33173

2. APPLICANT'S REPRESENTATIVE

Juan J. Mayol, Jr., Esq.
Inés Marrero-Priegues, Esq.
Holland & Knight, LLP
701 Brickell Avenue, Suite 3000
Miami, FL 33131
(305) 374-8500

By:


Inés Marrero-Priegues, Esq.

April 29, 2005
Date

3. DESCRIPTION OF REQUESTED CHANGE

A. 1. Change the Land Use Plan Map. A change to the Land Use Element, Land Use Plan map (Item A.1d in the fee schedule) is requested. The Applicant is requesting a change in the property's designation from "Business and Office" and "Low Density Residential" to "Business and Office." The requested change is eligible for expedited processing as a "Small-Scale" amendment, and the Applicant hereby requests that this application be processed under the expedited procedure as a small-scale amendment.

B. Description of Subject Area.

The property subject to this application request consists of approximately 1.41 acres of land located in Section 15, Township 54, Range 40, in unincorporated Miami-Dade County. This subject area is located along the northern block face of S.W. 40nd Street ("Bird Road") and south of S.W. 38th Street between S.W. 84th Avenue and S.W. 87th Avenue and is more specifically described in Exhibit "A" to this application (the "Property").

C. Acreage.

Subject application area: 1.41 acres

Acreage owned by applicant: 0 acres

Acreage under contract purchase by applicant: 1.41 acres

D. Requested Changes.

1. It is requested that the Property be redesignated on the Land Use Plan map from "Business and Office" and "Low Density Residential" to "Business and Office" only.
2. It is requested that this application be processed under the expedited procedure as a small-scale amendment.

4. REASONS FOR AMENDMENT

The Applicant requests the re-designation from "Low Density Residential" to "Business and Office" of the Property subject to this application. The Property is located along the northern side of S.W. 40th Street, between S.W. 84th Avenue and S.W. 87th Avenue. The Property consists of an unplatted lot of approximately 1.41 acres. The southern portion of the Property, which abuts Bird Road, is designated "Business and Office" while the northern portion of the Property is designated "Low Density Residential". This undeveloped parcel of land lies immediately to the east of an existing commercial development that is designated "Business and Office" from Bird Road north to S.W. 38th Street. The requested designation of the northern half of the Property to "Business and Office" is a logical extension of this category. The Applicant, who is the contract purchaser for the Property, contemplates development with community serving retail uses and medium density residential liner as a buffer to the existing residential areas designated as "Low Density Residential" to the north.

Approval of the requested Amendment would further implementation of the following CDMP policies:

LAND USE POLICY 4D: Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the compatible and complementary elements and buffer any potentially incompatible elements. (Business and Office/Commercial)

LAND USE POLICY 8B: Distribution of neighborhood or community serving retail sales uses and personal and professional offices throughout the urban area shall reflect the spatial distribution of the residential population, among other salient social, economic, and physical considerations. (Business and Office/Commercial).

LAND USE OBJECTIVE 10: Energy efficient development shall be accomplished through metropolitan land use patterns, site planning, landscaping, building design, and development of multi-modal transportation systems. (Energy Efficiency/Conservation).

LAND USE POLICY 1E: In conducting its planning, regulatory, capital improvements and intergovernmental coordination activities, Miami-Dade County shall seek to facilitate the planning of residential areas as neighborhoods which include recreational, educational and other public facilities, houses of worship, and safe and convenient circulation of automotive, pedestrian and bicycle traffic. (Mixed Use).

LAND USE POLICY 1F: In planning and designing all new residential development and redevelopment in the county, Miami-Dade County shall vigorously promote implementation of the "Guidelines for Urban Form" contained in the "Interpretation of the Land Use Plan Map" text adopted as an extension of these policies. (Residential Communities).

LAND USE POLICY 1H: Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the County is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways. (Urban Form)

5. **ADDITIONAL MATERIAL SUBMITTED**

Additional information may be supplied at a later date under separate cover.

6. **COMPLETED DISCLOSURE FORMS**

Attached as Exhibit "B"

Attachments: Legal Description - Exhibit "A"
Disclosure of Interest Form - Exhibit "B"
Location Map for Application - Exhibit "C"
Aerial Photograph - Exhibit "D"

EXHIBIT "A"

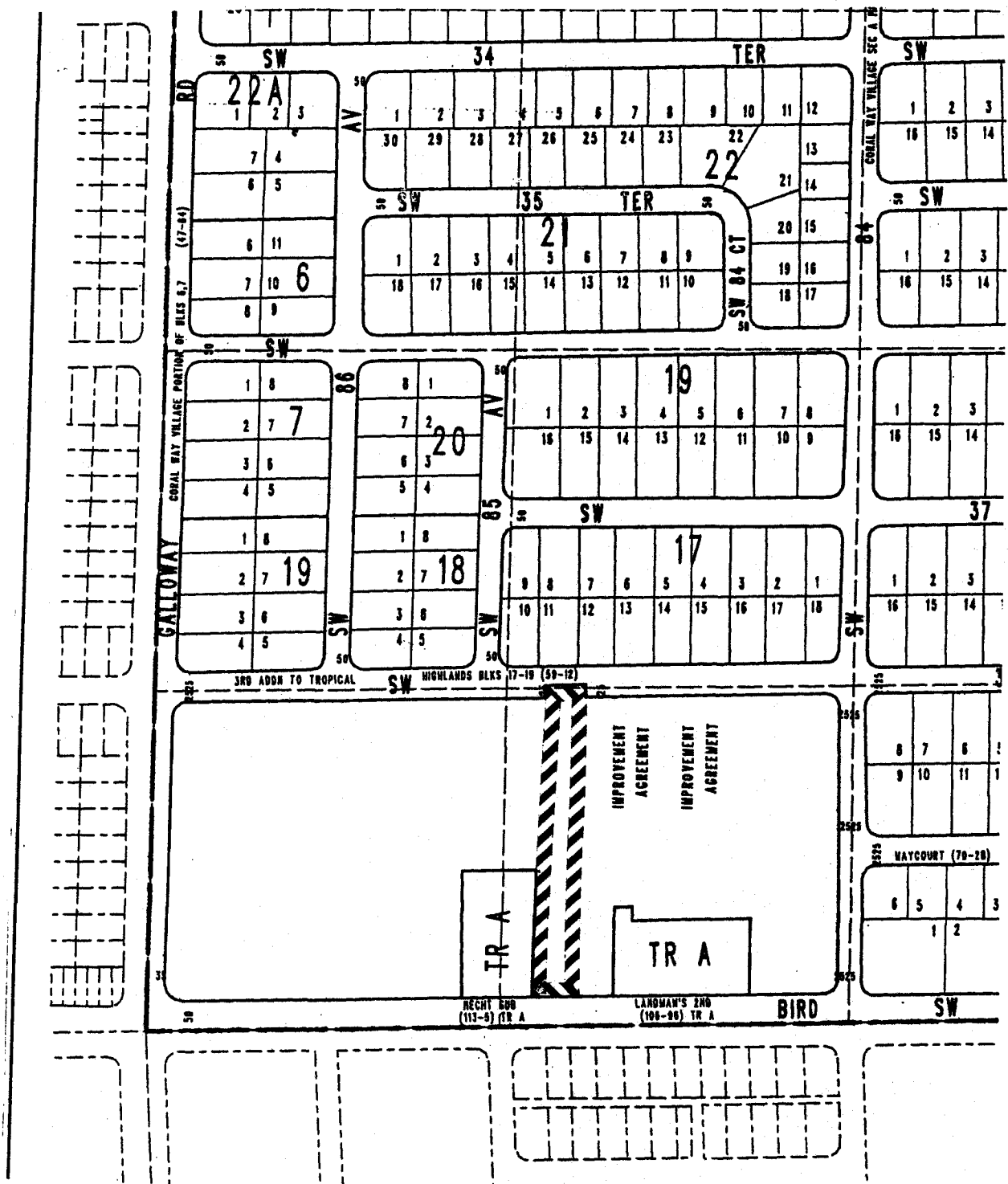
PROPERTY ADDRESS:

8485 BIRD ROAD, MIAMI, FLORIDA.

LEGAL DESCRIPTION :

COMMENCE AT THE S.W. CORNER OF THE SW 1/4, OF THE SW 1/4, OF SECTION 15, TOWNSHIP 54 SOUTH, RANGE 40 EAST, DADE COUNTY, FLORIDA; THENCE DUE WEST, ALONG THE SOUTH LINE OF THE SW 1/4, OF THE SW 1/4, OF THE SAID SECTION 15, FOR A DISTANCE OF 528 FEET; THENCE N 1°40'28" E, PARALLEL TO THE EAST LINE OF THE SW 1/4, OF THE SW 1/4, OF THE SAID SECTION 15, FOR A DISTANCE OF 50.02 FEET TO A POINT WHICH IS LOCATED 50 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES TO, THE SOUTH LINE OF THE SW 1/4, OF THE SW 1/4, OF THE SAID SECTION 15 AND THE POINT OF BEGINNING OF THE TRACT OF LAND HEREON DESCRIBED; THENCE CONTINUE N 01°40'28" E FOR A DISTANCE OF 610.84 FEET TO A POINT ON THE SOUTH LINE, OF THE SOUTH 1/2, OF THE NORTH 1/2, OF THE SW 1/4, OF THE SW 1/4, OF THE SAID SECTION 15; THENCE S 89° 56' 35" W, ALONG THE SOUTH LINE OF THE SOUTH 1/2, OF THE NORTH 1/2, OF SW 1/4, OF THE SW 1/4, OF THE SAID SECTION 15, FOR A DISTANCE OF 98 FEET; THENCE S 2° 11' 41" W FOR A DISTANCE OF 610.93 FEET TO A POINT WHICH IS LOCATED 50 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF THE SW 1/4, OF THE SW 1/4, OF THE SAID SECTION 15, THENCE DUE EAST FOR A DISTANCE OF 103.55 FEET TO THE POINT OF BEGINNING.

AREA ±61,524.3 SQ.FT - ±1.41 ACRES



Application Area Boundary

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: Eduardo M. Reyes

10351 S.W. 60 Street

Miami, FL 33173

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.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN SQ. FT.
A	International Agencies, Inc.	30-4015-000-0080	61,856 sq. ft. [1.41± 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.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF
INTEREST

Eduardo M. Reyes

100%

10351 S.W. 60 Street

Miami, Florida 33173

- 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

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF
STOCK

N/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,

- b. If the owner 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: INTERNATIONAL AGENCIES, INC. a Florida Corporation

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
<u>Carine Joannou, President,</u>	<u>33.3%</u>
<u>151 Ludlow Ave., Northvale, NJ 07647</u>	
<u>Madeleine Joannou, Vice President</u>	<u>33.3%</u>
<u>151 Ludlow Ave., Northvale, NJ 07647</u>	
<u>Cynthia Joannou, Secretary/Treasurer</u>	<u>33.3%</u>
<u>151 Ludlow Ave., Northvale, NJ 07647</u>	

- c. If the owner is a TRUSTEE, and 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), another trust(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].

TRUSTEE'S

NAME: _____


<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>N/A</u>	

- d. If the owner is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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


Ines Marrero-Priegues, Esq.

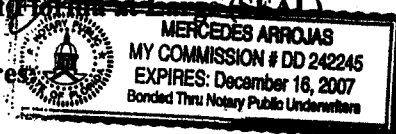
Attorney for Applicant

Sworn to and subscribed before me

this 29th day of April, 2005.


Notary Public, State of Florida (SEAL)

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 FMGM 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.

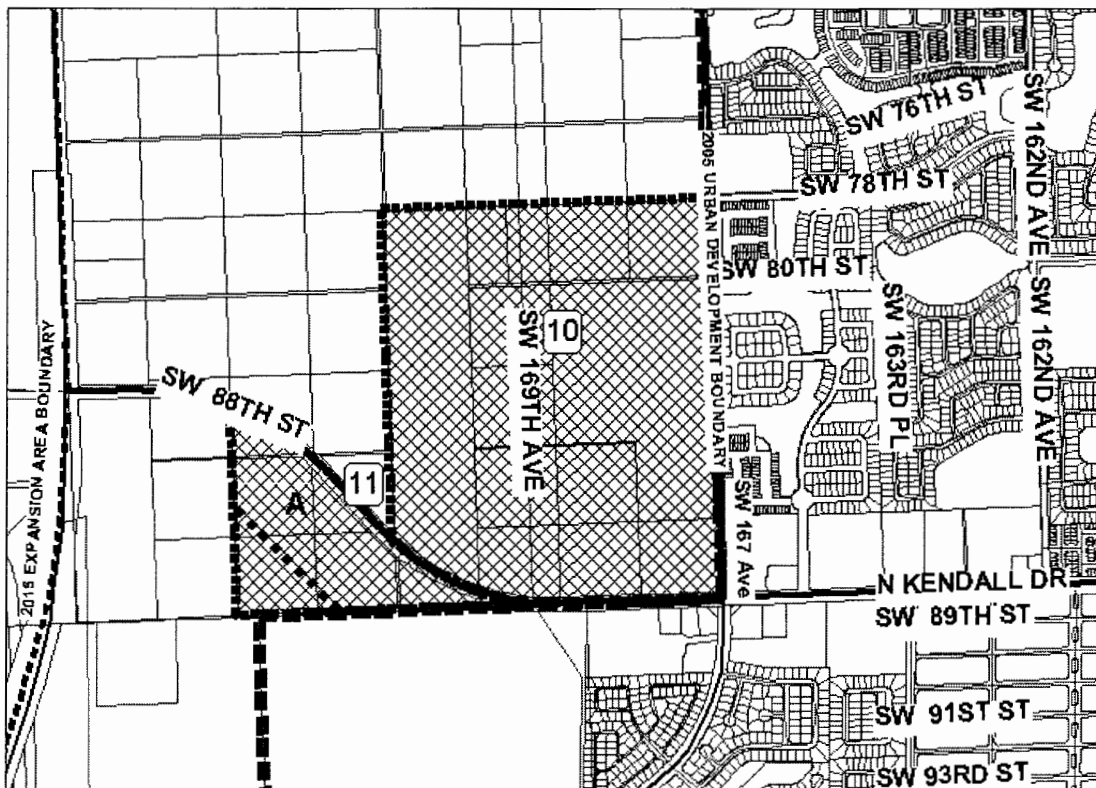
2814557_v1

**APPLICATION NO. 10
STANDARD AMENDMENT APPLICATION**

<u>Applicant</u>	<u>Applicant's Representative</u>
Newest Kendall, LLC a Florida limited liability company 1570 Madruga Avenue, Suite 214 Coral Gables, Florida 33146 (305) 598-0053	Simon Ferro, Esq. Greenberg Traurig, P. A. 1221 Brickell Avenue Miami, Florida 33131 (305) 579-0500

Requested Amendment to the Land Use Plan Map

From: AGRICULTURE
To: LOW DENSITY RESIDENTIAL (2.5 to 6.0 DU/AC.) and
INCLUDE WITHIN THE URBAN DEVELOPMENT BOUNDARY
Location: Northwest corner of SW 88 Street and SW 167 Avenue.
Acreage: Application area: 193.24 Gross Acres
Application area: 193.24 Net Acres
Acreage Owned by Applicant: 93.24 acres.



Note: This summary page is not part of the actual application that follows.

**APPLICATION TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

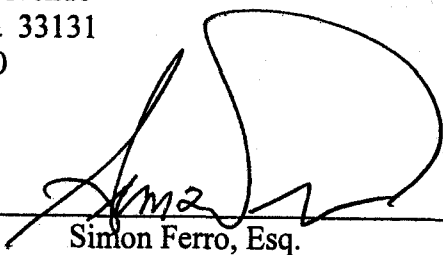
1. APPLICANT

Newest Kendall, LLC, a Florida limited liability company
1570 Madruga Avenue, Suite 214
Coral Gables, FL 33146
(305) 598-0053

2. APPLICANT'S REPRESENTATIVE

Simon Ferro, Esq.
Greenberg Traurig, P.A.
1221 Brickell Avenue
Miami, Florida 33131
(305) 579-0500

By: _____


Simon Ferro, Esq.

5/2/05
Date

3. DESCRIPTION OF REQUESTED CHANGE

A. A change to the Land Use Element, Land Use Plan map (item A.1 in the fee schedule) is requested.

B. Description of the Subject Property

The Subject Property consists of approximately 193.24 acres located in Section 31, Township 54, Range 39. The Subject Property is more specifically identified in the sketch provided as Exhibit A, attached hereto (Property Sketch). The Subject Property is bounded on the north side by theoretical S.W. 78th Street, on the east side by S.W. 167th Avenue, on the south side by S.W. 88th Street (North Kendall Drive) and on the west side by theoretical S.W. 172nd Avenue.

C. Gross Acreage

Application area: 193.24 acres

Acreage owned by Applicant: 93.24 acres

D. Requested Change

1. It is requested that the area described in the Property Sketch be incorporated within the Urban Development Boundary (UDB) and be re-designated on the Land Use Plan from AGRICULTURE to LOW DENSITY RESIDENTIAL (2.5 TO 6 UNITS PER GROSS ACRE).

4. REASONS FOR AMENDMENT

The south side of S.W. 88th Street is included with the UDB to S.W. 172nd Avenue under a LOW DENSITY RESIDENTIAL designation. Approval of this application will technically square off the UDB between the north and south sides of North Kendall Drive, permitting a more efficient utilization of existing infrastructure and other resources. There is increased demand for housing in this area.

5. ADDITIONAL MATERIAL SUBMITTED

None.

6. COMPLETE DISCLOSURE FORMS

Attachments: One Map
One Aerial Photo
One Copy of Applicant Warranty Deed

Exhibit "A"

All of Tracts 29, 31, 35, 36, 45, 46, 51 and 52, that portion of Tracts 61 and 62, lying North of the Right-of-Way for North Kendall Drive, of "SUBDIVISION OF LANDS OF THE MIAMI EVERGLADES LAND CO. LTD", in Section 31, Township 54 South, Range 39 East, according to the Plat thereof, as recorded in Plat Book 2, Page 3, of the Public Records of Miami-Dade County, Florida.

LOCATION MAP FOR APPLICATION

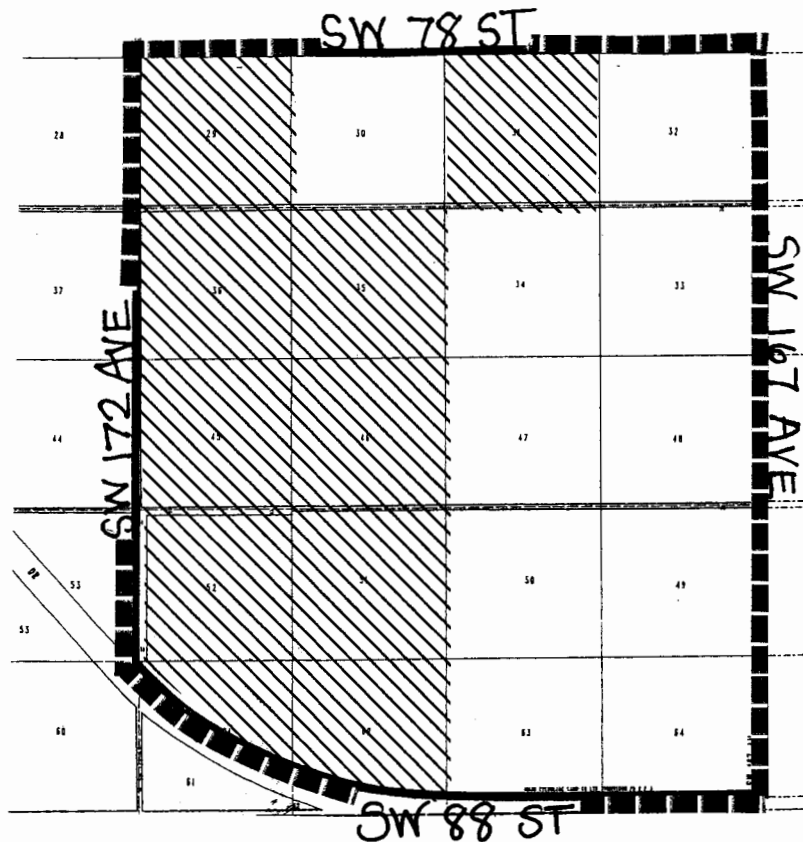
TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

APPLICANT/REPRESENTATIVE

Newest Kendall, LLC/Simon Ferro, Esq.

DESCRIPTION OF SUBJECT AREA

The Subject Property consists of approximately 193.24 acres located in Section 31, Township 54, Range 39. The Subject Property is more specifically identified in the sketch provided as Exhibit A, attached hereto (Property Sketch). The Subject Property is bounded on the north side by theoretical S.W. 78th Street, on the east side by S.W. 167th Avenue, on the south side by S.W. 88th Street (North Kendall Drive) and on the west side by theoretical S.W. 172nd Avenue.



AREA OWNED BY APPLICANT
APPLICATION AREA

**Pages Of Disclosure Form Not Applicable To This Application Are
Intentionally Omitted From This Printing.**

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: NEW WEST KENDALL, LLC, a Florida Limited Liability Company

APPLICANT B: _____

APPLICANT C: _____

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

APPLICANT G: _____

APPLICANT H: _____

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>
NEWEST KENDALL LLC	NEWEST KENDALL LLC	30-4931-001-0280	45 acres
NEWEST KENDALL LLC	NEWEST KENDALL LLC	30-4931-001-0610	9 acres
NEWEST KENDALL LLC	NEWEST KENDALL LLC	30-4931-001-0500	10 acres
NEWEST KENDALL LLC	NEWEST KENDALL LLC	30-4931-001-0450	10 acres
NEWEST KENDALL LLC	NEWEST KENDALL LLC	30-4931-001-0340	10 acres
NEWEST KENDALL LLC	NEWEST KENDALL LLC	30-4931-001-0300	10 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.

CONTRACTOR
FOR PURCHASE OTHER (Attach
Explanation)

APPLICANT OWNER LESSEE
A

<u>NEWEST KENDALL LLC</u>	<u>NEWEST KENDALL LLC</u>	<u>30-4931-001-0280</u>	<u>Owner Interest</u>
<u>NEWEST KENDALL LLC</u>	<u>NEWEST KENDALL LLC</u>	<u>30-4931-001-0610</u>	<u>Owner Interest</u>
<u>NEWEST KENDALL LLC</u>	<u>NEWEST KENDALL LLC</u>	<u>30-4931-001-0500</u>	<u>Owner Interest</u>
<u>NEWEST KENDALL LLC</u>	<u>NEWEST KENDALL LLC</u>	<u>30-4931-001-0450</u>	<u>Owner Interest</u>
<u>NEWEST KENDALL LLC</u>	<u>NEWEST KENDALL LLC</u>	<u>30-4931-001-0340</u>	<u>Owner Interest</u>
<u>NEWEST KENDALL LLC</u>	<u>NEWEST KENDALL LLC</u>	<u>30-4931-001-0300</u>	<u>Owner Interest</u>

Repeat

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.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

N/A

- 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.]

COMPANY NAME: NEWEST KENDALL, LLC

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF STOCK

Lufer Investments, Inc., a British Virgin Island Corp., 1570 Madruga Avenue, Ste. 214, Coral Gables, FL 33146 100%

CORPORATION NAME: Lufer Investments, Inc.

NAME. ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF STOCK

Luis Fernandez . 1570 Madruga Avenue. Ste. 214. Coral Gables. FL 33146

50%

Esther Fernandez . 1570 Madruga Avenue. Ste. 214. Coral Gables. FL 33146

50%

- 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: N/A

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(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].

PARTNERSHIP NAME: : N/A

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF INTEREST

- e. If the applicant is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note:

where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, 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].

<u>NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	

Date of Contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers if a corporation, partnership, or trust.

N/A

5. DISCLOSURE OF OWNER'S INTEREST: Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

- a. If the owner 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>
United Funds Inc., 2411 SW 18 th Street, Miami, FL 33145 30-4931-001-0290	100%

Steven C. Wittmer, Trustee Joan G. Wittner, Trustee, 3166 Dick Wilson Drive, Sarasota, FL 34240 30-4931-001-0291	100%
---	------

Kathryn Mills Trust, 4765 Lake Road, Miami, FL 33137, 30-4931-001-0630	100%
--	------

Kathryn Mills Trust, 4765 Lake Road, Miami, FL 33137, 30-4931-001-0310	100%
--	------

Kathryn Mills Trust, 4765 Lake Road, Miami, FL 33137, 30-4931-001-0320	100%
--	------

Eduardo Yaffar Trust, 251 Crandon Blvd., Apt. 805, Key Biscayne, FL 33149, 30-4931-001-0620	100%
---	------

Section 31 Tract 50 Corp., % Andres Iriondo, 881 Ocean Drive, #26H, Key Biscayne, FL 33149, 30-4931-001-0490	100%
--	------

- b. If the owner 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: United Funds Inc.,

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>Marcia Barrera, 2411 SW 18th Street, Miami, FL</u>	

<u>Marina Munoz, 2411 SW 18th Street, Miami, FL</u>	
--	--

<u>David Munoz, 2411 SW 18th Street, Miami, FL</u>	
---	--

CORPORATION NAME: Section 31 Tract 50, Corp.,

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>Juan Mini, 881 Ocean Drive, #13H, Key Biscayne, FL</u>	

<u>Andres J. Iriondo, 901 Ponce De Leon Blvd., #501, Coral Gables, FL 33134</u>	
---	--

- c. If the owner is a TRUSTEE, and 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), another trust(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].

TRUSTEE'S NAME:: Steven C. Wittmer, Trustee Joan G. Wittner, Trustee, 3166

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

Undisclosed

TRUSTEE'S NAME: Dick Wilson Drive, Sarasota, FL 34240

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

Undisclosed

TRUSTEE'S NAME: Kathryn Mills Trust, 4765 Lake Road, Miami, FL 33137

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

Undisclosed

TRUSTEE'S NAME: Kathryn Mills Trust, 4765 Lake Road, Miami, FL 33137

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

Undisclosed

TRUSTEE'S NAME: Kathryn Mills Trust, 4765 Lake Road, Miami, FL 33137

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

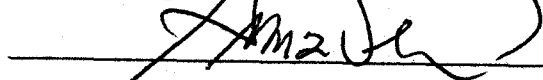
Undisclosed

TRUSTEE'S NAME: Eduardo Yaffar Trust, 251 Crandon Blvd., Apt. 805, Key Biscayne, FL 33149

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosures of interest shall be filed.

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



Simon Ferro

Sworn to and subscribed before me
This 2nd day of May, 2005



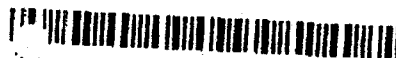
Notary Public, State of Florida at Large(SEAL)



Iris Escarra
My Commission DD390120
Expires October 08, 2008

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 FMGM 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.



CFN 2003R0699806
 IR 8k 21664 Pgs 0442 - 4461 (5pgs)
 RECORDED 09/19/2003 13:45:54
 DEED DOC TAX 44,755.20
 SURTAX 33,566.40
 HARVEY RUVIN, CLERK OF COURT
 MIAMI-DADE COUNTY, FLORIDA

clausy 9/11/03

Prepared by and Return to:
 Name: JOSEPH L. SCHWARTZ, ESQ.
 2435 Hollywood Boulevard
 Property Appraiser's
 Parcel I.D. 30-4931-001-0280
 30-4931-001-0300
 30-4931-001-0340
 30-4931-001-0450
 30-4931-001-0500
 30-4931-001-0611

WARRANTY DEED

This Indenture, made this 11 day of September, 2003, Between: DINA KUPERMAN, an unmarried widow, RUBIN OFFENBACH and GENIA OFFENBACH, husband and wife, KONIGSBERG FAMILY PARTNERSHIP, LTD., a Florida limited partnership, LEO & GLORIA MARTIN FOUNDATION, INC., a Florida corporation, no : for profit, whose address is c/o Miller, Schwartz & Miller, P.A., 2435 Hollywood Boulevard, Hollywood, Florida 33020 and NEWEST KENDALL, LLC, a Florida Limited Liability Company, whose address is c/o Maria Frats Hamilton, Esq., 1570 Madruga Avenue, Suite 214, Coral Gables, FL 33146, Grantees,

Witnesseth, that said Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars, and other good and valuable consideration to said Grantor in hand paid by said Grantees, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantees, and Grantees' heirs and assigns forever, the following described land, situate, lying and being in Miami-Dade County, Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Subject to the Permitted Exceptions set forth on Exhibit "B" attached hereto and made a part hereof and a Purchase Money Mortgage.

and said Grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, Sealed and Delivered
 in the presence of:

Joseph L. Schwartz
 (First Witness)

Printed or typed name:

Joseph L. Schwartz
 (as to Kuperman)

Theodore R. Konigsberg
 (Second Witness)

Printed or typed name:

Theodore R. Konigsberg
 (as to Kuperman)

Joseph L. Schwartz
 (First Witness)

Printed or typed name:

Joseph L. Schwartz
 (as to Offenbach)

Christie Carrasquillo
 (Second Witness)

Printed or typed name:

CRISTIE CARRASQUILLO
 (as to Offenbach)

Dina Kuperman (Seal)
 Dina Kuperman

Rubin Offenbach (Seal)
 Rubin Offenbach

Genia Offenbach (Seal)
 Genia Offenbach

Konigsberg Family Partnership, Ltd., a Florida
Limited Partnership

Joseph L. Schwartz
(First Witness)

Printed or typed name:

Joseph L. Schwartz
(as to Konigsberg)

Cristie Carrasquillo
(Second Witness)

Printed or typed name:

CRISTIE M. CARRASQUILLO
(as to Konigsberg)

By: Nathan Konigsberg (Seal)

Nathan Konigsberg, its General Partner

By: Helen S. Konigsberg (Seal)

Helen S. Konigsberg, its General Partner

Leo & Gloria Martin Foundation, Inc., a Florida
corporation, not for profit

Joseph L. Schwartz
(First Witness)

Printed or typed name:

Joseph L. Schwartz
(as to Martin)

Scott E. Mittelman
(Second Witness)

Printed or typed name:

Scott E. Mittelman
(as to Martin)

By: Leo Martin (Seal)

Leo Martin, Its President

STATE OF FLORIDA

COUNTY OF BROWARD

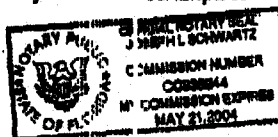
The foregoing instrument was acknowledged before me this 9 day of September
2003, by **DINA KUPERMAN**, an unmarried widow, personally known to me or who has
produced N/A as identification.

Joseph L. Schwartz
Notary Public

Name:

Commission No.

My Commission Expires



STATE OF FLORIDA

COUNTY OF BROWARD

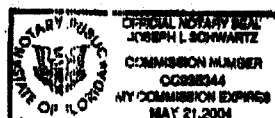
The foregoing instrument was acknowledged before me this 9 day of Sept
2003, by **RUBIN OFFENBACH** and **GENIA OFFENBACH**, husband and wife, personally
known to me or who have produced N/A as identification.

Joseph L. Schwartz
Notary Public

Name:

Commission No.

My Commission Expires



STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 3 day of Sept 2003, by **NATHAN KONIGSBERG** and **HELEN KONIGSBERG**, is general partners of the **Konigsberg Family Partnership, Ltd.**, a Florida limited partnership, personally known to me or who have produced N/A as identification.

Joseph L. Schwartz
Notary Public



Name:
Commission No.
My Commission Expires:

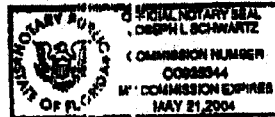
STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 3 day of September 2003, by **LEO MARTIN** as President of **LEO & GLORIA MARTIN FOUNDATION, INC.**, personally known to me or who has produced N/A as identification.

Joseph L. Schwartz
Notary Public

Name
Commission No.
My Commission Expires



F:\CLIENTS\Konigsberg\200601\Warranty Deed.wpd

Exhibit "B"

PERMITTED EXCEPTIONS

1. Taxes for the year 2003 and subsequent years.
2. Restrictions, conditions, reservations, easements and other matters contained in the Plat of Miami Everglades Land Co., Ltd. recorded in Plat Book 2 at Page 3.
3. Resolution No. 2167 recorded in Deed Book 2675 at Page 59 ("Tract 52");
4. Ordinance No. 83-24 recorded in Official Records Book 11781 at Page 1422 and re-recorded in Official Records Book 12046 at Page 481.
5. Right of Way Deed recorded in Official Records Book 3336 at Page 658.
6. Rights of Tenants in possession.

All references herein are to the Public Records of Miami-Dade County, Florida.

APPLICATION NO. 11
STANDARD AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
David Brown, Steven Brown, & Victor Brown 5901 SW 74 Street, Suite 205 Miami, Florida 33143	Chad Williard, Esq. Carlos Williard & Flanagan, P. A. 999 Ponce De Leon Boulevard, Suite 1000 Coral Gables, Florida 33134 (305) 444-1500

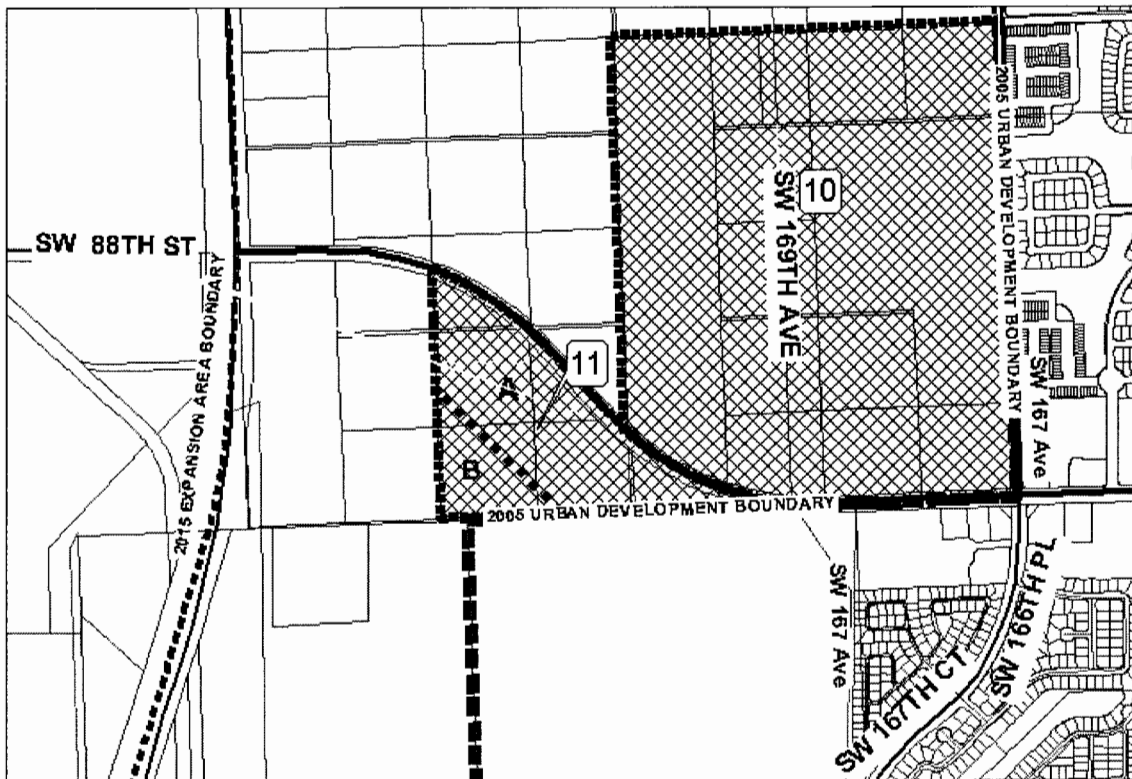
Requested Amendment to the Land Use Plan Map

From: AGRICULTURE

To: PART A BUSINESS AND OFFICE (29.44 AC.)
PART B OFFICE/RESIDENTIAL (9.06 AC.) and
INCLUDE WITHIN THE URBAN DEVELOPMENT BOUNDARY

Location: South side of Kendall Drive (SW 88 St.) west of SW 167 Avenue.

Acreage: Application area: 42.6 Gross Acres
Application area: 38.5 Net Acres
Acreage Owned by Applicant: 0 acres.



Note: This summary page is not part of the actual application that follows.

**APPLICATION TO AMEND THE
LAND USE PLAN MAP
OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANTS

David Brown, Steven Brown & Victor Brown
5901 SW 74 Street, Suite 205
Miami, FL 33143

2. APPLICANTS' REPRESENTATIVE

Chad Williard, Esq.
Carlos Williard & Flanagan, P.A.
999 Ponce de Leon, Suite 1000
Coral Gables, FL 33134
(305) 444-1500

By: Chad Williard
Chad Williard, Esq.

4/22/05
Date

3. DESCRIPTION OF REQUESTED CHANGE

- A. Change the Land Use Plan Map A change to the Land Use Element, Land Use Plan map.
- B. Description of Subject Area The subject property (the "Property") consists of (+/-) 42.6 gross acres of land located in Section 31, Township 54 South, Range 39 East, in unincorporated Miami-Dade County. More specifically, the Property is located south of N. Kendall Drive and west of SW 167th Avenue and is bordered to the south by the Urban Development Boundary
- C. Acreage
Subject application area: (+/-) 38.5 net acres.
Acreage Owned by Applicant: 0 acres (the Applicant has a contract to purchase the Property)

D. Requested Change

1. It is requested that the portion of the Property depicted on the attached exhibit as Parcel "A" (total of 29.44 acres) be redesignated on the Land Use Plan map from "Agricultural" and "2015 Expansion Area Boundary" to "Business & Office."
2. It is requested that the portion of the Property depicted on the attached exhibit as Parcel "B" (total of 9.06 acres) be redesignated on the Land Use Plan map from "Agricultural" and "2015 Expansion Area Boundary" to "Office/Residential."
3. It is also requested that the 2005 Urban Development Boundary ("UDB") be amended to encompass the Property.

4. REASONS FOR AMENDMENT

The Property is located south of SW 88th Street (N. Kendall Drive), west of SW 167th Avenue and is bounded by the Urban Development Boundary ("UDB") to its south. As this description indicates, while the Property is outside the UDB, its inclusion within the UDB represents essentially a minor adjustment to the northern edge of the UDB which would result in a repositioning to establish the more logical, northern UDB line at N. Kendall Drive. Moreover, this minor adjustment in the UDB would not result in any movement of the UDB further west than that which already exists.

The Property is located within the Land Use Plan map's "2015 Expansion Area Boundary" and is adjacent to an area of West Kendall which has experienced explosive residential growth in the past several years. Consequently, this vast amount of residentially designated, zoned and/or developed land immediately north, east and south of the Property is not adequately served by the existing supply of commercially designated, zoned and/or developed land. As further explained herein, given the existing conditions in this area of Miami-Dade County, maintaining the Property's current, "Agricultural" land use designation and maintaining the Property outside the UDB is no longer appropriate. In order to best meet the future needs of Miami-Dade County, the best use of the Property can be realized by approving the changes requested in this Application.

Specifically, the Applicant requests that (+/-) 29.44 of the Property be redesignated to "Business and Office," while the remaining (+/-) 9.06 acres be redesignated to "Office/Residential". Such redesignation would be consistent with, and in furtherance of, certain Goals, Objectives and Policies of the Land Use Element of the Comprehensive Development Master Plan ("CDMP"). First, commercial and office development adjacent to section line roads (in this case, SW 167th Avenue, SW 88th Street and SW 172nd Avenue) and residential

communities is consistent with Objective 1 and Policies 1H, 8A and 8B, as well as certain Guidelines for Urban Form memorialized in the CDMP. In the October 2004 Cycle, the area where the Property is located - the west half of the South Central Planning Analysis Tier - was noted as an area where projected demand for housing was very high, while capacity is low, such that "capacity is projected to be used up by 2009." (Page 2-18). In addition to its location within the County's South Central Planning Analysis Tier, the Property is located, more specifically, within Minor Statistical Area 6.2 ("MSA 6.2"); however, it should be noted that the Property's northern boundary is the dividing line between MSA 6.2 and MSA 6.1. The County's most recent assessment of commercial land availability within MSAs 6.1 and 6.2 highlights the need for the requested amendment and suggests that it would benefit the aforementioned, rapidly growing residential community by adding additional commercial services and office space in close proximity to these residential communities. Thus, alleviating some of the east-west traffic congestion which results from Miami-Dade County's traditional development pattern of locating suburban, residential communities in the west, while providing the majority of the commercial and work centers to the east.

The most recent County data ("Projected Absorption of Commercial Land, Miami-Dade County Florida, 2003") (Page 2-21 of the Initial Recommendations to the October 2004 Cycle) indicates that the Countywide average for commercial acreage per 1000 persons is 6.1 acres for the year 2015 (while the average for the South Central Tier is 4.6 acres). The severity of the lack of commercial land within the South Central Tier versus the Countywide average is made more apparent when reviewing MSAs 6.1 and 6.2 in particular: in MSA 6.1, there is projected to be only 2.8 commercial acres per 1000 persons in 2015; and, in MSA 6.2, there is projected to be 4.0 commercial acres per 1000 persons in 2015. Land Use Element Objective 8 and Land Use Element Policies 8A, 8F, 8G, 8H require Miami-Dade County to maintain an adequate supply of available land for each land development category in order to accommodate projected population growth (CDMP Page I-15-I-17). Clearly, if Miami-Dade County wishes to follow and promote these objectives and policies, the County would be well served by approving the Application; thus, providing, in a logical and well-planned manner, this sorely needed, additional commercial supply.

A review of Miami-Dade County's most recent data on vacant commercial land availability further confirms the need for the approval of this Application. Specifically, the total amount of vacant commercial land in MSA 6.2 in 2003 was 298 acres, of which, presumably, the Kendall Town Center project (located approximately a one-half mile east of the Property on Kendall Drive) accounts for approximately 158 acres. As has been well documented, the Kendall Town Center project has, since its original approval, become much less of a traditional, commercial center; instead, it had evolved into a regional, community serving complex - containing a regional hospital, a large movie theatre, an assisted living facility and a hotel. Thus, when this approximately 158 acres is removed from the equation in MSA 6.2, the situation goes from bad to worse: the already grossly

underserved MSA 6.2 actually has less than fifty percent (50%) of the available vacant commercial land the County data would otherwise indicate.

Similarly, of the 170 acres of vacant commercial land available (pursuant to the County's most recent data) in MSA 6.1, at least portions are actually unavailable. For example, in the October 2001 Cycle, an application to redesignate a 10-acre parcel located at the northeast corner SW 167th Avenue and SW 72nd Street from "Low-Density" to "Business and Office" was approved. However, that Property was subsequently zoned RU-3M, and is slated to be developed with townhomes. Therefore, not only is this commercial land not available; but, it is actually being replaced with more residential units which will only serve to exacerbate the already critical shortage of commercial acreage in MSA 6.1.

Further, it is worthy of note that this Application represents a request to expand the UDB to the north, as opposed to the west; and, if approved, would merely close an anomalous, "hole in the doughnut" between the UDB to the south and N. Kendall Drive to the north, in an area which has long been included within Miami-Dade County's Urban Expansion Area Boundary. As for the appropriateness of the timing of this request, a review of the development trends in the area confirms that now is the time. Immediately south of the Property is an approximately 160-acre parcel zoned "Traditional Neighborhood District" ("TND") and is scheduled to be developed in the near future. This property, previously referred to as the "Cropseyville" parcel, was added into the UDB during a CDMP amendment cycle many years ago. While this TND project will have some elements of commercial and workshop uses, the fact remains that it is primarily residential in character. As such, it will serve only to further the need for additional commercial and office uses such as that which will be provided by the approval of this Application.

Additionally, in terms of efficient land use and development, it is logical to approve this Application and expand this portion of the UDB as proposed herein in that it would "fill in the gap" between this TND project to the south and Kendall Drive to the north (i.e., including the property within the UDB would allow for certain roadway, water and sewer linkages necessary for the overall development of this area). Similarly, approving this Application would provide the type of activity node and transition areas adjacent to the major roadways and arterials, in furtherance of the generalized neighborhood development pattern encouraged by Miami-Dade County's Guidelines for Urban Form. (CDMP Page I-22).

For all the reasons discussed herein, the Applicant respectfully submits that the need for additional commercial and office land is clear and there is no better or more logical place to provide for this additional capacity than that proposed by this Property and Application.

5. ADDITIONAL MATERIALS SUBMITTED

1. Legal Descriptions and Surveys
2. Section Map
3. Aerial Photograph

The Applicant reserves the right to supplement the Application with additional documentation within the time permitted by the Code of Miami-Dade County.

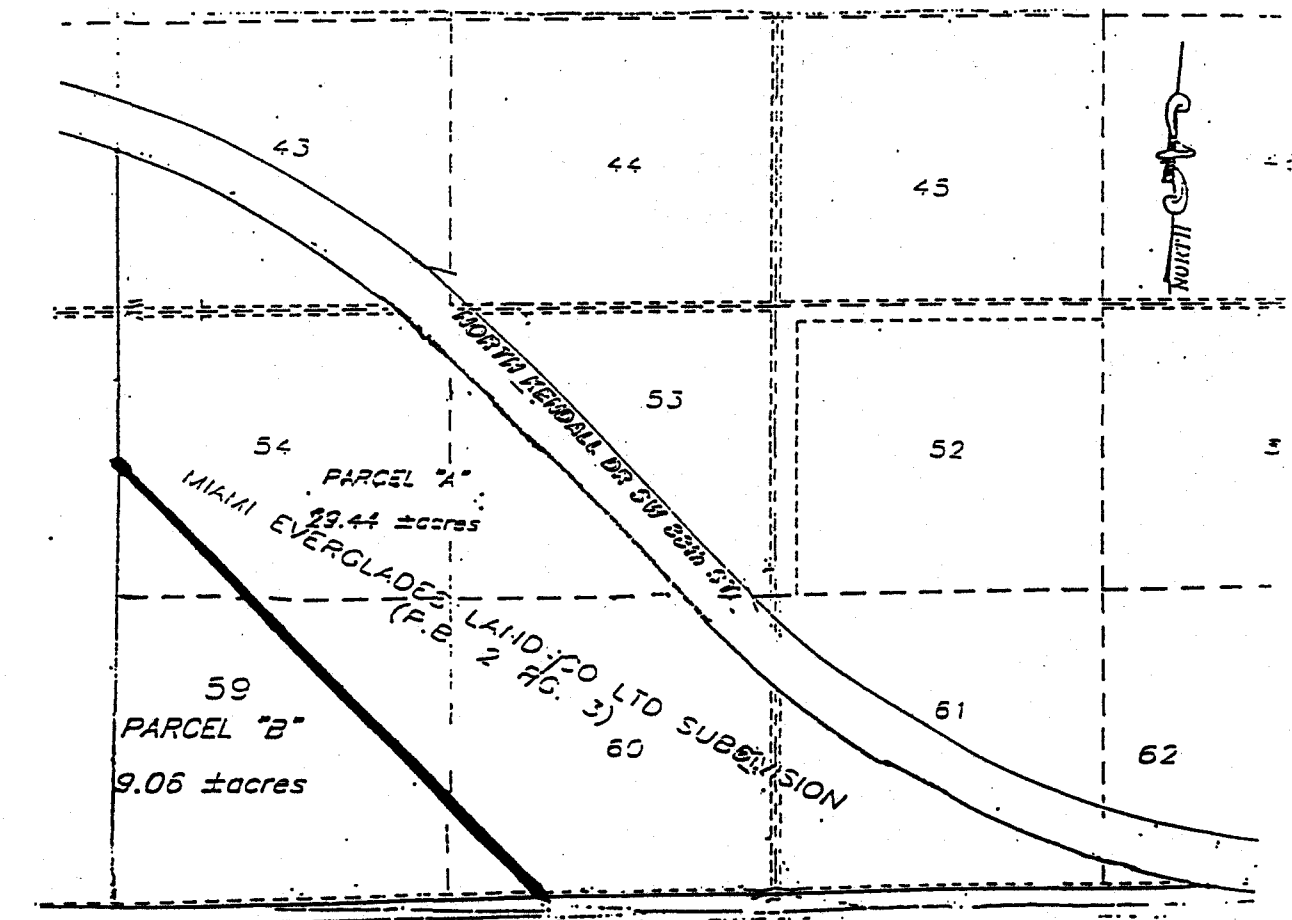
LOCATION MAP FOR APPLICATION

APPLICANT

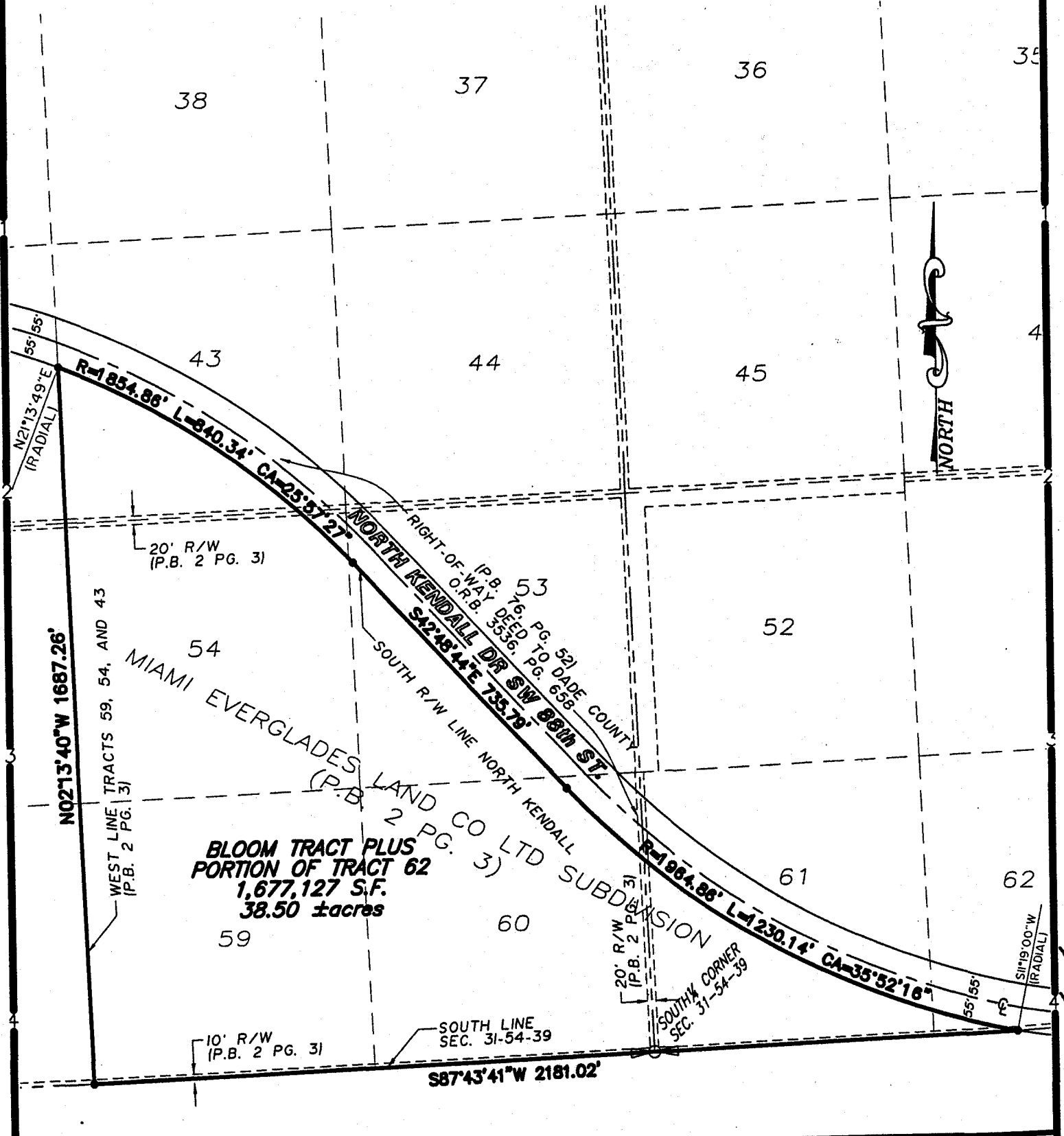
David Brown, Steven Brown & Victor Brown
5901 SW 74 Street, Suite 205
Miami, Florida 33143

APPLICANT REPRESENTATIVE


Chad Williard, Esq.
CARLOS WILLIARD & FLANAGAN, P.A.
999 Ponce de Leon Boulevard, Suite 1000
Coral Gables, Florida 33134
(305) 444-1500



LEGAL AND SKETCH



PROJ. NO: 2005 22	DATE: 04-21-2005	DRAWN: AJ	CHECKED: AS	SCALE: NTS
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LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.
329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

OVERALL TRACT
SHEET 2 OF 2 SHEETS

LEGAL AND SKETCH

SURVEYOR'S NOTES:

1. Bearings are based on an assumed meridian on the South line of Section 31-54-39 (S87°43'41"W), Miami-Dade County, Florida.
2. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
3. This sketch does not represent a land survey

LEGEND:

CL Centerline
P.B. Plat Book
PG. Page
R Radius
CA Central Angle of Curve
L Length
SF Square Feet
SEC. Section
O.R.B. Official Record Book

LEGAL DESCRIPTION: (FROM COMMITMENT NO. CF-1527299)

All that part of Tracts 53, 60, 61 and 62 lying South and West of North Kendall Drive right-of-way in Section 31, Township 54 South, Range 39 East, according to the plat thereof of "MIAMI EVERGLADES LAND COMPANY SUBDIVISION", recorded in Plat Book 2, at Page 3, of the Public Records of Miami-Dade County, Florida.

2 Tract 59 of Section 31, Township 54 South, Range 39 East, "MIAMI EVERGLADES LAND COMPANY SUBDIVISION", according to the plat thereof, recorded in Plat Book 2, Page 3, of the Public Records of Miami-Dade County, Florida.

All of Tract 43 lying South of North Kendall Drive, and all of Tract 54, less right-of-way for North Kendall Drive, in Section 31, Township 54 South, Range 39 East, according to the plat thereof of "MIAMI EVERGLADES LAND COMPANY SUBDIVISION", recorded in Plat Book 2, Page 3 of the Public Records of Miami-Dade County, Florida. Containing 1,677,127 square feet or 38.50 acres, more or less. And the street dedications shown on the above described property.

3 SURVEYOR'S NOTE: Kendall Drive is recorded in O.R.B. 3536, Page 658 of the Public Records of Miami-Dade County, Florida.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY: that the LEGAL AND SKETCH of the property described hereon was made under my supervision and that the LEGAL AND SKETCH meets the Minimum Technical Standards set forth by the Florida Board of Professional Land Surveyors and Mappers in Chapter 61G17-6. Florida Administrative Code pursuant to Section 472.027, Florida Statutes. And, that the sketch hereon is true and correct to the best of my knowledge and belief. Subject to notes and notations shown hereon. This sketch does not represent a land survey.
Ludovici and Orange Consulting Engineers Inc. L.B. #1012

By: 

Arturo A. Sosa
Surveyor and Mapper 2629
State of Florida

PROJ. NO: 2005 22

DATE: 04-21-2005

DRAWN: AJ

CHECKED: AS

SCALE: AS NOTED



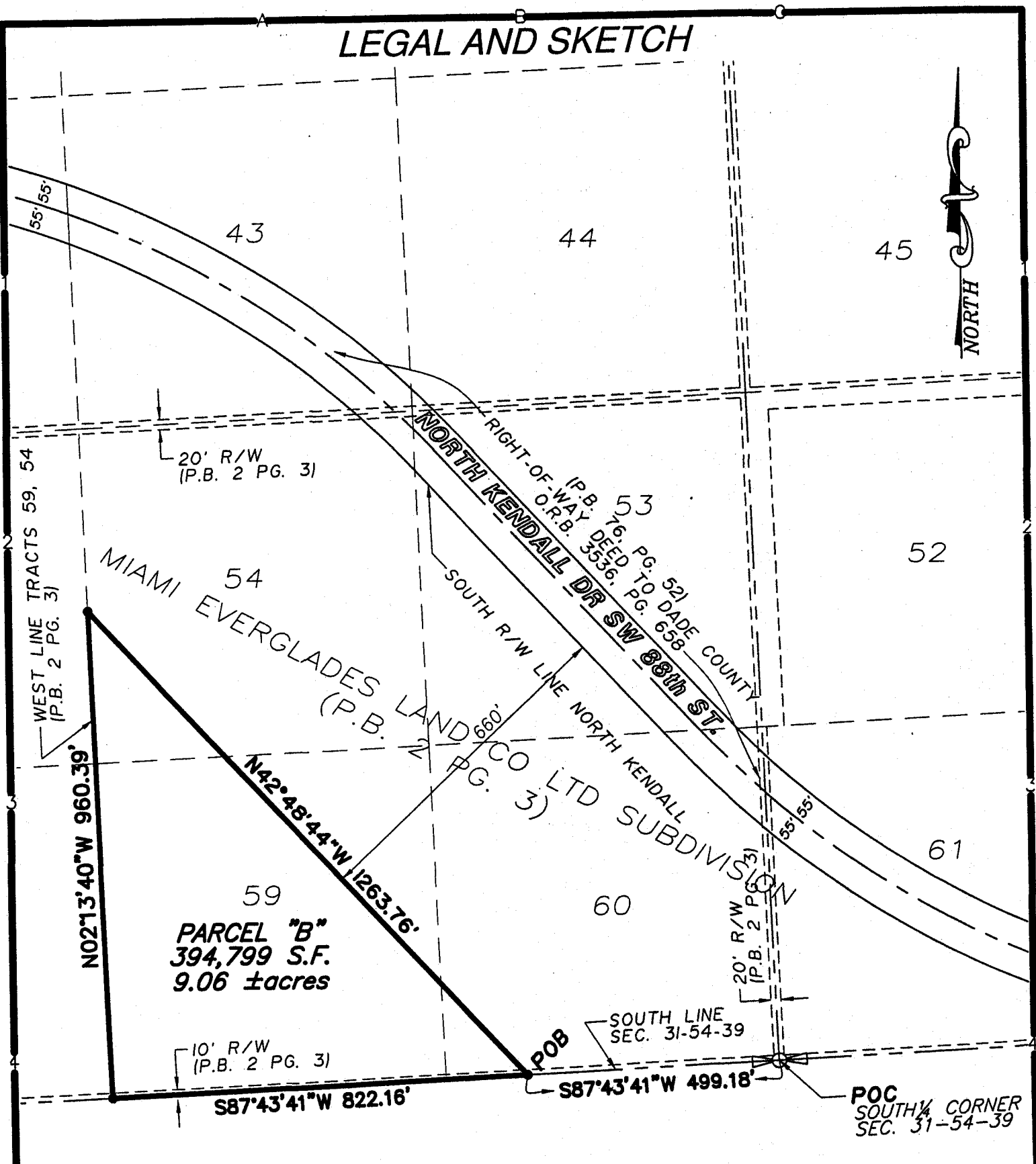
LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

**OVERALL
TRACT**

SHEET 1 OF 2 SHEETS

LEGAL AND SKETCH



PROJ. NO: 2005 22

DATE: 04-21-2005

DRAWN: AJ

CHECKED: AS

SCALE: NTS



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

**PARCEL
"B"**

SHEET 2 OF 2 SHEETS

LEGAL AND SKETCH

SURVEYOR'S NOTES:

1. Bearings are based on an assumed meridian on the South line of Section 31-54-39 (S87°43'41"W), Miami-Dade County, Florida.
2. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
3. This sketch does not represent a land survey

LEGEND:

©	Centerline	O.R.B.	Official Record Book
P.B.	Plat Book	POC	Point of Commencement
PG.	Page	POB	Point of Beginning
SF	Square Feet		
SEC.	Section		

LEGAL DESCRIPTION:

A portion of Tracts 54, 59, and 60, lying in Section 31, Township 54 South, Range 39 East, according to the plat thereof of "MIAMI EVERGLADES LAND COMPANY SUBDIVISION", recorded in Plat Book 2, at Page 3, of the Public Records of Miami-Dade County, Florida. Being more particularly described as follows:

COMMENCE at the South $\frac{1}{4}$ corner of said Section 31-54-39; thence S87°43'41"W as a basis of bearing along the South line of said Section 31-54-39 for a distance of 499.18 feet to the POINT OF BEGINNING of the following described parcel of land; thence continue S87°43'41"W along the South line of said Section 31-54-39 for a distance of 822.16 feet; thence N02°13'40"W along the West line of said Tracts 59, and 54 for a distance of 960.39 feet; thence S42°48'44"E for a distance of 1,263.76 feet to the POINT OF BEGINNING. Containing 394,799 square feet or 9.06 acres, more or less. And the street dedications shown on the above described property.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY: that the LEGAL AND SKETCH of the property described hereon was made under my supervision and that the LEGAL AND SKETCH meets the Minimum Technical Standards set forth by the Florida Board of Professional Land Surveyors and Mappers in Chapter 61G17-6. Florida Administrative Code pursuant to Section 472.027, Florida Statutes. And, that the sketch hereon is true and correct to the best of my knowledge and belief. Subject to notes and notations shown hereon. This sketch does not represent a land survey. Ludovici and Orange Consulting Engineers Inc. L.B. #1012

By: _____

Arturo A. Sosa
Surveyor and Mapper 2629
State of Florida

PROJ. NO: 2005 22

DATE: 04-21-2005

DRAWN: AJ

CHECKED: AS

SCALE: AS NOTED



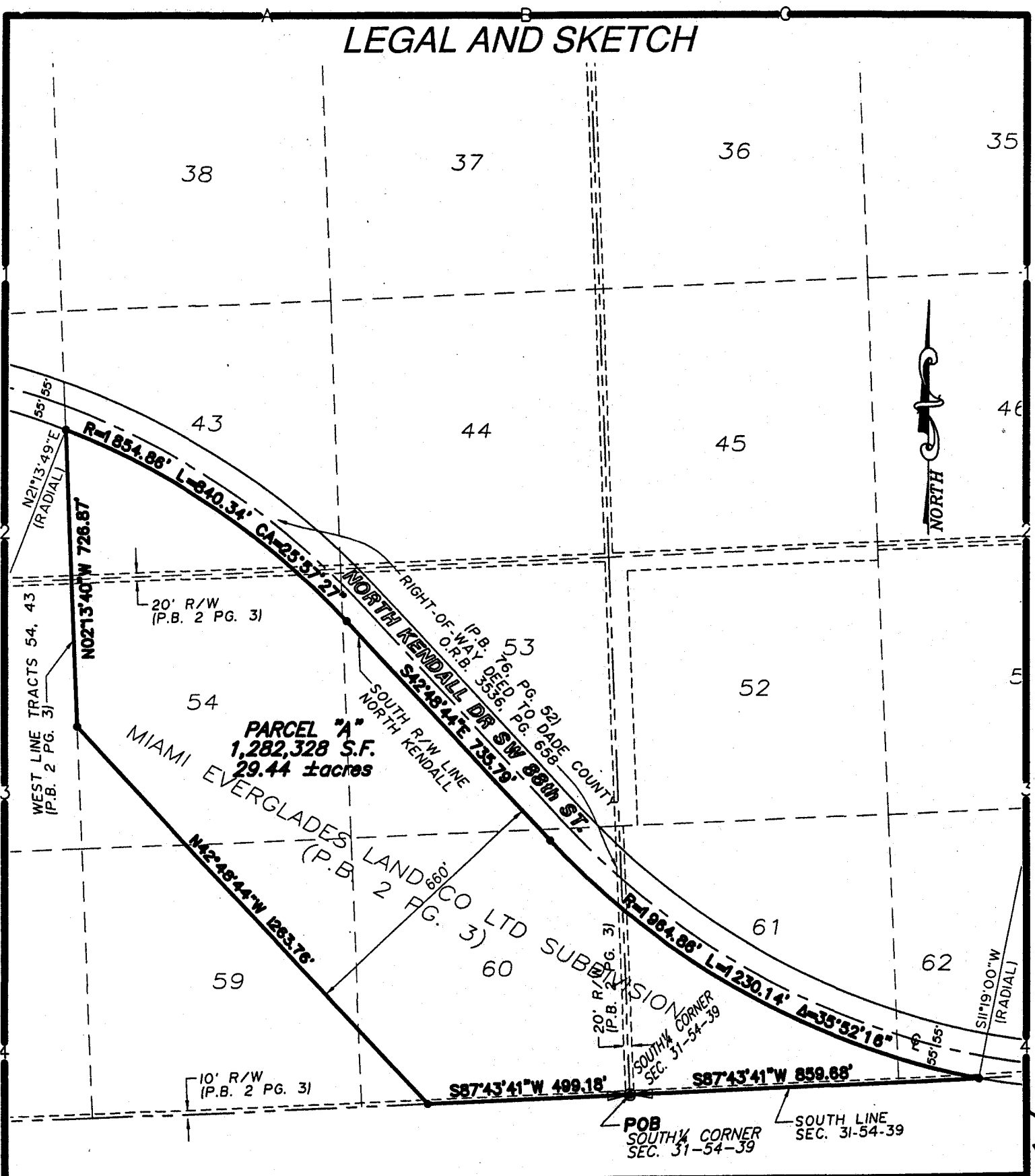
LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

PARCEL
"B"

SHEET 1 OF 2 SHEETS

LEGAL AND SKETCH



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

PARCEL
"A"

SHEET 2 OF 2 SHEETS

LEGAL AND SKETCH

SURVEYOR'S NOTES:

1. Bearings are based on an assumed meridian on the South line of Section 31-54-39 (S87°43'41"W), Miami-Dade County, Florida.
2. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
3. This sketch does not represent a land survey

LEGEND:

C	Centerline	L	Length
P.B.	Plat Book	SF	Square Feet
PG.	Page	SEC.	Section
R	Radius	O.R.B.	Official Record Book
CA	Central Angle of Curve	POB	Point of Beginning

LEGAL DESCRIPTION:

A portion of Tracts 43, 53, 54, 59, 60, 61, and 62 lying South of North Kendall Drive right-of-way in Section 31, Township 54 South, Range 39 East, according to the plat thereof of "MIAMI EVERGLADES LAND COMPANY SUBDIVISION", recorded in Plat Book 2, at Page 3, of the Public Records of Miami-Dade County, Florida. Being more particularly described as follows:

BEGIN at the South $\frac{1}{4}$ corner of said Section 31-54-39; thence S87°43'41"W as a basis of bearing along the South line of said Section 31-54-39 for a distance of 499.18 feet; thence N42°48'44"W for a distance of 1,263.76 feet to a point of intersection with the West line of said Tract 54; thence N02°13'40"W along the West line of said Tracts 54, and 43 for a distance of 726.87 feet to a point of intersection with a non-tangent curve to the right a radial line to that point bears N21°13'49"E, said curve also being the South right-of-way of North Kendall Drive (SW 88th ST.) as described in Official Record Book 3536, Page 658 of the Public Records of Miami-Dade County, Florida, thence the following three (3) courses along said right-of-way 840.33 feet along the arc of said curve, said curve having a radius of 1,854.86 feet, and a central angle of 25°57'27" to a point of intersection with a tangent line; thence S42°48'44"E along said line for a distance of 735.79 feet to a point of intersection with a tangent curve to the left; thence 1,230.14 feet along the arc of said curve, said curve having a radius of 1,964.86 feet, and a central angle of 35°52'16" to a point of intersection with a non-tangent line, a radial line to that point bears S11°19'00"W; thence S87°43'41"W along the South line of said Section 31-54-39 for a distance of 859.68 feet to the POINT OF BEGINNING. Containing 1,282,328 square feet or 29.44 acres, more or less. And the street dedications shown on the above described property.

SURVEYOR'S NOTE: Kendall Drive is recorded in O.R.B. 3536, Page 658 of the Public Records of Miami-Dade County, Florida.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY: that the LEGAL AND SKETCH of the property described hereon was made under my supervision and that the LEGAL AND SKETCH meets the Minimum Technical Standards set forth by the Florida Board of Professional Land Surveyors and Mappers in Chapter 61G17-6. Florida Administrative Code pursuant to Section 472.027, Florida Statutes. And, that the sketch hereon is true and correct to the best of my knowledge and belief. Subject to notes and notations shown hereon. This sketch does not represent a land survey. Ludovici and Orange Consulting Engineers Inc. L.B. #1012

By: _____

Arturo A. Sosa
Surveyor and Mapper 2629
State of Florida

PROJ. NO: 2005 22

DATE: 04-21-2005

DRAWN: AJ

CHECKED: AS

SCALE: AS NOTED



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

PARCEL
"A"

SHEET 1 OF 2 SHEETS

Pages Of Disclosure Form Not Applicable To This Application Are
Intentionally Omitted From This Printing.

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: David Brown, Victor Brown & Steven Brown

APPLICANT B: 5901 SW 74 Street, Suite 205

APPLICANT C: Miami, FL 33143

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

APPLICANT G: _____

APPLICANT H: _____

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.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
A David Brown	see attached exhibit		(+/-) 38.5
Victor Brown			
Steven Brown			

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 David, Victor & Steven Brown			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>
David Brown	33 1/3
Victor Brown	33 1/3
Steven Brown	33 1/3

- 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: N/A

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>

- e. If the applicant is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, 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].

<u>NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
David Brown 5901 SW 74 Street, Suite 205	33 1/3%
Victor Brown 5901 SW 74 Street, Suite 205	33 1/3%
Steven Brown 5901 SW 74 Street, Suite 205	33 1/3%
Date of Contract:	3/1/05

If any contingency clause or contract terms involve additional parties, list all individuals or officers if a corporation, partnership, or trust.

5. **DISCLOSURE OF OWNER'S INTEREST:** Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

- a. If the owner 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>
Sam and Roberta Bloom	100%
11000 SW 75 Court	
Miami, FL 33156	

- b. If the owner 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: Newest Kendall, LLC

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF STOCK

Newest Kendall, LLC

see attached

c/o Maria Hamilton

1570 Madruga Ave., Suite 214

Coral Gables, FL 33145

- c. If the owner is a TRUSTEE, and 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), another trust(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].

TRUSTEE'S NAME: N/A

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

- d. If the owner is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(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].

PARTNERSHIP NAME: N/A

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF OWNERSHIP

- e. If the owner is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, 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].

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF
INTEREST

Sam & Roberta Bloom

100%

11000 SW 75 Court

Miami, FL 33156

Date of Contract:

3/1/05

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

David Brown
David Brown

Sworn to and subscribed before me

this 22 day of April, 2005

Jessica Espinosa
Notary Public, State of Florida at Large (SEAL)



Jessica Espinosa
Commission # DD273053
Expires: Dec. 7, 2007
Aaron Notary
1-800-350-5161

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 FMGM 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"
DISCLOSURE OF INTEREST

A. Contract Purchaser

David Brown	33.33%
Victor Brown	33.33%
Steven Brown	33.33%

B. Property Owners

Sam Bloom	30-4931-001-0521	100%
	30-4931-001-0590	100%
	30-4931-001-0601	100%

Sam & Roberta Bloom	30-4931-001-0421	100%
	30-4931-001-0530	100%
	30-4931-001-0580	100%

Newest Kendall, LLC, 100% owned by Lufer Investments, Inc., a British Virgin Islands corporation. Officers/Shareholders: Luis Fernandez & Esther de Fernandez 100% (joint tenant w/right of survivorship)	30-4931-001-0611	100%
--	------------------	------

APPLICATION NO. 12
SMALL-SCALE AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
Vanguardian Village, LLP 701 Brickell Avenue, Suite 3000 Miami, Florida 33131 Attn: Felix M. Lasarte, Esq.	Felix M. Lasarte, Esq. Holland and Knight, LLP 701 Brickell Avenue, Suite 3000 Miami, Florida 33131 (305) 374-8500 (305) 679-6305 (fax)

Requested Amendment to the Land Use Plan Map

From: ESTATE DENSITY RESIDENTIAL (1 to 2.5 DU/AC.)

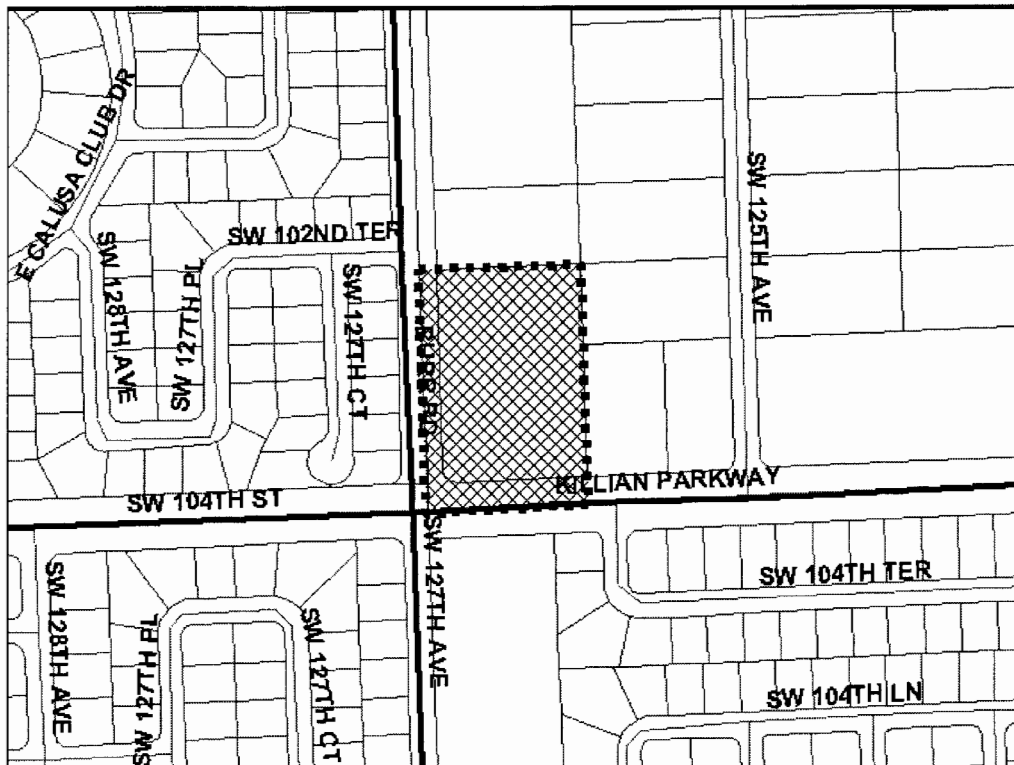
To: OFFICE/ RESIDENTIAL

Location: Northeast corner of SW 127 Avenue and SW 104 Street

Acreage: Application area: 4.0 Gross Acres

Application area: 4.0 Net Acres

Acreage Owned by Applicant: 4.0 acres.



Note: This summary page is not part of the actual application that follows.

(12)
N

**APPLICATION FOR AN AMENDMENT TO THE
LAND USE PLAN MAP
OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANTS

Vanguardian Village LLP
701 Brickell Avenue, Suite 3000
Miami, Florida 33131
Attn: Felix M. Lasarte, Esq.

2. APPLICANT'S REPRESENTATIVE

Felix M. Lasarte, Esq.
Holland & Knight LLP
701 Brickell Avenue, Suite 3000
Miami, FL 33131
(305) 374-8500
(305) 679-6305 (fax)

By: _____

Felix M. Lasarte, Esq.

Date

4/29/05

3. DESCRIPTION OF REQUESTED CHANGE

A. Change the Land Use Plan Map.

A change to the Land Use Element, Land Use Plan map (Item A.1(d) in the fee schedule) is requested. The Applicant is requesting the small scale re-designation of the property from "Estate Density Residential" to "Office/Residential."

B. Description of Subject Area.

Subject property consists of approximately 4 gross acres of land located in Section 1, Township 55, Range 39, in unincorporated Miami-Dade County. This subject area is located north of S.W. 104th Street, east of S.W. 127th Avenue, bordered by 1 acre estate residential to the East and an FPL high tension wire easement on the Western portion of the property.

C. Acreage.

Subject application area: 4 gross acres

Acreage owned by applicant: 4 gross acres

D. Requested Changes.

It is requested that the subject area be re-designated on the Land Use Plan map from "Estate Density Residential" to "Office/Residential."

It is requested that this application be processed as a small scale amendment under the expedited procedure.

4. REASONS FOR AMENDMENT

The Applicant requests the small scale re-designation from "Estate Density Residential" to "Office/Residential" of the subject property. Applicant meets the criteria set forth in Florida Statute §163.3187(1)(c) and respectfully requests that it be treated as a small scale amendment. The subject property is currently used as a retail garden nursery and the Applicant would like to develop it into a two story professional office condominium. The subject property consists of 4 acres, however approximately 2 to 2-1/2 acres are buildable because of an FPL high tension easement running along the western portion of the property. The eastern portion of the property abuts large 1 acre estate homes. To the south of the property there is a single family residential neighborhood.

The proposed Amendment is consistent with the CDMP's Guidelines for Urban Form which recognize that section line roads are activity nodes where active community serving uses are appropriately located. The subject property is at the intersection of two section line roads and although the CDMP's Guideline for Urban Form would allow retail activity, we feel that a retail facility is out of character with the area. In fact, the Office/Residential designation is more in keeping with the area and will serve as a good transitional use between the estate homes and FPL high tension wires. The Applicant will covenant and proffer a Bubble Plan, if requested by staff, showing a professional office use with any parking underneath the high tension wires and away from the estate homes to the East.

Based on the foregoing, the Applicant believes that the approval of this application would be prudent community planning at the appropriate time. Accordingly, approval of the requested amendment would further the implementation of the following CDMP goals objectives and policies.

LAND USE GOAL: Provide the best possible distribution of land use and services to meet the physical, social, cultural and economic needs of the present and future populations in a timely and efficient manner that will maintain or improve the quality of the natural or man-made environment and amenities, and preserve Miami-Dade County's unique agricultural lands.

LAND USE OBJECTIVE 1H: Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development....

LAND USE POLICY 4A: When evaluating compatibility among proximate land uses, the county shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking height, bulk, scale of architectural elements, landscaping, hours of operation, buffering to safety, as applicable.

LAND USE POLICY 4C: Residential neighborhoods shall be protected from intrusion by users that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic.

LAND USE POLICY 8B: Distribution of neighborhood or community-serving retail sales uses and personal and professional offices throughout the urban area shall reflect the spatial distribution of the residential population, among other salient good, economic physical considerations.

LAND USE POLICY 9D: Miami-Dade County shall continue to investigate, maintain and enhance methods, standards and regulatory approaches which facilitate sound, compatible mixing of uses in projects and communities.

5. ADDITIONAL MATERIAL SUBMITTED

Additional information will be supplied at a later date under separate cover.

6. COMPLETED DISCLOSURE FORMS

Attached as Exhibit "B"

Attachments: Legal Description - Exhibit "A"
Disclosure of Interest Form - Exhibit "B"
Location Map for Application - Exhibit "C"
Aerial Photograph – Exhibit "D"

2807886_v1

EXHIBIT "A"

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.

2805908_v1

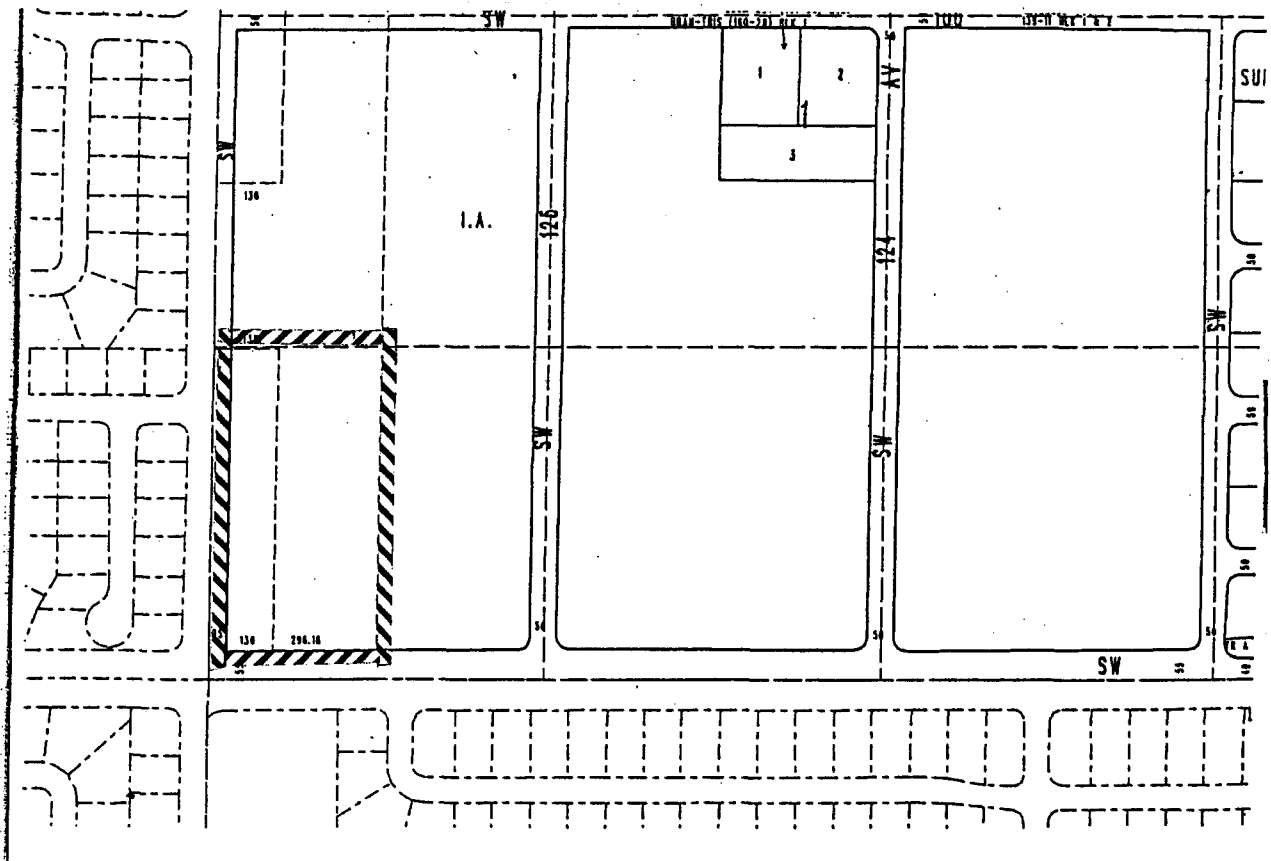
**LOCATION MAP FOR APPLICATION
TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**

APPLICANT / REPRESENTATIVE:

Vanguardian Village LLP / Felix M. Lasarte, Esq.

DESCRIPTION OF SUBJECT AREA:

Subject Property consists of approximately 4 gross acres of land located in Section I, Township 55, Range 39, in unincorporated Miami-Dade County. This subject area is located north of SW 104th Street, east of SW 127th Avenue, bordered by 1 acre estate residential to the east and an FPL high tension wire easement on the western portion of the property.



**Pages Of Disclosure Form Not Applicable To This Application Are
Intentionally Omitted From This Printing.**

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: Vanguardian Village LLP

c/o Felix M. Lasarte, Esquire

Holland & Knight LLP

701 Brickell Avenue, Suite 3000

Miami, FL 33131

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.

APPLICANT FT.	SIZE IN OWNER OF RECORD	FOLIO NUMBER	SQ.
A	Fermin & Marisela Amaro	30-5901-000-0070	130,680
sq. ft.			
B	Fermin & Marisela Amaro	30-5901-000-0120	43,560
sq. ft.			

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

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

aforementioned entity].

TRUSTEES

NAME: N/A

PERCENTAGE OF
BENEFICIARY'S NAME AND ADDRESS
INTEREST

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(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].

PARTNERSHIP NAME: Vanguardian Village LLP

PERCENTAGE OF
NAME AND ADDRESS OF PARTNERS
INTEREST

Luis Machado 45%

Sergio Delgado 45%

Felix M. Lasarte 10%

c/o Felix M. Lasarte, Esq., Holland & Knight LLP, 701 Brickell Ave., Ste. 3000,

Miami, FL 33131

- e. If the applicant is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, 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].

<u>NAME AND ADDRESS</u> <u>INTEREST</u>	<u>PERCENTAGE OF</u>
<u>Vanguardian Village LLP</u>	
<u>Luis Machado</u>	<u>45%</u>
<u>Sergio Delgado</u>	<u>45%</u>
<u>Felix M. Lasarte</u>	<u>10%</u>
<u>c/o Felix M. Lasarte, Esq.</u>	
<u>Holland & Knight LLP</u>	
<u>701 Brickell Ave., Ste. 3000</u>	
<u>Miami, FL 33131</u>	

Date of Contract March, 2005

If any contingency clause or contract terms involve additional parties, list all individuals or officers if a corporation, partnership, or trust.

N/A

5. **DISCLOSURE OF OWNER'S INTEREST:** Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

- a. If the owner 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</u>	<u>INTEREST</u>
<u>Fermin & Marisela Amaro</u>	<u>100%</u>

12691 S.W. 104 Street, Miami, FL 33186-3605

- b. If the owner 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: N/A

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
---	----------------------------

- c. If the owner is a TRUSTEE, and 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), another trust(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].

TRUSTEE'S

NAME: N/A

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

- d. If the owner is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note:

where the partner(s) consist of another partnership(s), corporation(s) trust(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].

PARTNERSHIP: N/A

PERCENTAGE OF
NAME AND ADDRESS OF PARTNERS
OWNERSHIP

If the owner is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, e. If e. If the stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, 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].

PERCENTAGE OF
NAME, ADDRESS AND OFFICE (if applicable)
INTEREST

<u>Vanguardian Village LLP</u>	
<u>Luis Machado</u>	<u>45%</u>
<u>Sergio Delgado</u>	<u>45%</u>
<u>Felix M. Lasarte</u>	<u>10%</u>
<u>c/o Felix M. Lasarte, Esq.</u>	
<u>Holland & Knight LLP</u>	
<u>701 Brickell Avenue, Suite 3000</u>	
<u>Miami, FL 33131</u>	

Date of Contract March 2005

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust

N/A

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

VANGUARDIAN VILLAGE LLP

LUIS MACHADO

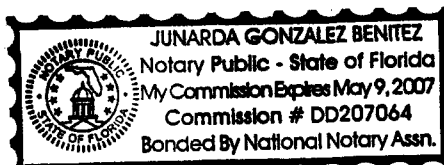
Partner

Sworn to and subscribed before me

this 29 day of April, 2005.

[Signature]
Notary Public, State of Florida at Large (SEAL)

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 FMGM 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

APPLICATION NO. 13 **STANDARD AMENDMENT APPLICATION**

<u>Applicant</u>	<u>Applicant's Representative</u>
Shoma IX, Inc., a Florida corporation c/o Masoud Shojaee 5835 Blue Lagoon Drive, 4 th Floor Miami, Florida 33126	Stanley B. Price, Esq. Brian S. Adler, Esq. Bilzin Sumberg Baena Price & Axelrod, LLP 200 South Biscayne Boulevard, Suite 2500 Miami, Florida 33131 (305) 350-2374 (305) 350-2351

Requested Amendment to the Land Use Plan Map

From: AGRICULTURE

To: LOW DENSITY RESIDENTIAL (2.5 to 6.0 DU/AC.) and
INCLUDE WITHIN THE URBAN DEVELOPMENT BOUNDARY

Location: **Southeast corner of SW 104 Street and SW 167 Avenue.**

Acreage: Application area: 81.61 Gross Acres

Application area: 81.61 Net Acres

Acreage Owned by Applicant: 0 acres.



Note: Application boundary and area as delineated in Application's Location map. There is a discrepancy between the legal survey and the Miami-Dade County Property Appraiser's Office description of Folio Nos. 30-5907-000-0012 and 30-5908-000-0030 and 0031 as to the size of the parcel. The actual acreage may be adjusted when the ownership issue is resolved at the time of platting, if the application is approved.

Note: This summary page is not part of the actual application that follows.

**APPLICATION FOR AN AMENDMENT TO THE
LAND USE PLAN MAP
OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

I. **APPLICANT**

Shoma IX, Inc., a Florida corporation
C/O Masoud Shojaei
5835 Blue Lagoon Drive, 4th Floor
Miami, FL 33126

II. **APPLICANT'S REPRESENTATIVE**

Stanley B. Price, Esquire
Bilzin Sumberg Baena Price & Axelrod LLP
200 South Biscayne Boulevard, Suite 2500
Miami, Florida 33131
(305) 350-2374

Brian S. Adler, Esquire
Bilzin Sumberg Baena Price & Axelrod LLP
200 South Biscayne Boulevard
Suite 2500
Miami, Florida 33131
(305) 350-2351

By:  _____

Date: 4/24/05

III. **DESCRIPTION OF REQUESTED CHANGE**

A. **Change to the Land Use Plan Map**

A change to the Adopted 2005 and 2015 Land Use Plan Map (the "Map") (item II.A.1.D in the fee schedule) is requested.

B. Description of Subject Area

The west half of Section 8, Township 55 South, Range 39 East less the South 70 feet for the right-of-way of Canal C-1W and a portion of the north half of Section 7, Township 55 South, Range 39 East, being more particularly described as follows (the "Property"):

SEE EXHIBIT "A" ATTACHED TO AND MADE A PART HEREOF.

Containing approximately 81.61 acres more or less.

C. Gross Acreage

Gross Acreage: 81.61±

Net Acreage: 81.61±

Acreage owned by Applicant: 0 Acres

D. Requested Change

1. It is requested that the Urban Development Boundary be extended to include Applicant's property.
2. It is requested that the Property's designation on the Map be changed from Agriculture to a designation of Low Density Residential.

IV. REASON FOR AMENDMENT

The basis for this application is to provide both the County and the local area where the Property is located with an increase in the single-family housing supply where the supply is nearing absorption. This request is consistent with the Comprehensive Development Master Plan ("CDMP") of Metropolitan Dade County, Florida, specifically Objective 8 and its policies of the Plan. Objective 8 requires the County to maintain a process for periodic amendments to the Land Use Map to accommodate projected Countywide growth. First, the Property is an ideal location to increase the housing supply because it is located inside the 2025 Urban Expansion Area ("UEA"). The CDMP designates the Urban Expansion Area as an area where current projections indicate that further urban development is likely to be warranted in the future. Urban infrastructure and services should be planned for the eventual extension into the UEA. Thus, the Property is well situated to accommodate the County's growth and increase the land available for housing.

In addition, the Property is located within the western portion of the South Central Tier, Census Minor Statistical Area ("MSA") 6.2. In the area west of the Homestead Extension to Florida's Turnpike, the absorption of available single-family land will occur by the year 2008. This depletion date falls well before the 15-year residential inventory goal in Policy 8G of the CDMP Land Use Element. Policy 8G calls for the County to

provide residential land within in the UDB to satisfy "Countywide residential demand for a period of 10 years after the adoption of the most recent Evaluation and Appraisal Report plus a 5-year surplus." If absorption is to occur in 2008, Policy 8G cannot be met by the County and the UDB should be expanded to supply the demand for single-family housing to adhere to the CDMP policy. Furthermore, the Countywide supply of residential units, after accounting for absorption rates that have occurred since the 2000 Census, will also be depleted within the 15-year period delineated in Policy 8G of the Land Use Element. Therefore expansion of the UDB provides both the County and the area where the Property is located with the means to increase the single-family housing capacity of the County to fulfill Policy 8G.

Due to the above capacity facts, this application to extend the UDB complies with Objective 8 and Policies 8A, 8F, 8G, and 8H of the CDMP Land Use Element to amend the Land Use Plan Map to accommodate projected Countywide growth. Policy 8A requires the County to strive to accommodate residential development in suitable locations and densities. A variety of factors should be used to evaluate what is a suitable location and density. The Policy provides the following to be examined: recent trends in location and design of units, projected availability of service and infrastructure, proximity and accessibility to employment, commercial and cultural centers, character of existing nearby neighborhoods, avoidance of natural resource degradation, maintenance of quality of life and creation of amenities. This application adheres to the current trend of providing low density residential housing on the edges of the County and fits into the surrounding character of the area. The surrounding area is a mix of low and low-medium densities. The Property is also in an ideal location inside the UEA to meet service and infrastructure needs because the CDMP requires urban infrastructure and services to be planned for the eventual extension of the UDB into the UEA. The Property is situated near in close proximity to major transportation corridors, such as the Turnpike, allowing easy access to employment and cultural and commercial centers. The Property avoids any degradation because the existence of agriculture to the south and west provide a sufficient buffer to any environmentally sensitive areas. The property will contribute to the quality of life and amenities in the area and County by providing new housing opportunities for the community. Thus, this application complies with Policy 8A of the Plan.

In addition, Policy 8F requires the County to evaluate applications to amend the CDMP by examining some of the following considerations whether the application would: satisfy a deficiency in the CDMP Land Use Plan Map to accommodate projected population or economic growth, enhance or impede provision of services at or above LOS standards, be compatible with land uses and character of the surrounding area, and enhance or degrade environmental or historical resources. The Property satisfies Policy 8F(i) specifically by increasing the single-family housing supply in an area and County where single-family housing is rapidly nearing absorption. Furthermore, the application satisfies Policy 8F(ii) to enhance the County's provision of services because it is located inside the UEA. The County is currently considering expansion of the UDB into the UEA by planning infrastructure and services be extended to these areas. The application is also consistent with the surrounding neighborhood in that directly to the north and

farther east of the Property are low and low-medium densities residential neighborhoods. Thus, this application complies with Policy 8F of the Plan.

In further support of this application, Policy 8H provides which areas should be not be considered to expand the UDB, which areas should be avoided and which areas should be given priority to expand the UDB. The Property abuts the UDB to the North. Accordingly, this Application complies with Policy 8H (iii) (b) of the CDMP Land Use Element, which states that land contiguous to the UDB should be given priority for inclusion. In conclusion, the Applicant strongly believes that this application is totally consistent with the goals, objectives and policies of the Master Plan. The Property's location inside the UEA provides both the County and the area where the Property is located with an increase in the housing supply to accommodate Countywide growth where both the County and the MSA where the Property is located are rapidly nearing absorption.

V. **ADDITIONAL MATERIALS SUBMITTED**

Property survey prepared by Superior Consultants, Inc. dated September 28, 2004.

Supplemental information may be submitted later.

VI. **COMPLETED DISCLOSURE FORMS**

See Attached

Attachments:

One Aerial Photo
One Section Map
Survey of area

EXHIBIT 'A'

Parcel 1: The West $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 8, Township 55 South, Range 39 East less the South 70' thereof for the R-O-W of Canal C-1W (Black Creek Canal), Miami-Dade County, Florida. Tax Folio Numbers 30-5908-000-0030 and 0031.

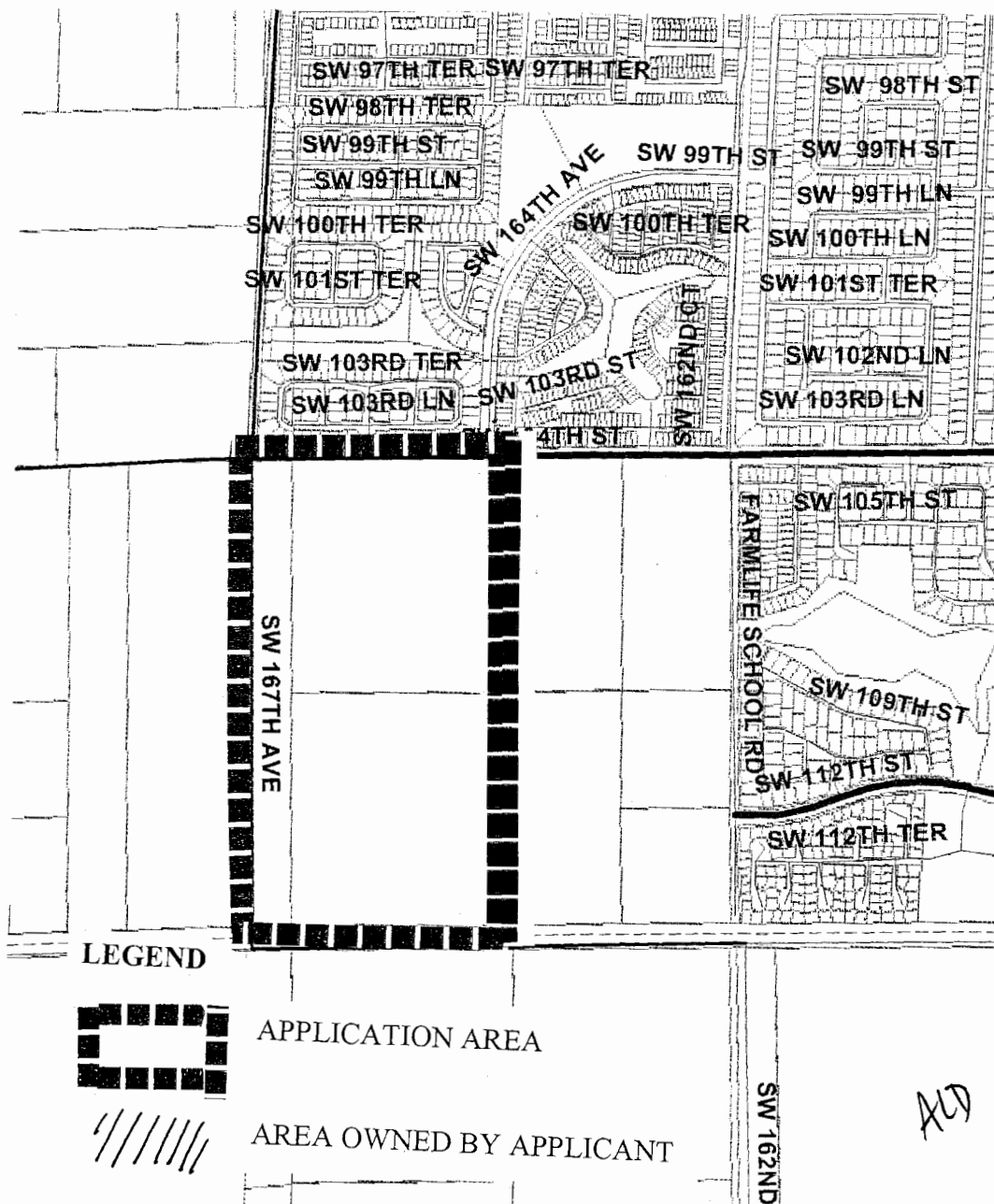
Parcel 2: A portion of the North $\frac{1}{4}$ of Section 7, Township 55 South, Range 39 East, of Miami-Dade County, Florida, U.S.A., being more particularly described as follows: Commence at the Northwest Corner of said Section 7, thence run North 86 degrees, 20 minutes, 39 seconds East, along the North Line of said Section 7, for 5,099.48 feet (deed 5,097.98 feet) to the Northeast corner of parcel of land described in Deed recorded in Official Record Book, 2737 at page 489 of the Public Records of Miami-Dade County, Florida, and being the point of beginning of hereinafter described parcel of land. From said point of beginning, thence continue North 86 degrees, 20 minutes, 39 seconds East, along the North Line of said Section 7, for 257.71 feet to the Northeast corner of said Section 7, thence run South 02 degrees, 09 minutes, 38 seconds East, along the East line of said Section 7, for 2,638.49 feet to the point of intersection with the North right-of-way line of Canal C-1W, thence run S86°25'20"W, along the North Right-of-Way line of Canal C-1W, also being a line 70.00 feet North of and parallel to the South line of the North half ($\frac{1}{2}$) of said Section 7, for 252.41 feet to the point of intersection with the East line of parcel of land described in Deed recorded in Official Record Book 2737 at page 489 of the Public Records of Miami-Dade County, Florida; thence run North 02 degrees, 16 minutes, 32 seconds West, along the East Line of last described parcel of land, for 2,603.02 feet to the point of beginning. Tax Folio Number 30-5907-000-0012.

LOCATION MAP FOR APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

APPLICANT / REPRESENTATIVE
Shoma IX, Inc. / Stanley Price, Esq.

DESCRIPTION OF SUBJECT AREA

The Property consists of 81.61 +/- acres located in the west half of Section 8, Township 55 South, Range 39 East less the South 70 feet for the right-of-way of Canal C-1W and a portion of the north half of Section 7, Township 55 South, Range 39 East.



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: Shoma IX, Inc.

APPLICANT B:

APPLICANT C:

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.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
Shoma IX, Inc.	Casaca, N.V.	30-5908-000-0030	41.28±
Shoma IX, Inc.	Casaca, N.V.	30-5908-000-0031	39.12±
Shoma IX, Inc.	Casaca, N.V.	30-5907-000-0012	15.444±

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	CONTRACT FOR PURCHASE	OTHER (Attach Explanation)
Shoma IX, Inc.			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 owner is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

INDIVIDUAL'S NAME AND ADDRESS	PERCENTAGE OF INTEREST
N/A	

- b. If the owner 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: Casaca, N.V.

NAME	ADDRESS AND OFFICE (if applicable)	PERCENTAGE OF INTEREST
Jorge Eduardo Sa Hasbun	Newton #27-101, Colonia Polanco 11560, Mexico, DF	25%
Emilio Jorge Sa Hasbun	Newton #27-101, Colonia Polanco 11560, Mexico, DF	25%
Jimmy Eduardo Cassis Zacarias	Newton #27-101, Colonia Polanco 11560, Mexico, DF	10%
Nelson Enrique Cassis Simon	Newton #27-101, Colonia Polanco 11560, Mexico, DF	3.4%
Rolando Martin Cassis Simon	Newton #27-101, Colonia Polanco 11560, Mexico, DF	3.3%
Mauricio Jose Cassis Simon	Newton #27-101, Colonia Polanco 11560, Mexico, DF	3.3%
July Cassis Karam	Newton #27-101, Colonia Polanco 11560, Mexico, DF	2.5%
Valery Cassis Karam	Newton #27-101, Colonia Polanco 11560, Mexico, DF	2.5%
Jorge Edgar Cassis Karam	Newton #27-101, Colonia Polanco 11560, Mexico, DF	2.5%
Nataly Cassis Karam	Newton #27-101, Colonia Polanco 11560, Mexico, DF	2.5%
Roberto Cassis Karam	Newton #27-101, Colonia Polanco 11560, Mexico, DF	3.4%

NAME	ADDRESS AND OFFICE (if applicable)	PERCENTAGE OF INTEREST
Pamela Cassis Karam	Newton #27-101, Colonia Polanco 11560, Mexico, DF	3.3%
Elizabeth Cassis Karam	Newton #27-101, Colonia Polanco 11560, Mexico, DF	3.3%
Jose Jorge Jove Cassis	Newton #27-101, Colonia Polanco 11560, Mexico, DF	5%
Daniela Jove Cassis	Newton #27-101, Colonia Polanco 11560, Mexico, DF	5%

- c. If the owner is a TRUSTEE, and 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), another trust(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].

TRUSTEE'S NAME: _____

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

N/A

- d. If the owner is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(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].

PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF INTEREST</u>
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N/A

- e. If the owner is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. (Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, 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: SHOMA IX, INC., a Florida corporation, is 100% owned by Shoma

Development Corp., a Florida corporation, whose ownership interest is reflected below

NAME	ADDRESS AND OFFICE (if applicable)	PERCENTAGE OF INTEREST
Masoud Shojaee, President	5835 Blue Lagoon Drive, 4 th Floor, Miami, Florida 33126	20% individually 40% jointly with Maria Lamas de Shojaee
Maria Lamas de Shojaee, Secretary	5835 Blue Lagoon Drive, 4 th Floor, Miami, Florida 33126	40% jointly with Masoud Shojaee
Tania Martin, Vice President	5835 Blue Lagoon Drive, 4 th Floor, Miami, Florida 33126	
Alejandra Lamas	5835 Blue Lagoon Drive, 4 th Floor, Miami, Florida 33126	20%
Jose Lamas	5835 Blue Lagoon Drive, 4 th Floor, Miami, Florida 33126	20%

Date of Contract: August 26, 2004

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

5. **DISCLOSURE OF OWNER'S INTEREST:** Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

- 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.

INDIVIDUAL'S NAME AND ADDRESS	PERCENTAGE OF INTEREST
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N/A

- 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: SHOMA IX, INC., a Florida corporation

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
	100%

- c. If the applicant is A TRUSTEE, list the trustees 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: _____

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

N/A

-
- d. If the applicant is a **PARTNERSHIP** or **LIMITED PARTNERSHIP**, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner(s) consist of another partnership(s), corporation (s) trust (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].

PARTNERSHIP NAME:_____

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF
INTEREST

N/A

- e. If the applicant is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. (Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, 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).

SHOMA IX, INC., a Florida corporation

NAME AND ADDRESS

PERCENTAGE
OF INTEREST

Date of Contract:_____

If any contingency clause or contract terms involve additional parties, list all individuals or officer if a corporation, partnership, or trust.

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

SHOMA IX, INC., Florida corporation

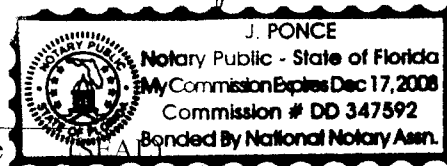
By:

Masoud Shojaei, President

Sworn to and subscribed before me
this 29th day of April, 2005

J. Ponce

Notary Public, State of Florida at Large
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.

APPLICATION NO. 14
SMALL-SCALE AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
London Square, LLC c/o Master Development, Inc. 900 North Federal Highway, Suite 208 Hallandale, Florida 33009	Jeffrey Bercow, Esq. Graham Penn, Esq. Bercow and Radell, P.A. 200 South Biscayne Boulevard, Suite 850 Miami, Florida 33131 (305) 374-5300

Requested Amendment to the Land Use Plan Map

From: INDUSTRIAL AND OFFICE

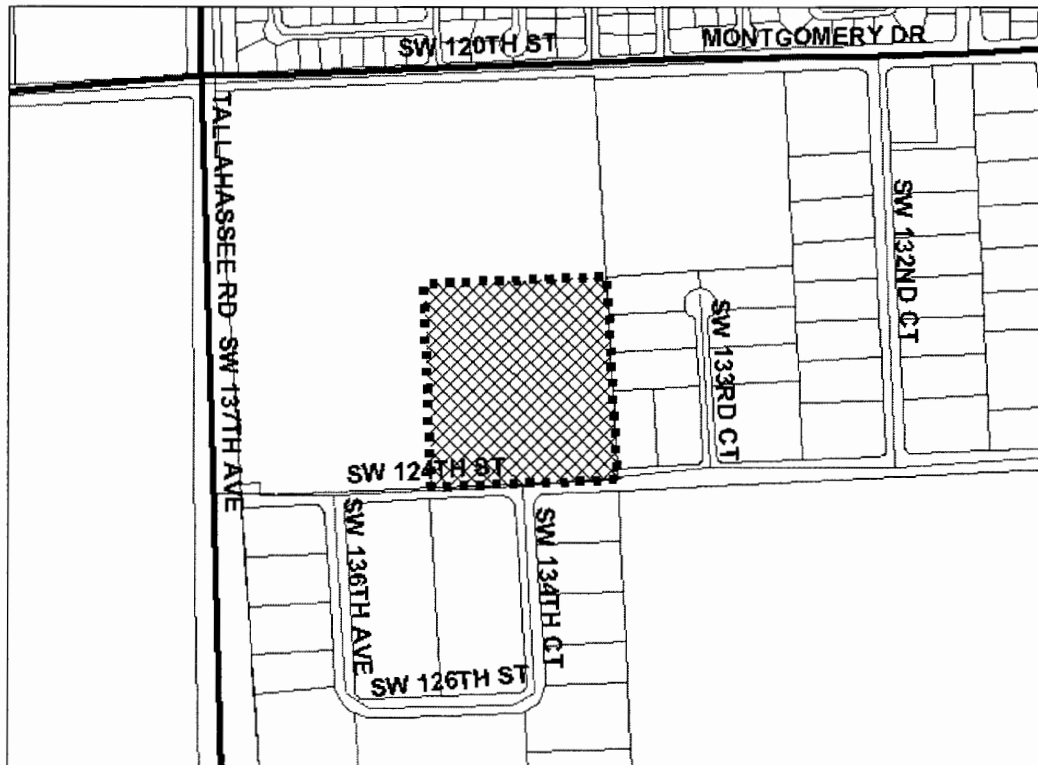
To: BUSINESS AND OFFICE

Location: Approximately 660 feet east of SW 137 Avenue and north of SW 124 Street.

Acreage: Application area: 9.93 Gross Acres

Application area: 9.93 Net Acres

Acreage Owned by Applicant: 0 acres.



Note: This summary page is not part of the actual application that follows.

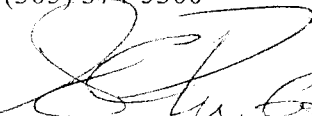
**SMALL SCALE AMENDMENT REQUEST
TO THE
LAND USE ELEMENT/LAND USE PLAN MAP
APRIL 2005-2006 AMENDMENT CYCLE
MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT


London Square, LLC
c/o Master Development, Inc.
900 North Federal Highway, Suite 208
Hallandale, Florida 33009

2. APPLICANT'S REPRESENTATIVES

Jeffrey Bercow, Esq.
Graham Penn, Esq.
Bercow & Radell, P.A.
200 South Biscayne Boulevard
Suite 850
Miami, Florida 33131
(305) 374-5300

By: 
Jeffrey Bercow, Esq.

Date: May 2, 2005

By: 
Graham Penn, Esq.

Date: May 2, 2005

3. DESCRIPTION OF REQUESTED CHANGES

An amendment to the Comprehensive Development Master Plan Land Use Plan Map is requested.

- A. A change to the Land Use Element, Land Use Plan Map (item A. 1 in the fee schedule) is requested.
- B. Description of Application Area

The application area consists of 9.93 acres located in Section 14, Township 55 South, Range 39 East. The application area is a portion of a 42.5 acre tract located at the southeast corner of S.W. 120 Street and S.W. 137 Avenue. The western 660 feet of the forty-acre tract is designated for Business and Office use. The remainder of the 42.5 acre tract, including the application area, is designated for Industrial and Office use. The entire 42.5 acre tract is zoned Interim (GU) and is currently undeveloped.

The application area is surrounded to the west by Business and Office land within the forty-acre property and Kendall-Tamiami Executive Airport across S.W. 137 Avenue, to the north by Industrial and Office designated land within the 42.5 acre parent tract and by existing single-family development designated Low-Density Residential across S.W. 120 Street, to the east by a mix of industrial and educational uses designated Industrial and Office, and on the south by additional Industrial and Office designated land.

C. Acreage

Application area: 9.93 acres.

Acreage owned by Applicant: 0 acres.

D. Requested Changes

1. It is requested that the application area be redesignated on the Land Use Plan Map from Industrial and Office to Business and Office.
2. It is requested that this application be processed as a small-scale amendment under the expedited procedures.

4. REASONS FOR AMENDMENT

The Comprehensive Development Master Plan ("CDMP") Land Use Element provides that commercial development in newly developing areas should be concentrated in nodes at major intersections. (I-35) Furthermore, the CDMP's Guidelines for Urban Form provide that intersections of section line roads should be developed as "activity nodes." (I-21) These activity nodes should be occupied by nonresidential uses, including commercial uses. When commercial development is appropriate for a neighborhood, it should be located at such an activity node as opposed to elsewhere in a section. (I-21)

The above objectives and policies of the CDMP Land Use Element support the redesignation of the application area to Business and Office. The parent tract for the application area is located at the southeast corner of the intersection of two section line roads and thus is the appropriate location for a commercial activity node. The applicant is proposing to develop the application area and the larger 42.5 acre parent tract with a mix of retail and office uses that will serve as a center of activity for the surrounding industrial and residential areas.

The approval of the application will result in a small reduction in vacant Industrial and Office land. However, according to County staff's Initial Recommendations for the October 2004 CDMP Amendment Cycle, Minor Statistical Area (MSA) 6.2 will have sufficient industrial land beyond 2025. Indeed, the analysis of Projected Absorption of Industrial Land estimates that the vacant industrial land in M.S.A. 6.2 will not be depleted until 2061. (Table 2-9, Page 2-24 of Initial Recommendations October 2004). The approval of the instant application would result in a depletion date for industrial land of 2060. The redesignation of the application area would therefore have a minimal impact on the supply of industrial land in the area, while providing needed commercial acreage to serve the surrounding industrial and residentially developed area.

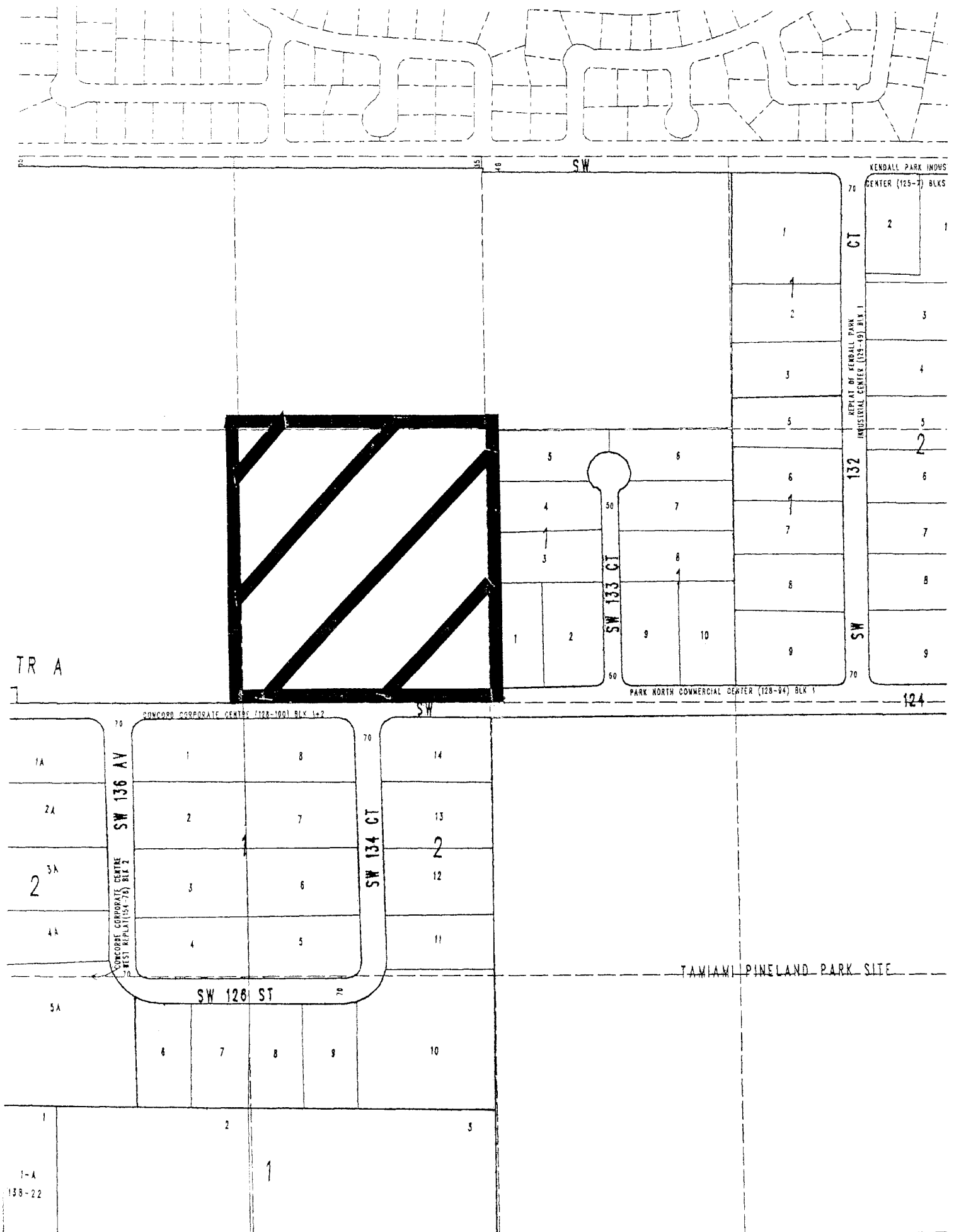
The Initial Recommendations for the October 2004 CDMP Amendment Cycle does note that M.S.A. 6.2 will not deplete its vacant commercial land until after 2025. (Table 2-8, Page 2-21 of Initial Recommendations October 2004). However, the vacant commercial land supply in M.S.A. 6.2 has been calculated to include the very large (approximately 158 acre) Kendall Town Center site located at S.W. 88 Street and S.W. 162 Avenue. This single site makes up more than one-half of the vacant commercial land within the entire M.S.A. as calculated by County staff. If the Kendall Town Center site, a Development of Regional Impact which has already received its development approvals and will likely soon be constructed, is removed from the calculation of vacant commercial land within M.S.A. 6.2, the available vacant land drops to 140 acres and the depletion date to 2014. When viewed in this context, M.S.A. 6.2 will not currently include adequate commercial land in 2015, which provides additional justification for the redesignation of the application area to the Business and Office designation.

5. ADDITIONAL MATERIAL SUBMITTED

- 1) Survey
- 2) Section Map with Application Area Indicated
- 3) 8 1/2 X 11 sheet showing Application Area Location
- 4) Aerial Photograph
- 5) Legal Description

The Applicant reserves the right to supplement the application with additional documentation within the time permitted by the Code of Miami-Dade County.

6. COMPLETE DISCLOSURE FORMS: See attached.



**Pages Of Disclosure Form Not Applicable To This Application Are
Intentionally Omitted From This Printing.**

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.

APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: London Square, LLC
 c/o Master Development, Inc.
 900 North Federal Highway, Suite 208
 Hallandale, Florida 33009

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>ACRES IN SIZE (net)</u>
A.	40 Acre Farm Limited	30-5914-000-0230	9.93 (partial folio)

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

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>OTHER (Attach Explanation)</u>
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: London Square, LLC

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

individual(s) (natural persons) having the ultimate ownership interest in the
aforementioned entity].

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF
INTEREST

London Square, LLC
c/o Master Development, Inc.
900 North Federal Highway, Suite 208
Hallandale Beach, Florida 33009
(see attached for full disclosure of interest)

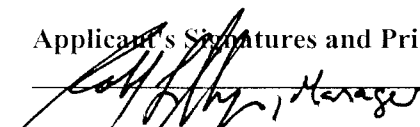
100%

If any contingency clause or contract terms involve additional parties, list all individuals or officers,
if a corporation, partnership, or trust.

For any changes of ownership or changes in contract for purchase subsequent to the date of the
application, but prior to the date of the final public hearing, a supplemental disclosure of interest
shall be filed.

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

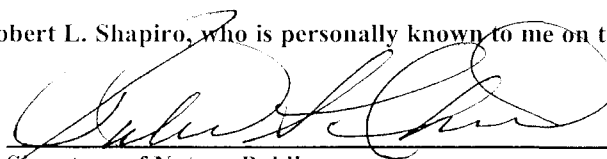
Applicant's Signatures and Printed Names



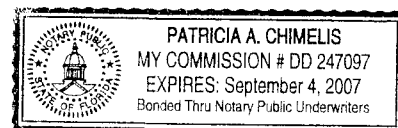
Robert L. Shapiro
Manager, Master Development, Inc.,
Managing Member London Square, LLC

STATE OF FLORIDA)
) SS.:
COUNTY OF MIAMI-DADE)

Sworn to and subscribed before me by Robert L. Shapiro, who is personally known to me on this 29th day of
April, 2005.



Signature of Notary Public
Print Name: Patricia A. Chimelis
Notary Public, State of Florida at large (Seal)
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.

FLM C:INSTRUCTIONS REPORTOct2001.docRevised 8116101

Exhibit A

Interests in London Square. LLC

	Percentage of Interest
Master Development, Inc. 900 North Federal Highway, Suite 208 Hallandale, Florida 33009	100%

Interests in Master Development, Inc.

	Percentage of Interest
Robert Shapiro 900 North Federal Highway, Suite 208 Hallandale, Florida 33009	100%

APPLICATION NO. 15 **STANDARD AMENDMENT APPLICATION**

<u>Applicant</u>	<u>Applicant's Representative</u>
Pasadena Capital, Inc. 200 Pasadena Place Orlando, Florida 32803	Stanley B. Price, Esq. Brian S. Adler, Esq. Alexandra L. Deas, Esq. Bilzin Sumberg Baena Price & Axelrod LLP 200 South Biscayne Boulevard, Suite 2500 Miami, Florida 33131 (305) 350-2374 (305) 350-2351 (305) 350-7241

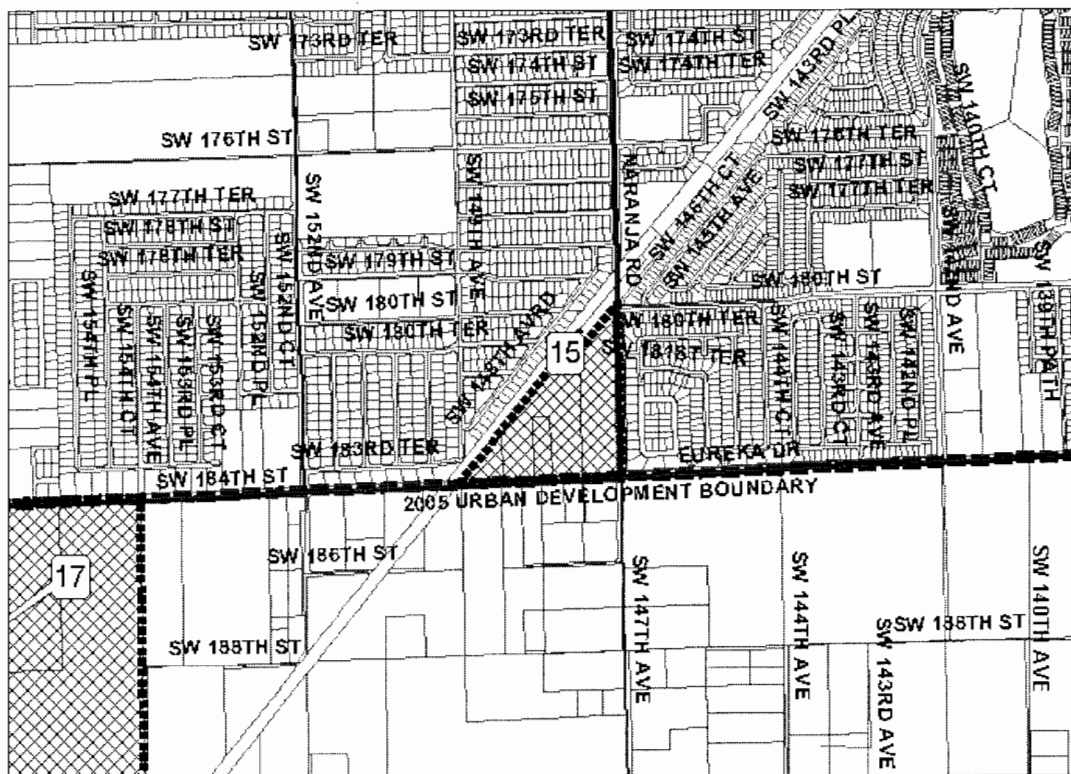
Requested Amendment to the Land Use Plan Map

From: LOW DENSITY RESIDENTIAL (2.5 to 6.0 DU/AC.)

To: BUSINESS AND OFFICE

Location: Northwest corner of SW 147 Avenue and SW 184 Street, lying southeast of the CSX Railroad ROW

Acreage: Application area: 24.02 Gross Acres
Application area: 21.62 Net Acres
Acreage Owned by Applicant: 0 acres.



Note: This summary page is not part of the actual application that follows.

15
J

**APPLICATION FOR AN AMENDMENT TO THE
LAND USE ELEMENT AND LAND USE PLAN MAP
OF THE METROPOLITAN DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

I. **APPLICANT**

Pasadena Capital, Inc.

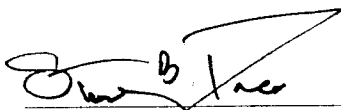
II. **APPLICANT'S REPRESENTATIVE**

Stanley B. Price, Esq.
Bilzin Sumberg Baena Price & Axelrod, LLP
200 South Biscayne Boulevard, Suite 2500
Miami, Florida 33131
(305) 350-2374

Brian S. Adler, Esq.
Bilzin Sumberg Baena Price & Axelrod, LLP
200 South Biscayne Boulevard, Suite 2500
Miami, Florida 33131
(305) 350-2351

Alexandra L. Deas, Esq.
Bilzin Sumberg Baena Price & Axelrod, LLP
200 South Biscayne Boulevard, Suite 2500
Miami, Florida 33131
(305) 350-7241

By:


Stanley B. Price

III. **DESCRIPTION OF REQUESTED CHANGE**

A. **Change to the Land Use Element, Land Use Plan Map**

From low density residential to business and office

B. **Description of Subject Area**

The northwest corner of SW 184th St. and SW 147 Avenue, Southeast of the CSX Railroad. See Exhibit "A."

Containing approximately 24.0177± gross acres more or less.

C. Gross Acreage

Gross Acreage: 24.0177

Net Application area: 21.62 acres

Acreage owned by Applicant: None. This property is currently under a contract to purchase by the applicant.

D. Requested Change

1. It is requested that the application area be designated on the Land Use Plan from Low Density Residential (2.5 to 6 units/per acre) to Business and Office.

IV. REASON FOR AMENDMENT

The basis for the requested amendment is to provide an underserved community with convenient commercial uses located at a major intersection of two section line roads: S.W. 184th Street and S.W. 147th Avenue. This request is consistent with the Comprehensive Development Master Plan of Dade County, Florida which permits and recognizes that commercial development in newly developing areas should be designated along major intersections. The Plan specifically creates Guidelines for Urban Form (Land Use Element I-20 - I-23) which provides for commercial uses within activity nodes at major intersections. The Plan calls for allocations of "commercial development rights along quadrants of such nodes" and particularly where several factors are present. These factors are, among others, location, geographic constraints, ownership fragmentation, compatibility with adjacent uses, ability of highway capacity and other public services.

The subject parcel of land is appropriately located along a quadrant of major intersections with clear geographic separation from residential areas to the southeast by the location of the railroad tracks and major roadways to the south and east of the site. Further, one entity owns the property and the uses are compatible with adjacent residential areas by satisfying the purpose of the business and office designation to accommodate a full range of sales and service activities to nearby residential developments. Over a five year period, single family residential zoning has been approved directly to the east, west and north of the subject parcel. In addition, the nearest zoned shopping center is presently one (1) mile to the east of the subject site at S.W. 137th Avenue and S.W. 184th Street. Further consistent with the Comprehensive Master Plan and the Business and Office designation, this site may entertain a self-contained center with ease of access onto the existing highway network.

This triangular shaped parcel with two sides facing major roadways, and with the Florida East Coast Railroad tracks on the other side, is an ideal location for the designation as Business and Office because it will support the Plan's community center concept. Its location of mixed uses will encourage convenient alternatives to travel by automobile and provide more efficient land use than recent suburban development forms to create indefinable town centers for Dade's diverse communities. The proposed designation will permit a project which shall be designed to create "an identity and distinctive sense of place through unity of design and distinctively urban architectural character within the area it will serve." Consistent with the community center concept, the request in this application will allow for primarily moderate and smaller size buildings which serve and draw from the nearby community. The building will be designed and developed with roadways within the center to allow pedestrian activity, safety, comfort as well as vehicular movement in keeping with the characteristics required by the Comprehensive Master Plan.

This application is somewhat similar to previously filed applications. First, Application No. 7 was filed during the April, 1998 Amendment cycle. Said application was withdrawn prior to any final determination being made by the Miami-Dade County Board of County Commissioners. The previous application had received a positive recommendation of the Planning and Zoning Department as well as the District 11 Community Council. Second, applications were also filed during the 1999-2000 and October 2001 Amendment cycles. Each time, the applicant withdrew that application after the Planning and Zoning Department recommended denial of their request. The Department in part based its denial on both level of service and public concerns about traffic. However, according to the 2005 Transportation Improvement Program ("TIP"), the County approved of roadway improvements which will alleviate those concerns. In 2004, the County approved of several roadway widening projects which will improve traffic circulation in this area. On S.W. 184th Street, the roadway is scheduled to be widened from two lanes into six lanes beginning on S.W. 127th Avenue and ending on S.W. 147th Avenue. Also, on S.W. 147th Avenue two lanes will be added starting from S.W. 184th Street and ending on S.W. 152nd Street. Four lanes also will be added onto S.W. 137th Avenue from S.W. 184 Street to S.W. 152 Street. It must be noted that public comments caused the projects to be taken out of the TIP which slowed the progress of the projects. The roadway improvements will greatly improve the level of service in this area by increasing capacity.

Additionally, the Department in part based its denial on public comments concerning a lack of a need for more commercial uses in the area. However the area continues to be underserved by convenience business areas compared to the rest of the County. Miami Economic Associates conducted a recent study where it concluded the remaining commercial supply in this area will be depleted in approximately ten years. Please see Exhibit "B." The subject area is located in the Miami-Dade County Census Minor Statistical Area 6.2, which had a residential population of 125,812 in 2000, which was projected to increase to 148,828 in 2005 (a 18.3% increase in five years), 167,471 in 2010 (a 33.1% increase in ten years), and 175,402 in 2015 (a 39.4% increase in 15 years).

MSA 6.2 has a much lower than average commercial acreage to population compared to other MSAs. The MSA's average is 3.8 commercial acres per 1,000 people versus other areas countywide that have ratios of 6.1 or 5.4. Residential uses have continued to grow while commercial uses have not, creating a demand for commercial uses to service the residential areas. For example in the last ten years, at least five applications have been approved designating residential from agricultural uses in this area. Specifically in the past five years, district boundary changes from agricultural to residential have occurred on sites directly west and east of the property. Please see Exhibit "C."

Based upon the foregoing, the Applicant strongly believes that this application is totally consistent with the goals, objectives and policies of the Master Plan, and that the present and future residents of this community are entitled to all benefits enjoyed by other areas in the County. Arguments advanced at the previous hearings that residents of this area are not entitled to the same level of business services as the more urbanized areas of the County are not supportable in either law or fact.

V. **ADDITIONAL MATERIALS SUBMITTED**

Property surveys prepared by Donald P. Ramsay & Associates dated January 12, 2005. See Exhibits referred to in Section IV herein.

Supplemental information may be submitted later.

VI. **COMPLETED DISCLOSURE FORMS**

See Attached

Attachments:

One Aerial Photo
One Section Map
Survey of area

Exhibit "A"

LEGAL DESCRIPTION:

PARCEL 1:

THAT PORTION OF THE EAST 1/2 OF THE S.E. 1/4 OF THE S.E. 1/4 OF SECTION 33, TOWNSHIP 55, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA, LYING SOUTHEASTERLY OF THE CSX RAILWAY RIGHT-OF-WAY LESS RIGHT-OF-WAY OF SEABOARD ALL FLORIDA RAILWAY, AS CONTAINED IN DEED BOOK 1035, PAGE 249, AND DEED BOOK 1081, PAGE 543, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS DEDICATION OF THE EAST 35 FEET AND THE SOUTH 35 FEET OF THE ABOVE DESCRIBED PROPERTY TO MIAMI-DADE COUNTY, FLORIDA, FOR ROAD PURPOSES.

PARCEL 2:

THAT PORTION OF THE WEST 1/2 OF THE WEST 1/2 OF THE S.E. 1/4 OF THE S.E. 1/4 OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA, LYING SOUTHEASTERLY OF THE CSX RAILWAY RIGHT-OF-WAY LESS THE SOUTH 35 FEET THEREOF CONVEYED TO DADE COUNTY BY RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 1949, PAGE 21, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PARCEL 3:

THAT PORTION OF THE WEST 1/2 OF THE EAST 1/2 OF THE S.E. 1/4 OF THE S.E. 1/4 LYING SOUTHEASTERLY OF THE CSX RAILWAY RIGHT-OF-WAY LESS THE SOUTH 35 FEET FOR ROAD AND LESS THE SEABOARD AIRLINE RIGHT-OF-WAY, AND THAT PORTION OF THE EAST 1/2 OF THE WEST 1/2 OF THE S.E. 1/4 OF THE S.E. 1/4 LESS THE SOUTH 35 FEET FOR ROAD AND LESS THE SEABOARD AIRLINE RIGHT-OF-WAY, ALL LYING AND BEING IN SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA, EXCEPT THE FOLLOWING DESCRIBED PARCEL OF LAND, TO WIT: FROM THE SOUTHEAST CORNER OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST RUN WEST ON THE SOUTH LINE OF SAID SECTION 33 A DISTANCE OF 332.70 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF THE S.E. 1/4 OF THE S.E. 1/4; THENCE NORTH ON THE SAID EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF THE S.E. 1/4 OF THE S.E. 1/4 A DISTANCE OF 35.00 FEET; THENCE WEST 35.00 FEET NORTH OF AND PARALLEL TO THE SAID SOUTH LINE OF SECTION 33 A DISTANCE OF 265.30 FEET TO THE POINT OF BEGINNING; THENCE NORTH AT RIGHT ANGLES TO THE SAID SOUTH LINE OF SECTION 33 A DISTANCE OF 464.60 THENCE WEST PARALLEL TO THE SAID SOUTH LINE OF SECTION 33 A DISTANCE OF 150 FEET; THENCE SOUTH AT RIGHT ANGLES TO THE SAID SOUTH LINE OF SECTION 33 A DISTANCE OF 464.60 FEET; THENCE WEST PARALLEL TO THE SAID SOUTH LINE 33 TO A LINE 35 FEET NORTH OF THE SAID SOUTH LINE OF SECTION 33; THENCE EAST A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

PARCEL 4:

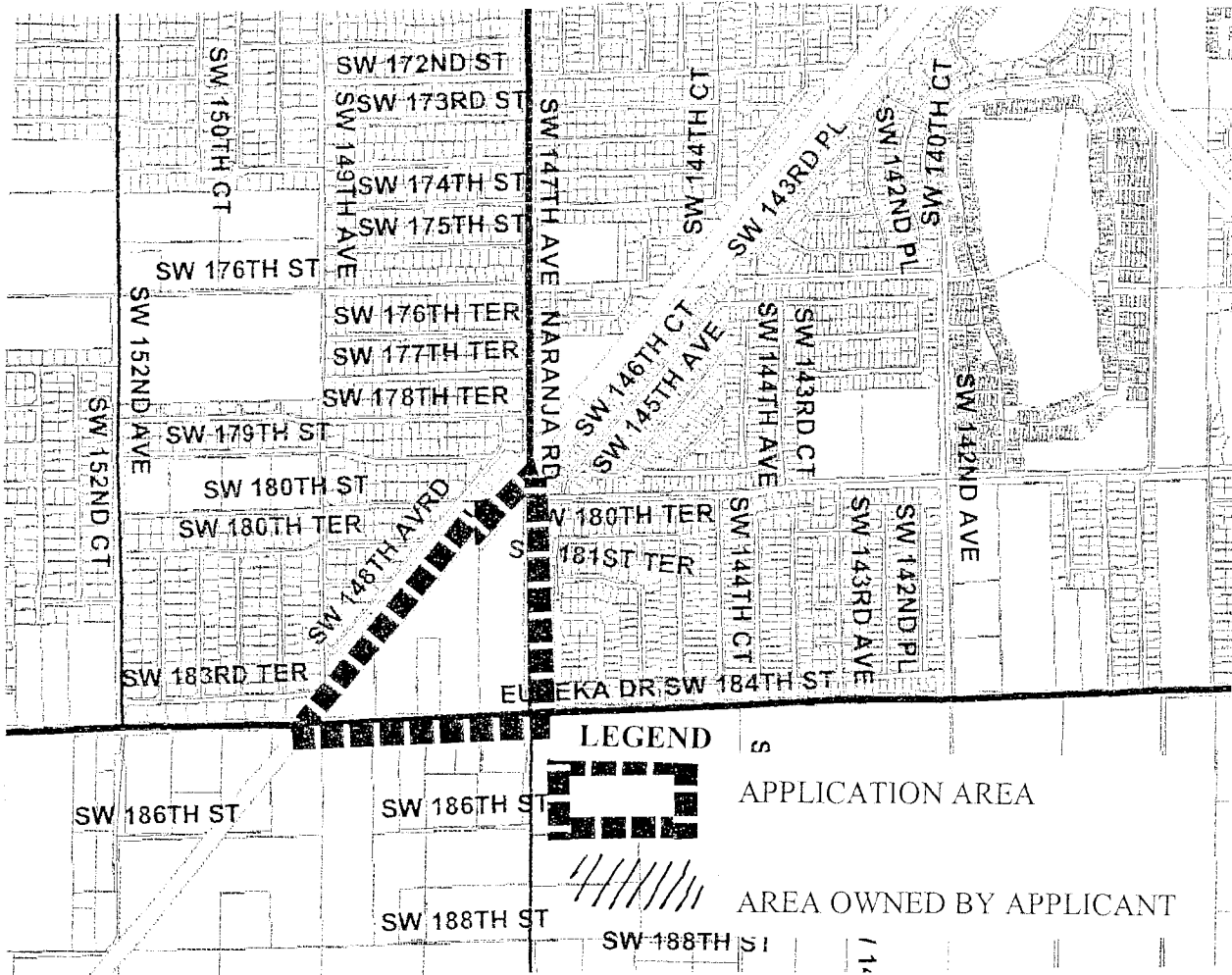
FROM THE S.E. CORNER OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST, RUN WEST ON THE SOUTH LINE OF SAID SECTION 33 A DISTANCE OF 332.70 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF THE S.E. 1/4 OF THE S.E. 1/4; THENCE NORTH ON THE SAID EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF THE S.E. 1/4 OF THE S.E. 1/4; A DISTANCE OF 35.00 FEET; THENCE WEST 35 FEET NORTH OF AND PARALLEL TO THE SAID SOUTH LINE OF SECTION 33, A DISTANCE OF 265.30 FEET TO THE POINT OF BEGINNING OF THE SAID PARCEL; THENCE NORTH AT RIGHT ANGLES TO THE SAID SOUTH LINE OF SECTION 33, A DISTANCE OF 464.60 FEET; THENCE WEST PARALLEL TO THE SAID SOUTH LINE OF SECTION 33, A DISTANCE OF 150.00 FEET; THENCE SOUTH AT RIGHT ANGLES TO THE THE SAID SOUTH LINE OF SECTION 33, A DISTANCE OF 464.60 FEET TO A LINE 35 FEET NORTH OF THE SAID SOUTH LINE OF SECTION 33; THENCE EAST, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING; LOCATED IN MIAMI-DADE COUNTY, FLORIDA.

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

APPLICANT / REPRESENTATIVE
Pasadena Capital, Inc. / Stanley Price, Esq.

DESCRIPTION OF SUBJECT AREA

The Property consists of a gross acreage: of 24.0177 acres and a net Application area of 21.62 acres located on the northwest corner of SW 184th St. and SW 147 Avenue, Southeast of the CSX Railroad in Section 33, Township 55 South, and Range 39 East.



**Pages Of Disclosure Form Not Applicable To This Application Are
Intentionally Omitted From This Printing.**

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: Pasadena Capital, Inc., 200 Pasadena Place, Orlando, FL 32803

APPLICANT B:

APPLICANT C:

APPLICANT D:

APPLICANT E:

APPLICANT F:

APPLICANT G:

APPLICANT H:

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.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
A	South Florida Growers Association, Inc.	30 5933 000 0190 30 5933 000 0201 and portions of 30 5933 000 0200 and 30 5933 000 0150	21.62±

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	CONTRACTOR LESSEE	OTHER FOR PURCHASE	(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.

INDIVIDUAL'S NAME AND ADDRESS	PERCENTAGE OF INTEREST
N/A	

- 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: N/A

NAME, ADDRESS AND OFFICE	PERCENTAGE OF

STOCK

- c. If the applicant is A TRUSTEE, list the trustees 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: N/A

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

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner(s) consist of another partnership(s), corporation (s) trust (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].

PARTNERSHIP NAME: N/A

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF INTEREST</u>
-------------------------------------	-------------------------------

- e. If the applicant is party to a CONTRACT FOR PURCHASE, whether contingent (on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. (Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, 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].

<u>NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
-------------------------	-------------------------------

Pasadena Capital, Inc.

200 Pasadena Place
Orlando, FL 32803

Stephen E. Brandon 50%

Randy J. Holihan 50%

Date of Contract: January 3, 2005

If any contingency clause or contract terms involve additional parties, list all individuals or officer if a corporation, partnership, or trust.

N/A

5. **DISCLOSURE OF OWNER'S INTEREST:** Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

- a. If the owner 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>
--------------------------------------	-------------------------------

N/A

- b. If the owner 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: South Florida Growers Association

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
Susan K. Bradford Trust, President 8705 N.W. Highway 2258 Ocala, FL 34482	25%
Martha Gilmore Trust 207 Middle Bay Road Brunswick, ME 04081	25%
Harold Kendall Trust P.O. Box 157 Goulds, FL 33170	25%

Peter Kendall Trust
P.O. Box 8
Goulds, FL 33170

25%

- c. If the owner is a TRUSTEE, and 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), another trust(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].

TRUSTEE'S NAME: N/A

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

- d. If the owner is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(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 (lie aforementioned entity)].

PARTNERSHIP NAME: N/A

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF INTEREST</u>
-------------------------------------	-------------------------------

- e. If the owner is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. (Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, 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].

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF INTEREST</u>
--	-------------------------------

N/A

Date of Contract:


If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

N/A

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

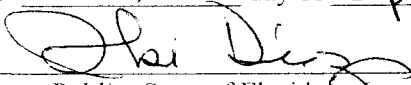
Applicant's Signatures and Printed Names


Stephen E. Brandon on behalf of Pasadena Capital

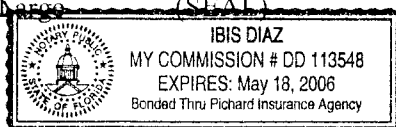
Randy J. Holihan on behalf of Pasadena Capital

Sworn to and subscribed before me

this 27 day of April, 2005


Notary Public, State of Florida at Large (SEAL)

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

Date of Contract:

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

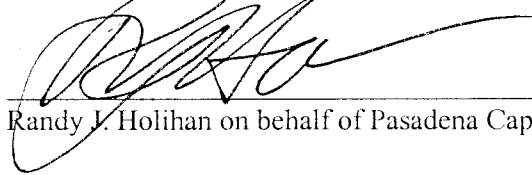
N/A

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

Stephen E. Brandon on behalf of Pasadena Capital

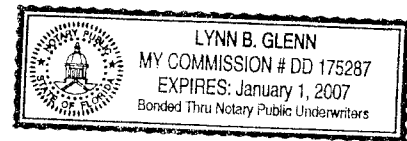


Randy J. Holihan on behalf of Pasadena Capital

Sworn to and subscribed before me

this 27th day of April, 2005

Lynn B. Glenn
Notary Public, State of Florida at Large (SEAL)



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.

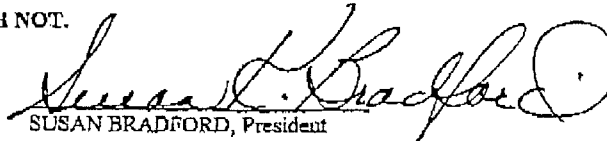
AFFIDAVIT OF OWNERSHIP

STATE OF FLORIDA
COUNTY OF MARION

COMES NOW, SUSAN BRADFORD, who after being duly sworn, deposes and says:

1. She is President of South Florida Growers Association, Inc., a Florida corporation ("SFGA"); which corporation is current and in good standing in the State of Florida.
2. The following real property located in Miami-Dade County, Florida is owned by SFGA:
 - A. 10.524 acres Folio Number 30-5933-000-0200 described as 33 55 39 10.524 AC M/L W2/3 OF E3/4 OF SE1/4 OF SE1/4 LYG S OF SAL R/W & LESS W150N OF E748FT OF S499.6FT & LESS S351FT assessed in the name of SUB-TROPIC FRUIT CO., INC.
 - B. 2.00 acres Folio Number 30-5933-000-0201 described as 33 55 39 1.6 AC W150FT OF E748FT OF S499.6FT LESS S351FT FOR ST assessed in the name of SO. FLA GROWERS ASSOC INC
 - C. 1.47 acres Folio Number 30-5933-000-0150 described as 33 55 39 1.477 AC M/L W1/2 OF W1/2 OF SE1/4 OF SE 1/4 LYG S OF SAL R/W LESS S35FT FOR RD assessed in the name of CORAL REEF NURSERIES INC
 - D. 8.40 acres Folio Number 30-5933-000-0190 described as 33 55 39 8.40 AC E1/2 OF E1/2 OF SE 1/4 OF SE 1/4 LESS S35FT & E35FT FOR RD & LESS SAL R/W assessed in the name of SUB-TROPIC FRUIT CO., INC.
3. The above described corporations, Sub-Tropic Fruit Co., Inc. and Coral Reef Nurseries, Inc. were merged into SFGA by Articles of Merger filed with the Secretary of the State of Florida; therefore SFGA is the sole and legal owner of said properties.

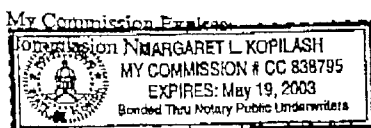
FURTHER YOUR AFFIANT SAYETH NOT.

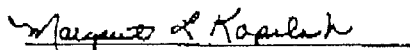

SUSAN BRADFORD, President

STATE OF FLORIDA)
COUNTY OF MARION)

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared SUSAN BRADFORD, who is personally known to me or has produced a copy of her State driver's license(s) as identification, and who did take an oath as being the person described in and who executed the foregoing instrument and acknowledged before me that she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 7 day of November, 2001.




Notary Public
Printed Notary Public's Name:
MARGARET L. KOPIASH

Miami Economic Associates, Inc.

Exhibit "B"

April 26, 2005

Stanley Price, Esq.
Bilzin Sumberg et al
Miami, Florida

**Re: Proposed CDMP Amendment
N.W. Corner of S.W. 147th Avenue/S.W. 184th Street Intersection**

Dear Mr. Price:

Miami Economic Associates, Inc. has conducted analysis with respect to a proposed amendment to Miami-Dade County's Comprehensive Development Master Plan (CDMP) that would re-designate property located on the northwest corner of the intersection of S.W. 147th Avenue and S.W. 184th Street (the Subject Property) for commercial use. The purpose of our analysis was to evaluate whether the proposed amendment is economically justified. Our analysis indicates that it is economically justified, as summarized below:

- According to the Evaluation and Appraisal Report (EAR) issued by the Miami-Dade County Department of Planning and Zoning (DPZ) in 2003, the planning area in which the Subject Property is located, Minor Statistical Area (MSA) 6.2, had a total of 673 acres designated for commercial development, 313 of which were vacant. Included in this figure was a substantial portion of the Kendall Town Center site where a hospital is now proposed rather than commercial uses. That figure also included acreage that has been developed since the inventory used in the EAR was compiled.
- In the EAR, DPZ estimated, based on historical data, that commercial acreage in MSA 6.2 is depleted at a rate of 14.8 acres per year. Given the amount of acreage depleted since 2003, it is arguable that a higher figure should now be used. However, even using the historic figure, the remaining supply would be depleted in approximately 10 years, a considerably shorter time frame than the County's 15-year planning horizon. On this basis alone, the proposed amendment would be economically justified.
- Even with the Kendall Town Center included as initially proposed before the inclusion of the hospital into its development program, MSA 6.2 had a ratio of commercial acreage to population that was projected to be 3.8 acres per

6861 S.W. 89th Terrace Miami, Florida 33156
Tel: (305) 669-0229 Fax: (305) 669-8534 Email: meaink@bellsouth.net

1,000 people in both 2015 and 2025. These ratios are lower than the projected ratios at those dates countywide, 6.1 and 5.4 respectively. They are also lower than those for all but 4 of the other 30 urbanized MSA's (MSA 7.6 is not an urbanized area).

- The pattern of development in MSA 6.2 is suburban in character. In this regard, it is probably most similar among the 30 MSAs to MSAs 5.5 and 5.6 to its east. In keeping with this comparison, it should be noted that while MSAs 5.5 and 5.6 contain the Dadeland regional activity center, the concept of the Kendall Town Center project is to provide the West Kendall area with its counterpart. As stated above, MSA 6.2 will, based on the acreage and population numbers in the EAR, have a ratio of 3.8 commercial acres per 1,000 people in 2015. In contrast, MSAs 5.5 and 5.6 in combination will have a ratio approximating 6.9 acres per 1,000 people at that date. The following points should be considered in this regard:
 - The vacancy rate for commercial space in MSAs 5.5 and 5.6, where the commercial acreage is essentially built-out, is low.
 - While MSAs 5.5 and 5.6 contain some of Miami-Dade County's most affluent neighborhoods, MSA 6.2 also comprises a relatively affluent area. Its median income at the time of the 2000 Census exceeded \$55,000, a figure considerably above the countywide median which was less than \$36,000. Given the affluence of MSA 6.2, the discrepancy that exists between its ratio of commercial land to population in 2015 and that of MSAs 5.5 and 5.6 in combination does not appear appropriate.
 - At the time of the 2000 Census, MSA 6.2 had a population of 126,000 people. To place that figure in perspective, it was approximately 150 percent the size of the population of the City of Miami Beach, one of Miami-Dade County's largest municipalities. MSAs 5.5 and 5.6 had a combined population of 112,000 people. By 2015, the population of MSA 6.2 is projected to exceed 176,000 people --- increasing by approximately 50,000 residents --- while that of MSAs 5.5 and 5.6 combined will increase at less than one-third that amount, thus approximating that of MSA 6.2 now. Notwithstanding these comparisons, MSA 5.5 and 5.6 in combination have 1.3 times the amount of land available for commercial use as MSA 6.2.
- Because of the limited amounts of commercial acreage in MSA 6.2, some of its retail facilities have historically experienced operational problems including overcrowded parking lots that represent health/safety hazards as well as terrible inconveniences for their customers that have degraded quality of life. Responding to this problem, the County recently re-designated a 10 acre parcel at the intersection of S.W. 152nd Street and S.W. 157th Avenue for commercial use to allow the development of a retail complex. However, the

southern portion of MSA 6.2 still is deficient in the amount of acreage available for commercial use, particularly the three sections of land lying west of S.W. 137th Avenue between S.W. 168th Street and S.W. 184th Street (the Market Area).

- The Market Area contains fewer than 20 acres of commercially-designated land inclusive of the approximately 10-acre site on the northwest corner of the S.W. 137th Avenue/S.W. 184th Street intersection. If the area had been developed consistent with the County's guidelines for urban form, ten acres of commercial land would have been designated on the corner of each section of land at the intersections of section line roads, providing a total of 120 acres.
- There are currently in excess of 8,000 residential units built in the Market Area with the potential for additional construction on the one large agricultural tract that remains just east of S.W. 157th Avenue. A population exceeding 25,000 people already lives in the Market Area with the possibility that 1,000 to 1,500 more residents could still be added. Accordingly, the ratio commercial acreage to population is less than 1.0 acre per 1,000 people. Under the guidelines for urban form referred to above, the ratio would have been 4.8 acres per 1,000 people, a ratio that is higher than exists with MSA 6.2 as a whole and nearly 5 times what exists in the market area.
- A major precept among the goals and objectives of the CDMP is that each neighborhood be self-sufficient in terms of the commercial facilities required to satisfy the basic needs of its residents. This concept is designed to prevent people from adversely impacting neighborhoods in which they do not live in terms of traffic. Given the paucity of commercial land in the Market Area, its residents are required to travel in substantial numbers through the neighborhood to the north between S.W. 168th Street and S.W. 152nd Street to shop.
- DPZ and the Board of County Commissioners have historically been averse to placing commercial facilities on properties abutting the Urban Development Boundary (UDB) as the Subject Property does. However, as discussed above, 10 acres of land at the intersection of S.W. 152nd Street and S.W. 157th Avenue was recently re-designated for commercial use despite its location abutting the UDB. That re-designation reflected realization that the surrounding neighborhood was underserved commercially and that no other land existed to remediate the situation. The same set of conditions applies to the Subject Property.
- Efforts made previously to re-designate the Subject Property for commercial use have failed. A major factor has been opposition from the Redlands community that is located outside the UDB just to the south of the Subject Property. In the case of the Redlands, the UDB does not separate

development from no development but rather separates different types of development. In this regard, it is noted that The Redlands are populated by 24,000 people, a figure generally equivalent to the population of such cities as Aventura and Miami Lakes. The County has accepted as a matter of policy that Redlands is not a commercially self-sufficient area in deference to its historic rural character. However, its residents' use of commercial facilities along S.W. 152nd Street exacerbates traffic in the Market Area and the neighborhood discussed previously that lies between S.W. 168th Street and S.W. 152nd Street. To the extent that the County has adopted a policy that allows to Redlands to remain commercially dependent on other areas, it should alleviate the negative impacts of that policy by containing the resultant traffic to the maximum extent possible in the portions of the urbanized area most immediately abutting the Redlands such as the S.W. 184th Street where the Subject Property is located.

Closing

MEAI strongly believes that re-designation of the Subject Property for commercial use is economically justified. We recommend adoption of the proposed amendment to the CDMP.

Sincerely,
Miami Economic Associates, Inc.



Andrew Dolkart
President

Exhibit "C"

SEC 33
T 55 S
R 39 E

53933

to Date:
03/2004



150 300
Foot

Foot Pixel

not a survey

AERIAL PHOTOGRAPHY, INC.
1111
Birmingham, OH 45004
Phone 419 751 1300 Fax 419 751 0318



MIAMI-DADE

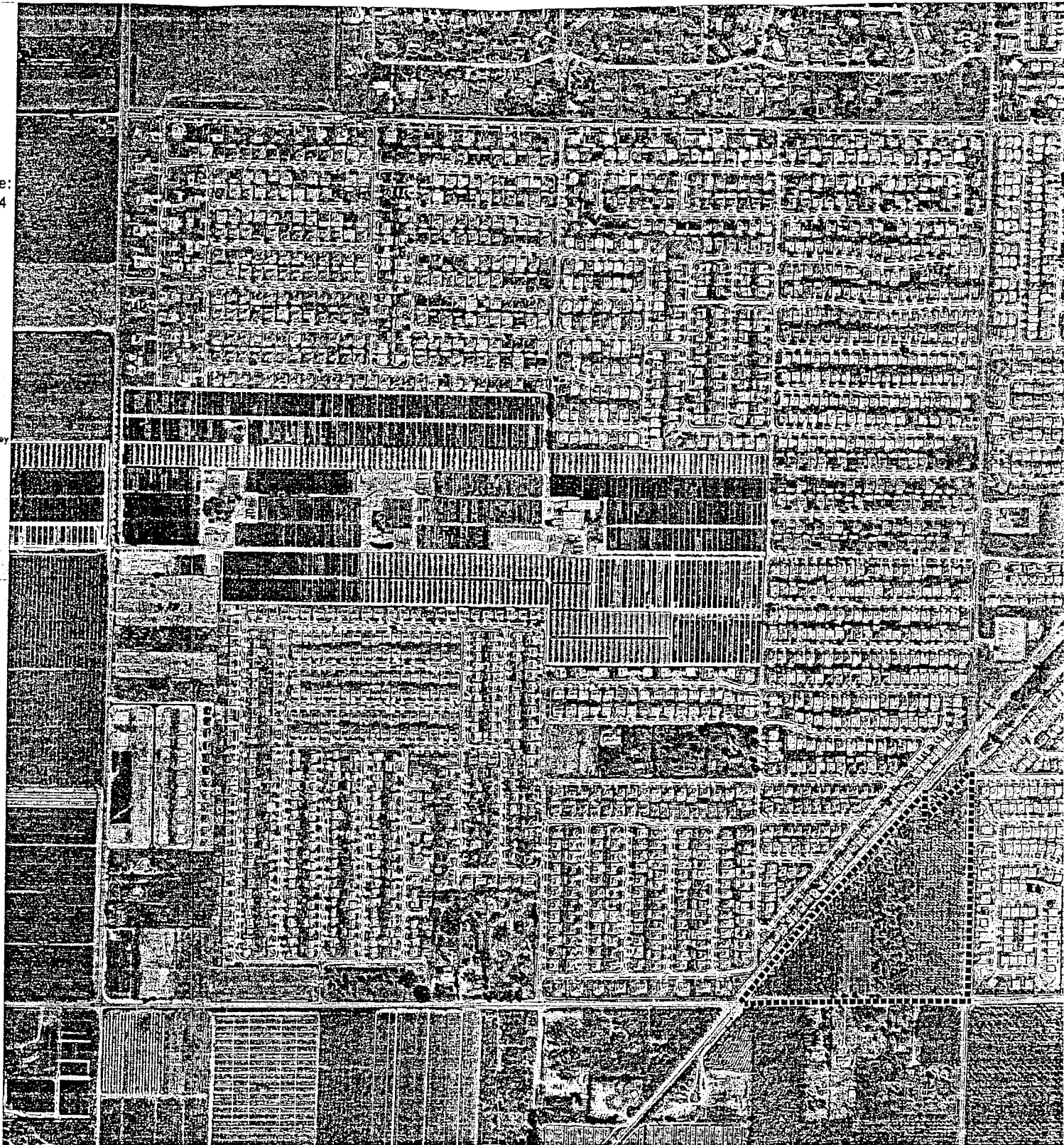


Exhibit "C"

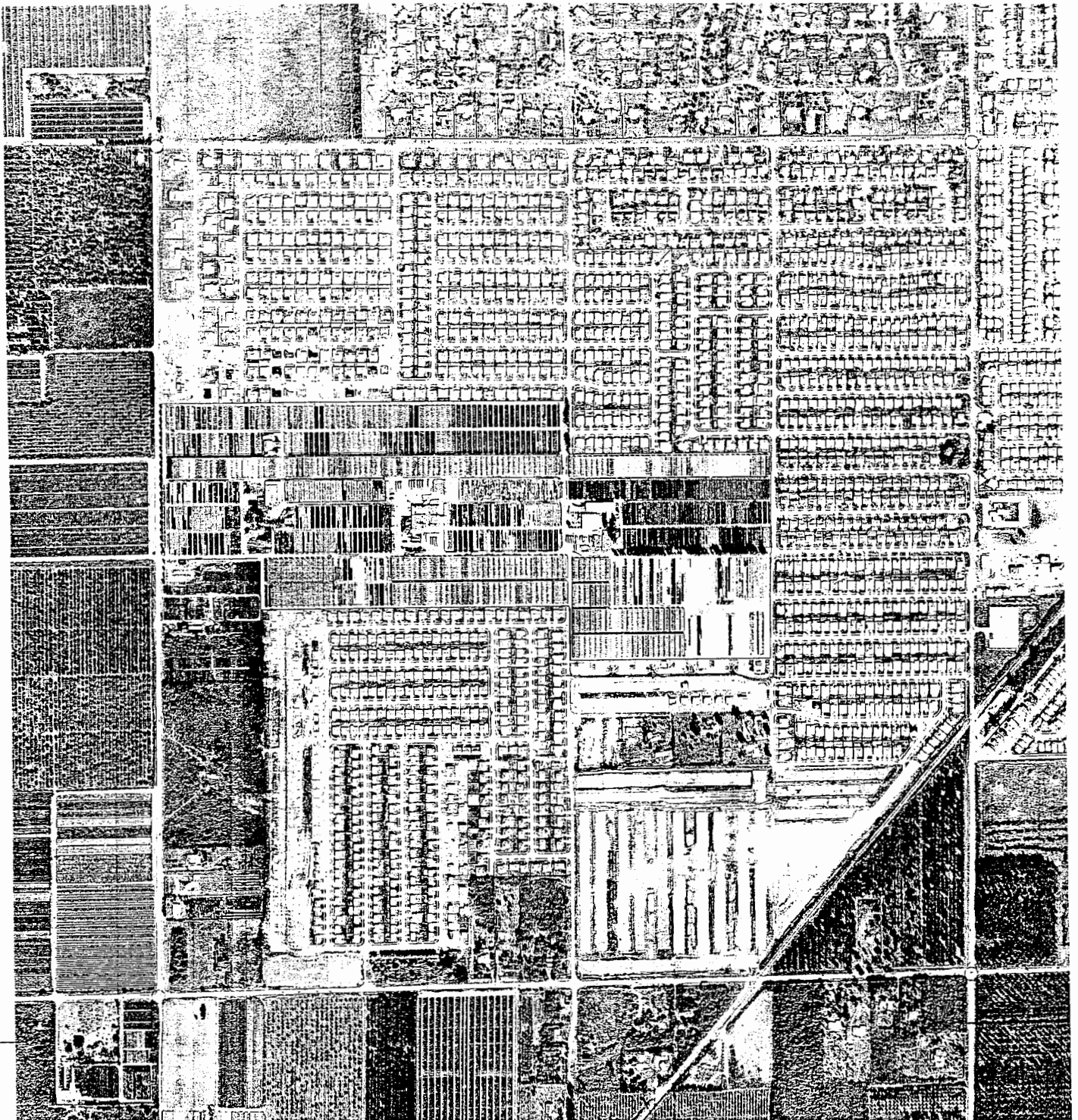


Exhibit "C"

SEC 34
T 55 S
R 39 E

153934

Photo Date:
10/3/2004



150 300 Feet

5 Foot Pixel

is not a survey

Kuipers International Inc.
18335 N.W. 27th Ave.
Miami, FL 33187
Phone: 305.444.1111 Fax: 305.444.1112



MIAMI-DADE

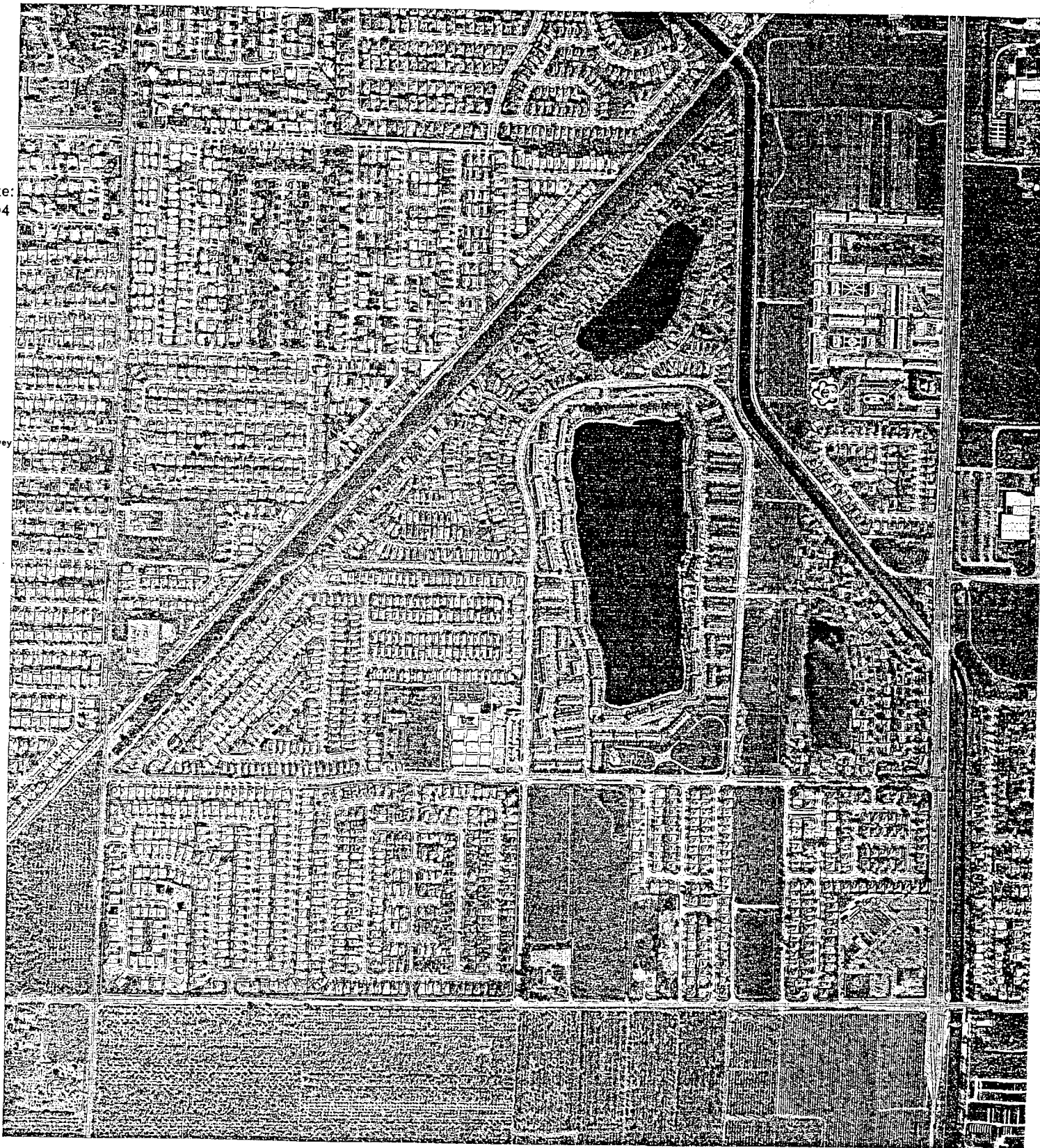
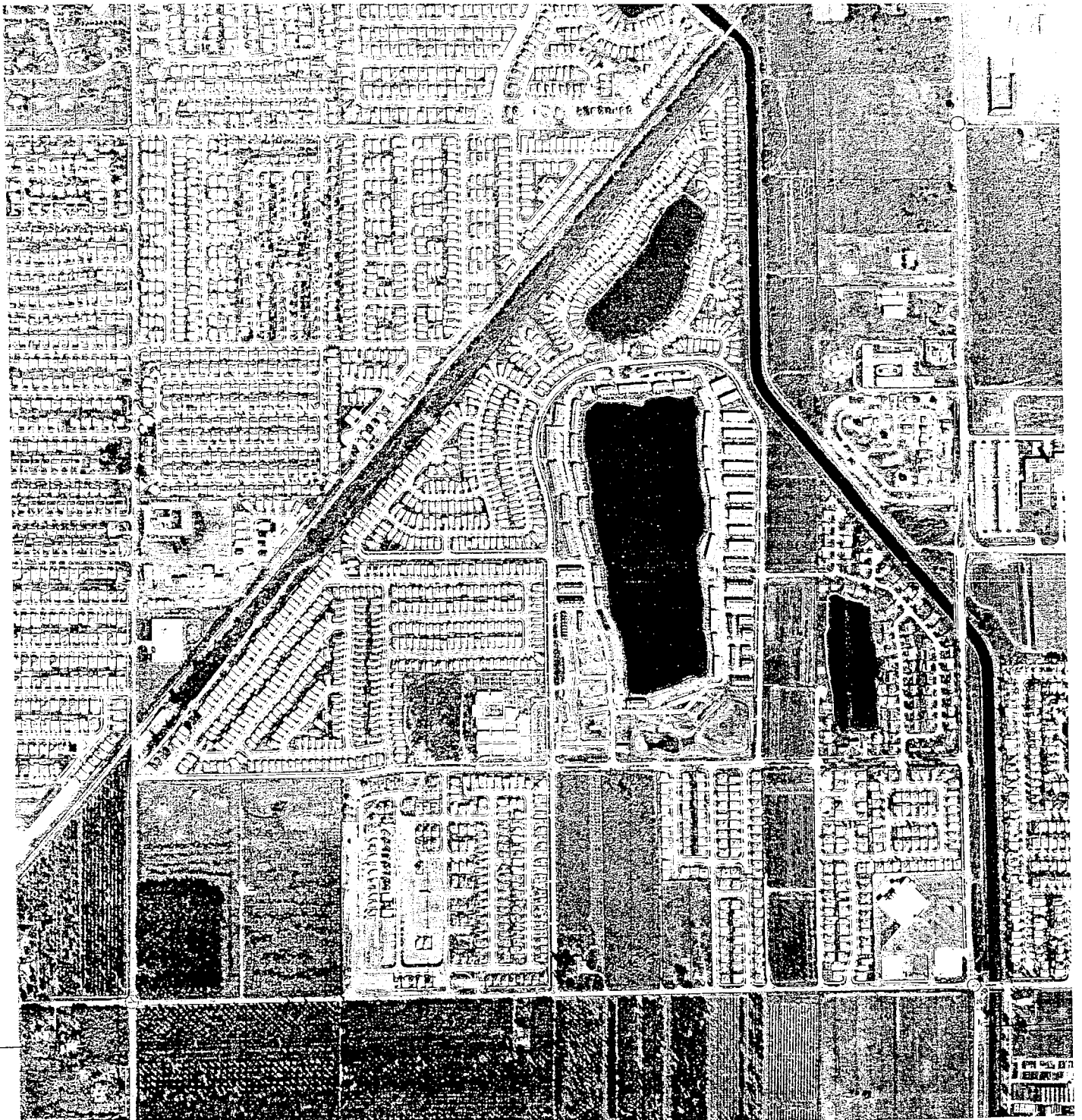


Exhibit "C"

SEC 34 T 55S R 39E JAN 06, 1999
METRODADE
For Additional Services, Inc. Miami FL 33133-1641
Copyright © 1999 by MetroData, Inc.



APPLICATION NO. 16
STANDARD AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
EBP Parcel 1, LLC, a Florida limited liability company EBP Parcel 3, LLC, a Florida limited liability company Ryder Investments, LLC, a Florida limited liability company West Perrine Community Development Corporation, Inc., a Florida not-for-profit corporation	Gilbert Pastoriza, Esq. Weiss Serota Helfman Pastoriza Cole & Boniske, P. A. 2665 South Bayshore Drive, Suite 420 Miami, Florida 33133 (305) 854-0800

Requested Amendment to the Land Use Plan Map

From: INDUSTRIAL AND OFFICE

To: PART A – Parcels 1 and 2
BUSINESS AND OFFICE

PART B – Parcel 3

MEDIUM DENSITY RESIDENTIAL (13 to 25 DU/AC.) w/ DI-1
(Density Increase of one category with good urban design)

Location: East and west of Homestead Avenue between SW 184 and SW 186 Streets

Acreage: Application area: 7.51 Gross Acres
Application area: 6.59 Net Acres
Acreage Owned by Applicant: 6.59 acres.



Note: This summary page is not part of the actual application that follows.

16

**APPLICATION REQUESTING AN
AMENDMENT TO THE LAND USE PLAN MAP**

1. **Applicants**

Parcel 1

EBP Parcel 1, LLC, a Florida limited liability company (2/3 interest)

Ryder Investments, LLC, a Florida limited liability company (1/3 interest)

Parcel 2

West Perrine Community Development Corporation, Inc., a Florida not-for-profit corporation

Parcel 3

EBP Parcel 3, LLC, a Florida limited liability company (2/3 interest)

Ryder Investments, LLC, a Florida limited liability company (1/3 interest)

c/o Gilberto Pastoriza, Esq. whose address and telephone number is provided in Item 2 of this application below.

2. **Applicant's Representative**

Gilberto Pastoriza, Esq.

Weiss Serota Helfman Pastoriza Cole & Boniske, P.A.

2665 South Bayshore Drive

Suite 420

Miami, Florida 33133

Phone #: (305) 854-0800

By: _____

Gilberto Pastoriza

April 21, 2005

3. **Description of Requested Changes.**

A. **Change the Land Use Plan Map.**

A change to the Land Use Element Land Use Plan Map (Item A.1 (d) in the fee schedule is requested. The Applicant is requesting to convert the east portion of the property, designated Parcels 1 and 2 and legally described in the attached Exhibit "A", which totals approximately 3.53 net acres from Industrial and Office to Business and Office, and the west portion of the property, designated Parcel 3 and legally described in the attached Exhibit "A", which is approximately 3.06 net acres from Industrial and Office to Medium Density Residential with Density Increase I (DI-1).

B. Description of Subject Property.

- (1) The Subject property consists of 6.59 net acres located in Section 5, Township 56 South, Range 40 East. The Property is generally located on the west side of the bus-way running parallel to U.S.1 and between SW 184th Street and SW 186th Street. Parcels 1 and 2 are located east of Homestead Avenue and just south of 184th Street. Parcel 3 is located west of Homestead Avenue and north of SW 186th Street. The property is more accurately described in the attached Exhibit "A" to this application. The applicants own the entire property as shown on the map provided in the attached Exhibit "C".

(2) Acreage.

Subject Application area (net):

Parcel 1 (seeking "Business and Office"):	0.83 acres
Parcel 2 (seeking "Business and Office"):	2.70 acres
Parcel 3 (seeking "Medium Density Residential" with DI-1 Density Increase):	3.06 acres

TOTAL (net): 6.59 acres

TOTAL (gross): 7.51 acres

Acreage owned by Applicants (net):

Parcel 1 (seeking "Business and Office"):	0.83 acres
Parcel 2 (seeking "Business and Office"):	2.70 acres
Parcel 3 (seeking "Medium Density Residential" with DI-1 Density Increase):	3.06 acres

TOTAL area (net): 6.59 acres

TOTAL area (gross): 7.51 acres

- (3) The present CDMP land use designation of Parcels 1, 2, and 3 is Industrial. The Applicants are requesting to convert the east portion of the property, designated Parcels 1 and 2 and legally described in the attached Exhibit "A", which totals approximately 3.53 net acres from Industrial to Business and Office, and the west portion of the property, designated Parcel 3 and legally described in the attached Exhibit "A", which is approximately 3.06 net acres from Industrial to Medium Density Residential with Density Increase I (DI-1).

- (4) This application is eligible for expedited processing as a "Small Scale" amendment. Accordingly, the Applicants request this

application be processed under the expedited procedure for the "Small Scale" amendment.

- (5) The full-size Miami-Dade County plat map at a scale of 1 inch = 300 feet and full size aerial of Section 5, Township 56 South, Range 40 East are included as Exhibits "D" and "E" to this application. Additionally, an 8 ½" x 11", black and white map depicting the application boundaries is included as Exhibit "C".

4. **Reasons for Amendment.**

The Property consists of approximately 6.59 net acres and is located south of SW 184th Street west of U.S. Highway No. 1 (the "Property"). The Property is made up of three parcels. Parcels 1 and 2 lie immediately south of SW 184th Street between U.S. Highway No. 1/the Rapid Transit Corridor and Homestead Avenue. Parcel 3 is located on the west side of Homestead Avenue and the north side of Quail Roost Drive (SW 186th Street). Both SW 184th Street and SW 186th Street are designated as major roadways in Miami-Dade County's Adopted 2005-2015 Land Use Plan. There are existing bus routes along the Rapid Transit Corridor and SW 184th Street.

The land use designation for the Property is Industrial. The Applicant is proposing to designate Parcels 1 and 2 to Business and Office (the "Business and Office Designation") and Parcel 3 to Medium Density Designation with a DI-1 (Density Increase 1), collectively (the "Residential Designation"). The proposed Business and Office Designation is in line and consistent with the Business and Office designation north of SW 184th Street.

The Property is vacant underutilized and in need of redevelopment. There are no environmental or historic features on the Property.

The Applicant intends to develop Parcels 1 and 2 with a mixed use product consisting of residential, non-residential, and accessory parking. At this time, the Applicant is working with Miami-Dade Transit Authority (the "Authority") to include 500 parking spaces to serve the Authority's needs (the "Authority's Parking") in this area. Parcel 3 will be developed with multi-family residential. The residential component on all three parcels will include an independent senior housing component and an affordable/ work force housing component.

The proposed development will also incorporate urban design features and will be compatible with and consistent with the West Perrine Overlay Ordinance (the "West Perrine Ordinance") which the County is planning to adopt north of SW 184th Street.

The Property lies within the Urban Development Boundary and is infill property. Public facilities such as water, sanitary sewer, solid waste, drainage, fire and police services are available. Various public schools and the Harry and Penny Thompson Park lie within close proximity to the Property.

The proposed densities are consistent with the proposed densities under the County's proposed West Perrine Ordinance.

This application and the proposed development are consistent with the goals, policies, and objectives of the County's Comprehensive Development Master Plan including:

LU-1A
LU-1C
LU-1E
LU-1F
LU-1G
LU-2B
Objective LU-7
LU-7F
LU-7G
LU-7I
LU-10A
TE-1D – Authority Parking next to the U.S. No. 1 Bus/Rapid Transit Corridor
TC-11
MT-2B
Objective MT-4 – Authority Parking next to the US No. 1 Bus/Rapid Transit Corridor
HO-3F
Objective HO-6
Goal III of the CDMP's Housing Element
Water and Sewer Subelements WS-1A, WS1-B, Solid Waste Subelement SW-1A

This application and the proposed development serve a public interest by providing

- i) much needed parking next to a Busway/Rapid Transit Corridor, thus encouraging the use of public transportation and alleviating traffic congestion;
- ii) much needed independent senior housing
- iii) much needed affordable/work force residential units.
- iv) residential opportunities within the Urban Development Boundary, thus easing the pressure to extend the Urban Development Boundary.

5. **Additional Materials Submitted.**

Additional materials will be supplied at a later date under separate cover.

6. **Completed Disclosure Forms.**

Attached as Exhibit "B"

7. **Attachments.**

Exhibit "A" – Legal Description

Exhibit "B" – Disclosure of Interest Form

Exhibit "C" – Location Map for Application

Exhibit "D" - Full size Miami-Dade County Plat Map

Exhibit "E" – Aerial Photograph

Exhibit "F" – Survey

A parcel of land lying in the northeast $\frac{1}{4}$ of Section 5, Township 56 South, Range 40 East, Dade County, Florida, more particularly described as follows:

Commence at the Northwest corner of the Northeast $\frac{1}{4}$ of said Section 5, said point also being the Point of Beginning of the Parcel hereinafter described; thence run North $87^{\circ} 48' 09''$ East along the North line of the Northeast $\frac{1}{4}$ of said Section 5 for a distance of 201.31 feet to the Point of Intersection with the Northwesterly limited access right-of-way line of the state of Florida Transportation Corridor; thence run Southwesterly along the said limited access right-of-way line the same being an arc to the right having a radius of 950.00 feet and a central angle of $08^{\circ} 19' 16''$ for an arc distance of 137.97 feet to a Point of Tangency; thence continue South $30^{\circ} 50' 57''$ West for a distance of 200.00 feet to the Point of Curvature; thence continue along an arc to the left having a radius of 1050.00 feet and a central angle of $03^{\circ} 47' 09''$ for an arc distance of 69.38 feet to a Point of Intersection with the West line of the Northeast $\frac{1}{4}$ of said Section 5; thence run North $00^{\circ} 35' 40''$ West along the said West line of the Northeast $\frac{1}{4}$ of Section 5 for a distance of 347.84 feet to the Point of Beginning, containing 0.83 acres more or less.

A parcel of land lying in the Northwest $\frac{1}{4}$ of Section 5, Township 56 South, Range 40 East, Dade County Florida, more particularly described as follows:

Commence at the Northeast of the Northwest $\frac{1}{4}$ of said Section 5; thence run South $00^{\circ} 35' 40''$ East along the East line of the Northwest $\frac{1}{4}$ of said Section 5 for a distance of 339.47 feet to the Point of Beginning of the parcel hereinafter described; thence continue South $00^{\circ} 35' 40''$ East along the said East line of the Northwest $\frac{1}{4}$ of Section 5 for a distance of 8.37 feet to a Point of Intersection with the Northwesterly limited access right-of-way line of the State of Florida Transportation Corridor; thence run Southwesterly along the said limited access right-of-way line of the State of Florida Transportation Corridor the same being an arc to the left having a radius of 1050.00 feet and a central angle of $04^{\circ} 32' 08''$ for an arc distance of 83.12 feet to a Point of Tangency; thence run North $22^{\circ} 31' 40''$ East for a distance of 90.73 feet to the Point of Beginning, containing 103.6 square feet more or less.

Parcel 2

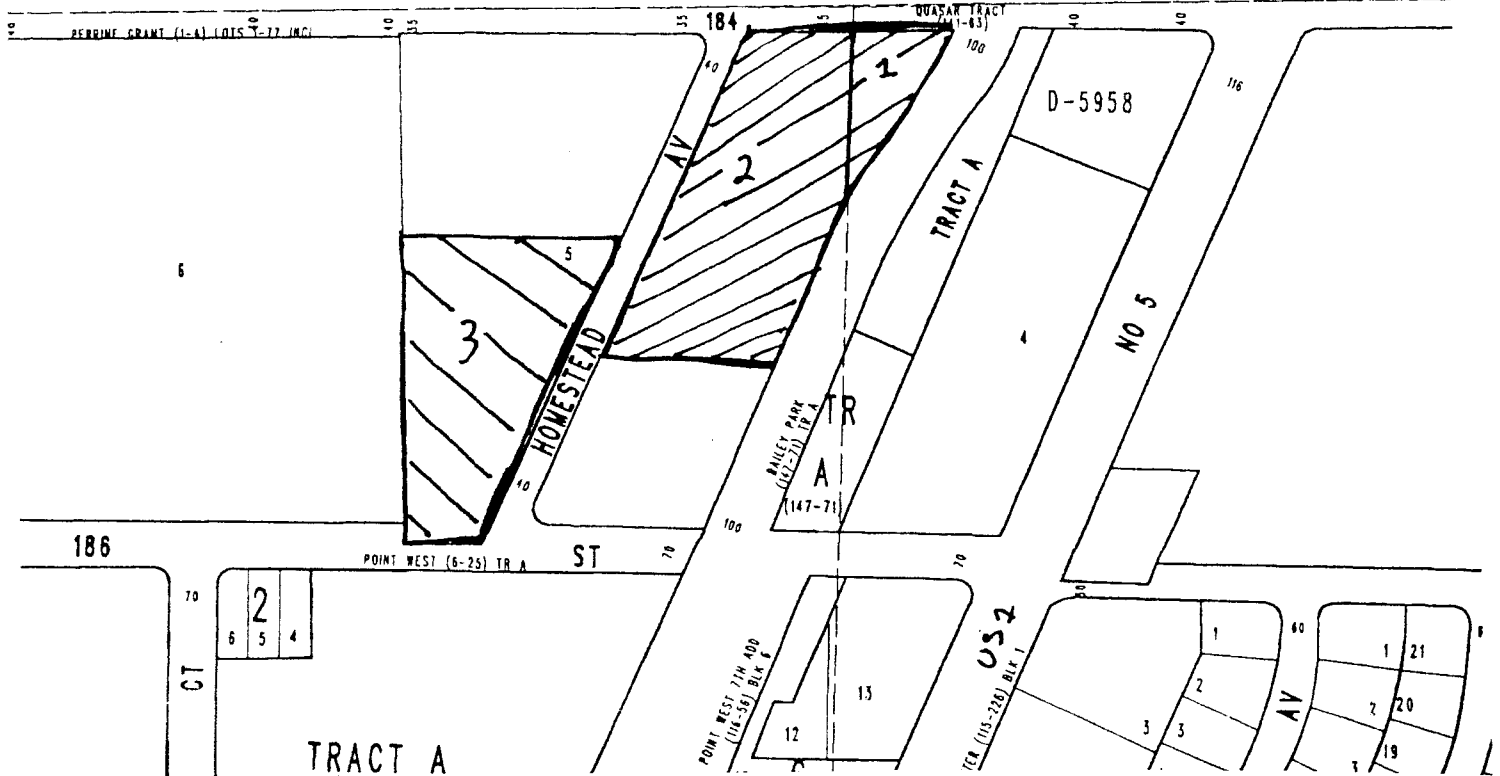
Begin at the Northeast corner of Lot 5, of A.A. Dooley's Plat of Section 5, Township 56 South, Range 40 East, Dade County, Florida, as recorded in Plat Book 1 at Page 4 of the Public Records of Dade County, Florida, the same being the Northeast corner of the NW $\frac{1}{4}$ of the said Section 5, thence North $89^{\circ} 59' 02''$ West along the North line of said Lot 5 and along the North Line of said Section 5 for a distance of 128.59 feet to the intersection thereof, with the Southerly extension of the Southeasterly right of way of Homestead Avenue as the same is shown on the Plat of South Perrine Subdivision, Plat Book 38, at Page 66 of the Public Records of Dade County, Florida; thence South $24^{\circ} 44' 30''$ West along the Southerly extension of the Southeasterly right of way of said Homestead Avenue, for a distance of 542.87 feet; thence South $65^{\circ} 16' 00''$ East for a distance of 249.98 feet to a point on the Northwesterly right of way line of the Florida East Coast Railway; thence North $24^{\circ} 44' 44''$ East along the Northwesterly right of way line of the Florida East Coast Railway for a distance of 285.10 feet to the intersection thereof with the East line of the said Lot 5, for a distance of 338.76 feet to the point of beginning.

Parcel 3

A portion of Lot 5 in Plat Book 1 at Page 4, lying westerly of Homestead Avenue and excepting the North 300 feet, all in Section 5, Township 56 South, Range 40 East Dade County, Florida and being more particularly described as follows:

Commence at the NW corner of the NE 1/4 of said Section 5; thence N89°59'02"W as a basis of bearing, along the north line of said Section 5 and also the north line of Lot 5 in said Plat Book 1 at Page 4 for 651.98 feet, to a point on the westerly line of said Lot 5 in Plat Book 1 at Page 4; thence S01°35'02"W, along the said westerly line for 300.11 feet to the POINT OF BEGINNING of the parcel of land hereinafter described; thence S89°59'01"E for 371.44 feet, to the westerly right-of-way line of Homestead Avenue; thence the following three (3) courses along said right-of-way line, S24°44'30"W for 481.76'; thence N65°15'30"W for 5.00 feet; thence S24°44'30"W for 71.30 feet to a point of curvature; thence 29.03 feet along the arc of a curve to the right, said curve having a radius of 25.00 feet, a central angle of 66° 31'19" to a point of tangency; thence S88°44'15"W for 126.36 feet to a point on the westerly line of said Lot 5 in Plat Book 1 at Page 4, thence N01°35'02"E, along said westerly line, for 512.24 feet to the POINT OF BEGINNING.
The Parcel described herein contains 133176.23 s.q..

EXHIBIT "C"

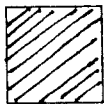


Small Scale Comprehensive Plan Amendment

N

Section 5
Township 56 South
Range 40 East

Application Area:



Proposed "Business and Office"



Proposed "Medium Density with Density Increase I (DI-1)"

Pages Of Disclosure Form Not Applicable To This Application Are
Intentionally Omitted From This Printing.

EXHIBIT "B"

PAGES OF DISCLOSURE FORM NOT APPLICABLE TO
THIS APPLICATION ARE INTENTIONALLY OMITTED FROM THIS PRINTING

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 NAME AND ADDRESS:

APPLICANT A: (Parcel 1) EBP Parcel 1, LLC, a Florida limited liability company (2/3 interest)
and Ryder Investments, LLC, a Florida limited liability company (1/3 interest)

APPLICANT B: (Parcel 2) West Perrine Community Development Corporation, Inc. a Florida
not-for-profit corporation

APPLICANT C: (Parcel 3) EBP Parcel 3, LLC, a Florida limited liability company (2/3 interest)
and Ryder Investments, LLC, a Florida liability company (1/3 interest)

Use the above alphabetical designation for applicants in completing Section 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 Numbers</u>	<u>Size In Acres</u>
A	EBP Parcel 1, LLC (2/3 owner)	30-6005-001-0090	.83 acres
	Ryder Investments, LLC (1/3 owner)		
B	West Perrine Community Development Corporation, Inc.	30-6005-001-0291	2.70 acres
C	EBP Parcel 3, LLC (2/3 owner)	30-6005-001-0140	3.06 acres
	Ryder Investments, LLC (1/3 owner)		

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

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>Other (Attach Explanation)</u>
A	X			
B	X			
C	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.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF
INTEREST

N/A

- 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: EBP Parcel 1, LLC (2/3 interest) (Parcel 1)

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF
STOCK

West Perrine Community Development Corporation, Inc.	100%
Board of Directors:	
Robert Spencer, Chairman	
James Bryant, Vice-Chairman	
Melvin Denny, Treasurer	
Linda Webb, Secretary	
Sarah Lawrence, Director	
Henry Lawrence, Director	
All c/o Gilberto Pastoriza, Esq.	
2665 South Bayshore Drive, Suite 420, Miami, FL 3333	

CORPORATION NAME: Ryder Investments, LLC (1/3 interest)(Parcel 1)

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF
STOCK

William Ryder	50%
Katherine Rey	50%
All c/o Gilberto Pastoriza, Esq.	
2665 South Bayshore Drive, Suite 420, Miami, FL 3333	

CORPORATION NAME: West Perrine Community Development Corporation, Inc. (Parcel 2)

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
West Perrine Community Development Corporation, Inc.	100%
Board of Directors:	
Robert Spencer, Chairman	
James Bryant, Vice-Chairman	
Melvin Dennos, Treasurer	
Linda Webb, Secretary	
Sarah Lawrence, Director	
Henry Lawrence, Director	
All c/o Gilberto Pastoriza, Esq.	
2665 South Bayshore Drive, Suite 420, Miami, FL 3333	

CORPORATION NAME: EPB Parcel 3, LLC (2/3 interest)(Parcel 3)

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
West Perrine Community Development Corporation, Inc.	100%
Board of Directors:	
Robert Spencer, Chairman	
James Bryant, Vice-Chairman	
Melvin Dennos, Treasurer	
Linda Webb, Secretary	
Sarah Lawrence, Director	
Henry Lawrence, Director	
All c/o Gilberto Pastoriza, Esq.	
2665 South Bayshore Drive, Suite 420, Miami, FL 33133	

CORPORATION NAME: Ryder Investments, LLC (1/3 interest)(Parcel 3)

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
William Ryder	50%
Katherine Rey	50%
All c/o Gilberto Pastoriza, Esq.	
2665 South Bayshore Drive, Suite 420, Miami, FL 33133	

- d. If the owner is a **PARTNERSHIP** or **LIMITED PARTNERSHIP**, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s), trust(s), or other similar entities, further disclosure shall be required which discloses the identify of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF INTEREST</u>
-------------------------------------	-------------------------------

N/A

- e. If the owner is party to a **CONTRACT FOR PURCHASE**, whether contingent on the application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identify of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF INTEREST</u>
---	-------------------------------

There is a contract to purchase 80% of the West Perrine Community Development Corporation, Inc's interest in parcels 1, 2 and 3. The Contract for Purchase is dated March 11, 2005. The Contract Purchaser is Ryder Investments, LLC (William Ryder 50%/Katherine Rey 50%). Ryder Investments, LLC on April 10, 2005 assigned the Contract to Transorde~~V~~, LLC, a Florida limited liability company. Transorder's members are:

Ryder Investments, LLC	40%
Katherine Rey 50%	
William Ryder 50%	
Grove Investments, LLC	20%
Armando Cazo 100%	
Chris Morris	20%
Danny Miller	20%

Date of Contract: _____

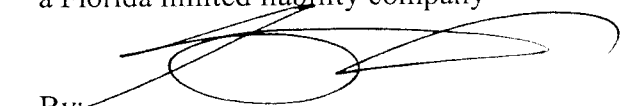
If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

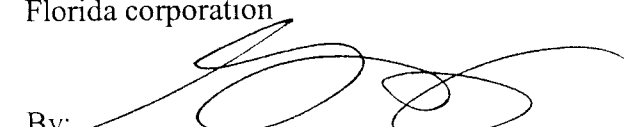
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and behalf.

Applicant's Signature and Printed Names

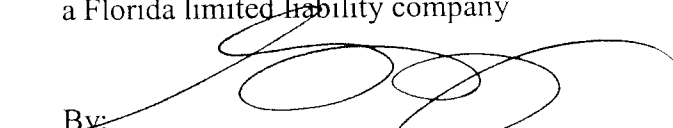
EBP PARCEL 1, LLC
a Florida limited liability company

By: 
Print Name: Gilberto Pastoriza, Esq.
Attorney for the Applicant

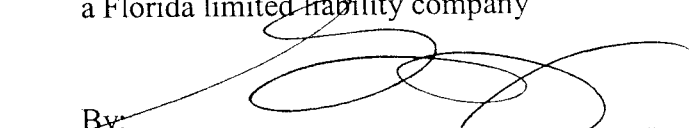
WEST PERRINE COMMUNITY
DEVELOPMENT CORPORATION, INC., a
Florida corporation

By: 
Print Name: Gilberto Pastoriza, Esq.
Attorney for the Applicant

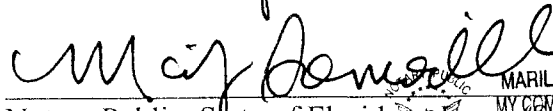
RYDER INVESTMENTS, LLC
a Florida limited liability company


By: 
Print Name: Gilberto Pastoriza, Esq.
Attorney for the Applicant

EBP PARCEL 3, LLC
a Florida limited liability company

By: 
Print Name: Gilberto Pastoriza, Esq.
Attorney for the Applicant

Sworn to and subscribed before me
this 21 day of April, 2005



Notary Public, State of Florida  (Seal)
Marilyn Somodevilla
MY COMMISSION # DD 222204
EXPIRES: September 13, 2007
Bonded Thru Budget Notary Services

My Commission Expires:

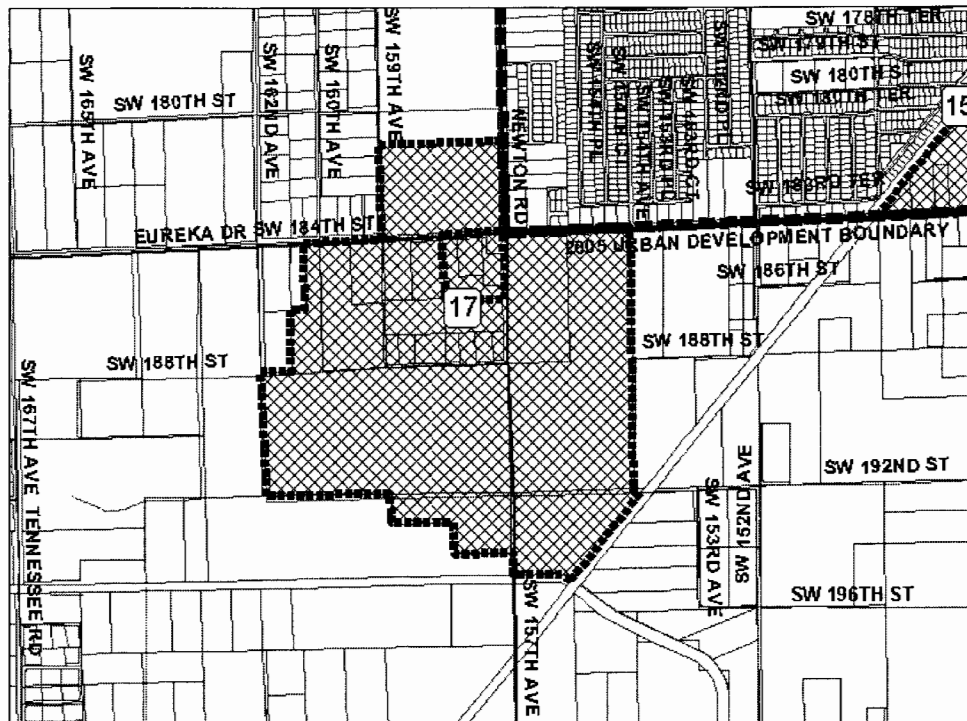
Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; any entity where ownership interests are held in a partnership, corporation or trust consisting of more FMGM 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.

APPLICATION NO. 17
STANDARD AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
Eureka Palms Partnership, LLLP 2450 SW 137 Avenue, Suite 228 Miami, Florida 33175	Jeffrey Bercow, Esq. Melissa Tapanes Ulahues, Esq. Bercow and Radell, P.A. 200 South Biscayne Boulevard, Suite 850 Miami, Florida 33131

Requested Amendment to the Land Use Plan Map

- 1) Move the 2005 Urban Development Boundary to encompass the application area.
 - 2) From: AGRICULTURE
To: PART A) ESTATE DENSITY RESIDENTIAL (1 to 2.5 DU/AC.) (295.45 AC.)
PART B) BUSINESS AND OFFICE (10 AC.)
 - 3) Revise existing Land Use Policy 8H (i)(c) by removing an area south of SW 184 Street from the list of areas not to be considered for UDB expansion.
- Location:** The NW, SE and SW corners of SW 184 Street and SW 157 Avenue
- Acreage:** Application area: 305.45 Gross Acres
Application area: 305.45 Net Acres
Acreage Owned by Applicant: 146.61 acres.



Note: This summary page is not part of the actual application that follows.

**APPLICATION TO AMEND THE 2005/2015
MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

Eureka Palms Partnership, LLLP
2450 Southwest 137 Avenue, Suite 228
Miami, Florida 33175

2. APPLICANT'S REPRESENTATIVES

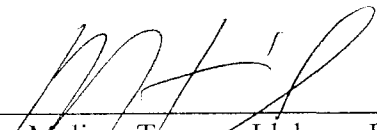
Jeffrey Bercow, Esq.
Melissa Tapanes Llahues, Esq.
Bercow & Radell, P.A.
200 South Biscayne Boulevard
Suite 850
Miami, Florida 33131

By: _____


Jeffrey Bercow, Esq.

Date: April 29, 2005

By: _____


Melissa Tapanes Llahues, Esq.

Date: April 29, 2005

3. DESCRIPTION OF REQUESTED CHANGES

A. An amendment to the CDMP Land Use Map is requested.

Current Land Use Designation: Agricultural

Proposed Land Use Designations: Estate Density Residential and Business and Office

B. Description of the Subject Property

The property consists of five parcels, totaling approximately 305.45 gross acres of land located south of S.W. 176 Street, north of the C-102 Canal, east of S.W. 162 Avenue, and west of S.W. 152 Avenue and the Seaboard Railroad right-of-way ("Property").

C. Gross Acreage

Application area: 305.45 gross acres

Acreage owned by Applicant: 146.61 gross acres.

D. Requested Changes

1. The Applicant respectfully requests that the 305.45-acre application area be re-designated on the Land Use Plan (“LUP”) Map from Agricultural to Estate Density Residential (1 to 2.5 dwelling units per acre). In addition, the Applicant respectfully requests to re-designate a 10-acre activity node at the southwest intersection of section line roads S.W. 184 Street and S.W. 157 Avenue as “Business and Office.”

2. The Applicant respectfully requests that the Urban Development Boundary (“UDB”) be expanded to include the Property.

3. The Applicant respectfully requests a revision of Policy 8H(i)(c) on Page I-17 of the Comprehensive Development Master Plan (“CDMP”) text. Policy 8H provides:

8H. When considering land areas to add to the UDB, after demonstrating that a countywide need exists,

i) The following areas shall not be considered:

FROM:

c) The Redland area south of Eureka Drive; and

TO:

c) The Redland area south of C-102 Canal right-of-way and west of S.W. 162 Avenue; and

4. REASONS FOR AMENDMENT

Property. The Property consists of five parcels, totaling approximately 305.45 gross acres of land located south of S.W. 176 Street, north of the C-102 Canal, east of S.W 162 Avenue, and west of S.W. 152 Avenue and the Seaboard Railroad right-of-way (“Property”). Currently, the Property is designated Agricultural. The re-designation of the Property to Estate Density Residential will convert underutilized agricultural land to much-needed residential land to serve the County’s projected population growth.

Land Supply. Objective 8 and Policies 8A, 8F, 8G, and 8H all require that Miami-Dade County maintain an adequate supply of available land for each land development category in order to accommodate projected demand. The most recent Residential Supply and Demand data for the County is published in Table 2-3 of the 2004 Initial Recommendations report. The data indicates that the

County-wide single-family residential supply of land will be exhausted by the year 2015. This County-wide depletion date falls far short of CDMP Policy 8G that requires the County to sustain adequate residential inventory for projected demand for a period of 15 years. Re-designation of the Property to Estate Density Residential designation will fill the existing void of generous-sized lots and detached estates in the urbanized area of the County.

The Property is located in Minor Statistical Area (“MSA”) 7.2. The most recent Commercial Land Supply and Demand data for MSA 7.2 is published in Table 2-8 of the 2004 Initial Recommendations report. The data indicates that the projected year of depletion within MSA in 7.2 is 2010, which is inadequate. Utilizing the 4.39 average absorption rate in MSA 7.2, a 10-acre “Business and Office” activity node at the southwest intersection of S.W. 184 Street and S.W. 157 Avenue will extend the depletion date by over two years to 2012. Further, an activity node at the southwest intersection will help serve the growing population to the north and east of the Property while offering much-needed sales and service activities to the underserved community to the south and west.

Consistency with the CDMP. CDMP Page I-45 provides the UDB “is included on the LUP map to distinguish the area where urban development may occur through the year 2005 from areas where it should not occur.” Thus, this Application is timely. The year 2005 was envisioned as the year to revisit and reassess the extension of the UDB. Further, the Property has marginal value for agricultural uses because of its proximate location to the urbanized area to the north and east. The Property provides an opportunity to create a transition area from these heavily populated areas to the north and east towards the Redlands area to the south. The expansion of the UDB to include the Property will augment the supply of developable land suitable for single-family housing.

CDMP Policy 8G on Page I-16 of the CDMP provides that the “UDB should contain developable land having capacity to sustain projected countywide residential demand for a period of 10 years after adoption of the most recent Evaluation and Appraisal Report (EAR) plus a five-year surplus (a total of 15-year Countywide supply beyond the date of EAR adoption).” The projected County-wide depletion year of 2015 for single family homes falls 5-years short of the 15-year mandate required by CDMP Policy 8G. Approval of the Application will ensure that the County has the capacity to sustain the projected countywide residential demand for the mandated 15 years. In addition, Policy 8H(iii)(c) on Page I-17 of the CDMP gives priority for inclusion within the UDB to “land contiguous to the UDB,” “subject to conformance with Policy 8G.” The Property is both contiguous to the UDB and will address the 15 year mandate found in Policy 8G; thus, this Application consistent with Policy 8H(iii). Accordingly, extending the UDB to include the Property would help alleviate the increasing demand for housing in County-wide.

CDMP Policy 8A provides that Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units, character of existing adjacent or surrounding neighborhoods, and maintenance of quality of life and creation of amenities. The Property is ideally suited for Estate Density Residential development because it reflects a trend towards estate-character residences and maintains the character of the surrounding neighborhood by providing a transition between the Low Density Residential to the east and north, and the rural character to the west and south.

The CDMP Page I-35 provides that commercial development in newly developing areas should be concentrated in nodes at major intersections. The Guidelines for Urban Form further provides that the intersections of section line roads should serve as focal points for activity or “activity nodes.” Specifically, CDMP Page I-21 provides that “[i]ntersections of section line roads shall serve as focal points of activity, hereafter referred to as activity nodes.” Both S.W. 157 Avenue and S.W. 184 Street are major section line roads. Therefore, a ten-acre node at the southwest intersection of S.W. 157 Avenue and S.W. 184 Street is primed to serve both the surrounding community as an activity node.

Infrastructure, Parks, and Schools. The Applicant intends to explore solutions to mitigate the impacts on infrastructure, park, and school facilities.

5. ADDITIONAL MATERIAL SUBMITTED

1. Legal Description and Survey of Property (See Exhibit A)
2. Aerial Photographs (See Exhibit B)
3. Reduced Aerial Photographs (See Exhibit C)
4. Section Maps (See Exhibit D)

The Applicant reserves the right to supplement the application with additional documentation within the time permitted by the Code of Miami-Dade County.

EUREKA PALMS PARTNERSHIP, LLLP (continued)

LEGAL DESCRIPTION

PARCEL 1 (SHIELDS PROPERTY)

The South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 5, Township 56 South, Range 39 East;

And:

The East $\frac{1}{2}$ of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ less the North 35 feet, and the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 5, Township 56 South, Range 39 East.

All Lying in Miami-Dade County, Florida.

And:

The North $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ lying West of the Seaboard Airline Railroad Right-of-Way; the North $\frac{1}{2}$ of the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ lying West of the Seaboard Airline Railroad Right-of-Way and North of Central and Southern Florida Flood Control District Canal C-102 Right-of-Way in Section 4, Township 56 South, Range 39 East; and the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; in Section 5, Township 56 South, Range 39 East, Miami-Dade County, Florida.

And:

The West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ less the North 40 feet and the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ in Section 5, Township 56 South, Range 39 East, all lying and being in Miami-Dade County, Florida.

PARCEL 2

The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, Township 56 South, Range 39 East, lying and being in Miami-Dade County, Florida.

PARCEL 3

West $\frac{1}{2}$ of Northwest $\frac{1}{4}$ of Section 4, Township 56 South, Range 39 East, lying and being in Miami-Dade County, Florida.

PARCEL 4

The East $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, Township 56 South, Range 39 East, lying and being in Miami-Dade County, Florida.

PARCEL 5

The South $\frac{1}{4}$ of the East $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 32, Township 55 South, Range 39 East, lying and being in Miami-Dade County, Florida.

Containing 13,305,388.19 Square Feet or 305.45 Acres more or less.(GROSS AREA)

EUREKA PALMS PARTNERSHIP, LLLP (continued)

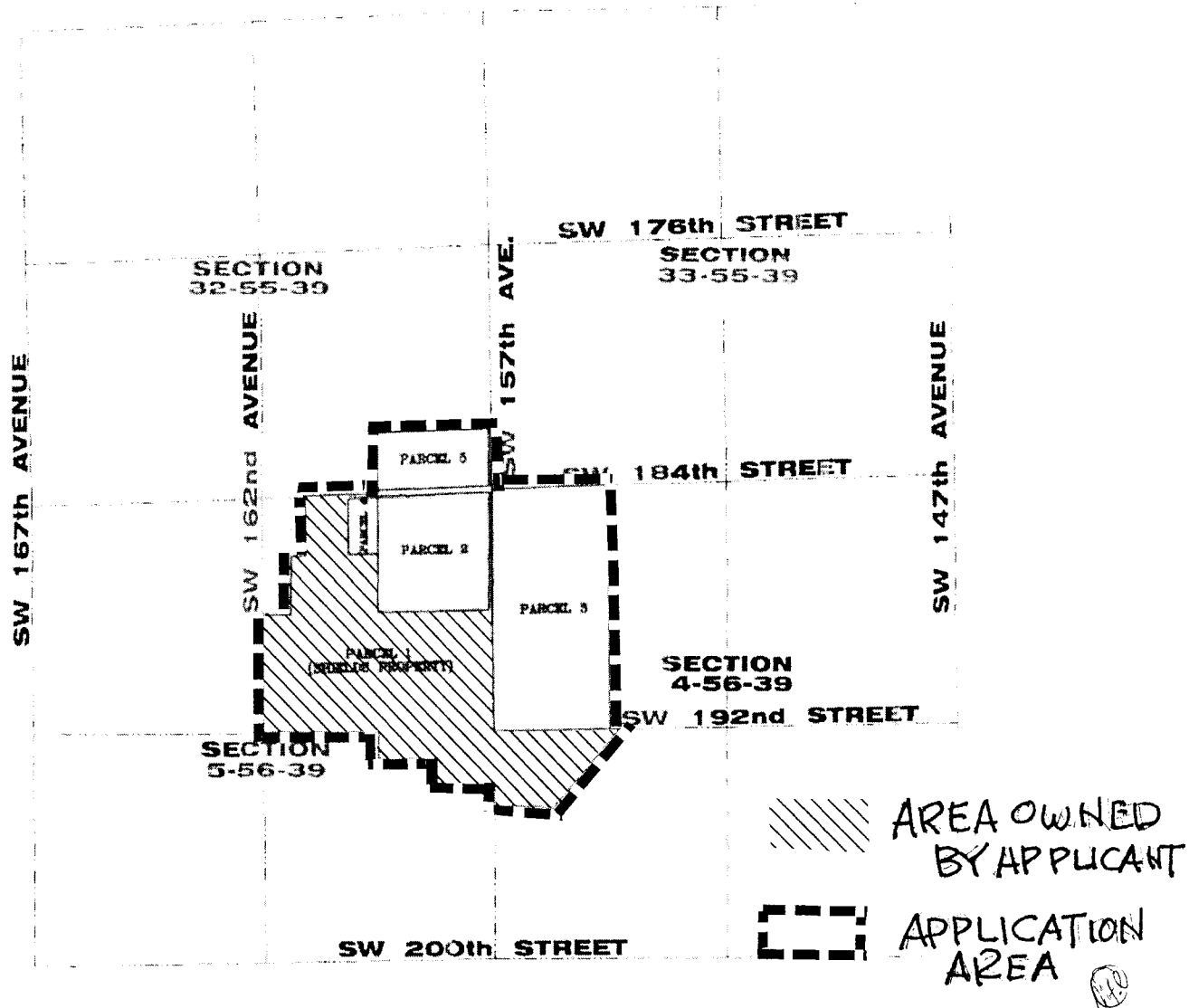
**LOCATION MAP FOR APPLICATION
TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**

APPLICANT/REPRESENTATIVE

Eureka Palms Partnership, LLLP/
Jeffrey Bercow, Esq. and Melissa Tapanes Llahues, Esq.

DESCRIPTION OF SUBJECT AREA

Subject Property consists of five parcels, totaling approximately 305.45 gross acres of land located south of S.W. 176 Street, north of the C-102 Canal, east of S.W. 162 Avenue, and west of S.W. 152 Avenue and the Seaboard Railroad right-of-way. The Applicant owns Parcel 1 (Shields Property). The legal description for each parcel is attached.



**Pages Of Disclosure Form Not Applicable To This Application Are
Intentionally Omitted From This Printing.**

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.

APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Eureka Palms Partnership, LLLP ("EPP")

APPLICANT B: _____

APPLICANT C: _____

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

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>
EPP	EPP	30-6905-000-0201	15.00
EPP	EPP	30-6904-000-0270	22.00
EPP	EPP	30-6905-000-0085	16.00
EPP	EPP	30-6905-000-0010	93.00
EPP	Tropico Miami Home Dev.	30-5924-001-0170	6.64
EPP	Cantonville Invemments NV	30-6904-000-0220	20.00
EPP	Eureka Land Comp Inc.	30-5932-000-0060	40.81 *Partial
EPP	Eric W. Shields	30-6905-000-0081	5.00
EPP	Carolyn M. Kern	30-6905-000-0061	5.00
EPP	George & Myra Butler, Tr.	30-6905-000-0021	5.00
EPP	George & Myra Butler, Tr.	30-6905-000-0020	2.00
EPP	Joseph & Jean Paruolo	30-6905-000-0022	2.00
EPP	George & Myra Butler, Tr.	30-6905-000-0060	1.00
EPP	Winston E. Shields	30-6905-000-0073	2.00
EPP	Eudelio & Migdalia Ferrer	30-6905-000-0023	5.00
EPP	Medora K. Alleman	30-6904-000-0230	60.00
EPP	Alfredo Salas	30-6905-000-0030	5.00
<i>Total</i>			<i>305.45</i>

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

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>OTHER (Attach Explanation)</u>
<u>EPP</u>	<u>X</u>			
<u>EPP</u>	<u>Others</u>			<u>No Interest</u>

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>
<u>N/A</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 (5), 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: _____

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>

- c. If the applicant is a TRUSTEE, list the trustee's name, the name 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: N/A

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>N/A</u>	

d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP , list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner (s) consist of another partnership(s), corporation (S) trust (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].

PARTNERSHIP NAME: Eureka Palms Partnership, LLLP

NAME AND ADDRESS OF PARTNERS	PERCENT AGE OF INTEREST
Pedro J. Adrian, 350 Hibiscus Drive, Miami Beach, Florida	5%
Eureka Palms Management Corp., a Florida Corporation, 2450 S.W. 137 Avenue, Miami, Florida 33146	95%

e. If the applicant is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, 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].

NAME AND ADDRESS	PERCENTAGE OF INTEREST
N/A	

Date of Contract: N/A

If any contingency clause or contract terms involve additional parties, list all individuals or officers if a corporation, partnership, or trust.

N/A

5. DISCLOSURE OF OWNER'S INTEREST: Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

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

INDIVIDUAL'S NAME AND ADDRESS	PERCENTAGE OF INTEREST
N/A	

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

Brian E. May

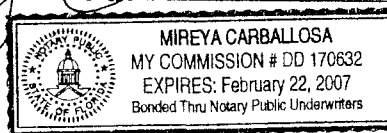
Brian E. May

Chief Operating Officer

Mireya Carballosa

Sworn to and subscribed before me
this 2nd day of May, 2006.

Notary Public, State of Florida at Large (SEAL)
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.

APPLICATION NO. 18
STANDARD AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
GCF Investments, Inc. 1001 Brickell Bay Drive Miami, Florida 33131	Juan J. Mayol, Jr., Esq. Stephen M. James, Esq. Holland and Knight, LLP 701 Brickell Avenue, Suite 3000 Miami, Florida 33131 (305) 374-8500 305-679-6305 (fax)

Requested Amendment to the Land Use Plan Map

From: LOW DENSITY RESIDENTIAL (2.5 to 6.0 DU/Ac.)

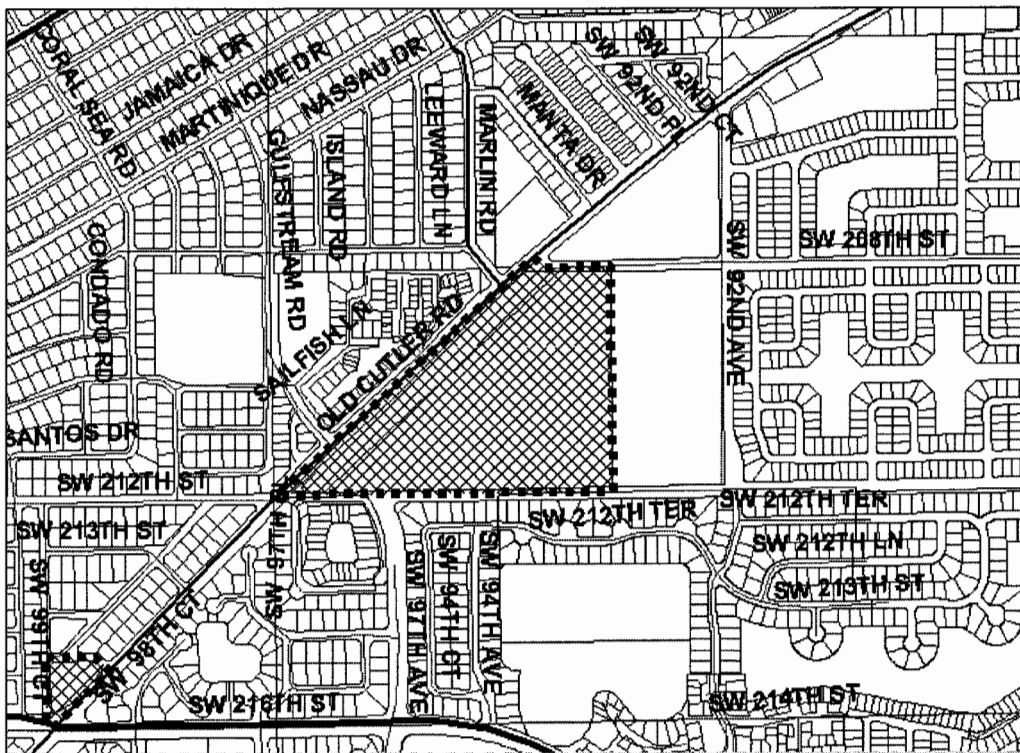
To: BUSINESS AND OFFICE

Location: East side of Old Cutler Road between SW 208 and SW 212 Streets

Acreage: Application area: 35.61 Gross Acres

Application area: 35.61 Net Acres

Acreage Owned by Applicant: 35.61 Acres.



Note: This summary page is not part of the actual application that follows.

**APPLICATION FOR AN AMENDMENT TO THE
LAND USE PLAN MAP
OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANTS

GCF Investments, Inc.
1001 Brickell Bay Drive
Miami, Florida 33131

2. APPLICANT'S REPRESENTATIVE

Juan J. Mayol, Jr., Esq.
Stephen M. James, Esq.
Holland & Knight, LLP
701 Brickell Avenue, Suite 3000
Miami, FL 33131
(305) 374-8500
(305) 679-6305 (fax)

By: _____

Juan J. Mayol, Jr., Esq.

4-29-05

Date

3. DESCRIPTION OF REQUESTED CHANGE

A. Change the Land Use Plan Map.

A change to the Land Use Element, Land Use Plan map (Item A.1(d) in the fee schedule) is requested. The Applicant is requesting the redesignation of the property from "Low Density Residential" to "Business and Office"

B. Description of Subject Area.

Subject property consists of approximately 35.61 gross acres of land located in Section 9, Township 56, Range 40, in unincorporated Miami-Dade County. This subject area is located north of SW 212th Street, east of Old Cutler Road, bordered by residential subdivisions in all directions, and adjacent to a 10-acre healthcare facility to the north.

C. Acreage.

Subject application area: ±35.61 gross acres

Acreage owned by applicant: ±35.61 gross acres

D. Requested Changes.

It is requested that the subject area be redesignated on the Land Use Plan map from "Low Density Residential" to "Business and Office."

4. REASONS FOR AMENDMENT

The Applicant requests the re-designation from "Low Density Residential" to "Business and Office" to permit the development of the subject Property with a mix of uses, including office and retail uses. Only the Business and Office designation would allow a true mix of these uses along Old Cutler Drive. The abutting property to the north of the subject property consists of 10-acre healthcare facility and the abutting property to the west is currently vacant land. With the exception of these parcels and a small retail center to the north, the surrounding area consists primarily of single family homes to the north, south, east and west, including South Coral Homes, Lakes By the Bay, and Pelican Bay at Old Cutler Lakes subdivisions.

The proposed amendment is consistent with the CDMP's Guidelines for Urban Form which recognizes that section line roads are activity nodes where active community serving uses such as business and office activities are appropriately located. In this area, SW 212th Street, to the south of the Property, serves as a *de facto* section line road which separates subdivisions and in fact, was designed as a four-lane divided roadway just east of the Property. Further, Old Cutler Road is major thoroughfare in this area as SW 97th Avenue is curvilinear. A true mix of uses would allow for a more efficient development in that public impacts will be reduced, and local residents will benefit from nearby services. In addition, commercial uses at this intersection will be able to intercept pass-by vehicular trips entering and leaving the area via the Old Cutler Road, thereby reducing the total number of trips that may be generated by commercial uses in more remote locations.

The Property lies within the County's South Planning Analysis Tier ("South Tier"), and more specifically within Minor Statistical Area 7.1 ("MSA"). During the April 2004 CDMP Amendment Cycle, the Planning Research Section of the Department of Planning and Zoning projected that commercially designated land will be depleted within MSA 7.1 by the year 2013, five (5) years earlier than the depletion year projected for the South Tier (2018), and two years earlier than the projected depletion year of the County as a whole.

By comparison, research conducted by the Department revealed that the "South Tier has sufficient [residential] capacity to accommodate projected demand to the year 2021, more than the other three tiers." See Initial Recommendations, April 2004 Applications to Amend the CDMP (Pg. 2-19). The Department concluded that the large capacity for single-family units would be depleted in 2019, and that multi-family capacity extends to beyond 2025. It is significant that the

South Tier has more residential capacity than the other three tiers, and yet less commercial land available to serve the needs of the existing and growing population. This research data indicates that this application for a Business and Office use on the subject property is both logical and timely. It is important to note that the proposed development would likely include both residential and commercial components, allowing the project to address the area's commercial deficiency while not significantly diminishing the residential capacity.

Based on the foregoing, the Applicant believes that the approval of this application would be prudent community planning at the appropriate time. Accordingly, approval of the requested Amendment would further the implementation of the following CDMP goals, objectives and policies:

LAND USE GOAL: Provide the best possible distribution of land use and services to meet the physical, social, cultural and economic needs of the present and future populations in a timely and efficient manner that will maintain or improve the quality of the natural or man-made environment and amenities, and preserve Miami-Dade County's unique agricultural lands.

LAND USE OBJECTIVE 1: The location and configuration of Miami-Dade County's urban growth through the year 2015 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.

LAND USE POLICY 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.

LAND USE POLICY 1H: Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strip or as isolated spots, with the exception of small neighborhood nodes.

LAND USE POLICY 4D: Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the compatible and complementary elements and buffer any potentially incompatible elements.

LAND USE POLICY 5B: All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives, and policies of the CDMP

including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning [and Zoning] shall be the principle administrative interpreter of the CDMP.

LAND USE POLICY 5C: All planning activities pertaining to development and redevelopment and the provision of public services and facilities in Miami-Dade County shall be consistent with the "Population Estimates and Projections" contained in this Element, and with the locations and extent of future land uses as identified by the LUP map and its interpretive text.

LAND USE POLICY 5D: When estimates of current population are periodically updated by the Dade County Department of Planning, Development of Regulation or U.S. Census Bureau, and when revised projections of future population or population distributions are officially filed by the Department as applications to amend the CDMP, these new estimates and projections may be used for planning in Miami-Dade County in lieu of previously published population estimates and the population projections currently adopted in the CDMP.

LAND USE OBJECTIVE 8: Miami-Dade County shall maintain a process for periodic amendment to the Land Use Plan map, consistent with the adopted Goals, Objectives and Policies of this Plan, which will provide that the Land Use Plan map accommodates countywide growth.

LAND USE POLICY 8A: Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; proximity and accessibility to employment, commercial and cultural centers; character of existing and adjacent or surrounding neighborhoods; avoidance of natural resource degradation; maintenance of quality of life and creation of amenities. Density patterns should reflect the Guidelines for Urban Form contained in this Element.

LAND USE POLICY 8B: Distribution of neighborhood or community-serving retail sales uses and personal and professional offices throughout the urban area shall reflect the spatial distribution of the residential population, among other salient social, economic and physical consideration.

LAND USE POLICY 8F: Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated to consider consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would:

- i) Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;
- ii) Enhance or impede provision of services at or above adopted LOS Standards;

- iii) Be compatible with abutting and nearby land uses and protect the character of established neighborhoods; and
- iv) Enhance or degrade environmental or historical resources, features or systems of County significance; and
- v) If located in a planned Urban Center, or within ¼ mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective 7, herein.

LAND USE POLICY 9D: Miami-Dade County shall continue to investigate, maintain and enhance methods, standards and regulatory approaches which facilitate sound, compatible mixing of uses in projects and communities.

5. ADDITIONAL MATERIAL SUBMITTED

Additional information will be supplied at a later date under separate cover.

6. COMPLETED DISCLOSURE FORMS

Attached as Exhibit "B"

Attachments: Legal Description - Exhibit "A"
Disclosure of Interest Form - Exhibit "B"
Location Map for Application - Exhibit "C"
Aerial Photograph – Exhibit "D"

2777196_v2

EXHIBIT "A"

TRACTS 3, 14 AND 15, OF SEMINOLE PLAINS,
ACCORDING TO THE MAP THEREOF AS RECORDED
IN PLAT BOOK 20, PAGE 42 OF THE PUBLIC
RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

Cont'd.
EXHIBIT "A"

LEGAL DESCRIPTION:

TRACT "A", REPLAT OF LOT 31 TO 71, INCLUSIVE, SEMINOLE PLAINS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 49, PAGE 38, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA;
LESS
COMMENCE AT THE SOUTHEAST CORNER OF SAID TRACT "A"; THENCE S89°42'18"W ALONG THE SOUTH BOUNDARY OF TRACT "A" FOR 25.54 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S89°42'18"W FOR 100 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 138°17'38"; THENCE NORTHWESTERLY, NORTHERLY AND NORTHEASTERLY, ALONG THE ARC OF SAID CURVE AND ALONG THE WEST LINE OF SAID TRACT "A" FOR 60.34 FEET TO A POINT OF TANGENCY; THENCE N47°59'56"E ALONG THE NORTHWESTERLY BOUNDARY OF TRACT "A" FOR 100.00 FEET; THENCE S21°08'53"E FOR 117.92 FEET TO THE POINT OF BEGINNING;

SAID LAND FORMERLY DESCRIBED AS:

TRACT "A", REPLAT OF LOT 31 TO 71, INCLUSIVE, SEMINOLE PLAINS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 49, PAGE 38, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA;

LESS

COMMENCE AT THE SOUTHEAST CORNER OF SAID TRACT "A"; THENCE S89°58'43"W 25.24 FEET ALONG THE SOUTH BOUNDARY OF TRACT "A" TO THE POINT OF BEGINNING; THENCE CONTINUE N89°58'43"W ALONG SAID COURSE FOR 100 FEET TO A POINT OF CURVATURE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 138°17'38"; THENCE NORTHWESTERLY, NORTHERLY AND NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT AND ALONG THE WEST BOUNDARY OF TRACT "A" FOR 60.34 FEET TO A POINT; THENCE N48°18'55"E ALONG THE NORTHWESTERLY BOUNDARY OF TRACT "A" FOR 100 FEET; THENCE S20°49'54" E FOR 117.92 FEET TO THE POINT OF BEGINNING;

Location Map



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: GCF Investments, Inc

2100 Ponce de Leon Boulevard

Suite 601

Coral Gables, FL 33134

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.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN SQ. FT.
A	GCF Investments, Inc.	30-6009-006-0010	1,306,800 sq. ft.
	Giorgio Development, Inc.	30-6009-005-0010	244,372 sq. ft.

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 GCF INVESTMENTS, INC.

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
Ruben Garcia, President	100%
2100 Ponce de Leon Boulevard, Suite 601	
Coral Gables, FL 33134	

- b. If the owner 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: GIORGIO DEVELOPMENT, INC.

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
<u>Ruben Garcia, President</u>	<u>100%</u>
<u>2100 Ponce de Leon Blvd., Suite 601</u>	
<u>Coral Gables, FL 33134</u>	

- c. If the owner is a TRUSTEE, and 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), another trust(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].

TRUSTEE'S

NAME: _____

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>N/A</u>	

- d. If the owner is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(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].

PARTNERSHIP NAME: _____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

Ruben Garcia, President

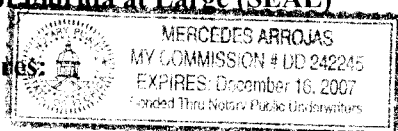
GCF Investments, Inc.

Sworn to and subscribed before me

this 20th day of September, 2005.

Mercedes Arrojas
Notary Public, State of Florida at Large (SEAL)

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 FMGM 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.

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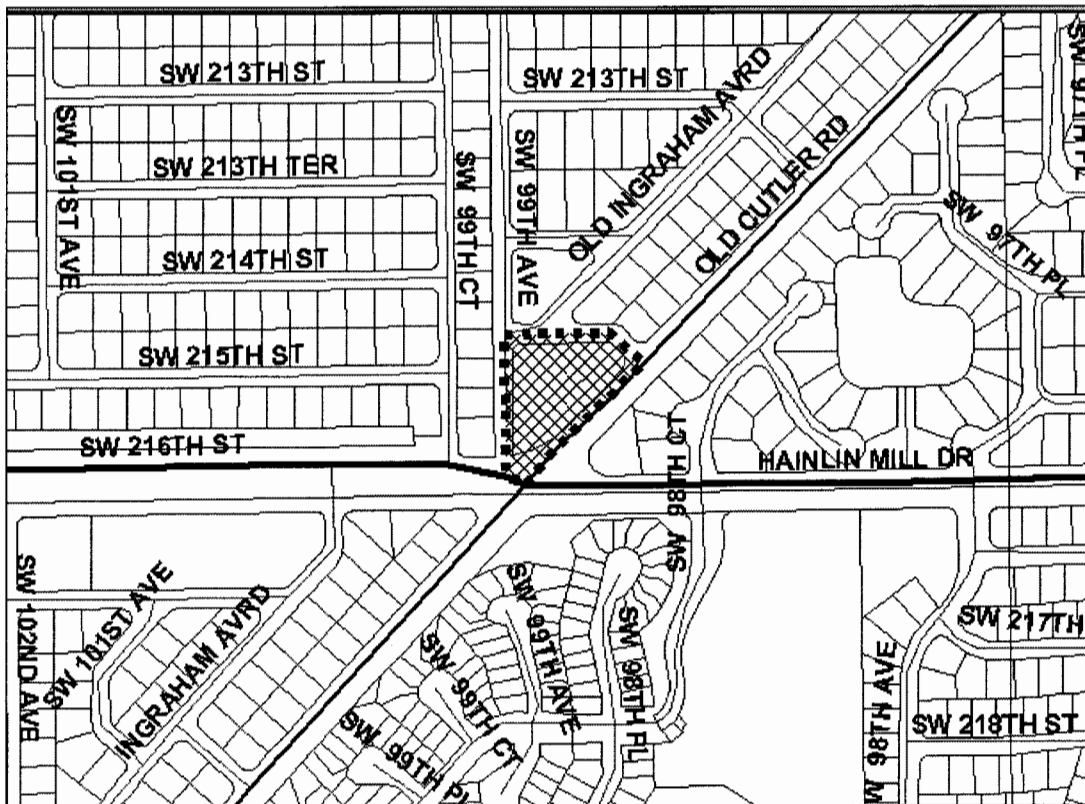
{M1905369;1}

APPLICATION NO. 19
SMALL-SCALE AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
Pinto Realty Company Mr. Jorge Pinto, President 4000 Ponce De Leon Boulevard, Suite 470 Coral Gables, Florida 33146	Chad Williard, Esq. Carlos Williard & Flanagan, P. A. 999 Ponce De Leon Boulevard, Suite 1000 Coral Gables, Florida 33134 (305) 444-1500

Requested Amendment to the Land Use Plan Map

From: LOW DENSITY RESIDENTIAL (2.5 to 6.0 DU/AC.)
To: BUSINESS AND OFFICE
Location: Northeast corner of SW 216 Street and SW 99 Avenue.
Acreage: Application area: 1.8 Gross Acres
Application area: 1.4 Net Acres
Acreage Owned by Applicant: 1.4 Acres.



Note: This summary page is not part of the actual application that follows.

**APPLICATION TO AMEND THE
2005 & 2015
LAND USE PLAN MAP
OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

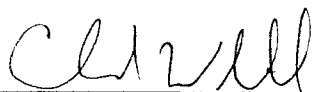
1. APPLICANT

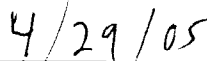
Pinto Realty Company
Mr. Jorge Pinto, President
4000 Ponce de Leon Boulevard
Suite 470
Coral Gables, Florida 33146

2. APPLICANT'S REPRESENTATIVE

Chad Williard, Esq.
Carlos Williard & Flanagan, P.A.
999 Ponce de Leon, Suite 1000
Coral Gables, FL 33134
(305) 444-1500

By:


Chad Williard, Esq.


Date

The Applicant requests expedited processing of the Application as a small scale amendment.

3. DESCRIPTION OF REQUESTED CHANGE

- A. Change to the CDMP Land Use Plan Map. Change to the Land Use Plan map is requested.
- B. Description of Subject Area The subject property (the "Property") consists of approximately 1.8 gross acres located in Section 8, Township 56 South, Range 40 East, in unincorporated Miami-Dade County (See Exhibit "A").

C. Acreage

Gross Acreage: (+/-) 1.8 acres

Net Acreage: (+/-) 1.4 acres. Applicant owns all except right-of-way.

Acreage Owned by Applicant: (+/-) 1.4 acres

D. Requested Change

1. The Applicant respectfully requests that the (+/-) 1.4 acre Property depicted on the attached exhibit be redesignated on the Land Use Plan map from "Low Density Residential" to "Business and Office."
2. The Applicant respectfully requests that the Application be processed as a "Small Scale" amendment and that the Application be expedited pursuant to the procedure for small scale amendments.

4. REASONS FOR AMENDMENT

The Property is an irregular, triangular-shaped lot located on the north side of SW 216 Street, between Old Cutler Road and SW 99 Avenue. While the Property is currently designated "Low Density Residential" on the CDMP's Land Use Plan Map, its irregular shape, coupled with the fact that it is located at the convergence of three roads (one of which being the aforementioned, SW 216 Street – a section line road), makes it unsuitable for residential development. Rather, for the reasons set forth in more detail below, the ideal use of the Property is for commercial purposes. Thus, the Applicant respectfully urges the Department of Planning and Zoning (the "Department") to recommend approval of its request to redesignate the Property to "Business and Office."

The Property is located in south Miami-Dade County, within an area identified by the Department as the "South Planning Analysis Tier" and is surrounded by adjacent, existing residential communities such as the large, planned development known as "Lakes by the Bay" (located generally east/southeast of the Property). It is worthy of note that in this general area, the vacant parcels not already improved with existing homes are quickly being developed with new residential units. Also, within the subarea of the South Planning Analysis Tier (Minor Statistical Area 7.1), there is little or no vacant land available for commercial development, in general; and, within an approximate one-mile radius of the Property, in particular. Meanwhile this ever-expanding residential community's needs for additional commercial services continue to grow, as the availability of land continues to dwindle.

Miami-Dade County's Guidelines for Urban Form suggest that intersections of section line roads should serve as activity nodes which should be occupied by nonresidential components, including commercial uses. (CDMP Page I-21) The Property is located at what can be considered the de facto intersection of two (2), section line roads: SW 216 Street and Old Cutler Road. Given the fact that there is no true intersection of section line roads in this corridor - SW 97 Avenue does not exist - the first major road encountered as one travels west along SW 216 Street from Lakes by the Bay is Old Cutler Road. The CDMP goes on to acknowledge that the allocation of commercial development among such "activity nodes" depend on a variety of factors, including compatibility with adjacent uses. (CDMP Page I-35) In this case, the Property is located along a segment of a section line road (SW 216 Street), between a major residential community to the east (Lakes by the Bay) and the Florida Turnpike to the west. Moreover, between the Property and existing residential homes to the north, there is a dedicated right-of-way and a vacant parcel owned by the Miami-Dade County Parks Department. Given these circumstances, the compatibility of the Property as a commercial site, in relation to the surrounding community, is clear.

Moreover, the Applicant intends to develop the Property with the type of neighborhood-serving, commercial uses lacking in this region of Miami-Dade County (e.g., a retail market, auto service station with convenience store, etc.); and, the Applicant is willing to voluntarily proffer a Declaration of Restrictions to ensure that the design of any such commercial development shall incorporate and provide "new urbanism" concepts consistent with the criteria memorialized in recent studies for the Naranja Community Urban Center ordinance and the Old Cutler Road Charrette report.

Additionally, a review of existing and projected conditions in this area confirms that the severity of this commercial land paucity is not being overstated. Within MSA 7.1, there is very little vacant land available for possible conversion to commercial use and, a statistically significant portion of MSA 7.1 lies outside Miami-Dade County's Urban Development Boundary. Therefore, when given the drastically limited availability of additional commercial land, Miami-Dade County's residents would be well-served by the approval of the Application. Further, Miami-Dade County Land's Use Element Objective 8 and Policies 8A, 8F, 8G and 8H require Miami-Dade County to maintain an adequate supply of land for each land development category in order to accommodate projected population growth (CDMP Pages I-15 - I-17) As such, if the Department wishes to promote and fulfill these objectives and policies, thereby providing for the needs of its residents, it should recommend approval of this Application.

This need for (and lack of availability of) is further demonstrated by a review of the immediately adjacent, Minor Statistical Area 7.2 which is in even greater dire straits than MSA 7.1: the current projection year for depletion of all commercial land in MSA 7.2 is 2010 – less than 5 years away. As such, the

Department cannot look to neighboring section of the South Planning Analysis Tier for a solution to this increasing serious problem.

Finally, the most recent Miami-Dade County data ("Projected Absorption of Commercial Land Miami-Dade County, 2003-2025," Initial Recommendations to the October 2004 Cycle, Page 2-21) indicates that the countywide average for commercial acreage in 2015 and 2025 is 6.1 commercial acres per 1000 persons and 5.4 commercial acres per 1000 persons, respectively; while the same data for MSA 7.1 is 7.6 commercial acres per 1000 persons in 2015 and 4.9 commercial acres per 1000 per person in 2025. Clearly, this relatively large, projected drop in commercial acreage availability per 1000 persons (i.e., the County's data projections confirm that commercial acreage in MSA 7.1 will go from above average in comparison to the countywide number, to below average in the next 20 years).

For all the reasons discussed herein, the Applicant respectfully submits that the need for additional commercial and office land is clear and that there is no better or more logical place to provide for this additional capacity than that proposed by this Property and Application.

5. ADDITIONAL MATERIALS SUBMITTED

1. Legal Description
2. Section Map
3. Aerial Photograph

The Applicant reserves the right to supplement the Application with additional documentation within the time permitted by the Code of Miami-Dade County.

EXHIBIT "A"

consists of Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 64 of LINCOLN CITY SECTION "G", according to the plat thereof, as recorded in Plat Book 48 at Page 75 of the Public Records, of Miami-Dade County, Florida.

LESS that portion of Lots 4, 5 and 6, Block 64, of the above described parcel and recorded in Plat Book 88, at Page 52, March 6, 1972 as shown in Right-Of-Way Map 87502-2633, in Page 4 of a dated 03/25/75 of the State of Florida Department of Transportation Right-Of-Way Map and described as follows:

All that part of Block 64 of LINCOLN CITY SECTION "G," according to the plat thereof, as recorded in Plat Block at Page 75, of the Public Records, of Miami-Dade County, Florida, which lies Southerly of the following, described line:

COMMENCE at the point of intersection of the Southerly extension of the Westerly Block line of said Block 64 and the Southwesterly extension of the Southeasterly block line of said Block 64; thence run Northeasterly, along said Southeasterly block line and its Southwesterly extension for a distance of 216.85' feet to the point of curvature of a circular curve concave to the Northwest, said point of curvature being the POINT OF BEGINNING of the herein described line; thence run Southwesterly, along the arc of said circular curve concave to the Northwest, having a radius of 291.50' feet, through a central angle of 34 12'26", for an arc distance of 174.03' feet to the point of intersection with the Westerly block line of said Block 64, and the end of the herein described line; said point of intersection being 73.14' feet Northerly of the point of intersection of the Southwesterly extension of the Southeasterly block line of said Block 64 as measured along the Westerly block line of said Block 64 and its Southerly extension.

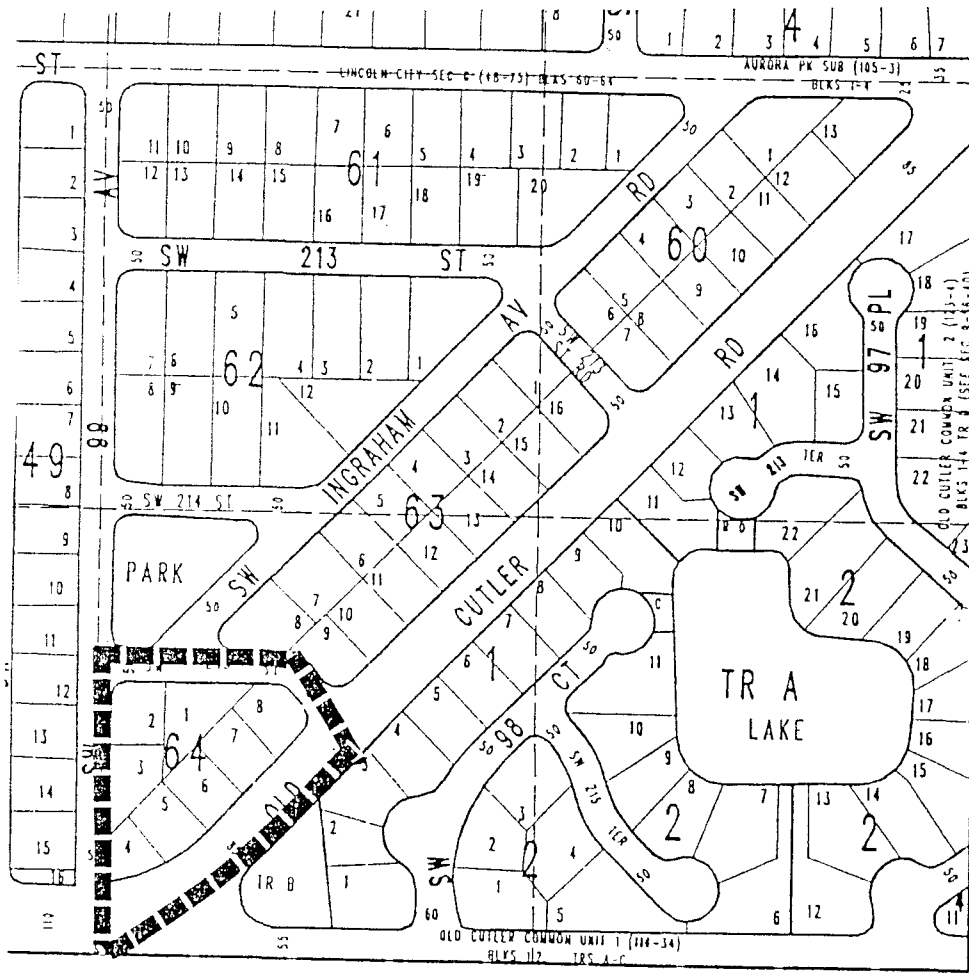
LOCATION MAP FOR APPLICATION

APPLICANT

Pinto Realty Company
 Mr. Jorge Pinto, President
 4000 Ponce de Leon Boulevard
 Suite 470
 Coral Gables, Florida 33146

APPLICANT REPRESENTATIVE

Chad Williard, Esq.
 Carlos Williard & Flanagan P.A.
 999 Ponce de Leon Boulevard
 Suite 1000
 Coral Gables, Florida 33134
 (305) 444-1500



Pages Of Disclosure Form Not Applicable To This Application Are
Intentionally Omitted From This Printing.

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: Pinto Realty Company

APPLICANT B: 4000 Ponce de Leon Blvd., Suite 470

APPLICANT C: Coral Gables, FL 33146

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

APPLICANT G: _____

APPLICANT H: _____

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.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
^A Pinto Realty Company		30-6008-005-0620	(+/- 1.4)

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	Pinto Realty Company - owner			

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>
N/A	

- 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: N/A

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>

- 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: N/A

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF
INTEREST

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner (s) consist of another partnership(s), corporation (s) trust (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].

PARTNERSHIP NAME: Pinto Realty Company

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF
INTEREST

Jorge Pinto 13611 Deering Bay Dr., #804	50%
Maria Claudia Fernandez 13611 Deering Bay Dr., #804	50%

- b. If the owner 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: N/A

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
--	----------------------------

- c. If the owner is a TRUSTEE, and 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), another trust(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].

TRUSTEE'S NAME: N/A

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

- d. If the owner is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(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].

PARTNERSHIP NAME: Pinto Realty Company

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF OWNERSHIP</u>
-------------------------------------	--------------------------------

<u>Jorge Pinto 13611 Deering Bay Dr., #804</u>	<u>50%</u>
<u>Maria Claudia Fernandez 13611 Deering Bay Dr., #804</u>	<u>50%</u>

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

Josefa Pinto / Josefa Pinto

Sworn to and subscribed before me

this 27 day of APRIL, 19 2005

Josefina Ribes
Notary Public, State of Florida at Large (SEAL)

My Commission Expires:



Josefina Ribes
Commission # DD322394
Expires: MAY 23, 2008
Aaron Notary 1.800.350.5161

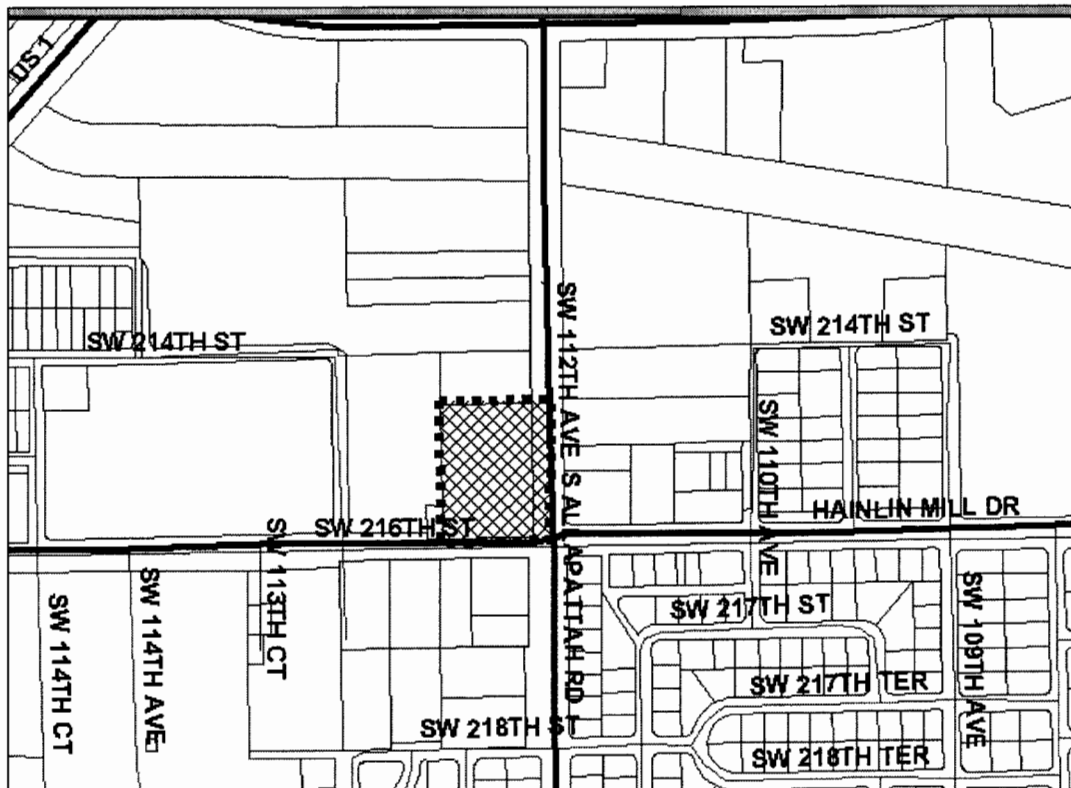
Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; any entity where ownership interests are held in a partnership, corporation or trust consisting of more FMGM 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.

APPLICATION NO. 20
SMALL-SCALE AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
J. L. Brown Development Corporation 11434 SW 148 Street Miami, Florida 33176 (305) 233-3631 (305) 233-6816 Fax (786) 586-6931 (cell)	James L. Brown, Sr. 13645 Old Cutler Road Miami, Florida 33158

Requested Amendment to the Land Use Plan Map

From: MEDIUM DENSITY RESIDENTIAL (13 to 25 DU/AC.)
To: BUSINESS AND OFFICE
Location: Northwest corner of SW 112 Avenue and SW 216 Street.
Acreage: Application area: 3.08 Gross Acres
Application area: 3.08 Net Acres
Acreage Owned by Applicant: 3.08 Acres.



Note: This summary page is not part of the actual application that follows.

Application to Amend the Comprehensive Development Master Plan

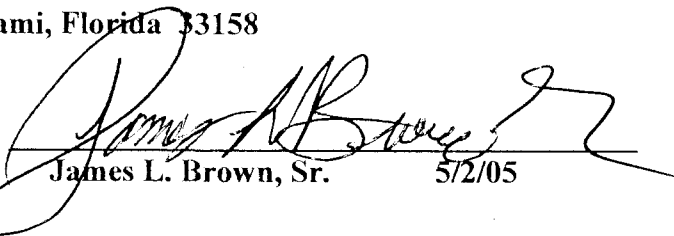
APPLICANTS

- 1) **J.L. Brown Development Corporation**
11434 S.W. 148 Street
Miami, Florida 33176
(305) 233-3631 786-586-6931 (Cell)
(305) 233-6816 Fax

- 2) **Applicants Representative**

James L. Brown
13645 Old Cutler Road
Miami, Florida 33158

By:


James L. Brown, Sr. 5/2/05

3) Description of Requested Change

- (A) A Change to the Land Use element, land use plan map (Item A1 in the fee schedule is requested.
- (B) Description of the subject property.
The property is located at 11201 S.W. 216 Street, at the intersection of S.W. 216 Street and 112 Avenue.
- (C) Gross Acreage Application Area: 3.08 acres
- (D) Requested Change
 - 1) It is requested that the application area be redesignated on the land use plan map from Medium Density Residential to Business and Office use.
 - 2) It is also requested that this application be processed as a small scale amendment under the expedited procedures.
- 3) **REASON FOR AMENDMENT**

This property is zoned RU2 with an underline master plan for medium density. The property is located at a major intersection fronting a four lane roadway. The property faces two gas stations, which are located directly across the street.

On the northside of the property is a church and apartment building. In the rear of the property is an apartment building and vacant land zoned the same. It is our desire to develop the property as Business and condos for homeownership.

4) Complete Disclosure Forms

Attachments: Property search maps

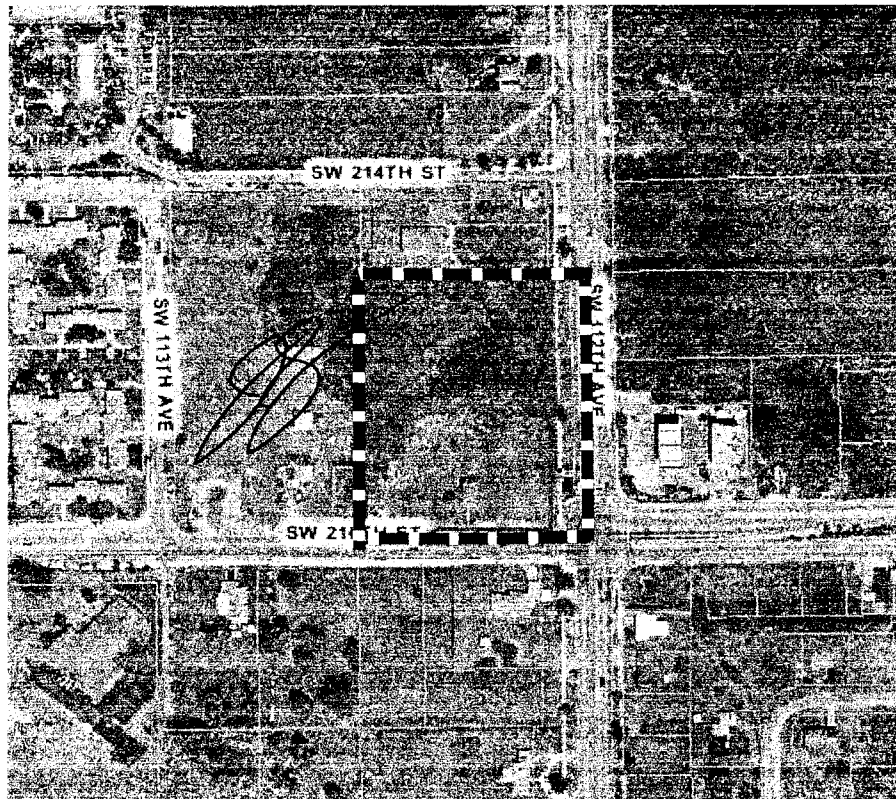
A summary of proposed usage of the property

Folio Number **30-6007-000-0370**

Owner Name: **J.L. Brown Development**

Property Address **11201 SW 216 Street**

Lot Size **134165 Square Feet**



112 Avenue Place Condominium and Business Center

By: J. L. Brown Development Corporation

305-233-3631 Office: 305-233-6816 Fax: 786-586-6931 Cell

Project Name: 112 Avenue Place Condominium
And Shopping Center

Number of Units 60 Condos and 75,000 square Feet Shopping Center to
include restaurant, banquet facilities, Barber Shop,
Beauty Salon, Banking Center, meat market, beauty
supply store, check cashing store and other small shops
Gas Station on the Corner

Project Location: 11201 SW 216 Street
At the corner of SW 112 Avenue and SW 216 Street

Proposed use of Property:

60 to 75 Condominiums:

A) The Condos will be constructed on the Northern side of the property. The lot dimension for the condo site can be 180 by 293.25 for a total square feet of 52,785. The current zoning on the entire property or 3.08 acres with a layout of 293.25 X 445.26 is zoned RU2 for duplex. The underline Master Plan for this site is medium density ranging from 13 to 25 units per acre. A preliminary meeting with zoning indicate that we can apply for one density higher which will take us to 25 to 50 units per acre. We need to submit an zoning application requesting a zoning change from RU2 to RU4 50 units per acre.

Gas Station and Shopping Center:

B) Design and Construct a Gas Station and Shopping Center we need to request a change in the Master Plan to allow business use. At this time we can submit the application with site layout. The deadline to submit an application for a Master Plan Amendment is May 2, 2005 with an upfront fee of \$11,400.00.

The Shopping Center should consist of 2 Floors with the focal point being the restaurant and banquet hall. Gas Station on the Corner as an separate out parcel. There should be a walkway from the condos to the business center.

My Home

miamidade.gov

ACTIVE TOOL: SELECT



Show Me:

Property Information ☐

Search By:

Select Item ☐

☐ Text only

☐ Color Aerial Photography

Use ☐ for Black & White

Summary Details:

Folio No.:	30-6007-000-0370
Property:	11201 SW 216 ST
Mailing Address:	J L BROWN DEV CO
Address:	11434 SW 148 ST MIAMI FL 33176-7410

Property Information:

Primary Zone:	5700 TWO FAMILY RESIDENCE
CLUC:	0001 RESIDENTIAL- SINGLE FAMILY
Beds/Baths:	3/1
Floors:	1
Living Units:	1
Adj Sq Footage:	968
Lot Size:	134,165 SQ FT
Year Built:	1930
Legal Description:	7 56 40 3.08 AC M/L E1/2 OF SE1/4 OF SE1/4 OF SW1/4 LESS BEG 50FTW OF NE COR OF E1/2 OF SE1/4 OF SE1/4 OF SW1/4 TH S183.43FT W293.25FT N182.79FT E293.20FT TO POB & LESS E50FT &

Sale Information:

Sale O/R:	21659-0078
Sale Date:	8/2003
Sale Amount:	\$295,000

Assessment Information:

Year:	2004	2003
Land Value:	\$46,200	\$46,200
Building Value:	\$28,314	\$26,862
Market Value:	\$74,514	\$73,062
Assessed Value:	\$74,514	\$70,324
Homestead Exemption:	\$0	\$25,000
Widow Exemption:	\$0	\$500
Total Exemptions:	\$0	\$25,500
Taxable Value:	\$74,514	\$44,824



Legend

- Property Boundary
- Selected Property
- Street
- Highway
- Miami-Dade County
- Water



Aerial Photography - AirPhoto USA 2004

0 146 ft

☐ We appreciate your feedback, please take a minute to complete our survey.

My Home | Property Information | Property Taxes
| My Neighborhood | Property Appraiser

Home | Using Our Site | About | Phone Directory | Privacy | Disclaimer

If you experience technical difficulties with the Property Information application, please click here to let us know.

E-mail your comments, questions and suggestions to Webmaster

Web Site
© 2002 Miami-Dade County.
All rights reserved.

**Pages Of Disclosure Form Not Applicable To This Application Are
Intentionally Omitted From This Printing.**

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: J.L. BROWN DEVELOPMENT CORPORATION

APPLICANT B: _____

APPLICANT C: _____

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

APPLICANT G: _____

APPLICANT H: _____

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.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
^A J.L. BROWN DEVELOPMENT CORP.		30-6007-000-0370	3.08

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.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF
INTEREST

N/A

- 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: J.L. Brown Development Corporation

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>			<u>PERCENTAGE OF STOCK</u>
James L. Brown	11434 S.W. 148 Street Miami, FL	33176	50%
Teresa Brown	11434 S.W. 148 Street Miami, FL	33176	50%

- b. If the owner 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: J.L. BROWN DEVELOPMENT CORP.

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
<u>James L. Brown 11434 S.W. 148 Street /President</u> <u>Miami, FL 33176</u>	<u>50%</u>
<u>Teresa Brown 11434 S.W. 148 Street/Vice President</u> <u>Miami, FL 33176</u>	<u>50%</u>

- c. If the owner is a TRUSTEE, and 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), another trust(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].

TRUSTEE'S NAME: N/A

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>N/A</u>	

- d. If the owner is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(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].

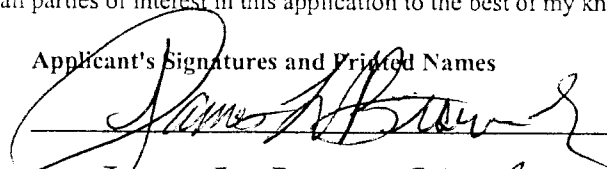
PARTNERSHIP NAME: N/A

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF OWNERSHIP</u>
<u>N/A</u>	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

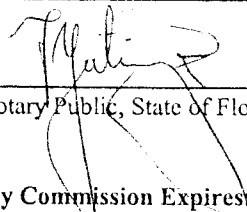
Applicant's Signatures and Printed Names

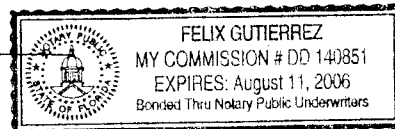

James L. Brown, Sr.


Teresa R. Brown

Sworn to and subscribed before me

this 2nd day of May, 2005


Notary Public, State of Florida at Large(SEAL)



My Commission Expires August 11, 2006

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 FMGM 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.

APPLICATION NO. 21
SMALL-SCALE AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
Kaza 112 Property Corporation 750 West 84 Street Hialeah, Florida 33014	Wissam Naamani 750 West 84 Street Hialeah, Florida 33014 (305) 828-7499

Requested Amendment to the Land Use Plan Map

From: LOW DENSITY RESIDENTIAL (2.5 to 6.0 DU/AC.)

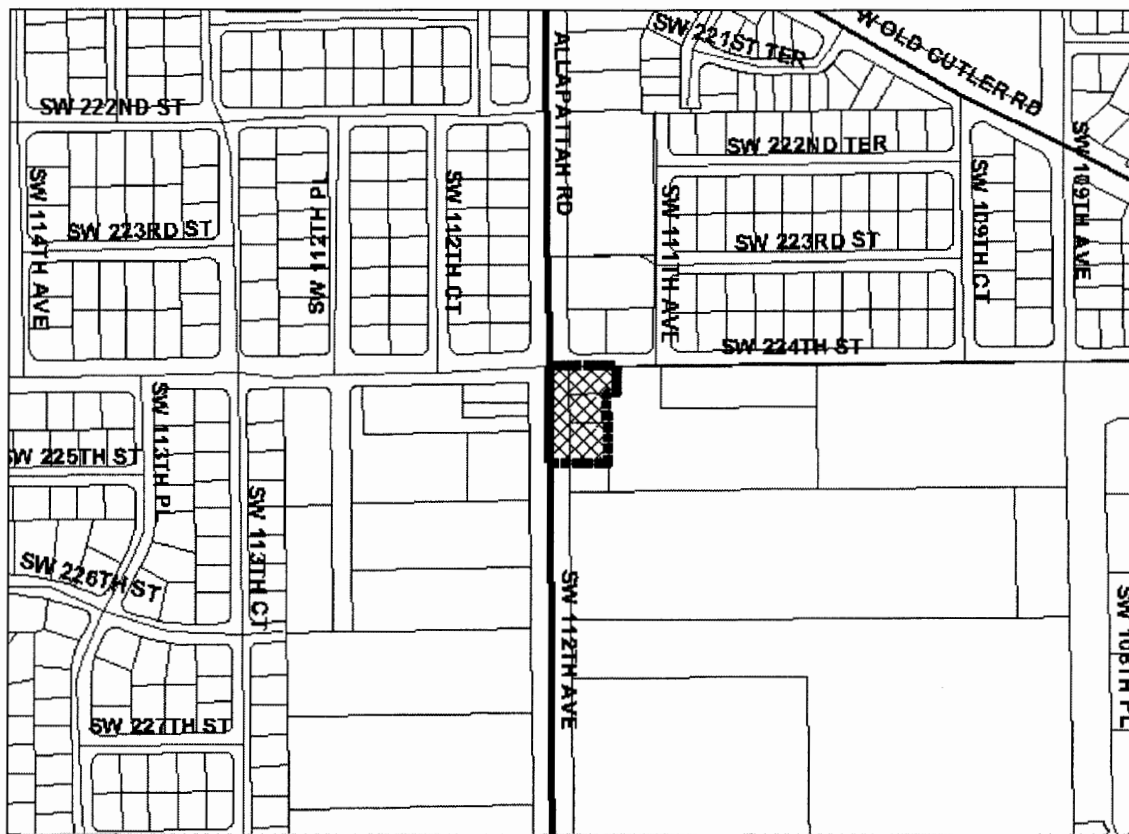
To: BUSINESS AND OFFICE

Location: Southeast corner of SW 112 Avenue and SW 224 Street.

Acreage: Application area: 0.91 Gross Acres

Application area: 0.62 Net Acres

Acreage Owned by Applicant: 0.62 Acres.



Note: This summary page is not part of the actual application that follows.

312

**APPLICATION FOR SMALL SCALE AMENDMENT
TO THE
COMPREHENSIVE DEVELOPMENT
MASTER PLAN (CDMP)**

1- Applicant:

**Kaza 112 Property Corp.
750 West 84th Street
Hialeah, FL 33014
(305) 828-7499
Contact Mr. Wissam Naamani**

2- Applicant Representative

**Mr. Wissam Naamani
750 West 84th Street
Hialeah, FL 33014
(305) 828-7499**

By:  **Wissam Naamani, Signature** **Date: 4/26/05**

3- Description of requested change:

A- Proposed change:

A change to the land use from element, land use plan map.

B- Description of the subject property:

Subject property consists of 27,006 Square feet of vacant land located in Section 18, Township 56, Range 40. The property is more adequately described as Folio #'s; 30-6018-000-0650, 30-6018-000-0640 and 30-6018-000-0633 at SW 224th Street and SW 112th Avenue, Miami Dade County, FL. Enclosed find property appraisal print out information.

C- Gross Acreage:

Application Area: 0.91 acres gross.
Area owned by applicant: 0.62 acres net.

D- Requested Change:

- 1- It is requested that the application area be re-designated on the land use plan map from Low Density Residential to Business and Office.

2- It is requested that this application be processed as a small-scale amendment under the expedited procedures.

4- Reasons for amendment:

The property fronts a major roadway specifically SW 112th Avenue. Residential use is not desirable Since the property is fronting a major throughway. The Gould Community Council has expressed their interest in having this property as commercial in light of the various residential developments that are planned all around this location. (See Plat Map). In addition changing conditions in the community require adjustments. The need to improve the ability of the plan to fulfill its basic intent.

5- Additional Materials Submitted:

- Aerial photographs.
- Dade County property appraisals print outs.
- Miami-Dade County Plat Map.
- Site surveys.

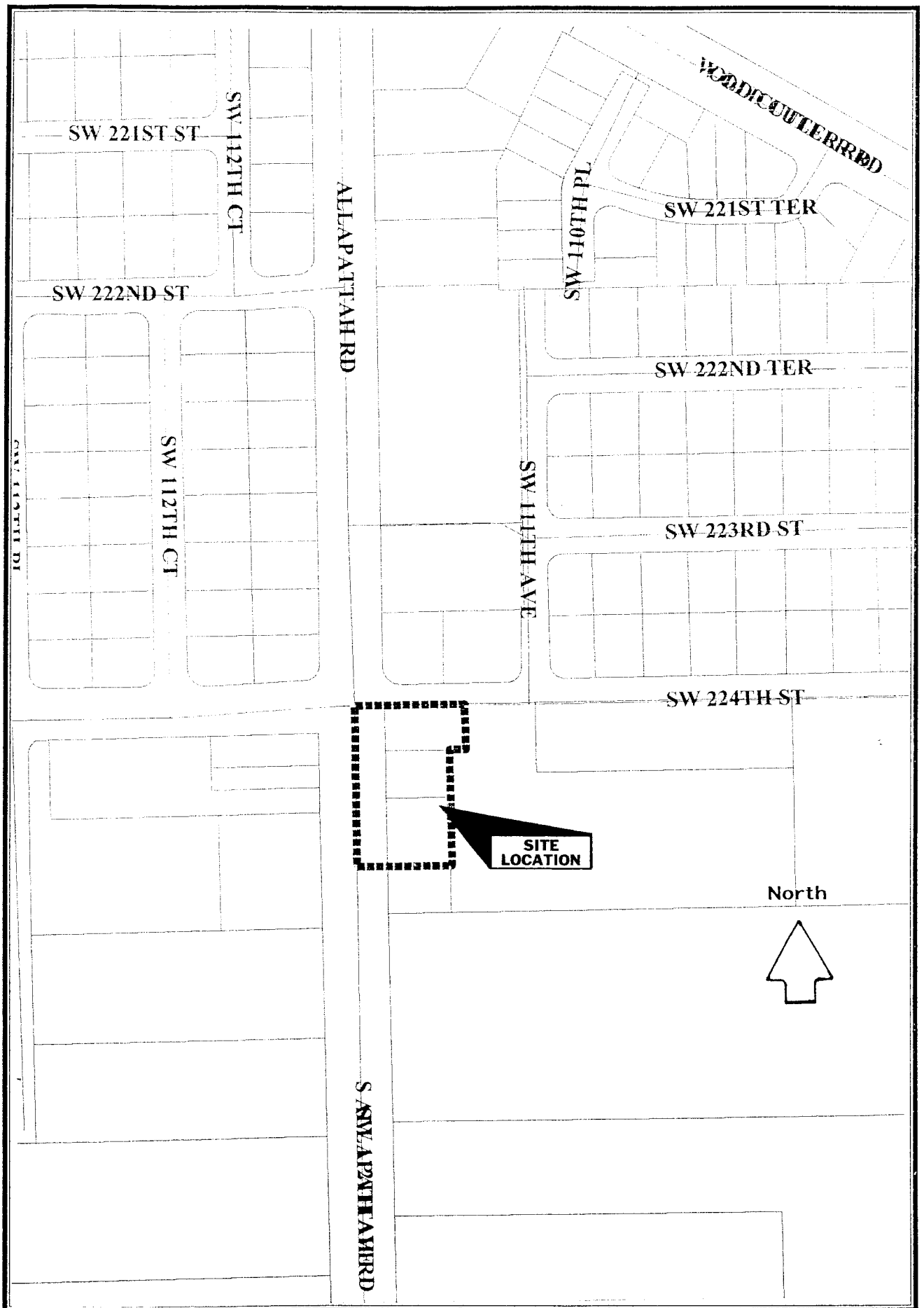
6- Complete Disclosure Forms.

Location Map

**Applicant: Kaza 112 Property Corp.
Mr. Wissam S. Naamani (305) 828-7499**

Description of Subject Area:

The subject property consists of 27,006 Square feet of vacant land located in Section 18, Township 56, Range 40. Folio #'s: 30-6018-000-0650; 30-6018-000-0640; and 30-6018-000-0633, at SW 224th Street and SW 112th Avenue, Miami-Dade County, FL.



LOCATION MAP



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: KAZA 112 Property Corp.

APPLICANT B: _____

APPLICANT C: _____

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

APPLICANT G: _____

APPLICANT H: _____

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.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
^A	Kaza 112 Property Corp.	Kaza 112 Property Corp. 30-6018-000-0650	0.21
	Kaza 112 Property Corp.	Kaza 112 Property Corp. 30-6018-000-0640	0.17
	Kaza 112 Property Corp.	Kaza 112 Property Corp. 30-6018-000-0633	0.24
Total:			0.62

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	Kaza 112 Property Corp.			
	Kaza 112 Property Corp.			
	Kaza 112 Property Corp.			

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>
N/A	N/A

- 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.]

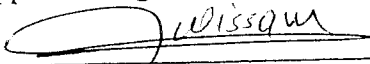
CORPORATION NAME: Kaza 112 Property Corp.

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
Wissam Naamani	100%

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

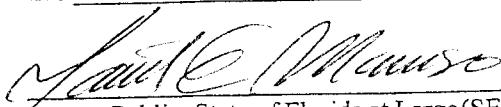
 4-4-05

Wissam Naamani

KAZA 112 Property Corp.

Sworn to and subscribed before me

this 5 April day of April, 2005


Notary Public, State of Florida at Large (SEAL)



My Commission Expires:

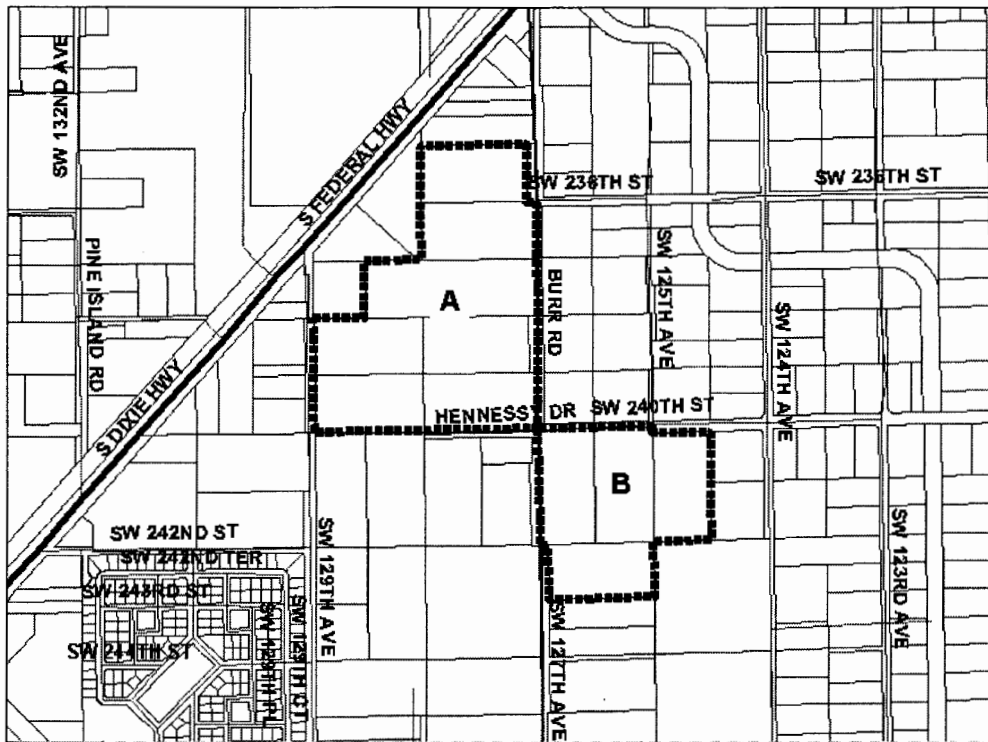
Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; any entity where ownership interests are held in a partnership, corporation or trust consisting of more FMGM 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.

APPLICATION NO. 22
STANDARD AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
Princeton Land Investments, LLC 230 Palermo Avenue Coral Gables, Florida 33134	Jeffrey Bercow, Esq. Graham Penn, Esq. Bercow and Radell, PA 200 South Biscayne Boulevard, Suite 850 Miami, Florida 33131 (305) 374-5300

Requested Amendment to the Land Use Plan Map

From: LOW DENSITY RESIDENTIAL (2.5 to 6.0 DU/AC.)
To: Parcel A) LOW-MEDIUM DENSITY RESIDENTIAL (2.5 to 6.0 DU/AC.)
(38.32 AC)
Parcel B) MEDIUM DENSITY RESIDENTIAL (13 to 25 DU/AC.) 20.19 AC)
Location: Northwest and southeast corners of SW 127 Avenue and SW 240 Street
Acreage: Application area: 58.0 Gross Acres
Application area: 58.0 Net Acres
Acreage Owned by Applicant: 0 acres.



Note: This summary page is not part of the actual application that follows.

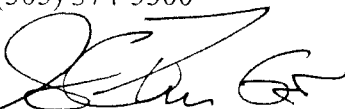
AMENDMENT REQUEST
TO THE
LAND USE ELEMENT/LAND USE PLAN MAP
APRIL 2005-2006 AMENDMENT CYCLE
MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN

1. APPLICANT

Princeton Land Investments, LLC
230 Palermo Avenue
Coral Gables, Florida 33134

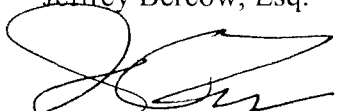
2. APPLICANT'S REPRESENTATIVES

Jeffrey Bercow, Esq.
Graham Penn, Esq.
Bercow & Radell, P.A.
200 South Biscayne Boulevard
Suite 850
Miami, Florida 33131
(305) 374-5300

By: 

Jeffrey Bercow, Esq.

Date: May 2, 2005

By: 

Graham Penn, Esq.

Date: May 2, 2005

3. DESCRIPTION OF REQUESTED CHANGES

An amendment to the Comprehensive Development Master Plan Land Use Plan Map is requested.

A. A change to the Land Use Element, Land Use Plan Map (item A. 1 in the fee schedule) is requested.

B. Description of Application Area

The application area consists of 58 acres located in Sections 23 and 24, Township 56 South, Range 39 East. The application area consists of two Parcels (A and B) located at

the northwest and southeast corners of S.W. 240 Street and S.W. 127 Avenue respectively.

C. Acreage

Application area: 58 acres.

Parcel A: 38 acres

Parcel B: 20 acres

Acreage owned by Applicant: 0 acres.

D. Requested Changes

- 1) It is requested that Parcel A of the application area be redesignated on the Land Use Plan Map from Low Density Residential to Medium Density Residential.
- 2) It is requested that Parcel B of the application area be redesignated on the Land Use Plan Map from Low Density Residential to Low-Medium Density Residential.

4. REASONS FOR AMENDMENT

The application area is located southeast of U.S. Highway 1, on the northwest and southeast corners of the intersection of S.W. 240 Street and S.W. 127 Avenue. Parcel A of the application lies on the northwest corner, while Parcel B is at the southeast corner. The application area lies just north and west of the Princeton Community Urban Center ("PCUC"). U.S. Highway 1 is identified by the CDMP as a "Future Transit Corridor" in this area. (CDMP Figure 2, Page II-33).

Policy 1C of the CDMP Land Use Element provides that the County should give priority to "infill development . . . contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand." (CDMP Policy 1C, Page I-2). Policy 1G provides that the County should "vigorously promote the inclusion of a variety of housing types" in a given area. (CDMP Policy 1G, Page I-3). Policy 1P requires the County to "prevent discontinuous, scattered development at the urban fringe." (CDMP Policy 1P, Page I-4). All of the above policies support the approval of the instant application. The redesignation of Parcels A and B will bring: (1) infill development to an existing urbanized and neglected area; (2) a variety of housing types and densities to the Princeton area; and (3) additional density inside of the existing Urban Development Boundary, thus helping to relieve the pressure to expand urban development into the western fringes of Miami-Dade County.

The application area's proximity to the PCUC also provides support for a conclusion that Parcels A and B should be re-designated to Medium and Low-Medium Density Residential. The PCUC will feature residential densities exceeding thirty units to the net acre. Parcel A, with a density of up to 25 units per gross acre, would provide an appropriate

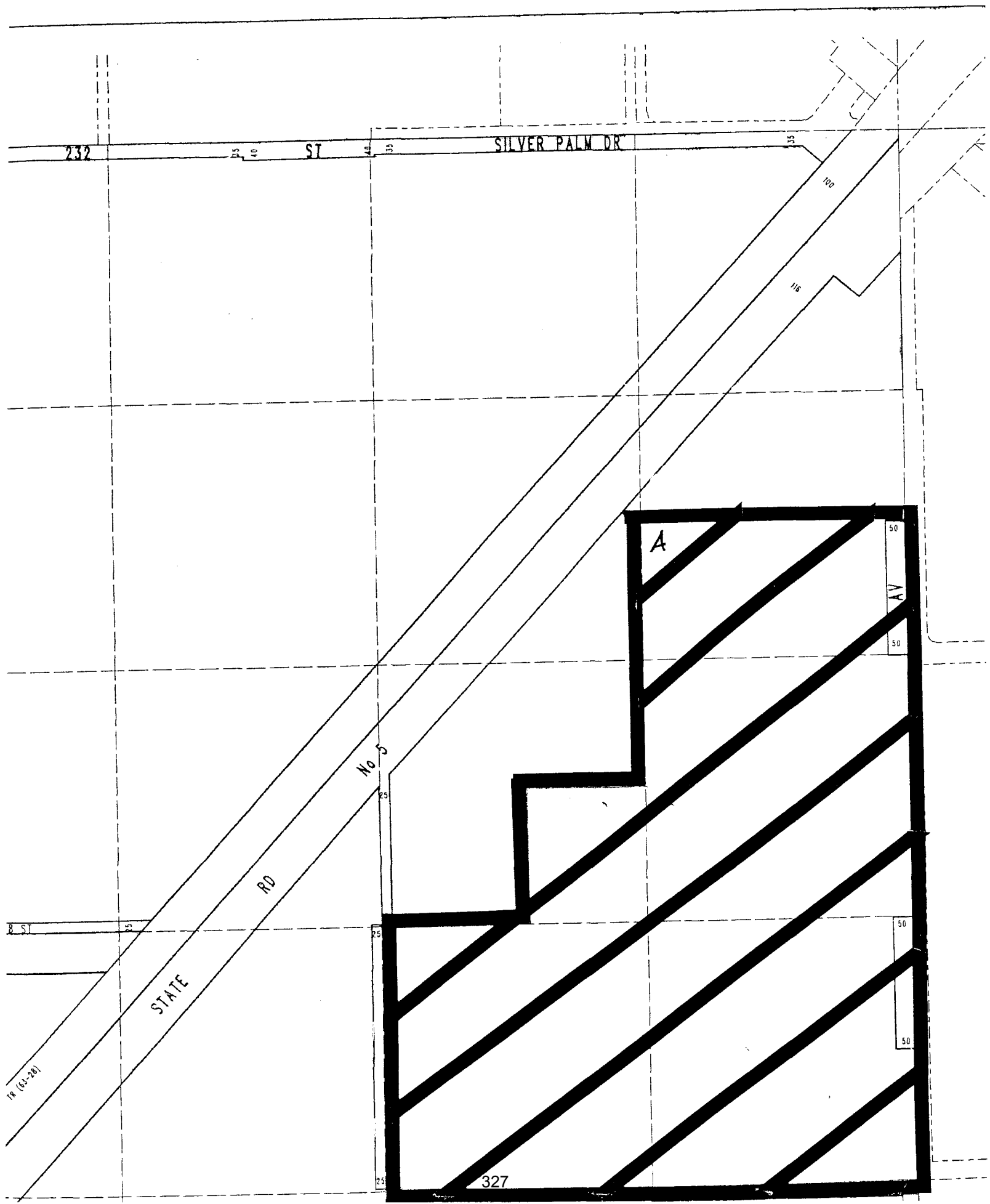
transition from the higher densities of the PCUC to the Business and Office uses lining U.S. Highway 1 to the north. Parcel B, with lower densities not exceeding 13 units to the gross acre, will serve the same role in providing a transition from the intense uses of the PCUC to the Low Density Residential parcels to the east. We believe that the application area is ideally situated to both extend the urban design framework of the PCUC and provide for the necessary transition away from the high densities of the PCUC core to the lower residential densities outside of the PCUC.

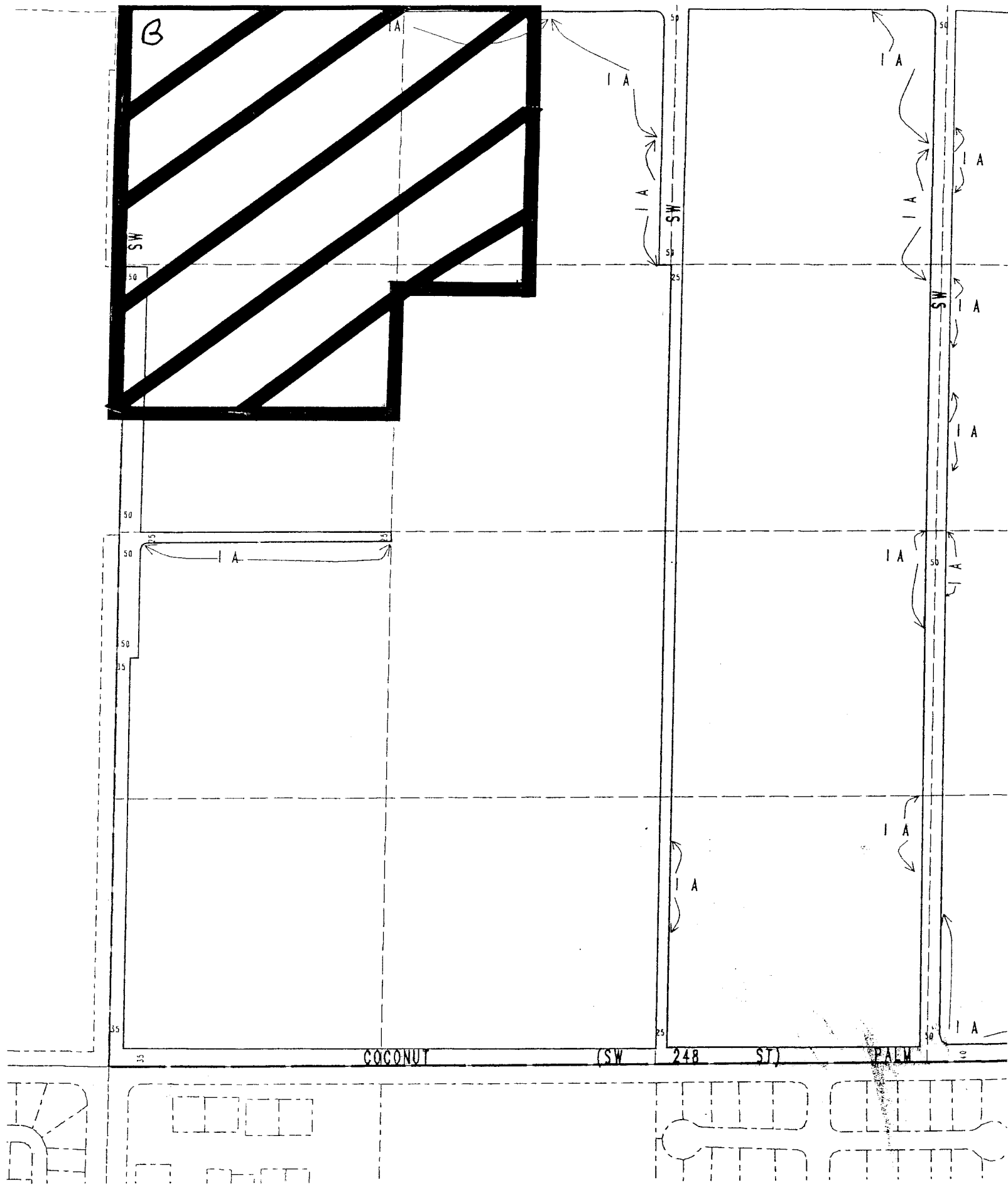
5. ADDITIONAL MATERIAL SUBMITTED

- 1) Survey
- 2) Section Map with Application Area Indicated
- 3) 8 1/2 X 11 sheet showing Application Area Location
- 4) Aerial Photograph
- 5) Legal Description

The Applicant reserves the right to supplement the application with additional documentation within the time permitted by the Code of Miami-Dade County.

6. COMPLETE DISCLOSURE FORMS: See attached.





EXHIBIT

B

LEGAL AND SKETCHLEGEND:

POB Point of Beginning
S.F. Square Feet
SEC. Section

SURVEYOR'S NOTES:

1. Bearings are based on an assumed meridian on the North line of SW¼ of Section 24-56-39. (N88°25'55"E)
2. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
3. This sketch does not represent a land survey

LEGAL DESCRIPTION:**PARCEL B**

A portion of the SW¼ of Section 24, Township 56 South, Range 39 East in Miami-Dade County, Florida, being more particularly described as follows:

BEGIN at the West¼ corner of said Section 24-56-39; thence N88°25'55"E along the North line of the SW¼ of said Section 24, as a basis of bearing, for a distance of 679.80 feet; thence S00°48'39"E for a distance of 35.00 feet; thence N88°25'55"E for a distance of 339.29 feet; thence S00°48'38"E for a distance of 663.20 feet; thence S88°20'37"W for a distance of 339.29 feet; thence S00°48'39"E for a distance of 334.36 feet; thence S88°17'59"W for a distance of 628.59 feet; thence N00°48'44"W for a distance of 334.85 feet; thence S88°20'37"W for a distance of 50.01 feet to a point on the West line of the SW¼ of said Section 24-56-39; thence N00°48'44"W along said line for a distance of 669.77 feet to the POINT OF BEGINNING. Containing 879,314 square feet or 20.19 acres more or less.

AND

PARCEL A

A portion of the NE¼ of Section 23, Township 56 South, Range 39 East in Miami-Dade County, Florida, being more particularly described as follows:

BEGIN at the East¼ corner of said Section 23-56-39; thence S89°11'46"W along the South line of the NE¼ of said Section 23-56-39 for a distance of 1345.70 feet; thence N00°42'55"W for a distance of 676.02 feet; thence N89°11'01"E for a distance of 335.85 feet; thence N00°45'52"W for a distance of 338.05 feet; thence N89°10'38"E for a distance of 335.55 feet; thence N00°48'49"W for a distance of 676.17 feet; thence N89°09'51"E for a distance of 619.94 feet; thence S00°54'44"E for a distance of 338.16 feet; thence N89°10'14"E for a distance of 50.00 feet to a point on the East line of the NE¼ of said Section 23-56-39; thence S00°54'44"E along said line for a distance of 676.32 feet; thence S89°11'00"W for a distance of 50.00 feet; thence S00°54'44"E for a distance of 338.16 feet; thence N89°11'23"E for a distance of 50.00 feet to a point on the East line of the NE¼ of said Section 23-56-39; thence S00°54'44"E along said line for a distance of 338.16 feet to the POINT OF BEGINNING. Containing 1,669,271 square feet or 38.32 acres more or less.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY: that the LEGAL AND SKETCH of the property described hereon was made under my supervision and that the LEGAL AND SKETCH meets the Minimum Technical Standards set forth by the Florida Board of Professional Land Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code pursuant to Section 472.027, Florida Statutes. And, that the sketch hereon is true and correct to the best of my knowledge and belief. Subject to notes and notations shown hereon. This sketch does not represent a land survey. Ludovici and Orange Consulting Engineers Inc. L.B. #1012

By: _____

Arturo A. Sosa
Surveyor and Mapper 2629
State of Florida

PROJ. NO: 2004 18

DATE: 05-02-2005

DRAWN: AJ

CHECKED: AS

SCALE: AS NOTED



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

PARCELS
A & B

SHEET 1 OF 2 SHEETS

\\SANDBA\projects\2004\2004 18 REARDOON GOLF COURSE SITE\dwg\2004-LEGAL.dwg 5/2/2005 4:55:04 PM EDT

**Pages Of Disclosure Form Not Applicable To This Application Are
Intentionally Omitted From This Printing.**

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.

APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Princeton Land Investments, LLC
 230 Palermo Avenue
 Coral Gables, Florida 33134

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>ACRES IN SIZE (net)</u>
A. Parcel A	Octavio Taylor	30-6923-000-0091	5.00
	Gary Trewick	30-6923-000-0090	5.00
	Octavio and Sylvia Taylor	30-6923-000-0080	5.00
	Han Investments, LC	30-6923-000-0081	5.00
	Hamid and Halima Ramatally	30-6923-000-0111	8.00
	Octavio and Sylvia Taylor	30-6923-000-0100	5.00
	Octavio and Sylvia Taylor	30-6923-000-0190	5.00
Parcel B	Roseriver Nursery and Landscaping	30-6924-000-1200	5.00
	Roseriver Nursery and Landscaping	30-692-000-1210	5.00
	Gary and Lilith Trewick	30-6924-000-1160	5.00
	Octavio and Sylvia Taylor	30-6924-000-1190	5.00

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

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>OTHER (Attach Explanation)</u>
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 (5), 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: Princeton Land Investments, LLC

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
--	--------------------------------

<u>See Exhibit A</u>	_____
_____	_____

- e. If the applicant is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, 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].

<u>NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	

Date of Contract:

If any contingency clause or contract terms involve additional parties, list all individuals or officers if a corporation, partnership, or trust.

N/A

5. DISCLOSURE OF OWNER'S INTEREST: Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

- a. If the owner 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>
Octavio and Sylvia Taylor 11250 S.W. 244 Terrace Homestead , FL 33032	N/A
Gary and Lilith Trewick P.O. Box 924634 Homestead, FL 33092	N/A
Hamid and Halima Ramatally 16230 S.W. 248 Street Homestead, FL 33031	N/A

- b. If the owner 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: Han Investments, LC

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
Jorge Azor	33%
Exzun Hidalgo	33%
Neisy Nunez	33%
23635 South Dixie Highway	
Miami, Florida 33032	

CORPORATION NAME: Roseriver Nursery, Inc.

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
Claudio Rosario	100%
10505 S.W. 56 Street	
Miami, Florida 33165	

- c. If the owner is a TRUSTEE, and 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), another trust(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].

TRUSTEE'S

NAME:

N/A

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	

- d. If the owner is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(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].

PARTNERSHIP NAME:

N/A

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF OWNERSHIP</u>
N/A	

- e. If the owner is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, 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].

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF INTEREST</u>
Princeton Land Investments, LLC 230 Palermo Avenue Coral Gables, Florida 33134	100%

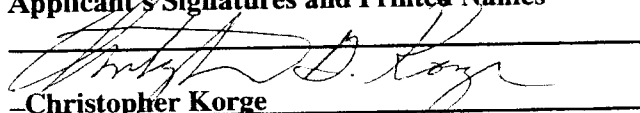
(see attached for full disclosure of interest)

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

For any changes of ownership or changes in contract for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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



Christopher Korge
Managing Member, Landko Investments, LLC,
which is Managing Member of Princeton Land
Investments, LLC

Sworn to and subscribed before me
this 29th day of April, 2005.
Randall Daily

Notary Public, State of Florida at Large (SEAL)
My Commission Expires:

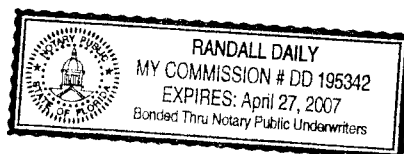


Exhibit A

Interests in Princeton Land Investments, LLC

	Percentage of Interest
Q2 Princeton 105, LLC 18029 S.W. 107 Avenue, Miami, Florida 33157	50%
Landko Investments, LLC 230 Palermo Avenue, Coral Gables, Florida 33134	50%

Interests in Q2 Princeton 105, LLC

	Percentage of Interest
Eric Reardon 18029 S.W. 107 Avenue, Miami, Florida 33157	50%
Dan Levine 18029 S.W. 107 Avenue, Miami, Florida 33157	50%

Interests in Landko Investments, LLC

	Percentage of Interest
(to be provided)	

APPLICATION NO. 23
STANDARD AMENDMENT APPLICATION

<u>Applicant</u>	<u>Applicant's Representative</u>
Barry M. Brant, as Trustee of the Homestead 312-137 Land Trust (as to Parcel 1 and Parcel 2) 200 South Biscayne Boulevard, 6 th Floor Miami, Florida 33131 (305) 379-7000	Miguel Diaz De la Portilla, Esq. 200 South Biscayne Boulevard, Suite 3400 Miami, Florida 33131 (305) 960-2235 mdportilla@duanemorris.com

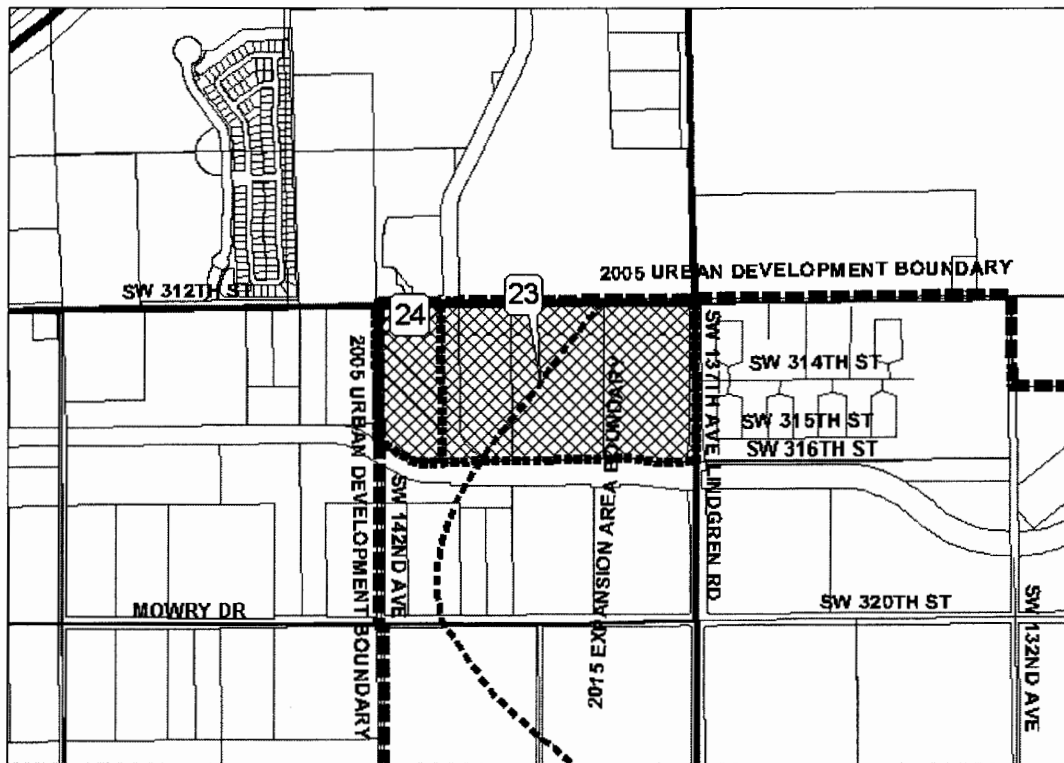
Requested Amendment to the Land Use Plan Map

From: AGRICULTURE

To: BUSINESS AND OFFICE and
INCLUDE WITHIN THE URBAN DEVELOPMENT BOUNDARY

Location: Southwest corner of SW 312 Street and SW 137 Avenue.

Acreage: Application area: 72.417 Gross Acres
Application area: 72.417 Net Acres
Acreage Owned by Applicant: 45.417 acres.



Note: This summary page is not part of the actual application that follows.

23
N

**APPLICATION TO AMEND THE 2005/2015
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

Barry M. Brant, as Trustee of the Homestead 312-137 Land Trust (as to Parcel 1 and Parcel 2)
200 South Biscayne Boulevard, 6th Floor
Miami, Florida 33131
305.379-7000

2. APPLICANT'S REPRESENTATIVE

Miguel Diaz De la Portilla, Esq.
200 South Biscayne Boulevard, Suite 3400
Miami, Florida 33131
305.960.2235
e-mail: mdportilla@duanemorris.com

By: _____

Miguel Diaz De la Portilla, Esq.

4/29/05
Date

3. DESCRIPTION OF REQUESTED CHANGE

A. The Applicant is requesting the extension of the Urban Development Boundary (UDB) to include the 72.417 gross acres that are the subject of this application. The applicant is also requesting a change in the CDMP Land Use Element's Future Land Use Plan Map designation of the subject property from Agriculture to Business and Office.

B. Description of the Subject Property

Subject property consists of ± 72.417 acres located in Section 15, Township 57 South, Range 39 East, as more particularly described in attached Exhibit A. This property is approximately located between Southwest 312th Street and 316th Street, and, between Southwest 137th Avenue and Southwest 142nd Avenue.

C. Gross Acreage

Application area: ±72.417 acres
Acreage Owned by Applicant: ±45.417

D. Requested Change

1. It is requested that the Urban Development Boundary (“UDB”) be extended to include the application area.
2. The present CDMP designation for the application property is Agricultural.
3. It is requested that the subject area be re-designated on the Land Use Plan Map from “*Agriculture*” to “*Business and Office*” for the application area that totals ± 72.417 acres.

4. REASONS FOR AMENDMENT

Background. The property is located in Section 15, Township 57 South, Range 39 East, approximately located between Southwest 312th Street and 316th Street, and, between Southwest 137th Avenue and Southwest 142nd Avenue. The property is vacant undeveloped agricultural land located outside the Urban Development Boundary (hereinafter “UDB”) southwest of the Homestead Regional Airport.

Although the Property is located outside the UDB, it falls within the Urban Expansion Area (UEA), and it has *low-density residential* zoned land to the north and *Industrial and Office* designated land to the west. The Property is limited physically by a canal on the south, as well as on the east. Additionally, the Homestead Air Force Base and the Racetrack are located immediately to the east and northeast of the Property. In light of the: (1) burgeoning rate of population growth, (2) lack of an adequate housing supply for middle income families in Miami-Dade County, (3) the absence of non-residential services (i.e. retail, offices, etc.), and (4) the surrounding urbanized lands, agriculture is not a viable use of the Property. Given the character of the surrounding planned roadway network and other area land uses, the best and highest use of the property would be a mixture of residential and business and office uses permitted under the *Business and Office* designation.

Land Supply. Objective 8 and Policies 8A, 8F, 8G, and 8H all require that Miami-Dade County maintain an adequate supply of available land for each land development category in order to accommodate projected population growth. Specifically, Policy 8G states that the UDB should contain a developable land supply having “the capacity to sustain projected countywide residential demand for a period of ten years after the adoption of the most recent Evaluation Appraisal Report (hereinafter “EAR”), plus a five year surplus” amounting to a 15 year countywide supply beyond the date of EAR adoption. In its 2003 Evaluation and Appraisal Report, the County’s Planning Staff that the existing supply of future residential units would not be depleted until 2020. However, that estimate overstated the supply and underestimated the demand.

The supply estimate included approximately 126,000 location-specific units and 57,000 transit units, the development of which would require massive amounts of redevelopment. A comprehensive review of the location-specific inventory, which was compiled in 2001, indicates that the EAR overstated supply by in excess of 20,000 units primarily because depletion that occurred between the time the inventory was taken and 2003 was not properly accounted for. Development of the transit units at the scale assumed is highly unlikely due to impediments relating to infrastructure

deficiencies, land assembly, job displacement and community opposition that will make it difficult for the elected officials in the jurisdiction where they are proposed to approve them.

With respect to demand, the County's Planning Staff estimated depletion occurring at a rate of 10,200 to 11,200 units per year. However, data relating to construction starts for the years 2000 through 2002 indicates that supply is being depleted at a rate of 13,500 units per year¹, reflecting the fact that a portion of the units built annually do not accommodate residents of the county.

In summary, applying realistic estimates of supply and demand reflects that the existing supply will occur by 2015, with the single-family portion of supply being depleted by 2011. Thus, the County does not have sufficient supply to meet the requirement mandated by the CDMP to accommodate the equivalent of 15 years of projected population growth.

In reference to Policy 8H, the Property is not located in the areas designated to be excluded from inclusion within the UDB; rather, the property is within the UEA, and should be given priority consideration for inclusion within the mandates of Policy 8H(iii)(b) because the Property is contiguous to the UDB, and extending the UDB to include the Property and re-designating the Property to *Business and Office* would help alleviate the increasing demand for housing for middle income families in Miami-Dade County. This area of the County does not have properties with a Land Use Designation that would allow the development of uses supportive of the residential developments that are presently being built; and other vacant lands in the immediate vicinity are limited such as the Air Base and the Racetrack.

Compatibility. Policy 1F of the CDMP requires that Miami-Dade County "vigorously promote implementation" of the CDMP Guidelines for Urban Form ("the Guidelines") in the planning and design of all new residential development. The requested re-designation of the property promotes policy 9N which promotes both a "diversity of uses in or adjacent to residential districts, including neighborhood designs that have a mixture of retail, residential, office, institutional and service business uses in close proximity," and a "diversity of housing and construction types."

¹ The County's absorption rate is based on average annual population growth averaging approximately 30,000 people per year. It does not take into account the fact that some units are absorbed by non-residents of Miami-Dade County. Available data regarding construction starts for the years 2000 through 2002 show significantly higher permitting and construction activity.

Year	PERMITS	STARTS	SALES *
2000	12,465	11,920	8,999
2001	13,997	14,229	10,446
2002	4,593	13,599	10,076
2003	N/A	N/A	11,410
2004	N/A	N/A	16,000 est.

* Includes SF and MF units

This data precedes the timeframe in which the Downtown Miami boom began. Furthermore, the County's estimate of average annual population growth of 30,000 per year during the projection period is equivalent to the growth that occurred during the 1990's on an average annual basis. There are a number of reasons to assume growth will occur at a faster rate in the future, including the following: both Hurricane Andrew, the largest natural disaster in Miami-Dade County history, and the closure of Homestead Air Force Base had a devastating effect on County population in the '90s; there was a loss of all major locally-based financial institutions through failure and/or merger as well; in the past several years, there has been increased levels of economic and political turmoil and/or repression in many Latin American and Caribbean counties including Cuba, Haiti, Venezuela, Peru, Brazil and Argentina; there is a weaker dollar, making U.S. real estate more affordable to Europeans and Latin America markets; and depletion of land in Broward County that will limit opportunities for out-migration.

The proposed *Business and Office* designation, which contemplates a **mixed use** development, offers a transitional use, density, and intensity of development with respect to the surrounding land uses that include an *Industrial and Office* designation to the west of the Property and a *Low-Density Residential* designation to the north. Additionally, the surrounding land uses combined with the proposed *Business and Office* for the Property, maximizes utilization of the existing and planned infrastructure and services consistent with Policies 8A, 1F, 1G, and the Guidelines, pp.1-20.1-2.

Natural Boundary Exists Outside of the UDB. Along the south side of the property runs a canal that serves as a natural boundary where the Applicant requests the UDB line be moved to. Currently, the UDB line runs north on the eastside of the Property between SW 137 Avenue and SW 147 Avenue (closer to 147 Avenue), beginning at approximately SW 316 Street up to SW 312 Street. At SW 312 Street, the line makes a 90 degree right turn and travels east, located north of the Property. Based on the location of the Property with respect to the surrounding development, it makes more sense for the UDB to be moved south, so that it coincides with the already existing canal that runs along SW 316 Street.

5. ADDITIONAL MATERIAL SUBMITTED

6. DISCLOSURE OF INTEREST

A completed Disclosure of Interest Form is attached hereto.

7. ATTACHMENTS

Exhibit "A" -Legal Description of ± 45.417 Acres Owned by Applicant.

Exhibit "B" -Legal Description of Additional ± 27 Acres **Not** Owned by Applicant

Exhibit "C" (composite) -8-1/2 x 11 Location Maps

Exhibit "D" -Aerial Photos for Section 15, Township 57 South, Range 39 East
(depicting both Applicant Parcels and Non-Applicant Parcels)

EXHIBIT "A"

LEGAL DESCRIPTION OF 45.417 ACRES OWNED BY APPLICANT

Parcel 1: (Folio #: 10-7915-001-0010)

That portion of Tracts 1, 2, 3, 4, and 28 in Block 1 of "MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION", according to the plat thereof as recorded in Plat Book 5, at Page 10, of the Public Records of Miami-Dade County, Florida, lying in the Northeast 1/4 of Section 15, Township 57 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the Northeast 1/4 of said Section 15; thence run South 89°15'05" West along the North line of said Northeast 1/4, for a distance of 30.00 feet to a point; thence South 00°33'24" East, along a line 30.00 feet West of and parallel with the East line of said NE 1/4, for a distance of 35.00 feet to the point of intersection of the South right-of-way line of Southwest 312th Street (Campbell Drive) as described in the right-of-way deed recorded in Book 2162, at Page 177, of the Public Records of Miami-Dade County, Florida, and the Point of Beginning of the hereinafter described parcel of land; thence run South 89°15'05" West along said South Right-of-Way, for a distance of 763.61 feet to a point; thence run South 00°44'55" East for a distance of 1314.65 feet to a point on the North Right-of-Way line of Central and Southern Florida Flood Control District Canal C-103, as described in that certain Warranty Deed recorded in Official Records Book 4677, at Page 217, of the Public Records of Miami-Dade County, Florida; thence run along said North Right-of-Way line for the following three courses; thence run North 89°23'17" East for a distance of 257.17 feet; thence South 84°52'13" East for a distance of 251.70 feet; thence North 89°21'00" East for a distance of 251.58 feet to a point on the West Right-of-Way line of Southwest 137th Avenue (Tallahassee Road); thence run North 00°33'24" West, along said West Right-of-Way line for a distance of 1341.48 feet to the Point of Beginning;

LESS

That portion of Tracts 1 and 28 in Block 1 of "MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION", according to the plat thereof as recorded in Plat Book 5, at Page 10, of the Public Records of Miami-Dade County, Florida, lying in the Northeast 1/4 of Section 15, Township 57 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the Northeast 1/4 of said Section 15; thence run S 89°15'09" W, along the North line of said Northeast 1/4, for a distance of 30.00 feet to a point; thence run S 00°33'24" E, along a line 30.00 feet West of and parallel with the East line of said NE 1/4, for a distance of 35.00 feet to the point of intersection of the South right-of-way line of S.W. 312 Street (Campbell Drive) as described in right-of-way deed recorded in Book 2162, at Page 177, of the Public Records of Miami-Dade County, Florida, with the West right-of-way line of S.W. 137 Avenue (Tallahassee Road) as described in Deed Book 1683, at Page 307, of the Public Records of Miami-Dade County, Florida, and the POINT OF BEGINNING of the hereinafter described parcel of land; thence run S 89°15'09" W, along said South right-of-way line, for a distance of 130.00 feet to the point of intersection with the West line of the East 160.00 feet of the NE 1/4 of said Section 15; thence run S 00°33'24" E, along the West line of the East 160.00 feet of the NE 1/4 of said Section

15, for a distance of 5.00 feet to the point of intersection with the South line of the North 35.00 feet of the NE 1/4 of said Section 15; thence run N 89°15'09" E, along the South line of the North 35.00 feet of the NE 1/4 of said Section 15, for a distance of 79.92 feet to the point of curvature of a circular curve concave to the Southwest, having a radius of 25.00 feet and a tangent bearing of N 89°15'09" E; thence run Easterly to Southeasterly along the arc of said circular curve concave to the Southwest, through a central angle of 90°11'27", for an arc length of 39.35 feet to the point of tangency with a line 25.00 feet West of and parallel with the West right-of-way line of said S.W. 137 Avenue (Tallahassee Road); thence run S 00°33'24" E, along said parallel line, for a distance of 1014.53 feet to a point; thence run S 03°51'43" W, for a distance of 297.74 feet to the Northerly right-of-way line of Central and Southern Florida Flood Control District Canal C-103, as described in that certain Warranty Deed recorded in Official Records Book 4677, at Page 217, of the Public Records of Miami-Dade County, Florida; thence run N 89°21'18" E, along said Northerly right-of-way line, for a distance of 47.94 feet to the point of intersection with the West right-of-way line of said S.W. 137 Avenue (Tallahassee Road); thence run N 00°33'24" W, along said West right-of-way line, for a distance of 1341.48 feet to the POINT OF BEGINNING.

TOGETHER WITH:

Parcel 2: (Folio #: 10-7915-001-0013)

That portion of Tracts 4, 13 and 28, and the entirety of Tracts 5, 6 and 7 in Block 1 of "MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION", according to the plat thereof as recorded in Plat Book 5, at Page 10, of the Public Records of Miami-Dade County, Florida, lying in the Northeast 1/4 of Section 15, Township 57 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the Northeast 1/4 of said Section 15; thence run South 89°15'05" West along the North line of said Northeast 1/4, for a distance of 793.73 feet to a point; thence South 00°44'55" East for a distance of 35.00 feet to the Point of Beginning to the hereinafter described parcel of land; thence South 89°15'05" West along said South Right-of-Way, for a distance of 761.85 feet to a point; thence run South 00°30'15" East along the West line of Tract 7 for a distance of 1322.86 to a point on the North Right-of-Way line of Central and Southern Florida Flood Control District Canal C-103, as described in that certain Warranty Deed recorded in Official Records Book 4677, at Page 217, of the Public Records of Miami-Dade County, Florida; thence run N 89°23'17" E, along said North Right-of-Way for 658.12 feet to a point; thence run North 00°36'43" West for 10.03 feet to a point; thence run North 89°23'17" East for 109.34 feet to a point; thence run North 00°44'55" West for 1314.65 feet to the Point of Beginning.

EXHIBIT "B"

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY *NOT* OWNED BY THE APPLICANT

FOLIO NUMBER: 10-7915-001-0020

LOT SIZE: 14 Acres

LEGAL DESCRIPTION: 15 57 39 14.46 AC M/L MIAMI LAND & DEV COS SUB PB 5-10 THAT PT LOT 10 WLY OF C-103-N R/W & LOTS 11 & 12 & THAT PT W1/2 LOT 13 LESS RDS BLK 1 LYG W OF C-103-N & N OF C-103-1

TOGETHER WITH

FOLIO NUMBER: 10-7915-001-0012

LOT SIZE: 13 Acres

LEGAL DESCRIPTION: 15 57 39 12.98 AC M/L MIAMI LAND & DEV COS SUB PB 5-10 ALL OF LOTS 8 & 9 LESS N35FT & W2/3 OF E1/2 OF LOT 13 BLK 1 LYG NLY OF CANAL C-103-1 RW

LOCATION MAP

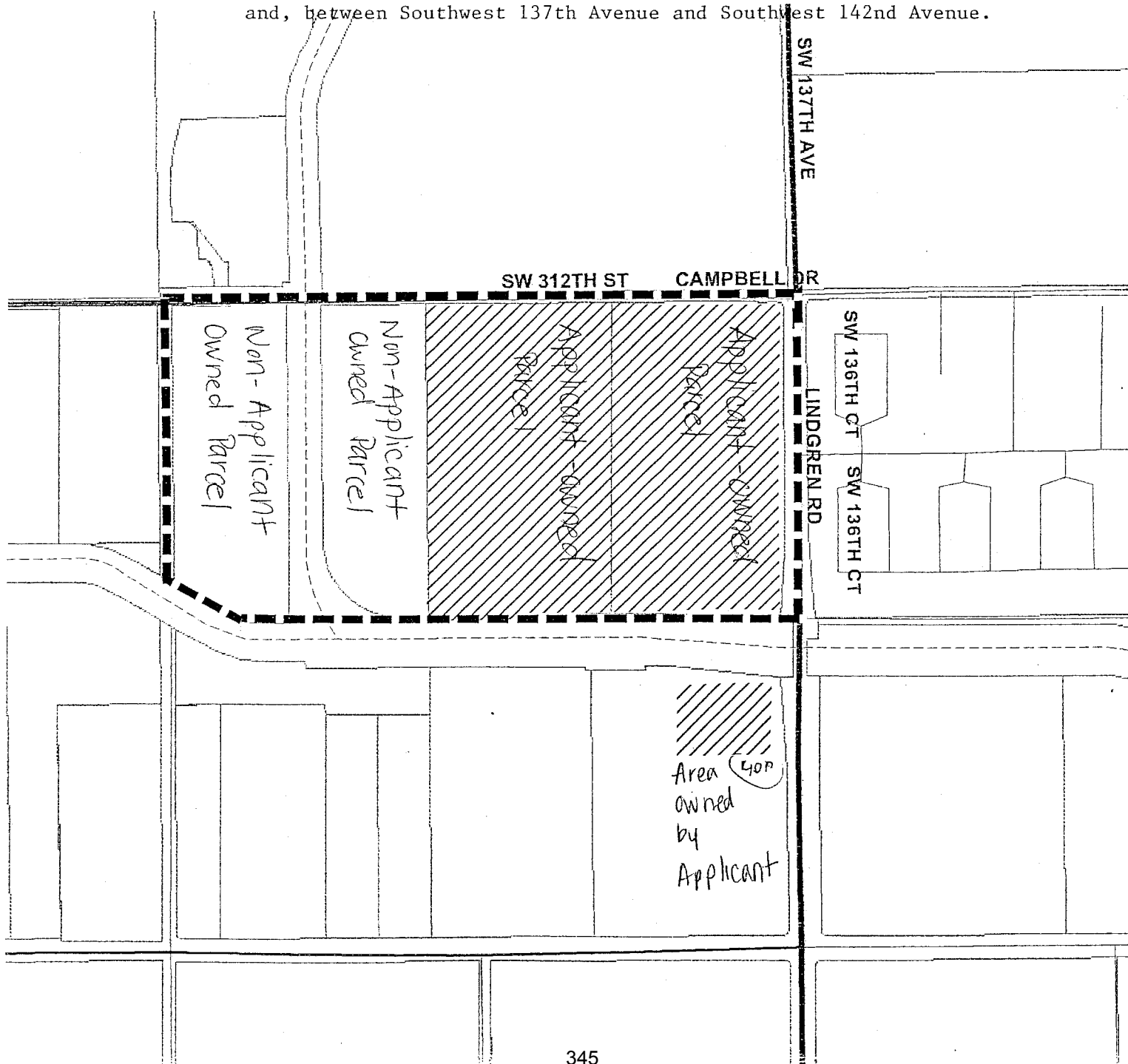
APPLICANT: BARRY M. BRANT, as Trustee of the Homestead 312-137 Land Trust (as to Parcel 1 and Parcel 2)
200 South Biscayne Blvd., 6th Floor
Miami, Florida 33131
(305) 379-7000

APPLICANT'S

REPRESENTATIVE: Miguel Diaz de la Portilla, Esq.
200 South Biscayne Blvd., Suite 3400
Miami, Florida 33131
(305) 960-2235
e-mail: mdportilla@duanemorris.com

DESCRIPTION OF PROPERTY:

Subject property consists of \pm 72.417 acres located in Section 15, Township 57 South, Range 39 East, as more particularly described in attached Exhibit A. This property is approximately located between 312th Street and 316th Street, and, between Southwest 137th Avenue and Southwest 142nd Avenue.



**Pages Of Disclosure Form Not Applicable To This Application Are
Intentionally Omitted From This Printing.**

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: Homestead 312-137 Land Trust, a Florida Trust, Barry M. Brant, as Trustee to Parcel 1.

APPLICANT B: Homestead 312-137 Land Trust, a Florida Trust, Barry M. Brant, as Trustee to Parcel 2. 200 South Biscayne Blvd., 6th Floor, Miami, Florida 33131, Berkowitz, Dick, Pollack, and Brant. 305-960-1169.

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 RECORDS</u>	<u>FOLIO NUMBER</u>	<u>SIZE IN ACRES</u>
Barry M. Brant	Barry M. Brant	10-7915-001-0010	22.207 Acres
Barry M. Brant	Barry M. Brant	10-7915-001-0013	23.21 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.

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>OTHER</u> (attach explanation)
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<u>A</u>	<u>XX</u>			
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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.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE
OF INTEREST

N/A

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: _____

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE
OF STOCK

N/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: Homestead 312-317 Land Trust, a Florida Trust, Barry Brant, Trustee.

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE
OF INTEREST

312-137 LLC

100%

d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner(s) consist of another partnership(s),

corporation(s) trust(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].

PARTNERSHIP NAME: N/A

NAME AND ADDRESS OF PARTNERS

PERCENTAGE
OF INTEREST

N/A

e. If the applicant is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consists of another corporation, trust, partnership, 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].

NAME AND ADDRESS:

PERCENTAGE
OF INTEREST

Wayne Rosen: 277 Galeon Court, Coral Gables, Fl. 33143 50%

Michael Latterner c/o: Michael Latterner & Associates 50%
13 S.W. 7 Street, Miami, Florida 33130

Date of Contract: 9/20/04

If any contingency clause or contract terms involve additional parties, list all individuals or officers if a corporation, partnership, or trust.

N/A

5. **DISCLOSURE OF OWNER'S INTEREST:** Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

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

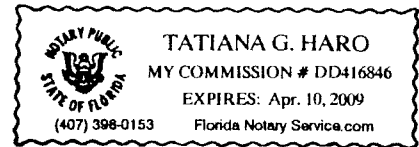
Applicant's Signatures and Printed Names

Barry M. Brant Barry M. Brant

Sworn to and subscribed before me this 2nd day of
May, 2005.

Notary Public, State of Florida at Large (SEAL)

Tatiana G. Haro



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 FMGM than five thousand (5,000) separate interests including all interest 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 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 (5000) 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.

**APPLICATION NO. 24
STANDARD AMENDMENT APPLICATION**

<u>Applicant</u>	<u>Applicant's Representative</u>
Pedro Talamas Juan J. Valdes Nadia Valdes	Stanley B. Price, Esq. William W. Riley, Esq. Bilzin Sumberg Baena Price & Axelrod, LLC 200 South Biscayne Boulevard, Suite 2500 Miami, Florida 33131 (305) 375-6139 (305) 351-2285

Requested Amendment to the Land Use Plan Map

From: AGRICULTURE

To: BUSINESS AND OFFICES and

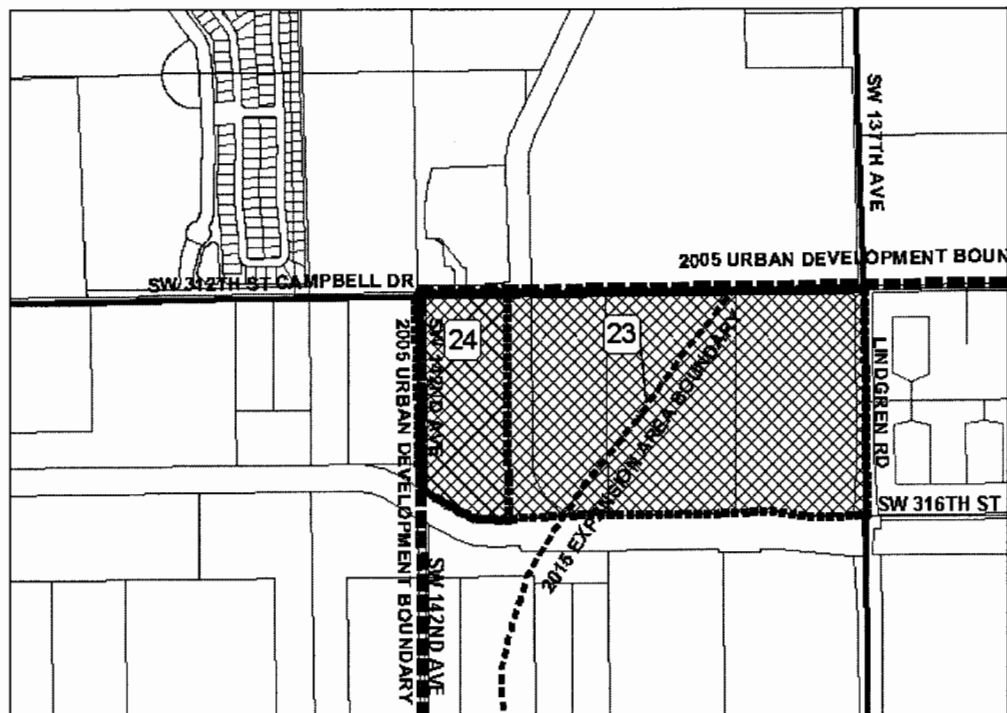
INCLUDE WITHIN THE URBAN DEVELOPMENT BOUNDARY

Location: Southeast corner of SW 142 Avenue and SW 312 Street.

Acreage: Application area: 14.71 Gross Acres

Application area: 14.35 Net Acres

Acreage Owned by Applicant: 14.35 acres.



Note: This summary page is not part of the actual application that follows.

APPLICATION FOR AN AMENDMENT TO
THE LAND USE PLAN MAP OF THE MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN

STANDARD AMENDMENT

1. APPLICANTS

Pedro Talamas
Juan E. Valdes
Nadia A. Valdes

2. APPLICANTS' REPRESENTATIVE

Stanley B. Price, Esq. and
William W. Riley, Esq.
Bilzin Sumberg Baena Price & Axelrod, LLC
200 South Biscayne Boulevard, Suite 2500
Miami, Florida 33131
Direct Dial: (305) 375-6139
Direct Fax: (305) 351-2285

By: William W. Riley

April 27, 2005
Date

3. DESCRIPTION OF REQUESTED CHANGE

A. A change to the Land Use Element, Land Use Plan Map
(Item A.1 in the fee schedule) is requested

B. Description of the subject property

The Property comprises approximately 14.71 acres located at the southeast corner of theoretical SW 142 Avenue and SW 312 Street in the City of Homestead, Florida. The Property lies entirely within Section 15, Township 57, Range 39 and is more particularly described in the legal description attached hereto and incorporated herein as Exhibit "A".

C. Gross Acreage

Application area: 14.71 +/- gross acres
14.35 +/- net acres
Acreage owned by applicant: 14.71 +/- gross acres
14.35 +/- net acres

D. Requested Change

1. The Applicants respectfully request approval to incorporate the Property within the Urban Development Boundary (UDB) Line by expanding that portion of UDB situated south of SW 312 Street ("Campbell Drive") and north of the C-103 Canal (the "Canal") running perpendicular to SW 142 Avenue.
2. It is requested that the Property be re-designated on the Land Use Plan Map from AGRICULTURE to BUSINESS & OFFICE subject to acceptance of the proffered Declaration of Restrictions attached hereto as Exhibit "G".

4. REASON FOR AMENDMENT

In the 2003 Evaluation and Appraisal Report (EAR) to the Miami-Dade County Comprehensive Development Master Plan (CDMP), Miami-Dade County identifies a total of four factors that collectively comprise the standard of review for amendments to the UDB. These include 1) compatibility of proximate land uses; 2) supply and demand for land to accommodate future residential and economic growth; 3) intrinsic environmental suitability of land areas for urban development; and 4) availability of, and ability to extend, public services and facilities to serve prospective additional development areas. *See* EAR (2003) at pg. 1-53.

The requested amendment (the "Amendment") seeks an eastwardly expansion of the UDB to incorporate the Property within the City of Homestead's (the "City") newest urbanized area, which is situated east of the Florida Turnpike along Campbell Drive. Approval of the Amendment will unify the Property with adjacent urban development, will establish an appropriate transition between urban development and agricultural land by utilizing natural boundaries and buffering qualities, will prevent the intrusion of commercial impacts on agricultural uses, and will utilize environmentally suitable land that is accessible to public facilities in order to provide essential services to the surrounding community.

The Property is uniquely located along the south side of Campbell Drive approximately 1 ¼ miles east of the Florida Turnpike. Its western boundary line, which lies along theoretical SW 142 Avenue, abuts a 68.11± acre site recently approved by the City as a Planned Unit Development (PUD). The Canal runs along the Property's eastern and southern boundary lines. The Canal, with the exception of the Property, serves as a natural boundary separating urban development from rural land in the application area.

In the area between Campbell Drive and the Canal, the UDB runs perpendicular to theoretical SW 142 Avenue along the Property's western boundary line. At Campbell Drive, the UDB skews east to Tallahassee Road, which is located approximately 0.4 miles east of the Property. In similar form, the UEA travels north across the Canal bending along the eastern edge of the Property until reaching Campbell Drive. At

Campbell Drive, the UEA joins the UDB moving towards Tallahassee Road. The Property is the only parcel located within the application area situated outside the UDB but within Miami-Dade County's 2015 Urban Expansion Area (UEA).

The UDB forms an artificial separation along theoretical SW 142 Avenue dividing the Property, which is a single and isolated agricultural parcel, from dense urban development. The Amendment seeks to relocate the UDB to follow the natural contours of the Canal to create an appropriate transition between urban and rural lands within the application area. By utilizing the Canal's natural buffering qualities, impacts associated with commercial development will also be appropriately separated from agricultural land uses.

The Property's current designation is incompatible with proximate land uses. Land along the south side of Campbell Drive from the Florida Turnpike to the Canal forms a unique urban peninsula—of which the Property forms the eastern tip. The Property does not lie adjacent to any agricultural uses. All agricultural land situated within the application area, except for the Property, is located east and south of the Canal.

The PUD that abuts the Property ("Crystal Lakes") was approved by the City of Homestead in Ordinance No. 2004-10-43 on November 9th, 2004 to include 31.20 acres of dense commercial use and 33.20 acres of dense residential use. At completion, the overall site will consist of 360 residential units, a 5,000 sq. ft. bank equipped with four drive-thru lanes, a detached fast food restaurant, a 14,400 sq. ft detached retail facility, a 45,000 sq. ft. supermarket and attached retail stores, detached retail suites, and two 45,000 sq. ft. office buildings.

The portion of Crystal Lakes abutting the Property is approved for both commercial and residential uses. At the rear of Crystal Lakes in this area will be two rows of townhomes with adjacent parking. At the front of the site is a 10.1± acre tract approved for commercial use. Additionally, there is a 1.27± acre lake planned for excavation along the Property's western boundary line.

The 10.1± acre commercial tract does not yet have an approved site plan. However, according to the City of Homestead's 2001 Comprehensive Plan, any use permitted in the following zoning districts may be developed on this site: (1) B-1A (Professional Business Restricted District); (2) B-1 (Restricted Retail Commercial District); (3) R-4 (Hotel/Motel District); and (4) B-2 (Retail Commercial District – excluding automotive, or other heavy commercial and industrial uses). Uses permitted in these districts include, but are not limited to, movie theaters, hotel and motel facilities, retail establishments, bowling alleys, skating rinks, banks, restaurants, dry cleaning and pressing establishments, dance halls, and much more. Any building erected on this site is eligible to be constructed at up to six stories in height. *See* Section 30-287, City of Homestead Code (2004).

The potential impacts resulting from the development of Crystal Lakes to the Property include artificial shading, the spreading of dust and debris, noise, and constant exposure

to automotive exhaust fumes which, individually and collectively, can severely damage agricultural land uses. Moreover, development of Crystal Lakes will require substantial fill that will drastically raise the land elevation for the 68.11± acres abutting the Property. The drastic disparity that will occur in land elevations between the Property and Crystal Lakes will substantially increase the potential for excessive water run-off. This run-off could produce severe saturation effects that would prohibit any agricultural use of the Property. Approval of the Amendment will avoid these conditions by establishing two cohesive land areas within the application area—an urbanized community located west of the Canal and a rural community located to the east.

Public services and facilities currently exist at sufficient capacities to support the Amendment. Apart from Crystal Lakes, new construction of dense residential communities lines the north side of Campbell Drive. These communities, which stretch from the Florida Turnpike to Tallahassee Road, will add approximately 12,000 new residential units to the City of Homestead. In preparing for these new urban areas, the City has taken great precaution to insure that adequate infrastructure is in place. Existing public services and facilities include, but not limited to, electricity, water and sewer, sanitation services, fire rescue, and municipal police departments. In addition, the City is currently improving the roadway capacities in the application area by converting Campbell Drive from a two-lane roadway to a four-lane thoroughfare.

Approval of the Amendment will bring additional services into the application area that will accommodate adjacent and nearby urban development. Apart from the 12,000± new residential units planned for this area, Baptist Health System's is currently developing a new regional hospital (the "New Homestead Hospital") along the north side of Campbell Drive just east of the Florida Turnpike. This new hospital is located approximately 0.38 miles west of the Property.

The New Homestead Hospital is designed as a 350,000 sq. ft. state-of-the-art medical facility costing \$130 million. The hospital sits on 64.48 acres, comprising more land area than any other hospital located in Miami-Dade County. At its designed scale, the New Homestead Hospital is well over three-times the size of the existing Homestead Community Hospital but is substantially smaller than any of the other six regional hospitals located in the south Miami-Dade County. As such, the 350,000 sq. ft. facility is likely the first phase of what will become one of South Florida's most prominent medical facilities.

Even at its current size, however, the New Homestead Hospital severely lacks nearby supporting facilities (like medical offices) that are essential to providing patients and employees with accessible and prompt medical services. The following chart is provided as a statistical comparison of supporting professional office uses located within 1 ½ miles of the New Homestead Hospital and six other regional hospitals located in south Miami-Dade County.

	New Homestead Hospital	Homestead Community Hospital	South Miami/Larkin Hospitals	Kendall Regional Hospital	Baptist Hospital (Kendall)	Mercy Hospital	Miami Children's Hospital
Hospital Size	350,000 sq. ft.	102,707 sq. ft.	934,231 sq. ft.	651,359 sq. ft.	1,424,846 sq. ft.	1,465,184 sq. ft.	1,071,528 sq. ft.
Acreage	64.48±	3.62±	13.61±	7.45±	60.8±	38.77±	24.29±
Existing Professional Office Uses within 1.5 miles	Zero	234,057 sq. ft.	1,822,933 sq. ft.	170,260 sq. ft.	949,127 sq. ft.	279,722 sq. ft.	149,118 sq. ft.
Land Area of Existing Professional Office Use	Zero	19.22 acres	32.9 acres	6.92 acres	29.07 acres	8.26 acres	8.82 acres
Office Use as a percent of Hospital Size	Zero	230%	195%	26%	67%	19%	14%
Beds Counts	134	120	445	412	551	512	268

As shown above, there is an average of 0.9183 sq. ft. of supporting professional office space for every 1.0 sq. ft. of hospital space within 1 ½ miles of the six cited regional hospitals. Currently, there are zero professional office facilities within the same radius of the New Homestead Hospital.

There is, however, a possibility that some of the planned development within the application area could be utilized for professional offices. These areas include the 10.1 acre commercial tract and the two 45,000 sq. ft. office buildings located at Crystal Lakes. Taking these possibilities into consideration, the New Homestead Hospital still has a substantial deficiency in available off-site service areas. For instance, if all of the 90,000 sq. ft. of office space approved as part of Crystal Lakes was utilized for professional offices, for instance, that would provide 0.25 sq. ft. of supporting professional office space for every 1.0 sq. ft. of hospital space. Consequently, there would still be a average deficiency of 0.6683 sq. ft. of supporting professional office space located within close proximity to the new hospital.

Additionally, the above chart demonstrates that there is an average of 17.53 acres of land devoted to professional office space within a 1 ½ mile radius of the six cited hospitals. Again, assuming that all the available land planned for commercial development in the application area is developed for professional office use, the total area would only comprise 15.1± acres leaving a deficit of 2.43± acres on average within the application area.

The overall deficiency of professional office space within the application area has a direct correlation to a severe shortage of off-site medical offices to support the projected needs of the New Homestead Hospital. The following chart illustrates the number of medical offices located within a 1 and 2 mile radius of the six cited regional hospitals.

	South Miami	Mercy	Baptist	Miami Children's	Homestead	Kendall Regional	New Homestead
Mile	147	104	219	22	32	33	2
2-Miles	222	187	367	138	36	58	8

This chart shows that there is an average of 81 off-site medical offices located within a 1 mile radius of the cited hospitals and an average of 169.9 medical offices located with a 2 mile radius. Currently, there are only 2 off-site medical offices located within a 1 mile radius and 8 medical offices located in a 2-mile radius of the New Homestead Hospital.

If the Amendment is approved, the Applicant intends to develop the Property with a mixture of professional offices and commercial uses in a manner that is consistent with the Crystal Lakes PUD. Incorporation of the Property inside the UDB will provide additional land within the application area to be developed to service the essential needs of the new hospital and will provide additional services and employment locations to the 12,000± new residential units planned for the application area. Through the attached proposed declaration of restrictions, the Applicant voluntarily proffers to restrict future development of the Property to non-residential and non-industrial uses.

Based on the foregoing facts and conclusions, as well as the attached exhibits, it is respectfully submitted that the Amendment satisfies each of the four factors announced by Miami-Dade County in the 2003 EAR for applications seeking to amend the UDB. As demonstrated above, approval of the Amendment will create compatibility between adjoining land uses, will establish an appropriate transition between urban development and rural land, will prevent intrusion of planned commercial impacts on agricultural land, and will provide for the use of environmentally suitable land that is accessible to public facilities to accommodate urban services needed to support the surrounding community. As such, the Applicant believes that the approval of the Amendment would be an act of prudent community planning at the appropriate time.

Additionally, the approval of the Amendment would further the implementation of the following CDMP goals, objectives and policies:

LAND USE POLICY 1P: Miami-Dade County shall seek to prevent discontinuous, scattered development at the urban fringe particularly in the Agricultural Areas, through its CDMP amendment process, regulatory and capital improvements programs and intergovernmental coordination activities.

LAND USE OBJECTIVE 4: Dade County shall, by the year 2015, reduce the number of land uses which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.

LAND USE POLICY 4A: When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

LAND USE POLICY 8A: Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial and cultural centers; character of existing adjacent or surrounding neighborhoods; avoidance of natural resource degradation; maintenance of quality of life and creation of amenities.

LAND USE POLICY 8B: Distribution of neighborhood or community-serving retail sales uses and personal and professional offices throughout the urban area shall reflect the spatial distribution of the residential population, among other salient social, economic and physical considerations.

LAND USE POLICY 8F: Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated to consider consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would:

- i) Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;
- ii) Enhance or impede provision of services at or above adopted LOS Standards;
- iii) Be compatible with abutting and nearby land uses and protect the character of established neighborhoods;
- iv) Enhance or degrade environmental or historical resources, features or systems of County significance; and
- v) If located in a planned Urban Center, or within ¼ mile of an existing or planned transit station, exclusive busway stop, transit center, or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective 7, herein.

LAND USE POLICY 9E: Miami-Dade County shall enhance and formalize its standards for defining and ensuring compatibility among proximate uses, and requirements for buffering.

5. COMPLETED DISCLOSURE FORMS

See Attached

Attachments:

Exhibit "A"	Property Legal Description
Exhibit "B"	Disclosure of Interest Form
Exhibit "C"	Aerial Photograph of Application Area
Exhibit "D"	Location Map of Application Area
Exhibit "E"	Property Appraiser's Online Printout of the Property
Exhibit "F"	County E-Maps Printout of the Application Area
Exhibit "G"	Proposed Declaration of Restrictions
Exhibit "H"	Miami Herald News Article Posted January 9, 2005 Entitled "Video Points Out Highlights of City"
Exhibit "I"	City Ordinance and Site Plan for the Crystal Lakes PUD
Exhibit "J"	Property Appraiser's Online Printout of the New Homestead Hospital Site
Exhibit "K"	Photographs of Application Area
Exhibit "L"	Right-of-Way Deed to City of Homestead
Exhibit "M"	E-Maps Printout & Property Appraiser's Printout Regarding Land Uses Located Within a 1 ½ mile radius of <u>Baptist Hospital (Kendall)</u>
Exhibit "N"	E-Maps Printout & Property Appraiser's Printout Regarding Land Uses Located Within a 1 ½ mile radius of <u>Homestead Community Hospital</u>
Exhibit "O"	E-Maps Printout & Property Appraiser's Printout Regarding Land Uses Located Within a 1 ½ mile radius of <u>South Miami Hospital</u>
Exhibit "P"	E-Maps Printout & Property Appraiser's Printout Regarding Land Uses Located Within a 1 ½ mile radius of <u>Kendall Regional Hospital</u>
Exhibit "Q"	E-Maps Printout & Property Appraiser's Printout Regarding Land Uses Located Within a 1 ½ mile radius of <u>Miami Children's Hospital</u>
Exhibit "R"	E-Maps Printout & Property Appraiser's Printout Regarding Land Uses Located Within a 1 ½ mile radius of <u>Mercy Hospital</u>
Exhibit "S"	Bellsouth RealPages.com Printouts Regarding Medical Offices located within a 1 and 2 mile radius of <u>New Homestead Hospital</u>
Exhibit "T"	Bellsouth RealPages.com Printouts Regarding Medical Offices located within a 1 and 2 mile radius of <u>Baptist Hospital (Kendall)</u>
Exhibit "U"	Bellsouth RealPages.com Printouts Regarding Medical Offices located within a 1 and 2 mile radius of <u>Homestead Community Hospital</u>
Exhibit "V"	Bellsouth RealPages.com Printouts Regarding Medical Offices located within a 1 and 2 mile radius of <u>South Miami Hospital</u>
Exhibit "W"	Bellsouth RealPages.com Printouts Regarding Medical Offices located within a 1 and 2 mile radius of <u>Kendall Regional Hospital</u>
Exhibit "X"	Bellsouth RealPages.com Printouts Regarding Medical Offices located within a 1 and 2 mile radius of <u>Miami Children's Hospital</u>
Exhibit "Y"	Bellsouth RealPages.com Printouts Regarding Medical Offices located within a 1 and 2 mile radius of <u>Mercy Hospital</u>

LEGAL DESCRIPTION

THAT PORTION OF LOT 10 LYING WESTERLY OF CANAL 103-N RIGHT OF WAY, ALL OF LOTS 11 AND 12, AND THAT PORTION OF LOT 13 LYING WEST OF CANAL 103-N AND NORTH OF CANAL 103-1, BLOCK 1 OF MIAMILAND AND DEVELOPMENT COMPANY'S SUBDIVISION OF SECTION 15, TOWNSHIP 57 SOUTH, RANGE 39 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BLOCK 5 AT PAGE 10 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA.

LOCATION MAP FOR APPLICATION TO AMEND
THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

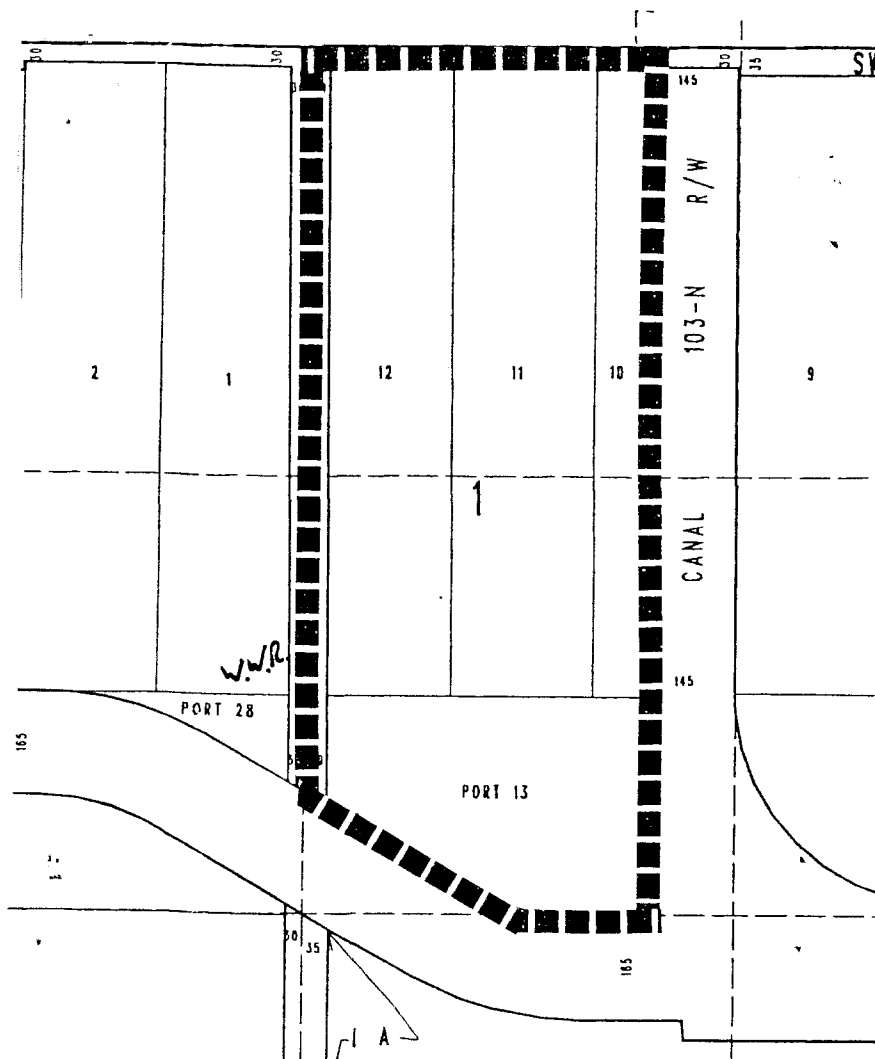
APPLICANT/REPRESENTATIVE

Pedro Talamas
Juan E. Valdes
Nadia A. Valdes

DESCRIPTION OF SUBJECT AREA

The Property comprises approximately 14.46 acres located at the southeast corner of theoretical SW 142 Avenue and SW 312 Street in the City of Homestead, Florida. The Property lies entirely within Section 15, Township 57, Range 39 and is more particularly described in the legal description attached hereto and incorporated herein as Exhibit "A".

Folio # 10-7915-001-0020



MIAMI 876856.4 7604221575
4/29/05 10:00 AM

**Pages Of Disclosure Form Not Applicable To This Application Are
Intentionally Omitted From This Printing.**

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:	Pedro Talamas 8530 S.W. Grand Canal Drive Miami, Florida 33144
	APPLICANT B:	Juan E. Valdes 8530 S.W. Grand Canal Drive Miami, Florida 33144
	APPLICANT C:	Nadia A. Valdes 8530 S.W. Grand Canal Drive Miami, Florida 33144
	APPLICANT D:	
	APPLICANT E:	

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.			
APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES	
Pedro Talamas	Yes	10-7915-001-0020	14.46 +/-	
Juan E. Valdes	Yes	10-7915-001-0020	14.46 +/-	
Nadia A. Valdes	Yes	10-7915-001-0020	14.46 +/-	

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)		
Pedro Talamas	Yes					
Juan E. Valdes	Yes					
Nadia A. Valdes	Yes					

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>
	Pedro Talamas, 8530 S.W. Grand Canal Drive	50%
	Miami, Florida 33144	
	Juan E. Valdes, 8530 S.W. Grand Canal Drive	25%
	Miami, Florida 33144	
	Nadia A. Valdes, 8530 S.W. Grand Canal Drive	25%
	Miami, Florida 33144	
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:		NOT APPLICABLE	
		<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
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:		NOT APPLICABLE	
		<u>BENEFICIARY'S NAME AND ADDRESS)</u>	<u>PERCENTAGE OF INTEREST</u>
d	If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner(s) shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].		

If any contingency clause or contract terms involve additional parties, list all individuals or officers if a corporation, partnership, or trust.

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

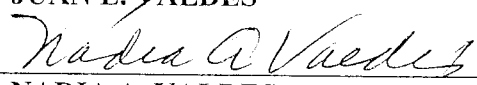
Applicant's Signatures and Printed Names



PEDRO TALAMAS

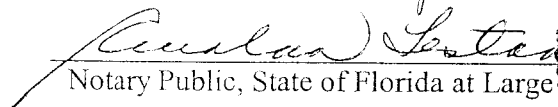


JUAN E. VALDES

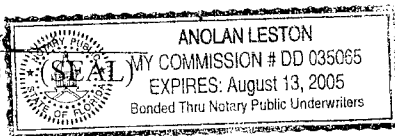


NADIA A. VALDES

Sworn to and subscribed before me this
2 day of April, 2005



Notary Public, State of Florida at Large



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) 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.

This instrument prepared by:
William W. Riley, Esq.
Bilzin Sumberg Baena Price & Axelrod LLP
200 South Biscayne Boulevard
Miami, Florida 33131-2336

(Space Above For Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owners hold the fee simple title to the land in City of Homestead, Florida, a municipal corporation located within Miami-Dade County, Florida, described in Exhibit "A" attached hereto, and collectively referred to hereinafter as the "Property," which is supported by the attorney's opinion, and

IN ORDER TO ASSURE the **County** that the representations made by the Owners during consideration of Comprehensive Development Application No. _____ (the "Application") will be abided by, the Owners freely, voluntarily and without duress make the following Declaration of Restrictions (the "Declaration") covering and running with the Property:

- (1) That the Property shall be limited to commercial and/or professional uses consistent in scale and bulk with commercial and/or professional uses currently planned or hereinafter developed as part of the Crystal Lakes Planned Unit Development located at the southwest corner of Campbell Drive (SW 312 Street) and theoretical SW 142 Avenue in the City of Homestead, Florida.
- (2) Regardless of any use permitted on land designated and zoned for commercial and/or professional purposes, as set forth in the City of Homestead Code of Ordinances, the Property shall not be developed or operated as or with any of the following:
 - A. Automotive sales;
 - B. Automotive repair and maintenance;
 - C. Dry cleaning and/or pressing;
 - D. Residential; and
 - E. Industrial uses.

County Inspection. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the owners are complying with the conditions of this Declaration.

Covenant Running with the Land. This Declaration on the part of the Owners shall constitute a covenant running with the land and shall be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be

(Public Hearing)

Section-Township-Range: 15-57-39

Folio number: 10-7915-001-0020

MIAMI 877553.1 7604221575

DRAFT

binding upon the undersigned Owners, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owners, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida, or other procedure permitted under the Miami-Dade County Code, whichever by law has jurisdiction over such matters, after public hearing.

Should this Declaration of Restrictions be so modified, amended or released, the Director of the Miami-Dade County Department of Planning and Zoning, or the executive officer of the successor of such Department, or in the absence of such director or executive officer by his assistant in charge of the office in his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

Authorization for City of Homestead to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the City of Homestead is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

(Public Hearing)

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion

Recording. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost to the Owners following the adoption by the Miami-Dade County Board of County Commissioners or Community Zoning Appeals Board of a resolution approving the Application and the expiration of all applicable appeal periods.

Acceptance of Declaration. Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance.

Owners. The term Owners shall include the Owner(s), and their heirs, successors and assigns.

[Execution Pages Follow]

(Public Hearing)

Signed, witnessed, executed and acknowledged this ____ day of _____, 2005.

Witnesses:

Print Name: _____

Print Name: _____

Witnesses:

Print Name: _____

Print Name: _____

Witnesses:

Print Name: _____

Print Name: _____

DRAFT

By: _____
Pedro Talamas

Address: _____

DRAFT

By: _____
Juan E. Valdes

Address: _____

DRAFT

By: _____
Nadia A. Valdes

Address: _____

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

The foregoing instrument was acknowledged before me this _____ day of _____, 2005 by PEDRO TALAMAS, who is personally known to me or produced a valid driver's license as identification.

DRAFT

Notary Public
Print Name: _____
My Commission Expires: _____

Serial No. (None, if blank): _____

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

The foregoing instrument was acknowledged before me this _____ day of _____, 2005 by JUAN E. VALDES, who is personally known to me or produced a valid driver's license as identification.

DRAFT

Notary Public
Print Name: _____
My Commission Expires: _____

Serial No. (None, if blank): _____

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

The foregoing instrument was acknowledged before me this _____ day of _____, 2005 by NADIA A. VALDES, who is personally known to me or produced a valid driver's license as identification.

DRAFT

Notary Public

Print Name: _____

My Commission Expires: _____

Serial No. (None, if blank): _____

**TEXT AMENDMENT REQUEST
TO THE
LAND USE ELEMENT
APRIL 2005-2006 AMENDMENT CYCLE
MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANTS

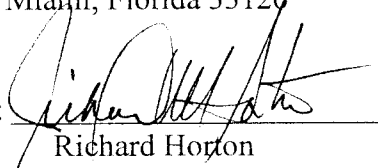
Builders Association of South Florida
15225 N.W. 77 Avenue
Miami Lakes Florida 33014

Latin Builders Association
782 N.W. 42 Ave
Miami, Florida 33126

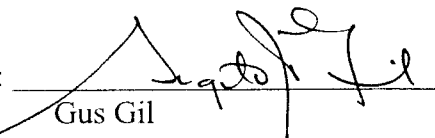
2. APPLICANTS' REPRESENTATIVES

Mr. Richard Horton
Builders Association of South Florida
15225 N.W. 77 Avenue
Miami Lakes Florida 33014

Mr. Gus Gil
Latin Builders Association
782 N.W. 42 Ave
Miami, Florida 33126

By: 
Richard Horton

Date: April 29, 2005

By: 
Gus Gil

Date: April 29, 2005

3. DESCRIPTION OF REQUESTED CHANGES

Amendment to Policy 8G of the Comprehensive Development Master Plan Land Use Element Text is requested.

Requested Changes:¹

8G. The Urban Development Boundary (UDB) shall contain developable land having capacity to sustain projected countywide residential demand for a period of 10 years after adoption of the most recent Evaluation and Appraisal Report (EAR) plus a 5-year surplus (a total 15-year Countywide supply beyond the date of EAR adoption). Such 15-year Countywide supply shall include a 15-year supply each of single-family (detached and attached) and multi-family units. The estimation of this capacity shall include the reasonable and verifiable capacity to develop and redevelop around transit stations at the densities recommended in policy 7F, provided that where such lands are within a municipality, such capacity shall be included only where such units have been specifically provided for within land use designations as part of said municipality's LUP map and/or future land use element. In order to assure that housing can be developed in all areas of the County at prices that meet the purchasing capacity of all residents, the estimation of demand shall include, but not be limited to, the following factors:

- Bi-annually determined population projections by numbers and by income;
- Annually determined housing starts within each municipality and the unincorporated area;
- Purchasing capacity of the population measured by income level;
- Market value of land averaged by section of land;
- Proximity to, or the ability to provide, needed services, infrastructure and areas of employment; and
- Other socioeconomic needs of the community.

4. REASONS FOR AMENDMENT

The proposed changes to Policy 8G of the Comprehensive Development Master Plan ("CDMP") Land Use Element are intended to ensure that a constant fifteen-year supply of land for each of single family and multi-family housing will be available in Miami-Dade County.

The overall goal of the Land Use Element of the CDMP is to provide for the "best possible distribution of land use and services to meet the physical, social, cultural and

¹ The applicants recognize that County staff has proposed multiple revisions to the CDMP Land Use Element text based on the 2003 Evaluation and Appraisal Report (EAR). The Policy at issue in this application, 8(G), may be subject to minor changes if the EAR-based amendments are adopted. First, the Policies would be renumbered LU-8(F) and internal references to other Policies would be similarly renumbered. The applicants believe that the approval of the EAR-based amendments would not alter the substantive portions of this application but understand that the language of the instant amendment would need to be modified following the approval of the EAR-based amendments.

social, cultural and economic needs of the present and future populations” of the County. (CDMP I-2). Objective 1 of the Land Use Element provides that the County should ensure that communities are developed with a variety of housing types. (CDMP I-2).

The proposed amendment to Policy 8G will do the following:

- (1) Require the County to retain a fifteen-year supply of residential land rather than the current CDMP’s provision setting the fifteen year supply as an aspirational goal, to be measured from the most recent Evaluation and Appraisal Report (EAR);
- (2) Provide that the fifteen-year residential land supply be available for each of single family (detached and attached) and multi-family housing types;
- (3) Mandate that a fifteen-year supply of both single-family and multi-family residential land be provided; and
- (4) Require that the estimation of capacity that could be developed around transit stations be realistic, through demonstrated legislative intent.

These changes are intended to ensure that the overall goal of the Land Use Element is met: a continuously available supply and wide distribution of residential land and housing types. It also would guarantee the continued availability of a diversity of housing types, as required by Objective 1 of the Land Use Element. The quality of life for all of the County's citizens is enhanced by this proposed change by ensuring that existing neighborhoods can be preserved through the provision of adequate supply of all housing types. Pressure to densify existing neighborhoods and replace job generating uses with residential uses has intensified as the County's population continues to increase. All types of housing are needed to be maintained in adequate supply to ensure that young families can live the American Dream by owning a single family home or townhome with a yard at the same time that young and aging new-urbanites can enjoy the burgeoning urban lifestyle already existing in some portions of the County and clearly emerging in downtown Miami, Coral Gables, and in the Dadeland area. Under the proposed amendment to Objective 8G, there would be, in any given year, fifteen years of single family and multi-family land supply across all areas of Miami-Dade County.

At the same time, this proposed amendment seeks to ensure that the County's demographic assumptions relative to supply, notably those relating to development along the transit corridors, are realistic and based on County and municipal planned densities and not mere planning assumptions made without public and legislative input.

In sum, the applicants believe that the approval of the proposed amendment would meet the CDMP’s central goal of ensuring sufficient land for a diversity of housing types throughout Miami-Dade County.

**Pages Of Disclosure Form Not Applicable To This Application Are
Intentionally Omitted From This Printing.**

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.

APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: _____

APPLICANT B: _____

APPLICANT C: _____

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

APPLICANT G: _____

APPLICANT H: _____

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>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>OTHER (Attach Explanation)</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

For any changes of ownership or changes in contract for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

Richard Horton

Builder's Association of South Florida

15225 N.W. 77 Avenue

Miami Lakes Florida 33014

Sworn to and subscribed before me

this 2nd day of May, 2005.



Demetra D Burton
My Commission DD150042
Expires October 29, 2008

Notary Public, State of Florida at Large (SEAL)
My Commission Expires:

Demetra D Burton

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.

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

For any changes of ownership or changes in contract for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

Gus Gil

Latin Builder's Association

782 N.W. 42 Avenue


Miami, Florida 33126

Sworn to and subscribed before me

this 2nd day of may, 20 05. Demetra D Burton

Notary Public, State of Florida at Large (SEAL)

My Commission Expires:

 Demetra D Burton
My Commission DD150042
Expires October 29, 2008

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.

RESOLUTION NO. 2-97-61

The following resolution was offered by Commissioner

Ben C. McGahey, seconded by Commissioner

Walter Weiss, and upon poll of members present,

the vote was as follows:

James H. Allen	aye	Frank C. Pruitt	aye
Jack H. Beckwith	absent	Harold B. Spaet	aye
Joseph A. Boyd, Jr.	aye	Milton E. Thompson	aye
Alexander S. Gordon	aye	Walter Weiss	aye
Charles F. Hall	absent	Winston W. Wynne	aye
Ben C. McGahey	aye	Robert M. Haverfield	absent
Arthur H. Patton	aye		

WHEREAS, Carl and Frank Scar have applied for district boundary changes from RU-2 (Two-Family Residential) 9100 c.f., to BU-2 (Special Business) 9100 c.f., and BU-3 (Liberal Business) 9100 c.f., on all of the $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ less the W. 50', N. 25', E. 20' and S. 25' and less the W. 117.5' thereof of Section 12, Township 53 South, Range 41 East. W. side NW 6th Ct., between NW 81 and 83 Streets, Dade County, Florida. Proposed BU-2 zoning on the $\frac{1}{2}$ of subject property. Balance BU-3, and

WHEREAS, an inspection of the subject property was made and a public hearing of the Metropolitan Dade County Zoning Board was advertised and held as required by law, and all interested parties concerned in the matter were heard, and the Zoning Board was of the opinion that the requested district boundary changes would be compatible with the neighborhood and area concerned and would not be in conflict with the principles and intent of the plan for the development of Dade County, Florida, and recommended approval, and

WHEREAS, 15-day notice of the time and place of the meeting of this Board was published as required by the Zoning Procedure Ordinance, and after reviewing the record and recommendations of the Zoning Board and all matters presented at the meeting, it is the opinion of this Board that the requested district boundary changes would be compatible with the neighborhood and area concerned and would not be in conflict with the principles and intent of the plan for the development of Dade County and should be approved;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the requested district boundary change to BU-2, 9100 c.f., and BU-3, 9100 c.f., as recommended by the Zoning Board, be and the same is hereby approved and said property is hereby zoned accordingly.

The Zoning Director is hereby directed to make the necessary changes and notations upon the maps and records of the Dade County Building and Zoning Department.

PASSED AND ADOPTED this 1st day of June, 1961.

Heard 4-17-61

No. 61-4-24

vd

6/14/61

APPLICATION NO. 26


**APPLICATION REQUESTING AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

Miami-Dade County Department of Planning and Zoning
111 NW 1 Street, Suite 1110
Miami, Florida 33128-1972
(305) 375-2840

2. APPLICANT'S REPRESENTATIVE

Diane O'Quinn Williams, Director
Miami-Dade County Department of Planning and Zoning
111 NW 1 Street, Suite 1110
Miami, Florida 33128-1972

By  June 2, 2005
Diane O'Quinn Williams, Director

3. DESCRIPTION OF REQUESTED CHANGES

Add a note for urban center symbol with diagonal lines to the legend of the Land Use Plan map. The note states the following:

This symbol denotes an urban center where an area plan report has been accepted by the Board of County Commissioners and codified in a zoning overlay district that shows the precise boundaries of the urban center.

4. REASONS FOR CHANGE

This application proposes an amendment to the legend of the Land Use Plan map to provide for further refinement of the urban center boundaries.

5. ADDITIONAL MATERIALS SUBMITTED

None

APPLICATION NO. 27

APPLICATION REQUESTING AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

1. APPLICANT

Miami-Dade County Department of Planning and Zoning
111 NW 1 Street, Suite 1210
Miami, Florida 33128-1972
(305) 375-2835

2. APPLICANT'S REPRESENTATIVE

Diane O'Quinn Williams, Director
Miami-Dade County Department of Planning and Zoning
111 NW 1 Street, Suite 1210
Miami, Florida 33128-1972

By:  June 1, 2005
Diane O'Quinn Williams

3. DESCRIPTION OF REQUESTED CHANGES

The following changes are requested to the Capital Improvements Element (CIE)¹:

- A. In the CIE Schedules of Improvements, Tables of Proposed Projects, modify the following currently adopted tables as indicated in the attached tables: Table 2, Aviation; Table 3, Coastal Management; Table 4, Conservation; Table 5, Drainage; Table 6, Park and Recreation; Table 7, Seaport; Table 8, Sewer Facilities; Table 9, Solid Waste Management; Table 10, Traffic Circulation; Table 11, Mass Transit; and Table 12, Water Facilities.

Proposed additions are listed under the heading "Proposed Additions, April 2005 CDMP Amendment Cycle". Proposed deletions are indicated by dash lines and footnoted accordingly. All other Proposed Projects already exist in the CIE and remain essentially unchanged.

- B. Revise any other summary table or related text in the Capital Improvements Element as necessary to be consistent with the additions, deletions, or changes made by Part A of this application.

¹ Note: (The proposed updated Tables are not presented in the Applications Report but will be published in the Initial Recommendations Report in August 25, 2005 for reasons noted below.)

4. REASON FOR CHANGE

In accordance with Chapter 163, Part II, Florida Statutes, addition or deletion of projects in the Capital Improvements Element must be accomplished by Plan amendment. As conditions and priorities in the community change, the programs of capital facilities for the respective functional areas require modification. The requested changes contained in the application were initiated by the various operating departments and include, when necessary, adjustments to the scheduling, project costs, or revenue levels and sources.

There are numerous reasons why operating departments propose to add or delete projects. Generally they do so in following their department's capital improvements strategy that, in turn, is driven by their functional plans and the associated element(s) of the CDMP. Most often, projects are added as needed and deleted as they are finished or are no longer needed. Reasons for specific proposals will be outlined in the Initial Recommendations report.

It should be noted that the CDMP Capital Improvements Element (CIE) is closely coordinated with the production of the County's Capital Budget and Multi-Year Capital Plan, in particular, the formulation of the County Manager's proposed budget that is published in June. The schedule for publishing April cycle CDMP amendment applications precedes the schedule for preparing the capital budget, and thus the updated tables of CIE projects have not been finalized at the time of printing of this application; the updated CIE tables will be published in the Initial Recommendations Report to be issued in August 2005 and will reflect the proposed budget. The proposals to be published will be subject to further review and adjustment during the period between their initial publication and final adoption of the Capital Budget in September. Changes to the initial application may be recommended to reflect the adjustments that are made during budget adoption activities or after State-agency review and comment.

5. ADDITIONAL MATERIALS SUBMITTED

None