

Note: The following case(s) is/are included in this ad.
Click on the process number or applicant's name to go directly to the ad.

Process No.	Applicant Name
<u>01-217</u>	<u>PETER M. HODKIN, TRUSTEE</u>
<u>02-280</u>	<u>HENRY C. MORAT, TRUSTEE</u>
<u>02-285</u>	<u>GARY & ROXANA SLOAN</u>
<u>02-286</u>	<u>JORGE & NANCY HERNANDEZ</u>
<u>02-303</u>	<u>ROBERT CARTER, TRUSTEE and DAMAAJ INTERNATIONAL, INC.</u>
<u>02-328</u>	<u>LORENA MARMOL & DENISE CATOIRA</u>
<u>02-368</u>	<u>BCG PARTNERS L. L. C.</u>
<u>03-013</u>	<u>BRAD HINMAN & BRAD HINMAN, INC.</u>
<u>03-128</u>	<u>BENZ LEASING, INC.</u>
<u>03-152</u>	<u>LENNAR LAND PARTNERS L. L. P.</u>

THE FOLLOWING HEARING WAS DEFERRED FROM 6/19/03 TO THIS DATE:

HEARING NO. 03-1-CZ14-4 (02-285)

21-56-38
Council Area 14
Comm. Dist. 9

APPLICANTS: GARY & ROXANA SLOAN

The Director of the Department of Planning and Zoning is respectfully appealing the decision of the Community Zoning Appeals Board #14 on GARY & ROXANA SLOAN, which approved the following:

Applicant is requesting approval to permit a lot with an area of 1.35 gross acres. (The underlying zoning district regulations require 5 acres).

Upon a demonstration that the applicable standards have been satisfied, approval of such request may be considered under §33-311(A)(14) (Alternate Site Development Option) or under §33-311(A)(4)(c) (Alternate Non-Use Variance [Ordinance #02-138]).

SUBJECT PROPERTY: The west 181.5' of the east 1,245.5' of the north 300' of the south 1,943' of the NE ¼ of Section 21, Township 56 South, Range 38 East.

LOCATION: The south side of S.W. 234 Street and lying approximately 1,064' west of S.W. 207 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.35 Gross Acres

PRESENT ZONING: GU (Interim)

THE FOLLOWING HEARING WAS DEFERRED FROM 4/24/03 TO THIS DATE:

HEARING NO. 02-12-CZ14-2 (02-286)

21-56-38
Council Area 14
Comm. Dist. 9

APPLICANTS: JORGE & NANCY HERNANDEZ

The Director of the Department of Planning and Zoning is respectfully appealing the decision of the Community Zoning Appeals Board #14 on JORGE & NANCY HERNANDEZ, which approved the following:

Applicant is requesting approval to permit a lot with an area of 1.35 gross acres. (The underlying zoning district regulation requires 5 acres.)

Upon a demonstration that the applicable standards have been satisfied, approval of such request may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(c) (Alternative Non-Use Variance) (Ordinance #02-138).

SUBJECT PROPERTY: The west 181.5' of the east 1,427' of the north 300' of the south 1,943' of the NE ¼ of Section 21, Township 56 South, Range 38 East.

LOCATION: The south side of S.W. 234 Street and approximately 362' east of S.W. 209 Place, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.35 gross acres

PRESENT ZONING: GU (Interim)

THE FOLLOWING HEARING WAS DEFERRED FROM 6/19/03 TO THIS DATE:

HEARING NO. 03-1-CZ15-5 (02-280)

2-57-39
Council Area 15
Comm. Dist. 9

APPLICANT: HENRY C. MORAT, TRUSTEE

HENRY C. MORAT is appealing the decision of Community Zoning Appeals Board #15 which denied the following:

AU to RU-1M(a)

SUBJECT PROPERTY: The north $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, all being in Section 2, Township 57 South, Range 39 East.

LOCATION: The Southeast corner of theoretical S.W. 132 Avenue (Pine Island Road) & theoretical S.W. 284 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 20 Acres

AU (Agricultural – Residential)
RU-1M(a) (Modified Single Family 5,000 sq. ft. net)

THE FOLLOWING HEARING WAS DEFERRED FROM 6/19/03 TO THIS DATE:

HEARING NO. 03-3-CZ12-2 (02-328)

30-54-41
Council Area 12
Comm. Dist. 11

APPLICANTS: LORENA MARMOL & DENISE CATOIRA

LORENA MARMOL & DENISE CATOIRA are appealing the decision of Community Zoning Appeals Board #12 which denied the following:

EU-M to RU-3

SUBJECT PROPERTY: Beginning 200' west & 50' north of the Southeast corner of the east $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence continue west 175', north 200', east 175' and south 200' to the Point of beginning; F/K/A: Lots 5 through 7 & 16 through 18, ALVAR SUBDIVISION, Plat book 144, Page 28 in Section 30, Township 54 South, Range 41 East.

LOCATION: 1209 S.W. 72 Street (Sunset Drive), Miami-Dade County, Florida.

SIZE OF PROPERTY: 201' x 175'

EU-M (Estates Modified 1 Family 15,000 sq. ft. net)

RU-3 (Four Unit Apartment)

THE FOLLOWING HEARING WAS DEFERRED FROM 3/25/03 TO THIS DATE:

HEARING NO. 03-2-CZ14-6 (02-368)

11-57-38
Council Area 14
Comm. Dist. 8

APPLICANT: BCG PARTNERS L. L. C.

BCG PARTNERS L. L. C. is appealing the decision of Community Zoning Appeals Board #14 which denied the following:

AU to RU-1

SUBJECT PROPERTY: The west $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 11, Township 57 South, Range 38 East; LESS AND EXCEPT the following described parcel: Commence at the Northwest corner of the SE $\frac{1}{4}$ of said Section 11, said point being also the center of said Section 11; thence run along the north line of the SE $\frac{1}{4}$ of said Section 11, N89°21'12"E (bearings derived from the Florida State System of Plane Coordinates) for 483.29' to the Point of beginning of the herein described parcel of land; thence continue along said north line, N89°21'12"E for 180' to a Point of intersection with the east line of the west $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 11; thence run along said east line S°43'08"E for 257.57' to a point; thence run N88°39'12"W for 180.14' to a point; thence run N0°42'52"W for 251.3' to the Point of beginning.

LOCATION: The Southeast corner of S.W. 192 Avenue & S.W. 304 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 19.14 Gross Acres

AU (Agricultural – Residential)

RU-1 (Single Family Residential)

HEARING NO. 03-4-CZ14-1 (02-303)

5-57-39
Council Area 14
Comm. Dist. 9

APPLICANT: ROBERT CARTER, TRUSTEE and DAMAAJ INTERNATIONAL, INC.

ROBERT CARTER, TRUSTEE and DAMAAJ INTERNATIONAL, INC. are appealing the decision of COMMUNITY ZONING APPEALS BOARD #14 which denied the following:

AU to EU-M

SUBJECT PROPERTY: That part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, less the north 35' and the west 35' thereof, in Section 5, Township 57 South, Range 39 East, lying north and NE/ly of C-103, canal Right-of-Way; AND: The NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, less the north 35' and the east 35' thereof, in Section 5, Township 57 South, Range 39 East.

LOCATION: Lying on the Southwest corner of S.W. 164 Avenue and S.W. 288 Street (Biscayne Drive), Miami-Dade County, Florida.

SIZE OF PROPERTY: 13.1± Acres

AU (Agricultural - Residential)

EU-M (Estates Modified 1 Family 15,000 sq. ft.)

HEARING NO. 03-7-CC-1 (01-217)

33-54-39
BCC
Comm. Dist. 11

APPLICANT: PETER M. HODKIN, TRUSTEE

- (1) GU to RU-3M
- (2) DELETION of a Declaration of Restrictions, recorded in Official Record Book 8609, Pages 504 through 507, only as it applies to the subject property.

The purpose of this request is to eliminate an agreement which restricts the use of the property to a golf course, and country club with recreational facilities, to allow the redevelopment of the property as a residential development.

Upon demonstration that the applicable standards have been satisfied, approval of such request may be considered under §33-311(A)(17) of the Code of Miami-Dade County. (Ordinance #03-93)

SUBJECT PROPERTY: Tract "D" of BENSON LAKES, Plat book 147, Page 17.

LOCATION: Lying NW/ly of the north terminus of S.W. 151 Avenue (Hammocks Boulevard), and approximately 400' north of S.W. 88 Street (N. Kendall Drive), Miami-Dade County, Florida.

SIZE OF PROPERTY: 10.5 acres

GU (Interim)

RU-3M (Minimum Apartment House 12.9 units/net acre)

APPLICANTS: BRAD HINMAN & BRAD HINMAN, INC.

Applicant is requesting an appeal of an administrative decision alleging that the Director erred in a determination to revoke Certificates of Use #2001047065 & 2002024723.

The purpose of this request is to reinstate Certificates of Use for the operation of an adult bookstore and adult video store.

SUBJECT PROPERTY: Lots 1, 2, 3 & 4, less the east 20' of Lot 4 of LEJEUNE TERMINALS, FIRST ADDITION, Plat book 48, Page 1, less that portion of Lot 2, more particularly described as follows:

Commence at the Northwest corner of the SE ¼ of said Section 29; thence S1°43'5"E along the west line of said SE ¼ a distance of 467.61'; thence N88°16'55"E a distance of 50' to the existing E/ly right-of-way line of State Road 828 (LeJeune Road) as shown on the State of Florida Department of Transportation Right-of-Way Map § 87281-2503, and a Point of beginning; thence N1°43'5"W along said existing E/ly right-of-way line parallel with and 50' east of the west line of said SE ¼ a distance of 6'; thence N88°16'55"E a distance of 4'; thence S0°43'5"E a distance of 6'; thence S88°16'55"W a distance of 4' to the Point of beginning.

LOCATION: 2601 N.W. 42 Avenue (LeJeune Road), Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.74 Acres

PRESENT ZONING: IU-2 (Industry – Heavy)

APPLICANT: BENZ LEASING, INC.

(1) GU to RU-4L

REQUEST #1 ON PARCEL "A"

(2) GU to RU-1

REQUEST #2 ON PARCEL "B"

(3) DELETION of a Declaration of Restrictions, recorded in Official Record Book 8609, Pages 504 through 507, only as it applies to the subject property.

The purpose of this request is to eliminate an agreement which restricts the use of the property to a golf course and country club with ancillary recreational facilities to allow the redevelopment of the property as a residential development. Additionally the applicant is proposing that the property be redeveloped for a park, a charter school and a senior center in accordance with applicable regulations.

Upon a demonstration that the applicable standards have been satisfied, approval of such request may be considered under §33-311(A)(17) of the Code of Miami-Dade County. (Ordinance #03-93)

SUBJECT PROPERTY: PARCEL "A": Tract 2, KENDALE LAKES WEST, SECTION ONE, Plat book 98, Page 2, less and except that portion located within BENSON LAKES SUBDIVISION, Plat book 147, Page 17. AND: PARCEL "B": Tract 3, KENDALE LAKES WEST, SECTION ONE, Plat book 98, Page 2.

LOCATION: North and south of S.W. 80 Street, approximately 800' east of S.W. 152 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 50 Acres

GU (Interim)
RU-4L (Limited Apartment House 23 units/net acre)
RU-1 (Single Family Residential)

APPLICANT: LENNAR LAND PARTNERS L. L. P.

- (1) MODIFICATION of Paragraph #1 of the Declaration of Restrictions recorded in the Official Records Book 14338, at Pages 2882 through 2933, last modified by Resolution Z-21-01 and the Declaration of Restrictions recorded in Official Record Book 20326, at Page 4266 through Page 4271, and only as it applies to the subject property:

FROM: "1. Master Plan. That said property shall be developed substantially in accordance with the spirit and intent of the Master Plan prepared by Lennar Homes, Inc. entitled 'Lakes by the Bay Master Plan,' (hereinafter referred to as 'Master Plan') dated last revised August 2, 2001 and consisting of one page, said Master Plan being on file with the Miami-Dade County Department of Planning and Zoning and by reference made a part of this Declaration. The maximum number of dwelling units which may be constructed upon the Property is hereby permanently fixed and established at a total of 4,026 dwelling units as shown on the Master Plan. At the time of the Miami-Dade County site plan approval process, the planned number of units for each parcel may increase by not more than ten percent (10%) and the net acreage of each parcel may change by not more than ten percent (10%); provided, however, nothing in the foregoing shall prohibit Owner from reducing the planned number of units for each parcel by more than ten percent (10%) at the time of the Miami-Dade County site plan approval process, or tentative plat approval, whichever occurs first. Thus the planned density and parcel yield would change accordingly; however, the aggregate total number of units within the land use plan shall not exceed 4,026 dwelling units. Prior to any sale of transfer of any individual residential parcel or parcels (other than a total sale of all residential parcels), the director of the Department of Planning and Zoning must receive and approve, in recordable form, a designation by the Owner and proposed buyer or transferee of the maximum number of units to be allocated to the subject parcel/parcels under this paragraph."

TO: "1. Master Plan. That said property shall be developed substantially in accordance with the spirit and intent of the Master Plan prepared by Ford, Armenteros & Manucy, Inc. entitled 'Lakes by the Bay Master Plan,' hereinafter referred to as 'Master Plan') dated last revised 4/24/03 and consisting of one page, said Master Plan being on file with the Miami-Dade County Department of Planning and Zoning and by reference made a part of this Declaration. The maximum number of dwelling units which may be constructed upon the Property is hereby permanently fixed and established at a total of 4,026 dwelling units as shown on the Master Plan. At the time of the Miami-Dade County site plan approval process, the planned number of units for each parcel may increase by not more than ten percent (10%) and the net acreage of each parcel may change by not more than ten percent (10%); provided, however, nothing in the foregoing shall prohibit Owner from reducing the planned number of units for each parcel by more than ten percent (10%) at the time of the Miami-Dade County site plan

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APPLICANT: LENNAR LAND PARTNERS L. L. P.

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approval process, or tentative plat approval, whichever occurs first. Thus the planned density and parcel yield would change accordingly; however, the aggregate total number of units within the land use plan shall not exceed 4,026 dwelling units. Prior to any sale or transfer of any individual residential parcel or parcels (other than a total sale of all residential parcels), the director of the Department of Planning and Zoning must receive and approve, in recordable form, a designation by the Owner and proposed buyer or transferee of the maximum number of units to be allocated to the subject parcel/parcels under this paragraph."

The purpose of the request is to allow the applicant to increase the lake area for Lake #5 and to change rights-of-way, which in turn alters the net land areas of several parcels.

- (2) MODIFICATION of Paragraph #7 of the Declaration of Restrictions recorded in Official Record Book 14338 at Pages 2882 through 2933, as modified by Declaration of Restrictions and Planned Area Development Agreement recorded in Official Records Book 15144 at Pages 2084 through 2099, and as further modified by a Modification of the Declaration of Restrictive Covenants recorded in Official Record Book 16966 at Pages 227 through 236, as further modified by a Modification of Declaration of Restrictive Covenants recorded in Official Records Book 18395 at Pages 2626 through 2637, last modified by Modification of Declaration of Restrictive Covenants in Official Records Book 20326 at Pages 4266 through 4271 and Resolution Z-21-01:

FROM: "7 Lakes. Lakes on the Property for which an unusual use is granted in Application No. 88-806 will be developed in accordance with the plans entitled 'Proposed Lake Plan and Cross Sections; Lake 3,' as prepared by John W. Mueller, Jr., dated revised 3-22-89, consisting of one sheet; 'Proposed Lake Plan and Cross Sections; Lake No. 6,' as prepared by John W. Mueller, Jr. dated revised 3-22-89, consisting of one sheet; plans prepared by Ford Engineers, Inc. entitled 'Lakes by the Bay Lake 4' dated 4-26-01, consisting of one sheet; and plans prepared by Ford Engineers, Inc. entitled 'Lakes by the Bay Lake 5', dated 4-26-01, consisting of one sheet."

TO: "7 Lakes. Lakes on the Property for which an unusual use is granted in Application No. 88-806 will be developed in accordance with the plans entitled 'Proposed Lake Plan and Cross Sections; Lake 3,' as prepared by John W. Mueller, Jr., dated revised 3-22-89, consisting of one sheet; 'Proposed Lake Plan and Cross Sections; Lake No. 6,' as prepared by John W. Mueller, Jr. dated revised 3-22-89, consisting of one sheet; plans prepared by Ford Engineers, Inc. entitled 'Lakes by the Bay Lake 4,' dated 4-26-01, consisting of one sheet; and plans prepared by Ford Engineers, Inc. entitled 'Lakes by the Bay South Commons, Lake Site Plan,' dated 5-6-03, consisting of two sheets."

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APPLICANT: LENNAR LAND PARTNERS L. L. P.

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The purpose of the request is to permit the expansion of Lake No. 5 using the previously approved slopes and to enlarge the boundaries of the lake.

- (3) MODIFICATION of a portion of Exhibit "C" "Lakes by the Bay Schedule of Road Improvements" and addition of Exhibits "G", "H", "I-1" & "I-2" of the Declaration of Restrictions recorded in Official Record Book 14338 at pages 2882 through 2933:

FROM:

<u>LOCATION</u>	<u>DESCRIPTION</u>	<u>PHASING SCHEDULE</u>
S.W. 216 Street from S.W. 97 Ave to S.W. 94 Avenue	Four Lane Divided Cross Section. (3)	Initial Platting (2)
S.W. 216 Street from SW 94 Ave to S.W. 87 Avenue	Four Lane Divided Cross Section. (3)	In accordance with the Platting Process or at 2000 DU's; (7) whichever occurs first.
S.W. 216 Street from S.W. 87 Avenue to S.W. 85 Avenue.	Two Lane - Two Way Roadway in North Half of Right of Way. (3A)	At such time as platting occurs in Parcels M, V, W, and/or X, or at 2000 DU's, whichever Occurs first.
S.W. 85 Avenue from S.W. 216 Street to the North Boundary of Parcel W.	Four-Lane Divided Roadway (3)	At such time as platting occurs in Parcels, M, V, W, and/or X, or at 2000 DU's (7), whichever Occurs first.
S.W. 94 Avenue from S.W. 216 Street South	Four-Lane Divided Cross Section. (3)	In accordance with the Platting Process.
	Signal Warrant Study. (4)	3,000 DU's (7)
Parcel P Entrance Divided at S.W. 216 Street.	Four Lane Divided Cross Section. (3)	At time of issuance of first building permit for Parcel P.

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APPLICANT: LENNAR LAND PARTNERS L. L. P.

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S.W. 89 Avenue at S.W. 216 Street	South and North approaches – four lane Divided cross section. (3)	In accordance with the the Platting Process
	Signal Warrant Study. (4)	3,000 DU's (7)
S.W. 87 Avenue at S.W. 216 Street. (5)	North Approach – Left Turn Lanes	At such time as platting occurs in Parcels M, V, W, and/or X or at 2,000 DU's (7) whichever occurs first.
	Signal Warrant Study. (4)	2,200 DU's (7)
S.W. 97 Avenue from S.W. 216 Street to a point Approximately 1,000' south of S.W. 224 Street	Two-lane Two Way Roadway Constructed in east ½ of dedication.	In accordance with the platting of Parcel A.
and		
S.W. 224 Street from Existing S.W. 97 Avenue To relocated S.W. 97 Avenue. (6)	Two-Lane Two Way Roadway Following existing alignment.	
S.W. 97 Avenue from a Point approximately 100' South of S.W. 224 Street To a point approximately 1,000' north of S.W. 232 Street	Two-Lane Two Way Roadway Constructed in east ½ of dedication.	In accordance with the platting process.
S.W. 97 Avenue at S.W. 216 Street	Signal Warrant study	2,000 DU's (7)
S.W. 87 Avenue at Old Cutler Road	East and west approaches Left turn lanes. Design	With first plat (8) and install signal Modification.

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APPLICANT: LENNAR LAND PARTNERS L. L. P.

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FOOTNOTES

- 1) All improvements to be designed and constructed in accordance with applicable State and County design standards and reviewed and approved by the Public Works Department of Metropolitan Dade County prior to construction.
- 2) Initial Platting is the first recorded plat. The designated roadway improvements must be completed prior to the first unit being certified for occupancy.
- 3) Construction of the four lane divided cross section includes left-turn bays with storage and taper lengths in accordance with all applicable design standards.
- 3A) Construction of the two lane divided cross section includes left-turn bays with storage and taper lengths in accordance with all applicable design standards.
- 4) Rather than specifying future dates for the installation of traffic signals, it is currently Metropolitan Dade County's policy to require traffic signal warrant studies prior to installation. In recognition of that policy, traffic signal warrant studies should be undertaken within the building parameters identified above. At that time, determinations will be made by the County for the scheduling of signalization. All signal warrant studies and installations listed herein will be by Lakes by the Bay.
- 5) S.W. 216th Street with S.W. 87th Avenue. Developer will design and construct a two-way, two-lane roadway 24 feet in width within a dedicated 55-foot right of way.
- 6) Existing S.W. 224th Street between Existing and Relocated S.W. 97th Avenue.
Developer will design and construct a 24-foot, two-way road-way between existing S.W. 97th Avenue and relocated S.W. 97th Avenue. The S.W. 224th Street extension will follow the existing alignment. The roadway and intersection will be designed and constructed in conformance with all public requirements.
- 7) DU's indicate dwelling units for which building permits have been issued.
- 8) Old Cutler Road with S.W. 87th Avenue
The proposed left turn lane improvements at S.W. 87th Avenue and Old Cutler Road are necessary to provide for safe turning movements at the intersection. The developer will request the required public hearing for said intersection improvements as specified in Metropolitan Dade County Ordinance No. 72-47 and, if then approved by the Board of County Commissioners, will construct the improvements. However, the permitting and occupancy of the project is in no way dependent on the ultimate approval of these improvements by the Board of County Commissioners.
- 9) All roadway improvements identified herein will be constructed in accordance with this schedule or as required by the Subdivision Code of Metropolitan Dade County, whichever occurs first.
- 10) All roadway improvements shall include sidewalks, drainage, and curb and gutter as required by the Director of the Dade County Public Works Department.

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APPLICANT: LENNAR LAND PARTNERS L. L. P.

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TO:

<u>LOCATION</u>	<u>DESCRIPTION</u>	<u>PHASING SCHEDULE</u>
S.W. 216 Street from S.W. 97 Ave to S.W. 94 Avenue	Four Lane Divided Cross Section. (3)	Initial Platting (2)
S.W. 216 Street from SW 94 Ave to S.W. 87 Avenue	Four Lane Divided Cross Section. (3)	In accordance with the Platting Process or at 2000 DU's; (7) whichever occurs first.
S.W. 216 Street from S.W. 87 Avenue to S.W. 85 Avenue.	Two Lane - Two Way Roadway in North Half of Right of Way. (3A)	At such time as platting occurs in Parcels M, V, W, and/or X, or at 2000 DU's, whichever Occurs first.
S.W. <u>93 Path</u> from S.W. 216 Street South	Four-Lane Divided Cross Section. (3)	In accordance with the Platting Process.
	Signal Warrant Study. (4)	<u>2,000th Building Permit in South Common</u>
Parcel P Entrance Divided at S.W. 216 Street.	Four Lane Divided Cross Section. (3)	At time of issuance of first building permit for Parcel P.
S.W. <u>88 Place</u> at S.W. 216 Street	South and North approaches – four lane Divided cross section. (3)	In accordance with the the Platting Process
	Signal Warrant Study. (4)	<u>2,000th Building Permit in South Commons</u>

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APPLICANT: LENNAR LAND PARTNERS L. L. P.

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S.W. 87 Avenue at S.W. 216 Street. (5)	North Approach – Left Turn Lanes	At such time as platting occurs in Parcels M, V, W, and/or X or at 2,000 DU's (6), whichever occurs first.
	Signal Warrant Study. (4)	2,200 DU's (6)
S.W. 97 Avenue at S.W. 216 Street	Signal Warrant study	2,000 DU's (6)
S.W. 87 Avenue at Old Cutler Road	East and west approaches Left turn lanes.	With first plat (7) <u>Design</u> and install signal Modification.
<u>S.W. 224 Street from S.W. 93 Path to existing Southern terminus of S.W. 97 Avenue at the southern boundary of Lakes by the Bay Section Five (Plat book 131, Page 75).</u>	<u>Two Lane – Two Way Roadway</u>	<u>Upon construction of residential dwelling units in Parcel D or Parcel E</u>

"Applicant or its successor in interest will conduct a traffic study prior to the issuance of the 2,000th building permit for the Lakes by the Bay development south of S.W. 216th Street, east of S.W. 97th Avenue, west of S.W. 87th Avenue, and north of S.W. 232nd Street ("South Common"). The traffic study shall analyze the operating level of service (LOS) at buildout of South Common for the existing two lanes of S.W. 97th Avenue from S.W. 216th Street south to the southern boundary of Lakes by the Bay Section 5 (Plat Book 131 p. 75), as well as the intersection of S.W. 97th Avenue and S.W. 216th Street, and if either the roadway or the intersection is operating below LOS D and the study shows that such levels of service will be improved to LOS D or better by either (i) the construction of an additional two lanes of S.W. 97th Avenue from S.W. 216th Street south to the southern boundary of Lakes by the Bay Section Five (Plat book 131, Page 75) and/or (ii) the connection of S.W. 224th Street within Section 16, and S.W. 224th Street within Section 17, then the county may request the applicant to construct either or both of improvements, only if such construction will bring the level of service of the roadway or the intersection to LOS D or better. If construction of improvement (i) is required, then the improvement shall be constructed in accordance with the sketch attached as Exhibit G and the cross section attached as Exhibit H to minimize impact on the linear park; if construction of improvement (ii) is required, then the improvement shall be constructed in accordance with the sketch attached as Exhibit I. If the traffic study indicates that either or both roadway improvements are required then the applicant shall commence the design, permitting and approval within 6 months; the roadway(s) shall be constructed within two years from approval/permit. If the traffic study indicates that the intersection and the roadway will operate at a LOS D or better at buildout of South Common then the applicant shall be released from all of the above construction requirements."

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APPLICANT: LENNAR LAND PARTNERS L. L. P.

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FOOTNOTES

- 1) All improvements to be designed and constructed in accordance with applicable State and County design standards and reviewed and approved by the Public Works Department of Miami-Dade County prior to construction.
- 2) Initial Platting is the first recorded plat. The designated roadway improvements must be completed prior to the first unit being certified for occupancy.
- 3) Construction of the four lane divided cross section includes left-turn bays with storage and taper lengths in accordance with all applicable design standards.
- 3A) Construction of the two lane divided cross section includes left-turn bays with storage and taper lengths in accordance with all applicable design standards.
- 4) Rather than specifying future dates for the installation of traffic signals, it is currently Miami-Dade County's policy to require traffic signal warrant studies prior to installation. In recognition of that policy, traffic signal warrant studies should be undertaken within the building parameters identified above. At that time, determinations will be made by the County for the scheduling of signalization. All signal warrant studies and installations listed herein will be by Lakes by the Bay.
- 5) S.W. 216th Street with S.W. 87th Avenue. Developer will design and construct a two-way, two-lane roadway 24 feet in width within a dedicated 55-foot right of way.
- 6) DU's indicate dwelling units for which building permits have been issued.
- 7) Old Cutler Road with S.W. 87th Avenue

The proposed left turn lane improvements at S.W. 87th Avenue and Old Cutler Road are necessary to provide for safe turning movements at the intersection. The developer will request the required public hearing for said intersection improvements as specified in Miami-Dade County Ordinance No. 72-47 and, if then approved by the Board of County Commissioners, will construct the improvements. However, the permitting and occupancy of the project is in no way dependent on the ultimate approval of these improvements by the Board of County Commissioners.

- 8) All roadway improvements identified herein will be constructed in accordance with this schedule or as required by the Subdivision Code of Miami-Dade County, whichever occurs first.
- 9) All roadway improvements shall include sidewalks, drainage, and curb and gutter as required by the Director of the Miami-Dade County Public Works Department.

The purpose of the request is to respond to the Public Works Department's request to rename the loop roads in order to remain consistent with the county's road naming system and to modify the road improvement schedule to conform with development changes.

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- (4) MODIFICATION of Exhibit "B" Canal and Roadway Rights-of-Way Dedications" of the Declaration of Restrictions recorded in Official Records Book 14338, Pages 2882 through 2933 and further modified by Resolution Z-21-01:

FROM:

<u>RIGHT OF WAY DESCRIPTION</u>	<u>WIDTH OF DEDICATION</u>
1. S.W. 97 th Avenue from S.W. 216 th Street south to the south boundary of the site at a point approximately 1,000' north of S.W. 232 nd Street.	55'
2. S.W. 216 th Street from S.W. 97 th Avenue to a point approximately 700' east of S.W. 97 th Avenue.	55'
3. S.W. 216 th Street from a point approximately 700' east of S.W. 97 th Avenue to S.W. 87 th Avenue.	110'
4. S.W. 216 th Street from S.W. 87 th Avenue to the east Boundary of Parcel W.	55'
5. S.W. 216 th Street from the east boundary of Parcel W east for a distance of approximately 1,100'.	110'
6. S.W. 216 th Street from a point approximately 1,100' east of the east boundary of Parcel W. to the east limit of Parcel X.	55'
7. S.W. 85 th Avenue from S.W. 216 th Street to the north boundary of Parcel W.	110'
8. Canal Right of Way located abutting the west boundary of S.W. 87 th Avenue beginning at the north property Line and extending S/ly to S.W. 232 nd Street.	63'

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| 9. West and East Loop Road beginning at S.W. 216 th Street at a point approximately 1,400' east of S.W. 97 th Avenue and returning to S.W. 216 th Street at a point approximately 1,000' west of S.W. 87 th Avenue. | 86' - 106'
shown on 2001
Master Plan |
| 10. S.W. 232 nd Street from S.W. 87 th Avenue to a point approximately 2,700' west of S.W. 87 th Avenue. | 55' |

All roadway and canal rights-of-way listed in this Exhibit will be dedicated to Metropolitan Dade County as the appropriate parcels are platted."

TO:

<u>RIGHT OF WAY DESCRIPTION</u>	<u>WIDTH OF DEDICATION</u>
1. S.W. 97 th Avenue (east ½) from S.W. 216 Street south to the south boundary of <u>Lakes by the Bay Section Five, Plat book 131, Page 75</u>).	<u>55' transitioning to 31' for a total of 86'</u>
2. S.W. 216 th Street from S.W. 97 th Avenue to a point approximately 700' east of S.W. 97 th Avenue.	55'
3. S.W. 216 th Street from a point approximately 700' east of S.W. 97 th Avenue to S.W. 87 th Avenue.	110'
4. S.W. 216 th Street from S.W. 87 th Avenue to the east Boundary of Parcel W.	55'
5. S.W. 216 th Street from the east boundary of Parcel W east for a distance of approximately 1,100'.	110'
6. S.W. 216 th Street from a point approximately 1,100' east of the east boundary of Parcel W. to the east limit of Parcel X.	55'

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| 7. Canal Right-of-Way located abutting the west boundary of S.W. 87 th Avenue beginning at the north property line and extending S/ly to S.W. 232 nd Street. | 63' |
| 8. West and East Loop Road beginning at S.W. 216 th Street at a point approximately 1,400' east of S.W. 97 th Avenue and returning to S.W. 216 th Street at a point approximately 1,000' west of S.W. 87 th Avenue. | 86' – 106' as shown on 2001 Master Plan |
| 9. S.W. 232 nd Street from S.W. 87 th Avenue to a point approximately 2,700' west of S.W. 87 th Avenue. | 55' |

All roadway and canal rights-of-way listed in this Exhibit will be dedicated to Miami-Dade County as the appropriate parcels are platted."

The purpose of the request is to reduce the right-of-way to minimize the impact on the linear park located east of S.W. 97th Avenue and south of S.W. 216th Street and delete the requirements to construct a portion of S.W. 85 Avenue that bisects Lakes by the Bay Park.

(5) DELETION of all of Paragraph "5C" of the Declaration of Restrictions recorded in Official Records Book 14338 at Pages 2882 through 2933:

"5C. Owner hereby covenants and agrees to reserve for future roadway extension of S.W. 224th Street those two certain parcels of the property more specifically described on Exhibit 'D', attached hereto and made a part hereof. Until said dedication is made, said parcels shall be utilized by owner only for open space and landscaping purposes and shall be transferred to county, for roadway purposes only, after completion by the county or others designated by county and approved by the owner of the following reports:

- (1) Traffic studies, if deemed necessary by the county, of the intersection of S.W. 216th Street with Old Cutler Road indicate that S.W. 216th Street is below traffic level of service (LOS) D operation at the above-mentioned intersections. These traffic studies will use conditions that exist at the time of the study and levels of service analysis shall follow the procedures established in the Highway Capacity Manual 1985 published by the Highway Research Board, National Academy of Sciences; and
- (2) If the traffic studies indicate that operations are below traffic level of service D on S.W. 216th Street at the above-noted intersection then a second county traffic study must be conducted to show that the extension of S.W. 224th Street from either 97th Avenue to the west loop road of Lakes by the Bay and/or the extension of S.W. 224th Street from the east

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loop roadway to S.W. 87th Avenue will return S.W. 216th Street at the above-referenced intersections to traffic level of service D operation.

- (3) Approval of owner to said reports and county approval to conduct said studies upon owner's request shall not be unreasonably withheld and said transfer shall be made to the county, thereafter, by appropriate right-of-way deed; and owner shall not be responsible for any construction costs of said improvements."

The purpose of the request is to require the applicant to construct a 70' private roadway (S.W. 224th Street) from S.W. 97th Avenue to S.W. 93rd Path at no expense to the county in lieu of the current requirements for the applicant to deed the appropriate right-of-way to the county as traffic studies warrant.

- (6) MODIFICATION of plans approved pursuant to Resolution Z-107-82, passed and adopted by the Board of County Commissioners and only as it pertains to the lake in Parcel "Z":

FROM: "Plans are on file and may be examined in the Zoning Department entitled 'Lakes by the Bay' as prepared by Post, Buckley, Schuh and Jernigan, Inc., Consulting Engineers, dated revised April 15, 1982, and consisting of three pages identified as Exhibits B, F, and G. Lake excavation plans entitled 'Typical Lake Sections', identified as Exhibit E, as prepared by Sasaki Associates, Inc./PBS & J, Inc. dated revised April 15, 1982, are also on file."

TO: "Plans are on file and may be examined in the Planning and Zoning Department entitled 'Lakes by the Bay – South Commons Lake Site Plan' as prepared by Ford Engineers, Inc. and dated 5/6/03 and consisting of 2 pages.

The purpose of the request is to modify the lake excavation plans to permit two smaller separate lakes in lieu of the one large lake previously approved.

Upon a demonstration that the applicable standards have been satisfied, approval of such requests may be considered under §33-311(A)(17) of the code of Miami-Dade County. (Ordinance #03-93)

The aforementioned plans and Exhibits "G," "H," "I-1" and "I-2" are on file and may be examined in the Zoning Department. Plans may be modified at public hearing.

SUBJECT PROPERTY: LAKES BY THE BAY SOUTH COMMONS: A portion of Section 16, Township 56 South, Range 40 East, being particularly described as follows:

Commence at the Southeast corner of said Section 16; thence N01°02'36"W, along the East line of the SE¼ of said Section 16 for 675.14' to the Point of beginning of the hereinafter described parcel of land; thence S88°57'38"W for 667.9'; thence S01°02'22"E for 674.33' to a point on the south line of said Section 16; thence S89°01'59"W, along the south line of said Section 16, for 2,019.57' to the south ¼ corner of the said Section 16; thence N00°44'13"W, along the west line of the said SE ¼ of Section 16, for 1,005.17' to the Northeast corner of the

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south 3/8 of the SW ¼ of said Section 16; thence S89°03'11"W, along the north line of the south 3/8 of the SW ¼ of Section 16, for 2,680.53' to the Northwest corner of the said south 3/8 of the SW ¼ of Section 16; thence N00°20'42"W for 104.03' to a Point of curvature of a circular curve to the right, concave to the Southeast; thence NE/ly along said curve, having for its elements a radius of 2,800', through a central angle of 15°11'10" for an arc distance of 742.13' to a Point of reverse curvature of a circular curve to the left, concave to the Northwest; thence NE/ly and N/ly along the arc of said curve, having for its elements a radius of 2,745', through a central angle of 15°44'57" for an arc distance of 754.53' to a Point of tangency; thence N00°54'29"W for 392.31' to a point on a non-tangent line; thence N89°05'31"E for 55'; the following four courses and distances being along the proposed center line of S.W. 97th Avenue; 1) thence N00°54'29"W for 595' to a Point of curvature of a circular curve to the right, concave to the Southeast; 2) thence NE/ly along the arc of said curve, having for its elements a radius of 1,800', through a central angle of 20°00'00" for an arc distance of 628.32' to a Point of tangency; 3) thence N19°05'31"E for 532.63' to a Point of curvature of a circular curve to the left, concave to the Northwest; 4) thence NE/ly along the arc of said curve, having for its elements a radius of 3,200', through a central angle of 10°34'24" for an arc distance of 590.53' to a point on the boundary line of the plat of LAKES BY THE BAY SECTION EIGHT, Plat Book 139, at Page 50; thence departing the said proposed center line of S.W. 97th Avenue, run the following courses and distances along the boundary line of said LAKES BY THE BAY SECTION EIGHT; thence S81°28'53"E, radial to the last and next mentioned curve, for 55', to a point on a circular curve concave to the Southeast; thence NE/ly, along said curve to the right, having for its elements a radius of 50' and a central angle of 80°30'48" for an arc distance of 70.26' to the Point of tangency; thence N89°01'55"E for 57.91' to a Point of curvature of a circular curve to the right; thence to the right along said curve having for its elements a radius of 1,445' and a central angle of 39°34'35" for an arc distance of 998.12' to the Point of tangency; thence S51°23'30"E for 195.93'; thence departing the said boundary line of LAKES BY THE BAY SECTION EIGHT, run S38°36'30"W along the west line of a Sanitary Sewer Lift Station Site for 50'; thence S51°23'30"E along the south line of said Sanitary Sewer Lift Station Site for 52' to a point on the aforesaid boundary line of LAKES BY THE BAY SECTION EIGHT; thence run the following courses and distances along the said boundary line of LAKES BY THE BAY SECTION EIGHT; thence S38°36'30"W for 95'; thence S51°23'30"E for 106'; thence N38°36'30"E for 95' to a Point of curvature of a circular curve to the right; thence to the right along said curve, having for its elements a radius of 50' and central angle of 90°00'00" for an arc distance of 78.54' to the Point of tangency; thence S51°23'30"E for 146.78' to a Point of curvature of a circular curve to the left, concave to the Northeast; thence SE/ly along the arc of said curve, having for its elements a radius of 1,555' and a central angle 11°04'56" for an arc distance of 300.77' to a point on a non-tangent line; thence S00°28'59"E for a distance of 886.78'; thence N89°03'14"E 1,090.15'; thence N00°31'55"W for 698.01'; thence N89°09'53"E, along the South Right-of-Way line S.W. 216th Street, as shown on the plat of LAKE BY THE BAY SECTION ELEVEN, Plat Book 141, at Page 2 for 1,812.02'; thence N00°50'07"W for 55'; thence N89°09'53"E for 1'; thence S00°50'07"E, along the said East line of Section 16 for 1,580' to the east ¼ corner of said Section 16; thence S01°02'22"E, along east line of SE ¼ of said Section 16 for 1,994.89' to the Point of beginning.

AND: A portion of that certain right-of-way for S.W. 85th Avenue as shown on that Plat of

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"LAKES BY THE BAY SECTION NINE", Plat Book 141, at Page 2, being more particularly described as follows:

BEGIN at the Northwest Corner of Tract "F-9", of said Plat of "LAKES BY THE BAY SECTION NINE"; thence N00°50'07"W, along the S/ly prolongation of the centerline of S.W. 85th Avenue for 55'; thence S89°00'29"W, along the South Boundary line of said plat of "LAKES BY THE BAY SECTION NINE", for 55'; thence N00°50'07"W, along the E/ly Line of Tract "D-9" of said Plat of "LAKES BY THE BAY SECTION NINE", and its S/ly Prolongation, said line also being the W/ly Right-of-way line for S.W. 85th Avenue, for 1,042.64' to the Northeast Corner of said Tract "D-9"; thence N89°02'53"E for 110' to the Northwest Corner of Tract "E-9", of said Plat of "LAKES BY THE BAY SECTION NINE"; thence S00°50'07"E, along the W/ly line of said Tracts "E-9" and "G-9" of said Plat of "LAKES BY THE BAY SECTION NINE", for 1,097.56' to the Southwest Corner of said Tract "G-9"; thence S89°00'29"W, along the N/ly line of said Tract "F-9", for 55' to the Point of beginning. AND: A portion of that certain Right-of-way for S.W. 216th Street as shown on the plat of "LAKES BY THE BAY SECTION NINE", Plat Book 141, at Page 2, and a portion of the NW ¼ of Section 15, Township 56 South, Range 40 East, being more particularly described as follows:

Begin at the Southwest Corner of Tract "D-9", of said Plat of "LAKES BY THE BAY SECTION NINE"; the next described two courses and distances being along the south line of said Tract "D-9", said line also being the N/ly Right-of-way Line of S.W. 216th Street; 1) thence N89°00'29"E 927.68' to a Point of curvature of a circular curve to the left, concave to the Northwest; 2) thence E/ly, NE/ly and N/ly along the arc of said curve, having for its elements a radius of 50', through a central angle of 89°50'36" for an arc distance of 78.4' to a Point of cusp; thence S00°50'07"E for 104.86'; thence N89°00'29"E, along the south Boundary line of said plat of "LAKES BY THE BAY SECTION NINE", for 55'; thence S00°50'07"E, along the centerline of S.W. 85th Avenue, for 1'; thence S89°00'29"W, along a line 56' south of and parallel with the south line of Tracts "C-9" and "D-9" of said plat of "LAKES BY THE BAY SECTION NINE", for 1,725'; thence N00°50'07"W, along the west line of the NW ¼ of said Section 15, for 1'; thence N89°00'29"E, along the south boundary line of said plat of "LAKES BY THE BAY SECTION NINE", for 125'; thence N00°50'07"W, along the W/ly Line of Tract "C-9", of said Plat of "LAKES BY THE BAY SECTION NINE", and its S/ly Prolongation for 105.14' to its intersection with the arc of a circular curve to the left, concave to the Northeast, a radial line to said point bears S89°09'53"W; the next described 2 courses and distances being along the S/ly line of said Tract "C-9", said line also being the N/ly Right-of-way Line of S.W. 216th Street; 1) thence S/ly, SE/ly and E/ly along the arc of said curve, having for its elements a radius of 50', through a central angle of 90°09'24" for an arc distance of 78.68' to a Point of tangency; 2) thence N89°00'29"E for 517.32' to the Point of beginning.

LOCATION: Lying south of theoretical S.W. 214 Street and north of theoretical S.W. 232 Street and between S.W. 85 Avenue and theoretical S.W. 97 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 457.69 Gross Acres

PRESENT ZONING: RU-3M (Minimum Apartment House 12.9 units/net acre)
RU-4M (Modified Apartment House 35.9 units/net acre)
RU-4 (Apartments 50 units/net acre)
GU (Interim)
AU (Agricultural – Residential)