KITS

6-22-2010 Version # 3

MIAMI-DADE COUNTY

COMMUNITY ZONING APPEALS BOARD 11
KENDALL VILLAGE CENTER - CIVIC PAVILION
8625 SW 124 Avenue, Miami
Wednesday, July 14, 2010 at 7:00 p.m.

CURRENT

1.	10-7-CZ11-1	KENDALL INVESTORS 172, LLC.	(DEVELOPMENTAL IMPACT COMMITTEE)	10-10	31-54-39	N
2.	10-7-CZ11-2	MIAMI-DADE COUNTY E.E.L. PROGRAM		10-12	13-55-39	N
3.	10-7-CZ11-3	KROME GOLD RANCHES II LLLP		10-17	13-55-38	N

Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 11

MEETING OF WEDNESDAY, JULY 14, 2010

KENDALL VILLAGE CENTER – CIVIC PAVILION

8625 SW 124 AVENUE, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 7:00 P.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMUNITY ZONING APPEALS BOARD SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMUNITY ZONING APPEALS BOARD BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE BOARD BE GRANTED BY THE MAJORITY VOTE OF THE BOARD MEMBERS PRESENT.

NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE MEETING ROOM. PERSONS EXITING THE MEETING ROOM SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE MEETING ROOM IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE MEETING ROOM TO ANSWER INCOMING CELL PHONE CALLS. COUNTY EMPLOYEES MAY NOT USE CELL PHONE CAMERAS OR TAKE DIGITAL PICTURES FROM THEIR POSITIONS ON THE DAIS.

THE NUMBER OF FILED PROTESTS AND WAIVERS ON EACH APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE ZONING HEARING MEETING DATE FOR THIS BOARD.

SWEARING IN OF WITNESSES

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1. **KENDALL INVESTORS 172, LLC. (10-7-CZ11-1/10-010)** **31-54-39**
Area 11/District 11

GU to BU-1A

LOCATION: Lying south of S.W. 88 Street and lying on both sides of theoretical S.W. 172 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 38± Acres

Development Impact Committee Recommendation: Approval subject to the Board's acceptance of the proffered covenant.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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2. **MIAMI-DADE COUNTY E.E.L. PROGRAM (10-7-CZ11-2/10-012)** **13-55-39**
Area 11/District 09

Applicant is requesting to waive the zoning regulations requiring half-section line rights-of-way to be 70' wide; to permit 0' of dedication for S.W. 122 Avenue (70' required) from approximately 840' south of S.W. 130 Street to theoretical S.W. 136 Street.

LOCATION: Lying approximately 840' south of S.W. 130 Street, north of theoretical S.W. 136 Street and west of Seaboard All Florida Railway Right-of-Way, Miami-Dade County, Florida.

SIZE OF PROPERTY: 28.77± Acres

Department of Planning and Zoning Recommendation: Approval.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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3. KROME GOLD RANCHES II LLLP (10-7-CZ11-3/10-017) **13-55-38**
Area 11/District 09

(1) MODIFICATION of Conditions #9 and #12 of Resolution Z-28-08, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "9. Excess excavated material may be removed from the premises; however, the sale of said material shall be strictly prohibited."

TO: "9. Excess excavated material may be removed from the premises; however, the sale of said material shall be strictly prohibited except under the following circumstances; (a) where the excess material will be used in ecosystem restoration projects; (b) where the excess material will be used in the construction of public projects, such as the construction of infrastructure; or (c) where the excess material will be used in the construction of utility facilities and ancillary uses, including roadways."

FROM: "12. That, once the lake excavation operation commences, it shall be carried on continuously and expeditiously until the entire project is completed in three (3) years."

TO: "12. Once the lake excavation operation commences, it shall be carried on continuously and expeditiously until the entire project will be completed."

(2) DELETION of Condition #19 of Resolution Z-28-08, passed and adopted by the Board of County Commissioners, reading as follows:

"19. That the lake fill shall only be used on the subject property or within the current urban development boundary."

The purpose of the Requests #1 and #2 is to allow the applicant to sell the excavated lake materials and to delete the time frame for completion of the lake excavation, and to permit the lake materials to be used off-site and/or outside the current urban development boundary area.

LOCATION: Lying between S.W. 177 Avenue and S.W. 187 Avenue, north of S.W. 136 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 466 Acres

Department of Planning and Zoning Recommendation: Denial without prejudice.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

NOTICE

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THE FOLLOWING SUMMARY INFORMATION IS PROVIDED AS A COURTESY; IT SHOULD NOT BE TREATED AS LEGAL ADVICE AND IT SHOULD NOT BE RELIED UPON. LEGAL CONSULTATION MAY BE WARRANTED IF AN APPEAL OR OTHER LEGAL CHALLENGE IS BEING CONTEMPLATED.

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Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Planning and Zoning (DPZ) within 14 days after the DPZ has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (The DPZ's posting will be made on a bulletin board located in the office of the DPZ.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website (www.municode.com). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

1. KENDALL INVESTORS 172, LLC.
(Applicant)

10-7-CZ11-1 (10-10)
Area 11/District 11
Hearing Date: 07/14/10

Property Owner (if different from applicant) **SAME.**

Is there an option to purchase ☐/lease ☐ the property predicated on the approval of the zoning request? Yes ☑ No ☐

Disclosure of interest form attached? Yes ☑ No ☐

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
	No History			

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

Memorandum

MIAMI-DADE COUNTY

Date: **July 14, 2010**

To: **The Community Zoning Appeals Board - 11**

From: **Developmental Impact Committee**
Executive Council

Subject: **Developmental Impact Committee Recommendation**

APPLICANT: Kendall Investors 172, LLC (Z10-010)

SUMMARY OF REQUEST:

The applicant seeks to change the zoning on the property from GU, Interim District, to BU-1A, Limited Business District.

LOCATION: Located south of SW 88 Street and lying on both sides of theoretical SW 172 Avenue in Miami-Dade County, Florida.

COMMENTS:

This application went before the Developmental Impact Committee on May 26, 2010 due to the size of the property. Section 33-303.1(D)(7) of the Code of Miami-Dade County charges the Developmental Impact Committee (DIC) to address applications with respect to: (I) conformance with all applicable plans; (II) environmental impact; (III) impact on the economy; (IV) impact on essential services; and (V) impact on public transportation facilities and accessibility.

The meeting of the DIC Executive Council was held and the attached Department memoranda were reviewed and considered by said Committee.

DIC RECOMMENDATION:

Approval, subject to the Board's acceptance of the proffered covenant as set forth in the Department of Planning and Zoning's recommendation.

The Executive Council is of the opinion that this application will be in keeping with the Comprehensive Development Master Plan designation for the subject property. In addition, the Council found that the approval of this application with conditions and the acceptance of the proffered covenant, will not be contrary to the public interest, is in keeping with the spirit of the regulations, and will permit the reasonable use of the premises. As such, the Executive Council finds that this application will permit a development which is **consistent** with the CDMP and **compatible** with the surrounding area.

APPLICATION NO. Z10-10
KENDALL INVESTORS 172, LLC.

Respectfully Submited,

DIC Executive Council
May 26, 2010

Ysela Llort
Assistant County Manager — Absent

Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department — Absent

Irma San Roman, Deputy Director
Metropolitan Planning Organization Secretariat — AYE

Subrata Basu, Assistant Director of Planning
Department of Planning and Zoning — AYE

Esther Calas, P.E., Director
Public Works Department — Absent

Jose Gonzalez, P.E., Assistant Director
Department of Environmental Resources Mgmt — AYE

Bertha M. Goldenberg, Assistant Director
Miami-Dade Water and Sewer Department — AYE

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE DEVELOPMENTAL IMPACT COMMITTEE

APPLICANT: Kendall Investors 172, LLC **PH:** Z10-010 (10-5-CZ11)

SECTION: 31-54-39 **DIC DATE:** May 26, 2010

COMMISSION DISTRICT: 11

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A. INTRODUCTION:

- **REQUEST:**

  GU to BU-1A

- **SUMMARY OF REQUEST:**

  Approval of this application will allow the applicant to change the zoning on the property from GU, Interim District, to BU-1A, Limited Business District.

- **LOCATION:**

  Lying south of SW 88 Street and lying on both sides of theoretical SW 172 Avenue, Miami-Dade County, Florida.

- **SIZE:** 38+ acres

B. CDMP and ZONING HEARINGS HISTORY:

The subject property has no prior zoning history. However, during the April 2007 Cycle the applicant submitted an application (Application #8) to redesignate the subject property from Agriculture to Business and Office, to expand the 2015 Urban Development Boundary (UDB) to include the subject property and to add a Declaration of Restrictions to the Restrictions Table in the Land Use Element Standard. On April 24, 2008, the Board of County Commissioners (BCC) approved the requests to redesignate the property and expand the UDB.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The subject property was granted a CDMP plan amendment by the Board of County Commissioners on April 24, 2008. The 2015 and 2025 Adopted Land Use Plan designates the subject property as being located within the Urban Development Boundary for **Business and Office**. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities such as cell towers and satellite telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking systems. These

uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential uses.

2. **Uses and Zoning Not Specifically Depicted on the LUP Map.**
Some existing lawful uses and zoning are not specifically depicted on the LUP map. However, all such existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new commercial locations must be consistent with the LUP map or the specific exceptions provided in the various LUP map categories, and the objectives and policies of this Plan.

3. **Policy LU-2A**. All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvements Element (CIE).

4. **Policy LU-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.

5. **Policy LU-4E.** Zoning shall be examined to determine consistency with the Comprehensive Plan, and if deemed necessary to remedy an inconsistency, rezoning action shall be initiated. Examination could occur through a special zoning study, area planning activity, or through a study of related issues.

6. **Policy LU-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 principal administrative interpreter of the CDMP.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING		LAND USE PLAN DESIGNATION
Subject Property:		
GU; vacant land		Business & Office
Surrounding Properties		
NORTH:	GU; groves	Agriculture
SOUTH:	AU,TND; groves, undeveloped mixed used	Low Density Residential 2.5-6 dua
EAST:	GU; groves	Agriculture
WEST:	GU; groves	Agriculture

E. SITE AND BUILDINGS:

Site Plan Review:	(Site plan not submitted.)
Scale/Utilization of Site:	**N/A**
Location of Buildings:	**N/A**
Compatibility:	**N/A**
Landscape Treatment:	**N/A**
Open Space:	**N/A**
Buffering:	**N/A**
Access:	**N/A**

F. PERTINENT REQUIREMENTS/STANDARDS:

In evaluating an application for a **district boundary change,** Section 33-311 provides that the Board shall take into consideration, among other factors, the extent to which:

(1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;

(2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;

(3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;

(4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;

(5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection***
Public Works	**No objection***
Parks	**No comment**
MDT	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**No comment**
Solid Waste	**No objection**
Aviation	**No objection**

*Subject to conditions indicated in their memoranda.

H. ANALYSIS:

The subject property is currently zoned GU and lies south of SW 88 Street and on both sides of theoretical SW 172 Avenue. The applicant is requesting the rezoning of the subject property from GU, Interim District to BU-1A, Limited Business District. The applicant has proffered a covenant which among other things, prohibits residential uses on the subject property and provides buffering and other design features to minimize negative impacts on the surrounding area. In addition, the covenant requires the applicant to obtain approval from the Department of Planning and Zoning through an application for Administrative Site Plan Review (ASPR) in accordance with Section 33-251.5 of the Code of Miami-Dade County. On April 24, 2008 the Board of County Commissioners adopted the requested amendment to the Land Use Plan (LUP) Map which changed the designation of the subject property from **Agriculture** to **Business and Office** and extended the Urban Development Boundary (UDB) to include the subject property within the UDB. The Business and Office designation accommodates a full range of sales and service activities which include, among other things, retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities, amusements and commercial recreation establishments. Staff opines that the proposed zone change to BU-1A is **compatible** with nearby business uses which include several big box retail stores and would be **consistent** with the Business and Office LUP map designation of the Master Plan.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that this application meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida. However, the applicant will have to comply with all DERM requirements as set forth in its memorandum pertaining to this application. The **Public Works Department, Miami Dade Aviation Department, Miami-Dade Transit (MDT) and the Solid Waste Department** have **no objections** to this application. The **Miami-Dade Fire Department** has **no objections** to the application and its memorandum indicates that the estimated average travel response time is **6:15** minutes.

When considering district boundary changes, the Board shall hear and grant or deny applications by taking into consideration whether the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall consider whether the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways. Staff notes that the rezoning, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County. The subject property is located on a section line road, SW 88 Street and east of SW 177 Avenue (a section line road). In addition, the subject property is west of SW 167 Avenue (a section line road and, and south of SW 72 Street which is a section line road. Staff notes that SW 88 Street (Kendall Drive) is a well travelled roadway in this section of the county. As such, staff opines that the subject property is easily accessible and will not burden the area roadways, as the distribution of trips will not exceed the acceptable level of service as indicated by the Public Works Department. Further, as indicated in the DERM memorandum, public water and sanitary sewer can be made available to the property, which will not reduce the Levels of Service (LOS) standards for same as set forth in the Comprehensive Development Master Plan (CDMP).

As previously mentioned, the subject property is located east of several big box retailers and approximately one mile west of the proposed Kendall Town Center, a multi-use development consisting of office/community medical facility, wellness center, a hotel, movie theater, a 220-room hotel, a 200-bed home for the aged and a public transportation terminal. Additionally, staff notes that the trend of development for this section of the County indicates commercial or more intensive developments along the surrounding section line roads. The applicant has proffered a covenant which prohibits residential development on the site and requires the applicant to submit an application for ASPR prior to future development on the site. The proffered covenant provides, among other things, that no buildings over two stories in height will be located closer than 50' from the subject property's southern boundary and no building over two stories in height will be located closer than 20' from the subject property's western boundary, unless the adjacent property is rezoned and redesignated to a non-residential category on the LUP map of the CDMP. In addition, the applicant will set aside and maintain a landscaped area located on the southern 15' of the subject property, where the property abuts the

Traditional Neighborhood Development (TND) zoned area to the south, except where adjacent to a stormwater retention area. The covenant also provides for a 6' high wall and landscaping adjacent to the TND to the south and the allowance for the landscaped buffer to be occupied by pedestrian walkways. Staff opines that these design elements will minimize any adverse impacts that may result from the rezoning of the property on the surrounding residential and agricultural properties. As such, staff is of the opinion that the proposed zone change to BU-1A with the proffered covenant, is **compatible** with the area and therefore recommends approval of the zone change, subject to the Board's acceptance of the proffered covenant.

Based on all of the aforementioned, staff is of the opinion that the application is **consistent** with the LUP map designation of the CDMP, and that the proposed rezoning to BU-1A is **compatible** with the surrounding area. Accordingly, staff recommends approval of this application, subject to the Board's acceptance of the proffered covenant.

I. RECOMMENDATION:

Approval, subject to the Board's acceptance of the proffered covenant.

J. CONDITIONS: None

DATE TYPED: 4/29/10
DATE REVISED: 5/7/10, 5/10/10, 5/12/10, 5/13/10, 5/20/10
DATE FINALIZED:
MCL:GR:NN:JV:CI

Marc C. LaFerrier, AICP, Director J.V.
Miami-Dade County Department of
Planning and Zoning

Memorandum

MIAMI-DADE COUNTY

Date: April 7, 2010

To: Marc C. LaFerrier
Director
Planning & Zoning Department

From: Esther L. Calas, P.E.
Director
Public Works Department

Subject: DIC10-010 Revision #1
Name: Kendall Investors 172 LLC
Location: South of SW 88th Street on both sides of SW 172nd Avenue
Sec. 31 Twp. 54 Rge. 39

I CARDINAL DISTRIBUTION

North 10.0 %	East 72.0 %
South 12.0 %	West 6.0 %

II EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION

SW 88th St.	SW 72nd St.	SW 177th Ave.	SW 167th Ave.
Section Line	½ Section Line	Section Line	Section Line

III IMPACT ON EXISTING ROADWAYS:

A. CONCURRENCY:

Station F-10 located on SW 88th Street e/o SW 177th Avenue, has a maximum LOS **"D"** of 3390 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 1293 vehicles and 108 vehicles have been assigned to this section of road from previously approved Development Orders. **Station F-10** with its 1401 PHP and assigned vehicles is at LOS **"B"**

Station F2529 located on SW 88th Street e/o SW 167th Avenue, has a maximum LOS **"EE"** of 5904 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 1921 vehicles and 1057 vehicles have been assigned to this section of road from previously approved Development Orders. **Station F2529** with its 2978 PHP and assigned vehicles is at LOS **"C"**.

Station 9665 located on SW 72nd Street w/o SW 157th Avenue, has a maximum LOS **"EE"** of 2400 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 851 vehicles and 725 vehicles have been assigned to this section of road from previously approved Development Orders. **Station 9665** with its 1576 PHP and assigned vehicles is at LOS **"D"**.

Station 9724 located on SW 104th Street, w/o SW 147th Avenue, has a maximum LOS **"EE"** of 4260 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2538 vehicles and 109 vehicles have been assigned to this section of road from previously approved Development Orders. **Station 9724** with its 2646 PHP and assigned vehicles is at LOS **"C"**.

IV. SITE PLAN REQUIRED CONDITIONS

A. Dedications and improvements of SW 172nd Avenue to a four lane divided roadway including turning lanes according to the Miami Dade County Public Works Department (PWD) Standards.
B. Dedications and improvements to SW 88th Street to be determined at the time of platting. Improvements required shall be according to the Florida Department of Transportation (FDOT) Standards.
C. The applicant shall provide a preliminary geometric design alignment of SW 172nd Avenue and SW 88th Street acceptable to the PWD Highway Division.
D. In addition, the required roadway dedications and improvements on the north, south, east and west side of the development shall also be accomplished during the platting process. A traffic study shall be provided also during the platting process in order to determine the traffic impact to the surrounding roads and the need for new and or improvement of existing traffic signals.
E. It is required that the land be platted.

V. STANDARD CONDITIONS THAT APPLY TO THIS DEVELOPMENT

A. The following certification signed and sealed by a State of Florida registered engineer shall be provided in a letter or plan submitted at the time a Plat or building permits are requested:
"I hereby certify that the all of the roads for the subject project comply with all of the applicable portions of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Green book) regarding: design speed, lane widths, horizontal alignment, vertical alignment, stopping sight distance, intersection sight distance, horizontal/clear zone clearance, vertical clearance, super elevation, shoulder widths, grades, bridge widths, etc."
B. Street lights, as well as other right of way improvements are required per PWD Standards.
C. Provide appropriate radii to allow large vehicles from Fire, Rescue and Solid Waste Departments and school buses from Miami Dade County Public Schools.
D. Driveways shall be no less than twenty two feet (22') in width and shall be resilient enough for large vehicles.
E. All landscaping, walls, fences, entrance features, etc. will be subject to the Safe Sight Distance Triangle as per Section 33-11 of the Miami-Dade County Code; G5.3 of the PWD Manual; and Index 546, FDOT Design Standards for Design Construction, Maintenance and Utility Operations on the State Highway System.
F. Entrance features are not reviewed and/or approved under this application. They must be submitted to the Plat Committee as an entrance feature application.
G. All traffic signing, markings and signal plans, on site and offsite, shall be submitted to the PWD for Paving & Drainage review and approval.

This application **meets** the criteria for traffic concurrency for an Initial Development Order. No vehicle trips have been reserved by this application. Additional traffic concurrency reviews will be required at a future stage of development. This project will require payment of Road Impact Fees at The time of building permits are sought.

cc: Jorge Vital, Development Impact Coordinator. Planning and Zoning Department
Joan Shen, P.E., PhD, Manager. Traffic Engineering Division. PWD
Jeff Cohen, P.E., Assistant Chief, Traffic Engineering Division. PWD
Armando E. Hernandez, Special Administrator. Traffic Concurrency Coordinator. PWD

Memorandum

MIAMI-DADE COUNTY

Date: May 5, 2010

To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management

Subject: DIC #Z2010000010-1st Revision
Kendall Investors 172, LLC
Southwest corner of S.W. 88 Street and Theoretical S.W. 169 Avenue
District Boundary Change from GU to BU-2
(GU) (38 Acres)
31-54-39

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Wellfield Protection

The subject property is located within the West Wellfield Interim protection area, and as such subject to land use limitations, as follows:

Section 24-43(5) of the Code prohibits the approval of any building permits, certificates of use and occupancy, municipal occupational licenses, platting actions or zoning actions for any nonresidential land use which generates, uses, handles, disposes of, discharges or stores hazardous materials on property located within the basic wellfield protection area of any public utility potable water supply well or within the Northwest Wellfield protection area, or the West Wellfield interim protection area. Section 24-43(10) of the Code prohibits the approval of any building permit, certificate of use and occupancy, municipal occupational license, platting action or zoning action for any land use within the West Wellfield Interim protection area without obtaining the prior written approval of the Director of DERM or his designee. The same Code Section further requires that the Director shall issue his written approval only if, among other requirements, the requested land use is not one or more of the following Miami-Dade County zoning classifications: BU-3, IU-1, IU-2, IU-3 or IU-C, and is a land use contained in Table E-1 therein.

Since the subject request involves a non-residential land use or a zoning category which permits a variety of non-residential land uses, the owner of the property has submitted a properly executed covenant running with the land in favor of Miami-Dade County, as required by Section 24-43(5)(a) of the Code. The covenant provides that hazardous materials shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

Potable Water Service

The subject property is located within the franchised water service area of the Miami-Dade County Water & Sewer Department (MDWASD). The closest public water is a 30-inch water main located approximately 830 feet from the subject property. Connection of the proposed development to the public water supply system shall be required in accordance with Code requirements.

The source of water for this water main is MDWASD's Alexander Orr Water Treatment Plant, which has adequate capacity to meet projected demands from this project. The plant is presently producing water, which meets Federal, State and County drinking water standards.

Existing public water facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Sanitary Sewer Service

The property is located within the franchised sewer service area of the Miami-Dade County Water & Sewer Department (MDWASD). The closest public sanitary sewer is a 20-inch force main located approximately 1830 feet from the subject property. Force main directs the flow to pump stations (PS) 30-536 or PS 30-0559. Downstream flow is directed to the PS 30-TANDEM, which transports it to the South District Treatment Plant, which has adequate capacity to meet projected demands from this project. Connection of the proposed development to the public sanitary sewer system shall be required in accordance with the Code requirements.

Existing public sanitary sewer facilities and services meet the LOS standards set forth in the CDMP. Furthermore, the proposed development order, if approved, will not result in a reduction of the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may be require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

As per Miami-Dade County Ordinance 08-45, this office has not objections to the approval of this application subject the following conditions:

A Surface Water Management Individual Permit from the District shall be required for the construction and operation of the required surface water management system and any eventual earthwork activity. This permit shall be obtained prior to site development, final plat or public works approval of paving and drainage plans.

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage must be provided for the 5-year/1-day storm event.

Site grading and development shall provide for the full retention of the 25-year/3-day storm event and shall also comply with the requirements of Chapter 11C of the Code.

The proposed development order, if approved, will not result in the reduction of the Level of Service standards for flood protection set forth in the CDMP.

Wetlands
Portions of the subject properties are located within the Bird Drive Wetland Basin and contain jurisdictional wetlands, also other portions of the properties contain isolated jurisdictional wetlands as defined by Section 24-5 of the Code. Therefore, a Class IV Wetland Permit and compliance with the North Trail/Bird Drive Everglades Basin Ordinance, including plans for mitigation, tree island preservation and fill encroachment/stormwater management criteria will be required before any work can be done on the subject properties. These criteria require on-site stormwater management and a mitigation contribution to fund off-site mitigation to compensate for wetland values lost as a result of the proposed project.

This Program has no objection to this application provided the applicant acquires all permits prior to the initiation of any work on the subject properties. A full evaluation of the resources is performed during the permitting process. While every effort is made to notify the applicant of all requirements at this time, the full permit evaluation may require that site plans be changed to preserve unique biologic resources.

Please be advised that a large wetland tree island exist within the properties with folios 30-4931-001-0530 and 0580. Any development within the listed folios should plan to avoid impacts to the tree island and locate open space buffers and green areas adjacent to this wetland area to minimize possible secondary impacts.

Please contact the Wetlands Resources Program of DERM at (305) 372-6585 for additional information concerning requirements pertaining to the Miami-Dade County Class IV Wetland Permit and tree island preservation.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation
The subject properties contain tree resources along the right of way of SW 88th Street and contain jurisdictional wetlands. Wetland Resources will be regulated through a Class IV Wetland Permit. Please be advised that folios 30-4931-001-0530 and 0580 contain a wetland tree island. Section 24-48 requires the preservation of all tree islands.

Any non wetland tree resources on the sites will require a Miami-Dade County Tree Removal Permit prior to removal or relocation.

Enforcement History
DERM has reviewed has found no open or closed enforcement records for the subject property.

Concurrency Review Summary

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute DERM's written approval, as required by the Code.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

Memorandum

MIAMI-DADE COUNTY

Date: April 6, 2010

To: Marc C. LaFerrier, Director
Department of Planning & Zoning

From: Herminio Lorenzo, Director
Miami-Dade Fire Rescue Department

Subject: DIC# 2010000010 – Kendall Investors 172, LLC

The applicant is seeking a district boundary change from GU to BU-2 on a parcel of land located on the south side of Kendall Drive, west of SW 169th Avenue in unincorporated Miami-Dade County (the "Property").

On April 24, 2008, the Board of County Commissioners re-designated the Property on the Land Use Plan map of the County's Comprehensive Development Master Plan (CDMP) from "Agriculture" to "Business and Office." The Business and Office designation contemplates the development of uses that offer the full range of personal, retail and professional services.

The proposed BU-2 zoning classification, which is intended to provide large scale commercial and office facilities, would be entirely consistent with the Property's land use designation. The rezoning of the Property will allow the applicant to commence the process of securing the corresponding development orders and approvals, including subdivision approvals that will be necessary to allow the development of the Property.

The Property is currently served by Miami-Dade Fire Rescue Station No. 56, West Sunset, located at 16250 SW 72nd Street. The station is equipped with a Rescue and a Hazardous Material Advanced Life Support Engine; totaling seven (7) firefighter/paramedics, 24 hours a day, 7 days a week. In calendar year 2009, the average travel time to incidents in the vicinity of the Property was 6:15 minutes. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8-minutes at 90% of all incidents. Travel time to the vicinity of the proposed development complies with the performance objective of national industry.

In regards to response time into the area, MDFR recognizes that the developer will proffer a covenant dedicating and constructing SW 172nd Avenue. MDFR further recognizes that the developer will install a traffic signal at its intersection with Kendall Drive. The four-lane collector street will provide direct, signalized access to Kendall Drive, resulting in a substantial improvement to emergency response times to the surrounding communities.

MDFR feels that the dedication and construction of SW 172nd Avenue will provide an important link for emergency vehicles responding to the Property and surrounding communities. Evidently, without the SW 172nd Avenue extension, the residents of Vizcaya will be forced to access Kendall Drive via SW 96th Street/SW 167th Avenue – exacerbating the problem at a point where the roadway already experiences "bottleneck" conditions. In conclusion, the construction of SW 172nd Avenue will enhance vehicular circulation in the area and, most importantly, will address the issue regarding response time and emergency vehicle access.

Although the applicant is not proffering a site plan in connection with this application, MDFR has **no objection** to the rezoning of the Property.

Please be advised that during the platting and permitting stages of this project, the proffered site plan must be reviewed by the Fire Water & Engineering Bureau to assure compliance with the Florida Fire Prevention Code (FFPC) and National Fire Protection Association (NFPA) standards.

For additional information, please contact Mr. Carlos Heredia, Planning Section Supervisor, at 786-331-4540.

HL:ch

Memorandum

MIAMI-DADE COUNTY

Date: March 11, 2010

To: Marc C. LaFerrier, Director
Department of Planning & Zoning

From: José A. Ramos, R.A., Chief, Aviation Planning Division
Aviation Department

Subject: DIC Application No. 10-010
Kendall Investors 172, LLC
MDAD DN-10-03-312

As requested by the Department of Planning and Zoning, the Miami-Dade Aviation Department (MDAD) has reviewed the applicant's request for a district boundary change from GU, Interim District, to BU-2, Special Business District for 38 acres located at the Southwest corner of S.W. 88 Street and S.W. 169 Avenue in Miami-Dade County, Florida.

Based on the available information, MDAD has determined that the referenced site is outside of any airport land use restrictive zones as referenced in the Code of Miami-Dade County, Article XL Kendall-Tamiami Executive Airport Zoning, Section 33-395. Since there are no plans associated with this application, MDAD is unable to provide an airspace analysis at this time. It is recommended that the applicant, prior to proceeding with design, submit elevation plans to MDAD for review.

Should you have any questions, please feel free to contact me at 305-876-8080.

JR/rb

C: S. Harman
R. Bergeron
File

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MAR 25 2010
MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING
201003310

Memorandum

MIAMI-DADE COUNTY

Date: March 29, 2010

To: Jorge Vital
DIC Coordinator
Department of Planning and Zoning

From: Maria Batista
Principal Planner
Miami-Dade Transit - Transit Planning Section

Subject: Review of DIC Project No. 10-010 (Kendall Investors 172, LLC)

Project Description

The applicant is requesting a district boundary change from GU, Interim District to BU-2, Special Business District. The subject property is 38 acres and is located at the southwest corner of SW 88th Street (Kendall Drive) and SW 169th Avenue, Miami-Dade County, Florida.

Current Transit Service

There is direct transit service within walking distance of the eastern boundary of the application site. Transit service is provided by Metrobus Routes 104, 204 (Killian KAT) and 272 (Sunset KAT) along SW 167th Avenue at Kendall Drive. The service headways for the above mentioned routes (in minutes) are as follows:

Metrobus Route Service Summary
Kendall Investors 172, LLC

Route(s)	Service Headways (in minutes)						Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8pm)	Overnight	Saturday	Sunday		
104	24	60	60	N/A	60	60	0.3	F
204/Killian KAT	7½	N/A	N/A	N/A	N/A	N/A	0.3	E / F
272/Sunset KAT	10	N/A	N/A	N/A	N/A	N/A	0.3	E / F

Notes: *L means Metrobus local service*
F means Metrobus feeder service to Metrorail
E means Metrobus express or limited-stop service

Future Transportation/Transit Improvements

The 2010 Transportation Improvement Program (TIP) shows under the Improvements by Private Sector section a widening project on Kendall Drive from SW 167th to 162nd Avenues. Within the Miami-Dade Transit section, the Kendall BRT (Enhanced Bus) project is listed in addition to the identification of the

proposed park and ride facility to be located in the Kendall Town Center currently scheduled to open in December 2010. The 2030 Long Range Transportation Plan (LRTP) also does not propose any improvements in the immediate vicinity of this project.

The 2009 ten-year Transit Development Plan (TDP) identifies within its 2019 Recommended Service Plan projects for all three above mentioned routes extending their alignments to the future bus terminal at Kendall Town Center. The new Kendall Enhanced Bus route is also identified beginning service within 2010. No other service is proposed in the immediate vicinity of this project within the 2019 Recommended Service Plan.

MDT Comments/Recommendations

Miami-Dade Transit (MDT) currently provides local bus service in close proximity to the application sites. Based on the information presented, MDT has no objections to this project.

Concurrency

This project has been reviewed by MDT for mass transit concurrency and was found to be concurrent with the level-of-service standards established for Miami-Dade County.

Memorandum

MIAMI-DADE COUNTY

Date: March 15, 2010

To: Jorge Vital
DIC Coordinator
Department of Planning and Zoning

From: Christopher Rose
Deputy Director, Administration
Department of Solid Waste Management

Subject: DIC # 10-010
Kendall Investors 172,LLC.

Attached please find a copy of this Department's review of the above-referenced item. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie, Division Director, Planning and Intergovernmental affairs at 305-514-6661.

Attachment

DATE: 23-MAR-10

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE

KENDALL INVESTORS 172, LLC.

APPLICANT

THE SOUTHWEST CORNER OF S.W. 88 STREE AND THEORETICAL S.W. 169 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

ADDRESS

Z2010000010

HEARING NUMBER

HISTORY:

BUILDING & NEIGHBORHOOD COMPLIANCE DEPARTMENT
NEIGHBORHOOD COMPLIANCE
DIVISION

ENFORCEMENT HISTORY

NAME: ADDRESS:
KENDALL INVESTORS 172, LLC THE SOUTHWEST CORNER OF S.W. 88 STREET AND THEORETICAL S.W. 169 AVENUE, MIAMI-DADE COUNTY, FLORIDA..
DATE:
3/22/2010

CURRENT ENFORCEMENT HISTORY:

Folio¿s 30-4931-001-0421, 0521, 0530, 0580, 0590, and 0601
Open Cases:

No open cases.

Closed Cases:

No previous enforcement cases.

DEPARTMENT OF SOLID WASTE MANAGEMENT

DIC REVIEW #10-010

Kendall Investors 172, LLC

Application: **Kendall Investors 172, LLC.,** are requesting a district boundary change from GU to BU-2, on a 38.37 acre parcel of land located on the south side of Kendall Drive in the vicinity of theoretical SW 169th Avenue.

Size: The subject property is +/- 38 acres.

Location: The subject property is located on the south side of Kendall Drive, generally west of theoretical SW 169th Avenue, in unincorporated Miami-Dade County.

Analysis*:*

1. Solid Waste Disposal

The County Solid Waste Management System consists of both County facilities and a private facility under contract as follows: two Class I landfills (one owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility and associated ash monofill, and three regional transfer facilities. The Department does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 22, 2009, which is valid for one (1) year, shows sufficient disposal system capacity to meet and exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Department of Planning and Zoning is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services (**Commercial Development**)

The project proposes zoning for commercial uses. Chapter 15-2 of the Miami-Dade County Code requires the following of commercial uses located in unincorporated Miami-Dade County:

Section 15-2 - "every commercial establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department."

3. Recycling

The following language from **Section 15-2.3** requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

1) High grade office paper
2) Mixed paper
3) Corrugated cardboard
4) Glass (flint, emerald, amber)
5) Aluminum (cans, scrap)
6) Steel (cans, scrap)
7) other metals/scrap production materials
8) Plastics (PETE, HDPE-natural, HDPE-colored)
9) Textiles
10) Wood

4. Waste Storage/Setout Considerations

Section 15-4 of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the

following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code".

5. Site Circulation Considerations

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends").
b. "T" shaped turnaround 60 feet long by 10 feet wide.
c. Paved throughway of adequate width (minimum 15 feet).

In addition any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accord with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally there should be no "dead-end" alleyways developed. Also, a sufficient waste setout zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection.

Memorandum

MIAMI-DADE COUNTY

Date: March 17, 2010

To: Jorge Vital, DIC Coordinator
Department of Planning and Zoning

From: Maria A. Valdes
Planning & Water Use Unit Supervisor

Subject: Kendall Investors 172 LLC. DIC Application # - Z2010000010

Below, please find the Miami-Dade Water and Sewer Department's (MDWASD) comments for the subject project.

Application Name: Kendall Investors 172, LLC.

Proposed Development: The applicant is requesting a district boundary change from GU to BU-2, Special Business District intended to provide large scale commercial and office facilities. The proposed Development includes 320,000 square feet of Retail Commercial use with a total water demand of 16,000 gpd. The proposed development will encompass parcels with folio numbers 30-4931-001-0421, 30-4931-001-0521, 30-4931-001-0530, 30-4931-001-0580, 30-4931-001-0590 and 30-4931-001-0601.

Project Location: The subject property is located on the South side of Kendall Drive generally west of 169th Avenue, Miami-Dade County, Florida.

Water: The subject project is located within MDWASD's service area. It will be required that the applicant connect to an existing thirty (30)-inch water main at S.W. 88th Street and S.W. 169th Avenue and extend west along S.W. 88th Street a new twenty four (24)-inch water main to the northwest corner of the Developer's property. Thence connect and install a twelve (12)-inch water main southerly along proposed SW 172nd Avenue to the southwest corner. The source of water for this project is the Alexander Orr. Water Treatment Plant. The plant is operating under a 20-year Water Use Permit issued by South Florida Water Management District on November 15, 2007. MDWASD will be the utility providing water services subject to the following conditions:

- Adequate transmission and Plant capacity exist at the time of the applicant's request.
- Adequate water supply is available prior to issuance of a building permit or its functional equivalent.
- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Sewer: The subject project is located within MDWASD's service area. The nearest point of connection for sanitary sewer is an existing thirty (30)-inch sewer forcemain located at S.W. 88th Street west of S.W. 167th Avenue, from which the DEVELOPER shall connect and install a twenty (20)-inch sanitary sewer forcemain heading westerly along S.W. 88th Street to a point west of theoretical S.W. 169th Avenue (Approximately 1,500 feet in total length), thence a

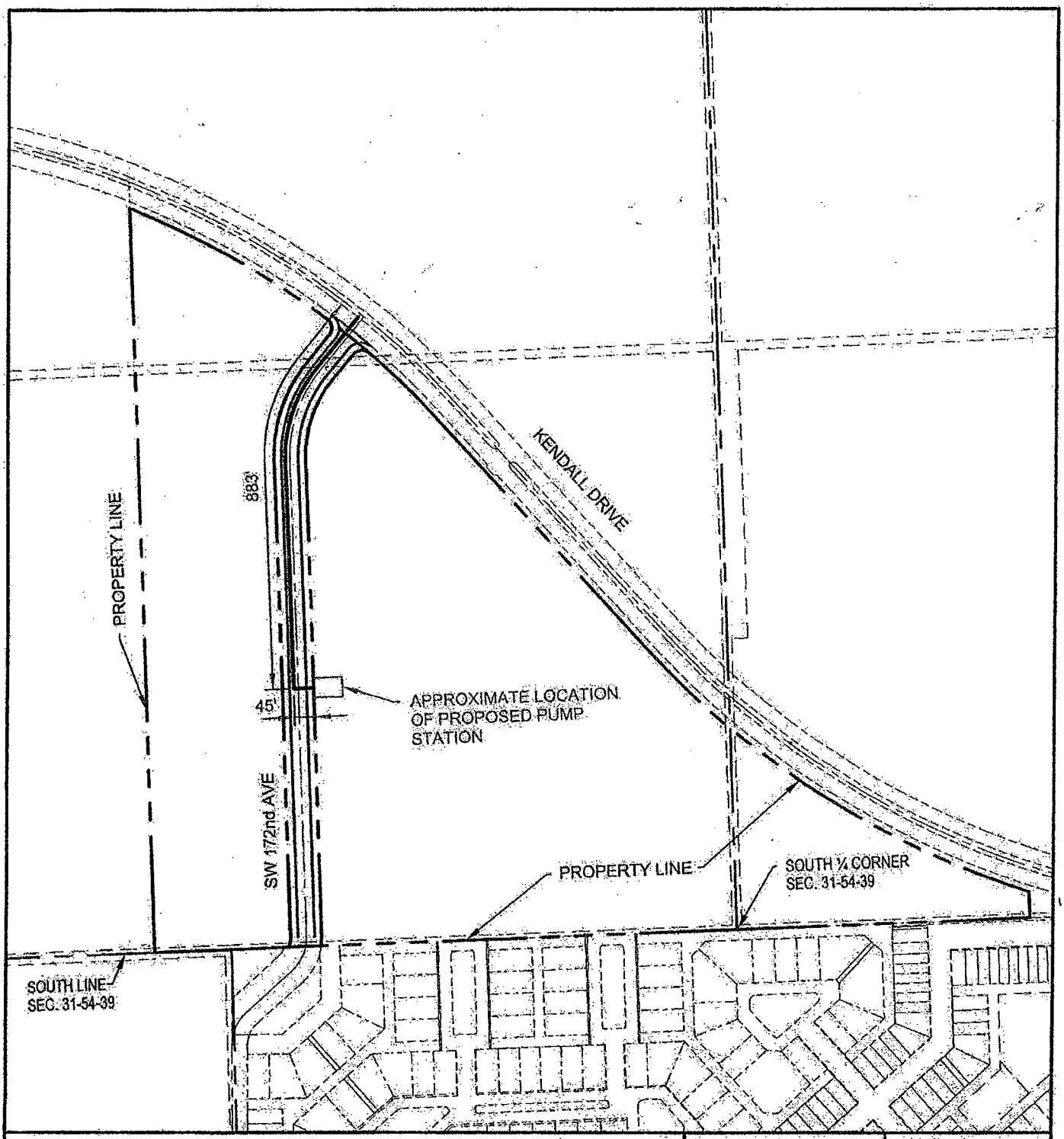
twelve (12)-inch sanitary sewer forcemain heading northwesterly along North Kendall Drive to a point abutting the DEVELOPER'S property (approximately 2,600 feet in total length), then an eight (8)-inch sanitary sewer force main heading southerly along proposed S.W. 172nd Avenue to a public pump station within the DEVELOPER'S property per the attached proposed location of the pump station. The South District Wastewater Treatment Plant (WWTP) is the facility for treatment and disposal of the wastewater. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection. MDWASD will be the utility providing sewer services subject to the following conditions:

- Adequate transmission and plant capacity exist at the time of the owner's request. Capacity evaluations of the plant for average flow and peak flows will be required, depending on the compliance status of the United States Environmental Protection Agency (USEPA) Second and Final Partial Consent Decree.

- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Water Conservation: All future development for the subject area will be required to comply with water use efficiency techniques for indoor water use in accordance with Section 8-31, 32-84 and 8A-381 of the Code of Miami-Dade County. In addition, the future development will be required to comply with the landscape standards in sections 18-A and 18-B of Miami-Dade County Code.

Should you have any questions, please call me at (786) 552-8198.



LUDOVICI & ORANGE
CONSULTING ENGINEERS INC.
329 PALERMO AVENUE, CORAL GABLES
FLORIDA 33134
TEL (305) 448-1600 FAX (305) 446-3876

Date: 01/19/2010	Drawn: AWA
Proj.No:2005-22	Checked: AWA

Proj.Name:
BDG Kendall 172
Pump Staion Location
SHEET 1 OF 1

January 19, 2010 2:16:12 p.m.
CFILE: C:\DATA\PROJECTS\2005\0522 -- BDG KENDALL 172\DWG\EXHIBIT-WASD_OVERSIZING.DWG

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal, stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Kendall Investors 172, LLC, a Florida limited liability company

NAME AND ADDRESS	Percentage of Stock
Please refer to Exhibit "A" attached hereto.	

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: _____

NAME AND ADDRESS	Percentage of Interest

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS	Percentage of Ownership

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FEB 19 2010
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list purchasers below including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

NAME AND ADDRESS (if applicable)	Percentage of Interest

Date of contract: _____

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

_____

NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final

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

Signature: _____
David Brown, Manager, Kendall Investors 172, LLC (Applicant)

Sworn to and subscribed before me this 15 day of Feb 2010. Affiant is personally known to me or has produced _____ as identification.

_____
(Notary Public)

Notary Public State of Florida
Kathleen K. Jones
My Commission DD722009
Expires 11/30/2011

My commission expires 11/30/2011

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) 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 every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a 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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FEB 19 2010
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

REVISED

EXHIBIT "A" TO DISCLOSURE OF INTEREST

GAM Property Investments, LLC		20.00%
Members		
Gamal Marwan	100.00%	
Kendall Five Investors, LLC		7.82%
Members		
Richard Richter	26.09%	
Vinson Richter	26.09%	
Bradley Richter	8.70%	
Kevin Richter	13.04%	
James Siegel	26.09%	
Fredrick W. McCarthy		3.40%
Fredrick W. McCarthy III		3.40%
Ana V. Godoy		1.70%
David Chin & Gladys Chin		1.36%
Levy A. Wong Revocable Trust		1.00%
Beneficiaries		
Gary A. Wong	25.00%	
Maria A. Chow	25.00%	
Karen A. Chan	25.00%	
David A. Wong	25.00%	
Mavis M. Wong Revocable Trust		1.00%
Beneficiaries		
Gary A. Wong	25.00%	
Maria A. Chow	25.00%	
Karen A. Chan	25.00%	
David A. Wong	25.00%	
Maria A. Chow		0.50%
Karen Wong-Chan		0.50%
Gary Wong & Cindy Wong		0.50%
David Wong		0.50%
James Eroncig		6.80%
David Brown		25.76%
Victor Brown		25.76%
		100.00%

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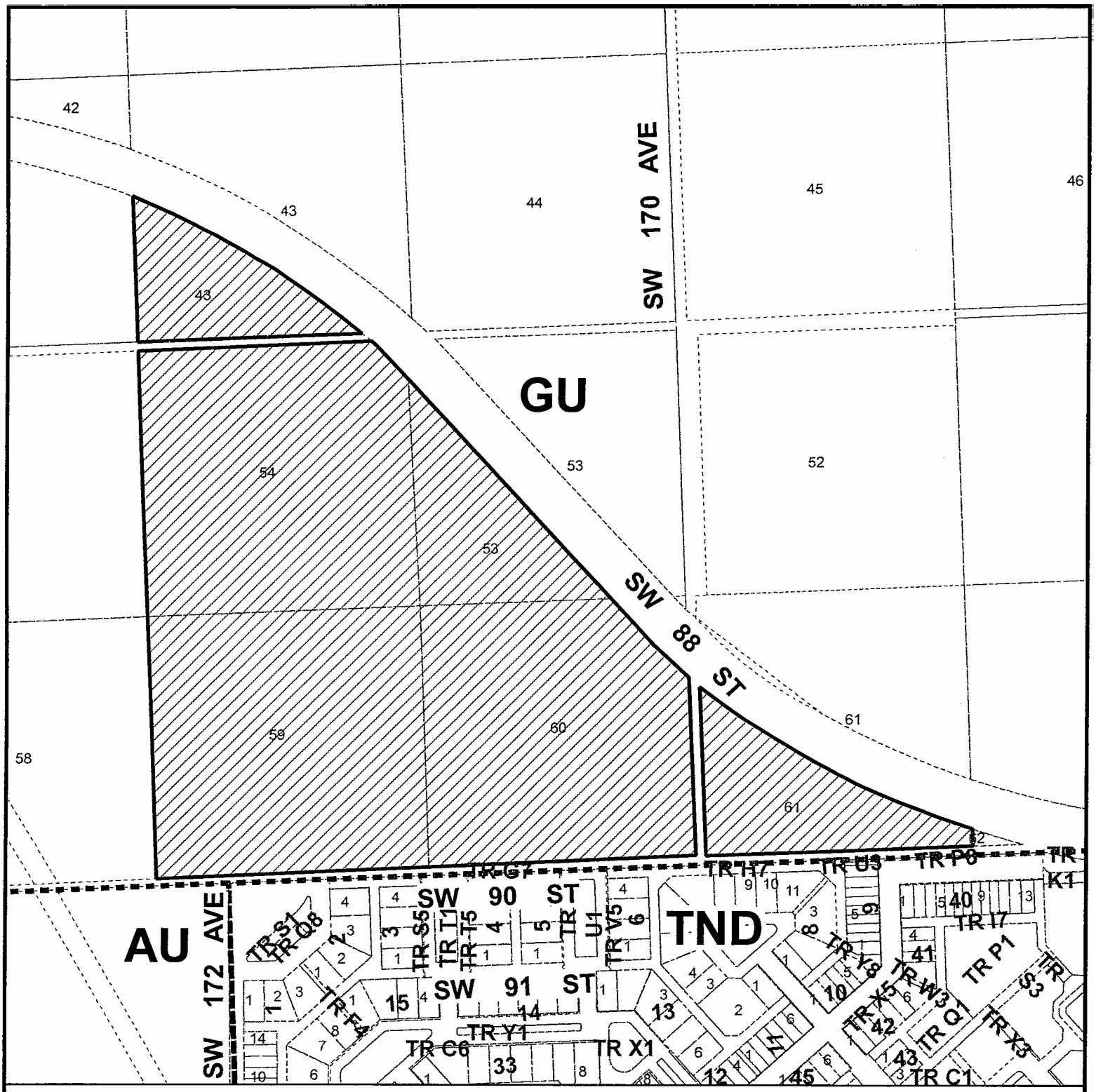
APR 14 2010
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2010000010

Section: 31 Township: 54 Range: 39
Applicant: KENDALL INVESTORS 172, LLC.
Zoning Board: C11
Commission District: 11
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

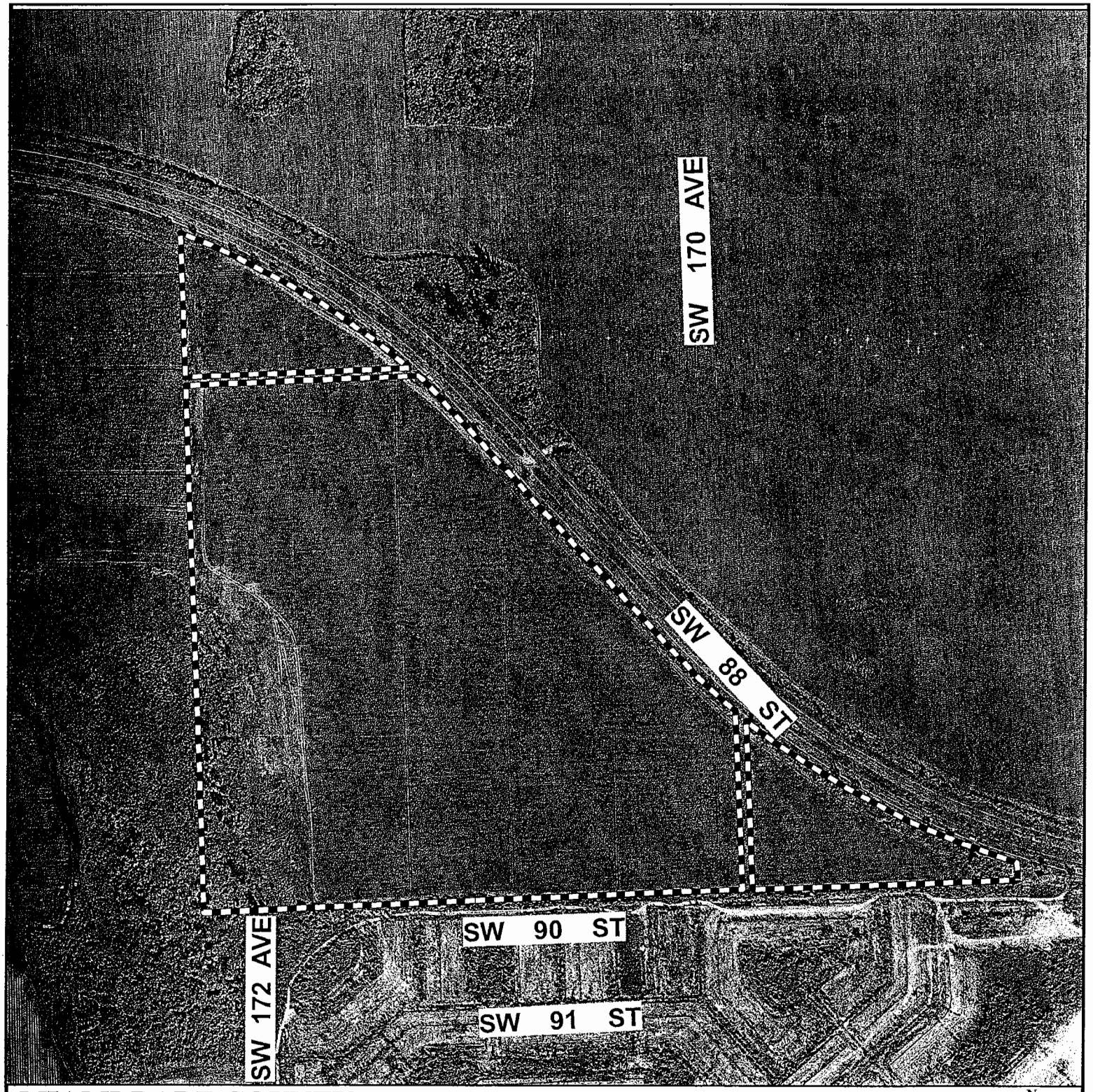
Subject Property Case

Zoning

MIAMI-DADE COUNTY

SKETCH CREATED ON: Monday, May 3, 2010

REVISION	DATE	BY
		32



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

Z2010000010

Legend

Subject Property

N
W E
S

Section: 31 Township: 54 Range: 39
Applicant: KENDALL INVESTORS 172, LLC.
Zoning Board: C11
Commission District: 11
Drafter ID: JEFFER GURDIAN
Scale: NTS

MIAMI-DADE COUNTY

SKETCH CREATED ON: Monday, May 3, 2010

REVISION	DATE	BY

Received by
Zoning Agenda Coordinator
JUN 14 2010

DRAFT

Z10-10
KENDALL INVESTORS

This instrument was prepared by:

Name: Juan J. Mayol, Jr.
Address: Holland & Knight LLP
701 Brickell Avenue
Suite 3000
Miami, Florida 33131

(Space reserved for Clerk of Court)

Received by
Zoning Agenda Coordinator
JUN 14 2010

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned owner, KENDALL INVESTORS 172, LLC, a Florida limited liability company (the "Owner"), holds the fee simple title to that certain parcel of land in legally described in Exhibit "A" to this Declaration (the "Property"); and

WHEREAS, the Owner has filed an application with the Department of Planning and Zoning in Miami-Dade County, which application is currently pending under Public Hearing Application No. Z2010000010 (the "Application") for the purpose of seeking the rezoning of the Property.

NOW, THEREFORE, IN ORDER TO ASSURE Miami-Dade County (the "County") that the representations made by the Owner during its consideration of the Application will be abided by, the Owner freely, voluntarily, and without duress, hereby makes the following Declaration of Restrictions (the "Declaration") covering and running with the Property:

1. **Administrative Site Plan Review.** Subject to the limitations set forth below, prior to the issuance of a building permit for any building within the Property, the Owner shall obtain approval of a site plan (the "Site Plan") from the Department of Planning and Zoning (the "Department") in accordance with Section 33-251.5 of the Code of Miami-Dade County, whether or not such approval would otherwise be required by Section 33-251.5 or any other provision of the Code.

A. The Site Plan shall depict the proposed improvements on the Property, but

may show out parcels for future development in accordance with the Code. Future development of such out parcels will not be subject to any additional site plan review that may be required pursuant to Paragraph 1 of this Declaration, but will be subject to all applicable Code provisions in effect at the time of the development of the out parcels.

B. No building over two (2) stories in height may be located any closer than fifty feet (50') from the Property's southern boundary.

C. No building over two (2) stories in height may be located any closer than twenty feet (20') from the Property's western boundary, unless the adjacent property is re-designated to a non-residential category on the Land Use Plan map of the County's Comprehensive Development Master Plan and rezoned to a non-residential zoning classification, unless, in compliance with the Code of Miami-Dade County, the Director approves a lesser setback during the site plan review.

D. The Owner shall set aside and maintain as a landscaped area the southern fifteen (15) feet of the Property, where the Property abuts the TND zoned area to the south, lying east of SW 172nd Avenue, except where adjacent to a stormwater retention area (the "Landscaped Buffer"). The Owner shall build or install, as applicable, the following within the Landscaped Buffer (except that pedestrian access to and from the property to the south through the Landscaped Buffer may also be permitted in accordance with the provisions of the County Code): (a) a six foot high wall, which wall shall be installed along the outside line (i.e., adjacent to the TND zoned area) of the Buffer; and (b) a row of trees, of such species as may be approved by the Department, which shall be planted at a minimum height of twelve (12) to fourteen (14) feet, and not farther than twenty-five (25) feet on center. The wall and the required landscaping shall be installed by the Owner prior to the issuance of a certificate of occupancy for any retail or

office building located east of SW 172nd Avenue. The Landscaped Buffer may also be occupied by pedestrian walkways.

E. The Owner shall incorporate within the right-of-way for SW 172nd Avenue a pedestrian path or sidewalk to physically connect the Property with the adjacent TND to the south. In addition, as may be permitted under the provisions of the Code without the need to secure a variance from the requirements of the Code, the Owner shall provide a minimum of three (3) pedestrian/bi-cycle access points along the southern boundary of the Property, where the Property abuts the TND zoned property to the south. Moreover, in an effort to enhance vehicular connectivity to the south, but subject to the approval of the Public Works Department, the consent of the adjacent property owner, and the provisions of this Declaration, the Owner agrees to provide an additional vehicular driveway east of SW 172nd Avenue.

F. Nothing in this Paragraph shall require the Owner to obtain site plan approval for the development of the Property prior to the approval of a boundary tentative plat or boundary final plat for the Property.

3. Use Restrictions. The Owner agrees to develop the Property with non-residential uses. Nothing in this paragraph shall be interpreted to prohibit the development of a hotel, hospital, adult congregate living facility or clinic.

4. Dedication and Construction of SW 172 Avenue. Subject to the approval of the Florida Department of Transportation ("FDOT") and the County's Public Works Department ("PWD"), the Owner agrees to dedicate to the County and construct, a seventy foot (70') wide right-of-way, containing four (4) travel lanes – to be identified as SW 172nd Avenue (the "Roadway Improvement"). The Owner further agrees that the Roadway Improvement shall be open to traffic prior to the issuance of any Certificates of Occupancy for permanent structures on

the Property. The Roadway Improvement shall extend SW 172nd Avenue from the southern boundary of the Property to the northern boundary of the Property and be at the Owner's sole cost and expense.

5. **SW 172 Avenue Traffic Signal.** Prior to the approval of a final plat for the Property, the Owner shall submit to FDOT and the PWD a traffic signal warrant study to evaluate the feasibility of the installation of a traffic signal at SW 172nd Avenue and SW 88th Street (the "SW 172 Avenue Traffic Signal"). If FDOT and the PWD concur that a traffic signal is warranted, the Owner shall be responsible to install the traffic signal at the Owner's expense. A bond for the estimated cost of signal installation must be posted prior to final plat approval.

If FDOT or the PWD conclude that a signal is not warranted at the time of final plat as a result of the proposed development of the Property at the time of final plat, the Owner shall nonetheless pay its proportionate share of the cost of any future SW 172 Avenue Traffic Signal. The Owner agrees to contribute toward payment of the cost of such a SW 172 Avenue Traffic Signal at a level that shall be determined by the PWD Director prior to final plat approval; provided, however, that this cost determination shall be based on the procedures memorialized in the PWD's Policy Statement entitled "Participation of Developers for Traffic Signals Installation," dated/revised January 2, 2008, a copy of which is attached to this Declaration as "Exhibit B."

6. The Owner shall comply with all of the applicable conditions, requirements, recommendations and requests of the various departments as contained in the Departmental Memoranda, which are part of the May 26, 2010 DIC record of the application, except as may be amended by the DIC Executive Council at its meeting on May 26, 2010, and attached hereto as

Composite Exhibit "C", which conditions, requirements, recommendations and requests may be later adjusted, waived or modified by the applicable department.

7. Miscellaneous.

A. 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 of entering and inspecting the use of the Property to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

B. Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at Owner's expense, in the public records of the County and shall remain in full force and effect and be binding upon the undersigned Owner, and its heirs, successors and assigns until such time as the same is modified or released. The restrictions contained within this Declaration, while in effect, shall be for the benefit of, and constitute limitations upon, all present and future owners of the Property, and for the benefit of Miami-Dade County and the public welfare. The Owner, and its heirs, successors and assigns, acknowledge that acceptance of this declaration does not in any way obligate or provide a limitation on the authority of the County.

C. 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 this Declaration in whole, or in part,

provided that the Declaration has first been modified or released by the County as provided in Paragraph 7 (D) below.

D. Modification, Amendment, Release. This Declaration may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the, then, owner(s) of all of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after a public hearing.

Should this Declaration be so modified, amended or released, the Director, or the executive officer of the successor agency to the Department, or in the absence of such director or executive officer, by her/his assistant in charge of the Department or such successor agency in her/his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

E. Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants set forth in this Declaration. 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/her/its attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

F. Authorization for Miami-Dade County 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 County is hereby authorized to withhold, in

connection with the Property, any further permits, and refuse to make any inspections or grant any approvals with respect to the Property, until such time as this Declaration is complied with.

G. 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.

H. 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.

I. 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.

J. Recording. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida, at the cost of the Owner following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in

the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by her/his assistant in charge of the office in her/his absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

K. 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 County retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

L. Owner. The term "Owner" shall include the Owner, and its heirs, successors and assigns.

IN WITNESS WHEREOF, KENDALL INVESTORS 172, LLC, has caused these present to be signed in its name on this ____ day of _____, 2010.

WITNESSES:

_____
Signature

_____
Print Name

_____
Signature

_____
Print Name

KENDALL INVESTORS 172, LLC, a Florida limited liability company

By: _____
David Brown, Managing Member

Folio Nos.: 30-4931-001-0421, 30-4931-001-0580, 030-4931-001-521, 30-4931-001-0590, 30-4931-001-530, 30-4931-001-0601
Section-Township-Range: 31-54-39

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

The foregoing instrument was acknowledged before me this ___ day of _____, 2010, by David Brown, as Managing Member of KENDALL INVESTORS 172, LLC, a Florida limited liability company, on behalf of said company, who is personally known to me or has produced _____ as identification.

My Commission Expires:

_____
Notary Public – State of Florida

_____
Printed Name

~~# 9367832_v11~~# 9367832_v12

2. MIAMI-DADE COUNTY
E.E.L. PROGRAM
(Applicant)

10-7-CZ11-2 (10-12)
Area 11/District 9
Hearing Date: 07/14/10

Property Owner (if different from applicant) **STATE OF FLORIDA.**

Is there an option to purchase ☐/lease ☐ the property predicated on the approval of the zoning request? Yes ☑ No ☐

Disclosure of interest form attached? Yes ☐ No ☑

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
1977	Arvida Corporation	- Zone change from GU and AU to IUC	BCC	Approved w/conditions

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 11

APPLICANT: Miami-Dade County Environmentally Endangered Lands (E.E.L.) Program

PH: Z10-012 (10-7-CZ11-2)

SECTION: 13-55-39

DATE: July 14, 2010

COMMISSION DISTRICT: 9

ITEM NO.: 2

==========

A. INTRODUCTION

o REQUEST:

Applicant is requesting to waive the zoning regulations requiring half-section line rights-of-way to be 70' wide; to permit 0' for SW 122 Avenue (70' required), lying approximately 840' south of SW 130 Street and north of theoretical S.W. 136 Street.

A survey is on file and may be examined in the Department of Planning and Zoning entitled "Tamiami Pineland Complex Addition," as prepared by Ludovici and Orange, Consulting Engineers, Inc. and dated stamped received 02/17/10.

o SUMMARY OF REQUEST:

This application seeks to waive the zoning regulations pertaining to the required width for SW 122 Avenue between SW 130 Street and SW 136 Street resulting in a request to permit 0' dedication for the entire right-of-way width.

o LOCATION:

Lying approximately 840' south of SW 130 Street, north of theoretical S.W. 136 Street and west of Seaboard All Florida Railway Right-of-Way, Miami-Dade County, Florida.

o SIZE: 28.77± Acres

B. ZONING HEARINGS HISTORY:

The subject property is a part of a tract of land that was rezoned from GU, Interim District, and AU, Agricultural District, to IU-C, Conditional Industrial District, pursuant to Resolution #Z-30-77, in February 1977.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being inside the Urban Development Boundary (UDB) Line for **Environmentally Protected Parks.** The "Environmentally Protected Parks" designation is mainly comprised of environmentally sensitive land and water areas within the authorized boundaries of Big Cypress National Preserve, Everglades National Park, and

Biscayne National Park. The National Park Service retains ownership of most of the land in these areas and is currently pursuing the acquisition of the remainder. Additionally, some sites that carry this designation are proposed for public acquisition or have been acquired under Miami-Dade County **Environmentally Endangered Lands (EEL)**, Florida's Conservation and Recreational Lands (CARL) and Florida Forever programs and include tropical hardwood hammocks, high-quality Dade County pineland and viable mangrove forests. These sites are identified in this category on the LUP map although they may be as small as ten acres in size.

2. **TC-2D.** The section line, half section-line, and quarter section-line road system should form a continuous network within developed areas, interrupted only when it would destroy the integrity of a neighborhood or development. The County shall not approve vacation of zoned rights-of-way unless it is determined that the right-of-way is not required for present or future public use, or unless the zoned right-of-way is within that portion of the Northwest Wellfield Protection Area located west of the Homestead Extension of the Florida Turnpike, and the CDMP Guidelines for Urban Form will be reflected.

3. **Objective TC-6**
Plan and develop a transportation system that preserves environmentally sensitive areas, conserves energy and natural resources and promotes community aesthetic values.

4. **TC-6B.** Land access interchanges shall not be placed or constructed in a manner that would provide access to environmental protection areas or other areas to be conserved in order to prevent undue pressure for development of such areas.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
SUBJECT PROPERTY:	
IU-C; vacant land	Environmental Protection
SURROUNDING PROPERTY:	
NORTH: GU; FP&L easement	Industrial and Office
SOUTH: IU-C; storage facility	Industrial and Office
EAST: GU; CSX rail tracks	Transportation and Rail
WEST: IU-C; row crops	Industrial and Office

E. SITE AND BUILDINGS:

Site Plan Review: (Survey submitted.)
Scale/Utilization of Site: **N/A**

Location of Buildings:	**N/A**
Compatibility:	**Acceptable**
Landscape Treatment:	**N/A**
Open Space:	**N/A**
Buffering:	**N/A**
Access:	**Acceptable**
Parking Layout/Circulation:	**N/A**

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(4)(b) Non-Use Variance Standard. Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection**
Public Works	**No objection**
Parks	**No comment**
MDT	**No comment**
Fire Rescue	**Objects**
Police	**No objection**
Schools	**No comment**

H. ANALYSIS:

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Environmentally Protected Parks** use. The "Environmentally Protected Parks" designation is mainly comprised of environmentally sensitive land and water areas within the authorized boundaries of Big Cypress National Preserve, Everglades National Park, and Biscayne National Park. The National Park Service retains ownership of most of the land in these areas and is currently pursuing the acquisition of the remainder. Additionally, some sites that carry this designation are proposed for public acquisition or have been acquired under the Miami-Dade County **Environmentally Endangered Lands (EEL)** program. Approval of this application will allow the applicant to waive the zoning regulations requiring half-section line rights-of-way to be 70' wide, to permit 0' for SW 122 Avenue (70' required) north of theoretical S.W. 136 Street, approximately 840' south of SW 130 Street and west of Seaboard All Florida Railway Right-of-Way. Additionally, **Objective TC-6** of the Transportation Element of the CDMP requires the County to plan and develop a transportation system that among other things preserves environmentally sensitive areas. Further, Policy **TC-6B** of the interpretative text of the CDMP states that land access interchanges shall not be placed or constructed in a manner that would provide access to environmental protection areas or other areas to be conserved in order to prevent undue pressure for

development of such areas. As such, approval of the request to vacate this portion of SW 122 Avenue is **consistent** with the LUP map of the CDMP and Objective **TC-6** and policy **TC-6B** of the interpretative text of the CDMP.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The **Public Works Department** also has **no objection** to the application but indicates in their memorandum that the applicant must submit a road closing petition for the closure of SW 122 Avenue. The Public Works Department also states in their memorandum that this project will not generate any additional daily peak hour vehicle trips; therefore no vehicle trips have been assigned. The Miami-Dade Fire Department **(MDFRD)** also has **no objection** to this application and has indicated that the average travel response time for this site is **6:12** minutes.

When this application is analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of this request would be **compatible** with the surrounding area, would not be detrimental to the neighborhood, nor would it affect the appearance of the community. The application is result of the purchase of various parcels that comprise the 28.77± Acres preserve, in order to prevent the use or development of the right-of-way or any other road within the preserve, which the applicant opines would destroy conservation land and would make future management activities less feasible or impossible to implement. Staff is of the opinion that the approval of the proposed road closing petition for SW 122 Avenue will not have a negative impact on the adjacent parcel lying to the north and west of the subject property which is a part of a 69+ acre, Florida Power and Light (FPL) utility easement and which has frontage on SW 127 Avenue to the west. Further, staff notes that the property abuts a CSX rail line right-of-way easement to the east and a storage facility to the south. The aforementioned storage facility to the south fronts onto SW 136 Street as does the subject property. Based on the aforementioned, staff opines that approval of the application which would allow the applicant to waive the dedication of the right-of-way for this portion of SW 122 Avenue, would not deny the surrounding properties access to rights-of-ways, allows them connectivity to the major north and south corridors in this section of the County and, as such, approval would be **compatible** with the surrounding area. Additionally, as previously mentioned, approval of the application is **consistent** with Objective **TC-6** and policy **TC-6B** of the interpretative text of the CDMP. As such, staff recommends approval of this application under the NUV standards, Section 33-311(A)(4)(b).

Based on all of the aforementioned, staff recommends approval of the request to waive the zoning regulations requiring SW 122 Avenue to be 70' wide between SW 130 Street and SW 136 Street; to permit 0' of dedication for the entire right-of-way under Section 33-311(A)(4)(b) (NUV).

I. RECOMMENDATION:

Approval.

J. CONDITIONS: None.

DATE TYPED: 05/04/10
DATE REVISED: 05/05/10, 05/13/10, 05/25/10
DATE FINALIZED: 06/15/10
MCL:GR:NN:NC:CH

FOR

Marc C. La Ferrier, AICP, Director
Miami-Dade County Department of
Planning and Zoning

NDN

Memorandum

MIAMI-DADE COUNTY

Date: May 28, 2010

To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management

Subject: C-11 #Z2010000012-1st Revision
Miami-Dade DERM
S.W. 122nd Avenue between S.W. 136th Street
Request to Waive the Zoning Regulations for 1/2 Section Line Rights of Way
(IU-C) (2.18 Acres)
13-55-39

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Wetlands

The subject properties may contain jurisdictional wetlands as defined by Section 24-5 of the Code. A Class IV Wetland Permit will be required before any work can be done in wetlands. However, the proposed request for the closing of an existing right of way (SW 122 Avenue) will not impact wetlands on the properties.

Natural Forest Communities

The properties compose a publicly owned site that is a designated Natural Forest Community (NFC) by Miami-Dade County. This site is known asTamiami Complex Addition Pineland Preserve and is protected under the environmental regulations contained in Chapter 24 of the Code. Natural Forest Communities (NFCs) are upland natural areas (Pine Rockland and Hardwood Hammocks) that, meet one or more of the following criteria: the presence of endangered, threatened, rare or endemic species; low percentage of site covered by exotic plant species; high overall plant diversity; wildlife habitat values; and geological features. To date at least one Federally-listed plant species, 29 State-listed plant species and four State-listed animal species have been documented at this site. Consequently, impacts to this preserve would compromise its overall health and manageability. For this reason, this preserve was purchased with public funds with the express purpose being to prevent the destruction of this forest. Therefore, the proposal to close the right of way (SW 122 Avenue) would benefit the preservation of the resources at this site.

Tree Preservation

According to the letter of intent submitted with this zoning application, the request for the closing of an existing right of way (SW 122 Avenue) will not impact tree resources, nor will it impact the NFC

(pineland) that exists on the properties. Therefore, the Tree Program has no objection to this zoning application.

Enforcement History
DERM has found no open or closed enforcement records for the subject property.

Concurrency Review Summary
DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute DERM's written approval, as required by the Code.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

REVISION 1

PH# Z2010000012
CZAB - C11

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: MIAMI-DADE COUNTY E.E.L. PROGRAM

This Department has no objections to this application.

This Department has no objections to the request to permit zero feet of right-of-way for SW 122 Avenue.

The applicant must submit a road closing petition with the Right-of-Way Division of the Public Works Department for the closure of SW 122 Avenue. Said petition must be approved by the Board of County Commissioners.

This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This meets the traffic concurrency criteria set for an Initial Development Order.

Raul A Pino, P.L.S.
13-MAY-10

REVISION 1

Memorandum

Date: 27-MAY-10

To: Marc LaFerrier, Director
Department of Planning and Zoning

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2010000012

Fire Prevention Unit:

This memo supersedes MDFR memorandum dated March 23, 2010.
APPROVAL
No objection.

Service Impact/Demand

Development for the above Z2010000012
located at S.W. 122 AVENUE BETWEEN the FLORIDA POWER AND LIGHT EASEMENT SOUTH OF S.W. 130 STREET TO THEORETICAL S.W. 136 STREET, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1987 is proposed as the following:

N/A (residential)	dwelling units	N/A (industrial)	square feet
N/A (Office)	square feet	N/A (institutional)	square feet
N/A (Retail)	square feet	N/A (nursing home/hospitals)	square feet

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 6:12 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 53 - Turnpike - 11600 Turnpike Hwy.
Rescue, Squad.

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

DATE: 23-MAR-10

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE

MIAMI-DADE COUNTY E.E.L. PROGRAM	S.W. 122 AVENUE BETWEEN the FLORIDA POWER AND LIGHT EASEMENT SOUTH OF S.W. 130 STREET TO THEORETICAL S.W. 136 STREET, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**
Z2010000012	
HEARING NUMBER	

HISTORY:

BUILDING & NEIGHBORHOOD COMPLIANCE DEPARTMENT
NEIGHBORHOOD COMPLIANCE
DIVISION

ENFORCEMENT HISTORY

NAME: ADDRESS:
MIAMI-DADE COUNTY E.E.L. PROGRAM S.W. 122 AVENUE BETWEEN the FLORIDA POWER AND LIGHT EASEMENT SOUTH OF S.W. 130 STREET TO THEORETICAL S.W. 136 STREET, MIAMI-DADE COUNTY, FLORIDA.
DATE:
3/22/2010

CURRENT ENFORCEMENT HISTORY:

Folio¿s 30-5913-000-0044, 0041, and 0040

Open Cases:

No open cases.

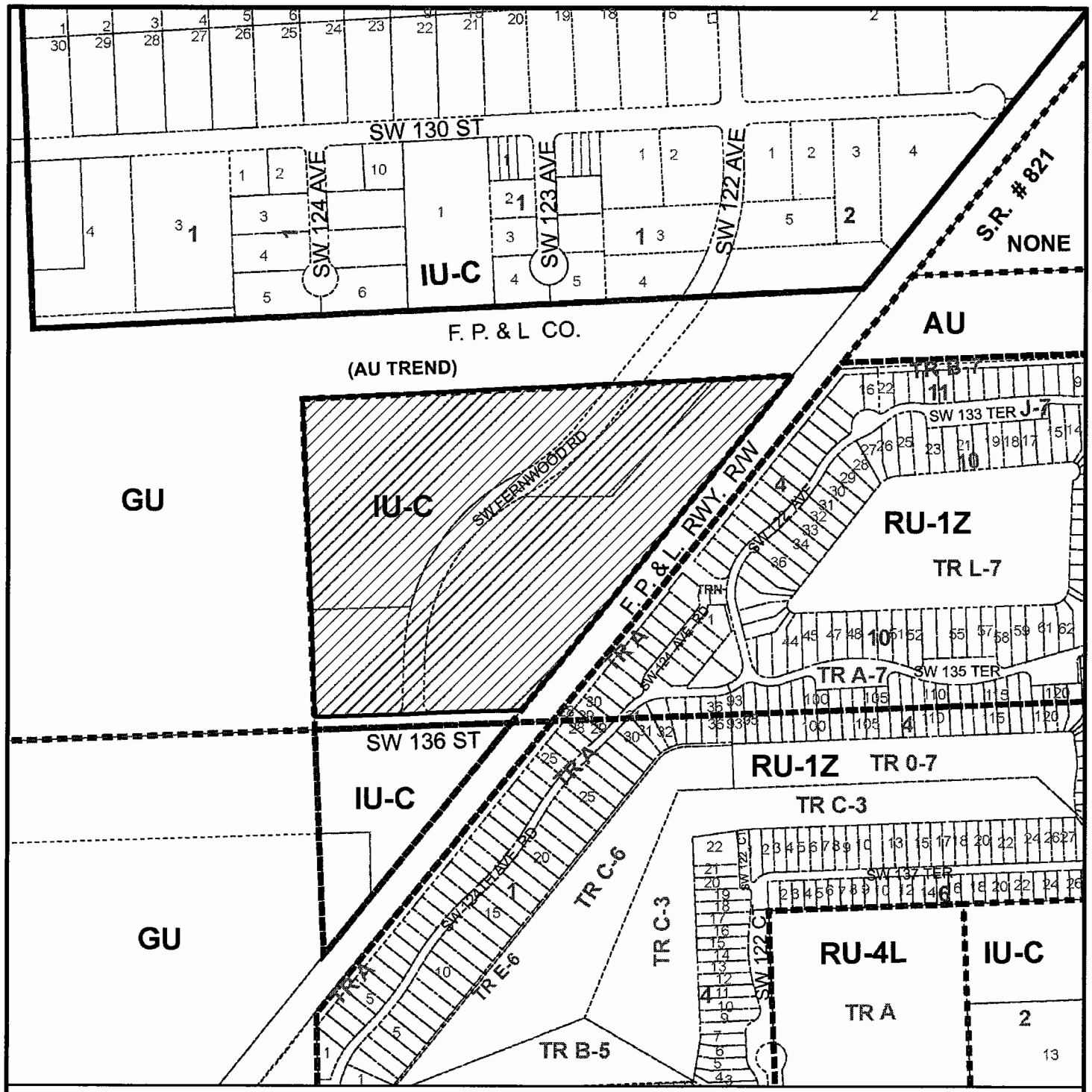
Closed Cases:

No previous enforcement cases.

Sam Walthour, MSM, Assistant Director

OUTSTANDING FINES, PENALTIES, COST OR LIENS INCURRED PURSUANT TO CHAPTER 8CC:

REPORTER NAME:



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2010000012

Section: 13 Township: 55 Range: 39
Applicant: MIAMI-DADE COUNTY E.E.L. PROGRAM
Zoning Board: C11
Commission District: 9
Drafter ID: KEELING
Scale: NTS

Legend

Subject Property Case

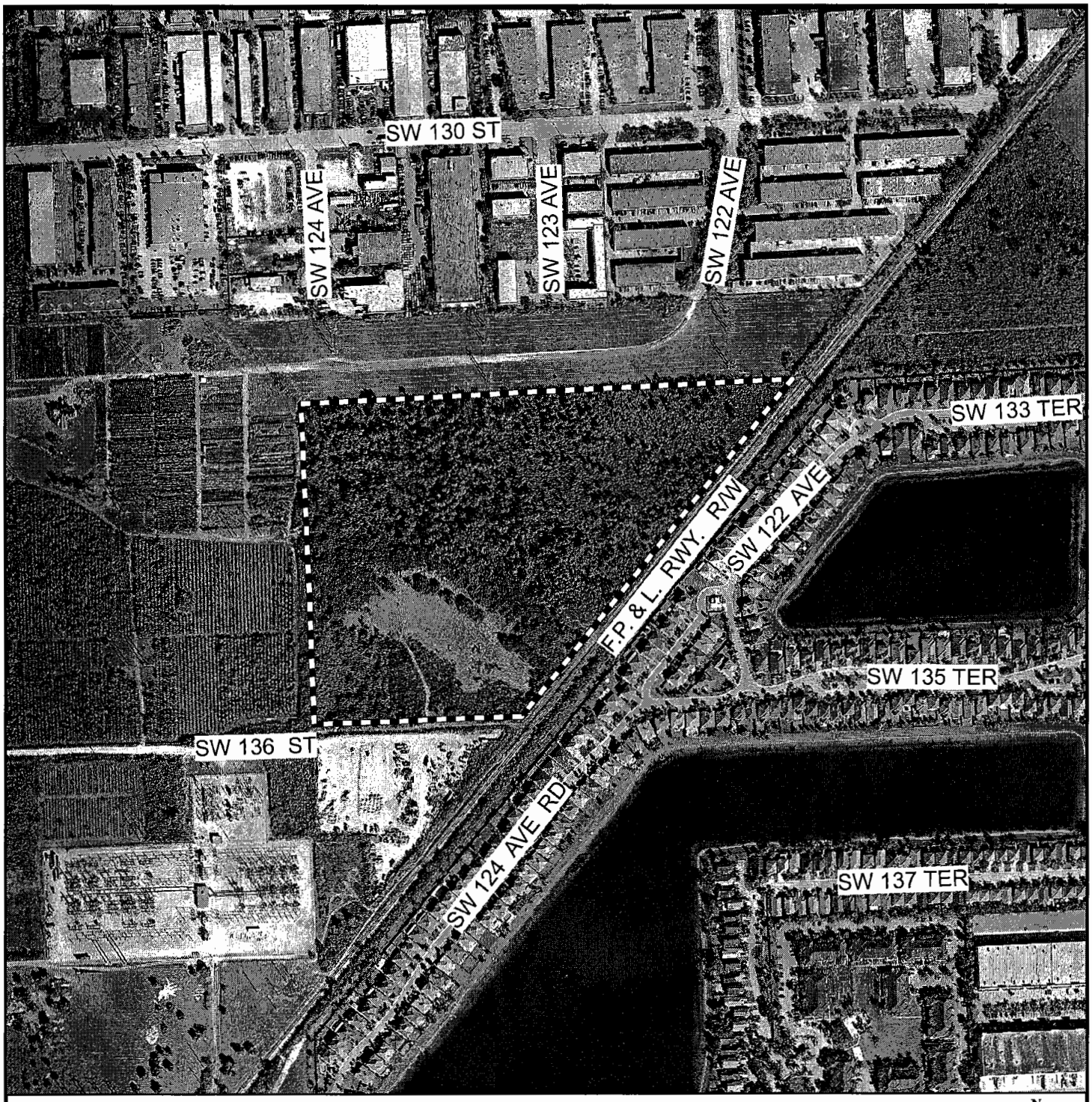
Zoning

MIAMI-DADE COUNTY

SKETCH CREATED ON: Friday, May 7, 2010

REVISION	DATE	BY
Contig. prop. changed to subj. prop	04/07/10	KWS

13



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

Z2010000012

N
W E
S

Section: 13 Township: 55 Range: 39
Applicant: MIAMI-DADE COUNTY E.E.L. PROGRAM
Zoning Board: C11
Commission District: 9
Drafter ID: KEELING
Scale: NTS

Legend

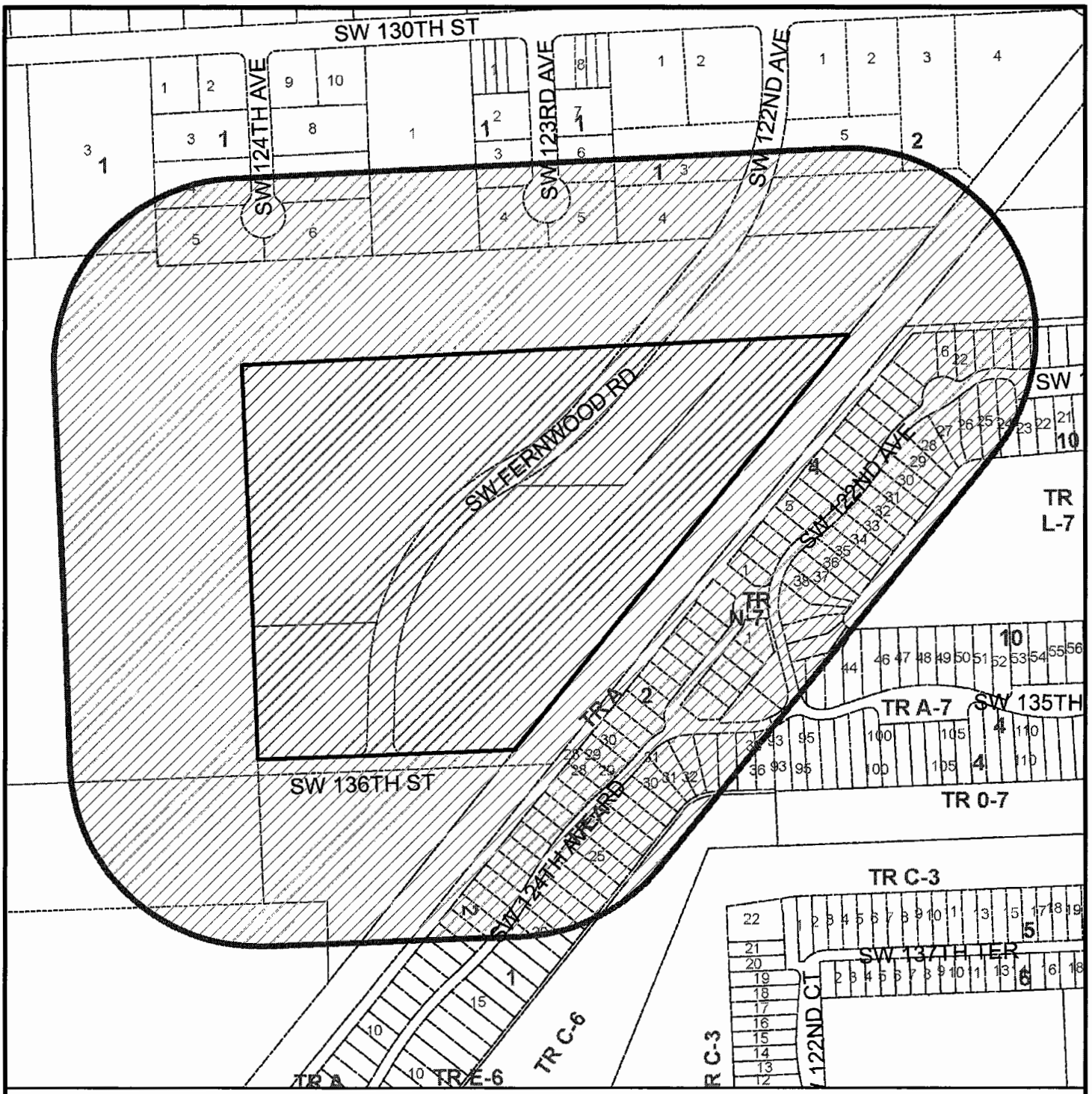
Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Friday, May 7, 2010

REVISION	DATE	BY
Contig. prop. changed to sub. prop	05/07/10	KWS

14



MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2010000012

RADIUS: 500

Section: 13 Township: 55 Range: 39
Applicant: MIAMI-DADE COUNTY E.E.L. PROGRAM
Zoning Board: C11
Commission District: 9
Drafter ID: KEELING
Scale: NTS

Legend

- Subject Property
- Buffer
- Property Boundaries

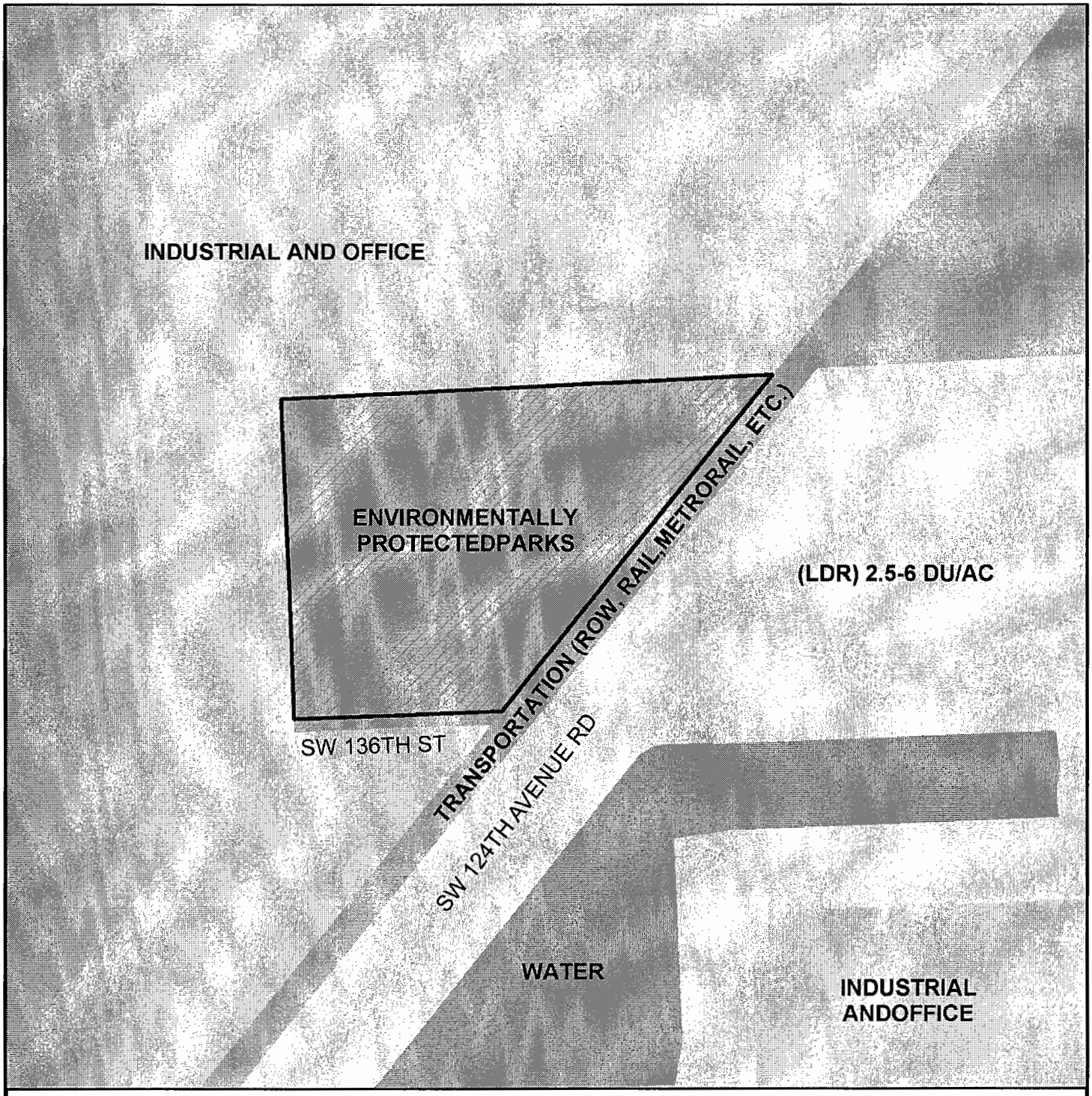
N W E S

MIAMI-DADE COUNTY

SKETCH CREATED ON: Friday, May 7, 2010

REVISION	DATE	BY
Contig. prop. changed to subj. prop	04/07/10	KWS

15



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2010000012

Section: 13 Township: 55 Range: 39
Applicant: MIAMI-DADE COUNTY E.E.L. PROGRAM
Zoning Board: C11
Commission District: 9
Drafter ID: KEELING
Scale: NTS

N W E S

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Friday, May 7, 2010

REVISION	DATE	BY
Contig. prop. changed to subj. prop	04/07/10	KWS

3. KROME GOLD RANCHES II, LLLP
(Applicant)

10-7-CZ11-3 (10-17)
Area 11/District 09
Hearing Date: 07/14/10

Property Owner (if different from applicant) **SAME.**

Is there an option to purchase ☐/lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☑

Disclosure of interest form attached? Yes ☑ No ☐

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
2008	Krome Gold Ranches II, LLLP	- Unusual Use to permit a lake excavation and to waive the zoning regulations requiring half-section line right-of-way to be 70' in width and to permit no dedication for theoretical S.W. 182 avenue and theoretical S.W. 128 street with conditions.	BCC	Approved of Appeal, overrule ZAB

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 11

APPLICANT: Krome Gold Ranches II L.L.L.P. **PH:** Z10-017 (10-07-CZ11-3)

SECTION: 13-55-38 **DATE:** July 14, 2010

COMMISSION DISTRICT: 9 **ITEM NO.:** 3

==========

A. INTRODUCTION:

o REQUESTS:

(1) MODIFICATION of Conditions #9 and #12 of Resolution Z-28-08, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "9. Excess excavated material may be removed from the premises; however, the sale of said material shall be strictly prohibited."

TO: "9. Excess excavated material may be removed from the premises; however, the sale of said material shall be strictly prohibited except under the following circumstances; (a) where the excess material will be used in ecosystem restoration projects; (b) where the excess material will be used in the construction of public projects, such as the construction of infrastructure; or (c) where the excess material will be used in the construction of utility facilities and ancillary uses, including roadways."

FROM: "12. That once the lake excavation operation commences, it shall be carried on continuously and expeditiously so that the entire project will be completed in three (3) years."

TO: "12. Once the lake excavation operation commences, it shall be carried on continuously and expeditiously until the entire project is completed."

(2) Deletion of Condition #19 of Resolution Z-28-08, passed and adopted by the Board of County Commissioners, reading as follows:

"19. That the lake fill shall only be used on the subject property or within the current urban development boundary."

The purpose of the requests is to allow the applicant to sell the excavated materials and to delete the time frame for completion of the lake excavation, and to permit the lake materials to be used off-site and/or outside the current urban development boundary area.

- **SUMMARY OF REQUESTS:** Approval of the requests will allow the applicant to modify and delete conditions of a previously approved resolution in order to allow the applicant to release the restriction on the sale of excavated material from the property and the three (3) year time limit for the mining operation. Additionally, the applicant seeks to delete a condition restricting the use of the excavation material off-site or outside the UDB.

- **LOCATION:** Lying between SW.177 Avenue and SW 187 Avenue, north of SW 136 Street, Miami-Dade County, Florida.

- **SIZE:** 466 Acres

B. ZONING HEARINGS HISTORY:

In October 2008, pursuant to Resolution Z-28-08, the subject property was approved with conditions on appeal to the Board of County Commissioners (BCC) for an Unusual Use to permit a lake excavation and to waive the zoning regulations requiring half-section line roadways to be 70' in width. At that time the applicant proffered a covenant which was accepted by the BCC.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2015 and 2025 Land Use Plan designates the subject property as being **1.5 miles** west of and **outside the Urban Development Boundary (UDB)** for **Agriculture** use. The area designated as "Agriculture" contains the best agricultural land remaining in Miami-Dade County. As stated in the Miami-Dade County Strategic Plan, approved in 2003 by the Board of County Commissioners, protection of viable agriculture is a priority. The principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture such as packing houses, and farm residences. Uses ancillary to, and necessary to support the rural residential community of the agricultural area may also be approved, including houses of worship; however, schools shall not be approved in Agriculture areas but should be located inside the UDB in accordance with Policy EDU-2.A.

In order to protect the agricultural industry, uses incompatible with agriculture, and uses and facilities that support or encourage urban development are not allowed in this area. Residential development that occurs in this area is allowed at a density of no more than one unit per five acres. Creation of new parcels smaller than five acres for residential use may be approved in the Agriculture area only if the immediate area surrounding the subject parcel on three or more contiguous sides is predominately and lawfully parcelized in a similar manner, and if a division of the subject parcel would not precipitate additional land division in the area. No business or industrial use should be approved in the area designated Agriculture unless the use is directly supportive of local agricultural production, and is located on an existing arterial roadway, and has adequate water supply and sewage disposal in accordance with Chapter 24 of the County Code, and the development order specifies the approved use(s); however, packing houses for produce grown in Florida are not restricted to locating on an arterial roadway. Other uses compatible with agriculture and with the rural residential character may be approved in the Agriculture area only if deemed to be a public necessity, or if deemed to be in the public interest and the applicant demonstrates that no suitable site for the use exists outside the Agriculture area. Existing quarrying and ancillary uses in the Agriculture area may continue operation and be considered for approval of expansion.

LU-3F. Super-Majority Vote: Any zoning action or amendment to the CDMP that would approve any use other than direct production and permitted residential uses of property, in an area designated as Agriculture, whether as a primary use or as an accessory or subordinated use to an agricultural use, or action that would liberalize standards or allowances governing such other uses on land that is, a) outside the Urban Development Boundary (UDB), and b) within one mile of the right-of-way line of any portions of Krome Avenue designated in this Plan for improvement to 4-lanes, shall require an affirmative vote of not less than five members of the affected Community Zoning Appeals Board and two-thirds of the total membership of the Board of County Commissioners then in office, where such Community Zoning Appeals Board or Board of County Commissioners issues a decision. The term "direct agricultural production" includes crops, livestock, nurseries, groves, packing houses, and barns but not uses such as houses of worship, schools, sale of produce and other items, and outdoor storage vehicles. This policy is not intended to permit any use not otherwise permitted by the CDMP. Any modification to this section to allow additional uses within the one mile distance from Krome Avenue shall require an affirmative vote of not less than two-thirds of the Board of County Commissioners then in office.

D. NEIGHBORHOOD CHARACTERISTICS:

	ZONING	LAND USE PLAN DESIGNATION
Subject Property:		
	GU (with an agricultural trend); row crops	Agriculture
Surrounding Properties:		
NORTH:	GU (with an agricultural trend); single-family residences, row crops, vacant parcels	Agriculture
SOUTH:	GU (with an agricultural trend); vacant parcels, row crops, single-family residences	Agriculture
EAST:	GU (with an agricultural trend) & AU; row crops	Agriculture
WEST:	GU (with an agricultural trend); vacant parcels, Single-family residences	Agriculture

E. SITE AND BUILDINGS:

Site Plan Review:	(Survey provided.)
Scale/Utilization of Site:	**N/A**
Location of Buildings:	**N/A**
Compatibility:	**Unacceptable**
Landscape Treatment:	**N/A**
Open Space:	**N/A**
Buffering:	**N/A**
Access:	**Acceptable**
Parking Layout/Circulation:	**N/A**

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(7) Generalized Modification Standards. The Board shall hear applications to **modify or eliminate** any condition or part thereof which has been imposed by any final decision adopted by resolution; provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection***
Public Works	**No objection***
Parks	**No objection**
MDT	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**No comment**

*Subject to conditions indicated in their memoranda.

H. ANALYSIS:

The Land Use Plan's (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Agricultural** use. The area designated as "Agriculture" contains the best agricultural land remaining in Miami-Dade County. As stated in the Miami-Dade County Strategic Plan, approved in 2003 by the Board of County Commissioners, protection of viable agriculture is a priority. The principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture such as packing houses, and farm residences. Staff notes that the subject property was approved in 2008 pursuant to Resolution #Z-28-08, to allow a 47 unit farm residence development with a 133 acre lake. As such, staff opines that the aforementioned development is compatible with the surrounding agricultural uses and farm residences in the area and consistent with the LUP map designation. However, staff opines that the proposed modification of conditions in the aforementioned resolution that would allow the applicant to sell the excavation material from the proposed lake and allow the deletion of the three (3) year time restriction, for the excavation, combined with the deletion of the condition restricting the use of the lake fill on-site or within the UDB, could result in the creation of a commercial mining operation. The CDMP allows only for the continuation or expansion of existing quarrying and ancillary operations in the Agriculture area. As such, staff opines that approval of the application would be **inconsistent** with the LUP map designation and **incompatible** with the surrounding agricultural uses. Therefore, staff recommends that the applicant's requests to modify and delete conditions of the 2008 Resolution, be denied without prejudice.

Policy LU-3F of the interpretative text of the CDMP requires that any zoning action or amendment to the CDMP that would approve any use other than direct production and permitted residential uses of property, in an area designated as Agriculture, whether as a primary use or as an accessory or subordinated use to an agricultural use, or action that would liberalize standards or allowances governing such other uses on land that is, a) outside the Urban Development Boundary (UDB), and b) within one mile of the right-of-way line of any portions of **Krome Avenue** designated in this Plan for improvement to 4-lanes, shall require an affirmative vote of not less than five members of the affected Community Zoning Appeals Board. The subject property is located approximately 1.5 miles west of and outside the UDB in an area designated **Agriculture** and abuts Krome Avenue which is designated in the Master Plan for improvement to 4-lanes. As previously mentioned, staff is of the opinion that approval of the application would allow the applicant to operate a commercial quarrying operation for an indefinite period which would result in the creation of a mining operation and would be **inconsistent** with the Agriculture LUP map designation of the subject property. Therefore, staff opines that approval of the application, will require an affirmative vote of not less than five members of the affected Community Zoning Appeals Board, since the use in question does not involve the direct production of agriculture, is not a permitted residential use in an agriculturally designated area, and the approval of the requested use would liberalize the standards or allowances governing such uses in the area.

The Department of Environmental Resources Management **(DERM)** has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The **Public Works Department does not object** to this application and has indicated that it will not generate any new additional daily peak hour trips therefore no vehicle trips have been assigned. The Miami-Dade Fire Rescue Department **(MDFRD)** also has **no objections** to this application and indicates that the estimated average travel response time is **15:50** minutes.

When requests #1 and #2 are analyzed under Section 33-311(A)(7), staff opines that the approval of the requested modification and deletion of conditions in Resolution #Z-28-08, to allow the applicant to sell the lake excavation material from the lake and allow the deletion of the three (3) year restriction, would result in the creation of a mining operation. Staff acknowledges that the approval of the application would not, based on memoranda from the Public Works Department, MDFRD and DERM, generate excessive traffic and would not be contrary to the public interest. However, as previously mentioned, approval of the request would result in the creation of a mining operation which would be **inconsistent** with the Agricultural designation of the subject property on the LUP map of the CDMP and **incompatible** with the surrounding rural agricultural community. Further, in staff's opinion, the approval of an indefinite mining operation could precipitate similar requests for approvals of similar operations that are not allowed in the AU zoning district. Additionally, staff opines that the request, to allow for the off-site use of the material outside the UDB (request #2) is germane to the applicant's request to allow for the sale of excavated material and for the extension of time for the excavation (request #1). As such, staff further opines that approval of the application would not be in keeping with the agricultural character of the area or with the spirit and intent of the 2008 zoning approval. Therefore, staff recommends denial with prejudice of the application under Section 33-311(A)(7) (Generalized Modification Standards).

I. RECOMMENDATION:

Denial without prejudice.

J. CONDITIONS: None

DATE TYPED: 06/01/10
DATE REVISED: 06/03/10, 06/04/10, 06/15/10
DATE FINALIZED: 06/15/10
MCL:GR:NN: NC: CH

for _____
Marc C. LaFerrier, AICP, Director
Miami-Dade County Department of
Planning and Zoning

NDN

Memorandum

MIAMI-DADE COUNTY

Date: June 17, 2010

To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management

Subject: BCC #Z2010000017-3rd Revision
Krome Gold Ranches II, LLP
Between S.W. 177th Avenue and North of S.W. 136th Street
Modification of a Condition of a Previous Approved Resolution for a Lake Excavation
(GU) (466 Acres)
13-55-38

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Water Supply and Wastewater Disposal

Adjacent potable water supply wells must be located more than 100 feet from lake. Section 24-43.3(2)(v)(xviii) of the Code states, "In no case shall the well be located less than one hundred (100) feet from any source of contamination".

DERM Criteria for Lake Excavations Section IV (9) states that septic tanks /drainfield located adjacent to a real estate lake must be placed as far as practicable from the edge of the lake an in no case closer than fifty (50) feet.

Consequently, any proposed development shall comply in accordance with the conditions required by the Code and DERM's Criteria for Lake Excavations.

Stormwater Management

The DERM Water Control Section has no objection to the approval of this application. The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Wetlands
The subject property does not contain wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies

Tree Preservation
There are no tree resources issues on the subject property.

Pollution Control
Based on the revised letter of intent dated June 1, 2010, submitted by the Applicant, requesting the withdraw of the modification of Condition No. 10 to allow blasting with explosives, the DERM Pollution Control Division does not have any concerns with the revised application.

Enforcement History
DERM has found no open or closed enforcement records for the subject property.

Concurrency Review Summary
DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute DERM's written approval, as required by the Code.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

PH# Z2010000017
CZAB - C11

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: KROME GOLD RANCHES II LLLP

This Department has no objections to this application.

This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This meets the traffic concurrency criteria set for an Initial Development Order.

Raul A Pino, P.L.S.
12-APR-10

REVISION 1

Memorandum

Date: 21-JUN-10

To: Marc LaFerrier, Director
Department of Planning and Zoning

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2010000017

Fire Prevention Unit:

Not applicable to MDFR accessibility requirements.

Service Impact/Demand

Development for the above Z2010000017
located at LYING BETWEEN SW 177 AVE & SW 187 AVE, NORTH OF SW 136 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1976 is proposed as the following:

47 residential	dwelling units	N/A industrial	square feet
N/A Office	square feet	N/A institutional	square feet
N/A Retail	square feet	N/A nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 13.2 alarms-annually.
The estimated average travel time is: 13:50 ! minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 36 - Hammocks - 10001 Hammocks Blvd.
Rescue, ALS 50' Squrt

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

11

DATE: 02-MAR-10

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE

KROME GOLD RANCHES II LLLP

APPLICANT

LYING BETWEEN SW 177 AVE & SW 187 AVE, NORTH OF SW 136 ST, MIAMI-DADE COUNTY, FLORIDA.

ADDRESS

Z2010000017

HEARING NUMBER

HISTORY:

BUILDING & NEIGHBORHOOD COMPLIANCE DEPARTMENT
NEIGHBORHOOD COMPLIANCE
DIVISION

ENFORCEMENT HISTORY

NAME: KROME GOLD RANCHES II LLLP ADDRESS: LYING BETWEEN SW 177 AVE & SW 187 AVE, NORTH OF SW 136 ST,

DATE: 3/2/10

CURRENT ENFORCEMENT HISTORY:

Open Cases:
No current open cases.

Closed Cases:

Case 200902001722 was opened based on a complaint of a vehicle advertised for sale and inspected on 2-18-09. A warning notice was issued for a violation of Ch 19.1(a), a vehicle advertised for sale without a valid Tag to both property and vehicle owner. A re-inspection

conducted on 2-23-09 revealed the vehicle was removed and the case was closed in compliance.

Case 200802011129 was opened based on a complaint of a vehicle advertised for sale and inspected on 10-10-08. A warning notice was issued for a violation of Ch 19.1(a), a vehicle advertised for sale without a valid Tag to both property and vehicle owner. A re-inspection conducted on 10-14-08 revealed the vehicle was removed and the case was closed in compliance.

OUTSTANDING FINES, PENALTIES, COST OR LIENS INCURRED PURSUANT TO CHAPTER 8CC:

REPORTER NAME:

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal, stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: _____

NAME AND ADDRESS	Percentage of Stock

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: _____

NAME AND ADDRESS	Percentage of Interest

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: Krome Gold Ranches II, LLLP, 1430 South Dixie Highway, Suite 201, Coral Gables, FL 33146

NAME AND ADDRESS	Percentage of Ownership
Please refer to Exhibit "A" attached hereto.	

RECEIVED
C10-017
FEB 17 2010
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list purchasers below including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

NAME AND ADDRESS (if applicable)	Percentage of Interest

Date of contract: _____

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

_____

NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final

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

Signature: _____
ARMANDO J. GUERRA (Applicant)

Sworn to and subscribed before me this 11 day of February, 2010 Affiant is personally known to me or has produced _____ as identification.

Leticia R. Valdes
(Notary Public)

My commission expires May 28, 2011

LETICIA R VALDES
Notary Public - State of Florida
My Commission Expires May 28, 2011
Commission # DD 635763
Bonded Through National Notary Assn.

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) 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 every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a 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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210-017
FEB 17 2010
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

EXHIBIT "A" TO
DISCLOSURE OF INTEREST

KGR II Percentage Ownership (Breakdown)

2/10/2010

Company Name	Members	% Ownership in Co	KGR II %
My Refuge LLP	John McClure	9.80392%	0.163050%
	Tomas F. Gamba	9.80392%	0.163050%
	Angel Berisiartu	9.80392%	0.163050%
	Daniel E. Thomas	9.80392%	0.163050%
	Robert E. Chisholm	9.80392%	0.163050%
	Robert M. Chisholm	1.96078%	0.032610%
	Alberto A. Latour	9.80392%	0.163050%
	Inter-Vivos Trust of Antonio Prado	9.80392%	0.163050%
	Otis Wragg	9.80392%	0.163050%
	Ramon F. Casas	9.80392%	0.163050%
	Francisco R. Angones	9.80392%	0.163050%
Total		**100.00000%**	1.663114%
ALA II LLC	Concepcion Perdomo	100.00000%	
Total		**100.00000%**	1.152122%
DLD Investments Inc	Daniel F. Valdes	33.33323%	0.384039%
	Leticia R. Valdes	33.33354%	0.384043%
	David L. Valdes	33.33323%	0.384039%
Total		**100.00000%**	1.152122%
First Southeast Equities Inc	James Dorsy	100.00000%	
Total		**100.00000%**	1.610937%
General Real Estate Corp	Agustin Herran	100.00000%	
Total		**100.00000%**	4.608488%
Fortune Gold Ranches, LLC	Miguel Poyastro	75.00000%	8.053601%
	Ezra Katz	25.00000%	2.608806%
Total		**100.00000%**	10.662407%
Heys Investment, Inc.	Jose & Maria Herran	40.00000%	0.700490%
	Jose A & Lourdes Herran	20.00000%	0.350245%
	Ana Mary Herran & Alexander Ynastrilla	20.00000%	0.350245%
	Daniel Herran & Nancy San Emeterio Herran	20.00000%	0.350245%
Total		**100.00000%**	1.751226%
US Investments LLC	Alexander Ynastrilla	50.00000%	0.684811%
	Ana Mary Herran	50.00000%	0.684811%
Total		**100.00000%**	1.369623%
Machado Krome Investments, LI	Jose Luis Machado III, Revocable Trust	87.70000%	1.301256%
	Vivian M Isern	2.10000%	0.031159%
	Jose Luis Machado Jr, Grandchildrens Irrev Trust #1	2.00000%	0.029675%
	Jose Luis Machado Jr, Grandchildrens Irrev Trust #2	2.00000%	0.029675%
	Jose Luis Machado Jr, Grandchildrens Irrev Trust #3	2.10000%	0.031159%
	Jose Luis Machado Jr, Grandchildrens IrrevTrust #4	2.10000%	0.031159%
	Jose Luis Machado III, Irrevoable Trust #3	2.00000%	0.029675%
Total		**100.00000%**	1.483758%
Pedrena Development, Corp	Manuel A Herran	100.00000%	
Total		**100.00000%**	9.216967%
Prime Site Investments LLC	Antonio E Placeres & Yolanda J Placeres	33.33323%	0.353275%
	Angel Diaz Norman	33.33323%	0.353275%
	Daisy M Diaz & Jose F Diaz	33.33354%	0.353278%
Total		**100.00000%**	1.059827%

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MIAMI-DADE PLANNING AND ZONING DEPT.
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GARSH Investments LLLP	Jose & Ileana Garcia	47.27000%	4.007843%
	Jose A Garcia Retained Annuity Trust #1	9.30500%	0.788935%
	Jose A Garcia Retained Annuity Trust #2	9.30500%	0.788935%
	Ileana Garcia Retained Annuity Trust #1	9.30500%	0.788935%
	Ileana Garcia Retained Annuity Trust #2	9.30500%	0.788935%
	Garcia Family Trust FBO Gillian Garcia	7.75500%	0.657517%
	Garcia Family Trust FBO Alejandro Garcia	7.75500%	0.657517%
Total		**100.00000%**	8.478618%
Puente Land Holding, LLC	Jim Puente	50.00000%	0.611439%
	Michael E Stein	50.00000%	0.611439%
Total		**100.00000%**	1.222878%
J.I.R. Investments, LLC	Jirasak Prasertium	60.00000%	0.691273%
	Ileana Ramirez	20.00000%	0.230424%
	Ricardo Rodriguez	20.00000%	0.230424%
Total		**100.00000%**	1.152122%
The Pros at Okeechobee, LLC	Seth Benes	2.99000%	0.034449%
	Allan Benes	2.99000%	0.034449%
	Michael Wittels	51.55002%	0.593919%
	Howard Wittels	10.79000%	0.124314%
	Joel Benes	31.68000%	0.364992%
Total		**100.00002%**	1.152122%
Tres Hermanos LLP	Adrianne J Guerra Trust	33.33333%	0.489151%
	Corinne M Guerra Trust	33.33333%	0.489151%
	Eric A Guerra Trust	33.33333%	0.489151%
Total		**100.00000%**	1.467453%
Seventeen Holdings LLC	Antonio R Gonzalez	50.00000%	0.576061%
	Joaquin A Gonzalez	30.00000%	0.345637%
	Orlando Delgado	10.00000%	0.115212%
	Maria Delgado	10.00000%	0.115212%
Total		**100.00000%**	1.152122%
Summit Group Properties, Inc.	Armando J & Maria C Guerra	100.00000%	
Total		**100.00000%**	1.630504%
C.M.G. Holdings, LLC	Carlos M Garcia	100.00000%	
Total		**100.00000%**	2.304244%
Phi Alpha Holdings, LLC	Ana Diaz Cordero	50.00000%	0.423931%
	L Frank Cordero	50.00000%	0.423931%
Total		**100.00000%**	0.847862%
Brosis Gift Limited Liability Com	Alejandro Diaz	50.00000%	0.423931%
	Ana Diaz Cordero	50.00000%	0.423931%
Total		**100.00000%**	0.847862%
Rodney Barreto	Rodney Barreto	100.00000%	
Total		**100.00000%**	4.608488%
Steven M Henriques, Katherine V Henriques & Rebecca A Henriques, Joint Tenants in	Steven M Henriques	33.33346%	0.282622%
	Katherine V Henriques	33.33346%	0.282622%
	Rebecca A Henriques	33.33308%	0.282618%
Total		**100.00000%**	0.847862%
Bernardo Goenaga	Bernardo Goenaga	100.00000%	
Total		**100.00000%**	3.456358%

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Ezequiel Herran as Trustee of the Ezequiel Herran Revocable Trust and Nancy Herran as Trustee of the Nancy Herran Revocable Trust	Ezequiel Herran Revocable Trust	50.00000%	0.576061%
	Nancy Herran Revocable Trust	50.00000%	0.576061%
Total		**100.00000%**	1.152122%
Sergio Pino	Sergio Pino	100.00000%	
Total		**100.00000%**	4.239309%
The Sasha Andrade 2005 Irrevo	Sasha Andrade		0.460848%
The Natasha Andrade 2005 Irrevocable Trust	Natasha Andrade	50.00000%	0.460848%
Total		**100.00000%**	0.921697%
Daniel R Valdes	Daniel R Valdes	100.00000%	
Total		**100.00000%**	2.350330%
Jorge Guerra Revocable Trust	Jorge Guerra Revocable Trust	100.00000%	
Total		**100.00000%**	1.059827%
Antolin G Herran Revocable Tru	Antolin G Herran Revocable Trust	100.00000%	
Total		**100.00000%**	1.152122%
Henry Quintana, Mercedes Quintana as tenants in common	Henry Quintana	50.00000%	0.460848%
	Mercedes Quintana	50.00000%	0.460848%
Total		**100.00000%**	0.921697%
Maria C Guerra Irrevocable Trus	Maria C Guerra Irrevocable Trust	100.00000%	
Total		**100.00000%**	15.356865%
Krome Gold Ranches Managem	Armando J Guerra	33.33600%	0.027177%
	Maria C Guerra	33.33200%	0.027174%
	Maria C Guerra Irrevocable Trust	33.33200%	0.027174%
Total		**100.00000%**	0.081525%
Karl Garcia Irrevocable Trust	Karl Garcia Irrevocable Trust	100.00000%	
Total		**100.00000%**	0.921697%
Krome Gold Ranches Investor Total			6.943725%

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Krome Gold Ranches Investors, LLC.

Carlos F Arazoza as Trustee of the Carlos F Arazoza Revocable Trust	Carlos F Arazoza as Trustee of the Carlos Farazoza Revocable Trust	100.00000%	0.064994%
CALE Investments LLC c/o Mari	Manuel Chacon	24.99997%	0.008832%
	Maria Chacon	24.99997%	0.008832%
	Juan C Ledesma	24.99997%	0.008832%
	Suzett Ledesma	24.99997%	0.008832%
Brialan Corp	Alberto Guerra	50.00000%	0.353269%
	Vivian Guerra	50.00000%	0.353269%
Siberio Investments LLC	Daniel & Ana Siberio	49.99999%	0.088317%
	Frank & Patricia Siberio	44.99999%	0.079486%
	Nicholas Siberio	5.00000%	0.008832%
Ten Talents Investments, LLC	Howard Todd Mckinnis	50.00000%	0.032497%
	Deborah Sue Mckinnis	50.00000%	0.032497%
ENS Consulting	Emiliano Herran	50.00000%	0.194982%
	Emiliano E Herran	50.00000%	0.194982%
Veneciana Investments, LLC	Claudia Puig	50.00000%	0.081242%
	Richard Amundsen	50.00000%	0.081242%
Jorge E Alvarino	Jorge E Alvarino	99.99999%	0.229625%
Alberto Guerra Irrevocable Child's Trust Agreement #1	Alberto Guerra Irrevocable Child's Trust Agreement #1	100.00000%	0.529903%
Alberto Guerra Irrevocable Child's Trust Agreement #2	Alberto Guerra Irrevocable Child's Trust Agreement #2	100.00000%	0.529903%
Armando J Guerra Revocable Trust & Maria C Guerra Revocable Trust, as tenants in common	Armando J Guerra Revocable Trust	50.00000%	1.110693%
	Maria C Guerra Revocable Trust	50.00000%	1.110693%
Eric Arman Guerra	Eric Arman Guerra	99.99996%	0.022748%
Corinne Guerra	Corrine Guerra	100.00000%	0.030872%
Adrianne Guerra	Adrianne Guerra	100.00000%	0.035747%
Leticia R Valdes	Leticia R Valdes	99.99998%	0.084492%
Donald Fritch & Marta Fritch	Donald Fritch	50.00000%	0.097491%
	Marta Fritch	50.00000%	0.097491%
Belinda Money	Belinda Money	100.00000%	0.097491%
Lawrence Money III	Lawrence Money III	100.00000%	0.064994%
Laurie A Money I.T.F. Brittani Al	Laurie A Money I.T.F. Brittani Alexandra Small	99.99990%	0.016248%
Carlos M Garcia	Carlos M Garcia	100.00000%	0.353269%
Daniel F Valdes Revocable Trus	Daniel F Valdes Revocable Trust	100.00000%	0.045925%
David L Valdes Revocable Trust	David L Valdes Revocable Trust	100.00000%	0.045925%
Emma M Guerra Revocable Tru	Emma M Guerra Revocable Trust	99.99998%	0.091850%
Ramon E Rasco & Ana Lauda R	Ramon E Rasco	50.00000%	0.147861%
	Ana Lauda Rasco	50.00000%	0.147861%
Gabriel M & Maria C Bustamante as tenants by the entirety	Gabriel M Bustamante	50.00000%	0.162485%
	Maria C Bustamante	50.00000%	0.162485%
Cristina L Rasco	Cristina L Rasco	100.00000%	0.042246%
Richard A Rasco	Richard A Rasco	100.00000%	0.042246%
Ramon A Rasco	Ramon A Rasco	100.00000%	0.042246%
Total: Krome Gold Ranches II Investors			6.943725%
Total: Krome Gold Ranches II LLLP			100.000000%

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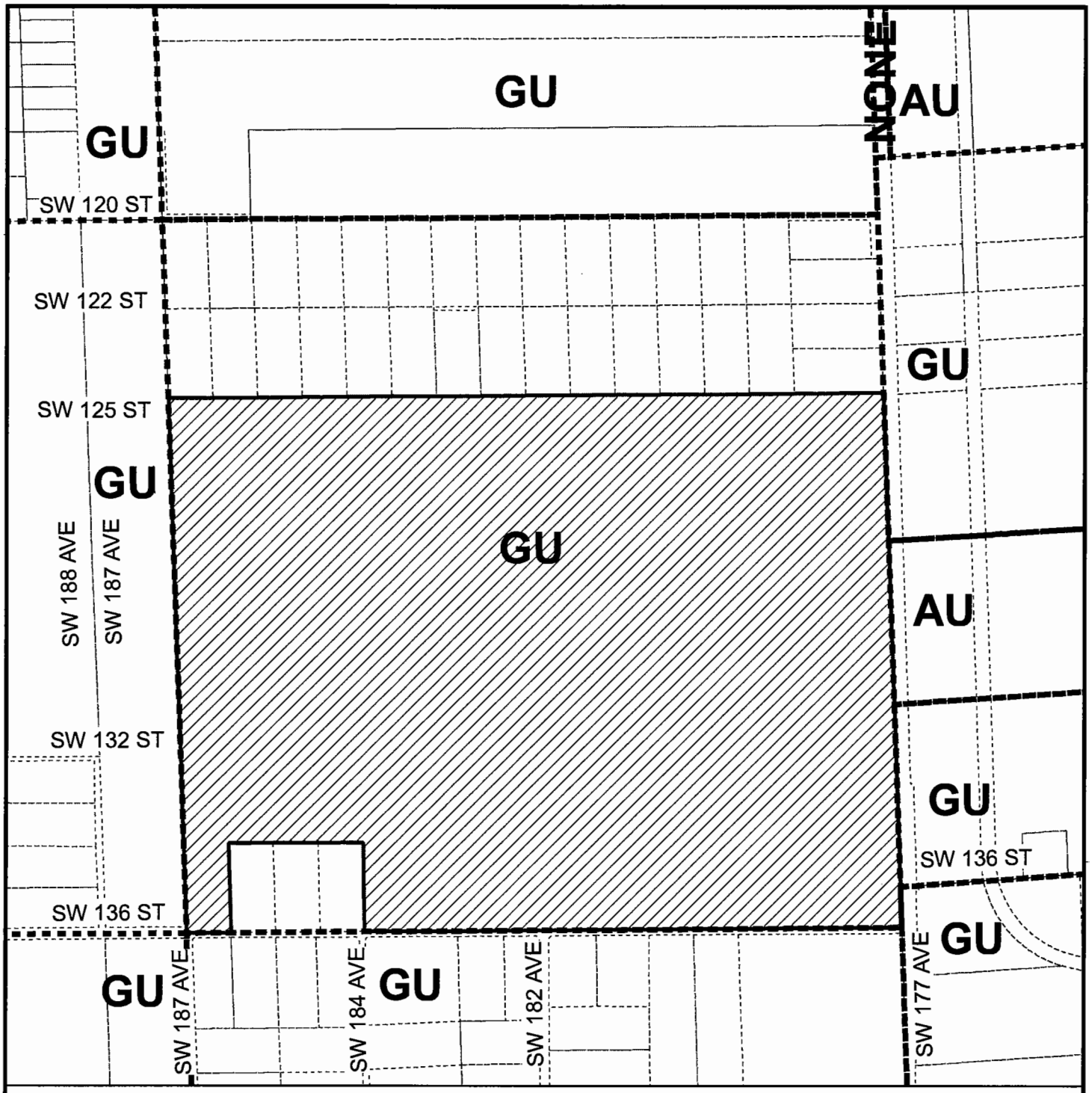


MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2010000017

Section: 24/13/14 Township: 55 Range: 38
Section: 18/19 Township: 55 Range: 39
Applicant: KROME GOLD RANCHES II LLLP
Zoning Board: BCC
Commission District: 9
Drafter ID: ALFREDO FERNANDEZ-CUETO
Scale: NTS

N W E S

Legend

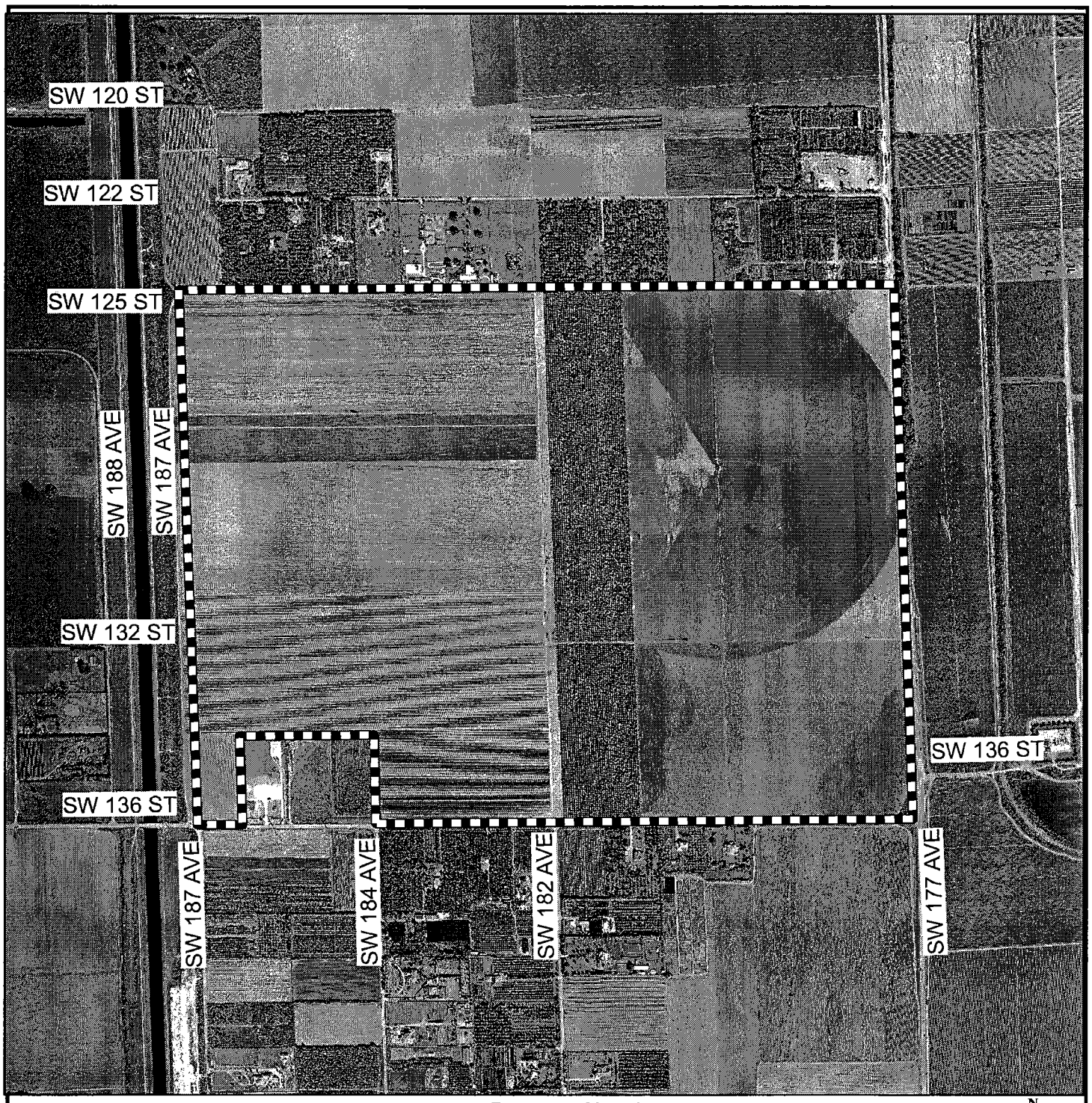
Subject Property Case

Zoning

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, February 25, 2010

REVISION	DATE	BY
		20



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number
Z2010000017

Legend
Subject Property

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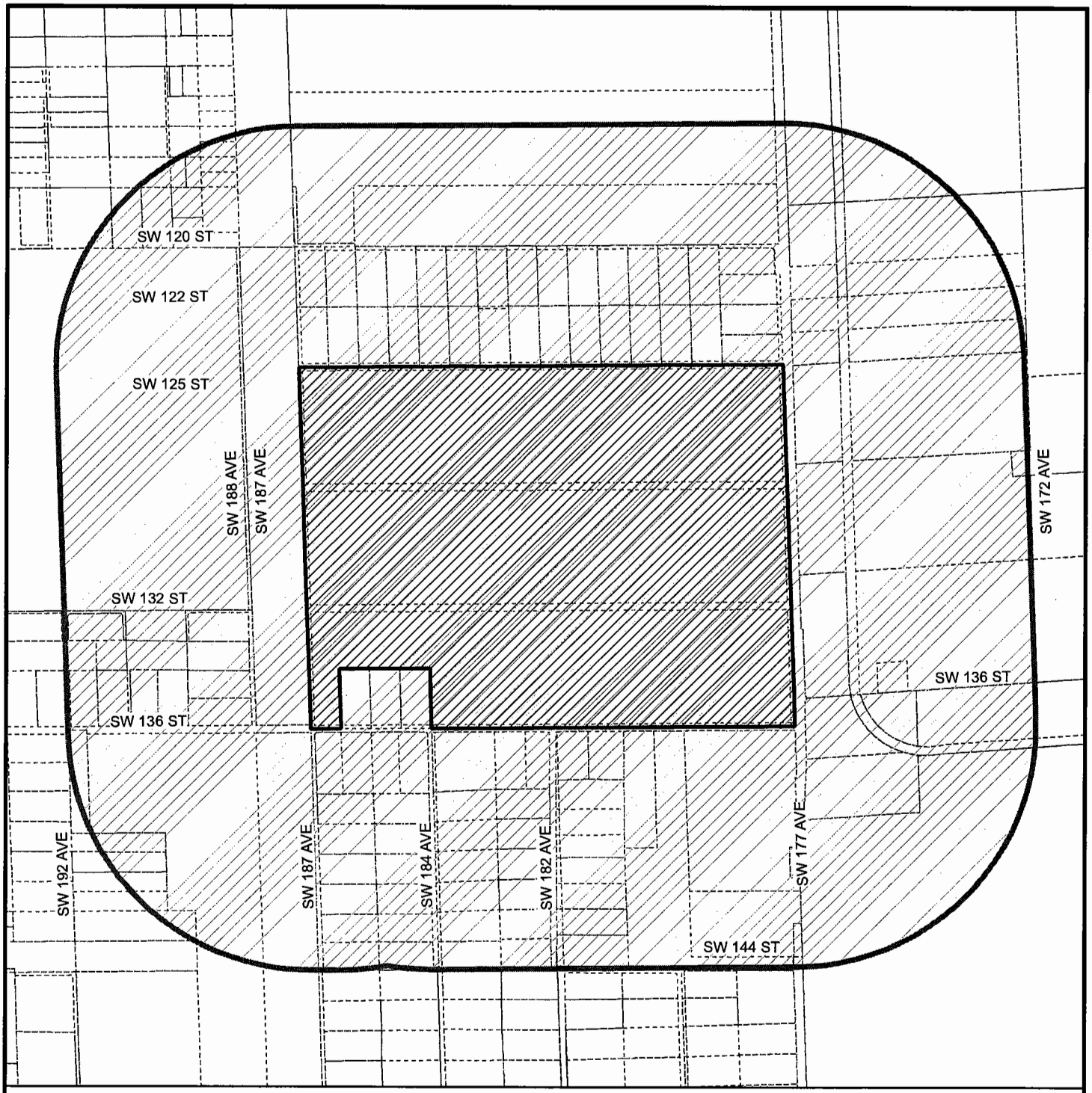
Section: 24/13/14 Township: 55 Range: 38
Section: 18/19 Township: 55 Range: 39
Applicant: KROME GOLD RANCHES II LLLP
Zoning Board: BCC
Commission District: 9
Drafter ID: ALFREDO FERNANDEZ-CUETO
Scale: NTS

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, February 25, 2010

REVISION	DATE	BY
		21



MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2010000017

Section: 24/13/14 Township: 55 Range: 38 **RADIUS: 2640**
Section: 18/19 Township: 55 Range: 39
Applicant: KROME GOLD RANCHES II LLLP
Zoning Board: BCC
Commission District: 9
Drafter ID: ALFREDO FERNANDEZ-CUETO
Scale: NTS

Legend

Buffer

Subject Property

N W E S

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, February 25, 2010

REVISION	DATE	BY