FINAL AGENDA

11-8-2013 Version # 2

MIAMI-DADE COUNTY

COMMUNITY ZONING APPEALS BOARD 11
KENDALL VILLAGE CENTER - CIVIC PAVILION
8625 SW 124 Avenue, Miami
Tuesday, December 10, 2013 at 7:00 p.m.

PREVIOUSLY DEFERRED

A.	13-11-CZ11-1	FIVE STAR JEWELERS, INC.		13-53	32-54-39	

CURRENT

1.	13-12-CZ11-1	LUCKY START AT THE HAMMOCKS, LLC	**(DEVELOPMENTAL IMPACT COMMITTEE)**	12-96	09-55-39	N

Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 11

MEETING OF WEDNESDAY, DECEMBER 10, 2013

KENDALL VILLAGE CENTER – CIVIC PAVILLION

8265 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

A. FIVE STAR JEWELERS, INC. 13-11-CZ11-1 (13-53) **32-54-39**
Area 11/ Dist. 11

USE VARIANCE to permit a pawnbroker use in the BU-1A, as would be permitted in the BU-3 zone, only upon approval after public hearing.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "New Shopping Center Plaza" as prepared by Octavio A. Santurio A.I.A dated stamped received 5/22/13 and consisting of 2 sheets and a plan entitled "Five Star Jewelers" as prepared by Roger Perez, dated stamped received 6/25/13, consisting of 1 sheet for a total of 3 sheets. Plans may be modified at public hearing.

LOCATION: 16205 SW 88 Street, MIAMI-DADE COUNTY, FLORIDA.

Department of Regulatory and Economic Resources Recommendation: Denial without prejudice

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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1. LUCKY START AT THE HAMMOCKS, LLC 13-12-CZ11-1 (12-96) **9-55-39**
Area 11/ Dist. 11

REQUESTS #1 - #4 ON PARCELS "A" THROUGH "D"

1. TO MAKE A SUBSTANTIAL DEVIATION DETERMINATION pursuant to Section 380.06(19), Florida Statutes, with respect to the below requests:

2. MODIFICATION of Paragraphs #6 & #18 of a Covenant Governing Land Development, recorded in Official Records Book 8625, Pages 336 – 370, as last modified by a covenant proviso contained in Resolution #Z-226-89, reading as follows:

   FROM:

   6. DISTRIBUTION OF UNITS

ZONE	ACRES	% OF TOTAL GROSS AREA	TOTAL UNITS	% OF TOTAL UNITS
RU-1	39.4	3.6%	229	2.8%
RU-3M	267.2	24.4%	2,925	35.2%
RU-4L	69.6	6.3%	1,545	18.6%
RU-4M	117.5	10.7%	3,356	40.4%
RU-4A	10.4	1.0%	248	3.0%
	504.1	46.0%	8,303	100.0%

TO:

6. DISTRIBUTION OF UNITS

ZONE	ACRES	% OF TOTAL GROSS AREA	TOTAL UNITS	% OF TOTAL UNITS
RU-1	39.4	3.6%	229	2.6%
RU-1M(a)	30.3	2.8%	137	1.6%
RU-3M	267.2	24.4%	2,925	33.6%
RU-4L	90.7	8.3%	1,806	20.8%
RU-4M	117.5	10.7%	3,356	38.6%
RU-4A	10.4	1.0%	248	2.8%
	555.5	50.8%	8,701	100.00%

FROM: "18. CONTROLLED DENSITIES

In order that requirements for access and services may not exceed the projected regional capabilities, the maximum number of Permanent Residential dwelling units to be built has been established as indicated on 'THE HAMMOCKS Parcel Schedule' prepared by Post, Buckley, Schuh & Jernigan, Inc., dated July, 1989. A ceiling on the number of permissible Residential dwellings has been fixed at 8,303 units for the total community, each neighborhood to be kept to a reasonable percentage of the whole."

TO: "18. CONTROLLED DENSITIES

In order that requirements for access and services may not exceed the projected regional capabilities, the maximum number of Permanent Residential dwelling units to be built has been established as indicated on "The Hammocks Master Plan," as prepared by The Curtis Group and dated revised September 2013. A ceiling on the number of permissible Residential dwellings has been fixed at 8,701 units for the total community, each neighborhood to be kept to a reasonable percentage of the whole.

3. MODIFICATION of Paragraphs #15 & #23 of a Covenant Governing Land Development, recorded in Official Records Book 8625, Pages 336 – 370, reading as follows:

FROM:

"15. INDUSTRIAL PARK

A 111.87 gross acre parcel of land on the extreme southern edge of the property, already zoned for industrial use, will be held for a light industrial park. (See Exhibit C)

This piece of land is just north of the new Tamiami Airport, which was a factor in the decision to keep it industrial. It forms a buffer between the residential areas of The Hammocks and the airport.

A buffer will also be created between the industrial park and the residential areas by the placement of land use in each residential district, as well as providing a special landscaped zone in the industrial area.

Another advantage for the industrial use of this piece of land is its direct frontage on main arterial alignments at SW 147th Avenue and SW 120th Street."

TO: "15. INDUSTRIAL PARK

A +/-49.46 net acre parcel of land (pursuant to the folio information provided by the Miami-Dade County Property Appraiser for folio no. 30-5909-014-0010) on the extreme southern edge of the property, already zoned for industrial use, will be held for a light industrial park. (See "The Hammocks Master Plan," as prepared by The Curtis Group and dated revised September 2013)

A buffer will be created between the industrial park and the residential areas by the placement of land use in each residential district, as well as providing a special landscaped zone in the industrial area.

Another advantage for the industrial use of this piece of land is its direct frontage on main arterial alignments at SW 147th Avenue and SW 120th Street."

FROM:

"23. Neighborhood Convenience Centers.

Neighborhood convenience centers may be provided in the detailed site use plan for each of the three villages, substantially in accordance with the "Illustrative Land Use Plan" hereinabove described and as may be approved under applicable county procedures."

TO:

"23. Neighborhood Convenience Centers.

Neighborhood convenience centers may be provided in the detailed site use plan for each of the three villages, substantially in accordance with the "Illustrative Land Use Plan" hereinabove described and as may be approved under applicable County procedures. In addition, Parcel 42d may be developed with up to 40,000 square feet of general business use in accordance with "The Hammocks Master Plan," as prepared by The Curtis Group and dated revised September 2013, and may be amended in accordance with applicable County procedures."

4. MODIFICATION of the legal description for Parcel 42 as provided in Exhibit "B" of that certain Covenant Governing Land Development recorded in Official Record Book 8625, at Page 336-370, reading as follows:

FROM:

"PARCEL 42.

Begin at the S.E. corner of Section 9, Township 55 South, Range 39 East, thence run S 87°26'25.5" W along the South line of said Section 9 for 2760. 70 feet to the S.W. corner of the S.E. ¼ of said Section 9; thence run N 02°21'42" W along the West line of the S.E. ¼ of said Section 9 to the N.W. corner of the S.E. ¼ of said Section 9; thence run S 87°34'31" W along the South line of the N.W. ¼ of said Section 9 for 353.58 feet to the Point of Curvature of a circular curve concave to the Northwest, having a radius of 1283.26 feet; thence run Northeasterly along the arc of said curve through a central angle of 20°17'05" for 454.32 feet to a Point of Tangency; thence run N 67°17'26" E for 83.13 feet to a point on a circular, concave to the Northeast, having a radius of 1150.00 feet, said point bearing S 67°17'26" W from the center of said curve; thence run Southeasterly along the arc of said curve through a central angle of 37°17'26" for 748.47 feet to a Point of Tangency; thence run S 60°00'00" E for 127.20 feet to a Point of Curvature of a circular curve, concave to the Southwest, having a radius of 1150.00 feet; thence run Southeasterly along the arc of said curve, through a central angle of 22°14'00" for 446.25 feet to a Point of Tangency; thence run S 37°46'00" E for 120.06 feet to a Point of Curvature of a circular curve, concave to the Northeast and having a radius of 1150.00 feet; thence run Easterly along the arc of said curve, through a central angle of 66°30'00" for 1334.74 feet to a Point of Tangency; thence run N 75°44'00" E for 111.51 feet to a Point of Curvature of a circular curve concave to the South and having a radius of 1150.00 feet; thence run Easterly along the arc of said curve, through a central angle of 11°59'03" for 240.54 feet to a Point of Tangency; thence run N 87°43'03" E for 109.40 feet to a point on the East line of said Section 9; thence run S 02°16'57" E along the East line of said Section 9 for 1344.61 feet to the Point of Beginning."

TO:

"PARCEL 42.

Begin at the S.E. corner of Section 9, Township 55 South, Range 39 East, thence run S 87°26'25.5" W along the South line of said Section 9 for 2760. 70 feet to the S.W. corner of the S.E. ¼ of said Section 9; thence run N 02°21'42" W along the West line of the S.E. ¼ of said Section 9 to the N.W. corner of the S.E. ¼ of said Section 9; thence run S 87°34'31" W along the South line of the N.W. ¼ of said Section 9 for 353.58 feet to the Point of Curvature of a circular curve concave to the Northwest, having a radius of 1283.26 feet; thence run Northeasterly along the arc of said curve through a central angle of 20°17'05" for 454.32 feet to a Point of Tangency; thence run N 67°17'26" E for 83.13 feet to a point on a circular, concave to the Northeast, having a radius of 1150.00 feet, said point bearing S 67°17'26" W from the center of said curve; thence run Southeasterly along the arc of said curve through a central angle of 37°17'26" for 748.47 feet to a Point of Tangency; thence run S 60°00'00" E for 127.20 feet to a Point of Curvature of a circular curve, concave to the Southwest, having a radius of 1150.00 feet;

thence run Southeasterly along the arc of said curve, through a central angle of 22°14'00" for 446.25 feet to a Point of Tangency; thence run S 37°46'00" E for 120.06 feet to a Point of Curvature of a circular curve, concave to the Northeast and having a radius of 1150.00 feet; thence run Easterly along the arc of said curve, through a central angle of 66°30'00" for 1334.74 feet to a Point of Tangency; thence run N 75°44'00" E for 111.51 feet to a Point of Curvature of a circular curve concave to the South and having a radius of 1150.00 feet; thence run Easterly along the arc of said curve, through a central angle of 11°59'03" for 240.54 feet to a Point of Tangency; thence run N 87°43'03" E for 109.40 feet to a point on the East line of said Section 9; thence run S 02°16'57" E along the East line of said Section 9 for 1344.61 feet to the Point of Beginning.
LESS: A Portion Of Tract "A" Of "Amerifirst Park" Plat Book 127, Page 65, Being More Particularly Described As Follows: Begin At The Southwest Corner Of Said Tract "A"; Thence N02°20'50"W, As Basis Of Bearing Along The West Line Of The Southeast ¼ Of Said Section 9, For A Distance Of 2660.44 Feet To The Center Of Said Section 9; Thence S87°34'58"W For A Distance Of 18.65 Feet To A Point Of Intersection With A Non-Tangent Curve, A Radial Line To Said Point Bears S17°02'49"E; Thence 129.21 Feet Along The Arc Of A Curve To The Left, Said Curve Having Radius Of 1326.26 Feet And A Central Angle Of 05°34'55" To A Point Of Intersection With A Reverse Curve; Thence 37.86 Feet Along The Arc Of A Curve To The Right, Said Curve Having A Radius Of 25.00 Feet And A Central Angle Of 86°45'47" To A Point Of Intersection With A Reverse Curve; Thence 720.86 Feet Along The Arc Of A Curve To The Left, Said Curve Having A Radius Of 1210.00 Feet And A Central Angle Of 34°08'03" To A Point Of Tangency; Thence S60°00'00"E For A Distance Of 127.20 Feet To A Point Of Curvature; Thence 422.97 Feet Along The Arc Of A Curve To The Right, Said Curve Having A Radius Of 1090.00 Feet And A Central Angle Of 22°14'00" To A Point Of Tangency; Thence S37°46'00"E For A Distance Of 50.50 Feet To A Point Of Intersection With A Line 1040.00 Feet East Of And Parallel To The West Line Of The Southeast ¼ Of Said Section 9; Thence S02°20'50"E Along Said Line For A Distance Of 1744.04 Feet To A Point Of Intersection With A Line 40.00 Feet North Of And Parallel To The South Line Of The Southeast ¼ Of Said Section 9; Thence S87°26'00"W Along Said Line For A Distance Of 1040.01 Feet To The Point Of Beginning."

"LEGAL DESCRIPTION FOR PARCEL 42a: A Portion Of Section 9, Township 55 South, Range 39 East, Being More Particularly Described As Follows: Begin At Center Of Said Section 9; Thence S87°34'58"W For A Distance Of 18.65 Feet; Thence N17°02'49"W For A Distance Of 43.00 Feet To A Point Of Intersection With A Non-Tangent Curve, A Radial Line To Said Point Bears S17°02'49"E; Thence 125.02 Feet Along The Arc Of A Curve To The Left, Said Curve Having A Radius Of 1283.26 Feet And A Central Angle Of 05°34'55" To A Point Of Tangency; Thence N67°22'16"E For A Distance Of 83.03 Feet To A Point Of Intersection With A Non-Tangent Curve, A Radial Line To Said Point Bears S67°17'05"W; Thence 675.02 Feet Along The Arc Of A Curve To The Left, Said Curve Having A Radius Of 1150.00 Feet And A Central Angle Of 33°37'52" To A Point Of Intersection With A Non-Tangent Line, A Radial Line To Said Point Bears S33°39'13"W; Thence S30°09'08"W For A Distance Of 104.12 Feet To A Point Of Curvature; Thence 397.34 Feet Along The Arc Of A Curve To The Left, Said Curve Having A Radius Of 575.00 Feet And A Central Angle Of 39°35'34" To A Point Of Intersection With A Compound Curve; Thence 269.36 Feet Along The Arc Of A Curve To The Left, Said Curve Having A Radius Of 1175.00 Feet And A Central Angle Of 13°08'05" To A Point Of Intersection With A Reverse Curve; Thence 203.00 Feet Along The Arc Of A Curve To The Right, Said Curve Having A Radius Of 575.00 Feet And A Central Angle Of 20°13'42" To A Point Of Tangency;

Thence S02°20'50"E Along A Line 527.00 Feet East Of And Parallel To The West Line Of The Southeast Quarter Of Said Section 9 For A Distance Of 1348.47 Feet; Thence S87°26'00"W For A Distance Of 527.00 Feet To A Point On The West Line Of The Southeast Quarter Of Said Section 9; Thence N02°20'50"W Along Said West Line For A Distance Of 2700.43 Feet To The Point Of Beginning.

LEGAL DESCRIPTION FOR PARCEL 42b: A Portion Of The Southeast Quarter Of Section 9, Township 55 South, Range 39, Being More Particularly Described As Follows: Commence At The Center Of Said Section 9; Thence N02°20'50"W, As Basis Of Bearing Along The West Line Of The Southeast Quarter Of Said Section 9 For A Distance Of 5.02 Feet To A Point Of Intersection With A Non-Tangent Curve, A Radial Line To Said Point Bears S17°52'53"E; Thence 109.89 Feet Along The Arc Of A Curve To The Left, Said Curve Having A Radius Of 1326.26 Feet And A Central Angle Of 04°44'51" To A Point of Intersection With A Reverse Curve; Thence 37.86 Feet Along The Arc Of A Curve To The Right, Said Curve Having A Radius Of 25.00 Feet And A Central Angle Of 86°45'47" To A Point Of Intersection With A Reverse CURVE; Thence 647.38 Feet Along The Arc Of A Curve To The Left, Said Curve Having A Radius Of 1210.00 Feet And A Central Angle Of 30°39'16" To The Point Of Beginning Of The Following Described Parcel Of Land And Also Being The Point Of Intersection With A Non- Tangent Line, A Radial Line To Said Point Bears S33°28'47"W; Thence N30°09'08"E For A Distance Of 60.10 Feet To A Point Of Intersection With A Non-Tangent Curve, A Radial Line To Said Point Bears S33°39'11"W; Thence 73.34 Feet Along The Arc Of A Curve To The Left, Said Curve Having A Radius Of 1210.00 Feet And A Central Angle Of 03°39'14" To A Point Of Tangency; Thence S60°00'00"E For A Distance Of 127.20 Feet To A Point Of Curvature; Thence 413.06 Feet Along The Arc Of A Curve To The Right, Said Curve Having A Radius Of 1150.00 Feet And A Central Angle Of 20°34'47" To A Point Of Intersection With A Non-Tangent Line, A Radial Line To Said Point Bears N50°34'47"E; Thence S02°20'50"E Along A Line 1040.00 Feet East Of And Parallel To The West Line Of The Southeast Quarter Of Said Section 9 For A Distance Of 671.08 Feet; Thence S87°39'10"W For A Distance Of 513.00 Feet; Thence N02°20'50"W For A Distance Of 130.84 Feet To A Point Of Tangency; Thence 203.00 Feet Along The Arc Of A Curve To The Left, Said Curve Having A Radius Of 575.00 Feet And A Central Angle Of 20°13'42" To A Point Of Intersection With A Reverse Curve; Thence 269.36 Feet Along The Arc Of A Curve To The Right, Said Curve Having A Radius Of 1175.00 Feet And A Central Angle Of 13°08'05" To A Point Of Intersection With A Compound Curve; Thence 397.34 Feet Along The Arc Of A Curve To The Right, Said Curve Having A Radius Of 575.00 Feet And A Central Angle Of 39°35'35" To A Point Of Tangency; Thence N30°09'08"E For A Distance Of 44.02 Feet To The Point Of Beginning.

LEGAL DESCRIPTION FOR PARCEL 42c: A Portion Of The Southeast Quarter Of Section 9, Township 55 South, Range 39, Being More Particularly Described As Follows: Commence At The Center Of Said Section 9; Thence S02°02'50"E, As A Basis Of Bearing Along The West Line Of The Se Quarter Of Said Section 9, For A Distance Of 2700.43 Feet To The Southwest Corner Of The Southeast Quarter of said Section 9; Thence N87°26'00"E Along The South Line Of The Se Quarter Of Said Section 9 For A Distance Of 527.00 Feet; Thence N02°20'50"W Along A Line 527.00 Feet East Of And Parallel To The West Line Of The Southeast Quarter Of Said Section 9 For A Distance Of 423.97 Feet To The Point Of Beginning Of The Following Described Parcel Of Land: Thence Continue N02°20'50"W For A Distance Of 793.67 Feet; Thence N87°39'10"E For A Distance Of 513.00 Feet; Thence S02°20'50"E Along A Line 1040.00 Feet East Of And Parallel To The West Line Of The Southeast Quarter Of Said Section 9 For A Distance Of 793.67 Feet;

Thence S87°39'10"W For A Distance Of 513.00 Feet To The Point Of Beginning.
Legal Description For Parcel 42d: A Portion Of The Southeast Quarter Of Section 9, Township 55 South, Range 39 East, Being More Particularly Described As Follows: Commence At The Center Of Said Section 9; Thence S02°02'50"E As A Basis Of Bearing Along The West Line Of The Southeast Quarter Of Said Section 9, For A Distance Of 2700.43 Feet To The Southwest Corner Of The Southeast Quarter Of Said Section 9; Thence N87°26'00"E Along The South Line Of The Southeast Quarter Of Said Section 9 For A Distance Of 527.00 Feet To The Point Of Beginning Of The Following Described Parcel Of Land; Thence N02°20'50"W Along A Line 527.00 Feet East Of And Parallel To The West Line Of The Southeast Quarter Of Said Section 9 For A Distance Of 423.97 Feet; Thence N87°39'10"E For A Distance Of 513.00 Feet; Thence S02°20'50"E Along A Line 1040.00 Feet East Of And Parallel To The West Line Of The Southeast Quarter Of Said Section 9 For A Distance Of 422.00 Feet; Thence S87°26'00"W For A Distance Of 513.00 Feet To The Point Of Beginning."

The purpose of requests #2 through #4 is to allow the applicant to amend the existing Covenant Governing Land Development for the Development of Regional impact on the property to reduce the industrial park acreage and simultaneously to increase the number of residential units from 8,303 units to 8,701 units for the total community and to include a 40,000 sq. ft. general business site.

REQUESTS #5 - #10 ON PARCEL "A"

5. DISTRICT BOUNDARY CHANGE from IU-C to RU-1M(a).
6. NON-USE VARIANCE of zoning regulations requiring a half-section line right-of-way to be 70 feet in width; to waive same to permit 0' (35' feet required) of dedication on the east side of theoretical SW 152nd Avenue.
7. NON-USE VARIANCE to permit certain lots with less than the required 50 feet of frontage at the curvilinear setback line.
8. NON-USE VARIANCE to permit certain lots with lot areas varying from 4750 sq. ft. to 4,959 sq. ft. (5,000 sq. ft. required).
9. NON-USE VARIANCE to permit certain lots with a rear setback of 10' for 50% of the lineal footage of the width of the residence and 20' for the balance of the residence (15' for 50% of the lineal footage of the width of the residence and 25' for the balance of the residence required).
10. NON-USE VARIANCE to permit certain lots with a lot coverage of 47.36% (45% permitted).

REQUESTS #11 - #14 ON PARCEL "B"

11. DISTRICT BOUNDARY CHANGE from IU-C to RU-4L
12. NON-USE VARIANCE requiring a minimum side yard of 15' between the end of a group of townhouses and a public or private street; to waive same.
13. NON-USE VARIANCE requiring 400 square feet of enclosed area for each townhouse unit; to waive same.
14. NON-USE VARIANCE requiring parking spaces to be located within 150' of the townhouse it serves; to waive same.

REQUESTS #15 - #18 ON PARCEL "C"

15. DISTRICT BOUNDARY CHANGE from IU-C to RU-4L
16. NON-USE VARIANCE requiring 400 square feet of enclosed area for each townhouse unit; to waive same.
17. NON-USE VARIANCE to permit townhouses to setback 23' (25' required) from the nearest edge of roadway pavement when parking spaces are located in front of the townhouse building.
18. NON-USE VARIANCE to permit certain model "A" garages to setback 19' (20' required) from the front property line.

REQUESTS #19 - #21 ON PARCEL "D"

19. DISTRICT BOUNDARY CHANGE from IU-C to BU-1A
20. NON-USE VARIANCE requiring a 5' high masonry wall between the common property line where a business lot abuts an RU zoned lot, to waive same along the rear (north) property line.
21. NON-USE VARIANCE requiring a continuous buffer consisting of a 6' high wall, fence or hedge and trees where dissimilar land uses exist on adjacent properties; to waive same along the rear (north) property line.

REQUEST #22 ON PARCELS "A" THROUGH "D"

22. VARIANCE of the Kendall-Tamiami Executive Airport zoning regulations pertaining to the Inner District (ILZ) which prohibits residential uses within the ILZ zone; to permit residential development within the ILZ zone.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Proposed Mixed Use Development Garden Estate East" as prepared by Corwil Architects, consisting of 19 pages and plans entitled "General Estates II" as prepared by Witkin Hults Design Group, consisting of 41 pages, all plans dated stamped received September 11, 2013. Plans may be
modified at public hearing.

LOCATION: Lying between SW 120 Street and Hammocks Boulevard and lying east of theoretical SW 152 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 53.47 +/- acres

Department of Regulatory and Economic Resources Recommendation:

Development of Regional Impact requests: Approval of request #1, with a finding that this application does not result in a substantial deviation and approval with conditions of requests #2 through #4.
Zoning Requests: Approval of requests #5, #11, #15 and #19; approval with conditions of requests #6 through #10, Requests #12 through #14, requests #16 through #18, and #20 through #22.

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 Regulatory and Economic Resources (RER), within 14 days after RER 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. (RER's posting will be made on a bulletin board located in the office of RER.) 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 for challenge or appeal.

Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 11

PH: Z13-053 (13-11-CZ11-1) **December 10, 2013**
Item No. A

Recommendation Summary	
Commission District	11
Applicant	Five Star Jewelers, Inc.
Summary of Requests	The applicant is seeking a Use Variance to allow a pawnbroker use for secondhand jewelry only in a more restrictive zoning district.
Location	16205 SW 88th Street, Miami-Dade County, Florida.
Property Size	7.53 acres
Existing Zoning	BU-1A
Existing Land Use	Retail
2015-2025 CDMP Land Use Designation	Business and Office (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(a), **Use Variance** standards (see attached Zoning Recommendation Addendum)
Recommendation	**Denial without prejudice.**

This item was deferred form the November 7, 2013, meeting of Community Zoning Appeals Board (CZAB) #11, at the applicant's request due to a conflict with prior travel arrangements.

REQUEST:

USE-VARIANCE to permit a pawn broker use in the BU-1A zone, as would be permitted in the BU-3 zone, only upon approval after public hearing.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "New Shopping Center Plaza", as prepared by Octavio A. Santurio A.I.A. dated stamped received 5/22/13 and consisting of 2 sheets and a plan entitled "Five Star Jewelers" as prepared by Roger Perez, dated stamped received 6/25/13, consisting of 1 sheet for a total of 3 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND PROJECT HISTORY:

The site has been the subject of several zoning actions from 1988 to 1993, for district boundary changes, modifications to prior declarations of restrictions and plans, and variances from the zoning regulations. The current application seeks a pawn broker use in the BU-1A zone, as would be permitted in the BU-3 zone, only upon approval after public hearing, for the pawning of jewelry only. The site plan submitted by the applicant depicts an existing 1,204 sq. ft. jewelry store within an 87,939 sq. ft. shopping center.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	BU-1A; shopping center	Business and Office
North	RU-3M; lake	Water
South	BU-1A; restaurants BU-2; vacant land & bodies of water	Business and Office

East	RU-TH; townhouse residences RU-4L; single-family residences BU-1A; restaurant	Low Density Residential, (2.5 to 6 dua) Business and Office
West	BU-1A; shopping center	Business and Office

NEIGHBORHOOD COMPATIBILITY:

The subject property is located within a shopping center located at 16205 SW 88 Street. The area surrounding the subject property is characterized by commercial uses to the west, residential uses to the east, a lake to the north and vacant land to the south.

SUMMARY OF THE IMPACTS:

The approval of this application will provide an additional service for the surrounding community. However, approval of the request to allow a pawnbroker use which is typically located in a zoning district that allows more intensive commercial uses only upon approval after public hearing, could have a negative impact on the surrounding area. Furthermore, approval of the same could result in an increase in the intensity and types of uses that would be allowed in this area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property for ***Business and Office*** use. *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.* As such, the existing jewelry store use and requested pawnbroker use are **consistent** with the CDMP Land Use Element interpretative text for the Business and Office designation.

The CDMP Land Use Element **Objective LU-4** states that *Miami-Dade County shall, by the year 2015, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.* The **Land Use Element Policy LU-4A** of said interpretive text provides that *when evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.* Staff notes that the existing jewelry store is located within a shopping center that consists of various commercial uses such as a grocery store, restaurants, a karate studio, beauty salon, a mail store, and office uses, among other uses. In staff's opinion, the requested pawnbroker use for jewelry only is an accessory use to the existing jewelry store and therefore, would be **consistent** with the Business and Office designation on the CDMP Land Use Plan map and **consistent** with **Objective LU-4** based on the criteria outlined in **Land Use Element Policy LU-4A.**

ZONING ANALYSIS:

The current application seeks approval of a use variance, under Section 33-311(A)(4)(a) to permit a pawnbroker use in the BU-1A zoning district as would be permitted in the BU-3 district only upon approval after public hearing. The letter of intent indicates that the applicant intends

to limit the pawnbroker use solely for jewelry and will not permit the pawning of other merchandise.

The existing jewelry store is located within a shopping center that is within the BU-1A zoning district, surrounded by commercially and residentially zoned properties and provides the residential properties with access to neighborhood services for the residents. However, the proposed pawnbroker use is only permitted in the BU-3 zoning district upon approval after public hearing. Staff notes that the applicant is requesting this use variance in order to establish a pawnbroker, which is not permitted in the existing BU-1A zoning district. Although the BU-3 district provides for a host of uses that are significantly more intense than those allowed in the BU-1A district, such as gun shops; secondhand stores for the disposal of furniture, fixtures and tools; locksmith shops, sharpening and grinding shops; garage and mechanical services; commercial chicken hatcheries; and pawnbrokers; the applicant has indicated that the pawn broker use would be limited to the pawning of secondhand jewelry only in conjunction with the existing jewelry store.

When the subject request, to permit a pawnbroker use in the BU-1A zone, as would be permitted in the BU-3 zone only upon approval after public hearing, is analyzed under Section 33-311(A)(4)(a), Use Variance Standards, staff opines that the request is not consistent with the general purpose and intent of the zoning regulations. Section 33-311(A)(4)(a) provides that a **use variance** permits a use of land other than that which is prescribed by the zoning regulations. The standard stipulates that *the Board shall hear and grant applications for use variances from the terms of the zoning regulations as will not be contrary to the public interest where, owing to special conditions,* ***a literal enforcement of the provisions thereof will result in unnecessary hardship****, and so the spirit of the regulations shall be observed and substantial justice done; and further provided that the use variance will be in harmony with the general purpose and intent of the regulations.* To prove an unnecessary hardship the applicant must demonstrate that without the requested use variance, the applicant, under the existing zoning, has lost all reasonable use of the property.

Based on the information provided by the applicant, staff opines that the applicant has not demonstrated any special conditions related to the subject site where the literal enforcement of applicable zoning district provisions would result in an unnecessary hardship. As previously discussed, the subject property is currently in use and operating as a jewelry store; as such, provides the applicant with economic use and benefit. Furthermore, Section 33-247 of the Code provides over forty-five (45) uses permitted in the BU-1A zoning district, which allow for the reasonable use and benefit of the subject property. Staff is of the opinion that the approval of the use variance request will not be in harmony with the general purpose and intent of the regulation, and that the applicant has not demonstrated a loss of all reasonable use of the property under the existing zoning. **As such, staff recommends denial without prejudice of the request for the proposed pawnbroker use under the Use Variance Section 33-311(A)(4)(a).**

CIRCULATION AND PARKING:

The subject property has ingress and egress points along SW 88 Street and SW 162 Avenue.

ENVIRONMENTAL REVIEW: Not applicable.

OTHER: Not applicable.

RECOMMENDATION: **Denial without prejudice.**

CONDITIONS FOR APPROVAL: **None.**

ES:MW:NN:CH:JC

Eric Silva, AICP, Assistant Director
Development Services Division
Miami-Dade County
Department of Regulatory and Economic Resources

ZONING RECOMMENDATION ADDENDUM

Five Star Jewelers, Inc.
Z13-053

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Regulatory and Economic Resources (Environmental Division)	No objection
Platting and Traffic Review Section (RER)	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection
*Subject to conditions in their memorandum.	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

Business and Office (Pg. I-41)	*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.*
Land Use Objective 4 (Pg. I-11)	*Miami-Dade County shall, by the year 2015, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.*
Policy LU-4A (Page I-11)	*When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311(A)(4)(a) Use Variances From Other Than Airport Regulations.	*The Board shall hear and grant applications for **use variances** from the terms of the zoning regulations as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in **unnecessary hardship**, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum use variance that will permit the reasonable use of the premises. A "use variance" is a variance which permits a use of land other than which is prescribed by the zoning regulations and shall include a change in permitted density.*

A. FIVE STAR JEWELERS, INC.
(Applicant)

13-11-CZ11-1 (13-053)
Area 11/District 11
Hearing Date: 12/10/13

Property Owner (if different from applicant) **Kendall Park Plaza, LTD.**

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
1988	City National Bank of Miami, Trustee	- Zone change from GU to RU-3M, BU-1A. - Unusual Use for Lake Excavation. - Non-Use Variance of Lot Area.	BCC	Approved with condition(s)
1990	City National Bank, Trustee	- Modification of plan of Resolution.	ZAB	Approved with condition(s)
1992	City National Bank, Trustee	- Modification of Condition of Resolution.	ZAB	Denied without prejudice
1992	City National Bank	- Modification of Declaration of Resolution.	BCC	Approved
1993	City National Bank, Trustee	- Modification of Condition of Resolution.	BCC	Appeal Approved, Application Approved
1993	City National Bank	- Zone change from GU to RU-3M. - Modification of Declaration of Resolution.	BCC	Approved with condition(s)

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
COMMUNITY ZONING APPEALS BOARD - AREA 11
MOTION SLIP

#1

APPLICANT'S NAME: **FIVE STAR JEWELERS, INC.**

REPRESENTATIVE: Applicant

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
13-11-CZ11-1 (13-053)	November 7, 2013	CZAB11		13

REC: Denial without prejudice.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):_____

■ DEFER: ☐ INDEFINITELY ■ TO: **December 10, 2013** ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

☐ APPROVE: ☐ PER REQUEST ☐ PER DEPARTMENT ☐ PER D.I.C.
☐ WITH CONDITIONS

■ OTHER: At applicant's request due to the applicant's attorney being out of town during the hearing.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILWOMAN	**M**	Carolina BLANCO	**X**		
COUNCILMAN		Socrates De Jesus	**X**		
VICE CHAIR		Miguel DIAZ			**X**
COUNCILMAN	**S**	Jay REICHBAUM	**X**		
COUNCILWOMAN		Beatriz SUAREZ			**X**
CHAIR WOMAN		Patricia DAVIS	**X**		
		VOTE:	**4**	**0**	

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **THOMAS ROBERTSON**

Memorandum

MIAMI-DADE COUNTY

Date: August 13, 2013

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

Subject: C-11 #Z2013000053-1st Revision
Five Star Jewelers, Inc.
16205 SW 88th Street, Miami, Fl
Use Variance to Permit a Pawnbroker
(BU-1A) (7.53 Acres)
32-54-39

The subject application has been reviewed by the Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

Wellfield Protection
The subject property is located within the West Wellfield interim protection area. The Board of County Commissioners approved a wellfield protection ordinance for this wellfield. This ordinance provides for stringent wellfield protection measures that restrict development, and regulate land uses within the wellfield protection area.

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 currently connected to public water. Water services are provided by Miami-Dade Water and Sewer Department. Therefore, connection of the proposed development to the public water supply system shall be required in accordance with the Code requirements.

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 for this proposed development order.

Wastewater Disposal
The subject property is currently connected to public sanitary sewer. Sewer services are provided by Miami-Dade Water and Sewer Department. All sewer lines serving the property shall comply with the exfiltration standards as applied to development within wellfield protection areas.

Currently, the corresponding downstream sanitary pump station 30-0648 is operating under Conditional Moratorium; downstream pump stations 30-0536 and the South District Wastewater Treatment Plant are operating in compliance within the requirements set forth in the First Partial Consent Decree, Case No.93-1109 CIV-Moreno, between the Environmental Protection Agency and Miami Dade County. Based on the letter of intent, to include resale, consign and pawning as an expansion of services in the existing jewelry store, will not result in an increase in the amount of wastewater flow generated at this location and can be considered as a no net increase during the sewer capacity certification process.

Stormwater Management
The proposed change will not affect the existing stormwater management system.

Wetlands
The subject property is located within the Bird Drive Wetlands Basin, in an area that normally contains wetlands. However, this property has already been included as part of a larger project, under Class IV Wetlands Permit FW87-110. All Class IV Wetland Permit requirements for this property have been completed under the previously issued permit. Therefore, this Section has no objection to the scheduling of this zoning 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.

Tree Preservation
The proposal stated on the letter of intent will not impact tree resources. Therefore, the Tree Permitting Program has no objection to this zoning application. Be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

Enforcement History
There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property.

Concurrency Review Summary
A concurrency review has been conducted 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 written approval as required by Chapter 24 of 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.

cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum

MIAMI-DADE COUNTY

Date: July 15, 2013

To: Eric Silva, Assistant Director
Department of Regulatory and Economic Resources

From: Raul A. Pino, PLS, Chief
Platting and Traffic Review Section
Department of Regulatory and Economic Resources

Subject: Z2013000053
Name: Five Star Jewelers, Inc.
Location: 16205 SW 88 Street
Section 32 Township 54 South Range 39 East

The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has no objections.

This land complies with Chapter 28 of the Miami-Dade County Code and was approved under Waiver of Plat D-20208.

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

Memorandum

MIAMI-DADE COUNTY

Date: July 1, 2013

To: Eric Silva, Assistant Director
Regulatory and Economic Resources Department

From: Christopher Rose
Assistant Director, Administration
Public Works and Waste Management Department

Subject: #13_053
Five Star Jewelers, Inc

The Public Works and Waste Management Department (PWWM) has no objections to the proposed application.

The application requests a use variance to permit the pawning of second hand jewelry in connection to an existing jewelry store. The jewelry store on the property will likely be considered a commercial unit per Chapter 15 of the County Code. As the PWWM does not actively compete for commercial waste collection service at this time, waste collection services may be provided by a private waste hauler. The application will have no impact or any associated costs.

The PWWM 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. The PWWM is in compliance with this standard, meaning that there is adequate disposal capacity to meet projected growth in demand, inclusive of the application reviewed here, which is not anticipated to have a negative impact on disposal service.

If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal Management and Planning Division at 305-514-6661.

Memorandum

MIAMI-DADE COUNTY

Date: July 31, 2013

To: Jack Osterholt, Deputy Mayor
Director, Regulatory and Economic Resources Department

From: Maria I. Nardi, Chief
Planning and Research Division
Parks, Recreation and Open Spaces Department

Subject: Z2013000053: FIVE STAR JEWELERS, INC.
Revised plans dated stamped received through 5-22-2013

Application Name: FIVE STAR JEWELERS, INC.

Project Location: The site is located at 16205 SW 88 STREET, Miami-Dade County.

Proposed Development: The applicant is seeking approval for a use variance to permit a pawn shop.

Impact and demand: The request of this application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

Recommendation: PROS has no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review. Therefore, based on our findings described herein **PROS HAS NO OBJECTION TO THIS APPLICATION**.

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb
Cc: John M. Bowers, Parks Property Management Supervisor

REVISION 1

Memorandum

Date: 26-JUN-13

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2013000053

Fire Prevention Unit:

No objection.

Service Impact/Demand

Development for the above Z2013000053
located at 16205 SW 88 STREET, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1777 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: 5:33 minutes

Existing services

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

Station 56 - West Sunset - 16250 SW 72 Street
Rescue, ALS Engine Haz Mat Support

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: 11-OCT-13

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

FIVE STAR JEWELERS, INC.	16205 SW 88 STREET, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2013000053

HEARING NUMBER

HISTORY:

NC: THERE ARE NO CURRENT OPENED OR CLOSED NEIGHBORHOOD COMPLIANCE CASES.
BLDG: THERE ARE NO CURRENT OPENED OR CLOSED BUILDING SUPPORT CASES

FIVE STAR JEWELERS, INC

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: **Five Star Jewelers, Inc.**

NAME AND ADDRESS	Percentage of Stock
Jorge L. Carvajal	100%
13804 SW 152 Street	
Miami, Florida 33177	

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
23053	
BY: AH	

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: **Kendall Park Plaza, Ltd.** F/K/A Century On Time, LLC

NAME AND ADDRESS	Percentage of Ownership
On-Time Construction Corp	2 %
- Agustin Herran 100 %	
General Real Estate Corporation	49 %
- Agustin Herran 100 %	
GREC, LLC	49 %
- Agustin Herran 90 %	
- Agustin & Rosie Herran Childrens Irrevocable Trust FBO Victoria Herran 5 %	
- Victoria Herran 100 %	
- Agustin & Rosie Herran Childrens Irrevocable Trust FBO Isabella Herran 5 %	
- Isabella Herran 100 %	

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: _____ (Applicant)

Sworn to and subscribed before me this 24th day of April, 2013 Affiant is personally known to me or has produced _____ as identification.

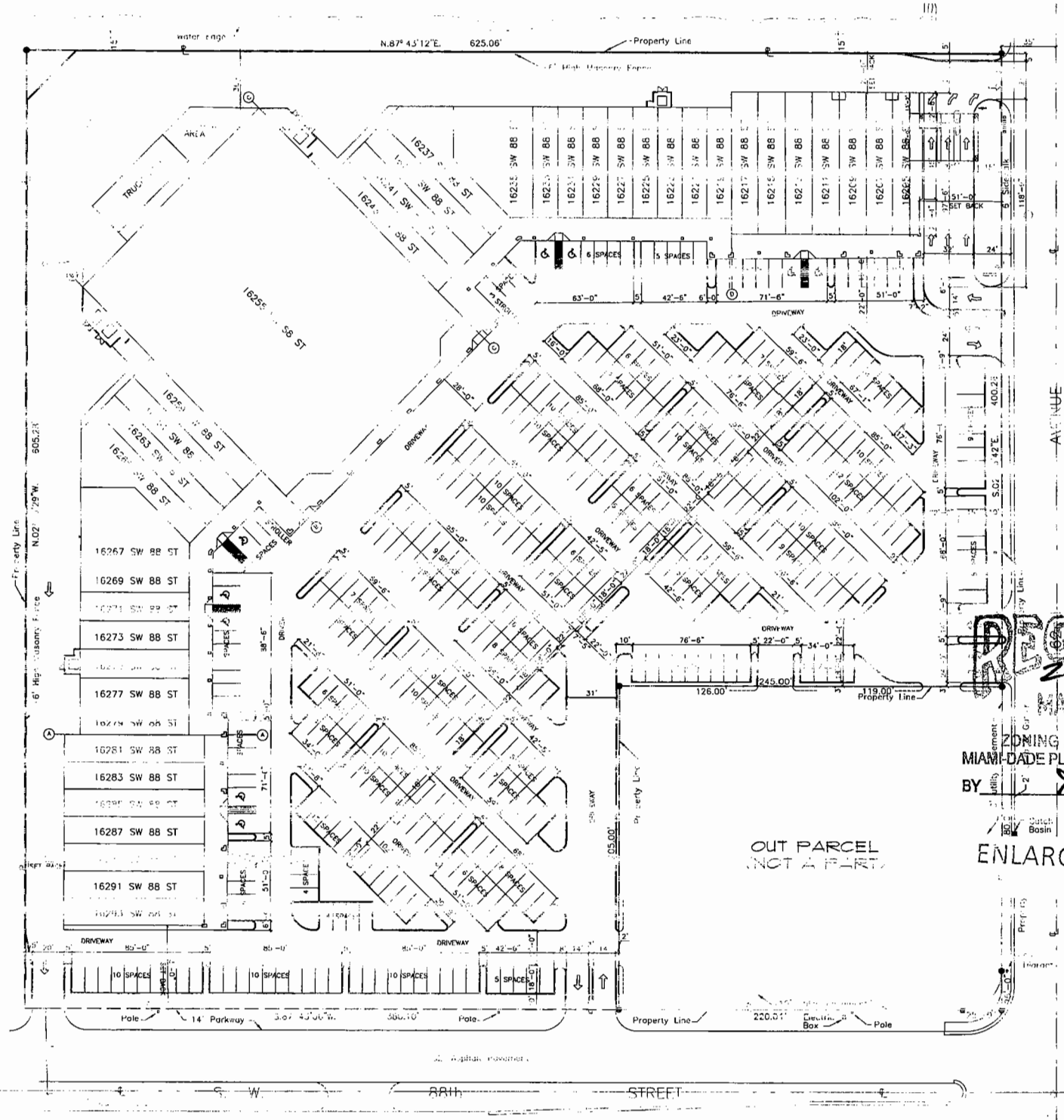
_____ (Notary Public)

CLARA I. MIRABAL
MY COMMISSION # EE 164571
EXPIRES: February 12, 2016
Bonded Thru Notary Public Underwriters

My commission expires _____

*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.

RECEIVED
13-053
PLANNING & ZONING DEPT.
BY AH



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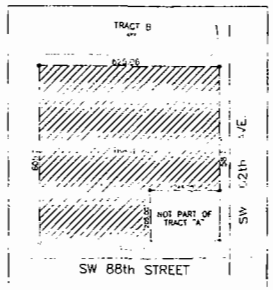
Z13-053
MAY 22 2013
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

ENLARGED SITE PLAN

Z13-053

18



LOCATION SKETCH NTS.

LEGAL DESCRIPTION

TRACT "A" LESS THE EAST 245.00 FEET OF THE SOUTH 205.00 FEET OF WEST KENDALL BEST ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK [illegible]

ZONING LEGEND

ZONING:	BU-1A (Business-Limited District)
GROSS LAND AREA:	[illegible] sq.ft. or [illegible] acres
OUTPARCEL AREA: (NOT A PART)	205'x245' = 50225 sq.ft. or 1.15 acres
NET LAND AREA:	[illegible] sq.ft. or [illegible] acres
BUILDING AREA:	89253 sq.ft. = Ground Floor

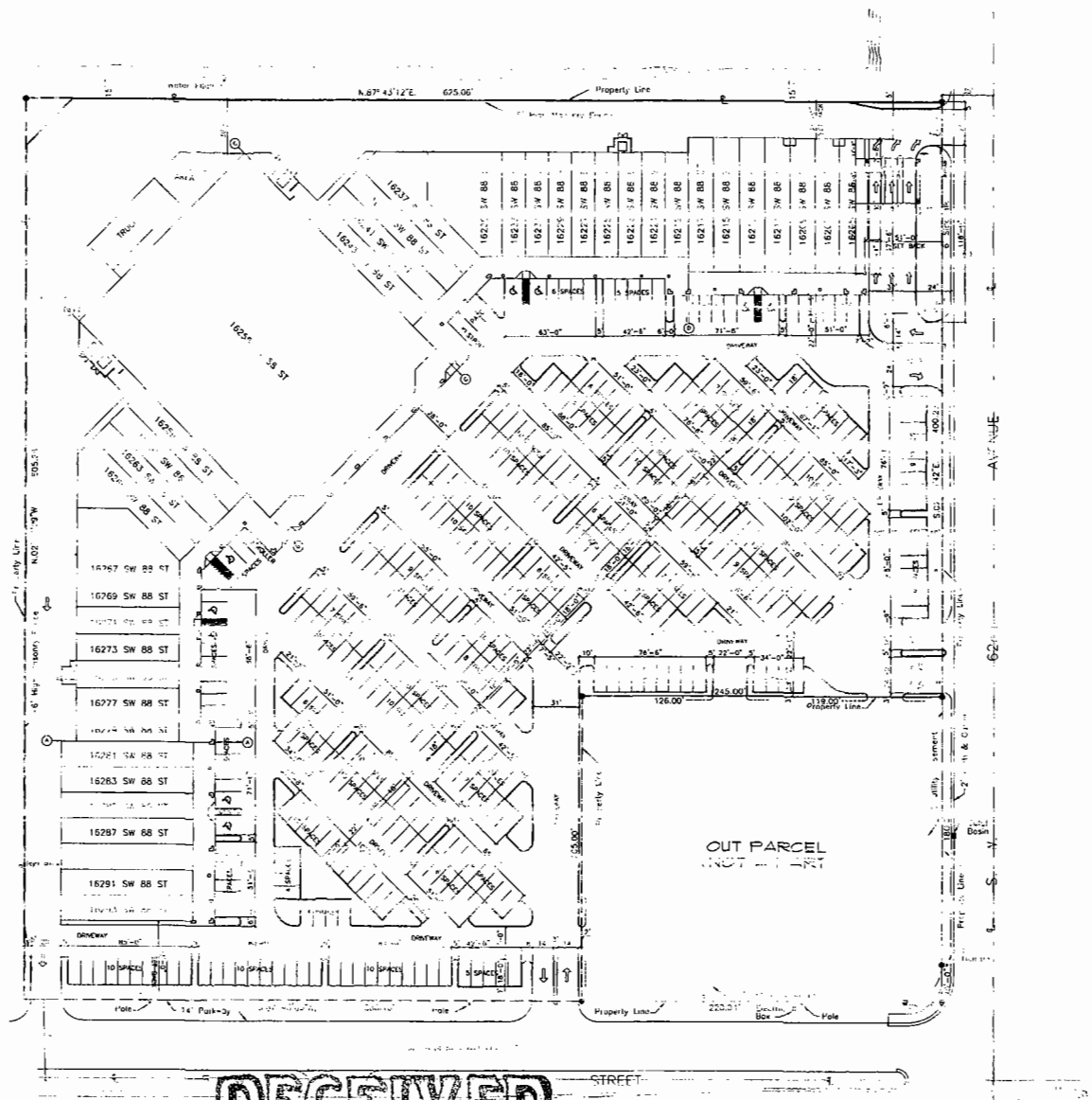
Rent Roll - Occupancy Summary
As of Date: 04/19/2013 Show Excluded Units: No Show All Amounts:

Property: Kendal Park Plaza, Ltd. - Kendall

Unit	Lease Name	Area	Monthly Base Rent Per Lease	Parking Ratio	Required Parking
16209	JPMorgan Chase Lease		4,556	1/250	18.2
16211	Maria Roldan and Gen (Beauty Salon)		1,508	1/250	6.03
16215	Black Belt for Life		3,016	1/100	30.16
16217	Vacant		1,585	1/250	6.34
16219	Subway Real Estate C		1,109	1/50 @50%	11.09
16221	AME Insurance & Fina		1,103	1/300	3.67
16223	H&R Block Eastern En		1,103	1/300	3.67
16225	Dominican Beauty Salon		1,103	1/250	4.41
16227	Accessory Express, I		1,103	1/250	4.41
16229	Peking One, Inc.		1,103	1/50@50%	11.03
16231	Hometown Medical Equ		1,103	1/250	4.41
16233	South Dental Clinic,		1,104	1/300	3.68
16235	Future Leaders Academy		2,800	1/250	11.20
16237	Future Leaders Academy		4,698	1/250	18.79
16239 16283	Dance Elite Dance St		2,358	1/100	23.58
16241	Worldmarshopping.co (Home Décor)		825	1/250	3.30
16243	Nuevo Mundo Company		815	1/250	3.26
16255	Sedano's Supermarket		30,700	1/250	122.80
16259	Family Dollar Stores		7,469	1/250	29.87
16267	Black Coral Gallery (Adult Day Care)		2,284	1/500	4.56
16269	A. James Segal, MD		1,221	1/300	4.07
16271	Five Star Jewelers		1,221	1/250	4.88
16273	Shoes from 5, Inc.		1,221	1/250	4.88
16275	Servientrega Kendall		1,221	1/250	4.88
16279	Cakeworld Bakery		2,450	1/250	9.80
16281	Alex Liquors, Inc.		1,586	1/250	6.34
16285	Steve's Pizza West,		3,016	1/50@50%	30.16
16293	Mattress Finn, Inc.		4,558	1/250	18.23
Summary			87,039		408

EXISTING PARKING AS PER SURVEY 430
REQUIRED PARKING AS PER CODE 408

#21860315 v2



SITE PLAN

RECEIVED
213-053
MAY 22 2013
ZONING HEARINGS SECTION
MIAMI DADE PLANNING AND ZONING DEPT
BY AV

OCTAVIO A. SANTURIO, I.A.
ARCHITECT
6282 bird road, suite 3E south miami, florida 33155
tel. (305) 667-8844, 305-8869 fax 681-[illegible]
FL AR. 0002670

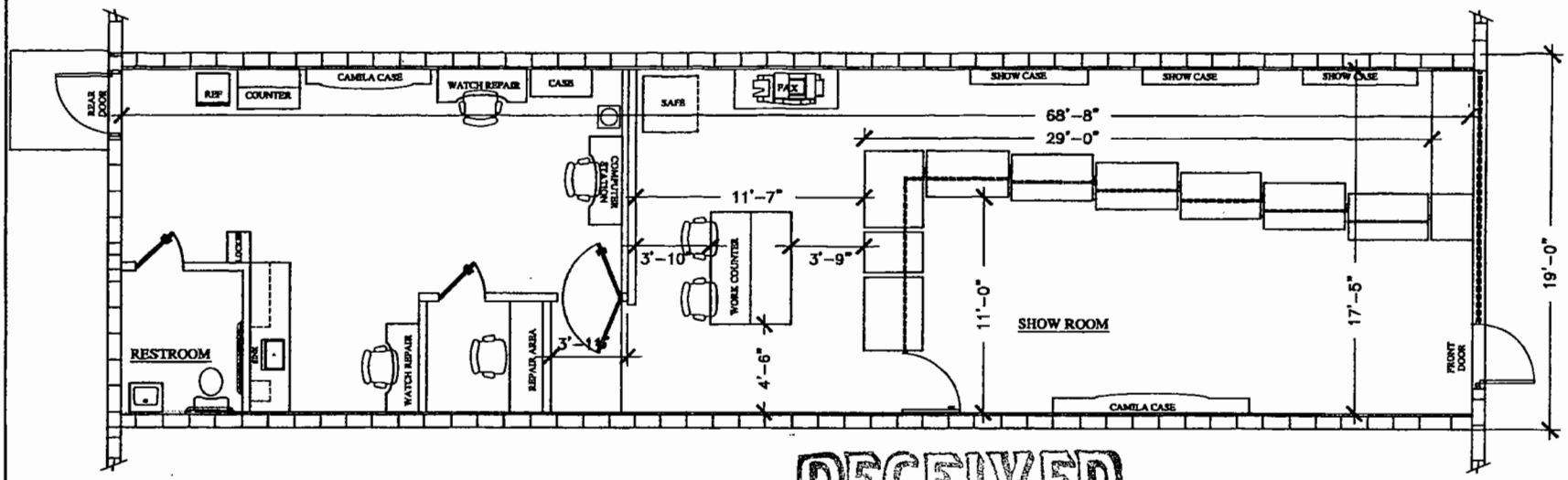
OWNER: [illegible] JUSTIN HERRAN
3727 [illegible] SUITE 102
MIAMI, FL 33[illegible] PH. (305) [illegible]-7600

NEW SHOPPING PLAZA
SW 62nd AVE AND
SW 88th STREET
MIAMI, FL 33197

DRAWN BHC
CHECKED DAS
SCALE AS SHOWN
JOB NO. 5303
SP-1
1 OF 1 SHEETS

RECEIVED
Z13-053
JUNE 25 2013

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH



EXISTING SPACE PLAN
SCALE: 3/16"=1'-0"

RECEIVED
Z13-053
JUN 25 2013

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

NOTE: ALL INFORMATION ON DRAWING WAS FIELD VERIFIED.

FIVE STAR JEWELERS

16271 N. KENDALL DR , MIAMI FL.

EXISTING JEWELRY SHOP

FLOOR PLAN

DATE: 06-17-13 PREPARED BY: ROGER PEREZ

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: 213-053
DATE: MAY 22 2013
BY: SDB

20.

Landscaping Legend
Chapter 18A-Ordinance 90-222

ZONE DISTRICT BU-1A

Gross Land _____(acre) Net Land 7.63 (acre) Water Bodies _____(acre)

	REQ.	PROV.
Landscape Open Space (if applicable)	18 %	18 %
Greenbelt (if applicable)	_____ feet	_____ feet
Lawn Area (As defined in Ordinance)	20 % soded	20 %
Trees Trees per Net Lot Area (Note: 30 % of required trees and/ or palms shall be native species. No more than 20% of the native tree requirement shall be Sabal Palmetto (cabbage palm)	165	174
Street Trees (Trees in the right of way (*) or in private property)*will require Public Works approval or Special Taxing District.	20	20
TOTAL NUMBER OF TREES	188	194
Shrubs (7 shrubs for each tree required) *30 % shrubs/hedges shall be native species. *Irrigation system required pursuant to Chapter 33 Dade County Code	1,316	2,160

Business (BU) and Industrial (iu) zones

A). Open space required per Section 33 of Zoning Code
net lot area (sq. ft.) = 33,2691 x 18 % = 59,872 sq. ft.

B). Parking lot landscaping required per Chapter 18A-6 (J)
number of parking spaces = 470 x 10 sq.ft. = 4,700 sq.ft.

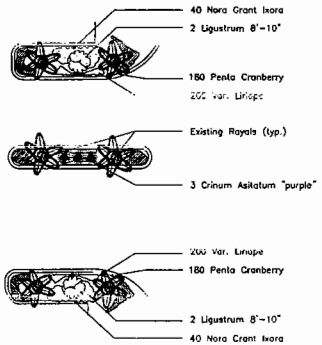
C) Add A + B = 64,572 sq. ft. (total lawn area required)

D). Maximum lawn area (sod) permitted 20 % of A + B = 64,582 sq. ft.
64,572 x .20 = 12,914 sq. ft.

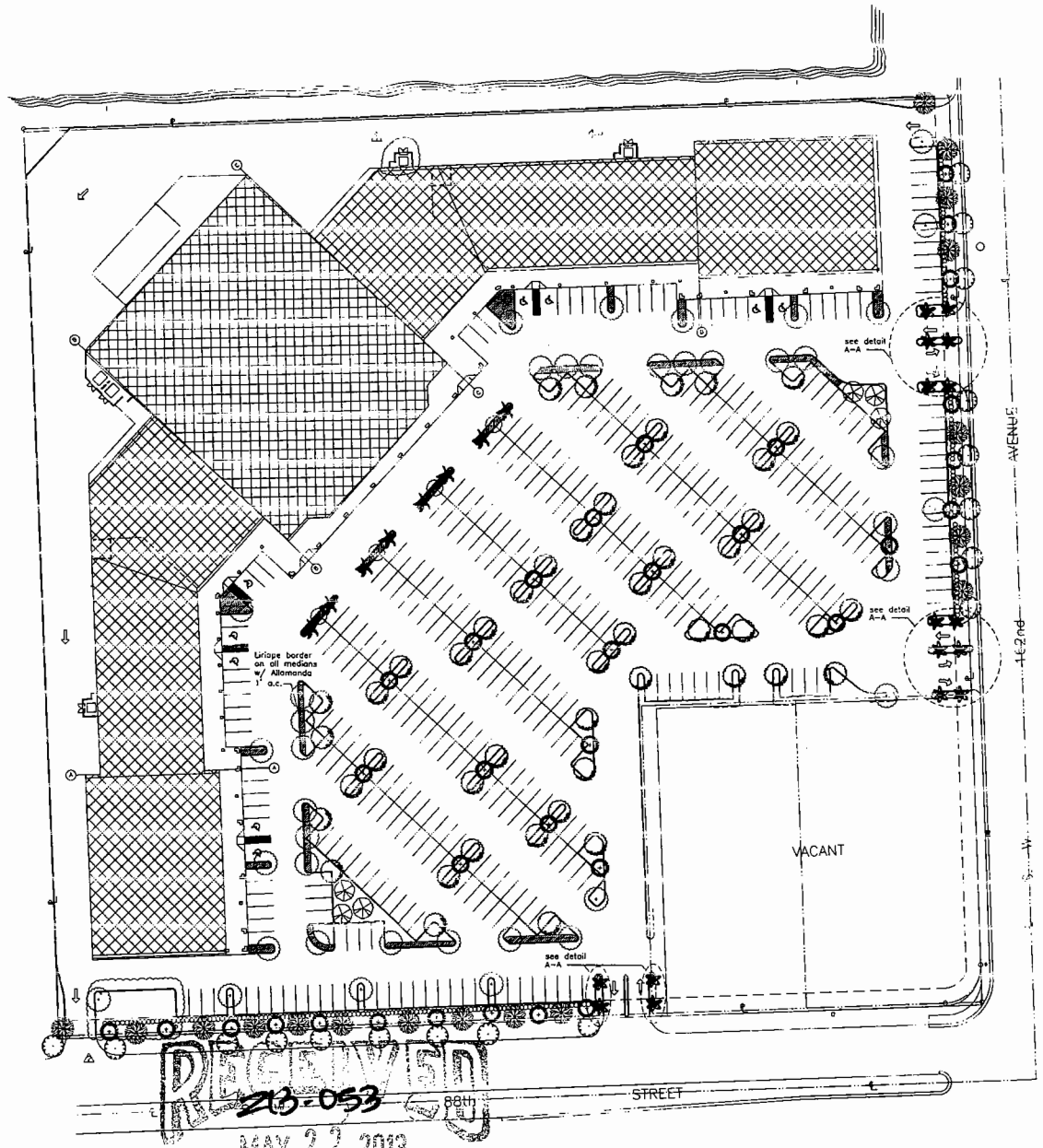
E). Maximum lawn area provided = 12,916 sq. ft. soded

Symbol	New	Qty.	Tree Name Scientific	Common	Native Species Yes/No	Size
	yes	8	Roystonia Elata	Florida Royal Palm	Yes	24'
	yes	16	Roystonia Elata	Florida Royal Palm	Yes	14 -16'
	yes	40	Tabebuia Pallida		No	10'-12'
	yes	48	Swietenia Mahogani	Mahogany	Yes	10'-12'
	yes	19	Quercus Virginiana	Live Oak	Yes	10'-12'
	yes	18	Conocarpus Erectus	Green Buttonwood	Yes	10'-12'
	yes	35	Callistemon Viminalis	Weeping Bottlebrush	No	10'
	yes	4	Cassia Surrantiensis	Glaucous Cassia	No	10'
	yes	6	Tabebuia Argentia		Yes	10'-12'
	yes	240	Chrysobalanus Icaco		Yes	24"x24"
	yes	640	Allamanda Schotti		———	24"x24"
	—		hedge 2.5' o.c.		—	
	—	40,000 s.f.	Floratam "St. Augustin"		—	
	—	60 yds.	Cypress mulch 2" thick		—	
	yes	1280	Liriope "Evergreen Giant"		No	12"x12"

Note:
1. All material Florida Grade A
2. All landscaped area 3" min. mulch
3. 100% irrigation provided



DETAIL A-A



RECEIVED
13-053
MAY 22 2013
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

1" = 30'

213-053

AH

No.	Revisions	Date
1		12-21-99
2		3-12-00

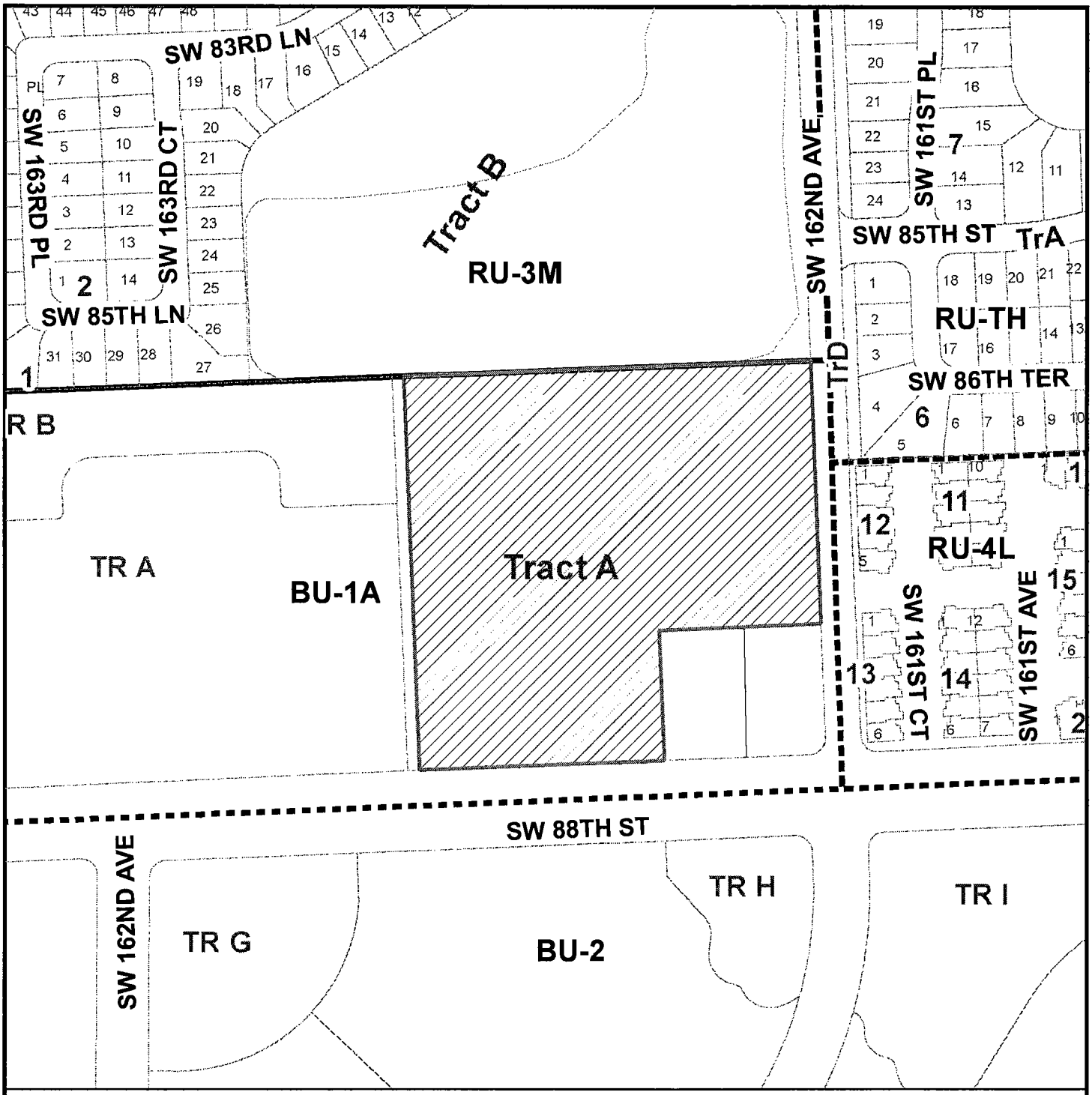
OCTAVIO A. SANTURIO A.I.A.
A R C H I T E C T
6262 bird road,suite 3E south miami, florida 33155
tel. 305) 665-9644/665-8866 fax(305)-665-7413
FL. lic. 0007679

OWNER: c/o AGUSTIN HERFAN
13727 S.W. 152 ST. SUITE 102
MIAMI, FL. 33177-1106, Ph. (305) 234-7600

NEW SHOPPING PLAZA
SW 162nd AVE. AND
S.W. 88th STREET
MIAMI, FL. 33193

DRAWN	B.H.C.
CHECKED	O.A.S.
DATE	04-14-97
SCALE	1"=30'
JOB NO.	9703
SHEET	SP-2

1 OF SHEETS



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2013000053

Section: 32 Township: 54 Range: 39
Applicant: FIVE STAR JEWELERS, INC.
Zoning Board: C11
Commission District: 11
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, June 18, 2013

REVISION	DATE	BY
		21

MIAMI-DADE COUNTY

AERIAL YEAR 2012

Process Number

Z2013000053

Legend

- MDC STL Index Poly
- Subject Property
- Zoning

N W E S

Section: 32 **Township:** 54 **Range:** 39
Applicant: FIVE STAR JEWELERS, INC.
Zoning Board: C11
Commission District: 11
Drafter ID: JEFFER GURDIAN
Scale: NTS

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, June 18, 2013

REVISION	DATE	BY

MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2013000053

RADIUS: 2640

Section: 32 Township: 54 Range: 39
Applicant: FIVE STAR JEWELERS, INC.
Zoning Board: C11
Commission District: 11
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

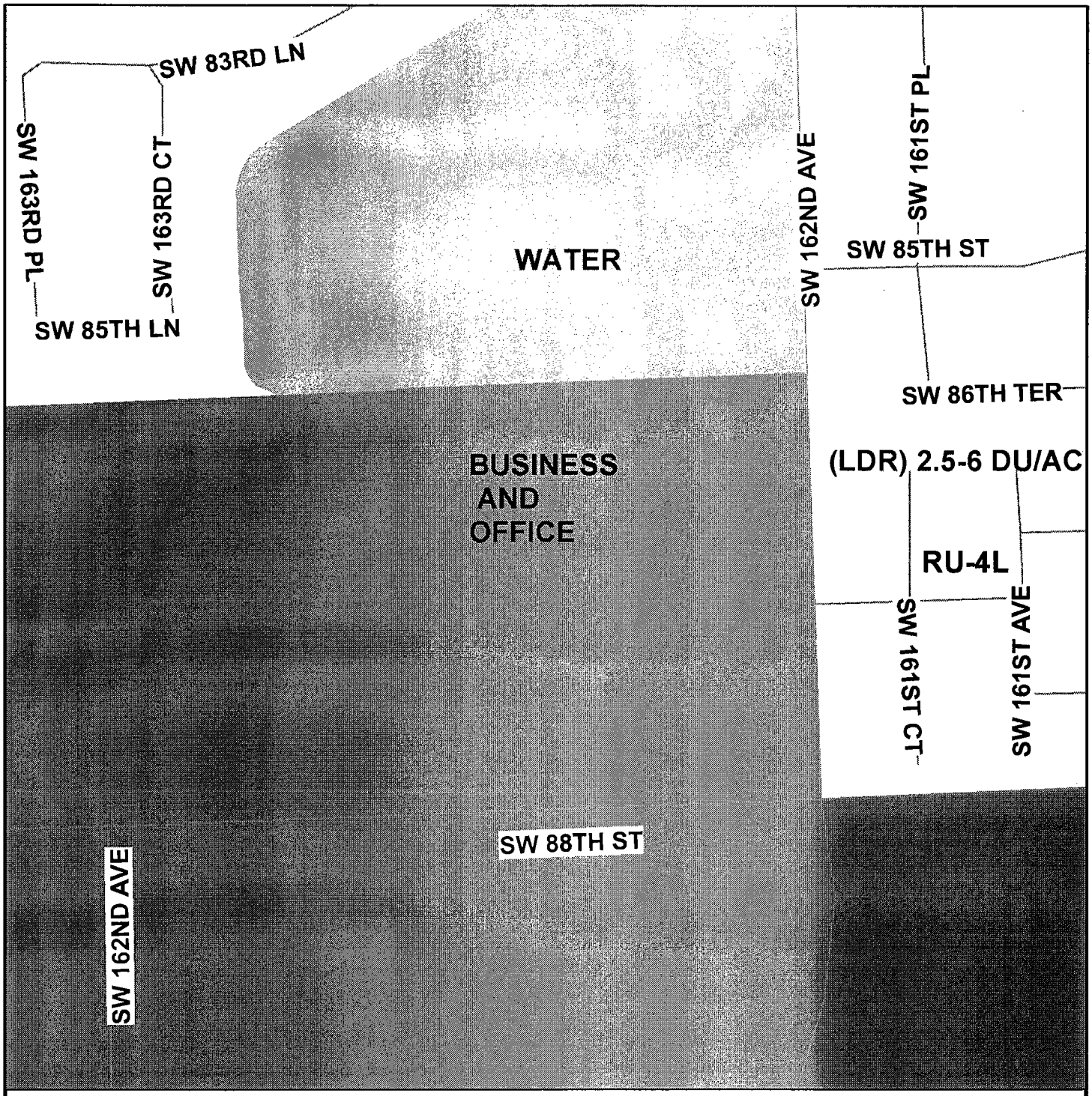
Subject Property

Buffer

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, June 18, 2013

REVISION	DATE	BY
		23



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2013000053

Section: 32 Township: 54 Range: 39
Applicant: FIVE STAR JEWELERS, INC.
Zoning Board: C11
Commission District: 11
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

Subject Property Case

Zoning

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, June 18, 2013

REVISION	DATE	BY

Memorandum

MIAMI-DADE COUNTY

Date: November 6, 2013

To: The Board of County Commissioners

From: Developmental Impact Committee
Executive Council

Subject: Developmental Impact Committee Recommendation

APPLICANT: Lucky Start at the Hammocks, LLC. (Z12-096)

SUMMARY OF REQUESTS:

The applicant is requesting to amend The Hammocks Development of Regional Impact DRI program as it pertains to the subject property and to rezone portions of the property from IU-C to RU-1M(a), BU-1A, RU-4L and RU-3M. A development plan has been submitted which depicts a vacant commercial parcel and a residential development consisting of detached single-family residences and attached townhouses. Accompanying non-use variance requests for lot frontage and area, setback, landscape, and waiving of right-of-way dedication are also being requested. A Substantial Deviation Determination pursuant to Section 380.06(19) of the Florida Statutes is also requested.

LOCATION: Lying between SW 120 St. and Hammocks Blvd. and lying east of SW 152 Avenue, Miami-Dade County, Florida.

COMMENTS:

This application went before the Developmental Impact Committee because the number of units exceeds 250 and the application is modifying a Development of Regional Impact (DRI). 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 on November 6, 2013 and the attached Department memoranda were reviewed and considered by said Committee.

DIC RECOMMENDATION:

Approval with conditions, as set forth in the Department of Regulatory and Economic Resources' 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, 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 approval of this application will be **consistent** with the CDMP and **compatible** with the surrounding area.

APPLICATION NO. Z12-96
LUCKY START AT THE HAMMOCKS, LLC

Respectfully Submited,

DIC Executive Council
November 06, 2013

Giovannie Ulloa, Fire Chief
Miami-Dade Fire Rescue Department — AYE

Eric Silva, AICP
Sustainability, Planning and Economic Enhancement Department — AYE

Antonio Cotarelo, Assistant Director
Public Works Department — AYE

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

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

David Henderson, Bicycle/Pedestrian Specialist
Metropolitan Planning Organization — AYE

John Bowers, Parks Property Management Supervisor
Parks, Recreation and Open Spaces — AYE

APPLICATION NO. Z12-96
LUCKY START AT THE HAMMOCKS, LLC

November 06, 2013

Monica Cejas, Senior Professional Engineer
Miami-Dade Transit

Mónica D. Cejas

AYE

Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to the Development Impact Committee

PH: Z12-096 **DIC Date: November 6, 2013**

Recommendation Summary	
Commission District	11
Applicant	Lucky Start at the Hammocks, LLC.
Summary of Requests	The applicant is seeking to modify a previously approved Development Order (DO) as it applies to the subject property only, to allow a change of land use on the westerly approximately 53.47-acres of a larger tract of land. This will allow the applicant to increase the number of dwelling units and business/retail uses and concurrently, to reduce the potential for industrial uses approved under the DO. Pursuant to Section 380.06(19)(e)5, Florida Statutes, said changes constitute a substantial deviation from the DO which may be overcome by clear and convincing evidence to the contrary. Concurrent with a CDMP amendment of the Land Use designation of the subject property from Industrial and Office to Business and Office and Low-Medium Density Residential use, the applicant also seeks to subdivide the tract into four (4) separate parcels and to rezone the said parcels from the current IU-C zoning district to BU-1A, RU-1M(a) and RU-4L. Additionally, the applicant also seeks variances pertaining to lot frontages, setbacks, the Landscape requirements and the Kendall-Tamiami Executive Airport zoning district requirements pertaining to the Inner District (ILZ).
Location	Lying between SW 120 St. and Hammocks Blvd. and lying east of SW 152 Ave., Miami-Dade County, Florida.
Property Size	53.47+/- acres
Existing Zoning	IU-C, Conditional Industrial District
Existing Land Use	Vacant
2015-2025 CDMP Land Use Designation	**Current**: Industrial and Office **Requested in CDMP Amendment Application:** Business and Office, Low-Medium Density Residential, 6 -13,dua. *(see attached Zoning Recommendation Addendum)*
Comprehensive Plan Consistency	Consistent with the requested land use categories on the LUP map and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-303.1(D)(7) Developmental Impact Committee, Section 33-311(A)(4)(b) Non-Use Variance From Other Than Airport Regulations, Section 33-311(A)(7) Generalized Modification Standards Section 33-311, District Boundary Change, *(see attached Zoning Recommendation Addendum)*
Recommendation	**Development of Regional Impact requests: Approval of request #1, with a finding that this application does not result in a substantial deviation and approval with conditions of requests #2 through #4.** **Zoning Requests: Approval of requests #5, #11, #15 and #19; approval with conditions of requests #6 through #10, requests #12 through #14, requests #16 through #18, #20 through #22.**

DEVELOPMENT OF REGIONAL IMPACT REQUESTS:

1. A SUBSTANTIAL DEVIATION DETERMINATION pursuant to Section 380.06(19), Florida Statutes, with respect to the below requests.

2. MODIFICATION of paragraphs #6, and #18 of a Covenant Governing Land Development, recorded in Official Records Book 8625, Pages 336 – 370, as last modified by a covenant proviso contained in Resolution #Z-226-89, reading as follows:

From: "6. DISTRIBUTION OF UNITS

ZONE	ACRES	% OF TOTAL GROSS AREA	TOTAL UNITS	% OF TOTAL UNITS
RU-1	39.4	3.6%	229	2.8%
RU-3M	267.2	24.4%	2,925	35.2%
RU-4L	69.6	6.3%	1,545	18.6%
RU-4M	117.5	10.7%	3,356	40.42%
RU-4A	10.4	1.0%	248	3.0%
	504.1	46.0%	8,303	100.0%

To: "6. DISTRIBUTION OF UNITS

ZONE	ACRES	% OF TOTAL GROSS AREA	TOTAL UNITS	% OF TOTAL UNITS
RU-1	39.4	3.6%	229	2.6%
RU-1M(a)	30.3	2.8%	137	1.6%
RU-3M	267.2	24.4%	2,925	33.6%
RU-4L	90.7	8.3%	1,806	20.8%
RU-4M	117.5	10.7%	3,356	38.6%
RU-4A	10.4	1.0%	248	2.8%
	555.5	50.8%	8,701	100.0%

From: "18. CONTROLLED DENSITIES

In order that requirements for access and services may not exceed the projected regional capabilities, the maximum number of Permanent Residential dwelling units to be built has been established as indicated on "THE HAMMOCKS" parcel plan as prepared by Carr Smith and Associates, dated May 11, 1973, revised August 6, 1973, and January 30, 1974 (Exhibit C).
A ceiling on the number of permissible Permanent Residential dwellings has been fixed at 8,303 units for the total community, each neighborhood to be kept to a reasonable percentage of the whole."

To: "18. CONTROLLED DENSITIES

In order that requirements for access and services may not exceed the projected regional capabilities, the maximum number of Permanent Residential dwelling units to be built has been established as indicated on "The Hammocks Master Plan," plan The Curtis Group and dated revised September 2013. A ceiling on the number of permissible Residential dwellings has been fixed at 8,701 units for the total community, each neighborhood to be kept to a reasonable percentage of the whole."

3. MODIFICATION of Paragraphs #15 & #23 of a Covenant Governing Land Development, recorded in Official Records Book 8625, Pages 336 – 370, reading as follows:

From: "15. INDUSTRIAL PARK

A 111.87 gross acre parcel of land on the extreme southern edge of the property, already zoned for industrial use, will be held for a light industrial park. (see Exhibit C)"

This piece of land is just north of the new Tamiami Airport, which was a factor in the decision to keep it industrial. It forms a buffer between the residential areas of the Hammocks and the airport.

A buffer will also be created between the industrial park and the residential areas by the placement of land use in each residential district, as well as providing a special landscaped zone in the industrial area.

Another advantage of the industrial use of this piece of land is its direct frontage on the main arterial alignments at SW 147th Avenue and SW 120th Street."

To: "15. INDUSTRIAL PARK

A 49.46 net acre parcel of land (pursuant to the folio information provided by the Miami-Dade County Property Appraiser for folio no. 30-5909-014-0010) on the extreme southern edge of the property, already zoned for industrial use, will be held for a light industrial park. (see "The Hammocks Master Plan," as prepared by The Curtis Group and dated revised September 2013)

A buffer will also be created between the industrial park and the residential areas by the placement of land use in each residential district, as well as providing a special landscaped zone in the industrial area.

Another advantage of the industrial use of this piece of land is its direct frontage on the main arterial alignments at SW 147th Avenue and SW 120th Street."

From: "23. NEIGHBORHOOD CONVENIENCE CENTERS

Neighborhood convenience centers may be provided in the detailed site use plan for each of the three villages, substantially in accordance with the "Illustrative Land Use Plan" hereinabove described and as may be approved under applicable county procedures."

To: "23. NEIGHBORHOOD CONVENIENCE CENTERS

Neighborhood convenience centers may be provided in the detailed site use plan for each of the three villages, substantially in accordance with the "Illustrative Land Use Plan" hereinabove described and as may be approved under applicable County procedures. . In addition, Parcel 42d may be developed with up to 40,000 square feet of general business use in accordance with "The Hammocks Master Plan," as prepared by The Curtis Group and dated revised September 2013, and may be amended in accordance with applicable County procedures."

4. MODIFICATION of a legal description for Parcel 42 as provided in Exhibit "B" of a Covenant Governing Land Development, recorded in Official Records Book 8625, Pages 336 – 370, reading as follows:

From: "PARCEL 42

Begin at the S.E. corner of Section 9, Township 55 South, Range 39 East, Dade County, Florida; thence run S 87°26'25.5" W along the South line of said Section 9 for 2760. 70 feet to the S.W. corner of the S.E. ¼ of said Section 9; thence run N 02°21'42" W along the West line of the S.E. ¼ of said Section 9 to the N.W. corner of the S.E. ¼ of said Section 9; thence run S 87°34'31" W along the South line of the N.W. ¼ of said Section 9 for 353.58 feet to the Point of Curvature of a circular curve concave to the Northwest, having a radius of 1283.26 feet; thence run Northeasterly along the arc of said curve through a central angle of 20°17'05" for 454.32 feet to a Point of Tangency; thence run N 67°17'26" E for 83.13 feet to a point on a circular, concave to the Northeast, having a radius of 1150.00 feet, said point bearing S 67°17'26" W from the center of said curve; thence run Southeasterly along the arc of said curve through a central angle of 37°17'26" for 748.47 feet to a Point of Tangency; thence run S 60°00'00" E for 127.20 feet to a Point of Curvature of a circular curve, concave to the Southwest, having a radius of 1150.00 feet; thence run Southeasterly along the arc of said curve, through a central angle of 22°14'00" for 446.25 feet to a Point of Tangency; thence run S 37°46'00" E for 120.06 feet to a Point of Curvature of a circular curve, concave to the Northeast and having a radius of 1150.00 feet; thence run Easterly along the arc of said curve, through a central angle of 66°30'00" for 1334.74 feet to a Point of Tangency; thence run N 75°44'00" E for 111.51 feet to a Point of Curvature of a circular curve concave to the South and having a radius of 1150.00 feet; thence run Easterly along the arc of said curve, through a central angle of 11°59'03" for 240.54 feet to a Point of Tangency; thence run N 87°43'03" E for 109.40 feet to a point on the East line of said Section 9; thence run S 02°16'57" E along the East line of said Section 9 for 1344.61 feet to the Point of Beginning.

To: "PARCEL 42

Begin at the S.E. corner of Section 9, Township 55 South, Range 39 East, thence run S 87°26'25.5" W along the South line of said Section 9 for 2760. 70 feet to the S.W. corner of the S.E. ¼ of said Section 9; thence run N 02°21'42" W along the West line of the S.E. ¼ of said Section 9 to the N.W. corner of the S.E. ¼ of said Section 9; thence run S 87°34'31" W along the South line of the N.W. ¼ of said Section 9 for 353.58 feet to the Point of Curvature of a circular curve concave to the Northwest, having a radius of 1283.26 feet; thence run Northeasterly along the arc of said curve through a central angle of 20°17'05" for 454.32 feet to a Point of Tangency; thence run N 67°17'26" E for 83.13 feet to a point on a circular, concave to the Northeast, having a radius of 1150.00 feet, said point bearing S 67°17'26" W from the center of said curve; thence run Southeasterly along the arc of said curve through a central angle of 37°17'26" for 748.47 feet to a Point of Tangency; thence run S 60°00'00" E for 127.20 feet to a Point of Curvature of a circular curve, concave to the Southwest, having a radius of 1150.00 feet; thence run Southeasterly along the arc of said curve, through a central angle of 22°14'00" for 446.25 feet to a Point of Tangency; thence run S 37°46'00" E for 120.06 feet to a Point of Curvature of a circular curve, concave to the Northeast and having a radius of 1150.00 feet; thence run Easterly along the arc of said curve, through a central angle of 66°30'00" for 1334.74 feet to a Point of Tangency; thence run N 75°44'00" E for 111.51 feet to a Point of Curvature of a circular curve concave to the South and having a radius of 1150.00 feet; thence run Easterly along the arc of said curve, through a central angle of 11°59'03" for 240.54 feet to a Point of Tangency; thence run N 87°43'03" E for 109.40 feet to a point on the East line of said Section 9; thence run S 02°16'57" E along the East line of said Section 9 for 1344.61 feet to the Point of Beginning.

LESS: A Portion Of Tract "A" Of "Amerifirst Park" Plat Book 127, Page 65, Being More Particularly Described As Follows: Begin At The Southwest Corner Of Said Tract "A"; Thence N02°20'50"W, As Basis Of Bearing Along The West Line Of The Southeast ¼ Of Said Section 9, For A Distance Of 2660.44 Feet To The Center Of Said Section 9; Thence S87°34'58"W For A Distance Of 18.65 Feet To A Point Of Intersection With A Non-Tangent Curve, A Radial Line To Said Point Bears S17°02'49"E; Thence 129.21 Feet Along The Arc Of A Curve To The Left, Said Curve Having Radius Of 1326.26 Feet And A Central Angle Of 05°34'55" To A Point Of Intersection With A Reverse Curve; Thence 37.86 Feet Along The Arc Of A Curve To The Right, Said Curve Having A Radius Of 25.00 Feet And A Central Angle Of 86°45'47" To A Point Of Intersection With A Reverse Curve; Thence 720.86 Feet Along The Arc Of A Curve To The Left, Said Curve Having A Radius Of 1210.00 Feet And A Central Angle Of 34°08'03" To A Point Of Tangency; Thence S60°00'00"E For A Distance Of 127.20 Feet To A Point Of Curvature; Thence 422.97 Feet Along The Arc Of A Curve To The Right, Said Curve Having A Radius Of 1090.00 Feet And A Central Angle Of 22°14'00" To A Point Of Tangency; Thence S37°46'00"E For A Distance Of 50.50 Feet To A Point Of Intersection With A Line 1040.00 Feet East Of And Parallel To The West Line Of The Southeast ¼ Of Said Section 9; Thence S02°20'50"E Along Said Line For A Distance Of 1744.04 Feet To A Point Of Intersection With A Line 40.00 Feet North Of And Parallel To The South Line Of The Southeast ¼ Of Said

Section 9; Thence S87°26'00"W Along Said Line For A Distance Of 1040.01 Feet To The Point Of Beginning.

LEGAL DESCRIPTION FOR PARCEL 42a: A Portion Of Section 9, Township 55 South, Range 39 East, Being More Particularly Described As Follows: Begin At Center Of Said Section 9; Thence S87°34'58"W For A Distance Of 18.65 Feet; Thence N17°02'49"W For A Distance Of 43.00 Feet To A Point Of Intersection With A Non-Tangent Curve, A Radial Line To Said Point Bears S17°02'49"E; Thence 125.02 Feet Along The Arc Of A Curve To The Left, Said Curve Having A Radius Of 1283.26 Feet And A Central Angle Of 05°34'55" To A Point Of Tangency; Thence N67°22'16"E For A Distance Of 83.03 Feet To A Point Of Intersection With A Non-Tangent Curve, A Radial Line To Said Point Bears S67°17'05"W; Thence 675.02 Feet Along The Arc Of A Curve To The Left, Said Curve Having A Radius Of 1150.00 Feet And A Central Angle Of 33°37'52" To A Point Of Intersection With A Non-Tangent Line, A Radial Line To Said Point Bears S33°39'13"W; Thence S30°09'08"W For A Distance Of 104.12 Feet To A Point Of Curvature; Thence 397.34 Feet Along The Arc Of A Curve To The Left, Said Curve Having A Radius Of 575.00 Feet And A Central Angle Of 39°35'34" To A Point Of Intersection With A Compound Curve; Thence 269.36 Feet Along The Arc Of A Curve To The Left, Said Curve Having A Radius Of 1175.00 Feet And A Central Angle Of 13°08'05" To A Point Of Intersection With A Reverse Curve; Thence 203.00 Feet Along The Arc Of A Curve To The Right, Said Curve Having A Radius Of 575.00 Feet And A Central Angle Of 20°13'42" To A Point Of Tangency; Thence S02°20'50"E Along A Line 527.00 Feet East Of And Parallel To The West Line Of The Southeast Quarter Of Said Section 9 For A Distance Of 1348.47 Feet; Thence S87°26'00"W For A Distance Of 527.00 Feet To A Point On The West Line Of The Southeast Quarter Of Said Section 9; Thence N02°20'50"W Along Said West Line For A Distance Of 2700.43 Feet To The Point Of Beginning.

LEGAL DESCRIPTION FOR PARCEL 42b: A Portion Of The Southeast Quarter Of Section 9, Township 55 South, Range 39, Being More Particularly Described As Follows: Commence At The Center Of Said Section 9; Thence N02°20'50"W, As Basis Of Bearing Along The West Line Of The Southeast Quarter Of Said Section 9 For A Distance Of 5.02 Feet To A Point Of Intersection With A Non-Tangent Curve, A Radial Line To Said Point Bears S17°52'53"E; Thence 109.89 Feet Along The Arc Of A Curve To The Left, Said Curve Having A Radius Of 1326.26 Feet And A Central Angle Of 04°44'51" To A Point of Intersection With A Reverse Curve; Thence 37.86 Feet Along The Arc Of A Curve To The Right, Said Curve Having A Radius Of 25.00 Feet And A Central Angle Of 86°45'47" To A Point Of Intersection With A Reverse CURVE; Thence 647.38 Feet Along The Arc Of A Curve To The Left, Said Curve Having A Radius Of 1210.00 Feet And A Central Angle Of 30°39'16" To The Point Of Beginning Of The Following Described Parcel Of Land And Also Being The Point Of Intersection With A Non- Tangent Line, A Radial Line To Said Point Bears S33°28'47"W; Thence N30°09'08"E For A Distance Of 60.10 Feet To A Point Of Intersection With A Non-Tangent Curve, A Radial Line To Said Point Bears S33°39'11"W; Thence 73.34 Feet Along The Arc Of A Curve To The Left, Said Curve Having A Radius Of 1210.00

Feet And A Central Angle Of 03°39'14" To A Point Of Tangency; Thence S60°00'00"E For A Distance Of 127.20 Feet To A Point Of Curvature; Thence 413.06 Feet Along The Arc Of A Curve To The Right, Said Curve Having A Radius Of 1150.00 Feet And A Central Angle Of 20°34'47" To A Point Of Intersection With A Non-Tangent Line, A Radial Line To Said Point Bears N50°34'47"E; Thence S02°20'50"E Along A Line 1040.00 Feet East Of And Parallel To The West Line Of The Southeast Quarter Of Said Section 9 For A Distance Of 671.08 Feet; Thence S87°39'10"W For A Distance Of 513.00 Feet; Thence N02°20'50"W For A Distance Of 130.84 Feet To A Point Of Tangency; Thence 203.00 Feet Along The Arc Of A Curve To The Left, Said Curve Having A Radius Of 575.00 Feet And A Central Angle Of 20°13'42" To A Point Of Intersection With A Reverse Curve; Thence 269.36 Feet Along The Arc Of A Curve To The Right, Said Curve Having A Radius Of 1175.00 Feet And A Central Angle Of 13°08'05" To A Point Of Intersection With A Compound Curve; Thence 397.34 Feet Along The Arc Of A Curve To The Right, Said Curve Having A Radius Of 575.00 Feet And A Central Angle Of 39°35'35" To A Point Of Tangency; Thence N30°09'08"E For A Distance Of 44.02 Feet To The Point Of Beginning.

LEGAL DESCRIPTION FOR PARCEL 42c: A Portion Of The Southeast Quarter Of Section 9, Township 55 South, Range 39, Being More Particularly Described As Follows: Commence At The Center Of Said Section 9; Thence S02°02'50"E, As A Basis Of Bearing Along The West Line Of The Se Quarter Of Said Section 9, For A Distance Of 2700.43 Feet To The Southwest Corner Of The Southeast Quarter of said Section 9; Thence N87°26'00"E Along The South Line Of The Se Quarter Of Said Section 9 For A Distance Of 527.00 Feet; Thence N02°20'50"W Along A Line 527.00 Feet East Of And Parallel To The West Line Of The Southeast Quarter Of Said Section 9 For A Distance Of 423.97 Feet To The Point Of Beginning Of The Following Described Parcel Of Land: Thence Continue N02°20'50"W For A Distance Of 793.67 Feet; Thence N87°39'10"E For A Distance Of 513.00 Feet; Thence S02°20'50"E Along A Line 1040.00 Feet East Of And Parallel To The West Line Of The Southeast Quarter Of Said Section 9 For A Distance Of 793.67 Feet; Thence S87°39'10"W For A Distance Of 513.00 Feet To The Point Of Beginning.

Legal Description For Parcel 42d: A Portion Of The Southeast Quarter Of Section 9, Township 55 South, Range 39 East, Being More Particularly Described As Follows: Commence At The Center Of Said Section 9; Thence S02°02'50"E As A Basis Of Bearing Along The West Line Of The Southeast Quarter Of Said Section 9, For A Distance Of 2700.43 Feet To The Southwest Corner Of The Southeast Quarter Of Said Section 9; Thence N87°26'00"E Along The South Line Of The Southeast Quarter Of Said Section 9 For A Distance Of 527.00 Feet To The Point Of Beginning Of The Following Described Parcel Of Land; Thence N02°20'50"W Along A Line 527.00 Feet East Of And Parallel To The West Line Of The Southeast Quarter Of Said Section 9 For A Distance Of 423.97 Feet; Thence N87°39'10"E For A Distance Of 513.00 Feet; Thence S02°20'50"E Along A Line 1040.00 Feet East Of And Parallel To The West Line Of The Southeast Quarter Of Said Section 9 For A Distance Of 422.00 Feet; Thence S87°26'00"W For A Distance Of 513.00 Feet To The Point Of Beginning."

The purpose of the requests #2 through #4 is to allow the applicant to amend the existing Covenant Governing Land Development for the Development of Regional Impact on the property to reduce the industrial park acreage and simultaneously to increase the number of residential units from 8,303 units to 8,701 units for the total community and to include a 40,000 sq. ft. general business site.

ZONING REQUESTS

REQUESTS #5 THROUGH #10 ON PARCEL A

5. DISTRICT BOUNDARY CHANGE from IU-C to RU-1M(a).

6. NON-USE VARIANCE of zoning regulations requiring a half-section line right-of-way to be 70' feet in width; to waive same to permit 0' (35' required) of dedication on the east side of theoretical SW 152 Avenue.

7. NON-USE VARIANCE to permit certain lots with less than the required 50 feet of frontage at the curvilinear setback line).

8. NON-USE VARIANCE to permit certain lots with lot areas varying from 4,750 sq. ft. to 4,959 sq. ft. (5,000 sq. ft. required.

9. NON-USE VARIANCE to permit certain lots with a rear setback of 10' for 50% of the lineal footage of the width of the residence and 20' for the balance of the residence (15' for 50% of the lineal footage of the width of the residence and 25' for the balance of the residence required).

10. NON-USE VARIANCE to permit certain lots with a lot coverage of 47.36% (45% permitted).

REQUESTS #11 THROUGH #14 ON PARCEL B

11. DISTRICT BOUNDARY CHANGE from IU-C to RU-4L.

12. NON-USE VARIANCE of setback requirements requiring a minimum side yard of 15' between the end of a group of townhouses and a public or private street; to waive same.

13. NON-USE VARIANCE of patio and service private open space area requirements requiring 400 square feet of enclosed area for each townhouse unit; to waive same.

14. NON-USE VARIANCE requiring parking spaces to be located within 150' of the townhouse it serves; to waive same.

REQUESTS #15 THROUGH #18 ON PARCEL C

15. DISTRICT BOUNDARY CHANGE from IU-C to RU-4L.

16. NON-USE VARIANCE requiring 400 square feet of enclosed area for each townhouse unit; to waive same.

17. NON-USE VARIANCE to permit townhouses setback 23' (25' required) from the nearest edge of roadway pavement when parking spaces are located in front of the townhouse building.

18. NON-USE VARIANCE to permit certain model "A" garages to setback 19' (20' required) from the front property line.

REQUESTS #19 THROUGH #21 ON PARCEL D

19. DISTRICT BOUNDARY CHANGE from IU-C to BU-1A.

20. NON-USE VARIANCE requiring a 5' high decorative masonry wall to be placed along the common property line of the business lot when abuts a RU zoned property; to waive same along the rear (north) property line.

21. NON-USE VARIANCE requiring a 5' wide dissimilar land use buffer including a 6' high wall fence or hedge and buffer trees along the rear (north) property line of the subject property.

REQUEST #22 ON PARCELS A, B & C

22. NON-USE VARIANCE of Kendall-Tamiami Executive Airport zoning regulations pertaining to the Inner District (ILZ) which prohibits residential uses within the ILZ zone; to waive same to permit residential development within the ILZ zone.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Proposed Mixed Use Development Garden Estate East" as prepared by Corwil Architects, consisting of 19 pages and plans entitled "General Estates II" as prepared by Witkin J. Hults Design Group, consisting of 41 pages, all plans dated stamped received September 11, 2013. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND PROJECT HISTORY:

Pursuant to Resolution #Z-25-74, and the acceptance of a Covenant Governing Land Development, recorded in Official Records Book 8625, Pages 336 – 370, the subject property was a part of an approximately 1,096-acre tract of land that was approved for a Development of Regional Impact (DRI), the Hammocks. Between 1974 and now, the aforementioned covenant has been amended on more than one occasion to facilitate the development of different parcels within The Hammocks DRI. Among the amendments to the original covenant, was an amendment recorded in Official Records Book 12432, Pages 633 – 636, which permits the owner of a fee simple title to the land affected by such amendment to request an amendment without requiring that the application be filed by the majority of the then property owners of the entire tract.

The subject property is a portion of Parcel 42 of the Hammocks Development of Regional Impact (DRI) which contains approximately 102.93-net acres, based on the Property Appraiser's records and was set aside for future light industrial/office developments. The eastern approximately 49.46-net acres was subsequently developed with an office park under the IU-C zoning district standards. The remaining approximately 53.47 net acres which is the subject of this application has not been developed and has remained vacant. Concurrent with a DRI Notice of Proposed Change (NOPC) application, the applicant is also seeking a Comprehensive

Development Master Plan (CDMP) amendment to re-designate this approximately 53.47 acre parcel from its current Industrial and Office designation to Low-Medium Density and Business and Office on the CDMP Land Use Plan map. Contingent on the Board's approval of the CDMP amendment and the DRI NOPC, the applicant seeks approval of the request to split this parcel into four (4) separate parcels and rezone two (2) of the parcels to RU-4L, to rezone the largest of the four (4) parcels to RU-1M(a), and the smallest of the parcels located to the south, to BU-1(A).

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	IU-C; vacant land	Industrial and Office
North	RU-3M and PAD; townhomes, single-family residences	Low-Medium Density Residential – 13 dua
South	IU-C/GU; Tamiami Airport	Terminals
East	IU-C; office complex	Industrial and Office
West	RU-1; single-family residences RU-1M(b); townhomes RU-1M(a) and RU-3M: townhomes, single-family residences	Low-Density Residential, 2.5 -6 dua Industrial and Office Business and Office

NEIGHBORHOOD COMPATIBILITY:

The subject property is a vacant industrially zoned tract of land that is located at the southeast corner of an area that is developed under the regulations outlined in the previously approved Kendall Hammocks Development of Regional Impact (DRI) was approved in 1974. The subject parcel is surrounded by existing townhouse and single-family residential developments located to the north and west, an industrial office development to the east and the Kendall-Tamiami airport located to the south.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to develop the parcel in accordance with the proposed RU-1M(a), Single-Family Modified Residential District, RU-4L, Limited Apartment House District and BU-1A, Limited Business District regulations. This will allow the applicant to provide additional housing in this area as well as accessibility to more commercial uses within the Kendall Hammocks area. However, since the site is vacant the proposed development of the residential site will create additional traffic impacts on the entire area from both the additional residential uses as well as the increased commercial activity in proximity to existing residences.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The CDMP Land Use Plan (LUP) map designates the approximately 53.47-acre subject property for Industrial and Office uses. *Manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution*

centers, merchandise marts and similar uses are permitted in areas designated as "Industrial and Office" on the LUP map. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. The full range of telecommunications facilities, including switching and transmission facilities, satellite telecommunication facilities, microwave towers, radar stations and cell towers is allowed. The subject property is a part of a larger tract that was also designated for industrial use within the Hammocks Development of Regional Impact (DRI) pursuant to Resolution #Z-25-74.

The purpose of this application is to allow the applicant to modify paragraphs of the Development Order for the Hammocks DRI only as it applies to the subject property and to seek a determination that said modification does not constitute a Substantial Deviation. Approval of the proposed modification of the Covenant Governing Land Development would allow the applicant to modify the distribution of residential units and densities within the Hammocks DRI and allow for an increase in the total number of residential units; decrease the area designated for Industrial and Office use within the Hammocks DRI and increase the business and retail uses. For this purpose, the applicant also concurrently seeks to rezone the 53.47- acres subject property from IU-C, to RU-1M(a), RU-4L and BU-1A. However, since the proposed zone changes would be inconsistent with the current Industrial and Office designation of the property, approval of the requests are contingent on the Board of County Commission's (BCC) approval of a concurrent Comprehensive Development Master Plan (CDMP) application to amend the CDMP LUP map designation. Staff notes that the subject zoning application is being processed concurrently with an application to amend the Land Use Plan map of the Comprehensive Development Master Plan (CDMP) for Miami-Dade County.

The aforementioned CDMP amendment application seeks to change the CDMP LUP map designation of an approximately 49.02- acre portion of the Industrial and Office subject property to Low-Medium Density. The Low-Medium Density Residential category *allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments.* This would allow the applicant to develop the parcel with a maximum of 669 residential units. The plans submitted by the applicant with the zoning application indicate a proposed development of the proposed Low-Medium Density parcels within the Hammocks DRI with 137 single-family residences to be developed under the RU-1M(a) zoning district standards and 261 townhomes to be developed under the RU-4L zoning district standards for a total of 398 residential units. As such, if the BCC approves the applicant's request for the CDMP amendment, and the applicant's request to amend the Hammocks Development Order (DO), approval of the district boundary change from IU-C to RU-1M(a) and RU-4L, would be **consistent** with the maximum density threshold under the CDMP Low-Medium Density designation on the CDMP LUP map.

The applicant also seeks to amend the CDMP LUP map designation of the approximately 4.45-acres of the industrially designated parcel to Business and Office on the CDMP LUP map. *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.* The applicant seeks to rezone this parcel, Parcel D, to BU-1A, Limited Business District. Contingent on the BCC's approval of the CDMP amendment and the approval of the concurrent request to amend the DRI, approval

of this request would be **consistent** with the Business and Office designation of this portion of the parcel on the CDMP LUP map.

Further, staff notes that the CDMP Land Use Element interpretative text for areas designated Industrial and Office on the LUP map states that *if the land is the subject of an application for rezoning, zoning approval or a plan amendment and is located in an MSA with less than a 15-year supply of industrial land, in order to receive approval for a non-industrial use, the applicant must demonstrate that such use will not have a significant adverse impact on future industrial development.* Staff's review of the initial recommendation for concurrent application to amend the CDMP, indicates that the subject property is located in Minor Statistical Area (MSA) 6.2. for which the depletion year for industrially designated and industrially zoned land is the year 2021. As such, staff notes that the subject property falls within the 15 year supply threshold for the depletion of industrial land for MSA 6.2. Said report indicates that the approval of the rezoning of the 53.42-acre parcel would result in the depletion of industrial land approximately 2.5-years earlier than projected thereby changing the depletion year to 2018 instead of 2021. The aforementioned report also indicated that the countywide industrial land supply is projected to be depleted beyond the year 2030. As such, staff opines that the approval of the application would not significantly impact the countywide supply of industrial land.

Staff also notes that the applicant has proffered a zoning covenant that maintains the restrictions on the residential development in relation to the Tamiami-Executive Airport Zoning District. Based on the foregoing analysis, staff opines that subject to the approval of the concurrent application to amend the CDMP Land Use Plan map of the respective parcels from Industrial and Office to Low-Medium Density Residential and Business and Office, staff opines that approval of the requests to modify the Covenant Governing Land Development for the Hammocks Development of Regional Impact (DRI) and to rezone portions of the Industrially designated parcel within the DRI to residential and commercial zoning districts would be **compatible** with the area based on the criteria set forth in the CDMP Land Use Element, **Policy LU-4A**. Therefore, staff opines that approval of the application would be **consistent** with the CDMP Land Use Element interpretative text for residential uses and the density threshold permitted in areas designated for **Business and Office** and **Low-Medium Density Residential** uses on the CDMP Land Use Plan (LUP) map.

DEVELOPMENT OF REGIONAL IMPACT REQUESTS:

The applicant is seeking a substantial deviation determination to a Development of Regional Impact (DRI) pursuant to Section 380.06(19) of the Florida Statutes as it pertains to modifying portions of the Recital of a Covenant Governing Land Development, recorded in Official Records Book 8625, Pages 336 – 370 (request #1). In addition, the applicant seeks ancillary requests to modify Paragraphs #6 & #18 of a Covenant Governing Land Development, recorded in Official Records Book 8625, Pages 336 – 370, as last modified by a covenant proviso contained in Resolution #Z-226-89, (request #2) and , paragraphs #15 & #23 of said Covenant Governing Land Development, recorded in Official Records Book 8625, Pages 336 – 370 (request #3). In addition, the applicant also seeks to modify a legal description for Parcel 42 as provided in Exhibit "B" of the aforementioned Covenant Governing Land Development (request #4).

As previously mentioned, the applicant is also requesting a concurrent CDMP amendment on the subject parcel to change the land use category to Business and Office and Low-Medium Density Residential use from Industrial and Office. In accordance with Section 380.06(19)(e)(4)

of the Florida Statutes, any submittal of a proposed change to a previously approved Development Order (D.O.) shall include a description of individual changes previously made to the development, including changes previously approved by the local government. The local government shall consider the previous and current proposed changes in deciding whether such changes cumulatively constitute a substantial deviation requiring further development–of-regional-impact review.

Staff's analysis of the applicant's request for a substantial deviation determination (request #1), is based on the standards outlined in Miami-Dade County Code, Section 33-303(D)(7), Developmental Impact Committee; and the ancillary requests to modify paragraphs and an exhibit of the Covenant Governing Land Development (requests #2 through #4) is based on the standards outlined in Section 33-311(A)(7), Generalized Modification Standards. The DIC review standards require the County to determine the extent to which the development permitted by the approval of zoning action referred to will efficiently use or unduly burden water, sewer, solid waste disposal, education, recreation or other necessary public facilities or public transportation facilities, including roads, streets and highways, which have been constructed or planned and budgeted for construction in the area, and whether the proposed development will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida.

The Modification standards also require the County to determine if the approval of the requested modifications *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.* Memoranda submitted by the various departments and entities reviewing the application, to include the Water and Sewer Department, Miami-Dade Fire Rescue (MDFRD), Miami-Dade Police Department (MDPD), the Public Works and Waste Management Department and the Division of Environmental Resource Management (DERM) of the Department of Regulatory and Economic Resources (RER), the Parks, Recreation and Public Spaces Department and the Miami-Dade Public Schools indicate that approval of the aforementioned requests will not unduly burden the services or facilities provided. Based on said memoranda, when considering the necessity and reasonableness of the modifications in relation to the present and future development of the area within the Hammocks DRI and the surrounding areas, staff opines that approval of the application would be **compatible** with the area concerned.

The applicant has submitted the required documentation describing the proposed changes to the Hammocks DRI. Documents submitted by the applicant indicate that the proposed change involves a simultaneous increase and decrease of DRI uses. The documentation submitted by the applicant indicates that while the proposed change seeks to increase the residential and general business uses, it also seeks a simultaneous decrease in industrial/office uses as outlined below. The Applicant is proposing to reduce the industrial/office use on Parcel 42 of the Hammocks DRI by +/-53.47 acres (which also eliminates 1,159,600 square feet of industrial and office use approved pursuant to the T-Plat), while increasing the number of dwelling units and general business use on that same +/-53.47 acres. This proposed change reflects a net increase of 398 dwelling units on +/-49.02 acres and 40,000 square feet of general business uses on +/-4.45 acres in exchange for a net decrease of +/-53.47 acres of industrial/office use. This proposed change reflects a reduction in the daily, AM peak hour, and PM peak hour external vehicle trips. Said documents indicate that while the industrial parcel is approved for a total of 9,995 daily trips, the proposed changes to the DRI would generate 3,988 daily trips

which is a 60% reduction in the trip generation. The applicant further indicated that the development would result in 74% and 57% respective reduction in the AM and PM peak hour trips for the development. Based on the above information and other supportive documents provided by the applicant which are attached, the applicant opines that the proposed change is not a substantial deviation in accordance with Subparagraph 380.06(19)(e)2.k., Florida Statutes.

The applicant proposes to increase the number of dwelling units within the Hammocks DRI by 398 units, which is a net increase of 4.8%. This increase is below the 10% criteria outlined in Florida Statute Section 380.06(19)(b)4. Additionally, the applicant proposes an increase of 40,000 square feet Gross Floor Area (GFA). Florida Statute, Section380.06(19)(b)6 identifies an increase in commercial development by 60,000 square feet of gross floor area or of parking spaces provided for customers for 425 cars or a 10 percent increase, whichever is greater as a criteria for determining a substantial deviation. Further, although the applicant proposes a decrease in industrial uses of 51.95%, based on acreage, staff notes that in 2011, the criteria for industrial use was eliminated from Section 380.06(19)b, Florida Statutes.

Based on the documents submitted by the applicant and the memoranda submitted by the Departments reviewing the application, staff opines that the approval of the proposed change to the Hammocks DRI do not constitute a substantial deviation from the DO.

However, staff notes that since the BCC is concurrently reviewing an application for an amendment to the CDMP that would change the land use designation of the subject property from industrial to residential and commercial uses; and that unless said amendment is approved, the proposed change would be inconsistent with the CDMP. **Therefore, on the condition that the BCC approves the concurrent request for a CDMP amendment of the land use designation of the subject parcel, staff recommends approval of request #1, with a finding that this application does not result in a substantial deviation requiring further Development of Regional Impact review and approval with conditions of requests #2 through #4 under Section 33-311(A)(7), Modification Standards.**

ZONING ANALYSIS:

The subject parcel is approximately 56.47-gross acres in size and is located within the Hammocks DRI, between SW 120 St. and Hammocks Blvd. and lying east of SW 152 Ave. The applicant's revised letter of intent and the submitted plans indicate that the subject property will be divided into four (4) parcels, Parcels "A", "B" "C" and "D". Further, the letter indicates that the parcels will be developed as an integrated mixed use development containing commercial and residential uses as outlined below:

When the applicant's requests to rezone approximately 30.29-gross acres (Parcel "A") of the 56.42-gross acre subject parcel from IU-C, Conditional Industrial District to RU-1M(a), Single-Family Modified Residential District (request #5); to rezone approximately 21.15 gross acres of the property (Parcels "B" and "C") from IU-C to RU-4L, Limited Apartment House District (requests #11 and #15); and to rezone approximately 4.98-gross acres (Parcel "D") from IU-C to BU-1A, Limited Business District (request #20), are analyzed under Section 33-311, District Boundary Change, staff opines that the approval of the requests would be **compatible** with the industrial, single-family and townhouse uses in the surrounding area as well as the Tamiami-Airport facility abutting the property to the south. The submitted plans indicate that the proposed BU-1A parcel, Parcel "D" abuts the existing industrial office uses located to the east and the airport facility located to the south. The applicant has submitted plans for the proposed

development of Parcels "A", "B", and "C". Said plans indicate that Parcel "A" will be developed with single-family residences which will abut an existing single-family residential development to the west. Said development will contain 137 single-family residences developed under the RU-1M(a) zoning district regulations.

The letter of intent indicates that the applicant proposes to rezone Parcels "B" and "C" to RU-4L and develop said parcels with townhomes under the RU-4L zoning district regulations with a total of 261 residential units. The main difference between the townhome developments on Parcels "B" and "C" as indicated in the submitted plans is that the residences on Parcel "C" will have garages. The plans indicate that this more intensive RU-4L development will be located to the east of the subject parcel, abutting the industrial office development on the remnant Parcel 42 of the Hammocks DRI and away from the existing single-family residential developments located to the west. As previously mentioned, the plans indicate the location of the proposed BU-1A parcel, Parcel "D", in the southwest corner of the proposed development where it also abuts the industrial office development to the east and the Tamiami Airport located to the south.

As such, staff opines that the proposed integrated residential and commercial development has also been designed so that the uses within the subject site will be mutually compatible and will be compatible with the surrounding residential, industrial and institutional uses. In addition, staff notes that the BU-1A zoning district regulations only allows uses that will serve the surrounding residential zoning districts such as beauty parlors, banks, grocery stores, the applicant has proffered a zoning covenant which will further restrict he types of commercial uses that will be permitted within the proposed BU-1A parcel, Parcel "D". Additionally, the applicant has proffered a restriction that will require the developer of the residential parcel to provide prospective owners or tenants with notice that the residential development lies within a restricted Tamiami Airport zoning district.

Staff opines that approval of the requested zone changes within the proposed mixed use development will not have an unfavorable economic impact on Miami-Dade County and will not unduly burden water, sewer, solid waste disposal, or other necessary public facilities. Staff notes that based on the memorandum from the Public Works and Waste Management (PWWM) Department, the approval of request #1, request #9 and request #12, to respectively rezone portions of the subject property to RU-1M(a), RU-4L and BU-1A, would efficiently use the roads, streets and highways which have been constructed, planned or budgeted for in this area and further, would not result in excessive traffic. The PWWM further state in its memorandum that approval of the aforementioned requests for zone changes to RU-1M(a), RU-4L and BU-1A, would generate a total of 684 PM peak Hour trips based on the Trip generation standards of the Institute of Traffic Engineers (ITE); however, the traffic distribution of these trips will not exceed the acceptable Levels of Service (LOS) on the surrounding roadways. Their memorandum further states that subject to conditions, the application meets the criteria for traffic concurrency for an initial review. Similarly, the memorandum from the Division of Environmental Resources Management (DERM) of the Department of Regulatory and Economic Resources (RER), indicates that a review of the application for compliance with the requirements of Chapter 24 of the Code indicated that the Level of Service standards as specified in the CDMP for potable water supply, wastewater disposal and flood protection are valid for this initial development order. However, DERM indicates in its memorandum that approval of the application is contingent on the meeting to the Tree Permitting requirements as outlined in its memorandum dated September 26, 2013. The Miami-Dade Fire Rescue Department (MDFRD) memorandum stated that the average travel time to the vicinity of the proposed development would be 6:48 minutes. According to its memorandum, this travel time complies with the performance objective

of the national industry. As such, staff opines that approval of the aforementioned requests will not unduly burden the MDFRD resources that exists or that are budgeted or planned for in this area.

Staff notes that the Parks, Recreation and Open Spaces (PROS) Department has indicated in its memorandum that the proposed residential development would generate the need for approximately 2.8 acres of local parks. However, the PROS memorandum indicates that the subject property is located within Park Benefit District 2 (PBD2) which has a surplus of 494.95 acres when measured by the County concurrency level-of-service standard for the unincorporated area of 2.75 acres of local recreation open space for every 1,000 persons. The Miami-Dade Police Department (MDPD) does not object to this application. However, the MDPD indicated in its memorandum that approval of the rezoning and the proposed development will generate the need for one (1) additional officer for the Hammocks District Police Station that serves the area. In addition, the MDPD indicated in its memorandum that as the Hammocks DRI is built out it is likely to create a higher demand on police services. Therefore, the MDPD recommended that the developers should work with police during any future application, design or construction changes to determine the best possible solutions or security options.

Additionally, staff notes that although the proposed zone change to RU-1M(a) and RU-4L on Parcels "A", "B" and "C" will result in residential developments within the ILZ, for reasons that will be addressed later, staff notes that the Miami-Dade Aviation Department (MDAD) does not object to this development, subject to the acceptance of a CDMP covenant proffered by the applicant with the concurrent CDMP application. Said covenant further details the restrictions on the development and the sale of the residential properties based on the location within an Airport Zoning district. In addition, the applicant also proffered restrictions of the types of commercial uses that will be permitted on the proposed BU-1A parcel.

However, staff notes that approval of requests #5, #11 and #15 for zone change to residential zoning districts and request #19 for zone change to a commercial zoning district would be inconsistent with the current Industrial and Office designation of the subject parcel on the CDMP LUP map. Therefore approval of said requests requires the approval of the applicant's concurrent application to the BCC for a CDMP amendment of the CDMP LUP map from Industrial and Office to Low-Medium Density residential on Parcels "A", "B" and "C" and to Business and Office on Parcel "D". As such, pending the approval of the aforementioned CDMP application by the Board, the subject zoning requests for rezoning of the aforementioned parcels would be **consistent** with the CDMP. **Therefore, staff recommends approval of request #5 for a district boundary change to RU-1M(a), requests #11 and #15, district boundary change to RU-4L and request #20, district boundary change to BU-1A under Section 33-311, District Boundary Change.**

Along with the rezoning of the parcels discussed above, the applicant also seeks respective variances to the proposed zoning regulations for the aforementioned parcels. Below an analysis of the requested variances:

PARCEL "A"/THE PROPOSED RU-1M(A) PARCEL

As previously discussed, the applicant seeks to rezone this approximately 30.29-gross acre parcel from IU-C to RU-1M(a) of which staff is supportive. However, contingent on the approval the rezoning to RU-1M(a), the applicant also seeks non-use variances of the RU-1M(a) zoning district regulations in order to develop the approximately 30.29-gross acre parcel with 137 residential units. When these requests, requests #6 through #10 are analyzed under Section 33-311(A)(4)(b), Non-Use variance From Other Than Airport regulations, staff opines that approval would not be out of character with the surrounding area, would be **compatible** with same and moreover, would be **compatible** with the proposed compact residential and commercial development of which it is a part.

Parcel "A" is the largest of the residential parcels in the proposed residential development and it abuts residential developments to the west that were also developed under the RU-1M(a) standards as well as the RU-1M(b), Single-Family Modified Residential District-6,000 sq. ft. net, standards. The approval of request #6, would allow the applicant to waive the 35' dedication for a half-section line roadway along the east side of theoretical SW 152 Avenue abutting Parcel "A". Staff is supportive of this request since pursuant to Resolution #Z-39-06, the residential developments to the west of theoretical 152 Avenue also sought and obtained approval for a similar request to waive the dedication on the west side of the half-section line roadway. Further, staff notes that subject to the conditions outlined in its memorandum, the PWWM Department does not object to this road closing. Therefore, staff opines that approval of this request would not be out of character with similar approvals in the area.

Similarly, when the applicant's requests to permit some lots with reduced frontage (request #7); to permit the development with smaller lots than the 5,000 sq. ft. required (request #8); to permit certain lots with 10' rear setback for 50% of the lineal frontage and 20' setback for the remainder, where 15' and 25' are respectively permitted (request #9) and to permit certain lots with a lot coverage of 47.36%, where 45% is permitted (request #10) 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 request will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. Staff notes that the proposed RU-1M(a) residential development is a part of a 398 unit residential development that is comprised of single-family units as well as townhouse. Staff opines that the proposed development is similar in scale and height to the surrounding residential and office developments and that the proposed 15' setback for some of the buildings from the rear (south) property line allows for a uniform pattern of development that will not be visually intrusive to the surrounding area and will be **compatible** with same.

Further, staff notes that the submitted plans indicate a well landscaped boulevard that is central to the entire development. The landscaping within this boulevard, SW 151 Court, is a result of the applicant working with staff to provide a continuous row of trees and hedges abutting the residential areas as well as a median strip with trees, hedges and grassed areas. This boulevard will run north/south from Hammocks Boulevard to SW 120 Street. As such, staff that this buffer will mitigate any negative noise and visual impacts on the residences within the residential developments of which the RU-1M(a) parcel is a part. However, staff opines that providing the 80' wide landscaped boulevard, results in a reduction of developable area for the other portions of the site. Therefore, staff opines that the requests for variances on the

residential parcels, such as the lot sizes, lot frontages and setbacks, may partially have resulted from the expansion of the boulevard area to accommodate the extensive landscaping depicted in the plans. Additionally, said plans depict a small passive park area located at the northwest corner of the proposed RU-1M(a) parcel. The applicant has also provided adequate pedestrian connectivity within this parcel that will provide residents with access to the park and the extensive open space areas provided in the development. The submitted plans also indicate that the residents within the RU-1M(a) parcel, will have pedestrian access to the other proposed residential parcels to the east and to the proposed commercial parcel to the south. As such, staff opines that the approval of the requests to permit the development with smaller lots, less lot frontages, setback variances and increased lot coverage, will not have a negative visual impact within the proposed mixed use development. Further, staff notes that approval of these requests would be similar to and not out of character for other residential developments in the area. For example, staff notes that pursuant to Resolution #4-ZAB-279-93 and Resolution #5-ZAB-95-95, the RU-1, Single-family residential district development located to the west of Parcel "A" was approved to allow some residences setback 15' from the rear property lines where 25' is required, as well as to allow some parcels with 40% lot coverage where 35% is required. Therefore, staff opines that approval of requests #6 through #10 would be **compatible** with the proposed single-family and townhome development as well as the other single-family residential developments in the surrounding area. **As such, based on the foregoing analysis, staff recommends approval with conditions of requests #6 through #10 under Section 33-311(A)(4)(b), Non-Use Variance From Other Than Airport Regulations.**

PARCEL "B" and PARCEL "C"/THE PROPOSED RU-4L PARCELS

The applicant also seeks to develop the east portion of the parcel with proposed townhomes. The townhomes will be developed under the RU-4L zoning district regulations. However, the applicant is proposing two separate RU-4L developments. One development, Parcel "B" will be comprised of 160 two (2) story townhomes without garages, located in the northeast corner of the development on an approximately 11.90-gross acre parcel. The other proposed RU-4L parcel, Parcel "C", will be located immediately south of Parcel "B", and will be comprised of 101 two (2) story townhomes with garages.

On both of the RU-4L parcels, the applicant is seeking approval of the respective developments with variances of the RU-4L zoning district regulations. On Parcel "B", the applicant is seeking approval of non-use variances to allow less than 15' between the end of a group of town houses and the public and private street (request #12), variances of the enclosed area for each townhouse unit to waive the 400 sq. ft. requirement (request #13) and to waive the requirement for parking spaces within 150' of a townhouse it serves (request #14). On Parcel "C", the applicant is also seeking to waive the enclosed area requirement for each townhouse unit (request #16), the setback requirements for the townhouse units form the right-of-way (request #17) and to permit certain garages setback less than required from the front property line (request #18).

As previously mentioned, the proposed townhouse development is a part of a uniform development that is similar in scale to other residential and office developments in the area. Further, staff opines that the restrictions in the physical development of the site and result in the variances are partially due to the 80' wide landscaped boulevard that is central to the entire development and came about from the extensive discussions the applicant had with staff in developing the plans.

Further, staff is supportive of the site plan which has adopted certain urban design features for the parking areas for both Parcel "B" and parcel "C", with the parking areas located central to the site and screened from the abutting roadways, Hammocks Boulevard and SW 151 Court, by the residential buildings. In addition, as noted earlier, the applicant has provided sufficient pedestrian connectivity between the residential and commercial parcels which in staff's opinion, will mitigate some of the vehicular traffic impacts of the proposed development. When the aforementioned requests are analyzed under Section 33-311(A)(4)(b), Non-Use Variance From Other Than Airport Regulations, staff opines that approval would maintain 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, would not be detrimental to the community and would be **compatible** with same. **Based on the aforementioned analysis, staff recommends approval with conditions of requests #12 through #14 and requests #16 through #18, under Section 33-311(A)(4)(b), Non-Use Variance From Other Than Airport Regulations.**

PARCEL "D"/THE PROPOSED BU-1A PARCEL

The proposed mixed use development also consists of a 4.98-gross acre commercial parcel which is contingent on the applicant's request for a zone change to BU-1A (request #20) of which staff is supportive. However, due to the location of the commercial uses in close proximity to the residentially zoned parcels, Parcels "A", "B" and "C", the BU-1A zoning district regulations require a 5' high masonry wall abutting the residentially zoned parcels, which is the subject of request #20. In addition, the Landscape Code also requires a dissimilar landscape buffer in the form of a 6' high wall, fence or hedge and trees (request #21). As previously noted, the BU-1A parcel is a part of a mixed use commercial and residential development with vehicular and pedestrian connectivity throughout. As previously noted, the applicant has proffered a covenant restricting the types of commercial uses that will be allowed on the BU-1A parcel from more intensive uses, to less intensive uses that would be more compatible with the residential development to the north. As such, staff opines that approval with conditions of requests #20 and #21, would not have a negative visual impact on the proposed residential development to the north and would be **compatible** with same. **Staff therefore recommends approval with conditions of requests #20 and #21 under Section 33-311(A)(4)(b), Non-Use Variance From Other Than Airport Regulations.**

PARCELS "A", "B" AND "C"

Staff opines that approval of request #22, to vary the Airport Regulations and permit residential developments within the Kendall-Tamiami Executive Airport Inner District Zone (ILZ), would be **compatible** with same. The standards for the analysis of request #23, Section 33-311(A)(5) Variances from Airport Zoning Regulations, requires that consideration of approval for variances be governed by the particular zoning regulations concerned and that the recommendation of the Director of the Miami-Dade Aviation Department (MDAD). The Miami-Dade Aviation Department **(MDAD) does not object** to request #22. Its memorandum states that the proposed development is either partially or fully impacted by the Inner District (ILZ) restrictive zone as defined in the Code of Miami-Dade County, Article XL Kendall Tamiami Executive Airport Zoning, Section 33-395, which states that new residential construction and educational facilities are not permitted. The Department also indicates in its memorandum that the MDAD is working to amend the Code of Miami-Dade County, Article XL Kendall Tamiami Executive Airport Zoning. One of the revisions, according to the memorandum, involves replacing the

existing ILZ and OLZ boundaries with the 75 and 65 db noise contours respectively. Its memorandum indicates that the justification for allowing this recalculation of the ILZ and OLZ is based upon Florida Statute 333.03 (2) (c) which states the following "... Where an airport authority or other governing body operating a publicly owned, public-use airport has conducted a noise study in accordance with the provisions of 14 C.F.R. Part 150, neither residential construction nor any educational facility as defines in chapter 1013, with the exception of aviation school facilities, shall be permitted within the area contiguous to the airport defined by an outer noise contour that is considered incompatible with the type of construction by 14 C.F.R. Part 150, Appendix A or an equivalent noise level as established by other types of noise studies". The MDAD indicated in its memorandum that in 2007, MDAD conducted an Environmental Assessment (EA) for the runway extension at Kendall-Tamiami Executive Airport. Its memorandum indicates that this EA was approved by the Federal Aviation Administration (FAA). As such, the MDAD indicated in its memorandum that based on the proposed revision to the Kendall Tamiami Executive Airport Zoning District, the subject property will no longer be encumbered by the land use restrictive zone which would prohibit residential development.

Section 33-402.(4) Variances, of the Kendall Tamiami Executive Airport Ordinance, requires the applicant to show how a literal application of the regulations would result in a practical difficulty or unnecessary hardship. However, staff opines that requiring the applicant to adhere to the existing Kendall-Tamiami Executive Airport zoning standards would be contrary to the opinion outlined in the MDAD memorandum and could constitute an unnecessary hardship on the applicant. **Therefore, staff recommends approval with conditions request #22 under Section 33-311(A)(5) Variances from Airport Zoning Regulations and under Section 33-402.(4) Variances.**

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate that the site can be accessed from Hammocks Boulevard from the north and SW 120 Street from the south. Within the development there are both roadways and pedestrian pathways connecting the proposed residential and commercial developments with adequate parking.

NEIGHBORHOOD SERVICES PROVIDER REVIEW:

Aviation
The Miami-Dade County Aviation Department (MDAD) has **no objections** to this application provided the applicants comply with all State and Federal regulations.

Its memorandum states that the proposed development is either partially or fully impacted by the Inner District (ILZ) restrictive zone as defined in the Code of Miami-Dade County, Article XL Kendall Tamiami Executive Airport Zoning, Section 33-395, which states that new residential construction and educational facilities are not permitted. The Department also indicates in the memorandum that the NSZ is based upon Florida Statute 333.03 (2) which states the following "... Where an airport authority or other governing body operating a publicly owned, public-use airport has conducted a noise study in accordance with the provisions of 14 C.F.R. Part 150, neither residential construction nor any educational facility as defines in chapter 1013, with the exception of aviation school facilities, shall be permitted within the area contiguous to the airport defined by an outer noise contour that is considered incompatible with the type of construction by 14 C.F.R. Part 150, Appendix A or an equivalent noise level as established by other types of noise studies". The MDAD indicated in its memorandum that in 2007, MDAD conducted an Environmental Assessment (EA) for the runway extension at Kendall-Tamiami Executive

Airport. Its memorandum indicates that this EA was approved by the Federal Aviation Administration (FAA). As such, the MDAD indicated in its memorandum that based on the proposed revision to the Kendall Tamiami Executive Airport Zoning District, the subject property will no longer be encumbered by the land use restrictive zone which would prohibit residential development.

Division of Environmental Resources Management (Department of Regulatory and Economic Resources)
The Division of Environmental Resource Management (DERM) does not object to this application after a review for compliance with the requirements of Chapter 24 of the Code of Miami-Dade County.

The DERM memorandum states that a concurrency review has been conducted 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. Its memorandum indicates that the property is located within the Miami-Dade Water and Sewer Department's water and sewer franchised service areas. The Surface Water Management General Permit from the Department will be required for the construction and operation of the surface water management system and must be obtained prior to platting and/or site development. Its memorandum further indicates that the applicant is required to comply with the tree permitting requirements and must meet the standards of Section 24.49.2 and 24.49.4 of the Code that includes the submittal of a tree survey. The subject properties do not contain any jurisdictional wetlands.

Miami-Dade Fire Rescue
The Miami-Dade Fire Rescue Department (MDFRD) has no objections to this application.

Its memorandum indicates that the proposed development could generate approximately 123 fire and rescue calls annually. The department states that the estimated number of alarms would result in a moderate impact to the existing fire and rescue service and current stations serving the area will be able to handle the additional number of alarms. The average travel time to the vicinity of the proposed development is 6:48 minutes (based on 2012 data). Travel time to the vicinity of the proposed development complies with the national performance objective.

Miami-Dade Police Department
The Miami-Dade Police Department (MDPD) does not object to this application. The memorandum indicates that current data of police staffing, population and calls for service compared to the proposed development of the site with approximately 600 residential units based on current staffing levels at the Hammocks District will result in an average response time of eight (8) minutes or less. However, the MDPD indicates in its memorandum that a minimum of one (1) additional sworn police officer would need to be added to the Hammocks District staffing in order to maintain current staffing levels to population and projected volume of calls for service. The MDPD further indicates in its memorandum that should the demand for services increase as a result of the completion of this project, additional sworn personnel, support staff and equipment be added to the Hammocks District to maintain emergency response times. Its memorandum also encouraged the applicants and developers to work with police during any future application, design or construction changes to determine the best possible solutions or security options.

Miami-Dade Transit
The Miami-Dade Transit Department (MDT) has no objections to this application.

Its memorandum indicates that the proposed development meets the mass transit level-of-service standards established for Miami-Dade County.

Parks, Recreation and Open Spaces
The Miami-Dade Parks, Recreation and Open Spaces Department (MDPROS) does not object to this application.

The MDPROS indicates in its memorandum that the proposed 398 dwelling unit development will generate the need for approximately 2.8 acres of parkland based on the CDMP Open Spaces Spatial Standards. Its memorandum indicates that this application is in Park benefit District 2 (PBD2) which has a surplus capacity of 494.95 acres when measured by the County concurrency level-of-services (LOS) standards for the unincorporated area of 2.75 acres of local recreation open space for 1,000 persons in the Parks Benefits District.

Public Works and Waste Management Department (Traffic Engineering Division)
The Public Works and Waste Management Department, does not object to this application subject to the condition outlined in its memorandum.

Its memorandum indicates that the anticipated trip generation based on Institute of Transportation Engineers (ITE) is 684 PM Peak Hour trips generated by this development; however, the traffic distribution of these trips will not exceed the acceptable Levels of Service (LOS) on the surrounding roadways.

- SW 104 Street, west of SW 147 Avenue will remain at LOS "C".
- SW 147 Avenue south of SW 104 Street will remain at LOS "D".
- SW 152 Avenue south of SW 88 Street will remain at LOS "D".
- SW 137 Avenue south of SW 184 Street will remain at LOS "D".
- SW 120 Street west of SW 137 Avenue will remain at LOS "C".

Its memorandum indicates that concurrency for this application has already been reserved under tentative plat #T-22873 for the previous boundary of IU-C (Industrial District, Conditional) with 1,256 trips generated. The PWWM indicated in its memorandum that this application meets the criteria for traffic concurrency for an initial review. The memorandum further indicates that no vehicle trips have been reserved by this application and that this project is subject to the payment of Road Impact Fees.

Public Works and Waste Management Department (Fiscal, Planning and Performance Management Division)
The Public Works and Waste Management Department, Fiscal, Planning and Performance Management Division does not object to this application.

Its memorandum indicates that Section 15-2.2a of the County Code requires that the multi-family residential development shall provide for a recycling program and that the applicants are advised that adequate space and facilities should be incorporated in the building plans to accommodate the required recycling program.

Water and Sewer Department
The Miami-Dade County Water and Sewer Department (MDWASD) has no objections to this application. Public water mains and sanitary sewers exist throughout the area.

Miami-Dade County Public Schools
The Miami-Dade County Public Schools does not object to this application.

Its memorandum indicates that the proposed development would generate 190 students; 89 elementary, 44 middle and 57 senior high students and at this time, all three school levels have sufficient capacity available to serve the application. The memorandum indicates that the applicable Level of Service (LOS) standards of 100% Florida Inventory of School Housing (FISH) has been met at the three school levels and as such, capacity has been reserved for a one year period.

OTHER: The State of Florida's Department of Economic Opportunity (DEO) and the South Florida regional Planning Council concur with staff's determination that the proposed DRI changes do not constitute a substantial deviation.

RECOMMENDATION:

Development of Regional Impact Requests: Approval of request #1, and a determination that the application does not result in a substantial deviation requiring further Development of Regional Impact review and approval of requests #2 through #4 subject to the acceptance of the modified Covenant Governing Land Development.

Zoning Requests: Approval of requests #5, #11, #15 and #19, approval with conditions of requests #6 through #10, requests #12 through #14, requests #16 through #18 and #20 through #22.

CONDITIONS FOR APPROVAL OF DEVELOPMENT OF REGIONAL IMPACT REQUESTS:

1. That all other paragraphs of the Covenant Governing Land Development, recorded in Official Records Book 8625, Pages 336 – 370 remain in full force and effect except as herein modified.

CONDITIONS FOR APPROVAL OF ZONING REQUESTS:

2. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.

3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Mixed Use Development Garden Estate East" as prepared by Corwil Architects, consisting of 19 pages and plans entitled "General Estates II" as prepared by Witkin J. Hults Design Group, consisting of 41 pages, all plans dated stamped received September 11, 2013.

4. **Density Restriction**. The number of dwelling units on the Property shall not exceed three hundred ninety-eight (398) units.

5. That the height of any single-family dwelling unit to be located on a lot along the western boundary of the Property, which abuts an existing one (1) story home, shall not exceed one (1) story in height. Residential buildings within the Property shall not exceed thirty-five (35) feet in height.

6. **Noise Level Reduction**. The Owner shall incorporate at least 25 decibel (db) Noise Level Reduction (NLR) into the design and construction of any dwelling unit on the Property.

7. **Aviation Easement.** The Owner reserves unto itself, its successors, and assigns, for the use and benefit of the public, and hereby grants and conveys to Miami-Dade County an easement and right-of-way for the free and unobstructed flight, and passage, operations and effects thereof of all types of aircraft ("aircraft" being defined for the purpose of this Avigation Easement as any contrivance now known or hereafter invented, used, or designated for navigation of, or flight in or through the air) by whomsoever owned or operated, in and through the airspace above and over the surface of the Property, including, but not limited to, the right to cause in such airspace above or in the vicinity of the surface of the Property such noise, vibration, odors, vapors, fumes, fuel particles (which are incident to normal operations of said aircraft), smoke, dust, fear, interference with sleep and communications and any and all other effects as may be alleged to be incident to or caused by the aircraft engines and the operation of aircraft for navigation of or flight or passage in and through said airspace, and for the use of said airspace by aircraft for approaching, landing upon, taking off from, maneuvering about or operating (which are incident to normal operations of said aircraft) on Kendall Tamiami Executive Airport ("TMB") and for all other uses allowed or authorized at TMB.

8. **Buffering to Adjacent Single-Family Development and Adjacent Roadways.** The Owner shall install a six foot (6') high wall, constructed of pre-cast concrete, concrete block, or other similar materials, along that certain portion of the western Property line that abuts detached single-family dwelling units. The Owner shall install landscape buffers along Hammocks Boulevard and along SW 120 Street west of SW 151 Court, which shall include a fifteen foot (15') landscape area and a berm.

9. **Construction Hours and Activities.** The Owner shall limit construction activities to the hours of 7:00 AM - 7: 00 PM, Monday – Friday, and 10:00 AM – 5:00 PM on Saturday. No construction activities shall take place on Sundays. The use of explosives shall be strictly prohibited. In the event a hurricane warning is issued for Miami-Dade County, the Owner shall promptly secure all construction materials to minimize the potential for damage from flying objects to adjacent properties.

10. **Prohibited Uses**. Notwithstanding the approval of the Application, the establishment and maintenance of the following uses on the Property shall be prohibited:
    a) private clubs, as defined in Section 33-247(35) of the Code;
    b) nightclubs, as defined in Section 33-253(6) of the Code;
    c) adult entertainment uses as defined in Section 33-259.1 of the Miami-Dade County Code;
    d) the use of any portion of the premises within any building to be constructed on the Property (regardless of the percentage of the total floor area), even if screened to keep

such area from the clear view of minors, for the display, sale or rental of videotapes, printed matter, pictures, films, graphic or any materials, which activities require the exclusion of minors pursuant to Chapter 847, Florida Statutes;

e) donated goods center;
f) automobile light truck sales;
g) billiard and pool rooms;
h) motorcycle sales and repairs;
i) open air theatre;
j) skating rinks;
k) rental trucks.

11. **Restrictions for Commercial Parcel**. Notwithstanding the approval of the Application, and subject to all applicable Code requirements, the Owner agrees to limit the use of that certain parcel of land depicted on the Plan as the "Commercial Out Parcel" to those uses listed below:

- Apparel stores
- Automobile washing
- Bakeries, retail only
- Banks, including drive-in teller service
- Barber shops
- Beauty parlors
- Cellular phones and accessories sales
- Computers and accessories sales
- Confectionery, ice cream, and dairy stores
- Dairy stores
- Day Care
- Drugstores with photo and retail sales
- Employment agencies
- Florist shops
- Grocery stores, fruit stores, health food stores, delicatessen, meat and fish markets, and other similar food stores, provided such establishment shall not exceed one thousand (1000) square feet of floor area
- Hardware stores
- Health and exercise club
- Interior design shops
- Jewelry stores, but excluding incidental sales and purchases of used jewelry or pawn shops
- Mail order offices, without storage or products sold
- Newsstands
- Offices
- Office supplies and equipment sales
- Optical stores
- Outdoor sitting area for restaurants
- Outside walk-up window service in connection with establishments where the principal use is selling food and drink products, and where a sidewalk of at least seven (7) feet in width abuts the store unit concerned.
- Post office stations and branches operated by postal service employees or agents that directly serve the public
- Printing and copy services and supplies

- Restaurants and coffee housing dining rooms with outdoor seating where kitchen is located within an enclosed building or room and with ample provision for carrying away or dissipating fumes, odors, smoke, or noise and where premises are so arranged and the business is so conducted as not to be offensive or obnoxious to occupants of adjoining premises or to passerby. Restaurants and outdoor (where approved by public hearing) cafes may serve alcoholic beverages where such service is strictly incidental to the service of food and from service bar only provided no entertainment of any kind is furnished. No sign of any type or character shall be exhibited or displayed to the outside denoting that alcoholic beverages are obtainable within. Seating shall be limited to no more than 100 people.
- Self-service post office, which contains mechanical or computer equipment designed to provide limited service post office for walk up trade.
- Shoe stores and shoe repair shops
- Tailor shops

12. That the use be established and maintained in accordance with the approved plan.

13. That any building that may be developed on the Commercial Out Parcel shall be designed and maintained in a manner that is compatible with the surrounding residential community. At a minimum, any such building shall have a barrel tile roof and shall be painted in a color or colors that are in harmony with the prevailing colors in the area at the time of the construction of the building.

14. That the site plan for the Commercial Out Parcel shall be submitted to the Department of Planning and Zoning for administrative site plan review approval, and the development of the parcel shall be in substantial accordance with said approved plan.

15. That once developed, the Owner shall maintain adequate lighting equipped with deflectors or such other similar equipment to prevent the spillage of light onto adjacent residential properties.

16. That no business shall be allowed to operate within the Commercial Out Parcel any earlier than 7:00 AM, Monday – Friday, 9:00 AM on Saturday or 11:00 AM on Sunday or any later than 10:00 PM (Monday – Saturday) or 6:00 PM on Sunday.

17. That the applicant complies with all of the applicable conditions, requirements, recommendations, requests and other provisions of the Public Works and Waste Management Department as contained in its memorandum dated October 28, 2013.

18. That Deliveries and trash pick-up shall take place between the hours of 7:00 AM and 7:00 PM, Monday - Friday.

19. That the Owner expressly agrees for itself, its successors, and assigns, to prevent any use of the Property described herein that would interfere with or adversely affect the operation or maintenance of TMB, or otherwise constitute an airport hazard.

20. That the applicant complies with all of the applicable conditions, requirements, recommendations, requests and other provisions of the Miami-Dade County Aviation Department as contained in its memorandum dated October 28, 2013.

21. That the applicant complies with all of the applicable conditions, requirements, recommendations, requests and other provisions of the Division of Environmental Resource Management (DERM) of the Department of Regulatory and Economic Resources (RER) as contained in its memorandum dated September 26, 2013.

ES:MW:NN:JV:CH

Eric Silva, AICP, Assistant Director
Development Services Division
Miami-Dade County
Department of Regulatory and Economic Resources

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NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
Division of Environmental Resource Management (DERM), (RER)	*No objection**
Public Works and Waste Management	*No objection*
Parks, Recreation and Open Spaces	*No objection*
Water and Sewer	*No objection*
Miami-Dade Aviation Department	*No objection*
Police	*No objection*
Fire Rescue	*No objection*
Schools	*No objection*
**Subject to conditions in their memorandum.*	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

Industrial and Office (Page I-39)	*Manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, merchandise marts and similar uses are permitted in areas designated as "Industrial and Office" on the LUP map. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. The full range of telecommunications facilities, including switching and transmission facilities, satellite telecommunication facilities, microwave towers, radar stations and cell towers is allowed. Very limited commercial uses to serve the firms and workers in the industrial and office area are allowed dispersed as small business districts and centers throughout the industrial areas. Hotels and motels are also authorized. Freestanding retail and personal service uses and shopping centers larger than 10 acres in size are prohibited in these areas because they would deplete the industrial land supply and they are better located in commercially designated areas and in closer proximity to residential areas. Freestanding retail and personal service uses and shopping centers that are approved in Industrial and Office areas should front on major access roads, particularly near major intersections. In addition, uncommon commercial uses such as amusement uses, and others with unusual siting requirements may also be considered at appropriate locations. Quarrying activities and ancillary uses may also be approved in areas designated Industrial and Office where compatible with the surrounding area and environment. The specific range and intensity of uses appropriate in a particular Industrial and Office area vary by location as a function of the availability of public services and access and, among other factors, compatibility with neighboring development. Through the zoning review process, use of particular sites or areas may be limited to something less than the maximum allowed in this category. Moreover, special limitations may be imposed where necessary to protect environmental resources.* *If the land is the subject of an application for rezoning, zoning approval or a plan amendment and is located in an MSA with less than a 15-year supply of industrial land, in order to receive approval for a non-industrial use, the applicant must demonstrate that such use will not have a significant adverse impact on future industrial development.*
Business and Office (Page I-41)	*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 (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). 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 areas.
Medium Density Residential (Pg. I-31)	*The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Medium Density Residential** use. The type of housing structures typically permitted in this category includes townhouses and low-rise and medium-rise apartments.*
Low-Medium Density Residential (Pg. I-31)	*The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low-Medium Density Residential**. This category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.*
Policy LU-4A (Page I-11)	*When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.*
Florida Statutes §380.06(19) Developments of Regional Impact-Substantial Deviation	*The term "development of regional impact," as used in this section, means any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county.* ***(a)*** *Any proposed change to a previously approved development which creates a reasonable likelihood of additional regional impact, or any type of regional impact created by the change not previously reviewed by the regional planning agency, shall constitute a substantial deviation and shall cause the proposed change to be subject to further development-of-regional-impact review. There are a variety of reasons why a developer may wish to propose changes to an approved development of regional impact, including changed market conditions. The procedures set forth in this subsection are for that purpose.* ***(b)*** *Any proposed change to a previously approved development of regional impact or development order condition which, either individually or cumulatively with other changes, exceeds any of the following criteria shall constitute a substantial deviation and shall cause the development to be subject to further development-of-regional-impact review without the necessity for a finding of same by the local government:* *1. An increase in the number of parking spaces at an attraction or recreational facility by 15 percent or 500 spaces, whichever is greater, or an increase in the number of spectators that may be accommodated at such a facility by 15 percent or 1,500 spectators, whichever is greater.* *2. A new runway, a new terminal facility, a 25 percent lengthening of an existing runway, or a 25 percent increase in the number of gates of an existing terminal, but only if the increase adds at least three additional gates.* *3. An increase in land area for office development by 15 percent or an increase of gross floor area of office development by 15 percent or 100,000 gross square*

feet, whichever is greater.

4. *An increase in the number of dwelling units by 10 percent or 55 dwelling units, whichever is greater.*
5. *An increase in the number of dwelling units by 50 percent or 200 units, whichever is greater, provided that 15 percent of the proposed additional dwelling units are dedicated to affordable workforce housing, subject to a recorded land use restriction that shall be for a period of not less than 20 years and that includes resale provisions to ensure long-term affordability for income-eligible homeowners and renters and provisions for the workforce housing to be commenced prior to the completion of 50 percent of the market rate dwelling. For purposes of this subparagraph, the term "affordable workforce housing" means housing that is affordable to a person who earns less than 120 percent of the area median income, or less than 140 percent of the area median income if located in a county in which the median purchase price for a single-family existing home exceeds the statewide median purchase price of a single-family existing home. For purposes of this subparagraph, the term "statewide median purchase price of a single-family existing home" means the statewide purchase price as determined in the Florida Sales Report, Single-Family Existing Homes, released each January by the Florida Association of Realtors and the University of Florida Real Estate Research Center.*
6. *An increase in commercial development by 60,000 square feet of gross floor area or of parking spaces provided for customers for 425 cars or a 10 percent increase, whichever is greater.*
7. *An increase in a recreational vehicle park area by 10 percent or 110 vehicle spaces, whichever is less.*
8. *A decrease in the area set aside for open space of 5 percent or 20 acres, whichever is less.*
9. *A proposed increase to an approved multiuse development of regional impact where the sum of the increases of each land use as a percentage of the applicable substantial deviation criteria is equal to or exceeds 110 percent. The percentage of any decrease in the amount of open space shall be treated as an increase for purposes of determining when 110 percent has been reached or exceeded.*
10. *A 15 percent increase in the number of external vehicle trips generated by the development above that which was projected during the original development-of-regional-impact review.*
11. *Any change that would result in development of any area which was specifically set aside in the application for development approval or in the development order for preservation or special protection of endangered or threatened plants or animals designated as endangered, threatened, or species of special concern and their habitat, any species protected by 16 U.S.C. ss. 668a-668d, primary dunes, or archaeological and historical sites designated as significant by the Division of Historical Resources of the Department of State. The refinement of the boundaries and configuration of such areas shall be considered under sub-subparagraph (e)2.j.*

The substantial deviation numerical standards in subparagraphs 3., 6., and 9., excluding residential uses, and in subparagraph 10., are increased by 100 percent for a project certified under s. 403.973 which creates jobs and meets criteria established by the Department of Economic Opportunity as to its impact on an area's economy, employment, and prevailing wage and skill levels. The substantial deviation numerical standards in subparagraphs 3., 4., 5., 6., 9., and 10. are increased by 50 percent for a project located wholly within an urban infill and redevelopment area designated on the applicable adopted local comprehensive plan future land use map and not located within the coastal high hazard area.

(c) *An extension of the date of buildout of a development, or any phase thereof, by more than 7 years is presumed to create a substantial deviation subject to further development-of-regional-impact review.*

1. *An extension of the date of buildout, or any phase thereof, of more than 5 years but not more than 7 years is presumed not to create a substantial deviation. The extension of the date of buildout of an areawide development of regional impact by more than 5 years but less than 10 years is presumed not to create a substantial deviation. These presumptions may be rebutted by clear and convincing evidence at the public hearing held by the local government. An extension of 5 years or less is not a substantial deviation.*

2. *In recognition of the 2011 real estate market conditions, at the option of the developer, all commencement, phase, buildout, and expiration dates for projects that are currently valid developments of regional impact are extended for 4 years regardless of any previous extension. Associated mitigation requirements are extended for the same period unless, before December 1, 2011, a governmental entity notifies a developer that has commenced any construction within the phase for which the mitigation is required that the local government has entered into a contract for construction of a facility with funds to be provided from the development's mitigation funds for that phase as specified in the development order or written agreement with the developer. The 4-year extension is not a substantial deviation, is not subject to further development-of-regional-impact review, and may not be considered when determining whether a subsequent extension is a substantial deviation under this subsection. The developer must notify the local government in writing by December 31, 2011, in order to receive the 4-year extension.*

For the purpose of calculating when a buildout or phase date has been exceeded, the time shall be tolled during the pendency of administrative or judicial proceedings relating to development permits. Any extension of the buildout date of a project or a phase thereof shall automatically extend the commencement date of the project, the termination date of the development order, the expiration date of the development of regional impact, and the phases thereof if applicable by a like period of time.

(d) *A change in the plan of development of an approved development of an approved development of regional impact resulting from requirements imposed by the Department of Environmental Protection or any water management district created by s. 373.069 or any of their successor agencies or by any appropriate federal regulatory agency shall be submitted to the local government pursuant to this subsection. The change shall be presumed not to create a substantial deviation subject to further development-of-regional-impact review. The presumption may be rebutted by clear and convincing evidence at the public hearing held by the local government.*

(e) 1. *Except for a development order rendered pursuant to subsection (22) or subsection (25), a proposed change to a development order which individually or cumulatively with any previous change is less than any numerical criterion contained in subparagraphs (b)1.-10. and does not exceed any other criterion, or which involves an extension of the buildout date of a development, or any phase thereof, of less than 5 years is not subject to the public hearing requirements of subparagraph (f)3., and is not subject to a determination pursuant to subparagraph (f)5. Notice of the proposed change shall be made to the regional planning council and the state land planning agency. Such notice must include a description of previous individual changes made to the development, including changes previously approved by the local government, and must include appropriate amendments to the development order.*

2. *The following changes, individually or cumulatively with any previous changes, are not substantial deviations:*

   a. *Changes in the name of the project, developer, owner, or monitoring official.*

	b. *Changes to a setback that do not affect noise buffers, environmental protection or mitigation areas, or archaeological or historical resources.* c. *Changes to minimum lot sizes.* d. *Changes in the configuration of internal roads that do not affect external access points.* e. *Changes to the building design or orientation that stay approximately within the approved area designated for such building and parking lot, and which do not affect historical buildings designated as significant by the Division of Historical Resources of the Department of State.* f. *Changes to increase the acreage in the development, provided that no development is proposed on the acreage to be added.* g. *Changes to eliminate an approved land use, provided that there are no additional regional impacts.* h. *Changes required to conform to permits approved by any federal, state, or regional permitting agency, provided that these changes do not create additional regional impacts.* i. *Any renovation or redevelopment of development within a previously approved development of regional impact which does not change land use or increase density or intensity of use.* j. *Changes that modify boundaries and configuration of areas described in subparagraph (b)11. due to science-based refinement of such areas by survey, by habitat evaluation, by other recognized assessment methodology, or by an environmental assessment. In order for changes to qualify under this sub-subparagraph, the survey, habitat evaluation, or assessment must occur before the time that a conservation easement protecting such lands is recorded and must not result in any net decrease in the total acreage of the lands specifically set aside for permanent preservation in the final development order.* k. *Changes that do not increase the number of external peak hour trips and do not reduce open space and conserved areas within the project except as otherwise permitted by sub-subparagraph j.* l. *Any other change which the state land planning agency, in consultation with the regional planning council, agrees in writing is similar in nature, impact, or character to the changes enumerated in sub-subparagraphs a.-K and that does not create the likelihood of any additional regional impact.* *This subsection does not require the filing of a notice of proposed change but requires an application to the local government to amend the development order in accordance with the local government's procedures for amendment of a development order. In accordance with the local government's procedures, including requirements for notice to the applicant and the public, the local government shall either deny the application for amendment or adopt an amendment to the development order which approves the application with or without conditions. Following adoption, the local government shall render to the state land planning agency the amendment to the development order. The state land planning agency may appeal, pursuant to s. 380.07(3), the amendment to the development order if the amendment involves sub-subparagraph g., sub-subparagraph h., sub-subparagraph j., sub-subparagraph k., or sub-subparagraph l. and if the*

agency believes that the change creates a reasonable likelihood of new or additional regional impacts.

3. *Except for the change* ***authorized by sub-subparagraph 2.f., any addition of land not previously reviewed or any change not specified in paragraph (b) or paragraph (c) shall be presumed to create a substantial deviation. This presumption may be rebutted by clear and convincing evidence.***

4. *Any submittal of a proposed change to a previously approved development shall include a description of individual changes previously made to the development, including changes previously approved by the local government. The local government shall consider the previous and current proposed changes in deciding whether such changes cumulatively constitute a substantial deviation requiring further development-of-regional-impact review.*

5. *The following changes* ***to an approved development of regional impact shall be presumed to create a substantial deviation. Such presumption may be rebutted by clear and convincing evidence.***

   a. *A change proposed for 15 percent or more of the acreage to a land use not previously approved in the development order. Changes of less than 15 percent shall be presumed not to create a substantial deviation.*

   b. Notwithstanding any provision of paragraph (b) to the contrary, a proposed change consisting of simultaneous increases and decreases of at least two of the uses within an authorized multiuse development of regional impact which was originally approved with three or more uses specified in s. 380.0651(3)(c), (d), (e), and (f) and residential use.

6. *If a local government agrees to a proposed change, a change in the transportation proportionate share calculation and mitigation plan in an adopted development order as a result of recalculation of the proportionate share contribution meeting the requirements of s. 163.3180(5)(h) in effect as of the date of such change shall be presumed not to create a substantial deviation. For purposes of this subsection, the proposed change in the proportionate share calculation or mitigation plan may not be considered an additional regional transportation impact.*

(f) 1. *The state land planning agency shall establish by rule standard forms for submittal of proposed changes to a previously approved development of regional impact which may require further development-of-regional-impact review. At a minimum, the standard form shall require the developer to provide the precise language that the developer proposes to delete or add as an amendment to the development order.*

2. *The developer shall submit, simultaneously, to the local government, the regional planning agency, and the state land planning agency the request for approval of a proposed change.*

3. *No sooner than 30 days but no later than 45 days after submittal by the developer to the local government, the state land planning agency, and the appropriate regional planning agency, the local government shall give 15 days' notice and schedule a public hearing to consider the change that the developer asserts does not create a substantial deviation. This public hearing shall be held within 60 days after submittal of the proposed changes, unless that time is extended by the developer.*

4. *The appropriate regional planning agency or the state land planning agency*

shall review the proposed change and, no later than 45 days after submittal by the developer of the proposed change, unless that time is extended by the developer, and prior to the public hearing at which the proposed change is to be considered, shall advise the local government in writing whether it objects to the proposed change, shall specify the reasons for its objection, if any, and shall provide a copy to the developer.

5. *At the public hearing, the local government shall determine whether the proposed change requires further development-of-regional-impact review. The provisions of paragraphs (a) and (e), the thresholds set forth in paragraph (b), and the presumptions set forth in paragraphs (c) and (d) and subparagraph (e)3. shall be applicable in determining whether further development-of-regional-impact review is required. The local government may also deny the proposed change based on matters relating to local issues, such as if the land on which the change is sought is plat restricted in a way that would be incompatible with the proposed change, and the local government does not wish to change the plat restriction as part of the proposed change.*

6. *If the local government determines that the proposed change does not require further development-of-regional-impact review and is otherwise approved, or if the proposed change is not subject to a hearing and determination pursuant to subparagraphs 3. and 5. and is otherwise approved, the local government shall issue an amendment to the development order incorporating the approved change and conditions of approval relating to the change. The requirement that a change be otherwise approved shall not be construed to require additional local review or approval if the change is allowed by applicable local ordinances without further local review or approval. The decision of the local government to approve, with or without conditions, or to deny the proposed change that the developer asserts does not require further review shall be subject to the appeal provisions of s. 380.07. However, the state land planning agency may not appeal the local government decision if it did not comply with subparagraph 4. The state land planning agency may not appeal a change to a development order made pursuant to subparagraph (e)1.or subparagraph (e)2. for developments of regional impact approved after January 1, 1980, unless the change would result in a significant impact to a regionally significant archaeological, historical, or natural resource not previously identified in the original development-of-regional-impact review.*

(g) *If a proposed change requires further development-of-regional-impact review pursuant to this section, the review shall be conducted subject to the following additional conditions:*

1. *The development-of-regional-impact review conducted by the appropriate regional planning agency shall address only those issues raised by the proposed change except as provided in subparagraph 2.*

2. *The regional planning agency shall consider, and the local government shall determine whether to approve, approve with conditions, or deny the proposed change as it relates to the entire development. If the local government determines that the proposed change, as it relates to the entire development, is unacceptable, the local government shall deny the change.*

3. *If the local government determines that the proposed change should be approved, any new conditions in the amendment to the development order issued by the local government shall address only those issues raised by the proposed change and require mitigation only for the individual and cumulative impacts of the proposed change.*

4. *Development within the previously approved development of regional impact*

	may continue, as approved, during the development-of-regional-impact review in those portions of the development which are not directly affected by the proposed change. ***(h)*** *When further development-of-regional-impact review is required because a substantial deviation has been determined or admitted by the developer, the amendment to the development order issued by the local government shall be consistent with the requirements of subsection (15) and shall be subject to the hearing and appeal provisions of s. 380.07. The state land planning agency or the appropriate regional planning agency need not participate at the local hearing in order to appeal a local government development order issued pursuant to this paragraph.* *(i) An increase in the number of residential dwelling units shall not constitute a substantial deviation and shall not be subject to development-of-regional-impact review for additional impacts, provided that all the residential dwelling units are dedicated to affordable workforce housing and the total number of new residential units does not exceed 200 percent of the substantial deviation threshold. The affordable workforce housing shall be subject to a recorded land use restriction that shall be for a period of not less than 20 years and that includes resale provisions to ensure long-term affordability for income-eligible homeowners and renters. For purposes of this paragraph, the term "affordable workforce housing" means housing that is affordable to a person who earns less than 120 percent of the area median income, or less than 140 percent of the area median income if located in a county in which the median purchase price for a single-family existing home exceeds the statewide median purchase price of a single-family existing home. For purposes of this paragraph, the term "statewide median purchase price of a single-family existing home" means the statewide purchase price as determined in the Florida Sales Report, Single-Family Existing Homes, released each January by the Florida Association of Realtors and the University of Florida Real Estate Research Center.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311 District Boundary Change	(A) *The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.* *(F)* ***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*

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	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.*
Non-Use Variances From Other Than Airport Regulations. Section 33-311(A)(4)(b	*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.*
Section 33-311(A)(5) Variances from airport zoning regulations	*Hear applications for and grant or deny variances from any airport zoning regulations, but in considering, granting or denying any such variance the Community Zoning Appeals Boards shall be governed and shall abide by the guides and standards, general purpose and intent of the particular airport zoning regulation concerned. No such application shall be heard until the recommendation of the Director of the Aviation Department is first obtained, which recommendation shall be considered, together with that of the Director's. The granting of a variance under this subsection does not authorize or permit violation of other zoning regulations or the zoning regulations of any municipality concerned unless authorized by the appropriate County or municipal board, body or commission concerned, as the case may be.*
33-394 Establishment of land use zoning criteria for airports	*For the purpose of this article all of the land use zoning criteria for Kendall-Tamiami Executive Airport and the surrounding area, as the same is created, established and described hereinbefore, is hereby divided into classifications as follows:* *(1) Inner District (ILZ). An ILZ covers an area measured as one-half the length of the longest runway at the airport on either side and at the end of each runway centerline at the airport.*
33-395 Land use zoning classifications for airports	*A) Except as otherwise provided in this article, limitations on development of land, structures, and utilization of land within areas designated herein as being restricted due to non-compatibility with aircraft operations are in effect. In situations where land is beneath more than one land use classification the most restrictive shall apply. Restrictions to insure land use compatibility around Kendall-Tamiami Executive Airport are hereby established as follows:* ***(1) Inner District (ILZ). New residential construction and educational facilities, excluding aviation, are not permitted within this land use classification.***
Sec. 33-402.(4) Variances.	*Approval of such variances shall be limited to those cases in which it is duly found that a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but would do substantial justice and be in accordance with the spirit of this article, and such zoning board is hereby admonished that the intent and purpose of this article is to promote the health, safety and general welfare of the inhabitants of Miami-Dade County, Florida, by preventing the creation of an airport hazard or of a hazard to air navigation, thereby protecting the lives and property of users of Kendall Tamiami Executive Airport and of occupants of land in its vicinity*

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	and preventing destruction or impairment of the utility of the airport and the public investment therein.
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; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); 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, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.*
33-303.1(D)(7) Developmental Impact Committee	*Review and make recommendations concerning County zoning actions, with the exception of applications which seek only non-use variances and/or a modification of a condition(s) or covenant(s) and which do not approve a change of use or an increase in the floor area for any and all nonresidential use(s), which are:* *(a) Required by the regulations to be taken after public hearing, and which would allow individually, or cumulatively within an independent development parcel:* *1. Residential developments involving in excess of two hundred fifty (250) dwelling units.* *2. Business uses involving in excess of ten (10) acres or one hundred thousand (100,000) square feet of retail floor area, or one thousand (1,000) vehicle off-street parking space capacity.* *3. Recreational, cultural, or entertainment facilities involving in excess of one thousand (1,000) vehicle off-street parking space capacity for single performance or twenty (20) acres.* *4. Office buildings or office complexes involving in excess of one hundred twenty-five thousand (125,000) square feet of floor space, or one thousand (1,000) vehicle off-street parking space capacity.* *5. Industrial, processing or manufacturing activity involving fifty (50) acres, or five hundred (500) vehicle off-street parking space capacity.* *6. Hotel and/or motel developments involving in excess of two hundred fifty (250) units.* *7. All planned area developments.* *8. Mixed-use developments with two (2) or more of the land use types specified in 1. through 6. above where none of the individual land uses in the development meet or exceed the thresholds listed in 1. through 6. above and where the sum of the percentages of the appropriate thresholds listed in 1. through 6. above for each applicable land use in the development is greater than one hundred thirty (130) percent. Where a development addresses more than one (1) threshold within a particular land use type listed in 1. through 6. above, then the threshold in that land use type which generates the highest percentage shall be utilized in the calculation of the total mixed-use percentage for the subject development.* *(b) Required by the regulations to be taken after public hearing, which zoning action would change in any respect an existing resolution pertaining to an application reviewed by the*

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Lucky Start at the Hammocks, LLC
Z12-096

	Developmental Impact Committee, and is presumed to constitute a substantial deviation. All such applications for change shall be presumed to request substantial deviation, unless the requested action neither equals, exceeds, or conflicts with either of the following limitations and standards: *1. An increase in the number of dwelling units of twenty (20) percent or one hundred (100) units, whichever is less.* *2. An increase in the floor area for nonresidential uses of twenty (20) percent or thirty thousand (30,000) square feet, whichever is less;* *The foregoing presumption of substantial deviation shall not apply whenever the Executive Council determines that the requested modification would not constitute a potential negative impact under the guidelines of Section 33-301.1(D)(1). The determination by the Executive Council shall be final and not subject to administrative appeal. There shall be no right of judicial review until after final action on the application by the Board of County Commissioners.* *The Committee shall recommend to the applicable Board whether, and to the extent to which, the development permitted by the approval of zoning action referred to in (7)(a) and (b) above will efficiently use or unduly burden water, sewer, solid waste disposal, education, recreation or other necessary public facilities or public transportation facilities, including roads, streets and highways, which have been constructed or planned and budgeted for construction in the area, and whether the proposed development will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida.*

1. LUCKY START AT THE HAMMOCKS, LLC (Applicant)

13-12-CZ11-1 (12-096)
Area 11/District 11
Hearing Date: 12/10/13

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
1975	D.L.M. Corporation 7 G.N.C. Properties	- Unusual Use to permit sewage treatment plant.	BCC	Approved
1984	Genstar Development Inc.	- Amend Amendment to Covenant Governing Land Development approved by Resolution.	BCC	Approved with condition(s)
1986	Genstar Dev. Inc & Hammocks Community Assoc. Inc.	- Special Exception townhouse development on private drives. - Non-Use Variance for common open spaces.	BCC	Approved with condition(s)
1986	Genstar Development	- Amendment to Covenant Governing Land Development.	BCC	Approved with condition(s)
1987	Amerifirst Federal Savings	- Non-Use Variance for sign regulation.	ZAB	Approved with condition(s)
1994	Coulter Corporation	- Use Variance to permit a residential use in the IU-C District.	BCC	Approved with condition(s)
2004	Beckman Coulter, Inc.	- Rescission and Revocation of Resolution.	C11	Approved

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: September 26, 2013

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

Subject: BCC #Z2012000096-3rd Revision
Holland & Knight LLP
SW 152nd Avenue and SW 120th Street
Zone Change From IU-C to BU-1A, RU-1M(a), RU-TH, and RU-4L
(IU-C) (53.47 Acres)
09-55-39

Enclosed, please find the Department of Regulatory and Economic Resources - Division of Environmental Resources Management (DERM) review of the above referenced zoning application for compliance with the requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). As noted in the attached comments, your application has been reviewed and approved for compliance with the requirements of Chapter 24 of the Code and may be scheduled for hearing.

Potable Water
The subject property is located within the Miami-Dade Water and Sewer Department (MDWASD) water franchised service area. There are several 12-inch water mains within the subject property.

The subject property is also associated with 2008-WAT-EXT-00205 which was certified on February 13, 2009.

The source for this water supply is MDWASD's Alexander Orr Water Treatment Plant. This plant has sufficient capacity to provide current water demand. The plant is presently producing water that meets Federal, State, and County drinking water standards.

Wastewater Disposal
The subject property is located within MDWASD sanitary sewer franchised service area. Public sanitary sewers abut the site along Hammocks Boulevard in the form of 8-inch gravity main.

The subject property is also associated with 2008-SEW-EXT-00124 which was certified on March 11, 2010.

According to the 2008-SEW-EXT-00124, the wastewater flow is directed into pump station 30-00565, then to pump station 30-0536 or 30-0559, then to pump station TANDEM and finally to the South District Wastewater Treatment Plant. The aforementioned sanitary sewer pump stations as well as the South District Wastewater Treatment Plant are owned and operated by Miami Dade Water and Sewer Department. The aforesaid pump stations, are currently working within the mandated criteria set forth in the First and Second Partial Consent Decree. At this time the South District Wastewater Treatment Plant has sufficient capacity to treat current discharge.

Stormwater Management
A Modification of the existing Surface Water Management permit No. 13-00048-S-02, issued by the South Florida Water Management District is required. It is the applicant responsibility to contact this agency for further information regarding said modification.

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 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, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

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
The subject property contains tree resources along the right of way. A Tree Removal Permit 2009-TREE-PER-00307 was issued to Lucky Start at the Hammocks, on October 6, 2009 and expired on October 6, 2010.

The site contains prohibited trees as referenced in Section 24-49.9 of the Code. Per Section 24-49.9 of the Code, all prohibited trees are exempt from permitting and must be removed from site prior to development.

Be advised that an aerial review of the sites revealed that trees currently exist within the right of ways of SW 112th Street and Hammocks Boulevard Drive. Please be advised that a Tree Removal/Relocation Permit is required for the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application.

The applicant is advised to contact the Tree Permitting Program at (305)-372-6600, voice option #2, for additional information regarding permitting procedures and requirements prior to site development.

Enforcement History
There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property.

Concurrency Review Summary
A concurrency review has been conducted 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 written approval as required by Chapter 24 of 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.

cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum

MIAMI-DADE COUNTY

Date: October 28, 2013

To: Eric Silva
Assistant Director
Regulatory and Economic Resources Department

From: Antonio Cotarelo, P.E.
Interim County Engineer
Public Works and Waste Management Department

Subject: DIC 12-96
Name: Lucky Start at the Hammocks, LLC
Section 09 thru 32 Township 55 Range 39

I. PROJECT LOCATION:

Eastside of theoretical SW 152 Avenue between Hammocks Boulevard and SW 120 Street

II. APPLICATION REQUEST:

This application is concerning a 53.47 acre (approximately) and seeks a boundary change from IU-C (Industrial District, Conditional) to BU-1A (Business District, limited), RU-1M (a) (Modified Single Family Residential District, 5,000 ft net), RU-TH (Townhouse District, 8.5 unit/net acre) and RU-4L (Limited Apartment House District, 23 units/net acre).

III. RECOMMENDATION:

This project is located within the jurisdiction of Miami-Dade County. It meets Traffic Concurrency for an initial review. This project may be subject to the payment of Road Impact Fees. The PWWM recommends approval of the application as submitted.

IV. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION:

The project will be served by SW 120 Street from the east and the west, Hammocks Boulevard from the southeast and the northwest, and SW 151 Court from the north and the south.

V. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY:

A. Trip Generation (Based on Institute of Transportation Engineers)

684 PM Peak Hour trips are generated by this development.

B. Cardinal Distribution

North	48%	East	28%
South	15%	West	9%

VI. IMPACT ON EXISTING ROADWAYS:

A. CONCURRENCY:

Concurrency for this application has already been reserved under tentative plat T-22873 for the previous land use of IU-C (Industrial District, Conditional) with 1,256 trips generated.

The newly proposed Development Program for BU-1A (Business District, limited), RU-1M (a) (Modified Single Family Residential District, 5,000 ft. net), RU-TH (Townhouse District, 8.5 unit/net acre) and RU-4L (Limited Apartment House District, 23 units/net acre) generate a total of 684 trips.

Station 9724 located on SW 104 Street west of SW 147 Avenue, has a maximum LOS **"EE"** of **4248** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **2299** vehicles and an additional **300** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9724** with its PHP and assigned vehicles is at LOS **"C"**. The **143** vehicle trips generated by this development when combined with the **2299** and those previously approved through Development Orders, **300**, equal **2742** and will cause this segment to remain at LOS **"C"**.

Station 9832 located on SW 147 Avenue south of SW 104 Street, has a maximum LOS **"D"** of **1910** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **1407** vehicles and an additional **70** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9832** with its PHP and assigned vehicles is at LOS **"D"**. The **61** vehicle trips generated by this development when combined with the **1407** and those previously approved through Development Orders, **70**, equal **1538** and will cause this segment to remain at LOS **"D"**.

Station 9178 located on Hammocks Boulevard south of SW 88 Street, has a maximum LOS **"D"** of **2250** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **1690** vehicles and an additional **325** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9178** with its PHP and assigned vehicles is at LOS **"D"**. The **152** vehicle trips generated by this development when combined with the **1690** and those previously approved through Development Orders, **325**, equal **2167** and will cause this segment to remain at LOS **"D"**.

Station 9844 located on SW 152 Avenue south of SW 88 Street, has a maximum LOS **"D"** of **1670** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **809** vehicles and an additional **766** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9844** with its PHP and assigned vehicles is at LOS **"D"**. The **71** vehicle trips generated by this development when combined with the **809** and those previously approved through Development Orders, **766**, equal **1646** and will cause this segment to remain at LOS **"D"**.

Station 9762 located on SW 120 Street west of SW 137 Avenue, has a maximum LOS **"D"** of **3340** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **1989** vehicles and an additional **695** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9762** with its PHP and assigned vehicles is at LOS **"C"**. The **257** vehicle trips generated by this development when combined with the **1989** and those previously approved through Development Orders, **695**, equal **2941** and will cause this segment to remain at LOS **"C"**.

VII. DEVELOPMENT IMPROVEMENTS REQUIRED FOR THIS PROJECT:

Please see item VIII below.

VIII. ACCESS IMPROVEMENTS REQUIRED FOR THIS PROJECT:

The applicant shall improve project access at the major driveway along SW 120 Street by providing an exclusive westbound right-turn lane.

IX. SITE PLAN CRITIQUE – Site Plan is acceptable.

No Comments, all pending issues have been addressed.

X. STANDARD CONDITIONS:

A letter or a plan containing the following certification signed and sealed by a State of Florida registered engineer shall be submitted as part of the paving and drainage plans: "I hereby certify that 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 Greenbook) regarding: design speed, lane widths, horizontal alignment, vertical alignment, stopping sight distance, sight distance, horizontal clearance, vertical clearance, superelevation, shoulder widths, grades, bridge widths, etc."

c: Raul A. Pino, PLS, Department of Regulatory and Economic Resources
Joan Shen, Ph. D., P.E., PTOE, Acting Chief, Traffic Engineering Division, PWWM
Jeff Cohen, P.E., Assistant Chief, Traffic Engineer Division, PWWM
Orlando Grandal, Special Administrator for Concurrency, Department of Regulatory and Economic Resources

Memorandum

MIAMI-DADE COUNTY

Date: September 26, 2013

To: Jack Osterholt, Director
Regulatory and Economic Resources

From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department

Subject: DIC 2012000096 – Lucky Start at the Hammocks, LLC. (Revision No. 2)

The applicant is seeking to amend a previously approved Development of Regional Impact (DRI), along with modifications to approved and recorded documents, district boundary changes from industrial to residential and retail, including variances of zoning regulation on an approximate 53 acre parcel of land lying east of theoretical SW 152nd Avenue, between Hammocks Boulevard and SW 120th Street, Miami-Dade County, Florida.

SERVICE IMPACT/DEMAND

(A) Based on development information, this project is expected to generate approximately **123** fire and rescue alarms annually. The estimated number of alarms results in a moderate impact to existing fire and rescue service. However, existing stations serving this area will be able to absorb the additional number of alarms.

(B) Based on data retrieved during calendar year 2012, the average travel time to the vicinity of the proposed rezoning was **6:48** 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.

(C) A suspected fire within this project would be designated as a building dispatch assignment. Such an assignment requires four (4) suppression units; one of which must be an aerial, and the other three may be a combination of engines, tankers, ladders or aerials. Additionally, the assignment will require one (1) rescue and a battalion commander. This assignment requires twenty (20) firefighters and officers.

EXISTING SERVICES

STATION	ADDRESS	EQUIPMENT	STAFF
36	10001 Hammocks Boulevard	Rescue, Aerial	7
56	16250 SW 72 Street	Rescue, Engine	7
57	8501 SW 127 Avenue	Rescue, Battalion	4
53	11600 Turnpike Highway	Rescue	3
9	7777 SW 117 Avenue	Rescue, Aerial	7

SITE PLAN REVIEW

(A) Fire Engineering & Water Supply Bureau has reviewed and approved the revised site plan entitled "Garden Estates II," as prepared by Corwil Architects dated stamp received September 11, 2013.

(B) This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for DIC applications. 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 786-331-4544.

South
Florida
Regional
Planning
Council

November 1, 2013

Mr. Mark R. Woerner, AICP
Assistant Director for Planning
Regulatory and Economic Resources Department
Miami-Dade County
Stephen P. Clark Center
111 NW 1st Street – 12th Floor
Miami, FL 33128

RE: The Hammocks Notification of Proposed Change (NOPC)

Dear Mr. Woerner:

The South Florida Regional Planning Council has reviewed the Notice of Proposed Change (NOPC) for the Development of Regional Impact listed above. Council staff's review is based on §380.06(19), Florida Statutes (Fla. Stat.), Rule 73C-40, Florida Administrative Code, and the *Strategic Regional Policy Plan for South Florida.*

Section 380.06(19)(b), Fla. Stat., states "[a]ny proposed change to a previously approved development of regional impact or development order condition which, either individually or cumulatively with other changes, exceeds any of the following criteria shall constitute a substantial deviation and shall cause the development to be subject to further development-of-regional-impact review without the necessity for a finding of same by the local government."

The substantial deviation threshold for residential is "an increase in the number of dwelling units by 10 percent or 55 dwelling units, whichever is greater."[1] The NOPC, if approved, would increase dwelling units by 398; therefore, it is not a substantial deviation.

The substantial deviation threshold for commercial is "an increase...by 60,000 square feet of gross floor area or of parking spaces provided for customers for 425 cars or a 10 percent increase, whichever is greater."[2] The NOPC, if approved, would add 40,000 square feet, and, therefore, is not a substantial deviation.

The proposed distribution among types of residential of units is not a criterion for consideration under Section 380.06, Fla. Stat., nor Rule 73C-40, Florida Administrative Code, its implementing rule.

Council staff also noted that proposed changes would not create any new or additional adverse impacts to regional resources or facilities identified by the *SRPP*. The South Florida Regional Planning Council has no objections to adoption of the changes proposed in this application.

Please feel free to contact me at bcambric@sfrpc.com or 954.985.4416 if you have any questions or require additional assistance.

Sincerely,

Bob Cambric
Director of Policy and Planning

cc: Terry Manning, South Florida Water Management District (via email)
Bill Pable, Florida Department of Economic Opportunity (via email)
Phil Steinmiller, Florida Department of Transportation, District VI (via email)
Ken Jeffries, Florida Department of Transportation, District VI (via email)
Joseph G. Goldstein, Holland & Knight (via email)
Tracy R. Slavens, Holland & Knight (via email)

[1] See §380.06(19)(b)4, Fla. Stat.

[2] See §380.06(19)(b)6, Fla. Stat.

3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021
Broward (954) 985-4416, State (800) 985-4416
Fax (954) 985-4417, e-mail sfadmin@sfrpc.com, website: www.sfrpc.com

DATE: 19-JUL-13

REVISION 1

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

LUCKY START AT THE HAMMOCKS, LLC	Lying BET SW 120 ST, & Hammocks Blvd. & lying east of the. SW 152 Ave. MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2012000096

HEARING NUMBER

HISTORY:

FOLIO: 3059090140012
NC OPEN: CASE #201202007084, WAS OPENED ON AUGUST 8, 2012, FOR FAILURE TO PERFORM LOT MAINTENANCE. CITATION #T029818, WAS ISSUED THE SAME DAY [A WARNING LETTER WAS ISSUED UNDER A PREVIOUS CASE]. THE VIOLATION WAS CORRECTED, THE CITATION HAS BEEN PAID, AND THE CASE HAS BEEN CLOSED.
BLDG OPEN: THERE ARE CURRENTLY NO OPEN BUILDING SUPPORT REGULATION CASES.

NC CLOSED: CASE #201202001669, WAS OPENED ON MARCH 12, 201, FOR FAILURE TO MAINTAIN THE RIGHT OF WAY/SWALE AREA ABUTTING PRIVATE PROPERTY. A WARNING LETTER WAS ISSUED THE SAME DAY. COMPLIANCE WAS MET AND THE CASE HAS BEEN CLOSED.
CASE #201102007437, WAS OPENED ON AUGUST 11, 2011, FOR FAILURE TO MAINTAIN LOT MAINTENANCE. CITATION #T020841, WAS ISSUED ON September 1, 2011, FOR NON-COMPLIANCE. COMPLIANCE WAS MET AND THE CASE HAS BEEN CLOSED.
BLDG CLOSED: THERE ARE CURRENTLY NO OPEN BUILDING SUPPORT REGULATION CASES.

FOLIO: 3059090140011
NC OPEN: THERE ARE CURRENTLY NO OPEN NEIGHBORHOOD COMPLIANCE REGULATION CASES
BLDG: THERE ARE CURRENTLY NO OPEN BUILDING SUPPORT REGULATION CASES

NC CLOSED:
CASE #201202010241, WAS OPENED ON OCTOBER 19, 2012, FOR FAILURE TO PERFORM LOT MAINTENANCE IN A NON-RESIDENTIAL DISTRICT AS STATED IN 19-14 (A)(1);

52

OVERGROWN GRASS. CITATION #T032698, WAS ISSUED ON NOVEMBER 29, 2012, FOR THE NON-COMPLIANCE OF THE VIOLATION. THE VIOLATION HAS BEEN CORRECTED, THE CITATION HAS BEEN PAID, AND THE CASE HAS BEEN CLOSED.

BLDG: THERE ARE CURENTLY NO CLOSED BUILDING SUPPORT REGULATION CASES

LUCKY START AT THE HAMMOCKS, LLC

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

REPORTER NAME:

Memorandum

MIAMI-DADE COUNTY

DATE: July 16, 2013

TO: Jorge Vital
DIC Coordinator
Department of Regulatory and Economic Resources

FROM: Nilia Cartaya
Principal Planner
Miami-Dade Transit - Engineering, Planning & Development Division

SUBJECT: Review of DIC Project No. 12-96 (Lucky Start at the Hammocks) – Revision No. 1
MDT Project No. OSP006
FSC No. 41.04

Project Description

12-96 – Lucky Start at the Hammocks is requesting to amend The Hammocks Development of Regional Impact (DRI) program as it pertains to the subject property and to rezone portions of the property from IU-C to RU-1M(a), BU-1A, RU-4L. The submitted plans depict a 4-acre commercial parcel as well as residential development consisting of detached single-family residences, villas, and attached townhouses for a total of 399 dwelling units. Accompanying non-use variance request for lot frontage and requests to waive the required right-of-way dedication, 5' high masonry wall and dissimilar land use buffer are also being requested. Additional variance requests include a usual use to permit an entrance feature and requests to permit residential development within the Inner District Zone of the Kendall-Tamiami Executive Airport. A Substantial Deviation Determination pursuant to Section 380.06(19) of the Florida Statutes is also requested. The subject property is approximately 53.47 acres and is located between SW 149 Court and SW 152 Avenue and between SW 112 Street and SW 120 Street, Miami-Dade County, Florida.

Current Transit Service

There is transit service in the surrounding area is provided by Route 136. The alignment for this route is illustrated on the attached map. The service headways for this route (in minutes) are as follows:

Metrobus Route Service Summary
Lucky Start at the Hammocks, LLC Application Site

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		
136	(50) / (45)	n/a	n/a	n/a	n/a	n/a	0.3	L

Notes: *L means Metrobus local route service*
F means Metrobus feeder service to Metrorail
E means Express or Limited-Stop Metrobus service

June 2013 Line-Up

Future Transportation/Transit Improvements

The 2014 Transportation Improvement Program (TIP) proposes the following improvement on the roadways within the immediate vicinity of the site.

Facility/Project Limits	Type of Work
SW 120 Street (from SW 152 Avenue to SW 157 Avenue)	Construct 2 lanes

The 2035 Long Range Transportation Plan (LRTP) lists the following improvements within the immediate vicinity of this project.

Facility/Project Limits	Type of Work	Priority/Funding Phase
SW 120 Street (from SW 152 Avenue to SW 157 Avenue)	Construct 2 lanes	Private Sector Project
SW 120 Street (from SW 147 Avenue to SW 157 Avenue)	Add 2 lanes	Unfunded

The 2013 ten-year Transit Development Plan (TDP) identifies in its 2023 Recommended Service Plan the following improvements/adjustments on the existing route serving the vicinity of the project:

Route	Improvement/Adjustment
136	No planned improvements.

MDT Comments/Recommendations

Transit service in the surrounding area is provided by Route 136 which has an AM peak-hour headway of 50 minutes and a PM peak-hour headway of 45 minutes with no mid-day or weekend service. Policy MT 1A, Mass Transit Subelement of the Comprehensive Development Master Plan states that the minimum peak-hour mass transit level-of-service shall be that all areas within the Urban Development Boundary (UDB) of the Land Use Plan (LUP) which have a

combined resident and workforce population of more than 10,000 persons per square mile shall be provided with public transit service having a 30-minute headways and an average route spacing of one mile provided that:

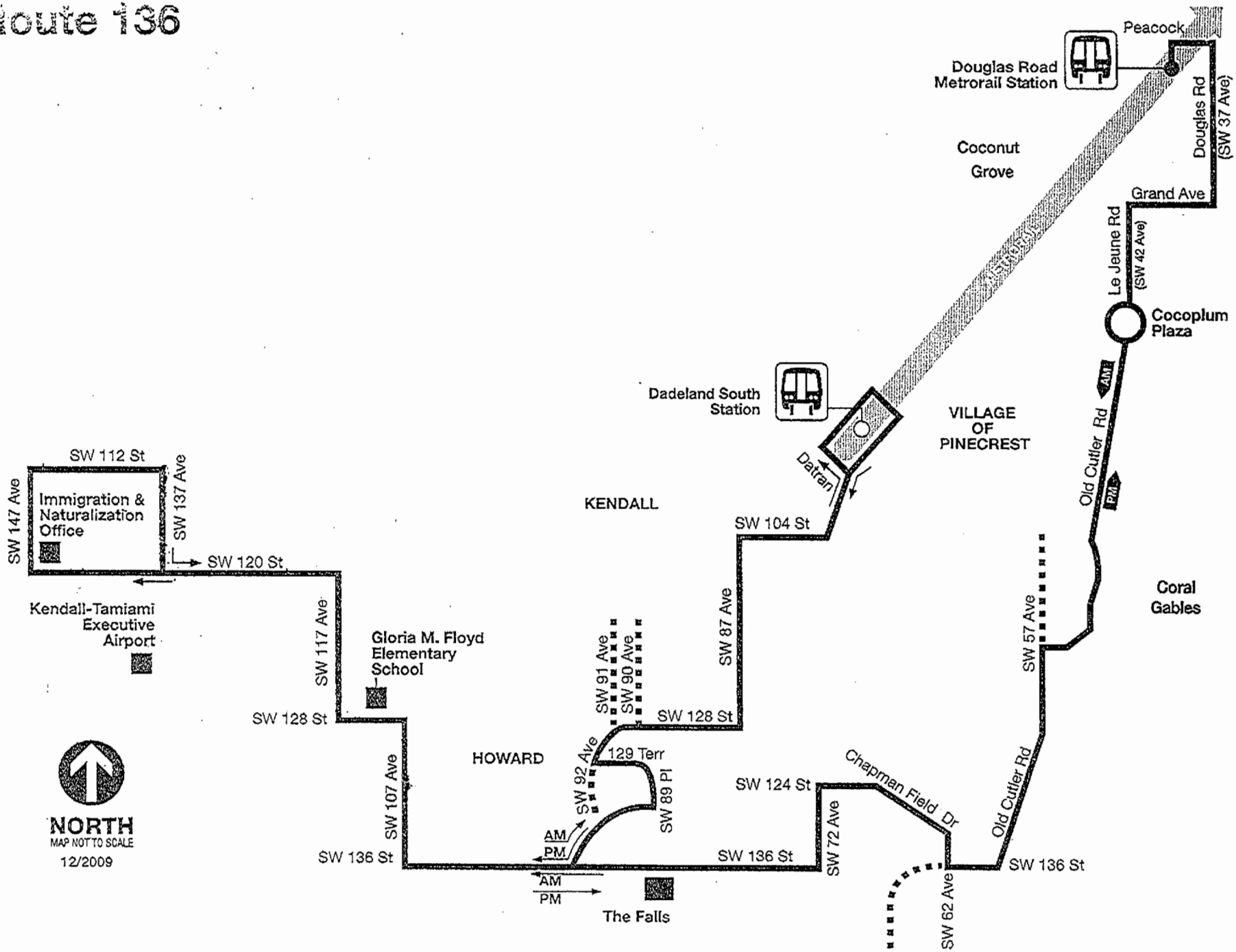
1) The average combined population and employment density along the corridor between the existing transit network and the area of expansion exceeds 4,000 per square mile, and the corridor is 0.5 miles on either side of any necessary new routes or route extensions to the area of expansion;
2) It is estimated that there is sufficient demand to warrant the service;
3) The service is economically feasible; and
4) The expansion of transit service into new areas is not provided at the detriment of existing or planned services in higher density areas with greater need.

Based on the latest socio-economic information provided by your department's Research Division, and a review of the June 2013 Metrobus/Metrorail service area, the combined resident and workforce population in the area does not exceed more than 10,000 persons per square mile. Therefore, this application meets the adopted mass transit level of service standards as prescribed by Policy MT-1A of the Mass Transit Sub-element of the Comprehensive Development Master Plan (CDMP).

Based on the information presented, MDT has no objections to this application.

c: Monica D. Cejas, P.E., Senior Professional Engineer
Douglas K. Robinson, Principal Planner
Gerald E. Bryan, Section Chief, Service Planning and Scheduling
Eric Zahn, Section Supervisor, Service Planning and Scheduling

Route 136


Peacock
Douglas Road Metrorail Station
Douglas Rd (SW 37 Ave)
Coconut Grove
Grand Ave
Le Jeune Rd (SW 42 Ave)
Cocoplum Plaza
Old Cutler Rd
AM
PM
Coral Gables
SW 57 Ave
Dadeland South Station
VILLAGE OF PINECREST
Datran
KENDALL
SW 104 St
SW 87 Ave
SW 112 St
SW 147 Ave
Immigration & Naturalization Office
SW 137 Ave
SW 120 St
Kendall-Tamiami Executive Airport
SW 117 Ave
Gloria M. Floyd Elementary School
SW 91 Ave
SW 90 Ave
SW 128 St
HOWARD
SW 92 Ave
129 Terr
SW 89 Pl
SW 107 Ave
SW 124 St
Chapman Field Dr
SW 72 Ave
SW 136 St
SW 62 Ave
The Falls
NORTH
MAP NOT TO SCALE
12/2009

Memorandum

MIAMI-DADE COUNTY

Date: September 18, 2013

To: Jack Osterholt, Deputy Mayor
Director, Regulatory and Economic Resources Department

From: Maria I. Nardi, Chief
Planning and Research Division
Parks, Recreation and Open Spaces Department

Subject: Z2012000096: LUCKY START AT THE HAMMOCKS,LLC
Review includes plans stamped received 9-11-2013

Application Name: LUCKY START AT THE HAMMOCKS, LLC

Project Location: The site is located between SW 120 ST, & Hammocks Blvd. & lying east of theoretical SW 52 Ave, Miami-Dade County.

Proposed Development: The applicant is requesting a change in zoning to allow for the development of a mix of housing types which will add 398 dwelling units and a small retail center to the Hammocks DRI. The site plan submitted includes a 1.14 acre amenities center. Review includes plans stamped received 9-11-2013.

Impact and demand: When measured by the County concurrency level-of-services standard for the unincorporated area of 2.75 acres of local recreation open space for the additional 398 dwelling units would generate the need for approximately 2.96 acres of local parks.

Recreation and Open Space Element policies ROS-2a (i); (ii); (iii); (iv); and (v) provide for the establishment of Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space. This application is in Park Benefit District 2 (PBD2) which has a surplus capacity of 494.95 acres when measured by the County concurrency level-of-services standard for the unincorporated area of 2.75 acres of local recreation open space for 1,000 persons in UMSA.

Current Park Benefit District Area Conditions: County-owned local parks that are within three miles of the subject application are described in Table A which lists the name, type and acreage for each park. The nearest local park to the application is Wild Lime Park, which is located approximately .5 miles from the site along Hammocks Blvd. Wild Lime Park is a community park and includes soccer fields.

Table A - County Parks (local only)
Within a 3 Mile Radius of Application Area.

Park Facility	Classification	Acreage
Chuck Pezoldt Park	COMMUNITY PARK	39.88
Kendale Lakes SP Tax Dist Lot 1	MINI-PARK	0.57
Lago Mar Park	NEIGHBORHOOD PARK	11.07
Kendall Green Park	NEIGHBORHOOD PARK	25.89
Devon Aire Park	COMMUNITY PARK	12.43
Westwind Lakes Park	COMMUNITY PARK	20.75
Wild Lime Park	COMMUNITY PARK	11.81
Calusa Club Estates Park	NEIGHBORHOOD PARK	6.99
Water Oaks Park	NEIGHBORHOOD PARK	5.05

Oak Creek Park	NEIGHBORHOOD PARK	5.03
Kendale Lakes Park	COMMUNITY PARK	15.53
Sandpiper Park	NEIGHBORHOOD PARK	4.74
Arvida Park	NEIGHBORHOOD PARK	7.55
Three Lakes Park	SINGLE PURPOSE PARK	15.72
Kendale Lakes SP Tax Dist Tract A3a	MINI-PARK	0.46
Forest Lakes Park	NEIGHBORHOOD PARK	5.67
Sugarwood Park	NEIGHBORHOOD PARK	7.82
Hammocks Community Park	COMMUNITY PARK	21.51
Kendale Lakes SP Tax Dist Lot 38	MINI-PARK	0.44
Sun Lakes Park	NEIGHBORHOOD PARK	7.14
Kendall Soccer Park	SINGLE PURPOSE PARK	43.14
Kings Grant Park	NEIGHBORHOOD PARK	6.42
Olympic Park	NEIGHBORHOOD PARK	7.08
Kings Meadow Park	NEIGHBORHOOD PARK	5.44
Westwind Lakes SP TX Dist TR A	NEIGHBORHOOD PARK	9.20

Objective ROS-8 of the Recreation and Open Space Element of the CDMP states the following: ***The 2007 Miami-Dade County Parks and Open Space System Master Plan (OSMP), through a 50-year planning horizon, shall guide the creation of an interconnected framework of parks, public spaces, natural and cultural areas, greenways, trails, and streets that promote sustainable communities, the health and wellness of County residents, and that serve the diverse local, national, and international communities.***

Recommendation: Based on our findings described herein **PROS HAS NO OBJECTION TO THIS APPLICATION**.

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb
Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum

MIAMI-DADE COUNTY

Date: August 16, 2013

To: Eric Silva, AICP, Assistant Director
Development Services Division
Department of Regulatory and Economic Resources

From: J.D. Patterson, Director
Miami-Dade Police Department

Subject: Review – Amended Zoning Application
Case: No. Z2012000096 – Lucky Start at the Hammocks, LLC

APPLICATION

The Applicant, the Lucky Start at the Hammocks, LLC, is requesting approval to amend their zoning application to update the proposed parcel configuration, zoning requests, and modifications to the pending Comprehensive Development Master Plan application and the Notification of Proposed Change for the Hammocks Development of Regional Impact (DRI) program. The subject property is approximately 53 acres and is located on the east side of theoretical SW 152 Avenue, between Hammocks Boulevard and SW 120 Street in Miami-Dade County. Based on the proposed increase in residential units, the population is estimated to increase by 1,408 permanent residents within the police district currently servicing the area.

CURRENT POLICE SERVICES

The proposed development will be located in unincorporated Miami-Dade County and serviced by our Hammocks District, located at 10000 SW 142 Avenue, Miami, Florida. Our current staffing allows for an average emergency response time of eight minutes or less.

REVIEW

A review of the application and related documents was conducted to predict the impact on the Miami-Dade Police Department's (MDPD) resources and the impact that the location could have on the proposed zoning modification changes. Current data of police staffing and population was examined and compared to expected population growth and projected increases in calls for service. Based on this data, a minimum of one additional sworn police officer would need to be added to the Hammocks District staffing in order to maintain current staffing levels to population and projected volume of calls for service. Should demand for police services increase beyond these calculations, additional sworn personnel, support staff, and equipment may be required to maintain current levels of service.

While the MDPD does not object to any proposed zoning modifications to complete this project, it is anticipated that as the Hammocks Development of the DRI is fully realized, the increase in population both permanent (residents) and daily commuters, may eventually place a higher demand on police services. The applicant and developers are encouraged to work with police during any future application, design, or construction changes to determine the best possible solutions or security options.

Should you have any questions or require additional information, Sergeant Keith Hedrick, of the Strategic Planning and Development Section, may be contacted at (305) 471-1990.

JDP/kh

Miami-Dade County Public Schools
giving our students the world

Superintendent of Schools
Alberto M. Carvalho

Miami-Dade County School Board
Perla Tabares Hantman, Chair
Dr. Martin Karp, Vice Chair
Dr. Dorothy Bendross-Mindingall
Susie V. Castillo
Carlos L. Curbelo
Dr. Lawrence S. Feldman
Dr. Wilbert "Tee" Holloway
Dr. Marta Pérez
Raquel A. Regalado

August 12, 2013

VIA ELECTRONIC MAIL

Ms. Tracy Slavens, Esquire
Holland & Knight
701 Brickell Avenue, Suite 3000
Miami, Florida 33131

tracy.slavens@hklaw.com

RE: PUBLIC SCHOOL CONCURRENCY - PRELIMINARY ANALYSIS
LUCKY START @ THE HAMMOCKS - DIC Z12-096
LOCATED AT HAMMOCKS BOULEVARD AND SW 112 STREET
PH3013071800724 - FOLIO Nos.: 3059090140011 and 3059090140012

Dear Applicant:

Pursuant to State Statutes and the Interlocal Agreements for Public School Facility Planning in Miami-Dade County, the above-referenced application was reviewed for compliance with Public School Concurrency. Accordingly, enclosed please find the School District's Preliminary Concurrency Analysis (Schools Planning Level Review).

As noted in the Preliminary Concurrency Analysis (Schools Planning Level Review), the proposed development would yield a maximum residential density of 137 single-family detached units and 292 single-family attached units, which generate 167 students; 74 elementary, 43 middle and 50 senior high students. **At this time, all school levels have sufficient capacity available to serve the application.** However, a final determination of Public School Concurrency and capacity reservation will only be made at the time of approval of final plat, site plan or functional equivalent. **As such, this analysis does not constitute a Public School Concurrency approval.**

Should you have any questions, please feel free to contact me at 305-995-4501.

Sincerely,

Ivan M. Rodriguez, R.A.
Director I

IMR:ir
L-077
Enclosure

cc: Ms. Ana Rijo-Conde, AICP
Ms. Vivian G. Villaamil
Miami-Dade County
School Concurrency Master File

Facilities Planning, Design and Sustainability
Ana Rijo-Conde, AICP, Deputy Chief Facilities and Eco-Sustainability Officer
1450 N.E. 2nd Ave. • Suite 525 • Miami, FL 33132
305-995-7285 • 305-995-4760 (FAX) • arijo@dadeschools.net

Miami-Dade County Public Schools

Concurrency Management System
Preliminary Concurrency Analysis

MDCPS Application Number:	PH3013071800724	Local Government (LG):	Miami-Dade
Date Application Received:	7/18/2013 9:29:33 AM	LG Application Number:	DIC Z12-096 Lucky Start @ the Hammocks
Type of Application:	Public Hearing	Sub Type:	Zoning

Applicant's Name: Tracy R. Slavens, Holland and Knight
Address/Location: 701 Brickell Av., Ste 3000, Miami FL 33131
Master Folio Number: 3059090140011
Additional Folio Number(s): *3059090140012,*

PROPOSED # OF UNITS	429
SINGLE-FAMILY DETACHED UNITS:	137
SINGLE-FAMILY ATTACHED UNITS:	292
MULTIFAMILY UNITS:	0

CONCURRENCY SERVICE AREA SCHOOLS						
CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
4511	DR GILBERT L PORTER ELEMENTARY	46	74	46	NO	Current CSA
4511	DR GILBERT L PORTER ELEMENTARY	0	28	0	NO	Current CSA Five Year Plan
6221	HAMMOCKS MIDDLE	137	43	43	YES	Current CSA
7781	FELIX VARELA SENIOR	-336	50	0	NO	Current CSA
7781	FELIX VARELA SENIOR	0	50	0	NO	Current CSA Five Year Plan
ADJACENT SERVICE AREA SCHOOLS						
831	CLAUDE PEPPER ELEMENTARY	168	28	28	YES	Adjacent CSA
7531	MIAMI SUNSET SENIOR	271	50	50	YES	Adjacent CSA

*An Impact reduction of 19.5% included for charter and magnet schools (Schools of Choice).

MDCPS has conducted a preliminary public school concurrency review of this application; please see results above. A final determination of public school concurrency and capacity reservation will be made at the time of approval of plat, site plan or functional equivalent. **THIS ANALYSIS DOES NOT CONSTITUTE PUBLIC SCHOOL CONCURRENCY APPROVAL.**

1450 NE 2 Avenue, Room 525, Miami, Florida 33132 / 305-995-7634 / 305-995-4760 fax / concurrency@dadeschools.net

Memorandum

MIAMI-DADE COUNTY

Date: October 28, 2013

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: José A. Ramos, R.A., Division Director
Aviation Planning, Land-Use and Grants Division for. A.R.
Aviation Department

Subject: DIC Application No. 12-096
Garden Estates East F/K/A Lucky Start at the Hammocks, LLC
MDAD DN-13-10-1211

As requested by the Department of Regulatory and Economic Resources, the Miami-Dade Aviation Department (MDAD) has reviewed the applicant's request for various district boundary changes and variances on the property which will allow residential dwellings for Parcels A – C (as identified on the current set of plans titled "Garden Estates East" as prepared by Corwil Architects and Witkin Hults Design Group, date stamped received September 11, 2013). This application proposes an amendment of the DRI program as it pertains to the subject property which contains ± 53.47 acres of vacant land area and is located on the east side of theoretical SW 152nd Avenue, between Hammocks Boulevard and SW 120th Street.

Based upon our review of the plans as they pertain only to Parcels A – C of the subject property, MDAD has determined that the referenced property is either partially or fully impacted by the following land use restrictive zones as defined in the Code of Miami-Dade County, Article XL Kendall-Tamiami Executive Airport Zoning, Section 33-395:

- Inner District (ILZ) New residential construction and educational facilities, excluding aviation, are not permitted within this land use classification.

- Outer District (OLZ) New residential construction and educational facilities excluding aviation, are required to incorporate at least a 25 db Noise Level Reduction into the design/construction of the structure.

- No School Zone (NSZ) New educational facilities, excluding aviation schools, are not permitted within this land use classification.

As part of its zoning hearing application, the applicant is requesting a variance to permit residential uses within the ILZ. As you are aware, we are working together to amend the Kendall-Tamiami Executive Airport (TMB) Zoning. As we discussed, one of the revisions involves replacing the ILZ and OLZ with the 75 and 65 db noise contours. The justification for allowing the ILZ and OLZ to be recalculated is based upon State Statute 333.03 (2) (c) as follows: "Where an airport authority or other governing body operating a publicly owned, public-use airport has conducted a noise study in accordance with the provisions of 14 C.F.R. Part 150, neither residential construction nor any educational facility as defined in chapter 1013, with the exception of aviation school facilities, shall be permitted within the area contiguous to the airport defined by an outer noise contour that is considered incompatible with that type of construction by 14 C.F.R. Part 150, Appendix A or an equivalent noise level as established by other types of noise studies".

While it will always be MDAD's preference to support land uses which are considered more compatible with airport operations in close proximity to our airport system, it should be understood that this proposed revision would mean that the subject property will no longer be (encumbered) impacted by a land use restrictive zone which would prohibit residential development. Should the community zoning appeals board approve a residential use, MDAD respectfully requests a conditional approval with proffered covenant running with the land. The terms of the covenant should include, but not be limited to the following: an avigation easement; noise mitigation to include a 25 decibel noise level reduction into the design and construction of the homes; mandatory disclosure of noise impacts and the frequency of operations to prospective buyers and lessees; and restricting the maximum building elevations for the residential units to 35' AGL (Above Ground Level). The proffered covenant will be subject to the review and approval of both MDAD and the County Attorney, allowing for further revisions if necessary.

The applicant has agreed that the proposed residential building elevations on this site will not exceed a maximum height of 35 feet AGL (Above Ground Level) which conforms to the Miami-Dade County Code, Chapter 33, Kendall-Tamiami Executive Airport Zoning. The maximum height includes the tallest element on the roof, such as the top of any elevator shafts, architectural features, lightning rods, flag poles, etc. This height determination is an estimate issued on a preliminary or advisory basis. Please note that as a preliminary height determination it does not constitute approval by MDAD for construction until coordination and a "No-Hazard" determination from the Federal Aviation Administration (FAA) is obtained. Please note, any proposed construction at this location is required to be filed with the FAA using Form 7460-1 'Notice of Proposed Construction Alteration for Determination of Known Hazards'. In addition, any construction cranes for this project at this must be filed by the construction contractor using the same form. The form is available through this office or through the FAA website: https://oeaaa.faa.gov. This form should be mailed to: Federal Aviation Administration, Air Traffic Airspace Branch - ASW-520, 2601 Meacham Blvd, Ft. Worth, TX 76137-0520. Alternatively, the applicant may "e-file" online at https://oeaaa.faa.gov.

Based on the above, MDAD would not object to the proposed structure heights that conform to the Miami-Dade County Code, Chapter 33, Kendall-Tamiami Executive Airport Zoning as long as:

1) The FAA determines that the construction of the buildings at the above mentioned heights will not diminish or affect the safety, efficiency or capacity of the Kendall-Tamiami Executive Airport Zoning in any way; and

2) The FAA issues a "Determination of No Hazard" for this project and location; and

3) An interested party does not file a "petition for review" to the FAA's aeronautical study that has yet to be completed for this project and location.

Please note that the airspace review process is governed by two different regulations: the Code of Miami-Dade County, Chapter 33, Kendall-Tamiami Executive Airport Zoning and Federal Regulation Title 14 Part 77. The FAA has its own airspace evaluation requirements, and issues airspace determinations for structures and cranes based on the particular facts then presented before the FAA. MDAD or the applicable municipal building official determines whether the County's height limitations

are met, and the FAA determines whether FAA building, marking and height requirements are met. It is MDAD's responsibility to administer and enforce the regulations prescribed in the Miami-Dade County Code, Chapter 33, Kendall-Tamiami Executive Airport Zoning.

This determination is based, in part, on the description provided to us by you, which includes specific building locations and heights. Any changes in building locations/layouts or heights will void this determination. Any future construction or alteration, including an increase to heights requires separate notice to the FAA and MDAD.

Please be advised that MDAD will need to review and approve the plans for the yet to be determined development for Parcel D of the subject property.

C: A. Riaz
T. Abbot
Jorge Vital, Department of Regulatory and Economic Resources

Memorandum

MIAMI-DADE COUNTY

Date: September 23, 2013

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources (RER)

From: Maria A. Valdes, Chief, LEED® Green Associate
Comprehensive Planning & Water Supply Certification Section

Subject: Lucky Start at the Hammocks, LLC - DIC Application # Z2012000096 (REVISION # 3)

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

Recommendation: Approval based on conditions noted below.

Application Name: Lucky Start at the Hammocks, LLC

Project Location: The subject property is located on the east side of theoretical S.W. 152nd avenue, between Hammocks Blvd. and S.W. 120th Street, in unincorporated Miami-Dade County.

Proposed Development: The applicant is requesting a district boundary change from IU-C (Industrial District Conditional to BU-1A, RU-1M(A), RU-TH, and RU-4L. The site plan for this project consists of the following developments:

Projected Water/Sewage Loading			
Proposed Uses	Total # units	Flow Rate	Water/Sewage Loading (GPD)
137 Detached single family residences (assumed all under 3,001 sq.ft.)	137	220gpd/unit	30,140
101 Traditional Townhomes with garage	101	180gpd/unit	18,180
160 Townhome Villas without garages	160	180gpd/unit	28,800
Retail	40,000 sq.ft.	10 gpd/100 sq. ft.	4,000
	Overall Development Total GPD		**81,120**

The total water demand for this development will be 81,120 gpd.

Water:
The subject project is located within MDWASD's service area. The source of water for the overall development is the Alexander-Orr Water treatment Plant. There are existing 12-inch water mains within the subject site from where the developer can connect and extend water mains to serve the proposed use. At the time of development, a Water Supply Certification will be required for the proposed development. Said Certification is issued to assure adequate water supply is available to all water users of the MDWASD as required by Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the MDWASD's 20-year Water Use Permit.

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. There is an existing 8-inch gravity sanitary sewer within the subject site from which the developer can connect to serve the proposed development provided there is sufficient depth and that there are no obstacles which would preclude construction of the sewer.

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 consistent with policy WS-2A(2) of the CDMP. 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.

The downstream pump station for the subject project is Pump Station 565. Please note that the projected NAPOT for said pump station will increase to 9.06 hours per day as noted below. If at the time of development, the projected NAPOT of the pump station exceeds the ten-hour NAPOT criteria as stipulated in the USEPA First Partial Consent Decree, the pump station will be required to be upgraded according to the remedial plan submitted to the USEPA by MDWASD.

Pump Station: 0565
Yearly NAPOT: 5.00 Hrs
Projected NAPOT: 5.20 Hrs
Projected NAPOT including this project flows: 9.06 Hrs per day

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. In addition, all developments must comply with the Miami-Dade County's permanent landscape irrigation restrictions in Section 32-8.2 of the Miami-Dade County Code.

In addition, please note that Section 8A-381 (c) of the Miami-Dade County Code estates that, ***"Effective January 1, 2009, all permit applications for new multifamily residential developments shall be required to include a sub-meter for each individual dwelling unit."***

For more information about our Water Conservation Program please go to http://www.miamidade.gov/conservation/home.asp.

For information concerning the Water-Use Efficiency Standards Manual please go to http://www.miamidade.gov/conservation/library/WUE_standards_manual_final.pdf

Should you have any questions, please call me at (786) 552-8198 or Alfredo B. Sanchez at (786) 552-8237.

Memorandum

Date: August 12, 2013

To: Eric Silva, Assistant Director
Regulatory and Economic Resources Department

From: Kathleen Woods-Richardson, Director
Public Works and Waste Management Department

Subject: Lucky Start at the Hammocks, LLC update (DIC # 12-096)

The Department's review of the above-referenced item is provided below. This is an update to a previous response dated August 17, 2012. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal Management and Planning Division at 305-514-6661. **The PWWM has no objections to the proposed application.**

Application: ***Lucky Start at the Hammocks, LLC,*** seeks a district boundary change to divide a property, presently zoned Industrial / Office (IU-C), into three separate parcels providing for Modified Single Family Residential (RU-1M(a)) on Parcel A, Limited Apartment House District (RU-4L) on Parcel B; and Limited Business District (BU-1A) on Parcel C. The applicant maintains a request for a variance, an unusual use, a series of non use variances and a series of modifications to the Covenant Governing Land Development regarding the construction of a residential development community.

Size: The subject property is approximately 53.47 acres.

Location: The subject property is located on the east side of theoretical S.W. 152nd Avenue, between Hammocks Boulevard and SW 120th Street, in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) 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 28, 2012, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly 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: Residential Units

Pursuant to Chapter 15 of the Miami-Dade County Code (Code), entitled Solid Waste Management, the re-designation to Modified Single Family Residential (RU-1M (a)) on Parcel A meets the County Code

definition of "Residential Unit." Per the Code, residential units located within the project shall, therefore, receive PWWM waste collection service. Twice weekly curbside waste collection, twice per year scheduled bulky waste collection service, and unlimited use of the 13 Trash and Recycling Centers are the services currently provided to residential units in the PWWM solid waste collection service area.

3. Garbage and Trash Collection Services: Multi-family Units and Commercial Establishments:

Pursuant to Chapter 15 of the Miami-Dade County Code, entitled Solid Waste Management, the re-designation to Limited Apartment House District (RU-4L) on Parcel B; and Limited Business District (BU-1A) on Parcel C meet the County Code definition of "Multi-family Residential Establishment" and "Commercial Establishment" respectively and are therefore subject to the following requirements:

"every commercial and multi-family residential 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." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service.

4. Recycling: Residential Units

The PWWM provides curbside recycling services to residential units located in unincorporated Miami-Dade County through a private contractor. The single stream recycling program currently includes separation of glass, aluminum cans, steel cans, plastic bottles, newspaper and phone books. Further information may be obtained by calling the Department's Public Information & Outreach Division at 305-594-1500 or 305-514-6714.

Applicants are ***strongly*** advised to incorporate adequate space in their building plans to accommodate the recycling program (i.e. somewhere for residents to store their recycling carts).

5. Recycling: Multi-family Units

Regarding multi-family units, **Section 15-2.2a** of the Code requires "every multi-family residential establishment shall provide for a recycling program which shall be serviced by a permitted hauler or the appropriate governmental agency and shall include, at a minimum, the five (5) materials listed in Section 15-2.2 below."

1) Newspaper
2) Glass (flint, emerald, amber)
3) Aluminum cans
4) Steel cans
5) Plastics (PETE, HDPE-natural, HDPE-colored)

Section 15-2.2b of the Code states the failure of a multi-family residential establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner(s) shall be liable, provided, however, that in the case of a condominium or cooperative apartment having a condominium association or cooperative apartment association, said association, rather than individual unit owners, shall be liable for any such violation.

Applicants are ***strongly*** advised to incorporate adequate space and facilities in their building plans to accommodate the required recycling program. Requests for approval of modified recycling programs must be made directly to the Department at 305 514-6666.

6. Recycling: Commercial Establishments

The following language from **Section 15-2.3a** of the Code 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

Section 15-2.3 of the Code states the failure of a commercial establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner and the owner(s) and operator(s) of the commercial establishment shall be jointly and severally liable.

7. 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."

8. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria 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 accordance 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 set-out 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.

DATE: 18-NOV-13

REVISION 2

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

LUCKY START AT THE HAMMOCKS, LLC	Lying BET SW 120 ST, & Hammocks Blvd. & lying east of the. SW 152 Ave. MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2012000096

HEARING NUMBER

HISTORY:

FOLIO: 3059090140012
NC OPEN: THERE ARE CURENTLY NO OPEN NEIGHBORHOOD COMPLIANCE REGULATION CASES
BLDG OPEN: THERE ARE CURRENTLY NO OPEN BUILDING SUPPORT REGULATION CASES.

NC CLOSED: CASE #201202008814, WAS OPENED ON OCTOBER 1, 2012, FOR FAILURE TO PERFORM LOT MAINTENANCE. THE CASE WAS CLOSED AS â¿¿NO VIOLATIONâ¿¿, AS THE PROPERTY WAS NOT OVERGROWN AT THE TIME OF THE INSPECTION. CASE #201202001669, WAS OPENED ON MARCH 12, 2011, FOR FAILURE TO MAINTAIN THE RIGHT OF WAY/SWALE AREA ABUTTING PRIVATE PROPERTY. A WARNING LETTER WAS ISSUED THE SAME DAY. COMPLIANCE WAS MET AND THE CASE HAS BEEN CLOSED. CASE #201102007437, WAS OPENED ON AUGUST 11, 2011, FOR FAILURE TO MAINTAIN LOT MAINTENANCE. CITATION #T020841, WAS ISSUED ON September 1, 2011, FOR NON-COMPLIANCE. COMPLIANCE WAS MET AND THE CASE HAS BEEN CLOSED. CASE #201202007084, WAS OPENED ON AUGUST 8, 2012, FOR FAILURE TO PERFORM LOT MAINTENANCE. CITATION #T029818, WAS ISSUED THE SAME DAY [A WARNING LETTER WAS ISSUED UNDER A PREVIOUS CASE]. THE VIOLATION WAS CORRECTED, THE CITATION HAS BEEN PAID, AND THE CASE HAS BEEN CLOSED. CASE #201302008030, WAS OPENED ON AUGUST 8, 2013, FOR FAILURE TO PERFORM LOT MAINTENANCE. THE CASE WAS CLOSED â¿¿NO VIOLATIONâ¿¿ AS THE PROPERTY HAD BEEN RECENTLY MOWED AT THE TIME OF THE INSPECTION.

BLDG CLOSED: THERE ARE CURRENTLY NO OPEN BUILDING SUPPORT REGULATION CASES.

FOLIO: 3059090140011
NC OPEN: THERE ARE CURRENTLY NO OPEN NEIGHBORHOOD COMPLIANCE REGULATION CASES
BLDG: THERE ARE CURRENTLY NO OPEN BUILDING SUPPORT REGULATION CASES

NC CLOSED:
CASE #201202010241, WAS OPENED ON OCTOBER 19, 2012, FOR FAILURE TO PERFORM LOT MAINTENANCE IN A NON-RESIDENTIAL DISTRICT AS STATED IN 19-14 (A)(1); OVERGROWN GRASS. CITATION #T032698, WAS ISSUED ON NOVEMBER 29, 2012, FOR THE NON-COMPLIANCE OF THE VIOLATION. THE VIOLATION HAS BEEN CORRECTED, THE CITATION HAS BEEN PAID, AND THE CASE HAS BEEN CLOSED.

BLDG: THERE ARE CURENTLY NO CLOSED BUILDING SUPPORT REGULATION CASES

LUCKY START AT THE HAMMOCKS, LLC

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

REPORTER NAME:

LENNAR

PROPOSED MIXED USE DEVELOPMENT
GARDEN ESTATES EAST

S.W. 151 ST COURTH & S.W. 120TH STREET
MIAMI - DADE, FLORIDA

RECEIVED
Z12-096
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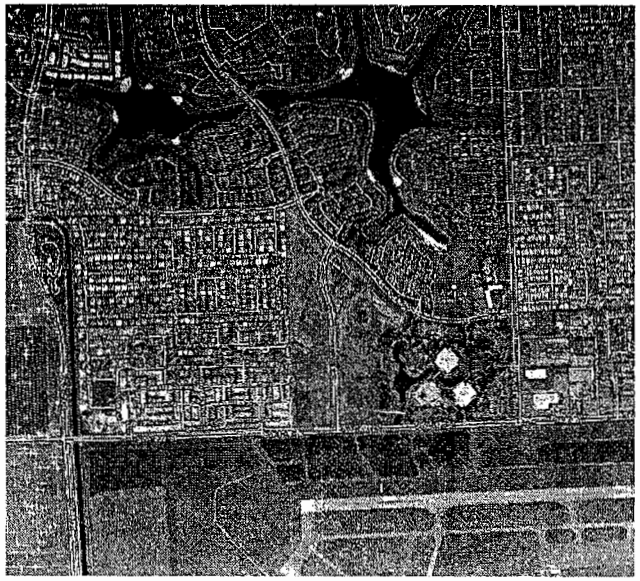
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

PREPARED BY:
CORWILARCHITECTS
4210 LAGUNA ST, CORAL GABLES FL. 33146
LIC.NO. AA-C002151 T.305.448.7383

74



CONTEXT VIEW
SCALE: N.T.S.

AERIAL VIEW
SCALE: N.T.S.

CORWILARCHITECTS
4210 LA GORCE ST. CORAL GABLES FL. 33146
LIC. NO. AA-C003151 T.305.448.7383

PROJECT:
GARDEN ESTATES II
MIAMI DADE, FLORIDA

OWNER:
HAMMOCKS
LENNAR LLC.

AERIAL/ CONTEXT PLAN

SEAL

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SEP 11 2013
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY_____

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DATE	4/9/2013
JOB NO.	2012-38
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APP'D BY	AMC
FILE	2012-38

SHEET NUMBER:
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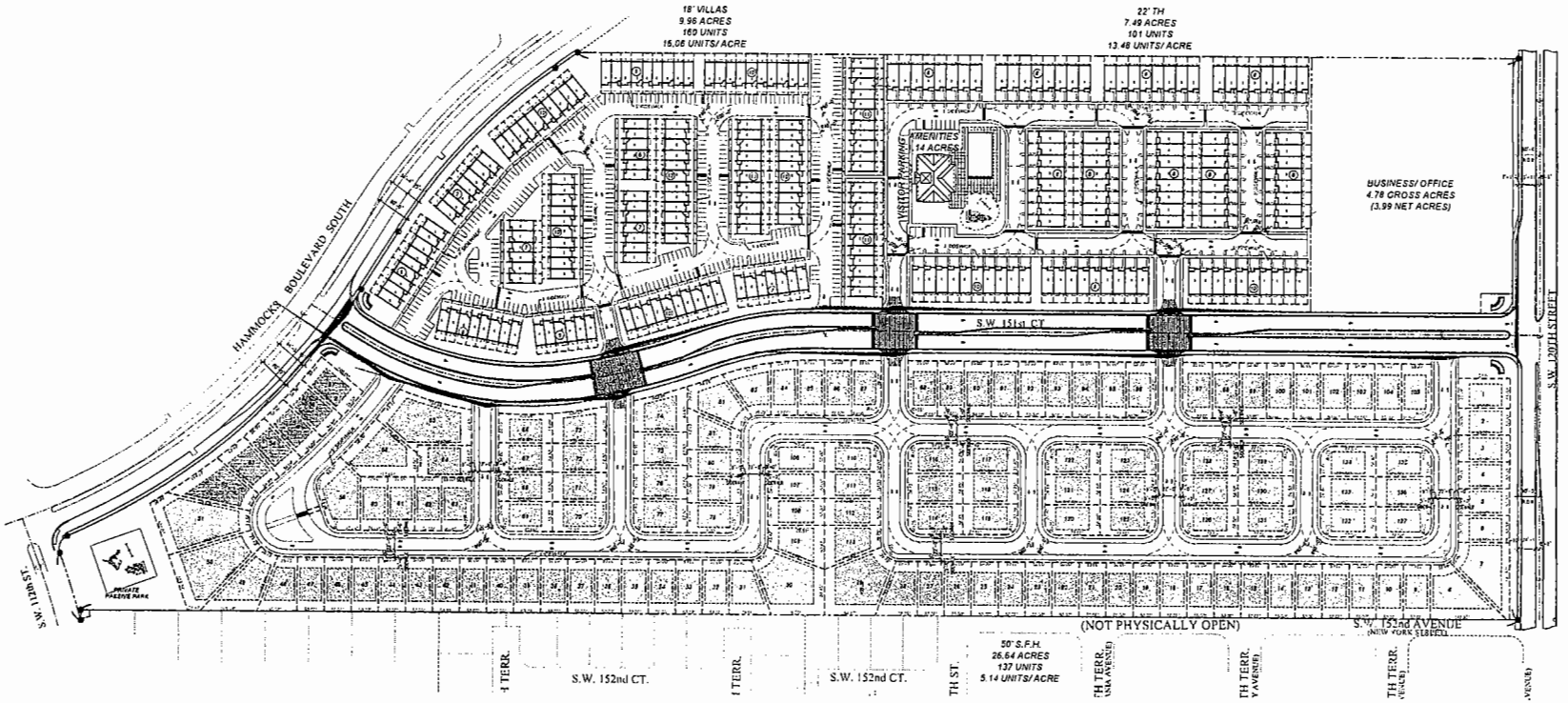

PROPOSED SITE PLAN - SECTOR A

SCALE: 1" = 100'-0"

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MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

BY _____

CORWILARCHITECTS
4010 LAGUNA ST. CORAL GABLES FL. 33146
LIC./NO. AA-C002151 P.305.448.7383

PROJECT

GARDEN ESTATES II
MIAMI DADE, FLORIDA

OWNER.

HAMMOCKS
LENNAR LLC.

ENLARGED SITE PLAN - SECTOR A

PHASE

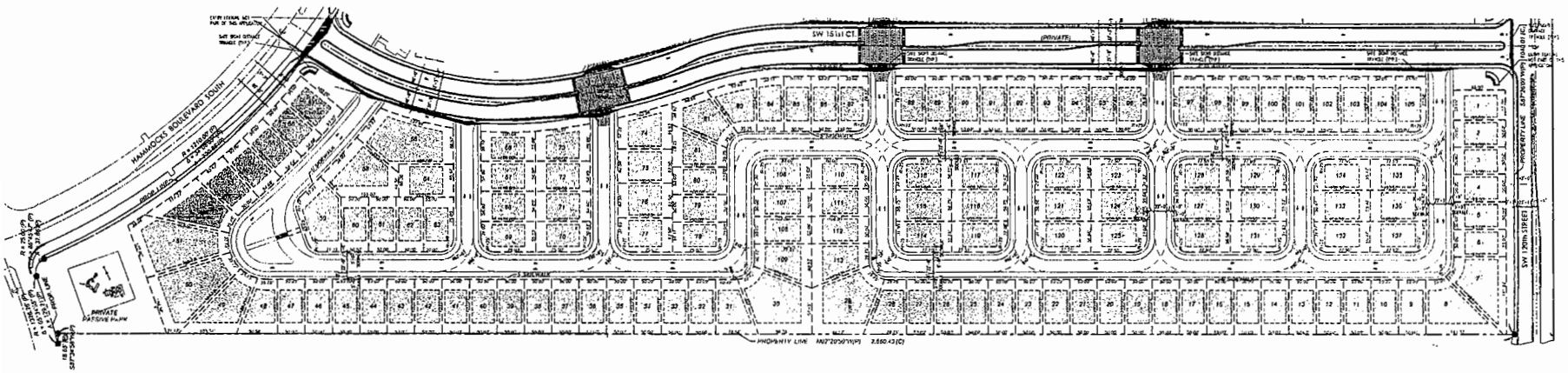
REVISIONS

SEAL

DATE	4/9/2013
JOB NO.	2012-38
DRAWN BY	MC
APPROVED BY	AMC
FILE	2012-38

SHEET NUMBER:

A-1.0



PROPOSED SITE PLAN - SECTOR A

SCALE: 1" = 80'-0"

ZONING INFORMATION	
PROJECT NAME	GARDEN ESTATES EAST (SINGLE FAMILY HOMES)
PROPERTY ADDRESS:	SW 151st Court - From SW 120th Street thru Hammocks Boulevard Drive
ZONING:	RU-1M(A)
NET LOT AREA (NLA) :	1,160,500 SQ.FT. (26.64 ACRES)

DENSITY:	PROVIDED
5.14 UNITS PER ACRE.	137

	REQUIRED	PROVIDED
MIN. LOT AREA	5,000 SQ. FT.	5,000 S.F.
MIN. WIDTH	50. FT.	50 FT.
MAX LOT COVERAGE (% OF LOT AREA)	45%	45%
MIN. BUILDING SIZE	8,500 CU. FT.	20,250 CU. FT.

ACCESSORY USE SETBACKS	REQUIRED	PROVIDED
FRONT SETBACK	75'-0"	75'-0"
INTERIOR SIDES	5'-0"	5'-0"
BETWEEN BLDG.	10'-0"	10'-0"
SIDE STREET	15'-0"	15'-0"

SETBACKS:	REQUIRED	PROVIDED
FRONT SETBACK	15' FOR 50% LINEAL FOOTAGE OF THE WIDTH OF THE HOUSE, AND 25' FOR BALANCE. EXCEPT 20' FOR ATTACHED GARAGES	15'-0" MIN. 20'-0" AT GARAGE
REAR SETBACK	15' FOR 50% OF LINEAL FOOTAGE OF THE WIDTH OF THE HOUSE AND 25' FOR BALANCE.	15'-0" FOR 50% 25'-0" FOR 50%
INTERIOR SIDE	5'-0"	5'-0"
SIDE STREET	10'-0	10'-0"

PARKING	REQUIRED	PROVIDED
	2 PARKING SPACES	2

BUILDING HEIGHTS	ALLOWED	PROVIDED
MAX HEIGHTS (AS MEASURED FROM GRADE)	2 STORY = 35'	2 STORY = 20'-8"

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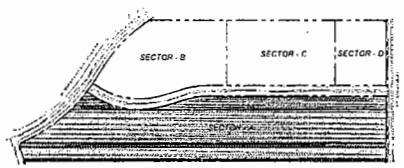

KEY PLAN

SCALE: N.T.S.

CORWILARCHITECTS
4210 LAGUNA ST. CORAL GABLES FL. 33146
LIC.NO. AA-C007151 T.305.448.7340

PROJECT:

GARDEN ESTATES II
MIAMI DADE, FLORIDA

OWNER:

HAMMOCKS LENNAR LLC.

ENLARGED SITE PLAN - SECTOR A

PHASE

REVISIONS

SEAL

DATE	4/9/2013
JOB NO.	2012-38
DRAWN BY	MC
CHECKED BY	AMC
FILE	2012-38

SHEET NUMBER:

A-1.0

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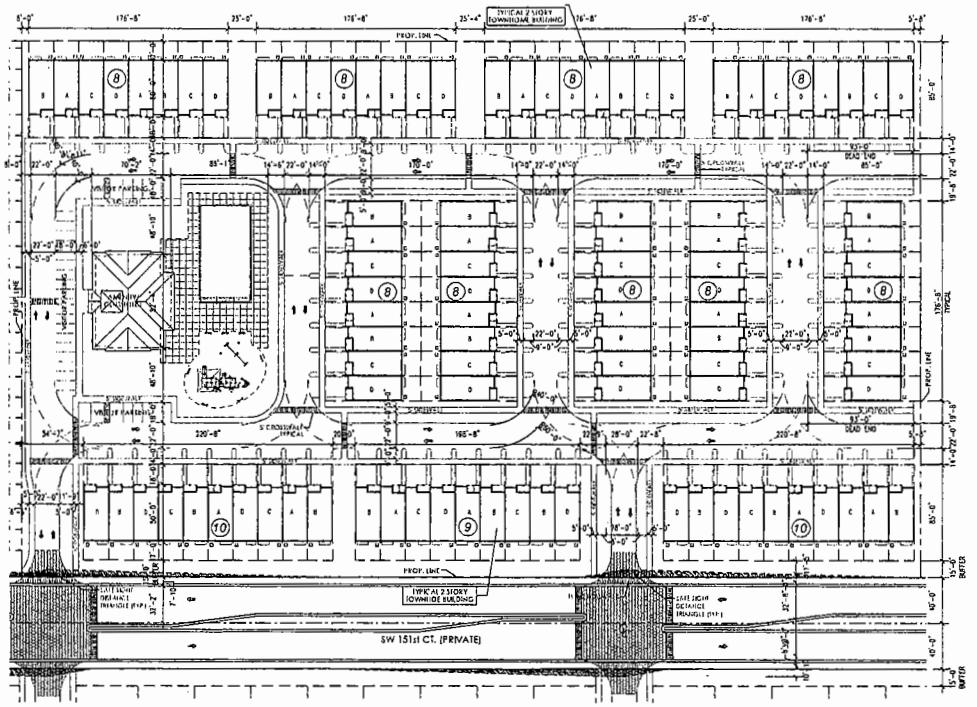
ZONING INFORMATION		
PROJECT NAME	GARDEN ESTATES EAST (PROPOSED TOWNHOMES)	
PROPERTY ADDRESS:	SW 151st Court - SW 120th Street	
ZONING:	RU-4L	
NET LOT AREA (NLA) :	325,584 S.F. (7.47 NET ACRES)	
DENSITY:	ALLOWED/REQUIRED	PROVIDED
UNITS PER ACRE:	23 UNITS/ ACRE	13.52 UNITS/ACRE
TOTAL UNITS	171 UNITS	101 UNITS

AS PER: RU-TH (TOWNHOUSE DISTRICT)		
	ALLOWED/REQUIRED	PROVIDED
COMMON OPEN SPACE	30% OF NLA (325,548 S.F.) = 97,675 S.F. (MIN.)	222,343 s.f. (68.29%)
GROUPING LENGTH MAX.	240'-0"	220'-8"
MIN. UNIT SIZE:	MIN. 600 S.F. - 800 S.F. (AVERAGE)	1,701 S.F.
HEIGHT MAX.	40 FEET	19'-8'
LOT AREA/ UNIT:	MIN. 1,250 S.F. - 1,500 S.F. (AVERAGE)	1870 s.f. - 1898 s.f.
SETBACKS:		
FRONT YARD	25' FROM THE NEAREST EDGE OF ROADWAY PAVEMENT TO THE FRONT BUILDING LINE	32'-0" FROM NEAREST EDGE OF ROADWAY PAVEMENT TO FRONT BLDG LINE
REAR YARD PRINCIPAL BUILDING, TERRACES/CANTALIVER SCREEN ENCLOSURES	10 FEET 5 FEET 0 FEET	17'-0" 14'-0" N/A

PARKING:	REQUIRED	PROVIDED
PARKINNG SPACES/ UNIT:	2 SPACES	2 SPACES
101 UNITS x 2 P.S.	202 SPACES	202 SPACES
ADD. PARKING 101 x 25% SPACES/ UNIT	26 SPACES	33 SPACES
TOTAL PARKING SPACES	228	235

AMENITY SITE PLAN INFORMATION	
NET LOT AREA:	49,815 S.F. (1.14 ACRES)
GROSS AREA:	4,440 S.F.
TERRACE AREA:	536 S.F.
POOL DECK AREA	11,314 S.F. (INCLUDING POOL)
COVERED ENTRY AREA:	157 S.F.
TOTAL AREA:	16,447 S.F.



PROPOSED SITE PLAN - SECTOR C
SCALE: 1" = 50'-0"

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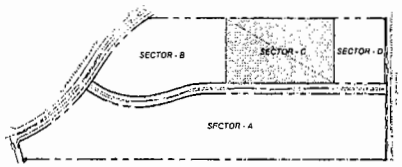

KEY PLAN
SCALE: N.T.S.

CORWILARCHITECTS
4710 LAGUNA ST. CORAL GABLES FL. 33146
LIC.NO. AA-C002151 T.305.448.7363

PROJECT:
GARDEN ESTATES II
MIAMI DADE, FLORIDA

OWNER:
HAMMOCKS LENNAR LLC.

ENLARGED SITE PLAN - SECTOR C

PHASE

REVISIONS

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DATE 4/9/2013
JOB NO. 2012-38
DRAWN BY MC
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FILE 2012-38

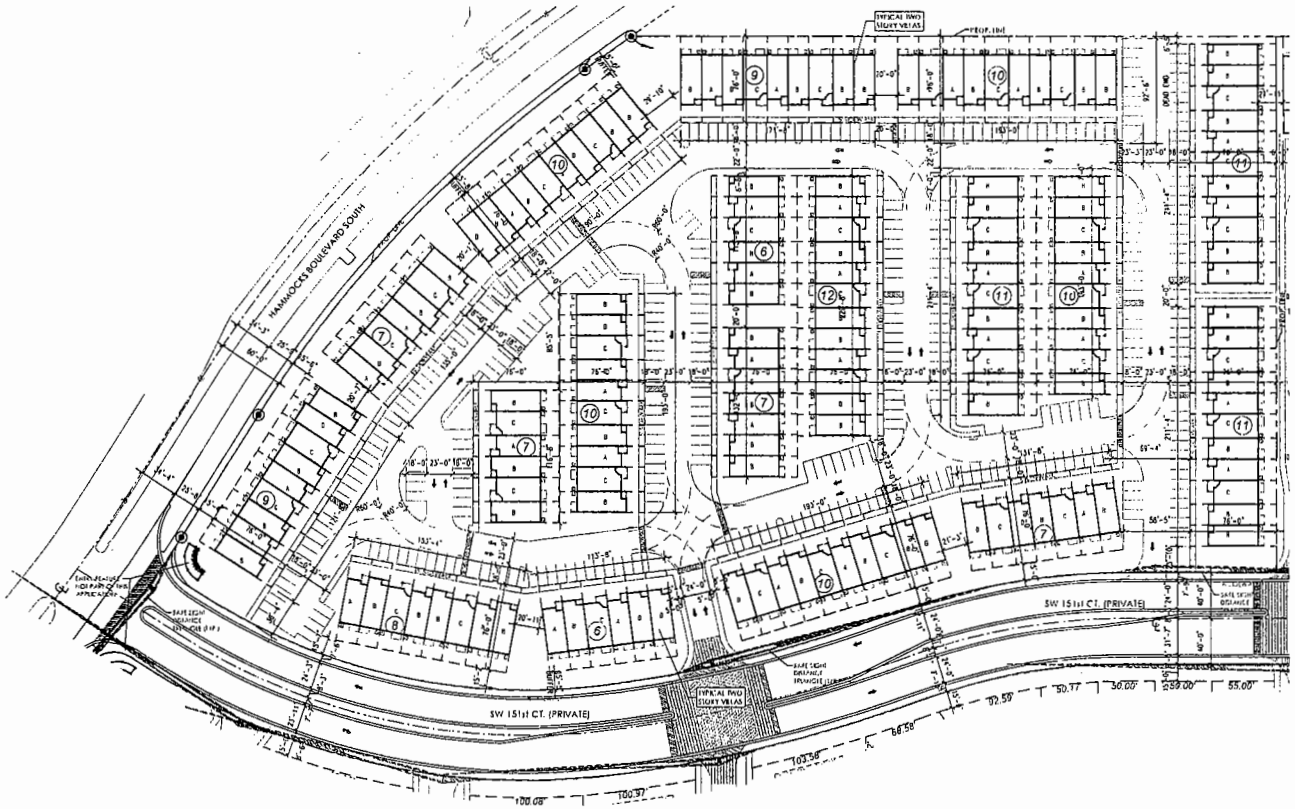
SHEET NUMBER:
A-3.0

27

ZONING INFORMATION		
PROJECT NAME	GARDEN ESTATES EAST (PROPOSED TOWNHOMES 18'S)	
PROPERTY ADDRESS:	SW 151st Court - HAMMOCKS BOULEVARD SOUTH	
ZONING:	RU-4L	
NET LOT AREA (NLA) :	433,814 S.F. (9.95 NET ACRES)	
DENSITY:	ALLOWED/REQUIRED	PROVIDED
UNITS PER ACRE:	23 UNITS/ ACRE	16 06 UNITS/ACRE
TOTAL UNITS	228 UNITS	160 UNITS

AS PER: RU-TH (TOWNHOUSE DISTRICT)		
	ALLOWED/REQUIRED	PROVIDED
COMMON OPEN SPACE	30% OF NLA (433,814 S.F.) = 130,144 S.F. (MIN.)	133,275 s.f. (30.7%)
GROUPING LENGTH MAX.	240'-0"	229'-8"
MIN. UNIT SIZE:	MIN. 600 S.F. - 800 S.F. (AVERAGE)	1,391 S.F.
HEIGHT MAX.	40 FEET	19'-11'
LOT AREA/ UNIT:	MIN. 1,250 S.F. - 1,500 S.F. (AVERAGE)	1,482 s.f. - 1,732 s.f.
SETBACKS:		
FRONT YARD	25' FROM THE EDGE OF ROADWAY PAVEMENT TO THE FRONT BUILDING LINE	33'-1" FROM EDGE OF ROADWAY PAVEMENT TO FRONT BUILDING LINE
REAR YARD PRINCIPAL BUILDING, TERRACES/CANTALIVER SCREEN ENCLOSURES	 10 FEET 5 FEET 0 FEET	 15'-11" N/A N/A

PARKING:	REQUIREO	PROVIDEO
160 UNITS x 2 SPACES	320 SPACES	321 SPACES
ADD. PARKING (161 x .25)	40 SPACES	40 SPACES
TOTAL PARKING	360 SPACES	361 SPACES



PROPOSED SITE PLAN - SECTOR B
SCALE: 1" = 50'-0"

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MIAMI-DADE COUNTY
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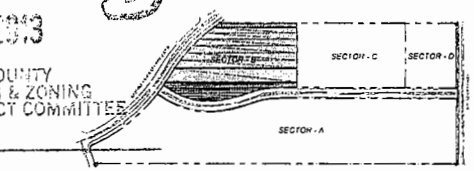

KEY PLAN
SCALE: N.T.S.

CORWILARCHITECTS
4210 LAGUNA ST. CORAL GABLES FL. 33146
LIC. NO. AA-C002151 T 305.448.7383

PROJECT:
GARDEN ESTATES II
MIAMI DADE, FLORIDA

OWNER:
HAMMOCKS LENNAR LLC.

ENLARGED SITE PLAN - SECTOR B

PHASE

REVISIONS

SEAL

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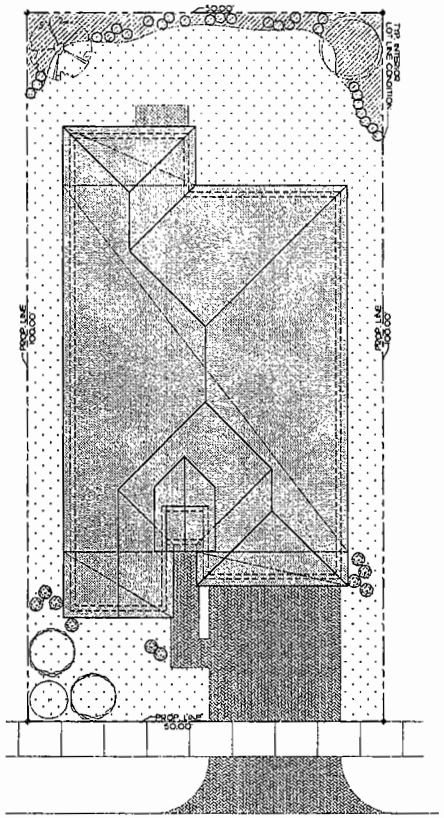
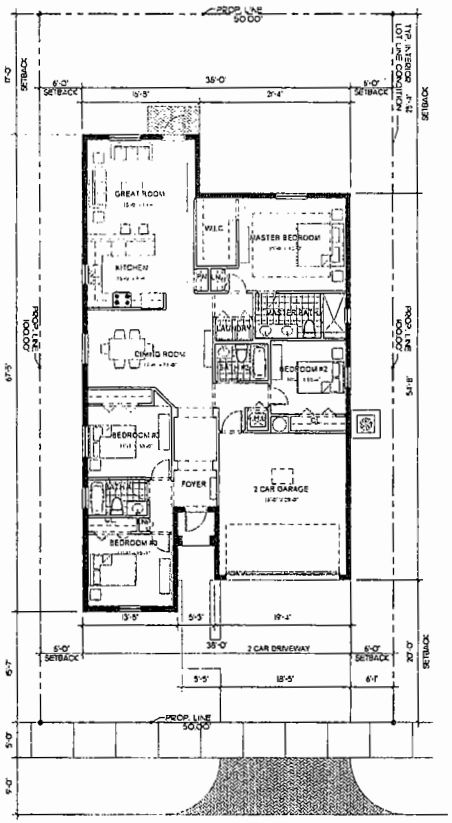
APPROVED	AMC
FILE	2012-38

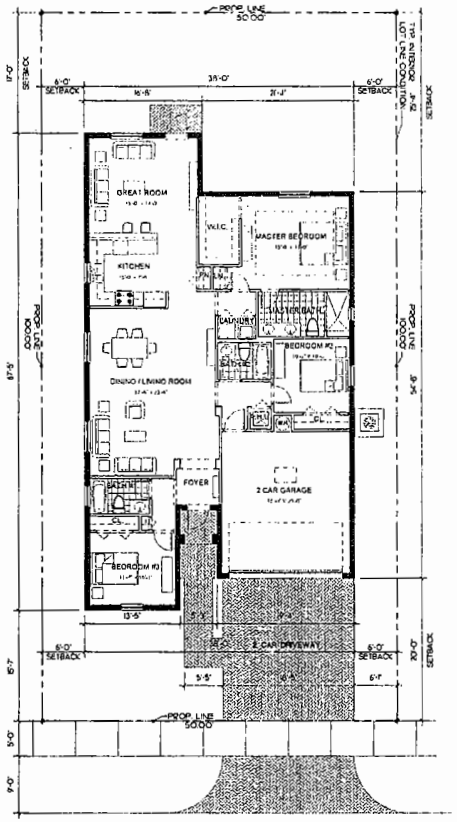
SHEET NUMBER:
A-2.0



LANDSCAPING PLAN
SCALE: 1/8" = 1'-0"

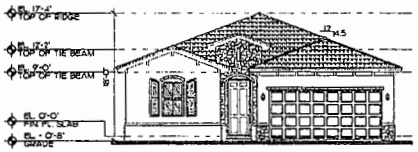


GROUND FLOOR PLAN - 4 BED. OPTION
SCALE: 1/8" = 1'-0"



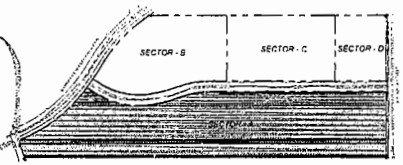
GROUND FLOOR PLAN - 3 BED. OPTION
SCALE: 1/8" = 1'-0"

FRONT ELEVATION - OPTION - 1
SCALE: 1/8" = 1'-0"



FRONT ELEVATION - OPTION - 2
SCALE: 1/8" = 1'-0"

AREA CALCULATIONS	
A/C AREA	1673 S.F.
GARAGE	404 S.F.
COVERED ENTRY	25 S.F.
TOTAL	2102 S.F.
LOT COVERAGE	2,250 S.F. (45%)



KEY PLAN
SCALE: N.T.S.

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BY

08

CORWIL ARCHITECTS
4210 LA GORCE ST. CORAL GABLES, FL. 33146
LIC NO. AA-C002151 T.305 448.7383

PROJECT:
GARDEN ESTATES II
MIAMI DADE, FLORIDA

OWNER:
HAMMOCKS
LENNAR LLC.

FLOOR PLANS AND FRONT ELEVATION
50'S - MODEL 1821

PHASE

REVISIONS

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FILE	2012-38

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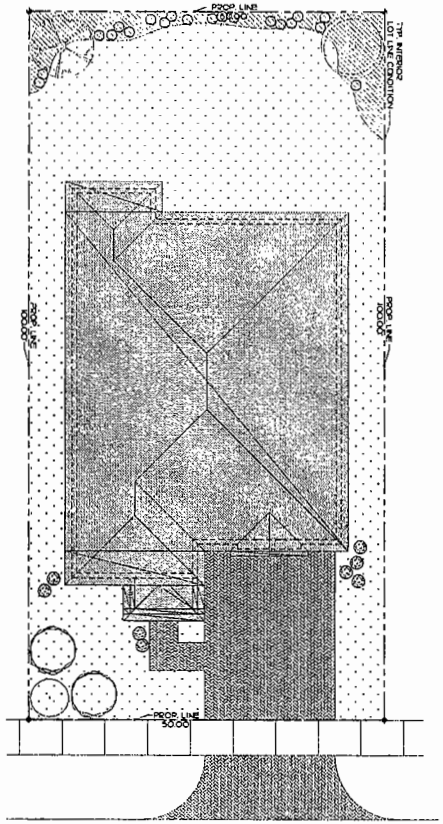
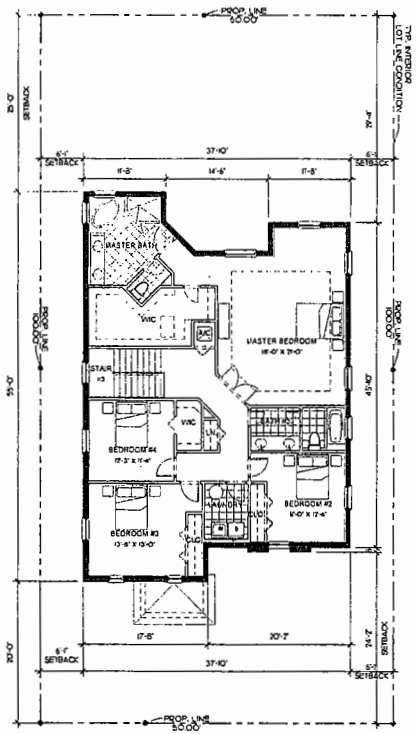
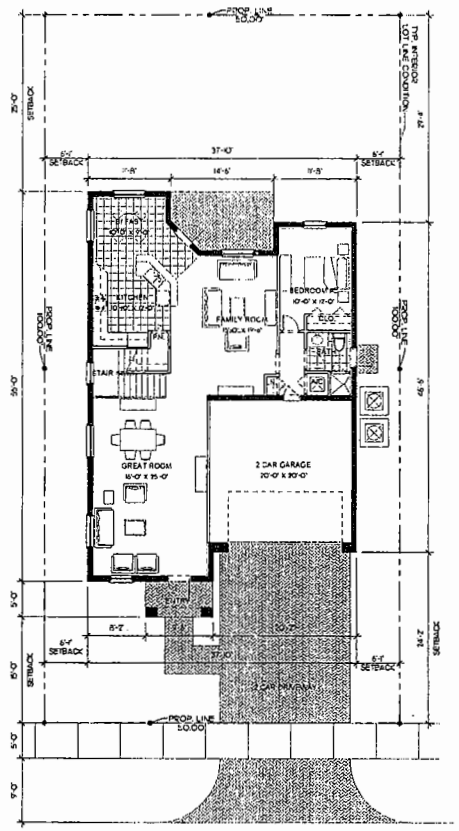
A-1.1



LANDSCAPING PLAN
SCALE: 1/8" = 1'-0"



SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

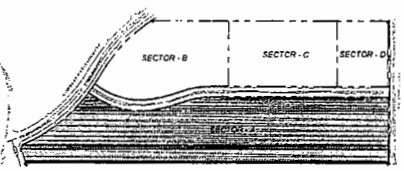


GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"

FRONT ELEVATION - OPTION - 1
SCALE: 1/8" = 1'-0"

FRONT ELEVATION - OPTION - 2
SCALE: 1/8" = 1'-0"

AREA CALCULATIONS	
A/C AREA:	3,065 S.F.
GARAGE:	434 S.F.
COVERED ENTRY:	43 S.F.
TOTAL:	3,542 S.F.
LOT COVERAGE:	1,882 S.F. (37.6%)



KEY PLAN
SCALE: N.T.S.

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DEVELOPMENTAL IMPACT COMMITTEE
BY

CORWILARCHITECTS
4701 LAGUNA ST, CORAL GABLES FL 33146
LIC. NO. AA-C0003511 | 305.448.7343

PROJECT:
GARDEN ESTATES II
MIAMI DADE, FLORIDA

OWNER:
HAMMOCKS
LENNAR LLC.

FLOOR PLANS AND FRONT ELEVATION
50'S - MODEL 3120

PHASE

REVISIONS

SEAL

DATE:	4/9/2013
JOB NO.	2012-38
DRAWN BY	MC
APP'D BY	AMC
FILE	2012-38

SHEET NUMBER:
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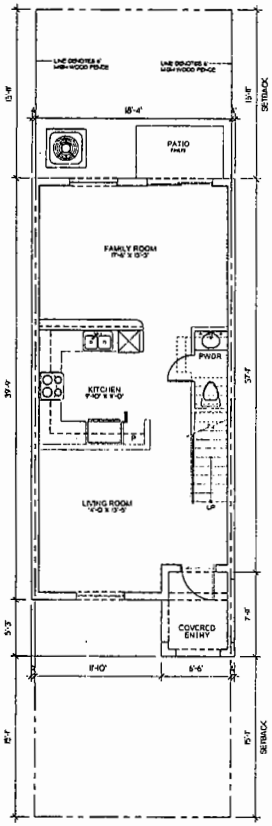
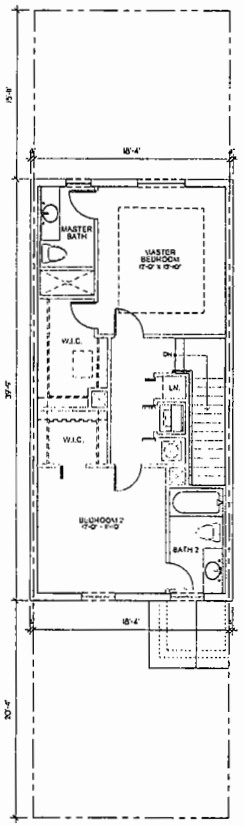
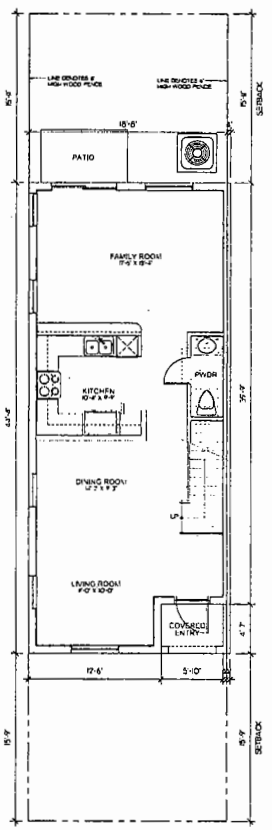


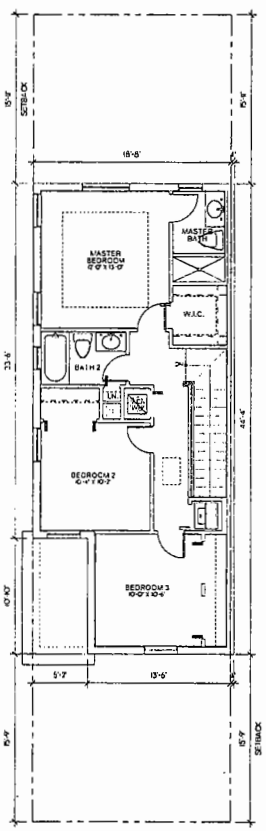
MODEL - A
GROUND FLOOR PLAN
SCALE: 3/16" = 1'-0"



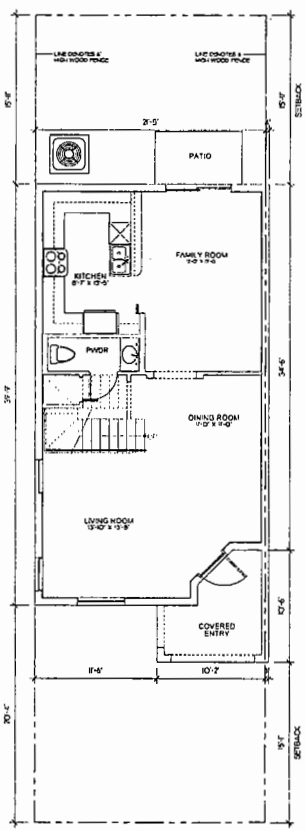
MODEL - A
SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"



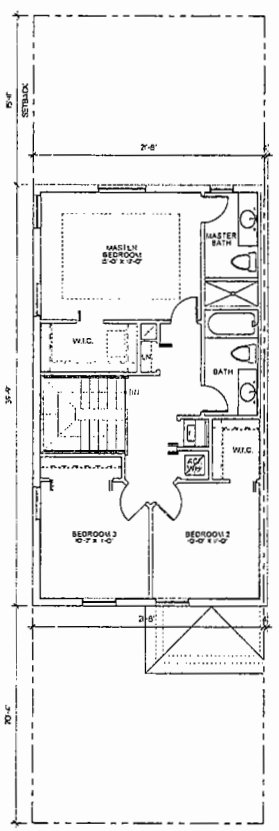
MODEL - B
GROUND FLOOR PLAN
SCALE: 3/16" = 1'-0"



MODEL - B
SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"



MODEL - C
GROUND FLOOR PLAN
SCALE: 3/16" = 1'-0"



MODEL - C
SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"

AREA CALCULATION UNIT-A	
GROUND FLOOR GROSS AREA	713 S.F.
SECOND FLOOR GROSS AREA	678 S.F.
TOTAL GROSS LIVING SPACE	1391 S.F.
COV. ENTRY	50 S.F.
PATIO AREA	41 S.F.
TOTAL	1,482 S.F.
PRIVATE OUTDOOR PATIO LIVING AREA*	630 S.F.

AREA CALCULATION UNIT-B	
GROUND FLOOR GROSS AREA	799 S.F.
SECOND FLOOR GROSS AREA	724 S.F.
TOTAL GROSS LIVING SPACE	1,523 S.F.
COV. ENTRY	28 S.F.
PATIO AREA	41 S.F.
TOTAL	1,592 S.F.
PRIVATE OUTDOOR PATIO LIVING AREA*	590 S.F.

AREA CALCULATION UNIT-C	
GROUND FLOOR GROSS AREA	820 S.F.
SECOND FLOOR GROSS AREA	790 S.F.
TOTAL GROSS LIVING SPACE	1,610 S.F.
COV. ENTRY	81 S.F.
PATIO AREA	41 S.F.
TOTAL	1,732 S.F.
PRIVATE OUTDOOR PATIO LIVING AREA*	732 S.F.

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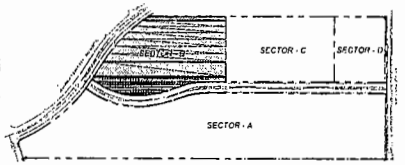

KEY PLAN
SCALE: N.T.S.

CORWILARCHITECTS
4710 LaGUNA ST. CORAL GABLES FL. 33146
LIC.NO. AA-C002151 T.305.441.7383

PROJECT:
GARDEN ESTATES II
MIAMI DADE, FLORIDA

OWNER:
HAMMOCKS
LENNAR LLC.

TYPICAL VILLAS FLOOR PLANS
MODEL A, B & C

PHASE

REVISIONS

SEAL

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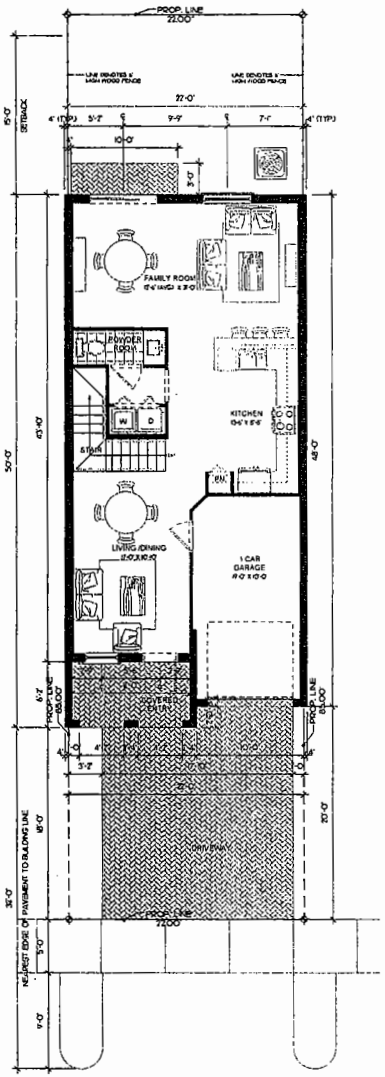
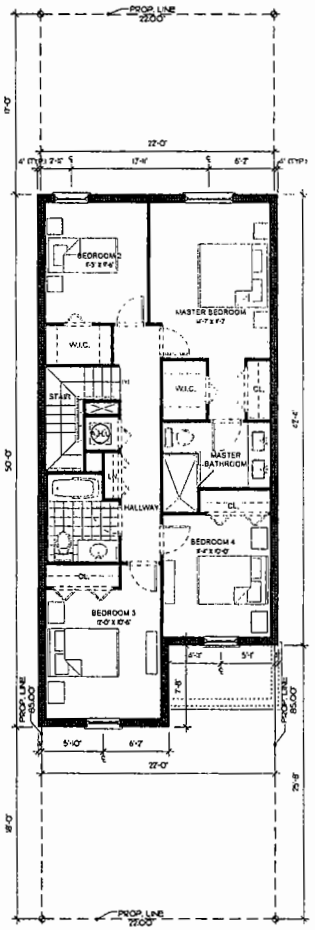
A-2.1

22



MODEL - C
GROUND FLOOR PLAN
SCALE: 3/16" = 1'-0"

AREA CALCULATION UNIT-C	
GROUND FLOOR GROSS AREA	605 S.F.
SECOND FLOOR GROSS AREA	964 S.F.
TOTAL GROSS LIVING SPACE	1569 S.F.
GARAGE GROSS AREA	204 S.F.
COV. ENTRY	71 S.F.
PATIO AREA	30 S.F.
TOTAL	2,074 S.F.
PRIVATE OUTDOOR PATIO LIVING AREA	443 S.F.



MODEL - C
SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"

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MIAMI-DADE COUNTY
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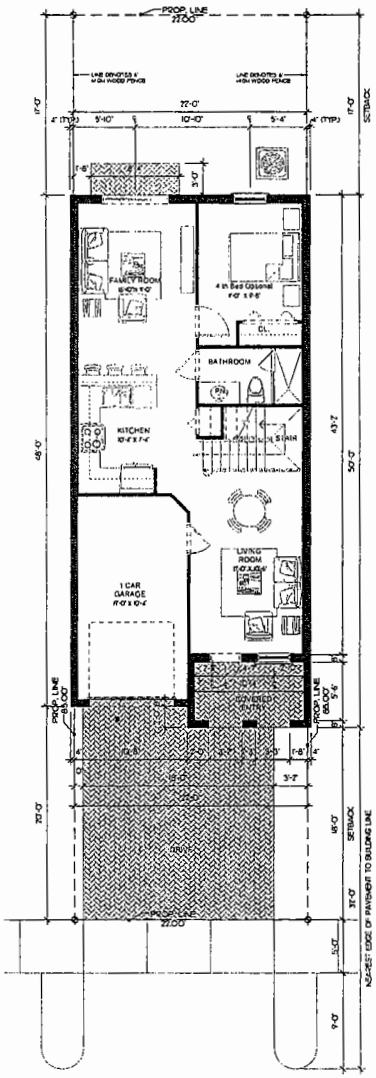
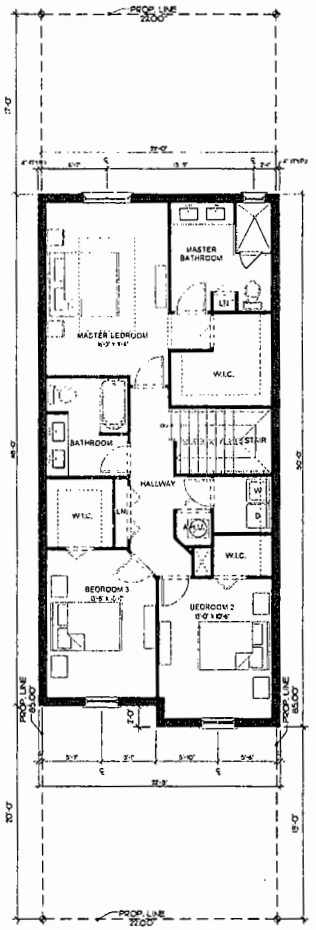
DEVELOPMENTAL IMPACT COMMITTEE
BY

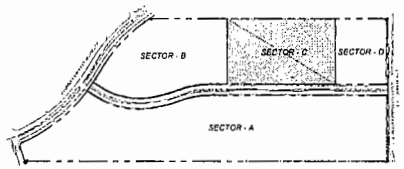


MODEL - D
GROUND FLOOR PLAN
SCALE: 3/16" = 1'-0"

AREA CALCULATION UNIT-D	
GROUND FLOOR GROSS AREA	800 S.F.
SECOND FLOOR GROSS AREA	1072 S.F.
TOTAL GROSS LIVING SPACE	1,832 S.F.
GARAGE GROSS AREA	209 S.F.
COV. ENTRY	70 S.F.
PATIO AREA	30 S.F.
TOTAL	2,131 S.F.
PRIVATE OUTDOOR PATIO LIVING AREA	425 S.F.



MODEL - D
SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"



KEY PLAN
SCALE: N.T.S.

CORWILARCHITECTS
4910 LAGUNA ST. CORAL GABLES FL 33146
LIC. NO. AA-C002151 T. 305.448.7363

PROJECT:
GARDEN ESTATES II
MIAMI-DADE, FLORIDA

OWNER:
HAMMOCKS LENNAR LLC.

TYPICAL TOWNHOUSE FLOOR PLAN
MODEL C & D

PHASE

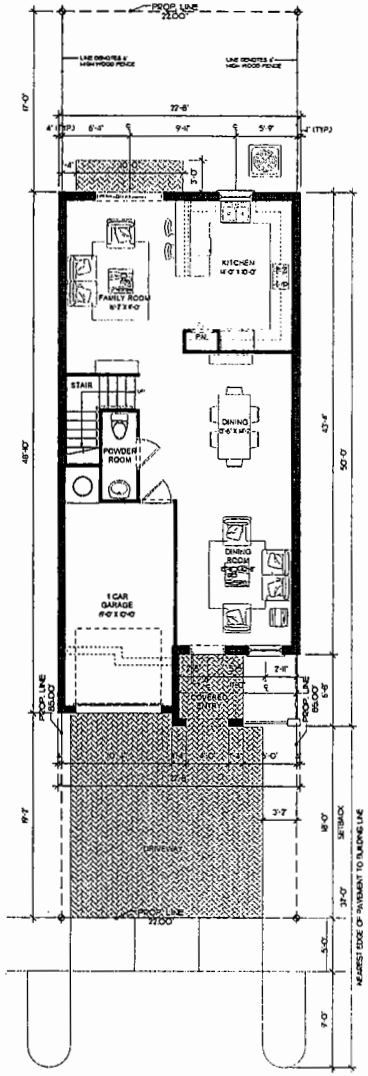
REVISIONS

SEAL

DATE	4/9/2013
JOB NO.	2012-38
DRAWN BY	MC
APPR BY	AMC
FILE	2012-38

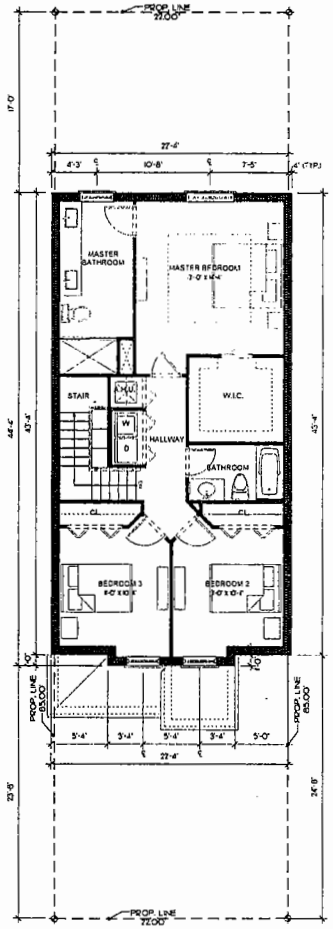
SHEET NUMBER:
A-3.2

83

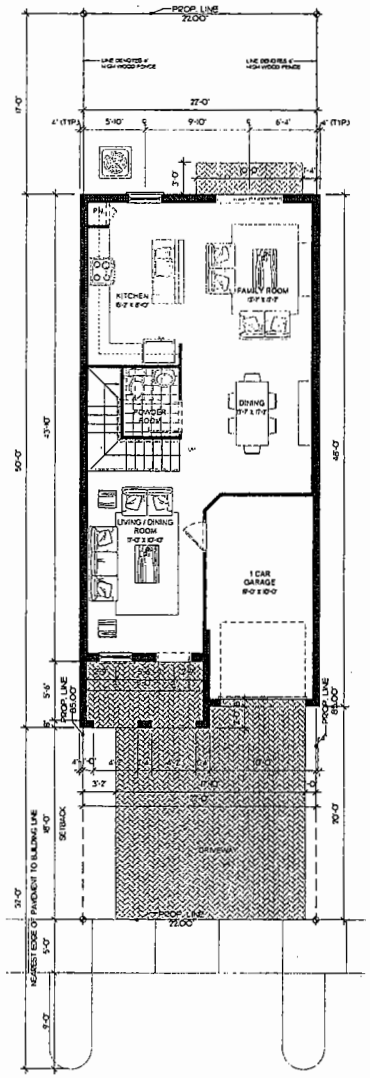


MODEL - A - END UNIT
GROUND FLOOR PLAN
SCALE: 3/16" = 1'-0"

AREA CALCULATION UNIT- A	
GROUND FLOOR GROSS AREA	793 S.F.
SECOND FLOOR GROSS AREA	906 S.F.
TOTAL GROSS LIVING SPACE	1,701 S.F.
GARAGE GROSS AREA	221 S.F.
COV. ENTRY	41 S.F.
PATIO AREA	20 S.F.
TOTAL	1,983 S.F.
PRIVATE OUTDOOR PATIO LIVING AREA	471 S.F.

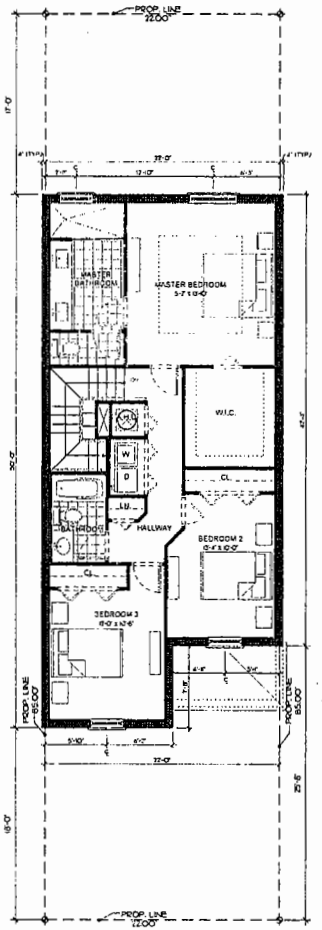


MODEL - A
SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"

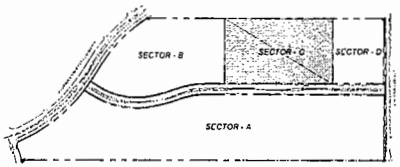


MODEL - B
GROUND FLOOR PLAN
SCALE: 3/16" = 1'-0"

AREA CALCULATION UNIT-B	
GROUND FLOOR GROSS AREA	805 S.F.
SECOND FLOOR GROSS AREA	966 S.F.
TOTAL GROSS LIVING SPACE	1,771 S.F.
GARAGE GROSS AREA	196 S.F.
COV. ENTRY	41 S.F.
PATIO AREA	30 S.F.
TOTAL	2,040 S.F.
PRIVATE OUTDOOR PATIO LIVING AREA	444 S.F.



MODEL - B
SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"



KEY PLAN
SCALE: N.T.S.

RECEIVED
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MIAMI-DADE COUNTY
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BY

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CORWILARCHITECTS
4515 LA GUNA ST. CORAL GABLES FL 33146
LIC NO. AA-C002151 T.305.448.7383

PROJECT:
GARDEN ESTATES II
MIAMI DADE, FLORIDA

OWNER:
HAMMOCKS
LENNAR LLC.

TYPICAL TOWNHOUSE FLOOR PLAN
MODEL A & B

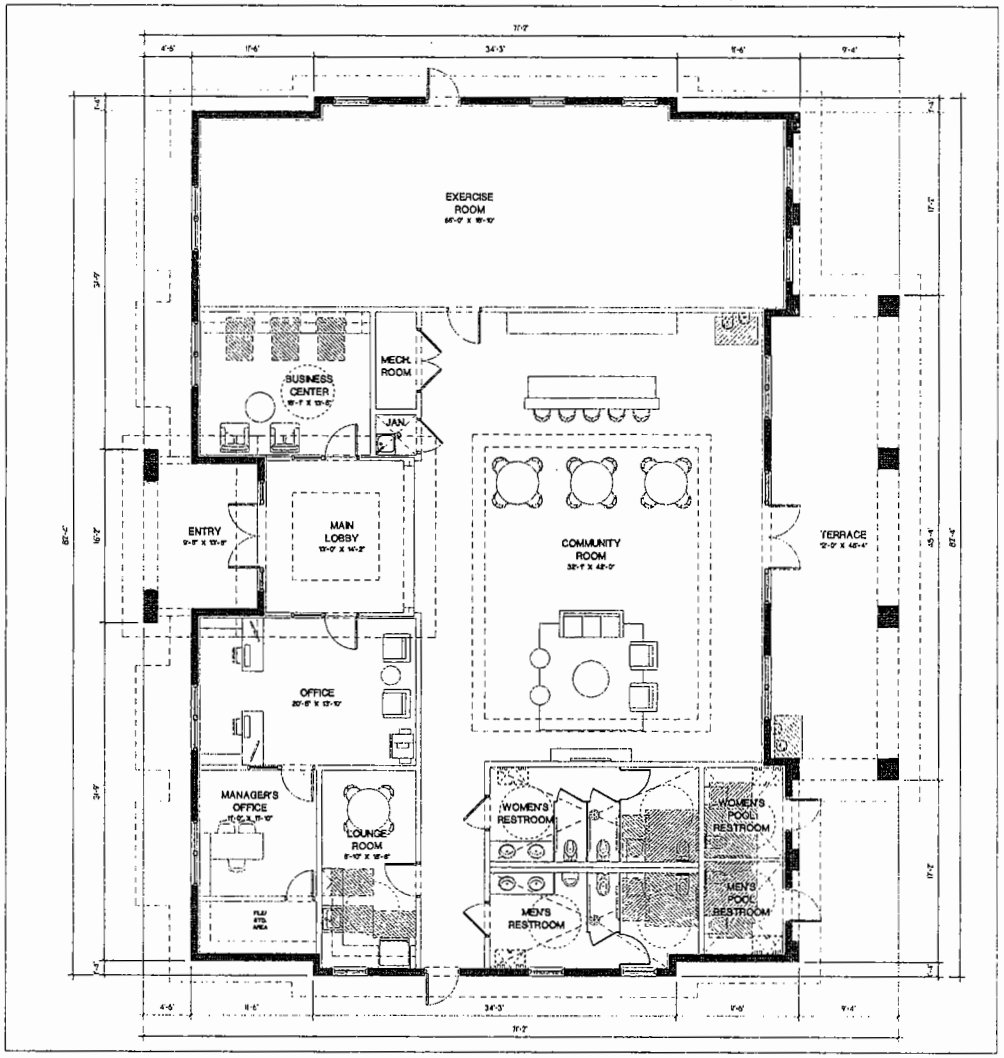
PHASE

REVISIONS

SEAL

DATE	4/9/2013
JOB NO.	2012-38
DRAWN BY	MC
CHECKED BY	AMC
FILE	2012-38

SHEET NUMBER:
A-3.1



CLUBHOUSE GROUND FLOOR PLAN
SCALE: 3/16" = 1'-0"
GROSS AREA= 4,440 S.F.

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CORWILARCHITECTS
4910 LAGUNA ST. CORAL GABLES FL. 33146
LIC.NO. AA-C002151 T.305.448.7383

PROJECT:
GARDEN ESTATES II
MIAMI DADE, FLORIDA

OWNER:
HAMMOCKS LENNAR LLC.

CLUBHOUSE GROUND FLOOR PLAN

PHASE

REVISIONS

SEAL

DATE:	4/9/2013
JOB NO.	2012-38
DRAWN BY	MC
CHKD BY	AMC
FILE	2012-38

SHEET NUMBER:
A-4.0

TYPICAL VILLAS FRONT ELEVATION
SCALE: 3/16" = 1'-0"

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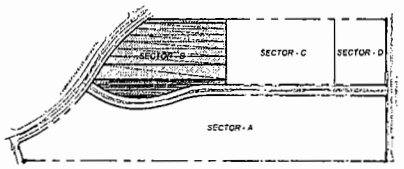


KEY PLAN
SCALE: N.T.S.

CORWILARCHITECTS
4210 LAGUNA ST. CORAL GABLES FL. 33146
LIC.NO. AA-C002151 T.305.448.7383

PROJECT:
GARDEN ESTATES II
MIAMI DADE, FLORIDA

OWNER:
HAMMOCKS
LENNAR LLC.

TYPICAL VILLAS FRONT ELEVATION

PHASE

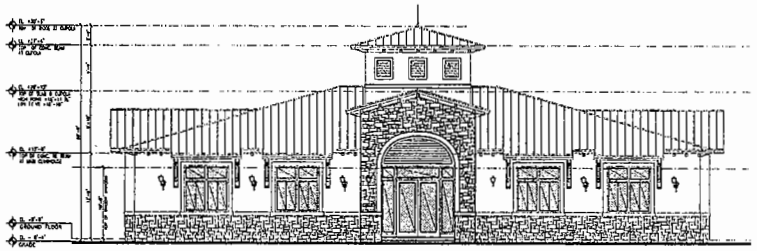
REVISIONS

SEAL

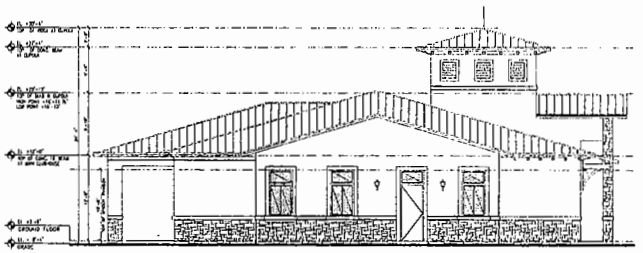
DATE	4/9/2013
JOB NO	2012-38
DRAWN BY	MC
APPV'D BY	AMC
FILE	2012-38

SHEET NUMBER:
A-2.2

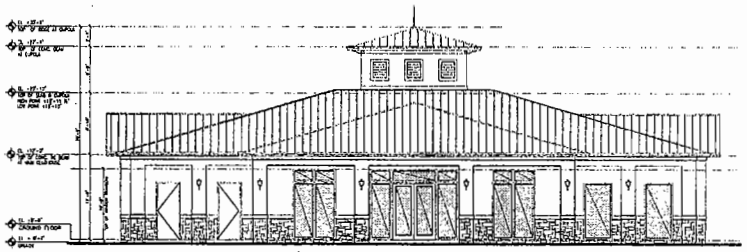
18



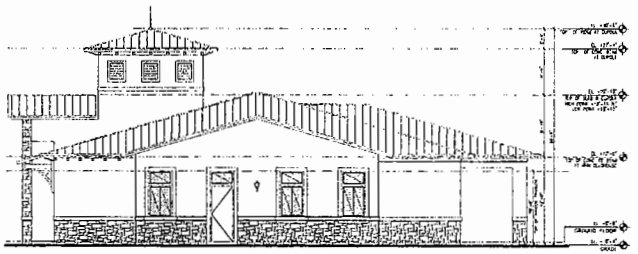
FRONT ELEVATION
SCALE: 1/8" = 1'-0"



LEFT ELEVATION
SCALE: 1/8" = 1'-0"



REAR ELEVATION
SCALE: 1/8" = 1'-0"



RIGHT ELEVATION
SCALE: 1/8" = 1'-0"

RECEIVED
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DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
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CORWILARCHITECTS
4701 LAGUNA ST. CORAL GABLES FL. 33146
LIC. NO. AA-C002151 T.305 448.7383

PROJECT:
GARDEN ESTATES II
MIAMI DADE, FLORIDA

OWNER:
HAMMOCKS
LENNAR LLC.

CLUBHOUSE ELEVATIONS

PHASE

REVISIONS

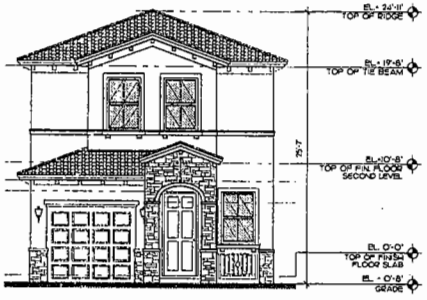
SEAL

THE DRAWINGS AND THE SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT AND THE ENGINEER WHETHER THE PROJECT FOR WHICH THEY ARE MADE IS EXECUTED OR NOT. THEY ARE NOT TO BE USED BY THE OWNER OR OTHERS ON EXTENSIONS OF THIS PROJECT OR ON ANY OTHER PROJECT EXCEPT BY AGREEMENT IN WRITING AND WITH APPROPRIATE COMPENSATION TO THE ARCHITECT AND THE ENGINEER.

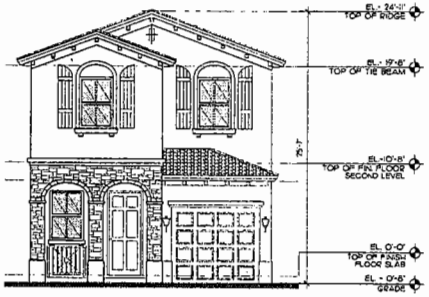
DATE:	4/9/2013
JOB NO.	2012-38
DRAWN BY	MC
APPD BY	AMC
Ref.	2012-38

SHEET NUMBER:
A-4.1

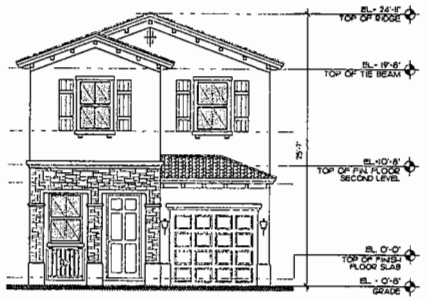
87



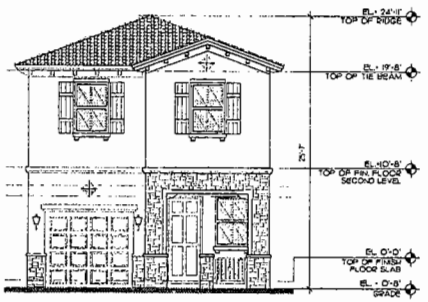
MODEL - A
FRONT ELEVATION
SCALE: 3/16" = 1'-0"



MODEL - B
FRONT ELEVATION
SCALE: 3/16" = 1'-0"



MODEL - C
FRONT ELEVATION
SCALE: 3/16" = 1'-0"



MODEL - D
FRONT ELEVATION
SCALE: 3/16" = 1'-0"

RECEIVED
SEP 11 2013
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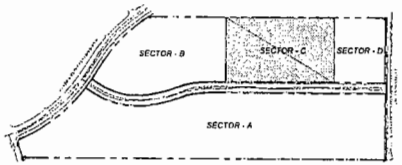


KEY PLAN
SCALE: N.T.S.

CORWILARCHITECTS
4210 LAGUNA ST, CORAL GABLES FL 33146
LIC.NO. AA-C002151 1.305.446.7353

PROJECT:
GARDEN ESTATES II
MIAMI DADE, FLORIDA

OWNER:
HAMMOCKS
LENNAR LLC.

TYPICAL TOWNHOUSE FRONT ELEVATIONS

PHASE

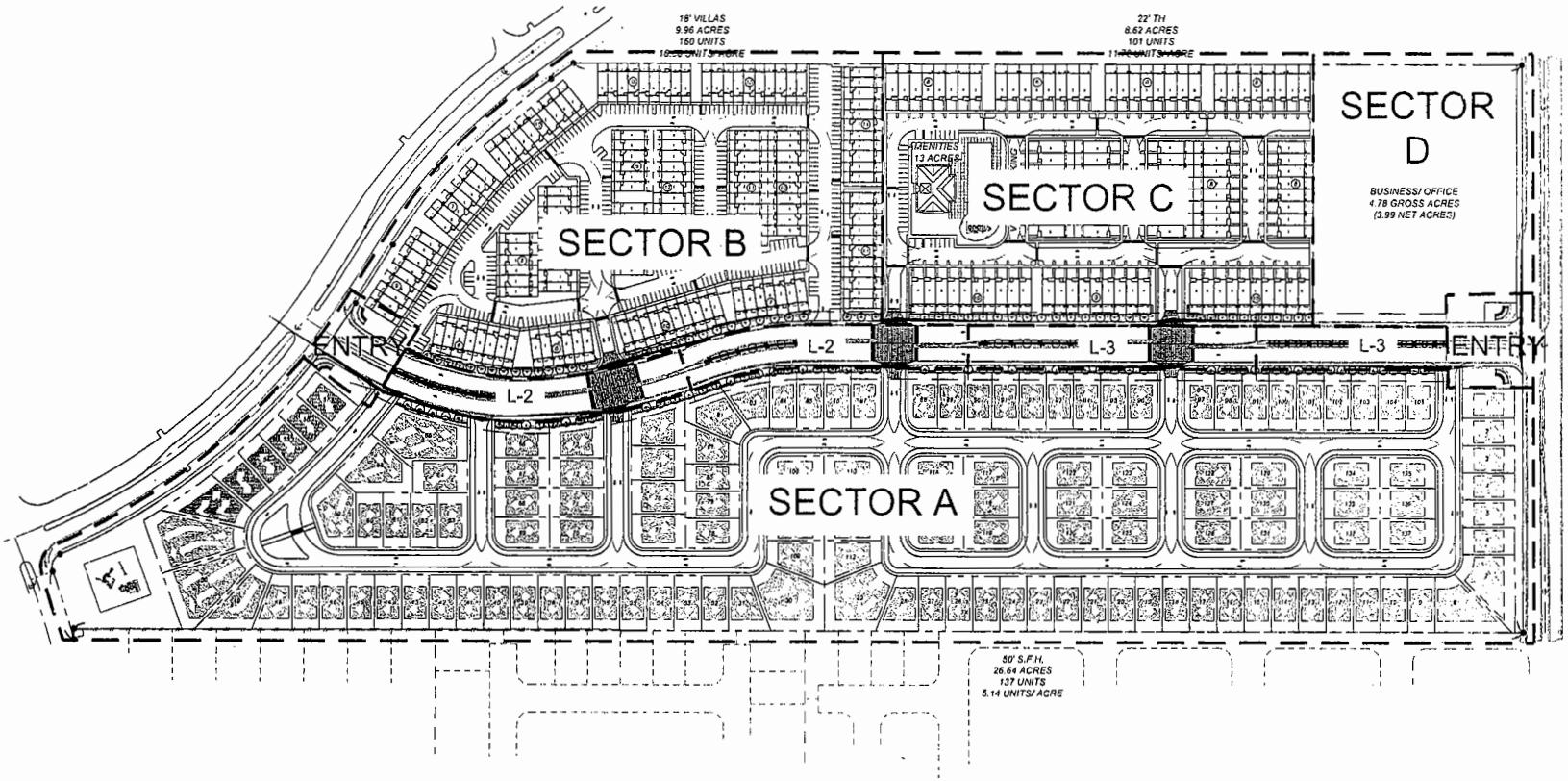
REVISIONS

SEAL

DATE:	4/9/2013
JOB NO.	2012-38
DRAWN BY:	MC
APPR BY:	AMC
FILE:	2012-38

SHEET NUMBER:
A-3.3

22



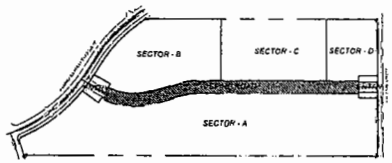
KEY PLAN

Scale: 1"=100'-0"

NORTH

SHEET INDEX:

L-1 SPINE ROAD INDEX
L-2 SPINE ROAD LANDSCAPE PLAN
L-3 SPINE ROAD LANDSCAPE PLAN
L-4 SPINE ROAD LANDSCAPE DETAILS



LOCATION MAP

Scale: NTS

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SP 1 1 2 3
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

LANDSCAPE LIST SECTOR A

TREES

SYMBOL	QUAN.	PROJECT MATERIAL	DESCRIPTION
	14		
	3		
	172		
	71		

SHRUBS AND GROUNDCOVERS

SYMBOL	QUAN.	PROJECT MATERIAL	DESCRIPTION
AC	378		
AM	705		
CA	18		
CG	1528		
CV	210		
DR	214		
DT	94		
HL	120		
FCI	2457		
JI	2		
JV	1613		
PL	83		
PL7	131		
PX	15		
SR	102		
SAVM	4		

* CONTRACTOR TO VERIFY QUANTITIES

WITKIN HULTS DESIGN GROUP

Garden Estates II

Miami-Dade County, Florida

SPINE ROAD KEYPLAN

Revisions:
1) 8.8.13 NEW SITE PLAN

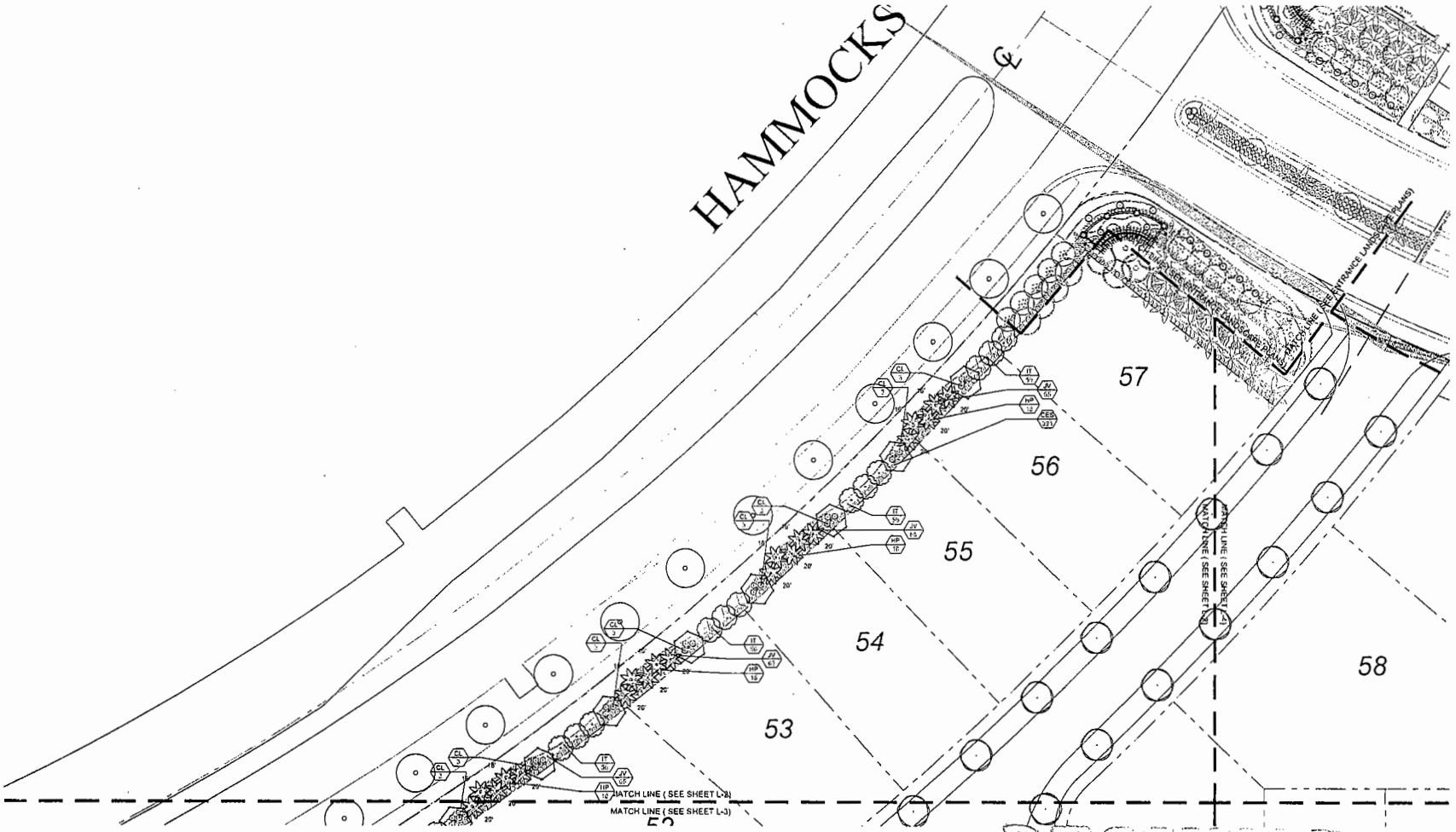
Seal:

Lic. # LA0000869
Manager: A.S.L.A.

Drawing: Spine Road Index
Date: 6/05/2013
Scale: See left
Drawn by: DC
Sheet No.:

L-1

Card Id.: 2013-052



LANDSCAPE PLAN NORTH

Scale: 1"=20'-0"

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DEVELOPMENTAL IMPACT COMMITTEE

BY

WITKIN HULTS DESIGN GROUP

Garden Estates II

Miami-Dade County, Florida

SECTOR A LANDSCAPE PLAN

Revisions:

1) 9.6.13 NEW SITE PLAN

Seal:

Lic. # LA0000469

Member: A.S.L.A.

Drawing: Section A Landscape Plan

Date: 6-06-2013

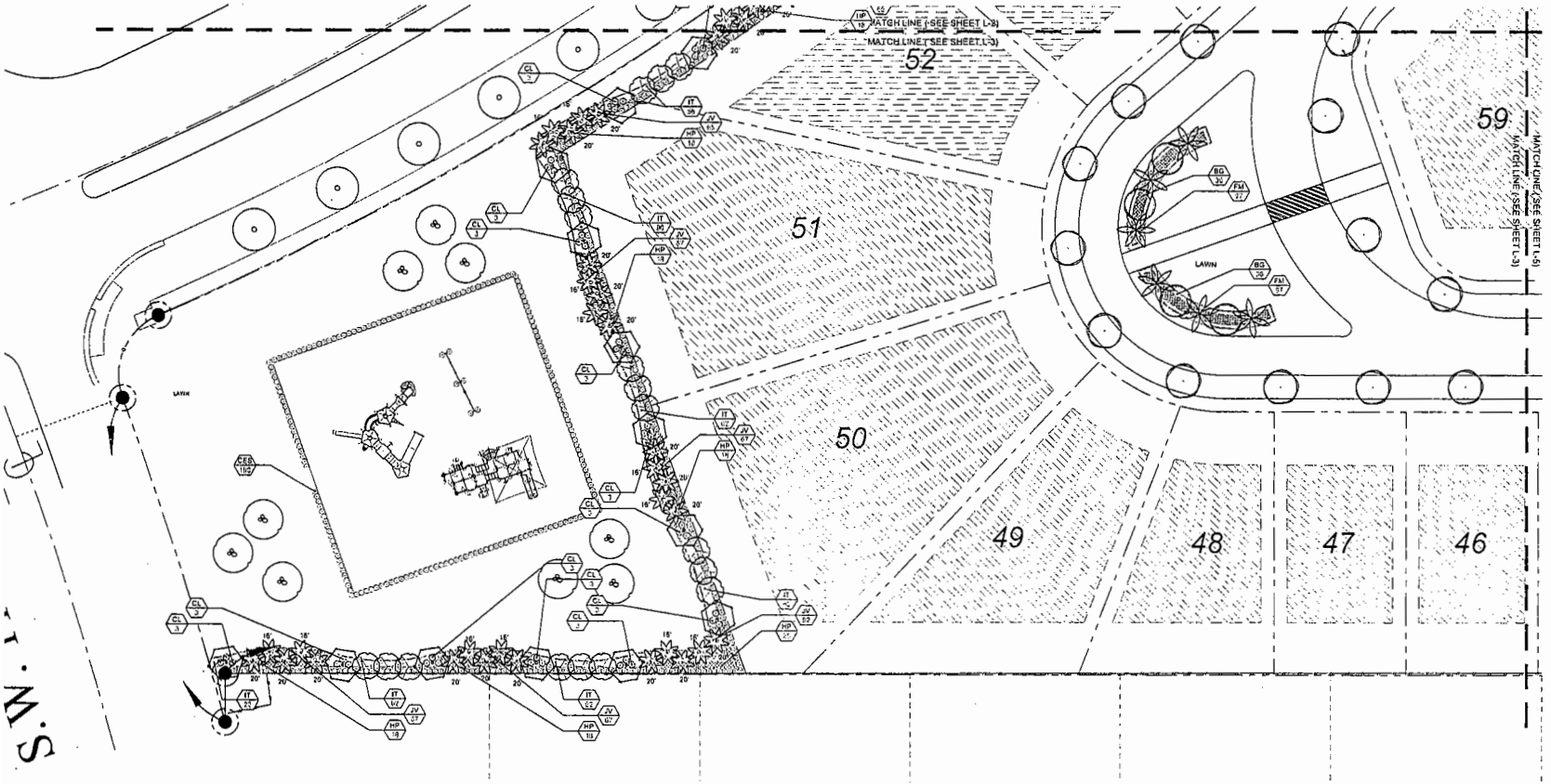
Scale: See Left

Drawn by: DC

Sheet No.:

L-2

Cad Id.: 2013-052



LANDSCAPE PLAN NORTH

Scale: 1"=20'-0"

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MIAMI-DADE COUNTY
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DEVELOPMENTAL IMPACT COMMITTEE
BY

WITKIN HULTS DESIGN GROUP

Garden Estates II
Miami-Dade County, Florida
SECTOR A LANDSCAPE PLAN

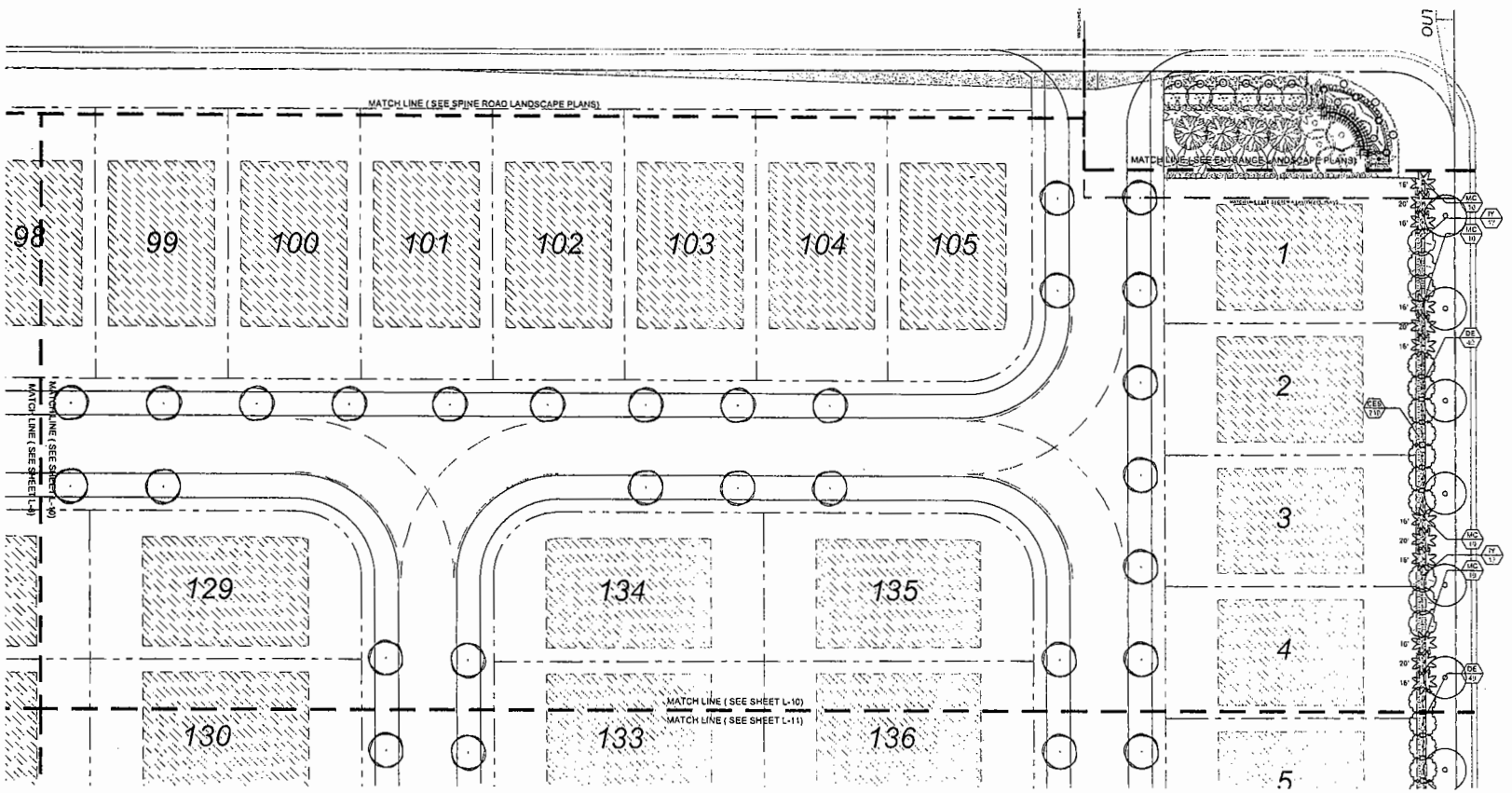
Revisions:
1) 9.6.13 NEW SITE PLAN

Seal:

Lic. # LA0000469
Member A.S.L.A.

Drawing: Section A Landscape Plan
Date: 6/26/2013
Scale: See Left
Drawn by: DC
Sheet No.:
L-3
Cad Id.: 2013-052

16



LANDSCAPE PLAN NORTH

Scale: 1"=20'-0"

92

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DEVELOPMENTAL IMPACT COMMITTEE

BY

WITKIN HULTS DESIGN GROUP

Garden Estates II

Miami-Dade County, Florida

SECTOR A LANDSCAPE PLAN

Revisions:

1) 9.6.13 NEW SITE PLAN

Seal:

Lic. # LA0000660

Members A.S.L.A.

Drawing: Section A Landscape Plan

Date: 6/26/2013

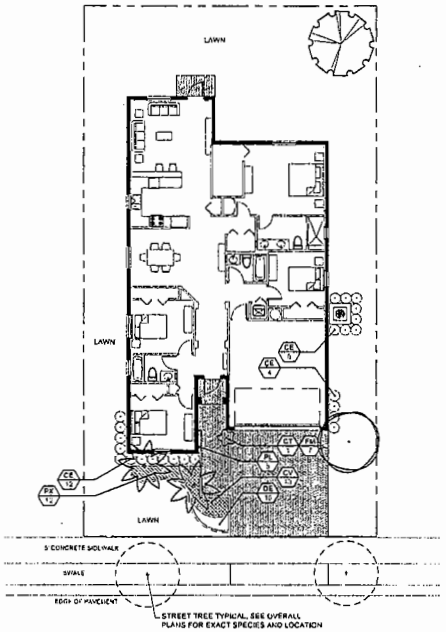
Scale: See Left

Drawn by: DC

Sheet No.:

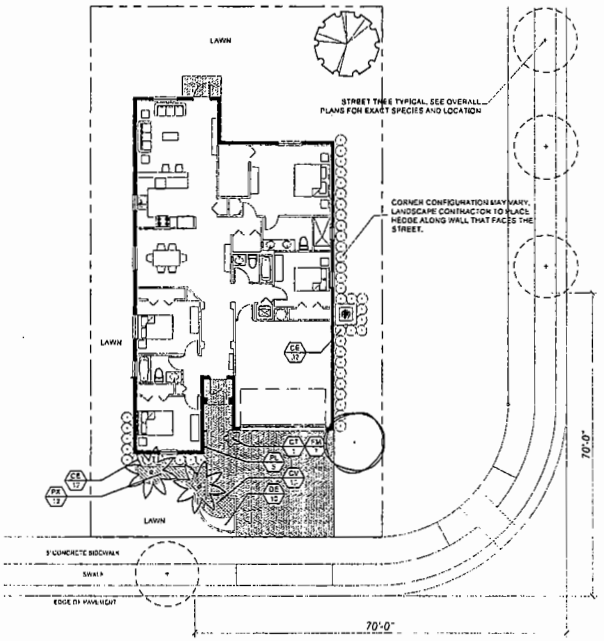
L-10

Cad No.: 2013-052



INTERIOR LANDSCAPE PLAN

Scale: 3/32"=1'-0"



CORNER LANDSCAPE PLAN

Scale: 3/32"=1'-0"

LANDSCAPE LEGEND

ZONE DISTRICT: SFH RESIDENTIAL

TREES (per 1,000 SF of pervious area)	1/1	1/1
STREET TREES:	1	1
TOTAL NUMBER OF TREES:	2	2
SHRUBS: (25% shrubs per tree planted)	50	50

30% minimum sod or native seed, turf, or other ground cover required by Chapter 24 of Miami-Dade Code

INTERIOR LANDSCAPE LIST

SYMBOL	QUAN.	PROPOSED MATERIAL	DESCRIPTION
TREES			
	1		
	1		
	2		
SHRUBS AND GROUNDCOVERS			
CE	24		
CT	1		
CV	13		
DE	10		
FM	7		
FS	8		
PX	13		
LAWN	+/-		

*DENOTES NATIVE SPECIES

CORNER LANDSCAPE LIST

SYMBOL	QUAN.	PROPOSED MATERIAL	DESCRIPTION
TREES			
	1		
	1		
	2		
SHRUBS AND GROUNDCOVERS			
CE	44		
CT	1		
CV	13		
DE	10		
FM	7		
FS	5		
PX	13		
LAWN	+/-		

*DENOTES NATIVE SPECIES

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MIAMI-DADE COUNTY
DEPT. OF PLANNING, BUILDING
DEVELOPMENT AND ZONING SERVICES
BY:

WITKIN HULTS DESIGN GROUP
3050 Biscayne Blvd. Suite 1000 Miami, Florida 33137
phone: 305.573.9081 fax: 305.573.9089
www.witkinhults.com

Garden Estates II
Miami-Dade County, Florida
TYPICAL LANDSCAPE PLAN

Revisions:

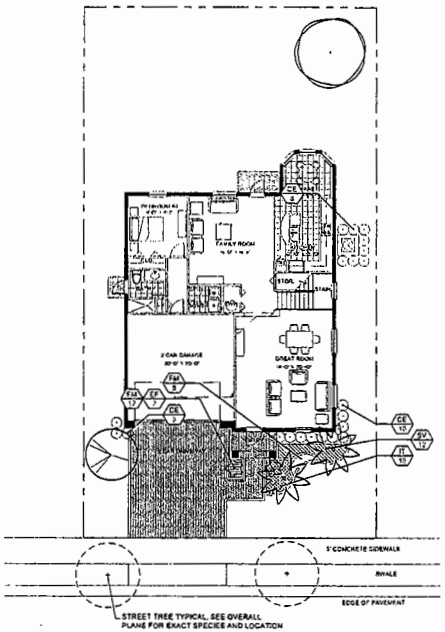
Seal:

Lic. # LA0000989
Member: A.S.L.A.

Drawing: MODEL 1821
Date: 8/26/2013
Scale: 3/32"=1'-0"
Drawn by: JH
Sheet No.:

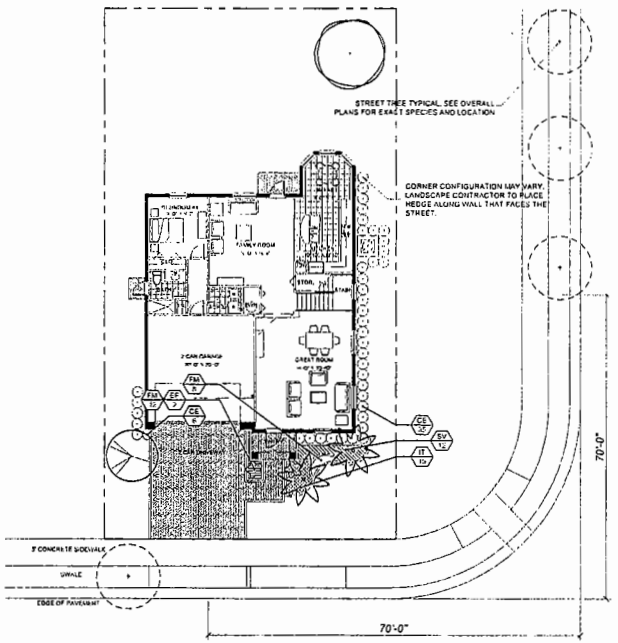
L-12

Cad Id.: 2013-052



INTERIOR LANDSCAPE PLAN

Scale: 3/32"=1'-0"



CORNER LANDSCAPE PLAN

Scale: 3/32"=1'-0"

LANDSCAPE LEGEND

LAUDERDALE COUNTY

ZONE DISTRICT: SFH RESIDENTIAL

[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
SHEET/LOT [illegible]	[illegible]	[illegible]
STREET TREES	[illegible]	[illegible]
TOTAL NUMBER OF TREES	[illegible]	[illegible]
SHRUBS [illegible]	[illegible]	[illegible]

[illegible]

INTERIOR LANDSCAPE LIST

TREES

SYMBOL	QUANT	PROPOSED MATERIAL	DESCRIPTION
✿	2	[illegible]	[illegible]
⊕	1	[illegible]	[illegible]
⊙	1	[illegible]	[illegible]

SHRUBS AND GROUNDCOVERS

SYMBOL	QUANT	PROPOSED MATERIAL	DESCRIPTION
CE	21	[illegible]	[illegible]
EF	2	[illegible]	[illegible]
FM	20	[illegible]	[illegible]
IT	15	[illegible]	[illegible]
SV	12	[illegible]	[illegible]
LAWN	[illegible]	[illegible]	[illegible]

[illegible]

LANDSCAPE LEGEND

MIAMI-DADE COUNTY

ZONE DISTRICT: SFH RESIDENTIAL

[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
SHEET/LOT [illegible]	[illegible]	[illegible]
STREET TREES	[illegible]	[illegible]
TOTAL NUMBER OF TREES	[illegible]	[illegible]
SHRUBS [illegible]	[illegible]	[illegible]

[illegible]

INTERIOR LANDSCAPE LIST

TREES

SYMBOL	QUANT	PROPOSED MATERIAL	DESCRIPTION
✿	2	[illegible]	[illegible]
⊕	1	[illegible]	[illegible]
⊙	1	[illegible]	[illegible]

SHRUBS AND GROUNDCOVERS

SYMBOL	QUANT	PROPOSED MATERIAL	DESCRIPTION
CE	41	[illegible]	[illegible]
EF	2	[illegible]	[illegible]
FM	20	[illegible]	[illegible]
IT	15	[illegible]	[illegible]
SV	12	[illegible]	[illegible]
LAWN	[illegible]	[illegible]	[illegible]

[illegible]

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MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING
DEVELOPMENTAL IMPACT COMMITTEE

BY

WITKIN HULTS DESIGN GROUP

Project:

Garden Estates II

Miami-Dade County, Florida

TYPICAL LANDSCAPE PLAN

Revisions:

Seal:

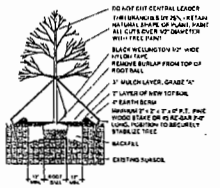
Lic. # LA0000869
Member: A.S.I.A.

Drawing: MODEL 2643
Date: 5/09/2013
Scale: 3/32"=1'-0"
Drawn by: JM
Sheet No.:

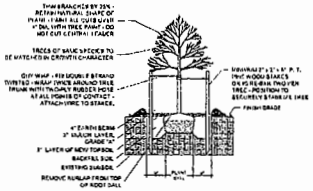
L-15

Cad Id.: 2013-082

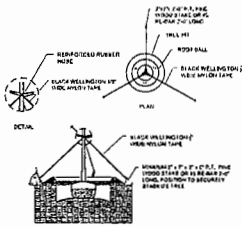
94



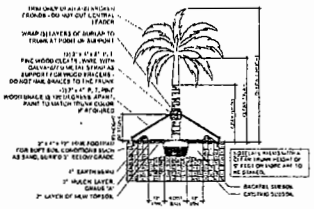
LARGE TREE PLANTING DETAIL



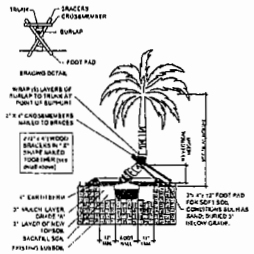
SMALL TREE PLANTING DETAIL



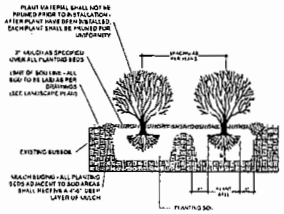
TYPICAL TREE GUYING DETAIL



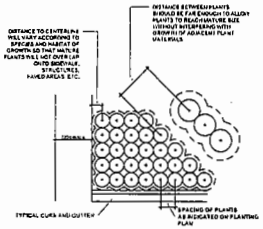
STRAIGHT TRUNK PALM PLANTING DETAIL



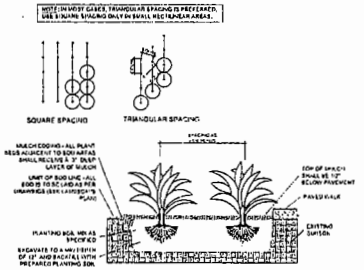
CURVED TRUNK PALM PLANTING DETAIL



TYPICAL SHRUB PLANTING DETAIL



TYPICAL CONTAINER SPACING DETAIL



TYPICAL GROUNDCOVER PLANTING DETAIL

PLANTING NOTES:

-All plant material is to be Florida Number 1 or better pursuant to the Florida Department of Agriculture's Grades and Standards for Nursery Plants.

-All plants are to ba top dressed with a minimum 3" layer of Melaleuca mulch, Eucalyptus mulch or equal.

-Planting plans shall take precadence over plant list in case of discrepancies.

-No changes are to be made without the prior consent of the Landscape Architect and Owner. Additions and or deletions to the plant material must be approved by the project engineer.

-Landscape Contractor is responsible for providing their own square footage takeoffs and field verification for 100% sod coverage for all areas specified.

- All landscape arees are to be provided with automatic sprinkler system which provide 100% coverage, and 50% overlap.

- All trees in lawn areas are to receive a 24" diameter mulched saucer at the base of the trunk.

- Trees are to be planted within parking islands after soil is brought up to grade. Deeply sel root balls are not acceptable.

- Planting soil for topsoil and backfill shall be 50/50 mix, nemalode free. Planting soil for annual beds to be comprised of 50% Canadian peat moss, 25% salt free coarse sand and 25% Aerolite.

- Tree and shrub pits will be supplemented with "Agriform Pells", 21 gram size with a 20-10-5 analysis, or substitute application accepted by Landscape Architect. Deliver in manufacturer's standard containers showing weight, analysis and name of manufacturer.

SOD NOTES:

-Sod is to be grade "A" weed free.

-All areas marked "LAWN" shall be solid sodded with St. Augustine 'Floratam' solid sod. See limit on plan. All areas marked 'Bahia Grass' shall be solid sodded with Paspalum.

-Provide a 2" deep blanket of planting soil as described in planting notes this sheet. Prior to planting, remove stones, sticks, etc. from the sub soil surface. Excavate exisitng non-conforming soil as required so that the finish grade of sod is flush with adjacent pavement or top of curb as well as adjacent sod in the case of sod patching.

-Place sod on moistened soil, with edges tightly butted, in staggered rows at right angles to slopes.

-Keep edge of sod bed a minimum of 18" away from groundcover beds and 24" away from edge of shrub beds and 36" away from trees, measured from center of plant.

-Sod Shall be watered immediatley after installation to uniformly wet the soil to at least 2" below the bottom of the sod strips.
-Excavate and remove excess soil so top of sod is flush with top of curb or adjacent pavement or adjacent existing sod.

GENERAL NOTES:

-The Landscape Contractor is to locate and verify all underground and overhead utilities prior to beginning work. Contact proper utility companies and / or General Contractor prior to digging for field verification. The Owner and the Landscape Architect shall not be responsible for any damages to utility or irrigation lines (see Roadway Plans for more utility notes).

-Landscape Contractor is to verify all current drawings and check for discrepancies and bring to the attention of the Landscape Architect prior to commencing with the work.

-All unattended and unplanted tree pits are to be properly barricaded and flagged during installation.

-All planting plans are issued as directivas for site layout. Any deviations, site changes, etcetera are to be brought to the attention of the Landscape Architect for clarification prior to installation.

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DEVELOPMENTAL IMPACT COMMITTEE
BY

WITKIN HULTS DESIGN GROUP

Garden Estates II
Miami-Dade County, Florida
LANDSCAPE DETAILS

Revisions:

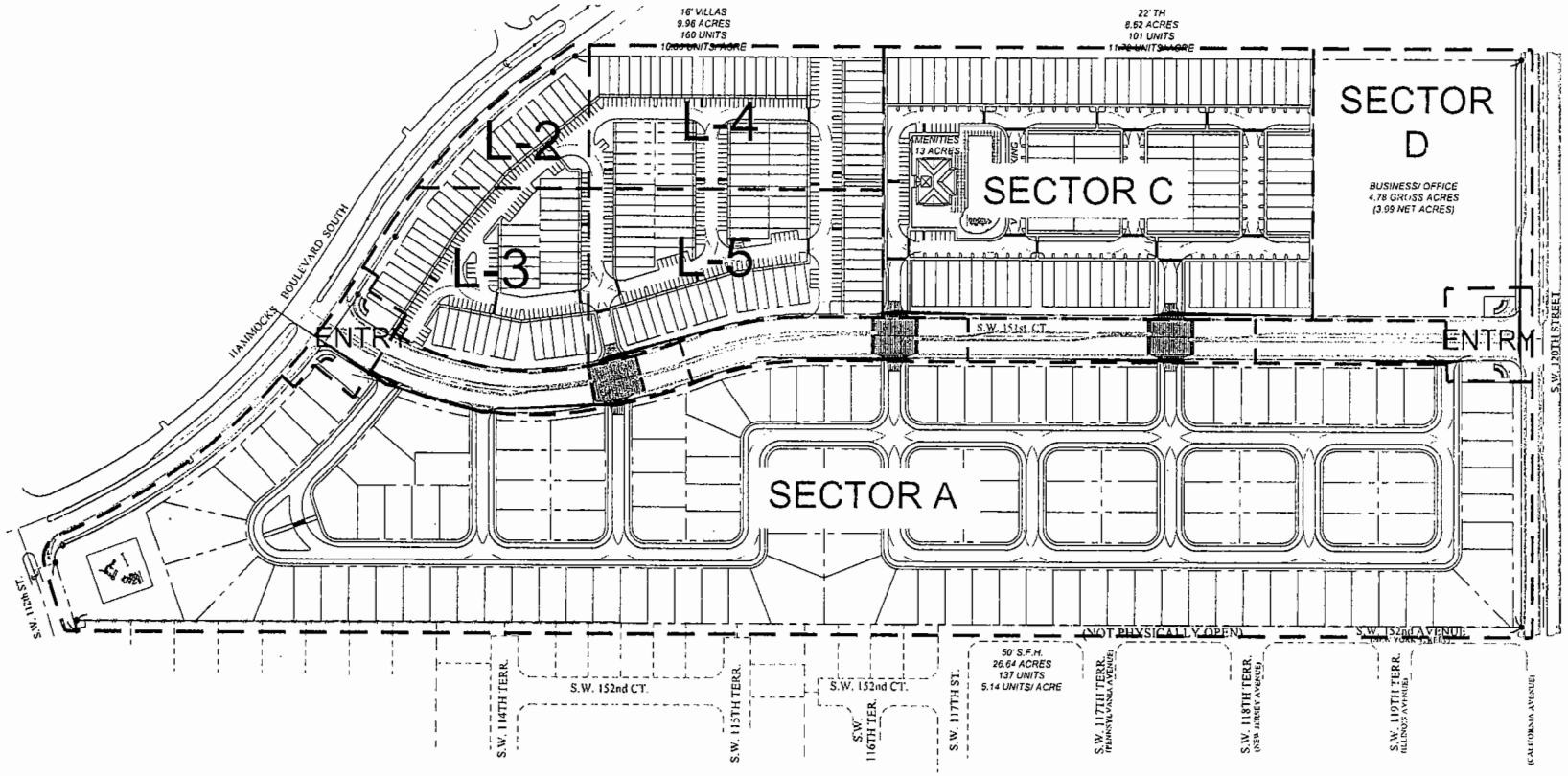
Seal:

Lic. # LA0000969
Member A.S.L.A.

Drawing: Landscape Details
Date: 6/06/2013
Scale: NTS
Drawn by: DC
Sheet No.:

L-17

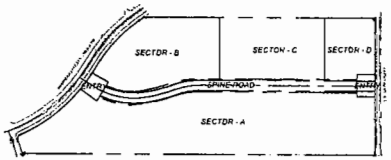
Cad Id.: 2013-052



KEY PLAN

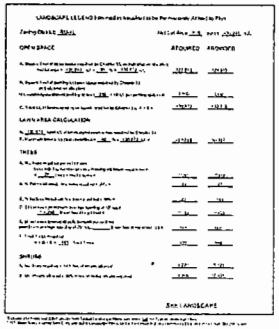
Scale: 1"=100'-0"

NORTH



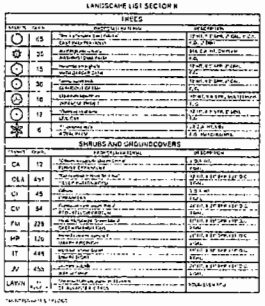
LOCATION MAP

Scale: NTS



SHEET INDEX:

L-1 SECTOR B INDEX
L-2 LANDSCAPE PLAN SECTOR B
L-3 LANDSCAPE PLAN SECTOR B
L-4 LANDSCAPE PLAN SECTOR B
L-5 LANDSCAPE PLAN SECTOR B
L-6 TYPICAL 18' VILLA MODELS A, B, C, D LANDSCAPE PLAN
L-7 LANDSCAPE DETAILS



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MIAMI-DADE COUNTY
DEPARTMENT OF
DEVELOPMENTAL IMPACT COMMITTEE

BY: _____

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WITKIN HULTS DESIGN GROUP
307 South 21st Avenue, Hollywood, Florida 33020
phone: 954.923.9081 fax: 954.923.9082 witkinhults@gmail.com
www.witkinhultsdesign.com

Garden Estates II
Miami-Dade County, Florida
SECTOR B KEYSHEET

Project:

Revisions:
1) 9.6.13 NEW SITE PLAN

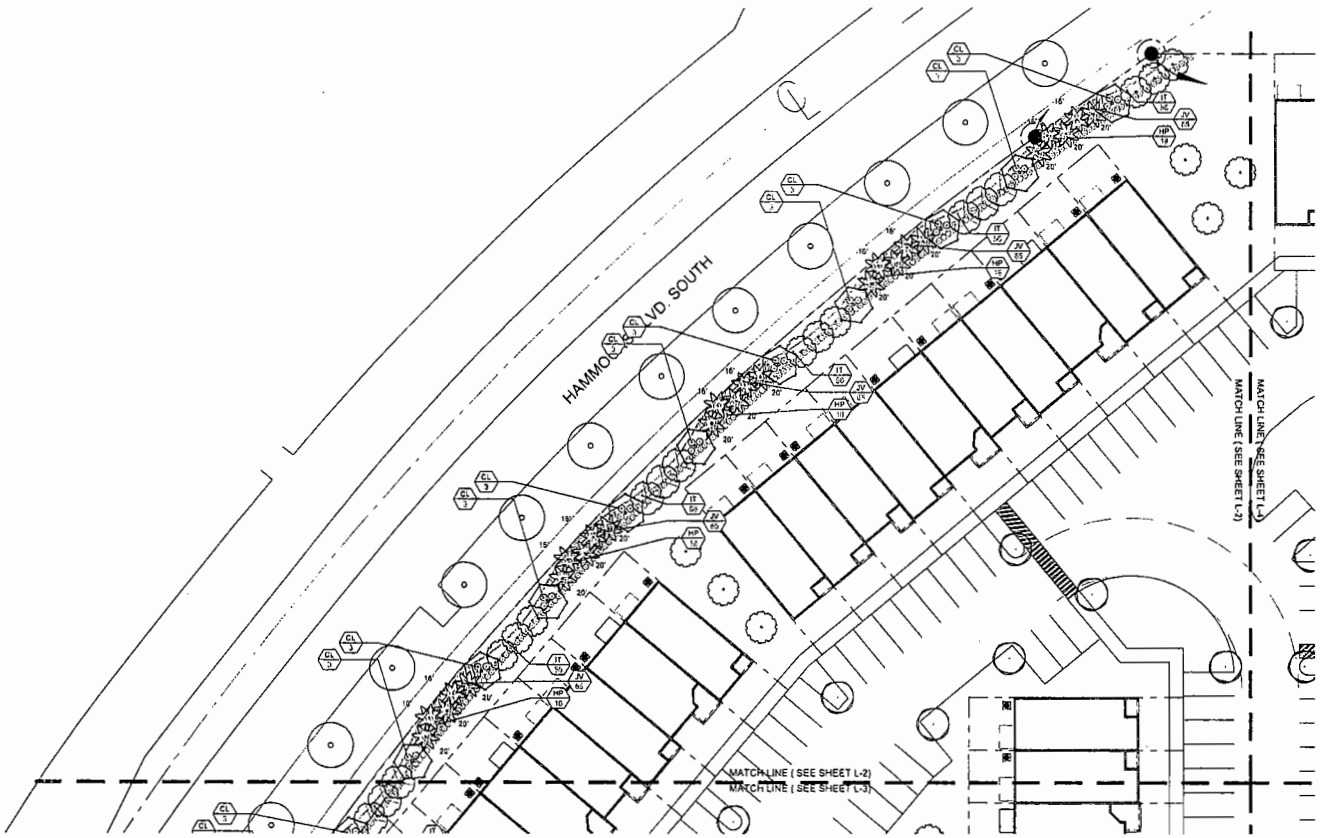
Seal:

Lic. # LA0020689
Member A.S.L.A.

Drawing: Section B Keysheet
Date: 6/05/2013
Scale: See Left
Drawn by: DC
Sheet No:

L-1

Cert id.: 2013-052



LANDSCAPE PLAN NORTH

Scale: 1"=20'-0"

97

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Project:

Garden Estates II

Miami-Dade County, Florida

SECTOR B LANDSCAPE PLAN

Revisions:

1) 9.6.13 NEW SITE PLAN

Seal:

Lic. # LA0000889
Member: A.S.L.A.

Drawing: Section B Landscape Plan

Date: 6/05/2013

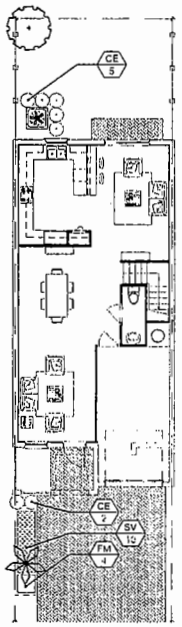
Scale: See Left

Drawn by: DC

Sheet No.:

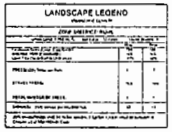
L-2

Cad Id.: 2013-052



22' TOWNHOME - UNIT A

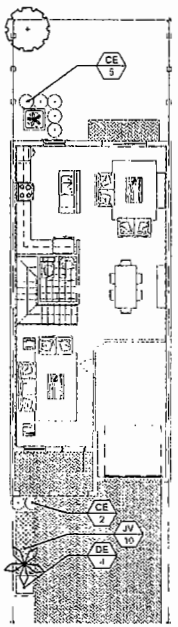
Scale: 1/8"=1'-0"



UNIT A LANDSCAPE LIST

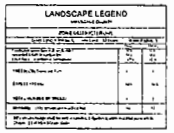
TREES			
SYMBOL	QUAN.	BOTANICAL/COMMON NAME	DESCRIPTION
	1		
	1		

SHRUBS AND GROUNDCOVERS			
SYMBOL	QUAN.	BOTANICAL/COMMON NAME	DESCRIPTION
CE	7		
FM	4		
SV	10		
LAWN	as indicated		



22' TOWNHOME - UNIT B

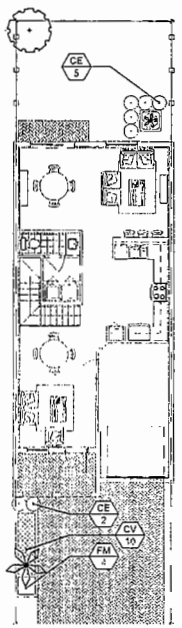
Scale: 1/8"=1'-0"



UNIT B LANDSCAPE LIST

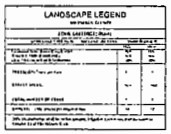
TREES			
SYMBOL	QUAN.	BOTANICAL/COMMON NAME	DESCRIPTION
	1		
	1		

SHRUBS AND GROUNDCOVERS			
SYMBOL	QUAN.	BOTANICAL/COMMON NAME	DESCRIPTION
CE	7		
DE	4		
JV	10		
LAWN	as indicated		



22' TOWNHOME - UNIT C

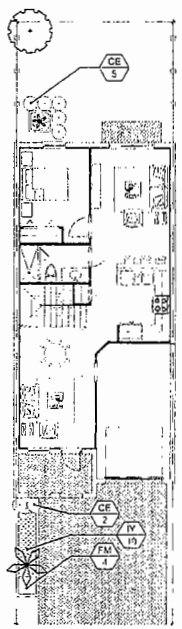
Scale: 1/8"=1'-0"



UNIT C LANDSCAPE LIST

TREES			
SYMBOL	QUAN.	BOTANICAL/COMMON NAME	DESCRIPTION
	1		
	1		

SHRUBS AND GROUNDCOVERS			
SYMBOL	QUAN.	BOTANICAL/COMMON NAME	DESCRIPTION
CE	7		
CV	10		
FM	4		
LAWN	as indicated		



22' TOWNHOME - UNIT D

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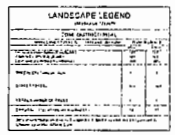

UNIT C LANDSCAPE LIST

TREES			
SYMBOL	QUAN.	BOTANICAL/COMMON NAME	DESCRIPTION
	1		
	1		

SHRUBS AND GROUNDCOVERS			
SYMBOL	QUAN.	BOTANICAL/COMMON NAME	DESCRIPTION
CE	7		
JV	10		
FM	4		
LAWN	as indicated		

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DEVELOPMENTAL IMPACT COMMITTEE
BY

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WITKIN HULTS DESIGN GROUP

Garden Estates II
Miami-Dade County, Florida
TYPICAL LANDSCAPE PLAN

Project:

Revisions:

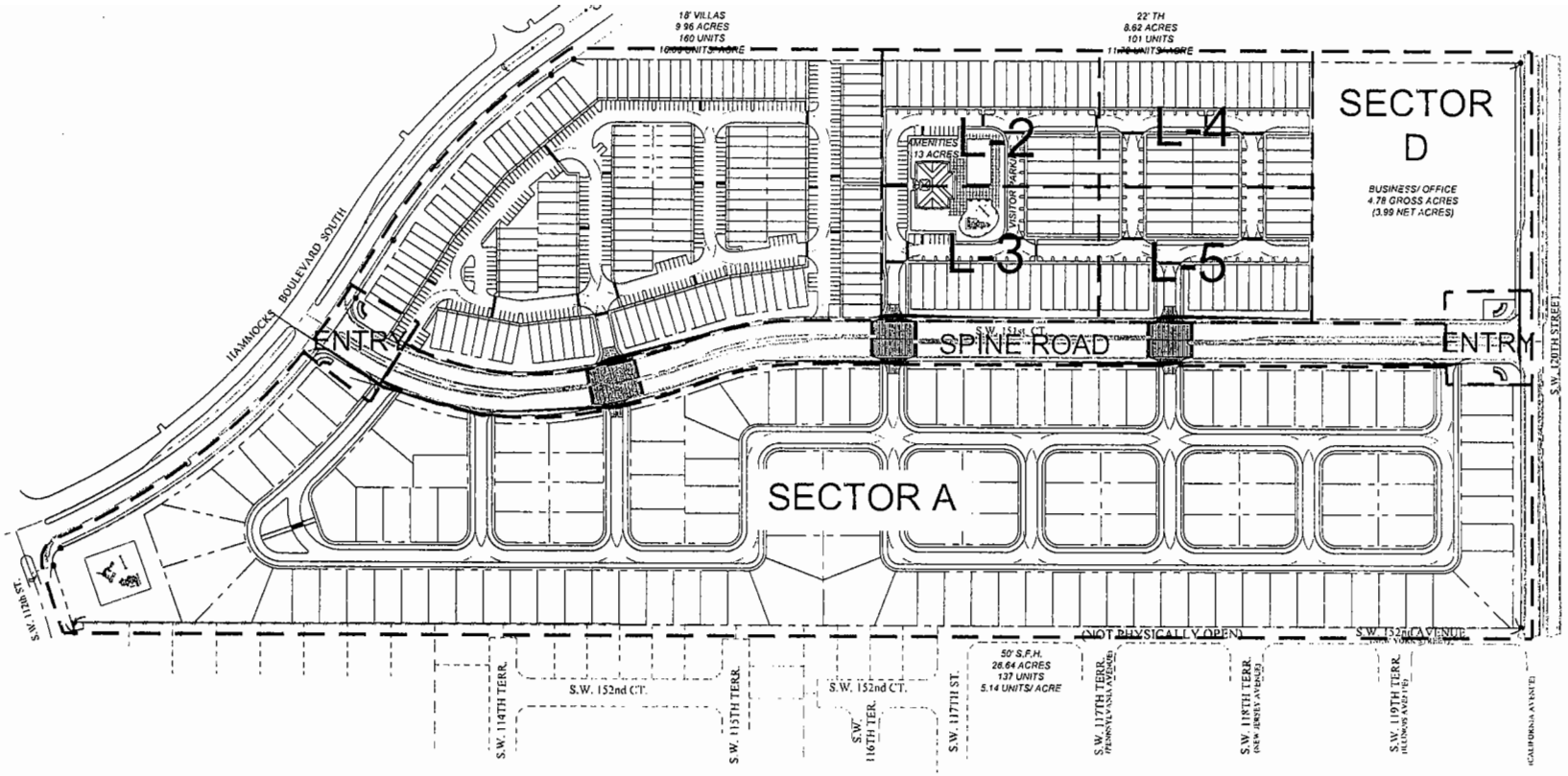
Seal:

Lic. # LA0000899
Manager A.S.L.A.

Drawing: TH LANDSCAPE PLANS
Date: 6/26/2013
Scale: 1/8"=1'-0"
Drawn By: JH
Sheet No.:

L-6

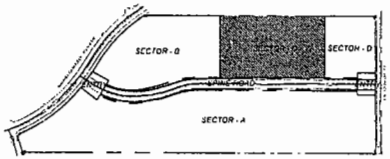
Cad file: 2013-052



KEY PLAN

Scale: 1"=100'-0"

NORTH



LOCATION MAP

Scale: NTS

SHEET INDEX:

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L-2 LANDSCAPE PLAN SECTOR C
L-3 LANDSCAPE PLAN SECTOR C
L-4 LANDSCAPE PLAN SECTOR C
L-5 LANDSCAPE PLAN SECTOR C
L-6 TYPICAL 22' TOWNHOME MODELS LANDSCAPE PLAN
L-7 LANDSCAPE DETAILS

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Garden Estates II
Miami-Dade County, Florida
SECTOR C KEYSHEET

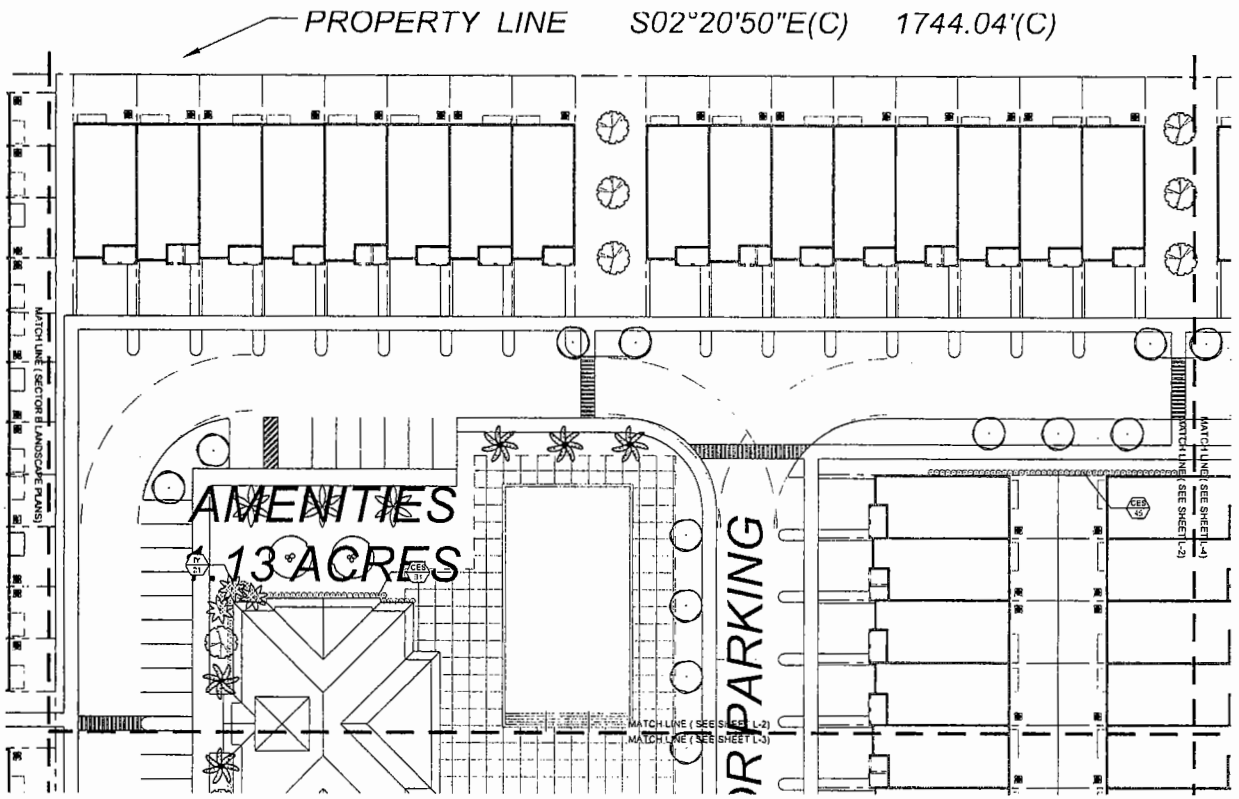
Revisions:
1) 9 13 NEW SITE PLAN

Seal:

Lic. # LA0C00869
Member: A.S.L.A.

Drawing: Section C Keysheet
Date: 8/05/2013
Scale: See Left
Drawn by: DC
Sheet No.:
L-1
Cad Id.: 2013-052

66



LANDSCAPE LIST SECTOR A

SYMBOL	QUAN.	DESCRIPTION	REMARKS
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	4	[illegible]	[illegible]
	17	[illegible]	[illegible]
	8	[illegible]	[illegible]
	8	[illegible]	[illegible]
	18	[illegible]	[illegible]
	6	[illegible]	[illegible]
		SHRUBS AND GROUNDCOVERS	
		[illegible]	[illegible]
CA	24	[illegible]	[illegible]
CEB	328	[illegible]	[illegible]
CV	168	[illegible]	[illegible]
FIX	594	[illegible]	[illegible]
IY	42	[illegible]	[illegible]
LAWN	[illegible]	[illegible]	[illegible]

* READ IN NOTE SHEETS

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BY _____

LANDSCAPE PLAN NORTH
Scale: 1"=20'-0"

WITKIN HULTS DESIGN GROUP

Project:
Garden Estates II
Miami-Dade County, Florida
SECTOR C LANDSCAPE PLAN

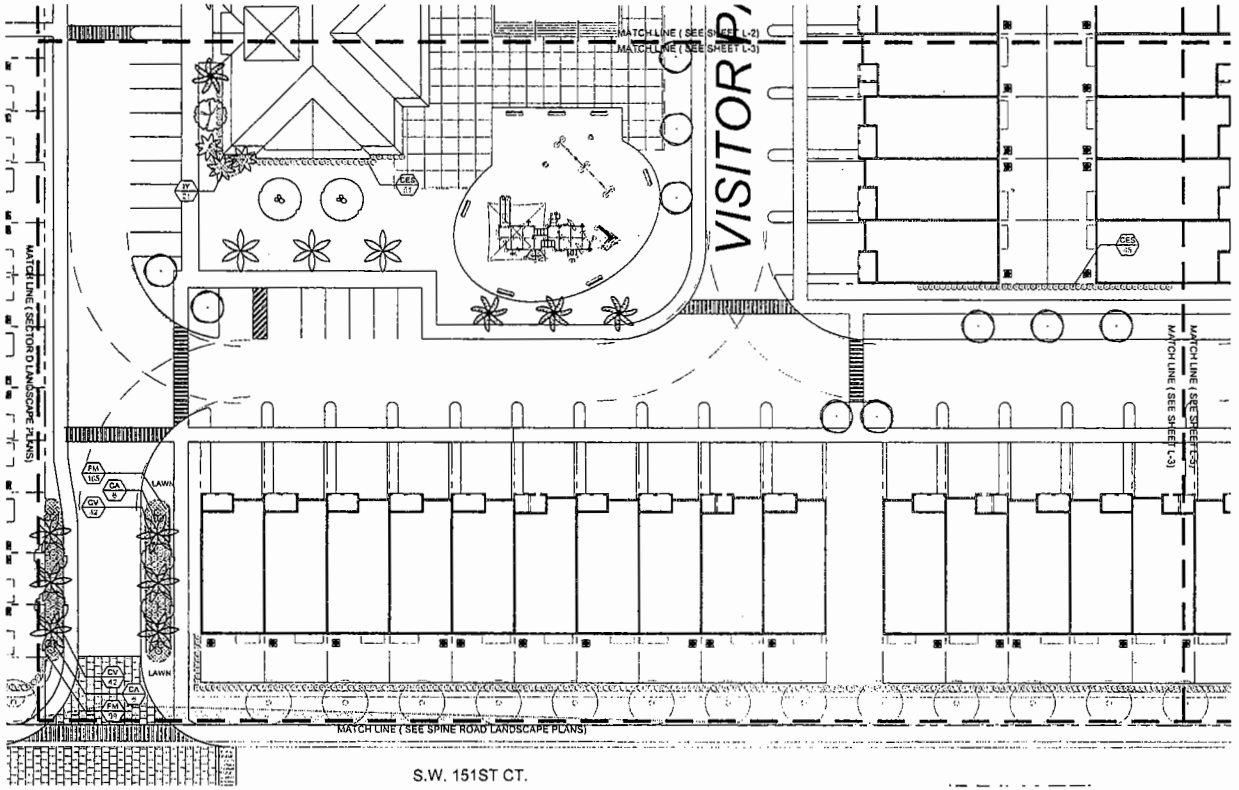
Revisions:
1) 5.6.13 NEW SITE PLAN

Seal:

Lic. # LA0000969
Member: A.S.L.A

Drawing: Sector C Landscape
Date: 6/06/2013
Scale: See Left
Drawn by: DC
Sheet No.:
L-2
Cad Id.: 2013-052

100



LANDSCAPE LIST SECTOR A

TREES			
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	4	[illegible]	[illegible]
	17	[illegible]	[illegible]
	8	[illegible]	[illegible]
	8	[illegible]	[illegible]
	18	[illegible]	[illegible]
	6	[illegible]	[illegible]

SHRUBS AND GROUNDCOVERS			
CA	24	[illegible]	[illegible]
CES	326	[illegible]	[illegible]
CV	155	[illegible]	[illegible]
FM	544	[illegible]	[illegible]
IY	42	[illegible]	[illegible]
LAWN	[illegible]	[illegible]	[illegible]

* [illegible]

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MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY _____

LANDSCAPE PLAN NORTH

Scale: 1"=20'-0"

101

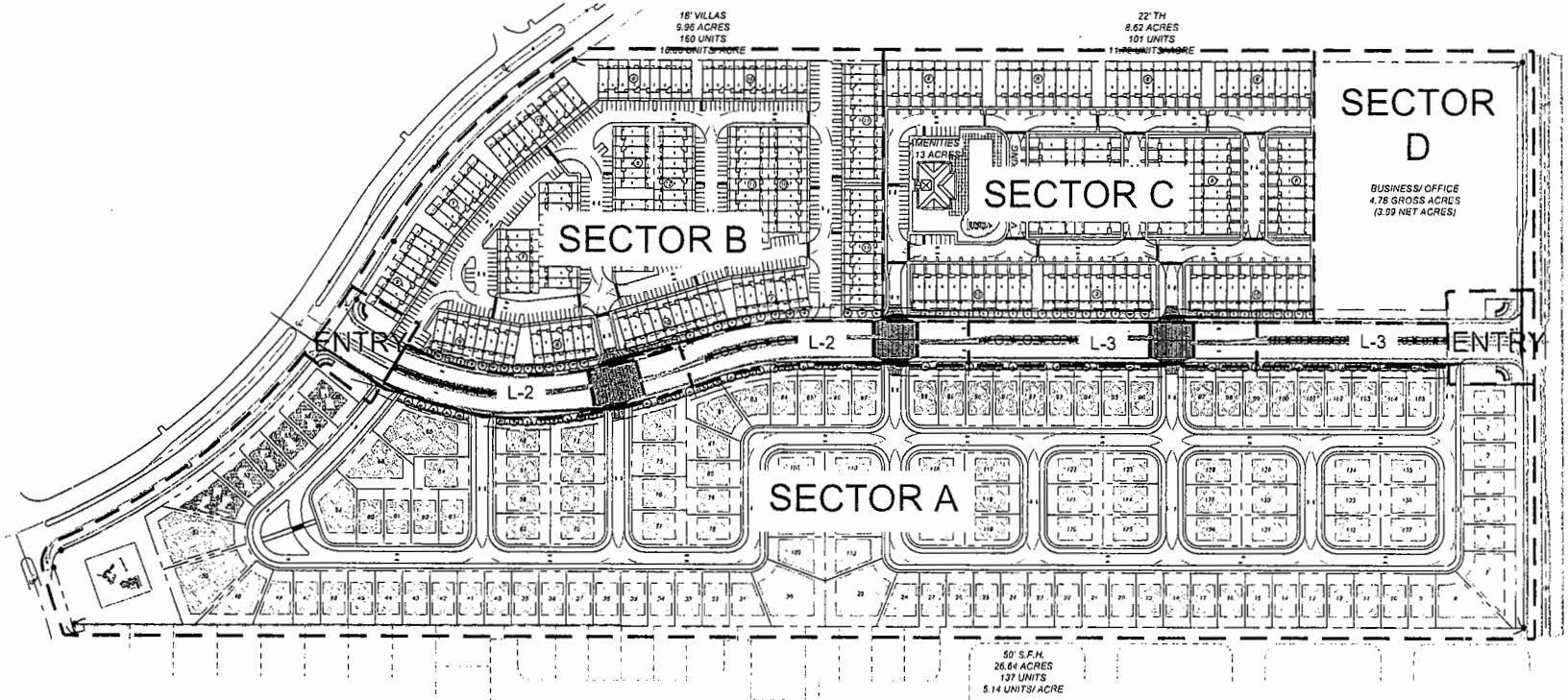
WITKIN HULTS DESIGN GROUP
207 North 21st Avenue Hollywood, Florida
phone: 954.923.0181 Facsimile: 954.923.9689
www.witkinhults.com

Project:
Garden Estates II
Miami-Dade County, Florida
SECTOR C LANDSCAPE PLAN

Revisions:
1) 9.6.13 NEW SITE PLAN

Seal:
Lic. # LA0000689
Member: A.S.L.A.

Drawing: Sector C Landscape
Date: 6/06/2013
Scale: See Left
Drawn by: DC
Sheet No.:
L-3
Cad Id.: 2013-052



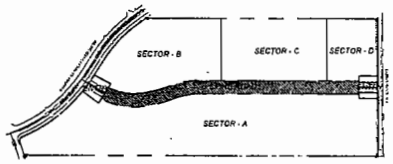
KEY PLAN

Scale: 1"=100'-0"

NORTH

SHEET INDEX:

L-1 SPINE ROAD INDEX
L-2 SPINE ROAD LANDSCAPE PLAN
L-3 SPINE ROAD LANDSCAPE PLAN
L-4 SPINE ROAD LANDSCAPE DETAILS



LOCATION MAP

Scale: NTS

RECEIVED
SEP 11 2013
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

LANDSCAPE LIST SECTOR A

TREES

Symbol	Quantity	Description	Description
	14	[illegible]	[illegible]
	3	[illegible]	[illegible]
	137	[illegible]	[illegible]
	81	[illegible]	[illegible]

SHRUBS AND GROUNDCOVERS

Symbol	Quantity	Description	Description
AC	370	[illegible]	[illegible]
AW	230	[illegible]	[illegible]
CA	78	[illegible]	[illegible]
CG	1628	[illegible]	[illegible]
CV	210	[illegible]	[illegible]
DE	218	[illegible]	[illegible]
DT	94	[illegible]	[illegible]
HL	100	[illegible]	[illegible]
FM	2457	[illegible]	[illegible]
JI	2	[illegible]	[illegible]
JV	1619	[illegible]	[illegible]
PL	83	[illegible]	[illegible]
PL2	131	[illegible]	[illegible]
PK	18	[illegible]	[illegible]
SR	102	[illegible]	[illegible]
LAWN	[illegible]	[illegible]	[illegible]

* DENOTES IN THE MEDIAN

WITKIN HULTS DESIGN GROUP

Project:

Garden Estates II
Miami-Dade County, Florida
SPINE ROAD KEYPLAN

Revisions:
1) 9.6.13 NEW SITE PLAN

Seal:

Lic. # LA0000889
Member: A.S.L.A.

Drawing: Spine Road Index
Date: 6/06/2013
Scale: See left
Drawn by: DC
Sheet No.:
L-1
Cad Id.: 2013-052

102

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: LUCKY START AT THE HAMMOCKS, LLC, a Florida limited liability company.

NAME AND ADDRESS	Percentage of Stock
FERBEN INVESTMENTS, INC., 8785 SW 165th Avenue #301, Miami, Florida 33193	33.33
ABAL INVESTMENTS CORPORATION, 8785 SW 165th Avenue #301, Miami, Florida 33193	33.34
VEN-AMERICA TRADERS, INC, 8785 SW 165th Avenue #301, Miami, Florida 33193	33.33

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

RECEIVED
JUL 18 2012
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 public hearing, a supplemental disclosure of interest is required.

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

Signature: _____
(Applicant)

Sworn to and subscribed before me this 12 day of July, 2012. Affiant is personally known to me or has produced _____ as identification.

_____
(Notary Public)

SILVIA MESA
Notary Public - State of Florida
My Comm. Expires Jan 4, 2015
Commission # EE 52542

My commission expires 1/4/2015

*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.

RECEIVED
12-096
JUL 18 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

104

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: FERBEN INVESTMENTS, INC.

NAME AND ADDRESS	Percentage of Stock
Jorge Fernandez, 8785 SW 165th Avenue #301, Miami, Florida 33193	100%
Fernandez L. Alvarez, 8785 SW 165th Avenue #301, Miami, Florida 33193	-N/A-
Maritza Fernandez, 8785 SW 165th Avenue #301, Miami, Florida 33193	-N/A-

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

RECEIVED
JUL 18 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

#10717240_v1

105

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 public hearing, a supplemental disclosure of interest is required.

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

Signature: _____
(Applicant)

Sworn to and subscribed before me this 17 day of July, 2012. Affiant is personally known to me or has produced _____ as identification.

_____
(Notary Public)

My commission expires 1/4/2015

SILVIA MESA
Notary Public - State of Florida
My Comm. Expires Jan 4, 2015
Commission # EE 52542

*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.

RECEIVED
JUL 18 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

Z12-076

#10717240_v1

106

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: ABAL INVESTMENTS CORPORATION

NAME AND ADDRESS	Percentage of Stock
Antonio Balestena, 8785 SW 165th Avenue #301, Miami, Florida 33193	48.5%
Loordes Balestena, 8785 SW 165th Avenue #301, Miami, Florida 33193	48.5%
SILVIA MESA	3 %

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

RECEIVED
347-896
JUL 18 2012
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:

_____

_____

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

Signature: _____
(Applicant)

Sworn to and subscribed before me this 17 day of July, 2012. Affiant is personally known to me or has produced _____ as identification.

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(Notary Public)

My commission expires 1/4/2015

SILVIA MESA
Notary Public - State of Florida
My Comm. Expires Jan 4, 2015
Commission # EE 52542

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RECEIVED
JUL 18 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

#10717240_v1

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: VEN-AMERICA TRADERS, INC.

NAME AND ADDRESS	Percentage of Stock
Jorge L. Fernandez, 832 Coral Way, Coral Gables, Florida	33.34 %
Luis F. Alvarez, 832 Coral Way, Coral Gables, Florida	33.33 %
Jose L. Fernandez, 832 Coral Way, Coral Gables, Florida	33.33 %

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

RECEIVED
JUL 18 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

#10717240_v1

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:

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_____

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(Applicant)

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(Notary Public)

SILVIA MESA
Notary Public - State of Florida
My Comm. Expires Jan 4, 2015
Commission # EE 52542

My commission expires 1/4/2015

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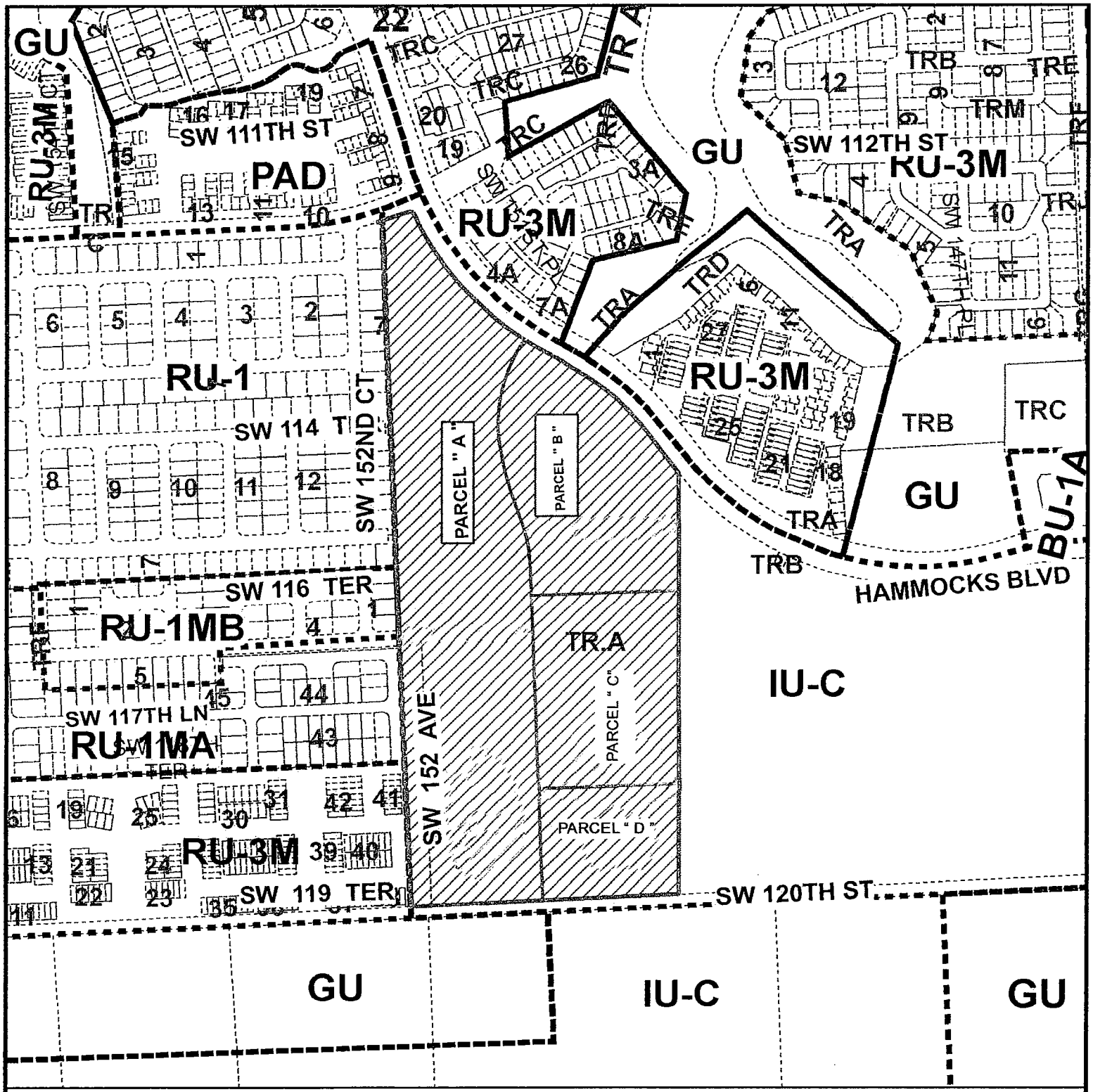
RECEIVED
JUL 18 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

110



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2012000096

Section: 09 Township: 55 Range: 39
Applicant: LUCKY START AT THE HAMMOCKS,LLC
Zoning Board: C11
Commission District: 11
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday, August 8, 2012

REVISION	DATE	BY
		///

MIAMI-DADE COUNTY

AERIAL YEAR 2012

Process Number

Z2012000096

N
W E
S

Section: 09 **Township:** 55 **Range:** 39
Applicant: LUCKY START AT THE HAMMOCKS,LLC
Zoning Board: C11
Commission District: 11
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday, August 8, 2012

REVISION	DATE	BY

11B

MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2012000096

RADIUS: 2640

Section: 09 Township: 55 Range: 39
Applicant: LUCKY START AT THE HAMMOCKS,LLC
Zoning Board: C11
Commission District: 11
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

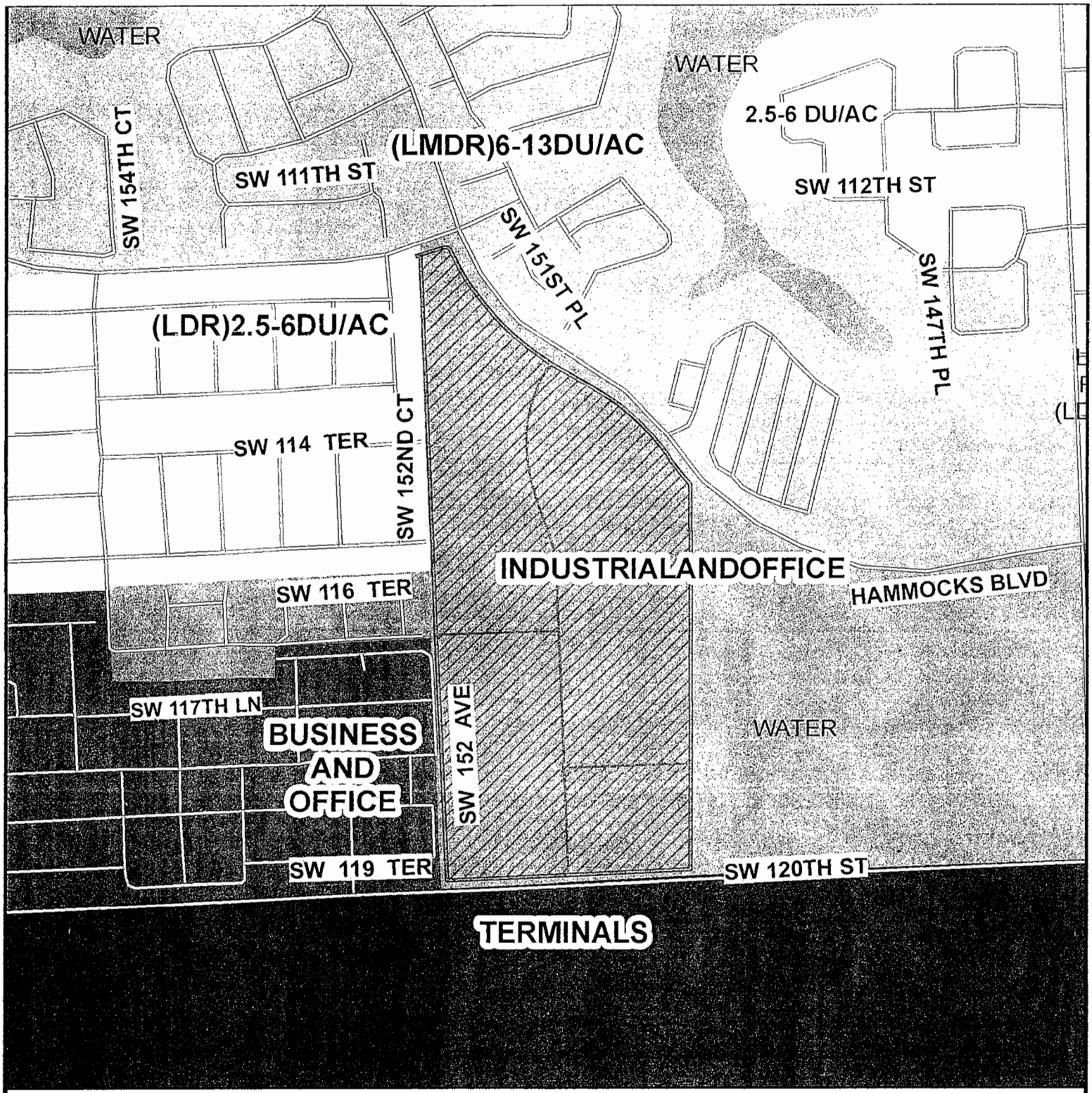
Subject Property

Buffer

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday, August 8, 2012

REVISION	DATE	BY



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2012000096

N
W E
S

Section: 09 Township: 55 Range: 39
Applicant: LUCKY START AT THE HAMMOCKS,LLC
Zoning Board: C11
Commission District: 11
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday, August 8, 2012

REVISION	DATE	BY

Lucky Start At
The Hammocks, LLC
(12-096)

This instrument was prepared by:

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

(Space reserved for Clerk of Court)

MODIFICATION OF COVENANT GOVERNING LAND DEVELOPMENT

THIS MODIFICATION OF COVENANT GOVERNING LAND DEVELOPMENT is made this ___ day of _____, 201__, by **Hammocks Lennar, LLC**, a Florida limited liability company (the "Owner"), in favor of Miami-Dade County, a political subdivision of the State of Florida (the "City").

W I T N E S S E T H:

WHEREAS, the Owner holds fee simple title to that certain parcel of land located in unincorporated Miami-Dade County, Florida, which is more particularly described in the attached Exhibit "A" (the "Property"); and

WHEREAS, a Covenant Governing Land Development (hereinafter referred to as the "Covenant") in favor of Miami-Dade County, was recorded in the Public Records of Miami-Dade County in Official Records Book 8625 at Page 336, which placed certain restrictions and conditions on the development of the Property in connection with the approval of The Hammocks Development of Regional Impact (the "DRI");

WHEREAS, the Covenant has been modified and amended from time to time to reflect the approval of modifications and amendments to the DRI;

WHEREAS, the Owner has filed a Notification of Proposed Change to the DRI with the Florida Department of Economic Opportunity, South Florida Regional Planning Council, and Miami-Dade County pursuant to process number Z12-096 (the "NOPC") for the purpose of modifying the DRI development order and, as such, the Covenant, as amended;

WHEREAS, the Miami-Dade County Board of County Commissioners held a public hearing on _____ wherein it adopted Resolution No. _____ (the "Resolution") to approve the NOPC and the modification to the Covenant, as amended;

WHEREAS, the Resolution approved the modification of Condition No. 6 of the Covenant, as previously modified by that certain Amendment to Covenant Governing Land Development, dated October 17, 1975, and recorded in Official Record Book 9254, at Page 1117, of the Public Records of Miami-Dade County, Florida, as follows:

FROM:

6. DISTRIBUTION OF UNITS

ZONE	ACRES	% OF TOTAL GROSS AREA	TOTAL UNITS	% OF TOTAL UNITS
RU-1	39.4	3.6%	229	2.8%
RU-3M	267.2	24.4%	2,925	35.2%
RU-4L	69.6	6.3%	1,545	18.6%
RU-4M	117.5	10.7%	3,356	40.42%
RU-4A	10.4	1.0%	248	3.0%
	504.1	46.0%	8,303	100.0%

TO:

6. DISTRIBUTION OF UNITS

ZONE	ACRES	% OF TOTAL GROSS AREA (based on 1,096.76 acres)	TOTAL UNITS	% OF TOTAL UNITS
RU-1	39.4	3.59%	229	2.63%
RU-1M(a)	28.7	2.62%	137	1.57%
RU-3M	267.2	24.4%	2,925	33.62%
RU-4L	87.2	7.95%	1,806	20.76%
RU-4M	117.5	10.71%	3,356	38.57%
RU-4A	10.4	0.95%	248	2.85%

	550.4	**50.22%**	**8,701**	**100.00%**

WHEREAS, the Resolution approved a modification of Condition 15 of the Covenant as follows:

FROM:

"15. INDUSTRIAL PARK

A 111.87 gross acre parcel of land on the extreme southern edge of the property, already zoned for industrial use, will be held for a light industrial park. (See Exhibit C)

This piece of land is just north of the new Tamiami Airport, which was a factor in the decision to keep it industrial. It forms a buffer between the residential areas of The Hammocks and the airport.

A buffer will also be created between the industrial park and the residential areas by the placement of land use in each residential district, as well as providing a special landscaped zone in the industrial area.

Another advantage for the industrial use of this piece of land is its direct frontage on main arterial alignments at SW 147th Avenue and SW 120th Street."

TO:

"15. INDUSTRIAL PARK

A 49.46 gross acre parcel of land (pursuant to the folio information provided by the Miami-Dade County Property Appraiser for folio no. 30-5909-014-0010) on the extreme southern edge of the property, already zoned for industrial use, will be held for a light industrial park. (See "The Hammocks Master Plan," as prepared by The Curtis Group and dated revised April 2013)

A buffer will be created between the industrial park and the residential areas by the placement of land use in each residential district, as well as providing a special landscaped zone in the industrial area.

Another advantage for the industrial use of this piece of land is its direct frontage on main arterial alignments at SW 147th Avenue and SW 120th Street."

WHEREAS, the Resolution approved a modification of Condition 18 of the Covenant, as previously modified by that certain Amendment To Covenant Governing Land

Development dated the 20th day of December, 1984, approved by the Board of County Commissioners pursuant to Resolution No. Z-281-84, and recorded in Official Record Book 12432, at Page 632, of the Public Records of Miami-Dade County, Florida; such covenant was an amendment to an Amendment to Covenant Governing Land Development the 1st day of December, 1981, and approved by the Board of County Commissioners by Resolution No. R-1825-81; such covenant was an amendment to that certain amendment to the Covenant, as amended by that Amendment to Covenant Governing Land Development, dated October 17, 1975, and recorded in Official Record Book 9254, at Page 1117, of the Public Records of Miami-Dade County, Florida, as follows:

FROM:

"18. CONTROLLED DENSITIES

In order that requirements for access and services may not exceed the projected regional capabilities, the maximum number of Permanent Residential dwelling units to be built has been established as indicated on 'THE HAMMOCKS Parcel Schedule' prepared by Post, Buckley, Schuh & Jernigan, Inc., dated July, 1989. A ceiling on the number of permissible Residential dwellings has been fixed at 8,303 units for the total community, each neighborhood to be kept to a reasonable percentage of the whole."

TO:

"18. CONTROLLED DENSITIES

In order that requirements for access and services may not exceed the projected regional capabilities, the maximum number of Permanent Residential dwelling units to be built has been established as indicated on "The Hammocks Master Plan," as prepared by The Curtis Group and dated revised April 2013. A ceiling on the number of permissible Residential dwellings has been fixed at 8,701 units for the total community, each neighborhood to be kept to a reasonable percentage of the whole."

WHEREAS, the Resolution approved a modification of Condition 23 of the Covenant as follows:

FROM:

"23. Neighborhood Convenience Centers.

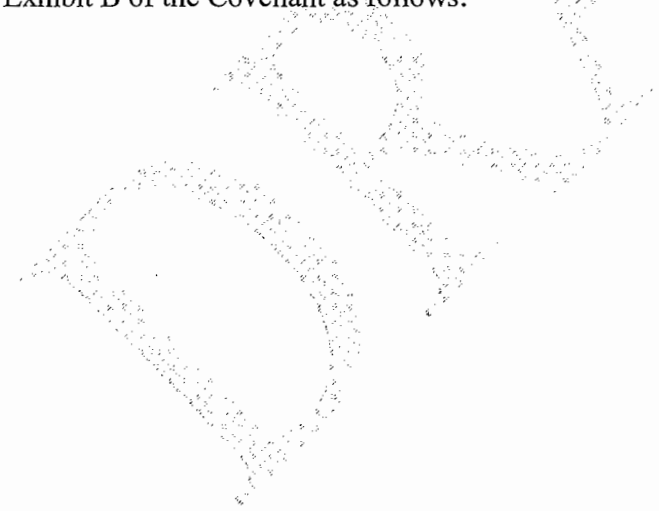
Neighborhood convenience centers may be provided in the detailed site use plan for each of the three villages, substantially in accordance with the "Illustrative Land Use Plan" hereinabove described and as may be approved under applicable county procedures."

TO:

"23. Neighborhood Convenience Centers.

Neighborhood convenience centers may be provided in the detailed site use plan for each of the three villages, substantially in accordance with the "Illustrative Land Use Plan" hereinabove described and as may be approved under applicable County procedures. In addition, Parcel 52 may be developed with up to 40,000 square feet of general business use in accordance with "The Hammocks Master Plan," as prepared by The Curtis Group and dated revised April 2013, and may be amended in accordance with applicable County procedures."

WHEREAS, the Resolution approved a modification of the legal description provided for Parcel 42 and added the legal descriptions for Parcel 50, Parcel 51, and Parcel 52 as provided in Exhibit B of the Covenant as follows:



FROM:

PARCEL 42

Begin at the S.E. corner of Section 9, Township 55 South, Range 39 East, Dade County, Florida; thence run S 87-26-25.5 W along the South line of said Section 9 for 2760.70 feet to the S.W. corner of the S.E.¼ of said Section 9; thence run N 02-21-42 W along the West line of the S.E. ¼ of said Section 9 to the N.W. corner of the S.E.¼ of said Section 9; thence run S 87-34-31 W along the South line of the N.W.¼ of said Section 9 for 353.58 feet to the Point of Curvature of a circular curve concave to the Northwest, having a radius of 1283.26 feet; thence run Northeasterly along the arc of said curve through a central angle of 20-17-05 for 454.32 feet to a Point of Tangency; thence run N 67-17-26 E for 83.13 feet to a point on a circular curve, concave to the Northeast, having a radius of 1150.00 feet, said point bearing S 67-17-26 W from the center of said curve; thence run Southeasterly along the arc of said curve through a central angle of 37-17-26 for 748.47 feet to a Point of Tangency; thence run S 60-00-00 E for 127.20 feet to a Point of Curvature of a circular curve, concave to the Southwest, having a radius of 1150.00 feet; thence run Southeasterly along the arc of said curve, through a central angle of 22-14-00 for 446.25 feet to a Point of Tangency; thence run S 37-46-00 E for 120.06 feet to a Point of Curvature of a circular curve, concave to the Northeast and having a radius of 1150.00 feet; thence run Easterly along the arc of said curve, through a central angle of 66-30-00 for 1334.74 feet to a Point of Tangency; thence run N 75-44-00 E for 111.51 feet to a Point of Curvature of a circular curve concave to the South and having a radius of 1150.00 feet; thence run Easterly along the arc of said curve, through a central angle of 11-59-03 for 240.54 feet to a Point of Tangency; thence run N 87-43-03 E for 109.40 feet to a point on the East line of said Section 9; thence run S 02-16-57 E along the East line of said Section 9 for 1344.61 feet to the Point of Beginning.

TO:

PARCEL 42:

PARCEL 42

Begin at the S.E. corner of Section 9, Township 55 South, Range 39 East, Dade County, Florida; thence run S 87-26-25.5 W along the South line of said Section 9 for 2760.70 feet to the S.W. corner of the S.E. ¼ of said Section 9; thence run N 02-21-42 W along the West line of the S.E. ¼ of said Section 9 to the N.W. corner of the S.E. ¼ of said Section 9; thence run S 87-34-31 W along the South line of the N.W. ¼ of said Section 9 for 353.58 feet to the Point of Curvature of a circular curve concave to the Northwest, having a radius of 1293.26 feet; thence run Northeasterly along the arc of said curve through a central angle of 20-17-05 for 454.32 feet to a Point of Tangency; thence run N 67-17-26 E for 83.13 feet to a point on a circular curve, concave to the Northeast, having a radius of 1150.00 feet, said point bearing S 67-17-26 W from the center of said curve; thence run Southeasterly along the arc of said curve through a central angle of 37-17-26 for 748.47 feet to a Point of Tangency; thence run S 60-00-00 E for 127.20 feet to a Point of Curvature of a circular curve, concave to the Southwest, having a radius of 1150.00 feet; thence run Southeasterly along the arc of said curve, through a central angle of 22-14-00 for 446.25 feet to a Point of Tangency; thence run S 37-46-00 E for 120.06 feet to a Point of Curvature of a circular curve, concave to the Northeast and having a radius of 1150.00 feet; thence run Easterly along the arc of said curve, through a central angle of 66-30-00 for 1334.74 feet to a Point of Tangency; thence run N 75-44-00 E for 111.51 feet to a Point of Curvature of a circular curve concave to the South and having a radius of 1150.00 feet; thence run Easterly along the arc of said curve, through a central angle of 11-59-03 for 240.54 feet to a Point of Tangency; thence run N 87-43-03 E for 109.40 feet to a point on the East line of said Section 9; thence run S 02-16-57 E along the East line of said Section 9 for 1344.61 feet to the Point of Beginning.

LESS

BEGIN AT THE SOUTHWEST CORNER OF SAID TRACT "A"; THENCE N02°20'50"W, AS BASIS OF BEARING ALONG THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9, FOR A DISTANCE OF 2660.44 FEET TO THE CENTER OF SAID SECTION 9; THENCE S87°34'58"W FOR A DISTANCE OF 18.65 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, A RADIAL LINE TO SAID POINT BEARS S17°02'49"E; THENCE 129.21 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING RADIUS OF 1326.26 FEET AND A CENTRAL ANGLE OF 05°34'55" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 37.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 86°45'47" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 720.86 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID

CURVE HAVING A RADIUS OF 1210.00 FEET AND A CENTRAL ANGLE OF 34°08'03" TO A POINT OF TANGENCY; THENCE S60°00'00"E FOR A DISTANCE OF 127.20 FEET TO A POINT OF CURVATURE; THENCE 422.97 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1090.00 FEET AND A CENTRAL ANGLE OF 22°14'00" TO A POINT OF TANGENCY; THENCE S37°46'00"E FOR A DISTANCE OF 50.50 FEET TO A POINT OF INTERSECTION WITH A LINE 1040.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9; THENCE S02°20'50"E ALONG SAID LINE FOR A DISTANCE OF 1744.04 FEET TO A POINT OF INTERSECTION WITH A LINE 40.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9; THENCE S87°26'00"W ALONG SAID LINE FOR A DISTANCE OF 1040.01 FEET TO THE POINT OF BEGINNING.

<u>PARCEL 50</u>:

A PORTION OF TRACT "A" OF THE AMERIFIRST PARK PLAT AS SHOWN IN P.B. 127, PG. 65 OF THE MIAMI-DADE COUNTY PUBLIC RECORDS LYING WITHIN SECTION 9, TOWNSHIP 55 SOUTH, RANGE 39 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE CENTER OF SAID SECTION 9; THENCE S87°34'58"W FOR A DISTANCE OF 18.65 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, A RADIAL LINE TO SAID POINT BEARS S17°02'49"E; THENCE 129.21 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1326.26 FEET AND A CENTRAL ANGLE OF 05°34'55" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 37.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 86°45'47" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 647.38 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1210.00 FEET AND A CENTRAL ANGLE OF 30°39'16" TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE, A RADIAL LINE TO SAID POINT BEARS S33°28'47"W; THENCE S30°09'08"W FOR A DISTANCE OF 44.02 FEET TO A POINT OF CURVATURE; THENCE 397.34 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 575.00 FEET AND A CENTRAL ANGLE OF 39°35'34" TO A POINT OF INTERSECTION WITH A COMPOUND CURVE; THENCE 269.36 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 13°08'05" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 203.00 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 575.00 FEET AND A CENTRAL ANGLE OF 20°13'42" TO A POINT OF TANGENCY; THENCE S02°20'50"E ALONG A LINE 527.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9 FOR A DISTANCE OF 1308.48 FEET; THENCE S87°26'00"W

ALONG THE NORTH RIGHT-OF-WAY LINE OF S.W. 120TH STREET FOR A DISTANCE OF 527.00 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9; THENCE N02°20'50"W ALONG SAID WEST LINE FOR A DISTANCE OF 2660.43 FEET TO THE POINT OF BEGINNING. CONTAINING 1,250,118 SQUARE FEET OR 28.70 ACRES, MORE OR LESS.

PARCEL 51:

A PORTION OF TRACT "A" OF THE AMERIFIRST PARK PLAT AS SHOWN IN P.B. 127, PG. 65 OF THE MIAMI-DADE COUNTY PUBLIC RECORDS LYING WITHIN SECTION 9, TOWNSHIP 55 SOUTH, RANGE 39 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SAID SECTION 9; THENCE S87°34'58"W FOR A DISTANCE OF 18.65 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, A RADIAL LINE TO SAID POINT BEARS S17°02'49"E; THENCE 129.21 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1326.26 FEET AND A CENTRAL ANGLE OF 05°34'55" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 37.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 86°45'47" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 647.38 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1210.00 FEET AND A CENTRAL ANGLE OF 30°39'16" TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND:

THENCE CONTINUE 73.48 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1210.00 FEET AND A CENTRAL ANGLE OF 03°28'47" TO A POINT OF TANGENCY; THENCE S60°00'00"E FOR A DISTANCE OF 127.20 FEET TO A POINT OF CURVATURE; THENCE 422.97 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1090.00 FEET AND A CENTRAL ANGLE OF 22°14'00" TO A POINT OF TANGENCY; THENCE S37°46'00"E FOR A DISTANCE OF 50.50 FEET; THENCE S02°20'50"E ALONG A LINE 1040.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9 FOR A DISTANCE OF 1366.17 FEET; THENCE S87°26'00"W ALONG A LINE 417.87 FEET NORTH OF AND PARALLEL TO THE S.W. 120TH STREET CENTER LINE FOR A DISTANCE OF 513.00 FEET; THENCE N02°20'50"W FOR A DISTANCE OF 930.61 FEET TO A POINT OF TANGENCY; THENCE 203.00 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 575.00 FEET AND A CENTRAL ANGLE OF 20°13'42" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 269.36 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A

RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 13°08'05" TO A POINT OF INTERSECTION WITH A COMPOUND CURVE; THENCE 397.34 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 575.00 FEET AND A CENTRAL ANGLE OF 39°35'34" TO A POINT OF TANGENCY; THENCE N30°09'08"E FOR A DISTANCE OF 44.02 FEET TO THE POINT OF BEGINNING. CONTAINING 885,023 SQUARE FEET OR 20.32 ACRES, MORE OR LESS.

PARCEL 52:

A PORTION OF TRACT "A" OF THE AMERIFIRST PARK PLAT AS SHOWN IN P.B. 127, PG. 65 OF THE MIAMI-DADE COUNTY PUBLIC RECORDS LYING WITHIN SECTION 9, TOWNSHIP 55 SOUTH, RANGE 39 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SAID SECTION 9; THENCE S87°34'58"W FOR A DISTANCE OF 18.65 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, A RADIAL LINE TO SAID POINT BEARS S17°02'49"E; THENCE 129.21 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1326.26 FEET AND A CENTRAL ANGLE OF 05°34'55" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 37.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 86°45'47" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 647.38 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1210.00 FEET AND A CENTRAL ANGLE OF 30°39'16"; THENCE CONTINUE 73.48 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1210.00 FEET AND A CENTRAL ANGLE OF 03°28'47" TO A POINT OF TANGENCY; THENCE S60°00'00"E FOR A DISTANCE OF 127.20 FEET TO A POINT OF CURVATURE; THENCE 422.97 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1090.00 FEET AND A CENTRAL ANGLE OF 22°14'00" TO A POINT OF TANGENCY; THENCE S37°46'00"E FOR A DISTANCE OF 50.50 FEET; THENCE S02°20'50"E ALONG A LINE 1040.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9 FOR A DISTANCE OF 1366.17 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND:

THENCE CONTINUE S02°20'50"E ALONG A LINE 1040.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9 FOR A DISTANCE OF 377.87 FEET; THENCE S87°26'00"W ALONG THE NORTH RIGHT-OF-WAY LINE OF S.W. 120TH STREET FOR A DISTANCE OF 513.00 FEET; THENCE N02°20'50"W ALONG A LINE 527.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9 FOR A DISTANCE OF 377.87 FEET; THENCE N87°26'00"E FOR A

DISTANCE OF 513.00 FEET TO THE POINT OF BEGINNING. CONTAINING 193,849 SQUARE FEET OR 4.45 ACRES, MORE OR LESS.

NOW, THEREFORE, IN ORDER TO ASSURE Miami-Dade County that the representations made by the Owner during its consideration of the NOPC will be abided by, the Owner freely, voluntarily, and without duress, hereby agrees as follows:

1. Condition 6 of the Covenant shall now read as follows:

6. DISTRIBUTION OF UNITS

ZONE	ACRES	% OF TOTAL GROSS AREA (based on 1,096.76 acres)	TOTAL UNITS	% OF TOTAL UNITS
RU-1	39.4	3.59%	229	2.63%
RU-1M(a)	28.7	2.62%	137	1.57%
RU-3M	267.2	24.4%	2,925	33.62%
RU-4L	87.2	7.95%	1,806	20.76%
RU-4M	117.5	10.71%	3,356	38.57%
RU-4A	10.4	0.95%	248	2.85%
	550.4	50.22%	8,701	100.00%

2. Condition 15 of the Covenant shall now read as follows:

"15. INDUSTRIAL PARK

A 49.46 gross acre parcel of land (pursuant to the folio information provided by the Miami-Dade County Property Appraiser for folio no. 30-5909-014-0010) on the extreme southern edge of the property, already zoned for industrial use, will be held for a light industrial park. (See "The Hammocks Master Plan," as prepared by The Curtis Group and dated revised April 2013)

A buffer will be created between the industrial park and the residential areas by the placement of land use in each residential district, as well as providing a special landscaped zone in the industrial area.

Another advantage for the industrial use of this piece of land is its direct frontage on main arterial alignments at SW 147th Avenue and SW 120th Street."

3. Condition 18 of the Covenant shall now read as follows:

"18. <u>CONTROLLED DENSITIES</u>

In order that requirements for access and services may not exceed the projected regional capabilities, the maximum number of Permanent Residential dwelling units to be built has been established as indicated on "The Hammocks Master Plan," as prepared by The Curtis Group and dated revised April 2013. A ceiling on the number of permissible Residential dwellings has been fixed at 8,701 units for the total community, each neighborhood to be kept to a reasonable percentage of the whole."

4. Condition 23 of the Covenant shall now read as follows:

"23. <u>Neighborhood Convenience Centers</u>.

Neighborhood convenience centers may be provided in the detailed site use plan for each of the three villages, substantially in accordance with the "Illustrative Land Use Plan" hereinabove described and as may be approved under applicable County procedures. In addition, Parcel 52 may be developed with up to 40,000 square feet of general business use in accordance with "The Hammocks Master Plan," as prepared by The Curtis Group and dated revised April 2013, and may be amended in accordance with applicable County procedures."

5. The legal descriptions for Parcel 42, Parcel 50, Parcel 51, and Parcel 52 as described in Exhibit B of the Covenant shall now read as follows:

PARCEL 42:

PARCEL 42

Begin at the S.E. corner of Section 9, Township 55 South, Range 39 East, Dade County, Florida; thence run S 87-26-25.5 W along the South line of said Section 9 for 2760.70 feet to the S.W. corner of the S.E. ¼ of said Section 9; thence run N 02-21-42 W along the West line of the S.E. ¼ of said Section 9 to the N.W. corner of the S.E. ¼ of said Section 9; thence run S 87-34-31 W along the South line of the N.W. ¼ of said Section 9 for 353.58 feet to the Point of Curvature of a circular curve concave to the Northwest, having a radius of 1283.26 feet; thence run Northeasterly along the arc of said curve through a central angle of 20-17-05 for 454.32 feet to a Point of Tangency; thence run N 67-17-26 E for 83.13 feet to a point on a circular curve, concave to the Northeast, having a radius of 1150.00 feet, said point bearing S 67-17-26 W from the center of said curve; thence run Southeasterly along the arc of said curve through a central angle of 37-17-26 for 748.47 feet to a Point of Tangency; thence run S 60-00-00 E for 127.20 feet to a Point of Curvature of a circular curve, concave to the Southwest, having a radius of 1150.00 feet; thence run Southeasterly along the arc of said curve, through a central angle of 22-14-00 for 446.25 feet to a Point of Tangency; thence run S 37-46-00 E for 120.06 feet to a Point of Curvature of a circular curve, concave to the Northeast and having a radius of 1150.00 feet; thence run Easterly along the arc of said curve, through a central angle of 66-30-00 for 1334.74 feet to a Point of Tangency; thence run N 75-44-00 E for 111.51 feet to a Point of Curvature of a circular curve concave to the South and having a radius of 1150.00 feet; thence run Easterly along the arc of said curve, through a central angle of 11-59-03 for 240.54 feet to a Point of Tangency; thence run N 87-43-03 E for 109.40 feet to a point on the East line of said Section 9; thence run S 02-16-57 E along the East line of said Section 9 for 1344.61 feet to the Point of Beginning.

LESS

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34°08'03" TO A POINT OF TANGENCY; THENCE S60°00'00"E FOR A DISTANCE OF 127.20 FEET TO A POINT OF CURVATURE; THENCE 422.97 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1090.00 FEET AND A CENTRAL ANGLE OF 22°14'00" TO A POINT OF TANGENCY; THENCE S37°46'00"E FOR A DISTANCE OF 50.50 FEET TO A POINT OF INTERSECTION WITH A LINE 1040.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9; THENCE S02°20'50"E ALONG SAID LINE FOR A DISTANCE OF 1744.04 FEET TO A POINT OF INTERSECTION WITH A LINE 40.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9; THENCE S87°26'00"W ALONG SAID LINE FOR A DISTANCE OF 1040.01 FEET TO THE POINT OF BEGINNING.

PARCEL 50:

A PORTION OF TRACT "A" OF THE AMERIFIRST PARK PLAT AS SHOWN IN P.B. 127, PG. 65 OF THE MIAMI-DADE COUNTY PUBLIC RECORDS LYING WITHIN SECTION 9, TOWNSHIP 55 SOUTH, RANGE 39 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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ALONG THE NORTH RIGHT-OF-WAY LINE OF S.W. 120TH STREET FOR A DISTANCE OF 527.00 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9; THENCE N02°20'50"W ALONG SAID WEST LINE FOR A DISTANCE OF 2660.43 FEET TO THE POINT OF BEGINNING. CONTAINING 1,250,118 SQUARE FEET OR 28.70 ACRES, MORE OR LESS.

PARCEL 51:

A PORTION OF TRACT "A" OF THE AMERIFIRST PARK PLAT AS SHOWN IN P.B. 127, PG. 65 OF THE MIAMI-DADE COUNTY PUBLIC RECORDS LYING WITHIN SECTION 9, TOWNSHIP 55 SOUTH, RANGE 39 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SAID SECTION 9; THENCE S87°34'58"W FOR A DISTANCE OF 18.65 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, A RADIAL LINE TO SAID POINT BEARS S17°02'49"E; THENCE 129.21 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1326.26 FEET AND A CENTRAL ANGLE OF 05°34'55" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 37.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 86°45'47" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 647.38 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1210.00 FEET AND A CENTRAL ANGLE OF 30°39'16" TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND:

THENCE CONTINUE 73.48 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1210.00 FEET AND A CENTRAL ANGLE OF 03°28'47" TO A POINT OF TANGENCY; THENCE S60°00'00"E FOR A DISTANCE OF 127.20 FEET TO A POINT OF CURVATURE; THENCE 422.97 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1090.00 FEET AND A CENTRAL ANGLE OF 22°14'00" TO A POINT OF TANGENCY; THENCE S37°46'00"E FOR A DISTANCE OF 50.50 FEET; THENCE S02°20'50"E ALONG A LINE 1040.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9 FOR A DISTANCE OF 1366.17 FEET; THENCE S87°26'00"W ALONG A LINE 417.87 FEET NORTH OF AND PARALLEL TO THE S.W. 120TH STREET CENTER LINE FOR A DISTANCE OF 513.00 FEET; THENCE N02°20'50"W FOR A DISTANCE OF 930.61 FEET TO A POINT OF TANGENCY; THENCE 203.00 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 575.00 FEET AND A CENTRAL ANGLE OF 20°13'42" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 269.36 FEET

ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1175.00 FEET AND A CENTRAL ANGLE OF 13°08'05" TO A POINT OF INTERSECTION WITH A COMPOUND CURVE; THENCE 397.34 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 575.00 FEET AND A CENTRAL ANGLE OF 39°35'34" TO A POINT OF TANGENCY; THENCE N30°09'08"E FOR A DISTANCE OF 44.02 FEET TO THE POINT OF BEGINNING. CONTAINING 885,023 SQUARE FEET OR 20.32 ACRES, MORE OR LESS.

PARCEL 52:

A PORTION OF TRACT "A" OF THE AMERIFIRST PARK PLAT AS SHOWN IN P.B. 127, PG. 65 OF THE MIAMI-DADE COUNTY PUBLIC RECORDS LYING WITHIN SECTION 9, TOWNSHIP 55 SOUTH, RANGE 39 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SAID SECTION 9; THENCE S87°34'58"W FOR A DISTANCE OF 18.65 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, A RADIAL LINE TO SAID POINT BEARS S17°02'49"E; THENCE 129.21 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1326.26 FEET AND A CENTRAL ANGLE OF 05°34'55" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 37.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 86°45'47" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 647.38 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1210.00 FEET AND A CENTRAL ANGLE OF 30°39'16"; THENCE CONTINUE 73.48 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1210.00 FEET AND A CENTRAL ANGLE OF 03°28'47" TO A POINT OF TANGENCY; THENCE S60°00'00"E FOR A DISTANCE OF 127.20 FEET TO A POINT OF CURVATURE; THENCE 422.97 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1090.00 FEET AND A CENTRAL ANGLE OF 22°14'00" TO A POINT OF TANGENCY; THENCE S37°46'00"E FOR A DISTANCE OF 50.50 FEET; THENCE S02°20'50"E ALONG A LINE 1040.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9 FOR A DISTANCE OF 1366.17 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND:

THENCE CONTINUE S02°20'50"E ALONG A LINE 1040.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9 FOR A DISTANCE OF 377.87 FEET; THENCE S87°26'00"W ALONG THE NORTH RIGHT-OF-WAY LINE OF S.W. 120TH STREET FOR A DISTANCE OF 513.00 FEET; THENCE N02°20'50"W ALONG A LINE 527.00 FEET EAST OF

AND PARALLEL TO THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9 FOR A DISTANCE OF 377.87 FEET; THENCE N87°26'00"E FOR A DISTANCE OF 513.00 FEET TO THE POINT OF BEGINNING. CONTAINING 193,849 SQUARE FEET OR 4.45 ACRES, MORE OR LESS.

6. Except as hereby amended, all other restrictions in the Declaration shall remain in full force and effect.

[Signature Pages Follow]

IN WITNESS WHEREOF, Hammocks Lennar, LLC, has caused these present to be signed in its name on this ____ day of _____, 201__.

WITNESSES:

_____
Witness

_____
Printed Name

_____
Witness

_____
Printed Name

HAMMOCKS LENNAR, LLC
a Florida limited liability company

By: _____
Signature

_____
Printed Name / Title

Address:

_____

_____

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

The foregoing instrument was acknowledged before me this ___ day of _____, 201__, by _____, as _____ of Hammocks Lennar, LLC, a Florida limited liability company, on behalf of said partnership, who is personally known to me or has produced _____ as identification.

My Commission Expires:

_____
Notary Public – State of Florida

_____
Printed Name

EXHIBIT "A"

Legal Description of the subject property:

A PORTION OF TRACT "A" OF "AMERIFIRST PARK" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 127 AT PAGE 65 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID TRACT "A"; THENCE N02°20'50"W, AS BASIS OF BEARING ALONG THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9, FOR A DISTANCE OF 2660.44 FEET TO THE CENTER OF SAID SECTION 9; THENCE S87°34'58"W FOR A DISTANCE OF 18.65 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, A RADIAL LINE TO SAID POINT BEARS S17°02'49"E; THENCE 129.21 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING RADIUS OF 1326.26 FEET AND A CENTRAL ANGLE OF 05°34'55" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 37.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 86°45'47" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 720.86 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1210.00 FEET AND A CENTRAL ANGLE OF 34°08'03" TO A POINT OF TANGENCY; THENCE S60°00'00"E FOR A DISTANCE OF 127.20 FEET TO A POINT OF CURVATURE; THENCE 422.97 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1090.00 FEET AND A CENTRAL ANGLE OF 22°14'00" TO A POINT OF TANGENCY; THENCE S37°46'00"E FOR A DISTANCE OF 50.50 FEET TO A POINT OF INTERSECTION WITH A LINE 1040.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9; THENCE S02°20'50"E ALONG SAID LINE FOR A DISTANCE OF 1744.04 FEET TO A POINT OF INTERSECTION WITH A LINE 40.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9; THENCE S87°26'00"W ALONG SAID LINE FOR A DISTANCE OF 1040.01 FEET TO THE POINT OF BEGINNING. CONTAINING 2,328,995 SQUARE FEET OR 53.47 ACRES, MORE OR LESS.

Lucky Start At
The Hammocks, LLC
(12-096)

CDMP Covenant

This Instrument was Prepared by:

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

(Space Reserved for Clerk of the Court)

DECLARATION OF RESTRICTIONS

WHEREAS, Hammocks Lennar, LLC, a Florida limited liability company (the "Owner"), holds fee simple title to that certain parcel of land in Miami-Dade County, Florida, described in Exhibit "A", attached hereto, and hereinafter referred to as the "Property";

WHEREAS, the Owner has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the "CDMP") that is pending as a special application to amend the CDMP (the "Application"), which is being processed concurrently with a Notification of Proposed Change for The Hammocks Development of Regional Impact (the "DRI"); and

WHEREAS, the Application seeks to re-designate the Property from "Industrial and Office" to "Low-Medium Density Residential" (51.49 gross acres) and "Business and Office" (4.92 gross acres) on the CDMP Land Use Plan Map as part of the proposed modification of the DRI.

IN ORDER TO ASSURE Miami-Dade County, Florida (the "County") that the representations made by the Owner during the consideration of the Application will be abided

by, the Owner freely, voluntarily and without duress, makes the following Declaration of Restrictions covering and running with the Property:

1. **Noise Level Reduction**. The Owner shall incorporate at least 25 decibel (db) Noise Level Reduction (NLR) into the design and construction of any dwelling unit on the Property.

2. **Avigation Easement.** The Owner reserves unto itself, its successors, and assigns, for the use and benefit of the public, and hereby grants and conveys to Miami-Dade County an easement and right-of-way for the free and unobstructed flight, and passage, operations and effects thereof of all types of aircraft ("aircraft" being defined for the purpose of this Avigation Easement as any contrivance now known or hereafter invented, used, or designated for navigation of, or flight in or through the air) by whomsoever owned or operated, in and through the airspace above and over the surface of the Property, including, but not limited to, the right to cause in such airspace above or in the vicinity of the surface of the Property such noise, vibration, odors, vapors, fumes, fuel particles (which are incident to normal operations of said aircraft), smoke, dust, fear, interference with sleep and communications and any and all other effects as may be alleged to be incident to or caused by the aircraft engines and the operation of aircraft for navigation of or flight or passage in and through said airspace, and for the use of said airspace by aircraft for approaching, landing upon, taking off from, maneuvering about or operating (which are incident to normal operations of said aircraft) on Kendall Tamiami Executive Airport ("TMB") and for all other uses allowed or authorized at TMB.

In furtherance of the easement and rights herein granted, the Owner expressly agrees for itself, its successors, and assigns to restrict the height of structures, objects of natural growth, and other obstructions on the Property to such a height so as to comply with Federal Aviation Regulations, Part 77 as currently in effect. Additionally, the Owner, for itself, its successors, and

assigns, covenants at all times hereafter, that it will not take any action, cause or allow any electronic, electromagnetic, smoke, vapor, fume, or light emissions, allow any obstruction to exist, or construct any structure on the Property which would conflict or interfere with or infringe the rights granted hereunder, including the full use and enjoyment of this Avigation Easement.

The Owner expressly agrees for itself, its successors, and assigns, to prevent any use of the Property described herein that would interfere with or adversely affect the operation or maintenance of TMB, or otherwise constitute an airport hazard.

3. **Notice Requirements**.

A. The Owner shall include the following notice (the "Notice") in every contract for the initial sale of any dwelling unit within the Property:

> THIS PROPERTY IS LOCATED IN CLOSE PROXIMITY TO THE KENDALL TAMIAMI EXECUTIVE AIRPORT ("TMB"). SPECIFICALLY, PORTIONS OF THE PROPERTY ARE LOCATED WITHIN THE OUTER DISTRICT, INNER DISTRICT AND NO SCHOOL ZONE OF THE TMB. AS SUCH, THE PROPERTY AND THE FUTURE RESIDENTS MAY EXPERIENCE FREQUENT AND DIRECT OVERFLIGHTS AT LOW ALTITUDES CREATING NOISE DURING DAYTIME AND NIGHTTIME HOURS.
>
> THE UNDERSIGNED, ON BEHALF OF ITSELF AND ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, AGREES BY TAKING TITLE TO SAID PROPERTY, THAT THEY DO NOT OBJECT TO THE PRESENCE OF TMB OR THE TWENTY-FOUR HOUR PER DAY OPERATION OF AIRCRAFT FROM ITS RUNWAYS AND HEREBY WAIVES ANY RIGHT TO OBJECT TO OR CHALLENGE IN ANY FORUM THE CURRENT OR FUTURE 24 HOUR PER DAY OPERATION OF THE AIRPORT AND ANY IMPROVEMENTS THERETO, INCLUDING, WITHOUT LIMITATION, THE FUTURE EXPANSION OF TMB'S 9L/27R AND 9R/27L RUNWAYS.
>
> THE UNDERSIGNED, ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, ARE PROHIBITED FROM REQUESTING, SUPPORTING OR PARTICIPATING IN ANY EFFORT TO

IMPOSE MANDATORY NOISE ABATEMENT PROCEDURES AT TMB.

THIS COVENANT IS BINDING UPON ALL FUTURE OWNERS, LESSEES AND RESIDENTS HERE AND FOREVER THEREAFTER AND THAT NOTIFICATION OF SUCH IS REQUIRED PRIOR TO THE SALE OR LEASE OF THE PROPERTY.

B. The Owner shall cause every prospective, initial purchaser to acknowledge in writing receipt of the Notice, which acknowledgement may be included in the contract for sale and purchase for each dwelling unit or may be provided by separate instrument prior to or simultaneously with the execution of any such contract. The Notice shall also be prominently displayed in the sales office for the subdivision.

C. In addition to the restrictions and commitments contained in this Declaration, prior to the approval of a final plat for the Property, the Owner shall record a separate instrument in the Public Records of Miami-Dade County, which instrument shall run with title to the Property and be binding on the Owner's successors and assigns and shall provide the following restrictions:

THE PROPERTY IS LOCATED IN CLOSE PROXIMITY TO THE KENDALL TAMIAMI EXECUTIVE AIRPORT ("TMB"). SPECIFICALLY, PORTIONS OF THE PROPERTY ARE LOCATED WITHIN THE OUTER DISTRICT, INNER DISTRICT AND NO SCHOOL ZONE OF THE TMB. AS SUCH, THE PROPERTY AND THE FUTURE RESIDENTS MAY EXPERIENCE FREQUENT AND DIRECT OVERFLIGHTS AT LOW ALTITUDES CREATING NOISE DURING DAYTIME AND NIGHTTIME HOURS. FURTHER, THE OWNER, ON BEHALF OF ITSELF AND ITS SUCCESSORS AND ASSIGNS, HEREBY WAIVES ANY OBJECTIONS TO ANY FUTURE EXPANSION OF TMB'S 9L/27R AND 9R/27L RUNWAYS.

THE UNDERSIGNED, ON BEHALF OF ITSELF AND ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, AGREES BY TAKING TITLE TO SAID PROPERTY, THAT THEY DO NOT

OBJECT TO THE PRESENCE OF TMB OR THE TWENTY-FOUR HOUR PER DAY OPERATION OF AIRCRAFT FROM ITS RUNWAYS AND HEREBY WAIVES ANY RIGHT TO OBJECT TO OR CHALLENGE IN ANY FORUM THE CURRENT OR FUTURE 24 HOUR PER DAY OPERATION OF THE AIRPORT AND ANY IMPROVEMENTS THERETO, INCLUDING, WITHOUT LIMITATION, THE FUTURE EXPANSION OF TMB'S 9L/27R AND 9R/27L RUNWAYS.

IT IS FURTHER AGREED THAT THE UNDERSIGNED, ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, WILL NEVER REQUEST, SUPPORT OR PARTICIPATE IN ANY EFFORT TO IMPOSE MANDATORY NOISE ABATEMENT PROCEDURES AT TMB.

PURCHASER AGREES THAT THIS COVENANT IS ALSO BINDING UPON ALL FUTURE OWNERS, LESSEES AND RESIDENTS HERE AND FOREVER THEREAFTER AND THAT NOTIFICATION OF SUCH IS REQUIRED PRIOR TO THE SALE OR LEASE OF THE PROPERTY.

4. Miscellaneous.

A. County Inspection. As further part of this Declaration of Restrictions, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

B. Term. This Declaration of Restrictions 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 of Restrictions 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 in the public records agreeing to change the Declaration of Restrictions in whole, or in part, provided

that the Declaration of Restrictions has first been modified or released by Miami-Dade County.

C. **Modification, Amendment, Release**. This Declaration of Restrictions may be modified, amended, or released as to the land herein described, or any portion thereof, by a written instrument executed by the fee simple owner(s) of the Property, provided that the same is also approved by the Board of County Commissioners. Any such modification, amendment, or release shall be subject to the provisions governing amendments to comprehensive plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation which may, from time to time, govern amendments to comprehensive plans (hereinafter "Chapter 163"). Such modification, amendment, or release shall also be subject to the provisions governing amendments to comprehensive plans as set forth in Section 2-116.1 of the Code of Miami-Dade County, or successor regulation governing amendments to the CDMP. Notwithstanding anything in this paragraph, in the event that the Property is incorporated within a new municipality which amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Code of Miami-Dade County, then modifications, amendments or releases of this Declaration of Restrictions shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. Should this Declaration of Restrictions be so modified, amended, or released, the Director of the Department of Regulatory and Economic Resources or the executive officer of the successor of said Department, or in the absence

of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

D. **Enforcement**. Enforcement shall be by action against any parties or person violating, or attempting to violate, the covenants. The prevailing party in any action or suit pertaining to or arising out of this Declaration of Restrictions 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 its attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity, or both.

E. **Authorization of Miami-Dade County (or successor municipal corporation) to Withold Permits and Inspections.** In the event the terms of this Declaration of Restrictions are not being complied with, in addition to any other remedies available, the County (or any successor municipal corporation) is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as his Declaration of Restrictions is complied with.

F. **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.

G. **Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County (or any successor municipal corporation), and inspections made and approval of occupancy given by the County (or any successor municipal corporation), 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 of Restrictions.

H. Covenant Running with the Land. This Declaration of Restrictions shall constitute a covenant running with the land and shall be recorded, at the Owner's expense, in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon the undersigned Owner and its successors and assigns unless and until the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, the then owner(s) of the Property and for the public welfare.

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. Recordation and Effective Date. This Declaration of Restrictions shall be filed of record in the public records of Miami-Dade County, Florida at the cost of Owner following the adoption of the Application. This Declaration of Restrictions 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 of Restrictions 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 Department of Regulatory and Economic Resources or the executive officer of the successor of said

department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration of Restrictions is null and void and of no further effect.

K. Acceptance of Declaration. Acceptance of this Declaration of Restrictions 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, with respect to the Property, deny each such application in whole or in part and to decline to accept any conveyance.

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

[Signature Page Follow]

IN WITNESS WHEREOF, we have executed this Declaration of Restrictions as of this _____ day of _____, 20___.

WITNESSES:

Hammocks Lennar, LLC
a Florida limited liability company

_____
Signature

_____
Printed Name

By: _____
Name: _____
Title: _____

_____
Signature

_____
Printed Name

STATE OF _____)
) SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me by _____, as _____ of Hammocks Lennar, LLC, a Florida limited liability company, and for the purposes stated herein on behalf of the corporation. He is personally known to me or has produced _____ as identification.

Witness my signature and official seal this _____ day of _____, 2013, in the County and State aforesaid.

My Commission Expires:

_____
Notary Public

_____
Printed Name

EXHIBIT "A"

LEGAL DESCRIPTION

A PORTION OF TRACT "A" OF "AMERIFIRST PARK" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 127 AT PAGE 65 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID TRACT "A"; THENCE N02°20'50"W, AS BASIS OF BEARING ALONG THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9, FOR A DISTANCE OF 2660.44 FEET TO THE CENTER OF SAID SECTION 9; THENCE S87°34'58"W FOR A DISTANCE OF 18.65 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, A RADIAL LINE TO SAID POINT BEARS S17°02'49"E; THENCE 129.21 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING RADIUS OF 1326.26 FEET AND A CENTRAL ANGLE OF 05°34'55" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 37.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 86°45'47" TO A POINT OF INTERSECTION WITH A REVERSE CURVE; THENCE 720.86 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1210.00 FEET AND A CENTRAL ANGLE OF 34°08'03" TO A POINT OF TANGENCY; THENCE S60°00'00"E FOR A DISTANCE OF 127.20 FEET TO A POINT OF CURVATURE; THENCE 422.97 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1090.00 FEET AND A CENTRAL ANGLE OF 22°14'00" TO A POINT OF TANGENCY; THENCE S37°46'00"E FOR A DISTANCE OF 50.50 FEET TO A POINT OF INTERSECTION WITH A LINE 1040.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9; THENCE S02°20'50"E ALONG SAID LINE FOR A DISTANCE OF 1744.04 FEET TO A POINT OF INTERSECTION WITH A LINE 40.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE SOUTHEAST ¼ OF SAID SECTION 9; THENCE S87°26'00"W ALONG SAID LINE FOR A DISTANCE OF 1040.01 FEET TO THE POINT OF BEGINNING. CONTAINING 2,328,995 SQUARE FEET OR 53.47 NET ACRES, MORE OR LESS.