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Sec. Twp. Range

Pre-Application No.:
Pre-Application Meeting Date:



**ZONING HEARING APPLICATION
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES**

LIST ALL FOLIO #s: 30-5002-081-0010

Date Received

1. NAME OF APPLICANT (Owner(s) of record of the property or lessee. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required).

DHPI Dadeland LLC

2. APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER, E-MAIL:

Mailing Address: 7900 Glades Road, Suite 260

City: Boca Raton State: Florida Zip: 33434

Phone# 561-961-1883 Fax# N/A E-mail: vin@duncanhillsley.com

3. OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:

Owner's Name (Provide name of ALL owners): DHPI Dadeland LLC

Mailing Address: 7900 Glades Road, Suite 260

City: Boca Raton State: Florida Zip: 33434

4. CONTACT PERSON'S INFORMATION:

Name: Gianeli Mestre Company: Bercow Radell & Fernandez, PLLC

Mailing Address: 200 S. Biscayne Blvd., Suite 850

City: Miami State: Florida Zip: 33131

Phone# (305) 377-6234 Fax# (305) 377-6222 E-mail: GMestre@BRZoningLaw.com

5. LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, and range. If the application contains multiple rezoning requests, a legal description for each requested zone must be provided. Attach separate sheets as needed and clearly label (identify) each legal description attached. In addition to paper version it is requested that lengthy metes and bounds descriptions be provided on CD in Microsoft Word.)

See Exhibit A.

6. ADDRESS OR LOCATION OF PROPERTY (For location, use description such as NE corner of, etc.)

7270 N. Kendall Drive, Miami, Florida 33156

7. SIZE OF PROPERTY _____ ft x _____ ft (in acres): Approximately 4.53 acres
(divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property acquired leased: July 2014 (month & year)

9. Lease term: N/A years

10. IS CONTIGUOUS PROPERTY OWNED BY THE SUBJECT PROPERTY OWNER(S)?

no yes If yes, provide complete legal description of said contiguous property.

N/A

11. Is there an option to purchase or lease the subject property or property contiguous thereto? no

yes (If yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

N/A

12. PRESENT ZONING CLASSIFICATION: Downtown Kendall Urban Center (DKUD)

13. APPLICATION REQUESTS (Check all that apply and describe nature of the request in space provided)

District Boundary (zone) Changes [Zone(s) requested]: _____

(Provide a separate legal description for each zone requested)

Unusual Use: _____

Use Variance: _____

Non-Use Variance: Variance from the DKUC signage regulations

Alternative Site Development: Option: _____

Special Exception: _____

Modification of Previous Resolution/Plan: _____

Modification of Declaration or Covenant: _____

14. Has a public hearing been held on this property within the last year & a half? no yes .

If yes, provide applicant's name, date, purpose and result of hearing, and resolution number:

N/A

15. Is this application a result of a violation notice? no yes . If yes, give name to whom the violation notice was served: N/A and describe the violation:

N/A

16. Describe structures on the property: There are seven (7) mixed use structures on the property, consisting of residential and commercial uses.

17. What is the project's P.M. peak hour trip generation? N/A trips – Please list all of the (ITE) Institute of Transportation Engineers code(s) that were used in determining the numbers of P.M. peak hour trips:

N/A

18. Please indicate whether this property was subject to a recent **Comprehensive Development Master Plan (CDMP) amendment**. If so, please indicate the ordinance #: N/A

19. Is there any existing use on the property? no yes . If yes, what use and when established?

Use: multi-family residential and commercial Year: 2005

20. Do you require a translator for the actual hearing? Yes No

If yes: Spanish Haitian Creole Other (Please specify which language) N/A

APPLICANT'S AFFIDAVIT

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

OWNER OR TENANT AFFIDAVIT

(I)(WE), N/A, being first duly sworn, depose and say that (I am)(we are) the owner tenant of the property described and which is the subject matter of the proposed hearing.

Signature Signature

Sworn to and subscribed to before me this _____ day of _____, _____. Notary Public: _____ Commission Expires: _____

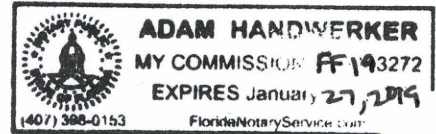
CORPORATION AFFIDAVIT

(I)(WE), Shane Hillsley, being first duly sworn, depose and say that (I am)(we are) the President Vice-President Secretary Asst. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; and that said corporation is the owner tenant of the property described herein and which is the subject matter of the proposed hearing.

Attest: Shane Hillsley, Manager of DHPI Dadeland, LLC

[Signature]
Authorized Signature
Manager of DHPI Dadeland, LLC
Office Held

(Corp. Seal)



Sworn to and subscribed to before me this 8 day of July, 2016. Notary Public: [Signature] Commission Expires: _____

PARTNERSHIP AFFIDAVIT

(I)(WE), N/A, being first duly sworn, depose and say that (I am)(we are) partners of the aforesaid partnership, and as such, have been authorized to file this application for a public hearing; and that said partnership is the owner tenant of the property described herein which is the subject matter of the proposed hearing.

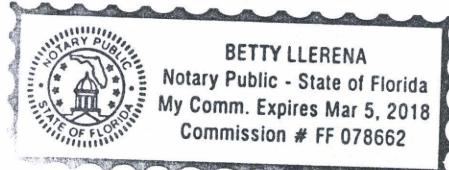
(Name of Partnership)
By _____ % By _____ %
By _____ % By _____ %

Sworn to and subscribed to before me this _____ day of _____, _____. Notary Public: _____ Commission Expires: _____

ATTORNEY AFFIDAVIT

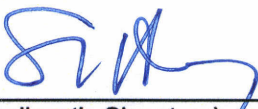
I, Graham Penn, Esq., being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner of the property described and which is the subject matter of the proposed hearing.

Signature
Sworn to and subscribed to before me this 18 day of July, 2016. Notary Public: [Signature] Commission Expires: 03-05-18



ACKNOWLEDGEMENT BY APPLICANT

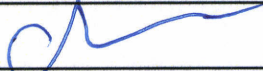
1. RER Platting and Traffic Review Section, RER Division of Environmental Resources Management (DERM), and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM or Platting and Traffic conditions and advise this office in writing if my application will be withdrawn.
2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property and I am responsible for paying the additional radius mailing costs. In addition to mailing costs, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred. I understand that fees must be paid promptly. Applications withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. Refunds must be requested in writing.
3. Applicable Florida Building Code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and a building permit will probably be required. I am responsible for obtaining any required permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of Use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
4. The 3rd District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Development Master Plan (CDMP) should not be approved by a zoning board and the recommendation will be for denial or deferral. Therefore, I acknowledge that if the hearing request is inconsistent with the CDMP and I decide to go forward then my hearing request can only be denied or deferred, but not approved. I also understand that I will not be reimbursed any fees paid unless I withdraw within 60 days of filing and then I will receive a 50% refund.
5. Any covenant to be proffered must be submitted to the Department on County forms, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Legal Advisor can advise as to additional requirements applicable to foreign corporations. Documents submitted to the Department must carry a cover letter indicating subject matter, application number and hearing date.


 (Applicant's Signature)
 Shane Hillsley as Manager of DHPI Dadeland, LLC
 (Print Name of Applicant)

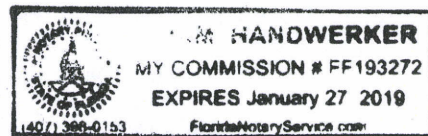
My commission expires 11/27/19
 State of: Florida

Sworn to and subscribed before me on the
8 Day of JULY, 2016.

Affiant is personally known to me or has produced
 _____ as identification.


 (Notary Public's Signature)

Adam Handwerker
 Print Name



OWNERSHIP AFFIDAVIT
FOR
CORPORATION



STATE OF FLORIDA Public Hearing No. _____
COUNTY OF PALM BEACH

Before me, the undersigned authority, personally appeared Shane Hillsley as Manager
of DHPI Dadeland, LLC hereinafter the Affiant(s), who being first duly
sworn by me, on oath, deposes and says:

- Affiant is the president, vice-president or CEO of the Corporation hereinafter named DHPI Dadeland, LLC, with the following address:

- The Corporation owns the property which is the subject of the proposed hearing.
- The subject property is legally described as:
See Exhibit A.

- Affiant is legally authorized to file this application for public hearing.
- Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

[Signature]
Signature

VIN BUONICCONTI
Print Name

[Signature]
Signature

Bob J. Morgan
Print Name

[Signature]
Affiant's Signature

Shane Hillsley as Manager of DHPI Dadeland, LLC
Print Affiant's Name

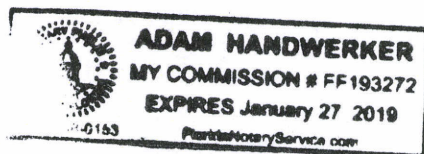
Affiant's Signature

Print Affiant's Name

Sworn to and subscribed before me on the 8 day of July 20 16.

Affiant is personally known to me or has produced _____ as identification

Notary [Signature]



(Stamp/Seal)

Commission Expires: 11/27/19

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 other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: DHPI Dadeland, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
See Exhibit B attached.	
_____	_____
_____	_____
_____	_____
_____	_____

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and the 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 N/A

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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 other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: N/A

NAME, ADDRESS AND OFFICE (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 any 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 _____

[Handwritten Signature]

(Applicant)

Shane Hillsley, Manager

(Print Applicant name)

Sworn to and subscribed before me this 8 day of July, 2016. Affiant is personally know to me or has produced _____ as identification.

[Handwritten Signature]

(Notary Public)



My commission expires: 1/27/19

*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.

