Approved: _____ **Mayor**

Veto: _____

Override: _____

RESOLUTION NO. Z-12-07

WHEREAS, **RICHARD ROAD ESTATES L. L. C.** applied to Community Zoning Appeals Board 14 for the following:

(1) AU to EU-1

REQUEST #1 ON PARCEL "A"

(2) AU to EU-M

REQUEST #2 ON PARCEL "B"

SUBJECT PROPERTY: PARCEL "A" : The west 165' of the west ½ of the NW ¼ of the NW ¼ of Section 11, Township 57 south, Range 38 East. PARCEL "B" : The west ½ of the NW ¼ of the NW ¼ of Section 11, Township 57 south, Range 38 East, less the west 165' thereof.

LOCATION: The southeast corner of S.W. 197 Avenue and S.W. 296 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of Community Zoning Appeals Board 14 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested to modify the district boundary change request to EU-S in lieu of EU-M on Parcel "B" (Item #2), and at which time the applicant proffered a Declaration of Restrictions, and

WHEREAS, upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 14 that the requested district boundary changes to EU-1 on Parcel "A" (Item #1), and to EU-S in lieu of EU-M on Parcel "B" (Item #2) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of

Miami-Dade County, Florida, and should be denied, and said application was denied by Resolution No. CZAB14-6-07, and

WHEREAS, **RICHARD ROAD ESTATES L. L. C.** appealed the decision of Community Zoning Appeals Board 14 to the Board of County Commissioners for the following:

(1) AU to EU-1

REQUEST #1 ON PARCEL "A"

(2) AU to EU-M

REQUEST #2 ON PARCEL "B"

SUBJECT PROPERTY: PARCEL "A": The west 165' of the west ½ of the NW ¼ of the NW ¼ of Section 11, Township 57 south, Range 38 East. PARCEL "B": The west ½ of the NW ¼ of the NW ¼ of Section 11, Township 57 south, Range 38 East, less the west 165' thereof.

LOCATION: The southeast corner of S.W. 197 Avenue and S.W. 296 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested to modify the district boundary change request to EU-1 in lieu of EU-M on Parcel "B" (Item #2), and at which time the applicant proffered a Declaration of Restrictions, and

WHEREAS, after reviewing the record and decision of the Metropolitan Dade County Zoning Appeals Board 14 and after having given an opportunity for interested parties to be heard, it was the opinion of the Board of County Commissioners, Miami-Dade County, Florida, that that the grounds and reasons alleged by the appellants specified in the appeal were insufficient to merit a reversal of the ruling made by the Zoning Appeals Board in Resolution No. CZAB14-6-07 and that the appeal should be denied and the decision of Community Zoning Appeals Board 14 should be sustained, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary changes to EU-1 (Item #1) on Parcel A, and EU-1 on Parcel B in lieu of the requested EU-M (Item #2) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and

WHEREAS, a motion to deny the appeal without prejudice, sustain the decision of Community Zoning Appeals Board 14, and deny Items #1 and 2 without prejudice was offered by Commissioner Katy Sorenson, seconded by Commissioner Dennis C. Moss, and upon a poll of the members present the vote was as follows:

Jose "Pepe" Diaz	absent	Dennis C. Moss	aye
Audrey M. Edmonson	aye	Dorrin D. Rolle	aye
Carlos A. Gimmenez	aye	Natacha Seijas	absent
Sally A. Heyman	aye	Katy Sorenson	aye
Barbara J. Jordan	aye	Rebecca Sosa	aye
Joe A. Martinez	aye	Sen. Javier D. Souto	absent

Bruno A. Barreiro absent

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the appeal be and the same is hereby denied without prejudice and the decision of Community Zoning Appeals Board 14 is sustained.

BE IT FURTHER RESOLVED that the requested district boundary changes to EU-1 (Item #1) on Parcel A, and EU-1 on Parcel B in lieu of the requested EU-M (Item #2) be and the same are hereby denied without prejudice.

BE IT FURTHER RESOLVED that Resolution No. CZAB14-6-07 remains in full force and effect.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 7th day of June, 2007, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 07-2-CZ14-2
ej

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By: MAY SULLIVAN
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 13TH DAY OF JUNE, 2007.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Deputy Clerk's Name, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-12-07 adopted by said Board of County Commissioners at its meeting held on the 7th day of June, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 13th day of June, 2007.

Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL