

Approved: \_\_\_\_\_ Mayor

Veto: \_\_\_\_\_

Override: \_\_\_\_\_

**RESOLUTION NO. Z-13-08**

*WHEREAS, R & E AT PALM VISTA II, INC.* applied for the following:

DELETION of a Declaration of Restrictions recorded in Official Record Book 21680, Pages 2736-2740.

The purpose of the request is to allow the applicant to delete a Declaration of Restrictions tying the development of the property to a site plan and a specific number of dwelling units in order to allow the applicant to build in accordance with Princeton Community Urban Center (PCUC) District zoning regulations.

Upon a demonstration that the applicable standards have been satisfied, approval of the request may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

SUBJECT PROPERTY: Lots 1-12, Block 1, Lots 1-12, Block 2, Lots 1-4, Block 3, JAC SUBDIVISION, Plat book 165, Page 20 and the west 25' of the north 147.5' of the south 330' of the SE ¼ of the SE ¼ of Section 23, Township 56 South, Range 39 East.

LOCATION: The northeast corner of S.W. 129 Avenue and S.W. 248 Street, and lying east of S.W. 129 Avenue, on both sides of S.W. 246 Terrace, 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

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requested deletion of a Declaration of Restrictions recorded in Official Record Book 21680, Pages 2736-2740 would be in harmony with the

general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance, and

*WHEREAS*, a motion to approve the application under Section 33-311(A)(7) 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	aye	Dennis C. Moss	aye	
Audrey M. Edmonson	aye	Dorrin D. Rolle	aye	
Carlos A. Gimmenez	aye	Natacha Seijas		aye
Sally A. Heyman	aye	Katy Sorenson		aye
Barbara J. Jordan	aye	Rebecca Sosa	aye	
Joe A. Martinez	aye	Sen. Javier D. Souto	aye	
		Bruno A. Barreiro	aye	

*NOW THEREFORE BE IT RESOLVED* by the Board of County Commissioners, Miami-Dade County, Florida, requested deletion of a Declaration of Restrictions recorded in Official Record Book 21680, Pages 2736-2740 be and the same is hereby approved under Section 33-311(A)(7).

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records.

**THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED** this 24<sup>th</sup> day of April, 2008, 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. 08-3-CC-1

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 29<sup>TH</sup> DAY OF APRIL, 2008.

**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-13-08 adopted by said Board of County Commissioners at its meeting held on the 24<sup>th</sup> day of April, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 29<sup>th</sup> day of April, 2008.



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

**SEAL**

