

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-10-12

WHEREAS, **DIRECTOR OF PERMITTING, ENVIRONMENT AND REGULATORY**

AFFAIRS DEPARTMENT applied for the following:

- (1) MODIFICATION of Conditions #58, #59 and #60 of Resolution Z-11-02 as last modified by Resolution Z-20-08, both passed and adopted by the Board of County Commissioners reading as follows:

From: "58. December 30, 2011 is hereby established as the build out date for this project, which includes the 3-year extension for projects under active construction pursuant to Sec. 380.06(19)(c), F.S. (2007), and is the date until which the local government of jurisdiction agrees that the Beacon Lakes DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless a local government of jurisdiction can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the DRI development order have occurred, or that the DRI development order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to the public health, safety, or welfare.

TO: "58. December 30, 2015 is hereby established as the build out date for this project, which includes the 3-year extension for projects under active construction pursuant to Sec. 380.06(19)(c), F.S. (2011), and is the date until which the local government of jurisdiction agrees that the Beacon Lakes DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless a local government of jurisdiction can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the DRI development order have occurred, or that the DRI development order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to the public health, safety, or welfare."

From: "59. The deadline for commencement of physical development shall be two (2) years from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in Section 380.04, F.S. The termination date for completing physical development shall be December 30, 2011, which includes the 3-year extension for projects under active construction pursuant to Sec, 380.06(19)(c) F.S. (2007).

To: "59. The deadline for commencement of physical development shall be two (2) years from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in Section 380.04, F.S. The termination date for completing physical development shall be December 30, 2015, which includes the 3-year extension for projects under active construction pursuant to Sec, 380.06(19)(c) F.S. (2011)."

From: "60. December 30, 2016, is hereby established as the expiration date for the development order, which includes the 3-year extension for projects under active construction pursuant to Sec, 380.06(19)(c) F.S. (2007).

To: "60. December 30, 2020, is hereby established as the expiration date for the development order, which includes the 3-year extension for projects under active construction pursuant to Sec, 380.06(19)(c) F.S. (2011)."

The purpose of the request is to allow the applicant to extend the Build-out and other dates for the Beacon Lakes Department of Regional Impact Project.

SUBJECT PROPERTY: A portion of Sections 35 & 36, Township 53 South, Range 39 East in Miami-Dade County, Florida, being more particularly described as follows: Commence at the Northeast corner of said Section 36; thence S89°34'40"W along the North line of said Section 36, as a basis of bearing, for 520.12 feet to the Point of Beginning; thence S01°43'10"E for 135.64 feet; thence N89°34'55"E for 100.04 feet; thence S01°44'07"E for 178.29 feet to a Point of Curvature; thence 575.21 feet along the Arc of Curve to the right, said curve having a radius of 22,768.26 feet, and a central angle of 01°26'51" to a Point of Tangency; thence S00°17'16"E for a distance of 760.39 feet; thence S89°36'44"W for 1,204.13 feet; thence N01°45'41"W for 329.71 feet; thence S89°36'44"W along the South line of the North half of the Northeast ¼ of said Section 36 for 990.40 feet; thence S89°36'13"W along the South line of the North half of the Northwest ¼ of said Section 36 for 2640.80 feet; thence N01°50'23"W along the West line of said Section 36 for 1,317.45 feet to the NW corner of said Section 36; thence N89°34'22"E along the North line of the NW ¼ of said Section 36 for 2,642.45 feet; thence N89°34'40"E along the North line of the NE ¼ of said Section 36 for 2121.83 feet to the Point of Beginning. Begin at the Center of Section 35, Township 53 South, Range 39 East; thence S89°46'04"W along the South line of the Northwest ¼ of said Section 35, as basis of bearing, for a distance of 330.53 feet; thence N01°46'58"W along the West line of the East 1/8 of the Northwest ¼ of Section 35 for a distance of 2589.32 feet; thence N89°50'59"E along a line 49 feet South of and parallel to the North line of the Northwest ¼ of said Section 35 for a distance of 330.66 feet; thence N01°46'49"W along the East line of the Northwest ¼ of said Section 35 for a distance of 49.02 feet to the North ¼ of said Section 35; thence N89°49'08"E along the North line of the Northeast ¼ of said Section 35 for 1321.93 feet; thence S01°48'31"E along the West line of the East ½ of the NE ¼ of said Section 35 for a distance of 50.02 feet; thence N89°49'08"E along a line 50 feet South of and parallel to the North line of the Northeast ¼ of said Section 35 for a distance of 1221.91 feet; thence S01°50'23"E along a line 100 feet West of and parallel to the East line of the North east ¼ of said Section 35 for a distance of 2585.00 feet; thence S89°45'12"W along the South line of the Northeast ¼ of said Section 35 for a distance of 2546.63 feet to the Point of Beginning. Begin at the center of Section 35, Township 53 South, Range 39 East; thence S01°46'33"E along the East line

of the Southwest ¼ of said Section 35, as basis of bearing, for 2,508.61 feet; thence S89°42'09"W along a line 130 feet North of and parallel to the South line of said Section 35 for 2610.22 feet; thence N01°45'25"W along a line 35 feet East of and parallel to the West line of said Section 35 for 2512.33 feet; thence N89°46'04"E along the North line of the Southwest ¼ of said Section 35 for 2609.41 feet to the Point of Beginning.

LOCATION: Lying South of NW 25 Street, between NW 117 Avenue & NW 137 Avenue, 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 modification of Conditions #58, #59 and #60 of Resolution Z-11-02 as last modified by Resolution Z-20-08, both passed and adopted by the Board of County Commissioners would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to approve the application was offered by Commissioner Jose "Pepe" Diaz, seconded by Commissioner Audrey M. Edmonson, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	absent	Barbara J. Jordan	absent
Lynda Bell	aye	Jean Monestime	absent
Esteban Bovo, Jr.	aye	Dennis C. Moss	aye
Jose "Pepe" Diaz	aye	Rebecca Sosa	aye
Audrey M. Edmonson	aye	Sen. Javier D. Souto	absent
Sally A. Heyman	absent	Xavier L. Suarez	aye
	Joe A. Martinez	aye	

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the requested be and the same are hereby approved, subject to the following condition:

1. That all conditions of Resolution No. Z-20-08 remain in full force and effect except as herein modified.

BE IT FURTHER RESOLVED that the requested modification of Conditions #58, #59 and #60 of Resolution Z-11-02 as last modified by Resolution Z-20-08, both passed and adopted by the Board of County Commissioners, shall read as follows:

58. December 30, 2015 is hereby established as the build out date for this project, which includes the 3-year extension for projects under active construction pursuant to Sec. 380.06(19)(c), F.S. (2011), and is the date until which the local government of jurisdiction agrees that the Beacon Lakes DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless a local government of jurisdiction can demonstrate that substantial changes made by the developer in the facts or circumstances underlying the approval of the DRI development order have occurred, or that the DRI development order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly essential to the public health, safety, or welfare
59. The deadline for commencement of physical development shall be two (2) years from the effective date of the development order. For purposes of this paragraph, physical development means development as defined in Section 380.04, F.S. The termination date for completing physical development shall be December 30, 2015, which includes the 3-year extension for projects under active construction pursuant to Sec, 380.06(19)(c) F.S. (2011).
60. December 30, 2020, is hereby established as the expiration date for the development order, which includes the 3-year extension for projects under active construction pursuant to Sec, 380.06(19)(c) F.S. (2011).

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 of the Miami-Dade County Permitting Environment or Regulatory Affairs Department or its Successor.

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 19th day of April, 2012, 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. 12-4-CC-6
ej

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

By CHRISTOPHER AGRIPPA
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 4TH DAY OF MAY, 2012.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Permitting, Environment and Regulatory Affairs Department or its successor as designated by the Director of the Miami-Dade County Permitting, Environment and Regulatory Affairs Department or its successor 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-10-12 adopted by said Board of County Commissioners at its meeting held on the 19th day of April, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 4th day of May, 2012.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Permitting, Environment and Regulatory
Affairs Department or its successor

SEAL

