

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

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

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

**RESOLUTION NO. Z-3-12**

WHEREAS, **KROME AGRONOMICS, LLC.** applied to Community Zoning Appeals

Board 11 for the following:

- (1) GU to AU.
- (2) SPECIAL EXCEPTION to permit a proposed cemetery and associated mausoleums.
- (3) UNUSUAL USE to permit a Lake Excavation and lake filling.
- (4) Applicant is requesting to permit two (2) detached signs, one with an area of 81 square feet and the other with an area of 164 square feet (two 32 square feet sign permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "West Kendall Memorial Park," as prepared by DCG Development Consulting Group, consisting of twenty one (21) sheets dated stamped received 5/27/11. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of east 1,210.00 feet of the north 1,800.00 feet of the northeast ¼ of section 24, township 55 south, range 38 east, Miami-Dade County, Florida, being more particularly described as follows: Commence at the Northeast corner of said northeast ¼; thence S02°03'27" east on the east line of said northeast ¼ for 40.02 feet to the point of beginning; thence continue S02°03'27" east on said east line 519.06 feet; thence S87°56'33" west 15.00 feet to the intersection with the west line of the east 15.00 feet of said northeast ¼; thence S02°03'27" east on said west line 760.69 feet to the intersection with the north line of the southeast ¼ of said northeast ¼; thence S89°31'02" west on said north line 85.03 feet to the intersection with the west line of the east 100.00 feet of said northeast ¼; thence S02°03'27" east on said west line 330.04 feet to the intersection with the south line of the north ½ of the northeast ¼ of the southeast ¼ of said northeast ¼; thence N89°31'03" east on said south line 96.00 feet to the intersection with the west right-of-way line of southwest 177<sup>th</sup> Avenue; thence S01°11'34" east on said right-of-way line 150.41 feet to the intersection with the south line of the north 1,800.00 feet of said northeast ¼; thence S89°30'58" west on said south line 1,204.15 feet to the intersection with the west line of the east 1,210.00 feet of said northeast ¼; thence N02°03'27" west on said west line 1,760.66 feet to the intersection with the south line of the north 40.00 feet of said northeast ¼; thence N89°30'58" east on said south line 1,210.46 feet to the Point of beginning.

LOCATION: The Southwest Corner of SW 136 Street & SW 177 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 11 that a district boundary change from GU to AU as the district boundary change relates to cemetery uses (Item #1) 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 without prejudice, and that the requested special exception to permit a proposed cemetery and associated mausoleums (Item #2), the requested unusual use to permit a Lake Excavation and lake filling (Item #3), and the request to permit two (2) detached signs, one with an area of 81 square feet and the other with an area of 164 square feet (Item #4) would not be compatible with the area and its development and would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and that the requested special exception (Item #2) and the requested unusual use (Item #3) would have an adverse impact upon the public interest and should be denied without prejudice, and that Item #4 should be denied without prejudice, and said application was denied without prejudice by Resolution No. CZAB11-11-11, and

WHEREAS, **KROME AGRONOMICS, LLC.** appealed the decision of Community Zoning Appeals Board 11 to the Board of County Commissioners for the following:

- (2) GU to AU.
- (2) SPECIAL EXCEPTION to permit a proposed cemetery and associated mausoleums.
- (3) UNUSUAL USE to permit a Lake Excavation and Lake Filling.
- (4) Applicant is requesting to permit two (2) detached signs, one with an area of 81 sq. ft. and the other with an area of 164 sq. ft. (two 32 sq. ft. sign permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "West Kendall Memorial Park," as prepared by DCG Development Consulting Group, consisting of twenty one (21) sheets dated stamped received 5/27/11. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of east 1,210.00 feet of the north 1,800.00 feet of the northeast ¼ of section 24, township 55 south, range 38 east, Miami-Dade County, Florida, being more particularly described as follows: Commence at the Northeast corner of said northeast ¼; thence S02°03'27" east on the east line of said northeast ¼ for 40.02 feet to the point of beginning; thence continue S02°03'27" east on said east line 519.06 feet; thence S87°56'33" west 15.00 feet to the intersection with the west line of the east 15.00 feet of said northeast ¼; thence S02°03'27" east on said west line 760.69 feet to the intersection with the north line of the southeast ¼ of said northeast ¼; thence S89°31'02" west on said north line 85.03 feet to the intersection with the west line of the east 100.00 feet of said northeast ¼; thence S02°03'27" east on said west line 330.04 feet to the intersection with the south line of the north ½ of the northeast ¼ of the southeast ¼ of said northeast ¼; thence N89°31'03" east on said south line 96.00 feet to the intersection with the west right-of-way line of southwest 177<sup>th</sup> Avenue; thence S01°11'34" east on said right-of-way line 150.41 feet to the intersection with the south line of the north 1,800.00 feet of said northeast ¼; thence S89°30'58" west on said south line 1,204.15 feet to the intersection with the west line of the east 1,210.00 feet of said northeast ¼; thence N02°03'27" west on said west line 1,760.66 feet to the intersection with the south line of the north 40.00 feet of said northeast ¼; thence N89°30'58" east on said south line 1,210.46 feet to the Point of beginning.

LOCATION: The Southwest Corner of SW 136 Street & SW 177 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 at which time the applicant had requested a withdrawal of the appeal and a waiver of the re-filing period, and

*WHEREAS*, after reviewing the record and decision of the Metropolitan Dade County Zoning Appeals Board 11, after having given an opportunity for interested parties to be heard, it is the opinion of the Board of County Commissioners, Miami-Dade County, Florida, that that the request to withdraw the appeal should be granted, that the decision of Community Zoning Appeals Board 11 should be sustained, and that the request to waive the re-filing period should be denied without prejudice, and

WHEREAS, a motion to grant the requested withdrawal of the appeal, to sustain the decision of Community Zoning Appeals Board 11, and to deny the requested waiver of the re-filing period without prejudice was offered by Commissioner Dennis C. Moss, seconded by Commissioner Esteban Bovo, Jr., and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	absent	Barbara J. Jordan	aye
Lynda Bell	aye	Jean Monestime	aye
Esteban Bovo, Jr.	aye	Dennis C. Moss	aye
Jose "Pepe" Diaz	aye	Rebecca Sosa	aye
Audrey M. Edmonson	absent	Sen. Javier D. Souto	aye
Sally A. Heyman	aye	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 request to withdraw the appeal be and the same is hereby granted and that said application is hereby withdrawn without prejudice, and that the decision of Community Zoning Appeals Board 11 is hereby sustained.

BE IT FURTHER RESOLVED that Resolution No. CZAB11-11-11 remains in full force and effect.

BE IT FURTHER RESOLVED that the request to waive the re-filing period be and the same is hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs or its successor.

**THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED** this 26<sup>th</sup> day of January, 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. 11-4-CZ11-1  
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 2<sup>ND</sup> DAY OF FEBRUARY, 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-3-12 adopted by said Board of County Commissioners at its meeting held on the 26<sup>th</sup> day of January, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 2<sup>nd</sup> day of February, 2012.



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

SEAL

