

Memorandum



Date: May 4, 2012
To: Distribution
From: Earl Jones, Deputy Clerk
Subject: Resolutions

Attached are resolutions Z-5-12 through Z-10-12 from the Board of County Commissioners meeting on April 19, 2012.

Please note that resolutions Z-4-12 and Z-11-12 were distributed earlier.

Any missing resolutions must be reported to this office (ext. 2129) no later than five (5) days from the date of this memo.

Attachments

Distribution: Agenda Coordinator's Office - MDC - 11th Floor
Clerk of the Board – Nelson Diaz, MDC -17th Floor *
Property Appraiser – Eugenio Alonso/Angela Hall, MDC - 8th Floor

CLERK OF THE BOARD
2012 MAY -4 AM 9:27
CLERK OF BOARD & COUNTY CLERK
MIAMI-DADE COUNTY FLA.
#1

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-5-12

WHEREAS, DIRECTOR OF PERMITTING, ENVIRONMENT AND REGULATORY

AFFAIRS DEPARTMENT applied for the following:

- (1) MODIFICATION of Condition #21 of Resolution No. Z-114-83, last modified by Resolution Z-7-05, both passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "21. This Development Order shall be null and void, if any of the following requirements have not been met within four (4) years from the date of issuance of the Development Order:

- start of construction of N.W. 106 Street, between N.W. 107 Avenue and N.W. 112 Avenue.
- completion of the financial feasibility analysis and specific financial arrangements with sources and timing of funds, identified, for the interchange of HEFT at N.W. 106 Street; and
- approval of the HEFT interchange construction by FDOT or the Miami-Dade County MPO, as evidenced by its incorporation, as a programmed improvement with funding sources identified, in the State 5-year Plan or the Miami-Dade County Transportation Improvement Program (TIP).
- If approval of the HEFT interchange cannot be obtained, as specified above, the Development Order will become null and void, unless the Applicant submits, the Council reviews and the County approves, prior to expiration of the 4 year period, an Amended DRI Application for Development Approval focusing on transportation and including such other information as is necessary to ensure a new roadway network to support the project. December 14, 2011 is hereby established as the build-out day for this project."

TO: "21. This Development Order shall be null and void, if any of the following requirements have not been met within four (4) years from the date of issuance of the Development Order:

- start of construction of N.W. 106 Street, between N.W. 107 Avenue and N.W. 112 Avenue.

- completion of the financial feasibility analysis and specific financial arrangements with sources and timing of funds, identified, for the interchange of HEFT at N.W. 106 Street; and
- approval of the HEFT interchange construction by FDOT or the Miami-Dade County MPO, as evidenced by its incorporation, as a programmed improvement with funding sources identified, in the State 5-year Plan or the Miami-Dade County Transportation Improvement Program (TIP). If approval of the HEFT interchange cannot be obtained, as specified above, the Development Order will become null and void, unless the Applicant submits, the Council reviews and the County approves, prior to expiration of the 4 year period, an Amended DRI Application for Development Approval focusing on transportation and including such other information as is necessary to ensure a new roadway network to support the project. December 14, 2015 is hereby established as the build-out day for this project. "

The purpose of the request is to allow the applicant to extend the build out date of the FEC Park of Industry and Commerce (Section 6) project, Development Regional Impact.

SUBJECT PROPERTY: All of Section 6-53-40 of Miami-Dade County, Florida.

LOCATION: Between NW 90 Street & 106 Street & NW 107 Avenue & NW 117 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 Condition #21 of Resolution No. Z-114-83, last modified by Resolution Z-7-05, 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 modification of Condition #21 of Resolution No. Z-114-83, last modified by Resolution Z-7-05, both passed and adopted by the Board of County Commissioners be and the same is hereby approved, subject to the following condition:

1. That all conditions of Resolution No. Z-7-05 remain in full force and effect as herein modified.

BE IT FURTHER RESOLVED that the requested modification of Condition #21 of Resolution No. Z-114-83, last modified by Resolution Z-7-05, both passed and adopted by the Board of County Commissioners, shall read as follows:

21. This Development Order shall be null and void, if any of the following requirements have not been met within four (4) years from the date of issuance of the Development Order:
 - start of construction of N.W. 106 Street, between N.W. 107 Avenue and N.W. 112 Avenue.
 - completion of the financial feasibility analysis and specific financial arrangements with sources and timing of funds, identified, for the interchange of HEFT at N.W. 106 Street; and
 - approval of the HEFT interchange construction by FDOT or the Miami-Dade County MPO, as evidenced by its incorporation, as a programmed improvement with funding sources identified, in the State 5-year Plan or the Miami-Dade

County Transportation Improvement Program (TIP). If approval of the HEFT interchange cannot be obtained, as specified above, the Development Order will become null and void, unless the Applicant submits, the Council reviews and the County approves, prior to expiration of the 4 year period, an Amended DRI Application for Development Approval focusing on transportation and including such other information as is necessary to ensure a new roadway network to support the project. December 14, 2015 is hereby established as the build-out day for this project.

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-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 4TH DAY OF MAY, 2012.

County Transportation Improvement Program (TIP). If approval of the HEFT interchange cannot be obtained, as specified above, the Development Order will become null and void, unless the Applicant submits, the Council reviews and the County approves, prior to expiration of the 4 year period, an Amended DRI Application for Development Approval focusing on transportation and including such other information as is necessary to ensure a new roadway network to support the project. December 14, 2015 is hereby established as the build-out day for this project.

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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-5-12 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

