

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-5-14

WHEREAS, LE JEUNE AIRPORT PARK SUITES INC. applied for the following:

DISTRICT BOUNDARY CHANGE from IU-1 to BU-2.

SUBJECT PROPERTY:

PARCEL A: A PORTION OF LOT 14 THROUGH 17 INCLUSIVE IN BLOCK 1 OF "WOOD FARMS", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 43, AT PAGE 49, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 14; THENCE RUN N. 01°-35'-08" E. ALONG THE EAST LINE OF SAID LOT 14 FOR A DISTANCE OF 32.89 FEET TO THE POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT OF WAY OF THE N.W. 72ND AVENUE REALIGNMENT AS SHOWN ON THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 87502-2672 RECORDED IN ROAD PLAT BOOK 112, AT PAGE 50 OF DADE COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE RUN N60°-39'-46" W. ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE OF THE N.W. 72ND AVENUE REALIGNMENT FOR A DISTANCE OF 214.79 FEET; THENCE S40°-28'-26" W. ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE OF THE N.W. 72ND AVENUE REALIGNMENT FOR A DISTANCE FO 4.00 FEET TO A POINT OF INTERSECTION WITH THE ARC OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST, THE CENTER FO WHICH BEARS N40°-28'-26" E. FROM SAID POINT OF INTERSECTION; THENCE RUN NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE OF THEN. W. 72ND AVENUE REALIGNMENT AND ALONG THE ARC OF SAID CIRCULAR CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1075.92 FEET, THROUGH A CENTRAL ANGLE OF 16°-14'-49" FOR AN ARC DISTANCE OF 305.09 FEET TO A POINT ON THE WEST LINE OF SAID LOT 17; THENCE RUN N1° -35'-01" E. ALONG THE WEST LINE OF SAID LOT 17 FOR A DISTANCE FO 136.82 FEET; THENCE RUN S87°-14'-03" E. ALONG A LINE THAT IS 50.00 FEET SOUTH OF RANGE AND PARALLEL WITH THE NORTH LINE OF GOVERNMENT LOT 2 BETWEEN TOWNSHIP 53 SOUTH RANGE 40 EAST AND TOWNSHIP 54 SOUTH RANGE 40 EAST FOR A DISTANCE FO 400.02 FEET; THENCE RUN S 1°-35'-08" W. ALONG THE EAST LINE OF SAID LOT 14 FOR A DISTANCE OF 447.91 FEET, TO THE POINT FO BEGINNING.

AND

PARCEL B: LOTS 12 AND 13, BLOCK 1, WOOD FARMS, ACORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 43, PAGE 49, OF THE PUBLIC RECORDS ON

MIAMI-DADE COUNTY, FLORIDA. LESS AND EXCEPT THAT PORTION TAKEN FOR ROAD RIGHT OF WAY BY ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 11395, PAGE 536, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

LOCATION: 7391 NW 11 Street & 7370 NW 12 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 proffered a Declaration of Restrictions on Parcels A and B which among other things provided:

(1) Use Restrictions. Notwithstanding the approval of the Application, and all applicable Code requirements, the Owner agrees to restrict the Property to the following permitted uses:

- Apparel Stores
- Automobile new parts and equipment, sales only
- Automobile service stations – (which may include facilities available for sale of other retail products and services related to servicing of automobiles)
- Automobile self-service gas stations
- Automobile storage within a building
- Automobile tires, batteries, and accessories (new) retail only, installation permitted
- Automobile washing
- Bakeries
- Banks, including drive-in tellers
- Beauty Parlors/Barber shops
- Computers and accessories sales
- Confectionery, ice cream, and dairy stores
- Day nursery, kindergarten and after school care
- Dog and pet hospitals in air-conditioned building
- Dry cleaning establishments, using nonflammable solvents
- Drugstores/Pharmacies (4,000 sq. ft. Maximum floor area)
- Electrical appliance and fixtures stores, including related repair shops
- Employment agencies
- Florist shops
- Grocery stores (4,000 sq. ft. maximum floor area)
- Hardware stores (4,000 sq. ft. maximum floor area)
- Health and exercise clubs and/or gymnasiums
- Medical clinics
- Medical offices
- Offices

- Office supplies and Equipment stores, Furniture stores, new merchandise only (4,000 sq. ft. maximum floor area)
 - Pet grooming
 - Post office stations and branches operated by postal service employees or agents that directly serve the public
 - Printing, copying and postal packing stores
 - Restaurants
 - Restaurant with accessory cocktail lounge-bar use, subject to compliance with Article X, Alcoholic Beverages of the Code of Miami-Dade County, Florida
 - Tailor Shops
 - Hotels
- (2) Administrative Site Plan Review. Prior to the issuance of a building permit for the construction of any improvements on the Property, the Owner shall obtain approval for such improvements from the Director through administrative site plan review (ASPR).
- (3) That any building on the subject Property shall be removed prior to the issuance of a final building permit for construction of any improvements on the Property, unless it is shown to meet zoning code requirements.

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 district boundary change to BU-2 on Parcels A and B would be consistent with the COMPREHENSIVE DEVELOPMENT MASTER PLAN and would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and

WHEREAS, a motion to approve the district boundary change to BU-2 was offered by Commissioner Javier D. Souto, seconded by Commissioner Dennis C. Moss. and upon a poll of the members present the vote was as follows:

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

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the requested district boundary change to BU-2 on Parcels A and B be and the same is hereby approved and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED that, pursuant to Section 33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

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 notations upon the maps and records of the Miami-Dade County Department of Regulatory and Economic Resources and to issue all permits in accordance with the terms and conditions of this resolution.

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 24th day of April, 2014, 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. 14-4-CC-1
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HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida
CHRISTOPHER AGRIPPA
By _____
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY
COMMISSIONERS ON THE 7TH DAY OF MAY, 2014.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Rosa Davis, as Deputy Clerk for the Miami-Dade County Department of Regulatory and Economic Resources as designated by the Director of the Miami-Dade County Department of Regulatory and Economic Resources 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-5-14 adopted by said Board of County Commissioners at its meeting held on the 24th day of April, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 7th day of May, 2014.



Rosa Davis, Deputy Clerk (218345)
Miami-Dade County Department of Regulatory and
Economic Resources

SEAL

