



ZONING MEETING
Board of County Commissioners
February 21, 2008

Prepared by: Nelson Diaz

EXHIBITS LIST

NO.	DATE	ITEM #	DESCRIPTION
1	2/21/2008		Order of the Day
2	2/21/2008		KITS- Listing of Zoning Hearings
3	2/21/2008		Exhibits List – exhibits received by the Clerk’s office.
4	2/21/2008		Zoning Action Sheet
5	2/21/2008		Memorandum from Commissioner Sorenson re: Absence from meeting
6	2/21/2008	1-A	Declaration of Restriction (Item No.1 Hearing (07-031).
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MIAMI-DADE BOARD OF COUNTY COMMISSIONERS

ORDER OF THE DAY

THURSDAY, FEBRUARY 21, 2008

9:30 A.M. ZONING HEARING

CALL TO ORDER

ROLL CALL

MOMENT OF SILENT MEDITATION

PLEDGE OF ALLEGIANCE

SWEARING IN OF
ATTORNEY/WITNESSES

SWEARING IN OF TRANSLATOR

ADJOURNMENT

BCC CARRY OVER AGENDA

1:00 P.M. SPECIAL MEETING

KITS

1-16-2008 Version # 1



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARINGS
COUNTY COMMISSIONERS CHAMBERS OF THE STEPHEN P. CLARK CENTER -
2ND FLOOR**

111 NW 1 Street, Miami

Thursday, February 21, 2008 at 9:30 a.m.

APPEALS

DISTRICT

1. 07-11-CZ11-3 LIANNJO INVESTMENTS, INC. 07-31 24-54-39 N 10

CURRENT

DISTRICT

2. 08-2-CC-1 DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING 07-281 15-53-41 N 2

3. 08-2-CC-2 DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING 07-282 15-53-41 N 2

4. 08-2-CC-3 DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING 07-283 22-53-41 N 3

5. 08-2-CC-4 DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING 07-326 12-56-39 N 9

6. 08-2-CC-5 DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING 07-333 11-53-41 N 2

7. 08-2-CC-6 DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING 07-347 34-52-41 N 2



ZONING MEETING
Board of County Commissioners
February 21, 2008

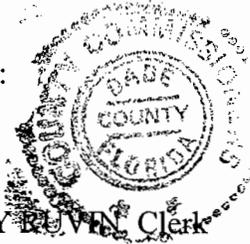
Prepared by: Nelson Diaz

EXHIBITS LIST

NO.	DATE	ITEM #	DESCRIPTION
1	2/21/2008	1-A	<u>LIANNJO INVESTMENTS INC. (01-11-CZ11-3/07-31)</u> -Resume of Alberto Jose Torres submitted for the record.
2	2/21/2008	1-B	-Chart of previous application analysis.
3	2/21/2008	1-C	-5 letters in support of the appeal of the proposed application.
4	2/21/2008	1-D	-Copies of Zoning Resolutions CZAB11-32-05, CZAB11-36-06, CZAB11-30-07, CZAB11-44-06, CZAB14-31-06, CZAB14-37-00 and Z-4-08.
5	2/21/2008	1-E	-Copy of Miami-Dade County Department of Planning and Zoning Recommendation to Community Council No. 11.
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Submitted for the record this 27th day of FEBRUARY, 2008

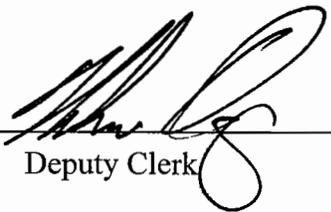
ATTEST:



HARVEY RUBIN, Clerk

Clerk of Circuit and County Courts

By


Deputy Clerk

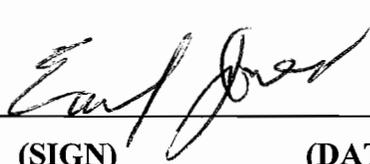
TRANSFERRED TO THE CARE, CUSTODY AND CONTROL OF THE DEPARTMENT OF PLANNING AND ZONING.

RECEIVED BY:

(SIGN)

(DATE)

(PRINT)



2/27/08

Earl Jones

ZONING ACTION

MEMORANDUM

Harvey Ruvin
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
 (305) 375-5126
 (305) 375-2484 FAX
 www.miami-dadeclerk.com



DATE: February 21, 2008

#Z-11-08

ITEM: 1.

APPLICANT: LIANNJO INVESTMETNS, INC. (07-11-CZ11-3)

ACTION: Denied the applicant's appeal of Community Zoning Appeals Board #11's decision to deny the entire application without prejudice

ROLL CALL	M/S	YES	NO	ABSENT
Diaz				X
Edmonson		X		
Gimenez		X		
Heyman		X		
Martinez				X
Moss	S	X		
Rolle		X		
Seijas				X
Sorenson				X
Sosa				X
Souto	M	X		
Vice Chairwoman Jordan		X		
Chairman Barreiro				X
TOTAL		7	0	6

DATE: February 21, 2008

#Z-06-08

ITEM: 2.

APPLICANT: DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING (08-2-CC-1)

ACTION: Approved the application

ROLL CALL	M/S	YES	NO	ABSENT
Diaz				X
Edmonson		X		
Gimenez		X		
Heyman		X		
Martinez		X		
Moss	S	X		
Rolle	M	X		
Seijas				X
Sorenson				X
Sosa				X
Souto		X		
Vice Chairwoman Jordan		X		
Chairman Barreiro				X
TOTAL		8	0	5

DATE: February 21, 2008

#Z-07-08

ITEM: 3.

APPLICANT: DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING (08-2-CC-2)

ACTION: Approved the application

ROLL CALL	M/S	YES	NO	ABSENT
Diaz				X
Edmonson		X		
Gimenez		X		
Heyman		X		
Martinez		X		
Moss	S	X		
Rolle	M	X		
Seijas				X
Sorenson				X
Sosa				X
Souto		X		
Vice Chairwoman Jordan		X		
Chairman Barreiro				X
TOTAL		8	0	5

DATE: February 21, 2008

#Z-08-08

ITEM: 4.

APPLICANT: DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING (08-2-CC-3)

ACTION: Approved the application

ROLL CALL	M/S	YES	NO	ABSENT
Diaz				X
Edmonson		X		
Gimenez		X		
Heyman		X		
Martinez		X		
Moss	S	X		
Rolle	M	X		
Seijas				X
Sorenson				X
Sosa				X
Souto		X		
Vice Chairwoman Jordan		X		
Chairman Barreiro				X

ZONING ACTION

MEMORANDUM

Harvey Ruvin

Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners

(305) 375-5126

(305) 375-2484 FAX

www.miami-dadeclerk.com



TOTAL	8	0	5
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DATE: February 21, 2008

#Z-09-08

ITEM: 5.

APPLICANT: DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING (08-2-CC-4)

ACTION: Approved the application

ROLL CALL	M/S	YES	NO	ABSENT
Diaz				X
Edmonson		X		
Gimenez		X		
Heyman		X		
Martinez		X		
Moss	S	X		
Rolle	M	X		
Seijas				X
Sorenson				X
Sosa				X
Souto		X		
Vice Chairwoman Jordan		X		
Chairman Barreiro				X
TOTAL		8	0	5

DATE: February 21, 2008

#Z-

ITEM: 6.

APPLICANT: DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING (08-2-CC-5)

ACTION: Deferred the application to no date certain

ROLL CALL	M/S	YES	NO	ABSENT
Diaz				X
Edmonson		X		
Gimenez		X		
Heyman		X		
Martinez		X		
Moss	S	X		
Rolle	M	X		
Seijas				X
Sorenson				X
Sosa				X
Souto		X		
Vice Chairwoman Jordan		X		
Chairman Barreiro				X
TOTAL		8	0	5

DATE: February 21, 2008

#Z-10-08

ITEM: 7.

APPLICANT: DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING (08-2-CC-6)

ACTION: Approved the application

ROLL CALL	M/S	YES	NO	ABSENT
Diaz				X
Edmonson		X		
Gimenez		X		
Heyman		X		
Martinez		X		
Moss	S	X		
Rolle	M	X		
Seijas				X
Sorenson				X
Sosa				X
Souto		X		
Vice Chairwoman Jordan		X		
Chairman Barreiro				X
TOTAL		8	0	5



MEMORANDUM
BOARD OF COUNTY COMMISSIONERS

TO: Honorable Bruno A. Barreiro, Chairman
Members, Board of County Commissioners

DATE: February 19, 2008

FROM: Katy Sorenson
County Commissioner, District 8

SUBJECT: Absence from
Zoning, MPO, BCC Carry-
Over and Special Meeting of
the BCC

Unfortunately, due to illness, I will be unable to attend the meetings scheduled for today, February 21, 2008, including Zoning, MPO, BCC Carry-over from February 19, 2008, and the special meeting of the BCC. I apologize for any inconvenience this may cause.

Should you have any questions, please contact me at 305-375-5218.

cc: George Burgess, County Manager
Robert Cuevas, County Attorney
Kay Sullivan, Clerk of the Board
Subrata Basu, Director of Planning and Zoning
Jose Mesa, Director of Metropolitan Planning Organization

CLERK OF THE BOARD
2008 FEB 21 AM 7:50
CLERK OF DISTRICT & COUNTY COURTS
DORIS SQUARRETT, CLERK

Received by
Zoning Agenda Coordinator
FEB 21 2008

LIANNJO INVESTMENTS, INC.

ITEM # 1

HEARING # 07-031

This instrument was prepared by:

Name: Jorge A. Lima
Address: Holland & Knight LLP
701 Brickell Avenue
Suite 3000
Miami, Florida 33131

(Space reserved for Clerk of Court)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned owner, LIANNJO INVESTMENTS, INC., a Florida corporation (the "Owner"), holds the fee simple title to that certain 2.29± acre parcel of land in Miami-Dade County, Florida (the "County"), located at 11875 S.W. 49th Street (the "Property"), which is legally described in Exhibit "A" to this Declaration; and

WHEREAS, the Owner has filed an application with the Department of Planning and Zoning in Miami-Dade County, which application is currently pending under Public Hearing Application No. Z2007000031 (the "Application") for the purpose of seeking a district boundary change from "AU" to "EU-1" and approval of several non-use variances.

NOW, THEREFORE, IN ORDER TO ASSURE the County that the representations made by the Owner during its consideration of the Application will be abided by, the Owner freely, voluntarily, and without duress, hereby makes the following Declaration of Restrictions (the "Declaration") covering and running with the Property:

1. **Maximum Lots**. The Property will be limited to no more than two (2) building lots.

2. Miscellaneous

County Inspection. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time of entering and inspecting the use of the Property to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at Owner's expense, in the public records of the County and shall remain in full force and effect and be binding upon the undersigned Owner, and its heirs, successors and assigns until such time as the same is modified or released. The restrictions contained within this Declaration, while in effect, shall be for the benefit of, and constitute limitations upon, all present and future owners of the Property, and for the benefit of Miami-Dade County and the public welfare.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded, after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change this Declaration in whole, or in part, provided that such change has been approved by the County.

Modification, Amendment, Release. This Declaration may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the, then, owner(s) of all of the property covered by the modification, amendment or release, including

joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, or other procedure permitted under the Miami-Dade County Code, whichever by law has jurisdiction over such matters, after public hearing, if required.

Should this Declaration be so modified, amended or released, the Director of the Miami-Dade County Department of Planning and Zoning, or the executive officer of the successor of such Department, or in the absence of such director or executive officer, by her/his assistant in charge of the Department or such successor agency in her/his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants set forth in this Declaration. The prevailing party in any action or suit pertaining to or arising out of this Declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his/her/its attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold, in connection with the Property, any further permits, and refuse to make any inspections or grant any approvals with respect to the Property, until such time as this Declaration is complied with.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an

election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect.

Recording. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida, at the cost of the Owner following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by her/his assistant in charge of the office in her/his absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

Acceptance of Declaration. Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any

application, zoning or otherwise, and the County retains its full power and authority to, with respect to the Property, deny each such application in whole or in part and to decline to accept any conveyance with respect to the Property.

Owner. The term "Owner" shall include the Owner, and its heirs, successors and assigns.

[Signature Pages Follow]

EXHIBIT A

Tract 186, BIRD ROAD FARMSITES, Plat Book 46, Page 3