

Memorandum



Date: June 5, 2018

To: Honorable Chairman Esteban L. Bovo, Jr.,
and Members, Board of County Commissioners

Agenda Item No. 5(I)

From: Jack Osterholt, Director
Department of Regulatory and Economic Resources

Subject: Resolution Approving the Waiver of Plat 2016 Destiny LLC

Recommendation

The following waiver of plat is submitted for consideration by the Board of County Commissioners (Board) for approval. This waiver of plat for 2016 Destiny LLC is bounded on the north approximately 190 feet south of NE 154 Street, on the east approximately 200 feet west of NE 5 Court, on the south approximately 250 feet north of NE 152 Street, and on the west by NE 5 Avenue.

The Miami-Dade County Plat Committee recommends approval of this waiver of plat. The Plat Committee is comprised of representatives from:

- Florida Department of Transportation;
- Florida Department of Health;
- Miami-Dade County School Board; and
- Miami-Dade County Departments of Fire Rescue; Parks, Recreation and Open Spaces; Regulatory and Economic Resources; Transportation and Public Works; and Water and Sewer.

Pursuant to Ordinance No. 16-73, this quasi-judicial matter may be submitted directly for placement on the Board's meeting agenda by the Director of the Department of Regulatory and Economic Resources.

A location sketch is attached to this memorandum as Exhibit A.

Scope

This waiver of plat is located in Commission District 2, which is represented by Jean Monestime.

Fiscal Impact/Funding Source

If this waiver of plat is approved, the fiscal impact to the County would be approximately \$50 annually for the maintenance of new sidewalks and drainage adjacent to the project. These costs would be covered by the Department of Transportation and Public Works annual General Fund allocation.

Track Record/Monitor

The Development Services Division of the Department of Regulatory and Economic Resources administers the processing of plats and waivers of plat, and the person responsible for this function is Raul A. Pino, P.L.S.

Background

2016 Destiny LLC (D-23953)

- Located in Section 18, Township 52 South, Range 42 East.
- Zoning: RU-1.
- Proposed usage: Single family residence.
- Number of parcels: One.
- This waiver of plat meets concurrency.
- Full scale copy of subject property and legal description of the boundaries of the land are on file with the Department of Regulatory and Economic Resources.

Developer's Obligation

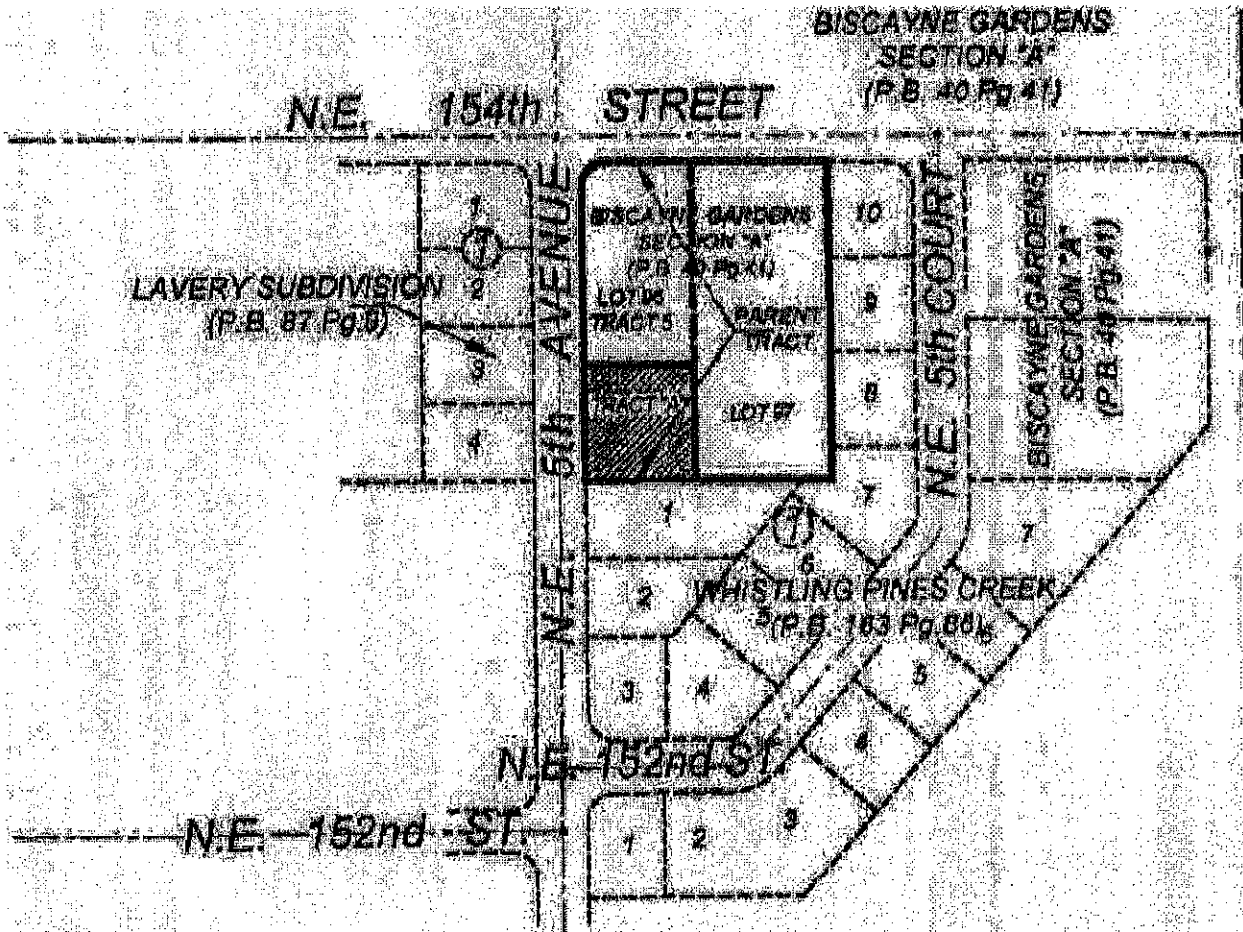
Mobilization, clearing, embankment, maintenance of traffic, sidewalk, drainage, and monumentation which are bonded under bond number 8055 in the amount of \$20,842.

2016 DESTINY LLC

D-23953

Sec. 18 Twp. 52 South Rge. 42 East

EXHIBIT A



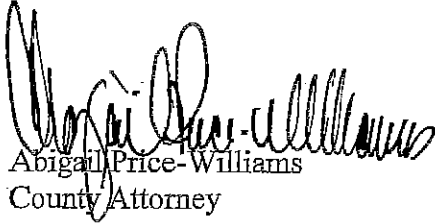
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MEMORANDUM
(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: June 5, 2018

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 5(I)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(I)
6-5-18

RESOLUTION NO. _____

RESOLUTION APPROVING THE WAIVER OF PLAT OF 2016 DESTINY LLC, D-23953, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 52 SOUTH, RANGE 42 EAST (BOUNDED ON THE NORTH APPROXIMATELY 190 FEET SOUTH OF NE 154 STREET, ON THE EAST APPROXIMATELY 200 FEET WEST OF NE 5 COURT, ON THE SOUTH APPROXIMATELY 250 FEET NORTH OF NE 152 STREET, AND ON THE WEST BY NE 5 AVENUE)

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, 2016 Destiny LLC, a Florida limited liability company, has this day presented to this Board a waiver of plat of certain lands lying in Miami-Dade County, Florida, said waiver of plat of the property legally described as a portion of Lot 96 of "Biscayne Gardens, Section A", according to the plat thereof, as recorded in Plat Book 40, at Page 41, of the Public Records of Miami-Dade County, Florida, lying and being in the Southwest 1/4 of Section 18, Township 52 South, Range 42 East, Miami-Dade County, Florida, and it appears that all requirements of law concerning said waiver of plat insofar as the authority of this Board is concerned have been complied with,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that said waiver of plat is hereby approved; that the property has been found to be in compliance with Chapter 28, Subdivisions, of the Miami-Dade County Code; that approval of this waiver of plat is not a waiver of any zoning regulations; and that the requirements of the zoning existing on this land at the time this resolution is approved shall be enforced whether or not the various parcels on this waiver of plat conforms to those requirements.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

- | | |
|-------------------------------------|-------------------|
| Esteban L. Bovo, Jr., Chairman | |
| Audrey M. Edmonson, Vice Chairwoman | |
| Daniella Levine Cava | Jose "Pepe" Diaz |
| Sally A. Heyman | Barbara J. Jordan |
| Joe A. Martinez | Jean Monestime |
| Dennis C. Moss | Rebeca Sosa |
| Sen. Javier D. Souto | Xavier L. Suarez |
| District 5 - Vacant | |

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of June, 2018. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Lauren E. Morse

