

# Memorandum



**Date:** September 1, 2022

Agenda item No. 5(AA)

**To:** Honorable Chairman Jose “Pepe” Diaz  
and Members, Board of County Commissioners

**From:** Lourdes M. Gomez, Director   
Department of Regulatory and Economic Resources

**Subject:** Resolution Approving the Waiver of Plat of Ma Elena Arellano Sanchez Filed by  
Ma Elena Arellano Sanchez

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## **Recommendation**

The following waiver of plat is submitted for consideration by the Board of County Commissioners (Board) for approval. This waiver of plat for Ma Elena Arellano Sanchez is bounded on the north approximately 300 feet south of SW 208 Street, on the east by SW 194 Avenue, on the south by SW 210 Street, and on the west approximately 1080 feet east of SW 197 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.

Legal description of the boundaries of the land are on file with the Department of Regulatory and Economic Resources.

## **Scope**

This waiver of plat is located in Commission District 8, which is represented by Commissioner Danielle Cohen Higgins.

## **Delegation of Authority**

There are no delegation requirements with this item.

**Fiscal Impact/Funding Source**

There is no fiscal impact to Miami-Dade County with the approval of this waiver of plat, as all improvements are in place.

**Track Record/Monitor**

The Development Services Division within 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**

Ma Elena Arellano Sanchez (D-24707)

- Located in Section 11, Township 56 South, Range 38 East.
- Zoning: GU.
- Proposed usage: One single family residence.
- Number of parcels: One.
- This waiver of plat meets concurrency.
- A utility water supply and sanitary sewers are not within feasible distance to the subdivision. The Parcel will be served by an on-site drinking water supply well and a septic tank and drainfield system.
- On July 7, 2022, the Board adopted Ordinance No. 22-83, which institutes more rigorous standards for new and replacement onsite sewage treatment and disposal systems (OSTDSs) commonly referred to as “septic tanks” or “septic systems.” Ordinance No. 22-83 provided that the requirements governing the type of OSTDS to be installed would not become effective until January 1, 2023, in response to industry feedback and public outreach during development of the ordinance. This period allowed for proper planning and transitioning by property owners, engineers, contractors, and the OSTDS industry to the new standards. Until that date, building permit applications that have already been approved by DERM to be served by septic tanks may include septic models under the existing standard. In keeping with the educational campaign mandated by Ordinance No. 22-83, development applicants are being advised that no building permits will be issued after January 1, 2023, for septic systems that do not conform to the advanced treatment standards adopted via Ordinance No. 22-83. *Hence, development applications (including plats) for parcels served by septic tanks that have not obtained building permits by January 1, 2023, will be required to conform to the advanced treatment standards adopted via Ordinance No. 22-83, regardless of when such applications have been submitted.*

**Developer’s Obligation**

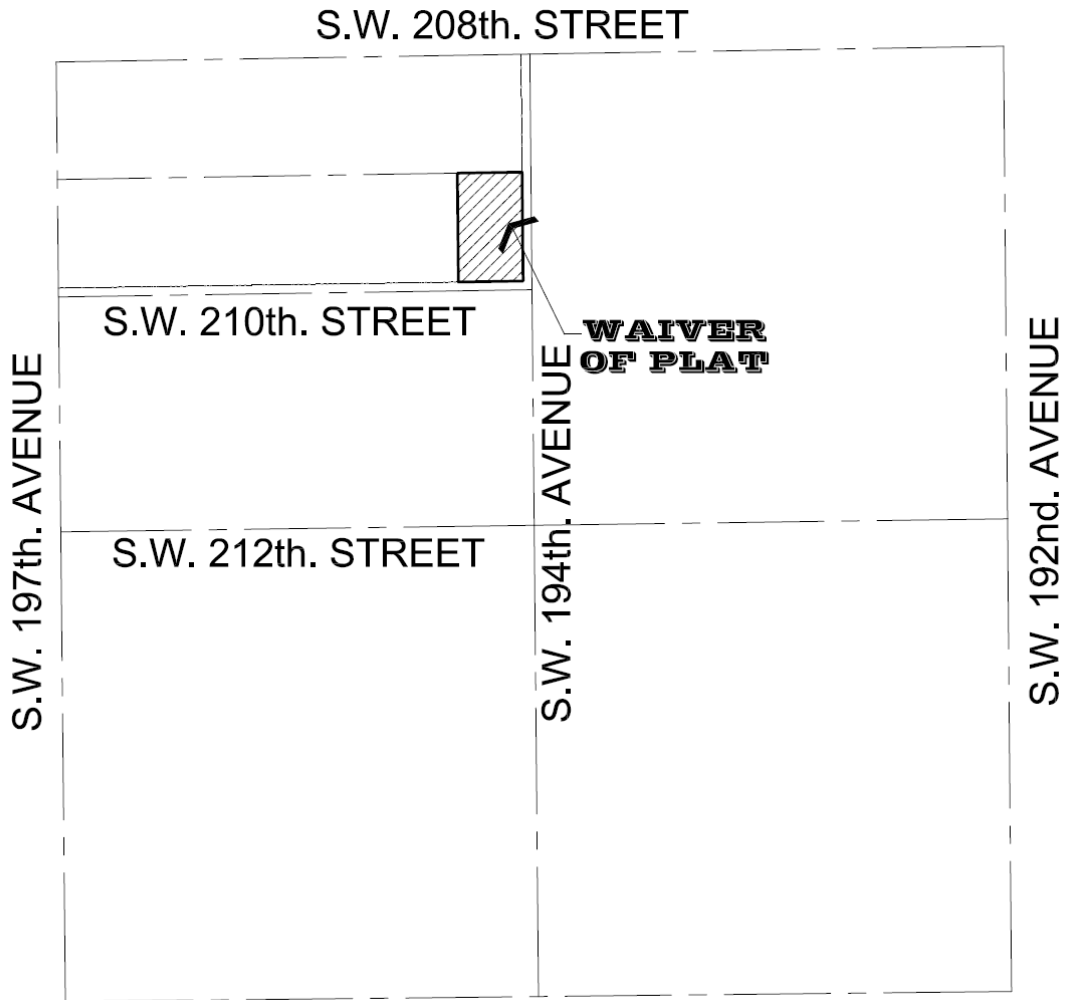
None, all improvements are in place.

# MA ELENA ARELLANO SANCHEZ

## D-24707

Sec. 11 Twp. 56 South Rge. 38 East

### EXHIBIT A






**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** September 1, 2022

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 5(AA)

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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) 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(AA)  
9-1-22

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING THE WAIVER OF PLAT OF MA ELENA ARELLANO SANCHEZ, D-24707, FILED BY MA ELENA ARELLANO SANCHEZ, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 56 SOUTH, RANGE 38 EAST (BOUNDED ON THE NORTH APPROXIMATELY 300 FEET SOUTH OF SW 208 STREET, ON THE EAST BY SW 194 AVENUE, ON THE SOUTH BY SW 210 STREET, AND ON THE WEST APPROXIMATELY 1080 FEET EAST OF SW 197 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**, Ma Elena Arellano Sanchez, an unmarried woman, 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 land lying and being in the Southwest 1/4 of Section 11, Township 56 South, Range 38 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:

- |                                       |                        |
|---------------------------------------|------------------------|
| Jose "Pepe" Diaz, Chairman            |                        |
| Oliver G. Gilbert, III, Vice-Chairman |                        |
| Sen. René García                      | Keon Hardemon          |
| Sally A. Heyman                       | Danielle Cohen Higgins |
| Eileen Higgins                        | Joe A. Martinez        |
| Kionne L. McGhee                      | Jean Monestime         |
| Raquel A. Regalado                    | Rebeca Sosa            |
| Sen. Javier D. Souto                  |                        |


The Chairperson thereupon declared this resolution duly passed and adopted this 1<sup>st</sup> day of September, 2022. 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