

Memorandum



Date: November 1, 2022

Agenda Item No. 5(P)

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 Plat of Cottage Grove Filed by Miami Centerline Development, LLC

Recommendation

The following plat is submitted for consideration by the Board of County Commissioners (Board) for approval. This plat for Cottage Grove is bounded on the north by the Canal 102, on the east approximately 1,270 feet west of SW 167 Avenue, on the south by SW 200 Street, and on the west approximately 1,280 feet east of SW 177 Avenue.

The Miami-Dade County Plat Committee recommends approval of this 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.

Full scale copy of the plat and legal description of the boundaries of the land being subdivided, as well as the plat restrictions contained therein, are on file with the Department of Regulatory and Economic Resources.

Scope

This 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 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

In 1969, a Miami-Dade County Zoning Appeals Board granted an unusual use request (4-ZAB-528-69) to allow a mobile modular home park on the property that was served by an interim package treatment plant. Subsequently, 349 mobile modular home lots were developed. The mobile modular home park was destroyed on August 24, 1992 as result of Hurricane Andrew and has remained vacant since that time. The property is outside the Urban Development Boundary where public water and sewer is not currently available.

In 2002, this site was subject to a determination issued by the then Planning and Zoning Director which concluded that a mobile home park use may be reestablished in accordance with Article XII of Chapter 33 of the Miami-Dade County Code (the Code). The principal reason for this determination was that the use was considered vested because it was approved pursuant to a resolution in 1969 even though the park was destroyed by Hurricane Andrew. The Code specifically recognizes that residential uses that were damaged or destroyed by Hurricane Andrew may be rebuilt according to their approved plans. In 2003, neighboring property owners appealed the Director’s determination and the Board subsequently overturned the Department’s interpretation. Notwithstanding, that decision was later reversed by the Circuit Court. Therefore, the proposed use is considered legally established pursuant to Section 33-35 (g) and can be rebuilt.

Cottage Grove T-24533

- Located in Section 6, Township 56 South, Range 39 East.
- Zoning: AU.
- Proposed Usage: 349 modular mobile homes.
- Number of Parcels: One Tract;
- This plat meets concurrency.
- Two on-site potable water wells and an interim package sewage treatment plant approved by DERM under EQCB Order No. 20-05, recorded in Official Records Book 31875, Page 1361.

Developer’s Obligation

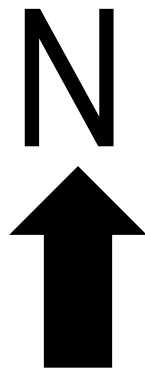
None, all improvements are in place.

COTTAGE GROVE

T-24533

Sec. 6 Twp. 56 South Rge. 39 East

EXHIBIT A





MEMORANDUM
(Revised)

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

DATE: November 1, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(P)

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(P)
11-1-22

RESOLUTION NO. _____

RESOLUTION APPROVING THE PLAT OF COTTAGE GROVE FILED BY MIAMI CENTERLINE DEVELOPMENT, LLC, LOCATED IN THE SOUTH 1/2 OF SECTION 6, TOWNSHIP 56 SOUTH, RANGE 39 EAST (BOUNDED ON THE NORTH BY THE CANAL 102, ON THE EAST APPROXIMATELY 1,270 FEET WEST OF SW 167 AVENUE, ON THE SOUTH BY SW 200 STREET, AND ON THE WEST APPROXIMATELY 1,280 FEET EAST OF SW 177 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, Miami Centerline Development, LLC, a Florida limited liability company, has this day presented to this Board a plat of certain lands lying in Miami-Dade County, Florida, said plat to be known as "Cottage Grove," the same being a subdivision of a portion of land lying and being in the South 1/2 of Section 6, Township 56 South, Range 39 East, Miami-Dade County, Florida, and it appears that all requirements of law concerning said 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 plat is hereby approved; that the dedication of the streets, alleys and other rights-of-way however designated or depicted on said plat is hereby accepted; that the Miami-Dade County Plat Restrictions as listed on said plat are approved and are to be enforced; that approval of the 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 plat conform 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	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 1st day of November, 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