

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to the Board of County Commissioners**

PH: Z23-350

September 24, 2026

Item No. 8C1

Recommendation Summary	
Commission District	2
Applicant	NE 6TH AVE, INC
Summary of Request	The applicant seeks to allow the rezoning of the subject parcel from BU-1, Neighborhood Business District and RU-3, Four-Unit Apartment House District to BU-1, Neighborhood Business District in order to develop the parcel with a proposed commercial building.
Location	Lying on the southwest corner NE 149 Street and NE 6 Avenue, AKA 564 NE 149 Street, Miami-Dade County, Florida
Property Size	0.724 Acres
Existing Zoning	BU-1, Neighborhood Business District RU-3, Four Unit Apartment House District - 7,500 sq. ft. net)
Existing Land Use	vacant land
2030-2040 CDMP Land Use Designation	Business and Office (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with the LUP map, interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section	Section 33-311, District Boundary Change (see attached Zoning Recommendation Addendum)
Recommendation	Approval, subject to the Board's acceptance of the proffered covenant.

BOARD OF COUNTY COMMISSIONERS' JURISDICTION:

The Board has jurisdiction over this application pursuant to Section 33-314(A)(5) which states "Applications which would normally be heard by a Community Zoning Appeals Board, but which have been postponed due to lack of quorum of the applicable Community Zoning Appeals Board on at least two consecutive occasions. Such jurisdiction by the County Commission shall be at the option of the applicant, and under these circumstances the cost of providing notice of an application before the County Commission shall be borne by the County."

PROCEDURAL HISTORY:

This application was deferred from the July 11, 2024, meeting of Community Zoning Appeals Board (CZAB) 8, at the applicant's request, to the October 31, 2024, meeting in order to allow additional time to work with staff. Subsequently, on October 31, 2024, the application was deferred Indefinitely with leave to amend, at the request of the applicant. On March 30, 2026, the applicant submitted an application amending the original request to now seek a rezoning of the subject parcel from BU-1, Neighborhood Business District, and RU-3, Four-Unit Apartment House District, to BU-1, Neighborhood Business District.

This application was scheduled for the June 3, 2026, and July 15, 2026, meetings of the Community Zoning Appeals Board (CZAB) #8, but could not be heard due to a lack of quorum. The applicant then requested to be heard by the BCC pursuant to Section 33-314(A)(5).

Staff notes that the applicant's requests and staff recommendation remain unchanged from those that were presented for consideration to the CZAB #8.

The public hearing on this item was not held.

REQUEST:

DISTRICT BOUNDARY CHANGE from BU-1, Neighborhood Business District, and RU-3, Four-Unit Apartment House District, to BU-1, Neighborhood Business District.

PROJECT DESCRIPTION AND HISTORY:

The subject property is a vacant parcel of approximately 0.724 acres that is located on the southwest corner NE 149 Street and NE 6 Avenue, AKA 564 NE 149 Street, Miami-Dade County, Florida. The property is situated within an area characterized by a mix of business and residential zoning districts and consists of one parcel with split zoning, including BU-1 (Neighborhood Business District) on the eastern portion of the site and RU-3 (Four-Unit Apartment House District) on the western portion.

The original 2024 application requested approval of a use variance to permit the placement of parking spaces within the RU-3 zoned portion of the property intended to serve a proposed commercial development located on the adjacent BU-1 zoned parcel, notwithstanding that commercial parking serving a business use is not permitted within a residential zoning district pursuant to the Miami-Dade County Code. Additionally, the applicant sought a waiver of the Code requirement to provide a minimum five-foot-high decorative wall between parcels containing dissimilar zoning classifications and uses. During the review and recommendation process, staff did not support the requested use variance, finding that the application failed to demonstrate the existence of an unnecessary hardship, as required by the applicable variance standards set forth in the Code.

As a result, the applicant subsequently pursued a Small-Scale Comprehensive Development Master Plan (CDMP) Amendment, filed under Application No. CDMP20250001, to redesignate the subject property from “Low Density Residential” (2.5 to 6 dwelling units per gross acre) and “Business and Office” to entirely “Business and Office.” The CDMP amendment was approved pursuant to Ordinance No. 25-107 under Application No. CDMP20250001. In connection with the CDMP Amendment, the applicant proffered a Declaration of Restrictions recorded in Official Records Book 35029, Page 222, which, among other provisions, limits the property to a maximum of 5,200 square feet of non-residential uses permitted under the “Business and Office” land use designation and expressly prohibits residential use on the property.

As part of this application, the applicant now seeks to rezone the subject property from BU-1 (Neighborhood Business District) and RU-3 (Four-Unit Apartment House District) to entirely BU-1 (Neighborhood Business District). The submitted site plan indicate that the property is proposed to be redeveloped with an approximately 4,918 square-foot commercial building consistent with the “Business and Office” land use designation approved under CDMP Application No. CDMP20250001 and the associated Declaration of Restrictions recorded in Official Records Book 35029, Page 222. The proposed development includes two primary points of ingress and egress providing vehicular and pedestrian access from NE 149th Street and NE 6th Avenue. Parking and internal circulation are contained within the site, with the required parking provided through a surface parking area located along the northern portion of the property adjacent to NE 149th Street. The submitted landscape plans depict substantial perimeter landscaping consisting of trees, shrubs, and other plant material intended to provide buffering and enhance compatibility with the surrounding area.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
Zoning and Existing Use		Land Use Designation
Subject Property	BU-1, RU-3; vacant land	Business and Office
North	BU-1A, RU-3; retail, religious facility, multi-family	Business and Office Low Density Residential (2.5 to 6 dua)
South	RU-4M; multi-family	Business and Office Low Density Residential (2.5 to 6 dua)
East	BU-1A; automotive service station	Business and Office
West	RU-3; multi-family	Low Density Residential (2.5 to 6 dua)

NEIGHBORHOOD COMPATIBILITY:

The 0.724-acre subject parcel is surrounded by a variety of uses. The property to the north along NE 149 Street includes a retail use on the corner of NE 149 Street and 6 Avenue, a religious facility and a small apartment building. Multi-family residential structures are located to the west and south of the subject property. Lastly, a strip of commercial development is located on the east side of NE 6th Avenue, that includes a service station and retail uses.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to develop the parcel in accordance with the proposed BU-1 zoning district and provide the community with additional commercial and retail uses in this area. Staff notes that the Platting and Traffic Review section of the Department of Regulation and Economic Resources (RER) indicate in their memorandum that the application meets traffic concurrency criteria because it lies within the urban infill area where traffic concurrency does not apply and will generate approximately 31 PM peak hour vehicle trips.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

Staff notes that the subject property was the subject of a small-scale Comprehensive Development Master Plan (CDMP) Amendment during the January 2025 Amendment cycle and was re-designated from Low Density Residential and Business and Office to Business and Office. The **Business and Office** category accommodates the *full range of sales and service activities. Included are retail, wholesale, personal and professional services, entertainment and cultural facilities, amusements and commercial recreation.* Staff notes that the eastern parcel is zoned BU-1 and consists of a vacant parcel. The proposed rezoning of the entire property from BU-1 and RU-3 to BU-1 would allow for the unified development of the site with commercial uses **consistent** with the **Business and Office** land use designation, including retail sales and service uses permitted within the BU-1 zoning district.

As previously noted, the subject property is also encumbered by an existing CDMP Declaration of Restrictions recorded in Official Records Book 35029, Page 2022. Said declaration restricts the property to a maximum of 5,200 square feet of non-residential uses permitted under the Business and Office land use designation and expressly prohibits residential use on the property. These restrictions are **consistent** with the proposed BU-1 zoning district and with the plans submitted as part of this application that are further reinforced through the proffered zoning covenant, which

ties the development of the property to a site plan depicting the development of 4,918 square-foot commercial building.

As a result, staff opines that the approval of the applicant's request to permit the proposed rezoning to BU-1 in order to allow for the proposed commercial uses on the property, is **consistent** with the CDMP Land Use Element interpretative text for properties designated **Business and Office** on the LUP map.

ZONING ANALYSIS:

The approximately 25,391 square-foot subject property consists of a vacant parcel with split zoning. The eastern portion of the site is zoned BU-1 (Neighborhood Business District), while the western portion is zoned RU-3 (Four-Unit Apartment House District). The larger BU-1 portion of the property is located on the southwest corner of NE 149 Street and NE 6 Avenue and comprises approximately 67 percent of the overall site. The applicant seeks to rezone the property from BU-1 and RU-3 to entirely BU-1 in order to permit the unified development of the site with a commercial building consistent with the approved "Business and Office" CDMP land use designation. When analyzed pursuant to Section 33-311, District Boundary Changes, staff finds that the proposed rezoning would be **compatible** with the surrounding area and would not result in an unfavorable impact on the environment, natural resources, or the economy of the County. Staff further notes that the proposed BU-1 zoning designation is **consistent** with the "Business and Office" land use designation applicable to the property under the CDMP Land Use Plan map, as further restricted by the Declaration of Restrictions recorded in Official Records Book 35029, Page 2022, which limits the site to non-residential development.

As part of this application, the applicant has submitted a site plan that proposes to develop the site with a 4,918 square-foot 1-story commercial building along with some surface parking located to its north along NE 149 Street. Said plans also indicate that the proposed commercial building will be adequately buffered with a 6' height CMU wall with mature landscaping along the rear (west) and interior side (south) property lines, which staff opines would lessen any adverse impacts of the proposed building, especially on the adjacent residential properties to the west. Based on the memoranda submitted by other departments reviewing the application, approval of the application would not have an unfavorable effect on the environment, the natural resources, or the economy of Miami-Dade County, would not tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or provoke a nuisance. The Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) does not object to the application and indicate in the attached memorandum, that the application meets the traffic concurrency criteria because it lies within the urban infill area where traffic concurrency does not apply, but that the application will generate approximately an additional 31 PM peak hour vehicle trips. Further, the Departments of RER and Environmental Resources Management (DERM) in the attached memorandum, indicate that the application meets all applicable LOS standards for an initial development order for potable water service, wastewater disposal, and flood protection. In addition, the memorandum submitted by the Miami-Dade Fire Rescue Department and the Water and Sewer Department, indicate no objection to the application as well. As such, staff opines that approval of the request to rezone the subject parcel to BU-1, would be **compatible** with the character of the surrounding neighborhood, when considering the necessity and reasonableness of the modifications in relation to the present and future development of the area. **Therefore, subject to the Board's acceptance of the proffered covenant, staff recommends approval of request for a district boundary change to BU-1, Neighborhood Business District, under Section 33-311, District Boundary Change.**

ACCESS, CIRCULATION AND PARKING: The submitted site plans depict two (2)-separate ingress/egress points of direct vehicular and pedestrian access to the subject parcel, with one each provided along NE 149th Street and NE 6th Avenue. The proposed site plan for the subject parcel provides for a total of 27 parking spaces, where 21 are required by code, therefore, the parking amounts comply with the code.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

ENVIRONMENTAL REVIEW: Not applicable.

OTHER: Not applicable.

RECOMMENDATION:

Approval, subject to the Board's acceptance of the proffered covenant.

CONDITIONS FOR APPROVAL: None.

ES:JB:SS:EA



Eric Silva, AICP, Assistant Director
Development Services Division
Miami-Dade County Department of
Regulatory and Economic Resource

ZONING RECOMMENDATION ADDENDUM

NE 6TH AVE, INC
Z23-350

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	<i>No objection</i>
Platting and Traffic Review Section (RER)	<i>No objection</i>
Fire Rescue Department	<i>No objection</i>
Water and Sewer Department (WASD)	<i>No objection</i>
Building and Neighborhood Compliance (BNC)	<i>No objection</i>
Miami-Dade County Department of Transportation and Public Works (DTPW) Traffic Engineering Division	<i>No objection</i>
<i>*Subject to conditions in their memorandum.</i>	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

Business and Office (Pg. I-40)	<i>The Adopted 2030 and 2040 Land Use Plan designates the subject property as being within the Urban Development Boundary for Business and Office. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.</i>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311 District Boundary Change	<i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i> <i>(F) Section 33-311 provides that the Board shall take into consideration, among other factors the extent to which:</i> <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i> <i>(2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i> <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i> <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i>
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ZONING RECOMMENDATION ADDENDUM

NE 6TH AVE, INC
Z23-350

	<i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i>
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Consumer and Neighborhood Protection

ENFORCEMENT HISTORY

NE 6TH AVENUE, INC

N/A
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Pending

Z2023000350

DATE

HEARING NUMBER

FOLIO:

30-2219-000-0730

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

August 26, 2026

NEIGHBORHOOD REGULATIONS:

There are no open cases.

BUILDING SUPPORT REGULATIONS:

There are no open cases.

OUTSTANDING LIENS AND FINES:

There are no outstanding liens or fines.

Memorandum



Date: March 11, 2026

To: Lourdes M. Gomez, AICP, Director
Department of Regulatory and Economic Resources (RER)

From: Christine Velazquez, Division Chief
Department of Regulatory and Economic Resources (RER)

Subject: Z2023000350-5th Review
NE 6th Ave Inc.
564 NE 149th Street
DBC from BU-1 & RU-3 to BU-1
(BU-1 and RU-3) (0.724 acres)
19-52-42

The Departments of RER and Environmental Resources Management (DERM) have reviewed the above-referenced zoning application for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) for potable water service and wastewater disposal. Based on the information provided, this zoning application is approved pursuant to section 24-43.1 of the Code related to potable water supply and wastewater disposal.

Potable Water Supply and Wastewater Disposal

According to RER records, public water and public sanitary sewers owned and operated by the City of North Miami are currently abutting the subject property. Pursuant to the Code and based on the site plan submitted in support of this application, the proposed development shall connect to public water and sanitary sewers in accordance with Code requirements. Please note that this development will need to obtain a sanitary sewer extension permit prior to RER approval of future development orders. To the extent that connection to the public sanitary sewer system is not approved due to a sanitary sewer moratorium, this memorandum shall not be interpreted as written approval from RER to allow an alternative means of domestic wastewater disposal.

Civil drawings for the required sewer main extension will need to be approved by the City of North Miami and the Environmental Permitting Section of RER prior to approval of final development orders.

In accordance with section 24-43.4(2)(b)(iii) of the Code the property has submitted a covenant running with the land in favor of Miami-Dade County acknowledging that the property shall be required to connect to the applicable public infrastructure as a condition of any building permit for development on the property or portion thereof.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by the County for this proposed development order.

Please note that some of the collection/transmission facilities, which includes sanitary sewer gravity sewer mains, sanitary sewer force mains and sanitary sewer pump stations, throughout the County do not have adequate capacity, as defined in the Consent Decree between Miami-Dade County, Florida Department of Environmental Protection, and the U.S. Environmental Protection Agency case 1:12-cv-24400-FAM. Under the terms of this Consent Decree, this approval does not constitute an allocation or

certification of adequate treatment and transmission system capacity. At the time of building permits RER-Environmental Plan Review will evaluate and may reserve sanitary sewer capacity, through the sanitary sewer certification process, if the proposed development complies with the provisions of the Consent Decree. Building permits for development in sanitary sewer basins which have been determined not to have adequate capacity cannot be approved, until adequate capacity becomes available.

Please be advised, RER-Environmental Plan Review Section, review and approval is required for any proposed public or private sanitary sewer system. Each parcel within the proposed development that is required to be served by public sanitary sewers shall connect directly to the public sanitary sewer system, without traversing other parcels. Private sanitary sewer collection and transmission systems are limited to one building per parcel connecting directly to a public sanitary sewer system and cannot traverse other parcels to connect to the public sanitary sewer system. If multiple buildings are proposed within a parcel, each building shall connect individually to a public sanitary sewer system without traversing other parcels.

Conditions of Approval: None

Water Control Review

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff.

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

The dumpster area shall not drain into the stormwater management system. This area shall be covered or sloped to drain toward a grassy area.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

Conditions of Approval: None

Tree Preservation

An aerial review of the subject properties indicates the presence of tree resources. A landscape plan entitled "Proposed Retail Building 564 NE 149 ST Retail" prepared by OA Architecture, R.L.A., was submitted in support of the subject application and indicates the removal/relocation of non-specimen tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. RER has no objection to this application provided that the applicant obtains a Miami-Dade County Tree Removal Permit prior to the removal or relocation of the non-specimen trees on site.

A Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. The applicant is advised that a tree survey that includes a tree disposition table will be required during the tree removal permit application process. Projects and permits shall comply with the requirements of sections 24-49.2 and 24-49.4 of the Code, including the specimen tree standards.

In accordance with section 24-49.9 of the Code, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development, or redevelopment and developed parcels

shall be maintained to prevent the growth or accumulation of prohibited species. Please contact Jackelyn Alberdi at Jackelyn.Alberdi@miamidade.gov for additional information or concerns regarding this review.

Conditions of Approval: None

DERM Enforcement History

There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property. There are no outstanding DERM liens or fines for the subject property.

Concurrency Review Summary

A concurrency review has been conducted for this application and the County has determined that the same meets all applicable LOS standards for an initial development order as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. This concurrency approval is valid only for this initial development order. Pursuant to Chapter 33G of the Code, a final concurrency statement will be issued at the time of final development order.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Ninfa Rincon at (305) 372-6764.

cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: May 12, 2026

To: Eric Silva, AICP, Assistant Director
Development Services Division
Department of Regulatory and Economic Resources (RER)

Through: James B. Ferguson, P.E.
Assistant Director
Water and Sewer Department (WASD)

From: Maria A. Valdes, CSM, LEED® Green Associate
Chief, Planning & Water Certification Section
Water and Sewer Department (WASD)

A handwritten signature in blue ink that reads "Maria Valdes".

Subject: **UPDATED** Zoning Application Comments - Retail Center NE 6th Ave Plaza
Application No. Z2023000350 - Revision # 2 - (Previous Zoning App. No. A23-053)

The Water and Sewer Department has reviewed the proposed development for the subject zoning application. WASD has no objection to this zoning application, based on the information provided. Additional requirements may be needed at the time of permitting. The information provided below is preliminary and it does not affect the Zoning process.

The subject application is within North Miami's water and sewer service area. At the time of development, the applicant is advised to consult with the respective Utility for any infrastructure that they may have in their service area.

Application Name: Retail Center NE 6th Ave Plaza

Location: The proposed project is located on approximately 0.72 acres at the southwest corner of the intersection of NE 6th Avenue and NE 149th Street, with Folio No. 30-2219-000-0730, in unincorporated Miami-Dade County.

Proposed Development: The Applicant is seeking to rezone the prior RU-3 (Four-Unit Apartment House District) part of the property to BU-1 (Neighborhood Business District), in order to develop the property with 5,024 square feet of Retail and 100 square feet of Outdoor Seating Area, as per site plan-V4 submitted with this Application, dated 03/11/2026.

The subject project has completed a CMDP process which requested that the property be redesignated to all Business/Office. The CDMP application No. CDMP20250001 has been approved.

Water: The proposed development is located within the City of North Miami's water service area. Please consult with the Utility Department of the City of North Miami for any infrastructure that they may have in their service area. Also, a Water Supply Certification (WSC) is not required from WASD as the project is located entirely within the City of North Miami's water service area and the water supply will be provided by the Utility of North Miami.

Water Conservation: All future development will be required to comply with water use efficiency techniques for indoor water use and with landscape standards in accordance with Sections 8-31, 32-84, 18-A, and 18-B of the Miami-Dade County Code, consistent with Policies WS-5E and WS-5F of the CDMP.

For more information about our Water Conservation Program, please go to:
<http://www.miamidade.gov/conservation/home.asp>

For information concerning the Water-Use Efficiency Standards Manual please go to:
<http://www.miamidade.gov/waterconservation/library/instructions/water-use-efficiency-standards-manual.pdf>

Sewer: The proposed development is located within the City of North Miami's sewer service area. Please consult with the Utility Department of the City of North Miami for any infrastructure that they may have in their service area.

North Miami is a Volume Sewer Customer of WASD. At the time of development, an Ordinance letter will be required from WASD. WASD will be the Utility providing sewer services for treatment and disposal of the wastewater at the North District Wastewater Treatment Plant (NDWWTP). The NDWWTP is currently operating under a permit from the Florida Department of Environmental Protection. Currently, there is adequate sewer treatment and disposal capacity at the NDWWTP, consistent with Policy WS-2 A (2) of the CDMP.

Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or mavald@miamidade.gov, Alfredo B. Sanchez at (786) 552-8237 or sanalf@miamidade.gov, or Benita Ramirez B. at (786) 552-8121 or benita.ramirez@miamidade.gov.

Memorandum



Date: September 9, 2026

To: Eric Silva, AICP, Assistant Director
Department of Regulatory and Economic Resources

From:  Raul A. Pino, PLS, Division Chief
Platting and Traffic Review Section
Department of Regulatory and Economic Resources

Subject: Z2023000350
Name: NE 6th Ave, Inc.
Location: 564 NE 149 Street
Section 19 Township 52 South Range 42 East

The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has **no objections**.

1. NE 6 Avenue is maintained by the Florida Department of Transportation (FDOT). Any driveway connections and changes along the right of way requires review and approval by FDOT.
2. This land **requires** platting in accordance with Chapter 28 of the Miami-Dade County Code. Any right-of-way dedications per Miami-Dade Chapter 33-133 and Chapter 28 and/or improvements required will be accomplished thru the recording of a plat.

This application meets the traffic concurrency criteria because it lies within the urban infill area where traffic concurrency does not apply. It will generate approximately **31 PM** peak hour vehicle trips.

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.

Notes: PM =Post Meridien

The PM peak hour refers to the highest hour of vehicle trips generated during the afternoon peak hours of 4-6 PM

Standard Conditions:

- A letter or a plan containing the following certification signed and sealed by a State of Florida registered engineer shall be submitted as part of the paving and drainage plans: "I hereby certify that the all of the roads for the subject project comply with all of the applicable portions of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook) regarding: design speed, lane widths, horizontal alignment, vertical alignment, stopping sight distance, sight distance, horizontal clearance, vertical clearance, superelevation, shoulder widths, grades, bridge widths, etc."
- All landscaping, walls, fences, entrance features, etc. will be subject to the Safe Sight Distance Triangle as per Section 33-11 of the Miami-Dade County Code and G5.3 of the Public Works and Waste Management Department Manual.

Memorandum



Date: April 15, 2026

To: Eric Silva, Assistant Director
Regulatory and Economic Resources

From: Alejandro G Cuello, Principal Planner
Miami-Dade Fire Rescue Department

Subject: Z2023000350

The Miami-Dade Fire Rescue Department has no objection to the site plan uploaded to "EnerGov" on 3/11/2026.

MDFR's review of this application is limited to assessing fire department access and does not effectuate an approval of the building design. The future building's design must be in compliance with the applicable requirements for the proposed use:

Florida State Statue Chapter 633 (Fire Prevention & Control)
Florida Administrative Code 69A
Florida Fire Prevention Code (NFPA 1 and NFPA 101 (2018 edition))
Applicable adopted NFPA Standards
County Code Chapter 14

For additional information, please contact acuello@miamidade.gov or call 305-775-3357.

Memorandum



Date: Monday, March 30, 2026

Subject: Review Type: Z2023000350
Applicant Name: Retail Development – Claridge Retail

Miami-Dade County Department of Transportation and Public Works (DTPW) Traffic Engineering Division has reviewed the subject application and has no objections to this application, subject to the conditions in Section I:

PROJECT LOCATION:

The project is located at 564 NE 149th Street in unincorporated Miami-Dade County.

COMMENTS/RECOMMENDATION:

I. CONDITIONS:

1. The proposed development seeks to develop a 4,917 square foot shopping center. In the case that the land use information is modified, a new site plan/traffic study must be submitted for review.
2. NE 6th Avenue/SR 915 is part of the State of Florida Highway system. All property development adjacent to a State Road must be reviewed by the Florida Department of Transportation (FDOT) for compliance with the Florida Administrative Code (FAC). Improvements within the FDOT Right-of-Way (R/W) must meet current FDOT Design Standards and may involve a property dedication to meet current FDOT Standards. No below or above-ground encroachments are allowed into the FDOT R/W. Access/driveway spacing must meet the criteria in FAC 14-96, and a pre-application meeting with the FDOT is required for driveway categories C, D, E, F, and G. Also, per FAC 14-86.003, a Drainage permit is required for all properties adjacent to a State Road, even if there is no proposed access/driveway connection. Please contact the FDOT District 6 Permits Office for FDOT.
3. The developer will construct sidewalk on the southside of NE 149th Street to provide connectivity to the proposed development.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Anamersy Arce at anamersy.arce@miamidade.gov.

Memorandum



Date: August 26, 2026

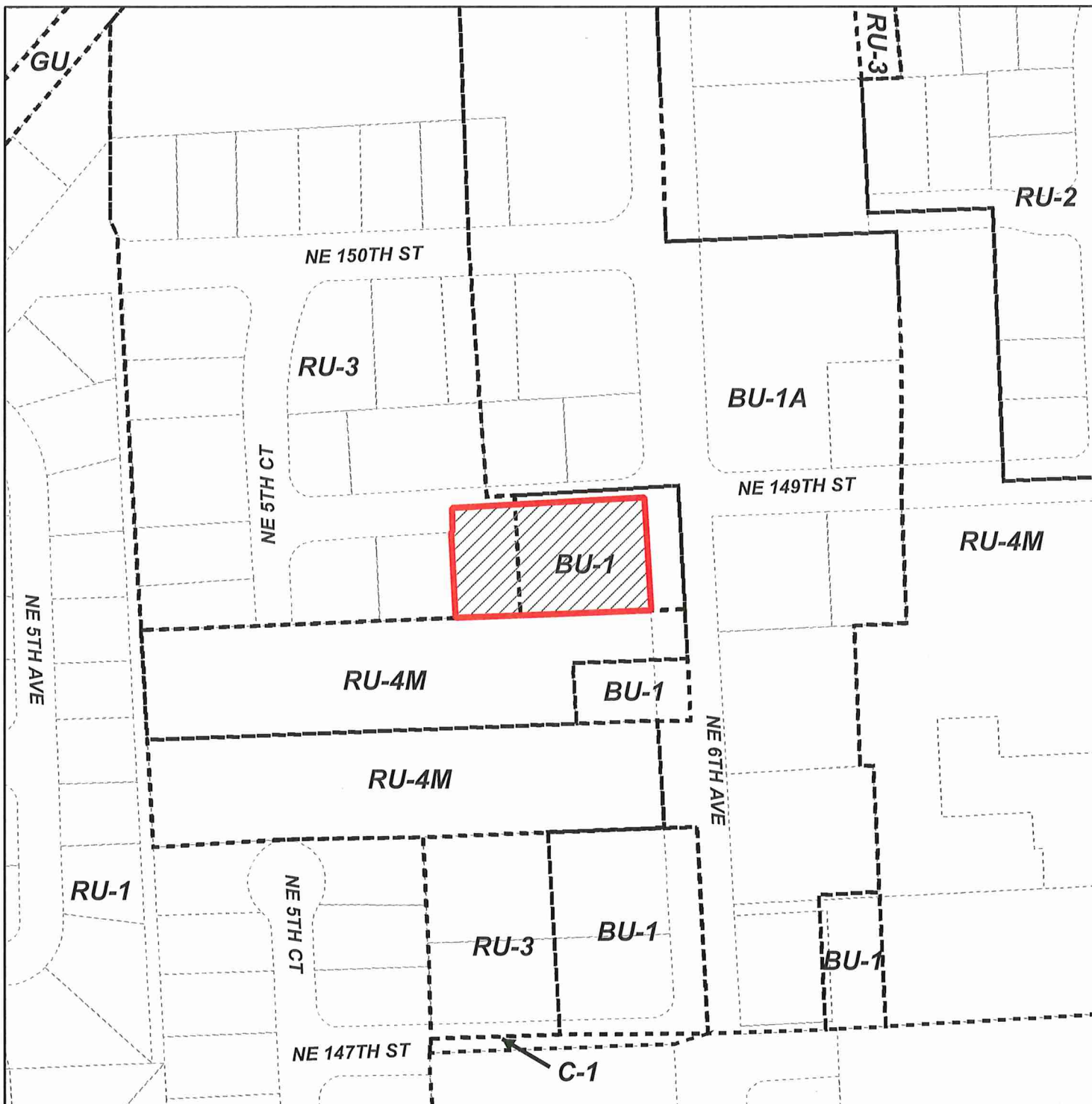
To: Eric Silva, Assistant Director for Development Services
Department of Regulatory and Economic Resources

From: Sarah Cody, Historic Preservation Chief
Department of Regulatory and Economic Resources

Subject: Zoning Review Z2025 - 000097 Biscayne Shores Development Group, LLC.

The Miami-Dade County Office of Historic Preservation has reviewed the subject application and has no comments or objections.

For any questions, please contact Sarah Cody at (305) 375-4438 or via email at sarah.cody@miamidade.gov.



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2023000350

Section: 19 Township: 52 Range: 42
 Applicant: NE 6th Ave, Inc
 Zoning Board: C8
 Commission District: 2
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

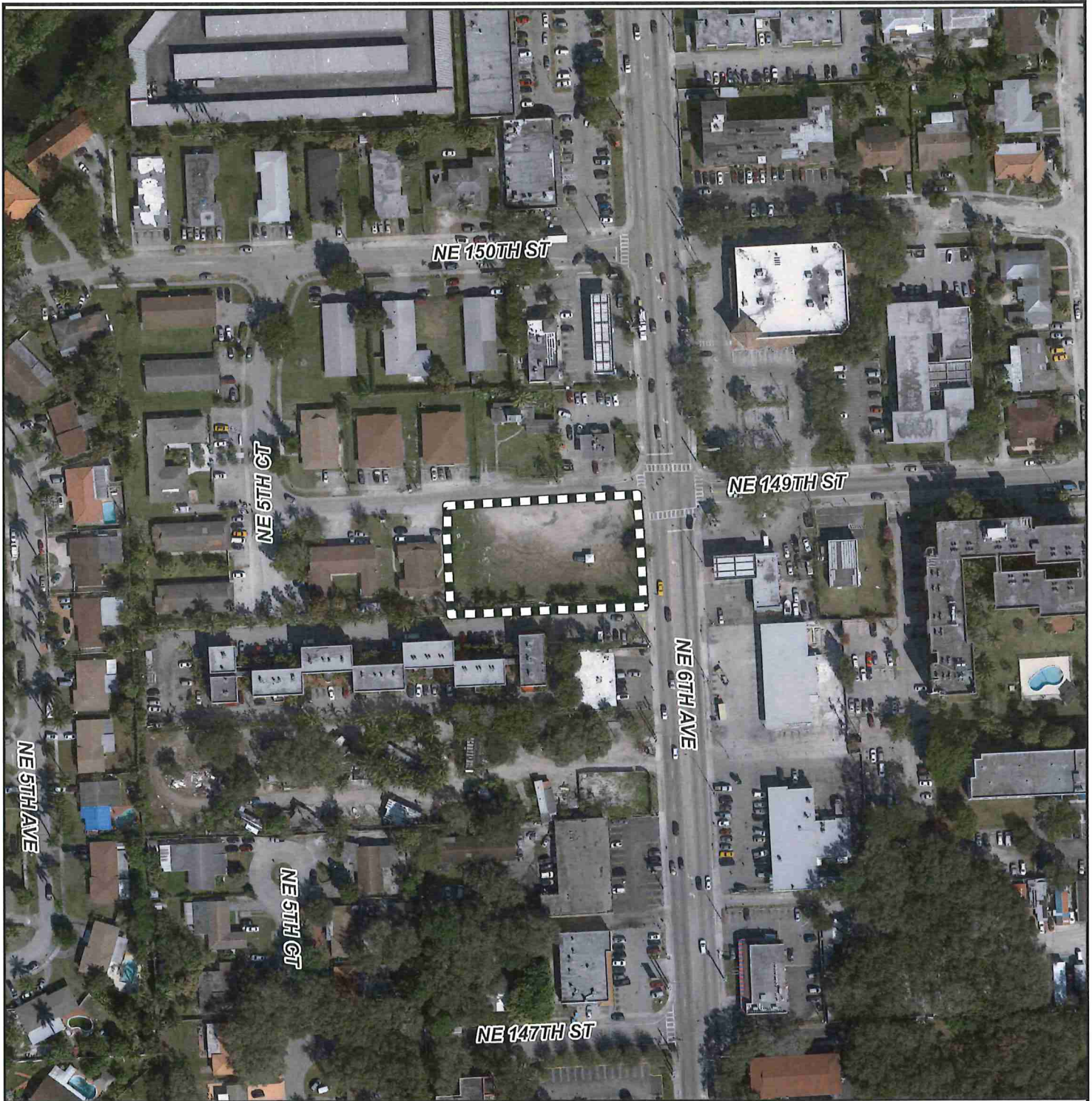
Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Thursday, May 28, 2026

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2021

Process Number
Z2023000350

Legend
 Subject Property



Section: 19 Township: 52 Range: 42
 Applicant: NE 6th Ave, Inc
 Zoning Board: C8
 Commission District: 2
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



SKETCH CREATED ON: Thursday, May 28, 2026

REVISION	DATE	BY



MIAMI-DADE COUNTY **RADIUS MAP**

Section: 19 Township: 52 Range: 42
 Applicant: NE 6th Ave, Inc
 Zoning Board: C8
 Commission District: 2
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2023000350
 RADIUS: 2640

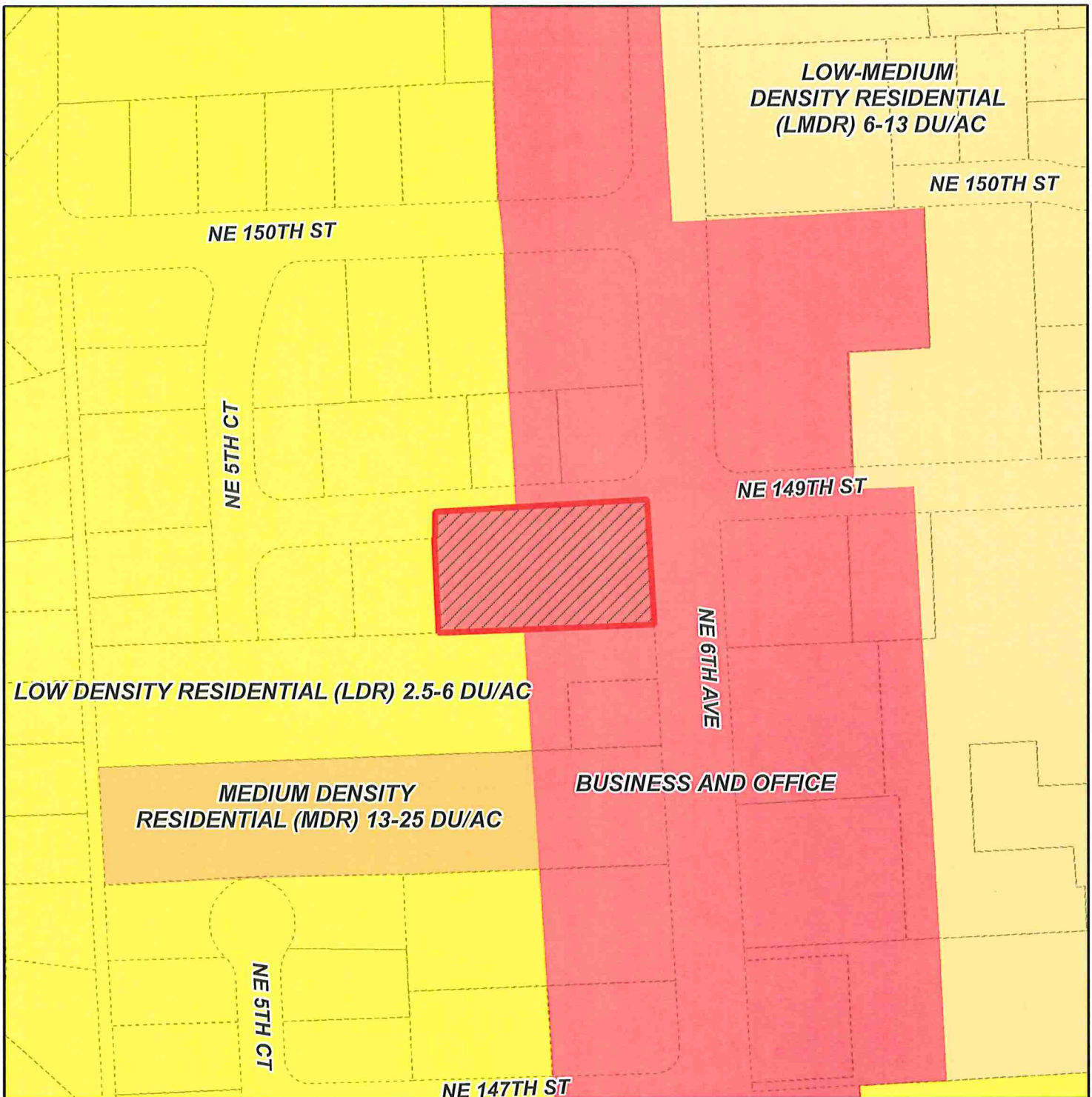
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-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Thursday, May 28, 2026

REVISION	DATE	BY



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2023000350

Section: 19 Township: 52 Range: 42
 Applicant: NE 6th Ave, Inc
 Zoning Board: C8
 Commission District: 2
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

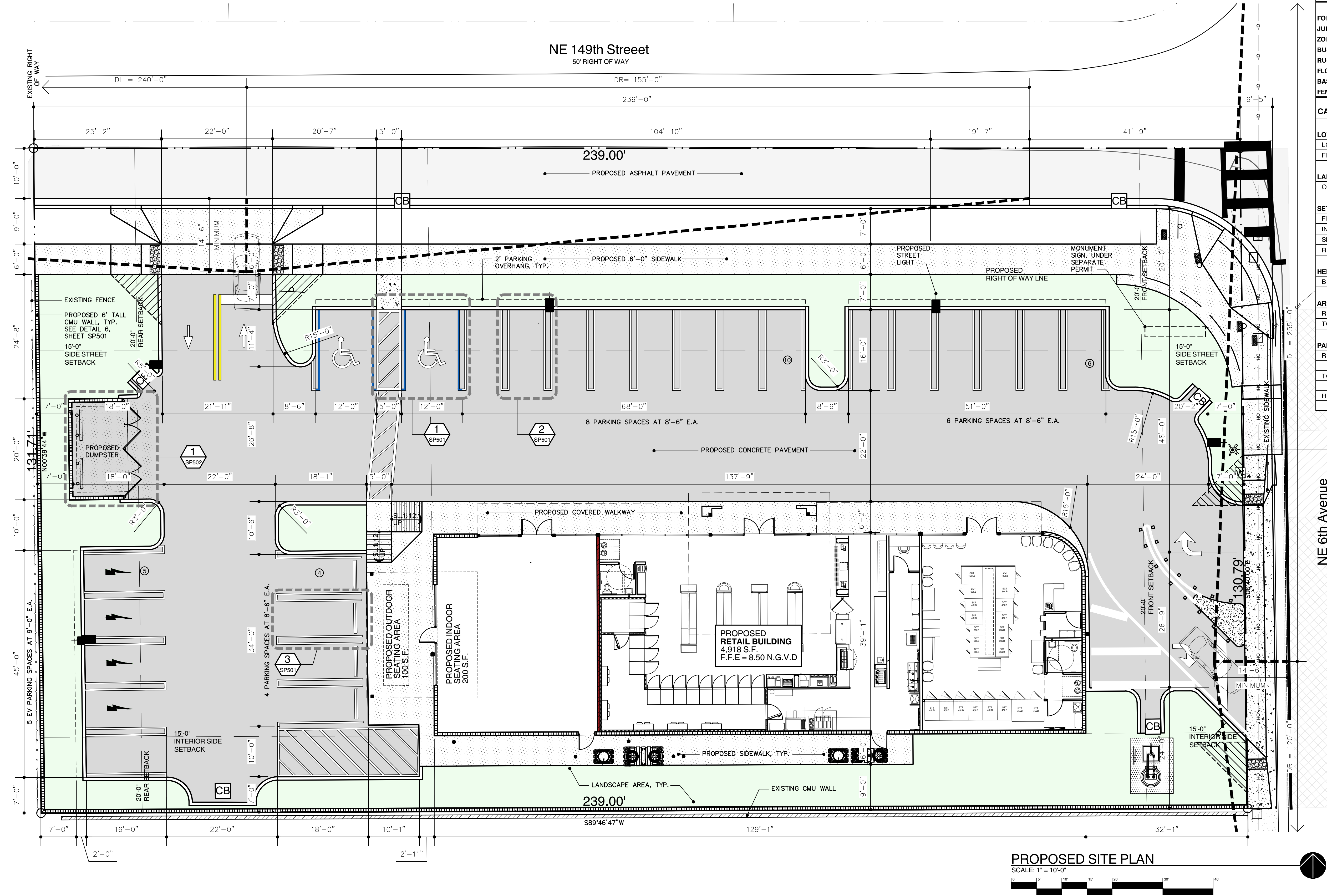
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-  Subject Property Case
-  Zoning

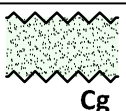
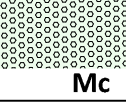
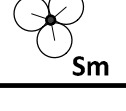


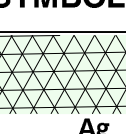
SKETCH CREATED ON: Thursday, May 28, 2026

REVISION	DATE	BY



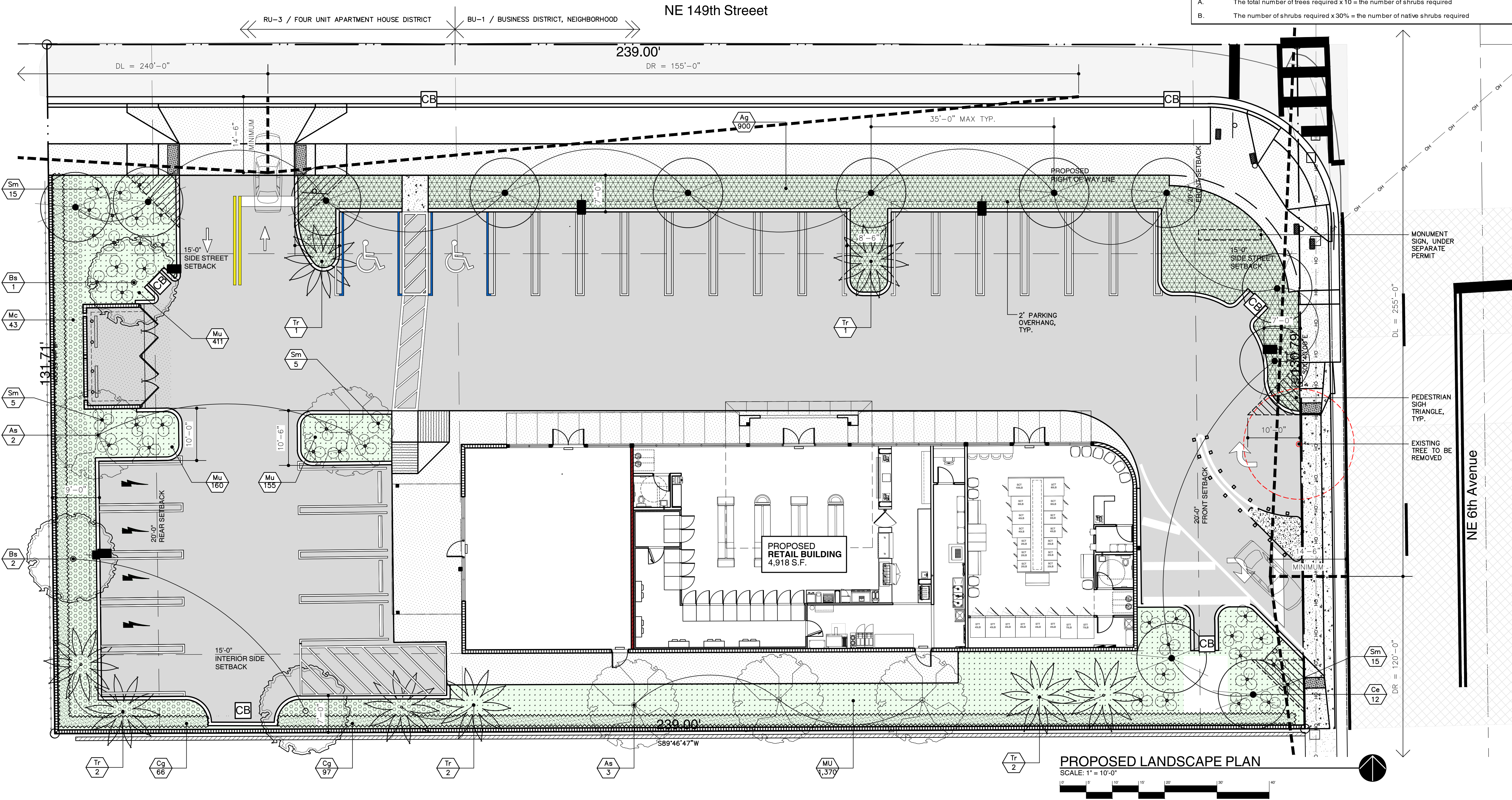
ZONING INFORMATION			
LEGAL DESCRIPTION:			
BEGINNING AT A MARK AT THE JUNCTION OF THE CENTERLINES OF THE NORTHEAST SIXTH AVENUE AND NORTHEAST 149TH STREET IN DADE COUNTY, FLORIDA, AND EXTENDING SOUTH ALONG THE CENTERLINE OF NORTHEAST SIXTH AVENUE 130.654 FEET TO A POINT IN LINE WITH A PIPE MARKER SET AT THE WEST EDGE OF SAID NORTHEAST SIXTH AVENUE; THENCE WEST 274 FEET TO A PIPE MARKER; THENCE NORTH 131.708 FEET TO A PIPE MARKER; THENCE EAST 274 FEET TO A POINT OF BEGINNING; SUBJECT TO THE DEDICATION OF THE EAST 35 FEET THEREOF FOR RIGHT OF WAY OF NORTHEAST SIXTH AVENUE. THE ABOVE DESCRIBED PLOT BEING THE EASTERN MOST SEGMENT OF A LARGER PARCEL OF LAND DESCRIBED AND RECORDED AS FOLLOWS: THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) EXCEPT THE SOUTH 525.326 FEET THEREOF IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 42 EAST, SUBJECT TO			
FOLIO: 30-2219-000-0730	LOT AREA:	25,391 sf	0.58 acres
JURISDICTION: MIAMI-DADE COUNTY			
ZONING:			
BU-1 / BUSINESS DISTRICT, NEIGHBORHOOD	17,079 sf	0.39 acres	
RU-3 / FOUR UNIT APARTMENT HOUSE DISTRICT	8,312 sf	0.19 acres	
FLOOD ZONE: AE			
BASE FLOOD ELEVATION: 7'			
FEMA FIRE PANEL: 0137L			
CATEGORIES	REQUIRED / ALLOWED		PROVIDED
LOT OCCUPATION			
LOT COVERAGE	10,156 sf	(40.00% max.)	5,024 sf 19.79%
FLOOR AREA RATIO	0.40 (1 story) 0.11 (Additional Stories)		
LANDSCAPE			
OPEN SPACE	5,078 sf	(20.00% min.)	5,520 sf 21.74%
SETBACKS			
FRONT	20'-0"		31'-7"
INTERIOR SIDE	15'-0"		15'-0"
SIDE STREET	15'-0"		51'-0"
REAR	20'-0"		78'-0"
HEIGHT			
BUILDING	35'-0"	(2 stories max.)	30'-2"
AREAS			
RETAIL BUILDING	-		5,024 sf
TOTAL	-		
PARKING			
RETAIL BUILDING	1 per 250	20.10	27 stalls
TOTAL		21 stalls	27 stalls
HANDICAP		2 stall	2 stall

SHRUB LEGEND										
			PLANT NAME		NATIVE SPECIES		SPACING	HEIGHT		QTY
SYMBOL	NEW	EXIST	SCIENTIFIC	COMMON	YES	NO		INST.	MATURE	
	•		<i>Clusia guttifer</i>	CLUSIA HEDGE	•		24" O.C.	2'-0"	6'-0"	163
	•		<i>Muhlenbergia capillaris</i>	PINK MUHLY	•		48" O.C.	3'-0"	5'-0"	43
	•		<i>Sabal minor</i>	DWARF PALMETTO	•		60" O.C.	3'-0"	6'-0"	40

GROUND COVER LEGEND										
			PLANT NAME		NATIVE SPECIES		SPACING	HEIGHT		QTY
SYMBOL	NEW	EXIST	SCIENTIFIC	COMMON	YES	NO		INST.	MATURE	
	•		<i>Arachis glabrata</i>	PERENNIAL PEANUT		•	18" O.C.	0'-6"	3'-0"	900
	•			MULCH		•		3" DEPTH	N/A	2,097

TREE LEGEND										
			PLANT NAME		NATIVE SPECIES		CALIPER	HEIGHT		QTY
SYMBOL	NEW	EXIST	SCIENTIFIC	COMMON	YES	NO	INST.	INST.	MATURE	
	•		<i>Conocarpus erectus</i>	GREEN BUTTONWOOD	•		2.5" MIN.	12'-0" MIN.	40'-0"	12
	•		<i>Acacia smallii</i>	SWEET ACACIA	•		2.5" MIN.	12'-0" MIN.	25'-0"	5
	•		<i>Thrinax radiata</i>	THATCH PALM	•		3" MIN.	10'-0" MIN.	35'-0"	8
	•		<i>Bursera simaruba</i>	GUMBO LIMBO	•		3" MIN.	12'-0" MIN.	65'-0"	3

LANDSCAPE LEGEND INFORMATION			
ZONE DISTRICT BU-1 / RU-3		NET LOT AREA: 0.58 acres 25,391 sf square feet	
OPEN SPACE		REQUIRED/	PROVIDED
A. Square feet of open space required by Chapter 33, as indicated on site plan: Net Lot Area = 25,391 square feet x 20% = 5,078 square feet		5,078 sf	
B. Square feet of parking lot open open space required by Chapter 18A, as indicated on site plan: Number of parking spaces (27) x 10 square feet per parking space		270 sf	
C. Total square feet of landscaped open space required by Chapter 33 = A+B =		5,348 sf	5,412 sf
LAWN AREA CALCULATION			
A. Total square feet of landscaped open space required by Chapter 33 =		5,348.20 sf	
B. Maximum lawn area (St. Augustine sod) permitted = 60% x 5,348 square feet		3,208.92 sf	0 sf
TREES			
A. The Number of trees required per net lot acre		22	
Less the existing number of trees that meet minimum requirements		(minus) 0	
= 22 trees x net lot acreage =		13 trees	13 trees
B. 30% palm tree allowed (two palms = one tree) Palms provided =		8 palms	8 palms
C. Percentage of native trees required = the number of trees provided x 30% =		4 trees	28 trees
D. Street trees (max. average spacing of 35' o.c.): 388 linear feet along street ÷ 35 =		11 trees	12 trees
E. Street trees located directly beneath power lines (maximum average spacing 25' o.c.):		N/A	N/A
N/A linear feet along street ÷ 25 =			
F. Total number of trees provided =		24 trees	28 trees
SHRUBS			
A. The total number of trees required x 10 = the number of shrubs required		240 shrubs	246 shrubs
B. The number of shrubs required x 30% = the number of native shrubs required		72 shrubs	246 shrubs



Prepared by:
GASTES, LOPEZ & MESTRE, P.L.L.C
CEASAR MESTRE, JR., ESQ.
8105 N.W. 155 STREET
MIAMI LAKES, FLORIDA 33016
(305) 825-9988

COVENANT RUNNING WITH THE LAND IN FAVOR OF MIAMI-DADE COUNTY

The undersigned, NE 6th Ave Inc; being the present owner(s) (hereinafter called "owner") of the following described real property (hereinafter called "the Property"):

Legal Description of Property(ies) attached Exhibit A
Folio Number(s): 3022190000730.

Located at 564 NE 149 ST pursuant to the requirements of section 24-43.4(2)(b)(iii) of the Code of Miami-Dade County, the Owner hereby submits this executed covenant running with the land in favor of Miami-Dade County.

The undersigned agree(s) and covenant(s) to the following:

1. The Owner hereby acknowledges that the Property is within feasible distance to Water and Sewer (hereinafter referred to as "Applicable Public Infrastructure"). The Owner further acknowledges that the Property shall connect to the Applicable Public Infrastructure as a condition of any building permit for development on the Property.
2. No temporary or permanent certificate of completion, temporary or permanent certificate of occupancy, temporary or permanent certificate of use, or the municipal equivalent of any of the foregoing, shall be granted or obtained for the Property, unless and until the Property has been properly connected to Applicable Public Infrastructure, as determined by the Director of County's Division of Environmental Resources Management or successor agency (hereinafter "Director"), in the Director's discretion. The Owner shall have the burden of demonstrating that the Property has been properly connected.
3. The undersigned agree(s) and covenant(s) that this Covenant and the provisions contained herein may be enforced by the Director by temporary, permanent, prohibitory, and mandatory injunctions as well as otherwise provided for by law or ordinance.
4. This Covenant shall be recorded, at the undersigned's expense, in the Public Records of Miami-Dade County, Florida, and the provisions hereof shall constitute a Covenant Running with the Land and shall remain in full force and effect and be binding upon the undersigned, their heirs, legal representatives, estates, successors, grantees and assigns.
5. Upon request by the Owner, this Covenant shall be released by the Director after the Director has determined, in the Director's discretion, that the Property has been properly connected to Applicable Public Infrastructure and the applicable permits to effectuate connection have been certified as complete.
6. This Covenant 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 Covenant is recorded after which time it shall be extended automatically for successive periods of ten years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the Covenant in whole, or in part, provided that the Covenant has first been modified or released by Miami-Dade County as specified herein.
7. The term Owner shall include the Owner, and its heirs, successors, and assigns.

8. The Owner has proffered this Covenant in connection with a request for a particular development order or development permit. In the event that the Owner's application for said development order or development permit was withdrawn or denied in its entirety, then this Covenant may be released, as provided in this paragraph, only to the extent that the Director, in the Director's discretion, determines that based upon said withdrawal or denial, the Property is not within feasible distance. Upon the withdrawal or denial of such application in its entirety becoming final, upon the Director's determination that the Property is not within feasible distance, and upon written request of the Owner, the Director may execute a written instrument, in recordable form, acknowledging that this Covenant is released and of no further effect.

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 29TH day of September, 2025.

CORPORATION

WITNESS SES

Signature: [Signature]
Printed Name: Margali Fernandez
Address: 8105 NW 155 ST
Miami Lakes FL 33016

Signature: [Signature]
Printed Name: Cecilia Mestral
Address: 8105 NW 155 ST
Miami Lakes FL 33016

Corporation Name: NE 6th Ave, Inc
Signature: [Signature]
Print: Refat Faris
Title: President
Address: 7401 Wiles RD, Suite 309
Coral Springs, FL 33067

STATE OF FLORIDA
COUNTY OF MIAMI DADE

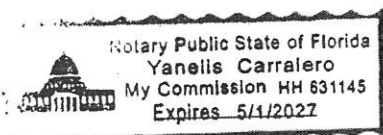
The foregoing instrument was acknowledged before me by means of (how the individual appeared check one):

☒ physical presence ☐ online notarization this 29th day of September, 2025.

by REFAT PARIS
(name of individual acknowledging)
as PRESIDENT for NE 6th Ave, Inc
(type of authority, e.g., Officer, Attorney-in Fact) (Name of party on behalf of whom executed)

Individual identified by: ☒ personal knowledge ☐ satisfactory evidence _____
(type)

affix Notary Seal below:



[Signature]
(Signature of Notary Public)
Yanelis Carralero
(typed, printed, or stamped name of Notary Public)

RECEIVED

DISCLOSURE OF INTEREST"

MIAMI-DADE COUNTY

PROCESS NO: Z23-350

DATE: SEP 11 2023

BY: CONGOL

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: NE 6th Ave , Inc.

NAME AND ADDRESS

Percentage of Stock

Refat Faris 7401 Wiles Rd suite 309 Coral Springs FL 33067

75%

Ashraf Barakat 7401 Wiles Rd suite 309 Coral Springs FL 33067

25%

If a **TRUST or ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: n/a

NAME AND ADDRESS

Percentage of Interest

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: NA

NAME AND ADDRESS

Percent of Ownership

RECEIVED

If there is a CONTRACT FOR PURCHASE by a Corporation, Trust or Partnership, list purchasers below including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interest].

MAHARDE COUNTY
PROCESS NO: Z23-350
DATE: SEP 11 2023
BY: GONGOL

NAME OF PURCHASER: None

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

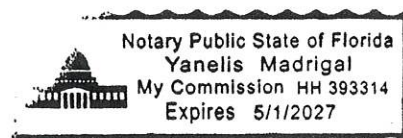
The above is a full disclosure of all parties of Interest in this application to the best of my knowledge and belief.

Signature: _____
(Applicant)

Sworn to and subscribed before me this 23 day of August 2023 - Affiant is personally known to me or has produced _____ as identification.

(Notary Public)

My commission expires 5/1/2027



*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

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MIAMI-DADE COUNTY
PROCESS NO.: Z23-350
DATE: SEP 11 2023
BY: GONGOL

(Space reserved for Clerk)

OWNERSHIP AFFIDAVIT FOR CORPORATION

STATE OF FLORIDA

Public Hearing No. _____

COUNTY OF MIAMI-DADE

Before me, the undersigned authority, personally appeared Refat Faris the Affiant(s), who being first duly sworn by me, on oath, deposes and says:

1. Affiant is the president, of the NE 6th AVE, INC, Corporation, with the following address: 7401 Wiles RD., Suite 309, Coral Springs, Fl. 33067
2. Corporation owns the property, which is the subject of the proposed hearing.
3. Subject property is legally described as: See Attachment "A"
4. Affiant is legally authorized to file this application for public hearing.
5. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

Signature

Print Name

Signature

Print Name

Signature

Refat Faaris

Print Name

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MIAMI-DADE COUNTY

PROCESS NO.: Z23-350

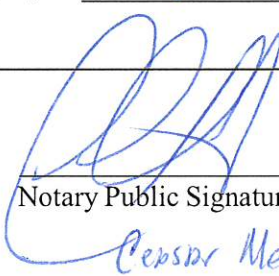
DATE: SEP 11 2023

BY: GONGOL

(Space reserved for Clerk)

Sworn to and subscribed before me on the 23 day of August 2023

Affiant is personally known to me or has produced _____ as
identification.

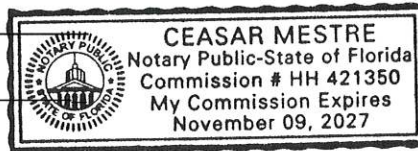


Notary Public Signature

Print Name

State of Florida

My Commission Expires: 11/9/2027



This instrument was prepared by:

Name: Ceasar Mestre, Esq..

Firm: Gastesi Lopez Mestre & Cobiella PLLC

Address: 8000 Governors Square

Suite 101

Miami Lakes, FL 33016

Folio No.: 30-2219-000-0730

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DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned NE 6th AVE, Inc. (hereinafter referred to as the "Owner") holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit A, attached hereto, and hereinafter called the "Property," which is supported by the Opinion of Title; and

WHEREAS, the Owner has applied for a district boundary change to re-designate the Property from "Low Density Residential" to "BU-1" and said application is identified as Application No. Z2023000350 (the "Application"); and

NOW, THEREFORE, in order to assure Miami-Dade County (the "County") that the representations made by the Owner during the consideration of the Application and the Amendment will be abided by the Owner freely, voluntarily, and without duress makes the following Declaration of Restrictions covering and running with the Property:

1. The Property shall be developed substantially in accordance with the conceptual plans submitted in connection with the application entitled "Proposed Retail Building," as prepared by AO Architecture, consisting of two (2) sheets, date-stamped received March 11, 2026. Said plans are on file with the County's Department of Regulatory and Economic Resources.
2. The Owner shall submit for review and approval by the Florida Department of Transportation (FDOT) any driveway connections within the FDOT right-of-way, as NE 6 Avenue is maintained by FDOT.
3. As NE 6th Avenue/SR 915 is part of the State of Florida Highway System, the Owner shall submit the proposed development for review and approval by FDOT for compliance with the Florida Administrative Code (FAC). Any improvements within the FDOT right-of-way (R/W) shall comply with current FDOT Design Standards and may require property dedication to meet applicable FDOT requirements. The Owner further commits to the following: No above-ground or below-ground encroachments shall be permitted within the FDOT R/W; access and driveway spacing shall comply with FAC 14-96, and a pre-application meeting with FDOT shall be required for driveway categories C, D, E, F, and G; additionally, pursuant to FAC 14-86.003, a

(Space reserved for Clerk)

drainage permit shall be required for all properties adjacent to a State Road, regardless of whether access or driveway connections are proposed. The Owner shall coordinate with the FDOT District 6 Permits Office regarding all applicable permits and approvals.

4. The Owner shall construct a sidewalk along the south side of NE 149th Street to provide pedestrian connectivity to the proposed development.
5. The Owner shall connect to the County's sanitary sewer system only upon confirmation that adequate transmission and treatment plant capacity exists at the time of the request, consistent with Policy WS-2A(2) of the CDMP. The Owner acknowledges that capacity evaluations for both average and peak flows will be required prior to connection. Further, the Owner understands and agrees that any connection to the County's sewage system shall remain subject to all applicable terms, covenants, conditions, court orders, judgments, consent orders, consent decrees, and regulatory requirements imposed upon Miami-Dade County by the United States, the State of Florida, the Florida Department of Environmental Protection, and/or any other governmental entity, including, but not limited to, the Consent Order entered on April 9, 2014, in United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as well as any current or future enforcement or regulatory actions.

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 during normal working hours of entering and inspecting the use of the premises 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 may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

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 the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

(Space reserved for Clerk)

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 the property, 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, whichever by law has jurisdiction over such matters, or the Director as provided by the Miami-Dade County Code of Ordinances. It is provided, however, in the event that the Property is annexed to an existing municipality or the Property is incorporated into a new municipality, any modification, amendment, or release shall not become effective until it is approved by such municipality and is thereafter approved by the Board of County Commissioners, in accordance with applicable procedures.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. 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 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 any further permits and refuse to make any inspections or grant any approvals, 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 (or successor municipality), and inspections made and approval of occupancy given by the County (or successor municipality), 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. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.

Recordation and Effective Date. 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 by the Board of County Commissioners. 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

(Space reserved for Clerk)

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 Department of Regulatory and Economic Resources or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her 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. The Owner acknowledges that 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 Board of County Commissioners retains its full power and authority to deny each such application in whole or in part and decline to accept any conveyance.

Owner. The term Owner shall include all heirs, assigns, and successors in interest.

[Execution Pages Follow]

(Space reserved for Clerk)

IN WITNESS WHEREOF, the undersigned has executed this Declaration of Restrictions as of this 10th day of June, 2026.

WITNESSES:

NE 6th Ave Inc,
a Florida Corporation



Signature

Laura Acevedo

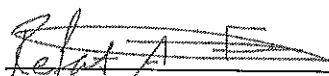
Printed Name



Signature

Thalia Lodeiro

Printed Name

By: 

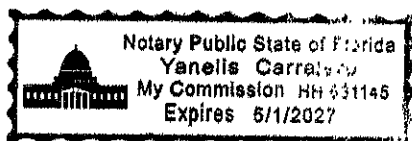
Refat Faris, President

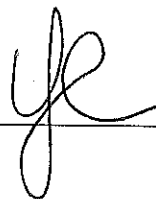
STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me by means of physical presence ☐ or online notarization ☒ by Refat Faris, as President of NE 6th Ave, Inc., on behalf of said corporation. He is ☒ personally known to me or _____ has produced _____, as identification.

Witness my signature and official seal this 10th day of June, 2026, in the County and State aforesaid.

(SEAL)





Yanellis Carralero

(Space reserved for Clerk)

EXHIBIT A
Legal Description

A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 42 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER (SE 1/4); THENCE SOUTH $87^{\circ}40'36''$ WEST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER (SE 1/4) 35.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH $02^{\circ}59'11''$ EAST ALONG A LINE LYING 35 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 19 FOR 130.79 FEET; THENCE SOUTH $87^{\circ}27'18''$ WEST 239.00 FEET; THENCE NORTH $02^{\circ}59'11''$ WEST 131.71 FEET; THENCE NORTH $87^{\circ}40'36''$ EAST ALONG THE AFOREMENTIONED NORTH LINE 239.01 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND BEING IN MIAMI DADE COUNTY, FLORIDA AND CONTAINING 31,367 SQUARE FEET (0.72 ACRES), MORE OR LESS

(Space reserved for Clerk)

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OPINION OF TITLE

To: Miami-Dade County

With the understanding that this Opinion of Title is furnished to Miami-Dade County, as inducement for acceptance of zoning action in compliance with Chapter 28, pursuant to Public Hearing No. Z2023000350, it is hereby certified that I have examined Title search report from Attorneys Title Fund Services Inc Number 1687593 covering the period from the beginning to the 14th day of May, 2026, at the hour of 11:00pm inclusive, of the property described on **Exhibit A** hereto. I know of no reason that this Title Search Report is inaccurate or incomplete.

I am of the opinion that on the last-mentioned date, the fee simple title to the above-described real property was vested in:

Note: For Limited Partnership, Limited Liability Company or Joint Venture indicate parties comprising the Limited Partnership, Limited Liability Company or Joint Venture and identify who is authorized to execute.

Subject to the following encumbrances, liens and other exceptions (If "none" please indicate):

1. **RECORDED MORTGAGES: None**
2. **RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:**
Tax deed Application No. 210191 Sold for 2018 and 2020
3. **GENERAL EXCEPTIONS:**
General or Special Taxes and Assessments for the year 2024 are paid.
4. **SPECIAL EXCEPTIONS:**
Agreed Order relating to water service recorded in O.R. Book 12740, Page 3058, O.R. Book 13177, Page 1683, Public Records of Miami-Dade County, Florida.

Agreed Order relating to sewage service recorded in O.R. Book 12740, Page 3060, O.R. Book 13177, Page 1681, Public Records of Miami-Dade County, Florida.

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrances and exceptions and that none of them hinder or affect the recording or enforcement of the covenant.

Therefore, it is my opinion that the following party(ies) must join in the agreement in order to make the declaration of restriction covenant a valid and binding covenant on the lands described herein.

Name

Refat Faris

Interest

President & Owner
Of NE 6th Ave Inc

Special Exception Number

Owner

I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable agreement.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

Respectfully submitted this 10 day of May, 2026.

Cesar Mestre

Florida Bar No. 814687

8000 Governors Square Blvd, Suite 101
Miami Lakes, FL 33016

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE**

The foregoing instrument was acknowledged before me by means of physical presence [] or online notarization [] me this 10 day of May, 2026, by Cesar Mestre, who is personally known to me or has produced _____, as identification.

Y
Notary Public

Yanelis Carralero
Print Name

My Commission Expires: 5-1-2027

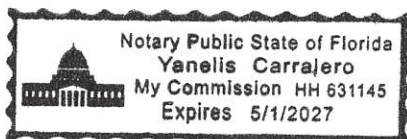


Exhibit "A"

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Cesar Mestre

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8000 Governors Square Blvd, Suite 101
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**STATE OF FLORIDA
COUNTY OF MIAMI-DADE**

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Notary Public

Yanelis Carralero
Print Name

My Commission Expires: 5-1-2027

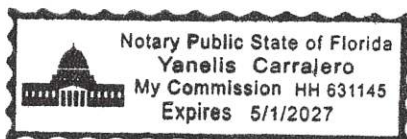


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