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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: July 21, 2020

Agenda Item No. 5(R)

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

Resolution No. R-720-20

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

Subject: Resolution Approving the Waiver of Plat of Cutler Bay 36, LLC, Filed by Cutler Bay 36, LLC, a Florida limited liability company

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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 Cutler Bay 36, LLC is bounded on the north approximately 440 feet South of SW 220 Street, on the east approximately 90 feet west of SW 113 Place, on the south by SW 222 Street, and on the west by SW 114 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 9, which is represented by Commissioner Dennis C. Moss.

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 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

Cutler Bay 36, LLC (D-24310)

- Located in Section 18, Township 56 South, Range 40 East.
- Zoning: RU-1.
- Proposed usage: Two single family residences.
- Number of parcels: Two.
- This waiver of plat meets concurrency.

Developer's Obligation

None.

CUTLER BAY 36, LLC

D-24310

Sec. 18 Twp. 56 South Rge. 40 East

EXHIBIT A

N

MEMORANDUM

(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson and Members, Board of County Commissioners

DATE: July 21, 2020

FROM: Abigail Price-Williams County Attorney

SUBJECT: Agenda Item No. 5(R)

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(R)
7-21-20

RESOLUTION NO. R-720-20

RESOLUTION APPROVING THE WAIVER OF PLAT OF CUTLER BAY 36, LLC, D-24310, LOCATED IN THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 56 SOUTH, RANGE 40 EAST (BOUNDED ON THE NORTH APPROXIMATELY 440 FEET SOUTH OF SW 220 STREET, ON THE EAST APPROXIMATELY 90 FEET WEST OF SW 113 PLACE, ON THE SOUTH BY SW 222 STREET, AND ON THE WEST BY SW 114 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, Cutler Bay 36, 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 land lying and being in the Northwest 1/4 of Section 18, Township 56 South, Range 40 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 **Dennis C. Moss** , who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman	**aye**		
Rebeca Sosa, Vice Chairwoman	**aye**		
Esteban L. Bovo, Jr.	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Sally A. Heyman	**aye**
Eileen Higgins	**aye**	Barbara J. Jordan	**aye**
Joe A. Martinez	**aye**	Jean Monestime	**aye**
Dennis C. Moss	**aye**	Sen. Javier D. Souto	**aye**
Xavier L. Suarez	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of July, 2020. This resolution shall become effective upon the earlier of (1) ten (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

Melissa Adames
By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Lauren E. Morse