

Memorandum



Date: September 1, 2021

Agenda Item No. 5(CC)

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

From: Lourdes M. Gomez, Director  Resolution No. R-802-21
Department of Regulatory and Economic Resources

Subject: Resolution Approving the Waiver of Plat of Gerardo Tapanes and Lazara Yarilys Tapanes Filed by Gerardo Tapanes and Lazara Yarilys Tapanes

Recommendation

The following waiver of plat is submitted for consideration by the Board of County Commissioners (Board) for approval. This waiver of plat for Gerardo Tapanes and Lazara Yarilys Tapanes is bounded on the north by the Little River Canal, on the east approximately 430 feet west of NW 19 Avenue, on the south by NW 105 Street, and on the west approximately 90 feet east of NW 21 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 2, which is represented by Commissioner Jean Monestime.

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

Gerardo Tapanes and Lazara Yarilys Tapanes (D-24468)

- Located in Section 34, Township 52 South, Range 41 East.
- Zoning: RU-1.
- Proposed usage: One single family residence.
- Number of parcels: One.
- This waiver of plat meets concurrency.
- Available public water lines abut the proposed subdivision. Public sanitary sewers are not within feasible distance to the subdivision. Each Parcel will be served by a septic tank and drainfield.

Developer’s Obligation

None.



MEMORANDUM

(Revised)

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

DATE: September 1, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(CC)

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(CC)
9-1-21

RESOLUTION NO. R-802-21

RESOLUTION APPROVING THE WAIVER OF PLAT OF GERARDO TAPANES AND LAZARA YARILYS TAPANES, D-24468, FILED BY GERARDO TAPANES AND LAZARA YARILYS TAPANES, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 52 SOUTH, RANGE 41 EAST (BOUNDED ON THE NORTH BY THE LITTLE RIVER CANAL, ON THE EAST APPROXIMATELY 430 FEET WEST OF NW 19 AVENUE, ON THE SOUTH BY NW 105 STREET, AND ON THE WEST APPROXIMATELY 90 FEET EAST OF NW 21 AVENUE)

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

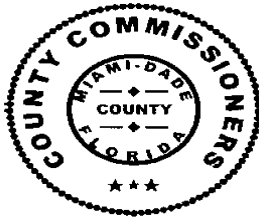
WHEREAS, Gerardo Tapanes and Lazara Yarilys Tapanes, his wife, have this day presented to this Board a waiver of plat of certain lands lying in Miami-Dade County, Florida, said waiver of plat of the property legally described as portions of Lots 1 and 2, Block 4, of “River Gulfair,” according to the plat thereof, as recorded in Plat Book 40, at Page 75, of the Public Records of Miami-Dade County, Florida, lying and being in the Southeast 1/4 of section 34, Township 52 South, Range 41 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 **Joe A. Martinez** , 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:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 1st day of September, 2021. 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: **Melissa Adames**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "LEM", is written over a horizontal line.

Lauren E. Morse