

MEMORANDUM

Substitute
Agenda Item No. 5(B)

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

DATE: February 15, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution granting petition to close the cul-de-sac at the south end of SW 94 Avenue beginning 237 feet south of the centerline of SW 121 Terrace (Road Closing Petition No. P-963) filed by Leon Holdings, Inc. subject to certain conditions; and waiving the signature requirements of Resolution No. 7606 as to adjacent property owners

Resolution No. R-156-22

This substitute differs from the original item as stated in the Mayor's memorandum.

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Commissioner Danielle Cohen Higgins.



Geri Bonzon-Keenan
County Attorney

GBK/smm

Memorandum



Date: February 15, 2022

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

From: Daniella Levine Cava
Mayor 

Subject: Road Closing Petition P-963
Section: 16-55-40
Cul-De-Sac at South End of SW 94 Avenue Beginning 237 feet South of the centerline
of SW 121 Terrace
Commission District: 8

This substitute differs from the original item in that the language of the title is changed from “notice” requirement to “signature” requirement to conform to Resolution No. R-7606 and moves conditional language from Section 2 to Section 4 of the resolution.

Recommendation

It is recommended that the Board of County Commissioners (Board) grant Road Closing Petition P-963, attached to this Memorandum as Exhibit 2, following a public hearing, and contingent on the recording of the plat of “OAKRIDGE TWENTY TWENTY”, tentative plat T-24520. In the event the plat is not approved this resolution becomes null and void. The Miami-Dade County Departments of Regulatory and Economic Resources, Transportation and Public Works (DTPW), Water and Sewer, and Fire Rescue have no objection to this road being closed. A location map is attached as Exhibit 1. The road being closed is improved and consists of a cul-de-sac paved with asphalt.

Scope

This Road Closing Petition is located within District 8, which is represented by Commissioner Danielle Cohen Higgins.

Fiscal Impact/Funding Source

The Property Appraiser’s Office has assessed the properties adjacent to this road at an average rate of \$13.65 per square foot. Therefore, the estimated value of this road would be approximately \$129,702.00. If this right-of-way is closed and vacated, the lands will be placed on the tax roll, generating an estimated \$2,290.00 per year in additional property taxes. The fee for this Road Closing is \$14,930.20.

Track Record/Monitor

DTPW is the entity overseeing this project and the person responsible for monitoring is Ms. Maria D. Molina, P.E., Chief, Right-of-Way Division.

Delegated Authority

There is no delegation of authority associated with this item.

Background

The owner of the properties that abut the subject road wishes to close the cul-de-sac at the south end of SW 94 Avenue beginning 237 feet south of the centerline of SW 121 Terrace in order to incorporate the land into the proposed plat of “OAKRIDGE TWENTY TWENTY”, tentative plat T-24520. The road being closed is in use and has been maintained by Miami-Dade County.

Honorable Chairman Jose "Pepe" Díaz
and Members, Board of County Commissioners
Page 2

The subject road was dedicated to the County by the plat of "OAK RIDGE FALLS THIRD ADDITION", recorded in Official Records Book 164, Page 55, of the Public Records of Miami-Dade County, Florida. The subject road is zoned EU-M (Estates Modified).

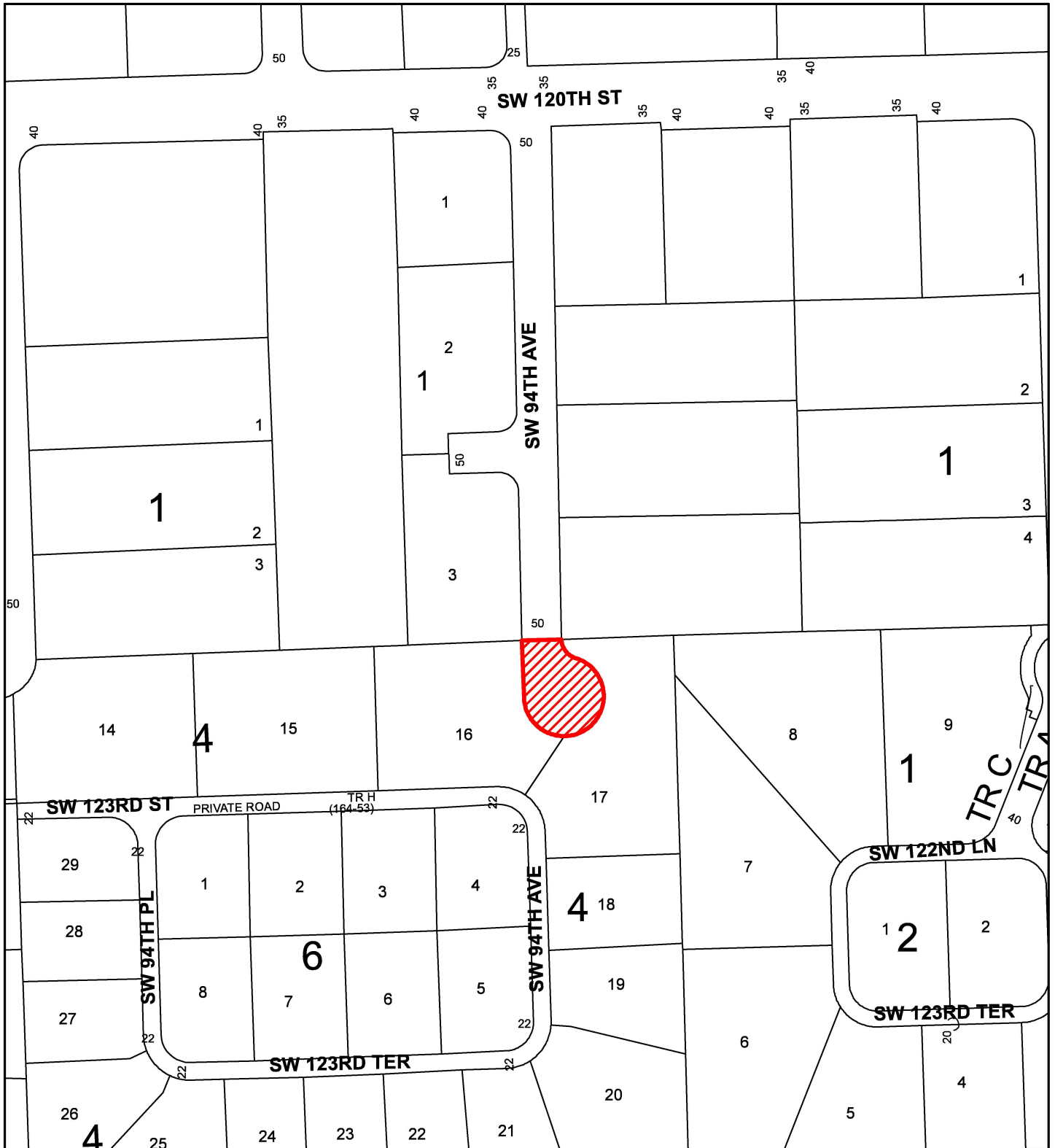


Jimmy Morales
Chief Operations Officer

Location Map

SECTION 16 TOWNSHIP 55 S RANGE 40 E

EXHIBIT "1"



This is not a survey

Municipality: UNINCORPORATED MIAMI-DADE
Commission District: Danielle Cohen Higgins 8

Legend



P963- ROAD CLOSING

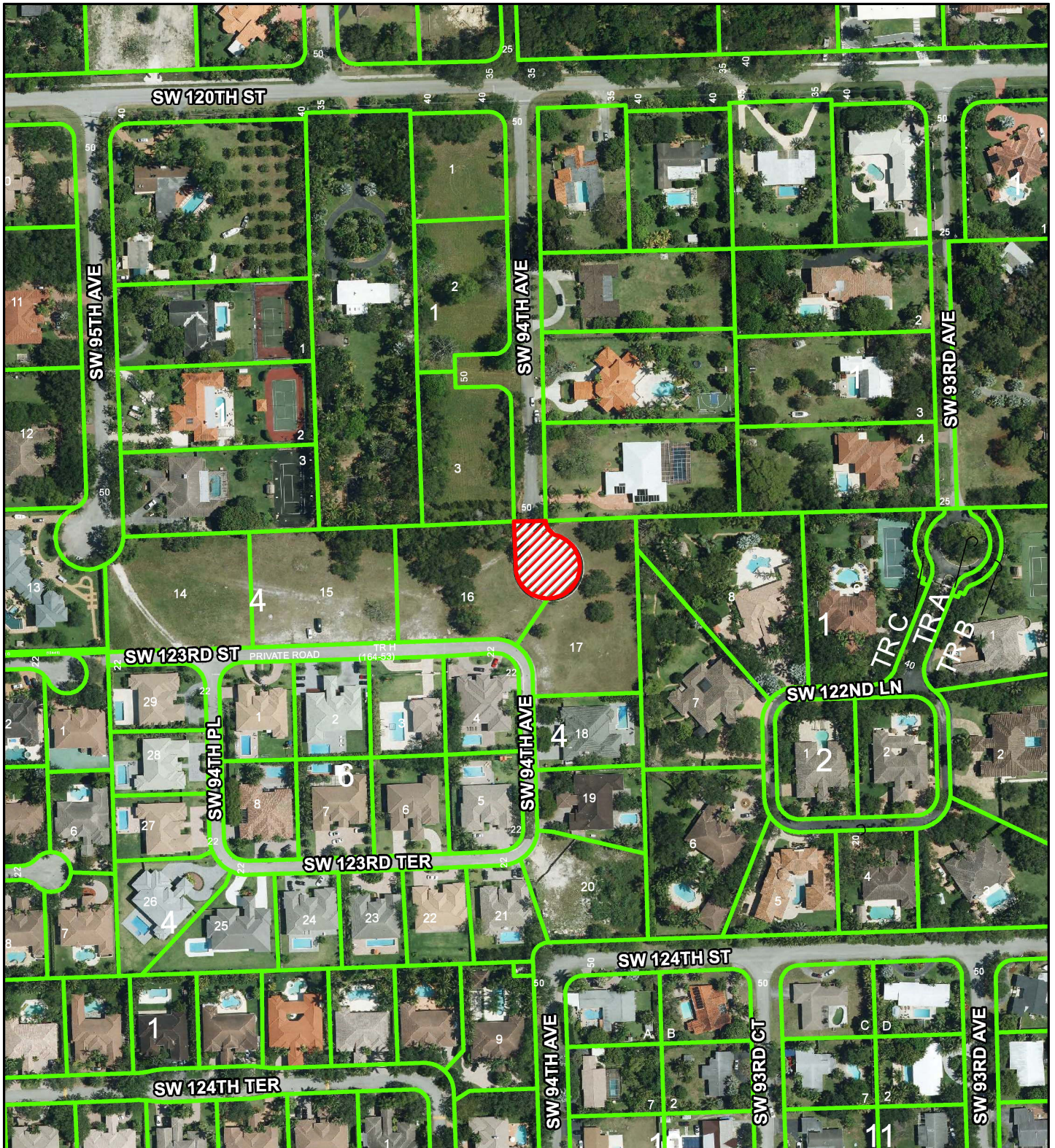
MIAMI-DADE COUNTY
Department of Transportation & Public Works
Roadway Engineering and Right-of-Way Division
111 NW 1st STREET, SUITE 1610, MIAMI FLORIDA 33128
PH (305) 375-2714 FAX (305) 375-2825

Date: Rev. July 1, 2021
Prepared by : ym

Location Map

SECTION 16 TOWNSHIP 55 S RANGE 40 E

EXHIBIT "1"



This is not a survey

Municipality: UNINCORPORATED MIAMI-DADE
Commission District: Danielle Cohen Higgins 8

Legend



P963- ROAD CLOSING

MIAMI-DADE COUNTY
Department of Transportation & Public Works
Roadway Engineering and Right-of-Way Division
111 NW 1st STREET, SUITE 1610, MIAMI FLORIDA 33128
PH (305) 375-2714 FAX (305) 375-2825

Date: Rev. July 01, 2021
Prepared by: vm

EXHIBIT 2

PETITION TO CLOSE ROAD

TO: Board of County Commissioners
Miami-Dade County, Florida

The undersigned, pursuant to Sections 336.09 – 336.12 Florida Statutes, hereby petitions the Board of County Commissioners to vacate, abandon, discontinue and close an existing public or private street, alleyway, road, highway, or other place used for travel, or a portion thereof, and to renounce and disclaim any right of the County and the public in and to any land in connection therewith; or to renounce and disclaim any right of County and the public in and to certain land, or interest therein, acquired by purchase, gift, devise, dedication or prescription for street, alleyway, road or highway purposes; or to renounce and disclaim any right of the County and the public in and to certain land delineated on recorded map or plat as a street, alleyway, road or highway.

The undersigned hereby certify:

1. LEGAL DESCRIPTION: The complete and accurate legal description of the road, right-of-way or land sought to be closed is as follows:

A portion of S.W. 94th Avenue to be vacated lying South of S.W. 121st Street and being a portion of OAK RIDGE FALLS THIRD ADDITION, according to the Plat thereof, as recorded in Plat Book 164 at Page 55 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows: Commence at the Northeast corner of Lot 17 in Block 4 of said OAK RIDGE FALLS THIRD ADDITION; thence South 88°09'12" West, along the North line of said Lot 17 for 166.82 feet to the Northwest corner of said Lot 17, said corner lying and being on the East Right-of-way line of said S.W. 94th Avenue and the Point of Beginning of the hereafter described Right-of-way vacation; thence continue South 88°09'12" West for 50.00 feet to a point on the West Right-of-way line of said S.W. 94th Avenue, also being the Northeast corner of Lot 16 in said Block 4; The following three courses being along the Right-of-way line of said S.W. 94th Avenue; 1) thence South 01°54'27" East along the East line of said Lot 16 for 70.76 feet to a point of curvature; 2) thence Southeasterly, Northeasterly and Northwesterly along a 50.00 feet radius curve, leading to the left, through a central angle of 250.31.44 for an arc distance of 218.63 feet to a point of reserve curvature; 3) thence Northwesterly along 25.00 feet radius curve, leading to the right, through a central angle of 70.31.44 for an arc distance of 30.77 feet to the Point of Beginning.

2. PUBLIC INTEREST IN ROAD: The title or interest of the county and the Public in and to the above described road, right-of-way or land was acquired and is evidenced in the following manner (state whether public interest acquired by deed, dedication or prescription and set forth where deed or plat is recorded in public records):

Plat of "OAK RIDGE FALLS THIRD ADDITION", recorded in Plat Book 164, at Page 55, Public Records of Miami-Dade County, Florida.

3. ATTACH SURVEY SKETCH: Attached hereto is a survey or location sketch accurately showing and describing the above described road, right-of-way or land and its location and relation to surrounding property, and showing all encroachments and utility easements.

See Exhibit "A"

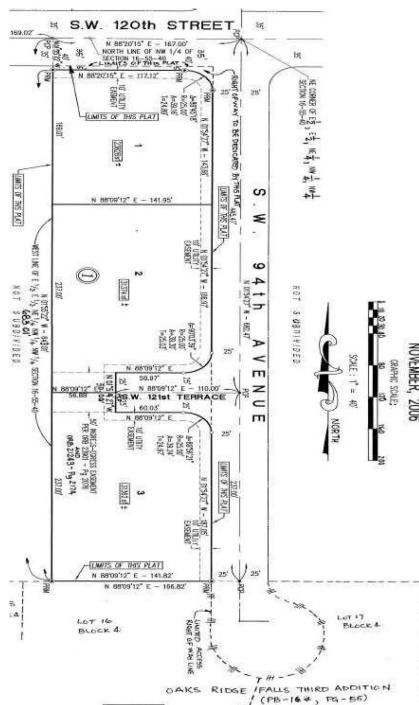
4. ABUTTING PROPERTY OWNERS: the following constitutes a complete and accurate schedule of all owners of property abutting upon or adjacent to the above described road, right-of-way. These firms or individuals have been advised in writing of the proposed closure.

PRINT NAME	FOLIO NO.	ADDRESS
<u>Leon Holdings, Inc.</u>	<u>30-5016-070-0040</u>	<u>12301 SW 94 Avenue</u> <u>Miami, Florida 33176</u>
<u>Leon Holdings, Inc.</u>	<u>30-5016-070-0030</u>	<u>9401 SW 123 Street</u> <u>Miami, Florida 33176</u>
	<i>Mailing Address:</i>	<u>8600 NW 41 Street</u> <u>Doral, Florida 33166</u>
<u>Alexander and Minerva</u> <u>Aguirre</u>	<u>30-5016-072-0030</u>	<u>Lot 3, Block 1, LILLY AND</u> <u>CLAIRE ESTATES, according</u> <u>to the plat thereof, as</u> <u>recorded in Plat Book 167,</u> <u>at Page 75, of the Public Records of</u> <u>Miami-Dade County, Florida.</u>
	<i>Mailing Address:</i>	<u>10623 SW 77 Court</u> <u>Pinecrest, Florida 33156</u>
<u>David I. Safer</u>	<u>30-5016-000-0331</u>	<u>12195 SW 94 Avenue</u> <u>Miami, FL 33176</u>

5. ACCESS TO OTHER PROPERTY: The undersigned certify that in event this petition is granted no other property owners will be prevented from access to and from their property and no other property owners in the vicinity will be adversely affected.

6. GROUNDS FOR REQUESTING PETITION AND PROPOSED USE FOR THE LAND BY THIS REQUEST: The undersigned submits as a grounds and reasons in support of this petition the following (state in detail, why petition should be granted):

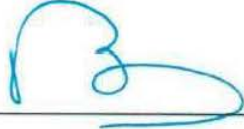
The cul-de-sac located at the end of this portion of SW 94 Avenue, which is the subject of this Petition, is redundant, underutilized, and negatively affects the properties located at 9401 SW 123 Street and 12301 SW 94 Avenue (the "Properties"), which are part of the Oak Ridge residential subdivision. As such, the Properties, on which the cul-de-sac is located, do not receive a benefit from, or have the ability to utilize, this portion of right-of-way which significantly impacts the Properties and their respective lot configurations. This cul-de-sac exclusively serves four (4) single-family residences located along this portion SW 94 Avenue. The surrounding lots in the vicinity are vacant and unimproved. Moreover, in 2008, a three-point turnaround (59.97 feet X 50 feet) was provided at theoretical SW 121 Terrace, pursuant to the Plat of "Lilly and Claire Estates", recorded in Plat Book 167, Page 75 of the Public Records of Miami-Dade County, Florida. See Exhibit "B".



Thus, proper vehicle turnaround (including for Miami-Dade County Fire Rescue) was intended, and can be realized, at this SW 121 Terrace location, which does not detrimentally impact any property owners. Moreover, and pursuant to T-Plat No. 24520 (Oakridge Twenty Twenty) approved on April 16, 2021, a second T-turnaround (114' x 26') will be dedicated from a portion of the area to be vacated, in full compliance with the requirements of the Miami-Dade County Fire Rescue Department. See Composite Exhibit "C". Closure of the subject cul-de-sac will cure an existing redundancy, and excessive condition that will be better addressed by, and available on, the proposed turnaround condition at theoretical SW 121 Terrace, and the proposed T-turnaround to be dedicated from a portion of the subject area, pursuant to T-Plat No. 24520. In turn, and as a result of the Petition, the private property land valuation assessments will yield an increase in contributions to the tax base.

7. Signatures of all abutting property owners:

SIGNATURE



Print Name: Benjamin Leon, III

Title: President

Leon Holdings, Inc.



Print Name: Benjamin Leon, III

Title: President

Leon Holdings, Inc.

Respectfully submitted,

ADDRESS

Folio No. 30-5016-070-0040

12301 SW 94 Avenue
Miami, Florida 33176

Folio No. 30-5016-070-0030

9401 SW 123 Street
Miami, Florida 33176

Provided Notice by Certified Mail
Alexander Aguirre & Minerva Aguirre

Folio No. 30-5016-072-0030

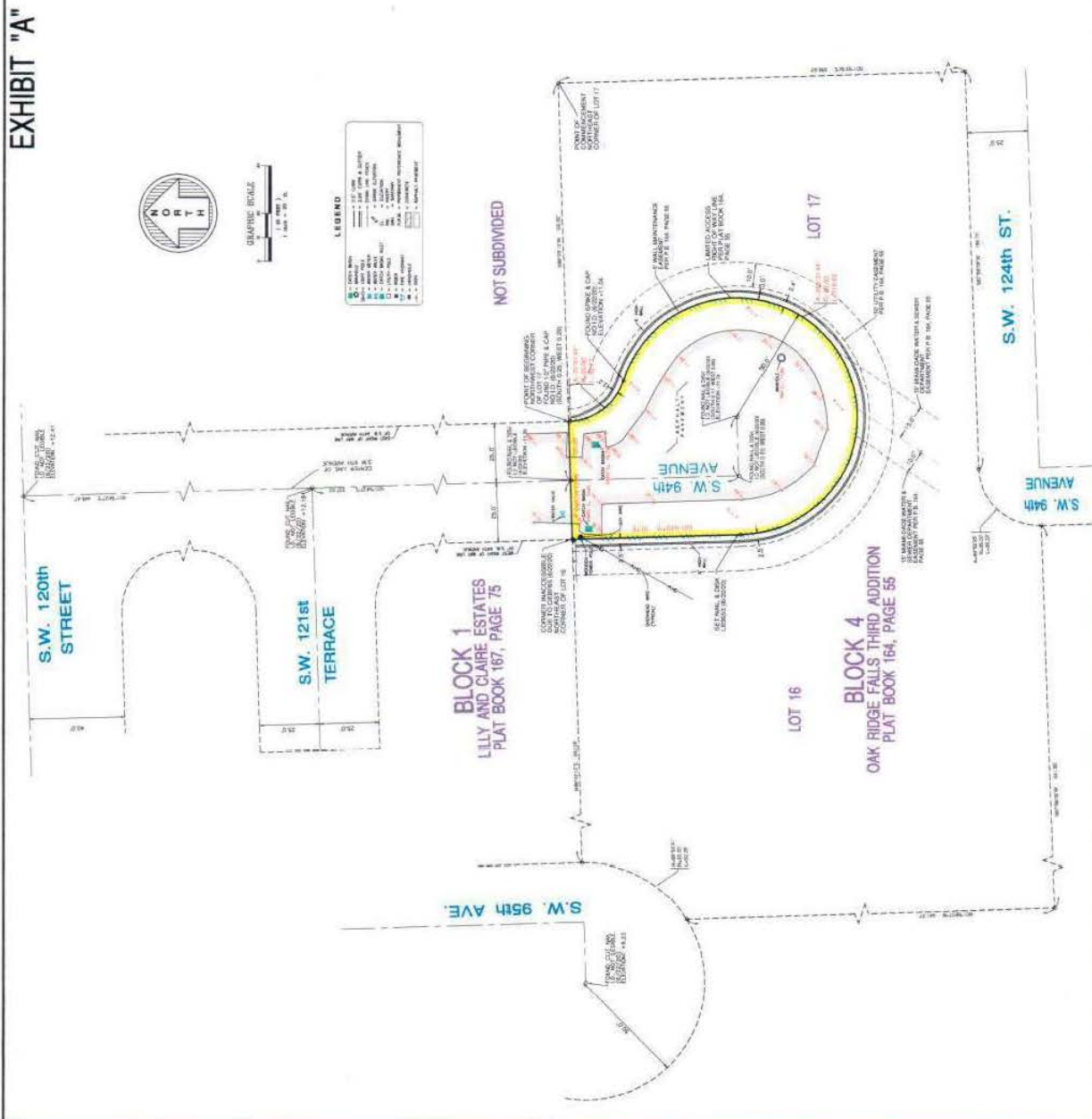
Lot 3, Block 1, LILLY AND
CLAIRE ESTATES, according
to the plat thereof, as recorded
in Plat Book 167, at Page 75, of the
Public Records of Miami-Dade
County, Florida.

Provided Notice by Certified Mail
David I. Safer

Folio No. 30-5016-000-0331

12195 SW 94 Avenue
Miami, Florida 33176

EXHIBIT "A"



**MIAMI DADE COUNTY PLAT COMMITTEE
NOTICE OF ACTION**



Plat No: T - 24520 - 2 - CORR.

STR1: 16 55 40

Municipality: UNINCORPORATED MIAMI-DADE

Zoning: District: 8

Name: OAKRIDGE TWENTY TWENTY

Location by Streets: SW 123 ST & SW 94 AVE

Owner: LEON HOLDINGS INC.,
8600 NW 41ST STREET
DORAL, FLORIDA 33166

Phone: (305) 631-5933

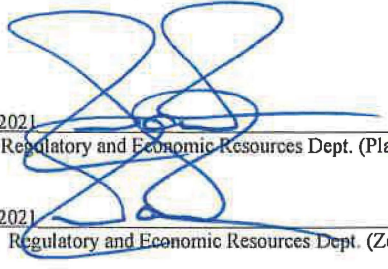
Surveyor: FORTIN, LEAVY, SKILES INC.
180 NE 168 ST.

NO. MIAMI BEACH, FL 33162 Phone: 3056534493

This is to advise you that on Friday, April 16, 2021 the Dade County Plat Committee reviewed the above plat and that the same was:

- ☒ Recommended for approval subject to conditions indicated on attached action copy.
- ☐ Approved as an extension of time, subject to previous requirements and:
- ☐ Deferred for reasons indicated below:
- ☐ Denied for the reasons indicated below:

OAKRIDGE TWENTY TWENTY

TENTATIVE PLAT NO. 24520-2-COR.		
Sec. 16	Twp. 55	Rge. 40
Municipality: MIAMI-DADE		
Zoned: EU-M		
		
RECOMMENDS		
APPROVAL	4/16/2021	Date. Regulatory and Economic Resources Dept. (Platting)
RECOMMENDS		
APPROVAL	4/16/2021	Date. Regulatory and Economic Resources Dept. (Zoning)

- ☒ Recommends approval subject to the requirements checked below:
- ☒ The Tentative Plat recommended approval is valid for 9 months from the date indicated above, but will not exceed concurrency expiration date. Tentative recommended approval does not necessarily guarantee final plat approval.
- ☒ Traffic concurrency capacity reservation is valid until April 15, 2022 if tentative plat is kept active.
- ☒ Tentative Plat valid until January 16, 2022 **Note: The Plat Committee must officially review the Extension of Time request prior to the expiration of the Tentative Plat. Application request must be submitted at least ten (10) days prior to said Plat Committee meeting.**
- ☒ No road, sidewalks or drainage facilities within unincorporated Miami Dade County or on County maintained rights-of-ways are to be constructed or installed without prior knowledge, approval and complete progressive inspection by the Department of Transportation and Public Works. Construction or installation of these facilities does not guarantee acceptance by the County unless final plat is approved and recorded. **FYI**
- ☒ Final approval and recording subject to the Department of Regulatory and Economic Resources (Environmental Resources Management) and the Florida Department of Health approval on sewage disposal facilities and water supply. **EOR/DET**
- ☒ Site to be filled to County Flood Criteria Elevation of 8.0 N.G.V.D. or to an elevation not less than the approved crown of the road fronting the property. Cutting of existing grade is not permitted below the established base flood elevation of the F.I.R.M. for Miami Dade County Florida Community # 125098. **FYI**
- ☒ Property owner/ Developer must provide the needed improvements within the right-of-way. **FYI**
- ☒ For the removal of any tree a permit is required. **FYI**
- ☒ Road closing petition to vacate a public road must be approved by the Board of County Commissioners prior to final plat review. **H&K/DET**
- ☒ Paving and Drainage Plan required. Contact Mohammed Mansuri at (305)375-2707. **EOR**
- ☒ Bond Estimate for required improvements. Items and amounts to be determined by the approved tentative plat and the approved paving and drainage plan. **EOR**
- ☒ Performance Bond and Agreement for required improvements is required. (Cash or Letter of Credit). **LPM/DET**

- ☒ Letters from utility companies accepting vacation of existing easement(s) are required prior to final plat review. **DET**
- ☒ An express purpose note regarding the vacation of the existing Limited Access Right-of-Way line is required on Final Plat. **FLS/DET**
- ☒ All non-conforming structures must be removed prior to Final Plat review. An updated survey from Surveyor of record showing that said improvement(s) has been removed is required. Department of Regulatory and Economic Resources (Zoning) approval required. **FLS**
- ☒ Any existing structures, including fences in existing/proposed public right-of-way must be removed prior to Final Plat review. An updated survey or a signed, sealed letter from Surveyor of record stating that said improvement(s) has been removed is required. **LPM/FLS**
- ☒ Decorative wall plan required. Rear lot lines of all double frontage lots are to be shown as a limited access line on the final plat. **H&K/DET**
- ☒ Applicant must contact the United States Postal Service (USPS) for mailbox requirements. Refer to our website for more information. Contact Nikki Rudershausen at (305) 470-0553 or Elsa.M.Rudershausen@usps.gov for details. **DET**
- ☒ Compliance with the Department of Regulatory and Economic Resources (Environmental Resources Management). Contact Ingrid Guerrero at (305) 372-6507 or Ingrid.Guerrero@miamidade.gov for environmental concerns and requirements. **EOR/DET**
- ☒ School Board approval required prior to final plat review. **DET**
- ☒ MDWASD approval required prior to final plat review. **EOR/DET**
- ☒ Compliance with the Miami Dade Water and Sewer Department (MDWASD). Contact Maria Capote at (786) 268-5329 or Maria.Capote@miamidade.gov for water and sewer concerns and requirements. **EOR/DET**
- ☒ Final Mylar(s) plus five (5) prints. **FLS**
- ☒ Opinion of Title (Valid for 30 days, unincorporated; 45 days municipality). An update is usually required before the County Commissioners meeting and/or recordation. **Title Atty.**
- ☒ Paid Tax receipts (and escrow, if applicable). **DET**
- ☒ Processing fee for Final Plat. **LPM**
- ☒ Recording fee for Final Plat. **LPM**
- ☒ Processing fee for Permanent Reference Monument Verification. **LPM**
- ☒ Water Control Division approval after final plat submittal. (DRER) **EOR/DET**
- ☒ Approval regarding method of water supply. **EOR/DET**
- ☒ Approval regarding method of sewage disposal. **EOR/DET**
- ☒ Letter from F.P.&L. Company (TP-7 letter) regarding underground electric service (ORD. 68-69). **DET**
- ☒ State Plane Coordinate Data Sheet. **FLS**
- ☒ AFTER SUBMITTAL OF FINAL PLAT, CHECK THE PUNCH LIST AT THE FOLLOWING WEBSITE FOR ADDITIONAL SCHEDULING AND/OR RECORDATION REQUIREMENTS. <http://www8.miamidade.gov/apps/rer/platstatus/>

IMPORTANT NOTICE TO APPLICANT:

THIS APPLICATION CONSISTS OF TWO (2) PAGES. BOTH PAGES MUST BE COMPLETED AND SUBMITTED IN ORDER TO PROCESS

Submittal deadline for this application and all associated documentation is Monday, 9:00AM. The fee amount will be calculated once this application is received and processed. In order for this item to be placed on the next available Plat Committee Agenda, the full correct fee must be paid no later than the following day, Tuesday, noon time. Failure to submit this form and fees by the aforementioned deadlines will result in this item not being placed on the next available Plat Committee agenda.

FOR OFFICIAL USE ONLY:

Agenda Date: _____

Tentative No.: T- _____

Received Date: _____

Number of Sites : (2)

APPLICATION FOR PLAT OF SUBDIVISION DEVELOPMENT

Municipality: UNINCORPORATED MIAMI-DADE COUNTY Sec.: 16 Twp.: 55 S. Rge.: 40 E. / Sec.: _____ Twp.: _____ S. Rge.: _____ E.

1. Name of Proposed Subdivision: Oakridge Twenty Twenty

2. Owner's Name: Leon Holdings Inc.

Phone: 305-631-5933

Address: 8600 NW 41st Street City: Doral State: FL Zip Code: 33166

Owner's Email Address: MShealy@leonpm.com

3. Surveyor's Name: Fortin, Leavy, Skiles, Inc.

Phone: 305-653-4493

Address: 180 NE 168th Street City: North Miami Beach State: FL Zip Code: 33162

Surveyor's Email Address: damian@DetStrategicConsultants.com

4. Folio No(s): 30-5016-070-0030 / 30-5016-070-0040 / _____ / _____

5. Legal Description of Parent Tract: See attached Exhibit "A"

6. Street boundaries: SW 123rd St. & SW 94th Ave.

7. Present Zoning: EU-M Zoning Hearing No.: _____

8. Proposed use of Property:

Single Family Res.(2 Units), Duplex(_____ Units), Apartments(_____ Units), Industrial/Warehouse(_____ Square .Ft.),

Business(_____ Sq. Ft.), Office(_____ Sq. Ft.), Restaurant(_____ Sq. Ft. & No. Seats _____), Other (_____ Sq. Ft. & No. of Units _____)

9. Does the property contain contamination? YES: ☐ NO: ☒

NOTE: Attach list of all plat restrictions zoning conditions or any other declarations, restrictions, covenants that might affect this Tentative Plat.

Any soil groundwater or surface water contaminants exceeding standards or criteria outlined in local, state, and/or federal law, shall be disclosed. Furthermore, any portion of the of the property to be conveyed (including right-of-way) must be identified, and the receiving entity must be made aware of the contamination and accept the conveyance. Documentation of acceptance from each entity shall be provided with the plat application.

Be advised that Miami-Dade County will not accept the conveyance of contaminated property for right-of-way: right-of-way areas must be fully restored to applicable local, state, and/or federal standards or criteria.

Please note nothing stated herein may be interpreted to limit or restrict an engineer's or other professional's responsibility to prepare plans accurately and completely for proposed right-of-way as well as any other projects or plans. For proposed dedications of non-right-of-way properties, any soil, groundwater or surface water contaminants must be disclosed to the County Department at the earliest stage possible. The presence of any such contamination or delay in disclosure of such contamination could result in the County declining the acceptance of the proposed dedication, the need for the developer to reconfigure or change previously approved site plans, or conduct changes to the proposed development may be required. The applicant may contact the DERM Environmental Monitoring and Restoration Division at 305-372-6700 for additional information.

THIS APPLICATION CONSISTS OF TWO (2) PAGES. BOTH PAGES MUST BE COMPLETED AND SUBMITTED IN ORDER TO PROCESS

I HEREBY CERTIFY that I am the owner of the parcel(s) described in Item 5 and that the information contained in this application is true and correct to the best of my knowledge and belief. If applicable, attached is a list of all the restrictions/ restrictive covenants and declarations in favor of Miami-Dade County. Attached is a copy of the recorded deed showing my acquisition of this land. In addition, I agree to furnish additional items as may be necessary such as abstract or Opinion of Title to determine accurate ownership information. Furthermore, I am aware that the use of a public water supply and/or public sewer system may be required for this development. If so required, I recognize that engineering drawings for the extension of these utilities must be approved by the appropriate utility entity and by D.R.E.R. prior to the approval of the final plat.

Pursuant to Florida Statutes 837.06, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his duty shall be guilty of a misdemeanor of the second degree, punishable as provided in FS. 775.082 or FS. 775.083.

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

SS:

Signature of Owner: [Signature]

(Print name & Title here): Albert Maury - Vice President

BEFORE ME, personally appeared ALBERT MAURY this 14TH day of JANUARY, 2021 A.D. and (he/she) acknowledged to and before me that (he/she) executed the same for the purposed therein. Personally known ☒ or produce as identification and who did (not) take an oath.

WITNESS my hand and seal in the County and State last aforesaid this 14TH day of JANUARY, 2021 A.D.



Signature of Notary Public: [Signature]

(Print, Type name here: ISABEL PEREZ)

(NOTARY SEAL)

MARCH 24, 2025
(Commission Expires)

(Commission Number)

Note: The reverse side of this sheet may be used for a statement of additional items you may wish considered.

EXHIBIT "A"

LOT 16, BLOCK 4, OAK RIDGE FALLS THIRD ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 164, AT PAGE 55, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND

LOT 17, IN BLOCK 4 OF OAK RIDGE FALLS THIRD ADDITION, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 164, AT PAGE 55 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



MEMORANDUM

(Revised)

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

DATE: February 15, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Substitute
Agenda Item No. 5(B)

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 _____

Substitute
Agenda Item No. 5(B)
2-15-22

RESOLUTION NO. R-156-22

RESOLUTION GRANTING PETITION TO CLOSE THE CUL-
DE-SAC AT THE SOUTH END OF SW 94 AVENUE
BEGINNING 237 FEET SOUTH OF THE CENTERLINE OF SW
121 TERRACE (ROAD CLOSING PETITION NO. P-963) FILED
BY LEON HOLDINGS, INC. SUBJECT TO CERTAIN
CONDITIONS; AND WAIVING THE SIGNATURE
REQUIREMENTS OF RESOLUTION NO. 7606 AS TO
ADJACENT PROPERTY OWNERS

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

WHEREAS, Road Closing Petition No. P-963 was signed by one of the adjacent property owners abutting on the road sought to be closed and notice was mailed to two additional property owners abutting on the road sought to be closed by certified mail; and

WHEREAS, a public hearing was held in compliance with Resolution No. 7606,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are approved and incorporated by reference.

Section 2. Resolution No. 7606 is waived to the extent that it requires the signatures of all adjacent property owners on the petition to close a road. ~~[[If the plat is not recorded within 180 days, this resolution shall be null and void.]]~~¹

¹ The differences between the substitute and the original item are indicated as follows: Words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or >>double arrowed<< are added.

Section 3. Road Closing Petition No. P-963 is hereby granted and the avenue, street, highway or other place used for travel as described in the petition attached as Exhibit 2 to the Mayor's Memorandum is hereby vacated, abandoned, and closed subject to the condition contained in section 4 below.

Section 4. All rights of Miami-Dade County and the public in and to the same are hereby renounced and disclaimed, save and except that this closure is conditioned upon the recordation of the plat of "OAKRIDGE TWENTY TWENTY" (tentative plat T-24520). >>If the plat is not recorded within 180 days, this resolution shall be null and void.<<

Section 5. It is found that the action will serve a public purpose and benefit the public without violating private property rights.

Section 6. The procedure utilized in the adoption of this resolution is expressly ratified and approved.

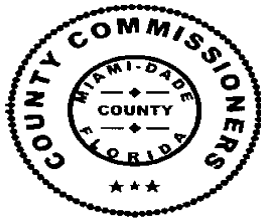
Section 7. Pursuant to Resolution No. 7606, the Clerk is hereby directed to publish notice of the adoption of this resolution one time within thirty (30) days hereafter in a newspaper of general circulation of Miami-Dade County and the County Mayor or County Mayor's designee shall record the proof of publication of the notice of public hearing of this resolution as adopted and the proof of publication of the notice of the adoption of this hearing in the public records of Miami-Dade County.

Section 8. The County Mayor or County Mayor's designee is directed to forthwith file a Certificate with the Clerk subsequent to the recordation of the plat confirming that the conditions set forth in section 4 have been met, to be permanently stored alongside this Resolution.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**,
who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III**
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	aye	Keon Hardemon	aye
Sally A. Heyman	absent	Danielle Cohen Higgins	aye
Eileen Higgins	absent	Joe A. Martinez	absent
Kionne L. McGhee	absent	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared this resolution duly passed and adopted this 15th day of February, 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

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Lauren E. Morse