

Memorandum



Date: April 19, 2022

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

Agenda Item No. 5(D)

From: Lourdes M. Gomez, Director 
Department of Regulatory and Economic Resources

Resolution No. R-358-22

Subject: Resolution Approving the Waiver of Plat of 5288 SW 80 ST Development, LLC
Filed by 5288 SW 80 St. Development, LLC

Recommendation

The following waiver of plat is submitted for consideration by the Board of County Commissioners (Board) for approval. This waiver of plat for 5288 SW 80 ST Development, LLC is bounded on the north by SW 80 Street, on the east by SW 52 Court, on the south approximately 360 feet north of SW 82 Street, and on the west by SW 53 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 7, which is represented by Commissioner Raquel A. Regalado.

Delegation of Authority

There are no delegation requirements with this item.

Fiscal Impact/Funding Source

If this waiver of plat is approved, the fiscal impact to the County would be approximately \$150.00 annually for new roadway construction adjacent to the project. These costs would be covered by the Department of Transportation and Public Works’ annual General Fund allocation.

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

5288 SW 80 ST Development, LLC (D-24624)

- Located in Section 31, Township 54 South, Range 41 East.
- Zoning: EU-1.
- Proposed usage: Single family residences.
- Number of parcels: Three.
- This waiver of plat meets concurrency.
- Available public water lines abut the proposed subdivision to which connection is required. 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

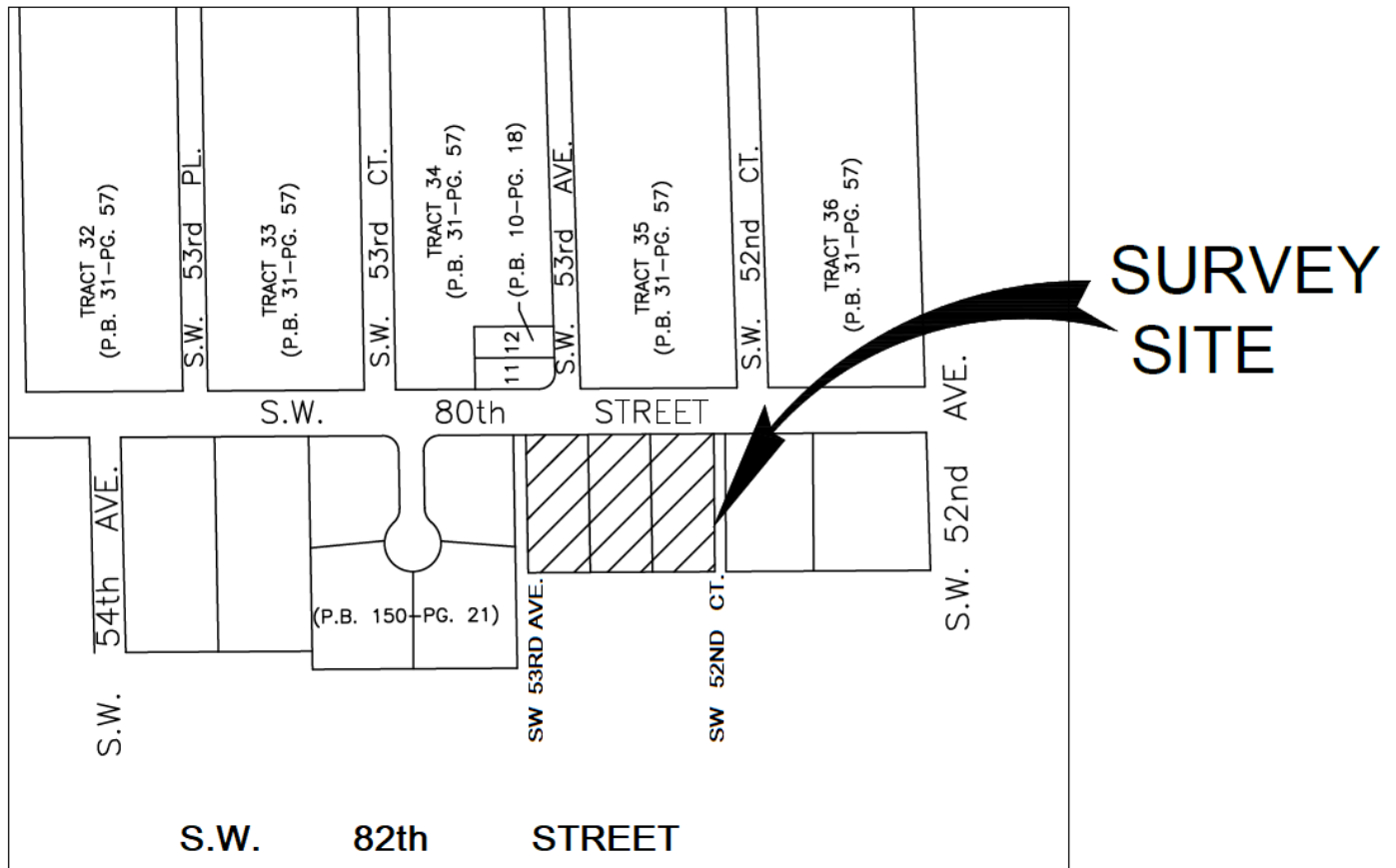
Mobilization, clearing, maintenance of traffic, sidewalk, landscaping, paving, striping, drainage, and monumentation which are bonded under bond number 8269 in the amount of \$133,263.00.

5288 SW 80 ST DEVELOPMENT LLC

D-24624

Sec. 31 Twp. 54 South Rge. 41 East

EXHIBIT A





MEMORANDUM

(Revised)

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

DATE: April 19, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(D)

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(D)
4-19-22

RESOLUTION NO. R-358-22

RESOLUTION APPROVING THE WAIVER OF PLAT OF 5288 SW 80 ST DEVELOPMENT, LLC, D-24624, FILED BY 5288 SW 80 ST DEVELOPMENT, LLC, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 54 SOUTH, RANGE 41 EAST (BOUNDED ON THE NORTH BY SW 80 STREET, ON THE EAST BY SW 52 COURT, ON THE SOUTH APPROXIMATELY 360 FEET NORTH OF SW 82 STREET, AND ON THE WEST BY SW 53 AVENUE)

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

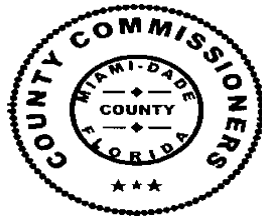
WHEREAS, 5288 SW 80 ST Development, LLC, a Florida limited liability company, has this day presented to this Board a waiver of plat of certain lands lying in Miami-Dade County, Florida, said waiver of plat of the property legally described as a portion of Lot 1, of Block 1, of “W.T. Hardee’s Subdivision,” according to the plat thereof, as recorded in Plat Book B, at Page 50, of the Public Records of Miami-Dade County, Florida, lying and being in the Southwest 1/4 of Section 31, Township 54 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 **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 19th day of April, 2022. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Lauren E. Morse