

Memorandum



Date: September 1, 2022

Agenda item No. 5(EF)

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

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

Resolution No. R-772-22

Subject: Resolution Approving the Waiver of Plat of Carlos Julio Diaz and Patricia Diaz
Filed by Carlos Julio Diaz and Patricia Diaz

Recommendation

The following waiver of plat is submitted for consideration by the Board of County Commissioners (Board) for approval. This waiver of plat for Carlos Julio Diaz and Patricia Diaz is bounded on the north approximately 490 feet south of SW 134 Street, on the east approximately 150 feet west of SW 105 Avenue, on the south by SW 136 Street, and on the west by SW 106 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 \$200.00 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

Carlos Julio Diaz and Patricia Diaz (D-24456)

- Located in Section 17, Township 55 South, Range 40 East.
- Zoning: EU-M.
- Proposed usage: One single family residence.
- Number of parcels: One.
- 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. The Parcel will be served by a septic tank and drainfield.
- On July 7, 2022, the Board adopted Ordinance No. 22-83, which institutes more rigorous standards for new and replacement onsite sewage treatment and disposal systems (OSTDSs) commonly referred to as “septic tanks” or “septic systems.” Ordinance No. 22-83 provided that the requirements governing the type of OSTDS to be installed would not become effective until January 1, 2023, in response to industry feedback and public outreach during development of the ordinance. This period allowed for proper planning and transitioning by property owners, engineers, contractors, and the OSTDS industry to the new standards. Until that date, building permit applications that have already been approved by DERM to be served by septic tanks may include septic models under the existing standard. In keeping with the educational campaign mandated by Ordinance No. 22-83, development applicants are being advised that no building permits will be issued after January 1, 2023 for septic systems that do not conform to the advanced treatment standards adopted via Ordinance No. 22-83. *Hence, development applications (including plats) for parcels served by septic tanks that have not obtained building permits by January 1, 2023, will be required to conform to the advanced treatment standards adopted via Ordinance No. 22-83, regardless of when such applications have been submitted.*

Developer’s Obligation

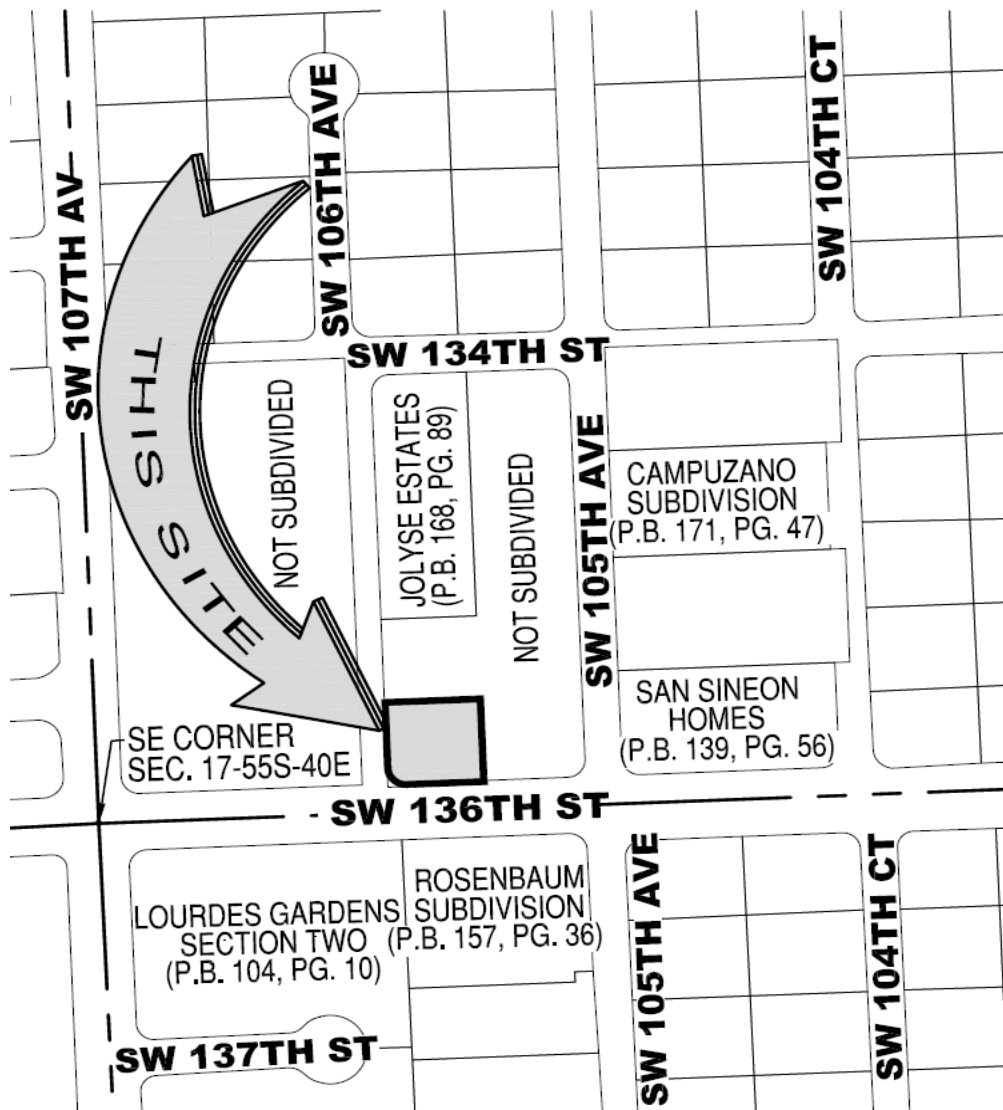
Mobilization, clearing, maintenance of traffic, paving, milling, resurfacing, sidewalk, drainage, street name signs, traffic control signs, striping, detectable warning surfaces, guardrail, and monumentation which are bonded under bond number 8291 in the amount of \$73,016.00.

CARLOS JULIO DIAZ AND PATRICIA DIAZ

D-24456

Sec. 17 Twp. 55 South Rge. 40 East

EXHIBIT A





MEMORANDUM

(Revised)

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

DATE: September 1, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(E)

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 Agenda Item No. 5(EF)
Veto _____ 9-1-22
Override _____

RESOLUTION NO. _____ R-772-22

RESOLUTION APPROVING THE WAIVER OF PLAT OF CARLOS JULIO DIAZ AND PATRICIA DIAZ, D-24456, FILED BY CARLOS JULIO DIAZ AND PATRICIA DIAZ, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 55 SOUTH, RANGE 40 EAST (BOUNDED ON THE NORTH APPROXIMATELY 490 FEET SOUTH OF SW 134 STREET, ON THE EAST APPROXIMATELY 150 FEET WEST OF SW 105 AVENUE, ON THE SOUTH BY SW 136 STREET, AND ON THE WEST BY SW 106 AVENUE)

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

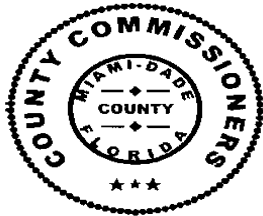
WHEREAS, Carlos Julio Diaz and Patricia Diaz, husband and wife, have this day presented to this Board a waiver of plat of certain lands lying in Miami-Dade County, Florida, said waiver of plat of the property legally described as a portion of land lying and being in the Southwest 1/4 of Section 17, Township 55 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 **Sally A. Heyman**, 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	aye		
Sen. René García	absent	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	absent
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of September, 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.

A handwritten signature in dark ink, appearing to be "LEM" or similar, written over a horizontal line.

Lauren E. Morse