

# Memorandum



**Date:** November 7, 2023

**To:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

Agenda Item No. 5(K)

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

Resolution No. R-970-23

**Subject:** Resolution Approving the Waiver of Plat of Sam C. Accursio, III and Ashley A. Accursio filed by Sam C. Accursio, III and Ashley A. Accursio

## **Recommendation**

The following waiver of plat is submitted for consideration by the Board of County Commissioners (Board) for approval. This waiver of plat for Sam C. Accursio, III and Ashley A. Accursio is bounded on the north by SW 280 Street, on the east approximately 460 feet west of SW 209 Avenue, on the south approximately 760 feet north of SW 284 Street and on the west approximately 380 feet east of SW 212 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 8, which is represented by Commissioner Danielle Cohen Higgins.

## **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 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**

Sam C. Accursio, III and Ashley A. Accursio (D-25007)

- Located in Section 4, Township 57 South, Range 38 East.
- Zoning: AU.
- Proposed usage: One single family residence.
- Number of parcels: One.
- This waiver of plat meets concurrency.
- This plat was determined not to be within feasible distance to public water and public sanitary sewers using the feasible distance requirements in effect prior to the new feasible distance Ordinance No. 22-137.
- As a condition of this plat approval the proposed single-family residence will be required to provide an on-site domestic well and an onsite sewage treatment and disposal system (OSTDS).
- The proposed single-family residence will be required to install a Type 3 OSTDS to comply with the new OSTDS requirements adopted in Ordinance No. 22-83.

**Developer's Obligation**

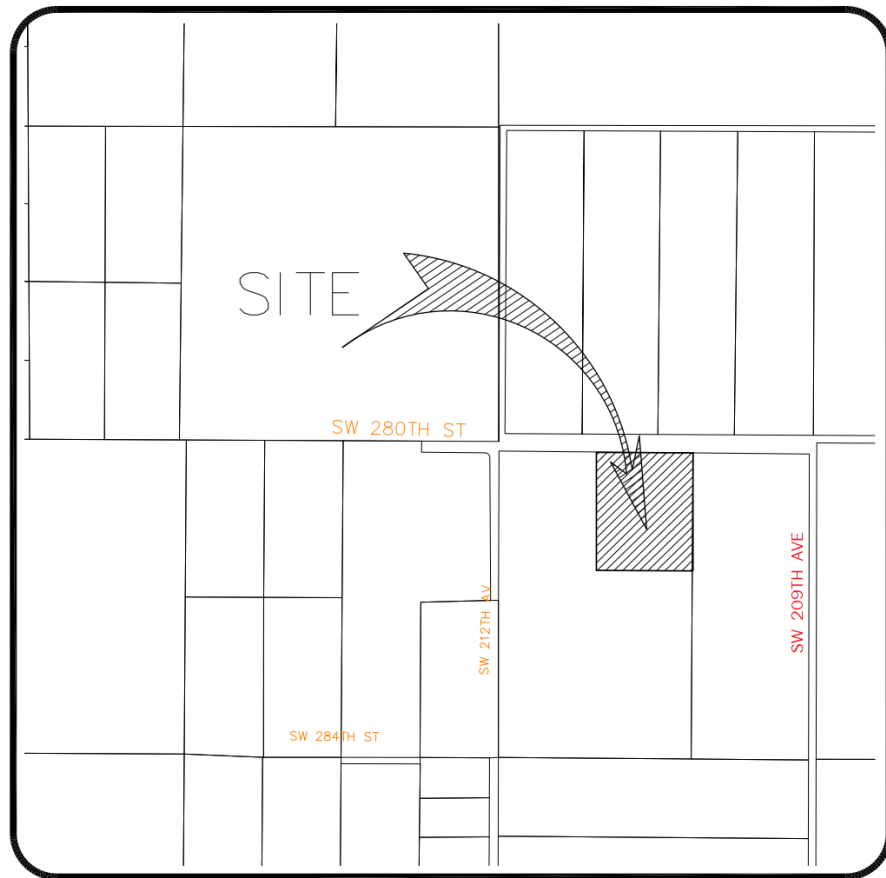
None, all improvements are in place.

# SAM C. ACCURSIO, III AND ASHLEY A. ACCURSIO

## D-25007

Sec. 4 Twp. 57 South Rge. 38 East

### EXHIBIT A





# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**DATE:** November 7, 2023

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 5(K)

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(K)  
11-7-23

RESOLUTION NO. R-970-23

RESOLUTION APPROVING THE WAIVER OF PLAT OF SAM C. ACCURSIO, III AND ASHLEY A. ACCURSIO, D-25007, FILED BY SAM C. ACCURSIO, III AND ASHLEY A. ACCURSIO, LOCATED IN THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 57 SOUTH, RANGE 38 EAST (BOUNDED ON THE NORTH BY SW 280 STREET, ON THE EAST APPROXIMATELY 460 FEET WEST OF SW 209 AVENUE, ON THE SOUTH APPROXIMATELY 760 FEET NORTH OF SW 284 STREET AND ON THE WEST APPROXIMATELY 380 FEET EAST OF SW 212 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**, Sam C. Accursio, III and Ashley A. Accursio, 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 the west 1/2 of Lot 6, and a portion of the east 1/2 of Lot 7, of "H.L. Cook & E.M. Martin's Subdivision," according to the plat thereof, as recorded in Plat Book 2, at Page 50, of the Public Records of Miami-Dade County, Florida, lying and being in the Northeast 1/4 of Section 4, Township 57 South, Range 38 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 **Keon Hardemon**, who moved its adoption. The motion was seconded by Commissioner **Marleine Bastien** and upon being put to a vote, the vote was as follows:

|                                  |               |                      |               |
|----------------------------------|---------------|----------------------|---------------|
| Oliver G. Gilbert, III, Chairman | <b>absent</b> |                      |               |
| Anthony Rodríguez, Vice Chairman | <b>aye</b>    |                      |               |
| Marleine Bastien                 | <b>aye</b>    | Juan Carlos Bermudez | <b>aye</b>    |
| Kevin Marino Cabrera             | <b>aye</b>    | Sen. René García     | <b>nay</b>    |
| Roberto J. Gonzalez              | <b>absent</b> | Keon Hardemon        | <b>aye</b>    |
| Danielle Cohen Higgins           | <b>aye</b>    | Eileen Higgins       | <b>absent</b> |
| Kionne L. McGhee                 | <b>aye</b>    | Raquel A. Regalado   | <b>aye</b>    |
| Micky Steinberg                  | <b>aye</b>    |                      |               |

The Chairperson thereupon declared this resolution duly passed and adopted this 7<sup>th</sup> day of November, 2023. 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

JUAN FERNANDEZ-BARQUIN, CLERK

**Basia Pruna**

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney  
as to form and legal sufficiency.

Lauren E. Morse