

MEMORANDUM

Agenda Item No. 8(N)(1)

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

DATE: December 12, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution designating a portion
of Miami-Dade County-owned
property as road right-of-way for
SW 232 Street from SW 128
Court east for 299 feet in Section
14, Township 56 South, Range
39 East and directing the County
Mayor to take all actions
necessary to effectuate same

Resolution No. R-1097-23

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/uw

Memorandum



Date: December 12, 2023

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

From: Daniella Levine Cava 
Mayor

Subject: Resolution Designating a Portion of Miami-Dade County Owned Property as Public Road
Right-of-Way
Section: 14-56-39
SW 232 Street from SW 128 Court East for 299 Feet
Commission District: 8

Executive Summary

The purpose of this item is for the Board of County Commissioners (Board) to grant the attached resolution designating a portion of Miami-Dade County owned property, identified as Exhibit A to Exhibit 2, approximately 299 feet in length, as public road right-of-way. The estimated annual maintenance costs associated with this item are \$60. The designation for public road right-of-way of the subject parcel of land is needed by the Department of Parks, Recreation, and Open Spaces (PROS) so that the existing sidewalk and other roadway improvements along the subject segment of SW 232 Street will lie within the public right-of-way. Additionally, this right-of-way designation will satisfy a zoning requirement for the approval of a building permit for the Joe and Colleen Griffin Park which fronts on the subject segment of SW 232 Street.

Recommendation

It is recommended that the Board grant the attached resolution designating a portion of Miami-Dade County owned property as public road right-of-way for the portion of SW 232 Street from SW 128 Court east for 299 feet, in Section 14, Township 56 South, Range 39 East, as identified in Exhibit A attached to Exhibit 2. Location maps are attached to this memorandum as Exhibit 1.

Scope

This Right-of-Way Designation is located within District 8, which is represented by Commissioner Danielle Cohen Higgins.

Fiscal Impact/Funding Source

The total annual maintenance costs associated with this item are estimated to be \$60 and will be funded by the Department of Transportation and Public Works' (DTPW) General Fund allocation.

Track Record/Monitor

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

Delegated Authority

There is no delegation of authority associated with this item.

Background

The designation of the subject parcel as public road right-of-way is needed by PROS in order to comply with a zoning requirement for the approval of a building permit for the Joe and Colleen Griffin Park. Section 33-46 of the County Code requires that land within the official zoned right-of-way be dedicated to the County before a building permit may be issued. Section 33-133 stipulates the zoned right-of-way widths. Typical section line roads such as SW 232 Street have a minimum total zoned right-of-way width of 80 feet, which is generally interpreted as 40 feet on each side of the section line. Additionally, Section 28-14 of the County Code requires that property lines at street intersections be rounded with a radius return of 25 feet. However, since the land in question is already owned by the County, it does not need to be dedicated to the County for right-of-way. However, to provide the required right-of-way width and so that the existing and proposed sidewalk and other roadway improvements will lie within the official public right-of-way, the land needs to be designated as public road right-of-way. For these reasons, the 40-foot-wide strip along SW 232 Street along the frontage of the Joe and Colleen Griffin Park and the radius return at the intersection with SW 128 Court, as described in Exhibit A attached to Exhibit 2, will be designated as public road right-of-way if this resolution is granted by the Board. The County user-department of the subject land, PROS, has provided a memorandum, attached to this memorandum as Exhibit 2, indicating the director's concurrence with this action.



Jimmy Morales
Chief Operations Officer



MDC004

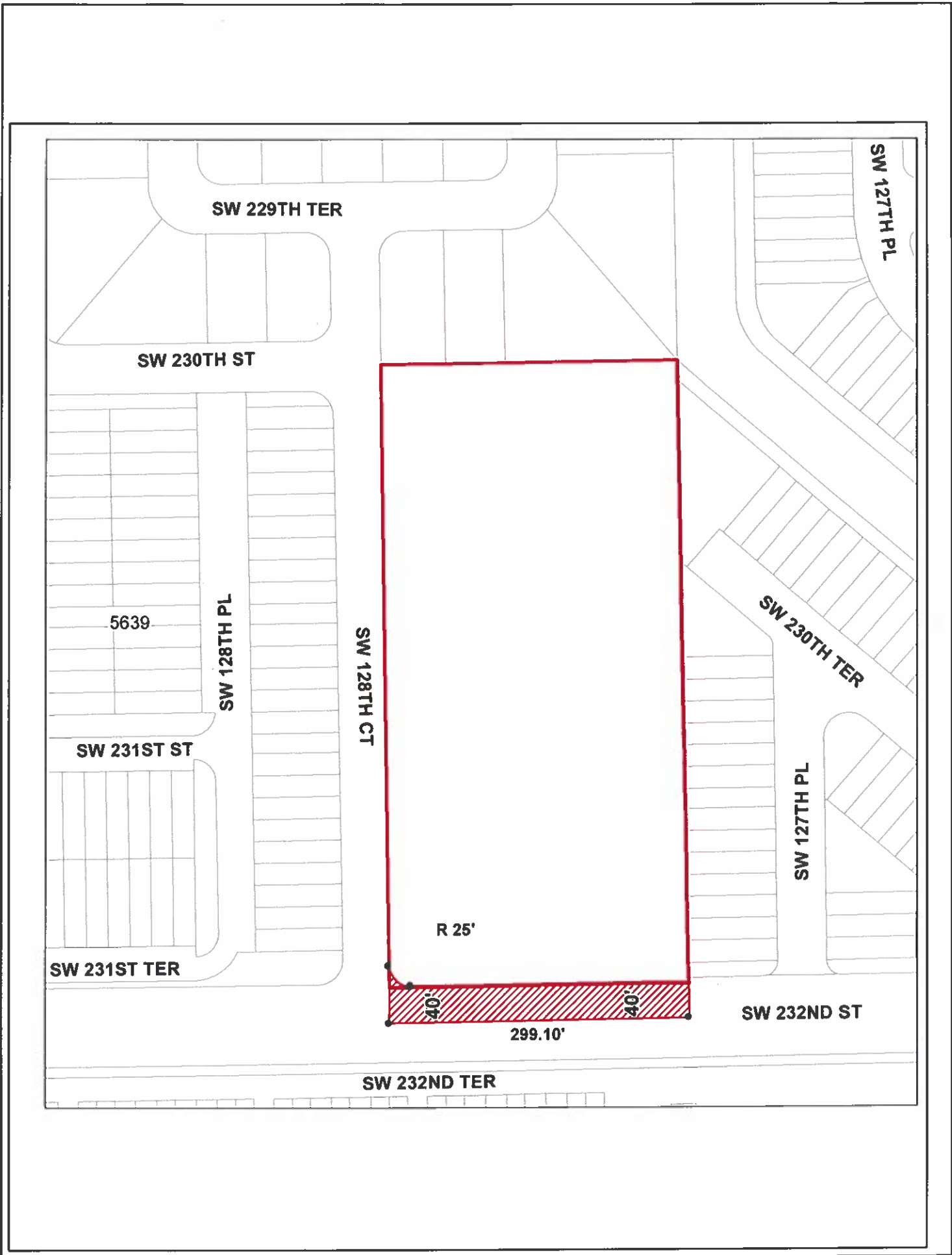


EXHIBIT 2

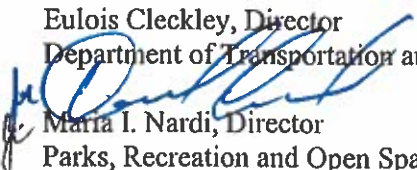
MEMORANDUM FROM THE DIRECTOR OF PARKS, RECREATION, AND OPEN SPACES

Memorandum



Date: May 22, 2023

To: Eulois Cleckley, Director
Department of Transportation and Public Works

From:  Maria I. Nardi, Director
Parks, Recreation and Open Spaces

Subject: Designation of a Portion of PROS-Park at 12821 SW 232 St (Folio: 30-6914-000-0191) as Public Right-of-Way

Miami-Dade County Parks, Recreation and Open Spaces ("PROS") is in the process of developing Joe and Colleen Griffin Park, a neighborhood park located at 12821 SW 232nd St (the "Park"). In accordance with comments received from DTPW during the development approval process for the capital improvement of the Park, PROS requests designation of a section of SW 232nd Street between SW 128th Court and SW 127th Place as public right-of-way (the "Designation Area"), to the Department of Transportation and Public Works ("DTPW"). A sketch and legal description of the Designation Area is attached as **Exhibit A**.

The Park and Designation Area, was assigned to PROS property in 2021 via an Interdepartmental Agreement between PROS and DTPW. The property was allocated for public park use by then Commissioner Daniella Levin Cava, and was subsequently approved by the Board of County Commissioners under resolution R-1087-20. The property's function is to serve local park use as a part of implementing Miami-Dade County's Comprehensive Development Master Plan's open space, and recreation standards. The current capital improvement project is for initial park development, including park sign, access control fence and gate, clearing, greening and landscaping. The current project requires building permits, for which the current Designation Area has been proffered by PROS to comply with DTPW's request for right-of-way designation of this section of roadway under permit C2023054552.

If there are any questions or concerns regarding this action, please contact Planning and Research Chief, Alejandro Zizold at 305-755-7831.

cc: Javier Bustamante, DTPW
Alex Barrios, DTPW
Joe Cornely, PROS

EXHIBIT A
SKETCH & LEGAL
DESCRIPTION

Miami Dade County Parks, Recreation and Open Spaces Department

JOE AND COLLEEN GRIFFIN PARK

12821 SW 232 STREET, MIAMI, FL.

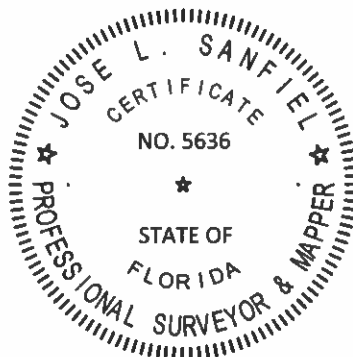
SKETCH AND LEGAL DESCRIPTION

LEGAL DESCRIPTION

That portion of the East 1/2 of the Southwest 1/4 of the Southeast 1/4 of the Southeast 1/4 of Section 14, Township 56 South, Range 39 East, less the West 35 feet for Right of Way, lying in Miami Dade County, Florida, being more particularly described as follows:

COMMENCE at Southeast corner of said Section 14, Township 56 South, Range 39 East, thence S89° 08' 55" W along the South Line of said Section 14, for a distance of 668.20 feet to the POINT OF BEGINNING; said point also being the Southeast corner of the Southwest 1/4 of the Southeast 1/4 of the Southeast 1/4 of said Section 14; thence run N 00° 51' 05" W along the east line of the Southwest 1/4 of the Southeast 1/4 of the Southeast 1/4 of said Section 14 for a distance of 40.00 feet, to a point on the North line of the South 40 feet of said Section 14; thence run S 89° 08' 55" W along the said North line of the South 40 feet of said Section 14 for a distance of 274.32 feet to a point of curvature; thence Northwesterly 39.18 feet along the arc of said curve concave to the Northeast, having a radius of 25 feet, and a central angle of 89° 48' 17" to a point on the East line of the West 35 feet of the east 1/2 of the Southwest 1/4 of the Southeast 1/4 of the Southeast 1/4 of said Section 14; thence run S 01° 02' 48" E along said line for a distance of 64.92 feet to the aforementioned South line of said Section 14; thence run N 89° 08' 55" E along said South line of said Section 14 for a distance of 299.10 to the POINT OF BEGINNING, lying and being in Miami-Dade County, Florida and containing 12,099 square feet or 0.28 acres, more or less.

MIAMI-DADE COUNTY
Department of Transportation
and Public Works
111 NW First Street, Suite # 1610
Miami, Florida 33128 (305) 375-2657
Date: 4-06-2023



NOTES:

1. THIS IS NOT A BOUNDARY SURVEY..
2. "P.O.C." denotes "Point of Commencement".
3. "P.O.B." denotes "Point of Beginning".
4. "O.R.B." denotes "Official Records Book".
4. "Bearings are based on S89°08'55"W for the South line of Section 14, Township 56 South, Range 39 East

JOSE L. SANFIEL, PSM
Florida License # 5636

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED
BY JOSE L. SANFIEL, P.S.M. ON 5/6/2023
(THIS IS NOT THE DATE OF SURVEY)

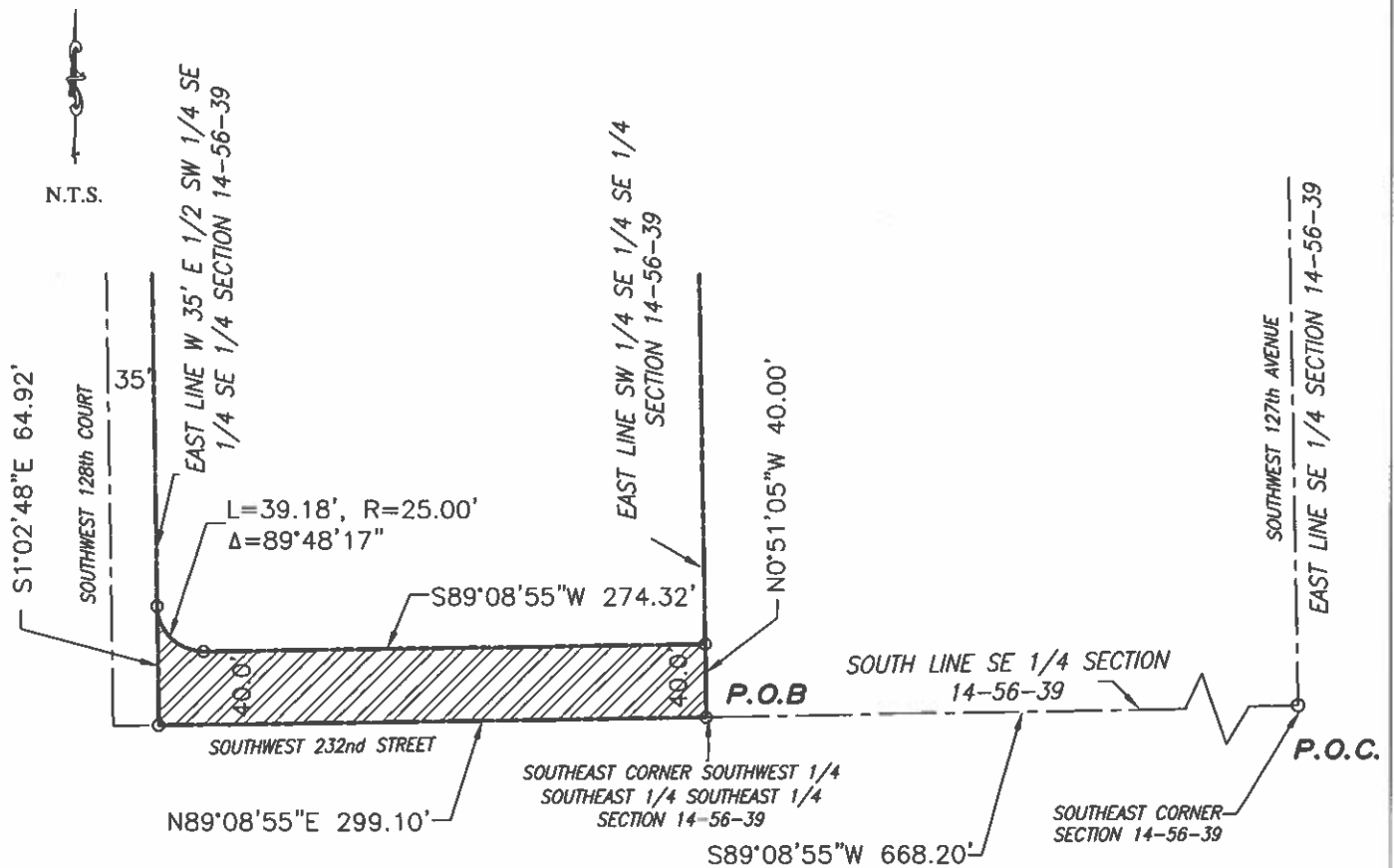
This Description and the accompanying sketch(s) are not valid without the others.

Miami Dade County Parks, Recreation and Open Spaces Department

JOE AND COLLEEN GRIFFIN PARK

12821 SW 232 STREET, MIAMI, FL.

SKETCH AND LEGAL DESCRIPTION



This Sketch and the accompanying description is not valid without the other.

Miami Dade County Parks, Recreation and Open Spaces Department

JOE AND COLLEEN GRIFFIN PARK

12821 SW 232 STREET, MIAMI, FL.

SKETCH AND LEGAL DESCRIPTION

N.T.S.



This sketch and the accompanying legal description is not valid without the other.



MEMORANDUM

(Revised)

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

DATE: December 12, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(1)

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. 8(N)(1)
12-12-23

RESOLUTION NO. R-1097-23

RESOLUTION DESIGNATING A PORTION OF MIAMI-DADE COUNTY-OWNED PROPERTY AS ROAD RIGHT-OF-WAY FOR SW 232 STREET FROM SW 128 COURT EAST FOR 299 FEET IN SECTION 14, TOWNSHIP 56 SOUTH, RANGE 39 EAST AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME

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

WHEREAS, the Directors of the Department of Transportation and Public Works and the Department of Parks, Recreation, and Open Spaces have recommended that a portion of County-owned land along SW 232 Street from SW 128 Court east for 299 feet, as identified on Exhibit A to Exhibit 2 of the County Mayor's Memorandum, be designated as road right-of-way as required for the development of the adjacent Joe and Colleen Griffin Park, and as incorporated herein by reference;

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. This Board hereby designates the County Property located along SW 232 Street from SW 128 Court east for 299 feet, as identified on Exhibit A to Exhibit 2 of the County Mayor's Memorandum, as road right-of-way, and authorizes the County Mayor or County Mayor's designee to take all actions necessary to effectuate same.

The foregoing resolution was offered by Commissioner **Anthony Rodriguez** , who moved its adoption. The motion was seconded by Commissioner **Raquel A. Regalado** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 12th day of December, 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

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Lauren E. Morse