



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 11
MEETING OF FEBRUARY 26, 2025

KENDALL VILLAGE CENTER, CIVIC PAVILION
8625 SW 124 AVENUE, MIAMI, FLORIDA.

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 7:00 P.M., AND
ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMUNITY ZONING APPEALS BOARD SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMUNITY ZONING APPEALS BOARD BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE BOARD BE GRANTED BY THE MAJORITY VOTE OF THE BOARD MEMBERS PRESENT.

NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE MEETING ROOM. PERSONS EXITING THE MEETING ROOM SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE MEETING ROOM IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE MEETING ROOM TO ANSWER INCOMING CELL PHONE CALLS. COUNTY EMPLOYEES MAY NOT USE CELL PHONE CAMERAS OR TAKE DIGITAL PICTURES FROM THEIR POSITIONS ON THE DAIS.

THE NUMBER OF FILED PROTESTS AND WAIVERS ON EACH APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE ZONING HEARING MEETING DATE FOR THIS BOARD.

SWEARING IN OF WITNESSES

I. Sunset Review

A. AUTOZONE STORES, LLC. Z2023000405

Area 11/District 09

The application is to modify a previously recorded Covenant Running With The Land In Lieu of Unity of Title in order to submit a new site plan for the proposed development of an auto-parts store on the outparcel of the existing shopping center located on the subject property.

MODIFICATION of Paragraph #1 of a Covenant Running With The Land In Lieu of Unity of Title recorded in Official Records Book 26099 at Pages 3704 through 3709, reading as follows:

From: "1. The Property will be developed in substantial conformity with the site plan entitled, Eureka Promenade, prepared by Alleguez Architecture, Inc. consisting of 5 pages with pages S1, L1, F1 and E1 dated last revised September 5, 2007, and page 6 dated last revised March 28, 2007 (hereinafter "Site Plan"). Additionally, the initial development will include a grocery store. Further, the development will not include any residential uses on the Property."

To: "1. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Autozone Store FL6504 SW 184 Street & SW 147 Avenue", prepared by Thomas Engineering Group, consisting of 6 sheets, dated stamped received 1/31/2024 and plans entitled "AutoZone Store No. 6504", prepared by George Callow, consisting of 2 sheets dated stamped received 1/31/2024 for a total of 8 sheets. Additionally, the initial development will include a grocery store. Further, the development will not include any residential uses on the Property."

The purpose of the aforementioned request is to allow the applicant to modify a paragraph of the prior covenant running with the land, in order to submit new site plans for the proposed auto-parts store to be developed on the outparcel of the existing shopping center located on the subject property.

The afore-mentioned plans are on file and may be examined in the Department of Regulatory and Economic Resources. Plans may be modified at Public Hearing.

LOCATION: 18200 SW 147 Avenue, Miami-Dade County, Florida

SIZE OF PROPERTY: +/- 9.84 Acres

Department of Regulatory and
Economic Resources
Recommendation:

Approval with condition.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

Deferred from January 29, 2025

1. SECURE STORAGE OF MIAMI, INC. Z2023000426

Area 11/District 09

The application is to permit a rezoning of the subject site from IU-C (Industrial Conditional Manufacturing) to IU-3 (Industrial and Unlimited Manufacturing), in order to operate a solid waste transfer facility, with the transfer being conducted to rail cars for outbound transportation. In addition, the application seeks to waive the required street dedication for the south half of SW 136 Street and permit access to public streets by means of private easement.

- (1) District Boundary Change from IU-C, Industrial, Conditional Manufacturing District to IU-3, Industrial, Unlimited Manufacturing District.
- (2) NON-USE VARIANCE of the zoning and subdivision regulations requiring section line rights-of-way to be 80' in width; to waive same to permit 0' dedication for the south half of SW 136 Street (40' required) and to permit such parcel to have access to public streets by means of private easement.

LOCATION: Lying west of the CSX Rail right-of-way and south of theoretical SW 136 Street, Miami-Dade County, Florida

SIZE OF PROPERTY: ± 4.44 Acres

Department of Regulatory and
Economic Resources
Recommendation:

Approval of request #1, subject to the Board's acceptance of the proffered covenant, and modified approval with conditions of request #2.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

NOTICE

THE FOLLOWING SUMMARY INFORMATION IS PROVIDED AS A COURTESY; IT SHOULD NOT BE TREATED AS LEGAL ADVICE AND IT SHOULD NOT BE RELIED UPON. LEGAL CONSULTATION MAY BE WARRANTED IF AN APPEAL OR OTHER LEGAL CHALLENGE IS BEING CONTEMPLATED.

Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the [Department of Regulatory and Economic Resources \(RER\)](#), or its successor Department, within 14 days after RER has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (RER's posting will be made on a bulletin board located in the office of RER.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website (www.municode.com). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Zoning Appeals Board No. 11**

PH: Z23-405

February 26, 2025

Item No. A

Recommendation Summary	
Commission District	9
Applicant	AutoZone Stores, LLC
Summary of Requests	The applicant seeks to modify the paragraph of a previously recorded covenant running with the land in lieu of unity of title, in order to submit a new site plan showing a proposed auto-parts store on the outparcel of the existing shopping center located on the subject site.
Location	18200 SW 147 Avenue, Miami-Dade, FL.
Property Size	+/- 9.84 Acres
Existing Zoning	BU-1A, Limited Business District.
Existing Land Use	Shopping Center
2030-2040 CDMP Land Use Designation	Business and Office <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(7), Generalized Modification Standards <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions.

This item could not be heard at the January 29, 2025, meeting of the Community Zoning Appeals Board (CZAB) 11 due to a lack of quorum.

The public hearing on this item has not been held.

REQUEST:

MODIFICATION of the 1st paragraph of Covenant Running With the Land In Lieu of Unity of Title recorded in Official Record Book 26099 at Pages 3704-3709, and reading as follows:

From: "1. That the Property will be developed in substantial conformity with the site plan entitled, Eureka Promenade, prepared by Alleguez Architecture, Inc. consisting of 5 pages with pages S1, L1, F1 and E1 dated last revised September 5, 2007, and page 6 dated last revised March 28, 2007 (hereinafter "Site Plan"). Additionally, the initial development will include a grocery store. Further, the development will not include any residential uses on the Property."

To: "1. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Autozone Store FL6504 SW 184 Street & SW 147 Avenue", prepared by Thomas Engineering Group, consisting of 6 sheets, dated stamped received 1/31/2024 and plans entitled "AutoZone Store No. 6504", prepared by George Callow, consisting of 2 sheets dated stamped received 1/31/2024 for a total of 8 sheets. Additionally, the initial development will include a grocery store. Further, the development will not include any residential uses on the Property."

The purpose of the aforementioned request is to allow the applicant to modify a paragraph of the prior covenant running with the land, in order to submit new site plans for the proposed auto-parts store to be developed on the outparcel of the existing shopping center located on the subject property.

The aforementioned plans are on file and may be examined in the Department of Regulatory and Economic Resources. Plans may be modified at public hearing.

PROJECT HISTORY AND DESCRIPTION:

In November 2007, pursuant to Resolution # CZAB11-47-07, the Community Zoning Appeals Board 11 approved a district boundary change on the subject property from AU, Agricultural District, to BU-1A, Limited Business District. Additionally, as part of the 2007 approval for the district boundary change on the property, the applicant had voluntarily proffered a covenant that would run with the land in lieu of unity of title that was duly recorded under Official Record Book 26099, pages 3704-3709, which requires that the subject property be developed substantially in accordance with the submitted site plans.

In February 2011, pursuant to Resolution # CZAB11-5-11, community zoning appeals board 11 approved a request to permit a liquor store with sales of alcoholic beverages to be extended to Sundays. In May 2012, pursuant to Resolution # CZAB11-8-12, community zoning appeals board 11 approved a request to permit a bar within a shopping center, approved a request to permit a bar to be spaced less than required from other alcohol beverage uses, and approved a request to permit a bar to be spaced less than required from a church and to permit the bar to have sales until 3am.

The applicant now intends to modify the site plan contained in paragraph #1 of the previously recorded covenant ORB 26099 running with the land in lieu of unity of title, in order to submit a new site plan that would reflect the development of a proposed retail building (auto-parts store) to be located on the outparcel of the existing shopping center. The proposed plans for the outparcel replace the prior commercial building and drive-through facilities reflected on the previously approved plans, with a new 7,381 sq. ft. building that has been redesigned to fit within the existing shopping center and in full accordance with the applicable BU-1A zoning regulations. The proposed plans indicate that the parking areas and ingress-egress points for the outparcel stay within the same general location and configuration as was originally reflected on the previous plans for the shopping center, and that the proposed building setbacks, landscaping and FAR comply with the current requirements of the county code. Staff also notes that as part of the modification to the prior covenant, the Applicant has submitted an amended and restated declaration of restrictions that ties the subject property to the new site plans.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	BU-1A; shopping center	Business and Office
North	RU-4L; townhouse development	Low-Medium Density Residential (6 to 13 dua)
South	AU; single-family residences, vacant	Agriculture
East	RU-1M(a); single-family residences	Low Density Residential 2.5 to 6 dua
West	RU-4L; townhouse development	Low-Medium Density Residential (6 to 13 dua)

NEIGHBORHOOD COMPATIBILITY:

The ±9.84-acre subject property consists of an existing shopping center and a vacant outparcel, and is located at 18200 SW 147 Avenue. The surrounding area is characterized by a townhouse development located on the large parcel that is to the north and west of the subject site, existing single-family residential to the east, and AU zoned vacant lots and large single-family residential properties are located immediately to the south of the subject site.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to modify the covenant running with the land which ties the subject property to a previously approved site plan. This modification would allow for the construction of a new retail building on the outparcel which is part of the existing shopping center, bringing additional commercial services to the surrounding community. Based on memoranda from the departments reviewing this application, the proposed retail building additions would not create any significant impacts that would cause their facilities and services to operate below their adopted levels of service standards. The Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) state in their memorandum that the application meets the traffic concurrency criteria, does not exceed the acceptable Level of Service (LOS) on the neighboring roadways, and generates approximately an additional 21 PM peak hour vehicle trips.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The ±9.84-acre subject property is located within and adjacent to the Urban Development Boundary (UDB) and designated as Business and Office on the Comprehensive Development Master Plan (CDMP) Adopted 2030-2040 Land Use Plan (LUP) map. "This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas."

The approval of the request for modification of the prior covenant sought in this application will permit the applicant to make changes to the existing layout and submit a revised site plan showing a new redesign of a proposed 1-story retail building. The CDMP Land Use Element interpretative text states; "[c]ompatibility shall be determined in accordance with Policy LU-4A." The Land Use Element Policy LU-4A sets forth the criteria to determine compatibility among proximate land uses and states; "[w]hen evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable." Further, CDMP Land Use Element, Policy LU-4D states; "[u]ses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the complementary elements and buffer any potentially incompatible elements." Staff opines that based on the submitted plans, which depict the existing conditions including the new improvements, that the proposed new structure on the out parcel, is minimal in nature and consistent within the existing character and current site layout, including parking and traffic movement of the shopping center, and that the modifications will not result in an intensification or development of the site beyond the scale of the surrounding residential area, and would not be out of character with same. Furthermore, the landscape plans submitted for the application depict substantial buffering have been provided along the eastern and southern property lines of the existing parcel that abuts the residential properties to the east

and south. As such, staff opines that the proposed 1-story retail building to the existing shopping center site will not be out of character in scale and intensity with the adjacent and adjoining existing and future developments, would be adequately buffered, will not detrimentally impact the surrounding properties, and would be compatible with the area based on the criteria set forth in the CDMP Land Use Element and Policies LU-4A and LU-4D. Furthermore, staff notes that as part of this application, the applicant has submitted an Amended and Restated Covenant which ties the property to the aforementioned plans.

As indicated, the Business and Office designation permits retail uses such as the existing use under the current zoning application. Moreover, staff notes that the approval of this application would not change the already existing retail use of the property, which is an allowed use in the BU-1A zoning district. As such, the proposed 1-story retail building at the out-parcel improvement is compatible with the uses allowed in the Business and Office designation. Therefore, staff opines that approval with conditions of the application would be consistent with the CDMP Land Use Element interpretative text for Business and Office areas and the CDMP Land Use Plan Map Business and Office designation for the subject property.

ZONING ANALYSIS:

The applicant seeks to modify the site plan described in paragraph #1 of the previously recorded Covenant Running With The Land In Lieu of Unity of Title Official Record Book 26099 at Pages 3704-3709, in order to submit revised plans showing the development of a proposed retail building (auto-parts store) on the outparcel of the existing shopping center that is located on the subject site. When the aforementioned request is analyzed under Section 33-311(A)(7), Generalized Modification Standards, staff recommends approval of the request. Staff opines that the modification will not create any new, or additional visual impacts on the surrounding neighborhood above what was already previously approved for this site, and would be **compatible** with the area concerned, when considering the necessity and reasonableness of the modifications in relation to the present and future development of the area concerned. Said covenant restricts the subject parcel to a previously approved set of site plans. The requested modification of the site plan condition within the covenant will allow the applicant to submit revised plans with the intent to develop the currently vacant outparcel portion of the existing shopping center. The only changes to the site plan relate to the outparcel, and the remainder of the site plan shall remain the same.

Specifically, the applicant seeks to redesign the outparcel that is on the southeast corner of the existing shopping center with a proposed new 1-story retail building as a proposed auto-parts store. Staff notes that the previous plans showed a 5,000 sq. ft. retail building. The submitted plans indicate that the modification includes the existing shopping center and its parking and the construction of a new +/- 7,381 sq. ft. AutoZone retail building, on the outparcel that is on the corner along Eureka Drive (SW 184 Street) and SW 147 Avenue. This currently vacant portion of the subject site is located within the shopping center as a detached, stand-alone outparcel that provides the proposed tenant with high visibility and accessibility, thus ensuring a steady flow of foot traffic and potential patrons to the business. Staff notes that the proposed plans also provide for sufficient on-site parking for the shopping center to accommodate the reconfigured development of the outparcel, and that the ingress-egress points of access and parking areas remain within the same general location and configuration as was originally reflected in the previously approved plans for the shopping center. Staff also notes that the applicant is not requesting any variances for the proposed development on the vacant outparcel, and meets the criteria for setbacks, building heights, lot coverage, open space and landscaping requirements. As such, staff opines that based on the submitted plans, the proposed layout and placement of the new 1-story structure on the vacant outparcel within the existing shopping center layout, maintains the existing character of the shopping center and the surrounding neighborhood, will

not be out of character in its overall massing, scale and height with the adjacent and adjoining developments, would be adequately buffered with landscaping and street trees, will not detrimentally impact the surrounding properties, and would be **compatible** with the area. Staff also notes that as part of the modification to the prior covenant, the applicant has submitted an amended and restated Declaration of Restrictions that ties the subject property to the new site plans.

Staff notes that based on the memoranda submitted by other departments reviewing the application, approval of the applicant's request will not cause their facilities and services to operate below their adopted levels of service standards. Staff notes that the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER), does not object to the application pursuant to standard conditions, and indicate in their memorandum, dated November 7, 2024, state that they have no objections to the requests subject to conditions in their memorandum and that this application complies with the traffic concurrency levels of service as the application will generate approximately an additional 21 PM peak hour vehicle trips. Further, the Division of Environmental Resources Management (DERM) of the Department of Regulatory and Economic Resources, in their memorandum dated January 23, 2025, indicate that subject to the applicable conditions, the application meets the applicable LOS standards for an initial development order as specified in the adopted CDMP for potable water service, wastewater disposal, and flood protection. In addition, the memoranda submitted by the Miami- Dade Fire Rescue Department and the Water and Sewer Department indicate no objection to the application as well. Based on the aforementioned department memorandas, staff opines that approval of the applicant's requests will not unduly burden the abutting roadways, will not have an unfavorable impact on the environmental resources of the County, or cause undue or excessive burden on public facilities.

As such, staff opines that the request for modification of the previously recorded covenant that runs with the land, in order to submit new site plans for the proposed auto-parts store to be developed on the outparcel of the existing shopping center, would be **compatible** with the area concerned, when considering the necessity and reasonableness of the modifications in relation to the present and future development of the area. **Based on the aforementioned, staff recommends approval with conditions of the application, under Section 33-311(A)(7) Generalized Modification Standards.**

ACCESS, CIRCULATION AND PARKING: Access to the site and internal driveways for the existing shopping center remain unchanged, with three (3)-main ingress/egress points of direct vehicular and pedestrian access to the subject property located along Eureka Drive (SW 184 Street) and SW 147 Avenue. Parking and driveways are internal to the site and the subject site provides for a combined total of 409 parking spaces, where 336 are required by code for the existing shopping center and proposed redevelopment to the outparcel, therefore, the parking amounts comply with the code minimums.

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

OTHER: Not applicable.

RECOMMENDATION:

Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That all other paragraphs of the Amended Covenant Running With The Land In Lieu of Unity

of Title recorded in Official Record Book 26099, Pages 3704-3709, remain in full force and effect, except as herein modified.

2. That the applicant complies with all the applicable conditions, requirements, recommendations, requests, and other provisions of the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources as contained in its memorandum dated January 23, 2025.
3. That the applicant complies with all applicable conditions, requirements, recommendations, requests, and other provisions of the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources as indicated in the memorandum dated November 7, 2024.

ES:JB:SS:VM



Eric Silva, AICP, Assistant Director
Development Services Division
Miami-Dade County Department of
Regulatory and Economic Resources

ZONING RECOMMENDATION ADDENDUM

AutoZone Stores, LLC

PH: Z23-405

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
Division of Environmental Resource Management (RER)	<i>No objection*</i>
Platting and Traffic Review Section (RER)	<i>No objection*</i>
Fire Rescue	<i>No objection</i>
Water & Sewer (WASD)	<i>No objection*</i>
Building and Neighborhood Compliance (BNC)	<i>No objection</i>
<i>*Subject to conditions in their memorandum.</i>	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

<p>Business and Office (Page I-40)</p>	<p><i>This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.</i></p> <p><i>Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP-designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. If there is no adjacent or adjoining residential use existing, zoned or designated on the same side of the roadway, the maximum allowable residential density will be that which exists or which this plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively commercial use of the site. Where SURs or TDRs are transferred to Business-designated parcels which are zoned or to be used for residential development, or when a residential project utilizes the inclusionary zoning program the allowances of the Residential communities section may be used within the limits provided in this paragraph.</i></p>
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ZONING RECOMMENDATION ADDENDUM

AutoZone Stores, LLC
PH: Z23-405

PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Section 33-311(A)(7) Generalized Modification Standards</p>	<p><i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.</i></p>
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Building and Neighborhood Compliance

ENFORCEMENT HISTORY

AUTO ZONE STORES, LLC

18200 SW 147 AVE
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

PENDING

Z2023000405

DATE

HEARING NUMBER

FOLIO No: 30-5933-034-0010

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

January 24, 2025

NEIGHBORHOOD REGULATIONS:

There are no open/closed cases in CMS.

BUILDING SUPPORT REGULATIONS:

There are no open/closed cases in BSS.

VIOLATOR:

AUTO ZONE STORES, LLC


OUTSTANDING LIENS AND FINES:

There are no outstanding liens or fines.

Memorandum

Date: January 23, 2025

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

From: Lisa M. Spadafina, RER Assistant Director
Division of Environmental Resources Management 

Subject: Z2023000405-2nd Review
AutoZone Stores, LLC.
18200 SW 147th Avenue
Modification of Resolution CZAB11-47-07 to develop an Autozone
store within a developed shopping center.
(BU-1A) (9.84 acres)
33-55-39

The Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) has reviewed the above referenced Municipal Site Plan Review for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) for potable water service and wastewater disposal. Based on the information provided, this site plan review is approved pursuant to section 24-43.1 the Code related to potable water service and wastewater disposal.

Potable Water Supply and Wastewater Disposal

According to DERM records the existing shopping center is currently connected to public water and sanitary sewers. Pursuant to the Code and based on the proposed site plan showing new construction, the proposed development currently has abutting public water and public sanitary sewer mains. Therefore, the proposed development shall connect to public water and sanitary sewers in accordance with the Code.

Under section 24-43.4(2)(b)(iii) of the Code, once a property or portion thereof is determined to be within feasible distance, the owner shall record, in the Public Records of Miami-Dade County and at the owner's expense, a covenant in a form acceptable to the Director acknowledging that the property shall be required to connect to the applicable public infrastructure as a condition of any building permit for development on the property or portion thereof. Please contact Glennys.Fernandez-Martinez@miamidade.gov or Ninfa.Rincon@miamidade.gov for information regarding this covenant.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Please note that some of the collection/transmission facilities, which includes sanitary sewer gravity sewer mains, sanitary sewer force mains and sanitary sewer pump stations, throughout the County do not have adequate capacity, as defined in the Consent Decree between Miami-Dade County, Florida Department of Environmental Protection, and the U.S. Environmental Protection Agency case 1:12-cv-24400-FAM. Under the terms of this Consent Decree, this approval does not constitute an allocation or certification of adequate treatment and transmission system capacity. At the time of building permits,

DERM will evaluate and may reserve sanitary sewer capacity, through the DERM sanitary sewer certification process, if the proposed development complies with the provisions of the Consent Decree. Building permits for development in sanitary sewer basins that have been determined not to have adequate capacity cannot be approved until adequate capacity becomes available.

Please be advised, DERM review and approval is required for any proposed public or private sanitary sewer system. Each parcel within the proposed development that is required to be served by public sanitary sewers shall connect directly to the public sanitary sewer system, without traversing other parcels. Private sanitary sewer collection and transmission systems are limited to one building per parcel connecting directly to a public sanitary sewer system and cannot traverse other parcels to connect to the public sanitary sewer system. If multiple buildings are within a parcel, each building shall connect individually to a public sanitary sewer system without traversing other parcels.

Conditions of Approval: That the owner submits a covenant in accordance with the requirements of section 24-43.4(2)(b)(iii) of the Code.

Water Control Review

A DERM Surface Water Management General Permit Modification shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to any future development order approval. The applicant is advised to contact the DERM Water Control Section at (305)372-6681 or dermwatercontrol@miamidade.gov for further information regarding permitting procedures and requirements.

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 5-year storm event.

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

Conditions of Approval: None

Tree Preservation Review

An aerial review of the subject property indicates the presence of tree resources, however, the landscape plan entitled "AutoZone Store FL6504" prepared by Nickolas K. Schild, R.L.A., and dated as received by Miami-Dade County on October 10, 2023, was submitted with the subject application and indicates that tree resources onsite will not be removed. Please note that a Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the tree preservation and protection provisions of the Code. Projects and permits shall comply with the requirements of sections 24-49.2 and 24-49.4 of the Code.

In accordance with section 24-49.9 of the Code, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development, or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species. Please contact Jackelyn Alberdi at Jackelyn.Alberdi@miamidade.gov regarding any additional information or concerns with this review.

Conditions of Approval: None

DERM Enforcement History Review

The subject property has no open and five (5) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information. There are no outstanding DERM liens or fines for the subject property.

Additionally, a review records associated with the above DERM Enforcement case revealed the following:

Smoothie Monkey (DERM closed case no. GDO-11448)

Paid civil penalties and surcharge: \$110.00 for UCVN no. B212102.

Little Super Heros Learning Center & Child Care (DERM closed case no. GDO-11496)

Paid civil penalties and surcharge: \$110.00 for UCVN no. B217168.

Tom Thumb Food Stores (DERM closed case no. GDO-11451)

Paid civil penalties: \$260.00 for UCVN no. B228654.

Tom Thumb Food Stores (DERM closed case no. GDO-11451)

Paid civil penalties and surcharge: \$110.00 for UCVN no. B228655.

Pomodoro Ristorante & Bar, LLC. DBA Pomodoro Ristorante & Bar (DERM closed case no. GDO-10037)

Paid civil penalties and surcharge: \$110.00 for UCVN no. B228108

Concurrency Review Summary


A concurrency review has been conducted for this application and DERM has determined that the same meets all applicable LOS standards for an initial development order as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. This concurrency approval is valid only for this initial development order. Pursuant to Chapter 33G of the Code, a final concurrency statement will be issued at the time of final development order.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Ninfa Rincon at (305) 372-6764.

cc: Eric Silva, Department of Regulatory and Economic Resources

Date: November 1, 2023

To: Nathan Kogon, Assistant Director
Development Services
Department of Regulatory and Economic Resources (RER)

From: Maria A. Valdes, CSM, LEED® Green Associate
Chief, Planning & Water Certification Section
Water and Sewer Department (WASD) 

Subject: Zoning Application Comments - AutoZone Stores, LLC
Application No. Z2023000405 - (Pre-app. No. Z23P-393)

The Water and Sewer Department has reviewed the proposed development for the subject zoning application. WASD has no objections to this application. The information provided below is preliminary and it does not affect the Zoning process. The applicant is advised to consult with their engineer and WASD's Plans Review staff to finalize points of connection and capacity approval.

Application Name: AutoZone Stores, LLC

Location: The proposed project is located at northwest corner of the intersection of SW 147th Avenue and SW 184th Street with Folio No. 30-5933-034-0010, in unincorporated Miami-Dade County, abutting and within the Urban Development Boundary on the south.

In addition, due to the project's proximity to the UDB, the proposed development is subject to review and approval by a WASD proximity to UDB project review team, as required by Policy WS-2E in the County's CDMP.

Proposed Development: To construct a 7,381 S.F. AutoZone

The estimated total water demand for the proposed addition will be 738 gallons per day (gpd).

Water: The proposed development is located within the WASD's water service area. The water supply is provided by the Alexander-Orr Water Treatment Plant (WTP). Currently, there is adequate treatment and water supply capacity at the WTP, consistent with Policy WS-2 A (1) of the CDMP.

There is an existing 12-inch water main in an easement within the property close to the western side of the project site to where the developer may connect to provide service to the proposed project. Any public water main extension within the property shall be 12-inch minimum diameter. If two or more fire hydrants are to be connected to a public water main extension, then the water system shall be looped with (2) points of connection. *Final points of connections and capacity approval to connect to the water system will be provided at the time the applicant requests connection to the water infrastructure.*

Note there are water mains within the property, either in existing dedicated R/W or easements, which need to be removed and relocated if in conflict with the proposed development. In addition, no trees or palms should be planted within five (5) feet of any WASD facility. Easements associated with mains to be removed and relocated shall be closed and vacated before starting construction in the easement(s) areas. In case of R/W to be closed and vacated within the property, mains shall be removed and relocated, if needed, before closing/vacating them. Fire hydrants associated with mains to be removed and relocated shall be relocated as per Fire Department recommendations. Cutting and plugging of existing water mains shall be done by a licensed contractor under WASD supervision. Services to existing customers cannot be interrupted.

A Water Supply Certification (WSC) will be required for the proposed development. Said Certification will be issued at the time the applicant requests a WASD Developer Agreement. The WSC letter shall remain active in accordance with terms and conditions specified in said certification. The WSC is required consistent with Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the WASD's 20-year Water Use Permit.

For more information on the Water Supply Certification Program please go to <http://www.miamidade.gov/water/water-supply-certification.asp>

In addition, all future development will be required to comply with water use efficiency techniques for indoor water use and with landscape standards in accordance with Sections 8-31, 32-84, 18-A, and 18-B of the Miami-Dade County Code, consistent with Policies WS-5E and WS-5F of the CDMP.

For more information about our Water Conservation Program, please go to <http://www.miamidade.gov/conservation/home.asp>

For information concerning the Water-Use Efficiency Standards Manual please go to <http://www.miamidade.gov/waterconservation/library/instructions/water-use-efficiency-standards-manual.pdf>

Sewer: The proposed development is located within the WASD's sewer service area. The wastewater flows for the proposed development will be transmitted to the South District Wastewater Treatment Plant (SDWWTP) for treatment and disposal. The SDWWTP is currently operating under a permit from the Florida Department of Environmental Protection. Currently, there is adequate sewer treatment and disposal capacity at the SDWWTP, consistent with Policy WS-2 A (2) of the CDMP.

There is an existing 8-inch gravity sewer system in an easement within the property located on the eastern side of the project site to where the developer may connect to provide sewer service for the proposed project. Final points of connections and capacity approval for connection to the sewer system will be provided at the time the applicant request connection to the sewer infrastructure.

If unity of Title does not apply, then any gravity sewer within the property shall be public and 8-inch minimum diameter.

There are sewer mains within the property, either in existing dedicated R/W or easements, which need to be removed and relocated if in conflict with the proposed development. In addition, no trees or palms should be planted within five (5) feet of any WASD facility. Easements associated with mains to be removed and relocated shall be closed and vacated before starting construction in the easement(s) areas. In case of R/W to be closed and vacated within the property, mains shall be removed and relocated, if needed, before closing/vacating them. Services to existing customers cannot be interrupted.

The sewage flow from the proposed development will be transmitted to Pump Station (P.S.) 1086. The projected sanitary sewer flows from this development will increase the Nominal Average Pump Operating Time (NAPOT) operating hours of P.S. 1086 from 3.01 hrs. to 3.03 hrs. The Moratorium Code status for said pump station is OK.

Connection to the sanitary sewer system is subject to the following conditions:

- Adequate transmission and plant capacity exist at the time of the owner's request consistent with policy WS-2 A(2) of the CDMP. Capacity evaluations of the plant for average flow and peak flows will be required. Connection to the COUNTY'S sewage system will be subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the COUNTY and the United States, the

State of Florida and/or any other governmental entity, including but not limited to, the Consent Order entered on April 9, 2014 in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as well as all other current, subsequent or future enforcement and regulatory actions and proceedings.

- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Any public water or sewer infrastructure must be within a public right-of-way, or within a utility easement.

Below please find additional links to the WASD portal, which provides information on the Construction & Development process for water and sewer infrastructure.

<http://www.miamidade.gov/water/construction-development.asp>

<http://www.miamidade.gov/water/construction-service-agreement.asp>

<http://www.miamidade.gov/water/construction-existing-service.asp>

<http://www.miamidade.gov/water/library/forms/service-agreement.pdf>


Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or mavald@miamidade.gov, Alfredo B. Sanchez at (786) 552-8237 or sanalf@miamidade.gov, or Benita Ramirez (786) 552-8121 or benita.ramirez@miamidade.gov.

Memorandum



Date: November 7, 2024

To: Eric Silva, AICP, Assistant Director
Department of Regulatory and Economic Resources

From:  Raul A. Pino, PLS, Division Chief
Platting and Traffic Review Section
Department of Regulatory and Economic Resources

Subject: Z2023000405
Name: AutoZone Stores, LLC
Location: 18200 SW 147 Avenue
Section 33 Township 55 South Range 39 East

The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has **no objections**.

This land **complies** with Chapter 28 of the Miami-Dade County Code, the property is platted as Tract A, Plat Book 168, Page 35. A Covenant in lieu of unity of title approved by the Platting and Traffic Review Section will be required.

This application will generate approximately **21 PM** peak hour vehicle trips. In order to receive traffic concurrency approval, the applicant completed a Proportionate Share Mitigation Agreement under this zoning application Z2023000405. This agreement has been recorded in the Public Records of Miami-Dade County under OR Book 34478 and Page 2440.

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.

Standard Conditions:

- A letter or a plan containing the following certification signed and sealed by a State of Florida registered engineer shall be submitted as part of the paving and drainage plans: "I hereby certify that the all of the roads for the subject project comply with all of the applicable portions of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook) regarding: design speed, lane widths, horizontal alignment, vertical alignment, stopping sight distance, sight distance, horizontal clearance, vertical clearance, superelevation, shoulder widths, grades, bridge widths, etc."
- All landscaping, walls, fences, entrance features, etc. will be subject to the Safe Sight Distance Triangle as per Section 33-11 of the Miami-Dade County Code and G5.3 of the Public Works and Waste Management Department Manual.

Memorandum



Date: January 31, 2024

To: Nathan M. Kogon, Assistant Director
Regulatory and Economic Resources

From: Alejandro G Cuello, Principal Planner
Miami-Dade Fire Rescue Department

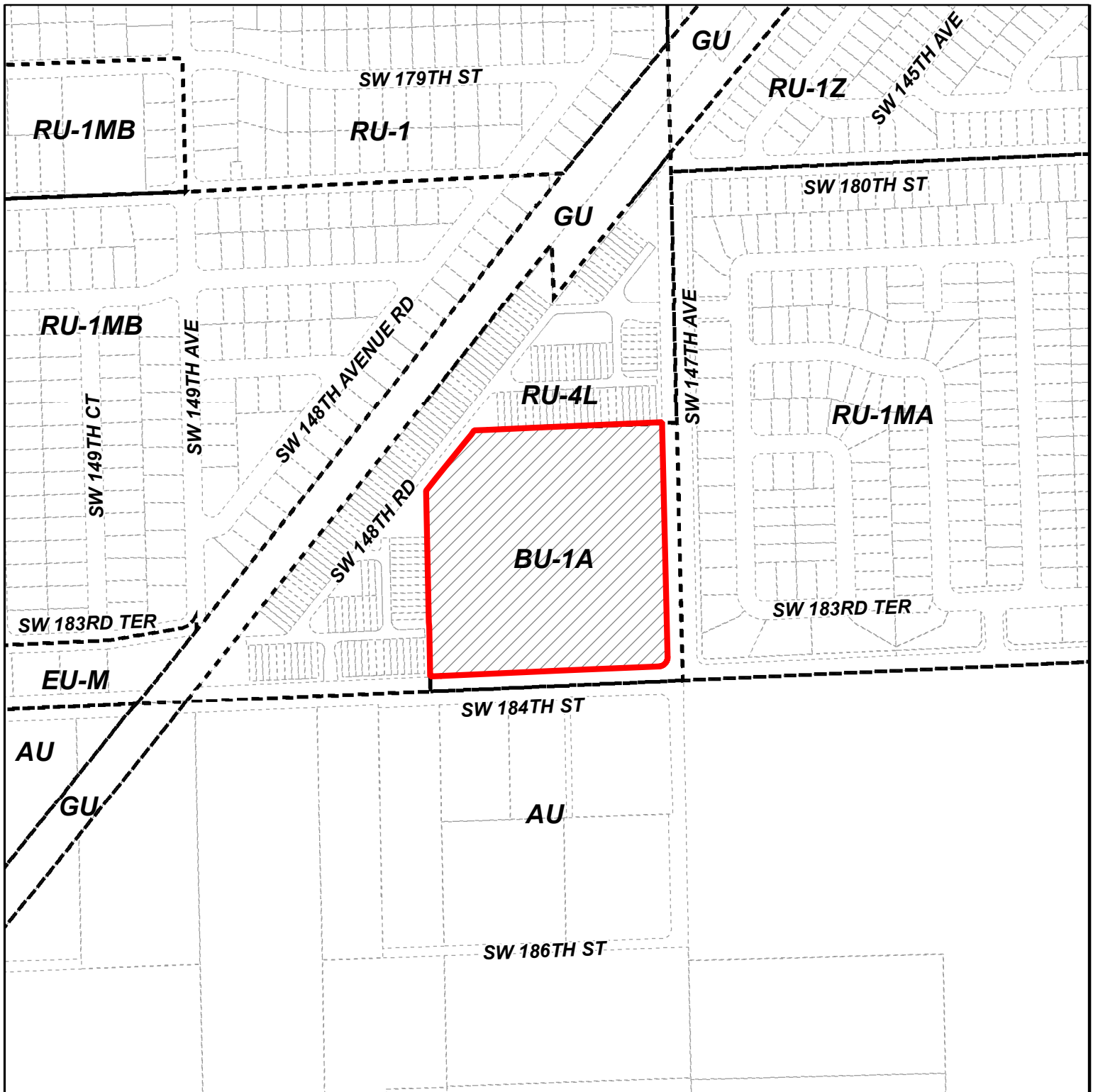
Subject: Z2023000405

The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded to “EnerGov” on 1/31/2024.

MDFR’s review of this zoning application is limited to assessing fire department access and does not effectuate an approval of the building design. The future building’s design must be in compliance with the applicable requirements for the proposed use:

Florida State Statute Chapter 633 (Fire Prevention & Control)
Florida Administrative Code 69A
Florida Fire Prevention Code (NFPA 1 and NFPA 101 (2018 edition))
Applicable adopted NFPA Standards
County Code Chapter 14

For additional information, please contact acuello@miamidade.gov or call 305-775-3357.





MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2023000405



Section: 33 Township: 55 Range: 39
 Applicant: AutoZone Stores, LLC
 Zoning Board: C11
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

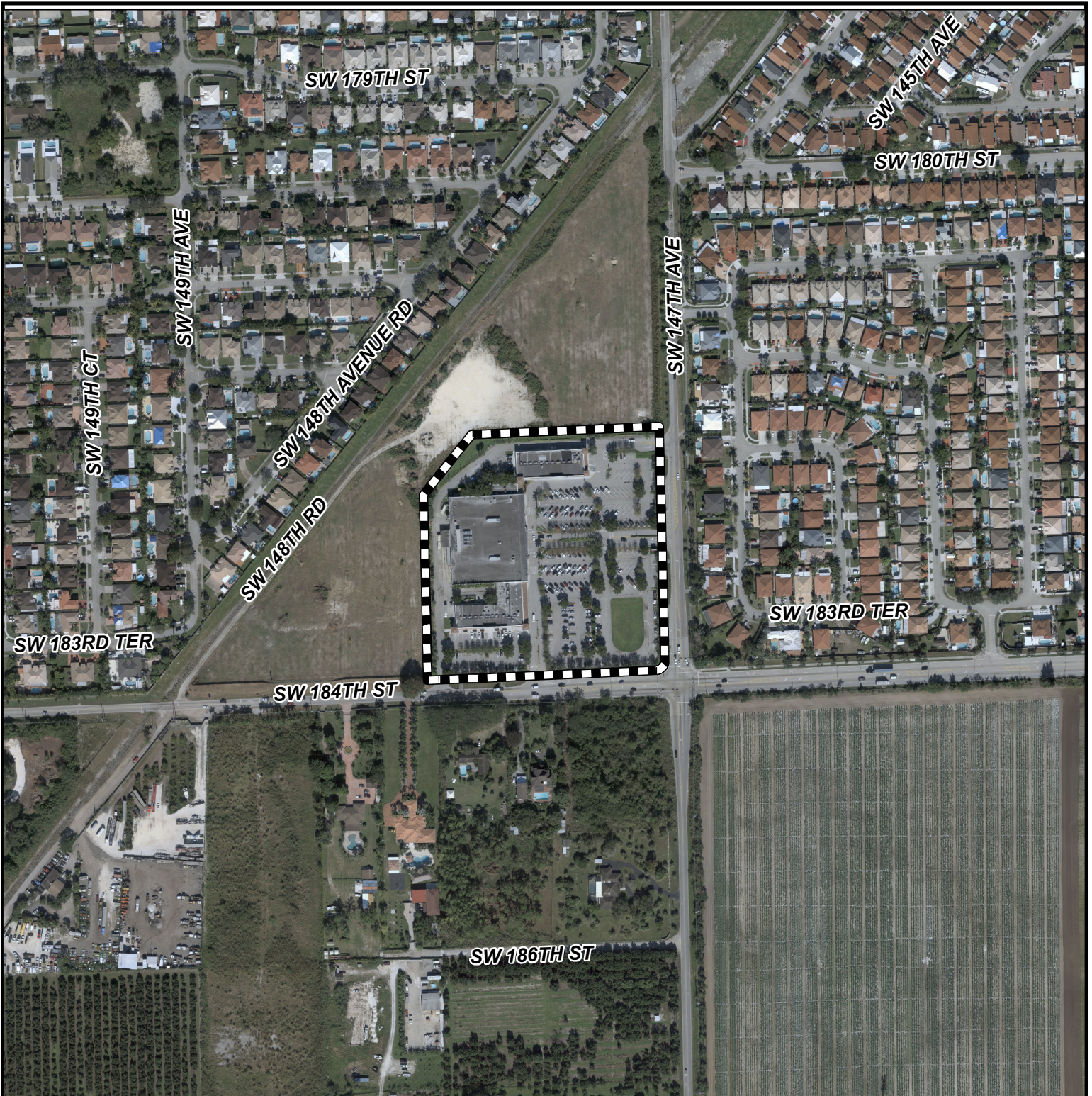
Legend

-  Subject Property Case
-  Zoning




SKETCH CREATED ON: Friday, October 13, 2023

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2021

Process Number
Z2023000405

Legend
 Subject Property

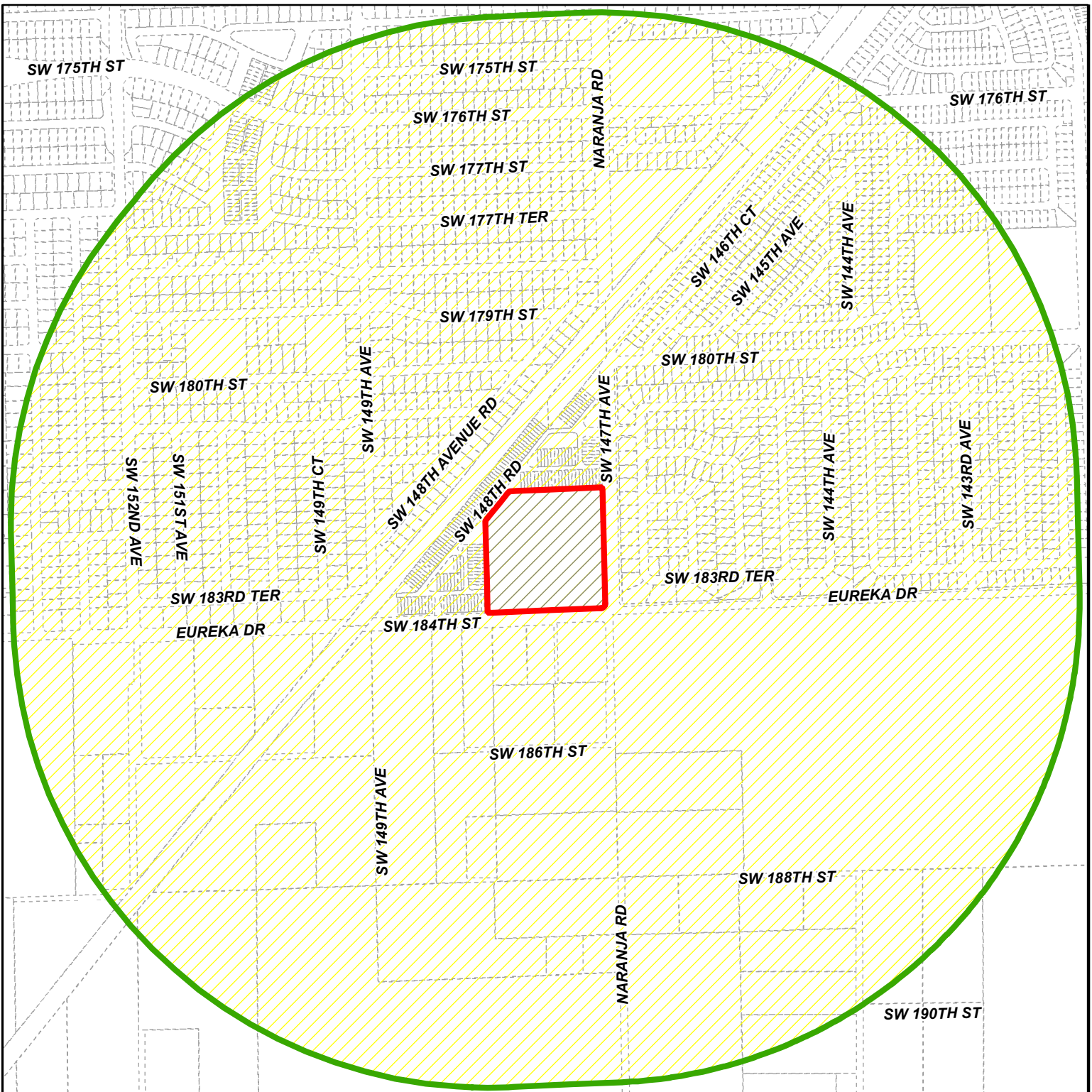


Section: 33 Township: 55 Range: 39
 Applicant: AutoZone Stores, LLC
 Zoning Board: C11
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



SKETCH CREATED ON: Friday, October 13, 2023

REVISION	DATE	BY






MIAMI-DADE COUNTY
RADIUS MAP

Section: 33 Township: 55 Range: 39
 Applicant: AutoZone Stores, LLC
 Zoning Board: C11
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2023000405
 RADIUS: 2640

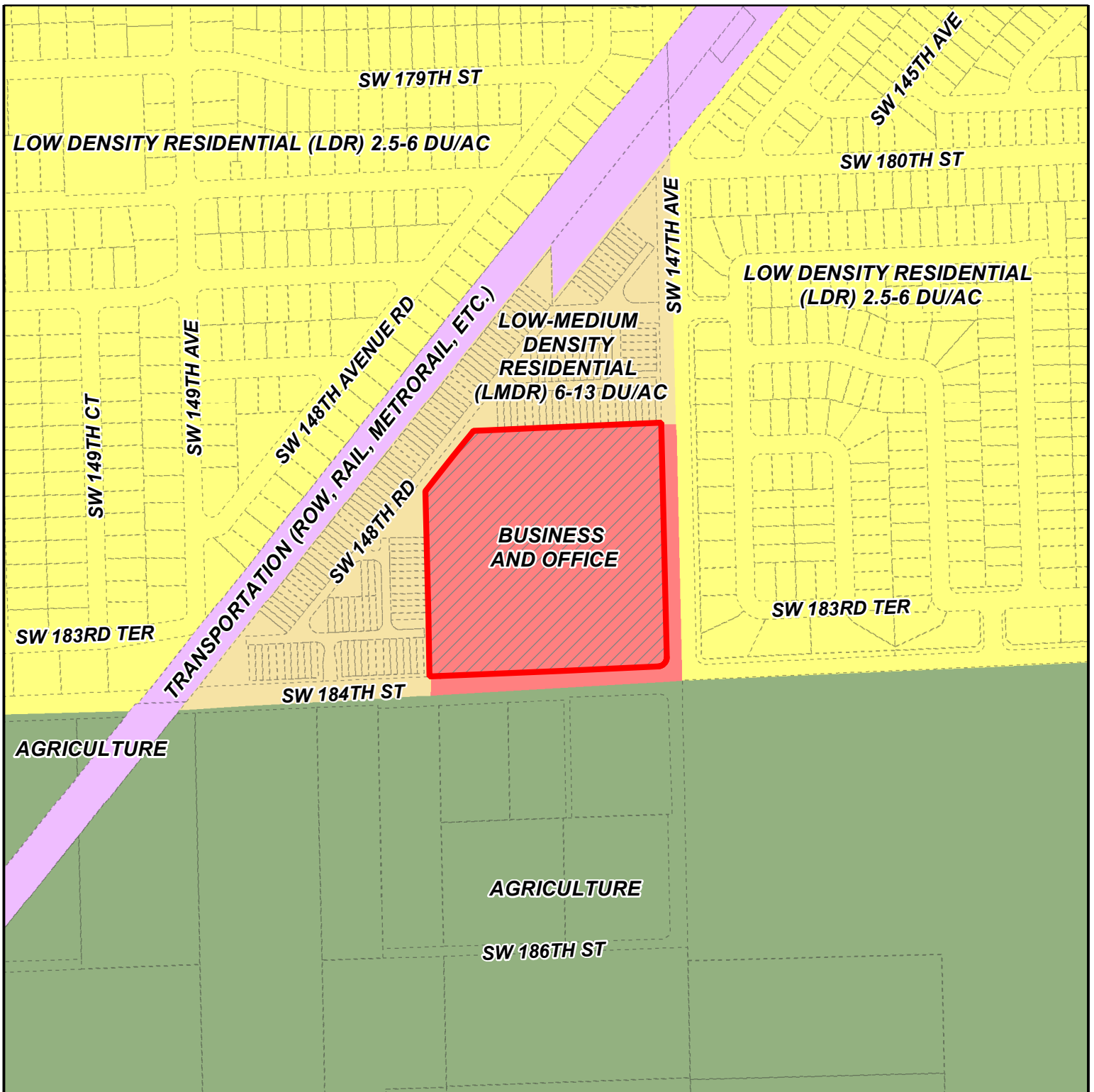
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Friday, October 13, 2023

REVISION	DATE	BY



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2023000405

Section: 33 Township: 55 Range: 39
 Applicant: AutoZone Stores, LLC
 Zoning Board: C11
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



Legend

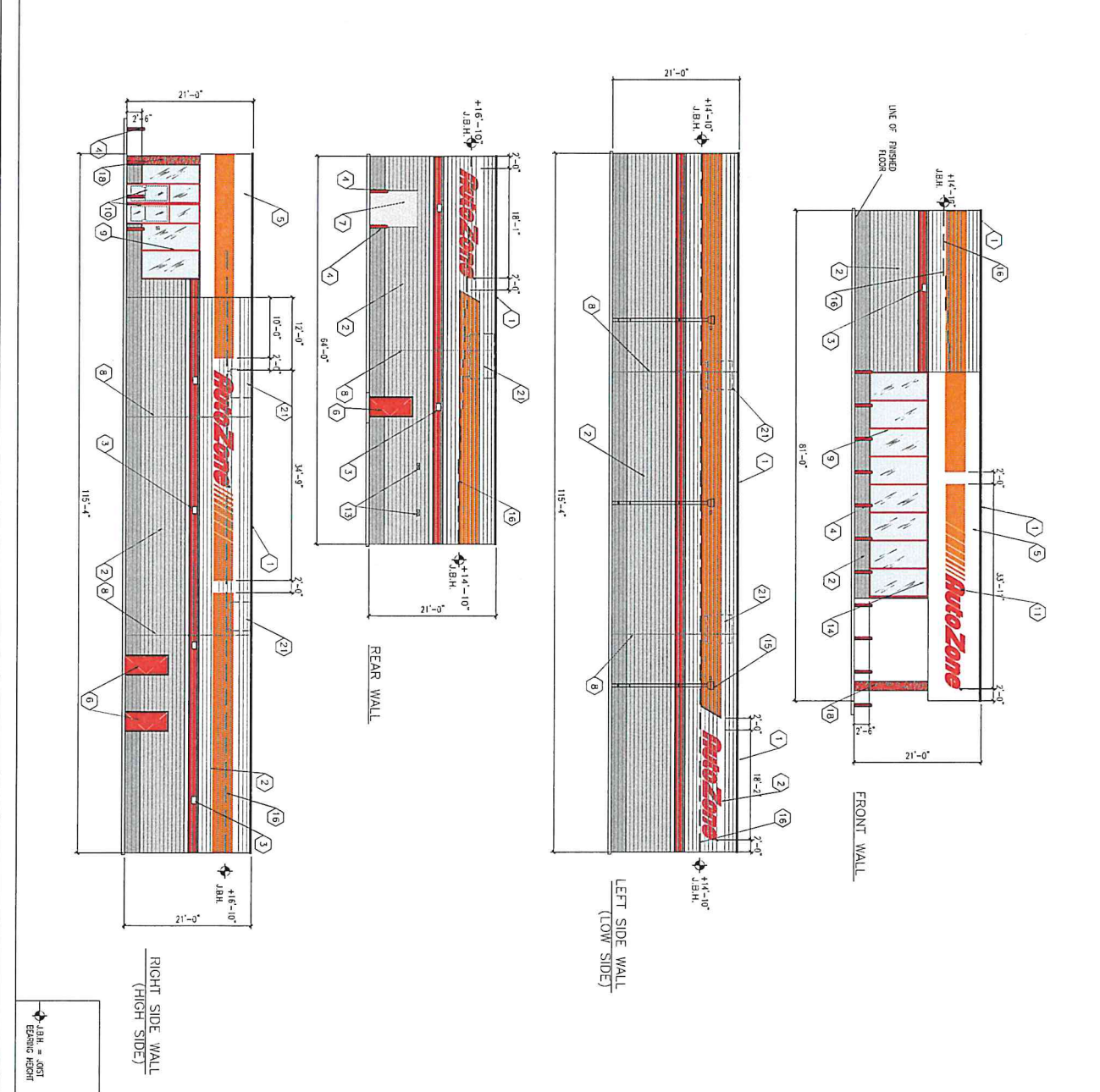
 Subject Property Case



SKETCH CREATED ON: Friday, October 13, 2023

REVISION	DATE	BY

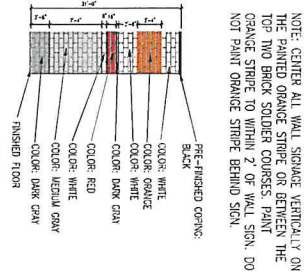
1 EXTERIOR ELEVATIONS



- 1 TWO PIECE COMPRESSION TRIM SEE DETAIL 4/16
- 2 SMOOTH FACE CONCRETE WASHERY UNITS SEE PANT DETAIL SCHEME THIS SHEET
- 3 WALL MOUNTED LIGHT FIXTURE
- 4 PPE CLOSET WITH RED STRIPE
- 5 WPC WHITE EXTERIOR INSULATED FINISH - PAINT WHITE
- 6 PAINT MAIN ROOM RED & METAL FRAMES BLACK
- 7 DOOR/DOOR THRESHOLD/DOOR PAINT ANGLES BLACK
- 8 EXPANSION JOINT
- 9 ALUMINUM STOREFRONT - RED RIVET FINISH
- 10 GLASS AND ALUMINUM WINDOWS - CLEAR ANODIZED FINISH
- 11 FRONT WALL SIGN - 36" HIGH CHANNEL LETTERS W/ STRIPES
- 12 RIGHT WALL SIGN - 36" HIGH CHANNEL LETTERS W/ STRIPES
- 13 TOILET WALL VENTS PAINT TO MATCH WALL
- 14 STORE ADDRESS - 6" WHITE REFLECTIVE NUMBERS
- 15 SCORERS AND DOWNSPURS, PAINTED TO MATCH BACKGROUND WALL COLOR, ADJACENT 4" H. X 6" W. OVERFLOW SCUPPER, ROUNDED 2" ABOVE ROOF
- 16 ROOF BEAM AT ROOF LINE
- 17 HVAC UNITS SCREENED BEHIND PROJECT WALL
- 18 OPERATED COLUMN - PAINT RED
- 19 LEFT WALL SIGN - 36" HIGH CHANNEL LETTERS
- 20 REAR WALL SIGN - 36" HIGH CHANNEL LETTERS

2 ELEVATION KEYNOTES

NOTE: CENTER ALL WALL SIGNAGE VERTICALLY ON THE PAINTED ORANGE STRIPE OR BETWEEN THE TOP TWO BRICK SORDER CORNERS. PAINT ORANGE STRIPE TO WITHIN 2" OF WALL SIGN. DO NOT PAINT ORANGE STRIPE BEHIND SIGN.



- 1 REFER TO SECTION 09000 OF THE SPECIFICATIONS FOR PAINT AND COORDINATE COLORS. ALL COLORS ARE BY SHERWIN-WILLIAMS PAINT COMPANY.
- 2 PAINT RESTROOM WALL VENTS TO MATCH THE ADJACENT WALL.
- 3 SCREEN AT EXPANSION JOINTS TO MATCH ADJACENT WALL COLOR.
- 4 ALL WINDOW JOINTS TO BE CHROME TOLUID.

1. SIGNAGE SHALL BE INSTALLED AND FINISH ALL SIGNS UNLESS SPECIFICALLY NOTED ON THE DRAWINGS OTHERWISE, WALL SIGNS TO BE INSTALLED ON SURFACES THAT ARE UNFINISHED AND PROVIDED BY OTHER CONTRACTOR.
2. SIGN INSTALLER SHALL GRIND SIGN FINISHES AND REPAIR ALL FINISHES TO MATCH THE FINISHES OF THE SURFACES TO WHICH THEY ARE TO BE APPLIED. CONTRACTOR SHALL INSURE SIGN LOCATION IS TO CHANGE AND SHALL MARK WHERE SIGN IS TO BE LOCATED.
3. GENERAL CONTRACTOR IS RESPONSIBLE FOR INSTALLATION OF PRIMARY ELECTRICAL AND RIVAL ELECTRICAL WORK-UP. SEE "SM" SHEETS FOR ADDITIONAL INFORMATION.
4. SEE SIGN 13 FOR LOCATIONS OF J-BOARDS REMAINING FROM WALL SIGN DESIGN.

NO.	REVISIONS	DATE
1		
2		
3		

Architect: George Callow - License #AR0014155
 123 South Front Street
 Memphis, Tennessee 38103
 TEL: 901-495-8706 FAX: (901) 495-8969

For Bidding & Contractor Information Contact:
 McGraw - Hill Construction Tel. 615-884-1017
 www.construction.com

AutoZone Store No. 6504
 18200 SW 147TH AVENUE

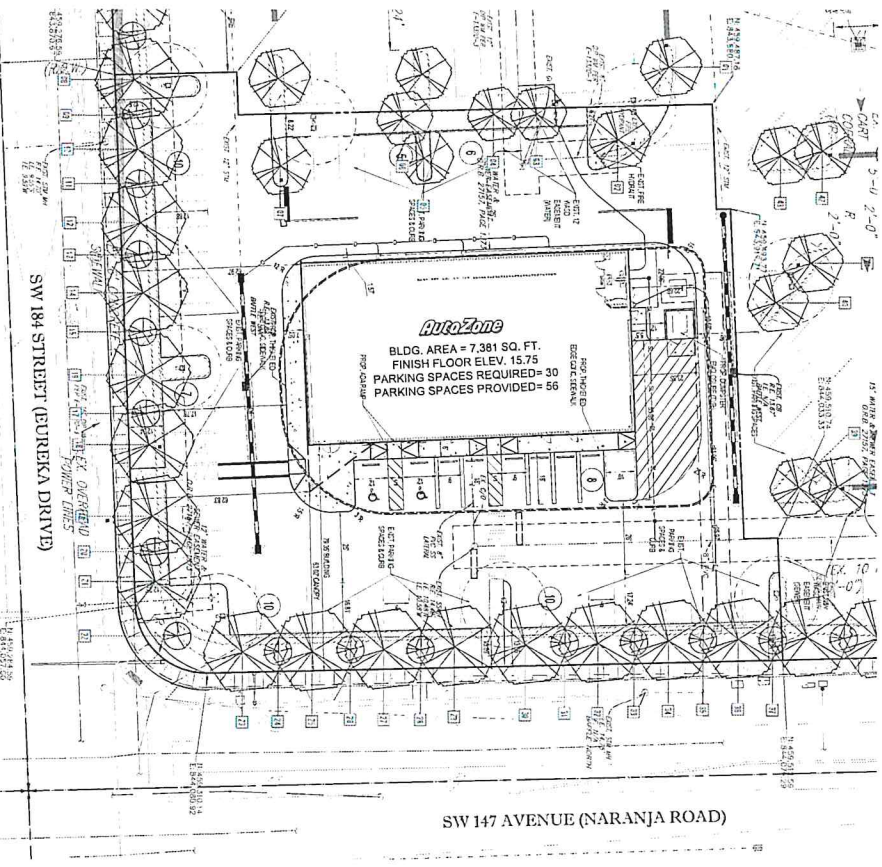
MIAMI FL 33177

EXTERIOR ELEVATIONS AND NOTES

CE-1

05/01/23

7/24



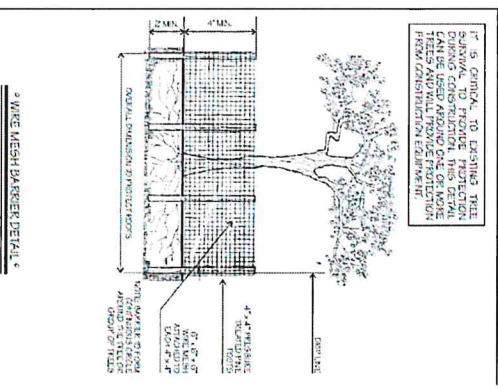
GENERAL NOTES:

1. Surveyor's map showing all existing and existing utility lines shall be shown on this plan.
2. All utility lines shall be shown on this plan.
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EXISTING TREE DISPOSITION CHART

NO.	DESCRIPTION	TRUNK DBH (IN)	HEIGHT (FT)	SPREAD (FT)	CONDITION	DISPOSITION	NOTES
1	COCONUT PALM	20	25	10	GOOD	RETAIN	
2	COCONUT PALM	20	25	10	GOOD	RETAIN	
3	COCONUT PALM	20	25	10	GOOD	RETAIN	
4	COCONUT PALM	20	25	10	GOOD	RETAIN	
5	COCONUT PALM	20	25	10	GOOD	RETAIN	
6	COCONUT PALM	20	25	10	GOOD	RETAIN	
7	COCONUT PALM	20	25	10	GOOD	RETAIN	
8	COCONUT PALM	20	25	10	GOOD	RETAIN	
9	COCONUT PALM	20	25	10	GOOD	RETAIN	
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44	COCONUT PALM	20	25	10	GOOD	RETAIN	
45	COCONUT PALM	20	25	10	GOOD	RETAIN	
46	COCONUT PALM	20	25	10	GOOD	RETAIN	
47	COCONUT PALM	20	25	10	GOOD	RETAIN	
48	COCONUT PALM	20	25	10	GOOD	RETAIN	
49	COCONUT PALM	20	25	10	GOOD	RETAIN	
50	COCONUT PALM	20	25	10	GOOD	RETAIN	
51	COCONUT PALM	20	25	10	GOOD	RETAIN	
52	COCONUT PALM	20	25	10	GOOD	RETAIN	
53	COCONUT PALM	20	25	10	GOOD	RETAIN	
54	COCONUT PALM	20	25	10	GOOD	RETAIN	
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95	COCONUT PALM	20	25	10	GOOD	RETAIN	
96	COCONUT PALM	20	25	10	GOOD	RETAIN	
97	COCONUT PALM	20	25	10	GOOD	RETAIN	
98	COCONUT PALM	20	25	10	GOOD	RETAIN	
99	COCONUT PALM	20	25	10	GOOD	RETAIN	
100	COCONUT PALM	20	25	10	GOOD	RETAIN	

TOTAL # OF QUALIFIED CANOPY ON SITE: 11382



PLEASE REFER TO SHEET L-2.0 FOR OVERALL LANDSCAPE PLAN

THIS SITE CONTAINS EXISTING TREES WHICH MAY REQUIRE TRIMMING AND/OR PRUNING - ALTHOUGH THIS IS NOT ANTICIPATED TO OCCUR. THE LANDSCAPE COMPANY/CONTRACTOR MUST HAVE A CERTIFIED ARBORIST ON STAFF TO ENSURE PROPER ISA HORTICULTURAL PRUNING, TRANSPORTING, ETC. OF THESE TREES. IF REMOVED, NO MORE THAN 25% OF THE CANOPY MAY BE REMOVED WITHOUT REQUESTING A FIELD MEETING WITH MIAMI-DADE COUNTY.



THOMAS ENGINEERS GROUP
 1102 W. FLETCHER AVE. SUITE 200 TAMPA, FL 33612
 813-882-4444
 113 W. BOWTOWN RD. SUITE 200 JUPITER, FL 33418
 561-744-1111

THOMAS ENGINEERS GROUP
 1102 W. FLETCHER AVE. SUITE 200 TAMPA, FL 33612
 813-882-4444

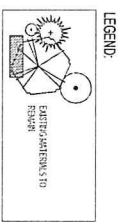
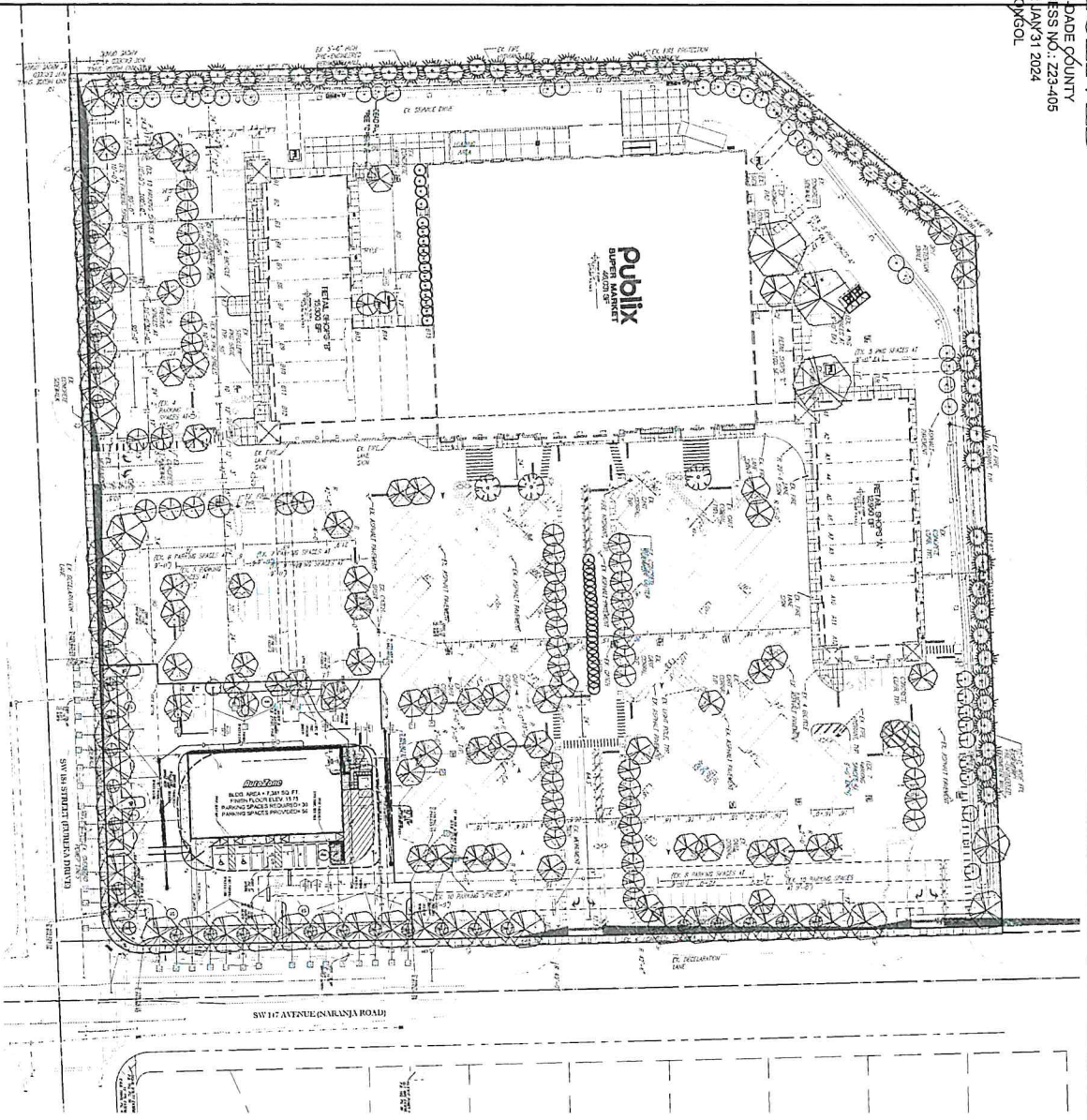
Autozone STORE
 SW 184 STREET & SW 147 AVENUE
 MIAMI-DADE COUNTY

PRELIMINARY SITE PLAN
 PROJECT: AUTOZONE STORE
 DATE: 1/23/2024

Sunshine Sky
 Call us at 813-882-4444 for more information. We are a full-service landscape architecture and construction firm. Our services include landscape design, site plan preparation, and construction management.

THOMAS ENGINEERS GROUP
 1102 W. FLETCHER AVE. SUITE 200 TAMPA, FL 33612
 813-882-4444
 113 W. BOWTOWN RD. SUITE 200 JUPITER, FL 33418
 561-744-1111

DISPOSITION PLAN
 SHEET NUMBER: L-1.0



OVERALL SITE

LANDSCAPE LEGEND (This information is required to be permanently affixed to the plan.)
 Zone: Outdoor: 35.0%
 Net Area: 35.0%
 Area: 12,375 square feet

OPEN SPACE

A. Square feet of open space required by Chapter 23, as indicated on the plan: 6,807.5 SF
 B. Square feet of open space required by Chapter 18A, as indicated on the plan: 4,005 SF
 C. Total square feet of landscaped open space required by Chapter 23 - A + B = 10,812.5 SF

LAWN AREA CALCULATION

A. Total square feet of landscaped open space required by Chapter 23 = 6,807.5 square feet = 15.6%
 B. Maximum lawn area (60' x 60') permitted = 3,600 square feet = 8.2%
 C. Minimum lawn area (60' x 60') permitted = 3,600 square feet = 8.2%

TREES

A. The number of trees required per net lot area: 25 trees per acre
 B. 30% palm trees allowed (two palm = one tree) Palm provided = 75 trees
 C. Percentage of cubic feet required = the number of trees provided x 35% = 26.25 cubic feet
 D. Palms as street trees, average spacing 25' x 42" = 114 linear feet along street = 25' x 42" = 114 linear feet
 E. Street trees spaced along street = 25' x 42" = 114 linear feet
 F. Total number of trees provided = 25 trees

SHRUBS

A. The number of shrubs required = 1.0% of the number of trees required = 25 shrubs
 B. The number of shrubs required = 30% of the number of trees required = 7.5 shrubs

IRRIGATION PLAN: Required by Chapter 23. Also irrigation: 1 or less h2o provided.

TABLE 2: containing information as indicated in sample:

SYMBOL/USED ON PLAN	PLANT NAME	NATIVE CALIF. SPECIES	HEIGHT	EMBEDDED	CANOPY	QUANTITY				
Symbol	New	Existing	Scientific	Common	Yes	No	Required	Embedded	Embedded or	Quantity

* Required for trees located underground or adjacent to powerlines and palm seed at 1:1 ratio
 * ADDITIONAL IRRIGATION MAY BE REQUIRED BY CHAPTER 18A.

PLANT SCHEDULE

TREES	CODE	QTY	COMMON NAME
	CE	1	Butterwood
	TP	2	Pink Tabebuia
	CHH	10	Red Tip Cocoplum
	POD	110	Shrubby Yew
	HAP	42	Fire Bush
	LUR	61	Lily Turf

THOMAS ENGINEERING GROUP
 CIVIL ENGINEERS - PROJECT MANAGERS - LAND PLANNING - LANDSCAPE ARCHITECTURE

1902 W. FLETCHER AVE.
 SUITE 200
 TAMPA, FL 33612
 PH: 813.876.8100
 FAX: 813.876.8101

123 W. HIGHTOWN RD.
 SUITE 200
 JUPITER, FL 33458
 PH: 561.763.1111
 FAX: 561.763.1112

Sunshine Sky
 6811 S. W. 11th Avenue, Suite 200
 Miami, FL 33149
 Phone: 305.444.1111
 Fax: 305.444.1112
 Website: www.sunshinesky.com

PRELIMINARY SITE PLAN
 PROJECT: AUTOZONE STORE
 SW 14th STREET & SW 17th AVENUE
 MIAMI-DADE COUNTY
 PREPARED BY: THOMAS ENGINEERING GROUP

THOMAS ENGINEERING GROUP
 1902 W. FLETCHER AVE., SUITE 200
 TAMPA, FL 33612
 PH: 813.876.8100
 FAX: 813.876.8101
 WWW.THOMASENGINEERING.COM

REGISTERED PROFESSIONAL ENGINEER
 STATE OF FLORIDA
 ENGINEERING
 No. 12345
 NAME: JOHN D. SMITH
 EXPIRES: 12/31/2024

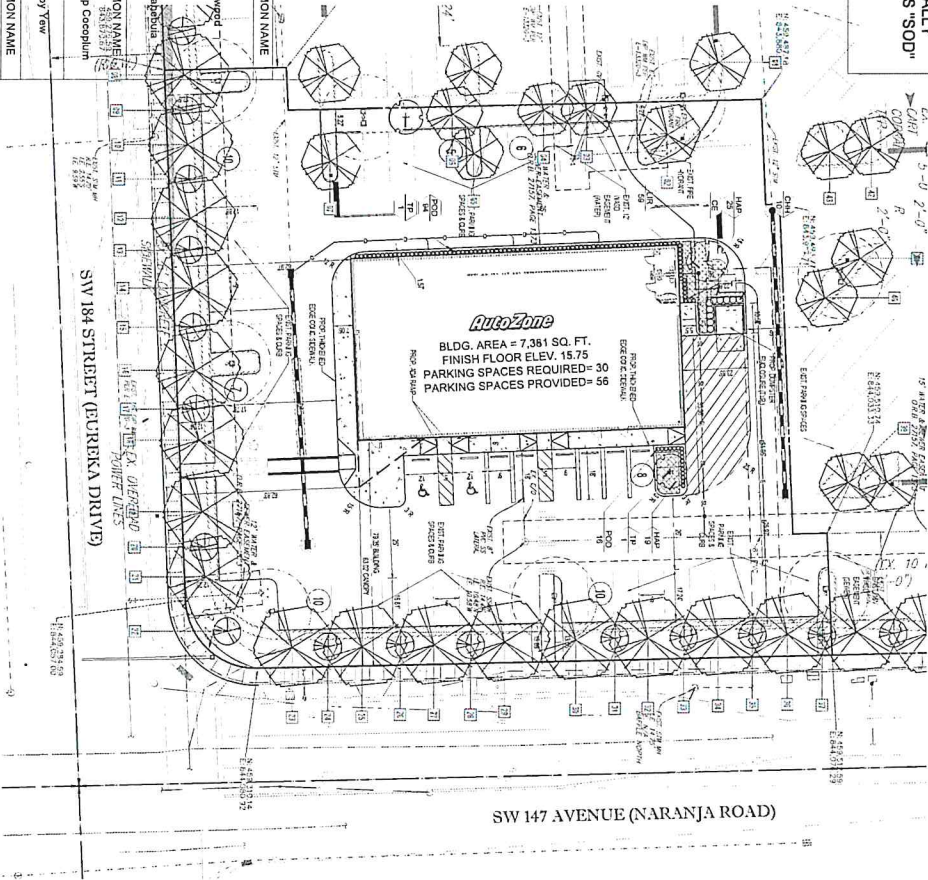
OVERALL LANDSCAPE PLAN
 SHEET NUMBER: L-2.0

MIAMI-DADE COUNTY
 PROCESS NO. 2013-00000000
 DATE: JAN 31 2013
 BY: GONGOL
 PLEASE REFER TO SHEET L-1.0 FOR
 TREE DISPOSITION PLAN. SHEET L-2.1
 FOR PLANT MATERIALS LIST.
 MIAMI-DADE COUNTY CODE
 REQUIREMENTS, AND PLANTING
 DETAILS; AND SHEET L-2.2 FOR
 LANDSCAPE GENERAL NOTES.

UNLESS OTHERWISE SPECIFICALLY
 NOTED, ALL AREAS LABELED AS "SOD"
 TO BE PASPALUM NOTATUM,
 ARGENTINE BAHIA SOD.

PLANT SCHEDULE

TREES	CODE	QTY	COMMON NAME
	CE	1	Butomoyed
	TP	2	Pink Tabebuia
	CHH	10	Red Tip Coccoloba
	POD	110	Shrubby Yew
	HAP	42	Fire Blush
	LHR	61	Lily Turf



AUTOZONE ONLY

LANDSCAPE LEGEND (This information is required to be permanently affixed to the plan)
 Landmark: BUA Net Lot Area: 5916 sq. ft. 4289 sq. ft.

OPEN SPACE
 A. Square feet of open space required by Chapter 23, as indicated on site plan: 4289 sq. ft.
 B. Square feet of planting in open space required by Chapter 23, as indicated on site plan: 4289 sq. ft.
 C. Total square feet of landscaped open space required by Chapter 23 = A + B = 8578 sq. ft.

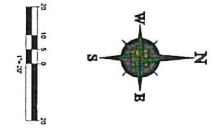
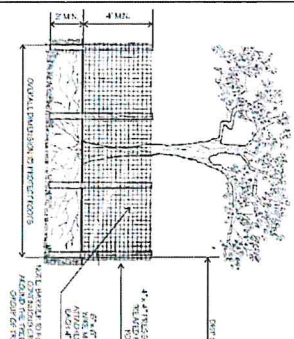
LAWN AREA CALCULATION
 A. Total square feet of landscaped open space required by Chapter 23 = 8578 sq. ft.
 B. Maximum lawn area (as regulated and permitted) = 20% of 8578 sq. ft. = 1715.6 sq. ft. (1716 sq. ft.)

TREES
 A. Total number of trees required per net lot area: 27 trees
 B. Total number of trees provided per net lot area: 27 trees

SHRUBS
 A. The total number of shrubs required = 110 shrubs
 B. The number of shrubs provided = 110 shrubs

SYMBOL	TREE	LANDSCAPE	COMMON NAME	HEIGHT	QUANTITY
CE	Butomoyed	1	CE	1	1
TP	Pink Tabebuia	2	TP	2	2
CHH	Red Tip Coccoloba	10	CHH	10	10
POD	Shrubby Yew	110	POD	110	110
HAP	Fire Blush	42	HAP	42	42
LHR	Lily Turf	61	LHR	61	61

NOTES:
 1. Required for trees located underground or adjacent to powerlines and utility lines used at 1:1 ratio.
 ADDITIONAL INFORMATION MAY BE REQUIRED BY CHAPTER 23.



THOMAS
 CIVIL ENGINEER, PROFESSIONAL LANDSCAPE ARCHITECT, LANDSCAPE ARCHITECT
 1902 W. FLETCHER AVE. SUITE 100 TAMPA, FL 33612
 813-973-1111
 123 W. BRIGHTON RD. SUITE 100 TAMPA, FL 33618
 813-973-1111

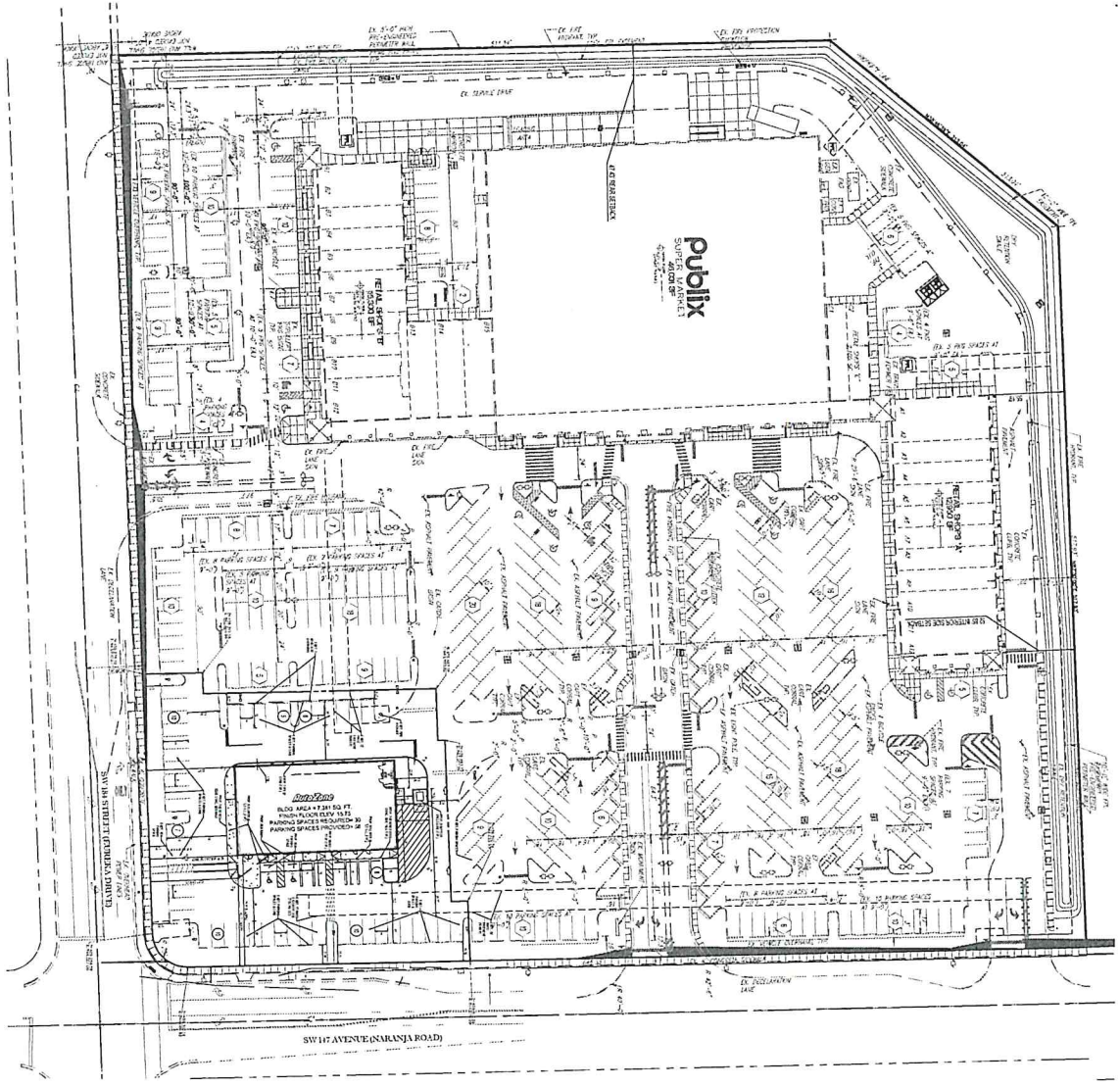
Sunshine
 PRELIMINARY SITE PLAN
 AUTOZONE STORE
 SW 184 STREET & SW 147 AVENUE
 MIAMI-DADE COUNTY, FL

THOMAS
 CIVIL ENGINEER, PROFESSIONAL LANDSCAPE ARCHITECT, LANDSCAPE ARCHITECT
 1902 W. FLETCHER AVE. SUITE 100 TAMPA, FL 33612
 813-973-1111

THOMAS
 CIVIL ENGINEER, PROFESSIONAL LANDSCAPE ARCHITECT, LANDSCAPE ARCHITECT
 1902 W. FLETCHER AVE. SUITE 100 TAMPA, FL 33612
 813-973-1111

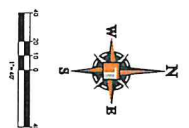
THOMAS
 CIVIL ENGINEER, PROFESSIONAL LANDSCAPE ARCHITECT, LANDSCAPE ARCHITECT
 1902 W. FLETCHER AVE. SUITE 100 TAMPA, FL 33612
 813-973-1111

SHEET NUMBER: L-2.1



ZONING LEGEND
 Legend for the site plan

EXISTING ZONING DESIGNATION	PERMITTED BUSINESS DISTRICT	PERMITTED BUSINESS DISTRICT	PERMITTED BUSINESS DISTRICT
RS-1	RS-1	RS-1	RS-1
RS-2	RS-2	RS-2	RS-2
RS-3	RS-3	RS-3	RS-3
RS-4	RS-4	RS-4	RS-4
RS-5	RS-5	RS-5	RS-5
RS-6	RS-6	RS-6	RS-6
RS-7	RS-7	RS-7	RS-7
RS-8	RS-8	RS-8	RS-8
RS-9	RS-9	RS-9	RS-9
RS-10	RS-10	RS-10	RS-10
RS-11	RS-11	RS-11	RS-11
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RS-98	RS-98	RS-98	RS-98
RS-99	RS-99	RS-99	RS-99
RS-100	RS-100	RS-100	RS-100



LEGAL DESCRIPTION
 THE PROPERTY IS DESCRIBED AS BEING LOCATED TO THE WEST, NORTH AND SOUTH OF THE INTERSECTION OF SW 17th Avenue and SW 18th Avenue, within the boundaries of the City of Miami, Florida. The property is bounded on the north by SW 17th Avenue, on the south by SW 18th Avenue, on the east by the Publix store, and on the west by the parking lot. The total area of the property is approximately 100,000 square feet.

<p>THOMAS ENGINEERING & ARCHITECTURE 1525 W. FLETCHER AVE. SUITE 501 TAMPA, FL 33612 P: 813-576-1100</p>	<p>Sunshine 6841 1st Ave, Suite 100 Miami, FL 33141 P: 305-555-1234</p>	<p>PROJECT: PUBlix STORE CLIENT: AUTOZONE INC. DATE: 1/31/24</p>	<p>PROJECT: PUBlix STORE CLIENT: AUTOZONE INC. DATE: 1/31/24</p>	<p>PROJECT: PUBlix STORE CLIENT: AUTOZONE INC. DATE: 1/31/24</p>
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MIAMI-DADE COUNTY

PROCESS NO.: Z23-405

DATE: JAN 31 2024

BY: GONGOL

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: AutoZone Stores, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>See Exhibit B, attached. Publicly traded company - AZO (NYSE)</u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
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<u></u>	<u></u>

If a **TRUST or ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: N/A

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

<u>NAME AND ADDRESS</u>	<u>Percent of Ownership</u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>

RECEIVED

MIAMI-DADE COUNTY

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

PROCESS NO: 23-405
DATE: 08/18/2023
BY: J. NGOL

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: *Jimmy Kelly*
(Applicant) AutoZone Stores, LLC

Sworn to and subscribed before me this 18th day of August, 2023. Affiant is personally known to me or has produced _____ as identification.

Rori Smith
(Notary Public)
My Commission Expires
November 9, 2025



*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

RECEIVED

DISCLOSURE OF INTEREST*

MIAMI-DADE COUNTY

PROCESS NO.: Z23-405

DATE: JAN 31 2024

BY: CONGOL

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: PUBLIX SUPERMARKETS INC

<u>NAME AND ADDRESS</u> N/A	<u>Percentage of Stock</u>
<u>No natural persons have ownership interest that exceeds five percent.</u>	<u>N/A</u>
<u> </u>	<u> </u>
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If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: N/A

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
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If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

<u>NAME AND ADDRESS</u>	<u>Percent of Ownership</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

RECEIVED

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list **MAHARAJA DELICIOUS** including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests] **PRINCIPAL OFFICERS: 223-405 DATE: JAN 31 2024 BY: GONGOL**

NAME OF PURCHASER: N/A

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: William W Rayburn IV
(Applicant)

Publix Super Markets, Inc. by William W. Rayburn, IV as Vice President of Real Estate Assets

Sworn to and subscribed before me this 18th day of September, 2023. Affiant is personally known to me or has produced _____ as identification.

Vicki Brekke
(Notary Public)



VICKI BREKKE
Commission # HH 072020
Expires December 26, 2024
Bonded Thru Budget Notary Services

My commission expires 12/26/2024

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

This instrument was prepared by:

Name: Jorge L. Navarro, Esq.
Address: 333 SE 2nd Avenue, Suite 4400
Miami, Florida 33131

(Space reserved for Clerk)

**COVENANT RUNNING WITH THE LAND IN LIEU
OF UNITY OF TITLE
(Commercial)**

KNOW ALL BY THESE PRESENTS that the undersigned Owner hereby makes, declares and imposes on the land herein described, these easements and covenants running with the title to the land, which shall be binding on the Owner, all heirs, successors and assigns, personal representatives, mortgagees, lessees, and against all persons claiming by, through or under them;

WHEREAS, Owner holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto and made a part hereof, hereinafter called the "Property," which is supported by the attorney's opinion attached as Exhibit "B";

WHEREAS, Owner intends to develop said property for:

- Business Use
- Office Use
- Industrial Use

WHEREAS, Owner intends to develop the buildings on the Property for sale to multiple owners or in a condominium format of ownership and/or in two or more phases, and

WHEREAS, Owner may wish to convey portions of the property from time to time, and may wish to offer units as condominiums, this instrument is executed in order to assure that the phased development of the property with future multiple ownership, will not violate the Zoning Code of Miami-Dade County, and

WHEREAS, the Property is subject to that certain Covenant Running With The Land In Lieu of Unity of Title recorded in Official Records Book 26099, at Pages 3704 through 3709, of the Public Records of Miami-Dade County, Florida (the "Existing CIL"), and

WHEREAS, Owner wishes to modify and replace the Existing CIL with this instrument to reflect the new site plan recently approved for the Property by the Miami-Dade Board of County Commissioners under Public Hearing Application No. Z2023000405, and

WHEREAS, this instrument has been reviewed by the Director of Regulatory and Economic Services, who has determined that this Covenant Running with the Land in Lieu of Unity of Title conforms with the

Section-Township-Range: 33-55-39
Folio number: 30-5933-034-0010

(Public Hearing)

standards established in Section 33-257 of the Miami-Dade County Code.

NOW THEREFORE, in consideration of the premises, Owner hereby agrees as follows:

1. The Property shall be developed substantially in accordance with the Site Plan submitted for hearing entitled "Autozone Store FL6504 SW 184 Street & SW 147 Avenue", prepared by Thomas Engineering Group, consisting of 6 sheets, dated stamped received 1/31/2024 and plans entitled "AutoZone Store No. 6504", prepared by George Callow, consisting of 2 sheets dated stamped received 1/31/2024 for a total of 8 sheets. Additionally, the initial development will include a grocery store. Further, the development will not include any residential uses on the Property.

No modification shall be effected in said site plan without the written consent of the then owner(s) of the Property, and the Director of the Department of Regulatory and Economic Resources; provided the Director finds that the modification conforms with the standards established in Section 33-257 of the Code of Miami-Dade County, and provided further, that should the Director withhold such approval, the then owner(s) of the Property shall be permitted to seek such modification by application to modify the plan or covenant at public hearing before the Community Zoning Appeals Board or Board of County Commissioners of Miami-Dade County, Florida, whichever by law has jurisdiction over such matter.

2. If the Property is developed in phases, each phase will be developed in substantial accordance with the site plan.
3. In the event of multiple ownership subsequent to said site plan approval, each of the subsequent owners, mortgagees and other parties in interest shall be bound by the terms, provisions and conditions of this instrument. Owner further agrees that it will not convey portions of the Property to such other parties unless and until the Owner and such other party or parties shall have executed and mutually delivered in recordable form, an instrument to be known as an "Easement and Operating Agreement" which shall contain, among other things:
 - (i) easements in the common area of each parcel for ingress to and egress from other parcels;
 - (ii) easements in the common area of each parcel for the passage and parking of vehicles;
 - (iii) easements in the common area of each parcel for the passage and accommodation of pedestrians;
 - (iv) easements for access roads across the common area of each parcel to public and private roadways
 - (v) easements for the installation, use, operation, maintenance, repair, replacement, relocation and removal of utility facilities in appropriate areas in each such parcel;
 - (vi) easements on each such parcel for construction of buildings and improvements in favor

of each such other parcel;

- (vii) easements upon each such parcel in favor of each adjoining parcel for the installation, use, maintenance, repair, replacement and removal of common construction improvements such as footings, supports and foundations;
- (viii) easements on each parcel for attachment of buildings;
- (ix) easements on each such parcel for building overhangs, other overhangs and projections encroaching upon such parcel from adjoining parcel such as, by way of example, marquees, canopies, lights, lighting devices, awnings, wing walls and the like;
- (x) appropriate reservation of rights to grant easements to utility companies;
- (xi) appropriate reservation of rights to dedicate road rights-of-way and curb cuts;
- (xii) easements in favor of each such parcel for pedestrian and vehicular traffic over dedicated private ring roads and access roads; and
- (xiii) appropriate agreements between the owners of the several parcels as to the obligation to maintain and repair all private roadways, parking facilities, common areas and the like.

The easement provisions or portions thereof, may be waived by the Director of the Department of Regulatory and Economic Resources, if they are not applicable to the subject application. When executed, the Easement and Operating Agreement shall not be amended without the prior written approval of the Director of the Department of Regulatory and Economic Resources of Miami-Dade County. Such Easement and operating Agreement may contain such other provisions with respect to the operation, maintenance and development of the Property as to which the parties thereto may agree, all to the end that although the property may have several owners, it will be constructed, conveyed, maintained and operated in accordance with the approved site plan.

4. The provisions of this instrument shall become effective upon their recordation in the public records of Miami-Dade County, Florida, and shall continue in effect for a period of thirty (30) years after the date of such recordation, after which time they shall be extended automatically for successive periods of ten (10) years each, unless released in writing by the then owners of the Property and the Director of the Department of Regulatory and Economic Resources acting for and on behalf of Miami-Dade County, Florida, upon the demonstration and affirmative finding that the same is no longer necessary to preserve and protect the property for the purposes herein intended.
5. The provisions of this instrument may be amended, modified or released by a written instrument executed by the then Owner or majority of Owners of all of the affected Property, with joinders by all mortgagees, if any, provided same is also approved by the Director of Miami-Dade Regulatory and Economic Services, or their successor.

6. Enforcement shall be by action against any parties or persons violating or attempting to violate any covenants. The prevailing party to any action or suit pertaining to or arising out of this instrument shall be entitled to recover, in addition to costs and disbursements, allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.
7. Invalidation of any of these covenants by judgment of Court shall not affect any of the other provisions, which shall remain in full force and effect.
8. This instrument shall be recorded in the public records of Miami-Dade County at the Owner's expense.
9. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.
10. In the event of a violation of this instrument, in addition to any other remedies available, Miami-Dade County is hereby authorized to withhold any future permits, and refuse to make any inspections or grant any approval, until such time as this instrument is complied with.

[Execution Pages Follow]

**Covenant Running with the Land in
Lieu of Unity of Title (Commercial)
Page 5**

Signed, witnessed, executed and acknowledged on this ____ day of _____, 2025.

IN WITNESS WHEREOF, the Owner has caused these presents to be signed in its name by its proper officials.

WITNESSES:

Signature:

Print Name:

Address:

Signature:

Print Name:

Address:

Publix Supermarkets, Inc., a Florida corporation

By: _____

Name: _____

Title: _____

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization by _____, _____ of Publix Supermarkets, Inc., a Florida corporation, who is personally known to me or has produced _____ as identification.

Witness my signature and official seal this ____ day of _____, 2025, in the County and State aforesaid.

Notary Public, State of Florida

My Commission Expires: _____

Section-Township-Range: 33-55-39
Folio number: 30-5933-034-0010

(Public Hearing)

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Legal Description: Entire Property under folio 30-5933-034-0010

TRACT "A", "EUREKA PROMENADE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 168, PAGE 35, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

Legal Description: AutoZone, LLC Z23-405 only

A PORTION OF THE SOUTH 226.96 FEET OF THE EAST 210.96 FEET OF TRACT "A", "EUREKA PROMENADE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 168, PAGE 35, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT "A"; THENCE SOUTH 01°21'04" EAST ALONG THE EAST LINE OF SAID TRACT "A", ALSO BEING THE WEST RIGHT-OF-WAY LINE OF SW 147th AVENUE 444.53 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01°21'04" EAST ALONG SAID EAST LINE AND SAID WEST RIGHT-OF-WAY LINE 202.50 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHWESTERLY; THENCE SOUTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 88°51'04", FOR AN ARC DISTANCE OF 38.77 FEET TO A POINT OF TANGENCY ON THE SOUTH LINE OF SAID TRACT "A", ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF SW 184th STREET (EUREKA DRIVE); THENCE SOUTH 87°30'00" WEST ALONG SAID SOUTH LINE AND SAID NORTH RIGHT-OF-WAY LINE 186.50 FEET; THENCE NORTH 01°21'04" WEST 43.00 FEET; THENCE NORTH 87°30'00" EAST 15.00 FEET; THENCE NORTH 01°21'04" WEST 167.00 FEET; THENCE NORTH 87°30'00" EAST 37.00 FEET; THENCE NORTH 01°21'04" WEST 5.00 FEET; THENCE NORTH 87°30'00" EAST 116.00 FEET; THENCE NORTH 01°21'04" WEST 12.00 FEET; THENCE NORTH 87°30'00" EAST 43.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA AND CONTAINING 42,980 SQUARE FEET (0.9867 ACRES), MORE OR LESS.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR ACCESS CONTAINED IN THAT CERTAIN DECLARATION OF RESTRICTIONS, COVENANTS, CONDITIONS AND GRANT OF EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK 27585, PAGE 3586; AS AFFECTED BY FIRST AMENDMENT TO DECLARATION OF RESTRICTIONS, COVENANTS AND CONDITIONS AND GRANT OF EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK 28873, PAGE 1919.



CFN 2007R1173466
 DR Bk 26099 Pgs 3704 - 3709; (6pgs)
 RECORDED 12/11/2007 13:53:59
 HARVEY RUVIN, CLERK OF COURT
 MIAMI-DADE COUNTY, FLORIDA

This instrument was prepared by:
 Brian S. Adler, Esq.
 Bilzin Sumberg Baena Price & Axelrod LLP
 200 South Biscayne Boulevard, Suite 2500
 Miami, Florida 33131-5340

A/14

(Space reserved for Clerk)

**COVENANT RUNNING WITH THE LAND
 IN LIEU OF UNITY OF TITLE
 (Commercial)**

A. The undersigned owner ("Owner") holds the fee simple title to the land in Miami-Dade County, Florida (the "County") described in Exhibit "A," attached hereto, and hereinafter called the "Property."

B. Owner filed Public Hearing Application Number 06-167 with the Miami-Dade County Department of Planning and Zoning ("Application"). In connection with the Application, Owner hereby makes, declares and imposes on the Property, these easements and covenants running with the title to the Property, which shall be binding on the Owner, all heirs, successors and assigns, personal representatives, mortgagees, lessees, and against all persons claiming by, through or under them;

C. Owner intends to develop the said Property for:

- Business Use
- Office Use
- Industrial Use

D. Owner intends to develop the buildings on the Property for sale to multiple owners or in a condominium or association format of ownership and/or in two or more phases; and

E. Owner may wish to convey portions of the Property from time to time, and may wish to offer units as condominiums, and this instrument is executed in order to assure that the phased development of the Property with future multiple owner, will not violate the Zoning Code of Miami-Dade County.



MA

(Space reserved for Clerk)

NOW THEREFORE, in consideration of the premises, Owner hereby agrees as follows:

1. The Property will be developed in substantial conformity with the site plan entitled, Eureka Promenade, prepared by Alleguez Architecture, Inc., consisting of 5 pages with pages S1, L1, F1 and E1 dated last revised September 5, 2007, and page 6 dated last revised March 28, 2007 (hereinafter "Site Plan"). Additionally, the initial development will include a grocery store. Further, the development will not include any residential uses on the Property.

No modification shall be effected in the Site Plan without the written consent of the then owner(s) of the Property, and the Director of the Department of Planning and Zoning or the executive officer of the successor to such department; provided the Director or such successor finds that the modification conforms with the standards established in Section 33-257 of the Code of Miami-Dade County, and provided further, that should the Director withhold such approval, the then owner(s) of the Property shall be permitted to seek such modification by application to modify the plan or covenant at public hearing before the Community Zoning Appeals Board or Board of County Commissioners of Miami-Dade County, Florida, whichever by law has jurisdiction over such matter.

2. If the Property is developed in phases, each phase will be developed in substantial accordance with the Site Plan.
3. In the event of multiple ownership subsequent to said Site Plan approval, each of the subsequent owners, mortgagees and other parties in interest shall be bound by the terms, provisions and conditions of this instrument. Owner further agrees that it will not convey portions of the Property to such other parties unless and until the Owner and such other party or parties shall have executed and mutually delivered in recordable form, an instrument to be known as an "Easement and Operating Agreement" ("Easement") which shall contain, among other things:
 - (i) easements in the common area of each parcel for ingress to and egress from other parcels;
 - (ii) easements in the common area of each parcel for the passage and parking of vehicles;
 - (iii) easements in the common area of each parcel for the passage and accommodation of pedestrians;

**Covenant Running with the Land
in Lieu of Unity of Title
Page 3**

- (iv) easements for access roads across the common area of each parcel to public and private roadways;
- (v) easements for the installation, use, operation, maintenance, repair, replacement, relocation and removal of utility facilities in appropriate areas in each such parcel;
- (vi) easements on each such parcel for construction of buildings and improvements in favor of each such other parcel;
- (vii) easements upon each such parcel in favor of each adjoining parcel for the installation, use, maintenance, repair, replacement and removal of common construction improvements such as footings, supports and foundations;
- (viii) easements on each parcel for attachment of buildings;
- (ix) easements on each such parcel for building overhangs, other overhangs and projections encroaching upon such parcel from adjoining parcel such as, by way of example, marquees, canopies, lights, lighting devices, awnings, wing walls and the like;
- (x) appropriate reservation of rights to grant easements to utility companies;
- (xi) appropriate reservation of rights to dedicate road rights-of-way and curb cuts;
- (xii) easements in favor of each such parcel for pedestrian and vehicular traffic over dedicated private ring roads and access roads; and
- (xiii) appropriate agreements between the owners of the several parcels as to the obligation to maintain and repair all private roadways, parking facilities, common areas and the like.

The easement provisions or portions thereof, may be waived by the Director of the Department of Planning and Zoning, if they are not applicable to the Application. When executed, the Easement shall not be amended without the prior written approval of the Office of the County Attorney of Miami-Dade County. Such Easement may contain such other provisions with respect to the operation, maintenance and development of the Property as to which the parties thereto may agree, all to the end that although the property may have several owners, it will be constructed, conveyed, maintained and operated in accordance with the approved site plan.

4. The provisions of this instrument shall become effective upon their recordation in the public records of Miami-Dade County, Florida, and shall continue in effect for a period of thirty (30) years after the date of such recordation, after which time they shall be extended automatically for successive periods of ten (10) years each, unless released in writing by

(Public Hearing)

**Covenant Running with the Land
in Lieu of Unity of Title
Page 4**

the then owners of the Property and the Director of the Department of Planning and Zoning, acting for and on behalf of Miami-Dade County, Florida, upon the demonstration and affirmative finding that the same is no longer necessary to preserve and protect the property for the purposes herein intended.

5. The provisions of this instrument may be amended, modified or released by a written instrument executed by the then owner or owners of the Property, with joinders by all mortgagees, if any, provided same is also approved at public hearing by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters. After public hearing, should this covenant be so amended, modified or released, the Director of the Department of Planning and Zoning, or his successor, shall forthwith execute a written instrument effectuating and acknowledging such amendment, modification or release.
6. Enforcement shall be by action against any parties or persons violating or attempting to violate any covenants. The prevailing party to any action or suit pertaining to or arising out of this covenant shall be entitled to recover, in addition to costs and disbursements, allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.
7. Invalidation of any of these covenants by judgment of court shall not affect any of the other provisions, which shall remain in full force and effect.
8. This covenant shall be recorded in the public records of Miami-Dade County at the Owner's expense.
9. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.
10. In the event of a violation of this covenant, in addition to any other remedies available, Miami-Dade County is hereby authorized to withhold any future permits, and refuse to make any inspections or grant any approval, until such time as this covenant is complied with.

[Execution Pages Follow]

Covenant Running with the Land
in Lieu of Unity of Title
Page 5

WITNESSES:

[Signature]
Signature

MICHAEL BRADFORD
Print Name

Signature

Print Name

South Florida Growers Association, Inc., a
Florida corporation

By: [Signature]
Susan Bradford, President
624 SW 93rd Street
Gainesville, Florida 32607

STATE OF FLORIDA

COUNTY OF ~~ALACHUA~~ Orange

The foregoing instrument was acknowledged before me by Susan K. Bradford, as President, of and on behalf of the South Florida Growers Association, Inc. She is personally known to me or has produced _____, as identification.

Witness my signature and official seal this 24th day of October, 2007, in the County and State aforesaid.

[Signature]
Notary Public State of Florida

Print Name * STEPHEN E. BRANDON
My Commission Expires * MY COMMISSION # DD 437447
EXPIRES: October 6, 2009
Provided Thru Budget Notary Services

Exhibit "A"

LEGAL DESCRIPTION:

PARCEL 1:

THAT PORTION OF THE EAST 1/2 OF THE S.E. 1/4 OF THE S.E. 1/4 OF SECTION 33, TOWNSHIP 55, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA, LYING SOUTHEASTERLY OF THE CSX RAILWAY RIGHT-OF-WAY LESS RIGHT-OF-WAY OF SEABOARD ALL FLORIDA RAILWAY, AS CONTAINED IN DEED BOOK 1035, PAGE 249, AND DEED BOOK 1081, PAGE 543, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS DEDICATION OF THE EAST 35 FEET AND THE SOUTH 35 FEET OF THE ABOVE DESCRIBED PROPERTY TO MIAMI-DADE COUNTY, FLORIDA, FOR ROAD PURPOSES.
AND LESS

THAT PORTION OF THE EAST 1/2 OF THE EAST 1/2 OF THE S.E. 1/4 OF THE S.E. 1/4 OF SAID SECTION 33 WHICH LIES WITHIN THE EXTERNAL AREA FORMED BY A 25 FOOT RADIUS ARC CONCAVE TO THE NORTHWEST, TANGENT TO THE WEST LINE OF THE EAST 35 FEET OF SAID S.E. 1/4 OF SECTION 33, AND TANGENT TO THE NORTH LINE OF THE SOUTH 35 FEET OF SAID S.E. 1/4 OF SECTION 33.

PARCEL 2:

THAT PORTION OF THE WEST 1/2 OF THE WEST 1/2 OF THE S.E. 1/4 OF THE S.E. 1/4 OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA, LYING SOUTHEASTERLY OF THE CSX RAILWAY RIGHT-OF-WAY LESS THE SOUTH 35 FEET THEREOF CONVEYED TO DADE COUNTY BY RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 1949, PAGE 21, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

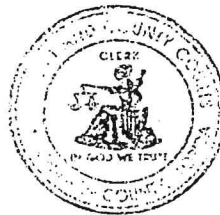
PARCEL 3:

THAT PORTION OF THE WEST 1/2 OF THE EAST 1/2 OF THE S.E. 1/4 OF THE S.E. 1/4 LYING SOUTHEASTERLY OF THE CSX RAILWAY RIGHT-OF-WAY LESS THE SOUTH 35 FEET FOR ROAD AND LESS THE SEABOARD AIRLINE RIGHT-OF-WAY, AND THAT PORTION OF THE EAST 1/2 OF THE WEST 1/2 OF THE S.E. 1/4 OF THE S.E. 1/4 LESS THE SOUTH 35 FEET FOR ROAD AND LESS THE SEABOARD AIRLINE RIGHT-OF-WAY, ALL LYING AND BEING IN SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA, EXCEPT THE FOLLOWING DESCRIBED PARCEL OF LAND, TO WIT: FROM THE SOUTHEAST CORNER OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST RUN WEST ON THE SOUTH LINE OF SAID SECTION 33 A DISTANCE OF 332.70 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF THE S.E. 1/4 OF THE S.E. 1/4; THENCE NORTH ON THE SAID EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF THE S.E. 1/4 OF THE S.E. 1/4 A DISTANCE OF 35.00 FEET; THENCE WEST 35.00 FEET NORTH OF AND PARALLEL TO THE SAID SOUTH LINE OF SECTION 33 A DISTANCE OF 265.30 FEET TO THE POINT OF BEGINNING; THENCE NORTH AT RIGHT ANGLES TO THE SAID SOUTH LINE OF SECTION 33 A DISTANCE OF 464.60 THENCE WEST PARALLEL TO THE SAID SOUTH LINE OF SECTION 33 A DISTANCE OF 150 FEET; THENCE SOUTH AT RIGHT ANGLES TO THE SAID SOUTH LINE OF SECTION 33 A DISTANCE OF 464.60 FEET; THENCE WEST PARALLEL TO THE SAID SOUTH LINE 33 TO A LINE 35 FEET NORTH OF THE SAID SOUTH LINE OF SECTION 33; THENCE EAST A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

PARCEL 4:

FROM THE S.E. CORNER OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST, RUN WEST ON THE SOUTH LINE OF SAID SECTION 33 A DISTANCE OF 332.70 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF THE S.E. 1/4 OF THE S.E. 1/4; THENCE NORTH ON THE SAID EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF THE S.E. 1/4 OF THE S.E. 1/4; A DISTANCE OF 35.00 FEET; THENCE WEST 35 FEET NORTH OF AND PARALLEL TO THE SAID SOUTH LINE OF SECTION 33, A DISTANCE OF 265.30 FEET TO THE POINT OF BEGINNING OF THE SAID PARCEL; THENCE NORTH AT RIGHT ANGLES TO THE SAID SOUTH LINE OF SECTION 33, A DISTANCE OF 464.60 FEET; THENCE WEST PARALLEL TO THE SAID SOUTH LINE OF SECTION 33, A DISTANCE OF 150.00 FEET; THENCE SOUTH AT RIGHT ANGLES TO THE SAID SOUTH LINE OF SECTION 33, A DISTANCE OF 464.60 FEET TO A LINE 35 FEET NORTH OF THE SAID SOUTH LINE OF SECTION 33; THENCE EAST, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING; LOCATED IN MIAMI-DADE COUNTY, FLORIDA.

STATE OF FLORIDA, COUNTY OF DADE
I HEREBY CERTIFY that this is a true and correct copy of the original filed in this office on 11 day of December, 2007
WITNESS my hand and Official Seal.
HARVEY RUVIN, CLERK, of Circuit and County Courts
By [Signature] D.C.



OPINION OF TITLE

To: **Miami-Dade County**

With the understanding that this Opinion of Title is furnished to Miami-Dade County, as inducement for acceptance of a Covenant Running with the Land in Lieu of Unity of Title or in compliance with Chapter 33, covering the real property, hereinafter described, it is hereby certified that I have examined a complete Abstract of Title covering the period from the beginning to the 10th day of October, 2007, at the hour of 11:00 pm, inclusive, of the following described property:

See Exhibit "A" which is appended hereto and incorporated herein by reference

I am of the opinion that on the last mentioned date, the fee simple title to the above-described real property was vested in:

South Florida Growers Association, Inc.
a Florida corporation

NOTE: For Limited partnership, Limited Liability Company or Joint Venture indicate parties comprising the Limited Partnership, Limited Liability Company or Joint Venture and identify who is authorized to execute.

Subject to the following encumbrances, liens and other exceptions (If "none" please indicate):

1. RECORDED MORTGAGES:

NONE

2. RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:

NONE

3. GENERAL EXCEPTIONS:

NONE

4. SPECIAL EXCEPTIONS:

- 4.1 Easement to Florida Power & Light Company recorded in O.R. Book 728, Page 282 of the Public Records of Miami-Dade County Florida
- 4.2 Ordinance No. 83-24 of the Board of County Commissioners of Dade County Florida filed May 9, 1983 in O.R. Book 11781, at Page 1422 and refilled May 9, 1983 in O.R. Book 12046, Page 481 of the Public Records of Miami-Dade County Florida
- 4.3 Declaration of Restrictions recorded June 6, 2006 in Official Records Book 24597, Page 116 of the Public Records of Miami-Dade County Florida

Handwritten initials: "HAN"

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrances and exceptions.

Therefore, it is my opinion that the following party(ies) must join in the agreement in order to make the agreement a valid and binding covenant on the lands described herein.

<u>Name</u>	<u>Interest</u>	<u>Special Exception Number</u>
NONE		

The following is a description of the aforementioned abstract and its continuations:

<u>Number</u>	<u>Company Certifying</u>	<u>No. of Entries</u>	<u>Period Covered</u>
Commitment No. 300414136	Chicago Title Insurance Company	Those 3 Special Exceptions noted above	To October 10, 2007 at 11:00 pm

I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable agreement.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

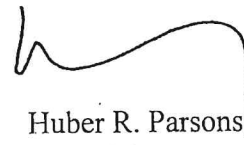
Respectfully submitted this 30 day of October, 2007.

Name

Print Name

Florida Bar No.

Address:


Huber R. Parsons, Jr., Esq.
0143504
Brickell Centre - Suite 601
799 Brickell Plaza
Miami, Florida 33131

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 30th day of October, 2007, by Huber R. Parsons, Jr., Esq., who is personally known to me ~~or has produced~~ as identification.

Notary Public

Print Name

My Commission Expires: November 14, 2010



Opinion of Title
Page 2

LEGAL DESCRIPTION

A PORTION OF THE S.E. 1/4 OF THE S.E. 1/4 LYING SOUTHEASTERLY OF THE CSX RAILWAY RIGHT-OF-WAY LESS THE SOUTH 40 FEET AND LESS THE EAST 40 FEET FOR ROAD, ALL LYING AND BEING IN SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE S.E. CORNER OF SAID SECTION 33; THENCE S87°30'00"W ALONG THE SOUTH LINE OF THE S.E. 1/4 OF SAID SECTION 33 FOR A DISTANCE OF 40.01 FEET; THENCE N01°21'04"W PARALLEL WITH THE EAST LINE OF THE S.E. 1/4 OF SAID SECTION 33 FOR A DISTANCE OF 40.01 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE S87°30'00"W PARALLEL WITH THE SOUTH LINE OF THE S.E. 1/4 OF SAID SECTION 33 FOR A DISTANCE OF 655.26 FEET; THENCE N01°21'04"W PARALLEL WITH THE EAST LINE OF THE S.E. 1/4 OF SAID SECTION 33 FOR A DISTANCE OF 511.39 FEET; THENCE N38°46'39"E FOR A DISTANCE OF 213.04 FEET; THENCE N87°30'00"E PARALLEL WITH THE SOUTH LINE OF THE S.E. 1/4 OF SAID SECTION 33 FOR 517.93 FEET; THENCE S01°21'04"E ALONG A LINE 40 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE S.E. 1/4 OF SAID SECTION 33 FOR A DISTANCE OF 671.53 FEET TO THE POINT OF BEGINNING.

LESS

THAT PORTION OF THE EAST 1/2 OF THE EAST 1/2 OF THE S.E. 1/4 OF THE S.E. 1/4 OF SAID SECTION 33 WHICH LIES WITHIN THE EXTERNAL AREA FORMED BY A 25 FOOT RADIUS ARC CONCAVE TO THE NORTHWEST, TANGENT TO THE WEST LINE OF THE EAST 40 FEET OF SAID S.E. 1/4 OF SECTION 33, AND TANGENT TO THE NORTH LINE OF THE SOUTH 40 FEET OF SAID S.E. 1/4 OF SECTION 33.

Exhibit "A"

1/21

RECEIVED

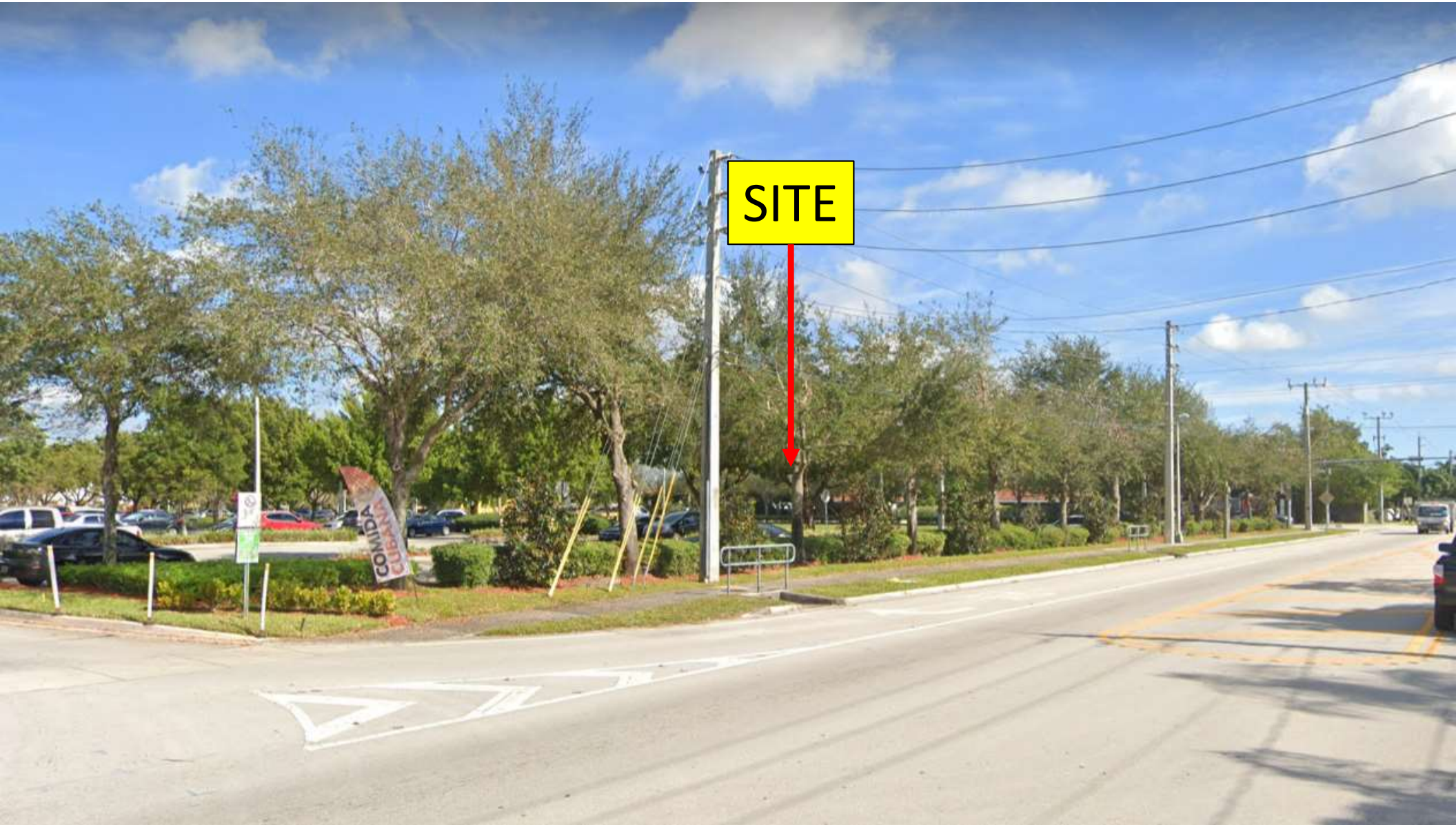
MIAMI-DADE COUNTY

PROCESSING 12/31/2025

DATE: JAN 31 2024

BY: GONGOL

Driving East



RECEIVED Driving West

MIAMI-DADE COUNTY

PROCESS NO.: Z23-405

DATE: JAN 31 2024

BY: GONGOL



RECEIVED

Driving South

MIAMI DADE COUNTY
PROCESS NO.: Z23-405

DATE: JAN 31 2024
BY: GONGOL



RECEIVED
View From Intersection

MIAMI DADE COUNTY
PROCESS NO.: Z23-405
DATE: JAN 31 2024
BY: GONGOL



On Site RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z23-405
DATE: JAN 31 2024
BY: GONGOL



**Miami-Dade County Department of Regulatory and Economic Development
Staff Report to Community Council No. 11**

PH: Z23-426

February 26, 2025

Item No. 1

Recommendation Summary	
Commission District	9
Applicant	Secure Storage of Miami, Inc.
Summary of Requests	The applicant seeks approval of a district boundary change on the subject site from IU-C (Industrial Manufacturing) to IU-3 (Industrial and Unlimited Manufacturing), the applicant has represented that they are seeking this change to IU-3 in order to operate a solid waste transfer facility, with the transfer being conducted to rail cars for outbound transportation. Additionally, the applicant seeks an ancillary non-use variance to waive the required street dedication along SW 136 Street, and permit access to site from public streets by means of a private easement.
Location	Lying west of the CSX Rail right-of-way and south of theoretical SW 136 Street, Miami-Dade County, Florida
Property Size	±4.44 acres
Existing Zoning	IU-C, Conditional Industrial District
Existing Land Use	Open lot industrial operations
2030-2040 CDMP Land Use Designation	Industrial and Office (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives, and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311, District Boundary Change, Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations. (See attached Zoning Recommendation Addendum)
Recommendation	Approval of request #1, subject to the Board's acceptance of the proffered covenant, and modified approval with conditions of request #2.

REQUESTS:

- (1) DISTRICT BOUNDARY CHANGE from IU-C, Industrial, Conditional Manufacturing District to IU-3, Industrial, Unlimited Manufacturing District.
- (2) NON-USE VARIANCE of the zoning and subdivision regulations requiring section line rights-of-way to be 80' in width; to waive same to permit 0' dedication for the south half of SW 136 Street (40' required) and to permit such parcel to have access to public streets by means of private easement.

PROJECT HISTORY AND DESCRIPTION:

In 1977, pursuant to Resolution No. Z-30-77, the subject property was part of a larger tract of land that received approval of a District Boundary Change (DBC) from GU (Interim) and AU (Agriculture) to IU-C (Industrial-Conditional) by the Board of County Commissioners. Staff notes that the site is currently being used for an open lot industrial operation.

The applicant now seeks to rezone the subject site from IU-C (Industrial Manufacturing) to IU-3 (Industrial and Unlimited Manufacturing), which the applicant has represented will be in order to to operate a solid waste transfer facility, with the transfer being conducted to rail cars for outbound transportation (request #1). In addition, the applicant seeks an ancillary non-use variance to waive the required street dedication for the south half of SW 136 Street and permit access to public streets by means of private easement (request #2). Staff notes that there were no plans submitted for this subject application. However, the applicant has voluntarily proffered a covenant that prohibits certain uses deemed too intense for the subject property.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	IU-C; open lot industrial operations	Industrial and Office
North	IU-C; Vacant Environmentally Protected	Environmentally Protected Parks
South	GU; FPL utility and CSX rail tracks	Industrial and Office
East	GU; CSX rail tracks	Transportation (Row, Rail, Metrorail, Etc.)
West	GU; FPL utility	Industrial and Office

NEIGHBORHOOD COMPATIBILITY:

The ±4.44-acre subject property is currently being used for an open lot industrial operation, and is located west of the CSX Rail right-of-way and south of theoretical SW 136 Street. The parcel is surrounded to the north by a vacant parcel that is environmentally protected, and to the west and south by a Florida Power and Light substation. To the east, the property is bordered by the existing CSX railroad. Additionally, the Tamiami Airport is situated roughly one mile to the west, with the flight path from the airport's East-West runways passing directly over the property. Additionally, the subject property is located inside the Urban Development Boundary (UDB).

SUMMARY OF IMPACT:

The approval of this application will allow the applicant to rezone the property to IU-3. The applicant has represented that they are seeking this change to IU-3 in order to operate a solid waste transfer facility on site, with the transfer being conducted to rail cars for outbound transportation. The approval would also allow the applicant to waive the required right-of-way dedication and to permit access to the parcel from public streets by means of a private easement. Based on the memoranda from the departments reviewing this application any additional impacts will not cause their facilities and services to operate below their adopted levels of service standards. The Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) state in their memorandum that the application meets the traffic concurrency for an initial development order and will generate 71 PM peak hour vehicle trips. Staff notes that the application requests could bring additional traffic and noise into the area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The ±4.44-acre subject property is located within the Urban Development Boundary (UDB) and the Comprehensive Development Master Plan (CDMP) Adopted 2030-2040 Land Use Plan (LUP) map designates the site as **Industrial and Office**. *This category allows manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, and similar uses are permitted in areas designated as "Industrial*

and Office" on the LUP map. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. The applicant seeks approval to rezone the subject property to IU-3, in order to operate a solid waste transfer facility, with the transfer being conducted to rail cars for outbound transportation and to waive the required right-of-way dedications to permit 0' dedication for the south half of SW 136 Street (40' required) and to permit such parcel to have access to public streets by means of private easement.

Staff notes that the approval of the application would allow the property to be rezoned to a zoning district that would allow a solid waste transfer facility on the site, a use that would be consistent with the CDMP LUP map Industrial and Office designation. The interpretive text of the CDMP indicates that the specific range and intensity of uses appropriate in a particular Industrial and Office area vary by location as a function of the availability of public services, access and, among other factors, compatibility with the surrounding area. The subject property consists of an existing open lot industrial operation, with railroad tracks to its east, a vacant parcel to the north that is environmentally protected, and to the west and south by a Florida Power and Light substation. Additionally, staff also notes that the applicant has voluntarily proffered a zoning covenant in support of this application that prohibits certain uses deemed too intense for the subject property. These prohibited uses include, but are not limited to, uses such as oil refineries, manufacturing and storage of explosive nitrates, and the storage of charcoal, lampblack, fuel briquettes, and similar materials. Therefore, staff opines that approval of the requests, subject to the board's acceptance of the proffered covenant, the proposed use as a solid waste transfer facility on the subject site keeps within the existing character of the neighborhood and will not result in an intensification of the development of the site beyond the scale of the surrounding area, and will not be out of character with the neighborhood or with the uses allowed in the Industrial and Office land use category.

Based on the foregoing analysis, staff opines that the proposed rezoning of the property to IU-3, Industrial, Unlimited Manufacturing District, subject to the Board's acceptance of the proffered declaration of restrictions limiting the uses permitted on the property, would be **compatible** with the surrounding area based on the criteria set forth in the CDMP Land Use Element, and would be **consistent** with the CDMP LUP map **Industrial and Office** designation of the subject property and with the uses described in the interpretative text of the Industrial and Office category description.

ZONING ANALYSIS:

The applicant seeks approval of a request for a district boundary change from IU-C, Industrial, Conditional Manufacturing District to IU-3, Industrial, Unlimited Manufacturing District (request #1) on the subject parcel. For the reasons stated above and below, staff opines that the request to rezone the ±4.44-acre parcel to IU-3 in order to operate a solid waste transfer facility, with the transfer being conducted to rail cars for outbound transportation is analyzed under Section 33-311, District Boundary Change, staff supports the request and opines that the approval of the application would be compatible with the surrounding area when considering the necessity and reasonableness in relation to the present and future development of the area concerned, and would not have an unfavorable impact on the environment, the natural resources, or the economy of the County. Section 33-311 of the Code states that the purpose of the Code is to provide a comprehensive plan and design to among other things, lessen congestion on the highways and promote health, safety, morals, convenience and general welfare, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses. Staff further opines that approval of the IU-3 zoning district on the subject property would not alter the development fabric of the neighborhood and would create a harmonious transition between the existing surrounding land uses that consists of the industrial

zoned properties surrounding the subject site. Additionally, for the reasons explained in the Comprehensive Development Master Plan Analysis section of this application, the request for a district boundary change from IU-C to IU-3 would be **compatible** with the surrounding properties given that it will provide industrial uses, and **consistent** with the Industrial and Office land use designation of the parcel on the CDMP Land Use Plan map. In addition, it is important to mention that under the existing IU-C zoning, all uses permitted in the IU-3 zoning district are also permitted. Furthermore, as part of this application the applicant has voluntarily proffered a zoning covenant that prohibits certain uses deemed too intense for the property. These prohibited uses on site include, but are not limited to, oil refineries, manufacturing and storage of explosive nitrates (both natural and manufactured), and the storage of charcoal, lampblack, fuel briquettes, and similar materials. Additionally, staff notes that the subject application is not accompanied by a site plan. As such, final site plan review and approval for consistency with the IU-3 development standards, including, but not limited to, setbacks, lot coverage, building height, minimum landscaped open space, greenbelts and required trees, will take place during the building permit review process.

Staff also notes that based on the memoranda submitted by other departments reviewing the application, approval of the request would not have an unfavorable effect on the environment, the natural resources, or the economy of Miami-Dade County, and would not be incompatible with the area concerned. Staff notes that the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER), in their memorandum dated February 18, 2025, states that the application meets traffic concurrency for an initial development order and is expected to generate 71 PM peak-hour vehicle trips. However, the memorandum also objects to waiving the full 40 feet of street dedication, recommends waiving 15 feet instead, and requiring a minimum total of 25-foot of street dedication for the south half of SW 136 Street. Further, the Division of Environmental Resources Management (DERM) of the Department of Regulatory and Economic Resources, in their memorandum dated February 14, 2025, indicate that the application meets all applicable LOS standards for potable water supply, wastewater disposal, and flood protection. In addition, the memorandum from the Miami-Dade Fire Rescue (MDFR) Department does not indicate that the application will have a negative impact on fire rescue services in the area. Based on the aforementioned department memoranda, staff opines that the request will not result in, among other things, excessive noise or cause undue or excessive burden on public facilities. As such, staff opines that approval of the application request for a zone change to IU-3 in order to operate a solid waste transfer facility, with the transfer being conducted to rail cars for outbound transportation, would be compatible with the surrounding area and will not detrimentally impact the area. **Therefore, staff recommends approval of request #1 for a district boundary change to IU-3, Industrial, Unlimited Manufacturing District, under Section 33-311, District Boundary Change, subject to the Board's acceptance of the proffered covenant.**

Additionally, in order to effectuate the future development on the site in line with the proposed zoning district, the applicant is requesting a non-use variance to waive the zoning and subdivision regulations that require section line rights-of-way to be 80' in width. Specifically, the applicant seeks to waive this requirement to allow for a 0' dedication for the south half of SW 136 Street (with 40' required) and to permit the parcel to access public streets via a private easement (Request #2). When this request is analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff supports a modification to the aforementioned request and opines that provided that a minimum of 25-feet is dedicated towards the south half of SW 136 Street, approval of the **modified** request would be compatible with the surrounding area, would not be detrimental to the neighborhood, and would not negatively affect the community's appearance. Staff further opines that approving a 15' waiver from the previously required 40' of street dedication for the south half of SW 136 Street would not have a negative impact on the adjacent property to the north, which is designated as an Environmentally Protected Park with its primary entrance along SW 122 Avenue. The property to the south and west of the subject parcel is part of a ±69-

acre Florida Power and Light (FPL) utility substation, which has frontage along SW 127 Avenue to the west. Additionally, the property abuts a CSX rail line right-of-way easement to the east. Based on these factors, staff opines that approval of the request, which would allow the applicant to waive 15-feet of the right-of-way dedication for this portion of SW 136 Street, would not restrict access to surrounding properties. It would maintain connectivity to the major north-south corridors in this section of the County, making the approval compatible with the surrounding area. Furthermore, staff notes that the subject property is currently land-locked with no direct access to a public road, and that the applicant has entered into an access easement agreement with the FPL-owned property located between the subject property and SW 127 Avenue, which would provide the necessary access to the subject site. Staff opines that the proposed private easement will have no negative impact on surrounding development or uses.

As previously mentioned, staff notes that the Platting and Traffic Review Section, of the Department of Regulatory and Economic Resources (RER) memorandum, dated February 18, 2025, objects to the request to waive the full 40-foot right-of-way dedication. Platting and Traffic recommend waiving 15 feet from the required 40-feet, and as a modification to the aforementioned request, require that at least a total of 25-foot of street dedication be provided for the south half of SW 136 Street, which staff supports as well in the form of a **modified** approval. Staff's research of the surrounding area found several similar approvals waiving the right-of-way dedications. For example, in 1997, the Miami-Dade County Community Zoning Appeals Board 14, pursuant to Resolution #CZAB14-9-97, approved a non-use variance for a property to the south approximately 1,700 feet of the subject property to waive the required 125' dedication for Seaboard Throughway. Additionally, in 2010, the Miami-Dade County Community Zoning Appeals Board 11, pursuant to Resolution #CZAB11-12-10, approved a non-use variance to waive the required dedication for half-section line rights-of-way, reducing the width to 70' and permitting a 0' dedication for SW 122 Avenue for the property located immediately to the north of the subject property. As such, staff opines that a **modified** approval of request #2 (that a minimum of 25' of street dedication be provided), and to permit access to public streets by means of private easement, will not be out of character with prior approvals and will not create any new impacts on traffic along the roadway. **As such, staff recommends a modified approval with conditions of request #2, under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

Approval of request #1, subject to the Board's acceptance of the proffered covenant, and modified approval with conditions of request #2.

CONDITIONS FOR APPROVAL: for request #2 only.

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.

2. That a Site Plan shall be submitted at the time of the Building Permit Application, ensuring compliance with the Development Standards of the IU-3 Industrial, Unlimited Manufacturing District. Any additional variances required must be approved through a public hearing, if applicable.
3. That the applicant dedicates a total of 25 feet along the south side of SW 136th Street.
4. That the applicant must provide a copy of the executed Access Easement prior to Building Permit approval. Additionally, an annual review of this covenant will be conducted before the renewal of the Certificate of Use.
5. That the applicant submits to the Department of Regulatory and Economic Resources for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
6. That the applicant complies with all applicable conditions, requirements, recommendations, requests, and other provisions of the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) as indicated in the memorandum dated February 18, 2025.
7. That the applicant complies with all applicable conditions, requirements, recommendations, requests, and other provisions of the Division of Environmental Resources Management (DERM) as indicated in the memorandum dated February 14, 2025.
8. That the applicant complies with all applicable conditions, requirements, recommendations, requests, and other provisions of the Water and Sewer Department (WASD) as indicated in the memorandum dated October 8, 2024.

ES:JB:SS:PM:EA



Eric Silva, AICP, Assistant Director
Development Services Division
Miami-Dade County Department of
Regulatory and Economic Resources

ZONING RECOMMENDATION ADDENDUM

Secure Storage of Miami, Inc.
Z23-426

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resource Management (RER)	<i>No objection*</i>
Miami-Dade Fire Rescue (MDFR)	<i>No objection</i>
Platting and Traffic Review Section (RER)	<i>No objection*</i>
Water and Sewer Department (WASD)	<i>No objection*</i>
Building and Neighborhood Compliance (BNC)	<i>No objection</i>
<i>*Subject to conditions in their memorandum.</i>	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

<p>Industrial and Office (Pg. I-40)</p>	<p><i>Manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, and similar uses are permitted in areas designated as "Industrial and Office" on the LUP map. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. The full range of telecommunication facilities, including switching and transmission facilities, satellite telecommunications facilities, microwave towers, radar stations and cell towers is also allowed. Very limited commercial uses to serve the firms and workers in the industrial and office area are allowed dispersed as small business districts and centers throughout the industrial areas. Hotels and motels are also authorized. Freestanding retail and personal service uses and shopping centers larger than 10 acres in size are prohibited in these areas because they would deplete the industrial land supply and they are better located in commercially designated areas and in closer proximity to residential areas. Freestanding retail and personal service uses and shops that are approved in Industrial and Office areas should front on major access roads, particularly near major intersections. In addition, uncommon commercial uses such as amusement uses, and others with unusual siting requirements may also be considered at appropriate locations. Quarrying activities and ancillary uses may also be approved in areas designated Industrial and Office where compatible with the surrounding area and environment. The specific range and intensity of uses appropriate in a particular Industrial and Office area vary by location as a function of the availability of public services and access and, among other factors, compatibility with neighboring development. Through the zoning review process, use of particular sites or areas may be limited to something less than the maximum allowed in this category. Moreover, special limitations may be imposed where necessary to protect environmental resources. If the land is the subject of an application for rezoning, zoning approval or a plan amendment and is located in an MSA with less than a 15-year supply of industrial land, in order to receive approval for a non-industrial use, the applicant must demonstrate that such use will not have a significant adverse impact on future industrial development. In general, the typical residential development is incompatible with major industrial concentrations and shall not occur in areas designated as "Industrial and Office" on the LUP map to avoid use conflicts and for health and safety reasons. Exceptions may be granted for the following: (1) the development of live-work or work-live buildings or the adaptive reuse of existing structures for these purposes in areas of light industrial uses such as office, wholesale, distribution and the assembling of pre-manufactured parts; (2) the development of a TND as provided herein; and (3) the residential development of a portion of an industrially designated area where the portion is, a) 10 acres or smaller and is bounded on two or more sides by existing residential development or zoning, or is b) the perimeter of a Plan-designated industrial area which perimeter does not exceed a depth of 150 feet; and c) the subject portion of the industrially designated site immediately adjoins a currently developed or platted residential area and the Director of the Department of Planning and Zoning determines that the inclusion of a residential component in the Industrially designated area, designed to provide compatible transition along the boundary, is the best means of maintaining the quality of the adjoining residential area.</i></p>
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	<p><i>Notwithstanding the foregoing, applications for residential zoning that were properly filed prior to August 25, 2000, can be considered where adjoining land is residentially zoned, designated or developed. Residential developments in this land use category may participate in the inclusionary zoning program. The properties utilized for residential development will be eligible within the limits provided in this paragraph for the density allowances of the inclusionary zoning program in the Residential Communities section. TNDs may be permitted in Industrial and Office areas where: 1) compatible with nearby development and with the objectives and policies of this Plan, 2) necessary services exist or will be provided by the developer, and 3) adjacent to land designated Residential Communities on the LUP map (including across an abutting major or minor roadway) along 30 percent or more of the total perimeter of the TND, provided that land designated Residential Communities exists along at least some portion of the two or more sides. (Multiple sides created by an out parcel shall count as one side only). TND located within Industrial and Office areas shall allocated to Workshop Uses a minimum of 15 percent and a maximum of 30 percent of the gross built up area planned for development within a TND, and shall have a residential density no greater than the average of the adjacent Residential Communities designations or ten units per acre, whichever is higher. Workshops Uses shall be oriented to adjacent non-residential areas, while the residential uses shall be oriented to the adjacent Residential Communities designations. All criteria for TNDs enumerated in the Residential Communities section of this Chapter, other than the provisions governing percent of built up area which may be devoted to workshop uses addressed herein and the maximum permitted residential density, shall govern the development of TNDs in areas designated Industrial and Office.</i></p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Sec. 33-133. - Right-of-way plan and minimum width of streets and ways.</p>	<p>(46.2) SW 157 Avenue from SW 120 Street to SW 136 Street80</p>
<p>Section 33-311 District Boundary Change</p>	<p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) Section 33-311 provides that the Board shall take into consideration, among other factors the extent to which:</p> <ol style="list-style-type: none"> (1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i> (2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i>

	<p>(3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i></p> <p>(4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i></p> <p>(5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i></p>
<p>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</p>	<p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i></p>

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

SECURE STORAGE OF MIAMI,
INC/PERNAS, JORGE

N/A
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Pending

Z2023000426

DATE

HEARING NUMBER

FOLIO: 30-5924-000-0072

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

January 30, 2025

NEIGHBORHOOD REGULATIONS:

Case No. 200602002987 was opened on 04/26/2006. Companion citations 947083 and 947084 were issued on 04/28/2006 for "outdoor common storage without first legally establishing the use". A lien was recorded on 10/04/2007 under book 26006/page 0980. There is an active Compliance Consent Agreement on file which is valid through 12/01/2025. There are no outstanding fees.

BUILDING SUPPORT REGULATIONS:

There are no open/closed cases in BSS.

VIOLATOR:

SECURE STORAGE OF MIAMI, INC/PERNAS, JORGE

OUTSTANDING LIENS AND FINES:


There are no outstanding liens or fines.

Memorandum



Date: October 8, 2024

To: Eric Silva, AICP, Assistant Director
Development Services Division
Department of Regulatory and Economic Resources (RER)

From: Maria A. Valdes, CSM, LEED® Green Associate
Chief, Planning & Water Certification Section
Water and Sewer Department (WASD) 

Subject: Zoning Application Comments - Secure Storage of Miami, Inc.
Application No. Z2023000426 (Revision1) - (Pre-app. Z23P-194)

The Water and Sewer Department has reviewed the proposed development for the subject zoning application. WASD has no objections to this Zoning Application, based on the information provided. Additional requirements may be needed at the time of permitting. The information provided below is preliminary and it does not affect the Zoning process. *The applicant is advised to consult with their engineer and WASD's Plans Review staff to finalize points of connection and capacity approval.*

Application Name: Secure Storage of Miami, Inc.

Location: The proposed project is approximately 5.02 acres in size and is located east of SW 127th Avenue at approximately SW 136th Street, bordered on the east by the existing CSX railroad right of way and to the west by land owned by Florida Power & Light with Folio No. 30-5924-000-0072, in unincorporated Miami-Dade County.

Proposed Development: The applicant is requesting a District Boundary Change from IU-C (Industrial District, conditional) to IU-1 (Industrial Districts, light manufacturing) along with a Non-use variance to permit the Property to be accessed by private easement and to waive the dedication of SW 136 Street. A site plan was not submitted with this zoning application.

Water: The proposed development is located within the WASD's water service area. The water supply will be provided by the Alexander Orr Water Treatment Plant (WTP). Currently, there is adequate treatment and water supply capacity at the WTP, consistent with Policy WS-2 A (1) of the CDMP.

Per EQCB Water and Sewer Availability Form issued on April 30, 2023, the subject property is not abutting Public Right-of-Way (R/W), and the nearest water main connection is located within private property. If connection to water is required, there is a 20-inch water main within Folio No. 30-5924-040-0990, approximately 200 feet east of the property, to where the developer may connect, provided the developer obtains access to said water main. A minimum 12-inch water main extension to the subject property will be required, within public R/W or a WASD utility easement.

Any public water main extension within the property shall be 12-inch minimum diameter. If two (2) or more fire hydrants are to be connected to a public water main extension, then the water system shall be looped with two (2) points of connections. *Final points of connections and capacity approval to connect to the water system will be provided at the time the applicant requests connection to the water infrastructure.*

A Water Supply Certification (WSC) will be required for the proposed development. Said Certification will be issued at the time the applicant requests connection to the water system. The WSC letter shall remain active in accordance with terms and conditions specified in said certification. The WSC is required consistent with Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the WASD's 20-year Water Use Permit.

For more information on the Water Supply Certification Program please go to <http://www.miamidade.gov/water/water-supply-certification.asp>

In addition, all future development will be required to comply with water use efficiency techniques for indoor water use and with landscape standards in accordance with Sections 8-31, 32-84, 18-A, and 18-B of the Miami-Dade County Code, consistent with Policies WS-5E and WS-5F of the CDMP.

For more information about our Water Conservation Program please go to <http://www.miamidade.gov/conservation/home.asp>

For information concerning the Water-Use Efficiency Standards Manual please go to <http://www.miamidade.gov/waterconservation/library/instructions/water-use-efficiency-standards-manual.pdf>

Sewer: The proposed development is located within the WASD's sewer service area. The wastewater flows for the proposed development will be transmitted to the South District Wastewater Treatment Plant (SDWWTP) for treatment and disposal. The SDWWTP is operating under a permit from the Florida Department of Environmental Protection. Currently, there is adequate sewer treatment and disposal capacity at the SDWWTP, consistent with Policy WS-2 A (2) of the CDMP.

Per EQCB Water and Sewer Availability Form issued on April 30, 2023, the subject property is not abutting public R/W, and the nearest sewer connection is located within private property. If connection to sewer is required, there is an 8-inch force main within Folio No. 30-5924-040-0990, approximately 130 feet east of the property, to where the developer may connect, provided the developer obtains access to said force main. A minimum 8-inch force main extension to the subject property will be required, within public R/W or a WASD utility easement. A pump station will be required. *Final points of connection and capacity approval for connection to the sewer system will be provided at the time the applicant requests connection to the sewer infrastructure.*

Connection to the sanitary sewer system is subject to the following conditions:

- Adequate transmission and plant capacity exist at the time of the owner's request consistent with policy WS-2 A (2) of the CDMP. Capacity evaluations of the plant for average flow and peak flows will be required. Connection to the COUNTY'S sewage system will be subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the COUNTY and the United States, the State of Florida and/or any other governmental entity, including but not limited to, the Consent Order entered on April 9, 2014 in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as well as all other current, subsequent or future enforcement and regulatory actions and proceedings.
- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Any public water or sewer infrastructure must be within a public right-of-way, or within a utility easement.

Below please find additional links to the WASD portal, which provides information on the Construction & Development process for water and sewer infrastructure.

<http://www.miamidade.gov/water/construction-development.asp>

<http://www.miamidade.gov/water/construction-service-agreement.asp>

<http://www.miamidade.gov/water/construction-existing-service.asp>

<http://www.miamidade.gov/water/library/forms/service-agreement.pdf>


Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or mavald@miamidade.gov, Alfredo B. Sanchez at (786) 552-8237 or sanalf@miamidade.gov, or Suyapa Carbajal at (786) 552-8124 or suyapa.carbajal@miamidade.gov.

Memorandum



Date: February 18, 2025

To: Eric Silva, AICP, Assistant Director
Department of Regulatory and Economic Resources

From:  Raul A. Pino, PLS, Division Chief
Platting and Traffic Review Section
Department of Regulatory and Economic Resources

Subject: Z2023000426
Name: Secure Storage of Miami, Inc.
Location: SW 127 Avenue and SW 136 Street
Section 24 Township 55 South Range 39 East

The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has **objections**.

1. Waiving of the full 40 feet will not be supported, however, 15 feet may be waived for a total 25 foot dedication will be acceptable.
2. This land **requires** platting in accordance with Chapter 28 of the Miami-Dade County Code. Any right-of-way dedications per Miami-Dade Chapter 33-133 and Chapter 28 and/or improvements required will be accomplished thru the recording of a plat.

This application **does** meet the traffic concurrency (*) criteria for an Initial Development Order. It will generate approximately **71 PM** peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveals that the addition of these new trips **does not** exceed the acceptable level of service of the following roadways:

STA.#	LOCATION	LOS PRESENT	LOS W/PROJECT
9784	SW 127 Avenue south of SW 88 Street	C	C
9760	SW 120 Street west of SW 122 Avenue	C	C
9816	SW 137 Avenue south of SW 136 Street	C	C
9814	SW 137 Avenue south of SW 120 Street	C	C

(*) Traffic concurrency is based on the max density of the property with its proposed use where the number of peak hour vehicle trips may fluctuate.

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.

Notes: PM =Post Meridiem

The PM peak hour refers to the highest hour of vehicle trips generated during the afternoon peak hours of 4-6 PM

Standard Conditions:

- A letter or a plan containing the following certification signed and sealed by a State of Florida registered engineer shall be submitted as part of the paving and drainage plans: "I hereby certify that the all of the roads for the subject project comply with all of the applicable portions of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook) regarding: design speed, lane widths, horizontal alignment, vertical alignment, stopping sight distance, sight distance, horizontal clearance, vertical clearance, superelevation, shoulder widths, grades, bridge widths, etc."

Eric Silva, AICP, Assistant Director

Page 2

- All landscaping, walls, fences, entrance features, etc. will be subject to the Safe Sight Distance Triangle as per Section 33-11 of the Miami-Dade County Code and G5.3 of the Public Works and Waste Management Department Manual.

Memorandum



Date: September 20, 2024

To: Eric Silva, Assistant Director
Regulatory and Economic Resources

From: Alejandro G Cuello, Principal Planner
Miami-Dade Fire Rescue Department

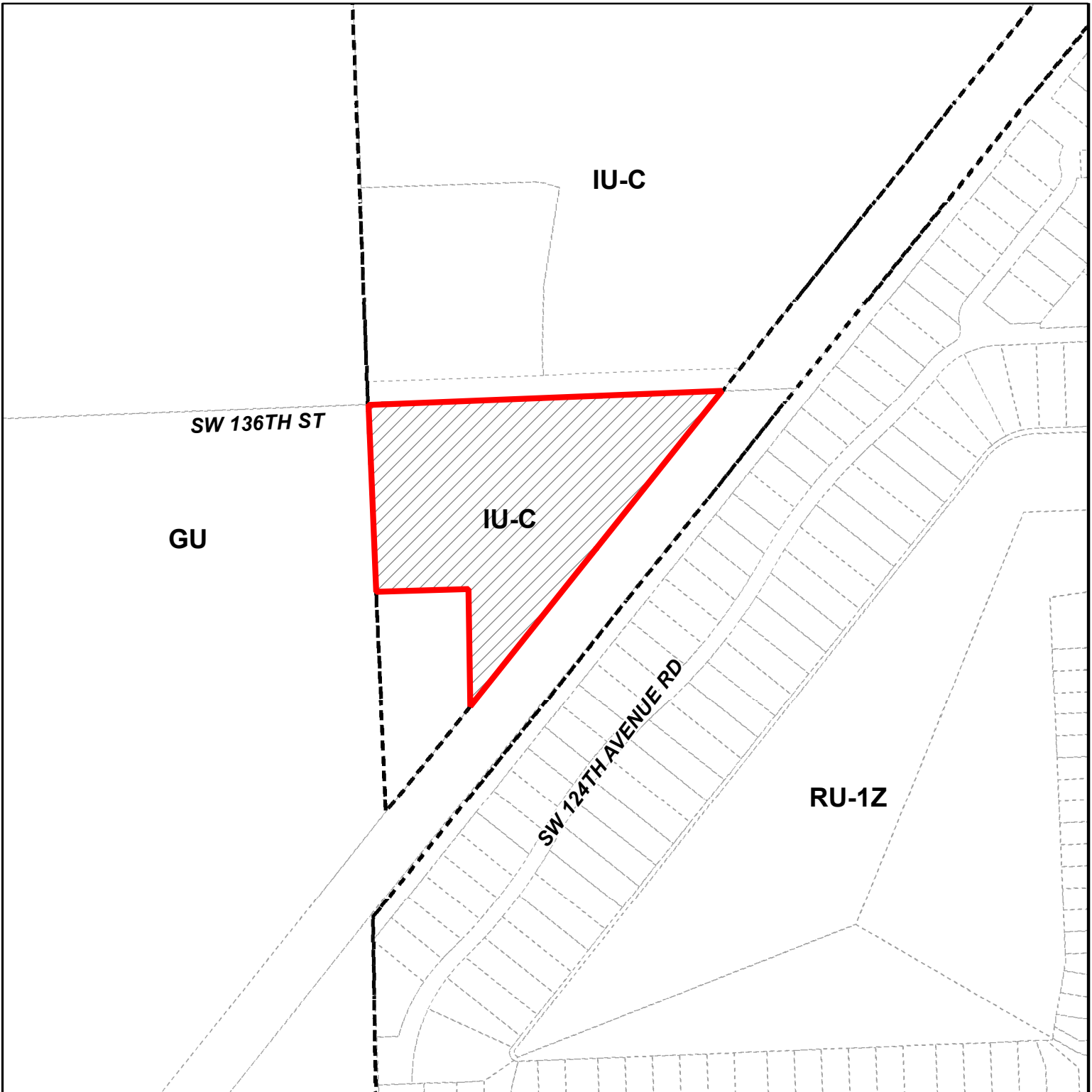
Subject: Z2023000426

The Miami-Dade Fire Rescue Department has **no objection** to request for zoning designation change and nonuse variances mentioned in the letter of intent uploaded in “EnerGov” on 11/01/2024. Proposed private access easement subject to site plan approval.

MDFR’s review of this zoning application is limited to assessing fire department access and does not effectuate an approval of the building design. The future building’s design must be in compliance with the applicable requirements for the proposed use:

Florida State Statute Chapter 633 (Fire Prevention & Control)
Florida Administrative Code 69A
Florida Fire Prevention Code (NFPA 1 and NFPA 101 (2018 edition))
Applicable adopted NFPA Standards
County Code Chapter 14

For additional information, please contact acuello@miamidade.gov or call 305-775-3357.





MIAMI-DADE COUNTY

HEARING MAP

Section: 24 Township: 55 Range: 39
 Applicant: Persan Construction Corp.
 Zoning Board: C11
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2023000426

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Wednesday, November 8, 2023

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2021

Process Number
Z2023000426

Legend



Subject Property

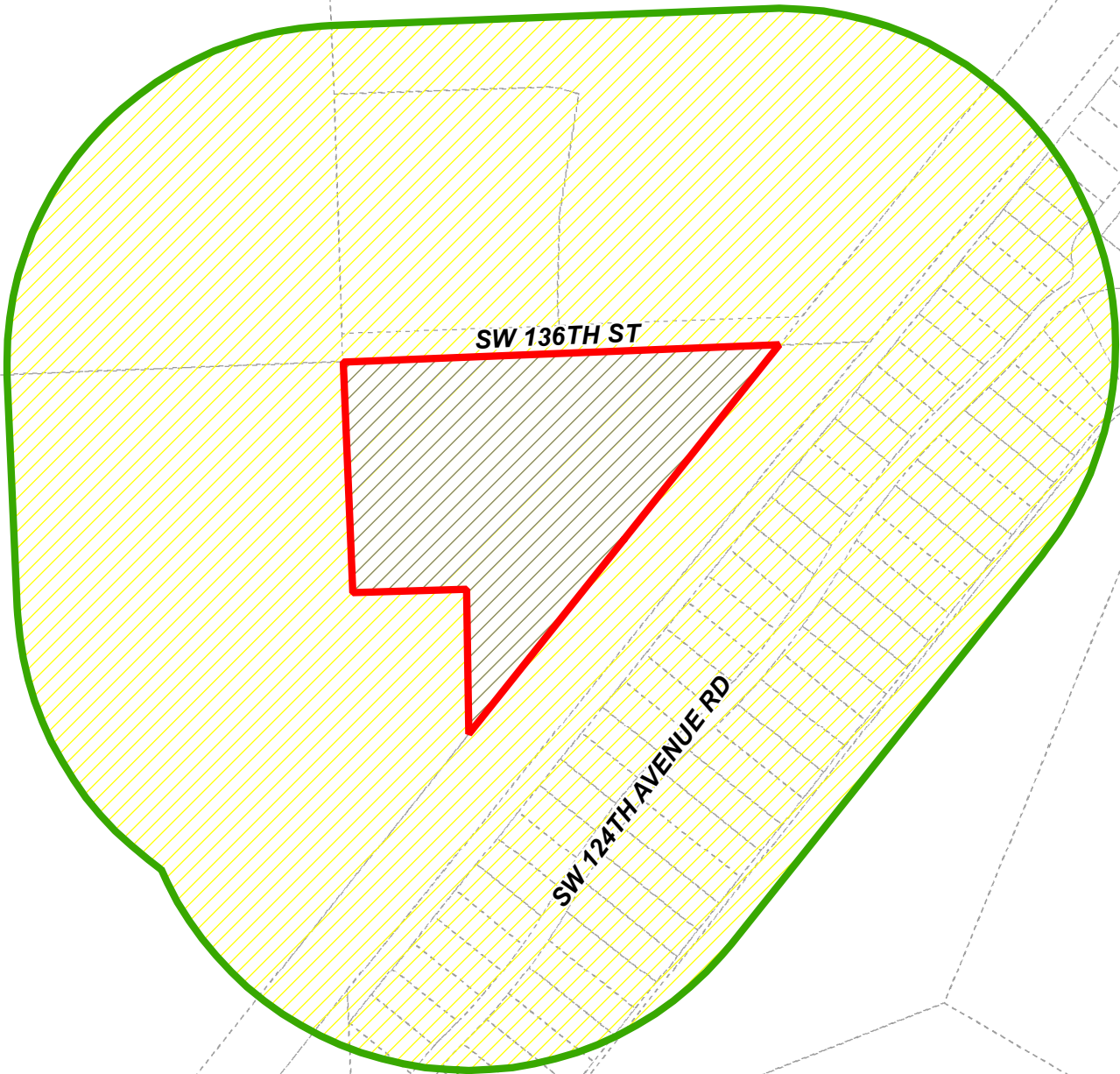


Section: 24 Township: 55 Range: 39
Applicant: Persan Construction Corp.
Zoning Board: C11
Commission District: 9
Drafter ID: EDUARDO CESPEDES
Scale: NTS



SKETCH CREATED ON: Wednesday, November 8, 2023

REVISION	DATE	BY






MIAMI-DADE COUNTY
RADIUS MAP

Section: 24 Township: 55 Range: 39
Applicant: Persan Construction Corp.
Zoning Board: C11
Commission District: 9
Drafter ID: EDUARDO CESPEDES
Scale: NTS

Process Number
Z2023000426
RADIUS: 500

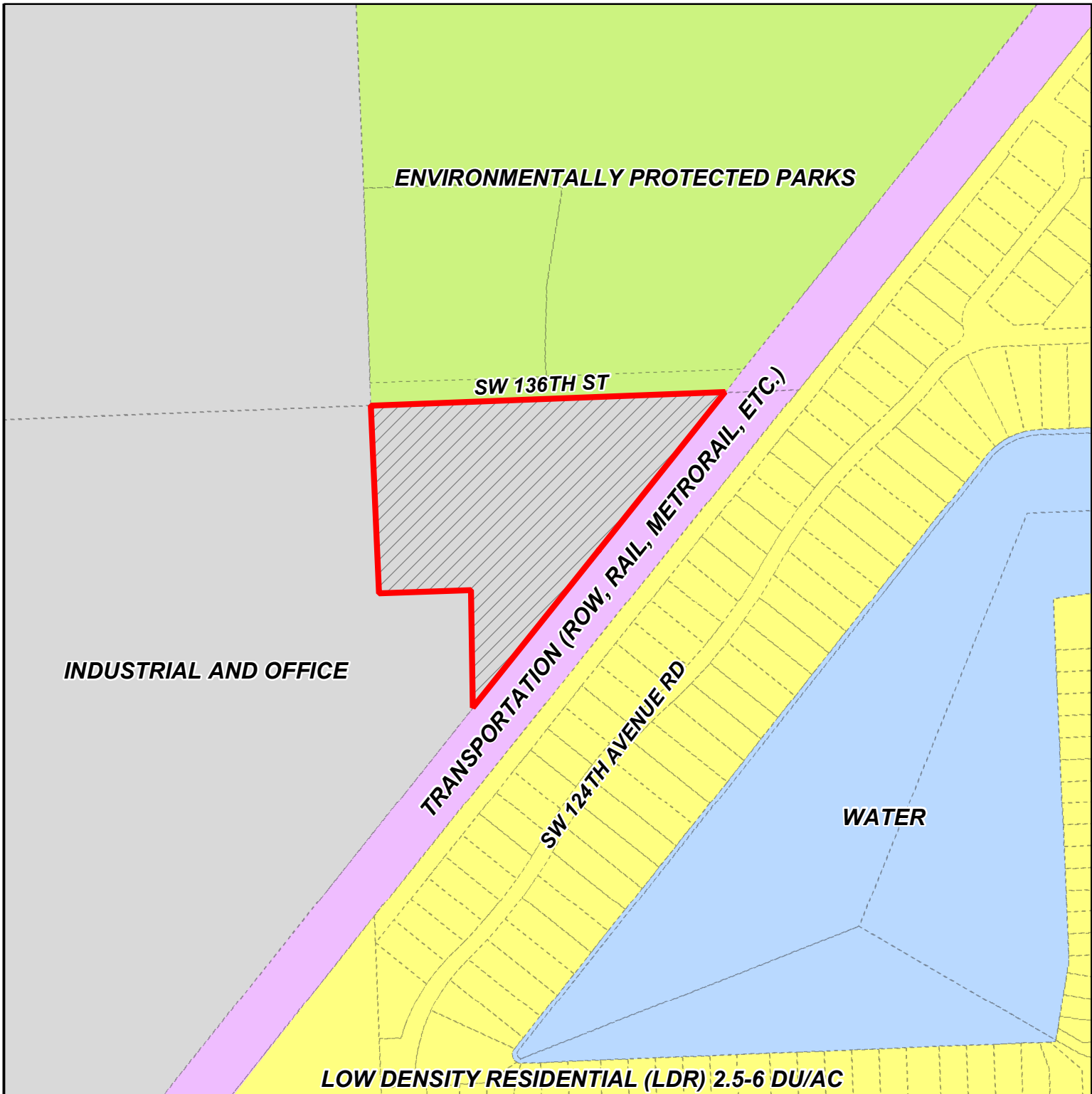
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-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Wednesday, November 8, 2023

REVISION	DATE	BY



MIAMI-DADE COUNTY

CDMP MAP

Section: 24 Township: 55 Range: 39
 Applicant: Persan Construction Corp.
 Zoning Board: C11
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number

Z2023000426

Legend

 Subject Property Case



SKETCH CREATED ON: Wednesday, November 8, 2023

REVISION	DATE	BY

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MIAMI-DADE COUNTY
PROCESS NO.: Z23-426
DATE: NOV 1 2023
BY: CABR

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Secure Storage of Miami, Inc.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
Jorge Pernas	100%
13220 SW 132 Avenue, Unit 2 Miami, FL 33186	

If a **TRUST or ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percent of Ownership</u>

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MIAMI-DADE COUNTY

PROCESS NO.: Z23-426

DATE: NOV 1 2023

BY: CABR

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: Fourth Street Management, LLC

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
William Rinaldi	100%
2600 S Ocean Blvd., Apt. 8D Boca Raton, FL 33432	

Date of contract: 1/30/2023

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of my interest in this application to the best of my knowledge and belief.

Signature: George A Pemas
3B9283C0B7CF461... (Applicant)

Sworn to me or [Signature] this 12th day of October, 2023. Affiant is personally known to _____ as identification.

[Signature]
Signed on 2023/10/12 10:20:14-8:00

(Notary Public)

Diana Ramos
Commission # HH 386927
Notary Public - State of Florida
My Commission Expires Apr 16, 2027

My commission expires _____

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

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MIAMI-DADE COUNTY
PROCESS NO.: Z23-426
DATE: NOV 1 2023
BY: CABR

(Space reserved for Clerk)

OWNERSHIP AFFIDAVIT FOR CORPORATION

STATE OF Florida

Public Hearing No. _____

COUNTY OF Miami-Dade

Before me, the undersigned authority, personally appeared _____ and _____, hereinafter the Affiant(s), who being first duly sworn by me, on oath, deposes and says:

- Affiant is the president, vice-president or CEO of the _____ Corporation, with the following address: _____
- The Corporation owns the property, which is the subject of the proposed hearing.
- The subject property is legally described as: _____
- Affiant is legally authorized to file this application for public hearing.
- Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

Signature Maidoly Telleria
21C1ECB44DAF42E...

Print Name Maidoly Telleria

Signature Natalie Villadiego
B1ABF66FAE354EF...

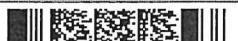
Print Name Natalie villadiego

Affiant's signature Jorge A Pernas
3B9283C0B7CF461...

Print Name Jorge A Pernas

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RECEIVED
MIAMI-DADE COUNTY
PROCESS NO.: Z23-426
DATE: NOV 1 2023
By: CABR
(Space reserved for Clerk)

Sworn to and subscribed before me on the 12th day of October, 2023.

Affiant is personally known to me or has produced identification _____ as




Signed on 2023/10/12 10:20:14 -0500

Notary Public Signature
Diana Ramos
Print Name

State of Florida

My Commission Expires: _____

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MIAMI-DADE COUNTY
PROCESS NO.: Z23-426
DATE: NOV 1 2023
BY: CABR

EXHIBIT "A"

LEGAL DESCRIPTION

A portion of the Northwest 1/4 of Section 24, Township 55 South, Range 39 East, being more particularly described as follows:

Commence at the Northwest corner of said Section 24, and run North 87°46'47" East, along the North line of said Northwest 1/4, for a distance of 1140.02 feet to the Point of Beginning of the parcel of land hereinafter described; thence continue North 87°46'47" East, along the last described course for a distance of 655.69 feet; thence run South 38°47'17" West, along the Northwesterly right-of-way line of the SEABOARD COAST LINE RAILROAD, for a distance of 745.44 feet; thence run North 02°17'27" West along the East line of the South 1/2 of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 for a distance of 229.24 feet; thence run South 87°46'14" West along the North line of the said South 1/2 of the North 1/2 of the Northwest 1/4 of the Northwest 1/4, for a distance of 166.86 feet; thence run North 02°07'14" West along a line 1140.01 feet East of and parallel with, as measured at right angles to, the West line of the said Northwest 1/4 for a distance of 333.31 feet to the Point of Beginning, lying and being in Dade County, Florida.

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Zoning Hearing Application For Signature - executed.pdf

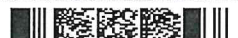
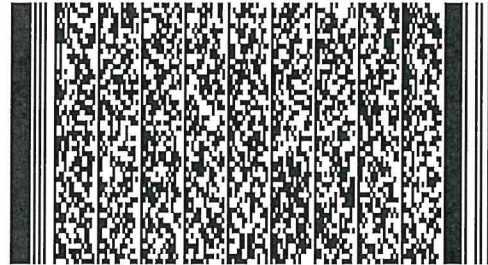
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Electronic Notary: Yes / State: FL

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E-Signature Summary

E-Signature Notary: Diana Ramos (dra)
October 12, 2023 10:20:14 -8:00 [FAF068199174] [74.220.90.117]
dramos@brzoninglaw.com



This instrument was prepared by:

Graham Penn, Esq.
Bercow Radell Fernandez Larkin
& Tapanes, PLLC
200 S. Biscayne Blvd., Ste. 300
Miami, FL 33131

(Space reserved for Clerk)

DECLARATION OF RESTRICTIVE COVENANTS

WHEREAS, the undersigned Secure Storage of Miami, Inc. (the "Owner"), holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by a submitted attorney's opinion, and

WHEREAS, the Owner has filed public hearing application Z2023-426 with the County's Department of Regulatory and Economic Resources seeking the approval of a district boundary change from IU-C, Industrial Conditional to IU-3, Industrial Unlimited Manufacturing and related non-use variances; and

IN ORDER TO ASSURE the County that the representations made by the owner during consideration of Public Hearing No. Z2023-426 will be abided by the Owner freely, voluntarily and without duress makes the following "Declaration of Restrictive Covenants" ("Declaration") covering and running with the Property:

Prohibited Uses. The following uses shall be prohibited on the Property:

- 1) Acetylene, generation and storage.
- 2) Acids and derivatives.
- 3) Alcohol, industrial.
- 4) Aluminum, powder and paint manufacture.
- 5) Ammonia.
- 6) Animal reduction plants.
- 7) Asphalt or asphalt products manufacturing.
- 8) Atomic reactor.
- 9) Blast furnace.
- 10) Bleaching products.
- 11) Blooming mill.
- 12) Boiler manufacture (other than welded).
- 13) Brass and bronze foundries.
- 14) Calcium carbide.
- 15) Casein.
- 16) Caustic soda.
- 17) Celluloid.
- 18) Cellulose products.

Declaration of Restrictive Covenants

Page 2

- 19)Cement, lime, gypsum or plaster of Paris manufacturing.
- 20)Charcoal, lampblack or fuel briquettes.
- 21)Charcoal pulverizing.
- 22)Chlorine.
- 23)Cider and vinegar.
- 24)Cleaning and polishing preparation: dressings and blackings.
- 25)Coal tar product.
- 26)Coke oven products (including fuel gas) and coke oven product storage.
- 27)Cotton wadding.
- 28)Cottonseed oil, refining.
- 29)Creosote.
- 30)Distillation, manufacture or refining of coal, tar, asphalt, wood, bones.
- 31)Distillery (alcoholic), breweries and alcoholic spirits.
- 32)Dyestuff.
- 33)Dynamite storage.
- 34)Excelsior.
- 35)Explosives.
- 36)Fat rendering.
- 37)Fertilizer, organic or inorganic, manufacture.
- 38)Film, photographic.
- 39)Fireworks.
- 40)Fish cannery or curing.
- 41)Fish oils, meal and by-products.
- 42)Flour, feed and grain milling.
- 43)Forge plant, pneumatic drop and forging hammering.
- 44)Foundries.
- 45)Gelatin products.
- 46)Glue, gelatin (animal) or glue and size (vegetable).
- 47)Graphite.
- 48)Guncotton (explosive).
- 49)Hair, felt or feathers, washing, curing and dyeing.
- 50)Hair, hides and raw fur, curing, tanning, dressing, dyeing and storage.
- 51)Hydrogen and oxygen manufacturing.
- 52)Insecticides, fungicides, disinfectants, or related industrial and household products (depending on materials and quantities used).
- 53)Ink manufacture from primary raw materials (including colors and pigments).
- 54)Jute, hemp and sisal products.
- 55)Lampblack, carbonblack and boneblack.
- 56)Lead oxide.
- 57)Linoleum and other similar hard surface floor coverings (other than wood).
- 58)Locomotive and railroad car building and repair.
- 59)Match manufacture and storage.
- 60)Metal and metal ores, reduction, refining, smelting and alloying.
- 61)Molasses.
- 62)Nitrate (manufactured and natural) of an explosive nature; and storage.

Declaration of Restrictive Covenants

Page 3

- 63) Nitroleng of cotton or other materials.
- 64) Nylon.
- 65) Oil cloth, oil treated products and artificial leather.
- 66) Oil refinery.
- 67) Oil wells.
- 68) Oils, shortening and fats (edible).
- 69) Ore pumps and elevators.
- 70) Paint manufacture, depending upon materials and quantities used.
- 71) Paper and paperboard (from paper machine only).
- 72) Paper and pulp mills.
- 73) Petroleum, gasoline and lubricating oil—refining and wholesale storage.
- 74) Phenol.
- 75) Pickles, vegetable relish and sauces, sauerkraut.
- 76) Plastic material and synthetic resins manufacturing.
- 77) Potash.
- 78) Poultry slaughtering and packing (wholesale).
- 79) Pyroxylin.
- 80) Radioactive waste handling.
- 81) Rayon and rayon yarns.
- 82) Refractories (coal fired).
- 83) Rendering and storage of dead animals, offal, garbage and waste products.
- 84) Rubber manufacturing—natural or synthetic, including tires, tubes, or similar products, gutta percha, chickle and valata processing.
- 85) Sawmill.
- 86) Scrap metal reduction.
- 87) Shoddy.
- 88) Slaughterhouse.
- 89) Smelting.
- 90) Soaps (other than from vegetable by-products) or detergents, including fat rendering.
- 91) Solvent extraction.
- 92) Starch manufacture.
- 93) Steel works and rolling (ferrous).
- 94) Stockyards.
- 95) Storage batteries, wet cell.
- 96) Sugar refining.
- 97) Testing—jet engines and rockets.
- 98) Textiles bleaching
- 99) Turpentine and resin.
- 100) Wallboard and plaster, building insulation.
- 101) Wire ropes and cable.
- 102) Wood preserving treatment.

- 103) Wool pulling or scouring.
- 104) Yeast.

County Inspection. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

Modification, Amendment, Release. This Declaration may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the, then, owner(s) of the property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, or the Director as provided by the Miami-Dade County Code of Ordinances. It is provided, however, in the event that the Property is annexed to an existing municipality or the Property is incorporated into a new municipality, any modification, amendment, or release shall not become effective until it is approved by such municipality and is thereafter approved by the Board of County Commissioners, in accordance with applicable procedures.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and

refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.

Recording. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Regulatory and Economic Resources Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

Acceptance of Declaration. Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

Owner. The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]

ACKNOWLEDGEMENT CORPORATION

IN WITNESS WHEREOF, the Owner has executed this Declaration.

Witness

Print Name:_____

Address:_____

Secure Storage of Miami, Inc., a Florida Corporation

By Jorge Pernas, President

Witness

Print Name:_____

Address:_____

Signature

Date

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization by Jorge Pernas, President of Secure Storage of Miami, Inc., a Florida Corporation. He is personally known to me or has produced _____, as identification.

Witness my signature and official seal this _____ day of _____, _____, in the County and State aforesaid.

Signature
Notary Public-State of

Print Name

My Commission Expires:

JOINDER BY MORTGAGEE

The undersigned Delfin Pernas and Magdalena Pernas, Mortgagees under that certain Estate Mortgage from Secure Storage of Miami, Inc dated the 5th day of December 2018, and recorded in Official Records Book 31244, Page 685 of the Public Records of Miami-Dade County, Florida, assigned by that certain Assignment of Mortgage recorded in Official Records Book 34618, Page 3852 of the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing agreement, does hereby acknowledge that the terms of this agreement are and shall be binding upon the undersigned and its successors in title.

IN WITNESS WHEREOF, these presents have been executed this ____ day of _____, 2025.

Witness

Print Name: _____

Address: _____

Delfin Pernas

Signature

Witness

Print Name: _____

Address: _____

Date

] **STATE OF** _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence [] or online notarization [] by Delfin Pernas. He/She is personally known to me or has produced _____, as identification.

Witness my signature and official seal this ____ day of _____, 20__, in the County and State aforesaid.

Signature
Notary Public-State of _____

Print Name

My Commission Expires:

[SIGNATURE PAGE CONTINUES]

Witness

Print Name: _____

Address: _____

Magdalena Pernas

Signature

Witness

Print Name: _____

Address: _____

Date

] **STATE OF** _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence [] or online notarization [] by Magdalena Pernas. He/She is personally known to me or has produced _____, as identification.

Witness my signature and official seal this ____ day of _____, 20__, in the County and State aforesaid.

Signature
Notary Public-State of _____

Print Name

My Commission Expires:

Exhibit A

Legal Description

A portion of the Northwest 1/4 of Section 24, Township 55 South, Range 39 East, being more particularly described as follows:

Commence at the Northwest corner of said Section 24, and run North $87^{\circ}46'47''$ East, along the North line of said Northwest 1/4, for a distance of 1140.02 feet to the Point of Beginning of the parcel of land hereinafter described, thence continue North. $87^{\circ}46'47''$ East, along the last described course for a distance of 655.69 feet, thence run South $38^{\circ}47'17''$ West, along the Northwesterly right-of-way line of the SEABOARD COAST LINE RAILROAD, for a distance of 745.44 feet, thence run North $02^{\circ}17'27''$ West along the East line of the South 1/2 of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 for a distance of 229.24 feet: thence run South $87^{\circ}46'14''$ West along the North line of the said South 1/2 of the North 1/2 of the Northwest 1/4 of the Northwest 1/4, for a distance of 166.86 feet, thence run North $02^{\circ}07'14''$ West along a line 1140.01 feet East of and parallel with, as measured at right angles to, the West line of the said Northwest 1/4 for a distance of 333.31 feet to the Point of Beginning, lying and being in Dade County, Florida.

OPINION OF TITLE

To: MIAMI-DADE COUNTY

With the understanding that this Opinion of Title is furnished to Miami-Dade County, as inducement for acceptance of a Declaration of Restrictions pursuant to Public Hearing No 23-426, it is hereby certified that I have examined a complete Abstract of Title from First American Title Insurance Company (Title Search Report -FATIC File No. 110601661, revised), dated February 13, 2025, covering the period from the beginning to the 3rd day of February, 2025, at the hour of 8:00 A.M., inclusive, of the property located in Miami-Dade County, Florida, that is described in Exhibit "A" attached hereto. I know of no reason that this Abstract of Title is inaccurate or incomplete.

I am of the opinion that on the last mentioned date, the fee simple title to the above-described real property was vested in:

Secure Storage of Miami, Inc., a Florida corporation

Note: Jorge Pernas, as President of Secure Storage of Miami, Inc., a Florida corporation, is authorized to execute any documents on behalf of said company.

Subject to the following encumbrances, liens and other exceptions:

A. RECORDED MORTGAGES:

1. Mortgage in the original principal amount of \$1,500,000.00, executed by Secure Storage of Miami, Inc., a Florida corporation in favor of Carlos Pernas and Delfin Pernas, recorded December 05, 2018 in O.R. Book 31244, Page 685. Carlos Pernas' interest in said mortgage was assigned by that certain Assignment of Mortgage recorded in Book 34618, Page 3852, such that, on the last mentioned date, the mortgage is in favor of Delfin Pernas and Magdalena Pernas.

B. RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:

1. Code Enforcement Lien recorded in Book 26006, Page 980.

C. GENERAL EXCEPTIONS:

1. Real estate taxes for the year 2025 and subsequent years and taxes or special assessments which are not shown as existing liens by the Public Records. Tax Identification No. 30-5924-000-0072.
2. Rights or claims of parties in possession not shown by the Public Records.

3. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
4. Easements or claims of easements not shown by the Public Records.
5. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
6. Any adverse claim to all or any part of the land which is now under water or which has previously been under water but filled or exposed through the efforts of man.

D. **SPECIAL EXCEPTIONS:**

1. Terms and Conditions of Environment Quality Control Board Order recorded in Book 20000, Page 450.

Note: All of the recording information contained herein refers to the Public Records of Miami-Dade County, Florida, unless otherwise indicated. Any reference herein to a Book and Page is a reference to the Official Record Books of said county, unless indicated to the contrary.

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrances and exceptions and that none of them hinder or affect the recording or enforcement of the Declaration of Restrictions.

Therefore, it is my opinion that the following party(ies) must join in the covenant in order to make the agreement a valid and binding covenant on the lands described herein.

<u>Name</u>	<u>Interest</u>	<u>Special Exception Number</u>
Secure Storage of Miami, Inc. a Florida corporation	Owner	
Delfin Pernas and Magdalena Pernas	Mortgagee	

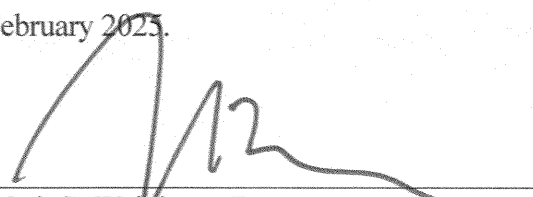
The following is a description of the aforementioned abstract and its continuations:

<u>Number</u>	<u>Company Certifying</u>	<u>No. of Entries</u>	<u>Period Covered</u>
File No. 110601661(rev)	First American Title Insurance Co.		through February 3, 2025 at 8:00 am

I HEREBY CERTIFY that the legal description in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable agreement.

I, the undersigned further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

Respectfully submitted this 13th day of February 2025.

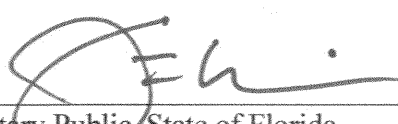


Mark S. Weinberg, Esq.
Florida Bar No.: 24759
Pierson Ferdinand LLP
Address: 11767 S. Dixie Highway, Suite 292
Pinecrest FL 33156

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by physical presence or online notarization, this 13 day of February 2025, by Mark S. Weinberg, who is personally known to me or produced _____ as identification.



Notary Public, State of Florida
Print Name: _____

My commission expires:

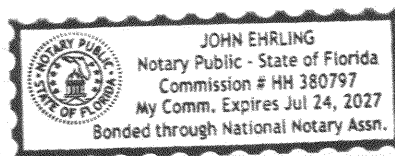
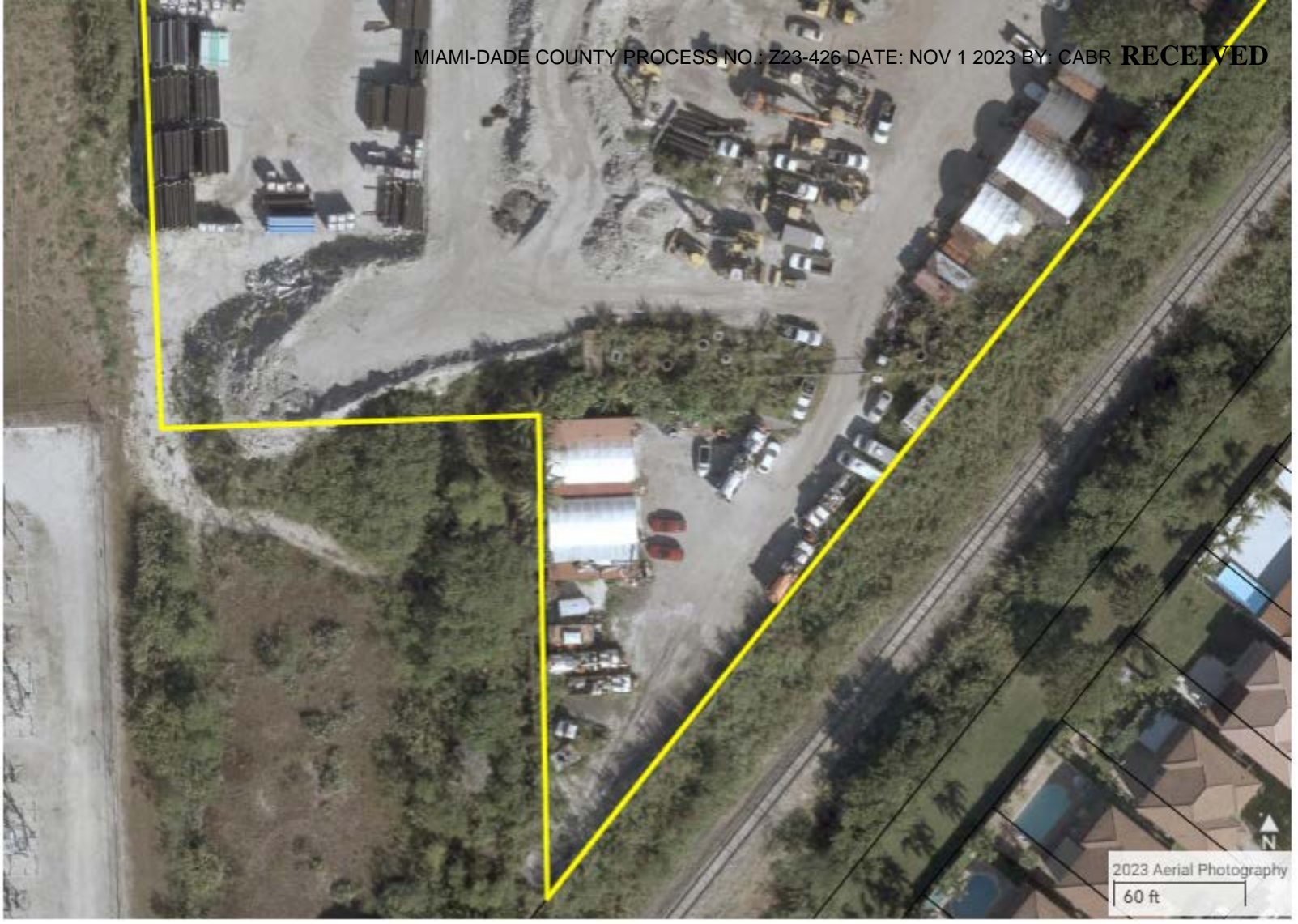


Exhibit A
Legal Description

The Land referred to herein below is situated in the County of MIAMI-DADE, State of Florida, and is described as follows:

A portion of the Northwest 1/4 of Section 24, Township 55 South, Range 39 East, being more particularly described as follows:

Commence at the Northwest corner of said Section 24, and run North 87 Degrees 46' 47" East, along the North line of said Northwest 1/4, for a distance of 1140.02 feet to the Point of Beginning of the parcel of land hereinafter described; thence continue North 87 Degrees 46'47" East, along the last described course for a distance of 655.69 feet; thence run South 38 Degrees 47' 17" West, along the Northwesterly right-of-way line of the Seaboard Coast Line Railroad, for a distance of 745.44 feet; thence run North 02 Degrees 17' 27" West along the East line of the South 1/2 of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 for a distance of 229.24 feet; thence run South 87 Degrees 46' 14" West along the North line of the said South 1/2 of the North 1/2 of the Northwest 1/4 of the Northwest 1/4, for a distance of 166.86 feet; thence run North 02 Degrees 07' 14" West along a line 1140.01 feet East of and parallel with, as measured at right angles to, the West line of the said Northwest 1/4 for a distance of 333.31 feet to the Point of Beginning, lying and being in Miami-Dade County, Florida.



SW 136TH ST

MIAMI-DADE COUNTY PROCESS NO.: Z23-426 DATE: NOV 1 2023 BY: CABR **RECEIVED**



SW 136TH ST

