

RESOLUTION NO. 2017-111

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; PURSUANT TO 30-80, PLATTING AND SUBDIVISIONS, AUTHORIZING THE PLAT OF CERTAIN LANDS WITHIN THE VILLAGE LOCATED AT 17001 SW 92 COURT, AS MORE PARTICULARLY DESCRIBED AT ATTACHMENT A; CREATING THE PALMETTO BAY GARDENS PLAT, CONSISTING OF 3 LOTS; AND PROVIDING AN EFFECTIVE DATE.

(Sponsored by Administration)

WHEREAS, the Applicant, Vitran Homes LLC, submitted an application to plat certain lands within the Village of Palmetto Bay, located at 17001 SW 92 Court, bearing Folio Number 33-5033-000-0390, as more particularly described at Attachment A of this Resolution; creating Palmetto Bay Gardens consisting of 3 lots;

WHEREAS, on December 8, 1988, The Board of County Commissioners, operating under the Miami-Dade County code, approved a non-use variance of lot frontage and area requirements to permit the division of the land into three building sites;

WHEREAS, the property configuration complies with that order, all other requirement of the Village’s Land Development Code, and has been deemed acceptable by the Village’s Public Work’s Department;

WHEREAS, the applicant is now requesting the Mayor and Village Council approve the plat request so that the applicant may record the plat with Miami-Dade County;

WHEREAS, the Village Council of the Village of Palmetto Bay conducted a quasi-judicial public hearing on the application at Village Hall, 9705 East Hibiscus Street on September 18, 2017;

WHEREAS, the Mayor and Village Council finds, based on substantial competent evidence in the record, that the application for the

1 plat is consistent with the Village of Palmetto Bay Comprehensive Plan and
2 the applicable Land Development Regulations;

3
4 **WHEREAS**, based on the foregoing finding, the Mayor and Village
5 Council determined to grant the application, as provided in this resolution.

6
7 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND
8 VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA,
9 AS FOLLOWS:

10
11 **Section 1. Whereas Clauses.** The foregoing “WHEREAS” clauses
12 are hereby ratified and confirmed as being true and correct and are hereby
13 made a part of this Resolution upon adoption hereof.

14
15 **Section 2. Public Hearing.** A public hearing on the present
16 application was held on September 11, 2017, in accordance with the
17 Village's “Quasi-judicial hearing procedures.” Pursuant to the testimony
18 and evidence presented during the hearing, the Village Council makes the
19 following findings of fact, conclusions of law and final order.

20
21 **Section 3. Findings of fact.**

- 22
- 23 a. On December 8, 1988, The Board of County Commissioners,
24 operating under the Miami-Dade County code, approved a non-
25 use variance of lot frontage and area requirements to permit the
26 division of the land into three building sites.
 - 27
 - 28 b. The applicant is requesting the Mayor and Village Council to
29 approve the plat request so that the applicant may record the
30 plat with Miami-Dade County. The applicant seeks to subdivide
31 the property to allow the construction of single-family homes on
32 the newly created lots.
 - 33
 - 34 c. The property configuration complies with the 1988 Order, the
35 remaining requirements of the Village’s Land Development
36 Code, and has been deemed acceptable by the Village’s Public
37 Works Department.
 - 38
 - 39 d. The Department review of the application for consistency with
40 plat requirements at Section 30-80.2(b), entitled “Final Plat

1 Application Requirements”, found the application to be in
2 compliance.

- 3
4 e. The Village Council had no substantive disclosures regarding
5 ex-parte communications and the applicant raised no objections
6 as to the form or content of any disclosures by the Council.
7

8 **Section 4. Conclusions of law.**
9

10 The request to plat the North 1/5, of the East 1/2, of the Southeast 1/4,
11 of the Northeast 1/4, of the Northwest 1/4, less the West 25 feet, (currently
12 one parcel); creating Palmetto Bay Gardens plat consisting of Lot 1, Lot 2,
13 and Lot 3 (three Parcels), is found to be in compliance with Section 30-
14 80.2(b).
15

16 **Section 5. Order.**
17

18 The Village Council approves the plat of those lands described at
19 Attachment “A”, bearing Folio Number 33-5033-000-0390; creating
20 "Palmetto Bay Gardens”, consisting of 3 lots.
21

22 This is a final order.
23

24 **Section 6. Record.** The record shall consist of the notice of hearing,
25 the applications, documents submitted by the applicant and the applicants’
26 representatives to the Village of Palmetto Bay Department of Planning and
27 Zoning in connection with the applications, the county recommendation and
28 attached cover sheet and documents, the testimony of sworn witnesses
29 and documents presented at the quasi-judicial hearing, and the tape and
30 minutes of the hearing. The record shall be maintained by the Village
31 Clerk.
32

33 **Section 7.** This resolution shall take effect immediately upon
34 approval.
35

36 **PASSED and ADOPTED** this 16th day of October, 2017.
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Attest:

DocuSigned by:

Missy Arocha

Missy Arocha
Village Clerk

DocuSigned by:

Eugene Flinn

Eugene Flinn
Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

DocuSigned by:

Dexter W. Lehtinen

Dexter W. Lehtinen
Village Attorney

FINAL VOTE AT ADOPTION:

- Council Member Karyn Cunningham YES
- Council Member David Singer YES
- Council Member Larissa Siegel Lara YES
- Vice-Mayor John DuBois YES
- Mayor Eugene Flinn YES

PLANS

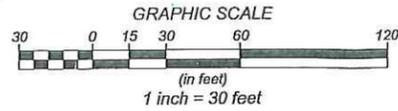
VITRAN HOMES, LLC.

VPB-17-011

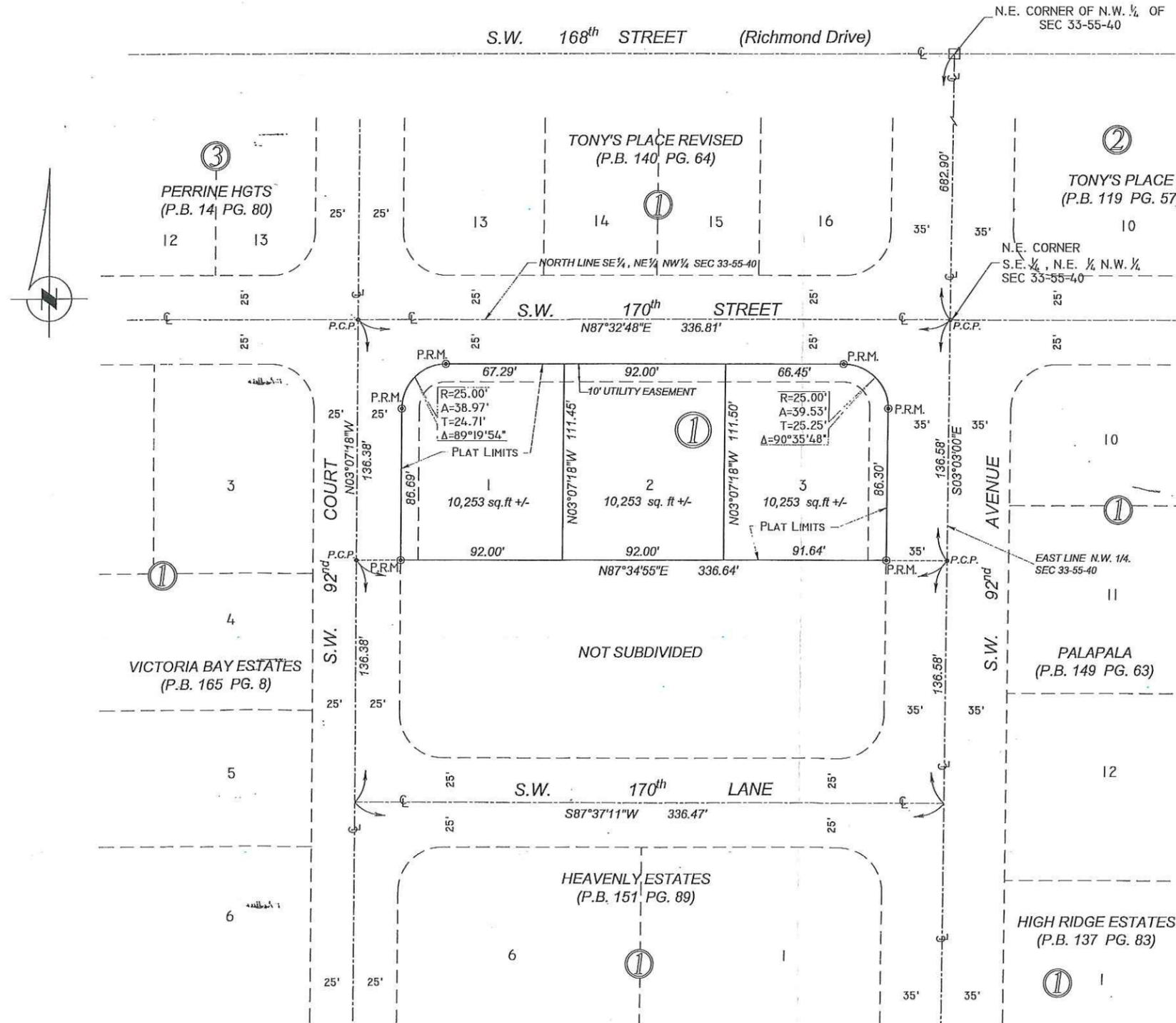
PALMETTO BAY GARDENS

PLAT BOOK: _____ PAGE _____
SHEET: 2 OF 2

A SUBDIVISION OF A PORTION OF THE NORTH $\frac{1}{5}$, OF THE EAST $\frac{1}{2}$, OF THE SOUTHEAST $\frac{1}{4}$, OF THE NORTHEAST $\frac{1}{4}$, OF THE NORTHWEST $\frac{1}{4}$, LESS THE WEST 25 FEET THEREOF, OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 40 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA. VILLAGE OF PALMETTO BAY



PREPARED BY:
JUAN R. MARTINEZ & ASSOCIATES, INC.
CONSULTING ENGINEERS - LAND PLANNERS - LAND SURVEYORS
8550 WEST FLAGLER STREET, SUITE 106, MIAMI, FLORIDA 33144
JANUARY, 2016



SURVEYOR'S NOTES:

- ⊙ P.R.M. : DENOTES PERMANENT REFERENCE MONUMENT
- P.C.P. : DENOTES PERMANENT CONTROL POINT
- Δ : DENOTES CENTRAL ANGLE (DELTA ANGLE)
- R : DENOTES RADIUS
- A : DENOTES ARC LENGTH
- SQ.FT. : DENOTES SQUARE FEET
- ⊕ : DENOTES CENTERLINE
- SEC. : DENOTES SECTION
- T : DENOTES TANGENT DISTANCE
- |— : DENOTES 10' UTILITY EASEMENT
- N : DENOTES NORTH
- W : DENOTES WEST
- E : DENOTES EAST
- S : DENOTES SOUTH

BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED MERIDIAN ALONG THE CENTERLINE OF SW 170th STREET, WHICH BEARS NORTH 87°32'48" EAST.

RECORDING STATEMENT:

FILED FOR RECORD THIS _____ DAY OF _____, A.D., 2016 AT _____ : _____, IN BOOK _____ OF PLATS, AT PAGE _____ OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. THIS PLAT COMPLIES WITH THE LAWS OF THE STATE OF FLORIDA AND MIAMI-DADE COUNTY, FLORIDA.

HARVEY RUVIN,
CLERK OF CIRCUIT COURT

BY: _____, DEPUTY CLERK.

ZONING HISTORY

VITRAN HOMES, LLC.

VPB-17-011

RESOLUTION NO. Z-307-88

The following resolution was offered by Commissioner Barry D. Schreiber, seconded by Commissioner Larry Hawkins, and upon poll of members present the vote was as follows:

Barbara M. Carey	aye	Barry D. Schreiber	aye
Charles Dusseau	aye	Jorge (George) Valdes	aye
Joseph M. Gersten	aye	Sherman S. Winn	absent
Larry Hawkins	aye	Stephen P. Clark	aye
Harvey Ruvlin	absent		

WHEREAS, SERGIO REBOLLO, had applied for the following:

- (1) A district boundary change from AU (Agricultural) to EU-M(Estate Use Modified)
- (2) NON-USE VARIANCE OF LOT FRONTAGE AND AREA REQUIREMENTS to permit the division of a parcel of land into 3 building sites; parcel 1 with an existing residence thereon and parcel 2 each with frontage of 92' and an area of 10,246 sq. ft. and parcel 3 with frontage of 92.64' and an area of 10,317 sq. ft. (120' of frontage and 15,000 sq. ft. of area required for each).

Plans are on file and may be examined in the Zoning Department entitled, "Sketch of Survey," as prepared by Guillermo Sanguily, Reg. Land Surveyor, and dated 6-9-87. Plans may be modified at public hearing.

SUBJECT PROPERTY: The north 1/5, of the east 1/2, of the SE 1/4, of the NE 1/4, of the NW 1/4 of Section 33, Township 55 South, Range 40 East, less the west 25' and less the north 25' thereof.

LOCATION: 17001 S.W. 92 Court, Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners, Dade County, Florida, was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to EU-M would be compatible with the neighborhood and area concerned and would not be in conflict with the principles and intent of the plan for the development of Dade County, Florida, and should be approved, and that the requested non-use variance would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and should be approved, subject to conditions;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the requested district boundary change to EU-M be and the same is hereby approved and said property is hereby zoned accordingly;

BE IT FURTHER RESOLVED that the requested non-use variance be and the same is hereby approved, subject to the following conditions:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things but not be limited thereto, type, height and location of structures, type and location of signs, landscaping, drainage, ingress and egress drives, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Sketch of Survey," as prepared by Guillermo Sanguily, Reg. Land Surveyor, and dated 6-9-87.
3. That the use be established and maintained in accordance with the approved plan.
4. That the dedication of rights-of-way shall be made in accordance with Sec. 33-133 of the Code of Metropolitan Dade County unless the Director of Public Works deems such are not necessary or requires a lesser amount. Improvements shall be made of such rights-of-way in order to comply with and in accordance with the requirements of the manual of Public Works construction, as may be deemed lacking, desirable and necessary by the Public Works Director. That the dedication and improvement be made at such time as requested by the Public Works Director.
5. That the applicant comply with all conditions and requirements of the Department of Environmental Resources Management.
6. That the utility structures on the property be removed or relocated to conform with the requirements of the Zoning Code.

The Zoning Director is hereby directed to make the necessary changes and notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 8th day of December, 1988.

December, 1988
No. 88-12-CC-9
1/3/89
mr

DADE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By Richard P. Brinker, Clerk
Deputy Clerk

This resolution transmitted to the Clerk of the Board of County Commissioners
on the 4th day of JANUARY, 1989.

METROPOLITAN DADE COUNTY, FLORIDA



METRO-DADE CENTER

BUILDING & ZONING DEPARTMENT
SUITE 1010
111 N.W. 1st STREET
MIAMI, FLORIDA 33128-1974
(305) 375-2500

January 3, 1989

Sergio Rebollo
17001 S.W. 92 Ct.
Miami, FL 33157

Re: Hearing No. 88-12-CC-9; 17001 S.W. 92 Court

Dear Sir:

Enclosed, herewith, is a copy of Resolution No. Z-307-88, adopted by the Board of County Commissioners, which approved your requested district boundary change to EU-M and approved, subject to conditions, the balance of your application on the above-described property. Please note the conditions under which said approval was granted, inasmuch as strict compliance, therewith, will be required.

Once the use has been established, failure to maintain compliance with any of the required conditions will result in the immediate issuance of a civil violation notice for each condition violated. Each ticket issued will require payment of a daily monetary fine in the amount of \$500.00.

If there are any anticipated changes from the plan submitted for the hearing, a plot use plan should be submitted to this office in triplicate before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

You are, hereby, advised that the decision of the Dade County Commission may be appealed by an aggrieved party within 30 days of the date of the submittal of the resolution to the Clerk of the County Commission. You are, further, advised that in the event that an appropriate appeal is timely filed in the Circuit Court, any building permit sought or obtained shall be solely at the risk of the party obtaining said permit.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Chester C. Czebrinski".
Chester C. Czebrinski
Assistant Director

CCC/mr
Enclosure

ZONING & LAND USE MAPS

VITRAN HOMES, LLC.
VPB-17-011

[Click to Print This Page](#)



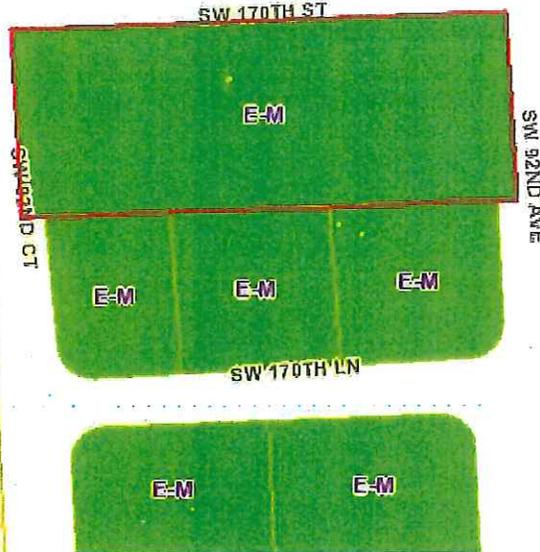
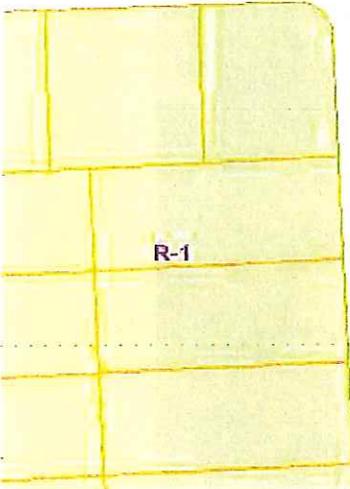
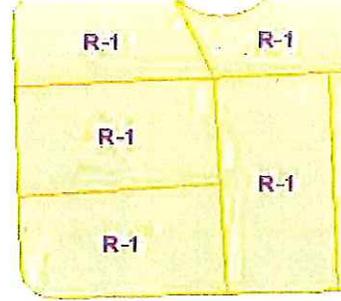
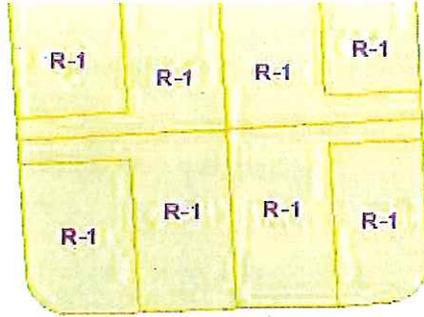
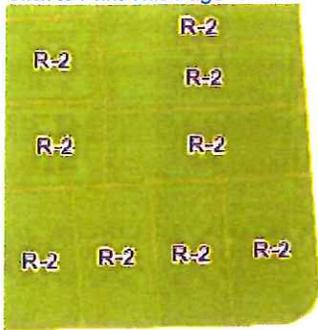
Summary Details:	
Folio:	3350330000390
Site Address:	17001 SW 92 CT
Mailing Address:	VITRAN HOMES LLC 11767 S DIXIE HWY #136 MIAMI, FL 33156

Property Information:	
Beds/Baths:	1/1
Floors:	1
Living Units:	1
Adj Sq Footage:	792
Lot Size:	45738 SQ FT
Year Built:	1950
Legal Description:	33 55 40 1.05 ACN1/5 OF E1/2 OF SE1/4 OF NE1/4 OFNW1/4F/A/U 30-5033- 000-0390OR 20997-0185 022003 4OR 29462-2430 0115 01 Deed: 20997-0185 Deed: 29462-2430

Sale Information:			
Sale Date:	1/2015	1/2003	6/1987
Sale Amount:	375000	170000	71400
Sale O/R:	29462-2430	20966-1814	13313-3442

Assessment Information:		
Year:	2016	2015
Land Value:	0	258136
Building Value:	0	13276
Market Value:	0	271412
Assessed Value:	0	198077
Homestead Exemption:	0	0
Senior Exemption:	0	0
Agricultural Exemption:	0	0
Widow Exemption:	0	0
Disabled Exemption:	0	0
Veteran Exemption:	0	0

[Click to Print This Page](#)



Summary Details:	
Folio:	3350330000390
Site Address:	17001 SW 92 CT
Mailing Address:	VITRAN HOMES LLC 11767 S DIXIE HWY #136 MIAMI, FL 33156

Property Information:	
Beds/Baths:	1/1
Floors:	1
Living Units:	1
Adj Sq Footage:	792
Lot Size:	45738 SQ FT
Year Built:	1950
Legal Description:	33 55 40 1.05 ACN1/5 OF E1/2 OF SE1/4 OF NE1/4 OF NW1/4 F/A/U 30-5033-000-0390 OR 20997-0185 022003 4OR 29462-2430 0115 01 Deed: 20997-0185 Deed: 29462-2430

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Living Units:	1
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Year Built:	1950
Legal Description:	33 55 40 1.05 ACN1/5 OF E1/2 OF SE1/4 OF NE1/4 OF NW1/4 F/A/U 30-5033-000-0390 OR 20997-0185 022603 4OR 29462-2430 0115 01 Deed: 20997-0185 Deed: 29462-2430

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Agricultural Exemption:	0	0
Widow Exemption:	0	0
Disabled Exemption:	0	0
Veteran Exemption:	0	0

POSTING & MAILING

VITRAN HOMES, LLC.
VPB-17-011



VILLAGE OF PALMETTO BAY NOTICE OF ZONING PUBLIC HEARING

The Village of Palmetto Bay shall conduct a zoning public hearing on Monday, September 18, 2017, at 7:00 p.m. Discussion and public input will be welcomed concerning the following hearing items which may be of interest to your immediate neighborhood.

The following items are being considered pursuant to Division 30-80 of the Village's Land Development Code:

Applicant: Vitran Homes, LLC

Folio: 33-5033-000-0390

File #: VPB-17-011

Location: SW 170th Street between SW 92nd Court and SW 92nd Avenue

Zoned: E-M

Request: A request to plat the East 152 feet of the North 160 feet of the west 304 feet of the NW ¼ of the NE ¼ of the NW ¼ of the SE ¼ of section 27 township 55 South, Range 40 East lying and being in Miami-Dade, Florida.

PLANS ARE ON FILE FOR THE ABOVE APPLICATIONS AND MAY BE EXAMINED IN THE DEPARTMENT OF PLANNING AND ZONING AT VILLAGE HALL. PLANS MAY BE MODIFIED AT THE PUBLIC HEARING.

The hearing shall be held at the Council Chambers located within Village Hall, 9705 East Hibiscus Street, Palmetto Bay, FL 33157. Any meeting may be opened and/ or continued, under such circumstances, additional legal notice would not be provided. Any person may contact Village Hall at (305) 259-1234 for additional information.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation (or hearing impaired) to participate in this proceeding or to review any documents relative thereto should contact the Village for assistance at (305) 259-1234 no later than four (4) days prior to the proceedings.

**VILLAGE OF PALMETTO BAY
NOTICE OF PUBLIC HEARING**

HEARING NUMBER: VPB-17-011
APPLICANT NAME: Vitran Homes, LLC
FOLIO: 33-5033-000-0390 ZONED: E-M
PROJECT LOCATION: 17001 SW 92 COURT, PALMETTO BAY, FL 33157

REQUEST: A request to plat a the North 1/5, of the East 1/2, of the Southeast 1/4, of the Northeast 1/4, of the Northwest 1/4, less the West 25 feet, (currently one parcel), creating the Palmetto Bay Gardens plat consisting of Lot 1, Lot 2, and Lot 3 (three Parcels).

PLANS ARE ON FILE AND MAY BE EXAMINED IN THE DEPARTMENT OF PLANNING AND ZONING AT VILLAGE HALL. PLANS MAY BE MODIFIED BEFORE AND DURING THE PUBLIC HEARING.

A PUBLIC HEARING WILL BE HELD MONDAY, SEPTEMBER 18, 2017, AT 7:00 PM AT THE COUNCIL CHAMBERS LOCATED WITHIN VILLAGE HALL, 9705 EAST HIBISCUS STREET, PALMETTO BAY, FL 33157.

YOU ARE NOT REQUIRED TO RESPOND TO THIS NOTICE: However, objections or waivers of objection may be made in person at the hearing or filed in writing prior to the hearing date with the Department of Planning and Zoning. Any meeting may be opened and continued, and under such circumstances, additional legal notice would be provided. Any person may contact Village Hall at (305) 259-1234 for additional information. Please call the Village Clerk for ADA needs (or hearing impaired) no later than four (4) days prior to the proceedings.



**VILLAGE OF PALMETTO BAY
NOTICE OF PUBLIC HEARING**

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FOLIO: 33-5033-000-0390 ZONED: E-M
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APPLICATION

VITRAN HOMES, LLC.

VPB-17-011

VPB-16-006



ZONING HEARING (ZH) APPLICATION
Village of Palmetto Bay, Department of Planning and Zoning

LIST ALL FOLIO #S: 33-5033-000-0390 Date Received _____

1. NAME OF APPLICANT (Owner(s) of record of the property or lessee. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a "Disclosure of Interest" is required).

VITRAN HOMES, LLC

2. APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:

Mailing Address: 11767 SOUTH DIXIE HIGHWAY, #136
City: MIAMI State: FL Zip: 33156 Phone#: 305-662-6725

3. OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:

Owner's Name (Provide name of ALL owners): VITRAN HOMES, LLC
City: MIAMI State: FL Zip: 33156 Phone#: 305-662-6725

4. CONTACT PERSON'S INFORMATION:

Name: RUBEN BERTRAN Company: VITRAN HOMES, LLC
City: MIAMI State: FL Zip: 33156 Cell Phone#: 786-295-9406
Phone: 305-662-6725 Fax #: 305-662-6673 Email: RUBEN@VITRANHOMES.COM

5. LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, range. If the application contains multiple rezoning requests, a legal description for each requested zone must be provided. Attach separate sheets as needed and clearly label (identify) each legal description attached. In addition to paper version it is requested that lengthy metes and bounds descriptions be provided on diskette or compact disc in Microsoft Word or compatible software.)

LOT 1, 2, & 3 LYING AND BEING IN SECTION 33
TOWNSHIP 55 SOUTH, RANGE 40 EAST, VILLAGE OF
PALMETTO BAY, MIAMI-DADE COUNTY, FLORIDA

6. ADDRESS OR LOCATION OF PROPERTY (For location, use description such as NE corner of, etc.)

SW 170 ST BETWEEN SW 92ND CT AND SW 92ND AVE.

7. SIZE OF PROPERTY (in acres): 1.05 (divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property acquired leased: JANUARY 2015 9. Lease term: _____ years
(month & year)

10. IS CONTIGUOUS PROPERTY OWNED BY THE SUBJECT PROPERTY OWNER(S)? NO YES
If yes, provide complete legal description of said contiguous property.

11. Is there an option to purchase or lease the subject property or property contiguous thereto?
 NO YES (If yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

12. PRESENT ZONING CLASSIFICATION: E-M

13. APPLICATION REQUESTS (Check all that apply and describe nature of the request in space provided)

- District Boundary (zone) Changes [Zone(s) requested]: _____
(Provide a separate legal description for each zone requested)
- Unusual Use: _____
- Use Variance: _____
- Non-Use Variance: _____
- Alternative Site Development: Option: _____
- Special Exception: _____
- Modification of previous resolution/plan: _____
- Modification of Declaration of Covenant: _____

14. Has a public hearing been held on this property within the eighteen (18) months? NO YES
If yes, provide applicant's name, date, purpose and result of hearing, and resolution number:

15. Is this application a result of a violation notice? NO YES (If yes, give name to whom the violation notice was served: and describe the violation: _____)

16. Describe structures on the property: 792 SF SFR

17. Is there any existing use on the property? NO YES (If yes, what use and when established?)

E-M
Use: _____ Year: _____

Planning Staff Use Only

Base Fee	Reviewed and Accepted By	Date
Receipt No.	Deemed Complete By	Date



ZONING HEARING (ZH) APPLICATION
Village of Palmetto Bay, Department of Planning and Zoning

LIST ALL FOLIO #S: _____ Date Received _____

1. NAME OF APPLICANT (Owner(s) of record of the property or lessee. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a "Disclosure of Interest" is required).

2. APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:

Mailing Address: _____
City: _____ State: _____ Zip: _____ Phone#: _____

3. OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:

Owner's Name (Provide name of ALL owners): _____
City: _____ State: _____ Zip: _____ Phone#: _____

4. CONTACT PERSON'S INFORMATION:

Name: _____ Company: _____
City: _____ State: _____ Zip: _____ Cell Phone#: _____
Phone: _____ Fax #: _____ Email: _____

5. LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, range. If the application contains multiple rezoning requests, a legal description for each requested zone must be provided. Attach separate sheets as needed and clearly label (identify) each legal description attached. In addition to paper version it is requested that lengthy metes and bounds descriptions be provided on diskette or compact disc in Microsoft Word or compatible software.)

6. ADDRESS OR LOCATION OF PROPERTY (For location, use description such as NE corner of, etc.)

OWNERSHIP AFFIDAVIT
FOR
CORPORATION

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Public Hearing No. _____

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

1. Affiant is the president, vice-president or CEO of the Corporation, with the following address: 11767 SO. DIXIE HWY. #136 MIAMI-FL. 33156
2. The Corporation owns the property which is the subject of the proposed hearing.
3. The subject property is legally described as: SW 170 ST BETWEEN SW 92ND CT. & SW 92ND AVE. PALMETTO BAY, FLORIDA 33157 - MORE SPECIFICALLY - LOTS 1, 2, & 3 LYING AND BEING IN SECTION 33, TOWNSHIP 55 SOUTH, RANGE 40 EAST, VILLAGE OF PALMETTO BAY, MIAMI-DADE COUNTY, FLORIDA
4. Affiant is legally authorized to file this application for public hearing.
5. 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:
Sandra Hausner
Signature

SANDRA HAUSNER
Print Name

[Signature]
Signature

SONIA GALLEGOS
Print Name

Rubén
Affiant's Signature

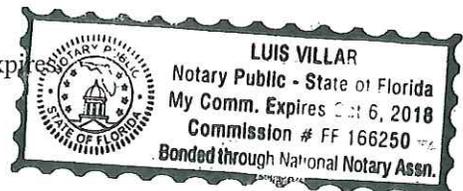
RUBEN BERTRAN
Print Name

Sworn to and subscribed before me on the 16th day of FEB, 2016.

Affiant is personally known to me or has produced N/A as identification.

Notary Luis Villar

(Stamp/Seal)
Commission Expires



RESPONSIBILITIES OF THE APPLICANT AFFIDAVIT

I AM AWARE THAT:

1. The Public Works Department, the Department of Environmental Resources Management (DERM), and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM or Public Works conditions and advise this office in writing if my application will be withdrawn.
2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property and I am responsible for paying the additional radius mailing costs. In addition to mailing costs, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred. I understand that fees must be paid promptly. Applicants withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. Refunds must be requested in writing.
3. The Florida Building code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and a building permit will probably be required. I am responsible for obtaining any required permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of Use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
4. The 3rd District Court of Appeal has ruled that zoning application inconsistent with the Comprehensive Plan (CP) cannot be approved by a zoning board based upon considerations of fundamental fairness. Therefore, I acknowledge that if the hearing request is inconsistent with the CP and I decide to go forward then my hearing request can only be denied or deferred, but not approved.
5. Any covenant to be proffered must be submitted to the Village Attorney, on County form, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Village Attorney can advise as to the additional requirements applicable to foreign corporations. Documents submitted to the Village Attorney must carry a cover letter indicating subject matter, application number and hearing date. Village Attorney may be reached at (305) 760-8543.

(Applicant's Signature)

(Print Name)

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

(Notary Public)

My commission expires: _____

RESPONSIBILITIES OF THE APPLICANT AFFIDAVIT

I AM AWARE THAT:

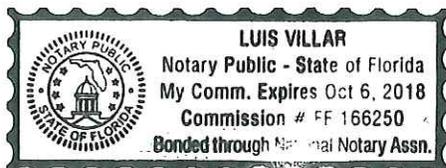
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Rubertan
(Applicant's Signature)

RUBEN BERTAN
(Print Name)

Sworn to and subscribed to before me this 16th day of Fed, 2016. Affiant is personally known to me or has produced N/A as identification.

(Notary Public)
My commission expires: Luis Villar



APPLICANT'S AFFIDAVIT

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

OWNER OR TENANT AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am) (we are)
[] owner [] tenant of the property described and which is the subject matter of the proposed hearing.

Signature

Signature

Sworn to and subscribed to before me
this ___ day of _____, 20__.

Notary Public: _____
Commission Expires: _____

CORPORATION AFFIDAVIT

(I)(WE), RUBEN BERTRAN, being first duly sworn, depose and say that (I am) (we are)
the [X] President [] Vice-President [] Secretary [] Asst. Secretary of the aforesaid corporation, and as such, have
been authorized by the corporation to file this application for public hearing; and that said corporation is the [X]
owner [] tenant of the property described herein and which is the subject matter of the proposed hearing.

Attest: _____

[Signature]

Authorized Signature

(Corporate Seal)

MGRM

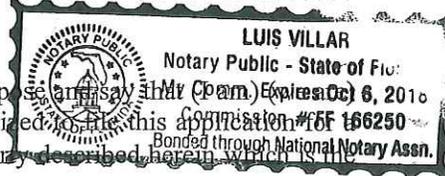
Office Held

Sworn to and subscribed to before me
this 16th day of FEB., 2016.

Notary Public: Luis Villar
Commission Expires: _____

PARTNERSHIP AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am) (we are)
partners of the hereinafter named partnership, and as such, have been authorized to file this application for
public hearing; and that said partnership is the [] owner [] tenant of the property described herein which is the
subject matter of the proposed hearing.



By _____ %

By _____ %

By _____ %

By _____ %

Sworn to and subscribed to before me
this ___ day of _____, 20__.

Notary Public: _____
Commission Expires: _____

ATTORNEY AFFIDAVIT

I, _____, being first duly sworn, depose and say that I am a State of
Florida Attorney at Law, and I am Attorney for the Owner of the property described and which is the subject
matter of the proposed hearing.

Signature

Sworn to and subscribed to before me
this ___ day of _____, 20__.

Notary Public: _____
Commission Expires: _____

PHOTOGRAPHS

FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



PHOTOGRAPHS

FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



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 other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: VITRAN HOMES, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>RUBEN BERTRAN</u>	<u>50%</u>
<u>LUIS VILLOR</u>	<u>50%</u>

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and the 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 Stock</u>
_____	_____
_____	_____
_____	_____

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
_____	_____
_____	_____
_____	_____

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 other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

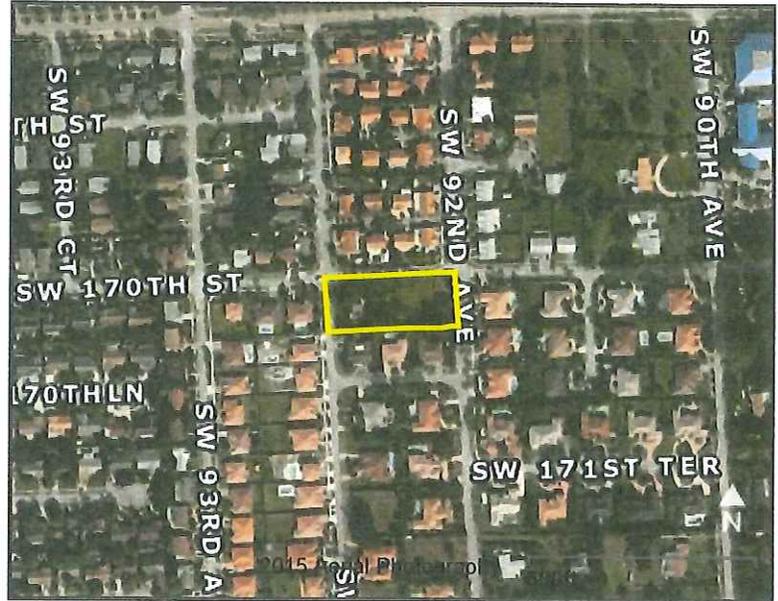


OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 2/12/2016

Property Information	
Folio:	33-5033-000-0390
Property Address:	17001 SW 92 CT Palmetto Bay, FL 33157-4518
Owner	VITRAN HOMES LLC
Mailing Address	11767 S DIXIE HWY #136 MIAMI, FL 33156 USA
Primary Zone	2100 ESTATES - 15000 SQFT LOT
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	1 / 1 / 0
Floors	1
Living Units	1
Actual Area	792 Sq.Ft
Living Area	792 Sq.Ft
Adjusted Area	792 Sq.Ft
Lot Size	45,738 Sq.Ft
Year Built	1950



Assessment Information			
Year	2015	2014	2013
Land Value	\$258,136	\$258,136	\$217,181
Building Value	\$11,048	\$10,692	\$12,830
XF Value	\$2,228	\$2,255	\$2,283
Market Value	\$271,412	\$271,083	\$232,294
Assessed Value	\$198,077	\$180,070	\$163,700

Benefits Information				
Benefit	Type	2015	2014	2013
Non-Homestead Cap	Assessment Reduction	\$73,335	\$91,013	\$68,594

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
33 55 40 1.05 AC N1/5 OF E1/2 OF SE1/4 OF NE1/4 OF NW1/4 F/A/U 30-5033-000-0390 OR 20997-0185 022003 4

Taxable Value Information			
	2015	2014	2013
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$198,077	\$180,070	\$163,700
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$271,412	\$271,083	\$232,294
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$198,077	\$180,070	\$163,700
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$198,077	\$180,070	\$163,700

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
01/08/2015	\$375,000	29462-2430	Qual by exam of deed
02/01/2003	\$0	20997-0185	Sales which are disqualified as a result of examination of the deed
01/01/2003	\$170,000	20966-1814	Sales which are qualified
06/01/1987	\$71,400	13313-3442	Sales which are qualified

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>



Concurrency Management System (CMS)

Miami Dade County Public Schools

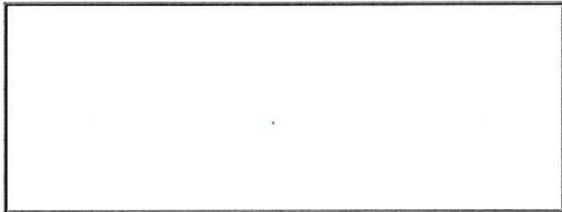
Miami-Dade County Public Schools

Concurrency Management System

School Concurrency Determination

MDCPS Application Number: PT3315050700382 Local Government (LG): Palmetto Bay
 Date Application Received: 5/7/2015 2:57:41 PM LG Application Number: PLT-2015-001
 Type of Application: Plats Sub Type: Waiver of Plat
 Applicant's Name: Vitran Homes LLC
 Address/Location: 17001 sw 92nd court
 Master Folio Number: 3350330000390
 Additional Folio Number(s):
 Name of Subdivision: Palmetto Bay Gardens T-Plat number: T-23587-2-Corr.

PROPOSED # OF UNITS 3
 SINGLE-FAMILY DETACHED UNITS: 3
 SINGLE-FAMILY ATTACHED UNITS: 0
 MULTIFAMILY UNITS: 0



CONCURRENCY SERVICE AREA SCHOOLS						
CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
4381	DR HENRY E PERRINE ACADEMY OF THE ARTS	80	0	0	YES	Current CSA
6861	SOUTHWOOD MIDDLE	245	0	0	YES	Current CSA
7431	MIAMI PALMETTO SENIOR	185	0	0	YES	Current CSA
ADJACENT SERVICE AREA SCHOOLS						
*An Impact reduction of <u>22.36%</u> included for charter and magnet schools (Schools of Choice).						

MDCPS has conducted a public school concurrency review for this application and has determined that it is **Revoked.**

1450 NE 2 Avenue, Room 525, Miami, Florida 33132 / 305-995-7634 / 305-995-4760 fax / concurrency@dadeschools.net