

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

HEARING NUMBER: VPB-16-006
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 19, 2016, 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.

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APPLICATION

VITRAN HOMES, LLC.

VPB-16-006

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): .105 (divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property acquired leased: JANUARY 2015. 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 GALLEG0
Print Name

Rubertuy
Affiant's Signature

RUBEN BERTRAN
Print Name

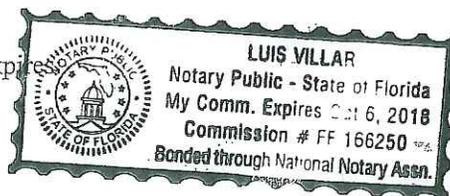
Sworn to and subscribed before me on the 16th day of FEB, 20 16.

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: _____

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Rubertan

(Applicant's Signature)

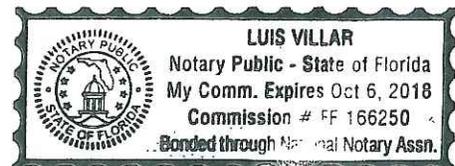
RUBEN BERTAN

(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

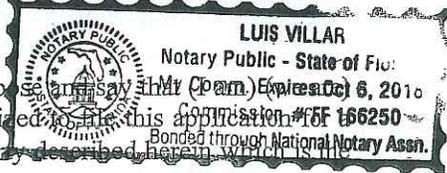
(Corporate Seal)

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