

ANALYSIS

BROWNE REAL ESTATE INVESTMENTS LLC - PLT-13-001



Village of Palmetto Bay
FLORIDA

ZONING ANALYSIS

APPLICANT : Browne Real Estate
Investment, Inc.

PH: PLT-13-001

ADDRESS: 9046 SW 160 Terrace

ZIP: 33157

SECTION: 33-55-40

HEARING DATE: May 20, 2013

COUNCIL DISTRICT: 1

ITEM: 1

A. GENERAL INFORMATION

REQUEST: The Browne Real Estate, Investment, LLC, is requesting to re-plat a portion of the Karenero Falls plat, specifically Lot 10 of Block 1, creating Browne Estates plat consisting of Lot 1, Block 1, and in so doing, reducing the utility easement along the west property line from six (6) feet to four (4) feet.

ADDRESS: 9046 SW 160 Terrace

FOLIO: 3350280670600

SIZE OF LOT: 5,001 sq. ft.

B. BACKGROUND

The property in question was originally platted as Lot 10, Block 3, of the Karenero Falls plat, Plat Book 151, Page 18, as recorded in the Miami-Dade County Public Records on September 4, 1997. The plat provided for a six (6) foot utility easement along the west interior property line. However, the home built upon the property was sited five (5) feet from the interior (west) side property line, thus encroaching into the utility easement by one (1) foot. In an effort to clear any cloud on the title, the applicant is seeking to adjust the utility easement from six (6) feet to four (4) feet to remedy the encroachment. The applicant's request is at the tentative plat stage with Miami-Dade County and has received their requisite approvals. All utilities with interest in the easement have submitted letters of no objection regarding the requested modification. The applicant is now requesting the Mayor and Village Council approval of the re-plat request so that applicant may finalize the re-plat application with Miami-Dade County. The property configuration complies with the Land Development Code and has been deemed acceptable by the Village's Public Works Department. This re-plat would ensure no cloud on the property owner's title.

C. ZONING HEARING HISTORY

On November 17, 1988, the Miami-Dade County Commissioners via resolution Z-283-88, denied a request to rezone the land from AU to RU-1, RU-3M, and RU-4L, and denied a special exception for a multi-family development.

On June 20, 1996, the Board of Miami-Dade County Commissioners, via resolution Z-92-96, approved a request for a district boundary change from Agriculture (AU) to Modified Single Family District (RU-1M).

On January 8, 1997, the Metropolitan Dade County Zoning Appeal Board, via resolution 5-ZAB-10-97, granted with conditions, non-use variances to the lots and blocks of the Karenero Falls plat, waiving lot frontage requirements to a public street, permitting swimming pools to be setback less than 75 feet from the front property line, up to 3 feet from the rear property line, and 7.6 feet from a side property line, to permit lot coverage up to 46%, and permitting an eighteen (18) foot rear yard setback.

In 2010 the Village created its Land Development Code and comprehensive zoning map, and re-designated the property as R-1M, Modified Single Family Residential.

D. NEIGHBORHOOD CHARACTERISTICS

ZONING

FUTURE LAND USE DESIGNATION

Subject Property:

R-1M; Modified Single Family Residential District

Low Density Residential (EDR)
 2.5 D.U. to 6 D.U. per gross acre

Surrounding Properties

NORTH: R-1M; Modified Single Family Residential District

Low Density Residential (EDR)
 2.5 D.U. to 6 D.U. per gross acre

SOUTH: R-1M; Modified Single Family Residential District

Low Density Residential (EDR)
 2.5 D.U. to 6 D.U. per gross acre

EAST: R-1M; Modified Single Family Residential District

Low Density Residential (EDR)
 2.5 D.U. to 6 D.U. per gross acre

WEST: R-1M; Modified Single Family Residential District

Low Density Residential (EDR)
 2.5 D.U. to 6 D.U. per gross acre

E. SITE

Site Plan Review:	Acceptable
Scale/Utilization of Site:	Acceptable
Compatibility:	Acceptable
Access:	Acceptable

F. ANALYSIS

The Background Section of this report is hereby incorporated into this analysis and any corresponding criteria by reference. The Department review of the application for consistency with plat requirements at Section 30-80.2(b) subsection (1) through (29)(Exhibit A), entitled "Final Plat Application Requirements, found the application to be in compliance. All utilities with interest in the easement have submitted letters of no objection regarding the requested modification. Also, consistent with Section 30-80.3, the matter is before the Village Council to authorize the re-plat of the site to ensure that there is no cloud on the title for the property owner.

The lot is developed with a single-family detached home. The R-1M zoning designation permits single-family homes. There is no proposed change of use at the property. There is no proposed change to the density; as such the request is consistent with the land use element of the Comprehensive Plan.

G. NEIGHBORHOOD SERVICES

Miami-Dade Water Sewer Dept.	Approved with Conditions
Miami-Dade Public Works	Overall Approval
Village Public Works Dept.	Acceptable

H. RECOMMENDATION

Recommendation is to accept the plat as submitted by the applicant.



Darby Delsalle, AICP, Director
Department of Planning & Zoning

APPLICATION

BROWNE REAL ESTATE INVESTMENTS LLC - PLT-13-001



RECEIVED
SEC. 100 TWP. 11 RGE. 40
Zoning Department

April 1, 13

Village of Palmetto Bay
Building & Zoning Department

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

By: *[Signature]*

LIST ALL FOLIO #S: 35-5028-067-0600 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: 9045 S.W. 160th Terrace
City: Miami State: FL Zip: 33157 Phone#: 954-222-2811

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

Owner's Name (Provide name of ALL owners): Browne Real Estate Investments, LLC
9045 S.W. 160th Terrace
City: Miami State: FL Zip: 33157 Phone#: 954-222-2811

4. CONTACT PERSON'S INFORMATION:

Name: Company: Damia Thorsen - Fortin Leary Skiles, Inc
City: _____ State: FL Zip: 33162 Cell Phone#: 248-784-0261
Phone#: 305-652-7423 Fax#: 305-652-7452 E-mail: damia@flsurvey.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 10, Block 3, KARENBERG FALLS according to the Plat thereof, as recorded in Plat Book 157, of page 18 of the Public Records of Miami-Dade County, Florida

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

9046 SW 160 Terrace
Miami, FL 33156

7. SIZE OF PROPERTY (in acres): 0.115 ± (divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property acquired leased: August 2011 9. Lease term: _____ years
(month & year)



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

LIST ALL FOLIO #S: 35-5028-067-0600 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).
Browne Real Estate Investments, LLC

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: Dominic Thomas Fortin Equity Services, Inc
City: _____ State: FL Zip: 33262 Cell Phone#: 248-784-0267
Phone#: 305-657-4493 Fax#: 305-657-752 E-mail: dominict@fusin.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 10, Block 3 KARENERO FALLS, according to the Plat thereof, as recorded in Plat Book 151, of page 18 of the Public Records of Miami-Dade County, Florida

6. ADDRESS OR LOCATION OF PROPERTY (For location, use description such as NE corner of, etc.)
9046 SW 160 Terrace
Miami, FL 33156

7. SIZE OF PROPERTY (in acres): 0.115 ± (divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property acquired leased: August 2011 9. Lease term: _____ years
(month & year)

RECEIVED
Zoning Department
4/22/2013
Village of Palmetto Bay
Building & Zoning Department
By:
Vanessa Bencomo

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

NO

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)

NO

12. PRESENT ZONING CLASSIFICATION: R-1M

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: Re-Plat

Modification of Declaration or 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: Single Family Home

17. Is there any existing use on the property? no yes. If yes, what use and when established? Single family home

Use: _____ Year: 1999

Planning Staff Use Only

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

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 _____

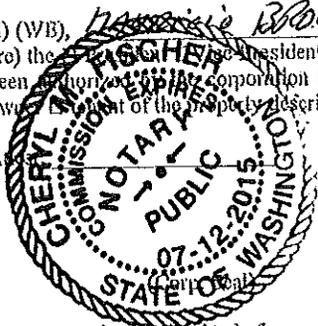
Signature _____

Sworn to and subscribed to before me this _____ day of _____, _____

Notary Public: _____
Commission Expires: _____

CORPORATION AFFIDAVIT

(I) (WE), HARRIET ROYAL as Paula, being first duly sworn, depose and say that (I am) (we are) the 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 owner tenant of the property described herein and which is the subject matter of the proposed hearing.



[Signature]
Authorized Signature

President
Office Held

Sworn to and subscribed to before me This 5 day of MARCH, 2013

Notary Public: Cheryl M. Fischer
Commission Expires: 7-12-2015

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 a 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 _____, _____

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 _____

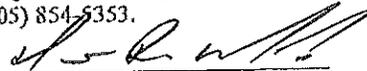
Sworn to and subscribed to before me This _____ day of _____, _____

Notary Public: _____
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. Those 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. Applications 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 applications 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 us to 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) 854-5353.



(Applicant's Signature)

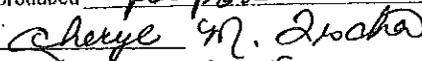
MARYA'S BROWN DE PAULA

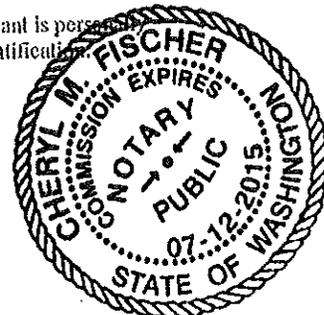
(Print Name)

Sworn to and subscribed before me this 5 day of MARCH, 2013 Affiant is personally known to me or has produced passport as identification.

(Notary Public)

My commission expires 7-12-2015





OWNERSHIP AFFIDAVIT
FOR
CORPORATION

STATE OF WASHINGTON
COUNTY OF WHATCOM

Public Hearing No. _____

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

1. Affiant is the president, vice-president or CEO of the Corporation, with the following address:
Managing Member 9045 S.W. 160th Terrace, Miami, FL 33157
2. The Corporation owns the property which is the subject of the proposed hearing.
3. The subject property is legally described as:
See Exhibit "A"
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:

Debra M. Scherck
Signature

Debra M. Scherck
Print Name

Kristin Shipp
Signature

Kristin Shipp
Print Name

Mauricio Browne de Paula
Affiant's signature

MAURICIO BROWNE DE PAULA
Print Name

Sworn to and subscribed before me on the 26 day of Feb. 20 13.

Affiant is personally known to me or has produced passport as identification.

Notary Cheryl M. Drocha



(Stamp/Seal)
Commission Expires: 7-12-2015

Fortin, Leavy, Skiles, Inc.

Consulting Engineers, Surveyors & Mappers

Daniel C. Fortin, Sr., PSM President
Richard L. Leavy, PSM Secretary/Treasurer
Daniel C. Fortin, Jr., PSM Vice President
Michael A. Vazquez, PE Vice President

180 Northeast 168th Street
North Miami Beach, Florida 33162-3412
Phone 305-653-4493
Fax 305-651-7152
www.flssurvey.com

Mr. Darby Delsalle, AICP
Director of Planning and Zoning
Village of Palmetto Bay
9705 East Hibiscus Street
Palmetto Bay, Florida 33157

Re: 9046 SW 160th Terrace, Miami, FL 33157
Folio # 33-5028-067-0600
Lot 10, Blk 3, "KARENERO FALLS"
Plat Book 151, PG 18
Village of Palmetto Bay, M-D County, Florida

Mr. Delsalle:

The intent of this application is to request the replat of the above referenced property. Replatting of the above referenced property is required in order to vacate/release a portion of the 6 foot platted utility easement as shown on said Karenero Falls Plat. The vacation/release of a portion of the utility easement is required as a result of a house being built over the East 1 foot of said 6 foot utility easement. For your reference I have included copies of the easement release letters from the various utility companies. In addition I have enclosed a copy of the initial zoning letter prepared by your office dated January 19, 2012.

Respectfully,



Damian Thomason
Project Manager



Fortin, Leavy, Skiles, Inc.

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: Browne Real Estate Investments, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Mauricio Browne De Paula</u>	<u>50%</u>
<u>Simone Souza Browne De Paula</u>	<u>50%</u>
<u>9045 B.W. 160th Terrace</u>	
<u>Miami, Florida 33157</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 Interest</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 Interest</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].

Exhibit "A"

LOT 10, BLOCK 3, KARENERO FALLS, ACCORDING TO THE PLAT THEREOF,
AS RECORDED IN PLAT BOOK 151 AT PAGE 18 OF THE PUBLIC RECORDS OF
MIAMI-DADE COUNTY, FLORIDA.



March 8th, 2012

Mr. Jorge Ubieta, P.S.M.
Land Development Section
Public Works and Waste Management Department
Metropolitan Dade County
111 NW 1st Street, Suite 1420
Miami, FL 33128

Re: 9046 SW 160TH TER – Easement Vacation
Lot 10, Block 3, PB 151, Pg 18
Miami-Dade County, Florida

To whom it may concern:

On behalf of Bellsouth Telecommunications, LLC d/b/a AT&T Florida, this letter shall serve as notice of "non-objection" to the vacation /closure of East 2.00 feet of the West 6.00 feet (utility easement) of the referenced property.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathy Reed".

Kathy Reed
Area Mgr OSP Planning & Engineering
SE Network Operations Cons/Eng – SFL District

cc: Graciela Villalobos
Steve Massie, AT&T FL



Engineering – Design Department
2601 SW 145th Ave Miramar, FL 33027

Tuesday, April 17, 2012

Mr. Jorge Ubieta, P.S.M.
Land Development Section
Public Works and Waste Management Department
Metropolitan Dade County
111 NW 1st Street, Suite 1420
Miami, FL 33128

RE: Reference: Browne Estates T-Plat 23239
9046 SW 160th Ter. Miami, FL
Miami-Dade County Plat Book 151 Page 18 / Lot 10, Block 3
Comcast muid_5143_D

Dear Mr. Ubieta, P.S.M.

Please be advised, in reference to the proposed vacation at: **9046 SW 160th Terrace Miami, FL** Comcast has *no objections* to the vacation/closure of the East **2.00** of the West 6.00 feet (utility easement) and has *no objection* to the replat.

Should you have any further question, please feel free to call me at 1-954-447-8405 fax 1-954-534-7083 or e-mail at Leonard_Maxwell-Newbold@cable.comcast.com

Sincerely,

Leonard Maxwell-
Newbold

Digitally signed by Leonard Maxwell-Newbold
DN: cn=Leonard Maxwell-Newbold, o=Comcast
Cable Communications, ou=RDC
Engineering_Construction_Design,
email=leonard_maxwell-
newbold@cable.comcast.com, c=US
Date: 2012.04.17 09:05:15 -04'00'

Leonard Maxwell-Newbold
Regional Permit Administrator
Comcast / Southern Division (RDC)
4/17/2012 9:04:47 AM

cc: **Comcast / Dade Business Development**
Fortin,Leavey,Skiles, Inc. Damian Thomason
File

MUID #5143_D~ 4/17/2012 9:04:47 AM



Florida Power & Light Company, 14250 SW 112TH ST, Miami, FL 33186
Phone: 305-387-6650, Fax: 305-387-6651

April 2, 2012

Mr. Jorge Ubieta, P.S.M.
Land Development Section
Public Works and Waste Management Department
Metropolitan Dade County
111 NW 1st Street, Suite 1420
Miami, FL, 33128

Dear Mr. Ubieta,

This letter is in response to your request for the release of a platted utility easement.

In meeting with your request, FPL has no objection to releasing our rights in the platted utility easement known as "Browne Estates T-Plat 23239" in Plat Book Plat 151, Page 18 of the Public records of Miami Dade County

The release is restricted to the following description: East 2.00 of the west 6.00 feet platted easement of Lot 10 Block 3 of Karenero Falls, Plat Book 151, Page 18. See attached Exhibit "A"

Should you have any questions or concerns, please do not hesitate to contact Diego Pineiro at 305.387.6409.

Sincerely,

A handwritten signature in cursive script that reads "Javier Carcache".

Javier Carcache
Area Manager



Florida Power & Light Company

May 17, 2012

Mr. Jorge Ubieta
Head Subdivision Control Section
Public Works Department
Metropolitan Dade County
111 NW First Street, Suite 1420
Miami, Florida 33128-1970

Reference: TENTATIVE PLAT NUMBER 23239
Name: BROWNE ESTATES
Location: 9046 SW 160TH TER, MIAMI FL
Section 28, Township 55, Range 40

Dear Mr. Ubieta:

Please consider this letter as your notification that satisfactory arrangement for installations of underground electric service have been made in accordance with Ordinance 68-69.

As per our agreement with you, we would appreciate your making these satisfactory arrangements contingent on easements requirements as follows:

- Easements necessary for electrical facilities are marked on the attached copy of the subject tentative plat and a duplicate was sent to Silver Arrow Land Company, c/o Jim Eagleton
- No additional easements are required at this time for electrical facilities.
- Easements have been assured verbally by the surveyor.
- Easements to be procured by instrument at a later time.

Additionally, contributions in aid of construction for installation of underground electrical facilities will be collected at a later date.

If there are any questions or you need any further information please call Jeffrey Barajas at 305-387-6641 for further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Jeffrey Barajas".

Jeffrey Barajas
Associate Engineer



September 12, 2011

Mr. Jorge Ubieta, Jr, P.S.M.
Public Works Department
Land Development Division
111 NW 1st Street, 14th Floor
Miami, Florida 33128

Re.: 9046 SW 160 Terrace Miami-Dade County, Florida
Lot 10, Block 3 of the underlying plat PB 151, PG. 18

Dear Mr. Ubieta:

After a review of our facilities within the area of the above-mentioned plat, we would like to inform you that TECO Peoples Gas does not have any present, or proposed, natural gas mains and/or services. And have no objections to the closure/vacation of said easement, and portion of utility easement as presented in plat.

Should you have any additional questions concerning the above, please contact me at 954-453-0817.

Sincerely,

A handwritten signature in black ink that reads "Angel L. Quant FOR". The signature is written in a cursive style.

Angel L. Quant
South Florida Regional Operations Manager

cc: R. Wall
A. Quant
File 020-07



Water and Sewer
P. O. Box 330316 • 3575 S. LeJeune Road
Miami, Florida 33233-0316
T 305-665-7471

miamidade.gov

March 23, 2012

VIA INTEROFFICE MAIL

Jorge Ubieta, Jr., P.S.M.
Supervisor, Platting Section Land Development / Right of Way Division
Public Works and Waste Management Department
111 N.W. 1st Street, 14th Floor
Miami, Florida 33128

RE: Plat of BROWNE ESTATES (T- 23239)
Section 28-55-40

Dear Mr. Ubieta:

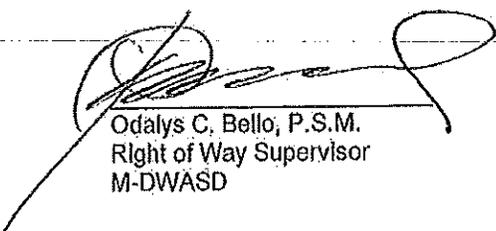
The Miami-Dade Water and Sewer Department (M-DWASD) does not own and does not operate any existing facilities located within the boundaries of the portions of platted easements being replatted and subsequently closed and vacated by the above referenced subdivision.

Therefore, M-DWASD has no objection to this replat.

In order to update and maintain our records, MDWASD requests that we be notified once the Final Plat has been approved by the Board of County Commissioners and upon recordation of this Plat in the Public Records.

Should you have any questions regarding this matter, do not hesitate to contact me at 786 268 5268 or via e-mail to obello@miamidade.gov.

Very Truly Yours,



Odalys C. Bello, P.S.M.
Right of Way Supervisor
M-DWASD

C: Sergio A. Garcia, P. E., Manager Plans Review Section, M-DWASD
file

Delivered by Mail on 03/23/12



Village of Palmetto Bay
FLORIDA

January 19, 2012

Julio E. Delgado, P.S.M.
Miami-Dade County
Department of Public Works & Waste Management
Land Development & Right-of-Way Division
111 NW 1st Street, Suite 1420
Miami, FL 33128

Re: Tentative Plat (TP) / 9046 S.W. 160th Street

TP: 9046 SW 160th Street

STR: 28-55-40

Folio #: 3350280670600

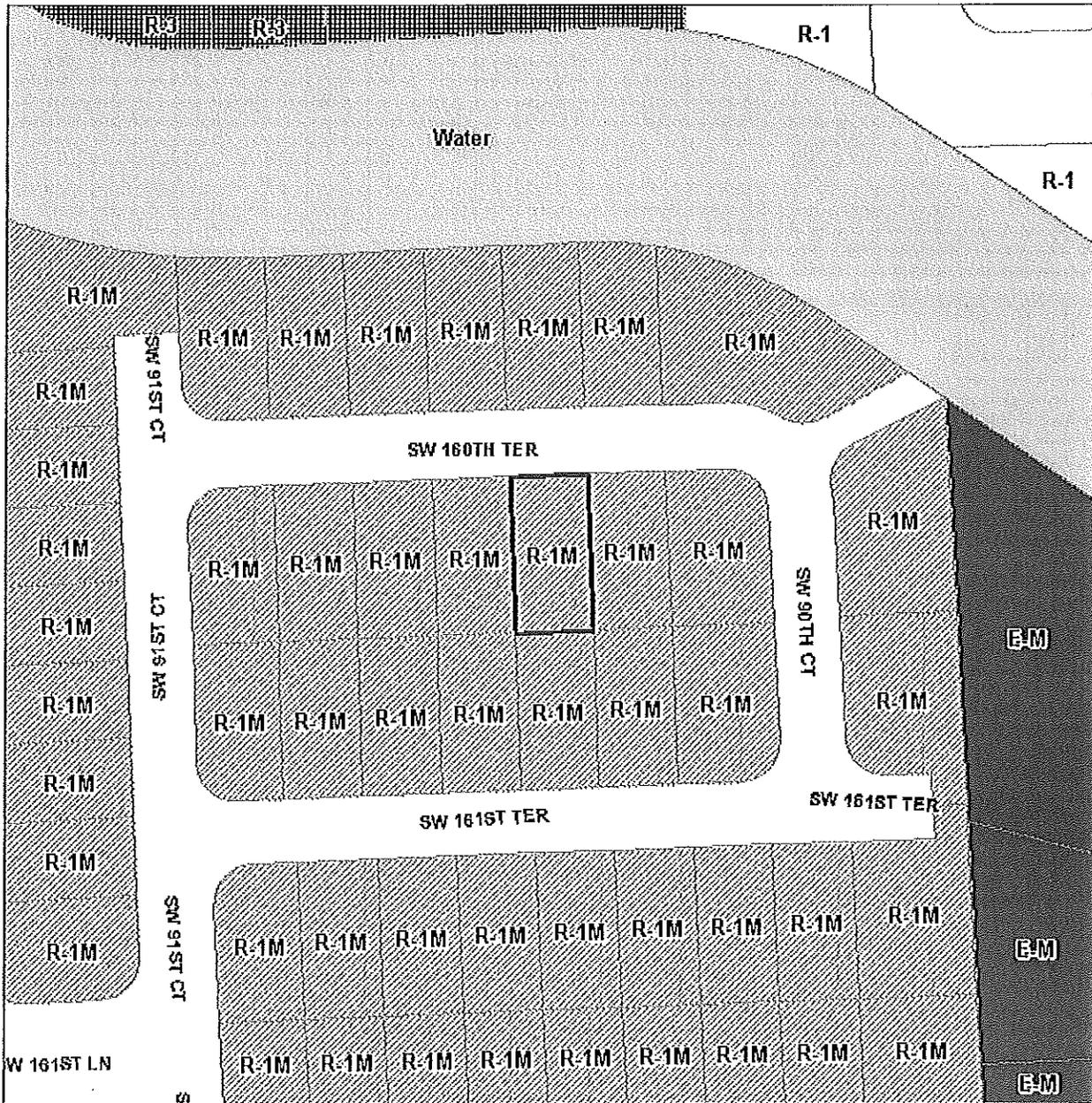
Mr. Delgado:

The Department of Planning and Zoning has reviewed the tentative plat (TP) request for the re-platting of the subject parcel as identified on the plan dated stamped received January 20, 2012 as prepared by Fortin, Leavy, Skiles, Inc. entitled "*Tentative Plat Brown Estate, 9046 SW 160th Street*".

The Department has determined that the subject parcel is tied to a site plan via resolution 5-ZAB-10-97 attached hereto and has concluded that the proposed TP complies with R-1M lot requirement as per said resolution, as neither lot dimension nor property boundaries have change with the exception of the utility easement which was not addressed in the site plan approval.

Should you have any questions concerning this matter please feel free to contact our office at 305.259.1271.

Darby Delsalle, AICP
Director
Department of Planning and Zoning



Summary Details:	
Folio:	3350280070600
Site Address:	9046 SW 160 TER Bing Maps Street View County Permits by Folio County Permits by Address Property Appraiser Zillow
Mailing Address:	BROWNE REAL EST INVESTMENTS LLC 9045 SW 160 TER PALMETTO BAY FL 33157

Property Information:	
Beds/Baths:	3 / 2
Floors:	1
Living Units:	1
Adj Sq Footage:	1,645
Lot Size:	5,002 SQ FT
Year Built:	1999
Legal Description:	KARENERO FALLS PB 151-18 T-19573 LOT 10 BLK 3 LOT SIZE 5002 SQ FT FAU 30-5028-002-0120 & 0130 OR 19746-2055 062001 4 VIEW PLAT 151-18 T Deed:19746-2055

Sale Information:			
Sale Date:	8 / 2011	10 / 1999	0 / 0
Sale Amount:	\$239,000	\$152,800	\$0
Sale O/R:	27909-0316	18846-4694	

Assessment Information:		
Year:	2012	2011
Land Value:	\$59,012	\$59,012
Building Value:	\$128,158	\$128,828
Market Value:	\$187,170	\$187,840
Assessed Value:	\$187,170	\$151,783
Homestead Exemption:	\$0	\$25,000
Senior Exemption:	\$0	\$0
Agricultural Exemption:	\$0	\$0
Widow Exemption:	\$0	\$0
Disabled Exemption:	\$0	\$0
Veteran Exemption:	\$0	\$0

Fortin, Leavy, Skiles, Inc.

Consulting Engineers, Surveyors & Mappers
180 NE 168th Street
North Miami Beach, FL 33162
Phone 305-653-4493
Fax 305-651-7152
www.flssurvey.com

Ms. Morelia Rodriguez
Zoning Analysis
Village Hall
Department of Planning & Zoning
9705 East Hibiscus Street
Palmetto Bay, FL 33157

**Re: 9046 SW 160th Terrace, Miami, FL 33157
Folio #33-5028-067-0600
Lot 10, Blk 3, "KARENERO FALLS"
Plat Book 151, PG 18
Village of Palmetto Bay, M-D County, Florida**

To Whom It May Concern:

We are in the process of re-platting the above mentioned property and as such Miami-Dade County requires that the Village of Palmetto Bay issues a zoning letter confirming that the property meets zoning requirements for Replatting. By way of this letter I am hereby requesting said zoning letter for the purposes of the replat process pursuant to Miami-Dade County standards. Please address said letter to the following:

Julio E. Delgado, P.S.M.
Miami-Dade County Public Works and Waste Management Department
Land Development/Right-of-Way Division
111 NW 1st Street, Suite 1420
Miami, Florida 33128

Once the letter has been prepared please contact me so I can coordinate pick-up.

Respectfully,

Damian Thomason
Project Manager

PLAT

BROWNE REAL ESTATE INVESTMENTS LLC - PLT-13-001

ZONING HISTORY

BROWNE REAL ESTATE INVESTMENTS LLC - PLT-13-001

RESOLUTION NO. Z-283-88

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

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

WHEREAS, SWSP, INC. AND ALDOR OF MIAMI, INC., had applied for the following:

- (1) A district boundary change from AU (Agricultural) to RU-1 (Single Family Residential)

REQUEST #1 ON THE FOLLOWING:

Commencing at a point on the south line of the north 1/2, of the west 1/2, of the NW 1/4, of the SE 1/4, of Section 28, Township 55 South, Range 40 East that is 35' east of the Southwest corner of said north 1/2; thence run S3⁰7'28"E parallel to the west line of the west 1/2, of the NW 1/4, of the SE 1/4, a distance of 277.97' to the Point of beginning; thence run N88⁰19'52"E a distance of 531.585' to a point; thence run N3⁰19'52"W for a distance of 845.355' to a point on a curve whose radii bears S61⁰16'10.92"W; thence run along said curve concave to the Southwest, having for its elements a radius of 237', a deflection of 5⁰20'41.06" for an arc distance of 22.11' to a Point of tangency; thence run S56⁰8'55"E along said tangent a distance of 102.72' to a point on the east line of the west 1/2, of the NW 1/4, of the SE 1/4; thence run S3⁰19'52"E along the east line for a distance of 898.64' to a point; thence run S88⁰19'52"W a distance of 632.08' to a point 35' east of the west line of said west 1/2; thence run N3⁰7'28"W a distance of 125' to the Point of beginning.

- (2) A district boundary change from AU (Agricultural) to RU-3M (Minimum Apartment House)
- (3) SPECIAL EXCEPTION requesting site plan approval for a multiple family apartment development on private drives including the following non-use variances:
- parking spaces sized 8.5' X 18' (9' wide X 19' long required).
 - parking aisles 23' wide (24' required).

REQUESTS #2 & #3 ON THE FOLLOWING:

From a Point of beginning at a point on the south line of the north 1/2, of the west 1/2, of the NW 1/4, of the SE 1/4, of Section 28, Township 55 South, Range 40 East that is 35' east of the Southwest corner of said north 1/2, thence run N88⁰5'12"E along said south line a distance of 530.52'; thence run S3⁰19'52"W for a distance of 280.26' to a point; thence run S88⁰19'52"W for a distance of 531.585' to a point that lies 35' east of the west line of the north 1/2, of the NW 1/4, of the SE 1/4; thence run N3⁰7'28"W a distance of 277.97' to the Point of beginning.

- (4) A district boundary change from AU (Agricultural) to RU-4L (Limited Apartment House)
- (5) SPECIAL EXCEPTION requesting site plan approval for a multiple family apartment development on private drives including the following non-use variances:
- parking spaces sized 8.5' X 18' (9' wide X 19' long required).
 - parking aisles 23' wide (24' required).

REQUESTS #4 & #5 ON THE FOLLOWING:

From a Point of beginning at a point on the south line of the north 1/2, of the west 1/2, of the NW 1/4, of the SE 1/4, of Section 28, Township 55 South, Range 40 East that is 35' east of and parallel to the west line of said north 1/2 a distance of 606.01' to a Point of curve of a curve to the right that is concave to the Southeast; thence run along said curve, having for its elements a radius of 25' and a deflection of $85^{\circ}7'25''$, for an arc length of 37.14' to the intersection of a curve to the left that is concave to the north; thence run along said curve, having for its elements a radius of 357.26' and a deflection of $25^{\circ}31'23''$, for an arc length of 159.15' to a point that lies 157.83' distance on a chord that bears $S79^{\circ}23'37.5''E$; thence run $N87^{\circ}50'41''E$ for a distance of 231.94' to a Point of curve of a curve to the right that is concave to the south; thence run along said curve, having for its elements a radius of 237' and a deflection of $30^{\circ}41'23.28''$ for an arc length of 126.945' to a point whose radii bears $S61^{\circ}16'10.92''W$; thence run $S3^{\circ}19'52''W$ for a distance of 565.095' to a point on the south line of the said north 1/2; thence run $S88^{\circ}5'12''W$ along the said south line a distance of 530.52' to the Point of beginning.

Plans are on file and may be examined in the Zoning Department entitled "Aldor Point for SWSP", as prepared by James Deen, A.I.A., Architect Planner and Associates, Inc., dated 3-11-88. Plans may be modified at public hearing.

LOCATION: The east side of S.W. 92 Avenue, between Canal C-100 and S.W. 163 Terrace, 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 changes to RU-1, RU-3M and RU-4L (Items #1, 2 and 4) would be incompatible with the neighborhood and area concerned and would be in conflict with the principles and intent of the plan for the development of Dade County, Florida, and that the requested special exceptions and non-use variances (Items #3 and 5) would not be compatible with the area and its development and would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and should be denied without prejudice;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the requested district boundary changes to RU-1, RU-3M and RU-4L be and the same are hereby denied without prejudice;

BE IT FURTHER RESOLVED that the requested special exceptions and non-use variances be and the same are hereby denied without prejudice.

The Zoning Director is hereby directed to make the necessary notations upon the records of the Dade County Building and Zoning Department.

PASSED AND ADOPTED this 17th day of November, 1988.

September, 1988
No. 88-9-CC-26
11/29/88
mr

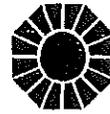
DADE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By Richard P. Brinker, Clerk
Deputy Clerk

This resolution transmitted to the Clerk of the Board of County Commissioners on the 5th day of DECEMBER, 1988.

METROPOLITAN DADE COUNTY, FLORIDA

METRO DADE



METRO-DADE CENTER

BUILDING & ZONING DEPARTMENT
METRO-DADE CENTER
111 N.W. FIRST STREET
SUITE 1010
MIAMI, FLORIDA 33128-1974
(305) 375-2500

December 5, 1988

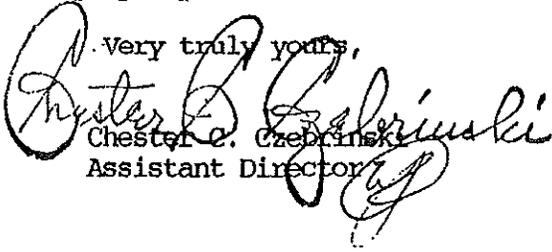
SWSP, Inc. and Aldor of Miami, Inc.
c/o Robert H. Traurig, Esq.
1401 Brickell Ave., PH-1
Miami, FL 33131

Re: Hearing No. 88-9-CC-26; The east side of S.W. 92 Avenue, between Canal C-100 and S.W. 163 Terrace

Gentlemen:

Enclosed, herewith, is a copy of Resolution No. Z-283-88, adopted by the Board of County Commissioners, which denied without prejudice your requested application on the above-described property.

Very truly yours,


Chester C. Czebrinski
Assistant Director

CCC/mr
Enclosure

RESOLUTION NO. Z-92-96

WHEREAS, ALVIN & DOROTHY SHEELER had applied for the following:

A DISTRICT BOUNDARY CHANGE from AU (Agricultural) to RU-1M(a) (Modified Single Family Residential District).

SUBJECT PROPERTY: The NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ less the south 236.02' in Section 28, Township 55 South, Range 40 East; A/K/A: EAST HILL, Tract 10, less the south 236.02 and Tract 11 less the south 236.02', Plat book 46, Page 43.

LOCATION: Between S.W. 163 Terrace & C-100 Canal & east of S.W. 92 Avenue, Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, at which time the applicant proffered a Declaration of Restrictions which among other things provided for the property to be developed substantially in accordance with the plans prepared by E.R. Brownell and Associates and E.S.A. Design Group, Edward Silva, Architect, dated received May 1, 1996, and limited the number of dwelling units to eighty (80), and

WHEREAS, upon due and proper consideration having been given to the matter, it was the opinion of this Board that the requested district boundary change to RU-1M(a) would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Dade County, Florida, and should be approved, and that the proffered Declaration of Restrictions should be accepted, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, a motion to accept the proffered covenant and approve the district boundary change to RU-1M(a) was offered by Commissioner Bruce Kaplan, seconded by Commissioner Katy Sorenson, and upon a poll of the members present the vote was as follows:

James Burke	aye	Natacha S. Millan	aye
Miguel Diaz de la Portilla	aye	Dennis Moss	aye
Betty T. Ferguson	absent	Alex Penelas	absent
Maurice Ferre	absent	Pedro Reboredo	aye
Bruce Kaplan	aye	Katy Sorenson	aye
Gwen Margolis	absent	Javier Souto	absent
Chairman Arthur Teele		absent	

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the requested district boundary change to RU-1M(a) be and the same is hereby approved and said property is hereby zoned accordingly, and

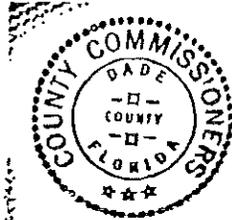
BE IT FURTHER RESOLVED that, pursuant to Section 33-6 of the Code of Metropolitan Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Dade County Department of Planning Development and Regulations.

PASSED AND ADOPTED this 20th day of June, 1996.

No. 96-6-CC-10
bn



DADE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

KAY SULLIVAN

by Harvey Ruvin, Clerk
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 10TH DAY OF JULY, 1996.

STATE OF FLORIDA

COUNTY OF DADE

I, Harvey Ruvin, Clerk of the Circuit Court in and for Dade County, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-92-96, adopted by the said Board of County Commissioners at its meeting held on the 20th day of June, 1996.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 10th of July, 1996.

KAY SULLIVAN

Harvey Ruvin, Clerk
Board of County Commissioners
Dade County, Florida

SEAL



By *Mary H.*
Deputy Clerk



STEPHEN P. CLARK CENTER

DEPARTMENT OF PLANNING, DEVELOPMENT AND REGULATION
111 NW 1ST STREET
SUITE 1110
MIAMI FLORIDA 33128-1974
(305) 375-2500
FAX (305) 375-2795

July 10, 1996

Alvin and Dorothy Sheeler
c/o Gables Partnership
999 South Bayshore Drive, #705
Miami, FL 33131

Re: Hearing No. 96-6-CC-10
Location: Between S.W. 163 Terrace & C-100 Canal & East of S.W. 92 Avenue

Dear Applicants:

Enclosed, herewith, is a copy of Resolution No. Z-92-96, adopted by the Board of County Commissioners, which accepted your proffered covenant and approved your district boundary change to RU-1M(a) on the above-described property.

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 transmittal 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.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marcy Gordon".

Marcy Gordon
Legal Counsel

MG:bn
Enclosures

cc: Enforcement



STEPHEN P. CLARK CENTER

DEPARTMENT OF PLANNING, DEVELOPMENT AND REGULATION

111 NW 1ST STREET

SUITE 1110

MIAMI FLORIDA 33128-1974

(305) 375-2500

FAX (305) 375-2795

July 10, 1996

Alvin and Dorothy Sheeler
c/o Gables Partnership
999 South Bayshore Drive, #705
Miami, FL 33131

Re: Hearing No. 96-6-CC-10
Location: Between S.W. 163 Terrace & C-100 Canal & East of S.W. 92 Avenue

Dear Applicants:

Enclosed, herewith, is a copy of Resolution No. Z-92-96, adopted by the Board of County Commissioners, which accepted your proffered covenant and approved your district boundary change to RU-1M(a) on the above-described property.

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 transmittal 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.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marcy Gordon".

Marcy Gordon
Legal Counsel

MG:bn
Enclosures

cc: Enforcement

RESOLUTION NO. 5-ZAB-10-97

WHEREAS, ALVIN & DOROTHY SHEELER, TRUSTEE had applied for the following:

- (1) MODIFICATION of Paragraph #1 of a Covenant running with the land, said covenant having been proffered and accepted pursuant to Resolution Z-92-96, passed and adopted by the Board of County Commissioners on the 20th day of June, 1996, reading as follows:

FROM: "1. That said Property shall be developed substantially in accordance with the plans previously submitted, prepared by E.R. Brownell and Associates and E.S.A. Design Group, Edward Silva, Architect, dated received May 1, 1996, said plans being on file with the Metropolitan Dade County Department of Planning, Development and Regulation and by reference made a part of this agreement."

TO: "1. That said Property shall be developed substantially in accordance with the plans submitted, entitled 'Proposed Landscaping & Site Plan for: Alvin & Dorothy Sheeler, et al.' prepared by Gables Partnership, dated 9-20-96."

The purpose of the request is to allow the applicant to submit plans showing the addition of private drives and to permit the proposed residences to have a greater lot coverage and less setback distances than required.

- (2) NON-USE VARIANCE OF ZONING AND SUBDIVISION REGULATIONS requiring lots to have frontage on a public street; to waive same to permit the proposed lots with 0' of frontage (50' required) and to permit access to a public street by means of a private drive.
- (3) NON-USE VARIANCE OF LOT COVERAGE REQUIREMENTS to permit the proposed lots with a lot coverage of 52% (40% maximum permitted).
- (4) NON-USE VARIANCE OF SETBACK REQUIREMENTS to permit the proposed RU-1M(a) lots to setback 18' (25' required) from the front property lines and setback 15' (25' required) from the rear property lines.
- (5) NON-USE VARIANCE OF SETBACK REQUIREMENTS to permit the proposed swimming pools to setback less than the required 75' from the front property lines to setback 3' (7.5' required) from the rear property lines and to setback 7.6' (20' minimum required) from the side street property lines.

The aforementioned plans are on file and may be examined in the Zoning Department. Plans may be modified at public hearing.

SUBJECT PROPERTY: The NW ¼ of the NW ¼ of the SE ¼ and the SW ¼ of the NW ¼ of the SE ¼ less the south 236.02' in Section 28, Township 55 South, Range 40 East; A/K/A: EAST HILL, Tract 10, less the south 236.02' and Tract 11 less the south 236.02', Plat book 46, page 3.

LOCATION: The Northeast corner of S.W. 92 Avenue & S.W. 163 Terrace, Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant submitted revised plans within the scope of the advertisement entitled, "Karrenero Falls" prepared by E.S.A. Design Group, dated 12/16/96, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requested non-use variances of zoning regulations (Item #2), non-use variance of setback requirements (Item #5), modification (Item #1) on a modified basis reflecting the revised plans, non-use variance of lot coverage requirements (Item #3) on a modified basis to permit a lot coverage of 46%, and non-use variance of setback requirements (Item #4), on a modified basis to permit an 18' setback from the rear property lines, would be compatible with the area and its development and 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 that the non-use variance of subdivision regulations is justified and would meet the requirements of the Subdivision Code and should be approved, and the revised plans should be accepted, and

WHEREAS, a motion to accept the revised plans and approve the application, on a modified basis, was offered by June Stevens, seconded by Barbara Hardemon, and upon a poll of the members present, the vote was as follows:

Frank Colunga	absent	Colleen Griffin	aye
Marcia Cummings-Grayson	absent	Barbara Hardemon	aye
Spencer B. Eig	aye	Eduardo LaCasa	absent
Karen Esty	aye	Dean Oddy	aye
Gerri Fontanella	aye	June Stevens	aye
Wilfredo Calvino, Jr.		aye	

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the requested non-use variance of zoning and subdivision regulations (Item #2) and the non-use variance of setback requirements (Item #5) be and the same are hereby approved, and

BE IT FURTHER RESOLVED, that the requested modification (Item #1) be and the same is hereby approved on a modified basis to read as follows:

TO: "1. That said Property shall be developed substantially in accordance with the plans submitted, entitled "Karrenero Falls" prepared by E.S.A. Design Group, dated 12/16/96.

BE IT FURTHER RESOLVED, that the requested lot coverage requirements (Item #3) be and the same is hereby approved on a on a modified basis to permit a lot coverage of 46%, and

BE IT FURTHER RESOLVED, that the requested non-use variance of setback requirements (Item #4) be and the same is hereby approved on a modified basis to permit an 18' setback from the rear property lines, and

BE IT FURTHER RESOLVED that the application, as approved, is subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of Planning, Development and Regulation, upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.

2. That the use be established and maintained in accordance with the approved plan.
3. That the applicant submit to the Department of Planning, Development and Regulation for its review and approval a landscaping plan which indicates the type and size of plant material, to include a dense landscaped buffer on the east property line, including trees 15' at time of planting and 15' off-center and to install a hedge to grow 6' per Code, prior to the issuance of a building permit and to be installed prior to the issuance of a certificate of use and occupancy
4. That the applicant comply with all conditions and requirements of the Director of the Public Works Department.
5. That a guardhouse/gatehouse be strictly prohibited.
6. That two-story homes shall not be permitted on the eastern side of the property for the 6 northern lots of the eastern tier.

BE IT FURTHER RESOLVED, that the approval of the non-use variance of subdivision regulations (Item #2) is predicated on the following:

- A. That there are special circumstances affecting the property and that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.
- B. That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.
- C. That the granting of the variance will not be detrimental to the public welfare or injurious to the other property in the territory in which the property is situated.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

BE IT FURTHER RESOLVED that Resolution No. Z-92-96 shall remain in full force and effect except as herein modified.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Dade County Department of Planning, Development and Regulation and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 8th day of January, 1997.

Hearing No. 97-1-3
bn



STEPHEN P. CLARK CENTER

DEPARTMENT OF PLANNING, DEVELOPMENT AND REGULATION
111 NW 1ST STREET
SUITE 1110
MIAMI FLORIDA 33128-1974
(305) 375-2500
FAX (305) 375-2795

December 5, 1997

Alvin W. & Dorothy Sheeler
c/o Gables Partnership
999 S. Biscayne Boulevard, Suite 705
Miami, FL 33131

Re: Hearing No. 97-1-3
Location: The Northeast corner of S.W. 92 Avenue and S.W. 163 Terrace

Dear Applicant:

Enclosed herewith is a corrected copy of Resolution No. 5-ZAB-10-97, adopted by the Metropolitan Dade County Zoning Appeals Board on January 8, 1997. Due to a scrivener's error the original resolution did not clearly delineate the action taken by the Board concerning the subject application.

Please discard the original resolution and replace it with this one, as it has been revised to reflect the corrections made.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marcy Gordon".

Marcy Gordon
Legal Counsel

MG:sw
Enclosures

cc: Enforcement

POSTING & MAILING

BROWNE REAL ESTATE INVESTMENTS LLC - PLT-13-001



133 - BROWNE

9046 SW 160 TER





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

The Village of Palmetto Bay shall conduct a zoning public hearing on May 20, 2013, 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 Sections 30-30 of the Village's Land Development Code:

Applicant:	BROWNE REAL ESTATE INVESTMENTS, LLC (PLT-13-001)
Location:	9045 SW 160 th Terrace, Palmetto Bay, Florida Zoned R-1M
Request:	Notice of Plat Amendment to re-plat a portion of the Karenero Falls plat vacating a portion of the utility easement reducing it from 6' to 4' along the (western) interior side property line on a developed parcel zoned Modified Single-Family Residential District (R-1M).

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 Blvd., 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 accommodations (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.

Palmetto Bay
 FOR FURTHER INFORMATION
 305-
 VILLAGE HALL
 04/19/2013
 DEPARTMENT OF PLANNING AND ZONING

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

HEARING NUMBER: PLT-13-001
APPLICANT NAME: BROWNE REAL ESTATE INVESTMENTS, LLC.
FOLIO: 3350280670600
ZONED: R-1M
PROJECT LOCATION: 9046 SW 160TH TERRACE, PALMETTO BAY, FL 33157

REQUEST: Notice of Plat Amendment to re-plat a portion of the Karenero Falls plat vacating a portion of the utility easement reducing it from 6' to 4' along the (western) interior side property line on a developed parcel zoned Modified Single-Family Residential District (R-1M).

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, MAY 20, 2013, 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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VILLAGE OF PALMETTO BAY NOTICE OF ZONING PUBLIC HEARING

The Village of Palmetto Bay shall conduct a zoning public hearing on May 20, 2013, 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 Sections 30-30 of the Village's Land Development Code:

Applicant: **BROWNE REAL ESTATE INVESTMENTS, LLC. (PLT-13-001)**
Location: 9046 SW 160th Terrace Zoned: R-1M
Palmetto Bay, Florida

Request: Notice of Plat Amendment to re-plat a portion of the Karenero Falls plat vacating a portion of the utility easement reducing it from 6' to 4' along the (western) interior side property line on a developed parcel zoned Modified Single-Family Residential District (R-1M).

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APPLICATION FEES

BROWNE REAL ESTATE INVESTMENTS LLC - PLT-13-001



Village of Palmetto Bay, Florida
 Finance Department
 9705 East Hibiscus Street
 Palmetto Bay, FL 33157
 305-259-1234
 Welcome

0023-1-0012 Wanner F. 04/03/2013 11:37AM

PLANNING AND ZONING

Payment Tran Code: P&Z

ZONING APPLICATIONS

(pzzoneapp1)

Description: VPB-13-006

for Browne Real Estate

Inestments LLC

P&Z ZONING APPLICATIONS

P&Z ZONING APPLICATIONS 930.81

0001-32900101 930.81C

Payment Id: 58125

 930.81

Subtotal 930.81

Total 930.81

CHEC... 930.81

Check Number 002698

Change due 0.00

Paid by: Lerman & Whitebook PA

LERMAN & WHITEBOOK, P.A. <small>11000 W. BAYVIEW BLVD. SUITE 1000 MIAMI BEACH, FL 33154</small>		City of Palmetto Bay <small>3150 S. PALMETTO AVE. PALMETTO BAY, FL 33157</small>	2698 4/3/2013 \$ 930.81
PAY TO THE ORDER OF Village of Palmetto Bay	\$ 930.81		04/03/2013
THIS CHECK IS VOID UNLESS SIGNED BY THE ISSUING OFFICER			
<small>MVD VPB-13-006 200 FEE - Permit Prep & Mailing Fee</small>			

Thank you for your payment
 VISIT
 WWW.PALMETTOBAY-FL.GOV