



VILLAGE OF PALMETTO BAY

September 1, 2015

Isabianca Investments, LLC
Mr. Alvaro L. Adrian
2460 SW 137th Ave
Suite 238
Miami, FL 33177

August 27, 2015

Re: PLT-14-002 a request to plat.

Dear Mr. Adrian,

In compliance with Section 30-30.11(d), of the Village's Land Development Code, staff's analysis of the zoning application request, a request to plat certain lands within the Village of Palmetto Bay as bounded by the Harriel Estates Plat to the north, SW 174 Street to the south, SW 93 Avenue to the east, and SW 94 Avenue to the west, creating Palmetto Bay Estates Plat consisting of 2 blocks and 19 lots, is hereby issued and provided to you, at least twenty (20) days prior to the hearing scheduled for September 21, 2015. The documentation submitted pursuant to the zoning application request can be found in the back-up portion of the Village's Memorandum.

Pursuant to Section 30-30.12(a), all responses to staff's report, your list of expert witnesses and their qualifications, and any other supplemental information pertinent to your request to be presented at the hearing, must be filed with the Planning and Zoning Department fifteen (15) days prior to the hearing. The deadline for filing such information is September 8, 2015. Section 30-30.12 is attached herein to provide a complete description of all necessary submittal requirements. Any information submitted after September 8, 2015, may only be considered during the hearing at the discretion of the Mayor and Village Council by voice vote.

Sincerely,

Darby P. Delsalle, AICP
Planning and Zoning Director

STAFF REPORT

ISABIANCA INVESTMENTS, LLC

PLT-14-002A



VILLAGE OF PALMETTO BAY
FLORIDA
ZONING ANALYSIS

FILE: PLT-14-002a

HEARING DATE: September 21, 2015

APPLICANT: Isabianca Investment, LLC

COUNCIL DIST.: 3

A. GENERAL INFORMATION

REQUEST: The platting of certain lands within the Village of Palmetto Bay as bounded by the Harriel Estates Plat to the north, SW 174 Street to the south, SW 93 Avenue to the east, and SW 94 Avenue to the west, creating Palmetto Bay Estates Plat consisting of 2 blocks and 19 lots.

ADDRESS: 9335 & 9395 SW 174 Street Palmetto Bay, FL 33157

FOLIOS: 33-5033-000-0410, 33-5033-000-0770

SIZE OF LOT: 245,678 sq. Ft

B. BACKGROUND

This item was last heard on December 15, 2014 to accept the Final Plat. Village staff allowed the item to proceed to Village Council consideration because it was understood at that time that the project had received all required approvals from Miami-Dade County (County) including such items as bonding for public infrastructure. Consistent with past practice, it was staff's understanding that bonding for local improvements would be managed by the County. Staff later learned this responsibility shifted to the Village when it adopted its own platting regulations at section 30-80. This application is the first to be received and fully processed by the Village since the adoption of that provision. As such, the County was not able to complete the full review of their portion of the process and subsequently was unable to seal and certify the plat map. The requested plat is now fully reviewed with all portions bonded, reviewed, and in receipt of all relevant and required review approvals.

The property was the subject of a rezoning request back in 2007, (See Zoning History). The staff report submitted to the Mayor and Village Council for that rezoning request included a concurrency review for land use and traffic, and was found to be consistent with both. The Mayor and Village Council, then operating under Miami-Dade County's Code, decided to designate the property RU-1, Single Family Residential, from AU, Agricultural, with a condition, among others, that the land contain no more than nineteen lots to be laid-out in a specified configuration. The zoning of the property was realigned to R-1 in 2009 when the Village adopted its own Land Development Regulations and Official Zoning Map. Since

that time, property ownership has changed hands and the new owner now seeks to move forward and plat the property consistent with the Mayor and Village Council's 2007 directive. Mayor and Village Council approval of the plat request is required before it can be recorded with Miami-Dade County. The property configuration complies with the Land Development Code, the conditions of the 2007 rezoning action, and has been deemed acceptable by the Village's Public Works Department.

C. ZONING HISTORY

On January 22, 2007, the Village of Palmetto Bay Mayor and Village Council via **Resolution 07-12**, approved a request to rezone the land from AU to RU-1, and required the applicant execute a covenant running with the land restricting the development of the site to 19 platted lots, with the number of parcels fronting SW 174th Street to be five and the parcels facing SW 173rd Terrace to be reduced from 16 to 14 (7 Parcels each, facing SW 174th Terrace).

On August 20, 2009, the Village of Palmetto Bay Mayor and Village Council adopted the R-1, Single Family Residential Zoning district and the Village's Official Zoning Map.

D. NEIGHBORHOOD CHARACTERISTICS

ZONING

FUTURE LAND USE DESIGNATION

Subject Property:

R-1; Single Family
 Residential District

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

Surrounding Properties

NORTH: R-1; Single Family
 Residential District

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

SOUTH: E-M; Estate Single Family
 Residential District &
 Agricultural

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

EAST: R-1; Two Family
 Residential District

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

WEST: R-2; Two Family
 Residential District

Low-Medium Density Residential
 14-23 D.U. per gross acre

E. SITE

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

F. ANALYSIS

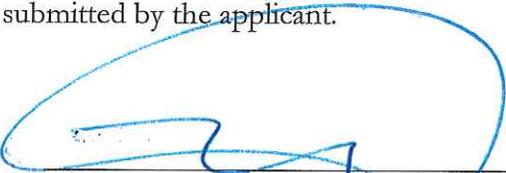
The Background Section of this report is hereby incorporated into this analysis and any corresponding criteria by reference. The Department review of the application for consistency with plat requirements at Section 30-80.2(b) subsection (1) through (29), entitled "Final Plat Application Requirements", (Exhibit A) found the application to be in compliance. The site is adjacent to both 8 inch and 6 inch water mains as well as gravity sewer lines. Connection to those facilities is governed by Miami-Dade County. The Village currently has sufficient park capacity to absorb the additional units. Miami-Dade County School Board has determined there is sufficient capacity to accommodate development of the 19 lots.

G. NEIGHBORHOOD SERVICES

Miami-Dade Water Sewer Dept.	Approved
Miami-Dade Public Works	Approved
Miami-Dade Dept. Environ. Prot.	Approved
Village Public Works Dept.	Approved

H. RECOMMENDATION

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



Darby Delsalle, AICP, Director
Department of Planning & Zoning

PLAT REVIEW

ISABIANCA INVESTMENTS, LLC

PLT-14-002A



Village of Palmetto Bay
FLORIDA

EXHIBIT A
PLAT REVIEW

The project was reviewed for compliance with Section 30-80.2 of the Village Code of Ordinances. The following is the findings of that review.

Sec. 30-80.2. Final plat.

- (a) *Format of final plats.* A land surveyor registered in the state shall prepare the final plat. The final plat shall be clearly and legibly drawn to a sheet size of 30 inches by 36 inches and to a scale of sufficient size to be legible, with letters and numbers to be no smaller than one eighth of an inch in height. The final plat, insofar as preparation is concerned, shall comply with all applicable regulations and state laws dealing with the preparation of plats. **Provided**

- (b) *Final plat application requirements.* The final plat and application shall be filed with the public works department on forms provided by the department. The application shall be submitted along with the required number of copies and an application fee as established by the village. The recording costs for legal documents and fees for notification shall be paid prior to and as a condition for the plat to be submitted for public hearing before the village council. The following information shall be part of the final plat unless waived by the public works director:
 - (1) *Name of the subdivision.* The plat shall have a title or name. The title of the plat shall include the name of the village, the section, township and range of which such platted land is a subdivision. The department shall disapprove any name or title, which is similar to the name of any previously, approved plat in the village and which may cause confusion. **Provided**

 - (2) *Deed description.* There shall be printed upon the plat a full and detailed description of the land embraced in the map or plat showing the township and range in which such lands are situated and the section and part of sections platted and a location sketch showing the plat's location in reference to the closest centers of each section embraced within the plat. If a subdivision of a part of a previously recorded plat is made, the previous lots and blocks to be re-subdivided shall be given. If the plat is a re-subdivision of the whole of a previously recorded plat, the fact shall be so stated. Vacation of previously platted lands must be accomplished in the manner provided by law. **Provided**

 - (3) A sealed current topographic survey ("plat survey"). The plat survey shall cover the entire area being platted and extend a minimum of 100 feet beyond the plat limits. The surveyor shall certify that the survey meets the

requirements of this section. The plat survey shall contain at a minimum the following information:

- a. Property boundaries; **Provided**
 - b. Existing watercourses, canals and bodies of water within or adjacent to the plat limits; **Provided**
 - c. Existing easements within or adjacent to the plat limits and the purposes for which the easements have been established; **Provided**
 - d. Existing streets and alleys on or adjacent to the tract, including name and right-of-way width; and, **Provided**
 - e. All encumbrances and restrictions specified within the owner and encumbrance report. **Provided**
- (4) Location of property lines, existing easements, buildings, watercourses, elevations, permits and other essential features. **Provided**
 - (5) Names of adjacent subdivisions. **N/A**
 - (6) Location, names and present widths of existing and proposed streets, highways, alleys, parks and other open public spaces as well as similar facts regarding property immediately adjacent. **Provided**
 - (7) The width and location of any street or other public rights-of-way or places shown on the village or county future transportation system plan within or adjacent to the area to be subdivided, and the width and locations of all streets or other public rights-of-way proposed by the petitioner. **Provided**
 - (8) All plat boundaries. **Provided**
 - (9) Bearings and distances to the nearest established street lines, section corners or other recognized permanent monuments which shall be accurately described on the plat. **Provided**
 - (10) Municipal, township, county or section lines accurately tied to the lines of the subdivision by distance and bearing. **Provided**
 - (11) Accurate location of all monuments. **N/A**
 - (12) Length of all arcs, radii, internal angles, points of curvature and tangent bearings. **Provided**
 - (13) Date of field survey, north point and geographic scale. **Provided**

- (14) Legal description and plan of proposed layout made and certified by a Florida licensed land surveyor along with a lot parcel analysis, including the smallest lot size, largest lot size, number of lots, acreage in each parcel, and number of parcels. **Provided**
- (15) Where lots are located on a curve or when side lot lines are at angles less than 87 degrees or more than 93 degrees, the width of the lot at the front building setback line shall be shown. **N/A**
- (16) The name or numbering and right-of-way width of each street or other right-of-way shown on plat. **Provided**
- (17) The numbering of all lots and blocks shown on the plat. All lots shall be numbered either by progressive numbers, or in blocks progressively numbered except that blocks in numbered additions bearing the same name shall be numbered consecutively throughout the several additions. Excepted parcels must be marked "not part of this plat." **Provided**
- (18) A location map at the scale of one inch equals 300 feet showing existing and proposed rights-of-way. **Provided**
- (19) Plat restrictions as to the following items: to restrict the type and use of water supply; type and use of sanitary facilities; type use and benefits of water areas other open spaces and odd-shaped substandard parcels; as needed due to the re-subdivision of parcels as "platted," and other restrictions of similar nature. **Provided**
- (20) Written confirmation from all utilities franchised to operate in the village relative to the adequacy of proposed easements shown on the plat and their ability to coexist with other utilities, which may be placed within the easement. **Provided**
- (21) Schematic subdivision improvement plans for the improvements necessary to bring water, sewer and public access to the project, including all off-site improvements required by the platting process, shall be submitted in conformance with this Code. **Provided**
- (22) Legal documents ensuring perpetual maintenance of any private roads, parking areas, landscaped areas, drainage systems, wetland mitigation areas and other common areas. **Provided**
- (23) An original title certificate or an attorney's opinion of title, and a tax letter or receipt from Miami-Dade County documenting taxes paid in full. **Provided**
- (24) Miami-Dade County DERM environmental review and resulting comments. **Provided**

- (25) All areas reserved or dedicated for public purposes. No strip or parcel of land shall be reserved by the owner, unless the same is sufficient in size and area to be of some practical use or service. **N/A**
- (26) The dimensions of all lots and angles or bearings. **Provided**
- (27) Location, dimension and purpose of any easements. **Provided**
- (28) Certification by a registered surveyor to the effect that the plat represents a survey made by him, and that all monuments shown thereon actually exist, and that their location is correctly shown. **Provided**
- (29) An acknowledgment by the owner of his adoption of the plat, and of the dedication of streets and other public areas and the consent of any mortgage holders to such adoption and dedication. If existing right-of-way is to be closed, purpose of closing must be stated on the plat. **Provided**



Village of Palmetto Bay
FLORIDA

July 21, 2015

Mr. Raul Pino, P.L.S. Chief
Miami-Dade County, Public Works
Land Development Division
111 N.W. 1st Street, Suite 1610
Miami, Florida 33128-1970

Re: T-Plat 23521 Entitled Palmetto Bay Estates, located between SW 93rd and 94th Avenues on the north side of SW 174th Street

Dear Mr. Pino:

This is to advise that the Village of Palmetto Bay, Public Works Department has reviewed and approved the Paving and Drainage plans as a requirement of T-Plat 23521 Palmetto Bay Estates and as submitted by Adrian Builders.

Adrian Builders, the developer has met the requirement of the tentative plat checklist whereas; the Paving and Drainage Plans (PWK-2015-0471) have been approved by both the Village of Palmetto Bay Public Works and the Building Department. Attached for your review is a copy of building permit PWK-2015-0471 as approved. No further action on this item is required.

Should you have any additional questions please feel free to contact the Department of Public Works at (305) 969-5011.

Sincerely,

A handwritten signature in blue ink that reads "Corrice E. Patterson".

Corrice E. Patterson
Public Works Director

Cc: Alvaro Adrian
Adrian Builders

Attachments:

Pw 2015 0471

9335-9395 SW
1745E

2010 FLORIDA BUILDING CODE
MARCH 15, 2012

OFFICE COPY

3/26/15 Back in office
w/ New Sheets
(Pages 1-4) dated 3/26/15
for AWS Renew
& Bldg.

6/29/15 New Sheets } JB
perfected }

VILLAGE OF PALMETTO BAY				
THIS COPY OF PLAN MUST BE AVAILABLE ON BUILDING SITE OR NO INSPECTION WILL BE GIVEN				
SECTION	APPROVED		DISAPPROVED	
	BY	DATE	BY	DATE
ZONING				
P & Z				
LANDSCAPING				
FLOOD				
PUBLIC WORKS	DC	7/10/15	DC	3/10/15 DC 3/31/15
BUILDING	DB	7/20/15	AK	9/2/15
HANDICAP				7/10/15
STRUCTURAL				
ELECTRICAL				
MECHANICAL				
PLUMBING	N/A	7/13/15		
UTILITIES				
BUILDING OFFICIAL				

Subject to compliance with all Federal, State and County Law, rules and regulations. The Village of Palmetto Bay assumes no responsibility for accuracy of all results of these plans.

NOTICE: In addition to the requirements of these permits there may be additional restrictions applicable to this in the public record of this county and village.



**Department of Public Works
Building Permit Comment Sheet**

Project: Paving / Drainage/ Sidewalk

Project Site: 9335-9395 SW 174 ST, Palmetto Bay, Florida 33157
(Palmetto Bay Estates)

Permit No: PWK-2015-0471

Reviewer: Danny Casals

Date: July 9, 2015

Approval Conditions:

1. The proposed Village of Palmetto Bay Blue Street Signs for SW 173 Ter & SW 93 AV, SW 173 Ter & 94 AV. must be installed on the opposite side of the roadway from where the proposed Stop Sign (R1-1) is going to be installed. Plan Sheet#4 Dated 6-29-15.
2. The proposed Village of Palmetto Bay Blue Street Sign at northwest corner of SW 93 Av & SW 174 St is not needed; existing street sign on the southwest corner of the intersection.
3. The proposed Village of Palmetto Bay Blue Street Sign at northwest corner of SW 94 Av & SW 174 St is not needed; existing one on the northeast corner of the intersection.
4. All Sidewalks must meet all ADA Regulations.
5. If at any time the Fire Hydrant on the northwest corner of SW 93 Ave & SW 174 ST on Plan Sheet #5 Dated 6/29/15 conflicts with the proposed ADA ramp. The Fire Hydrant will need to be relocated and relocation approval will be needed from Miami Dade County Water & Sewer Department prior to relocating Hydrant.

Standard Comments:

1. The Public Works Department reserves the right to add or modify requirements based upon any additional information that may be received during and after this review process.



To: Darby Delsalle
Director of Planning and Zoning

Date: October 23, 2014

From: Corrice E. Patterson, Public Works Director

Re: Palmetto Bay Estates
Tentative Plat

The proposed tentative plat of a property located at SW 174 ST. & SW 93 AVE, Palmetto Bay, and FL.33157. The legal description for parcels 1-7 (Site 1) and parcels 1-12 (Site 2) is south 208.75 feet of the west 208.75 feet of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ less the south and west 25 feet therefore the road Section 33, Township 55 South, Range 40 East, lying and being in Miami-Dade County, Florida (Folio #33-5033-000-0770). Described as follows: The south 66 feet of N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the south $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ less the south 208.75 feet of the west 208.75 feet and less R/W of Section 33, Township 55 South, Range 40 East Dade County, Florida (Folio # 33-5033-000-0410) has been submitted to the Village's Public Works Department for review.

The purpose of Plat T-23521 is to subdivide the above mentioned folios into nineteen (19) single family residential lots zoned R-1. The Department of Public Works has no objection to the application. The approval in support of this tentative plat is subject to the requirements listed below.

1. Sidewalk connectivity adjacent to each single family residential property planned for development is required.
2. ADA ramp upgrades for existing sidewalk connectivity adjacent to new development.
3. Developer will be required to dedicate the west 25 feet on SW 93rd AV and construct the 10- 12 feet south bound travel lane.
4. Developer will be required to construct SW 173rd Terrace and dedicate the north 25 feet and the south 25 feet right of way to the Village of Palmetto Bay for public use.
5. Application must meet traffic concurrency criteria. Traffic improvement plans must be approved by Miami-Dade Public Works Waste Management Traffic Engineering Division.
6. Landscape Plan required for planting trees within the public right of way.(Landscape plan to be approved by the Village)
7. Covenant of maintenance agreement for landscape planted within the public right of way.
8. Public water supply and sewer system must be utilized to service Palmetto Bay Estates. Plans must be approved by WASD
9. Site shall be filled in a manner so as to prevent the flooding of adjacent properties.

10. A special taxing district is required for maintenance of street lighting installed in the public right of way.
11. The developer must provide plans showing the paving and drainage plan inclusive of street signage/ pavement marking, sidewalk & landscape plans.
12. DERM approval required for removal and/or relocation of trees on site 1 and 2.
13. Underground all utilities (Comcast, FPL, phone etc.).

Cc: Travis Kendall, Planning and Zoning Administrator
Morelia Rodriguez, Zoning Technician
Danny Casals, Field Operations Supervisor

Vanessa Bencomo

From: Darby Delsalle
Sent: Tuesday, September 01, 2015 2:28 PM
To: Vanessa Bencomo
Subject: FW: PALMETTO BAY ESTATES, T-23521

Importance: High

Darby Delsalle, AICP
Director of Planning and Zoning
Village of Palmetto Bay
9705 East Hibiscus Street
Palmetto Bay, Florida 33157
T: 305-259-1271
F: 786-338-7432
www.palmettobay-fl.gov

From: Ubieta, Jorge (RER) [<mailto:joub@miamidade.gov>]
Sent: Tuesday, September 01, 2015 12:53 PM
To: 'Juan R. Martinez'
Cc: Pino, Raul (RER); Acevedo, Lilia (RER); Garcia, Carlos (RER); Darby Delsalle
Subject: PALMETTO BAY ESTATES, T-23521
Importance: High

Good afternoon Juan,

Our office's legal/technical review of the final plat entitled **PALMETTO BAY ESTATES, T-23521**, is complete. Before the plat can be considered for its potential recordation in the public records of Miami-Dade County, and prior to allowing the plat to be picked up and sent to the Village of Palmetto Bay for its commission approval and execution, the following final plat punch list items indicated below, and the matter pertaining to the owner's company seal must be submitted and/or addressed.

- The company seal of Isabianca Investments, LLC must be affixed to the final plat mylars
- Confirmation from the Village that a bond for the required improvements within the proposed/existing public right-of-ways has been submitted to, and has been reviewed and approved by appropriate Village staff.

Important Note:

The tentative plat approval previously granted by the Miami-Dade County Plat Committee is only valid until **May 21st, 2016**. If the final plat cannot be recorded in the public records prior to the expiration of the tentative plat approval period, an extension of time request (and associated fee) to re-approve the tentative plat (by the County's Plat Committee) will be required before the final plat can be considered for its possible recordation. All previously-approved elements of the final plat punch list must also remain valid.

Furthermore, before the plat can be considered for recordation, this office will require the following:

- The return of the same original final plat mylars to our office, executed and approved by the Village of Palmetto Bay

- A certified copy of the Village resolution approving said final plat
- An updated opinion of title (only valid for 45 days from last verification date). The recordation of the plat must occur within the 45 day approval window period of the last opinion of title to be submitted.
- Cashier's check or money order in the amount of \$45.00, payable to the Clerk of the Circuit Court, for the recordation of the plat.

Once the above-mentioned process is complete and our office reviews the above items, the plat will be submitted to the Director of the Miami-Dade County Regulatory and Economic Resources Department for his signature, followed by the plat's recordation.

Please let me know if you need any additional information regarding these matters.

Jorge Ubieta, Jr., P.S.M., Supervisor, Platting Section
Department of Regulatory and Economic Resources
Development Services Division
111 NW 1st Street o 11th Floor o Miami, FL 33128-1970
305-375-2141 Phone 305-375-4974 Fax
www.miamidade.gov/pubworks/
"Delivering Excellence Every Day"

*Miami Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records.
E-Mail messages are covered under such laws and thus subject to disclosure.*

ZONING HISTORY

ISABIANCA INVESTMENTS, LLC

PLT-14-002A

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RESOLUTION NO. 07-12

ZONING APPLICATION 06-12-VPB-1 (05-329)

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; APPROVING THE APPLICATION OF SINFIN HOMES & INVESTMENTS, INC. FOR REZONING FROM AU (AGRICULTURAL) TO RU-1 (RESIDENTIAL) (PROPERTY LOCATED AT NORTHEAST CORNER OF SW 94 AVENUE & SW 174 STREET) FOR ALTERNATIVE SITE DEVELOPMENT ORDER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant sought a district boundary change; and,

WHEREAS, a district boundary change request is subject to quasi-judicial hearing procedures; and,

WHEREAS, the village council, as the zoning authority for the Village of Palmetto Bay held the quasi-judicial hearing at Southwood Middle School on December 11, 2006, and continued the hearing to the January 22, 2007 village council zoning meeting; and,

WHEREAS, the applicant initially made application for district boundary change from AU, Agricultural District, to RU-1, Single Family Residential District, and RU-2, Two Family Residential District, and,

WHEREAS, during the initial hearing on December 11, 2006, the applicant provided two alternative requests for district boundary changes: (1) a district boundary change from AU to RU-1 and RU-2; or alternatively, (2) a district boundary change from AU to RU-1; and,

WHEREAS, each application enclosed a proposed plat of the proposed lots, with the first application providing for 22 housing units, consisting of 11 twin homes on the RU-2 parcel; and 6 single family homes to be located on the RU-1 parcel (a total of 28 residences); and,

WHEREAS, under the second proposal, the applicant requested to rezone the entire area to RU-1, single family, and to provide 22 platted lots for single family residences; and,

WHEREAS, the applicant, during the December 11, 2006 hearing withdrew its initial request and proceeding with a district boundary change from AU to RU-1 (with a request for 22 platted lots); and,

WHEREAS, the hearing was continued to the January 22nd village zoning hearing; and,

WHEREAS, the applicant provided a proposed third proposed district boundary change request from AU to RU-1, with 21 platted lots; and,

WHEREAS, the village council rejected the third proposal; and,

1
2 WHEREAS, the mayor and village council finds, based on substantial competent
3 evidence in the record, that the application for district boundary change to RU-1, single family
4 residential, is consistent with the Land Use Plan Map of the Village of Palmetto Bay
5 comprehensive plan, in that the comprehensive plan Future Land Use Map designates the
6 applicant's parcel for Low Density Residential, which permits a minimum of 2.5 to a maximum
7 of 6.0 dwelling units per acre, for a minimum of 14 units and a maximum of 28 units for the site,
8 with the incorporated required dedicated right-of-way.; and,
9

10 WHEREAS, based on the foregoing finding, the mayor and village council determined to
11 grant the application request under option (2), for a district boundary change from AU to RU-1,
12 with modifications, requiring 19 platted lots versus 22 platted lots.
13

14 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE
15 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:
16

17 Section 1. A hearing on the present application was held on December 11, 2006, and
18 continued on January 22, 2007 in accordance with ordinance. no. 02-03, entitled "Quasi-judicial
19 hearing procedures." Pursuant to the hearing, the village council makes the following findings of
20 fact, conclusions of law and order.
21

22 Section 2. Findings of fact.
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24 1. The applicant is Sinfin Homes and Investments, Inc. The property is vacant
25 agriculturally (AU) zoned land located on the northeast corner of SW 94 Avenue and SW 174
26 Street consisting of 5.64 gross acres.
27

28 2. Prior to hearing testimony, the village council made any and all disclosures of any
29 site visits, or any communications received (written, telephone, in person, or email) from anyone
30 (whether the applicant, applicant's representatives, or the community at large); and whether after
31 those communications whether each council person could be objective relating to the pending
32 application. The disclosures were not challenged by the applicant. The disclosures were in
33 compliance with the village's quasi-judicial hearing procedures. This disclosure took place both
34 during the initial hearing on December 11th, and prior to the continued hearing of January 22,
35 2007.
36

37 3. The applicant initially made application for district boundary change from AU,
38 Agricultural District, to RU-1, Single Family Residential District, and RU-2, Two Family
39 Residential District.
40

41 4. During the initial hearing on December 11, 2006, the applicant provided two
42 alternative requests for district boundary changes: (1) a district boundary change from AU to
43 RU-1 and RU-2; or alternatively, (2) a district boundary change from AU to RU-1.
44

45 5. Each application by Sinfin Homes and Investments, Inc. enclosed a proposed plat
46 of the proposed lots, with the first application providing for 22 housing units, consisting of 11

1 twin homes on the RU-2 parcel; and 6 single family homes to be located on the RU-1 parcel (a
2 total of 28 residences). Under the second proposal, the applicant requested to rezone the entire
3 area to RU-1, single family, and to provide 22 platted lots for single family residences.
4

5 6. The applicant, during the December 11, 2006 hearing specifically withdrew its
6 initial request and proceeding with a district boundary change from AU to RU-1 (with a request
7 for 22 platted lots). Based upon the withdrawal of the first proposal, that item was no longer to
8 be considered by the village council.
9

10 7. The village staff provided evidence and the applicant presented his request.
11 Applicant did not present expert testimony during the hearing. The village Community
12 Development Director, the village's planning and zoning expert provided testimony regarding
13 the village's comprehensive plan and application of the village's zoning code.
14

15 8. The Community Development Director, Ms. Arleen Weintraub, indicated that a
16 request for a district boundary change to RU-1, single family residential, is consistent with the
17 Land Use Plan Map of the Village of Palmetto Bay comprehensive plan, in that the
18 comprehensive plan Future Land Use Map designates the applicant's parcel for Low Density
19 Residential, which permits a minimum of 2.5 to a maximum of 6.0 dwelling units per acre, for a
20 minimum of 14 units and a maximum of 28 units, with the incorporated required dedicated right-
21 of-way, for a site the size of the applicant's.
22

23 9. The village council opened the public hearing portion of the meeting and allowed
24 residents, after being placed under oath, to testify regarding the applicant's district boundary
25 change to RU-1 request.
26

27 10. Mr. Glen Lurie testified that he lives a couple of doors down from the subject site
28 and that the adjacent land is designated EU-M, and that he was concerned that there would be a
29 disparity on the street as there would be three homes on the property if approved as RU-1 with
30 22 platted lots; versus two homes across the street in the EU-M zoning district.
31

32 11. Ms. Santiago Bell testified that she was concerned regarding the transition from
33 EU-M to RU-1, and the density and intensity of use of the RU-1 proposed site as compared to
34 the EU-M site adjacent thereto.
35

36 12. Mr. Wray Abercrombie indicated that he lives adjacent to the site and that the
37 character of the neighborhood would change due to the intensity of use from extensively platted
38 land at the RU-1 site.
39

40 13. The mayor closed the public hearing.
41

42 14. The hearing item for a district boundary change was continued to the January 22nd
43 village zoning hearing.
44

45 15. During the January 22 zoning hearing, which was a continuation of the original
application, the applicant provided a proposed third proposed district boundary change request

1 from AU to RU-1, with 21 platted lots. The village council rejected the third proposal. The
2 applicant never objected to the village's decision to not accept the third proposal.
3

4 16. The village council found that the area where the applicant's property was located
5 was a "transitional are." As the property across the street provided much larger lots, the council
6 found that a district boundary change to RU-1 would be compatible; however, as the RU-1
7 zoning district can require 14 lots, and no more than 28 lots, the village council was of the
8 opinion that the RU-1 zoning could be approved at 19 platted lots.
9

10 17. The village council found that the criteria of 33-311 were met, provided the
11 approval contains the outlined conditions as presented by the village council and staff.
12

13 18. The village council conditioned the approval upon requiring proper drainage of
14 each platted lot, required the installation of sidewalks, compliance with the Florida Building
15 Code and Village/Miami-Dade County code, as applicable, submittal of a landscape plan as part
16 of the building permit application, which plan shall be reviewed and approved by the Village's
17 Directors of the Department of Community Development and Public Works , installation of
18 street lights, dedication of right-of-way, and a covenant running with the land restricting the
19 development of the site to 19 platted lots,
20

21 19. The number of lots permitted under the village's comprehensive plan provides for
22 a minimum of 14 platted lots at the 5.64 acre vacant lot and a maximum of 28 platted lots. Based
23 upon the testimony of the community, the knowledge of the village council of the community,
24 the environment, the transitional area aspects of the applicant's parcel, and it being adjacent to
25 EU-M to the South, the Village council concluded 19 platted lots associated with the district
26 boundary change was compatible with the community, the comprehensive plan, the environment,
27 to public facilities, etc.
28

29 Section 3. Conclusions of law.
30

31 1. The village council adopts the portions of the county recommendation, entitled
32 Introduction; Comprehensive Development Master Plan; Gross Residential Density;
33 Neighborhood Characteristics; Site and Building; Pertinent Requirements/Standards; and
34 Community Director's Analysis in the Village of Palmetto Bay Recommendation, found at 7(a)
35 as its conclusions of law. However, the final determination and recommendation of the village
36 council is partially based upon the Diane O'Quinn Williams, Miami-Dade County Director of
37 Planning and Zoning (pages 4-7) and Ms. Arleen Weintraub's recommendation (pages 7a and
38 7b) as it relates to compatibility of the RU-1 district. The number of lots permitted under the
39 village's comprehensive plan provides for a minimum of 14 platted lots at the 5.64 acre vacant
40 lot and a maximum of 28 platted lots. Based upon the testimony of the community, the
41 knowledge of the village council of the community, the environment, the transitional area
42 aspects of the applicant's parcel, and it being adjacent to EU-M to the South, the Village council
43 concluded 19 platted lots associated with the district boundary change was compatible with the
44 community, the comprehensive plan, the environment, to public facilities, etc.
45

1 2. The village council further concludes that the application for district boundary
2 change is consistent with the Village's Comprehensive Plan Future Land Use Map and
3 compatible with the area, which consists of RU-2 zoning to the west and RU-1 to the north and
4 east.; and EU-M to the south.
5

6 Section 4. Order.

7 The village council accepts the county and staff recommendation to approve the
8 application for a district boundary (zone) change from AU to RU-1, with conditions (as modified
9 by the village council:
10

11 (1) Any development of the site shall be required to maintain proper drainage on site
12 or through proper drainage systems for each platted lot;

13 (2) The development shall provide and install sidewalks;

14 (3) All development shall comply with the Florida Building Code and Village/Miami-
15 Dade County code, as applicable;

16 (4) Applicant shall submit a landscape plan as part of the building permit application,
17 which plan shall be reviewed and approved by the Village's Directors of the Department of
18 Community Development and Public Works;

19 (5) Applicant shall install street lights, in compliance with the requirements of the
20 Village's Directors of the Department of Community Development and Public Works;

21 (6) Applicant shall be required to dedicate the necessary rights-of-way; and

22 (7) Applicant shall execute a covenant running with the land restricting the
23 development of the site to 19 platted lots, with the number of parcels fronting SW 174 Street to
24 be five and the parcels facing SW 174^{1/2} Terrace to be reduced from 16 to 14 (7 parcels each,
25 facing SW 174 Terrace).
26

27 Section 5. Record.

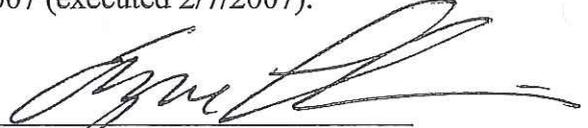
28
29 The record shall consist of the notice of hearing, the application for a district boundary
30 change from AU to RU-1, at 22 platted lots; , documents submitted by the applicant and the
31 applicant's representatives to the Miami-Dade County Department of Planning and Zoning in
32 connection with the RU-1, 22 platted lot application, the December 11th, 2006 county and village
33 recommendation and attached cover sheet and attachments to the recommendation, the testimony
34 of any sworn witnesses, and the tape and minutes of the hearing. The applicant did not request
35 for submittal into the record of any additional documents. The village council rejected the "third"
36 submittal by applicant at the January 22, 2007 continued hearing of the proposed third district
37 boundary change from AU to RU-1, for 21 platted lots. No other documents were submitted into
38 the record by applicant. The record shall be maintained by the village clerk.
39

40 Section 6. This resolution shall take effect immediately upon approval.

1
2 PASSED and ADOPTED this 22nd day of January, 2007 (executed 2/7/2007).
3

4
5 Attest:

6 
7 Meighan Rader
8 Village Clerk


Eugene P. Flinn, Jr.
Mayor

9
10 APPROVED AS TO FORM:

11
12 
13
14 Eve A. Boutsis,
15 Village Attorney

16
17
18
19 FINAL VOTE AT ADOPTION:

20
21 Council Member Ed Feller YES
22
23 Council Member Paul Neidhart YES
24
25 Council Member Shelley Stanczyk NO
26
27 Vice-Mayor Linda Robinson YES
28
29 Mayor Eugene P. Flinn, Jr. NO
30
31

1. SINFIN HOMES & INVESTMENTS, INC.
(Applicant)

06-12-VPB-1 (05-329)
VPB/District 8
Hearing Date: 12/11/06

Property Owner (if different from applicant) Same.

Is there an option to purchase /lease the property predicated on the approval of the zoning request? Yes No

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
				NONE

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE VILLAGE OF PALMETTO BAY**

APPLICANT: Sinfin Homes and Investments, Inc.

PH: Z05-329 (06-12-VPB-1)

SECTION: 33-55-40

DATE: December 11, 2006

ITEM NO.: 1

=====

A. INTRODUCTION

• **REQUEST:**

1. AU to RU-1

REQUEST #1 ON EXHIBIT "B"

2. AU to RU-2

REQUEST #2 ON EXHIBIT "C"

o **SUMMARY OF REQUEST:**

The requests will allow the applicant to change the zoning on the property from AU, Agricultural District, to RU-1, Single-Family Residential District, and RU-2, Two-Family Residential District.

o **LOCATION:**

The Northeast corner of S.W. 94 Avenue and S.W. 174 Street, Village of Palmetto Bay, Florida.

o **SIZE:** 5.64 Acres

o **IMPACT:**

The approval of the requested district boundary changes would allow the applicant to provide additional housing units for the community. The rezoning of this 5.64-acre site will have an impact on the schools, water and sewer services, and traffic in the area.

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential**. The residential densities allowed in this category shall range from a minimum of 2.5 to a

maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.

2. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.

3. Gross Residential Density.

The basic unit of measurement of residential density is "dwelling units per gross residential acre." Among the land uses that may be included in the "gross residential acreage" when computing the number of dwelling units permitted per gross acre in residential communities areas are the following: housing; streets; public schools; **local public parks**; fire stations; police stations; private recreational open spaces that are protected in perpetuity by covenant; public or semipublic utility sites, easements or rights-of-way donated at the time of development approval; and nature preserves and water bodies created as open-space amenities during project development or credited for density purposes during previous development approval, or inland waters wholly owned by the applicant. The sites of these nonresidential uses may be included in the gross residential acreage only if they are under the same ownership or are multiple ownerships that are legally unified (legally unified development) as the site for which gross density is being determined. Among the uses not considered to be part of the "residential" area when computing the number of units permitted are industrial, commercial and office sites; communication facility sites; utility sites; easements and rights-of-way unless expressly permitted elsewhere in this section; expressways; nonlocal parks and nature preserves; universities, colleges and other institutional use; any land that has been credited for other development; previously dedicated road rights-of-way; and any already-developed parcels whether underdeveloped or not.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

AU; single family residences

Low Density Residential, 2.5 to 6 du

Surrounding Properties:

NORTH:	RU-1; single-family residences	Low Density Residential, 2.5 to 6 dua
SOUTH:	AU and EU-M; single-family residences	Low Density Residential, 2.5 to 6 dua
EAST:	RU-1; single-family residences	Low Density Residential, 2.5 to 6 dua
WEST:	RU-2; duplex residences	Low Density Residential, 2.5 to 6 dua

The subject property is located on the northeast corner of S.W. 94 Avenue and S.W. 174 Street in the Village of Palmetto Bay. The properties to the north and east are zoned RU-1 and developed with single-family residences. To the south are AU and EU-M zoned, single family residences, and to the West are RU-2 zoned duplex residences.

E. SITE AND BUILDINGS:

Site Plan Review:	(site plan submitted)
Scale/Utilization of Site:	Acceptable*
Location of Buildings:	N/A
Compatibility:	Acceptable
Landscape Treatment:	N/A
Open Space:	N/A
Buffering:	N/A
Access:	Acceptable
Parking Layout/Circulation:	N/A
Visibility/Visual Screening:	N/A
Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

*subject to the covenant

F. PERTINENT REQUIREMENTS/STANDARDS:

In evaluating an application for a **district boundary change**, **Section 33-311** provides that the Board take into consideration, among other factors, the extent to which:

- (1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;
- (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade

County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;

- (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;
- (5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDT	No objection
Fire Rescue	No objection
Police	No objection
Schools	22 students.

*Subject to conditions indicated in their memoranda.

H. ANALYSIS:

The subject property is developed with two single-family residences and is located on the northeast corner of S.W. 94 Avenue and S.W. 174 Street. The applicant is seeking to rezone the property from AU, Agricultural District, to RU-2, Two-Family Residential District, on the northern 270.5' of the property (Exhibit "C"), consisting of 3.855 net acres, including a proposed park, and RU-1, Single-Family Residential District, on the southern 110' of the subject property consisting of 1.632 net acres, (Exhibit "B"). The properties to the north and east are developed with single-family residences, to the south are AU and EU-M zoned, single family residences, and to the West are RU-2 zoned duplex residences. The applicant has submitted a site plan showing the development of the site with 11 duplex building sites (22 units) and a proposed park on the northern portion of the site (Exhibit "C") and with 6 single-family building sites on the southern portion of the site described as Exhibit "B" for a total of 28 residential units. Additionally, the applicant has proffered a covenant to the Village

of Palmetto Bay restricting the development of the site to the plans submitted and limiting the development to 28 units and proffering to dedicate the proposed Park to the Village.

The Department of Environmental Resources Management (**DERM**) **does not object** to this application and indicates that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida. However, the applicants will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The **Public Works Department** has **no objections** to this application. Their memorandum indicates that although this application will generate **27** additional PM daily peak hour **vehicle trips**, the traffic distribution of these trips will not exceed the acceptable levels of service (LOS) "B", "C" and "D" of the streets serving the surrounding community. Furthermore, this land requires platting and road dedications and improvements will be accomplished through the recording of a plat. **Miami-Dade County Public Schools** (MDCPS) has indicated that the proposed zoning will bring an additional **22** students into the area's public schools. They indicate that Perrine Elementary School, Southwood Middle School and Miami Palmetto Senior High School are the schools that will be impacted by this development, which are currently operating at 123%, 150% and 165% respectively of FISH (Florida Inventory of School Houses) utilization. Their memorandum indicates that the applicant has voluntarily proffered a covenant to the School Board providing a monetary donation over and above impact fees and that the proffered monetary donation will provide the full capital cost of student stations for the additional students generated by the proposed development, subject to School Board approval.

Approval of this application, subject to the Board's acceptance of the proffered covenant, would allow the applicant to provide 28 additional housing units for the community. The Land Use Plan's (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Low Density Residential** use which permits a minimum of 2.5 to a maximum of 6 dwelling units per acre, for a minimum of 14 units and a maximum of 33 units on the subject property. The proposed development of the site with 28 units is within the density limitations of the Low Density Residential use designation and, subject to the Board's acceptance of the proffered covenant proffering to dedicate the proposed park to the Village, would be **consistent** with the LUP map designation of the Comprehensive Development Master Plan (CDMP).

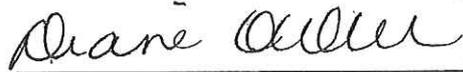
The residential development immediately to the east of the subject property was approved a rezoning in 2004 by this Board to RU-1 pursuant to Resolution No. 04-106. The property immediately to the west of the subject property was approved for a rezoning in 1974 to RU-2 pursuant to Resolution No. Z-191-74. In 1983, the residential development to the south was approved for a rezoning to EU-M, Modified Estate District, pursuant to Resolution No. Z-43-83. Approval of this application would be compatible with the RU-2 zoning to the west and the RU-1 zoning to the north and east. The plans submitted with this application depict the development of the proposed parcels with lot areas that exceed the 7,500 sq. ft. required by the RU-1 and RU-2 zoning districts. The plans show the proposed duplex lots ranging in lot area from 11,155.5 sq. ft. to 14,772 sq. ft. and the proposed single-family residential lots ranging in lot area from 11,081 sq. ft. to 11,969 sq. ft. The plans also reflect a proposed park of 9,164 sq. ft. in area located within the proposed RU-2 portion of the site adjacent to SW 93rd Avenue. The plans also reflect a proposed roadway, SW 174th Terrace, which bisects the site and provides connectivity between SW 93rd Avenue and SW 94th Avenue.

The applicant has proffered a covenant restricting the development of the site to the submitted plans and stipulating that the proposed park indicated on the proposed plans will be dedicated to the Village of Palmetto Bay. The approval of this application, subject to the Board's acceptance of the proffered covenant, will be **consistent** with the LUP map and **compatible** with the area, which consists of RU-1 zoning to the north and east, RU-2 zoning to the west and EU-M and AU zoning to the south. As such, staff recommends approval of requests #1 and #2, subject to the Board's acceptance of the proffered covenant.

I. **RECOMMENDATION:** Approval of requests #1 and #2, subject to the Board's acceptance of the proffered covenant.

J. **CONDITIONS:** None.

DATE INSPECTED: 05/17/06
DATE TYPED: 11/27/06
DATE REVISED: 11/28/06
DATE FINALIZED: 11/28/06
DO'QW:AJT:MTF:LVT



Diane O'Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

Memorandum



Date: June 21, 2006

To: Diane O'Quinn-Williams, Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

Subject: #Z2005000329-Revised
Sinfin Homes & Investments, Inc.
Northeast corner of SW 94th Avenue and SW 174th Street
District Boundary Change from AU to RU-2
(AU) (5.5 Ac.)
33-55-40

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Supply and Wastewater Disposal:

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management:

A Surface Water Management General Permit from DERM shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site development, final plat or public works approval of paving and drainage plans. The applicant is advised to contact DERM for further information regarding permitting procedures and requirements.

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year/1-day storm event with full on-site retention of the 25-year/3-day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

Air Quality Preservation:

In the event of any kind of renovation or demolition activity, an asbestos survey from a Florida-licensed asbestos consultant is required. If said survey shows friable asbestos materials in amounts larger than prescribed by federal law (260 linear feet of pipe insulation/thermal system insulation [TSI] or 160 square feet of surfacing material), then those materials must be removed/abated by a Florida-licensed asbestos abatement contractor. A notice of asbestos renovation or demolition form must be filed with the Air Quality Management Division of DERM for both the abatement (renovation) work and the demolition activity at least 10 working days prior to starting the field operations.

Wetlands:

The subject property does not contain jurisdictional wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600), and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

An on-site inspection performed by DERM staff on June 6, 2006 revealed the presence of tree resources, however no specimen-sized (trunk diameter $\geq 18"$) trees were present on-site. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any trees at this location. A tree survey showing all the tree resources on-site will be required prior to reviewing the tree removal permit application. The applicant is advised to contact DERM staff for permitting procedures and requirements prior to development of site and landscaping plans.

Enforcement History:

DERM has reviewed the permits and enforcement database and the enforcement case tracking system and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:

DERM has conducted a concurrency review for this application, and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency, subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement, and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, may be scheduled for public hearing. Furthermore, this memorandum shall constitute DERM's written approval to that effect, as required by the Code.

cc: Lynne Talleda, Zoning Evaluation-P&Z
Ron Connally, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: SINFIN HOMES & INVESTMENTS, INC.

This Department has no objections to this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

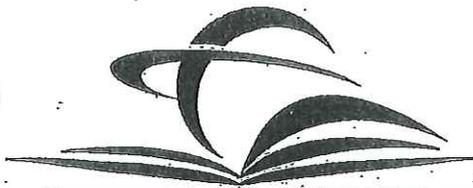
This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 27 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.# w/project		LOS present	LOS
F-332	S. Dixie Hwy. s/o SW 152 Ave.	C	C
9866	SW 168 St. w/o SW 87 Ave.	D	D
F-346	S. Dixie Hwy. n/o SW 112 Ave.	B	B
9868	SW 168 St. w/o US-1	C	C
F-1114	SW 186 St. w/o US-1	D	D

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


Raul A Pino, P.L.S.

25-APR-06



Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Rudolph F. Crew, Ed.D.

Ana Rijo-Conde, AICP, Facilities Planning Officer
Facilities Planning

December 15, 2005

Miami-Dade County School Board

Agustin J. Barrera, Chair
Perla Tabares Hantman, Vice Chair
Frank J. Bolaños
Evelyn Langlieb Greer
Dr. Robert B. Ingram
Dr. Martin Karp
Ana Rivas Logan
Dr. Marta Pérez
C. Stinson

Ms. Maria Teresa-Fojo, Division Chief
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 NW 1 Street, Suite 1110
Miami, Florida 33128

RECEIVED
DEC 28 2005

DEPT. OF PLANNING & ZONING
ZONING EVALUATION SECTION
BY: HJD

Re: Sinfin Homes & Inv., Inc. - Application No. 05-329 (VPB)
Northeast Corner of SW 94 Avenue and SW 174 Street

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that all of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Perrine Elementary School, Southwood Middle School and Miami Palmetto Senior High School currently operating at 116%, 148% and 150% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Perrine Elementary School and Miami Palmetto Senior High School to 117% and 151%, respectively (please see attached analysis).

Additionally, at its April 13, 2005 meeting, the Board approved School District criteria that would allow District staff to make recommendations on residential zoning applications that impact public schools beyond the 115% of FISH capacity threshold (Review Criteria). Pursuant to the Interlocal and the recently approved Review Criteria, the District met with the applicant on December 12, 2005, to discuss the impact of the proposed development on public schools.

The District is grateful that the applicant took the time to meet with the School District to discuss possible mitigation options outlined in the Review Criteria that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered to the School Board a monetary donation, over and above impact fees. The payment of the required educational impact fees for this proposed development and the proffered monetary donation will provide the full capital cost of student stations for the additional students generated by the proposed development. Please be advised that such a proffer by the applicant is subject to School Board approval at an upcoming meeting.

School Board Administration Building • 1450 N.E. 2nd Avenue, Suite 525 • Miami, Florida 33132
305-995-7285 • FAX 305-995-4760 • arijo@dadeschools.net

Ms. Maria Teresa-Fojo
December 15, 2005
Page Two

Also, attached is a list of approved Charter School Facilities, which may provide relief on a countywide basis.

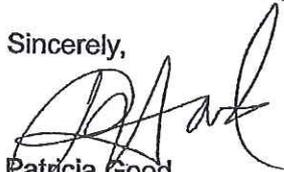
Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

$$\text{New residential unit square footage} \times .90 (\text{Square Footage Fee}) + \$600.00 (\text{Base Fee}) + 2\% \text{ administrative fee} = \text{Educational Facilities Impact fee}$$

As an example, assuming the proposed unit is 3,000 square feet, the 31-unit development is estimated to generate approximately \$102,300 (\$3,300 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,



Patricia Good
Coordinator III

PG:am
L-0678
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Mr. Michael A. Levine
Mr. Ivan M. Rodriguez
Ms. Vivian Villaamil
Mr. Armando Jomarron

SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION: No. 05-329, Sinfin Homes & Inv., Inc (VPB)
REQUEST: Zone change from AU to RU-2
ACRES: 5.5 acres
MSA/Multiplier: 5.7/.74 & .60
LOCATION: Northeast Corner of SW 94 Avenue and SW 174 Street
NUMBER OF UNITS: 31 additional duplex units (3 units currently permitted under existing zoning classification, for a total of 34 units)

ESTIMATED STUDENT POPULATION: 22 students*

ELEMENTARY: 10

MIDDLE: 6

SENIOR: 6

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY: Perrine Elementary - 8851 SW 168 St.

MIDDLE: Southwood Middle – 16301 SW 80 Ave.

SENIOR HIGH: Miami Palmetto Senior – 7460 SW 118 St.

All schools are located in Region 5

* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2005:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE	CUMULATIVE STUDENTS **
Perrine Elem.	764/ 774*	620	123%/ 125%*	40	116%/ 117%*	757
Southwood Middle	1776/ 1782*	1181	150%/ 151%*	20	148%/ 148%*	1804
Miami Palmetto Sr.	3536/ 3542*	2138	165%/ 166%*	214	150%/ 151%*	3570

* increased student population as a result of the proposed development.

** Estimated number of students (cumulative) based on zoning/land use log (2001- present) and students are figured in current population, assuming all approved developments are built; also assumes none of the prior cumulative

Notes:

- 1) Figures above reflect the impact of the class size amendment.
- 2) Pursuant to the Interlocal Agreement, all of the schools meet the review threshold.

PLANNED RELIEF SCHOOLS IN THE AREA

(information included in proposed 5-Year Capital Plan, 2005-2009, dated January 2005):

Proposed Relief Schools

<u>School</u>	<u>Funding Year</u>
New Modular at Perrine Elementary School (154 student stations)	FY 06-07
New Middle School ("JJ1") (Southwood and Palmetto Middle School Relief) (1659 student stations)	FY 06-07
New Modular at Miami Palmetto Sr. High School (550 student stations)	FY 06-07
New Senior High School ("III1") (Miami Palmetto and Killian Senior High School Relief) (1613 student stations)	FY 07-08

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	774
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	2840
Estimated Permanent Senior High seats (Current and Proposed in 5-Year Plan)	4301

Note: Some of the proposed schools will add relief to more than one school and new seats will be assigned based on projected need.

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to \$6,549 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$144,078.

CAPITAL COSTS: Based on the State's December-2005 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	10	x	\$ 13,933	=	\$139,330
MIDDLE	6	x	\$ 15,974	=	\$ 95,844
SENIOR	6	x	\$ 21,139	=	\$126,834

Total Potential Capital Cost					\$362,008
------------------------------	--	--	--	--	-----------

* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

Charter School Growth in Miami-Dade County

School Name	Actual Enrollment (8-31-05)	Projected enrollment (per contract)		Maximum
		2005-2006	2006-2007	
Academy of Arts & Minds	139	400	500	500
Archimedean Academy	432	525	525	525
Archimedean Middle Conservatory	55	160	240	240
ASPIRA Eugenio Maria de Hostos	299	600	600	600
ASPIRA Youth Leadership	291	450	450	450
ASPIRA South Youth Leadership	202	210	450	600
Aventura City of Excellence School	671	900	900	900
Balere Language Academy	155	175	250	450
Coral Reef Montessori	324	500	500	500
Doctors Charter School of Miami Shores	401	375	450	525
Doral Academy	728	2,200	2200	2,200
Doral Academy Middle School	809	1,250	1250	1,250
Doral Academy High School	908	1,800	1800	1,800
Doral Performing Arts & Entertainment Academy	50	100	150	200
Downtown Miami Charter School	558	650	650	650
Early Beginnings Academy -- Civic Center	25	80	80	80
Early Beginnings Academy -- North Shore	12	43	43	70
Florida International Academy	258	350	350	350
International Studies Charter High School	80	500	750	1,000
Keys Gate Charter School	1,085	1,150	1,150	1,150
Lawrence Academy	69	120	250	450
Liberty City Charter School	372	705	705	705
Life Skills Center Miami-Dade County	13	300	450	600
Mater Academy	700	1,150	1,150	1,150
Mater Academy Charter High School	1,158	1,300	1,300	1,300
Mater Academy Charter Middle School	1,157	1,300	1,300	1,300
Mater Academy East Charter School	310	800	800	800
Mater Academy East Middle School	103	250	250	250
Mater Performing Arts & Entertainment Academy	97	100	150	200
Miami Children's Museum	72	350	350	350
Miami Community Charter School	221	600	600	600
Oxford Academy of Miami	101	450	450	450
Pinecrest Preparatory Academy Middle School	216	750	800	800
Pinecrest Preparatory Academy	743	1,250	1,250	1,250
Rosa Parks Charter School/Florida City	192	400	600	600
Renaissance Elementary Charter School	444	500	500	500
Renaissance Middle Charter School	43	50	700	1,600
Sandor Wiener School of Opportunity	19	72	72	72
Sandor Wiener School of Opportunity, South	17	36	36	36
School for Integrated Academics & Technologies	262	600	800	800
Somerset Academy	514	700	700	700
Somerset Academy Charter Middle School	70	300	300	300
Somerset Academy Charter High School	7	250	375	500
Spiral Tech Elementary Charter School	71	290	290	290
Spirit City Academy	40	250	300	400
Sunshine Academy	100	150	200	450
The Charter School at Waterstone	1,001	1,000	1,000	1,000
Theodore R. and Thelma A. Gibson Charter School	11	500	600	600
Transitional Learning Academy	28	48	48	72
Youth Co-Op Charter School	508	525	525	525
TOTAL: 50 schools	16,141	27,514	30,139	32,690

Board-Approved Contracts for Schools to Open in Subsequent Years			
School Name	Projected Enrollment (as per contract)		
	2005-2006	2006-2007	Maximum
Charter on the Beach Middle School	-0-	250	250
Liceo ENLACE Miami! Charter Academy	-0-	475	775
A Child's Journey Charter School	-0-	175	600
Atlantic Science Academy	-0-	600	840
Cooperative Charter School	-0-	100	200
Dr. Joseph Coats Grace Community Charter School	-0-	600	600
Excelsior Academy of Miami	-0-	450	450
Mosaic Bilingual Academy	-0-	120	365
North Miami/Florida Int'l Univ. Charter Sr. High School	-0-	800	1,600
Pinecrest Academy Charter High School	-0-	600	850
South Dade Charter Elementary School	-0-	625	750
Summerville Charter School	-0-	600	600
TOTAL: 12 schools	-0-	5,395	7,880
SUB-TOTAL (EXISTING APPROVED): 62 schools	27,514	15,534	40,570

Board-Approved applications for schools opening in subsequent years		
Applicant	Number of Schools	Maximum Enrollment Capacity
Somerset Academy	6	6,400
Mater Gardens Academy Elementary School	1	900
Mater Springs Academy Elementary School	1	600
Mater Academy South Charter School	1	900
Mater Gardens Academy Middle School	1	450
Mater Springs Academy Middle School	1	300
Sabal Palm Charter High School	1	800
Charter Academy of Excellence	1	600
Palmetto Bay Charter Academy	1	1,600
Princeton Charter Academy	1	1,600
Homestead Charter High School	1	2,000
South Miami-Dade Charter Elementary School	1	600
South Miami-Dade Charter Middle School	1	300
Total :	18 schools	17,050
GRAND TOTALS		
	80	57,620

17

NEW CHARTER SCHOOLS FOR 2005-2006

W/L	Name and Address of Charter School	Contact Information	Grade Levels
6006	Archimedean Middle Conservatory 12425 SW 72 St. Miami, FL 33183	Ms. Vasiliki Moysidis 305 640-6278	6-8
7016	Bridge Academy Main Campus: 8325 NE 2 Ave., Miami, FL 33138 South Campus: 224 Washington Ave., Homestead, FL 33030	Dr. Leo S. Cardona 954 907-2771 786 513-0546 Fax dleoc@myfra.com	12
6007	Charter on the Beach Middle School 2301 Noirmandy Dr. Miami Beach, FL 33141	Ms. Gladys Palacio 786 258-2505 gladyspalacio@aol.com	7-8
6040	Doctors Charter School of Miami Shores 11301 NW 5 Ave. Miami Shores, FL 33138	Ms. Maggie Manrara 305 795-2207 manraram@miamishoresvillage.com	6-12
7009	Doral Performing Arts & Entertainment Academy 11100 NW 27 St., Doral, FL 33172 and 2601 NW 112 Ave., Doral, FL 33172	Ms. Ofelia Alvarez 305 597-9950	9-12
4080	Early Beginnings – North Shore 985 NW 91 St. Miami, FL 33150 (North Shore Medical Center)	Ms. Carol Byrd, Principal United Cerebral Palsy 305 325-1080	PK-K
4070	Early Beginnings – Civic Center 1411 NW 14 Ave. Miami, Florida 33125	Ms. Carol Byrd, Principal United Cerebral Palsy 305 325-1080	PK-K
6027	Transitional Learning Academy 1411 NW 14 Ave. Miami, Florida 33125	Ms. Pamela Miller, Principal United Cerebral Palsy 305 325-1080	8-12
6008	Lawrence Academy 777 West Palm Drive Florida City, FL 33034	Dr. Keitha Burnett 305 281-3052 mkbur293@aol.com	6-8
1000	Liceo ENLACE! Miami 9705 E. Hibiscus Palmetto Bay, FL 33157	Ms. Lucy Puello-Capone 305 213-7723 ces1234@aol.com	K-8
6009	Mater East Academy Middle School 450 SW 4 St. Miami, FL 33130	Ms. Ana Valdes, Principal 305 324-4667	6-8

W/L	Name and Address of Charter School	Contact Information	Grade Levels
7014	Mater Performing Arts & Entertainment Academy 7901 NW 103 St. Hialeah Gardens, FL 33016	Ms. Christine McGuinn, Principal 305 828-1886	9-12
5010	Oxford Academy of Miami 10870 SW 106 St. Miami, FL 33176	Mr. Tobias Hernandez, Principal 305 598-4494 305 275-2003 Fax	K-5
5030	Sandor Wiener School of Opportunity, South 11025 SW 84 St. Miami, FL 33173	Ms. Lissa Gonzalez, Principal 305 279-3064 Lgonzalez1@dadeschools.net	PK-5
5050	Sunshine Academy 1733 NE 162 St. N. Miami Beach, FL 33162	Ms. Ann-Marie Manzano, Director 786 210-8324 manzanos5@netzero.net	K-8
1010	The Charter School at Waterstone 855 East Waterstone Way Homestead, FL 33034	Dr. Cristina Cruz, Principal drcruzwaterstone@aol.com Temporary office: Prime Outlets Mall 250 East Palm Drive, Suite 245 Florida City, FL 33034 305 248-6206 Fax: 305 248-6208 Email: info@charterschoolatwaterstone.com Web: www.charterschoolatwaterstone.com	K-8
6029	Spirit City Academy 3400 NW 135 St. Opa-locka, FL 33054	Ms. Cecilia Honeywood, Principal 786 493-1546 cahoneywood@dadeschools.net	6-8
7015	Life Skills Center Miami-Dade County 3535 NW 7 Street Miami, FL 33125	Mr. Jose Filipo 305 643-9111 305 643-9141 Fax jose.filipo@lifeskillscnters.com	10-12
6028	Renaissance Middle Charter School Temporary location for 05-06: 8360 NW 33 St. Miami, FL 33122	Ms. Ana Cordal, Principal 305 591-2225 acordal@dadeschools.net	6-8

Memorandum



Date: 23-AUG-06
To: Diane O'Quinn Williams, Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2005000329

Fire Prevention Unit:

Fire Water and Engineering has no objections to plans date stamped 8/09/06

Service Impact/Demand:

Development for the above Z2005000329 located at THE NORTHEAST CORNER OF S.W. 94 AVE & SW 174 ST in Police Grid 2148 is proposed as the following:

<u>34</u> residential	dwelling units	<u>N/A</u> industrial	square feet
<u>N/A</u> Office	square feet	<u>N/A</u> institutional	square feet
<u>N/A</u> Retail	square feet	<u>N/A</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 9.10 alarms-annually.

Existing services:

The Fire station responding to an alarm in the proposed development will be: Station 50, Perrine, located at 9798 Hibiscus Street and equipped with a rescue unit

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
 None

Fire Planning Additional Comments:

Current service impact calculated based on letter of intent.

TEAM METRO

ENFORCEMENT HISTORY

SINFIN HOMES & INV.INC

NEC SW 94 AVE/SW 174 ST

APPLICANT

ADDRESS

Z2005000329

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

No open Team Metro cases.

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: SINFIN HOMES AND INVESTMENTS INC.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>ARMANDO JOMARRON</u>	<u>100%</u>
<u>12805 SW 84 AVE RD STE 201</u>	
<u>MIAMI, FL. 33156</u>	

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

TRUST/ESTATE NAME: _____

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

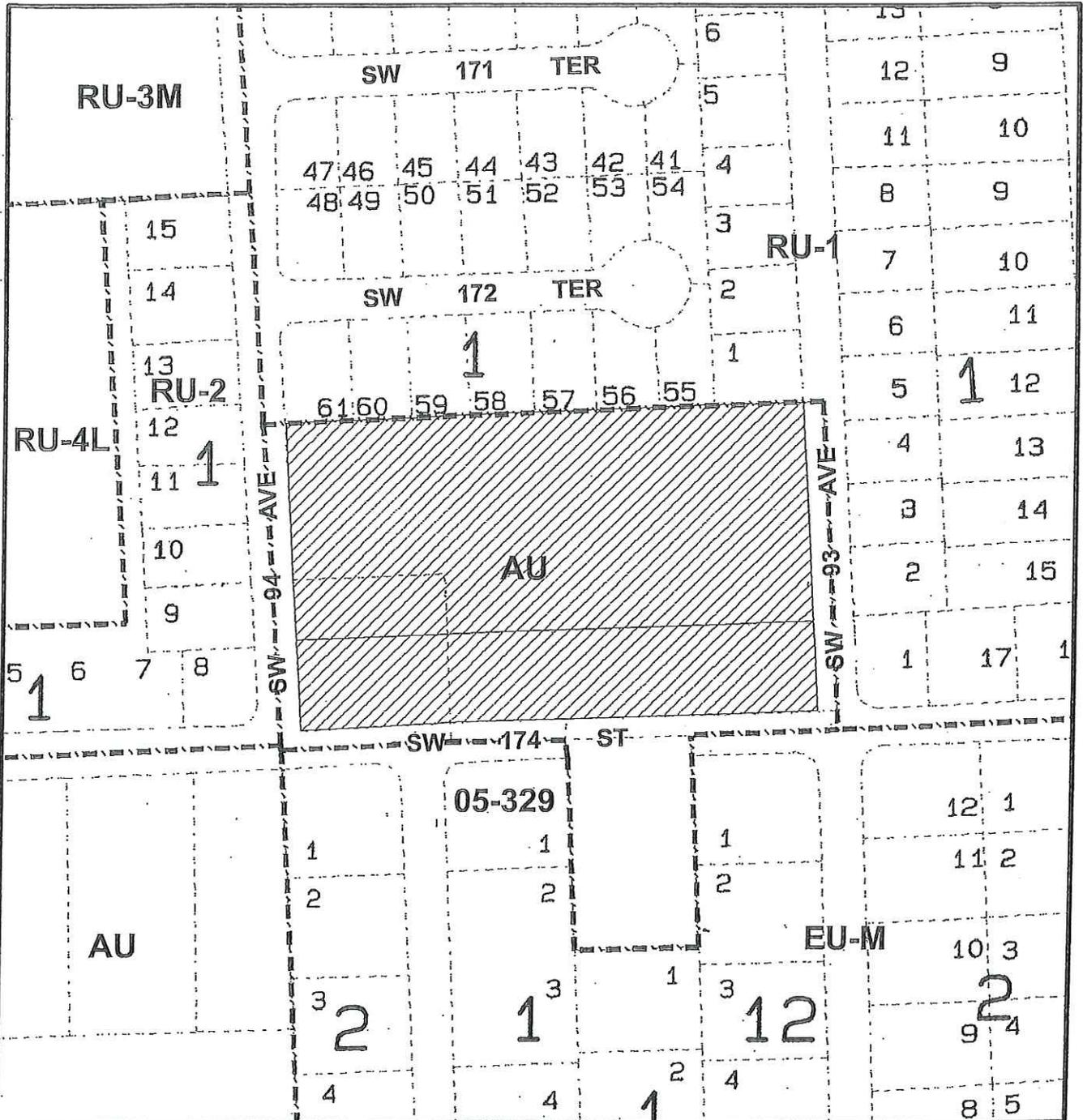
RECEIVED
205-389
OCT 05 2005

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY _____

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

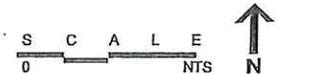
PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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



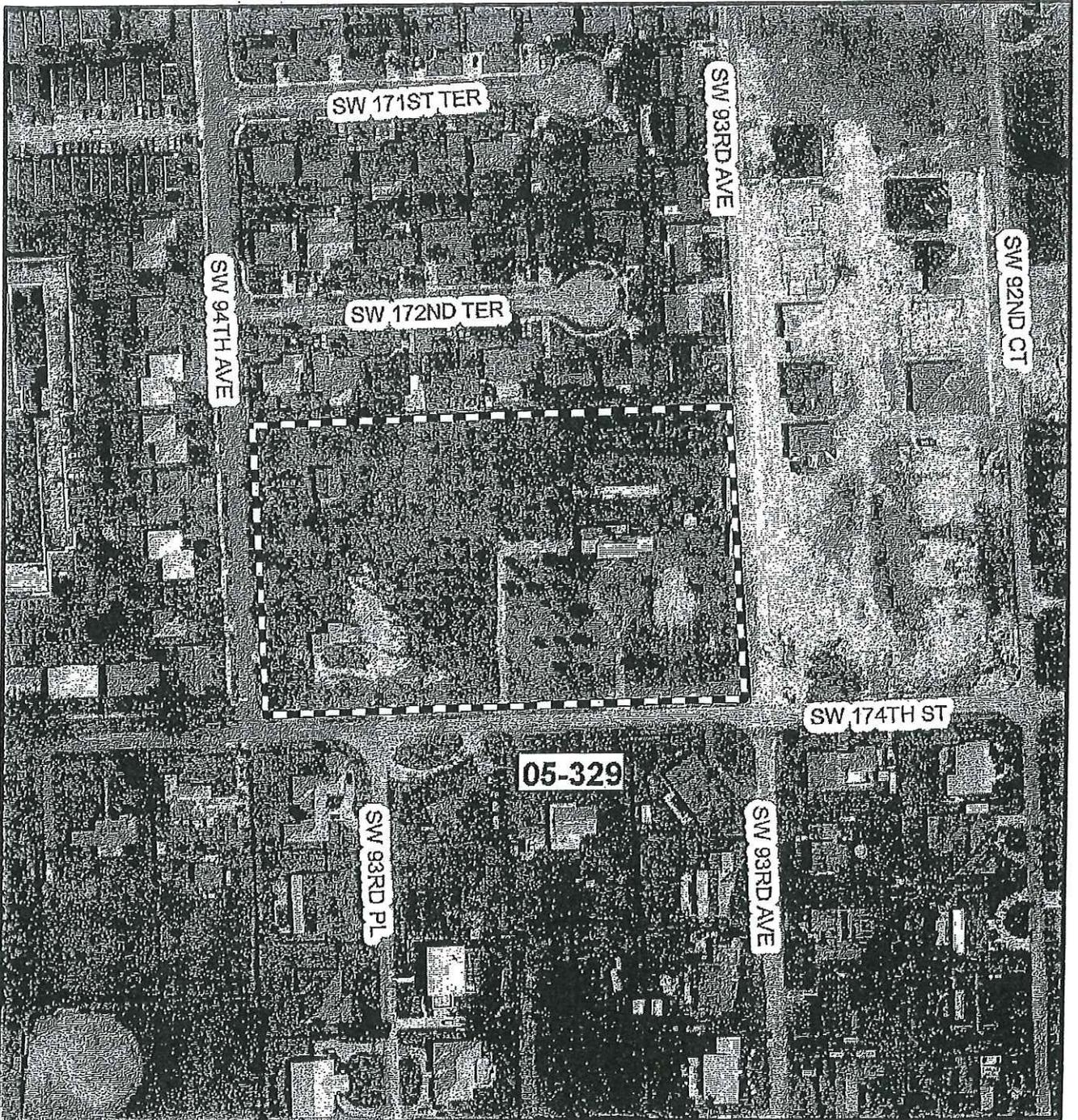
**MIAMI-DADE COUNTY
HEARING MAP**

Section: 33 Township: 55 Range: 40
 Process Number: 05-329
 Applicant: SINFIN HOMES & INV. INC.
 Zoning Board: VPB
 District Number: 08
 Drafter ID: ALFREDO
 Scale: 1:300'



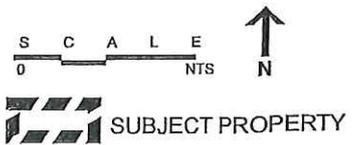
 SUBJECT PROPERTY





MIAMI-DADE COUNTY
AERIAL

Section: 33 Township: 55 Range: 40
Process Number: 05-329
Applicant: SINFIN HOMES & INV. INC.
Zoning Board: VPB
District Number: 08
Drafter ID: ALFREDO
Scale: NTS





This instrument was prepared by and
 when recorded return to:
 Michelle De Tirado
 Adrian Builders, Ltd.
 13780 SW 26 Street, #108
 Miami, FL 33175

CFN 2014RD741246
 OR Bk 29364 Pgs 2873 - 2875f (3pgs)
 RECORDED 10/27/2014 10:10:54
 HARVEY RUVIN, CLERK OF COURT
 MIAMI-DADE COUNTY, FLORIDA

(Space reserved for Clerk)

DECLARATION OF RESTRICTIVE COVENANT

KNOW ALL BY THESE PRESENTS that the undersigned Owner, Isabianca Investments, LLC, a Florida limited liability company, hereby declares and imposes on the land herein described, this covenant running with the title to the land, which shall be binding on the Owner, all heirs, successors and assigns, personal representatives, mortgagees lessees, and against all person claiming by, through or under them; and

WHEREAS, Owner holds the fee simple title to the land, hereinafter called the "Property", in the Village of Palmetto Bay, Florida, described in Exhibit "A," attached hereto and made a part hereof; and

WHEREAS, the undersigned Owner(s) desires to develop the Property as 19 platted residential lots; and

WHEREAS, the Owner declare(s) that this covenant is intended and shall constitute a restrictive covenant concerning the use, enjoyment and title to the Property and may only be released by the Village of Palmetto Bay, or its successors, in accordance of said Village therein effect.

NOW THEREFOR, the Owner hereby declares and agrees as follows:

1. That the above recitals are true and are hereby incorporated into this declaration by reference.
2. That this Declaration is entered into pursuant to Resolution No. 07-12 passed and adopted on the 22nd day of January, 2007.
3. That the development of the Property shall be restricted to 19 platted lots, with the number of parcels fronting SW 174 Street to be five and the parcels facing SW 174 Terrace to be reduced from 16 to 14 (7 parcels each, facing SW 174 Terrace).

[Execution Page to Follow]



IN WHITNESS WHEREFORE, the undersigned has/have _____ hand(s) and seal(s) to be affixed hereto on this 24th day of Oct, 2014.

WITNESS

Michelle De Tirado

Signature and Print
MICHELLE DE TIRADO

Esther Burgos

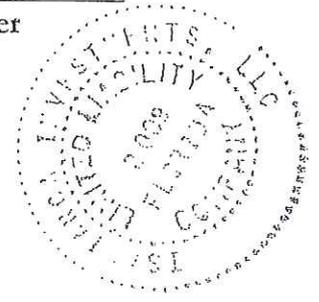
Signature and Print
ESTHER BURGOS

OWNER:

Isabianca Investments, LLC.

Alvaro L. Adrian

Alvaro L. Adrian, Manager



STATE OF FLORIDA):
COUNTY OF DADE):

I HEREBY CERTIFY that on this day personally appeared before me Alvaro L. Adrian who is personally known to me or has produced _____ (type of identification) as identification and he/she acknowledge that he/she executed the forgoing, freely and voluntarily, for the purposes there in expressed.

SWORN TO AND SUBSCRIBE before me on this 24 day of October, 2014.

My *Beatriz Ramos*
NOTARY PUBLIC STATE

commission
EE 149161

expires:

Nov 27, 2015

OF FLORIDA.



EXHIBIT 'A'

LEGAL DESCRIPTION:

THE SOUTH 208.75 FEET OF THE WEST 208.75 FEET OF THE NW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ LESS THE SOUTH AND WEST 25 FEET THEREOF FOR THE ROAD PURPOSES OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 40 EAST LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

FOLIO #:33-5033-000-0770

DESCRIBED AS FOLLOWS:

THE SOUTH 66 FEET OF N $\frac{1}{2}$ OF THE N.W. $\frac{1}{4}$ OF THE S.E. $\frac{1}{4}$ OF THE N.W. $\frac{1}{4}$ AND THE SOUTH $\frac{1}{2}$ OF THE N.W. $\frac{1}{4}$ OF THE S.E. $\frac{1}{4}$ OF THE N.W. $\frac{1}{4}$ LESS THE SOUTH 208.75 FEET OF THE WEST 208.75 FEET AND LESS R/W OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA.

FOLIO #:33-5033-000-0410

STATE OF FLORIDA, COUNTY OF DADE
HEREBY CERTIFY that this is a true copy of the
original filed in this office on 01 20 2011 day of

01 20 2011 A.D. 20
I WITNESS my hand and Official Seal.
MARVEL RUVIN, CLERK, of Circuit and County Courts
By Loretta Marshall D.C.

LORETTA MARSHALL #208068



ZONING & LAND USE MAPS

ISABIANCA INVESTMENTS, LLC
PLT-14-002A

[Click to Print This Page](#)



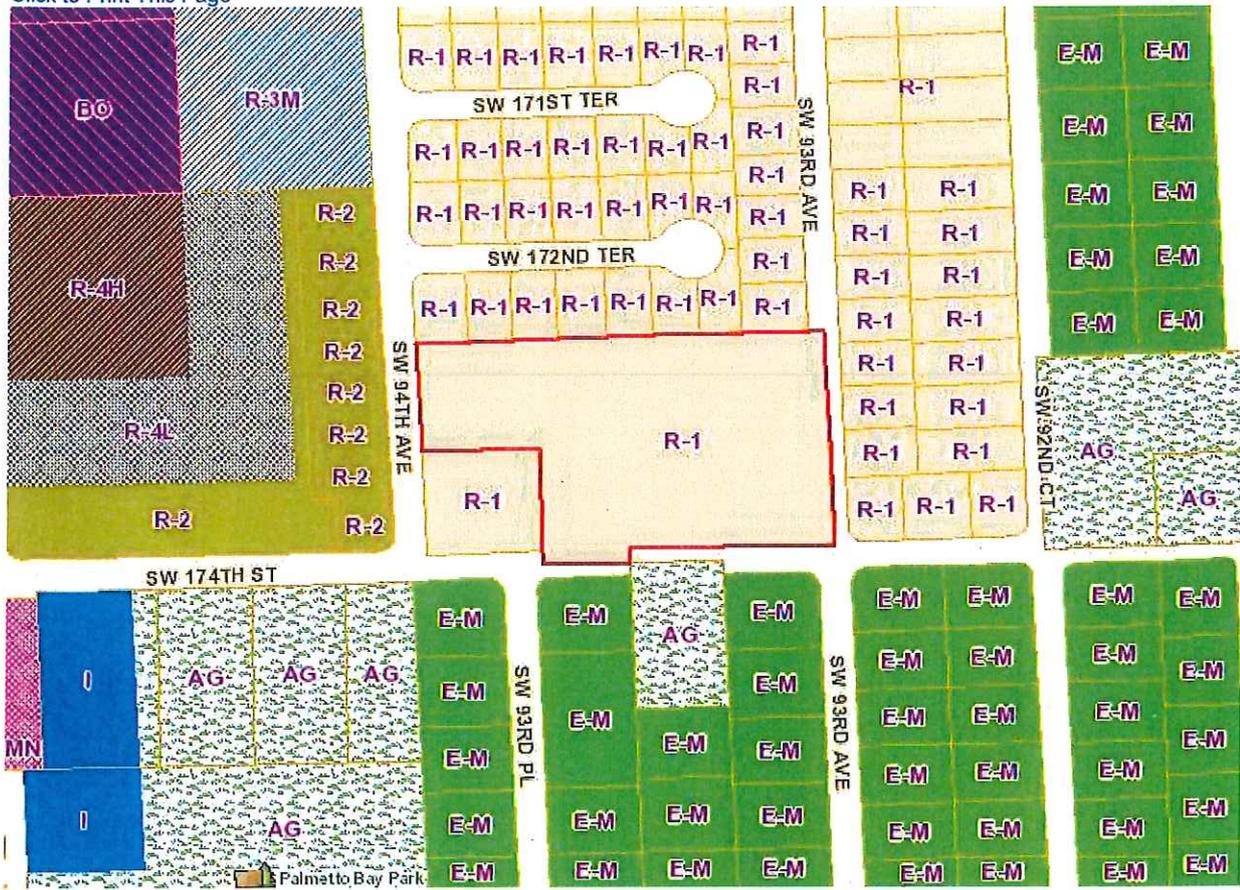
Summary Details:	
Folio:	3350330000410
Site Address:	9335 SW 174 ST Virtual Earth Street View County Permits by Address Open County Permits by Address Property Appraiser Zillow
Mailing Address:	ISABIANCA INVESTMENTS LLC 2460 SW 137 AVE #238 MIAMI, FL 33175

Property Information:	
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	5.16 ACRES
Year Built:	0
Legal Description:	33 55 40 5.17 AC M/LS66FT OF N1/2 OF NW1/4 OF SE1/4OF NW1/4 & S1/2 OF NW1/4 OFSE1/4 OF NW1/4 LESS S208.75FT OFW208.75FT & LESS R/WCASE NO 92-4292 0195 5

Sale Information:			
Sale Date:	8/2005	0/0	0/0
Sale Amount:	3300000	0	0
Sale O/R:	23700-4475		

Assessment Information:		
Year:	2015	2014
Land Value:	0	1238628
Building Value:	0	0
Market Value:	0	1238628
Assessed Value:	0	1052833
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](#)



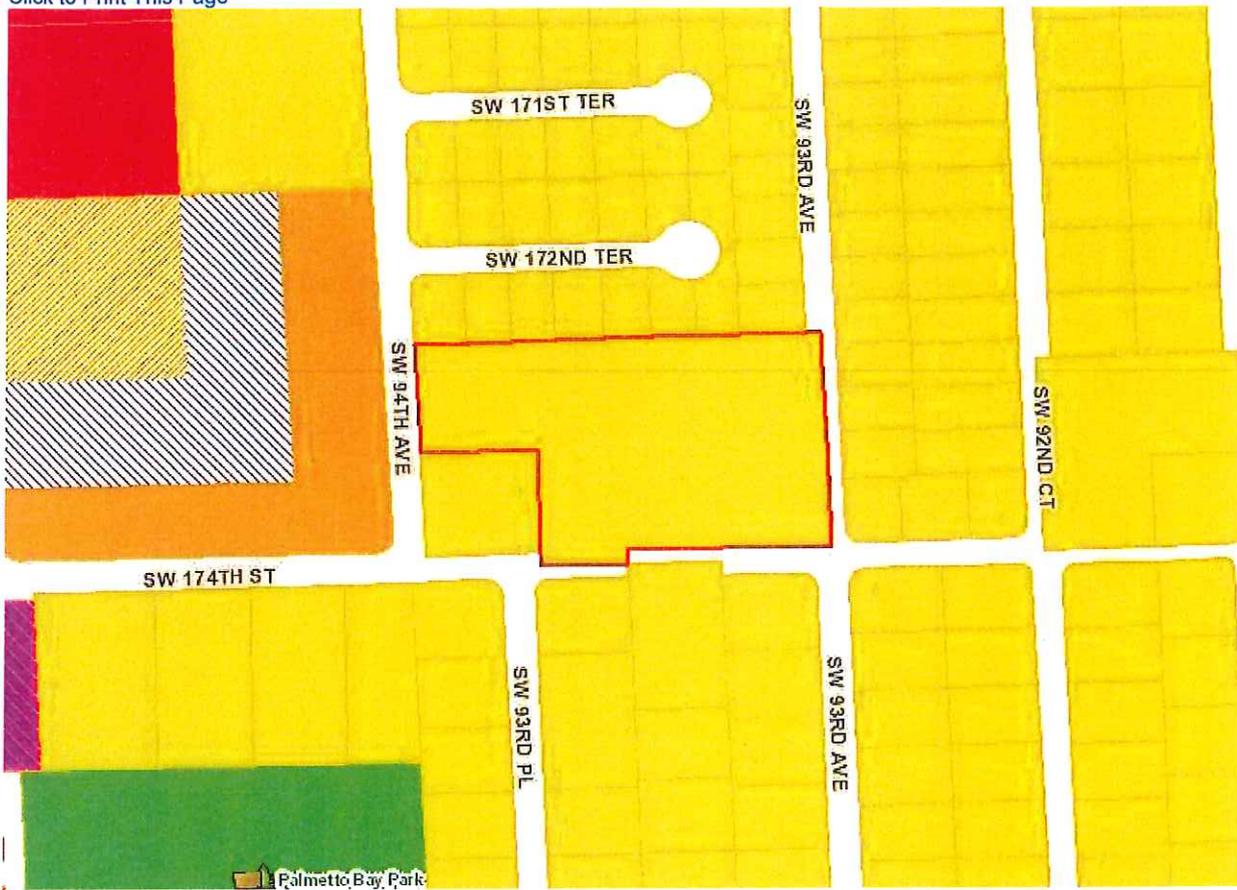
Summary Details:	
Folio:	3350330000410
Site Address:	9335 SW 174 ST Virtual Earth Street View County Permits by Address Open County Permits by Address Property Appraiser Zillow
Mailing Address:	ISABIANCA INVESTMENTS LLC 2460 SW 137 AVE #238 MIAMI, FL 33175

Property Information:	
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	5.16 ACRES
Year Built:	0
Legal Description:	33 55 40 5.17 AC M/LS66FT OF N1/2 OF NW1/4 OF SE1/4OF NW1/4 & S1/2 OF NW1/4 OFSE1/4 OF NW1/4 LESS S208.75FT OFW208.75FT & LESS R/WCASE NO 92-4292 0195 5

Sale Information:			
Sale Date:	8/2005	0/0	0/0
Sale Amount:	3300000	0	0
Sale O/R:	23700-4475		

Assessment Information:		
Year:	2015	2014
Land Value:	0	1238628
Building Value:	0	0
Market Value:	0	1238628
Assessed Value:	0	1052833
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:	3350330000410
Site Address:	9335 SW 174 ST Virtual Earth Street View County Permits by Address Open County Permits by Address Property Appraiser Zillow
Mailing Address:	ISABIANCA INVESTMENTS LLC 2460 SW 137 AVE #238 MIAMI, FL 33175

Property Information:	
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	5.16 ACRES
Year Built:	0
Legal Description:	33 55 40 5.17 AC M/LS66FT OF N1/2 OF NW1/4 OF SE1/4OF NW1/4 & S1/2 OF NW1/4 OFSE1/4 OF NW1/4 LESS S208.75FT OFW208.75FT & LESS RW/CASE NO 92-4292 0195 5

Sale Information:			
Sale Date:	8/2005	0/0	0/0
Sale Amount:	3300000	0	0
Sale O/R:	23700-4475		

Assessment Information:		
Year:	2015	2014
Land Value:	0	1238628
Building Value:	0	0
Market Value:	0	1238628
Assessed Value:	0	1052833
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](#)



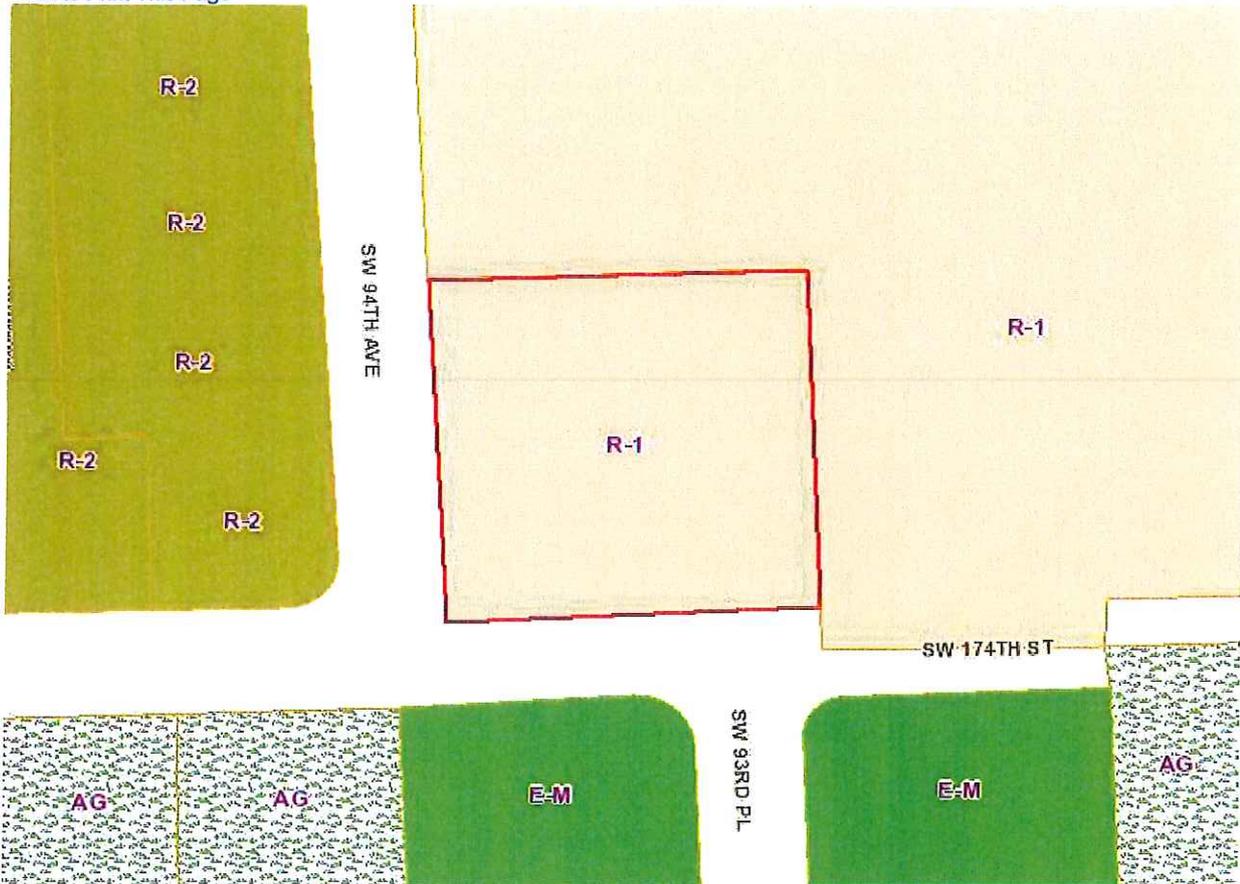
Summary Details:	
Folio:	3350330000770
Site Address:	9395 SW 174 ST Virtual Earth Street View County Permits by Address Open County Permits by Address Property Appraiser Zillow
Mailing Address:	ISABIANCA INVESTMENTS LLC 2460 SW 137 AVE #238 MIAMI, FL 33175

Property Information:	
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	33977 SQ FT
Year Built:	0
Legal Description:	33 55 40 .78 ACS208.75FT OF W208.75FT OF NW1/4OF SE1/4 OF NW1/4 LESS S25FT& LESS W25FTPR ADD 9395 SW 174 STLOT SIZE IRREGULAR

Sale Information:			
Sale Date:	8/2005	0/0	0/0
Sale Amount:	3300000	0	0
Sale O/R:	23700-4475		

Assessment Information:		
Year:	2015	2014
Land Value:	0	186874
Building Value:	0	0
Market Value:	0	186874
Assessed Value:	0	158842
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](#)



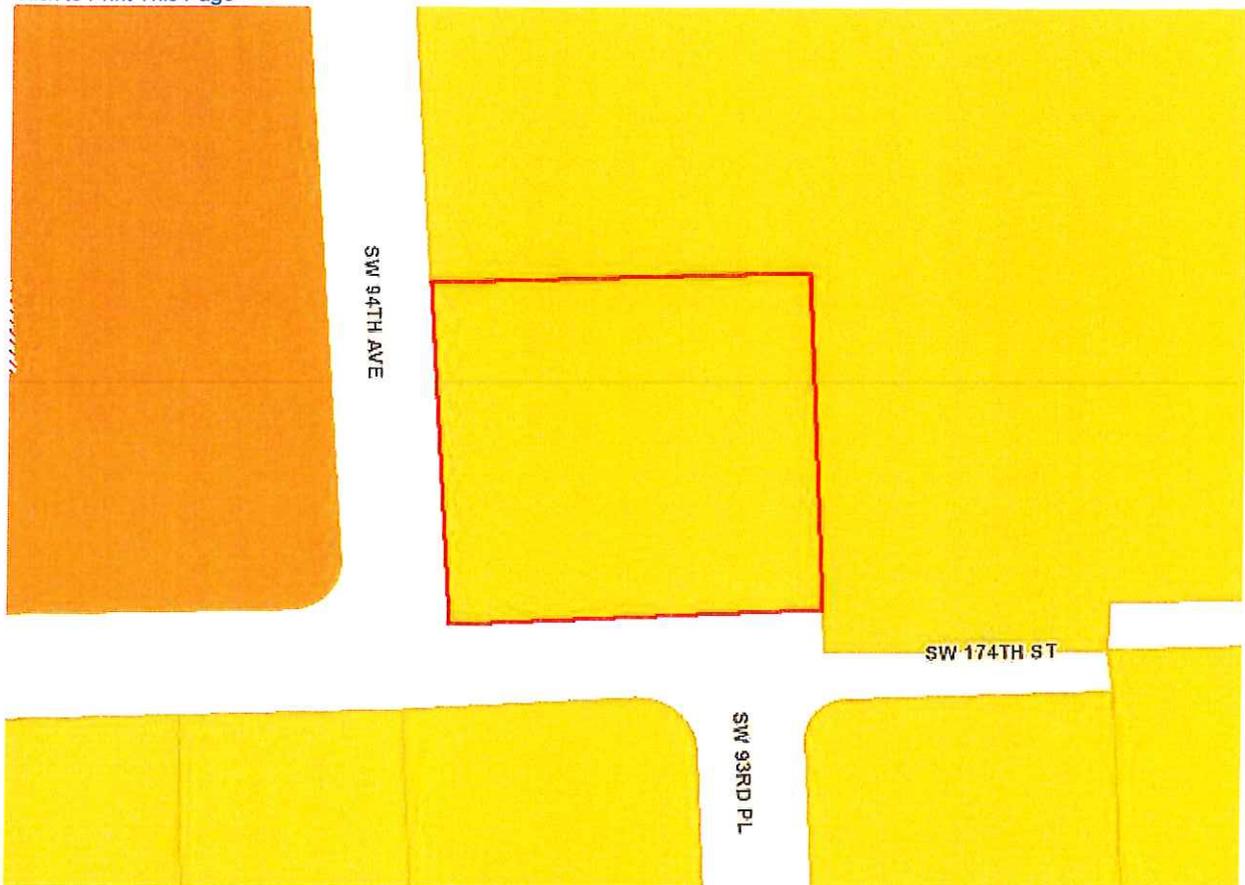
Summary Details:	
Folio:	3350330000770
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Property Information:	
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	33977 SQ FT
Year Built:	0
Legal Description:	33 55 40 .78 ACS208.75FT OF W208.75FT OF NW1/4OF SE1/4 OF NW1/4 LESS S25FT& LESS W25FTPR ADD 9395 SW 174 STLOT SIZE IRREGULAR

Sale Information:			
Sale Date:	8/2005	0/0	0/0
Sale Amount:	3300000	0	0
Sale O/R:	23700-4475		

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Homestead Exemption:	0	0
Senior Exemption:	0	0
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Widow Exemption:	0	0
Disabled Exemption:	0	0
Veteran Exemption:	0	0

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Summary Details:	
Folio:	3350330000770
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Legal Description:	33 55 40 .78 ACS208.75FT OF W208.75FT OF NW1/4OF SE1/4 OF NW1/4 LESS S25FT& LESS W25FTPR ADD 9395 SW 174 STLOT SIZE IRREGULAR

Sale Information:			
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Sale O/R:	23700-4475		

Assessment Information:		
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Homestead Exemption:	0	0
Senior Exemption:	0	0
Agricultural Exemption:	0	0
Widow Exemption:	0	0
Disabled Exemption:	0	0
Veteran Exemption:	0	0

RESOLUTION

ISABIANCA INVESTMENTS, LLC

PLT-14-002A

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RESOLUTION NO. _____

ZONING APPLICATION PLT-14-002a

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; APPROVING THE PLAT OF CERTAIN LANDS WITHIN THE VILLAGE OF PALMETTO BAY AS BOUNDED BY THE HARRIEL ESTATES PLAT TO THE NORTH, SW 174 STREET TO THE SOUTH, SW 93 AVENUE TO THE EAST, AND SW 94 AVENUE TO THE WEST, CREATING PALMETTO BAY ESTATES PLAT CONSISTING OF 2 BLOCKS AND 19 LOTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant, Isabianca Investments LLC, submitted an application to plat certain lands within the Village of Palmetto Bay as bounded by the Harriel Estates Plat to the north, SW 174 Street to the south, SW 93 Avenue to the east, and SW 94 Avenue to the west, bearing Folios Numbers 33-5033-000-0410, 33-5033-000-0770, to create Palmetto Bay Estates Plat consisting of 2 blocks and 19 lots as described at Attachment A; and

WHEREAS, on January 22, 2007 The Mayor and Village Council, operating under the Miami-Dade County code, designated the property RU-1, Single Family Residential, from AU, Agricultural, with a condition, among others, that the land contain no more than nineteen lots to be laid-out in a specified configuration; and

WHEREAS, on August 20, 2009, the Village of Palmetto Bay Mayor and Village Council changed the zoning of the property from RU-1 to R-1, Single Family Residential, when they adopted their own Land Development Code and Official Zoning Map; and

WHEREAS, the property configuration complies with the Land Development Code, the conditions applied by the Mayor and Village Council in 2007, and has been deemed acceptable by the Village's Public Works Department; and

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; and

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 December 15, 2014; and

WHEREAS, the Mayor and Village Council finds, based on substantial competent evidence in the record, that the application for the plat is consistent with the Village of Palmetto Bay Comprehensive Plan and the applicable Land Development Regulations; and

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

48
49 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE
50 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:
51

52 Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as
53 being true and correct and are hereby made a part of this Resolution upon adoption hereof.
54

55 Section 2. A public hearing on the present application was held on September 21,
56 2015, in accordance with the Village's "Quasi-judicial hearing procedures." Pursuant to the
57 testimony and evidence presented during the hearing, the Village Council makes the following
58 findings of fact, conclusions of law and final order.
59

60 Section 3. Findings of fact.

61 a. On January 22, 2007, the Mayor and Village Council designated the property RU-
62 1, Single Family Residential, from AU, Agricultural, with a condition, among others, that the land
63 contain no more than nineteen lots to be laid-out in a specified configuration.
64

65 b. On August 20, 2009, the Village of Palmetto Bay adopted its own zoning code
66 which included rezoning those lands previously zoned RU-1 to R-1, Single Family Residential
67 Zoning district, and in so doing adopted the Village's Official Zoning Map.
68

69 c. The applicant is requesting the Mayor and Village Council to authorize the plat
70 request so that the applicant may finalize the plat application with Miami-Dade County. The
71 applicant seeks to subdivide the property to allow the construction of single-family homes on the
72 newly created lots.
73

74 d. The property configuration complies with the Land Development Code, the
75 conditions from the 2007 rezoning, and has been deemed acceptable by the Village's Public
76 Works Department.
77

78 e. The Department review of the application for consistency with plat requirements
79 at Section 30-80.2(b), entitled "Final Plat Application Requirements", found the application to be
80 in compliance.
81

82 f. The Village Council had no substantive disclosures regarding ex-parte
83 communications and the applicant raised no objections as to the form or content of any
84 disclosures by the Council.
85

86 Section 4. Conclusions of law.

87 The request to plat those lands within the Village of Palmetto Bay as bounded by the
88 Harriel Estates Plat to the north, SW 174 Street to the south, SW 93 Avenue to the east, and SW
89 94 Avenue to the west, bearing Folios Numbers 33-5033-000-0410, 33-5033-000-0770, as more
90 particularly described as:
91

92 The south 208.75 feet of the west 208.75 feet of the NW ¼ of the SE
93 ¼ of the NW ¼ less the south and west 25 feet thereof for road
94 purposes of section 33, township 55 south, range 40 east, lying and

95 being in Miami-Dade County, Florida and the south 66 feet of the
96 north 1/2 of the NW 1/4 of the SE 1/4 of the NW 1/4 less the west 25 feet
97 thereof for right-of-way purposes of Section 33, Township 55 south,
98 Range 40 east, lying and being in Miami-Dade County, Florida and the
99 south 1/2 of the NW 1/4 of the SE 1/4 of the NW 1/4 , less the south
100 208.75 feet of the west 208.75 feet and less the south 25 feet of the SE
101 1/4 of the NW 1/4 of the SE 1/4 of the NW 1/4 for right-of-way purposes
102 lying and being in Section 33, Township 55 south, Range 40 east, lying
103 and being in Miami-Dade County, Florida;

104
105 creating Palmetto Bay Estates Plat, consisting of 2 blocks and 19 lots as described at Attachment
106 A, is found to be in compliance with Section 30-80.2(b).

107
108 Section 5. Order.

109 a. The Village Council authorizes the plat of those lands described at Section 4 of
110 this order; creating "Palmetto Bay Estates Plat", consisting of 2 blocks and 19 lots as further
111 described at Attachment A of this resolution.

112
113 b. This is a final order.

114
115 Section 6. Record.

116 The record shall consist of the notice of hearing, the applications, documents submitted
117 by the applicant and the applicants' representatives to the Village of Palmetto Bay Department of
118 Planning and Zoning in connection with the applications, the county recommendation and
119 attached cover sheet and documents, the testimony of sworn witnesses and documents presented
120 at the quasi-judicial hearing, and the tape and minutes of the hearing. The record shall be
121 maintained by the Village Clerk.

122
123 Section 7. This resolution shall take effect immediately upon approval.

124
125 PASSED and ADOPTED this _____ day of September, 2015.

126
127
128 Attest: _____
129 Meighan Alexander Eugene Flinn
130 Village Clerk Mayor

131
132 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
133 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

134
135
136 _____
137 Dexter W. Lehtinen
138 Village Attorney

141 FINAL VOTE AT ADOPTION:
142
143 Council Member Karyn Cunningham _____
144
145 Council Member Tim Schaffer _____
146
147 Council Member Larissa Siegel Lara _____
148
149 Vice-Mayor John DuBois _____
150
151 Mayor Eugene Flinn _____
152

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This Resolution was filed in the Office of the Village Clerk on this ____ day of September, 2015.

Meighan Alexander
Village Clerk

ATTACHMENT "A"

PLAT

ISABIANCA INVESTMENTS, LLC
PLT-14-002A

LEGAL DESCRIPTION:

THE SOUTH 208.75 FEET OF THE WEST 208.75 FEET OF THE NW 1/4 OF THE SE 1/4 OF THE NW 1/4 LESS THE SOUTH AND WEST 25 FEET THEREOF FOR THE PURPOSES OF SECTION 33, TOWNSHIP 6S SOUTH, RANGE 40 EAST LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

FOLIO # 33-5038-000-0770

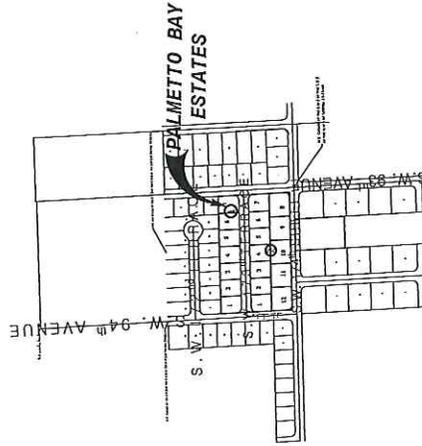
DESCRIBED AS FOLLOWS:

THE SOUTH 66 FEET OF N 1/2 OF THE N.W. 1/4 OF THE S.E. 1/4 OF THE N.W. 1/4 AND THE SOUTH 1/3 OF THE N.W. 1/4 OF THE S.E. 1/4 OF THE N.W. 1/4 LESS THE SOUTH 208.75 FEET OF THE WEST 208.75 FEET AND LESS R/W OF SECTION 33, TOWNSHIP 3S SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA.

FOLIO # 33-5038-000-0410

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT: THE ARE NO EXISTING STRUCTURES OR IMPROVEMENTS OF RECORD OTHER THAN THOSE SHOWN HEREON, AND THAT THIS "BOUNDARY SURVEY" HAS BEEN PREPARED AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, BELIEF, AND MEETS THE "MINIMUM TECHNICAL STANDARDS", AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS, IN CHAPTER 61G17-5, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.



LOCATION SKETCH
SCALE: 1" = 300'

- SURVEYOR'S NOTES:**
1. ELEVATION OF ANY PART OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS OF ANY SECTION.
 2. LOCATION AND IDENTIFICATION OF UTILITIES AND EASEMENTS ARE SHOWN IN ACCORDANCE WITH RECORDED PLAT, IF ANY.
 3. OWNERSHIP IS SUBJECT TO "OPINION OF TITLE".
 4. TYPE OF SURVEY: "BOUNDARY SURVEY & TENTATIVE PLAT".
 5. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A LICENSED SURVEYOR AND MAPPER.
 6. ALL ELEVATIONS ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929.
 7. THIS SURVEY HAS A TRVERSE CLOSURE OF 0.001 FEET IN 7,600 FEET.
 8. THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE.
 9. PROPERTY ZONING: R-1
 10. NUMBER OF ACRES: 6.26 ACRES, MORE OR LESS
 11. NUMBER LOTS: 19 LOTS
 12. SERVICE: CENTRAL
 13. FLOOD ZONE: X
 14. FLOOD CRITERIA ELEVATION: 8.30
 15. ELEVATIONS ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929.
 16. BEARINGS ARE BASED ON A STATE PLANE COORDINATE SYSTEM FLORIDA EAST ZONE 1974 ADJUSTMENT WHERE THE CENTERLINE OF SW 173RD TERRACE, BEARS N87°53'55"E
 17. PUBLIC WATER: MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT.
 18. SANITARY SEWER: MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT.

FLOOD INSURANCE RATE MAP (FIRM) INFORMATION:

PANEL NUMBER: 12060C1002L
SUFFIX: L
PANEL REVISED DATE: 09/11/2009
BASE FLOOD EL.: N/A AS PER DADE COUNTY, FLORIDA.
FLOOD ZONE: X
BENCH MARK USED: BM.# BC-12-R ELEVATION= 12.24 FT N.G.V.D.

		JUAN R. MARTINEZ & ASSOCIATES, INC. <small>ENGINEERS - LAND PLANNERS - LAND SURVEYORS</small> <small>8550 WEST FLAGLER STREET, SUITE 107, APT. 1, FLORIDA, 33411, PHONE (813) 882-7007 FAX (850) 585-2018</small>	
BY:	JUAN R. MARTINEZ <small>PROFESSIONAL LAND SURVEYOR NO.: 2160</small> <small>STATE OF FLORIDA</small> <small>CERTIFICATE NO. C.T. 1751</small>		<small>FILE NO.</small> <small>DATE: 09-30-2014</small>
	<small>CHECKED BY: J.R.M.</small> <small>DATE: 09-30-2014</small>	<small>ORDER NO.</small>	<small>SCALE: 1" = 300'</small> <small>SHEET NO. 1 OF 2 SHEETS</small>

BOUNDARY SURVEY & TENTATIVE PLAT
PALMETTO BAY ESTATES

T - 23521

FOR: ISABLANCA LLC.

MYLAR PENDING

POSTING & MAILING

ISABIANCA INVESTMENTS, LLC
PLT-14-002A



VILLAGE OF PALMETTO BAY NOTICE OF ZONING PUBLIC HEARING

The Village of Palmetto Bay shall conduct a zoning public hearing on Monday, September 21, 2015, 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 item is being considered pursuant to Division 30-80 of the Village's Land Development Code:

Applicant: Isabianca Investments, LLC

Folio numbers: 33-5033-000-0410, 33-5033-000-0770

File #: PLT-14-002

Location: 9335 & 9395 SW 174 Street Palmetto Bay, FL 33157

Zoned: R-1

Request: A request to plat certain lands within the Village of Palmetto Bay as bounded by the Harriel Estates Plat to the north, SW 174 Street to the south, SW 93 Avenue to the east, and SW 94 Avenue to the west, creating Palmetto Bay Estates Plat consisting of 2 blocks and 19 lots.

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: PLT-14-002
APPLICANT NAME: Isabianca Investments, LLC
FOLIO: 33-5033-000-0410, 33-5033-000-0770
PROJECT LOCATION: 9335 & 9395 SW 174 Street Palmetto Bay, FL 33157

REQUEST: A request to plat certain lands within the Village of Palmetto Bay as bounded by the Harriell Estates Plat to the north, SW 174 Street to the south, SW 93 Avenue to the east, and SW 94 Avenue to the west, creating Palmetto Bay Estates Plat consisting of 2 blocks and 19 lots.

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 21, 2015, 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**

HEARING NUMBER: PLT-14-002
APPLICANT NAME: Isabianca Investments, LLC
FOLIO: 33-5033-000-0410, 33-5033-000-0770
PROJECT LOCATION: 9335 & 9395 SW 174 Street Palmetto Bay, FL 33157

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APPLICANT NAME: Isabianca Investments, LLC
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PROJECT LOCATION: 9335 & 9395 SW 174 Street Palmetto Bay, FL 33157

REQUEST: A request to plat certain lands within the Village of Palmetto Bay as bounded by the Harriell Estates Plat to the north, SW 174 Street to the south, SW 93 Avenue to the east, and SW 94 Avenue to the west, creating Palmetto Bay Estates Plat consisting of 2 blocks and 19 lots.

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08/21/2015



08/21/2015

SW 93 AVE



ZONING HEARING
 PERTAINING TO THIS PROPERTY TO BE
 HELD AT **VILLAGE HALL**
 ADDRESS **9705 E HIBISCUS STREET**
 DATE **SEPT 21, 2015**
 TIME **7:00 PM**
 HEARING No: **PLT-14-002**
 FOR FURTHER DETAILS CALL: **305-259-1271**
 VILLAGE OF PALMETTO BAY
 DEPARTMENT OF
 PLANNING AND ZONING

08/21/2015



ZONING HEARING
 PERTAINING TO THIS PROPERTY TO BE
 HELD AT **VILLAGE HALL**
 ADDRESS **9705 E HIBISCUS STREET**

PURPOSE OF HEARING:

VILLAGE OF PALMETTO BAY
NOTICE OF ZONING PUBLIC HEARING
 The Village of Palmetto Bay, Florida, is holding a public hearing on the proposed rezoning of the property located at 9705 E Hibiscus Street, Palmetto Bay, Florida. The rezoning is from the current zoning to a new zoning. The purpose of the hearing is to allow the public to provide input on the proposed rezoning. The hearing will be held on September 21, 2015, at 7:00 PM at the Village Hall. For further details, please call 305-259-1271.



FOR FURTHER DETAILS CALL:
305-259-1271

VILLAGE OF PALMETTO BAY
 DEPARTMENT OF
 PLANNING AND ZONING

DATE:
SEPT 21, 2015

TIME:
7:00 PM

HEARING No:
PLT-14-002

08/21/2015

5/1 94 A/F



SW 174 ST

APPLICATION

ISABIANCA INVESTMENTS, LLC

PLT-14-002A

Isabianca Investments, LLC
2460 S.W. 137 Avenue
Suite 238
Miami, FL 33175

November 4, 2014

Village of Palmetto Bay
Department of Planning and Zoning
9705 E. Hibiscus Street
Palmetto Bay, Florida 33157

Re: Final Plat Application for property located at:
-9335 S.W. 174 Street, Palmetto Bay, FL 33157 (33-5033-000-0410)
-9395 S.W. 174 Street, Palmetto Bay, FL 33157 (33-5033-000-0770)
Owner: Isabianca Investments, LLC

To Whom It May Concern:

We respectfully request that the Board approve this application for final plat for the above referenced property. Our intent is to build nineteen (19) single family homes in accordance with Resolution No. 07-12, Zoning application 06-12-VPB-1 (05-329).

Should you require additional information, please contact me at 305-485-5501.

Sincerely,



Alvaro L. Adrian
Manager

RECEIVED
Zoning Department

11/4/2014

Village of Palmetto Bay
Building & Zoning Department



PLT-2014 002



SEC: TWR: RGE: RECEIVED Zoning Department

11/4/2014

Village of Palmetto Bay Building & Zoning Department

By: [Signature]

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

LIST ALL FOLIO #S: 33-5033-000-0410 33-5033-000-0770 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).

ISABIANCA INVESTMENTS, LLC

2. APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:

Mailing Address: 13780 SW 26 STREET # 108 City: MIAMI State: FL Zip: 33175 Phone#: 305-485-5501

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

Owner's Name (Provide name of ALL owners): ISABIANCA INVESTMENTS, LLC 2460 SW 137 AVENUE #238 City: MIAMI State: FL Zip: 33175 Phone#: 305-485-5501

4. CONTACT PERSON'S INFORMATION:

Name: Company: ADRIAN BUILDERS CONTACT: MICHELLE DE TIRADO City: MIAMI State: FL Zip: 33175 Cell Phone#: Phone#: 305-485-5501 Fax#: 305-485-5502 E-mail: mdetirado@adrianbuilders.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.)

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

9335 & 9395 S.W. 174 STREET PALMETTO BAY, FL

7. SIZE OF PROPERTY (in acres): 4.69 (divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property [X] acquired [] leased: 9. Lease term: years (month & year)

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: 0081 VACANT RESIDENTIAL

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 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: NONE

17. Is there any existing use on the property? no yes. If yes, what use and when established?
Use: _____ Year: _____

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

Attest: _____

Authorized Signature

Office Held

(Corp. Seal)

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

Notary Public: _____
Commission Expires: _____

PARTNERSHIP AFFIDAVIT

(I)(WE), ALVARO L. ADRIAN, 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 [Signature] _____ %

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

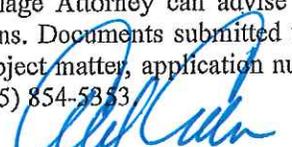
Sworn to and subscribed to before me
This ____ day of _____, ____.

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. 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. 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 as 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) 854-5333.


(Applicant's Signature)

ALVARO L. AGERAN
MANAGER (Print Name)

Sworn to and subscribed before me this 31 day of October, 2014. Affiant is personally known to me or has produced _____ as identification.

(Notary Public)

My commission expires _____

FORM ZH-0107-04



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: _____

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

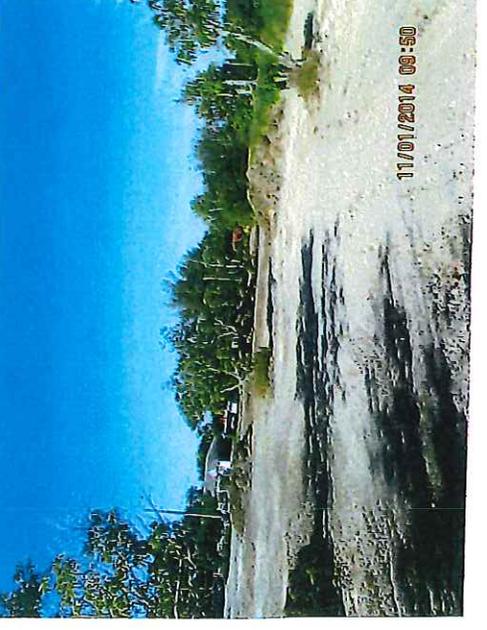
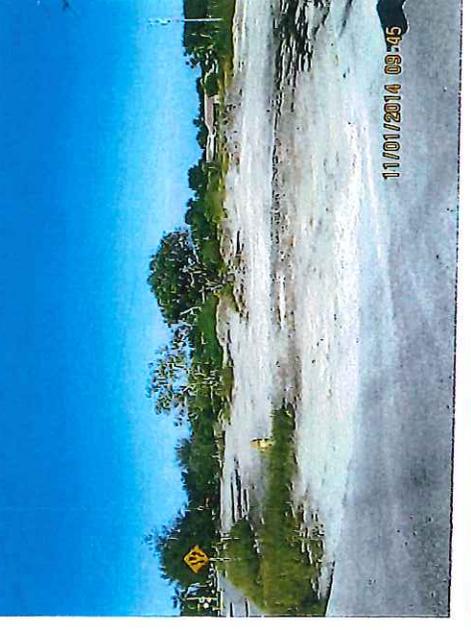
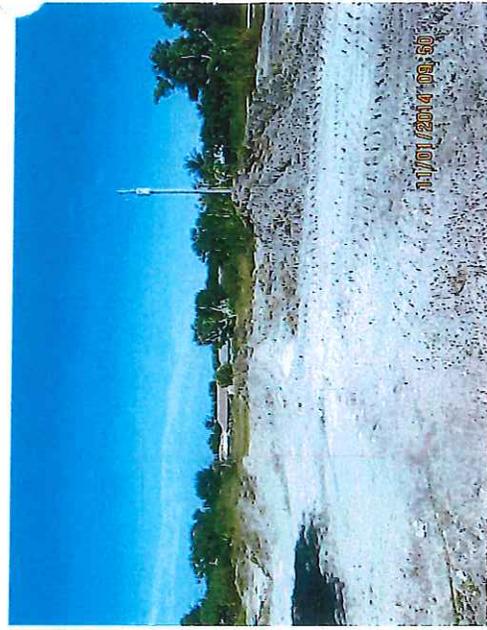
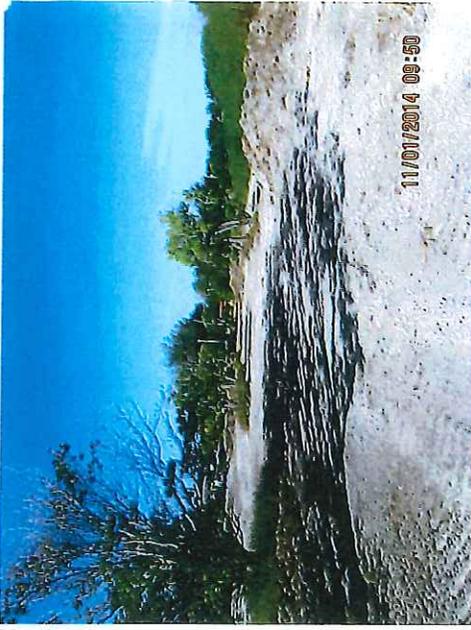
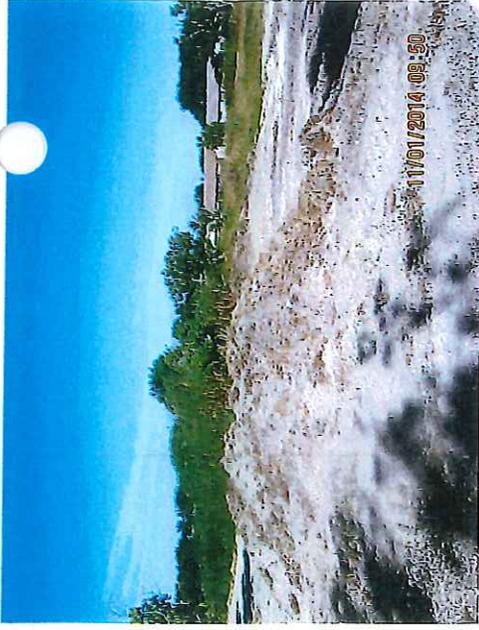
<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____

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: ISABIANCA INVESTMENTS, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
<u>CARMEN L. OCHOA</u> <u>2460 SW 137 AVE, #238, MIAMI, FL 33175</u>	<u>1 %</u>
<u>PEYRO ADRIAN, AS TRUSTEE OF THE</u> <u>ADRIA MARIA ALMEIDA REVOCABLE TRUST</u> <u>2460 SW 137 AVE, #238, MIAMI, FL 33175</u>	<u>99%</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].





This instrument was prepared by and when recorded return to:
Michelle De Tirado
Adrian Builders, Ltd.
13780 SW 26 Street, #108
Miami, FL 33175

CFN 2014RD741246
 OR Bk 29364 Pgs 2873 - 28751 (3pgs)
 RECORDED 10/27/2014 10:10:54
 HARVEY RUVIN, CLERK OF COURT
 MIAMI-DADE COUNTY, FLORIDA

(Space reserved for Clerk)

DECLARATION OF RESTRICTIVE COVENANT

KNOW ALL BY THESE PRESENTS that the undersigned Owner, Isabianca Investments, LLC, a Florida limited liability company, hereby declares and imposes on the land herein described, this covenant running with the title to the land, which shall be binding on the Owner, all heirs, successors and assigns, personal representatives, mortgagees lessees, and against all person claiming by, through or under them; and

WHEREAS, Owner holds the fee simple title to the land, hereinafter called the "Property", in the Village of Palmetto Bay, Florida, described in Exhibit "A," attached hereto and made a part hereof; and

WHEREAS, the undersigned Owner(s) desires to develop the Property as 19 platted residential lots; and

WHEREAS, the Owner declare(s) that this covenant is intended and shall constitute a restrictive covenant concerning the use, enjoyment and title to the Property and may only be released by the Village of Palmetto Bay, or its successors, in accordance of said Village therein effect.

NOW THEREFOR, the Owner hereby declares and agrees as follows:

1. That the above recitals are true and are hereby incorporated into this declaration by reference.
2. That this Declaration is entered into pursuant to Resolution No. 07-12 passed and adopted on the 22nd day of January, 2007.
3. That the development of the Property shall be restricted to 19 platted lots, with the number of parcels fronting SW 174 Street to be five and the parcels facing SW 174 Terrace to be reduced from 16 to 14 (7 parcels each, facing SW 174 Terrace).

[Execution Page to Follow]



IN WHITNESS WHEREFORE, the undersigned has/have _____ hand(s) and seal(s) to be affixed hereto on this 24th day of Oct, 2014.

WITNESS

Michelle De Tirado

Signature and Print
MICHELLE DE TIRADO

Esther Burgos

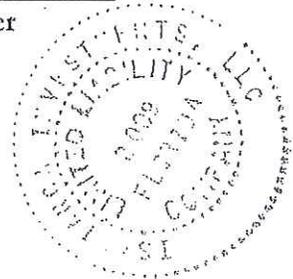
Signature and Print
ESTHER BURGOS

OWNER:

Isabianca Investments, LLC.

Alvaro L. Adrian

Alvaro L. Adrian, Manager



STATE OF FLORIDA):
COUNTY OF DADE):

I HEREBY CERTIFY that on this day personally appeared before me Alvaro L. Adrian who is personally known to me or has produced _____ (type of identification) as identification and he/she acknowledge that he/she executed the forgoing, freely and voluntarily, for the purposes there in expressed.

SWORN TO AND SUBSCRIBE before me on this 24 day of October, 2014.

My *Beatriz Ramos*
NOTARY PUBLIC STATE

commission
EE 149161

expires:

Nov 27, 2015

OF FLORIDA.



EXHIBIT 'A'

LEGAL DESCRIPTION:

THE SOUTH 208.75 FEET OF THE WEST 208.75 FEET OF THE NW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ LESS THE SOUTH AND WEST 25 FEET THEREOF FOR THE ROAD PURPOSES OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 40 EAST LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

FOLIO #:33-5033-000-0770

DESCRIBED AS FOLLOWS:

THE SOUTH 66 FEET OF N $\frac{1}{2}$ OF THE N.W. $\frac{1}{4}$ OF THE S.E. $\frac{1}{4}$ OF THE N.W. $\frac{1}{4}$ AND THE SOUTH $\frac{1}{2}$ OF THE N.W. $\frac{1}{4}$ OF THE S.E. $\frac{1}{4}$ OF THE N.W. $\frac{1}{4}$ LESS THE SOUTH 208.75 FEET OF THE WEST 208.75 FEET AND LESS R/W OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA.

FOLIO #:33-5033-000-0410

STATE OF FLORIDA, COUNTY OF DADE

HEREBY CERTIFY that this is a true copy of the
original filed in this office on 17 day of
July A.D. 2004

WITNESS my hand and Official Seal.

HARVEY RUVIN, CLERK, of Circuit and County Courts

By Loretta Marshall D.C.

LORETTA MARSHALL #208068





To: Meighan Alexander
Village Clerk

Date: September 8, 2015

From: Darby P. Delsalle, AICP, Director
Department of Planning and Zoning

RE: VPB-14-002

Pursuant to Section 30-30.12(a), Michelle De Tirado, on behalf of the applicant Isabianca Investments, LLC., has submitted the following supplemental information. Attached please find the following documents to be distributed as part of the Isabianca Investments LLC, public hearing item:

- An executed agreement for construction and maintenance of subdivision improvements
- A letter of credit by Gibraltar Bank
- A copy of the subdivision bond approved by the Village of Palmetto Bay
- A copy of the plat

Isabianca Investments, LLC
2460 S.W. 137 Avenue
Suite 238
Miami, FL 33175

September 4th, 2015

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

Re: Final Plat – Palmetto Bay Estates

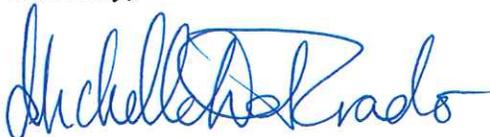
Dear Mr. Delsalle:

We hereby submit to you the following:

- The original final plat (2 pages of mylar) signed by Isabianca Investments, LLC
- The original executed Agreement for Construction and Maintenance of Subdivision Improvements
- The original Letter of Credit by Gibraltar Bank
- Copy of the Subdivision Bond Estimate approved by the Village of Palmetto Bay

Should you require additional information, please contact Mr. Alvaro L. Adrian at 305-485-5501.

Sincerely,



Michelle De Tirado

Received by: _____

DARBY DELSALLE

Print Name: _____

Date: _____

9/4/15

**AGREEMENT FOR CONSTRUCTION AND MAINTENANCE OF
SUBDIVISION IMPROVEMENTS**

KNOWN ALL MEN BY THESE PRESENTS: That

WHEREAS: ADRIAN BUILDERS AT PALMETTO BAY ESTATES, LLLP

(hereinafter referred to as the owner) concurrently with the delivery of this agreement has applied to Village of Palmetto Bay, a municipal corporation, lying in Miami-Dade County, State of Florida (hereinafter referred to as the Village), for approval by the Village Council of a certain land development projects to be known as (as it appears on the plat):

PALMETTO BAY ESTATES

a copy of which plans are attached hereto and made a part hereof as "Exhibit A", on which said plans are shown areas offered by the Owner to be dedicated to public use as streets, alleys, and other right-of-way; and

WHEREAS, it is necessary in the public interest that improvements within the areas offered to be dedicated be constructed in accordance with the specifications hereinafter set forth: and

WHEREAS, Chapter 28 of Miami-Dade County Code of Ordinances, provides that no plat of platted land lying within the Village of Palmetto Bay shall be approved by the Village Council unless a good and sufficient bond be furnished to the Village conditioned upon the construction and maintenance for not less than one year of certain subdivision improvements and a two-year maintenance period for drainage in accordance with specifications and within such time or times as may be required by the Village; and

WHEREAS, pursuant to section 9.04 of the Supremacy Clause of the Miami-Dade County Constitution and section 28-2 of Miami-Dade County's Code of Ordinances, the Village upholds the Miami-Dade County plating provisions as provided at Chapter 28 of the Miami-Dade County Code of Ordinances.

NOW, THEREFORE, in consideration of the approval of said plat improvement plans by the Village Council and acceptance of the dedication of said areas as public streets, alleys and other right-of-way, the Owner does hereby unconditionally promise and agree to and with the Village as follows:

1. Within twelve months or at time of final inspection of any improvement, whichever occurs prior in time from and after the date of approval of said plans, the Owner will construct and, after acceptance thereof by the Village, will maintain for a period of not less than one year the following listed improvements: (those listed on estimate approved by the Village)

MOBILIZATION; CLEARING, GRUBBING ETC; 400 LIN.FT. 10' PAVEMENT.; 620 LIN. FT. 20' PAVEMENT.; 5 RETURNS;
TRANSITION; 2,497 LIN. FT. 5' SIDEWALK; DRAINAGE AMOUNT FROM APPROVED P&D PLANS; 4 STREET NAME SIGNS;

STRIPING AMOUNT FROM APPROVED P&D PLANS; 6 DETECTABLE WARNING SURFACES; LIGHTING; OTHERS
(LANDSCAPING, ETC.); 6 PCP; 47 LOT CORNERS.

and maintain the drainage system for a period of not less than two years

Permanent Control Points: _____ Permanent Reference Monuments _____ Lot Corners _____

Provided however, that if the time for such construction be extended by the Village because of unusual circumstances the construction shall be completed within such time as extended. Construction of improvements shall be in accordance with the following specifications:

Permanent Control Points and Permanent Reference Monuments shall be set prior to the release of the bond or other surety. In addition, monuments shall be set at all lot corners, point of intersections, and changes of direction of lines within the subdivision which do not require a Permanent Reference Monument of a Permanent Control Point.

SPECIFICATIONS FOR STREET PAVEMENTS

Street shall be constructed in accordance with current Miami-Dade County Specifications for Secondary Road Construction and Residential Streets, unless the Village shall have imposed more stringent standards, then the more stringent standards shall control.

SPECIFICATIONS FOR HIGHWAY SIGNS

Highway signs shall be constructed and erected in accordance with current Miami-Dade County Specifications for Standard Street Signs, unless the Village shall have imposed more stringent standards, then the more stringent standards shall control.

SPECIFICATIONS FOR SIDEWALK

Sidewalk shall be constructed in accordance with current Miami-Dade County Specifications for Sidewalks Construction.

SPECIFICATIONS FOR NECESSARY FILL, DRAINAGE WELL, CULVERTS, GUTTERS, SEWERS AND OTHER NECESSARY DRAINAGE FACILITIES

The Owner shall provide for the drainage of all lands, streets and driveways included within the subdivision in accordance with good engineering principles and practices, the same to be approved by the Village's Public Works Department. Low lying land shall be filled to an elevation above general flood level to avoid frequent and periodic flooding. General flood level in any area will be defined by the Director of the Public Works. Ditches, storm sewers, culverts, catch basins, dry wells and other drainage provisions shall be built by the Owner as required to prevent excessive and prolonged local ponding of water. Such installation shall be designed and constructed in accordance with current Miami-Dade County Specifications, unless the Village shall have imposed more stringent standards, then the more stringent standards shall control.

In general, filling of the land or construction of drainage facilities shall be planned in such a manner as to avoid creating any added problem to private or public properties near the subdivision.

2. In accordance with Chapter 28 of the Code of Miami-Dade County, Florida, the Owner tenders to the Village a cash bond executed by the Owner, as Principal, the amount of \$ 365,963.83, which amount is not less than 110 per cent of the estimated cost of the construction and maintenance of the subdivision improvements listed herein.

In the event the Owner shall fail or neglect to fulfill his obligations under the agreement the Village shall have the right to construct and maintain, or cause to be constructed and maintained pursuant to public advertisement and receipt and acceptance of bids, said uncompleted subdivision improvements; and the Owner agrees that upon completion of such construction and maintenance, the final total cost to the Village thereof, including but not limited to engineering, legal and contingent costs and expenses, together with any damages either direct or consequential, which Village may sustain on account of failure of the Owner to carry out and execute all the provisions of this agreement shall be paid from the cash bond so deposited.

The penal sum herein above stipulated and deposited is not a limitation upon the liability of the Owner to the Village. In the event suit is instituted by the Village through the Village Attorney upon this agreement or bond it is stipulated and agreed that in addition to the actual costs and expenses of litigation, the Village shall recover as its legal expense an amount equal to \$100.00 plus ten per cent of the amount recovered by the Village. In the event the Village is represented by outside counsel, the cost thereof shall be borne by the Owner.

The Owner's bond is attached hereto as "Exhibit B" and is made part of this agreement.

Any monies collected from the cash bond that are not expended in the payment of all costs pertaining to completion action shall be returned to the Owner by the Finance Director.

IN WITNESS WHEREOF, the Owner has executed these presents this 1st day of September, 20 15

WHEN THE OWNER IS AN INDIVIDUAL, JOINT VENTURE, LLC, OR A PARTNERSHIP
Signed, sealed and delivered in the presence of:

Witness(es)
Michelle Prado

Signature

MICHELLE DE TIRADO

Print Name

Signature
Marilyn C. Rivas

Print Name

MARILYN CRIVAS

Owner(s)
ADRIAN BUILDERS AT PALMETTO BAY, LLLP

Alvaro L. Adrian

Signature: Alvaro L. Adrian, President of the General Partner, Adrian Builders at Palmetto Bay, Inc.

Print Name

Owner's Address:

2460 S.W. 137 AVE, # 245

MIAMI, FL 33175

WHEN THE OWNER IS A CORPORATION

ATTEST:

Secretary

CORRECT NAME OF CORPORATION

BY: _____
PRESIDENT/VICE PRESIDENT

OR TWO WITNESSES:

PRINT NAME

AFFIX CORPORATE SEAL

CORPORATE ADDRESS:

“EXHIBIT B”

**CASH PERFORMANCE
BOND FOR
SUBDIVISION
IMPROVEMENTS**

KNOWN ALL MEN BY THESE PRESENTS:

That, Adrian Builders at Palmetto Bay Estates, LLLP, hereinafter called the Principal, is held and firmly bound unto the Village of Palmetto Bay, a municipal corporation, lying in Miami-Dade County, State of Florida, in the penal sum of Three Hundred Sixty-Five Thousand Nine Hundred Sixty-Three Dollars and Eighty-Three Cents (\$ 365,963.83), which sum is deposited by the Principal in cash with the Finance Director of the Village of Palmetto Bay, for the faithful performance of a certain written agreement dated _____, given by the Principal to the Village of Palmetto Bay, for the construction and maintenance of subdivision improvements known as: PALMETTO BAY ESTATES a copy of which agreement is attached and by this reference made part hereof.

NOW, THEREFORE, the conditions of the obligation are such that if the Principal shall comply in all respects with the terms and conditions of said agreement, with the times therein specified, and shall in every respect fulfill his obligations thereunder, this obligation shall be void and the cash bond sum deposited shall be returned without interest to the Principal by the Finance Director, otherwise this obligation shall remain in full force and the Principal, its heirs, executors, administrators, successors, and assigns do hereby irrevocably agree that within the time limit specified in this agreement, the Village Finance Director; upon certificate of the Village Public Works Director that the Owner has failed to complete the improvements, shall collect the full sum deposited which shall be applied to the construction of those improvements not completed by the Owner. Upon receipt of the total amount of money deposited, the Village shall proceed as rapidly as possible to construct and maintain, or cause to be constructed or maintained pursuant to public advertisement and receipt and acceptance of bids, said uncompleted subdivision improvements, and the owner agrees that upon completion of such construction and maintenance, the final total cost to the Village thereof, including but not limited to engineering, legal and contingent costs and expenses, together with any damages either direct or consequential, which the Village may sustain on account of the failure of the Owner to carry out and execute all the provisions of this agreement shall be paid from the monies previously collected from the cash deposit.

The penal sum herein above stipulated and deposited is not a limitation upon the liability of the Principal to the Village. In the event suit is instituted by the Village through the Village Attorney upon this agreement or bond, it is stipulated and agreed that in addition to the actual costs and expenses of litigation, the Village shall recover as its legal expense an amount equal to \$100.00 plus ten per cent of the amount recovered by the Village. Any monies collected from the cash bond that are not expended in the payment of all costs pertaining to completion action shall be returned to the Owner by the Finance Director.

IN WITNESS WHEREOF, the Owner has executed these presents this 1st day of September, 2015

WHEN THE OWNER IS AN INDIVIDUAL, JOINT VENTURE, LLC, OR A PARTNERSHIP
Signed, sealed and delivered in the presence of:

Witness(es)

Michelle Tirado
Signature

MICHELLE DE TIRADO
Print Name

Marilyn C Rivas
Signature

MARILYN C RIVAS
Print Name

Entity/Owner(s)
ADRIAN BUILDERS AT PALMETTO BAY, LLLP

Alvaro L. Adrian
Signature: Alvaro L. Adrian, President of the General Partner, Adrian Builders at Palmetto Bay, Inc.

Print Name

Owner's Address:

2460 S.W. 137 AVE, #245
MIAMI, FL 33175

WHEN THE OWNER IS A CORPORATION

ATTEST:

Secretary

CORRECT NAME OF CORPORATION

BY: _____
PRESIDENT/VICE PRESIDENT

PRINT NAME

AFFIX CORPORATE SEAL

CORPORATE ADDRESS:

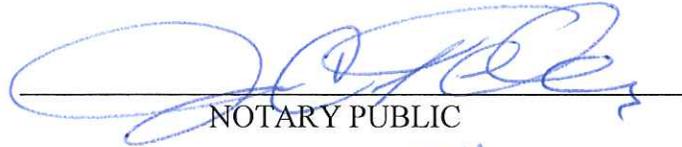
INDIVIDUAL, LLC, JOINT VENTURE OR PARTNERSHIP

STATE OF Florida)

COUNTY OF Miami Dade)

I hereby certify that on this 1 day of September, A.D. 2015 before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Alvaro L. Adrian to me well known, or to me proven, by producing the following identification: FDL: to be the person(s) described in.

WITNESS my signature and official seal at 2460 SW 137 Avenue, in the County and State aforesaid, the day and year last aforesaid.



NOTARY PUBLIC

Juan C. Tellez

PRINT NAME

NOTARY PUBLIC, STATE OF: Florida

NOTARY SEAL/STAMP



COMMISSION EXPIRES: _____

COMMISSION SERIAL NO.: _____

CORPORATION

STATE _____)

COUNTY OF _____)

I hereby certify that on this ___ day of _____, 20____, before me appeared _____
_____ and _____ known by

me to be _____ President and _____ Secretary, respectively of _____

_____, a Corporation organized under the laws
of the State of _____ personally known

to me or who has/have produced _____ and _____

respectively as identification and did/did not take an oath, has/have signed the foregoing instruments as such
officers and severally acknowledged the execution thereof to be their free act and deed as such officers for
the uses and purposes therein mentioned and that they affirmed thereto the official seal of said Corporation,
and that the said instrument is the act and deed of said Corporation.

WITNESS my signature and official seal at _____, in the County and State aforesaid, the day
and year last aforesaid.

NOTARY PUBLIC

PRINT NAME

NOTARY PUBLIC, STATE OF _____

MY COMMISSION EXPIRES: _____

COMMISSION/SERIAL NO.: _____

NOTARY SEAL/STAMP

GIBRALTAR PRIVATE

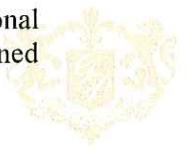
Bank & Trust

September 3, 2015

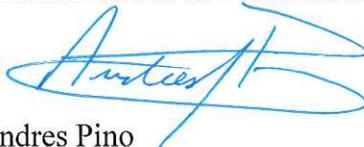
Village of Palmetto Bay
Finance Department
9705 E. Hibiscus Street
Palmetto Bay, FL 33157

Re: Irrevocable Letter of Credit No.: 70218

1. We hereby authorize you to draw on us by and for the account of **Adrian Builders at Palmetto Bay Estates, LLLP, a Florida Limited Partnership** company up to aggregate amount of **Three Hundred Sixty-Five Thousand Nine Hundred sixty Three and 83/100 U.S. Dollars (\$365,963.83)** available by your drafts at sight when accompanied by a Permit application for work within the public right-of-way.
2. This Letter of Credit shall be valid until **September 3, 2016** and thereafter be automatically renewed for successive one-year periods upon the anniversary of its issue unless at least sixty (60) days prior to any such anniversary date we notify you in writing that we elect not to so renew this Letter of Credit.
3. Drafts must be drawn and negotiated not later than 5:00 p.m. Eastern Time on **September 3, 2016** or the last day of any renewal period. Each draft must state that it is "drawn under letter of credit **70218 dated September 3, 2015**" of the Gibraltar Private Bank & Trust Company, 55 Alhambra Plaza, Coral Gables, FL 33134 and the amount thereof endorsed on this Letter of Credit and also on our correspondent's advice of this credit. We hereby agree with the drawers, endorsers, and bona fide holders of all drafts under and in compliance with the terms of this credit, that such drafts will be duly honored upon presentation to the drawee.
4. All communication to us with respect to this Letter of Credit must be addressed to our office located at 55 Alhambra Plaza, Coral Gables, FL 33134 to the attention of the Credit Department.
5. This Letter of Credit is not transferable without our express written consent.
6. Partial drawings are permitted.
7. This Letter of Credit is issued subject to the International Standby Practices (1998), International Chamber of Commerce Publication No. 590 ("ISP98"). This Letter of Credit shall also be governed by the laws of the State of Florida to the extent not inconsistent with ISP98.



GIBRALTAR PRIVATE BANK & TRUST COMPANY



Andres Pino
Vice President, Private Banker

Re: Irrevocable Letter of Credit No.: 70218

SATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing document was acknowledged before me this 3 day of September, 2015, by Andres Pino, as Vice President of GIBRALTAR PRIVATE BANK & TRUST COMPANY, on behalf of the Company. Who is personally known to me.



Name:
Notary Public, State of Florida

My commission expires:



MIAMI-DADE COUNTY, FLORIDA



ESTIMATE OF IMPROVEMENTS
FOR SUBDIVISION BOND

PUBLIC WORKS DEPARTMENT
SUITE 1610
111 N.W. 1ST STREET
MIAMI, FLORIDA 33128

SUBDIVISION NAME: PALMETTO BAY ESTATES		ESTIMATOR: Juan R. Martinez	
TENTATIVE NO.: 23921	DATE: 6-17-15	COUNTY ESTIMATOR:	

	COUNTY ESTIMATOR:	ESTIMATOR:
LS MOBILIZATION	\$6,000.00	6000 ⁰⁰
LS CLEARING, GRUBBING, ETC.	\$6,000.00	6000 ⁰⁰
PAVEMENT (BASE & SUB-BASE)		
CUL DE SAC		
400 LIN. FT. <u>10'</u> PAVEMENT	456 S.Y.	
620 LIN. FT. <u>20'</u> PAVEMENT	1445 S.Y.	
_____ LIN. FT. _____ PAVEMENT	_____ S.Y.	
_____ LIN. FT. _____ PAVEMENT	_____ S.Y.	
_____ LIN. FT. _____ PAVEMENT	_____ S.Y.	
5 RETURNS @ 38 S.Y. EA.	190 S.Y.	
LS TRANSITION	_____ S.Y.	
TOTAL S.Y. OF PAVING @ \$17.00	2091 S.Y.	
	* 22.00	
_____ MILLING @ \$4.00 S.Y.	_____	_____
_____ RESURFACING @ \$7.00 S.Y.	_____	_____
CONCRETE WORK		
1360 LIN. FT. <u>5'</u> SIDEWALK @ \$27.00	2497 LIN. FT./plan	\$67,419.00
_____ LIN. FT. <u>6'</u> SIDEWALK @ \$32.00		
_____ LIN. FT. _____ SIDEWALK @ _____		
_____ LIN. FT. OF CURB & GUTTER @ \$18.00		
_____ LIN. FT. OF VALLEY GUTTER @ \$17.00		
_____ LIN. FT. OF CURB @ \$15.00		
_____ LIN. FT. OF 4' TRAFFIC SEPARATOR @ \$36.00		
_____ LIN. FT. OF 6' CONCRETE DECO WALL @ \$75.00		
DRAINAGE (DRAINAGE STRUCTURES & TRENCHES)		
LS DRAINAGE AMOUNT FROM APPROVED P & D PLANS	\$149,436.00	149436⁰⁰
TRAFFIC		
4 STREET NAME SIGNS @ \$200.00	\$ 1,790.00	800³¹
_____ TRAFFIC CONTROL SIGNS @ \$250.00		
LS STRIPING AMOUNT FROM APPROVED P & D PLANS	\$ 10,000.00	10,000⁰⁰
6 DETECTABLE WARNING SURFACES @ \$500.00 EA.	\$ 3,000.00	3000⁰⁰
_____ SIGNALIZATION @ \$200,000.00 EA.		
_____ LIN. FT. OF GUARDRAIL @ \$40.00		
LS LIGHTING		
LS OTHERS (LANDSCAPING, ETC.)		
SURVEYING		
6 P.C.P. @ \$300.00 E.A.	\$1,800.00	1800⁰⁰
47 LOT CORNERS @ \$100.00 E.A.	\$4,700.00	4700⁰⁰

J. Martinez
Prof. Engineer No. 31579

TOTAL:	296,147.00	267,503⁰⁰
CONTINGENCY 10%	29,614.70	26750⁰⁰
	325,761.70	

APPROVED: *[Signature]* AMOUNT: **40,202.125** **204253⁰⁰**
 DATE: **8/27/15** *Bond issued @ 125% of project cost*

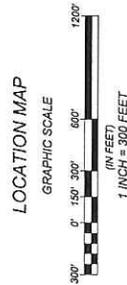
Note: This Estimate of Improvements is valid for 180 calendar days after approved. After such time, the estimate must be re-evaluated by the Public Works Department for continued approval consideration. 10/15/2010

PALMETTO BAY ESTATES

A SUBDIVISION OF A PORTION OF THE NW 1/4 OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA. VILLAGE OF PALMETTO BAY

PLAT BOOK: PAGE _____ SHEET: 1 OF 2

PREPARED BY:
JUAN R. MARTINEZ & ASSOCIATES, INC.
 CONSULTING ENGINEERS - LAND PLANNERS - LAND SURVEYORS
 8550 WEST FLAGLER STREET, SUITE 106, MIAMI, FLORIDA 33144
 AUGUST, 2015



NOTICE:
 THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPOSITION OF THE SUBDIVISION LINES AND BOUNDARIES OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

KNOW ALL MEN BY THESE PRESENTS:
 THAT ISABIANCA INVESTMENTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, HAS CAUSED TO BE MADE THE ATTACHED PLAT ENTITLED "PALMETTO BAY ESTATES," THE SAME BEING A SUBDIVISION OF THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION:
 THE SOUTH 208.75 FEET OF THE WEST 208.75 FEET OF THE NW 1/4 OF THE SE 1/4 OF THE NW 1/4 LESS THE SOUTH AND WEST 25 FEET THEREOF FOR ROAD PURPOSES OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 40 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA,
 AND
 THE SOUTH 68 FEET OF THE NORTH 1/2 OF THE NW 1/4 OF THE SE 1/4 OF THE NW 1/4 LESS THE WEST 25 FEET THEREOF FOR RIGHT-OF-WAY PURPOSES OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 40 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA,
 AND
 THE SOUTH 1/2 OF THE NW 1/4 OF THE SE 1/4 OF THE NW 1/4, LESS THE SOUTH 208.75 FEET OF THE WEST 208.75 FEET AND LESS THE SOUTH 25 FEET OF THE SE 1/4 OF THE NW 1/4 OF THE SE 1/4 OF THE NW 1/4, FOR RIGHT-OF-WAY PURPOSES LYING AND BEING IN SECTION 33, TOWNSHIP 55 SOUTH, RANGE 40 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

MIAMI-DADE COUNTY PLAT RESTRICTIONS:
 THAT INDIVIDUAL WELLS WILL NOT BE PERMITTED WITHIN THIS SUBDIVISION EXCEPT FOR SWIMMING POOLS, SPRINKLER SYSTEMS AND/OR AIR CONDITIONERS.
 THAT ALL NEW ELECTRIC AND COMMUNICATION LINES, EXCEPT TRANSMISSION LINES, WITHIN THIS SUBDIVISION, SHALL BE INSTALLED UNDERGROUND.

THE USE OF SEPTIC TANKS WILL NOT BE PERMITTED ON ANY LOT WITHIN THIS SUBDIVISION FOR TEMPORARY USE, IN ACCORDANCE WITH COUNTY AND STATE REGULATIONS.

VILLAGE OF PALMETTO BAY PLAT RESTRICTIONS:
 THAT SW 174TH STREET, SW 173RD TERRACE, SW 93RD AVENUE AND SW 94TH AVENUE AS SHOWN ON THE ATTACHED PLAT, TOGETHER WITH ALL EXISTING AND FUTURE PLANTING TREES, SHRUBBERY, AND FIRE HYDRANTS, THEREON, ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER PURPOSES, RESERVING TO THE DEDICATORS, THEIR SUCCESSORS OR ASSIGNS THE REVERSIONS THEREOF, WHENEVER DISCONTINUED BY LAW.

OWNER'S PLAT RESTRICTION:
 THAT THE UTILITY EASEMENTS AS SHOWN BY DASHED LINES ON THE ATTACHED PLAT, ARE HEREBY RESERVED FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES.

IN WITNESS WHEREOF:
 THE SAID, ISABIANCA INVESTMENTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE SIGNED FOR AND ON ITS BEHALF BY ALVARO LUIS ADRIAN, ITS MANAGER, WHO HAS HEREIN SIGNED AS SUCH, AND ITS COMPANY SEAL HEREBY APPEARED IN THE PRESENCE OF THESE TWO WITNESSES, THIS 22ND DAY OF AUGUST, A.D. 2015.

ISABIANCA INVESTMENTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY
 WITNESSES:
 MARGELY FIGUEROA
 ALVARO LUIS ADRIAN
 MANAGER
 NORMA BUSQUET

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

I HEREBY CERTIFY:
 THAT ON THIS DAY PERSONALLY APPEARED BEFORE ME AN OFFICER DULY AUTHORIZED TO ADMINISTER OATHS AND TAKE ACKNOWLEDGMENTS, ALVARO LUIS ADRIAN, AS MANAGER OF ISABIANCA INVESTMENTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, WHO IS PERSONALLY KNOWN TO ME AND WHO EXECUTED THE FOREGOING INSTRUMENT FREELY AND VOLUNTARILY AS SUCH OFFICER FOR THE PURPOSES THEREIN EXPRESSED AND WHO DID NOT TAKE AN OATH.

WITNESS MY HAND AND OFFICIAL SEAL, THIS 22ND DAY OF AUGUST, A.D. 2015.
 MY COMMISSION EXPIRES, AUGUST 26, 2017.
 BY: *Juan R. Martinez*
 JUAN R. MARTINEZ
 NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
 COMMISSION NUMBER: FF 015458

MIAMI-DADE COUNTY APPROVALS:
 THE DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES CERTIFIES THAT THIS PLAT APPEARS TO CONFORM TO ALL OF THE REQUIREMENTS OF CHAPTER 28 OF THE MIAMI-DADE COUNTY CODE, CERTIFIED THIS _____ DAY OF _____, A.D. 2015. THIS PLAT HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR AND MAPPER EMPLOYED BY MIAMI-DADE COUNTY IN ACCORDANCE WITH SECTION 177.081 (1) OF THE FLORIDA STATUTES.

SIGNED: _____ DIRECTOR.

RECORDING STATEMENT:
 FILED FOR RECORD THIS _____ DAY OF _____, A.D. 2015, AT _____ M. IN BOOK _____ OF PLATS, AT PAGE _____ OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
 THIS PLAT COMPLES WITH THE LAWS OF THE STATE OF FLORIDA AND MIAMI-DADE COUNTY, FLORIDA, HARVEY RUVIN, THE CLERK OF THE CIRCUIT COURT.

BY: _____ DEPUTY CLERK

SURVEYOR'S CERTIFICATE:
 I HEREBY CERTIFY THAT THE ATTACHED PLAT ENTITLED, "PALMETTO BAY ESTATES," IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS AS RECENTLY SURVEYED AND PLATED UNDER MY DIRECTION, ALSO THAT THE PERMANENT REFERENCE MONUMENTS WERE IN PLACE IN ACCORDANCE WITH PART 7, CHAPTER 177, LAWS OF THE STATE OF FLORIDA.
 JUAN R. MARTINEZ & ASSOCIATES, INC.
 CERTIFICATE OF AUTHORIZATION No.1751

BY: *Juan R. Martinez*
 PROFESSIONAL LAND SURVEYOR NO. 2160
 STATE OF FLORIDA

VILLAGE OF PALMETTO BAY APPROVAL:
 OF RESOURCES FOR THE AFFECTED PUBLIC UTILITIES BY THE LEVEL OF SERVICES PROVIDED IN THE MUNICIPALITY'S COMPREHENSIVE PLAN. THEREFORE, IT WAS APPROVED AND THE AGE-GOING DEDICATIONS WERE ACCEPTED AND APPROVED BY RESOLUTION NO. _____ PASSED AND ADOPTED BY THE CITY COMMISSION OF THE VILLAGE OF PALMETTO BAY, THIS _____ DAY OF _____, A.D. _____

SIGNED: _____ MAYOR ATTEST:

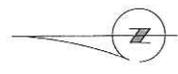


PALMETTO BAY ESTATES

A SUBDIVISION OF A PORTION OF THE NW 1/4 OF SECTION 33,
TOWNSHIP 55 SOUTH, RANGE 40 EAST, 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
AUGUST, 2015

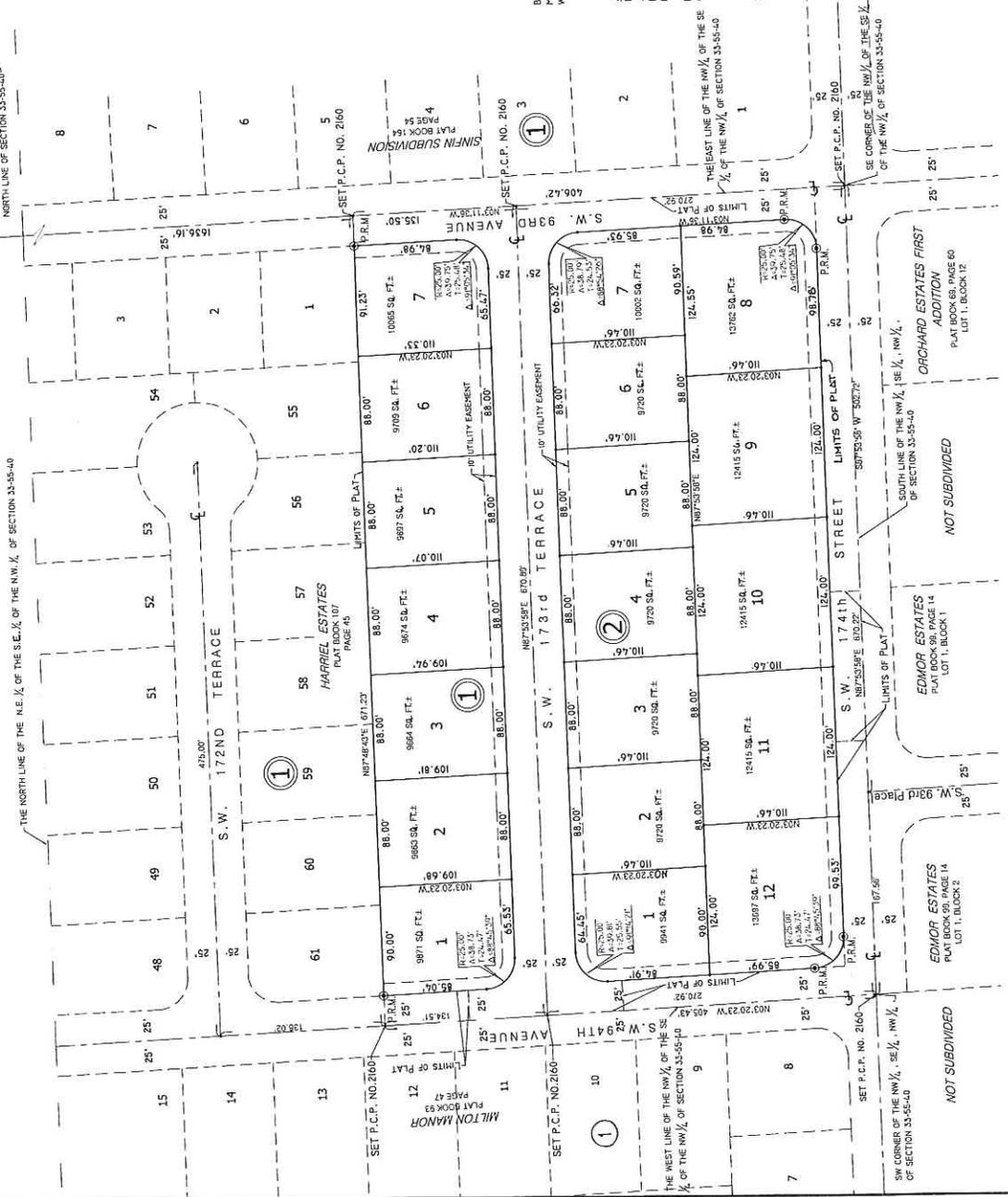


- SURVEYOR'S NOTES:**
- P.P.M.T. DENOTES PERMANENT REFERENCE MONUMENT
 - P.C.P. DENOTES CORNER POINT
 - R: DENOTES CENTRAL ANGLE (DELT TA ANGLE)
 - A: DENOTES RADIUS
 - S.O.F.T.: DENOTES ARC LENGTH
 - C: DENOTES CENTERLINE
 - S.E.C.: DENOTES TANGENT DISTANCE
 - N: DENOTES NORTH
 - W: DENOTES WEST
 - E: DENOTES EAST
 - S: DENOTES SOUTH

BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED
MERIDIAN ALONG THE CENTERLINE OF SW 1/4TH STREET,
WHICH BEARS NORTH 07°30'36" EAST.

RECORDING STATEMENT:
FILED FOR RECORD THIS _____ DAY OF _____ A.D., 2015 AT
_____ M., IN BOOK _____ OF PLATS, AT PAGE _____ OF THE PUBLIC
RECORDS OF MIAMI COUNTY, FLORIDA. THIS PLAT COMPLETES THE
LANDS OF THE STATE OF FLORIDA AND MIAMI-DADE COUNTY, FLORIDA.
HARVEY RUVIN,
CLERK OF CIRCUIT COURT

BY: _____ DEPUTY CLERK.



NOTICE:
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS
AND IS TO BE CONSIDERED THE OFFICIAL RECORD OF THE SUBDIVISION. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT
GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT
RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.