STAFF REPORT

ISABIANCA INVESTMENTS, LLC

PLT-2014-002B

VILLAGE OF PALMETTO BAY
FLORIDA
ZONING ANALYSIS

FILE: PLT-14-002b **HEARING DATE:** September 21, 2015

APPLICANT: Isabianca Investment, LLC **COUNCIL DIST.:** 3

A. GENERAL INFORMATION

REQUEST: To authorize Miami-Dade County to create a "Street Lighting Special Taxing District" for 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, AKA 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

The applicant, Isabianca Investments, LLC., is requesting the Village of Palmetto Bay authorize Miami-Dade County to establish a special taxing district for the purpose of providing street lighting on lands being platted as Palmetto Bay Estates, consisting of 2 blocks and 19 lots. For lands partially or entirely with in a municipal, Miami-Dade County (County), must first receive authorization from the affected jurisdiction(s), before a special taxing district can be established. The Applicant's request is consistent with a prior plat review comment dated October 23, 2014, issued by the Village's Public Works Department requiring such lighting. Typically these districts are established at the time of plat review, however Miami-Dade County's Public Works and Waste Management Department, Special Taxing District Division, approved the plat without the Village's lighting requirement. The neighborhoods surrounding the plat have street lighting and Village staff believes this amenity should be included with this new subdivision.

To establish the special lighting taxing district, the applicant has two options. The first would be to modify their plat application to include the special taxing district. This process would delay approval of the plat by nine (9) to twelve (12) months. This is because the County would have to rescind their approval as they commence with the district establishment procedures. The second option would be to establish the district outside of the platting process. For purposes of timing, it would still take 9-12 months to establish the district, however this option does not delay approval of the plat and allows the applicant to

proceed with improving the property. Miami-Dade County rules provide for both processes. Staff has no objection to the Applicant's request to follow the second procedural option.

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 & AG; Estate Single Family Residential District & Agricultural District	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. RECOMMENDATION

Recommendation is to authorize the Miami-Dade County to establish the Street Lighting Special Taxing District.

Darby Delsalle, AICP, Director
Department of Planning & Zoning

SPECIAL ASSESSMENT LIGHTING DISTRICT

ISABIANCA INVESTMENTS, LLC
PLT-2014-002B

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.

Memorandum

MIAMI-DADE COUNTY

Date: May 14, 2015

To: Jorge Ubieta, P.L.S.
Zoning and Platting Division
Department of Regulatory and Economic Resources

From: Michael R. Bauman, Chief
Special Taxing Districts

Subject: Special Taxing District/
Tentative Plat Requirements

Upon review, a street lighting special taxing district is not required for the Palmetto Bay Estates' T-plat (T-23521) located in the village of Palmetto Bay. Please have the owner contact the Special Taxing Districts Division's office for further assistance if he or she wishes to provide public street lighting. If the owner desires to have lights under a street lighting special taxing district, he or she will have to obtain a resolution from the village of Palmetto Bay before submitting a special taxing district petition.

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 ¼ of the SE ¼ of the NW ¼ 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 66feet of N½ of the NW ¼ of the SE ¼ of the NW ¼ and the south ½ of the NW ¼ of the SE ¼ of the NW ¼ 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

ZONING HISTORY

ISABIANCA INVESTMENTS, LLC

PLT-2014-002B

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,

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). 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.

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

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

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

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

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

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

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

13. The mayor closed the public hearing.

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

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

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

Section 4. Order.

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

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

(2) The development shall provide and install sidewalks;

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

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

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

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

(7) Applicant shall execute a covenant running with the land restricting the development of the site 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).

Section 5. Record.

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

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

CFN 2014R0741246
OR Bk 29364 Pgs 2873 - 2875; (3pgs)
RECORDED 10/27/2014 10:10:54
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

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

(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]

CIRCUIT AND COUNTY COURTS
CLERK
IN GOD WE TRUST
MIAMI-DADE COUNTY, FLORIDA

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

WITNESS

Signature and Print
MICHELLE DE TIRADO

Signature and Print
ESTHER BURGOS

OWNER:
Isabianca Investments, LLC.

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.

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

My commission EE 149161 expires: Nov 27, 2015

NOTARY PUBLIC STATE

OF FLORIDA.

BEATRIZ RAMOS
Commission # EE 149161
Expires November 27, 2015
Bonded Thru Troy Fain Insurance 800-385-7019

5982218-1

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 _____ day of _____ A D 20 _____
WITNESS my hand and Official Seal.
HARVEY RUVIN, CLERK, of Circuit and County Courts
By _____ D.C.
LORETTA MARSHALL #208068

CIRCUIT AND COUNTY COURTS
CLERK
IN GOD WE TRUST
MIAMI-DADE COUNTY, FLORIDA

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:

Year	Applicant	Request	Board	Decision
				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"

- **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.

- **LOCATION:**

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

- **SIZE:** 5.64 Acres

- **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 dua

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

MIAMI-DADE COUNTY

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

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

REVISION 1

PH# Z2005000329
CZAB - VPB

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.#		LOS present	LOS w/project
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

10

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

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
Dr. Solomon C. Stinson

December 15, 2005

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 2 6 2005
DEPT. OF PLANNING & ZONING
ZONING EVALUATION SECTION
BY HJO

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.

11

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

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:

> New residential unit square footage X .90 (Square Footage Fee) + $600.00 (Base Fee) + 2% administrative fee = 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

School	Funding Year
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 (8-10-05)	Projected Enrollment as per contract		
		2005-2006	2006-2007	Maximum
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**

16

Board Approved Contracts for Schools to Operate Future 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	35,534	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	
Number of Schools	Maximum Enrollment Capacity
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 drleoc@myfra.com	12
6007	Charter on the Beach Middle School 2301 Normandy 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 Filpo 305 643-9111 305 643-9141 Fax jose.filpo@lifeskillscenters.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

REVISION 4

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:

34 residential	dwelling units	N/A industrial	square feet
N/A Office	square feet	N/A institutional	square feet
N/A Retail	square feet	N/A 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.

DATE: 10/13/05

TEAM METRO

ENFORCEMENT HISTORY

SINFIN HOMES & INV.INC

APPLICANT

NEC SW 94 AVE/SW 174 ST

ADDRESS

Z2005000329

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

No open Team Metro cases.

21

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.

NAME AND ADDRESS	Percentage of Stock
ARMANDO JOMARRON	
12805 SW 84 AVE RD Ste 201	100 %
MIAMI, FL. 33156	

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:

NAME AND ADDRESS	Percentage of Interest

RECEIVED
305-329
OCT 05 2023
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:

NAME AND ADDRESS	Percent of Ownership

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

NAME OF PURCHASER:_____

NAME, ADDRESS AND OFFICE (if applicable) _____

Percentage of Interest

RECEIVED
25,329
OCT 05 2005
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY_____

Date of contract:_____

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

RECEIVED
ZONING ...
MIAMI-DADE PLANNING AND ZONING ...
BY_____

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

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

Signature: _____
(Applicant)

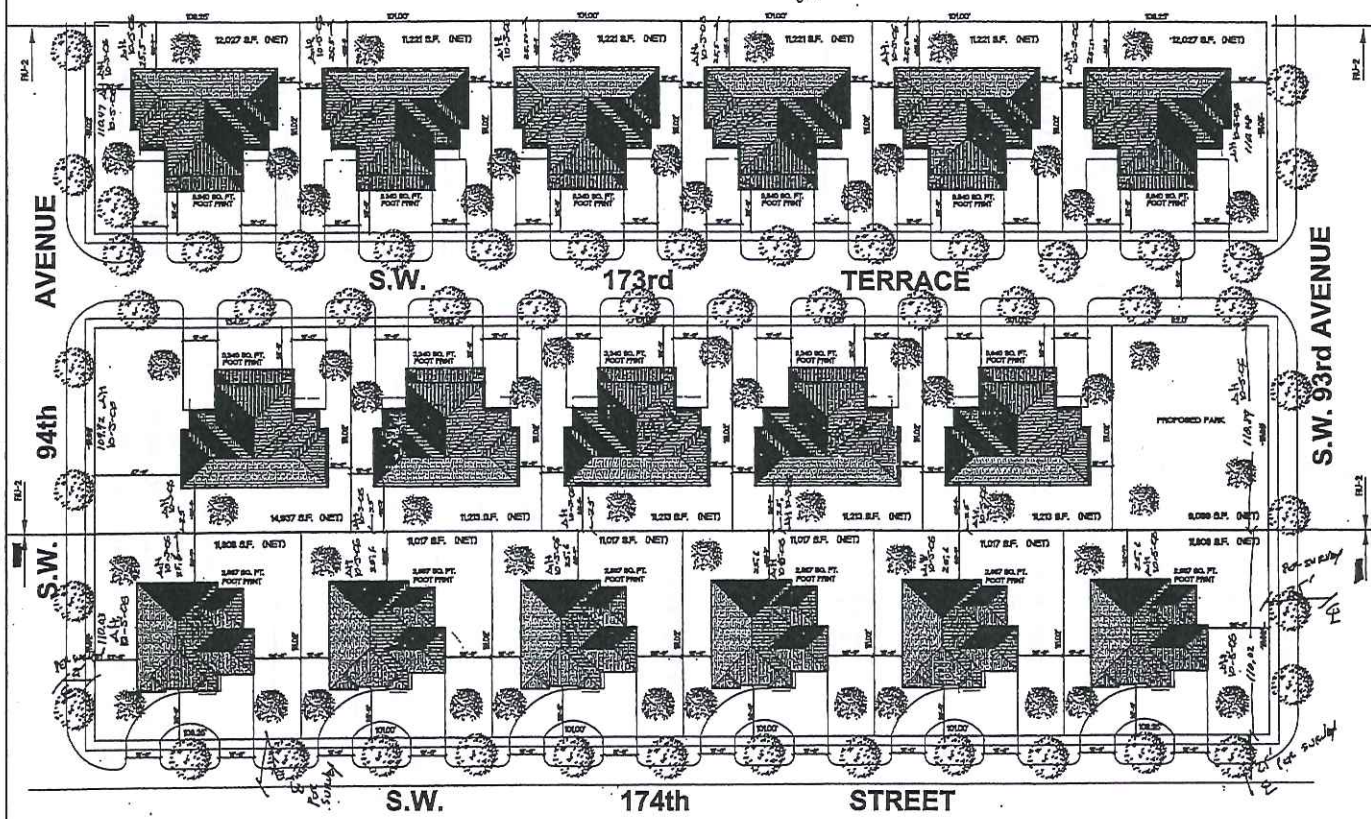
Sworn to and subscribed before me this 5th day of OCTOBER, 2005. Affiant is personally known to me or has produced _____ as identification.

(Notary Public)

NEREYDA L. RAMIREZ
MY COMMISSION EXPIRES
August 17, 2007
#DD 242297
Bonded thru Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA

My commission expires _____

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



PROPOSED SITE PLAN

SCALE: 1" = 30'-0"

LANDSCAPE NOTES

BUCIDA BUCERAS
LYSILOMA BAHAMENSIS
QUERCUS VIRGINIA 'SHORTAGE'
SWIETENIA MAHOGANI
TABEBUIA PALLIDA
COCOS PLUMOSA

BLACK OLIVE
LYSILOMA
LIVE OAK
WEST INDIES MAHOGANY
PINK TABEBUIA
STAGNUS ROMANOPPIANA

NOTES:

1. PLANT THE LYSILOMA ALTERNATING WITH THE PINK TABEBUIA ALONG THE MAIN ARTERIAL ROADWAY.
2. THREE TREES SHALL BE PLANTED ON EACH LOT.
3. TREES ALONG R/W TO BE PLANTED 25' O.C. (TYP.) INSIDE LOTS PROPERTY LINE.
4. ALL TREES MINIMUM PLANTED SIZE TO BE 8'-10' HIGH.
5. NO BLACK OLIVES IN PARKING AREA.
6. ALL TREES CAN BE SUBSTITUTED WITH EQUAL OR GREATER QUALITY MATERIAL DEPENDING ON AVAILABILITY AFTER APPROVAL BY THE LANDSCAPE ARCHITECT AND BY THE DADE COUNTY BUILDING + ZONING DEPARTMENT.
7. 7 SHRUBS FOR EACH TREE REQUIRED (SEE SHRUBS/GROUCOS SHALL BE NATIVE SPECIES).

SITE CALCULATIONS

EXISTING ZONING: AU

	ZONING	ZONING	TOTAL
PROPOSED ZONING	RU-1	RU-2	SEE LEGAL DESCRIP. BELOW
TOTAL No. OF LOTS PROPOSED	6	22	28
GROSS LAND AREA	93,218 SQ. FT. 2.14 ACRES	278,930 SQ. FT. 6.40 ACRES	8.54 ACRES
NET LAND AREA	87,884 SQ. FT. 1.98 ACRES	187,986 SQ. FT. 4.31 ACRES	6.29 ACRES
MAX. LOT COVERAGE	2,867 SQ. FT.	2,340 SQ. FT.	
MAX. LOT AREA	8,808 SQ. FT.	10,007 SQ. FT.	
MIN. LOT AREA	8,808 SQ. FT.	10,007 SQ. FT.	

SETBACK REQUIREMENTS

	RU-1	RU-2
1st. FRONT SETBACK	25'	25'
2nd. REAR SETBACK	25'	25'
MIN. INTERIOR SETBACK	7.5'	7.5'
MIN. SIDE STREET SETBACK	15'	25'

LEGAL DESCRIPTION

LEGAL FOR TWIN HOMES AREA (RU-2):

THE SOUTH 44 FEET OF THE NORTH ½ OF THE NW ¼ OF THE NW ¼ OF THE SE ¼ OF THE NW ¼, AND THE NORTH 204.92 FEET OF THE SOUTH ½ OF THE NW ¼ OF THW SE ¼ OF THE NW ¼, LESS THE EAST AND WEST 25 FEET FOR RIGHT OF WAY, IN SECTION 33, TOWNSHIP 55 SOUTH, RANGE 40 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

LEGAL FOR SINGLE FAMILY HOMES AREA (RU-1):

THE SOUTH ½ OF THE NW ¼ OF THE SE ¼ OF THE NW ¼, LESS THE NORTH 204.92 FEET AND LESS THE EAST, WEST AND SOUTH 25 FEET FOR RIGHT OF WAY, IN SECTION 33, TOWNSHIP 55 SOUTH, RANGE 40 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

LANDSCAPE LEGEND
CHAPTER 18A - ORDINANCE 95-222

ZONE
DISTRICT

Gross Land 472 (acre) Net Land 0 (acre) Water Bodies 0 (acre)

	REQ.	PROV.
Landscape Open Space (if applicable)		
Greenbelt Width (if applicable)		
Lawn Area (As defined in Ordinance)		
TREES		
Trees per Net Lot	3	3
Street Trees	78	78
(Trees in the right-of-way (r) or on private property all require Public Works approval or Special Taxing District.		
TOTAL NUMBER OF TREES	130	130
Shrubs (3 shrubs for each tree required)	792	793

• 50% shrubs/hedges shall be native species.

• Irrigation system required pursuant to Chapter 33 Dade County Code.

RECEIVED

Moreno Campos Architects

Olga Campos, AR 0035777

4-19-06

SinFin at Palmetto Bay II

SW 92 Court & SW 174 Street, Palmetto Bay, Florida

CONTRACTOR
SURVEYOR & PLANIMETRIC DATA
ENGINEER & CONTACT
PHONE & FACSIMILE
PHONE & FACSIMILE

ARCHITECT
ARCHITECTURAL
STRUCTURAL
LANDSCAPE ARCHITECTURE
MECHANICAL
ELECTRICAL
PLUMBING

SITE REVIEW SET
MARCH 21, 2006

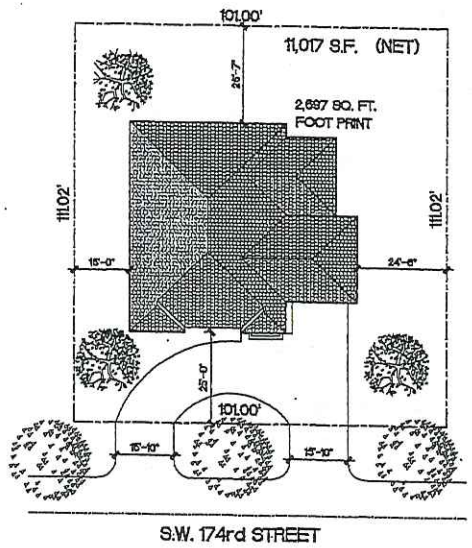
No.	REVISION	DATE

SCALE: 1" = 30'-0"
DATE: MARCH 21, 2006

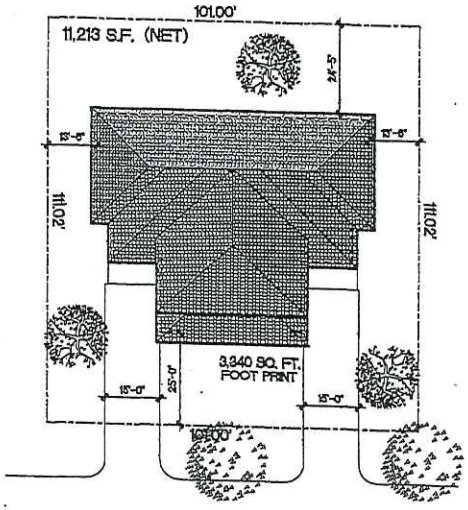
DRAWING TITLE: SITE PLAN

SHEET NUMBER: A-1.0

25



1 A-2 TYP. LOT LAYOUT UNIT "A"



2 A-2 TYP. LOT LAYOUT UNIT "B"

RECEIVED
205-329
APR 25 2006

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

Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects

4-19-06

Olga Campos, AR
0000977

SinFin at Palmetto Bay II

SW 92 Court & SW 174 Street, Palmetto Bay, Florida

OWNER
ARCHITECT
STRUCTURAL

SITE REVIEW SET
MARCH 21, 2006

No.	REVISION	DATE

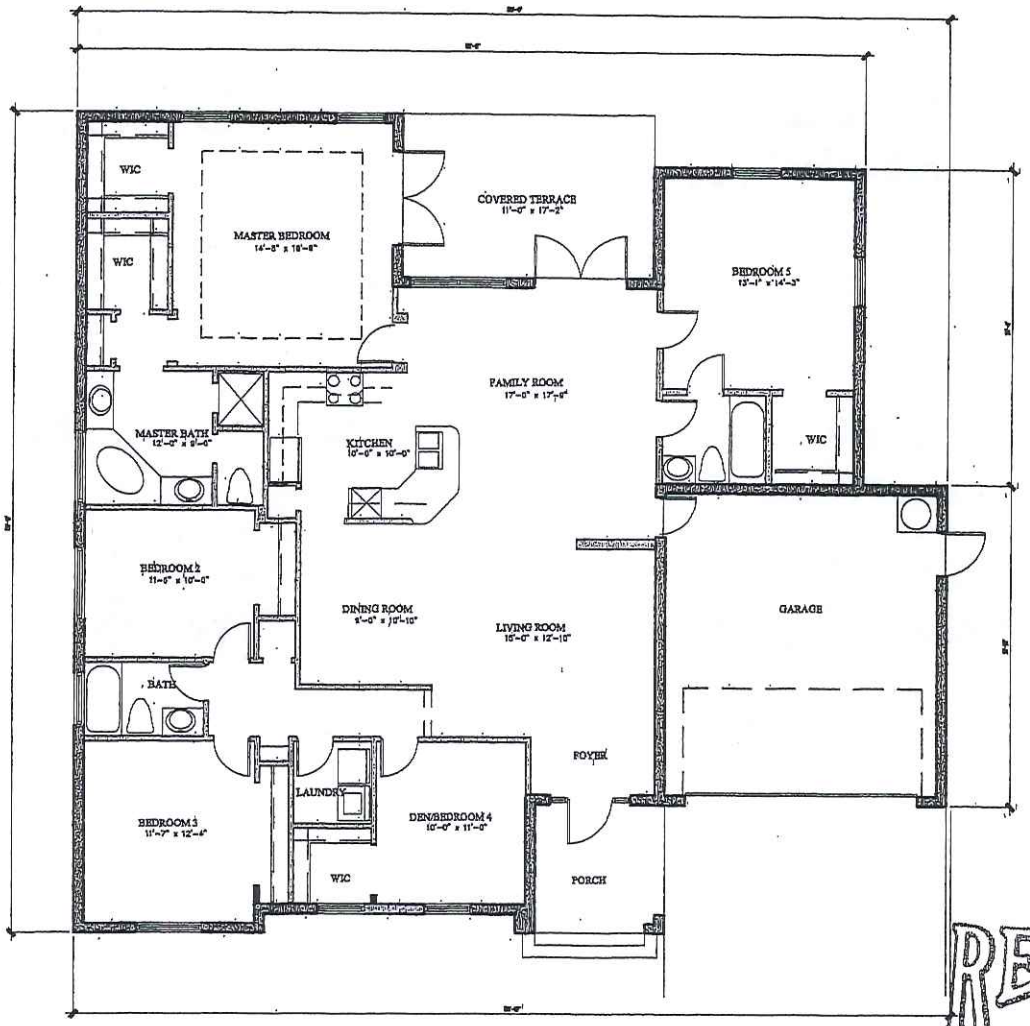
SCALE
DATE

DRAWING TITLE

TYPICAL LOT LAYOUT

SHEET NUMBER

A-2



FLOOR PLAN (UNIT "A")

RECEIVED
205-329
APR 25 2006
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects

4-19-06
Olga Campos, AR
0009077

SinFin at Palmetto Bay II

SW 92 Court & SW 174 Street, Palmetto Bay, Florida

OWNER
ARCHITECT
STRUCTURAL

SITE REVIEW SET
MARCH 21, 2006

No.	REVISION	DATE

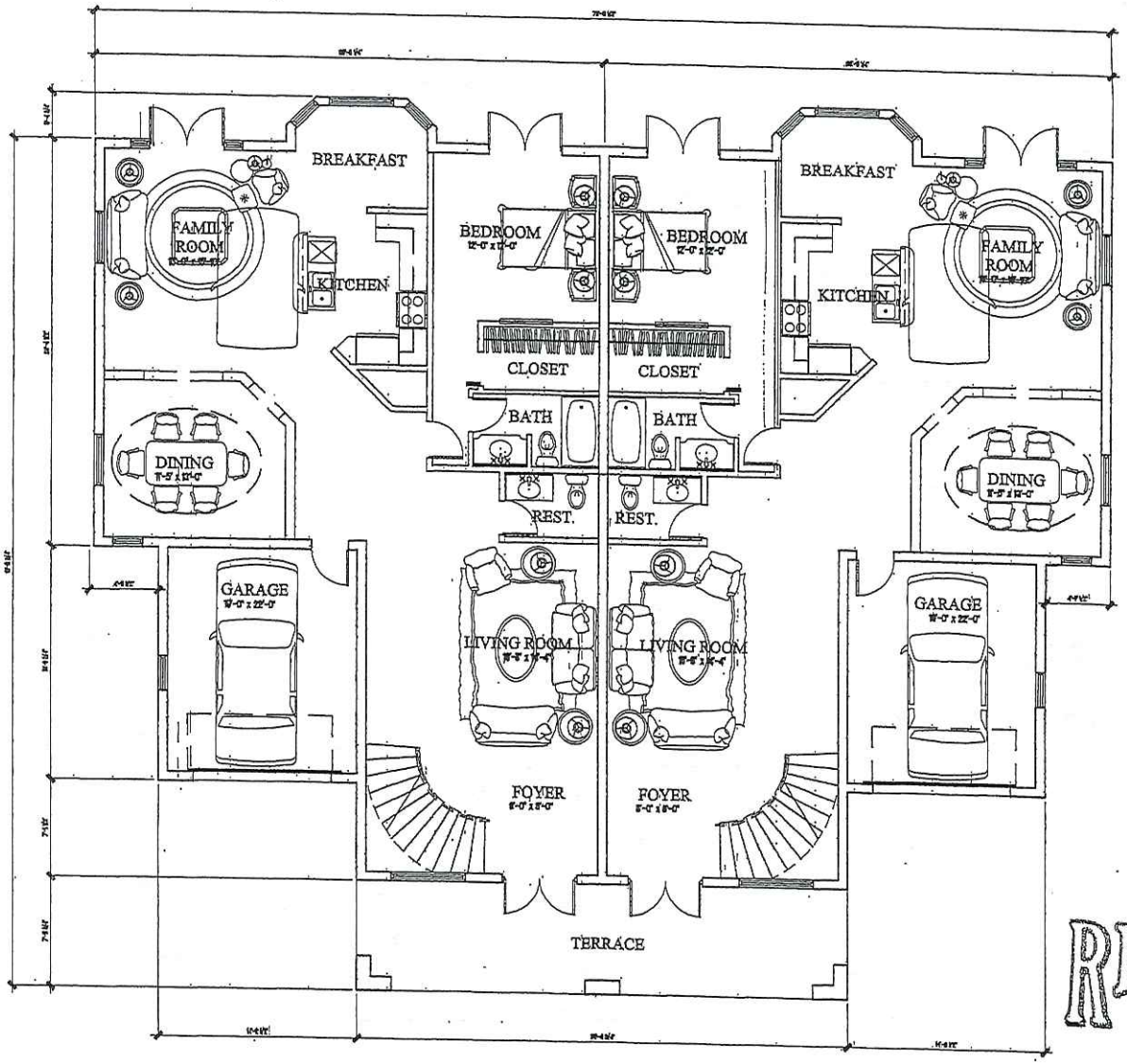
SCALE
DATE

DRAWING TITLE

FLOOR LAYOUT

SHEET NUMBER

A-3



GROUND FLOOR PLAN (UNIT "B")

SCALE: 1/4" = 1'-0"

RECEIVED
205.329
APR 25 2006
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects

4-19-06
Olga Campos, AR
0063077

SinFin at Palmetto Bay II
SW 92 Court & SW 174 Street, Palmetto Bay, Florida

OWNER
ARCHITECT
STRUCTURAL

SITE REVIEW SET
MARCH 21, 2006

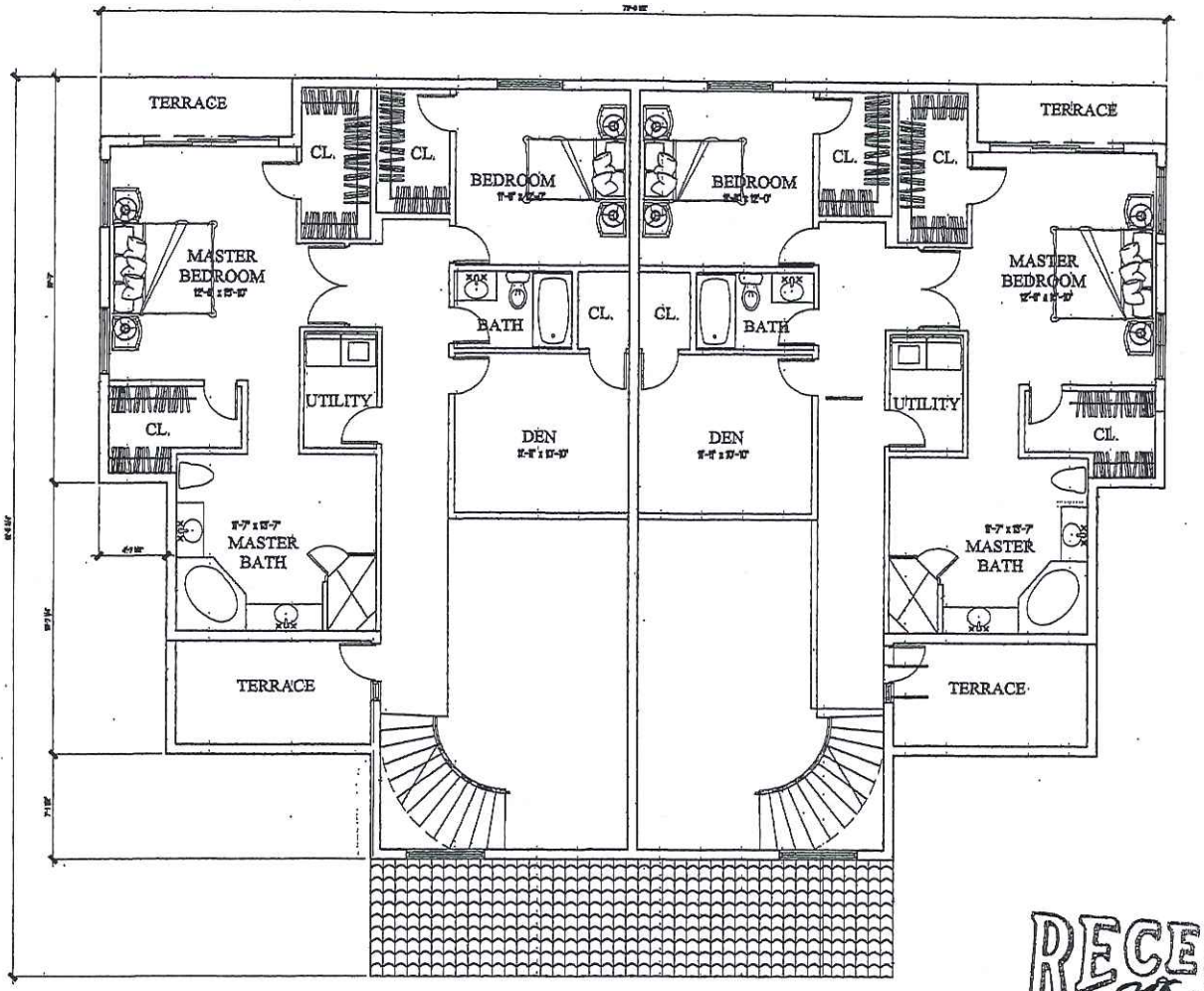
No.	REVISION	DATE

SCALE 1/4"=1'-0" DATE MARCH 21, 2006

DRAWING TITLE
UNIT "B" GROUND FLOOR LAYOUT

SHEET NUMBER
A-4

27



SECOND FLOOR PLAN (UNIT "B")

SCALE: 1/4" = 1'-0"

RECEIVED
305.329
APR 25 2006

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

Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects
Moreno Campos Architects

4-19-06

Olga Campos, AR
0003977

SinFin at Palmetto Bay II
SW 92 Court & SW 174 Street, Palmetto Bay, Florida

OWNER
ARCHITECT
STRUCTURAL

SITE REVIEW SET
MARCH 21, 2006

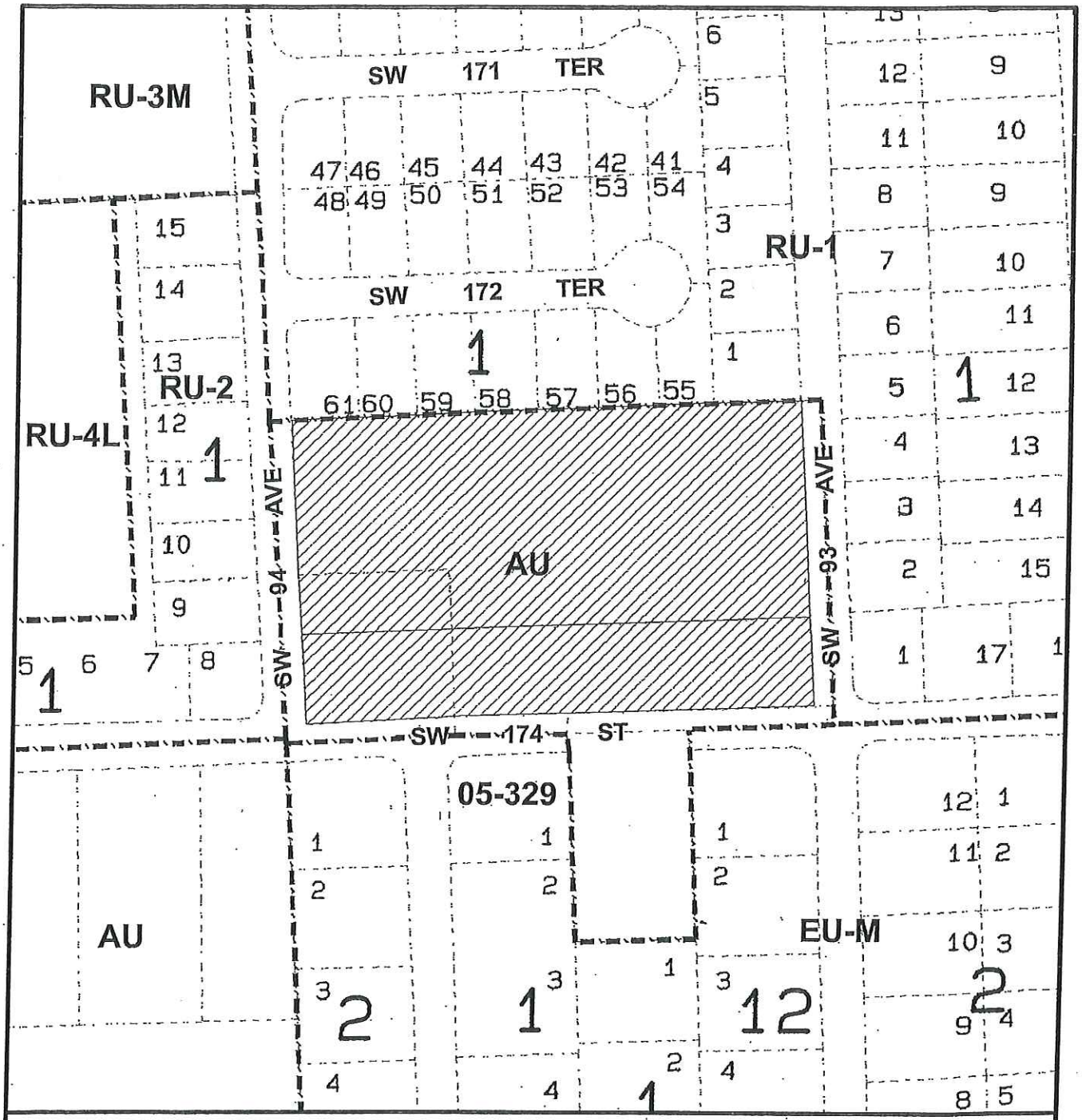
No.	REVISION	DATE

SCALE
DATE

DRAWING TITLE
UNIT "B" SECOND FLOOR LAYOUT

SHEET NUMBER
A-5

28



MIAMI-DADE COUNTY
HEARING MAP

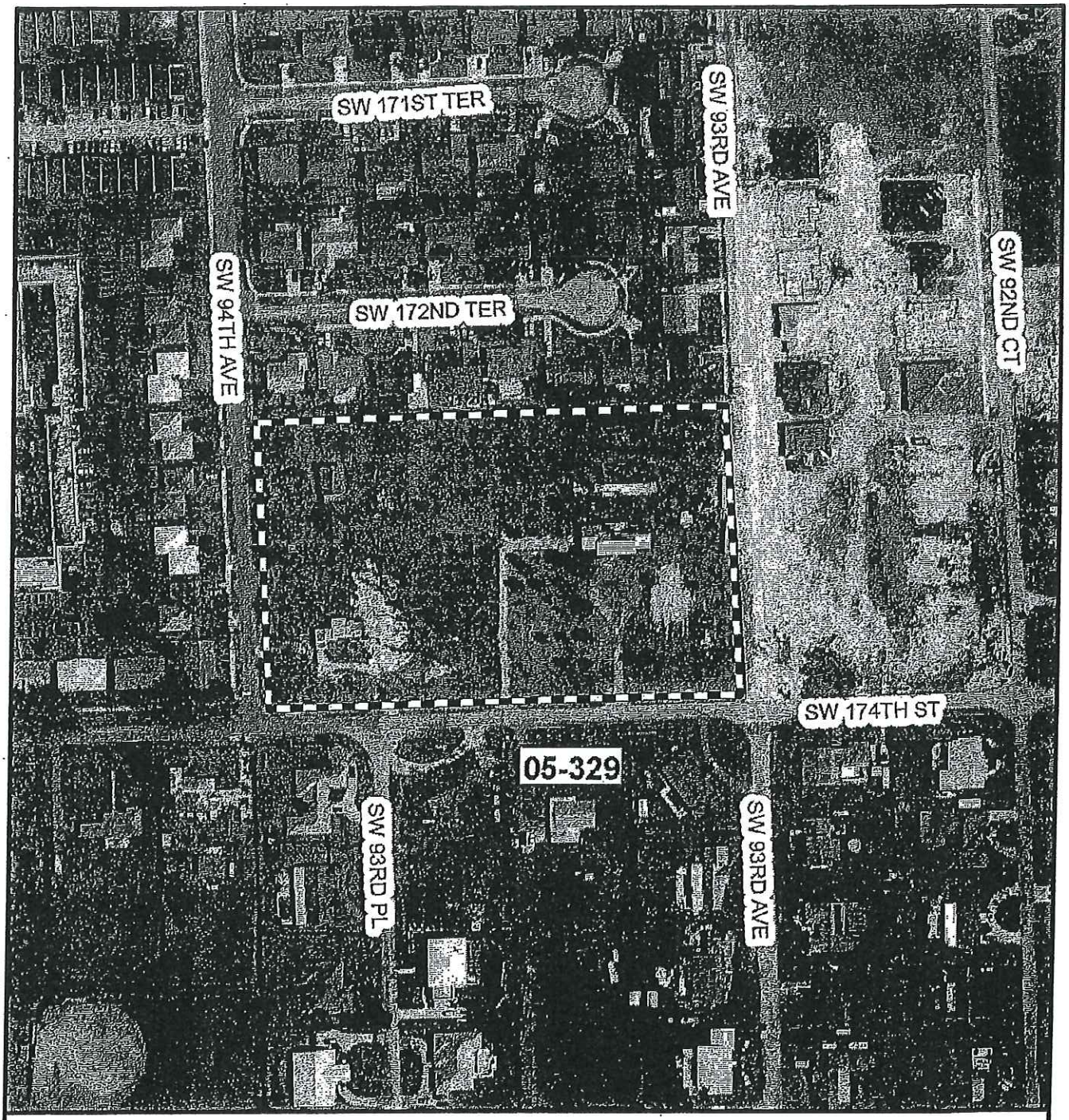
S C A L E 0 NTS N

SUBJECT PROPERTY

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'

MIAMI-DADE COUNTY

G: ZONING DRAFTING 05-329. 11/05
REVISED 09/07/06



MIAMI-DADE COUNTY
AERIAL

S C A L E
0 NTS
N

SUBJECT PROPERTY

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

MIAMI-DADE COUNTY

G: ZONING DRAFTING 05-329. 11/05
REVISED 09/07/06

ZONING & LAND USE MAPS

ISABIANCA INVESTMENTS, LLC

PLT-2014-002B

Click to Print This Page

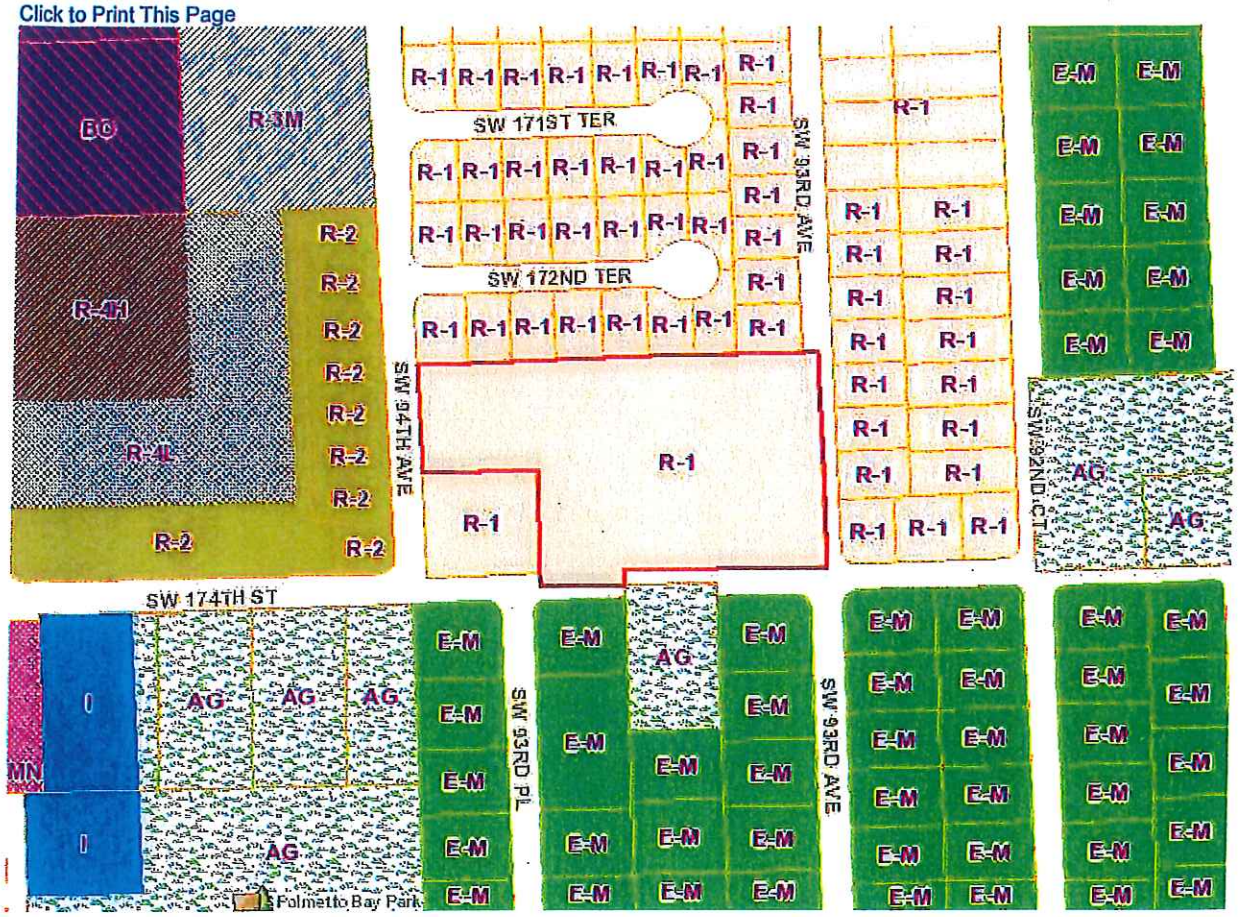
Summary Details:	
Folio:	3350330000410
Site Address:	9335 SW 174 ST Virtual Earth Street View County Permits by Address Open County Permits by Address Property Appraiser Zillow
Mailing Address:	ISABIANCA INVESTMENTS LLC 2460 SW 137 AVE #238 MIAMI, FL 33175

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



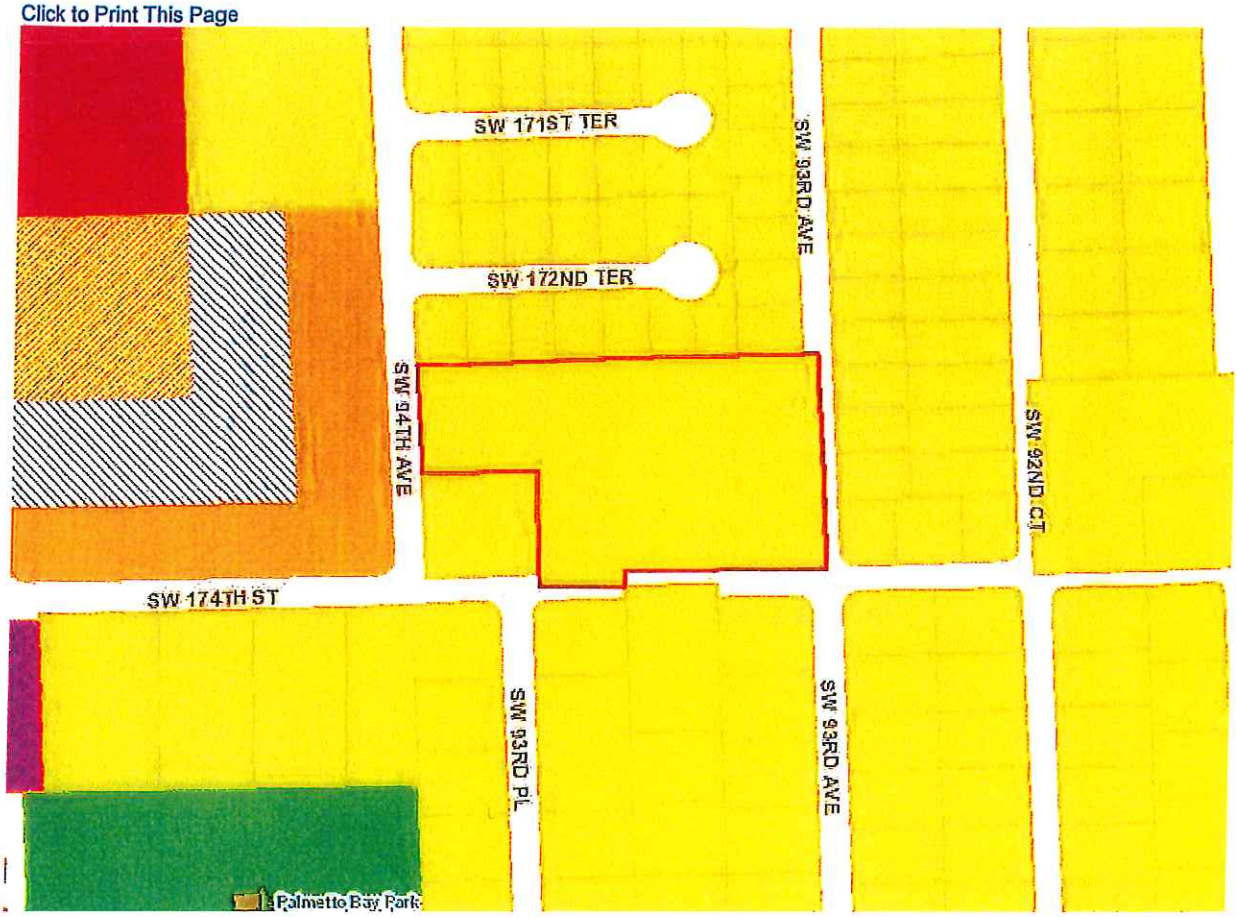
Summary Details:	
Folio:	3350330000410
Site Address:	9335 SW 174 ST Virtual Earth Street View County Permits by Address Open County Permits by Address Property Appraiser Zillow
Mailing Address:	ISABIANCA INVESTMENTS LLC 2460 SW 137 AVE #238 MIAMI, FL 33175

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 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

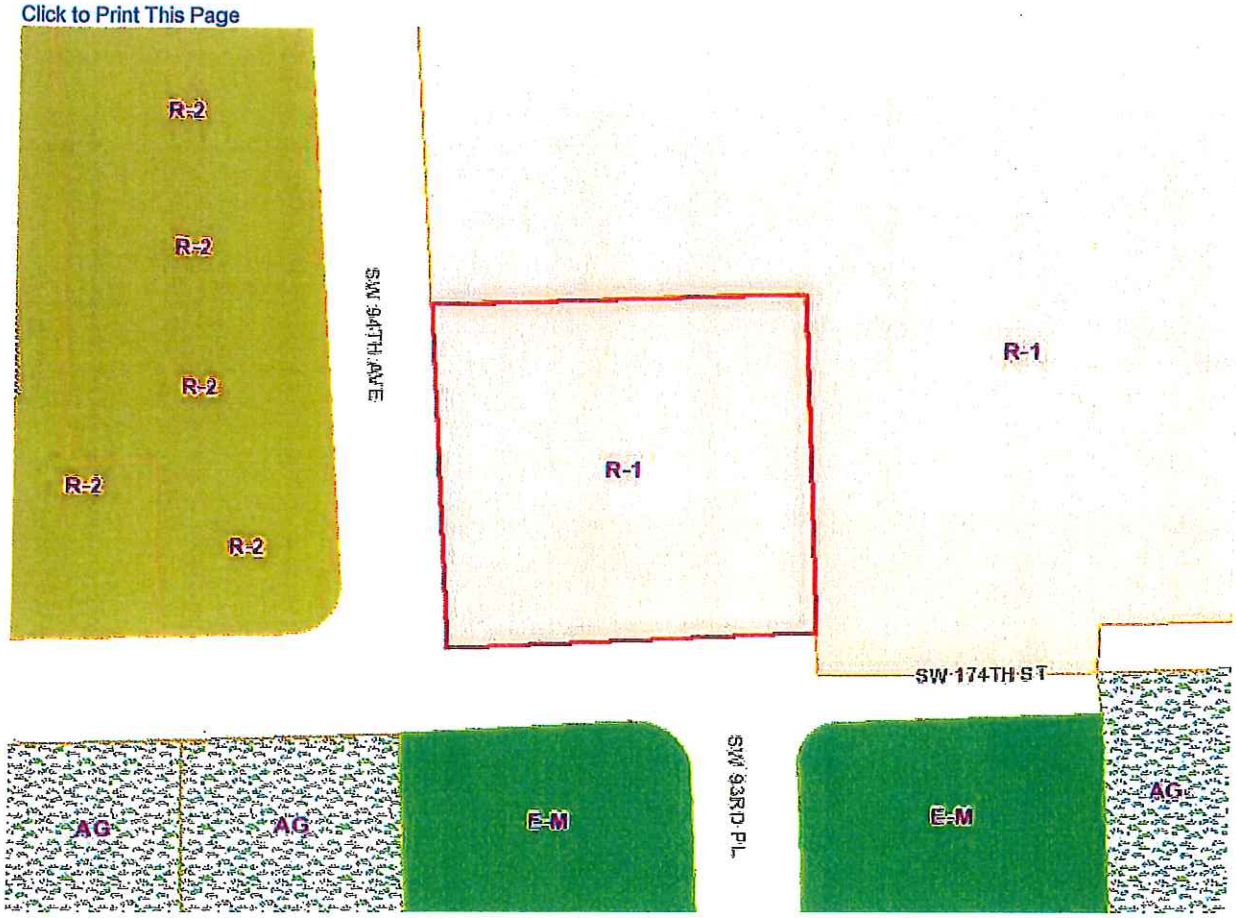
Summary Details:	
Folio:	3350330000770
Site Address:	9395 SW 174 ST Virtual Earth Street View County Permits by Address Open County Permits by Address Property Appraiser Zillow
Mailing Address:	ISABIANCA INVESTMENTS LLC 2460 SW 137 AVE #238 MIAMI, FL 33175

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
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
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

RESOLUTION

ISABIANCA INVESTMENTS, LLC
PLT-2014-002B

RESOLUTION NO_____

ZONING APPLICATION PLT-14-002b

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AUTHORIZING MIAMI-DADE COUNTY TO CREATE A STREET LIGHTING SPECIAL TAXING DISTRICT FOR THE PLAT ENTITLED "PALMETTO BAY ESTATES', FOR THE PURPOSE OF FUNDING STREET LIGHTING FOR THAT SUBDIVISION; AUTHORIZING TRANSMITTAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Applicant, Isabianca Investments LLC, is platting certain lands within the Village of Palmetto Bay, Florida, entitled, "Palmetto Bay Estates", 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 Folio Numbers 33-5033-000-0410, 33-5033-000-0770, as more particularly described at Attachment A of this Resolution; and

WHEREAS, in the development of Palmetto Bay Estates Plat's infrastructure, the Applicant wishes to include a street lighting amenity, to be funded through a street lighting special taxing district; and

WHEREAS, Section 18-2 of the Miami-Dade County Code of Ordinances permits for the creation of special taxing districts within incorporated municipalities provided authorization is granted by the governing body of that jurisdiction; and

WHEREAS, Section 18-2 provides for the procedure for creating special taxing districts for the purpose of street lighting in new subdivisions; and

WHEREAS, the Village wishes to authorize Miami-Dade County to create the street lighting special taxing district for those lands identified as Palmetto Bay Estates Plat as further described at Attachment A.

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

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

Section 2. Approval. In accordance with Section 18-2 of the Miami-Dade County Code of Ordinances, the Village herby approves and authorizes Miami-Dade County to establish a street lighting special taxing district for the subdivision entitled "Palmetto Bay Estates", as further described at Attachment A.

Section 3. Transmittal. The Village Clerk is hereby authorized to transmit a certified copy of this Resolution to Miami-Dade County.

Section 4. Effective DateThis resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this _____day of September, 2015.

Attest: _____ _____

Meighan Alexander
Village Clerk

Eugene Flinn
Mayor

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

_____

Dexter W. Lehtinen
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Karyn Cunningham _____

Council Member Tim Schaffer _____

Council Member Larissa Siegel Lara _____

Vice-Mayor John DuBois _____

Mayor Eugene Flinn _____

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

_____

Meighan Alexander
Village Clerk

ATTACHMENT "A"
PLAN

ISABIANCA INVESTMENTS, LLC
PLT-2014-002B

LEGAL DESCRIPTION:

THE SOUTH 208.75 FEET OF THE WEST 208.75 FEET OF THE NW ¼ OF THE SE ¼ OF THE NW ¼ 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 N½ OF THE N.W.¼ OF THE S.E.¼ OF THE N.W.¼ AND THE SOUTH ½ OF THE N.W.¼ OF THE S.E.¼ OF THE N.W.¼ 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

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 AND BELIEF, AND MEETS THE "MINIMUM TECHNICAL STANDARDS", AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS, IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

LOCATION SKETCH
SCALE 1" = 300'

SURVEYOR'S NOTES:

1. EXAMINATION OF ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS IF ANY, AFFECTING THIS PROPERTY.
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 FLORIDA LICENSED SURVEYOR AND MAPPER.
6. ALL RIGHTS-OF-WAYS SHOWN ARE PUBLIC UNLESS OTHERWISE NOTED.
7. THIS SURVEY HAS A TRAVERSE CLOSURE OF NO LESS THAN 1.0 FOOT IN 7,500 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. WATER SERVICE: CENTRAL
13. SEWER SERVICE: CENTRAL
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°53'56"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: 12086C/0602L
SUFFIX: L
PANEL REVISED DATE: 09/11/2009
FLOOD ZONE: X
BASE FLOOD EL.: N/A AS PER DADE COUNTY, FLORIDA.
BENCH MARK USED: BM.# BC-12-R ELEVATION= 12.24 FT N.G.V.D.

BOUNDARY SURVEY & TENTATIVE PLAT
PALMETTO BAY ESTATES

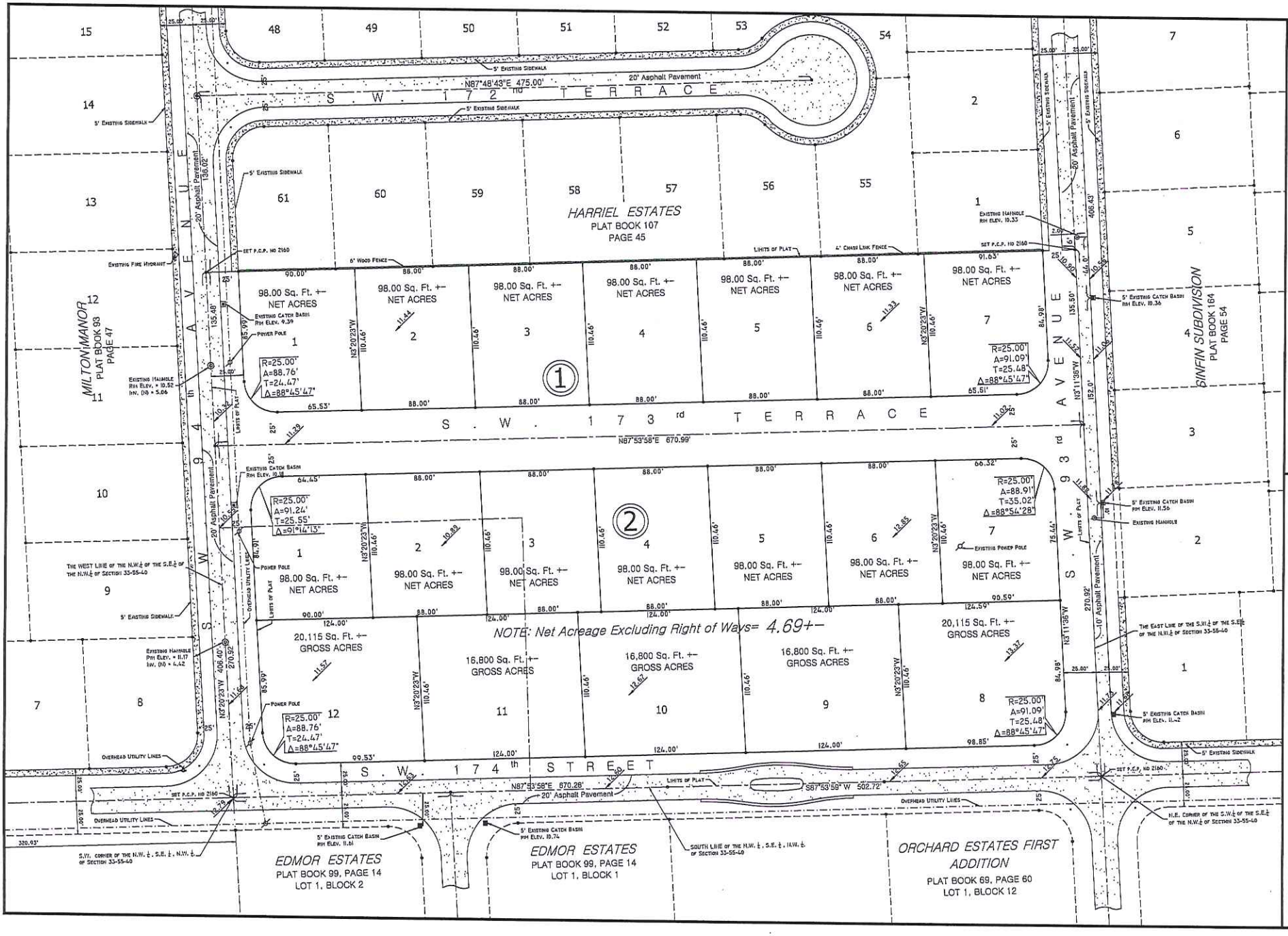
FOR:ISABIANCA LLC.

T- 23521

JUAN R. MARTINEZ & ASSOCIATES, INC.
ENGINEERS · LAND PLANNERS · LAND SURVEYORS
8550 WEST FLAGLER STREET, SUITE 107, MIAMI, FLORIDA, 33144, PHONE (305)552-7007 FAX (305) 552-7016

BY:
JUAN R. MARTINEZ
PROFESSIONAL LAND SURVEYOR NO.: 2160
STATE OF FLORIDA
CERTIFICATE NO. L.B. 1751

DRAWN BY: SALOME M.	DATE: 09-30-2014	FILE NO.
CHECKED BY: J.R.M.	DATE: 09-30-2014	SCALE : 1" = 300'
ORDER NO.	SHEET No. 1 OF 2 SHEETS	



JUAN R. MARTINEZ & ASSOCIATES, INC.
ENGINEERS · LAND PLANNERS · LAND SURVEYORS
8550 WEST FLAGLER STREET, SUITE 107, MIAMI, FLORIDA, 33144, PHONE (305)552-7007 FAX (305) 552-7010

BY: JUAN R. MARTINEZ
PROFESSIONAL LAND SURVEYOR NO.: 2160
STATE OF FLORIDA
CERTIFICATE NO. L.B. 172

DRAWN BY: SALOME M	DATE: 09-30-2014	FILE NO.	
CHECKED BY: J.R.M.	DATE: 09-30-2014	SCALE : 1" = 30'	
ORDER NO.		SHEET NO. 2 OF 2 SHEETS	

BOUNDARY SURVEY & TENTATIVE PLAT
PALMETTO BAY ESTATES

FOR: ISABIANCA, LLC.

APPLICATION

ISABIANCA INVESTMENTS, LLC
PLT-2014-002B

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
By

PLT-2014-002

Form ZH-0107-01

SEC: ____ TWP: ____ RGE: ____

RECEIVED
Zoning Department
11/4/2014
Village of Palmetto Bay
Building & Zoning Department
By:

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 ☒ acquired ☐ leased: _____ (month & year) **9. Lease term:** _____ years

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 _____ %

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:

FORM ZH-0107-03

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) 854-5353.

(Applicant's Signature)

ALVARO L. AZCAN
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 _____

JUAN C. TELLEZ
Commission # EE 127645
Expires November 15, 2015
Bonded Thru Troy Fain Insurance 800-385-7019

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: _____

NAME AND ADDRESS	Percentage of Stock

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: _____

NAME AND ADDRESS	Percentage of Interest

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

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

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].

11/01/2014 09:45

11/01/2014 09:49

11/01/2014 09:50

11/01/2014 09:45

11/01/2014 09:45

11/01/2014 09:50

11/01/2014 09:50

SW 93
11/01/2014 09:45

11/01/2014 09:50

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 2014R0741246
OR Bk 29364 Pgs 2873 - 2875; (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]

CIRCUIT AND COUNTY COURTS
CLERK
IN GOD WE TRUST
MIAMI-DADE COUNTY, FLORIDA

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

WITNESS

Signature and Print
MICHELLE DE TIRADO

Signature and Print
ESTHER BURGOS

OWNER:
Isabianca Investments, LLC.

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.

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

My commission expires:

NOTARY PUBLIC STATE EE 149161 Nov 27, 2015

OF FLORIDA.

BEATRIZ RAMOS
Commission # EE 149161
Expires November 27, 2015
Bonded Thru Troy Fain Insurance 800-385-7019

5982218-1

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 2014 day of OCT 01 AD 20
WITNESS my hand and Official Seal.
HARVEY RUVIN, CLERK, of Circuit and County Courts
By D.C.
LORETTA MARSHALL #208068

CIRCUIT AND COUNTY COURTS CLERK IN GOD WE TRUST MIAMI-DADE COUNTY, FLORIDA