

**RESOLUTION NO. 2017-113**

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**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO REAL PROPERTY; VACATING AN APPROXIMATE 7.5 FOOT WIDE STRIP OF RIGHT-OF-WAY ALONG THE SOUTH PORTION OF SW 183<sup>RD</sup> STREET, BEGINNING AT SOUTH DIXIE HIGHWAY AND ENDING AT SW 98<sup>TH</sup> COURT, AS MORE PARTICULARLY DESCRIBED AT ATTACHMENT “A”; PROVIDING FOR SERVERABILITY, REPEALER, AND AN EFFECTIVE DATE.**

**WHEREAS**, the Mayor and Village Council of the Village of Palmetto Bay hold public land in trust and have the power to discontinue the use of streets and alleys, and to vacate rights-of-way when it is in the public interest; and

**WHEREAS**, on December 14, 2015, the Mayor and Village Council of Village of Palmetto Bay adopted Ordinance No. 2015-18, which established the Downtown Urban Village (DUV) zoning regulations, which included right-of-way standards throughout the district; and

**WHEREAS**, the DUV zoning provisions call for a 60 foot right-of-way along SW 183<sup>RD</sup> Street; and the existing right-of-way is 75 feet wide, 15 feet more than is required by the DUV code; and

**WHEREAS**, in there is no compelling governmental interest and the current street master plan calls for a right of way of only 60 feet, the Perrine-Peters Methodist Church is now requesting that the Mayor and Village Council vacate a 7.5 foot strip of land along the South portion of SW 183<sup>RD</sup> street beginning at South Dixie Highway and ending at SW 98<sup>th</sup> Court, as more particularly described at Attachment “A”, of which vacated land shall revert back to the owner of the property; and

**WHEREAS**, the property owners have requested the return of the lands no longer being used as part of the adjacent right of way; and

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

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Section 1. Incorporate Whereas Clauses.

The Whereas clauses are incorporated and made a part of this resolution.

Section 2. Vacation.

The Village of Palmetto Bay vacates an approximate 7.5 strip of land along the South portion of SW 183<sup>rd</sup> street beginning at South Dixie Highway and ending at SW 98<sup>th</sup> Court, as more particularly described at Attachment "A", of the above-described right-of-way.

Section 3. Title.

Title to the vacated right-of-way shall revert to the adjacent property owner as identified by the Miami-Dade Property Appraiser.

Section 4. Notice.

Notice of the reduction of the described right-of-way shall be published one time within 30 days of the adoption of this resolution in The Daily Business Review. A certified copy of this resolution and proof of the publications of the notice of hearing and of the adoption of this resolution shall be recorded in the public records of Miami-Dade County. The Village Clerk shall provide a copy of these documents to the Miami-Dade County Tax Assessor.

Section 5. Validity.

If any section, clause, sentence, or phrase of this resolution is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this resolution.

Section 6. Repealer.

All resolutions or parts of resolutions in conflict with the provisions of this resolution are repealed.

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Section 7. Final Order.

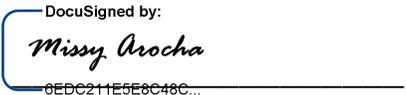
**This is a final order.**

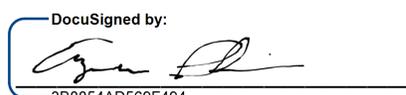
Section 8. Record.

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

Section 9. This resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 16<sup>th</sup> day of October, 2017.

Attest:   
Missy Arocha  
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

1 FINAL VOTE AT ADOPTION:  
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4 Council Member Karyn Cunningham YES  
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6 Council Member David Singer YES  
7  
8 Council Member Larissa Siegel Lara YES  
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10 Vice-Mayor John DuBois YES  
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12 Mayor Eugene Flinn YES

# ATTACHMENT "A"

Village of palmetto bay  
VPB-17-010



# SKETCH TO ACCOMPANY LEGAL DESCRIPTION FOR PORTION OF RIGHT OF WAY TO BE CLOSED, ABANDONED AND VACATED

## LEGAL DESCRIPTION OF

PORTION OF SW 183rd STREET RIGHT OF WAY TO BE CLOSED, ABANDONED AND VACATED:

That portion of SW 183rd Street Right of Way, as shown on the Plat of "MORNINGSIDE ACRES", according to the plat thereof, as recorded in Plat Book 46, at Page 7, of the Public Records of Miami-Dade County, Florida, bonded on the West by the State Road No. 5 (South Dixie Highway) Right of Way and bounded on the East by SW 98th Court Right of Way, being more particularly described as follows:

COMMENCE at the Northeasterly Corner of Lot 3, Block 10 of said Plat of "MORNINGSIDE ACRES"; thence  $NG7^{\circ}27'40''W$  along the North Boundary Line of said Lot 3, Block 10, for 49.83 feet to the POINT OF BEGINNING of the parcel of land hereinafter described, said point being on a circular curve to the left and bears  $S67^{\circ}27'40''E$  from the center of said curve, said curve being concave to the West; thence Northeasterly, Northerly and Northwesterly, along the arc of said curve, having for its elements a radius of 65.00 feet, a central angle of  $90^{\circ}00'00''$ , for an arc distance of 102.10 feet to a Point of Tangency; thence  $NG7^{\circ}27'40''W$  for 194.86 feet to a point on the Southeasterly Right of Way Line of State Road No. 5 (South Dixie Highway), as shown in certain Florida Department of Transportation Right of Way Map for State Road No. 5, Section 87020-MISC. 2, according to the Map thereof, as recorded in Road Map Book 124, at Page 57, of the Public Records of Miami-Dade County, Florida; thence  $NG2^{\circ}54'53''E$  for 9.84 feet; thence  $S67^{\circ}27'40''E$  for 228.48 feet to a Point of Curvature of a circular curve to the right, being concave to the West; thence Southeasterly, Southerly and Southwesterly, along the arc of said curve, having for its elements a radius of 25.00 feet, a central angle of  $90^{\circ}00'00''$ , for an arc distance of 39.27 feet to a Point of Tangency; thence  $S22^{\circ}32'20''W$  for 47.50 feet to the Point of Beginning.

Containing 2,698 Square Feet more or less, by calculations.

AND

That portion of SW 183rd Street Right of Way, as shown on the Plat of "R. PIERCE CHATHAM SUBDIVISION", according to the plat thereof, as recorded in Plat Book 91, at Page 42, of the Public Records of Miami-Dade County, Florida, bonded on the West by the State Road No. 5 (South Dixie Highway) Right of Way and bounded on the East by SW 98th Court Right of Way, being more particularly described as follows:

COMMENCE at the Northwesterly Corner of Tract "A", in Block 1 of said Plat of "R. PIERCE CHATHAM SUBDIVISION", said point being on a circular curve, concave to the Southeast and bearing  $N55^{\circ}02'37''W$  from the center of said curve; thence Southwesterly along the arc of said curve and also being the Southeasterly Right of Way line of State Road No. 5 (South Dixie Highway, North Bound), having for its elements a radius of 2,864.93 feet, a central angle of  $2^{\circ}23'11''$ , for an arc distance of 119.33 feet to the POINT OF BEGINNING of the parcel of land hereinafter described, said point also being on a circular curve to the left, concave to the East and bearing  $N57^{\circ}25'48''W$  from the center of said curve; thence Southwesterly, Southerly and Southeasterly, along the arc of said curve, having for its elements a radius of 25.00 feet, a central angle of  $100^{\circ}00'39''$ , for an arc distance of 43.64 feet to a Point of Tangency; thence  $S67^{\circ}27'40''E$  along the Northeasterly Right of Way Line of SW 183rd Street, for 193.78 feet to a Point of Curvature of a circular curve to the left, concave to the North; thence Southeasterly, Easterly and Northeasterly along the arc of said curve, having for its elements a radius of 25.00 feet, a central angle of  $90^{\circ}00'00''$ , for an arc distance of 39.27 feet to a Point of Cusp, said point also being on the Northwesterly Right of Way Line of SW 98th Court; thence  $S22^{\circ}32'20''W$  along said Northwesterly Right of Way Line of SW 98th Court, for 7.50 feet to a Point of Curvature of a circular curve to the right, concave to North; thence Southwesterly, Westerly and Northwesterly, along the arc of said curve and having for its elements a radius of 25.00 feet, a central angle of  $90^{\circ}00'00''$ , for an arc distance of 39.27 feet to a Point of Tangency; thence  $NG7^{\circ}27'40''W$  along a line parallel with and 7.50 feet Southwesterly of the Northeasterly Right of Way Line of SW 183rd Street, for 195.08 feet to a Point of Curvature of a circular curve to the right, concave to the East; thence Northwesterly, Northerly and Northeasterly, along the arc of said curve, having for its elements a radius of 25.00 feet, a central angle of  $99^{\circ}52'39''$ , for an arc distance of 43.58 feet to a point on the Southeasterly Right of Way Line of State Road No. 5 (South Dixie Highway, North Bound), said point also being a Point of Compound Curve of a circular curve to the right, concave to the Southeast, thence Northeasterly along the arc of said curve, having for its elements a radius of 2,864.93 feet, a central angle of  $00^{\circ}09'13''$ , for an arc distance of 7.68 feet to the point of Beginning.

Containing 1,869 Square Feet more or less, by calculations.

NOTICE: This document is not valid, full and complete without all pages.

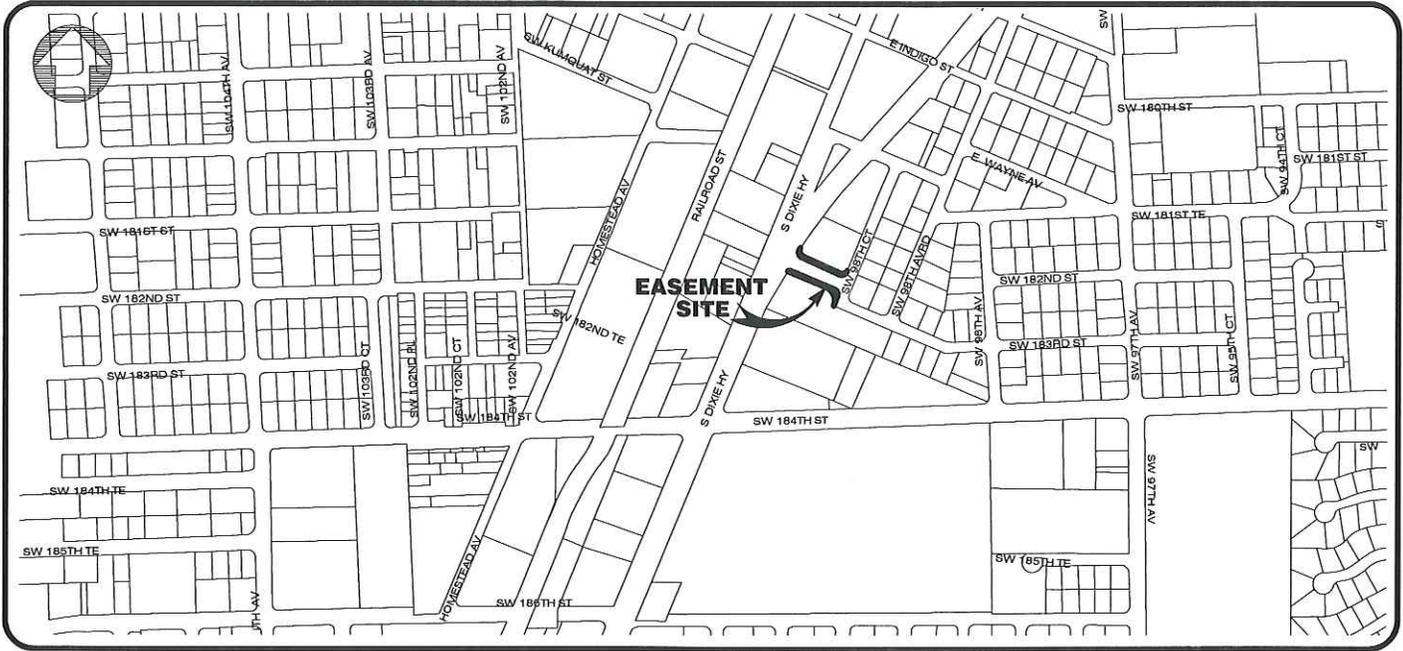
**LONGITUDE** SURVEYORS

7715 NW 48TH STREET, SUITE 310, DORAL, FLORIDA 33166 \* PHONE:(305)463-0912 \* FAX:(305)513-5680 \* WWW.LONGITUDESURVEYORS.COM

J:\16312 18301 South Dixie Highway, Palmetto Bay\dwg\Sketch and Legals\16312 SL - ROW 01-03-17.dwg 1/4/2017 4:22:33 PM EST

JOB No. 16312.0.02 PAGE 2 OF 3

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION FOR PORTION OF RIGHT OF WAY TO BE CLOSED, ABANDONED AND VACATED



**LOCATION MAP**  
(NOT TO SCALE)

**PERTINENT INFORMATION USED FOR THE PREPARATION OF THIS DOCUMENT:**

The Legal Description of the Subject Parcel was generated from the following documents:

1. Plat of "MORNINGSIDE ACRES", recorded in Plat Book 46, at Page 7, Miami-Dade County Records.
2. Plat of "R. PIERCE CHATHAM SUBDIVISION", recorded in Plat Book 91, at Page 42, Miami-Dade County Records.
3. Florida Department of Transportation Right of Way Map for State Road 5 (South Dixie Highway), Section 87020-MISC. 2, recorded in Road Map Book 124, at Page 57, Miami-Dade County Records.

In addition, the following documents were reviewed for the preparation of this Sketch and Legal Description:

1. Geometry sketch prepared by Longitude Surveyors, LLC, last dated on January 3, 2017 and approved by the Village of Palmetto Bay, depicting the portion of SW 183rd Street Right of Way to be closed, abandoned and vacated.

Bearings shown hereon are based upon the centerline of SW 183rd Street with an assumed bearing of  $S67^{\circ}27'40"E$ , said line to be considered a well established and monumented line.

**EASEMENTS AND ENCUMBRANCES:**

No information was provided as to the existence of any easements other than what appears on the underlying Plat of record. Please refer to the Limitations item with respect to possible restrictions of record and utility services.

**RESTRICTIONS:**

Since no other information was furnished other than what is cited above, the Client is hereby advised that there may be legal restrictions on the subject property that are not shown on this Sketch or contained within this report that may be found in the Public Records of Miami-Dade County, Florida or any other public and private entities as their jurisdictions may appear.

This document does not represent a field boundary survey of the described property, or any part or parcel thereof.

**SURVEYOR'S CERTIFICATE:**

I hereby certify: That this "Sketch to Accompany Legal Description" was prepared under my direction and is true and correct to the best of my knowledge and belief and further, that said "Sketch to Accompany Legal Description" meets the intent of the applicable provisions of the "Standards of Practice for Land Surveying in the State of Florida", pursuant to Rule 5J-17.051 through 5J-17.052 of the Florida Administrative Code and its implementing law, Chapter 472.027 of the Florida Statutes.

LONGITUDE SURVEYORS LLC., a Florida Limited Liability Company  
Florida Certificate of Authorization Number LB7335

By: Jose Senas  
Jose Senas, PSM  
Registered Surveyor and Mapper L55938  
State of Florida

Date: 01/04/17

**NOTICE:**  
Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to Survey Maps by other than the signing party are prohibited without the written consent of the signing party.

**NOTICE:** This document is not valid, full and complete without all pages.



# ZONING & LAND USE MAPS

Village of palmetto bay  
VPB-17-010

[Click to Print This Page](#)



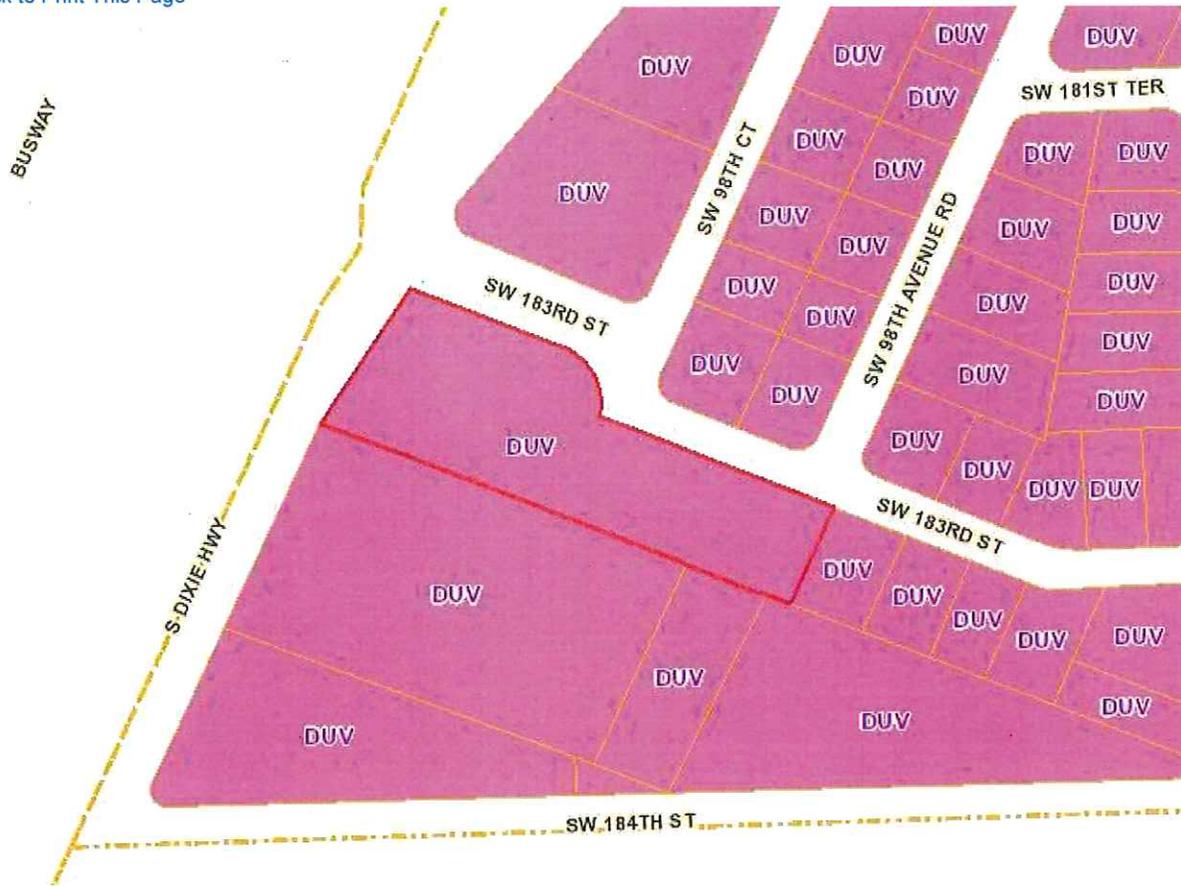
Summary Details:	
Folio:	<a href="#">3350320071030</a>
Site Address:	18301 S DIXIE HWY
Mailing Address:	PERRINE-PETERS METHODIST CH INC 18301 S DIXIE HWY MIAMI, FL 331575526

Property Information:	
Beds/Baths:	0/0
Floors:	1
Living Units:	0
Adj Sq Footage:	11123
Lot Size:	86875 SQ FT
Year Built:	1959
Legal Description:	32 55 40MORNINGSIDE ACRES PB 46-7LOT 1 LESS R/W & LOTS 2 & 3 &PORT OF RD LYG NE & ADJ CLOSEDBY RES 9519 & ALL OF LOTS 4 & 5& NWLY 50.5FT OF LOT 6 BLK 10 & <a href="#">VIEW PLAT 46-7</a>  <a href="#">Deed: NINGS-7</a>

Sale Information:			
Sale Date:	0/0	0/0	0/0
Sale Amount:	0	0	0
Sale O/R:			

Assessment Information:		
Year:	2017	2016
Land Value:	0	1911250
Building Value:	0	1305210
Market Value:	0	3216460
Assessed Value:	0	3216460
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](#)



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Mailing Address:	PERRINE-PETERS METHODIST CH INC 18301 S DIXIE HWY MIAMI, FL 331575526

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Sale Information:			
Sale Date:	0/0	0/0	0/0
Sale Amount:	0	0	0
Sale O/R:			

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Year:	2017	2016
Land Value:	0	1911250
Building Value:	0	1305210
Market Value:	0	3216460
Assessed Value:	0	3216460
Homestead Exemption:	0	0
Senior Exemption:	0	0
Agricultural Exemption:	0	0
Widow Exemption:	0	0
Disabled Exemption:	0	0
Veteran Exemption:	0	0

# POSTING & MAILING

Village of palmetto bay  
VPB-17-010



Mcdonald's Corporation  
13349 SW 131 Street  
Miami Florida 33186

To whom it may concern,

Please be advised that the following item is being heard on the date listed below and will affect your adjacent right of way.

## VILLAGE OF PALMETTO BAY NOTICE OF ZONING PUBLIC HEARING

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

The following item is being considered pursuant to Chapter 336 Section 10 of the Florida Statute:

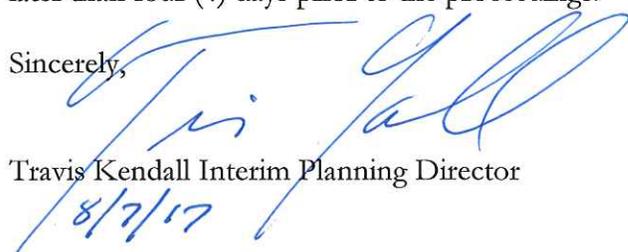
Applicant: The Village of Palmetto Bay  
File #: VPB-17-010  
Location: SW 183<sup>rd</sup> Street between South Dixie Highway and SW 98<sup>th</sup> Court  
Zoned: Downtown Urban Village (DUV)  
Request: Reduce the width of the right of way from 37.5' feet to 30'.

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

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

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

Sincerely,

  
Travis Kendall Interim Planning Director

8/7/17



## VILLAGE OF PALMETTO BAY NOTICE OF ZONING PUBLIC HEARING

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

The following item is being considered pursuant to Division 30-30.5 of the Village's Land Development Code:

**Item #1** Applicant: Estate Investment Group, LLC.  
Folio: 33-5032-007-1030  
File #: VPB-17-005  
Location: 18301 South Dixie Highway  
Zoned: Downtown Urban Village (DUV)  
Request: Site plan and design considerations for a mixed-use project.

The following item is being considered pursuant to Chapter 336 Section 10 of the Florida Statute:

**Item #2** Applicant: Perrine-Peters Methodist Church  
File #: VPB-17-010  
Location: SW 183<sup>rd</sup> Street between South Dixie Highway and SW 98<sup>th</sup> Court  
Zoned: Downtown Urban Village (DUV)  
Request: Reduce the width of the right of way on the South side only along 183<sup>rd</sup> street from 37.5 feet to 30 feet to match the DUV code.

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

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

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

HEARING NUMBER 1: VPB-17-010 APPLICANT NAME: Perrine-Peters Methodist Church  
ZONED: DUV PROJECT LOCATION: SW 183<sup>rd</sup> Street between South Dixie Highway and SW 98<sup>th</sup> Court, PALMETTO BAY, FL 33157  
REQUEST: The Village of Palmetto Bay, pursuant to Sections 336.09 – 336.12 of the Florida Statutes seeks to reduce the right of way (by Vacation) from 37.5' to 30'.

HEARING NUMBER 2: VPB-17-005 APPLICANT NAME: ESTATE INVESTMENT GROUP,  
LLC.FOLIO: 33-5032-007-1030 ZONED: DUV  
PROJECT LOCATION: 18301 SOUTH DIXIE HIGHWAY, PALMETTO BAY, FL 33157  
REQUEST: Site plan and design for a mixed-use project

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

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

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LLC.FOLIO: 33-5032-007-1030 ZONED: DUV  
PROJECT LOCATION: 18301 SOUTH DIXIE HIGHWAY, PALMETTO BAY, FL 33157  
REQUEST: Site plan and design for a mixed-use project

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

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



1030

**PUBLIC NOTICE**  
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# APPLICATION

Village of palmetto bay  
VPB-17-010

VPB-17-010



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

LIST ALL FOLIO #S: 33-5032-007-1030 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).

PERRINE - PETERS METHODIST CHURCH

**2. APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:**

Mailing Address: 18301 S. DIXIE HWY  
City: PALMETTO BAY State: FL Zip: 33157 Phone#: 305-235-6651

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

Owner's Name (Provide name of ALL owners): PERRINE - PETERS UNITED METHODIST CHURCH INC  
City: PALMETTO BAY State: FL Zip: 33157 Phone#: 305 235 6651

**4. CONTACT PERSON'S INFORMATION:**

Name: BRUCE FORD Company: PERRINE - PETERS UNITED METHODIST  
City: PALMETTO BAY State: FL Zip: 33157 Cell Phone#: 305 495 2564  
Phone: 305-235-6651 Fax #: \_\_\_\_\_ Email: FORD@LWADESIGN.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.)

32-55-40 MORNINGSIDE ACRES PB 46-7 LOT 1 LESS R/W LOTS 2 & 3  
& PART OF ROAD LYING NE & ADJACENT CLOSED BY RES 9519 & ALL OF  
LOTS 4 & 5 AND NORTHWESTERLY 50.5 FEET OF LOT 6 BLOCK 10 & PART  
OF SE 1/4 OF SECTION 32 55 40 DESC BEG NE CORNER OF LOT 1  
BLOCK 10 PB 46-7 TH NELY 145 FT NWLY 200 FT SWLY 145 FEET  
SELY 200 FT DOB LESS STATE RD R.O.W PER PB 50-89 LOTS ARE IRREGULAR

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

18301 S. DIXIE HIGHWAY, PALMETTO BAY, FL 33157

7. SIZE OF PROPERTY (in acres): 1.99 (divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property  acquired  leased: \_\_\_\_\_ 9. Lease term: -NA- years  
(month & year)

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

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

12. PRESENT ZONING CLASSIFICATION: BUSINESS/DOWNTOWN URBAN DISTRICT

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

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

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

THE ESTATE COMPANIES, 3/20/17, SITE PLAN APPLICATION, DENIED

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: 1 # 2 STORY STRUCTURES FOR OFFICE, AND RELIGIOUS USE/WORSHIP

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

Use: RELIGIOUS Year: \_\_\_\_\_

*Planning Staff Use Only*

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

**PHOTOGRAPHS**

**FRONT ELEVATION**

**SIDE ELEVATION**

**REAR ELEVATION**

**APPLICANT'S AFFIDAVIT**

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

\*\*\*\*\*

OWNER OR TENANT AFFIDAVIT

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

Sworn to and subscribed to before me  
this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

\*\*\*\*\*

CORPORATION AFFIDAVIT

(I)(WE), PELWINE-PETERS METHODIST CHURCH, 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: Bruce Ford

Bruce Ford  
Authorized Signature



Trustee  
Office Held

Sworn to and subscribed to before me  
this 11 day of April, 2017.

Notary Public: [Signature]  
Commission Expires: 5/5/17

\*\*\*\*\*

PARTNERSHIP AFFIDAVIT

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

By \_\_\_\_\_ %

By \_\_\_\_\_ %

By \_\_\_\_\_ %

By \_\_\_\_\_ %

Sworn to and subscribed to before me  
this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

\*\*\*\*\*

ATTORNEY AFFIDAVIT

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

\_\_\_\_\_  
Signature

Sworn to and subscribed to before me  
this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

**RESPONSIBILITIES OF THE APPLICANT AFFIDAVIT**

I AM AWARE THAT:

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

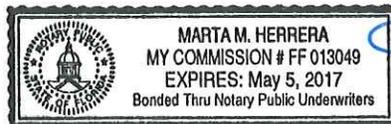
Bruceford  
(Applicant's Signature)

BRUCEFORD  
(Print Name)

Sworn to and subscribed to before me this 11 day of April, 2017. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

(Notary Public)  
My commission expires: 5/5/2017

[Handwritten Signature]



[Handwritten Signature]

**OWNERSHIP AFFIDAVIT  
FOR  
CORPORATION**

STATE OF Florida  
COUNTY OF MIAMI-DADE

Public Hearing No. \_\_\_\_\_

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

1. Affiant is the president, vice-president or CEO of the Corporation, with the following address: 18301 S. DIXIE HWY, PALMETO BAY, FL 33157
2. The Corporation owns the property which is the subject of the proposed hearing.
3. The subject property is legally described as:  
SE CORNER OF S. DIXIE HIGHWAY AND SW 183<sup>RD</sup> STREET  
SEE ATTACHED
4. Affiant is legally authorized to file this application for public hearing.
5. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

[Signature]  
Signature

CRISTINA RUIZ  
Print Name

[Signature]  
Signature

Juan A. Hernandez  
Print Name

[Signature]  
Affiant's Signature

BRUCE FORO  
Print Name

Sworn to and subscribed before me on the 11 day of April, 20 17.

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

[Signature]

Notary [Signature]



(Stamp/Seal)  
Commission Expires:

**OWNERSHIP AFFIDAVIT  
FOR  
INDIVIDUAL**

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Public Hearing No. \_\_\_\_\_

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

1. Affiant is the fee owner of the property that is the subject of the proposed hearing.
2. The subject property is legally described as:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Affiant's Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

Sworn to and subscribed before me on the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

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

**Notary**

(Stamp/Seal)  
Commission Expires:

**DISCLOSURE OF INTEREST**

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

CORPORATION NAME: \_\_\_\_\_

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

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

TRUST/ESTATE NAME: \_\_\_\_\_

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

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

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