

Approved: \_\_\_\_\_ Mayor

Veto: \_\_\_\_\_

Override: \_\_\_\_\_

### RESOLUTION NO. Z-5-18

*WHEREAS, THE GRAHAM COMPANIES, ET AL*, applied for the following:

#### REQUEST #1 ON PARCEL A

- (1) DISTRICT BOUNDARY CHANGE from AU, Agriculture to ECPAD, Employment Center Planned Area Development.

#### REQUEST #2 ON PARCEL B

- (2) DISTRICT BOUNDARY CHANGE FROM AU and IU-C, Industrial District Conditional to BU-3, Business District Liberal.

#### REQUESTS #3 THROUGH #5 ON PARCELS A AND B

- (3) ACCEPTANCE AND EXECUTION of a Development Agreement pursuant to Chapter 163, Florida Statutes, and Section 33-310.3 of the Code of Miami-Dade County.
- (4) NON-USE VARIANCE of zoning regulations to modify the half-section line alignment requirements for NW 102<sup>nd</sup> Avenue.
- (5) NON-USE VARIANCE of zoning regulations to modify the minimum right-of-way requirement for NW 178<sup>th</sup> Street to 0 feet where 70 feet are required.

SUBJECT PROPERTY: PARCEL A: A PORTION OF TRACTS 8, AND 20 THROUGH 24, INCLUSIVE, OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 52 SOUTH, RANGE 40 EAST; TOGETHER WITH ALL OF TRACTS 1 THROUGH 24, INCLUSIVE, OF THE SOUTHEAST 1/4 OF SAID SECTION 8, TOWNSHIP 52 SOUTH, RANGE 40 EAST; ALSO TOGETHER WITH A PORTION OF TRACTS 1, 2, 9 THROUGH 12, INCLUSIVE, A PORTION OF TRACTS 17 THROUGH 21, INCLUSIVE; ALL OF TRACTS 3 THROUGH 8, INCLUSIVE; AND ALL OF TRACTS 22 THROUGH 24, INCLUSIVE, OF THE SOUTHWEST 1/4 OF SAID SECTION 8, TOWNSHIP 52 SOUTH, RANGE 40 EAST; ALSO TOGETHER WITH A PORTION OF TRACT 8, OF THE NORTHWEST 1/4 OF SAID SECTION 8, TOWNSHIP 52 SOUTH, RANGE 40 EAST; ALSO TOGETHER WITH THAT PORTION OF THE 10 FOOT WIDE RIGHT-OF-WAY LYING WITHIN THE LIMITS OF THE HEREIN DESCRIBED PARCEL; ALL ACCORDING TO THE PLAT OF "CHAMBERS LAND COMPANY SUBDIVISION", AS RECORDED IN PLAT BOOK 2, AT PAGE 68; ALSO TOGETHER WITH THAT PORTION OF THE 60 FOOT WIDE CANAL RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 5139 AT PAGE 103, LYING WITHIN THE LIMITS OF THE HEREIN DESCRIBED PARCEL; BOTH OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF

SECTION 9, TOWNSHIP 52 SOUTH, RANGE 40 EAST; THENCE SOUTH 89 DEGREES 28 MINUTES 37 SECONDS WEST, ALONG THE SOUTH LINE OF THE SAID SOUTHWEST 1/4 OF SAID SECTION 9, FOR 2641.25 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; SAID POINT OF BEGINNING BEING THE SOUTHWEST CORNER OF SAID SECTION 9; SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF SAID SECTION 8; THENCE SOUTH 89 DEGREES 41 MINUTES 50 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SECTION 8, FOR 5284.61 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 8; THENCE NORTH 02 DEGREES 37 MINUTES 33 SECONDS WEST, ALONG THE WEST LINE OF THE SAID SOUTHWEST 1/4 OF SAID SECTION 8, FOR 347.26 FEET TO A POINT ON THE NEXT DESCRIBED CIRCULAR CURVE; SAID POINT BEARS NORTH 57 DEGREES 41 MINUTES 53 SECONDS WEST FROM THE RADIUS POINT OF THE FOLLOWING DESCRIBED CIRCULAR CURVE; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CIRCULAR CURVE TO THE RIGHT, HAVING A RADIUS OF 4365.35 FEET AND A CENTRAL ANGLE OF 15 DEGREES 09 MINUTES 34 SECONDS FOR AN ARC DISTANCE OF 1154.99 FEET TO A POINT OF TANGENCY; THENCE NORTH 47 DEGREES 27 MINUTES 37 SECONDS EAST FOR 2518.56 FEET; SAID LAST DESCRIBED THREE COURSES BEING COINCIDENT WITH THE SOUTHEASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD NO. 821 (HOMESTEAD EXTENSION OF THE FLORIDA TURNPIKE), AS SHOWN ON THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 87005, CONTRACT 2313, APPROVED SEPTEMBER, 1970, LAST REVISED NOVEMBER 1, 1971 (SHEETS 1 THROUGH 5); THENCE NORTH 89 DEGREES 37 MINUTES 45 SECONDS EAST FOR 2572.94 FEET; THENCE SOUTH 02 DEGREES 36 MINUTES 53 SECONDS EAST, ALONG THE WEST LINE OF SAID SECTION 9, FOR 2925.19 FEET TO THE POINT OF BEGINNING; ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

LESS AND EXCEPTING THEREFROM: (WELL SITES AND ACCESS ROAD)

ALL OF THAT CERTAIN PARCEL ENTITLED WELL SITES AND ACCESS ROAD AS DESCRIBED IN EXHIBIT "A" OF THE SPECIAL WARRANTY DEED AS RECORDED IN OFFICIAL RECORDS BOOK 28776 AT PAGE 2457 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

A STRIP OF LAND FOR WELL SITES AND ACCESS ROAD PURPOSES. IN THAT PORTION OF SECTION 8, TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, LYING 60 FEET EAST OF THE WEST LINE OF SAID SECTION 8 AND SOUTHEASTERLY OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 821, HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 52 SOUTH, RANGE 40 EAST; THENCE NORTH 89 DEGREES 41 MINUTES 47 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SECTION 8 FOR A DISTANCE OF 60.05 FEET; THENCE NORTH 02 DEGREES 37 MINUTES 46 SECONDS WEST, FOR A DISTANCE OF 60.06 FEET TO A POINT ON THE NORTH LINE OF 60 FEET CANAL RIGHT-OF-WAY RECORDED IN O.R.B. 5139, PAGE 103, ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE NORTH 02 DEGREES 37 MINUTES 46 SECONDS WEST, ALONG A LINE 60 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 8, FOR A DISTANCE OF 373.43 FEET TO INTERSECT WITH A NON TANGENT CIRCULAR

CURVE CONCAVE SOUTHEASTERLY, ALSO BEING THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 821, HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE, AT WHICH POINT THE RADIAL BEARS SOUTH 56 DEGREES 19 MINUTES 50 SECONDS EAST; THENCE ALONG SAID CIRCULAR CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 4365.66 FEET, A CENTRAL ANGLE OF 13 DEGREES 47 MINUTES 07 SECONDS AND AN ARC DISTANCE OF 1050.37 FEET TO A POINT OF TANGENCY; THENCE NORTH 47 DEGREES 27 MINUTES 17 SECONDS EAST, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE STATE ROAD NO. 821 FOR A DISTANCE OF 2481.17 FEET; THENCE SOUTH 42 DEGREES 32 MINUTES 43 SECONDS EAST FOR A DISTANCE OF 25.00 FEET; THENCE SOUTH 47 DEGREES 27 MINUTES 17 SECONDS WEST, ALONG A LINE 25 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE AFORESAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE STATE ROAD NO. 821, FOR A DISTANCE OF 147.00 FEET; THENCE SOUTH 42 DEGREES 32 MINUTES 43 SECONDS EAST FOR A DISTANCE OF 50.00 FEET; THENCE SOUTH 47 DEGREES 27 MINUTES 17 SECONDS WEST, FOR A DISTANCE OF 50.00 FEET; THENCE NORTH 42 DEGREES 32 MINUTES 43 SECONDS WEST, FOR A DISTANCE OF 50.00 FEET; THENCE SOUTH 47 DEGREES 27 MINUTES 17 SECONDS WEST ALONG A LINE 25 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE AFORESAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE STATE ROAD NO. 821, FOR A DISTANCE OF 969.56 FEET; THENCE SOUTH 42 DEGREES 32 MINUTES 43 SECONDS EAST, FOR A DISTANCE OF 50.00 FEET; THENCE SOUTH 47 DEGREES 27 MINUTES 17 SECONDS WEST, FOR A DISTANCE OF 50.00 FEET; THENCE NORTH 42 DEGREES 32 MINUTES 43 SECONDS WEST FOR A DISTANCE OF 50.00 FEET; THENCE SOUTH 47 DEGREES 27 MINUTES 17 SECONDS WEST, ALONG A LINE 25 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE AFORESAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE STATE ROAD NO. 821, FOR A DISTANCE OF 969.56 FEET; THENCE SOUTH 42 DEGREES 32 MINUTES 43 SECONDS EAST, FOR A DISTANCE OF 50.00 FEET; THENCE SOUTH 47 DEGREES 27 MINUTES 17 SECONDS WEST, FOR A DISTANCE OF 50.00 FEET; THENCE NORTH 42 DEGREES 32 MINUTES 43 SECONDS WEST, FOR A DISTANCE OF 50.00 FEET; THENCE SOUTH 47 DEGREES 27 MINUTES 17 SECONDS WEST, ALONG A LINE 25 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE AFORESAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE STATE ROAD NO. 821, FOR A DISTANCE OF 245.05 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHEASTERLY; THENCE ALONG SAID CIRCULAR CURVE 25 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE AFORESAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE STATE ROAD NO. 821, HAVING FOR ITS ELEMENTS A RADIUS OF 4340.66 FEET, A CENTRAL ANGLE OF 9 DEGREES 28 MINUTES 51 SECONDS AND AN ARC DISTANCE OF 718.25 FEET; THENCE SOUTH 51 DEGREES 53 MINUTES 44 SECONDS EAST, FOR A DISTANCE OF 50.00 FEET; THENCE SOUTH 37 DEGREES 38 MINUTES 14 SECONDS WEST FOR A DISTANCE OF 50.00 FEET; THENCE NORTH 51 DEGREES 53 MINUTES 44 SECONDS WEST, FOR A DISTANCE OF 50.00 FEET TO A POINT OF A NON-TANGENT CIRCULAR CURVE CONCAVE SOUTHEASTERLY AND 25 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE AFORESAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE STATE ROAD NO. 821, HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE, AT WHICH POINT THE RADIAL BEARS SOUTH 52 DEGREES 41 MINUTES 10 SECONDS EAST; THENCE ALONG SAID CIRCULAR CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 4340.66 FEET, A CENTRAL ANGLE OF 2 DEGREES 27 MINUTES 36 SECONDS AND AN ARC DISTANCE OF 186.37 FEET; THENCE SOUTH 23 DEGREES 22 MINUTES 18 SECONDS WEST, FOR A DISTANCE OF 25.48 FEET TO A POINT OF A NON-TANGENT CIRCULAR CURVE CONCAVE SOUTHEASTERLY AND 30 FEET SOUTHEASTERLY OF AND PARALLEL WITH

AFORESAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE STATE ROAD NO. 821, HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE, AT WHICH POINT THE RADIAL BEARS SOUTH 55 DEGREES 28 MINUTES 34 SECONDS EAST; THENCE ALONG SAID CIRCULAR CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 4335.66 FEET, A CENTRAL ANGLE OF 0 DEGREES 43 MINUTES 29 SECONDS AND AN ARC DISTANCE OF 54.84 FEET; THENCE SOUTH 02 DEGREES 37 MINUTES 46 SECONDS EAST ALONG A LINE 90 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SECTION 8, FOR A DISTANCE OF 339.77 FEET; THENCE NORTH 89 DEGREES 41 MINUTES 48 SECONDS EAST, FOR A DISTANCE OF 15.01 FEET; THENCE SOUTH 02 DEGREES 37 MINUTES 46 SECONDS EAST, FOR A DISTANCE OF 25.02 FEET; THENCE SOUTH 89 DEGREES 41 MINUTES 48 SECONDS WEST, ALONG THE NORTH LINE OF 60 FEET CANAL RIGHT-OF-WAY RECORDED IN O.R.B. 5139, PAGE 103, FOR A DISTANCE OF 45.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 109,900 SQUARE FEET OR 2.52 ACRES, MORE OR LESS, BY CALCULATIONS.

NOTE: THE "LESS AND EXCEPTING THEREFROM" PORTION OF THIS LEGAL DESCRIPTION IS A RESTATEMENT OF THE LEGAL DESCRIPTION ENTITLED "WELL SITES AND ACCESS ROAD" CONTAINED IN THE HEREIN REFERENCED OFFICIAL RECORDS BOOK 28776 AT PAGE 2457, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PARCEL B: A PORTION OF TRACTS 41 THROUGH 43, INCLUSIVE, AND ALL OF TRACT 44, OF THE SOUTHWEST 1/4 OF SAID SECTION 9, TOWNSHIP 52 SOUTH, RANGE 40 EAST; SUBJECT TO THAT PORTION OF THE 15 FOOT WIDE ROAD RESERVATION LYING WITHIN THE LIMITS OF THE HEREIN DESCRIBED PARCEL; ACCORDING TO THE PLAT OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", AS RECORDED IN PLAT BOOK 2 AT PAGE 17, ALL OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 9; THENCE SOUTH 89 DEGREES 28 MINUTES 37 SECONDS WEST, ALONG THE SOUTH LINE OF THE SAID SOUTHWEST 1/4 OF SAID SECTION 9, FOR 1980.94 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL (GRAHAM EAST 1); THENCE CONTINUE SOUTH 89 DEGREES 28 MINUTES 37 SECONDS WEST, ALONG THE LAST DESCRIBED COURSE, FOR 660.31 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 9; SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF SECTION 8, TOWNSHIP 52 SOUTH, RANGE 40 EAST; THENCE NORTH 02 DEGREES 36 MINUTES 53 SECONDS WEST, ALONG THE WEST LINE OF THE SAID SOUTHWEST 1/4 OF SAID SECTION 9, FOR 1320.22 FEET TO A POINT TO BE HEREINAFTER REFERRED TO AS POINT "A"; THENCE NORTH 89 DEGREES 31 MINUTES 20 SECONDS EAST, ALONG THE NORTH LINE OF SAID TRACT 44 OF THE SAID SOUTHWEST 1/4 OF SAID SECTION 9, FOR 1320.61 FEET; THENCE SOUTH 02 DEGREES 37 MINUTES 01 SECONDS EAST, ALONG THE EAST LINE OF SAID TRACT 44 OF THE SAID SOUTHWEST 1/4 OF SAID SECTION 9, FOR 329.79 FEET; THENCE SOUTH 89 DEGREES 30 MINUTES 39 SECONDS WEST, ALONG THE SOUTH LINE OF SAID TRACT 44 OF THE SAID SOUTHWEST 1/4 OF SAID SECTION 9, FOR 660.31 FEET; THENCE SOUTH 02 DEGREES 36 MINUTES 57 SECONDS EAST, ALONG

THE EAST LINE OF THE WEST 1/2 OF SAID TRACTS 43 THROUGH 41, INCLUSIVE AND RESPECTIVELY, OF THE SAID SOUTHWEST 1/4 OF SAID SECTION 9, FOR 989.77 FEET TO THE POINT OF BEGINNING; ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

AND

A PORTION OF TRACTS 24 AND 25 OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 52 SOUTH, RANGE 40 EAST; TOGETHER WITH A PORTION OF TRACTS 33 AND 47 AND ALL OF TRACT 48, OF THE SOUTHWEST 1/4 OF SAID SECTION 9, TOWNSHIP 52 SOUTH, RANGE 40 EAST; SUBJECT TO THAT PORTION OF THE 15 FOOT WIDE ROAD RESERVATION LYING WITHIN THE LIMITS OF THE HEREIN DESCRIBED PARCEL; ACCORDING TO THE PLAT OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", AS RECORDED IN PLAT BOOK 2 AT PAGE 17, ALL OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE AFORE-DESCRIBED POINT "A"; THENCE NORTH 02 DEGREES 36 MINUTES 53 SECONDS WEST, ALONG THE WEST LINE OF THE SAID SOUTHWEST 1/4 OF SAID SECTION 9, FOR 660.11 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUE NORTH 02 DEGREES 36 MINUTES 53 SECONDS WEST, ALONG THE LAST DESCRIBED COURSE, FOR 944.86 FEET; THENCE NORTH 89 DEGREES 37 MINUTES 45 SECONDS EAST FOR 2170.56 FEET; THENCE SOUTH 02 DEGREES 36 MINUTES 44 SECONDS WEST, ALONG THE WESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF INTERSTATE 75 (STATE ROAD 93), AS SHOWN ON THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 87075-2402, APPROVED JULY 5, 1977, LAST REVISED DECEMBER 1, 1978 (SHEETS 1 THROUGH 10) FOR 612.04 FEET; THENCE SOUTH 89 DEGREES 33 MINUTES 22 SECONDS WEST, ALONG THE SOUTH LINE OF SAID TRACTS 33 AND 48, RESPECTIVELY, OF THE SAID SOUTHWEST 1/4 OF SAID SECTION 9 FOR 1620.91 FEET; THENCE SOUTH 02 DEGREES 36 MINUTES 53 SECONDS EAST, ALONG A LINE THAT IS PARALLEL WITH AND 549.12 FEET EAST OF, AS MEASURED AT RIGHT ANGLES TO, THE SAID WEST LINE OF THE SAID SOUTHWEST 1/4 OF SAID SECTION 9, FOR 329.95 FEET; THENCE SOUTH 89 DEGREES 32 MINUTES 42 SECONDS WEST, ALONG THE SOUTH LINE OF SAID TRACT 47 OF THE SAID SOUTHWEST 1/4 OF SAID SECTION 9, FOR 549.51 FEET TO THE POINT OF BEGINNING; ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

LOCATION: Generally lying east of the Homestead Extension of the Florida Turnpike, west of Interstate 75 between NW 170<sup>th</sup> Street and theoretical NW 180<sup>th</sup> Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Board of County Commissioners was advertised and held, as required by Chapter 33, Article XXXVI (Zoning Procedure) and Section 33-284.28.6 (ECPAD) Review and Approval Procedures of the County Code, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Development Agreement, and

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

*WHEREAS*, upon due and proper consideration having been given to the matter and to the recommendation of the Developmental Impact Committee and the Planning Advisory Board as to the proffered Development Agreement, it is the opinion of this Board that the requested district boundary change to ECPAD, Employment Center Planned Area Development (Request #1), and to BU-3, Business District Liberal (Request #2), subject to acceptance and approval of the proffered Development Agreement, would be consistent with the Comprehensive Development Master Plan and would be compatible with the neighborhood and surrounding area and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and

*WHEREAS*, upon due and proper consideration having been given to the recommendation of the Development Impact Committee and the Planning Advisory Board as to the proffered Development Agreement, the requested ACCEPTANCE AND EXECUTION of the Development Agreement in substantially the form attached as Exhibit 1 (Request #3 on Parcels A & B) pursuant to Chapter 163, Florida Statutes, and Section 33-310.3 of the Code of Miami-Dade County should be granted, and

*WHEREAS*, the requested NON-USE VARIANCE of zoning regulations to modify the half-section line alignment requirements for NW 102<sup>nd</sup> Avenue (Request #4 on Parcels A and B) and the NON-USE VARIANCE of zoning regulations to modify the minimum right-of-way requirement for NW 178<sup>th</sup> Street to 0 feet where 70 feet are required (Request #5 on Parcels A and B) would be in harmony with the general purpose and intent of the

regulations and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Commissioner Jose “Pepe” Diaz, seconded by Commissioner Rebeca Sosa, and upon a poll of the members present the vote was as follows:

Daniella Levine Cava	nay	Jean Monestime	absent
Jose “Pepe” Diaz	aye	Dennis C. Moss	aye
Audrey M. Edmonson	absent	Rebeca Sosa	aye
Sally A. Heyman	aye	Sen. Javier D. Souto	aye
Barbara J. Jordan	aye	Xavier L. Suarez	aye
Joe A. Martinez	aye	District 5	vacant
Esteban Bovo, Jr.		aye	

*NOW THEREFORE BE IT RESOLVED* by the Board of County Commissioners, Miami-Dade County, Florida, that the requested DISTRICT BOUNDARY CHANGE from AU to ECPAD (Request #1 on Parcel A) and the DISTRICT BOUNDARY CHANGE FROM AU and IU-C to BU-3 (Request #2 on Parcel B), is hereby approved, subject to acceptance and approval of the Development Agreement substantially in the form attached as Exhibit 1, and said property is hereby zoned accordingly.

*BE IT FURTHER RESOLVED* that, pursuant to Section 33-310.3 of the Code of Miami-Dade County, Florida, the County hereby approves the ACCEPTANCE AND EXECUTION of the proffered Development Agreement (Request #3 on Parcels A & B) in substantially the form provided in Exhibit 1, and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

*BE IT FURTHER RESOLVED*, that the NON-USE VARIANCE for zoning regulations to modify the half-section line alignment requirements for NW 102<sup>nd</sup> Avenue (Request #4 on Parcels A and B), and the NON-USE VARIANCE of zoning regulations to modify the

minimum right-of-way requirement for NW 178<sup>th</sup> Street to 0 feet where 70 feet are required (Request #5 on Parcels A and B), are hereby approved.

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

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Regulatory and Economic Resources and to issue all permits in accordance with the terms and conditions of this resolution.

***THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED*** this 17<sup>th</sup> day of May, 2018, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

mf

HARVEY RUVIN, Clerk  
Board of County Commissioners  
Miami-Dade County, Florida

**CHRISTOPHER AGRIPPA**

By \_\_\_\_\_  
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 16<sup>TH</sup> DAY OF JULY, 2018.