

ORDINANCE NO. 02-25

ORDINANCE RELATING TO THE TOWN OF MIAMI LAKES COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING DISPOSITION OF SMALL-SCALE AMENDMENT APPLICATIONS FILED IN AUGUST 2002 TO AMEND, MODIFY, ADD TO OR CHANGE COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING FOR TRANSMISSION TO THE STATE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

WHEREAS, Lowell S. and Betty L. Dunn, through their representative Stanley Price, Esq., have filed two applications for two parcels of property legally described in Exhibits A and B to amend the Town of Miami Lakes Comprehensive Development Master Plan ("CDMP") as graphically depicted in Exhibit C, said exhibits being attached hereto and incorporated by reference; and

WHEREAS, the foregoing applications were filed with the Town in August, 2002 and are eligible for processing as small-scale land use plan map amendments pursuant to Section 163.3187, Florida Statutes; and

WHEREAS, the Town Council has been designated as the Local Planning Agency for the Town pursuant to Section 163.3174, Florida Statutes;

WHEREAS, the Town Council as Local Planning Agency has reviewed the application, conducted a public hearing, and recommended approval of the small-scale amendment applications; and

WHEREAS, the Town Council held first reading of this Ordinance at a duly noticed public hearing on September 12, 2002, and held second reading of this Ordinance at a duly noticed public hearing on September 24, 2002, continued until October 9, 2002;

WHEREAS, the Town Council has reviewed the applications and the recommendations of the Local Planning Agency, and conducted public hearings required pursuant to Section 163.3187, Florida Statutes; and

WHEREAS, the approval of an amendment to the CDMP does not assure favorable action upon any application for zoning or other land use approval but is part of the overall land use policies of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, that:

Section 1. Recitals. The above recitals are true and correct and are incorporated by reference.

Section 2. Disposition. The Council hereby approves the following applications and adopts the small-scale amendments to the CDMP:

A. The Application of Lowell S. and Betty L. Dunn, submitted by and through their legal Counsel, Stanley B. Price, Esq., on August 21, 2002 as supplemented on August 26, 2002 for a 1.87 +/- acre parcel of property generally located north of N.W. 154th Street and west of N.W. 87th Avenue from "Low Density Residential" to "Business and Office" (2.5 to 6 DU/Ac.).

B. The Application of Lowell S. and Betty L. Dunn, submitted by and through their legal Counsel, Stanley B. Price, Esq., on August 21, 2002 as supplemented on August 26, 2002 for a 1.91 +/- parcel of property generally located north of N.W. 154th Street and west of N.W. 87th Avenue from "Business and Office" to "Low Density Residential" (2.5 to 6 DU/Ac.).

Section 3. Transmittal. The Town Clerk, pursuant to Section 163.3184, Florida Statutes, shall transmit the foregoing applications to the State of Florida Department of Community Affairs and all other appropriate governmental entities where required by state statute.

Section 4. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Exclusion. The provisions of this Ordinance shall be excluded from the Town of Miami Lakes Code.

Section 6. Effective Date. This Ordinance shall become effective immediately unless it is challenged pursuant to Section 163.3187, Florida Statutes within thirty (30) days after adoption. In the event that this Ordinance is challenged within (30) days after adoption, the Ordinance shall not become effective until DCA issues a final order determining the adopted small-scale amendment is in compliance.

The foregoing Ordinance was offered by **Councilmember Collins**, who moved its adoption on first reading. The motion was seconded by **Councilmember Thomson**, and upon being put to a vote, the vote was as follows: (6-1)

| | |
|---------------------------------|-----|
| Councilmember Mary Collins | yes |
| Councilmember Robert Meador, II | yes |
| Councilmember Michael Pizzi | no |
| Councilmember Nancy Simon | yes |
| Councilmember Peter Thomson | yes |
| Vice Mayor Roberto Alonso | yes |

Mayor Wayne Slaton


yes

PASSED AND ADOPTED on first reading this **12th** day of **September**, 2002.

The foregoing Ordinance was offered by **Councilmember Collins**, who moved its adoption on second reading. The motion was seconded by **Councilmember Simon**, and upon being put to a vote, the vote was as follows:

| | |
|---------------------------------|-----|
| Councilmember Mary Collins | Yes |
| Councilmember Robert Meador, II | No |
| Councilmember Michael Pizzi | No |
| Councilmember Nancy Simon | Yes |
| Councilmember Peter Thomson | Yes |
| Vice Mayor Roberto Alonso | Yes |
| Mayor Wayne Slaton | Yes |

PASSED AND ADOPTED on second reading this **9th** day of **October**, 2002.


WAYNE SLATON, MAYOR

ATTEST:


BEATRIS M. ARGUELLES, CMC
TOWN CLERK

APPROVED AS TO FORM:


WEISS, SEROTA, HELFMAN, PASTORIZA & GUEDES, P.A.
TOWN ATTORNEY

EXHIBIT A

ORDINANCE NO. 02-25

ORDINANCE RELATING TO THE TOWN OF MIAMI LAKES COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING DISPOSITION OF SMALL-SCALE AMENDMENT APPLICATIONS FILED IN AUGUST 2002 TO AMEND, MODIFY, ADD TO OR CHANGE COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING FOR TRANSMISSION TO THE STATE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

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WHEREAS, the foregoing applications were filed with the Town in August, 2002 and are eligible for processing as small-scale land use plan map amendments pursuant to Section 163.3187, Florida Statutes; and

WHEREAS, the Town Council has been designated as the Local Planning Agency for the Town pursuant to Section 163.3174, Florida Statutes;

WHEREAS, the Town Council as Local Planning Agency has reviewed the application, conducted a public hearing, and recommended approval of the small-scale amendment applications; and

WHEREAS, the Town Council held first reading of this Ordinance at a duly noticed public hearing on September 12, 2002, and held second reading of this Ordinance at a duly noticed public hearing on September 24, 2002, continued until October 9, 2002;

WHEREAS, the Town Council has reviewed the applications and the recommendations of the Local Planning Agency, and conducted public hearings required pursuant to Section 163.3187, Florida Statutes; and

WHEREAS, the approval of an amendment to the CDMP does not assure favorable action upon any application for zoning or other land use approval but is part of the overall land use policies of the Town.

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| | |
|---------------------------------|-----|
| Councilmember Mary Collins | yes |
| Councilmember Robert Meador, II | yes |
| Councilmember Michael Pizzi | no |
| Councilmember Nancy Simon | yes |
| Councilmember Peter Thomson | yes |
| Vice Mayor Roberto Alonso | yes |

Mayor Wayne Slaton

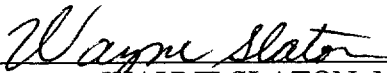
yes

PASSED AND ADOPTED on first reading this **12th** day of **September**, 2002.

The foregoing Ordinance was offered by **Councilmember Collins**, who moved its adoption on second reading. The motion was seconded by **Councilmember Simon**, and upon being put to a vote, the vote was as follows:

| | |
|---------------------------------|-----|
| Councilmember Mary Collins | Yes |
| Councilmember Robert Meador, II | No |
| Councilmember Michael Pizzi | No |
| Councilmember Nancy Simon | Yes |
| Councilmember Peter Thomson | Yes |
| Vice Mayor Roberto Alonso | Yes |
| Mayor Wayne Slaton | Yes |

PASSED AND ADOPTED on second reading this **9th** day of **October**, 2002.



WAYNE SLATON, MAYOR

ATTEST:



BEATRIS M. ARGUELLES, CMC
TOWN CLERK

APPROVED AS TO FORM:



WEISS, SEROTA, HELFMAN, PASTORIZA & GUEDES, P.A.
TOWN ATTORNEY

ORD #02-25
EXHIBIT A

LEGAL DESCRIPTION

A PORTION OF LAND IN THE SOUTHEAST ¼ OF SECTION 16 TOWNSHIP 52 SOUTH, RANGE 40 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE ON THE SOUTH EAST CORNER OF SECTION 16, TOWNSHIP 52 SOUTH, RANGE 40 EAST; THENCE ALONG THE EASTERLY LINE OF SAID SECTION 16 N02°36'00"W FOR 77.53 FEET; THENCE S87°24'00"W FOR 40.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE NW 87th AVENUE; THENCE ALONG SAID RIGHT OF WAY LINE N02°36'00"W FOR 625.33 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID RIGHT OF WAY FOR 268.84 FEET; THENCE S87°24'00"W FOR 200.00 FEET; THENCE S02°36'00"E FOR 20.00 FEET; THENCE S87°24'00"W FOR 87.27 FEET; THENCE S29°56'58"W FOR 247.67 FEET; THENCE N89°34'49"E FOR 396.76 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST AND HAVING FOR ITS ELEMENTS A CENTRAL ANGLE OF 87°49'11", A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 38.32 FEET AND A CHORD DISTANCE OF 34.68 FEET TO THE POINT OF BEGINNING. CONTAINING 1.87 ACRES MORE OR LESS.

ORD #02-25
EXHIBIT B

LEGAL DESCRIPTION

A PORTION OF LAND IN THE SOUTHEAST 1/4 OF SECTION 16 TOWNSHIP 52 SOUTH, RANGE 40 EAST IN MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE ON THE SOUTH EAST CORNER OF SECTION 16, TOWNSHIP 52 SOUTH, RANGE 40 EAST; THENCE ALONG THE SOUTHERLY LINE OF SAID SECTION 16 S89°34'49"W FOR 67.90 FEET; THENCE N00°25'11"W FOR 50.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF N.W. 154th STREET; THENCE ALONG SAID RIGHT OF WAY LINE S89°34'49"W FOR 593.25 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING; THENCE N02°36' 00" W FOR 613.37 FEET; THENCE N14°24'04"E FOR 40.84 FEET TO A POINT ON A 50.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHWEST WHOSE RADIUS POINT BEARS N17°51'10"E FROM SAID POINT; THENCE EASTERLY AND NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 66°27'44" FOR AN ARC DISTANCE OF 58.00 FEET TO A POINT OF REVERSE OF CURVATURE OF A 25.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST; THENCE NORTHEASTERLY AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 48°11'23" FOR AN ARC DISTANCE OF 21.03 FEET TO A POINT OF TANGENCY; THENCE N89°34'49"E FOR 114.01 FEET; THENCE S29°56'58"W FOR 128.28 FEET; THENCE S00°25'11"E FOR 564.21 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF NW 154th STREET; THENCE S89°34'49"W FOR 107.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.91 ACRES MORE OR LESS.

EXHIBIT B

REC'D SEP 23 2002

Published Daily

MIAMI, FLORIDA

STATE OF FLORIDA
COUNTY OF DADE

Before the undersigned authority personally appeared:

FRANK TOMASINO

Who on oath that he is

ADVERTISING OFFICE MANAGER

Of the Miami Herald Publishing Company, a daily newspaper at Miami in Dade county, Florida; that the advertisement for

Town of Miami Lakes / Public Hearing

- was published in said newspaper in the issue of:

Neighbors / Northwest / Zone 4 / 9-19-02 / Pg. 7

Affiant further says that the said Miami Herald is a newspaper published at Miami, in the said Dade County, Florida, and that the said newspaper has heretofore been continuously published in said Dade, County, Florida, each day and has been entered as second class mail matter at the post office in Miami, in said Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement.

Frank Tomasino

FRANK TOMASINO

Sworn to and subscribed before me

This 20 day of September A.D. 2002

Lisa Ann Hernandez

Lisa Ann Hernandez

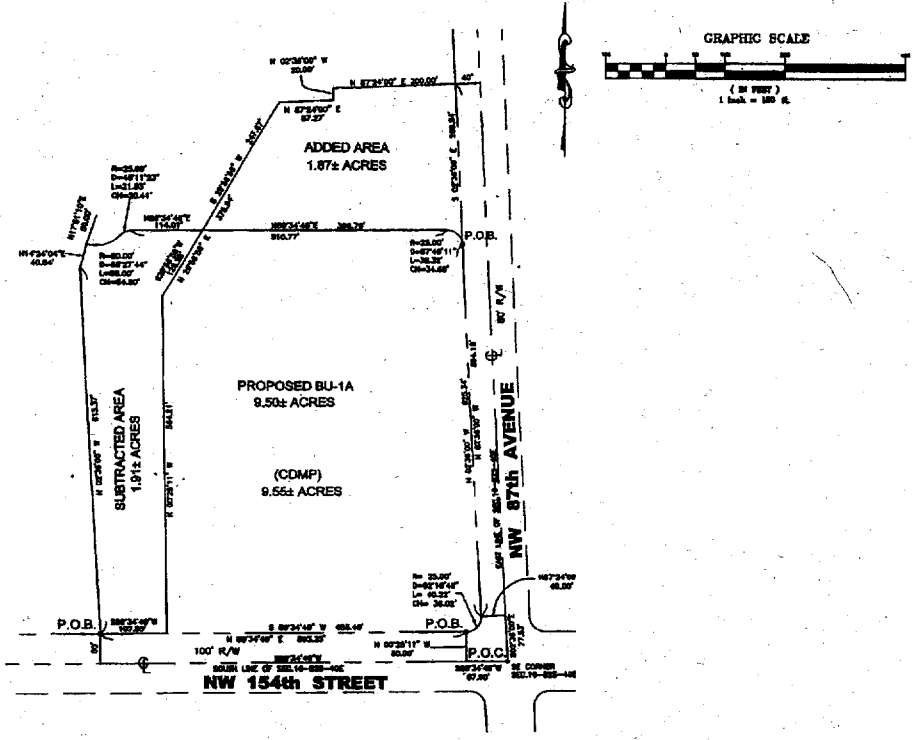


Lisa Ann Hernandez
Commission # DD 000617
Expires Feb. 11, 2005
Bonded Thru
Atlantic Bonding Co., Inc.

TOWN OF MIAMI LAKES PUBLIC HEARING NOTICE OF COMPREHENSIVE DEVELOPMENT MASTER PLAN FUTURE LAND USE MAP DESIGNATION CHANGES

NOTICE IS HEREBY GIVEN that the Town Council of the Town of Miami Lakes, Florida, will hold a public hearing of an ordinance adopting two (2) small scale amendments to the Town Comprehensive Development Master Plan on September 24, 2002, at 6:30 p.m. at Miami Lakes Middle School located at 6425 Miami Lakeway North, Miami Lakes, Florida 33014. The purpose of the public hearing is to consider on second reading the adoption of the following ordinance:

ORDINANCE RELATING TO THE TOWN OF MIAMI LAKES COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING DISPOSITION OF SMALL-SCALE AMENDMENT APPLICATIONS FILED IN AUGUST 2002 TO AMEND, MODIFY, ADD TO OR CHANGE COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING FOR TRANSMISSION TO THE STATE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE



A copy of the proposed ordinance is available for public inspection at Town Hall, 6853 Main Street, Miami Lakes, Florida. Interested persons are invited to attend the public hearing or provide written comments on the proposed ordinance to the Town Clerk.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Town Council, with respect to any matter considered at such hearing or meeting, the person will need a record of the proceedings and, for such purpose, that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based. **ADA Assistance:** Anyone needing special assistance at the Town Council hearing due to a disability should contact the Town Clerk, Town of Miami Lakes (305) 558-8511 at least two days prior thereto.

Beatris Arquelles, Acting Town Manager

EXHIBIT C



Town of Miami Lakes
Future
Land Use Map
August, 2002

Existing Land Uses

- Low-Density
- Low-Medium Density
- Medium Density
- Medium-High Density
- Office/Residential
- Institutional and Public Facility
- Business and Office
- Industrial and Office
- Parks and Recreation
- Environmentally Protected Parks
- Transportation

Other Elements

- Town of Miami Lakes Boundary
- Lakes and Canals
- Major Highway / Expressway
- Main Roads
- Secondary Roads



Kimley-Horn
and Associates, Inc.

EDSA

Miami-Future mxd.B402

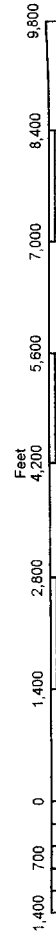
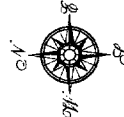
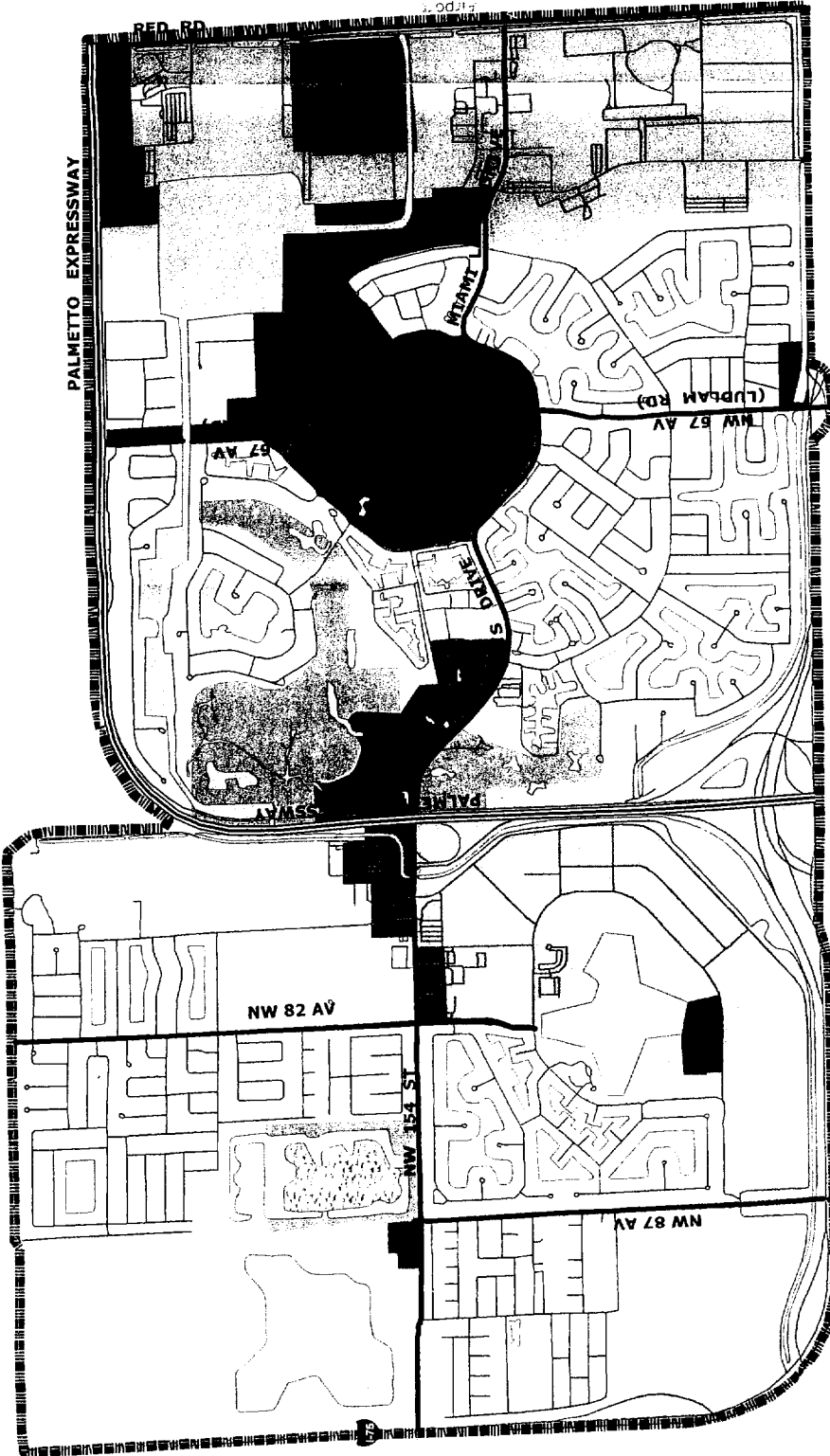


EXHIBIT D

**APPLICATION FOR AN AMENDMENT TO THE
LAND USE PLAN MAP
OF THE TOWN OF MIAMI LAKES
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

SMALL-SCALE AMENDMENT

I. APPLICANT

Lowell S. Dunn and Betty L. Dunn
8083 N.W. 103rd Street
Hialeah Gardens, Florida 33016

II. APPLICANT'S REPRESENTATIVE

Stanley B. Price, Esquire
Bilzin Sumberg Dunn Baena Price & Axelrod, LLP
200 South Biscayne Boulevard, Suite 2500
Miami, Florida 33131
Telephone: (305) 350-2374
Fax: (305) 374-7593

Brian S. Adler, Esquire
Bilzin Sumberg Dunn Baena Price & Axelrod, LLP
200 South Biscayne Boulevard, Suite 2500
Miami, Florida 33131
Telephone: (305) 350-2351
Fax: (305) 374-7593

By: _____
Stanley B. Price

III. DESCRIPTION OF REQUESTED CHANGE

A. Change to the Land Use Plan Map

A change to the Land Use Plan Map (item A.1.C in the fee schedule) is requested.

B. Description of Subject Area

The portion of the Property to be re-designated to Business and Office is attached as Exhibit "A". The portion of the Property to be re-designated as Low Density Residential is attached as Exhibit "B".

Containing approximately 1.87± acres more or less for Exhibit "A".
Containing approximately 1.91± acres more or less for Exhibit "B".

C. Gross Acreage

Gross Acreage: 9.55 acres ± of Parcel C.

Net Acreage: 9.5 acres ± of Parcel C.

Gross Acreage: 9.5 acres ± of Parcel D.

Net Acreage: 9.5 acres ± of Parcel D.

The net result is a zero change in acreage.

The original legal description for the commercial parcel re-designated in 1999 is attached as Exhibit "C".

The new legal description for the commercial parcel is attached as Exhibit "D".

Acreage owned by Applicants: 100% of above.

D. Requested Change

1. It is requested that the application area described in Exhibit "A" be re-designated on the Land Use Plan from Low Density Residential (2.5 to 6 units/per acre) to Business and Office.
2. It is requested that the application area described in Exhibit "B" be re-designated on the Land Use Plan from Business and Office to Low Density Residential.
3. This application is eligible for expedited processing as a "small-scale" amendment.

IV. REASON FOR AMENDMENT

The subject parcels are located along two section line roads: N.W. 154th Street and N.W. 87th Avenue. The properties are located at the northwest corner of the quadrant formed by the intersection. This request is consistent with the Comprehensive Development Master Plan of the Town of Miami Lakes and Miami-Dade County, Florida which permit and recognize that commercial development in newly developing areas should be designated along major intersections. The Plan specifically provides Guidelines for Urban Form (Land Use Element I-20 - I-23) which provides for commercial uses within activity nodes at major intersections. The Plan calls for allocations of "commercial development rights along quadrants of such nodes" and particularly where several factors are present. These factors are, among others, location, geographic constraints, ownership fragmentation, compatibility with adjacent uses, ability of highway capacity and other public services.

Under the Residential Communities Section of the Comprehensive Development Master Plan:

Intersections of section line roads shall serve as focal points of activity, hereafter referred to as activity nodes. Activity nodes shall be occupied by any non-residential components of the neighborhood; including public and semi-public uses. When commercial uses are warranted, they should be located within these activity nodes.

CDMP I-10(4) (Emphasis added).

In April 1999, the Owner and Applicant sought approval of a small size amendment to the CDMP for a 9.55 ± acre parcel. The Owners believe that the commercial property should be rotated such that the greater frontage is along N.W. 87th Avenue as opposed to the N.W. 154th Street frontage as a means of providing greater frontage on N.W. 87th Avenue and away from the residential development to the south.

The rotation of the parcel creates two almost equal parcels, which have the net effect of canceling out each other. Therefore, the amendment will have an almost zero impact.

Based upon the foregoing, the Applicant strongly believes that this application is totally consistent with the goals, objectives and policies of the Master Plan, and that the present and future residents of this community are entitled to all benefits enjoyed by other areas of County.

V. ADDITIONAL MATERIALS SUBMITTED

Supplemental information may be submitted later.

VI. COMPLETED DISCLOSURE FORMS

See Attached

DISCLOSURE OF INTEREST

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

1. APPLICANT(S) NAME AND ADDRESS:

APPLICANT A: Lowell S. Dunn, 8083 N.W. 103rd Street, Hialeah Gardens, FL 33016

APPLICANT B: Betty L. Dunn, 8083 N.W. 103rd Street, Hialeah Gardens, FL 33016

APPLICANT C: _____

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

APPLICANT G: _____

APPLICANT H: _____

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

2. PROPERTY DESCRIPTION: Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.

| APPLICANT | OWNERS OF RECORD | FOLIO NUMBER | SIZE IN ACRES |
|-----------|------------------|----------------------------------|-------------------------|
| A | Lowell S. Dunn | A portion of 32-2016-000-0020 | 1.87± and 1.91+/- |
| B | Betty L Dunn | A portion of 32-2016-000-0020 | 1.87± and 1.91+/- |
| | | | |
| | | | |

3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.

| APPLICANT | OWNER | LESSEE | CONTRACTOR FOR PURCHASE | OTHER (Attach Explanation) |
|-----------|-------|--------|-------------------------|----------------------------|
| A | X | | | |
| B | X | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

4. **DISCLOSURE OF APPLICANT'S INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.**

a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

| <u>INDIVIDUAL'S NAME AND ADDRESS</u> | <u>PERCENTAGE OF INTEREST</u> |
|-------------------------------------------------------------------|-------------------------------|
| Lowell S. Dunn, 8083 N.W. 103rd Street, Hialeah Gardens, FL 33016 | Undivided interest in whole |
| Betty L. Dunn, 8083 N.W. 103rd Street, Hialeah Gardens, FL 33016 | Undivided interest in whole |

b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: N/A

| <u>NAME, ADDRESS AND OFFICE (if applicable)</u> | <u>PERCENTAGE OF STOCK</u> |
|-------------------------------------------------|----------------------------|
| N/A | |

- c. If the applicant is A TRUSTEE, list the trustees name and address of the beneficiaries of the trust, and the percentage of interest held by each. [Note: where the beneficiary\beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEES NAME: N/A

| <u>BENEFICIARY'S NAME AND ADDRESS</u> | <u>PERCENTAGE OF INTEREST</u> |
|---------------------------------------|-------------------------------|
| <hr/> | |
| <hr/> | |
| <hr/> | |
| <hr/> | |

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner(s) consist of another partnership(s), corporation (s) trust (s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME: N/A

| <u>NAME AND ADDRESS OF PARTNERS</u> | <u>PERCENTAGE OF INTEREST</u> |
|-------------------------------------|-------------------------------|
| <hr/> | |
| <hr/> | |
| <hr/> | |
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- e. If the applicant is party to a **CONTRACT FOR PURCHASE**, whether contingent (on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. (Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

| <u>NAME AND ADDRESS</u> | <u>PERCENTAGE OF INTEREST</u> |
|-------------------------|-------------------------------|
| N/A | |
| | |
| | |

Date of Contract: _____

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

| |
|-----|
| N/A |
| |
| |

5. DISCLOSURE OF OWNER'S INTEREST: Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

- a. If the owner is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

| <u>INDIVIDUAL'S NAME AND ADDRESS</u> | <u>PERCENTAGE OF INTEREST</u> |
|--------------------------------------|-------------------------------|
| N/A | |
| | |
| | |

- e. If the owner is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. (Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

| <u>NAME, ADDRESS AND OFFICE (if applicable)</u> | <u>PERCENTAGE OF INTEREST</u> |
|-------------------------------------------------|-------------------------------|
|-------------------------------------------------|-------------------------------|

N/A

Date of Contract: _____

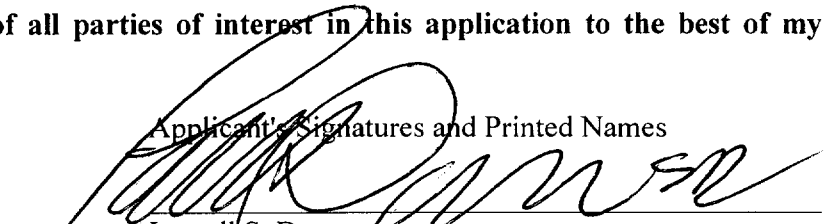
If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

N/A

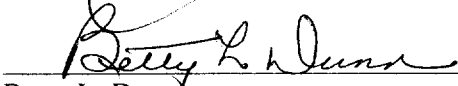
For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

Applicant's Signatures and Printed Names



 Lowell S. Dunn

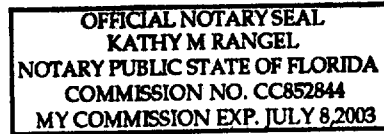


 Betty L. Dunn

Sworn to and subscribed before me

this 30th day of August, 2002

Kathy M Rangel
Notary Public State of Florida at Large



(SEAL)

My Commission Expires: 7-8-03

Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; 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 each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in 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.

EXHIBIT E

**Town of Miami Lakes
Town Council
Wednesday, October 9, 2002**

**Comprehensive Development Master Plan Future Land Use Map
Amendment Application**

Staff Report

[Note: This report and recommendation is unchanged from the prior 9-10-02 and 9-24-02 staff reports addressing this application.]

- Applicant:** Lowell and Betty Dunn
- Site Location:** Northwest corner of (theoretical) NW 87th Avenue and NW 154th Street intersection.
- Size:** Parcel 1 - 1.87 acres
Parcel 2 - 1.91 acres.
- Requests:**
- 1.) Future Land Use Map amendment from Low Density Residential use to Business and Office use for Parcel 1.
 - 2.) Future Land Use Map amendment from Business and Office use to Low Density Residential use for Parcel 2.
- Existing Land Use:** Vacant

Introduction

The applicant has requested amendments to the Town's Comprehensive Development Master Plan (CDMP) Future Land Use Map for two (2) small parcels in the northwest section of the Town. The subject sites are part of a larger 156.2 acre tract which comprises the proposed Dunnwoody Lake residential/commercial project concurrently under zoning review by the Town.

Prior to incorporation, two (2) land use amendments were approved by Miami-Dade County covering the 156.2 acre Dunnwoody Lake tract. As a result of those amendments, Low Density Residential use is currently approved for 146.7 acres of the tract and Business and Office use is approved for 9.5 acres, located in the southeast corner of the tract (see attached map). Low Density Residential use permits homes up to a density of six (6) units per acre

Staff Recommendation

Staff recommends approval of the subject small-scale land use amendments for parcels 1 and 2.

EXHIBIT F

SMALL SCALE DEVELOPMENT
AMENDMENT
SUBMITTAL FORM

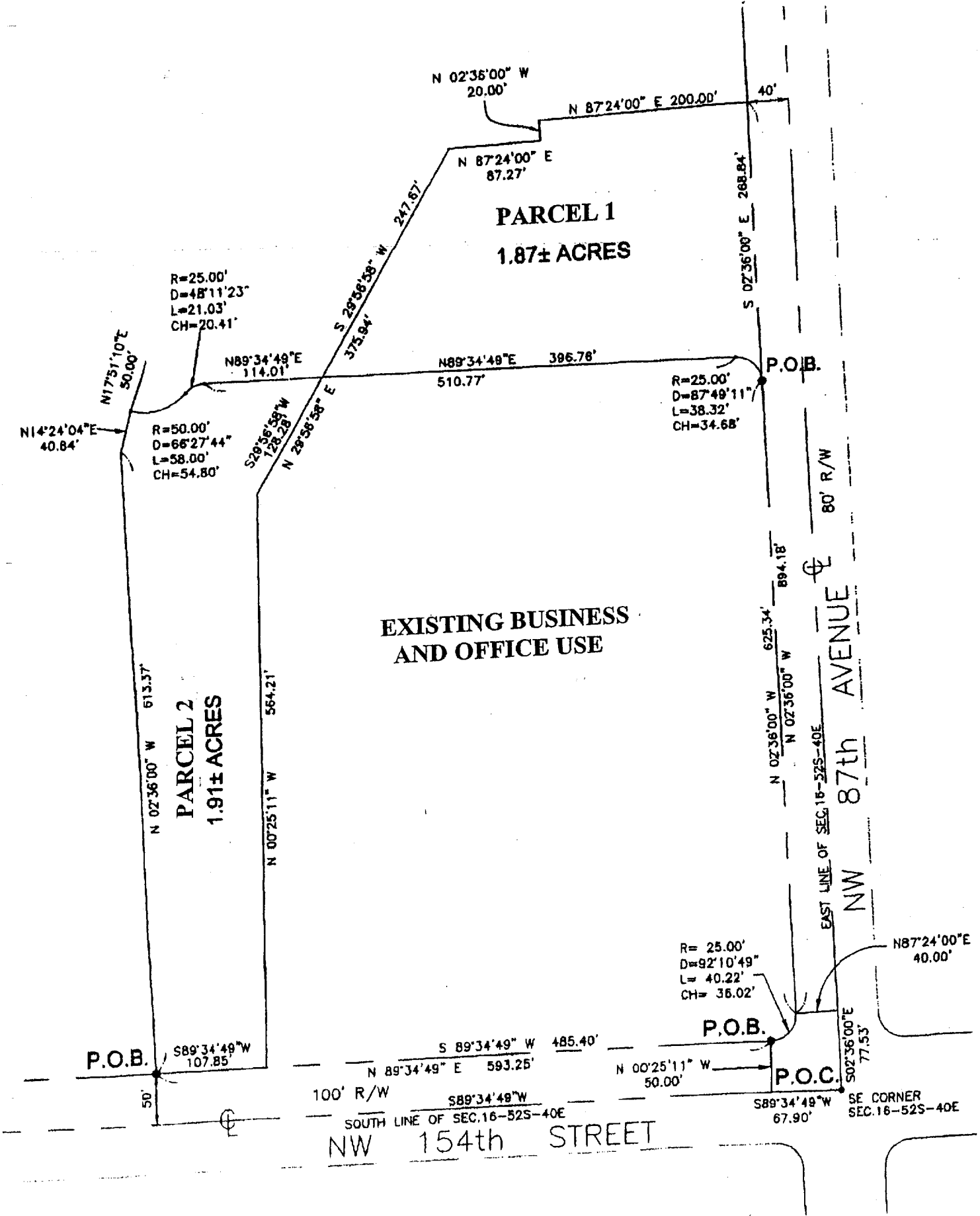
1. Name of Local Government Town of Miami Lakes
Person completing this form Mark A. Rotherberg Phone number 954-763-4242
Name of newspaper where notice of small scale development amendment was published _____
Miami Herald
Date publication noticed 9/19/02
(Please attach a copy of the notice)

2. Number of acres of small scale development amendments contained in package:
- a. Within Urban Infill, Urban Redevelopment or Downtown Revitalization as defined by Section 163.3164, *Florida Statutes (F.S.)*. Ø
 - b. Within Transportation Concurrency Exception Area pursuant to Section 163.3180, *F.S.* Ø
 - c. Within Regional Activity Centers or Urban Central Business Districts pursuant to Section 380.06(2)(e), *F.S.* Ø
 - d. Outside categories a., b., and c. 3.78
3. Cumulative total number of acres of small scale development amendments for the calendar year:
- a. Categories listed in Item 2, a., b., and c. above. Ø
 - b. Categories listed in Item 2, d. above. 3.78
4. Total number of acres of small scale development amendments in this package that are located within a coastal high hazard area as identified in the comprehensive plan. Ø

Pursuant to Rule 9J-11.015(2), *Florida Administrative Code*, this form must be mailed with all small scale development amendments as defined by Section 163.3187(1)(c), *F.S.* to:

Department of Community Affairs
Bureau of State Planning
Plan Processing Section
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100
(850) 488-4925

ORD #02-25
EXHIBIT C



N 02°36'00" W
20.00'

N 87°24'00" E 200.00'

N 87°24'00" E
87.27'

PARCEL 1
1.87± ACRES

R=25.00'
D=48°11'23"
L=21.03'
CH=20.41'

N17°51'10"E
50.00'

N89°34'49"E
114.01'

N89°34'49"E 396.78'
510.77'

P.O.B.

R=25.00'
D=87°49'11"
L=38.32'
CH=34.68'

N14°24'04"E
40.84'

R=50.00'
D=66°27'44"
L=58.00'
CH=54.80'

S29°56'58"W
128.28'

N 28°58'58" E
375.94'

**EXISTING BUSINESS
AND OFFICE USE**

PARCEL 2
1.91± ACRES

N 02°36'00" W 613.37'

N 00°25'11" W 564.21'

89.18'

N 02°36'00" W 625.34'

N 02°36'00" W

NW 87th AVENUE
80' R/W

R= 25.00'
D=92°10'49"
L= 40.22'
CH= 36.02'

N87°24'00"E
40.00'

P.O.B.

P.O.B.

S89°34'49"W
107.85'

S 89°34'49" W 485.40'
N 89°34'49" E 593.25'

N 00°25'11" W
50.00'

P.O.C.

S02°36'00"E
77.53'

100' R/W

SOUTH LINE OF SEC. 16-52S-40E

NW 154th STREET

S89°34'49"W
67.90'

SE CORNER
SEC. 16-52S-40E