

RESOLUTION NO. 16-1371

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING A REQUEST IN ACCORDANCE WITH SUBSECTION 13-308(F)(2) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE FOR A PRELIMINARY PLAT ENTITLED DUNNWOODY LAKE SUBMITTED FOR PROPERTY LOCATED NORTH OF NW 154TH STREET AND BETWEEN NW 87TH AVENUE AND I-75, MIAMI LAKES, FLORIDA, FOLIO NUMBER 32-2016-000-0020, IN THE RM-13 ZONING DISTRICT; PROVIDING FINDINGS; PROVIDING FOR APPROVAL; PROVIDING FOR CONDITIONS; PROVIDING FOR VIOLATION OF CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Subsection 13-308(f)(2) of the Town of Miami Lakes (“Town”) Land Development Code (“LDC”), Lennar Homes, LLC (the “Applicant”) has applied to the Town for approval of a preliminary plat, a copy of the Plat being attached here to as **Exhibit “A”** and incorporated herein by reference (“Preliminary Plat”), for property generally located at the northwest corner of NW 87 Avenue and NW 154 Street, which is a portion of Miami-Dade Tax Folio No. 32-2016-000-0020 (“Property”), as legally described in **Exhibit “B”**, and containing approximately 142.67 acres of land, located north of NW 154th Street and between NW 87th Avenue and I-75, Folio number 32-2016-000-0020; and

WHEREAS, Subsection 13-308(f)(2) of the Town LDC sets forth the authority of the Town Council to consider and act upon an application for a preliminary plat; and

WHEREAS, in accordance with Section 13-309 of the Town LDC, proper notice was mailed to the appropriate property owners of record, the property was posted as required and the hearing was duly advertised in the newspaper; the public hearing on the Preliminary Plat was noticed for Tuesday, April 5, 2016, at 6:00 P.M. at Town Hall, 6601 Main Street, Miami Lakes,

Florida; and all interested parties have had the opportunity to address their comments to the Town Council; and

WHEREAS, Town staff has reviewed the application and recommends approval subject to conditions, of the request for a Preliminary Plat, as set forth in the Town of Miami Lakes Staff Analysis and Recommendation, a copy of which is on file in the Town of Miami Lakes Clerk's Office and incorporated into this Resolution by reference.

WHEREAS, the Director of Planning, acting as the Administrative Official, has determined that the Applicant has met the conditions and prerequisites imposed in Section 13-308 of the LDC; and

WHEREAS, the Town Council, in accordance with Section 13-308(f)(2)(c)(3) has considered the physical characteristics of the property, the availability of community services, traffic impact, economic impacts, appropriateness of the type and intensity of the proposed development, existing and future development, existing and future development patterns, compliance with land development regulations, relationship of the project to the capital improvements program; and other such factors as may relate to the Comprehensive Plan or elements thereof; and

WHEREAS, the Town Council, in accordance with Section 13-308(f)(2)(c)(4) of the LDC, has considered the written recommendations of staff, any other reviewing agencies, and presentations by the public.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

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

Section 2. Findings.

In accordance with Section 13-308(f)(2), the Town Council finds that the application meets the criteria for a preliminary plat approval which are as follows:

1. Physical characteristics of the property; and
2. The availability of community services; and
3. Traffic impact; and
4. Economic impacts; and
5. Appropriateness of the type and intensity of the proposed development; and
6. Existing and future development; and
7. Existing and future development patterns; and
8. Compliance with land development regulations; and
9. Relationship of the project to the capital improvements program; and
10. Other such factors as may relate to the Comprehensive Plan or elements thereof.

Section 3. Approval. The Preliminary Plat is hereby approved, subject to conditions as set out in Section 4.

Section 4. Conditions. The Town Council approved the Preliminary Plat in Section 3, subject to the following conditions:

1. The approval of the preliminary plat shall be in accordance with the copy of the "Tentative Plat of Dunnwoody Lake" as submitted for approval to the Town Council and prepared by Ford, Armenteros & Fernandez, Inc., consisting of fourteen (14) sheets and stamped as received by the Town on 03-30-2016.
2. Prior to the approval of the final plat, the proposed Centre Lake Community Development District (CDD) shall be created for the maintenance of infrastructure internal to the development. If said CDD is not created, resubmittal of the preliminary plat shall be required to establish a different method to maintain infrastructure internal to the development.
3. Per Town Surveyor comments, tentative plat submittal to Miami-Dade County shall include a topographic survey 25 feet beyond the boundary limits of the subject property.
4. Prior to approval of the final plat, the easement sketch and legal description for the drainage easement recorded in Official Records Book (O.R.B.) 293144, Page 1271 of the Official Records of Miami-Dade County shall be corrected and re-recorded, per the Town Surveyor comments.
5. The Applicant shall comply, prior to final plat approval, with all platting requirements of the Town LDC and Chapter 28 of the Miami-Dade County Code.
6. All design and engineering documents, including any required studies, required for public improvements, or private street, utility and infrastructure improvements required to meet the standards for public facilities per the LDC, shall be submitted concurrently with the

final plat application. All required improvements shall be completed and approved by the Town, per the procedures of the LDC, prior to recording of the final plat.

7. No building permit shall be issued until the final plat is recorded, except as may be allowed by the LDC.
8. The Applicant shall obtain approval of a final plat in accordance with the Town LDC for the requested preliminary plat, as approved herein, within one year of the date of this approval, unless an extension is granted by the Town Council in accordance with the provisions of Subsection 13-308(f)(5). If a final plat is not obtained within the prescribed time limit, then this approval shall become null and void.

Section 5. Violation of Conditions. Failure to adhere to the terms and conditions of this Resolution shall be considered a violation of the Town LDC and persons found violating the conditions shall be subject to the penalties prescribed by the Town LDC, including but not limited to, the revocation of any of the approval(s) granted in this Resolution. The Applicant understands and acknowledges that it must comply with all other applicable requirements of the Town LDC before it may commence operation, and that the foregoing approval in this Resolution may be revoked by the Town at any time upon a determination that the Applicant is in non-compliance with the Town LDC.

Section 6. Appeal. In accordance with Section 13-310 of the Town LDC, the Applicant of any affected party may appeal this decision by filing of a notice of appeal in accordance with the Florida Rules of Appellate Procedure.

Section 7. Effective Date. This Resolution shall take effect immediately.

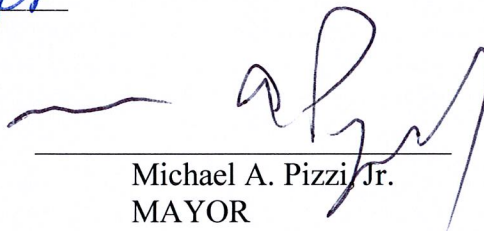
PASSED AND ADOPTED this 5th day of April, 2016.

Motion to adopt by Councilman Mingo, second by Councilman Lama

FINAL VOTE AT ADOPTION

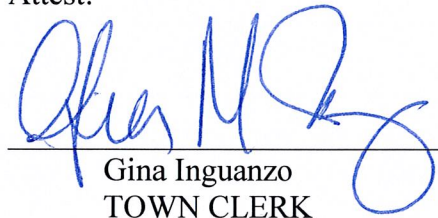
Mayor Michael A. Pizzi, Jr.
Vice Mayor Tim Daubert
Councilmember Manny Cid
Councilmember Tony Lama
Councilmember Ceasar Mestre
Councilmember Frank Mingo
Councilmember Nelson Rodriguez

no
absent
no
yes
yes
yes
yes



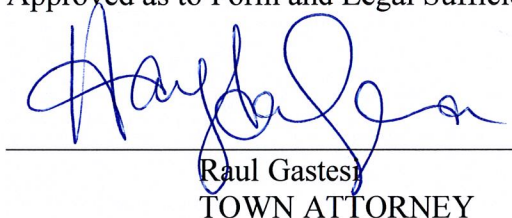
Michael A. Pizzi, Jr.
MAYOR

Attest:



Gina Inguanzo
TOWN CLERK

Approved as to Form and Legal Sufficiency



Raul Gastes
TOWN ATTORNEY

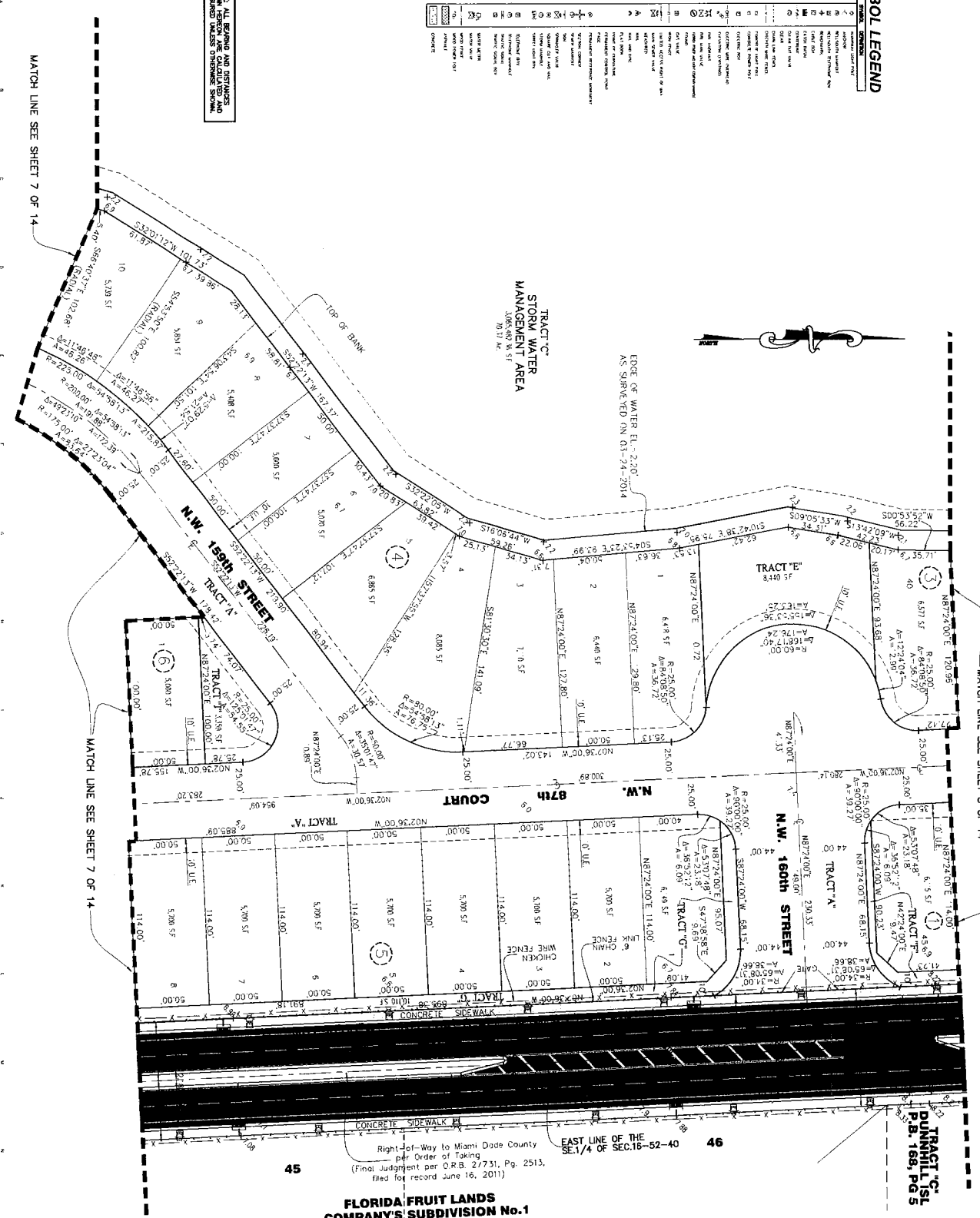
Exhibit A
Preliminary Plat

1

SYMBOL LEGEND

SYMBOL	DESCRIPTION
1	BOUNDARY LINE
2	PROPERTY LINE
3	ADJACENT PROPERTY
4	ADJACENT WATER
5	ADJACENT ROAD
6	ADJACENT RAILROAD
7	ADJACENT AIRWAY
8	ADJACENT CANAL
9	ADJACENT DRAINAGE CANAL
10	ADJACENT FLOODPLAIN
11	ADJACENT WETLANDS
12	ADJACENT WOODLAND
13	ADJACENT PRAIRIE
14	ADJACENT SAVANNAH
15	ADJACENT SWAMP
16	ADJACENT TROPICAL FOREST
17	ADJACENT OPEN SPACE
18	ADJACENT UNDEVELOPED LAND
19	ADJACENT AGRICULTURE
20	ADJACENT PASTURE
21	ADJACENT CROPLAND
22	ADJACENT WOODLAND
23	ADJACENT PRAIRIE
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99	ADJACENT AGRICULTURE
100	ADJACENT PASTURE

NOTE: ALL BEARING AND DISTANCES ARE TO BE MEASURED TO THE CENTER OF THE LINE UNLESS OTHERWISE SHOWN.



MATCH LINE SEE SHEET 7 OF 14

MATCH LINE SEE SHEET 5 OF 14

FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION No. 1 P.B. 2, PG 17

DUNNWOODY LAKE

BOUNDARY / TOPOGRAPHIC SURVEY FOR TENTATIVE PLAT
SKETCH OF SURVEY
LENNAR HOMES, LLC

RECORD OF REVISION

No.	DATE	DESCRIPTION	BY	APP.

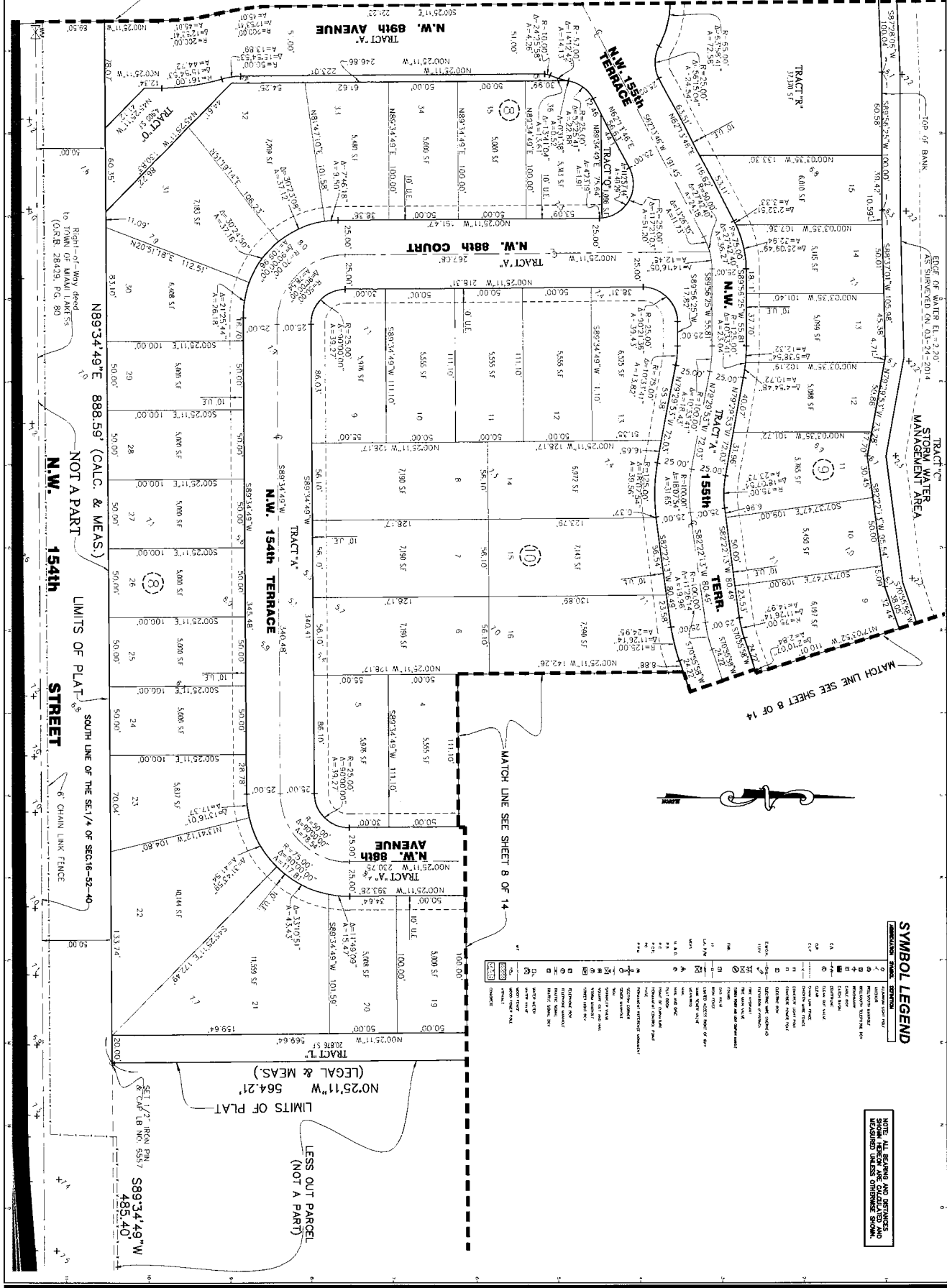
PROJ. ENGINEER: [Signature]
DATE: FEB 23, 2016
SCALE: AS SHOWN
SHEET NO. 14 OF 14



DATE: FEB 23, 2016
PROJECT NO.: 14-015-551
SHEET NO.: 14 OF 14

MATCH LINE SEE SHEET 10 OF 14

MATCH LINE SEE SHEET 10 OF 14



SYMBOL LEGEND

SYMBOL	DESCRIPTION
1	Right-of-Way Boundary
2	Lot Boundary
3	Sublot Boundary
4	Proposed Boundary
5	Proposed Right-of-Way Boundary
6	Proposed Easement Boundary
7	Proposed Encroachment Boundary
8	Proposed Encroachment Boundary
9	Proposed Encroachment Boundary
10	Proposed Encroachment Boundary
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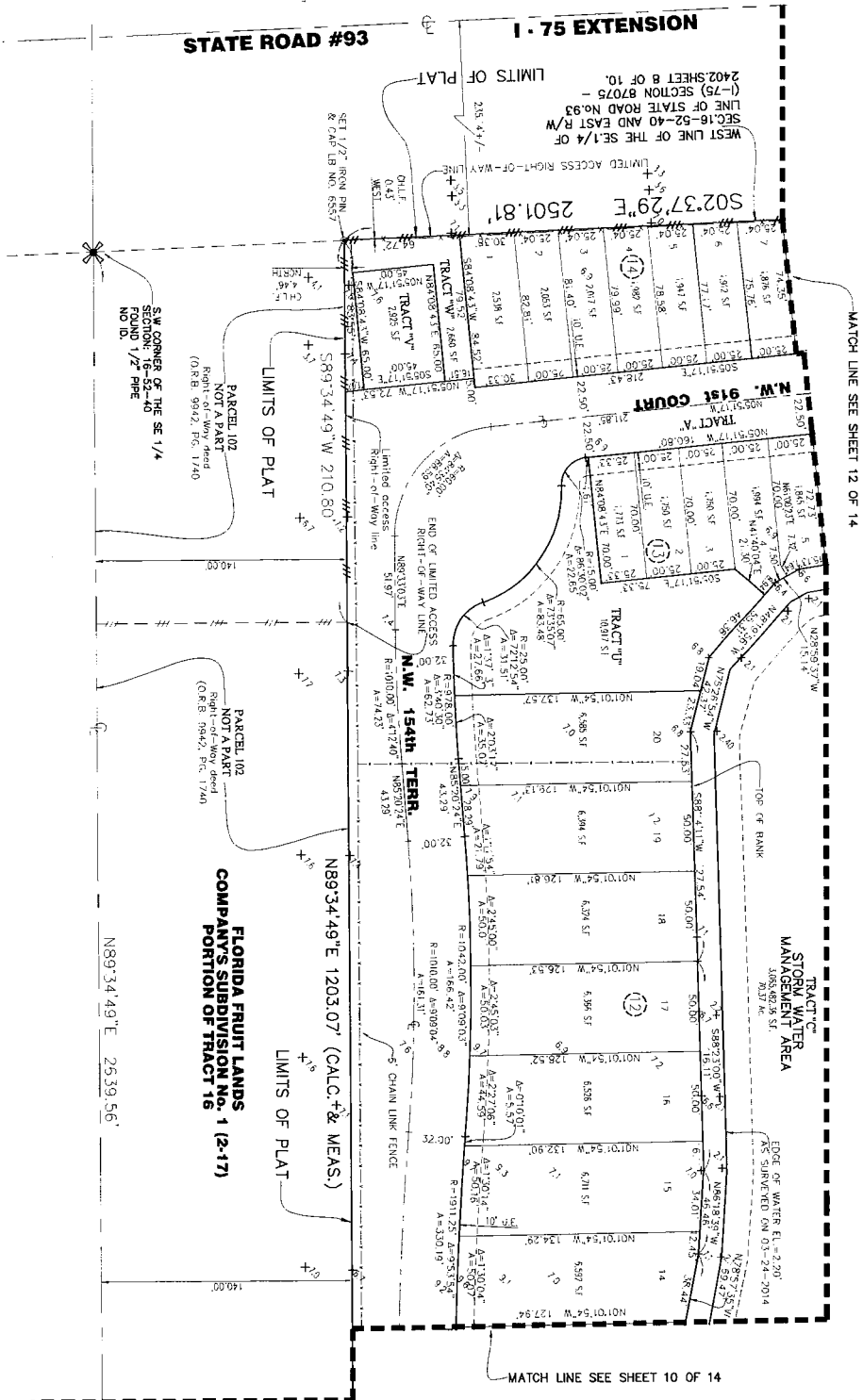
NOTE: ALL BEARINGS AND DISTANCES SHOWN HEREON ARE CALCULATED AND RECHECKED UNLESS OTHERWISE SHOWN.

<p>9</p>	<p>DUNNWOODY LAKE BOUNDARY / TOPOGRAPHIC SURVEY FOR TENTATIVE PLAT SKETCH OF SURVEY LENNAR HOMES, LLC</p>	<p>RECORD OF REVISION</p> <table border="1"> <thead> <tr> <th>No.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> <th>APP.</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	No.	DATE	DESCRIPTION	BY	APP.																<p>FOR THE ENGINEER/REVIEWER: STATE OF FLORIDA PROFESSIONAL ENGINEER No. 00017747 Exp. 03/31/2018 L. M. BERRY</p>
No.	DATE	DESCRIPTION	BY	APP.																			
<p>PROJECT: 124774 SECTION 16, TOWNSHIP 32 SOUTH, RANGE 42 EAST TOWN OF WOODLAKES, BAKERSFIELD COUNTY, FLORIDA</p>		<p>DATE PLOTTED: FEB 23, 2016 PLOT SCALE: 1" = 100.00'</p>																					

SYMBOL LEGEND

	BOUNDARY LINE
	EASEMENT
	RIGHT-OF-WAY
	UTILITY LINE
	STREAM
	FENCE
	SURVEY POINT
	MONUMENT
	CENTERLINE
	RIGHT-OF-WAY LINE
	UTILITY EASEMENT
	STREAM EASEMENT
	FENCE LINE
	SURVEY POINT WITH ELEVATION
	MONUMENT WITH ELEVATION
	CENTERLINE WITH OFFSET
	RIGHT-OF-WAY LINE WITH OFFSET
	UTILITY EASEMENT WITH OFFSET
	STREAM EASEMENT WITH OFFSET
	FENCE LINE WITH OFFSET
	SURVEY POINT WITH DISTANCE
	MONUMENT WITH DISTANCE
	CENTERLINE WITH DISTANCE
	RIGHT-OF-WAY LINE WITH DISTANCE
	UTILITY EASEMENT WITH DISTANCE
	STREAM EASEMENT WITH DISTANCE
	FENCE LINE WITH DISTANCE

NOTE: ALL BEARING AND DISTANCES SHOWN HEREON ARE CALCULATED AND ADJUSTED UNLESS OTHERWISE SHOWN.



DUNNWOODY LAKE		RECORD OF REVISION	
BOUNDARY / TOPOGRAPHIC SURVEY FOR TENTATIVE PLAT		No.	DATE
SKETCH OF SURVEY		DESCRIPTION	
LENNAR HOMES, LLC		BY	APP.
PROJECT LOCATION: SECTION 16, TOWNSHIP 52 SOUTH, RANGE 40 EAST, TOWN OF MAW LAKES, HARRIS COUNTY, TEXAS			
DATE: FEB 23, 2016			
DRAWN BY: [Signature]			
SCALE: AS SHOWN			
PROJECT NO.: 14-015-551			
SHEET NO.: 11			
TOTAL SHEETS: 14			

FLORIDA SURVEYORS & ENGINEERS, INC.
 1000 N. UNIVERSITY BLVD., SUITE 100
 BOCA RATON, FLORIDA 33432
 PHONE: (561) 992-1100
 FAX: (561) 992-1101
 WWW.FSEI.COM

Exhibit B

Legal Description

The Southeast 1/4 of Section 16, Township 52 South, Range 40 East, lying and being in Miami-Dade County, Florida, LESS AND EXCEPT that portion thereof lying within the lands designated as part of Parcel No. 102 and conveyed to the State of Florida Department of Transportation, pursuant to that Deed recorded in Official Records Book 9942, Page 1740, of the Public Records of Miami-Dade County, Florida.

FURTHER LESS AND EXCEPT that portion thereof acquired by Miami-Dade County, Florida pursuant to that Final Judgment recorded in Official Records Book 27731, Page 2513, of the Public Records of Miami-Dade County, Florida, as to the following described lands:

Parcel No. 1: The East 40.00 feet of the South 1275.00 feet of the Southeast 1/4 of Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida;

and,

Parcel No. 1A; The East 40 feet of the Southeast 1/4 of Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida, LESS the South 1275.00 feet thereof.

FURTHER LESS AND EXCEPT that portion thereof conveyed to the Town of Miami Lakes pursuant to that Right-of-Way Deed recorded in Official Records Book 28429, Page 801, of the Public Records of Miami-Dade County, Florida, as to the following described lands:

Parcel II: The South 50 feet of the Southeast 1/4 of Section 16, Township 52 South, Range 40 East, lying East of Interstate 75 (State Road Number 93) Ramp Limited Access Right-of-Way line as shown on Florida Department of Transportation Right-of-Way Map for Section 87075-2401, Miami-Dade County, Florida.

FURTHER LESS AND EXCEPT that portion thereof conveyed to Miami-Dade County, Florida pursuant to that Quit-Claim Deed recorded in Official Records Book 28634, Page 307, of the Public Records of Miami-Dade County, Florida, as to the following described lands:

The external area formed by a 25-foot radius arc concave to the Northwest and tangent to the West line of the East 40 feet of said Section 16 and tangent to the North line of the South 50 feet of said Section 16, Miami-Dade County, Florida.

FURTHER LESS AND EXCEPT that portion thereof described as follows:

A portion of land lying and being 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:

Commencing at the Southeast corner of said Section 16; thence S 89° 34' 49" W along the South line of the Southeast 1/4 of said Section 16, for a distance of 67.90 feet to a point; thence N 00° 25' 11" E for 50.00 feet to the Point of Beginning; thence S 89° 34' 49" W along a line 50 feet North of and parallel with the South line of the Southeast 1/4 of said Section 16 a distance of 485.40 feet to a point; thence N 00° 25' 11" W for 564.21 feet to a point; thence N 29° 56' 58" E for 375.94 feet to a point; thence N 87° 24' 00" E for 87.27 feet to a point; thence N 02° 36' 00"

W for 20.00 feet to a point; thence N 87° 24' 00" E for 200.00 feet; thence S 02° 36' 00" E along a line 40 feet West of and parallel with the East line of the Southeast 1/4 of Section 16 a distance of 894.18 feet to a point of curvature of a circular curve concave to the Northwest and having for its elements a central angle of 92° 10' 49", a radius of 25.00 feet, an arc distance of 40.22 feet and a chord distance of 36.02 feet to the Point of Beginning.

ALL OF SAID LANDS SITUATE, LYING AND BEING IN MIAMI-DADE COUNTY,
FLORIDA