

RESOLUTION NO. 06-399Z

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING AN APPLICATION FOR SITE PLAN APPROVAL OF A SINGLE FAMILY RESIDENCE; MODIFYING CONDITIONS OF MIAMI-DADE COUNTY ADMINISTRATIVE VARIANCE NO. V96000051 TO PERMIT THE PROPOSED SITE PLAN IN PLACE OF A PREVIOUSLY APPROVED SITE PLAN TO ALLOW A SINGLE FAMILY RESIDENCE IN THE RU-1 DISTRICT SETBACK 13.10 FEET FROM THE FRONT OF THE PROPERTY LINE WHERE 25 FEET IS REQUIRED; TO PROVIDE FOR DEVELOPMENT IN ACCORDANCE WITH THE NEWLY APPROVED SITE PLAN FOR PROPERTY LOCATED AT 6350 LAKE JUNE ROAD, MIAMI LAKES, FLORIDA; PROVIDING FINDINGS; PROVIDING FOR [APPROVAL/DENIAL]; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ivan and Janet Rodriguez (the "Applicant") owns a .44 acre parcel of property located at 6350 Lake June Road, Miami Lakes, Florida (the "Property") as legally described in Exhibit "A" hereto and attached by this reference; and

WHEREAS, the Property is subject to a prior approval for an administrative variance as set forth in Miami-Dade County Administrative Variance No. V96000051 (the "Variance"), a copy of which is attached as Exhibit "B" hereto and attached by this reference; and

WHEREAS, the Applicant has submitted an application for site plan approval to permit a two-story single family residence on the Property (the "Site Plan"); and

WHEREAS, the Applicant has requested a modification to the conditions of the Variance to permit the Site Plan and to provide for development in accordance with the newly approved Site Plan; and

WHEREAS, the Property is designated Low Density Residential (LD) in the Town's Comprehensive Plan and is zoned RU-1 (Single Family Residential); and

WHEREAS, The Town's Comprehensive Plan, Policy 1.1.2 Low Density Residential (LD) and Division 4.2 of the Town Code permit the building; and

WHEREAS, Division 3.4 of the Town Code sets forth the authority of the Town Council to consider and act upon an application for a site plan; and

WHEREAS, in accordance with Division 3.9 of the Town Code proper notice has been mailed to the appropriate property owners of record; the public hearing on the Site Plan has been noticed for Tuesday, April 18, 2006 at 7:00 p.m. at Miami Lakes Middle School, 6425 Miami Lakeway North, Miami Lakes, FL 33014; 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 with conditions of the Site Plan, as set forth in the Staff Analysis and Recommendation dated April 18, 2006 (the "Staff Analysis"), attached as Exhibit "C," and incorporated into this Resolution by this reference; and

WHEREAS, the Town Council has determined that the Application satisfies the Code's requirements for site plan approval as set forth in Division 3.4 of the Town's Code; and

WHEREAS, the Town Council finds that the Application is consistent with the Town's Comprehensive Plan.

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 into this Resolution by this reference.

Section 2. Findings.

In accordance with Division 3.4 of the Town Code, the Town Council finds that the Applicant meets the site plan criteria in Division 3.4(i), which are as follows:

1. The Site Plan is consistent with the Comprehensive Plan and the purpose of the zoning district in which it is located.
2. The Site Plan is in conformance with all applicable regulations of the zoning district in which it is located.
3. The Site Plan is in conformance with the Town requirements including the design and construction of streets utility facilities and other essential services.
4. The Site Plan is consistent with good design standards in respect to all external relationships, including, but not limited to:
 - a. Relationship to adjoining properties.
 - b. Internal circulation, both vehicular and pedestrian.
 - c. Disposition of open space, use of screening or buffering and preservation of existing natural features, including trees.
 - d. Building arrangements both between buildings in the proposed development and those adjoining the site.
5. The Site Plan is in conformance with the Town policy in respect to sufficiency of ownership, guarantee for completion of all required improvements and the guarantee for continued maintenance.

Section 3. Approval.

The Town Council subject to the conditions set forth in Section 4 below, approves the Application consisting of:

- (1) a Site Plan for a +/-4,183 square foot single family home; and
- (2) Modification of Administrative Variance V96000051, which was approved on the 15th day of April, 1996, and reads as follows:

FROM: “Variance of setback requirements to permit a proposed living room and bedroom addition to an existing single-family residence located at 6350 Lake June Road. The addition will setback 13.10’ from the front (northeast) property line where 25’ is required”

TO: "Variance of setback requirements to permit a single-family residence located at 6350 Lake June Road. The residence will setback 13.10' from the front (northeast) property line where 25' is required. That the Property shall be developed in accordance with the Site Plan submitted for the hearing entitled "Ivan Rodriguez Residence" for 6350 Lake June Road, Miami Lakes Fl., as prepared by Tri-County Engineering, Inc., signed and sealed by Registered Civil Engineer State of Florida, No. 34239 Job # 051008 dated March 29, 2006, and consisting of 3 sheets.

Section 4. Conditions of Approval.

The Application is approved subject to the following conditions, which shall be binding up the Applicant, its successors, assigns and/or grantees:

- (1) That all conditions and requirements of V96000051 shall remain in full force and effect, except for those conditions or restrictions specifically modified in this Resolution.
- (3) That in the approval of the Site Plan, the same be in accordance with that submitted for the hearing entitled "Ivan Rodriguez Residence" for 6350 Lake June Road, Miami Lakes Fl., as prepared by Tri-County Engineering, Inc., signed and sealed by Registered Civil Engineer State of Florida, No. 34239 Job # 051008 dated March 29, 2006, and consisting of 3 sheets.
- (4) That the site plan be submitted to and meet the approval of the Building Department Director, upon the submittal of an application for a permit and/or Certificate of Use and Occupancy; said plan to include among other things but not limited thereto, location of structure or structures, exits, entrances, drainage, walls, fences, landscaping, etc., and providing that the required six foot drainage easement, parallel to the east property line be maintained free of encroachment by any of the paved areas, in the said drainage easement.
- (5) The applicant shall record the Resolution in the public records of the Clerk of the Circuit and County Court and shall return the original order to the Town Clerk before a permit is issued.
- (6) The Applicant shall obtain a building permit and all requisite inspections for the residence, at the setbacks provided herein, within one (1) year of the date of this approval. If a building permit is not obtained or an extension granted within the prescribed time limit then this approval shall be deemed null and void.

Section 5. Appeal.

In accordance with Division 3.10 of the Town Code, the Applicant, or any aggrieved property owner in the area, may appeal the decision of the Town Council by filing of a notice of appeal in accordance with the Florida Rules of Appellate Procedure.

Section 6. Violation of Conditions.

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

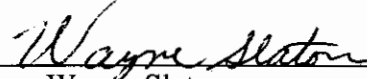
Section 7. Effective Date.

This Resolution shall take effect thirty (30) days following the date it is filed with the Town Clerk. If during that time frame, the decision of the Town Council is appealed as provided in the Land Development Code and the Florida Rules of Appellate Procedure, the appeal shall stay the effectiveness of this Resolution until said appeal is resolved by a court of competent jurisdiction.

The foregoing Resolution was moved by Mary Collins and Seconded by Nancy Simon, and upon being put to a vote the motion carried with each Council Member voting as follows:

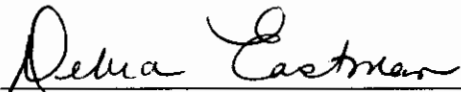
Mayor Wayne Slaton	yes
Vice Mayor Robert Meador	yes
Councilmember Roberto Alonso	yes
Councilmember Mary Collins	yes
Councilmember Dorothy Cook	yes
Councilmember Michael Pizzi	yes
Councilmember Nancy Simon	yes

PASSED AND ADOPTED this 18th day of April, 2006.




Wayne Slaton
MAYOR

ATTEST:



DEBRA EASTMAN, MMC TOWN CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR USE ONLY BY THE
TOWN OF MIAMI LAKES:



WEISS, SEROTA, HELFMAN, PASTORIZA,
COLE & BONISKE
TOWN ATTORNEY



**TOWN OF MIAMI LAKES
MEMORANDUM**

To: Honorable Mayor and Town Council

From: Alex Rey, Town Manager

**Subject: Hearing # - ZH 06-09
Ivan and Janet Rodriguez
6350 Lake June Road
Miami Lakes, FL 33014**

Date: April 18, 2006

Request:

The applicants, Ivan and Janet Rodriguez are requesting the following modification of previously approved Miami-Dade County Resolution No. V96000051 to permit the applicant to submit and obtain approval for a revised site plan for a single family residence within the RU-1 district.

1. Modification of previously approved Miami-Dade County Resolution No. V96000051 to permit the applicant to submit and obtain approval for a revised site plan, pursuant to Division 3.4 (h) and (i) of the Town Code.

To permit a single family residence within the RU-1 district setback 13.10 feet from the front property line where 25 feet is required pursuant to Division 4.2.E.

Applicable Code Section:

Request #1: Division 3.4.(h) and (i)

DIVISION 3.4 SITE PLAN APPROVAL

(h) Public Hearing. Prior to taking action on any site plan submitted, the Town Council shall hold a quasi-judicial public hearing at which time all interested parties shall be heard. Notice of the public hearing shall be given as provided in Division 3.9.

(i) **Findings.**

(1) The granting or granting with conditions or changes of approval by written resolution shall include not only conclusions, but also findings of fact related to the specific proposal and shall set forth the reasons for the grant, with or without changes or special conditions. The resolution shall set forth with particularity in what respects the plan would or would not be in the public interest including, but not limited to findings of fact and conclusions on the following:

- (a) In what respects the plan is or is not consistent with the Comprehensive Plan and the purpose and intent of the zoning district in which it is located.
- (b) In what respects the plan is or is not in conformance with all applicable regulations of the zoning district in which it is located.
- (c) In what respects the plan is or is not in conformance with the Town requirements including the design and construction of streets, utility facilities and other essential services.
- (d) In what respects the plan is or is not consistent with good design standards in respect to all external relationships including but not limited to:
 - 1. Relationship to adjoining properties.
 - 2. Internal circulation, both vehicular and pedestrian.
 - 3. Disposition of open space, use of screening or buffering and preservation of existing natural features including trees.
 - 4. Building arrangements both between buildings in the proposed development and those adjoining the site.
- (e) In what respects the plan is or is not in conformance with the Town policy in respect to sufficiency of ownership, guarantee for completion of all required improvements and the guarantee for continued maintenance.

Request #1: Division 4.2.E

Division 4.2 Single-Family and Two-Family Residential Districts

E. Development Regulations for Single Family and Two Family Districts

	Min. Lot Size	Min. Lot Width (4)	Front Setback (5)	Rear Setback (7)	Interior Side Setback	Street Side Setback	Max. Lot Coverage (1) (2) (3)	Building Size	Max. Height (6)
RU-1	7,500 sq. ft.	75'	25'	25'	10% of lot width, 5' min. 7.5' Max.	15'	40% for 1 story/ 35% for 2 story	2,000 sq. ft. min.	35' 2 stories
RU-1 Access. Structures			Not permitted	5'	5'	15'	20% of required rear yard	150 sq. ft. max. size per structure	15' 1 story
RU-1B	6,000 sq. ft.	60'	25'	25'	6'	10'	40%	1800 sq. ft. min.	35' 2 stories
RU-1B Access. Structures			Not permitted	5'	5'	10'	20% of required rear yard	150 sq. ft. max. size per structure	15' 1 story
RU-1A	5,000 sq. ft.	50'	25'	25'	5'	10'	40%	1700 sq. ft. min.	35' 2 stories
RU-1A Access. Structures			Not permitted	5'	5'	10'	20% of required rear yard	150 sq. ft. max. size per structure	15' 1 story
RU-1Z	4,500 sq. ft.	45'	20'	10' one story/ 15' two story	0' / 10'	15'	50%	1500 sq. ft. min.	35' 2 stories
RU-1Z Access. Structures			Not permitted	5'	5'	15'	20% of required rear yard	75 sq. ft. max. size per structure	15' 1 story
RU-2	7,500 sq. ft.	75'	25'	25'	7.5'	15'	40% for 1 story/ 35% for 2 story	900 sq. ft. min. per unit	35' 2 stories
RU-2 Access. Structures			Not permitted	5'	5'	15'	20% of required rear yard	150 sq. ft. max. size per structure	15' 1 story

Therefore the Town of Miami Lakes Site Plan Review Standards as per Section 3.4 of the Land Development Regulations should be applied to determine if the proposed single family residence site plan can be approved by the Council.
(Attachment A: 3.4 Site Plan Approvals)

Background:

Folio No. 32-2024-005-0560

Legal Description:

24 52 40 MIAMI LAKES SEC 2 PB 76-70 LOT 27 & RIP RTS BLK 2-A OR 16150-4706
0693 4 F/A/U 30-2024-005-0560 COC 23557-4264 06 2005 1

Zoning of Property: RU-1 – Single Family Residential

Future Land Use Designation:

The future land use designation in the Town's Comprehensive Plan for the
Subject property: LD – Low Density Residential and the property is zoned
(RU-1 – Single Family Residential)

Surrounding Property:

North: Low Density Residential; (RU-1)
East: Low Density Residential; (RU-1)
South: Low Density Residential; (RU-1)
West: Low Density Residential; (RU-1)

Low Density (LD) - The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 6.0 dwelling units per gross acre. This density category is generally characterized by single family housing, e.g., single family detached, cluster, zero lot-line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.

Subject Property:

The subject property is located within a fully developed single family residential subdivision. The applicant's property is currently vacant and was the site of a one story, 3 bedroom, 2 bath residence located on the cul-de-sac corner of Lake June Road. The previous residence as per County Tax Assessors records was constructed in 1963 and contained approximately 2,839 sq. ft., the proposed residence contains approximately 4,183 sq. ft. providing for two stories with 5 bedrooms and 6 baths.

Open Permits / Violations & Zoning History:

There are no open permits or violations on the subject property.

In 1996, the Miami Dade County Department of Planning and Zoning granted an Administrative non-use Variance request (Resolution V96000051) for the subject property, permitting the residence to setback 13.10' from the front property line (25' minimum required).

Public Hearing Criteria:

Town of Miami Lakes Site Plan Review Standards as per Section 3.4 of the Land Development Regulations should be applied to determine if the proposed single family residence site plan can be approved by the Council.

(Attachment A: 3.4 Site Plan Approvals)

Compliance with Town Development Regulations Section 3.4 Site Plan Approvals / Public Hearing Criteria:

(h) **Public Hearing.** Prior to taking action on any site plan submitted, the Town Council shall hold a quasi-judicial public hearing at which time all interested parties shall be heard. Notice of the public hearing shall be given as provided in Division 3.9.

(i) **Findings.**

(1) The granting or granting with conditions or changes of approval by written resolution shall include not only conclusions, but also findings of fact related to the specific proposal and shall set forth the reasons for the grant, with or without changes or special conditions. The resolution shall set forth with particularity in what respects the plan would or would not be in the public interest including, but not limited to findings of fact and conclusions on the following:

(a) **In what respects the plan is or is not consistent with the Comprehensive Plan and the purpose and intent of the zoning district in which it is located.**

The future land use designation in the Town's Comprehensive Plan for the property is Low Density (LD) - The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 6.0 dwelling units per gross acre.

Surrounding Property:

North: Low Density Residential; (RU-1, Single Family Residence)

East: Low Density Residential; (RU-1, Single Family Residence)

South: Low Density Residential; (RU-1, Lakefront & Single Family Residence)

West: Low Density Residential; (RU-1, Lakefront & Single Family Residence)

The Low Density Residential land use category is generally characterized by single family housing, e.g., single family detached, cluster, zero lot-line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.

The proposed site plan development for a single family residence is permitted in the Low Density – Residential land use category and the RU-1 zoning district.

(b) In what respects the plan is or is not in conformance with all applicable regulations of the zoning district in which it is located.

The subject Site Plan is in conformance, with the exception of the front setback, with respect to the RU-1 zoning district as per permitted use, and development criteria including minimum lot size of 7500 square feet, minimum lot width of 75 feet, minimum rear setback of 25 feet, minimum interior side setback of 7.5 feet, minimum side street setback of 15 feet, maximum lot coverage of 35% for a two story residence, minimum building size of 2000 square feet, and maximum height of 35 feet.

However the subject site plan proposes to provide a front setback of 13.1 feet where 25 feet is required, in keeping with the previously approved site plan as per resolution V96000051 which approved a one story residence with a 13.1 foot front setback. The proposed site plan would permit a two story residence setback 13.1 feet from the front property line where 25 feet is required. If permitted the proposed site plan would have a greater impact to adjacent property owners due to the increased building height as proposed of a two story structure approximately 31.0 feet in height.

(c) In what respects the plan is or is not in conformance with the Town requirements including the design and construction of streets, utility facilities and other essential services.

The proposed Site Plan is in conformance, subject to conditions with Town requirements as per existing regulations including the design and construction of streets, utilities, and other essential services including but not limited to review of the of Public Right-of-Way Dedications, Utility Easements, and Parking Standards, etc.

(d) In what respects the plan is or is not consistent with good design standards in respect to all external relationships including but not limited to:

1. **Relationship to adjoining properties.**
2. **Internal circulation, both vehicular and pedestrian.**
3. **Disposition of open space, use of screening or buffering and preservation of existing natural features including trees.**
4. **Building arrangements both between buildings in the proposed development and those adjoining the site.**

The proposed single family residence site plan development is situated within a .40 acre site and is surrounded by nearby residential development and complementary uses. To the north of the subject site is single family residence, to the south is waterfront and a single family residence, to the east is a single family residence, and to the west is waterfront and a single family residence.

The proposed site plan depicts a two story residence which encompasses most of the available development area and encroaches on the front setback leaving approximately 13 feet to front property line. All of the necessary landscaping, open space, parking, drives and ingress and egress for this development will be provided as per the currently designated RU-1 residential zoning requirements.

The proposed single family residence as depicted in terms of scale and intensity, will be impacting the adjacent properties. The neighboring residences maintain the 25 foot setback requirement and as proposed the front setback encroachment would encompass a greater area in height from the previous site plan which depicted a one story residence approximately 14 feet in height, the proposed new residence would be two stories with 31.0 feet in height within 13 feet of the front setback. This additional height impact will not be compatible with adjacent land uses and may adversely impact land use activities in the immediate vicinity.

- (e) **In what respects the plan is or is not in conformance with the Town policy in respect to sufficiency of ownership, guarantee for completion of all required improvements and the guarantee for continued maintenance.**

The proposed single family residence has complied with Opinion of Title requirements as per staff Site Plan Review.

Proposal:

The request will allow the applicant to modify a previous administrative variance resolution (V96000051) which permitted the previously existing one story residence to setback 13.1 from the front property line. The revised site plan as proposed of a single family two story residence maintains the previously approved front setback encroachment in order to maximize the building footprint and vehicular access to the subject property.

EXHIBIT C

Analysis:

The subject parcel of vacant land is located at 6350 Lake June Road, with dimensions of approximately 120' x 150', in this area the Town's Comprehensive Plan permits development up to a maximum of 6.0 dwelling units per gross acre. The proposed modification to Resolution (V96000051) request for the proposed subject residence within this development is consistent with the Comprehensive Plan and does not create any impact on the levels of service (LOS) standards.

The applicant is seeking modification of the above-mentioned previously approved Miami Dade County Department of Planning and Zoning Administrative non-use Variance (Resolution V96000051) for the subject property. The proposed modification would permit the applicant to obtain approval for a revised site plan to permit a proposed single family residence within the RU-1 district setback 13.10 feet from the front property line where 25 feet is required pursuant to Division 4.2.E of the Town Code.

Staff notes that the proposed site plan depicts a two story residence which encompasses most of the available development area and encroaches on the front setback leaving approximately 13 feet to front property line. All of the necessary landscaping, open space, parking, drives and ingress and egress for this development will be provided as per the currently designated RU-1 residential zoning requirements.

The proposed single family residence as depicted in terms of scale and intensity, will be impacting the adjacent properties. The neighboring residences maintain the 25 foot setback requirement and as proposed the front setback encroachment would encompass a greater area in height from the previous site plan which depicted a one story residence approximately 14 feet in height within 13 feet of the front setback, the new residence would be two stories with approximately 31.0 feet in height within 13 feet of the front setback. This additional height impact will not be compatible with adjacent land uses and may adversely impact land use activities in the immediate vicinity.

The approval of this application will allow the proposed single family two story residence to maintain the previously approved front setback encroachment in order to maximize the building footprint and vehicular access to the subject property. However the additional height encroachment into the front setback would visually impact the surrounding residences. Staff is of the opinion that the subject site plan approval request should be approved on a modified basis. The impact on the front setback is excessive, the interior side setback is provided at the minimum 7.5 feet and the front setback encroachment for the proposed two-story residence as previously approved for a one-story residence would be within 13 feet of the front property line.

Therefore the requested modification of Resolution V96000051 for approval of the subject site plan is recommended for approval, but on a modified basis to allow as previously permitted the proposed residence to be setback 13.1 feet from the front property line, provide that the interior floor plan be rearranged to only allow a one-story

encroachment within the front setback as previously permitted within 13.1' of the front property line. As modified herein, staff is of the opinion that this application would be compatible with the area minimizing aural and visual impact on the adjacent properties while affording the applicant reasonable use of this land. Accordingly, staff recommends modified approval of the above-mentioned subject request with conditions.

Recommendation: Modified Approval with Conditions

Conditions:

1. That all conditions and requirements of the previous Resolution V96000051 shall remain in full force and effect, except as herein modified.
2. That the site plan be submitted to and meet the approval of the Building Department Director, upon the submittal of an application for a permit and/or Certificate of Use and Occupancy; said plan to include among other things but not limited thereto, location of structure or structures, exits, entrances, drainage, walls, fences, landscaping, etc., and providing that the required six foot drainage easement, parallel to the east property line be maintained free of encroachment by any of the paved areas, into the said drainage easement.
3. That in the approval of the plan, the same be in accordance with that submitted for the hearing entitled "Ivan Rodriguez Residence" for 6350 Lake June Road, Miami Lakes Fl., as prepared by Tri-County Engineering, Inc., signed and sealed by Registered Civil Engineer State of Florida, No. 34239, Job # 051008 dated March 29, 2006, and consisting of 3 sheets. Except as modified herein to allow a one-story encroachment 15 feet in height within the required front setback as previously permitted within 13.1' of the front property line. Except as may be modified by any zoning resolution applicable to the subject property.
4. The applicant shall record the Resolution in the public records of the Clerk of the Circuit and County Court and shall return the original order to the Town Clerk before a permit is issued.
5. The applicant shall obtain a permit and all requisite inspections for the residence, at the setbacks approved herein, within one year of the date of this approval. If a permit is not obtained or an extension granted within the prescribed time limit then this approval shall become null and void.

AR:MIC

ATTACHMENT A: 3.4 SITE PLAN APPROVALS

(g) Submission and Review Procedures.

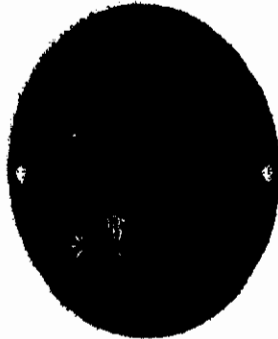
- (1) An application for a site plan review shall be made to the Town prior to an application for a building or development approval and will only be accepted if the application complies with all other provisions of the Town Code.
- (2) Except as may otherwise be required by law or administrative procedures, all required county, regional, state or federal agency approvals shall be obtained prior to the submission of an application for site plan review. In cases where intergovernmental coordination efforts are incomplete, the Applicant shall provide evidence of good faith efforts towards resolving intergovernmental coordination issues.
- (3) Upon receipt of a site plan application, the Town shall have ten (10) working days for residential applications and fourteen (14) days for non-residential applications to determine its appropriateness and completeness and accept or reject the application. As soon as practical after the acceptance of the application, the Administrative Official shall either approve the site plan or refer the application, together with all supporting documentation and staff recommendations, to the Town Council for its review and action.
- (4) Upon receipt of the application, the Town Council shall review said site plan and by written resolution take one (1) of the following actions together with its findings in respect to the proposed development as set forth in this division.
 - (a) Approval as submitted.
 - (b) Approval with changes and/or special conditions.
 - (c) Denial.

(h) Public Hearing. Prior to taking action on any site plan submitted, the Town Council shall hold a quasi-judicial public hearing at which time all interested parties shall be heard. Notice of the public hearing shall be given as provided in Division 3.9.

(i) Findings.

- (1) The granting or granting with conditions or changes of approval by written resolution shall include not only conclusions, but also findings of fact related to the specific proposal and shall set forth the reasons for the grant, with or without changes or special conditions. The resolution shall set forth with particularity in what respects the plan would or would not be in the public interest including, but not limited to findings of fact and conclusions on the following:
 - (a) In what respects the plan is or is not consistent with the Comprehensive Plan and the purpose and intent of the zoning district in which it is located.

- (b) In what respects the plan is or is not in conformance with all applicable regulations of the zoning district in which it is located.
- (c) In what respects the plan is or is not in conformance with the Town requirements including the design and construction of streets, utility facilities and other essential services.
- (d) In what respects the plan is or is not consistent with good design standards in respect to all external relationships including but not limited to:
 1. Relationship to adjoining properties.
 2. Internal circulation, both vehicular and pedestrian.
 3. Disposition of open space, use of screening or buffering and preservation of existing natural features including trees.
 4. Building arrangements both between buildings in the proposed development and those adjoining the site.
- (e) In what respects the plan is or is not in conformance with the Town policy in respect to sufficiency of ownership, guarantee for completion of all required improvements and the guarantee for continued maintenance.
- (j) Upon the Town Council granting of approval, either as submitted or with changes and/or special conditions, the Administrative Official shall upon application, issue a building permit for a portion or all of the proposed development after it is found that the application is in compliance with the approved site plan, Florida Building Code, and all other Town, county, state and federal requirements.
- (k) Any changes or amendments to an approved site plan shall require a resubmission in accordance with the provisions of this Division and Division 3.2.
- (l) **Appeals.** Within thirty (30) days of action taken by the Town Council, the applicant may appeal the decision under Division 3.10 of this Land Development Code.
- (m) **Transferability.** In the event the property receiving site plan approval shall be sold, transferred, leased, or the ownership thereof changes in any way whatsoever, the site plan approval, unless stated otherwise, shall be transferable.



TOWN OF MIAMI LAKES
 6853 Main Street
 Miami Lakes, FL 33014
 (305) 364-6100/Fax (305) 558-8511
 www.townofmiamilakes.com

ZONING HEARING APPLICATION

240609 File #

2-14-06 Date Received

2-14-06 Date of Preapplication Meeting

NOTE TO APPLICANTS: A pre-application meeting with the Town's Planner is required prior to official application filing. Please call 305 364-6100 for an appointment.

- 1 Name of Applicant IVAN & JANET RODRIGUEZ
- a. If applicant is owner, give name exactly as recorded on deed.
 - b. If applicant is lessee, attach copy of valid lease of 1 year or more and Owner's Sworn-to-Consent form.
 - c. If applicant is corporation, partnership, limited partnership, or trustee, a separate Disclosure of Interest form must be completed.

Mailing Address 7777 NW 167 TERRACE

City MIAMI LAKES State FL ZIP 33016

Tel. # (during working hours) 305-607-7201 Other (305) 607 7203

E-Mail: _____ Mobile #: _____

- 2 Name of Property Owner IVAN & JANET RODRIGUEZ
- Mailing Address 7777 NW 167 TERRACE
- City MIAMI LAKES State FL ZIP 33016
- Tel. # (during working hours) (305)-607-7201 Other (305) 607 7203

- 3 Contact Person _____
- Mailing Address _____
- City _____ State _____ ZIP _____
- Tel. # (during working hours) _____ Other _____
- E-Mail: _____ Mobile #: _____

4. LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THE APPLICATION
- a. If subdivided, provide lot, block, complete name of subdivision, plat book and page number.
 - b. If metes and bounds description, provide complete description (including section, township, and range).
 - c. Attach a separate typed sheet, if necessary. Please verify the accuracy of your legal description
- LOT 27 BLOCK 2 A MIAMI LAKES SECTION TWO RECORDED IN
PLAT BOOK 76 PAGE 70 PUBLIC RECORDS OF MIAMI DADE.

Receipt # 33230Y

5. Address or location of property (including section, township, and range): 6350 LAKE JUNE RD
MIAMI LAKES 33014

6. Size of property: IRREG. x _____ Acres 18,296.76 (0.42 ACRES)

7. Date subject property acquired or leased _____ day of _____
Term of lease: N/A years/months.

8. Does property owner own contiguous property to the subject property? If so, give complete legal description of entire contiguous property. (If lengthy, please type on a sheet labeled "Contiguous Property.")

N/A
9. Is there an option to purchase or lease the subject property or property contiguous thereto? Yes No

If yes, who are the potential purchasers or lessees? (Complete section of Disclosure of Interest form, also.)
N/A

10. Present zoning classification(s): RU-1 Present land use classification(s): SINGLE FAMILY RESIDENTIAL

11. REQUEST(S) COVERED UNDER THIS APPLICATION:
Please check the appropriate box and give a brief description of the nature of the request in the space provided. Be advised that all zone changes require concurrent site plan approval.

- District Boundary (Zone) Change(s):
Zone Classification Request _____
- Site Plan Approval _____
- Conditional Use _____
- Variance FRONT SIDEWALK CURVED & FRONT SETBACK
- Modification of Previous Resolution/Plan/Ordinance V96000051
- Modification of Declaration or Covenant _____

12. Has a public hearing been held on this property within the last year and a half? Yes No
If yes, applicant's name N/A Date of Hearing _____
Nature of Hearing N/A
Decision of Hearing _____ Resolution # _____

13. Is this hearing being requested as a result of a violation notice? Yes No
If yes, give name to whom violation notice was served N/A
Nature of violation N/A

14. Are there any existing structures on the property? Yes No
If yes, briefly describe N/A

15. Is there any existing use on the property? Yes No
If yes, what is the use and when was it established? Use N/A
Established N/A

OWNER OR TENANT AFFIDAVIT

I, Ivan D. and Janet Rodriguez, being first duly sworn, depose and say that I am the owner/tenant of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketch data and other supplementary matter attached to and made a part of the application are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before a hearing can be advertised.

Sworn to and subscribed before me
this 14 day of February 2006

will represent the owner at the hearing.
Comm# DD0255305
Expires 10/2/2007
Bonded thru (800)432-4254
Florida Notary Assn., Inc
Notary Public
Commission Expires: _____

OWNER OR TENANT AFFIDAVIT

I, Ivan D. and Janet Rodriguez, being first duly sworn, depose and say that I am the owner/tenant of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketch data and other supplementary matter attached to and made a part of the application are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before a hearing can be advertised.

Sworn to and subscribed before me
this 14 day of February 2006

will represent the owner at the hearing.
Comm# DD0255305
Expires 10/2/2007
Bonded thru (800)432-4254
Florida Notary Assn., Inc
Notary Public
Commission Expires: _____

PARTNERSHIP AFFIDAVIT

We, the undersigned, being first duly sworn depose and say that we are partners of the hereinafter named partnership, and as such, have been authorized to file this application for a public hearing; that all answers to the questions in said application and all sketches, data, and other supplementary matter attached to and made a part of this application are honest and true to the best of our knowledge and belief; that said partnership is the owner/tenant of the property described herein which is the subject matter of the proposed hearing. We understand this application must be complete and accurate before a hearing can be advertised.

(Name of Partnership)

By _____ %
By _____ %

By _____ %
By _____ %

Sworn to and subscribed before me
this _____ day of _____ 200

Notary Public
Commission Expires: _____

ATTORNEY AFFIDAVIT

I, _____ of _____, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketch data and other supplementary matter attached and made a part of this application are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before a hearing can be advertised.

Sworn to and subscribed before me
this _____ day of _____ 200

Notary Public
Commission Expires: _____

Date: 1/1

Public Hearing No: _____

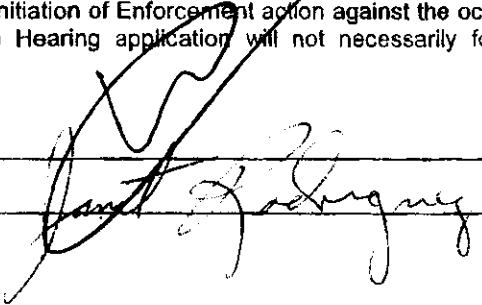
**RESPONSIBILITIES OF THE APPLICANT
PLEASE READ CAREFULLY BEFORE SIGNING**

I hereby acknowledge that I am aware that the various applicable Town and county agencies review each zoning application and proffer comments that may affect its scheduling and outcome. These comments sometimes include requirements for an additional public hearing and/or the preparation and execution of agreements to run with the land which are recorded, prior to scheduling. I understand that it is my responsibility as the applicant or applicant's representative to promptly follow through with the compliance of requirements or to advise the Town Manager in writing if the application will not go forward and may be considered withdrawn. Contact with the Town Planner is advised during the hearing process.

Fees: Further I understand that the hearing fees paid at the time of filing may not be the total cost of the hearing, that I will be advised of the following fees which must be paid promptly: deferral or re-advertising fee (if applicant requests deferral), revision fee, and/or other fees assessed for changes or additions to the hearing application or plans.

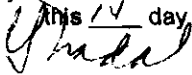
Permit Requirements: I also understand that the Florida Building Code may contain requirements that affect my ability to obtain a required building permit for my project, even if my zoning application is approved at public hearing. I am aware that a Building Permit is required for all construction and that I am responsible for obtaining the required permits, all required inspections, and the Certificate of Use and Occupancy or Certificate of Completion for any and all structures and additions whether proposed or existing without permits. Additionally, I am aware that a Certificate of Use and Occupancy will result in the initiation of Enforcement action against the occupant and owner. I further understand that submittal of the Zoning Hearing application will not necessarily forestall enforcement action against the property.

Signature of Applicant (s)



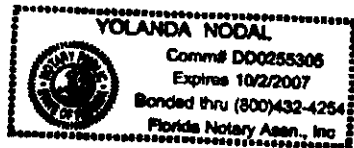
Notary: Sworn to and subscribed before me

this 14 day of 02 2006.



Notary Public — State of Florida

My Commission Expires:



**OWNERSHIP AFFIDAVIT
FOR
INDIVIDUAL**

STATE OF FLORIDA

Public Hearing No. _____

COUNTY OF MIAMI-DADE

Before me, the undersigned authority, personally appeared, hereinafter the Affiants, who being first duly sworn by me, on oath, depose and say:

1. Affiants are the fee owners of the property which is the subject of the proposed hearing.
2. The subject property is legally described as: Lot 27, Block 2-A Miami Lakes Section Two, according to the Plat thereof, as recorded in Plat Block at Page 70 of the Public Records of Broward County, Florida
3. Affiants understand this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

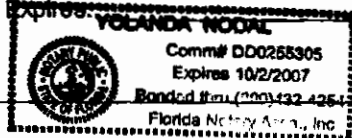
B Fuentes
Signature
Berty Fuentes
Print Name

Signature

Print Name

Sworn to and subscribed before me on the 14 day of February, 2006. Affiant is personally known to me or has produced LICENCE as identification.

Notary
(Stamp/Seal)

My Commission Expires: 

Witnesses:

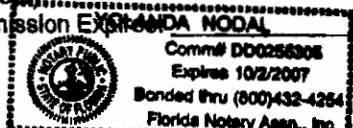
B Fuentes
Signature
Berty Fuentes
Print Name

Signature

Print Name

Sworn to and subscribed before me on the 14 day of February, 2006. Affiant is personally known to me or has produced LICENCE as identification.

Notary
(Stamp/Seal)

My Commission Expires: 

REQUIRED DOCUMENTS

- A. Completed application form including all applicable owners' affidavits.
- B. Fees - A check, made out to the Town of Miami Lakes, for all applicable fees. See page #8 of application form for fee schedule.
- C. A letter describing the request in detail.
- D. The names and legal descriptions of all property owners within a radius of five (500') feet of the subject property on mailing labels. See attached sheet for specific instructions and names of local companies that prepare the required information.
- E. Color photographs of the property, buildings or structures. Digital photos may be included on disk in lieu of color prints.
- F. Certified survey of the property. The survey must be dated within 12 months of the application date by a surveyor registered in the State of Florida at a scale no greater than 1"=200', in compliance with the minimum requirements of Florida Statutes.
- G. Variance requests must submit two (2) copies of architectural plans, which show the proposal in detail, with the initial application. All other requests shall comply with the submittal requirements in Section 3.4 of the Town Code for Site Plan review. The plans shall be signed and sealed by an architect or engineer registered in the State of Florida. Once the Town Planner has determined that the application is ready for Town Council consideration, twelve (12) copies of all site plans and supporting documentations and one reduced set of plans (11" x 14") must be submitted before a public hearing can be scheduled. All full size plans are to be folded to 9" x 12" size by the applicant. The Town Planner may waive some of the required architectural plans or require additional plans or documentation depending on the type of application requested.

VARIANCE REVIEW CRITERIA

In order for the Town Council to authorize any variance from the terms of the Land Development Code, the variance request(s) must comply with the following:

- a. Variance Consistent with Authorized Powers. That the variance is in fact a variance as set forth in the Land Development Code and within the province of the Town Council.
- b. Existence of Special Conditions or Circumstances. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.
- c. Conditions Not Created by Applicant. That the special conditions and circumstances do not result from the actions of the Applicant.
- d. Special Privileges Not Conferred. That granting the variance requested will not confer on the Applicant any special privilege that is denied by this Land Development Code to other similarly situated lands, buildings, or structures in the same zoning district.
- e. Hardship Conditions Exist. That literal interpretation of the provisions of this Land Development Code would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Code and would work unnecessary and undue hardship on the applicant. The purchase of property which is an illegal nonconformity with this Land Development Code shall not be considered a hardship for granting of a variance, nor shall conditions peculiar to the property owner be considered.
- f. Only the Minimum Variance Granted. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
- g. Not Injurious to Public Welfare or Intent of the Land Development Code. That the grant of the variance will be in harmony with the general intent and purpose of the Comprehensive Plan and this Land Development Code and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Notwithstanding the criteria above, should the Town Council by extraordinary (5 votes) vote determine that the variance is justified by practical difficulty on the part of the applicant, and no objections from adjoining or directly affected property owners have been filed to the application, a variance may be approved as requested or approved with conditions.

**NOTICE TO ALL APPLICANTS REQUIRING A PUBLIC HEARING FOR
PROPERTY LOCATED WITHIN THE TOWN OF MIAMI LAKES**

The Code of the Town of Miami Lakes requires that when a public hearing is being held on a property, all property owners within five hundred (500) feet of the subject property, including the subject property itself, must be notified of the public hearing.

It is the responsibility of the applicant to provide the Town with the following information in order to provide notice to all affected property owners within 500 feet of the subject property.

1. Two (2) copies of a list, on gummed labels, with the names and addresses of all property owners of land located within a 500 ft. radius of the exterior boundary of the subject property. These labels are for mailing purposes. If the subject property constitutes only a portion of a contiguous ownership parcel, the exterior boundary from which the 500 ft. radius is to be projected will be the exterior boundary of the entire contiguous ownership parcel. **(Note: Labels can be no older than six (6) months by the time the public hearing is heard.)**
2. Two (2) copies of a list with the legal description of land owned by each property owner (lot number, block number and subdivision).
3. Two (2) copies of a map of the subject area showing the 500 ft. radius, with the subject property highlighted.
4. Original certified letter plus one (1) copy stating that the ownership list, map and mailing labels are a complete and accurate representation of the real estate property and property owners within 500 ft. of the subject property. This letter must be dated and give the address of the subject property and its legal description, subdivision and plat book number and page. Also state the source for this information. (If done by a professional data research company, the preceding information should automatically be included. If done by the applicant, this letter must be signed by the applicant and notarized.)

In addition, in order to defer mailing costs, there is a fee of \$0.60 per mailing address.

The following are names and telephone numbers of local companies which the town believes are capable of producing the required mailing labels and accompanying maps, legal descriptions and certified letter for this application requirement:

FLORIDA REAL ESTATE DECISIONS	(305) 757-6884
CONSUELO QUINTANA	(305) 858-2287
CARLOS J. MARADIAGA	(305) 207-1412
LOPEZ DATA RESEARCH	(305) 981-9893
ZONING SPECIALIST GROUP	(305) 828-1210

The Town of Miami Lakes does not claim responsibility for the accuracy or timely acquisition of the information provided by the aforementioned companies listed above.

Please note that there may be other qualified companies that provide this service. If you select such a company, its submission must meet the same standards as those listed above.

If you have any questions on the above requirements please call the Miami Lakes Town Hall at (305) 364-6100 and contact the Town Planner, weekdays between the hours of 8:30 a.m. and 5:00 p.m.

Application Fees for Planning and Zoning Approvals

1. Variances

A. Administrative	\$150
B. Public Hearing	
Individual S. F. Residential Property:	~ \$350 plus mail notification costs
Two Family Residential:	\$350 plus mail notification costs
Individual Townhouse:	\$350 plus mail notification costs
Multi-Family:	\$1100 plus mail notification costs
Commercial and Industrial:	\$1700 plus mail notification costs
Signs:	\$1100 plus mail notification costs
All Others:	\$1100 plus mail notification costs

2. Site Plan Review

A. Administrative	
Single Family, Two Family, Townhouse	\$50
All Others	\$350
B. Public Hearing	
Appeal of an Administrative Site Plan Decision	\$350 plus mail notification costs
Single and Two Family Residential:	\$350 plus mail notification costs
Individual Townhouse:	\$350 plus mail notification costs
All others:	\$1100 plus mail notification costs

3. Conditional Uses	\$1100 plus mail notification costs
4. Extension of Time on a Development Approval	\$250 plus mail notification costs
5. Modification / Deletion of an Existing Resolution	
Single Family, Two Family, Individual Townhouse	\$250 plus mail notification costs
All others	\$750 plus mail notification costs
6. Amend Comprehensive Plan, Land Use Map or Text of Land Development Regulations	Cost Recovery
7. Change of Zoning	Cost Recovery
8. Plats	
A. Preliminary & Final Plat	Cost Recovery
B. Waiver of Plat / Lot Split	\$150
9. Appeal of an Administrative Decision	\$1100 plus mail notification costs
10. All Other Public Hearings Not Listed Above	\$1100 plus mail notification costs
11. Development Agreements	Cost Recovery

Note:

All requests that are the result of a violation or an after-the-fact request shall incur a 25% surcharge.

All public hearings require a mail notification within a required radius around the subject property. The applicant must supply the list of property owners along with the public hearing application. The zoning hearing application lists numerous private companies that can prepare a certified list of the required of property owners. In addition to the above fees there will be a mailing fee of .60¢ per address within the required radius.

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: _____

NAME AND ADDRESS: _____ Percentage of Stock

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

TRUST / ESTATE NAME: _____

NAME AND ADDRESS: _____ Percentage of Interest

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS: _____ Percent of Ownership

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

NAME OF PURCHASER: _____

NAME, ADDRESS, AND OFFICE (if applicable): _____	Percentage of Interest
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of Contract: _____

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

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

Signature: _____ (Applicant)

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

(Notary Public)

My commission expires _____

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

**OWNERSHIP AFFIDAVIT
FOR
TRUSTEE**

STATE OF _____

Public Hearing No. _____

COUNTY OF _____

Before me, the undersigned authority, personally appeared _____, hereinafter the Affiant, who being duly sworn by me, on oath, deposes and says:

1. Affiant is the Trustee of the Trust which owns the property which is the subject of the proposed hearing.
2. Affiant is legally authorized as Trustee to apply for the proposed hearing.
3. The subject property is legally described as: _____

4. 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 _____, 200____. Affiant is personally known to me or has produced _____ as identification.

Notary Public, State of _____

My Commission Expires:

Print Name

Prepared by and return to:
Jaime L. Torres, Esq.
Attorney at Law
Jaime L. Torres & Associates, P.A.
1101 Brickell Ave. Suite 1001-S
Miami, FL 33131
305-372-9440
File Number: 05-0009
Will Call No.:

True & Certified Copy By
DAVID ESTRELLA, P.A.

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 20th day of June, 2005 between KENNETH A. GOODMAN and CARMEN L. PERETZ, n/k/a CARMEN L. GOODMAN, husband and wife whose post office address is 1061 W. 45th Place, Hialeah, FL 33012, grantor, and IVAN RODRIGUEZ and JANET RODRIGUEZ, husband and wife whose post office address is , grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Miami-Dade County, Florida to-wit:

Lot 27, Block 2-A, MIAMI LAKES SECTION TWO, according to the Plat thereof, recorded in Plat Book 76, Page 70, of the Public Records of Miami-Dade County, Florida.

Parcel Identification Number: 32-2024-005-0560

Subject to taxes for 2004 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2004.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

EXHIBIT B

METROPOLITAN DADE COUNTY, FLORIDA



STEPHEN P. CLARK CENTER

DEPARTMENT OF PLANNING, DEVELOPMENT AND REGULATION
111 NW 1ST STREET
SUITE 1110
MIAMI FLORIDA 33128-1874
(305) 375-2500
FAX (305) 375-2795

April 24, 1996

Kenneth A. Goodman
6350 Lake June Road
Miami Lakes, Florida 33014

RE: Kenneth A. Goodman - V96000051

Sec. 24 Twp. 52 Range 40

Legal Description: Lot 27, Block 2-A, Miami Lakes Sub. - Sec. 2, Platbook 76, Page 70.

Dear Mr. Goodman :

This department has processed the above referenced Administrative Variance application.

Attached is a copy of the report from staff approved and accepted by the Director which constitutes approval of your application. The condition(s) specified therein are an integral part of the approval as provided for under Section 33-36, Code of Metropolitan Dade County, and failure to comply shall automatically void the approval of this administrative variance.

The legal advertisement of your request will be in the Miami Review on April 25, 1996.

The deadline for receipt of appeals from an aggrieved property owner is May 9, 1996. Your variance will become final the following day and you or your contractor may then apply for a permit.

Sincerely,

A handwritten signature in cursive script that reads "Diane O'Quinn Williams for".

Diane O'Quinn Williams, Supervisor
Zoning Hearings Section

DOQW/clf



MEMORANDUM

107.07-17A METRO-DAGONGSASAYAT, MET

TO: Guillermo E. Olmedillo, Acting Director
Department of Planning, Development
and Regulation

DATE: April 15, 1996

SUBJECT: Kenneth A. Goodman
(V96000051)
Administrative Variance

FROM: Reinaldo G. Villar
Acting Assistant Director
Zoning and Permitting Division

REQUEST

The above named applicant is seeking administrative approval for a variance of setback requirements to permit a proposed living room and bedroom addition to an existing single-family residence located at 6350 Lake June Road. The addition will setback 13.10' from the front (northeast) property line where 25' is required.

IMPACT ON ADJACENT PROPERTIES

The property is a 120' x 150' interior lot in this single-family (RU-1) area, and all the surrounding properties are developed. Owners of the surrounding properties have signed the required waiver form.

Staff has no objections to the proposed variances. The proposed addition will be architecturally compatible with the existing residence and well spaced from adjacent properties. Additionally, the subject property's location at the end of a cul-de-sac and adjacent to an existing lake minimizes any impact that the proposed variances will have on the surrounding area.

RECOMMENDATION

Based on the review of the plans for the proposed living room and bedroom addition, I find the following exists:

1. That the variances will be in harmony with the general appearance and character of the community.
2. That the variances will not be injurious to the area involved or otherwise detrimental to the public welfare.
3. That the proposed living room and bedroom addition is designed and arranged on the site in a manner that minimizes aural and visual impact on the adjacent residences while affording the applicant reasonable use of this land.

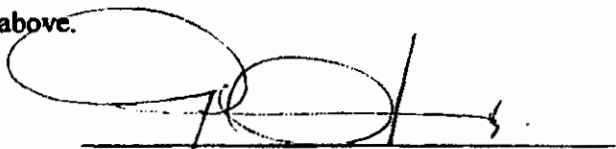
V96000051

Page Two

I, therefore, recommend your approval of this request for an Administrative Variance.

DIRECTOR'S DECISION

- Approved as requested.
- Approved subject to conditions stated above.
- Denied.



**Guillermo E. Olmedillo, Acting Director
Department of Planning, Development
and Regulation**

GEO:RGV:AJT:mtf

ADMINISTRATIVE VARIANCE ADVERTISEMENT

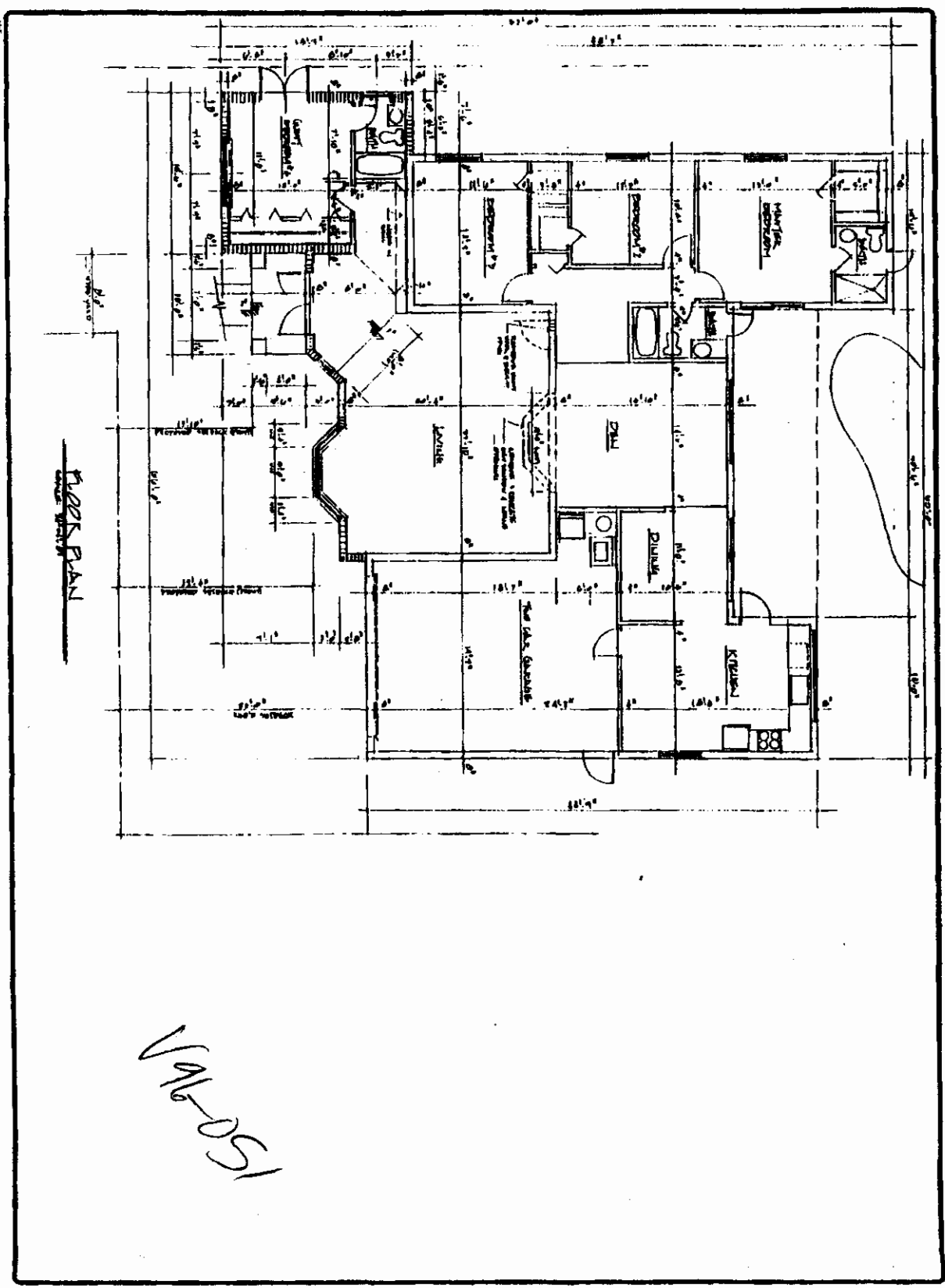
V96000051 KENNETH A. GOODMAN

Pursuant to Section 33-36.1 of the Code of Metropolitan Dade County, the Director of the Department of Planning, Development and Regulation has approved the following variance for the residence at the following address:

Variance of setback requirements to permit a proposed living room and bedroom addition to an existing single-family residence located at 6350 Lake June Road. The addition will setback 13.10' from the front (northeast) property line where 25' is required.

Any property owner in the area may appeal this decision by filing the appropriate appeal application (available from the Department) on or before _____.

Additional information may be obtained by telephoning the Zoning Hearing Section at 375-2640.



FLOOR PLAN

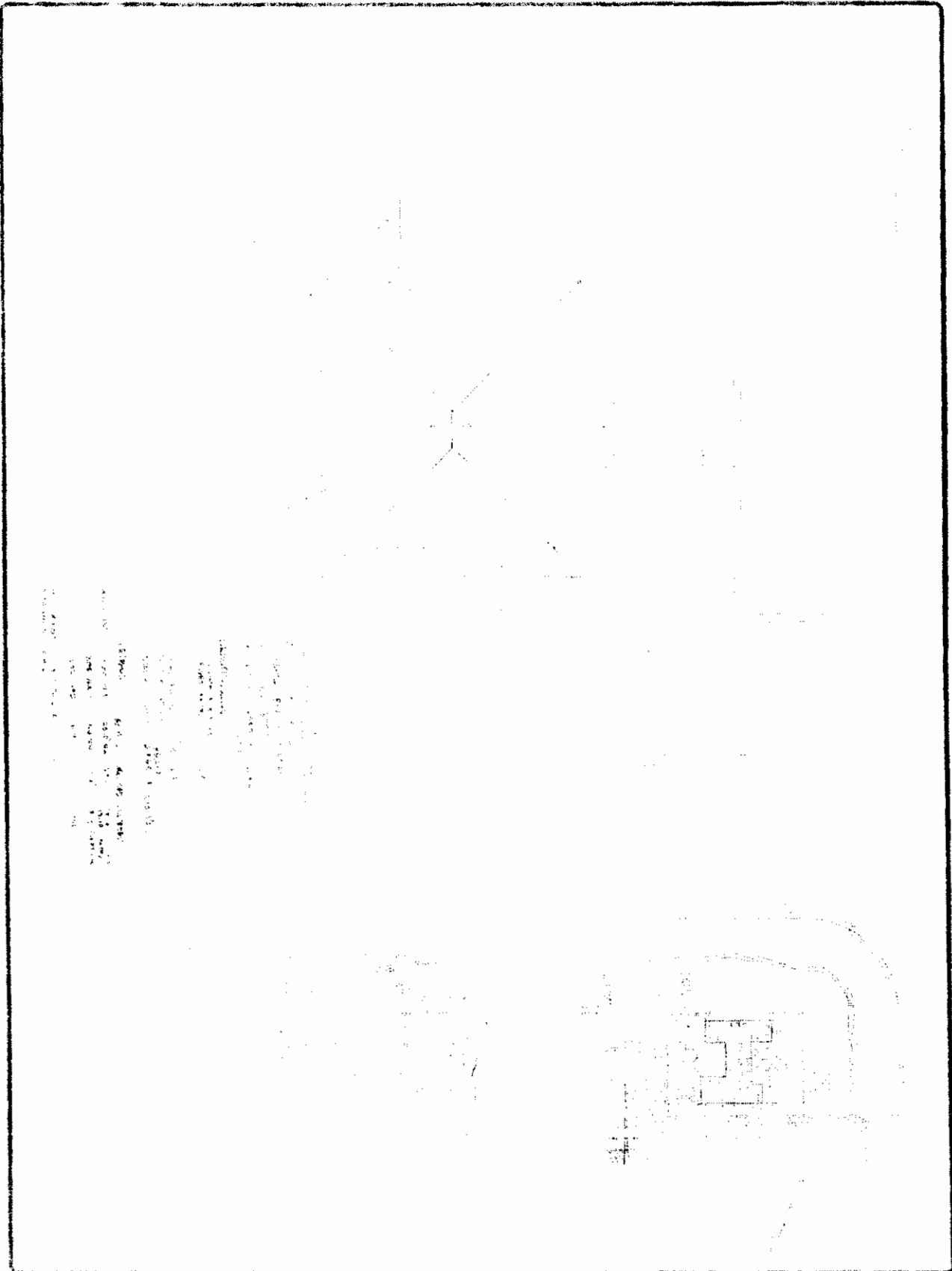
Vala-51

NO.	DATE	REVISION
1		
2		
3		
4		
5		

PROPOSED ARCHITECTURAL PLAN FOR THE RESIDENCE OF:
MR & MRS K. GOODMAN
 6050 NW 14TH STREET (LAKESIDE JUNCTION)
 MIAMI LAKES, FLORIDA (305) 971-1669

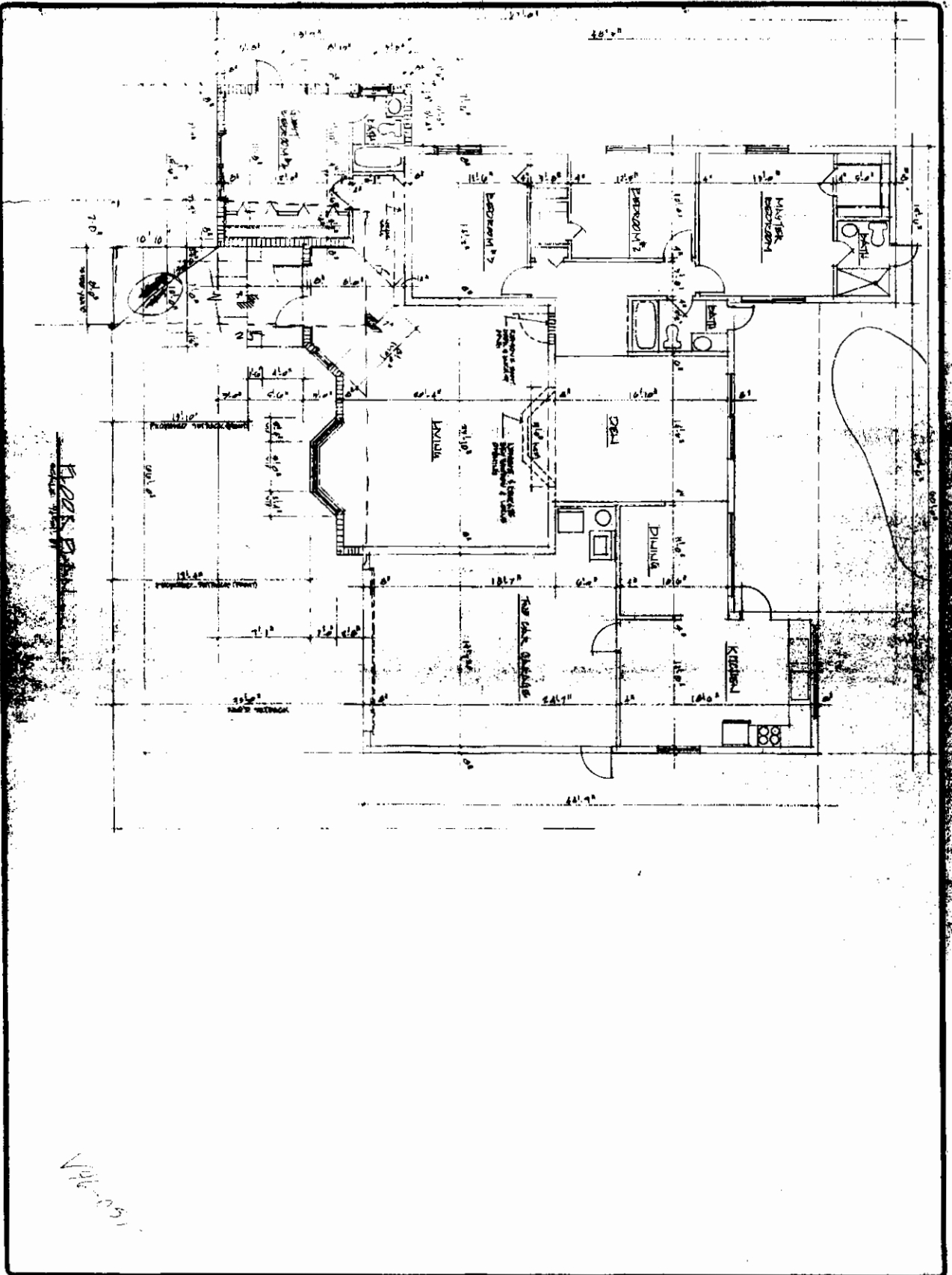
Pablo R. Garcia P.E.
 civil eng. reg. # 34239
 855 E. 25 ST. 836-1822
 Hialeah, Fl. 33013

NO.	DATE	REVISION
1		
2		
3		
4		
5		



1. ALL DIMENSIONS TO BE IN FEET AND INCHES.
 2. ALL DIMENSIONS TO BE SHOWN ON THIS PLAN.
 3. ALL DIMENSIONS TO BE SHOWN ON THIS PLAN.
 4. ALL DIMENSIONS TO BE SHOWN ON THIS PLAN.
 5. ALL DIMENSIONS TO BE SHOWN ON THIS PLAN.
 6. ALL DIMENSIONS TO BE SHOWN ON THIS PLAN.
 7. ALL DIMENSIONS TO BE SHOWN ON THIS PLAN.
 8. ALL DIMENSIONS TO BE SHOWN ON THIS PLAN.
 9. ALL DIMENSIONS TO BE SHOWN ON THIS PLAN.
 10. ALL DIMENSIONS TO BE SHOWN ON THIS PLAN.

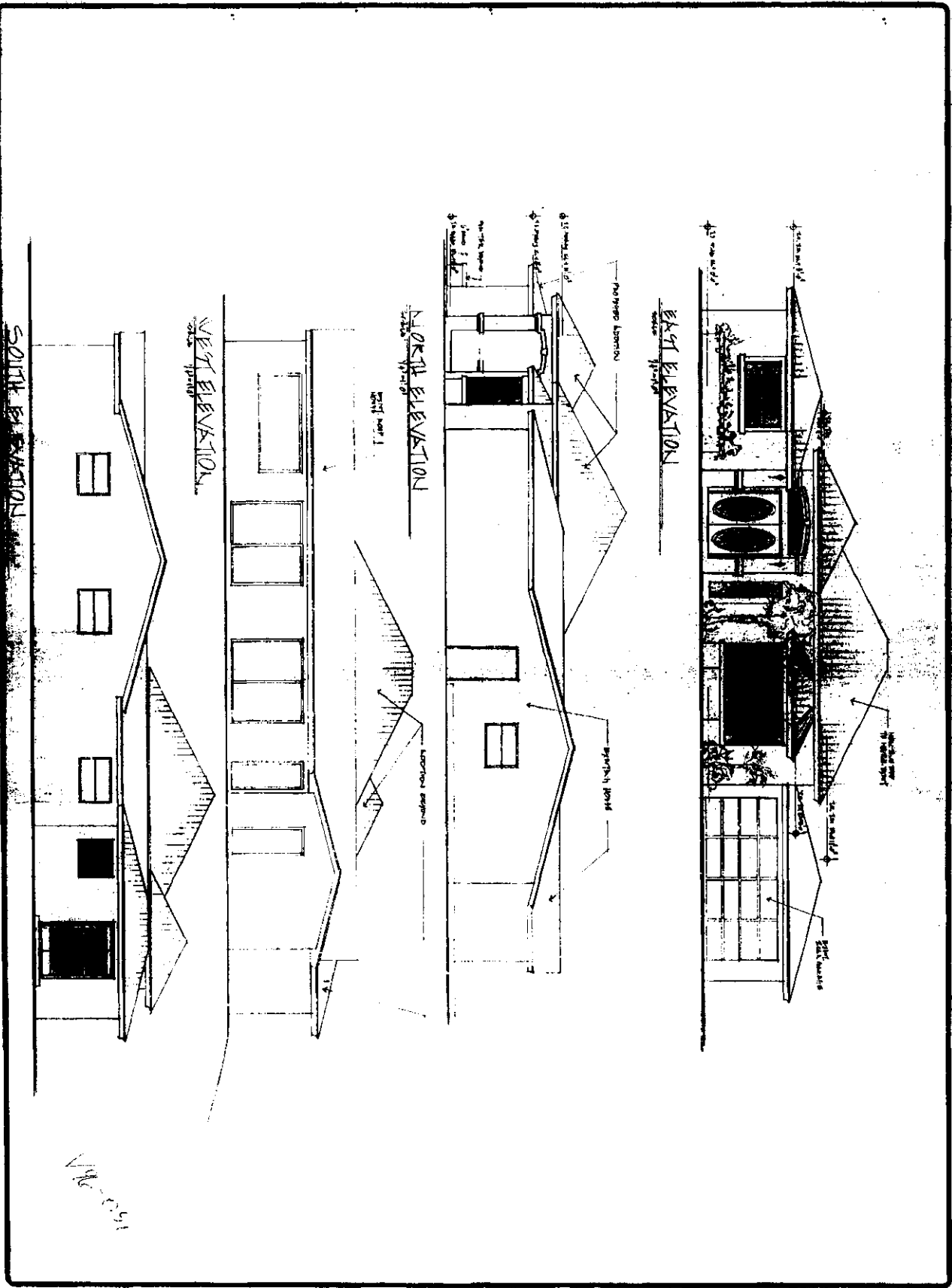
Pablo R. Garcia P.E.
 civil eng. reg # 34239
 555 E. 75 St. 830-1822
 Hialeah, FL 33013



A-2	DATE	12/15/05
	BY	P. R. GARCIA
PROJECT	1/20/05	

PROPOSED ADDITION TO THE RESIDENCE OF:
MRS. K. GOODMAN
 60350 NW 14th Street (Lake Junia)
 Miami Lakes, Florida 33183

Pablo R. Garcia P.E.
 civil eng. reg.# 34239
 555 E. 25 St. 836-1822
 Hialeah, Fl. 33013



157-025

DATE	1/10/02
BY	P.R.G.
CHECKED	
APPROVED	
SCALE	AS SHOWN
PROJECT	157-025
NO.	3

PREPARED FOR THE RESIDENT OF
 157-025
 157-025 STREET, APT. 100
 MIAMI, FL 33133

Pablo R. Garcia P.E.
 civil eng. reg.# 34239
 555 E. 25 St. 836-1822
 Hialeah, FL 33013

**Town of Miami Lakes
6853 Main Street.
Miami Lakes, Fl. 33014
Tel. (305) 364-6100
Fax. (305) 558-8511**

February 13, 2006.

**RE: LETTER OF INTENT FOR:
CURVED SIDEWALK & FRONT SET BACK VARIANCE**

**Project: Ivan & Janet Rodriguez Residence
Location: 6350 Lake June Road
Miami Lakes, Fl. 33014**

Dear Sirs:

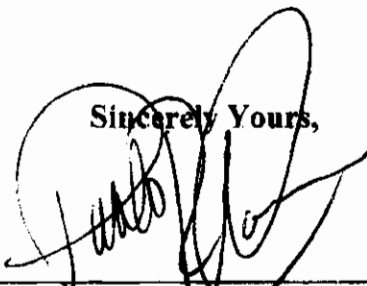
Let this serve as the letter of intent for the above mentioned project, which consists of a curved sidewalk and front set back variance proposed, according to the new 2 story single family residence to be constructed, in order to maximize the buildings footprint and vehicular accessibility.

If there were to be any questions, comments, concerns or if any additional information would be required, feel free to contact me at (305) 823-3737.

Tri-County Engineering, Inc. is the Engineer of record for this project and any correspondence may be mailed to our office.

Thanking you in advance for your cooperation in this matter.

Sincerely Yours,



**Pablo R. Garcia, P.E.
Civil Engineer No. 34239
State of Florida
For the Firm**



Notice of Public Hearing Town of Miami Lakes Zoning Hearing

NOTICE IS HEREBY GIVEN that the Miami Lakes Town Council will hold a public hearing on **Tuesday, April 18, 2006, at 7:00p.m., in the Miami Lakes Middle School, 6425 Miami Lakeway North, Miami Lakes, FL 33014** to consider the following request(s) for the subject property:

Hearing No. ZH06-09
Applicant: Ivan and Janet Rodriguez
Subject Property: 6350 Lake June Road, Miami Lakes, Fl.
Folio No. 32-2024-005-0560

The applicants, Ivan and Janet Rodriguez are requesting the following modification of previously approved Miami-Dade County Resolution No. V96000051 to permit the applicants to submit and obtain approval for a revised site plan for a single family residence within the RU-1 district filed in accordance with the Town Development Code.

1. Modification of previously approved Miami-Dade County Resolution No. V96000051 to permit the applicant to submit and obtain approval for a revised site plan, pursuant to Division 3.4 (h) and (i) of the Town Code.

To permit a single family residence within the RU-1 district setback 13.10 feet from the front property line where 25 feet is required pursuant to Division 4.2.E.

All persons interested may appear in person, by attorney or agent, or by letter, and express objection or approval. All documentation pertaining to this application is on file in the office of the Town Clerk, Town Offices located at 15700 N.W. 57th Avenue, Miami Lakes, Florida 33014.

In accordance with the provisions of F.S. Section 286.0105, should any person seek to appeal any decision made by the Council with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should call Town Hall at 305-364-6100 no later than (4) days before the proceedings for assistance.

Debra Eastman, MMC
Town Clerk

500-FT RADIUS MAP OF:

LEGAL DESCRIPTION:

Lot 17 in Block 3 A of MIAMI LAKES SECTION TWO, according to the Plat thereof, as recorded in Plat Book 76, at Page 70 of the Public Records of Miami-Dade County, Florida.

ADDRESS: 6350 Lake June Road, Miami Lakes, FL 33014

FOLIO NO. 32-2024-005-0560

OWNERS: IVAN RODRIGUEZ & JANET RODRIGUEZ.

ORDER NO. 50706

DATED: August 5th 2005

SCALE: 1" = 300'



The Zoning Specialists Group, Inc.

7900 NW 153th Street, Suite 104
Miami Lakes, FL 33016

Ph: (305) 828-1210 Fax: (305) 828-1974

I HEREBY CERTIFY: That all the properties shown herein are lying within a 500-foot radius from all boundary lines of the subject property.
I FURTHER CERTIFY: That this radius map is true and correct to the best of my knowledge and belief.

BY: *Jose Lopez*
JOSE F. LOPEZ, P.S.M.
Professional Surveyor & Mapper
#2086, State of Florida.

NOTE:
NOT VALID UNLESS SEALED WITH
THE SURVEYOR'S SEAL



**The Zoning
Specialists Group, Inc.**

August 5, 2005

**Town of Miami Lakes
Planning & Zoning Department
6853 Main Street
Miami Lakes, FL 33014**

RE: Property Owners List within 500 feet of:

LEGAL DESCRIPTION: Lot 27 Block 2A, MIAMI LAKES SECTION TWO, according to the Plat thereof, as recorded in Plat Book 76, at Page 70 of the Public Records of Miami-Dade County, Florida.

ADDRESS: 6350 Lake June Road, Miami Lakes, FL 33014

FOLIO NO. 32-2024-005-0560

OWNERS: IVAN RODRIGUEZ & JANET RODRIGUEZ.

This is to certify that the attached ownership list, map and mailing matrix is a complete and accurate representation of the real estate property and property owners within 500 feet of the subject property listed above. This reflects the most current records on the file in Broward County Property Appraiser's Office.

Sincerely,

THE ZONING SPECIALISTS GROUP, INC.

**Omara R. Lopez
President**

Total number of property owners without repetition: 42



**The Zoning
Specialists Group, Inc.**

OWNERS LIST

THE FOLLOWING ARE PROPERTY OWNERS WITHIN A 500-FOOT RADIUS OF THE FOLLOWING LEGALLY DESCRIBED PROPERTY:

SUBJECT PROPERTY: 6350 Lake June Road, Miami Lakes, FL 33014

LEGAL DESCRIPTION: Lot 27, Block 2-A, **MIAMI LAKES SECTION TWO**, according to the Plat thereof, as recorded in Plat Book 76, at Page 70 of the Public Records of Broward County, Florida.

**LEGAL DESCRIPTION, PROPERTY ADDRESS
& TAX FOLIO NUMBER** **OWNERS & MAILING ADDRESS**

Miami Lakes Sec One, PB 75-35

Lot 4 Blk 10
14330 Lake Childs Ct
32-2024-003-2320

Barrio Amildo & Lydia J
14330 Lake Childs Ct
Miami Lakes Fl 33014-3027

Lot 5 Blk 10
14320 Lake Childs Ct
32-2024-003-2330

Not Available

Lot 6 Blk 10
14310 Lake Childs Ct
32-2024-003-2340

Nunez Charles & Yudelkis
14310 Lake Childs Ct
Miami Lakes Fl 33014-3027

Lot 7 Blk 10
14300 Lake Childs Ct
32-2024-003-2350

Medina Luis Manuel
14300 Lake Childs Ct
Miami Lakes Fl 33014-3027

Lot 8 Blk 10
14230 Lake Childs Ct
32-2024-003-2360

Lewis David A Jr & Ingrid
14230 Lake Childs Ct
Miami Lakes Fl 33014-3026

Lot 9 Blk 10
14220 Lake Childs Ct
32-2024-003-2370

Goetze Robert B & Nelida
Po Box 822804
Pembroke Pines Fl 33082-2804

Lot 4 & Rip Rights Blk 11
14401 Lake Childs Ct
32-2024-003-2630

Baldino Christian X & Lynne A
14401 Lake Childs Ct
Miami Lakes Fl 33014-3081

Lot 5 & Rip Rights Blk 11
14331 Lake Childs Ct
32-2024-003-2640

Zargo Bernard B Jr & Laurie
14331 Lake Childs Ct
Hialeah Fl 33014-3028

Lot 6 & Rip Rights Blk 11
14321 Lake Childs Ct
32-2024-003-2650

Not Available

Lot 7 & Rip Rights Blk 11
14311 Lake Childs Ct
32-2024-003-2660

Tella Edward & Lourdes
14311 Lake Childs Ct
Miami Lakes Fl 33014-3028

Lot 8 & Rip Rights Blk 11
14301 Lake Childs Ct
32-2024-003-2670

Gonzalez Josefa
14301 Lake Childs Ct
Miami Lakes Fl 33014-3028

Lot 9 & Rip Rights Blk 11
14231 Lake Childs Ct
32-2024-003-2680

Willmon Jeff D & George /rm
14231 Lake Childs Ct
Miami Lakes Fl 33014-3025

Lot 10 & Rip Rights Blk 11
14221 Lake Childs Ct
32-2024-003-2690

Thibodeau Paul & Charlene A
14221 Lake Childs Ct
Miami Lakes Fl 33014-3025

Tr P-8 & Rip Rights Lot
32-2024-003-2800

Miami-dade County
275 Nw 2 St 4fl
Miami Fl 33128

Miami Lakes Section 2, PB 76-70

Lot 19 Blk 1-a
14401 Lake Crescent Pl
32-2024-005-0190

Alfonso Jorge L & Evelyn
14401 Lake Crescent Pl
Miami Lakes Fl 33014-3036

Lot 20 Blk 1-a
14391 Lake Crescent Pl
32-2024-005-0200

Berasategui Haydee & Josefina M
14391 Lake Crescent Pl
Miami Lakes Fl 33014-3034

Lot 21 Blk 1-a
14381 Lake Crescent Pl
32-2024-005-0210

Barriga Hernando & Nurys
14381 Lake Crescent Pl
Miami Lakes Fl 33014-3034

Lot 22 Blk 1-a
14371 Lake Crescent Pl
32-2024-005-0220

Lara Alexander
5867 Sw 4th St
Miami Fl 33144-3310

Lot 6 & Rip Rts Blk 2-a
6320 Lake Champlain Ter
32-2024-005-0350

Wong Ernesto G
6320 Lake Champlain Ter
Miami Lakes Fl 33014-3023

Lot 7 & Rip Rts Blk 2-a
6330 Lake Champlain Ter
32-2024-005-0360

Southwell David & Susan
6330 Lake Champlain Ter
Miami Lakes Fl 33014-3023

Lot 8 & Rip Rts Blk 2-a Pr Add 6340 Nw 143 St
6340 Lake Champlain Ter
32-2024-005-0370

East Coast Properties Llc
6447 Miami Lakes Dr E Ste 210
Miami Lakes Fl 33014-2703 C064

Lot 9 & Rip Rts Blk 2-a
6350 Lake Champlain Ter
32-2024-005-0380

Defillippo Anthony E & Carol S
6350 Lake Champlain Ter
Miami Lakes Fl 33014-3023

Lot 10 & Rip Rts Blk 2-a
6370 Lake Champlain Ter
32-2024-005-0390

Daniel Mark
6370 Lake Champlain Ter
Miami Lakes Fl 33014-3023

Lot 11 & Rip Rts Blk 2-a
6371 Lake Champlain Ter
32-2024-005-0400

Garrison John D & Angela R
6371 Lake Champlain Ter
Miami Lakes Fl 33014-3023

Lot 12 & Rip Rts Blk 2-a
6361 Lake Champlain Ter
32-2024-005-0410

Pamies Esteban J & Alicia M
6361 Lake Champlain Ter
Miami Lakes Fl 33014-3022

Lot 13 & Rip Rts Blk 2-a
6351 Lake Champlain Ter
32-2024-005-0420

Not Available

Lot 14 & Rip Rts Blk 2-a
6341 Lake Champlain Ter
32-2024-005-0430

Perez Benny & Haydee
6341 Lake Champlain Ter
Miami Lakes Fl 33014-3022

Lot 15 & Rip Rts Blk 2-a
6331 Lake Champlain Ter
32-2024-005-0440

Campbell Joan
6331 Lake Champlain Ter
Miami Lakes Fl 33014-3022

Lot 16 & Rip Rts Blk 2-a
6321 Lake Champlain Ter
32-2024-005-0450

Not Available

Lot 17 & Rip Rts Blk 2-a
14300 Lake Crescent Pl
32-2024-005-0460

Macnamara Esther
14300 Lake Crescent Pl
Miami Lakes Fl 33014-3035

Lot 18 & Rip Rts Blk 2-a
14330 Lake Crescent Pl
32-2024-005-0470

Traub Richard J & Judith A
14330 Lake Crescent Pl
Miami Lakes Fl 33014-3035

Lot 19 & Rip Rts Blk 2-a
14340 Lake Crescent Pl
32-2024-005-0480

Martinez Raul & Suzann
14340 Lake Crescent Pl
Miami Lakes Fl 33014-3035

Lot 20 & Rip Rts Blk 2-a
14350 Lake Crescent Pl
32-2024-005-0490

Huffaker Michael
14350 Lake Crescent Pl
Miami Lakes Fl 33014-3035

Lot 21 & Rip Rts Blk 2-a
14360 Lake Crescent Pl
32-2024-005-0500

Raue Brian A & Patricia A
14360 Lake Crescent Pl
Hialeah Fl 33014-3035

Lot 22 & Rip Rts Blk 2-a
14370 Lake Crescent Pl
32-2024-005-0510

De La Sierra Raul
14370 Lake Crescent Pl
Miami Lakes Fl 33014-3035

Lot 23 & Rip Rts Blk 2-a
6300 Lake June Rd
32-2024-005-0520

Yearick John & Rose Ann
6300 Lake June Rd
Miami Lakes Fl 33014-3047

Lot 24 & Rip Rts Blk 2-a
6320 Lake June Rd
32-2024-005-0530

Grenet Ingeborg D
6320 Lake June Rd
Miami Lakes Fl 33014-3047

Lot 25 & Rip Rts Blk 2-a
6330 Lake June Rd
32-2024-005-0540

Garcia Sergio Jr
6330 Lake June Rd
Miami Lakes Fl 33014-3047

Lot 26 & Rip Rts Blk 2-a
6340 Lake June Rd
32-2024-005-0550

Rodriguez Julio & Irma
6340 Lake June Rd
Miami Lakes Fl 33014-3047

Lot 28 & Rip Rts Blk 2-a
6360 Lake June Rd
32-2024-005-0570

Greaney John F & Dianne
6360 Lake June Rd
Miami Lakes Fl 33014-3047

Lot 29 & Rip Rts Blk 2-a
6370 Lake June Rd
32-2024-005-0580

Gonzalez Susan
8370 W Flagler St Ste 220
Miami Fl 33144-2040

Lot 30 & Rip Rts Blk 2-a
6351 Lake June Rd
32-2024-005-0590

Munoz Angel
6351 Lake June Rd
Miami Lakes Fl 33014-3046

Lot 31 & Rip Rts Blk 2-a
6341 Lake June Rd
32-2024-005-0600

Arocha Josefina
6341 Lake June Rd
Miami Lakes Fl 33014-3046

Lot 32 & Rip Rts Blk 2-a
6331 Lake June Rd
32-2024-005-0610

Owens Deidre G
6331 Lake June Rd
Miami Lakes Fl 33014-3046

Lot 33 & Rip Rts Blk 2-a
6321 Lake June Rd
32-2024-005-0620

Gonzalez-Howard Gloria C
6321 Lake June Rd
Miami Lakes Fl 33014-3046

Lot 34 Blk 2-a
14400 Lake Crescent Pl
32-2024-005-0630

Wolfe Jean P
14400 Lake Crescent Pl
Miami Lakes Fl 33014-3037

Lot 35 Blk 2-a
14410 Lake Crescent Pl
32-2024-005-0640

Grzeskowiak John A & Laura A
14410 Lake Crescent Pl
Miami Lakes Fl 33014-3037

Lot 36 & Rip Rts Blk 2-a
14420 Lake Crescent Pl
32-2024-005-0650

Davis Maria L
14420 Lake Crescent Pl
Miami Lakes Fl 33014-3037

Lot 37 & Rip Ris Blk 2-a
14500 Lake Crescent Pl
32-2024-005-0660

Giroud Jorge A & Madelyn
14500 Lake Crescent Pl
Miami Lakes Fl 33014-3039

Lot 38 Blk 2-a
14510 Lake Crescent Pl
32-2024-005-0670

Alfonso Robert & Lidia I
14510 Lake Crescent Pl
Miami Lakes Fl 33014-3039

Lot 40 & Rip Rts Blk 2-a
6320 Lake Geneva Rd
32-2024-005-0690

Sotolongo Marcelino & Tania
6320 Lake Geneva Rd
Miami Lakes Fl 33014-3041

Lot 41 & Rip Rts Blk 2-a
6330 Lake Geneva Rd
32-2024-005-0700

Lopez Fernando
151 W 43rd St
Hialeah Fl 33012-4443

Lot 42 & Rip Rts Blk 2-a
6340 Lake Geneva Rd
32-2024-005-0710

Campos Jose & Rosalba
6340 Lake Geneva Rd
Miami Lakes Fl 33014-3041

Lot 48 & Rip Rts Blk 2-a
6380 Miami Lakeway S
32-2024-005-0770

Davis Ronald J & Adriana
6380 Miami Lakeway S
Hialeah Fl 33014-2743

Lot 49 & Rip Rts Blk 2-a
6400 Miami Lakeway S
32-2024-005-0780

Blanco Eduardo & Arianna
6400 Miami Lakeway S
Miami Lakes Fl 33014-2745

Lot 50 & Rip Rts Blk 2-a
6420 Miami Lakeway S
32-2024-005-0790

Farias Somay
6420 Miami Lakeway S
Miami Lakes Fl 33014-2745

Lot 51 & Rip Rts Blk 2-a
6430 Miami Lakeway S
32-2024-005-0800

Fundora Susana
6430 Miami Lakeway S
Miami Lakes Fl 33014-2745

Lot 53 & Rip Rts Blk 2-a
14421 Lake Childs Ct
32-2024-005-0820

Bravo Juan & Judit
14421 Lake Childs Ct
Miami Lakes Fl 33014-3081

Lot 54 & Rip Rts Blk 2-a
14411 Lake Childs Ct
32-2024-005-0830

Budlong Samuel S & Maureen P
14411 Lake Childs Ct
Miami Lakes Fl 33014-3081