

RESOLUTION No. 2007-150-657

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, GRANTING FINAL APPROVAL FOR A WAIVER OF PLAT FOR PROPERTY GENERALLY LOCATED AT 5330 NORTHWEST 161ST STREET AND 5375 NORTHWEST 159TH STREET, MIAMI GARDENS, FLORIDA; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Estate of Sam Berman has applied to Miami-Dade County for a waiver of the platting requirements for property generally located at 5330 Northwest 161st Street and 5375 Northwest 159th Street, in the City of Miami Gardens, more particularly described on Exhibit "A" attached hereto, and

WHEREAS, Miami-Dade County has recommended that the request for waiver of plat requirements be approved, subject to certain conditions imposed by Miami-Dade County, and

WHEREAS, City staff has reviewed the application for waiver of plat and has no objection thereto,

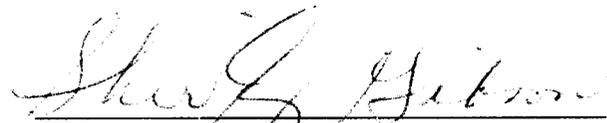
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. FINAL APPROVAL OF WAIVER OF PLAT REQUIREMENTS: The City Council of the City of Miami Gardens hereby grants final approval of the application for waiver of platting requirements filed by the applicant pursuant to Section 28-4.1 of the Miami-Dade County Code of Ordinances, for the property described on Exhibit "A" attached hereto.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR ZONING MEETING HELD ON NOVEMBER 7, 2007.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Councilwoman Pritchett
SECONDED BY: Councilman Braynon

VOTE: 7-0

Mayor Shirley Gibson	<u> X </u> (Yes)	<u> </u> (No)
Vice Mayor Barbara Watson	<u> X </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> X </u> (Yes)	<u> </u> (No)
Councilman Aaron Campbell	<u> X </u> (Yes)	<u> </u> (No)
Councilman André Williams	<u> X </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> X </u> (Yes)	<u> </u> (No)
Councilman Oscar Braynon, II	<u> X </u> (Yes)	<u> </u> (No)

SKD/teh
268709_1.DOC

City of Miami Gardens

1515 NW 167th Street Bldg.5 Suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor, Barbara Watson
Councilman Oscar Braynon II
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman André Williams

Agenda Cover Page – Estate of Sam Berman Waiver of Plat WP-2007-000003

Date: Nov. 7, 2007

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No Advertising requirement: Yes No

Sponsor Name/Department: Development Services Director
via City Manager

Public hearing

Ordinance

1st Reading

Quasi-Judicial

Resolution

2nd Reading

RESOLUTION No. 2007-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, GRANTING FINAL APPROVAL FOR A WAIVER OF PLAT FOR PROPERTY LOCATED AT 5330 NORTHWEST 161ST STREET AND 5375 NORTHWEST 159TH STREET, MIAMI GARDENS, FLORIDA; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE

The Waiver of Plat submitted by the Estate of Sam Berman c/o Bilzin Sumberg Baena for property located at 5330 N.W. 161st Street and 5375 N.W. 159th Street has been reviewed for compliance with Chapter 28 of the Miami-Dade County Code in accordance with Section 177.081(1) of the Florida Statutes by the City's surveyor Manuel G. Vera & Associates, and has been reviewed for compliance with the City's Zoning Code and consistent with the CDMP. The Waiver of Plat was submitted to the Miami-Dade County Plat Review Committee and was reviewed and recommended for approval on September 24, 2007.

The Waiver of the Plat is too allow the subdivision of the property into four (4) tracts, 1.635 acres, 1.862 acres, 1.698 acres, and 0.933 acres respectively with the existing warehouse and office uses to remain. The proposed subdivision is a result of an estate issue.

Recommendation: Approval of the Waiver of Plat.

ATTACHMENTS:

RESOLUTION

EXHIBIT "A" WAIVER OF PLAT

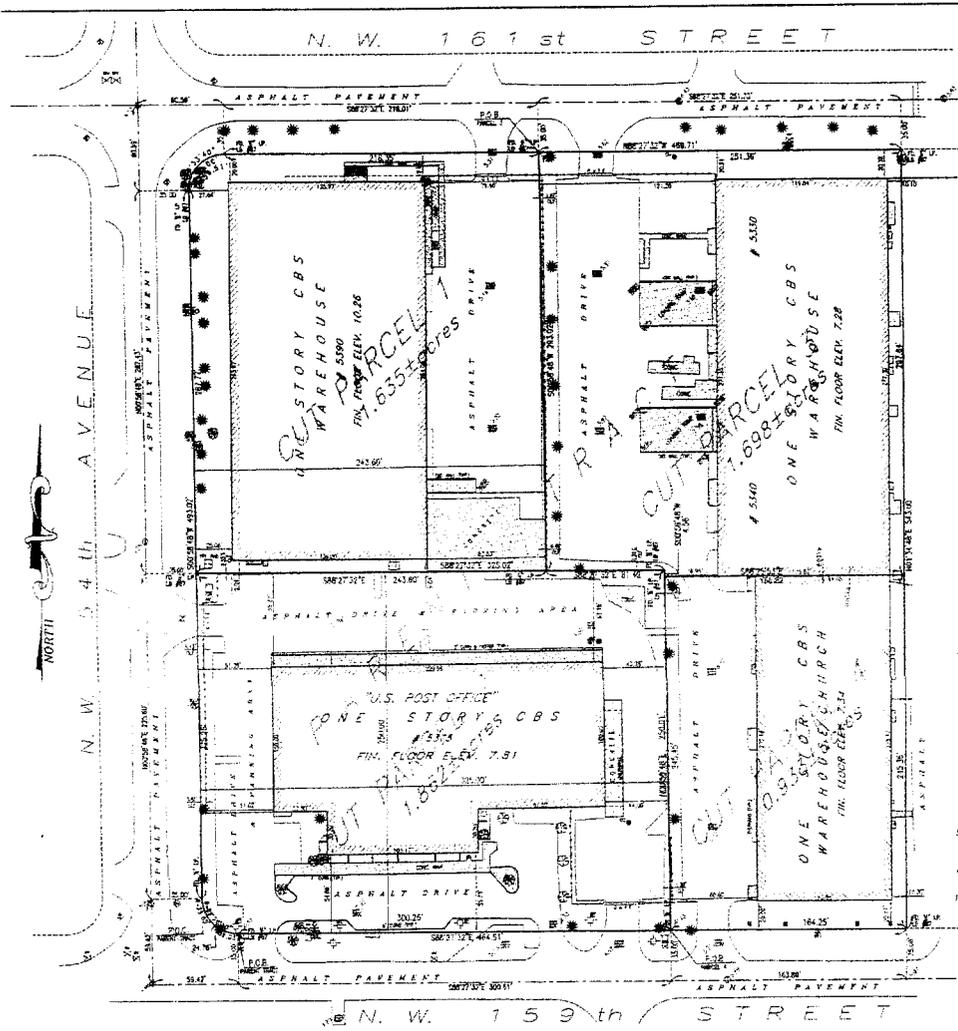
EXHIBIT "B" RESOLUTION 2007-78-586

EXHIBIT "C" NOTICE OF ACTION MIAMI-DADE COUNTY

EXHIBIT "D" LETTER FROM VERA AND ASSOCIATES

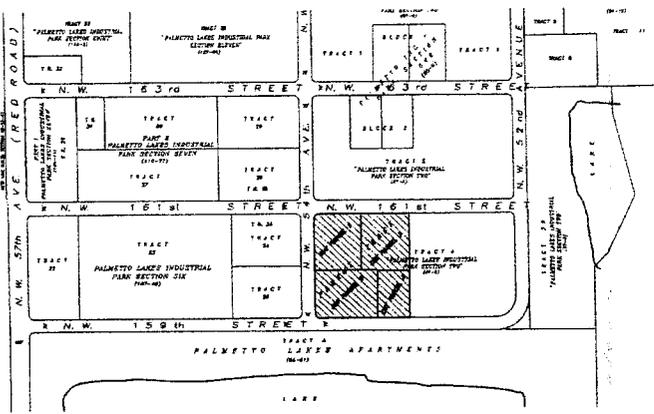
**7-C) CONSENT AGENDA
RESOLUTION
FINAL PLAT
5330 NW 161ST STREET
5375 NW 159TH STREET**

EXHIBIT "A" WAIVER OF PLAT



- LEGEND**
- SERVICE LIGHT POLE
 - SERVICE BEAM POST
 - SERVICE WATER METER
 - SERVICE WATER VALVE
 - SERVICE FIVE WIRE
 - SERVICE CATED BATH
 - SERVICE CLEAN OUT
 - SERVICE ELECTRIC WALL SW
 - SERVICE STREET SW
 - SERVICE SANITARY SEWER MANHOLE
 - SERVICE STREET VALVE
 - SERVICE SPRAWLER HEAD SW
 - SERVICE SPRAWLER VALVE
 - SERVICE FLOOD POLE
 - SERVICE BELLOWS BOX
 - SERVICE TRAFFIC SIGNAL CUT WAY
 - SERVICE DRIVE LAMP POLE
 - SERVICE CENTER LAMP
 - SERVICE EXISTING ELEVATION
 - SERVICE FINISH
 - SERVICE SIGN POLE
 - SERVICE WELDER
 - SERVICE SERVICE
 - SERVICE CONCRETE
 - SERVICE TYPICAL
 - SERVICE BENCH OF CURVE
 - SERVICE AND LAMP
 - SERVICE EXISTING CONCRETE
 - SERVICE EXISTING ASPHALT
- SYMBOLS**
- ADJUSTED UNKNOWN POINT
 - SERVICE SIGN TREE
 - SERVICE BLACK OAK
 - SERVICE PALM TREE
 - SERVICE ACACIA TREE

- NOTES**
- 1) REVISIONS SHOWN HEREIN REFER TO AN ADJUSTED BEARING OF 1.000000' E ALONG THE EAST LINE OF N.W. 161st AVENUE
 - 2) LEGAL DESCRIPTION SHOWN HEREIN AND APPROVED BY CLIENT
 - 3) UNLESS OTHERWISE NOTED, THIS FIRM HAS NOT ATTEMPTED TO LOCATE EXISTING UTILITIES DEEPER THAN 4 FEET
 - 4) INTERESTS OF SAM BELMAN
 - 5) THE SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE CLIENTS NAMED HEREIN. THE ATTACHED CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED PARTIES.
 - 6) SURVEYOR'S WORK HEREIN WAS FIELD AND OFFICE WORK. THE DATE OF FIELD WORK IS 03-12-2014
 - 7) PEOPLE AND/OR OTHERS OF UNLAWFUL USE OR INTERFERENCE AND/OR ATTEMPT HAS BEEN MADE TO LOCATE UNDERGROUND UTILITIES
 - 8) UNLAWFUL USE OR INTERFERENCE OF SUBJECT PROPERTY AND RECORDS HAS BEEN MADE UNLESS OTHERWISE STATED
 - 9) SHOWN HEREIN ARE PLATABLE EASEMENTS AND RIGHTS OF WAY, REFLECTED IN OPINION OF TITLE, PREPARED BY MARIA C. ARROGOLA, VELEZ AND DATED DECEMBER 13, 2008
 - 10) ELEVATIONS SHOWN HEREIN REFER TO NATIONAL MEAN SEA LEVEL DATUM (NAVD83) 1988
 - 11) BENCHMARKS
 - 12) NORTH END OF SANITARY SEWER MANHOLE AT CENTERLINE INTERSECTION OF N.W. 159th STREET AND N.W. 161st AVENUE (ELEV. 102.41' NAVD83)
 - 13) FLOOR ELEVATION BUILDING NO. 5475 N.W. 159th STREET (ELEV. 102.18' NAVD83)



LOCATION MAP

SCALE: 1" = 300'

CONTACT PERSON INFORMATION
 NAME: Alexandra Deas, Esq.
 TELEPHONE NUMBER: 305-350-7241
 FAX NUMBER: 305-351-2176
 E-MAIL ADDRESS: aoads@shiskin.com

DEVELOPMENT INFORMATION:
 OWNERS: ADELE ASSOCIATES
 ADDRESS: 16251 N.W. 54 AVENUE
 MIAMI, FL 33014

PROPOSED USE (EXISTING USE)
 PARCEL 1: 35,898 Sq.Ft WAREHOUSE
 PARCEL 2: 26,179 Sq.Ft U.S. POST OFFICE
 PARCEL 3: 33,233 Sq.Ft WAREHOUSE
 PARCEL 4: 21,156 Sq.Ft WAREHOUSE/CHURCH

NUMBER OF TRACTS: 4

EXISTING ZONING: IU-C

DADE COUNTY FLOOD CRITERIA: 6.3" (PER P.B. 120, PG. 13)

FEDERAL FLOOD HAZARD ZONE: AC-5 PER F.I.R.M. COMMUNITY PANEL NO. 126335 (GRO 1) AND 126335 (GRO 0) OF FEMA MAP, DATED 03-02-1994

UTILITIES: MIAMI-DADE WATER AND SEWER DEPARTMENT

LEGAL DESCRIPTION

PARENT TRACT:
 A portion of Tract 4, "PALMETTO LAKES INDUSTRIAL PARK SECTION TWO", as recorded in Plat Book 87, Page 6 of the Public Records of Dade County, Florida, being more particularly described as follows:

Commence at the intersection of the extensions of the South and West lines of said Tract 4, thence South 88 degrees 27 minutes 32 seconds East along the extension of the South line of Tract 4, for 24.76 feet to the Point of Beginning; thence continue South 88 degrees 27 minutes 32 seconds East along the South line of Tract 4, for 468.51 feet; thence North 01 degree 34 minutes 48 seconds East for 543.00 feet; thence North 88 degrees 27 minutes 32 seconds West, along the North line of Tract 4, for 469.71 feet to a Point of Curvature; thence Southwesterly along a circular curve to the left having a radius of 25 feet and a central angle of 90 degrees 33 minutes 40 seconds for an arc distance of 39.51 feet to the Point of Tangency; thence South 00 degrees 58 minutes 48 seconds West, along the West line of Tract 4, for 443.00 feet to a Point of Curvature; thence Southwesterly along a circular curve to the left having a radius of 25.00 feet and a central angle of 89 degrees 26 minutes 20 seconds for an arc distance of 39.03 feet to the Point of Beginning, lying and being in Miami-Dade County, Florida.

CUT OUT PARCEL 1
 The West 243.60 feet of Tract 4, "PALMETTO LAKES INDUSTRIAL PARK SECTION TWO" according to the Plat thereof as recorded in Plat Book 87, of Page 6, of the Public Records of Dade County, Florida. Less the South 250.00 feet thereof, lying and being in Miami-Dade County, Florida.

CUT OUT PARCEL 2
 The South 250.00 feet of the West 325.00 feet of Tract 4, "PALMETTO LAKES INDUSTRIAL PARK SECTION TWO" according to the Plat thereof as recorded in Plat Book 87, of Page 6, of the Public Records of Dade County, Florida, lying and being in Miami-Dade County, Florida.

CUT OUT PARCEL 3
 A portion of Tract 4, "PALMETTO LAKES INDUSTRIAL PARK SECTION TWO" as recorded in Plat Book 87, Page 6 of the Public Records of Dade County, Florida, being more particularly described as follows:

Begin at the Northeast corner of the West 243.60 feet of said Tract 4; thence South 00 degrees 58 minutes 48 seconds West, parallel to the West line of Tract 4, for 293.02 feet; thence South 88 degrees 27 minutes 32 seconds East for 81.42 feet; thence South 00 degrees 58 minutes 48 seconds West for 4.56 feet; thence South 88 degrees 27 minutes 32 seconds East for 186.82 feet; thence North 01 degree 34 minutes 48 seconds East for 297.84 feet; thence North 88 degrees 27 minutes 32 seconds West, along the North line of Tract 4, for 251.36 feet to the Point of Beginning, lying and being in Miami-Dade County, Florida.

CUT OUT PARCEL 4
 A portion of Tract 4, "PALMETTO LAKES INDUSTRIAL PARK SECTION TWO" as recorded in Plat Book 87, Page 6 of the Public Records of Dade County, Florida, being more particularly described as follows:

Begin at the Southeast corner of the West 325.00 feet of said Tract 4; thence North 06 degrees 58 minutes 48 seconds East, parallel to the West line of Tract 4, for 245.43 feet; thence South 88 degrees 27 minutes 32 seconds East for 156.82 feet; thence South 01 degree 34 minutes 48 seconds West for 245.36 feet; thence North 88 degrees 27 minutes 32 seconds West, along the South line of Tract 4, for 184.25 feet to the Point of Beginning, lying and being in Miami-Dade County, Florida.

I HEREBY CERTIFY: That this "WAIVER OF PLAT" of the property described herein is true and correct to the best of my knowledge and belief as recently surveyed and drawn under my supervision and direction. This survey complies with the Minimum Technical Standards adopted by the Florida State Board of Surveyors and Mappers pursuant to Chapter 61G17-5, Florida Administrative Code.

SCHWIEBE-SHISKIN & ASSOCIATES, INC.
 Mark Steven Johnson, Vice-President
 Professional Land Surveyor #4775
 State of Florida

REVISIONS		
Date	Remarks	By

WAIVER OF PLAT
 OF
 A PORTION OF TRACT 4, "PALMETTO LAKES INDUSTRIAL PARK SECTION TWO" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 87 AT PAGE 6 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.
 SECTION 15-52-41

X:\182241\PALMETTO LIP SEC-2\SURVEY.dwg (PORTION OF TR-4.dwg)

Schwiebe-Shiskin & Associates, Inc.
 LAND SURVEYORS
 3240 CORPORATE WAY
 MIAMI, FLORIDA 33025
 TEL: (305) 452-7010 FAX: (305) 452-8824

Drawn by: D.R.L. Date: 03-30-2014
 Checked by: [Signature]
 Date: [Signature]
 Title: [Signature]
 State of Florida
 License No. 4775
 State of Florida
 License No. 4775

Project No. AJ-4452

EXHIBIT "B"
RESOLUTION 2007-78-586

RESOLUTION No. 2007-79-586

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT FOR PROPERTY LOCATED AT 5330 NORTHWEST 161ST STREET AND 5375 NORTHWEST 159TH STREET, MIAMI GARDENS, FLORIDA; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Estate of Sam Berman has applied to Miami-Dade County for a waiver of the platting requirements for property located at 5330 Northwest 161st Street and 5375 Northwest 159th Street, in the City of Miami Gardens, and

WHEREAS, Miami-Dade County has recommended that the request for waiver of plat requirements be approved, subject to certain conditions imposed by Miami-Dade County, and

WHEREAS, City staff has reviewed the application for waiver of plat and has no objection thereto,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. APPROVAL OF WAIVER OF PLAT REQUIREMENTS: The City Council of the City of Miami Gardens hereby approves the application for waiver of platting requirements filed by the applicant pursuant to Section 28-4.1 of the Miami-Dade County Code of Ordinances.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

Resolution No. 2007-79-586

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
GARDENS AT ITS REGULAR MEETING HELD ON MAY 2, 2007.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Councilwoman Watson
SECONDED BY: Councilman Bratton

VOTE: 5-1

Mayor Shirley Gibson	<input type="checkbox"/> (Yes)	<input type="checkbox"/> (No)	Out of town
Vice Mayor Oscar Braynon, II	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)	
Councilman Melvin L. Bratton	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)	
Councilman Aaron Campbell	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)	
Councilman André Williams	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)	
Councilwoman Sharon Pritchett	<input type="checkbox"/> (Yes)	<input checked="" type="checkbox"/> (No)	Not present
Councilwoman Barbara Watson	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)	

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**EXHIBIT "C" NOTICE OF ACTION
MIAMI-DADE COUNTY**



Public Works Department
 111 NW 1st Street • Suite 1610
 Miami, Florida 33128-1970
 T 305-375-1925 F 305-375-2373

miamidade.gov

**NOTICE OF ACTION
 MUNICIPALITY**

DATE September 24, 2007

MUNICIPALITY CITY CLERK: RONETTA TAYLOR, CMC

OWNER ESTATE OF SAM BERMAN C/O BILZIN
 SUMBERG BAENA
 200 S. BISCAYNE BLVD., SUITE 2500
 MIAMI, FL 33131

SURVEYOR SCHWEBKE-SHISKIN & ASSOCIATES, INC.
 3240 CORPORATE WAY
 MIRAMAR, FL 33025

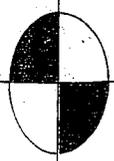
This is to inform you that the Waiver of Plat D-22798 was reviewed and recommended for approval by the Miami-Dade County Plat Committee on September 24, 2007.

The following items must be complied with:

- 1- Municipality requirements

- ADA Coordination
- Agenda Coordination
- Animal Services
- Art in Public Places
- Audit and Management Services
- Aviation
- Building
- Building Code Compliance
- Business Development
- Capital Improvements Construction Coordination
- Citizens' Independent Transportation Trust
- Commission on Ethics and Public Trust
- Communications
- Community Action Agency
- Community & Economic Development
- Community Relations
- Consumer Services
- Corrections & Rehabilitation
- Cultural Affairs
- Elections
- Emergency Management
- Employee Relations
- Empowerment Trust
- Enterprise Technology Services
- Environmental Resources Management
- Fair Employment Practices
- Finance
- Fire Rescue
- General Services Administration
- Historic Preservation
- Homeless Trust
- Housing Agency
- Housing Finance Authority
- Human Services
- Independent Review Panel
- International Trade Consortium
- Juvenile Assessment Center
- Medical Examiner
- Metro-Miami Action Plan
- Metropolitan Planning Organization
- Park and Recreation
- Planning and Zoning
- Police
- Procurement Management
- Property Appraiser
- Public Library System
- Public Works**
- Safe Neighborhood Parks
- Seaport
- Solid Waste Management
- Strategic Business Management
- Team Metro
- Transit
- Task Force on Urban Economic Revitalization
- Vizcaya Museum And Gardens
- Water & Sewer

**EXHIBIT "D" LETTER FROM
VERA AND ASSOCIATES**



MANUEL G. VERA & ASSOCIATES, INC.

Engineers • Surveyors • Mappers

April 9, 2007

To: City of Miami Gardens
1515 NW.167th. Street Suite 200
Miami, Florida, 33169

Attn: Attn: Nixon Lebrun, Acting Zoning Administrator

Re: Palmetto Lakes Tract 4-Section 2 – Waiver of Plat

This is to inform you that our firm has reviewed the above named Waiver of Plat prepared by: SCHWEBKE-SHISKIN & ASSOCIATES, INC., dated 03-30-2006 (field date), and we found that said Waiver of Plat meets all the requirements for a Waiver of Plat as per Chapter 28 of the Miami-Dade County Code.

Please feel free to contact me further for any other questions,

Silvia Nuin P.S.& M. #5982
For Manuel G. Vera & Associates, Inc.

RECEIVED
4/10/07

13960 SW 47th St.

Miami, FL 33175

P.O. Box 650578

Miami, FL 33265

h (305)221-6210

x (305)221-1295

www.mgvera.com