

**RESOLUTION NO.Z-04-06**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A DISTRICT BOUNDARY CHANGE REQUEST OF WEST DADE COUNTY ASSOCIATES AND WEST DADE COUNTY ASSOCIATES II; ACCEPTING RESTRICTIONS; AUTHORIZING TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS, WEST DADE COUNTY ASSOCIATES and WEST DADE COUNTY ASSOCIATES II (the "Applicant") applied for the following:**

A district boundary change from BU-2 to BU-3

**SUBJECT PROPERTY: SEE ATTACHED EXHIBIT "A"**

**LOCATION: Approximately NW 12<sup>th</sup> Street and 97<sup>th</sup> Avenue, Doral, Florida**

**WHEREAS, a public hearing of the City of Doral Council was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard; and**

**WHEREAS, the Applicant at the public hearing voluntarily proffered a Declaration of Restrictions (the "Declaration") copy attached as Exhibit "B" to this Resolution; and**

**WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Council that the requested district boundary would be compatible with other car dealerships in the area, it is consistent with the City of Doral Comprehensive Plan, and would not be in conflict with the principle and intent of the plan for the development of the City of Doral, Florida.**

**NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Doral as follows:**

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

Section 2. Findings. Based on the evidence presented at the public hearing, the Mayor and City Council find as follows:

1. The application is not development as that term is defined in Section 380.04(3) (f) since the proposed use is a change of use of land permitted in the development order.
2. The proposed district boundary change is consistent with the Business and Office designation for the property in the City's Comprehensive Plan.
3. The proposed use (car/truck dealership and accessory uses thereto) is compatible with other ca/truck dealerships located in the area.

Section 3. Approvals. Based on the above findings and the evidence presented at the public hearing, the district boundary change to BU-3 is approved.

Section 4. Declaration of Restrictions. The voluntary proffered Declaration is hereby accepted and shall be recorded in the Public Records of Miami-Dade County at the Applicant's cost.

Section 5. Severability. If any section, part of section, paragraph, clause, phrase or word of this Resolution is declared invalid, the remaining provisions of this Resolution shall not be affected.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the City of Doral and the Miami-Dade County Department of Planning and Zoning.

The foregoing Resolution was offered by Councilwoman Ruiz, who moved its adoption. The motion was seconded by Vice Mayor Cabrera and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	yes
Vice Mayor Peter Cabrera	yes
Councilmember Michael DiPietro	yes
Councilmember Sandra Ruiz	yes
Councilmember Robert Van Name	yes

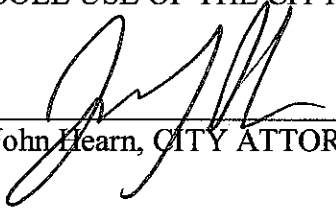
PASSED and ADOPTED this 10<sup>th</sup> day of March, 2004.

  
\_\_\_\_\_  
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

  
\_\_\_\_\_  
Sheila Paul, CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE  
SOLE USE OF THE CITY OF DORAL:

  
\_\_\_\_\_  
John Hearn, CITY ATTORNEY

# EXHIBIT "A"

**LEGAL DESCRIPTION:**

A portion of Tracts "A" & "C", MIAMI INTERNATIONAL MALL PROPERTIES, according to the plat thereof as recorded in Plat Book 117 at Page 84 of the Public Records of Miami-Dade County, Florida, being a portion of the South 1/2 of Section 32, Township 53 South, Range 40 East, Miami-Dade County, Florida being more particularly described as follows:

Begin at the Southeast corner of said Tract "C", being on the Northerly right-of-way line of NW 12th Street; the following (4) four courses being along the exterior boundary line of said Tract "C"; (1) thence South 89°20'56" West along said Northerly right-of-way line, a distance of 278.50 feet to a point; (2) thence leaving said Northerly right-of-way line North 44°20'56" West a distance of 104.65 feet to a point; (3) thence North 00°39'04" West a distance of 30.74 feet to a point; (4) thence North 34°00'00" West along the Southwest line of said Tract "C" and its extension thereof, a distance of 205.41 feet to a point; thence North 64°49'27" East a distance of 497.70 feet to a point; thence North 90°00'00" East a distance of 1.88 feet to a point on the East line of said Tract "A"; thence South 01°43'13" East along the East line of said Tracts "A" & "C" a distance of 484.64 feet to the being the Point of Beginning.

**SURVEYOR'S NOTES:**

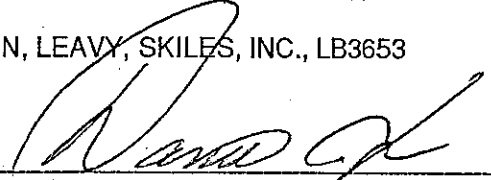
- This site lies in Section 32, Township 53 South, Range 40 East, City of Doral, Miami-Dade County, Florida.
- All documents are recorded in the Public Records of Miami-Dade County, Florida unless otherwise noted.
- Lands shown hereon were not abstracted for easements and/or rights-of-way of records.
- Bearings hereon are referred to an assumed value of S89°20'56"W for the North right of way line of N.W. 12th Street, said bearing is identical with the plat of record.
- Lands shown hereon containing 151,307 square feet, or 3.474 acres, more or less.
- This is not a "Boundary Survey" but only a graphic depiction of the description shown hereon.
- Dimensions shown hereon are based on Fortin, Leavy, Skiles, sketch # 4003-003.

**SURVEYOR'S CERTIFICATION:**

I hereby certify that this "Sketch of Description" was made under my responsible charge on February 6, 2004, and meets the Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

"Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper"

FORTIN, LEAVY, SKILES, INC., LB3653

By:   
 Daniel C. Fortin, For The Firm  
 Surveyor and Mapper, LS2853  
 State of Florida.

Drawn By	DANJR
Cad. No.	040214
Ref. Dwg.	4003-003
Plotted:	PDATE

<b>DESCRIPTION, NOTES &amp; CERTIFICATION</b>
<b>FORTIN, LEAVY, SKILES, INC.</b>
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th. Street / North Miami Beach, Florida. 33162
Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com

Date	2/6/04
Scale	NONE
Job. No.	040214
Dwg. No.	1004-016
Sheet	1 of 2