

The following resolution was offered by Mr. Paul Brockman

seconded by Mr. Frank P. Reynolds, Jr., and upon poll of members present, the vote was as follows:

Paul Brockman	aye	G. C. Paden	aye
Francis A. Calhoun, Jr.	aye	Frank P. Reynolds, Jr.	aye
Dan Daniels	absent	I. Tommy Thomas	aye
Carl Gardner	aye	G. V. W. Trice, Jr.	aye
Joseph H. Gardner	aye	Martin Woolin	aye
Harry K. Hurst	aye	Andrew Lee	aye
John W. Merten	aye		

WHEREAS, Bengra Development Corp. has applied for district boundary changes from GU (Interim) and NU-1 (One-Family Residential) 8500 c.f. to NU-1 (One-Family Residential) 8500 c.f., AND

UNUSUAL USE to permit a lake excavation ON a portion of Chamber's Land Co. Sub. of the W $\frac{1}{2}$ of Section 24, Township 32 South, Range 40 East (PB 2, Pgs. 68), all being more particularly described as follows: Begin at the intersection of the centerlines of NW 67 Ave. (Lodlum Rd.) and Miami Lakes Dr. E, Plat of Miami Lakes Sec. 1 (PB 75, Pgs. 35); th. run due E. along the centerline of said Miami Lakes Dr. E. for 122.63' to a point of curvature; th. run NE/ly along a circular curve to the left, said circular curve being the centerline of Miami Lakes Dr. E., said circular curve having a radius of 405', a central angle of 34° 22' for an arc distance of 290.95' to the point of tangency; th. run N. 55° 37' 43" E. along the centerline of said Miami Lakes Dr. E., and the centerline of Miami Lakeway, Plat of Miami Lakes Sec. 2 (PB 76, Pgs. 70) for 1787.26' to a point of curvature, said point of curvature being the intersection of the centerline of Miami Lakeway with the NE/ly line of Blk. 3A extended NW/ly, Plat of Miami Lakes Sec. 2; th. run NE/ly along the circular curve to the left having a radius of 422' and a central angle of 43° 53' 00" for an arc distance of 323.21' to the point of tangency; th. run N. 11° 44' 43" E. for 480'; th. run N. 78° 15' 17" W. for 135'; th. run N. 46° 09' 00" W. for 474.22'; th. run N. 22° 54' 40" W. for 355.79'; th. run N. 67° 05' 20" W. for 355'; th. run S. 22° 54' 40" W. for 200' to a point; th. run S. 30° 53' 36" W. for 764.19' to a point of curvature; th. run S/ly and SW/ly along a circular curve to the right having a radius of 968.64', a central angle of 45° 55' 25" for an arc distance of 776.38' to a point; th. run N. 63° 49' 40" W. radial to the next described curve for 174.59' to a point on a circular curve, said circular curve being the centerline of NW 67 Ave., as shown on the r/w plat of NW 67 Ave. (PB 76, Pgs. 44); th. run S/ly along a circular curve to the right, said circular curve being the centerline of said NW 67 Ave., said circular curve having a radius of 1145.92', a central angle of 5° 49' 55" for an arc distance of 116.64' to the point of tangency; th. run S. 12° 11' 15" W. still along the centerline of said NW 67 Ave. for 208.54' to a point of curvature; th. run S/ly along a circular curve to the left, having a radius of 2291.83', a central angle of 14° 15' 00" for an arc distance of 570' per survey to the point of tangency, said circular curve being the centerline of said NW 67 Ave.; th. run S. 02° 14' 45" E. still along the centerline of said NW 67 Ave. for 647.04' to the POB.
District boundary change from

GU (Interim) to NU-4 (Apartment House & Hotels) ON a portion of Chamber's Land Co. Sub. of the W $\frac{1}{2}$ of Section 24, Township 32 South, Range 40 East (PB 2, Pgs. 68), and being more particularly described as follows: Commence at the intersection of the centerline of NW 67 Ave. (Lodlum Rd.), as shown on the r/w of Plat of NW 67 Ave. (PB 76, Pgs. 44) with the centerline of Miami Lakes Dr. E. as shown on the Plat of Miami Lakes Sec. 1 (PB 75, Pgs. 35); th. run N. 20° 14' 45" W. along the centerline of said NW 67 Ave., for 647.04' to a point of curvature; th. run N/ly along a circular curve to the right having a radius of 2291.83' and a central angle of 14° 15' 00" for an arc distance of 570' to the point of tangency, said circular curve being the centerline of said NW 67 Ave.; th. run N. 12° 00' 15" E. still along the centerline of said NW 67 Ave. for 208.54' to a

point of curvature; th. run N/ly along a circular curve to the left, said circular curve to the left, said circular curve still being the centerline of said NW 67 Ave., said circular curve having a radius of 1145.92', a central angle of 3° 49' 55" for an arc distance of 116.64' to the POB of the tract of land hereinafter described; th. continue N/ly along the last described curve still being the centerline of said NW 67 Ave., said circular curve having a radius of 1145.92', a central angle of 11° 21' 19" for an arc distance of 227.11'; th. run N. 8° 49' 01" E. radial to the last described curve for 148.74' to a point of curvature; th. run N/ly and NE/ly along a circular curve to the left having a radius of 768.64' and a central angle of 61° 54' 21" for an arc distance of 765.66' to a point of tangency; th. run N. 22° 54' 40" E. for 668'; th. run S. 67° 05' 20" E. for 433'; th. run S. 22° 54' 40" W. for 899'; th. run S. 36° 53' 36" W. for 746.19' to a point of curvature; th. run S/ly and SW/ly along a circular curve to the right having a radius of 968.64', a central angle of 45° 55' 25" for an arc distance of 776.38' to a point; th. run N. 83° 49' 40" W. radial to the first described curve of this tract of land for 174.59' to the POB.

SPECIAL EXCEPTION to permit Church and Sunday School ON a portion of Hawthorne Land Co. Sub. of the NW 1/4 of Sec. 24-32-40 (PB 2, Pgs. 68); and being more particularly described as follows: Commence at the intersection of the centerline of Miami Lakeway and NW 68 St., as shown on the Plat of Miami Lakes Sec. 2 (PB 76, Pgs. 70); th. run N. 55° 37' 43" E. along the centerline of said Miami Lakeway for 125' to a point of curvature, said point of curvature being the intersection of the centerline of said Miami Lakeway and the NE/ly line of Blk. 3A extended NW/ly as shown on the Plat of Miami Lakes Sec. 2; th. run NE/ly along a circular curve to the left having a radius of 422' and a central angle of 43° 53' 00" for an arc distance of 323.21' to a point of tangency; th. run N. 11° 44' 43" E. for 420' to the POB of the tract of land hereinafter to be described; th. continue N. 11° 44' 43" E. for 625'; th. run S. 89° 45' 00" W. for 187' to a point of curvature; th. run W/ly along a circular curve to the right having a radius of 488', a central angle of 23° 09' 40" for an arc distance of 197.27' to the point of tangency; th. run N. 67° 05' 20" W. for 90'; th. run S. 22° 54' 40" W. for 355.79'; th. run S. 46° 00' 00" E. for 474.22'; th. run S. 78° 15' 17" E. for 135' to the POB.

LOCATION: From NW 68 St. to NW 67 Ave. (Ludlum Rd.), between theo. NW 14 St. and theo. NW 153 St., Bada County, Florida, and

WHEREAS, a public hearing of the Metropolitan Bada County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary changes from GU and RU-1 to RU-1 and from GU to RU-4 would be compatible with the neighborhood concerned and would not be in conflict with the principles and intent of the plan for the development of Bada County, Florida, that the requested unusual use to permit a lake excavation and special exception to permit Church and Sunday School would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance

NOW THEREFORE BE IT ORDERED by the Metropolitan Bada County Zoning Appeals Board that the requested district boundary change to RU-1, 3500 s.f., be and the same is hereby recommended for approval by the Board of County Commissioners of Bada County, Florida, as requested.

BE IT FURTHER RESOLVED that the requested unusual use for lake excavation be and the same is hereby approved, subject to the following conditions:

1. That detail plans be submitted to and meet with the approval of the Director of Public Works and Zoning Director.
2. That the perimeter be backfilled and graded to meet with the approval of the Director of Public Works, except that a slope of one foot vertical be provided for each seven feet horizontal from the perimeter into a minimum depth of five feet of water at low water elevation.
3. If hard rock is not encountered during excavation, the vertical cut shall be modified in such a manner that a suitable stable side slope will be sustained and maintained.
4. That the grading, leveling and sloping of the banks shall be on a progressive basis as the project develops and the excavation progresses.
5. The property shall be staked to meet with the approval of the Zoning Director; said stakes shall be maintained in proper fashion so that the limits of excavation, slopes and grade levels may be easily determined.
6. The property shall be suitably posted to meet with the approval of the Zoning Director, denoting the operation and warning the public concerning possible hazards.
7. That if the area in the surrounding neighborhood becomes substantially built up, and if the water in the excavation exceeds two feet (flash floods excepted) and if, in the opinion of the Metropolitan Dade County Zoning Appeals Board, the excavation then becomes hazardous to the surrounding area, the property will be fenced in by the applicant.
8. That upon the completion of the project, the property shall be dressed up so that it will be left in a presentable condition meeting with the approval of the Zoning Director.
9. That the use of dynamite shall be strictly prohibited in connection with the operation.
10. That the hours of operation be controlled by the Dade County Zoning Director except that the applicant shall be permitted to operate between the hours of 7:00 a.m. and 5:00 p.m. on weekdays. Sunday operation to be permitted by the Zoning Director only if the same does not become objectionable, in his opinion, to the surrounding area.
11. That upon completion of the excavation and also when, in the opinion of the Zoning Director, there is a question that the excavation being done is not in accordance with the plans approved, a certified survey shall be submitted upon request of the Zoning Director.
12. That the entire project, including excavation, grading, etc. shall be completed on or before October 21, 1965.
13. That the title to the property in question shall not be transferred without the approval of the Director of the Building and Zoning Department, unless the excavation on the subject property has been completed and/or unless the bond has been released.
14. That in order to insure compliance with all terms and conditions imposed, a cash or surety bond be posted with the Dade County Building and Zoning Department, payable to Dade County, in such an amount as may be determined and established by the Director of Public Works; that said bond shall be in such form that the same may be recorded in the public records of Dade County; that said bond shall be executed by the property owner and any and all parties who may have an interest in the land, such as mortgagees, etc.

15. That the Certificate of Use and Occupancy be automatically renewable annually by the Dade County Building and Zoning Department upon compliance with all terms and conditions, and be subject to cancellation upon violation of any of the conditions or when, in the opinion of the Metropolitan Dade County Zoning Appeals Board after public hearing, it is determined that the use is detrimental and/or incompatible with the surrounding neighborhood.

BE IT FURTHER RESOLVED that the requested district boundary change to RU-4 be and the same is hereby recommended for approval by the Board of County Commissioners of Dade County, Florida.

BE IT FURTHER RESOLVED that the requested special exception to permit Church and Sunday School be and the same is hereby approved, subject to the following conditions:

1. Dedication of rights-of-way as may be deemed lacking, desirable and necessary, in the opinion of the Director of Public Works and Zoning Director, shall be made; and in order to alleviate the congestion and traffic to be generated by such use, improvement shall be made of such rights-of-way as may be required by the Director of Public Works.
2. That a detailed plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things but not be limited to, type and location of bulletin board or sign, location of structure or structures, off-street parking areas and driveways, walls, hedges, landscaping, drainage, etc.
3. That the use be established and maintained in accordance with the approved plan.
4. No temporary structures or temporary use of any type is to be permitted on the premises.
5. That no occupancy or use of the premises be permitted until the required parking facilities have been improved and installed in accordance with the zoning code requirements.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Metropolitan Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this Resolution.

PASSED AND ADOPTED this 21st day of October, 1963.

Heard: 10-21-63
No. 63-10-7
10-28-63
bcs

STATE OF FLORIDA }
 } SS:
COUNTY OF DADE }

I, R. F. COOK, Director of the Metropolitan Dade County Building and Zoning Department, and Ex-Officio Secretary of the Metropolitan Dade County Zoning Appeals Board, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. 2-ZAB-512-63, adopted by said Zoning Appeals Board at its meeting held on October 21, 19 63.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this
28th day of October, A.D. 19 63.

R. F. COOK, Ex-Officio Secretary
Metropolitan Dade County Zoning Appeals Board
Dade County, Florida

By R F Cook L.S.

SEAL