

RESOLUTION NO. 2024- 3268

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AND ACCEPTING WAIVER OF PLAT NO. D-25025 APPROVED BY THE PLAT COMMITTEE OF MIAMI-DADE COUNTY, FLORIDA, FOR THE PROPERTIES LOCATED AT 9250 BAY DRIVE, SURFSIDE, FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Samuel Sontag and Rivkah Sontag-Tepler (“Owners”) own the properties located at 9250 Bay Drive, Surfside, Florida (“Property”), totaling approximately 20,281 square feet of lot area; and

WHEREAS, the Property is comprised of Lot 7 and the southern forty (40) feet of Lot 8, Block 17, of the Altos del Mar No. 5 Plat, recorded in Plat Book 8, Page 92, of the Public Records of Miami-Dade County, Florida (the “Lots”); and

WHEREAS, Section 90-49 of the Town Code provides that properties zoned within the H30A zoning district must have a minimum lot width of 50 feet and a minimum lot area of 8,000 square feet; and

WHEREAS, the Lots depicted in the Waiver of Plat survey, attached hereto as Exhibit “A,” exceed the lot width and lot area requirements of the H30A district; and

WHEREAS, the Miami-Dade County Plat Committee met on January 5, 2024, and approved Waiver of Plat No. D-25025 to formally acknowledge the modification of the Lots; and

WHEREAS, in order to finalize Waiver of Plat No. D-25025, Miami-Dade County now requires the Town Commission to approve and accept the Waiver of Plat; and

WHEREAS, the Town Planner has issued a memorandum attached to this agenda item recommending approval of the Waiver of Plat; and

WHEREAS, on March 12, 2024, the Town Commission, held a duly noticed quasi-judicial public hearing to review the Waiver of Plat, hear from its professional staff, the Owners, and members of the public, and consider the Waiver of Plat's consistency with the Town Code and Comprehensive Plan, and the substantial competent evidence presented at the hearing; and

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPLICABLE TO THE OWNERS, ITS SUCCESSORS AND/OR ASSIGNS, AS FOLLOWS:

Section 1. Recitals and Findings of Fact.

- a. All recitals set forth above are incorporated into the body of this Resolution as if same were fully set forth herein.
- b. The Town Commission further finds that the Waiver of Plat is in compliance with the requirements of the Town Code and is consistent with the Town's Comprehensive Plan.

Section 2. Waiver of Plat Approval. Waiver of Plat No. D-25025, approved by the Plat Committee of Miami-Dade County, Florida, pursuant to Section 28-4 of the Miami-Dade County Code, is hereby approved and accepted.

Section 3. Severability. In the event any portion or section of this Resolution is determined to be invalid, illegal or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no way affect the remaining portions of this Resolution, which shall remain full force and effect.

Section 4. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 12th day of March, 2024.

Motion By: Vice Mayor Rose
Second By: Commissioner Landsmen

FINAL VOTE ON ADOPTION:

Commissioner Fred Landsman	<u>Yes</u>
Commissioner Marianne Meisheid	<u>No</u>
Commissioner Nelly Velasquez	<u>No</u>
Vice Mayor Jeffrey Rose	<u>Yes</u>
Mayor Shlomo Danzinger	<u>Yes</u>

Shlomo Danzinger
Shlomo Danzinger, Mayor

ATTEST:

Sandra McCready
Sandra McCready, MMC
Town Clerk



APPROVED AS TO FORM AND LEGALITY FOR THE USE AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:

Shirley Weiss
Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

I, Sandra McCready, Town Clerk of the Town of Surfside, Florida, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. 2024-3268 adopted by the Town Commission at its meeting held on the 12th day of March, 2024.

Issued: March 19, 2024

Sandra McCready
Sandra McCready, MMC
Town Clerk

EXHIBIT "A"
WAIVER OF PLAT SURVEY

WAIVER OF PLAT MAP OF BOUNDARY AND TOPOGRAPHIC SURVEY

A SUBDIVISION OF LOT 7 AND THE SOUTH 40 FEET OF LOT 8, IN BLOCK 17, OF "ALTOS DEL MAR No. 5", RECORDED IN PLAT BOOK 8, AT PAGE 92, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA
LYING IN SECTION 35, TOWNSHIP 52 SOUTH, RANGE 42 EAST, TOWN OF SURFSIDE, MIAMI-DADE COUNTY, FLORIDA

SURVEYOR'S NOTES:

SECTION 1) DATE OF FIELD SURVEY:

1. The date of completion of the field work of the Boundary Survey was on August 9th, 2023.

SECTION 2) LEGAL DESCRIPTION:

PARENT TRACT:
Lot 7 and the South 40.00 Feet of Lot 8, in Block 17, of "ALTOS DEL MAR No. 5", according to the Plat thereof, as recorded in Plat Book 8, Page 92, of the Public Records of Miami-Dade County, Florida.

Containing 20,281 Square Feet, more or less, by Calculations.

CUT-OFF PARCEL A:

Lot 8, LESS the North 10 feet thereof AND the North 5 feet of Lot 7, in Block 17 of "ALTOS DEL MAR No. 5", according to the Plat thereof, as recorded in Plat Book 8, Page 92, of the Public Records of Miami-Dade County, Florida.

Containing 10,004 Square Feet, more or less, by Calculations.

CUT-OFF PARCEL B:

Lot 7, LESS the North 5 feet thereof, in Block 17 of "ALTOS DEL MAR No. 5", according to the Plat thereof, as recorded in Plat Book 8, Page 92, of the Public Records of Miami-Dade County, Florida.

Containing 10,277 Square Feet, more or less, by Calculations.

Property Address and Tax Folio Number:

9250 Bay Drive,
Surfside, Florida 33154
Folio No. 14-2235-006-2900

SECTION 3) ACCURACY:

The accuracy obtained by field measurement methods and office calculations of closed geometric figures meets and exceeds the Minimum Technical Standards requirement for this Type of Survey as defined in Rule 5J-17.051, Florida Administrative Code.

Elevations of well identified features as depicted on the Survey Map were measured to an estimated vertical position accuracy of 1/100 of a foot on hard surfaces and 1/10 of a foot on ground surfaces.

Well identified features as depicted on the Survey Map were measured to an estimated horizontal position accuracy of 1/10 of a foot.

This Map of Survey is intended to be displayed at a scale of 1" = 20' or smaller.

SECTION 4) SOURCES OF DATA:

Bearings as shown hereon are based upon the Center Line of Bay Drive with an assumed bearing of S24°06'56"E, said line to be considered a well established and monumented line.

This property appears to be located in Flood Zone "AE" with a Base Flood Elevation being 8.0 feet, as per Federal Emergency Management Agency (FEMA) Community Number 120659 (Town of Surfside), Map Panel No. 12086C0144, Suffix L, Map Revised Date: September 11, 2009.

Legal Description was furnished by client.

Warranty Deed, dated May 18th, 2022, recorded in Official Records Book 33192, Page 1546, Miami-Dade County Records.

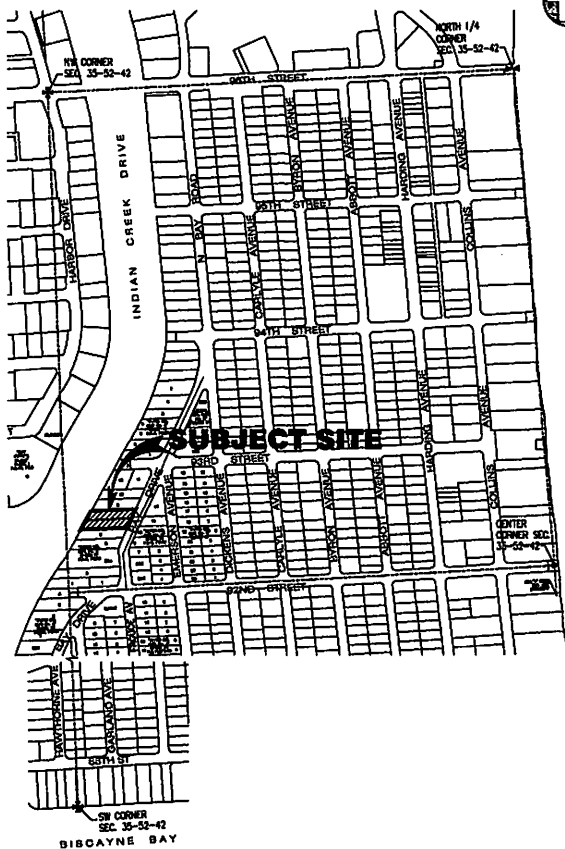
Plat of "ALTOS DEL MAR No. 5", recorded in Plat Book 8, Page 92, Miami-Dade County Records.

Elevations as shown hereon are based on the National Geodetic Vertical Datum of 1929, as per Miami-Dade County's Benchmark Number S-243, Elevation 11.77 feet.

SECTION 5) LIMITATIONS:

As to the determination of trees, palm and planting species falls outside the purview of the land surveying practice, all information with respect to same is hereby presented for informational purposes only.

Since no other information were furnished other than that is cited in the Sources of Data, the Client is hereby advised that there may be legal restrictions on the Subject Property that are not shown on the Survey Map that may be found in the Public Records of Miami-Dade County.



LOCATION MAP
THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 52 SOUTH, RANGE 42 EAST,
TOWN OF SURFSIDE,
MIAMI-DADE COUNTY, FLORIDA
SCALE: 1" = 300'

NOTICE:
This Document is not full and complete without all pages.
(Total of Three (3) pages)



The Surveyor makes no representation as to ownership or possession of the Subject Property by any entity or individual that may appear in the public records of this County.

No excavation or determination was made as to how the Subject Property is served by utilities.

No improvements were located, other than those shown. No underground foundations, improvements and/or utilities were located or shown hereon.

SECTION 6) CLIENT INFORMATION:

SEVENTH STREET DEVELOPMENT GROUP
1860 Flatbush Avenue
Brooklyn, New York 11210
Contact: N/A
Phone: 718-703-7007

SECTION 7) UTILITY SERVICES TO BE PROVIDED TO PROPOSED DEVELOPMENT:

ELECTRIC: Florida Power & Light Company
TELEPHONE: AT&T, Inc., Comcast
TV-CABLE: AT&T-Diverse, Comcast
POTABLE WATER: Miami-Dade Water & Sewer Department
SANITARY SEWER: Miami-Dade Water & Sewer Department

SECTION 8) DEVELOPMENT INFORMATION:

zoning DATA:
Current Zoning Designation: LU-10 (Single Family)
Proposed Zoning:
Existing Land Use: One Single Family Building
Number of Blocks: 1
Number of Lots: 2
Proposed Use: One Single Family Residence on each Lot
Note: All existing improvements to be demolished.

SECTION 9) MIAMI-DADE COUNTY FLOOD CRITERIA:

Flood Criteria: 8.5 Feet ± (NGVD 29)

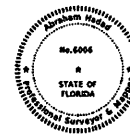
SECTION 10) CONTACT INFORMATION:

HADONNE CORP.
Attention: Mariela Alvarez
1945 NW 88th Court, Suite 101
Doral, Florida 33172
Phone No. 305-266-1188
E-mail: platting@hadonne.com

SECTION 11) SURVEYOR'S CERTIFICATE:

I hereby certify that this "Boundary and Topographic Survey" and the Survey Map resulting therefrom was performed under my direction and is true and correct to the best of my knowledge and belief and further, that said "Boundary and Topographic Survey" meets the intent of the applicable provisions of the "Standards of Practice for Land Surveying in the State of Florida", pursuant to Rule 5J-17.051 through 5J-17.052 of the Florida Administrative Code and its implementing law, Chapter 472.027 of the Florida Statutes.

Abraham Hadad, PSJ
For the Firm
Registered Surveyor and Mapper LS6006
State of Florida
HADONNE CORP., a Florida Corporation
Florida Certificate of Authorization Number LD7057
1945 NW 88th Court, Suite 101
Doral, Florida 33172
Phone: 305.266.1188
Fax: 305.207.6045



Digitally signed
by Abraham
Hadad
Date:
2023.10.30
11:01:25 -04'00'

NOTICE: Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to Survey Maps by other than the signing party are prohibited without the written consent of the signing party.

STATE OF FLORIDA
MIAMI-DADE COUNTY
PLAT NO. 23084
DATE: 10/30/23

HADONNE
REGISTERED SURVEYOR AND MAPPER
LICENSE NO. 6006
STATE OF FLORIDA

MAP OF BOUNDARY AND TOPOGRAPHIC SURVEY
SEVENTH STREET DEVELOPMENT GROUP
9250 BAY DRIVE, SURFSIDE, FLORIDA 33154

FILE
M.M.
PL
J.S.
23084
1/3