

Zoning Hearing Application

Miami-Dade County Department of Regulatory and Economic Resources
Development Services Division

Expedite ☐

Pre-Application No.: _____

Pre-Application Meeting Date: _____

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z24-102
DATE: JUL 25 2024
BY: ISA

Date Stamp Received

Applicant Information

NAME OF APPLICANT (Owner(s) of record of the property or lessee. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required).

Moosilauke Visions, Inc.

PROPERTY FOLIO(S): **30-4022-018-0030**

APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER, E-MAIL:

Mailing Address: **366 NH Route 10 PO BOX 325**

City: **Orford** State: **NH** Zip: **03777** Phone no.: **(603) 667-5614**

Fax no.: _____ E-mail: **ryan.wolter@becket.org**

OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:

Owner's Name (Provide name of all owners):

Moosilauke Visions, Inc.

Mailing Address: **23 South Main Street, Suite 2A**

City: **Hanover** State: **NH** Zip: **03755** Phone no.: **(603) 359-9044**

Fax no.: _____ E-mail: **jwolter@becket.org**

CONTACT PERSON/APPLICANT'S REPRESENTATIVE INFORMATION:

Name: **David Moscoso** Company: **Becker & Poliakoff, P.A.**

Mailing Address: **2525 Ponce De Leon BLVD, Suite 825**

City: **Coral Gables** State: **FL** Zip: **33134** Phone no.: **(786) 953-2000**

Fax no.: _____ E-mail: **dmoscoso@beckerlawyers.com**

Subject Property Legal Description

Provide complete legal description, i.e., lot, block, subdivision name, plat book and page number, or metes and bounds. Include section, township, and range. If the application contains multiple rezoning requests, a legal description for each requested zone must be provided. Attach separate sheets as needed and clearly identify each legal description. If lengthy, legal description is required to be submitted in Microsoft Word via email or other digital media.

22 54 40 LAKE CATALINA PB 76-20 LOT 3 & PROP INT IN & TO LAKE LOT SIZE 120.000 X 162 OR 15677-3901 1092 1

**Subject Property
Legal Description
(continued)**MIAMI-DADE COUNTY
PROCESS NO.: Z24-102
DATE: JUL 25 2024
BY: ISA**Address or
Location of
Property**

For location, use description such as NE corner of, etc.:

8605 SW 56 Street, Miami, FL 33155

Size of Property

In acres: .45

**Date Property
Acquired/Leased**☒ acquired ☐ leased: March 2023 (month and year)

Lease term (years):

**Contiguous
Property**Is contiguous property owned by the subject property owner(s)? no ☐ yes ☐
If yes, provide complete legal description of said contiguous property.**Option to
Purchase**Is there an option to purchase ☐ or lease ☐ the subject property or property contiguous thereto?
no ☒ yes ☐ (If yes, identify intended purchaser or lessee and complete 'Disclosure of Interest'
form.)**Present Zoning**

EU-M (2100 Estates – 15,000 SQFT Lot)

**Application
Requests**

- ☐ District Boundary(zone) Changes [Zone(s) requested]:
- ☐ Unusual Use:
- ☐ Use Variance:
- ☒ Non-Use Variance: Seeking a reduction of the required distance between group homes as defined under Miami-Dade Code Sec. 33-224(3)(c).
- ☐ Alternative Site Development Option:
- ☐ Special Exception:
- ☐ Modification of Previous Resolution/Plan [provide resolution number(s)]:
- ☐ Modification of Declaration or Covenant [provide recording book(s) and page]:

RECEIVED

**Development
Proposed****If applicable:**

Area of building(s) for non-residential uses: _____ square feet

Proposed residential units **OR** for application without a site plan, units permitted by ISA requested zoning district _____ (total number of units).**Residential unit type(s):**☐ Single-Family Detached _____ ☐ Single-Family Attached _____☐ Multi-Family _____**Recent Public
Hearing**Has a public hearing been held on this property within the last one and one-half years? no ☒ yes ☐.

If yes, provide applicant's name, date, purpose and result of hearing, and resolution number:

_____**Notice of Violation**Is this application a result of a violation notice? no ☒ yes ☐. If yes, provide name to whom the violation notice was served and describe the violation:**(Pursuant to Section 8CC-7(d) no zoning action may be approved for any named violator with (i) unpaid civil penalties; (ii) unpaid administrative costs of hearing; (iii) unpaid County investigative, enforcement, testing, or monitoring costs; or (iv) unpaid liens, any or all of which are owed to Miami-Dade County pursuant to the provisions of the Code of Miami-Dade County, Florida.)**_____
_____**Describe
Structures on the
property**

Structure on the property consists of one single-story house (the "House"). The House has a living area of 3,739 Sq.Ft.; a

total of five (5) bedrooms, three (3) bathrooms, and one (1) half-bathroom.

_____**Existing Use**Is there an existing use on the property? no ☒ yes ☐. If yes, what use and when was it established?_____
_____**Comprehensive
Development
Master Plan
(CDMP)
amendment**

Please indicate whether this property was subject to a recent Comprehensive Development Master Plan amendment. If so, please indicate the ordinance number:

_____**Peak hour trip
generation**

Indicate the estimated peak-hour vehicle trips to be generated by the proposed application:

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z24-102**Acknowledgement by Applicant**

- DATE: JUL 25 2024 BY: ISA
1. RER Platting and Traffic Review Section, RER Division of Environmental Resources Management (DERM), and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of a hearing. These reviews may require additional hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM or Platting and Traffic conditions and advise this office in writing if my application will be withdrawn.
 2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property and I am responsible for paying the additional radius mailing costs. In addition to mailing costs, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred. I understand that fees must be paid promptly. Applications withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. Refunds must be requested in writing.
 3. Applicable Florida Building Code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and a building permit will probably be required. I am responsible for obtaining any required permits and inspections for all structures and additions proposed or built without permits. And that a Certificate of Use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
 4. The 3rd District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Development Master Plan (CDMP) should not be approved by a zoning board and the recommendation will be for denial or deferral. Therefore, I acknowledge that if the hearing request is inconsistent with the CDMP and I decide to go forward then my hearing request can only be denied or deferred, but not approved. I also understand that I will not be reimbursed any fees paid unless I withdraw within 60 days of filing and then I will receive a 50% refund.
 5. Any covenant to be proffered must be submitted to the Department on County forms, at least 1 month prior to the hearing date. The covenant will be reviewed, and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Legal Advisor can advise as to additional requirements applicable to foreign corporations. Documents submitted to the Department must carry a cover letter indicating subject matter, application number and hearing date.


(Applicant's Signature)


DAVID J. MASCASO
Notary Public - State of Florida
Commission # HH 97903
My Comm. Expires Feb 25, 2025
Bonded through National Notary Assn.
Commission expires: 2/25/2025

Sworn to and subscribed to before me on the

29th day of MAY, 2024

Affiant is personally known to me or has produced _____

DRIVER'S LICENSE as identification


Notary Public

Print Name: NORA E. Portuondo

Applicant's Affidavit

Zoning Application No.: Z2024000102

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and advertised.

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z24-102
DATE: JUL 25 2024
BY: ISA

Date Stamp Received

OWNER OR TENANT AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) the ☐ owner ☐ tenant of the property which is the subject matter of the proposed zoning action.

Signature

Sworn to and subscribed to before me

Notary Public

This _____ day of _____, _____ Commission expires: _____

CORPORATION AFFIDAVIT

(I)(WE), Jay Wolter, being first duly sworn, depose and say that (I am)(we are) the ☒ President ☐ Vice-President ☐ Secretary ☐ Asst. Secretary of Moosilauke Visions, Inc. corporation, and as such, have been authorized by the corporation to file this application for public hearing; and that said corporation is the ☐ owner ☐ tenant of the property which is the subject matter of the proposed zoning action.

Attest

[Corp. Seal]

Authorized Signature

Notary Public

Sworn to and subscribed to before me

This 15TH day of July, 2024 Commission expires: 10-19-2027

PARTNERSHIP AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) partners of the _____ partnership, and as such, have been authorized to file this application for a public hearing; and that said partnership is the ☐ owner ☐ tenant of the property which is the subject matter of the proposed zoning action.

Name of Partnership

By _____ %

By _____ %

By _____ %

By _____ %

Sworn to and subscribed to before me

Notary Public

This _____ day of _____, _____ Commission expires: _____

RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z24-102

DATE: JUL 25 2024

BY: ISA

(Space reserved for Clerk)

OWNERSHIP AFFIDAVIT FOR CORPORATION

STATE OF FLORIDA

Public Hearing No. _____

COUNTY OF MIAMI-DADE

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

1. Affiant is the president, vice-president or CEO of the MOOSILAUKE VISIONS INC Corporation,
with the following address: _____

633 NH ROUTE 10 PO BOX 325

OXFORD, NH 03777

2. The Corporation owns the property, which is the subject of the proposed hearing.

3. The subject property is legally described as: _____

22 54 40 LAKE CATALINA PB 76-20 LOT 3 & PROP INT

IN & TO LAKE LOT SIZE 120.000 X 162 OR 15677-3901

1092 1

4. Affiant is legally authorized to file this application for public hearing.

5. 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:

Lori L Fulton
Signature

LORI L FULTON
Print Name

Ashley Bricker
Signature

ASHLEY BRICKER
Print Name

Jay T. Walter
Affiant's signature
Jay T. Walter, President
Print Name

RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z24-102

(Space reserved for Clerk)

DATE: JUL 25 2024

BY: ISA

Sworn to and subscribed before me on the 16TH day of April, 2024.

Affiant is personally known to me or has produced _____ as identification.

Gloria Blake
Notary Public Signature

Gloria Blake

State of New Hampshire

My Commission Expires: 10-19-2027



RECEIVED

DISCLOSURE OF INTEREST*

MIAMI-DADE COUNTY

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].

PROCESS NO.: Z24-102

DATE: JUL 25 2024

BY: ISA

CORPORATION NAME: MOOSILAUKE VISIONS INC. (NON-PROFIT ORGANIZATION)

NAME AND ADDRESS

Percentage of Stock

JAY T. WOLTER, PRESIDENT

0

David Eve, Trustee

0

John Chobanian, Trustee

Cameron Brown, Trustee

James Reagan, Trustee

JOAN WOLTER, TRUSTEE

* MVI IS A Nonprofit and has no beneficial owners,
just a governing Board

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

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO. Z24-102
DATE: APRIL 25 2024
BY: ISA

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 corporations, 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.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: Jay Walter, President
Jay Walter (Applicant)

Sworn to and subscribed before me this 16TH day of April, 2024. Affiant is personally known to me or has produced _____ as identification.

Gloria L Blake
(Notary Public)



My commission expires 10-19-2027

*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 of 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 per cent (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 interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.