



Application No.:

V-2018-011

Attachment "B"

Variance Application

Publix Supermarkets

VARIANCE

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION FOR PUBLIX SUPERMARKETS, EAST OF OLD CUTLER ROAD, WEST OF SW 92ND PLACE, NORTH OF SW 212 STREET, AND SOUTH OF SW 208TH STREET, TO PERMIT THREE (3) MONUMENT SIGNS WHERE TWO (2) ARE PERMITTED; AND PROVIDING FOR AN EFFECTIVE DATE.



DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING AND ZONING

VARIANCE APPLICATION

LIST ALL FOLIO #S: 36-6009-006-0012 & 36-6009-005-0010 & 36-6009-006-0010

DATE RECEIVED: February 1, 2018

PROPOSED PROJECT NAME: Shoppes of Cutler Bay

- 1. NAME OF APPLICANT** (Provide complete name of applicant, exactly as recorded on deed, if applicable. 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).

Publix Super Markets, Inc.

2. APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:

Mailing Address: 3300 Publix Corporate Parkway

City: Lakeland State: FL Zip: 33811 Phone#: 863.688.1188

3. OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:

Owner's Name (Provide name of ALL owners): [Same as Applicant plus] GCF Investments, Inc.

Mailing Address: 2000 South Bayshore Drive, Villa 38

City: Miami State: FL Zip: 33133 Phone#: 305.789.7462

4. CONTACT PERSON'S INFORMATION:

Name: Amanda M. Naldjieff, Esq. Company: Holland & Knight LLP

Mailing Address: 701 Brickell Avenue, Suite 3300

City: Miami State: FL Zip: 33131

Phone# 305.789.7462 Fax# 305.789.7799 E-mail: amanda.naldjieff@hklaw.com





5. LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, and range. If the application contains multiple rezoning requests, then a legal description for each sub-area must be provided. Attach separate sheets, as needed).

See Attached "Exhibit A"

6. ADDRESS OR LOCATION OF PROPERTY (For location, use description such as NE corner of, etc).

East of Old Cutler Road, between SW 208th Street and 212th Street

7. SIZE OF PROPERTY (in acres): 12.68 (divide total sq. ft. by 43,560 to obtain acreage)

8. DATE PROPERTY ☒ acquired ☐ leased: 01/15/2014 & 10/15/1986 & 01/29/1986

9. LEASE TERM: N/A Years (Month & year)

10. IF CONTIGUOUS PROPERTY IS OWNED BY THE SUBJECT PROPERTY OWNER(S), provide Complete legal description of said contiguous property.

See Attached "Exhibit B"



11. Is there an option to purchase ☐ or lease ☐ the subject property or property contiguous thereto? ☒ no ☐ yes (if yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

N/A

12. PRESENT ZONING AND FLU CLASSIFICATION: FLU: Mixed Use; Present Zoning: NC-1

13. PROPOSED USE OF PROPERTY (describe nature of the request in space provided)

Request for variance from Town of Cutler Bay Land Development Code Section 3-114(B) requesting an additional monument sign.

See attached Letter of Intent.

14. Has a public hearing been held on this property within the last year & a half?

☒ No ☐ yes.

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

15. Is this hearing a result of a violation notice?

☒ No ☐ yes. If yes, give name to whom the Violation notice was served and describe the violation:

16. Does property owner own contiguous property to the subject property? If so, give complete legal description of entire contiguous property:

See Attached Exhibit B

17. Is there any existing use on the property? ☐ No ☐ yes. If yes, what use and when established?

Use: Agricultural (farming) Year: 1986



APPLICANT'S AFFIDAVIT

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 the hearing advertised.

OWNER OR TENANT AFFIDAVIT

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

Signature

Signature

Sworn to and subscribed to before me
This _____ day of _____, _____

Notary Public: _____
Commission Expires: _____

CORPORATION AFFIDAVIT

(I)(WE), _____ Jeffrey Chamberlain of Publix Super Markets, Inc., being first duly sworn, depose and say that (I am)(We are) the ☐ President ☒ Vice-President ☐ Secretary ☐ Asst. Secretary of the aforesaid 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 described herein and which is the subject matter of the proposed hearing.

Attest: _____



Authorized Signature
Senior Vice President

Office Held

Sworn to and subscribed to before me
This 21st day of February, 2018

Notary Public: Vicki L Brekke

Commission Expires: _____
VICKI L BREKKE
MY COMMISSION # GG 052202
EXPIRES: December 26, 2020
Bonded Thru Budget Notary Services





PARTNERSHIP AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that
(I am)(We are) partners of the hereinafter named 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 described herein which is the subject matter of the proposed hearing.

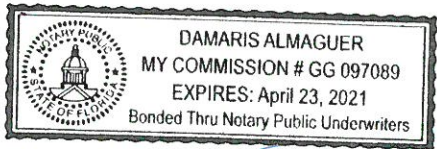
By _____%	By _____ (Name of Partnership)
By _____%	By _____
Sworn to and subscribed to before me	Notary Public: _____
This _____ day of _____, _____	Commission Expires: _____

ATTORNEY AFFIDAVIT

I, Amanda M. Naldieff, Esq., being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner of the property described and which is the subject matter of the proposed hearing.


Signature

Sworn to and subscribed to before me	Notary Public: <u>4/23/2021</u>
This <u>22nd</u> day of <u>February, 2018</u>	Commission Expires: _____









RESPONSIBILITIES OF THE APPLICANT

I AM AWARE THAT:

1. The Department Environmental Resources Management (DERM), and other agencies review and critique zoning applications which may affect the scheduling and outcome of applications. These reviews may require additional public hearings before DERM's Environmental Quality Control Board (EQCB), or other boards, and /or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM 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. In addition to mailing costs, fees related to application changes, plan revisions, deferrals, re-advertising, etc., may be incurred. Application withdrawn within 30 days of the filing are eligible for a refund of 25% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. I understand that fees must be paid promptly.
3. The South Florida Building Code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and that a building permit will probably be required. I am responsible for obtaining permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of Use and Occupancy must be obtained for the use of the property after it has been approved at Zoning Hearing, and that failure to obtain the required permits and/or Certificates of Completion or of Use and Occupancy 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) cannot be approved by a zoning board based upon considerations of fundamental fairness. 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.
5. In Miami-Dade County v. Omnipoint Holdings, Inc. Case No. 3d01-2347 (Fla. 3rd DCA 2002), the 3rd District Court of Appeal has held invalid the standards for non-use variances, special exceptions, unusual uses, new uses requiring a public hearing and modification of covenants. This is not a final decision and the County Attorney's Department professional staff to develop new standards that will address the Court's concerns. While the new standards are being developed, applicants are advised that any non-use variance, special exception, unusual use, new use requiring a public hearing or request for modification of covenants granted under the existing standards are subject to being reversed in the courts. An applicant wishing to avoid the substantial legal risks associated with going forward under the existing standard may seek a deferral until the new standards are developed.
6. Any covenant to be proffered must be submitted to the Town of Cutler Bay Legal Counsel, on Town form, 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. And that Legal Counsel must carry a cover letter indicating subject matter, application number and hearing date.

7. The Town of Cutler Bay Department of Public Works reviews and critiques Zoning applications and may require conditions for approval.
8. Each party will be limited to a presentation of 20 minutes. This time limitation may be extended by the Chair of the meeting.
9. **THE APPLICANT IS RESPONSIBLE FOR TRACKING THE STATUS OF THE APPLICATION AND ALL HEARINGS THAT MAY BE ASSOCIATED WITH THIS APPLICATION.**

(Applicant's Signature)
Jeffrey Chamberlain, as Senior Vice President of
Publix Super Markets, Inc.

Sworn to and subscribed before me this 21st day of February, 2018.

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

(Notary Public)

My Commission Expires: 12/26/20



VICKI L. BREKKE
MY COMMISSION # GG 052202
EXPIRES: December 26, 2020
Bonded Thru Budget Notary Services

If the property, which is the subject of the Application, is owned or leased by a **CORPORATION**, list the Principal Stockholders and the percentage of stock owned by each. NOTE: Where the Principal Officers or Stockholders consist of another Corporation(s), Trustee(s), Partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.

Corporation Name

Percentage of stock

1. Employee Stock Ownership Plan

27 %

2. 401(k) Plan

9.43 %

If the property, which is the subject of the Application, is owned or leased by a **TRUSTEE**, list the Principal Stockholders and the percentage of stock owned by each. NOTE: Where the Principal Officers or Stockholders consist of another Corporation(s), Trustee(s), Partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.

Trust Name

Percentage of stock

If the property, which is the subject of the Application, is owned or leased by a **PARTNERSHIP or LIMITED PARTNERSHIP**, list the Principal Stockholders and the percentage of stock owned by each. NOTE: Where the Principal Officers or Stockholders consist of another Corporation(s), Trustee(s), Partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.

Partnership or Limited Partnership Name

Percentage of stock



COST RECOVERY AFFIDAVIT

I hereby acknowledge and consent to the payment of **all applicable fees** involved as part of my application process. These fees include but are not limited to: application fees, postage, advertising, and attorney fees **regardless of the outcome of the public hearing.**

Please type or print the following:

Date: February 1, 2018

Public Hearing No. _____

Full Name:

Mr. Mrs. Ms. Mr. Jeffrey Chamberlain, as Senior Vice President of Publix Super Markets, Inc.

Current Address: 3300 Publix Corporate Parkway City: Lakeland

State: Florida Zip: 33811 Telephone Number (863) 688-1188

Date of Birth: N/A

Signature _____

SWORN AND SUBSCRIBED BEFORE ME THIS 21st DAY OF February 2018

Vicki L. Brekke
Notary Public, State of Florida at Large

My Commission expires 12/26 2020



VICKI L. BREKKE
MY COMMISSION # GG 052202
EXPIRES: December 26, 2020
Bonded Thru Budget Notary Services

Pursuant to Ordinance No. 2000-09-33-Cost Recovery

Publix.

Ms. Kathryn Lyon
Planning and Zoning Director
Town of Cutler Bay
Development Services Division
10720 Caribbean Boulevard, Suite 105
Cutler Bay, Florida 33189

Re: Letter of Consent for Shoppes of Cutler Bay Applications

Dear Ms. Lyon:

Please allow this letter to serve as the letter of consent to allow Juan J. Mayol, Jr., Esq., Hugo P. Arza, Esq., Alejandro J. Arias, Esq., Pedro Gassant, Esq., Alberto J. Torres, and Michael A. Freire of Holland & Knight LLP, to file (1) a conditional use application; (2) a site plan application; (3) several variance applications; and (4) a tentative plat application on behalf of Publix Super Markets, Inc., and to participate in all public hearings and meetings related thereto, in connection with the property identified by Miami-Dade County Folio Nos. 36-6009-005-0010, 36-6009-006-0010, and 0012.

Please do not hesitate to contact the undersigned if you need further information.

Sincerely,

Jeffrey Chamberlain

Senior Vice President

The foregoing instrument was acknowledged before me this 21st day of February, 2018, by Mr. Jeffrey Chamberlain, as Senior Vice President of Publix Super Markets, Inc. He is personally known to me.

Notary Public, State of Florida

Name: Vicki Brekke

Commission Number: 12/26/2020

My Commission Expires: #GG052202



VICKI L BREKKE
MY COMMISSION # GG 052202
EXPIRES: December 26, 2020
Bonded Thru Budget Notary Services

[Notary Seal]

**Owner's Sworn-to-Consent Authorizing
Applicant to File on its Behalf
(Corporation)**

On behalf of GCF Investments, Inc., a Florida corporation being first duly sworn, deposes and says that as the Vice President of the aforesaid Corporation, which is the Owner of the property legally described below and which is the subject property of the proposed hearing, does hereby grant consent to Publix Super Markets, Inc., to file this application for a public hearing on its behalf.

Legal Description:

See Attached "Exhibit A"

Witnesses:

Signature

Print Name

Signature

Print Name

GCF Investments, Inc.

Address:

2000 S. Bayshore Drive, Villa 38
Miami, Florida 33133

Name:

Title:

JORGE GARCIA-SARRAFF
Vice - President

STATE OF FLORIDA

COUNTY OF MIAMI DADE

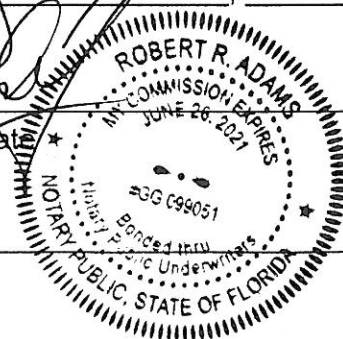
The foregoing instrument was acknowledged before me by JORGE GARCIA-SARRAFF of GCF Investments, Inc., on behalf of the corporation. He/She is personally known to me or has produced personally known, as identification.

Witness my signature and official seal this 22nd day of February, 2018 in the County and State aforesaid.

My Commission Expires:

Notary Public-State of

Print Name



Holland & Knight

701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Hugo P. Arza, Esq.
305-789-7783
hugo.arza@hklaw.com

VIA HAND DELIVERY

October 4, 2018

Ms. Kathryn Lyon
Planning and Zoning Director
Town of Cutler Bay
Development Services Division
10720 Caribbean Boulevard, Suite 105
Cutler Bay, Florida 33189
To

**Re: Shoppes of Cutler Bay / Second Revised Letter of Intent / Variance Application (#3)
to allow for an Additional Monument Sign**

Dear Ms. Lyon:

This law firm represents Publix Super Markets, Inc. (the "Applicant"), in connection with a proposed development on the property located east of Old Cutler Road, between SW 208th Street and SW 212th Street (the "Property"), in the Town of Cutler Bay, Florida (the "Town"), as further identified by Miami-Dade County Folio Nos. 36-6009-006-0012, 36-6009-005-0010, and 36-6009-006-0010. This letter shall serve as the Applicant's letter of intent in support of the enclosed Variance Application (the "Application"), pursuant to Section 3-114(B) of the Town's Code of Ordinances (the "Code"). The purpose of the Application is to seek the approval of a variance to allow an additional monument sign to be installed at the entrance located on SW 208th Street. This second main entrance will provide neighboring residents with access to the plaza without traveling to Old Cutler Road. The Applicant has also filed concurrent applications for the conditional use permit, site plan, and tentative plat. This Revised Letter of Intent restates and supplements the original Letter of Intent to address Staff's comments pursuant to the initial review of plans submitted on February 26, 2018.

Property. The Property is approximately +/- 13.18 gross acres (12.68 net acres) of vacant land located east of Old Cutler Road, between SW 208th Street and SW 212th Street. The Property has a land use designation of "Mixed Use." The "Mixed Use" land use category envisions that this area along the Old Cutler Road corridor be redeveloped as a place where living, working, shopping, and civic activities can take place within a town center type environment. Such new development and redevelopment shall consist of a variety of buildings and uses that will encourage pedestrian activity with wide sidewalks, outdoor cafes, squares, and plazas. The Town shall support the location of employment centers, offices, and retail uses proximate to residential areas through the implementation of the Town Center and Mixed Use land use districts, in accordance with the Town's Growth Management Plan.

The Property is zoned "NC-1" or "Neighborhood Central District," which provides for the location of pedestrian scaled shops, restaurants, services, small workplaces, and residential buildings central to a neighborhood and within walking distance of dwellings. Uses in the district will have a primary market area of three miles and are intended to service the daily needs of the residents of the surrounding neighborhoods.

Ms. Kathryn Lyon
 October 4, 2018
 Page 2

Project. Accompanying this Application are plans for the proposed "Shoppes of Cutler Bay," as prepared by Zamora & Associates, Inc. on September 9, 2018. As shown on the Site Plan, the Applicant's proposed project contemplates the development of a town center type plaza, which provides neighboring residences with convenient access to a premier quality food retailer, as well as a pharmacy, liquor store, restaurant and retail store, to serve the daily needs of the residents of the surrounding area.

Application. The Applicant submits the enclosed Variance Application for the purpose of requesting a variance from the requirements contained in Article VIII, Section 3-114(B), "Permanent Signs," to allow one (1) additional monument sign for a total of three (3) monument signs where two (2) monument signs are permitted by Code. Applicant's proposed variance complies with the approval standards set forth in Section 3-36 of the Code.

Analysis. Section 3-36, "Variance" provides the framework for the Town of Cutler Bay to approve a variance. In particular, Section 3-36(1) sets forth "Application" requirements for any variance application, while Section 3-36(2) sets forth "Approval Standards" for the Town of Cutler Bay Town Council to consider in evaluating a variance application and deciding whether to approve such variance

Pursuant to Section 3-36 (1) a. - f. of the Town Code, the following information is presented in support of this request for the Town's consideration:

- The Applicant seeks relief from Article VIII, Section 3-114(B), "Permanent Signs," of the Code.
- The Property is zoned NC-1 or "Neighborhood Central District."
- The development of the Property as a commercial shopping center, and the size of the Property, necessitate that a second entrance for ingress and egress be constructed to facilitate vehicular circulation. Due to the distance between the proposed entrances, it would be appropriate to install a monument sign at the location of each access point, which prevents strict compliance with Article VIII, Section 3-114(B), "Permanent Signs," of the Code.
- Strict compliance with Article VIII, Section 3-114(B), "Permanent Signs," of the Code would create a hardship with respect to the visibility of a single sign along Old Cutler Road by vehicular traffic that may be nearly 500 feet away at a different entrance.

Pursuant to Section 3-36 (2) of the Town Code, we note the following observations in support of the approval of the variance:

- *The variance will result in conditions that maintain and are consistent in all material respects with the intent and purpose of these Regulations and that the general welfare, stability, and appearance of the community will be protected and maintained.* Section 3-3 of the Code, "Purpose" provides that the purpose of the Code is to "ensure that growth forms an integral part of functioning neighborhoods, retail and commercial centers... and enhances the quality of life for the entire Town to ensure the greatest possible economic and social benefits for all residents." (emphasis added) Allowing for a variance from the strict requirements of the "Permanent Signs" section of the Code creates a more effective Site Plan and commercial development, increases the visibility of the development, and provides for a better functioning retail and commercial center.
- *The variance will be compatible with the surrounding land uses, and otherwise consistent with these regulations and the comprehensive plan, and will not be detrimental to the community. As*

Ms. Kathryn Lyon
October 4, 2018
Page 3

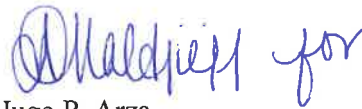
noted above, the requested variance is consistent with the Code. Moreover, the Property is located in a Mixed Use future land use category that provides for commercial and retail services. As such, it is imperative that those commercial and retail services, as well as the accompanying signage, be designed and positioned in a way that logistically encourages and provides for implementation of these objectives and the most beneficial use of the Property.

- *The request for a variance is not based on an economic disadvantage to the owner or occupant of the property upon which the variance is sought.* The request is based on the needs of the community and this particular site plan, is being made in accordance with the intent and purpose of the Code, and is not based on an economic disadvantage that would be caused by complying with the requirement.

Based on the foregoing, we respectfully request your favorable consideration of this Application. Thank you for your help and should you have any questions or concerns, please do not hesitate to contact our office.

Respectfully submitted,

HOLLAND & KNIGHT LLP



Hugo P. Arza

EXHIBIT A

#1465; Cutler Bay, Florida

LEGAL DESCRIPTION FOR SITE PLAN:

A portion of Tracts 3, 14 and 15, of SEMINOLE PLAINS, according to the Plat thereof, as recorded in Plat Book 20, Page 42, of the Public Records of Miami-Dade County, Florida.

AND

A portion of Tract A, REPLAT OF LOTS 33 TO 71, INCLUSIVE, SEMINOLE PLAINS, according to the Plat thereof, as recorded in Plat Book 49, Page 38, recorded in the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Begin at the Northeast corner of said Tract "3"; thence South $00^{\circ}58'33''$ East on and along the East line of said Tract "3", said line also being the West boundary of C.B. PALMS as recorded in Plat Book 165, Page 28, of the Public Records of Miami-Dade County, Florida, for 855.10 feet to a point; thence South $88^{\circ}56'00''$ West for 781.29 feet; thence North $42^{\circ}33'15''$ West for 239.24 feet to a point of curvature of a curve concave to the Northeast having a radius of 150.00 feet, and a central angle of $13^{\circ}03'00''$; thence Northwesterly along the arc of said curve a distance of 34.16 feet to a point of tangency; thence North $29^{\circ}30'15''$ West for 68.93 feet to a point of curvature of a curve concave to the Southwest having a radius of 150.00 feet, and a central angle of $13^{\circ}03'00''$; thence Northwesterly along the arc of said curve a distance of 34.16 feet to a point of tangency; thence North $42^{\circ}33'15''$ West for 56.52 feet to a point on the Northwesterly line of said Tract "A" said line also being the Southeasterly Right-of-Way line of Old Cutler Road (Ingraham Highway); thence (the next three courses on and along said Right-of-Way line) North $44^{\circ}50'30''$ East for 397.39 feet to a point of curvature of a curve concave to Southeast having a radius of 2,829.93 feet, and a central angle of $04^{\circ}24'00''$; thence Northeasterly along the arc of said curve a distance of 217.31 feet to a point of tangency; thence North $49^{\circ}14'30''$ East for 4.48 feet; thence South $42^{\circ}46'42''$ East for 83.33 feet; thence South $01^{\circ}04'00''$ East for 141.15 feet; thence North $88^{\circ}56'00''$ East for 542.95 feet; thence North $00^{\circ}58'33''$ West for 263.94 feet; thence South $89^{\circ}01'27''$ West for 19.00 feet; thence North $00^{\circ}58'33''$ West for 32.00 feet to the North line of said Tract "3" also being the South Right-of-Way line of S.W. 208th Street as platted; thence North $88^{\circ}56'00''$ East along said Right-of-Way line for 20.00 feet to the Point of Beginning.

EXHIBIT B

LEGAL DESCRIPTION FOR ENTIRE PARCEL OWNED BY GCF INVESTMENTS, INC.:

Tracts 3, 14 and 15, of SEMINOLE PLAINS, according to the Plat thereof, as recorded in Plat Book 20, Page(s) 42, of the Public Records of Miami-Dade County, Florida.

AND

Tract A, Replat of Lot 33 to 71, inclusive, SEMINOLE PLAINS, according to the Plat thereof, as recorded in Plat Book 49, at Page 38, recorded in the Public Records of Dade County, Florida;

LESS

Commence at the Southeast corner of said Tract A; thence S 89°42'18" along the South boundary of Tract A for 25.54 feet to the POINT OF BEGINNING; thence continue S 89°42'18" W for 100 feet to the point of curvature of a circular curve to the right having a radius of 25.00 and a central angle of 138°17'38"; thence Northwesterly, Northerly and Northeasterly, along the arc of said curve and along the West boundary of said Tract A for 60.34 feet to a point of tangency; thence N 47°59'56" E along the Northwesterly boundary of Tract A for 100.00 feet; thence S 21°08'53" E for 117.92 feet to the POINT OF BEGINNING.

LESS AND EXCEPT

A portion of Tracts 3, 14 and 15, of SEMINOLE PLAINS, according to the Plat thereof, as recorded in Plat Book 20, Page 42, of the Public Records of Miami-Dade County, Florida.

AND

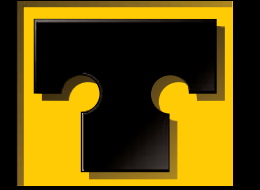
A portion of Tract A, REPLAT OF LOTS 33 TO 71, INCLUSIVE, SEMINOLE PLAINS, according to the Plat thereof, as recorded in Plat Book 49, Page 38, recorded in the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Begin at the Northeast corner of said Tract "3"; thence South 00°58'33" East on and along the East line of said Tract "3", said line also being the West boundary of C.B. PALMS as recorded in Plat Book 165, Page 28, of the Public Records of Miami-Dade County, Florida, for 855.10 feet to a point; thence South 88°56'00" West for 781.29 feet; thence North 42°33'15" West for 239.24 feet to a point of curvature of a curve concave to the Northeast having a radius of 150.00 feet, and a central angle of 13°03'00"; thence Northwesterly along the arc of said curve a distance of 34.16 feet to a point of tangency; thence North 29°30'15" West for 68.93 feet to a point of curvature of a curve concave to the Southwest having a radius of 150.00 feet, and a central angle of 13°03'00"; thence Northwesterly along the arc of said curve a distance of 34.16 feet to a point of tangency; thence North 42°33'15" West for 56.52 feet to a point on the Northwesterly line of said Tract "A" said line also being the Southeasterly Right-of-Way line of Old Cutler Road (Ingraham Highway); thence (the next three courses on and along said Right-of-Way line) North 44°50'30" East for 397.39 feet to a point of curvature of a curve concave to Southeast having a radius of 2,829.93 feet, and a central angle of 04°24'00"; thence Northeasterly along the arc of said curve a distance of 217.31 feet to a point of tangency; thence North 49°14'30" East for 4.48 feet; thence South 42°46'42" East for 83.33 feet; thence South 01°04'00" East for 141.15 feet; thence North 88°56'00" East for 542.95 feet; thence North 00°58'33" West for 263.94 feet; thence South 89°01'27" West for 19.00 feet; thence North 00°58'33" West for 32.00 feet to the North line of said Tract "3" also being the South Right-of-Way line of S.W. 208th Street as platted; thence North 88°56'00" East along said Right-of-Way line for 20.00 feet to the Point of Beginning.

PUBLIX
Cutler Bay, Florida

Celebrating 49 years of Quality Manufacturing and Service

49



THOMAS

SIGN & AWNING CO INC

4590 118TH Avenue North
Clearwater, Florida 33762

800-526-3325

www.thomassign.com

CLIENT

PUBLIX

Drawing Number:

50237 A ILL-MS

Installation Address:

Old Cutler Rd. & SW 208th St.
Cutler Bay, FL

Project Identity Number:
49073

Sales Associate: Project Team:

TSA BM

Designer: Date:

CRH 3-1-12

Project Notes:

X

X

Project completion X

Municipality:

X

Square Footage Allowable: X

Square Footage Shown: X

Project Updates:

Flipped face positions, changed
sub copy 3-9-12 CRH
New PUBLIX logo 04-03-12
DRB

UP-DATE 04-25-12 DRB

Changed to ground illumination

07-26-12 CRH

Changed base to 18" high

07-27-12 CRH

UP-DATE 05-08-12 DRB

Revise per updated SQFT. information.

SLD 10-08-18

Approval:

☐ Approved

☐ Approved as noted

DATE:

☐ Revise & Re-Submit

DATE:

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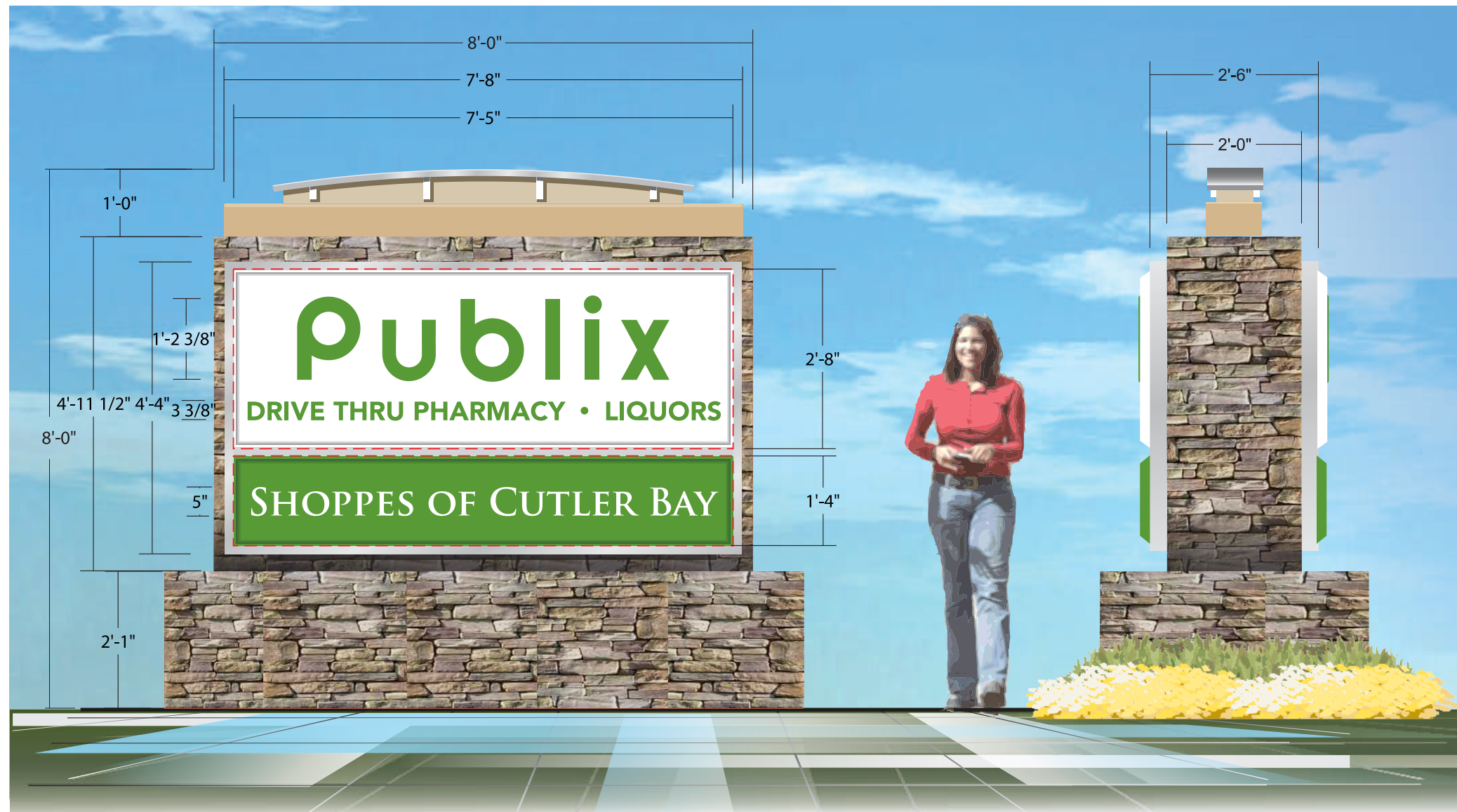
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Sheet

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Local: 727-573-7757
Fax: 727-573-0328



D/F Illuminated Monument Display on Old Cutler Bay Rd / Sign "A"

SCALE: 1/2"=1'-0"

Display to be all aluminum construction with sheet aluminum filler and 1-1/2" retainers. Publix face to be pan-formed with embossed & flat copy. Bottom face to be pan-formed with flat copy. Illumination is accomplished by high output fluorescent lamps and energy efficient ballasting system. Display is enhanced with architectural feature to compliment building style. Enhanced stone work for monument sign by others.

Red Dotted Line A Calculates Publix SQFT. - 7.42' x 2.67' = 19.81'

Red Dotted Line B Calculates Shoppes SQFT. - 7.42' x 1.33' = 9.87'

Total SQFT. = 29.68'

Max SQFT.Allowed = 30.0'

PUBLIX
Cutler Bay, Florida

Celebrating 49years of Quality Manufacturing and Service

49



THOMAS

SIGN & AWNING CO INC

4590 118TH Avenue North
Clearwater, Florida 33762

800-526-3325

www.thomassign.com

CLIENT

PUBLIX

Drawing Number:

50237 A ILL-MS

Installation Address:

Old Cutler Rd. & SW 208th St.
Cutler Bay, FL

Project Identity Number:
49073

Sales Associate: Project Team:

TSA BM

Designer: Date:

CRH 3-1-12

Project Notes:

X

X

Project completion X

Municipality:

X

Square Footage Allowable: X

Square Footage Shown: X

Project Updates:

Flipped face positions, changed

sub copy 3-9-12 CRH

New PUBLIX logo 04-03-12

DRB

UP-DATE 04-25-12 DRB

Changed to ground illumination

07-26-12 CRH

Changed base to 18" high

07-27-12 CRH

UP-DATE 05-08-12 DRB

Revise per updated SQFT. information.

SLD 10-08-18

Approval:

☐ Approved

☐ Approved as noted

DATE:

☐ Revise & Re-Submit

DATE:

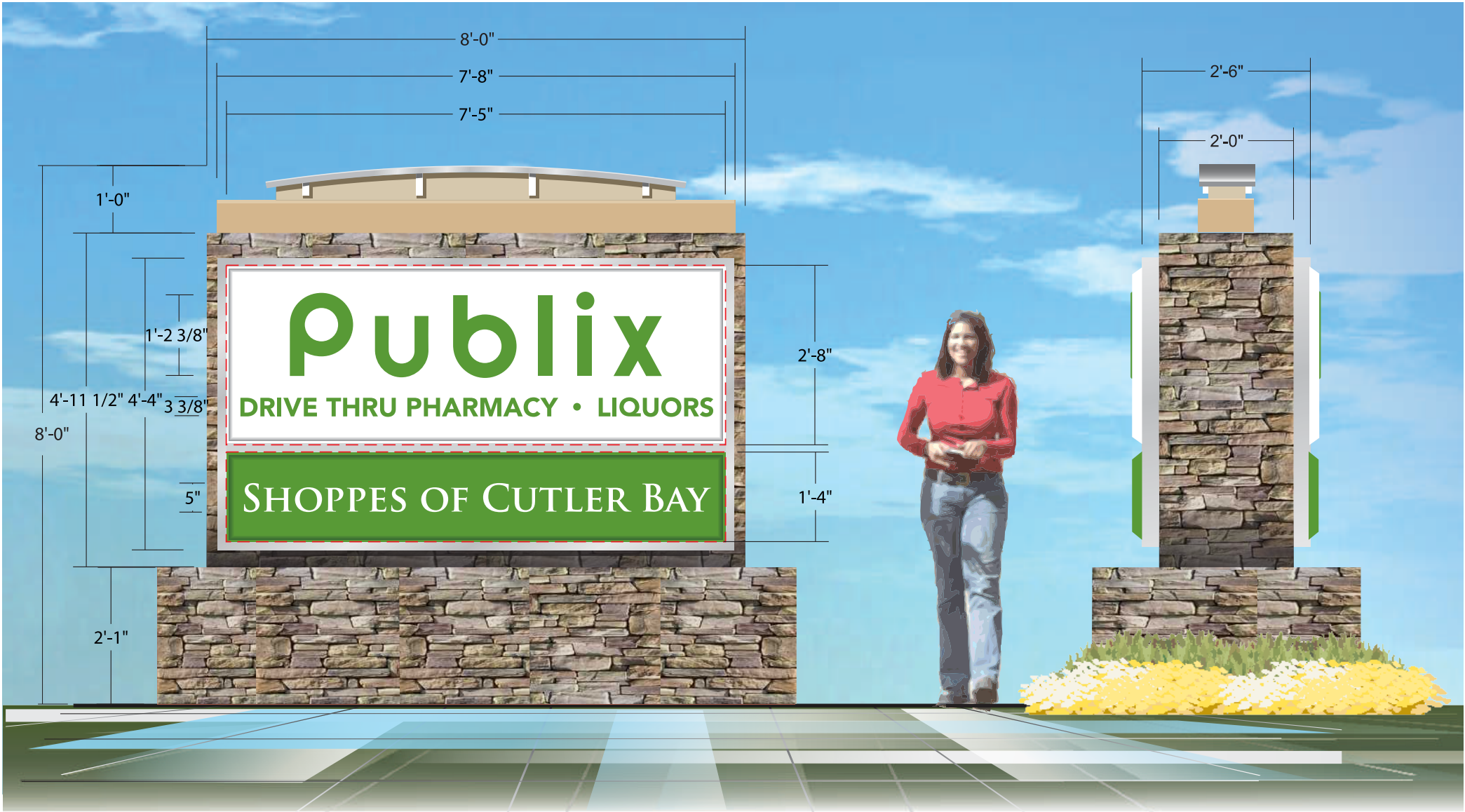
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Local: 727-573-7757
Fax: 727-573-0328



D/F Illuminated Monument Display on SW 208th Street / Sign "B"

Display to be all aluminum construction with sheet aluminum filler and 1-1/2" retainers. Publix face to be pan-formed with embossed & flat copy. Bottom face to be pan-formed with flat copy. Illumination is accomplished by high output fluorescent lamps and energy efficient ballasting system. Display is enhanced with architectural feature to compliment building style. Enhanced stone work for monument sign by others.

SCALE: 1/2"=1'-0"

Red Dotted Line A Calculates Publix SQFT. - 7.42' x 2.67' = 19.81'

Red Dotted Line B Calculates Shoppes SQFT. - 7.42' x 1.33' = 9.87'

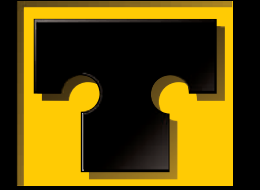
Total SQFT. = 29.68'

Max SQFT.Allowed = 30.0'

PUBLIX
Cutler Bay, Florida

Celebrating 49 years of Quality Manufacturing and Service

49



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SIGN & AWNING CO INC

4590 118TH Avenue North
Clearwater, Florida 33762

800-526-3325

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CLIENT

PUBLIX

Drawing Number:

50237 C SITE PLAN

Installation Address:

Old Cutler Rd. & SW 208th St.
Cutler Bay, FL

Project Identity Number:
49073

Sales Associate: Project Team:

TSA BM

Designer: Date:

CRH 3-1-12

Project Notes:

X
X

Project completion X

Municipality:

X

Square Footage Allowable: X

Square Footage Shown: X

Project Updates:

UP-DATE 05-08-12 DRB
Remove code information.
SLD 10-28-18

Approval:

☐ Approved

☐ Approved as noted

DATE:

☐ Revise & Re-Submit

DATE:

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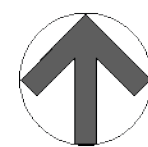
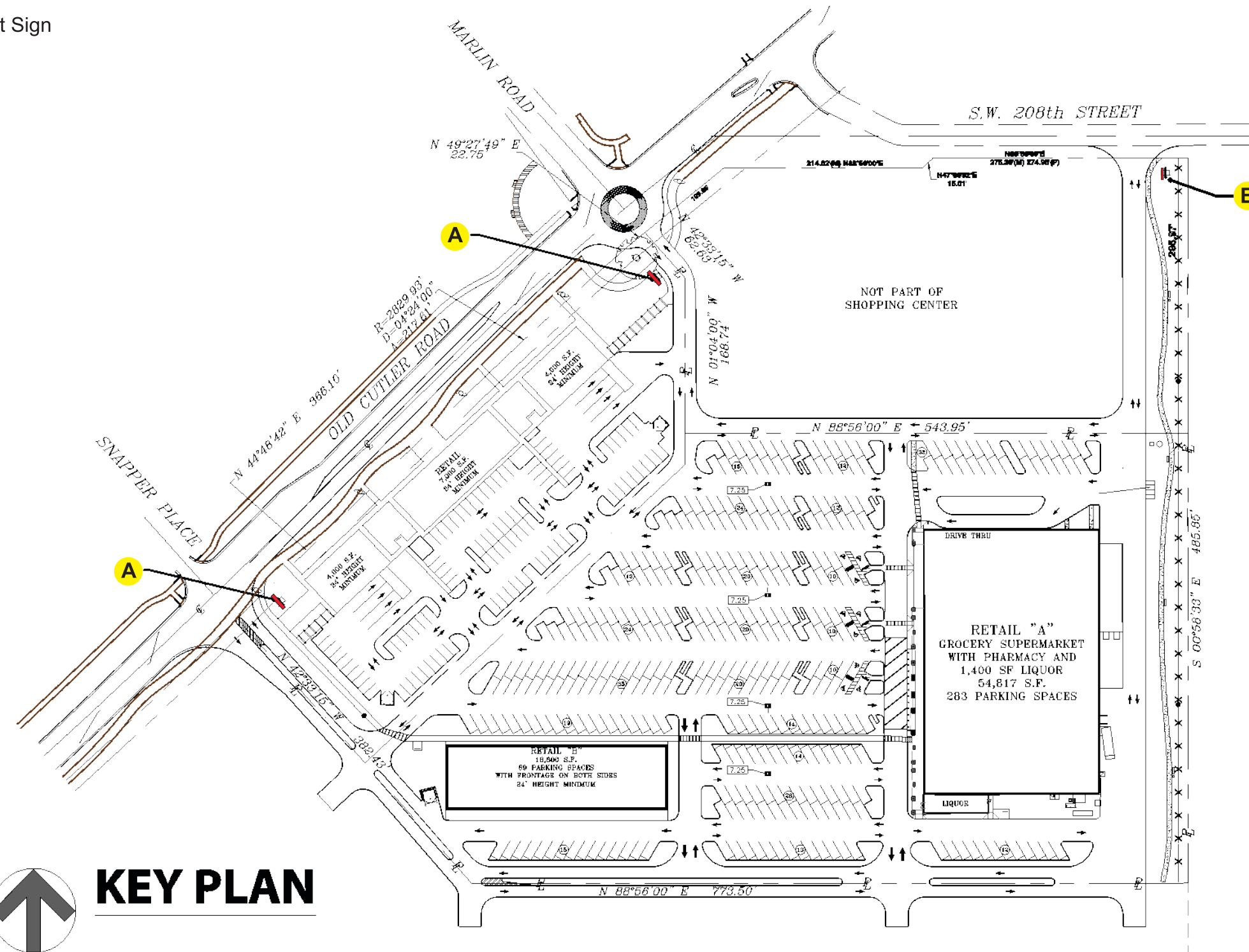
3

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Local: 727-573-7757
Fax: 727-573-0328

A 29.68' Sq. Ft. Illuminated Monument Sign

B 29.68' Sq. Ft. Illuminated Monument Sign



KEY PLAN