### FAST TRACK PLAT AGREEMENT

John A. Spitzer and F. Adelbert Spitzer

- 1. The undersigned <u>Partnership</u>, an Ohio Partnership is the owner of certain real property more particularly described as:
- The undersigned proposes to develop the above referenced real property by constructing <u>new addition to existing building (± 6,007 SQ. F</u>T.) and 132 new parking spaces on new pavement.
- 3. The undersigned acknowledges that zoning approval of public hearing application, ASPR or Administrative Review and platting of the subject property are prerequisites to the issuance of building permit(s) by the Building Department for the above noted proposed development.
- 4. The undersigned acknowledges that the tentative plat no. T\_\_\_\_\_\_ shall be tentatively approved subject to approval of the public hearing, ASPR, or Administrative Review application no. <u>Z2023000358</u> and plan(s) prepared by, and dated \_\_\_\_\_\_. (when plan is required)
- 5. The undersigned acknowledges that no concurrency review or approval is granted at the time of fast track plat approval.
- 6. The undersigned acknowledges that approvals of the tentative plat by member departments of the Plat Committee reviewing same are subject to the decision of the hearing body or County departments considering the zoning request.
- 7. The undersigned agrees that any approval granted or action taken by the Plat Committee or a member department of the Plat Committee on the plat application is not to be the subject of discussion before the hearing board considering the zoning request.
- 8. The undersigned acknowledges that he/she has voluntarily elected to follow the fast track plat procedure and is doing so at his/her own risk and expense.
- 9. The undersigned does hereby release and discharge Miami-Dade County, Florida, from and against any and all claims, demands, damages, costs or expenses arising out of or resulting from the decision of the hearing body on the zoning request insofar as its effect on any department's approval previously granted on the tentative plat application.

10. In the event of litigation arising out of this agreement, the prevailing party shall be entitled to recover costs, including reasonable attorney's fees.

Signature of Owner

John Alan Spitzer Print Name

Sworn to and subscribed before me this  $\frac{\mu^{\dagger}}{2}$  day of <u>October</u>, 2024.



ALLEN M YAKICH, NOTARY PUBLIC Residence - Medina State Wide Jurisdiction, Ohio Expiration Date 2/29/2028 All Mylil Notary Public

My Commission Expires: a/29/2028

10. In the event of litigation arising out of this agreement, the prevailing party shall be entitled to recover costs, including reasonable attorney's fees.

Signature of Owner

Alan Spitzer Print Name

Sworn to and subscribed before me this  $\frac{27^{th}}{t}$  day of <u>November</u>, 20<u>24</u>.

SEAL

ALLEN M YAKICH, NOTARY PUBLIC Residence - Medina My Commission Expires: 2/23/2028 State Wide Jurisdiction, Ohio Expiration Date 2/29/2029 Expiration Date 2/29/2028

#### **IMPORTANT NOTICE TO APPLICANT:**

### THIS APPLICATION CONSISTS OF TWO (2) PAGES. BOTH PAGES MUST BE COMPLETED AND SUBMITTED IN ORDER TO PROCESS

Submittal deadline for this application and all associated documentation is Monday, 9:00AM. The fee amount will be calculated once this application is received and processed. In order for this item to be placed on the next available Plat Committee Agenda, the full correct fee must be paid no later than the following day, Tuesday, noon time. Failure to submit this form and fees by the aforementioned deadlines will result in this item not being placed on the next available Plat Committee agenda.

FOR OFFICIAL USE ONL	<u>¥</u> :
Agenda Date:	
Tentative No.: T-	
Received Date:	
L	
Number of Sites : (	1)

# **APPLICATION FOR PLAT OF SUBDIVISION DEVELOPMENT**

Mu	unicipality: UNINCORPORATED MIAMI-DADE COUNTY Sec.: 8 Twp.: 57 S. Rge.: 39 E. / Sec.: Twp.: S. Rge.: E.
1.	Name of Proposed Subdivision: SPITZER SUBDIVISION
2.	Owner's Name: John A. Spitzer and F. Adelbert Spitzer Partnership, an Ohio Partnership
	Address: 150 E. Bridge Street City: Elyria State: OH Zip Code: 44035
	Owner's Email Address: cschuster@spitzer.com
3.	Surveyor's Name: John Ibarra & Assoc., Inc. Phone: 305-262-0400
	Address: 777 NW 72nd Ave. City: Miami State: FL Zip Code: 33126
	Surveyor's Email Address: Javier@lbarralandsurveyors.com
4.	Folio No(s).: 30-7908-006-0140 / 30-7908-006-0090 / 30-7908-006-0084 /
5.	Legal Description of Parent Tract: See Attachment "A"
6.	Street boundaries: Between State Road 5 (US1) Section 87020 and SW 164th Ave. and 304th Street (King's Highway)
7.	Present Zoning: 6100 Commercial Zoning Hearing No.:
8.	Proposed use of Property: New addition to existing building (± 6,007 SQ. FT.) and 132 new parking spaces on new pavement.
	Single Family Res.( Units), Duplex( Units), Apartments( Units), Industrial/Warehouse( Square .Ft.),
	Business( Sq. Ft. ), Office( Sq. Ft.), Restaurant( Sq. Ft. & No. Seats), Other ( Sq. Ft. & No. of Units

9. Does the property contain contamination? YES: NO:

NOTE: Attach list of all plat restrictions zoning conditions or any other declarations, restrictions, covenants that might affect this Tentative Plat.

Any soil groundwater or surface water contaminants exceeding standards or criteria outlined in local, state, and/or federal law, shall be disclosed. Futhermore, any portion of the of the property to be conveyed (including right-of-way) must be identified, and the receiving entity must be made aware of the contamination and accept the conveyance. Documentation of acceptance from each entity shall be provided with the plat application.

Be advised that Miami-Dade County will not accept the conveyance of contaminated property for right-of-way: right-ofway areas must be fully restored to applicable local, state, and/or federal standards or criteria.

Please note nothing stated herein may be interpreted to limit or restrict an engineer's or other professional's responsibility to prepare plans accurately and completely for proposed right-of-way as well as any other projects or plans. For proposed dedications of non-right-of-way properties, any soil, groundwater or surface water contaminants must be disclosed to the County Department at the earliest stage possible. The presence of any such contamination or delay in disclosure of such contamination could result in the County declining the acceptance of the proposed dedication, the need for the developer to reconfigure or change previously approved site plans, or conduct changes to the proposed development may be required. The applicant may contact the DERM Environmental Monitoring and Restoration Division at 305-372-6700 for additional information.

### THIS APPLICATION CONSISTS OF TWO (2) PAGES. BOTH PAGES MUST BE COMPLETED AND SUBMITTED IN ORDER TO PROCESS

I HEREBY CERTIFY that I am the owner of the parcel(s) described in Item 5 and that the information contained in this application is true and correct to the best of my knowledge and belief. If applicable, attached is a list of all the restrictions/ restrictive covenants and declarations in favor of Miami-Dade County.Attached is a copy of the recorded deed showing my acquisition of this land. In addition, I agree to furnish additional items as may be necessary such as abstract or Opinion of Title to determine accurate ownership information. Furthermore, I am aware that the use of a public water supply and/or public sewer system may be required for this development. If so required, I recognize that engineering drawings for the extension of these utilities must be approved by the appropriate utility entity and by D.R.E.R. prior to the approval of the final plat.

Pursuant to Florida Statutes 837.06, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his duty shall be guilty of a misdemeanor of the second degree, punishable as provided in FS. 775.082 or FS. 775.083.

STATE OF FLORIDA) COUNTY OF MIAMI-DADE)	SS:	Signature of Owner:	Mar Spitzer	et pru CEO	
BEFORE ME, personally appe acknowledged to and before m	ie that (he/she) exécute	this at this this this at this at this the same for the purposed the who did (not) take an oath.	November , 20 erein. Personally	<mark>○ 2 4</mark> A.D. and (he known <u>∕</u> or pro	e/she) oduce
WITNESS my hand and seal ir	n the County and State I	ast aforesaid this 27th day of 🚺	ovember	2024	_ A.D.
ALLEN M YA	KICH, NOTARY PUBLIC	Signature of Notary Public: _	allen M	yalul	
Res	Residence - Medina State Wide Jurisdiction, Ohio	(Print, Type name here: _	Allen M	Yakich	)
nor Strive Expiration (NO	on Date 2/29/20 2 6 OTARY SEAL)	(Commiss	2028 sion Expires)	(Commission Nur	mber)
Note: The reverse side of this she	et may be used for a state	nent of additional items you may wi	sh considered.		

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STATE OF		S:	Signature of Owner:	delle	Detiens
COUNTY OF MIA			(Print name & Title here)	ohn Alm S	pitzer, (EO
BEFORE ME, pe acknowledged to	and before me th	lat (ne/sne) execu	$5$ this $\frac{16}{10}$ day the same for the purposed of who did (not) take an oath.	of October	LO 24 AD and (holoho)
WITNESS my ha	nd and seal in the	e County and State	e last aforesaid this 🏄 day of _	October	, 2024 A.D.
ALLEN M YAKICH, NOTARY PU Residence - Medina		Signature of Notary Public:	alle M	yhil	
1. S. S.	State Wide Ju	risdiction, Ohio te 2/21/20 28	(Print, Type name here:	Allen M.	Kich )
Note: The reverse	(NOTA) side of this sheet m	RY SEAL) ay be used for a stat	(Commi tement of additional items you may	ssion Expires)	(Commission Number)

### Attachment "A"

### LEGAL DESCRIPTION

PARCEL 1:

A PORTION OF LOT NINETEEN (19), ACCORDING TO PLATS OF W.A. KING'S SUBDIVISION, OF THE WEST-HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 8, TOWNSHIP 57 SOUTH, RANGE 39 EAST, RECORDED IN PLAT BOOK 1 AT PAGE 153 AND PLAT BOOK 33 AT PAGE 30, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF SAID LOT NINETEEN (19), RUN WEST ON THE SOUTH LINE OF SAID LOT NINETEEN (19) FOR A DISTANCE OF 308.73 FEET TO POINT OF BEGINNING OF THE TRACT HEREINAFTER DESCRIBED:

THENCE NORTHWESTERLY AT RIGHT ANGLES TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD #5, A DISTANCE OF 286.67 FEET (237.03 FEET MEASURED), TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE; THENCE NORTHEASTERLY ON SAID RIGHT-OF-WAY LINE A DISTANCE OF 200 FEET (199.86 FEET MEASURED); THENCE SOUTHEASTERLY AT RIGHT ANGLES TO SAID RIGHT-OF-WAY LINE A DISTANCE OF 286.67 FEET (237.03 FEET MEASURED), THENCE SOUTHWESTERLY AT RIGHT ANGLES TO LAST DESCRIBED COURSE A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING, SUBJECT TO ROAD RIGHT OF WAY OVER A PORTION THEREOF, BEING A STRIP OF LAND TAKEN FOR RIGHT-OF-WAY OF STATE ROAD #5, HAVING A UNIFORM WIDTH OF 50 FEET AS MEASURED AT RIGHT ANGLES AND LYING SOUTHEASTERLY OF AND IMMEDIATELY ADJACENT TO THE SOUTHEASTERLY RIGHT-OF--WAY LINE OF FLAGLER AVENUE, SAME BEING STATE ROAD #5, AS SHOWN ON A PLAT IN PLAT BOOK 33 AT PAGE 30 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PARCEL 2:

A PORTION OF LOT 19 AND LOT 26 IN SECTION 8, TOWNSHIP 57 SOUTH, RANGE 39 EAST, ACCORDING TO A RE-PLAT OF A RE-PLAT OF SEMINOLE HEIGHTS NO. 2, AS RECORDED IN PLAT BOOK 33, AT PAGE 30 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 19; THENCE RUN S 89°59'46" W ALONG THE SOUTH BOUNDARY OF SAID LOT 19 FOR 309.09 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREINAFTER DESCRIBED; THENCE N 47°58'09" W FOR 236.72 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1 (STATE ROAD NO. 5); THENCE RUN S 42°01'51" W ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1 FOR 105.00 FEET; THENCE RUN S 47°58'09" E FOR 331.99 FEET TO A POINT; THENCE N 0°03'43" W FOR 141.78 FEET TO THE NORTH LINE OF SAID LOT 26; THENCE RUN S 89°59'46" W ALONG NORTH LINE OF SAID LOT 26 FOR 0.31 FEET TO POINT OF BEGINNING.

### PARCEL 3:

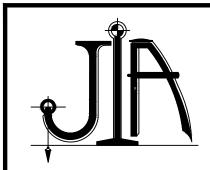
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### PARCEL 4:

A PARCEL OF LAND LYING WHOLLY WITHIN THE NE 1/4 OF THE SW 1/4 OF THE NW 1/4 OF SECTION 8, TOWNSHIP 57 SOUTH, RANGE 39 EAST, AND IN LOT 19, A RE-PLAT OF A RE-PLAT OF SEMINOLE HEIGHTS, NO. 2, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 33, AT PAGE 30, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING PARTICULARLY DESCRIBED AS FOLLOWS:

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# **JOHN IBARRA & ASSOC., INC.**

**Professional Land Surveyors & Mappers** WWW.IBARRALANDSURVEYORS.COM 777 N.W. 72ND AVENUE

**SUITE 3025** MIAMI, FLORIDA 33126 PH: (305) 262-0400 FAX : (305) 262-0401

3725 DEL PRADO BLVD. S. SUITE B CAPE CORAL, FL 33904 PH: (239) 540-2660 FAX: (239) 540-2664

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THE EXPRESSED PURPOSE OF THIS PLAT IS TO UNIFY THOSE PORTIONS OF LAND BEING DESCRIBED ABOVE INTO ONE TRACT.

THE NFIP FLOOD MAPS HA	VE DESIGNATED THE HEREIN DESCRIBED LAND
TO BE SITUATED IN:	
FLOOD ZONE:	"X"
BASE FLOOD ELEVATION:	N/A
COMMUNITY:	120635 (MIAMI-DADE COUNTY)
PANEL:	0727
SUFFIX:	L
DATE OF FIRM:	09/11/2009
SUFFIX:	L

WATER AND SEWER SERVICES:

MIAMI-DADE WATER AND SEWER DEPARTMENT

# TENTATIVE PLAT OF SPITZER SUBDIVISION

BEING A REPLAT OF A PORTION OF LOTS 19 AND 26 OF A RE-PLAT OF A RE-PLAT OF SEMINOLE HEIGHTS NO. 2, AS RECORDED IN PLAT BOOK 33, PAGE 30 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING A PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 8, TOWNSHIP 57 SOUTH, RANGE 39 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

# SURVEYOR'S NOTES

1. THE LEGAL DESCRIPTION SHOWN HEREON ARE BASED ON AN OPINION OF TITLE PROVIDED TO THE SURVEYOR.

2. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D. 29) MIAMI-DADE COUNTY AND ARE EXPRESSED IN FEET.

3. BENCHMARK #1 MIAMI-DADE COUNTY BENCHMARK U-787; LOCATOR No. 7941 W, PK NAIL AND BRASS WASHER IN SW CORNER OF BRIDGE OF C-103 CANAL; SW 296 ST --- 18' SOUTH OF C/L AND SW 162 AVE --- 303' EAST OF C/L, ELEVATION IS 9.58 FEET N.G.V.D. 1929.

BENCHMARK #2 MIAMI-DADE COUNTY BENCHMARK U-711: LOCATOR No. 7941 S. PK NAIL AND BRASS WASHER IN CONC SIDEWALK; SW 304 ST --- 50' NORTH OF C/L AND SW 158 CT --- 20' WEST OF C/L, ELEVATION IS 5.75 FEET N.G.V.D. 1929.

4. THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THE SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA.

5. UNDERGROUND LINE INFORMATION SHOWN HEREON WAS MEASURED AS SHOWN ON THE STRUCTURES, SANITARY AND STORM SEWER UNDERGROUND LINE LOCATIONS SHOWN HEREON WERE FIELD VERIFIED.

6. UNDERGROUND IMPROVEMENTS AND/OR UNDERGROUND ENCROACHMENTS, WHERE THEY ARE NOT VISIBLE AT THE SURFACE GROUND LEVEL, ARE NOT SHOWN INCLUDING, BUT NOT LIMITED TO BUILDING, STRUCTURAL APPURTENANCES, TANKS OR RUBBISH FILLS, ETC.

7. THE DISTANCES SHOWN ALONG BOUNDARY OF THE SUBJECT PROPERTY ARE RECORD AND/OR MEASURED UNLESS OTHERWISE STATED, AND ARE EXPRESSED IN FEET.

8. THIS IS A BOUNDARY AND TOPOGRAPHIC SURVEY FOR A TENTATIVE PLAT.

BEARINGS SHOWN HEREON ARE RELATIVE TO MIAMI-DADE TOWNSHIP MAP, A BEARING OF N 89° 15' 05" E, ALONG THE SOUTH LINE OF THE NW 1/4 OF SECTION 8, TOWNSHIP 57 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA.

10. THE ACCURACY OBTAINED FOR ALL HORIZONTAL CONTROL MEASUREMENTS BASED ON A 95% CONFIDENCE LEVEL, VERIFIED BY REDUNDANT MEASUREMENTS AND OFFICE CALCULATIONS OF CLOSED GEOMETRIC FIGURES, MEETS OR EXCEEDS AN EQUIVALENT LINEAR CLOSURE STANDARD OF 1 FOOT IN 7,500 FEET (SUBURBAN). THE ELEVATIONS AS SHOWN ARE BASED ON A CLOSED LEVEL LOOP TO THE BENCHMARKS NOTED ABOVE AND MEETS OR EXCEEDS A CLOSURE IN FEET OF PLUS OR MINUS 0.05 FEET TIMES THE SQUARE ROOT OF THE DISTANCE IN MILES.

11. BOUNDARY SURVEY MEANS A DRAWING AND/ OR A GRAPHIC REPRESENTATION OF THE SURVEY WORK PERFORMED IN THE FIELD. COULD BE DRAWN AT A SHOWN SCALE; THE WALLS OR FENCES MAY BE EXAGGERATED FOR CLARITY PURPOSES.

12. NO ATTEMPT WAS MADE BY THE SURVEYOR TO DETERMINE MINERAL RIGHTS OWNERSHIP AND / OR RIGHTS-OF-ENTRY APPURTENANT THERE TO.

**DEVELOPMENT INFORMATION:** 

**OWNERS**: JOHN A SPITZER AND F ADELBERT SPITZER PARTNERSHIP

MAILING ADDRESS: 150 E BRIDGE ST. ELYRIA, OH 44035

FOLIO NUMBER:

30-7908-006-0140, 30-7908-006-0090 AND 30-7908-006-0084 LAND AREA ± 162,264 SQ. FT. (± 3.7 ACRES)

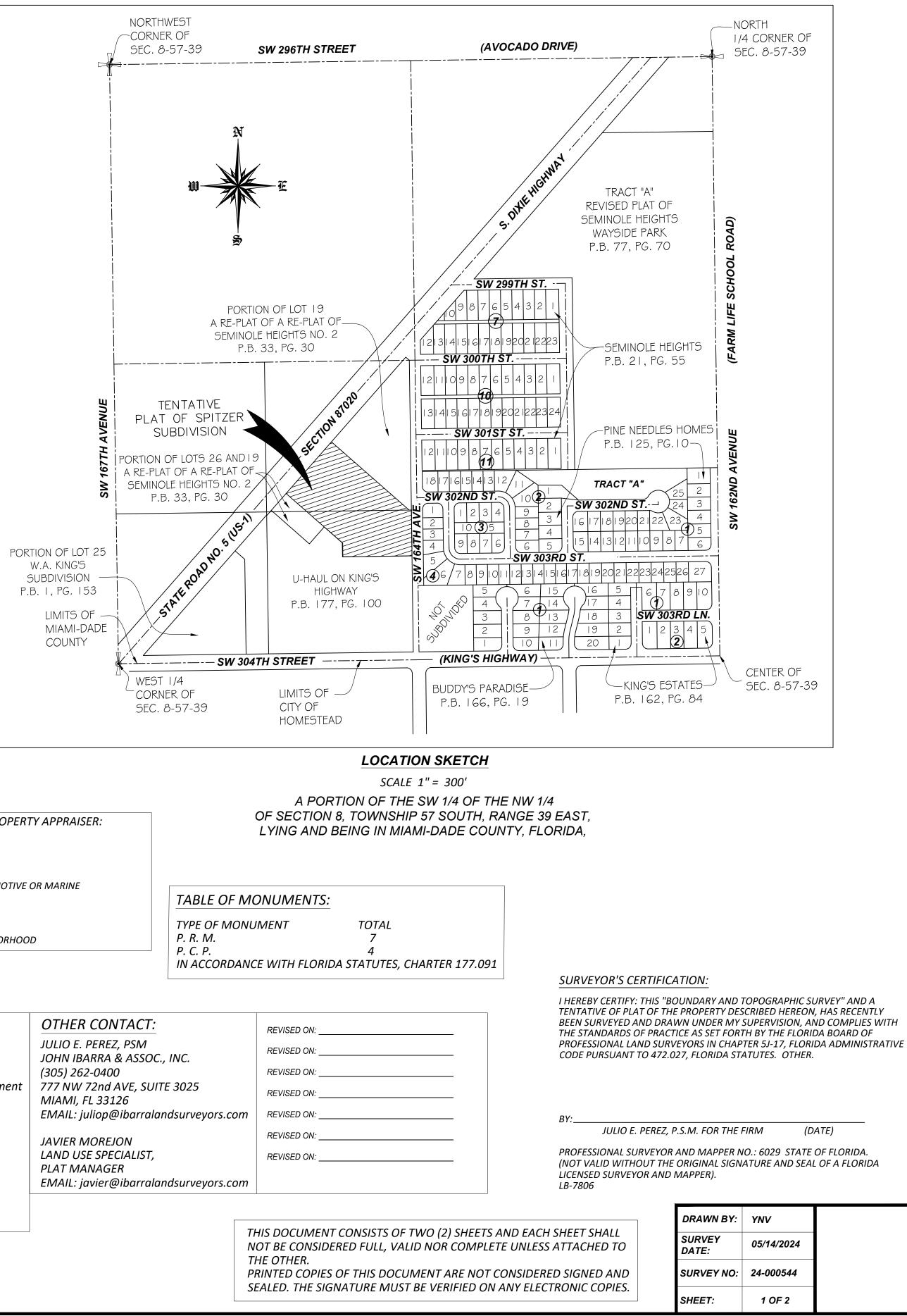
EXISTING DEVELOPMENT EXISTING ± 19,462 SQ. FT. COMMERCIAL BUILDING TO REMAIN ALL EXISTING IMPROVEMENTS TO REMAIN.

**PROPOSED DEVELOPMENT:** PROPOSED TRACT "A" AREA ± 162,264 SQ. FT. (± 3.7 ACRES) A NEW ADDITION TO THE EXISTING BUILDING ± 6,007 SQ. FT. AND 132 NEW PARKING SPACES ON NEW PAVEMENT

FLOOD CRITERIA:

MIAMI-DADE COUNTY FLOOD CRITERIA AS SHOWN ON MIAMI-DADE COUNTY'S 2022, GIS OPEN DATA FLOOD CRITERIA MAP WEBSITE: 8.0 FEET (NAVD 1988)

REFERENCE ZONING APPLICATION FILE NUMBER: Z2023000358



ZONING INFORMATION AS PER PROPERTY APPRAISER: PA PRIMARY ZONE

6100 COMMERCIAL - NEIGHBORHOOD

PRIMARY LAND USE: 2719 AUTOMOTIVE OR MARINE : AUTOMOTIVE OR MARINE

LAND INFORMATION: LAND USE: GENERAL MUNI ZONE: BU-1 PA ZONE: 6100 - COMMERCIAL - NEIGHBORHOOD

### **OWNERS CONTACT** INFORMATION:

OWNER'S REPRESENTATIVE Catherine Schuster Director of Real Estate & Development Spitzer Management phone. 440-323-4115 mobile. 216-403-2712 email. cschuster@spitzer.com 150 E Bridge St., Elyria OH, 4403

RAÚL OCAMPO, JR. AIA (ARCHITECT) rocampo@adc-architects.net

BOUNDARY & TOPOGRAPHIC SURVEY

