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**STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS**

SECTION 7 TRACT 64 PROPERTY, INC.,
and THE GRAND AT DORAL I, LTD.,

Petitioners,

DOAH Case No. 09-4297-GM

v.

THE CITY OF DORAL, FLORIDA, and
FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS,

Respondents.

PETITIONERS' MOTION FOR OFFICIAL RECOGNITION OF PUBLIC RECORDS

Petitioners, SECTION 7 TRACT 64 PROPERTY, INC. and THE GRAND AT DORAL I, LTD. (collectively, "Petitioners"), by and through undersigned counsel and pursuant to *F.A.C.* 28-106.204 hereby request that Administrative Law Judge D. R. Alexander ("ALJ") take official recognition of certain public documents and records, and states:

1. Petitioners request that the ALJ take official recognition of the following documents:
 - (a) City of Doral Zoning Map Version 2007;
 - (b) City of Doral Future Land Use Map;
 - (c) City of Doral Zoning Map adopted as part of Ordinance 2007-12; and
 - (d) Miami-Dade County Future Land Use Map

Copies of the maps attached to this motion will be made available in color at the Final Hearing.

2. An administrative agency may take official recognition of public documents or facts just as a court may take judicial notice of public documents or facts. *See Health Quest Realty XII v. Department of Health and Rehabilitative Services*, 477 So. 2d 576, 578 at n.3 (Fla. 1st DCA 1985). Furthermore, in the Joint Pre-hearing Stipulation, the parties stipulated to the application of the Florida Evidence Code, Chapter 90, *Florida Statutes*.

3. Pursuant to §90.803(8), *Fla. Stat.*, the documents are public records. In addition, pursuant to §90.902(4), *Fla. Stat.*, the documents are self-authenticating and the City has stipulated to the authenticity of documents produced by the City.

4. The ALJ can take official recognition of these documents because they are public documents and public records. *Conyers v. State*, 98 Fla. 417 (1929); *see also, Schriver v. Tucker*, 42 So. 2d 707 (Fla. 1949) (court can take judicial notice of documents filed with Secretary of State); *Grand Lodge et al. v. Moore*, 120 Fla. 761 (1935) (court could take judicial notice of by-laws of corporation filed with state treasurer).

5. The purpose of this Request is to simplify the evidentiary issues at the upcoming hearing in this matter.

6. The undersigned certifies that counsel for the City and counsel for the Department of Community Affairs have been notified by the undersigned of the intent to file this motion and the City does not object and the Department has not yet responded.

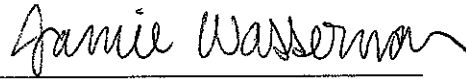
WHEREFORE, Petitioners, SECTION 7 TRACT 64 PROPERTY, INC. and THE GRAND AT DORAL I, LTD., respectfully request that this court take official recognition of certain public documents and records and granting such other and further relief as is just and proper in favor of Petitioners.

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing was electronically filed with the Division of Administrative Hearings, and also furnished by Facsimile and E-Mail on May 14, 2010, to: *Michael D. Cirullo, Jr.*, Outside Counsel for the City, Goren, Cherof, Doody & Ezrol, P.A., 3099 East Commercial Boulevard, Suite 200, Fort Lauderdale, FL 33308; *John Hearn*, Outside Council for the City, Law Offices of John J. Hearn, P.A., 1917 NW 81st Avenue, Coral Springs, FL 33071; and

L. Mary Thomas, Esq., Counsel for the Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

Respectfully Submitted,



Beth-Ann Krimsky, FBN 968412

Jamie Wasserman, FBN 068513

RUDEN McCLOSKEY P.A.

Counsel for Petitioners

200 E. Broward Blvd., Suite 1500

Ft. Lauderdale, FL 33301

Phone: (954) 527-2427

Fax: (954) 333-4027

Email: Beth-Ann.Krimsky@Ruden.com

Email: Jamie.Wasserman@Ruden.com

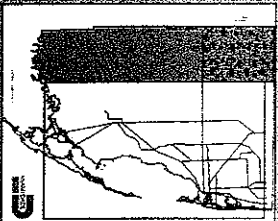
DEPARTMENT OF
PLANNING AND ZONING[illegible][illegible]

EXHIBIT
1-A
4/28/10 MS

ADOPTED 2015 AND 2025 LAND USE PLAN FOR MIAMI-DADE COUNTY, FLORIDA

RESIDENTIAL COMMUNITIES

- ESTATE DENSITY (EDN) 1-2.5 DU/AC
ESTATE DENSITY WITH ONE DENSITY INCREASE (D1-1)
LOW DENSITY (LDN) 2-5 DU/AC
LOW-MEDIUM DENSITY (LMDN) 6-13 DU/AC
LOW-MEDIUM DENSITY WITH ONE DENSITY INCREASE (D1-1)
MEDIUM DENSITY (MDN) 13-25 DU/AC
MEDIUM-HIGH DENSITY (MHDN) 25-40 DU/AC
HIGH DENSITY (HDN) 40-65 DU/AC OR MORE
TWO DENSITY INCREASE WITH URBAN DESIGN (D2-2)

INDUSTRIAL, AND OFFICE

BUSINESS AND OFFICE

OFFICE/RESIDENTIAL

INSTITUTIONS, UTILITIES, AND COMMUNICATIONS

PARKS AND RECREATION

METROPOLITAN ENTERTAINMENT AREA

AGRICULTURE

OPEN LAND

ENVIRONMENTAL PROTECTION

TRANSPORTATION (BOW, RAIL, METROPOLITAN, ETC.)

TERMINALS

EXPRESSWAYS

MAJOR ROADWAYS (3 OR MORE LANES)

MINOR ROADWAYS (2 LANES)

EXISTING RAPID TRANSIT / FUTURE RAPID TRANSIT

URBAN CENTERS

REGIONAL

METROPOLITAN

COMMUNITY

ADOPTED REGIONAL URBAN CENTER

ADOPTED COMMUNITY URBAN CENTER

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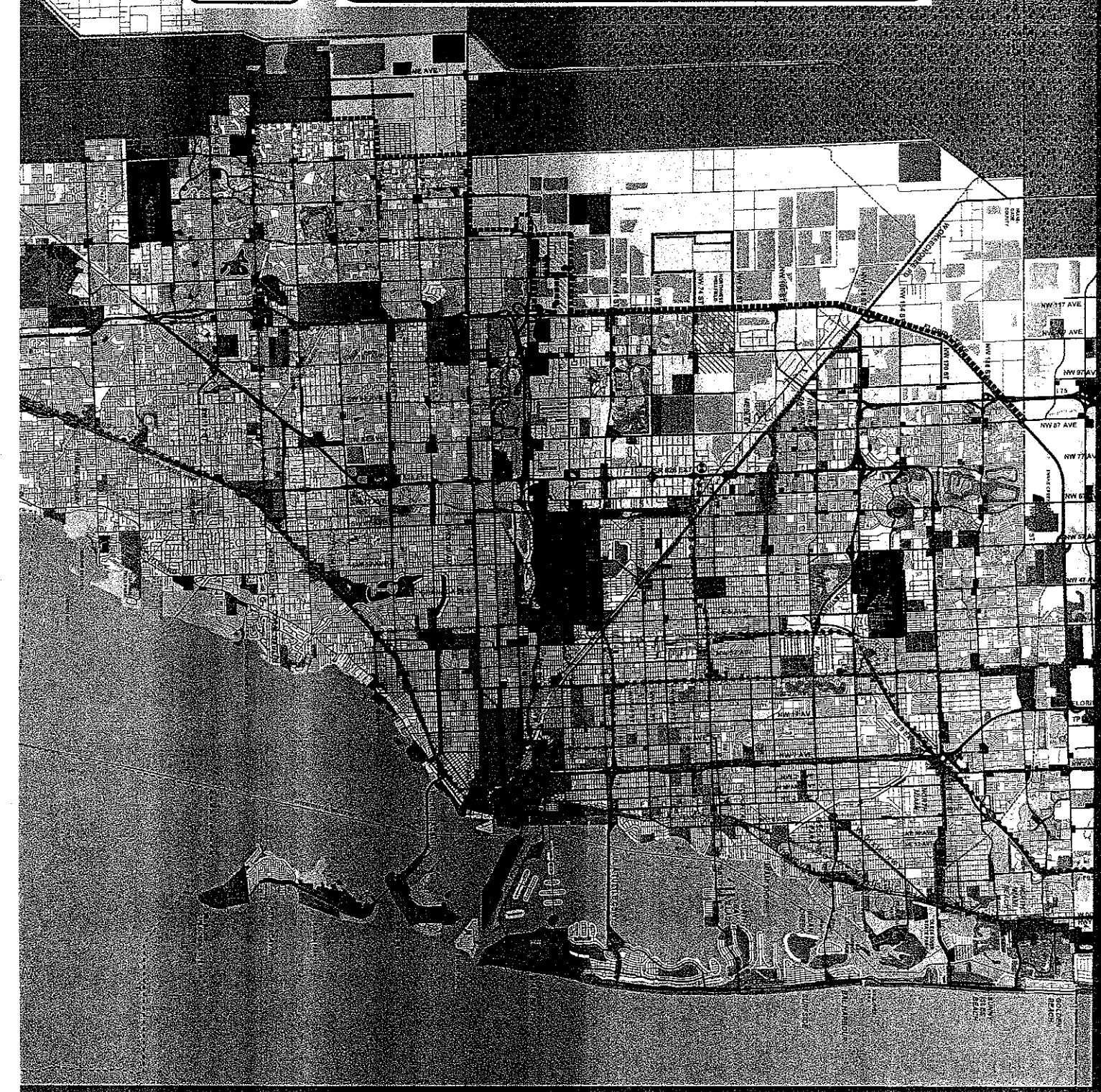
ADOPTED COMMUNITY URBAN CENTER

ADOPTED COMMUNITY URBAN CENTER

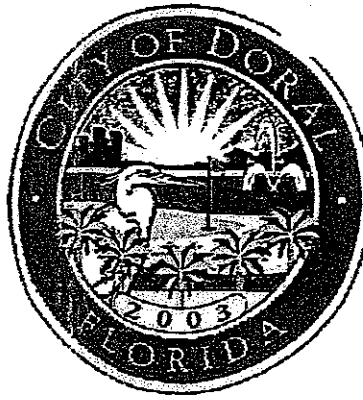
ADOPTED COMMUNITY URBAN CENTER

ADOPTED COMMUNITY URBAN CENTER

ADOPTED COMMUNITY URBAN CENTER



NOTES: The adopted 2015 and 2025 land use plan is a long-term vision for the future of Miami-Dade County. It is not a guarantee of future development. The plan is subject to change based on future developments and changes in the county's needs. The plan is intended to guide future development and to ensure that the county's resources are used in a sustainable and responsible manner. The plan is intended to be a living document that can be updated as needed to reflect changes in the county's needs and priorities.



Comprehensive Plan Future Land Use Map

Exhibit 1

Legend

Land Use Categories

- Estate Density Residential (up to 6 D.U. per Gross Acre)
- Low Density Residential (up to 10 D.U. per Gross Acre)
- Moderate Density Residential (up to 13 D.U. per Gross Acre)
- Medium Density Residential (up to 19 D.U. per Gross Acre)
- High Density Residential (up to 25 D.U. per Gross Acre)
- Downtown Mixed Use
- Community Mixed Use
- Traditional Neighborhood Development
- Business
- Office
- Office/Residential
- Industrial
- Restricted Industrial
- Institutional and Public Facility
- Public Parks and Recreation
- Private Parks and Open Space
- Environmentally Protected Parks

Other Features

- Downtown Mixed Use Opportunity Area
- Community Mixed Use Opportunity Area
- Urban Central Business District (UCBD) designation
- Regional Activity Center (RAC) designation
- Expressway Right-of-Way
- Water Bodies
- Northwest Wellfield Protection Area
- Doral City Limit

Notes:
D.U. = Dwelling Unit

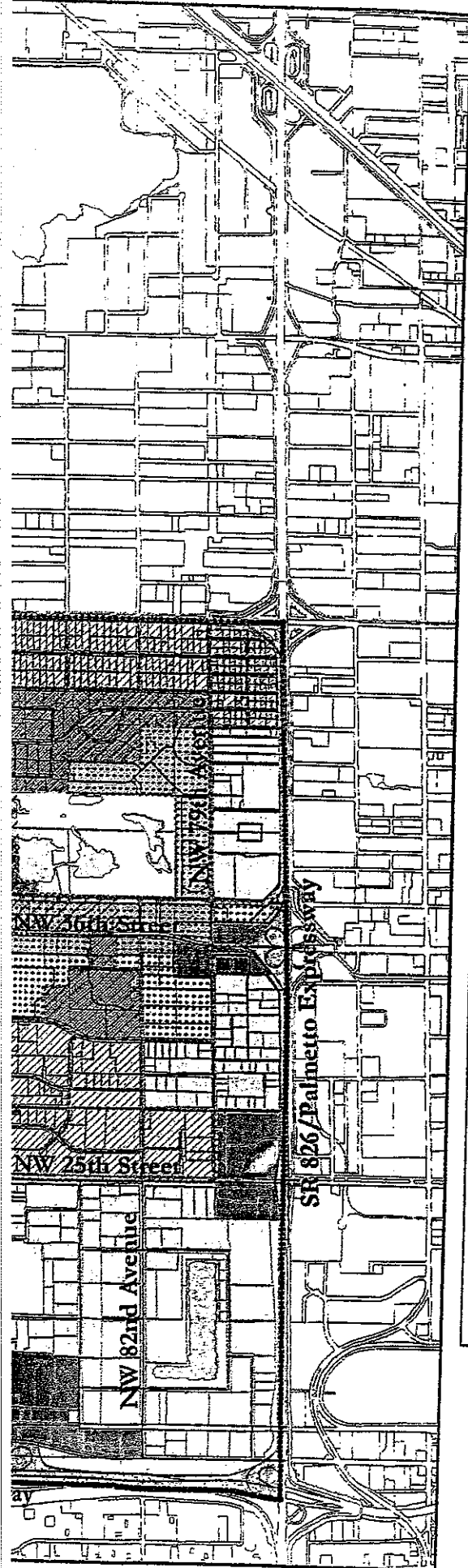
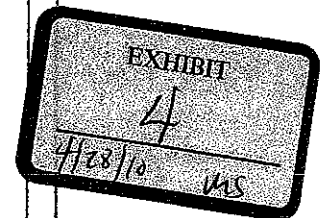
**Kimley-Horn
and Associates, Inc.**

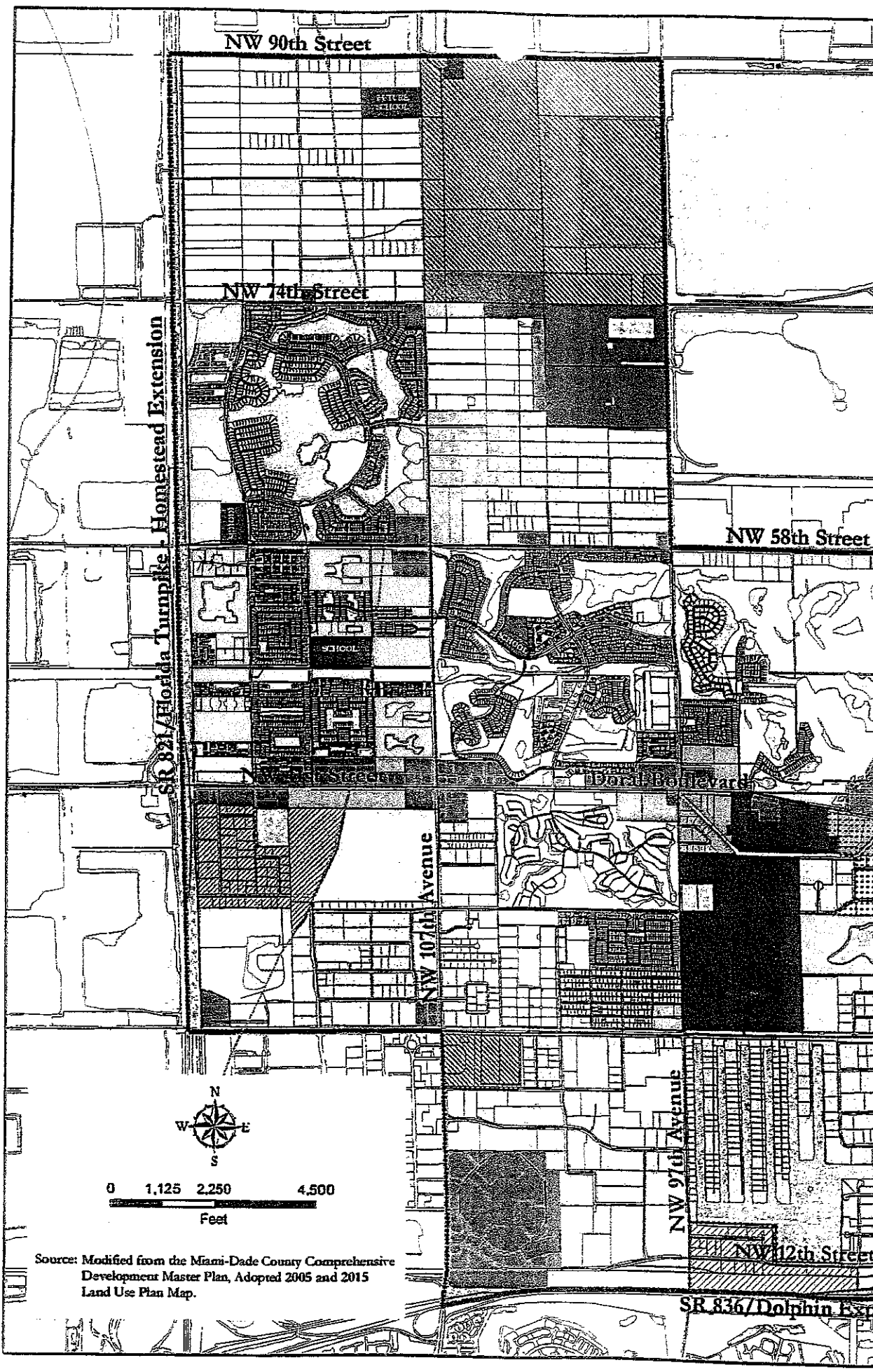
ipg
LAND PLANNING GROUP

Adopted April 26, 2006

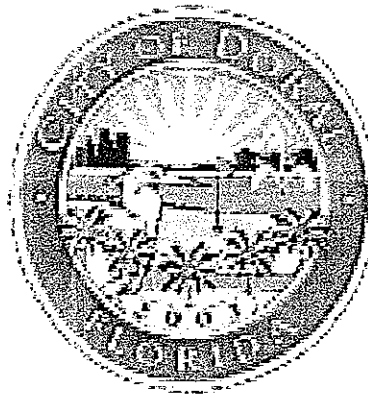
Petitioners 0111

EXHIBIT N





Source: Modified from the Miami-Dade County Comprehensive
Development Master Plan, Adopted 2005 and 2015
Land Use Plan Map.



Land Development Code Zoning Map

Final Hearing - August 22, 2007

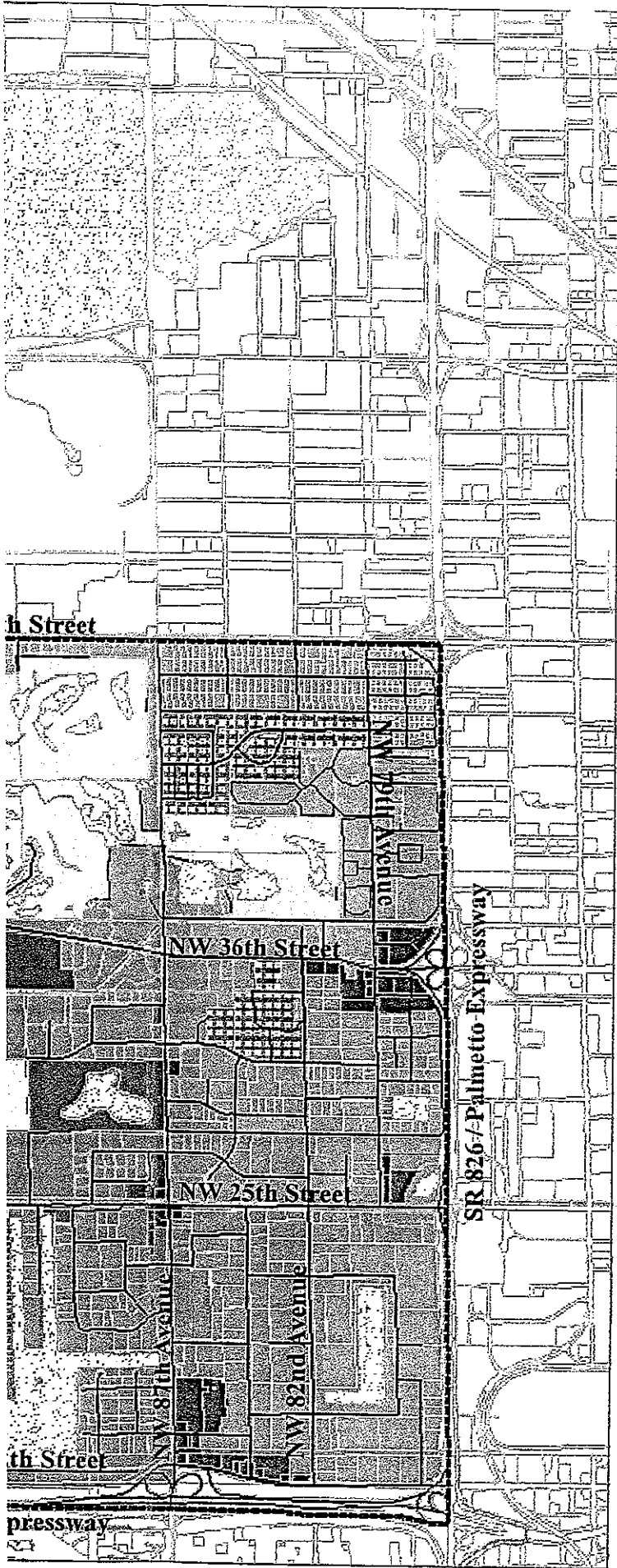
Legend

Zoning Districts

- SF-1 - Single Family - 1
- SF-2 - Single Family - 2
- SF-3 - Single Family - 3
- SF-4 - Single Family - 4
- SF-5 - Single Family - 5
- MF-1 - Multi Family - 1
- MF-2 - Multi Family - 2
- MF-3 - Multi Family - 3
- MF-4 - Multi Family - 4
- O-1 - Office - 1
- O-2 - Office - 2
- O-3 - Office - 3
- TND - Traditional Neighborhood Development
- CMU - Community Mixed Use
- DMU - Downtown Mixed Use
- PUD - Planned Unit Development
- NC - Neighborhood Commercial
- CC - Corridor Commercial
- IC - Industrial Commercial
- I - Industrial
- I-R - Industrial - Restrictive
- IPF - Institutional, Public Facilities & Parks
- GU - General Use
- PP - Private Parks
- CONSERV - Conservation Lands

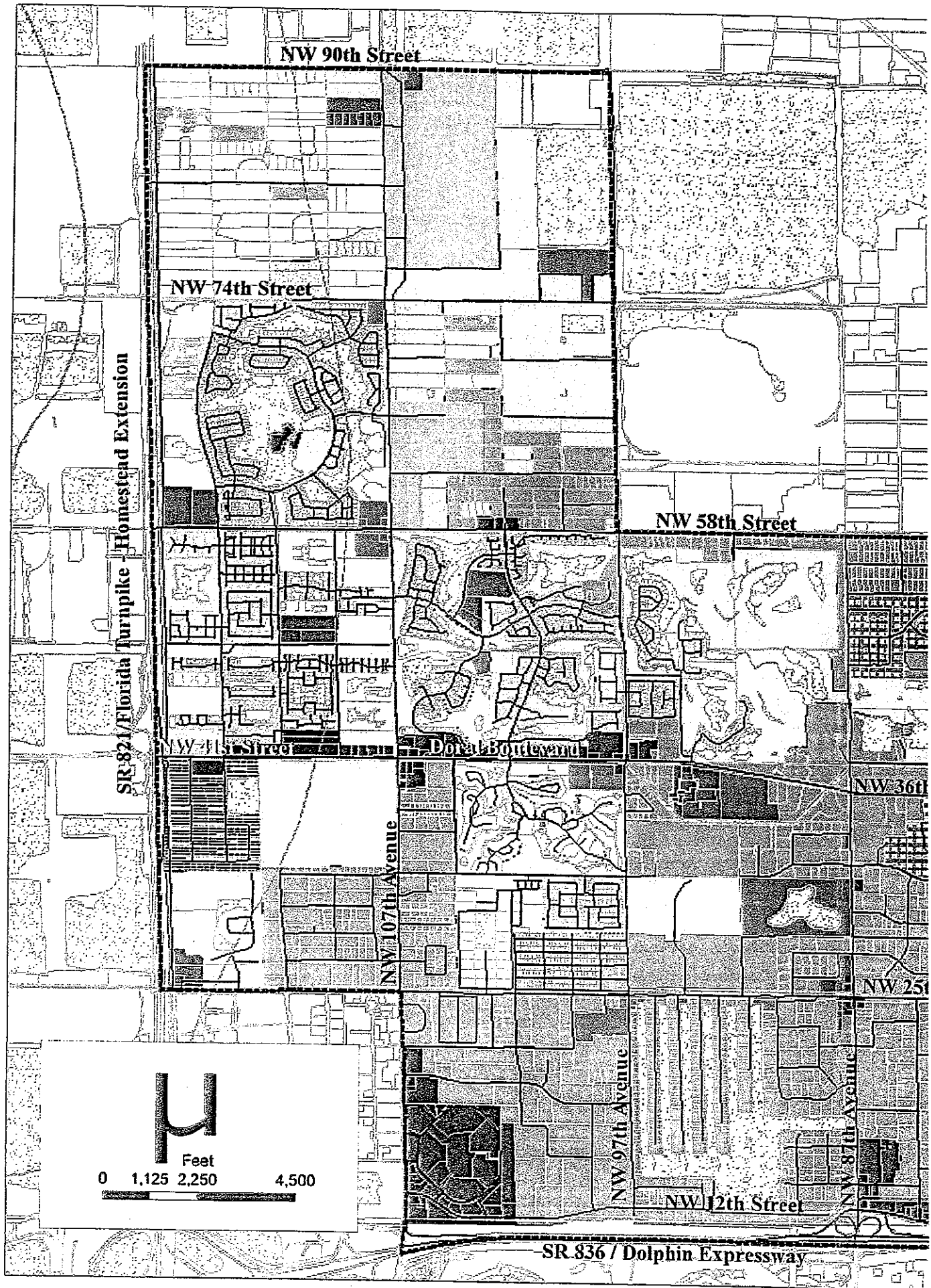
Other Features

- Water Bodies
- Northwest Wellfield Protection Area
- Doral City Limit



Petition

EXHIBIT



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