

August 10, 2001

Facilities Planning and Construction
Suzanne Marshall, Chief Facilities Officer (Construction)

SUBJECT: AUTHORIZATION TO PROFFER A DECLARATION OF RESTRICTIONS TO MIAMI-DADE COUNTY TO ALLOW FOR THE CONSTRUCTION OF LAMAR LOUISE CURRY MIDDLE SCHOOL (STATE SCHOOL VV-1) AND A FUTURE ELEMENTARY SCHOOL (STATE SCHOOL W-1)

On August 31, 1999, the Board purchased a 40-acre tract of land in order to construct the above referenced educational facilities. While the District was in the process of securing the necessary environmental permits for the middle school it was determined that the previous owner proffered a Declaration of Restrictions limiting use of the property to a residential development to be built substantially in accordance with a specified site plan. With this encumbrance, the educational facilities could not be built.

In order to modify the original Declaration to allow for the proposed educational facilities, District staff was required to appear before the Miami-Dade County Community Zoning Appeals Board No. 11 (CZAB 11) to request the modification. At its meeting of July 10, 2001, CZAB 11 voted to approve said modification, and as such, the development restrictions on the subject property have been lifted. The only requirement at this point is Board approval of the amended Declaration. Once approved, staff will transmit to the County for recordation.

The Declaration of Restrictions has been reviewed by the School Board Attorney's Office and the Office of Risk and Benefits Management. The Department of Facilities Planning and Construction recommends approval of this item. The Department of Safety, Environment and Hazards Management is in agreement with the Declaration.

A copy of the proposed Declaration will be placed on file in both the Citizen's Information Center and Recording Secretary's Office.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Chair and Secretary to execute the Declaration of Restrictions for the construction of Lamar Louise Curry Middle School (State School VV-1) and a future elementary school (State School W-1).

AAD:lh