

LAW OFFICES
SHUBIN & BASS
P R O F E S S I O N A L A S S O C I A T I O N

VIA FACSIMILE

May 20, 2010

Martha Salazar-Blanco
Zoning Administrator
City Hall
405 Biltmore Way, 3rd Floor
Coral Gables, FL 33134

**Re: Internal Road Minor Amendment
Zoning Determination**

Dear Martha:

The University is requesting a zoning determination that a proposed increase to a portion of the window of time during which the Internal Road must be planned, permitted, and constructed qualifies as a minor amendment to UMCAD, as defined in the Zoning Code Section 4-202(U).

Currently, Ordinance 2007-16, effective on March 27, 2006, requires that the first set of plans for the Internal Road be submitted by December 31, 2008, and all construction of the Internal Road must be completed by December 31, 2012. It also includes several intermediate deadlines for portions of the road.

The University is requesting that the deadline for one portion of the road be extended as indicated below. This proposed increase does not exceed 20% of the time allowed for completion as shown on the attached calculations. The University is requesting a determination of a minor amendment for this change.

All timelines for the internal road project began on March 27, 2006. The deadline for construction for Phase I of the road, currently December 31, 2010, would be extended as follows:

1. Completion of Phase I (March 27, 2007 to December 31, 2010 or 45 months) would be extended to **August 31, 2011 (8 months, less than 20% increase)**.

The University submitted construction plans for Phase I to the City on December 30, 2008 and has already complied with that deadline. There have been, however, a series of issues and situations that have hindered the University's ability to comply with the deadlines. Outside agencies have requested modifications to the plans and additional supporting information that has had to be compiled. The University is requesting this extension to avoid being in a situation where it is not in compliance with Ordinance 2007-16.

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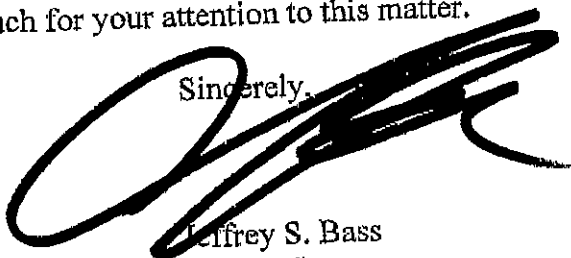
The UMCAD Ordinance provides that *the Building and Zoning Department, with recommendations from other departments, as needed, shall determine whether proposed changes are major or minor. Minor amendments as specified in Section 4-202(U)1 herein may be approved administratively by the Building and Zoning Department with recommendations from other departments as need.* The UMCAD Zoning Ordinance (Sect. 4-202.U.1) provides for the definition of a minor amendment as follows:

Minor amendments are changes which do not substantially alter the concept of the UMCAD in terms of density, floor area ratio, land usage, height, provision of landscaped open space, or the physical relationship of elements of the development. Minor amendments shall include, but shall not be limited to, small changes in floor area, density, lot coverage, height, setbacks, landscaped open space, the location of buildings, parking, or the realignment of minor streets which do not exceed twenty (20%) percent of the guidelines contained within this Article specific to that type of development or that which is shown on the approved development plan.

This minor amendment, once permitted, will be reflected in the UMCAD Campus Master Plan Development Program.

Thank you very much for your attention to this matter.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Jeffrey S. Bass'.

Jeffrey S. Bass
For the firm