

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-4-08

WHEREAS, MAURO E. VARENA applied to Community Zoning Appeals Board 14 for the following:

- (1) AU and EU-1 to EU-1
- (2) To permit proposed Lots 2 - 4; each with a lot depth of 167.05' (200' required in the EU-1 zone).

OR IN THE ALTERNATIVE TO REQUESTS #1 AND #2, THE FOLLOWING:

- (3) To permit proposed Lot 1 with a lot area of 1.1 gross acres, and to permit proposed Lots 2 - 4 each with a lot area of 1.006 gross acres (5 gross acres required for each).
- (4) To permit proposed Lots 1-4 each with a lot depth of 167.05' (200' required for each)

Upon demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(14) (Alternative Site Development Option for Single-Family and Duplex Dwelling Units) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Proposed Site Plan 18475 S.W. 216 Street, Miami, Florida 33170," as prepared by Vicente Franco, dated stamped received 7/13/07 and consisting of 1 page.

SUBJECT PROPERTY: The east ½ of the west ½ of the east ½ of the SW ¼ of the SW ¼ of Section 12, Township 56 South, Range 38 East.

LOCATION: 18475 S.W. 216 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of Community Zoning Appeals Board 14 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 14 that the requested district boundary change to EU-1 (Item #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of

the plan for the development of Miami-Dade County, Florida, and should be denied, and that the requests to permit proposed Lots 2 - 4; each with a lot depth of 167.05' (Item #2), to permit proposed Lot 1 with a lot area of 1.1 gross acres, and to permit proposed Lots 2 - 4 each with a lot area of 1.006 gross acres (Item #3), and to permit proposed Lots 1-4 each with a lot depth of 167.05' (Item #4) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and said application was denied by Resolution No. CZAB14-32-07, and

WHEREAS, MAURO E. VARENA appealed the decision of Community Zoning Appeals Board 14 to the Board of County Commissioners for the following:

- (1) AU and EU-1 to EU-1
- (2) Applicant is requesting to permit proposed Lots 2 - 4; each with a lot depth of 167.05' (200' required in the EU- 1 zone).

OR IN THE ALTERNATIVE TO REQUESTS #1 AND #2, THE FOLLOWING:

- (3) Applicant is requesting to permit proposed Lot 1 with a lot area of 1.1 gross acres, and to permit proposed Lots 2 - 4 each with a lot area of 1.006 gross acres (5 gross acres required for each).
- (4) Applicant is requesting to permit proposed Lot 1 with a lot frontage of 167.05' (200' required)

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(14) (Alternative Site Development Option for Single-Family and Duplex Dwelling Units) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Proposed Site Plan 18475 S.W. 216 Street, Miami, Florida 33170," as prepared by Vicente Franco, dated stamped received 7/13/07 and consisting of 1 page. Plans may be modified at public hearing.

SUBJECT PROPERTY: The east ½ of the west ½ of the east ½ of the SW ¼ of the SW ¼ of Section 12, Township 56 South, Range 38 East.

LOCATION: 18475 S.W. 216 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, after reviewing the record and decision of the Metropolitan Dade County Zoning Appeals Board 14 and after having given an opportunity for interested parties to be heard, it is the opinion of the Board of County Commissioners, Miami-Dade County, Florida, that that the grounds and reasons alleged by the appellants specified in the appeal were insufficient to merit a reversal of the ruling made by the Zoning Appeals Board in Resolution No. CZAB14-32-07 and that the appeal should be denied and the decision of Community Zoning Appeals Board 14 should be sustained, and

WHEREAS, it is the opinion of the Board that the requested district boundary change to EU-1 (Item #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that to permit proposed Lots 2 - 4; each with a lot depth of 167.05' (Item #2), to permit proposed Lot 1 with a lot area of 1.1 gross acres, and to permit proposed Lots 2 - 4 each with a lot area of 1.006 gross acres (Item #3), and to permit proposed Lot 1 with a lot frontage of 167.05' (Item #4) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and

WHEREAS, a motion to deny the appeal, sustain the decision of Community Zoning Appeals Board 14, and to deny Items #1 through 4 without prejudice was offered by Commissioner Dennis C. Moss, seconded by Commissioner Katy Sorenson, and upon a poll of the members present the vote was as follows:

Jose "Pepe" Diaz	aye	Dennis C. Moss	aye
Audrey M. Edmonson	aye	Dorrin D. Rolle	aye
Carlos A. Gimenez	absent	Natacha Seijas	absent
Sally A. Heyman	absent	Katy Sorenson	aye
Barbara J. Jordan	aye	Rebecca Sosa	absent
Joe A. Martinez	absent	Sen. Javier D. Souto	aye

Bruno A. Barreiro aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the appeal be and the same is hereby denied and the decision of Community Zoning Appeals Board 14 is sustained.

BE IT FURTHER RESOLVED that Resolution No. CZAB14-32-07 remains in full force and effect.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 24th day of January, 2008, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 07-10-CZ14-4
ej

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By: **JOHN SULLIVAN**
Deputy Clerk

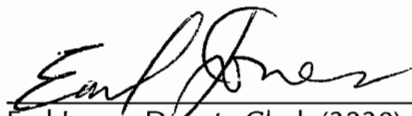
THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 31ST DAY OF JANUARY, 2008.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Deputy Clerk's Name, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-4-08 adopted by said Board of County Commissioners at its meeting held on the 24th day of January, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 31st day of January, 2008.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL

