

**RESOLUTION NO. CZAB10-12-11**

WHEREAS, **HIGHPOINT ACADEMY, INC** applied for the following:

- (1) SPECIAL EXCEPTION to permit an existing private school with the addition of grades 7 and 8 (day nursery, kindergarten, summer camp and grades 1-6 previously approved).
- (2) MODIFICATION of a plan approved pursuant to Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board on the 14<sup>th</sup> day of April, 1982, reading as follows:

FROM: "3. That the use be established and maintained in accordance with the approved plan.

TO: "3. That the use be established and maintained in accordance with the approved plans entitled "Highpoint Academy Hearing Board Application", prepared by Neville & Associates, P.A., Sheet A100 dated stamped received 4/28/11, Sheet L100 dated stamped received November 29, 2010, and the remaining four (4) sheets dated stamped received September 20,2010 for a total of six (6) sheets."

- (3) MODIFICATION of Conditions #4, #8 and #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "4. That the use be approved and restricted to a maximum of 245 students."

TO: "4. That the use be approved and restricted to a maximum of 237 students."

FROM: "8. That the number of grades will be from pre-school to 6 grade."

TO: "8. That the number of grades will be from pre-school to 8 grade."

FROM: "10. That the number of teachers shall not exceed 21. That the number of administrative and clerical personnel (other than teachers) shall not exceed 5."

TO: "10. That the number of teachers shall not exceed 21. That the number of administrative and clerical personnel (other than teachers) shall not exceed 8."

The purpose of request #2 and #3 is to permit the application to submit revised plans and to show a reduction in the number of students, the addition of grades 7 and 8 to the private school, and to permit a reduction in the number of teachers and an increase in the number of administrative and clerical personnel.

- (4) Applicant is requesting to permit a classroom space of 6,488 SF (7,365 sq. ft. minimum required).
- (5) Applicant is requesting to permit the proposed modular building to setback 7'-6" (50' minimum required) from interior side (east) property line.

- (6) Applicant is requesting to permit an outdoor recreation area of 54,683 SF (65,738 sq. ft. minimum required).
- (7) Applicant is requesting to permit a prefabricated storage building addition to classroom #2 to setback 8.35' (50' required) from the interior side (east) property line.
- (8) Applicant is requesting to permit the existing basketball court setback 34' (75' required) from the front (north) property line (SW 32<sup>nd</sup> Terrace) and to setback 6' (7.5' required) from the interior side (west) property line.

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

SUBJECT PROPERTY: Commence at the center of section 13, Township 54 South, Range 39 East, the run N89°8'32"E along the South line of the said Northeast ¼ for 591.04' feet, then run N3°24'39"W for 35.03' feet to the POINT OF BEGINNING of the tract of land herein described; thence continue along the last described course for 449.05' feet, thence run S89°4'47"W along a line parallel to the North line of the said Northeast ¼ for 140' feet, thence run S22°6'13"W for 487.03' feet; thence run N89°8'32"E along a line parallel to and 35' North of as measured at right angles, to the afore described South line of said Northeast ¼ for 350' feet to the POINT OF BEGINNING, Miami-Dade County, Florida.

LOCATION: 12101 S.W. 34<sup>th</sup> STREET, MIAMI-DADE COUNTY, FLORIDA, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested special exception to permit an existing private school with the addition of grades 7 and 8 (Items #1), the requested modifications of a plan approved pursuant to Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board on the 14<sup>th</sup> day of April, 1982 (Item #2) and of Conditions #4, #8 and #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board of Conditions #4, #8 and on

a modified basis limiting the number of teachers to 17 for #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board (Item #3), and the requests to permit a classroom space of 6,488 SF (Item #4), to permit the proposed modular building to setback 7'-6" from interior side (east) property line (Item #5), to permit an outdoor recreation area of 54,683 SF (Item #6), to permit a prefabricated storage building addition to classroom #2 to setback 8.35' from the interior side (east) property line (Item #7), and to permit the existing basketball court setback 34' from the front (north) property line (SW 32<sup>nd</sup> Terrace) and to setback 6' from the interior side (west) property line (Item #8) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the requested special exception (Item #1) would not have an adverse impact upon the public interest and should be approved, and

*WHEREAS*, a motion to approve Items #1 through 8 was offered by Miguel A. Martinez, seconded by Jorge Barbontin, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the requested special exception to permit an existing private school with the addition of grades 7 and 8 (Items #1), the requested modifications of a plan approved pursuant to Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board on the 14<sup>th</sup> day of April, 1982 (Item #2) and of Conditions #4, #8 and #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board of Conditions #4, #8 and on a

modified basis limiting the number of teachers to 17 for #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board (Item #3), and the requests to permit a classroom space of 6,488 SF (Item #4), to permit the proposed modular building to setback 7'-6" from interior side (east) property line (Item #5), to permit an outdoor recreation area of 54,683 SF (Item #6), to permit a prefabricated storage building addition to classroom #2 to setback 8.35' from the interior side (east) property line (Item #7), and to permit the existing basketball court setback 34' from the front (north) property line (SW 32<sup>nd</sup> Terrace) and to setback 6' from the interior side (west) property line (Item #8) be and the same is hereby approved, subject to the following conditions:

- (1) That all the conditions of Resolution #4-ZAB-119-82, remain in full force and effect except as herein modified.
- (2) That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
- (3) That the applicant comply with all applicable conditions and requirements of the Public Works Department and DERM.
- (4) That the applicant obtain a building permit for the private school from the Building Department within 90 days after final public hearing approval of this application, unless a time extension is granted by the Director of the Department of Planning and Zoning.

*BE IT FURTHER RESOLVED* that the requested modification of a plan approved pursuant to Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board on the 14<sup>th</sup> day of April, 1982 (Item #2), shall read as follows:

3. That the use be established and maintained in accordance with the approved plans entitled "Highpoint Academy Hearing Board Application", prepared by Neville & Associates, P.A., Sheet A100 dated stamped received 4/28/11, Sheet L100 dated stamped received November 29, 2010, and the remaining four (4) sheets dated stamped received September 20,2010 for a total of six (6) sheets.

*BE IT FURTHER RESOLVED* that the requested modification of Conditions #4, #8 and #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board of

Conditions #4, #8 and #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board (Item #3), shall read as follows:

4. That the use be approved and restricted to a maximum of 237 students.
8. That the number of grades will be from pre-school to 8 grade.
10. That the number of teachers shall not exceed 17. That the number of administrative and clerical personnel (other than teachers) shall not exceed 8.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 7<sup>th</sup> day of July, 2011.

Hearing No. 11-7-CZ10-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 11<sup>TH</sup> DAY OF JULY, 2011.**

**RESOLUTION NO. CZAB10-13-11**

*WHEREAS*, **EUGENIO AND AIDA VILLAR** applied for the following:

- (1) Applicants are requesting to permit a covered terrace and cabana addition setback 16.75' (25' required) from the rear (east) property line.
- (2) Applicants are requesting to permit a single-family residence setback 6.4' (7.5' required) from the interior side (south) property line.
- (3) Applicants are requesting to permit a storage shed setback a minimum of 4.3' (5' required) from the rear (east) property line and setback 6.5' (7.5' required) from the interior side (south) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Legalization and Demolition of Unpermitted Structure," as prepared by Lastayo Padillo & Associates. Sheet A-4, dated stamped received 3/2/10, Sheets A-1 and A-3, dated stamped received 4/22/11, and a shed plan as prepared by McCarthy Engineering, Inc., dated stamped received 3/2/10 and the remaining two sheets, dated stamped received 4/22/11, for a total of 4 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Lots 14 and 15, Block 14, OLYMPIC HEIGHTS, Plat book 10, Page 2.

**LOCATION:** 3410 S.W. 91 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requests to permit a covered terrace and cabana addition setback 16.75' from the rear (east) property line (Item #1), to permit a single-family residence setback 6.4' from the interior side (south) property line (Item #2), and to permit a storage shed setback a minimum of 4.3' from the rear (east) property line and setback 6.5' from the interior side (south) property line (Item #3) would be in harmony with the general purpose and intent

of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve Items #1, #2, and #3 was offered by Jorge Barbontin, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the requests to permit a covered terrace and cabana addition setback 16.75' from the rear (east) property line (Item #1), to permit a single-family residence setback 6.4' from the interior side (south) property line (Item #2), and to permit a storage shed setback a minimum of 4.3' from the rear (east) property line and setback 6.5' from the interior side (south) property line (Item #3) be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning & Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Legalization and Demolition of Unpermitted Structure," as prepared by Lastayo Padillo & Associates. Sheets A-4, dated stamped received 3/02/2010 and the remaining two sheets, dated stamped received 4/22/2011 for a total of three sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.

4. That the applicants obtain a building permit for the cabana addition, covered terrace and storage shed from the Building Department within 90 days after final public hearing approval of this application.
5. That the existing metal shed located in north setback area, fountain located in the north setback area, and the fountain in the east setback area be removed as depicted on the plans submitted by the applicants within 90 days of the expiration of the appeal period for this Zoning Hearing, unless a time extension is granted by the Director of the Department of Planning and Zoning.
6. That the covered terrace addition remains open sided and not be enclosed in any manner except for approved insect screen material.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 7<sup>th</sup> day of September, 2011.

Hearing No. 11-9-CZ10-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 21<sup>ST</sup> DAY OF SEPTEMBER, 2011.**

**RESOLUTION NO. CZAB10-14-11**

*WHEREAS*, MIAMI-DADE COUNTY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT applied for the following:

DELETION of Declaration of Restrictions as recorded in Official Record Book 23220, pages 4140-4145.

The purpose of the above request is to allow the applicant to delete a covenant tying the site to a low-income elderly housing and park/ride facility, certain landscaping requirements and that the property be approved through an Administrative Site Plan Review.

SUBJECT PROPERTY: A portion of the SE ¼ of the SE ¼ of Section 2, Township 54 South, Range 39 East, more particularly described as follows: Commence at the Southeast corner of the SE ¼ of said Section 2; thence N1°29'52"W along the east line of said SE ¼, a distance of 859.9'; thence S87°43'55"W, a distance of 40' to the intersection with the W/ly right-of-way line of S.W. 127<sup>th</sup> Avenue (as per Official Records Book 14976, Page 2758), being the Point of beginning of the hereafter described parcel of land; thence continue S87°43'55"W, along the south line of the NE ¼, SE ¼, SE ¼ of said Section 2, a distance of 622.78' to the intersection with the west line of said NE ¼, SE ¼, SE ¼; thence N1°27'37"W, along said west line of said NE ¼, SE ¼, SE ¼, a distance of 168.35' to the intersection with the S/ly right-of-way line of S.W. 8<sup>th</sup> Street; (S.R. 90, also U.S. 41 Tamiami Trail); thence N89°43'30"E along said S/ly right-of-way line of S.W. 8<sup>th</sup> Street, a distance of 598.29' to the Point of tangency of a curve to the right having as its elements a central angle of 88°46'38", a radius of 25' a chord distance of 34.98', and a chord bearing of S45°53'11"E; thence SE/ly along the arc of said curve to the right a distance of 38.74' to the Point of tangency in the intersection with the W/ly right-of-way line of said S.W. 127 Avenue; thence S1°29'52"E along said W/ly right-of-way line a distance of 122.21' to the Point of beginning.

LOCATION: The Southwest corner of SW 8 Street & SW 127 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested Deletion of Declaration of Restrictions as recorded

in Official Record Book 23220, pages 4140-4145 would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Jorge Barbontin, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the application be and the same is hereby approved.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 7<sup>th</sup> day of September, 2011.

Hearing No. 11-9-CZ10-6  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 14<sup>TH</sup> DAY OF SEPTEMBER, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

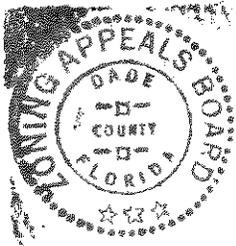
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-14-11 adopted by said Community Zoning Appeals Board at its meeting held on the 7<sup>th</sup> day of September, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 14<sup>th</sup> day of September, 2011.



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

**SEAL**



**RESOLUTION NO. CZAB10-14-11**

*WHEREAS*, MIAMI-DADE COUNTY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT applied for the following:

DELETION of Declaration of Restrictions as recorded in Official Record Book 23220, pages 4140-4145.

The purpose of the above request is to allow the applicant to delete a covenant tying the site to a low-income elderly housing and park/ride facility, certain landscaping requirements and that the property be approved through an Administrative Site Plan Review.

**SUBJECT PROPERTY:** A portion of the SE ¼ of the SE ¼ of Section 2, Township 54 South, Range 39 East, more particularly described as follows: Commence at the Southeast corner of the SE ¼ of said Section 2; thence N1°29'52"W along the east line of said SE ¼, a distance of 859.9'; thence S87°43'55"W, a distance of 40' to the intersection with the W/ly right-of-way line of S.W. 127<sup>th</sup> Avenue (as per Official Records Book 14976, Page 2758), being the Point of beginning of the hereafter described parcel of land; thence continue S87°43'55"W, along the south line of the NE ¼, SE ¼, SE ¼ of said Section 2, a distance of 622.78' to the intersection with the west line of said NE ¼, SE ¼, SE ¼; thence N1°27'37"W, along said west line of said NE ¼, SE ¼, SE ¼, a distance of 168.35' to the intersection with the S/ly right-of-way line of S.W. 8<sup>th</sup> Street; (S.R. 90, also U.S. 41 Tamiami Trail); thence N89°43'30"E along said S/ly right-of-way line of S.W. 8<sup>th</sup> Street, a distance of 598.29' to the Point of tangency of a curve to the right having as its elements a central angle of 88°46'38", a radius of 25' a chord distance of 34.98', and a chord bearing of S45°53'11"E; thence SE/ly along the arc of said curve to the right a distance of 38.74' to the Point of tangency in the intersection with the W/ly right-of-way line of said S.W. 127 Avenue; thence S1°29'52"E along said W/ly right-of-way line a distance of 122.21' to the Point of beginning.

**LOCATION:** The Southwest corner of SW 8 Street & SW 127 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested Deletion of Declaration of Restrictions as recorded

in Official Record Book 23220, pages 4140-4145 would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Jorge Barbontin, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the application be and the same is hereby approved.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 7<sup>th</sup> day of September, 2011.

Hearing No. 11-9-CZ10-6  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 14<sup>TH</sup> DAY OF SEPTEMBER, 2011.**

**RESOLUTION NO. CZAB10-15-11**

*WHEREAS*, VINCENT CAREY MIR & ETHEL YOUMANS MIR applied for the following:

- (1) Applicants are requesting to permit additions to a single-family residence setback a minimum of 4.61' (25' required) from the rear (north) property line.
- (2) Applicants are requesting to permit the single family residence setback 15.95' (25' required) from the rear (north) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Existing Addition to be Legalized," as prepared by Juan J. Farach, R.A. Sheet A-1 dated stamped received 3/21/11 and the remaining 2 sheets dated stamped received 10/6/10 for a total of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 16 Less W 10 Feet Block 127, Central Miami Part 7 Plat Book 20-25.

LOCATION: 2920 S.W. 75 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requests to permit additions to a single-family residence setback a minimum of 4.61' from the rear (north) property line (Item #1) and to permit the single family residence setback 15.95' from the rear (north) property line (Item #2) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to approve Items #1 and 2 was offered by Richard M. Gomez, seconded by Jorge Barbontin, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 10 that the requests to permit additions to a single-family residence setback a minimum of 4.61' from the rear (north) property line (Item #1) and to permit the single family residence setback 15.95' from the rear (north) property line (Item #2) be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan shall include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the site plan, the same be substantially in accordance with that submitted for the hearing entitled "Existing Addition to be Legalized," as prepared by Juan J. Farach, R.A. Sheet A-1 dated stamped received March 21, 2011 and the remaining two (2) sheets dated stamped received October 6, 2010, for a total of three (3) sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plans.
4. That the applicant shall obtain a building permit for the existing residence from the Building Department within 90 days after final public hearing approval of this application.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 7<sup>th</sup> day of September, 2011.

Hearing No. 11-9-CZ10-4  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 14<sup>TH</sup> DAY OF SEPTEMBER, 2011.**

**RESOLUTION NO. CZAB10-15-11**

*WHEREAS*, VINCENT CAREY MIR & ETHEL YOUMANS MIR applied for the following:

- (1) Applicants are requesting to permit additions to a single-family residence setback a minimum of 4.61' (25' required) from the rear (north) property line.
- (2) Applicants are requesting to permit the single family residence setback 15.95' (25' required) from the rear (north) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Existing Addition to be Legalized," as prepared by Juan J. Farach, R.A. Sheet A-1 dated stamped received 3/21/11 and the remaining 2 sheets dated stamped received 10/6/10 for a total of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 16 Less W 10 Feet Block 127, Central Miami Part 7 Plat Book 20-25.

LOCATION: 2920 S.W. 75 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requests to permit additions to a single-family residence setback a minimum of 4.61' from the rear (north) property line (Item #1) and to permit the single family residence setback 15.95' from the rear (north) property line (Item #2) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to approve Items #1 and 2 was offered by Richard M. Gomez, seconded by Jorge Barbontin, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the requests to permit additions to a single-family residence setback a minimum of 4.61' from the rear (north) property line (Item #1) and to permit the single family residence setback 15.95' from the rear (north) property line (Item #2) be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan shall include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the site plan, the same be substantially in accordance with that submitted for the hearing entitled "Existing Addition to be Legalized," as prepared by Juan J. Farach, R.A. Sheet A-1 dated stamped received March 21, 2011 and the remaining two (2) sheets dated stamped received October 6, 2010, for a total of three (3) sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plans.
4. That the applicant shall obtain a building permit for the existing residence from the Building Department within 90 days after final public hearing approval of this application.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 7<sup>th</sup> day of September, 2011.

Hearing No. 11-9-CZ10-4  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 14<sup>TH</sup> DAY OF SEPTEMBER, 2011.**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

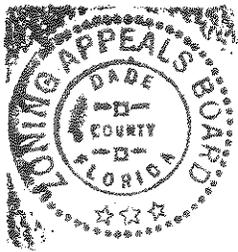
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-15-11 adopted by said Community Zoning Appeals Board at its meeting held on the 7<sup>th</sup> day of September, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 14<sup>th</sup> day of September, 2011.



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

SEAL



**RESOLUTION NO. CZAB10-13-11**

*WHEREAS*, **EUGENIO AND AIDA VILLAR** applied for the following:

- (1) Applicants are requesting to permit a covered terrace and cabana addition setback 16.75' (25' required) from the rear (east) property line.
- (2) Applicants are requesting to permit a single-family residence setback 6.4' (7.5' required) from the interior side (south) property line.
- (3) Applicants are requesting to permit a storage shed setback a minimum of 4.3' (5' required) from the rear (east) property line and setback 6.5' (7.5' required) from the interior side (south) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Legalization and Demolition of Unpermitted Structure," as prepared by Lastayo Padillo & Associates. Sheet A-4, dated stamped received 3/2/10, Sheets A-1 and A-3 , dated stamped received 4/22/11, and a shed plan as prepared by McCarthy Engineering, Inc., dated stamped received 3/2/10 and the remaining two sheets, dated stamped received 4/22/11, for a total of 4 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 14 and 15, Block 14, OLYMPIC HEIGHTS, Plat book 10, Page 2.

LOCATION: 3410 S.W. 91 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requests to permit a covered terrace and cabana addition setback 16.75' from the rear (east) property line (Item #1), to permit a single-family residence setback 6.4' from the interior side (south) property line (Item #2), and to permit a storage shed setback a minimum of 4.3' from the rear (east) property line and setback 6.5' from the interior side (south) property line (Item #3) would be in harmony with the general purpose and intent

of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to approve Items #1, #2, and #3 was offered by Jorge Barbontin, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the requests to permit a covered terrace and cabana addition setback 16.75' from the rear (east) property line (Item #1), to permit a single-family residence setback 6.4' from the interior side (south) property line (Item #2), and to permit a storage shed setback a minimum of 4.3' from the rear (east) property line and setback 6.5' from the interior side (south) property line (Item #3) be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning & Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Legalization and Demolition of Unpermitted Structure," as prepared by Lastayo Padillo & Associates. Sheets A-4, dated stamped received 3/02/2010 and the remaining two sheets, dated stamped received 4/22/2011 for a total of three sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.

4. That the applicants obtain a building permit for the cabana addition, covered terrace and storage shed from the Building Department within 90 days after final public hearing approval of this application.
5. That the existing metal shed located in north setback area, fountain located in the north setback area, and the fountain in the east setback area be removed as depicted on the plans submitted by the applicants within 90 days of the expiration of the appeal period for this Zoning Hearing, unless a time extension is granted by the Director of the Department of Planning and Zoning.
6. That the covered terrace addition remains open sided and not be enclosed in any manner except for approved insect screen material.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 7<sup>th</sup> day of September, 2011.

Hearing No. 11-9-CZ10-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 21<sup>ST</sup> DAY OF SEPTEMBER, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

I, Earl Jones, 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 Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-13-11 adopted by said Community Zoning Appeals Board at its meeting held on the 7<sup>th</sup> day of September, 2011.

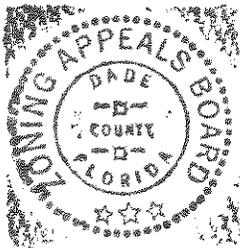
IN WITNESS WHEREOF, I have hereunto set my hand on this the 21<sup>st</sup> day of September, 2011.



Earl Jones, Deputy Clerk (3230)

Miami-Dade County Department of Planning and Zoning

**SEAL**



**RESOLUTION NO. CZAB10-16-11**

*WHEREAS*, **84 SHOPPING PLAZA CORP.** applied for the following:

- (1) Applicant is requesting to permit a proposed Class "C" sign spaced 6.40' (300' minimum required) from the existing building on the site.
- (2) Applicant is requesting to permit a proposed Class "C" sign with a height of 44' (30' maximum permitted).
- (3) Applicant is requesting to permit the proposed Class "C" sign to setback 10' (20' minimum required) from the front (north) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Proposed Billboard For: 84 Shopping Plaza Corp.," as prepared by Daniel Lopez, dated stamped received 1/11/11, consisting of 2 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Lots 4, Block 2, of PERRY-GAZLAY REALTY CO., Plat book 7, Page 116 Less the south 75.00 ft. of said Lot 4, and less the north 25.00 ft. of said Lot 4, and less that external area formed by a 25.00 ft. radius, curve to the southeast and being tangent to the west line of said Lot 4, and being tangent to a line 25.00 ft. south of and parallel to the north line of said Lot 4.

**LOCATION:** 8320 S.W. 40 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requests to permit a proposed Class "C" sign spaced 6.40' from the existing building on the site (Item #1), to permit a proposed Class "C" sign with a height of 44' (Item #2), and to permit the proposed Class "C" sign to setback 10' from the front (north) property line (Item #3) would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance and would be inconsistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to deny the application without prejudice was offered by Jorge Barbontin, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the application be and the same is hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 7<sup>th</sup> day of September, 2011.

Hearing No. 11-6-CZ10-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 21<sup>ST</sup> DAY OF SEPTEMBER, 2011.**

**RESOLUTION NO. CZAB10-16-11**

*WHEREAS*, **84 SHOPPING PLAZA CORP.** applied for the following:

- (1) Applicant is requesting to permit a proposed Class "C" sign spaced 6.40' (300' minimum required) from the existing building on the site.
- (2) Applicant is requesting to permit a proposed Class "C" sign with a height of 44' (30' maximum permitted).
- (3) Applicant is requesting to permit the proposed Class "C" sign to setback 10' (20' minimum required) from the front (north) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Proposed Billboard For: 84 Shopping Plaza Corp.," as prepared by Daniel Lopez, dated stamped received 1/11/11, consisting of 2 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Lots 4, Block 2, of PERRY-GAZLAY REALTY CO., Plat book 7, Page 116 Less the south 75.00 ft. of said Lot 4, and less the north 25.00 ft. of said Lot 4, and less that external area formed by a 25.00 ft. radius, curve to the southeast and being tangent to the west line of said Lot 4, and being tangent to a line 25.00 ft. south of and parallel to the north line of said Lot 4.

**LOCATION:** 8320 S.W. 40 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requests to permit a proposed Class "C" sign spaced 6.40' from the existing building on the site (Item #1), to permit a proposed Class "C" sign with a height of 44' (Item #2), and to permit the proposed Class "C" sign to setback 10' (20' minimum required) from the front (north) property line (Item #3) would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance and would be inconsistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to deny the application without prejudice was offered by Jorge Barbontin, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the application be and the same is hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning.

PASSED AND ADOPTED this 7<sup>th</sup> day of September, 2011.

Hearing No. 11-6-CZ10-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 21<sup>ST</sup> DAY OF SEPTEMBER, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

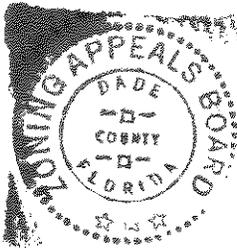
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-16-11 adopted by said Community Zoning Appeals Board at its meeting held on the 7<sup>th</sup> day of September, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 21<sup>st</sup> day of September, 2011.



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

**SEAL**



STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I Earl Jones, 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 Miami-Dade County Community Zoning Appeals Board 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-7-11 adopted by said Community Zoning Appeals Board at its meeting held on the 6<sup>th</sup> day of September, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 16<sup>th</sup> day of September, 2011.



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

SEAL



**RESOLUTION NO. CZAB10-16-11**

*WHEREAS*, **84 SHOPPING PLAZA CORP.** applied for the following:

- (1) Applicant is requesting to permit a proposed Class "C" sign spaced 6.40' (300' minimum required) from the existing building on the site.
- (2) Applicant is requesting to permit a proposed Class "C" sign with a height of 44' (30' maximum permitted).
- (3) Applicant is requesting to permit the proposed Class "C" sign to setback 10' (20' minimum required) from the front (north) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Proposed Billboard For: 84 Shopping Plaza Corp.," as prepared by Daniel Lopez, dated stamped received 1/11/11, consisting of 2 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Lots 4, Block 2, of PERRY-GAZLAY REALTY CO., Plat book 7, Page 116 Less the south 75.00 ft. of said Lot 4, and less the north 25.00 ft. of said Lot 4, and less that external area formed by a 25.00 ft. radius, curve to the southeast and being tangent to the west line of said Lot 4, and being tangent to a line 25.00 ft. south of and parallel to the north line of said Lot 4.

**LOCATION:** 8320 S.W. 40 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requests to permit a proposed Class "C" sign spaced 6.40' from the existing building on the site (Item #1), to permit a proposed Class "C" sign with a height of 44' (Item #2), and to permit the proposed Class "C" sign to setback 10' from the front (north) property line (Item #3) would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance and would be inconsistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to deny the application without prejudice was offered by Jorge Barbontin, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 10 that the application be and the same is hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 7<sup>th</sup> day of September, 2011.

Hearing No. 11-6-CZ10-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 21<sup>ST</sup> DAY OF SEPTEMBER, 2011.**

**RESOLUTION NO. CZAB10-17-11**

*WHEREAS, CONCHITA ESPINOSA ACADEMY, INC.* applied for the following:

- (1) MODIFICATION of a site plan approved pursuant to Resolution Z-55-76, passed and adopted by the Board of County Commissioner, and last modified by Resolution CZAB-10-68-98, passed and adopted by the Community Zoning Appeals Board #10, reading as follows:

FROM: "Additions to Conchita Espinosa Academy,' as prepared by Neville & Associates, Architects and dated received 5-8-98."

TO: "That in the approval of said plan, the same be substantially in accordance with that submitted for the hearing entitled 'Conchita Espinosa Academy, Inc. Improvements,' as prepared by Alleguez Architecture, Inc., dated stamped received 5/24/11 and consisting of 7 sheets."

- (2) MODIFICATION of Conditions #4 and #12 of Resolution Z-55-76, passed and adopted by the Board of County Commissioner, and last modified by Resolution CZAB-10-68-98, passed and adopted by the Community Zoning Appeals Board #10, reading as follows:

FROM: "4. That the school be limited to a maximum of 600 students."

TO: "4. That the school be limited to a maximum of 700 students."

FROM: "12. That the number of students will be limited to the following: for day nursery, kindergarten, pre-school and after school care – 120 students, for grades 1<sup>st</sup> through 5<sup>th</sup> – 300 students and for grades 6<sup>th</sup> through 8<sup>th</sup> – 180 students."

TO: "12. That the number of students will be limited to the following: for day nursery, kindergarten, pre-school and after school care – 150 students, for grades 1<sup>st</sup> through 6<sup>th</sup> – 425 students and for grades 7<sup>th</sup> and 8<sup>th</sup> – 125 students."

- (3) Deletion of Condition #4 of Resolution 4-ZAB-209-84, last modified by Resolution CZAB10-68-98, passed and adopted by the Community Zoning Appeals Board #10, reading as follows:

"4. That school be limited to a maximum of 600 students."

The purpose of request #1 thru #3 is to allow the applicant to increase the number of students, redistribute the children according to age and grade level and delete a duplicate condition limiting the number of students for the previously approved private school.

- (4) Applicant is requesting to waive the zoning regulations requiring street trees to be placed within the swale area; to permit street trees to be placed within private property.

(5) Applicant is requesting to permit 6 wall signs totaling 342.3 square feet (1 sign, 24 square feet permitted).

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 6-15, Block 28, SWEETWATER ESTATES, Plat book 28, Page36.

LOCATION: 12975 S.W. 6 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested modifications of a site plan approved pursuant to Resolution Z-55-76, passed and adopted by the Board of County Commissioner, and last modified by Resolution CZAB-10-68-98, passed and adopted by the Community Zoning Appeals Board #10 (Item #1) and of Conditions #4 and #12 of Resolution Z-55-76, passed and adopted by the Board of County Commissioner, and last modified by Resolution CZAB-10-68-98, passed and adopted by the Community Zoning Appeals Board #10 (Item #2), the requested deletion of Condition #4 of Resolution 4-ZAB-209-84, last modified by Resolution CZAB10-68-98, passed and adopted by the Community Zoning Appeals Board #10 (Item #3), and the requests to waive the zoning regulations requiring street trees to be placed within the swale area; to permit street trees to be placed within private property (Item #4) and to permit 6 wall signs totaling 342.3 square feet (Item #5) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the

requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve Items #1 through #5 was offered by Julio R. Caceres, seconded by Jorge Barbontin, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the requested modifications of a site plan approved pursuant to Resolution Z-55-76, passed and adopted by the Board of County Commissioner, and last modified by Resolution CZAB-10-68-98, passed and adopted by the Community Zoning Appeals Board #10 (Item #1) and of Conditions #4 and #12 of Resolution Z-55-76, passed and adopted by the Board of County Commissioner, and last modified by Resolution CZAB-10-68-98, passed and adopted by the Community Zoning Appeals Board #10 (Item #2), the requested deletion of Condition #4 of Resolution 4-ZAB-209-84, last modified by Resolution CZAB10-68-98, passed and adopted by the Community Zoning Appeals Board #10 (Item #3), and the requests to waive the zoning regulations requiring street trees to be placed within the swale area; to permit street trees to be placed within private property (Item #4) and to permit 6 wall signs totaling 342.3 square feet (Item #5) be and the same is hereby approved, subject to the following conditions:

1. That all the conditions of Resolutions Z-55-76, 4ZAB-209-84, 5-ZAB-203-94 and CZAB10-68-98 remain in full force and effect, except as herein modified.
2. That the applicant comply with all applicable conditions and requirements of the Public Works Department.

3. That the applicant shall obtain a building permit for the existing signs from the Building Department within 90 days after final public hearing approval of this application.

*BE IT FURTHER RESOLVED* that the requested modification of a site plan approved pursuant to Resolution Z-55-76, passed and adopted by the Board of County Commissioner, and last modified by Resolution CZAB-10-68-98, passed and adopted by the Community Zoning Appeals Board #10 (Item #1), shall read as follows:

That in the approval of said plan, the same be substantially in accordance with that submitted for the hearing entitled 'Conchita Espinosa Academy, Inc. Improvements,' as prepared by Alleguez Architecture, Inc., dated stamped received 5/24/11 and consisting of 7 sheets.

*BE IT FURTHER RESOLVED* that the requested modification of Conditions #4 and #12 of Resolution Z-55-76, passed and adopted by the Board of County Commissioner, and last modified by Resolution CZAB-10-68-98, passed and adopted by the Community Zoning Appeals Board #10 (Item #2), shall read as follows:

4. That the school be limited to a maximum of 700 students.
12. That the number of students will be limited to the following: for day nursery, kindergarten, pre-school and after school care – 150 students, for grades 1<sup>st</sup> through 6<sup>th</sup> – 425 students and for grades 7<sup>th</sup> and 8<sup>th</sup> – 125 students.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 7<sup>th</sup> day of September, 2011.

Hearing No. 11-9-CZ10-3  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 14<sup>TH</sup> DAY OF SEPTEMBER, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

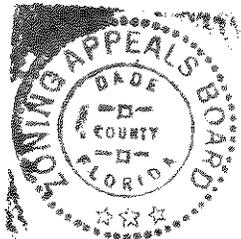
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-17-11 adopted by said Community Zoning Appeals Board at its meeting held on the 7<sup>th</sup> day of September, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 14<sup>th</sup> day of September, 2011.



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

**SEAL**



**RESOLUTION NO. CZAB10-17-11**

*WHEREAS, CONCHITA ESPINOSA ACADEMY, INC.* applied for the following:

- (1) MODIFICATION of a site plan approved pursuant to Resolution Z-55-76, passed and adopted by the Board of County Commissioner, and last modified by Resolution CZAB-10-68-98, passed and adopted by the Community Zoning Appeals Board #10, reading as follows:

FROM: "Additions to Conchita Espinosa Academy,' as prepared by Neville & Associates, Architects and dated received 5-8-98."

TO: "That in the approval of said plan, the same be substantially in accordance with that submitted for the hearing entitled 'Conchita Espinosa Academy, Inc. Improvements,' as prepared by Alleguez Architecture, Inc., dated stamped received 5/24/11 and consisting of 7 sheets."

- (2) MODIFICATION of Conditions #4 and #12 of Resolution Z-55-76, passed and adopted by the Board of County Commissioner, and last modified by Resolution CZAB-10-68-98, passed and adopted by the Community Zoning Appeals Board #10, reading as follows:

FROM: "4. That the school be limited to a maximum of 600 students."

TO: "4. That the school be limited to a maximum of 700 students."

FROM: "12. That the number of students will be limited to the following: for day nursery, kindergarten, pre-school and after school care – 120 students, for grades 1<sup>st</sup> through 5<sup>th</sup> – 300 students and for grades 6<sup>th</sup> through 8<sup>th</sup> – 180 students."

TO: "12. That the number of students will be limited to the following: for day nursery, kindergarten, pre-school and after school care – 150 students, for grades 1<sup>st</sup> through 6<sup>th</sup> – 425 students and for grades 7<sup>th</sup> and 8<sup>th</sup> – 125 students."

- (3) Deletion of Condition #4 of Resolution 4-ZAB-209-84, last modified by Resolution CZAB10-68-98, passed and adopted by the Community Zoning Appeals Board #10, reading as follows:

"4. That school be limited to a maximum of 600 students."

The purpose of request #1 thru #3 is to allow the applicant to increase the number of students, redistribute the children according to age and grade level and delete a duplicate condition limiting the number of students for the previously approved private school.

- (4) Applicant is requesting to waive the zoning regulations requiring street trees to be placed within the swale area; to permit street trees to be placed within private property.

(5) Applicant is requesting to permit 6 wall signs totaling 342.3 square feet (1 sign, 24 square feet permitted).

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 6-15, Block 28, SWEETWATER ESTATES, Plat book 28, Page36.

LOCATION: 12975 S.W. 6 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested modifications of a site plan approved pursuant to Resolution Z-55-76, passed and adopted by the Board of County Commissioner, and last modified by Resolution CZAB-10-68-98, passed and adopted by the Community Zoning Appeals Board #10 (Item #1) and of Conditions #4 and #12 of Resolution Z-55-76, passed and adopted by the Board of County Commissioner, and last modified by Resolution CZAB-10-68-98, passed and adopted by the Community Zoning Appeals Board #10 (Item #2), the requested deletion of Condition #4 of Resolution 4-ZAB-209-84, last modified by Resolution CZAB10-68-98, passed and adopted by the Community Zoning Appeals Board #10 (Item #3), and the requests to waive the zoning regulations requiring street trees to be placed within the swale area; to permit street trees to be placed within private property (Item #4) and to permit 6 wall signs totaling 342.3 square feet (Item #5) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the

requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve Items #1 through #5 was offered by Julio R. Caceres, seconded by Jorge Barbontin, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the requested modifications of a site plan approved pursuant to Resolution Z-55-76, passed and adopted by the Board of County Commissioner, and last modified by Resolution CZAB-10-68-98, passed and adopted by the Community Zoning Appeals Board #10 (Item #1) and of Conditions #4 and #12 of Resolution Z-55-76, passed and adopted by the Board of County Commissioner, and last modified by Resolution CZAB-10-68-98, passed and adopted by the Community Zoning Appeals Board #10 (Item #2), the requested deletion of Condition #4 of Resolution 4-ZAB-209-84, last modified by Resolution CZAB10-68-98, passed and adopted by the Community Zoning Appeals Board #10 (Item #3), and the requests to waive the zoning regulations requiring street trees to be placed within the swale area; to permit street trees to be placed within private property (Item #4) and to permit 6 wall signs totaling 342.3 square feet (Item #5) be and the same is hereby approved, subject to the following conditions:

1. That all the conditions of Resolutions Z-55-76, 4ZAB-209-84, 5-ZAB-203-94 and CZAB10-68-98 remain in full force and effect, except as herein modified.
2. That the applicant comply with all applicable conditions and requirements of the Public Works Department.

3. That the applicant shall obtain a building permit for the existing signs from the Building Department within 90 days after final public hearing approval of this application.

*BE IT FURTHER RESOLVED* that the requested modification of a site plan approved pursuant to Resolution Z-55-76, passed and adopted by the Board of County Commissioner, and last modified by Resolution CZAB-10-68-98, passed and adopted by the Community Zoning Appeals Board #10 (Item #1), shall read as follows:

That in the approval of said plan, the same be substantially in accordance with that submitted for the hearing entitled 'Conchita Espinosa Academy, Inc. Improvements,' as prepared by Alleguez Architecture, Inc., dated stamped received 5/24/11 and consisting of 7 sheets.

*BE IT FURTHER RESOLVED* that the requested modification of Conditions #4 and #12 of Resolution Z-55-76, passed and adopted by the Board of County Commissioner, and last modified by Resolution CZAB-10-68-98, passed and adopted by the Community Zoning Appeals Board #10 (Item #2), shall read as follows:

4. That the school be limited to a maximum of 700 students.
12. That the number of students will be limited to the following: for day nursery, kindergarten, pre-school and after school care – 150 students, for grades 1<sup>st</sup> through 6<sup>th</sup> – 425 students and for grades 7<sup>th</sup> and 8<sup>th</sup> – 125 students.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 7<sup>th</sup> day of September, 2011.

Hearing No. 11-9-CZ10-3  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 14<sup>TH</sup> DAY OF SEPTEMBER, 2011.**

**RESOLUTION NO. CZAB10-18-11**

WHEREAS, **BELEN JESUIT PREPARATORY SCHOOL, INC.** applied for the following:

- (1) DELETION of Condition #13 of Resolution Z-122-77, passed and adopted by the board of County Commissioners; reading as follows:

“13. That transportation to be furnished in connection with the proposed school, will consist of no vehicles and shall be of a n/a type; said vehicles will not be stored on the premises.”

- (2) MODIFICATION of Condition #2 of Resolution Z-18-09, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: “2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, “Belen Jesuit Preparatory School Master Plan,” Sheets A-4 and A-5, LS-2A and LS-2B dated stamped received 9/2/08, Sheets A-3, LS-1, LS-1A and LS-1B, LS-1C and LS-2C dated stamped received 10/21/08, with Sheets A-1 and A-2 last revised 10/27/08 and Sheet A-1.1 last revised 10/28/08 and a plan entitled “Partial Site Plan Annual Carnival,” dated stamped received 9/26/08, all prepared by Santos/Raimundez, Architects, and consisting of 14 sheets, to included Parcels A, B and C and as modified herein to show removal of the proposed tennis courts on parcel B, a cul de sac in lieu of the proposed T-Turn around and full dedication of S.W. 128 Avenue between Parcels A and B.”

To: “2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, “Belen Jesuit Preparatory School,” as prepared by SR Architects, consisting of 13 sheets. Sheets A-1, A-1.1, A-2, A-4, A-7, LS-1 & LS-1B dated stamped received 2/01/11 and Sheets A-3, A-6, LS-1A, LS-1C, LS-2A & LS-2C dated stamped received 11/17/10 and a plan entitled “Belen Baseball Sun Shades and Baseball Gym” as prepared by Naya Architects, consisting of 2 sheets dated stamped received 11/17/10 and a plan entitled “Locker Rooms for Belen Jesuit Preparatory School” as prepared by Robert Barnes & Assocs., consisting of 1 sheet, dated stamped received 11/17/10 and a plan entitled “Belen Jesuit Preparatory School” as prepared by Cap Engineer, Inc., consisting of 1 sheet dated stamped received 11/17/10, for a total of 17 sheets”.

- (3) MODIFICATION of Paragraph #1 of a Declaration of Restrictions as recorded in Official Record Book 27090, Pages 4835 through 4850, reading as follows:

FROM: “1. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, “Belen Jesuit Preparatory School Master Plan,” Sheets A-4 and A-5, LS-2A and LS-2B dated stamped received 9/2/08, Sheets A-3, LS-1, LS-1A and LS-1B, LS-1C and LS-2C dated stamped received 10/21/08, with Sheets A-1 and A-2

last revised 10/27/08 and Sheet A-1.1 last revised 10/28/08 and a plan entitled "Partial Site Plan Annual Carnival," dated stamped received 9/26/08, all prepared by Santos/Raimundez, Architects, and consisting of 14 sheets.

TO: "1. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Belen Jesuit Preparatory School," as prepared by SR Architects, consisting of 13 sheets. Sheets A-1, A-1.1, A-2, A-4, A-7, LS-1 & LS-1B dated stamped received 2/01/11 and Sheets A-3, A-6, LS-1A, LS-1C, LS-2A & LS-2C dated stamped received 11/17/10 and a plan entitled "Belen Baseball Sun Shades and Baseball Gym" as prepared by Naya Architects, consisting of 2 sheets dated stamped received 11/17/10 and a plan entitled "Locker Rooms for Belen Jesuit Preparatory School" as prepared by Robert Barnes & Assocs., consisting of 1 sheet, dated stamped received 11/17/10 and a plan entitled "Belen Jesuit Preparatory School" as prepared by Cap Engineer, Inc., consisting of 1 sheet dated stamped received 11/17/10, for a total of 17 sheets".

The purpose of requests #1 - #3 is to allow the applicant to submit revised plans showing the addition of a new locker room, fitness center, deletion of a condition of a prohibiting storage of transportation vehicles on the site, and to show a new 32' high retractable fiber netting system to the sports field site.

(4) Applicant is requesting to permit a proposed 32' high retractable fiber netting system (8' maximum permitted) from the rear (north) property line.

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

SUBJECT PROPERTY: PARCEL A: The SE ¼ of the NE ¼ of the SE ¼ of Section 2, Township 54 South, Range 39 East, less the east 50', less the south 25' and less the west 25'. LESS: The area bounded by the west line of the east 50' of the SE ¼ of the NE ¼ of the SE ¼ of said Section 2, and bounded by the north line of the south 25' of the SE ¼ of the NE ¼ of the SE ¼ of said Section 2, and bounded by a 25' radius arc concave to the northwest, said arc being tangent to both of the last described lines. AND: The area bounded by the north line of the south 25' of the SE ¼ of the NE ¼ of the SE ¼ of said Section 2, and bounded by the east line of the west 25' of the SE ¼ of the NE ¼ of the SE ¼ of said Section 2 and bounded by a 25' radius arc concave to the northeast, said arc being tangent to both of the last described lines. AND: The NE ¼ of the NE ¼ of the SE ¼, less the east 50' and less the west 25' of Section 2, Township 54 South, Range 39 East. AND: The SE ¼ of the SE ¼ of the NE ¼ of Section 2, Township 54 South, Range 39 East, less the east 50' and less the west 25'. PARCEL B: Lots 5 to 8, Block 15, SWEETWATER ESTATES, Plat book 28, Page 36. PARCEL C: Lot 9, Block 1, ROSADO SUBDIVISION, Plat book 133, Page 42.

LOCATION: 500 S.W. 127 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned

in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions which among other things provided:

1. **Subdivision Plan.** That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Belen Jesuit Preparatory School" as prepared by SR Architects, consisting of 13 sheets. Sheets A-1, A-1.1, A-2, A-4, A-7, LS-1 & LS-1B, dated stamped received 02/01/11 and sheets A-3, A-6, LS-1A, LS-1C, LS-2A & LS-2C dated stamped received 11/17/10 and plans entitled "Belen Baseball Sun Shades" and "Baseball Gym, as prepared by Naya Architects, consisting of 2 sheets, dated stamped received 11/17/10 and a plan entitled "Belen Jesuit Preparatory School", as prepared by Cap Engineering, Inc., consisting of 1 sheet dated stamped received 11/17/10, for a total of 17 sheets.
2. **Baseball Field Netting Barrier.** That the netting barrier located along a portion of the North West line of the Property shall only be raised to maximum height during baseball games or batting practices on the Senior Varsity Baseball Field. At all other times the netting barrier shall be at a height not to exceed 6 feet from ground level.
3. **Restatement of Prior Conditions.** That all conditions of Resolution #Z-122-77, Resolution #Z-18-09 and the Declaration of Restrictions recorded in Official Records Book 27090, Pages 4835 through 4850, only as they apply to the Property, shall remain in full force and effect except as herein modified.

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested Deletion of Condition #13 of Resolution Z-122-77 passed and adopted by the board of County Commissioners (Item #1), the requested Modifications of Condition #2 of Resolution Z-18-09, passed and adopted by the Board of County Commissioners (Item #2) and of Paragraph #1 of a Declaration of Restrictions as recorded in Official Record Book 27090, Pages 4835 through 4850 (Item #3), and the request to permit a proposed 32' high retractable fiber netting system from the rear (north) property line (Item #4) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the

Comprehensive Development Master Plan, and that the proffered Declaration of Restrictions should be accepted, and

*WHEREAS*, a motion to accept the proffered Declaration of Restrictions, and to approve Items #1, #2, #3, and #4 was offered by Julio R. Caceres, seconded by Jorge Barbontin, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	absent		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the requested Deletion of Condition #13 of Resolution Z-122-77 passed and adopted by the board of County Commissioners (Item #1), the requested Modifications of Condition #2 of Resolution Z-18-09, passed and adopted by the Board of County Commissioners (Item #2) and of Paragraph #1 of a Declaration of Restrictions as recorded in Official Record Book 27090, Pages 4835 through 4850 (Item #3), and the request to permit a proposed 32' high retractable fiber netting system from the rear (north) property line (Item #4) be and the same is hereby approved, subject to the following conditions:

1. That all conditions of Resolution #Z-122-77, Resolution #Z-18-09 and the Declaration of Restriction recorded in Official Record Book 27090, Pages 4835 through 4850, only as it applies to the subject property remain in full force and effect except as herein modified.
2. That the retractable netting be up only during practice and games on the baseball field.
3. That palm trees be placed in front of each of the netting system's columns to provide a visual buffer from adjacent properties, and that the palm trees be replaced as needed.
4. That no advertisements be placed on the netting system and proposed canopies.
5. That no more than six (6) religious retreats per year be permitted on the school grounds.

*BE IT FURTHER RESOLVED* that the requested modification of Condition #2 of Resolution Z-18-09, passed and adopted by the Board of County Commissioners (Item #2), shall read as follows:

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Belen Jesuit Preparatory School," as prepared by SR Architects, consisting of 13 sheets. Sheets A-1, A-1.1, A-2, A-4, A-7, LS-1 & LS-1B dated stamped received 2/01/11 and Sheets A-3, A-6, LS-1A, LS-1C, LS-2A & LS-2C dated stamped received 11/17/10 and a plan entitled "Belen Baseball Sun Shades and Baseball Gym" as prepared by Naya Architects, consisting of 2 sheets dated stamped received 11/17/10 and a plan entitled "Locker Rooms for Belen Jesuit Preparatory School" as prepared by Robert Barnes & Assocs., consisting of 1 sheet, dated stamped received 11/17/10 and a plan entitled "Belen Jesuit Preparatory School" as prepared by Cap Engineer, Inc., consisting of 1 sheet dated stamped received 11/17/10, for a total of 17 sheets

*BE IT FURTHER RESOLVED* that the requested modification of Paragraph #1 of a Declaration of Restrictions as recorded in Official Record Book 27090, Pages 4835 through 4850 (Item #3), shall read as follows:

1. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Belen Jesuit Preparatory School," as prepared by SR Architects, consisting of 13 sheets. Sheets A-1, A-1.1, A-2, A-4, A-7, LS-1 & LS-1B dated stamped received 2/01/11 and Sheets A-3, A-6, LS-1A, LS-1C, LS-2A & LS-2C dated stamped received 11/17/10 and a plan entitled "Belen Baseball Sun Shades and Baseball Gym" as prepared by Naya Architects, consisting of 2 sheets dated stamped received 11/17/10 and a plan entitled "Locker Rooms for Belen Jesuit Preparatory School" as prepared by Robert Barnes & Assocs., consisting of 1 sheet, dated stamped received 11/17/10 and a plan entitled "Belen Jesuit Preparatory School" as prepared by Cap Engineer, Inc., consisting of 1 sheet dated stamped received 11/17/10, for a total of 17 sheets

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 7<sup>th</sup> day of September, 2011.

Hearing No. 11-9-CZ10-5

ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 14<sup>TH</sup> DAY OF SEPTEMBER, 2011.**

**RESOLUTION NO. CZAB10-18-11**

WHEREAS, **BELEN JESUIT PREPARATORY SCHOOL, INC.** applied for the following:

- (1) DELETION of Condition #13 of Resolution Z-122-77, passed and adopted by the board of County Commissioners; reading as follows:

“13. That transportation to be furnished in connection with the proposed school, will consist of no vehicles and shall be of a n/a type; said vehicles will not be stored on the premises.”

- (2) MODIFICATION of Condition #2 of Resolution Z-18-09, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: “2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, “Belen Jesuit Preparatory School Master Plan,” Sheets A-4 and A-5, LS-2A and LS-2B dated stamped received 9/2/08, Sheets A-3, LS-1, LS-1A and LS-1B, LS-1C and LS-2C dated stamped received 10/21/08, with Sheets A-1 and A-2 last revised 10/27/08 and Sheet A-1.1 last revised 10/28/08 and a plan entitled “Partial Site Plan Annual Carnival,” dated stamped received 9/26/08, all prepared by Santos/Raimundez, Architects, and consisting of 14 sheets, to included Parcels A, B and C and as modified herein to show removal of the proposed tennis courts on parcel B, a cul de sac in lieu of the proposed T-Turn around and full dedication of S.W. 128 Avenue between Parcels A and B.”

To: “2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, “Belen Jesuit Preparatory School,” as prepared by SR Architects, consisting of 13 sheets. Sheets A-1, A-1.1, A-2, A-4, A-7, LS-1 & LS-1B dated stamped received 2/01/11 and Sheets A-3, A-6, LS-1A, LS-1C, LS-2A & LS-2C dated stamped received 11/17/10 and a plan entitled “Belen Baseball Sun Shades and Baseball Gym” as prepared by Naya Architects, consisting of 2 sheets dated stamped received 11/17/10 and a plan entitled “Locker Rooms for Belen Jesuit Preparatory School” as prepared by Robert Barnes & Assocs.,. consisting of 1 sheet, dated stamped received 11/17/10 and a plan entitled “Belen Jesuit Preparatory School” as prepared by Cap Engineer, Inc., consisting of 1 sheet dated stamped received 11/17/10, for a total of 17 sheets”.

- (3) MODIFICATION of Paragraph #1 of a Declaration of Restrictions as recorded in Official Record Book 27090, Pages 4835 through 4850, reading as follows:

FROM: “1. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, “Belen Jesuit Preparatory School Master Plan,” Sheets A-4 and A-5, LS-2A and LS-2B dated stamped received 9/2/08, Sheets A-3, LS-1, LS-1A and LS-1B, LS-1C and LS-2C dated stamped received 10/21/08, with Sheets A-1 and A-2

last revised 10/27/08 and Sheet A-1.1 last revised 10/28/08 and a plan entitled "Partial Site Plan Annual Carnival," dated stamped received 9/26/08, all prepared by Santos/Raimundez, Architects, and consisting of 14 sheets.

TO: "1. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Belen Jesuit Preparatory School," as prepared by SR Architects, consisting of 13 sheets. Sheets A-1, A-1.1, A-2, A-4, A-7, LS-1 & LS-1B dated stamped received 2/01/11 and Sheets A-3, A-6, LS-1A, LS-1C, LS-2A & LS-2C dated stamped received 11/17/10 and a plan entitled "Belen Baseball Sun Shades and Baseball Gym" as prepared by Naya Architects, consisting of 2 sheets dated stamped received 11/17/10 and a plan entitled "Locker Rooms for Belen Jesuit Preparatory School" as prepared by Robert Barnes & Assocs., consisting of 1 sheet, dated stamped received 11/17/10 and a plan entitled "Belen Jesuit Preparatory School" as prepared by Cap Engineer, Inc., consisting of 1 sheet dated stamped received 11/17/10, for a total of 17 sheets".

The purpose of requests #1 - #3 is to allow the applicant to submit revised plans showing the addition of a new locker room, fitness center, deletion of a condition of a prohibiting storage of transportation vehicles on the site, and to show a new 32' high retractable fiber netting system to the sports field site.

(4) Applicant is requesting to permit a proposed 32' high retractable fiber netting system (8' maximum permitted) from the rear (north) property line.

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

SUBJECT PROPERTY: PARCEL A: The SE ¼ of the NE ¼ of the SE ¼ of Section 2, Township 54 South, Range 39 East, less the east 50', less the south 25' and less the west 25'. LESS: The area bounded by the west line of the east 50' of the SE ¼ of the NE ¼ of the SE ¼ of said Section 2, and bounded by the north line of the south 25' of the SE ¼ of the NE ¼ of the SE ¼ of said Section 2, and bounded by a 25' radius arc concave to the northwest, said arc being tangent to both of the last described lines. AND: The area bounded by the north line of the south 25' of the SE ¼ of the NE ¼ of the SE ¼ of said Section 2, and bounded by the east line of the west 25' of the SE ¼ of the NE ¼ of the SE ¼ of said Section 2 and bounded by a 25' radius arc concave to the northeast, said arc being tangent to both of the last described lines. AND: The NE ¼ of the NE ¼ of the SE ¼, less the east 50' and less the west 25' of Section 2, Township 54 South, Range 39 East. AND: The SE ¼ of the SE ¼ of the NE ¼ of Section 2, Township 54 South, Range 39 East, less the east 50' and less the west 25'. PARCEL B: Lots 5 to 8, Block 15, SWEETWATER ESTATES, Plat book 28, Page 36. PARCEL C: Lot 9, Block 1, ROSADO SUBDIVISION, Plat book 133, Page 42.

LOCATION: 500 S.W. 127 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned

in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions which among other things provided:

1. **Subdivision Plan.** That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Belen Jesuit Preparatory School" as prepared by SR Architects, consisting of 13 sheets. Sheets A-1, A-1.1, A-2, A-4, A-7, LS-1 & LS-1B, dated stamped received 02/01/11 and sheets A-3, A-6, LS-1A, LS-1C, LS-2A & LS-2C dated stamped received 11/17/10 and plans entitled "Belen Baseball Sun Shades" and "Baseball Gym, as prepared by Naya Architects, consisting of 2 sheets, dated stamped received 11/17/10 and a plan entitled "Belen Jesuit Preparatory School", as prepared by Cap Engineering, Inc., consisting of 1 sheet dated stamped received 11/17/10, for a total of 17 sheets.
2. **Baseball Field Netting Barrier.** That the netting barrier located along a portion of the North West line of the Property shall only be raised to maximum height during baseball games or batting practices on the Senior Varsity Baseball Field. At all other times the netting barrier shall be at a height not to exceed 6 feet from ground level.
3. **Restatement of Prior Conditions.** That all conditions of Resolution #Z-122-77, Resolution #Z-18-09 and the Declaration of Restrictions recorded in Official Records Book 27090, Pages 4835 through 4850, only as they apply to the Property, shall remain in full force and effect except as herein modified.

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested Deletion of Condition #13 of Resolution Z-122-77 passed and adopted by the board of County Commissioners (Item #1), the requested Modifications of Condition #2 of Resolution Z-18-09, passed and adopted by the Board of County Commissioners (Item #2) and of Paragraph #1 of a Declaration of Restrictions as recorded in Official Record Book 27090, Pages 4835 through 4850 (Item #3), and the request to permit a proposed 32' high retractable fiber netting system from the rear (north) property line (Item #4) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the

Comprehensive Development Master Plan, and that the proffered Declaration of Restrictions should be accepted, and

*WHEREAS*, a motion to accept the proffered Declaration of Restrictions, and to approve Items #1, #2, #3, and #4 was offered by Julio R. Caceres, seconded by Jorge Barbontin, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	absent		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the requested Deletion of Condition #13 of Resolution Z-122-77 passed and adopted by the board of County Commissioners (Item #1), the requested Modifications of Condition #2 of Resolution Z-18-09, passed and adopted by the Board of County Commissioners (Item #2) and of Paragraph #1 of a Declaration of Restrictions as recorded in Official Record Book 27090, Pages 4835 through 4850 (Item #3), and the request to permit a proposed 32' high retractable fiber netting system from the rear (north) property line (Item #4) be and the same is hereby approved, subject to the following conditions:

1. That all conditions of Resolution #Z-122-77, Resolution #Z-18-09 and the Declaration of Restriction recorded in Official Record Book 27090, Pages 4835 through 4850, only as it applies to the subject property remain in full force and effect except as herein modified.
2. That the retractable netting be up only during practice and games on the baseball field.
3. That palm trees be placed in front of each of the netting system's columns to provide a visual buffer from adjacent properties, and that the palm trees be replaced as needed.
4. That no advertisements be placed on the netting system and proposed canopies.
5. That no more than six (6) religious retreats per year be permitted on the school grounds.

*BE IT FURTHER RESOLVED* that the requested modification of Condition #2 of Resolution Z-18-09, passed and adopted by the Board of County Commissioners (Item #2), shall read as follows:

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Belen Jesuit Preparatory School," as prepared by SR Architects, consisting of 13 sheets. Sheets A-1, A-1.1, A-2, A-4, A-7, LS-1 & LS-1B dated stamped received 2/01/11 and Sheets A-3, A-6, LS-1A, LS-1C, LS-2A & LS-2C dated stamped received 11/17/10 and a plan entitled "Belen Baseball Sun Shades and Baseball Gym" as prepared by Naya Architects, consisting of 2 sheets dated stamped received 11/17/10 and a plan entitled "Locker Rooms for Belen Jesuit Preparatory School" as prepared by Robert Barnes & Assocs., consisting of 1 sheet, dated stamped received 11/17/10 and a plan entitled "Belen Jesuit Preparatory School" as prepared by Cap Engineer, Inc., consisting of 1 sheet dated stamped received 11/17/10, for a total of 17 sheets

*BE IT FURTHER RESOLVED* that the requested modification of Paragraph #1 of a Declaration of Restrictions as recorded in Official Record Book 27090, Pages 4835 through 4850 (Item #3), shall read as follows:

1. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Belen Jesuit Preparatory School," as prepared by SR Architects, consisting of 13 sheets. Sheets A-1, A-1.1, A-2, A-4, A-7, LS-1 & LS-1B dated stamped received 2/01/11 and Sheets A-3, A-6, LS-1A, LS-1C, LS-2A & LS-2C dated stamped received 11/17/10 and a plan entitled "Belen Baseball Sun Shades and Baseball Gym" as prepared by Naya Architects, consisting of 2 sheets dated stamped received 11/17/10 and a plan entitled "Locker Rooms for Belen Jesuit Preparatory School" as prepared by Robert Barnes & Assocs., consisting of 1 sheet, dated stamped received 11/17/10 and a plan entitled "Belen Jesuit Preparatory School" as prepared by Cap Engineer, Inc., consisting of 1 sheet dated stamped received 11/17/10, for a total of 17 sheets

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 7<sup>th</sup> day of September, 2011.

Hearing No. 11-9-CZ10-5  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 14<sup>TH</sup> DAY OF SEPTEMBER, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

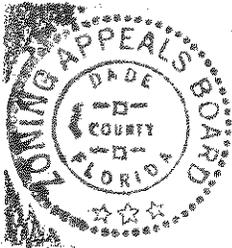
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-18-11 adopted by said Community Zoning Appeals Board at its meeting held on the 7<sup>th</sup> day of September, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 14<sup>th</sup> day of September, 2011.



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

**SEAL**



**RESOLUTION NO. CZAB10-19-11**

*WHEREAS*, **LE JEUNE AIRPORT PARK SUITES INC.** applied for the following:

Applicant is requesting to permit liquor package sales within a motel containing 95 units (150 units required).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Proposed Motel For: Le Jeune Airport Park Suites Inc.", as prepared by Salazar & Associates, consisting of 2 sheets, a sketch, preparer unknown and a specific purpose survey as prepared by Wenceslao Ortega, for a total of 4 sheets, all dated stamped received 7/6/11. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Tract "A" less that portion taken by the State of Florida, Department of Transportation for State Road 826/836 Interchange as Recorded in Official Record Book 24232 Page 3563 Fine Air, Plat Book 162, Page 62 of Miami-Dade County, Florida.

**LOCATION:** 7675 NW 12 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to permit liquor package sales within a motel containing 95 units would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Julio R. Caceres, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the request to permit liquor package sales within a motel containing 95 units be and the same is hereby approved.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 11<sup>th</sup> day of October, 2011.

Hearing No. 11-10-CZ8-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 21<sup>ST</sup> DAY OF OCTOBER, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

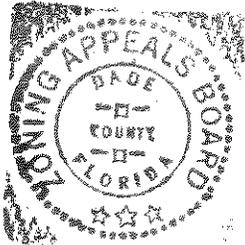
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 8, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-19-11 adopted by said Community Zoning Appeals Board at its meeting held on the 11<sup>th</sup> day of October, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 21<sup>st</sup> day of October, 2011.



\_\_\_\_\_  
Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Permitting,  
Environment and Regulatory Affairs

**SEAL**



**RESOLUTION NO. CZAB10-19-11**

*WHEREAS*, **LE JEUNE AIRPORT PARK SUITES INC.** applied for the following:

Applicant is requesting to permit liquor package sales within a motel containing 95 units (150 units required).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Proposed Motel For: Le Jeune Airport Park Suites Inc.", as prepared by Salazar & Associates, consisting of 2 sheets, a sketch, preparer unknown and a specific purpose survey as prepared by Wenceslao Ortega, for a total of 4 sheets, all dated stamped received 7/6/11. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Tract "A" less that portion taken by the State of Florida, Department of Transportation for State Road 826/836 Interchange as Recorded in Official Record Book 24232 Page 3563 Fine Air, Plat Book 162, Page 62 of Miami-Dade County, Florida.

**LOCATION:** 7675 NW 12 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to permit liquor package sales within a motel containing 95 units would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Julio R. Caceres, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		

Jose Garrido                      aye

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the request to permit liquor package sales within a motel containing 95 units be and the same is hereby approved.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 11<sup>th</sup> day of October, 2011.

Hearing No. 11-10-CZ8-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 21<sup>ST</sup> DAY OF OCTOBER, 2011.**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 8, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-19-11 adopted by said Community Zoning Appeals Board at its meeting held on the 11<sup>th</sup> day of October, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 21<sup>st</sup> day of October, 2011.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Permitting,  
Environment and Regulatory Affairs

SEAL



**RESOLUTION NO. CZAB10-19-11**

*WHEREAS*, **LE JEUNE AIRPORT PARK SUITES INC.** applied for the following:

Applicant is requesting to permit liquor package sales within a motel containing 95 units (150 units required).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Proposed Motel For: Le Jeune Airport Park Suites Inc.", as prepared by Salazar & Associates, consisting of 2 sheets, a sketch, preparer unknown and a specific purpose survey as prepared by Wenceslao Ortega, for a total of 4 sheets, all dated stamped received 7/6/11. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Tract "A" less that portion taken by the State of Florida, Department of Transportation for State Road 826/836 Interchange as Recorded in Official Record Book 24232 Page 3563 Fine Air, Plat Book 162, Page 62 of Miami-Dade County, Florida.

**LOCATION:** 7675 NW 12 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to permit liquor package sales within a motel containing 95 units would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Julio R. Caceres, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		

Jose Garrido                      aye

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the request to permit liquor package sales within a motel containing 95 units be and the same is hereby approved.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 11<sup>th</sup> day of October, 2011.

Hearing No. 11-10-CZ8-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 21<sup>ST</sup> DAY OF OCTOBER, 2011.**

**RESOLUTION NO. CZAB10-20-11**

*WHEREAS*, **LUIS MARRERO** applied for the following:

USE VARIANCE to permit a dental office in the RU-1 zoning district as would be permitted in the RU-5A zoning district.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Project: Dental Office for Luis Marrero", as prepared by Architect Ruben Travieso, dated stamped received 7/6/11 and consisting of 2 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 1 Block 1 Camner Park, Plat Book 52-90

LOCATION: 2381 SW 81 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested use variance to permit a dental office in the RU-1 zoning district as would be permitted in the RU-5A zoning district would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Richard M. Gomez, seconded by Miguel A. Martinez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the requested use variance to permit a dental office in the RU-1 zoning district as would be permitted in the RU-5A zoning district be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Permitting, Environment, and Regulatory Affairs upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Project: Dental Office for Luis Marrero", as prepared by Architect Ruben Travieso, dated stamped received 7/6/11 and consisting of 2 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtain a Certificate of Use from and promptly renew the same annually with the Department of Permitting, Environment, and Regulatory Affairs, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That only one dentist be allowed to practice on the subject property at any given time.
6. That no parking shall be permitted offsite.
7. That applicant contact the Department of Public Works and Waste Management within 30 days of obtaining a Certificate of Use to place no parking signs in the swells.
8. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Department as contained in the Departmental memoranda which are part of the record of this recommendation incorporated herein by reference.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 11<sup>th</sup> day of October, 2011.

Hearing No. 11-10-CZ10-3

ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 21<sup>ST</sup> DAY OF OCTOBER, 2011.**

**RESOLUTION NO. CZAB10-20-11**

*WHEREAS*, **LUIS MARRERO** applied for the following:

USE VARIANCE to permit a dental office in the RU-1 zoning district as would be permitted in the RU-5A zoning district.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Project: Dental Office for Luis Marrero", as prepared by Architect Ruben Travieso, dated stamped received 7/6/11 and consisting of 2 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 1 Block 1 Camner Park, Plat Book 52-90

LOCATION: 2381 SW 81 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested use variance to permit a dental office in the RU-1 zoning district as would be permitted in the RU-5A zoning district would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Richard M. Gomez, seconded by Miguel A. Martinez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		

Jose Garrido                      aye

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the requested use variance to permit a dental office in the RU-1 zoning district as would be permitted in the RU-5A zoning district be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Permitting, Environment, and Regulatory Affairs upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Project: Dental Office for Luis Marrero", as prepared by Architect Ruben Travieso, dated stamped received 7/6/11 and consisting of 2 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtain a Certificate of Use from and promptly renew the same annually with the Department of Permitting, Environment, and Regulatory Affairs, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That only one dentist be allowed to practice on the subject property at any given time.
6. That no parking shall be permitted offsite.
7. That applicant contact the Department of Public Works and Waste Management within 30 days of obtaining a Certificate of Use to place no parking signs in the swells.
8. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Department as contained in the Departmental memoranda which are part of the record of this recommendation incorporated herein by reference.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 11<sup>th</sup> day of October, 2011.

Hearing No. 11-10-CZ10-3

ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 21<sup>ST</sup> DAY OF OCTOBER, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

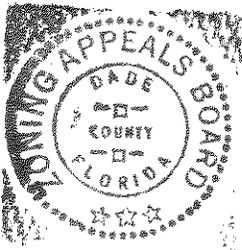
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 8, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-20-11 adopted by said Community Zoning Appeals Board at its meeting held on the 11<sup>th</sup> day of October, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 21<sup>st</sup> day of October, 2011.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Permitting,  
Environment and Regulatory Affairs

**SEAL**



**RESOLUTION NO. CZAB10-9-11**

*WHEREAS*, **FVP DORADO LLC** applied for the following:

- (1) Applicant is requesting to permit a portion of a single-family residence setback 20' from the front (west) property line (15' required for 50% of the linear width of the house and 25' for the remainder).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Dorado Estates," as prepared by Lan Mar Design Group dated stamped received 3/9/11, consisting of 4 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Lot 5, Block 6, LETI SUBDIVISION 3<sup>RD</sup> ADDITION, Plat book 166, Page 44.

**LOCATION:** Lying east of S.W. 148 Court, approximately 230' south of S.W. 34 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to permit a portion of a single-family residence setback 20' from the front (west) property line would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Julio R. Caceres, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	absent
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		

Jose Garrido                      aye

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the request to permit a portion of a single-family residence setback 20' from the front (west) property line be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning & Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Dorado Estates" as prepared by Lan Mar Design Group, dated stamped received 03/09/11, consisting of 4 sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require public hearing action.
3. That the use be established and maintained in accordance with the approved plan.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 4<sup>th</sup> day of May, 2011.

Hearing No. 11-5-CZ10-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 6<sup>TH</sup> DAY OF MAY, 2011.**

**RESOLUTION NO. CZAB10-10-11**

WHEREAS, WACHOVIA applied for the following:

Applicant is requesting to permit a bank with a 3<sup>rd</sup> wall sign (2 wall signs permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Coral Way and S.W. 87<sup>th</sup> Avenue", as prepared by Site Enhancement Services, dated stamped received 5/19/10, consisting of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: PARCEL ONE: A portion of Block 33 and Tract D of CORAL WAY VILLAGE SECTION A, PART 5, Plat Book 65, Page 17, and: a portion of Tract C, REPLAT OF TRACT C, CORAL WAY VILLAGE SECTION A, PART 5, Plat Book 68, Page 61; being more particularly described as follows: Commence at the southwest corner of said Tract "C," Replat of Tract "C," CORAL WAY VILLAGE SECTION A, PART 5, and run north along the west line thereof for 508'; thence N88°03'33"E for 12' to the Point of beginning of the parcel of land hereinafter described, thence north for 70.01' (said last mentioned course being coincident with the E/ly right-of-way line of S.W. 87<sup>th</sup> Avenue as taken from that certain Right-of-Way Map, Plat Book 88, Page 43; thence run N87°52'30"E for 238.03' (said last mentioned course being coincident with the S/ly boundary of Tract "C-1" and the E/ly prolongation thereof, Replat of Tract "C"); thence run north for 150'; thence run N87°52'30"E along the north line of the aforesaid Tract "C" for 964.94' to the northeast corner of said Tract "C"; thence continue N87°52'30"E along the north line of Lot 1, Block 33 of the aforementioned plat of CORAL WAY VILLAGE SECTION A, PART 5 for 74.13' feet to a Point of curvature; thence run SE/ly along a circular curve to the right having a radius of 25' and a central angle of 92°07'30" for an arc distance of 40.2' to a Point of tangency; thence run south for 784.95' to a Point of curvature; thence run SW/ly along a circular curve to the right, having a radius of 25' and a central angle of 88°03'33" for an arc distance of 38.42' to a Point of tangency; thence run S88°03'33"W for 600.89' to the southwest corner of the aforementioned Tract "D"; thence run N01°56'27"W for 102.77' (said last six courses being coincident with the boundary of Block 33 and Tract "D" respectively, said plat of CORAL WAY VILLAGE); thence run S88°03'33" along the south line of the aforementioned Tract "C" for 374.71'; thence run N01°57'07"W for 246' (said last course being coincident with the e/ly face of an existing CBS building wall and the n/ly and s/ly prolongations thereof); thence run north, parallel with the west line of said Tract "C" for 261.86'; thence run S88°03'33"W for 291.25' to the Point of beginning, lying and being in Section 15, Township 54 South, Range 40 East. AND:

PARCEL TWO: All right, title and interest (being an undivided one-half interest) of, in and to the west 316' of the south 30' of Tract "C" (distances mentioned herein before are as measured parallel to the west and south lines of said Tract "C") replat of Tract "C" CORAL WAY VILLAGE SECTION A, PART 5, Plat Book 68, Page 61.

LOCATION: 8508 S.W. 24 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to permit a bank with a 3<sup>rd</sup> wall sign (Item #1) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to approve the application was offered by Julio R. Caceres, seconded by Jorge Barbontin, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 10 that the request to permit a bank with a 3<sup>rd</sup> wall sign (Item #1) be and the same is hereby approved, subject to the following conditions:

1. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Coral Way & 87 Avenue," as prepared by Site Enhancement Services, dated stamped received 5/19/10 consisting of 3 sheets.
2. That the use be established and maintained in accordance with the approved plan.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development

order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 2<sup>nd</sup> day of June, 2011.

Hearing No. 11-6-CZ10-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 8<sup>TH</sup> DAY OF JUNE, 2011.**

**RESOLUTION NO. CZAB10-11-11**

*WHEREAS*, LIFE CHURCH OF SOUTH FLORIDA, INC applied for the following:

- (1) SPECIAL EXCEPTION to permit a religious facility and a parsonage residence.
- (2) RESCIND AND REVOKE Resolutions 3-ZAB-251-65, 3-ZAB-369-70, 3-ZAB-265-82 and 3-ZAB-296-86 all passed and adopted by the Zoning Appeals Board, only as it applies to subject property.

The purpose of request #2 is to allow the applicant to delete all resolutions and corresponding conditions for a parking lot, outdoor recreational uses and pavilion in connection with a previously approved church, day nursery and kindergarten use.

- (3) Applicant is requesting to permit the religious facility setback varying from 15' to 28'4" (50' required) from the interior side (south) property line and spaced less than 75' from an adjacent residence to the south.
- (4) Applicant is requesting to permit parking within 25' on an official right-of-way (not permitted).
- (5) Applicant is requesting to permit a minimum 5' wide greenbelt (7' required) along a portion of the right-of-way.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Divine Mercy-House Of Prayer", as prepared by David J. Cabarrocas/Architect dated stamped received 03/21/11, with Sheet L-1 handwritten revision dated 04/14/11, consisting of 4 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: The West ½ of the North 66 feet of Tract 1, of Amended Plat of Blocks 2, 3, 4 and 5 of CORAL PINES, less the East 25 feet thereof, Plat Book 33, Page 64, and the West ½ of the South 66 feet of the North 132 feet of Tract 1, of Amended Plat of Blocks 2, 3, 4 and 5 of CORAL PINES, less the East 25 feet thereof, Book 33, Page 64.

LOCATION: 4101 S.W. 85 AVENUE, MIAMI-DADE COUNTY, FLORIDA, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested special exception to permit a religious facility and a parsonage residence (Item #1), the requests to rescind and revoke Resolutions 3-ZAB-251-65, 3-ZAB-369-70, 3-ZAB-265-82 and 3-ZAB-296-86 all passed and adopted by the Zoning Appeals Board, only as it applies to subject property (Item #2), to permit the religious facility setback varying from 15' to 28'4" from the interior side (south) property line and spaced less than 75' from an adjacent residence to the south (Item #3), to permit parking within 25' on an official right-of-way (Item #4), and to permit a minimum 5' wide greenbelt along a portion of the right-of-way (Item #5) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the requested special exception (Item #1) would not have an adverse impact upon the public interest and should be approved, and

WHEREAS, a motion to approve Items #1 through #5 was offered by Miguel A. Martinez, seconded by Jorge Barbontin, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 10 that the requested special exception to permit a religious facility and a parsonage residence (Item #1), the requests to rescind and revoke Resolutions 3-ZAB-251-65, 3-ZAB-369-70, 3-ZAB-265-82 and 3-ZAB-296-86 all passed and adopted by the Zoning Appeals Board, only as it applies to subject property (Item #2), to permit the religious facility setback varying from 15' to 28'4" from the interior side (south) property line and spaced less

than 75' from an adjacent residence to the south (Item #3), to permit parking within 25' on an official right-of-way (Item #4), and to permit a minimum 5' wide greenbelt along a portion of the right-of-way (Item #5) be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include among other things but not limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Divine Mercy-House Of Prayer", As prepared by David J. Cabrocas/Architect dated stamped received 03/21/11, with Sheet L-1 dated handwritten revision 04/14/11, consisting of 4 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtain a Certificate of Use from, and promptly renew the same annually with the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That buffering be provided along the east property line, in the form of a hedge not less than 4' high at the time of planting, which shall grow to and be maintained at a height of 6'. Said buffering shall be installed prior to the issuance of the Certificate of Use for the religious facility.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 7<sup>th</sup> day of July, 2011.

Hearing No. 11-7-CZ10-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 14<sup>TH</sup> DAY OF JULY, 2011.**

**RESOLUTION NO. CZAB10-7-11**

WHEREAS, CITIBANK, N.A. applied for the following:

- (1) MODIFICATION of Condition #2 of Resolution No. Z-98-82, last modified by Resolution Z-83-97, both passed and adopted by the Board of County Commissioner, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Miami Bird Road Drive-Thru Relocation," as prepared by Architect Jeff Falkanger & Associates Incorporated, consisting of 1 drawing, Sheet 'A-1', dated revised 7-8-97."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Citibank", consisting of 2 sheets and a plan entitled "Citi" all prepared by TSAO Design Group for a total of 3 sheets. Sheet 'L-400' dated stamped received 12/21/10 and the remaining 2 sheets dated stamped received 12/13/10.

- (2) MODIFICATION of Paragraph #1 of a "Declaration of Restrictive Covenants" as recorded in Official Record Book 11481, Pages 329 through 333, last modified by Paragraph #1 of a "Modification of Declaration of Restrictive Covenants recorded in Official Records Book 11481 at pages 329 through 333" as recorded in Official Record Book 27608, Pages 3907 through 3915, reading as follows:

FROM: "1. That the proposed site will be developed in substantial compliance with the approved site plan entitled "Miami Bird Road Drive-Thru Relocation," as prepared by Architect Jeff Falkanger & Associates Incorporated, consisting of 1 drawing, Sheet 'A-1', dated revised 7-8-97."

TO: "1. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Citibank", consisting of 2 sheets and a plan entitled "Citi" all prepared by TSAO Design Group for a total of 3 sheets. Sheet 'L-400' dated stamped received 12/21/10 and the remaining 2 sheets dated stamped received 12/13/10.

The purpose of the above requests is to allow the applicant to submit a new site plan showing a relocation of the drive through teller facilities for the previously approved bank.

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 41 through 43 and Lots 130 through 132 of Bird Road Highlands, Plat book 20 Page and Lots 33 through 40 of said Bird Road Highlands, Plat book 20 Page 31, less however the following described portions thereof: That part of Lot 33 of Bird Road Highlands, Plat book 20 Page 31, which lies within the external area formed by a 25.00 foot radius arc concave to the northeast tangent to the west line of said Lot 33 and tangent to a line which is 15.00 feet north of and parallel with the south line of said Lot 33 and that part of Lots 39 and 40, of said Bird Road Highlands which lies within the

external area formed by a 30.00 foot radius arc, concave to the northwest tangent to a line which is 15.00 feet north of and parallel with the south line of said Lot 39 and tangent to a line which is 22.00 feet west of and parallel with the east line of said Lot 40, and the west 12.00 feet of the east 22.00 feet of the north 85 feet of said Lot 40.

Less and except any part contained in that certain Order of Taking recorded in Official Records Book 16140 Page 3660 and re-recorded in Official Records Book 16182 Page 349.

LOCATION: 8701 S.W. 40 Street (Bird Road), Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and it was noted that the applicant had previously submitted revised plans within the scope of the advertisement entitled "Citibank", consisting of 2 sheets and a plan entitled "Citi" all prepared by TSAO Design Group for a total of 3 sheets. Sheet 'L-400' dated stamped received 3/10/11 and the remaining 2 sheets dated stamped received 3/10/11, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested modifications of Condition #2 of Resolution No. Z-98-82, last modified by Resolution Z-83-97, both passed and adopted by the Board of County Commissioner on a modified basis regarding site plans entitled "Citi" all prepared by TSAO Design Group for a total of 3 sheets. Sheet 'L-400' dated stamped received 3/10/11 and the remaining 2 sheets dated stamped received 3/10/11 (Item #1) and of Paragraph #1 of a "Declaration of Restrictive Covenants" as recorded in Official Record Book 11481, Pages 329 through 333, last modified by Paragraph #1 of a "Modification of Declaration of Restrictive Covenants recorded in Official Records Book 11481 at pages 329 through 333" as recorded in Official Record Book 27608, Pages 3907

through 3915 on a modified basis regarding site plans entitled "Citi" all prepared by TSAO Design Group for a total of 3 sheets. Sheet 'L-400' dated stamped received 3/10/11 and the remaining 2 sheets dated stamped received 3/10/11 (Item #2) would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve Items #1 and 2 on a modified basis was offered by Julio R. Caceres, seconded by Jorge Barbontin, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the requested modifications of Condition #2 of Resolution No. Z-98-82, last modified by Resolution Z-83-97, both passed and adopted by the Board of County Commissioner on a modified basis regarding site plans entitled "Citi" all prepared by TSAO Design Group for a total of 3 sheets. Sheet 'L-400' dated stamped received 3/10/11 and the remaining 2 sheets dated stamped received 3/10/11 (Item #1) and of Paragraph #1 of a "Declaration of Restrictive Covenants" as recorded in Official Record Book 11481, Pages 329 through 333, last modified by Paragraph #1 of a "Modification of Declaration of Restrictive Covenants recorded in Official Records Book 11481 at pages 329 through 333" as recorded in Official Record Book 27608, Pages 3907 through 3915 on a modified basis regarding site plans entitled "Citi" all prepared by TSAO Design Group for a total of 3 sheets. Sheet 'L-400' dated stamped received 3/10/11 and the remaining 2 sheets dated stamped received 3/10/11 (Item #2) be and the same are hereby approved, subject to the following conditions:

1. That all the conditions of Resolution #Z-98-\*82, last modified by Resolution #Z-83-97 remain in full force and effect except as herein modified.
2. That a revised Declaration of Restrictions be submitted to the Department of Planning and Zoning within 90 days after final public hearing approval of this application, unless a time extension is granted by the Director, for good cause shown.
3. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda which are part of the record of this recommendation incorporated herein by reference.

*BE IT FURTHER RESOLVED* that the requested modification of Condition #2 of Resolution No. Z-98-82, last modified by Resolution Z-83-97, both passed and adopted by the Board of County Commissioner (Item #1) as modified, shall read as follows:

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Citi" all prepared by TSAO Design Group for a total of 3 sheets. Sheet 'L-400' dated stamped received 3/10/11 and the remaining 2 sheets dated stamped received 3/10/11.

*BE IT FURTHER RESOLVED* that the requested modification of Paragraph #1 of a "Declaration of Restrictive Covenants" as recorded in Official Record Book 11481, Pages 329 through 333, last modified by Paragraph #1 of a "Modification of Declaration of Restrictive Covenants recorded in Official Records Book 11481 at pages 329 through 333" as recorded in Official Record Book 27608, Pages 3907 through 3915 as modified, shall read as follows:

1. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Citibank", consisting of 2 sheets and a plan entitled "Citi" all prepared by TSAO Design Group for a total of 3 sheets. Sheet 'L-400' dated stamped received 3/10/11 and the remaining 2 sheets dated stamped received 3/10/11 (Item #2).

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 6<sup>th</sup> day of April, 2011.

Hearing No. 11-4-CZ10-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 2<sup>ND</sup> DAY OF MAY, 2011.**

**RESOLUTION NO. CZAB10-8-11**

*WHEREAS*, **TOMAS GONZALEZ** applied for the following:

- (1) Applicant is requesting to permit an existing duplex setback 5'-11" (7'-6" required) from the interior side (south) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Legalization and Conversion to Duplex," as prepared by Adonai Design & Construction, Inc. consisting of 3 sheets with Sheet SP dated stamped received 10/4/10 and the remaining 2 sheets dated stamped received 10/6/10. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Lots 32 to 34, Block 26, WINONA PARK 1<sup>ST</sup> ADDITION, Plat book 17, Page 49.

**LOCATION:** 33 N.W. 73 Place, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to permit an existing duplex setback 5'-11" from the interior side (south) property line would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Jorge Barbontin, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the request to permit an existing duplex setback 5'-11" from the interior side (south) property line be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include, but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Legalization and Conversion to Duplex," as prepared by Adonai Design & Construction, Inc. consisting of 3 sheets with Sheet SP dated stamped received 10/4/10 and the remaining 2 sheets dated stamped received 10/6/10, except as hereby amended to show the exterior door in the southern bedroom of the front unit removed and blocked off. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant shall obtain a building permit for the existing Florida room/bathroom and bedroom additions to the rear unit of the existing duplex residence from the Building Department within 90 days after appeal period deadline date.
5. That the exterior door in the southern bedroom of the front unit be removed and the opening be sealed with masonry.
6. That buffering be provided along the interior side (south) property line, either in the form of 6' high wall wood fence or hedge, not less than 3' high at the time of planting, which shall grow to and be maintained at a height of 6'. Said buffering shall be installed prior to final zoning inspection for the proposed addition.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development

order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 6<sup>th</sup> day of April, 2011.

Hearing No. 11-4-CZ10-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 15<sup>TH</sup> DAY OF APRIL, 2011.**

**RESOLUTION NO. CZAB10-6-11**

*WHEREAS*, **CECILIO GAMEZ** applied for the following:

- (1) Applicant is requesting to waive the zoning requirements prohibiting a swimming pool on a lot without a principal residence; to permit same.
- (2) Applicant is requesting to permit the existing swimming pool setback 16.99' (20' required) from the side street (West) property line.
- (3) Applicant is requesting to waive the zoning regulation requiring that no fence or wall exceed 2.5' in height when located within the safe-sight distance triangle; to permit a 6' high CBS wall within the safe-sight distance triangle along the front (North) property line.

A Plan is on file and may be examined in the Department of Planning and Zoning, entitled, "Site Plan," preparer unknown, consisting of one sheet dated stamped received 11/10/2010. Plan may be modified at public hearing.

**SUBJECT PROPERTY:** Lot 6, Block 7, UNIVERSITY PARK WEST, SECTION THREE, Plat book 111, Page 34.

**LOCATION:** The Southwest corner of SW 4 Terrace and SW 135 Avenue, AKA 13514 S.W. 4 Terrace, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requests to waive the zoning requirements prohibiting a swimming pool on a lot without a principal residence; to permit same (Item #1), to permit the existing swimming pool setback 16.99' from the side street (West) property line (Item #2), and to waive the zoning regulation requiring that no fence or wall exceed 2.5' in height when located within the safe-sight distance triangle; to permit a 6' high CBS wall within the safe-sight

distance triangle along the front (North) property line (Item #3) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve Items #1, 2, and 3 was offered by Jorge Barbontin, seconded by Julio R. Caceres, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the requests to waive the zoning requirements prohibiting a swimming pool on a lot without a principal residence; to permit same (Item #1), to permit the existing swimming pool setback 16.99' from the side street (West) property line (Item #2), and to waive the zoning regulation requiring that no fence or wall exceed 2.5' in height when located within the safe-sight distance triangle; to permit a 6' high CBS wall within the safe-sight distance triangle along the front (North) property line (Item #3) be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Site Plan," preparer unknown, consisting of one sheet dated stamped received 11/10/2010, except as herein amended to maintain the asphalt pavement until a principal building is constructed on the property.
3. That the use be established and maintained in accordance with the approved plan.

4. That the applicants comply with all applicable conditions and requirements of the Public Works Department.
5. That the applicant obtain a building permit for the pool and the fence from the Building Department within 90 days after the appeal period deadline.
6. That the applicant erect a 6' high wood fence or wall along the rear (south) property line upon the release of the unity of title.
7. That within three (3) years of the release of the unity of title for the subject property, the owner(s) apply for a building permit to construct a single-family residence.
8. That the owner maintains the CBS wall surrounding the property and that the asphalt pavement shown in the plans be maintained as long as there is no building on the property.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 9<sup>th</sup> day of February, 2011.

Hearing No. 11-2-CZ10-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 24<sup>TH</sup> DAY OF FEBRUARY, 2011.**

**RESOLUTION NO. CZAB10-5-11**

*WHEREAS*, **CECILIO GAMEZ** applied for the following:

- (1) Applicant is requesting to permit an existing covered terrace addition to a single-family residence setback 14.2' (25' required) from the rear (north) property line.
- (2) Applicant is requesting to permit a lot coverage of 40.4% (35% permitted).
- (3) Applicant is requesting to waive the zoning regulation requiring that no fence or wall exceed 2.5' in height when located within the safe sight distance triangle; to permit a 6' high CBS wall within the safe sight distance triangle along the front (South) property line.

Plans are on file and may be examined in the Department of Planning and Zoning, entitled, "Proposed Variance for Covered Terrace to Mr. Cecilio Gamez Residence," as prepared by Orestes Lopez-Recio, R. A., Sheet "SP-1" dated stamped received 12/23/2009 and Sheet "E-1" preparer unknown dated stamped received 4/14/2010 for a total of two sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 7, Block 7, UNIVERSITY PARK WEST, SECTION THREE, Plat book 111, Page 34.

LOCATION: 13513 S.W. 5 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requests to permit an existing covered terrace addition to a single-family residence setback 14.2' from the rear (north) property line to permit an existing covered terrace addition to a single-family residence setback 14.2' from the rear (north) property line (Item #1), to permit a lot coverage of 40.4% (Item #2), and to waive the zoning regulation requiring that no fence or wall exceed 2.5' in height when located within the safe

sight distance triangle; to permit a 6' high CBS wall within the safe sight distance triangle along the front (South) property line (Item #3) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve Items #1, 2, and 3 was offered by Jorge Barbontin, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the requests to permit an existing covered terrace addition to a single-family residence setback 14.2' from the rear (north) property line to permit an existing covered terrace addition to a single-family residence setback 14.2' from the rear (north) property line (Item #1), to permit a lot coverage of 40.4% (Item #2), and to waive the zoning regulation requiring that no fence or wall exceed 2.5' in height when located within the safe sight distance triangle; to permit a 6' high CBS wall within the safe sight distance triangle along the front (South) property line (Item #3) be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Variance for Covered Terrace to Mr. Cecilio Gamez Residence," as prepared by Orestes Lopez-Recio, R. A., Sheet "SP-1"

dated stamped received 12/23/2009 and Sheet "E-1" preparer unknown dated stamped received 4/14/2010 for a total of two sheets.

3. That the use be established and maintained in accordance with the approved plan.
4. That the covered terrace addition remains open sided on 3 sides and thus, not enclosed in any manner except for approved insect screen materials and the existing hurricane shutters.
5. That the applicants comply with all applicable conditions and requirements of the Public Works Department.
6. That the applicant obtain a building permit for the terrace addition and the fence from the Building Department within 90 days after the appeal period deadline.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 9<sup>th</sup> day of February, 2011.

Hearing No. 11-2-CZ10-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 24<sup>TH</sup> DAY OF FEBRUARY, 2011.**

## RESOLUTION NO. CZAB10-4-11

WHEREAS, FLORIDA POWER AND LIGHT COMPANY applied for the following:

- (1) DBC from AU to RU-5A.
- (2) Unusual Use to permit a parking lot within a more restrictive zone than the use it serves.
- (3) Applicant is requesting to waive the zoning regulations requiring a 5' high wall or fence along the interior side (north) and rear (east) property lines.
- (4) Applicant is requesting to permit a 1-way drive with a minimum width of 9' (14' wide required).
- (5) Applicant is requesting to permit 45 degree angle parking with a minimum stall length of 20' (26.5' required) and a minimum stall aisle width of 9' (12' required).
- (6) Applicant is requesting to permit an landscape open space of 16.28% (25% required).
- (7) Applicant is requesting to permit 135 lot trees (172 required) 0 street trees (36 required) and 0' shrubs (2,080 required).
- (8) Applicant is requesting to waive the dissimilar land use buffer along the north, and east property lines.
- (9) Applicant is requesting to permit 0' to 7' wide landscape buffer (7' required) along the right-of-way.

### REQUESTS # 1 THRU #9 ON PARCEL B.

- (10) Unusual Use to permit a heliport.
- (11) Deletion of Condition #3 of Resolution Z-8-72 passed and adopted by the Board of County Commissioners, reading as follows:

"3 . That the proffered agreement be accepted and that the same include an agreement that they will apply to remove the BU-2 zoning and replace the same with the proposed office park district when it is adopted, provided that the building which is erected falls within the purview of that ordinance".

The purpose of request #11 is to delete the condition to rezone the BU-2 portion of the property to Office Park District and to allow the current BU-2 zoning classification to remain on the site.

### REQUESTS #10 AND 11 ON PARCEL A.

(12) Applicant is requesting to permit an office building with 1,503 parking spaces (1,672 parking spaces required).

REQUEST #12 ON PARCELS A AND B

A Boundary survey and a plan is on file and may be examined in the Department of Planning and Zoning entitled "Boundary and Topographic Survey" as prepared by A.R. Toussaint & Associates, Inc. consisting of 3 sheets. Sheet 1 dated stamped received 11/12/10, last handwritten revision dated 12/06/10 and sheets 2 and 3 dated stamped received 10/28/10 and a plan entitled "Florida Power and Light FP&L General Office & OverFlow Parking Lot" as prepared by Leo Giangrande dated stamp received 12/02/10 all totaling 4 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: PARCEL A: Tract "A" of FPL Center as recorded in Plat Book 102, Page 10. PARCEL B: A Portion of Tract 7, Block 4, of Richardson-Kellet Company's Plat in Section 4, Township 54 South, Range 40 East, according to the plat thereof as recorded in Plat Book 4, at Page 100; together with that portion of the NW ¼ of the SE ¼ of Section 4, Township 54 South, Range 40 East, lying west of said Tract 7, as deeded to Florida Power and Light Company by that certain Warranty Deed dated April 26th, 1971 and recorded in Official Records Book 8275, Page 315 of the Public Records of Miami-Dade County, Florida, all of the above lying in the SE ¼ of said Section 4, and being more particularly described as follows:

Commence at the Southeast corner of said Tract 7; thence run North 1°54'43" West along the east Line of said Tract 7 for a distance of 25.00 feet; thence run South 87°35'46" West along a line 25.00 feet North of and parallel to the South line of said Tract 7 for a distance of 200.00 feet to the Point of Beginning of the parcel of land hereinafter to be described; thence continue South 87°35'46" West along the said line 25.00 feet North of and parallel to the South line of Said Tract 7 for a distance of 435.57 feet to a point of curvature of a circular curve to the right; thence northwesterly along the arc of said curve being concave to the northeast and having a central angle of 90°29'11" a radius of 25.00 feet, for an arc distance of 39.48 feet to a Point of tangency; on the East Right of Way line of Southwest 92nd Avenue as shown on the Plat of "F.P.L Center" according to the Plat thereof recorded in Plat Book 102 at Page; thence run North 1°55'03" West along the said East Right of Way line of Southwest 92nd Avenue for a distance of 41.67 feet to a Point of Curvature of a circular curve to the right; thence northerly along the arc of said curve, being concave to the east and having a central angle of 5°40'53", a radius of 1130.00 feet, for an arc distance of 112.05 feet to a point of tangency; thence run North 3°45'50" East along the said East Right of Way line of Southwest 92nd Avenue for a distance of 243.56 feet to a point of curvature of a circular curve to the left; thence northerly along the arc of said curve, being concave to the west and having a central angle of 5°40'53" a radius of 1270 feet, for an arc distance of 125.93 feet to a point of tangency; thence run North 1°55'03" West along the said East Right of Way line of Southwest 92nd Avenue for a distance of 59.03 feet; thence run North 87°33'36" East along a line 30.00 feet South of and parallel to the North line of said Tract 7 for a distance of 415.93 feet; thence run South 1°54'43" East along a line 209.00 feet West of and parallel to the East line of said Tract 7 for a distance of 10.00 feet; thence run North 87°33'36" East along a line 40.00 feet south of and parallel to the North line of said Tract 7 for a distance of 9.00 feet; thence run South 1°54'43" East along a line 200.00 feet West of and parallel to the East line of said Tract 7 for a distance of 595.97 feet

to the Point of Beginning; Subject to 30 Foot Road and Drainage Canal Right of Way as shown on Plat of Richardson-Kellett Company's Plat, Section 4, Township 54 South, Range 40 East according to the Plat thereof recorded in Plat Book 4, at Page 100.

LOCATION: Lying south of Flagler Street and on both sides of S.W. 92 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions which among other things provided:

1. **Permitted Uses.** That the uses on Parcel A shall be limited to office uses and such uses that are customary and ancillary to office uses which are intended for the convenience and use of the occupants and patrons of the office complex.
2. **Controlling Site Plans**
  - a) That the heliport on Parcel A shall be maintained substantially in compliance with the survey submitted for the hearing entitled "Boundary and Topographic Survey," as prepared by A.R. Toussaint & Associates, Inc., dated stamped received November 12, 2010 with last handwritten revision dated December 6, 2010 and consisting of three sheets.
  - b) That the parking lot on Parcel B shall be maintained substantially in compliance with the plans submitted for the hearing entitled "Site Plan for Florida Power & Light FP&L General Office & Overflow Parking Lot," as prepared by Leo Giangrande of AECOM Technical Services, Inc., dated stamped received December 2, 2010 and consisting of one sheet.
3. **Unity of Title.** That Parcel A and Parcel B shall remain under a single ownership and no portion of said parcels of land shall be sold, transferred, devised or assigned separately, except in their entirety, in order to ensure that the office complex on Parcel A shall continue to be supported with the parking lot on Parcel B until such time as the improvements on Parcel A are made to conform with the applicable parking requirements, as determined by the Director of the County's Department of Planning and Zoning, or successor thereof, this paragraph shall have no further force and effect and the Unity of Title established by this Paragraph shall be null and void.

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to RU-5A on Parcel B (Item #1) would be consistent with the Comprehensive Development Master Plan and would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the requested Unusual Use to permit a parking lot within a more restrictive zone than the use it serves on Parcel B (Item #2), the requests to waive the zoning regulations requiring a 5' high wall or fence along the interior side (north) and rear (east) property lines on Parcel B (Item #3), to permit a 1-way drive with a minimum width of 9' on Parcel B (Item #4), to permit 45 degree angle parking with a minimum stall length of 20' and a minimum stall aisle width of 9' on Parcel B (Item #5), to permit an landscape open space of 16.28% on Parcel B (Item #6), to permit 135 lot trees 34 street trees and 0 shrubs on a modified basis on Parcel B (Item #7), to waive the dissimilar land use buffer along the north, and east property lines on Parcel B (Item #8), and to waive the dissimilar land use buffer along the north, and east property lines on Parcel B (Item #9), the requested unusual use to permit a heliport on Parcel A (Item #10), the requested deletion of Condition #3 of Resolution Z-8-72 passed and adopted by the Board of County Commissioners on Parcel A (Item #11), and the request to permit an office building with 1,503 parking spaces on Parcels A and B (Item #12) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the requested unusual uses Item #2 on Parcel B and Item #10 on Parcel A would not have an adverse impact upon the public interest and should be approved and that the proffered Declaration of Restrictions should be accepted, and

WHEREAS, a motion to accept the proffered Declaration of Restrictions, to approve Items #1 through 9 on Parcel B, to approve Items #10 and 11 on Parcel A, and to approve Item #12 on Parcels A and B was offered by Miguel A. Martinez, seconded by Julio R. Caceres, and upon a poll of the members present the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 10, that the requested district boundary change to RU-5A on Parcel B (Item #1) be and the same is hereby approved and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED that that the requested Unusual Use to permit a parking lot within a more restrictive zone than the use it serves on Parcel B (Item #2), the requests to waive the zoning regulations requiring a 5' high wall or fence along the interior side (north) and rear (east) property lines on Parcel B (Item #3), to permit a 1-way drive with a minimum width of 9' on Parcel B (Item #4), to permit 45 degree angle parking with a minimum stall length of 20' and a minimum stall aisle width of 9' on Parcel B (Item #5), to permit an landscape open space of 16.28% on Parcel B (Item #6), to permit 135 lot trees 34 street trees and 0 shrubs on a modified basis on Parcel B (Item #7), to waive the dissimilar land use buffer along the north, and east property lines on Parcel B (Item #8), and to waive the dissimilar land use buffer along the north, and east property lines on Parcel B (Item #9), the requested unusual use to permit a heliport on Parcel A (Item #10), the requested deletion of Condition #3 of Resolution Z-8-72 passed and adopted by the Board of County Commissioners on Parcel A (Item #11), and the request to permit an office building with

1,503 parking spaces on Parcels A and B (Item #12) be and the same are hereby approved, subject to the following conditions:

1. That all other conditions of Resolution #Z-8-72 remain in full force and effect except as herein modified
2. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include, but not limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Boundary and Topographic Survey" as prepared by A. R. Toussaint & Associates, Inc. consisting of 3 sheets. Sheet 1 dated stamped received 11/12/10, last handwritten revision dated 12/06/10 and sheets 2 & 3 dated stamped received 10/28/10 and a plan entitled "Florida Power & Light FP&L General Office & OverFlow Parking Lot" as prepared by Leo Giangrande dated stamped received 12/02/10 all totaling 4 sheets.
4. That the applicant obtain a new or revised Certificate of Use for the expansion of the parking onto parcel B, and promptly renew the same annually with, the Department of Planning and Zoning upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That prior to the issuance of a CU, that Florida Power & Light uses its best efforts to install a hedge of a species to be approved by FP&L and Miami Dade County subject to the ability of the applicant to clear any conflicts with underground facilities along the east boundary of Parcel 7-1 as indentified in the application as continuous property.
6. That all operations for the heliport conducted at this location should be under direct communication with and the jurisdiction of the Miami International Airport FAA Tower.
7. That the operation of the heliport shall meet all the requirements of the FAA and the Aviation Division of the State Department of Transportation and the Miami-Dade County Aviation Department (MDAD).
8. That the use be established and maintained in accordance with the approved boundary survey.
9. That in the event the existing wall located along the interior side (west) property line of Parcel A, is owned by the applicant, the applicant will repair said wall and will obtain all necessary permits from the Building Department within 6 months of final approval of this application.

*BE IT FURTHER RESOLVED* that, pursuant to Section 33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

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.

*PASSED AND ADOPTED* this 12<sup>th</sup> day of January, 2011.

Hearing No. 11-1-CZ10-4  
ej

**RESOLUTION NO. CZAB10-3-11**

*WHEREAS*, **CHRISTIAN AND JESSICA GARCELL DE GOMEZ** applied for the following:

Applicants are requesting to waive the zoning regulations requiring no accessory use structure for a townhouse residence to extend above the height of the enclosed patio wall; to permit a chickee hut to extend above the height of the 6' wood fence.

A plan is on file and may be examined in the Department of Planning and Zoning entitled "As-Built," as prepared by D'Avila & Associates Services, Inc., dated stamped received 5/19/10 consisting of 2 sheets Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 6, Block 21, EMERALD LAKES, Plat book 159, Page 5.

LOCATION: 14756 S.W. 9 Terrace, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to waive the zoning regulations requiring no accessory use structure for a townhouse residence to extend above the height of the enclosed patio wall; to permit a chickee hut to extend above the height of the 6' wood fence would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Miguel A. Martinez, seconded by Julio R. Caceres, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the request to waive the zoning regulations requiring no accessory use structure for a townhouse residence to extend above the height of the enclosed patio wall; to permit a chickee hut to extend above the height of the 6' be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include, but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "As-Built" as prepared by D'Avila & Associates Services, Inc., dated stamped received 5/19/10. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants secure a building permit for the existing non-permitted structures from the Building Department within 90 days of the expiration of the appeal period for this application, unless a time extension is granted by the Director of the Department of Planning and Zoning for good cause shown.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 12<sup>th</sup> day of January, 2011.

Hearing No. 11-1-CZ10-2

ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 31<sup>ST</sup> DAY OF JANUARY, 2011.**

**RESOLUTION NO. CZAB10-23-11**

*WHEREAS*, **LILLY DAG** applied for the following:

- (1) USE VARIANCE to permit RU5A uses in the RU3 zone.
- (2) Applicant is requesting to permit an existing landscaping buffer adjacent to rights-of-way with a depth of 5' (7' required).
- (3) Applicant is requesting to permit an existing dissimilar land use buffer with a depth of 3' (5' required).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Zoning Use Variance for: YOUR TICKET TRAVEL, Inc, as prepared by Cabrera Ramos, Architects, Inc., and dated 5/18/11 and consisting of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: East 78.3' of TR 6 Revision Plat of Camner Gables 1<sup>st</sup> Addition, Plat Book 43-27.

LOCATION: 4201 SW 12 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested use variance to permit RU5A uses in the RU3 zone (Item #1) and requests to permit an existing landscaping buffer adjacent to rights-of-way with a depth of 5' (Item #2) and to permit an existing dissimilar land use buffer with a depth of 3' (Item #3) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to approve Items #1, 2, and 3 was offered by Julio R. Caceres, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 10 that the requested use variance to permit RU5A uses in the RU3 zone (Item #1) and requests to permit an existing landscaping buffer adjacent to rights-of-way with a depth of 5' (Item #2) and to permit an existing dissimilar land use buffer with a depth of 3' (Item #3) be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Zoning Use Variance for: Your Ticket Travel, Inc." as prepared by Cabrera Ramos, Architects, Inc., and dated stamped received 5/18/11.
3. That the use be established and maintained in accordance with the approved plan.
4. That no medical or dental offices be permitted on this site.
5. That only one office use be permitted on the site.
6. That no off-site parking be permitted for the office use.
7. That the applicant obtain a Certificate of Use from and promptly renew same annually with the Department of Planning and Zoning, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

8. That a Declaration of Restrictions be submitted to the Department of Planning and Zoning within 90 days after final public hearing approval of this application, unless a time extension is granted by the Director, for good cause shown.
9. That this Resolution will not be transmitted to the Clerk of the Commission until the required Declaration of Restrictions is submitted in final, recordable form acceptable to the Department.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 11<sup>th</sup> day of October, 2011.

Hearing No. 11-10-CZ10-15  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 13<sup>TH</sup> DAY OF JANUARY, 2012.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

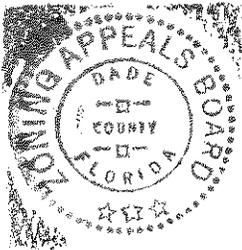
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-23-11 adopted by said Community Zoning Appeals Board at its meeting held on the 11<sup>th</sup> day of October, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 13<sup>th</sup> day of January, 2012.



\_\_\_\_\_  
Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Permitting,  
Environment and Regulatory Affairs

**SEAL**



**RESOLUTION NO. CZAB10-24-11**

*WHEREAS*, **ARMANDO HERNANDEZ** applied for the following:

Applicant is requesting to permit an addition to a single family residence setback varying from 14.30' to 14.45' (25' required) from the rear (north) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Proposed of legalization of bathrooms, kitchen, family room, utility & bedroom at Mr. Armando Hernandez House", as prepared by Fernando Hernandez Gomez-Pina, P.E., dated 6/14/11 and consisting of 2 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 24 Block 13 Westwood Lake, Plat Book 57-29

LOCATION: 11441 SW 43 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to permit an addition to a single family residence setback varying from 14.30' to 14.45' from the rear (north) property line (Item #1) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Miguel A. Martinez, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	absent	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	absent	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the request to permit an addition to a single family residence setback varying from 14.30' to 14.45' from the rear (north) property line (Item #1) be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Permitting, Environment and Regulatory Affairs upon the submittal of an application for a building permit and/or Certificate of Completion; said plan shall include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the site plan, the same be substantially in accordance with that submitted for the hearing entitled "Existing Addition to be Legalized," as prepared Fernando Hernandez Gomez-Pina, P.E., and dated stamped received 6/14/2011 for a total of four (4) sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action and except that the door leading outside from the new bedroom be removed, the interior door from the dining room to the family room be removed from the plans and the door leading outside from the utility room be replaced with a roll-up garage door.
3. That the door leading outside from the new bedroom be removed, the interior door from the dining room to the family room be removed and the door leading outside from the utility room be replaced with a roll-up garage door, in accordance with the submitted plan within 90 days of the expiration of the appeal period for this Zoning Hearing, unless a time extension is granted by the Director of the Department of Permitting, Environment and Regulatory Affairs.
4. That the use be established and maintained in accordance with the approved plans.
5. That the applicant shall obtain a building permit for the existing residence from the Permitting, Environment and Regulatory Affairs Department within 90 days after final public hearing approval of this application.
6. That the applicant submits a Declaration of Use Agreement restricting the use of the subject property only to a single-family residence prior to the issuance of a building permit.

7. That the shed in the rear northeast corner of the property be demolished in accordance with the site plan submitted.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 9<sup>th</sup> day of November, 2011.

Hearing No. 11-10-CZ10-6  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 22<sup>ND</sup> DAY OF NOVEMBER, 2011.**

**RESOLUTION NO. CZAB10-22-11**

*WHEREAS*, **LENAY MOYA ESPINOSA** applied for the following:

- (1) Applicant is requesting to permit a single family residence with a lot coverage of 38% (30% permitted).
- (2) Applicant is requesting to permit a storage shed for a single family residence setback 4' (5' required) from the interior side (east) property line and setback 3.45' (5' required) from the rear (north) property line.

Plans are on file and may be examined in the Department of Planning and Zoning, entitled "Lenay Moya Espinosa" as prepared by Jose Posada Architect, dated 5/6/11 and consisting of 2 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Lot 15 Block 11 Coravo Amended, Plat Book 29-17.

**LOCATION:** 10469 SW 28 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to permit a single family residence with a lot coverage of 38% (Item #1) and to permit a storage shed for a single family residence setback 4' from the interior side (east) property line and setback 3.45' from the rear (north) property line (Item #2) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to approve Items #1 and #2 was offered by Miguel A. Martinez, seconded by Julio R. Caceres, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the requests to permit a single family residence with a lot coverage of 38% (Item #1) and to permit a storage shed for a single family residence setback 4' from the interior side (east) property line and setback 3.45' from the rear (north) property line (Item #2) be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning & Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Zoning Hearing Drawings," as prepared by Jose Luis Posada Architect, consisting of 2 sheets date stamped received 5/06/2011. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action and except that the second kitchen at the back of residence, interior partition from remaining kitchen to dining room, interior door from dining room to Florida room and outdoor aluminum terrace be removed from the plans.
3. That the use be established and maintained in accordance with the approved plan.
4. That the second kitchen at the back of residence, interior partition from remaining kitchen to dining room, interior door from dining room to Florida room and outdoor aluminum terrace be demolished, in accordance with the submitted plan within 90 days of the expiration of the appeal period for this Zoning Hearing, unless a time extension is granted by the Director of the Department of Planning and Zoning.
5. That the applicant submits a Declaration of Use Agreement restricting the use of the subject property only to a single-family residence prior to the issuance of a building permit.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 11<sup>th</sup> day of October, 2011.

Hearing No. 11-10-CZ10-4  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 21<sup>ST</sup> DAY OF OCTOBER, 2011.**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

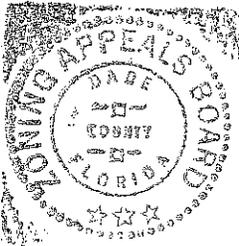
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 8, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-22-11 adopted by said Community Zoning Appeals Board at its meeting held on the 11<sup>th</sup> day of October, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 21<sup>st</sup> day of October, 2011.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Permitting,  
Environment and Regulatory Affairs

SEAL



**RESOLUTION NO. CZAB10-24-11**

*WHEREAS*, **ARMANDO HERNANDEZ** applied for the following:

Applicant is requesting to permit an addition to a single family residence setback varying from 14.30' to 14.45' (25' required) from the rear (north) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Proposed of legalization of bathrooms, kitchen, family room, utility & bedroom at Mr. Armando Hernandez House", as prepared by Fernando Hernandez Gomez-Pina, P.E., dated 6/14/11 and consisting of 2 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Lot 24 Block 13 Westwood Lake, Plat Book 57-29

**LOCATION:** 11441 SW 43 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to permit an addition to a single family residence setback varying from 14.30' to 14.45' from the rear (north) property line (Item #1) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Miguel A. Martinez, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	absent	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	absent	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the request to permit an addition to a single family residence setback varying from 14.30' to 14.45' from the rear (north) property line (Item #1) be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Permitting, Environment and Regulatory Affairs upon the submittal of an application for a building permit and/or Certificate of Completion; said plan shall include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the site plan, the same be substantially in accordance with that submitted for the hearing entitled "Existing Addition to be Legalized," as prepared Fernando Hernandez Gomez-Pina, P.E., and dated stamped received 6/14/2011 for a total of four (4) sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action and except that the door leading outside from the new bedroom be removed, the interior door from the dining room to the family room be removed from the plans and the door leading outside from the utility room be replaced with a roll-up garage door.
3. That the door leading outside from the new bedroom be removed, the interior door from the dining room to the family room be removed and the door leading outside from the utility room be replaced with a roll-up garage door, in accordance with the submitted plan within 90 days of the expiration of the appeal period for this Zoning Hearing, unless a time extension is granted by the Director of the Department of Permitting, Environment and Regulatory Affairs.
4. That the use be established and maintained in accordance with the approved plans.
5. That the applicant shall obtain a building permit for the existing residence from the Permitting, Environment and Regulatory Affairs Department within 90 days after final public hearing approval of this application.
6. That the applicant submits a Declaration of Use Agreement restricting the use of the subject property only to a single-family residence prior to the issuance of a building permit.

7. That the shed in the rear northeast corner of the property be demolished in accordance with the site plan submitted.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 9<sup>th</sup> day of November, 2011.

Hearing No. 11-10-CZ10-6

ej

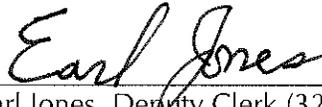
**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 22<sup>ND</sup> DAY OF NOVEMBER, 2011.**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

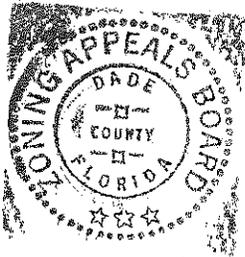
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-24-11 adopted by said Community Zoning Appeals Board at its meeting held on the 9<sup>th</sup> day of November, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 22<sup>nd</sup> day of November, 2011.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Permitting,  
Environment and Regulatory Affairs

SEAL



**RESOLUTION NO. CZAB10-25-11**

*WHEREAS*, ALEXANDER & DENISE ANDREUS applied for the following:

- (1) NON-USE VARIANCE to permit a bedroom addition to a single family residence setback 10' (25' required) from the rear (North) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Addition for Mr. & Mrs. Alex Andreus" as prepared by Mira Design Build Inc., dated stamped received 7/11/11 and consisting of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of the NE ¼ of Section 13, Township 54 South, Range 40 East, described as follows: Begin 280.00 feet West of the SE corner of the North ½ of the North ½ of the SW ¼ of the NE ¼ of said Section 13; thence run West 100.00 feet; thence North 163.66 feet, thence East 100.00 feet; thence run South 163.58 feet to the Point of Beginning.

LOCATION: 5945 SW 29 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested non-use variance to permit a bedroom addition to a single family residence setback 10' from the rear (North) property line (Item #1) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Richard M. Gomez, seconded by Toufic Zakharia, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	absent	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	absent	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the requested non-use variance to permit a bedroom addition to a single family residence setback 10' from the rear (North) property line (Item #1) be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Permitting, Environment and Regulatory Affairs upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Addition for Mr. & Mrs. Alex Andreus" as prepared by Mira Design Build and dated stamped received 7/11/11, consisting of 3 sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 9<sup>th</sup> day of November, 2011.

Hearing No. 11-11-CZ10-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 22<sup>ND</sup> DAY OF NOVEMBER, 2011.**

**RESOLUTION NO. CZAB10-25-11**

*WHEREAS*, **ALEXANDER & DENISE ANDREUS** applied for the following:

- (1) **NON-USE VARIANCE** to permit a bedroom addition to a single family residence setback 10' (25' required) from the rear (North) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Addition for Mr. & Mrs. Alex Andreus" as prepared by Mira Design Build Inc., dated stamped received 7/11/11 and consisting of 3 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** A portion of the NE ¼ of Section 13, Township 54 South, Range 40 East, described as follows: Begin 280.00 feet West of the SE corner of the North ½ of the North ½ of the SW ¼ of the NE ¼ of said Section 13; thence run West 100.00 feet; thence North 163.66 feet, thence East 100.00 feet; thence run South 163.58 feet to the Point of Beginning.

**LOCATION:** 5945 SW 29 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested non-use variance to permit a bedroom addition to a single family residence setback 10' from the rear (North) property line (Item #1) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Richard M. Gomez, seconded by Toufic Zakharia, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	absent	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	absent	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the requested non-use variance to permit a bedroom addition to a single family residence setback 10' from the rear (North) property line (Item #1) be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Permitting, Environment and Regulatory Affairs upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Addition for Mr. & Mrs. Alex Andreus" as prepared by Mira Design Build and dated stamped received 7/11/11, consisting of 3 sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 9<sup>th</sup> day of November, 2011.

Hearing No. 11-11-CZ10-1  
ej

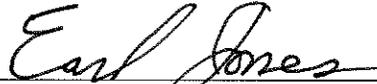
**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 22<sup>ND</sup> DAY OF NOVEMBER, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

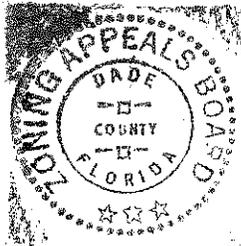
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-25-11 adopted by said Community Zoning Appeals Board at its meeting held on the 9<sup>th</sup> day of November, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 22<sup>nd</sup> day of November, 2011.



\_\_\_\_\_  
Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Permitting,  
Environment and Regulatory Affairs

**SEAL**





COMMUNITY ZONING APPEALS BOARD 10

Hearing Date: JANUARY 11, 2012

I The Board took the following action on the items listed below

12-1-CZ10-2	ARTURO & LAURA CHIONG Approved per staff recommendation	11-22 CZAB10112	20-54-40
12-1-CZ10-3	LGV, L.L.C. & GIL AT BIRD, INC Approved per request with conditions	11-65 CZAB10212	14-54-40
12-1-CZ10-4	MARIE QUATTROCCHI Approved per staff recommendation	11-69 CZAB10312	13-54-40
12-1-CZ10-5	RAMIRO PEREZ Approved per request with conditions	11-82 CZAB10412	18-54-40



COMMUNITY ZONING APPEALS BOARD 10

Hearing Date: JANUARY 11, 2012

II Items listed below have been withdrawn or deferred to a later date:

12-1-CZ10-6	ISABIANCA INVESTMENTS, LLC Deferred To Date Certain (02/09/12) to allow applicant to proffer revised covenant	11-107	15-54-39
12-1-CZ10-1	1097 LEJEUNE INVESTMENT INC. Deferred To Date Certain (02/09/12) to allow the applicant to obtain covenant	09-84	08-54-41

**COUNTY STAFF ATTENDEES:**

- DARON FITCH - ASSISTANT COUNTY ATTORNEY'S OFFICE
- CARL HARRISON - ZONING EVALUATION SECTION (SPEED)
- THOMAS GOMEZ - ZONING AGENDA COORDINATOR'S OFFICE (SPEED)
- EARL JONES - ZONING EVALUATION SECTION (SPEED)
- LEO RODRIGUEZ - PUBLIC WORKS AND WASTE MANAGEMENT

NOTICE

THE FOLLOWING SUMMARY INFORMATION IS PROVIDED AS A COURTESY; IT SHOULD NOT BE TREATED AS LEGAL ADVICE AND IT SHOULD NOT BE RELIED UPON. LEGAL CONSULTATION MAY BE WARRANTED IF AN APPEAL OR OTHER LEGAL CHALLENGE IS BEING CONTEMPLATED.

Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Planning and Zoning (DPZ) within 14 days after the DPZ has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (The DPZ's posting will be made on a bulletin board located in the office of the DPZ.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website (www.municode.com). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

**RESOLUTION NO. CZAB10-1-12**

*WHEREAS*, **ARTURO & LAURA CHIONG** applied for the following:

- (1) NON-USE-VARIANCE to permit an existing addition to a single family residence setback 13.85' (25' required) from the rear (south) property line.
- (2) NON-USE-VARIANCE to waive the zoning regulations requiring the height of a fence not to exceed 2.5' in height within 10' of the edge of driveway leading to a public right-of-way; to permit a 6' high chain link, wood fence and gates within 10' of the edge of driveway.

Plans are on file and may be examined in the Department Sustainability, Planning and Economic Enhancement entitled "Hearing Process for Rear Setback", as prepared by Julio Pulido. Sheet S-P dated stamped received 3/22/11, last handwritten revision 5/5/11, and the remaining 2 sheets dated stamped received 2/22/11, for a total of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 9 Block 9 Tropical Est., Plat Book 50-98

LOCATION: 9950 SW 42 Terrace, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested non-use-variance to permit an existing addition to a single family residence setback 13.85' from the rear (south) property line (Item #1) and the requested non-use-variance on a modified to waive the zoning regulations requiring the height of a fence not to exceed 2.5' in height within 10' of the edge of driveway leading to a public right-of-way; to permit a 6' high chain link fence and gates within 10' of the edge of driveway (Item #2) would be in harmony with the general purpose and intent of the regulations and

would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve Items #1 and 2 was offered by Julio R. Caceres, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	nay	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the requested non-use-variance to permit an existing addition to a single family residence setback 13.85' from the rear (south) property line (Item #1) and the requested non-use-variance on a modified to waive the zoning regulations requiring the height of a fence not to exceed 2.5' in height within 10' of the edge of driveway leading to a public right-of-way; to permit a 6' high chain link fence and gates within 10' of the edge of driveway (Item #2) be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Permitting, Environment and Regulatory Affairs upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Hearing Process for Rear Setback", as prepared by Julio Pulido. Sheet S-P dated stamped received 3/22/11, last handwritten revision 5/5/11, and the remaining 2 sheets dated stamped received 2/22/11, for a total of 3 sheets, except as herein amended to show a chain link fence within ten (10) feet of the edge of driveway, leading to the public right-of-way along SW 99 Court. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.

4. That the applicants apply for and secure a permit for the existing bedroom, closet, walk in closet, and dining room additions to the interior side (southern) portion of the residence from the Permitting, Environment and Regulatory Affairs Department within 90 days after final public hearing approval of this application.
5. That the applicant submits a Declaration of Use Agreement restricting the use of the subject property only to a single family residence prior to the issuance of a building permit.
6. That the carport canopy in the front of the property and the bird cage in the rear of the property be removed as depicted on the site plan submitted.
7. That all fences be cut down to six (6) feet in height and that the wood fence within ten (10) feet of the edge of the driveway, leading to a public

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

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

*PASSED AND ADOPTED* this 11<sup>th</sup> day of January, 2012.

Hearing No. 12-01-CZ10-2  
ej

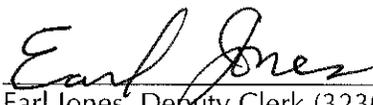
**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 23<sup>RD</sup> DAY OF JANUARY, 2012.**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

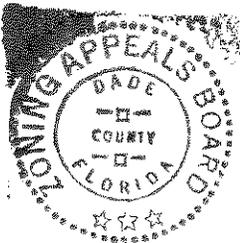
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-1-12 adopted by said Community Zoning Appeals Board at its meeting held on the 11<sup>th</sup> day of January, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 23<sup>rd</sup> day of January, 2012.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Permitting,  
Environment and Regulatory Affairs

SEAL



**RESOLUTION NO. CZAB10-1-11**

*WHEREAS*, **ANTHONY B. WILSON** applied for the following:

- (1) Applicant is requesting to permit an existing storage room setback 7.2' (25' required) from the rear (north) property line.
- (2) Applicant is requesting to permit the existing single-family residence setback 14.6' (15' required) from the side street (west) property line.
- (3) Applicant is requesting to permit a canvas carport setback a minimum of 3.85' from the side street (west) property line and setback a minimum of 3.2' from the rear (north) property line (5' required for both).
- (4) Applicant is requesting to permit a jacuzzi setback 7.94' (10' required) from the interior side (east) property line and setback 49.7' (75' required) from the front (south) property line.
- (5) Applicant is requesting to permit a raised wood deck setback 3.3' (6.25' required) from the interior side (east) property line.
- (6) Applicant is requesting to permit a lattice fence with a maximum height of 12.4' (6' maximum permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Existing Conditions," as prepared by N25 Architect Co., consisting of 4 sheets dated stamped received 1/13/10. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 14, Block 3, CORAL WAY HEIGHTS, Plat book 14, Page 10.

LOCATION: 5913 S.W. 26 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 5 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requests to permit an existing storage room setback 7.2' from the rear (north) property line (Item #1), to permit the existing single-family residence

setback 14.6' from the side street (west) property line (Item #2), to permit a canvas carport setback a minimum of 3.85' from the side street (west) property line and setback a minimum of 3.2' from the rear (north) property line (Item #3), to permit a jacuzzi setback 7.94' from the interior side (east) property line and setback 49.7' from the front (south) property line (Item #4), to permit a raised wood deck setback 3.3' from the interior side (east) property line (Item #5), and to permit a lattice fence with a maximum height of 12.4' (Item #6) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve Items #1 through 6 was offered by Julio R. Caceres, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	absent
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the requests to permit an existing storage room setback 7.2' from the rear (north) property line (Item #1), to permit the existing single-family residence setback 14.6' from the side street (west) property line (Item #2), to permit a canvas carport setback a minimum of 3.85' from the side street (west) property line and setback a minimum of 3.2' from the rear (north) property line (Item #3), to permit a jacuzzi setback 7.94' from the interior side (east) property line and setback 49.7' from the front (south) property line (Item #4), to permit a raised wood deck setback 3.3' from the interior side (east) property line (Item #5), and to permit a lattice fence with a maximum height of 12.4' (Item #6) be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Existing Conditions," as prepared by N25 Architect Co., consisting of 4 sheets dated stamped received 1/13/10.
3. That the use be established and maintained in accordance with the approved plan.
4. That buffering be provided along the interior side (east) property line, either in the form of a 6' high wood fence or hedge, not less than 3' high at the time of planting, which shall grow to and be maintained at a height of 6'. Said buffering shall be installed prior to final zoning inspection for the existing raised deck and Jacuzzi.
5. That the applicant apply for a building permit for the addition from the Building Department within 90 days after final public hearing approval of this application.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 12<sup>th</sup> day of January, 2011.

Hearing No. 10-11-CZ10-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 31<sup>ST</sup> DAY OF JANUARY, 2011.**

**RESOLUTION NO. CZAB10-2-11**

WHEREAS, **MEBAHIAH, INC.** applied for the following:

- (1) MODIFICATION of Condition #2 of Resolution No.4-ZAB-227-92, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Use Change of Exist. Residence to Office,' as prepared by J. J. Gaston Rivero, P.A., and dated 1/15/92."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, Sheets 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and LS-6 dated stamped received 2/3/10 and Sheets 'SP-1.1,' 'SP-1.0,' 'A-1,' LS-1,' 'LS-3' and 'LS-5' dated stamped received 5/13/10 for a total of 15 sheets."

- (2) DELETION of Condition #4 of Resolution No.4-ZAB-227-92, passed and adopted by the Zoning Appeals Board, reading as follows:

"4. That medical, dental, chiropractor, optometrist and opticians' offices be prohibited."

The purpose of requests #1 and #2 is to allow the applicant to submit a new site plan shown in 2 phases and to delete the condition that prohibits medical, dental, chiropractor, optometrist and opticians' offices. Once phase 2 is complete both sites will stand on their own.

**REQUESTS #1 AND #2 ON LOT 3, BLOCK 19 ONLY.**

- (3) MODIFICATION of Condition #2 of Resolution No. CZAB10-17-08, passed and adopted by Community Zoning Appeals Board #10, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Gonzalez Family Company LLC Office Complex,' as prepared by de la Pezuela & Associates, consisting of a total of 9 sheets, dated stamped received 3/14/08. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to zoning code requirements will not require further public hearing action."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets LS-2,' 'LS-4' and 'LS-6' dated stamped received 2/3/10 and Sheets 'SP1.1,'

'SP1.0,' 'A-1,' 'LS-1,' 'LS-3' and LS-5,' dated stamped received 5/13/10 for a total of 15 sheets."

- (4) MODIFICATION of Paragraph #1(a) and #1(c) of a Declaration of Restrictions as recorded in Official Record Book 26433, Pages 1614 – 1619, reading as follows:

FROM: "1(a). That said property shall be developed substantially in accordance with the plans previously submitted, prepared by de la Pezuela & Associates entitled 'Gonzalez Family Company LLC Office Complex,' dated stamped received 3/14/08 and consisting of a total of 9 sheets, said plans being on file with the Miami-Dade County Department of Planning and Zoning and by reference made a part of this agreement."

TO: "1(a). That said property shall be developed substantially in accordance with the plans entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, Sheets 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and 'LS-6' dated stamped received 2/3/10 and Sheets 'SP1.1,' 'SP1.0,' 'A-1,' 'LS-1,' 'LS-3' and LS-5,' dated stamped received 5/13/10 for a total of 15 sheets."

FROM: "1(c) Owner agrees to restrict the property to the following uses:

(1) Medical Doctor's Office/Clinic

- a. (27) Medical Doctors
- b. (15) Chiropractors
- c. (31) Opticians
- d. (32) Optometrists

(2) Professional Office

- a. (2) Accountants-Bookkeeping
- b. (4) Advertising (no shops)
- c. (8) Architects
- d. (9) Attorneys
- e. (13) Building contractors (office only – no shop or storage)
- f. (22) Drafting or plan service
- g. (35) Real Estate
- h. (36) Real Estate Management
- i. (45) Zoning Consultants

(3) Dental Office

- a. (20) Dentist

TO: "1(c) Owner agrees to restrict the property to the following uses:

(1) Medical Doctor's Office/Clinic

- a. (27) Medical Doctors
- b. (15) Chiropractors
- c. (31) Opticians
- d. (32) Optometrists

- (2) Professional Office
  - a. (2) Accountants-Bookkeeping
  - b. (4) Advertising (no shops)
  - c. (8) Architects
  - d. (9) Attorneys
  - e. (13) Building contractors (office only – no shop or storage)
  - f. (22) Drafting or plan service
  - g. (35) Real Estate
  - h. (36) Real Estate Management
  - i. (45) Zoning Consultants
  - j. (44) Travel Agencies

- (3) Dental Office
  - a. (20) Dentists

The purpose of the requests is to allow the applicant to submit a new site plan shown in 2 phases and to delete the condition that prohibits medical, dental, chiropractor, optometrist and opticians' offices. Once phase 2 is complete both sites will stand on their own.

REQUESTS #3 - #4 ON LOT 4, BLOCK 19 ONLY

- (5) Applicant is requesting to permit a 4' high masonry wall along the north and a portion east property lines (6' required).

REQUEST #5 ON LOT 3, BLOCK 19 ONLY

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 3 & 4, Block 19, THIRD ADDITION TO TROPICAL HIGHLANDS, Plat book 59, Page 12.

LOCATION: 3721 and 3731 S.W. 87 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested permission to withdraw the request to permit a 4' high masonry wall along the north and a portion east property lines on lot 3, block 19 only (Item #5), and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested modification of Condition #2 of Resolution No. 4-ZAB-227-92 on lot 3, block 19 only (Item #1), the requested deletion of Condition #4 of Resolution No.4-ZAB-227-92, passed and adopted by the Zoning Appeals Board, passed and adopted by the Zoning Appeals Board on lot 3, block 19 only (Item #2), the requested modification of Condition #2 of Resolution No. CZAB10-17-08, passed and adopted by Community Zoning Appeals Board #10 on lot 4, block 19 only (Item #3), and the requested modification of Paragraph #1(a) and #1(c) of a Declaration of Restrictions as recorded in Official Record Book 26433, Pages 1614 – 1619 on lot 4, block 19 only (Item #4) would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the request withdrawal of Item #5 should be granted, and

WHEREAS, a motion to approve Items #1 through 4 and to withdraw Item #5 was offered by Richard M. Gomez, seconded by Miguel A. Martinez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 10 that the requested modification of Condition #2 of Resolution No. 4-ZAB-227-92 on lot 3, block 19 only (Item #1), the requested deletion of Condition #4 of Resolution No.4-ZAB-227-92, passed and adopted by the Zoning Appeals Board, passed and adopted by the Zoning Appeals Board on lot 3, block 19 only (Item #2), the requested modification of Condition #2 of Resolution No. CZAB10-17-08, passed and adopted by

Community Zoning Appeals Board #10 on lot 4, block 19 only (Item #3), and the requested modification of Paragraph #1(a) and #1(c) of a Declaration of Restrictions as recorded in Official Record Book 26433, Pages 1614 – 1619 on lot 4, block 19 only (Item #4), be and the same are hereby approved, subject to the following conditions:

1. That all the conditions of Resolutions No. 4-ZAB-227-92 and No. CZAB10-17-08 remain in full force and effect, except as herein modified.
2. That a unity of title agreement or agreement in lieu of unity of title, in recordable form, encumbering the entire subject property (Lots 3 and 4) be submitted to and meet the approval of the Director of the Department of Planning and Zoning within 30 days after final public hearing approval of this application, said Unity of Title may be released by the Director after completion of phase II as shown on the site plans submitted for the hearing.
3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Offices of Vacuba, Inc.," as prepared by Jose R. Merlo, Architect, 'SP-1,' 'A-1,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets LS-2,' 'LS-4' and 'LS-6' dated stamped received 2/3/10 and Sheets 'SP1.1,' 'S1.0,' 'A-1,' 'LS-1,' 'LS-3' and LS-5,' dated stamped received 5/13/10 for a total of 15 sheets, except as herein modified to show a 6' high masonry wall along the north and east property lines.

*BE IT FURTHER RESOLVED* that the requested modification of Condition #2 of Resolution No. 4-ZAB-227-92 on lot 3, block 19 only (Item #1), shall read as follows:

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, Sheets 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and LS-6dated stamped received 2/3/10 and Sheets 'SP-1.1,' 'SP-1.0,' 'A-1,' LS-1,' 'LS-3' and 'LS-5'dated stamped received 5/13/10 for a total of 15 sheets.

*BE IT FURTHER RESOLVED* that the requested modification of Condition #2 of Resolution No. CZAB10-17-08, passed and adopted by Community Zoning Appeals Board #10 on lot 4, block 19 only (Item #3), shall read as follows:

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, Sheets 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and LS-6dated stamped received 2/3/10 and Sheets 'SP-1.1,' 'SP-1.0,' 'A-1,' LS-1,' 'LS-3' and 'LS-5'dated stamped received 5/13/10 for a total of 15 sheets.

*BE IT FURTHER RESOLVED* that the requested modification of Paragraph #1(a) and #1(c) of a Declaration of Restrictions as recorded in Official Record Book 26433, Pages 1614 – 1619 on lot 4, block 19 only (Item #4), shall read as follows:

1(a) That said property shall be developed substantially in accordance with the plans entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, Sheets 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and 'LS-6' dated stamped received 2/3/10 and Sheets 'SP1.1,' 'SP1.0,' 'A-1,' 'LS-1,' 'LS-3' and 'LS-5,' dated stamped received 5/13/10 for a total of 15 sheets.

1(c) Owner agrees to restrict the property to the following uses:

(1) Medical Doctor's Office/Clinic

- a. (27) Medical Doctors
- b. (15) Chiropractors
- c. (31) Opticians
- d. (32) Optometrists

(2) Professional Office

- a. (2) Accountants-Bookkeeping
- b. (4) Advertising (no shops)
- c. (8) Architects
- d. (9) Attorneys
- e. (13) Building contractors (office only – no shop or storage)
- f. (22) Drafting or plan service
- g. (35) Real Estate
- h. (36) Real Estate Management
- i. (45) Zoning Consultants
- j. (44) Travel Agencies

(3) Dental Office

- a. (20) Dentists

*BE IT FURTHER RESOLVED* that the request to withdraw Item #5 be and the same is hereby granted and said Item is hereby withdrawn without prejudice.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 12<sup>th</sup> day of January, 2011.

Hearing No. 11-1-CZ10-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 10<sup>TH</sup> DAY OF MARCH, 2011.**

**RESOLUTION NO. CZAB10-20-11**

*WHEREAS*, **LUIS MARRERO** applied for the following:

USE VARIANCE to permit a dental office in the RU-1 zoning district as would be permitted in the RU-5A zoning district.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Project: Dental Office for Luis Marrero", as prepared by Architect Ruben Travieso, dated stamped received 7/6/11 and consisting of 2 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 1 Block 1 Camner Park, Plat Book 52-90

LOCATION: 2381 SW 81 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested use variance to permit a dental office in the RU-1 zoning district as would be permitted in the RU-5A zoning district would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Richard M. Gomez, seconded by Miguel A. Martinez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the requested use variance to permit a dental office in the RU-1 zoning district as would be permitted in the RU-5A zoning district be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Permitting, Environment, and Regulatory Affairs upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Project: Dental Office for Luis Marrero", as prepared by Architect Ruben Travieso, dated stamped received 7/6/11 and consisting of 2 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtain a Certificate of Use from and promptly renew the same annually with the Department of Permitting, Environment, and Regulatory Affairs, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That only one dentist be allowed to practice on the subject property at any given time.
6. That no parking shall be permitted offsite.
7. That applicant contact the Department of Public Works and Waste Management within 30 days of obtaining a Certificate of Use to place no parking signs in the swells.
8. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Department as contained in the Departmental memoranda which are part of the record of this recommendation incorporated herein by reference.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 11<sup>th</sup> day of October, 2011.

Hearing No. 11-10-CZ10-3  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 21<sup>ST</sup> DAY OF OCTOBER, 2011.**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

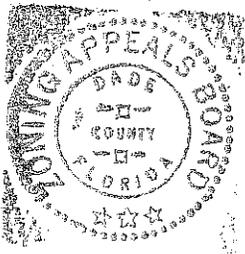
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 8, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-20-11 adopted by said Community Zoning Appeals Board at its meeting held on the 11<sup>th</sup> day of October, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 21<sup>st</sup> day of October, 2011.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Permitting,  
Environment and Regulatory Affairs

SEAL



**RESOLUTION NO. CZAB10-21-11**

*WHEREAS, MARIST BROTHERS OF THE SCHOOLS, INC.* applied for the following:

- (1) Special Exception for site plan approval for an existing high school with the following existing non-use variances:
  - a. NON-USE VARIANCE to permit an existing media center building setback 30'2" (50' required) from the interior side (south) property line.
  - b. NON-USE VARIANCE to permit an existing classroom building setback 49'5" (50' required) from the interior side (south) property line.
  - c. NON-USE VARIANCE to permit an existing bleachers setback 9' (75' required) from the front (west) property line.
  - d. NON-USE VARIANCE to permit an existing batting cage setback 15' (15.3' previously approved, 75' required) from the front (west) property line.
  - e. NON-USE VARIANCE to permit an existing batting cage setback 30'10" (75' required) from the front (west) property line.
  - f. NON-USE VARIANCE to permit an existing chain link fence with a height of 10' (6' high maximum permitted).
  - g. NON-USE VARIANCE to waive the zoning regulations prohibiting parking to setback closer than 25' to property under different ownership without a wall or hedge.
- (2) MODIFICATION of site plan approved pursuant to Resolution 7031, passed and adopted by the Board of County Commissioners, last modified by Condition #2 of Resolution CZAB10-31-06, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Christopher High School", as prepared by Spillis Candela DMJM, dated 10/4/05 and consisting of 12 sheets C2.1.01/02 and C3.1.01 dated stamped received 3/7/06 and consisting of 3 sheets."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Columbus High All-Sport Fitness Complex & Bernhardt Student Wellness Center", as prepared by Eduardo Llano Architect. Sheet ES-1 date stamped received 9/12/11, sheet L-1 dated stamped received 6/6/11 and the remaining 3 sheets dated stamped received 4/25/11 for a total of 5 sheets."

The purpose of request #2 is to allow the applicant to submit a new site plan showing additional property to the south that encumbers a batting cage and show a proposed wellness center and storage room addition to the previously approved high school.

(3) Applicant is requesting to permit the wellness center building setback 7'5" (50' required) from the interior side (north) property lines.

(4) Applicant is requesting to permit a storage building addition setback 24" (15' required) from the interior side (north) property line.

The afore-mentioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** The South half of the Southeast quarter of the Northeast quarter and the Southeast quarter of the Southwest quarter of the Northeast quarter all in Section 9N 16, Township 54 South, Range 40 East, Miami-Dade County, Florida, excepting the South one third of the Southeast quarter of the Southwest quarter of the Northeast quarter of said Section 16; also excepting the South one third of the of the South Half of the Southwest quarter of the Northeast quarter of said Section 16; also excepting the East 1175 feet of the West 1307 feet if the East 1882 feet of the North 50 feet if the South 100 feet of the North two thirds of the South half of the South half of the South half of the Northeast quarter of said Section 16; and also excepting the West 1307 feet of the East 1882 feet of the South 50 feet of the North two thirds of the South half of the South half of the Northeast quarter of said Section 16 less and except the East 35.00 feet of the North two thirds of the Southeast quarter of the Southeast quarter of the Northeast quarter of said Section 16; less and except the West 25.00 feet of the North two thirds of the Southeast quarter of the Southwest quarter of the Northeast quarter of said Section 16; and less also less and except those lands in Parcel No. 43 Pursuant to Final Judgment Recorded in Official Records Book 8935, Page 735, of the Public Records of Miami-Dade County, Florida more particularly described as follows: The West 12.00 feet of the East 47.00 feet of the North two thirds of the Southeast quarter of the Southeast quarter of the Northeast quarter of Section 16, Township 54 South, Range 40 East, Miami-Dade County, Florida.

**LOCATION:** 3000 SW 87<sup>th</sup> Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested Special Exception for site plan approval for an existing high school (Item #1 pertaining to a through g), the requested modification of site plan

approved pursuant to Resolution 7031, passed and adopted by the Board of County Commissioners, last modified by Condition #2 of Resolution CZAB10-31-06 (Item #2), and the requests to permit the wellness center building setback 7'5" from the interior side (north) property lines (Item #3) and to permit a storage building addition setback 24" from the interior side (north) property line (Item #4) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the requested special exception (Item #1 pertaining to a through g) would not have an adverse impact upon the public interest and should be approved, and

*WHEREAS*, a motion to approve Items #1 through 4 was offered by Julio R. Caceres, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the requested Special Exception for site plan approval for an existing high school (Item #1 pertaining to a through g), the requested modification of site plan approved pursuant to Resolution 7031, passed and adopted by the Board of County Commissioners, last modified by Condition #2 of Resolution CZAB10-31-06 (Item #2), and the requests to permit the wellness center building setback 7'5" from the interior side (north) property lines (Item #3) and to permit a storage building addition setback 24" from the interior side (north) property line (Item #4) be and the same are hereby approved, subject to the following condition:

1. That all the conditions of Resolution #CZAB10-31-06, remain in full force and effect except as herein modified.

*BE IT FURTHER RESOLVED* that the requested modification of site plan approved pursuant to Resolution 7031, passed and adopted by the Board of County Commissioners, last modified by Condition #2 of Resolution CZAB10-31-06 (Item #2), shall read as follows:

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Columbus High All-Sport Fitness Complex & Bernhardt Student Wellness Center", as prepared by Eduardo Llano Architect. Sheet ES-1 date stamped received 9/12/11, sheet L-1 dated stamped received 6/6/11 and the remaining 3 sheets dated stamped received 4/25/11 for a total of 5 sheets.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 11<sup>th</sup> day of October, 2011.

Hearing No. 11-10-CZ10-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 21<sup>ST</sup> DAY OF OCTOBER, 2011.**

The purpose of request #2 is to allow the applicant to submit a new site plan showing additional property to the south that encumbers a bathing cage and show a proposed wellness center and storage room addition to the previously approved high school.

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Columbus High All-Sport Fitness Complex & Bernhardt Student Wellness Center", as prepared by Eduardo Llano Architect. Sheet ES-1 date stamped received 9/12/11, sheet L-1 dated stamped received 6/6/11 and the remaining 3 sheets dated stamped received 4/25/11 for a total of 5 sheets."

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Christopher High School", as prepared by Spillis Candela DMJM, dated 10/4/05 and consisting of 12 sheets C2.1.01/02 and C3.1.01 dated stamped received 3/7/06 and consisting of 3 sheets."

Resolution CZAB10-31-06, reading as follows:  
adopted by the Board of County Commissioners, last modified by Condition #2 of Resolution CZAB10-31-06, reading as follows:

- (2) MODIFICATION of site plan approved pursuant to Resolution 7031, passed and adopted by the Board of County Commissioners, last modified by Condition #2 of Resolution CZAB10-31-06, reading as follows:
  - a. NON-USE VARIANCE to permit an existing media center building setback 30'2" (50' required) from the interior side (south) property line.
  - b. NON-USE VARIANCE to permit an existing classroom building setback 49'5" (50' required) from the interior side (south) property line.
  - c. NON-USE VARIANCE to permit an existing bleachers setback 9' (75' required) from the front (west) property line.
  - d. NON-USE VARIANCE to permit an existing batting cage setback 15' (15.3' previously approved, 75' required) from the front (west) property line.
  - e. NON-USE VARIANCE to permit an existing batting cage setback 30'10" (75' required) from the front (west) property line.
  - f. NON-USE VARIANCE to permit an existing chain link fence with a height of 10' (6' high maximum permitted).
  - g. NON-USE VARIANCE to waive the zoning regulations prohibiting parking to setback closer than 25' to property under different ownership without a wall or hedge.

(1) Special Exception for site plan approval for an existing high school with the following existing non-use variances:  
WHEREAS, MARIST BROTHERS OF THE SCHOOLS, INC. applied for the following:

existing high school (item #1 pertaining to a through g), the requested modification of site plan the opinion of this Board that the requested Special Exception for site plan approval for an *WHEREAS*, upon due and proper consideration having been given to the matter, it is

stage of the request, the same was found to comply with the requirements, and reviewed for compliance with concurrency requirements for levels of services and, at this

*WHEREAS*, this Board has been advised that the subject application has been in the matter were given an opportunity to be heard, and

Board 11 was advertised and held, as required by law, and all interested parties concerned *WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals

LOCATION: 3000 SW 87<sup>th</sup> Avenue, Miami-Dade County, Florida, and

Range 40 East, Miami-Dade County, Florida. quarter of the Southeast quarter of Section 16, Township 54 South, follows: The West 12.00 feet of the East 47.00 feet of the North two thirds of the Southeast 735, of the Public Records of Miami-Dade County, Florida more particularly described as in Parcel No. 43 Pursuant to Final Judgment Recorded in Official Records Book 8935, Page quarter of the Northeast quarter of said Section 16; and less also except those lands the West 25.00 feet of the North two thirds of the Southeast quarter of the Southwest quarter of the Southeast quarter of said Section 16; less and except said Section 16 less and except the East 35.00 feet of the North two thirds of the Southeast feet of the North two thirds of the South half of the Northeast quarter of said Section 16; and also excepting the West 1307 feet of the East 1882 feet of the South 50 two thirds of the South half of the South half of the Northeast quarter of the West 1307 feet if the East 1882 feet of the North 50 feet if the South 100 feet of the North quarter of the Northeast quarter of said Section 16; also excepting the East 1175 feet of the Section 16; also excepting the South one third of the of the South Half of the Southwest third of the Southeast quarter of the Southwest quarter of the Northeast quarter of said Township 54 South, Range 40 East, Miami-Dade County, Florida, excepting the South one the Southeast quarter of the Southwest quarter of the Northeast quarter all in Section 9N 16, SUBJECT PROPERTY: The South half of the Southeast quarter of the Northeast quarter and

and Zoning. Plans may be modified at public hearing. The afore-mentioned plans are on file and may be examined in the Department of Planning

(4) Applicant is requesting to permit a storage building addition setback 24" (15' required) from the interior side (north) property line.

(3) Applicant is requesting to permit the wellness center building setback 7'5" (50' required) from the interior side (north) property lines.

following condition:

side (north) property line (Item #4) be and the same are hereby approved, subject to the property lines (Item #3) and to permit a storage building addition setback 24" from the interior requests to permit the wellness center building setback 7'5" from the interior side (north) Commissioners, last modified by Condition #2 of Resolution CZAB10-31-06 (Item #2), and the approved pursuant to Resolution 7031, passed and adopted by the Board of County high school (Item #1 pertaining to a through g), the requested modification of site plan Appeals Board 11 that the requested Special Exception for site plan approval for an existing

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning

	Jose Garrido	aye
Richard M. Gomez		aye
Julio R. Caceres		aye
Jorge Barbontin	Miguel A. Martinez	absent
	Toufic Zakharia	absent
		aye

follows:

seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as

*WHEREAS*, a motion to approve Items #1 through 4 was offered by Julio R. Caceres,

public interest and should be approved, and

exception (Item #1 pertaining to a through g) would not have an adverse impact upon the consistent with the Comprehensive Development Master Plan, and that the requested special conform with the requirements and intent of the Zoning Procedure Ordinance and would be and would be in harmony with the general purpose and intent of the regulations and would side (north) property line (Item #4) would be compatible with the area and its development property lines (Item #3) and to permit a storage building addition setback 24" from the interior requests to permit the wellness center building setback 7'5" from the interior side (north) Commissioners, last modified by Condition #2 of Resolution CZAB10-31-06 (Item #2), and the approved pursuant to Resolution 7031, passed and adopted by the Board of County

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 21<sup>ST</sup> DAY OF OCTOBER, 2011.

Hearing No. 11-10-CZ10-2  
ej

*PASSED AND ADOPTED* this 1<sup>th</sup> day of October, 2011.

this resolution.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Columbus High All-Sport Fitness Complex & Bernhardt Student Wellness Center", as prepared by Eduardo Llano Architect. Sheet ES-1 date stamped received 9/12/11, sheet L-1 dated stamped received 6/6/11 and the remaining 3 sheets dated stamped received 4/25/11 for a total of 5 sheets.

BE IT FURTHER RESOLVED that the requested modification of site plan approved pursuant to Resolution 7031, passed and adopted by the Board of County Commissioners, last modified by Condition #2 of Resolution CZAB10-31-06 (Item #2), shall read as follows:

1. That all the conditions of Resolution #CZAB10-31-06, remain in full force and effect except as herein modified.

STATE OF FLORIDA

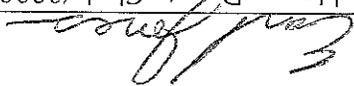
COUNTY OF MIAMI-DADE

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Zoning Appeals Board 8, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-21-11 adopted by said Community Zoning Appeals Board at its meeting held on the 11<sup>th</sup> day of October, 2011.

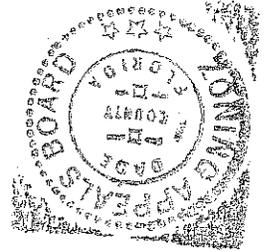
IN WITNESS WHEREOF, I have hereunto set my hand on this the 21<sup>st</sup> day of October,

2011.

Earl Jones, Deputy Clerk (3230)



Miami-Dade County Department of Permitting,  
Environment and Regulatory Affairs



SEAL

**RESOLUTION NO. CZAB10-21-11**

*WHEREAS*, **MARIST BROTHERS OF THE SCHOOLS, INC.** applied for the following:

- (1) Special Exception for site plan approval for an existing high school with the following existing non-use variances:
  - a. NON-USE VARIANCE to permit an existing media center building setback 30'2" (50' required) from the interior side (south) property line.
  - b. NON-USE VARIANCE to permit an existing classroom building setback 49'5" (50' required) from the interior side (south) property line.
  - c. NON-USE VARIANCE to permit an existing bleachers setback 9' (75' required) from the front (west) property line.
  - d. NON-USE VARIANCE to permit an existing batting cage setback 15' (15.3' previously approved, 75' required) from the front (west) property line.
  - e. NON-USE VARIANCE to permit an existing batting cage setback 30'10" (75' required) from the front (west) property line.
  - f. NON-USE VARIANCE to permit an existing chain link fence with a height of 10' (6' high maximum permitted).
  - g. NON-USE VARIANCE to waive the zoning regulations prohibiting parking to setback closer than 25' to property under different ownership without a wall or hedge.
- (2) MODIFICATION of site plan approved pursuant to Resolution 7031, passed and adopted by the Board of County Commissioners, last modified by Condition #2 of Resolution CZAB10-31-06, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Christopher High School", as prepared by Spillis Candela DMJM, dated 10/4/05 and consisting of 12 sheets C2.1.01/02 and C3.1.01 dated stamped received 3/7/06 and consisting of 3 sheets."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Columbus High All-Sport Fitness Complex & Bernhardt Student Wellness Center", as prepared by Eduardo Llano Architect. Sheet ES-1 date stamped received 9/12/11, sheet L-1 dated stamped received 6/6/11 and the remaining 3 sheets dated stamped received 4/25/11 for a total of 5 sheets."

The purpose of request #2 is to allow the applicant to submit a new site plan showing additional property to the south that encumbers a batting cage and show a proposed wellness center and storage room addition to the previously approved high school.

- (3) Applicant is requesting to permit the wellness center building setback 7'5" (50' required) from the interior side (north) property lines.
- (4) Applicant is requesting to permit a storage building addition setback 24" (15' required) from the interior side (north) property line.

The afore-mentioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** The South half of the Southeast quarter of the Northeast quarter and the Southeast quarter of the Southwest quarter of the Northeast quarter all in Section 9N 16, Township 54 South, Range 40 East, Miami-Dade County, Florida, excepting the South one third of the Southeast quarter of the Southwest quarter of the Northeast quarter of said Section 16; also excepting the South one third of the of the South Half of the Southwest quarter of the Northeast quarter of said Section 16; also excepting the East 1175 feet of the West 1307 feet if the East 1882 feet of the North 50 feet if the South 100 feet of the North two thirds of the South half of the South half of the South half of the Northeast quarter of said Section 16; and also excepting the West 1307 feet of the East 1882 feet of the South 50 feet of the North two thirds of the South half of the South half of the Northeast quarter of said Section 16 less and except the East 35.00 feet of the North two thirds of the Southeast quarter of the Southeast quarter of the Northeast quarter of said Section 16; less and except the West 25.00 feet of the North two thirds of the Southeast quarter of the Southwest quarter of the Northeast quarter of said Section 16; and less also less and except those lands in Parcel No. 43 Pursuant to Final Judgment Recorded in Official Records Book 8935, Page 735, of the Public Records of Miami-Dade County, Florida more particularly described as follows: The West 12.00 feet of the East 47.00 feet of the North two thirds of the Southeast quarter of the Southeast quarter of the Northeast quarter of Section 16, Township 54 South, Range 40 East, Miami-Dade County, Florida.

**LOCATION:** 3000 SW 87<sup>th</sup> Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested Special Exception for site plan approval for an existing high school (Item #1 pertaining to a through g), the requested modification of site plan

approved pursuant to Resolution 7031, passed and adopted by the Board of County Commissioners, last modified by Condition #2 of Resolution CZAB10-31-06 (Item #2), and the requests to permit the wellness center building setback 7'5" from the interior side (north) property lines (Item #3) and to permit a storage building addition setback 24" from the interior side (north) property line (Item #4) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the requested special exception (Item #1 pertaining to a through g) would not have an adverse impact upon the public interest and should be approved, and

*WHEREAS*, a motion to approve Items #1 through 4 was offered by Julio R. Caceres, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the requested Special Exception for site plan approval for an existing high school (Item #1 pertaining to a through g), the requested modification of site plan approved pursuant to Resolution 7031, passed and adopted by the Board of County Commissioners, last modified by Condition #2 of Resolution CZAB10-31-06 (Item #2), and the requests to permit the wellness center building setback 7'5" from the interior side (north) property lines (Item #3) and to permit a storage building addition setback 24" from the interior side (north) property line (Item #4) be and the same are hereby approved, subject to the following condition:

1. That all the conditions of Resolution #CZAB10-31-06, remain in full force and effect except as herein modified.

*BE IT FURTHER RESOLVED* that the requested modification of site plan approved pursuant to Resolution 7031, passed and adopted by the Board of County Commissioners, last modified by Condition #2 of Resolution CZAB10-31-06 (Item #2), shall read as follows:

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Columbus High All-Sport Fitness Complex & Bernhardt Student Wellness Center", as prepared by Eduardo Llano Architect. Sheet ES-1 date stamped received 9/12/11, sheet L-1 dated stamped received 6/6/11 and the remaining 3 sheets dated stamped received 4/25/11 for a total of 5 sheets.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 11<sup>th</sup> day of October, 2011.

Hearing No. 11-10-CZ10-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 21<sup>ST</sup> DAY OF OCTOBER, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

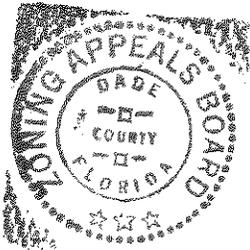
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 8, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-21-11 adopted by said Community Zoning Appeals Board at its meeting held on the 11<sup>th</sup> day of October, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 21<sup>st</sup> day of October, 2011.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Permitting,  
Environment and Regulatory Affairs

**SEAL**



**RESOLUTION NO. CZAB10-22-11**

*WHEREAS*, **LENAY MOYA ESPINOSA** applied for the following:

- (1) Applicant is requesting to permit a single family residence with a lot coverage of 38% (30% permitted).
- (2) Applicant is requesting to permit a storage shed for a single family residence setback 4' (5' required) from the interior side (east) property line and setback 3.45' (5' required) from the rear (north) property line.

Plans are on file and may be examined in the Department of Planning and Zoning, entitled "Lenay Moya Espinosa" as prepared by Jose Posada Architect, dated 5/6/11 and consisting of 2 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Lot 15 Block 11 Coravo Amended, Plat Book 29-17.

**LOCATION:** 10469 SW 28 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to permit a single family residence with a lot coverage of 38% (Item #1) and to permit a storage shed for a single family residence setback 4' from the interior side (east) property line and setback 3.45' from the rear (north) property line (Item #2) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to approve Items #1 and #2 was offered by Miguel A. Martinez, seconded by Julio R. Caceres, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the requests to permit a single family residence with a lot coverage of 38% (Item #1) and to permit a storage shed for a single family residence setback 4' from the interior side (east) property line and setback 3.45' from the rear (north) property line (Item #2) be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning & Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Zoning Hearing Drawings," as prepared by Jose Luis Posada Architect, consisting of 2 sheets date stamped received 5/06/2011. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action and except that the second kitchen at the back of residence, interior partition from remaining kitchen to dining room, interior door from dining room to Florida room and outdoor aluminum terrace be removed from the plans.
3. That the use be established and maintained in accordance with the approved plan.
4. That the second kitchen at the back of residence, interior partition from remaining kitchen to dining room, interior door from dining room to Florida room and outdoor aluminum terrace be demolished, in accordance with the submitted plan within 90 days of the expiration of the appeal period for this Zoning Hearing, unless a time extension is granted by the Director of the Department of Planning and Zoning.
5. That the applicant submits a Declaration of Use Agreement restricting the use of the subject property only to a single-family residence prior to the issuance of a building permit.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 11<sup>th</sup> day of October, 2011.

Hearing No. 11-10-CZ10-4  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 21<sup>ST</sup> DAY OF OCTOBER, 2011.**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 8, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-22-11 adopted by said Community Zoning Appeals Board at its meeting held on the 11<sup>th</sup> day of October, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 21<sup>st</sup> day of October, 2011.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Permitting,  
Environment and Regulatory Affairs

SEAL



**RESOLUTION NO. CZAB10-22-11**

*WHEREAS*, **LENAY MOYA ESPINOSA** applied for the following:

- (1) Applicant is requesting to permit a single family residence with a lot coverage of 38% (30% permitted).
- (2) Applicant is requesting to permit a storage shed for a single family residence setback 4' (5' required) from the interior side (east) property line and setback 3.45' (5' required) from the rear (north) property line.

Plans are on file and may be examined in the Department of Planning and Zoning, entitled "Lenay Moya Espinosa" as prepared by Jose Posada Architect, dated 5/6/11 and consisting of 2 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Lot 15 Block 11 Coravo Amended, Plat Book 29-17.

**LOCATION:** 10469 SW 28 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to permit a single family residence with a lot coverage of 38% (Item #1) and to permit a storage shed for a single family residence setback 4' from the interior side (east) property line and setback 3.45' from the rear (north) property line (Item #2) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to approve Items #1 and #2 was offered by Miguel A. Martinez, seconded by Julio R. Caceres, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 10 that the requests to permit a single family residence with a lot coverage of 38% (Item #1) and to permit a storage shed for a single family residence setback 4' from the interior side (east) property line and setback 3.45' from the rear (north) property line (Item #2) be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning & Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Zoning Hearing Drawings," as prepared by Jose Luis Posada Architect, consisting of 2 sheets date stamped received 5/06/2011. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action and except that the second kitchen at the back of residence, interior partition from remaining kitchen to dining room, interior door from dining room to Florida room and outdoor aluminum terrace be removed from the plans.
3. That the use be established and maintained in accordance with the approved plan.
4. That the second kitchen at the back of residence, interior partition from remaining kitchen to dining room, interior door from dining room to Florida room and outdoor aluminum terrace be demolished, in accordance with the submitted plan within 90 days of the expiration of the appeal period for this Zoning Hearing, unless a time extension is granted by the Director of the Department of Planning and Zoning.
5. That the applicant submits a Declaration of Use Agreement restricting the use of the subject property only to a single-family residence prior to the issuance of a building permit.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 11<sup>th</sup> day of October, 2011.

Hearing No. 11-10-CZ10-4  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 21<sup>ST</sup> DAY OF OCTOBER, 2011.**

**RESOLUTION NO. CZAB10-9-11**

*WHEREAS*, **FVP DORADO LLC** applied for the following:

- (1) Applicant is requesting to permit a portion of a single-family residence setback 20' from the front (west) property line (15' required for 50% of the linear width of the house and 25' for the remainder).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Dorado Estates," as prepared by Lan Mar Design Group dated stamped received 3/9/11, consisting of 4 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Lot 5, Block 6, LETI SUBDIVISION 3<sup>RD</sup> ADDITION, Plat book 166, Page 44.

**LOCATION:** Lying east of S.W. 148 Court, approximately 230' south of S.W. 34 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to permit a portion of a single-family residence setback 20' from the front (west) property line would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Julio R. Caceres, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	absent
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		

Jose Garrido                      aye

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the request to permit a portion of a single-family residence setback 20' from the front (west) property line be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning & Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Dorado Estates" as prepared by Lan Mar Design Group, dated stamped received 03/09/11, consisting of 4 sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require public hearing action.
3. That the use be established and maintained in accordance with the approved plan.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 4<sup>th</sup> day of May, 2011.

Hearing No. 11-5-CZ10-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 6<sup>TH</sup> DAY OF MAY, 2011.**

**RESOLUTION NO. CZAB10-10-11**

WHEREAS, WACHOVIA applied for the following:

Applicant is requesting to permit a bank with a 3<sup>rd</sup> wall sign (2 wall signs permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Coral Way and S.W. 87<sup>th</sup> Avenue", as prepared by Site Enhancement Services, dated stamped received 5/19/10, consisting of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: PARCEL ONE: A portion of Block 33 and Tract D of CORAL WAY VILLAGE SECTION A, PART 5, Plat Book 65, Page 17, and: a portion of Tract C, REPLAT OF TRACT C, CORAL WAY VILLAGE SECTION A, PART 5, Plat Book 68, Page 61; being more particularly described as follows: Commence at the southwest corner of said Tract "C," Replat of Tract "C," CORAL WAY VILLAGE SECTION A, PART 5, and run north along the west line thereof for 508'; thence N88°03'33"E for 12' to the Point of beginning of the parcel of land hereinafter described, thence north for 70.01' (said last mentioned course being coincident with the E/ly right-of-way line of S.W. 87<sup>th</sup> Avenue as taken from that certain Right-of-Way Map, Plat Book 88, Page 43; thence run N87°52'30"E for 238.03' (said last mentioned course being coincident with the S/ly boundary of Tract "C-1" and the E/ly prolongation thereof, Replat of Tract "C"); thence run north for 150'; thence run N87°52'30"E along the north line of the aforesaid Tract "C" for 964.94' to the northeast corner of said Tract "C"; thence continue N87°52'30"E along the north line of Lot 1, Block 33 of the aforementioned plat of CORAL WAY VILLAGE SECTION A, PART 5 for 74.13' feet to a Point of curvature; thence run SE/ly along a circular curve to the right having a radius of 25' and a central angle of 92°07'30" for an arc distance of 40.2' to a Point of tangency; thence run south for 784.95' to a Point of curvature; thence run SW/ly along a circular curve to the right, having a radius of 25' and a central angle of 88°03'33" for an arc distance of 38.42' to a Point of tangency; thence run S88°03'33"W for 600.89' to the southwest corner of the aforementioned Tract "D"; thence run N01°56'27"W for 102.77' (said last six courses being coincident with the boundary of Block 33 and Tract "D" respectively, said plat of CORAL WAY VILLAGE); thence run S88°03'33" along the south line of the aforementioned Tract "C" for 374.71'; thence run N01°57'07"W for 246' (said last course being coincident with the e/ly face of an existing CBS building wall and the n/ly and s/ly prolongations thereof); thence run north, parallel with the west line of said Tract "C" for 261.86'; thence run S88°03'33"W for 291.25' to the Point of beginning, lying and being in Section 15, Township 54 South, Range 40 East. AND:

PARCEL TWO: All right, title and interest (being an undivided one-half interest) of, in and to the west 316' of the south 30' of Tract "C" (distances mentioned herein before are as measured parallel to the west and south lines of said Tract "C") replat of Tract "C" CORAL WAY VILLAGE SECTION A, PART 5, Plat Book 68, Page 61.

LOCATION: 8508 S.W. 24 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to permit a bank with a 3<sup>rd</sup> wall sign (Item #1) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to approve the application was offered by Julio R. Caceres, seconded by Jorge Barbontin, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 10 that the request to permit a bank with a 3<sup>rd</sup> wall sign (Item #1) be and the same is hereby approved, subject to the following conditions:

1. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Coral Way & 87 Avenue," as prepared by Site Enhancement Services, dated stamped received 5/19/10 consisting of 3 sheets.
2. That the use be established and maintained in accordance with the approved plan.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development

order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 2<sup>nd</sup> day of June, 2011.

Hearing No. 11-6-CZ10-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 8<sup>TH</sup> DAY OF JUNE, 2011.**

**RESOLUTION NO. CZAB10-11-11**

*WHEREAS*, LIFE CHURCH OF SOUTH FLORIDA, INC applied for the following:

- (1) SPECIAL EXCEPTION to permit a religious facility and a parsonage residence.
- (2) RESCIND AND REVOKE Resolutions 3-ZAB-251-65, 3-ZAB-369-70, 3-ZAB-265-82 and 3-ZAB-296-86 all passed and adopted by the Zoning Appeals Board, only as it applies to subject property.

The purpose of request #2 is to allow the applicant to delete all resolutions and corresponding conditions for a parking lot, outdoor recreational uses and pavilion in connection with a previously approved church, day nursery and kindergarten use.

- (3) Applicant is requesting to permit the religious facility setback varying from 15' to 28'4" (50' required) from the interior side (south) property line and spaced less than 75' from an adjacent residence to the south.
- (4) Applicant is requesting to permit parking within 25' on an official right-of-way (not permitted).
- (5) Applicant is requesting to permit a minimum 5' wide greenbelt (7' required) along a portion of the right-of-way.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Divine Mercy-House Of Prayer", as prepared by David J. Cabarrocas/Architect dated stamped received 03/21/11, with Sheet L-1 handwritten revision dated 04/14/11, consisting of 4 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: The West ½ of the North 66 feet of Tract 1, of Amended Plat of Blocks 2, 3, 4 and 5 of CORAL PINES, less the East 25 feet thereof, Plat Book 33, Page 64, and the West ½ of the South 66 feet of the North 132 feet of Tract 1, of Amended Plat of Blocks 2, 3, 4 and 5 of CORAL PINES, less the East 25 feet thereof, Book 33, Page 64.

LOCATION: 4101 S.W. 85 AVENUE, MIAMI-DADE COUNTY, FLORIDA, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested special exception to permit a religious facility and a parsonage residence (Item #1), the requests to rescind and revoke Resolutions 3-ZAB-251-65, 3-ZAB-369-70, 3-ZAB-265-82 and 3-ZAB-296-86 all passed and adopted by the Zoning Appeals Board, only as it applies to subject property (Item #2), to permit the religious facility setback varying from 15' to 28'4" from the interior side (south) property line and spaced less than 75' from an adjacent residence to the south (Item #3), to permit parking within 25' on an official right-of-way (Item #4), and to permit a minimum 5' wide greenbelt along a portion of the right-of-way (Item #5) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the requested special exception (Item #1) would not have an adverse impact upon the public interest and should be approved, and

WHEREAS, a motion to approve Items #1 through #5 was offered by Miguel A. Martinez, seconded by Jorge Barbontin, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 10 that the requested special exception to permit a religious facility and a parsonage residence (Item #1), the requests to rescind and revoke Resolutions 3-ZAB-251-65, 3-ZAB-369-70, 3-ZAB-265-82 and 3-ZAB-296-86 all passed and adopted by the Zoning Appeals Board, only as it applies to subject property (Item #2), to permit the religious facility setback varying from 15' to 28'4" from the interior side (south) property line and spaced less

than 75' from an adjacent residence to the south (Item #3), to permit parking within 25' on an official right-of-way (Item #4), and to permit a minimum 5' wide greenbelt along a portion of the right-of-way (Item #5) be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include among other things but not limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Divine Mercy-House Of Prayer", As prepared by David J. Cabrocas/Architect dated stamped received 03/21/11, with Sheet L-1 dated handwritten revision 04/14/11, consisting of 4 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtain a Certificate of Use from, and promptly renew the same annually with the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That buffering be provided along the east property line, in the form of a hedge not less than 4' high at the time of planting, which shall grow to and be maintained at a height of 6'. Said buffering shall be installed prior to the issuance of the Certificate of Use for the religious facility.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 7<sup>th</sup> day of July, 2011.

Hearing No. 11-7-CZ10-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 14<sup>TH</sup> DAY OF JULY, 2011.**

# Memorandum



**Date:** January 31, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

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Attached are resolutions CZAB10-1-11, CZAB10-3-11, and the list from the Community Zoning Appeals Board No. 10 hearing of January 12, 2011.

Any missing resolutions must be reported to this office (ext. 3075) no later than five (5) days from the date of this memo.

## Attachments

**Distribution:** Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board – Linda Cave, MDC -17th Floor  
Property Appraiser –Angela Hall/ Eugenio Alonso, MDC - 8th Floor



**COMMUNITY ZONING APPEALS BOARD 10**

**Hearing Date: JANUARY 12, 2011**

**The Community Zoning Appeals took the following action on the items listed below**

10-11-CZ10-1	<p>ANTHONY B. WILSON  <b>Approved</b>                  per applicant request with standard conditions and modified condition # 2 to approve entire application</p>	<p>08-111  <b>CZAB10111</b></p>	13-54-40
11-1-CZ10-1	<p>MEBAHIAH, INC.  <b>Approved In Part</b>                  request #1 - #4 with conditions and approve withdrawal of request #5 by applicant</p>	<p>09-156  <b>CZAB10211</b></p>	15-54-40
11-1-CZ10-2	<p>CHRISTIAN &amp; JESSICA GARCELL DE GOMEZ  <b>Approved</b>                  as requested with standard conditions</p>	<p>10-57  <b>CZAB10311</b></p>	04-54-39
11-1-CZ10-4	<p>FLORIDA POWER &amp; LIGHT COMPANY  <b>Approved</b>                  request #1 - #6 and #8 - #12; modified approval of request #7 to allow 34 street trees (36 street trees required) with staff conditions and 2 additional conditions as read into the record by staff and grant applicant's request to withdraw condition #7.</p>	<p>10-102  <b>CZAB10411</b></p>	04-54-40



COMMUNITY ZONING APPEALS BOARD 10

Hearing Date: JANUARY 12, 2011

II Items listed below have been withdrawn or deferred to a later date:

11-1-CZ10-3 ALBERTO CARO & JEANETTE FARACH CARO 10-77 01-54-39
Deferred Indefinitely
with leave to amend per applicant's request

COUNTY STAFF ATTENDEES:

- MERCEDES RODRIGUEZ - POLICY ANALYST, MAYOR'S OFFICE
DAVID HOPE - ASSISTANT COUNTY ATTORNEY'S OFFICE
NILIA CARTAYA - ZONING EVALUATION SECTION
FRANKLIN GUTIERREZ - ZONING AGENDA COORDINATOR'S OFFICE
CHRISTIE TOLEDO-FERNANDEZ - ZONING AGENDA COORDINATOR'S OFFICE
THOMAS GOMEZ - ZONING AGENDA COORDINATOR'S OFFICE
EARL JONES - ZONING EVALUATION SECTION
JORGE UBIETA - PUBLIC WORKS

NOTICE

THE FOLLOWING SUMMARY INFORMATION IS PROVIDED AS A COURTESY; IT SHOULD NOT BE TREATED AS LEGAL ADVICE AND IT SHOULD NOT BE RELIED UPON. LEGAL CONSULTATION MAY BE WARRANTED IF AN APPEAL OR OTHER LEGAL CHALLENGE IS BEING CONTEMPLATED.

Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Planning and Zoning (DPZ) within 14 days after the DPZ has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (The DPZ's posting will be made on a bulletin board located in the office of the DPZ.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website (www.municode.com). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

**RESOLUTION NO. CZAB10-1-11**

*WHEREAS*, **ANTHONY B. WILSON** applied for the following:

- (1) Applicant is requesting to permit an existing storage room setback 7.2' (25' required) from the rear (north) property line.
- (2) Applicant is requesting to permit the existing single-family residence setback 14.6' (15' required) from the side street (west) property line.
- (3) Applicant is requesting to permit a canvas carport setback a minimum of 3.85' from the side street (west) property line and setback a minimum of 3.2' from the rear (north) property line (5' required for both).
- (4) Applicant is requesting to permit a jacuzzi setback 7.94' (10' required) from the interior side (east) property line and setback 49.7' (75' required) from the front (south) property line.
- (5) Applicant is requesting to permit a raised wood deck setback 3.3' (6.25' required) from the interior side (east) property line.
- (6) Applicant is requesting to permit a lattice fence with a maximum height of 12.4' (6' maximum permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Existing Conditions," as prepared by N25 Architect Co., consisting of 4 sheets dated stamped received 1/13/10. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Lot 14, Block 3, CORAL WAY HEIGHTS, Plat book 14, Page 10.

**LOCATION:** 5913 S.W. 26 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 5 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requests to permit an existing storage room setback 7.2' from the rear (north) property line (Item #1), to permit the existing single-family residence

setback 14.6' from the side street (west) property line (Item #2), to permit a canvas carport setback a minimum of 3.85' from the side street (west) property line and setback a minimum of 3.2' from the rear (north) property line (Item #3), to permit a jacuzzi setback 7.94' from the interior side (east) property line and setback 49.7' from the front (south) property line (Item #4), to permit a raised wood deck setback 3.3' from the interior side (east) property line (Item #5), and to permit a lattice fence with a maximum height of 12.4' (Item #6) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve Items #1 through 6 was offered by Julio R. Caceres, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	absent
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the requests to permit an existing storage room setback 7.2' from the rear (north) property line (Item #1), to permit the existing single-family residence setback 14.6' from the side street (west) property line (Item #2), to permit a canvas carport setback a minimum of 3.85' from the side street (west) property line and setback a minimum of 3.2' from the rear (north) property line (Item #3), to permit a jacuzzi setback 7.94' from the interior side (east) property line and setback 49.7' from the front (south) property line (Item #4), to permit a raised wood deck setback 3.3' from the interior side (east) property line (Item #5), and to permit a lattice fence with a maximum height of 12.4' (Item #6) be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Existing Conditions," as prepared by N25 Architect Co., consisting of 4 sheets dated stamped received 1/13/10.
3. That the use be established and maintained in accordance with the approved plan.
4. That buffering be provided along the interior side (east) property line, either in the form of a 6' high wood fence or hedge, not less than 3' high at the time of planting, which shall grow to and be maintained at a height of 6'. Said buffering shall be installed prior to final zoning inspection for the existing raised deck and Jacuzzi.
5. That the applicant apply for a building permit for the addition from the Building Department within 90 days after final public hearing approval of this application.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 12<sup>th</sup> day of January, 2011.

Hearing No. 10-11-CZ10-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 31<sup>ST</sup> DAY OF JANUARY, 2011.**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Earl Jones, 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 Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-1-11 adopted by said Community Zoning Appeals Board at its meeting held on the 12<sup>th</sup> day of January, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 31<sup>st</sup> day of January, 2011.



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

SEAL



**RESOLUTION NO. CZAB10-3-11**

*WHEREAS*, **CHRISTIAN AND JESSICA GARCELL DE GOMEZ** applied for the following:

Applicants are requesting to waive the zoning regulations requiring no accessory use structure for a townhouse residence to extend above the height of the enclosed patio wall; to permit a chickee hut to extend above the height of the 6' wood fence.

A plan is on file and may be examined in the Department of Planning and Zoning entitled "As-Built," as prepared by D'Avila & Associates Services, Inc., dated stamped received 5/19/10 consisting of 2 sheets Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 6, Block 21, EMERALD LAKES, Plat book 159, Page 5.

LOCATION: 14756 S.W. 9 Terrace, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to waive the zoning regulations requiring no accessory use structure for a townhouse residence to extend above the height of the enclosed patio wall; to permit a chickee hut to extend above the height of the 6' wood fence would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Miguel A. Martinez, seconded by Julio R. Caceres, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the request to waive the zoning regulations requiring no accessory use structure for a townhouse residence to extend above the height of the enclosed patio wall; to permit a chickee hut to extend above the height of the 6' be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include, but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "As-Built" as prepared by D'Avila & Associates Services, Inc., dated stamped received 5/19/10. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants secure a building permit for the existing non-permitted structures from the Building Department within 90 days of the expiration of the appeal period for this application, unless a time extension is granted by the Director of the Department of Planning and Zoning for good cause shown.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 12<sup>th</sup> day of January, 2011.

Hearing No. 11-1-CZ10-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 31<sup>ST</sup> DAY OF JANUARY, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

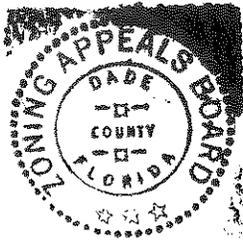
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-3-11 adopted by said Community Zoning Appeals Board at its meeting held on the 12<sup>th</sup> day of January, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 31<sup>st</sup> day of January, 2011.



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

SEAL



**RESOLUTION NO. CZAB10-5-11**

*WHEREAS*, **CECILIO GAMEZ** applied for the following:

- (1) Applicant is requesting to permit an existing covered terrace addition to a single-family residence setback 14.2' (25' required) from the rear (north) property line.
- (2) Applicant is requesting to permit a lot coverage of 40.4% (35% permitted).
- (3) Applicant is requesting to waive the zoning regulation requiring that no fence or wall exceed 2.5' in height when located within the safe sight distance triangle; to permit a 6' high CBS wall within the safe sight distance triangle along the front (South) property line.

Plans are on file and may be examined in the Department of Planning and Zoning, entitled, "Proposed Variance for Covered Terrace to Mr. Cecilio Gamez Residence," as prepared by Orestes Lopez-Recio, R. A., Sheet "SP-1" dated stamped received 12/23/2009 and Sheet "E-1" preparer unknown dated stamped received 4/14/2010 for a total of two sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Lot 7, Block 7, UNIVERSITY PARK WEST, SECTION THREE, Plat book 111, Page 34.

**LOCATION:** 13513 S.W. 5 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requests to permit an existing covered terrace addition to a single-family residence setback 14.2' from the rear (north) property line to permit an existing covered terrace addition to a single-family residence setback 14.2' from the rear (north) property line (Item #1), to permit a lot coverage of 40.4% (Item #2), and to waive the zoning regulation requiring that no fence or wall exceed 2.5' in height when located within the safe

sight distance triangle; to permit a 6' high CBS wall within the safe sight distance triangle along the front (South) property line (Item #3) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to approve Items #1, 2, and 3 was offered by Jorge Barbontin, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the requests to permit an existing covered terrace addition to a single-family residence setback 14.2' from the rear (north) property line to permit an existing covered terrace addition to a single-family residence setback 14.2' from the rear (north) property line (Item #1), to permit a lot coverage of 40.4% (Item #2), and to waive the zoning regulation requiring that no fence or wall exceed 2.5' in height when located within the safe sight distance triangle; to permit a 6' high CBS wall within the safe sight distance triangle along the front (South) property line (Item #3) be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Variance for Covered Terrace to Mr. Cecilio Gamez Residence," as prepared by Orestes Lopez-Recio, R. A., Sheet "SP-1"

3. That the use be established and maintained in accordance with the approved plan.
4. That the covered terrace addition remains open sided on 3 sides and thus, not enclosed in any manner except for approved insect screen materials and the existing hurricane shutters.
5. That the applicants comply with all applicable conditions and requirements of the Public Works Department.
6. That the applicant obtain a building permit for the terrace addition and the fence from the Building Department within 90 days after the appeal period deadline.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 9<sup>th</sup> day of February, 2011.

Hearing No. 11-2-CZ10-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 24<sup>TH</sup> DAY OF FEBRUARY, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

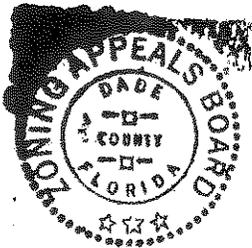
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-5-11 adopted by said Community Zoning Appeals Board at its meeting held on the 9<sup>th</sup> day of February, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 24<sup>th</sup> day of February, 2011.



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

SEAL



**RESOLUTION NO. CZAB10-6-11**

*WHEREAS*, **CECILIO GAMEZ** applied for the following:

- (1) Applicant is requesting to waive the zoning requirements prohibiting a swimming pool on a lot without a principal residence; to permit same.
- (2) Applicant is requesting to permit the existing swimming pool setback 16.99' (20' required) from the side street (West) property line.
- (3) Applicant is requesting to waive the zoning regulation requiring that no fence or wall exceed 2.5' in height when located within the safe-sight distance triangle; to permit a 6' high CBS wall within the safe-sight distance triangle along the front (North) property line.

A Plan is on file and may be examined in the Department of Planning and Zoning, entitled, "Site Plan," preparer unknown, consisting of one sheet dated stamped received 11/10/2010. Plan may be modified at public hearing.

**SUBJECT PROPERTY:** Lot 6, Block 7, UNIVERSITY PARK WEST, SECTION THREE, Plat book 111, Page 34.

**LOCATION:** The Southwest corner of SW 4 Terrace and SW 135 Avenue, AKA 13514 S.W. 4 Terrace, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requests to waive the zoning requirements prohibiting a swimming pool on a lot without a principal residence; to permit same (Item #1), to permit the existing swimming pool setback 16.99' from the side street (West) property line (Item #2), and to waive the zoning regulation requiring that no fence or wall exceed 2.5' in height when located within the safe-sight distance triangle; to permit a 6' high CBS wall within the safe-

sight distance triangle along the front (North) property line (Item #3) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve Items #1, 2, and 3 was offered by Jorge Barbontin, seconded by Julio R. Caceres, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the requests to waive the zoning requirements prohibiting a swimming pool on a lot without a principal residence; to permit same (Item #1), to permit the existing swimming pool setback 16.99' from the side street (West) property line (Item #2), and to waive the zoning regulation requiring that no fence or wall exceed 2.5' in height when located within the safe-sight distance triangle; to permit a 6' high CBS wall within the safe-sight distance triangle along the front (North) property line (Item #3) be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Site Plan," preparer unknown, consisting of one sheet dated stamped received 11/10/2010, except as herein amended to maintain the asphalt pavement until a principal building is constructed on the property.
3. That the use be established and maintained in accordance with the approved plan.

4. That the applicants comply with all applicable conditions and requirements of the Public Works Department.
5. That the applicant obtain a building permit for the pool and the fence from the Building Department within 90 days after the appeal period deadline.
6. That the applicant erect a 6' high wood fence or wall along the rear (south) property line upon the release of the unity of title.
7. That within three (3) years of the release of the unity of title for the subject property, the owner(s) apply for a building permit to construct a single-family residence.
8. That the owner maintains the CBS wall surrounding the property and that the asphalt pavement shown in the plans be maintained as long as there is no building on the property.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 9<sup>th</sup> day of February, 2011.

Hearing No. 11-2-CZ10-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 24<sup>TH</sup> DAY OF FEBRUARY, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

I, Earl Jones, 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 Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-6-11 adopted by said Community Zoning Appeals Board at its meeting held on the 9<sup>th</sup> day of February, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 24<sup>th</sup> day of February, 2011.

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

**SEAL**



# Memorandum



**Date:** March 7, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Revised Resolution

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Attached is Revised Resolution CZAB10-1-11. This resolution is to replace the previously distributed one. **Please attach the original certificate to the revised copy.**

## Attachments

**Distribution:** Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board – Linda Cave, MDC -17th Floor  
Property Appraiser – Angela Hall, MDC - 8th Floor

CLERK OF THE BOARD  
2011 MAR -7 AM 9:50  
CLERK, CIRCUIT D. COUNTY COURT,  
DADE COUNTY, FLA.  
#1

**RESOLUTION NO. CZAB10-1-11**

*WHEREAS*, **ANTHONY B. WILSON** applied for the following:

- (1) Applicant is requesting to permit an existing storage room setback 7.2' (25' required) from the rear (north) property line.
- (2) Applicant is requesting to permit the existing single-family residence setback 14.6' (15' required) from the side street (west) property line.
- (3) Applicant is requesting to permit a canvas carport setback a minimum of 3.85' from the side street (west) property line and setback a minimum of 3.2' from the rear (north) property line (5' required for both).
- (4) Applicant is requesting to permit a jacuzzi setback 7.94' (10' required) from the interior side (east) property line and setback 49.7' (75' required) from the front (south) property line.
- (5) Applicant is requesting to permit a raised wood deck setback 3.3' (6.25' required) from the interior side (east) property line.
- (6) Applicant is requesting to permit a lattice fence with a maximum height of 12.4' (6' maximum permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Existing Conditions," as prepared by N25 Architect Co., consisting of 4 sheets dated stamped received 1/13/10. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 14, Block 3, CORAL WAY HEIGHTS, Plat book 14, Page 10.

LOCATION: 5913 S.W. 26 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 5 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requests to permit an existing storage room setback 7.2' from the rear (north) property line (Item #1), to permit the existing single-family residence

setback 14.6' from the side street (west) property line (Item #2), to permit a canvas carport setback a minimum of 3.85' from the side street (west) property line and setback a minimum of 3.2' from the rear (north) property line (Item #3), to permit a jacuzzi setback 7.94' from the interior side (east) property line and setback 49.7' from the front (south) property line (Item #4), to permit a raised wood deck setback 3.3' from the interior side (east) property line (Item #5), and to permit a lattice fence with a maximum height of 12.4' (Item #6) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve Items #1 through 6 was offered by Julio R. Caceres, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	absent
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the requests to permit an existing storage room setback 7.2' from the rear (north) property line (Item #1), to permit the existing single-family residence setback 14.6' from the side street (west) property line (Item #2), to permit a canvas carport setback a minimum of 3.85' from the side street (west) property line and setback a minimum of 3.2' from the rear (north) property line (Item #3), to permit a jacuzzi setback 7.94' from the interior side (east) property line and setback 49.7' from the front (south) property line (Item #4), to permit a raised wood deck setback 3.3' from the interior side (east) property line (Item #5), and to permit a lattice fence with a maximum height of 12.4' (Item #6) be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Existing Conditions," as prepared by N25 Architect Co., consisting of 4 sheets dated stamped received 1/13/10.
3. That the use be established and maintained in accordance with the approved plan.
4. That buffering be provided along the interior side (east) property line, either in the form of a 6' high wood fence or hedge, not less than 3' high at the time of planting, which shall grow to and be maintained at a height of 6'. Said buffering shall be installed prior to final zoning inspection for the existing raised deck and Jacuzzi.
5. That the applicant apply for a building permit for the addition from the Building Department within 90 days after final public hearing approval of this application.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 12<sup>th</sup> day of January, 2011.

Hearing No. 10-11-CZ10-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 31<sup>ST</sup> DAY OF JANUARY, 2011.**

# Memorandum



**Date:** February 2, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

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Attached are resolutions CZAB10-4-11 list from the Community Zoning Appeals Board No. 10 hearing of January 12, 2011.

**Please note that resolutions CZAB10-1-11 and CZAB10-3-11 was distributed earlier.**

**Please note that CZAB10-2-11 will be distributed at a later date.**

Any missing resolutions must be reported to this office (ext. 3075) no later than five (5) days from the date of this memo.

### Attachments

**Distribution:** Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board – Linda Cave, MDC -17th Floor  
Property Appraiser –Angela Hall/ Eugenio Alonso, MDC - 8th Floor

CLERK OF THE BOARD  
2011 FEB -2 PM 3:47  
CLERK, CIRCUIT 6, COUNTY COURTS  
DADE COUNTY, FLA.  
#1

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0300  
F  
A  
0300

**RESOLUTION NO. CZAB10-4-11**

WHEREAS, **FLORIDA POWER AND LIGHT COMPANY** applied for the following:

- (1) DBC from AU to RU-5A.
- (2) Unusual Use to permit a parking lot within a more restrictive zone than the use it serves.
- (3) Applicant is requesting to waive the zoning regulations requiring a 5' high wall or fence along the interior side (north) and rear (east) property lines.
- (4) Applicant is requesting to permit a 1-way drive with a minimum width of 9' (14'wide required).
- (5) Applicant is requesting to permit 45 degree angle parking with a minimum stall length of 20' (26.5' required) and a minimum stall aisle width of 9' (12' required).
- (6) Applicant is requesting to permit an landscape open space of 16.28% (25% required).
- (7) Applicant is requesting to permit 135 lot trees (172 required) 0 street trees (36 required) and 0' shrubs (2,080 required).
- (8) Applicant is requesting to waive the dissimilar land use buffer along the north, and east property lines.
- (9) Applicant is requesting to permit 0' to 7' wide landscape buffer (7' required) along the right-of-way.

**REQUESTS # 1 THRU #9 ON PARCEL B.**

- (10) Unusual Use to permit a heliport.
- (11) Deletion of Condition #3 of Resolution Z-8-72 passed and adopted by the Board of County Commissioners, reading as follows:

"3 . That the proffered agreement be accepted and that the same include an agreement that they will apply to remove the BU-2 zoning and replace the same with the proposed office park district when it is adopted, provided that the building which is erected falls within the purview of that ordinance".

The purpose of request #11 is to delete the condition to rezone the BU-2 portion of the property to Office Park District and to allow the current BU-2 zoning classification to remain on the site.

**REQUESTS #10 AND 11 ON PARCEL A.**

(12) Applicant is requesting to permit an office building with 1,503 parking spaces (1,672 parking spaces required).

REQUEST #12 ON PARCELS A AND B

A Boundary survey and a plan is on file and may be examined in the Department of Planning and Zoning entitled "Boundary and Topographic Survey" as prepared by A.R. Toussaint & Associates, Inc. consisting of 3 sheets. Sheet 1 dated stamped received 11/12/10, last handwritten revision dated 12/06/10 and sheets 2 and 3 dated stamped received 10/28/10 and a plan entitled "Florida Power and Light FP&L General Office & OverFlow Parking Lot" as prepared by Leo Giangrande dated stamp received 12/02/10 all totaling 4 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: PARCEL A: Tract "A" of FPL Center as recorded in Plat Book 102, Page 10. PARCEL B: A Portion of Tract 7, Block 4, of Richardson-Kellett Company's Plat in Section 4, Township 54 South, Range 40 East, according to the plat thereof as recorded in Plat Book 4, at Page 100; together with that portion of the NW ¼ of the SE ¼ of Section 4, Township 54 South, Range 40 East, lying west of said Tract 7, as deeded to Florida Power and Light Company by that certain Warranty Deed dated April 26th, 1971 and recorded in Official Records Book 8275, Page 315 of the Public Records of Miami-Dade County, Florida, all of the above lying in the SE ¼ of said Section 4, and being more particularly described as follows:

Commence at the Southeast corner of said Tract 7; thence run North 1°54'43" West along the east Line of said Tract 7 for a distance of 25.00 feet; thence run South 87°35'46" West along a line 25.00 feet North of and parallel to the South line of said Tract 7 for a distance of 200.00 feet to the Point of Beginning of the parcel of land hereinafter to be described; thence continue South 87°35'46" West along the said line 25.00 feet North of and parallel to the South line of Said Tract 7 for a distance of 435.57 feet to a point of curvature of a circular curve to the right; thence northwesterly along the arc of said curve being concave to the northeast and having a central angle of 90°29'11" a radius of 25.00 feet, for an arc distance of 39.48 feet to a Point of tangency; on the East Right of Way line of Southwest 92nd Avenue as shown on the Plat of "F.P.L Center" according to the Plat thereof recorded in Plat Book 102 at Page; thence run North 1°55'03" West along the said East Right of Way line of Southwest 92nd Avenue for a distance of 41.67 feet to a Point of Curvature of a circular curve to the right; thence northerly along the arc of said curve, being concave to the east and having a central angle of 5°40'53", a radius of 1130.00 feet, for an arc distance of 112.05 feet to a point of tangency; thence run North 3°45'50" East along the said East Right of Way line of Southwest 92nd Avenue for a distance of 243.56 feet to a point of curvature of a circular curve to the left; thence northerly along the arc of said curve, being concave to the west and having a central angle of 5°40'53" a radius of 1270 feet, for an arc distance of 125.93 feet to a point of tangency; thence run North 1°55'03" West along the said East Right of Way line of Southwest 92nd Avenue for a distance of 59.03 feet; thence run North 87°33'36" East along a line 30.00 feet South of and parallel to the North line of said Tract 7 for a distance of 415.93 feet; thence run South 1°54'43" East along a line 209.00 feet West of and parallel to the East line of said Tract 7 for a distance of 10.00 feet; thence run North 87°33'36" East along a line 40.00 feet south of and parallel to the North line of said Tract 7 for a distance of 9.00 feet; thence run South 1°54'43" East along a line 200.00 feet West of and parallel to the East line of said Tract 7 for a distance of 595.97 feet

to the Point of Beginning; Subject to 30 Foot Road and Drainage Canal Right of Way as shown on Plat of Richardson-Kellett Company's Plat, Section 4, Township 54 South, Range 40 East according to the Plat thereof recorded in Plat Book 4, at Page 100.

LOCATION: Lying south of Flagler Street and on both sides of S.W. 92 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions which among other things provided:

1. **Permitted Uses.** That the uses on Parcel A shall be limited to office uses and such uses that are customary and ancillary to office uses which are intended for the convenience and use of the occupants and patrons of the office complex.
2. **Controlling Site Plans**
  - a) That the heliport on Parcel A shall be maintained substantially in compliance with the survey submitted for the hearing entitled "Boundary and Topographic Survey," as prepared by A.R. Toussaint & Associates, Inc., dated stamped received November 12, 2010 with last handwritten revision dated December 6, 2010 and consisting of three sheets.
  - b) That the parking lot on Parcel B shall be maintained substantially in compliance with the plans submitted for the hearing entitled "Site Plan for Florida Power & Light FP&L General Office & Overflow Parking Lot," as prepared by Leo Giangrande of AECOM Technical Services, Inc., dated stamped received December 2, 2010 and consisting of one sheet.
3. **Unity of Title.** That Parcel A and Parcel B shall remain under a single ownership and no portion of said parcels of land shall be sold, transferred, devised or assigned separately, except in their entirety, in order to ensure that the office complex on Parcel A shall continue to be supported with the parking lot on Parcel B until such time as the improvements on Parcel A are made to conform with the applicable parking requirements, as determined by the Director of the County's Department of Planning and Zoning, or successor thereof, this paragraph shall have no further force and effect and the Unity of Title established by this Paragraph shall be null and void.

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to RU-5A on Parcel B (Item #1) would be consistent with the Comprehensive Development Master Plan and would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the requested Unusual Use to permit a parking lot within a more restrictive zone than the use it serves on Parcel B (Item #2), the requests to waive the zoning regulations requiring a 5' high wall or fence along the interior side (north) and rear (east) property lines on Parcel B (Item #3), to permit a 1-way drive with a minimum width of 9' on Parcel B (Item #4), to permit 45 degree angle parking with a minimum stall length of 20' and a minimum stall aisle width of 9' on Parcel B (Item #5), to permit an landscape open space of 16.28% on Parcel B (Item #6), to permit 135 lot trees 34 street trees and 0 shrubs on a modified basis on Parcel B (Item #7), to waive the dissimilar land use buffer along the north, and east property lines on Parcel B (Item #8), and to waive the dissimilar land use buffer along the north, and east property lines on Parcel B (Item #9), the requested unusual use to permit a heliport on Parcel A (Item #10), the requested deletion of Condition #3 of Resolution Z-8-72 passed and adopted by the Board of County Commissioners on Parcel A (Item #11), and the request to permit an office building with 1,503 parking spaces on Parcels A and B (Item #12) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the requested unusual uses Item #2 on Parcel B and Item #10 on Parcel A would not have an adverse impact upon the public interest and should be approved and that the proffered Declaration of Restrictions should be accepted, and

WHEREAS, a motion to accept the proffered Declaration of Restrictions, to approve Items #1 through 9 on Parcel B, to approve Items #10 and 11 on Parcel A, and to approve Item #12 on Parcels A and B was offered by Miguel A. Martinez, seconded by Julio R. Caceres, and upon a poll of the members present the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11, that the requested district boundary change to RU-5A on Parcel B (Item #1) be and the same is hereby approved and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED that that the requested Unusual Use to permit a parking lot within a more restrictive zone than the use it serves on Parcel B (Item #2), the requests to waive the zoning regulations requiring a 5' high wall or fence along the interior side (north) and rear (east) property lines on Parcel B (Item #3), to permit a 1-way drive with a minimum width of 9' on Parcel B (Item #4), to permit 45 degree angle parking with a minimum stall length of 20' and a minimum stall aisle width of 9' on Parcel B (Item #5), to permit an landscape open space of 16.28% on Parcel B (Item #6), to permit 135 lot trees 34 street trees and 0 shrubs on a modified basis on Parcel B (Item #7), to waive the dissimilar land use buffer along the north, and east property lines on Parcel B (Item #8), and to waive the dissimilar land use buffer along the north, and east property lines on Parcel B (Item #9), the requested unusual use to permit a heliport on Parcel A (Item #10), the requested deletion of Condition #3 of Resolution Z-8-72 passed and adopted by the Board of County Commissioners on Parcel A (Item #11), and the request to permit an office building with

1,503 parking spaces on Parcels A and B (Item #12) be and the same are hereby approved, subject to the following conditions:

1. That all other conditions of Resolution #Z-8-72 remain in full force and effect except as herein modified
2. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include, but not limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Boundary and Topographic Survey" as prepared by A. R. Toussaint & Associates, Inc. consisting of 3 sheets. Sheet 1 dated stamped received 11/12/10, last handwritten revision dated 12/06/10 and sheets 2 & 3 dated stamped received 10/28/10 and a plan entitled "Florida Power & Light FP&L General Office & OverFlow Parking Lot" as prepared by Leo Giangrande dated stamped received 12/02/10 all totaling 4 sheets.
4. That the applicant obtain a new or revised Certificate of Use for the expansion of the parking onto parcel B, and promptly renew the same annually with, the Department of Planning and Zoning upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That prior to the issuance of a CU, that Florida Power & Light uses its best efforts to install a hedge of a species to be approved by FP&L and Miami Dade County subject to the ability of the applicant to clear any conflicts with underground facilities along the east boundary of Parcel 7-1 as indentified in the application as continuous property.
6. That all operations for the heliport conducted at this location should be under direct communication with and the jurisdiction of the Miami International Airport FAA Tower.
7. That the operation of the heliport shall meet all the requirements of the FAA and the Aviation Division of the State Department of Transportation and the Miami-Dade County Aviation Department (MDAD).
8. That the use be established and maintained in accordance with the approved boundary survey.
9. That in the event the existing wall located along the interior side (west) property line of Parcel A, is owned by the applicant, the applicant will repair said wall and will obtain all necessary permits from the Building Department within 6 months of final approval of this application.

*BE IT FURTHER RESOLVED* that, pursuant to Section 33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

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.

*PASSED AND ADOPTED* this 12<sup>th</sup> day of January, 2011.

Hearing No. 11-1-CZ10-4

ej

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

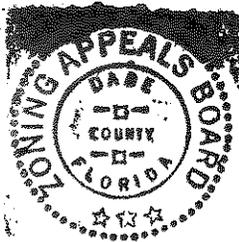
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-4-11 adopted by said Community Zoning Appeals Board at its meeting held on the 12<sup>th</sup> day of January, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 31<sup>st</sup> day of January, 2011.



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

SEAL



# Memorandum



**Date:** April 15, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

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Attached are resolution CZAB10-8-11 and the list from the Community Zoning Appeals Board No. 10 hearing of April 6, 2011.

**Please note that resolution CZAB10-7-11 will be distributed at a later date.**

Any missing resolutions must be reported to this office (ext. 3075) no later than five (5) days from the date of this memo.

## Attachments

Distribution: Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board – Linda Cave, MDC -17th Floor  
Property Appraiser –Angela Hall/ Eugenio Alonso, MDC - 8th Floor



COMMUNITY ZONING APPEALS BOARD 10

Hearing Date: APRIL 6, 2011

I The Community Zoning Appeals took the following action on the items listed below

11-4-CZ10-1	CITIBANK, N.A. Approved per Department's recommendation	10-134 CZAB10711	16-54-40
11-4-CZ10-2	TOMAS GONZALEZ Approved per Department's recommendation	10-164 CZAB10811	02-54-40

**COUNTY STAFF ATTENDEES:**

DENIS KERBEL - ASSISTANT COUNTY ATTORNEY'S OFFICE  
TONY ATALA - ZONING EVALUATION SECTION  
CLEVELAND THOMPSON - ZONING AGENDA COORDINATOR'S OFFICE

NOTICE

THE FOLLOWING SUMMARY INFORMATION IS PROVIDED AS A COURTESY; IT SHOULD NOT BE TREATED AS LEGAL ADVICE AND IT SHOULD NOT BE RELIED UPON. LEGAL CONSULTATION MAY BE WARRANTED IF AN APPEAL OR OTHER LEGAL CHALLENGE IS BEING CONTEMPLATED.

Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Planning and Zoning (DPZ) within 14 days after the DPZ has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (The DPZ's posting will be made on a bulletin board located in the office of the DPZ.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website (www.municode.com). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

**RESOLUTION NO. CZAB10-8-11**

*WHEREAS*, **TOMAS GONZALEZ** applied for the following:

- (1) Applicant is requesting to permit an existing duplex setback 5'-11" (7'-6" required) from the interior side (south) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Legalization and Conversion to Duplex," as prepared by Adonai Design & Construction, Inc. consisting of 3 sheets with Sheet SP dated stamped received 10/4/10 and the remaining 2 sheets dated stamped received 10/6/10. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 32 to 34, Block 26, WINONA PARK 1<sup>ST</sup> ADDITION, Plat book 17, Page 49.

LOCATION: 33 N.W. 73 Place, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to permit an existing duplex setback 5'-11" from the interior side (south) property line would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Jorge Barbontin, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		

Jose Garrido                      aye

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the request to permit an existing duplex setback 5'-11" from the interior side (south) property line be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include, but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Legalization and Conversion to Duplex," as prepared by Adonai Design & Construction, Inc. consisting of 3 sheets with Sheet SP dated stamped received 10/4/10 and the remaining 2 sheets dated stamped received 10/6/10, except as hereby amended to show the exterior door in the southern bedroom of the front unit removed and blocked off. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant shall obtain a building permit for the existing Florida room/bathroom and bedroom additions to the rear unit of the existing duplex residence from the Building Department within 90 days after appeal period deadline date.
5. That the exterior door in the southern bedroom of the front unit be removed and the opening be sealed with masonry.
6. That buffering be provided along the interior side (south) property line, either in the form of 6' high wall wood fence or hedge, not less than 3' high at the time of planting, which shall grow to and be maintained at a height of 6'. Said buffering shall be installed prior to final zoning inspection for the proposed addition.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development

order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 6<sup>th</sup> day of April, 2011.

Hearing No. 11-4-CZ10-2  
ej

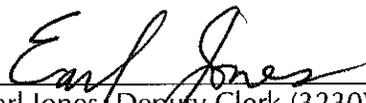
**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 15<sup>TH</sup> DAY OF APRIL, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

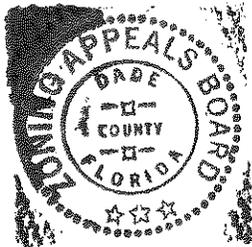
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-8-11 adopted by said Community Zoning Appeals Board at its meeting held on the 6<sup>th</sup> day of April, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 15<sup>th</sup> day of April, 2011.



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

**SEAL**



**RESOLUTION NO. CZAB10-7-11**

*WHEREAS, CITIBANK, N.A.* applied for the following:

- (1) MODIFICATION of Condition #2 of Resolution No. Z-98-82, last modified by Resolution Z-83-97, both passed and adopted by the Board of County Commissioner, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Miami Bird Road Drive-Thru Relocation," as prepared by Architect Jeff Falkanger & Associates Incorporated, consisting of 1 drawing, Sheet 'A-1', dated revised 7-8-97."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Citibank", consisting of 2 sheets and a plan entitled "Citi" all prepared by TSAO Design Group for a total of 3 sheets. Sheet 'L-400' dated stamped received 12/21/10 and the remaining 2 sheets dated stamped received 12/13/10.

- (2) MODIFICATION of Paragraph #1 of a "Declaration of Restrictive Covenants" as recorded in Official Record Book 11481, Pages 329 through 333, last modified by Paragraph #1 of a "Modification of Declaration of Restrictive Covenants recorded in Official Records Book 11481 at pages 329 through 333" as recorded in Official Record Book 27608, Pages 3907 through 3915, reading as follows:

FROM: "1. That the proposed site will be developed in substantial compliance with the approved site plan entitled "Miami Bird Road Drive-Thru Relocation," as prepared by Architect Jeff Falkanger & Associates Incorporated, consisting of 1 drawing, Sheet 'A-1', dated revised 7-8-97."

TO: "1. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Citibank", consisting of 2 sheets and a plan entitled "Citi" all prepared by TSAO Design Group for a total of 3 sheets. Sheet 'L-400' dated stamped received 12/21/10 and the remaining 2 sheets dated stamped received 12/13/10.

The purpose of the above requests is to allow the applicant to submit a new site plan showing a relocation of the drive through teller facilities for the previously approved bank.

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 41 through 43 and Lots 130 through 132 of Bird Road Highlands, Plat book 20 Page and Lots 33 through 40 of said Bird Road Highlands, Plat book 20 Page 31, less however the following described portions thereof: That part of Lot 33 of Bird Road Highlands, Plat book 20 Page 31, which lies within the external area formed by a 25.00 foot radius arc concave to the northeast tangent to the west line of said Lot 33 and tangent to a line which is 15.00 feet north of and parallel with the south line of said Lot 33 and that part of Lots 39 and 40, of said Bird Road Highlands which lies within the

external area formed by a 30.00 foot radius arc, concave to the northwest tangent to a line which is 15.00 feet north of and parallel with the south line of said Lot 39 and tangent to a line which is 22.00 feet west of and parallel with the east line of said Lot 40, and the west 12.00 feet of the east 22.00 feet of the north 85 feet of said Lot 40.

Less and except any part contained in that certain Order of Taking recorded in Official Records Book 16140 Page 3660 and re-recorded in Official Records Book 16182 Page 349.

LOCATION: 8701 S.W. 40 Street (Bird Road), Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and it was noted that the applicant had previously submitted revised plans within the scope of the advertisement entitled "Citibank", consisting of 2 sheets and a plan entitled "Citi" all prepared by TSAO Design Group for a total of 3 sheets. Sheet 'L-400' dated stamped received 3/10/11 and the remaining 2 sheets dated stamped received 3/10/11, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested modifications of Condition #2 of Resolution No. Z-98-82, last modified by Resolution Z-83-97, both passed and adopted by the Board of County Commissioner on a modified basis regarding site plans entitled "Citi" all prepared by TSAO Design Group for a total of 3 sheets. Sheet 'L-400' dated stamped received 3/10/11 and the remaining 2 sheets dated stamped received 3/10/11 (Item #1) and of Paragraph #1 of a "Declaration of Restrictive Covenants" as recorded in Official Record Book 11481, Pages 329 through 333, last modified by Paragraph #1 of a "Modification of Declaration of Restrictive Covenants recorded in Official Records Book 11481 at pages 329 through 333" as recorded in Official Record Book 27608, Pages 3907

through 3915 on a modified basis regarding site plans entitled "Citi" all prepared by TSAO Design Group for a total of 3 sheets. Sheet 'L-400' dated stamped received 3/10/11 and the remaining 2 sheets dated stamped received 3/10/11 (Item #2) would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve Items #1 and 2 on a modified basis was offered by Julio R. Caceres, seconded by Jorge Barbontin, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the requested modifications of Condition #2 of Resolution No. Z-98-82, last modified by Resolution Z-83-97, both passed and adopted by the Board of County Commissioner on a modified basis regarding site plans entitled "Citi" all prepared by TSAO Design Group for a total of 3 sheets. Sheet 'L-400' dated stamped received 3/10/11 and the remaining 2 sheets dated stamped received 3/10/11 (Item #1) and of Paragraph #1 of a "Declaration of Restrictive Covenants" as recorded in Official Record Book 11481, Pages 329 through 333, last modified by Paragraph #1 of a "Modification of Declaration of Restrictive Covenants recorded in Official Records Book 11481 at pages 329 through 333" as recorded in Official Record Book 27608, Pages 3907 through 3915 on a modified basis regarding site plans entitled "Citi" all prepared by TSAO Design Group for a total of 3 sheets. Sheet 'L-400' dated stamped received 3/10/11 and the remaining 2 sheets dated stamped received 3/10/11 (Item #2) be and the same are hereby approved, subject to the following conditions:

1. That all the conditions of Resolution #Z-98-\*82, last modified by Resolution #Z-83-97 remain in full force and effect except as herein modified.
2. That a revised Declaration of Restrictions be submitted to the Department of Planning and Zoning within 90 days after final public hearing approval of this application, unless a time extension is granted by the Director, for good cause shown.
3. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda which are part of the record of this recommendation incorporated herein by reference.

*BE IT FURTHER RESOLVED* that the requested modification of Condition #2 of Resolution No. Z-98-82, last modified by Resolution Z-83-97, both passed and adopted by the Board of County Commissioner (Item #1) as modified, shall read as follows:

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Citi" all prepared by TSAO Design Group for a total of 3 sheets. Sheet 'L-400' dated stamped received 3/10/11 and the remaining 2 sheets dated stamped received 3/10/11.

*BE IT FURTHER RESOLVED* that the requested modification of Paragraph #1 of a "Declaration of Restrictive Covenants" as recorded in Official Record Book 11481, Pages 329 through 333, last modified by Paragraph #1 of a "Modification of Declaration of Restrictive Covenants recorded in Official Records Book 11481 at pages 329 through 333" as recorded in Official Record Book 27608, Pages 3907 through 3915 as modified, shall read as follows:

1. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Citibank", consisting of 2 sheets and a plan entitled "Citi" all prepared by TSAO Design Group for a total of 3 sheets. Sheet 'L-400' dated stamped received 3/10/11 and the remaining 2 sheets dated stamped received 3/10/11 (Item #2).

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 6<sup>th</sup> day of April, 2011.

Hearing No. 11-4-CZ10-1  
ej

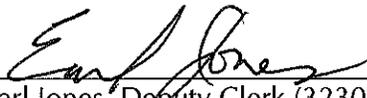
**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 2<sup>ND</sup> DAY OF MAY, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

I, Earl Jones, 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 Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-7-11 adopted by said Community Zoning Appeals Board at its meeting held on the 6<sup>th</sup> day of April, 2011.

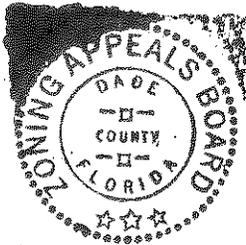
IN WITNESS WHEREOF, I have hereunto set my hand on this the 2<sup>nd</sup> day of April, 2011.



Earl Jones, Deputy Clerk (3230)

Miami-Dade County Department of Planning and Zoning

**SEAL**



**RESOLUTION NO. CZAB10-2-11**

WHEREAS, **MEBAHIAH, INC.** applied for the following:

- (1) MODIFICATION of Condition #2 of Resolution No.4-ZAB-227-92, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Use Change of Exist. Residence to Office,' as prepared by J. J. Gaston Rivero, P.A., and dated 1/15/92."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, Sheets 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and LS-6 dated stamped received 2/3/10 and Sheets 'SP-1.1,' 'SP-1.0,' 'A-1,' LS-1,' 'LS-3' and 'LS-5' dated stamped received 5/13/10 for a total of 15 sheets."

- (2) DELETION of Condition #4 of Resolution No.4-ZAB-227-92, passed and adopted by the Zoning Appeals Board, reading as follows:

"4. That medical, dental, chiropractor, optometrist and opticians' offices be prohibited."

The purpose of requests #1 and #2 is to allow the applicant to submit a new site plan shown in 2 phases and to delete the condition that prohibits medical, dental, chiropractor, optometrist and opticians' offices. Once phase 2 is complete both sites will stand on their own.

**REQUESTS #1 AND #2 ON LOT 3, BLOCK 19 ONLY.**

- (3) MODIFICATION of Condition #2 of Resolution No. CZAB10-17-08, passed and adopted by Community Zoning Appeals Board #10, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Gonzalez Family Company LLC Office Complex,' as prepared by de la Pezuela & Associates, consisting of a total of 9 sheets, dated stamped received 3/14/08. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to zoning code requirements will not require further public hearing action."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets LS-2,' 'LS-4' and 'LS-6' dated stamped received 2/3/10 and Sheets 'SP1.1,'

'SP1.0,' 'A-1,' 'LS-1,' 'LS-3' and LS-5,' dated stamped received 5/13/10 for a total of 15 sheets."

- (4) MODIFICATION of Paragraph #1(a) and #1(c) of a Declaration of Restrictions as recorded in Official Record Book 26433, Pages 1614 – 1619, reading as follows:

FROM: "1(a). That said property shall be developed substantially in accordance with the plans previously submitted, prepared by de la Pezuela & Associates entitled 'Gonzalez Family Company LLC Office Complex,' dated stamped received 3/14/08 and consisting of a total of 9 sheets, said plans being on file with the Miami-Dade County Department of Planning and Zoning and by reference made a part of this agreement."

TO: "1(a). That said property shall be developed substantially in accordance with the plans entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, Sheets 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and 'LS-6' dated stamped received 2/3/10 and Sheets 'SP1.1,' 'SP1.0,' 'A-1,' 'LS-1,' 'LS-3' and LS-5,' dated stamped received 5/13/10 for a total of 15 sheets."

- FROM: "1(c) Owner agrees to restrict the property to the following uses:
- (1) Medical Doctor's Office/Clinic
    - a. (27) Medical Doctors
    - b. (15) Chiropractors
    - c. (31) Opticians
    - d. (32) Optometrists
  - (2) Professional Office
    - a. (2) Accountants-Bookkeeping
    - b. (4) Advertising (no shops)
    - c. (8) Architects
    - d. (9) Attorneys
    - e. (13) Building contractors (office only – no shop or storage)
    - f. (22) Drafting or plan service
    - g. (35) Real Estate
    - h. (36) Real Estate Management
    - i. (45) Zoning Consultants
  - (3) Dental Office
    - a. (20) Dentist

- TO: "1(c) Owner agrees to restrict the property to the following uses:
- (1) Medical Doctor's Office/Clinic
    - a. (27) Medical Doctors
    - b. (15) Chiropractors
    - c. (31) Opticians
    - d. (32) Optometrists

- (2) Professional Office
  - a. (2) Accountants-Bookkeeping
  - b. (4) Advertising (no shops)
  - c. (8) Architects
  - d. (9) Attorneys
  - e. (13) Building contractors (office only – no shop or storage)
  - f. (22) Drafting or plan service
  - g. (35) Real Estate
  - h. (36) Real Estate Management
  - i. (45) Zoning Consultants
  - j. (44) Travel Agencies

- (3) Dental Office
  - a. (20) Dentists

The purpose of the requests is to allow the applicant to submit a new site plan shown in 2 phases and to delete the condition that prohibits medical, dental, chiropractor, optometrist and opticians' offices. Once phase 2 is complete both sites will stand on their own.

#### REQUESTS #3 - #4 ON LOT 4, BLOCK 19 ONLY

- (5) Applicant is requesting to permit a 4' high masonry wall along the north and a portion east property lines (6' required).

#### REQUEST #5 ON LOT 3, BLOCK 19 ONLY

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 3 & 4, Block 19, THIRD ADDITION TO TROPICAL HIGHLANDS, Plat book 59, Page 12.

LOCATION: 3721 and 3731 S.W. 87 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested permission to withdraw the request to permit a 4' high masonry wall along the north and a portion east property lines on lot 3, block 19 only (Item #5), and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested modification of Condition #2 of Resolution No. 4-ZAB-227-92 on lot 3, block 19 only (Item #1), the requested deletion of Condition #4 of Resolution No.4-ZAB-227-92, passed and adopted by the Zoning Appeals Board, passed and adopted by the Zoning Appeals Board on lot 3, block 19 only (Item #2), the requested modification of Condition #2 of Resolution No. CZAB10-17-08, passed and adopted by Community Zoning Appeals Board #10 on lot 4, block 19 only (Item #3), and the requested modification of Paragraph #1(a) and #1(c) of a Declaration of Restrictions as recorded in Official Record Book 26433, Pages 1614 – 1619 on lot 4, block 19 only (Item #4) would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the request withdrawal of Item #5 should be granted, and

WHEREAS, a motion to approve Items #1 through 4 and to withdraw Item #5 was offered by Richard M. Gomez, seconded by Miguel A. Martinez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the requested modification of Condition #2 of Resolution No. 4-ZAB-227-92 on lot 3, block 19 only (Item #1), the requested deletion of Condition #4 of Resolution No.4-ZAB-227-92, passed and adopted by the Zoning Appeals Board, passed and adopted by the Zoning Appeals Board on lot 3, block 19 only (Item #2), the requested modification of Condition #2 of Resolution No. CZAB10-17-08, passed and adopted by

Community Zoning Appeals Board #10 on lot 4, block 19 only (Item #3), and the requested modification of Paragraph #1(a) and #1(c) of a Declaration of Restrictions as recorded in Official Record Book 26433, Pages 1614 – 1619 on lot 4, block 19 only (Item #4), be and the same are hereby approved, subject to the following conditions:

1. That all the conditions of Resolutions No. 4-ZAB-227-92 and No. CZAB10-17-08 remain in full force and effect, except as herein modified.
2. That a unity of title agreement or agreement in lieu of unity of title, in recordable form, encumbering the entire subject property (Lots 3 and 4) be submitted to and meet the approval of the Director of the Department of Planning and Zoning within 30 days after final public hearing approval of this application, said Unity of Title may be released by the Director after completion of phase II as shown on the site plans submitted for the hearing.
3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Offices of Vacuba, Inc.," as prepared by Jose R. Merlo, Architect, 'SP-1,' 'A-1,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets LS-2,' 'LS-4' and 'LS-6' dated stamped received 2/3/10 and Sheets 'SP1.1,' 'S1.0,' 'A-1,' 'LS-1,' 'LS-3' and LS-5,' dated stamped received 5/13/10 for a total of 15 sheets, except as herein modified to show a 6' high masonry wall along the north and east property lines.

*BE IT FURTHER RESOLVED* that the requested modification of Condition #2 of Resolution No. 4-ZAB-227-92 on lot 3, block 19 only (Item #1), shall read as follows:

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, Sheets 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and LS-6dated stamped received 2/3/10 and Sheets 'SP-1.1,' 'SP-1.0,' 'A-1,' LS-1,' 'LS-3' and 'LS-5'dated stamped received 5/13/10 for a total of 15 sheets.

*BE IT FURTHER RESOLVED* that the requested modification of Condition #2 of Resolution No. CZAB10-17-08, passed and adopted by Community Zoning Appeals Board #10 on lot 4, block 19 only (Item #3), shall read as follows:

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, Sheets 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and LS-6dated stamped received 2/3/10 and Sheets 'SP-1.1,' 'SP-1.0,' 'A-1,' LS-1,' 'LS-3' and 'LS-5'dated stamped received 5/13/10 for a total of 15 sheets.

*BE IT FURTHER RESOLVED* that the requested modification of Paragraph #1(a) and #1(c) of a Declaration of Restrictions as recorded in Official Record Book 26433, Pages 1614 – 1619 on lot 4, block 19 only (Item #4), shall read as follows:

1(a) That said property shall be developed substantially in accordance with the plans entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, Sheets 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and 'LS-6' dated stamped received 2/3/10 and Sheets 'SP1.1,' 'SP1.0,' 'A-1,' 'LS-1,' 'LS-3' and LS-5,' dated stamped received 5/13/10. for a total of 15 sheets.

1(c) Owner agrees to restrict the property to the following uses:

(1) Medical Doctor's Office/Clinic

- a. (27) Medical Doctors
- b. (15) Chiropractors
- c. (31) Opticians
- d. (32) Optometrists

(2) Professional Office

- a. (2) Accountants-Bookkeeping
- b. (4) Advertising (no shops)
- c. (8) Architects
- d. (9) Attorneys
- e. (13) Building contractors (office only – no shop or storage)
- f. (22) Drafting or plan service
- g. (35) Real Estate
- h. (36) Real Estate Management
- i. (45) Zoning Consultants
- j. (44) Travel Agencies

(3) Dental Office

- a. (20) Dentists

*BE IT FURTHER RESOLVED* that the request to withdraw Item #5 be and the same is hereby granted and said Item is hereby withdrawn without prejudice.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 12<sup>th</sup> day of January, 2011.

Hearing No. 11-1-CZ10-1  
ej

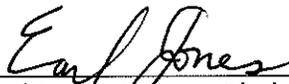
**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 10<sup>TH</sup> DAY OF MARCH, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

I, Earl Jones, 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 Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-2-11 adopted by said Community Zoning Appeals Board at its meeting held on the 12<sup>th</sup> day of January, 2011.

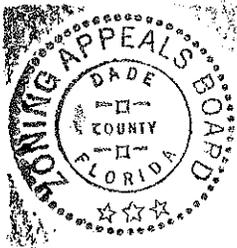
IN WITNESS WHEREOF, I have hereunto set my hand on this the 10<sup>th</sup> day of March, 2011.



Earl Jones, Deputy Clerk (3230)

Miami-Dade County Department of Planning and Zoning

**SEAL**



**RESOLUTION NO. CZAB10-9-11**

*WHEREAS*, **FVP DORADO LLC** applied for the following:

- (1) Applicant is requesting to permit a portion of a single-family residence setback 20' from the front (west) property line (15' required for 50% of the linear width of the house and 25' for the remainder).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Dorado Estates," as prepared by Lan Mar Design Group dated stamped received 3/9/11, consisting of 4 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Lot 5, Block 6, LETI SUBDIVISION 3<sup>RD</sup> ADDITION, Plat book 166, Page 44.

**LOCATION:** Lying east of S.W. 148 Court, approximately 230' south of S.W. 34 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to permit a portion of a single-family residence setback 20' from the front (west) property line would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Julio R. Caceres, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	absent
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the request to permit a portion of a single-family residence setback 20' from the front (west) property line be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning & Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Dorado Estates" as prepared by Lan Mar Design Group, dated stamped received 03/09/11, consisting of 4 sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require public hearing action.
3. That the use be established and maintained in accordance with the approved plan.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 4<sup>th</sup> day of May, 2011.

Hearing No. 11-5-CZ10-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 4<sup>TH</sup> DAY OF MAY, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

I, Earl Jones, 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 Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-9-11 adopted by said Community Zoning Appeals Board at its meeting held on the 4<sup>th</sup> day of May, 2011.

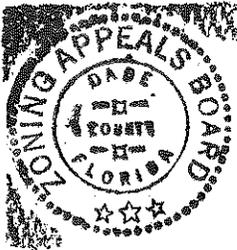
IN WITNESS WHEREOF, I have hereunto set my hand on this the 6<sup>th</sup> day of May, 2011.



Earl Jones, Deputy Clerk (3230)

Miami-Dade County Department of Planning and Zoning

**SEAL**



# Memorandum



**Date:** May 6, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

---

Attached are CZAB10-9-11 and the list from the Community Zoning Appeals Board No. 10 hearing of May 4, 2011.

Any missing resolutions must be reported to this office (ext. 2129) no later than five (5) days from the date of this memo.

## Attachments

**Distribution:** Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board – Linda Cave, MDC -17th Floor  
Property Appraiser –Angela Hall, MDC - 8th Floor

CLERK OF THE BOARD  
2011 MAY -6 PM 3:40  
CLERK, CIRCUIT CLERK  
DADE COUNTY, FLA.  
#1



COMMUNITY ZONING APPEALS BOARD 10

Hearing Date: MAY 4, 2011

I The Community Zoning Appeals took the following action on the items listed below

11-5-CZ10-1	FVP DORADO LLC	11-33	16-54-39
	Approved	CZAB10911	
	per staff's recommendation		

**COUNTY STAFF ATTENDEES:**

DARON FITCH - ASSISTANT COUNTY ATTORNEY'S OFFICE  
TONY ATALA - ZONING EVALUATION SECTION  
CLEVELAND THOMPSON - ZONING AGENDA COORDINATOR'S OFFICE

NOTICE

THE FOLLOWING SUMMARY INFORMATION IS PROVIDED AS A COURTESY; IT SHOULD NOT BE TREATED AS LEGAL ADVICE AND IT SHOULD NOT BE RELIED UPON. LEGAL CONSULTATION MAY BE WARRANTED IF AN APPEAL OR OTHER LEGAL CHALLENGE IS BEING CONTEMPLATED.

Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Planning and Zoning (DPZ) within 14 days after the DPZ has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (The DPZ's posting will be made on a bulletin board located in the office of the DPZ.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website (www.municode.com). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

# Memorandum



**Date:** June 2, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Revised Resolution

---

Attached is Revised Resolution CZAB10-9-11. This resolution is to replace the previously distributed one. **Please attach the original certificate to the revised copy.**

**Attachments**

**Distribution:** Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board – Linda Cave, MDC -17th Floor  
Property Appraiser – Angela Hall, MDC - 8th Floor

CLERK OF THE BOARD  
2011 JUN -2 PM 2:47  
CLERK - CIRCUIT & COUNTY COURTS  
DADE COUNTY, FLA.  
#1

**RESOLUTION NO. CZAB10-9-11**

*WHEREAS*, **FVP DORADO LLC** applied for the following:

- (1) Applicant is requesting to permit a portion of a single-family residence setback 20' from the front (west) property line (15' required for 50% of the linear width of the house and 25' for the remainder).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Dorado Estates," as prepared by Lan Mar Design Group dated stamped received 3/9/11, consisting of 4 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 5, Block 6, LETI SUBDIVISION 3<sup>RD</sup> ADDITION, Plat book 166, Page 44.

LOCATION: Lying east of S.W. 148 Court, approximately 230' south of S.W. 34 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to permit a portion of a single-family residence setback 20' from the front (west) property line would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Julio R. Caceres, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	absent
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		

Jose Garrido                      aye

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the request to permit a portion of a single-family residence setback 20' from the front (west) property line be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning & Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Dorado Estates" as prepared by Lan Mar Design Group, dated stamped received 03/09/11, consisting of 4 sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require public hearing action.
3. That the use be established and maintained in accordance with the approved plan.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 4<sup>th</sup> day of May, 2011.

Hearing No. 11-5-CZ10-1

ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 6<sup>TH</sup> DAY OF MAY, 2011.**

# Memorandum



**Date:** June 8, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

CLERK OF THE BOARD  
2011 JUN -8 PM 3:29  
CLERK, CIRCUIT & COUNTY DEPT  
MIAMI-DADE COUNTY, FLA.  
#1

Attached are resolution CZAB10-10-11 and the list from the Community Zoning Appeals Board No. 10 hearing of June 2, 2011.

Any missing resolutions must be reported to this office (ext. 2129) no later than five (5) days from the date of this memo.

## Attachments

Distribution: Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board - Linda Cave, MDC - 17th Floor  
Property Appraiser - Angela Hall, MDC - 8th Floor



COMMUNITY ZONING APPEALS BOARD 10

Hearing Date: JUNE 2, 2011

I The Community Zoning Appeals took the following action on the items listed below

11-6-CZ10-1	WACHOVIA	10-63	15-54-40
	Approved	CZAB101011	
	with conditions		

II Items listed below have been withdrawn or deferred to a later date:

11-6-CZ10-2	84 SHOPPING PLAZA CORP.	10-147	22-54-40
	Deferred To Date Certain (09/07/11)		
	with leave to amend		

COUNTY STAFF ATTENDEES:

NOTICE

THE FOLLOWING SUMMARY INFORMATION IS PROVIDED AS A COURTESY; IT SHOULD NOT BE TREATED AS LEGAL ADVICE AND IT SHOULD NOT BE RELIED UPON. LEGAL CONSULTATION MAY BE WARRANTED IF AN APPEAL OR OTHER LEGAL CHALLENGE IS BEING CONTEMPLATED.

Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Planning and Zoning (DPZ) within 14 days after the DPZ has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (The DPZ's posting will be made on a bulletin board located in the office of the DPZ.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing



**COMMUNITY ZONING APPEALS BOARD 10**

**Hearing Date: JUNE 2, 2011**

any challenge to a CZAB decision.

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website ([www.municode.com](http://www.municode.com)). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

**RESOLUTION NO. CZAB10-10-11**

WHEREAS, **WACHOVIA** applied for the following:

Applicant is requesting to permit a bank with a 3<sup>rd</sup> wall sign (2 wall signs permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Coral Way and S.W. 87<sup>th</sup> Avenue", as prepared by Site Enhancement Services, dated stamped received 5/19/10, consisting of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: PARCEL ONE: A portion of Block 33 and Tract D of CORAL WAY VILLAGE SECTION A, PART 5, Plat Book 65, Page 17, and: a portion of Tract C, REPLAT OF TRACT C, CORAL WAY VILLAGE SECTION A, PART 5, Plat Book 68, Page 61; being more particularly described as follows: Commence at the southwest corner of said Tract "C," Replat of Tract "C," CORAL WAY VILLAGE SECTION A, PART 5, and run north along the west line thereof for 508'; thence N88°03'33"E for 12' to the Point of beginning of the parcel of land hereinafter described, thence north for 70.01' (said last mentioned course being coincident with the E/ly right-of-way line of S.W. 87<sup>th</sup> Avenue as taken from that certain Right-of-Way Map, Plat Book 88, Page 43; thence run N87°52'30"E for 238.03' (said last mentioned course being coincident with the S/ly boundary of Tract "C-1" and the E/ly prolongation thereof, Replat of Tract "C"); thence run north for 150'; thence run N87°52'30"E along the north line of the aforesaid Tract "C" for 964.94' to the northeast corner of said Tract "C"; thence continue N87°52'30"E along the north line of Lot 1, Block 33 of the aforementioned plat of CORAL WAY VILLAGE SECTION A, PART 5 for 74.13' feet to a Point of curvature; thence run SE/ly along a circular curve to the right having a radius of 25' and a central angle of 92°07'30" for an arc distance of 40.2' to a Point of tangency; thence run south for 784.95' to a Point of curvature; thence run SW/ly along a circular curve to the right, having a radius of 25' and a central angle of 88°03'33" for an arc distance of 38.42' to a Point of tangency; thence run S88°03'33"W for 600.89' to the southwest corner of the aforementioned Tract "D"; thence run N01°56'27"W for 102.77' (said last six courses being coincident with the boundary of Block 33 and Tract "D" respectively, said plat of CORAL WAY VILLAGE); thence run S88°03'33" along the south line of the aforementioned Tract "C" for 374.71'; thence run N01°57'07"W for 246' (said last course being coincident with the e/ly face of an existing CBS building wall and the n/ly and s/ly prolongations thereof); thence run north, parallel with the west line of said Tract "C" for 261.86'; thence run S88°03'33"W for 291.25' to the Point of beginning, lying and being in Section 15, Township 54 South, Range 40 East. AND:

PARCEL TWO: All right, title and interest (being an undivided one-half interest) of, in and to the west 316' of the south 30' of Tract "C" (distances mentioned herein before are as measured parallel to the west and south lines of said Tract "C") replat of Tract "C" CORAL WAY VILLAGE SECTION A, PART 5, Plat Book 68, Page 61.

LOCATION: 8508 S.W. 24 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to permit a bank with a 3<sup>rd</sup> wall sign (Item #1) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to approve the application was offered by Julio R. Caceres, seconded by Jorge Barbontin, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the request to permit a bank with a 3<sup>rd</sup> wall sign (Item #1) be and the same is hereby approved, subject to the following conditions:

1. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Coral Way & 87 Avenue," as prepared by Site Enhancement Services, dated stamped received 5/19/10 consisting of 3 sheets.
2. That the use be established and maintained in accordance with the approved plan.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development

order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 2<sup>nd</sup> day of June, 2011.

Hearing No. 11-6-CZ10-1  
ej

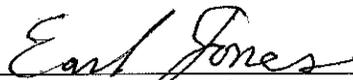
**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 8<sup>TH</sup> DAY OF JUNE, 2011.**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

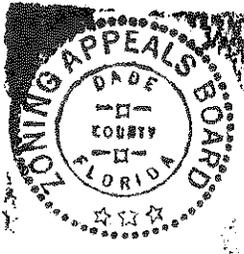
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-10-11 adopted by said Community Zoning Appeals Board at its meeting held on the 2<sup>nd</sup> day of June, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 8<sup>th</sup> day of June, 2011.



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

SEAL



# Memorandum



**Date:** June 8, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

CLERK OF THE BOARD  
2011 JUN -8 PM 3:29  
CLERK, CIRCUIT & COUNTY DEPT  
MIAMI-DADE COUNTY, FLA.  
#1

Attached are resolution CZAB10-10-11 and the list from the Community Zoning Appeals Board No. 10 hearing of June 2, 2011.

Any missing resolutions must be reported to this office (ext. 2129) no later than five (5) days from the date of this memo.

## Attachments

Distribution: Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board - Linda Cave, MDC - 17th Floor  
Property Appraiser - Angela Hall, MDC - 8th Floor



COMMUNITY ZONING APPEALS BOARD 10

Hearing Date: JUNE 2, 2011

I The Community Zoning Appeals took the following action on the items listed below

11-6-CZ10-1	WACHOVIA	10-63	15-54-40
	Approved	CZAB101011	
	with conditions		

II Items listed below have been withdrawn or deferred to a later date:

11-6-CZ10-2	84 SHOPPING PLAZA CORP.	10-147	22-54-40
	Deferred To Date Certain (09/07/11)		
	with leave to amend		

COUNTY STAFF ATTENDEES:

NOTICE

THE FOLLOWING SUMMARY INFORMATION IS PROVIDED AS A COURTESY; IT SHOULD NOT BE TREATED AS LEGAL ADVICE AND IT SHOULD NOT BE RELIED UPON. LEGAL CONSULTATION MAY BE WARRANTED IF AN APPEAL OR OTHER LEGAL CHALLENGE IS BEING CONTEMPLATED.

Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Planning and Zoning (DPZ) within 14 days after the DPZ has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (The DPZ's posting will be made on a bulletin board located in the office of the DPZ.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing



**COMMUNITY ZONING APPEALS BOARD 10**

**Hearing Date: JUNE 2, 2011**

any challenge to a CZAB decision.

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website ([www.municode.com](http://www.municode.com)). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

**RESOLUTION NO. CZAB10-12-11**

WHEREAS, **HIGHPOINT ACADEMY, INC** applied for the following:

- (1) SPECIAL EXCEPTION to permit an existing private school with the addition of grades 7 and 8 (day nursery, kindergarten, summer camp and grades 1-6 previously approved).
- (2) MODIFICATION of a plan approved pursuant to Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board on the 14<sup>th</sup> day of April, 1982, reading as follows:

FROM: "3. That the use be established and maintained in accordance with the approved plan.

TO: "3. That the use be established and maintained in accordance with the approved plans entitled "Highpoint Academy Hearing Board Application", prepared by Neville & Associates, P.A., Sheet A100 dated stamped received 4/28/11, Sheet L100 dated stamped received November 29, 2010, and the remaining four (4) sheets dated stamped received September 20,2010 for a total of six (6) sheets."

- (3) MODIFICATION of Conditions #4, #8 and #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "4. That the use be approved and restricted to a maximum of 245 students."

TO: "4. That the use be approved and restricted to a maximum of 237 students."

FROM: "8. That the number of grades will be from pre-school to 6 grade."

TO: "8. That the number of grades will be from pre-school to 8 grade."

FROM: "10. That the number of teachers shall not exceed 21. That the number of administrative and clerical personnel (other than teachers) shall not exceed 5."

TO: "10. That the number of teachers shall not exceed 21. That the number of administrative and clerical personnel (other than teachers) shall not exceed 8."

The purpose of request #2 and #3 is to permit the application to submit revised plans and to show a reduction in the number of students, the addition of grades 7 and 8 to the private school, and to permit a reduction in the number of teachers and an increase in the number of administrative and clerical personnel.

- (4) Applicant is requesting to permit a classroom space of 6,488 SF (7,365 sq. ft. minimum required).
- (5) Applicant is requesting to permit the proposed modular building to setback 7'-6" (50' minimum required) from interior side (east) property line.

- (6) Applicant is requesting to permit an outdoor recreation area of 54,683 SF (65,738 sq. ft. minimum required).
- (7) Applicant is requesting to permit a prefabricated storage building addition to classroom #2 to setback 8.35' (50' required) from the interior side (east) property line.
- (8) Applicant is requesting to permit the existing basketball court setback 34' (75' required) from the front (north) property line (SW 32<sup>nd</sup> Terrace) and to setback 6' (7.5' required) from the interior side (west) property line.

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

SUBJECT PROPERTY: Commence at the center of section 13, Township 54 South, Range 39 East, the run N89°8'32"E along the South line of the said Northeast ¼ for 591.04' feet, then run N3°24'39"W for 35.03' feet to the POINT OF BEGINNING of the tract of land herein described; thence continue along the last described course for 449.05' feet, thence run S89°4'47"W along a line parallel to the North line of the said Northeast ¼ for 140' feet, thence run S22°6'13"W for 487.03' feet; thence run N89°8'32"E along a line parallel to and 35' North of as measured at right angles, to the afore described South line of said Northeast ¼ for 350' feet to the POINT OF BEGINNING, Miami-Dade County, Florida.

LOCATION: 12101 S.W. 34<sup>th</sup> STREET, MIAMI-DADE COUNTY, FLORIDA, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested special exception to permit an existing private school with the addition of grades 7 and 8 (Items #1), the requested modifications of a plan approved pursuant to Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board on the 14<sup>th</sup> day of April, 1982 (Item #2) and of Conditions #4, #8 and #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board of Conditions #4, #8 and

#10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board (Item #3), and the requests to permit a classroom space of 6,488 SF (Item #4), to permit the proposed modular building to setback 7'-6" from interior side (east) property line (Item #5), to permit an outdoor recreation area of 54,683 SF (Item #6), to permit a prefabricated storage building addition to classroom #2 to setback 8.35' from the interior side (east) property line (Item #7), and to permit the existing basketball court setback 34' from the front (north) property line (SW 32<sup>nd</sup> Terrace) and to setback 6' from the interior side (west) property line (Item #8) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the requested special exception (Item #1) would not have an adverse impact upon the public interest and should be approved, and

*WHEREAS*, a motion to approve Items #1 through 8 was offered by Miguel A. Martinez, seconded by Jorge Barbontin, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
		Jose Garrido	aye

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the requested special exception to permit an existing private school with the addition of grades 7 and 8 (Items #1), the requested modifications of a plan approved pursuant to Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board on the 14<sup>th</sup> day of April, 1982 (Item #2) and of Conditions #4, #8 and #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board of Conditions #4, #8 and #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board (Item #3), and the

requests to permit a classroom space of 6,488 SF (Item #4), to permit the proposed modular building to setback 7'-6" from interior side (east) property line (Item #5), to permit an outdoor recreation area of 54,683 SF (Item #6), to permit a prefabricated storage building addition to classroom #2 to setback 8.35' from the interior side (east) property line (Item #7), and to permit the existing basketball court setback 34' from the front (north) property line (SW 32<sup>nd</sup> Terrace) and to setback 6' from the interior side (west) property line (Item #8) be and the same is hereby approved, subject to the following conditions:

- (1) That all the conditions of Resolution #4-ZAB-119-82, remain in full force and effect except as herein modified.
- (2) That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
- (3) That the applicant comply with all applicable conditions and requirements of the Public Works Department and DERM.
- (4) That the applicant obtain a building permit for the private school from the Building Department within 90 days after final public hearing approval of this application, unless a time extension is granted by the Director of the Department of Planning and Zoning.

*BE IT FURTHER RESOLVED* that the requested modification of a plan approved pursuant to Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board on the 14<sup>th</sup> day of April, 1982 (Item #2), shall read as follows:

3. That the use be established and maintained in accordance with the approved plans entitled "Highpoint Academy Hearing Board Application", prepared by Neville & Associates, P.A., Sheet A100 dated stamped received 4/28/11, Sheet L100 dated stamped received November 29, 2010, and the remaining four (4) sheets dated stamped received September 20,2010 for a total of six (6) sheets.

*BE IT FURTHER RESOLVED* that the requested modification of Conditions #4, #8 and #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board of Conditions #4, #8 and #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board (Item #3), shall read as follows:

4. That the use be approved and restricted to a maximum of 237 students.
8. That the number of grades will be from pre-school to 8 grade.
10. That the number of teachers shall not exceed 21. That the number of administrative and clerical personnel (other than teachers) shall not exceed 8.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 7<sup>th</sup> day of July, 2011.

Hearing No. 11-7-CZ10-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 11<sup>TH</sup> DAY OF JULY, 2011.**

**STATE OF FLORIDA**

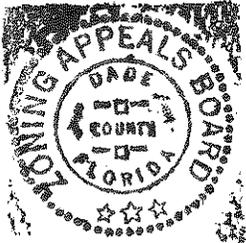
**COUNTY OF MIAMI-DADE**

I, Earl Jones, 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 Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-12-11 adopted by said Community Zoning Appeals Board at its meeting held on the 7<sup>th</sup> day of July, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 11<sup>th</sup> day of July, 2011.

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

SEAL



# Memorandum



**Date:** July 12, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Revised Resolution

---

Attached is Revised Resolution CZAB10-12-11. The error was due to an error used in the legal advertisement by another section of the our Department, and the Ad was used in the resolution. This resolution is to replace the previously distributed one. **Please attach the original certificate to the revised copy.**

## Attachments

**Distribution:** Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board – Linda Cave, MDC -17th Floor  
Property Appraiser – Angela Hall, MDC - 8th Floor

CLERK OF THE BOARD  
2011 JUL 12 AM 10:39  
CLERK, CIRCUIT & COUNTY CLERK  
MIAMI-DADE COUNTY, FLA.  
#1

**RESOLUTION NO. CZAB10-12-11**

*WHEREAS, HIGHPOINT ACADEMY, INC* applied for the following:

- (1) SPECIAL EXCEPTION to permit an existing private school with the addition of grades 7 and 8 (day nursery, kindergarten, summer camp and grades 1-6 previously approved).
- (2) MODIFICATION of a plan approved pursuant to Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board on the 14<sup>th</sup> day of April, 1982, reading as follows:

FROM: "3. That the use be established and maintained in accordance with the approved plan.

TO: "3. That the use be established and maintained in accordance with the approved plans entitled "Highpoint Academy Hearing Board Application", prepared by Neville & Associates, P.A., Sheet A100 dated stamped received 4/28/11, Sheet L100 dated stamped received November 29, 2010, and the remaining four (4) sheets dated stamped received September 20,2010 for a total of six (6) sheets."

- (3) MODIFICATION of Conditions #4, #8 and #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "4. That the use be approved and restricted to a maximum of 245 students."

TO: "4. That the use be approved and restricted to a maximum of 237 students."

FROM: "8. That the number of grades will be from pre-school to 6 grade."

TO: "8. That the number of grades will be from pre-school to 8 grade."

FROM: "10. That the number of teachers shall not exceed 21. That the number of administrative and clerical personnel (other than teachers) shall not exceed 5."

TO: "10. That the number of teachers shall not exceed 21. That the number of administrative and clerical personnel (other than teachers) shall not exceed 8."

The purpose of request #2 and #3 is to permit the application to submit revised plans and to show a reduction in the number of students, the addition of grades 7 and 8 to the private school, and to permit a reduction in the number of teachers and an increase in the number of administrative and clerical personnel.

- (4) Applicant is requesting to permit a classroom space of 6,488 SF (7,365 sq. ft. minimum required).
- (5) Applicant is requesting to permit the proposed modular building to setback 7'-6" (50' minimum required) from interior side (east) property line.

- (6) Applicant is requesting to permit an outdoor recreation area of 54,683 SF (65,738 sq. ft. minimum required).
- (7) Applicant is requesting to permit a prefabricated storage building addition to classroom #2 to setback 8.35' (50' required) from the interior side (east) property line.
- (8) Applicant is requesting to permit the existing basketball court setback 34' (75' required) from the front (north) property line (SW 32<sup>nd</sup> Terrace) and to setback 6' (7.5' required) from the interior side (west) property line.

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

SUBJECT PROPERTY: Commence at the center of section 13, Township 54 South, Range 39 East, the run N89°8'32"E along the South line of the said Northeast ¼ for 591.04' feet, then run N3°24'39"W for 35.03' feet to the POINT OF BEGINNING of the tract of land herein described; thence continue along the last described course for 449.05' feet, thence run S89°4'47"W along a line parallel to the North line of the said Northeast ¼ for 140' feet, thence run S22°6'13"W for 487.03' feet; thence run N89°8'32"E along a line parallel to and 35' North of as measured at right angles, to the afore described South line of said Northeast ¼ for 350' feet to the POINT OF BEGINNING, Miami-Dade County, Florida.

LOCATION: 12101 S.W. 34<sup>th</sup> STREET, MIAMI-DADE COUNTY, FLORIDA, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested special exception to permit an existing private school with the addition of grades 7 and 8 (Items #1), the requested modifications of a plan approved pursuant to Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board on the 14<sup>th</sup> day of April, 1982 (Item #2) and of Conditions #4, #8 and #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board of Conditions #4, #8 and on

a modified basis limiting the number of teachers to 17 for #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board (Item #3), and the requests to permit a classroom space of 6,488 SF (Item #4), to permit the proposed modular building to setback 7'-6" from interior side (east) property line (Item #5), to permit an outdoor recreation area of 54,683 SF (Item #6), to permit a prefabricated storage building addition to classroom #2 to setback 8.35' from the interior side (east) property line (Item #7), and to permit the existing basketball court setback 34' from the front (north) property line (SW 32<sup>nd</sup> Terrace) and to setback 6' from the interior side (west) property line (Item #8) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the requested special exception (Item #1) would not have an adverse impact upon the public interest and should be approved, and

*WHEREAS*, a motion to approve Items #1 through 8 was offered by Miguel A. Martinez, seconded by Jorge Barbontin, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the requested special exception to permit an existing private school with the addition of grades 7 and 8 (Items #1), the requested modifications of a plan approved pursuant to Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board on the 14<sup>th</sup> day of April, 1982 (Item #2) and of Conditions #4, #8 and #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board of Conditions #4, #8 and on a

modified basis limiting the number of teachers to 17 for #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board (Item #3), and the requests to permit a classroom space of 6,488 SF (Item #4), to permit the proposed modular building to setback 7'-6" from interior side (east) property line (Item #5), to permit an outdoor recreation area of 54,683 SF (Item #6), to permit a prefabricated storage building addition to classroom #2 to setback 8.35' from the interior side (east) property line (Item #7), and to permit the existing basketball court setback 34' from the front (north) property line (SW 32<sup>nd</sup> Terrace) and to setback 6' from the interior side (west) property line (Item #8) be and the same is hereby approved, subject to the following conditions:

- (1) That all the conditions of Resolution #4-ZAB-119-82, remain in full force and effect except as herein modified.
- (2) That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
- (3) That the applicant comply with all applicable conditions and requirements of the Public Works Department and DERM.
- (4) That the applicant obtain a building permit for the private school from the Building Department within 90 days after final public hearing approval of this application, unless a time extension is granted by the Director of the Department of Planning and Zoning.

*BE IT FURTHER RESOLVED* that the requested modification of a plan approved pursuant to Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board on the 14<sup>th</sup> day of April, 1982 (Item #2), shall read as follows:

3. That the use be established and maintained in accordance with the approved plans entitled "Highpoint Academy Hearing Board Application", prepared by Neville & Associates, P.A., Sheet A100 dated stamped received 4/28/11, Sheet L100 dated stamped received November 29, 2010, and the remaining four (4) sheets dated stamped received September 20, 2010 for a total of six (6) sheets.

*BE IT FURTHER RESOLVED* that the requested modification of Conditions #4, #8 and #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board of

Conditions #4, #8 and #10, of Resolution 4-ZAB-119-82, passed and adopted by the Zoning Appeals Board (Item #3), shall read as follows:

4. That the use be approved and restricted to a maximum of 237 students.
8. That the number of grades will be from pre-school to 8 grade.
10. That the number of teachers shall not exceed 17. That the number of administrative and clerical personnel (other than teachers) shall not exceed 8.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 7<sup>th</sup> day of July, 2011.

Hearing No. 11-7-CZ10-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 11<sup>TH</sup> DAY OF JULY, 2011.**

# Memorandum



**Date:** July 14, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

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Attached are Resolution CZAB10-11-11 and the list from the Community Zoning Appeals Board No. 10 hearing of July 7, 2011.

**Please note that Resolution CZAB10-12-11 was distributed earlier.**

Any missing resolutions must be reported to this office (ext. 2129) no later than five (5) days from the date of this memo.

## Attachments

Distribution: Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board — Linda Cave, MDC -17th Floor  
Property Appraiser —Angela Hall, MDC - 8th Floor

CLERK OF THE BOARD  
2011 JUL 14 PM 3:22  
CLERK, CIRCUIT & COUNTY CLERK  
MIAMI-DADE COUNTY, FLA.  
#1



COMMUNITY ZONING APPEALS BOARD 10

Hearing Date: JULY 7, 2011

I The Board took the following action on the items listed below

11-7-CZ10-1	LIFE CHURCH OF SOUTH FLORIDA, INC Approved per staff recommendation	10-105 CZAB101111	22-54-40
11-7-CZ10-2	HIGHPOINT ACADEMY, INC Approved per staff recommendation and one additional condition	10-148 CZAB101211	13-54-39

**COUNTY STAFF ATTENDEES:**

- MERCEDES RODRIGUEZ - POLICY ANALYST MAYOR'S OFFICE
- TOM LOGUE - ASSISTANT COUNTY ATTORNEY'S OFFICE
- JORGE VITAL - ZONING EVALUATION SECTION
- ANIMA NEWSOME - ZONING EVALUATION SECTION
- JACKIE CARRANZA - ZONING EVALUATION SECTION
- EARL JONES - ZONING EVALUATION SECTION
- CLEVELAND THOMPSON - ZONING AGENDA COORDINATOR'S OFFICE

NOTICE

THE FOLLOWING SUMMARY INFORMATION IS PROVIDED AS A COURTESY; IT SHOULD NOT BE TREATED AS LEGAL ADVICE AND IT SHOULD NOT BE RELIED UPON. LEGAL CONSULTATION MAY BE WARRANTED IF AN APPEAL OR OTHER LEGAL CHALLENGE IS BEING CONTEMPLATED.

Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Planning and Zoning (DPZ) within 14 days after the DPZ has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (The DPZ's posting will be made on a bulletin board located in the office of the DPZ.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website (www.municode.com). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

**RESOLUTION NO. CZAB10-11-11**

*WHEREAS*, LIFE CHURCH OF SOUTH FLORIDA, INC applied for the following:

- (1) SPECIAL EXCEPTION to permit a religious facility and a parsonage residence.
- (2) RESCIND AND REVOKE Resolutions 3-ZAB-251-65, 3-ZAB-369-70, 3-ZAB-265-82 and 3-ZAB-296-86 all passed and adopted by the Zoning Appeals Board, only as it applies to subject property.

The purpose of request #2 is to allow the applicant to delete all resolutions and corresponding conditions for a parking lot, outdoor recreational uses and pavilion in connection with a previously approved church, day nursery and kindergarten use.

- (3) Applicant is requesting to permit the religious facility setback varying from 15' to 28'4" (50' required) from the interior side (south) property line and spaced less than 75' from an adjacent residence to the south.
- (4) Applicant is requesting to permit parking within 25' on an official right-of-way (not permitted).
- (5) Applicant is requesting to permit a minimum 5' wide greenbelt (7' required) along a portion of the right-of-way.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Divine Mercy-House Of Prayer", as prepared by David J. Cabarrocas/Architect dated stamped received 03/21/11, with Sheet L-1 handwritten revision dated 04/14/11, consisting of 4 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** The West ½ of the North 66 feet of Tract 1, of Amended Plat of Blocks 2, 3, 4 and 5 of CORAL PINES, less the East 25 feet thereof, Plat Book 33, Page 64, and the West ½ of the South 66 feet of the North 132 feet of Tract 1, of Amended Plat of Blocks 2, 3, 4 and 5 of CORAL PINES, less the East 25 feet thereof, Book 33, Page 64.

**LOCATION:** 4101 S.W. 85 AVENUE, MIAMI-DADE COUNTY, FLORIDA, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested special exception to permit a religious facility and a parsonage residence (Item #1), the requests to rescind and revoke Resolutions 3-ZAB-251-65, 3-ZAB-369-70, 3-ZAB-265-82 and 3-ZAB-296-86 all passed and adopted by the Zoning Appeals Board, only as it applies to subject property (Item #2), to permit the religious facility setback varying from 15' to 28'4" from the interior side (south) property line and spaced less than 75' from an adjacent residence to the south (Item #3), to permit parking within 25' on an official right-of-way (Item #4), and to permit a minimum 5' wide greenbelt along a portion of the right-of-way (Item #5) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the requested special exception (Item #1) would not have an adverse impact upon the public interest and should be approved, and

WHEREAS, a motion to approve Items #1 through #5 was offered by Miguel A. Martinez, seconded by Jorge Barbontin, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	aye	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the requested special exception to permit a religious facility and a parsonage residence (Item #1), the requests to rescind and revoke Resolutions 3-ZAB-251-65, 3-ZAB-369-70, 3-ZAB-265-82 and 3-ZAB-296-86 all passed and adopted by the Zoning Appeals Board, only as it applies to subject property (Item #2), to permit the religious facility setback varying from 15' to 28'4" from the interior side (south) property line and spaced less

than 75' from an adjacent residence to the south (Item #3), to permit parking within 25' on an official right-of-way (Item #4), and to permit a minimum 5' wide greenbelt along a portion of the right-of-way (Item #5) be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include among other things but not limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Divine Mercy-House Of Prayer", As prepared by David J. Cabrocas/Architect dated stamped received 03/21/11, with Sheet L-1 dated handwritten revision 04/14/11, consisting of 4 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtain a Certificate of Use from, and promptly renew the same annually with the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That buffering be provided along the east property line, in the form of a hedge not less than 4' high at the time of planting, which shall grow to and be maintained at a height of 6'. Said buffering shall be installed prior to the issuance of the Certificate of Use for the religious facility.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 7<sup>th</sup> day of July, 2011.

Hearing No. 11-7-CZ10-1  
ej

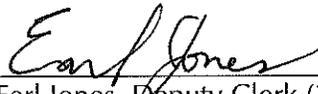
**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 14<sup>TH</sup> DAY OF JULY, 2011.**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Earl Jones, 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 Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-11-11 adopted by said Community Zoning Appeals Board at its meeting held on the 7<sup>th</sup> day of July, 2011.

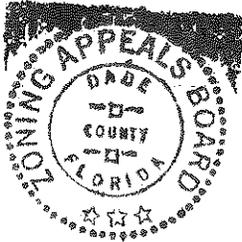
IN WITNESS WHEREOF, I have hereunto set my hand on this the 14<sup>th</sup> day of July, 2011.



Earl Jones, Deputy Clerk (3230)

Miami-Dade County Department of Planning and Zoning

SEAL



**RESOLUTION NO. CZAB10-2-11**

WHEREAS, **MEBAHIAH, INC.** applied for the following:

- (1) MODIFICATION of Condition #2 of Resolution No.4-ZAB-227-92, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Use Change of Exist. Residence to Office,' as prepared by J. J. Gaston Rivero, P.A., and dated 1/15/92."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, Sheets 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and LS-6 dated stamped received 2/3/10 and Sheets 'SP-1.1,' 'SP-1.0,' 'A-1,' LS-1,' 'LS-3' and 'LS-5' dated stamped received 5/13/10 for a total of 15 sheets."

- (2) DELETION of Condition #4 of Resolution No.4-ZAB-227-92, passed and adopted by the Zoning Appeals Board, reading as follows:

"4. That medical, dental, chiropractor, optometrist and opticians' offices be prohibited."

The purpose of requests #1 and #2 is to allow the applicant to submit a new site plan shown in 2 phases and to delete the condition that prohibits medical, dental, chiropractor, optometrist and opticians' offices. Once phase 2 is complete both sites will stand on their own.

**REQUESTS #1 AND #2 ON LOT 3, BLOCK 19 ONLY.**

- (3) MODIFICATION of Condition #2 of Resolution No. CZAB10-17-08, passed and adopted by Community Zoning Appeals Board #10, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Gonzalez Family Company LLC Office Complex,' as prepared by de la Pezuela & Associates, consisting of a total of 9 sheets, dated stamped received 3/14/08. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to zoning code requirements will not require further public hearing action."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets LS-2,' 'LS-4' and 'LS-6' dated stamped received 2/3/10 and Sheets 'SP1.1,'

'SP1.0,' 'A-1,' 'LS-1,' 'LS-3' and LS-5,' dated stamped received 5/13/10 for a total of 15 sheets."

- (4) MODIFICATION of Paragraph #1(a) and #1(c) of a Declaration of Restrictions as recorded in Official Record Book 26433, Pages 1614 – 1619, reading as follows:

FROM: "1(a). That said property shall be developed substantially in accordance with the plans previously submitted, prepared by de la Pezuela & Associates entitled 'Gonzalez Family Company LLC Office Complex,' dated stamped received 3/14/08 and consisting of a total of 9 sheets, said plans being on file with the Miami-Dade County Department of Planning and Zoning and by reference made a part of this agreement."

TO: "1(a). That said property shall be developed substantially in accordance with the plans entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, Sheets 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and 'LS-6' dated stamped received 2/3/10 and Sheets 'SP1.1,' 'SP1.0,' 'A-1,' 'LS-1,' 'LS-3' and LS-5,' dated stamped received 5/13/10 for a total of 15 sheets."

FROM: "1(c) Owner agrees to restrict the property to the following uses:

- (1) Medical Doctor's Office/Clinic
  - a. (27) Medical Doctors
  - b. (15) Chiropractors
  - c. (31) Opticians
  - d. (32) Optometrists
- (2) Professional Office
  - a. (2) Accountants-Bookkeeping
  - b. (4) Advertising (no shops)
  - c. (8) Architects
  - d. (9) Attorneys
  - e. (13) Building contractors (office only – no shop or storage)
  - f. (22) Drafting or plan service
  - g. (35) Real Estate
  - h. (36) Real Estate Management
  - i. (45) Zoning Consultants
- (3) Dental Office
  - a. (20) Dentist

TO: "1(c) Owner agrees to restrict the property to the following uses:

- (1) Medical Doctor's Office/Clinic
  - a. (27) Medical Doctors
  - b. (15) Chiropractors
  - c. (31) Opticians
  - d. (32) Optometrists

- (2) Professional Office
  - a. (2) Accountants-Bookkeeping
  - b. (4) Advertising (no shops)
  - c. (8) Architects
  - d. (9) Attorneys
  - e. (13) Building contractors (office only – no shop or storage)
  - f. (22) Drafting or plan service
  - g. (35) Real Estate
  - h. (36) Real Estate Management
  - i. (45) Zoning Consultants
  - j. (44) Travel Agencies

- (3) Dental Office
  - a. (20) Dentists

The purpose of the requests is to allow the applicant to submit a new site plan shown in 2 phases and to delete the condition that prohibits medical, dental, chiropractor, optometrist and opticians' offices. Once phase 2 is complete both sites will stand on their own.

REQUESTS #3 - #4 ON LOT 4, BLOCK 19 ONLY

- (5) Applicant is requesting to permit a 4' high masonry wall along the north and a portion east property lines (6' required).

REQUEST #5 ON LOT 3, BLOCK 19 ONLY

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 3 & 4, Block 19, THIRD ADDITION TO TROPICAL HIGHLANDS, Plat book 59, Page 12.

LOCATION: 3721 and 3731 S.W. 87 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested permission to withdraw the request to permit a 4' high masonry wall along the north and a portion east property lines on lot 3, block 19 only (Item #5), and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested modification of Condition #2 of Resolution No. 4-ZAB-227-92 on lot 3, block 19 only (Item #1), the requested deletion of Condition #4 of Resolution No.4-ZAB-227-92, passed and adopted by the Zoning Appeals Board, passed and adopted by the Zoning Appeals Board on lot 3, block 19 only (Item #2), the requested modification of Condition #2 of Resolution No. CZAB10-17-08, passed and adopted by Community Zoning Appeals Board #10 on lot 4, block 19 only (Item #3), and the requested modification of Paragraph #1(a) and #1(c) of a Declaration of Restrictions as recorded in Official Record Book 26433, Pages 1614 – 1619 on lot 4, block 19 only (Item #4) would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the request withdrawal of Item #5 should be granted, and

WHEREAS, a motion to approve Items #1 through 4 and to withdraw Item #5 was offered by Richard M. Gomez, seconded by Miguel A. Martinez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	aye
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the requested modification of Condition #2 of Resolution No. 4-ZAB-227-92 on lot 3, block 19 only (Item #1), the requested deletion of Condition #4 of Resolution No.4-ZAB-227-92, passed and adopted by the Zoning Appeals Board, passed and adopted by the Zoning Appeals Board on lot 3, block 19 only (Item #2), the requested modification of Condition #2 of Resolution No. CZAB10-17-08, passed and adopted by

Community Zoning Appeals Board #10 on lot 4, block 19 only (Item #3), and the requested modification of Paragraph #1(a) and #1(c) of a Declaration of Restrictions as recorded in Official Record Book 26433, Pages 1614 – 1619 on lot 4, block 19 only (Item #4), be and the same are hereby approved, subject to the following conditions:

1. That all the conditions of Resolutions No. 4-ZAB-227-92 and No. CZAB10-17-08 remain in full force and effect, except as herein modified.
2. That a unity of title agreement or agreement in lieu of unity of title, in recordable form, encumbering the entire subject property (Lots 3 and 4) be submitted to and meet the approval of the Director of the Department of Planning and Zoning within 30 days after final public hearing approval of this application, said Unity of Title may be released by the Director after completion of phase II as shown on the site plans submitted for the hearing.
3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Offices of Vacuba, Inc.," as prepared by Jose R. Merlo, Architect, 'SP-1,' 'A-1,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets LS-2,' 'LS-4' and 'LS-6' dated stamped received 2/3/10 and Sheets 'SP1.1,' 'S1.0,' 'A-1,' 'LS-1,' 'LS-3' and LS-5,' dated stamped received 5/13/10 for a total of 15 sheets, except as herein modified to show a 6' high masonry wall along the north and east property lines.

*BE IT FURTHER RESOLVED* that the requested modification of Condition #2 of Resolution No. 4-ZAB-227-92 on lot 3, block 19 only (Item #1), shall read as follows:

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, Sheets 'SP-1,' 'A-1.,' 'A-2,' 'A-2.', 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and LS-6dated stamped received 2/3/10 and Sheets 'SP-1.1,' 'SP-1.0,' 'A-1,' LS-1,' 'LS-3' and 'LS-5'dated stamped received 5/13/10 for a total of 15 sheets.

*BE IT FURTHER RESOLVED* that the requested modification of Condition #2 of Resolution No. CZAB10-17-08, passed and adopted by Community Zoning Appeals Board #10 on lot 4, block 19 only (Item #3), shall read as follows:

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, Sheets 'SP-1,' 'A-1.,' 'A-2,' 'A-2.', 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and LS-6dated stamped received 2/3/10 and Sheets 'SP-1.1,' 'SP-1.0,' 'A-1,' LS-1,' 'LS-3' and 'LS-5'dated stamped received 5/13/10 for a total of 15 sheets.

*BE IT FURTHER RESOLVED* that the requested modification of Paragraph #1(a) and #1(c) of a Declaration of Restrictions as recorded in Official Record Book 26433, Pages 1614 – 1619 on lot 4, block 19 only (Item #4), shall read as follows:

1(a) That said property shall be developed substantially in accordance with the plans entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, Sheets 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and 'LS-6' dated stamped received 2/3/10 and Sheets 'SP1.1,' 'SP1.0,' 'A-1,' 'LS-1,' 'LS-3' and LS-5,' dated stamped received 5/13/10 for a total of 15 sheets.

1(c) Owner agrees to restrict the property to the following uses:

(1) Medical Doctor's Office/Clinic

- a. (27) Medical Doctors
- b. (15) Chiropractors
- c. (31) Opticians
- d. (32) Optometrists

(2) Professional Office

- a. (2) Accountants-Bookkeeping
- b. (4) Advertising (no shops)
- c. (8) Architects
- d. (9) Attorneys
- e. (13) Building contractors (office only – no shop or storage)
- f. (22) Drafting or plan service
- g. (35) Real Estate
- h. (36) Real Estate Management
- i. (45) Zoning Consultants
- j. (44) Travel Agencies

(3) Dental Office

- a. (20) Dentists

*BE IT FURTHER RESOLVED* that the request to withdraw Item #5 be and the same is hereby granted and said Item is hereby withdrawn without prejudice.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary 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.

*PASSED AND ADOPTED* this 12<sup>th</sup> day of January, 2011.

Hearing No. 11-1-CZ10-1  
ej

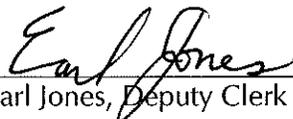
**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 10<sup>TH</sup> DAY OF MARCH, 2011.**

**STATE OF FLORIDA**

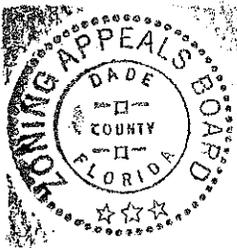
**COUNTY OF MIAMI-DADE**

I, Earl Jones, 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 Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-2-11 adopted by said Community Zoning Appeals Board at its meeting held on the 12<sup>th</sup> day of January, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 10<sup>th</sup> day of March, 2011.

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

SEAL



# Memorandum

MIAMI-DADE  
COUNTY

**Date:** June 2, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

---

Attached is resolution CZAB10-2-11 from the Community Zoning Appeals Board No. 10 hearing of January 12, 2011, which was sent up earlier, but was later missing.

**Please note that resolutions CZAB10-1-11, CZAB10-2-11, and CZAB10-3-11 was submitted earlier.**

Any missing resolutions must be reported to this office (ext. 3075) no later than five (5) days from the date of this memo.

## Attachments

Distribution: Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board – Linda Cave, MDC -17th Floor  
Property Appraiser –Angela Hall/ Eugenio Alonso, MDC - 8th Floor

CLERK OF THE BOARD  
2011 JUN -2 PM 2:48  
CLERK, CIRCUIT & COUNTY COURTS  
DADE COUNTY, FLA.  
#1

# Memorandum



**Date:** May 2, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

---

Attached are resolution CZAB10-7-11 and the list from the Community Zoning Appeals Board No. 10 hearing of April 6, 2011.

**Please note that resolution CZAB10-8-11 was distributed earlier.**

Any missing resolutions must be reported to this office (ext. 3075) no later than five (5) days from the date of this memo.

## Attachments

Distribution: Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board – Linda Cave, MDC -17th Floor  
Property Appraiser –Angela Hall/ Eugenio Alonso, MDC - 8th Floor

CLERK OF THE BOARD  
2011 MAY -2 PM 1:22  
CLERK - CIRCUIT & COUNTY COURTS  
CLERK - DADE COUNTY #1

# Memorandum



**Date:** January 13, 2012  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

---

Attached is resolution CZAB10-23-11 from the Community Zoning Appeals Board No. 10 hearing of October 11, 2011.

**Please note that resolutions CZAB10-19-11, CZAB10-20-11, CZAB10-21-11, and CZAB10-22-11 were distributed earlier.**

Any missing resolutions must be reported to this office (ext. 2129) no later than five (5) days from the date of this memo.

## Attachments

Distribution: Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board – Linda Cave, MDC -17th Floor  
Property Appraiser –Angela Hall, MDC - 8th Floor

CLERK OF THE BOARD  
2012 JAN 13 PM 3:06  
CLERK CIRCUIT & COUNTY OF  
MIAMI-DADE COUNTY, FLA.  
#1

**RESOLUTION NO. CZAB10-23-11**

*WHEREAS*, **LILLY DAG** applied for the following:

- (1) USE VARIANCE to permit RU5A uses in the RU3 zone.
- (2) Applicant is requesting to permit an existing landscaping buffer adjacent to rights-of-way with a depth of 5' (7' required).
- (3) Applicant is requesting to permit an existing dissimilar land use buffer with a depth of 3' (5' required).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Zoning Use Variance for: YOUR TICKET TRAVEL, Inc, as prepared by Cabrera Ramos, Architects, Inc., and dated 5/18/11 and consisting of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: East 78.3' of TR 6 Revision Plat of Camner Gables 1<sup>st</sup> Addition, Plat Book 43-27.

LOCATION: 4201 SW 12 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested use variance to permit RU5A uses in the RU3 zone (Item #1) and requests to permit an existing landscaping buffer adjacent to rights-of-way with a depth of 5' (Item #2) and to permit an existing dissimilar land use buffer with a depth of 3' (Item #3) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to approve Items #1, 2, and 3 was offered by Julio R. Caceres, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 10 that the requested use variance to permit RU5A uses in the RU3 zone (Item #1) and requests to permit an existing landscaping buffer adjacent to rights-of-way with a depth of 5' (Item #2) and to permit an existing dissimilar land use buffer with a depth of 3' (Item #3) be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Zoning Use Variance for: Your Ticket Travel, Inc." as prepared by Cabrera Ramos, Architects, Inc., and dated stamped received 5/18/11.
3. That the use be established and maintained in accordance with the approved plan.
4. That no medical or dental offices be permitted on this site.
5. That only one office use be permitted on the site.
6. That no off-site parking be permitted for the office use.
7. That the applicant obtain a Certificate of Use from and promptly renew same annually with the Department of Planning and Zoning, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

8. That a Declaration of Restrictions be submitted to the Department of Planning and Zoning within 90 days after final public hearing approval of this application, unless a time extension is granted by the Director, for good cause shown.
9. That this Resolution will not be transmitted to the Clerk of the Commission until the required Declaration of Restrictions is submitted in final, recordable form acceptable to the Department.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 11<sup>th</sup> day of October, 2011.

Hearing No. 11-10-CZ10-15  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 13<sup>TH</sup> DAY OF JANUARY, 2012.**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

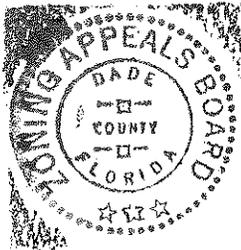
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-23-11 adopted by said Community Zoning Appeals Board at its meeting held on the 11<sup>th</sup> day of October, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 13<sup>th</sup> day of January, 2012.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Permitting,  
Environment and Regulatory Affairs

SEAL



# Memorandum



**Date:** October 5, 2012  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Revised Resolution

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Attached is Revised Resolution CZAB10-19-11 from last year. This resolution is to replace the previously distributed one. **Please attach the original certificate to the revised copy.**

## Attachments

Distribution: Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board – Linda Cave, MDC -17th Floor  
Property Appraiser – Nelson Diaz for Keith Knowles, MDC -17th Floor

CLERK OF THE BOARD

2012 OCT -5 AM 9:53

CLERK OF THE BOARD  
MIAMI-DADE COUNTY, FLA.  
#1

**RESOLUTION NO. CZAB10-19-11**

*WHEREAS*, LE JEUNE AIRPORT PARK SUITES INC. applied for the following:

Applicant is requesting to permit liquor package sales within a motel containing 95 units (150 units required).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Proposed Motel For: Le Jeune Airport Park Suites Inc.", as prepared by Salazar & Associates, consisting of 2 sheets, a sketch, preparer unknown and a specific purpose survey as prepared by Wenceslao Ortega, for a total of 4 sheets, all dated stamped received 7/6/11. Plans may be modified at public hearing.

SUBJECT PROPERTY: Tract "A" less that portion taken by the State of Florida, Department of Transportation for State Road 826/836 Interchange as Recorded in Official Record Book 24232 Page 3563 Fine Air, Plat Book 162, Page 62 of Miami-Dade County, Florida.

LOCATION: 7675 NW 12 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to permit liquor package sales within a motel containing 95 units would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Julio R. Caceres, seconded by Richard M. Gomez, and upon a poll of the members present, the vote was as follows:

Jorge Barbontin	absent	Miguel A. Martinez	aye
Julio R. Caceres	aye	Toufic Zakharia	absent
Richard M. Gomez	aye		
	Jose Garrido	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the request to permit liquor package sales within a motel containing 95 units be and the same is hereby approved.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 11<sup>th</sup> day of October, 2011.

Hearing No. 11-10-CZ8-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 21<sup>ST</sup> DAY OF OCTOBER, 2011.**