

RESOLUTION NO. CZAB11-7-11

WHEREAS, **AB AT HIDDEN LAKE, LTD. LLLP** applied for the following:

- (1) DELETION of Condition #2 of Resolution CZAB11-9-98, last modified by Resolution CZAB11-40-07, both passed and adopted by Zoning Appeals Board, reading as follows:

“2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled “HIDDEN LAKE RETAIL/OFFICE PARK,” as prepared by Sotolongo Salman Henderson Architects, LLC, stamped dated April 27, 2007, consisting of 16 sheets.”

- (2) DELETION of Paragraph 1 of a Declaration of Restrictions, recorded in Official Record Book 26030, pages 3287 through 3293, reading as follows:

“1). Site Plan

The property shall be developed substantially in accordance with that approved with this declaration entitled “Hidden Lake Retail/Office Park” as prepared by Sotolongo, Salman, Henderson Architects, LLC, dated stamped received 7-26-07 as to sheets SP1 thru SP3 and LA1 and the remaining plans dated stamped received 4-27-07, for a total of 16 sheets.

The purpose of the above requests is to permit the applicant to develop the platted lots as permitted by the Zoning Code and the conditions of previous resolutions.

The 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 1 – 7 and Tract A, BATAH LAKE OFFICE PARK, Plat book 159 Page 47.

LOCATION: Lying west of S.W. 127 Avenue & between S.W. 128 & S.W. 132 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 DELETIONS of Condition #2 of Resolution CZAB11-9-98, last modified by Resolution CZAB11-40-07, both passed and adopted by Zoning Appeals Board (Item #1) and of Paragraph 1 of a Declaration of Restrictions, recorded in Official Record Book 26030, pages 3287 through 3293 (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 was offered by Miguel A. Diaz, seconded by Beatrice Suarez, and upon a poll of the members present, the vote was as follows:

Patricia G. Davis	aye	Miguel A. Diaz	aye
Joseph E. Delaney	aye	Beatrice Suarez	aye
		Lleana R. Vazquez	aye
		Jeffery Wander	aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the requested DELETIONS of Condition #2 of Resolution CZAB11-9-98, last modified by Resolution CZAB11-40-07, both passed and adopted by Zoning Appeals Board (Item #1) and of Paragraph 1 of a Declaration of Restrictions, recorded in Official Record Book 26030, pages 3287 through 3293 (Item #2) be and the same are hereby approved, subject to the following conditions:

1. That all the conditions of Resolution No. CZAB11-9-98, and Resolution No. CZAB11-40-07 and the paragraphs of the Declaration of Restrictions recorded in ORB 26030, Pages 3287 through 3293, remain in full force and effect except as herein modified.
2. 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.

3. That the applicant removes the illegally stored trucks and plant pots from the property as well as the real estate signs on the property without proper permits.
4. That a revised Declaration of Restrictions be submitted to the Department of Planning and Zoning within 30 days after final hearing approval of this application unless a time extension is granted by the Director for good cause shown.
5. 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 accepted 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 Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 6th day of September, 2011.

Hearing No. 11-7-CZ11-1
ej

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 16TH DAY OF SEPTEMBER, 2011.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

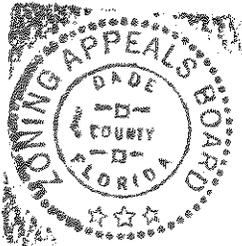
I Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 11, DO HEREBY CERTIFY that the above and 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 6th day of September, 2011.

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



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

SEAL



RESOLUTION NO. CZAB11-8-11

WHEREAS, **BVK LONDON SQUARE LLC & COSTCO WHOLESALE CORP.** applied for the following:

- (1) VARIANCE OF AIRPORT REGULATIONS to permit a commuter college within the Kendall-Tamiami Executive Airport No School Zones and within the Outer Safety Zone (new educational facilities not permitted).
- (2) Modification of a paragraph of a Declaration of Restrictions as Recorded in Official Record Book 24689 pages 2921 through 2930, last modified by a Second Modified Declaration of Restrictions as Recorded in Official Record Book 27582 pages 2719 thru 2731, reading as follows:

FROM: "Compliance with Airport Zoning. The property is located in the Outer Safety Zone (OSZ) and No School Zone (NSZ) of the Kendall Tamiami Executive Airport Zoning District. According, the Owner agrees that no educational facilities may be developed on the Property. Further, no places of public assembly as defined by Chapter 33 of the Miami-Dade County Code may be developed on the portion of the Property within the OSZ district."

TO: "Compliance with Airport Zoning. The property is located in the Outer Safety Zone (OSZ) and No School Zone (NSZ) of the Kendall Tamiami Executive Airport Zoning District. According, The Owner agrees that no educational facilities may be developed on the Property. Further, no places of public assembly as defined by Chapter 33 of the Miami-Dade County Code may be developed on the portion of the Property within the OSZ district. Notwithstanding the above, a commuter college use may be located in the approximately 60,000 square foot office building depicted on the above-reference development plans."

The purpose of request #2 is to allow the applicant to operate a commuter school within the No School Zone (NSZ) and Outer Safety Zone (OSZ) no school zone.

Plans are on file and may be examined in the Department of Planing and Zoning entitled "London Square" as prepared by Architectural Alliance, dated stamped received 3/29/11, consisting of 2 sheets, a plan entitled "A commercial tenant improvement for University of Phoenix Miami, Florida" as prepared by Michael Anthony del Gatto II, dated stamped received 2/23/11, consisting of 1 sheet and plans entitled "London Square" as prepared by Lawrence S. Levinson, AIA, dated stamped received 2/23/11 consisting of 2 sheets for a total of 5 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: LONDON SQUARE Plat Book 166-72

LOCATION: Southeast corner of SW 137th Avenue & SW 120 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 at which time the applicant had requested a waiver of the re-filing period, 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, having considered Sections 33-395 and 33-311(A)(7) of the Miami Dade County Code, this Board finds:

FINDINGS OF FACT

1. That the development of a commuter college at this location will provide needed access to higher education to the working residents of Miami-Dade County and therefore help improve the economic condition of the County. That the benefits associated with construction of a commuter college use outweigh any health and safety concerns associated with the use at this location.

CONCLUSIONS OF LAW

WHEREAS, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requested variance of airport regulations to permit a commuter college within the Kendall-Tamiami Executive Airport No School Zones and within the Outer Safety Zone (Item #1) and the requested Modification of a paragraph of a Declaration of Restrictions as Recorded in Official Record Book 24689 pages 2921 through 2930, last modified by a Second Modified Declaration of Restrictions as Recorded in Official Record Book 27582 pages 2719 thru 2731 (Item #2) 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 that the requested waiver of the re-filing period should be granted, and

WHEREAS, a motion to approve Items #1 and 2 and to grant the waiver of the re-filing period was offered by Lleana R. Vazquez, seconded by Joseph E. Delaney, and upon a poll of the members present, the vote was as follows:

Patricia G. Davis	aye	Miguel A. Diaz	aye
Joseph E. Delaney	aye	Beatrice Suarez	absent
		Lleana R. Vazquez	aye
		Jeffery Wander	aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the requested variance of airport regulations to permit a commuter college within the Kendall-Tamiami Executive Airport No School Zones and within the Outer Safety Zone (Item #1) and the requested Modification of a paragraph of a Declaration of Restrictions as Recorded in Official Record Book 24689 pages 2921 through 2930, last modified by a Second Modified Declaration of Restrictions as Recorded in Official Record Book 27582 pages 2719 thru 2731 (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 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 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. "London Square" as prepared by Architectural Alliance, dated stamped received 3/29/11, consisting of 2 sheets, a plan entitled "A commercial tenant improvement for University of Phoenix Miami, Florida" as prepared by Michael Anthony del Gatto II, dated stamped received 2/23/11, consisting of 1 sheet and plans entitled "London Square" as prepared by Lawrence S. Levinson, AIA, dated stamped received 2/23/11 consisting of 2 sheets for a total of 5 sheets
3. That the use be established and maintained in accordance with the approved plan.

4. 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.
5. 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 that the requested modification of a paragraph of a Declaration of Restrictions as Recorded in Official Record Book 24689 pages 2921 through 2930, last modified by a Second Modified Declaration of Restrictions as Recorded in Official Record Book 27582 pages 2719 thru 2731 (Item #2), shall read as follows:

Compliance with Airport Zoning. The property is located in the Outer Safety Zone (OSZ) and No School Zone (NSZ) of the Kendall Tamiami Executive Airport Zoning District. According, The Owner agrees that no educational facilities may be developed on the Property. Further, no places of public assembly as defined by Chapter 33 of the Miami-Dade County Code may be developed on the portion of the Property within the OSZ district. Notwithstanding the above, a commuter college use may be located in the approximately 60,000 square foot office building depicted on the above-reference development plans.

BE IT FURTHER RESOLVED, that the request to waive the re-filing period be and the same is hereby granted and that the re-filing period is hereby waived.

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 6th day of September, 2011.

Hearing No. 11-7-CZ11-2
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY
COMMISSIONERS ON THE 27TH DAY OF SEPTEMBER, 2011.**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

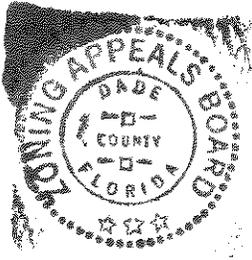
I Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-8-11 adopted by said Community Zoning Appeals Board at its meeting held on the 6th day of September, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 27th day of September, 2011.



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

SEAL



RESOLUTION NO. CZAB11-9-11

WHEREAS, EAST COAST REALTY HOLDING, LLC applied for the following:

- (1) Applicant is requesting to permit an existing single-family residence setback 5' (7.5' required) from the interior side (north) property line.

A survey is on file and may be examined in the Department of Planning and Zoning as prepared by Fernando V. Gomez, dated stamped received 8/15/11 and consisting of 2 sheets.

SUBJECT PROPERTY: Lot 13 Block 3, CHRISTINA ESTATES, Plat Book 147 Page 26

LOCATION: 14110 S.W. 152nd 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, at which time the Department of Permitting, Environment and Regulatory Affairs requested permission to withdraw the application, and

WHEREAS, upon due and proper consideration having been given to the matter it is the opinion of this Board that the request to withdraw the application should be granted, and

WHEREAS, a motion to withdraw the application was offered by Patricia G. Davis, seconded by Beatrice Suarez, and upon a poll of the members present, the vote was as follows:

Patricia G. Davis	aye	Miguel A. Diaz	aye
Joseph E. Delaney	aye	Beatrice Suarez	aye
		Lleana R. Vazquez	absent
		Jeffery Wander	aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the request to withdraw the application be and the same is hereby granted and said Item is hereby withdrawn without prejudice.

The Director is hereby authorized to make the necessary notations upon records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs.

PASSED AND ADOPTED this 4th day of October, 2011.

Hearing No. 11-10-CZ11-3
ej

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 13TH DAY OF OCTOBER, 2011.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

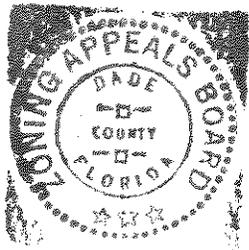
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-9-11 adopted by said Community Zoning Appeals Board at its meeting held on the 4th day of October, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 13th day of October, 2011.



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

SEAL



RESOLUTION NO. CZAB11-10-11

WHEREAS, **GARDEN VILLAGE SHOPPING CENTER, LLC.** applied for the following:

- (1) MODIFICATION of Condition #2 of Resolution CZAB11-12-04, only as it applies to the subject property, last modified by Resolution CZAB11-40-06, both passed and adopted by Community Zoning Appeals Board #11, 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 "Caledonia Village Commercial Buildings", as prepared by Rey Mar & Associates, Inc., Sheet LP-1.1 dated stamped received 8/15/06 and the rest dated stamped received 7/18/06 for a total of 12 sheets."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Garden Village Shopping Center, LLC", as prepared by George E. Peon Architect, A.I.A., Sheets A-1, A-4a, A-4b, and L-1 dated stamped received 4/4/11; with sheet A-1 last handwritten revision dated 05/04/11. Sheets A-2a and A-3a dated stamped received 1/14/11. Sheets A-2b and A-3b dated stamped received 12/03/10 and sheet CL-1 dated stamped received 12/6/10 for a total of 9 sheets.

- (2) MODIFICATION of Paragraph #3 of a Declaration of Restrictions recorded in Official Record Book 22263, Pages 283–298, only as it applies to the subject property and reading as follows:

FROM: "3. Restrictions on the Use Commercial Parcel. As depicted in the Application and the Plan, a portion of the Property (the "Commercial Parcel"), which is legally described in Exhibit "B" to this Declaration, will be developed in accordance with the BU-1A zoning district regulations. Notwithstanding the proposed BU-1A zoning classification of the Commercial Parcel, none of the following uses shall be permitted on the Commercial Parcel:

1. The sale of used apparel, used jewelry or any other used merchandise.
2. Attended, non-motorized donation collection vehicles.
3. Donated good centers.
4. Pawn shops.
5. Religious facilities.
6. Amusement centers, as defined in Section 33-1 (5.1) of the Code of Miami-Dade County.
7. Auditoriums.
8. Automobile and light truck sales (new and used).
9. Automotive service stations.
10. Automobile self-service gas stations.
11. Automobile storage within a building.
12. Automobile tires, batteries and accessories sales.

13. Automobile washing.
14. Bait and tackle shops.
15. Billiard rooms and pool rooms.
16. Bowling alleys.
17. Convention halls.
18. Bath and massage parlors.
19. Lawn mowers sales and service.
20. Medical observation dormitory.
21. Mortuaries or funeral homes.
22. Motorcycle sales and repairs.
23. Natatoriums.
24. Open-air theaters.
25. Private clubs.
26. Self-service storage facilities.
27. Skating rinks.
28. Telegraph stations.
29. Telephone exchange.
30. Truck rental agency."

TO: "3. Restrictions on the Use Commercial Parcel. As depicted in the Application and the Plan, a portion of the Property (the "Commercial Parcel"), which is legally described in Exhibit "B" to this Declaration, will be developed in accordance with the BU-1A zoning district regulations. Notwithstanding the proposed BU-1A zoning classification of the Commercial Parcel, none of the following uses shall be permitted on the Commercial Parcel:

1. Attended, non-motorized donation collection vehicles.
2. Donated goods centers.
3. Pawn shops.
4. Religious facilities.
5. Amusement centers, as defined in Section 33-1 (5.1) of the Code of Miami-Dade County.
6. Auditoriums.
7. Automobile and light truck sales (new and used).
8. Automotive service stations.
9. Automobile self-service gas stations.
10. Automobile storage within a building.
11. Automobile tires, batteries and accessories sales.
12. Automobile washing.
13. Bait and tackle shops.
14. Billiard rooms and pool rooms.
15. Bowling alleys.
16. Convention halls.
17. Bath and massage parlors.
18. Lawn mowers sales and service.
19. Medical observation dormitory.
20. Mortuaries or funeral homes.
21. Motorcycle sales and repairs.
22. Natatoriums.

23. Open-air theaters.
24. Private clubs.
25. Self-service storage facilities.
26. Skating rinks.
27. Telegraph stations.
28. Telephone exchange.
29. Truck rental agency."

(3) MODIFICATION of Paragraph #1 of a Declaration of Restriction, recorded in Official Record Book 22263, Pages 283–298, only as it applies to the subject property, last modified by Modification of Declaration of Restrictions recorded at Official Record Book 22263, Pages 283–298, recorded in Official record Book 25213, Pages 3423–3427, reading as follows:

FROM: "1. Site Plan. The property shall be developed in accordance with the plans entitled "Caledonia Village Commercial Buildings", as prepared by Rey Mar & Associates, Inc., Sheet LP-1.1 dated stamped received August 15, 2006, and the rest dated stamped received 7/18/06 for a total of twelve (12) sheets."

TO: "1. Site Plan. The property shall be developed in accordance with the plans entitled "Garden Village Shopping Center, LLC", as prepared by George E. Peon, Architect, A.I.A., Sheets A-1, A-4a, A-4b, and L-1 dated stamped received 4/4/11; with sheet A-1 last handwritten revision dated 5/4/11. Sheets A-2a and A-3a dated stamped received 1/14/11. Sheets A-2b and A-3b dated stamped received 12/13/10 and sheet CL-1 dated stamped received 12/6/10 for a total of nine (9) sheets."

The purpose of requests #1 thru #3 is to allow the applicant to submit a revised plan showing an additional retail building, reducing the number of floors and deleting a restriction, restricting the sale of used jewelry and merchandise for the previously approved commercial development.

(4) Applicant is requesting to permit a retail building setback 10'3" (25' required) from the side street (east) 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: Tract A of CENTURY GARDEN VILLAS, Plat Book 166. Page 1.

LOCATION: The Southwest Corner of S.W. 88 Street and S.W. 153 Place, Miami-Dade County, Florida.

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 Condition #2 of Resolution CZAB11-12-04, only as it applies to the subject property, last modified by Resolution CZAB11-40-06, both passed and adopted by Community Zoning Appeals Board #11 (Item #1), of Paragraph #3 of a Declaration of Restrictions recorded in Official Record Book 22263, Pages 283–298, only as it applies to the subject property (Item #2), and of Paragraph #1 of a Declaration of Restriction, recorded in Official Record Book 22263, Pages 283–298, only as it applies to the subject property, last modified by Modification of Declaration of Restrictions recorded at Official Record Book 22263, Pages 283–298, recorded in Official record Book 25213, Pages 3423–3427 (Item #3), and the request to permit a retail building setback 10’3” from the side street (east) property line (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

WHEREAS, a motion to approve Items #1, 2, 3, and 4 was offered by Patricia G. Davis, seconded by Lleana R. Vazquez, and upon a poll of the members present, the vote was as follows:

Patricia G. Davis	aye	Miguel A. Diaz	aye
Joseph E. Delaney	aye	Beatrice Suarez	aye
		Lleana R. Vazquez	aye
		Jeffery Wander	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 CZAB11-12-04, only as it applies to the subject property, last modified by Resolution

CZAB11-40-06, both passed and adopted by Community Zoning Appeals Board #11 (Item #1), of Paragraph #3 of a Declaration of Restrictions recorded in Official Record Book 22263, Pages 283–298, only as it applies to the subject property (Item #2), and of Paragraph #1 of a Declaration of Restriction, recorded in Official Record Book 22263, Pages 283–298, only as it applies to the subject property, last modified by Modification of Declaration of Restrictions recorded at Official Record Book 22263, Pages 283–298, recorded in Official record Book 25213, Pages 3423–3427 (Item #3), and the request to permit a retail building setback 10'3" from the side street (east) property line (Item #4) be and the same are hereby approved, subject to the following conditions:

1. That all the conditions of Resolution #CZAB11-12-04, last modified by Resolution #CZAB11-24-06 remain in full force and effect except as herein modified.
2. That all the conditions of Declaration of Restrictions, recorded in Official Records Book 22263, Pages 283 – 298 as last modified by Modification of Declaration of Restrictions recorded in Official Record Book 25213, pages 3423 – 3427, remain in full force and effect except as herein modified.
3. That any future establishment proposing the sale of used apparel, used jewelry or any other used merchandise be limited to apparel stores selling new and/or used merchandise, provided that such establishments offer used merchandise, does not contain more than four thousand (4,000) square feet of gross floor area. In addition, the incidental sales of used jewelry, used apparel, provided that the floor area devoted to the display of those incidental sales items does not exceed thirty (30) percent of the total gross floor area of the apparel store.
4. That any future establishment proposing the sales and purchases of used jewelry be limited to traditional jewelry stores, primarily engaged in selling new merchandise with the incidental sales and purchases of used jewelry.
5. That a revised Declaration of Restrictions be submitted to the Department of Planning and Zoning within 30 days after final public hearing approval of this application, unless a time extension is granted by the Director, for good cause shown.
6. 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 that the requested modification of Condition #2 of Resolution CZAB11-12-04, only as it applies to the subject property, last modified by Resolution CZAB11-40-06, both passed and adopted by Community Zoning Appeals Board #11 (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 "Garden Village Shopping Center, LLC", as prepared by George E. Peon Architect, A.I.A., Sheets A-1, A-4a, A-4b, and L-1 dated stamped received 4/4/11; with sheet A-1 last handwritten revision dated 05/04/11. Sheets A-2a and A-3a dated stamped received 1/14/11. Sheets A-2b and A-3b dated stamped received 12/03/10 and sheet CL-1 dated stamped received 12/6/10 for a total of 9 sheets.

BE IT FURTHER RESOLVED that the requested modification of Paragraph #3 of a Declaration of Restrictions recorded in Official Record Book 22263, Pages 283–298, only as it applies to the subject property (Item #2), shall read as follows

3. Restrictions on the Use Commercial Parcel. As depicted in the Application and the Plan, a portion of the Property (the "Commercial Parcel"), which is legally described in Exhibit "B" to this Declaration, will be developed in accordance with the BU-1A zoning district regulations. Notwithstanding the proposed BU-1A zoning classification of the Commercial Parcel, none of the following uses shall be permitted on the Commercial Parcel:

1. Attended, non-motorized donation collection vehicles.
2. Donated goods centers.
3. Pawn shops.
4. Religious facilities.
5. Amusement centers, as defined in Section 33-1 (5.1) of the Code of Miami-Dade County.
6. Auditoriums.
7. Automobile and light truck sales (new and used).
8. Automotive service stations.
9. Automobile self-service gas stations.
10. Automobile storage within a building.
11. Automobile tires, batteries and accessories sales.
12. Automobile washing.
13. Bait and tackle shops.
14. Billiard rooms and pool rooms.
15. Bowling alleys.
16. Convention halls.
17. Bath and massage parlors.
18. Lawn mowers sales and service.
19. Medical observation dormitory.

20. Mortuaries or funeral homes.
21. Motorcycle sales and repairs.
22. Natatoriums.
23. Open-air theaters.
24. Private clubs.
25. Self-service storage facilities.
26. Skating rinks.
27. Telegraph stations.
28. Telephone exchange.
29. Truck rental agency.

BE IT FURTHER RESOLVED that the requested modification of Paragraph #1 of a Declaration of Restriction, recorded in Official Record Book 22263, Pages 283–298, only as it applies to the subject property, last modified by Modification of Declaration of Restrictions recorded at Official Record Book 22263, Pages 283–298, recorded in Official record Book 25213, Pages 3423–3427 (Item #3), shall read as follows

1. Site Plan. The property shall be developed in accordance with the plans entitled “Garden Village Shopping Center, LLC”, as prepared by George E. Peon, Architect, A.I.A., Sheets A-1, A-4a, A-4b, and L-1 dated stamped received 4/4/11; with sheet A-1 last handwritten revision dated 5/4/11. Sheets A-2a and A-3a dated stamped received 1/14/11. Sheets A-2b and A-3b dated stamped received 12/13/10 and sheet CL-1 dated stamped received 12/6/10 for a total of nine (9) 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 4th day of October, 2011.

Hearing No. 11-10-CZ11-1
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY
COMMISSIONERS ON THE 4TH DAY OF JANUARY, 2012.**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

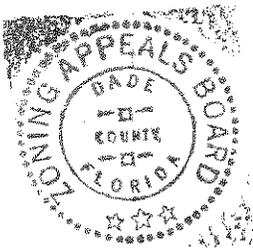
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-10-11 adopted by said Community Zoning Appeals Board at its meeting held on the 4th day of October, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 4th day of January, 2012.



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

SEAL



RESOLUTION NO. CZAB11-11-11

WHEREAS, **KROME AGRONOMICS, LLC.** applied for the following:

- (1) GU to AU.
- (2) SPECIAL EXCEPTION to permit a proposed cemetery and associated mausoleums.
- (3) UNUSUAL USE to permit a Lake Excavation and lake filling.
- (4) Applicant is requesting to permit two (2) detached signs, one with an area of 81 square feet and the other with an area of 164 square feet (two 32 square feet sign permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "West Kendall Memorial Park," as prepared by DCG Development Consulting Group, consisting of twenty one (21) sheets dated stamped received 5/27/11. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of east 1,210.00 feet of the north 1,800.00 feet of the northeast ¼ of section 24, township 55 south, range 38 east, Miami-Dade County, Florida, being more particularly described as follows: Commence at the Northeast corner of said northeast ¼; thence S02°03'27" east on the east line of said northeast ¼ for 40.02 feet to the point of beginning; thence continue S02°03'27" east on said east line 519.06 feet; thence S87°56'33" west 15.00 feet to the intersection with the west line of the east 15.00 feet of said northeast ¼; thence S02°03'27" east on said west line 760.69 feet to the intersection with the north line of the southeast ¼ of said northeast ¼; thence S89°31'02" west on said north line 85.03 feet to the intersection with the west line of the east 100.00 feet of said northeast ¼; thence S02°03'27" east on said west line 330.04 feet to the intersection with the south line of the north ½ of the northeast ¼ of the southeast ¼ of said northeast ¼; thence N89°31'03" east on said south line 96.00 feet to the intersection with the west right-of-way line of southwest 177th Avenue; thence S01°11'34" east on said right-of-way line 150.41 feet to the intersection with the south line of the north 1,800.00 feet of said northeast ¼; thence S89°30'58" west on said south line 1,204.15 feet to the intersection with the west line of the east 1,210.00 feet of said northeast ¼; thence N02°03'27" west on said west line 1,760.66 feet to the intersection with the south line of the north 40.00 feet of said northeast ¼; thence N89°30'58" east on said south line 1,210.46 feet to the Point of beginning.

LOCATION: The Southwest Corner of SW 136 Street & SW 177 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. That said Property shall be developed substantially in accordance with the plans previously submitted for hearing entitled "West Kendall Memorial Park", as prepared by DCG Development Consulting Group, sheets SP1, SP4, SP5, SP10 and SP11, dated stamped received May 27, 2011, sheet LP9, dated stamped received August 22, 2011 and the remaining 15 sheets dated stamped received August 10, 2011, for a total of twenty-one (21) 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.
2. That in the event that the Property is developed in accordance with (1) above, all fill excavated from the temporary lake on the southern portion of the property will only be used to raise the elevation of the Property for interment and site improvements, and no portion of such fill will be sold or otherwise distributed to any other property.

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that a district boundary change from GU to AU as the district boundary change relates to cemetery uses (Item #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied without prejudice, and that the requested special exception to permit a proposed cemetery and associated mausoleums (Item #2), the requested unusual use to permit a Lake Excavation and lake filling (Item #3), and the request to permit two (2) detached signs, one with an area of 81 square feet and the other with an area of 164 square feet (Item #4) would not be compatible with the area and its development and 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 that the requested special exception (Item #2) and the requested unusual use (Item #3) would have an adverse impact upon the public interest and should be denied without prejudice, and that Item #4 should be denied without prejudice, and

WHEREAS, a motion to deny Items #1 through #4 without prejudice was offered by Lleana R. Vazquez, seconded by Beatrice Suarez, and upon a poll of the members present the vote was as follows:

Patricia G. Davis	aye	Miguel A. Diaz	aye
Joseph E. Delaney	aye	Beatrice Suarez	aye
		Lleana R. Vazquez	aye
		Jeffery Wander	aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11, that the requested district boundary change to AU (Item #1) be and the same is hereby denied without prejudice.

BE IT FURTHER RESOLVED that Items #2, 3, and 4 be and the same are hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs.

PASSED AND ADOPTED this 4th day of October, 2011.

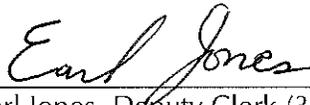
Hearing No. 11-4-CZ11-1
ej

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

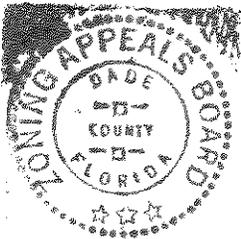
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-11-11 adopted by said Community Zoning Appeals Board at its meeting held on the 4th day of October, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 13th day of October, 2011.



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

SEAL



RESOLUTION NO. CZAB11-12-11

WHEREAS, **LAWRENCE PERCIVAL** applied for the following:

- (1) NON-USE VARIANCE to permit a 2nd floor master bedroom, enclosed stairway and open deck addition for a single family residence to setback varying from 4.46' to 12.06' (15' required) from the side street (south) property line and setback varying from 9' to 18.5' (25' required) from the rear (east) property line.
- (2) NON-USE VARIANCE to permit the existing single family residence setback 12' (25' required; 14.5' previously approved) from the rear (east) property line and setback 7.46' (15' required; 7.5' previously approved) from the side street (south) property line.
- (3) NON-USE VARIANCE to permit the proposed circular stairway addition to setback 6.52' (7.5' required) from the interior side (north) property line and setback 12.0' (25' required) from the rear (east) property line.
- (4) NON-USE VARIANCE to permit the existing utility room setback 5.92' (7.5' required) from the interior side (north) property line.
- (5) NON-USE VARIANCE to permit two awning additions, to project a maximum 7'2" (5'6" permitted) from the building wall from the rear (east) property line.
- (6) NON-USE VARIANCE to permit the existing canvas canopy carport setback 4' (5' required) from the front (west) property line.
- (7) NON-USE VARIANCE to permit the proposed addition resulting in a lot coverage of 51.23% (35% permitted, 36% previously approved).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Addition to Residence" as prepared by Engineer Designer and dated stamped received 8/30/11, consisting of 5 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 6 Block 3 of Shores Lindgren Subdivision, Plat Book 111, Page 19

LOCATION: 11945 SW 127 Court, 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 variances to permit a 2nd floor master bedroom, enclosed stairway and open deck addition for a single family residence to setback varying from 4.46' to 12.06' from the side street (south) property line and setback varying from 9' to 18.5' from the rear (east) property line (Item #1), to permit the existing single family residence setback 12' from the rear (east) property line and setback 7.46' from the side street (south) property line (Item #2), to permit the proposed circular stairway addition to setback 6.52' from the interior side (north) property line and setback 12.0' from the rear (east) property line (Item #3), to permit the existing utility room setback 5.92' from the interior side (north) property line (Item #4), to permit two awning additions, to project a maximum 7'2" from the building wall from the rear (east) property line (Item #5), to permit the existing canvas canopy carport setback 4' from the front (west) property line (Item #6), and to permit the proposed addition resulting in a lot coverage of 51.23% (Item #7) 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 requests #1 through #7 was offered by Joseph E. Delaney, seconded by Beatrice Suarez, and upon a poll of the members present, the vote was as follows:

Patricia G. Davis	aye	Ileana Petisco	aye
Joseph E. Delaney	aye	Beatrice Suarez	aye
Miguel A. Diaz	aye	Ileana R. Vazquez	aye
		Jeffery Wander	absent

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the requested non-use variances to permit a 2nd floor master bedroom, enclosed stairway and open deck addition for a single family residence to setback

varying from 4.46' to 12.06' from the side street (south) property line and setback varying from 9' to 18.5' from the rear (east) property line (Item #1), to permit the existing single family residence setback 12' from the rear (east) property line and setback 7.46' from the side street (south) property line (Item #2), to permit the proposed circular stairway addition to setback 6.52' from the interior side (north) property line and setback 12.0' from the rear (east) property line (Item #3), to permit the existing utility room setback 5.92' from the interior side (north) property line (Item #4), to permit two awning additions, to project a maximum 7'2" from the building wall from the rear (east) property line (Item #5), to permit the existing canvas canopy carport setback 4' from the front (west) property line (Item #6), and to permit the proposed addition resulting in a lot coverage of 51.23% (Item #7) 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 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 to Residence" as prepared by Engineer Designer and dated stamped received 8/30/11, consisting of 5 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 applicant submits a Declaration of Use to the Department restricting the use of the subject property only to a single-family residence prior to the issuance of a building permit.
5. That the applicant receives approval from the utility companies for the encroachments into the utility easements as indicated in the plans prior to permitting.

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 6th day of December, 2011.

Hearing No. 11-11-CZ11-2
ej

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 16TH DAY OF DECEMBER, 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 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-12-11 adopted by said Community Zoning Appeals Board at its meeting held on the 6th day of December, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 16th day of December, 2011.



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

SEAL



RESOLUTION NO. CZAB11-13-11

WHEREAS, **ADRIAN BUILDERS AT TAMIAMI AIRPORT III LTD** applied for the following:

- 1) **VARIANCE OF AIRPORT REGULATIONS** to permit an educational facility within the No School Zone and within the Outer Safety Zone of the Kendall-Tamiami Executive Airport (new educational facilities not permitted).
- 2) **DELETION** of Paragraph 2(j) of a Declaration of Restrictions Recorded in Official Record Book 21727, Pages 2166–2172, reading as follows:

(2)(j) Day Nursery, Kindergarten, school and after school care.

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

The purpose of request #2 is to permit a day nursery, kindergarten, school and after school care that was not permitted by covenant.

SUBJECT PROPERTY: Tract B AB at TAMIAMI AIRPORT 2 Plat Book 165 Page 25

LOCATION: 13595 S.W. 134 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, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requested variance of airport regulations to permit an educational facility within the No School Zone and within the Outer Safety Zone of the Kendall-Tamiami Executive Airport (Item #1) and the requested deletion of Paragraph 2(j) of a Declaration of Restrictions Recorded in Official Record Book 21727, Pages 2166–2172 (Item #2) 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 Patricia G. Davis, seconded by Ileana Petisco, and upon a poll of the members present, the vote was as follows:

Patricia G. Davis	aye	Ileana Petisco	aye
Joseph E. Delaney	aye	Beatrice Suarez	aye
Miguel A. Diaz	aye	Ileana R. Vazquez	aye
		Jeffery Wander	absent

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 Permitting, Environment and Regulatory Affairs.

PASSED AND ADOPTED this 6th day of December, 2011.

Hearing No. 11-10-CZ11-2
ej

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 16TH DAY OF DECEMBER, 2011.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

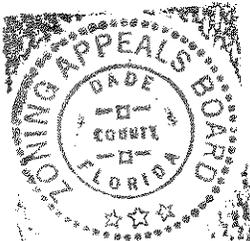
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-13-11 adopted by said Community Zoning Appeals Board at its meeting held on the 6th day of December, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 16th day of December, 2011.



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

SEAL



RESOLUTION NO. CZAB11-14-11

WHEREAS S.F. ENTERPRISES OF MIAMI LTD, applied for the following:

DISTRICT BOUNDARY CHANGE from IU-C (Industry-Controlled) to BU-1A (Business-Limited).

SUBJECT PROPERTY: Tracts "B", "C" and "D" Cortland Commercial Center, Plat Book 163, Page 70. Miami-Dade County, Florida.

LOCATION: The Northwest corner of SW 128 Street & SW 122 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 Covenant Running with the Land In Lieu of Unity of Title which among other things provided:

1. That the Property will be developed in substantial conformity with the site plan entitled, "Retail Facility For: Cortland Commercial Center", prepared by Rodriguez Pereira Architects, Inc., dated 5/3/11 and last revised 7/6/11.

That no modification shall be effected in said site plan without written consent of the then owner(s) of the Property, and the Director of Permitting, Environment and Regulatory Affairs Department; provided the Director finds that the modification conforms with the standards established in Section 33-257 of the Code of Miami-Dade County, and provided further, that should the Director withhold such approval, the then owner(s) of the property, shall be permitted to seek such modification by application to modify the Board of County Commissioners of Miami-Dade County, Florida, whichever by law has jurisdiction over such matter.

2. That if the Property is developed in phases, each phase will be developed in substantial accordance with site plan.
3. That in the event of multiple ownership subsequent to said site plan approval, each of the subsequent owners, mortgagees and other parties in interest shall be bound by the terms, provisions and conditions of this instrument. Owner further agrees that it will not convey portions of the Property to such other parties unless and until the Owner and such other party or parties shall have executed and mutually delivered in recordable form, and instrument to be known as an "Easement and Operating Agreement" which shall contain, among other things:

- i. easements in the common area of each parcel for ingress to and egress from other parcels;
- ii. easements in the common area of each parcel for the passage and parking of vehicles;
- iii. easements in the common area of each parcel for the passage and accommodation of pedestrians;
- iv. easements for access roads across the common area of each parcel to public and private roadways;
- v. easements for the installation, use, operation, maintenance, repair, replacement, relocation and removal of utility facilities in appropriate areas in each such parcel;
- vi. easements for access roads across the common area of each parcel to public and private roadways;
- vii. easements upon each such parcel in favor of each adjoining parcel for the installation, use, maintenance, repair, replacement and removal of common construction improvements such as footing, supports and foundations.
- viii. easements on each parcel for attachment of buildings;
- ix. easements on each such parcel for building overhangs, other overhangs and projections encroaching upon such parcel from adjoining parcel such as, by way of example, marquees, canopies, lights, lighting devices, awnings, wing walls and the like;
- x. appropriate reservation of rights to grant easements to utility companies;
- xi. appropriate reservation of rights to dedicate road rights-of-way and curb cuts;
- xii. easements in favor of each such parcel for pedestrian and vehicular traffic over dedicated private ring roads and access roads; and
- xiii. appropriate agreements between the owners of the several parcels as to the obligation to maintain and repair all private roadways, parking facilities, common areas and the like.

The easement provisions or portions thereof, may be waived by the Director of Permitting, Environment and Regulatory Affairs Department if they are not applicable to the subject application. When executed, the Easement and Operating Agreement shall not be amended without prior written approval of the Office of the County Attorney of Miami-Dade County. Such Easement and operating Agreement may contain such other provisions with respect to the operation, maintenance and development of the Property as to which the parties thereto may agree, all to the end that although the property may have several owners, it will be constructed, conveyed, maintained and operated in accordance with the approved site plan.

WHEREAS, at which time the applicant proffered a Declaration of Restrictions which among other things provided:

Industrial Parcels: That notwithstanding the approval of the Application, and subject to all applicable Code requirements, the Owner agrees to restrict the permitted uses those serving the firms and workers in the industrial areas as follows:

- Apparel Stores
- Automobile new parts and equipment, sales only
- Automobile service stations – (which may include facilities available for sale of other retail products and services related to the servicing of automobiles)
Automobile self-service stations
- Automobile storage within a building
- Automobile tires, batteries and accessories (new) retail only installation permitted
- Automobile washing
- Bakeries
- Banks, including drive-in teller service
- Beauty Parlors/Barber Shops
- Confectionery, Ice Cream and Dairy Stores
- Computer Sales
- Day nurseries Kindergartens and after school care centers
- Dog and pet hospitals in air-conditioned buildings
- Dry cleaning establishments, using noninflammable solvents

- Drugstores/Pharmacies (maximum square footage of 5,478 sq. ft.)
- Electrical appliance and fixtures stores including related repair
- Employment agencies
- Florist Shoppes
- Grocery stores. (maximum square footage of 5,478 sq. ft.)
- Health and exercise clubs and/or gymnasiums
- Health and exercise clubs and/or gymnasiums
- Hardware Stores
- Office Supplies and Equipment Stores, Furniture stores, retail of new merchandise only
- Post office stations and braches, operated by postal service employees or agents, which directly serve the public
- Printing, copying and postal packing stores
- Restaurants
- Restaurants with an accessory cocktail lounge-bar use, subject to compliance with Article X, Alcoholic Beverages, of this code
- Tailor shops
- Pet grooming

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 BU-1A 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

WHEREAS, a motion to accept the proffered Covenant Running with the Land In Lieu of Unity of Title and the proffered Declaration of Restrictions and to approve the application was offered by Beatrice Suarez, seconded by Joseph E. Delaney, and upon a poll of the members present the vote was as follows:

Patricia G. Davis	aye	Ileana Petisco	aye
Joseph E. Delaney	aye	Beatrice Suarez	aye
Miguel A. Diaz	aye	Ileana R. Vazquez	aye
		Jeffery Wander	absent

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11, that the requested district boundary change to BU-1A be and the same is hereby approved and said property is hereby zoned accordingly.

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 Permitting, Environment and Regulatory Affairs.

PASSED AND ADOPTED this 6th day of December, 2011.

Hearing No. 11-11-CZ11-1

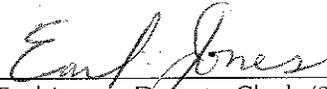
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STATE OF FLORIDA

COUNTY OF MIAMI-DADE

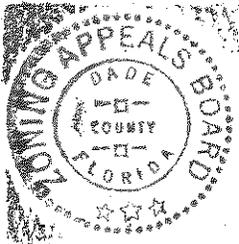
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-14-11 adopted by said Community Zoning Appeals Board at its meeting held on the 6th day of December, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 16th day of December, 2011.



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

SEAL



Memorandum



Date: February 22, 2011
To: Distribution
From: Earl Jones, Deputy Clerk
Subject: Resolutions

Attached are resolutions CZAB11-4-11, CZAB11-5-11, and the list from the Community Zoning Appeals Board No. 11 hearing of February 10, 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

CLERK OF THE BOARD
2011 FEB 22 PM 3:26
CLERK, CIRCUIT & COUNTY COURTS
DADE COUNTY, FLA
#1



COMMUNITY ZONING APPEALS BOARD 11

Hearing Date: FEBRUARY 10, 2011

I The Community Zoning Appeals took the following action on the items listed below

11-2-CZ11-1	RODOLFO AND DEBORAH RIERA Approved In Part denied without prejudice request #1 and #2 approved with conditions request #3	10-28 CZAB11411	01-55-39
11-2-CZ11-2	PUBLIX SUPER MARKETS, INC. Approved as per staff's recommendation	10-132 CZAB11511	33-55-39

COUNTY STAFF ATTENDEES:

TOM LOGUE - ASSISTANT COUNTY ATTORNEY'S OFFICE
 JORGE VITAL - ZONING EVALUATION SECTION
 EARL JONES - ZONING EVALUATION SECTION
 THOMAS GOMEZ - 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. CZAB11-5-11

WHEREAS, **PUBLIX SUPER MARKETS, INC.** applied for the following:

- (1) Applicant is requesting to permit an existing liquor package store with sales of alcoholic beverages on Sundays (Sunday sales not permitted except for the month of December).

SUBJECT PROPERTY: A portion of the SE ¼ of the SE ¼ lying Southeasterly of the CSX Railway right-of-way LESS the South 40 feet with LESS the East 40 feet for road, all lying and being in Section 33, Township 55 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the SE corner of said Section 33; thence S87°30 00"W along the South line of the SE ¼ of said Section 33 for a distance of 40.01 feet; thence N01°21 04"W parallel with the East line of the SE ¼ of said Section 33 for a distance of 40.01 feet to the Point of Beginning of the following described parcel of land; thence S87°30 00"W parallel with the South line of the SE ¼ of said Section 33 for a distance of 655.26 feet; thence N01°21 04"W parallel with the East line of the SE ¼ of said Section 33 for a distance of 511.39 feet; thence N38°46 39"E for a distance of 213.04 feet; thence N87°30 00"E parallel with the South line of the SE ¼ of said Section 33 for 517.93 feet; thence S01°21 04"E along a line 40 feet West of and parallel with the East line of the SE ¼ of said Section 33 for a distance of 671.53 feet to the Point of Beginning.

LESS

That portion of the East ½ of the East ½ of the SE ¼ of the SE ¼ of said Section 33 which lies within the external area formed by a 25 foot radius arc concave to the Northwest, tangent to the West line of the East 40 feet of said SE ¼ of Section 33, and tangent to the North line of the South 40 feet of said SE ¼ of Section 33.

LOCATION: 18200 S.W. 147 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 request to permit an existing liquor package store with sales of alcoholic beverages on Sundays 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. Diaz, seconded by Lleana R. Vazquez, and upon a poll of the members present, the vote was as follows:

Patricia G. Davis	aye	Miguel A. Diaz	aye
Joseph E. Delaney	aye	Beatrice Suarez	aye
		Lleana R. Vazquez	aye
		Jeffery Wander	aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the request to permit an existing liquor package store with sales of alcoholic beverages on Sundays be and the same are hereby approved, subject to the following condition:

1. That the Sunday hours of operation for the liquor package store be limited to 9:00 am to 10:00pm.

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 10th day of February, 2011.

Hearing No. 11-2-CZ11-2

ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY
COMMISSIONERS ON THE 22ND DAY OF FEBRUARY, 2011.**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

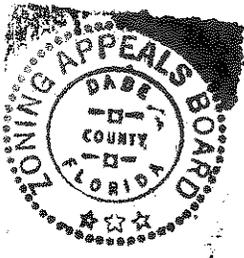
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-5-11 adopted by said Community Zoning Appeals Board at its meeting held on the 10th day of February, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 22nd day of February, 2011.



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

SEAL



RESOLUTION NO. CZAB11-4-11

WHEREAS, **RODOLFO and DEBORAH RIERA** applied for the following:

- (1) Applicants are requesting to permit a tiki hut with kitchen, bath and storage setback 10.38' (20' required) from the interior side (West) property line and setback 4.20' (7.5' required) from the rear (South) property line and spaced 1.35' (10' required) from the principal residence.
- (2) Applicants are requesting to permit a lot coverage of 31.6% (30% permitted).
- (3) Applicants are 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 metal fence 6' high within the safe-sight distance triangle along the front (North) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Public Hearing for: Deborah G. Riera & Rodolfo Riera," as prepared by Nestor J. Cifuentes, P. E., dated stamped received 11/15/2010, consisting of 4 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 14, Block 1, MONTICELLO ESTATES, Plat book 111, Page 38.

LOCATION: 11944 S.W. 99 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 requested 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 metal fence 6' high within the safe-sight distance triangle along the front (North) 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 (Item #3), and that the requests

to permit a tiki hut with kitchen, bath and storage setback 10.38' from the interior side (West) property line and setback 4.20' from the rear (South) property line and spaced 1.35' from the principal residence (Item #1) and to permit a lot coverage of 31.6% (Item #2) 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

WHEREAS, a motion to approve Item #3 and to deny Items #1 and 2 without prejudice was offered by Patricia G. Davis, seconded by Beatrice Suarez, and upon a poll of the members present, the vote was as follows:

Patricia G. Davis	aye	Miguel A. Diaz	aye
Joseph E. Delaney	aye	Beatrice Suarez	aye
		Lleana R. Vazquez	aye
		Jeffery Wander	aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the request 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 metal fence 6' high within the safe-sight distance triangle along the front (North) 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 (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 upon the submittal of an application for a building permit; said plan to include, but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Public Hearing for: Deborah G. Riera & Rodolfo Riera," as prepared by Nestor J. Cifuentes, P.E., dated stamped received 11/15/2010, consisting of 4 sheets., except as herein modified to show the removal of the existing canopy carport and removal or relocation of the chickee hut with bathroom, storage room, bar, and barbeque structure, to comply with the setback and spacing requirements of the Zoning Code. 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, that Items #1 and 2 be and the same are hereby denied 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 10th day of February, 2011.

Hearing No. 11-2-CZ11-1
ej

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 22ND DAY OF FEBRUARY, 2011.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

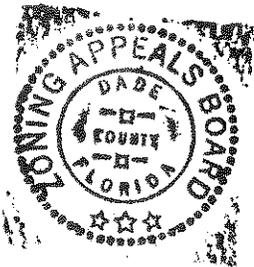
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-4-11 adopted by said Community Zoning Appeals Board at its meeting held on the 10th day of February, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 22nd day of February, 2011.



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

SEAL



Cave, Linda (COC)

From: Jones, Earl (DP&Z)
Sent: Wednesday, February 02, 2011 8:11 AM
To: Cave, Linda (COC)
Subject: CZAB11-1-11 Revised 2-2-11

Attached is a revised resolution for CZAB11-1-11. The original was submitted to your office yesterday at 4:00pm. Please use this original with the stamped signature page that you have already.

RESOLUTION NO. CZAB11-1-11

WHEREAS, **LEON KENDALL HOLDINGS L. L. C.** applied for the following:

- (1) **MODIFICATION** of Condition #2 of Resolution 5-ZAB-151-91, 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 'Site Plan,' and as prepared by Acolite Sign Company, Inc., dated 8/28/90 and elevation drawing entitled 'Kendall Corporate Centre,' as prepared by Acolite Sign Company, Inc., dated 5/24/91."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Leon Medical Centers,' as prepared by MGE Architects, consisting of 2 sheets, dated stamped received 8/18/10 with Sheet "A1.01" last handwritten revision dated 9/8/10."

The purpose of Request #1 is to allow the applicant to submit a revised site plan showing additional signage on the subject property.

- (2) Applicant is requesting to permit an existing 1-story building with 2 existing wall signs of 120 sq. ft. each (1-50 sq. ft. wall sign per principal building permitted).
- (3) Applicant is requesting to permit a detached drive-thru teller with an existing 25 sq. ft. wall sign (none permitted).
- (4) Applicant is requesting to permit an existing 4-story building with two proposed wall signs (1-50 sq. ft. wall sign per principal building, maximum permitted).
- (5) Applicant is requesting to permit a second detached sign of 85 sq. ft. (none permitted/ 1 detached sign of 64 sq. ft. previously approved).

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: The east ½ of the SW ¼ of the SW ¼ of the SW ¼ of Section 36, Township 54 South, Range 39 East, less the south 55' and the east 25' thereof, and less that external area formed by a 25' radius arc concave to the northwest and being tangent to a line that is 25' west of and parallel with the east line of the SW ¼ of the SW ¼ of the SW ¼ of said Section 36 and tangent to line 55' north of and parallel with the south line of the SW ¼ of said Section 36; **LESS AND EXCEPT: PARCEL 120:** A parcel of land lying the SW ¼ of Section 36, Township 54 South, Range 39 East, being more particularly described as follows:

Commence at the southwest corner of the SW ¼ of said Section 36; thence to N02°16'49"W for 55' to a point; thence N87°41'06"E for 329.72' to the Point of beginning of the parcel of land hereinafter to be described; thence N87°41'05"E for 279.84; to a Point of curvature of a circular curve to the left and having for its elements a central angle of 89°51'43" and a radius of 25'; thence E/ly, NE/ly and N/ly along the arc of said

circular curve for 39.21' to a Point of tangency; thence N02°10'38"W for 14.75' to a point on a circular curve; said point bearing N87°49'22"E from the center of said circular curve to the right and having for its elements a central angle of 89°51'43" and a radius of 26.5'; thence S/l/y, SW/l/y and W/l/y along the arc of said circular curve for 41.56' to a Point of tangency; thence S87°41'05"W for 187.82' to a Point of curvature of a circular curve to the right and having for its elements a central angle of 01°50'55" and a radius of 2,806.29'; thence W/l/y along the arc of said circular curve for 90.54' to a point; thence S02°13'44"E for 14.71' to the Point of beginning.

LOCATION: 12515 S.W. 88 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 modification of Condition #2 of Resolution 5-ZAB-151-91, passed and adopted by the Zoning Appeals Board (Item #1), and the requests to permit an existing 1-story building with 2 existing wall signs of 120 sq. ft. each (Item #2), to permit a detached drive-thru teller with an existing 25 sq. ft. wall sign (Item #3), to permit an existing 4-story building with two proposed wall signs (Item #4), and to permit a second detached sign of 85 sq. ft. (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 the application was offered by Joseph E. Delaney, seconded by Jeffery Wander, and upon a poll of the members present, the vote was as follows:

Patricia G. Davis	absent	Miguel A. Diaz	absent
Joseph E. Delaney	aye	Beatrice Suarez	aye

Lleana R. Vazquez nay

Jeffery Wander 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 5-ZAB-151-91, passed and adopted by the Zoning Appeals Board (Item #1), and the requests to permit an existing 1-story building with 2 existing wall signs of 120 sq. ft. each (Item #2), to permit a detached drive-thru teller with an existing 25 sq. ft. wall sign (Item #3), to permit an existing 4-story building with two proposed wall signs (Item #4), and to permit a second detached sign of 85 sq. ft. (Item #5) 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 Use; said plan to include, but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Leon Medical Centers,' as prepared by MGE Architects, consisting of 2 sheets, dated stamped received 8/1//10 with Sheet "A1.01" last hadwritten revision dated 9/8/10".

BE IT FURTHER RESOLVED that the requested modification of Condition #2 of Resolution 5-ZAB-151-91, passed and adopted by the Zoning Appeals Board (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 'Leon Medical Centers,' as prepared by MGE Architects, consisting of 2 sheets, dated stamped received 8/18/10 with Sheet "A1.01" last handwritten revision dated 9/8/10.

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 13th day of January, 2011.

Hearing No. 11-1-CZ5-1
ej

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 1ST DAY OF FEBRUARY, 2011.

Memorandum

MIAMI DADE
COUNTY

Date: February 1, 2011
To: Distribution
From: Earl Jones, Deputy Clerk
Subject: Resolutions

Attached are resolutions CZAB11-1-11, CZAB11-2-11, CZAB11-3-11, and the list from the Community Zoning Appeals Board No. 11 hearing of January 13, 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

CLERK OF THE BOARD
2011 FEB - 1 PM 4:00
CLERK, CIRCUIT & COUNTY COURTS
DADE COUNTY, FLA.
#1



COMMUNITY ZONING APPEALS BOARD 10

Hearing Date: JANUARY 12, 2011

I The Community Zoning Appeals took the following action on the items listed below

10-11-CZ10-1	<p>ANTHONY B. WILSON Approved per applicant request with standard conditions and modified condition # 2 to approve entire application</p>	<p>08-111 CZAB10111</p>	13-54-40
11-1-CZ10-1	<p>MEBAHIAH, INC. Approved In Part request #1 - #4 with conditions and approve withdrawal of request #5 by applicant</p>	<p>09-156 CZAB10211</p>	15-54-40
11-1-CZ10-2	<p>CHRISTIAN & JESSICA GARCELL DE GOMEZ Approved as requested with standard conditions</p>	<p>10-57 CZAB10311</p>	04-54-39
11-1-CZ10-4	<p>FLORIDA POWER & LIGHT COMPANY Approved 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 CZAB10411</p>	04-54-40



COMMUNITY ZONING APPEALS BOARD 10

Hearing Date: JANUARY 12, 2011

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. CZAB11-1-11

WHEREAS, LEON KENDALL HOLDINGS L. L. C. applied for the following:

- (1) MODIFICATION of Condition #2 of Resolution 5-ZAB-151-91, 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 'Site Plan,' and as prepared by Acolite Sign Company, Inc., dated 8/28/90 and elevation drawing entitled 'Kendall Corporate Centre,' as prepared by Acolite Sign Company, Inc., dated 5/24/91."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Leon Medical Centers,' as prepared by MGE Architects, consisting of 2 sheets, dated stamped received 8/18/10 with Sheet "A1.01" last handwritten revision dated 9/8/10."

The purpose of Request #1 is to allow the applicant to submit a revised site plan showing additional signage on the subject property.

- (2) Applicant is requesting to permit an existing 1-story building with 2 existing wall signs of 120 sq. ft. each (1-50 sq. ft. wall sign per principal building permitted).
- (3) Applicant is requesting to permit a detached drive-thru teller with an existing 25 sq. ft. wall sign (none permitted).
- (4) Applicant is requesting to permit an existing 4-story building with two proposed wall signs (1-50 sq. ft. wall sign per principal building, maximum permitted).
- (5) Applicant is requesting to permit a second detached sign of 85 sq. ft. (none permitted/ 1 detached sign of 64 sq. ft. previously approved).

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: The east ½ of the SW ¼ of the SW ¼ of the SW ¼ of Section 36, Township 54 South, Range 39 East, less the south 55' and the east 25' thereof, and less that external area formed by a 25' radius arc concave to the northwest and being tangent to a line that is 25' west of and parallel with the east line of the SW ¼ of the SW ¼ of the SW ¼ of said Section 36 and tangent to line 55' north of and parallel with the south line of the SW ¼ of said Section 36; LESS AND EXCEPT: PARCEL 120: A parcel of land lying the SW ¼ of Section 36, Township 54 South, Range 39 East, being more particularly described as follows:

Commence at the southwest corner of the SW ¼ of said Section 36; thence to N02°16'49"W for 55' to a point; thence N87°41'06"E for 329.72' to the Point of beginning of the parcel of land hereinafter to be described; thence N87°41'05"E for 279.84; to a Point

of curvature of a circular curve to the left and having for its elements a central angle of 89°51'43" and a radius of 25'; thence E/ly, NE/ly and N/ly along the arc of said circular curve for 39.21' to a Point of tangency; thence N02°10'38"W for 14.75' to a point on a circular curve; said point bearing N87°49'22"E from the center of said circular curve to the right and having for its elements a central angle of 89°51'43" and a radius of 26.5'; thence S/ly, SW/ly and W/ly along the arc of said circular curve for 41.56' to a Point of tangency; thence S87°41'05"W for 187.82' to a Point of curvature of a circular curve to the right and having for its elements a central angle of 01°50'55" and a radius of 2,806.29'; thence W/ly along the arc of said circular curve for 90.54' to a point; thence S02°13'44"E for 14.71' to the Point of beginning.

LOCATION: 12515 S.W. 88 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 modification of Condition #2 of Resolution 5-ZAB-151-91, passed and adopted by the Zoning Appeals Board (Item #1), and the requests to permit an existing 1-story building with 2 existing wall signs of 120 sq. ft. each (Item #2), to permit a detached drive-thru teller with an existing 25 sq. ft. wall sign (Item #3), to permit an existing 4-story building with two proposed wall signs (Item #4), and to permit a second detached sign of 85 sq. ft. (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 the application was offered by Joseph E. Delaney, seconded by Jeffery Wander, and upon a poll of the members present, the vote was as follows:

Patricia G. Davis	absent	Miguel A. Diaz	aye
Joseph E. Delaney	aye	Beatrice Suarez	aye
		Lleana R. Vazquez	nay
		Jeffery Wander	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 5-ZAB-151-91, passed and adopted by the Zoning Appeals Board (Item #1), and the requests to permit an existing 1-story building with 2 existing wall signs of 120 sq. ft. each (Item #2), to permit a detached drive-thru teller with an existing 25 sq. ft. wall sign (Item #3), to permit an existing 4-story building with two proposed wall signs (Item #4), and to permit a second detached sign of 85 sq. ft. (Item #5) 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 Use; said plan to include, but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Leon Medical Centers,' as prepared by MGE Architects, consisting of 2 sheets, dated stamped received 8/1//10 with Sheet "A1.01" last handwritten revision dated 9/8/10".

BE IT FURTHER RESOLVED that the requested modification of Condition #2 of Resolution 5-ZAB-151-91, passed and adopted by the Zoning Appeals Board (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 'Leon Medical Centers,' as prepared by MGE Architects, consisting of 2 sheets, dated stamped received 8/18/10 with Sheet "A1.01" last handwritten revision dated 9/8/10.

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 13th day of January, 2011.

Hearing No. 11-1-CZ5-1
ej

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 1ST DAY OF FEBRUARY, 2011.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

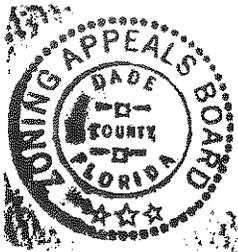
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-1-11 adopted by said Community Zoning Appeals Board at its meeting held on the 13th day of January, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 1st day of February, 2011.



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

SEAL



RESOLUTION NO. CZAB11-2-11

WHEREAS, **SUNRISE EQUESTRIAN, INC.** applied for the following:

- (1) SPECIAL EXCEPTION to permit a riding academy and caretaker's quarters.
- (2) SPECIAL EXCEPTION to permit stables spaced less than 250' from a residence under different ownership.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Sunrise Equestrian Center," as prepared by Roberto Valencia, Architect, P. A., Sheet "S1" dated stamped received 10/29/10, Sheet "L1" dated stamped received 10/14/10, Sheet "F1" dated stamped received 10/6/10 and the remaining 2 sheets dated stamped received 9/10/10. Plans may be modified at public hearing.

SUBJECT PROPERTY: The south ½ of the SE ¼ of the NW ¼ of the NW ¼ of Section 25, Township 54 South, Range 39 East, less the west 25' and the south 25' thereof.

LOCATION: Lying east of S.W. 125 Avenue, approximately 1,000' south of S.W. 56 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 exceptions to permit a riding academy and caretaker's quarters (Item #1) and to permit stables spaced less than 250' from a residence under different ownership (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 that the requested special exceptions (Items #1 and 2) would not have an adverse impact upon the public interest and should be approved and

WHEREAS, a motion to approve Items #1 and 2 was offered by Beatrice Suarez, seconded by Lleana R. Vazquez, and upon a poll of the members present, the vote was as follows:

Patricia G. Davis	absent	Miguel A. Diaz	absent
Joseph E. Delaney	aye	Beatrice Suarez	aye
		Lleana R. Vazquez	aye
		Jeffery Wander	aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the requested special exceptions to permit a riding academy and caretaker's quarters (Item #1) and to permit stables spaced less than 250' from a residence under different ownership (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 and Zoning upon the submittal of an application for a building permit; said plan to include, but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Sunrise Equestrian Center", as prepared by Roberto Valencia Architect, P.A., consisting of 5 sheets. Sheet S1 dated stamped received 10/29/10 last handwritten revision dated 01/07/11, Sheet L1 dated stamped received 10/14/10 last handwritten revision dated 01/07/11, Sheet F1 dated stamped received 10/06/10 and the remaining 2 sheets dated stamped received 09/10/10.
3. That the use be established and maintained in accordance with the approved plan.
4. That only riding lessons and ancillary activities associated with a riding academy be permitted.
5. That parties or other commercial activities shall not be permitted on the premises at any given time.

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 13th day of January, 2011.

Hearing No. 11-CZ11-3
ej

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 1ST DAY OF FEBRUARY, 2011.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

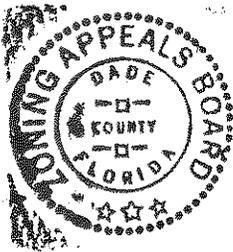
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-2-11 adopted by said Community Zoning Appeals Board at its meeting held on the 13th day of January, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 1st day of February, 2011.



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

SEAL



RESOLUTION NO. CZAB11-3-11

WHEREAS, **MARTA PULIDO** applied for the following:

- (1) Applicant is requesting to permit an existing gazebo for a guest house setback 17.2' from the interior side (west) property line and spaced 16.75' from the guest house (20' required for both).
- (2) Applicant is requesting to permit an existing spa setback 6.9' (7.5' required) from the rear (south) property line.
- (3) Applicant is requesting to permit an existing water pump house setback 1.9' (20' required) from the interior side (west) property line.
- (4) Applicant is requesting to permit an existing single-family residence setback 49.39' (50' required) from the front (north) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Legalization of Gazebo and Water Pump House (Zoning Hearing) for: Marta Pulido," as prepared by Fernando Gomez-Pina, P. E., dated stamped received 10/5/10 and consisting of 2 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: The east 2/3 of Tract 97, BIRD ROAD FARMSITES, Plat book 46, Page 3.

LOCATION: 11866 S.W. 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 requests to permit an existing gazebo for a guest house setback 17.2' from the interior side (west) property line and spaced 16.75' from the guest house (Item #1), to permit an existing spa setback 6.9' from the rear (south) property line (Item #2), to permit an existing water pump house setback 1.9' from the interior side (west)

property line (Item #3), to permit an existing single-family residence setback 49.39' from the front (north) property line (Item #4) 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 4 was offered by Lleana R. Vazquez, seconded by Beatrice Suarez, and upon a poll of the members present, the vote was as follows:

Patricia G. Davis	absent	Miguel A. Diaz	absent
Joseph E. Delaney	aye	Beatrice Suarez	aye
		Lleana R. Vazquez	aye
		Jeffery Wander	aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the requests to permit an existing gazebo for a guest house setback 17.2' from the interior side (west) property line and spaced 16.75' from the guest house (Item #1), to permit an existing spa setback 6.9' from the rear (south) property line (Item #2), to permit an existing water pump house setback 1.9' from the interior side (west) property line (Item #3), to permit an existing single-family residence setback 49.39' from the front (north) property line (Item #4) 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; said plan to include, but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Legalization of Gazebo and Water Pump House (Zoning Hearing) for: Marta Pulido," as prepared by Fernando Gomez-Pina, P. E., dated stamped received 10/5/10 and consisting of 2 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 existing 200 sq. ft. portable shed located in the rear yard of the site be removed or that permits be obtained to relocate the structure, as indicated in the submitted plans, to conform with zoning setback requirements 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 apply for a building permit for the gazebo and the existing water pump house 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 13th day of January, 2011.

Hearing No. 11-1-CZ11-4
ej

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 1ST DAY OF FEBRUARY, 2011.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

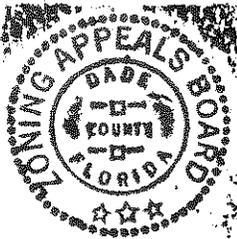
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-3-11 adopted by said Community Zoning Appeals Board at its meeting held on the 13th day of January, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 1st day of February, 2011.

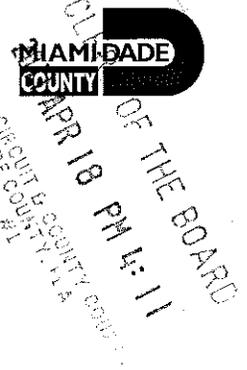


Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL



Memorandum



Date: April 18, 2011
To: Distribution
From: Earl Jones, Deputy Clerk
Subject: Resolutions

Attached are resolution CZAB11-6-11 and the list from the Community Zoning Appeals Board No. 11 hearing of April 14, 2011.

Please note that resolution CZAB11-7-11 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 11

Hearing Date: APRIL 14, 2011

I The Community Zoning Appeals took the following action on the items listed below

11-4-CZ11-2	LILIANA QUATROMINI & ELIAS ALVAREZ	10-196	29-54-39
	Approved	CZAB11611	
	as per staff's recommendation		

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

11-4-CZ11-1	KROME AGRONOMICS, LLC	10-51	24-55-38
	Deferred To Date Certain (05/17/11)		
	due to a Tie Vote		

COUNTY STAFF ATTENDEES:

TOM ROBERTSON - ASSISTANT COUNTY ATTORNEY'S OFFICE
 JORGE VITAL - 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



COMMUNITY ZONING APPEALS BOARD 11

Hearing Date: APRIL 14, 2011

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. CZAB11-6-11

WHEREAS, **LILIANA QUATROMINI & ELIAS ALVAREZ** applied for the following:

- (1) Applicants are requesting to permit a gazebo setback a minimum of 0.4' (5' required) from the rear (southwest) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "New Gazebo For: Elias Alvarez & Liliana Quatromini," as prepared by Caymart Design, Inc., dated stamped received 12/22/10, consisting of two sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 23, Block 2, BALANI SUBDIVISION, Plat book 160, Page 82.

LOCATION: 6034 S.W. 160 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 request to permit a gazebo setback a minimum of 0.4' from the rear (southwest) 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 Lleana R. Vazquez, seconded by Joseph E. Delaney, and upon a poll of the members present, the vote was as follows:

Patricia G. Davis	aye	Miguel A. Diaz	aye
Joseph E. Delaney	aye	Beatrice Suarez	aye
		Lleana R. Vazquez	aye
Jeffery Wander		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, 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, and other requirements.
2. The in the approval of the plan, the same be substantially in accordance with that submitted for the hearing to the Department of Planning and Zoning entitled "New Gazebo For: Elias Alvarez & Kilians Quatromini," as prepared by Caymart Design, Inc., dated stamped received 12/22/10, consisting of two 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 existing gazebo remains open sided and not be enclosed in any manner except for approved insect screen materials.
5. That the applicants shall obtain a building permit for the gazebo from the Building Department within 90 days after the appeal period deadline date.

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 14th day of April, 2011.

Hearing No. 11-4-CZ11-2
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY
COMMISSIONERS ON THE 18TH DAY OF APRIL, 2011.**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

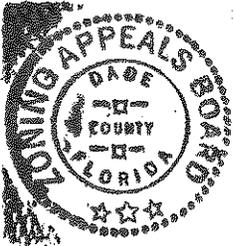
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-6-11 adopted by said Community Zoning Appeals Board at its meeting held on the 14th day of April, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 18th day of April, 2011.



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

SEAL



Memorandum



Date: January 11, 2012
To: Distribution
From: Earl Jones, Deputy Clerk
Subject: Resolutions

Attached is resolution CZAB11-14-11 from the Community Zoning Appeals Board No. 12 hearing of December 16, 2011.

Please note that resolutions CZAB11-12-11 and CZAB11-13-11 were submitted 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 11 AM 11:01
CLERK OF THE BOARD
MIAMI-DADE COUNTY, FLA.
#1

RESOLUTION NO. CZAB11-14-11

WHEREAS S.F. ENTERPRISES OF MIAMI LTD, applied for the following:

DISTRICT BOUNDARY CHANGE from IU-C (Industry-Controlled) to BU-1A (Business-Limited).

SUBJECT PROPERTY: Tracts "B", "C" and "D" Cortland Commercial Center, Plat Book 163, Page 70. Miami-Dade County, Florida.

LOCATION: The Northwest corner of SW 128 Street & SW 122 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 Covenant Running with the Land In Lieu of Unity of Title which among other things provided:

1. That the Property will be developed in substantial conformity with the site plan entitled, "Retail Facility For: Cortland Commercial Center", prepared by Rodriguez Pereira Architects, Inc., dated 5/3/11 and last revised 7/6/11.

That no modification shall be effected in said site plan without written consent of the then owner(s) of the Property, and the Director of Permitting, Environment and Regulatory Affairs Department; provided the Director finds that the modification conforms with the standards established in Section 33-257 of the Code of Miami-Dade County, and provided further, that should the Director withhold such approval, the then owner(s) of the property, shall be permitted to seek such modification by application to modify the Board of County Commissioners of Miami-Dade County, Florida, whichever by law has jurisdiction over such matter.

2. That if the Property is developed in phases, each phase will be developed in substantial accordance with site plan.
3. That in the event of multiple ownership subsequent to said site plan approval, each of the subsequent owners, mortgagees and other parties in interest shall be bound by the terms, provisions and conditions of this instrument. Owner further agrees that it will not convey portions of the Property to such other parties unless and until the Owner and such other party or parties shall have executed and mutually delivered in recordable form, and instrument to be known as an "Easement and Operating Agreement" which shall contain, among other things:

- i. easements in the common area of each parcel for ingress to and egress from other parcels;
- ii. easements in the common area of each parcel for the passage and parking of vehicles;
- iii. easements in the common area of each parcel for the passage and accommodation of pedestrians;
- iv. easements for access roads across the common area of each parcel to public and private roadways;
- v. easements for the installation, use, operation, maintenance, repair, replacement, relocation and removal of utility facilities in appropriate areas in each such parcel;
- vi. easements for access roads across the common area of each parcel to public and private roadways;
- vii. easements upon each such parcel in favor of each adjoining parcel for the installation, use, maintenance, repair, replacement and removal of common construction improvements such as footing, supports and foundations.
- viii. easements on each parcel for attachment of buildings;
- ix. easements on each such parcel for building overhangs, other overhangs and projections encroaching upon such parcel from adjoining parcel such as, by way of example, marquees, canopies, lights, lighting devices, awnings, wing walls and the like;
- x. appropriate reservation of rights to grant easements to utility companies;
- xi. appropriate reservation of rights to dedicate road rights-of-way and curb cuts;
- xii. easements in favor of each such parcel for pedestrian and vehicular traffic over dedicated private ring roads and access roads; and
- xiii. appropriate agreements between the owners of the several parcels as to the obligation to maintain and repair all private roadways, parking facilities, common areas and the like.

The easement provisions or portions thereof, may be waived by the Director of Permitting, Environment and Regulatory Affairs Department if they are not applicable to the subject application. When executed, the Easement and Operating Agreement shall not be amended without prior written approval of the Office of the County Attorney of Miami-Dade County. Such Easement and operating Agreement may contain such other provisions with respect to the operation, maintenance and development of the Property as to which the parties thereto may agree, all to the end that although the property may have several owners, it will be constructed, conveyed, maintained and operated in accordance with the approved site plan.

WHEREAS, at which time the applicant proffered a Declaration of Restrictions which among other things provided:

Industrial Parcels: That notwithstanding the approval of the Application, and subject to all applicable Code requirements, the Owner agrees to restrict the permitted uses those serving the firms and workers in the industrial areas as follows:

- Apparel Stores
- Automobile new parts and equipment, sales only
- Automobile service stations – (which may include facilities available for sale of other retail products and services related to the servicing of automobiles)
Automobile self-service stations
- Automobile storage within a building
- Automobile tires, batteries and accessories (new) retail only installation permitted
- Automobile washing
- Bakeries
- Banks, including drive-in teller service
- Beauty Parlors/Barber Shops
- Confectionery, Ice Cream and Dairy Stores
- Computer Sales
- Day nurseries Kindergartens and after school care centers
- Dog and pet hospitals in air-conditioned buildings
- Dry cleaning establishments, using nonflammable solvents

- Drugstores/Pharmacies (maximum square footage of 5,478 sq. ft.)
- Electrical appliance and fixtures stores including related repair
- Employment agencies
- Florist Shoppes
- Grocery stores. (maximum square footage of 5,478 sq. ft.)
- Health and exercise clubs and/or gymnasiums
- Health and exercise clubs and/or gymnasiums
- Hardware Stores
- Office Supplies and Equipment Stores, Furniture stores, retail of new merchandise only
- Post office stations and braches, operated by postal service employees or agents, which directly serve the public
- Printing, copying and postal packing stores
- Restaurants
- Restaurants with an accessory cocktail lounge-bar use, subject to compliance with Article X, Alcoholic Beverages, of this code
- Tailor shops
- Pet grooming

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 BU-1A 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

WHEREAS, a motion to accept the proffered Covenant Running with the Land In Lieu of Unity of Title and the proffered Declaration of Restrictions and to approve the application was offered by Beatrice Suarez, seconded by Joseph E. Delaney, and upon a poll of the members present the vote was as follows:

Patricia G. Davis	aye	Ileana Petisco	aye
Joseph E. Delaney	aye	Beatrice Suarez	aye
Miguel A. Diaz	aye	Ileana R. Vazquez	aye
Jeffery Wander	absent		

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11, that the requested district boundary change to BU-1A be and the same is hereby approved and said property is hereby zoned accordingly.

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 Permitting, Environment and Regulatory Affairs.

PASSED AND ADOPTED this 6th day of December, 2011.

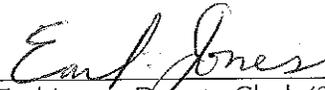
Hearing No. 11-11-CZ11-1
ej

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 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-14-11 adopted by said Community Zoning Appeals Board at its meeting held on the 6th day of December, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 16th day of December, 2011.



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

SEAL

