

**RESOLUTION NO. CZAB12-15-11**

*WHEREAS* **NEIDA KAMALE**, applied for the following:

- (1) Applicant is requesting to permit an existing addition to a single family residence setback 16.33' (25' required) from the rear (east) property line.
- (2) Applicant is requesting to permit an existing swimming pool setback 6.57' (7.5' required) from the rear (east) property line.

Plans are on file and may be examined in the Department of Planning and Zoning, entitled, "Porch Modification-Kamale Residence" as prepared by Batista Luciano, dated stamped received 5/18/11 and consisting of 3 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Lot 24 Block 1, Cherry Grove Part One, Plat Book 76-48.

**LOCATION:** 8841 SW 92<sup>nd</sup> Court, MIAMI-DADE COUNTY, FLORIDA, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 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 addition to a single family residence setback 16.33' from the rear (east) property line (Item #1) and to permit an existing swimming pool setback 6.57' from the rear (east) property line (Item #2) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve Items #1 and #2 was offered by Elliot N. Zack, seconded by Alberto Santana, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	aye	Jose I. Valdes	aye
Anthony Petisco	aye	Angela Vazquez	aye
Alberto Santana		Elliot N. Zack	aye

Jorge Luis Garciga                      aye

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 12 that the requests to permit an existing addition to a single family residence setback 16.33' from the rear (east) property line (Item #1) and to permit an existing swimming pool setback 6.57' from the rear (east) property line (Item #2) be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning 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. That 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 "Porch Modification-Kamale Residence" as prepared by Batista Luciano, dated stamped received 5/18/11, consisting of three (3) sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submits a Declaration of Use Agreement restricting the use of the subject property only to a single family residence prior to the issuance of a building permit.
5. That the applicant shall obtain a building permit for the additions and pool 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 changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 14<sup>th</sup> day of September, 2011.

Hearing No. 11-9-CZ12-1  
ej

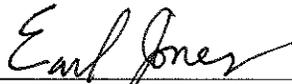
**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 23<sup>RD</sup> DAY OF SEPTEMBER, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

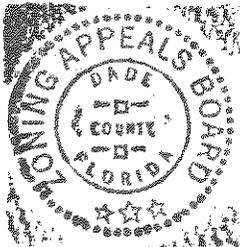
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-15-11 adopted by said Community Zoning Appeals Board at its meeting held on the 14<sup>th</sup> day of September, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 23<sup>rd</sup> day of September, 2011.



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

**SEAL**



**RESOLUTION NO. CZAB12-16-11**

*WHEREAS* **RICHARD & POMY LEWIS**, applied for the following:

- (1) Applicants are requesting to permit a proposed guest house and open sided pavillion with a rear yard area coverage of 19.2% (5% permitted).
- (2) Applicants are requesting to permit and existing accessory use (basketball court) setback 7.4' (20' required) from the interior side (east) property line and setback 69.9' (75' required) from the front (south) property line.
- (3) Applicants are requesting to permit existing and proposed accessory use spaced 4' (10' required) from the other accessory uses.

Plans are on file and may be examined in the Department of Planning and Zoning, entitled, "Lewis Pool House/Pavilion" as prepared by Lorie Larson Luxe Elan Design, LLC dated stamped received 1/19/11, and a plan entitled Site Plan, Lewis-Z2010000190, also prepared by Lorie Luxe Elan Design, LLC dated stamped received 5/31/11 for a total of 6 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 4 Block 1 Galloway Cove Estates, Plat Book 151-26

LOCATION: 8481 SW 102 Street, MIAMI-DADE COUNTY, FLORIDA, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and it was noted that the applicant had previously submitted revised plans within the scope of the advertisement entitled Lewis Pool/Pavilion," as prepared by Lorie S. Larson Luxe Elan Design, LLC, dated stamped received 8/22/11 and a plan entitled Site Plan, Lewis – Z#20100000190, also prepared by Lorie S. Larson Luxe Elan Design, LLC, dated stamped received 8/22/11 for a total of 6 sheets, and at which time the applicant requested permission to withdraw the request to permit existing and proposed accessory use spaced 4' from the other accessory uses (Item #3), and

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

WHEREAS, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requests to permit a proposed guest house and open sided pavillion with a rear yard area coverage of 15.34% on a modified basis to reflect plans entitled "Lewis Pool/Pavilion," as prepared by Lorie S. Larson Luxe Elan Design, LLC, dated stamped received 8/22/11 and a plan entitled Site Plan, Lewis – Z#20100000190, also prepared by Lorie S. Larson Luxe Elan Design, LLC, dated stamped received 8/22/11 for a total of 6 sheets (Item #1) and to permit and existing accessory use (basketball court) setback 7.4' from the interior side (east) property line and setback 69.9' from the front (south) property line (Item #2) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the request to withdraw Item #3 should be granted, and

WHEREAS, a motion to approve Items #1 and 2 and to withdraw Item #3 was offered by Elliot N. Zack, seconded by Jose I. Valdes, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	aye	Jose I. Valdes	aye
Anthony Petisco	aye	Angela Vazquez	absent
Alberto Santana	absent	Elliot N. Zack	aye
	Jorge Luis Garciga	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12 that the requests to permit a proposed guest house and open sided pavillion with a rear yard area coverage of 15.34% on a modified basis to reflect plans entitled "Lewis Pool/Pavilion," as prepared by Lorie S. Larson Luxe Elan Design, LLC, dated stamped received 8/22/11 and a plan entitled Site Plan, Lewis – Z#20100000190, also prepared by Lorie S. Larson Luxe Elan Design, LLC, dated stamped received 8/22/11 for a total of 6 sheets (Item #1) and to permit and existing accessory use (basketball court)

setback 7.4' from the interior side (east) property line and setback 69.9' from the front (south) property line (Item #2) be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Permitting, Environment and Regulatory Affairs upon the submittal of an application for a building permit and/or Certificate of Completion; said plan shall include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the site plan, the same be substantially in accordance with that submitted for the hearing entitled "Lewis Pool/Pavilion," as prepared by Lorie S. Larson Luxe Elan Design, LLC, dated stamped received 8/22/11 and a plan entitled Site Plan, Lewis – Z#20100000190, also prepared by Lorie S. Larson Luxe Elan Design, LLC, dated stamped received 8/22/11 for a total of 6 sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plans.
4. That the applicant shall obtain a building permit for the existing basketball court from the Permitting, Environment and Regulatory Affairs Department within 90 days after final public hearing approval of this application.
5. That the existing hedge running along the front (south), interior side (east) and rear (north) property lines be maintained at a height of 8' or in the alternative, erect a 8' high wood fence or CBS wall, prior to obtaining a building permit for the proposed guest house and pavilion and existing basketball court.
6. That no lighting shall be installed at the basketball court area.
7. That there be no play on the basketball court between the hours of 10PM and 8AM.
8. That the hours of play for the basketball court be restricted to the hours of 8AM to 10PM.
9. That no basketball leagues be allowed to play on the basketball court.
10. That any public organized activity be strictly prohibited.
11. That the basketball court area be strictly for private use.

*BE IT FURTHER RESOLVED* that the request to withdraw Item # 3 be and the same is hereby granted and said Item is hereby withdrawn without prejudice.

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

The Director is hereby authorized to make the necessary changes and 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 25<sup>th</sup> day of October, 2011.

Hearing No. 11-7-CZ12-1  
ej

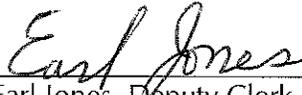
**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 7<sup>TH</sup> DAY OF NOVEMBER, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

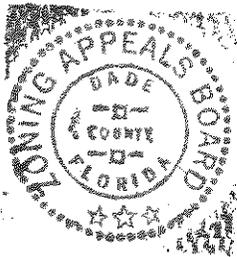
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-16-11 adopted by said Community Zoning Appeals Board at its meeting held on the 25<sup>th</sup> day of October, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 7<sup>th</sup> day of November, 2011.



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

**SEAL**



**RESOLUTION NO. CZAB12-17-11**

*WHEREAS* **ROBERTO SURIS, JR IRREVOCABLE TRUST**, applied for the following:

- (1) NON-USE VARIANCE to permit a parcel of land with a lot frontage of 75.02' (120' required) and a lot area of 11,709 square feet (15,000 sq. ft. required).
- (2) NON-USE VARIANCE to permit a single family residence setback 7.5' from the interior side (north) and setback 12.5' from the interior side (south) property lines (15' required for each).
- (3) NON-USE VARIANCE to permit an existing swimming pool setback 5.61' (20' required) from the interior side (north) property line.

Plans are on file and may be examined in the Department of Permitting, Environment and Regulatory Affairs entitled "New Residence" as prepared by Caymart Design, Inc., dated stamped received 6/22/11 with sheet SP-1 last handwritten revision dated 7/5/11 and consisting of 5 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: The S75' of the N450' Tract 14 of Amended Plat of a portion of Palm Miami, Plat Book 31-35.

LOCATION: 7115 SW 70 Avenue, MIAMI-DADE COUNTY, FLORIDA, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 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 parcel of land with a lot frontage of 75.02' and a lot area of 11,709 square feet (Item #1), to permit a single family residence setback 7.5' from the interior side (north) and setback 12.5' from the interior side (south) property lines (Item #2), and to permit an existing swimming pool setback 5.61' from the interior side (north) property line (Item #3) would be in harmony with the general purpose and intent of the regulations and would conform with the

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

*WHEREAS*, a motion to approve Items #1, #2, and #3 under Section 33-311(A)(4)(b) was offered by Jose I. Valdes, seconded by Alberto Santana, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	aye	Jose I. Valdes	aye
Anthony Petisco	aye	Angela Vazquez	aye
Alberto Santana		Elliot N. Zack	aye
	Jorge Luis Garciga	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 12 that the requested non-use variances to permit a parcel of land with a lot frontage of 75.02' and a lot area of 11,709 square feet (Item #1), to permit a single family residence setback 7.5' from the interior side (north) and setback 12.5' from the interior side (south) property lines (Item #2), and to permit an existing swimming pool setback 5.61' from the interior side (north) property line (Item #3) be and the same are hereby approved under Section 33-311(A)(4)(b), 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 "New Residence" as prepared by Caymart Design, Inc. and dated stamped received 06/22/11, with sheet SP-1 last handwritten revision dated 07/05/11 and consisting of five (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 provides a visual buffer along the interior side (north) property line either in the form of a hedge, 3' tall at the time of planting to grow and be maintained at

a height of 6', or in the alternative, erect a 6' high wood fence or CBS wall, prior to obtaining a building permit for the proposed single-family residence and existing pool.

5. That the applicant shall obtain a building permit for the existing pool from the Department of Permitting, Environment and Regulatory Affairs within 90 days after final public hearing approval of this application.
6. That the existing 6' high wood fence running along the interior side (north and south) property lines be maintained.

*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 and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 22<sup>nd</sup> day of November, 2011.

Hearing No. 11-11-CZ12-3  
ej

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

STATE OF FLORIDA

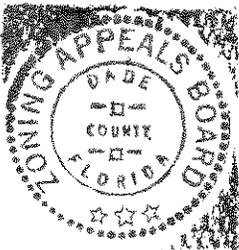
COUNTY OF MIAMI-DADE

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 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-17-11 adopted by said Community Zoning Appeals Board at its meeting held on the 22<sup>nd</sup> day of November, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 6<sup>th</sup> day of December, 2011.

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

SEAL



## RESOLUTION NO. CZAB12-18-11

WHEREAS WRC PROPERTIES, INC. applied for the following:

- (1) Special Exception to permit a proposed liquor package store spaced less than the required 1,500' from other lawfully established alcoholic beverage establishments.
- (2) NON USE VARIANCE of zoning regulations to permit the liquor package store to open on Sundays from 10:00 A.M. to 10:00 P.M. (Sunday sales not permitted except for the month of December).
- (3) Modification of Condition #2 of Resolution # CZAB12-23-08 passed and adopted by the Community Zoning Appeals Board # 12, and reading as follows:

From: "2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled 'Town & Country Village' as prepared by Tom Graboski Assoc., and Specific Purpose Sketch" as prepared by Schwebke, Shiskin & Assoc., dated stamped received 06/18/08 and consisting of 15 sheets."

To: "2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled 'Town & Country Village' as prepared by Tom Graboski Assoc., and Specific Purpose Sketch" as prepared by Schwebke, Shiskin & Assoc., dated stamped received 06/18/08 and consisting of 15 sheets as supplemented by plans entitled "The Palms at Town & Country" as prepared by Tom Graboski Assoc. Inc., 7 sheets dated stamped received July 06, 2011 and 5 sheets dated stamped received March 09, 2011 for a total of 12 sheets. "Specific Purpose Survey" as prepared by Schwebke, Shiskin & Assoc., dated stamped received August 17, 2011.

The purpose of request #3 is to permit the submittal of additional signage plans to include the use of projecting signs for individual tenants and to increase the number of detached Class B (point of sale) or Class C (commercial advertising signs) or directional signs serving the shopping center.

- (4) NON USE VARIANCE of sign regulations to permit 27 additional detached Class B, Class C or directional signs each with a maximum area of 25.16 sq. ft. ( 1- 300 sq. ft. sign or 2-200 sq. ft. Class B signs permitted; 18 sq. ft. directional signs permitted; 10 detached Class B signs and 10 directional signs previously approved) for a total of 47 detached Class B, Class C or directional signs.
- (5) NON USE VARIANCE of zoning regulations requiring Class C signs to be spaced 600' from another Class C sign; to waive same.
- (6) NON USE VARIANCE of zoning regulations requiring Class C signs to be located 300' from an existing building; to waive same.
- (7) NON USE VARIANCE of zoning regulations to permit 6 ("lite tree") directional signs each with an area of 96 sq. ft. (18 sq. ft. permitted for each).

- (8) NON USE VARIANCE of zoning regulation to permit 3 wall mounted directional signs each with an area of 25.16 sq. ft. (only detached 18 sq. ft. directional signs permitted).
- (9) NON USE VARIANCE of sign regulations to permit directional signs to contain advertising (not permitted).
- (10) NON USE VARIANCE of sign regulations to permit projecting signs for individual tenants (not permitted).

The aforementioned plans are on file and may be examined in the Department of Permitting, Environment and Regulatory Affairs. Plans may be modified at public hearing.

SUBJECT PROPERTY: Tracts "A," "B," "C," "D," "E" and "F," "KENDALL KATHRYN MILLS-SECTION ONE," Plat Book 125 at Page 45, together with a portion of Tract "A" "TEACHERS KATHRYN MILLS" Plat Book 167 at Page 100, being a re-plat of a portion of said Tract A, "KENDALL KATHRYN MILLS SECTION", less the three (3) following described parcels of land:

Less Out Parcel 1: A portion of Tract "A", "KENDALL KATHRYN MILLS-SECTION ONE", Plat Book 125 at Page 45, being more particularly described as follows: Commence at the Northwest corner of said Tract "A", thence run N87°44'23"E along the Northerly boundary line of said Tract "A" for a distance of 640.64 feet to the POINT OF BEGINNING of the following described parcel of land; thence continue N87°44'23"E for a distance of 485.50 feet to a Point of Curvature of a circular curve concave to the Southwest; thence run Easterly, Southeasterly and Southerly along the arc of a circular curve to the right, having a radius of 25.00 feet and a central angle of 90°48'00", for an arc distance of 39.62 feet to a Point of Tangency; thence S01°27'37"E for a distance of 165.42 feet to a Point of Curvature of a circular curve concave to the West; thence run Southerly along the arc of a circular curve to the right having a radius of 1187.50 feet and a central angle of 01°54'58", for an arc distance of 39.71 feet to a point (said last mentioned 4 courses being coincident with the Northerly and Easterly boundary lines of said Tract "A"); thence S87°44'23"W for a distance of 299.23 feet to a point; thence S02°15'37"E for a distance of 220.00 feet to a point; thence N52°07'11"W for a distance of 34.33 feet to a Point of Curvature of a circular curve concave to the Southwest; thence run Northwesterly along the arc of a circular curve to the left, having a radius of 532.00 feet and a central angle of 08°33'40", for an arc distance of 79.49 feet to a Point of Compound Curvature (from said point a line bears S29°19'09"W to the radius point of the last described curve); thence run Northwesterly along said curve leading to the left, having a radius of 450.91 feet and a central angle of 16°17'04", for an arc distance of 128.16 feet to a point; thence N02°15'00"W for a distance of 330.99 feet to the POINT OF BEGINNING, lying and being in the Southeast 1/4 of Section 36 Township 54 South, Range 39 East, Miami-Dade, Florida. Less Out Parcel 2: A portion of Tracts "A" and "F," "KENDALL KATHRYN MILLS-SECTION ONE," according to the plat thereof, as recorded in Plat Book 125 at Page 45, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows: Commence at the Northwest corner of said Tract "A"; thence run N87°44'23"E along the Northerly boundary line of said Tract "A" for a distance of 1126.14 feet to a Point of Curvature of a circular curve concave to the Southwest; thence run Easterly, Southeasterly and Southerly along the arc of said circular curve to the right, having a radius of 25.00 feet and a central angle of

90°48'00", for an arc distance of 39.62 feet to a Point of Tangency; thence run S01°27'37"E for a distance of 165.42 feet to a Point of Curvature of a circular curve concave to the West; thence run Southerly along the arc of said circular curve to the right, having a radius of 1187.50 and a central angle of 01°54'58", for an arc distance of 39.71 feet to a point (said last mentioned 4 courses being coincident with the Northerly and Easterly boundary lines of said Tract "A"); thence S87°44'23"W for a distance of 31.73 feet to the POINT OF BEGINNING of the following described Less Out Parcel 2; thence continue S87°44'23"W for a distance of 267.50 feet to a point; thence run S02°15'37"E for a distance of 220.00 feet to a point; thence run S37°52'49"W For a distance of 31.89 feet (32.00 feet calculated) to a point on the South boundary line of said Tract "A"; thence run S52°07'11"E for a distance of 155.91 feet to a Point of Curvature of a circular curve concave to the Northeast; thence run Southeasterly along the arc of a circular curve to the left, having a radius of 400.00 feet and a central angle of 17°57'13", for an arc distance of 125.34 feet to a point on the next described circular curve being concave to the Northwest (from said point a line bears N69°09'47"W to the radius point of the next described circular curve); thence run Northeasterly along the arc of a circular curve to the left, said curve being coincident with the Easterly boundary line of said Tract "A," having a radius of 1187.50 feet and a central angle of 02°06'38", for an arc distance of 43.74 feet to a point on the next described circular curve being concave to the North (from said point a line bears N24°05'27"W to the radius point of the next described circular curve); thence run Westerly along the arc of a circular curve to the right, having a radius of 38.00 feet and a central angle of 48°37'31", for an arc distance of 32.25 feet to a Point of Compound Curvature of a circular curve being concave to the Northeast; thence run Northwesterly along the arc of circular curve to the right, having a radius of 368.00 feet and a central angle of 03°06'06" for an arc distance of 19.92 feet to a point (said last mentioned two (2) courses being coincident with the Northerly line of Mills Drive); thence run N02°15'00"W along the Westerly boundary line of Tract "G" of the aforementioned plat of "KENDALL KATHRYN MILLS-SECTION ONE" and its Northerly and Southerly prolongations for a distance of 78.17 feet to a point; thence run N87°45'00"E for a distance of 57.72 feet to a point; thence run N02°15'00"W for a distance of 10.00 feet to a point on a curve whose radius point bears N47°49'38"W for 50.00 feet; thence run Northeasterly along a 50.00 foot radius curve leading to the left through a central angle of 29°21'50" for an arc distance of 25.62 feet to a Point of Compound Curvature; thence run Northeasterly along a 1,170.50 feet radius curve leading to the left through a central angle of 01°15'00" for an arc distance of 25.54 feet to a point; thence run N45°00'00"E for a distance of 12.62 feet to a point on circular curve whose radius point bears N78°57'11"W for 1,177.50 feet; thence run Northerly along a 1,177.50 foot radius curve leading to the left through a central angle of 01°56'58" for an arc distance of 40.06 feet to a point; thence run N02°15'37"W for a distance of 175.62 feet to the POINT OF BEGINNING, lying and being in the Southeast 1/4 of Section 36 Township 54 South, Range 39 East, Miami-Dade County, Florida.

Less Out Parcel 3:

A portion of tract "F" of "KENDALL KATHRYN MILLS SECTION ONE", according to the plat thereof, as recorded in Plat Book 125, Page 45 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Southeast corner of said Tract "F;" thence South 87 degrees 45 minutes 00 seconds West, along the South line of said Tract F. for 213.99 feet; thence North 02

with a maximum area of 25.16 sq. ft. for a total of 47 detached Class B, Class C or directional signs (Item #4), of zoning regulations requiring Class C signs to be spaced 600' from another Class C sign; to waive same (Item #5), of zoning regulations requiring Class C signs to be located 300' from an existing building; to waive same (Item #6), of zoning regulations to permit 6 ("lite tree") directional signs each with an area of 96 sq. ft. (Item #7), of zoning regulation to permit 3 wall mounted directional signs each with an area of 25.16 sq. ft. (Item #8), of sign regulations to permit directional signs to contain advertising (Item #9), and of sign regulations to permit projecting signs for individual tenants (Item #10) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the requested special exception (Item #1) would not have an adverse impact upon the public interest and should be approved, and that the request to waive the re-filing period should be granted, and

*WHEREAS*, a motion to approve Item #1 under Section 33-311(A)(3), to approve Item #2 on a modified basis under Section 33-311(A)(4)(b), to approved Item #3 under Section 33-311(A)(7), to approve Items #4 through #10 under Section 33-311(A)(4)(b) and to waive the re-filing period was offered by Elliot N. Zack, seconded by Alberto Santana, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	nay	Jose I. Valdes	aye
Anthony Petisco	aye	Angela Vazquez	aye
Alberto Santana		Elliot N. Zack	aye
	Jorge Luis Garciga	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 12 that the requested Special Exception to permit a proposed liquor package store spaced less than the required 1,500' from other lawfully established alcoholic beverage establishments (Item #1) be and the same is hereby approved under Section 33-311(A)(3), that the requested non use variance of zoning regulations on a modified basis to permit the liquor package store to open on Sundays from 10:00 A.M. to 9:00 P.M. in lieu of the requested 10:00 A.M. to 10:00 P.M. (Item #2) be and the same is hereby approved under Section 33-311(A)(4)(b), that the requested Modification of Condition #2 of Resolution # CZAB12-23-08 passed and adopted by the Community Zoning Appeals Board # 12 (Item #3) be and the same is hereby approved under Section 33-311(A)(7), and that the requested non-use variances of sign regulations to permit 27 additional detached Class B, Class C or directional signs each with a maximum area of 25.16 sq. ft. for a total of 47 detached Class B, Class C or directional signs (Item #4), of zoning regulations requiring Class C signs to be spaced 600' from another Class C sign; to waive same (Item #5), of zoning regulations to permit 6 ("lite tree") directional signs each with an area of 96 sq. ft. (Item #6), of zoning regulations to permit 6 ("lite tree") directional signs each with an area of 96 sq. ft. (Item #7), of zoning regulation to permit 3 wall mounted directional signs each with an area of 25.16 sq. ft. (Item #8), of sign regulations to permit directional signs to contain advertising (Item #9), and of sign regulations to permit projecting signs for individual tenants (Item #10) be and the same are hereby approved under Section 33-311(A)(4)(b), with Items #1 through #10 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, signs, etc.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Town & Country Village" as prepared by Tom Graboski Assoc., and "Specific Purpose Sketch" as prepared by Schwebke, Shiskin & Assoc., dated stamped received 06/18/08 and consisting of 15 sheets as supplemented by plans entitled "The Palms at Town & Country" as prepared by Tom Graboski Assoc. Inc., 7 sheets dated stamped received July 06, 2011 and 5 sheets dated stamped received March 09, 2011 for a total of 12 sheets, and "Specific Purpose Survey" as prepared by Schwebke, Shiskin & Assoc., dated stamped received August 17, 2011.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtain a Certificate of Use from and promptly renew same annually with the Department of Planning and Zoning, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That once the Certificate of Occupancy for the package store is obtained, the applicant will maintain on-site a minimum of 2 off-duty police officers and 3 private security officers 24 hours per day and 7 days per week to serve the subject property.
6. That all the conditions of Resolutions 4-ZAB-79-85, 4-ZAB-333-89, 4-ZAB-184-93, 5-ZAB-314-94, CZAB12-23-08, and CZAB12-7-10 remain in full force and effect, except as herein modified.

*BE IT FURTHER RESOLVED* that the requested modification of Condition #2 of Resolution # CZAB12-23-08 passed and adopted by the Community Zoning Appeals Board # 12 (Item #3), shall read as follows:

2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled "Town & Country Village" as prepared by Tom Graboski Assoc., and "Specific Purpose Sketch" as prepared by Schwebke, Shiskin & Assoc., dated stamped received 06/18/08 and consisting of 15 sheets as supplemented by plans entitled "The Palms at Town & Country" as prepared by Tom Graboski Assoc. Inc., 7 sheets dated stamped received July 06, 2011 and 5 sheets dated stamped received March 09, 2011 for a total of 12 sheets. "Specific Purpose Survey" as prepared by Schwebke, Shiskin & Assoc., dated stamped received August 17, 2011.

*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 changes and 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 22<sup>nd</sup> day of November, 2011.

Hearing No. 11-11-CZ12-1  
ej

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

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

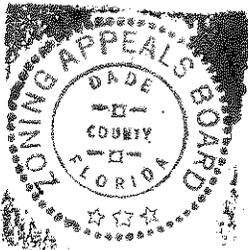
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-18-11 adopted by said Community Zoning Appeals Board at its meeting held on the 22<sup>nd</sup> day of November, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 6<sup>th</sup> day of December, 2011.



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

SEAL



**RESOLUTION NO. CZAB12-19-11**

*WHEREAS*, **MEDALLION INTERNATIONAL, INC.** applied for the following:

- (1) DISTRICT BOUNDARY CHANGE from EU-1 (Estates 1 Family 1 Acre Gross) to EU-M (Estates Modified 1 Family 15,000 sq. ft. net).
- (2) NON-USE VARIANCE of zoning regulations requiring section line rights-of-way to be 80' in width; to permit a right-of-way width of 25' (40' required) for the west half of SW 47<sup>th</sup> Avenue.

A boundary survey is on file in the Department of Permitting, Environment and Regulatory Affairs entitled for "Medallion Builders Inc., as prepared by County-Wide Land Surveyors, Inc., dated stamped received 6/8/11 and consisting of 1 sheet.

SUBJECT PROPERTY: Beginning 280 feet more or less South of the NE corner of the SE ¼ the NE ¼ of Section 31, Township 54S, Range 41E, Miami-Dade County, Florida; thence proceed West a distance of 218 feet more or less; thence South 228 feet more or less; thence East 218 feet more or less; thence North 228 feet, more or less to the point of beginning, less the North 15 feet thereof.

LOCATION: 7710 SW 47<sup>th</sup> Avenue, MIAMI-DADE COUNTY, FLORIDA, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 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 notwithstanding the district boundary change to EU-M, Owner shall restrict the development of the Property to two (2) lots.
2. That in order to develop the Property with two (2) lots, the Owner will be acquiring one (1) Severable Use Rights. Only one (1) Severable Use Rights shall be used on this property.
3. That houses on the Property shall be limited to one (1) story in height not to exceed 27 feet.

*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 EU-M (Item #1) would be compatible with the Comprehensive Development Master Plan and would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the requested non-use variance of zoning regulations requiring section line rights-of-way to be 80' in width; to permit a right-of-way width of 25' for the west half of SW 47<sup>th</sup> Avenue (Item #2) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the proffered Declaration of Restrictions should be accepted, and

*WHEREAS*, a motion to accept the proffered Declaration of Restrictions and to approve Item #1 and approve Item #2 under Section 33-311(A)(4)(b) was offered by Peggy Brodeur, seconded by Anthony Petisco, and upon a poll of the members present the vote was as follows:

Peggy Brodeur	nay	Jose I. Valdes	aye
Anthony Petisco	aye	Angela Vazquez	aye
Alberto Santana		Elliot N. Zack	aye
		Jorge Luis Garciga	aye

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 12, that the requested district boundary change to EU-M (Item #1) be and the same is hereby approved, and said property is hereby zoned accordingly.

*BE IT FURTHER RESOLVED* that the requested non-use variance of zoning regulations requiring section line rights-of-way to be 80' in width; to permit a right-of-way width of 25' for the west half of SW 47<sup>th</sup> Avenue (Item #2) be and the same is hereby approved under Section 33-311(A)(4)(b), 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 "For Medallion Builders, Inc." as prepared by County-Wide Land Surveyors, Inc., dated stamped received 6/8/2011 and consisting of 1 sheet. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants comply with all applicable conditions and requirements of the Department of Public Works and Waste Management.

*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 and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 22<sup>nd</sup> day of November, 2011.

Hearing No. 11-11-CZ12-2  
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 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-19-11 adopted by said Community Zoning Appeals Board at its meeting held on the 22<sup>nd</sup> day of November, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 6<sup>th</sup> day of December, 2011.



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

SEAL





miamidade.gov

Permitting, Environment and Regulatory Affairs Department

□ Miami-Dade Permitting and Inspection Center (MDPIC)  
11805 SW 26<sup>th</sup> Street  
Miami, Florida 33175  
T 786-315-2332

□ Downtown Office  
111 NW 1 Street, 11<sup>th</sup> Floor  
Miami, Florida 33128  
T 305-375-2800

December 6, 2011

Medallion International, Inc.  
c/o Gil Pastoritza  
2665 South Bayshore Drive, Suite 204  
Miami, FL 33133

Re: Hearing No. 11-11-CZ12-3  
Location: 7115 SW 70 Avenue, Miami-Dade County, Florida

Dear Applicant:

Enclosed herewith is Resolution No. CZAB12-19-11, adopted by the Miami-Dade County Community Zoning Appeals Board, which **accepted your Declaration of Restrictions and approved your request for a district boundary change to EU-M (Item #1) and approved Item #2** on the above noted location. Please note the conditions under which said approval was granted, since failure to comply with stipulated conditions, if any, will result in the issuance of civil violation notices requiring payment of daily fines.

If stipulated in the resolution that building permits and/or use, occupancy or completion certificates will be required, please note that permits must be obtained and final inspection approvals received for construction work done or required prior to issuance of the applicable certificate(s) pursuant to Section 33-8 of the Zoning Code. Payment of certificates may be subject to annual renewal by this Department. Application for required permits and/or certificates related to use, occupancy or completion should be made with this Department as appropriate. At time of permit application you must provide a copy of this resolution.

Please note that any aggrieved party may appeal the Board's decision to the Board of County Commissioners, within 14 days from the date of posting on the 11<sup>th</sup> floor of the Stephen P. Clark Building, 111 N.W. 1<sup>st</sup> Street, Miami, FL 33128. The date of posting is **November 28, 2011**. In the event an appeal is filed, any action undertaken during the appeal period is at the applicant's risk.

Sincerely,

A handwritten signature in black ink that reads "Earl Jones".

Earl Jones  
Deputy Clerk

Enclosure

**RESOLUTION NO. CZAB12-20-11**

*WHEREAS*, **MARIA, WILFREDO & IVETTE AGUSTI** applied for the following:

- (1) DISTRICT BOUNDARY CHANGE from RU-1 (Single Family Residential) to RU-5A (Semi-Professional Offices).
- (2) NON USE VARIANCE to permit a parcel of land with a lot frontage of 74' (75' required) and a lot area of 9,250 sq. ft. (10,000 sq. ft.).
- (3) NON USE VARIANCE to permit an existing building setback of 12'10" (15' required) from the side street (north) property line setback a minimum of 6'8" (15' required) from the interior side (south) property line.
- (4) NON USE VARIANCE to permit a .67" to 2.83' wide landscape buffer (7' required) along portions of the right-of-way.

OR IN THE ALTERNATIVE TO REQUEST #1 - #4 THE FOLLOWING:

- (5) NON USE VARIANCE to permit an existing single family residence setback 12'10" (15' required) from the side street (north) property line.

Plans are on file and may be examined in the Department of Permitting, Environment and Regulatory Affairs entitled "Addition & Renovations Ms. Ivette Agusti", as prepared by DNB Design Group, LLC, dated stamped received 7/12/11 and consisting of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 1,2 and the East ½ of the East 1/2 of Lot 3, in block 7 of HIGH PINES, Plat Book 10, Page 18, less that portion that lies within the North 50 feet of the NW ¼ of Section 31, Township 54 South, Range 41 Miami-Dade County, Florida, less the South 1.0 feet of the East 25 feet of the South 60 feet thereof, and less the South 59 feet thereof, less the area bounded on the North by a line 50 feet South of the North line of the NW ¼ of said Section 31, bounded on the East by the East line of said Block 7 and bounded by a 25 foot radius arc concave to the Southwest, said Arc tangent to both of the described lines.

LOCATION: 5450 SW 72 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 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 to withdraw the entire application and to waive re-filing fee, and

WHEREAS, a motion to withdraw the entire application and to waive the re-filing fee was offered by Elliot N. Zack, seconded by Anthony Petisco, and upon a poll of the members present the vote was as follows:

Peggy Brodeur	aye	Jose I. Valdes	aye
Anthony Petisco	aye	Angela Vazquez	aye
Alberto Santana		Elliot N. Zack	aye
	Jorge Luis Garciga	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12, that the application be and the same is hereby withdrawn without prejudice.

BE IT FURTHER RESOLVED that the re-filing fee be and the same is hereby waived.

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

PASSED AND ADOPTED this 14<sup>th</sup> day of December, 2011.

Hearing No. 11-12-CZ12-1  
ej

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

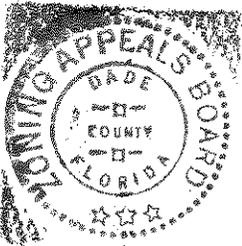
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs as designated by the Director of the Miami-Dade County Department of Permitting, Environment and Regulatory Affairs and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-20-11 adopted by said Community Zoning Appeals Board at its meeting held on the 14<sup>th</sup> day of December, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 5<sup>th</sup> day of January, 2012.



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

SEAL



# Memorandum

MIAMI-DADE  
COUNTY

**Date:** April 11, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

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Attached are CZAB12-5-11, CZAB12-6-11, and the list from the Community Zoning Appeals Board No. 12 hearing of March 30, 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 APR 11 PM 3:43  
CLERK, CIRCUIT CLERK COUNTY CLERK  
DADE COUNTY, FLA  
#1



COMMUNITY ZONING APPEALS BOARD 12

Hearing Date: MARCH 30, 2011

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

10-11-CZ12-3	DOWNTOWN DADELAND RETAIL, LLC. Denied Without Prejudice	10-44 CZAB12511	02-55-40
11-3-CZ12-2	VIANY SAN MIGUEL Approved In Part as per staff's recommendation with modified cond. #6 Approval with conditions of request #1 and #3 denial without prejudice of request #2	10-165 CZAB12611	29-54-40

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

11-3-CZ12-1	CARLOS & IVETTE TORRENTS Deferred To Date Certain (06/29/11) to submit revised plans	10-21	08-55-40
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COUNTY STAFF ATTENDEES:

TOM ROBERTSON - ASSISTANT COUNTY ATTORNEY  
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.



**COMMUNITY ZONING APPEALS BOARD 12**

**Hearing Date: MARCH 30, 2011**

\*\*\*\*\*  
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](http://www.municode.com)). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

**RESOLUTION NO. CZAB12-5-11**

*WHEREAS* **DOWNTOWN DADELAND RETAIL L. L. C.**, applied for the following:

- (1) Applicant is requesting to waive the zoning regulations permitting only one of each sign type, up to a total of three signs per street frontage per tenant; to permit additional cantilever projecting signs per street frontage and to permit the cantilever projecting signs with an area of 55.75 sq. ft. (8 sq. ft. maximum permitted).
- (2) Applicant is requesting to permit cantilever projecting signs to encroach into the right-of-way (not permitted).
- (3) Applicant is requesting to permit directional signs with a height varying from 10'2" to 13' (4' maximum height permitted).
- (4) Applicant is requesting to permit directional signs with logos (not permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Downtown Dadeland," as prepared by Architecture + Design, consisting of 10 sheets, dated stamped received 7/9/10. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Tract "A," **DOWNTOWN DADELAND**, Plat book 161, Page 76.

**LOCATION:** Lying south of S.W. 88 Street, between S.W. 72 Court and S.W. 72 Place, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requests to waive the zoning regulations permitting only one of each sign type, up to a total of three signs per street frontage per tenant; to permit additional cantilever projecting signs per street frontage and to permit the cantilever projecting signs with an area of 55.75 sq. ft. (Item #1), to permit cantilever projecting signs to encroach into the right-of-way (Item #2), to permit directional signs with a height varying from 10'2" to 13' (Item #3), and to permit directional signs with logos (Item #4) 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 deny Items #1, 2, 3, and 4 without prejudice was offered by Peggy Brodeur, seconded by Angela Vazquez, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	aye	Jose I. Valdes	aye
Alberto Santana	absent	Angela Vazquez	aye
		Elliot N. Zack	aye
	Jorge Luis Garciga	nay	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12 that Items #1, 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 Planning and Zoning.

PASSED AND ADOPTED this 31<sup>st</sup> day of March, 2011.

Hearing No. 10-11-CZ12-3  
ej

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

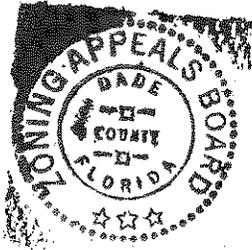
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-5-11 adopted by said Community Zoning Appeals Board at its meeting held on the 30<sup>th</sup> day of March, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 11<sup>th</sup> day of April, 2011.



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

SEAL



**RESOLUTION NO. CZAB12-6-11**

*WHEREAS* VIANY SAN MIGUEL, applied for the following:

- (1) Applicant is requesting to permit a swimming pool setback 66.95' (75' required) from the front (west) and setback 13.30' (20' required) from the interior side (south) property lines.
- (2) Applicant is requesting to waive the zoning regulation requiring that no fence or wall exceed 2.5' in height when located within the safe-sight distance triangle; to permit concrete wall and columns and metal fence 6' high within the safe-sight distance triangle along the front of (west) property line.
- (3) Applicant is requesting to permit an existing 6' metal fence with concrete columns to remain within the Right-of-Way.

A plan is on file and may be examined in the Department of Planning and Zoning entitled "Boundary Survey", as prepared by Thomas J. Kelly, Inc. P.S. & M. and dated stamped received 11/19/10.

SUBJECT PROPERTY: The north 150 feet of the south ½ of the west ½ of Lot 48, Less the west 5.00 feet for Road Right-of-Way, MILLER DRIVE ESTATES, Plat book 46 Page 37.

LOCATION: 6111 S. W. 107 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

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

*WHEREAS*, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requests to permit a swimming pool setback 66.95' from the front (west) and setback 13.30' from the interior side (south) property lines (Item #1) and to permit an existing 6' metal fence with concrete columns to remain within the Right-of-Way (Item #3) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance

and would be consistent with the Comprehensive Development Master Plan, and 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 concrete wall and columns and metal fence 6' high within the safe-sight distance triangle along the front of (west) property line (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 Items #1 and 3 as non-use variances under Section 33-311(A)(4)(b) and to deny Item #2 without prejudice was offered by Elliot N. Zack, seconded by Peggy Brodeur, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	aye	Jose I. Valdes	aye
Alberto Santana	aye	Angela Vazquez	aye
		Elliot N. Zack	aye
		Jorge Luis Garciga	aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12 that the requests to permit a swimming pool setback 66.95' from the front (west) and setback 13.30' from the interior side (south) property lines (Item #1) and to permit an existing 6' metal fence with concrete columns to remain within the Right-of-Way (Item #3) be and the same are hereby approved as non-use variances under Section 33-311(A)(4)(b), 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 "Boundary Survey," as prepared by Thomas J. Kelly, Inc. P.S. & M., dated stamped received 11/19/2010, except as herein

modified to show the lowering of the portions of the existing metal fence with concrete columns that lie within the safe sight distance triangle to a maximum height of 2.5' along the front (west) property line. 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 complies with all applicable conditions and requirements of the Public Works Department.
5. That an agreement be proffered by the property owner stating that they will remove the CBS wall within 30 days of such request from the Public Works Department and that Miami-Dade County will be held harmless for any damages arising from the location of said wall. Said agreement shall be recorded no later than 90 days after final public hearing approval of this application.
6. That the applicant obtain a building permit for the existing metal fence with concrete columns location within the SW 107 Avenue right-of-way from the Building Department within 180 days after the expiration of the appeal period of this application.

*BE IT FURTHER RESOLVED*, that Item #2 be and the same is 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 changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 30<sup>th</sup> day of March, 2011.

Hearing No. 11-3-CZ12-2  
ej

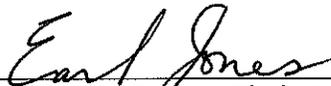
**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 11<sup>TH</sup> DAY OF APRIL, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

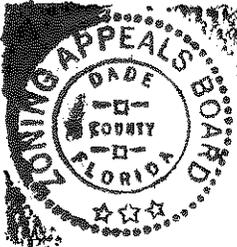
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-6-11 adopted by said Community Zoning Appeals Board at its meeting held on the 30<sup>th</sup> day of March, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 11<sup>th</sup> day of April, 2011.



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

SEAL



# Memorandum



**Date:** February 28, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

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Attached are resolutions CZAB12-3-11 from the Community Zoning Appeals Board No. 12 hearing of January 18, 2011.

**Please note that resolution CZAB12-1-11, CZAB12-2-11, and CZAB12-4-11 was distributed at an earlier 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, MDC - 8th Floor

CLERK OF THE BOARD  
2011 FEB 28 PM 3:15  
CLERK, CIRCUIT & COUNTY COMPTROLLER  
DADE COUNTY, FLA  
#1

**RESOLUTION NO. CZAB12-3-11**

*WHEREAS* LATIN MISSIONS MINISTRIES, INC., applied for the following:

- (1) SPECIAL EXCEPTION to permit the expansion of an existing religious facility onto additional property to the west.
- (2) UNUSUAL USE to permit the expansion of the existing day nursery onto additional property to the west.
- (3) MODIFICATION of Condition #2 of Resolution 2-ZAB-227-64, last modified by Resolution 5-ZAB-194-97, both 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 'Iglesia Alpha & Omega,' revised 6/12/97, consisting of (6) sheets."

TO: 2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Proposed Parking Structure For Alpha & Omega Church,' consisting of 1 sheet, dated stamped received 10/13/10 and the remaining 7 sheets dated stamped received 10/8/10 for a total of 8 sheets."

The purpose of request #2 is to allow the applicant to submit revised plans showing a 3-story, 4-level parking structure in lieu of a previously approved 2 level parking structure and to show the expansion of the previously approved religious facility and day nursery onto adjacent property to the west.

- (4) Applicant is requesting to permit the parking structure with 3 stories and 4 levels (2 stories maximum permitted).
- (5) Applicant is requesting to permit the parking structure to setback 40' from the interior side (south) property line and to setback a minimum of 20' (75' required for both) from the rear (west) property line.
- (6) Applicant is requesting to permit a lot coverage of 47.31% (15% maximum permitted; 45.2% 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: Lots 5-11, Block 1, less the north 15' thereof, SUNKIST ESTATES, Plat book 40, Page 95 and less the external area formed by a 25' radius concave to the southwest and tangent to the south line of the north 50' of Section 17, Township 54 South, Range 40 East and tangent to the east line of said Lot 5, Block 1 of the aforementioned plat.

LOCATION: The southwest corner of Miller Drive (S.W. 56 Street) and S.W. 77 Court; A/K/A: 7800 S.W. 56 Street and 7984 S.W. 56 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

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

*WHEREAS*, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requested special exception to permit the expansion of an existing religious facility onto additional property to the west (Item #1), the requested unusual use to permit the expansion of the existing day nursery onto additional property to the west on modified basis to show 2 stories and 3 levels (Item #2) the requested modification of condition #2 of Resolution 2-ZAB-227-64, last modified by Resolution 5-ZAB-194-97, both passed and adopted by the Zoning Appeals Board on a modified basis to show 2 stories and 3 levels (Item #3), the request to permit the parking structure with 2 stories and 3 levels on a modified basis in lieu of the requested 3 stories and 4 levels (Item #4), and the requests to permit the parking structure to setback 40' from the interior side (south) property line and to setback a minimum of 20' from the rear (west) property line (Item #5) and to permit a lot coverage of 47.31% (Item #6) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the requested special exception (Item #1) and the requested unusual use (Item #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 under Section 33-311(A) (3), to approve Item #3 on a modified basis under Section 33-311 (A) (7), to approve Item #4 on a

modified basis as a non-use variance under Section 33-311 (A) (4) (b), and to approve Items #5 and 6 as non-use variances under Section 33-311 (A) (4) (b) was offered by Alberto Santana, seconded by Jose I. Valdes, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	aye	Alberto Santana	aye
Jorge Luis Garciga	aye	Jose I. Valdes	aye
		Angela Vazquez	aye
		Elliot N. Zack	aye

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 12 that the requested special exception to permit the expansion of an existing religious facility onto additional property to the west (Item #1), the requested unusual use to permit the expansion of the existing day nursery onto additional property to the west on modified basis to show 2 stories and 3 levels (Item #2) be and the same are hereby approved under Section 33-311(A) (3), and that the requested modification of condition #2 of Resolution 2-ZAB-227-64, last modified by Resolution 5-ZAB-194-97, both passed and adopted by the Zoning Appeals Board on a modified basis with 2 stories and 3 levels (Item #3) be and the same is hereby approved under Section 33-311 (A) (7), that the request to permit the parking structure with 2 stories and 3 levels on a modified basis in lieu of the requested 3 stories and 4 levels (Item #4) be and the same is hereby approved as a non-use variance under Section 33-311 (A) (4) (b), and that the requests to permit the parking structure to setback 40' from the interior side (south) property line and to setback a minimum of 20' from the rear (west) property line (Item #5) and to permit a lot coverage of 47.31% (Item #6) be and the same are hereby approved as non-use variances under Section 33-311 (A) (4) (b), with Items #1 t subject to the following conditions:

1. That all the conditions of Resolutions #2-ZAB-227-64 and #5-ZAB-194-97 remain in full force and effect except as herein.

2. That the lighting for the parking structure be provided in a manner that would not overspill onto the adjacent properties to the south and to the west.
3. That the applicant apply to Public Works at applicant expense to provide no parking signs on miller and 77<sup>th</sup> Court at applicant's expense once construction is finished.
4. That Ingress and not egress be allowed on 77<sup>th</sup> Court before, during, and after church services.
5. That on Sundays the applicant hires off duty police to facilitate, direct, and enforce traffic in and out of the premises and to prohibit parking on the swells offsite and on the property with the exception of Christmas, Thanksgivings Day and Easter week services.
6. That the applicant from the second story up install and maintain planters (vines) and trellises on the north, south, and west facades of the proposed parking garage structure.
7. That the parking garage structure be modified to show the reduction of one level of parking throughout the entire structure.

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

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

*PASSED AND ADOPTED* this 18<sup>th</sup> day of January, 2011.

Hearing No. 10-12-CZ12-3  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 28<sup>TH</sup> DAY OF FEBRUARY, 2011.**

**STATE OF FLORIDA**

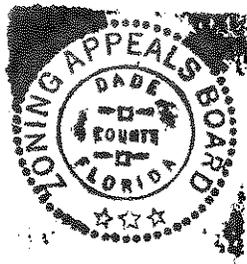
**COUNTY OF MIAMI-DADE**

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-3-11 adopted by said Community Zoning Appeals Board at its meeting held on the 18<sup>th</sup> day of January, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 28<sup>th</sup> day of February, 2011.

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

SEAL





## RESOLUTION NO. CZAB12-4-11

WHEREAS LA CARRETA RESTAURANT V, INC., applied for the following:

- (1) MODIFICATION of Condition #2 of Resolution 4-ZAB-82-83, 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 'Kendall 117 Shopping Center,' as prepared by Robin Bosco, Architects & Planners, Inc., dated last revised 1-14-83; the floor plans are entitled 'Banana Boat,' as prepared by Consultants Collaborative, Inc., dated 1-19-83; the alcoholic beverage survey on file is entitled 'Special Purpose Survey,' as prepared by Schwebke-Shiskin & Associates, Inc., and dated 12-29-82."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Accessory Building Additions for La Carreta Restaurant,' as prepared by Merlo & Associates, Inc., dated stamped received 7/7/10 and consisting of 4 sheets."

The purpose of request #1 is to allow the applicant to submit a new site plan showing additional property improved with an existing free-standing building as well as a detached storage shed, storage room addition and cooler/freezer addition to a previously approved shopping center.

- (2) Applicant is requesting to permit a storage room addition to a commercial building setback varying from 2'6" to 5' (20' required) from the rear (south) property line.
- (3) Applicant is requesting to permit a cooler/freezer addition to a commercial building setback varying from 11' to 12' (20' required) from the rear (south) property line.
- (4) Applicant is requesting to permit a detached storage shed setback a minimum of 5'6" (20' required) from the rear (south) property line and spaced 3'6" (20' required) from the commercial building.
- (5) Applicant is requesting to permit a parking back out distance of 17' (22' required).
- (6) Applicant is requesting to permit 3 street trees (15 street trees required) along S.W. 88 Street (North Kendall Drive) right-of-way and 8 street trees (15 street trees required) along S.W. 89 Street right-of-way.
- (7) Applicant is requesting to permit a minimum of a 2' wide greenbelt strip (7' greenbelt strip required) along the front (north) property line along S.W. 88 Street (North Kendall Drive) right-of-way.

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 "B" of BERKELY PLAZA, Plat Book 120, Page 22; LESS: That parcel of land lying in the NE ¼ of Section 1, Township 55 South, Range 39 East, being the north 16.8' of Tract "B"; of BERKELY PLAZA, Plat Book 120, Page 22; and being more particularly described as follows:

Begin at the northeast corner of said Tract "B"; thence run S85°40'16"W for a distance of 195.96' along the north boundary of said Tract "B" to a point on the W/ly boundary of said Tract "B" which is coincident with the most E/ly Limited Access Right of Way line of S. R. # 821, as shown on the Florida Department of Transportation Right of Way Map for § 87005-2307; thence S04°21'21"E for a distance of 16.8' along said Limited Access Right of Way line; thence N85°40'16"E for a distance of 195.96' along a line being 16.8' south of and parallel with the north boundary of said Tract "B", thence N04°22'08"W for a distance of 16.8' along the east boundary of said Tract "B" to the Point of Beginning. TOGETHER WITH THE FOLLOWING: A part of the Limited Access Right of Way of the Homestead Extension to the Florida Turnpike (S.R. 821), in the SE ¼ quadrant of the intersection with North Kendall Drive (S.R. 94), said parcel lying and being in the NE ¼ of Section 1, Township 55 South, Range 39 East, as shown on the Florida Department of Transportation Right of Way Map for Job No. 0705-2307 and being more particularly described as follows:

Commence at the northeast corner of said Section 1, thence run N87°41'05"W 408.45' along the north boundary of Section 1 (also the centerline of North Kendall Drive) to a point; thence S02°18'55"E 55' to a point; thence S02°20'32"E 16.8' along the Limited Access Right of Way line of S.R.#821 to the Point of Beginning of the parcel hereinafter described; thence continue S02°20'32"E 55' along said Limited Access Right of Way line to a point; thence S85°12'14"W 306.1' along the existing Limited Access Right of Way line to a point; thence N02°18'55"W 19.05' to a point; thence N63°17'54"E 82.35' to a point; thence N83°55'00"E 231.29' to the Point of Beginning. Less all the rights of access, egress, ingress, light, air and view from the above described parcel, over and across the following described line:

Commence at the northeast corner of the aforementioned Section 1; thence S87°41'05"W 408.45' along the north boundary of Section 1 (also the centerline of North Kendall Drive) to a point; thence S02°18'55"E 55' to the Point of beginning of the hereinafter described line; thence S02°20'32"E 16.8' to a point; thence S83°55'00"W 231.29' to a point; thence S63°17'54"W 82.35' to a point; thence S02°18'55"E 19.05' to a point on the existing Limited Access Right of Way line of the aforementioned S.R. #821 and the end of the line to be described.

LOCATION: 11740 through 11790 S.W. 88 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested permission to withdraw the request to permit 3 street trees along S.W. 88 Street (North Kendall Drive) right-of-way and 8 street trees along S.W. 89 Street right-of-way (Item #6), 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 4-ZAB-82-83, passed and adopted by the Zoning Appeals Board (Item #1) and the requests to permit a storage room addition to a commercial building setback varying from 2'6" to 5' from the rear (south) property line (Item #2), to permit a cooler/freezer addition to a commercial building setback varying from 11' to 12' from the rear (south) property line (Item #3), to permit a detached storage shed setback a minimum of 5'6" from the rear (south) property line and spaced 3'6" from the commercial building (Item #4), to permit a parking back out distance of 17' (Item #5), and to permit a minimum of a 2' wide greenbelt strip along the front (north) property line along S.W. 88 Street (North Kendall Drive) right-of-way (Item #7) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the requested withdrawal of Item #6 should be granted, and

WHEREAS, a motion to approve Item #1 under Section 33-311(A)(7), to approve Items #2 through 5 and 7 as non-use variances under Section 33-311(A)(4)(b), and to withdraw Item #6 was offered by Jose I. Valdes, seconded by Alberto Santana, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	aye	Alberto Santana	aye
Jorge Luis Garciga	aye	Jose I. Valdes	aye
		Angela Vazquez	aye
	Elliot N. Zack	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12 that the requested Modification of Condition #2 of Resolution 4-ZAB-82-83, passed and adopted by the Zoning Appeals Board (Item #1) be and the same is hereby approved under Section 33-311(A)(7), and that the requests to permit a storage room addition to a commercial building setback varying from 2'6" to 5' from the rear (south) property line (Item #2), to permit a cooler/freezer addition to a commercial building setback varying from 11' to 12' from the rear (south) property line (Item #3), to permit a detached storage shed setback a minimum of 5'6" from the rear (south) property line and spaced 3'6" from the commercial building (Item #4), to permit a parking back out distance of 17' (Item #5), and to permit a minimum of a 2' wide greenbelt strip along the front (north) property line along S.W. 88 Street (North Kendall Drive) right-of-way (Item #7) be and the same are hereby approved, with Items #1, 2 through 5 and Item #7 subject to the following conditions:

1. That all the conditions of Resolution #4-ZAB-82-83 remain in full force and effect except as herein modified.
2. That the applicant provide the required amount of street trees along SW 88 Street (North Kendall Drive) and SW 89 Street rights-of-way at the time of permitting.
3. That the canopy attached to the free-standing commercial building fronting on SW 88 Street be removed prior to permitting.
4. That the applicant apply for a building permit for the storage room and cooler/freezer additions and detached storage shed from the Building Department within 90 days after final public hearing approval of this application.
5. That the applicant obtain written waivers from the affected utility companies for the storage room addition and detached storage shed located within the easement area prior to building permit issuance.

BE IT FURTHER RESOLVED that the requested modification of Condition #2 of Resolution 4-ZAB-82-83, 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 'Accessory Building Additions for La Carreta Restaurant,' as prepared by Merlo & Associates, Inc., dated stamped received 7/7/10 and consisting of 4 sheets.

*BE IT FURTHER RESOLVED* that the request to withdraw Item #6 be and the same is hereby granted and said Item is hereby withdrawn without prejudice.

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

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

*PASSED AND ADOPTED* this 18<sup>th</sup> day of January, 2011.

Hearing No. 11-11-CZ12-4  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 9<sup>TH</sup> DAY OF FEBRUARY, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

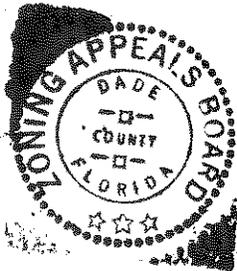
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-4-11 adopted by said Community Zoning Appeals Board at its meeting held on the 18<sup>th</sup> day of January, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 9<sup>th</sup> day of February, 2011.



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

SEAL



# Memorandum



**Date:** January 28, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

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Attached are CZAB12-1-11 and the list from the Community Zoning Appeals Board No. 12 hearing of January 18, 2011.

**Please note that resolutions CZAB12-2-11, CZAB12-3-11, and CZAB12-4-11 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 12**

**Hearing Date: JANUARY 18, 2011**

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

11-1-CZ12-1	FLORIDA SE, INC Approved per department's recommendation	10-154 CZAB12111	06-55-40
11-1-CZ12-2	BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA Approved per department's recommendation	10-155 CZAB12211	35-54-40
10-12-CZ12-3	LATIN MISSIONS MINISTRIES INC Approved on a modified basis lower parking structure one story through out entire structure and additional conditions	10-80 CZAB12311	27-54-40
10-11-CZ12-4	LA CARRETA RESTAURANT V, INC. Approved In Part approval with conditions request #1 - #5 and #7 Withdrawal of request #6 by the applicant	10-95 CZAB12411	01-55-39

**COUNTY STAFF ATTENDEES:**

TOM ROBERTSON - ASSISTANT COUNTY ATTORNEY  
 TONY ATALA - ZONING EVALUATION SECTION  
 THOMAS GOMEZ - ZONING AGENDA COORDINATOR'S OFFICE  
 CHRISTIE TOLEDO-FERNANDEZ - ZONING AGENDA COORDINATOR'S OFFICE  
 EARL JONES - ZONING EVALUATION SECTION

**NOTICE**

THE FOLLOWING SUMMARY INFORMATION IS PROVIDED AS A COURTESY; IT SHOULD NOT BE TREATED AS LEGAL ADVICE AND IT



COMMUNITY ZONING APPEALS BOARD 12

Hearing Date: JANUARY 18, 2011

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. CZAB12-1-11**

*WHEREAS* **FLORIDA SE, INC.** applied for the following:

MODIFICATION of Condition #2 of Resolution Z-210-83, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Red Lobster Restaurant, S.W. 88<sup>th</sup> St. – North Kendall Drive, Miami, Florida,' as prepared by T. Max Berry, P. E., dated 7-25-83 and consisting of seven sheets."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Red Lobster,' as prepared by Kimly-Horn and Associates, Inc consisting of 3 sheets, all dated stamped received 9/21/10."

The purpose of this request is to permit the applicant to submit revised site plans showing a new restaurant to replace the previously approved restaurant.

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 west ½ of the east ½ of the NW ¼ of the NW ¼ of the NW ¼, less the north 55' of Section 6, Township 55 South, Range 40 East, more particularly described as follows:

Commence at the northwest corner of the NW ¼ of said Section 6; thence N87°44'23"E along the north line of the NW ¼ of said Section 6, a distance of 334.36' to a point; thence S02°27'39"E along the west line of the east ½ of the NW ¼ of the NW ¼ of the NW ¼ of said Section 6, a distance of 55' to the Point of beginning of the parcel hereinafter described; thence continue S02°27'39"E along said west line a distance of 603.04' to a point; thence N87°38'19"E, along the south line of the NW ¼ of the NW ¼ of the NW ¼ of said Section 6, a distance of 167.78' to appoint; thence N02°30'49"W along the east line of the west ½ of the east ½ of the NW ¼ of the NW ¼ of the NW ¼ OF SAID Section 6, a distance of 602.74' to a point; thence S87°44'23"W along a line 55' south of and parallel with the north line of the NW ¼ of said Section 6, a distance of 167.23' to the Point of beginning.

LOCATION: Lying south of S.W. 88 Street, approximately 290' east of S.W. 117 Avenue, aka 11550 S.W. 88 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 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 Z-210-83, passed and adopted by the Board of County Commissioners (Item #1) 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 the application was offered by Jorge Luis Garciga, seconded by Jose I. Valdes, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	aye	Alberto Santana	aye
Jorge Luis Garciga	aye	Jose I. Valdes	aye
		Angela Vazquez	aye
		Elliot N. Zack	aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12 that the requested modification of Condition #2 of Resolution Z-210-83, passed and adopted by the Board of County Commissioners (Item #1) be and the same are hereby approved, subject to the following condition:

1. That all the conditions of Resolution #Z-210-83 remain in full force and effect except as herein modified.

BE IT FURTHER RESOLVED that the requested modification of Condition #2 of Resolution Z-210-83, passed and adopted by the Board of County Commissioners (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 'Red Lobster,' as prepared by Kimly-Horn and Associates, Inc consisting of 3 sheets, all dated stamped received 9/21/10.

*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 changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 18<sup>th</sup> day of January, 2011.

Hearing No. 11-1-CZ12-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 28<sup>TH</sup> DAY OF JANUARY, 2011.**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

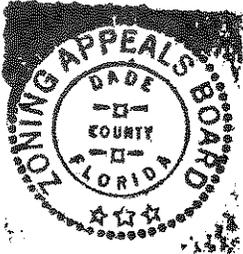
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-1-11 adopted by said Community Zoning Appeals Board at its meeting held on the 18<sup>th</sup> day of January, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 28<sup>th</sup> day of January, 2011.



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

SEAL



# Memorandum



**Date:** February 7, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

---

Attached are CZAB12-2-11 and from the Community Zoning Appeals Board No. 12 hearing of January 18, 2011.

**Please note that resolutions CZAB12-3-11, and CZAB12-4-11 will be distributed at a later date.**

**Please note that resolution CZAB12-1-11 was distributed at an earlier date.**

Tab

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 -7 PM 4:03  
CLERK. CIRCUIT & COUNTY CORP. 11  
DADE COUNTY, FLA  
#1

**RESOLUTION NO. CZAB12-2-11**

**WHEREAS BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST**

**FUND OF THE STATE OF FLORIDA**, applied for the following:

Applicant is requesting to permit a parcel of land with a lot frontage varying from 25' to 50' (125' required).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Boundary Survey Prepared for: Shutts & Bowen, LLP," as prepared by Schwebke-Shiskin & Associates, Inc., dated stamped received 9/21/10 and consisting of one sheet. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** The west ½ of the NW ¼ of the SE ¼ of the NW ¼ of Section 35, Township 54 South, Range 40 East, and the east ½ of the NW ¼ of the SE ¼ of the NW ¼ of Section 35, Township 54 South, Range 40 East.

**LOCATION:** Lying south of S.W. 76 Street, and approximately 157' west of S.W. 72 Court, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 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 parcel of land with a lot frontage varying from 25' to 50' would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to approve the application was offered by Jorge Luis Garciga, seconded by Jose I. Valdes, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	aye	Alberto Santana	aye
Jorge Luis Garciga	aye	Jose I. Valdes	aye
		Angela Vazquez	aye
	Elliot N. Zack	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12 that the request to permit a parcel of land with a lot frontage varying from 25' to 50' be and the same are hereby approved.

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

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

PASSED AND ADOPTED this 18<sup>th</sup> day of January, 2011.

Hearing No. 11-1-CZ12-2  
ej

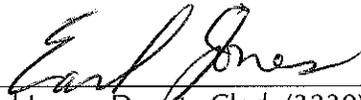
**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 7<sup>TH</sup> DAY OF FEBRUARY, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

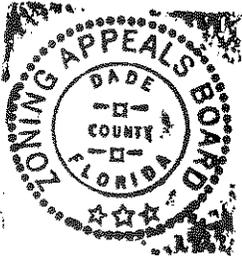
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-2-11 adopted by said Community Zoning Appeals Board at its meeting held on the 18<sup>th</sup> day of January, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 7<sup>th</sup> day of February, 2011.



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

SEAL



# Memorandum



**Date:** July 5, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

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Attached are resolutions CZAB12-9-11, CZAB12-10-11, and the list from the Community Zoning Appeals Board No. 12 hearing of June 29, 2011.

Any missing resolutions must be reported to this office (ext. 2129) no later than five (5) days from the date of this memo.

## Attachments

Distribution: Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board - Linda Cave, MDC - 17th Floor  
Property Appraiser - Angela Hall, MDC - 8th Floor

CLERK OF THE BOARD  
2011 JUL -5 PM 3:35  
CLERK, CIRCUIT & COUNTY OF  
MIAMI-DADE COUNTY, FLA.  
#1

*Jones*  
CLERK OF THE BOARD  
2011 JUL -5 AM 10:37  
CLERK, CIRCUIT & COUNTY OF  
MIAMI-DADE COUNTY, FLA.  
#1



**COMMUNITY ZONING APPEALS BOARD 12**

**Hearing Date: JUNE 29, 2011**

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

11-6-CZ12-2	TAP HOUSE DADELAND LLC Approved per staff's recommendation with additional 11 conditions	10-194 CZAB121011	02-55-40
11-6-CZ12-1	COMMUNITY HABILITATION CENTER Approved per staff's recommendation	08-133 CZAB12911	31-54-40

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

11-3-CZ12-1	CARLOS & IVETTE TORRENTS Deferred To Date Certain (07/27/11) due to applicant being absent	10-21	08-55-40
11-6-CZ12-3	FLORIDA FINE WINE & SPIRITS, LLC Deferred To Date Certain (07/27/11) to meet with attorney	11-10	16-55-40



COMMUNITY ZONING APPEALS BOARD 12

Hearing Date: JUNE 29, 2011

11-5-CZ12-2 TCPC ASSOCIATES, LLC, ET AL 11-57 36-54-39
Deferred To Date Certain (07/27/11)
to work with neighbors

COUNTY STAFF ATTENDEES:

- TOM LOGUE - ASSISTANT COUNTY ATTORNEY
JORGE VITAL - ZONING EVALUATION
JACKIE CARRANZA - ZONING EVALUATION
EARL JONES - ZONING EVALUATION
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.

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).

**RESOLUTION NO. CZAB12-9-11**

**WHEREAS COMMUNITY HABILITATION CENTER**, applied for the following:

- (1) MODIFICATION of Condition #2 of Resolution No. CZAB12-7-98, passed and adopted by the Community Zoning Appeals Board #12, reading as follows:

FROM: "2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled "Community Habilitation Center, Inc.," as prepared by Arthur Perrin, A.I.A., Architect, dated 2-10-98, consisting of 6 sheets, along with a plan entitled "Community Habilitation Center," as prepared by Charles W. Carr, Land Surveyors, dated 3-8-95, and consisting of one (1) sheet, for a total of seven (7) sheets, except as herein modified such that the proposed fence and landscaping be relocated to the highway right-of-way line of S.W. 80<sup>th</sup> Street (the south property line), and to extend same eastwardly along the south property line."

TO: "2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled "Modular Classroom Location Storage Relocation & Dumpster Enclosure at Community Habilitation Center" as prepared by Joseph B. Kaller & Associates, PA, consisting of four (4) sheets dated stamped received March 15, 2011, "Boundary Improvement Survey" as prepared by Country-Wide Land Surveyors, Inc. consisting of one (1) sheet dated stamped received March 15, 2011, "Community Habilitation Center" as prepared by M.L.A. Group, Inc., consisting of five (5) sheets dated stamped received December 15, 2010 and "Paving, Grading & Drainage Plan" as prepared by Holland Engineering, Inc., consisting of four (4) sheets dated stamped received March 15, 2011 with last handwritten revisions dated 4/28/11."

The purpose of request #1 is to allow the applicant to submit new plans showing additions to an administrative office and classroom building.

- (2) Applicant is requesting to permit the proposed modular classroom structure to be spaced 6'-3" (10' minimum required) from the existing metal shed #1.
- (3) Applicant is requesting to permit parking within 25' of the official right-of-way line of S.W. 114<sup>th</sup> Avenue (not permitted).
- (4) Applicant is requesting to permit to permit 30 street trees (54 street trees required).

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: A portion of the NW ½ of Section 31-54S-40E, being more particularly described as follows: Commence at the southwest corner of the NW ¼ of said Section 31; thence run N87°38'49"E along the south line of the NW ¼ of said Section 31 for a distance of 62.51' to a point on the east line of the west 62.5' of the NW ¼ of said

Section 31 and to the Point of beginning of the herein described parcel; thence run N01°27'37"W along the east line of the west 62.5' of the NW ¼ of said Section 31 for a distance of 217.81' to the Point of curvature of a circular curve to the right; thence run NW/ly to NE/ly along the arc of said circular curve to the right, having a radius of 25', through a central angle of 88°24'30", for an arc distance of 38.58' to a Point of tangency with a line 25' south of and parallel with the centerline of the W/ly access road to the Kendall Complex; thence run N86°56'53"E along a line 25' south of and parallel with the centerline of the W/ly access road to the Kendall Complex for a distance of 1,174.63' to the Point of curvature of a circular curve to the right; thence run NE/ly to SE/ly along the arc of said circular curve to the right, having a radius of 25'; through a central angle of 91°35'20", for an arc distance of 39.96'; thence run S01°27'47"E for a distance of 231.36' to a point on the south line of the NW ¼ of said Section 31; thence run S87°38'49"W along the south line of the NW ¼ of said Section 31 for a distance of 1,224.33' to the Point of beginning.

**SUBJECT PROPERTY:**

**LOCATION:** 11450 S.W. 79 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 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 No. CZAB12-7-98, passed and adopted by the Community Zoning Appeals Board #12 (Item #1), and the requests to permit the proposed modular classroom structure to be spaced 6'-3" from the existing metal shed #1 (Item #2), to permit parking within 25' of the official right-of-way line of S.W. 114<sup>th</sup> Avenue (Item #3), and to permit to permit 30 street trees (Item #4) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to approve Item #1 under Section 33-311(A)(7) and approve Items #2, 3, and 4 as non-use variances under Section 33-311(A)(4)(b) was offered by Jose I. Valdes, seconded by Elliot N. Zack, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	absent	Jose I. Valdes	aye
Anthony Petisco	aye	Angela Vazquez	absent
Alberto Santana	absent	Elliot N. Zack	aye
	Jorge Luis Garciga	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12 that the requested modification of condition #2 of Resolution No. CZAB12-7-98, passed and adopted by the Community Zoning Appeals Board #12 (Item #1) be and the same is hereby approved under Section 33-311(A)(7), and that the requests to permit the proposed modular classroom structure to be spaced 6'-3" from the existing metal shed #1 (Item #2), to permit parking within 25' of the official right-of-way line of S.W. 114<sup>th</sup> Avenue (Item #3), and to permit to permit 30 street trees (Item #4) be and the same are hereby approved as non-use variances under Section 33-311(A)(4)(b), with Items #1, 2, and 3 subject to the following conditions:

1. That all conditions of Resolution #CZAB12-7-98 remain in full force and effect, except as herein modified.
2. That the dumpster be relocated in line with the east building line of the existing gym located on the southeasterly portion of the subject property and be enclosed b a 6' high wall and landscaping except for the gate portion.

BE IT FURTHER RESOLVED that the requested modification of condition #2 of Resolution No. CZAB12-7-98, passed and adopted by the Community Zoning Appeals Board #12 (Item #1), shall read as follows:

2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled "Modular Classroom Location Storage Relocation & Dumpster Enclosure at Community Habilitation Center" as prepared by Joseph B. Kaller & Associates, PA, consisting of four (4) sheets dated stamped received March

15, 2011, "Boundary Improvement Survey" as prepared by Country-Wide Land Surveyors, Inc. consisting of one (1) sheet dated stamped received March 15, 2011, "Community Habilitation Center" as prepared by M.L.A. Group, Inc., consisting of five (5) sheets dated stamped received December 15, 2010 and "Paving, Grading & Drainage Plan" as prepared by Holland Engineering, Inc., consisting of four (4) sheets dated stamped received March 15, 2011 with last handwritten revisions dated 4/28/11.

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

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

*PASSED AND ADOPTED* this 29<sup>th</sup> day of June, 2011.

Hearing No. 11-6-CZ12-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 5<sup>TH</sup> DAY OF JULY, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-9-11 adopted by said Community Zoning Appeals Board at its meeting held on the 29<sup>th</sup> day of June, 2011.

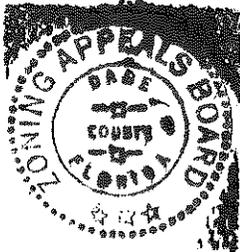
IN WITNESS WHEREOF, I have hereunto set my hand on this the 5<sup>th</sup> day of July, 2011.



Earl Jones, Deputy Clerk (3230)

Miami-Dade County Department of Planning and Zoning

SEAL



**RESOLUTION NO. CZAB12-10-11**

*WHEREAS* TAP HOUSE DADELAND LLC, applied for the following:

Applicant is requesting to permit live entertainment and live music (not permitted) within a bar.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "World of Beer", as prepared by Slator + Associates LLC, dated stamped received 4/28/11 and a plan entitled, "Site Plan" as prepared by Spillis, Candela DMJM, dated stamped received 12/22/10 for a total of 2 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: That portion of Tract "A" of DOWNTOWN DADELAND, according to the Plat thereof, as recorded in Plat Book 161 at Page 76 of the Public Records of Miami-Dade County, Florida lying between Elevation 13.44 feet and Elevation 33.25 feet and being more particularly described as follows:

Commence at the Northeast corner of said Tract "A"; thence run South 85°27'47" West along the North line of said Tract "A" and the South right-of-way line of North Kendall Drive for the distance of 224.11 feet to a point; thence run South 4°12'37" East for a distance of 631.80 feet to the Point of Beginning of the parcel of land herein described; thence continue South 4°12'37" East for a distance of 112.17 feet to a point; thence run South 85°47'23" West for a distance of 91.55 feet to a point of intersection with a circular curve concave to the West, said points bears North 88°22'06" East from the radius point of said curve; thence run Northerly along the arc of said circular curve to the left, having radius of 1962.86 feet, through a central angle of 02°54'19", for an arc distance of 99.53 feet to a point; thence run North 04°32'13" West along a line tangent to the previously described curve for a distance of 12.67 feet to a point; thence run North 85°47'23" East for a distance of 27.87 feet to a point; thence run South 4°12'37" East for a distance of 8.82 feet to a point; thence run South 85°47'23" West for a distance of 2.69 feet to a point; thence run South 4°12'37" East for a distance of 6.29 feet to a point; thence run North 85°47'23" East for a distance of 1.40 feet to a point; thence run South 4°12'37" East for a distance of 9.80 feet to a point; thence run North 85°47'23" East for a distance of 19.62 feet to a point; thence run North 4°12'37" West for a distance of 24.71 feet to a point; thence run North 85°47'23" East for a distance of 43.47 feet to the Point of Beginning.

LOCATION: 9010 S.W. 72 Place, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 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 live entertainment and live music 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 as a non-use variance was offered by Jose I. Valdes, seconded by Elliot N. Zack, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	absent	Jose I. Valdes	aye
Anthony Petisco	aye	Angela Vazquez	absent
Alberto Santana	absent	Elliot N. Zack	aye
	Jorge Luis Garciga	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12 that the request to permit live entertainment and live music be and the same are hereby approved as a non-use variance, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning & Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, signs, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "World of Beer", as prepared by Slator + Associates LLC, dated stamped received April 28, 2011 and a plan entitled "Site Plan" as prepared by Spillis, Candela DMJM, dated stamped received December 22, 2010 for a total of 2 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant will adhere to the Miami-Dade County noise ordinance, Section 21-28 of the Code of Miami-Dade County.
5. That Applicant will seal all openings in the second floor slab with acoustical caulking to ensure an airtight slab.

6. That the applicant will program the sound system to automatically limit its maximum output to approximately 95 decibels long-term.
7. That only the on-duty manager may access the sound system volume for both indoor and outdoor speakers, including during live music.
8. That live music will cease no later than 11:00 pm on Wednesdays, 12:00 am on Thursdays, Fridays, and Saturdays, excluding Holidays and Special Events.
9. That all musicians and bands playing at the establishment will use the establishment's sound system and speakers; no additional sound systems and/or speakers will be permitted.
10. That outdoor seating will cease no later than 12:00am, 7 days a week.
11. That outdoor speakers will cease operating no later than 12:00 am, 7 days a week.
12. That live music will not be played on the outdoor speakers; when live music is played, the outdoor speakers will be turned off.
13. That the applicant will post signage in accordance with the Code, directing patrons to park downstairs in the Downtown Dadeland parking garage.
14. That the applicant will provide on-site security personnel, at a minimum, on Friday and Saturday nights through closing 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 changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 29<sup>th</sup> day of June, 2011.

Hearing No. 11-6-CZ12-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 5<sup>TH</sup> DAY OF JULY, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

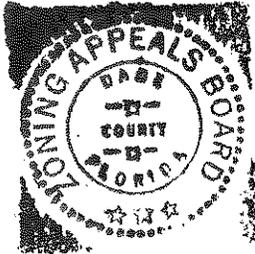
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-10-11 adopted by said Community Zoning Appeals Board at its meeting held on the 29<sup>th</sup> day of June, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 5<sup>th</sup> day of July, 2011.



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

SEAL



# Memorandum



**Date:** May 6, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

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Attached are CZAB12-7-11 and the list from the Community Zoning Appeals Board No. 12 hearing of April 27, 2011.

Any missing resolutions must be reported to this office (ext. 2129) no later than five (5) days from the date of this memo.

## Attachments

Distribution: Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board – Linda Cave, MDC -17th Floor  
Property Appraiser –Angela Hall, MDC - 8th Floor

CLERK OF THE BOARD  
2011 MAY -6 PM 3:39  
CLERK, CIRCUIT & COUNTY COURTS  
DADE COUNTY, FLA.  
#1



COMMUNITY ZONING APPEALS BOARD 12

Hearing Date: APRIL 27, 2011

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

11-4-CZ12-1	RENZO MAIETTO	10-195	35-54-40
	Denied Without Prejudice	CZAB12711	

**COUNTY STAFF ATTENDEES:**

- ABBIE S. RAURELL - ASSISTANT COUNTY ATTORNEY
- TONY ATALA - ZONING EVALUATION SECTION
- EARL JONES - ZONING EVALUATION SECTION
- TOM GOMEZ - ZONING AGENDA COORDINATOR'S OFFICE
- ARMANDO HERNANDEZ - 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. CZAB12-7-11**

*WHEREAS* **RENZO MAIETTO**, applied for the following:

- (1) UNUSUAL USE to permit a home for the aged.
- (2) Applicant is requesting to permit parking within 25' of the right-of-way (not permitted).
- (3) Applicant is requesting to permit a parking lot buffer with a minimum width of 4'-6" (7' required).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Genesis Care Center", as prepared by E.A. Calil, dated stamped received 2/7/11, consisting of 5 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 3, Block 2, RADCLIFFE MANOR, Plat book 55 Page 15.

LOCATION: 7400 S.W. 72 Court, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 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 unusual use to permit a home for the aged (Item #1), to permit parking within 25' of the right-of-way (Item #2), and to permit a parking lot buffer with a minimum width of 4'-6" (Item #3) would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and

*WHEREAS*, a motion to deny Items #1, 2, and 3 without prejudice was offered by Peggy Brodeur, seconded by Elliot N. Zack, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	aye	Jose I. Valdes	nay
Alberto Santana	absent	Angela Vazquez	aye
		Elliot N. Zack	aye
	Jorge Luis Garciga	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 12 that the requested unusual use to permit a home for the aged (Item #1), to permit parking within 25' of the right-of-way (Item #2), and to permit a parking lot buffer with a minimum width of 4'-6" (Item #3) 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 Planning and Zoning.

*PASSED AND ADOPTED* this 27<sup>th</sup> day of April, 2011.

Hearing No. 11-4-CZ12-1  
ej

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

# Memorandum



**Date:** May 27, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

---

Attached are CZAB12-8-11 and the list from the Community Zoning Appeals Board No. 12 hearing of May 25, 2011.

Any missing resolutions must be reported to this office (ext. 2129) no later than five (5) days from the date of this memo.

## Attachments

Distribution: Agenda Coordinator's Office - MDC - 11th Floor  
~~Clerk of the Board - Linda Cave, MDC - 17th Floor~~  
Property Appraiser - Angela Hall, MDC - 8th Floor

CLERK OF THE BOARD  
2011 MAY 27 PM 1:31  
CLERK, CIRCUIT & COUNTY COURTS  
DADE COUNTY, FLA  
#1

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 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-7-11 adopted by said Community Zoning Appeals Board at its meeting held on the 27<sup>th</sup> day of April, 2011.

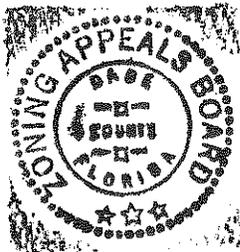
IN WITNESS WHEREOF, I have hereunto set my hand on this the 6<sup>th</sup> day of May, 2011.



Earl Jones, Deputy Clerk (3230)

Miami-Dade County Department of Planning and Zoning

SEAL



**RESOLUTION NO. CZAB12-8-11**

*WHEREAS* SALADRIGAS FAMILY LIMITED PARTNERSHIP, applied for the following:

- (1) Applicant is requesting to waive the zoning regulations requiring lots to have frontage on a public street; to permit 4 proposed lots with 0' of frontage (120' required) on a public street and to permit access to a public street by means of a private road.

A plan is on file and may be examined in the Department of Planning and Zoning entitled "Tree and Boundary Survey for Waiver of Plat," as prepared by J. Bonfill & Associates, Inc., dated stamped received 5/19/10, consisting of 2 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** A portion of Tract 39, of KENDAL GREEN HOME SITES, according to the Plat thereof, as recorded in Plat book 40, at Page 52, of the Public Records of Miami-Dade County, Florida, more particularly described as follows:

Begin at the Southwest corner of Tract 39 of KENDAL GREEN HOME SITES, recorded in Plat book 40, at Page 52, thence N00°16'56"E, along the West line of said Tract 39, a distance of 292.00 feet to a point, thence S89°55'14"E, along a line parallel with the South line of said Tract 39, a distance of 335.84 feet to a point on the East line of said Tract 39, thence S00°16'56"W, along the aforesaid East line, a distance of 292.00 feet to the Southeast corner of said Tract 39, thence N89°55'14"W, along the South line of said Tract 39, a distance of 335.87 feet to the Point of Beginning. Less and Except the West 25 feet for road purposes.

**LOCATION:** Lying east of S.W. 83 Avenue, approximately 378' south of S.W. 108 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

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

*WHEREAS*, upon due and proper consideration having been given to the matter it is the opinion of this Board that the request to waive the zoning regulations requiring lots to have frontage on a public street; to permit 4 proposed lots with 0' of frontage on a public

street and to permit access to a public street by means of a private road 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 Jose I. Valdes, seconded by Angela Vazquez, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	absent	Jose I. Valdes	aye
Anthony Petisco	aye	Angela Vazquez	aye
Alberto Santana	absent	Elliot N. Zack	aye
	Jorge Luis Garciga		aye

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 12 that the request to waive the zoning regulations requiring lots to have frontage on a public street; to permit 4 proposed lots with 0' of frontage on a public street and to permit access to a public street by means of a private road 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 upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, 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 "Tree and Boundary Survey for Waiver of Plat," as prepared by J. Bonfill & Associates, Inc. consisting of 2 sheets dated stamped received 05/19/10.
3. That the use be established and maintained in accordance with the approved plan.

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

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

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

*PASSED AND ADOPTED* this 25<sup>th</sup> day of May, 2011.

Hearing No. 11-5CZ12-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 27<sup>TH</sup> DAY OF MAY, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

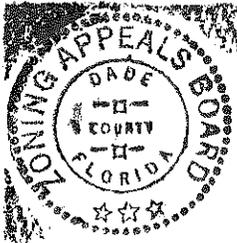
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-8-11 adopted by said Community Zoning Appeals Board at its meeting held on the 25<sup>th</sup> day of May, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 27<sup>th</sup> day of May, 2011.



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

SEAL



# Memorandum



**Date:** July 28, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

---

Attached is Resolution CZAB12-11-11 from the Community Zoning Appeals Board No. 12 hearing of July 27, 2011.

**Please note that Resolutions CZAB12-12-11, CZAB12-13-11, and CZAB12-14-11 will be distributed at a later date.**

Any missing resolutions must be reported to this office (ext. 2129) no later than five (5) days from the date of this memo.

## Attachments

**Distribution:** Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board – Linda Cave, MDC -17th Floor  
Property Appraiser –Angela Hall, MDC - 8th Floor

CLERK OF THE BOARD  
2011 JUL 28 PM 4:06  
CLERK, CIRCUIT & COUNTY OFS  
MIAMI-DADE COUNTY, FLA.  
#1

**RESOLUTION NO. CZAB12-11-11**

*WHEREAS* **FLORIDA FINE WINE & SPIRITS, LLC**, applied for the following:

Applicant is requesting to permit Sunday sales of alcoholic beverages for a liquor package store (Sunday sales not permitted, except during the month of December between the hours of 8:00am & 10:00pm).

**SUBJECT PROPERTY:** A portion of "BRIAR BAY URBAN PARK SECTION SEVEN" according to the Plat thereof, as recorded in Plat book 138, at Page 91 of the Public Records of Miami-Dade County, Florida, which lies North and West of the following described line:

Commence at the Point of Intersection of the centerlines of S.W. 88<sup>th</sup> Avenue and S.W. 134<sup>th</sup> Street and run N02° 11' 28"W along the centerline of S.W. 88<sup>th</sup> Avenue for 59.90 feet, thence S87° 48' 32"W for 35.00 feet to the point of beginning of the following described line, thence continue S87° 48' 32"W for 10.57 feet, thence S45° 47' 50"W for 107.17 feet to a point on the Northeasterly right-of-way line of S.W. 136<sup>th</sup> Street, said point being the Point of Termination of said line.

**LOCATION:** 8801 S.W. 136 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 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 Sunday sales of alcoholic beverages for a liquor package store 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 under Section 33-311(A)(4)(b) was offered by Elliot N. Zack, seconded by Anthony Petisco, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	nay	Jose I. Valdes	aye
Anthony Petisco	aye	Angela Vazquez	aye
Alberto Santana	absent	Elliot N. Zack	aye
	Jorge Luis Garciga	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12 that the request to permit Sunday sales of alcoholic beverages for a liquor package store be and the same are hereby approved, subject to the following conditions:

1. That the Sunday hours of operation for the liquor package store be restricted from 10:00 a.m. to 9:00p.m. (except during the month of December from 8:00a.m. to 10:00 p.m.).
2. That the applicant obtain a Certificate of Use from and promptly renew same annually with the Department of Planning and Zoning, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

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

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

*PASSED AND ADOPTED* this 27<sup>th</sup> day of July, 2011.

Hearing No. 11-6-CZ12-3

ej

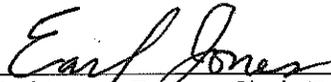
**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 28<sup>TH</sup> DAY OF JULY, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-11-11 adopted by said Community Zoning Appeals Board at its meeting held on the 27<sup>th</sup> day of July, 2011.

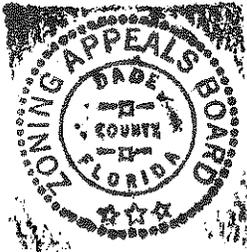
IN WITNESS WHEREOF, I have hereunto set my hand on this the 28<sup>th</sup> day of July, 2011.



Earl Jones, Deputy Clerk (3230)

Miami-Dade County Department of Planning and Zoning

SEAL



# Memorandum



**Date:** July 7, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Revised Resolution

---

Attached is Revised Resolution CZAB12-10-11. This resolution is to replace the previously distributed one. **Please attach the original certificate to the revised copy.**

## Attachments

Distribution: Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board – Linda Cave, MDC -17th Floor  
Property Appraiser – Angela Hall, MDC - 8th Floor

CLERK OF THE BOARD  
2011 JUL -7 PM 12:52  
CLERK, CIRCUIT & COUNTY CLERK'S  
MIAMI-DADE COUNTY, FLA.  
#1

**RESOLUTION NO. CZAB12-10-11**

*WHEREAS* TAP HOUSE DADELAND LLC, applied for the following:

Applicant is requesting to permit live entertainment and live music (not permitted) within a bar.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "World of Beer", as prepared by Slator + Associates LLC, dated stamped received 4/28/11 and a plan entitled, "Site Plan" as prepared by Spillis, Candela DMJM, dated stamped received 12/22/10 for a total of 2 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: That portion of Tract "A" of DOWNTOWN DADELAND, according to the Plat thereof, as recorded in Plat Book 161 at Page 76 of the Public Records of Miami-Dade County, Florida lying between Elevation 13.44 feet and Elevation 33.25 feet and being more particularly described as follows:

Commence at the Northeast corner of said Tract "A"; thence run South 85°27'47" West along the North line of said Tract "A" and the South right-of-way line of North Kendall Drive for the distance of 224.11 feet to a point; thence run South 4°12'37" East for a distance of 631.80 feet to the Point of Beginning of the parcel of land herein described; thence continue South 4°12'37" East for a distance of 112.17 feet to a point; thence run South 85°47'23" West for a distance of 91.55 feet to a point of intersection with a circular curve concave to the West, said points bears North 88°22'06" East from the radius point of said curve; thence run Northerly along the arc of said circular curve to the left, having radius of 1962.86 feet, through a central angle of 02°54'19", for an arc distance of 99.53 feet to a point; thence run North 04°32'13" West along a line tangent to the previously described curve for a distance of 12.67 feet to a point; thence run North 85°47'23" East for a distance of 27.87 feet to a point; thence run South 4°12'37" East for a distance of 8.82 feet to a point; thence run South 85°47'23" West for a distance of 2.69 feet to a point; thence run South 4°12'37" East for a distance of 6.29 feet to a point; thence run North 85°47'23" East for a distance of 1.40 feet to a point; thence run South 4°12'37" East for a distance of 9.80 feet to a point; thence run North 85°47'23" East for a distance of 19.62 feet to a point; thence run North 4°12'37" West for a distance of 24.71 feet to a point; thence run North 85°47'23" East for a distance of 43.47 feet to the Point of Beginning.

LOCATION: 9010 S.W. 72 Place, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 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 live entertainment and live music 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 as a non-use variance was offered by Jose I. Valdes, seconded by Elliot N. Zack, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	absent	Jose I. Valdes	aye
Anthony Petisco	aye	Angela Vazquez	absent
Alberto Santana	absent	Elliot N. Zack	aye
	Jorge Luis Garciga	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12 that the request to permit live entertainment and live music be and the same are hereby approved as a non-use variance, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning & Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, signs, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "World of Beer", as prepared by Slator + Associates LLC, dated stamped received April 28, 2011 and a plan entitled "Site Plan" as prepared by Spillis, Candela DMJM, dated stamped received December 22, 2010 for a total of 2 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant will adhere to the Miami-Dade County noise ordinance, Section 21-28 of the Code of Miami-Dade County.
5. That Applicant will seal all openings in the second floor slab with acoustical caulking to ensure an airtight slab.

6. That the applicant will program the sound system to automatically limit its maximum output to approximately 95 decibels long-term.
7. That only the on-duty manager may access the sound system volume for both indoor and outdoor speakers, including during live music.
8. That live music will cease no later than 11:00 pm on Wednesdays, 12:00 am on Thursdays, Fridays, and Saturdays, excluding Holidays and Special Events.
9. That all musicians and bands playing at the establishment will use the establishment's sound system and speakers; no additional sound systems and/or speakers will be permitted.
10. That outdoor seating will cease no later than 12:00am, 7 days a week.
11. That outdoor speakers will cease operating no later than 12:00 am, 7 days a week.
12. That live music will not be played on the outdoor speakers; when live music is played, the outdoor speakers will be turned off.
13. That the applicant will post signage in accordance with the Code, directing patrons to park downstairs in the Downtown Dadeland parking garage.
14. That the applicant will provide on-site security personnel, at a minimum, on Friday and Saturday nights through closing 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 changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 29<sup>th</sup> day of June, 2011.

Hearing No. 11-6-CZ12-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 5<sup>TH</sup> DAY OF JULY, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

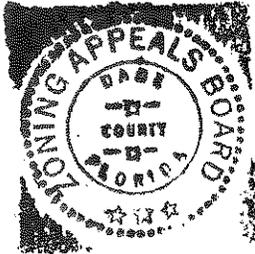
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-10-11 adopted by said Community Zoning Appeals Board at its meeting held on the 29<sup>th</sup> day of June, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 5<sup>th</sup> day of July, 2011.



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

SEAL



# Memorandum



**Date:** August 9, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

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Attached is Resolution CZAB12-12-11, CZAB12-13-11, and CZAB12-14-11 from the Community Zoning Appeals Board No. 12 hearing of July 27, 2011.

**Please note that Resolutions CZAB12-11-11 was distributed earlier.**

Any missing resolutions must be reported to this office (ext. 2129) no later than five (5) days from the date of this memo.

## Attachments

Distribution: Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board — Linda Cave, MDC - 17th Floor  
Property Appraiser — Angela Hall, MDC - 8th Floor

CLERK OF THE BOARD  
2011 AUG -9 PM 3:19  
CLERK, CLERK & COUNTY OF  
MIAMI-DADE COUNTY, FLA.  
#1

**RESOLUTION NO. CZAB12-12-11**

WHEREAS TCPC ASSOCIATES, LLC, ET AL applied for the following:

- (1) MODIFICATION of Paragraph #2 and Exhibit "B" of a Declaration of Restrictions recorded in Official Records Book 25086 at Pages 677 through 686 as last modified by a Declaration of Restrictions recorded in Official Records Book 26527 at Pages 4880 through 4889, reading as follows:

FROM: "2. Use Restriction. Notwithstanding the approval of the Application, and subject to all applicable Code requirements, the Owner agrees to limit the use of the Property to those uses permitted in the RU-5A zoning district as such exists at the time of proffer of this covenant, a copy of which uses are set forth in Exhibit "B", provided that nothing herein shall prevent the use of the Property for a medical office building or medical diagnostic center."

TO: "2. Use Restriction. Notwithstanding the approval of the Application, and subject to all applicable Code requirements, the Owner agrees to limit the use of the Property to: i) those uses permitted in the RU-5A zoning district as such exists at the time of proffer of this covenant, and ii) commuter colleges as defined in Section 33-1 (30.2) of the Miami-Dade County Code. The permitted uses of the Property are set forth in Exhibit "B". It is further provided that nothing herein shall prevent the use of the Property for a medical office building or medical diagnostic center."

FROM: EXHIBIT "B" USES OF SUBJECT PROPERTY

- (1) Abstract tile
- (2) Accountants--bookkeeping
- (3) Actuaries
- (4) Advertising (no shops)
- (5) Adjusters (insurance)
- (6) Aerial survey and photography
- (7) Appraisers--no sale or rental of any type of merchandise or equipment
- (8) Architects
- (8.1) Arts foundations as defined in Section 33-1(9.1), subject to the following conditions:

(a) That the main offices of the foundation, related lecture and seminar rooms, together with the art exhibition space, shall be the principal uses located on the premises, occupying in excess of 50% of the gross floor area. Related art exhibition space shall be ancillary to the principal uses.

(b) That the art display areas shall be for the exhibition of artwork created by artists who are sponsored by the foundation, and all artwork displayed shall be of the visual arts only.

(c) That all art exhibitions shall be conducted within the principal structure.

- (d) That there shall be a maximum of six art shows per year.
  - (e) That off-street parking requirements for the art display area shall be calculated at one parking space for every 250 square feet, or fractional part thereof. Office and other use areas shall have off-street parking spaces provided for such areas as otherwise provided in this code.
  - (f) That the sale of art shall be prohibited.
- (9) Attorneys
  - (10) Auditors
  - (10A) Banks, excluding drive-thru banking facilities
  - (11) Banks, including drive-thru banking facilities, upon approval after public hearing on office complex sites of three (3) acres or more
  - (12) Business analysts–counselors or brokers
  - (13) Building contractors, office only (no shop or storage)
  - (14) Chiropodists
  - (15) Chiropractors
  - (16) Consulates
  - (17) Counseling, child guidance and family service
  - (18) Court reporter, public stenographer
  - (19) Credit reporting
  - (19A) Day nursery, kindergarten and afterschool care licensed by the State of Florida Department of Health and Rehabilitative Services and established in accordance with the requirements of Article XA.
  - (20) Dentist
  - (21) Detective agencies and investigating service
  - (22) Drafting and plan service
  - (23) Engineers, professional
  - (24) Insurance and bonds
  - (25) Manufacturers agents
  - (26) Market research
  - (27) Medical doctors
  - (27A) Medical Allied Training Facility that on a site of two net acres or more.
    - a) That such uses shall be located on sites having frontage on a major access road, including major roadways (three or more lanes) and frontage roadways serving limited access highways and expressways;
    - b) That no ingress/egress driveways be located other than from the major access road as indicated in (a) above;
    - c) That the hours of operation be limited to 8:00 a.m. to 10:00 p.m. Monday through Friday; 9:00 a.m. to 4:00 p.m. on Saturdays;
    - d) That the number of students be limited to no greater than 100 students per session;

e) That a maximum of 2 sessions be conducted daily.

- (28) Model agencies (no school)
- (29) Mortgage broker
- (30) Notary public
- (31) Optician
- (32) Optometrist
- (33) Public libraries
- (34) Public relations
- (35) Real estate
- (36) Real estate management
- (37) Secretarial service
- (38) Shoppers information service
- (39) Social service bureau
- (40) Stock brokers exchange--investment service
- (41) Tax consultants
- (42) Telephone answering service
- (43) Theater ticket agencies
- (44) Travel agencies
- (45) Zoning consultants
- (46) Any use which is found by the Director to be a use similar to one (1) of the above numbered uses and, in his opinion, conforms to the intent of this section."

TO: EXHIBIT "B" USES OF SUBJECT PROPERTY

- (1) Abstract tile
- (2) Accountants--bookkeeping
- (3) Actuaries
- (4) Advertising (no shops)
- (5) Adjusters (insurance)
- (6) Aerial survey and photography
- (7) Appraisers--no sale or rental of any type of merchandise or equipment
- (8) Architects
- (9) Arts foundations as defined in Section 33-1(9.1), subject to the following conditions:
  - a) That the main offices of the foundation, related lecture and seminar rooms, together with the art exhibition space, shall be the principal uses located on the premises, occupying in excess of 50% of the gross floor area. Related art exhibition space shall be ancillary to the principal uses.
  - b) That the art display areas shall be for the exhibition of artwork created by artists who are sponsored by the foundation, and all artwork displayed shall be of the visual arts only.
  - c) That all art exhibitions shall be conducted within the principal structure.
  - d) That there shall be a maximum of six art shows per year.

e) That off-street parking requirements for the art display area shall be calculated at one parking space for every 250 square feet, or fractional part thereof. Office and other use areas shall have off-street parking spaces provided for such areas as otherwise provided in this code.

f) That the sale of art shall be prohibited.

- (10) Attorneys
- (11) Auditors
- (12) Banks, excluding drive-thru banking facilities
- (13) Banks, including drive-thru banking facilities, upon approval after public hearing on office complex sites of three (3) acres or more
- (14) Business analysts--counselors or brokers
- (15) Building contractors, office only (no shop or storage)
- (16) Chiropodists
- (17) Chiropractors
- (18) Commuter Colleges
- (19) Consulates
- (20) Counseling, child guidance and family service
- (21) Court reporter, public stenographer
- (22) Credit reporting
- (23) Day nursery, kindergarten and afterschool care licensed by the State of Florida Department of Health and Rehabilitative Services and established in accordance with the requirements of Article XA.
- (24) Dentist
- (25) Detective agencies and investigating service
- (26) Drafting and plan service
- (27) Engineers, professional
- (28) Insurance and bonds
- (29) Manufacturers agents
- (30) Market research
- (31) Medical doctors
- (32) Medical Allied Training Facility that on a site of two net acres or more.

a) That such uses shall be located on sites having frontage on a major access road, including major roadways (three or more lanes) and frontage roadways serving limited access highways and expressways;

b) That no ingress/egress driveways be located other than from the major access road as indicated in (a) above;

c) That the hours of operation be limited to 8:00 a.m. to 10:00 p.m. Monday through Friday; 9:00 a.m. to 4:00 p.m. on Saturdays;

d) That the number of students be limited to no greater than 100 students per session;

e) That a maximum of 2 sessions be conducted daily.

- (33) Model agencies (no school)
- (34) Mortgage broker
- (35) Notary public
- (36) Optician
- (37) Optometrist
- (38) Public libraries
- (39) Public relations
- (40) Real estate
- (41) Real estate management
- (42) Secretarial service
- (43) Shoppers information service
- (44) Social service bureau
- (45) Stock brokers exchange--investment service
- (46) Tax consultants
- (47) Telephone answering service
- (48) Theater ticket agencies
- (49) Travel agencies
- (50) Zoning consultants
- (51) Any use which is found by the Director to be a use similar to one (1) of the above numbered uses and, in his opinion, conforms to the intent of this section."

The purpose of the above request is to add "Commuter College" as an additional use to the previous list of approved uses for a portion of the subject site.

Request # 1 on Parcel "A":

SUBJECT PROPERTY: PARCEL "A" - A portion of Tract "A", Teachers Kathryn Mills," Plat Book 167, Page 100, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Tract "A"; thence run N87°44'23"E along the Northerly boundary line of said Tract "A" for a distance of 640.64 feet; thence run S02°15'00"E for a distance of 241.23 feet to a point; thence run N87°45'00"E at right angles to the last described course for a distance of 11.20 to the POINT OF BEGINNING of the following described parcel of land; thence run N87°44'23"E for a distance of 181.50 feet to a point; thence run S02°16'53"E for a distance of 107.77 feet to a point; thence run S87°40'42"W for a distance of 70.44 feet to a point; thence run N02°15'20"W for a distance of 5.90 feet to a point; thence run N72°24'19"W for a distance of 7.72 feet to a point; thence run N17°35'41"E for a distance of 5.74 feet to a point; thence run N72°24'19"W for a distance of 40.33 feet to a point; thence run S17°35'41"W for a distance of 4.48 feet to a point; thence run N72°24'17"W for a distance 70.53 feet to a point; thence run N02°15'37"W for a distance 60.48 feet to the POINT OF BEGINNING, lying and being in Section 36, Township 54 South, Range 39 East, Miami-Dade County, Florida.

PARCEL "B"

Tract "A", TEACHERS KATHRYN MILLS, Plat Book 167, Page 100, Miami-Dade County Florida, less the following:

A portion of Tract "A", TEACHERS KATHRYN MILLS, Plat Book 167, Page 100, Miami-Dade County Florida, being more particularly described as follows:

Commence at the Northwest corner of said Tract "A"; thence run N87°44'23"E along the Northerly boundary line of said Tract "A" for a distance of 640.64 feet; thence run S02°15'00"E for a distance of 241.23 feet to a point; thence run N87°45'00"E at right angles to the last described course for a distance of 11.20 to the POINT OF BEGINNING of the following described parcel of land; thence run N87°44'23"E for a distance of 181.50 feet to a point; thence run S02°16'53"E for a distance of 107.77 feet to a point; thence run S87°40'42"W for a distance of 70.44 feet to a point; thence run N02°15'20"W for a distance of 5.90 feet to a point; thence run N72°24'19"W for a distance of 7.72 feet to a point; thence run N17°35'41"E for a distance of 5.74 feet to a point; thence run N72°24'19"W for a distance of 40.33 feet to a point; thence run S17°35'41"W for a distance of 4.48 feet to a point; thence run N72°24'17"W for a distance 70.53 feet to a point; thence run N02°15'37"W for a distance 60.48 feet to the POINT OF BEGINNING, lying and being in Section 36, Township 54 South, Range 39 East, Miami-Dade County, Florida.

LOCATION: 11731 Mills Drive, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 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 Paragraph #2 and Exhibit "B" of a Declaration of Restrictions recorded in Official Records Book 25086 at Pages 677 through 686 as last modified by a Declaration of Restrictions recorded in Official Records Book 26527 at Pages 4880 through 4889 on Parcel A (Item #1) 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 the application under Section 33-311(A)(7) was offered by Peggy Brodeur, seconded by Jose I. Valdes, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	aye	Jose I. Valdes	aye
Anthony Petisco	aye	Angela Vazquez	nay
Alberto Santana	absent	Elliot N. Zack	aye
	Jorge Luis Garciga	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12 that the requested modification of Paragraph #2 and Exhibit "B" of a Declaration of Restrictions recorded in Official Records Book 25086 at Pages 677 through 686 as last modified by a Declaration of Restrictions recorded in Official Records Book 26527 at Pages 4880 through 4889 on Parcel A (Item #1) be and the same is hereby approved as under Section 33-311(A)(7), subject to the following conditions:

1. That all the conditions of Declaration of Restrictions, recorded in Official Records Book 25086, Pages 677-686 as last modified by a Declaration of Restrictions recorded in Official Record Book 26527, pages 4880-4889, pursuant to Resolution #Z-34-06, remain in full force and effect except as herein modified.
2. 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 Paragraph #2 and Exhibit "B" of a Declaration of Restrictions recorded in Official Records Book 25086 at Pages 677 through 686 as last modified by a Declaration of Restrictions recorded in Official Records Book 26527 at Pages 4880 through 4889 on Parcel A (Item #1), shall read as follows:

## EXHIBIT "B" USES OF SUBJECT PROPERTY

- (1) Abstract tile
- (2) Accountants--bookkeeping
- (3) Actuaries
- (4) Advertising (no shops)
- (5) Adjusters (insurance)
- (6) Aerial survey and photography
- (7) Appraisers--no sale or rental of any type of merchandise or equipment
- (8) Architects
- (9) Arts foundations as defined in Section 33-1(9.1), subject to the following conditions:
  - a) That the main offices of the foundation, related lecture and seminar rooms, together with the art exhibition space, shall be the principal uses located on the premises, occupying in excess of 50% of the gross floor area. Related art exhibition space shall be ancillary to the principal uses.
  - b) That the art display areas shall be for the exhibition of artwork created by artists who are sponsored by the foundation, and all artwork displayed shall be of the visual arts only.
  - c) That all art exhibitions shall be conducted within the principal structure.
  - d) That there shall be a maximum of six art shows per year.
  - e) That off-street parking requirements for the art display area shall be calculated at one parking space for every 250 square feet, or fractional part thereof. Office and other use areas shall have off-street parking spaces provided for such areas as otherwise provided in this code.
  - f) That the sale of art shall be prohibited.
- (10) Attorneys
- (11) Auditors
- (12) Banks, excluding drive-thru banking facilities
- (13) Banks, including drive-thru banking facilities, upon approval after public hearing on office complex sites of three (3) acres or more
- (14) Business analysts--counselors or brokers
- (15) Building contractors, office only (no shop or storage)
- (16) Chiropodists
- (17) Chiropractors
- (18) Commuter Colleges
- (19) Consulates
- (20) Counseling, child guidance and family service
- (21) Court reporter, public stenographer
- (22) Credit reporting

- (23) Day nursery, kindergarten and afterschool care licensed by the State of Florida Department of Health and Rehabilitative Services and established in accordance with the requirements of Article XA.
- (24) Dentist
- (25) Detective agencies and investigating service
- (26) Drafting and plan service
- (27) Engineers, professional
- (28) Insurance and bonds
- (29) Manufacturers agents
- (30) Market research
- (31) Medical doctors
- (32) Medical Allied Training Facility that on a site of two net acres or more.
  - a) That such uses shall be located on sites having frontage on a major access road, including major roadways (three or more lanes) and frontage roadways serving limited access highways and expressways;
  - b) That no ingress/egress driveways be located other than from the major access road as indicated in (a) above;
  - c) That the hours of operation be limited to 8:00 a.m. to 10:00 p.m. Monday through Friday; 9:00 a.m. to 4:00 p.m. on Saturdays;
  - d) That the number of students be limited to no greater than 100 students per session;
  - e) That a maximum of 2 sessions be conducted daily.
- (33) Model agencies (no school)
- (34) Mortgage broker
- (35) Notary public
- (36) Optician
- (37) Optometrist
- (38) Public libraries
- (39) Public relations
- (40) Real estate
- (41) Real estate management
- (42) Secretarial service
- (43) Shoppers information service
- (44) Social service bureau
- (45) Stock brokers exchange--investment service
- (46) Tax consultants
- (47) Telephone answering service
- (48) Theater ticket agencies
- (49) Travel agencies
- (50) Zoning consultants
- (51) Any use which is found by the Director to be a use similar to one (1) of the above numbered uses and, in his opinion, conforms to the intent of this section.

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

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

*PASSED AND ADOPTED* this 27<sup>th</sup> day of July, 2011.

Hearing No. 11-5-CZ12-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 9<sup>TH</sup> DAY OF AUGUST, 2011.**

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

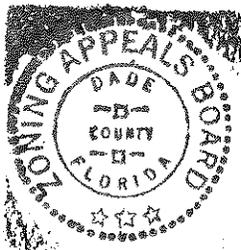
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-12-11 adopted by said Community Zoning Appeals Board at its meeting held on the 27<sup>th</sup> day of July, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 9<sup>th</sup> day of August, 2011.



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

SEAL



**RESOLUTION NO. CZAB12-13-11**

*WHEREAS* **BIRD 74, LLC**, applied for the following:

- (1) Applicant is requesting to permit two (2) detached signs (one detached sign and three wall signs permitted).
- (2) Applicant is requesting to permit the detached sign setback 7' (8' required) from the side street (north) property line.
- (3) Applicant is requesting to permit a 2<sup>nd</sup> detached sign to setback 7' (8' required) from the side street (south) and front (east) property lines.
- (4) Applicant is requesting to permit 4 directional signs each with an area of 4.5 square feet (3 square feet permitted) and to permit said directional signs each to contain logos (not permitted).

Plans are on file and may be examined in the Department of Planning and Zoning, entitled, "Site Plan" as prepared by Kimley-Horn and Associates, Inc., dated stamped received 2/23/11, "TD Bank 7400 SW 40 Street", as prepared by Atlas Sign Industries, sheets A1-A5 dated stamped received 2/23/11 and sheet A7 dated stamped received 3/9/11, for a total of 7 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Lots 1 thru 5 and Lots 13 thru 15 in Block 7 of Bird Road Estates-Section 2 Plat Book 21, at Page 51 and Tract 7 of the Amended Plat of Bird Road Estates-Section 2 Plat Book 33 Page 19, Miami-Dade County, Florida.

**LOCATION:** 7400 BIRD ROAD, MIAMI-DADE COUNTY, FLORIDA, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested permission to withdraw the requests to permit the detached sign setback 7' from the side street (north) property line (Item #2) and to permit a 2<sup>nd</sup> detached sign to setback 7' from the side street (south) and front (east) property lines (Item #3), 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 two (2) detached signs (Item #1) and

to permit 4 directional signs each with an area of 4.5 square feet and to permit said directional signs each to contain logos (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 that the request to withdraw Items #2 and 3 should be granted, and

WHEREAS, a motion to approve Items #1 and 4 as non-use variances under section 33-311(A)(4)(b) and to withdraw Items #2 and #3 was offered by Peggy Brodeur, seconded by Anthony Petisco, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	aye	Jose I. Valdes	aye
Anthony Petisco	aye	Angela Vazquez	aye
Alberto Santana	absent	Elliot N. Zack	aye
	Jorge Luis Garciga	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12 that the requests to permit two (2) detached signs (Item #1) and to permit 4 directional signs each with an area of 4.5 square feet and to permit said directional signs each to contain logos (Item #4) be and the same are hereby approved as non-use variances under Section 33-311(A)(4)(b), subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include among other things but not be limited thereto, location of structure or structures, location of boat docks and/or fishing pier, 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 "Site Plan" as prepared by Kimley-Horn and Associates, Inc., dated stamped received 2/23/11, "TD Bank 7400 SW 40 Street", as prepared by Atlas Sign Industries, sheets A1-A5 dated stamped received 2/23/11 and sheet A7 dated stamped received 3/9/11, for a total of 7 sheets
3. That the use be established and maintained in accordance with the approved plan.

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

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

*PASSED AND ADOPTED* this 27<sup>th</sup> day of July, 2011.

Hearing No. 11-5-CZ12-2  
ej

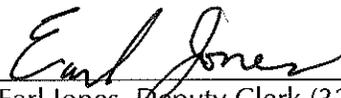
**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 9<sup>TH</sup> DAY OF AUGUST, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

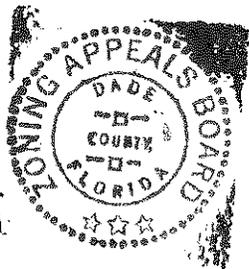
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-13-11 adopted by said Community Zoning Appeals Board at its meeting held on the 27<sup>th</sup> day of July, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 9<sup>th</sup> day of August, 2011.



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

SEAL



**RESOLUTION NO. CZAB12-14-11**

*WHEREAS* **CARLOS & IVETTE TORRENTS**, applied for the following:

- (1) Applicants are requesting to permit a proposed Master Bedroom Suite Addition to a single-family residence setback varying from 7'-6" to 8'-4" (15' required) from the interior side (east) property line.
- (2) Applicants are requesting to permit a proposed Entertainment room and Gym Addition to the single-family residence setback varying from 13'-5" to 14'-3" (15' required) from the interior side (west) property line.
- (3) Applicants are requesting to permit the single-family residence with a lot coverage of 30.4% (30% permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Torrents Residence", as prepared by Solver Structural Partnership, Inc., Sheet 'A0.1', dated stamped received 1/7/11, Sheet 'A1.0' dated stamped received 11/3/10 and the remaining 2 sheets dated stamped received 5/25/10 with last hand written revision dated 11/17/10 for a total of 4 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 5 Block 23 of PINE ACRES SECTION FIVE, Plat book 85 Page 97

LOCATION: 10524 S.W. 118 Street, Miami-Dade County, Florida

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requests to permit a proposed Master Bedroom Suite Addition to a single-family residence setback varying from 7'-6" to 8'-4" from the interior side (east) property line (Item #1), to permit a proposed Entertainment room and Gym Addition to the single-family residence setback varying from 13'-5" to 14'-3" from the interior side (west) property line (Item #2), and to permit the single-family residence with a lot coverage of 30.4% 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 deny the application without prejudice was offered by Peggy Brodeur, seconded by Elliot N. Zack, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	aye	Jose I. Valdes	aye
Anthony Petisco	aye	Angela Vazquez	aye
Alberto Santana	absent	Elliot N. Zack	aye
	Jorge Luis Garciga	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12 that Items #1, 2, and 3 be and the same are hereby denied without prejudice.

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

PASSED AND ADOPTED this 27<sup>th</sup> day of July, 2011.

Hearing No. 11-3-CZ12-1  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 9<sup>TH</sup> DAY OF AUGUST, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

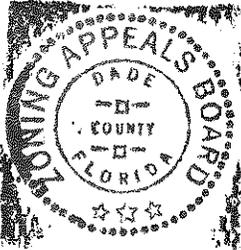
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-14-11 adopted by said Community Zoning Appeals Board at its meeting held on the 27<sup>th</sup> day of July, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 9<sup>th</sup> day of August, 2011.



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

**SEAL**



# Memorandum



**Date:** May 26, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

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Attached is resolution CZAB12-24-10<sup>11</sup> t from the Community Zoning Appeals Board No. 12 hearing of December 16, 2010.

**Please note that resolution CZAB12-23-10 was distributed earlier.**

Any missing resolutions must be reported to this office (ext. 3075) no later than five (5) days from the date of this memo.

## Attachments

Distribution: Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board – Linda Cave, MDC -17th Floor  
Property Appraiser –Angela Hall/ Eugenio Alonso, MDC - 8th Floor

CLERK OF THE BOARD  
2011 MAY 26 AM 9:53  
CLERK, CIRCUIT & COUNTY COURTS  
DADE COUNTY, FLA.  
#1

**RESOLUTION NO. CZAB12-24-11**

*WHEREAS*, **GUS EXPOSITO** applied for the following:

- (1) MODIFICATION of Condition #2 of Resolution Z-54-66, passed and adopted by the Board of County Commissioners, last modified by Resolution 4-ZAB-335-92, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "2. 'Proposed Equipment Enclosure for: Mr. R. Kiser/College Park Inn,' as prepared by Garcia Perron Architects, dated 3-19-92."

TO "2. That plans be substantially in compliance with that submitted for hearing entitled 'Proposed Drainage System,' as prepared by Architek, Inc. consisting of 2 sheets and dated stamped received 9/9/10, with Sheet 'A2,' dated last revised 9/23/10."

- (2) MODIFICATION of Paragraph #2 of an Agreement recorded in Official Record Book 5108, Pages 120 through 123, reading as follows:

FROM: "2. That said plot use plan shall embody the purpose and intent of, and said property shall be developed substantially in accordance with the spirit and intent of the plan previously submitted, prepared by Knude & Associates, entitled 'Street Plan of College Park,' dated December, 1965, revised February 16, 1966."

TO: "2. That plans be substantially in compliance with that submitted for hearing entitled 'Proposed Drainage System,' as prepared by Architek, Inc. consisting of 2 sheets and dated stamped received 9/9/10 with Sheet 'A2,' last handwritten revision dated 9/23/10."

The purpose of requests #1 and #2 is to allow the applicant to submit a revised site plan showing a hand carwash for a previously approved shopping center.

- (3) Applicant is requesting to waive the zoning regulation requiring all uses to be conducted within completely enclosed buildings or within an area completely enclosed with walls; to permit a covered canopy for an outdoor car wash.
- (4) Applicant is requesting to permit 93 parking spaces (105 parking spaces required).
- (5) Applicant is requesting to permit an 18'6" wide (20' required) two-way drive.

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 "B" of COLLEGE PARK SOUTH, SECTION ONE, Plat book 107, Page 12.

**LOCATION:** Lying south of S.W. 104 Street and approximately 165' east of S.W. 109 Court, A/K/A: 10585 S.W. 109 Court, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 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 Z-54-66, passed and adopted by the Board of County Commissioners, last modified by Resolution 4-ZAB-335-92, passed and adopted by the Zoning Appeals Board (Item #1) and of Paragraph #2 of an Agreement recorded in Official Record Book 5108, Pages 120 through 123 (Item #2), and that the requests to waive the zoning regulation requiring all uses to be conducted within completely enclosed buildings or within an area completely enclosed with walls; to permit a covered canopy for an outdoor car wash (Item #3), to permit 93 parking spaces (Item #4), and to permit an 18'6" wide two-way drive (Item #5) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve Items #1 and 2 under Section 33-311(A)(7) and to approve Items #3, 4, and 5 under Section 33-311(A)(4)(b) was offered by Jorge Luis Garciga, seconded by Peggy Brodeur, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	aye	Alberto Santana	aye
Jorge Luis Garciga	aye	Jose I. Valdes	aye
		Angela Vazquez	aye
Elliot N. Zack		aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 12 that the requested modifications of Condition #2 of Resolution Z-54-66, passed and adopted by the Board of County Commissioners, last modified by Resolution 4-ZAB-335-92, passed and adopted by the Zoning Appeals Board (Item #1) and of Paragraph #2 of an Agreement recorded in Official Record Book 5108, Pages 120 through 123 (Item #2) be and the same are hereby approved under Section 33-311(A)(7) and that the requests to waive the zoning regulation requiring all uses to be conducted within completely enclosed buildings or within an area completely enclosed with walls; to permit a covered canopy for an outdoor car wash (Item #3), to permit 93 parking spaces (Item #4), and to permit an 18'6" wide two-way drive (Item #5) under Section 33-311(A)(4)(b), with Items #1 through 5 subject to the following conditions:

1. That resolutions Z-54-66 and 4-ZAB-335-92 remain in full force and effect.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled. "Proposed Drainage System.' As prepared by Architek, Inc. consisting of 2 sheets and dated stamped received 9/9/10 with Sheet 'A2,' last handwritten revision dated 9/23/10."
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant apply for a building permit for the car wash
5. That the applicant apply for a building permit for the car wash structure from the Building Department within 90 days after final public hearing approval of this application.
6. That a Declaration of Restrictions be submitted to the Department within 60 days after final public hearing approval of this application, unless a time extension is granted by the Director, for good cause shown.

*BE IT FURTHER RESOLVED* that the requested modification of Condition #2 of Resolution Z-54-66, passed and adopted by the Board of County Commissioners, last modified by Resolution 4-ZAB-335-92, passed and adopted by the Zoning Appeals Board (Item #1), shall read as follows:

2. That plans be substantially in compliance with that submitted for hearing entitled 'Proposed Drainage System,' as prepared by Architek, Inc. consisting of 2 sheets and dated stamped received 9/9/10, with Sheet 'A2,' dated last revised 9/23/10.

*BE IT FURTHER RESOLVED* that the requested modification of Paragraph #2 of an Agreement recorded in Official Record Book 5108, Pages 120 through 123 (Item #2), shall read as follows:

2. That plans be substantially in compliance with that submitted for hearing entitled 'Proposed Drainage System,' as prepared by Architek, Inc. consisting of 2 sheets and dated stamped received 9/9/10 with Sheet 'A2,' last handwritten revision dated 9/23/10.

*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 changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 16<sup>th</sup> day of December, 2011.

Hearing No. 10-12-CZ12-1  
ej

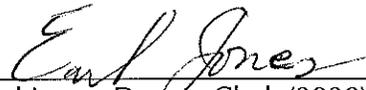
**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 26<sup>TH</sup> DAY OF MAY, 2011.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

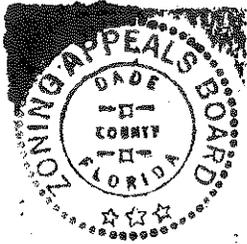
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 8, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-24-11 adopted by said Community Zoning Appeals Board at its meeting held on the 16<sup>th</sup> day of December, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 26<sup>th</sup> day of May, 2011.



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

SEAL



# Memorandum



**Date:** August 24, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Revised Resolution

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Attached is Revised Resolution CZAB12-13-11 and a revised certificate. This resolution is to replace the previously distributed one.

## Attachments

**Distribution:** Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board – Linda Cave, MDC -17th Floor  
Property Appraiser – Angela Hall, MDC - 8th Floor

CLERK OF THE BOARD  
2011 AUG 24 AM 11:27  
CLERK OF COURT & COUNTY CLERK  
MIAMI-DADE COUNTY, FLA.  
#1

**RESOLUTION NO. CZAB12-13-11**

*WHEREAS* **BIRD 74, LLC**, applied for the following:

- (1) Applicant is requesting to permit two (2) detached signs (one detached sign and three wall signs permitted).
- (2) Applicant is requesting to permit the detached sign setback 7' (8' required) from the side street (north) property line.
- (3) Applicant is requesting to permit a 2<sup>nd</sup> detached sign to setback 7' (8' required) from the side street (south) and front (east) property lines.
- (4) Applicant is requesting to permit 4 directional signs each with an area of 4.5 square feet (3 square feet permitted) and to permit said directional signs each to contain logos (not permitted).

Plans are on file and may be examined in the Department of Planning and Zoning, entitled, "Site Plan" as prepared by Kimley-Horn and Associates, Inc., dated stamped received 2/23/11, "TD Bank 7400 SW 40 Street", as prepared by Atlas Sign Industries, sheets A1-A5 dated stamped received 2/23/11 and sheet A7 dated stamped received 3/9/11, for a total of 7 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** Lots 1 thru 5 and Lots 13 thru 15 in Block 7 of Bird Road Estates-Section 2 Plat Book 21, at Page 51 and Tract 7 of the Amended Plat of Bird Road Estates-Section 2 Plat Book 33 Page 19, Miami-Dade County, Florida.

**LOCATION:** 7400 BIRD ROAD, MIAMI-DADE COUNTY, FLORIDA, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested permission to withdraw the requests to permit the detached sign setback 7' from the side street (north) property line (Item #2) and to permit a 2<sup>nd</sup> detached sign to setback 7' from the side street (south) and front (east) property lines (Item #3), 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 two (2) detached signs (Item #1) and

to permit 4 directional signs each with an area of 4.5 square feet and to permit said directional signs each to contain logos (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 that the request to withdraw Items #2 and 3 should be granted, and

WHEREAS, a motion to approve Items #1 and 4 as non-use variances under section 33-311(A)(4)(b) and to withdraw Items #2 and #3 was offered by Peggy Brodeur, seconded by Anthony Petisco, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	aye	Jose I. Valdes	aye
Anthony Petisco	aye	Angela Vazquez	aye
Alberto Santana	absent	Elliot N. Zack	aye
	Jorge Luis Garciga	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12 that the requests to permit two (2) detached signs (Item #1) and to permit 4 directional signs each with an area of 4.5 square feet and to permit said directional signs each to contain logos (Item #4) be and the same are hereby approved as non-use variances under Section 33-311(A)(4)(b), subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include among other things but not be limited thereto, location of structure or structures, location of boat docks and/or fishing pier, 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 "Site Plan" as prepared by Kimley-Horn and Associates, Inc., dated stamped received 2/23/11, "TD Bank 7400 SW 40 Street", as prepared by Atlas Sign Industries, sheets A1-A5 dated stamped received 2/23/11 and sheet A7 dated stamped received 3/9/11, for a total of 7 sheets
3. That the use be established and maintained in accordance with the approved plan.

*BE IT FURTHER RESOLVED* that the request to withdraw Items #2 and #3 be and the same are hereby granted and said Item is hereby withdrawn without prejudice.

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

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

*PASSED AND ADOPTED* this 27<sup>th</sup> day of July, 2011.

Hearing No. 11-7-CZ12-2  
ej

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 9<sup>TH</sup> DAY OF AUGUST, 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 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-13-11 adopted by said Community Zoning Appeals Board at its meeting held on the 27<sup>th</sup> day of July, 2011.

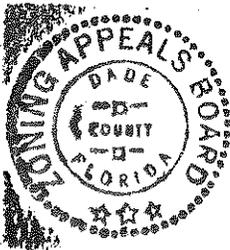
IN WITNESS WHEREOF, I have hereunto set my hand on this the 9<sup>th</sup> day of August, 2011.



Earl Jones, Deputy Clerk (3230)

Miami-Dade County Department of Planning and Zoning

SEAL



# Memorandum



**Date:** January 6, 2012  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

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Attached are resolution CZAB12-20-11 and the list from the Community Zoning Appeals Board No. 12 hearing of December 14, 2012.

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 -6 AM 10:32  
CLERK OF THE BOARD  
MIAMI-DADE COUNTY, FLA.  
#1

**RESOLUTION NO. CZAB12-20-11**

*WHEREAS, MARIA, WILFREDO & IVETTE AGUSTI* applied for the following:

- (1) DISTRICT BOUNDARY CHANGE from RU-1 (Single Family Residential) to RU-5A (Semi-Professional Offices).
- (2) NON USE VARIANCE to permit a parcel of land with a lot frontage of 74' (75' required) and a lot area of 9,250 sq. ft. (10,000 sq. ft.).
- (3) NON USE VARIANCE to permit an existing building setback of 12'10" (15' required) from the side street (north) property line setback a minimum of 6'8" (15' required) from the interior side (south) property line.
- (4) NON USE VARIANCE to permit a .67" to 2.83' wide landscape buffer (7' required) along portions of the right-of-way.

OR IN THE ALTERNATIVE TO REQUEST #1 - #4 THE FOLLOWING:

- (5) NON USE VARIANCE to permit an existing single family residence setback 12'10" (15' required) from the side street (north) property line.

Plans are on file and may be examined in the Department of Permitting, Environment and Regulatory Affairs entitled "Addition & Renovations Ms. Ivette Agusti", as prepared by DNB Design Group, LLC, dated stamped received 7/12/11 and consisting of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 1,2 and the East ½ of the East1/2 of Lot 3, in block 7 of HIGH PINES, Plat Book 10, Page 18, less that portion that lies within the North 50 feet of the NW ¼ of Section 31, Township 54 South, Range 41 Miami-Dade County, Florida, less the South 1.0 feet of the East 25 feet of the South 60 feet thereof, and less the South 59 feet thereof, less the area bounded on the North by a line 50 feet South of the North line of the NW ¼ of said Section31, bounded on the East by the East line of said Block 7 and bounded by a 25 foot radius arc concave to the Southwest, said Arc tangent to both of the described lines.

LOCATION: 5450 SW 72 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 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 to withdraw the entire application and to waive re-filing fee, and

WHEREAS, a motion to withdraw the entire application and to waive the re-filing fee was offered by Elliot N. Zack, seconded by Anthony Petisco, and upon a poll of the members present the vote was as follows:

Peggy Brodeur	aye	Jose I. Valdes	aye
Anthony Petisco	aye	Angela Vazquez	aye
Alberto Santana		Elliot N. Zack	aye
	Jorge Luis Garciga	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12, that the application be and the same is hereby withdrawn without prejudice.

BE IT FURTHER RESOLVED that the re-filing fee be and the same is hereby waived.

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

PASSED AND ADOPTED this 14<sup>th</sup> day of December, 2011.

Hearing No. 11-12-CZ12-1  
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 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-20-11 adopted by said Community Zoning Appeals Board at its meeting held on the 14<sup>th</sup> day of December, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 5<sup>th</sup> day of January, 2012.

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

SEAL

