

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-11-08

WHEREAS, LIANNJO INVESTMENTS, INC. applied to Community Zoning Appeals Board 11 for the following:

- (1) AU to EU-1
- (2) To waive the zoning regulations prohibiting accessory buildings on a site without a principal building to permit a utility shed and wood structure and to permit the wood structure setback 18' (20' required) from the interior side (east) property line on Parcel "A".

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

- (3) To permit proposed 2 proposed parcels ("A" and "B"), each with a lot frontage of 154.025' (200' required) and a lot area of 1.149 gross acres (5 gross acres required).
- (4) To permit the wood structure setback 18' (20' required) from the interior side (east) property line and spaced 16' (20' required) from the utility shed on Parcel "A".

Upon demonstration that the applicable standards have been satisfied, approval of request #3 may be considered under §33-311(A)(14) (Alternative Site Development Option for Single-Family or Duplex Dwellings) and approval of requests #2 - #4 under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

A plan is on file and may be examined in the Zoning Department entitled "Site Plan," as prepared by Liannjo Investment, Inc., dated stamped received 8/16/07 and consisting of 1 sheet.

SUBJECT PROPERTY: Tract 186, ROAD FARMSITES, Plat book 46, Page 3.

LOCATION: 11875 S.W. 49 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 11 that the requested district boundary change to EU-1 (Item #1), the request to waive the zoning

regulations prohibiting accessory buildings on a site without a principal building to permit a utility shed and wood structure and to permit the wood structure setback 18' from the interior side (east) property line on Parcel "A" (Item #2), to permit 2 proposed parcels ("A" and "B"), each with a lot frontage of 154.025' and a lot area of 1.149 gross acres (Item #3), and to permit the wood structure setback 18' from the interior side (east) property line and spaced 16' from the utility shed on Parcel "A" (Item #4) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and, and said application was denied by Resolution No. CZAB11-48-07, and

WHEREAS, LIANNJO INVESTMENTS, INC. appealed the decision of Community Zoning Appeals Board 11 to the Board of County Commissioners for the following:

- (1) AU to EU-1
- (2) Applicant is requesting to waive the zoning regulations prohibiting accessory buildings on a site without a principal building to permit a utility shed and wood structure and to permit the wood structure setback 18' (20' required) from the interior side (east) property line on Parcel "A".

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

- (3) Applicant is requesting to permit proposed 2 proposed parcels ("A" and "B"), each with a lot frontage of 154.025' (200' required) and a lot area of 1.149 gross acres (5 gross acres required).
- (4) Applicant is requesting to permit the wood structure setback 18' (20' required) from the interior side (east) property line and spaced 16' (20' required) from the utility shed on Parcel "A".

Upon a demonstration that the applicable standards have been satisfied, approval of request #3 may be considered under §33-311(A)(14) (Alternative Site Development Option for Single-Family or Duplex Dwellings) and approval of requests #2 - #4 under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

A plan is on file and may be examined in the Department of Planning and Zoning entitled "Site Plan," as prepared by Liannjo Investment, Inc., dated stamped received 8/16/07 and consisting of 1 sheet. Plans may be modified at public hearing.

SUBJECT PROPERTY: Tract 186, ROAD FARMSITES, Plat book 46, Page 3.

LOCATION: 11875 S.W. 49 Street, Miami-Dade County, Florida, and

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

1. That the Property will be limited to no more than two (2) building lots.

WHEREAS, after reviewing the record and decision of the Metropolitan Dade County Zoning Appeals Board 11 and after having given an opportunity for interested parties to be heard, it is the opinion of the Board of County Commissioners, Miami-Dade County, Florida, that that the grounds and reasons alleged by the appellants specified in the appeal were insufficient to merit a reversal of the ruling made by the Zoning Appeals Board in Resolution No. CZAB11-48-07, and that the appeal should be denied and the decision of Community Zoning Appeals Board 11 should be sustained, and

WHEREAS, it is the opinion of the Board that the requested district boundary change to EU-1 (Item #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that the requests to waive the zoning regulations prohibiting accessory buildings on a site without a principal building to permit a utility shed and wood structure and to permit the wood structure setback 18' from the interior side (east) property line on Parcel "A" (Item #2), to permit proposed 2 proposed parcels ("A" and "B"), each with a lot frontage of 154.025' and a lot area of 1.149 gross acres (Item #3), and to permit the wood structure setback 18' from the interior side (east) property line and spaced 16' from the utility shed on Parcel "A" (Item #4) would not be

BE IT FURTHER RESOLVED that Resolution No. CZAB11-48-07 remains in full force and effect.

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

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 21st day of February, 2008, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 07-11-CZ11-3
ej

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

By: ***JOHN SULLIVAN***

Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 4TH DAY OF MARCH, 2008.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Deputy Clerk's Name, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-6-08 adopted by said Board of County Commissioners at its meeting held on the 21st day of February, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 4th day of March, 2008.



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

SEAL

