



MIAMI-DADE COUNTY FINAL OFFICIAL MINUTES Board of County Commissioners Zoning Board

Board of County Commissioners

Stephen P. Clark Government Center
111 NW 1st Street
Miami, Florida 33128

May 23, 2013

As Advertised

Harvey Ruvin, Clerk
Board of County Commissioners

Christopher Agrippa, Division Chief
Clerk of the Board Division

Mary Smith-York, Commission Reporter
(305) 375-1598



**CLERK'S SUMMARY & OFFICIAL MINUTES
BOARD OF COUNTY COMMISSIONERS ZONING HEARING
May 23, 2013**

The Board of County Commissioners (BCC) convened a Zoning meeting on Thursday, May 23, 2013, in the County Commission Chambers, on the second floor of the Stephen P. Clark Government Center, 111 N.W. First Street, Miami, Florida, at 9:00 a.m., there being present Chairwoman Sosa, Vice-Chair Bell, and Commissioners Barreiro, Bovo, Jordan, Moss, and Suarez; (Commissioners Edmonson, Diaz, Heyman, Monestime, Souto, and Zapata were absent.)

In addition to the Commission members, the following staff members were also present: Deputy Mayor Edward Marquez; Assistant County Attorney Craig Collier; Department of Regulatory and Economic Resources Director Eric Silva; and Deputy Clerks Christopher Agrippa and Mary Smith-York.

Chairwoman Sosa called the meeting to order at 10:05 a.m.

Sergeant at Arms Michael Roan delivered the invocation, after which Sergeant at Arms Paul Hernandez led the reciting of the Pledge of Allegiance

THE CLERK SWORE IN ALL WITNESSES AND OFFICIAL TRANSLATORS PRIOR TO PRESENTING TESTIMONY OR INTERPRETATION OF QUESTIONS ASKED AND TESTIMONY GIVEN.

In response to Chairwoman Sosa's request for deferrals and/or withdrawals, Mr. Eric Silva, Department of Regulatory and Economic Resources Director, advised that staff was requesting the deferral of Item #1: Miami Gardens Park, LLC (13-1-CZ5-1/12-089) due to the notice being improperly advertised. He noted no additional fees would be required from the Applicant for any notices or advertisements.

ITEM: 1. MIAMI GARDENS PARK, LLC (13-1-CZ5-1/12-089)
APPLICANT: Miami Gardens Park, LLC

It was moved by Commissioner Jordan that staff's request to defer Item No. 1, Miami Gardens Park, LLC (13-1-CZ5-1/12-089), to June 20, 2013 be approved. This motion was seconded by Commissioner Bovo, and upon being put to a vote, passed by a vote of 7-0 (Commissioners Diaz, Edmonson, Heyman, Monestime, Souto, and Zapata were absent).

Mr. Hans Ottinot, Esq., attorney representing the Moors Patio Homes Maintenance Association, Inc., appeared before the Board and noted he had no objection to the deferral of the foregoing application; however, as his client had paid significant fees, he requested that appropriate notice be provided to the organization.

Hearing no further questions or comments, the Board proceeded to consider today's agenda.

Mr. Eric Silva, Department of Planning & Zoning Director, announced that, in accordance with the Code of Miami-Dade County, all items on today's (5/23) zoning agenda were legally advertised in the newspapers, notices were mailed, and the properties posted. He noted additional copies of the agenda were available in the Chambers and provided the process by which items would be called. Mr. Silva stated the record on file for each application would include documents from the public; agencies; the Department of Regulatory and Economic Resources (RER); and where there was appeal(s) from the Community Zoning Appeals Board (CZAB), the transcript from those hearings. He stated all documents were physically present today, available to all interested parties, and available to the members of the Board of County Commissioners, who may examine these items from the record during the hearing. Mr. Silva stated parties had the right to cross-examination; this statement, along with the fact that all witnesses had been sworn, should be included in any transcript of these proceedings. In addition, he noted, there was an official translator present in the Chambers for individuals requiring such assistance.

ITEM 2. SOUTHWESTERN GRANT, LLC ET AL (13-5-CC-1/11-128)

Mr. Silva read the following application into the record and noted he wanted to ensure the language on Page 14, under the heading: Miami-Dade Public Schools was consistent with the memorandum from the School Board. He advised that the numbers reflected on Page 14 only described the elementary and middle school students, and requested the language be amended to read: "...a surplus of student stations in the elementary and middle levels of 954, and senior high school level of 526.

Ms. Leila Batties, Esq., Holland and Knight, LLC, 701 Brickell Avenue, appeared before the Board and introduced her colleague, Mr. Hugo Arza, attorney representing Holland and Knight, LLC. Ms. Batties recognized the following individuals present in support of the foregoing proposed application: Mr. Rolando Llanes, Architect, and Mr. Ivan Fajardo, Senior Project Manager, Civica Group; Ms. Kerri Ann O'Sullivan, Principal, Somerset Academy, Inc. Charter School; and three parents. She noted that she and colleague Mr. Michael Faraday (phonetic) had compiled 170 letters of support into a booklet, as well as an exhibit booklet containing several awards and recognitions received by Somerset Academy, along with colored photographs, site plans, and all the previous approvals and covenants related to the school.

Ms. Batties provided the background information for the property which consisted of four parcels in the Silver Palms community. She provided detailed descriptions of Parcels A through D and noted this application represented the final development approval necessary to create K-12 campus for Somerset Academy Charter School totaling approximately ten acres. Ms. Batties noted today's (5/23) application consolidated the sites and proposed a combined campus and listed the improvements being implemented and listed the grade breakdown for the combined campus.

Mr. Rolando Llanes, Civica Group, 8323 N.W. 12th Street, Doral, appeared before the Board and presented drawings to illustrate some points made by Ms. Batties. He illustrated how the proposed changes to the parking lot increased the parking count with a surplus of 44 spaces and provided amenities for the campus to grow an additional 400 students, an additional recreational

area, natural lighting in all classrooms, and a new gymnasium. Mr. Llanes noted the camaraderie shown between the school's personnel, staff, and the developers and stated the goal was to provide Somerset Academy with the environment necessary for the children's academic growth.

Mr. Carlos E Ottley, 19814 SW 118 Avenue, father of two Somerset Academy students, appeared before the Board in support of the Application No. 2.

Ms. Kerri Ann O'Sullivan, Principal, Somerset Academy, Inc. Charter School, appeared before the Board in support of Application No. 2 and provided information regarding the school.

Chairwoman Sosa opened the public hearing and called for anyone wishing to be heard.

The following individual(s) appeared:

1) Adriana Pimentel-Filippi, 23626 SW 113 Pass, Homestead, appeared before the Board in support of Application 2 and noted she was the parent of a child attending Somerset Academy.

Seeing no other persons wishing to be heard, Chairwoman Sosa closed the Public Hearing.

Commissioner Bell spoke in support of Application No. 2 and vouched for the well run school that reflected demographics of community. She listed the high ranking scores earned by this school locally and nationally.

In response to Commissioner Moss' request for clarification on the proposed revisions to the previous commitments, Mr. Silva stated the consolidation of the parcels and acquisition of Parcel D, and putting the park in the middle and improving the stacking for the flow of traffic, as well as the addition of gymnasium. He noted the consolidation included the deletion of the old covenants and listed all the requirements in the foregoing resolution, making it easier for staff to enforce. Regarding Commissioner Moss' inquiry as to when building permits would be pulled and the required number of student stations, Mr. Silva noted those requirements were rescinded. He noted the current number of students proposed was 2,000 and was all addressed to the resolution's conditions with no objection from the Miami-Dade County Public School Board.

Commissioner Moss noted he was in support of Application 2.

Commissioner Suarez asked staff to clarify how the number of student stations related to the process for developments to be approved.

Mr. Silva explained the process for residential development in which the School Board conducted a concurrency analysis of the area's schools and provided the capacity for that residential development to the County via memorandum. With respect to charter schools, Mr. Silva explained that the School Board must issue a charter before the development could go before the Developmental Impact Committee (DIC). He stated the School Board also provided the Zoning Department with information regarding the capacity of the surrounding schools.

Discussion ensued among Commission members and staff regarding the original purpose of charter schools to mitigate capacity issues in the public schools and that being changed to involve competition with public schools for student enrollment. Chairwoman Sosa explained that charter schools were originated when the State Legislature decreased funding to the public schools and decided to create private/public partnerships using tax dollars.

In response to Chairwoman Sosa's inquiry as to whether staff recommended approval for the building setbacks being less than required, the temporary parking, and the wall sign, Mr. Silva noted staff recommended approval, pointing out that the signs were small in size and the temporary parking was only during the school's construction phase.

Discussion ensued between Chairwoman Sosa and staff regarding the approval for temporary parking and terrain parking. Chairwoman Sosa noted conditions imposed were sometimes changed and emphasized the need to include a cap on the length of time the temporary parking was allowed.

Mr. Llanes advised that when the building would open in 2014, at which time the temporary lot would disappear.

Commissioner Moss recommended the temporary parking lot be allowed for 24 months/2 years.

In response to Chairwoman Sosa's request that staff's recommendations include a cap on the temporary and terrain parking, Mr. Silva noted that would be an amendment to end in 2016.

Commissioner Jordan noted she understood Mr. Llanes to state that construction of the building would be completed in August 2014. She noted this would then eliminate parking on that temporary lot because a building would then be constructed on that lot.

Commissioner Moss explained his recommendation for a 24 month cap was because the construction process occasionally deviated from the plans.

In response to Chairwoman Sosa's inquiry as to how the students would be divided within the new building, Principal O'Sullivan described the housing structure developed for the students, adding that it included students with special needs.

Commissioner Bell read into the record the following language reflected on the bottom of handwritten page 12: "...Additionally, staff notes that the request #14 for parking on natural terrain on Parcel B is temporary and will be used during the construction of the parking lot areas on Parcels C and D. As a condition of approval staff recommends that the parking on natural terrain cease upon the completion of the parking lot areas on Parcels C and D..." and noted she felt this met Chairwoman Sosa's concerns.

Upon hearing Commissioner Bell's statement that Charter Schools were also public schools and conformed to the same requirements, including administering the Florida Comprehensive Assessment Test (FCAT), Commissioner Jordan noted that answered her question. Commissioner Jordan stated private schools did not administer the FCAT. She noted she was

not an advocate of Charter Schools because of their impact on the public school system's funding resources and expressed a concern that charter schools did a disservice to the public school system. Commissioner Jordan added that she was also concerned with the student selection process and wanted to ensure that selection was not being done based on demographics.

Mr. Silver noted the foregoing item would be amended in Section 16 to add a sentence providing that "...construction on Parcels C and D shall take no longer than 24 months from issuance of building permits..."

Hearing Chairwoman Sosa's concern that this language would limit the ability to complete construction, Commissioner Moss asked that the language read into the record by Commissioner Bell be amended to include the language "...but no more than 24 months..."

Assistant Attorney Collier read the language as currently reflected in Section 16: "...the temporary parking on natural terrain on Parcel B shall cease upon the completion of the parking lot of Parcels C and D..." He requested the following language be added to the end of that sentence: "...but no more than 24 months from date of issuance of building permit..."

Mr. Llanes accepted the proposed amendment.

Commissioner Bell presented and moved a resolution to approve the application as amended on Handwritten Page 16, to include at the end of Section 16, the language: "...but no more than 24 months from the date of issuance of the building permit..." This motion was seconded by Commissioner Moss, and upon being put to a vote, passed by a vote of 7-0 (Commissioners Diaz, Edmonson, Heyman, Monestime, Souto, and Zapata were absent).

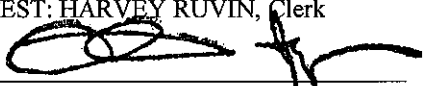
The foregoing resolution was adopted by the Board and set forth in the Record of Resolutions and assigned Resolution #Z- 04-13.

There being no further business to come before the Board of County Commissioners, the meeting adjourned at 10:52 a.m.



Chairwoman Rebeca Sosa
Board of County Commissioners

ATTEST: HARVEY RUVIN, Clerk

By: 

Christopher Agrippa, Deputy Clerk



**Board of County Commissioners
ZONING HEARING EXHIBITS
May 23, 2013**

Prepared by: Mary Smith-York

EXHIBITS LIST

NO.	DATE	ITEM #	DESCRIPTION
1	5/23/2013		Official Zoning Agenda
2	5/23/2013		Absence Memo from Commissioner Jean Monestime
3	5/23/2013		Absence Memo from Commissioner Audrey Edmonson
4	5/23/2013		Absence Memo from Commissioner Sally Heyman
5	5/23/2013		Absence Memo from Commissioner Jose "Pepe" Diaz
6	5/23/2013		Zoning Action Sheet
7	5/23/2013		Speaker Card(s)
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Official Zoning Agenda

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSION MEETING OF THURSDAY, MAY 23, 2013

NOTICE: THE FOLLOWING HEARING IS SCHEDULED FOR 9:30 A.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMISSION SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMISSION BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE COMMISSION BE GRANTED BY THE MAJORITY VOTE OF THE COMMISSION MEMBERS PRESENT.

NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE COMMISSION CHAMBER. PERSONS EXITING THE COMMISSION CHAMBER SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE COMMISSION CHAMBERS IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE CHAMBERS TO ANSWER INCOMING CELL PHONE CALLS. COUNTY EMPLOYEES MAY NOT USE CELL PHONE CAMERAS OR TAKE DIGITAL PICTURES FROM THEIR POSITIONS ON THE DAIS.

THE NUMBER OF FILED PROTESTS AND WAIVERS ON EACH APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE ZONING HEARING MEETING DATE FOR THIS BOARD.

SWEARING IN OF WITNESSES

1. MIAMI GARDENS PARK, LLC (13-1-CZ5-1/12-089)

12-52-40
BCC/District 01

MOORS PATIO HOME MAINTENANCE ASSOCIATION, LLC, ET AL are appealing the decision of COMMUNITY ZONING APPEALS BOARD #5, which approved with conditions Requests #1 through #5 and approved withdrawal of Requests #6 & #7:

- (1) DISTRICT BOUNDARY CHANGE from IU-C to RU-4L.
- (2) DELETION of a Declaration of Restrictions recorded in Official Record Book 11507, Pages 577 through 581, only as it applies to the subject property.

The purpose of the request is to remove the requirements that calls for a 50' no building area, a 50' greenbelt open space and a 10' utility easement along the west property line.

- (3) UNUSUAL USE to permit an entrance feature; to wit: an entrance feature consisting of decorative masonry walls 8' in height and signage.
- (4) UNUSUAL USE to permit the filling of a portion of an existing lake.
- (5) NON-USE VARIANCE of setback requirements to permit certain buildings setback 15' from the rear (south) property line (25' required).
- (6) NON-USE VARIANCE of spacing requirements to permit the clubhouse to be spaced a minimum 23'-8" (20' required) from other residential buildings
- (7) NON-USE VARIANCE of spacing requirements to permit certain residential buildings to be spaced 16' (20' required) from each other.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Proposed 178 Apartments for Miami Gardens Park" as prepared by Oscar J. Gonzalez Architect consisting of 17 sheets and "Lake Section" as prepared by Ludovici & Orange Consulting Engineers, Inc., consisting of 1 sheet, with all plans dated stamped received 10/25/12, Plans may be modified at public hearing.

LOCATION: Lying West of NW 59 Avenue and South of theoretical NW 182 Lane, Miami-Dade County, Florida.

SIZE OF PROPERTY: 8.2 Acres

Department of Regulatory and
Economic Resources
Recommendation:

Deferral.

Protests: _____ 36 _____

Waivers: _____ 138 _____

DENIAL OF APPEAL (SUSTAIN C.Z.A.B.): _____

APPROVAL OF APPEAL (OVERRIDE C.Z.A.B.): _____

DEFERRED: _____

2. SOUTHWESTERN GRANT, LLC ET AL (13-5-CC-1/11-128)

19-56-40

BCC/District 8 & 9

- (1) RESCISSION and REVOCATION of Resolutions Z-22-08 and Z-23-08, both passed and adopted by the Board of County Commissioners.
- (2) SPECIAL EXCEPTION to permit the expansion of an existing charter school onto additional property.
- (3) SPECIAL EXCEPTION to permit the expansion of the existing charter school with 2,000 students in grades K-12.
- (4) SPECIAL EXCEPTION to permit the high school within a mile of the Urban Development Boundary.
- (5) Deletion of Paragraphs 6(a) through 6(h) of Declaration of Restrictions, recorded in Official Record Book 22662 Pages 3984 - 4007, reading as follows:

“6. Charter School.

- (a) The Plan identifies 7.82 acres (hereinafter collectively the ‘School Site’) designated for the construction and operation of one or more K-12 charter schools, which will provide 1100 student stations, operated under one or more charter(s) from the School Board of the County (hereinafter the ‘School Board’). Prior to construction of the School Site, the charter school(s) shall be subject to review by the Miami-Dade County Developmental Impact Committee (‘DIC’) Executive Council under separate application in accordance with procedures for the review of charter schools. The application(s) for such review shall include a Phase I Environmental Assessment and subsurface investigations and, if required, Phase II Environmental Assessment and subsurface investigations prepared by a licensed geotechnical firm. The cost of the Phase I Environmental Assessment and Phase II Environmental Assessment if required, shall be paid for by the Owners.”
- (b) Prior to seeking the final plat review for any portion of the Property, the Owners shall provide documented proof to the County that a charter application(s) has/have been submitted to the School Board, that such application(s) has/have been granted subject to County review as provided in Section 6(a) hereof, and that a duly qualified charter school operator has been retained and has committed to operate such charter school(s) on the school site. In addition, the owners prior to seeking final plat approval on any portion of the property, shall enter into a separate agreement with the School Board upon approval of the charter school(s) outlining appropriate operation terms. In the event the charter school(s) is not approved, the owners shall comply with Section 6(h) hereof.

- (c) Prior to obtain final plat of any portion of the property, the owners shall show documented proof to the County that the charter school(s) have been approved by the DIC Executive Council. Should the charter school(s) be comprised of one or more campuses, this provision shall be considered satisfied only if the DIC Executive Council has reviewed and approved the entirety of all of the campuses.
- (d) Prior to seeking the issuance of certificate of occupancy for the 400th residential unit, the owners shall have obtained certificates of use and occupancy for a charter school(s) providing a minimum of 400 student stations for at least a minimum K-5 program. Proof of compliance with this provision shall be in the form of monthly reports submitted by the owners to the Director of Regulatory and Economic Resources and the School Board specifying the number of certificates of occupancy obtained monthly and the number of certificates of occupancy anticipated to be issued in the following month for residential dwelling units, monthly reports shall be based upon personal knowledge and shall be sworn and notarized.
- (e) Prior to seeking the issuance of a certificate of occupancy for the 800th residential unit, the owners shall have obtained certificates of use and occupancy for a charter school(s) providing a minimum of an additional 400 student stations for grades K-12. Prior to seeking the issuance of a certificate of occupancy for the 1000th residential unit, the owner shall have obtained certificates of use and occupancy for a charter school(s) providing an aggregate total of 1100 student stations. Proof of compliance with this provisions shall be as set forth in Section 6(d) above. The owner shall apply for the creation of a special taxing district, create a homeowners association, and/or similar entity approved by Miami-Dade County to maintain and operate the charter school(s) in the event that such maintenance or operation would become necessary. Owners shall be deemed to have complied with paragraph 6(a)-(e) herein upon completing and opening an 1100 student station charter school.
- (f) The charter school(s) shall be operated continuously so long as this Declaration remains in effect subject to (i) any closures due to casualties and/or natural disasters an (ii) changes approved by the County and/or the School Board.
- (g) Until all of the aforestated approvals for the charter school(s) has been obtained, the construction of the charter school(s) has commenced, the School Site shall be maintained as open/green space. At no time the School Site be used for the location of temporary structures or uses such as but not limited to, construction trailers, sales offices, construction staging areas or construction storage areas.
- (h) In the event that the charter school application(s) is/are not approved by the School Board prior to final plat on any portion of the Property, or in the event the charter school(s) is /are not approved by the DIC Executive Council prior to approval of final plat in any portion of the property, as reference above, the owners shall offer the 7.82 acres School Site for sale to the School Board in accordance to the provisions of a separate covenant between the owners and the School Board (the "School Board Covenant"), acceptable to the School Board, to be recorded prior to application for final approval of any portion of the property. In the event that the School Board fails to enter into an agreement with the owners to purchase the School Site pursuant to the School Board Covenant in favor of the School Board, the School Site shall remain as open/green space and the owners may proceed with the development of the remainder of the property as provided herein. If not developed as a charter school(s) or purchased by the School Board, the School Site, which shall then remain open/green space shall be landscape and maintained

by the owners at no cost to the County, in accordance with a landscape plan, to be submitted to and approved by the Director, Department of Planning and Zoning, prior to final approval of any portion of the Property abutting or immediately across the street from the 7.82 acres School Site. Further in such case the owners shall apply for the creation of a special taxing district, create a homeowner's association and/or similar entity approved by Miami-Dade County to maintain the School Site in perpetuity open as green space. Notwithstanding any provision herein to the contrary, the then fee simple owners of the school site may offer the School Site for sale to the School Board at any time.

(6) DELETION of Paragraphs #6(d) & 6(e) of Modification of Declaration of Restrictions Recorded at Official Records Book 22662, Pages 3984 - 4007, recorded in Official Record Book 24780 Pages 2321 - 2406, reading as follows:

6.(d) The owners shall obtain a certificate(s) of use and occupancy for a charter school(s) providing a minimum of 800 student stations for grades K-12 no later than the beginning of the 2007-08 school year.

6.(e) The owners shall obtain a certificate(s) of use and occupancy for a charter school(s) providing a minimum of an additional 300 student stations for grades K-12, providing an aggregate total of 1100 student stations, no later than the beginning of the 2008-09 school year. The owner shall apply for the creation of a special taxing district, create a homeowners association and /or similar entity approved by Miami-Dade County to maintain and operate the charter school(s) in the event that such maintenance or operation would become necessary. Owners shall be deemed to have complied with paragraph 6(a)-(e) herein completing and opening an 1100 student station charter school.

(7) DELETION of Declaration of Restrictions, Recorded in Official Record Book 25570 Pages 4647 - 4655.

(8) DELETION of Declaration of Restrictions For Charter School, Record in Official Record Book 27428 Pages 3281 - 3297.

(9) DELETION of Declaration of Restrictions For Charter School Amendment and Restatement of the Declaration of Restrictions for charter School Recorded at Official Records Book 26217, Pages 1426 - 1434, Recorded in Official Record Book 27428 Pages 3382 - 3397.

(10) DELETION of Second Modification and Restatement of That Certain Declaration of Restrictions Recorded At Official Records Book 22662, Pages 3984 - 4007, Record in Official Record Book 27428 Pages 3308 - 3330.

The purpose of Requests #5 - #10 is to allow the applicant to remove all prior zoning resolutions and covenants relating to the charter school use on the property and have them superseded by a new resolution and covenant, submit a new site plan showing the expansion of the charter school onto additional property and increase the number of students for the existing charter school.

(11) NON-USE VARIANCE to permit a proposed gymnasium/classroom building setback 19'.8' from the dual frontage (south) property and setback a minimum of 5'.4" from the side street (east) property line (25' required for both).

(12) NON-USE VARIANCE to permit a proposed classroom building setback a minimum of 11' from the side street (north) property line and setback a minimum of 14'10" from the side street (south) property line (25' required for both).

(13)NON-USE VARIANCE to permit parking & drives within 25' of a right-of-way (not permitted).

(14)NON-USE VARIANCE to permit temporary parking on natural terrain (hard surface required).

(15)NON-USE VARIANCE to permit 4 wall signs, each with an area of 2.8 sq. ft. (one 24 sq. ft. permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Somerset Charter School at Silver Palms" as prepared by Civica Architect dated stamped received 1/30/13 with sheets A-1.3 & A-1.4 last handwritten revision dated 3/6/13 for a total of 18 sheets. Plans may be modified at public hearing.

LOCATION: The North & South side of S.W. 232 Street, lying between SW 114 Place & SW 117 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 8.55 Acres

Department of Regulatory and
Economic Resources
Recommendation:

Approval with conditions.

Protests: 0

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

T H E E N D

NOTICE OF APPEAL RIGHTS

Decisions of the Community Zoning Appeals Board (CZAB) are appealed either to Circuit Court or to the Board of County Commissioners (BCC) depending upon the items requested in the Zoning Application. Appeals to Circuit Court must be filed within 30 days of the transmittal of the CZAB resolution. Appeals to BCC must be filed with the Zoning Hearings Section of the Department of Regulatory and Economic Resources (RER), within 14 days of the posting of the results in the department.

Further information and assistance may be obtained by contacting the Zoning Hearings Section for the Department of Regulatory and Economic Resources (RER), at (305) 375-2640. For filing or status of Appeals to Circuit Court, you may call the Clerk of the Circuit Court at (305) 349-7409.



MEMORANDUM
BOARD OF COUNTY COMMISSIONERS

TO: **Honorable Rebeca Sosa**
Chairwoman, Board of County Commissioners

DATE: May 22, 2013

FROM: **Honorable Jean Mongeluz**
Commissioner, District 2

SUBJECT: Absence from Zoning
hearing on May 23, 2013

Please be advised that, unfortunately, I will be unable to attend the May 23, 2013 Zoning Hearing of the Board of County Commissioners.

Thank you for your consideration.

C: Members, Board of County Commissioners
 Robert A. Cuevas, County Attorney
 Christopher Agrippa, Clerk of the Board



MEMORANDUM
BOARD OF COUNTY COMMISSIONERS
COMMISSIONER AUDREY M. EDMONSON
DISTRICT 3

Date: May 20, 2013
To: Honorable Rebeca Sosa, Chairwoman
and Members, Board of County Commissioners
From: Audrey M. Edmonson
Commissioner, District 3
Subject: Zoning Meeting on May 23, 2013

Please be advised that, due to a scheduling conflict, I will not be able to attend the May 23, 2013 Zoning meeting. I apologize for any inconvenience this may cause.

Thank you for your attention to this matter.

c: Honorable Carlos A. Gimenez, Mayor
Robert A. Cuevas, Jr., County Attorney
Christopher Agrippa, Division Chief, Clerk of the Board



**MEMORANDUM
BOARD OF COUNTY COMMISSIONERS
COMMISSIONER SALLY A. HEYMAN
DISTRICT 4**

TO: Honorable Rebeca Sosa, Chairwoman and Members of the Board of County Commissioners	DATE: May 21, 2013
FROM: Sally A. Heyman Commissioner District 4	SUBJECT: Absence from Zoning Meeting May 23, 2013

A handwritten signature in black ink, appearing to read "Sally A. Heyman", is written over the printed name and title of the sender.

Please be advised that I will be traveling to a NACo Conference and will not be able to attend the Zoning meeting scheduled for May 23, 2013.

I apologize for any inconvenience my absence may cause.

cc: Carlos A. Gimenez, Mayor
Alina T. Hudak, County Manager
Charles Anderson, Commission Auditor
Eric Silva, PERA Interim Assistant Director
Christopher Agrippa, Division Chief

COMMISSIONER JOSE "PEPE" DIAZ

DISTRICT 12



MEMORANDUM

TO: Honorable Rebeca Sosa, Chairwoman
Board of County Commissioners

FROM: Commissioner Jose "Pepe" Diaz

DATE: May 23, 2013

RE: Absence

Please be advised that I will not be able to attend the Zoning meeting scheduled for today due to a work conflict.

I apologize for any inconvenience this may cause.

C: Clerk of the Board

ZONING ACTION

MEMORANDUM

Harvey Ruvin

Clerk of the Circuit and County Courts

Clerk of the Board of County Commissioners

(305) 375-5126

(305) 375-2484 FAX

www.miami-dadeclerk.com



DATE: May 23, 2013

#Z-

ITEM: 1. MIAMI GARDENS PARK, LLC
(13-1-CZ5-1/12-089)

APPLICANT: Miami Gardens Park, LLC

MOTION: To Defer the application to No Date Certain

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro		X		
Bovo	S	X		
Diaz				X
Edmonson				X
Heyman				X
Jordan	M	X		
Monestime				X
Moss		X		
Souto				X
Suarez		X		
Zapata				X
Vice Chair Bell		X		
Chairwoman Sosa		X		
TOTAL		7	0	6

DATE:

#Z-

ITEM:

APPLICANT:

MOTION:

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro				
Bovo				
Diaz				
Edmonson				
Heyman				
Jordan				
Monestime				
Moss				
Souto				
Suarez				
Zapata				
Vice Chair Bell				
Chairwoman Sosa				
TOTAL				

DATE: May 23, 2013

#Z- 04-13

ITEM: 2. SOUTHWESTERN GRANT, LLC ET AL
(13-5-CC-1/11-128) #Z-04-13

APPLICANT: Southwestern Grant, LLC et al (Z11-128)

MOTION: To approve the application as amended on Handwritten Page 16, to include at the end of Section 16, the language: "...but no more than 24 months from the date of issuance of the building permit..."

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro		X		
Bovo		X		
Diaz				X
Edmonson				X
Heyman				X
Jordan		X		
Monestime				X
Moss	S	X		
Souto				X
Suarez		X		
Zapata				X
Vice Chair Bell	M	X		
Chairwoman Sosa		X		
TOTAL		7	0	6

DATE:

#Z-

ITEM:

APPLICANT:

MOTION:

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro				
Bovo				
Diaz				
Edmonson				
Heyman				
Jordan				
Monestime				
Moss				
Souto				
Suarez				
Zapata				
Vice Chair Bell				
Chairwoman Sosa				
TOTAL				

FOR Speaker's Card (For Public Hearing Items Only)

128

Today's Date: _____ BCC Mtg. Date: _____ Agenda Item#: _____
Subject: Southwestern Grant
Name: Adriana Pimentel-Filippi
Address: 23626 SW ~~54th~~ 113 Pass Homestead, FL 33032

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? ☐ Yes ☒ No

If yes, please list name: _____ Organization _____ Firm _____ Client _____

Have you registered with the Clerk of the Board? ☐ Yes ☒ No

Do you require an interpreter?
☐ Necesita un interprete? ☐ Spanish/Español ☐ Eske w' bezwen yon Entèprete? ☐ Creole/Kreyol