

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to Board of County Commissioners**

**PH: Z20-096**

**April 21, 2021**

**Item No. 4**

| <b>Recommendation Summary</b>              |  |
|--|--|
| <b>Commission District</b>                 | 12   |
| <b>Applicant</b>                           | Valgir Corp  |
| <b>Summary of Requests</b>                 | The applicant is seeking to permit a cemetery on a parcel of land with less lot area than required by Code. Additionally, the applicant seeks ancillary non-use variances to permit burial sites setback less than required from property lines, along with waiving the required roadway dedication along portions of NW 178 Street. |
| <b>Location</b>                            | Lying in the southwest corner of NW 178 Street and West Okeechobee Road, Miami-Dade County, Florida.   |
| <b>Property Size</b>                       | 4.26-Gross Acres   |
| <b>Existing Zoning</b>                     | AU, Agricultural District  |
| <b>Existing Land Use</b>                   | Vacant   |
| <b>2020-2030 CDMP Land Use Designation</b> | <i>Open Land</i><br>(see attached Zoning Recommendation Addendum)  |
| <b>Comprehensive Plan Consistency</b>      | Consistent with the LUP map, and the interpretative text and policies of the CDMP  |
| <b>Applicable Zoning Code Section(s)</b>   | Section 33-311(A)(3), Special Exception, Unusual use and New Uses, Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations<br>(see attached Zoning Recommendation Addendum)  |
| <b>Recommendation</b>                      | <b>Approval with conditions.</b>   |

This item was tentatively scheduled for the February 11, 2021 and March 11, 2021, meeting of Community Zoning Appeals Board (CZAB) #5. The board was not able to meet due to not having enough members for a quorum. Pursuant to Sec 33-314(A)(5) the applicant requests that this application be heard by the Board of County Commissioners.

**REQUESTS:**

- (1) SPECIAL EXCEPTION to permit a cemetery.
- (2) NON-USE VARIANCE to permit the cemetery on a parcel of land with a lot area of 4.27 gross acres (5 gross acres required).
- (3) NON-USE VARIANCE to permit burials setback 22'-;1" (25' required) from the interior side (east) property line.
- (4) NON-USE VARIANCE of the zoning regulations requiring half-section line right-of-way to be 70' in width; to permit 25' dedication for the south half along portions of NW 178 Street (35' required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled “Woodlawn West Cemetery” preparer unknown, consisting of one sheet dated stamped received 10/07/20 and the remaining sheet dated stamped received 08/20/20, for a total of 2 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:**

The applicant is seeking to establish a cemetery consisting of burials crypts on a 4.26-gross acre AU, Agricultural zoned parcel located outside the Urban Development Boundary (UDB).

| <b>NEIGHBORHOOD CHARACTERISTICS</b> |                                |                             |
|-------------------------------------|--------------------------------|-----------------------------|
|                                     | <b>Zoning and Existing Use</b> | <b>Land Use Designation</b> |
| <b>Subject Property</b>             | AU; vacant land                | Open Land                   |
| <b>North</b>                        | AU; cemetery                   | Open Land                   |
| <b>South</b>                        | AU; container nursery          | Open Land                   |
| <b>East</b>                         | AU; container nursery          | Open Land                   |
| <b>West</b>                         | AU; vacant land                | Open Land                   |

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is a vacant parcel and surrounded by container nurseries to the east and south, vacant land to the west and a cemetery to the north.

**SUMMARY OF THE IMPACTS:**

The approval of this application will provide additional burial options to the community. However, the requested setback variance could have a negative visual impact on the surrounding area.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the subject property for **Open Land Subarea 1**. Uses allow in the Open Land category includes *rural residential use at 1 dwelling unit per 5 acres, limestone quarrying and ancillary uses, compatible institutional uses, public facilities, utility facilities, and communications facilities, recreational uses, nurseries and tree farms, agriculture production and the limited raising of livestock may be considered for approval in this subarea.*

With this application the applicant seeks to develop the subject property with a cemetery, on a parcel on land with less lot area, along with ancillary non-uses variances of a reduced setback and waving additional dedication of a right-of-way.

Based on the CDMP Land Use Element interpretative text under Institutions, Utilities and Communications, staff opines that the proposed cemetery use is **consistent** with the CDMP Open Land designation of the property on the LOP map, subject to the application satisfying the compatibility criteria set forth in Policy LU-4A of the CDMP Land Use Element interpretative text.

For the reasons explained in the zoning analysis below, staff opines that the proposed cemetery use in the Open Land area, would be compatible with same, based on the criteria outlined in Policy LU-4A.

Staff notes that a cemetery is an institutional use. Therefore, staff opines that the proposed cemetery, along with the requested ancillary non-use variances would be **consistent** with the CDMP Land Use Element interpretative text for properties designated Open Land on the LUP map.

### **ZONING ANALYSIS:**

The applicant is seeking to permit a proposed cemetery on the subject property (request #1). When request #1 is analyzed under Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses and New Uses, staff opines that approval with conditions would be **compatible** with the surrounding area.

Based on the memorandum from the Platting and Traffic Review Section of The Department Regulatory and Economic Resources (RER), staff opines that approval of the aforementioned request would efficiently use the roads, streets and highways which have been constructed, planned or budgeted for in this area and further, would not result in excessive traffic. Their memorandum states that the application will generate 1 PM daily peak hour trips and that the application meets the criteria for traffic concurrency for an Initial Development Order. Similarly, the memorandum from the Division of Environmental Resources Management (DERM) of RER indicates that the approval with conditions of the aforementioned requests will not have an unfavorable impact on the environmental resources of the County. Specifically, its memorandum indicates that a review of the application for compliance with the requirements of Chapter 24 of the Code indicated that the Level of Service standards as specified in the CDMP for potable water supply, wastewater disposal and flood protection are valid for this initial development order. Similarly, Miami-Dade Fire Rescue Department (MDFRD) does not object to this application.

The subject property is vacant and is located outside the Urban Development Boundary. The parcels located to the east and south of the subject property are both developed with container nurseries. Staff notes that the property to the north of the subject property is owned by the applicant and is developed with an existing cemetery consisting of a funeral home, mausoleums, and offices. The applicant is now seeking to establish a new cemetery for additional burial sites on the subject property. Staff notes that the submitted plans depict a cemetery with burial crypts that are substantially buffered with landscaping consisting of trees and hedges around the perimeter of the property. Further, staff notes that there will be no building developed on the subject property. Staff also notes that the area within the surrounding community is generally characterized by agricultural uses, truck parking and lake excavation uses. Staff opines that approval of the proposed cemetery would not be more intensive than the existing uses in the surrounding area, and based on staff's memoranda, would not result in a deterioration of the Level of Service standards for the roadways or the environment. Additionally, the submitted plans show a circular drive that allows for uninterrupted vehicular flow within the property. Therefore, in staff's opinion, approval of same would not be detrimental to the area and would not have a negative traffic impact. Further, staff notes that the submitted landscape plans indicate an approximately 22' wide adequate landscape buffered installed along the perimeter of the property, which staff opines will mitigate any negative visual impact on passersby along NW 178 Street and West Okeechobee Road. Staff opines that approval

with conditions of the request would not generate or result in excessive traffic or burden public facilities, would not tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or provoke a nuisance, and would not be incompatible with the area concerned. **Staff, therefore, recommends approval with conditions of request #1 under Section 33-311(A)(3) Special Exceptions, Unusual and New Uses.**

The applicant is also seeking to permit the cemetery on a 4.26-gross acre parcel (5 gross acres required), request #2, to permit burial crypts to setback less than required from a property line (request #3) and to waive the additional dedication along NW 178 Street (request #4). Staff opines that when the aforementioned requests are analyzed under Section 33-311(A)(b), Non-Use Variance From Other Than Airport Regulations, approval of the requests will maintain the basic intent and purposes of the zoning, subdivision and other land use regulations and would be **compatible** with same.

As mentioned previously, the applicant is requesting to develop the 4.26-gross acre parcel with a cemetery consisting of burial crypts only, setback 22'-1" (25' required) from the interior side east property line (requests #2 and #3). Staff opines, approval of the parcel size and reduced setback for the burial crypts would not affect the stability and appearance of the surrounding community and would not be an obvious departure from the aesthetic character of the immediate vicinity. Additionally, staff opines that the 2.9' setback encroachment is minimal and will not have a visual impact on the abutting container nursery to the east of the proposed cemetery, as any impact generated by same would be adequately mitigated by the provided landscape buffer along the east property line. Further, as mentioned previously there will be no buildings on the subject site and the cemetery will contain lawn burial crypts only. Therefore, staff opines that approval of requests #2 and #3 will not be out of character with the area and will not be detrimental to same.

Further, staff opines that the approval of the applicant's request to waive the additional dedication along the south half of NW 178 Street (request #4) would not be detrimental to the surrounding area. Staff opines that approval to waive additional 10' dedication required along portions of the south half of NW 178 Street will not have a negative impact on the adjacent parcels lying to the north, east and west of the subject property or on traffic flow along the surrounding roadways. In addition, based on the memorandum from the Platting and Traffic Review Section, of the Department of Regulatory and Economic Resources (RER), staff opines that approval of the reduced right-of-way dedication for NW 178 Street will not negatively impact traffic on the surrounding roadways. Therefore, staff opines that approval of the request would maintain the basic intent and purpose of zoning and other land use regulations, and that approval of the request would be compatible with the surrounding land uses in the area. As such, staff opines that approval with conditions of requests #2 through #4 will not create a significant visual impact, will not be intrusive to the surrounding area and would be **compatible** with the same. **Staff, therefore, recommends approval with conditions of requests #2 through #4 under Section 33-311(A)(4)(b), Non-Use Variance From Other Than Airport Regulations.**

**ACCESS, CIRCULATION AND PARKING:** The submitted plans indicate one (1) ingress and egress point along NW 178 Street.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached

**OTHER:** Not applicable.

**RECOMMENDATION:** Approval with conditions.

**CONDITIONS FOR APPROVAL:**

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources or its successor Department 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 "Woodlawn West Cemetery" preparer unknown, consisting of one sheet dated stamped received 10/07/20 and the remaining sheet dated stamped received 08/20/20, for a total of 2 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant complies with all the applicable conditions, requirements recommendations, requests, and other provision of the Platting and Traffic Review Section of the Department of Regulatory and Economic Review Section, as contained in its memorandum dated February 3, 2021.

NK:JB::NN:CH:CDH



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Nathan Kogon, AICP, Assistant Director  
Development Services Division  
Miami-Dade County  
Department of Regulatory and Economic Resources

# ZONING RECOMMENDATION ADDENDUM

Valgir Corp  
PH: Z20-096

| <b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS</b>      |               |
|---|---------------|
| Division of Environmental Resource Management (RER) | No objection* |
| Platting and Traffic Review Section (RER)           | No objection  |
| Fire Rescue   | No objection  |
| Water and Sewer                                     | No objection  |
| *Subject to conditions in their memorandum.         |               |

## COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

|   |  |
|---|--|
| <p><b>Open Land</b><br/>(page I-61)</p>           | <p><i>The land designated as "Open Land" is not needed for urban uses between now and the year 2015 and has been set aside for uses other than urban development. It is not simply surplus land, but rather it is land that is intended to serve one or more of the following functions: production such as agriculture, limestone extraction or other resource-based activity such as development of potable water supplies; rural residential development at a maximum density indicated for the specific Open land subarea, but no greater than one unit per five acres; recreation; compatible utility and public facilities as indicated for the specific Open Land Subarea, and conservation, maintenance or enhancement of environmental character.</i></p> <p><i>Also included in some Open Land areas are some existing year-round agricultural activities and some enclaves of estate density residential use approved and grandfathered by zoning, ownership patterns and platting activities which predate this Plan. The grandfather provisions of the Miami-Dade County Zoning Code shall continue to apply in Subareas 1, 2, 3 and 5, except that residential lots smaller than 15,000 square feet in area are not grandfathered hereby. Moreover, all existing lawful uses and zoning are deemed to be consistent with this Plan unless a use or zoning: (a) is found through a subsequent planning study, as provided in Policy LU-4E, to be inconsistent with the foregoing grandfather provisions or inconsistent with the CDMP as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map". This paragraph does not, however, authorize the expansion of any use inconsistent with the specific provisions for the applicable Open Land subarea. To the contrary, it is the intent of this plan to contain and prevent the expansion of such inconsistent development in Open Land areas.</i></p> <p><i>Because Open Land areas primarily consist of wetlands, all proposed uses will be reviewed on a case-by-case basis. No particular use, other than rural residential use at specified densities is definitively allowed. Following is an indication of the uses and residential densities that are likely to be permitted in each of six Open Land Subareas, subject to conformity with the pertinent goals, objectives, and policies of this Plan. The Land Use Plan map depicts the precise boundary of the entire Open Land area.</i></p> |
| <p><b>Open Land Subarea 1</b><br/>(page I-67)</p> | <p><i>This subarea is located north of the Miami Canal (Canal-6) in northwestern Miami-Dade County. Rural residential use at 1 dwelling unit per 5 acres, limestone quarrying and ancillary uses, compatible institutional uses, public facilities, utility facilities, and communication facilities, recreational uses, nurseries and tree farms, agricultural production and the limited raising of livestock may be considered for approval in this subarea. The following uses may also be considered for approval in this subarea: parking and storage of operable, non-disabled commercial motor vehicles, including construction equipment and agricultural equipment, as defined in Section 320.01, Florida Statutes, and incidental temporary parking and storage of operable, non-disabled passenger automobiles to serve such allowable uses on the same parcel (but not to include stand-alone automobile parking and storage uses such as car rental facilities). It is provided that such parking and storage uses shall be allowed only on properties larger than 20 acres, under a single ownership, and located within the area of an arc no more</i></p>   |

## ZONING RECOMMENDATION ADDENDUM

Valgir Corp  
PH: Z20-096

|   |  |
|---|--|
|   | <p><i>than 7,000 lineal feet from the intersection of Okeechobee Road and the Turnpike Extension so long as the property is not located within 1,400 feet of a body of water, canal, or lake as measured from the top of bank. Such parking and storage of vehicles and equipment shall be subject to the following requirements: (a) commercial vehicle storage facilities shall obtain an annual operating permit from the Division of Environmental Resource Management (DERM) in the Department of Regulatory and Economic Resources and be subject to required quarterly groundwater quality monitoring; (b) all vehicles and equipment shall be stored or parked only on paved impervious surfaces with County approved drainage systems; (c) mechanical repair of any kind shall be prohibited; (d) the storage, handling, use, discharge and disposal of liquid waste or hazardous waste shall be prohibited; and (e) truck washing shall be permitted as an ancillary use at commercial vehicle storage facilities provided that the truck washing shall be done with 100% recyclable water systems as approved by the Division of Environmental Resource Management in the Department of Regulatory and Economic Resources; truck washing services shall only be provided for trucks stored at the commercial vehicle storage facilities for at least 4 hours; truck washing shall be conducted only in fully enclosed buildings as approved by the Division of Environmental Resource Management in the Department of Regulatory and Economic Resources; facilities shall allow inspections at any time during operating hours; facilities shall provide secondary containment surrounding all storage tanks; and to be subject to required groundwater quality monitoring. In addition, if a violation of these provisions related to truck parking and truck washing or the operating conditions is found on a property on three separate occasions within a three year period, truck washing shall no longer be permitted on the subject property. The County, by ordinance, shall provide a process to reestablish the use, taking into account any change in ownership, the nature of the violation, and a period of repose for the property. Uses that could compromise groundwater quality shall not occur west of the Turnpike Extension.</i></p> |
| <p><b>Policy LU-4A<br/>(Page I-9)</b></p> | <p><i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i></p>   |

### PERTINENT ZONING REQUIREMENTS/STANDARDS

|  |   |
|--|---|
| <p><b>Section 33-311(A)(3)<br/>Special Exception, Unusual and New Uses.</b></p>                  | <p><i>Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.</i></p> |
| <p><b>Section 33-311(A)(4)(b)<br/>Non-Use Variances From Other Than Airport Regulations.</b></p> | <p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for <b>non-use variances</b> from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of</i></p>   |

# ZONING RECOMMENDATION ADDENDUM

Valgir Corp  
PH: Z20-096

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| <i>unnecessary hardship to the land is required.</i> |
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# Memorandum



**Date:** November 24, 2020

**To:** Jack Osterholt, Deputy Mayor/Director  
Department of Regulatory and Economic Resources

**From:** Rashid Istambouli, P.E.  
Department of Regulatory and Economic Resources

**Subject:** Z2020000096-2<sup>nd</sup> Revision  
Valgir Corp.  
Lying at the NE corner of Okeechobee Road (SR 25) and NW 178<sup>th</sup>  
Street  
Special exception to permit expansion of a cemetery adjacent parcel  
(AU) (2.135 Acres)  
10-52-39

A handwritten signature in black ink, appearing to read "Rashid Istambouli", written over the "From:" field of the memorandum.

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The Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) has reviewed the above referenced zoning application for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) for potable water service and wastewater disposal. Based on the information provided, this zoning application is approved pursuant to Section 24-43.1 of the Code.

#### Potable Water Supply and Wastewater Disposal

Public water and public sanitary sewer systems are not available in this general area; furthermore, since the site is located outside the Urban Development Boundary, neither public water nor public sanitary sewers can be extended to serve the site. As per the information submitted with this application, no structures requiring potable water and wastewater disposal systems are being proposed.

This analysis is based on water and sanitary sewer infrastructure as it exists at the time of this application. Please be advised that water and/or sanitary sewer system infrastructure is constantly changing, and future applications related to this property will be reanalyzed based on the infrastructure that exists at the time of such future applications.

#### **Conditions of Approval: None**

#### Stormwater Management

The proposed development is located within the Western C-9 B stormwater management basin, where the South Florida Water Management District (1-800-432-2045) has jurisdiction for cut and fill stormwater criteria. The applicant shall obtain Cut and Fill (fill encroachment criteria) and an Individual Environmental Resources Permit from the South Florida Water Management District. It is the applicant's responsibility to contact the above-mentioned agency for further information regarding permitting procedures and requirements.

Stormwater should be retained on site utilizing designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 5-year/1-day storm event.

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

**Conditions of Approval: None**

Wetlands

The subject property is located within the C-9 Wetlands Basin and contains wetlands as defined by Section 24-5 of the Code. Therefore, a Class IV permit will be required before any work occurs on the subject property. DERM has no objection to this application provided the applicant acquires a Class IV permit prior to the initiation of any work on the subject property. A full evaluation of the resources is performed during the permitting process. While every effort is made to notify the applicant of all requirements at this time, the full permit evaluation may require that site plans be changed to preserve unique biological resources.

The Wetlands Resources Section (305-372-6585) may be contacted for further information concerning the wetland permitting requirements. The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

**Conditions of Approval: None**

Tree Preservation

A review of the subject property revealed the presence of wetlands and upland tree resources. Please be advised that tree resources that lie within wetland areas will be regulated through a Class IV Wetland permit; however, any regulated tree resources within areas not designated as wetlands will require a Miami-Dade County Tree Removal Permit prior to removal and/or relocation.

A Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the tree preservation and protection provisions of the Code. Projects and permits shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code. The applicant is advised that a tree survey that includes a tree disposition table may be required during the tree removal permit application process. Please contact Tree and Forest Resources Section at (305)372-6574 for additional information regarding tree permitting procedures and requirements.

In accordance with Section 24-49.9 of the Code, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development, or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species.

**Conditions of Approval: None**

Enforcement History

The subject property has one (1) open and one (1) closed enforcement records for violations of Chapter 24 of the Code.

Open enforcement case:

CLIV 2011-032, DOMINGUEZ, EDUARDO & VIVIAN- VALGIR CORP, West Okeechobee Road & NW 78<sup>th</sup> Street). On August 13, 2015, a Notice of Violation (NOV) and Orders for corrective action was issued by DERM related to unpermitted clearing of filling of wetlands onsite and on October 10, 2015, a Final Notice Prior to Court Action was issued. DERM staff subsequently issued a Uniform Civil Violation Notice (UCVN) no. B132054 on July 13, 2016, related to the unpermitted clearing and filling of wetlands onsite. An Affidavit of non-compliance was processed on September 2016; a Notice of Intent for Court Action and Lien was issued on October 13, 2016; and a Demand letter was issued on July 6, 2017.

Inspections conducted by DERM staff on November 19, 2017 and May 17, 2018, revealed that the violation onsite remained uncorrected and on July 12, 2018, a Lien against the property was recorded by the Miami-Dade County Recorder's office Book 31035, Pages 399-400, CFN 2018R0384126.

The wetlands violation has not been corrected and the case remains open. For further information, please contact Code Enforcement Officer Veronica Chicola via email at [Veronica.Chicola@miamidade.gov](mailto:Veronica.Chicola@miamidade.gov).

Additionally, a review records associated with the above DERM Enforcement case revealed:

Unpaid Civil penalties: \$0.00

Unpaid Administrative costs of hearing: \$0.00

Unpaid County investigative, enforcement, testing, or monitoring costs: \$0.00

Unpaid liens: \$0.00

Concurrency Review Summary

A concurrency review has been conducted for this application and DERM has determined that the same meets all applicable LOS standards for an initial development order as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. This concurrency approval is valid only for this initial development order. Pursuant to Chapter 33G of the Code, a final concurrency statement will be issued at the time of final development order.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

cc: Nathan Kogon, Department of Regulatory and Economic Resources

# Memorandum



**Date:** February 3, 2021

**To:** Nathan Kogon, Assistant Director  
Department of Regulatory and Economic Resources

**From:** Raul A. Pino, PLS, Chief  
Platting and Traffic Review Section  
Department of Regulatory and Economic Resources

**Subject:** Z2020000096  
Name: Valgir Corp.  
Location: Northeast Corner of Okeechobee Road and NW 178 Street  
Section 10 Township 52 South Range 39 East

The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has **no objections**.

This land **complies** with Chapter 28 of the Miami-Dade County Code. The property is platted as Lot 2, Plat Book 2, Page 66.

This application **does** meet the traffic concurrency criteria for an Initial Development Order. It will generate **1 PM** peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveals that the addition of these new trips **does not** exceed the acceptable level of service of the following roadways:

| STA.#  | LOCATION                                | LOS<br>PRESENT | LOS<br>W/PROJECT |
|--------|---|----------------|------------------|
| F 0585 | US 27/Okeechobee Road SE/O Krome Avenue | C              | C                |

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.

## Standard Conditions:

- During the platting and/or permitting process, applicant must submit paving, grading and pavement marking plans to the Department of Regulatory and Economic Resources Platting Section for review. The set of plans shall be signed and sealed by an engineer in compliance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways as well as County Standards. Additional improvements may be required once the detailed set of plans are submitted to this Section.
- All landscaping, walls, fences, entrance features, etc. will be subject to the Safe Sight Distance Triangle as per Section 33-11 of the Miami-Dade County Code and G5.3 of the Public Works and Waste Management Department Manual.

# Memorandum



**Date:** July 16, 2020

**To:** Nathan Kogon, Assistant Director  
Development Services  
Department of Regulatory and Economic Resources (RER)

**From:** Maria A. Valdes, CSM, LEED® Green Associate  
Chief, Planning & Water Certification Section  
Water and Sewer Department (WASD) 

**Subject:** Application Comments - Valgir Corp.  
Application No. Z2020000096 - (Pre-App. No. Z20P-040)

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The Water and Sewer Department has reviewed the proposed development for the subject zoning application. WASD has no objections to this application. The information provided below is preliminary and it does not affect the Zoning process.

Application Name: Valgir Corp.

Location: The proposed project is located East of Okeechobee Blvd and S/O theoretical NW 178<sup>th</sup> Street, with Folio No. 30-2910-002-0020, in unincorporated Miami-Dade County, Outside the Urban Development Boundary (UDB). Per CDMP policy, water and sewer infrastructure outside the UDB is not allowed unless found consistent with the goals and policies of the CDMP.

Proposed Development: The Applicant currently operates an existing cemetery located at 14001 NW 178 Street, which is located directly to the North of the Subject Property. The Applicant now seeks a special exception to expand the existing cemetery uses onto the Subject Property to permit for additional burial sites.

Recommendation: WASD has no objection to this application. There is no connection to water and sewer public infrastructure requested with this application.

Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or [mavald@miamidade.gov](mailto:mavald@miamidade.gov), Alfredo B. Sanchez at (786) 552-8237 or [sanalf@miamidade.gov](mailto:sanalf@miamidade.gov) or Benita Ramirez at (786) 552-8121 or [Benita.Ramirez@miamidade.gov](mailto:Benita.Ramirez@miamidade.gov).

# Memorandum



**Date:** July 24, 2020

**To:** Nathan M. Kogon, Assistant Director  
Regulatory and Economic Resources

**From:** Alejandro G Cuello, Principal Planner  
Miami-Dade Fire Rescue Department

**Subject:** Z2020000096

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The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded to “Energov” on 06/29/2020.

For additional information, please contact [acuello@miamidade.gov](mailto:acuello@miamidade.gov) or call 786-331-4545.

***Building and Neighborhood Compliance***

**ENFORCEMENT HISTORY**

VALGIR CORP

NE Corner of Okeechobee Road (S.R. 25) and NW  
178 Street  
MIAMI-DADE COUNTY, FLORIDA.

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**APPLICANT**

**ADDRESS**

Pending

Z2020000096

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**DATE**

**HEARING NUMBER**

**FOLIO: 30-2910-002-0020**

**REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:**

July 2, 2020

**NEIGHBORHOOD REGULATIONS:**

There are no open/closed cases in CMS.

**BUILDING SUPPORT REGULATIONS:**

There are no open/closed cases in BSS.

**VIOLATOR:**

VALGIR CORP

**OUTSTANDING LIENS AND FINES:**

There are no outstanding liens or fines.

RECEIVED

MIAMI-DADE COUNTY  
PROCESS NO: Z20-096  
DATE: JUN 29 2020  
BY: GONGOL

# Disclosure of Interest\*

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Valgir Corporation

| NAME AND ADDRESS                                    | PERCENTAGE OF STOCK |
|---|---------------------|
| Jose Espinosa Valencia                              | 50%                 |
| Leidy L. Giraldo                                    | 50%                 |
| 1800 N. Bayshore Drive, Suite 1209, Miami, FL 33132 |                     |

If a **TRUST or ESTATE** owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: \_\_\_\_\_

| NAME AND ADDRESS | PERCENTAGE OF INTEREST |
|------------------|------------------------|
|                  |                        |
|                  |                        |
|                  |                        |
|                  |                        |

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

| NAME AND ADDRESS | PERCENTAGE OF OWNERSHIP |
|------------------|-------------------------|
|                  |                         |
|                  |                         |
|                  |                         |
|                  |                         |

*\*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.*

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MIAMI-DADE COUNTY  
PROCESS NO: Z20-096  
DATE: JUN 29 2020  
BY: GONGOL

# Disclosure of Interest

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: SCI Funeral Services of Florida, LLC

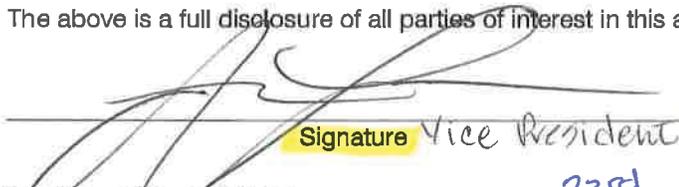
| NAME AND ADDRESS | PERCENTAGE OF INTEREST |
|------------------|------------------------|
|                  |                        |
|                  |                        |
|                  |                        |
|                  |                        |

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

|  |  |
|--|--|
|  |  |
|  |  |
|  |  |
|  |  |

**NOTICE:** For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing or zoning determination, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.


Signature Vice President
Anasthasia Lewis, Vice President
Print Name

Sworn to and subscribed to before me on the 23<sup>rd</sup> day of December, 2019

Affiant is personally known to me or has produced \_\_\_\_\_ as identification.



Notary: 

[Stamp/Seal]

Commission expires: 08/05/2020

This form is available online at [www.miamidade.gov/zoning/forms.asp](http://www.miamidade.gov/zoning/forms.asp)

FORM REVISION 2019/3

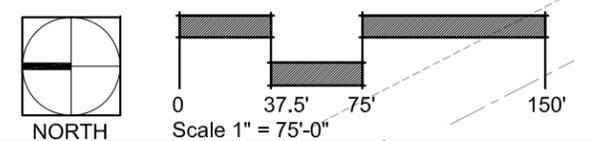
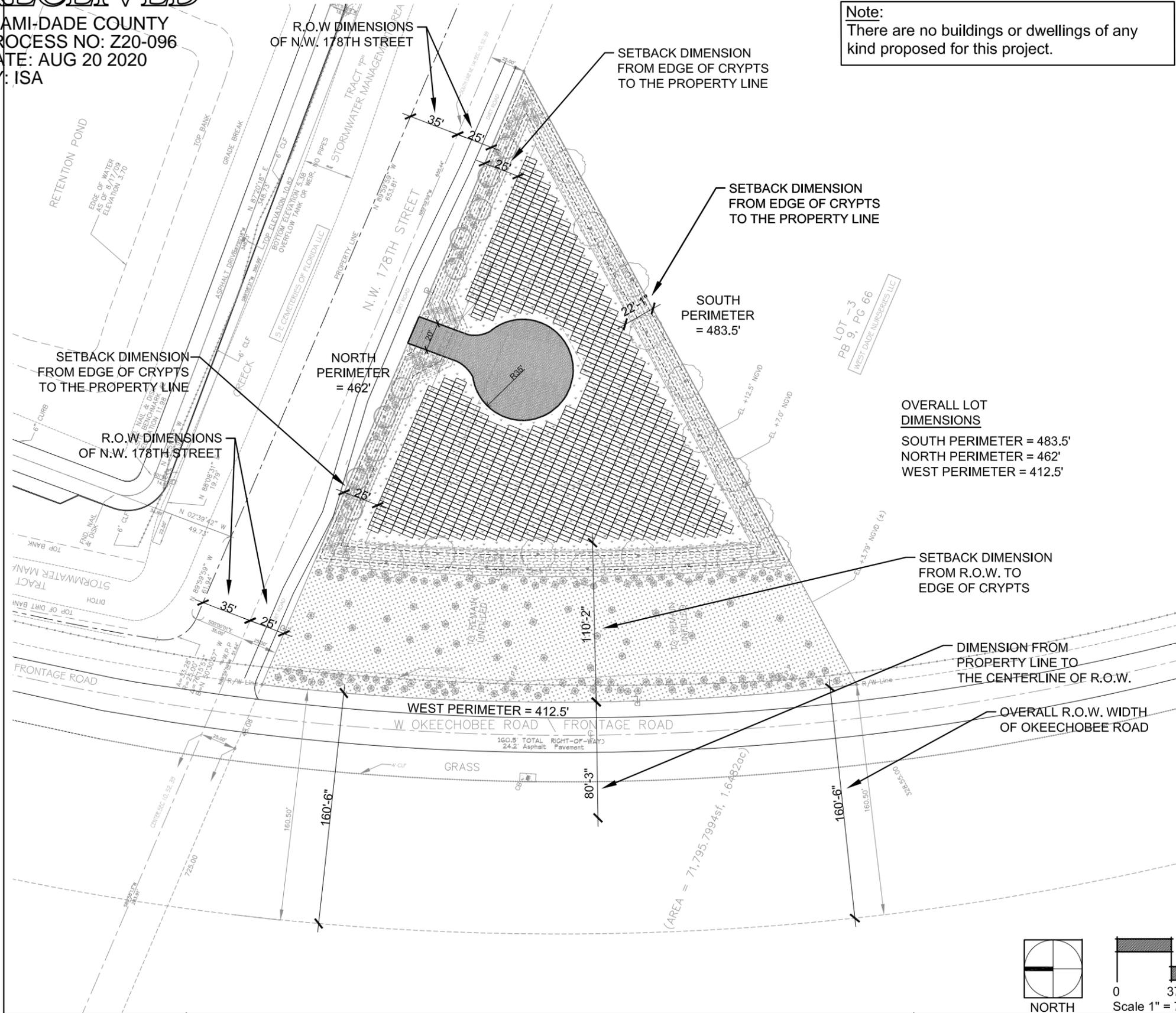


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MIAMI-DADE COUNTY  
 PROCESS NO: Z20-096  
 DATE: AUG 20 2020  
 BY: ISA

Note:  
 There are no buildings or dwellings of any kind proposed for this project.

| AU - ZONING LEGEND                           |                                   |                                |                       |                 |
|--|-----------------------------------|--------------------------------|-----------------------|-----------------|
| Legend data to be incorporated onto the plan |                                   |                                |                       |                 |
| Zoning District: AU-                         | MINIMUM REQUIREMENTS              |                                | REQUIRED              | PROVIDED        |
|  | LOT FRONTAGE (MIN.)               |                                | N/A                   | 412.5'          |
|  | LOT AREA (MIN.)                   |                                | N/A                   | 87,616 S.F.     |
| SETBACK REQUIREMENTS                         |                                   |                                |                       |                 |
| SETBACK TYPE                                 |                                   |                                | REQUIRED              | PROVIDED        |
| FRONT  |                                   |                                | 50'                   | 0               |
| SIDE STREET (15' or 25')                     |                                   |                                | 25'                   | 0               |
| INTERIOR (0', 5', 10' or 15')                |                                   |                                | 15'                   | 0               |
| REAR (0', 5' or 20')                         |                                   |                                | 50'                   | 0               |
| Burial Sites along NW 178th St.              |                                   |                                | 25'                   | 25'             |
| Burial Sites along Okeechobee Road           |                                   |                                | 50'                   | 110'-2"         |
| NET AREA (ac/sf)                             | 2.011 ac.                         | 87,616 sq. ft.                 |                       |                 |
| Lot Coverage                                 | N/A                               | 0                              |                       |                 |
| Paved Area                                   | .11 ac.                           | 4804 sq. ft.                   |                       |                 |
| ZONING DISTRICT                              |                                   | MAX. HEIGHT                    | MAX. STORIES          |                 |
| AU   |                                   | 35'                            | 2 STORIES             |                 |
| LANDSCAPED OPEN SPACE                        |                                   |                                |                       |                 |
| REQUIRED PERCENTAGE = 0%                     |                                   | REQUIRED ACERAGE = 0 ACRES     |                       |                 |
| PROVIDED PERCENTAGE = 95%                    |                                   | PROVIDED ACERAGE = 1,901 ACRES |                       |                 |
| MAXIMUM FLOOR RATIO (F.A.R.)                 |                                   |                                |                       |                 |
|  |                                   |                                | F.A.R. PROPOSED       | 0               |
|  |                                   |                                | F.A.R. PERMITTED      | N/A             |
| PARKING REQUIREMENTS                         |                                   |                                |                       |                 |
| Use Types                                    | OFFICE USE (1 SPACE PER 300 S.F.) | TOTAL SQ. FT. PER USE          | (SQ. FT./SPACE RATIO) | SPACES REQUIRED |
|  |                                   | 0                              | 0                     | 0               |
|  |                                   | TOTAL PARKING SPACES REQUIRED  | 0                     |                 |
|  |                                   | TOTAL PARKING SPACES PROVIDED  | 0                     |                 |



**WOODLAWN WEST ANNEX ZONING EXHIBIT**  
**WOODLAWN WEST CEMETERY**



Prepared by :Chris Wirtz  
 Chris Wirtz Landscape Architecture & Design  
 1228 Porches Drive  
 Wilmington, NC 28409

Drawn: CWLAD  
 Reviewed: CWLAD  
 Project No.: 20-1116  
 Date Prepared: August 19, 2020

WOODLAWN WEST ANNEX ZONING EXHIBIT  
 WOODLAWN WEST CEMETERY  
 Location # 9542  
 14001 Northwest 178th Street  
 Miami, FL 33018  
 SHEET No. 1 OF 1

# RECEIVED

MIAMI-DADE COUNTY  
 PROCESS NO: Z20-096  
 DATE: OCT 7 2020  
 BY: ISA

### SYMBOLS LEGEND AND NOTES

- SODDED TURF**  
 THE SODDED TURF SHALL MATCH EXISTING AT ADJACENT CEMETERY. - (35,011 SQ. FT.)
- HYDROSEED MIX**  
 THIS AREA SHALL BE HYDROSEED WITH A FLORIDA FRIENDLY SEED MIX. - (14,683 SQ. FT.)

### LANDSCAPE LEGEND

Zoning District: AU Net Lot Area: 2.011 acres 87,616 square feet

#### OPEN SPACE

- A. Square feet of open space required by Chapter 33, as indicated on the site plan:  
 Net lot area = 87,616 square feet x 0 % = 0 square feet
- B. Square feet of parking lot open space required by Chapter 18A, as indicated on the site plan:  
 The number of parking spaces 0 x 10 square feet per parking space = 0
- C. Square feet of landscaped open required by Chapter 33 = A + B = 0

| REQUIRED | PROVIDED |
|----------|----------|
| 0        | 87,616   |
| 0        | 0        |
| 0        | 87,616   |

#### LAWN AREA CALCULATION

- A. Square feet of landscaped open required by Chapter 33 = 0.
- B. Maximum lawn area (St. Augustine sod) permitted = 60% x 0 square feet = 0

| REQUIRED | PROVIDED |
|----------|----------|
| 0        | 35,011   |
| 0        | 0        |

#### TREES

- A. The number of trees required per lot acre less the existing number of trees that meet minimum requirements = 9 trees x net lot acreage = 18
- B. 30% palm trees allowed (two palms = one tree) Palms provided = 0
- C. Percentage of native trees required = the number of trees provided x 30% = 14
- D. Street trees (max. average spacing 35' o.c.): 895 linear feet along street / 35 = 26
- E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.): 0 linear feet along street / 25 = 0
- F. Total number of trees provided = 44

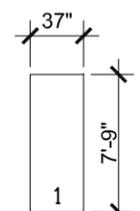
| REQUIRED | PROVIDED |
|----------|----------|
| 9        | 18       |
| 0        | 0        |
| 14       | 44       |
| 26       | 26       |
| 0        | n/a      |
| 44       | 44       |

#### SHRUBS

- A. The number of trees required x 10 = the number of shrubs required = 440
- B. The number of shrubs required x 30% = the number of native shrubs required = 132

| REQUIRED | PROVIDED |
|----------|----------|
| 440      | 132      |
| 132      | 132      |

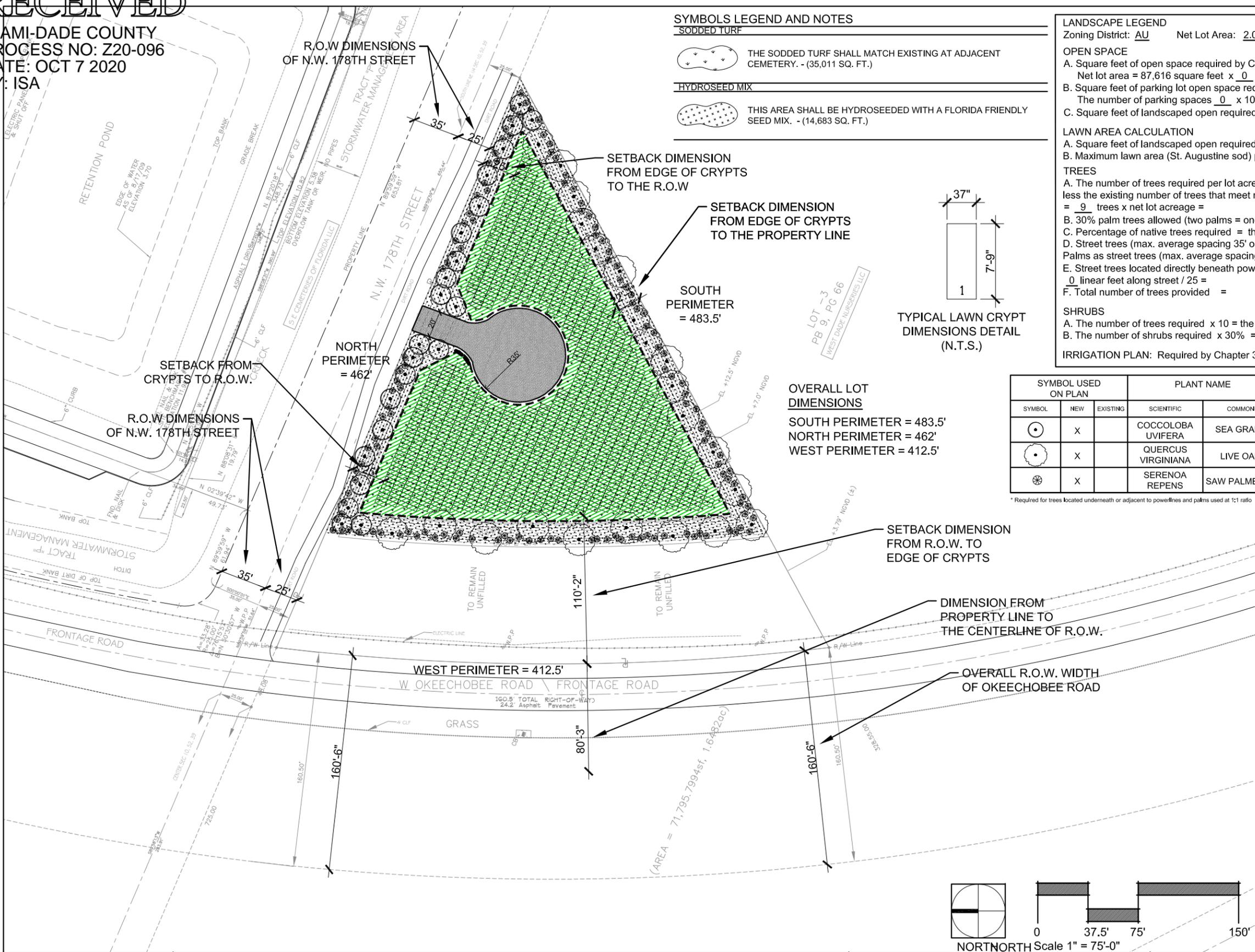
IRRIGATION PLAN: Required by Chapter 333. Auto irrigation x or hose bib provided.



TYPICAL LAWN CRYPT DIMENSIONS DETAIL (N.T.S.)

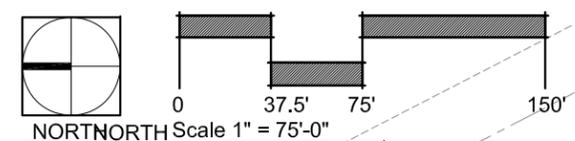
#### OVERALL LOT DIMENSIONS

SOUTH PERIMETER = 483.5'  
 NORTH PERIMETER = 462'  
 WEST PERIMETER = 412.5'



| SYMBOL USED ON PLAN |     | PLANT NAME |                    | NATIVE SPECIES |     | CALIPER |             | HEIGHT    |                        | CANOPY DIAMETER        | QUANTITY |
|---------------------|-----|------------|--------------------|----------------|-----|---------|-------------|-----------|------------------------|------------------------|----------|
| SYMBOL              | NEW | EXISTING   | SCIENTIFIC         | COMMON         | YES | NO      | INSTALLED   | INSTALLED | ESTIMATED AT MATURITY* | ESTIMATED AT MATURITY* |          |
|                     | X   |            | COCCOLOBA UVIFERA  | SEA GRAPE      | x   |         | min. 1 1/2" | min. 8'   |                        |                        | 22       |
|                     | X   |            | QUERCUS VIRGINIANA | LIVE OAK       | x   |         | min. 2"     | min. 10'  |                        |                        | 22       |
|                     | X   |            | SERENOA REPENS     | SAW PALMETTO   | x   |         |             | min. 18"  |                        |                        | 132      |

\* Required for trees located underneath or adjacent to powerlines and palms used at 1:1 ratio

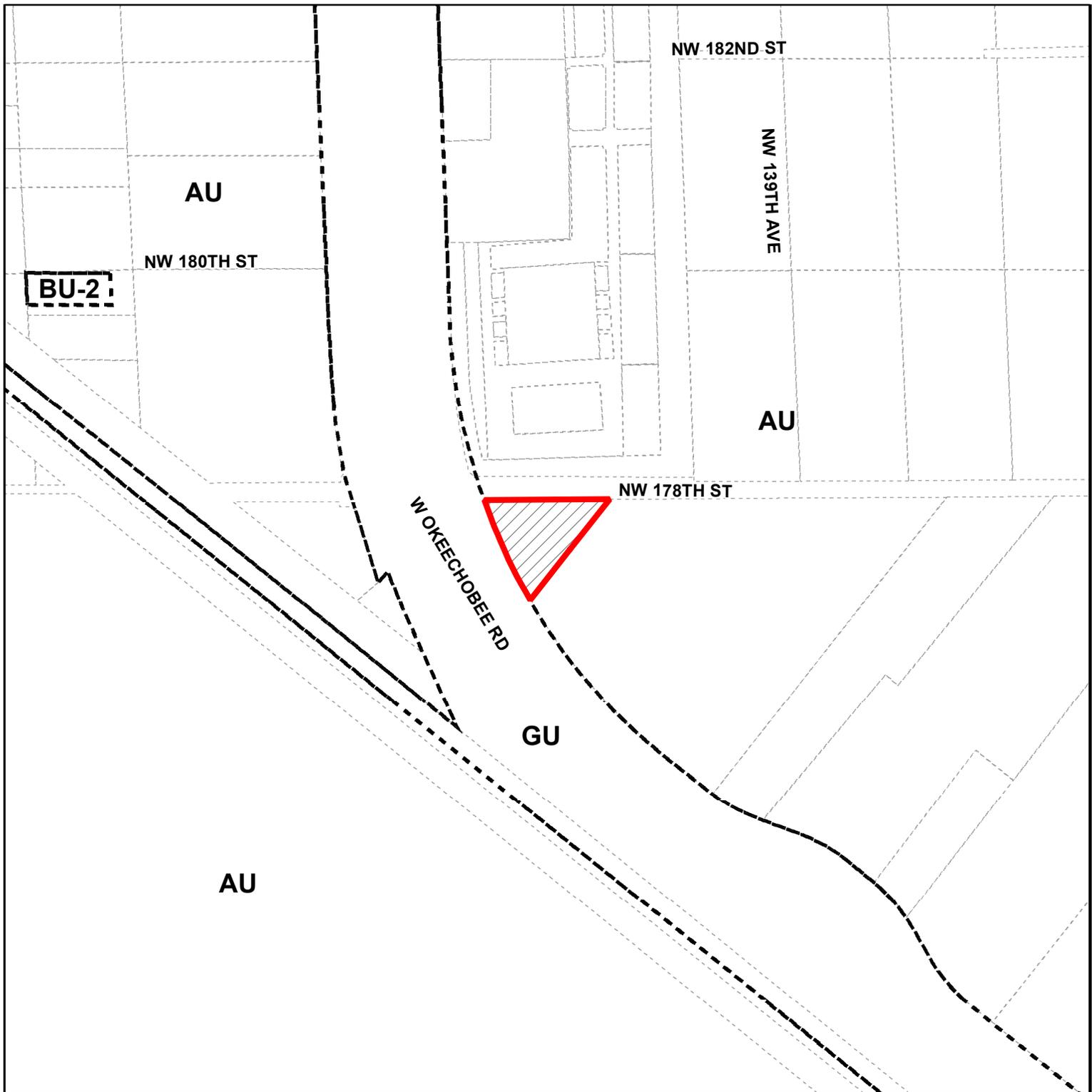


## WOODLAWN WEST ANNEX LANDSCAPE EXHIBIT

### WOODLAWN WEST CEMETERY

Drawn: \_\_\_\_\_  
 Reviewed: \_\_\_\_\_  
 Project No.: \_\_\_\_\_  
 Date Prepared: October 08, 2020

WOODLAWN WEST ANNEX LANDSCAPE EXHIBIT  
 WOODLAWN WEST CEMETERY  
 Location # 9542  
 14001 Northwest 178th Street  
 Miami, FL 33018  
 SHEET No. 1 OF 1



**MIAMI-DADE COUNTY**

**HEARING MAP**

Process Number

**Z2020000096**



Section: 10 Township: 52 Range: 39  
 Applicant: Valgir Corp  
 Zoning Board: C5  
 Commission District: 12  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

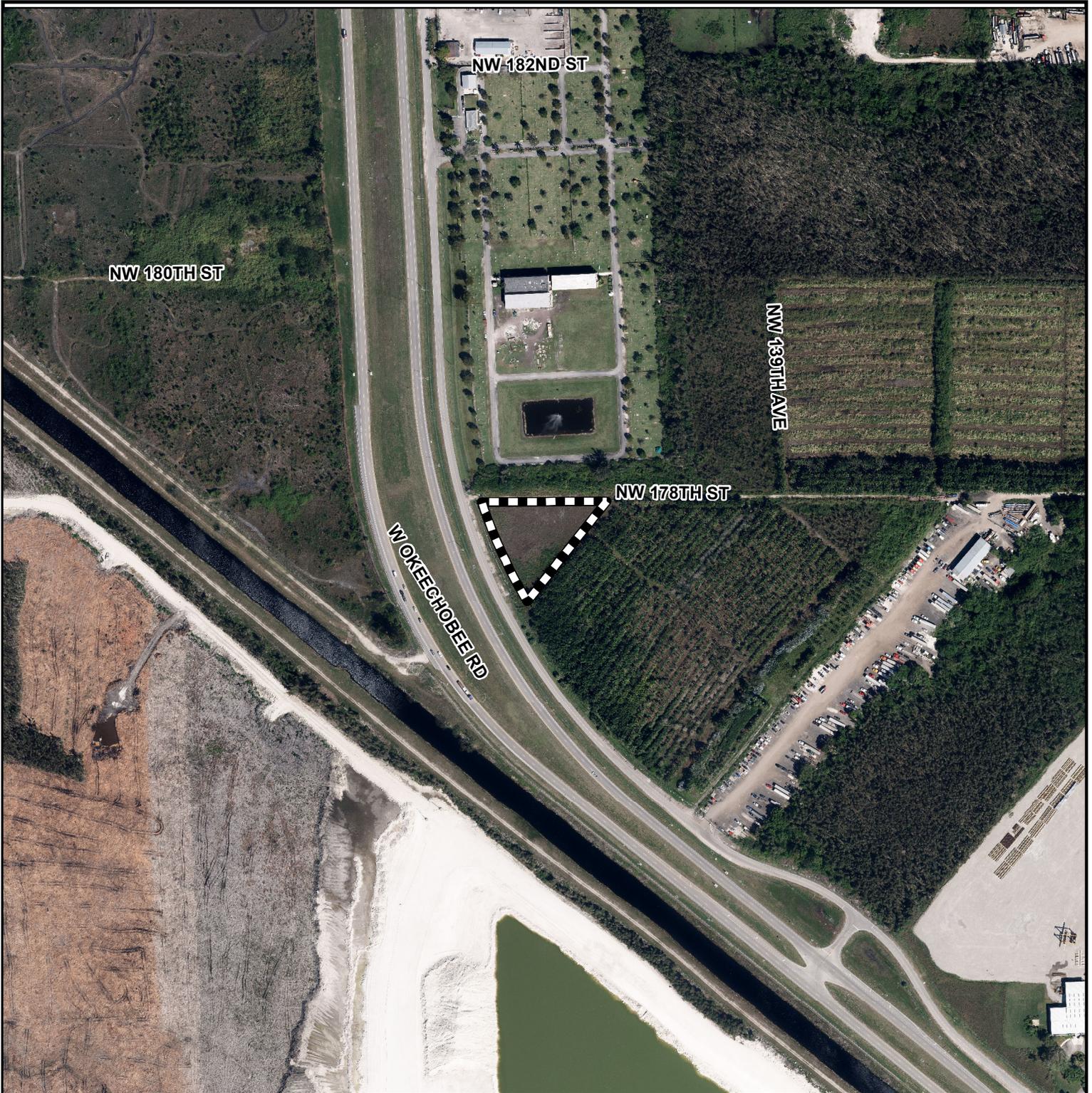
**Legend**

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Tuesday, June 30, 2020

| REVISION | DATE | BY |
|----------|------|----|
|          |      |    |



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2019**

**Process Number**  
**Z2020000096**

**Legend**  
 Subject Property



**Section: 10 Township: 52 Range: 39**  
**Applicant: Valgir Corp**  
**Zoning Board: C5**  
**Commission District: 12**  
**Drafter ID: EDUARDO CESPEDES**  
**Scale: NTS**



SKETCH CREATED ON: Tuesday, June 30, 2020

| REVISION | DATE | BY |
|----------|------|----|
|          |      |    |



**MIAMI-DADE COUNTY**  
**RADIUS MAP**

**Section: 10 Township: 52 Range: 39**  
**Applicant: Valgir Corp**  
**Zoning Board: C5**  
**Commission District: 12**  
**Drafter ID: EDUARDO CESPEDES**  
**Scale: NTS**

**Process Number**  
**Z2020000096**  
**RADIUS: 2640**

**Legend**

-  Subject Property
-  Contiguous Properties
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Tuesday, June 30, 2020

| REVISION | DATE | BY |
|----------|------|----|
|          |      |    |



**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2020000096**

Section: 10 Township: 52 Range: 39  
 Applicant: Valgir Corp  
 Zoning Board: C5  
 Commission District: 12  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Tuesday, June 30, 2020

| REVISION | DATE | BY |
|----------|------|----|
|          |      |    |