

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

PH: Z22-144

October 19, 2023

Item No. 3B

| Recommendation Summary | |
|--|---|
| Commission District | 9 |
| Applicant | Fraisa Corporation |
| Summary of Requests | The applicant seeks to permit the expansion of an existing day care facility onto additional property to the north. Additionally, the applicant seeks to modify conditions of previously approved resolutions in order to submit a new site plan and to increase the number of students. Also, the application seeks to permit less dedication for SW 117 Avenue, permit parking within 25' of the right of way and to permit the width of the parking lot buffer to be less than required by code. |
| Location | 20810 SW 114 Court and 20831 & 20841 SW 117 Avenue, Miami-Dade County, Florida. |
| Property Size | 0.70-acres |
| Existing Zoning | RU-1, Single-Family Residential District |
| Existing Land Use | Day care and residence |
| 2020-2030 CDMP Land Use Designation | Low Density Residential, 2.5 - 6 du <i>(see attached Zoning Recommendation Addendum)</i> |
| Comprehensive Plan Consistency | Consistent with the LUP map, and the interpretative text and policies of the CDMP |
| Applicable Zoning Code Section(s) | Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses Section 33-311(A)(7), Generalized Modification Standards, Section 33-311(A)(4)(b), Non-Use Variance From Other Than Airport Regulations Standards <i>(see attached Zoning Recommendation Addendum)</i> |
| Recommendation | Approval with conditions of requests #1 through #5. |

BOARD OF COUNTY COMMISSIONERS' JURISDICTION:

This Board has jurisdiction over this application pursuant to Section 20-42(e), which states "If a Community Council, in its capacity as a Community Zoning Appeals Board, does not have sufficient elected or appointed members in office to constitute a quorum at the time an application for zoning action is ready to be noticed for public hearing before that Community Council, such application shall be noticed and scheduled for public hearing directly before the Board of County Commissioners on the next available zoning agenda."

PROCEDURAL HISTORY:

This item was scheduled for the September 26, 2023 meeting of the Community Zoning Appeals Board (CZAB) 14, in anticipation of CZAB 14 having enough members appointed to constitute a quorum at that time. However, CZAB 14 did not have enough members appointed to have a quorum at the time of that meeting, and this item was re-noticed for hearing before this Board.

REQUESTS:

- (1) UNUSUAL USE to permit the expansion of a previously approved day care center onto additional property to the north.
- (2) MODIFICATION of Conditions #2 and #6 of Resolution No. CZAB14-27-98, passed and adopted by the Community Zoning Appeals Board (CZAB) #14 las modified by Resolution No. CZAB14-8-09 reading as follows:

From: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Extension The Second House Day Care #4", as prepared by Remberto Contreras, P.E. and plans entitled "Proposed Daycare Center", as prepared by M.J., all dated stamped received 10/24/08 for a total of 6 sheets."

To: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "2nd House Day Care" as prepared by Osvaldo Marrero Architect, consisting of 4 sheets, with sheets L-1 dated stamped received 3-17-23 and sheets A1, dated stamped received 11/23/22 and sheets A2 and A2.1 dated stamped received 11-10-22."

FROM: "#6. That the use shall be restricted to a maximum number of eighty (80) children.

To: #6. That the use shall be restricted to a maximum number of one-hundred forty (140) children."

The purpose of the request #2 is to allow the applicant to modify the conditions of prior resolutions in order to submit a revised site plan showing the expansion of the existing daycare onto additional property and increase the student count for the school.

- (3) NON-USE VARIANCE of the zoning and subdivision regulations requiring section line rights-of-ways to be 80' in width, to waive same to permit a 35' dedication for the east half of SW 117 Avenue (40' required).
- (4) NON-USE VARIANCE to permit parking within 25' of an official right-of-way (not permitted).
- (5) NON-USE VARIANCE to permit a parking lot buffer with a width of 5' (7' required).

The aforementioned plans are on file and may be examined in the Department of Regulatory and Economic Resources. Plans may be modified at public hearing.

PROJECT HISTORY AND PROJECT DESCRIPTION:

The subject property has been the subject of a couple of zoning applications pertaining to the establishment and expansion of the existing daycare facility on the property. In April 1998, pursuant to Resolution #CZAB14-27-98 the Community Zoning Appeals Board (CZAB) #14 approved an unusual use for a day nursery with a maximum of 49 children on a portion of the subject property. Said Resolution also approved ancillary non-use variances of setbacks, and parking regulations.

In April 2009, pursuant to Resolution #CZAB14-8-09 the CZAB #14 approved a rezoning of the subject property to RU-2 together with an unusual use which permitted the expansion of the previously approved daycare onto additional property to the north. Additionally, the resolution approved a modification of the prior approved site plan to permit the expansion, together with an increase to 80 children and ancillary non-use variances of setbacks and parking standards, and permitted an additional monument sign.

The applicant now seeks an unusual use to permit the expansion of the existing daycare facility onto additional property to the north that fronts along SW 117 Avenue. The applicant also seeks to modify the prior approved site plan on the property, a modification of Conditions #2 & #6 of Resolution #CZAB14-27-98 which was last modified by Resolution #CZAB14-8-09 which would allow for the expansion of the daycare facility and increase the maximum number of students from 80 to 140 students. The applicant also seeks approval of ancillary non-use variances to permit less right-of-way dedication for SW 117 Avenue as it abuts the subject property, to permit parking within 25' of an official right-of-way and to permit a parking lot buffer with less width than required by code. The submitted plans depict the existing/previously approved daycare facility together with a new covered breezeway which will connect the existing facility to the existing single-family residence which will be re-purposed together with a new addition into three new classrooms together with restroom facilities. The plan also provides a new outdoor recreation area to the rear and south which will expand the existing recreation area of the daycare. Access to the site and driveways for the property remain unchanged along the existing daycare facility with a new parking area proposed along SW 117 Avenue in front of the new building being included to the facility. Submitted landscape plans depict ample landscaping in the form of trees and shrubs along the perimeter of the new subject parcel.

| <u>NEIGHBORHOOD CHARACTERISTICS</u> | | |
|--|--|--|
| | Zoning and Existing Use | Land Use Designation |
| Subject Property | RU-1; existing daycare and residence | Low Density Residential (2.5 to 6 dua) |
| North | RU-1; single-family residences | Low Density Residential (2.5 to 6 dua) |
| South | RU-1; Miami-Dade County Water & Sewer Facility | Low Density Residential (2.5 to 6 dua) |
| East | RU-1; single-family residences | Low Density Residential (2.5 to 6 dua) |
| West | RU-1 and RU-4; Dade County Park and Miami-Dade County Water & Sewer Facility | Low Density Residential (2.5 to 6 dua) and Low-Medium Density Residential to 13 dua) |

NEIGHBORHOOD COMPATIBILITY:

The 0.70-acre subject parcel is comprised of 3 platted lots located at 20810 SW 114 Court and 20831 & 20841 SW 117 Avenue and consists of an existing daycare facility and single-family residence. The subject site has frontage along SW 114 Court and SW 117 Avenue. The surrounding area is characterized by residences to the north, east and a portion of the west together with a Miami-Dade Water and Sewer facility to the south and South Miami Heights Park to the west.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to expand the existing daycare facility onto additional property which will allow an additional 60 students providing an expanded educational service for the surrounding community. Staff notes that the application requests may bring additional traffic and noise into the area, but staff opines that the potential negative impacts have been adequately mitigated.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property for **Low Density Residential** use. The CDMP Land Use Element Interpretative text under *Residential Communities* also permits *neighborhood and community services including schools, daycare centers and houses of worship, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood*. A section of the CDMP Land Use Element interpretative text for uses such as schools indicates that *Compatibility shall be determined in accordance to Policy LU-4A*. The **Land Use Element Policy LU-4A** sets forth the criteria to determine compatibility and states *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*. Further, CDMP Land Use Element, **Policy LU-4D** states that *uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the complementary elements and buffer any potentially incompatible elements*. Said interpretative text under the Residential Communities also states that the *areas along section line roads between transition areas are also authorized for eligible higher residential densities, public and semi-public uses*. The subject property is currently zoned RU-1, Single-Family Residential District and contains an existing residence and existing daycare that was approved through several zoning hearings throughout the years.

For the reasons set forth in the zoning analysis below, staff opines that the development would satisfy the criteria for compatibility outlined in the CDMP Land Use Element, **Policy LU-4A**. Based on the foregoing analysis, staff opines that the approval of the application is compatible with the area and therefore **consistent** with the CDMP Land Use Element interpretative text for the **Residential Communities**, CDMP Land Use Element **Objective LU-4**, **Policy LU-4D** and the CDMP Low Density Residential Land Use Plan map designation.

ZONING ANALYSIS:

The subject property contains an existing daycare facility and single-family residence with a total of 80 children. The applicant is requesting an unusual use to permit the expansion of the existing daycare facility onto additional property to the north (request #1). When this request is analyzed under Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses, staff opines that the approval of these requests with conditions would be **compatible** with the surrounding area based on the analysis provided below. Similarly, staff opines that approval of the ancillary requests to modify conditions #2 & #6 of a previously approved condition of Resolution #CZAB14-27-98, last modified by #CZAB14-8-09 (Request #2) in order to modify the previously approved site plan and to submit revised plans showing the proposed expansion to the property and an increase to 140 children from 80 children which were previously approved would be **compatible**.

When request #2 is analyzed under Section 33-311(A)(7), Generalized Modification Standards, staff opines that for the reasons below as well as for the reasons explained in the Comprehensive Development Master Plan Analysis section, approval with conditions of requests #1 and #2 would be **compatible** with same. Staff opines that the proposed requests will not generate excessive traffic, provoke excessive overcrowding of people, or tend to provoke a nuisance and the proposed use would be compatible with the area.

The submitted plans depict the existing daycare facility together with additional property to the north which contains a single-family residence and proposes an addition to the facilities on the property. The existing daycare facility buildings are located along the east side of the property fronting along SW 114 Court. The new parcel being added to the facility fronts along SW 117 Avenue and contains an existing 1,273 sq. ft. single-family residence which proposed to have a 1,282 sq. ft. addition and convert to classroom and restrooms. The plan provides for a new covered breezeway that will connect the new building to the existing facility. All of the existing and proposed buildings will not exceed the maximum permitted heights for buildings under the zoning district and will be a residential character. Staff notes that the plan also provides for additional outdoor recreation area to the rear of the new building and will be consolidated with the existing recreation areas of the existing facility. Staff also notes that the plan provides for an excess of the outdoor recreation play spaces of approximately 2.8 times of what is required, provides for an excess of the required off-street parking spaces and provides for a vehicular system that will provide adequate on-site vehicular queuing, stacking and student drop off/pick-up area.

The Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) has indicated in its memorandum that they have no objections to this application and that this application will generate only an additional 38 PM new Peak Hour trips and that the application meets the traffic concurrency criteria for an initial development order. As such, based on the aforementioned analysis, staff opines that the proposed expansion will not result in excessive trips that could have a significant impact on the abutting roadways, would efficiently use the roads, streets and highways which have been constructed, planned or budgeted for in this area, and would not result in excessive traffic. Further, staff opines that based on the memoranda submitted by other departments reviewing the application, approval of the request would not have an unfavorable effect on the environment, the natural resources, or the economy of Miami-Dade County, and would not be incompatible with the area concerned. The Division of Environmental Resources Management (DERM) of the Department of Regulatory and Economic Resources, in their memorandum dated August 15, 2023, indicate that the application meets all applicable Level of Service (LOS) standards for potable water supply, wastewater disposal, and flood protection. In addition, the memorandum from the Miami-Dade Fire Rescue (MDFR) Department does not object to the application and indicates that the application will not have a negative impact on fire rescue services in the area. The memoranda submitted by the Departments of Water and Sewer and Park, Recreation and Open Spaces (PROS) indicate no objections to the application as well. Based on the aforementioned department memoranda, staff opines that the application will not result in, among other things, excessive noise or cause undue or excessive burden on public facilities. As such, staff opines that the request would be **compatible** with the area concerned, when considering the necessity and reasonableness of the expansion in relation to the present and future development of the area. Staff also opines that the modification of the prior approved site plan and increase in the total number of students the approval of same would not create any new visual impacts on the surrounding properties. Additionally, staff opines that the overall design and location of the existing and proposed building will provide for a cohesive campus. The design and scale are architecturally compatible with the surrounding residences. Therefore, staff supports the requests and opines that based on the

Comprehensive Development Master Plan land use designations of Low Density Residential, and for the requested modifications on the subject property is **consistent** with the CDMP designation of the parcel on the CDMP Land Use Plan map and would be **compatible** with the surrounding area when considering the necessity and reasonableness of the request in relation to the present and future development of the area. **As such, staff recommends approval with conditions of request #1 under Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses, and approval with condition of request #2 under Section 33-311(A)(7), Generalized modification standards.**

In order to implement the proposed expansion to the daycare the applicant also seeks ancillary non-use variances to waive the zoning and subdivision regulations requiring section line rights-of-ways to be 80' in width, and to permit 35' of dedication for the portion of the subject lot that fronts along SW 117 Avenue where 40' would be required (request #3), to permit parking within 25' of an official right-of-way when not permitted (request #4) and to permit a parking lot buffer with a width of 5' where 7' is required (request #5). When these aforementioned requests are analyzed under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations Standards, staff is of the opinion that the approval of these requests would be **compatible** with the surrounding area and the prior approvals on the property. Staff notes that the proposed new expansion is located along the northern most side of the subject property that is being added to the facility and lying east of SW 117 Avenue with the new parking area being proposed between the building and the street. Staff opines that the proposed encroachments are adequately mitigated by the 6' wood fence proposed along this property line and the abundant landscaping which includes trees and hedges surrounding all property lines. Additionally, staff opines that the overall design of the buildings provides for a cohesive campus for the proposed school. As previously mentioned, the Platting and Traffic Review Section of the Department of RER did not object to the application stating that additional dedication along SW 117 Avenue is not required if the variance is approved.

Staff notes that the applicants request to permit the new proposed parking area within 25' of the official right's-of-way and the reduced parking lot buffer. This condition occurs along the west property line along SW 117 Avenue. The area opposite the proposed parking area consists of a neighborhood county park. Additionally, staff notes that the request to permit parking within 25' of an official right of way had been previously approved for the existing facility pursuant to Resolutions #CZAB14-27-98 and #CZAB14-8-09 for the existing facility. Staff further notes that the submitted plans reflect an abundance of landscaping above what is required by Code which also provides for buffering from the existing single-family residence to the north. **Therefore, staff recommends approval with conditions of requests #3 through #5 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING: The submitted site plan depicts four (4)-ingress/egress points of direct vehicular and pedestrian access to the facility located along SW 114 Court and SW 117 Avenue. Parking and driveways are dispersed throughout the property and located between the structures and the adjacent rights-of-ways, with all of the required parking provided as surface parking lots. The proposed expansions to the church as well as the school facility for the 750 students and staff, provides for a total of 303 parking spaces, where 279 are required by code, therefore, the parking amounts comply with the code minimums. In addition, the school will be providing a total of 129 auto-stacking spaces, where only 88 stacking spaces are required.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

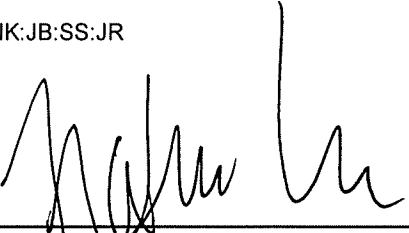
Approval with conditions of requests #1 through #5.

CONDITIONS FOR APPROVAL:

1. That all other conditions of Resolutions #CZAB14-27-98 and #CZAB14-8-09 remain in full force and effect, except as herein modified.
2. That the applicant submits to the Department of Regulatory and Economic Resources for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
3. That the applicant obtain a Certificate of Use from and promptly renew the same annually with the Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
4. That at the time of each annual Certificate of Use renewal, the owner shall submit to the Department of Regulatory and Economic Resources a letter from the principal of the school detailing the number of students and the grade levels that are currently enrolled in said facility.
5. That the use be limited to Daycare.
6. That the hours of operation, Monday through Friday, shall be from 6:30 A.M. to 6:30 P.M. except for the school related night activities and/or special events.
7. That the existing 6' wood fences located along the interior sides (north and west) and rear (south) property lines be maintained and should the fences be destroyed or removed the applicant shall install a 6' high cbs wall, opaque fence, or chain link fence with a hedge 3' high at the time of planting, which shall grow to and be maintained at a minimum height of 6,' in accordance with Section 33-11(h) of the County Code.
8. That the owner shall have trained personnel on site to manage the traffic operations during the arrival and dismissal period.
9. That at the time of each annual Certificate of Use renewal, the owner shall submit to the Department of Regulatory and Economic Resources a letter or approved form from the Department of Transportation and Public Works showing that the school facility is in compliance with the traffic impact study and the TOP that was submitted as part of the hearing application.
10. That no outside loudspeakers other than in connection with emergency systems shall be permitted on the property.

11. That the applicant complies with all the applicable conditions, recommendations, requests and other provisions of the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources as contained in its memorandum dated August 15, 2023.
12. That the applicant complies with all the applicable conditions, recommendations, requests and other provisions of the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources as contained in its memorandum dated June 8, 2023.
13. That the applicant complies with all the applicable conditions, recommendations, requests and other provisions of the Water and Sewer Department as contained in its memorandum dated July 14, 2022.

NK:JB:SS:JR



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

ZONING RECOMMENDATION ADDENDUM

FRAISA CORPORATION

PH: 221-237

| NEIGHBORHOOD SERVICES PROVIDER COMMENTS | |
|--|----------------------|
| Division of Environmental Resources Management (RER) | <i>No objection*</i> |
| Platting and Traffic Review Section (RER) | <i>No objection*</i> |
| Department of Transportation and Public Works (DTPW) | <i>No objection</i> |
| Miami-Dade Fire Rescue (MDFR) | <i>No objection</i> |
| Water and Sewer Department (WASD) | <i>No objection*</i> |
| Parks, Recreation and Open Spaces Department (PROS) | <i>No objection</i> |
| Miami-Dade Police Department | <i>No objection</i> |
| Building and Neighborhood Compliance (BNC) | <i>No objection</i> |
| <i>*Subject to conditions in their memorandum.</i> | |

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

| | |
|--|---|
| Low-Density Residential (Pg. I-31) | <i>The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i> |
| Objective LU-4 (Pg. I-9) | <i>Miami-Dade County shall continue to reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.</i> |
| Policy LU-4A (Page. I-11) | <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> |
| Policy LU-4D (Page I-9) | <i>Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the complementary elements and buffer any potentially incompatible elements</i> |

PERTINENT ZONING REQUIREMENTS/STANDARDS


| | |
|---|---|
| Section 33-311(A)(7) Generalized Modification Standards. | <i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that (a) the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.</i> |
|---|---|

| | |
|---|---|
| <p>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</p> | <p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances 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 unnecessary hardship to the land is required.</i></p> |
| <p>Section 33-311(A)(3) Special Exception, Unusual and New Uses.</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> |

Memorandum

Date: August 15, 2023

To: Lourdes M. Gomez, AICP, Director
Department of Regulatory and Economic Resources

From: Lisa M. Spadafina 
Department of Regulatory and Economic Resources

Subject: Z2022000144-2nd Review
Francisco Permuy and Isabel Hernandez
20831 SW 117th Avenue
Unusual use and modification of previous resolution to allow expansion of
existing day care
(RU-1) (0.17 Acres)
07-56-40

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 Service and Wastewater Disposal

According to WASD comments issued for this application on July 14, 2022, the property in this application (20831 SW 117th Avenue) as well as the existing day care are currently connected to public water and sewer. Therefore, connection of the proposed development to public water and sewer systems is required pursuant to the Code.

Under section 24-43.4(2)(b)(iii) of the Code, once a property or portion thereof is determined to be within feasible distance, the owner shall record, in the Public Records of Miami-Dade County and at the owner's expense, a covenant in a form acceptable to the Director acknowledging that the property shall be required to connect to the applicable public infrastructure as a condition of any building permit for development on the property or portion thereof.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Please note that some of the collection/transmission facilities, which includes sanitary sewer gravity sewer mains, sanitary sewer force mains and sanitary sewer pump stations, throughout the County do not have adequate capacity, as defined in the Consent Decree between Miami-Dade County, Florida Department of Environmental Protection and the U.S. Environmental Protection Agency case 1:12-cv-24400-FAM. Under the terms of this Consent Decree, this approval does not constitute an allocation or

certification of adequate treatment and transmission system capacity. At the time of building permits, DERM will evaluate and may reserve sanitary sewer capacity, through the DERM sanitary sewer certification process, if the proposed development complies with the provisions of the Consent Decree. Building permits for development in sanitary sewer basins that have been determined not to have adequate capacity cannot be approved until adequate capacity becomes available.

Conditions of Approval: That the owner submit a covenant in accordance with the requirements of section 24-43.4(2)(b)(iii) of the Code.

Stormwater Management

Stormwater shall be retained on site utilizing properly 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

Tree Preservation

An aerial review of the subject properties indicates the presence of tree resources, including specimen trees (a tree with a trunk diameter of 18 inches or greater). A site plan entitled "2nd House Day Care" prepared by Osvaldo Marrero, R.A., and dated as received by Miami-Dade County on June 30, 2022 was submitted in support of the subject application and indicates the removal/relocation of non-specimen tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. DERM has no objection to this application provided that the applicant obtains a Miami-Dade County Tree Removal Permit prior to the removal or relocation of the non-specimen trees on site.

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. The applicant is advised that a tree survey that includes a tree disposition table will be required during the tree removal permit application process. Projects and permits shall comply with the requirements of sections 24-49.2 and 24-49.4 of the Code, including the specimen tree standards.

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. Please contact Jennifer.Snell@miamidade.gov for additional information or concerns regarding this review.

Conditions of Approval: None

Enforcement History

There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property. There are no outstanding DERM liens or fines for the subject property.

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 Ninfa Rincon at (305) 372-6764.

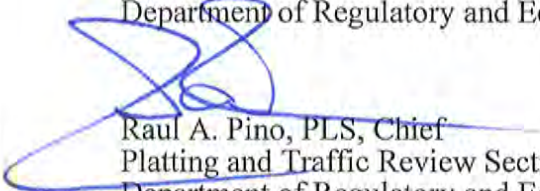
cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum



Date: June 8, 2023

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: Z2022000144
Name: Fraisa Corporation
Location: 20831 SW 117 Avenue
Section 07 Township 56 South Range 40 East

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

1. Additional dedication along SW 117 Avenue is not required if variance is approved.
2. The land complies with Miami-Dade County Chapter 28. The property is platted as Lot 23, Block 11, Plat Book 72, Page 87. A Unity of Title approved by the Platting and Traffic Review Section will be required, contact Claudia Luna at claudia.luna@miamidade.gov.

This application **does** meet the traffic concurrency criteria for an Initial Development Order. The proposed request for additional students to the existing daycare facility will generate approximately an additional **38 PM** peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveals that the addition of this new trip **does not** exceed the acceptable level of service of the following roadways:

| STA.# | LOCATION | LOS PRESENT | LOS W/PROJECT |
|-------|---------------------------------|-------------|---------------|
| 9758 | SW 117 Avenue northwest of US 1 | D | D |

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.

Notes: PM =Post Meridiem

The PM peak hour refers to the highest hour of vehicle trips generated during the afternoon peak hours of 4-6 PM

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 14, 2022

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)

A handwritten signature in blue ink, appearing to be "M. Valdes", written over the printed name of Maria A. Valdes.

Subject: Zoning Application Comments - 2nd House Day Care
Application No. Z2022000144 - (Previous App. Z2021P00362)

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. The applicant is advised to consult with their engineer and WASD's Plans Review staff to finalize points of connection and capacity approval.

Application Name: 2nd House Day Care

Location: The proposed project is located at 20831 SW 117th Avenue with Folios No. 30-6007-008-1120, 30-6007-008-1110, and 30-6007-008-1100, in unincorporated Miami-Dade County.

Proposed Development: The applicant is requesting and Unusual Use to permit a previously approved Day Care Center to expand to an adjacent property to the west (folio No. 30-6007-008-1120), changing the use from 1,298 S.F. Single Family Residence to a 2,863 S.F. Day Care. In addition, the applicant is seeking a modification to a previous approved resolution.

The water demand associated with the existing single family residence totals 210 gallons per day. The total water demand associated with the Day Care expansion totals 286 gallons per day. Therefore, the proposed use results in an increase of 76 gallons per day (gpd).

Water: The proposed development is located within the WASD's water service area. The water supply is provided by the Alexander-Orr Water Treatment Plant (WTP). Currently, there is adequate treatment and water supply capacity at the WTP, consistent with Policy WS-2 A (1) of the CDMP.

Per WASD Customer Service Account, the subject property is connected to a 2-inch water main in the rear of the property. If a new connection is required, per WASD's Rules and Regulations, there is an existing 6-inch water main abutting the property along SW 117th Avenue to where the developer may connect provided that a new fire line is not required. *Final points of connection and capacity approval to connect to the water system will be provided at the time the applicant requests connection to the water infrastructure.*

In addition, please note that there is an encroachment on the utility easement located at the rear of the house that is housing a 2-inch water main. There are permanent structure/structures located within said easement that interfere with WASD's access to the water main. However, WASD has no objections to this application subject to the following condition that shall be included in the Zoning Resolution for this application:

- The owner is made fully responsible for any damage to permanent structures located in the Utility Easement within the owner's property as a result of Miami-Dade Water and Sewer Department's forces performing maintenance or repairs to existing WASD infrastructure located within the utility

easement and holds the County harmless of any damage resulting from any such maintenance or repairs. In addition, no other structure should be built within the Utility Easement.

A Water Supply Certification (WSC) will be required for the proposed development. Said Certification will be issued at the time of development, when a WASD Verification Form is issued. The WSC letter shall remain active in accordance with terms and conditions specified in said certification. The WSC is required consistent with Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the WASD's 20-year Water Use Permit.

For more information on the Water Supply Certification Program please go to <http://www.miamidade.gov/water/water-supply-certification.asp>

In addition, all future development will be required to comply with water use efficiency techniques for indoor water use and with landscape standards in accordance with Sections 8-31, 32-84, 18-A and 18-B of the Miami-Dade County Code and consistent with Policies WS-5E and WS-5F of the CDMP, respectively.

For more information about our Water Conservation Program, please go to <http://www.miamidade.gov/conservation/home.asp>

For information concerning the Water-Use Efficiency Standards Manual please go to <http://www.miamidade.gov/waterconservation/library/instructions/water-use-efficiency-standards-manual.pdf>

Sewer: The proposed development is located within WASD's sewer service area. The wastewater flows for the proposed development will be transmitted to the South District Wastewater Treatment Plant (SDWWTP) for treatment and disposal. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection. Currently, there is adequate sewer treatment and disposal capacity at the WWTP, consistent with Policy WS-2 A (2) of the CDMP.

The existing facility is currently being served by WASD.

The sewage flow from the proposed development will be transmitted to Pump Station (PS) No. 698 and PS No. 522. Said pump stations are currently in OK Moratorium Status. Below is the existing and projected Nominal Average Pump Operating Time (NAPOT) for both pump stations.

P.S. 698

Existing NAPOT: 2.59 hrs.
Proposed Development: 76 gpd
Proposed Projected NAPOT: 2.59 hrs.

P.S. 522

Existing NAPOT: 3.73 hrs.
Proposed Development: 76 gpd
Proposed Projected NAPOT: 3.73 hrs.

Connection to the sanitary sewer system is subject to the following conditions:

- Adequate transmission and plant capacity exist at the time of the owner's request consistent with policy WS-2 A (2) of the CDMP. Capacity evaluations of the plant for average flow and peak flows will be required. Connection to the COUNTY'S sewage system will be subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the COUNTY and the United States, the State of Florida and/or any other governmental entity, including but not limited to, the Consent Order entered on April 9, 2014 in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as well as all other current, subsequent or future enforcement and regulatory actions and proceedings.
- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Any public water or sewer infrastructure must be within a public right-of-way, or within a utility easement.

Below please find additional links to the WASD portal, which provides information on the Construction & Development process for water and sewer infrastructure.

<http://www.miamidade.gov/water/construction-development.asp>

<http://www.miamidade.gov/water/construction-service-agreement.asp>

<http://www.miamidade.gov/water/construction-existing-service.asp>

<http://www.miamidade.gov/water/library/forms/service-agreement.pdf>

Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or mavald@miamidade.gov, Alfredo B. Sanchez at (786) 552-8237 or sanalf@miamidade.gov, or Pedro P. Vera Carballes at (786) 552-8144 or pedro.veracarballe@miamidade.gov

Memorandum



Date: February 13, 2023

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

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

Subject: Z2022000144

The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded in “EnerGov” on 11/23/2022 or to the request for modifications noted in the letter of intent uploaded on 2/3/2023.

Note: MDFR's zoning application review is for site access only. MDFR's comments on this zoning application do not effectuate a change of occupancy classification for any existing building on the subject property. Changes of occupancy, if needed, must be achieved by a building permit application process and shall comply with the applicable requirements for the proposed use:

- Florida State Statute Chapter 633 (Fire Prevention & Control)
- Florida Administrative Code 69A
- Florida Fire Prevention Code (NFPA 1 and NFPA 101 (2018 edition))
- Applicable adopted NFPA Standards
- County Code Chapter 14

For additional information, please contact acuello@miamidade.gov or call 305-775-3357.

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

2ND HOUSE DAY CARE/ISABEL
HERNANDEZ/FRANCISCO PERMUY

20831/20841 SW 177 AVE
20810 SW 144 CT
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Pending

Z2022000144

DATE

HEARING NUMBER

FOLIO: 30-6007-008-1120/30-6007-008-1110/30-6007-008-1100

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

November 1, 2022

NEIGHBORHOOD REGULATIONS:

Folio No.: 30-6007-008-1120/30-6007-008-1110/30-6007-008-1100

There are no open/closed cases in CMS.

BUILDING SUPPORT REGULATIONS:

Folio No.: 30-6007-008-1120/30-6007-008-1110/30-6007-008-1100

There are no open/closed cases in BSS.

VIOLATOR:

2nd HOUSE DAY CARE/ISABEL HERNANDEZ/FRANCISCO PERMUY

OUTSTANDING LIENS AND FINES:

There are no outstanding liens or fines.

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO: Z22-144
DATE: JUN 30 2022
BY: GONGOL

Property Pictures



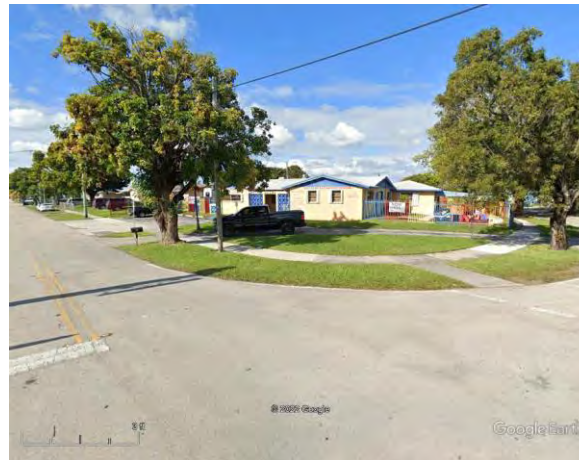
Overall Site Picture



20831 Property Expansion and Existing



20831 Property Expansion



Existing Day Care 1



Existing Day Care 2

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: Fraisa Corp

| NAME AND ADDRESS | PERCENTAGE OF STOCK |
|--|---------------------|
| Francisco Permuy 521 SW 127th Ave Mia Fl | 50% |
| Isabel Hernandez 521 SW 127th Ave Mia Fl | 50% |
| | |
| | |

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.*



RECEIVED

MIAMI-DADE COUNTY
PROCESS NO: Z22-144
DATE: JUN 30 2022
BY: GONGOL

Ownership Affidavit for Corporation

State of: Florida Zoning Application No.: Z22-144

County of: Miami Dade

Before me, the undersigned authority, personally appeared Isabel Hernandez, hereinafter the Affiant(s), who being first duly sworn by me, on oath, deposes and says:

1. Affiant is the president ~~vice-president~~ or executive officer of the Corporation hereinafter named Fraisa Corp with the following address:
521 SW 127th Ave Mia. Fl

2. The Corporation owns the property which is the subject of the proposed zoning action.

3. The subject property is legally described as:
20831 SW 117 Ave - Lot 23 Blk 11 South Miami HGTS
add K PB 72 - 87

4. Affiant is legally authorized to file this application.

5. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning determination or zoning action granted at public hearing.

Affiant:

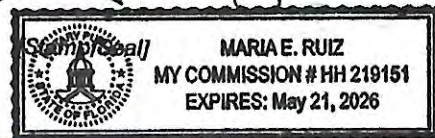
[Signature]
Signature
Isabel Hernandez
Print Name

[Signature]
Signature
Francisco Permuy
Print Name

Sworn to and subscribed to before me on the 10 day of JUNE, 2022

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

Notary: [Signature]
Maria E. Ruiz



Commission expires: _____



ZONING INFORMATION

SCHOOL AND CHILD CARE - ZONING INFORMATION CHILD CARE CHECK LIST

NEW PROPERTY No 3 Z202200144
 PROPERTY ADDRESS: 20831 SW 117th AVENUE MIAMI, FL
 FOLIO No : 30-6007-008-1120
 SIZE OF PROPERTY: 7,500 SQ.FT.

PROPERTY ZONING: RU-1
 BUILDING SIZE: 2555 SQ.FT. EXISTING / ADDN'T ADDITION
 SQ. FT. CLASSROOM 2100 SQ.FT.
 SQ. FT. BREEZEWAY CONNECTOR 428 SQ. FT.

CLASSROOM SPACE CALCULATION :

| | | |
|--------------------------|-------|----------|
| | REQ'D | PROVIDED |
| CLASSROOM SQ. FT. | 1785 | 2100 |
| / 35 SQ. FT. PER CHILD = | 51 | 60 |

AGE OF CHILDREN / NEW BORN TO 5 YRS

OUTDOOR RECREATION SPACE
 45 SQ. FT. X 30 (1/2 OF THE CHILDREN) =
 1350 SQ. FT. REQUIRED (9,073 SQ. FT. PROVIDED) (SHARED AREA)

PROPERTY No 2 CZAB Z2008000185
 PROPERTY ADDRESS: 20814 SW 114th COURT MIAMI, FL
 FOLIO No : 30-6007-008-1100
 SIZE OF PROPERTY: 9,976 SQ.FT.

PROPERTY No 1 CZAB 14-27-98
 PROPERTY ADDRESS: 20814 SW 114th COURT MIAMI, FL
 FOLIO No : 30-6007-008-1110
 SIZE OF PROPERTY: 10,601 SQ.FT.

EXISTING COMBINED PROPERTY 1 and 2 SIZE: 20,577 SQ.FT. - .047 ACRES
 NEW ADDED PROPERTY 3 SIZE: 9,976 SQ.FT.
 TOTAL: 30,553 SQ. FT. - 070 ACRES

PREVIOUS HEARING
 NUMBER OF CHILDREN OR STUDENTS APPROVED : 80 AGES 18 MONTHS TO SCHOOL AGE
 NEW HEARING Z202200144 CHILDREN ADDED; 60 AGES 18 MONTHS TO SCHOOL AGE
 TOTAL: 140

TOTAL SQ. FT. OF EXISTING BLDG 1#2 NON-CLASSROOM AREAS : 1,068 SQ. FT.
 NEW ADDED NON-CLASSROOM AREA BLDG 3: 777 SQ.FT.

AMOUNT OF EXISTING RECREATION / PLAY AREA IN SQ. FT. : 8,217 SQ. FT.
 NEW ADDED RECREATION/ PLAY AREA BLDG 3 SQ. FT. 856 SQ.FT.
 SHARED TOTAL: 9,073 SQ.FT.

NO VEHICLES USED IN CONJUNCTION WITH FACILITY

NUMBER OF PARKING SPACES PROVIDED FOR STAFF, VISITORS, TRANSPORTATION

PREVIOUS HEARING
 VEHICLES: 8 SPACES PROVIDED 8 SPACES REQUIRED PER SECT 33-124 (L) SCHOOL (1)
 NEW HEARING
 VEHICLES: 16 SPACES PROVIDED 14 SPACES REQUIRED (14 PERSONNEL)

NUMBER OF AUTO STACKING SPACES 10 PROVIDED 5 REQUIRED

PROPOSED HEIGHT FOR THE STRUCTURE : EXISTING PER SECT 33-151.18 (g)

SIGN EXISTING TO REMAIN

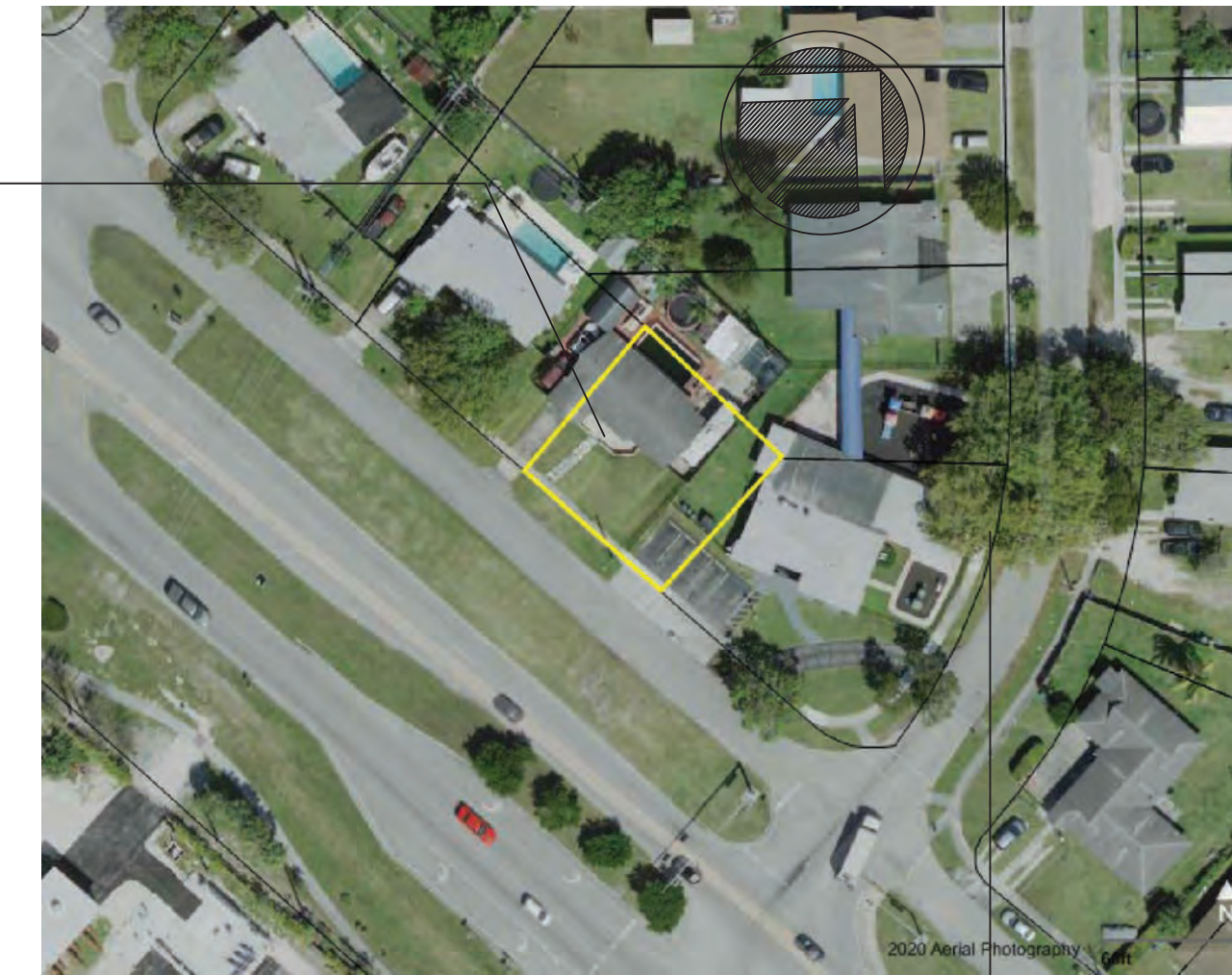
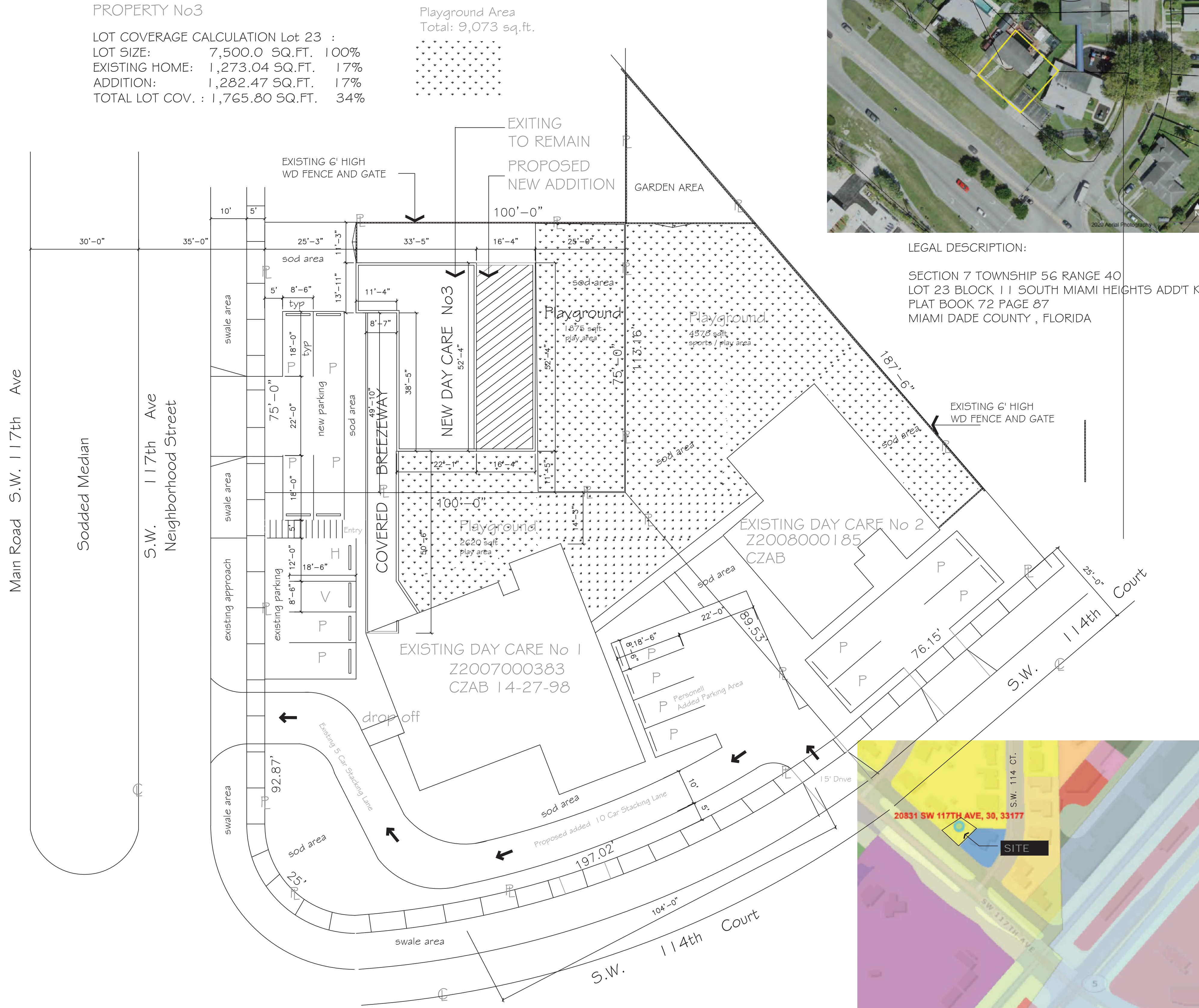
DAYS OF OPERATION: MONDAY TO FRIDAY 6:30AM to 6:30PM

1 SUBJECT PROPERTY SHARES PROPERTY WITH BUILD 1 AND 2 PER SECT 33-151.16

PROPERTY No3

LOT COVERAGE CALCULATION Lot 23 :
 LOT SIZE: 7,500.0 SQ.FT. 100%
 EXISTING HOME: 1,273.04 SQ.FT. 17%
 ADDITION: 1,282.47 SQ.FT. 17%
 TOTAL LOT COV. : 1,765.80 SQ.FT. 34%

PROPOSED SITE



LEGAL DESCRIPTION:

SECTION 7 TOWNSHIP 56 RANGE 40
 LOT 23 BLOCK 11 SOUTH MIAMI HEIGHTS ADDT K
 PLAT BOOK 72 PAGE 87
 MIAMI DADE COUNTY , FLORIDA

OSVALDO MARRERO ARCHITECT

MARRERO & ASSOCIATES,
 ARCHITECT & PLANNER, INC.
 AA LICENCE No 0003321

ARCHITECTURE/PLANNING/INTERIOR DESIGN
 OSVALDO MARRERO, AIA, NCARB
 AR0015952



13975 E. PALOMINO DRIVE
 SOUTHWEST RANCHES FLORIDA, 33330
 PHONE: (305)338-3600
 FLORIDA REGISTRATION NUMBER: AR 015952

ARCHITECT STATEMENT
 MARRERO AND ASSOCIATES ARCHITECT AND PLANNER, INC. OSVALDO MARRERO PRINCIPAL ARCHITECT MEMBERSHIP PARTICIPATION TO AIA, NCARB, CSI, RCI INFORMATION AS TO LICENSING OR CERTIFICATION OF PRINCIPAL ARCHITECT OR ITS STAFF AS WELL AS CONSULTING PROFESSIONALS WORKING ON A PROJECT CAN BE OBTAINED UPON REQUEST IF ANY DISCREPANCY ARISE ON THESE PLANS DUE TO FIELD CONDITION OR CODE INTERPRETATION NOTIFY ARCHITECT OR HIS ASSIGNED PROJECT MANAGER, CONSULTING PROFESSIONAL FOR ITS DISCIPLINE OR CONTRACTOR HOLDING MASTER PERMIT PRIOR TO CONTINUING THAT PORTION OF WORK.

PROPOSED DAY CARE FOR:

2nd House Day Care

20831 SW 117TH AVE
 Miami Dade County, Florida

PAB PROJECT NO.: 10-021

REVISIONS : DATE:

NO. 1 4-24-22

Zoning Legend Site Plan



SCALE: 1" = 30'

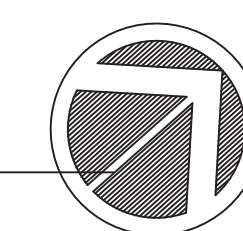
DATE: MAY 30, 2021

DRAWN BY: RICK D. RUIZ - ASSOC. IA

466' FT LINEAL FEET ALONG PROPERTY LINE
 114' FT LINEAL FEET OF DRIVEWAYS
 352' FT 1 TREE / 35' = 10

PROPOSED SITE PLAN

PROPERTY LOCATION



A-1

Landscape Legend

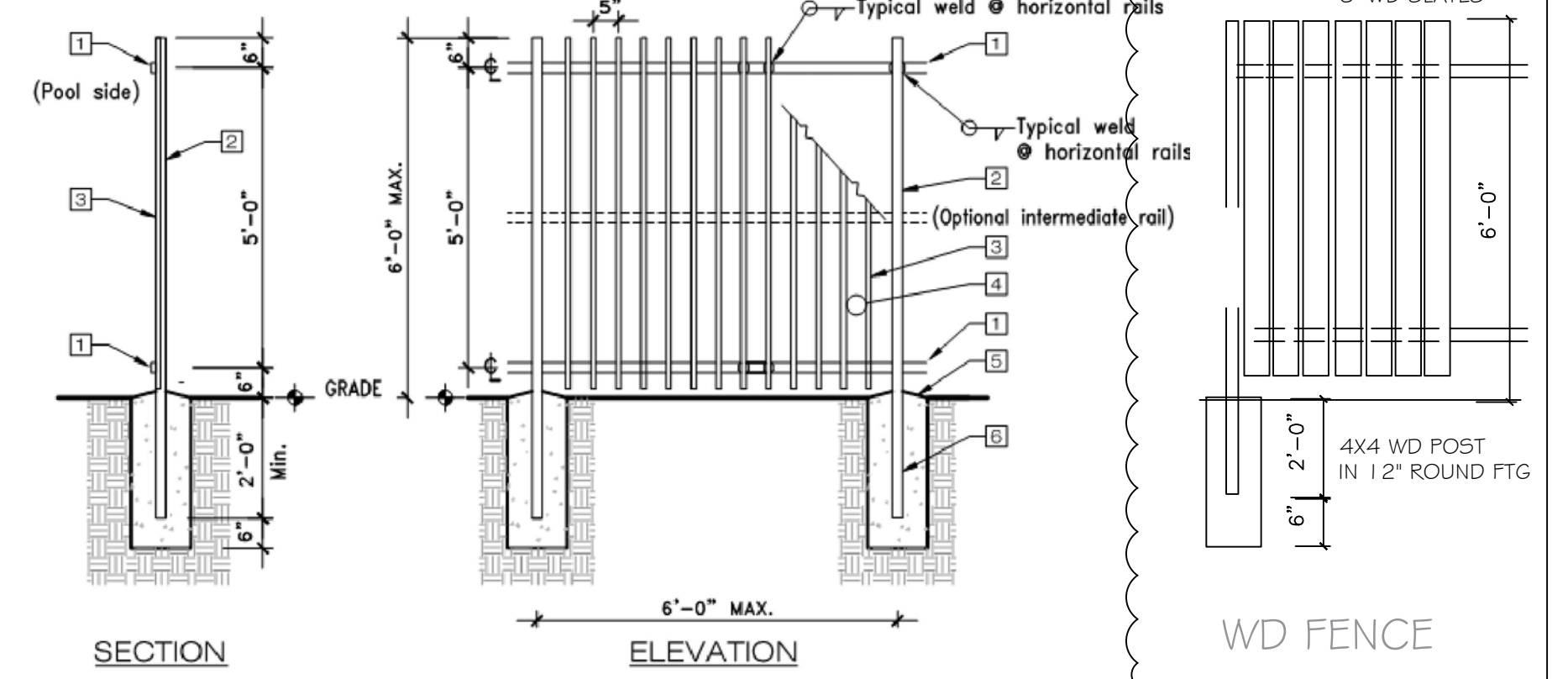
466' FT LINEAL FEET ALONG PROPERTY LINE
 114' FT LINEAL FEET OF DRIVEWAYS
 352' FT 1 TREE / 35' = 10 TREE REQ'D 10 PROVIDED

- Swietenia Mahogany Existing see plan
- Dwarf Poinciana Spread 10' to 12' ft Height 8-10 ft
- NEW Swietenia Mahogany Caliber 6" Spread 10'ft Height 12'ft
- Cocos Nucifera - Coconut Palm Existing Caliber 10" Spread 5'ft Height 20'ft
- Area Palm Existing see plan
- Chryso Balanusicaco New shrubs
- CBe Chryso Balanusicaco Existing shrubs
- Sod Area NEW Lawn St Augustine sod
- Street Trees Qty 5 Interior Trees Qty 6
- Street Tree Qty 2
- Street Trees Qty 3
- NEW 6' high Picket fence
- Existing 6' high wood fence to remain
- Existing 6' high picket fence to remain
- NEW 3' ft wide gate w/ self closure and child set lock
- DESIGNATED PLAY GROUND AREA
- DESIGNATED PLAY GROUND AREA
- DESIGNATED PLAY GROUND AREA

OUTDOOR RECREATION SPACE
 45 SQ. FT. X 30 (1/2 OF THE CHILDREN)
 = 1350 SQ. FT. REQUIRED (9,073 SQ.FT. PROVIDED)
 (9,073 SQ.FT. SHARED AREA) # SEE SHT A-1 SITE PLAN

NEW PICKET FENCE

Access gates shall be equipped with a self-closing/self-latching locking device located no less than 54 inches from the bottom of the gate. The device release mechanism shall be located on the pool side of the gate, and so placed that it cannot be reached by a young child over the top or through any opening or gap. Gates that provide access to the swimming pool must open outward away from the pool. The top of the barrier shall be at least 48 inches above grade, measured on the side of the barrier which faces away from the pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches, measured on the side of the barrier which faces away from the pool.



- Materials allowed:
 ALUMINUM--- alloy 6063-T6 OR alloy 6061-T6.
 STEEL--- square tubes: ASTM A500 OR A501.
- Horizontal rails: Minimum 2"x1"x14 ga., welded to posts at all 4 sides --OR-- pipe 1-1/2" diameter.
 - Posts: Minimum 2"x2"x14 ga., embedded in concrete footing --OR-- pipe 2-1/4" diameter.
 - Pickets: Minimum 1"x1"x 0.065" wall thickness, welded to rails at all 4 sides --OR-- pipe 2-1/4" diameter.
 - When used as a pool barrier: Max. clearance between pickets shall be 4". NOTE: Intermediate rail not allowed.
 - Concrete footing at each post-- minimum diameter of 10", with a minimum depth of 30" from finish grade. Top surface of footing shall be sloped 1" to shed water. Minimum post embedment shall be 24 inches. Concrete strength shall be not less than 2500 psi at 28 days.
 - Protect aluminum embedded in concrete with a coat of bituminous paint.

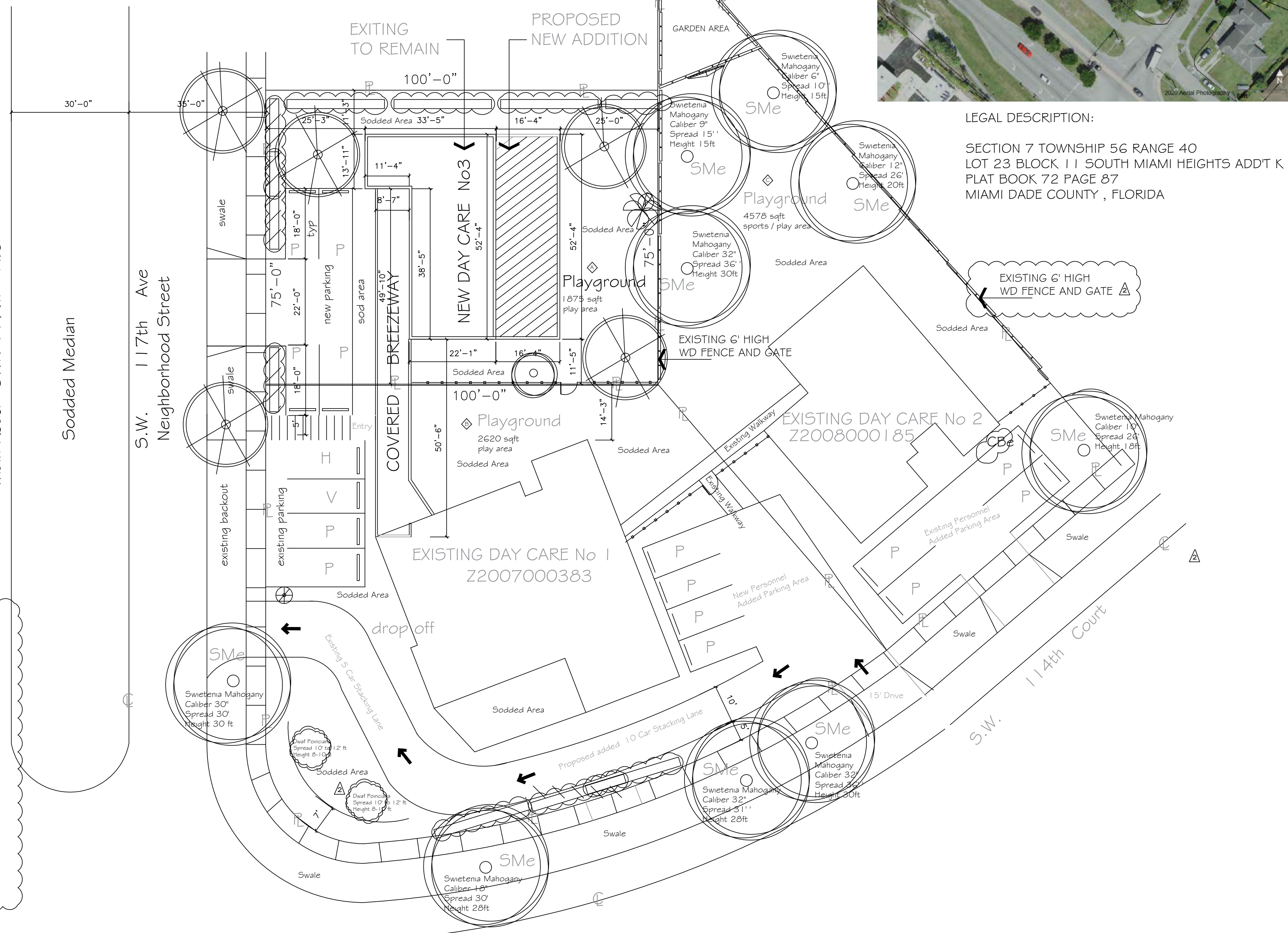
PROPERTY No3

LOT COVERAGE CALCULATION Lot 23 :
 LOT SIZE: 7,500.0 SQ.FT. 100%
 EXISTING HOME: 1,273.04 SQ.FT. 17%
 ADDITION: 1,282.47 SQ.FT. 17%
 TOTAL LOT COV. : 1,765.80 SQ.FT. 34%

LINEAL FT ALONG PROPERTY LINE

TREES : 28 Trees per acre = 30,553 sq.ft. = 19.64 (20 req'd)

PROPOSED SITE



LEGAL DESCRIPTION:
 SECTION 7 TOWNSHIP 56 RANGE 40
 LOT 23 BLOCK 11 SOUTH MIAMI HEIGHTS ADDT K
 PLAT BOOK 72 PAGE 87
 MIAMI DADE COUNTY, FLORIDA

OSVALDO MARRERO ARCHITECT
 MARRERO & ASSOCIATES, ARCHITECT & PLANNER, INC.
 AA LICENCE No 0003321

ARCHITECTURE/PLANNING/INTERIOR DESIGN
 OSVALDO MARRERO, AIA, NCARB
 AR0019592

13975 E. PALMOLINO DRIVE
 SOUTHWEST RANCHES FLORIDA, 33330
 PHONE: (305)338-3600
 FLORIDA REGISTRATION NUMBER: AR 015952

ARCHITECT STATEMENT
 MARRERO AND ASSOCIATES ARCHITECT AND PLANNER, INC. OSVALDO MARRERO PRINCIPAL ARCHITECT MEMBERSHIP PARTICIPATION TO AIA, NCARB, CSI, RCI INFORMATION AS TO LICENSING OR CERTIFICATION OF PRINCIPAL ARCHITECT OR ITS STAFF AS WELL AS CONSULTING PROFESSIONALS WORKING ON A PROJECT CAN BE OBTAINED UPON REQUEST. IF ANY DISCREPANCY ARISE ON THESE PLANS DUE TO FIELD CONDITION OR CODE INTERPRETATION NOTIFY ARCHITECT OR HIS ASSIGNED PROJECT MANAGER. CONSULTING PROFESSIONAL FOR ITS DISCIPLINE OR CONTRACTOR HOLDING MASTER PERMIT PRIOR TO CONTINUING THAT PORTION OF WORK.

PROPOSED DAY CARE FOR:
 2nd House Day Care added facility expansion

20831 SW 117TH AVE
 Miami Dade County, Florida

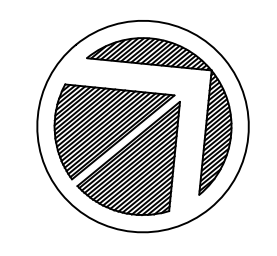
| | |
|------------------|----------|
| PAB PROJECT NO.: | 10-021 |
| REVISIONS : | DATE: |
| NO. 1 | 4-24-22 |
| NO. 2 | 11-21-22 |

Landscape Legend Site Plan

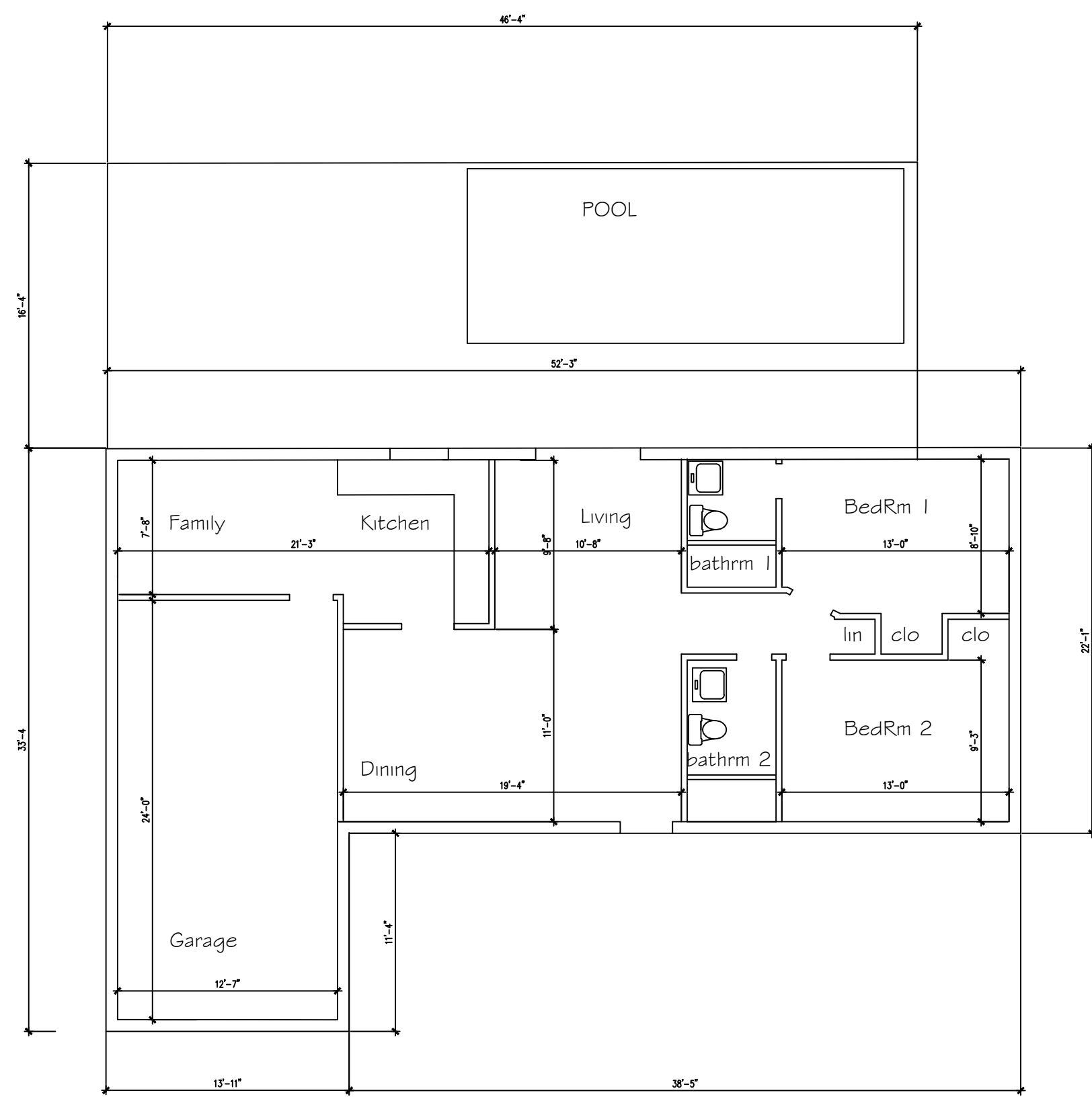


SCALE: 1" = 30'
 DATE: APRIL 27, 2022
 DRAWN BY: RICK D. RUIZ - ASSOC. AA

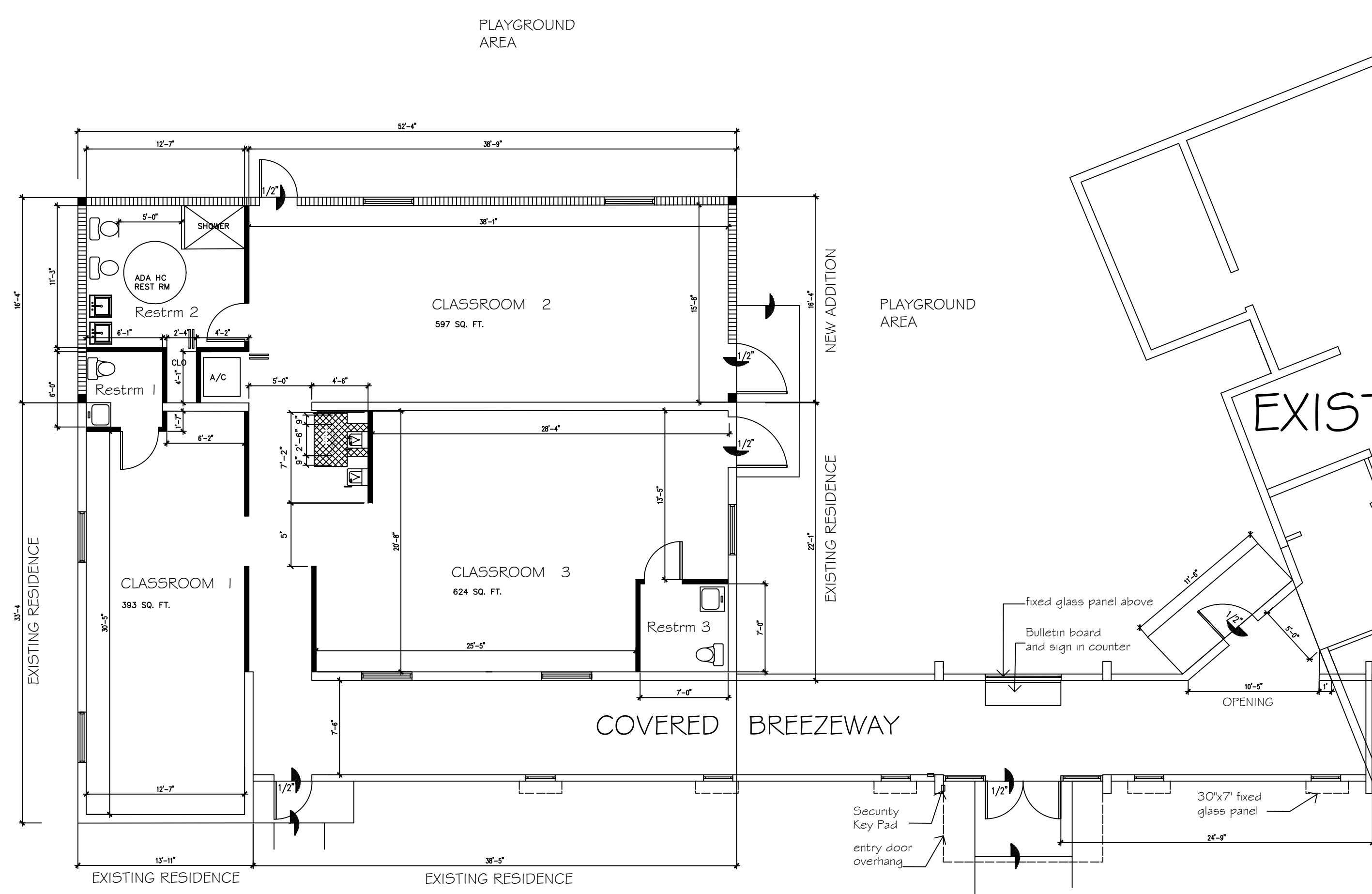
PROPOSED & EXISTING LANDSCAPE SITE PLAN



L-1



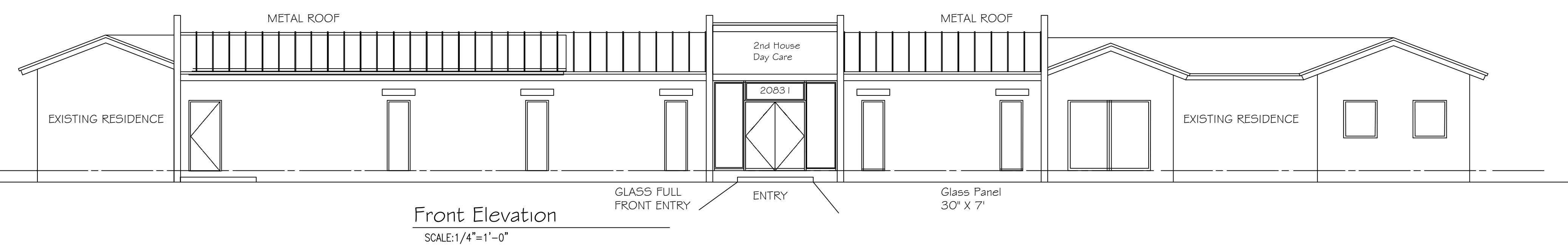
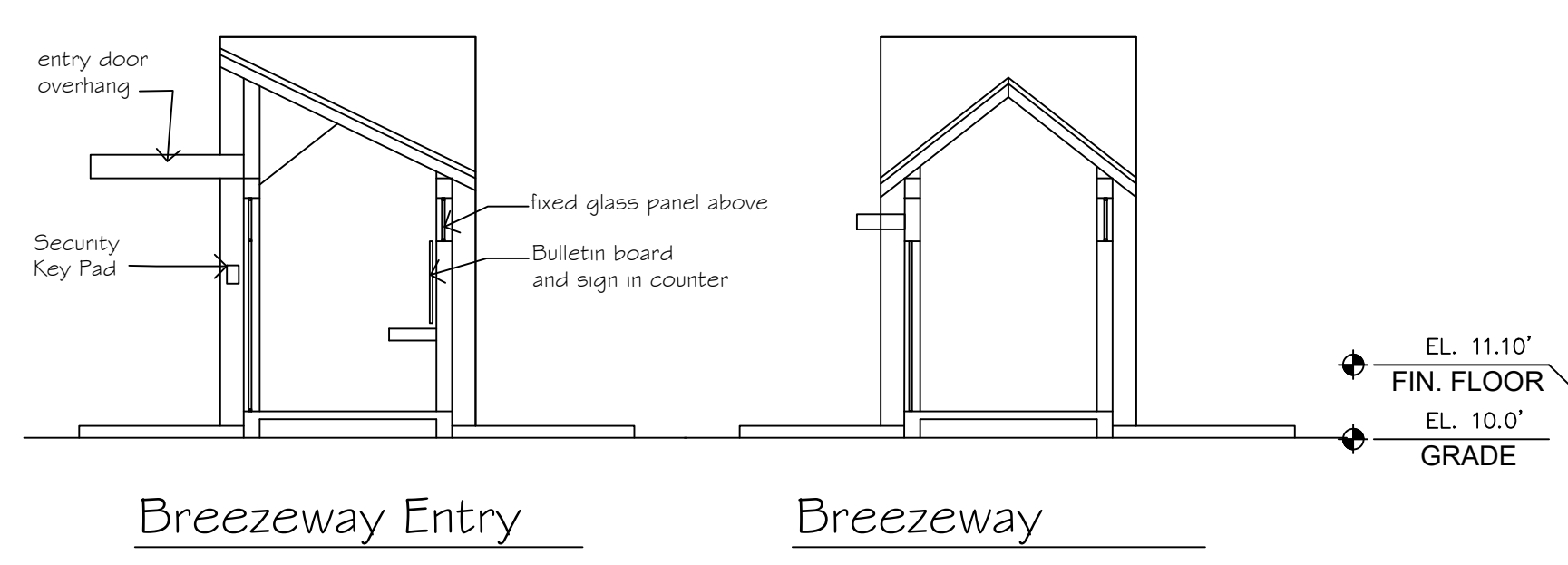
EXISTING FLOOR PLAN



FLOOR PLAN
 SCALE: 1/4" = 1'-0"
PROPOSED FLOOR PLAN

- SYMBOL LEGEND**
- NEW 4" DRYWALL INTERIOR PARTITION
 - ▤ NEW 8" CBS EXTERIOR WALL TO REMAIN
 - EXISTING 8" CBS EXTERIOR WALL TO REMAIN
 - ⊕ 1/2" EXISTING 3' X 6'-8" EXTERIOR DOOR AND ELEVATION FINISH FLR ELEVATION CHANGE TO REMAIN

The scope of the work being proposed involves interior renovation work on an existing building, work shall comply with (FFPC) 101: section 4.6.7.1 as defined in FFPC 101: Categories of Rehabilitation Work, section 43.2.2.1.2 (2) Renovation, (5) Change in Use and Occupancy (from Residential Home to Day Care Facility) section 43.2.2.1.5 Rehabilitation work on existing buildings will also comply with other provisions of FFPC 101: Chapter 43 relative to the rehabilitation work category classification.



Front Elevation
 SCALE: 1/4" = 1'-0"

Playground

PLAYGROUND AREA

PLAYGROUND AREA

EXISTING DAY CARE No 1

COVERED BREEZEWAY

OSVALDO MARRERO ARCHITECT
 OSVALDO MARRERO, AIA, NCARB
 ARO015952

MARRERO & ASSOCIATES
 ARCHITECT & PLANNER INC
 FLORIDA BUSINESS LICENCE NUMBER: AA 00003321
 13975 E. PALOMINO DRIVE
 SOUTHWEST RANCHES FLORIDA, 33330
 PHONE: (305) 338-3600

ARCHITECT STATEMENT
 MARRERO AND ASSOCIATES ARCHITECT AND PLANNER, INC. OSVALDO MARRERO PRINCIPAL ARCHITECT MEMBERSHIP PARTICIPATION TO AIA, NCARB, CSI, RCI INFORMATION AS TO LICENSING OR CERTIFICATION OF PRINCIPAL ARCHITECT OR ITS STAFF AS WELL AS CONSULTING PROFESSIONALS WORKING ON A PROJECT CAN BE OBTAINED UPON REQUEST. IF ANY DISCREPANCY ARISE ON THESE PLANS DUE TO FIELD CONDITION OR CODE INTERPRETATION NOTIFY ARCHITECT, CONSULTING PROFESSIONAL FOR ITS DISCIPLINE OR CONTRACTOR HOLDING MASTER PERMIT PRIOR TO CONTINUING THAT PORTION OF WORK.

PROPOSED DAY CARE FOR:
 2nd House Day Care

20831 SW 117th AVE
 Miami Dade, Florida

PAB PROJECT NO.: 0721-07

REVISIONS : DATE:

Proposed Floor Plan Elevation

SEAL:


CONSTRUCTION DOCUMENTS

| ISSUE DATE: | REVISION: | DESCRIPTION | DATE |
|-------------|-----------|-------------|------|
| | | | |
| | | | |

DRAWN BY: RICK D. RUIZ ASSOC. AIA

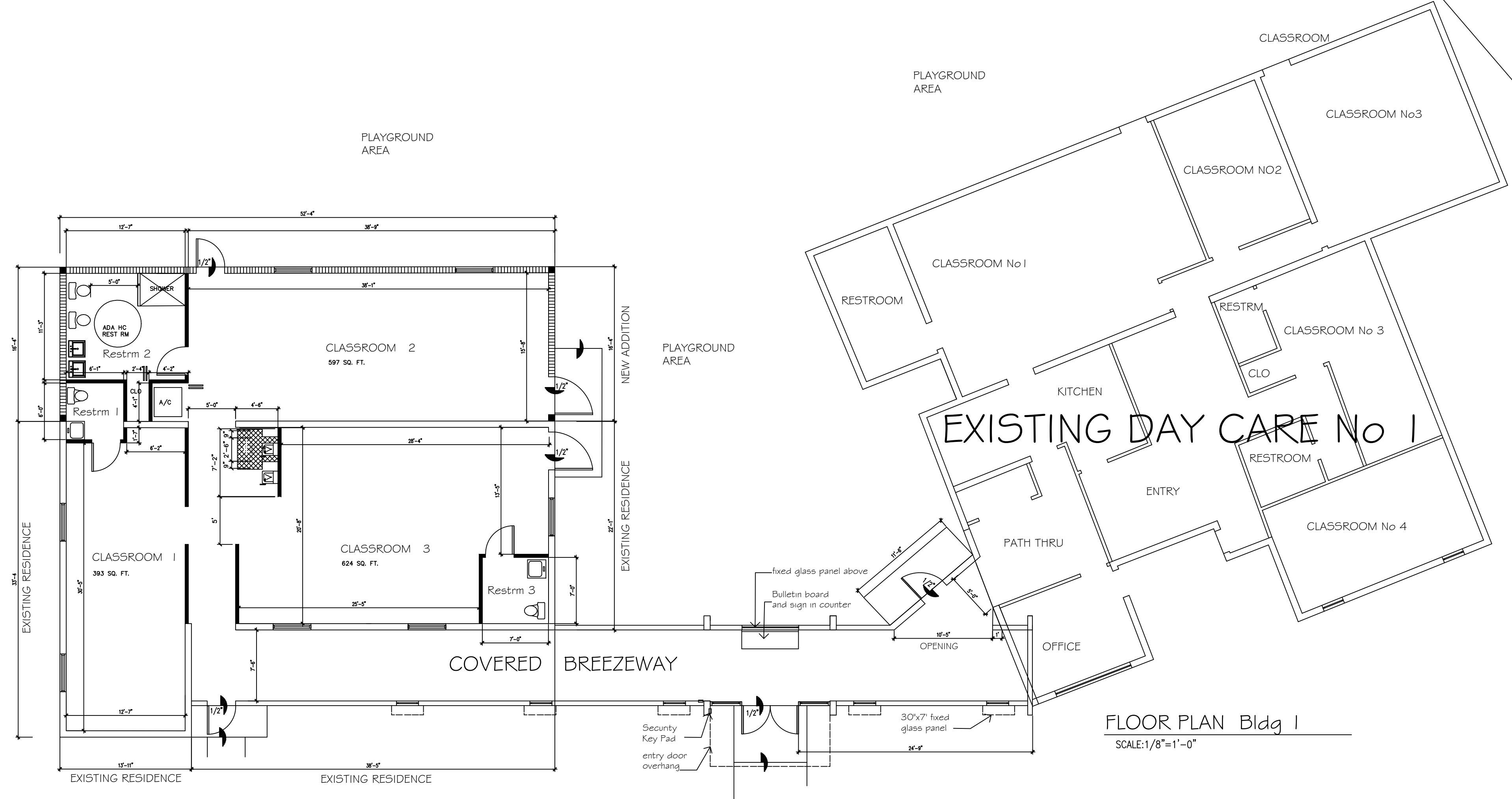
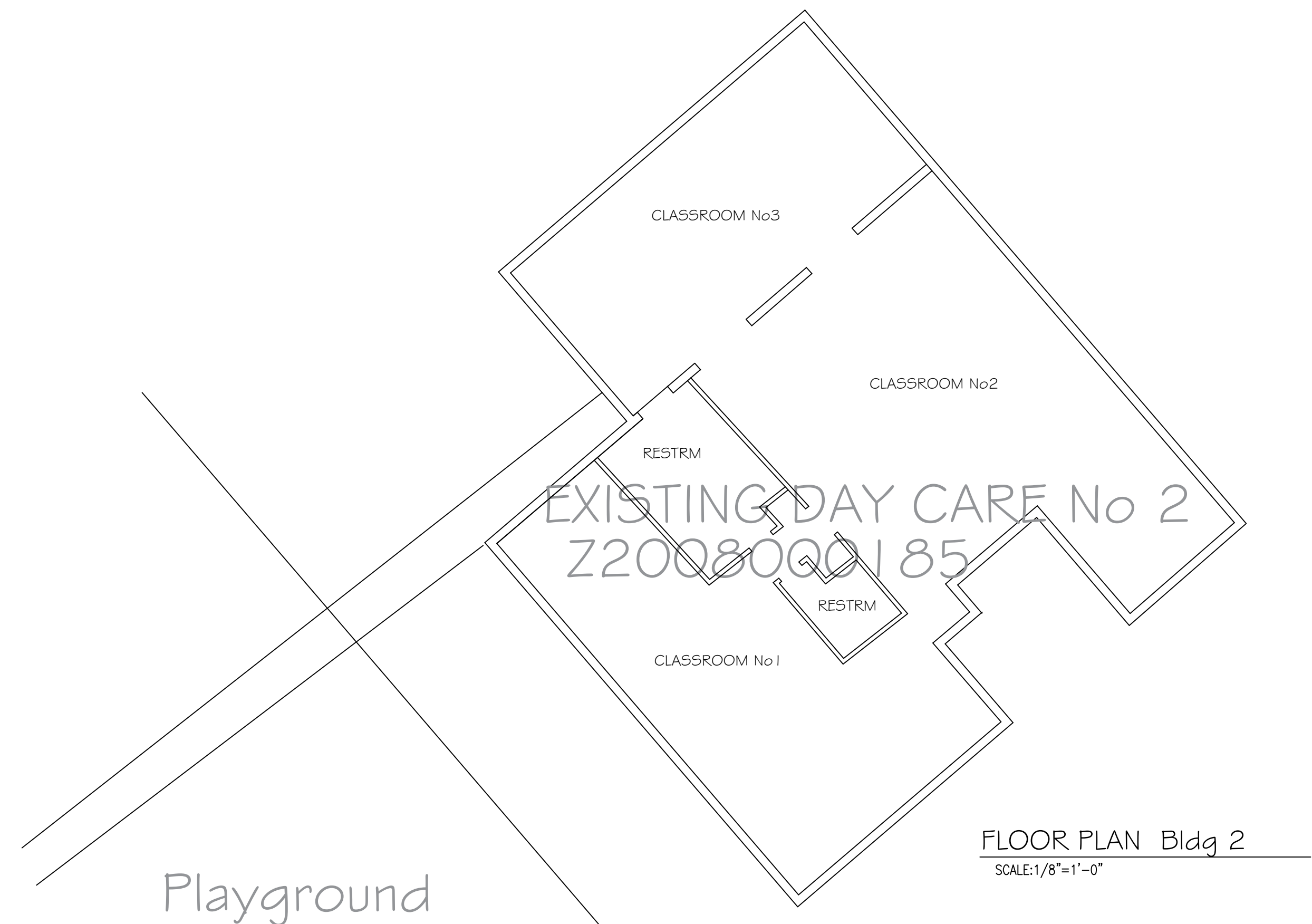
Floor Plan Elevation
A-2

OSVALDO MARRERO
 ARCHITECT
 OSVALDO MARRERO, AIA, NCARB
 ARO015952



MARRERO & ASSOCIATES
 ARCHITECT & PLANNER INC
 FLORIDA BUSINESS LICENCE NUMBER: AA 00003321
 13975 E. PALOMINO DRIVE
 SOUTHWEST RANCHES FLORIDA, 33330
 PHONE: (305) 338-3600

ARCHITECT STATEMENT
 MARRERO AND ASSOCIATES ARCHITECT AND PLANNER, INC. OSVALDO MARRERO PRINCIPAL ARCHITECT MEMBERSHIP PARTICIPATION TO AIA, NCARB, CSI, RCI INFORMATION AS TO LICENSING OR CERTIFICATION OF PRINCIPAL ARCHITECT OR ITS STAFF AS WELL AS CONSULTING PROFESSIONALS WORKING ON A PROJECT CAN BE OBTAINED UPON REQUEST. IF ANY DISCREPANCY ARISE ON THESE PLANS DUE TO FIELD CONDITION OR CODE INTERPRETATION NOTIFY ARCHITECT, CONSULTING PROFESSIONAL FOR ITS DISCIPLINE OR CONTRACTOR HOLDING MASTER PERMIT PRIOR TO CONTINUING THAT PORTION OF WORK.



FLOOR PLAN BLDG 3
 SCALE: 1/8"=1'-0"
PROPOSED FLOOR PLAN

- SYMBOL LEGEND**
- NEW 4" DRYWALL INTERIOR PARTITION
 - ▤ NEW 8" CBS EXTERIOR WALL TO REMAIN
 - ▥ EXISTING 8" CBS EXTERIOR WALL TO REMAIN
 - ⊕ EXISTING 3'x 6'-8" EXTERIOR DOOR AND ELEVATION FINISH FLR ELEVATION CHANGE TO REMAIN

The scope of the work being proposed involves interior renovation work on an existing building, work shall comply with (FFPC) 101: section 4.6.7.1 as defined in FFPC 101: Categories of Rehabilitation Work, section 43.2.2.1.2 (2) Renovation, (5) Change in Use and Occupancy (from Residential Home to Day Care Facility) section 43.2.2.1.5 Rehabilitation work on existing buildings will also comply with other provisions of FFPC 101: Chapter 43 relative to the rehabilitation work category classification.

PROPOSED DAY CARE FOR:
 FOR
2nd House Day Care

20831 SW 117th AVE
 Miami Dade, Florida

PAB PROJECT NO.: 0721-07

REVISIONS : DATE:

Proposed Floor Plan Elevation



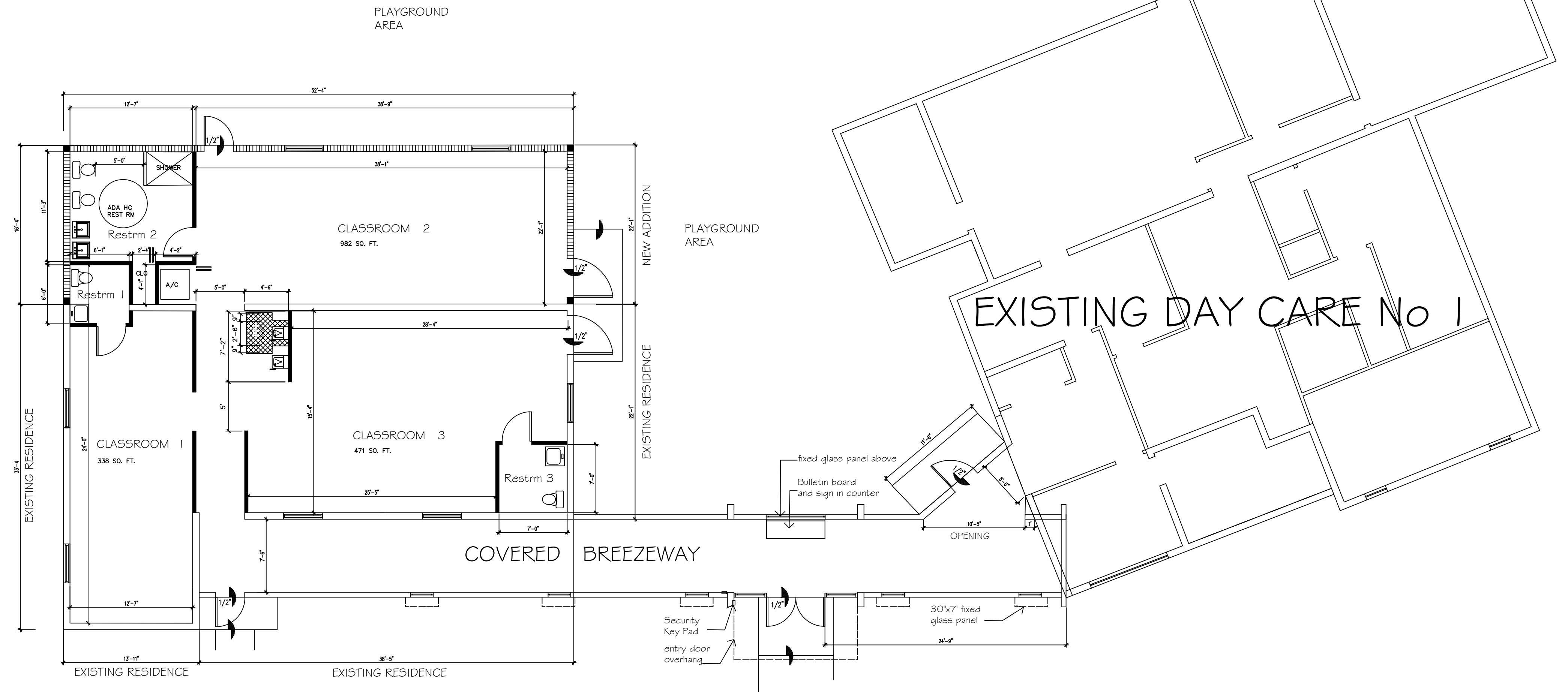
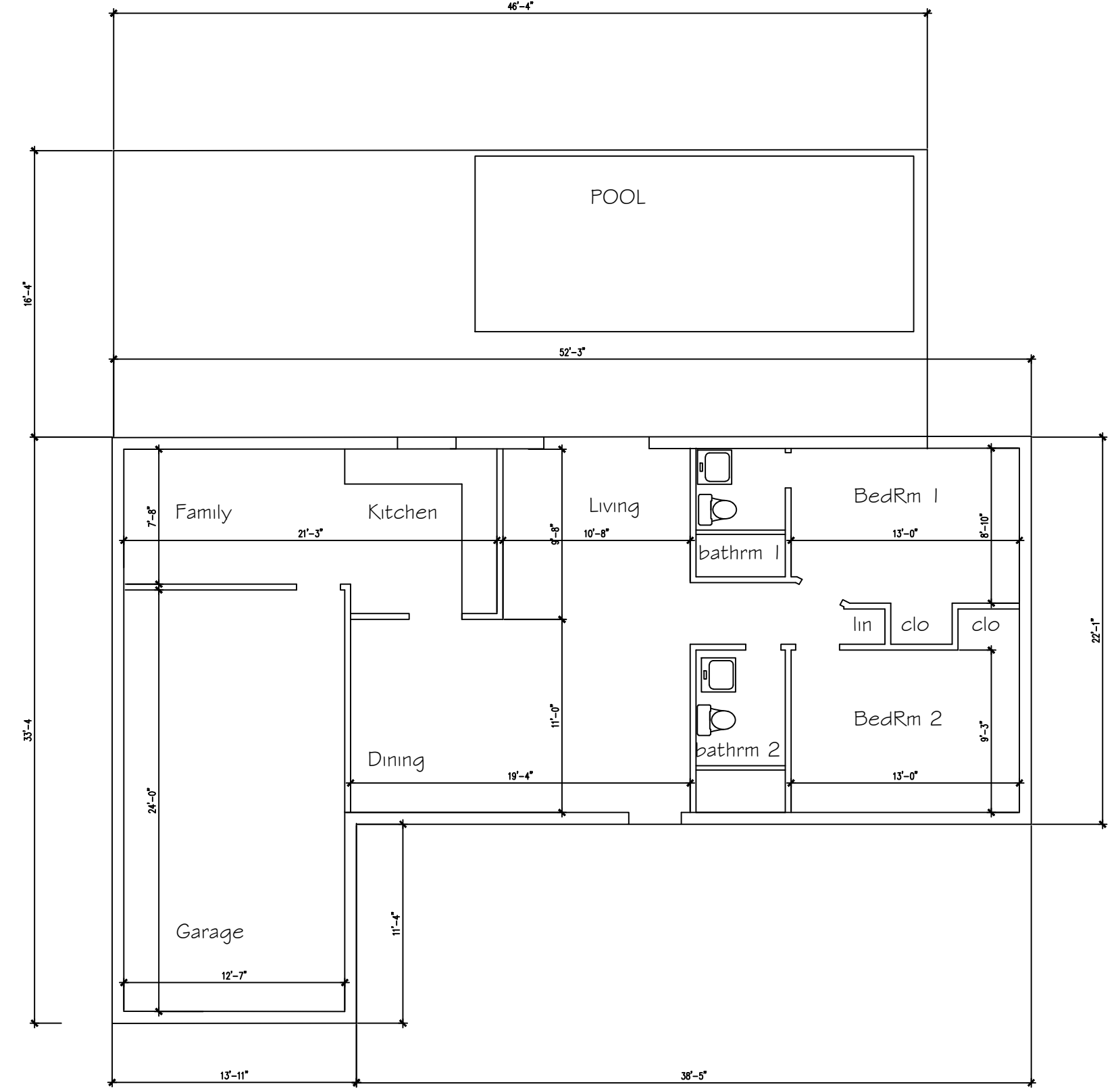
CONSTRUCTION DOCUMENTS

| ISSUE DATE: | REVISION: | DESCRIPTION | DATE |
|-------------|-----------|-------------|------|
| | | | |
| | | | |

DRAWN BY: RICK D. RUIZ ASSOC. AIA

Floor Plan
A-2.1

ARCHITECT STATEMENT
 MARRERO AND ASSOCIATES ARCHITECT AND PLANNER, INC. OSVALDO MARRERO PRINCIPAL ARCHITECT MEMBERSHIP PARTICIPATION TO AIA, NCARB, CSI, RCI INFORMATION AS TO LICENSING OR CERTIFICATION OF PRINCIPAL ARCHITECT OR ITS STAFF AS WELL AS CONSULTING PROFESSIONALS WORKING ON A PROJECT CAN BE OBTAINED UPON REQUEST. IF ANY DISCREPANCY ARISE ON THESE PLANS DUE TO FIELD CONDITION OR CODE INTERPRETATION NOTIFY ARCHITECT, CONSULTING PROFESSIONAL FOR ITS DISCIPLINE OR CONTRACTOR HOLDING MASTER PERMIT PRIOR TO CONTINUING THAT PORTION OF WORK.



- SYMBOL LEGEND**
- NEW 4" DRYWALL INTERIOR PARTITION
 - ▤ NEW 8" CBS EXTERIOR WALL TO REMAIN
 - ▥ EXISTING 8" CBS EXTERIOR WALL TO REMAIN
 - ⊙ 1/2" EXISTING 3'X 6'-8" EXTERIOR DOOR AND ELEVATION FINISH FLR ELEVATION CHANGE TO REMAIN

PROPOSED DAY CARE FOR:
 FOR
2nd House Day Care

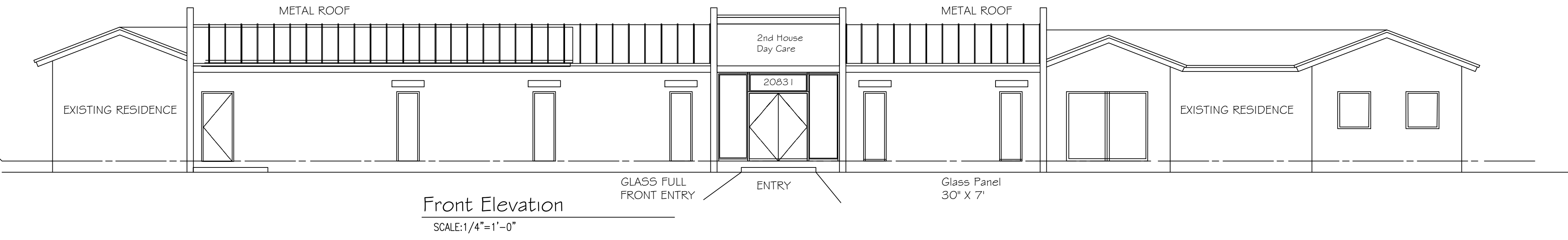
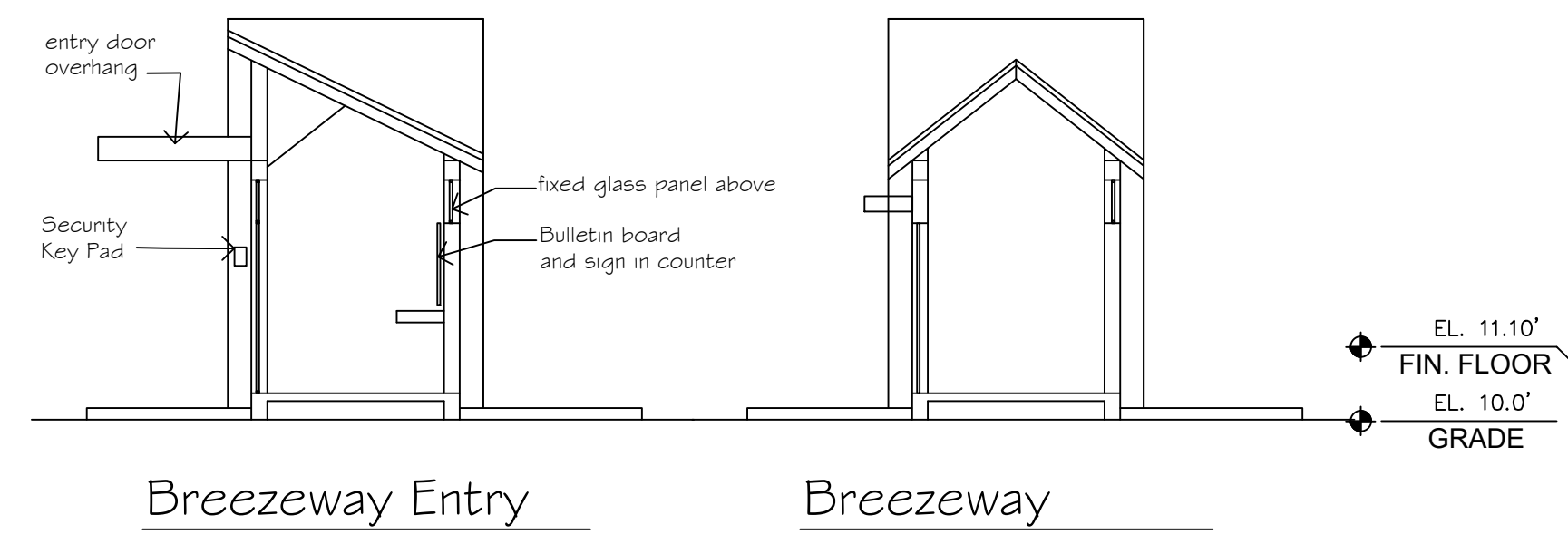
20831 SW 117th AVE
 Miami Dade, Florida

PAB PROJECT NO.: 0721-07

| REVISIONS : | DATE: |
|-------------|-------|
| | |
| | |
| | |

Proposed Floor Plan Elevation

SEAL:

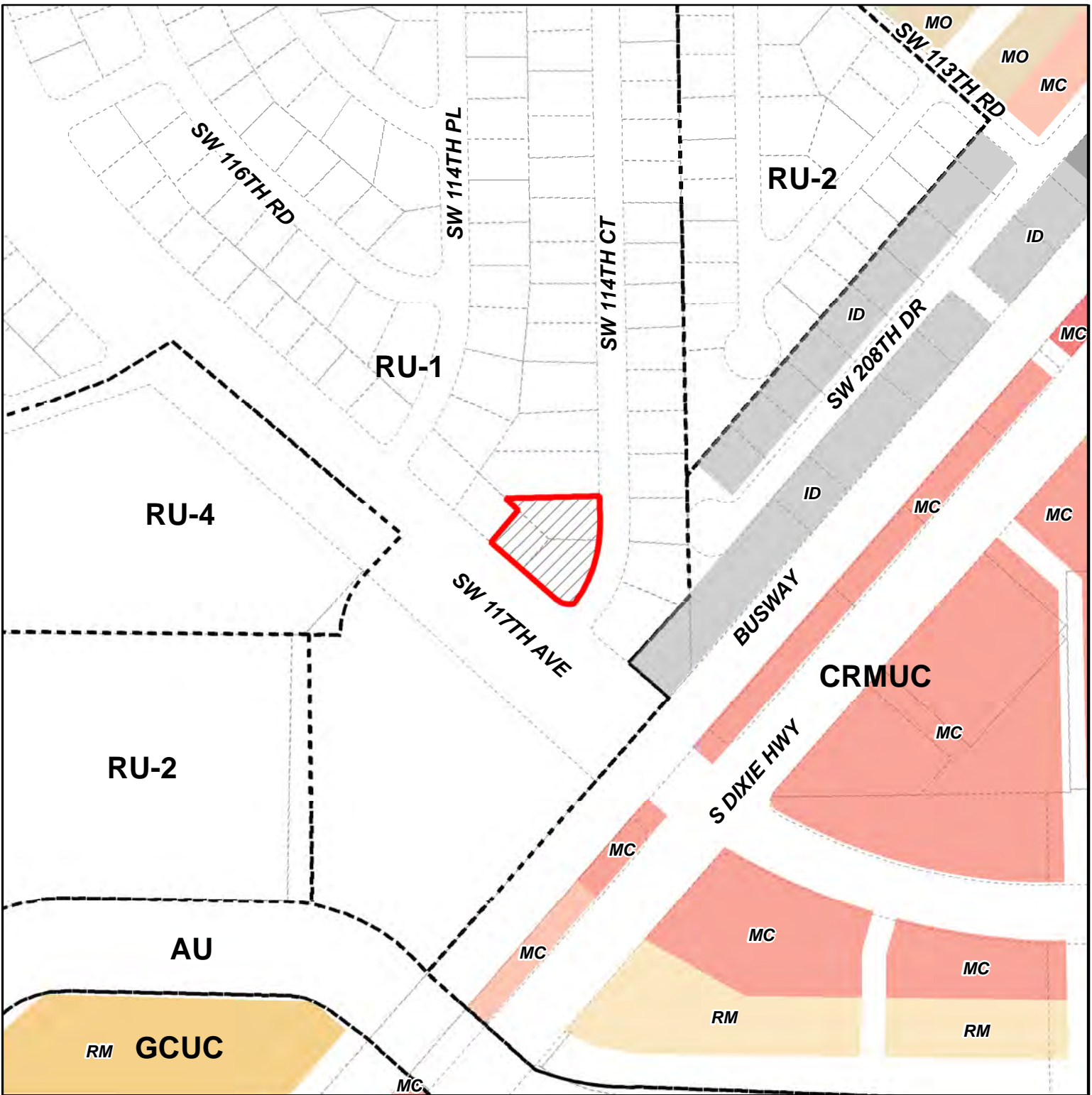


CONSTRUCTION DOCUMENTS

| ISSUE DATE: | REVISION: | DESCRIPTION | DATE |
|-------------|-----------|-------------|------|
| | | | |
| | | | |

DRAWN BY: RICK D. RUIZ ASSOC. AIA

Floor Plan Elevation
A-2





MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2022000144



Section: 07 Township: 56 Range: 40
 Applicant: 2nd House Day Care
 Zoning Board: C14
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

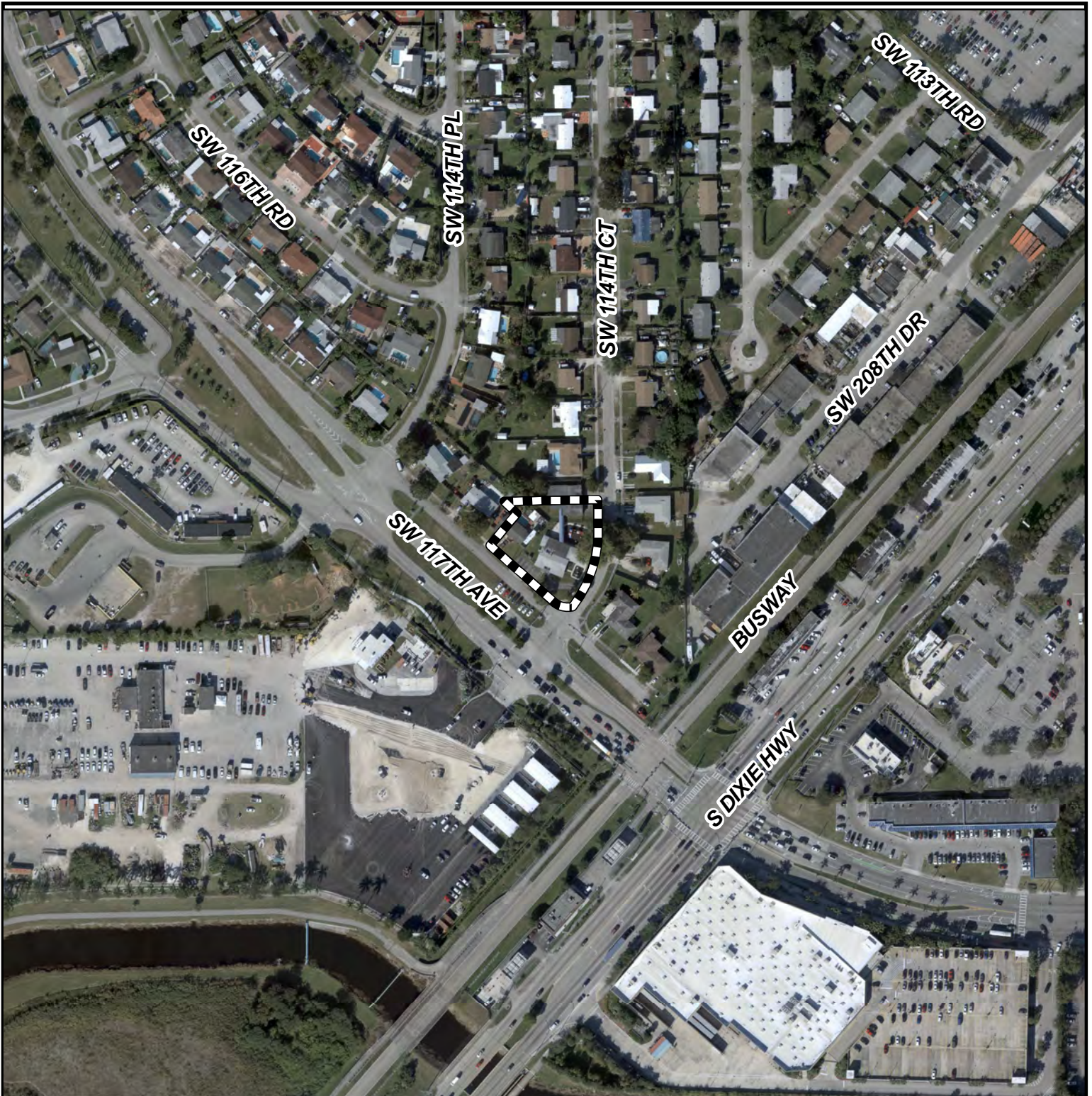
Legend

-  Subject Property Case
-  Zoning




SKETCH CREATED ON: Friday, June 9, 2023

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



MIAMI-DADE COUNTY
AERIAL YEAR 2021

Process Number
Z2022000144

Legend
 Subject Property



Section: 07 Township: 56 Range: 40
Applicant: 2nd House Day Care
Zoning Board: C14
Commission District: 9
Drafter ID: EDUARDO CESPEDES
Scale: NTS



SKETCH CREATED ON: Friday, June 9, 2023

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






MIAMI-DADE COUNTY
RADIUS MAP

Section: 07 Township: 56 Range: 40
 Applicant: 2nd House Day Care
 Zoning Board: C14
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2022000144
 RADIUS: 2640

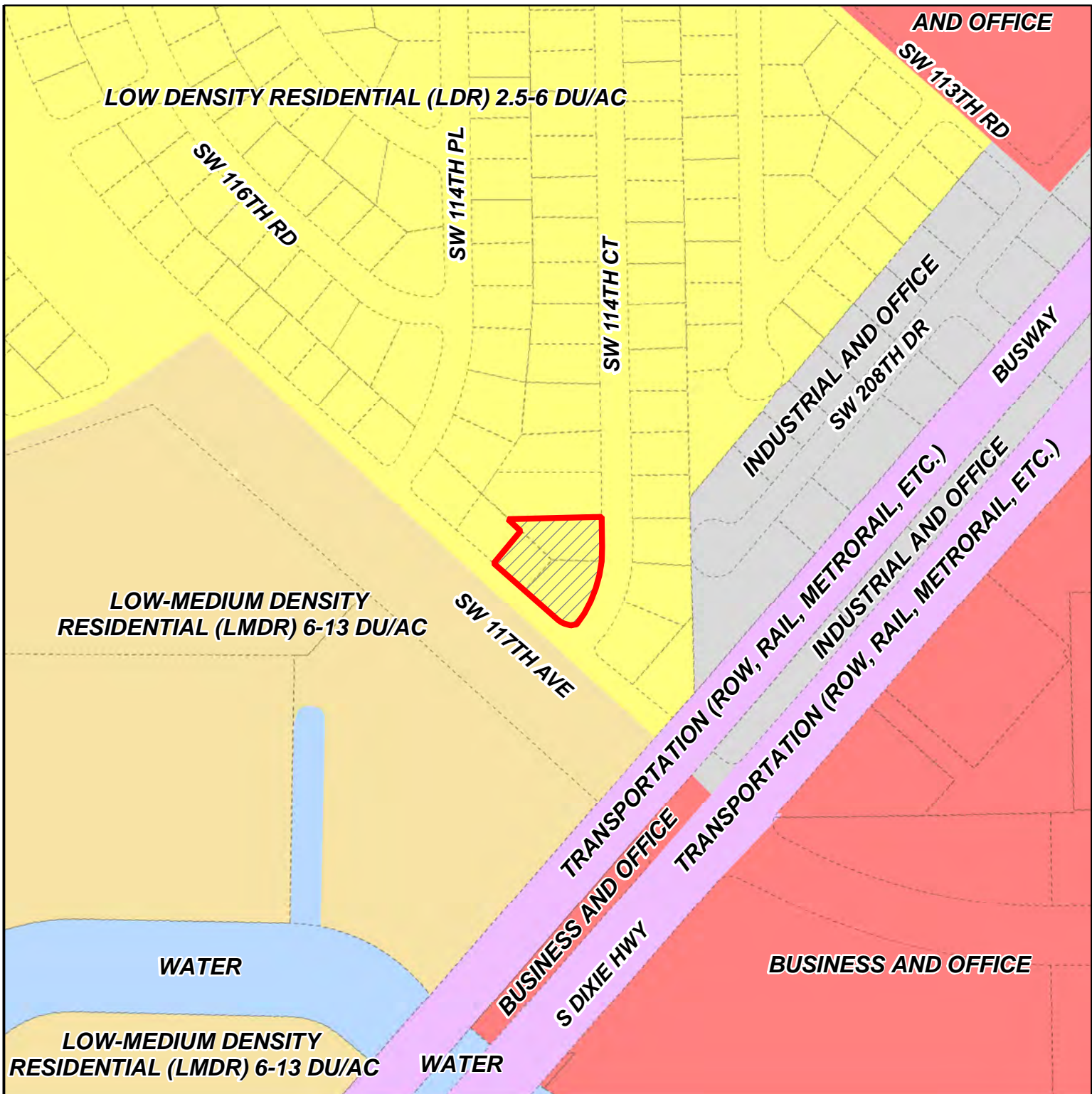
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Friday, June 9, 2023

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



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2022000144

Section: 07 Township: 56 Range: 40
 Applicant: 2nd House Day Care
 Zoning Board: C14
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Friday, June 9, 2023

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

This instrument was prepared by:

Name: Carlos Rippes, Esq.
Address: 24 East 5th. Street
Hialeah, FL 33010

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the attorney's opinion, and

IN ORDER TO ASSURE the **County** that the representations made by the Owner during consideration of Public Hearing No. Z2022000144 will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

1. The said Property shall be developed substantially in accordance with the plans previously submitted, prepared by Remberto Contreras, P.E., entitled , "Proposed Extension The Second House Day Care #4" and plans entitled, "2nd House Day Care added facility expansion," as prepared by Rick D. Ruiz, Associate A.I.A./Marrero & Associates Architect and Planners all dated stamped received _____ said plans consisting of a total of 3 sheets and being on file with the Miami-Dade County Department of Planning and Zoning, and by reference made a part of this agreement.
2. That the use shall be restricted to a maximum of one hundred and forty (140) children.
3. That daycare staff shall be provided to facilitate the loading and unloading of children during business hours to minimize the parking, stopping and standing time of vehicles in the swale area on the Property.

(Public Hearing)

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO: Z22-144

(Space reserved for Clerk) DATE: FEB 3 2023
BY: GONGOL

County Inspection. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents dully authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

Covenant Running with the Land. This declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land therein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of all the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing.

Should this Declaration of Restrictions be so modified, amended or released, the Director of the Miami-Dade County Department of Planning and Zoning, or the executive officer of the successor of such Department, or in the absence of such director or executive officer by his assistant in charge of the office in his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

(Public Hearing)

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO: Z22-144

(Space reserved for Clerk) DATE: FEB 3 2023
BY: GONGOL

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon then invalidated portion.

Recording. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application. This Declaration shall become effective immediately appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

(Public Hearing)