OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Agenda Item No. 5(E)

Date: December 17, 2013

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Class I Permit Application by Paradise Point Drive, LLC to Trim Mangrove Trees in a Coastal Band Community at 5863 Paradise Point Drive in the Village of Palmetto Bay

Resolution No. R-1042-13

Attached, please find for your consideration an application by Paradise Point Drive, LLC for a Class I permit to trim mangrove trees in a Coastal Band Community. Also attached is the recommendation of the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (RER-DERM), and a proposed resolution approving the issuance of the Class I permit.

Jack Osterholt, Deputy Mayor

Memorandum

MIAMI-DADE COUNTY

Date: December 6, 2013

To: Carlos A. Gimenez
Mayor

From: Jack Osterholt, Deputy / Director
Department of Regulatory and Economic Resources

Subject: Class I Permit Application by Paradise Point Drive, LLC to Trim Mangrove Trees in a Coastal Band Community at 5863 Paradise Point Drive in the Village of Palmetto Bay

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Recommendation
I have reviewed the attached application for a Class I permit by Paradise Point Drive, LLC. Based upon the applicable evaluation factors set forth in Section 24-48.3 of the Code of Miami-Dade County (Code), I recommend that the Board approve the issuance of a Class I permit.

Scope
The proposed work is located at 5863 Paradise Point Drive, Palmetto Bay, in Commission District 8 (Commissioner Bell).

Fiscal Impact/Funding Source
Not applicable

Track Record/Monitor
The Coastal and Wetlands Resources Section Manager, Lisa Spadafina, in the Department of Regulatory and Economic Resources, Division of Environmental Resources Management, will be responsible for monitoring the proposed permit.

Background
The subject Class I permit application requests authorization to trim mangrove trees that are part of a Coastal Band Community as defined in Section 24-5 of the Code. The proposed work will provide clearance for the construction of a single-family residence on the upland area of the property. The proposed project is required to be reviewed and approved by the Board at a public hearing because the scope of work is specifically referenced in Section 24-48.2 of the Code as work that shall be processed as a standard form application, including a public hearing.

The proposed project location is one of fourteen single-family lots in the Paradise Point development located in the Village of Palmetto Bay at the eastern terminus of SW 152 Street on a spit of land that extends into Biscayne Bay. In 1990, the Board of County Commissioners approved the issuance of a Class I permit to allow the development on a portion of the uplands that contained halophytic (salt tolerant) wetlands. The developed area of Paradise Point is bordered to the south and west by approximately 12 acres of wetlands dominated by mature red mangrove trees with a lesser amount of white mangrove and black mangrove trees. The subject lot has remained vacant, but is currently proposed to be developed and the applicant is requesting to conduct minor trimming of the lateral branches of white mangroves that extend within 2 feet of the proposed footprint of the house. The trimming will result in the removal of 219.5 square feet of white mangrove canopy. The trees that will be trimmed are part of a large high-quality wetland area; the trimming will not significantly impact any individual trees or the wetland area as a whole.

Under the Miami-Dade County Comprehensive Development Master Plan (CDMP), the mangrove trees adjacent to the proposed project site are designated as a Mangrove Protection Area. Cutting, trimming, pruning or other alteration of mangroves in a Mangrove Protection Area shall only be permitted for purposes of surveying or for projects that are necessary to prevent or eliminate a threat to public health, safety or welfare; are water dependent; are required for natural system restoration and enhancement; or are clearly in the public interest; and where no reasonable upland alternative exists. However, the proposed trimming is limited to portions of the mangrove trees that are overhanging the upland areas of the property which were previously permitted for development. In addition, the proposed trimming is minimal and will not significantly impact any individual trees or the wetland area as a whole. No dredging or filling of wetlands are proposed and the project is not reasonably expected to result in adverse environmental impacts. Additionally, the applicant will be required to mitigate for removal of mangrove canopy, and the trimming will be conducted in a manner that is otherwise consistent with the Mangrove Protection Area protections. Therefore, the proposed project is recommended for approval.

Section 24-48.3 of the Code requires mitigation for permittable projects that otherwise result in adverse environmental impacts. The project will result in the removal of 219.5 square feet of mangrove canopy. Mitigation for impacts to halophytic wetlands will be satisfied through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund in the amount of $1,756.00 to be used for the creation, restoration or enhancement of coastal wetlands adjacent to Biscayne Bay or its tidal tributaries.

The proposed project has been designed in accordance with all relevant Miami-Dade County coastal construction criteria and is consistent with all Miami-Dade County coastal protection provisions, other than that specified above. The attached Project Report sets forth the reasons the project is recommended for approval pursuant to the applicable evaluation factors set forth in Section 24-48.3 of the Code.

Attachments

Attachment A: Class I Permit Application
Attachment B: Owner/Agent Letter and Project Sketches
Attachment C: Names and Addresses of Owners of All Riparian or Wetland Property within Three Hundred (300) Feet of the Proposed Work
Attachment D: Zoning Memorandum
Attachment E: DERM Project Report

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: December 17, 2013

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 5(E)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

✓ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(E)
12-17-13

RESOLUTION NO. R-1042-13

RESOLUTION APPROVING A CLASS I PERMIT APPLICATION BY PARADISE POINT DRIVE, LLC TO TRIM MANGROVE TREES IN A COASTAL BAND COMMUNITY AT 5863 PARADISE POINT DRIVE IN THE VILLAGE OF PALMETTO BAY, FLORIDA

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board having considered all the applicable factors contained within Section 24-48.3 of the Code of Miami-Dade County, hereby approves the application by Paradise Point Drive, LLC for a Class I permit application to trim mangrove trees in a Coastal Band Community at 5863 Paradise Point Drive in the Village of Palmetto Bay, Florida, subject to the conditions set forth in the memorandum from the Miami-Dade County Department of Regulatory and Economic Resources, a copy of which is attached hereto and made a part hereof. The issuance of this approval does not relieve the applicant from obtaining all applicable Federal, State, and local permits.

The foregoing resolution was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Esteban L. Bovo, Jr.** and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman	**absent**		
Lynda Bell, Vice Chair	**aye**		
Bruno A. Barreiro	**absent**	Esteban L. Bovo, Jr.	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**absent**
Jean Monestime	**aye**	Dennis C. Moss	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of December, 2013. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Abbie Schwaderer-Raurell

Attachment A

Class I Permit Application

MIAMI-DADE COUNTY

Class I Permit Application

FOR DEPARTMENTAL USE ONLY

Date Received: RECEIVED NOV 1 2 2013 DERM Coastal Resources Section Natural Resources Regulation & Restoration Division (NRRRD)

Application Number:

Application Fee:

Application must be filled out in its entirety. Please indicate N/A for non-applicable fields.

1. Applicant Information:

Name: Paradise Point Drive, LLC

Address: 235 Altara Avenue

Coral Gables, Florida Zip Code: 33146

Phone #: Fax#:

Email: mikeecalderon@gmail.com

* This should be the applicant's information for contact purposes.

2. Applicant's Authorized Permit Agent:

Agent is allowed to process the application, furnish supplemental information relating to the application and bind the applicant to all requirements of the application.

Name: Kate Davis, Davis Environmental Solutions, LLC.

Address: 12864 Biscayne Blvd., #324

North Miami, Florida Zip Code: 33181

Phone #: 305-502-1954 Fax #:

Email: kate@davis-environmental.com

3. Location where proposed activity exists or will occur (latitude and longitude are only necessary for properties without address or folio #):

Folio #(s): 33-5025-009-0080 Latitude: Longitude:

Street Address: 5863 Paradise Point Drive Section: 25 Township: 55 Range: 40

In City or Town: Palmetto Bay Near City or Town:

Name of waterway at location of the activity: Biscayne Bay

4. Describe the proposed activity (check all that apply):

- ☐ Seawall
  - ☐ New/Replacement Seawall
  - ☐ Seawall Cap
  - ☐ Batter Piles
  - ☐ King Piles
  - ☐ Footer/Toe Wall
  - ☐ Riprap
- ☐ Dock(s)
  - ☐ Pier(s)
  - ☐ Viewing Platform
- ☐ Boatlift
  - ☐ Mooring Piles
  - ☐ Fender Piles
  - ☐ Davits
- ☐ Dredging
  - ☐ Maintenance
  - ☐ New
- ☐ Filling
- ☒ Mangrove Trimming
- ☐ Mangrove Removal

☐ Other:

Estimated project cost = $ 1,250.00

Are you seeking an after-the-fact approval (ATF)? ☐Yes ☒No If "Yes", describe the ATF work:

5. Proposed Use (check all that apply):

- ☒ Single Family
- ☐ Multi-Family
- ☐ Private
- ☐ Public
- ☐ Commercial
- ☐ Industrial
- ☐ Utility

6. If the proposed work relates to the mooring of vessels provide the following information (please also indicate if the applicant does not have a vessel):

Proposed Vessel Type (s): N/A

Vessel Make/Model (If known): N/A

Draft (s)(range in inches.): N/A Length (s)(range in feet.): N/A

Total Number of Slips: N/A

7. List all permits or certifications that have been applied for or obtained for the above referenced work:

Issuing Agency	Type of Approval	Identification Number	Application Date	Approval Date
N/A				

8. Contractor Information (If known):

Name: To be determined License # (County/State):

Address: Zip Code:

Phone #: Fax #: E-mail:

9. IMPORTANT NOTICE TO APPLICANTS: The written consent of the property owner is required for all applications to be considered complete. Your application WILL NOT BE PROCESSED unless the Applicant **and** Owner Consent portion of the application is completed below. You have the obligation to apprise the Department of any changes to information provided in this application.

Application is hereby made for a Miami-Dade County Class I permit to authorize the activities described herein. I agree to or affirm the following:

- I possess the authority to authorize the proposed activities at the subject property, and
- I am familiar with the information, data and plans contained in this application, and
- To the best of my knowledge and belief, the information, data and plans submitted are true, complete and accurate, and
- I will provide any additional information, evidence or data necessary to provide reasonable assurance that the proposed project will comply with the applicable State and County water quality standards both during construction and after the project is completed, and
- I am authorizing the permit agent listed in Section 2 of this application to process the application, furnish supplemental information relating to this application and bind the applicant to all requirements of this application, and
- I agree to provide access and allow entry to the project site to inspectors and authorized representatives of Miami-Dade County for the purpose of making the preliminary analyses of the site and to monitor permitted activities and adherence to all permit conditions.

A. IF APPLICANT IS AN INDIVIDUAL

RECEIVED
NOV 12 2013
DERM Coastal Resources Section
Natural Resources Regulation & Restoration Division (NRRRD)

Signature of Applicant | Print Applicant's Name | Date

B. IF APPLICANT IS OTHER THAN AN INDIVIDUAL OR NATURAL PERSON
(Examples: Corporation, Partnership, Trust, LLC, LLP, etc.)

Paradise Point Drive, LLC | LLC | Florida

Print Name of Applicant (Enter the complete name as registered) | Type (Corp, LLC, LLP, etc.) | State of Registration/Incorporation

Under the penalty of perjury, I certify that I have the authority to sign this application on behalf of the Applicant, to bind the Applicant, and if so required to authorize the issuance of a bond on behalf of the Applicant. (If asked, you must provide proof of such authority to the Department). ***Please Note: If additional signatures are required, pursuant to your governing documents, operating agreements, or other applicable agreements or laws, you must attach additional signature pages. ***

Michael Calderon Manager

Signature of Authorized Representative | Print Authorized Representative's Name | Title | Date

C. IF APPLICANT IS A JOINT VENTURE Each party must sign below(If more than two members, list on attached page)

Print Name of Applicant (Enter the complete name as registered) | Type (Corp, LLC, LLP, etc.) | State of Registration/Incorporation

RECEIVED
NOV 12 2013
DERM Coastal Resources Section
Natural Resources Regulation & Restoration Division (NRRRD)

Print Name of Applicant (Enter the complete name as registered) | Type (Corp, LLC, LLP, etc.) | State of Registration/Incorporation

Under the penalty of perjury, I certify that I have the authority to sign this application on behalf of the Applicant, to bind the Applicant, and if so required to authorize the issuance of a bond on behalf of the Applicant. (If asked, you must provide proof of such authority to the Department). ***Please Note: If additional signatures are required, pursuant to your governing documents, operating agreements, or other applicable agreements or laws, you must attach additional signature pages. ***

Signature of Authorized Representative | Print Authorized Representative's Name | Title | Date

Signature of Authorized Representative | Print Authorized Representative's Name | Title | Date

10. WRITTEN CONSENT OF THE PROPERTY OWNER OF THE AREA OF THE PROPOSED WORK

I/We are the fee simple owner(s) of the real property located at 5863 Paradise Point Drive, Coral Gables, FL 33157 Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. 33-5025-009-0080. I am aware and familiar with the contents of this application for a Miami-Dade County Class I Permit to perform the work on or adjacent to the subject property, as described in Section 4 of this application. I possess the riparian rights to the area of the proposed work (if applicable) and hereby consent to the work identified in this Class I Permit application.

A. IF THE OWNER(S) IS AN INDIVIDUAL

Signature of Owner	Print Owner's Name	Date
Signature of Owner	Print Owner's Name	Date

B. IF THE OWNER IS OTHER THAN AN INDIVIDUAL OR NATURAL PERSON

(Examples: Corporation, Partnership, Joint Venture, Trust, LLC, LLP, etc.)

Paradise Point Drive, LLC	LLC	Florida
Print Name of Owner (Enter the complete name as registered)	Type (Corp, LLC, LLP, etc.)	State of Registration/Incorporation

235 Altara Avenue, Coral Gables, FL 33146

Address of Owner

Under the penalty of perjury, I certify that I have the authority to sign this application on behalf of the Owner, to bind the Owner, and if so required to authorize the issuance of a bond on behalf of the Owner. (If asked, you must provide proof of such authority to the Department). ***Please Note: If additional signatures are required, pursuant to your governing documents, operating agreements, or other applicable agreements or laws, you must attach additional signature pages. ***

Signature of Authorized Representative	Print Authorized Representative's Name	Title	Date
	Michael Calderon	Manager	
Signature of Authorized Representative	Print Authorized Representative's Name	Title	Date

Please Review Above

Appropriate signature(s) must be included in:

Box 9: either A, B or C

AND

Box 10: either A or B

RECEIVED
NOV 12 2013
DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (NRRRD)

Attachment B

Owner/Agent Letter and Project Sketches

PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT

Miami Dade County Department of Regulatory and Economic Resources
Class I Permitting Program
701 NW 1st Court
Miami, FL 33136

Re: Class I Standard Form Permit Application Number CLI-2013-0136

By the attached Class I Standard Form permit application with supporting documents, I, Michael Calderon, Manager, Paradise Point Drive, LLC, am the permit applicant/permit applicant's authorized agent, and hereby request permission to perform the work associated with Class I Permit Application CLI-2013-0136. I understand that a Miami-Dade County Class I Standard Form Permit is required to perform this work.

If approval is granted for the proposed work by the Board of County Commissioners, complete and detailed plans and calculations of the proposed work shall be prepared by an engineer licensed in the State of Florida in accordance with the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida. Said plans and calculations shall be subject to the review and approval of the Department. The permit applicant will secure the services of an engineer licensed in the State of Florida to conduct inspections throughout the construction period, and said engineer shall prepare all required drawings of record. In the event that the proposed work which is the subject of this Class I Permit application involves the cutting or trimming of a mangrove tree(s), a detailed plan of the proposed cutting or trimming shall be prepared by a licensed landscape architect and submitted to the Department for review and approval, and the permit applicant will secure the services of a licensed landscape architect to supervise the trimming or cutting.

Respectfully submitted,

Michael Calderon,
Manager
Paradise Point Drive, LLC

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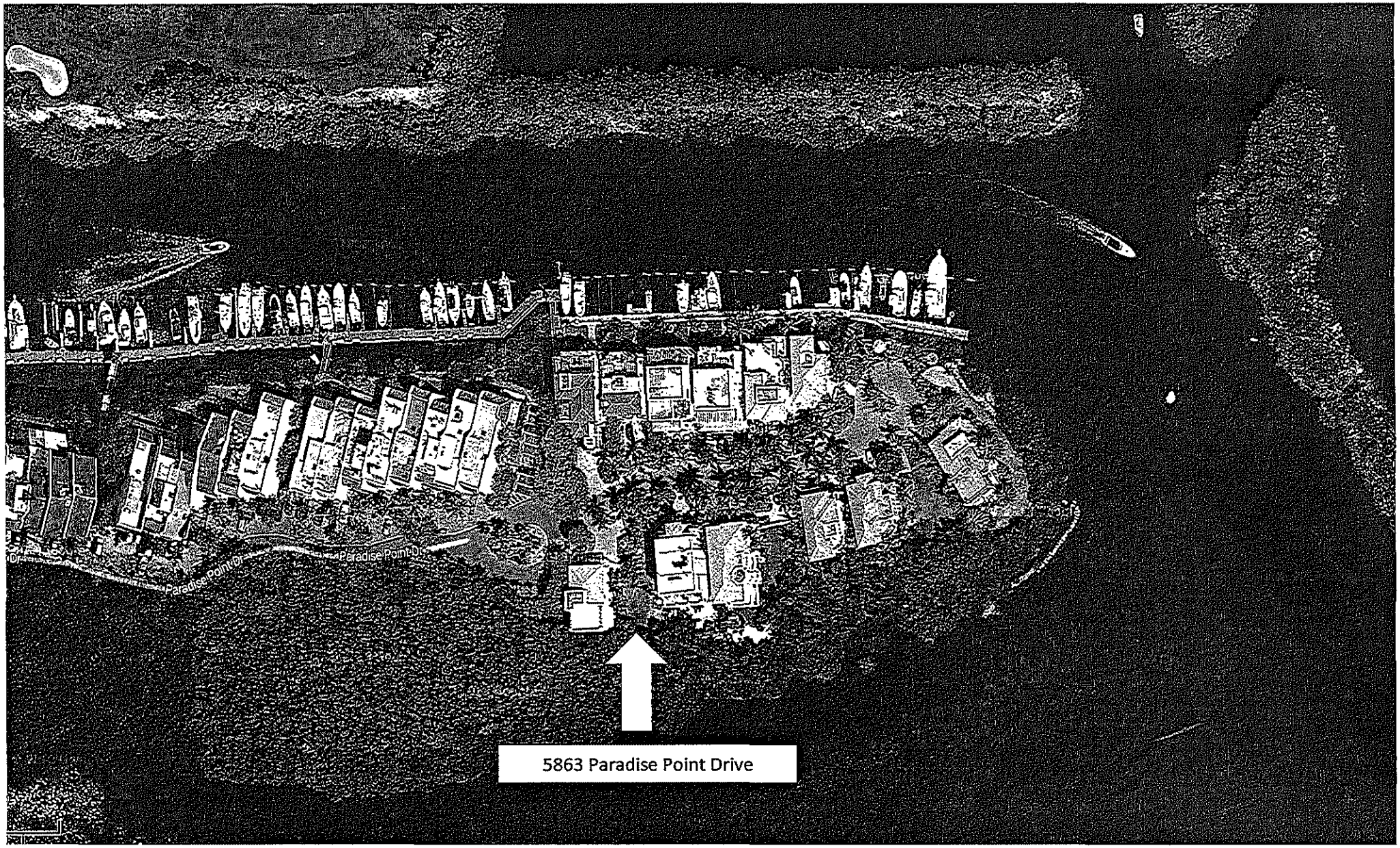
NOV 12 2013
DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (NRRRD)

NORTH
SW 145th Terrace
SW 146th St
SW 146th Terrace
SW 147th St
SW 148th St
SW 148th Terrace
SW 149th Terrace
SW 152nd St
Coral Reef Dr
Paradise Point Dr
Royal Palm Dr
West Dr
SW 67th Pl
SW 67th Ct
SW 67th Ave
Spruce St
Mahi Dr
Dolphin Dr
King's Bay Turning Basin
Darling Bay Dr
SW 74th Ave
SW 74th Ct
SW 72nd Ave
SW 72nd Ct
SW 156th St
SW 157th Terrace
Ingraham Hwy
Bonito Dr
Pompano Dr
Tarpon Dr
5863 Paradise Point Drive

NORTH


Paradise Point Dr
Paradise Point Dr
5863 Paradise Point Drive

RECEIVED
NOV 12 2013
DERM Coastal Resources Section
Coastal Resources Regulation & Restoration
Division (NRRRD)

FLOOD LEGEND

Residential New Construction

ADDRESS: 5863 PARADISE POINT DRIVE, PALMETTO BAY, FLORIDA 33157

LOT: 2 BLOCK: 2 PLAT BOOK: 156 PAGE: 23

HIGHEST CROWN OF ROAD (C.O.R.): +3.82 FT. NGVD. HIGHEST CROWN OF ROAD ELEVATION WAS TAKEN FROM THE ATTACHED CERTIFIED SURVEY, OR A CERTIFIED SURVEY PROVIDED BY: MAN CONSULTING, INC. (MASONRY CORP.) PLS LIC.# 4098

SIGNATURE & DATE

	LOWEST FLOOR ELEVATION	CAR PORT FLOOR ELEVATION	ADJACENT GRADE ELEVATION	CRAWL AREA ELEVATION
PROPOSED	+10.00 FT. NGVD	+8.00 FT. NGVD	+3.8 AVG. FT. NGVD	NA
MINIMUM REQ.	+14.00 FT. NGVD			

ALL ELECTRICAL, MECHANICAL AND PLUMBING WILL BE PLACED AT OR ABOVE THE BASE FLOOD ELEVATION. (B.F.E.) – BASE FLOOR ELEVATION +14.00' NGVD.

ALL AREAS BELOW B.F.E. SHALL BE PROVIDED WITH A MINIMUM OF TWO (2) OPENINGS HAVING A TOTAL NET AREA OF NO LESS THAN ONE SQUARE INCH OF OPENING FOR EVERY SQUARE FOOT OF ENCLOSED AREA SUBJECT TO FLOODING. THE BOTTOM OF THE OPENING WILL BE NO HIGHER THAN ONE (1) FOOT ABOVE GRADE AND LOCATED ON DIFFERENT SIDES OF THE ENCLOSED AREA. OPENINGS WILL BE EQUIPPED WITH SCREENS OR LOUVORES. FLOOD RESISTANT MATERIALS WILL BE USED BELOW B.F.E.

ALTERNATIVELY, SEE A CERTIFICATION BY N/A P.E. ON THE PLAN NOTES INDICATING THAT THE DESIGN WILL ALLOWED FOR THE AUTOMATIC EQUALIZATION OF HYDROSTATIC FLOOD FORCES ON EXTERIOR WALLS.

THE SITE WILL BE GRADED IN A MANNER TO PREVENT THE FLOODING OF ADJACENT PROPERTIES. WHERE NECESSARY RETENTION/ DRAINS WILL BE CONSTRUCTED ON-SITE WITH NO ENCROACHMENT OVER ADJACENT PROPERTIES.

0' = 0" = +6.00' NGVD

NOTE: WORK SHALL COMPLY WITH THE MIAMI-DADE COUNTY, FLORIDA CODE OF ORDINANCES CHAPTER 24 – ENVIRONMENTAL PROTECTION, BISCAYNE BAY AND ENVIRONS DESIGNATED AQUATIC PARK AND CONSERVATION AREA, THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND, AND THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM, AS ORDERED IN VILLAGE OF PALMETTO BAY RESOLUTION No. 2012-73.

ZONING INFORMATION:

ADDRESS:	5863 PARADISE POINT DRIVE, PALMETTO BAY, FLORIDA
MUNICIPALITY:	VILLAGE OF PALMETTO BAY, FLORIDA
ZONING CLASSIFICATION:	R-1M; MODIFIED, SINGLE FAMILY RESIDENTIAL DISTRICT
NET LOT AREA:	7,342 SQUARE FEET
MAXIMUM ALLOWED LOT COV.:	42% OF NET LOT (3,083 SQUARE FEET)
PROVIDED LOT COV.:	42% OF NET LOT (3,086 SQUARE FEET)
MINIMUM OPEN SPACE AREA:	58% OF NET LOT (4,258 SQUARE FEET)
PROVIDED OPEN SPACE AREA:	58% OF NET LOT (4,274 SQUARE FEET)
MINIMUM LANDSCAPE PERVIOUS AREA:	30% OF NET LOT (2,201 SQUARE FEET)
PROVIDED LANDSCAPE PERVIOUS AREA:	32% OF NET LOT (2,652 SQUARE FEET)
MAXIMUM BUILDING SIZE:	1,908 SQUARE FEET
PROVIDED BUILDING SIZE:	5,391 SQUARE FEET (TOTAL LIVING AREA)
MAXIMUM BUILDING HEIGHT:	40 FEET ABOVE GRADE TO ROOF RIDGE (RESOLUTION No. 2-ZAB-243-97)
PROVIDED BUILDING HEIGHT:	43 FEET ABOVE GRADE TO ROOF RIDGE (RESOLUTION No. 2012-73)
MAXIMUM NUMBER OF STORIES:	2 (NOT INCLUDING NON-LIVEABLE AREAS)
PROVIDED NUMBER OF STORIES:	2 (NOT INCLUDING NON-LIVEABLE AREAS)
FLOOD ZONE:	"AE"
MINIMUM FLOOD ZONE ELEV:	14.00' NGVD
EXISTING GRADE ELEV:	+/-6.00' NGVD
REQUIRED PARKING:	2 PARKING SPACES PER DWELLING UNIT
PROVIDED PARKING:	0 PARKING SPACES

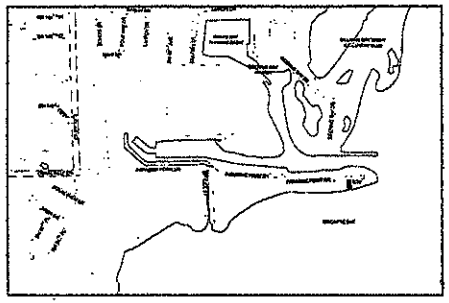
BUILDING SETBACK INFORMATION:

MAIN STRUCTURE SETBACKS

	REQ.	PROV.
FRONT	*	18'-6", 25'-0" & 21'-2"
SIDE, INTERIOR	5'-0"	5'-1" & 7'-0"
SIDE, STREET	10'-0"	N/A
REAR	**	27'-2"

* 15 FEET FOR 50 OF THE HOUSE WIDTH; 25 FEET FOR BALANCE OF HOUSE WIDTH; EXCEPT 20 FEET FOR ATTACHED GARAGE

** 15 FEET FOR 50 OF THE HOUSE WIDTH; 25 FEET FOR BALANCE OF HOUSE WIDTH



VICINITY MAP

N.T.S.

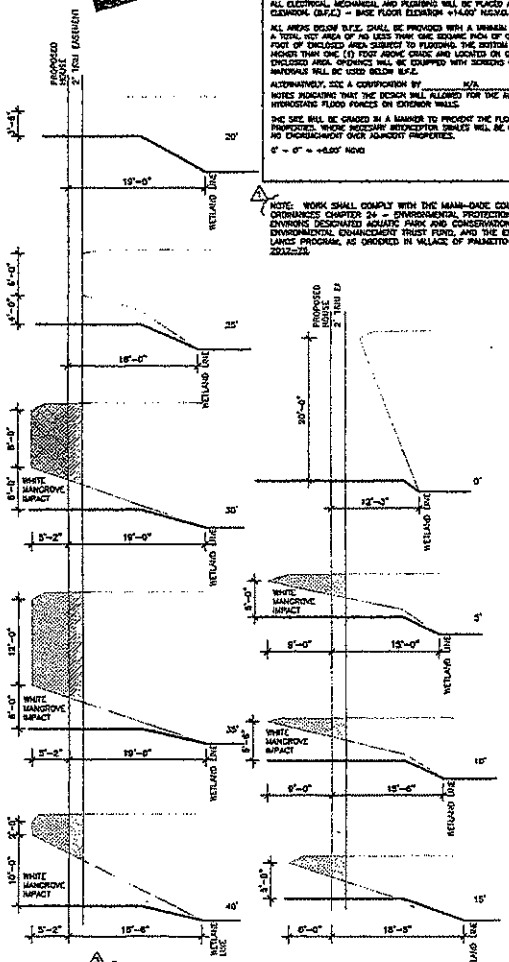
LEGAL DESCRIPTION:

LOT 2 BLOCK 2 OF "PARADISE POINT FIRST AMENDMENT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 156, AT PAGE 23, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

(SPECIAL WARRANTY DEED DATED JANUARY 13, 2012, RECORDED IN OFFICIAL RECORDS BOOK 27670, PAGE 3781, MIAMI- DADE COUNTY RECORDS.)

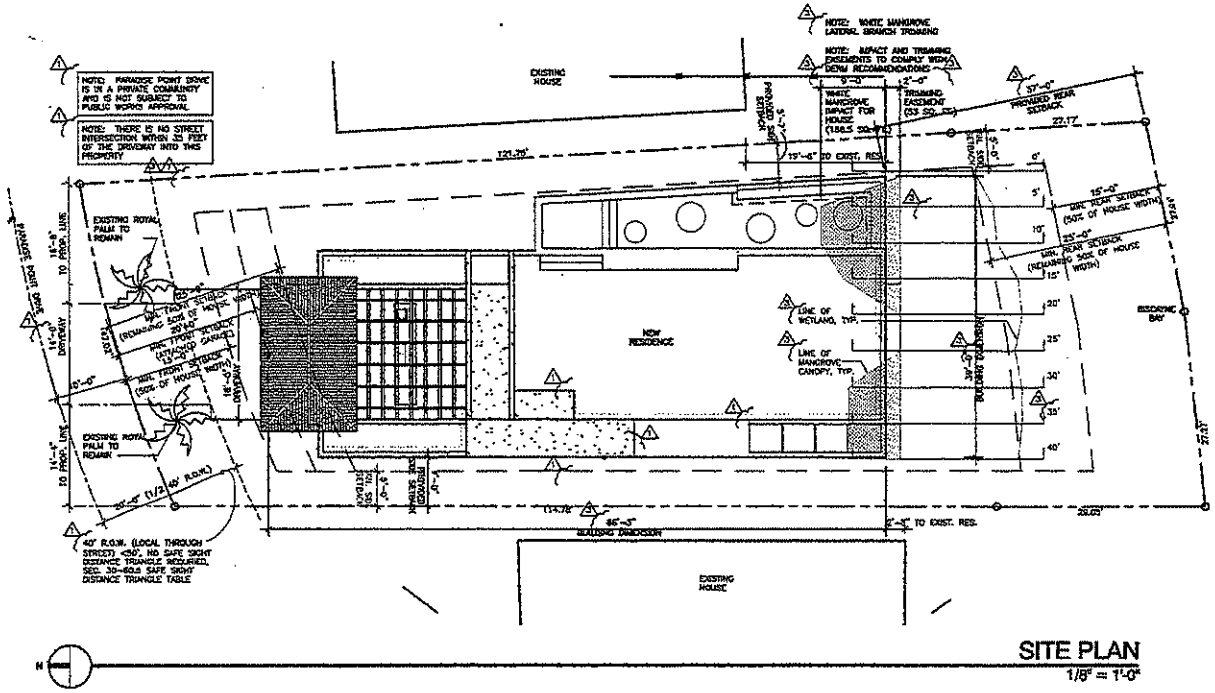
CONTAINING 7,340 SQUARE FEET, 0.17 ACRES MORE OR LESS, BY CALCULATIONS.

FOLIO NO.: 33-5025-009-0080



WHITE MANGROVE SECTIONS

1/8" = 1'-0"



SITE PLAN

1/8" = 1'-0"

MATEU

NOVEL J. MATEU
AR 0008220

PARK CONSULTING ENGINEERS, CORP.
ELECTRICAL
8350 NW ROYAL WAY, STE 104
MIAMI, FL 33153

JAN CONSULTING ENGINEERS, LLC
MECHANICAL, ELECTRICAL & PLUMBING
8350 SW 124TH STREET, SUITE 108
MIAMI, FL 33156

5863 PARADISE POINT DRIVE
PALMETTO BAY, FLORIDA 33157

CASA @ PARADISE POINT

SINGLE FAMILY RESIDENCE

MATEU ARCHITECTURE INC.
THIS DRAWING IS THE PROPERTY OF MATEU ARCHITECTURE INC. ANY REPRODUCTION OR USE OF THIS DRAWING IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF MATEU ARCHITECTURE INC. IS PROHIBITED.

PHASE:
PERMIT DRAWINGS

FILE NAME:
SC12-CASA@PARADISE-PROJECT.PRO

PROJECT NO:
1012-233

DRAWN BY:

CHECKED BY:

ISSUE DATE:
NOVEMBER 07, 2012

REVISIONS:
1 BLD & OWNER REVS. 03.11.13
2 TOWN COMMENTS 04.24.13
3 DCMM REVS. 11.04.13

SHEET TITLE
VICINITY MAP, SITE PLAN & ZONING INFORMATION

SHEET NO.
A-100

Attachment C

Names and Addresses of Owners of All Riparian or Wetland Property Within Three Hundred (300) Feet of the Proposed Work

Frank & Lucille Azor
5867 Paradise Point Dr.
Palmetto Bay, FL 33135

Donn A. & Joann Szaro
5855 Paradise Point Dr.
Palmetto Bay, FL 33157

Sina Negahbani
PO Box 566055
Miami, FL 33256

Paradise Point Marina Condo
6111 Paradise Point Dr.
Palmetto Bay, FL 33157

Gary J. Turner
5847 Paradise Point Dr.
Palmetto Bay, FL 33157

Royal Harbour Yacht Club
Townhouse Assoc., Inc.
12396 SW 82 Ave.
Miami, FL 33156

Aleander& Stella Prendes
P.O. Box 56-6253
Miami, FL 33256

Elizabeth Hoover
5843 Paradise Point Dr.
Palmetto Bay, FL 33156

Wifred & Maritza Padron
5856 Paradise Point Dr.
Palmetto Bay, FL 33157

Frederick & Carey Feick
Frederick L. Feick Trust
5859 Paradise Point Dr.
Palmetto Bay, FL 33157

William Hayes
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DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (NRRRD)

Attachment D

Zoning Memorandum

Memorandum

MIAMI-DADE COUNTY

Date: November 21, 2013

To: Lisa Spadafina, Manager
Coastal and Wetlands Resources Section
Department of Regulatory and Economic Resources

From: Lourdes Barrelli, Biologist II LB for
Coastal and Wetlands Resources Section
Department of Regulatory and Economic Resources

Subject: Class I Permit Application to Trim Mangrove Trees in a Coastal Band Community at 5863 Paradise Point Drive, in the Village of Palmetto Bay, Miami-Dade County, Florida

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Pursuant to Section 24-48.2(II)(B)(7), of the Code of Miami-Dade County, Florida, a substantiating letter shall be submitted by the applicant stating that the proposed project does not violate any zoning laws. Said letter will be submitted after approval by the Miami-Dade County Board of County Commissioners and prior to issuance of the Class I permit.

Attachment E

RER-DERM Project Report

PROJECT REPORT
CLASS I PERMIT APPLICATION NO. CLI-2013-0136

Class I Permit Application by Paradise Point Drive, LLC to Trim Mangrove Trees in a Coastal Band Community at 5863 Paradise Point Drive in the Village of Palmetto Bay, Florida

DATE: November 19, 2013

Staff's recommendation of approval for the above-referenced permit application is based on the applicable evaluation factors under Section 24-48.3 of the Code of Miami-Dade County, Florida (Code). The following is a summary of the proposed project with respect to each applicable evaluation factor:

1. **Potential Adverse Environmental Impact** – The proposed project includes the trimming of lateral branches of *Laguncularia racemosa* (white mangrove) trees that are part of a Coastal Band Community, as defined in Section 24-5 of the Code. The proposed work will result in the removal of 219.5 square feet of white mangrove canopy that extends over uplands; however, the project site is part of a 12 acre high-quality halophytic (salt-tolerant) wetland system, and the proposed trimming is not reasonably expected to result in adverse environmental impacts.

   Mitigation for impacts to halophytic wetlands will be satisfied through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund in the amount of $1,756.00, to be used for the creation, restoration, or enhancement of coastal wetlands adjacent to Biscayne Bay or its tidal tributaries.

2. **Potential Cumulative Adverse Environmental Impact** – The proposed project is not reasonably expected to result in cumulative adverse environmental impacts.

3. **Hydrology** - The proposed project is not reasonably expected to adversely affect surface water drainage or retention of stormwater.

4. **Water Quality** – The proposed project is not reasonably expected to result in impacts to water quality; the Class I permit shall require that proper controls be implemented during any upland construction activities to ensure that the work does not impact the adjacent halophytic wetlands.

5. **Wellfields** – Not applicable.

6. **Water Supply** – Not applicable.

7. **Aquifer Recharge** – Not applicable.

8. **Aesthetics** – The proposed project is not reasonably expected to adversely affect aesthetics.

9. **Navigation** – The proposed bridge is not reasonably expected to adversely affect navigation.

10. **Public Health** - The proposed project is not reasonably expected to adversely affect public health.

11. **Historic Values** - The proposed project is not reasonably expected to adversely affect historic values.

12. **Archaeological Values** - The proposed project is not reasonably expected to adversely affect archaeological values.

13. **Air Quality** – The proposed project is not reasonably expected to adversely affect air quality.

14. **Marine and Wildlife Habitats** – The proposed project involves the removal of 219.5 square feet of mangrove canopy; however, the project site is part of a 12 acre high-quality wetland system that can be used as alternate habitat. Impacts have been minimized and will be mitigated as set forth in Number 1 above.

15. **Wetland Soils Suitable for Habitat** – The proposed project is not reasonably expected to adversely affect wetland soils suitable for habitat.

16. **Floral Values** – The proposed project will result in impacts to floral values as a result of the removal of 219.5 square feet of mangrove canopy. However, impacts to floral values have been minimized and shall be mitigated as set forth in Number 1 above.

17. **Fauna Values** - The project will result in the removal of 219.5 square feet of mangrove canopy and may temporarily impact fauna values; however, the project site is part of a high-quality wetland system that can be used as alternate habitat. Unavoidable impacts to fauna values have been minimized and shall be mitigated as set forth in Number 1 above.

18. **Rare, Threatened and Endangered Species** –The proposed project site is part of a high quality wetland system that can be used as alternate habitat; therefore, the proposed project is not reasonably expected to adversely affect rare, threatened and endangered species.

19. **Natural Flood Damage Protection** - The proposed project is not reasonably expected to adversely affect surface water drainage or retention of stormwater.

20. **Wetland Values** – The proposed project is not reasonably expected to result in impacts to wetlands.

21. **Land Use Classification** – Pursuant to Section 24-48.2(II)(B)(7), Code of Miami-Dade County, Florida, a substantiating letter from the local zoning authority shall be submitted stating that the proposed project does not violate any zoning laws. Said letter will be submitted after the approval by the Board of County Commissioners and prior to the issuance of a Class I permit.

22. **Recreation** - The proposed project does not conflict with the recreation element of the Miami-Dade County Comprehensive Development Master Plan.

23. **Other Environmental Values Affecting the Public Interest** – The proposed project is not reasonably expected to adversely affect other environmental values affecting the public interest. The proposed project will occur over land owned by the applicant.

24. **Conformance with Standard Construction Procedures and Practices and Design and Performance Standards** – The proposed project complies with the standard construction procedures and practices and design and performance standards of the applicable portions of the Miami-Dade County Public Works Manual

25. **Comprehensive Environmental Impact Statement (CEIS)** - In the opinion of the Director, the proposed project is not reasonably expected to result in significant adverse environmental impacts or cumulative adverse environmental impacts. Therefore, a CEIS was not required by RER-DERM to evaluate the project.

26. **Conformance with All Applicable Federal, State and Local Laws and Regulations** - The proposed project is in conformance with applicable State, Federal and local laws and regulations:
    a) Chapter 24 of the Code of Miami-Dade County.

27. **Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP)** - In the opinion of the Director, the proposed project is in conformance with the CDMP other than as specified below. The following is a summary of the proposed project as it relates to the CDMP:

LAND USE ELEMENT I:

Objective 3/Policies 3A, 3B, 3C - Protection of natural resources and systems. – The project is compatible with surrounding land uses in Biscayne Bay and does not involve development in the Big Cypress area of Critical State concern or the East Everglades.

TRANSPORTATION ELEMENT II

Aviation Subelement/Objective 9 - Aviation System Expansion - There is no aviation element to the proposed project.

Port of Miami River Subelement/Objective 3 - Minimization of impacts to estuarine water quality and marine resources. The proposed project is not located within the Miami River.

CONSERVATION, AQUIFER RECHARGES AND DRAINAGE ELEMENT IV:

Objective 3/Policies 3A, 3B, 3D - Wellfield protection area protection. - The proposed project is not located within a wellfield protection area.

Objective 3/Policy 3E - Limestone mining within the area bounded by the Florida Turnpike, the Miami-Dade/ Broward Levee, N.W. 12 Street and Okeechobee Road. - The proposed project is not located within this area.

Objective 4/Policies 4A, 4B, 4C - Water storage, aquifer recharge potential and maintenance of natural surface water drainage. - The proposed project is not reasonably expected to adversely affect water storage, aquifer recharge potential or natural surface water drainage.

Objective 5/Policies 5A, 5B, 5F - Flood protection and cut and fill criteria – The proposed project will not compromise flood protection.

Objective 6/Policy 6A - Areas of highest suitability for mineral extraction. - The proposed project is not located in an area proposed or suitable for mineral extraction.

Objective 6/Policy 6B - Guidelines for rock quarries for the re-establishment of native flora and fauna. - The proposed project is not located in a rock quarry.

Objective 6/Policy 6D - Fill material on-site is suitable for the support of development. – The proposed project does not involve filling for the purpose of development.

Objective 7/Policy 7A - No net loss of high quality, relatively unstressed wetlands. – Although the proposed project will result in minor impacts to halophytic wetlands, the impacts have been minimized and will be mitigated as set forth in Number 1 above.

Objective 9/Policies 9A, 9B, 9C - Protection of habitat critical to Federal or State-designated threatened or endangered species. – The proposed project is not reasonably expected to adversely affect habitat critical to Federal or State-designated threatened or endangered species as set forth in Number 18 above, and the impacts have been minimized and will be mitigated as set forth in Number 1 above.

COASTAL MANAGEMENT ELEMENT VII:

Objective 1/Policy 1A - Tidally connected mangroves in mangrove protection areas – The proposed project will result in the removal of 219.5 square feet of mangrove canopy within a designated "Mangrove Protection Area" (MPA) in association with work that is not consistent with the permittable types of projects listed in the CDMP. However, the proposed project will occur over an upland area that was previously authorized for development, is not reasonably expected to result in adverse environmental impacts and will be mitigated, and the trimming will be conducted in a manner that is otherwise consistent with the MPA protections.

Objective 1/ Policy 1B - Natural surface flow into and through coastal wetlands. – The proposed project is not reasonably expected to affect natural surface flow into and through halophytic wetlands.

Objective 1/ Policy 1C - Elevated boardwalk access through mangroves. – The proposed project does not involve shoreline access through mangroves.

Objective 1/Policy 1D - Protection and maintenance of mangrove forests and related natural vegetational communities. - The proposed project will result in the removal of 219.5 square feet of mangrove canopy; however, the project site is part of a 12 acre high-quality wetland system, and the impacts have been minimized and will be mitigated as set forth in Number 1 above.

Objective 1/Policy 1E - Mitigation for the degradation and destruction of coastal wetlands. Monitoring and maintenance of mitigation areas. – Although the proposed project will result in the removal of 219.5 square feet of white mangrove canopy, the project site is part of a 12 acre high-quality wetland system and the work is not reasonably expected to result in the degradation or destruction of coastal wetlands. In addition, the impacts will be mitigated as set forth in Number 1 above.

Objective 1/Policy 1G - Prohibition on dredging or filling of grass/algal flats, hard bottom or other viable benthic communities, except as provided for in Chapter 24 of the Code of Miami-Dade County, Florida. – The proposed project does not involve dredging or filling of grass/algal flats, hard bottom, or other viable benthic communities.

Objective 2/Policies 2A, 2B - Beach restoration and renourishment objectives. - The proposed project does not involve beach restoration or renourishment.

Objective 3/Policies 3E, 3F - Location of new cut and spoil areas for proper stabilization and minimization of damages. - The proposed project does not involve the development or identification of new cut or spoil areas.

Objective 4/Policy 4A, 4C, 4E, 4F – Protection of endangered or threatened animal species – The proposed project is not reasonably expected to result in impacts to endangered or threatened species as set forth in Number 18 above.

Objective 5/Policy 5B - Existing and new areas for water-dependent uses. - The proposed project will not affect existing water-dependent use.

Objective 5/Policy 5D - Consistency with Chapter 33D, Miami-Dade County Code (shoreline access, environmental compatibility of shoreline development) – The proposed project does not meet the thresholds for review by the Miami-Dade County Shoreline Development Review Committee.

Objective 5/Policy 5F - The siting of water dependent facilities. - The proposed project does not involve the creation of any new water dependent facilities.

28. **Conformance with Chapter 33B, Code of Miami-Dade County** (East Everglades Zoning Overlay Ordinance) – The proposed project is not located within the East Everglades Area.

29. **Conformance with Miami-Dade County Ordinance 81-19** (Biscayne Bay Management Plan Sections 33D-1 through 33D-4 of the Code of Miami-Dade County) - The proposed project will not occur within Biscayne Bay.

30. **Conformance with the Miami-Dade County Manatee Protection Plan** - The proposed project was evaluated for consistency with the MPP. The proposed project will occur over uplands, in a location that is not accessible by the West Indian Manatee.

31. **Consistency with Miami-Dade County Criteria for Lake Excavation** – The proposed project does not involve lake excavation.

32. **Municipality Recommendation** – Pursuant to Section 24-48.2(II)(B)(7), Code of Miami-Dade County, Florida, a substantiating letter from the local zoning authority shall be submitted stating that the proposed project does not violate any zoning laws. Said letter will be submitted after the approval by the Board of County Commissioners and prior to the issuance of a Class I permit.

33. **Coastal Resources Management Line** - A coastal resources management line was not required for the proposed project, pursuant to Section 24-48.2(II)(B)(10)(b) of the Code of Miami-Dade County.

34. **Maximum Protection of a Wetland's Hydrological and Biological Functions** – The proposed project will result in the removal of 219.5 square feet of mangrove canopy; however, the impacts to wetlands have been minimized and shall be mitigated as set forth in Number 1 above.

35. **Class I Permit Applications Proposing to Exceed the Boundaries Described in Section D-5.03(2)(a) of the Miami-Dade County Public Works Manual** – Not applicable.

The proposed project was also evaluated for compliance with the standards contained in Sections 24-48.3(2),(3), and (4) of the Code of Miami-Dade County, Florida. The following is a summary of how the standards relate to the proposed project:

24-48.3 (2) Dredging and Filling for Class I Permit – Not applicable.

24-48.3 (3) Minimum Water Depth Required for Boat Slips Created by the Construction or Placement of Fixed or Floating Docks and Piers, Piles and Other Structures Requiring a Permit Under Article IV, Division 1 of Chapter 24 of the Code of Miami-Dade County - Not applicable.

24-48.3 (4) Clean Fill in Wetlands – Not applicable.

BASED ON THE FOREGOING, IT IS RECOMMENDED THAT A CLASS I PERMIT BE APPROVED.

Lisa Spadafina, Manager
Coastal and Wetlands Resources Section

Attempts for
Lourdes Barrelli, Biologist II
Coastal and Wetlands Resources Section