

**Note: The following case(s) is/are included in this ad.**

**Click on the process number or applicant's name to go directly to the ad.**

<b>Process No.</b>	<b>Applicant Name</b>
<a href="#"><u>04-057</u></a>	<a href="#"><u>ROY R. LUSTIG, TRUSTEE</u></a>
<a href="#"><u>04-113</u></a>	<a href="#"><u>ANTONIO SANCHEZ</u></a>
<a href="#"><u>03-384</u></a>	<a href="#"><u>FLAGLER DEVELOPMENT CO.</u></a>

APPLICANT: ROY R. LUSTIG, TRUSTEE

ART PAPASTAVROS is appealing the decision of Community Zoning Appeals Board #2 on ROY R. LUSTIG, TRUSTEE, which approved the following:

- (1) RU-1 to RU-5A
- (2) Applicant is requesting to permit an office building to setback 20' from the front (north) property line (25' required) and setback 20' from the rear (south) property line (25' required).
- (3) Applicant is requesting to waive the required trees and a 5' wide landscape strip between dissimilar land uses along the west and a portion of the south property lines.
- (4) Applicant is requesting to permit a dumpster enclosure to setback 66' (75' required) from the front (north) property line and to setback 0' (7½' required) from the interior side (west) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 & #4 may be considered under §33-311(A)(20) (Alternative Site Development Option for Semi-Professional Office Zoning District) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance) and requests #2 through #4 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Professional Building," as prepared by Steven B. Schwartz, Page A-1 dated 4/14/04 and the remaining 4 pages dated 3/1/04. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 1 & 2, less the north 30.09', Block 3, RIVERDALE, Plat book 44, Page 71.

LOCATION: The Southwest corner of N.E. 24 Avenue & N.E. 196 Street (Miami Gardens Drive), Miami-Dade County, Florida.

SIZE OF PROPERTY: 0.385 Net Acre

RU-1 (Single Family Residential)  
RU-5A (Semi-professional Offices)

APPLICANT: ANTONIO SANCHEZ

The applicant is appealing the decision of Community Zoning Appeals Board #8 on ANTONIO SANCHEZ which denied the following:

- (1) BU-2 to BU-3
- (2) Applicant is requesting to permit used auto/truck sales with a lot area of 0.77 acre (1 acre required).
- (3) Applicant is requesting to permit ancillary auto/truck repairs to occupy 60% of the gross building area (15% permitted).
- (4) Applicant is requesting to permit a landscape greenbelt varying from 5' to 7'5" (15' required).
- (5) Applicant is requesting to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east.
- (6) Applicant is requesting to permit 0 shrubs along the right-of-way (169 perimeter shrubs required).
- (7) Applicant is requesting to permit a landscape open space of 18% (20% required).
- (8) Applicant is requesting to permit an auto repair facility spaced 29' from a residential district (500' required).

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #8 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Truck Sales of Miami," as prepared by Offerle-Lerner, Architects, dated 3/24/04 and consisting of 4 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 4 – 9, ELIZABETH PARK AMENDED, Plat book 4, Page 195.

LOCATION: Lying on the east side of N.W. 27 Avenue & south of N.W. 66 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 0.77 Acre

PRESENT ZONING: BU-2 (Business – Special)

APPLICANT: FLAGLER DEVELOPMENT CO.

- (1) TO MAKE A SUBSTANTIAL DEVIATION DETERMINATION TO A DRI pursuant to §380.06(19) of the Florida Statutes with respect to the following amendments and requests.
- (2) MODIFICATION of Condition #21 of Resolution Z-114-83, and last modified by Resolution Z-10-99, both passed and adopted by Board of County Commissioners, and reading as follows:

FROM: "21. This Development Order shall be null and void, if any of the following requirements has (sic) not been met within four (4) years from the date of issuance of the Development Order:

- start of construction of N.W. 106 Street, between N.W. 107 Avenue and N.W. 112 Avenue.
- completion of the financial feasibility analysis and specific financial arrangements with sources and timing of funds, identified, for the interchange of HEFT at N.W. 106 Street; and
- approval of the HEFT interchange construction by FDOT or the Miami-Dade County MPO, as evidenced by its incorporation, as a programmed improvement with funding sources identified, in the State 5-year Plan or the Miami-Dade County Transportation Improvement Program (TIP).

If approval of the HEFT interchange cannot be obtained, as specified above, the Development Order will become null and void, unless the Applicant submits, the Council reviews, and the County approves, prior to expiration of the 4 year period, an Amended DRI Application for Development Approval focusing on transportation and including such other information as is necessary to ensure a new roadway network to support the project. December 15, 2006 is hereby established as the build-out day for this project.

TO: "21. This Development Order shall be null and void, if any of the following requirements have not been met within four (4) years from the date of issuance of the Development Order:

- start of construction of N.W. 106 Street, between N.W. 107 Avenue and N.W. 112 Avenue.
- completion of the financial feasibility analysis and specific financial arrangements with sources and timing of funds, identified, for the interchange of HEFT at N.W. 106 Street; and

CONTINUED ON PAGE TWO

APPLICANT: FLAGLER DEVELOPMENT CO.

PAGE TWO

- approval of the HEFT interchange construction by FDOT or the Miami-Dade County MPO, as evidenced by its incorporation, as a programmed improvement with funding sources identified, in the State 5-year Plan or the Miami-Dade County Transportation Improvement Program (TIP).

If approval of the HEFT interchange cannot be obtained, as specified above, the Development Order will become null and void, unless the Applicant submits, the Council reviews and the County approves, prior to expiration of the 4 year period, an Amended DRI Application for Development Approval focusing on transportation and including such other information as is necessary to ensure a new roadway network to support the project. December 14, 2011 is hereby established as the build-out day for this project."

- (3) MODIFICATION of Condition #19 of Resolution Z-114-83, passed and adopted by the Board of County Commissioners and reading as follows:

FROM: "19. The Application for Development Approval is incorporated herein by reference and relied upon by the parties in discharging their statutory duties under Chapter 380, Florida Statutes. Substantial Compliance with the representations contained in the Application for Development Approval is a condition for approval unless waived or modified by agreement among the parties."

TO: "19. The Master Development Plan attached as Exhibit "1" reflects the current conceptual land use plan and development program for the property, which along with the Application for Development Approval are incorporated herein by reference and relied upon by the parties in discharging their statutory duties under Chapter 380, Florida Statutes. Substantial Compliance with the representations contained in the Master Development Plan and the Application for Development Approval are conditions for approval unless waived or modified by agreement among the parties."

The purpose of the requests is to allow the applicant to submit a revised master development plan showing a revision to the office/warehouse development, to decrease the warehouse area, to add hotel and business uses and to permit the applicant to extend a build-out date for this previously approved project.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 & #3 may be considered under §33-311(A)(7) or §33-311(A)(17) (Modification or Elimination of Conditions or covenants After Public Hearing).

CONTINUED ON PAGE THREE

HEARING NO. 05-1-CZ5-2 (03-384)

6-53-40  
BCC  
Comm. Dist. 12

APPLICANT: FLAGLER DEVELOPMENT CO.

PAGE THREE

SUBJECT PROPERTY: All of Section 6, Township 53 South, Range 40 East.

LOCATION: Between N.W. 90 Street & N.W. 106 Street & N.W. 107 Avenue & N.W. 117 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 640 Acres

PRESENT ZONING: IU-C (Industry – Conditional)  
BU-1A (Business – Limited)