

Note: The following case(s) is/are included in this ad.
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Process No.	Applicant Name
<u>03-194</u>	<u>JOSE A. ORTEGA, TRUSTEE, ET AL.</u>
<u>04-113</u>	<u>ANTONIO SANCHEZ</u>
<u>04-365</u>	<u>BELL SOUTH TELECOMMUNICATIONS, INC.</u>
<u>04-366</u>	<u>DADELAND BREEZE APARTMENTS L. L. C.</u>
<u>05-044</u>	<u>THE HAVEN CENTER, INC.</u>

THE FOLLOWING HEARING WAS DEFERRED FROM 3/17/05 TO THIS DATE:

HEARING NO. 04-11-CZ8-1 (04-113)

15-53-41
BCC
Comm. Dist. 2

APPLICANT: ANTONIO SANCHEZ

ANTONIO SANCHEZ is appealing the decision of Community Zoning Appeals Board #8 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

BU-2 (Business – Special)
BU-3 (Business – Liberal)

THE FOLLOWING HEARING WAS DEFERRED FROM 6/23/05 TO THIS DATE:

HEARING NO. 05-3-CZ12-2 (04-366)

34-54-40

BCC

Comm. Dist. 7

APPLICANT: DADELAND BREEZE APARTMENTS L. L. C.

DADELAND BREEZE APARTMENTS L. L. C. is appealing the decision of Community Zoning Appeals Board #12 which denied the following:

RU-4M to PAD

Plans are on file and may be examined in the Zoning Department entitled "H + H Development," as prepared by Cohen-Freedman-Encinosa & Associates, Revision #2 dated 12/27/04 and consisting of 17 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and a portion of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ all in Section 34, Township 54 South, Range 40 East, being particularly described as follows:

Commence at the Southwest corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 34; thence run N87°54'27"E along the south boundary of said Section 34 a distance of 432.11' to a point, said point being 898.41' west of the Southeast corner of said Section 34 and being on a line that is 20' east of and parallel to the east face of a 1 story C.B.S. building; thence run N02°04'38"W along a line that is 20' east of and parallel to the east face of a 1 story C.B.S. warehouse building a distance of 55' to the point of intersection with the north right-of-way boundary of State Road #94 (N. Kendall Drive) as shown on the right-of-way map recorded in Plat book 78, Page 35; said point being the Point of beginning of the parcel of land hereinafter to be described; thence continue on the last described course a distance of 597.97' to the Point of intersection with the north boundary of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 34; said point being 433.52' east of the Northwest corner of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 34; thence run N87°50'41"E along the north boundary of the south $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 34 a distance of 873.38' to a Point of intersection with the west right-of-way boundary of State Road #826 (Palmetto By-Pass) as shown on a right-of-way map recorded in Plat book 70, Page 6; said point being on a line that is 25' west of and parallel to the east boundary of Section 34; thence run S2°04'46"E along said west right-of-way boundary and along a line that is 25' west of and parallel to the east boundary of said Section 34 a distance of 233.24' to a point; thence run S5°48'45"W along said west right-of-way boundary a distance of 364.14' to a point, said point being on a line that is 75' west of and parallel to the east boundary of said Section 34 and being also on a line that is 60' north of and parallel to the south boundary of said Section 34; thence run S87°54'27"W along a line that is 60' north of and parallel to the south boundary of said Section 34 and along the north right-of-way line of said State Road 826, a distance of 632.73' to a point; thence run S2°04'43"E along the west right-of-way boundary of State Road 826, a distance of 5' to a Point of intersection with the north right-of-way boundary of said State Road #94; thence run S87°54'27"W along the north right-of-way boundary of said State Road #94 a distance of 190.67' to the Point of beginning. LESS: The north 30' thereof for road purpose as recorded in Official Record Book 4704, Page 337, and being more particularly described as follows:

Commence at the Northeast corner of the south $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 34, Township 54 South, Range 40 East; thence run S87°50'41"W along the north line of the south $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 34 for 25' to the Point of beginning; thence continue S87°50'41"W along the north line of the south $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 34 for

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APPLICANT: DADELAND BREEZE APARTMENTS L. L. C.

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873.38'; thence run S2°04'38"E for 30' to a point on a line that is 30' south and parallel to the north line of the south ½ of the SE ¼ of the SE ¼ of said Section 34; thence run N87°50'41"E along the line that is 30' south of and parallel to the north line of the south ½ of the SE ¼ of the SE ¼ of said Section 34 for 848.35' to the Point of curvature of a circular curve, concave to the Southwest with a radius of 25'; thence run SE/ly along the arc of said curve for 39.3' to the Point of tangency on the west line of the east 25' of the SE ¼ of said Section 34; thence run N2°04'48"W along the west line of the east 25' of the SE ¼ of said Section 34 for 55.03' to the Point of beginning.

LOCATION: The Northwest corner of S.W. 77 Avenue & S.W. 88 Street; A/K/A: 7701 N. Kendall Drive, Miami-Dade County, Florida.

SIZE OF PROPERTY: 11.11 Acres

RU-4M (Modified Apartment House 35.9 units/net acre)
PAD (Planned Area Development)

THE FOLLOWING HEARING WAS REMANDED FROM THE CIRCUIT COURT OF APPEALS
TO THE BOARD OF COUNTY COMMISSIONERS TO THIS DATE:

HEARING NO. 03-12-CZ14-3 (03-194)

7-56-39
BCC
Comm. Dist. 8

APPLICANTS: JOSE A. ORTEGA, TRUSTEE, ET AL.

JOSE A. ORTEGA, TRUSTEE, ET AL is appealing the decision of Community Zoning
Appeals Board #14 which denied the following:

AU to BU-1A

SUBJECT PROPERTY: The north $\frac{3}{4}$ of the north $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 7, Township 56
South, Range 39 East, less the south 60.34' and the east 1,972' thereof.

LOCATION: The Southeast corner of S.W. 200 Street (Quail Roost Drive) & S.W. 177 Avenue
(Krome Avenue), Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.5 Acres

AU (Agricultural – Residential)
BU-1A (Business – Limited)

APPLICANT: BELL SOUTH TELECOMMUNICATIONS, INC.

- (1) IU-C to PAD
- (2) UNUSUAL USE to permit lake excavations.
- (3) UNUSUAL USE to permit entrance features.
- (4) Applicant is requesting to waive the required 6' high wall, fence or hedge between dissimilar land uses to the west, north & south.

REQUESTS #1 - #4 ON EXHIBIT "B"

- (5) DELETION of a Declaration of Restrictions in Official Records Book 9002 at Pages 1084 through 1104:

The purpose of request #5 is to remove a requirement that the property be developed in accordance with a site plan for an industrial development, to allow the applicant to build in accordance with the proposed zoning and the present zoning on the remainder of the parcel.

REQUEST #5 ON THE OVERALL PROPERTY

Upon a demonstration that the applicable standards have been satisfied, approval of request #4 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance) and request #5 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

Plans are on file and may be examined in the Zoning Department entitled "BellSouth Property," as prepared by Pascual, Perez, Kiliddjian & Associates and dated, signed and sealed 6/30/05 and consisting of 37 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: OVERALL: Tract "A," WESTERN ELECTRIC SITE, Plat book 102, Page 70 & EXHIBIT "B": Being a portion of Tract "A", WESTERN ELECTRIC SITE, Plat Book 102, Page 70, lying and being in the North 1/2 of Section 31, Township 51 South, Range 42 East, more fully described as follows:

Begin at the Northeast corner of said Tract "A"; thence N86°36'00"W along the N/ly line of said Tract "A", said N/ly line also being the S/ly right-of-way line of N.E. 215th Street for 636.62'; thence S03°24'00"W for 6.88 feet to a Point of curvature; thence SE/ly along a 71.25' radius curve, leading to the left, through a central angle of 90°23'07" for an arc distance of 112.4' to a Point of tangency; thence S86°59'07"W for 5.33'; thence S03°00'53"W for 67.84' to a Point of curvature; thence SE/ly along a 181.67' radius curve, leading to the left, through a central angle of 16°50'21" for an arc distance of 53.39' to a Point of reverse curvature; thence SE/ly along a 138.33' radius curve, leading to the right, through a central angle of 16°55'49" for an arc

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APPLICANT: BELL SOUTH TELECOMMUNICATIONS, INC.

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distance of 40.88'; thence S03°06'21"W for 114'; thence N86°59'07"W for 599.27'; thence S03°03'35"W along a line 350' east of and parallel with the west line of said Tract "A" for 495.54'; thence S86°56'25"E for 47.38' to a point on a circular curve, concave to the Southwest and whose radius point bears S44°28'10"W; thence SE/ly along a 20' radius curve, leading to the right, through a central angle of 48°32'08" for an arc distance of 16.94' to a point on a non-tangent line; thence S86°53'07"E for 40' to a point on a circular curve, concave to the Southeast and whose radius point bears S86°59'43"E; thence NE/ly along a 20' radius curve, leading to the right, through a central angle of 58°12'39" for an arc distance of 20.32' to a point on a non-tangent line; thence S86°57'20"E for 77.27' to a point on a circular curve, concave to the Southwest and whose radius point bears S34°47'32"W; thence SE/ly along a 20' radius curve, leading to the right, through a central angle of 58°12'45" for an arc distance of 20.32' to a point on a non-tangent line; thence S86°53'07"E for 40' to a point on a circular curve, concave to the Southeast and whose radius point bears S86°59'43"E; thence NE/ly along a 20' radius curve, leading to the right, through a central angle of 90°03'18" for an arc distance of 31.44' to a Point of tangency; thence S86°56'25"E for 33.08 feet to a point on a circular curve, concave to the Southeast, and whose radius bears S03°03'35"W; thence SE/ly along a 20' foot radius curve, leading to the right, through a central angle of 89°57'14" for an arc distance of 31.4' to a point on a non-tangent line; thence S86°55'30"E for 40' to a point on a circular curve, concave to the Southeast and whose radius bears S86°55'30"E; thence NE/ly along a 20' foot radius curve leading to the right, through a central angle of 89°59'05" for an arc distance of 31.41' to a Point of tangency; thence S86°56'25"E for 42' to a Point of curvature; thence SE/ly along a 20' radius curve, leading to the right, through a central angle of 89°57'30" for an arc distance of 31.4' to a point on a non-tangent line; thence S86°53'47"E for 39.99' to a point on a circular curve concave to the Southeast whose radius point bears S86°59'11"E; thence NE/ly along a 20' radius curve, leading to the right, through a central angle of 20°32'00" for an arc distance of 7.17' to a point on a non-tangent line; thence S86°56'25"E for 122.59'; thence S36°56'45"E for 29.38'; thence S03°03'35"W along a line 958.17' east of and parallel with the west line of said Tract "A" for 829.47'; thence N86°56'25"W for 958.17' to a point on the west line of said Tract "A", said point being 1,713.09' as measured along the west line of said Tract "A" from the Northwest corner of said Tract "A"; thence S03°03'35"W along the west line of said Tract "A" for 388.82' to a point on a circular curve whose radius point bears N07°58'57"E for 1,060'; the following six courses being along the exterior lines of said Tract "A", courses (1) through (3) also being along the N/ly road right-of-way line of 80' wide San Simeon Way, as per Plat book 114, Page 37; (1) thence E/ly along said 1060' radius curve leading to the left through a central angle of 05°22'49" for an arc of 99.54' to a Point of tangency; (2) thence S87°23'52"E for 187.1' to a Point of curvature; (3) thence SE/ly along a 1140' radius curve leading to the right through a central angle of 27°32'00" for an arc of 547.82'; (4) thence N30°08'08"E along a line radial to the last described course for 226.08'; (5) thence S87°32'55"E for 599.99'; (6) thence N02°26'17"E for 2014.17' to the Point of Beginning.

LOCATION: 600 N.E. 215 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 72± Acres

IU-C (Industrial – Conditional)
PAD (Planned Area Development)

APPLICANT: THE HAVEN CENTER, INC.

- (1) GU & GU-GP to RU-3M
- (2) Deletion of Paragraph #1 of Declaration of Restrictions recorded in ORB 13359 at Pages 1986 through 1989, only as applied to subject property, reading as follows:

“1. The Property and every part of it may be used for the following institutional purposes only: schools, public or private; home for the aged and/or mentally or physically disabled; sanitarium; convalescent home; day care center; adult congregate living facility; other compatible caretaking institutional use. Neither the Property, nor any part therefore, shall be used for business, commercial, retail, manufacturing or non-institutional residential or other purposes not specifically listed above.”

The purpose of this request is to allow the applicant to construct a residential development in lieu of the previously approved uses.

- (3) Applicant is requesting to permit a common open space of 26.4% (30% required).
- (4) Applicant is requesting to permit a minimum greenbelt of 7' (10' required) between the rear lot lines of the townhouse units.
- (5) Applicant is requesting to permit driveways within 25' of the right-of-way (not permitted).

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing) and approval of requests #3 - #5 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 “Sunrise Townhomes,” as prepared by Pascual, Perez, Kiliddjian & Associates, consisting of 21 sheets, dated stamped received 7/14/05 and 3 sheets dated stamped received 7/15/05. Plans may be modified at public hearing.

SUBJECT PROPERTY: All that part of Section 31, Township 54 South, Range 40 East described as follows: The west ½ of the NE ¼ of the SW ¼ less the north 35', the east 25' and the south 25' thereof, and less the west 25' of the south ½, thereof; and the east ½ of the NE ¼ of the NW ¼ of the SW ¼, less the north 35' thereof, as well as the east ½ of the NE ¼ of the SW ¼ of Section 31, Township 54 South, Range 40 East, less the north 35' and the east 35' and the south 25' and the west 25' thereof; LESS: The north ½ of the NE ¼ of the NE ¼ of the SW ¼ and the north ½ of the NW ¼, of the NE ¼, of the SW ¼, on Section 31, township 54 South, Range 40 East; LESS: PALACE OF KENDALL, Plat book 137, Page 22 AND LESS: A portion of the NE ¼ of the SW ¼ of Section 31, Township 54 South, Range 40 East, being particularly described as follows:

Begin at the Southwest corner of Tract “A” of the PALACE OF KENDALL, Plat book 137, Page 22; said point lying 25' north of, as measured at right angles to the south line of the said NE ¼

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HEARING NO. 05-8-CC-2 (05-44)

31-54-40
BCC
Comm. Dist. 10

APPLICANT: THE HAVEN CENTER, INC.

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of the SW $\frac{1}{4}$ of Section 31; thence S89°09'36"W along the north right-of-way line of S.W. 84th Street, as said right-of-way was dedicated by Resolution #R-1127-88, and recorded in Official Records Book 13863, Page 446 for 249.93' to a point that is 25' west of, as measured at right angles, to the west line of the said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 31, said point, lying on the east right-of-way line of S.W. 114th Avenue, as said right-of-way was dedicated by the above Resolution #R-1127-88; thence N00°00'58"E along a line that is 25' east of, and parallel with, the said west line of the said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 31, and along the said east right-of-way line of S.W. 114th Avenue, for 431.27'; thence N89°09'36"E for 250' to the Northwest corner of the said Tract "A" of the PALACE OF KENDALL; thence S00°01'29"W along the west line of the said Tract "A" of the PALACE OF KENDALL for 431.27' to the Point of beginning.

LOCATION: 11175 S.W. 80 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 21 Acres

PRESENT ZONING: GP (Governmental Property)
GU (Interim)
RU-3M (Minimum Apartment House 12.9 units/net acre)