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Process No.	Applicant Name
<u>05-144</u>	<u>ROYD LEMUS & RAQUEL LAU</u>
<u>05-184</u>	<u>MARCOS CENTURION AND ALFREDO GARCIA-MENOCAL</u>
<u>05-219</u>	<u>CENTURY HOMEBUILDERS OF SOUTH FLORIDA L. L. C.</u>
<u>05-317</u>	<u>EMILY DEVELOPMENT L. L. C.</u>
<u>05-367</u>	<u>WRC PROPERTIES INC.</u>
<u>06-121</u>	<u>LEXUS OF KENDALL AUTO PARK</u>

APPLICANTS: ROYD LEMUS & RAQUEL LAU

The applicants are appealing the decision of COMMUNITY ZONING APPEALS BOARD #14, which denied with prejudice the following:

- (1) AU to BU-1A
- (2) Applicants are requesting to waive the zoning regulations requiring a 5' high masonry wall where a business lots abuts EU zoned property, along the rear (west) and interior side (south) property lines.
- (3) Applicants are requesting to waive the zoning regulations requiring all uses to be conducted within completely enclosed buildings or within an area completely enclosed with walls; to permit the uses in an unenclosed structure.
- (4) UNUSUAL USE to permit outdoor dining.
- (5) Applicants are requesting to waive the zoning requirements requiring Krome Avenue to be 180' in width; to permit 50' of dedication (90' required) on the west side of Krome Avenue adjacent to the subject property.

OR IN THE ALTERNATIVE TO REQUEST #5, THE FOLLOWING:

- (6) Applicants are requesting to permit 51 parking spaces (75 required).

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2, 3 & 5 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance) and approval of request #6 may be considered under §33-311(A)(16) (Alternative Site Development Option for the BU Zoning District) or 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 "Redland Market," as prepared by Rocco J. Ceo, consisting of 3 sheets and dated stamped received 9/21/05. Plans may be modified at public hearing.

SUBJECT PROPERTY: The north 330' of the east $\frac{3}{4}$ of the SE $\frac{1}{4}$ of Section 12, Township 56 South, Range 38 East, less the west 1,686.68' thereof, being subject to an ingress-egress easement across the north 35' thereof.

LOCATION: The Southwest corner of S.W. 177 Avenue & S.W. 208 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.5 Acres

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

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APPLICANT: MARCOS CENTURION AND ALFREDO GARCIA-MENOCAL

The applicants are appealing the decision of COMMUNITY ZONING APPEALS BOARD #12, which denied without prejudice the following:

- (1) AU to EU-M
- (2) Applicant is requesting to permit 2 lots with frontages varying from 113' to 113.05' (120' required for each).

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(14) (Alternative Site Development Option) or 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 "Site Plan," as prepared by Mario Prats, Jr. & Associates and dated 5/6/05. Plans may be modified at public hearing.

SUBJECT PROPERTY: The Northwest $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 6, Township 55 South, Range 40 East, LESS the west 35' thereof and LESS the south 25' thereof, and bounded by a 25' radius arc concave to the Northeast; said arc being tangent to both of the last described portions, being excepted herefrom, as set forth in Right-of-Way Deed to Miami-Dade County, filed for record in Official Records Book 14641, Page 1873, being described as follows:

The area bounded by the east line of the west 35' of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 6, Township 55 South, Range 40 East, and bounded by the north line of the south 25' of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 6, and bounded by a 25' radius arc concave to the Northeast, said arc being tangent to both of the last described lines.

LOCATION: 11605 S.W. 95 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.11 Acres

AU (Agricultural – Residential)
EU-M (Estates Modified 1 Family 15,000 sq. ft. net)

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APPLICANT: EMILY DEVELOPMENT L. L. C.

EMILY DEVELOPMENT L. L. C. is appealing the decision of Community Zoning Appeals Board #14, which denied the following:

EU-M to RU-1M(a)

SUBJECT PROPERTY: The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, all in Section 14, Township 57 South, Range 38 East, less the north 25' and the west 35'

LOCATION: The Southeast corner of S.W. 192 Avenue & S.W. 316 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 10.18 Acres Gross

EU-M (Estates Modified 1 Family 15,000 sq. ft. net)

RU-1M(a) (Modified Single-Family 5,000 sq. ft. net)

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APPLICANT: WRC PROPERTIES INC.

- (1) TO MAKE A SUBSTANTIAL DEVIATION DETERMINATION TO A DEVELOPMENT OF REGIONAL IMPACT (DRI) pursuant to §380.06(19) of the Florida Statutes with respect to the amendments and requests contained with this application:
- (2) MODIFICATION of Condition #10 of Resolution Z-70-84, passed and adopted by the Board of County Commissioners, only as applied to the subject property and reading as follows:
FROM: "10. Preserve, at a minimum a 40' buffer of existing pines and associated understory along the northern boundary of the site; said buffer to be measured from a 25' right-of-way dedication for S.W. 82nd Street; remove and maintain removal of all noxious, exotic vegetation on site, and use only native and non-invasive, exotic species in landscaping."
TO: "10. Preserve, at a minimum a 25' buffer along the east 535' of the north property line and at a minimum of 40' along the north property line for the remainder of the subject property consisting of existing pines and associated understory along the northern boundary of the site; said buffer to be measured from a 25' right-of-way dedication for S.W. 82nd Street; remove and maintain removal of all noxious, exotic vegetation on site, and use only native and non-invasive, exotic species in landscaping."

The purpose of the request is to permit the applicant to reduce the size of the required 40' wide buffer of existing pines and associated understory along the northern boundary of the site.

- (3) MODIFICATION of Paragraph 1 of Declaration of Restrictions recorded in Official Records Book 12143, Pages 461 – 466, only as applied to the subject property, reading as follows:
FROM: "1. That said property shall be developed substantially in accordance with the spirit and intent of the plans previously submitted, prepared by Sasaki Associates, Inc. and Charles Kober Associates, entitled 'Kendall Town and Country,' containing fourteen (14) sheets, and last revised February 3, 1984, including substantial conformance with the harmonious architectural style depicted on sheets 7 through 10, thereof."
TO: "1. That said property shall be developed substantially in accordance with the spirit and intent of the plans previously submitted, entitled 'Town and Country Professional Center,' as prepared by Robin Bosco Architects & Planners, consisting of 20 sheets, dated signed and sealed 2/17/06 and landscape plans entitled "Town & Country Professional Center," as prepared by EGS2, dated last revised 2/15/06."

The purpose of these requests is to allow the applicant to decrease the required landscape buffer along the north property line and submit new plans showing an office development and parking garages.

- (4) RU-5A to BU-2

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 & #3 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).

APPLICANT: WRC PROPERTIES INC.

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The aforementioned plans are on file and may be examined in the Zoning Department. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of Tract "A," KENDALL KATHRYN MILLS, SECTION ONE, Plat book 125, Page 45, being more particularly described as follows:

Begin at the Northwest corner of said Tract "A"; thence N87°44'23"E along the north line of said Tract "A," said north line being also the S/ly right-of-way line of S.W. 82nd Street for 1,126.14' to a Point of curvature; thence SE/ly along a 25' radius curve leading to the right through a central angle of 90°48'00" for an arc of 39.62' to a Point of tangency; the following two courses being along the E/ly line of said Tract "A," said E/ly line being also the west right-of-way line of S.W. 117th Avenue; thence S01°27'37"E for 165.43' to a Point of curvature; thence SW/ly along a 1,187.5' radius curve leading to the right through a central angle of 01°54'57" for an arc of 39.71'; thence S87°44'23"W for 299.24'; thence S02°15'37"E for 220' to a point on the N/ly line of Mills Drive; the following four courses being along said N/ly line; thence N52°07'11"W for 34.33' to a Point of curvature; thence NW/ly along a 532' radius curve leading to the left through a central angle of 08°33'40" for an arc of 79.49' to a Point compound of curvature; thence NW/ly and W/ly along a 450.91' radius curve leading to the left through a central angle of 31°34'09" for an arc of 248.44' to a Point of tangency; thence S87°45'00"W for 521.77' to a point on the W/ly line of said Tract "A"; thence N02°15'00"W along said W/ly line for 314.93' to the Point of beginning.

LOCATION: The Southwest corner of S.W 82 Street & S.W. 117 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 8.2 Acres

RU-5A (Semi-Professional Offices)

BU-2 (Business – Special)

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APPLICANT: CENTURY HOMEBUILDERS OF SOUTH FLORIDA L. L. C.

VARIANCE OF MIAMI INTERNATIONAL AIRPORT CRITICAL AREA APPROACH-DEPARTURE SURFACE REQUIREMENTS prohibiting places of public assembly, schools, religious facilities, hospitals, single and multiple-family residences lying beneath the theoretical inclined surface of the official area approach-departure zone; to permit a mixed-use project consisting of residential and commercial development to be located beneath the critical area approach-departure surface.

Upon a demonstration that the applicable standards have been satisfied, approval of the request may be considered under §33-342 (Variances and Exception limited) of the Zoning Code prior to the enactment of Ordinance #04-203.

SUBJECT PROPERTY: A portion of the SW ¼ of Section 32, Township 53 South, Range 41 East, being more particularly described as follows:

Commence at the intersection of the centerlines of N.W. 7th Street, and N.W. 43rd Avenue, said Point of intersection being also the Southwest corner of the east ½ of the SE ¼ of the SW ¼ of said Section 32, and run N0°46'59"W along the west line of the east ½ of the SE ¼ of the SW ¼ of said Section 32 (said line being also the aforementioned centerline of N.W. 43rd Avenue) for 675.53'; thence proceed N89°36'41"E along the north line of the SE ¼ of the SE ¼ of the SW ¼ of said Section 32 for 25' to a concrete monument, being the Point of beginning; thence continue N89°36'41"E along the north line of the SE ¼ of the SE ¼ of the SW ¼ of said Section 32 for 300', to a concrete monument; thence run S0°46'59"E, parallel with the west line of the SE ¼ of the SE ¼ of the SW ¼ of said Section 32, for 200', to a concrete monument; thence S89°36'41"W, 200' south of and parallel with the north line of the SE ¼ of the SE ¼ of the SW ¼ of said Section 32, for 300', to a concrete monument; thence N0°46'59"W along a line 25' east of and parallel with the west line of the east ½ of the SE ¼ of the SW ¼ of said Section 32, for 200', to the Point of beginning. AND: The north ½ of the SE ¼ of the SE ¼ of the SW ¼ of Section 32, Township 53 South, Range 41 East, less the north 200' of the west 325', said distances being measured along the north and west lines thereof, and less the south 11.7' and less the east 50' for N.W. 42nd Avenue right-of-way, and less the west 25' for N.W. 43rd Avenue right-of-way.

LOCATION: 850 N.W. 42 Avenue & 865 N.W. 43 Avenue, City of Miami, Florida.

SIZE OF PROPERTY: 4.34 Acres

PRESENT ZONING: C-2 (Business – Special)

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APPLICANT: LEXUS OF KENDALL AUTO PARK

The Applicant is appealing an administrative decision alleging that the Developmental Impact Committee erred in its determination of the road impact fee assessment.

SUBJECT PROPERTY: Tract "A", WEST KENDALL AUTO PARK SERVICE CENTER, Plat book 163, Page 32.

LOCATION: 13800 S.W. 136 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 14.4 Acres

PRESENT ZONING: IU-1 (Industry – Light)

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