

KITS

6-12-2009 Version # 2



**COMMUNITY ZONING APPEALS BOARD 5
COUNTRY VILLAGE PARK
6550 NW 188 Terrace, Miami
Thursday, July 16, 2009 at 7:00 p.m.**

PREVIOUSLY DEFERRED

- | | | | |
|---------------|----------------------------|---------------|----------|
| A. 09-4-CZ5-1 | <u>DANIA ORAMAS</u> | <u>07-237</u> | 10-52-40 |
| B. 09-4-CZ5-2 | <u>CONCRETE STRUCTURES</u> | <u>08-159</u> | 24-53-39 |



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 5

MEETING OF THURSDAY, JULY 16, 2009

COUNTRY VILLAGE PARK

6550 NW 188 TERRACE, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 7:00 P.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMUNITY ZONING APPEALS BOARD SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMUNITY ZONING APPEALS BOARD BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE BOARD BE GRANTED BY THE MAJORITY VOTE OF THE BOARD MEMBERS PRESENT.

NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE MEETING ROOM. PERSONS EXITING THE MEETING ROOM SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE MEETING ROOM IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE MEETING ROOM TO ANSWER INCOMING CELL PHONE CALLS. COUNTY EMPLOYEES MAY NOT USE CELL PHONE CAMERAS OR TAKE DIGITAL PICTURES FROM THEIR POSITIONS ON THE DAIS.

THE NUMBER OF FILED PROTESTS AND WAIVERS ON EACH APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE ZONING HEARING MEETING DATE FOR THIS BOARD.

SWEARING IN OF WITNESSES

THE END

NOTICE OF APPEAL RIGHTS

THE FOLLOWING SUMMARY INFORMATION IS PROVIDED AS A COURTESY; IT SHOULD NOT BE TREATED AS LEGAL ADVICE AND IT SHOULD NOT BE RELIED UPON. LEGAL CONSULTATION MAY BE WARRANTED IF AN APPEAL OR OTHER LEGAL CHALLENGE IS BEING CONTEMPLATED.

Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Planning and Zoning (DPZ) within 14 days after the DPZ has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (The DPZ's posting will be made on a bulletin board located in the office of the DPZ.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website (www.municode.com). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

A. DANIA ORAMAS
(Applicant)

09-4-CZ5-1 (07-237)
Area 5/District 13
Hearing Date: 7/16/09

Property Owner (if different from applicant) **Same.**

Is there an option to purchase /lease the property predicated on the approval of the zoning request? Yes No

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
				NONE

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 5
MOTION SLIP

#1

APPLICANT'S NAME: **DANIA ORAMAS**

REPRESENTATIVE: Dania Oramas

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
09-4-CZ5-1 (07-237)	April 2, 2009	CZAB5 09

REC: Approval with conditions of requests #1, #2, and #3 under Section 33-311(A)(4)(b) (NUV), and denial without prejudice of same under Sections 33-311(A)(14) (ASDO) and 33-311(A)(4)(c) (ANUV).

WITHDRAW: APPLICATION ITEM(S): _____
 DEFER: INDEFINITELY TO: July 16, 2009 W/LEAVE TO AMEND
 DENY: WITH PREJUDICE WITHOUT PREJUDICE
 ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS
 APPROVE: PER REQUEST PER DEPARTMENT PER D.I.C.
 WITH CONDITIONS
 OTHER: At applicant's request to revise the site plans to change the setbacks to build a pool
 House (to add a variance). With leave to amend at applicant's expense.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCIL WOMAN	S	Joanne CARBANA	X		
VICE-CHAIRMAN	M	Juan A. GARCIA (C.A.)	X		
COUNCILMAN		Archie E. MCKAY, JR.			X
COUNCILMAN		Leonardo A. PEREZ	X		
COUNCILMAN		Alexander C. SENDEROFF	X		
CHAIRMAN		Richard FRIEDMAN	X		

VOTE: 5 0

EXHIBITS: YES NO

COUNTY ATTORNEY: DENNIS KERBEL

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 5**

APPLICANT: Dania Oramas

PH: Z07-237 (09-4-CZ5-1)

SECTION: 10-52-40

DATE: July 16, 2009

COMMISSION DISTRICT: 13

ITEM NO.: A

A. INTRODUCTION:

o **REQUESTS:**

- (1) Applicant is requesting to permit a single-family residence setback 23.2' (25' required) from the front (south) property line.
- (2) Applicant is requesting to permit 2 walls with decorative roof & gate with a maximum height of 8'2" (6' maximum permitted).
- (3) Applicant is requesting to permit a decorative fountain to be in front of the residence (not permitted) and setback 6.1 (75' required) from the front (south) and setback 5.5' (7.5' required) from the interior side (west) property lines.

Upon a demonstration that the applicable standards have been satisfied, approval of the requests may be considered under §33-311(A)(14) (Alternative Site Development Option for Single-Family and Duplex Dwelling Units) 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 Department of Planning and Zoning, entitled, "Legalization of Existing Gazebo/CBS Exterior Wall/Attached Structural/Detached Structural to be demolished/Proposed New Detached Structural for Hiram Gonzalez", as prepared by Nestor J. Cifuentes, consisting of 3 sheets date stamped received 12/9/08. Plans may be modified at public hearing.

o **SUMMARY OF REQUESTS:**

The applicant is seeking approval to allow the continued use of an existing single-family residence setback less than required from the front property line, to allow the continued use of two existing wing walls on either side of the existing residence which exceed the maximum height permitted by the Zoning Code and to allow the continued use of an existing decorative fountain located in front of the existing single-family residence.

o **LOCATION:**

7761 NW 175 Street, Miami-Dade County, Florida..

o **SIZE:** 10,839 sq. ft.

B. ZONING HEARINGS HISTORY: None

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential** use. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. This density category is generally characterized by single family housing, e.g., single family detached, cluster 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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING:

LAND USE PLAN DESIGNATION:

Subject Property:

RU-1; single-family residence

Low Density Residential, 2.5 to 6 du

Surrounding Properties:

NORTH: BU-1A; commercial development

Business and Office

SOUTH: RU-1; single-family residence

Low Density Residential, 2.5 to 6 du

EAST: RU-1; single-family residence

Low Density Residential, 2.5 to 6 du

WEST: RU-1; single-family residence

Low Density Residential, 2.5 to 6 du

The subject property is located at 7761 NW 175 Street, and is developed with a single-family residence. The surrounding area is predominantly developed with single family residences to the east, west and south, and a commercial development to the north.

E. SITE AND BUILDINGS:

Site Plan Review:	(Plans submitted)
Scale/Utilization of Site:	Acceptable
Location of Buildings:	Acceptable
Compatibility:	Acceptable
Landscape Treatment:	Acceptable
Open Space:	Acceptable
Buffering:	Acceptable
Access:	Acceptable
Parking Layout/Circulation:	Acceptable
Visibility/Visual Screening:	Acceptable
Urban Design:	N/A

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(14) Alternative Site Development Option for Single Family and Duplex Dwellings.

The following standards are alternatives to the generalized standards contained in zoning regulations governing specified zoning districts:

(c) Setbacks for a single family or duplex dwelling shall be approved after public hearing upon demonstration of the following:

1. the character and design of the proposed alternative development will not result in a material diminution of the privacy of adjoining residential property; and
2. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity, taking into account existing structures and open space; and
3. the proposed alternative development will not reduce the amount of open space on the parcel proposed for alternative development to less than 40% of the total net lot area; and
4. any area of shadow cast by the proposed alternative development upon an adjoining parcel of land during daylight hours will be no larger than would be cast by a structure constructed pursuant to the underlying district regulations, or will have no more than a *de minimus* impact on the use and enjoyment of the adjoining parcel of land; and
5. the proposed alternative development will not involve the installation or operation of any mechanical equipment closer to the adjoining parcel of land than any other portion of the proposed alternative development, unless such equipment is located within an enclosed, soundproofing structure; and
6. the proposed alternative development will not involve any outdoor lighting fixture that casts light on an adjoining parcel of land at an intensity greater than permitted by this code; and
7. the architectural design, scale, mass, and building materials of any proposed structure or addition are aesthetically harmonious with that of other existing or proposed structures or buildings on the parcel proposed for alternative development; and
8. the wall of any building within a setback area required by the underlying district regulations shall be improved with architectural details and treatments that avoid the appearance of a "blank wall"; and
9. the proposed development will not result in the destruction or removal of mature trees within a setback required by the underlying district regulations, with a diameter at breast height of greater than ten (10) inches, unless the trees are among those

- listed in section 24-60(4)(f) of this code, or the trees are relocated in a manner that preserves the aesthetic and shade qualities of the same side of the lot; and
10. any windows or doors in any building to be located within an interior setback required by the underlying district regulations shall be designed and located so that they are not aligned directly across from facing windows or doors on buildings located on an adjoining parcel of land; and
 11. total lot coverage shall not be increased by more than twenty percent (20%) of the lot coverage permitted by the underlying regulations; and
 12. the area within an interior side setback required by the underlying district regulations located behind the front building line will not be used for off-street parking except:
 - a. in an enclosed garage where the garage door is located so that it is not aligned directly across from facing windows or doors on buildings located on an adjoining parcel of land; or
 - b. if the off-street parking is buffered from property that abuts the setback area by a solid wall at least six (6) feet in height along the area of pavement and parking, with either:
 - i. articulation to avoid the appearance of a "blank wall" when viewed from the adjoining property, or
 - ii. landscaping that is at least three (3) feet in height at time of planting, located along the length of the wall between the wall and the adjoining property, accompanied by specific provision for the maintenance of the landscaping, such as but not limited to, an agreement regarding its maintenance in recordable form from the adjoining landowner; and
 13. any structure within an interior side setback required by the underlying district regulations;
 - a. is screened from adjoining property by landscape material of sufficient size and composition to obscure at least sixty percent (60%) of the proposed alternative development to a height of the lower fourteen (14) feet of such structure at time of planting; or
 - b. is screened from adjoining property by an opaque fence or wall at least six(6) feet in height that meets the standards set forth in paragraph (f) herein; and
 14. any proposed alternative development not attached to a principal building, except canopy carports, is located behind the front building line; and
 15. any structure not attached to a principal building and proposed to be located within a setback required by the underlying district regulations shall be separated from any other structure by at least three (3) feet; and

16. when a principal building is proposed to be located within a setback required by the underlying district regulations, any enclosed portion of the upper floor of such building shall not extend beyond the first floor of such building within the setback; and
 17. the eighteen (18) inch distance between any swimming pool and any wall or enclosure required by this code is maintained; and
 18. safe sight distance triangles shall be maintained as required by this code; and
 19. the parcel proposed for alternative development will continue to provide on-site parking as required by this code; and
 20. the parcel proposed for alternative development shall satisfy underlying district regulations or, if applicable, prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002), regulating lot area, frontage and depth.
 21. the proposed development will meet the following:
 - A. interior side setbacks will be at least three (3) feet or fifty percent (50%) of the side setbacks required by the underlying district regulations, whichever is greater.
 - B. Side street setbacks shall not be reduced by more than fifty percent (50%) of the underlying zoning district regulations;
 - C. Interior side setbacks for active recreational uses shall be no less than seven (7) feet in EU, AU, or GU zoning district or three (3) feet in all other zoning districts to which this subsection applies;
 - D. Front setbacks will be at least twelve and one-half (12 ½) feet or fifty percent (50%) of the front setbacks required by the underlying district regulations, whichever is greater;
 - E. Rear setbacks will be at least three (3) feet for detached accessory structures and ten (10) feet for principal structures.
- (g) Notwithstanding the foregoing**, no proposed alternative development shall be approved upon demonstration that the proposed alternative development:
1. will result in a significant diminution of the value of property in the immediate vicinity; or
 2. will have substantial negative impact on public safety due to unsafe automobile movements, heightened vehicular-pedestrian conflicts, or heightened risk of fire; or
 3. will result in a materially greater adverse impact on public services and facilities than the impact that would result from development of the same parcel pursuant

to the underlying district regulations; or

4. will combine severable use rights obtained pursuant to Chapter 33B of this code in conjunction with the approval sought hereunder so as to exceed the limitations imposed by section 33B-45 of this code.

(h) Proposed alternative development under this subsection shall provide additional amenities or buffering to mitigate the impacts of the development as approved, where the amenities or buffering expressly required by this subsection are insufficient to mitigate the impacts of the development. The purpose of the amenities or buffering elements shall be to preserve and protect the quality of life of the residents of the approved development and the immediate vicinity in a manner comparable to that ensured by the underlying district regulations. Examples of such amenities include but are not limited to: active or passive recreational facilities, common open space, additional trees or landscaping, convenient covered bus stops or pick-up areas for transportation services, sidewalks (including improvements, linkages, or additional width), bicycle paths, buffer areas or berms, street furniture, undergrounding of utility lines, and decorative street lighting. In determining which amenities or buffering elements are appropriate for a proposed development, the following shall be considered:

- A. the types of needs of the residents of the parcel proposed for development and the immediate vicinity that would likely be occasioned by the development, including but not limited to recreational, open space, transportation, aesthetic amenities, and buffering from adverse impacts;
- B. and the proportionality between the impacts on residents of the proposed alternative development and the immediate vicinity and the amenities or buffering required. For example, a reduction in lot area for numerous lots may warrant the provision of additional common open space. A reduction in a particular lot's interior side setback may warrant the provision of additional landscaping.

Section 33-311(A)(4)(b) Non-use Variance Standard. 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.

Section 33-311(A)(4)(c) Alternative Non-use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances for setbacks, minimum lot area, frontage and depth, maximum lot coverage and maximum structure height, the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the

regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

G. NEIGHBORHOOD SERVICES:

DERM	No objection
Public Works	No objection
Parks	No objection
MDT	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment

H. ANALYSIS:

On April 2, 2009, this item was deferred by the CZAB 5 to July 16, 2009 at the request of the applicant. The subject property is an interior lot located at 7761 NW 175 street, in an area characterized by single-family homes to the east, west and south and with a commercial development to the north. The subject parcel is a platted lot with an area of 10,839 square feet zoned RU-1, Single Family Residential District.

The plans submitted by the applicant depict an existing single family residence on the site with a front porch addition setback 23.2' from the front (south) property line, the plans also depict an existing fountain 6' in diameter located within the front setback area between the front building line of the existing residence and the front property line. The fountain is setback 6.1' from the front (south) property line and setback 5.5' from the interior side (west) property line. The plans also depict two wing walls with a height of 8'2" located along both sides (east and west) of the existing single-family residence. The applicant has noted on the submitted plans that the existing utility building with dimension of 12' x 23.2' will be demolished and that the existing gazebo covering the existing spa in the pool area will also be demolished and removed from the site.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that this application meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. The **Public Works Department** has **no objections** to this application. The Miami-Dade Fire Rescue Department (**MDFRD**) also has **no objections** to this application and has indicated that the estimated average travel response time for this site is **6:24** minutes.

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Low Density Residential** use, permitting from 2.5 to 6 dwelling units per gross acre. The existing single-family residence, wall and fountain will not add any additional dwelling units to the site. Therefore, the existing single-family residence, on this RU-1 zoned 10,839 sq. ft. lot is **consistent** with the Master Plan.

When Request #1 is analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard, staff is of the opinion that the approval with conditions of this application would be **compatible** with the surrounding area, would not negatively affect the stability and appearance of the community, and would not be detrimental to the neighborhood. Staff notes that the 1.80' encroachment into the front setback area is due to the addition of columns to the front porch which in staff's opinion have enhanced and architecturally delineated the main entrance to the residence and have improved the front façade of the existing single family residence. As such staff recommends approval of this request subject to a condition that the front porch addition remains open sided and not be enclosed. Staff notes that the approval of Request #1 is **compatible** with the area as several similar approvals have been granted in the vicinity. In 1999, pursuant to Administrative Variance #V1998000086, a parcel of land located at 7898 NW 174 Terrace was granted the approval among other non-use variances requests for a bathroom addition to setback 20' from the front property line and also in 1999, pursuant to Administrative Variance #V1999000107, a parcel of land located at 7880 NW 176 Street was granted the approval for a single family residence to setback 19' from the front property line. As such, staff recommends approval of Request #1 and approval with conditions under Section 33-311(A)(4)(b) (NUV).

When Request #2 is analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard, staff is of the opinion that approval with conditions of this request would be **compatible** with the surrounding area, would not negatively affect the stability and appearance of the community, and would not be detrimental to the neighborhood. The applicant is requesting the maintenance of two wing walls which exceed the maximum height permitted by 2'2". Said wing walls have been constructed along the interior sides (east and west) property lines where the Zoning Code allows a maximum height of 6'0". Staff notes that these walls have been constructed to match the same architectural style and scale as the existing residence and provide privacy and protection to the applicant and her guests while enjoying the rear yard area. As such, staff recommends approval with conditions of Request #2 under Section 33-311(A)(4)(b) (NUV).

When Request #3 is analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard, staff is of the opinion that the approval with conditions of this application would be **compatible** with the surrounding area, would not negatively affect the stability and appearance of the community, and would not be detrimental to the neighborhood. The applicant is requesting the continued use of an existing decorative fountain located in front of the existing single-family residence where the Zoning Code requires that it be placed behind the residence and to allow such fountain to encroach 68.9' into the front (south) setback area and 2' into the interior side (west) setback area. As shown on the photographs submitted by the applicant for this application, the existing fountain is well maintained and is surrounded by shrubs and abundant landscaping. Staff also notes that the fountain enhances the front yard area by adding curb appeal to the façade of the site. As such, staff recommends with conditions of Request #3 under Section 33-311(A)(4)(b) (NUV). However, staff recommends that the board conditions the approval of requests #1, #2 and #3 that the applicant removes the existing accessory utility structure with dimensions of 12' x 23.2' located on the northwesterly portion of the rear yard area and the existing gazebo covering the spa next to the pool as indicated on the plans submitted by the applicant.

The Alternative Site Development Option (ASDO) Standards, Section 33-311(A)(14), provide for the approval of a zoning application which can demonstrate at a public hearing that the development requested is in compliance with the applicable (ASDO) standards and does not contravene the enumerated public interest standards as established. However, the applicant has not provided staff with the documentation required for analysis under the ASDO standards. As such, the application cannot be approved under same and should be denied without prejudice under Section 33-311(A)(14)(ASDO).

When analyzed under the Alternative Non-Use Variance (ANUV) Standards, Section 33-311(A)(4)(c), the applicant would have to prove that the requests are due to an unnecessary hardship and that, should said requests not be granted, such denial would not permit the reasonable use of the premises. However, staff notes that this property can be utilized in accordance with the RU-1 zoning regulations; therefore, staff is of the opinion that this application cannot be approved under said standard and should be denied without prejudice under the ANUV standards in Section 33-311(A)(4)(c).

Based on all of the foregoing, staff recommends approval with conditions of requests #1, #2 and #3 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Sections 33-311(A)(14) (ASDO) and 33-311(A)(4)(c) (ANUV).

I. RECOMMENDATION:

Approval with conditions of requests #1, #2 and #3 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Sections 33-311(A)(14) (ASDO) and 33-311(A)(4)(c) (ANUV).

J. CONDITIONS:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include among other things but no be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Legalization of Existing Gazebo/CBS Exterior Wall/Attached Structural/Detached Structural to be demolished/Proposed New Detached Structural for Hiram Gonzalez", as prepared by Nestor J. Cifuentes, consisting of 3 sheets date stamped received 12/9/08. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not required further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants secure a building permit for all the existing non-permitted structures from the Building Department within 120 days of the expiration of the appeal period for this application, unless a time extension is granted by the Director of the Department of Planning and Zoning for good cause shown.
5. That the front porch remains open sided and not be enclosed.

6. That the existing utility structure in the northwesterly portion of the lot and the existing gazebo covering the spa next to the swimming pool be removed/relocated, as indicated on the submitted plans, and that the applicant obtain a building permit for same from the Building Department prior to its relocation, within 120 days of the expiration of the appeal period for this application, unless a time extension is granted by the Director of the Department of Planning and Zoning.

DATE INSPECTED: 02/19/09
DATE TYPED: 02/19/09
DATE REVISED: 02/23/09; 03/05/09; 06/24/09
DATE FINALIZED: 06/24/09
MCL:NN:NC:AA



Marc C. LaFertier, AICP, Director
Miami-Dade County Department of
Planning and Zoning *NDW*

Memorandum



Date: July 10, 2007
To: Subrata Basu, AIA, AICP, Interim Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

Subject: C-05 #Z2007000237
Dania Oramas
7761 N.W. 175th Street
Non-Use Variance of Setback Requirements to Permit an Existing
Addition to a Single-Family Residence
(RU-1) (0.26 Acres)
10-52-40

The Department of Environmental Resources Management (DERM) has reviewed the subject application, and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

DERM has no pertinent comments regarding this application since the request does not entail any environmental concern.

Concurrency Review Summary

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable Level of Service (LOS) standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency, subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute DERM's written approval, as required by the Code.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

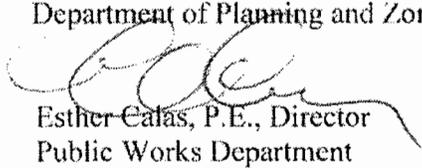
cc: Lynne Talleda, Zoning Evaluation - P&Z
Ron Connally, Zoning Hearings - P&Z
Franklin Gutierrez, Zoning Agenda Coordinator - P&Z

Memorandum



Date: November 26, 2008

To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

From:  Esther Calas, P.E., Director
Public Works Department

Subject: Zoning Hearing Improvements

In order to enhance the efficiency of the zoning review process for public hearings, your Department requested that Public Works Department (PWD) provide standard "bypass" comments for some residential applications. These applications will be limited to single family residences, townhouses and duplexes, where the applicant seeks zoning hearing relief for a customary residential use, on previously platted lots. The following applications for public hearings could "bypass" the PWD review:

- Applications requesting setback variances
- Applications requesting variance on lot frontage
- Applications requesting variance on lot area
- Applications requesting greater lot coverage than permitted by Code
- Applications requesting additions to an existing structure

Pursuant to Sec. 33-24 of the Miami-Dade County Code, for those applications where a structure encroaches onto an easement, the applicant must secure from the easement owner a written statement that the proposed use will not interfere with owner's reasonable use of the easement.

Please contact Mr. Raul Pino, P.L.S., Chief, Land Development Division, at (305) 375-2112, if you have any questions.

cc: Antonio Cotarelo, P.E., Assistant Director
Public Works Department

Raul Pino, P.L.S., Chief
Land Development Division

Leandro Rodriguez

Memorandum



Date: 26-JAN-09
To: Marc LaFerrier, Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2007000237

Fire Prevention Unit:

Not applicable to Fire Engineering & Water Supply Bureau site requirements.

Service Impact/Demand:

Development for the above Z2007000237
 located at 7761 N.W. 175 STREET, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 0228 is proposed as the following:

<u>N/A</u> residential	dwelling units	<u>N/A</u> industrial	square feet
<u>N/A</u> Office	square feet	<u>N/A</u> institutional	square feet
<u>N/A</u> Retail	square feet	<u>N/A</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: N/A alarms-annually.
 The estimated average travel time is: 6:24 minutes

Existing services:

The Fire station responding to an alarm in the proposed development will be:
 Station 44 - Palm Springs N - 7700 NW 186 Street Rescue, ALS Engine, EMS Capt.

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
 None.

Fire Planning Additional Comments:

Not applicable to service impact analysis.

TEAM METRO

ENFORCEMENT HISTORY

DANIA ORAMAS

7761 NW 175 ST, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2007000237

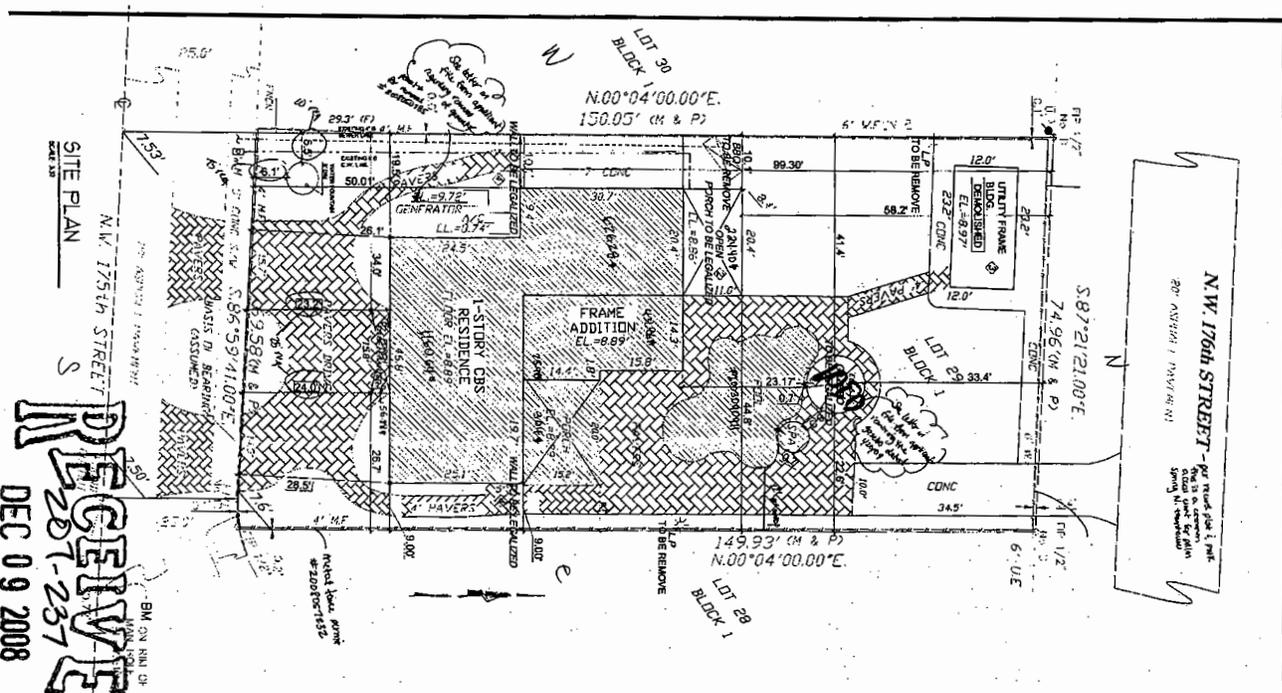
HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

On October 27, 2006 Officer Charles Feliu observed s CBS Gateway installed without permits & on the side setback, he issued a warning notice on October 31, 2006. On Febraur 21, 2007 Officer Feliu issued citation B009381. Property Owner applied a for a Public Hearing and is awaiting outcome.

Hiram & Dania Gonzalez

Gwen Bradley



RECEIVED
 DEC 09 2008
 207 AVENUE I MIAMI FL 33136

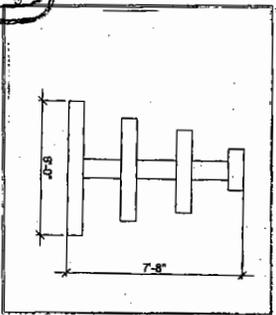
ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY _____

SCOPE OF WORK
 THE PROPOSED SCOPE OF WORK CONSIST OF: DEMOLITION OF EXISTING STRUCTURE AND CONSTRUCTION OF NEW STRUCTURE AS SHOWN ON THESE PLANS. THE PROPOSED SCOPE OF WORK SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF MIAMI PLANNING AND ZONING DEPARTMENT. THE PROPOSED SCOPE OF WORK SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF MIAMI PLANNING AND ZONING DEPARTMENT. THE PROPOSED SCOPE OF WORK SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF MIAMI PLANNING AND ZONING DEPARTMENT.

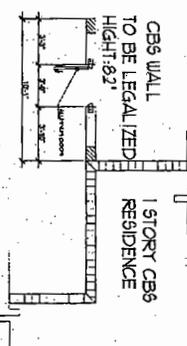
ZONING LEGEND

DESCRIPTION	SYMBOL	NOTES
1-STORY RESIDENCE	[Symbol]	...
...

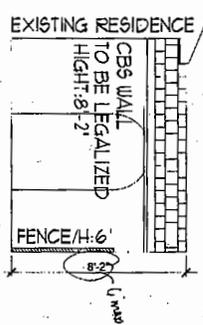
NOTICE:
 IN ADDITION TO THE REQUIREMENTS OF THE CITY OF MIAMI PLANNING AND ZONING DEPARTMENT, THE PROPOSED SCOPE OF WORK SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF MIAMI PLANNING AND ZONING DEPARTMENT. THE PROPOSED SCOPE OF WORK SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF MIAMI PLANNING AND ZONING DEPARTMENT. THE PROPOSED SCOPE OF WORK SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF MIAMI PLANNING AND ZONING DEPARTMENT.



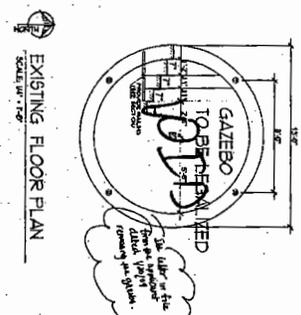
lot 29 block 1
 Palm Spring North section A 1st addn
 pg. 15-06



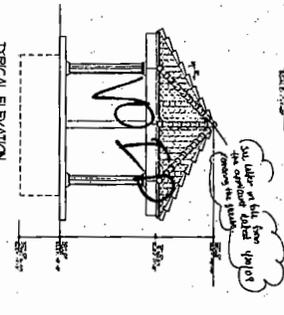
WALL LEGEND FOR CBS WALL
 1. EXISTING CBS WALL TO BE LEGALIZED
 2. NEW CBS WALL TO BE LEGALIZED
 3. EXISTING CBS WALL TO BE DEMOLISHED



TYPICAL ELEVATION
 SCALE: 1/8\"/>



WALL LEGEND FOR GAZEBO
 1. EXISTING GAZEBO TO BE LEGALIZED
 2. NEW GAZEBO TO BE LEGALIZED
 3. EXISTING GAZEBO TO BE DEMOLISHED



TYPICAL ELEVATION
 SCALE: 1/8\"/>

TERMIITE PROTECTION
 42 PER FAC. 1004:
 THE PROPOSED SCOPE OF WORK SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF MIAMI PLANNING AND ZONING DEPARTMENT. THE PROPOSED SCOPE OF WORK SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF MIAMI PLANNING AND ZONING DEPARTMENT. THE PROPOSED SCOPE OF WORK SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF MIAMI PLANNING AND ZONING DEPARTMENT.

RECEIVED
 DEC 11 2008
 207 AVENUE I MIAMI FL 33136

Project: LEGALIZATION OF EXISTING GAZEBO/CBS EXTERIOR WALL/ATTACHED STRUCTURAL/ DETACHED STRUCTURAL TO BE DEMOLISHED/PROPOSE NEW DETACHED STRUCTURAL. FOR MR. HIRAM GONZALEZ/ 7761 NW 175 ST., MIAMI, FL., 33015

Sheet Title: FLOOR PLAN & ELEVATION GAZEBO & EXT. WALL.

Scale: AS SHOWN

Author: NESTOR J. CRIVELLO

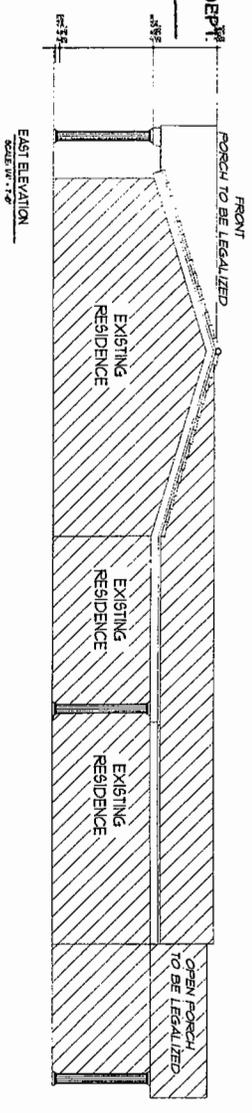
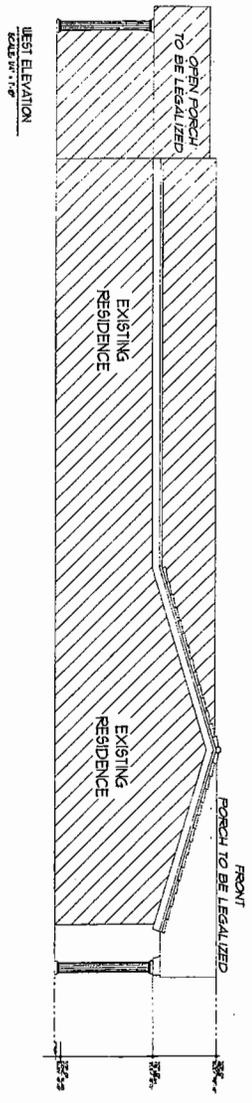
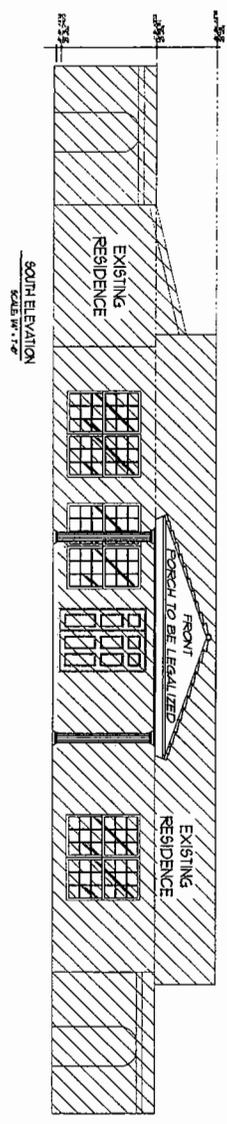
Check: NESTOR J. CRIVELLO

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 PLANNING AND ZONING DEPT.
 2007-287
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 2007-287
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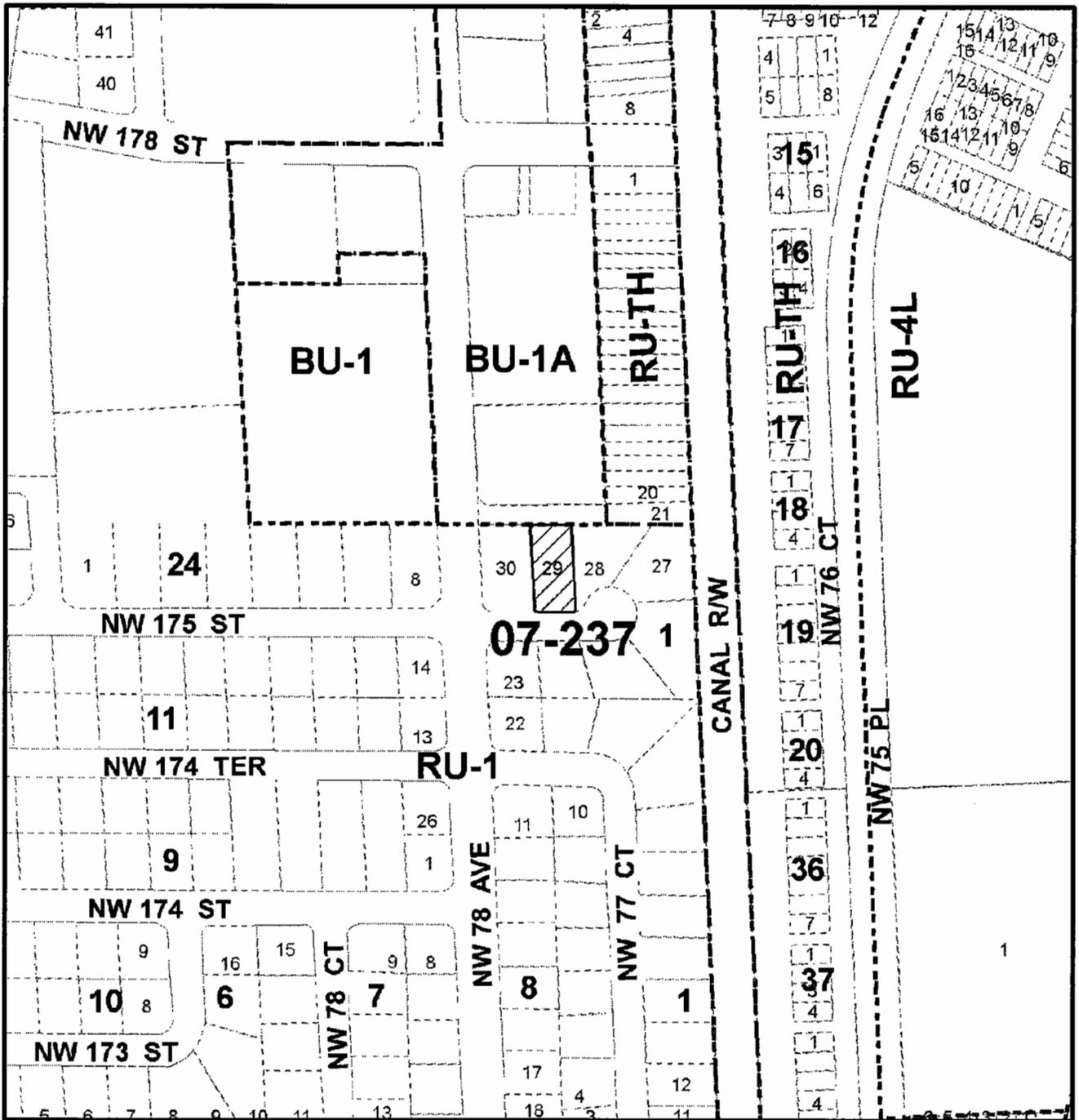
ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY *[Signature]*



RECEIVED
 2007-287
 DEC 09 2008

20

<p>REGISTERED ARCHITECT 4800 SW 13 TER. MIAMI, FLORIDA 33135 PHONE NUMBER: 2069171E</p>	<p>Project: LEGALIZATION OF EXISTING GAZEBO/CBS EXTERIOR WALL/ATTACHED STRUCTURAL/ DETACHED STRUCTURAL TO BE DEMOLISHED/PROPOSE NEW DETACHED STRUCTURAL. FOR MR.HIRAM GONZALEZ/ 7761 NW 175 ST.,MIAMI,FL.,33015</p>	<p>REVISIONS</p> <table border="1"> <tr><td> </td><td> </td><td> </td></tr> </table>															
<p>Scale: A-1'</p>	<p>Sheet Title: ELEVATION FRONT OPEN PORCH</p>	<p>DATE: 12/09/08</p>															



MIAMI-DADE COUNTY
HEARING MAP

Section: 10 Township: 52 Range: 40
 Process Number: 07-237
 Applicant: DANIA ORAMAS
 Zoning Board: C05
 District Number: 13
 Cadastral: KEELING
 Scale: NTS



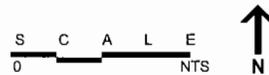
 SUBJECT PROPERTY





MIAMI-DADE COUNTY
AERIAL

Section: 10 Township: 52 Range: 40
Process Number: 07-237
Applicant: DANIA ORAMAS
Zoning Board: C05
District Number: 13
Cadastral: KEELING
Scale: NTS



SUBJECT PROPERTY

(AERIAL DATE, FIRST QUARTER 2007)



B. CONCRETE STRUCTURES
(Applicant)

09-4-CZ5-2 (08-159)
Area 5/District 12
Hearing Date: 7/16/09

Property Owner (if different from applicant) **Same.**

Is there an option to purchase /lease the property predicated on the approval of the zoning request? Yes No

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1986	Four Star Trucking	Unusual Use for lake & Concrete batching plant & office trailer.	BCC	Approved w/Conds.
2001	Concrete Structures, INC.	Unusual Use for lake excavation / Non-Use Variances.	CZAB 9	Approved w/Conds.
2008	Concrete Structures, INC.	Unusual Use to permit a concrete casting plant & modification of a previous resolution.	CZAB 9	Approved w/Conds.

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 5
MOTION SLIP

A

APPLICANT'S NAME: **CONCRETE STRUCTURES**

REPRESENTATIVE: Ethan Wasserman

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
09-4-CZ5-2 (08-159)	June 11, 2009	CZAB5 09

REC: Approval with conditions of request #1 on a modified basis to include the required 23 street trees under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17) (Modification or Elimination of Conditions and Covenants After Public Hearing) and approval with conditions of request #2 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(a)(4)(C) (ANUV) and denial without prejudice of request #3 under Section 33-311(A)(4)(b) (NUV) and under Section 33-311(A)(4)(c) (ANUV).

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>July 16, 2009</u> <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input checked="" type="checkbox"/> OBJECT: The deferral was due to the main attorney being unable to attend the hearing.		

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCIL WOMAN	S	Joanne CARBANA	X		
VICE-CHAIRMAN		Juan A. GARCIA (C.A.)			X
COUNCILMAN	M	Archie E. MCKAY, JR.	X		
COUNCILMAN		Leonardo A. PEREZ	X		
COUNCILMAN		Alexander C. SENDEROFF	X		
CHAIRMAN		Richard FRIEDMAN	X		
VOTE:			5	0	

EXHIBITS: YES NO

COUNTY ATTORNEY: JOHN MCINNIS

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 5
MOTION SLIP

A

APPLICANT'S NAME: **CONCRETE STRUCTURES**

REPRESENTATIVE: Ryan Bailie

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
09-4-CZ5-2 (08-159)	May 14, 2009	CZAB5	09

REC: Approved with conditions of request #1 on a modified basis to include the required 38 street trees under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17) (Modification or Elimination of Conditions and Covenants After Public Hearing) and approval with conditions of request #2 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV) and denial without prejudice of request #3 under Section 33-311(A)(4)(b) (NUV) and under Section 33-311(A)(4)(c) (ANUV).

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>June 11, 2009</u> <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input checked="" type="checkbox"/> OTHER:	At Board's request to have a DERM Representative present at the hearing.	

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCIL WOMAN	M	Joanne CARBANA	X		
VICE-CHAIRMAN		Juan A. GARCIA (C.A.)	X		
COUNCILMAN		Archie E. MCKAY, JR.			X
COUNCILMAN	S	Leonardo A. PEREZ	X		
COUNCILMAN		Alexander C. SENDEROFF	X		
CHAIRMAN		Richard FRIEDMAN	X		
VOTE:			5	0	

EXHIBITS: YES NO

COUNTY ATTORNEY: **JOHN MCINNIS**

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 5
MOTION SLIP

#2

APPLICANT'S NAME: **CONCRETE STRUCTURES**

REPRESENTATIVE: Ethan Wasserman

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
09-4-CZ5-2 (08-159)	April 2, 2009	CZAB5	09

REC: Approval with conditions of requests #1 on a modified basis to include the required 38 street trees under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17) (Modification or Elimination of Conditions and Covenants After Public Hearing) and approval with conditions of request #2 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV) and denial without prejudice of request #3 under Section 33-311(A)(4)(b) (NUV) and under Section 33-311(A)(4)(c) (ANUV).

WITHDRAW: APPLICATION ITEM(S): _____

DEFER: INDEFINITELY TO: May 14, 2009 W/LEAVE TO AMEND

DENY: WITH PREJUDICE WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS

APPROVE: PER REQUEST PER DEPARTMENT PER D.I.C.

WITH CONDITIONS

OTHER: At applicant's request.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCIL WOMAN	S	Joanne CARBANA	X		
VICE-CHAIRMAN		Juan A. GARCIA (C.A.)	X		
COUNCILMAN		Archie E. MCKAY, JR.			X
COUNCILMAN	M	Leonardo A. PEREZ	X		
COUNCILMAN		Alexander C. SENDEROFF	X		
CHAIRMAN		Richard FRIEDMAN	X		
VOTE:			5	0	

EXHIBITS: YES NO

COUNTY ATTORNEY: **DENNIS KERBEL**

4

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 5**

APPLICANT: Concrete Structures Inc.

PH: Z08-159 (09-4-CZ5-2)

SECTION: 24-53-39

DATE: July 16, 2009

COMMISSION DISTRICT: 12

ITEM NO.: B

=====

A. INTRODUCTION

o **REQUESTS:**

(1) MODIFICATION of Condition #2 of Resolution No. CZAB9-24-01, passed and adopted by Community Zoning Appeals Board #9, last modified by CZAB 5-9-08, passed and adopted by Community Zoning Appeals Board #5, 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 'Concrete Structures, Inc. Zoning Site Plan,' as prepared by Fortin, Leavy, Skiles, Inc., consisting of 1 sheet dated stamped received 2/12/08."

TO: 2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Concrete Structures, Inc. Zoning Site Plan,' as prepared by Fortin, Leavy, Skiles, Inc., consisting of 1 sheet dated stamped received 1/20/09."

The purpose of request #1 is to allow the applicant to submit a revised site plan showing unpaved parking spaces, relocation of buildings and waiving the required street trees for a previously approved concrete batching plant.

(2) Applicant is requesting to permit unpaved parking spaces (paved parking spaces required).

(3) Applicant is requesting to permit 0 street trees (38 street trees required).

Upon a demonstration that the applicable standards have been satisfied, approval of request #1 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 #2 & #3 may be considered under §33-311 (A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

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

o **SUMMARY OF REQUESTS:**

The requests will allow the applicant to operate a previously approved concrete casting, batching, rock crushing and screening plant in connection with two previously approved lake excavations with parking on natural terrain and without the number of street trees required for the site.

o **LOCATION:** 12100 N.W. 58 Street, Miami-Dade County, Florida.

o **SIZE:** 11.13 Acres

B. ZONING HEARINGS HISTORY:

In 1986, the Board of County Commissioners, pursuant to Resolution No. Z-160-86, granted an Unusual Use to permit a lake excavation on the subject property. However, said lake excavation was never established and the approvals granted therein lapsed due to failure to timely comply with the conditions imposed. In 1990, pursuant to Resolution No. 4ZAB-399-90, identical requests to the 1986 application were denied with prejudice by the Zoning Appeals Board. In 2001, Community Zoning Appeals Board 9, pursuant to Resolution No. CZAB9-24-01, approved two lake excavations, a rock crushing and screening plant and a concrete batching plant and in 2008, pursuant to Resolution No. CZAB5-9-08, the Community Zoning Appeals Board 5 granted approval allowing a concrete casting plant in conjunction with two previously approved lake excavations, a concrete batching plant, and a rock crushing and screening plant and a modification of previously approved plans.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2015 and 2025 Land Use Plan designates the subject property for **Open Land**.

Open Land Subarea 2 (Northwest Wellfield). This Open Land subarea is bounded on the north by the Miami Canal, on the east by the Turnpike Extension, on the west by the Dade-Broward Levee, and on the south by NW 12 Street and its hypothetical extension. Limestone quarrying and ancillary uses including the continued operation of existing cement plants, necessary and compatible institutional uses, public facilities, utility facilities, and communications facilities, recreational uses, rural residences at a maximum density of 1 dwelling unit per 5 acres and seasonal agriculture may be considered for approval in this area.

Uses and Zoning Not Specifically Depicted on the LUP Map. Within each map category, numerous land uses, zoning classifications and housing types may occur. Many existing uses and zoning classifications are not specifically depicted on the Plan map. This is due largely to the scale and appropriate specificity of the countywide LUP map, graphic limitations, and provisions for a variety of uses to occur in each LUP map category. In general, 5 acres is the smallest site depicted on the LUP map, and smaller existing sites are not shown. All existing, lawful uses and zoning are deemed to be consistent with this Plan unless such a use or zoning (a) is

found through a subsequent planning study, as provided in Land Use Policy 4E, to be inconsistent with the criteria set forth below; and (b) the implementation of such a finding will not result in a temporary or permanent taking or in the abrogation of vested rights as determined by the Code of Miami-Dade County, Florida. The criteria for determining that an existing use or zoning is inconsistent with the plan are as follows: 1) Such use or zoning does not conform with the conditions, criteria or standards for approval of such a use or zoning in the applicable LUP map category; and 2) The use or zoning is or would be incompatible or has, or would have, an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. Also deemed to be consistent with this Plan are uses and zoning which have been approved by a final judicial decree which has declared this Plan to be invalid or unconstitutional as applied to a specific piece of property. The presence of an existing use or zoning will not prevent the County from initiating action to change zoning in furtherance of the Plan map, objectives or policies where the foregoing criteria are met. The limitations outlined in this paragraph pertain to existing zoning and uses.

Other Land Uses Not Addressed. Certain uses are not authorized under any LUP map category, including many of the uses listed as "unusual uses" in the zoning code. Uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible and would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. However, this provision does not authorize such uses in Environmental Protection Areas designated in this Element.

D. NEIGHBORHOOD CHARACTERISTICS:

<u>ZONING</u>	<u>LAND USE PLAN DESIGNATION</u>
<u>Subject Property:</u>	
GU, modular buildings and precast concrete construction	Open Land
<u>Surrounding Property:</u>	
NORTH: GU; lake excavation and concrete manufacturing	Open Land
SOUTH: GU; vacant	Open Land
EAST: GU; vacant	Open Land
WEST: GU; vacant	Open Land

The subject property is located in the lake belt area situated in the Northwest Wellfield approximately 300' west of and outside the Urban Development Boundary (UDB). This area is characterized by vacant parcels, lakes and ancillary uses such as concrete manufacturing and pre-stressed concrete form processing facilities.

E. SITE AND BUILDINGS:

Site Plan Review:	(Site plan submitted)
Scale/Utilization of Site:	Acceptable
Location of Buildings:	Acceptable
Compatibility:	Acceptable
Landscape Treatment:	Acceptable
Open Space:	Acceptable
Buffering:	N/A
Access:	Acceptable
Parking Layout/Circulation:	Acceptable

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(7) Generalized Modification Standards. 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; provided, that the appropriate Board finds after public hearing that 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.

Section 33-311(A)(17) Modification or Elimination of Conditions and Covenants After Public Hearing. The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs under this section has been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations. 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.

Section 33-311(A)(4)(c) Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances for setbacks, minimum lot area, frontage and depth, maximum lot coverage and maximum structure height, the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment

*Subject to the conditions indicated in their memorandum.

H. ANALYSIS:

This item was deferred by the CZAB 5 on May 14, 2009, to June 11, 2009, in order to have a representative from the Department of Environmental Resources Management (DERM) at the meeting. This item was deferred by the CZAB 5 on June 11, 2009, to July 17, 2009 at the request of the applicant. The 11.13 acre subject property is located at 12100 N.W. 58 Street, on both sides of theoretical NW 56 Street, approximately 300' west of and outside the Urban Development Boundary (UDB) Line, in the Northwest Wellfield Area. This area is characterized by vacant parcels of land, lakes and ancillary uses such as concrete manufacturing and pre-stressed concrete form processing facilities. The zoning on the property is GU, Interim District.

The plans submitted by the applicant depict the two previously approved lake excavations, a temporary site for concrete casting use, a 40' x 60' office structure, two storage sheds and the proposed unpaved truck parking and the unpaved parking for staff. In addition, the plans depict a proposed area for temporary storage of concrete products.

The **Department of Environmental Resources Management (DERM)** has a **partial objection** to request #2 and mentions on their memorandum submitted for this application "that Concrete mix trucks parked overnight on the subject property shall only be those hauling exclusively for the Petitioner and shall be parked on an impervious surface". Additionally their memorandum indicates that on the unpaved portion of the parking area the applicant shall implement some control measures such as the installation of a landscape irrigation system and the planting of hedges along the perimeter of the proposed parking area. The **Public Works Department** has **no objections** to this application as stated in their memorandum. The **Miami-Dade Fire Department** has **no objections** to the application and their memorandum indicates that the estimated average travel response time is **6:37** minutes.

The subject property is designated as **Open Land** on the Land Use Plan Map of the Comprehensive Development Master Plan. The location of the subject property is within the Open Land Subarea 2 (Northwest Wellfield). Future uses which may be considered for approval in this area include seasonal agriculture, limestone quarrying and ancillary uses, compatible institutional uses, public facilities, utility facilities, communications facilities, recreational uses and rural residences at a maximum density of 1 dwelling unit per 5 acres. The CDMP authorizes certain activities under any LUP map category, including many of the uses listed as "unusual uses" in the Zoning Code. Uses not authorized in any LUP map category may be requested and approved in any category that authorizes uses substantially similar to the requested use. The existing plant is substantially similar, in staff's opinion, to uses permitted in the Open Land Subarea 2 such as limestone quarrying that deals with the production of concrete material where crushed rock is used as an ingredient. As such, the existing plant is **consistent** with the Open Land Subarea 2 designation of the CDMP.

When Request #1 is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), the proposed modification is to allow the approval of a new site plan to allow unpaved parking for trucks and employees. Additionally, the applicant is seeking to waive the street trees required on the public right-of-way. However, in staff's opinion, approval of

Request #1, should be on a **modified basis** to include the required 23 street trees required by the Zoning Code (the Department has recalculated the required number of street trees and has determined that the required number of street trees for the site is 23 street trees in lieu of the 38 street trees previously advertised). Staff notes that the **Open Land Category**, allows limestone quarrying and ancillary uses including the continued operation of cement plants. As such, this application is **consistent** with the CDMP. Staff further notes that according to the Public Works memorandum, approval of this application will not generate any additional daily peak hour trips, will meet the traffic concurrency criteria, and is not expected to generate additional traffic. When considering the necessity for and the reasonableness of the proposal in relation to the surrounding area and the compatibility of said use with the area and its development, staff is of the opinion that the **modified** approval of Request #1, to include the required 23 street trees subject to conditions, will not have an unfavorable effect on the surrounding area and will not be contrary to the public interest. Based on all of the aforementioned, staff is of the opinion that the modified approval of Request #1 would be **compatible** with the other uses in the area and, therefore, staff recommends approval with conditions under Section 33-311(A)(7) (Generalized Modification Standards).

The Standards under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved resolution or restrictive covenant complies with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicant has not submitted documentation to indicate which modification or elimination standards are applicable in this instance. Due to the lack of information, staff is unable to analyze request #1 under said standards and, as such, request #1 should be denied without prejudice under same.

When request #2 is analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of the request would be **compatible** with the surrounding area, would not be detrimental to the neighborhood, and would not negatively affect the appearance of the community. As previously mentioned, the applicant is requesting to permit unpaved parking for trucks and staff. Staff notes that the site has been approved for two lake excavations, a concrete batching plant and related uses which require continuous traffic of heavy equipment throughout the site. Staff notes, that a paved parking area will probably not withstand the frequent traffic of heavy trucks and machinery and will have to be repaved frequently. However, as indicated by the Department of Environmental Resources Management (DERM) in order to prevent the spread of dust, the applicant should adopt some dust control measures such as the installation of a landscape irrigation system and the planting of hedges along the perimeter of the proposed parking area. As such, staff recommends approval with conditions of request #2 under Section 33-311(A)(4)(b) (NUV) to reflect a condition imposed by DERM and reading as follows: that Concrete mix trucks parked overnight on the subject property shall only be those hauling exclusively for the Petitioner and shall be parked on an impervious surface.

When request #3 is analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of the request would be **incompatible** with the surrounding area, would be detrimental to the neighborhood, and would negatively affect the appearance of the site and surrounding area. As previously mentioned, the applicant is requesting to waive the requirement of 23 street trees in the public right-of-way. Staff opines that the street trees will provide a buffer and block some of the dust caused by the lake excavation, traffic within the site and concrete casting and batching plant operations from the neighboring properties. As such, staff recommends denial with prejudice of Request #3 without prejudice under Section 33-311(A)(4)(b) (NUV).

Under the Alternative Non-Use Variance (ANUV) Standards, Section 33-311(A)(4)(c), the applicant would have to prove that requests #2 and #3 are due to unnecessary hardship and that, should the requests not be granted, such denial would not permit the reasonable use of the premises. These requests do not comply with the standards of said section since the property can be utilized in accordance with the previously approved Resolutions No. CZAB9-24-01 and CZAB5-9-08. Therefore, staff recommends denial without prejudice of requests #2 and #3 under Section 33-311(A)(4)(c) (ANUV).

Based on all of the aforementioned, staff recommends approval on a **modified basis** of request #1 to include the required 23 street trees under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17) (Modification or Elimination of Conditions and Covenants After Public Hearing) and approval with conditions of request #2 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV) and denial without prejudice of request #3 under Section 33-311(A)(4)(b) (NUV) and under Section 33-311(A)(4)(c) (ANUV).

I. RECOMMENDATION:

Approval with conditions of request #1 on a **modified basis** to include the required 23 street trees under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17) (Modification or Elimination of Conditions and Covenants After Public Hearing) and approval with conditions of request #2 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV) and denial without prejudice of request #3 under Section 33-311(A)(4)(b) (NUV) and under Section 33-311(A)(4)(c) (ANUV).

J. CONDITIONS:

1. That all conditions of Resolutions No. CZAB9-24-01 and CZAB5-9-08 remain in full force and effect, except as herein modified.
2. That the applicant comply with all applicable conditions and requirements of the Department of Environmental Resources Management (DERM) more specifically: that Concrete mix trucks parked overnight on the subject property shall only be those hauling exclusively for the Petitioner and shall be parked on an impervious surface.

DATE INSPECTED: 02/18/09
DATE TYPED: 02/19/09
DATE REVISED: 02/20/09; 03/05/09; 03/09/09; 05/05/09; 05/15/09; 06/23/09
DATE FINALIZED: 06/23/09
MCL:NN:NC:AA



Marc C. LaFerrier, AICP Director
Miami-Dade County Department of
Planning and Zoning

NBW

Memorandum

Date: June 16, 2009

To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management



Subject: C-05 #Z2008000159-1st Revision
Concrete Structures Inc.
12100 N.W. 58 Street
Request to Permit an Existing Concrete Casting Plant with Unpaved
Parking Area and Request to Permit Less Street Trees than required
(GU) (11.13 Acres)
24-53-39

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Notwithstanding the foregoing, DERM notes that on September 13, 2001 this property was the subject of an action by the Miami-Dade County Environmental Quality Control Board (EQCB.) Specifically, the Board granted variances from the requirements of Sections 24-43 and 24-43.1 of the Code of Miami-Dade County, Florida, to allow the establishment and operation of a concrete batching plant ancillary to the excavation of two lakes on the subject property. The approval was granted subject to several conditions, via Board Order No. 01-90, which was entered by the EQCB on November 14th, 2001; condition No. 5 in said Board Order reads as follows:

“Concrete mix trucks parked overnight on the subject property shall only be those hauling exclusively for the Petitioner and shall be parked on an impervious surface.”

Based upon the above noted requirement, DERM recommends denial of that portion of the petition requesting unpaved parking for trucks, which is specifically labeled “unpaved truck parking” and is depicted on the plan submitted along with this application entitled “Concrete Structures, Inc. Site Plan Proposed Concrete Casting Plant and Storage of Concrete Products Miami-Dade County, Florida.” as prepared by Fortin, Levy Skiles, Inc. Consulting Engineers Surveyors and Mappers, and dated March, 12 2008, last revised 09/16/08.

DERM does not object to the remainder of the application, which is to permit an existing concrete casting plant with unpaved parking and to permit less street trees than required; however, in light of the request DERM offers the following comments:

Air Pollution

The proposed unpaved parking lot combined with vehicular traffic may create some fugitive dust. Therefore, DERM recommends that zoning approval be conditioned to the implementation of dust control measures such as the installation of a landscape irrigation system and the planting of hedges along the perimeter of the proposed parking area. The applicant is advised that no oil based materials will be permitted as parking surface.

Enforcement History

DERM has found one closed enforcement and two open enforcement records for the subject property:

Folio No. 30-3924-002-0272.

Located at N.W. 60th St. and N.W. 121st Ave., Miami, FL

On September 03, 1997, a Notice of Violation was issued to Sebastian and Patricia Salonia for the unpermitted filling of wetlands and storage of chemicals. On December 19, 1997, a Final Notice Prior to Court Action was sent to the owners; the case remains open and is included in Concrete Structures Inc. FW85-202 as of 01/02/2007 (see below).

Folio Nos. 30-3924-002-0142, 30-3924-002-0143, 30-3924-002-0141, and 30-3924-002-0280

Located at 12100 N.W. 58th St., Miami, FL (FW85-202)

There is an open court case involving the subject property, which is located within the Northwest Wellfield as well as the Transitional Northeast Everglades Wetland Basin. CSI obtained a Class IV permit (FW85-202) from DERM in 2004 for a lake excavation in wetlands. The Class IV permit was issued as an after-the-fact approval for work in wetlands, which had commenced at the subject site without prior DERM approval. As part of the resolution of the Chapter 24 violations of said permit, a Settlement Agreement was executed on November 1, 2005. The Settlement Agreement (SA) required CSI to legalize any and all uses on the property within 18 months of execution of the SA (or by June 1, 2007). CSI did not legalize the uses on the property within the 18-month time frame and on June 10, 2009, Miami-Dade County 11th Judicial Circuit Court found CSI to be in continued non-compliance with the SA. CSI was approved for an Unusual Use and Modification of Zoning Resolution CZAB9-24-01 in zoning hearing application Z2007000292 utilizing fill from the on-site excavation. However, CSI has been and is currently using the subject site to store concrete products, equipment and office trailer in non-compliance with the SA and County Approval. In addition, CSI has commenced lake excavation without the required Certificate of Use from the County and while the Class IV permit was suspended by DERM

Folio No. 30-3924-002-0141

Located at 12050 NW 58th St., Miami, FL

On July 15, 1992, a Uniform Civil Violations Notice was issued to Ken Rosen for unpermitted wetland filling. On August 20, 1993, an Affidavit of Compliance was issued and the case was subsequently closed due to compliance. This parcel is now owned by CSI and is part of the case referenced above under FW85-202.

Concurrency Review Summary

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable Level of Service (LOS) standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, DERM recommends denial of the request for unpaved parking for trucks. If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: CONCRETE STRUCTURES

This Department has no objections to this application.

This Department has no objections to the request to permit unpaved parking spaces.

Additional improvements may be required at time of permitting.

The applicant must dedicate an additional 5 feet for NW 58 Street for a total of 40 feet (1/2 R/W).

This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.



Raul A Pino, P.L.S.

01-APR-09



Memorandum

Date: 03-JUN-09
To: Marc LaFerrier, Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2008000159

Fire Prevention Unit:

APPROVAL
 No objection to site plan date stamped January 20, 2009.

Service Impact/Demand

Development for the above Z2008000159
 located at 12100 NW 58 STREET, MIAMI-DADE COUNTY,
 in Police Grid 0948 is proposed as the following:

N/A	dwelling units	78,900	square feet
<u>residential</u>		<u>industrial</u>	square feet
2,400	square feet	N/A	
<u>Office</u>		<u>institutional</u>	
N/A	square feet	N/A	square feet
<u>Retail</u>		<u>nursing home/hospitals</u>	

Based on this development information, estimated service impact is: 3.47 alarms-annually.
 The estimated average travel time is: 6:37 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
 Station 45 - Doral - 9710 NW 58 Street
 ALS Engine.

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
 Station 69 - Doral North - 11151 NW 74 Street.

Fire Planning Additional Comments

Service impact calculated based on site plan indicating temporary use, submitted January 20, 2009. Substantial changes to the site plan will require additional service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

TEAM METRO

ENFORCEMENT HISTORY

CONCRETE STRUCTURES

12100 NW 58 STREET, MIAMI-
DADE COUNTY,

APPLICANT

ADDRESS

Z2008000159

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

CURRENT ENFORCEMENT HISTORY: Current case history, case 200907000542 was opened based on enforcement history request and inspected 02/26/09. No violation observed and case closed. Previous case history, case 200807000733 was opened based on enforcement history request and inspected 3/14/08. No violation was observed and case was closed. Case 200707003171 was opened 8/27/07 for enforcement history and inspected and closed for no violation. Case 200007002432 was opened for failure obtain zoning permit on 8/3/00 and closed because case already in progress with citations issued and waiting for public hearing.

Osiel Morales

RECEIVED

DISCLOSURE OF INTEREST*

MIAMI-DADE COUNTY

PROCESS # 208-159

DATE: AUG 18 2008

BY: SDR

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock held 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: Concrete Structures, Inc.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
Richard Salonia, President 12100 NW 58 th Street Miami, Florida 33178	100%

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 _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>

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: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>

If there is a CONTRACT FOR PURCHASE, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

RECEIVED

NAME OF PURCHASER: _____

MIAMI-DADE COUNTY

PROCESS # 2008-159
DATE: AUG 18 2008
BY: SDB

any clause or contract terms involve additional parties, list all individuals or officers, if a partnership or trust.

NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Concrete Structures, Inc.

Signature: *Richard Salonia*
(Applicant) Richard Salonia, President

Sworn to and subscribed before me this 8 day of July, 2008. Affiant is personally know to me or has produced _____ as identification.

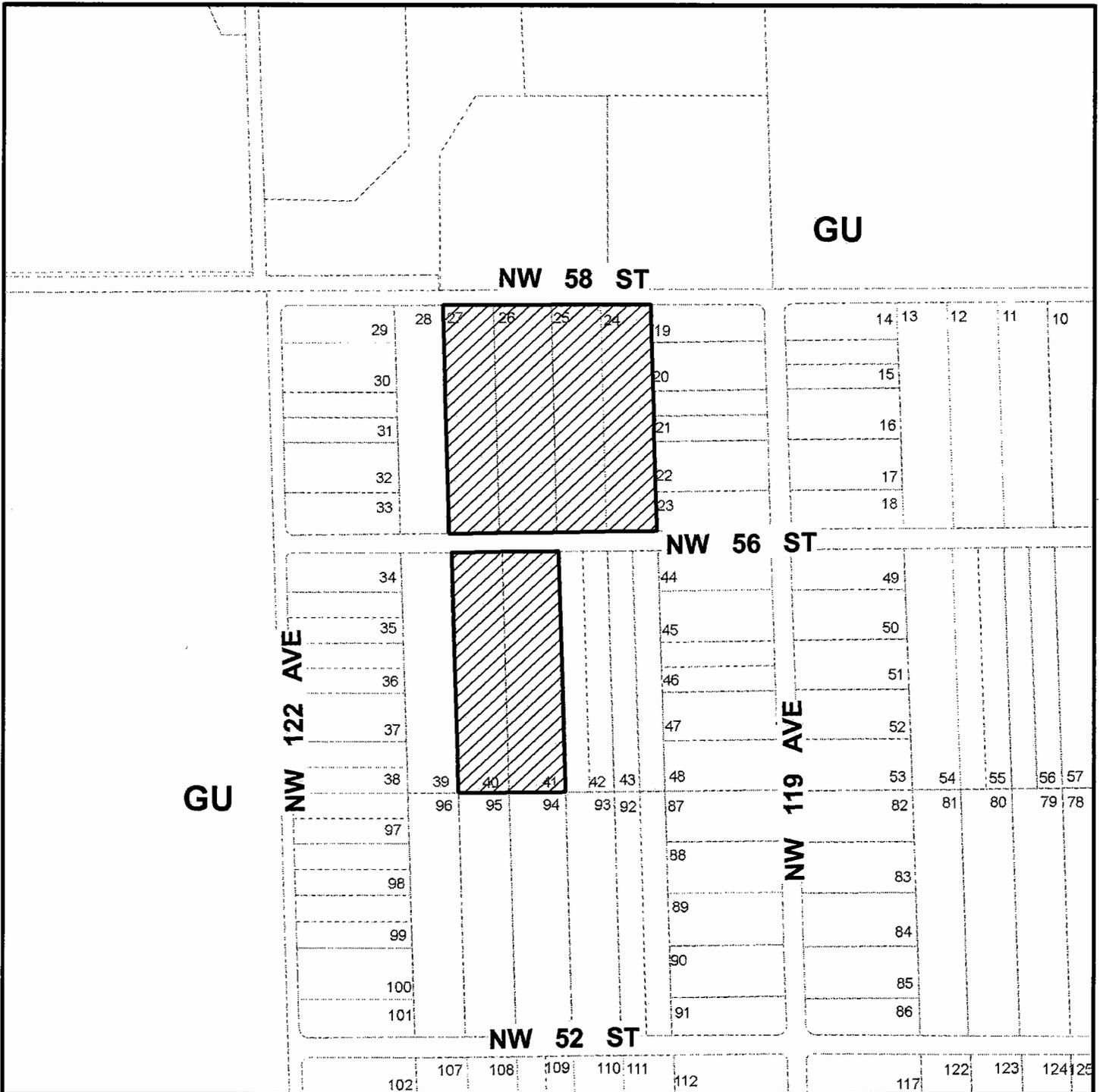
Patricia Garzon
(Notary Public)



My commission expires: _____

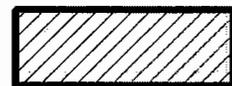
*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership 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.

MIADOCs 2816357 1



MIAMI-DADE COUNTY
HEARING MAP
 Section: 24 Township: 53 Range: 39
 Applicant: CONCRETE STRUCTURES
 Zoning Board: C05
 Commission District: 12
 Drafter ID: JEFFER
 Scale: NTS
 ----- Zoning

Process Number
08-159

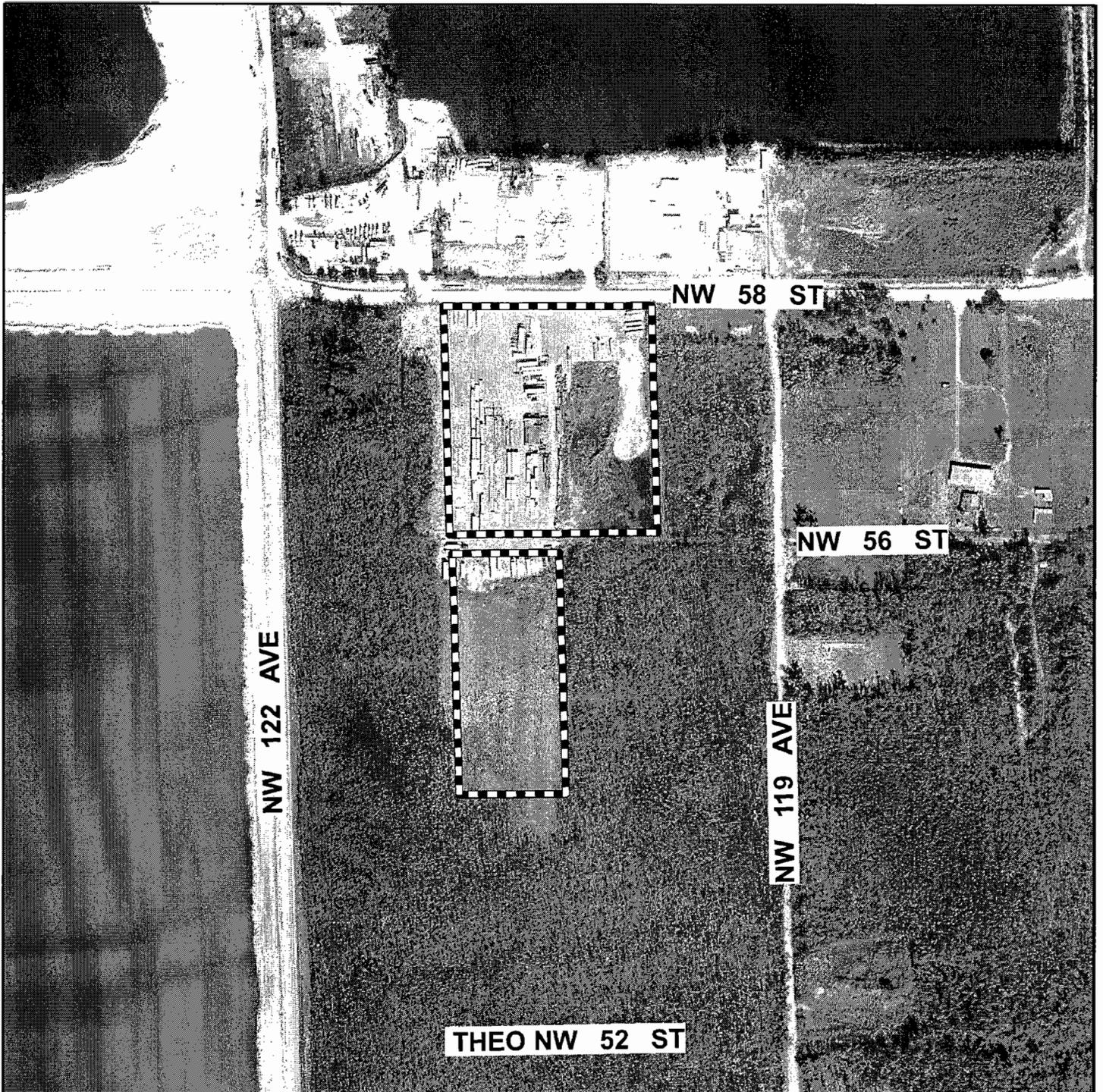


SUBJECT PROPERTY



SKETCH CREATED ON: 7/23/08

REVISION	DATE	BY
		24



MIAMI-DADE COUNTY
AERIAL YEAR 2008

Section: 24 Township: 53 Range: 39
 Applicant: CONCRETE STRUCTURES
 Zoning Board: C05
 Commission District: 12
 Drafter ID: JEFFER
 Scale: NTS
 ----- Zoning

Process Number

08-159



SUBJECT PROPERTY



SKETCH CREATED ON: 07/25/08

REVISION	DATE	BY