

KITS

6-22-2010 Version # 1



**COMMUNITY ZONING APPEALS BOARD 5
NORMA & JEAN REACH PARK
7895 NW 176 Street, Miami
Thursday, July 29, 2010 at 7:00 p.m.**

CURRENT

- | | | | | | |
|----|------------|--|---------------|----------|---|
| 1. | 10-7-CZ5-1 | <u>TOMAS & IVETTE ALVAREZ</u> | <u>09-97</u> | 36-52-40 | N |
| 2. | 10-7-CZ5-2 | <u>LA CEIBA CIGARS & SPIRITS LLC</u> | <u>09-116</u> | 04-52-40 | N |



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 5

MEETING OF THURSDAY, JULY 29, 2010

LAWTON CHILES MIDDLE SCHOOL

8190 NW 197 STREET, 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

LOCATION: 17000 N.W. 89 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 7,552 sq. ft.

Department of Planning and
Zoning Recommendation:

Approval with conditions.

Protests: 1

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

NOTICE

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.

1. TOMAS & IVETTE ALVAREZ
(Applicant)

10-7-CZ5-1 (09-097)
Area 5/District 13
Hearing Date: 07/29/10

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>
1954	Maule Industries, Inc.	- Time extension of PLAT.	BCC	Approved
1954	R & R	- Zone change from GU to RU-1 & cubic content.	BCC	Approved
1954	R & R	- Request time extension of PLAT.	BCC	Approved
1954	R & R	- Time extension of PLAT.	BCC	Approved
1954	R & R	- Time extension of PLAT.	BCC	Approved

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 DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 5**

APPLICANTS: Thomas and Ivette Alvarez

PH: Z09-097 (10-7-CZ5-1)

SECTION: 36-52-40

DATE: July 29, 2010

COMMISSION DISTRICT: 11

ITEM NO.: 1

A. INTRODUCTION:

o **REQUESTS:**

- (1) Applicants are requesting to permit a covered terrace addition to a single family residence to setback a minimum of 23.56' (25' required) from the rear (south) property line.
- (2) Applicants are requesting to permit a carport addition to a single family residence setback a minimum of 10.14' (25' required) from the front (north) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Terrace To Be Legalized", as prepared by Golaville K. Rao, consisting of 3 sheets dated stamped received 3/09/10. Plans may be modified at public hearing.

o **SUMMARY OF REQUESTS:**

The applicants are seeking approval to permit the continued use of an existing covered terrace addition and existing carport addition to a single family residence with less front and rear setbacks than required.

o **LOCATION:**

5740 NW 111 Terrace, Miami-Dade County, Florida

o **SIZE:** 77.73' x 96.5'

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**. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line 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-1Mb; Single-family residence

Low Density Residential, 2.5 to 6 du

SURROUNDING PROPERTY:

NORTH: RU-1; Single-family residence

Low Density Residential, 2.5 to 6 du

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

This property is an interior lot located at 5740 NW 111 Terrace. The surrounding area is developed with single-family residences.

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:

Acceptable

Access:

Acceptable

Parking Layout/Circulation:

Acceptable

Visibility/Visual Screening:

Acceptable

F. PERTINENT REQUIREMENTS/STANDARDS:

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.

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

H. ANALYSIS:

The subject property is an interior lot located at 5740 NW 111 Terrace and is improved with a single-family residence in an established RU-1, Single-Family Residential District. Approval of the requests will allow the applicants to maintain an existing covered terrace addition to the rear of the existing single family residence and an existing carport addition. The subject property is designated for **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP), which allows a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre for a total of 1 unit on this site. Since these requests will not add additional units to the property, the 7,500 square foot, RU-1 zoned single-family residential lot is **consistent** with the Low-Density Residential designation as shown in the LUP map of the CDMP.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. The **Public Works Department** also 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 average response travel time for this site is **9:24** minutes.

When requests #1 and #2 are analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of these requests with conditions would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community. Approval of request #1 will allow the applicant to maintain an existing covered terrace addition located to the rear of the existing single family residence. Staff notes that the survey submitted by the applicants show an existing six (6) foot high wall along the rear (south) property line which in staff's opinion adequately buffers the aforementioned covered terrace addition. However, staff recommends that the existing covered terrace addition not be enclosed in any manner except with approved insect screen material. In request #2, the applicants are seeking to legalize an existing carport (porte-cochere) addition which encroaches 14.86' into the front (north) setback area. Staff notes, that said carport (porte-cochere) addition has been designed to match the same architectural style of the existing residence and enhances the front façade of said residence. In addition staff notes that the photographs submitted by the applicant show landscaping in the form of palm trees and hedges between the front property line and said carport, which in staff's opinion, diminishes the negative visual impact of the 14.86' encroachment into the front (north) setback area. However, in order to prevent future owners from enclosing said carport addition staff recommends that the carport addition not be enclosed in any manner and that a building permit be obtained in order to legalize the aforementioned covered terrace

addition (request #1) and the carport addition (request #2). As such, staff recommends approval with conditions of this application.

I. RECOMMENDATION:

Approval with conditions.

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, but not 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 "Terrace To Be Legalized", as prepared by Golaville K. Rao, consisting of 3 sheets dated stamped received 3/09/10. 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 require further public hearing action.
3. That the covered terrace addition not be enclosed in any manner except for approved insect screen materials.
4. That the carport (porte-cochere) addition not be enclosed in any manner.
5. That the applicants shall secure a building permit within 90 days of the expiration of the appeal period for this application for the existing non-permitted structures from the Building Department and correct the violations within 90 days upon receipt of permit unless a time extension is granted by the Director of the Department of Planning and Zoning for good cause shown.
6. That the use be established and maintained in accordance with the approved plan.

DATE TYPED: 06/03/10
DATE REVISED: 06/04/10
DATE FINALIZED: 06/28/10
MCL:GR:NN:NC:TA

For [Signature]

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

NDN
GMR

Memorandum



Date: July 31, 2009
To: Marc C. LaFerrier, AICP, 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". The signature is fluid and cursive, written over the printed name in the "From:" field.

Subject: C-05 #Z2009000097
Tomas and Ivette Alvarez
5740 N.W. 111 Terrace
To Permit a Terrace Addition Setback Less than Required from Property
Lines
(RU-1) (.17 Acres)
36-52-40

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 LOS standards for an initial development order, as specified in the adopted CDMP 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.

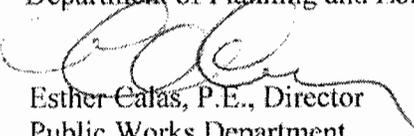
If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

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: 27-JUL-09
To: Marc LaFerrier, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2009000097

Fire Prevention Unit:

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

Service Impact/Demand

Development for the above Z2009000097
located at 5740 N.W. 111 TERRACE , MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0628 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: 9:24 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 26 - Opa Locka - 3190 NW 119 Street
Rescue, ALS 75' Ladder, Squad

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.

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

8

DATE: 22-JUN-10
REVISION 2

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

**ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND
CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE**

TOMAS & IVETTE ALVAREZ

5740 N.W. 111 TERRACE , MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2009000097

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC (1) CASE OPENED/CLOSED FOR COMMERCIAL VEHICLE
AND (1) CASE FOR ZONING HEARING Z20090000097 OPENED/CLOSED. BNC: (3) CASES
FOR WORK WITHOUT PERMIT.

**OUTSTANDING FINES, PENALTIES, COST OR LIENS
INCURRED PURSUANT TO CHAPTER 8CC:**

REPORTER NAME:

NW 111th TERRACE

50' TOTAL R/W by PLAT.

19.00' ASPHALT PAV.

ASPHALT

11.00' PARKWAY

ASPHALT

S87°43'56"E 77.73'

5' CONC. SWK.

FN (no id)

FN (no id)

2'-6" CBS WALL +2'-6" MBF

SOUTH

ASPHALT DRIVEWAY

ASPHALT CAR PORT

ASPHALT DRIVEWAY

2'-6" CBS WALL +2'-6" MBF

TILE

TILE

PL

6' MBF

LOT 4 BLOCK 67

96.50' (R&M)

CONC. DECK

ONE STORY CBS RES. #5740
LOT 5 BLOCK 67

F.F.E. = 9.00' (NGVD)

CONC.

SOUTH

LOT 6 BLOCK 67

96.50' (R&M)

0.05'

EXIST. EXIST. 200' A-WP ELECT. 200 A METER ELECT. DISC.

WATER LINE

4" SEW. LINE

CONC.

CONC. PORCH

TO SEPTICK TANK

6' PVC FENCE

0.50'

O.E.L.

17.00'

41.25'

16.32'

27.62'

17.20'

23.36'

10' U.E.

17.15'

CONC.

25.16'

10.00'

10.50'

25.10'

0.27'

F.I.P. 1/2" (no cap)

6' CBS WALL

S87°43'56"E 77.73'

LOT 14 BLOCK 67

F.I.P. 1/2" (no cap)

RECEIVED
209-097
MAR 09 2019

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

RECEIVED
 MIAMI-DADE COUNTY
 PROCESS # 209-097
 DATE: AUG 04 2009
 BY: SDB

GENERAL NOTES:

1. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS AND ANGLES FOR ALL WORK. VERIFY ALL DIMENSIONS, ELEVATIONS AND ANGLES FOR ALL WORK. VERIFY ALL DIMENSIONS, ELEVATIONS AND ANGLES FOR ALL WORK.
2. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.
4. ALL CONCRETE FOR FOUNDATIONS & SLABS ON GRADE SHALL BE PLACED AND FINISHED WITHIN 24 HOURS OF POURING.
5. ALL CONCRETE SHALL BE CURED WITHIN 7 DAYS OF POURING.
6. OWNER AND CONTRACTOR SHALL VERIFY DIMENSIONS IN WRITING BY MEANS OF A SURVEYOR'S CERTIFICATE OF POSITION.
7. THE DRAWING HAS BEEN PREPARED BY THE ARCHITECT AND SHALL BE CONSIDERED AS SUCH. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND ANGLES TO BE SHOWN ON THE DRAWING BEFORE BEGINNING WORK.

RWK 1

Drawing No. **A** of **1**

Project No. **209-097**
 Date: **08/04/09**
 Drawn By: **SDB**

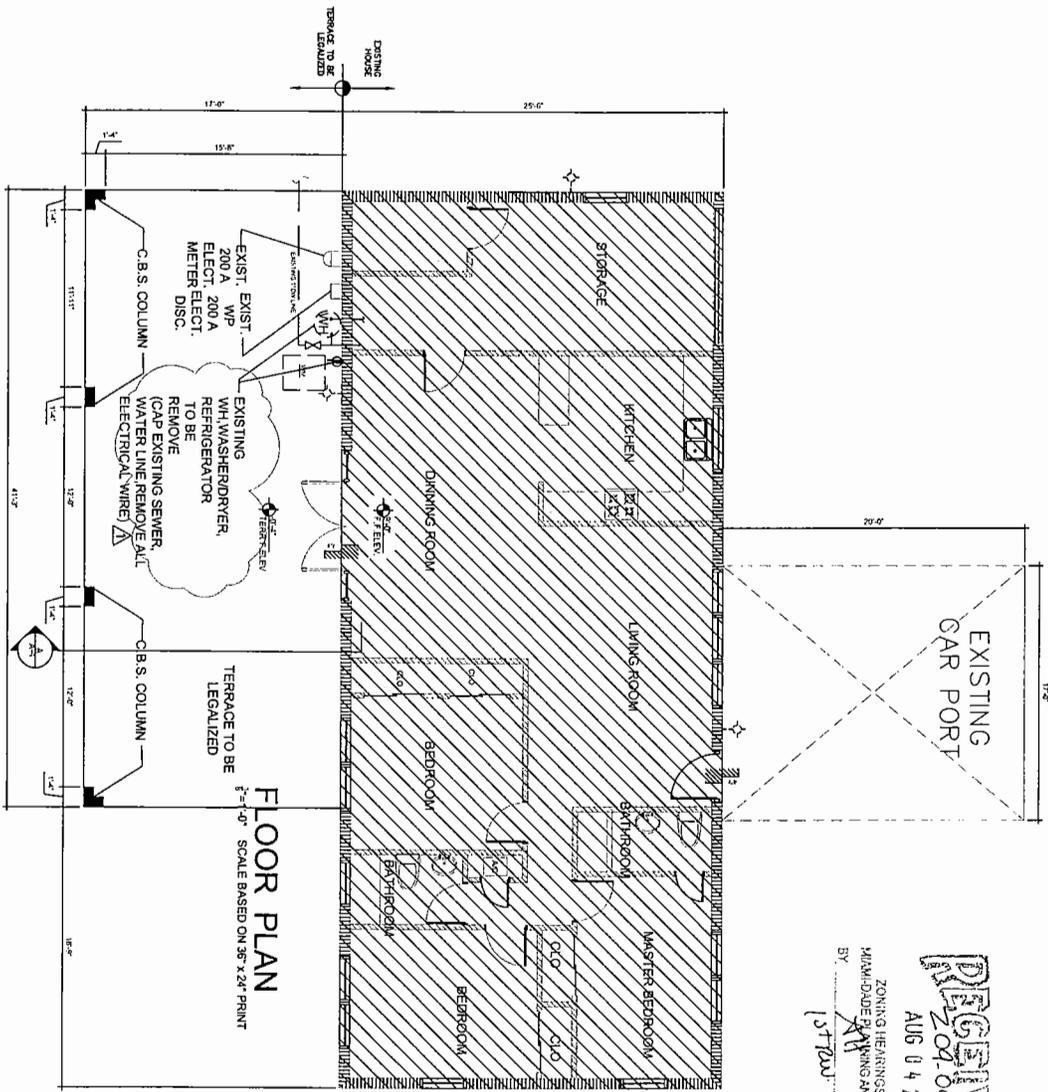
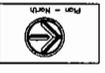
PROJECT: TERRACE TO BE LEGALIZED
 ADDRESS: 5740 N.W. 111 TERR. HIALEAH, FLORIDA, 33012

OWNER: TOMAS ALVAREZ
 ADDRESS: 5740 N.W. 111 TERR. HIALEAH, FLORIDA, 33012

ARCHITECT: JAMES J. JAMES ARCHITECT, INC.

DATE: 08/04/09

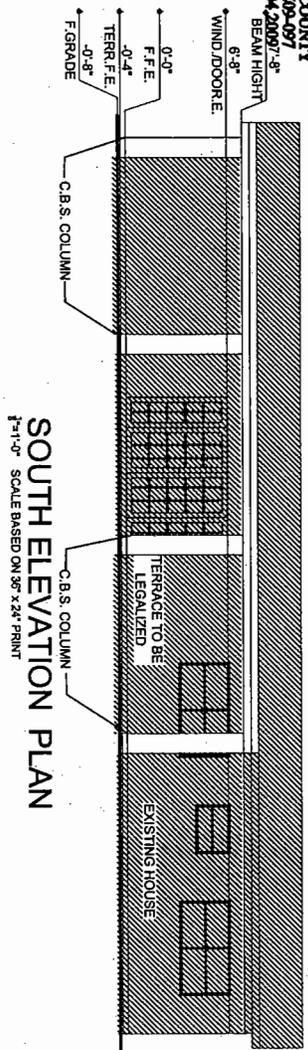
SCALE: 1/4" = 1'-0"



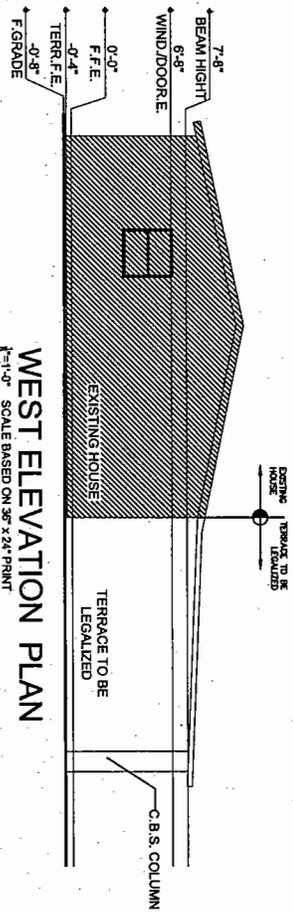
FLOOR PLAN
 1/4" = 1'-0" SCALE BASED ON 36" X 24" PRINT

RECEIVED
 AUG 04 2009
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY: **JST**

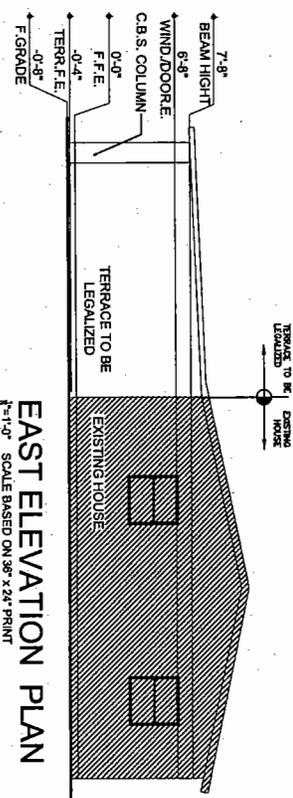
RECEIVED
 MIAMI-DADE COUNTY
 PROCESS # 209-007
 DATE AUG 04 2009
 BY: SDR



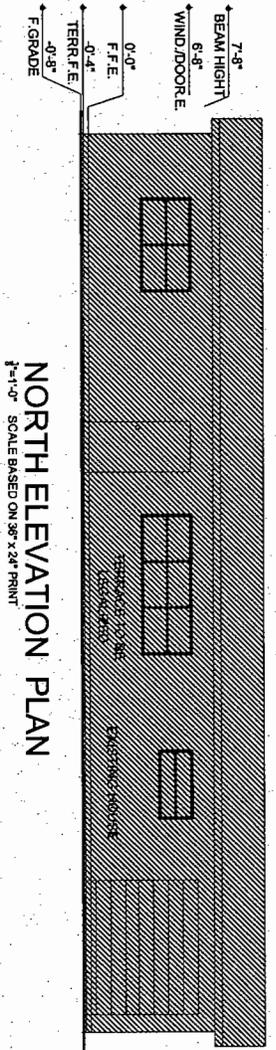
SOUTH ELEVATION PLAN
 1/8"=1'-0" SCALE BASED ON 36" x 24" PRINT



WEST ELEVATION PLAN
 1/8"=1'-0" SCALE BASED ON 36" x 24" PRINT



EAST ELEVATION PLAN
 1/8"=1'-0" SCALE BASED ON 36" x 24" PRINT



NORTH ELEVATION PLAN
 1/8"=1'-0" SCALE BASED ON 36" x 24" PRINT

RECEIVED
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 AUG 04 2009
 BY: [Signature]

Drawing No. **A** of **2**

Project No. []

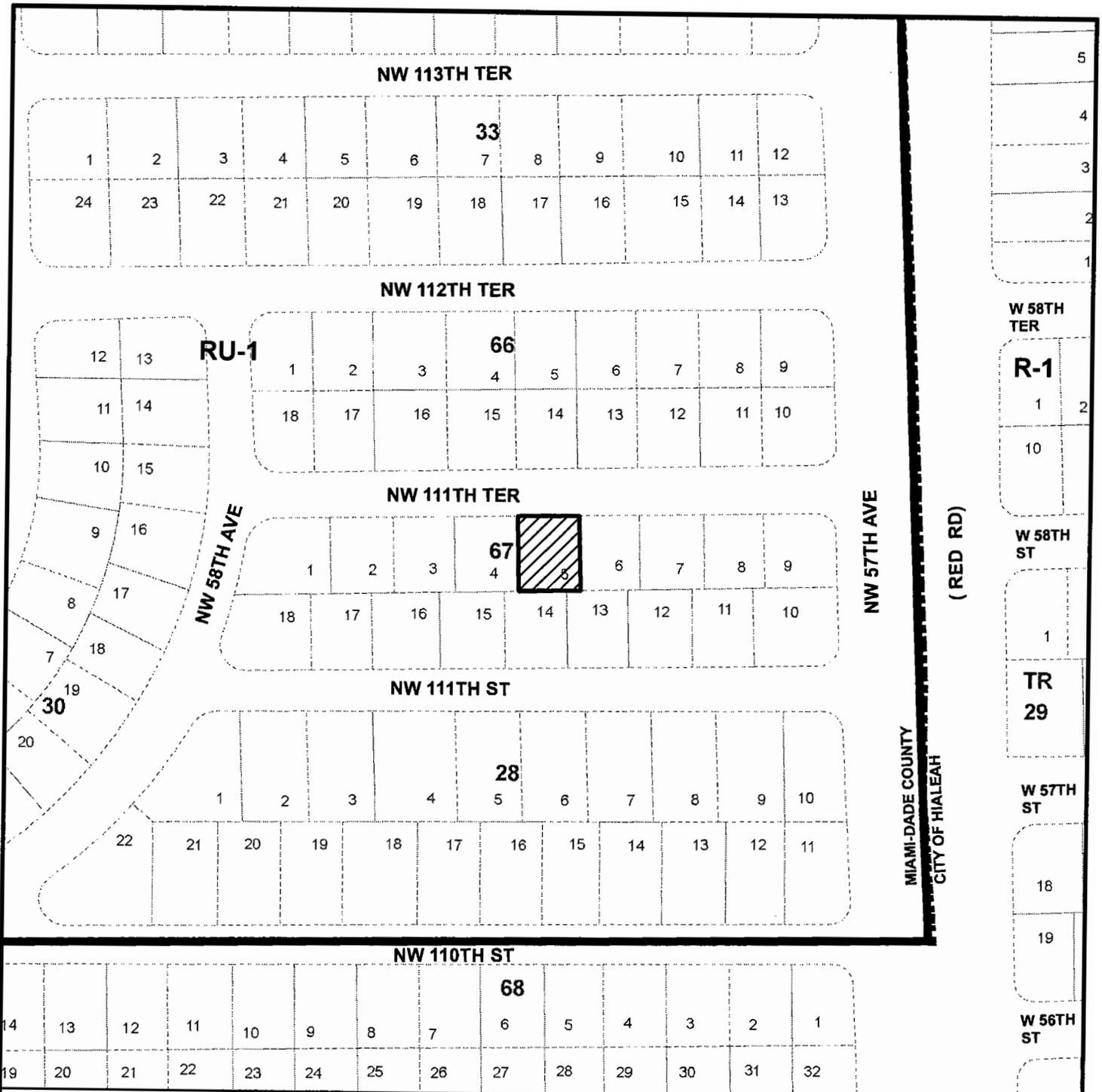
Project: TERRACE TO BE LEGALIZED
 ADDRESS: 5740 N.W. 111 TERR. HIALEAH, FLORIDA, 33012

Owner: TOMAS ALVAREZ
 ADDRESS: 5740 N.W. 111 TERR. HIALEAH, FLORIDA, 33012

Approved By: []

Checked By: []

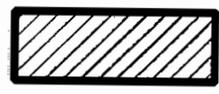
Scale: 1/8"=1'-0"



**MIAMI-DADE COUNTY
HEARING MAP**

Process Number
09-097

Section: 36 Township: 52 Range: 40
 Applicant: TOMAS & IVETTE ALVAREZ
 Zoning Board: C05
 Commission District: 13
 Drafter ID: KEELING
 Scale: NTS
 ----- Zoning



SUBJECT PROPERTY



SKETCH CREATED ON: 07/08/09

REVISION	DATE	BY
		14



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number
09-097

Section: 36 Township: 52 Range: 40
Applicant: TOMAS & IVETTE ALVAREZ
Zoning Board: C05
Commission District: 13
Drafter ID: KEELING
Scale: NTS
 ----- Zoning



SUBJECT PROPERTY



SKETCH CREATED ON: 07/08/09

REVISION	DATE	BY

2. LA CEIBA CIGARS & SPIRITS LLC
(Applicant)

10-7-CZ5-2 (09-116)
Area 5/District 12
Hearing Date: 07/29/10

Property Owner (if different from applicant) **C & C DEVELOPMENT GROUP LLC.**

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>
1988	North Dade Associates LTD	- Zone change from GU to RUIZ, RU-3M, BU1A. - Unusual Use lake excavation.	BCC	Approved w/conds.
2000	GND Assoc, LTD	- Special Exception to permit site plan approval. - Spacing requirement as applied to alcoholic beverage. - Deletion of that portion of resolution Z-150-88.	BCC	Approved
2003	C & C Development Group L.L.C.	- Modification of condition.	C05	Approved
2004	C & C Development L.L.C.	- Modification of a previously approved site plan.	C05	Approved w/conds.
2006	C & C Development Group L.L.C.	- Modification of condition.	C05	Approved w/conds.
2008	C & C Development Group L.L.C.	- Unusual Use to permit outside dining. - Modification of a condition. - Deletion of paragraph.	C05	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 DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 5**

APPLICANT: La Ceiba Cigars & Spirits L.L.C.

PH: Z09-116 (10-7-CZ5-2)

SECTION: 4-52-40

DATE: July 29, 2010

COMMISSION DISTRICT: 12

ITEM NO.: 2

A. INTRODUCTION

o **REQUESTS:**

- (1) SPECIAL EXCEPTION to permit a bar in conjunction with a cigar shop.
- (2) SPECIAL EXCEPTION of spacing requirements to permit the bar spaced less than the required 2,500' from a religious facility.

Plans are on file and may be examined in the Department of Planning & Zoning entitled "Proposed Retail Center For: Lakes on The Green Plaza," as prepared by A.O.G. Architects, consisting of 1 sheet and plans entitled "Proposed Interior Remodeling for 1959 Cigar Shop," as prepared by Avelino R. Leoncia, Jr., consisting of 1 sheet; both plans dated stamped received 1/8/10 and a liquor survey as prepared by Landmark Surveying & Associates, Inc., dated stamped received 4/9/10 for a total of 3 sheets. Plans may be modified at public hearing.

o **SUMMARY OF REQUESTS:**

This application will permit the establishment of a bar in connection with a cigar shop and to permit the bar spaced less than the required distance from a religious facility.

o **LOCATION:** 18600 NW 87 Avenue, Miami-Dade County, Florida

o **SIZE:** 13.23 Acres

B. ZONING HEARINGS HISTORY:

In 1988, pursuant to Resolution #Z-150-88, the subject property was part of a larger parcel of land, which was granted zone changes from GU, Interim District, to RU-1Z, Single-family Zero Lot Line Development Residential District, from GU to RU-3M, Minimum Apartment House District, from GU to BU-1A, Limited Business District and an unusual use to permit two lake excavations. In 2000, pursuant to Resolution #Z-33-00, special exceptions were granted to permit site plan approval for a commercial development and to permit a liquor package store spaced less than required from a religious facility. In addition, a deletion of a portion of a resolution which accepted a proffered covenant was granted. From 2003 to 2006 the subject property was granted various modifications of previously approved resolutions which permitted the applicant to modify the site plans for the previously approved shopping center which included new building configurations, a new driveway, and parking among other things. In 2008, pursuant to Resolution #CZAB5-19-08, an unusual use to permit outdoor dining, modifications of conditions of previously approved resolutions and deletions to a Declaration of Restrictions were approved.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The 2015 and 2025 Adopted Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates approximately 6.9 acres of the eastern portion of the subject property for **Business and Office**. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities such as cell towers and satellite telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.
2. The 2015 and 2025 Adopted Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates approximately 3.3 acres of the northern portion of the subject property for **Low Medium Density**. This category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.
3. The 2015 and 2025 Adopted Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates approximately 3.1 acres of the western portion of the subject property for **Office/Residential**. Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. Satellite telecommunication facilities that are ancillary uses to the businesses in a development are also allowed. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses. The maximum scale and intensity, including height and floor area ratio of office, hotel and motel development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent

residential uses. Where the Office/Residential category is located between residential and business categories, the more intensive activities to occur on the office site, including service locations and the points of ingress and egress, should be orientated toward the business side of the site, and the residential side of the site should be designed with sensitivity to the residential area and, where necessary, well buffered both visually and acoustically.

Residential uses are also allowed in the Office/Residential category. In these locations, residential density may be approved up to one density category higher than that allowed in the adjoining or adjacent residentially designated area on the same side of the abutting principal roadway, or up to the density of existing adjoining or adjacent residential development, or zoning if the adjacent or adjoining land is undeveloped whichever is higher. If there is no adjacent or adjoining residential development existing, zoned or designated on the same side of the abutting principal roadway, then the allowable maximum residential density shall be based on that which exists or which the plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity or residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively office use of the site. When residential uses are mixed with office uses, the overall scale and intensity, including height and floor area ratio of the mixed-use development shall be no greater than that which be approved if the parcel was developed in either office use only or residential use only, whichever is higher. Within the Office/Residential category, business uses ancillary and to serve the on-site uses(s) may be integrated in an amount not to exceed 15 percent of the total floor area. However, the Office/Residential category does not authorize other business or commercial uses.

4. Some existing lawful uses and zoning are not specifically depicted on the LUP map. However, all such existing lawful uses and zoning are deemed to be consistent with the Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new commercial locations must be consistent with the LUP map or the specific exceptions provided in the various LUP map categories, and the objectives and policies of this Plan.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

BU-1A ;

Business and Office & Office/Residential
Low Medium Density, 6 to 13 dua

Surrounding Properties:

NORTH: RU-1Z; single-family residences

Low Medium Density, 6 to 13 dua

SOUTH: GU, BU-1A; vacant land

Transportation

EAST: BU-1A and RU-3M, shopping

Business and Office

center, single-family residences

WEST: GU,RU-1Z; single-family residences Office/Residential

E. SITE AND BUILDINGS:

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

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(3) Special Exception, Unusual and New Uses. Hear applications for and grant or deny **special exceptions**; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual use which by the regulations are only permitted upon approval after public hearing; provide the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area of and its development.

G. NEIGHBORHOOD SERVICES:

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

H. **ANALYSIS:**

The subject property is located at 18600 NW 87 Avenue and is part of an existing shopping center with various retail enterprises including several eating establishments. The surrounding area is characterized with single-family homes located to the north and west, a shopping center to the east and undeveloped land to the south. The applicant is seeking a special exception to permit a bar in connection with a cigar shop (request #1) and a special exception of spacing requirements to permit the bar spaced less than the required 2,500' from a religious facility (request #2). The applicant has submitted a liquor survey indicating the location of the cigar shop and its spacing from the religious facility in the area. Approval of this application will allow the applicant to establish a bar in connection with a cigar shop spaced less than the required distance from a religious facility. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the northern portion of the site for **Low-Medium Density**, the eastern portion for **Business and Office** and the western portion for **Office/Residential**. The subject property abuts a restaurant use with permitted alcoholic beverage sales and a retail take-out bakery. Elsewhere within the shopping center is another restaurant which is permitted to serve alcohol. The applicant's Letter of Intent indicates that the sale of beer and wine would be limited to the subject property. Staff opines that the proposed use is **compatible** with the surrounding uses within the shopping center and would not negatively impact the residential community to the north and west. The shopping center site where the cigar shop is located is zoned BU-1A which allows package stores, restaurants and grocery stores along with other retail and service convenience facilities. Furthermore, the interpretative text of the CDMP states that all existing lawful uses and zoning are deemed to be consistent with the CDMP as provided in the section "Concepts and Limitations of the Land Use Plan Map. As such, the subject site's existing BU-1A zoning and the cigar shop use are **consistent** with the LUP Map of the CDMP.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. The **Public Works Department** has **no objections** to this application. Their memorandum indicates that this application meets the traffic concurrency criteria for an Initial Development Order and that it does not generate new additional daily peak hour vehicle trips. The Miami-Dade Fire Rescue Department (**MDFR**) has **no objections** to this application and their memorandum indicates that the estimated average travel response time is **7:13** minutes.

When analyzing requests #1 and #2 under Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses And New Uses, staff opines that approval of the aforementioned requests will not result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads or highways, nor provoke excessive overcrowding and concentration of people, when considering the necessity for and reasonableness of the applied for exception and unusual use in relation to the present and future development of the area and the compatibility of the applied for exception and unusual use with the area and its development. Staff also notes that the memoranda provided by DERM and the Public Works Department, indicates that the proposed bar in conjunction with a cigar shop will not reduce the Level of Service (LOS) Standards as set forth in the CDMP. As previously noted, the cigar shop is located within this shopping center which has three land use

designations and is zoned BU-1A. As such, the proposed use is consistent with the CDMP because all existing lawful uses and zoning are deemed to be consistent with the CDMP as provided in the section "Concepts and Limitations of the Land Use Plan Map. The submitted alcohol survey indicates that the proposed bar in conjunction with a cigar shop is within 2098.71' of an existing church located to the east of the subject site. Staff notes, in 2000, pursuant to Resolution #Z-33-00, the subject property was granted a special exception to permit a liquor package store spaced less than the required distance from a religious facility. Staff notes, that according to the liquor survey provided by the applicant, the only other places of business that serve alcohol within this shopping center are full service restaurants where the alcoholic beverages are served in conjunction with meals and are located within 1500' of the subject property. The applicant has indicated that the establishment will serve only beer and wine and the sales will be contained within the premises. Staff is of the opinion that the 401.29' encroachment for a bar in conjunction with a cigar shop would not have a negative impact on the surrounding residential community and is **compatible** with the other uses within the shopping center and **consistent** with the LUP map of the CDMP. Based on the aforementioned, staff therefore recommends approval with conditions of requests #1 and #2 under Section 33-311(A)(3).

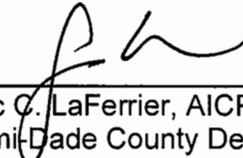
I. **RECOMMENDATION:** Approval with conditions.

J. **CONDITIONS:**

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning & Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not 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 "Proposed Retail Center For: Lakes on the Green Plaza," as prepared by A.O.G. Architects, consisting of 1 sheet and plans entitled "Proposed Interior Remodeling for 1959 Cigar Shop," as prepared by Avelino R. Leoncia, Jr., consisting of 1 sheet; both plans dated stamped received 1/8/10 and a liquor survey as prepared by Landmark Surveying & Associates, Inc. dated stamped received 4/9/10 for a total of 3 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtain a Certificate of Use from and promptly renew the same annually with the Department of Planning and Zoning, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That the bar use be operated solely as an accessory use to the cigar shop, and if the cigar shop use is terminated, the bar use must automatically terminate.

6. That the operating hours for the bar not extend beyond those for the cigar shop.

DATE TYPED: 05/28/10
DATE REVISED: 06/01/10, 7/20/10
DATE FINALIZED: 07/20/10
MCL:GR:NN:CXH:CI

For 

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

NDN
GR

Memorandum



Date: August 24, 2009
To: Marc C. LaFerrier, AICP, 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". The signature is fluid and cursive, written over the printed name in the "From:" field.

Subject: C-05 #Z2009000116
La Ceiba Cigars & Spirits, LLC
18600 N.W. 87 Avenue, number 102
Special Exception to Permit a Bar in Conjunction with a Cigar Shop,
which is also Spaced Less than Required from Another Establishment, as
well as from a Religious Facility
(BU-1A) (13.25 Acres)
04-52-40

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 LOS standards for an initial development order, as specified in the adopted CDMP 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.

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: LA CEIBA CIGARS & SPIRITS LLC

This Department has no objections to this application.

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.

A handwritten signature in black ink, appearing to read "Raul", with a long horizontal flourish extending to the right.

Raul A Pino, P.L.S.

22-SEP-09



Memorandum

Date: 19-APR-10
To: Marc LaFerrier, Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2009000116

Fire Prevention Unit:

No objection via Case Z2009000116.

Service Impact/Demand

Development for the above Z2009000116
 located at 18600 N.W. 87 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 0094 is proposed as the following:

N/A <u>residential</u>	dwelling units	N/A <u>industrial</u>	square feet
N/A <u>Office</u>	square feet	N/A <u>institutional</u>	square feet
1,200 <u>Retail</u>	square feet	N/A <u>nursing home/hospitals</u>	square feet

Based on this development information, estimated service impact is: 0.36 alarms-annually.
 The estimated average travel time is: 7:10 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

Current service impact calculated based on plan date stamped January 1, 2010.

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

DATE: 22-JUN-10

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

**ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND
CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE**

LA CEIBA CIGARS & SPIRITS LLC

18600 N.W. 87 AVENUE, MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2009000116

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: A case was opened/closed for junk/trash and (3) cases for enforcement history and (2) for unauthorized use and (7) for sign on private property. BNC: (4) CASES FOR WORK WITHOUT PERMIT AND (7) FOR EXPIRED PERMIT.

**OUTSTANDING FINES, PENALTIES, COST OR LIENS
INCURRED PURSUANT TO CHAPTER 8CC:**

REPORTER NAME:

DISCLOSURE OF INTEREST*

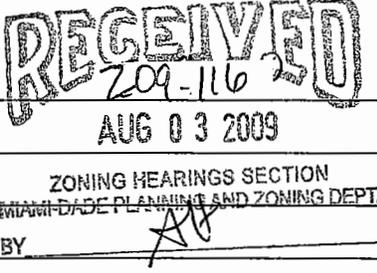
If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: LA CEIBA CIGARS & SPIRITS, LLC, A FLORIDA LIMITED LIABILITY COMPANY

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>JACQUELINE CABALLERO</u>	<u>MANAGER - 100%</u>
<u>19712 NW 88 AVENUE</u>	_____
<u>MIAMI, FL 33018</u>	_____
_____	_____

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>
<div style="text-align: center;">  </div>	_____
_____	_____
_____	_____
_____	_____

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].

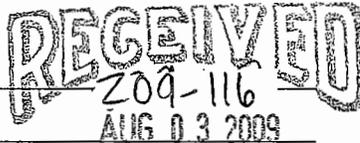
NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

Date of contract: _____

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



ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY: AV

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.

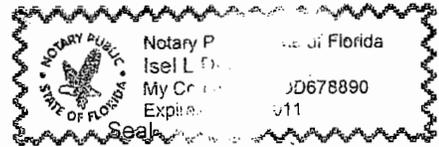
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: [Handwritten Signature]
(Applicant)

Sworn to and subscribed before me this 30th day of June, 20 09. Affiant is personally know to me or has produced _____ as identification.

[Handwritten Signature]
(Notary Public)

My commission expires: 05/28/2011



*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.

DISCLOSURE OF INTEREST*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned 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].

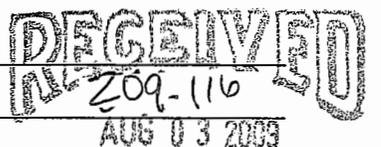
CORPORATION NAME: C & C DEVELOPMENT GROUP, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>OSCAR J. DELGADO</u>	<u>MANAGER - 100%</u>
<u>15476 N.W. 77 Ct., #707</u>	_____
<u>MIAMI, FL 33016</u>	_____
_____	_____

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>
_____	_____
_____	_____
_____	_____
_____	_____


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

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].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

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

RECEIVED
209-116
AUG 03 2009

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____

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.

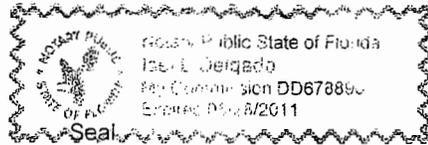
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: _____
(Applicant)

Sworn to and subscribed before me this 23rd day of June, 2009. Affiant is personally know to me or has produced _____ as identification.

(Notary Public)

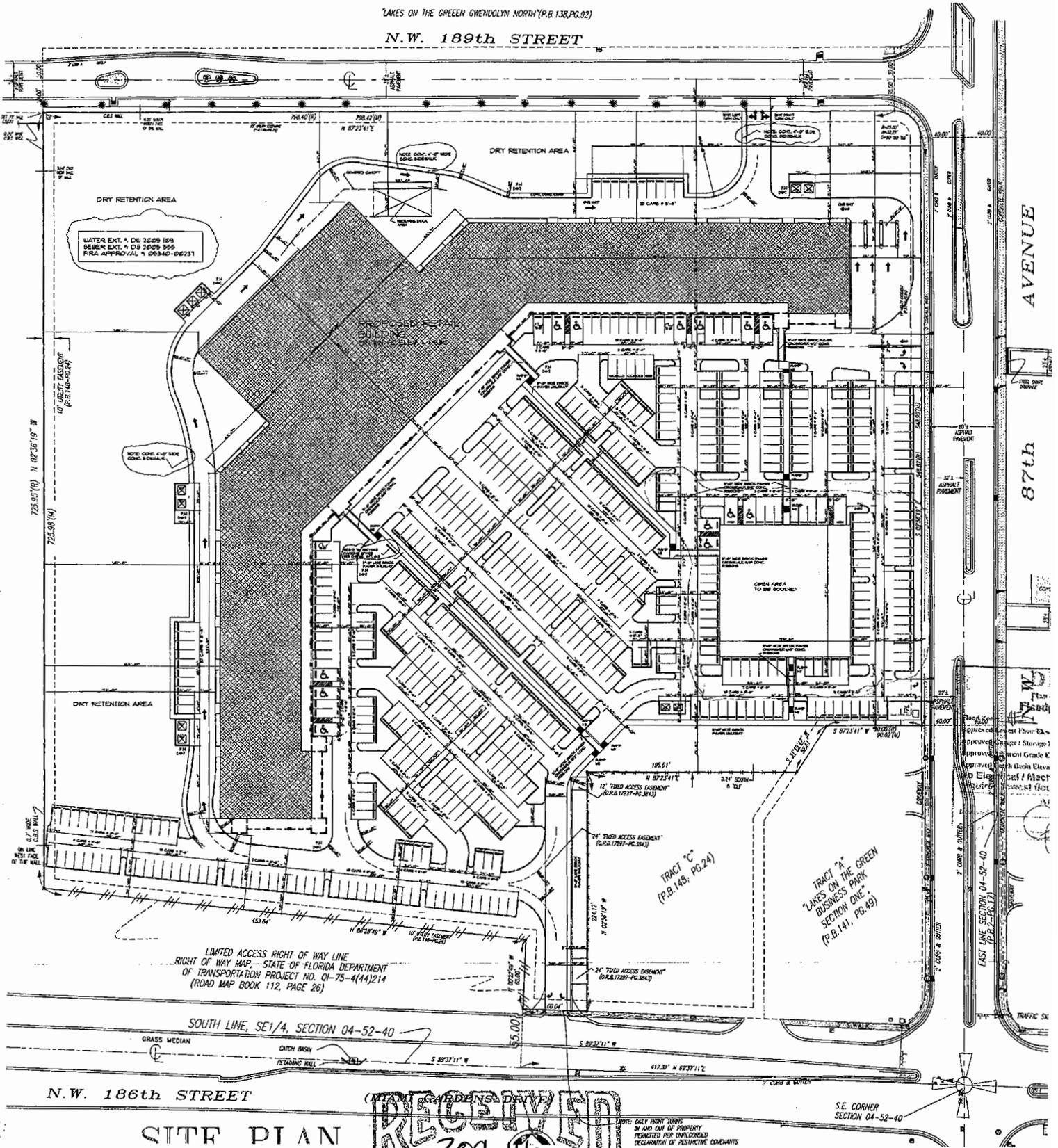
My commission expires: 05/28/2011



*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.

LAKES ON THE GREEN GWENDOLYN NORTH (P.B. 138, PG. 92)

N.W. 189th STREET



SITE PLAN

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 209-116
 JAN 8 2010

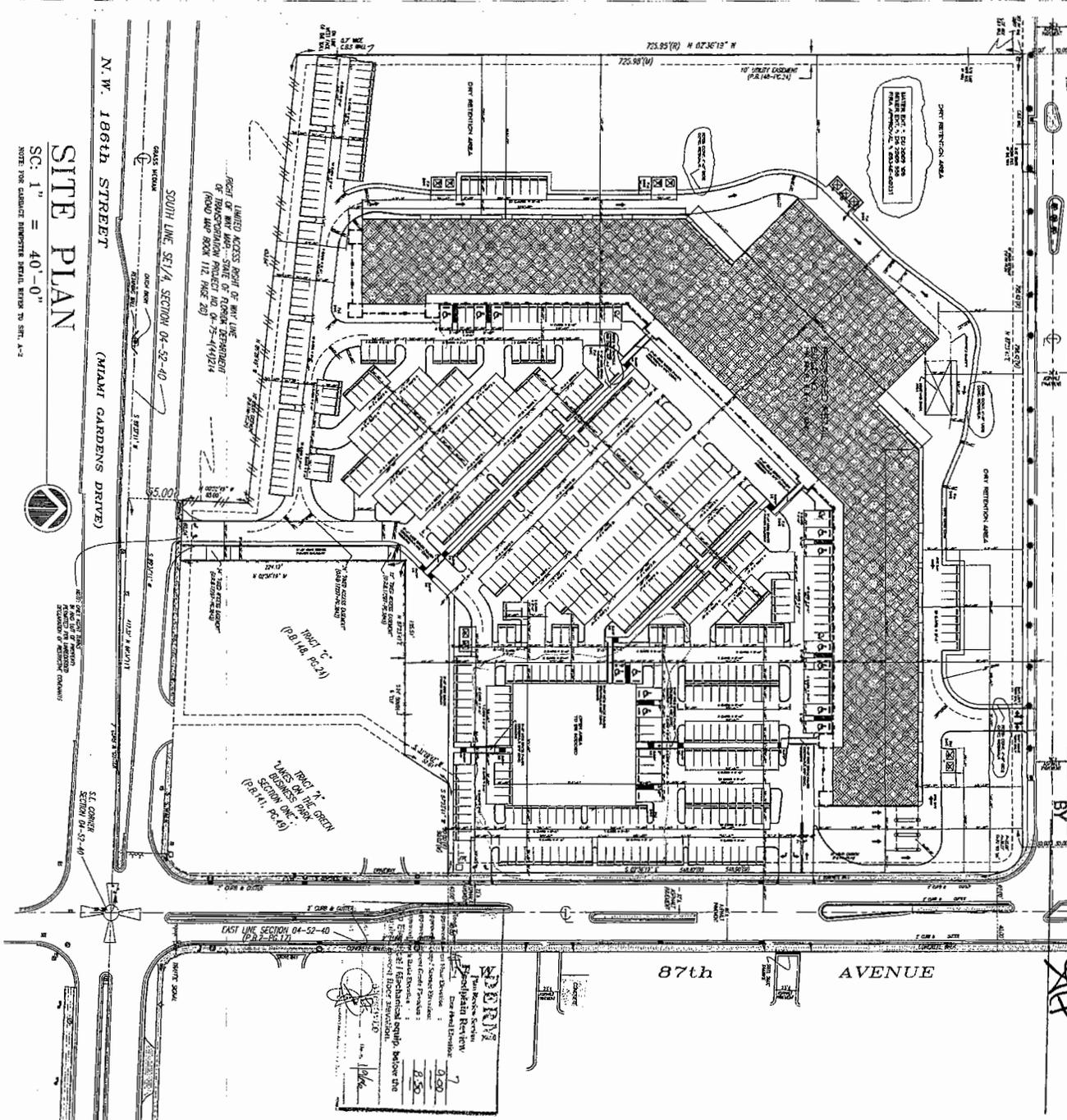
ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.

BY Alt

ENLARGE SITE PLAN

FILED
 209-116
 50
 JAN 08 2010

ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 N.W. 189th STREET



SITE PLAN
 SC: 1" = 40'-0"



LEGAL DESCRIPTION:
 THAT 76' LINES ON THE GREEN BUSINESS PARK SECTION TWO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 148 AT PAGE 24, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SECTION 04-525-608

ZONING DATA

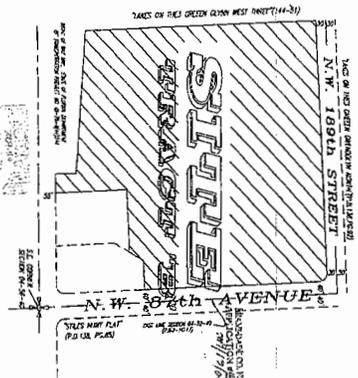
ZONING:	BU-1A
GROSS LOT AREA:	78,400 SQ. FT. (1.81 ACRES)
NET AREA:	57,800 SQ. FT. (1.32 ACRES)
MAX. HEIGHT ALLOWED:	45'-0" OR 3 STORIES
MAX. INCHOR PROVIDED:	33'-0" @ (1 STORY)
MAX. FLOOR AREA ALLOWED (F.A.A.):	200,000 SQ. FT.
MAX. FLOOR AREA PROVIDED:	65,600 SQ. FT. (1.00X)
MAX. LOT COVERAGE ALLOWED (C.A.A.):	200,000 SQ. FT.
MAX. LOT COVERAGE PROVIDED:	100,000 SQ. FT. (18.9%)
MIN. LANDSCAPE OPEN SPACE (L.O.S.):	80,700 SQ. FT.
LANDSCAPE OPEN SPACE PROVIDED:	87,300 SQ. FT. (24.9%)

STREETS:

REQ'D.	PROVIDED
FRONT:	80'-0"
INT. SIDE:	15'-0"
SIDE STREET:	22'-4"
REAR:	104'-0"

REQUIREMENTS:

- REQUIREMENTS FOR PARKING SPACES: 6810
- REQUIREMENTS FOR SIGNAGE: 6810
- REQUIREMENTS FOR UTILITIES: 6810
- REQUIREMENTS FOR OTHER: 6810

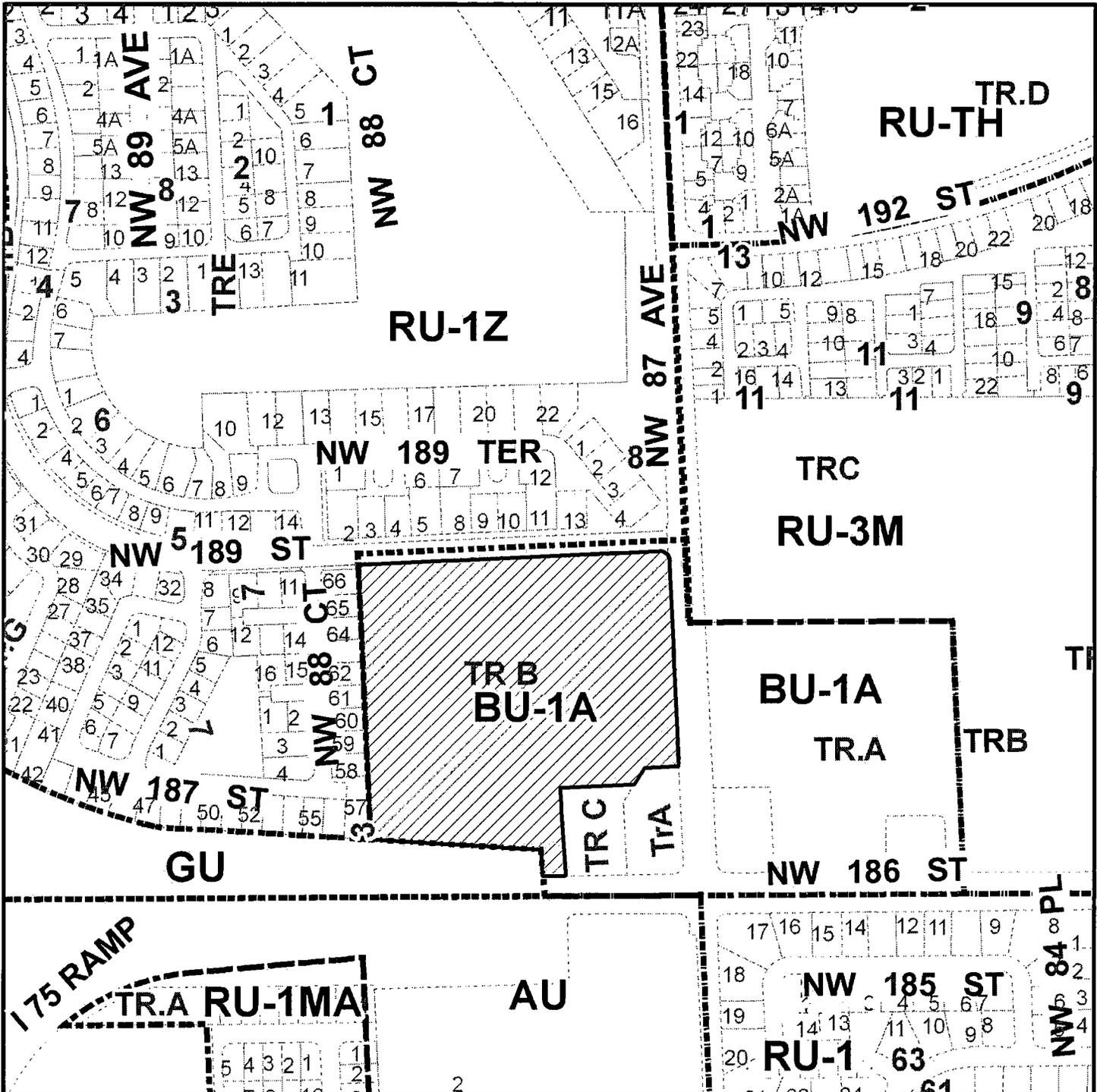


PROPOSED RETAIL CENTER FOR:
 LAKES ON THE GREEN PLAZA
 JOB ADDRESS: N.W. CORNER OF NW 186THST AND 87TH AVE.
 C/O/ DELGADO BROTHERS (305)

A. O. G. ARCHITECTS, P.A.
 8500 COWPEN RD. SUITE 302
 MIAMI LAKES, FL. 33014
 ALBERT O. GONZALEZ R.A.
 LIC.#: AR00011503
 PHONE#: (305) 852-8920
 FAX#: (305) 852-8920

DATE: APRIL 28, 2005
 SHEET NO.: A-1
 SCALE: AS SHOWN

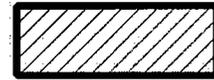
REVISIONS
 18



**MIAMI-DADE COUNTY
HEARING MAP**

Process Number
09-116

Section: 04 Township: 52 Range: 40
 Applicant: LA CEIBA CIGARS & SPIRITS LLC
 Zoning Board: C05
 Commission District: 12
 Drafter ID: JEFFER
 Scale: NTS
 ----- Zoning

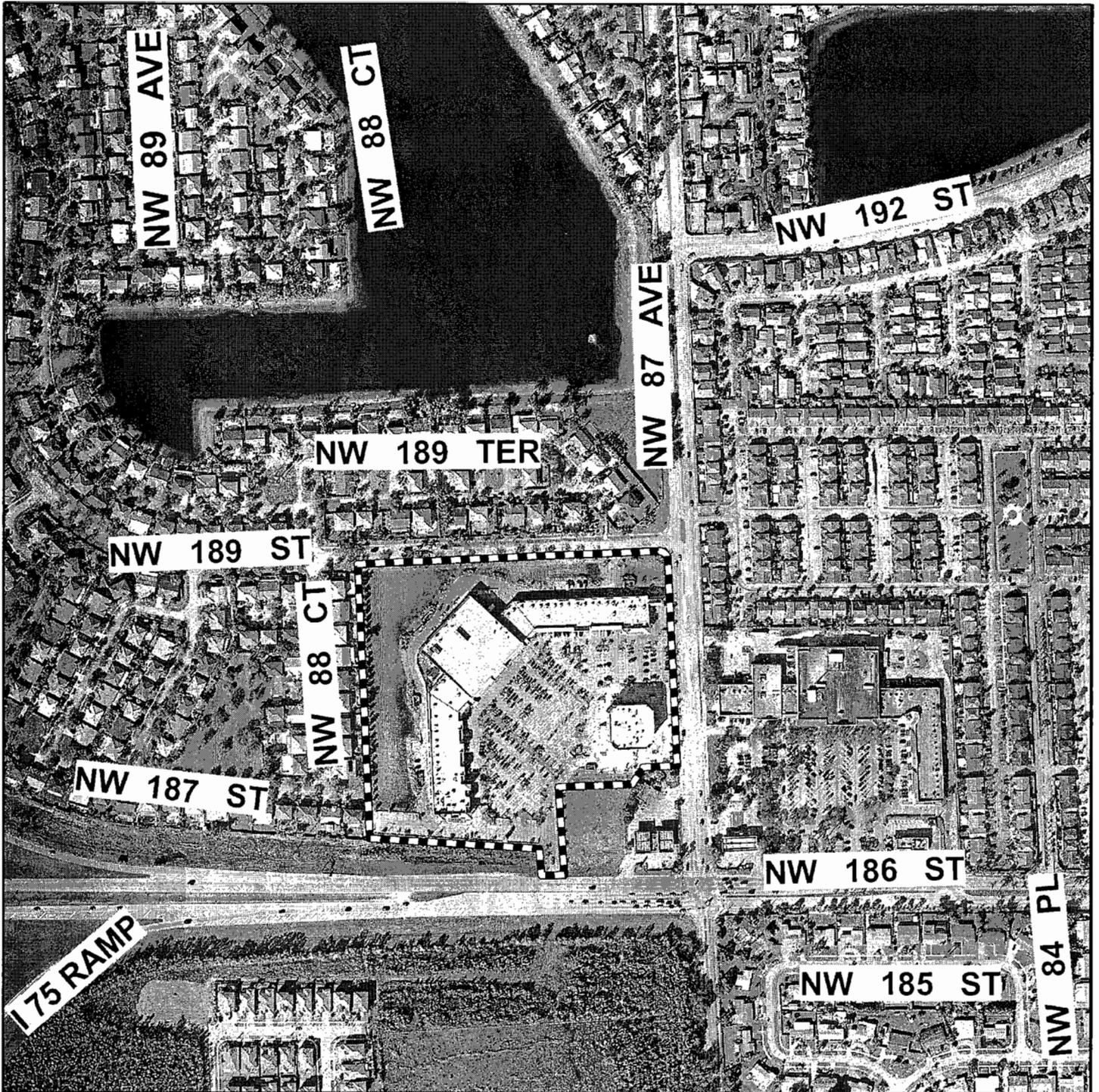


SUBJECT PROPERTY



SKETCH CREATED ON: 09/14/09

REVISION	DATE	BY
		21



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Section: 04 Township: 52 Range: 40
 Applicant: LA CEIBA CIGARS & SPIRITS LLC
 Zoning Board: C05
 Commission District: 12
 Drafter ID: JEFFER
 Scale: NTS
 ----- Zoning

Process Number

09-116



SUBJECT PROPERTY



SKETCH CREATED ON: 09/14/09

REVISION	DATE	BY