KITS

9-23-2008 Version # 1

MIAMI-DADE COUNTY

COMMUNITY ZONING APPEALS BOARD 10

RUBEN DARIO MIDDLE SCHOOL

350 NW 97 Avenue, Miami

Thursday, October 30, 2008 at 6:30 p.m.

PREVIOUSLY DEFERRED

A.	08-4-CZ10-3	CORAL GARDENS ESTATES, LLC	07-241	16-54-39	
B.	08-9-CZ10-1	LISSETTE MARIA BIENES	05-236	17-54-40	

CURRENT

1.	08-10-CZ10-1	GABLES EDGE PARKS CO.	06-133	08-54-41	N
2.	08-10-CZ10-2	MINISTERIOS EL BUEN PASTOR, INC.	07-366	01-54-39	N
3.	08-10-CZ10-3	GLORIA MACEDO	08-42	19-54-40	N
4.	08-10-CZ10-4	T MOBILE SOUTH LLC & FIRC TAMIAMI LLC	08-60	03-54-39	N
5.	08-10-CZ10-5	CALO G. LIBERTELLA	08-66	31-53-40	N
6.	08-10-CZ10-6	JOSE & MIRIAM ALEGRE	08-98	11-54-40	N
7.	08-10-CZ10-7	VILLA WESTCHESTER ALF, INC.	08-104	17-54-40	N

Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 10

MEETING OF THURSDAY, OCTOBER 30, 2008

RUBEN DARIO MIDDLE SCHOOL

350 NW 97 AVENUE, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 6:30 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

A. CORAL GARDENS ESTATES L. L. C. (08-4-CZ10-3/07-241) **16-54-39**
Area 10/District 11

(1) Applicant is requesting to waive the subdivision regulations requiring lots to have frontage on a public street.

(2) Applicant is requesting to waive the zoning regulations requiring lots to have frontage on a public street; to permit lots with 0' of frontage on a public street (60' required, and from 60' to 90' provided on a private easement).

Upon a demonstration that the applicable standards have been satisfied, approval of request #1 must be approved under Chapter 28 19(a) of the Public Works Code and approval of request #2 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 "Site Plan," as prepared by Manuel G. Vera & Associates, Inc., dated stamped received 7/18/08 and consisting of 1 page. Plans may be modified at public hearing.

LOCATION: North of S.W. 34 Street, approximately 180' east of S.W. 149 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.515 Gross Acres

Department of Planning and Zoning Recommendation: Denial without prejudice of requests #1 and #2.

Protests: 2 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

Deferred from 9-11-08

B. LISSETTE MARIA BIENES (08-9-CZ10-1 (05-236) **17-54-40**
Area 10/District 10

(1) USE VARIANCE to permit semi-professional office uses in the RU-1 zone as would be permitted in the RU-5A zone.

(2) Applicant is requesting to permit a lot area of 8,400 sq. ft. (10,000 sq. ft. required).

(3) Applicant is requesting to permit a setback of 24' (25' required) from the front (west) property line, setback 12'11" (15' required) from the interior side (south) property line and setback 14'8" (15' required) from the side street (north) property line.

(4) Applicant is requesting to permit parking to back-out into adjacent right-of-way (not permitted).

(5) Applicant is requesting to waive the zoning regulation requiring section line road rights-of-way to be 80' wide; to permit 35' of dedication (40' required) for the east half of S.W. 107 Avenue.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 and #3 may be considered under §33-311(A)(20) (Alternative Site Development Option for Semi-Professional Office Buildings and Structures) approval of requests #2 - #5 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Lissette Bienes Professional Office Interior Alteration," as prepared by A. M. Julien, Architect, dated stamped received 12/7/07 and consisting of 3 sheets. Plans may be modified at public hearing.

LOCATION: 3401 S.W. 107 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 80' x 105'

Department of Planning and Zoning Recommendation: Approval with conditions of request #1; approval with conditions of requests #2 through #5 under Section 33-311(A)(4)(b) (NUV); denial without prejudice of requests #2 and #3 under Section 33-311(A)(20) (ASDO option for semi-professional office buildings and structures); and denial without prejudice of requests #2 through #5 under Section 33-311(A)(4)(c) (ANUV).

Protests: 1 Waivers: 158

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

Deferred from 9-11-08

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1. GABLES EDGE PARKS CO. (08-10-CZ10-1/06-133) **8-54-41**
Area 10/District 6

(1) BU-2 and RU-3B to BU-2

(2) SPECIAL EXCEPTION to permit a multi-family apartment development in the BU-2 zoning district.

(3) Applicant is requesting to permit a multi-family building with a setback of 32' (50' required) from the front (north) property line, setback a minimum of 15' (63.18' required) from the interior side (east and west) property lines and setback 20' (60.6' required) from the rear (south) property line.

(4) Applicant is requesting to permit a lot coverage of 57.62% (40% maximum permitted).

(5) Applicant is requesting to permit a floor area ratio (FAR) of 2.2 (1.29 maximum permitted).

(6) Applicant is requesting to permit a landscape open space of 9.1% (33.5% minimum required).

(7) Applicant is requesting to waive the required 5' high wall where a business lot abuts a residential zoning district interior to the site.

(8) Applicant is requesting to permit a 3' wide landscape buffer (5' wide minimum required) along the interior side (east and west) property lines.

(9) Applicant is requesting to waive the zoning regulation requiring section line rights-of-way to be 80' in width; to permit 35' of dedication (40' required) on the south half of S.W. 8th Street.

REQUESTS #1-#9 ON PARCELS "A"

(10) RU-2 to RU-4L

REQUEST #10 ON PARCELS "B" AND "C"

Upon a demonstration that the applicable standards have been satisfied, approval of requests #3-#7 may be considered under §33-311(A)(16) (Alternative Site Development Option for the BU Zoning District) and requests #3-#9 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Gables Edge", as prepared by Civica, dated stamped received 07/07/08 with Sheet A0.01 last revised 7/17/08 and consisting of 19 sheets. Plans may be modified at public hearing.

LOCATION: South of S.W. 8 Street and approximately 150' east of S.W. 43 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.14 Acres

Department of Planning and Zoning Recommendation: Denial without prejudice.

Protests: 1 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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2. MINISTERIOS EL BUEN PASTOR, INC. (08-10-CZ10-2/07-366) **1-54-39**
Area 10/District 12

(1) SPECIAL EXCEPTION to permit a religious facility.

(2) Applicant is requesting to permit a building of public assemblage setback 25' (50' required) from the front (west) property line.

(3) Applicant is requesting to permit a building with a maximum height of 50' (35' permitted).

(4) Applicant is requesting to permit a lot coverage of 21.3% (15% permitted for 2 stories).

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

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Ministerios El Buen Pastor Internacional," as prepared by Gail Byron Baldwin, Sheet "A-100" dated stamped received 5/6/08 and the remaining sheets dated stamped received 4/8/08 and consisting of 7 sheets. Plans may be modified at public hearing.

LOCATION: Lying east of N.W./S.W. 122 Avenue, approximately 464' south of N.W. 2 Street, A/K/A: 45 S.W. 122 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 4.22 Acres

Department of Planning and Zoning Recommendation: Denial without prejudice.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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3. **GLORIA MACEDO (08-10-CZ10-3/08-42)** **19-54-40**
Area 10/District 10

Applicant is requesting to permit an addition to a single-family residence setback 18.74' (25' required) from the rear (south) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of the request 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 "Gloria Macedo," as prepared by Rodrigo H. Cadavid, P. E., dated stamped received 6/26/08 and consisting of 3 pages. Plans may be modified at public hearing.

LOCATION: 11452 S.W. 42 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 75' x 100'

Department of Planning and Zoning Recommendation: Denial without prejudice.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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4. **T-MOBILE SOUTH L. L. C. AND FIRC TAMIAMI L. L. C. (08-10-CZ10-4/08-60)** **3-54-39 Area 10/District 11**

SPECIAL EXCEPTION to permit a 100' high camouflaged wireless supported service facility designed as a flag pole and ancillary equipment.

Plans are on file and may be examined in the Department of Planning and Zoning entitled 'Shoppes of Tamiami MD1233a,' as prepared by MACTEC Engineering & Consulting, Inc., dated stamped received 5/27/08 and consisting of 5 sheets. Plans may be modified at public hearing.

LOCATION: 14200 S.W. 8 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.46 Acres

Department of Planning and Zoning Recommendation: Approval with conditions.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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5. **CALO G. LIBERTELLA (08-10-CZ10-5/08-66)** **31-53-40 Area 10/District 12**

RU-1 and IU-1 to IU-1

LOCATION: The northeast corner of N.W. 109 Avenue and N.W. 23 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 300' x 120'

Department of Planning and Zoning Recommendation: Approval, subject to the Board's acceptance of the proffered covenant.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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6. **JOSE AND MIRIAM ALEGRE (08-10-CZ10-6/08-98)** **11-54-40**
Area 10/District 6

Applicants are requesting to permit a storage, family room and den addition to a duplex residence setback a minimum of 11'1" (25' required) from the rear (east) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of the request 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 "Alegre Residence," as prepared by Estudios en Diseno, dated stamped received 5/21/08 and containing 3 sheets. Plans may be modified at public hearing.

LOCATION: 2211-2213 S.W. 75 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 68.75' x 100'

Department of Planning and Zoning Recommendation: Denial without prejudice.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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7. **VILLA WESTCHESTER ALF, INC. (08-10-CZ10-7/08-104)** **17-54-40**
Area 10/District 10

SPECIAL EXCEPTION to permit a group home spaced less than the required 1,000' from another existing group home.

A survey is on file and may be examined in the Department of Planning and Zoning entitled "Special Purpose Survey," as prepared by Efrain C. Lopez, P. L. S., dated stamped received 6/3/08 and consisting of 1 sheet.

LOCATION: 9963 S.W. 26 Terrace, Miami-Dade County, Florida.

SIZE OF PROPERTY: 65' x 80'

Department of Planning and Zoning Recommendation: Approval with conditions.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

THE END

NOTICE OF APPEAL RIGHTS

Decisions of the Community Zoning Appeals Board (CZAB) are appealed either to Circuit Court or to the Board of County Commissioners (BCC) depending upon the items requested in the Zoning Application. Appeals to Circuit Court must be filed within 30 days of the transmittal of the CZAB resolution. Appeals to BCC must be filed with the Zoning Hearings Section of the Department of Planning and Zoning within 14 days of the posting of the results in the department.

Further information and assistance may be obtained by contacting the Legal Counsel's office for the Department of Planning and Zoning at (305) 375-3075, or the Zoning Hearings Section at (305) 375-2640. For filing or status of Appeals to Circuit Court, you may call the Clerk of the Circuit Court at (305) 349-7409.

A. CORAL GARDENS ESTATES, LLC
(Applicant)

08-4-CZ10-3 (07-241)
Area 10/District 11
Hearing Date: 10/30/08

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:

Year	Applicant	Request	Board	Decision
2004	Alvaro Betancourt Carratala	Zone change from GU to RU-1M(b).	CZAB-10	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
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP

B

APPLICANT'S NAME: **CORAL GARDENS ESTATES L. L. C.**

REPRESENTATIVE: Nilo Hernandez and Juan Carlos Hernandez

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
08-4-CZ10-3 (07-241)	September 11, 2008	CZAB10		08

REC: Denial without prejudice of requests #1 and #2.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S): _____

■ DEFER: ☐ INDEFINITELY ■ TO: October 30, 2008 ☐ 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: To allow applicant time to meet with Public Works Dept.

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		George A. ALVAREZ	X		
MR.		Jorge BARBONTIN	X		
VICE-CHAIRMAN	S	Julio R. CACERES	X		
MR.		Jose GARRIDO (C.A.)	X		
MR.	M	Ruben POL III	X		
CHAIRMAN		Carlos A. MANRIQUE	X		
		VOTE:	6	0	

EXHIBITS: ■ YES ☐ NO COUNTY ATTORNEY: **DAVID HOPE**

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MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP

B

APPLICANT'S NAME: **CORAL GARDENS ESTATES, LLC**

REPRESENTATIVE: Nilo Hernandez

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
08-4-CZ10-3 (07-241)	July 10, 2008	CZAB10		08

REC: Denial without prejudice.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):_____

■ DEFER: ☐ INDEFINITELY ■ TO: Sept 11, 2008 ☐ 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: Deferred so that the applicant can submit new plans to the Board.

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		George A. ALVAREZ	X		
MR.	S	Jorge BARBONTIN	X		
VICE-CHAIRMAN		Julio R. CACERES			X
MR.		Jose GARRIDO (C.A.)	X		
MR.	M	Ruben POL III	X		
CHAIRMAN		Carlos A. MANRIQUE	X		
		VOTE:	5	0	

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **ED SANCHEZ**

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP

3

APPLICANT'S NAME: CORAL GARDENS ESTATES, LLC

REPRESENTATIVE: **JUAN C. HERNANDEZ**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
08-4-CZ10-3 (07-241)	APRIL 10, 2008	CZAB10		08

REQ: (1) Waive subdivision reg requiring lots to have frontage on a public street.
(2) Waive frontage on public st: Lots 1 – 5 and 8 - 9 with 0' frontage on a public street
(3) Proposed Lots 5 and 8 with a lot area of 5,000 sq. ft.

REC: DWOP

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):_____

■ DEFER: ☐ INDEFINITELY ■ TO: **JULY 10, 2008** ☐ 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

■ **APPLICANT WANTED TO REWORK PLAN**

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		George A. ALVAREZ	X		
MR.		Jorge BARBONTIN			X
VICE-CHAIRMAN	M	Julio R. CACERES	X		
MR.		Jose GARRIDO (C.A.)	X		
MR.	S	Ruben POL III	X		
CHAIRMAN		Carlos A. MANRIQUE	X		
		VOTE:	5	0	

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **DAVID HOPE**

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MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 10

APPLICANT: Coral Gardens Estates L.L.C. **PH:** Z07-241 (08-4-CZAB10-3)

SECTION: 16-54-39 **DATE:** October 30, 2008

COMMISSION DISTRICT: 11 **ITEM NO.:** A

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A. INTRODUCTION

- **REQUESTS:**

  (1) Applicant is requesting to waive the subdivision regulations requiring lots to have frontage on a public street.

  (2) Applicant is requesting to waive the zoning regulations requiring lots to have frontage on a public street; to permit lots with 0' of frontage on a public street (60' required, and from 60' to 90' provided on a private easement).

  Upon a demonstration that the applicable standards have been satisfied, approval of request #1 must be approved under Chapter 28 19(a) of the Public Works Code and approval of request #2 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 "Site Plan," as prepared by Manuel G. Vera & Associates, Inc., dated stamped received 7/18/08 and consisting of 1 page. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:** The applicant is seeking to waive the Subdivision and Zoning Regulations requiring parcels to have frontage on a public street and to permit parcels of land with 0' of frontage on a public street in order to configure the site with 9 single-family residential lots accessible to a public street by means of a 20' wide private easement.

- **LOCATION:** North of S.W. 34 Street, approximately 180' east of S.W. 149 Avenue, Miami-Dade County, Florida.

- **SIZE:** 1.515 Acres

- **IMPACT:** The approval of the requested waivers of the Subdivision and Zoning Regulations to allow the proposed lots to have to have 0' of frontage on a public street may set a precedent for similar requests, which may have a detrimental visual impact on the surrounding area. Further, the approval of the requests to allow parcels with 0' of frontage on a dedicated street and access by means of a 20' wide private easement will allow the applicant to configure the site with 2 additional residential lots that could not otherwise be accommodated if full rights-of-way are dedicated, which could bring additional traffic into the area and impact traffic circulation in the area.

B. **ZONING HEARINGS HISTORY:** In 2004, the subject property was granted a district boundary change from GU, Interim District, to RU-1M(b), Single-Family Modified Residential District, pursuant to Resolution No. CZAB10-8-04.

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. Single family housing, e.g., single family detached, cluster, and townhouses generally characterize this density category. 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-1M(b); Vacant	Low Density Residential, 2.5 to 6 dua
Surrounding Properties:	
NORTH: RU-1; Single-family residences	Low Density Residential, 2.5 to 6 dua
SOUTH: RU-1M(b); Single-family residences	Low Density Residential, 2.5 to 6 dua
EAST: GU and RU-1M(b); Vacant	Low Density Residential, 2.5 to 6 dua
WEST: RU-1M(b); Single-family residences	Low Density Residential, 2.5 to 6 dua

The subject parcel is currently vacant and lies north of SW 34 Street, approximately 180' east of SW 149 Avenue in an area characterized by single-family residences developed predominately according to the RU-1M(b) zoning requirements, and some vacant parcels.

E. **SITE AND BUILDINGS:**

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

Urban Design: **N/A**

F. PERTINENT REQUIREMENTS/STANDARDS:

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.

Section 28-19. Variances.
(a) ***Authority of Community Zoning Appeals Board.*** The County's Community Zoning Appeals Board may authorize a variance from these regulations. The Community Zoning Appeals Board may vary the regulations so that substantial justice may be done, provided that such variance will not have the effect of nullifying the intent and purpose of the overall community plan. In granting any variance, the County's Community Zoning Appeals Board shall prescribe any conditions that are deemed necessary to or desirable for the public interest. In making its findings, the Community Zoning Appeals Board shall take into account among other things the nature of the proposed use of the land and the exiting use of the land in the vicinity, the number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. No variance shall be granted unless the County's Community Zoning Appeals Board finds, among other things, that all three (3) of the following conditions exist in regard to the land concerned:

(1) That there are special circumstances or conditions affecting the property and that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of the land.

(2) That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.

(3) That the granting of the variance will not be detrimental to the public welfare or injurious to the other property in the territory in which the property is situated.

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:

(d) The **lot area, frontage, or depth** for a single family or duplex dwelling shall be approved upon demonstration of at least one of the following:

1. the proposed lot area, frontage or depth will permit the development or redevelopment of a single family or duplex dwelling on a parcel of land where such dwelling would not otherwise be permitted by the underlying district regulations due to the size or configuration of the parcel proposed for alternative development, provided that:

    A. the parcel is under lawful separate ownership from any contiguous property and is not otherwise grandfathered for single family or duplex use; and

    B. the proposed alternative development will not result in the further subdivision of land; and

    C. the size and dimensions of the lot are sufficient to provide all setbacks required by the underlying district regulations; and

    D. the lot area is not less than ninety percent (90%) of the minimum lot area required by the underlying district regulations; and

    E. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and

    F. the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and

    G. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.

2. the proposed alternative development will result in open space, community design, amenities or preservation of natural resources that enhances the function or aesthetic character of the immediate vicinity in a manner not otherwise achievable through application of the underlying district regulations, provided that:

    A. the density of the proposed alternative development does not exceed that permitted by the underlying district regulations; and

B. the size and dimensions of each lot in the proposed alternative development are sufficient to provide all setbacks required by the underlying district regulations, or, if applicable, any prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002); and

C. each lot's area is not less than eighty percent (80%) of the lot area required by the underlying district regulations; and

D. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and

E. the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and

F. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.

3. the proposed lot area, frontage or depth is such that:

A. the proposed alternative development will not result in the creation of more than three (3) lots; and

B. the size and dimensions of each lot are sufficient to provide all setbacks required by the underlying district regulations; and

C. no lot area shall be less than the smaller of:

i. ninety percent (90%) of the lot area required by the underlying district regulations; or

ii. the average area of the developed lots in the immediate vicinity within the same zoning district; and

D. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and

E. the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and

F. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.

4. If the proposed alternative development involves the creation of new parcels of smaller than five (5) gross acres in an area designated agricultural in the Comprehensive Development Master Plan:

A. the abutting parcels are predominately parcelized in a manner similar to the proposed alternative development on three (3) or more sides of the parcel proposed for alternative development; and

B. the division of the parcel proposed for alternative development will not precipitate additional land division in the area; [and]

C. the size and dimensions of each lot in the proposed alternative development are sufficient to provide all setbacks required by the underlying district regulations; and

D. the proposed alternative development will not result in an obvious departure from the aesthetic character of the surrounding area defined by the closest natural and man-made boundaries lying with [in] the agricultural designation; and

E. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.

(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; and

B. 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.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection***
Public Works	**Objects**
Parks	**No objection**
MDT	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**Objects / 3 students**

*Subject to conditions stated in their memorandum.

H. ANALYSIS:

This application was deferred from the September 11, 2008 meeting at the applicant's request to allow the applicant time to meet with the Public Works Department. It should be noted that as of the time of this writing, staff has not received any additional plan revisions since the last plan revision was received by staff on July 18, 2008. This application was also deferred from the July 10, 2008 meeting at the applicant's request to submit revised plans. As previously mentioned, staff received said plan revisions on July 18, 2008. This application was also deferred from the April 10, 2008 meeting at the applicant's request to submit revised plans. The 1.515-gross acre subject parcel is vacant and lies north of SW 34 Street, approximately 180' east of SW 149 Avenue in an area characterized by single-family residences predominately developed according to the RU-1M(b) zoning requirements. The applicant is requesting to waive the Subdivision Regulations requiring lots to have frontage on a public street (request #1). Additionally, the applicant is seeking to waive the Zoning Regulations requiring lots to have frontage on a public street in order to permit parcels with 0' of frontage on a public street to allow 9 proposed lots with frontages varying from 60' to 90' provided on a private easement (request #2). The Subdivision and Zoning Regulations require lots to have frontage on a public street. As previously mentioned, the applicant recently submitted revised plans dated July 18, 2008. The revised plans illustrate 9

proposed lots situated in groups of 3 on the northern, eastern and western portions of the site, with access provided via a T-shaped 20' wide private easement that terminates at proposed Lots 3 and 4. It should be noted that the revised plans depict all 9 of the proposed lots with a minimum lot frontage of 60' and a minimum lot area of 6,000 sq. ft., which meet the minimum lot frontage and lot area requirements of the RU-1M(b) zoning district.

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. However, the applicant will have to comply with all DERM requirements as set forth in their memorandum pertaining to this application. The **Public Works Department objects** to the request to permit access to a public street by means of a private easement and indicates in their memorandum that the property shall be developed with public streets in order to provide future connectivity to the east. According to their memorandum, this application will generate **12** additional **PM** daily peak hour **vehicle trips** on the area roadways, however said additional vehicle trips will not change the Level of Service (LOS) on said roadways which are currently operating at LOS "C" and "E". Staff notes that, although Public Works objects to the proposal, their memorandum indicates that the proposal meets the traffic concurrency criteria for an Initial Development Order. The **Miami-Dade Fire and Rescue Department** has **no objection** to this application. However, Miami-Dade County Public Schools **(MDCPS) objects** to this application and their memorandum indicates that this application will bring an additional **3 students** to the area schools. Their memorandum further indicates that Greenglade Elementary, Lamar L. Curry Middle and John A. Ferguson Senior High School will be impacted by this development and are currently operating at 128%, 165%, and 119% of FISH (Florida Inventory of School Houses) utilization. Additionally, the MDCPS memorandum indicates that the applicant is unable to proffer additional mitigation other than the applicable impact fees as required by the Educational Facilities Impact Fee Ordinance. As such, the School District requests that the application be denied, or that it be deferred until such time as the applicant is able to address the impact of the proposed residential development on public schools in the area.

Approval of this application would allow the applicant to configure the subject property with 9 residential lots, each with 0' of frontage on a dedicated street and accessed by means of a 20' wide private easement which will allow the applicant to configure the site with 2 additional residential lots that could not otherwise be accommodated if full rights-of-way are dedicated. 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 units per gross acre, which permits the 1.515-gross acre subject property to be developed with a minimum of 3 to a maximum of 9 units. The applicant proposes 9 lots, which is **consistent** with the numerical threshold of the LUP map's Low Density Residential designation. However, staff opines that the approval of the proposal would be out of character with the development pattern in the area and does not provide roadway connectivity for the area. Staff's research reveals that no similar requests for single-family residential building sites with 0' of frontage on a public street and access to a public street by means of only a private easement have been approved in the area. Therefore, staff opines that the requested waivers of the subdivision and zoning regulations requiring lots to have frontage on a public street in order to permit access to the proposed lots via a 20' wide private easement, would be out of character with the surrounding area and would hinder future roadway connectivity to SW 148 Avenue via SW 33 Terrace. Accordingly, staff opines that, although the proposed development is

consistent with the numerical density threshold of the LUP map's Low Density Residential designation of the CDMP, the application is **incompatible** with the surrounding area.

When request #1, to waive the subdivision regulations requiring parcels to have frontage on a public street, is analyzed under Section 28-19(A) of the Public Works Code, said Section requires the applicant to demonstrate that there are special circumstances or conditions affecting the property and that the strict application of the provisions of Chapter 28 would deprive the applicant of the reasonable use of the land, would be necessary for the preservation and enjoyment of a substantial property right of the applicant, and that the granting of the variance will not be detrimental to the public welfare or injurious to the other property in the territory in which the property is situated. As previously mentioned, the applicant is proposing 9 lots to have 0' of frontage on a public street and to permit access to said lots only by means of a 20' wide private easement. As also previously mentioned, the Public Works Department **objects** to this application and to the request to permit access to a public street by means of a private easement and indicates in their memorandum that the property **shall be developed with public streets** in order to provide future roadway connectivity to the east. Specifically, staff notes that the approval of said request would impede future roadway connectivity to SW 148 Avenue via SW 33 Terrace by creating two dead ends at Lots 3 and 4. Additionally, it should be noted that the approval of said request may set a precedent for similar approvals in the area, particularly for the vacant GU and RU-1M(b) zoned parcels located immediately to the east of the subject site. Accordingly, staff does not support this request and opines that the proposed lot configuration with access provided via a 20' wide private easement is not compatible with the area and, therefore, could be injurious to other properties in the area. Staff maintains that there are no special circumstances affecting the property for which the approval of this request would have a bearing on the preservation and enjoyment of a substantial property right of the applicant. Furthermore, staff opines that there are no special circumstances or conditions affecting the property and that the strict application of the provisions of Section 28-19(A), which requires each lot to have frontage on a dedicated right-of-way, would not deprive the applicant of the reasonable use of the land since the property is currently vacant and can be developed in accordance with the RU-1M(b) zoning requirements. As such, staff recommends that request #1 be denied without prejudice under Section 28-19(A) of the Public Works Code.

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. As previously mentioned, since the deferral of this application, the applicant has recently submitted revised plans dated July 18, 2008 that depict all 9 proposed lots with a minimum lot frontage of 60' and a minimum lot area of 6,000 sq. ft. each, which meets the minimum lot frontage and lot area requirements of the RU-1M(b) zoning district. Staff notes that request #2 meets some of the criteria for approval under the ASDO Standards for lot frontage. Specifically, the proposed lots feature lot areas that are not less than ninety percent (90%) of the minimum lot area required by the underlying district regulations (Section 33-311(A)(14)(d)(1)(D)); the proposed lots provide sufficient frontage for vehicular access (Section 33-311(A)(14)(d)(1)(G)); the proposed lots are sufficient to provide all setbacks (Section 33-311(A)(14)(d)(1)(C)); the site is not zoned GU or AU; the site is not designated as agriculture or open land on the LUP map of the CDMP (Section 33-311(A)(14)(d)(1)(F)). Further, the subject site is under lawful separate ownership from any

contiguous property and is not otherwise grandfathered for single family or duplex use (Section 33-311(A)(14)(d)(1)(A)). However, the approval of the proposed lots with 0' of frontage on a public street would result in an obvious departure from the aesthetic character of the immediate vicinity as evidenced by the absence of similar approvals in the surrounding area (Section 33-311(A)(14)(d)(1)(E)). Moreover, the approval of this application will result in the further subdivision of land by allowing the applicant to incorporate 2 additional residential building sites that could not otherwise be accommodated if full rights-of-way were dedicated (Section 33-311(A)(14)(d)(1)(B)). Therefore, request #2 cannot be approved under same and should be denied without prejudice under Section 33-311(A)(14) (ASDO).

Under the Alternative Non-Use Variance (ANUV) Standards, Section 33-311(A)(4)(c), the applicant would have to prove that request #2 is due to unnecessary hardship and that, should the request not be granted, such denial would not permit the reasonable use of the premises. This application does not comply with the standards of said section since the property can be developed in accordance with the RU-1M(b) zoning regulations. Therefore, staff recommends denial without prejudice of request #2 under Section 33-311(A)(4)(c) (ANUV).

When request #2 is analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that said request does not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations, would be **incompatible** with the surrounding area and would be detrimental to same. As previously mentioned, the applicant recently submitted revised plans dated July 18, 2008 that depict all 9 proposed lots with minimum lot frontages of 60' and lot areas of 6,000 sq. ft., which now meet the minimum lot frontage and lot area requirements of the RU-1M(b) zoning district. However, staff opines that request #2, to waive the zoning regulations requiring lots to have frontage on a public street in order to permit parcels of land with 0' of frontage on a public street (60' required) and to permit the proposed lots with lot frontages varying from 60' to 90' on a 20' wide private easement, would detrimentally impact the surrounding area. Staff's review of the submitted revised plan dated, reveals that the proposed "T"-shaped, 20' wide private easement creates a dead end at Lots 3 and 4, thereby restricting future road connectivity to SW 148 Avenue via SW 33 Terrace. Further, as previously mentioned, it should be noted that the approval of said request would set a precedent for approval of similar requests particularly for the vacant GU and RU-1M(b) zoned parcels located immediately to the east of the subject site, for lot configurations with access on private easements in an area where no such similar approvals have been granted. Moreover, the Public Works Department objects to the request to permit access to a public street by means of a private easement and indicates in their memorandum that the property shall be developed with public streets to allow for future connectivity. As such, staff opines that request #2 is **incompatible** with the surrounding area and detrimental to same and recommends that request #2 be denied without prejudice under Section 33-311(A)(4)(b).

Accordingly, staff recommends denial without prejudice of the request to waive the subdivision regulations requiring lots to have frontage on a public street (request #1) under Section 28-19(A) of the Public Works Code, denial without prejudice of request #2 under Section 33-311(A)(14) (ASDO), Section 33-311(A)(4)(c) (ANUV), and Section 33-311(A)(4)(b) (NUV).

I. **RECOMMENDATION:** Denial without prejudice of requests #1 and #2.

J. **CONDITIONS:** None.

DATE INSPECTED: 02/29/08
DATE TYPED: 02/08/08
DATE REVISED: 02/14/08; 02/21/08; 03/06/08; 05/28/08; 06/12/08; 06/23/08; 07/21/08; 07/24/08; 07/30/08; 08/08/08; 09/03/08; 09/25/08
DATE FINALIZED: 09/30/08
MCL:MTF:LVT:NC

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

Memorandum

MIAMI-DADE COUNTY

Date: August 31, 2007

To: Subrata Basu, AIA, AICP, Interim Director
Department of Planning and Zoning

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

Subject: C-10 #Z2007000241
Coral Gardens Cove, LLC
North of S.W. 34th Street and East of S.W. 149th Avenue
Non-Use Variance to Permit a Private Road and Non-Use Variance of Lot Frontage Requirements
(RU-1(M)(b)) (1.35 Acres)
16-54-39

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.

Wellfield Protection

The subject property is located within the West Wellfield Interim protection area. The West Wellfield is located between SW 72nd Street and Coral Way along theoretical SW 172nd Avenue. The Board of County Commissioners approved a wellfield protection ordinance for this wellfield. This ordinance provides for stringent wellfield protection measures that restrict development, and regulate land uses within the wellfield protection area.

Since the subject request is for a residential zoning district, a covenant prohibiting hazardous materials is not required; however, all development shall comply with the requirements of Section 24-43 of the Code.

Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required, in accordance with Code requirements. All sewer lines serving the property shall comply with the exfiltration standards, as applied to development within wellfield protection areas.

Existing public water and public sanitary sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction of the LOS standards, subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted, if adequate

capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of alternate means of sewage disposal may only be granted, in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

The subject property is located within the Bird Drive Everglades Wetlands Basin. Cut and fill, as well as drainage restrictions, are in effect within this basin. Drainage restrictions include the dedication of stormwater management areas.

A Surface Water Management Individual Permit from the South Florida Water Management District shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site development, final plat, or Miami-Dade Public Works Department approval of paving and drainage plans.

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year/1-day storm event with full on-site retention of the 100-year/3-day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP, subject to compliance with the conditions required by DERM for this proposed development order.

Wetlands

The subject property is located within the Bird Drive Wetland Basin, and is a jurisdictional wetland, as defined by Section 24-5 of the Code. Therefore, a Class IV Wetland Permit and compliance with the North Trail/Bird Drive Everglades Basin Ordinance, including plans for mitigation, tree island preservation and fill encroachment/stormwater management criteria, will be required before any work can be done on the subject property. These criteria require on-site stormwater management and a mitigation contribution to fund off-site mitigation to compensate for wetland values lost as a result of the proposed project. In addition, the lake slopes in the Bird Drive Everglades Basin are required to be no steeper than 4:1.

An on-site inspection conducted by DERM staff on July 26, 2007 revealed that unpermitted filling for a road had occurred on the southern edge of the property and disposal of solid waste. Also there is unpermitted filling on the southeast corner of the property associated with Dorado Homes Development. A "Notice of Violation and Orders to Cease and Desist" will be issued to Coral Gardens Cove, LLC by DERM for the unpermitted impacts mentioned above.

DERM has no objection to this application, provided the applicant resolves the violation issues on the property and acquires all permits prior to the initiation of any work on the subject property. A full evaluation of the resources is performed during the permitting process. While every effort is made to notify the applicant of all requirements at this time, the full permit evaluation may require that site plans be changed to preserve unique biologic resources. Specifically, Section 24-28.3(4)(b) of the Code requires that all tree islands shall be preserved within the North Trail Basin or within the Bird Drive Everglades Wetland Basin. If a tree island is determined to exist on the property, the site plans must be

changed to indicate the preservation of the tree island and a suitable amount of buffer to the development. The Wetlands Resources Section of DERM may be contacted at (305) 372-6585 for additional information concerning requirements pertaining to the Miami-Dade County Class IV Permit.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600), and the South Florida Water Management District (1-800-432-2045), may also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation
The subject property revealed the presence of tree resources; however the property contains jurisdictional wetlands. Therefore, these tree resources will be regulated through a Class IV Wetland Permit. Section 24-48 of the Code requires the preservation of all tree islands. Please be advised that any tree resources on-site that are not regulated through a Class IV Wetland Permit will require a Miami-Dade County Tree Removal Permit prior to removal or relocation.

Enforcement History
DERM has found no open or closed enforcement record for the subject property.

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.

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

REVISION 1
PH# Z2007000241
CZAB - C10

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:CORAL GARDENS ESTATES, LLC

This Department objects to this application.

This Department objects to the request to permit access to a public street by means of a private easement.

The property shall be developed with public streets with future connectivity to the east.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 12 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
9134	Coral Way w/o SW 137 Ave.	E	E
9110	Bird Dr. Ext. w/o SW 137 Ave.	E	E
9826	SW 147 Ave. s/o Bird Dr. Ext.	D	D

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.

Raul A Pino, P.L.S.
01-APR-08

C-10

Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Rudolph F. Crew, Ed.D.

Chief Facilities Officer
Jaime G. Torrens

Planning Officer
Ana Rijo-Conde, AICP

Miami-Dade County School Board
Agustin J. Barrera, Chair
Dr. Martin Karp, Vice Chair
Renier Diaz de la Portilla
Evelyn Langlieb Greer
Perla Tabares Hantman
Dr. Robert B. Ingram
Ana Rivas Logan
Dr. Marta Pérez
Dr. Solomon C. Stinson

October 25, 2007

RECEIVED
OCT 30 2007
ZONING SERVICES D... DE COUNTY
DEPT. OF PLANNING & ZONING
BY

Ms. Maria Teresa-Fojo
Acting Assistant Director of Zoning
Miami-Dade County
Department of Planning and Zoning
111 NW 1 Street, Suite 1110
Miami, Florida 33128

C-10

Re: Coral Gardens Estates, LLC – No. 07-241
Southwest corner of SW 34 Street and SW 149 Avenue

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that two of the impacted school facilities meet the referenced review threshold (please see analysis).

Additionally, at its April 13, 2005 meeting, the Board approved School District criteria that would allow District staff to make recommendations on residential zoning applications that impact public schools beyond the 115% of FISH capacity threshold (Review Criteria). Pursuant to the Interlocal and the recently approved Review Criteria, the District spoke with the applicant on October 23, 2007, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to discuss with the School District mitigation options outlined in the Review Criteria that may accommodate new students generated by the proposed application. **The applicant advised that he is unable to proffer additional mitigation other than the applicable impact fees as required by the Educational Facilities Impact Fee Ordnance.**

In accordance with the Review Criteria established by the Board, the School District is requesting that the application be denied, or that it be deferred until such time as the applicant is able to address the impact of the proposed residential development on public schools in the area.

20

School Board Administration Building *• 1450 N.E. 2nd Avenue, Suite 525 • Miami, Florida 33132*
305-995-7285 • Fax 305-995-4760 • ***arijo@dadeschools.net***

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

> New residential unit square footage X .90 (Square Footage Fee) + $600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee

As an example, assuming the proposed unit is 2,000 square feet, the additional 6 units are estimated to generate approximately $14,400 ($2,400 per unit, excluding the 2% administration fee) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Corina S. Esquijarosa
Coordinator III

CSE:cse
L-225
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Mr. Michael A. Levine
Mr. Ivan M. Rodriguez
Ms. Vivian Villaamil

SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION:	Coral Gardens Estates, LLC – No. 07-241
REQUEST:	NUV to permit private road
ACRES:	1.515 acre
LOCATION:	Southwest corner of SW 34 Street and SW 149 Avenue
UNITS:	6 additional units (3 units currently permitted for a total of 9 units)
MSA/ MULTIPLIER:	6.1/ .55 Detached
ESTIMATED STUDENT POPULATION:	3 students*
ELEMENTARY:	1
MIDDLE:	1
SENIOR:	1

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY:	Greenglade Elementary – 3060 SW 127th Avenue
MIDDLE:	Lamar L. Curry Middle - 15750 SW 47 Street
SENIOR HIGH:	G. Holmes Braddock - 3601 SW 147th Avenue

All schools are located in Regional Center V.

*Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October 2006:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Greenglade Elementary	696	528	**132%**	18	**127%**
	697 *		**132%**		**128%**
Lamar L. Curry Middle	1,678	1,018	**165%**	0	**165%**
	1,679 *		**165%**		**165%**
John A. Ferguson Senior High	3,629	3,051	**119%**	0	**119%**
	3,630 *		**119%**		**119%**

*Student population increase as a result of the proposed development

** Estimated number of students (cumulative) based on zoning/land use log (2001-present) and assuming all approved developments are built; also assumes none of the prior cumulative students are figured in current population.

1) Figures above reflect the impact of the class size amendment.
2) Pursuant to the Interlocal Agreement, all the schools impacted by this application meet the review threshold.

PLANNED RELIEF SCHOOL

School	**Status**	**Projected Occupancy Date**
State School "UU-1" (P. Bell, W. R. Thomas L. L. Curry Middle School Relief) (1,660 student stations)	Construction	2008

Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan) 2,678

Note: Some of the proposed schools will add relief to more than one school and new seats will be assigned based on projected need.

OPERATING COSTS: Accounting to Financial Affairs, the average cost for K-12 grade students amounts to $6,549 per student. The total annual operating cost for additional students residing in this development, if approved, would total $19,647.

CAPITAL COSTS: Based on the State's September 2007 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	1	x	$18,622	=	$18,622
MIDDLE	1	x	$20,109	=	$20,109
SENIOR HIGH	1	x	$26,121	=	$26,121
Total Potential Capital Cost					**$64,852**

*Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

REVISION 1

Memorandum

Date: 03-DEC-07

To: Subrata Basu, Interim Director
Department of Planning and Zoning

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2007000241

Fire Prevention Unit:

This Memo supersedes MDFR Memorandum dated August 7, 2007.
APPROVAL
Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped November 20, 2007. Any changes to the vehicular circulation must be resubmitted for review and approval.
This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for zoning hearing applications. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDFR requirements.

Service Impact/Demand:

Development for the above Z2007000241
located at NORTH OF S.W. 34 STREET, APROXIMATELY 180' EAST OF S.W. 149TH AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1514 is proposed as the following:

9 residential	dwelling units	N/A industrial	square feet
N/A Office	square feet	N/A institutional	square feet
N/A Retail	square feet	N/A nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 2.52 alarms-annually.
The estimated average travel time is: 6:15 minutes

Existing services:

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

Station 37 - West Bird - 4200 SW 142 Avenue
Rescue, ALS Engine

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 plans date stamped November 20, 2007. Substantial changes to the plans will require additional service impact analysis.

DATE: 06/20/08
REVISION 3

TEAM METRO

ENFORCEMENT HISTORY

CORAL GARDENS ESTATES, LLC	NORTH OF S.W. 34 STREET, APROXIMATELY 180' EAST OF S.W. 149TH AVENUE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2007000241

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

CMS#
200812005787
06/20/08
Case opened for obtaining permit for Private Road on Vacant Lot. NCO Patricia Arcila conducted an inspection on June 20, 2008 and found it not in violation. Per DERM property is a wetland property. Close case.

CMS#
200812002520
03/03/08
Property is overgrown. Warning will be issued to clear overgrowth at the firebreak surrounding the property or the entire property pending upon DERM determination if the property is considered protected Wetland or not. It was determined by DERM that folio number is a Wetland Property. Update information as of March 14, 2008 warning letter #R102401 was issued to Property Owner for overgrowth on the firebreak area. Violation was not corrected and Civil Violation Notice #B037181 was issued to Property Owner for not complying. Property Owner appealed CVN and was given 30 days as of June 18, 2008 to go to Administrative Hearing for Team Metro. Pending results of hearing.

CMS#
200712010349
08/01/07
Case opened for Enforcement History. NCO Patricia Arcila conducted an inspection on August 1,

2007 and found the property not to be in violation. Close case. Per DERM, property is a Wetland Property.

CMS#
200712009223
07/11/07
Case opened for Enforcement History. NCO Patricia Arcila conducted an inspection on July 11, 2007 and found the property not to be in violation. Close case. Per DERM, property is a Wetland Property.

CMS #
200412000601
01/28/04
Case opened for Junk/Trash/Overgrowth on Unimproved/Improved Property. NCO Osiel Morales conducted an inspection on February 10, 2004 and found it not in violation. Property is a wetland property Close case.

Coral Gardens Estate, LLC

Patricia Arcila

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: Coral Gardens Estates, LLC

NAME AND ADDRESS	Percentage of Stock
Annette M. Hernandez	25%
Juan C. Hernandez	25%
Nilo A. Hernandez	25%
Margarita Hernandez	25%

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 _____

NAME AND ADDRESS	Percentage of Interest

RECEIVED
207-241
JUL 16 2007
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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: _____

NAME AND ADDRESS	Percentage of Ownership

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].

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: Enri Painting, LLC

NAME AND ADDRESS	Percentage of Stock
Ricardo Fernandez	50%
Enrique Sompero	50%

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 _____

NAME AND ADDRESS	Percentage of Interest

RECEIVED
2007-241
JUL 16 2007
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

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: _____

NAME AND ADDRESS	Percentage of Ownership

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
2007-241
JUL 16 2007
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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.

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 15 day of May, 2007. Affiant is personally know to me or has produced _____ as identification.

Annette M. Hernandez
(Notary Public)

My commission expires: May 8 2010

*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.

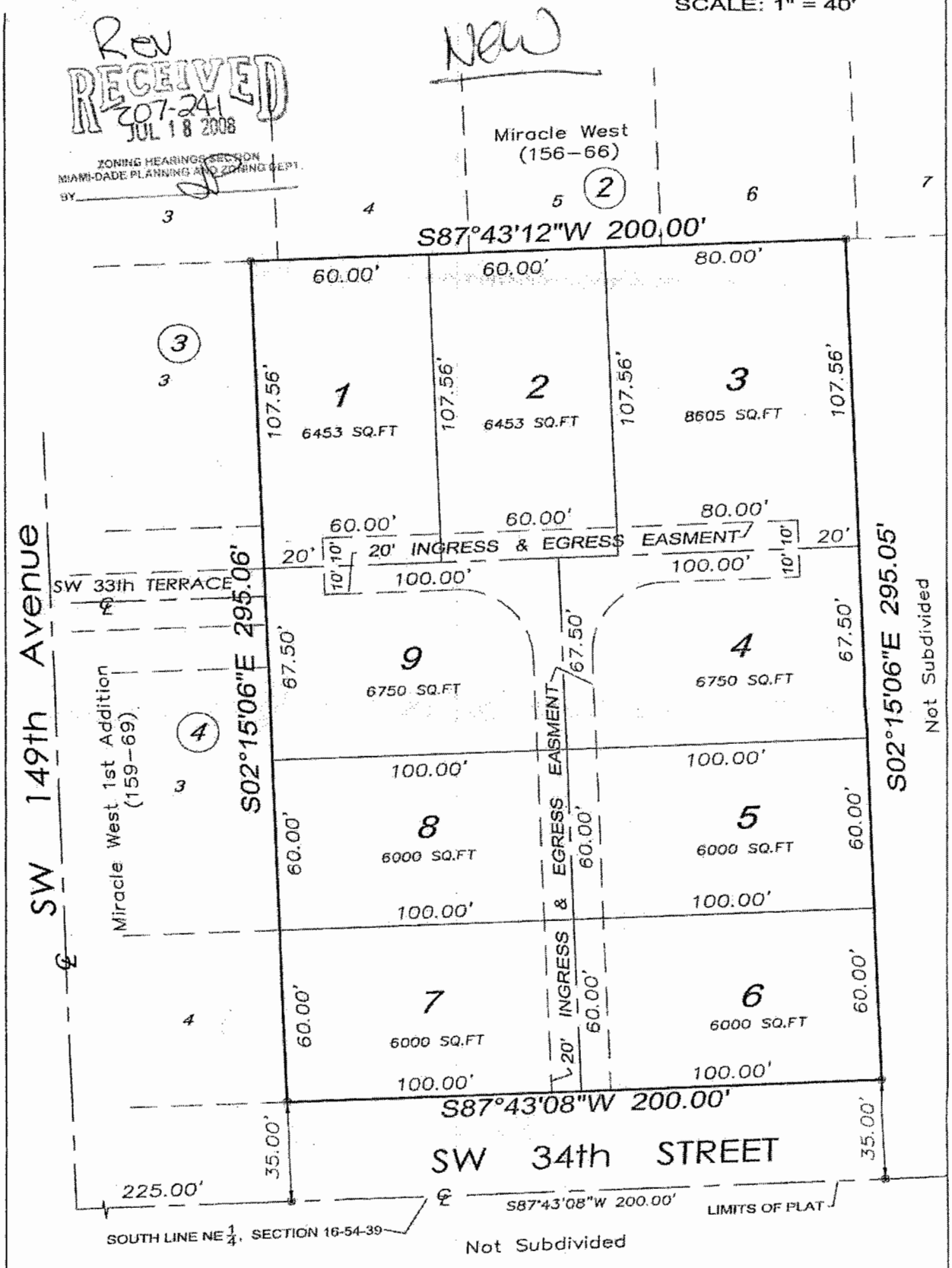
SITE PLAN

SCALE: 1" = 40'

Rev

RECEIVED
07-241
JUL 18 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

New

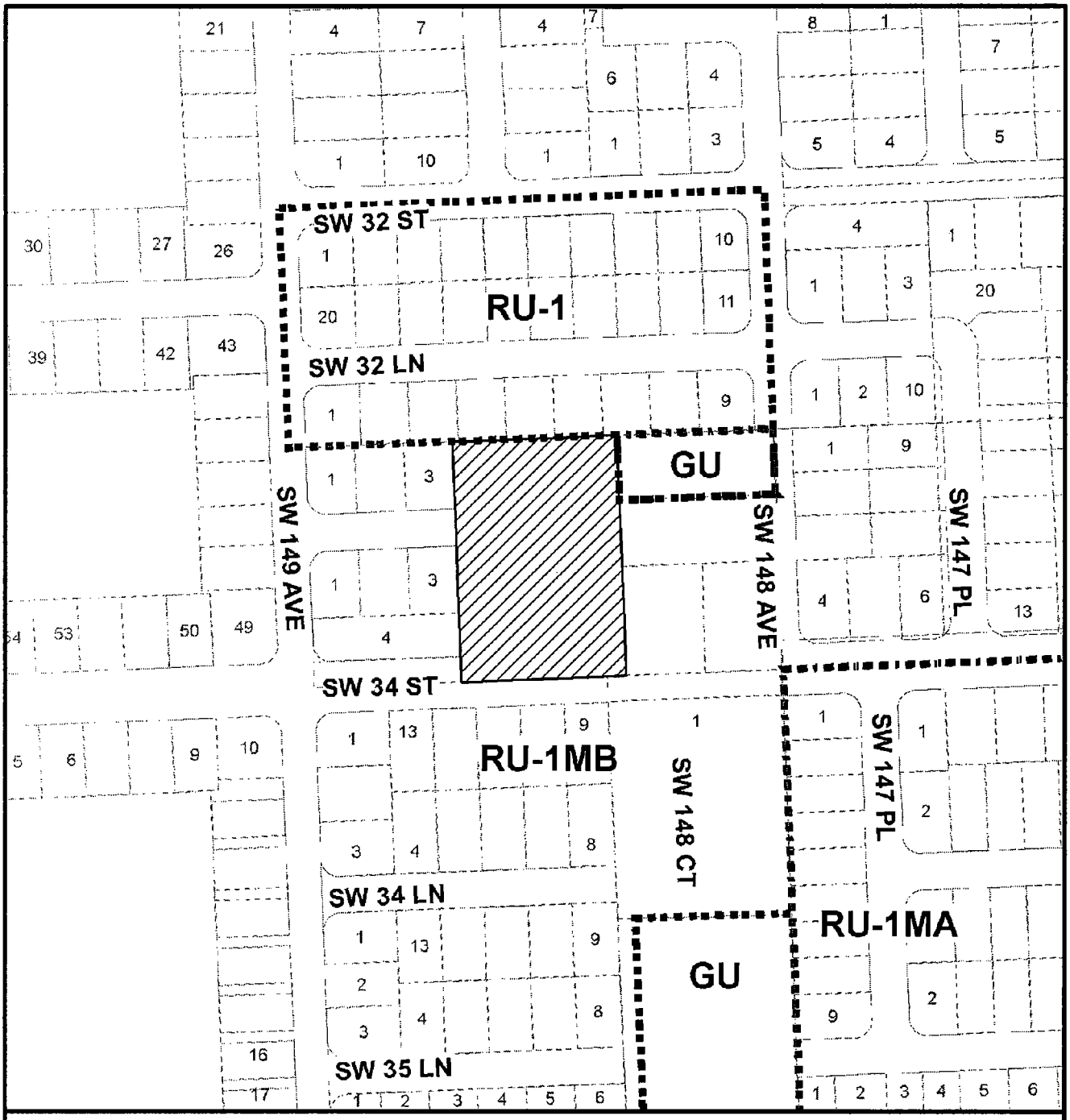


NO. BLOCKS 1

NO. LOTS 9

MANUEL G. VERA & ASSOCIATES, INC.
ENGINEERS • SURVEYORS • MAPPERS
13960 SW 47th Street • Miami, FL 33175 • Phone (305)221-0210
P.O. BOX 650578 • Miami, FL 33265 • Fax (305)221-1295
www.mgvam.com • e-mail: mveras@mgvera.com
LB 2439

SITE PLAN



MIAMI-DADE COUNTY
HEARING MAP

Process Number
07-241

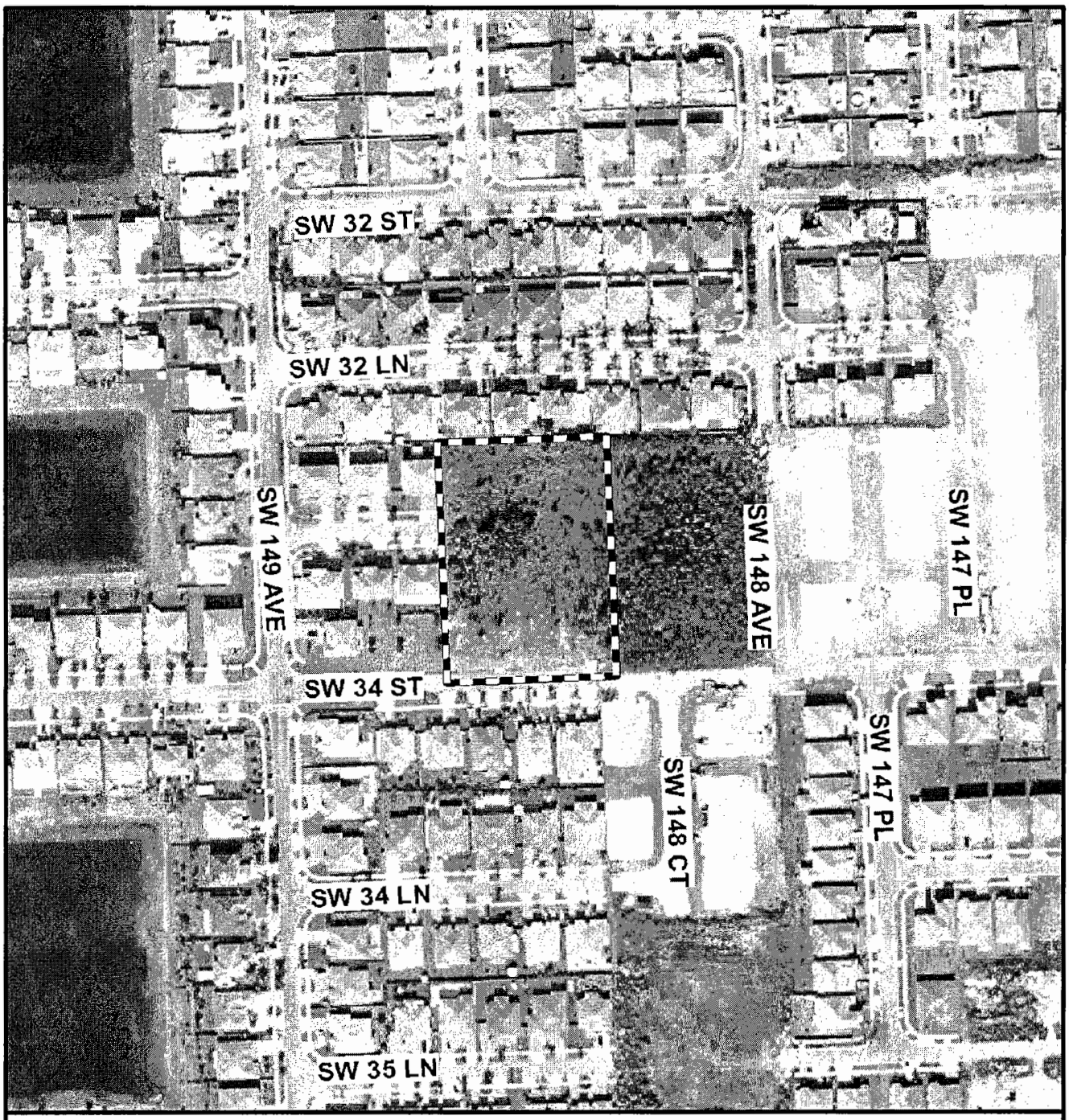
S C A L E
0 NTS
N

SUBJECT PROPERTY

Section: 16 Township: 54 Range: 39
Applicant: CORAL GARDENS COVE, LLC.
Zoning Board: C10
District Number: 11
Cadastral: ALFREDO
Scale: NTS

MIAMI-DADE COUNTY

GEOMATICS 07-241 07/31/07.AFT
Changes Abel's Request.02/14/08.AFT



MIAMI-DADE COUNTY
AERIAL

Process Number
07-241

S C A L E
0 NTS

N

SUBJECT PROPERTY

(AERIAL DATE, FIRST QUARTER 2007)

Section: 16 Township: 54 Range: 39
Applicant: CORAL GARDENS COVE, LLC.
Zoning Board: C10
District Number: 11
Cadastral: ALFREDO
Scale: NTS

MIAMI-DADE COUNTY

GEOMATICS 07-241 07/31/07.AFT
Changes Abel's Request.02/14/08.AFT

B. LISSETTE MARIA BIENES
(Applicant)

08-9-CZ10-1 (05-236)
Area 10/District 10
Hearing Date: 10/30/08

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:

Year	Applicant	Request	Board	Decision
				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 10
MOTION SLIP

#1

APPLICANT'S NAME: **LISSETTE MARIA BIENES**

REPRESENTATIVE: Lissette Maria Bienes

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
08-9-CZ10-1 (05-236)	September 11, 2008	CZAB10		08

REC: Approval with conditions of request #1; approval with conditions of requests #2 through #5 under Section 33-311(A)(4)(b) (NUV); denial without prejudice of requests #2 and # under Section 33-311(A)(20) (ASDO option for semi-professional office buildings and structures); and denial without prejudice of requests #2 through #5 under Section 33-311(A)(4)(c) (ANUV).

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S): _____

■ DEFER: ☐ INDEFINITELY ■ TO: Oct 30, 2008 ☐ 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: To provide covenant limiting uses on property, to restrict development to submittal plans and consider adding more parking.

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	**S**	George A. ALVAREZ	**X**		
MR.		Jorge BARBONTIN	**X**		
VICE-CHAIRMAN		Julio R. CACERES	**X**		
MR.		Jose GARRIDO (C.A.)	**X**		
MR.		Ruben POL III	**X**		
CHAIRMAN	**M**	Carlos A. MANRIQUE	**X**		
		VOTE:	**6**	**0**	

EXHIBITS: ■ YES ☐ NO COUNTY ATTORNEY: **DAVID HOPE**

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 10

APPLICANT: Lissette Maria Bienes **PH:** Z05-236 (08-9-CZ10-1)

SECTION: 17-54-40 **DATE:** October 30, 2008

COMMISSION DISTRICT: 10 **ITEM NO.:** B

==========

A. INTRODUCTION

- **REQUESTS:**

  (1) USE VARIANCE to permit semi-professional office uses in the RU-1 zone as would be permitted in the RU-5A zone.

  (2) Applicant is requesting to permit a lot area of 8,400 sq. ft. (10,000 sq. ft. required).

  (3) Applicant is requesting to permit a setback of 24' (25' required) from the front (west) property line, setback 12'11" (15' required) from the interior side (south) property line and setback 14'8" (15' required) from the side street (north) property line.

  (4) Applicant is requesting to permit parking to back-out into adjacent right-of-way (not permitted).

  (5) Applicant is requesting to waive the zoning regulation requiring section line road rights-of-way to be 80' wide; to permit 35' of dedication (40' required) for the east half of S.W. 107 Avenue.

  Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 and #3 may be considered under §33-311(A)(20) (Alternative Site Development Option for Semi-Professional Office Buildings and Structures) and approval of requests #2 - #5 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

  Plans are on file and may be examined in the Department of Planning and Zoning entitled "Lissette Bienes Professional Office Interior Alteration," as prepared by A. M. Julien, Architect, dated stamped received 12/7/07 and consisting of 3 sheets. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:** The applicant seeks a use variance to permit RU-5A, Semi-Professional Office District uses, in the RU-1, Single-Family Residential District, zone. The applicant also seeks to permit less lot area than required in the RU-5A zone; to permit parking to back-out into adjacent right-of-way; and to waive the zoning regulations requiring section line rights-of-way to be 80' in width. Additionally, the applicant seeks to permit the proposed office structure setback closer to the front, interior side and side street property lines than permitted.

- **LOCATION:** 3401 S.W. 107 Avenue, Miami-Dade County, Florida.

- **SIZE:** 80' x 105'

- **IMPACT:** Approval of this application will allow the applicant to provide semi-professional office space for the community. However, the proposed office use will bring additional non-local traffic and noise to the surrounding area and will be intrusive to the residential area located to the east of the site. Further, the approval of the additional variance requests for reduced lot area and setbacks could be visually intrusive to the adjacent properties. Moreover, approval of the requests to permit less right-of-way dedication and to permit parking to back-out onto the right-of-way could disrupt traffic flow along SW 107 Avenue.

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential** use.

1. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan Density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this CDMP titled "Concepts and Limitations of the Land Use Plan Map." The limitation referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.

2. **Office uses** smaller than five acres in size may be approved in areas designated as Residential Communities where other office, business or industrial use(s) which are not inconsistent with this plan already lawfully exist on the same block face. However, where such an office, business, or industrial use exists only on a corner lot of a subject block face or block end, approval of office use elsewhere on the block is limited to the one block face or block end which is the more heavily trafficked side of the referenced corner lot. Office uses may be approved on such sites only if consistent with the objectives and policies of the CDMP and the use or zoning district 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 be out of scale with the character of the neighboring uses or would detrimentally impact the surrounding area. In applying this provision, the maximum limits of an eligible residentially designated block face along which office uses may be extended shall not extend beyond the first intersecting public or private street, whether existing, platted or projected to be necessary to provide access to other property, or beyond the first railroad right-of-way, utility transmission easement or right-of-way exceeding 60 feet in width, canal, lake, public school, church, park, golf course or major recreational facility.

   In addition, office uses may be approved along the frontage of major roadways in residential community areas where residences have become less desirable due to inadequate setbacks from roadway traffic and noise, or due to a mixture of nonresidential uses or activities in the vicinity in accordance with the limitations set forth in this paragraph. These office uses may occur in combination with or independent of residential use. Such limited office uses may be

approved on such sites in residential community areas only where: a) the residential lot fronts directly on a Major Roadway as designated on the Land Use Plan map (Frontage roads are not eligible for consideration); b) the lot or site size does not exceed one acre; and c) the residential area is not zoned, developed or designated on the Land Use Plan map for Estate Density Residential, nor does subject frontage face such an Estate Density area. Office use approvals, pursuant to this paragraph may only authorize: a) conversion of an existing residence into an office; b) addition of an office use to an existing residence; or, c) the construction of a new office building on lots which were finally platted prior to March 25, 1991 in a size one acre or smaller. Additionally, such office uses may be approved only if the scale and character of the prospective office use are compatible with the surrounding residential neighborhood and if the site has sufficient dimensions to permit adequate on-site parking and buffering of adjacent residences from the office. Other factors that will be considered in determining compatibility include, but are not limited to traffic, noise, lighting, shadows, access, signage, landscaping, and hours of operation. Signage shall be restricted both in size, style, and location to preclude a commercial appearance. Landscaping and buffering of adjacent residences and rear properties will be required. Emphasis shall be placed on retention of the general architectural style of the area, where the area is sound and attractive. Development Orders authorizing the conversion of existing homes into offices, the addition of offices to existing residences or the construction of new buildings encompassing office uses pursuant to this paragraph may be approved only where compatible and where the intensity and character of the new building including gross floor area, lot coverage and height, will be consistent with the homes which exist or which could be built on the immediately adjacent parcels.

3. **Policy LU-4C.** Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua
Surrounding Properties:	
NORTH: RU-1; 1-story office building	Low Density Residential, 2.5 to 6 dua
SOUTH: RU-1; 1-story office building	Low Density Residential, 2.5 to 6 dua
EAST: RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua
WEST: RU-2; 1-story office building	Low Density Residential, 2.5 to 6 dua

The subject property is a corner lot located at 3401 SW 107 Avenue, in an area characterized by single-family residences that have been converted into semi-professional offices as well as a residential area located to the east of the site.

E. SITE AND BUILDINGS:

Site Plan Review:	(Site 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**

*Subject to conditions.

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(4)(a) Use Variance. The Board shall hear and grant applications for **use variances** from the terms of the zoning regulations as 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 use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum use variance that will permit the reasonable use of the premises. A "use variance" is a variance which permits a use of land other than which is prescribed by the zoning regulations and shall include a change in permitted density.

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 from the terms of the zoning regulations 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.

Section 33-311(A)(20) Alternative Site Development Option for Semi-professional Office Buildings and Structures.

(c) Setbacks for a principal building, or accessory building or structure in the RU-5A, 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 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 by more than twenty percent (20%) of the landscaped open space percentage required by the applicable district regulations; and

(4) any area of shadow cast by the proposed alternative development upon an adjoining property 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 if located on the roof of such an alternative development shall be screened from ground view and from view at the level in which the installations are located, and shall be designed as an integral part of and harmonious with the building design; 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(s) or addition(s) are aesthetically harmonious with that of other existing or proposed structure(s) or building(s) on the parcel proposed for alternative development; and

(8) the wall(s) of any building within a front, side street or double frontage setback area or within a setback area adjacent to a discordant use, 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 alternative 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, parcel or tract; and

(10) any windows or doors in any building(s) to be located within an interior side or rear 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 building(s) of a discordant use located on an adjoining parcel of land; and

(11) total lot coverage shall not be increased by more than ten percent (10%) of the lot coverage permitted by the underlying district regulations; or a total floor area ratio shall not be increased by more than ten percent (10%) of the floor area ratio permitted by the underlying district regulations; and

(12) the area within an interior side or rear setback required by the underlying district regulations located adjacent to a discordant use 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 of a discordant use 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 eighty percent (80%) (if located adjoining or adjacent to a discordant use) of the proposed alternative development to a height of the lower fourteen (14) feet of such structure(s) at time of planting; or

(B) is screened from adjoining property by an opaque fence or wall at least five (5) feet in height, if located adjoining or adjacent to a discordant use, that meets the standards set forth in paragraph (g) herein; and

(14) any structure in the RU-5A district 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 10 feet or the minimum distance to comply with fire safety standards, whichever is greater; and

(15) when a principal building, or accessory building in the RU-5A district, 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

(16) safe sight distance triangles shall be maintained as required by this code; and

(17) the parcel proposed for alternative development shall continue to provide the required number of on-site parking spaces as required by this Code; and

(18) the parcel proposed for alternative development shall satisfy underlying district regulations or, if applicable, prior zoning actions issued prior to the effective date of this ordinance (July 11, 2003), regulating setbacks, lot area and lot frontage, lot coverage, floor area ratio, landscaped open space and structure height; and

(19) the proposed development will meet the following:

(A) interior side setbacks shall not be reduced by more than fifty percent (50%) of the side setbacks required by the underlying district regulations, or the minimum distance required to comply with fire safety standards, whichever is greater when the adjoining parcel of land is a RU-5, RU-5A, BU, IU, or OPD district or use provided, however, interior side setbacks shall not be reduced by more than twenty-five percent (25%) of the interior side setbacks required by the underlying district regulations when the adjoining parcel of land allows a discordant use.

(B) side street setbacks shall not be reduced by more than twenty-five percent (25%) of the underlying district regulations;

(C) front setbacks (including double-frontage setbacks) shall not be reduced by more than twenty-five percent (25%) of the setbacks required by the underlying district regulations; and

(D) rear setbacks shall not be reduced below fifty percent (50%) of the rear setback required by the underlying district regulations, or the minimum distance required to comply with fire safety standards, whichever is greater, when the adjoining parcel of land is a RU-5, RU-5A, BU, IU, or OPD district or use provided, however, rear setbacks shall not be reduced below twenty-five percent (25%) of the rear setback required by the underlying district regulations when the adjoining parcel of land allows a discordant use.

(E) setbacks between building(s) shall not be reduced below 10 feet, or the minimum distance required to comply with fire safety standards, whichever is greater.

(f) An alternative **lot area and frontage** shall be approved upon a demonstration of at least one of the following:

(1) the proposed lot area and frontage shall permit the development or redevelopment of a structure(s) on a lot, parcel or tract of land where such structure(s) would not otherwise be permitted by the underlying district regulations due to the size or configuration of the parcel proposed for alternative development, provided that:

(A) the lot, parcel or tract is under lawful separate ownership from any contiguous property; and

(B) the proposed alternative development will not result in the further subdivision of land; and

(C) the size and dimensions of the lot, parcel or tract are sufficient to provide all setbacks required by the underlying district regulations; and

(D) the area of the lot, parcel or tract is not less than: seventy-five percent (75%) of the minimum lot area required by the underlying district regulations; or eighty-five percent (85%) of the underlying district regulations for an older subdivision of land caused by a conveyance or device of record prior to August 2, 1938, or a platted unrevoked subdivision recorded prior to August 2, 1938; and

(E) the proposed alternative development does not result in an obvious departure from the aesthetic character of the immediate vicinity; and

(F) the frontage dimension of the lot, parcel or tract is not less than: seventy-five percent (75%) of the minimum frontage required by the applicable district regulations; or eighty-five percent (85%) of the underlying district regulations for older subdivisions of land caused by a conveyance or device of record prior to August 2, 1938, or a platted unrevoked subdivision recorded prior to August 2, 1938, except that the frontage dimension of a flag-lot, parcel or tract shall be permitted to be reduced to the minimum width necessary to allow vehicular access as determined by the County; and

(G) the resultant frontage dimension of the lot, parcel or tract provides vehicular ingress and egress to all resulting lots, parcels or tracts, including on-site access to emergency equipment; or

(2) the proposed alternative development results in landscaped open space, community design, amenities or preservation of natural resources that enhances the function or aesthetic character of the immediate vicinity in a manner not otherwise achievable through application of the applicable district regulations, provided that:

(A) the number of lots of the proposed alternative development does not exceed that normally permitted by the lot area dimensions of the underlying district regulations; and

(B) the size and dimensions of each lot, parcel or tract in the proposed alternative development are sufficient to provide all setbacks required by the underlying district regulations, or, if applicable, any prior zoning actions for similar uses issued prior to the effective date of this ordinance (July 11, 2003); and

(C) the area of each lot, parcel or tract is not less than eighty percent (80%) of the area required by the applicable district regulations; and

(D) the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and

(E) the resultant frontage of the lot, parcel or tract provides vehicular ingress and egress to all resulting lots, parcels or tracts, including on-site access to emergency equipment, or

(3) the proposed lot area and frontage is such that:

(A) the proposed alternative development will not result in the creation of more than two (2) lots, parcels or tracts; and

(B) the size and dimensions of each lot, parcel or tract are sufficient to provide all setbacks required by the applicable district regulations; and

(C) no lot area shall be less than the smaller of:

(i) ninety percent (90%) of the lot area required by the applicable district regulations; or

(ii) the average area of the developed lots, parcels or tracts in the immediate vicinity within the same zoning district; and

(D) the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and

(E) the resultant frontage provides vehicular ingress and egress to all resulting lots, parcels or tracts, including on-site access to emergency equipment.

(k) 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

(l) 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 economic viability of any enterprises proposed within the approved development and the quality of life of residents and business tenants of 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, landscaped open space over and above that normally required by the code, additional trees or landscaping, the inclusion of residential use(s), convenient pedestrian connection(s) to adjacent residential development(s), 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, cohesive wall signage, and decorative street lighting. In determining which amenities or buffering elements are appropriate for a proposed commercial development, the following shall be considered:

(A) the types of needs of the residents or business tenants of the immediate vicinity and the needs of the occupants of the parcel proposed for development that would likely

be occasioned by the development, including but not limited to recreational, open space, transportation, aesthetic amenities, and buffering from adverse impacts; and

(B) the proportionality between the impacts on the residents, business tenants or occupants of parcel(s) in 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 landscape open space.

G. NEIGHBORHOOD SERVICES:

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

*Subject to the conditions indicated in their memorandum.

H. ANALYSIS:

This application was deferred from the September 11, 2008 meeting at the applicant's request to allow the applicant time to submit a covenant restricting the development of the site to the submitted plans and limiting the uses on the property and to allow the applicant time to consider incorporating additional parking on the site. It should be noted that the applicant has met with staff; however, as of the time of this writing, staff has not received said covenant or plan revision. The subject property is a corner lot located at 3401 SW 107 Avenue in an area characterized by single-family residences that front on SW 107 Avenue, which have for the most part, been approved for and converted into offices. The subject property is neighbored to the east (rear) by a single-family residence. The 0.19-acre subject site is currently improved with a one-story single-family residence with a carport addition attached to the front of the residence, which the applicant has indicated on the submitted plan, is to be removed. A metal shed is located on the southeast corner of the site, which the applicant has noted on the plan is also to be removed. The applicant is seeking a use variance to permit semi-professional office uses in the RU-1, Single-Family Residential District, as would be permitted in the RU-5A, Semi-Professional Office District, (request #1). RU-5A uses include, but are not limited to, office buildings for accountants, architects, attorneys, dentists, medical doctors, notary publics, real estate and travel agencies, as well as banks without drive-through teller facilities. Additionally, the applicant seeks to permit a lot area of 8,400 sq. ft. (10,000 sq. ft. required in the RU-5A zone) and to permit a building setback 24' (25' required) from the front (west) property line, setback 12'11" (15' required) from the interior side (south) property line, and setback 14'8" (15' required) from the side street (north) property line (request #3). The applicant also seeks to permit parking to back-out into adjacent right-of-way (not permitted) (request #4) and to waive the zoning regulation requiring section line rights-of-way to be 80' in width; to permit 35' of dedication (40' required) for the east half of SW 107 Avenue (request #5). The applicant has submitted plans depicting the above-mentioned requests.

Plans submitted by the applicant depict the conversion of the existing 1-story single-family residence to accommodate a proposed 1,785 sq. ft. office use. There are 4 parking spaces provided to the rear of the building on the eastern portion of the site and 1 parking space is provided in front of the building that backs out onto SW 107 Avenue and is labeled as "owner

parking" for a total of 5 parking spaces. Staff notes that the applicant has provided the required number of parking spaces (5) for the proposed office development. Proposed access to the site is provided via an ingress/egress drive located on SW 34 Street, which leads directly into the rear parking area and a 10'11" wide driveway is provided along SW 107 Avenue leading to a single parking space in front of the structure which the applicant has indicated is to be for the owner's use. Staff notes that there is an existing 6' high wood fence along the rear (west) property line and that a 6' wood fence is proposed along the interior side (south) property line. Landscape plans illustrate that Live Oak trees and Cabbage Palms are being provided along the rear (east) and interior side (south) property lines as well as along the front and side street property lines. Additional landscaping in the form of a Babadus Sherry Hedge is provided along the front, portions of the side street and interior side property lines.

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. However, the applicant will have to comply with all DERM requirements as indicated in their memorandum for this application. The Public Works Department **(PWD) objects** to this application. Specifically, their memorandum indicates that approval of the request to permit parking to back-out into the right-of-way will disrupt the flow of traffic along a major arterial roadway, SW 107 Avenue. However, the PWD has no objections to the request to permit 35' of dedication for the east half of SW 107 Avenue where 40' is required. Additionally, their memorandum indicates that the proposed office use generates the same number of vehicle trips as the existing single-family use on the property and will not generate any new vehicle trips; therefore this application meets the initial traffic concurrency criteria. The Miami-Dade Fire Rescue Department **(MDFR)** has **no objections** to this application and indicates that their estimated response time is **6:18** minutes.

Approval of the application will allow the applicant to provide semi-professional office services for the community. This area is designated for **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). The CDMP provides that office uses may be approved along the frontage of major roadways in residential community areas where residences have become less desirable due to inadequate setbacks from roadway traffic and noise, or due to a mixture of nonresidential uses or activities in the vicinity in accordance with the limitations set forth in the CDMP. These office uses may occur in combination with or independent of residential use. Such limited office uses may be approved on such sites in residential community areas only where: a) the residential lot fronts directly on a Major Roadway as designated on the Land Use Plan map; b) the lot or site size does not exceed one acre; and c) the residential area is not zoned, developed or designated on the Land Use Plan map for Estate Density Residential, nor does the subject frontage face such an Estate Density area. The subject property meets the aforementioned criteria of the Master Plan including that the subject property is located on a section-line-roadway (SW 107 Avenue) also designated as a "major roadway" on the Land Use Plan map, the site is less than one acre in size, is not zoned, developed or designated on the Land Use Plan map for Estate Density Residential use, and the subject frontage does not face an Estate Density area. Furthermore, the Master Plan also indicates that where other office, business or industrial uses exist on the same block face, approval of office uses on sites smaller than 1 acre may be granted. Research reveals that similar approvals have been granted on properties within the same block face as the subject property. Specifically, in 1994, the property that abuts the subject property to the south, located at 3411 SW 107 Avenue, was granted a use variance to permit semi-professional office uses in the RU-1 district as would be permitted in the RU-5A district as well as non-use variances to permit a lot area of 7,875 sq. ft. (10,000 sq. ft. required), to permit 35' of right-of-way dedication (40' required) for SW 107 Avenue, to permit the office building setback closer to the front and interior side property lines and to permit parking to back out onto SW 107 Avenue, among others, pursuant to Resolution #5-ZAB-

143-94. Further, in 1993, a property located at 3421 SW 107 Avenue, approximately 83' to the south of the subject property, was granted a use variance to permit an engineering drafting office in the RU-1 zone as would be permitted in the RU-5A zone as well as non-use variances to permit a lot area of 7,875 sq. ft. (10,000 sq. ft. required), to permit 35' of right-of-way dedication (40' required) for SW 107 Avenue, to permit the office building setback closer to both interior side property lines, among others, pursuant to Resolution #4-ZAB-117-93. Additionally, in 1997, property located at 3431 SW 107 Avenue, approximately 170' to the south of the subject site, was granted a use variance to permit RU-5A uses in the RU-1 zone as well as non-use variances to permit less lot area than required, reduced setbacks, and to permit 35' of right-of-way dedication (40' required) for SW 107 Avenue, pursuant to Resolution #5-ZAB-96-97. Moreover, in 1992 and 2005, properties located at 3501 and 3531 SW 107 Avenue, approximately 260' and 475' to the south of the subject site, were also approved use variance requests to permit semi-professional office uses in the RU-1 zone as would be permitted in the RU-5A zone, among other requests, pursuant to Resolution #4-ZAB349-92 and Resolution #CZAB10-61-05, respectively. Therefore, as indicated above, the proposed office use would be **consistent** with the interpretative text of the CDMP and **compatible** with the existing office uses approved within the block face where the subject property lies.

The applicant is proposing a use variance to permit semi-professional office uses in the RU-1 zone as would be permitted in the RU-5A zone (request #1). As previously mentioned, the subject site is consistent with the Master Plan and compatible with the previously discussed approvals in the area. A **use variance** as provided in Section 33-311(A)(4)(a) permits a use of land other than that which is prescribed by the zoning regulations. The standard stipulates that the Board shall hear and grant applications for use variances from the terms of the zoning regulations as 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; and further provided that the use variance will be in harmony with the general purpose and intent of the regulations. As previously discussed, a majority of the lots that front on SW 107 Avenue, located in the block where the subject property lies, have been, over time, approved for use variances to permit office uses in the RU-1 zoning district. Specifically, staff notes that 5 out of the 8 lots located within the block where the subject property lies have been granted use variances to permit office uses and have since been converted to accommodate a variety of office uses. Moreover, staff notes that the site located at 3331 SW 107 Avenue, to the north of the subject site across SW 34 Street, was granted, among other requests, a use variance to permit an insurance agency in an RU-1 zone as would be permitted in the RU-5A zone, pursuant to Resolution #5-ZAB-10-93. Additionally, it should be noted that property located at 10710 SW 34 Street immediately to the west of the subject site across SW 107 Avenue, was granted, among other requests, a use variance to permit a medical office in the RU-1 zone as would be permitted in the RU-5A zone, pursuant to Resolution #5-ZAB-243-95. As such, it should be noted that the subject site is surrounded on three sides by properties that have been granted use variances to permit office uses and have since been converted to accommodate said office uses. Based on the aforementioned, staff opines that the subject site is no longer conducive for use as a single-family residence due to increased traffic along SW 107 Avenue generated by the multitude of use variances for office uses and zone changes to RU-5A that have been granted over time on properties fronting on SW 107 Avenue between SW 32 Street and SW 40 Street. Additionally, it should be noted that parking lots and signage normally associated with office uses detract from the residential character of the area, and activities associated with the nearby office uses generate noise that would further preclude the sense of tranquility that is generally characteristic of single-family residential sites. Therefore, staff is of the opinion that the approval of the requested use variance to permit semi-professional office uses in the RU-1 zone as would be permitted in the RU-5A zone on the subject property will not be contrary to the public interest and will be in harmony with the

general purpose and intent of the regulations which is to promote development that is compatible with the surrounding area. Staff's research reveals that due to the conversion of the area to predominantly office usage, special conditions have transpired in the surrounding area whereby a literal enforcement of the provisions of the RU-1 zoning regulations would result in **unnecessary hardship**. In staff's opinion, the spirit of the regulations shall be observed and substantial justice done by the approval of the semi-professional office use on this site. Therefore, staff recommends approval with conditions of the requested use variance under Section 33-311(A)(4)(a).

When requests #2 and #3 are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that said requests maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Requests #2 and #3, to permit a lot area of 8,400 sq. ft. where 10,000 sq. ft. is required and to permit a setback of 24' (25' required) from the front (west) property line, setback 12'11" (15' required) from the interior side (south) property line and setback 14'8" (15' required) from the side street (north) property line are supported by staff. Staff notes that these requests are **compatible** with the area as similar approvals have been granted in conjunction with the previously mentioned office uses along SW 107 Avenue between SW 32 Street and SW 40 Street. Specifically, staff notes that property to the south of the subject site was granted, among other requests, a request to permit a lot area of 7,875 sq. ft. (10,000 sq. ft. required) and approval of a request to permit a proposed dental office setback 10.5' (15' required) from both interior side property lines and setback 22' (25' required) from the front property line was also granted, pursuant to Resolution #5-ZAB-143-94. Moreover, it should be noted that the property to the north of the subject site was granted, among other requests, a request to permit a lot area of 7,875 sq. ft. (10,000 sq. ft. required) and a request to permit an office building setback 11.75' (15' required) from the side street property line, setback 12.1' (15' required) from the interior side property line and setback 24.35' (25' required) from the front property line, pursuant to Resolution #5-ZAB-10-93. Additionally, staff notes that the submitted plans depict abundant landscaping along the perimeter of the site and a proposed 6' high wood fence along the rear (east) property line and interior side (south) property line, which will mitigate any negative visual impacts associated with the requested setback encroachments. Therefore, staff recommends approval with conditions of requests #2 and #3 under Section 33-311(A)(4)(b) (NUV).

The Alternative Site Development Option (ASDO) Standards, Section 33-311(A)(20), 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 of requests #2 and #3 under the ASDO standards. As such, staff is unable to properly analyze the requests under these standards and recommends denial without prejudice of requests #2 and #3 under Section 33-311(A)(20) (ASDO).

When requests #4 and #5 are analyzed under Section 33-311(A)(4)(b) (NUV), staff is of the opinion that these requests maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Approval of request #4 would permit the parking space located in front of the existing residence to back out onto SW 107 Avenue. Staff notes that parking spaces for single-family residential sites are allowed to back out into rights-of-way; however, under the RU-5A regulations, parking spaces that back out onto the right-of-way are not permitted. Although staff acknowledges that the PWD objects to the request to permit the parking space located in front of the existing residence to back out onto SW 107 Avenue, staff notes that the applicant is only proposing one parking space to back out into the right-of-way and staff also notes that the approval of said request is **compatible** with the area as similar approvals have been granted in

the area in conjunction with other approved office uses. Specifically, staff notes that property located to the south of the subject site was granted, among other requests, a request to permit a parking space located in front of the building to back out onto SW 107 Avenue, pursuant to Resolution #5-ZAB-143-94. Approval of request #5, to waive the zoning regulations requiring section line rights-of-way to be 80' in width to permit 35' of dedication for the east half of SW 107 Avenue where 40' is required, would allow the applicant to utilize the 8,400 sq. ft. lot without lessing out an additional 5' for right-of-way dedication. Research reveals that the majority of the east side of SW 107 Avenue, although a section-line roadway within section mile 17-54-40, is dedicated with 35' of width for the right-of-way. As such, staff notes that the approval of this request would not be an obvious departure from the aesthetic character and physicality of the roadway as evidenced by the uniformity of width of the right-of-way along this portion of the roadway. Furthermore, the PWD has no objections to the request and mentions in their memorandum that similar variances have been granted along this segment of SW 107 Avenue. As such, staff opines requests #4 and #5 are **compatible** with the surrounding area. Therefore, staff recommends approval with conditions of requests #4 and #5 under Section 33-311(A)(4)(b) (NUV).

When requests #2 through #5 are 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 the requests not be granted, such denial would not permit the reasonable use of the premises. Since the applicant has not proven that compliance with same would result in an unnecessary hardship, staff is therefore of the opinion that requests #2 through #5 cannot be approved under the ANUV Standards and should be denied without prejudice under Section 33-311(A)(4)(c) (ANUV).

Based on all of the aforementioned, staff is of the opinion that the proposed office use is **consistent** with the interpretative text of the CDMP and **compatible** with the existing office uses approved within the block face where the subject property lies and with other office uses approved in the area. As such, staff recommends approval with conditions of the requested use variance (request #1) and approval with conditions of the RU-5A companion requests for a reduced lot area (request #2), reduced setbacks (request #3), and requests #4 and #5 under Section 33-311(A)(4)(b) (NUV), denial without prejudice of requests #2 and #3 under Section 33-311(A)(20) (ASDO) and denial without prejudice of requests #2 through #5 under Section 33-311 (A)(4)(c) (ANUV).

I. **RECOMMENDATION:** Approval with conditions of request #1 and approval with conditions of requests #2 through #5 under Section 33-311(A)(4)(b) (NUV); denial without prejudice of requests #2 and #3 under Section 33-311(A)(20) (ASDO) and denial without prejudice of requests #2 through #5 under Section 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; said plan to 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 "Lissette Bienes Professional Office Interior Alteration," as prepared by A. M. Julien, Architect, dated stamped received 12/7/07 and consisting of a total of 3 sheets.

3. That the applicant submit to the Department of Planning and Zoning for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.

4. That the use be established and maintained in accordance with the approved plan.

DATE INSPECTED: 04/07/08
DATE TYPED: 04/11/08
DATE REVISED: 04/21/08; 07/08/08; 07/16/08; 07/25/08; 08/25/08; 08/27/08; 09/03/08; 09/25/08
DATE FINALIZED: 09/30/08
MCL:MTF:LVT:NC

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

Memorandum

MIAMI-DADE COUNTY

Date: March 18, 2008

To: Subrata Basu, AIA; AICP, Interim Director
Department of Planning and Zoning

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

Subject: C-10 #Z2005000236-Revised
Lissette Maria Bienes
3401 SW 107th Avenue
Use Variance to Permit an Office Building in a Residential Zone
Request to Permit an Office Building with Less Lot Area and Setback than Required
(RU-1) (0.19 Ac.)
17-54-40

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.

Wellfield Protection
The subject property is located within the Maximum Day Pumpage Wellfield Protection Area for the Alexander Orr/Snapper Creek/Southwest Wellfield Complex. Development of the subject property shall be in accordance with the regulations established in Section 24-43 of the Code.

Potable Water Service
Public water can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system shall be required in accordance with Code requirements.

Existing public water facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Wastewater Disposal
Public sanitary sewers are not located within feasible distance for connection to the subject property; consequently, the existing single family residence is served by a septic tank and drainfield as a means for the disposal of domestic liquid waste.

DERM would not object to the interim use of a septic tank and drainfield system provided that the site is connected to the public water supply system and the proposed development meets the sewage loading requirements of Section 24-43.1(4) of the Code. Based upon the available information the proposal meets said requirements. Furthermore, since the request is for a non-residential land use, the property owner has submitted a properly executed covenant running with the land in favor of Miami-Dade County as required by Section 24-43.1(4)(a) of the Code, which provides that the only liquid waste, less

and except the exclusions contained therein, which shall be generated, disposed of, discharged or stored on the property shall be domestic sewage discharged into a septic tank.

Notwithstanding the foregoing, the applicant is advised that certain land uses such as medical offices utilizing x-ray equipment and others that generate liquid waste other than domestic sewage, cannot be permitted by DERM since it would violate the aforesaid Code Section and would also violate the covenant. Approval of land uses that are not compatible with the usage of a septic tank and drainfield system as a means for the disposal of the domestic liquid waste would require a variance from the Environmental Quality Control Board (EQCB) from the aforesaid Code Section.

Stormwater Management
All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year/1-day storm event. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP, subject to compliance with the conditions required by DERM for this proposed development order.

Operating Permits
Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that the requested use of the subject property may require operating permits from DERM. The Permitting Section of DERM's Pollution Regulation and Enforcement Division may be contacted at (305) 372-6600 for further information concerning operating requirements.

Wetlands
The subject property does not contain jurisdictional wetlands, as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600), and the South Florida Water Management District (1-800-432-2045), may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation
Section 24-49 of the Code requires the preservation of tree resources. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any trees. A tree survey showing all the tree resources on-site will be required prior to reviewing the tree removal permit application. The applicant is advised to contact DERM staff for permitting procedures and requirements prior to development of site and landscaping plans.

Enforcement History
DERM has found no open or closed formal enforcement record for the subject property.

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 discus this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

REVISION 3

PH# Z2005000236

CZAB - C10

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:LISSETTE MARIA BIENES

This Department objects to this application.

This Department objects to the request to permit backing out into the right-of-way of SW 107 Avenue. Backing out into the right-of-way will result in the disruption of the flow of traffic of an arterial roadway.

Driveways to SW 107 Ave. must meet current F.D.O.T. access management requirements; contact the district office at 305-470-5367 for driveway and drainage permits.

This Department has no objection to the request to permit 35 feet of dedication on the east side of SW 107 Ave. Similar variances have been granted on several properties in the area.

The proposed use of this application for a Semi-Professional Office generates the same number of vehicle trips as the existing use of a Single Family Residence; therefore this application will not generate any new vehicle trips and meets the Initial Traffic Concurrency Criteria.

Raul A Pino, P.L.S.

22-APR-08

REVISION 3

Memorandum

Date: 27-DEC-07

To: Subrata Basu, Interim Director
Department of Planning and Zoning

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2005000236

Fire Prevention Unit:

This Memo supersedes MDFR Memorandum dated April 19, 2007.
APPROVAL
Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped December 7, 2007. Any changes to the vehicular circulation must be resubmitted for review and approval.
This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for zoning hearing applications. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDFR requirements.

Service Impact/Demand:

Development for the above Z2005000236
located at 3401 S.W. 107 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1523 is proposed as the following:

N/A residential	dwelling units	N/A industrial	square feet
2,143 Office	square feet	N/A institutional	square feet
N/A Retail	square feet	N/A nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 0.46 alarms-annually.
The estimated average travel time is: 6:18 minutes

Existing services:

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

Station 47 - Westchester - 9361 Coral Way
Rescue, ALS Engine, Battalion

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 plans date stamped December 7, 2007. Substantial changes to the plans will require additional service impact analysis.

27

DATE: 08/28/08
REVISION 2

TEAM METRO

ENFORCEMENT HISTORY

LISSETTE MARIA BIENES	3401 S.W. 107 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2005000236

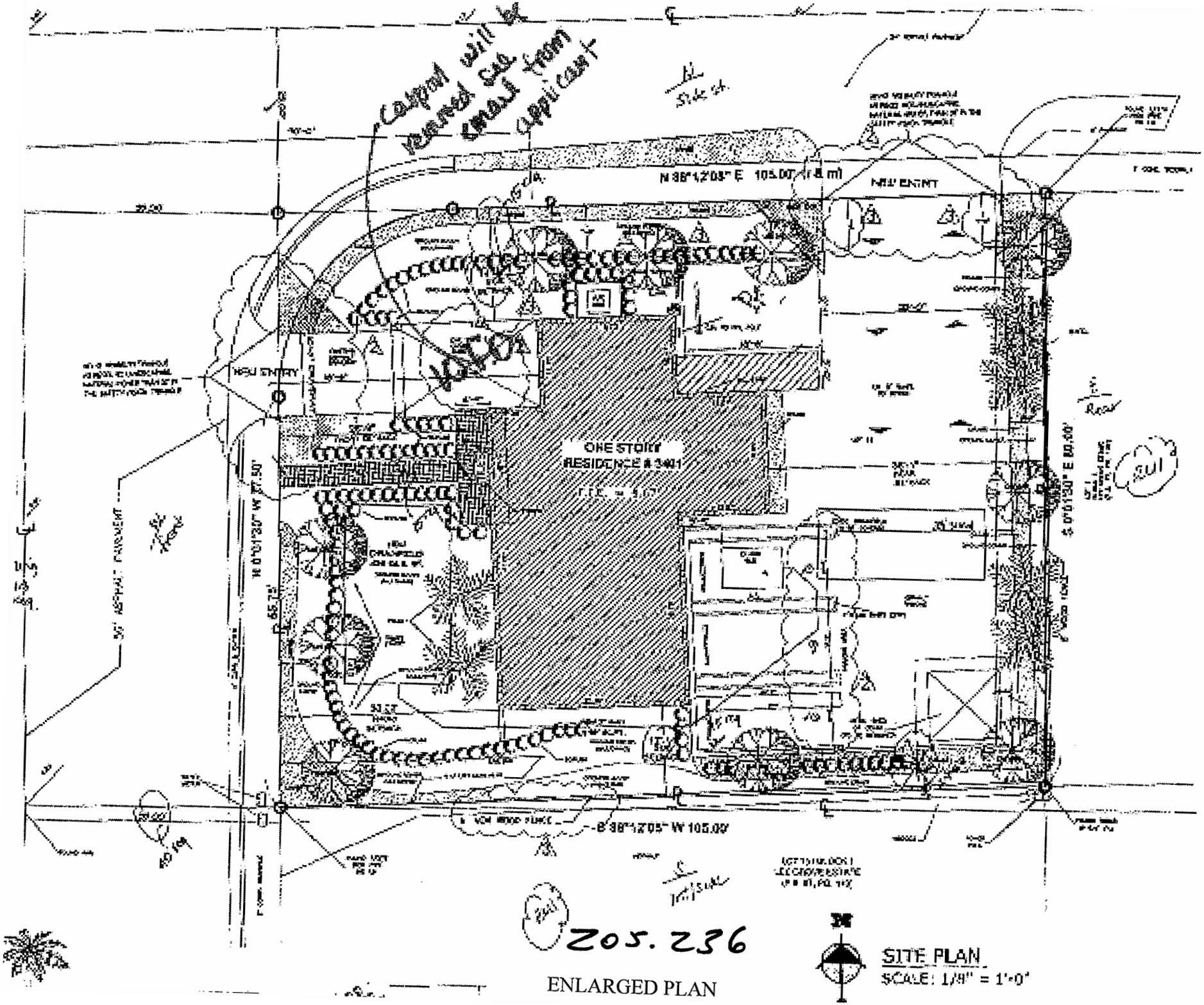
HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

No open cases. No current violations.

Prior case:

CMS# 200803006402 -NOV issued in June 2008 for Commercial Vehicle Category II. Case closed as complied.



205.236

ENLARGED PLAN

LEGAL DESCRIPTION

LOT 16 BLK. 1 OF "LEE GROVES ESTATES"
ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT
BOOK 67 AT PAGE 149 OF THE PUBLIC RECORDS OF
MIAMI-DADE COUNTY, FLORIDA.

SCOPE OF WORK

(EXIST. RESIDENCE RU-1 WITH RU-5A USES)
- COMMERCIAL INT./EXT. ALTERATION
- MINOR PLUMBING/ELECTRICAL/ WORK UNDER THIS PERMIT
NO MECHANICAL WORK UNDER THIS PERMIT

TOTAL OCCUPANCY

TOTAL EMPLOYEE	2
TOTAL PUBLIC	3
TOTAL	5

ZONING LEGEND

ZONING	RU-1 W/ RU-5A USES
HEIGHT (TO RIDGE OF ROOF)	13'-8"
NET LAND AREA	8,400.00 (19000 Req.
LOT COVERAGE (EVERYTHING UNDER ROOF)	(7316.16 SQ. FT. (18%)

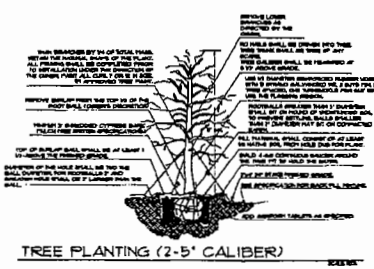
SETBACKS	REQ.	PROVIDED
FRONT	25'	28.1
SIDE	7.5'	12.3
SIDE STREET	15'	14.85
REAR	25'	38.2

LANDSCAPE LEGEND

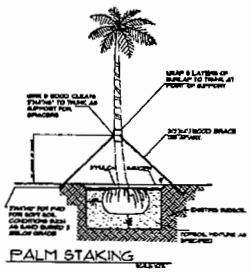
Zoning District: RU-1 W/ RU-5A USES — Net Lot Area: 8,400.00 Sq.Ft. (+/- .19 Acres)

OPEN SPACE	REQUIRED	PROVIDED
A. SQUARE FEET OF THE OPEN SPACE REQUIRED BY CHAPTER 18, AS INDICATED ON SITE PLAN. NET LOT AREA- 8,400 SF. X 25 % = 2,100 SF.	✓ 2,100	4,200
B. SQUARE FEET OF PARKING LOT OPEN SPACE REQUIRED BY CHAPTER 18A AS INDICATED ON SITE PLAN. 5 NONPARKING SPACES X 20 SF PER PARKING SPACE = 100	✓ 100	50 ✓
C. TOTAL SF. OF LANDSCAPED OPEN SPACE REQUIRED BY CHAPTER 18 - A + B=	2,200	4,250
LAWN AREA CALCULATION	**REQUIRED**	**PROVIDED**
A. 33% TOTAL SF. OF THE LANDSCAPED OPEN SPACE REQUIRED BY CHAPTER 18	1,848	1,848
B. MAXIMUM LAWN AREA (SOD) PERMITTED = 33 % X 8,400.00 SF. = 4,620.00 SF.	✓ 4,620	✓ 4,620
TREES	**REQUIRED**	**PROVIDED**
A. NO. TREES REQUIRED PER LOT RSU4 20 PER ACRE	✓ 4	✓ 4
B. ½ Palm Allowed = No. trees provided X 50% = ½ Palm provided to count as seven trees on lot have = 20%	2	2
C. ½ Natives Required = No. trees provided x 50 % =	2	2
D. Street trees (address average spacing of 30' on c.c. 60' from front along street / 30= PALMTEN= 8 ea	✓ 8	✓ 8
E. Street trees located directly beneath power line (address average spacing of 30' on c. feet from front along street / 30 =	NA	NA
A + D + E = Total Trees	✓ 8	✓ 8
HEDGES	**REQUIRED**	**PROVIDED**
A. NO. trees required. = 50 = No. of shrubs allowed	✓ 50	✓ 50
B. No. shrubs allowed = 50% = No. of native shrubs required.	25	25

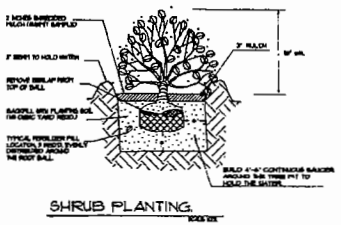
PLANTING SYMBOL	QTY	SIZE	PLANT NAME BOTANICAL	COMMON	MATURE SPREAD HEIGHT	CALIPER MEASURED	HEIGHT MEASURED	HEIGHT	CANOPY DIAMETER	REMARKS
	2	12'	VERITAS VIRIDIFLORA	LIVE OAK	75'			12'	40'	1
	6	8'	CARYOTA PALM	SHRUB PALM/TREE	15'			7'-12'	2'-8'	2
	50	3'	SHRUBS AS PER PLANT LIST		7'	1"	Shrub @ 24" o/c	3'	2'	50



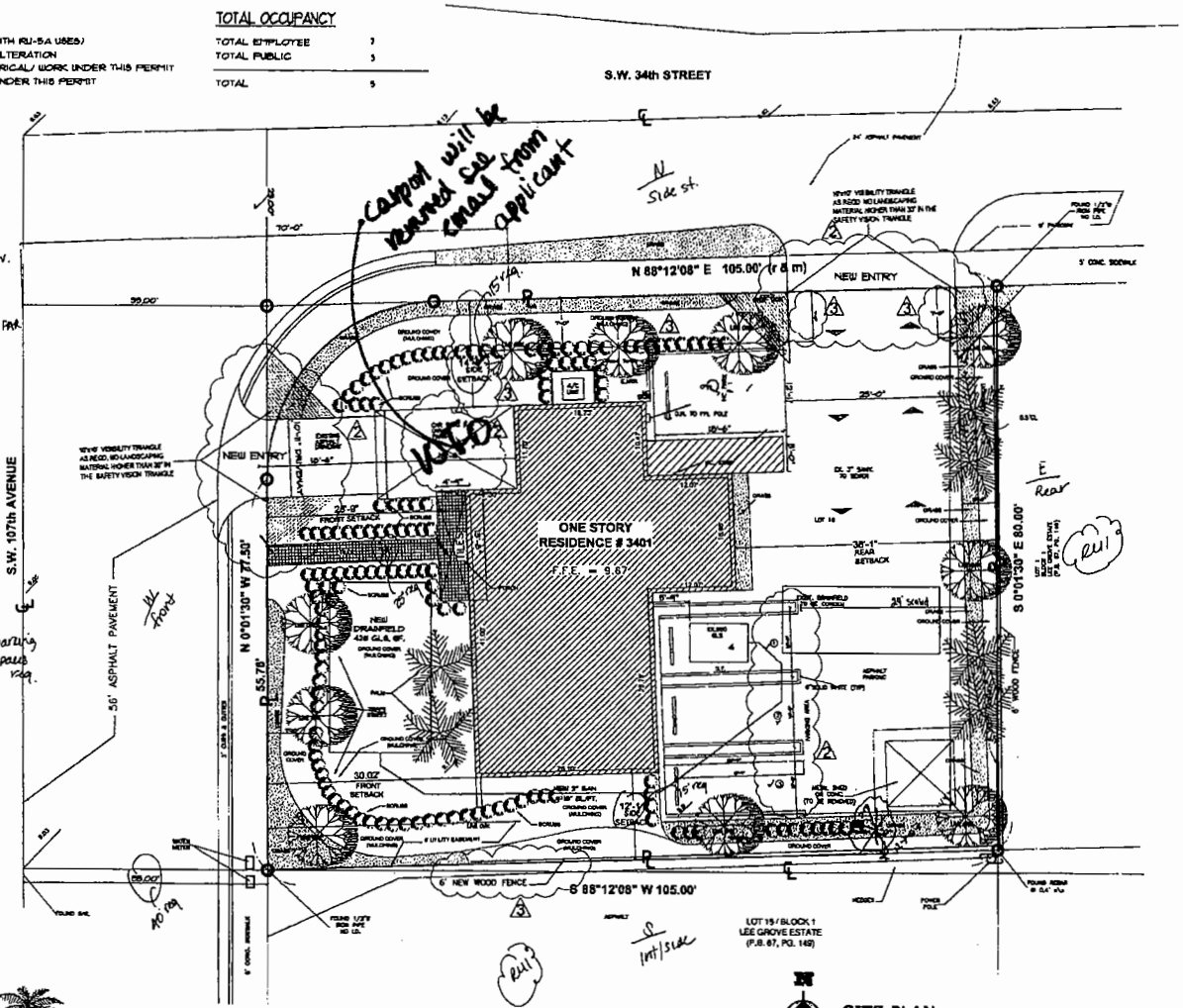
TREE PLANTING (2-5' CALIBER)



PALM STAKING



SHRUB PLANTING



SITE PLAN
SCALE: 1/8" = 1'-0"

RECEIVED
205.236
DEC 07 2007
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

A.M. JULIEN 14476 R.A.
A R C H I T E C T
7550 S.W. 57th Ave. Suite 208
Phone (305) 663-1792 Miami, FL 33143

LISSETTE BIENES PROFESSIONAL OFFICE
INTERIOR ALTERATION LOCATED AT
3401 SW 107th AVENUE
MIAMI-FLORIDA 33165

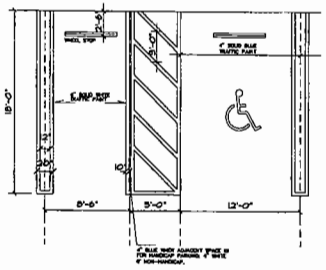
JOB NUMBER 06036

REVISIONS

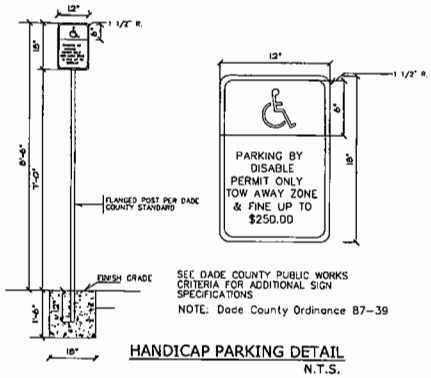
	REVISION	10-23-07
	REVISION	9-19-07
1	REVISION	09-27-07
2	REVISION	09-28-07
3	REVISION	09-28-07
4	REVISION	09-28-07

FILE:
PLOT: 100%
DRAWN: KNW/LG
CHECKED: AM/LG
DATE: 09/2007

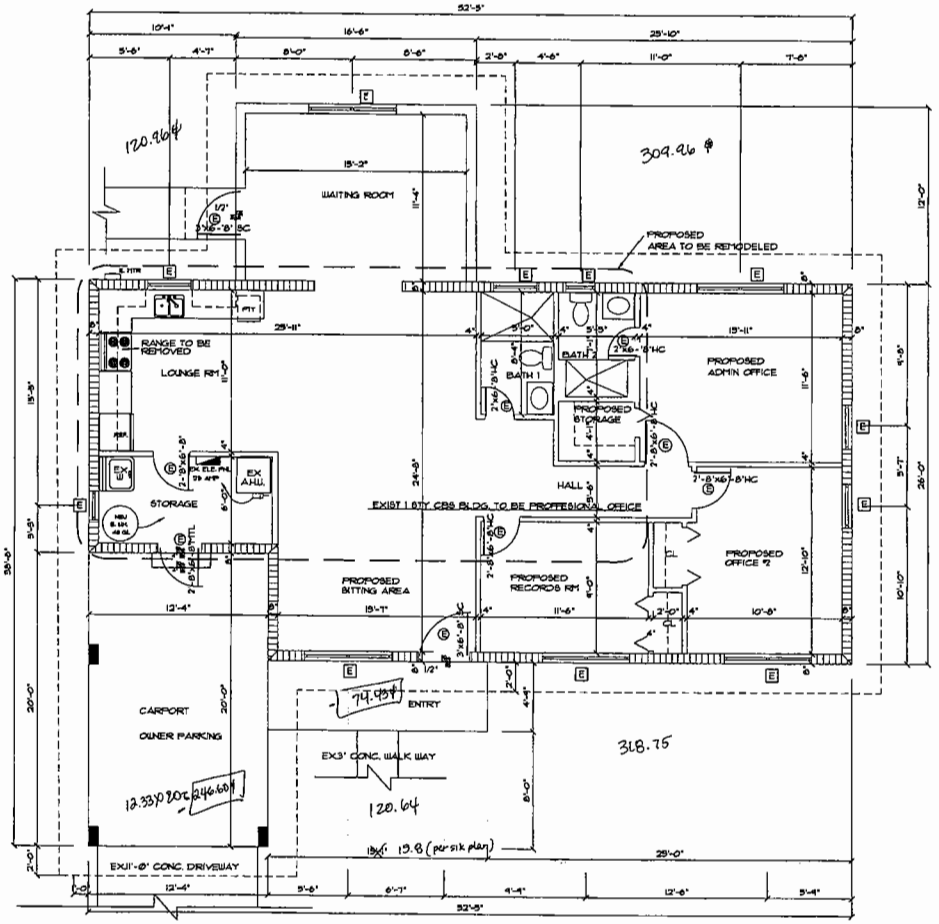
SHEET NAME: SITE PLAN
SHEET NUMBER: A-1 OF



TYPICAL TRAFFIC SPACES MARKING
N.T.S.



HANDICAP PARKING DETAIL
N.T.S.



FLOOR PLAN (EXISTING)
SCALE: 1/4"=1'-0".

50.67 & 52.42 = 2656.12
870.31
1785.81

1785.81
321.03
1464.78 - office & for parking

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205-236
DEC 07 2007
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

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ARCHITECT
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Phone (305) 662-1732 Miami, FL 33143

LISSETTE BIENES PROFESSIONAL OFFICE
INTERIOR ALTERATION LOCATED AT
3401 SW 107th AVENUE
MIAMI-FLORIDA 33165

JOB NUMBER 06036

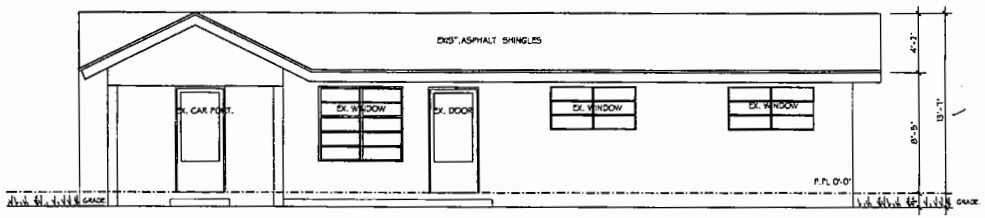
REVISIONS

1	PLAN - ZON	07-8-08
2	PLAN - ZON	10-31-08
3	PLAN - ZON	2-10-09
4	PLAN - ZON	07-08-07

FILE:
PLOT: 100%
DRAWN: RJM/LJD
CHECKED: AM/LJD
DATE: 08/2007

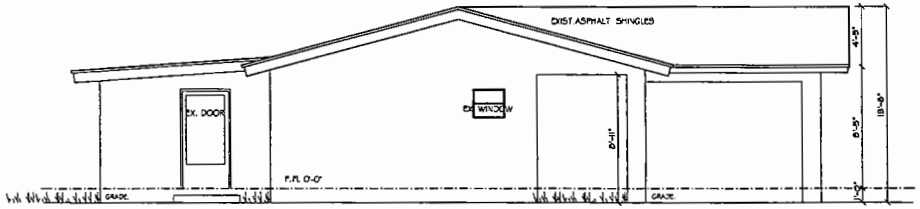
SHEET NAME: FLOOR PLAN EXISTING
SHEET NUMBER: A-2
2 OF 4

27



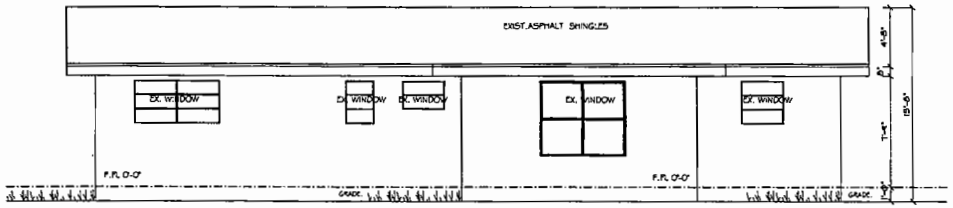
WEST ELEVATION

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



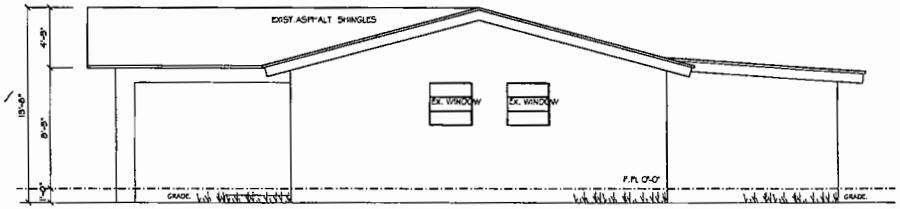
NORTH ELEVATION

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



EAST ELEVATION

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



SOUTH ELEVATION

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

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205-236
DEC 07 2007
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

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LISSETTE BIENES PROFESSIONAL OFFICE
INTERIOR ALTERATION LOCATED AT
3401 SW 107th AVENUE
MIAMI-FLORIDA 33165

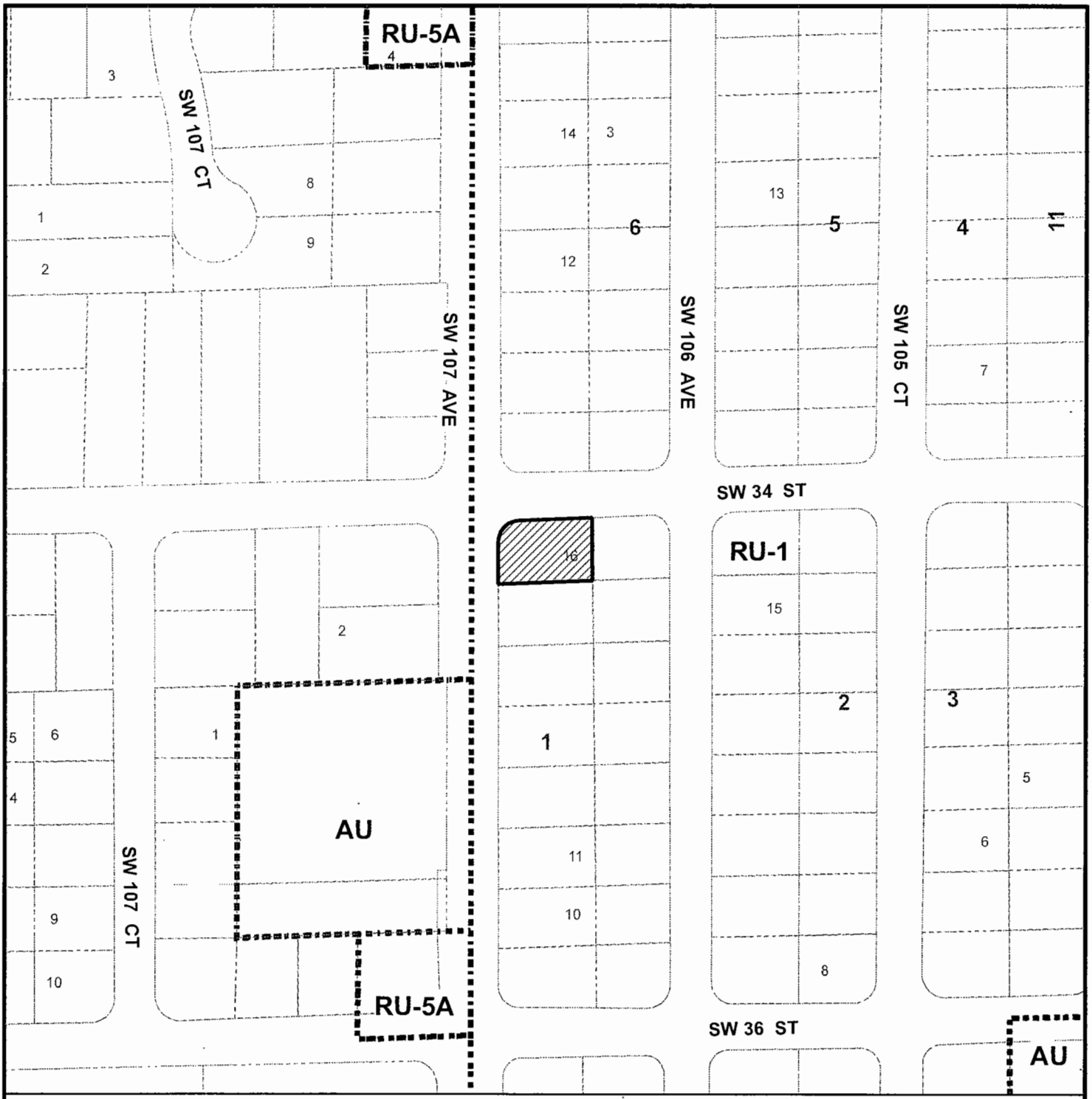
JOB NUMBER
06036

REVISIONS

FILE:

PLOT: 100%
DRAWN: RMM/LID
CHECKED: AMJ/LID
DATE: 06/20/07

SHEET INDEX
ELEVATIONS
SHEET NUMBER
A-4
1 OF 1



MIAMI-DADE COUNTY
HEARING MAP

Process Number
05-236

Section: 17 Township: 54 Range: 40
Applicant: LISSETTE MARIA BIENES
Zoning Board:C10
Commission District: 10
Drafter ID: ALFREDO
Scale: NTS
---------- Zoning

SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 09/27/08

REVISION	DATE	BY
	28	

MIAMI-DADE COUNTY
AERIAL YEAR 2008

Section: 17 Township: 54 Range: 40
Applicant: LISSETTE MARIA BIENES
Zoning Board:C10
Commission District: 10
Drafter ID: ALFREDO
Scale: NTS
---------- Zoning

Process Number
05-236

N
W E
S

SUBJECT PROPERTY

MIAMI-DADE COUNTY

SKETCH CREATED ON: 08/27/08

SION	DATE	BY

1. GABLES EDGE PARKS CO.
(Applicant)

08-10-CZ10-1 (06-133)
Area 10/District 6
Hearing Date: 10/30/08

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:

Year	Applicant	Request	Board	Decision
1962	V & L Realty Corp.	- Unusual Use expand trailer park. - Non-Use variances.	ZAB	Approved
1962	Mario Devins	Appeal of ZAB decision on a previous resolution.	BCC	Appeal approved, application denied.

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. 10

APPLICANT: Gables Edge Parks Co. **PH:** Z06-133 (08-10-CZ10-1)

SECTION: 8-54-41 **DATE:** October 30, 2008

COMMISSION DISTRICT: 6 **ITEM NO.:** 1

==========

A. INTRODUCTION

o REQUESTS:

(1) BU-2 and RU-3B to BU-2

(2) SPECIAL EXCEPTION to permit a multi-family apartment development in the BU-2 zoning district.

(3) Applicant is requesting to permit a multi-family apartment building setback 32' (50' required) from the front (north) property line, setback a minimum of 15' (63.18' required) from the interior side (east and west) property lines and setback 20' (60.6' required) from the rear (south) property line.

(4) Applicant is requesting to permit a lot coverage of 57.62% (40% maximum permitted).

(5) Applicant is requesting to permit a floor area ratio (FAR) of 2.2 (1.29 maximum permitted).

(6) Applicant is requesting to permit a landscape open space of 9.1% (33.5% minimum required).

(7) Applicant is requesting to waive the required 5' high masonry wall where a business lot abuts a residential zoning district interior to the site.

(8) Applicant is requesting to permit a 3' wide landscape buffer (5' wide minimum required) along the interior side (east and west) property lines.

(9) Applicant is requesting to waive the zoning regulation requiring section line rights-of-way to be 80' in width; to permit 35' of dedication (40' required) on the south half of S.W. 8th Street.

REQUESTS #1-#9 ON PARCEL "A"

(10) RU-2 to RU-4L

REQUEST #10 ON PARCELS "B" AND "C"

Upon a demonstration that the applicable standards have been satisfied, approval of requests #3 - #7 may be considered under §33-311(A)(16) (Alternative Site Development Option for the BU Zoning District) and requests #3 - #9 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Gables Edge", as prepared by Civica, dated stamped received 07/07/08 with

Sheet A0.01 last revised 9/11/08 and consisting of 19 sheets. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:** The applicant seeks to rezone the northern portion of the subject site (Parcel A) from RU-3B, Bungalow Court District, and BU-2, Special Business District, to BU-2 and also seeks a special exception to permit a multi-family apartment building in the BU-2 zoning district. Additionally, the applicant seeks to permit a proposed residential development setback closer to the property lines than allowed, to permit a greater lot coverage and floor area ratio (FAR) than allowed and less landscape open space than required on Parcel A. Moreover, the applicant seeks to waive the required wall where a business lot abuts a residential zone and to permit less landscape buffering along the interior side property lines on Parcel A. The applicant also seeks to permit less right-of-way dedication than required along the southern half of SW 8th Street. Further, the applicant seeks to rezone the southern portion of the subject property (Parcels B and C) from RU-2, Two-Family Residential District, to RU-4L, Limited Apartment House District.

- **LOCATION:** South of S.W. 8 Street and approximately 150' east of S.W. 43 Avenue, Miami-Dade County, Florida.

- **SIZE:** 2.14 Acres

- **IMPACT:** Approval of this application will bring a total of 91 additional residential units into the area in the form of a 10-story multi-family building with 69 units (Parcel A), two 4-story multi-family buildings with 16 units (Parcel B), and a 3-story multi-family building with 6 units (Parcel C) which will bring more traffic and noise into the area as well as additional students to the schools in the area. The requests to allow greater lot coverage and FAR, to permit reduced setbacks, and to permit less landscape open space on Parcel A could visually impact the surrounding properties.

B. ZONING HEARINGS HISTORY: In January 1962, the subject property was granted an unusual use to permit the expansion of an existing trailer park as well as approval of requests to waive the required 25' landscape buffer on all interior side property lines and to permit the placing of trailers less than the required 25' from all property lines by the Zoning Appeals Board (ZAB), pursuant to Resolution #2-ZAB-3-62. Subsequently in March 1962, the decision of the ZAB was appealed to the Board of County Commissioners (BCC) which overruled the decision of the ZAB and denied the above-mentioned requests, pursuant to Resolution #Z-93-62.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the **southern 1.41 acres (gross)** of the subject property as being within the Urban Development Boundary for **Medium Density Residential**. This category allows densities from 13 to 25 dwelling units per gross acre. The type of housing structures typically permitted in this category include townhouses and low-rise and medium-rise apartments.

2. The Adopted 2015 and 2025 Land Use Plan designates the **northern 1.04 acres (gross)** of the subject property for **Business and Office** use. 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 (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.
3. **Residential uses**, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher.

4. The **Medium-High Density Residential** category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas.

5. **Density Averaging.**

   The land use density ceiling designated on the LUP map will apply to every parcel of land. However, in certain instances, the averaging of density may be authorized among different parcels. Specific provisions for this to occur are specified below. All of the following allowances are limited to lands located within the Urban Development Boundary which are designated for urban uses.

   Where groups of parcels under a single ownership or multiple ownerships that are

legally unified (hereinafter legally unified development) are located within a unit area bounded by Major or Minor Roadways as indicated on the Land Use Plan map, portions of the unified development may be developed at densities higher than that shown on the LUP map provided that other portions are developed at correspondingly lower densities so that the average density of the entire development does not exceed the maximum gross density limits shown on the LUP map. Where a parcel or group of contiguous parcels under a single ownership or legally unified development has two different LUP map residential designations, the number of units permitted under one designation may be averaged with the number of units permitted under the other and developed at varying densities providing that the total number of units built on such property does not exceed the total number permitted under the two designations. Further, where 50 percent or more of the boundary of a parcel or group of contiguous parcels, not exceeding 20 acres in size, adjoins land that is developed or zoned for densities that are higher than those which are shown on the LUP map, such property may be zoned for a density higher than that shown on the LUP map but not higher than the highest density which is permitted by zoning on the adjoining properties. Density may be transferred across a Major or Minor roadway to an adjacent and legally unified parcel or portion thereof contiguous to the Roadway provided, further, that the site receiving the increased density shall be developed at a density no greater than the higher of adjoining or adjacent existing residential development or zoning, or if the adjoining land is undeveloped and not zoned for urban use, one density category higher than the LUP map designation of the parcel. The above provisions, however, are all conditioned upon a determination being made that the requested density and housing types are compatible with the surrounding development and would not create a significant negative impact on services within the area.

6. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan Density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this CDMP titled "Concepts and Limitations of the Land Use Plan Map." The limitation referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
BU-2; vacant RU-3B; vacant	Business and Office
RU-2; vacant	Medium Density Residential, 13 to 25 dua

Surrounding Properties

NORTH:	C-2; City of Miami; Car Dealership	Business and Office
SOUTH:	RU-1; Single family residences and duplex	Low Density Residential, 2.5 to 6 dua
EAST:	BU-1A; Retail	Business and Office
	RU-2; Vacant parcel, single-family residence and duplex	Low Density Residential, 2.5 to 6 dua
WEST:	BU-2 and RU-3B; FPL electrical substation	Business and Office
	RU-2; Vacant parcel, single-family residence and duplex	Low Density Residential, 2.5 to 6 dua

The subject property lies south of SW 8 Street and approximately 150' east of SW 43 Avenue and is currently vacant. Single-family residences, duplexes and vacant parcels of land predominantly characterize the area where the subject property lies. A mixture of commercial uses including a car dealership and a retail store are also located to the north and east.

E. SITE AND BUILDINGS:

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

F. PERTINENT REQUIREMENTS/STANDARDS:

In evaluating an application for a **district boundary change, Section 33-311** provides that the Board take into consideration, among other factors, the extent to which:

(1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;

(2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and

whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;

(3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;

(4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;

(5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses. The Board shall hear an application for and grant or deny **special exceptions**; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided 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 which are 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 and its development.

Section 33-311(A)(16) Alternative Site Development Option for Buildings and Structures in the BU Zoning Districts. This subsection provides for the establishment of an alternative site development option, after public hearing, for buildings and structures permitted by the underlying district regulations, except residential buildings and structures and religious facilities, in the BU-1, BU-1A, BU-2, and BU-3 zoning districts, in accordance with the standards established herein. In considering any application for approval hereunder, the Community Zoning Appeals Board shall consider the same subject to approval of a site plan or such other plans as necessary to demonstrate compliance with the standards herein.

a. **Setbacks** for a principal or accessory building or structure shall be approved after public hearing upon demonstration of the following:

i. the character and design of the proposed alternative development will not result in a material diminution of the privacy of adjoining property; and

ii. 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

iii. the proposed alternative development will not reduce the amount of open space on the parcel proposed for alternative development by more than 20% of the landscaped open space percentage required by the applicable district regulations; and

iv. any area of shadow cast by the proposed alternative development upon an adjoining property 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

v. 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, soundproofed structure and if located on the roof of such an alternative development shall be screened from ground view and from view at the level in which the installations are located, and shall be designed as an integral part of and harmonious with the building design; and

vi. 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

vii. the architectural design, scale, mass, and building materials of any proposed structure(s) or addition(s) are aesthetically harmonious with that of other existing or proposed structure(s) or building(s) on the parcel proposed for alternative development; and

viii. the wall(s) of any building within a front, side street or double frontage setback area or within a setback area adjacent to a discordant use, required by the underlying district regulations, shall be improved with architectural details and treatments that avoid the appearance of a "blank wall"; and

ix. the proposed alternative 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, parcel or tract; and

x. any windows or doors in any building(s) to be located within an interior side or rear 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 building(s) of a discordant use located on an adjoining parcel of land; and

xi. total lot coverage shall not be increased by more than ten percent (10%) of the lot coverage permitted by the underlying district regulations; or a total floor area ratio shall not be increased by more than ten percent (10%) of the floor area ratio permitted by the underlying district regulations; and

xii. the area within an interior side or rear setback required by the underlying district regulations located adjacent to a discordant use 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 of a discordant use located on an adjoining parcel of land; or

a. 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 eighty percent (80%) (if located adjoining or adjacent to a discordant use) of the proposed alternative development to a height of the lower fourteen (14) feet of such structure(s) at time of planting; or

(B) is screened from adjoining property by an opaque fence or wall at least eight (8) feet, six (6) feet if located adjoining or adjacent to a discordant use, in height that meets the standards set forth in paragraph (g) herein; and

(14) 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 10 feet or the minimum distance to comply with fire safety standards, whichever is greater; and

(15) when a principal or accessory 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

(16) safe sight distance triangles shall be maintained as required by this code; and

(17) the parcel proposed for alternative development shall continue to provide the required number of on-site parking spaces as required by this Code, except that off-site parking spaces may be provided in accordance with Section 33-128 of this Code; and

(18) the parcel proposed for alternative development shall satisfy all other applicable underlying district regulations or, if applicable, prior zoning actions issued prior to the effective date of this ordinance (May 2, 2003), regulating setbacks, lot area and lot frontage, lot coverage, floor area ratio, landscaped open space and structure height; and

(19) the proposed development will meet the following:

(A) interior side setbacks shall not be reduced by more than fifty percent (50%) of the side setbacks required by the underlying district regulations, or the minimum distance required to comply with fire safety standards, whichever is greater when the adjoining parcel of land is a BU or IU district; interior side setbacks shall not be reduced by more than twenty-five (25%) percent of the interior side setbacks required by the underlying district regulations when the adjoining parcel of land allows a discordant use.

(B) side street setbacks shall not be reduced by more than twenty-five (25%) of the underlying district regulations;

(C) front setbacks (including double-frontage setbacks) shall not be reduced by more than twenty-five (25%) percent of the setbacks required by the underlying district regulations; and

(D) rear setbacks shall not be reduced below fifty (50%) percent of the rear setback required by the underlying district regulations, or the minimum distance required to comply with fire safety standards, whichever is greater, when the adjoining parcel of land is a BU or IU district; rear setbacks shall not be reduced below twenty-five (25%) percent of the rear setback required by the underlying district regulations when the adjoining parcel of land allows a discordant use.

(E) setbacks between building(s) shall not be reduced below 10 feet, or the minimum distance required to comply with fire safety standards, whichever is greater.

(d) An alternative lot coverage or floor area ratio for a building shall be approved upon demonstration of the following:

(1) total lot coverage or floor area ratio shall not be increased by more than ten percent (10%) of the lot coverage or floor area permitted by the underlying district regulations; and

(2) the proposed alternative development will not result in the destruction or removal of mature trees on the lot 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 lot; and

(3) the increase in lot coverage or floor area ratio will not result in a principal or accessory building(s) with an architectural design, scale, mass or building materials that are not aesthetically harmonious with that of other existing or proposed structures in the immediate vicinity; and

(4) the proposed alternative development will not result in an obvious departure from the aesthetic character of in the immediate vicinity.

(e) An alternative amount of landscaped open space shall be approved upon demonstration of the following:

(1) landscaped open space shall not be decreased by more than ten percent (10%) of the landscaped open space required by the applicable district regulations; and

(2) the proposed alternative development will not result in the destruction or removal of mature trees on the lot 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 lot; and

(3) the landscaped open space provided shall be used to shade and cool, direct wind movements, enhance architectural features, relate structure design to site, visually screen non-compatible uses and block noise generated by major roadways and intense use areas; and

(4) the landscaped open space provided shall relate to any natural characteristics in such a way as to preserve and enhance their scenic and functional qualities; and

(5) the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity, and

(6) the installation of the required percentage of landscaped parcel containing a previously approved and existing building, would necessitate a decrease in

the number of parking spaces provided, or necessitate a decrease in the square footage of an existing building on the site; and

(7) that 20% more lot or street trees are provided on the site or within the adjacent rights-of-way, respectively; said trees to be of a type and size as required by Chapter 18A; and

(8) that an additional number of shrubs shall be provided commensurate with the trees in (7) above, said shrubs to be of a number, type and size as required by Chapter 18A.

(i) An **alternative opening in a wall** otherwise required by this code to be a solid, unbroken barrier when a parcel adjoins or lies adjacent to a residential district, shall be approved after public hearing upon demonstration of the following:

(1) the width of the wall opening is the minimum width necessary for pedestrians to access the parcel from adjoining or adjacent residential development(s); and

(2) the wall opening is immediately adjoining or adjacent to a residential lot, parcel or tract which is restricted in use as common open space.

(k) **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.

(l) **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 economic viability of any commercial enterprises proposed within the approved development and the quality of life of residents and other owners of property in 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, landscaped open space over and above that normally required by the code, additional trees or landscaping materials, the inclusion of residential use(s), convenient pedestrian connection(s) to adjacent residential development(s), 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, monument signage (where detached signs are allowed) or limited and cohesive wall signage, and decorative street lighting. In determining which amenities or buffering elements are appropriate, the following shall be considered:

(A) the types of needs of the residents or other owners immediate vicinity and the needs of the business owners and employees of the parcel proposed for development that would likely be occasioned by the development, including but not limited to recreational, open space, transportation, aesthetic amenities, and buffering from adverse impacts; and

(B) the proportionality between the impacts on the residents or other owners of property of parcel(s) in the immediate vicinity and the amenities or buffering required. For example, a reduction in setbacks for numerous lots or significantly large commercial buildings may warrant the provision of additional landscaped open space.

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**
MDT	**No objection**
Fire Rescue	**No objection**
Police	**No objection**

Schools	**No objection**
Aviation	**No objection***

*Subject to conditions indicated in their memoranda.

H. ANALYSIS:

The 2.14-acre subject property is a rectangular shaped parcel of land that lies south of SW 8 Street and approximately 150' east of SW 43 Avenue. Staff notes that the subject site is oriented along a northerly-southerly axis and bisects existing BU-2, Special Business, RU-3b, Bungalow Court, and RU-2, Two Family Residential zoning districts. Single-family residences, duplexes and vacant parcels of land predominantly characterize the area where the southern portion (Parcels B and C) of the subject property lies. The northern portion (Parcel A) of the subject site is located within the SW 8 Street commercial corridor and is neighbored to the north by a car dealership that lies within the City of Miami, to the east by a retail store, and to the west by an FPL substation. The applicant is requesting a district boundary change from RU-3b, Bungalow Court District, and BU-2, Special Business District, to BU-2 (request #1) and a special exception to permit a multi-family apartment building in the BU-2 zoning district (request #2) on the northern portion of the site referred to as Parcel A. Additionally the applicant seeks to permit a proposed multi-family apartment building with a minimum setback of 32' (50' required) from the front (north) property line, setback a minimum of 15' (63.18' required) from the interior side (east and west) property lines and setback a minimum of 20' (60.6' required) from the rear (south) property line (request #3), to permit a lot coverage of 57.62% (40% maximum permitted) (request #4), to permit a floor area ratio (FAR) of 2.20 (1.29 maximum permitted) (request #5), and to permit a landscape open space of 9.1% (33.5% required) (request #6) on the northern portion of the site referred to as Parcel A. Further, the applicant is requesting to waive the required 5' high wall on an interior portion of Parcel A where a business lot abuts a residential zoning district (request #7), to permit a 3' wide landscape buffer (5' wide minimum required) along the interior side (east and west) property lines (request #8), and to waive the zoning regulations requiring section line rights-of-way to be 80' in width; to permit 35' of dedication (40' required) for the south half of SW 8 Street (request #9) on Parcel A. An additional request, to rezone the southern portion of the subject property referred to as Parcels B and C from RU-2, Two-Family Residential District, to RU-4L, Limited Apartment House District (request #10) is also being sought. Plans submitted by the applicant depict the aforementioned requests.

The plans submitted by the applicant depict a multi-family residential development consisting of a 10-story multi-family apartment building with 69 residential units sited on the northern portion of the site fronting on SW 8 Street (Parcel A), two 4-story multi-family apartment buildings with 16 units sited on the center of the site (Parcel B), and a 3-story townhouse-style, multi-family apartment building with 6 units sited on the southern portion of the site (Parcel C) for a total of 91 residential units. The submitted plans illustrate the proposed 10-story multi-family building on Parcel A to attain a height of 107'8" when measured to the roofline of the 10th floor and a maximum height of 137' at its highest point. Parking for the proposed 10-story multi-family building is provided on floors two through four. Recreational amenities including a pool, gym, and courtyard are located on the fifth floor. Access to Parcel A is provided via an ingress/egress driveway along SW 8 Street as well as via a driveway located along the rear (southern) portion of Parcel A

which also provides access to Parcel B. Additionally, the submitted plan indicates that access to Parcels B and C is provided via SW 9 Terrace. Landscaping such as Gumbo Limbo, Pigeon Plum, Silver Buttonwood, and Live Oak trees as well as Firebush and Spider Lily shrubs, among other species, are provided throughout the site. However, it should be noted that staff is not supportive of this application and opines that the severity of the numerous requested variances of setback, lot coverage, FAR, landscape open space, and landscape buffer could be minimized in order to provide a sensitive and well designed development that would be more compatible with the adjacent commercial and residential developments.

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 Miami-Dade County Code. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The **Public Works Department** also has **no objections** to this application and indicates in their memorandum that entrance features requiring gates are not allowed and must be reviewed via the Entrance Feature process by the Plat Committee. Their memorandum also indicates that the proposed driveway along SW 8 Street must meet current F.D.O.T. access management requirements and that the subject site requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Furthermore, their memorandum indicates that this project lies within the Urban Infill Area (UIA) where traffic concurrency does not apply. The Miami-Dade Fire and Rescue Department **(MDFRD)** has **no objections** to this application and their memorandum states that the estimated average response travel time is **7:22** minutes. Miami-Dade County Public Schools **(MDCPS)** has **no objections** to this application and indicates that the proposed zoning will bring **9 additional students** into the area's public schools. Their memorandum further indicates that the applicant has voluntarily proffered to the School Board a monetary donation, over and above impact fees; however said donation is subject to approval by the School Board at an upcoming meeting. The **Miami-Dade Aviation Department (MDAD) does not object** to this application and their memorandum indicates that the 137 ft. AMSL (Above Mean Sea Level) structure at this location conforms to the Miami-Dade County Height Zoning Ordinance.

The southern portion of the subject property (Parcels B and C) underwent a Comprehensive Development Master Plan (CDMP) Amendment during the April, 2005-2006 Amendment Cycle, for a change of LUP Map designation from Low Density Residential use to Medium Density Residential use. Accordingly, the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the southern 1.41 gross acres of the subject property for **Medium Density Residential** use. This category allows densities from 13 to 25 dwelling units per gross acre. The type of housing structures typically permitted in this category include townhouses and low-rise and medium-rise apartments. The northern portion of the subject property, approximately 1.04 gross acres, is designated for **Business and Office** use. This designation accommodates a full range of sales and service activities that include, among other things, retail, personal and professional services, commercial and professional offices. Additionally, the CDMP indicates that 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. Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact and provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. When the above conditions are met, residential development may be authorized to occur in the business and office category at a density up to one category higher than the LUP designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development or zoning if the adjacent or adjoining land is undeveloped, whichever is higher.

Staff notes that the closest property designated with a residential category abutting the business and office-designated portion of the subject property on the same side of the abutting principal roadway is the southern remainder of the subject property (1.41 gross acres). As previously mentioned, this portion of the subject property is designated as Medium Density Residential use, which allows a density from a minimum of 13 to a maximum of 25 dwelling units per gross acre. In accordance with the Master Plan's interpretative text, the Business and Office portion of the subject property can be developed at one density category higher than the Medium Density Residential designation, which is the Medium-High Density Residential designation. The Medium-High Density Residential designation permits a density from a minimum of 25 units to a maximum of 60 dwelling units per gross acre allowing a maximum of **62** units on the 1.04-acre portion of the property designated for Business and Office use. The remainder of the subject property (1.41 gross acres) is designated **Medium Density Residential**, which, as mentioned above, allows a density from a minimum of 13 to a maximum of 25 dwelling units per gross acre. In accordance with the Master Plan, this 1.41-acre portion of the subject property can be developed with a maximum of **35** units. As previously mentioned, the plans submitted by the applicant depict a multi-family residential development consisting of a 10-story building with 69 residential units sited on the northern portion of the site fronting SW 8 Street (Parcel A), two 4-story multi-family buildings with 16 units sited in the center of the site (Parcel B), and a 3-story multi-family building with 6 units sited on the southern portion of the site (Parcel C), which would result in a total of **91** residential units on the subject property. The Master Plan provides that parcels or a group of parcels that are under a single ownership or multiple ownerships that are legally unified may be developed at densities higher than that shown on the LUP map; provided, however, that other portions are developed at correspondingly lower densities so that the average density of the entire development does not exceed the maximum gross density limits shown on the LUP map and as long as the proposed development is compatible with the surrounding uses and area. As previously mentioned, the Medium Density designated 1.41-acre portion of the subject property would permit a maximum of 35 units based on the 25 unit per acre maximum allowable under the LUP map designation of the CDMP. Additionally, the 1.04 Business and Office portion allows a maximum of 62 units based on the maximum 60 unit per acre allowed under the Medium High category. When the **density averaging** principle is applied to both parcels, the total number of units that would be permitted on the subject site is 97. Although the proposed zone change requests from BU-2 and RU-3B to BU-2 on Parcel A

and from RU-2 to RU-4L on Parcels B and C and development of 91 units on the subject property is numerically **consistent** with the LUP map designations, staff notes that the interpretative text of the CDMP indicates that the density averaging allowance provisions are all conditioned upon a determination being made that the requested density and housing types are compatible with the surrounding development and would not create a significant negative impact on services within the area. Staff acknowledges that the applicant has designed the proposed residential development with building heights that step down as one moves further into the residential area with the tallest 10-story residential building sited along the SW 8 Street commercial corridor and the remaining 4 and 3-story residential buildings sited towards the southern portion of the site. However, as previously mentioned, staff is not supportive of this application and opines that the requested variances of setback, lot coverage, FAR, landscape open space, and landscape buffer are numerous and excessive and result in a development that is **incompatible** with the surrounding area which is primarily characterized by one-story retail buildings, single-family residences, and duplexes. In addition, the interpretative text of the CDMP provides that residential uses are permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential development, is not out of character with that of adjacent or adjoining development and zoning and staff further notes that the Department's 2005 CDMP amendment recommendation report indicates that at the time of zoning, measures such as buffering, building setbacks and height restrictions should be considered to protect the single-family homes and duplexes located to the east, west, and south of the subject site. Staff, therefore, opines that the proposed multi-family residential development as illustrated in the submitted plans, as well as the proposed rezonings to BU-2 on Parcel A and RU-4L on Parcels B and C as proposed are **incompatible** with the area and, therefore, are **inconsistent** with the CDMP's interpretative text.

When considering district boundary changes, the Board shall hear and grant or deny applications by taking into consideration if the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently utilize or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways. The applicant is seeking approval for a district boundary change from BU-2 and RU-3B to BU-2 for the 1.04-acre northern portion of the property referred to as Parcel A on the submitted plans. As previously mentioned, the proposed BU-2 zone allows uses that are consistent with the uses allowed in the **Business and Office** designation of the LUP map of the CDMP which allows residential uses, in this case, at a density of up to 62 dwelling units per acre provided that the proposed development is not out of character with the scale and intensity of the adjacent and adjoining development and zoning. The applicant also seeks approval for a district boundary change from RU-2 to RU-4L on the southern portion of the property referred to as Parcels B and C on the submitted plans. As previously mentioned, the proposed RU-

4L zone and development of 22 units on Parcels B and C, is numerically consistent with the Medium Density LUP map designation. Moreover, as previously mentioned, staff acknowledges that the applicant has designed the proposed residential development with building heights that step down as one moves further into the residential area with the tallest 10-story residential building sited along the SW 8 Street commercial corridor and the remaining 4 and 3-story residential buildings sited towards the southern portion of the site. However, the proposed multi-family residential development is **inconsistent** with the CDMP's interpretative text, which indicates that the scale and intensity, including height and floor area ratio (FAR) of the residential or mixed-use development should not be out of character with that of adjacent or adjoining development and zoning. It should be noted that the subject site is easily accessible from SW 8 Street, a section line road on which it fronts as well as from SW 9 Terrace, a local roadway. Further, based on the memoranda from the Public Works Department, DERM and MDCPS the proposed multi-family residential development will not have a negative impact on the resources of Miami-Dade County. However, as previously mentioned, the plans submitted by the applicant depict the subject site to be developed with a proposed ten-story multi-family residential building on Parcel A, a proposed four-story multi-family building on Parcel B, and a proposed three-story multi-family building on Parcel C that attain maximum heights of 137', 50', and 39' respectively, when measured to the roof line. Staff notes that two stories and a 35' maximum height are allowed in the RU-1 and RU-2 zones that abut portions of the subject property to the east, west and south and in the RU-3b zone that abuts a portion of the subject site to the west and that four stories with a maximum height of 45' is allowed in the BU-1A zoning district that abuts a portion of the subject property to the east. However, it should be noted that said RU-1, RU-2, and RU-3b zoned properties that abut the subject site to the east, south, and west are predominantly improved with one-story single-family and duplex residences. Moreover, staff notes that the BU-1A zoned property that adjoins the subject site to the east is developed with a one-story retail building. Staff notes that a portion of the subject site also adjoins BU-2 zoned property to the west and, although said zoning district permits unlimited height, staff's research reveals that the existing BU-2 zoned property that adjoins the subject site to the west is improved with a one-story FPL electrical substation. As previously mentioned, the subject site abuts a one-story car dealership located within the City of Miami, across SW 8 Street to the north even though it is zoned C-2, Liberal Commercial district, which allow a maximum height of 120' or ten stories, whichever is less. As such, staff, is of the opinion that the proposed ten-story multi-family residential building on Parcel A, the proposed four-story multi-family building on Parcel B, and a proposed three-story multi-family building on Parcel C are **incompatible** with the heights and development intensities permitted in the area and **inconsistent** with the interpretative text of the CDMP. Further, it should be noted that the proposed development is incompatible with the existing development in the surrounding area, which consists primarily of one-story structures. Therefore, staff recommends denial without prejudice of the requested zone change from BU-2 and RU-3B to BU-2 on Parcel A (request #1) and denial without prejudice of the requested zone change from RU-2 to RU-4L on Parcels B and C (request #10).

When analyzing request #2 under Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses And New Uses, the standards provide that the request for the special exception for the proposed residential development within the BU-2 zone be compatible with the area and its future development. Staff opines that the proposed use

will result in excessive noise and traffic, cause undue or excessive burden on public facilities, will provoke excessive overcrowding and concentration of people, when considering the necessity for and reasonableness of the applied for exception in relation to the present and future development of the area and the compatibility of the applied for exception with the area and its development. As previously mentioned, staff is of the opinion that the proposal is **incompatible** with the adjoining residential and commercial developments that surround the subject property and the proposal is, therefore, **inconsistent** with the CDMP's interpretative text which indicates that the scale and intensity, including height and floor area ratio (FAR) of the residential or development should not be out of character with that of adjacent or adjoining development and zoning. Therefore, staff opines that the approval of the request will negatively impact the surrounding area. As such, staff recommends denial without prejudice of request #2 under Section 33-311(A)(3).

When requests #3 through #6 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 would be **incompatible** with the surrounding area, would be detrimental to the neighborhood, and would affect the stability and appearance of the community. Approval of request #3, to permit a ten-story multi-family apartment building with a setback of 32' (50' required) from the front (north) property line, setback a minimum of 15' (63.18' required) from the interior side (east and west) property lines and setback 20' (60.6' required) from the rear (south) property line would result in encroachments of 18', 48.18', and 40.6' into the front, interior side, and rear setback areas which staff opines are excessive and out of character with the scale and development intensity of the neighborhood as previously mentioned and as evidenced by the absence of similar approvals in the area. Similarly, request #4, to permit a lot coverage of 57.62% (40% maximum permitted), request #5, to permit an FAR of 2.2 (1.29 maximum permitted) and request #6, to permit a landscape open space of 9.1% (33.5% minimum required), are all indicative of an over intensification of the subject site and the lack of sensitivity to the surrounding developments and would, in staff's opinion, have a negative visual impact on the area. It should be noted that staff's research did not reveal the approval of any requests as intense as those sought by the applicant in this application. Therefore, staff opines that the approval of requests #3 through #6 would be out of character with the area and incompatible therewith, and recommends denial without prejudice of same under the NUV standards.

When requests #7 through #9 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 would be **incompatible** with the surrounding area, would be detrimental to the neighborhood, and would affect the stability and appearance of the community. Staff acknowledges that property located to the east of the subject site was granted, among other requests, a request to waive the required 5' high wall where a business lot abuts a residential zoning district, pursuant to Resolution #Z-86-83. However, staff notes that request #7, to waive the required 5' high wall where a business lot abuts a residential zoning district interior to the site, is germane to and an integral part of the proposed site plan which staff opines is out of character with the size and scale of development in the area and which staff does not support. Approval of request #8, to permit a 3' wide landscape buffer (5' wide minimum required) along the interior side (east and west) property lines, would allow the applicant to provide a landscape buffer along the interior

side property lines that is 2' narrower than that required by the Zoning Code. Staff acknowledges that the submitted plan illustrates landscaping in the form of a Pigeon Plum trees (9' to 10' tall at time of planting) and a Cocoplum hedge along the interior side (west) property line as well as Live Oak trees (12'-14' tall at time of planting) and a Cocoplum hedge along the interior side (east) property line. However, staff opines that request #8 is excessive and indicative of an over utilization of the subject site. Approval of request #9, to waive the zoning regulations requiring section line rights-of-way to be 80' in width to permit 35' of dedication for the south half of SW 8 Street where 40' is required, would allow the applicant to utilize the 2.14 acre site for the multi-family residential development without lessing out an additional 5' for right-of-way dedication. Research reveals that the majority of the south side of SW 8 Street, although a section-line roadway within section mile 8-54-41, is dedicated with 35' of width for the right-of-way. Staff acknowledges that the approval of this request would not be an obvious departure from the aesthetic character and physicality of the roadway as evidenced by the uniformity of width of the right-of-way along this portion of the roadway. Furthermore, as mentioned in their memorandum, the PWD has no objections to request #9. However, staff is not supportive of request #9 and notes that said request is germane to and an integral part of requests #1 through #8 on Parcel A, which staff does not support since the proposed 10-story multi-family building with variances of setbacks, lot coverage, FAR and landscape open space is, in staff's opinion, **incompatible** with the surrounding area. Therefore, staff recommends denial without prejudice of requests #7 through #9 under Section 33-311(A)(4)(b) (NUV).

The Alternative Site Development Option (ASDO) Standards for the BU Zoning District, Section 33-311(A)(16), provide for the approval of a zoning application that 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 same. As such, requests #3 through #7 cannot be approved under the ASDO Standards and should be denied without prejudice under Section 33-311(A)(16) (ASDO).

When analyzed under the Alternative Non-Use Variance (ANUV) Standards, Section 33-311(A)(4)(c), the applicant would have to prove that requests #3 through #9 are due to unnecessary hardship and that, should the requests not be granted, such denial would not permit the reasonable use of the premises. However, staff notes that the property can be developed in accordance with the zoning regulations. The applicant has not proven that compliance with same would result in an unnecessary hardship, and therefore, staff opines that requests #3 through #9 cannot be approved under Section 33-311(A)(4)(c), the ANUV Standards, and should be denied without prejudice under same.

Based on the foregoing, staff recommends denial without prejudice of request #1 for a district boundary change to BU-2 on Parcel A and denial without prejudice of request #10 for a district boundary change to RU-4L on Parcels B and C; denial without prejudice of the requested special exception to permit a multi-family apartment building in the BU-2 district (request #2); denial without prejudice of requests #3 through #7 under Section 33-311(A)(16) (ASDO); and denial without prejudice of requests #3 through #9 under Section 33-311(A)(4)(b) (NUV) and Section 33-311(A)(4)(c) (ANUV).

I. **RECOMMENDATION:** Denial without prejudice.

J. **CONDITIONS:** None.

DATE INSPECTED: 06/20/08
DATE TYPED: 07/18/08
DATE REVISED: 07/23/08; 09/04/08; 09/05/08; 09/12/08; 09/15/08; 10/06/08; 10/21/08
DATE FINALIZED: 10/21/08
MCL:MTF:LVT:NC

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

Memorandum

MIAMI-DADE COUNTY

Date: August 27, 2008

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

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

Subject: C-10 #Z2006000133-3rd Revision
PMBC Homes at Gables Edge, LLC
South of S.W. 8th Street and East of S.W. 43rd Avenue
District Boundary Change from RU-2 to RU-4L,
Special Exception to Permit Residential in the BU-2 Zoning District,
Request to Permit a Greater Lot Coverage and FAR than Required,
Request to Permit Less Landscape and Setback than Required,
Request to Waive Wall and Section Line Right-of Way Dedication
(BU-2/RU-3B/RU-2) (2.14 Acres)
08-54-41

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.

Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management
A Surface Water Management General Permit from DERM shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to platting and/or site development, or Miami-Dade Public Works approval of paving and drainage plans. The applicant is advised to contact the DERM Water Control Section for further information regarding permitting procedures and requirements.

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year/1-day storm event with full on-site retention of the 25-year/3-day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP, subject to compliance with the conditions required by DERM for this proposed development order.

Hazardous Materials Management
Due to the nature of uses allowed in the proposed zoning classification, the applicant may be required to obtain DERM approval for management practices to control the potential discharge and spillage of pollutants associated with some land uses permitted in the requested zoning district. The applicant is advised to contact the Permitting Section of DERM's Pollution Regulation and Enforcement Division, at (305) 372-6600 concerning permitting requirements for fuel storage facilities.

Operating Permits
Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that due to the nature of some land uses permitted under the proposed zoning classification, operating permits from DERM may be required. The Permitting Section of DERM's Pollution Regulation and Enforcement Division may be contacted at (305) 372-6600 for further information concerning operating requirements.

Fuel Storage Facilities
Section 24-45 of the Code outlines regulations for any proposed or existing underground storage facilities. The regulations provide design, permitting, installation, modification, repair, replacement and continuing operation requirements and criteria. In addition, monitoring devices, inventory control practices and pressure testing of fuel storage tanks is required. The applicant is advised to contact the Permitting Section of DERM's Pollution Regulation and Enforcement Division, at (305)372-6600 concerning permitting requirements for fuel storage facilities.

Wetlands
The subject property does not contain jurisdictional wetlands, as defined in Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600), and the South Florida Water Management District (1-800-432-2045), may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation
An aerial review performed by DERM staff revealed that tree resources have been removed from the property between 2006 and 2007 without first obtaining the required Miami-Dade County Tree Removal Permit. Consequently, the subject property shall be referred for review for an After-the-Fact Permit and follow up enforcement action, which is required to resolve this issue.

In addition, the proposed site plan indicates that specimen-sized tree(s) (trunk diameter 18 inches or greater) will be impacted. Section 24-49.2 of the Code requires preservation of specimen trees whenever reasonably possible. Prior to the removal or relocation of any tree on-site, which is subject to the Tree Preservation and Protection provisions of the Code, a Miami-Dade County Tree Removal Permit, which meets the requirements of Sections 24-49.2 and 24-49.4 of the Code is required. Be advised that pursuant to Section 24-49.2(II)(1) of the Code, evaluation of permit applications for the removal of specimen trees include, but is not limited to, factors such as size and configuration of the property as well as any proposed development; location of tree(s) relative to any proposed development and whether or not the tree(s) can be preserved under the proposed plan or any alternative plan.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application. The applicant is advised to contact DERM staff for additional information regarding permitting procedures and requirements prior to site development.

Enforcement History
DERM has found the following enforcement case:

Gables Edge Parks Co. TREE 2000-001
On January 3rd 2000, an inspection conducted by DERM revealed that five (5) specimen pine trees, and four (4) other trees were removed, without a Tree Removal Permit. A Notice of violation was issued to this facility on January 10, 2000 and an After-the-Fact tree removal permit was issued to the property owners on March 27, 2000. A Final Notice Prior to Court Action was issued on August 8, 2000 for non-compliance with the after the fact tree removal permit requirements. A Consent Agreement was executed on September 15, 2000, requiring the submittal of the tree-planting plan. The tree-planting plan was submitted and was approved on November 21, 2001. The mitigation was completed and the case was subsequently closed.

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 discus this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

REVISION 2
PH# Z2006000133
CZAB - C10

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:GABLES EDGE PARKS CO.

This Department has no objections to this application.

This Department has no objections to the request to permit 35 feet of dedication for the south half of SW 8th Street.

Gates are not allowed and must be reviewed under the Entrance Feature process reviewed by the Plat Committee.

Entrance features requiring gates are not reviewed under this application and must be filed separately. Entrance features reviewed by the Plat Committee have a more scrutinized review process which includes other affected Departments such as Fire Rescue and Water & Sewer.

Driveway to SW 8 Street must meet current F.D.O.T. access management requirements; contact the district office at 305-470-5367 for driveway and drainage permits.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.

Raul A Pino, P.L.S.
10-JUL-08

25

MIAMI INTERNATIONAL AIRPORT

Miami-Dade Aviation Department
P.O. Box 025504
Miami, Florida 33102-5504
T 305-876-7000 F 305-876-0948
www.miami-airport.com

miamidade.gov

Commercial Airport:
Miami International Airport

General Aviation Airports:
Dade-Collier Training & Transition
Homestead General
Kendall-Tamiami Executive
Opa-locka
Opa-locka West

May 2, 2008

Ms. Estrellita S. Sibila, Esq.
Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.
2525 Ponce de Leon Blvd, Suite 700
Coral Gables, Florida 33134

RE: Determination Number DN-08-04-024 Airspace Analysis for Gables Edge, located at SW 8th Street and west of SW 42nd Avenue, Miami, FL
Folio Number: 3041080130010

Dear Ms. Sibila:

The Miami-Dade Aviation Department (MDAD) has reviewed the above referenced project for an airspace analysis. Our review finds that the assumed 137 ft AMSL (Above Mean Sea Level) structure at this location conforms to the Miami-Dade County Height Zoning Ordinance.

This height determination is an estimate issued on a preliminary or advisory basis. **It is necessary to file with the FAA** for the structure height as stated above by using form 7460-1 'Notice of Proposed Construction Alteration for Determination of Known Hazards'. **Any construction cranes reaching or exceeding 91 ft AMSL (Above Mean Sea Level) for this project must be filed by the construction contractor using the same form.** The form is available through this office or through the FAA website: https://oeaaa.faa.gov. This form should be mailed to: Federal Aviation Administration, Air Traffic Airspace Branch - ASW-520, 2601 Meacham Blvd, Ft. Worth, TX 76137-0520. Alternatively, the developer may "e-file" online at https://oeaaa.faa.gov .

Please note that the airspace review process is governed by two different regulations: the Miami-Dade County Height Zoning Ordinances and Federal Regulation Title 14 Part 77. The FAA has its own airspace evaluation requirements, and issues airspace determinations for structures and cranes based on the particular facts then presented before the FAA. The County's Aviation Department or the applicable municipal building official determines whether the County's height limitations are met, and FAA determines whether FAA building, marking and height requirements are met.

This determination is based, in part, on the description provided to us by you, which includes specific building locations and heights. Any changes in building locations/layouts or heights will void this determination. Any future construction or alteration, including an increase to heights requires separate notice to the FAA and the Miami-Dade Aviation Department.

Furthermore, please note that upon completion of this project, no Certificate of Use and Certificate of Occupancy shall be issued by a municipality or Miami-Dade County until approval is obtained by this office certifying that the structure was built no higher that the height approved by this letter. The approval shall be issued by this office after submittal by applicant of the required information as outlined in the Miami International Airport (Wilcox Field) Zoning Ordinance, **Section 33-349 Airspace Approvals, Paragraph A, Subsection 2.**

Should you have any questions in obtaining and/or filling out FAA form 7460-1 or if I can be of any further assistance, please feel free to contact me at 305-876-8080.

Sincerely,

José A. Ramos, R.A.
Chief of Aviation Planning Section

JR/AH/cf

C: S. Harman
A. Herrera
File Zoning

Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Rudolph F. Crew, Ed.D.

Ana Rijo-Conde, AICP, Facilities Planning Officer
Facilities Planning

Miami-Dade County School Board
Frank J. Bolaños, Chair
Dr. Robert B. Ingram, Vice Chair
Agustín J. Barrera
Evelyn Langlieb Greer
Perla Tabares Hantman
Dr. Martin Karp
Ana Rivas Logan
Dr. Marta Pérez
Dr. Solomon C. Stinson

November 21, 2005

Ms. Diane O'Quinn-Williams, Director
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 NW 1 Street, Suite 1110
Miami, Florida 33128

RE: REVISED - PMBC HOMES (CORAL EDGE LLC) – SW 8 STREET & SW 42 AVENUE, MIAMI

Dear Ms. O'Quinn-Williams:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) revised review analysis of potential impact generated by the above referenced application. Please note that only one of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Coral Gables Elementary, G. W. Carver Elementary and Coral Gables Senior High currently operating at 141%, 115% and 132% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Coral Gables Senior High School to 133%.

Additionally, at its April 13, 2005 meeting, the Board approved School District criteria that would allow District staff to make recommendations on residential zoning applications that impact public schools beyond the 115% of FISH capacity threshold (Review Criteria). Pursuant to the Interlocal, and the recently approved Review Criteria the District met with the applicant on September 13, 2005.

The District is grateful that the applicant took the time to meet with the School District to discuss mitigation options outlined in the Review Criteria. At said meeting the applicant voluntarily proffered a monetary donation, over and above impact fees. The payment of the required educational impact fees for this proposed development and the proffered monetary donation will provide the full capital cost of student stations for the additional students generated by the proposed development. Please be advised that such a proffer is subject to School Board approval, at an upcoming meeting.

Pursuant to the recently approved 5-year work plan, please note the attached revised analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program and a list of approved Charter School Facilities, which may provide relief on a countywide basis.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

> New residential unit square footage X .90 (Square Footage Fee) + $600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee

As an example, assuming the proposed unit is 1,000 square feet, the 23-unit development is estimated to generate approximately $34,500 ($1,500 per unit, excluding the 2% administration fee) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

Thank you in advance for your cooperation in this matter. Please call me should you have any questions at (305) 995-7287.

Sincerely,

Vivian G. Villaamil
Director I

VGV:mo
L767
Attachments

cc: Ms. Ana Rijo-Conde, AICP
Mr. Fernando Albuerne
Mr. Ivan M. Rodriguez, R.A.
Gilberto Pastoriza, Esquire

****REVISED****
SCHOOL IMPACT REVIEW ANALYSIS
November 10, 2005

APPLICATION:	No. 8 - PMBC Homes at Coral Edge, LLC		
REQUEST:	Land use amendment from Low Density Residential (2.5-6 DU/acre) and Business and Office to Medium Density Residential (13-25 DU/acre)		
ACRES:	2.14 net acres		
LOCATION:	Approximately SW 8th Street and SW 42nd Avenue, Miami		
MSA/ MULTIPLIER:	5.3 / 0.36 (townhouse) and 0.31 (single-family)		
NUMBER OF UNITS:	23 additional units	Proposed land use 30 townhouse units	Exiting land use 7 single-family units
ESTIMATED STUDENT POPULATION:	9 additional students*	11	2
ELEMENTARY:	4		
MIDDLE:	2		
SENIOR HIGH:	3		

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY:	Coral Gables Elementary – 105 Minorca Avenue	Schools of Choice Share Boundaries
	Sunset Elementary – 5120 SW 72 Street, South Miami	
	G. W. Carver Elementary -238 Grand Avenue	
MIDDLE:	Ponce De Leon Middle - 5801 Augusto St.	
SENIOR HIGH:	Coral Gables Senior - 450 Bird Rd.	

All schools are located in Region 4.

*Based on Census 2000 Information provided by Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of August 2005:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE	CUMULATIVE STUDENTS**
Coral Gables Elementary, or	762	522	146%	18	141%	755
Sunset Elementary, or	1,083	790	137%	230	106%	1,089
G. W. Carver Elementary	557	442	126%	44	115%	594
Ponce De Leon Middle	1,356/ 1,358*	1,184	115%/ 115%*	161	101%/ 101%*	1,639
Coral Gables Senior high	3,704/ 3,707*	2,799	132%/ 133%*	0	132%/ 133%*	4,055

* increased student population as a result of the proposed development

** Estimated # of students (cumulative) based on zoning/land use log (2001- present) and assuming all approved developments are built; also assumes none of the prior cumulative students are figured in current population

Notes:

1) Figures above reflect the impact of the class size amendment.
2) Pursuant to the Interlocal Agreement, Coral Gables Elementary, G. W. Carver Elementary and Coral Gables Senior meet the review threshold.

PLANNED RELIEF SCHOOLS IN THE AREA
(Information included in proposed 5-Year Capital Plan, 2005-2009, dated January 2005)

Projects in Planning, Design or Construction

School	Status	Projected Occupancy Date
N/A		

Proposed Relief Schools

School	Funding Year
State School "L-1" at English Center (Silver Bluff / Carver / Coral Gables Elementary Schools Relief) (826 student stations)	FY 07-08
New Modular (Sunset Elementary School Relief) (400 student stations)	FY 07-08

Ponce de Leon Middle Renovations FY 06-07
(Ponce de Leon Middle School Relief)

State School "LLL-1"
International Studies Senior FY 07-08
at Metrorail
(Coral Gables Senior High School Relief)
(700 student stations)

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to $6,549 per student. The total annual operating cost for additional students residing in this development, if approved, would total $58,941.

CAPITAL COSTS: Based on the State's November 2005 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	4	x	$	13,911	=	$55,644
MIDDLE	2	x	$	15,950	=	$31,900
SENIOR	3	x	$	21,106	=	$63,318

Total Potential Capital Cost $150,862

* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

NEW CHARTER SCHOOLS FOR 2005-2006

W/L	Name and Address of Charter School	Contact Information	Grade Levels
6006	Archimedean Middle Conservatory 12425 SW 72 St. Miami, FL 33183	Ms. Vasiliki Moysidis 305 640-6278	6-8
7016	Bridge Academy ***Main Campus:*** 8325 NE 2 Ave., Miami, FL 33138 ***South Campus:*** 224 Washington Ave., Homestead, FL 33030	Dr. Leo S. Cardona 954 907-2771 786 513-0546 Fax drleoc@myfra.com	12
6007	Charter on the Beach Middle School 2301 Normandy Dr. Miami Beach, FL 33141	Ms. Gladys Palacio 786 258-2505 gladyspalacio@aol.com	7-8
6040	Doctors Charter School of Miami Shores 11301 NW 5 Ave. Miami Shores, FL 33138	Ms. Maggie Manrara 305 795-2207 manraram@miamishoresvillage.com	6-12
7009	Doral Performing Arts & Entertainment Academy 11100 NW 27 St., Doral, FL 33172 and 2601 NW 112 Ave., Doral, FL 33172	Ms. Ofelia Alvarez 305 597-9950	9-12
4080	Early Beginnings – North Shore 985 NW 91 St. Miami, FL 33150 (North Shore Medical Center)	Ms. Carol Byrd, Principal United Cerebral Palsy 305 325-1080	PK-K
4070	Early Beginnings – Civic Center 1411 NW 14 Ave. Miami, Florida 33125	Ms. Carol Byrd, Principal United Cerebral Palsy 305 325-1080	PK-K
6027	Transitional Learning Academy 1411 NW 14 Ave. Miami, Florida 33125	Ms. Pamela Miller, Principal United Cerebral Palsy 305 325-1080	8-12
6008	Lawrence Academy 777 West Palm Drive Florida City, FL 33034	Dr. Keitha Burnett 305 281-3052 mkbur293@aol.com	6-8
1000	Liceo ENLACE Miami 9705 E. Hibiscus Palmetto Bay, FL 33157	Ms. Lucy Puello-Capone 305 213-7723 ces1234@aol.com	K-8
6009	Mater East Academy Middle School 450 SW 4 St. Miami, FL 33130	Ms. Ana Valdes, Principal 305 324-4667	6-8

WIL	Name and Address of Charter School	Contact Information	Grade Levels
7014	Mater Performing Arts & Entertainment Academy 7901 NW 103 St. Hialeah Gardens, FL 33016	Ms. Christine McGuinn, Principal 305 828-1886	9-12
5010	Oxford Academy of Miami 10870 SW 106 St. Miami, FL 33176	Mr. Tobias Hernandez, Principal 305 598-4494 305 275-2003 Fax	K-5
5030	Sandor Wiener School of Opportunity, South 11025 SW 84 St. Miami, FL 33173	Ms. Lissa Gonzalez, Principal 305 279-3064 Lgonzalez1@dadeschools.net	PK-5
5050	Sunshine Academy 1733 NE 162 St. N. Miami Beach, FL 33162	Ms. Ann-Marie Manzano, Director 786 210-8324 manzanos5@netzero.net	K-8
1010	The Charter School at Waterstone 855 East Waterstone Way Homestead, FL 33034	Dr. Cristina Cruz, Principal drcruzwaterstone@aol.com Temporary office: Prime Outlets Mall 250 East Palm Drive, Suite 245 Florida City, FL 33034 305 248-6206 Fax: 305 248-6208 Email: info@charterschoolatwaterstone.com Web: www.charterschoolatwaterstone.com	K-8
6029	Spirit City Academy 3400 NW 135 St. Opa-locka, FL 33054	Ms. Cecilia Honeywood, Principal 786 493-1546 cahoneywood@dadeschools.net	6-8
7015	Life Skills Center Miami-Dade County 3535 NW 7 Street Miami, FL 33125	Mr. Jose Filpo 305 643-9111 305 643-9141 Fax jose.filpo@lifeskillscenters.com	10-12
6028	Renaisssance Middle Charter School ***Temporary location for 05-06:*** 8360 NW 33 St. Miami, FL 33122	Ms. Ana Cordal, Principal 305 591-2225 acordal@dadeschools.net	6-8

CHARTER SCHOOLS 2005-2006

LOC #	SCHOOL NAME / ADDRESS / URL	GRADE LEVELS	SCHOOL ADMINISTRATOR / E-MAIL ADDRESS	TELEPHONE / FAX
7022	Academy of Arts and Minds 3136 Commodore Plaza Miami, FL 33133 http://www.aandm.net	9-12	Mr. Thomas L. Shaw tlshaw@dadeschools.net	305-448-1100 305-448-9737 Fax
0510	Archimedean Academy 12425 SW 72 St. Miami, FL 33183 http://homepage.mac.com/archimedean_academy/ARCHIMEDEAN_ACADEMY.html	K-5	Ms. Pat Booth pbooth@dadeschools.net	305 640-6278 305 675-8448 Fax
6070	ASPIRA Eugenio Maria De Hostos Youth Leadership Charter School 1910 NE Miami Ct, Miami, FL 33127 http://fl.aspira.org/Wynwood/Charter/emh_charter.htm	6-8	Mr. Fernando Lopez flopez@dadeschools.net	305-576-1512 305-576-0810 Fax
6060	ASPIRA South Youth Leadership Charter School 14112-14114 SW 288 St. Leisure City, FL 33033 http://fl.aspira.org/South/Charter/south_charter.htm	6-8	Mr. Kevin Moore kmoore@dadeschools.net	305-246-1111 305-246-1433 Fax
6020	ASPIRA Youth Leadership Charter School 13300 Memorial Hwy. N. Miami, FL 33161 http://fl.aspira.org/North/Charter/north_charter.htm	6-8	Ms. Iliana Peña idpena@dadeschools.net	305-893-8050 305-891-6055 Fax
0950	Aventura City of Excellence Charter School 3333 NE 188 St. Aventura, FL 33180 http://www.aventuracharter.org	K-8	Dr. Katherine Murphy kmurphy@dadeschools.net	305-466-1499 305-466-1339 Fax
0113	Balere Language Academy 10500 Caribbean Blvd. Miami, FL 33189 http://www.balere.org/charter/index.htm	K-8	Ms. Rocke Malik rmalik@dadeschools.net	305-232-9797 305-232-4535 Fax
0070	Coral Reef Montessori Academy Charter School 10853 SW 216 St. Miami, FL 33157 http://coralreefmontessori.dadeschools.net	K-8	Ms. Juliet King julietking@dadeschools.net Ms. Lucy Canzoneri-Golden	305-255-0064 305-255-4085 Fax
3030	Doral Academy 2450 NW 97 Ave. Miami, FL 33172 http://doralacademy.dadeschools.net	K-5	Ms. Ileana Gomez ileanagomez@dadeschools.net	305-597-8999 305-591-2669 Fax
6030	Doral Academy Charter Middle School 2601 NW 112 Ave. Miami, FL 33172 http://materacademyhigh.dadeschools.net	6-8	Mr. Jose Baca 920111@dadeschools.net	305-591-0020 305-591-9251 Fax
7020	Doral Academy High School 11100 NW 27 St. Miami, FL 33172 http://materacademyhigh.dadeschools.net	9-12	Mr. Frank Jimenez fjimenez@dadeschools.net	305-597-9850 305-477-8762 Fax

CHARTER SCHOOLS 2005-2006

3600	Downtown Miami Charter School 305 NW 3 Ave, Miami, FL 33128 http://downtowncharter.org	K-8	Ms. Terry Maus terrymaus@dadeschools.net	305-579-2112 305-579-2115 Fax
6010	Florida International Academy 7630 Biscayne Blvd. Miami, FL 33138 Mission Statement	6-8	Ms. Sonia Mitchell smitchell@dadeschools.net	305-758-6912 305-758-6985 Fax
2060	Theodore R. and Thelma A. Gibson Charter School 3634 Grand Ave. Miami, FL 33133 Mission Statement http://gibsoncharter.dadeschools.net	K-8	Mr. Charles Bethel cgbethel@dadeschools.net	305-648-3126 305-648-3130 Fax
7007	International Studies Charter High School 3280 South Miami Avenue Miami, FL 33127 http://www.ischs.net/index.html	9-12	Ms. Ana Alvarez-Arimon aalvarez-arimon@dadeschools.net	305 648-4293 305 860-2138 Fax
3610	Keys Gate Charter School 2000 SE 28 Ave, Homestead, FL 33035 http://www.keyscharter.org	K-8	Ms. Christine Valadez cvaladez@dadeschools.net	305-230-1616 305-230-1347 Fax
0040	Liberty City Charter School 8700 NW 5 Ave. Miami, FL 33150 North Campus: 13301 NW 24 Avenue Miami, FL 33167 http://www.lccschool.com	K-8	Ms. Katrina Wilson-Davis k.wilson-davis@dadeschools.net	305-751-2700 305-751-1316 Fax North Campus: 305-681-4760 786-413-0560 Fax
0100	Mater Academy 7700 NW 98th St. Hialeah Gdns, FL 33016 http://materacademy.dadeschools.net	K-5	Ms. Kim Guitarte kguitarte@dadeschools.net	305-698-9900 305-698-3822 Fax
6012	Mater Academy Charter Middle School 7901 NW 103 St Hialeah Gardens, FL 33016 http://materacademyhigh.dadeschools.net	6-8	Mr. Rene Rovirosa rovirosa@dadeschools.net	305-828-1866 305-828-8175 Fax
3100	Mater Academy East Charter School 450 SW 4th St. Miami, FL 33130 http://materacademyeast.dadeschools.net	K-8	Ms. Beatriz Riera briera@dadeschools.net	305-324-4667 305-324-8580 Fax
7160	Mater Academy Charter High School 7901 NW 103 St. Hialeah Gdns, FL 33016 http://materacademyhigh.dadeschools.net	9-12	Ms. Judith Marty jmarty@dadeschools.net	305-828-1866 305-828-8175 Fax
4000	Miami Children's Museum Charter School 980 McArthur Causeway Miami, FL 33132 *Temporary location for 04-05:* 450 SW 4 St. Miami, FL 33130	K-5	Ms. Maria Mongeotti Greer mongeotti-greer@dadeschools.net	**Temporary Numbers:** 305-324-4667 305-324-8580 Fax

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CHARTER SCHOOLS 2005-2006

0102	Miami Community Charter School 101 SW Redland Road Miami, FL 33034 Mission Statement	K-6	Ms. Jila Rezale jrezale@dadeschools.net miamicharter@bellsouth.net	305-245-2552 305-245-2527 Fax
6040	Doctor's Charter School of Miami Shores 10050 NE 2nd Avenue Miami Shores, FL 33168	6-12	Ms. Maggie Manrara	305-754-2381 305-754-9926 Fax
0600	Pinecrest Preparatory Academy 14301 SW 42 St. Miami, FL 33175 *Kendall Greens Campus:* 15130 SW 80th Street Miami, FL 33193 http://Pinecrestpreparatoryacademy.dadeschools.net	K-5	Ms. Susie Dopico sdopico@dadeschools.net	305-207-1027 305-207-1897 Fax
6022	Pinecrest Academy Charter Middle School 14301 SW 42 St. Miami, FL 33175 *Kendall Greens Campus:* 15130 SW 80th Street Miami, FL 33193 http://Pinecrestpreparatoryacademy.dadeschools.net	6-8	Ms. Jeanette Menendez jeanettemndz@dadeschools.net	305-207-1027 305-207-1897 Fax
0400	Renaissance Elementary Charter School 8360 NW 33 St. Miami, FL 33122 http://www.recscharter.org	K-5	Ms. Ana Cordal acordal@dadeschools.net	305-591-2225 305-591-2884 Fax
0300	Rosa Parks Charter School/Florida City *K-5 students will be at this location:* 713 West Palm Dr. Florida City, FL 33034 *6-8 students will be at this location:* 303 West Palm Dr. Florida City, FL 33034	K-8	Ms. Marva de Silva	305-246-3336 305-246-3340 Fax
5710	Sandor Wiener School of Opportunity Main Campus: 20000 NW 47 Ct. Opa-Locka, FL 33055 Mailing Address: PO Box 173470 Hialeah, FL 33017-3470 Mission Statement	K-5	Ms. Lissa Gonzalez lgonzalez1@dadeschools.net	305-623-9631 305-623-9621 Fax
	Kendall Campus: 11025 SW 84 St. Miami, FL 33173		Lead Teacher: Ms. Roxana Ochoa	305-279-3064 305-279-3294 Fax
7030	School for Integrated Academics & Technologies (SIATech) Main Campus: Homestead Job Corps Center 12350 SW 285 St., Homestead, FL North Campus: Miami Job Corps Center 3050 NW 183 St., Miami, FL Mission Statement	9-12	Ms. Marjorie Lopez lopezma@dadeschools.net	Main: 305-258-0477 305-257-2164 Fax Other Numbers: 786-547-6136 305-586-2344 Fax

CHARTER SCHOOLS 2005-2006

0520	Somerset Academy 18491 SW 134 Ave. Miami, FL 33177 Mission Statement http://somersetelem.dadeschools.net	K-5	Ms. Suzette Ruiz sruiz0520@dadeschools.net	305-270-8740 305 270-8778 Fax
6004	Somerset Academy Charter Middle SW 117 Ave. & 232 St. Miami, FL 33170 *Temporary locations for 05-06:* 18491 SW 134 Avenue Miami, FL 33177	6-8	TBA	305-270-8740 305-270-8776 Fax
7042	Somerset Academy Charter High School SW 117 Ave. & 232 St. Miami, FL 33170 *Temporary locations for 05-06:* 2601 NW 112 Ave. Miami, FL 33172 and 11100 NW 27 St. Miami, FL 33172	9-12	Ms. Diana Morales dmorales3@dadeschools.net	Temporary Numbers: 305-597-9950 305-477-6782 Fax
0280	Spiral Tech Elementary Charter School 12400 SW 72 St. Miami, FL 33183 Mission Statement	K-5	Ms. Gisela Batan gbatan@dadeschools.net	305-273-0474 305-273-0242 Fax
1020	Youth Co-Op Charter School 12051 W. Okeechobee Rd. Hialeah Gdns, FL 33018 http://yccs.dadeschools.net/	K-8	Ms. Maritza Aragon maragon@dadeschools.net	305-819-8855 305-819-8455 Fax

Charter School Growth in Miami-Dade County

Existing Charter Schools				
School Name	Actual Enrollment (8/10/05)	Projected Enrollment (as per contract)		
		2005-2006	2006-2007	Maximum
Academy of Arts & Minds	139	400	500	500
Archimedean Academy	432	525	525	525
Archimedean Middle Conservatory	55	160	240	240
ASPIRA Eugenio Maria de Hostos	299	600	600	600
ASPIRA Youth Leadership	291	450	450	450
ASPIRA South Youth Leadership	202	210	450	600
Aventura City of Excellence School	671	900	900	900
Balere Language Academy	155	175	250	450
Coral Reef Montessori	324	500	500	500
Doctors Charter School of Miami Shores	401	375	450	525
Doral Academy	728	2,200	2200	2,200
Doral Academy Middle School	809	1,250	1250	1,250
Doral Academy High School	908	1,800	1800	1,800
Doral Performing Arts & Entertainment Academy	50	100	150	200
Downtown Miami Charter School	558	650	650	650
Early Beginnings Academy – Civic Center	25	80	80	80
Early Beginnings Academy – North Shore	12	43	43	70
Florida International Academy	258	350	350	350
International Studies Charter High School	80	500	750	1,000
Keys Gate Charter School	1,085	1,150	1,150	1,150
Lawrence Academy	69	120	250	450
Liberty City Charter School	372	705	705	705
Life Skills Center Miami-Dade County	13	300	450	600
Mater Academy	700	1,150	1,150	1,150
Mater Academy Charter High School	1,158	1,300	1,300	1,300
Mater Academy Charter Middle School	1,157	1,300	1,300	1,300
Mater Academy East Charter School	310	800	800	800
Mater Academy East Middle School	103	250	250	250
Mater Performing Arts & Entertainment Academy	97	100	150	200
Miami Children's Museum	72	350	350	350
Miami Community Charter School	221	600	600	600
Oxford Academy of Miami	101	450	450	450
Pinecrest Preparatory Academy Middle School	216	750	800	800
Pinecrest Preparatory Academy	743	1,250	1,250	1,250
Rosa Parks Charter School/Florida City	192	400	600	600
Renaissance Elementary Charter School	444	500	500	500
Renaissance Middle Charter School	43	50	700	1,600
Sandor Wiener School of Opportunity	19	72	72	72
Sandor Wiener School of Opportunity, South	17	36	36	36
School for Integrated Academics & Technologies	262	600	800	800
Somerset Academy	514	700	700	700
Somerset Academy Charter Middle School	70	300	300	300
Somerset Academy Charter High School	7	250	375	500
Spiral Tech Elementary Charter School	71	290	290	290
Spirit City Academy	40	250	300	400
Sunshine Academy	100	150	200	450
The Charter School at Waterstone	1,001	1,000	1,000	1,000
Theodore R. and Thelma A. Gibson Charter School	11	500	600	600
Transitional Learning Academy	28	48	48	72
Youth Co-Op Charter School	508	525	525	525
TOTAL: 50 schools	**16,141**	**27,514**	**30,139**	**32,690**

Revised August 9/05 to reflect August 2005 board action - Page 1 of 2

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Board Approved Contracts to Schools to Open in Future Years			
School Name	Projected Enrollment per Contract		
	05-06	06-07	Max
Charter on the Beach Middle School	-0-	250	250
Liceo ENLACE Miami Charter Academy	-0-	475	775
A Child's Journey Charter School	-0-	175	600
Atlantic Science Academy	-0-	600	840
Cooperative Charter School	-0-	100	200
Dr. Joseph Coats Grace Community Charter School	-0-	600	600
Excelsior Academy of Miami	-0-	450	450
Mosaic Bilingual Academy	-0-	120	365
North Miami/Florida Int'l Univ. Charter Sr. High School	-0-	800	1,600
Pinecrest Academy Charter High School	-0-	600	850
South Dade Charter Elementary School	-0-	625	750
Summerville Charter School	-0-	600	600
TOTAL: 12 schools	**-0-**	**5,395**	**7,880**
SUB TOTAL (EXISTING + APPROVED) 62 Schools	27,511	35,304	40,570

Board approved applications for schools opening in subsequent years		
Applicant	Number of Schools	Maximum Enrollment Capacity
Somerset Academy	6	6,400
Mater Gardens Academy Elementary School	1	900
Mater Springs Academy Elementary School	1	600
Mater Academy South Charter School	1	900
Mater Gardens Academy Middle School	1	450
Mater Springs Academy Middle School	1	300
Sabal Palm Charter High School	1	800
Charter Academy of Excellence	1	600
Palmetto Bay Charter Academy	1	1,600
Princeton Charter Academy	1	1,600
Homestead Charter High School	1	2,000
South Miami-Dade Charter Elementary School	1	600
South Miami-Dade Charter Middle School	1	300
Total :	**18 schools**	**17,050**
GRAND TOTALS		
Number of Schools		Maximum Enrollment Capacity
80		57,620

REVISION 4

Memorandum

Date: 29-SEP-08

To: Marc LaFerrier, Director
Department of Planning and Zoning

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2006000133

Fire Prevention Unit:

This Memo supersedes MDFR Memorandum dated July 18, 2008
APPROVAL
Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped July 7, 2008. Any changes to the vehicular circulation must be resubmitted for review and approval.
This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for zoning hearing applications only. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDFR requirements.

Service Impact/Demand:

Development for the above Z2006000133
located at SOUTH OF S.W. 8 STREET & APPROXIMATELY 150' EAST OF S.W. 43 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1404 is proposed as the following:

91 residential	dwelling units	N/A industrial	square feet
N/A Office	square feet	N/A institutional	square feet
N/A Retail	square feet	N/A nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 25.54 alarms-annually.
The estimated average travel time is: 7:22 minutes

Existing services:

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

Station 40 - West Miami - 975 SW 62 Avenue.
Rescue, ALS Engine,

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 plans date stamped July 7, 2008. Substantial changes to the plans will require additional service impact analysis.

DATE: 08/28/08
REVISION 1

TEAM METRO

ENFORCEMENT HISTORY

GABLES EDGE PARKS CO.	SOUTH OF S.W. 8 STREET & APPROXIMATELY 150' EAST OF S.W. 43 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2006000133

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

All remains the same from last memo except CMS#200603004017 case closed as complied and CVN paid in full.

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 similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: GABLES EDGE PARKS CO.
(public entity organized under State of Florida laws)

NAME AND ADDRESS	Percentage of Stock
Andres Rodriguez	100%

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2006-133
MAY 15 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

If a **TRUST or ESTATE** owns or leases the subject property, list the trust beneficiaries and 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: _____

NAME AND ADDRESS	Percentage of Stock

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS	Percentage of Stock

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 similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable) _____ Percentage of Stock

_____

_____

_____

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MAY 15 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY _____

Date of contract: _____

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

_____

_____

_____

NOTICE: For 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: _____

Gilberto Pastoriza

Sworn to and subscribed before me this 14 day of April, 2008. Affiant is personally known to me or has produced _____ as identification.

_____

(Notary Public)

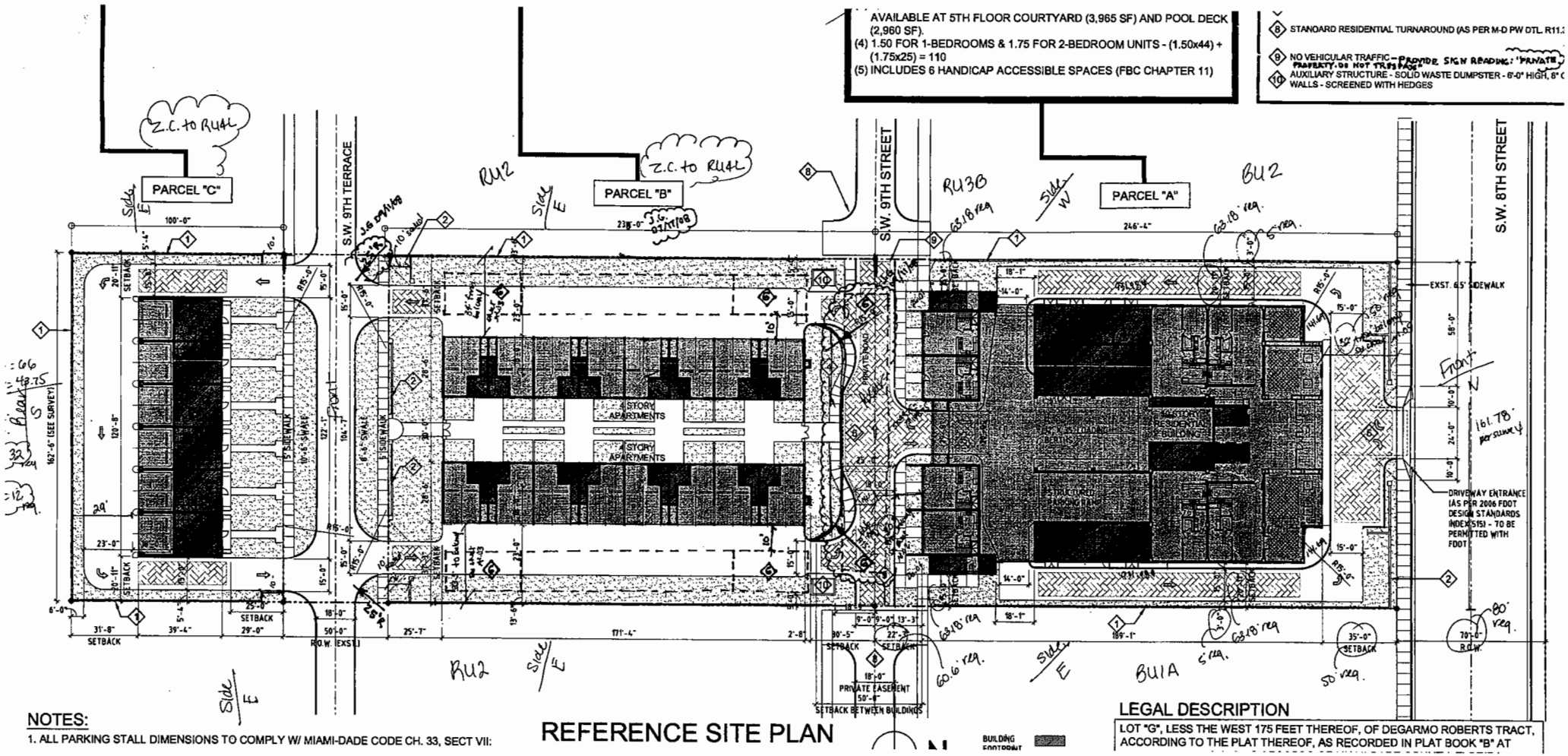
ESTRELLITA SIBILA
Notary Public - State of Florida
My Commission Expires Mar 22, 2009
Commission # DD 409832
Bonded By National Notary Assn.

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.

AVAILABLE AT 5TH FLOOR COURTYARD (3,965 SF) AND POOL DECK (2,960 SF).
(4) 1.50 FOR 1-BEDROOMS & 1.75 FOR 2-BEDROOM UNITS - (1.50x44) + (1.75x25) = 110
(5) INCLUDES 6 HANDICAP ACCESSIBLE SPACES (FBC CHAPTER 11)

8 STANDARD RESIDENTIAL TURNAROUND (AS PER M-D PW DTL. R11.
9 NO VEHICULAR TRAFFIC - PROVIDE SIGN READING: "PRIVATE PROPERTY-DO NOT TRESPASS"
10 AUXILIARY STRUCTURE - SOLID WASTE DUMPSTER - 6'-0" HIGH, 8" C WALLS - SCREENED WITH HEDGES



NOTES:
1. ALL PARKING STALL DIMENSIONS TO COMPLY W/ MIAMI-DADE CODE CH. 33, SECT VII:

REFERENCE SITE PLAN

LEGAL DESCRIPTION
LOT "G", LESS THE WEST 175 FEET THEREOF, OF DEGARMO ROBERTS TRACT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "B" AT

ENLARGED SITE PLAN

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BY

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PARCEL C

EXISTING ZONING DESIGNATION:			RU-2
PROPOSED ZONING DESIGNATION:			RU-4L
GROSS LOT AREA:			20,222 SF
NET LOT AREA:			16,178 SF (0.37 ACRE)
NUMBER OF RESIDENTIAL MULTIFAMILY UNITS:	ALLOWABLE	23 U/A	8.51 UNITS
	PROPOSED	16.2 U/A	6 UNITS
LOT COVERAGE:	ALLOWABLE	30%	4,854 SF
	PROPOSED	29.3%	4,748 SF
FLOOR AREA RATIO (FAR)	ALLOWABLE	✓ 0.75	12,134 SF
	PROPOSED	✓ 0.71	11,423 SF
BUILDING SETBACKS — FRONT	REQUIRED		25'-0"
	PROPOSED		25'-0"
BUILDING SETBACKS — INT. SIDE	REQUIRED		20'
	PROPOSED		20'-11"
BUILDING SETBACKS — REAR	REQUIRED		25'-0"
	PROPOSED		31'-8"
BUILDING HEIGHT	ALLOWABLE		75'-0"
	PROPOSED		37'-2" 3 STORIES
LANDSCAPED OPEN SPACE	REQUIRED	25%	4,044 SF
	PROPOSED	25.15 %	4,069 SF
SODDED AREA	PROPOSED		2,285 SF
SHRUBS	PROPOSED		180
PARKING	REQUIRED		12 SPACES
	PROPOSED		12 SPACES

(1) REQUIRED: 2 SPACES PER UNIT (3-BR) units (6) x 3 = 12 parking req

PARCEL B

EXISTING ZONING DESIGNATION:			RU-2
PROPOSED ZONING DESIGNATION:			RU-4L
GROSS LOT AREA:			41,253 SF
NET LOT AREA:			37,533 SF (0.86 ACRE)
NUMBER OF RESIDENTIAL MULTIFAMILY UNITS:	ALLOWABLE	23 U/A	19.8 UNITS
	PROPOSED	18.6 U/A	16 UNITS
LOT COVERAGE:	ALLOWABLE	30%	11,260 SF
	PROPOSED	26%	9,766 SF
FLOOR AREA RATIO (FAR)	ALLOWABLE	0.80	30,026 SF
	PROPOSED	0.788	~~29,496 SF~~
BUILDING SETBACKS — FRONT	REQUIRED		25'-0"
	PROPOSED		25'-7"
BUILDING SETBACKS — SIDE	REQUIRED		20'
	PROPOSED		33'-3"
BUILDING SETBACKS — REAR	REQUIRED		25'-0"
	PROPOSED		30'-5"
BUILDING HEIGHT	ALLOWABLE		75'-0"
	PROPOSED		55'-2" 4 STORIES
LANDSCAPED OPEN SPACE	REQUIRED	25%	10,313 SF
	PROPOSED	32.8%	12,248 SF
SODDED AREA	PROPOSED		2,814 SF
SHRUBS	PROPOSED		350
PARKING (1)	REQUIRED		32 SPACES
	PROPOSED		32 SPACES

(1) REQUIRED: 2 SPACES PER UNIT (3-BR) units (16) x 3 = 32 parking req

zoning parcel 4 (16 units) .86 = 18.60 units per acre

PARCEL A

EXISTING ZONING DESIGNATION (TO REMAIN) (2):			BU-2
GROSS LOT AREA:			45,511 SF
NET LOT AREA:			39,848 SF (0.91 ACRE)
NUMBER OF RESIDENTIAL MULTIFAMILY UNITS:			69 UNITS
LOT COVERAGE:	ALLOWABLE	40%	18,205 SF
	PROPOSED	~~57.67%~~ 38%	~~22,414 SF~~ 52,964.81
FLOOR AREA RATIO (FAR) (1)	ALLOWABLE	1.29	51,404 SF
	PROPOSED	~~2.10~~ 2.04	~~81,273 SF~~ 87,860.25
BUILDING SETBACKS (2) — FRONT	REQUIRED		50'-0"
	PROPOSED		35'-0"
BUILDING SETBACKS (2) — SIDE	REQUIRED		63.18'
	PROPOSED		20'-11" & 15'-0"
BUILDING SETBACKS (2) — REAR	REQUIRED		60.8'
	PROPOSED		20'-3"
BUILDING HEIGHT	ALLOWABLE		NOT LIMITED
	PROPOSED		124'-0"
LANDSCAPED OPEN SPACE (3)	REQUIRED	33.5%	13,349 SF
	PROPOSED	13.5%	5,377 SF
SODDED AREA	PROPOSED		100 SF
SHRUBS	PROPOSED		330
RESIDENT RECREATIONAL OPEN SPACE (3)	PROPOSED		6,925 SF
PARKING	REQUIRED (4)		110 SPACES
	PROPOSED (5)		124 SPACES

(1) FAR ACCORDING TO SEC. 33-253.3: 0.40 + (0.11x7) + (0.08x2) = 1.39
(2) SETBACKS TO FOLLOW RESIDENTIAL REQUIREMENTS (SEC 33-51):

	BU-2 (33-51)	RU-4 (33-211)
FRONT	20'	50' (MAX)
REAR	20'	25' + 0.40 (124' - 35') = 60.6'
SIDE	25'	124' x cos63° = 56.3'

SEE A201 & A202 FOR VERTICAL SETBACK REQUIREMENTS
(3) 5,925 SF OF OPEN PUBLIC ACCESS LANDSCAPED SPACE AVAILABLE AT 5TH FLOOR COURTYARD (3,965 SF) AND POOL DECK (2,960 SF).
(4) 1.50 FOR 1-BEDROOMS & 1.75 FOR 2-BEDROOM UNITS - (1.50x44) + (1.75x25) = 110
(5) INCLUDES 6 HANDICAP ACCESSIBLE SPACES (FBC CHAPTER 11)

KEYNOTES

1. 8'-0" HIGH 8" CMU PROPERTY WALL
2. 7'-8" HIGH 8" CMU PROPERTY WALL ALONG STREET
3. PARALLEL VISITOR PARKING SPACES
4. 8' CONC SIDEWALK
5. 12' X 35' LOADING BERTHS
6. AERIAL APPARATUS SETUP SITE (21' X 36')
7. DRIVEWAY W/UNIT PAVERS
8. STANDARD RESIDENTIAL TURNAROUND (AS PER M-D PW DTL. R11.3?)
9. NO VEHICULAR TRAFFIC - PROVIDE SIGN READING "PRIVATE" PERMANENTLY. DO NOT TRESPASS
10. AUXILIARY STRUCTURE - SOLID WASTE DUMPSTER - 6'-0" HIGH, 8" CMU WALLS - SCREENED WITH HEDGES

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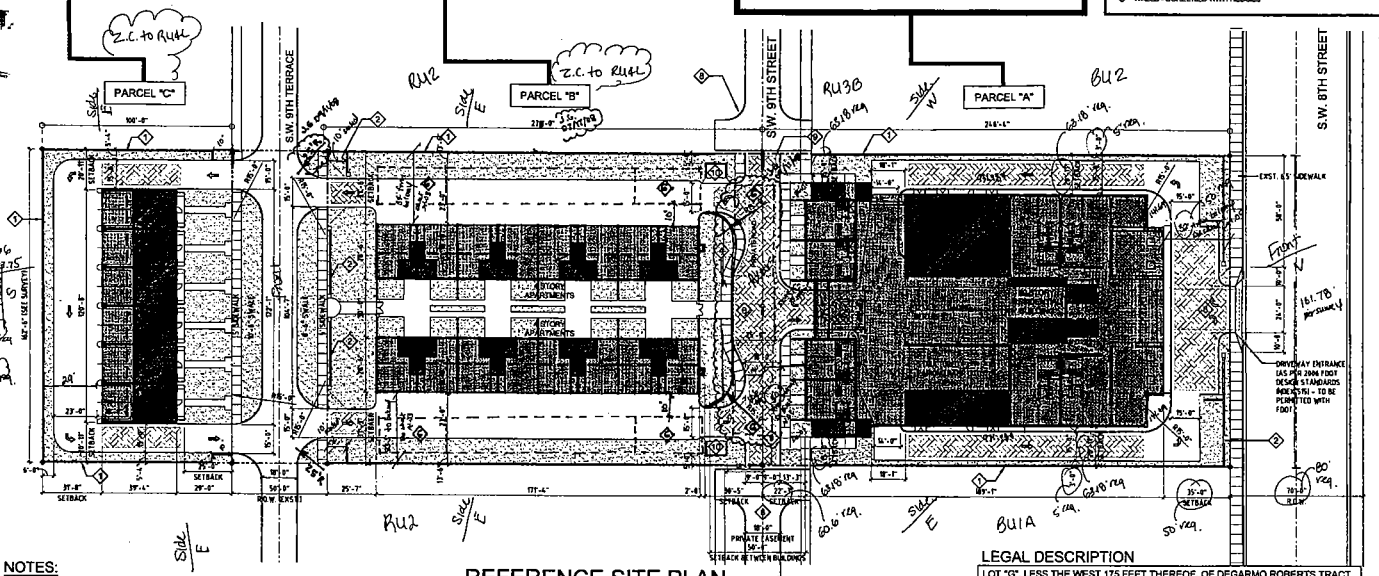
UNIT BREAKDOWN

PARCEL A	
APARTMENTS	
1-BEDROOM APARTMENTS	44 UNITS
2-BEDROOM APARTMENTS	25 UNITS
TOTAL	69 UNITS
PARCEL B	
MULTI-FAMILY 3 BR	16 UNITS
PARCEL C	
MULTI-FAMILY 3 BR	6 UNITS
TOTAL	91 UNITS

STRUCTURED PARKING

PARCEL A	
STRUCTURED PARKING	
2ND FLOOR	39 SPACES (2 HC)
3RD FLOOR	45 SPACES (2HC)
4TH FLOOR	40 SPACES (2 HC)
TOTAL	124 SPACES (6 HC)



NOTES:
1. ALL PARKING STALL DIMENSIONS TO COMPLY W/ MIAMI-DADE CODE CH. 33, SECT VII:
   - 90° PARKING STALLS - 8.5'x18.0' MIN
   - PARALLEL PARKING - 8.0'x23.0' MIN
2. WALLS & HEDGES LOCATED WITHIN THE FRONT SETBACK CANNOT EXCEED A MAXIMUM HEIGHT OF 48".

parcel C lot cov: 31.33'x120.8 = 4745.4 / 16,178 = 29.3% lot cov.

REFERENCE SITE PLAN

SCALE: 1" = 30'-0"

N

BUILDING FOOTPRINT
GREEN AREA
PAVERS

parcel 'B' lot cov: 28,506.17 + 4882.00 = 33,388.17 / 37,533 = 89%

LEGAL DESCRIPTION

LOT "G", LESS THE WEST 175 FEET THEREOF, OF DEGARMO ROBERTS TRACT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "B" AT PAGE 159, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
FOLIO #: 30-4108-013-0010

parcel 'A' lot cov: 192.08' x 131.78' = 25,312.20 - 2348.11 = 22,964.19 / 56.24% rear 9/10 = 89% x 40% = 35.6%

Intersect & 5 street 65' = 63.18' min req.

CIVICA
8323 NW 12TH Street
Suite No.206
Doral, FL. 33126
tel: 305.593.9959
fax: 305.593.9855
www.civicagroup.com

GABLES EDGE
4250 SW 8TH STREET
MIAMI, FL 33134

OWNER:
GABLES EDGE PARKS COMPANY
2655 LE JEUNE RD, PH I-D
CORAL GABLES, FL 33134
(305) 442-7141

CIVICA PROJECT No:
080402

ISSUED FOR:
ZONING SUBMITTAL

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5TH FLR

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ROLANDO LLANES, AIA
AR - 0013180

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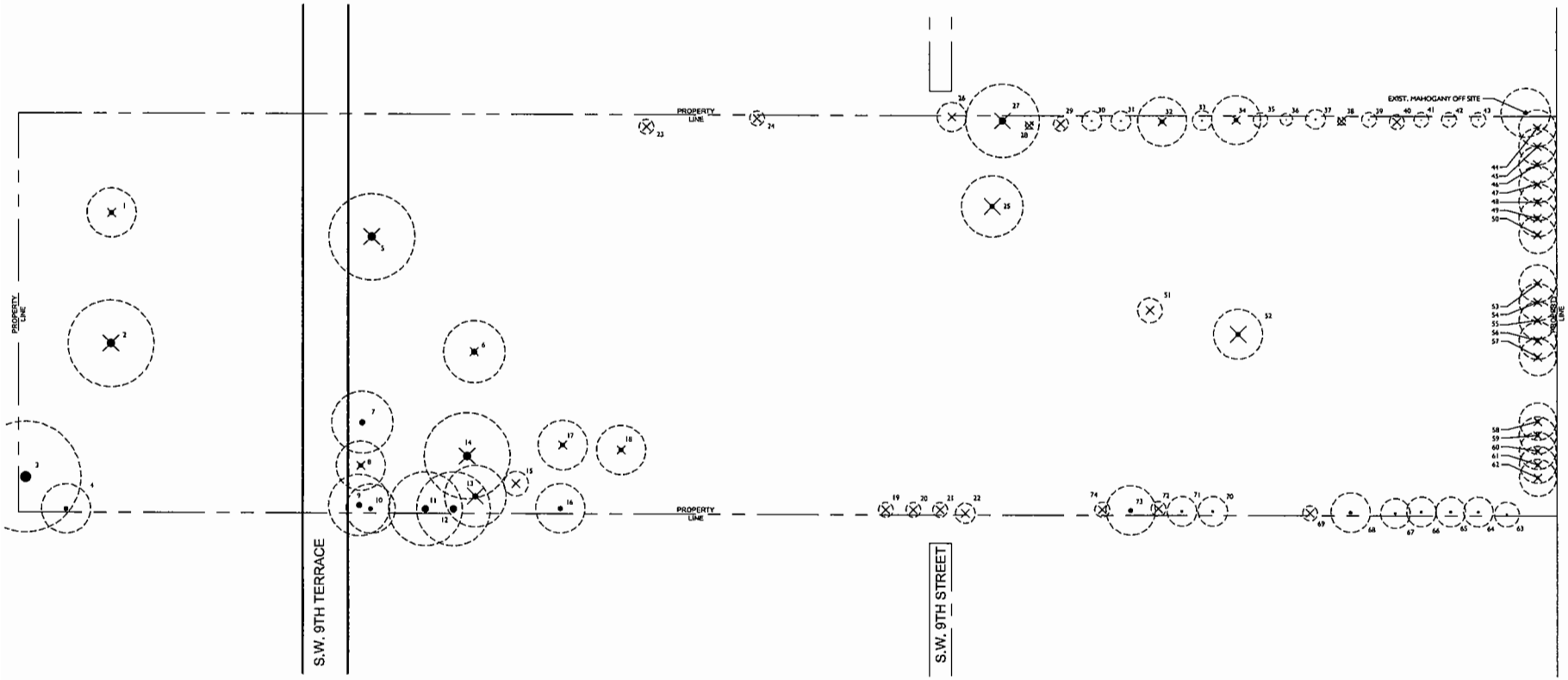
SHEET TITLE
91
REFERENCE SITE PLAN & ZONING DATA

SHEET NUMBER
A0.01



EXISTING TREE DISPOSITION LIST

KEY	BOTANICAL NAME	COMMON NAME	SIZE HT.(ft.)	SIZE SPD.(ft.)	SIZE CAL.(in)	NATIVE	DISPOSITION REMAIN	DISPOSITION REMOVE	DISPOSITION TRANSPL.	MITIGATION CANOPY (s.f.)
1	Pelecyphoron pseudocactus	Trifoliate Pereskia	25	25	18	no		X		491
2	Dalbola regia	Royal Poinciana	35	35	24	no		X		962
3	Dalbola regia	Royal Poinciana	35	45	30	no	X			
4	Delonix regia	Royal Poinciana	25	20	8	no	X			
5	Terminalia acuminata	Tropical Almond	35	35	30	no		X		exempt
6	Dalonix regia	Royal Poinciana	35	35	30	no		X		491
7	Dalonix regia	Royal Poinciana	30	25	12	no	X			
8	Dalonix regia	Royal Poinciana	20	20	8	no		X		314
9	Terminalia acuminata	Tropical Almond	25	35	18	no	X			
10	Dalonix regia	Royal Poinciana	30	30	14	no	X			
11	Dalonix regia	Royal Poinciana	30	30	14	no	X			
12	Dalonix regia	Royal Poinciana	30	30	18	no	X			
13	Dalonix regia	Royal Poinciana	30	35	20	no		X		491
14	Swietenia mahogoni	West Indies Mahogany	30	35	24	yes		X		962
15	Psychosperma elegans	Solitaire Palm	20	8	4	no		X		50
16	Dalonix regia	Royal Poinciana	25	30	12	no	X			
17	Azadirachta indica	Neem Tree	20	30	16	no		X		314
18	Terminalia acuminata	Tropical Almond	14	20	6	no		X		exempt
19	Bursera simaruba	Gumbo Limbo	12	6	2	yes		X		28
20	Bursera simaruba	Gumbo Limbo	12	6	2	yes		X		28
21	Bursera simaruba	Gumbo Limbo	12	6	2	yes		X		28
22	Serra surinamensis	Grey Stem Cassia	16	8	3	no		X		50
23	Ficus aurea	Strangler Fig	12	6	multi	yes		X		28
24	Terminalia acuminata	Tropical Almond	10	6	2	no		X		exempt
25	Pinus elliottii Densa	Dade County Pine	30	35	24	yes		X		491
26	Azadirachta indica	Neem Tree	18	12	multi	no		X		113
27	Casuarina equisetifolia	Australian Pine	40	30	18	no		X		exempt
28	Quercus virginiana	Live Oak	11	13	3	yes		X		7
29	Quercus virginiana	Live Oak	14	6	4	yes		X		28
30	Coccoloba diversifolia	Pigeon Plum	18	8	3	yes	X			
31	Coccoloba diversifolia	Pigeon Plum	18	8	3	yes	X			
32	Casuarina equisetifolia	Australian Pine	30	20	multi	no		X		exempt
33	Coccoloba diversifolia	Pigeon Plum	14	8	3	yes	X			
34	Casuarina equisetifolia	Australian Pine	45	35	multi	no		X		exempt
35	Coccoloba diversifolia	Pigeon Plum	18	6	3	yes	X			
36	Coccoloba diversifolia	Pigeon Plum	14	5	3	yes	X			
37	Coccoloba diversifolia	Pigeon Plum	14	6	3	yes	X			
38	Coccoloba diversifolia	Pigeon Plum	13	3	2	yes		X		7
39	Coccoloba diversifolia	Pigeon Plum	14	6	2	yes	X			
40	Coccoloba diversifolia	Pigeon Plum	14	6	2	yes		X		28
41	Coccoloba diversifolia	Pigeon Plum	18	6	3	yes	X			
42	Coccoloba diversifolia	Pigeon Plum	14	6	3	no	X			
43	Quercus virginiana	Live Oak	18	6	3	yes	X			
44	Ficus benjamina	Weeping Fig	16	16	7	no		X		201
45	Ficus benjamina	Weeping Fig	16	16	7	no		X		201
46	Ficus benjamina	Weeping Fig	16	16	7	no		X		201
47	Ficus benjamina	Weeping Fig	16	16	7	no		X		201
48	Ficus benjamina	Weeping Fig	16	16	7	no		X		201
49	Ficus benjamina	Weeping Fig	16	16	7	no		X		201
50	Ficus benjamina	Weeping Fig	16	16	7	no		X		201
51	Syagrus cairnsis	Red Cedar	20	10	12	no		X		79
52	Pachira aquatica	Saboldo	14	20	14	no		X		314
53	Ficus benjamina	Weeping Fig	16	16	7	no		X		201
54	Ficus benjamina	Weeping Fig	16	16	7	no		X		201
55	Ficus benjamina	Weeping Fig	16	16	7	no		X		201
56	Ficus benjamina	Weeping Fig	16	16	7	no		X		201
57	Ficus benjamina	Weeping Fig	16	16	7	no		X		201
58	Ficus benjamina	Weeping Fig	16	16	5	no		X		201
59	Ficus benjamina	Weeping Fig	16	16	5	no		X		201
60	Ficus benjamina	Weeping Fig	16	16	5	no		X		201
61	Ficus benjamina	Weeping Fig	16	16	5	no		X		201
62	Ficus benjamina	Weeping Fig	16	16	5	no		X		201
63	Swietenia mahogoni	West Indies Mahogany	22	18	6	yes	X			
64	Swietenia mahogoni	West Indies Mahogany	18	10	4	yes	X			
65	Swietenia mahogoni	West Indies Mahogany	22	12	5	yes	X			
66	Swietenia mahogoni	West Indies Mahogany	22	12	5	yes	X			
67	Swietenia mahogoni	West Indies Mahogany	22	12	5	yes	X			
68	Swietenia mahogoni	West Indies Mahogany	16	16	4	yes	X			
69	Albizia lebbeck	Fletcher's Tongue	14	6	8	no		X		exempt
70	Swietenia mahogoni	West Indies Mahogany	22	12	4	yes	X			
71	Swietenia mahogoni	West Indies Mahogany	22	12	4	yes	X			
72	Quercus virginiana	Live Oak	12	6	12	yes		X		28
73	Quercus virginiana	Live Oak	20	20	15	yes	X			
74	Quercus virginiana	Live Oak	30	8	9	yes		X		28

TOTAL S.F. CANOPY TO BE REMOVED:	8,780
TOTAL NATIVE S.F. CANOPY TO BE REMOVED:	1,693
TOTAL MIN. NATIVE S.F. CANOPY REPLACEMENT REQUIRED:	5,337
TOTAL S.F. CANOPY REPLACEMENT PROVIDED:	37,100
TOTAL NATIVE S.F. CANOPY REPLACEMENT PROVIDED:	23,900

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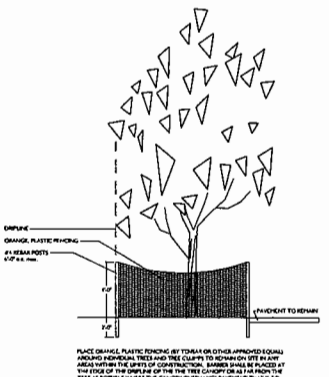

PLACE ORANGE PLASTIC FENCING (BY TEMAX OR OTHER APPROVED EQUAL) AROUND INDIVIDUAL TREES AND TREE CLUMPS TO REMAIN ON SITE IN ANY AREAS WITHIN THE LIMITS OF CONSTRUCTION. BARRIER SHALL BE PLACED AT THE EDGE OF THE DRIPLINE OF THE TREE CANOPY OR AS FAR FROM THE TRUNK AS POSSIBLE WHERE THE CANOPY OVERHANGS PAVEMENT THAT IS TO REMAIN. BARRIER SHALL BE MAINTAINED IN AN UPRIGHT POSITION AT ALL TIMES.

TREE PROTECTION DETAIL

N.T.S.

CIVICA
8323 NW 12TH Street
Suite No.206
Doral, FL. 33126
tel: 305.593.9969
fax: 305.593.9955

GABLES EDGE

4250 SW 8TH STREET
MIAMI, FL 33134

OWNER:
PMBC HOMES @ GABLES EDGE, LLC

2222 PONCE DE LEON BLVD.
SUITE M-200
CORAL GABLES, FL 33134

CIVICA PROJECT No:
05-2004

ISSUED FOR:
ZONING SUBMITTAL

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DATE: MAY, 2006 | SCALE: 1"=20'-0"

ROSENBERG GARDNER DESIGN

KEY PLAN

SEAL/SIGNATURE

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FL LA# 1588

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EXISTING TREE DISPOSITION PLAN

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fax: 305.593.9855

GABLES EDGE

4250 SW 8TH STREET
MIAMI, FL 33134

OWNER:
PMBC HOMES @
GABLES EDGE, LLC
2222 PONCE DE LEON BLVD.
SUITE M-200
CORAL GABLES, FL 33134

CIVICA PROJECT No:
05-2004

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No.	DATE	REVISION	BY

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DATE: MAY, 2006 | SCALE: 1"=20'-0"

ROSENBERG GARDNER DESIGN

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SHEET TITLE
PLANTING PLAN

SHEET NUMBER
LA-2

LANDSCAPE LEGEND PARCEL A (This information to be permanently affixed to the plan.)

Zoning District: BU-2 | Net Lot Area: 0.91 (acres) 39,848 (square feet)

OPEN SPACE REQUIREMENTS		REQUIRED	PROVIDED
A.	Square feet of open space required by Chapter 33, as indicated on site plan: Net Lot area = 39,848 square feet x 18 % = 7,173 square feet	7,173	[illegible]
B.	Square feet of parking lot open space required by Chapter 18A, as indicated on site plan: The number of parking spaces 130 x 10 square feet per parking space =	1,300	[illegible]
C.	Total square feet of landscaped open space required by Chapter 33 = A+B=	8,473	5,377
LAWN AREA CALCULATION		REQUIRED	PROVIDED
A.	Total square feet of landscape open space required by Chapter 33 =	8,473	
B.	Maximum lawn area (St. Augustine sod) permitted = 20 % = 1,695 square feet =	1,695	-
TREES		REQUIRED	PROVIDED
A.	The number of trees required per net lot acre less the existing number of trees that meet the minimum requirements (minus)	17	
	= 22 trees x net lot acreage =	2	
B.	30% palm species allowed (two palms = one tree) Palms provided =	1	
C.	Percentage of native trees required = number of trees provided x 30% =	5	
D.	Street trees (max. average spacing of 35' o.c.): 162 linear feet along street / 35 =	5	
	Palms as street trees (max. average spacing of 35' o.c.): 0 linear feet along street / 25 =		
E.	Street trees located directly beneath power lines (Max. average spacing 25' o.c.): 162 linear feet along street / 25 =	7	
F.	Total number of trees to be provided	14	
SHRUBS		REQUIRED	PROVIDED
A.	The total number of trees required x 10 = the number of shrubs required	330	
B.	The total number of trees required x 30% = the number of native shrubs required	99	
IRRIGATION:	Required by Chapter 33. Auto Irrigation X or hose bib provided.		

LANDSCAPE LEGEND PARCEL B (This information to be permanently affixed to the plan.)

Zoning District: RU-4L | Net Lot Area: 0.86 (acres) 37,533 (square feet)

OPEN SPACE REQUIREMENTS		REQUIRED	PROVIDED
A.	Square feet of open space required by Chapter 33, as indicated on site plan: Net Lot area = 37,533 square feet x 25 % = 9,383 square feet	9,383	25,167
B.	Square feet of parking lot open space required by Chapter 18A, as indicated on site plan: The number of parking spaces 36 x 10 square feet per parking space =	360	360
C.	Total square feet of landscaped open space required by Chapter 33 = A+B=	9,743	25,527
LAWN AREA CALCULATION		REQUIRED	PROVIDED
A.	Total square feet of landscape open space required by Chapter 33 =	9,743	
B.	Maximum lawn area (St. Augustine sod) permitted = 60 % = 5,846 square feet =	5,846	[illegible]
TREES		REQUIRED	PROVIDED
A.	The number of trees required per net lot acre less the existing number of trees that meet the minimum requirements (minus)	5	
	= 28 trees x net lot acreage =	20	
B.	30% palm species allowed (two palms = one tree) Palms provided =	12	
C.	Percentage of native trees required = number of trees provided x 30% =	9	
D.	Street trees (max. average spacing of 35' o.c.): 121 linear feet along street / 35 =	10	
	Palms as street trees (max. average spacing of 35' o.c.): 0 linear feet along street / 25 =		
E.	Street trees located directly beneath power lines (Max. average spacing 25' o.c.): 0 linear feet along street / 25 =	-	
F.	Total number of trees to be provided	30	
SHRUBS		REQUIRED	PROVIDED
A.	The total number of trees required x 10 = the number of shrubs required	350	
B.	The total number of trees required x 30% = the number of native shrubs required	105	
IRRIGATION:	Required by Chapter 33. Auto Irrigation X or hose bib provided.		

LANDSCAPE LEGEND PARCEL C (This information to be permanently affixed to the plan.)

Zoning District: RU-4L | Net Lot Area: 0.37 (acres) 16,178 (square feet)

OPEN SPACE REQUIREMENTS		REQUIRED	PROVIDED
A.	Square feet of open space required by Chapter 33, as indicated on site plan: Net Lot area = 16,178 square feet x 25 % = 4,045 square feet	4,045	11,111
B.	Square feet of parking lot open space required by Chapter 18A, as indicated on site plan: The number of parking spaces 14 x 10 square feet per parking space =	140	140
C.	Total square feet of landscaped open space required by Chapter 33 = A+B=	4,185	11,251
LAWN AREA CALCULATION		REQUIRED	PROVIDED
A.	Total square feet of landscape open space required by Chapter 33 =	4,185	
B.	Maximum lawn area (St. Augustine sod) permitted = 60 % = 2,511 square feet =	2,511	-
TREES		REQUIRED	PROVIDED
A.	The number of trees required per net lot acre less the existing number of trees that meet the minimum requirements (minus)	2	
	= 28 trees x net lot acreage =	9	
B.	30% palm species allowed (two palms = one tree) Palms provided =	5	
C.	Percentage of native trees required = number of trees provided x 30% =	5	
D.	Street trees (max. average spacing of 35' o.c.): 162 linear feet along street / 35 =	5	
	Palms as street trees (max. average spacing of 35' o.c.): 0 linear feet along street / 25 =		
E.	Street trees located directly beneath power lines (Max. average spacing 25' o.c.): 0 linear feet along street / 25 =	-	
F.	Total number of trees to be provided	14	
SHRUBS		REQUIRED	PROVIDED
A.	The total number of trees required x 10 = the number of shrubs required	160	
B.	The total number of trees required x 30% = the number of native shrubs required	48	
IRRIGATION:	Required by Chapter 33. Auto Irrigation X or hose bib provided.		

LANDSCAPE LEGEND SYNOPSIS

Zoning District: varies | Net Lot Area: 2.15 (acres) 93,559 (square feet)

OPEN SPACE REQUIREMENTS		REQUIRED	PROVIDED
A.	Square feet of open space required by Chapter 33, as indicated on site plan: Net Lot area = 93,559 square feet x varies % = 20,600 square feet	20,600	41,355
B.	Square feet of parking lot open space required by Chapter 18A, as indicated on site plan: The number of parking spaces 180 x 10 square feet per parking space =	1,800	1,800
C.	Total square feet of landscaped open space required by Chapter 33 = A+B=	22,400	43,155
LAWN AREA CALCULATION		REQUIRED	PROVIDED
A.	Total square feet of landscape open space required by Chapter 33 =	22,400	
B.	Maximum lawn area (St. Augustine sod) permitted = varies % = 10,051 square feet =	10,051	1,250
TREES		REQUIRED	PROVIDED
A.	The number of trees required per net lot acre less the existing number of trees that meet the minimum requirements (minus)	24	26
	= varies trees x net lot acreage =	31	73
B.	30% palm species allowed (two palms = one tree) Palms provided =	18	18
C.	Percentage of native trees required = number of trees provided x 30% =	19	78
D.	Street trees (max. average spacing of 35' o.c.): 695 linear feet along street / 35 =	20	20
	Palms as street trees (max. average spacing of 35' o.c.): 0 linear feet along street / 25 =	-	5
E.	Street trees located directly beneath power lines (Max. average spacing 25' o.c.): 162 linear feet along street / 25 =	7	7
F.	Total number of trees to be provided	58	99
SHRUBS		REQUIRED	PROVIDED
A.	The total number of trees required x 10 = the number of shrubs required	840	2197
B.	The total number of trees required x 30% = the number of native shrubs required	252	693
IRRIGATION:	Required by Chapter 33. Auto Irrigation X or hose bib provided.		

TREE LEGEND

SYMBOL USED ON PLAN			PLANT NAME		NATIVE SPECIES		HEIGHT		CANOPY DIAMETER	QUANTITY
Symbol	New	Existing	Scientific	Common	Yes	No	Installed	Estimated at maturity*	Estimated at maturity*	
BISN	6		Bismarckia nobilis	Bismarkia Palm		X	12'	25'	15'	3
BUSI	1		Bursera simaruba	Gumbo Limbo	X		12'	50'	50'	1
CHOL	4		Chrysophyllum oliviforme	Satinleaf	X		12'	25'	15'	4
CODI	24	9	Coccoloba diversifolia	Pigeon Plum	X		9'	25'	20'	33
COES	4		Conocarpus erectus "Sericeus"	Silver Buttonwood	X		8'	25'	20'	4
		7	Delonix regia	Royal Poinciana	X			50'	50'	7
LYBA	10		Lysiloma bahamensis	Wild Tamarind	X		12'	40'	50'	10
MYFR	12		Myrcianthes fragrans	Simpson's Stopper		X	8'	20'	15'	12
PHDA	2		Phoenix dactylifera "Zahidi"	Zahidi Date Palm	X		25'	30'	15'	1
PTEL	8		Ptychosperma elegans	Solitaire Palm	X		12'	25'	10'	4
QUVI	8	2	Quercus virginiana	Live Oak	X		12	50'	50'	10
RORE	5		Roystonea regia	Royal palm	X		24'	50'	15'	5
SAPA	19		Sabal palmetto	Sabal Palm	X		22'	40'	10'	9
		8	Swietenia mahagoni	West Indies Mahogany	X			50'	50'	8
TAHE	12		Tabebuia heterophylla	Pink Trumpet Tree		X	10'	30'	25'	12
		1	Terminalia catappa	Tropical Almond		X		50'	50'	1
THRA	4		Thrinax radiata	Green Thatch Palm			7'	25'	8'	2
								TOTAL TREES PROVIDED		126

* Required for trees located underneath or adjacent to powerlines and palms used at 1:1 ratio

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LANDSCAPING SPECIFICATIONS

PART 1 - GENERAL

1.1 SCOPE

A. Contractor shall provide all labor, materials, equipment, watering, supervision, and related work necessary to complete the landscape work in accordance with the intent of the landscape plans, schedules and these specifications. The extent of work is shown on the drawings which are a part of this document.

1.2 SUBSTITUTIONS

A. Only materials specified will be accepted, unless approved in writing by the Landscape Architect in advance.

1.3 PLANT SIZES

A. All plant sizes shall equal or exceed the minimum sizes as specified in the plant list. When plant sizes are specified as a range of size, installed materials shall average the mean of the range specified. Plants shall be measured following pruning, with branches in normal position. All necessary pruning shall be done at the time of planting.

1.4 PLANT QUALITY

A. All plant material shall be equal to or better than Florida No. 1 as classified by "Grades and Standards for Nursery Plants" by the Division of Plant Industry, Florida Department of Agriculture. They shall have a growth habit that is normal for the species; healthy, vigorous, free from insects, disease and injury.

B. The Owner or Landscape Architect reserves the right to refuse any plant material which does not conform to the intent of the written specifications or design.

1.5 PLANT QUANTITY

A. The plant quantities shown on the plant list are to be used only as an aid to bidders. In the case of discrepancy between the plant list and the plan, the quantity on the plan shall override the plant list.

1.6 UNIT PRICES

A. The successful bidder shall furnish to the Owner and the Landscape Architect, a unit price breakdown for all materials. The Owner may, at his discretion, add to or delete from the materials utilizing the unit price breakdown submitted to and accepted by the Owner.

1.7 INSPECTION CERTIFICATES

A. Fertilizer: The Contractor shall submit to the Owner and Landscape Architect documentation that all the fertilizer used for the project is of the analysis specified and placed at the rates specified in section 2.2 FERTILIZER.

1.8 CLEAN-UP

A. At the end of each work day, the Contractor shall remove debris and shall barricade the un-filled holes in a manner appropriate in the path of pedestrians and motorists.

B. Upon completion of the work or any major portion of the work or as directed by the Landscape Architect, all debris and surplus material from his work shall be removed from the job site.

1.09 MAINTENANCE

A. The Contractor is responsible to maintain the plantings until they are accepted under the provisions of 1.10-C "ACCEPTANCE".

1. Plants: Begin maintenance immediately following the first plant installation operation for each plant and continue until all plant installation is complete and accepted. Maintenance shall include watering all plants, weeding, mulching, pest and disease control, tightening and repairing of guys, repair of braces, removal of dead growth, resetting of plants to proper grade or up-right position, restoration of plant saucers and other necessary operations as determined by the Landscape Architect and good nursery practice.

2. Turf Areas: Begin maintenance of turf immediately following the placement of sod and continue until sod installation is complete and accepted. Maintenance shall include but not be limited to, watering, leveling, mowing, weed and pest control, fungus and disease control and other necessary operations as determined by the Landscape Architect and good nursery practice.

3. Watering of field-grown plants: The following water schedule and amount of water per application shall be followed during the maintenance period. If climatic or soil conditions warrant a variation of the schedule, the Contractor shall be responsible to notify the Landscape Architect and receive his approval.

The following amount of water shall be applied around the rootball of each plant at each watering:

PLANT SIZE	AMOUNT OF WATER
- up to 4 inch trunk caliper for trees and large shrubs	10 gallons
- from 5 to 8 inch caliper	25 gallons
- 9 inch and up caliper	50 gallons

4. Water daily for the first week; three times per week for weeks 2-4; two times per week for weeks 5-6, and once weekly for the remainder of the maintenance period.

5. Water shrubs, sod and groundcover a minimum of once daily for a week or until an irrigation system is fully operational. If no irrigation system is to be installed, the Contractor shall be responsible for watering the shrub, sod, and groundcover for a period of one month after installation of each section of the planting installed.

6. Water in plants by thorough soaking of the entire root ball immediately after planting. For large trees and shrubs, add water while backfilling hole to eliminate any air pockets in the soil around the root ball.

7. Resetting or straightening trees and palms:
The Contractor shall re-set and/or straighten trees and palms as required at no additional cost to the Owner unless caused by sustained winds of 75 mph or more. Then, the costs of the operations may be charged to the Owner. Reset trees within 48 hours.

1.10 OPERATIONS FOR ACCEPTANCE

A. Inspection. Inspection of the work, to determine completion of contract work, exclusive of the possible replacement of plants and turf, will be made by the Landscape Architect at the conclusion of the maintenance period. Written notice requesting such an inspection and submitted by the Contractor at least ten (10) days prior to the anticipated date.

1.11 GUARANTEE

A. Guarantee all shrubs for ninety (90) consecutive calendar days (CCD) from the date of acceptance. Guarantee Trees and Palms for a period of one year CCD. Guarantee shall commence from the date of written acceptance. Plant material which is on the site and scheduled to be relocated is not covered by the guarantee except in the case of Contractor's negligence or work that has been done in an unworkmanlike manner. The Contractor is not responsible for loss due to acts of god, (i.e.) sustained winds of 75 mph or more, floods, frost, lightning, vandalism or theft.

1.12 REPLACEMENT

A. Replacements shall be made during the guarantee period as directed by the Landscape Architect. At the end of the guarantee period, inspection will be made by the Landscape Architect, upon written notice requesting such inspection and submitted by the Contractor at least five (5) days before the anticipated date. Remove from the site all plants that are dead or in a state of unsatisfactory growth, as determined by the Landscape Architect. Replace these and any plants missing due to the Contractor's negligence as soon as conditions permit.

1. Materials and Operations: All replacement plants shall be of the same kind and size as indicated on the plant list. The Contractor shall supply and plant the plants as specified under planting operations.

2. Cost of Replacements: A sum sufficient to cover the estimated cost of possible replacements, including material and labor will be retained by the Owner and paid to the Contractor after all replacements have been satisfactorily made and approved by the Landscape Architect.

PART 2 - MATERIALS

2.1 PLANTING SOIL

A. Planting soil shall be of the compositions noted in the plant measured by volume.

2.2 FERTILIZER

A. Fertilizer for trees, palms, shrubs, and groundcovers shall be as follows: LESCO Palm Special (13-3-13) or equal, Sulfur coated with iron and other minor elements and maximum of 2% chlorine, or brand with equal analysis. The fertilizer shall be uniform in composition, dry and free flowing and shall be delivered to the site in the original unopened containers, bearing the manufacturer's guaranteed analysis. Fertilizer for sod and seeded areas shall be 6-6-6, 50% organically derived nitrogen, or equal.

2.3 WATER

A. The Contractor shall provide potable water on site, available from the start of planting, as required by the Contractor. The Contractor is responsible to ascertain the location and accessibility of the water source. The Contractor is responsible to provide the means of distribution (i.e. water truck, hoses, etc.) for distribution of water to the planting areas.

2.4 MULCH

A. Mulch shall be as specified in the plant list, uniformly shredded and free from large pieces of bark and foreign matter.

3.0 PART 3 - INSTALLATION PROCEDURES

3.1 LAYOUT

A. Verify location of all underground utilities and obstructions prior to excavation.

3.2 HERBICIDE TREATMENT

A. In all areas infested with weed and/or grass growth, a systemic herbicide, such as roundup, shall be applied per manufacturer's rates. Where it has been established where work will be done, the systemic herbicide shall be applied in accordance with manufacturer's labeling to kill all noxious growth. Contractor shall schedule his work to allow more than one application to obtain at least 95% kill of undesirable growth. Contractor shall exercise extreme care to prevent damage to desirable existing growth. If necessary, Contractor shall conduct a test to establish suitability of product and applicator to be used on this project, prior to execution of the full application.

3.3 PLANT PIT EXCAVATION & BACKFILLING

A. Trees: See the Planting and Bracing Details and notes.

B. Shrubs and Groundcover: Shrubs and groundcover shall be planted in a soil bed as described in the notes and details.

3.4 WATERING-IN

A. The Contractor is responsible to provide the water and means of distribution (i.e. hand watering or water truck). Water for trees and other large field grown plants shall be supplemented by hand or water truck, in addition to the irrigation system, (if one is provided) as specified in 1.09 (A3).

3.5 FERTILIZING

A. Add fertilizer on top of the surface three (3) weeks after planting of each segment of the job. Fertilizer shall be applied after soil has been well moistened. Fertilizer shall be washed off of plant leaves and stems immediately after application. Apply at the following rates:

1) Trees & Large Shrubs: One (1) pound per inch of trunk diameter, spread evenly over the root ball area.

2) Shrubs: One half (½) handful per shrub, spread evenly over the root ball area.

3) Groundcover: Twelve (12) pounds per 1000 sq. ft. of bed area.

4) Sod: 12 pounds per 1000 sq ft. Fertilize within 3 days from date of installation. Wash fertilizer off blades immediately after spreading.

3.6 MULCHING

A. Spread mulch two (2) inches thick uniformly over the entire surface of shrubs and groundcover beds, depth measured after settling. Provide 36" diameter bed of mulch, measured from outer edge of the trunk, for all trees and palms planted in sod areas, 3" deep. Keep mulch away from contact with the trunk.

3.7 GUYING & BRACING

A. See the details bound herewith or made part of the plans.

3.8 SODDING

A. Provide a blanket of planting soil as described in the notes on this Sheet. Prior to planting, remove stones, sticks, etc. from the sub-soil surface. Excavate existing non-conforming soil as required so that the finish grade of sod is flush with adjacent pavement or top of curb as well as adjacent sod in the case of sod patching.

B. Place sod on moistened soil, with edges tightly butted, in staggered rows at right angles to slopes. The sod shall be rolled with a 500 pound hand roller.

C. Keep edge of sod bed a minimum of 18" away from groundcover beds and 24" away from edge of shrub beds and 36" from trees, measured from center of plant.

D. Completed sod shall immediately be watered sufficiently to uniformly wet the soil to at least two inches below the bottom of sod strips.

E. Apply fertilizer to the sod as specified in Section 3.5.

SOIL PREPARATION AND PLANTING SOIL

1) In all areas where new sod and shrub and groundcover masses are to be planted, kill all existing weeds by treating with Round-up, prior to beginning soil preparation.

2) In all shrub and groundcover beds, prepare soil as described for either condition, over the entire area to be planted.

Condition A)
If any compacted road base or asphalt is encountered, remove compacted material entirely to a depth of 18" measured from adjacent top of curb or pavement (whichever is deeper). Backfill the entire area of the shrub and groundcover beds with 18" planting soil (as specified in Plant List) to within 3 inches of the adjacent pavement or top of curb.

Condition B)
Where no compacted soil is encountered, thoroughly mix 6 inches of planting soil into the existing soil to a depth of 18 inches. If required, excavate and remove the existing soil to lower the grade, so that the prepared mix is finished to a minimum of 3 inches below top of curb or adjacent to walkway.

For all sod areas, mix a 3 inch deep layer of silica sand into the existing soil to a depth of 6 inches. Remove all debris and rocks and pebbles larger than 1 inch in size and level the grade before sodding. Top of sod shall be flush with and adjacent top of curb or pavement.

MULCHING

1) Spread 3" of shredded Melaleuca mulch (Floramulch) as manufactured by Forestry Resources, Inc. or equal, (measured after settling), over the entire area of shrub beds with a minimum of 1' from the tips of the foliage of all shrubs & ground covers to adjacent grass area. Also, spread a 3' diameter circle of mulch around trees and palms in sod areas 3" deep. Add mulch within 48 hours from time of planting of each bed or tree. DO NOT PILE MULCH AGAINST TRUNKS OR STEMS.

SPACING OF PLANTS (SEE PLANT SPACING DETAIL)
1) Plants shall be planted sufficiently away from edges of pavements or curbs, to allow for growth toward the edges of the bed.

PROTECTION OF PLANTS
1) The Contractor shall be responsible to protect existing trees and shrubs in and adjacent to the area of work. Erect barriers as necessary to keep equipment and materials, any toxic material, away from the canopy drip line of trees and shrubs. DO NOT PILE SOIL OR DEBRIS AGAINST TREE TRUNKS.

1) Where tree roots are encountered during excavation for utilities, etc., cut edges with a sharp saw so that no root edges are frayed.

IRRIGATION
1) All landscape areas shall be irrigated with an automatic irrigation system to provide 100% coverage with a minimum of 75% overlap of spray. This system shall be equipped with an automatic rain shut-off device.

PLAN VIEW
N.T.S.

SHRUB INSTALLATION DETAIL
N.T.S.

ROOT BARRIER INSTALLATION DETAIL
N.T.S.

SHRUB SPACING DIAGRAM
N.T.S.

DETAIL A
N.T.S.

BATTEN DETAIL
N.T.S.

PLANTING & BRACING DETAIL UNDER 3" CALIPER
N.T.S.

PLANTING & BRACING DETAIL OVER 3" CALIPER
N.T.S.

PLANT LIST

KEY	PLANT NAME	QTY.	UT.	SIZE
ACHI	Acalypha hispida / Chenille Plant	18	ea	10 gallon cans
AEBL	Aechmea blanchetiana	2		10" pots
ALIM	Alcantarea imperialis	6		10" pots
BALA	Bambusa lako / Tropical Black Bamboo	5		25 gallon cans, 14'-16' tall, 6-7 culms per pot
BAVV	Bambusa vittata vulgaris / Tropical Golden Bamboo	16		25 gallon cans, 14'-16' tall, 6-7 culms per pot
BISN	Bismarckia nobilis / Bismarkia Palm	6		12' tall overall, matched
BRPA	Brunfelsia pauciflora / Yesterday, Today & Tomorrow	24		7 gallon cans, 3'-4' tall
BUSI	Bursera simaruba / Gumbo Limbo	1		12'-14' tall x 6'-7' spread, 2 1/2"-3" cal.
CHIC	Chrysobalanus icaco / Cocoplum	365		3 gallon cans
CHOL	Chrysophyllum oliviforme / Satin Leaf	4		12' tall x 5' spread, 2" cal.
COBA	Costus barbatus / Spiral Ginger	12		10 gallon cans
CODI	Coccoloba diversifolia / Pigeon Plum	24		9'-10' tall x 4' spread, 2" cal.
COES	Conocarpus erectus Sericeus / Silver Buttonwood	4		8'-9' tall x 4' spread, lifted to treeform, 3 trunks max.
COVA	Codiaeum variegatum 'Bravo' / Croton	60		3 gallon cans
CTRS	Cordyline terminalis 'Red Sister' / Red Sister Hawaiian Ti	7		7 gallon cans, 3'-4' tall
DITA	Dianella tasmanica / Blueberry Flax Lily	400		3 gallon cans
DRSJ	Dracaena reflexa 'Song of Jamaica' / Song of Jamaica Pleomele	28		3 gallon cans
DYLU	Dypsis lutescens / Areca Palm	12		8'-10' tall, multistem, full
FIGI	Ficus microcarpa 'Green Island' / Ficus Green Island	211		3 gallon cans
GRPI	Graptophyllum pictum / Caricature Plant	11		3 gallon cans
HAPA	Hamelia patens / Firebush	78		3 gallon cans
HYLA	Hymenocallis latifolia / Spider Lily	90		1 gallon cans
IXNG	Ixora Nora Grant	36		3 gallon cans, 24" x 24"
LECO	Leea coccinea 'Rubra'	94		10 gallon cans, 36" x 36"
LIEG	Liriope muscari 'Evergreen Giant'	320		1 gallon cans, 7-9 PPP, from tissue culture
LYBA	Lysiloma bahamensis / Tamarind	10		12' tall x 5'-6' spread, 2"-2 1/2" cal.
MISC	Microsorum scolopendria / Wart Fern	380		1 gallon cans
MYFR	Myrcianthes fragrans / Simpson's Stopper	12		8'-9' tall x 4' spread, lifted to treeform, 3 trunks max.
PAJA	Pandanus jasminoides 'Variegata' / Variegated Bower Vine	45		3 gallon cans, trellised
POMA	Podocarpus macrophyllus / Maki Yew	30		7 gallon cans, 3'-4' tall
PHBM	Philodendron Burle Marx	170		3 gallon cans
PHDA	Phoenix dactylifera 'Zahidi' / Zahidi Date Palm	2		12' CT, 25' tall overall
PHIR	Philodendron imperialis 'Red'	133		3 gallon cans
PITV	Pittosporum tobira 'Variegata' / Variegated Pittosporum	578		3 gallon cans
POGR	Polypodium grandiflora / Rose Moss	24		1 gallon cans
PEOB	Peperomia obtusifolia / Baby Rubber Plant	104		1 gallon cans, full
PSBA	Psychotria bahamensis / Bahamas Coffee	138		3 gallon cans
PTEL	Ptychosperma elegans / Solitaire Palm	8		12'-14' tall overall, triple trunks, all heads same height
QUVI	Quercus virginiana / Live Oak	8		12'-14' tall x 6'-7' spread, 2 1/2"-3" cal.
RAMA	Ravenala madagascariensis / Traveller's Palm	4		12'-14' tall overall
RHEX	Rhapis excelsa / Lady Palm	90		10 gallon cans
RORE	Roystonea regia / Royal Palm	5		24'-26' tall, 6' CT
SAPA	Sabal palmetto / Sabal Palm	19		22' tall overall, matched, booted
SATR	Sansevieria trifasciata / Snake Plant	20		3 gallon cans
SCAR	Schefflera arboricola / Dwarf Schefflera	76		3 gallon cans
STNI	Strelitzia nicholai / White Bird of Paradise	30		10 gallon cans, 6' tall overall
TAHE	Tabebuia heterophylla / Pink Trumpet Tree	12		10'-12' tall x 4'-5' spread, 2" cal.
THMO	Thrinax morrisii / Silver Thatch Palm	4		5' tall overall
THRA	Thrinax radiata / Green Thatch Palm	4		7'-8' tall overall
TRDA	Tripsacum dactyloides / Fakahatchee Grass	22		3 gallon cans
Sod	St. Augustine 'Palmetto'	1400	s.f.	Solid Sod
	Planting Soil / 70% Silica Sand	as req	c.y.	

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fax: 305.593.9655

GABLES EDGE
4250 SW 8TH STREET
MIAMI, FL 33134

OWNER:
PMBC HOMES @ GABLES EDGE, LLC
2222 PONCE DE LEON BLVD.
SUITE M-300
CORAL GABLES, FL 33134

CIVICA PROJECT No:
05-2004

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ZONING SUBMITTAL

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DRAWN BY / APPROVED BY
DATE: MAY, 2006 / SCALE: N.T.S.

ROSENBERG GARDNER DESIGN

KEY PLAN

SEAL/SIGNATURE

KEN GARDNER, ASLA
FL LA# 1569

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LANDSCAPE SPECIFICATIONS & PLANT LIST

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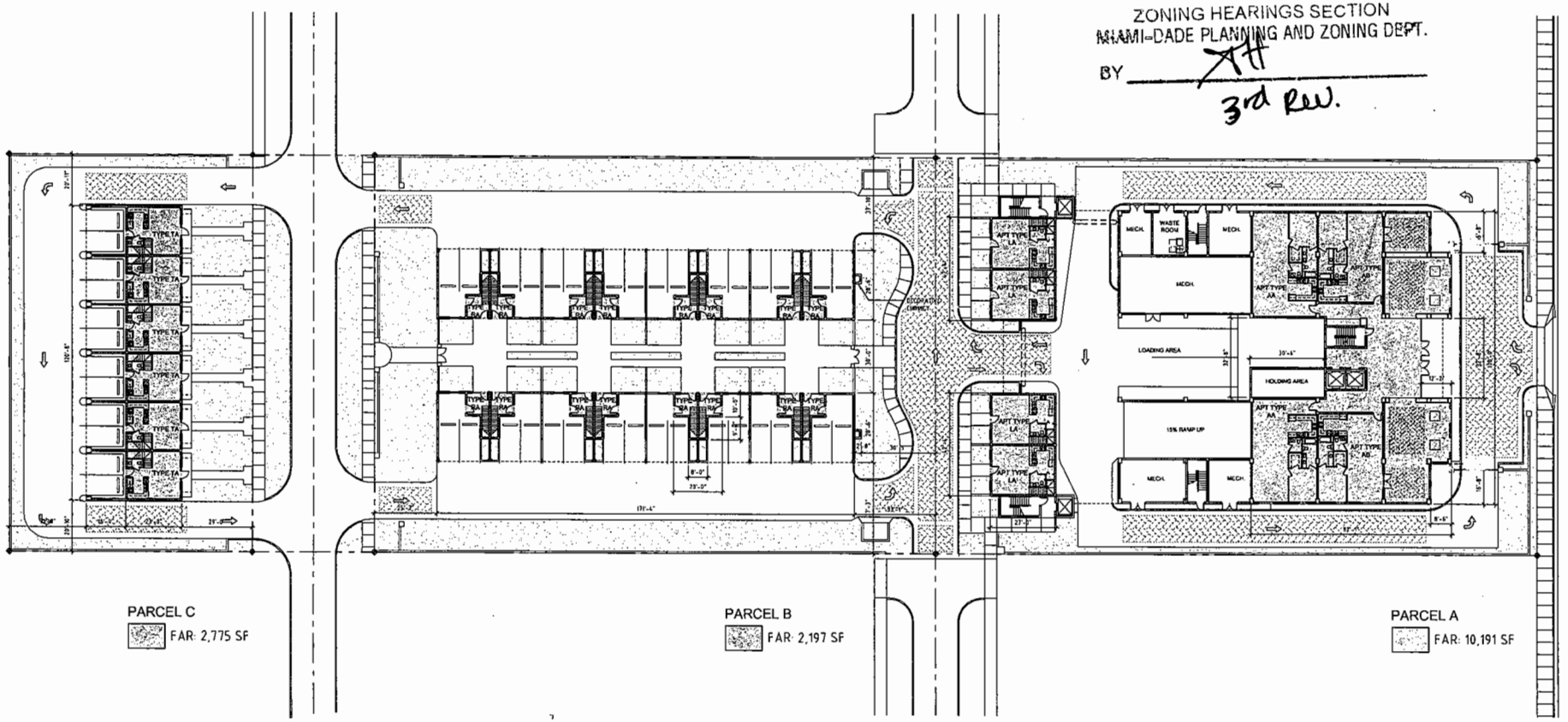

1ST FLOOR PLAN

SCALE: 1" = 20'-0"

N

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GABLES EDGE

4250 SW 8TH STREET
MIAMI, FL 33134

OWNER:
GABLES EDGE PARKS COMPANY
2655 LE JEUNE RD, PH I-D
CORAL GABLES, FL 33134
(305) 442-7141

CIVICA PROJECT No:
080402

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ZONING SUBMITTAL

No.	DATE	REVISION	BY
	07/15/08		

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DATE: JUNE 30, 2008 | SCALE:

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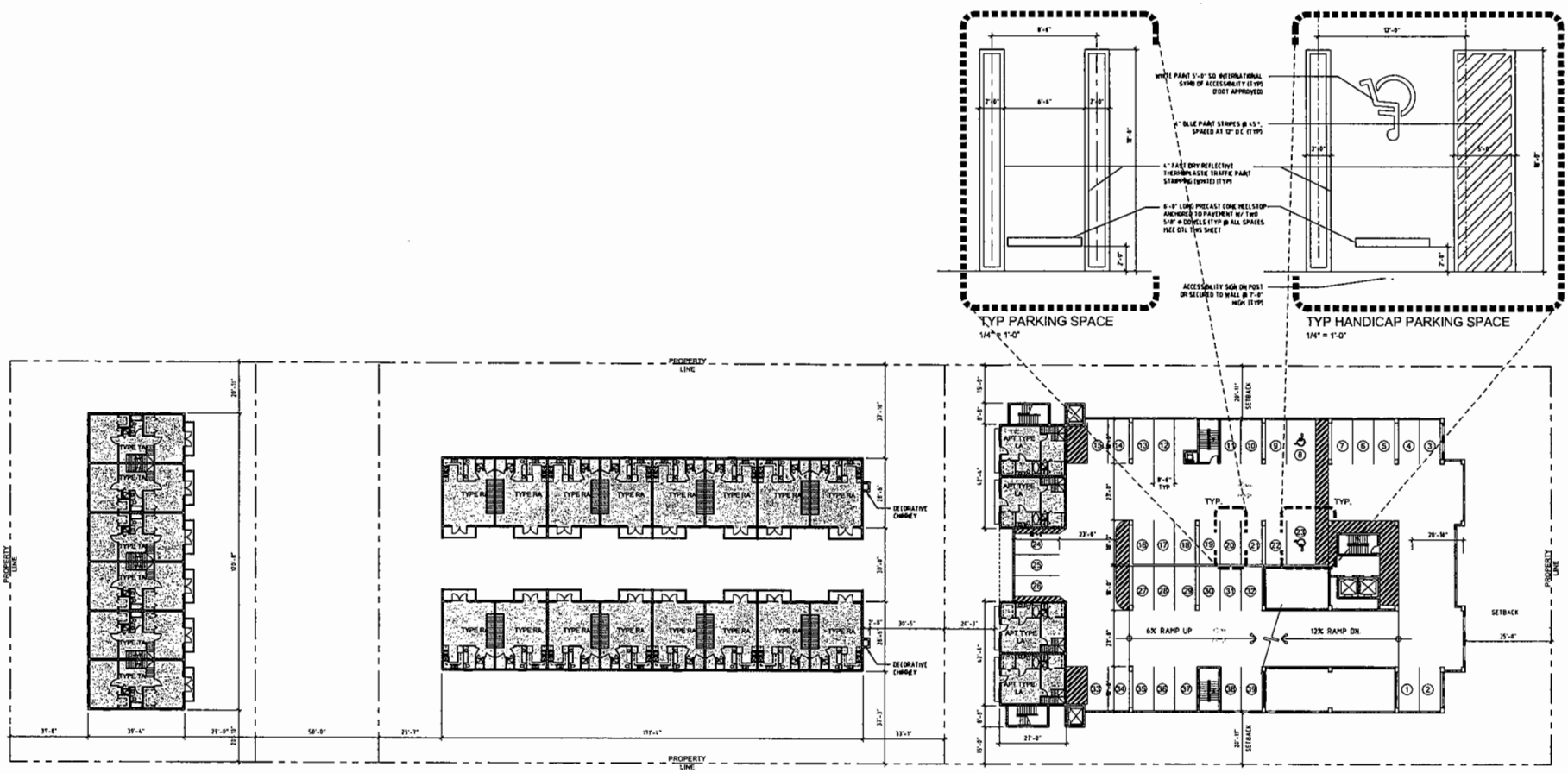

PARCEL C
FAR. 4,746 SF

PARCEL B
FAR. 9,766 SF

PARCEL A
FAR: 2,286 SF

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OWNER:
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CIVICA PROJECT No:
080402

ISSUED FOR:
ZONING SUBMITTAL

No.	DATE	REVISION	BY

DRAWN BY | APPROVED BY

DATE: JUNE 30, 2008 | SCALE:

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2ND FLOOR PLAN
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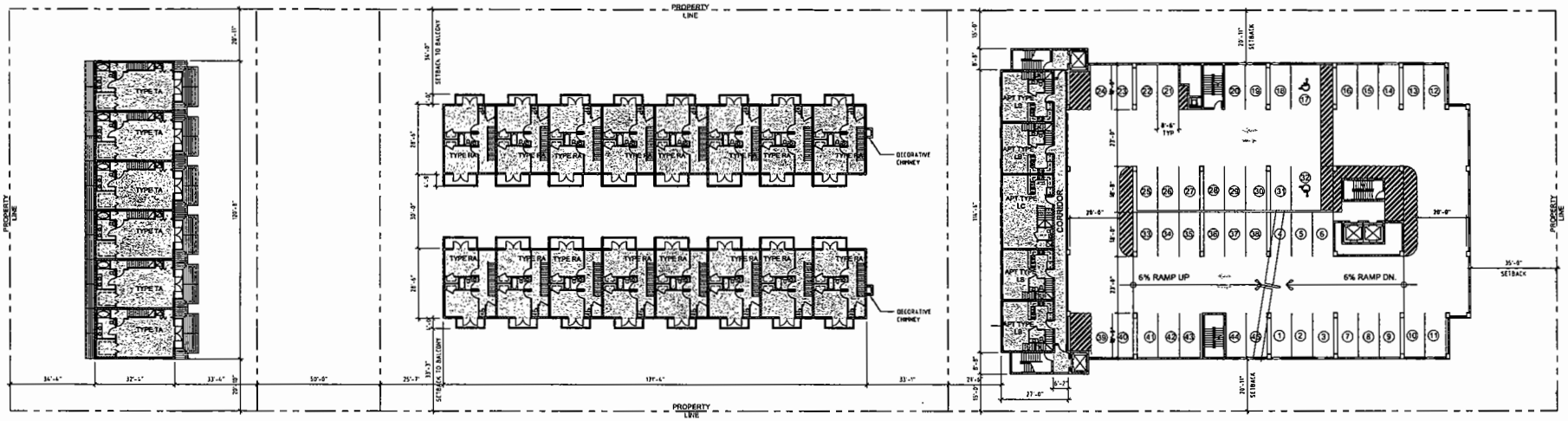

PARCEL C
F.A.R. 3,902 SF

PARCEL B
F.A.R. 9,766 SF

PARCEL A
F.A.R. 3,198 SF

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(305) 442-7141

CIVICA PROJECT No:
080402

ISSUED FOR:
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AR - 0013150

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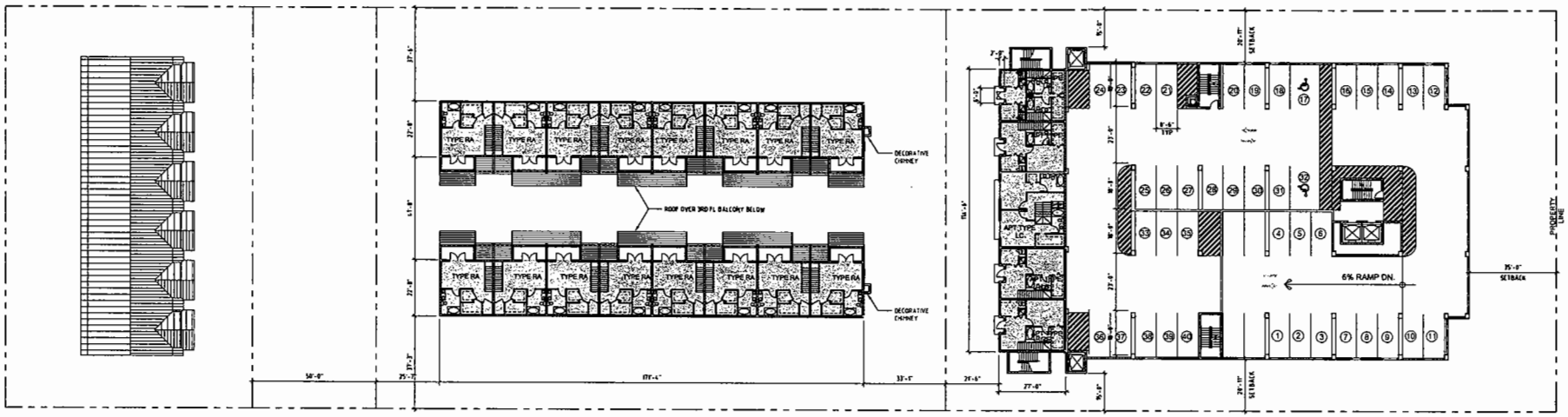
SHEET TITLE:
THIRD FLOOR PLAN

SHEET NUMBER: A-103



PARCEL B
FAR. 7,767 SF

PARCEL A
FAR: 3,044 SF

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4TH FLOOR PLAN
SCALE: 1" = 20'-0"

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SHEET TITLE
FOURTH FLOOR PLAN

SHEET NUMBER

PARCEL A

FAR. 14,231 SF

5TH FLOOR PLAN

SCALE: 1" = 20'-0"

N

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Z06-133
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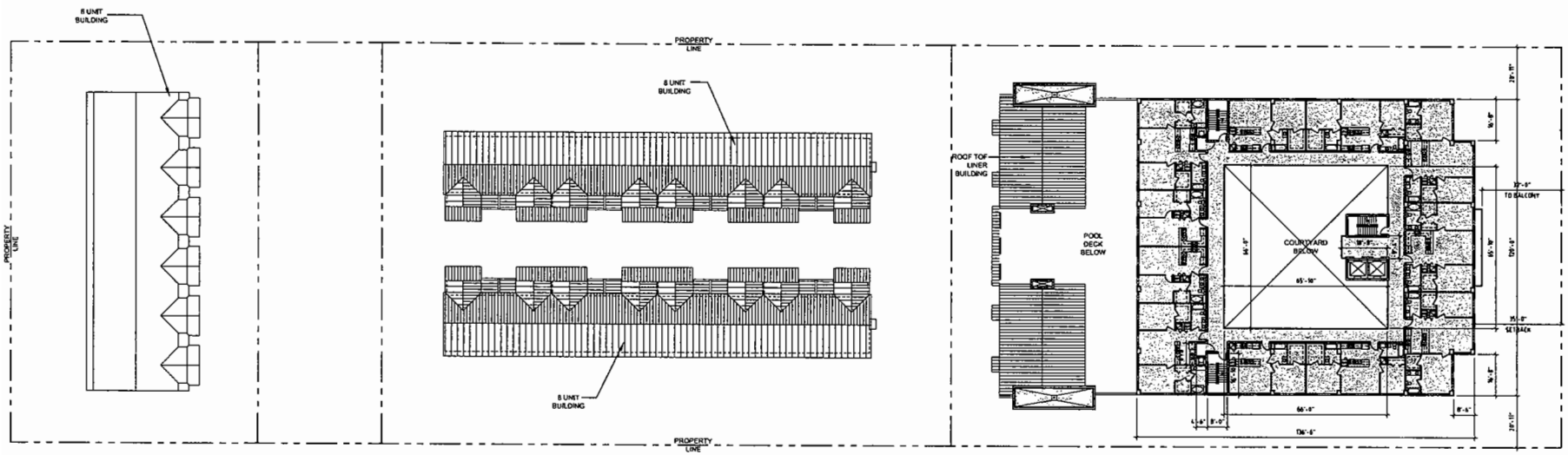
SHEET TITLE
FIFTH FLOOR PLAN

SHEET NUMBER
A1.05

54



PARCEL A

FAR. 11,579 SF

6TH FLOOR PLAN

SCALE: 1" = 20'-0"

N

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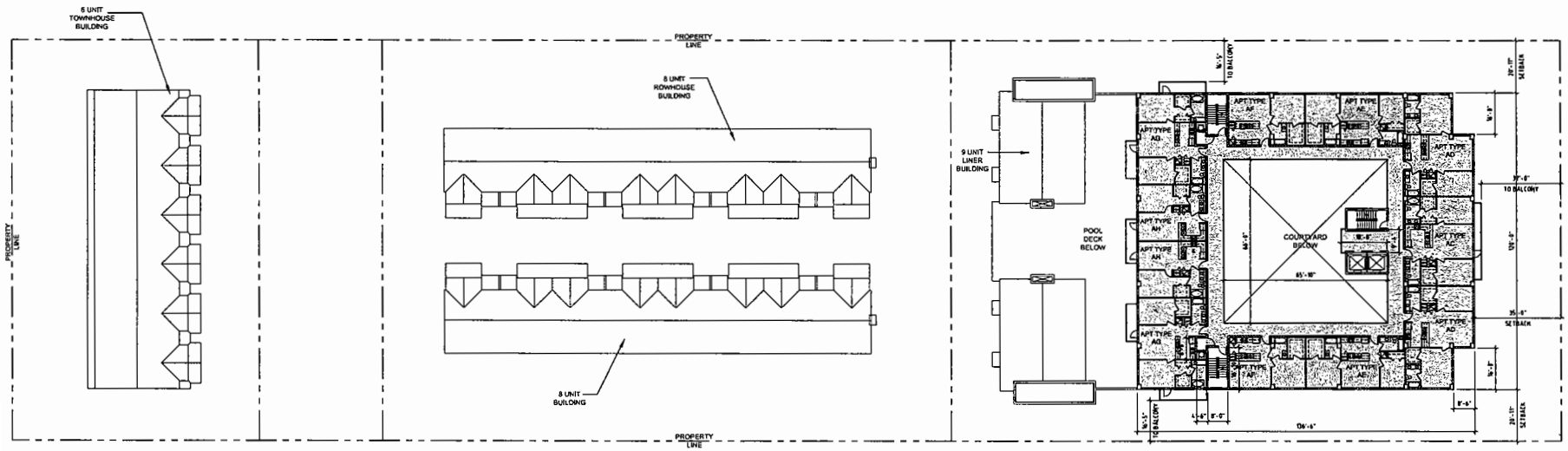
SHEET TITLE

SIXTH FLOOR PLAN

SHEET NUMBER



PARCEL A

FAR. 11,579 SF

7TH FLOOR PLAN

SCALE: 1" = 20'-0"

N

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06-135
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SHEET TITLE

SEVENTH FLOOR PLAN

SHEET NUMBER

PARCEL A

FAR. 11,579 SF

8TH FLOOR PLAN

SCALE: 1" = 20'-0"

N

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Z06-155
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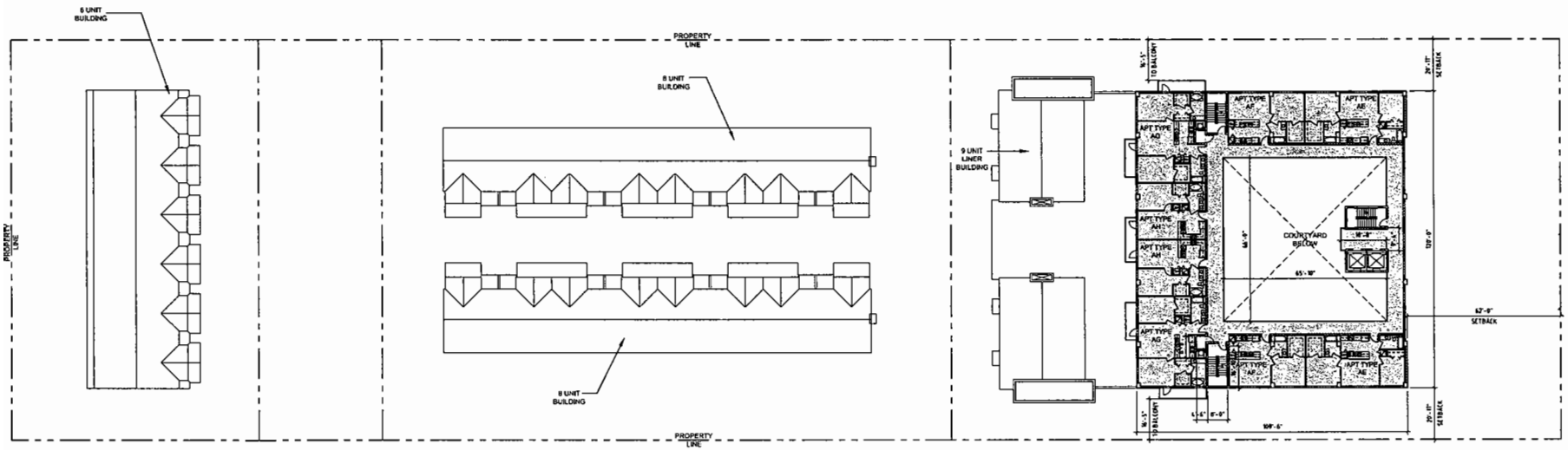
SHEET TITLE

EIGHTH FLOOR PLAN

SHEET NUMBER
A-008



PARCEL A
FAR: 8,622 SF

9TH FLOOR PLAN
SCALE: 1" = 20'-0"

N

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206.133
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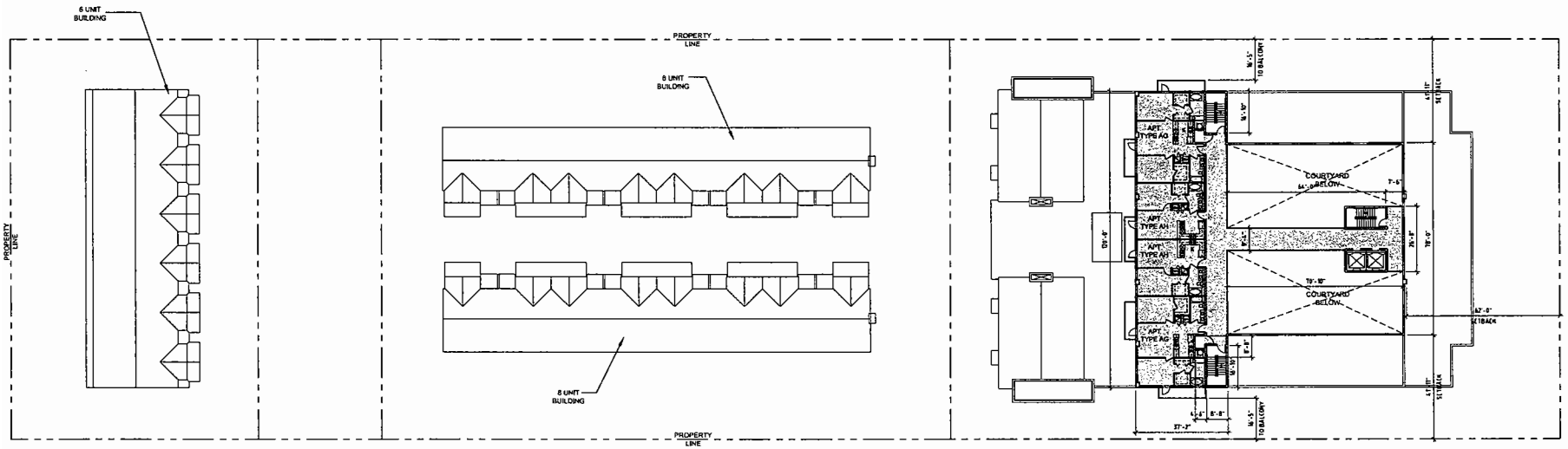
SHEET TITLE
NINTH FLOOR PLAN

SHEET NUMBER
A



PARCEL A
FAR. 4,966 SF

10TH FLOOR PLAN
SCALE: 1" = 20'-0"

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26-83
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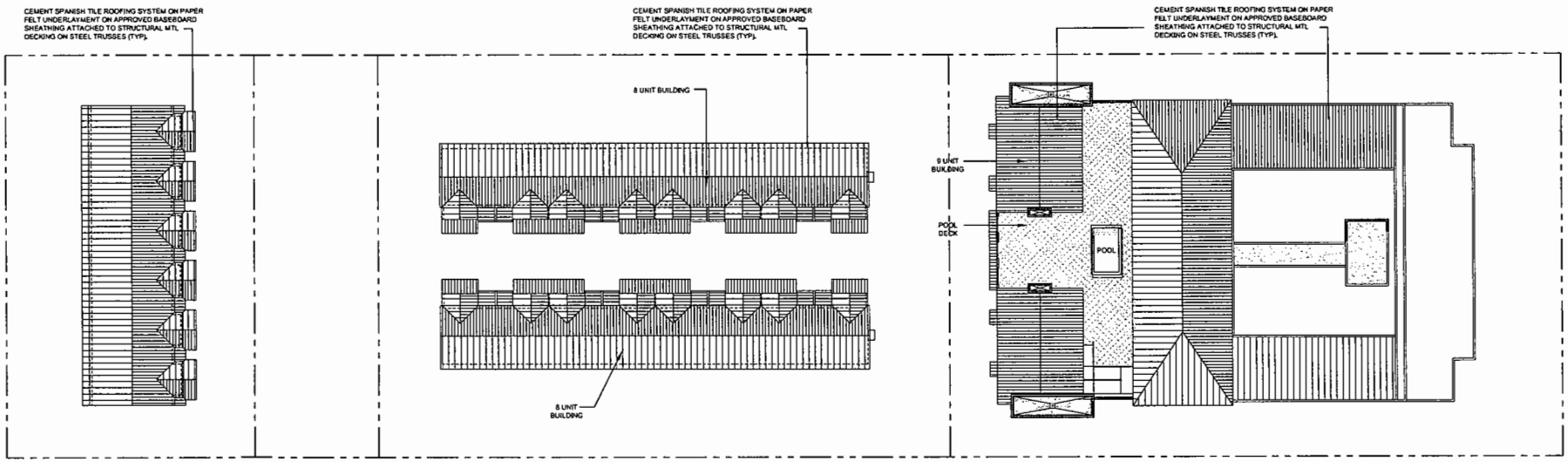
SHEET TITLE
TENTH FLOOR PLAN

SHEET NUMBER



ROOF PLAN

SCALE: 1" = 20'-0"

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ROOF PLAN

SHEET NUMBER

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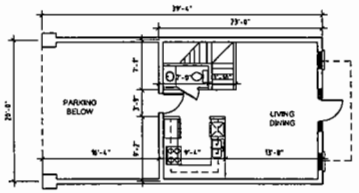
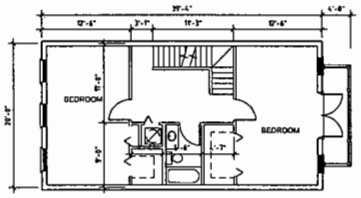
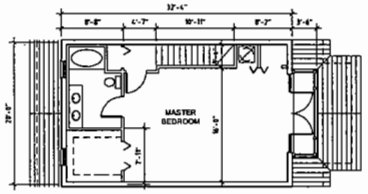


FIRST FLOOR

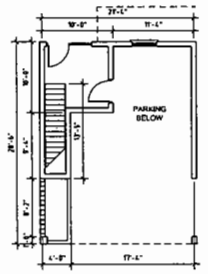


SECOND FLOOR

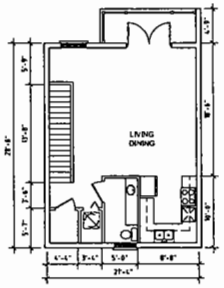


THIRD FLOOR

UNIT TYPE TA
6 UNITS TOTAL



FIRST FLOOR



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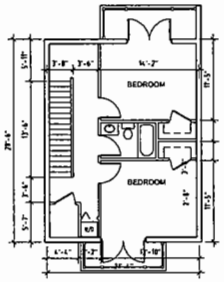
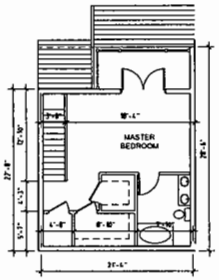
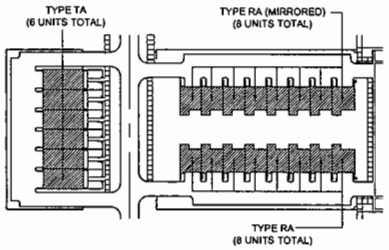


THIRD FLOOR



FOURTH FLOOR

UNIT TYPE RA
16 UNITS TOTAL



KEY PLAN

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Zoa 133
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PARCELS B & C MULTI-FAMILY UNIT TYPES

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

N

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SHEET TITLE
PARCELS B & C MULTIFAMILY UNITS FLOOR PLANS

SHEET NUMBER: A9

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19

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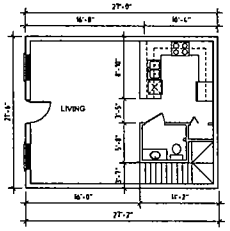

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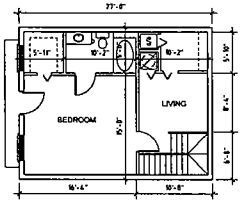
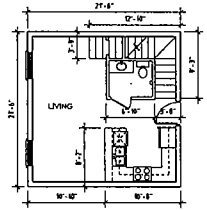


SECOND FLOOR

LINER UNIT TYPE LA
4 UNITS TOTAL



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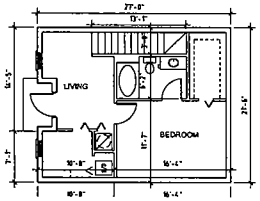
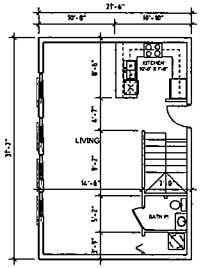


SECOND FLOOR

LINER UNIT TYPE LB
4 UNITS TOTAL



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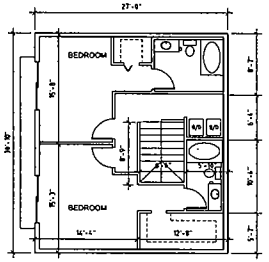
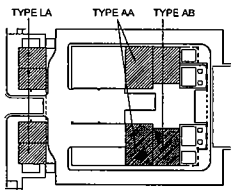


SECOND FLOOR

LINER UNIT TYPE LC
1 UNITS TOTAL



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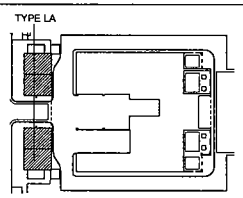

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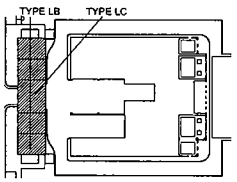
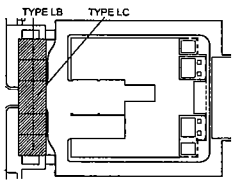
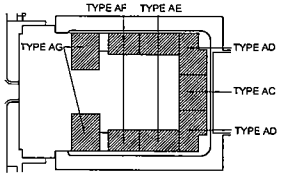


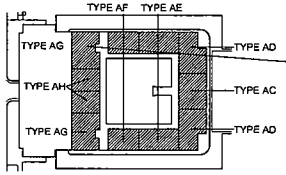
THIRD FLOOR



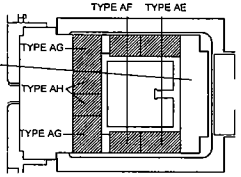
FOURTH FLOOR



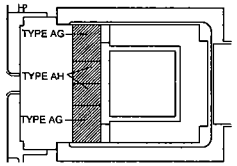
FIFTH FLOOR



SIXTH-EIGHTH FLOORS

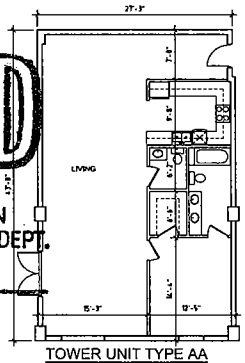


NINTH FLOOR

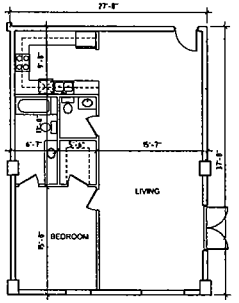


TENTH FLOOR

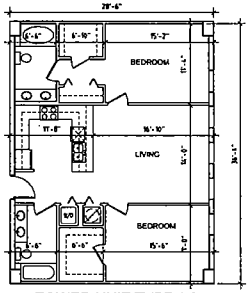
KEY PLANS



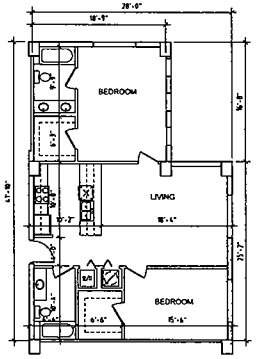
TOWER UNIT TYPE AA
2 UNITS TOTAL



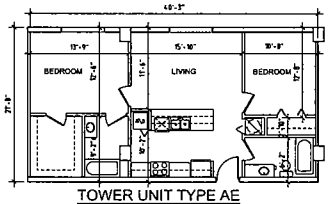
TOWER UNIT TYPE AB
2 UNITS TOTAL



TOWER UNIT TYPE AC
4 UNITS TOTAL



TOWER UNIT TYPE AD
8 UNITS TOTAL



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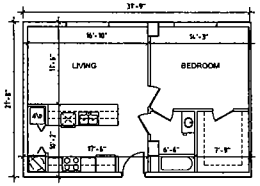

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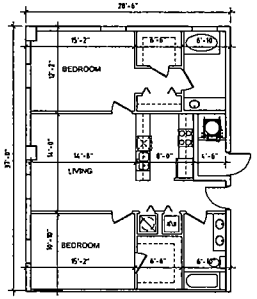

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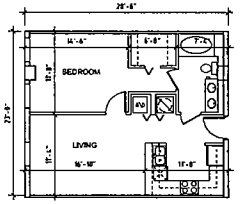

TOWER UNIT TYPE AH
12 UNITS TOTAL

LINER AND TOWER UNIT TYPES

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

N

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fax: 305.593.9955
www.civicagroup.com

GABLES EDGE

4250 SW 8TH STREET
MIAMI, FL 33134

OWNER:
GABLES EDGE PARKS COMPANY
2655 LE JEUNE RD, PH I-D
CORAL GABLES, FL 33134
(305) 442-7141

CIVICA PROJECT No:
080402

ISSUED FOR:
ZONING SUBMITTAL

No.	DATE	REVISION	BY

DRAWN BY | APPROVED BY

DATE: JUNE 30, 2008 | SCALE:

SEAL/SIGNATURE

ROLANDO LLANES, AIA
AR - 0013160

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SHEET TITLE
PARCEL "A" APARTMENTS FLOOR PLANS

SHEET NUMBER: A-000

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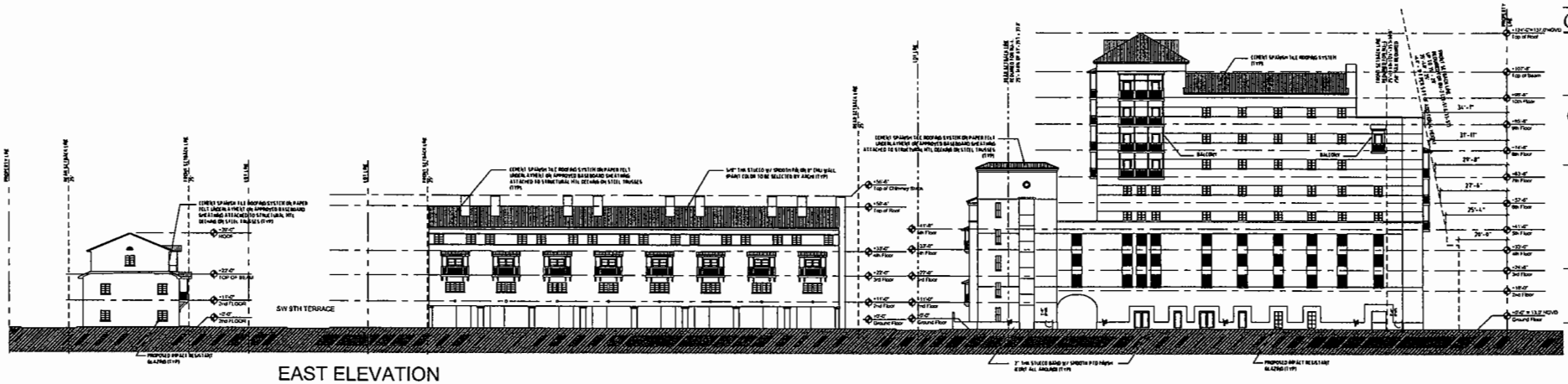
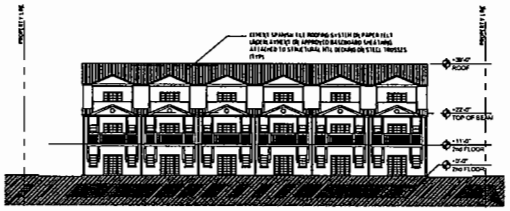
2008 JUL 07 P 12:20
MIAMI-DADE COUNTY
PLANNING & ZONING

62



EAST ELEVATION

SCALE: 1" = 20'-0"



PARCEL "C" - NORTH (MAIN) ELEVATION

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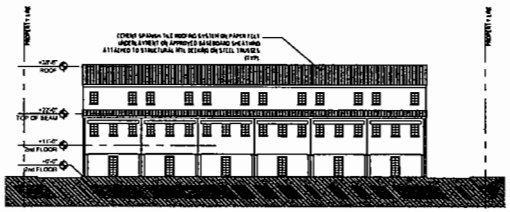

PARCEL "C" - SOUTH (REAR) ELEVATION

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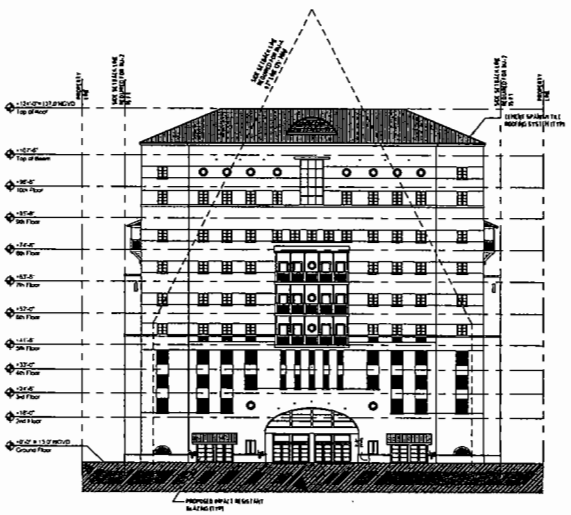

BUILDING NORTH ELEVATION

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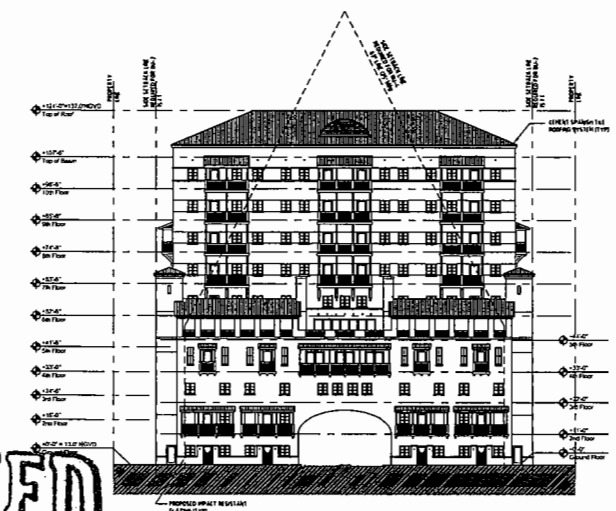

BUILDING SOUTH ELEVATION

SCALE: 1" = 20'-0"

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2006-133
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CORAL GABLES, FL 33134
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CIVICA PROJECT No:
080402

ISSUED FOR:
ZONING SUBMITTAL

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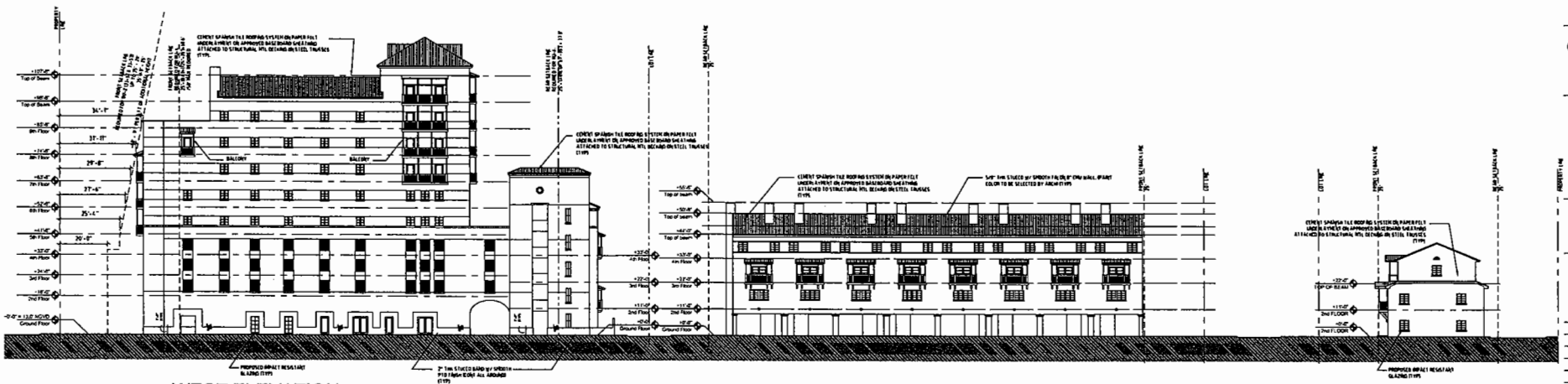
SHEET TITLE

BUILDING ELEVATIONS

SHEET NUMBER



WEST ELEVATION

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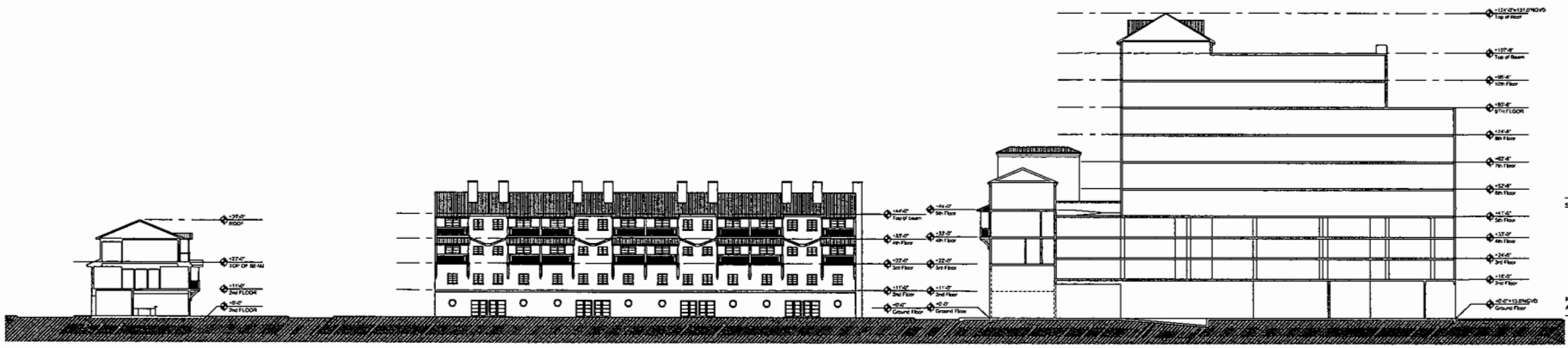

BUILDING ELEVATION/ SECTION

SCALE: 1" = 20'-0"

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ZONING HEARINGS SECTION
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CIVICA PROJECT No:
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ZONING SUBMITTAL

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DATE SCALE:
JUNE 30, 2008

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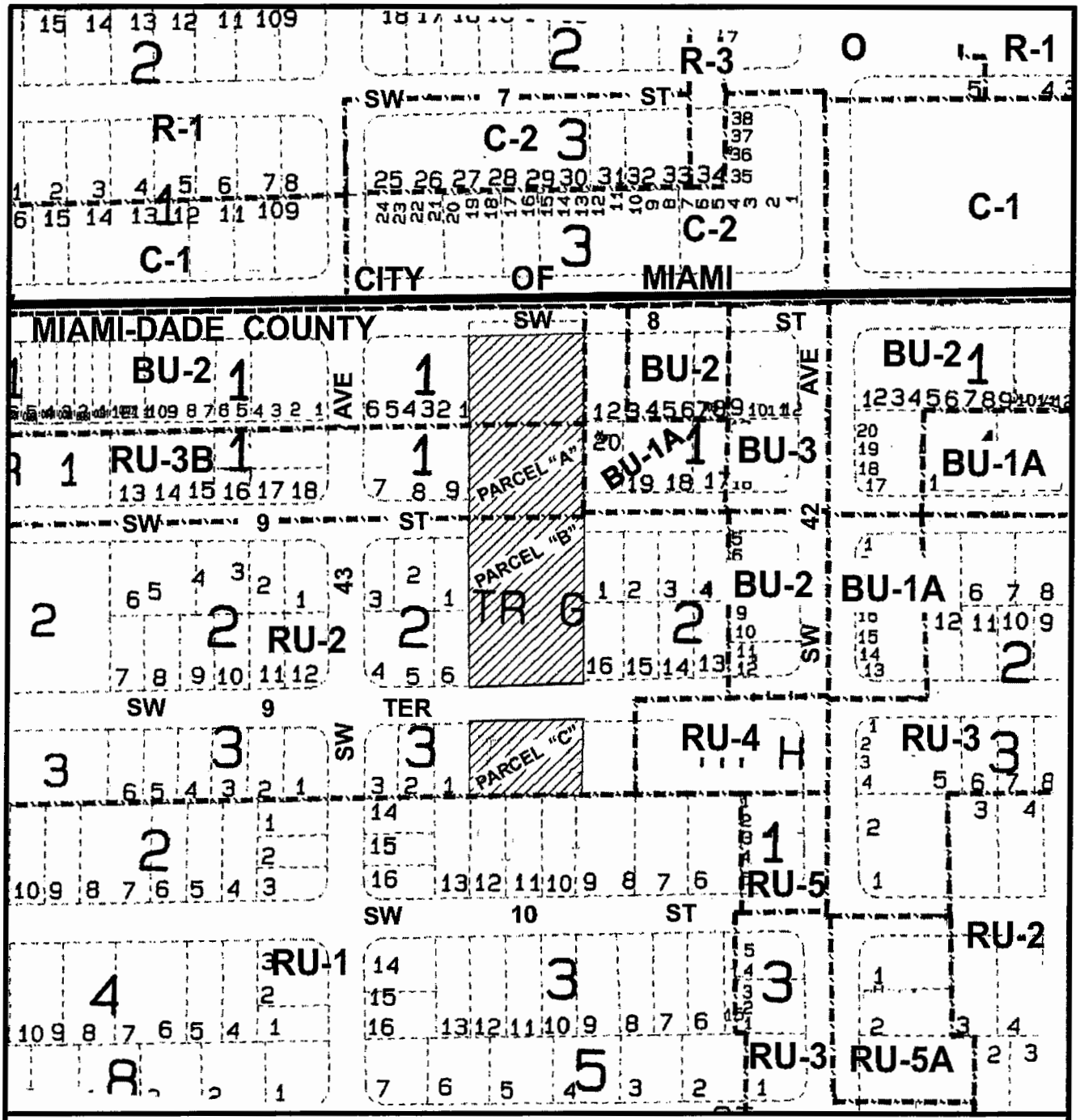
SHEET TITLE
BUILDING SECTION & BUILDING ELEVATION

SHEET NUMBER
A2.0



MIAMI-DADE COUNTY
HEARING MAP

Process Number
06-133

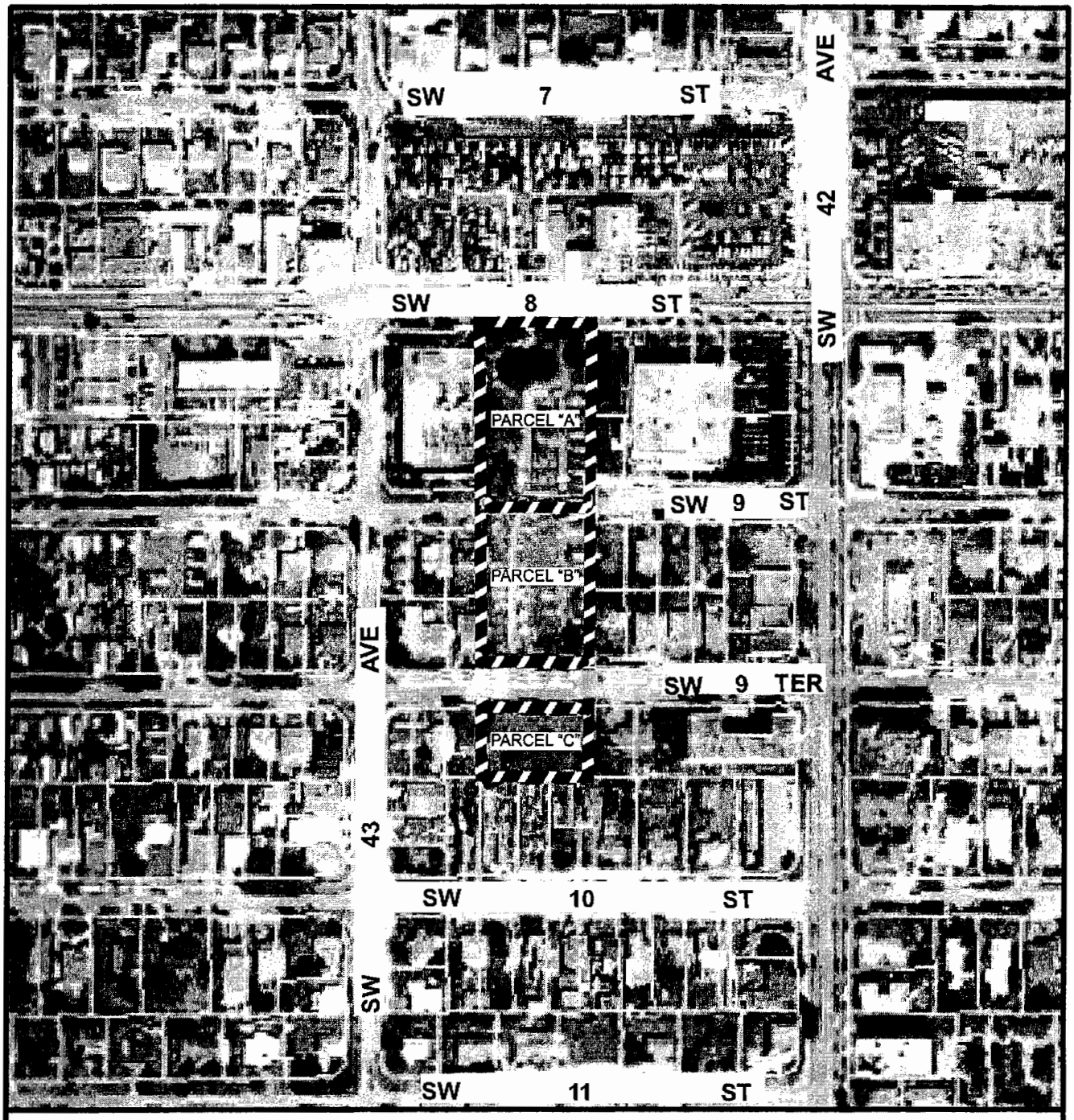
S C A L E
0 NTS
N

SUBJECT PROPERTY

Section: 08 Township: 54 Range: 41
Process Number: 06-133
Applicant: GABLES EDGE PARKS CO.
Zoning Board: C10
District Number: 06
Drafter ID: ERIC
Scale: 1:200'

MIAMI-DADE COUNTY

G: ZONING DRAFTING. 06-133. 06/06.
Rev. 07/15/08 Add parcels "A" "B" & "C"
Rev. 07/16/08 Zone



MIAMI-DADE COUNTY
AERIAL

Process Number
06-133

S C A L E
0 NTS
N

SUBJECT PROPERTY

Section: 08 Township: 54 Range: 41
Process Number: 06-133
Applicant: GABLES EDGE PARKS CO.
Zoning Board: C10
District Number: 06
Drafter ID: ERIC
Scale: NTS

MIAMI-DADE COUNTY

G: ZONING DRAFTING 06-133 06/06.
Rev. 07/15/08 add parcels "A" "B" & "C"

2. MINISTERIOS EL BUEN PASTOR, INC. **08-10-CZ10-2 (07-366)**
(Applicant) **Area 10/District 12**
Hearing Date: 10/30/08

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:

Year	Applicant	Request	Board	Decision
				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 DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 10

APPLICANT: Ministerios El Buen Pastor, Inc. **PH:** Z07-366 (08-10-CZ10-2)

SECTION: 1-54-39 **DATE:** October 30, 2008

COMMISSION DISTRICT: 12 **ITEM NO.:** 2

==========

A. INTRODUCTION:

- **REQUESTS:**

  (1) SPECIAL EXCEPTION to permit a religious facility.

  (2) Applicant is requesting to permit a building of public assemblage setback 25' (50' required) from the front (west) property line.

  (3) Applicant is requesting to permit a building with a maximum height of 50' (35' permitted).

  (4) Applicant is requesting to permit a lot coverage of 21.3% (15% permitted for 2 stories).

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

  Plans are on file and may be examined in the Department of Planning and Zoning entitled "Ministerios El Buen Pastor Internacional," as prepared by Gail Byron Baldwin, Sheet "A-100" dated stamped received 5/6/08 and the remaining sheets dated stamped received 4/8/08 and consisting of 7 sheets. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:** The applicant is seeking a religious facility on a parcel of land in the EU-1 and EU-M zoning districts and to permit the religious facility with a lesser front setback than required. Additional requests to permit the proposed religious facility with a greater height and lot coverage than permitted are also being sought.

- **LOCATION:** Lying east of N.W./S.W. 122 Avenue, approximately 464' south of N.W. 2 Street, A/K/A: 45 S.W. 122 Avenue, Miami-Dade County, Florida.

- **SIZE:** 4.22 Acres

- **IMPACT:** Approval of this application will allow a religious facility in the EU-1 and EU-M zoning districts. This application will bring additional traffic and noise into the residential area and may impact public services. Additionally, the reduced setback and increased lot coverage and height could have a negative visual impact on the community.

B. ZONING HEARINGS HISTORY: In 1959, the subject property was granted a special permit to operate a horseback riding school with 12 additional stalls by the Board of County Commissioners (BCC), pursuant to Resolution #4036. In 1965, the subject property was granted a use variance and a special exception to permit a riding academy in a GU, Interim District, zone as would be permitted in an AU, Agricultural District, by the Zoning Appeals Board (ZAB), pursuant to Resolution #3-ZAB-133-65. In March 1985, the southern portion of the subject site (Lots 14 and 15) was included as part of an application filed by the Directors of the Building and Zoning and Planning Departments that was granted a district boundary change from GU to EU-M, Single Family Modified Estate District, pursuant to Resolution #Z-63-85. Concurrently, in March 1985, the northern portion of the subject site (Lots 16 through 18) was included as part of an application on a larger portion of land filed by the Directors of the Building and Zoning and Planning Departments that was granted a zone change from GU, AU, and EU-1, Single Family One Acre Estate District, to EU-1 and a request to permit certain existing platted lots with less than the required 125' of lot frontage and less than the required one acre of lot area as residential building sites, pursuant to Resolution #Z-64-85.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Estate Density Residential**. This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 dwelling units per gross acre.

2. Also permitted in residential Communities are neighborhood and community services including schools, parks, **houses of worship**, day care centers, group housing facilities, and utility facilities only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments mix of land uses, and their relationship.

3. **Guidelines for Urban Form.** The following guidelines establish a generalized pattern for location of different uses, their intensity and density, and the interconnecting network of vehicular and pedestrian movement. The general pattern of land use in residential communities should conform to the following guidelines to the maximum extent consistent with the land use patterns and densities authorized and encouraged by the Land Use Plan (LUP) map, and future amendments to the LUP map should endeavor to promote this localized form within the metropolitan pattern of urban centers and transit corridors:

    4. Intersections of section line roads shall serve as focal points of activity, hereafter referred to as activity nodes. Activity nodes shall be occupied by any nonresidential components of the neighborhood including public and semi-public uses. When commercial uses are warranted, they should be located within these activity nodes. In addition, of the various residential densities, which may be approved in a section through density averaging or on an individual site basis, the higher density residential uses should be located at or near the activity nodes.

5. Areas abutting and adjacent to activity nodes should serve as transition areas suitable for eligible higher residential densities, public and semi-public uses including day care and congregate living uses.

6. Areas located along section line roads between transition areas are also authorized for eligible higher residential densities, public and semi-public uses. When section line roads are served by adequate mass transit, these areas are more suitable for office uses than such properties not served by adequate transit.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
EU-1 and EU-M; Vacant	Estate Density Residential, 1 to 2.5 dua
Surrounding Properties:	
NORTH: EU-1; Vacant	Estate Density Residential, 1 to 2.5 dua
SOUTH: RU-1; Vacant	Estate Density Residential, 1 to 2.5 dua
EAST: EU-1; Single-family residences	Estate Density Residential, 1 to 2.5 dua
WEST: EU-M; Single-family residences	Estate Density Residential, 1 to 2.5 dua

The subject property lies east of NW/SW 122 Avenue, approximately 464' south of NW 2 Street and is currently vacant. The subject property is surrounded by undeveloped parcels of land, single-family residences, and is located approximately 1.66 miles east of and within the Urban Development Boundary (UDB).

E. SITE AND BUILDINGS:

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

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**
MDT	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**No comment**

*Subject to conditions indicated in their memoranda.

H. ANALYSIS:

The 4.22-acre subject property lies east of NW/SW 122 Avenue, approximately 464' south of NW 2 Street and is currently vacant. The subject property is surrounded by undeveloped parcels of land, single-family residences, and is located approximately 1.66 miles east of and within the Urban Development Boundary (UDB). The applicant is requesting a special exception to permit a religious facility (request #1) and to permit said religious facility setback 25' (50' required) from the front (west) property line (request #2). Additional requests to permit the religious facility with a maximum height of 50' (35' permitted) (request #3) and to permit a lot coverage of 21.3% (15% permitted for 2 stories) (request #4) are also being sought. Plans submitted by the applicant depict the aforementioned requests.

The submitted plans indicate a 39,386 sq. ft., two-story principal structure that consists of vestibule areas, a social hall, reading room, prayer room, kitchen, multi-purpose room and a large semi-circular-shaped sanctuary on the ground floor. The second floor consists of Sunday school classroom areas, storage areas, offices, a recording room, library, kitchen, and lunchroom. The applicant's letter of intent indicates that the rotunda at the southwest corner of the sanctuary will function as the main entrance to the building. The sanctuary occupies most of the structure, and provides 13,714 sq. ft. to accommodate a large gathering of people. Parking areas are provided on the north, east, and south portions of the site. Staff notes that the submitted plans indicate that the applicant has provided a surplus of 177 parking spaces yielding a total of 336 where 159 parking spaces are required. As such, staff notes that adequate on-site parking has been provided. Three two-way drives are located off of NW/SW 122 Avenue and access to the site is to be secured through manual gates in a 4' high wall that runs along the front (west) property line, which the applicants have noted on the plans are to remain open during hours of operation. A one-way circular drive is provided along the west property line that also provides access to the site off of NW/SW 122 Avenue for a total of 5 driveway openings onto NW/SW 122 Avenue along the front (west) property line. The submitted plans indicate that a proposed 6' high concrete wall and abundant landscaping are to be provided along the north, east and south property lines between the proposed religious facility and the abutting EU-1 and RU-1 zoned properties. Additionally, the landscaping strip, which is at a minimum 8' wide along the south property line, is to include landscaping in the form of Dahoon Holly, East Palatka Holly, and Twinberry trees as well as continuous hedges in the form of Wild Coffee and Green Cocoplum. However, staff is not supportive of this application and notes that the scale, mass, and height of the proposed religious facility are incompatible with the residences in the surrounding community.

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. However, the applicant will have to comply with all DERM requirements as set forth in their memorandum pertaining to this application. The Public Works Department **(PWD)** has **no objections** to this application. However, their memorandum indicates that the proposed gates are to remain open during hours of operation and that the landscaping and fences must comply with the safe sight distance triangle requirements. Their memorandum further indicates that the proposed religious facility does not generate any new additional daily peak hour vehicle trips and therefore, the application meets traffic concurrency criteria. 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 **6:13** minutes.

Approval of the application would permit a religious facility on the subject property. This site is located in a section of land that is zoned EU-1 and EU-M and is predominantly developed with single-family residences. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the subject property for **Estate Density Residential** use. Detached estates that utilize only a small portion of the total parcel generally characterize this density category. However, also permitted in Residential Communities are neighborhood and community services including schools, parks, **houses of worship**, day care centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of the Master Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments mix of land uses, and their relationship. The interpretative text of the CDMP also indicates that public or semi-public uses such as **houses of worship** located in Estate Density neighborhoods should be located only in activity nodes, transition areas and section centers as indicated in the Guidelines for Urban Form, or on sites that are transitional to higher density or higher intensity land uses, to public uses or to other areas of high activity or accessibility. The subject property is designated as Estate Density Residential use on the LUP map; however, staff notes that the site does not meet the above criteria as it is not located in an activity node nor within a section center and in therefore, not consistent with the interpretative text of the Guidelines for Urban Form. Additionally, staff notes that, although the subject property is located along a half-section line roadway, NW/SW 122 Avenue, the site is an interior lot, located mid-block and is not transitional to higher intensity land uses; therefore, the approval of the requested religious facility use on the site would be **inconsistent** with the objectives of the CDMP. While staff acknowledges that the approval of this application would allow the applicant to provide a service for the community, **Land Use Policy LU-4C** of the interpretative text in the CDMP indicates that residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic. Staff is of the opinion that the proposed religious facility reflects an over-utilization of the site, would be intrusive to the surrounding residences, and is therefore, **incompatible** with the area. Further, the proposed religious facility does not comply with the provisions found in **Land Use Policy LU-4C**, as it will not protect the neighborhood from intrusion by a proposed use that would disrupt the tranquility, character and overall welfare of the residential neighborhood, and would create excessive noise and traffic that would have a negative impact on the surrounding area. Staff is of the opinion that the proposed religious facility use on this parcel would be too intense for the site as evidenced by the numerous requests sought herein for reduced setback distances, increased building height and lot coverage, and, if approved, would result in a building mass that is excessive and out of character with the surrounding area. As such, staff opines that the applicant's request for a **religious facility** is **inconsistent** with the goals, objectives and policies of the Master Plan and **incompatible** with the area. Notwithstanding the aforementioned, should the Board determine that the intensity of the proposed use is compatible with the surrounding area, then the Board could make a finding that this proposed use is consistent with the CDMP.

When analyzing request #1 under Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses And New Uses, staff is of the opinion that the proposed

religious facility would result in excessive noise or traffic, cause undue or excessive burden on transportation, streets, roads or highways, or provoke excessive overcrowding and concentration of people, when considering the necessity for and reasonableness of the applied for exception in relation to the present and future development of the area and the compatibility of the applied for exception with the area and its development. The 4.22-acre subject property adjoins single-family residences to the east and west and undeveloped parcels of land to the north and south, and is located approximately 1.66 miles east of and within the Urban Development Boundary (UDB). The EU-1 and EU-M zoned subject property is currently vacant. As previously mentioned, the submitted plans indicate a 13,714 sq. ft. sanctuary, which occupies most of the structure, and provides for a large gathering of people. Additionally, the submitted plans indicate a 6,780 sq. ft. social hall on the ground floor as well as several offices and Sunday school classrooms, among other rooms, on the second floor, which could result in an over concentration of people. Staff acknowledges that, in 1982, a 4.24-acre parcel of land located on the northeast corner of SW 120 Avenue and SW 2 Street, approximately 323' to the east of the subject site, was granted, among other requests, a special exception to permit a religious facility as well as an unusual use to permit a pre-school, day nursery and after school care, pursuant to Resolution #4-ZAB-117-82. However, it should be noted that staff's review of the approved plans for said religious facility revealed that the approved religious facility is significantly smaller in terms of height and scale than the facility that is the subject of this application. Specifically, the plans submitted for the religious facility approved in 1982 indicate a total building area of 9,500 sq. ft. and a 3,800 sq. ft. sanctuary with a maximum building height of 35'. As such, staff is of the opinion that the proposed religious facility use that is the subject of this public hearing, as illustrated on the submitted plans, will result in a large concentration of people on the site, which will cause a burden on area roads when meetings are held and will not be compatible with the residential character of the surrounding area. Staff further acknowledges that the Public Works Department has no objections to this application however; staff notes that the proposed religious facility will not be located on a major right-of-way and will therefore further overburden local streets and roads. Moreover, staff notes that the submitted plans illustrate a total of 5 driveway openings onto NW/SW 122 Avenue along the front (west) property line, which staff opines is intensive and intrusive to the single-family residences located across NW/SW 122 Avenue, to the west of the subject site, due to increased traffic activity associated with the proposed religious facility use. Additionally, staff notes that public or semi-public uses such as houses of worship that are located in Estate Density neighborhoods as specified in the CDMP, should be located only in activity nodes, or sites that are transitional to higher density or higher intensity land uses, to public uses or to other areas of high activity or accessibility. Staff opines that the size of the religious facility and proposed location for such use as proposed is **incompatible** with the area and **inconsistent** with the goals and objectives of the CDMP. As such, staff recommends denial without prejudice of request #1 under Section 33-311(A)(3).

When requests #2 through #4 are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance Standards, staff is of the opinion that the approval of the requests would be **incompatible** with the surrounding area and would negatively affect the appearance of the community. Request #2, to permit a building of public assemblage setback 25' from the front (west) property line, would allow the proposed religious facility to comply with merely 50% of the setback requirement of the more restrictive zoning on the subject site, the EU-1 zoning. It should be noted that the northern portion of the subject site (Lots 16 through 18) is zoned EU-1 in which buildings of public assemblage are required to be

setback a minimum of 50' from the front property line and that the southern portion of the subject site (Lots 14 and 15) is zoned EU-M in which buildings of public assemblage are only required to be setback 25' from a property line that abuts a public highway, which in this case coincides with the front (west) property line. Historically, the Department's policy on sites with dual zoning districts applies the more restrictive zoning requirements for development criteria such as setback, height and lot coverage. Therefore in this instance, when the more restrictive setback requirement of the two zones is applied, the proposed religious facility is required to be setback a minimum of 50' from the front (west) property line. The requested variance of building setback from the front (west) property line is due to the porte-cochere which measures 22'4" in length and represents approximately 4% of the total building frontage. Accordingly, staff acknowledges that the majority, approximately 96%, of the building frontage complies with the 50' setback requirement of the EU-1 zone for buildings of public assemblage. However, staff notes that single-family residences are located to the west of the subject site, which front on NW/SW 122 Avenue, directly across from the subject site. As such, staff opines that request #2 is an indication of the intrusiveness of this project on the adjoining properties. Similarly, staff opines that the approval of request #3, to permit the proposed religious facility structure with a maximum height of 50' (35' permitted), will have a negative visual impact on the surrounding community. Staff acknowledges that the submitted elevation plans depict a Mediterranean architectural style with abundant fenestration and arches and illustrate a variation in building heights that includes a rotunda estimated to attain a maximum height of 50' as well as a reading room and second story foyer, each estimated to attain a height of 40'11". Furthermore, the majority of the building features a flat roof that attains a height of 33'6" when measured to the roofline. It should be noted that Section 33-55 of the Zoning Code provides that regulations that limit building height shall not apply to church spires and steeples. Staff notes that church spires and steeples are non-habitable structures and are typically ornamental. However, staff notes that the 50' high rotunda illustrated on the submitted site plan is a habitable space and, in conjunction with the reading room and foyer, exceeds 10% of the roof area by 0.3%, which staff acknowledges is a minor overage. Notwithstanding the foregoing, the rotunda is subject to the height restrictions enumerated in the Zoning Code. As previously mentioned, the subject site is surrounded on all sides by single family and estate residences zoned EU-1, EU-M, and RU-1, which zones limit building heights to a maximum of 35' (two stories). Further, staff's review of the surrounding area reveals that residences that adjoin the subject site are one-story and, as such, staff maintains that the requested maximum building height of 50' for the proposed religious facility is **incompatible** with the scale of the adjoining development.

As previously mentioned, the Department's policy on sites with dual zoning districts applies the more restrictive zoning requirements for development criteria such as setback, height and lot coverage. Staff notes that the EU-1 zone allows a maximum lot coverage of 15%, while the EU-M zone allows a maximum lot coverage of 30%. Therefore in this instance, when the more restrictive lot coverage allowance of the two zones is applied, the proposed religious facility is allowed a maximum lot coverage of 15%. Request #4, to permit a lot coverage of 21.3% (15% permitted for 2 stories) would allow the construction of the proposed 39,386 sq. ft. religious facility on the site, which staff opines is indicative of a building mass and scale that is out of character and proportion with the area and, therefore, incompatible with same. Staff notes that no similar approvals have been granted in the surrounding area. As previously mentioned, staff acknowledges that in 1982, a 4.24-acre parcel of land located, approximately 323' to the east of the subject site, was granted, among other requests, a special exception to permit a religious facility as

well as an unusual use to permit a pre-school, day nursery and after school care, pursuant to Resolution #4-ZAB-117-82. However, it should be noted that said approval was void of requests for variances of setback, height or lot coverage. As such, staff determines that requests #2 through #4 would be out of scale and character with the surrounding properties and thus detrimental to the stability of the area. Further, staff is not supportive of request #1 as it is **incompatible** with the area and **inconsistent** with the CDMP, and since requests #2 through #4 are an integral part of/and germane to request #1, staff recommends denial without prejudice of requests #2 through #4 under Section 33-311(A)(4)(b) (NUV).

When requests #2 through #4 are analyzed under the Alternative Non-Use Variance 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 the requests not be granted, such denial would not permit the reasonable use of the premises. The applicant has not demonstrated how the denial of the requests will result in unnecessary hardship. As such, staff recommends denial without prejudice of requests #2 through #4 under Section 33-311(A)(4)(c) (ANUV).

Accordingly, staff recommends denial without prejudice of request #1, and denial without prejudice of requests #2 through #4 under Section 33-311(A)(4)(b) (NUV) and under Section 33-311(A)(4)(c) (ANUV).

I. **RECOMMENDATION:** Denial without prejudice.

J. **CONDITIONS**: None.

DATE INSPECTED: 10/30/07
DATE TYPED: 08/22/08
DATE REVISED: 08/25/08; 09/04/08; 09/15/08; 09/16/08; 09/25/08; 09/26/08; 10/06/08; 10/21/08
DATE FINALIZED: 10/21/08
MCL:MTF:LVT:NC

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

Memorandum

MIAMI-DADE COUNTY

Date: July 15, 2008

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

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

Subject: C-10 #Z2007000366-Revised
Ministerios el Buen Pastor, Inc.
45 S.W. 122nd Avenue
Use Variance to Permit Religious Facility, Request to Permit a Building that Would Exceed Lot Coverage, Height Requirements and Request to Permit a Building with Less Setback than Required
(EU-1) (4.2 Acres)
01-54-39

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.

Potable Water Service and Wastewater Disposal
Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management
The proposed project has received Cut and Fill approval # 537. Full compliance with all conditions set forth in said approval is required prior to platting or seeking building permits.

A Surface Water Management General Permit from DERM shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site development, final plat, or public works approval of paving and drainage plans. The applicant is advised to contact DERM for further information regarding permitting procedures and requirements.

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year/1-day storm event with full on-site retention of the 100-year/3-day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP, subject to compliance with the conditions required by DERM for this proposed development order.

Operating Permits
Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that the requested use of the subject property may require operating permits from DERM. The Permitting Section of DERM's Pollution Regulation and Enforcement Division may be contacted at (305) 372-6600 for further information concerning operating requirements.

Wetlands
The subject property does not contain jurisdictional wetlands, as defined in Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that perrnits from the Army Corps of Engineers (305-526-7181) the Florida Department of Environmental Protection (561-681-6600), and the South Florida Water Management District (1-800-432-2045), may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation
According to the landscape plans submitted with this application, only one Ficus benghalensis tree exists on the southwest portion of the property. Ficus benghalensis is a prohibited tree as referenced in Section 24-49.9 of the Code. All prohibited trees are exempt from permitting and must be removed from site prior to development.

The applicant is advised that a Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any other tree on the subject property that is not a prohibited species. The applicant is advised to contact the DERM Tree Program at (305) 372-6574 for further information.

Enforcement History
DERM has found no open or closed enforcement record for the subject property.

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 discus this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

REVISION 1
PH# Z2007000366
CZAB - C10

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:MINISTERIOS EL BUEN PASTOR, INC

This Department has no objections to this application.

Gates are to remain open during hours of operation.

Landscaping and fences must comply with safe sight distance triangle requirements set forth in Sec. 33-11 of the Miami-Dade County Code.

Additional improvements may be required at time of permitting.

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.
24-APR-08

REVISION 3

Memorandum

Date: 14-MAY-08

To: Subrata Basu, Interim Director
Department of Planning and Zoning

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2007000366

Fire Prevention Unit:

This memo supersedes MDFR Memorandum dated April 30, 2008.
APPROVAL
Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped May 6, 2008. Any changes to the vehicular circulation must be resubmitted for review and approval.
This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for zoning hearing applications only. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDFR requirements.

Service Impact/Demand:

Development for the above Z2007000366
located at 45 S.W. 122 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1288 is proposed as the following:

N/A residential	dwelling units	N/A industrial	square feet
N/A Office	square feet	37,728 institutional	square feet
N/A Retail	square feet	N/A nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 11.20 alarms-annually.
The estimated average travel time is: 6:13 minutes

Existing services:

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

Station 58 - Tamiami - 12700 SW 6 Street
Rescue, ALS Engine

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 plans date stamped May 6, 2008. Substantial changes to the plans will require additional service impact analysis.

DATE: 05/13/08
REVISION 2

TEAM METRO

ENFORCEMENT HISTORY

MINISTERIOS EL BUEN PASTOR, INC	45 S.W. 122 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2007000366

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

5/12/2008 – No current Team Metro violations.

CASE # 200112005819
09/06/2001 – Warning issued for fence in disrepair.
10/15/2001 – Re-inspection conducted – fence still in disrepair. Citation issued.
04/25/2002 – Corrected by owner. Case closed.

CASE# 200112003991
06/28/2001 – Warning issued for junk and trash.
09/06/2001 – Corrected by owner. Case closed.

CASE# 200112003820
09/28/2000 – Citation issued for overgrowth.
12/13/2000 – Corrected by owner. Case closed.

MINISTERIOS EL BUEN PASTOR INC

MARIA PANIZO

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: Ministerios El Buen Pastor, Inc.

NAME AND ADDRESS	Percentage of Stock
Lidia Rodriguez 9940 N.W 29 Ter. Miami Fl. Doral 33172.	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 N/A

NAME AND ADDRESS	Percentage of Interest

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: N/A

NAME AND ADDRESS	Percentage of Ownership

RECEIVED
207306
OCT 17 2007
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY

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: N/A

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.

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 7 day of OCTOBER 2007. Affiant is personally known to me or has produced _____ as identification.

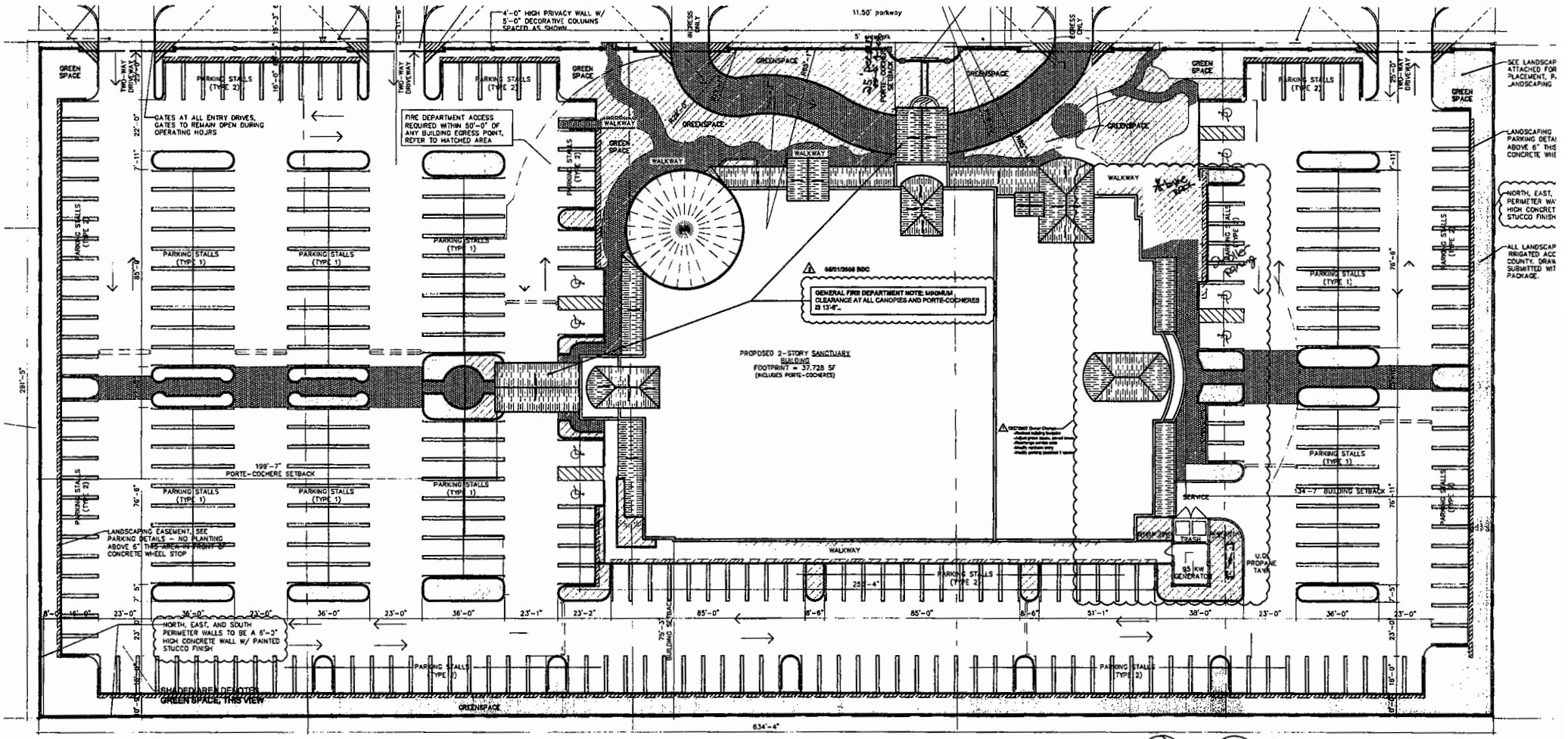
_____
(Notary Public)

My commission expires: _____

Notary Public State of Florida
Violeta Bello
My Commission DD442064
Expires 07/04/2009

RECEIVED
207366
OCT 17 2007
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY _____

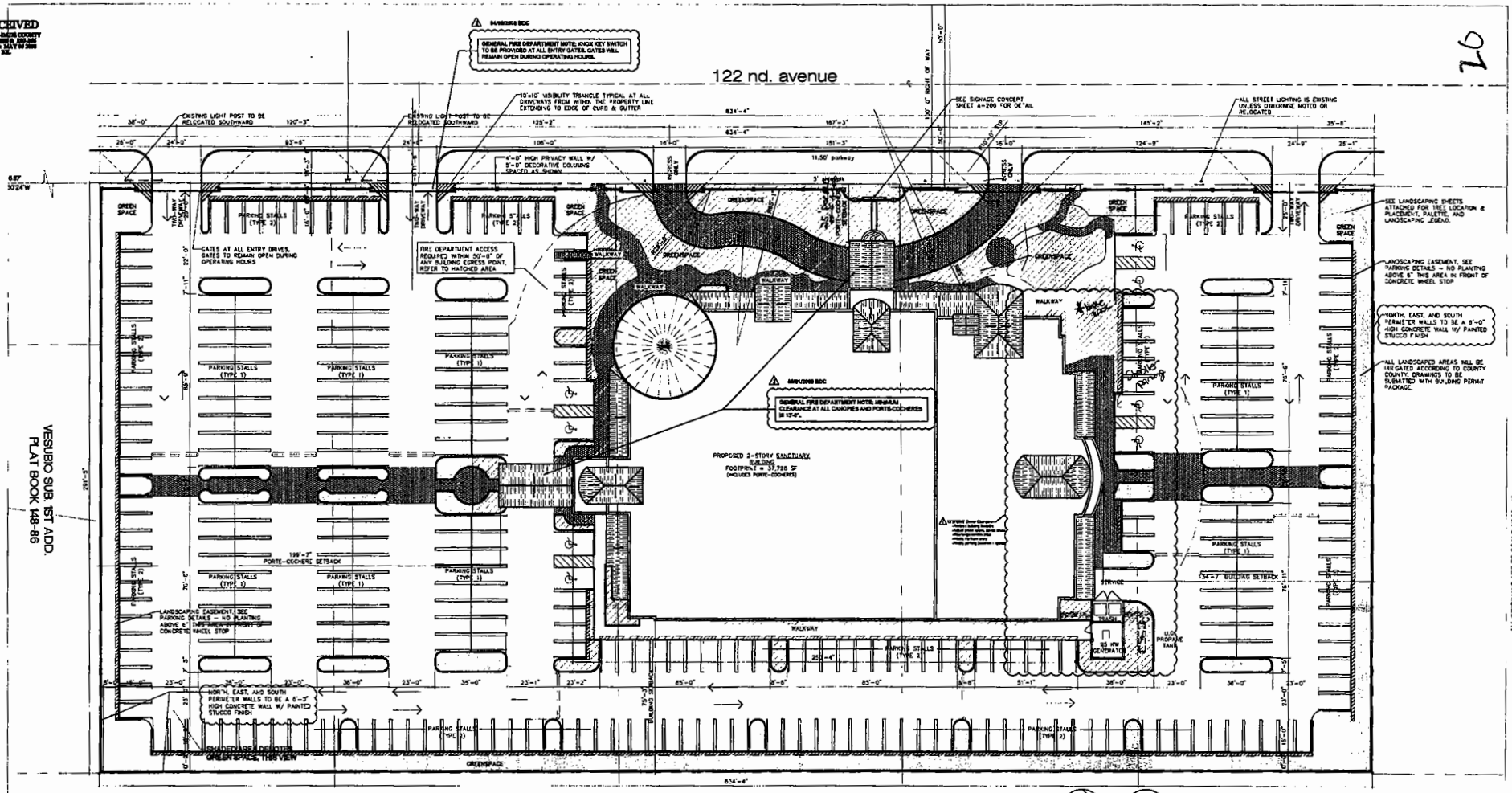
*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership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



1 SITE PLAN
1" = 20'-0"

ENLARGED SITE PLAN

RECEIVED
MIAMI-DADE COUNTY
PROCESSED BY 305-349
DATE: MAY 16 2008
371 RE



N 1 SITE PLAN
1" = 20'-0"

ZONING LEGEND

PROJECT/ADDRESS:	MINISTERIOS EL BUEN PASTOR CHURCH 45 SW 122ND AVENUE, MIAMI, FL		
LEGAL DESCRIPTION:	Lots 14, 15, 16, 17 and 18 Block 21, of SWEETWATER ESTATES, according to the plat thereof as recorded in Book 28, at Page 38 of the Public records of Miami-Dade County, Florida		
ZONING CLASSIFICATION:	EU-1, EU-M		
HEIGHT (TO RIDGE OF ROTUNDA):	REQUIRED: 35'-0"	PROVIDED: Max. 50'-0"	VARIANCE REQUESTED
NET LAND AREA:	182,644 SF	4.2 ACRES	
LOT COVERAGE:	38,580 SF	21.1%	VARIANCE REQUESTED 12/27/2007 Owner Change
SETBACKS:	REQUIRED	PROVIDED	VARIANCE REQUESTED
FRONT (SW 122ND AVE)	50'-0"	Min. 25'-0" (Edge of Porte-Cochere)	
INTERIOR SIDE (NORTH)	75'-0"	134'-7"	
INTERIOR SIDE (SOUTH)	75'-0"	199'-7"	
REAR (EAST)	75'-0"	75'-3"	

PARKING:	REQUIRED	PROVIDED	
REGULAR CARS	318	328	NOTE: SEE SHEET A-100-1 TO VIEW SQUARE FOOTAGE USED IN CALCULATING REQUIRED # OF CARS.
HC ACCESSIBLE	8	8	
TOTAL CARS	326 (per code)	336	12/27/2007 Owner Change
GREEN SPACE:	REQUIRED	PROVIDED	
	N/A	31,815 SF 17.2%	

Lot Coverage
Added 182,644 sq. ft. 22%

04/05/2008 BDC: ZONING INFO PLACED WITH SITE PLAN

VIGNETTE REMOVED AND RELOCATED TO A-100-1 FOR CLARITY AND ADDITIONAL INFORMATION.

N 0.1 LEGEND
1" = 40'-0"

SHADED AREA INDICATES AREA (SQUARE FOOTAGE) USED IN CALCULATING REQUIRED PARKING

MUNICIPAL SUBMITTAL PACKAGE - FINAL PRODUCT SUBJECT TO CHANGE

ALL ORIGINALS ARE TO SCALE AT 30 x 42

GAIL BYRON BALDWIN ARCHITECT INC
AA-0003691
3250 MARY STREET
SUITE # 406
COCONUT GROVE, FL 33133
TEL (305) 443 - 2566
FAX (305) 443 - 3903
gail@gailbaldwin.com

CLIENT:
PASTORA LIDIA RODRIQUEZ

CHURCH VISIONARY:
JOSE GONZALEZ

CONSULTANT:

Ministerios El Buen Pastor
INTERNACIONAL
45 Southwest 122nd Avenue
Miami, Florida 33182

SEAL:

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FL Reg. #4452

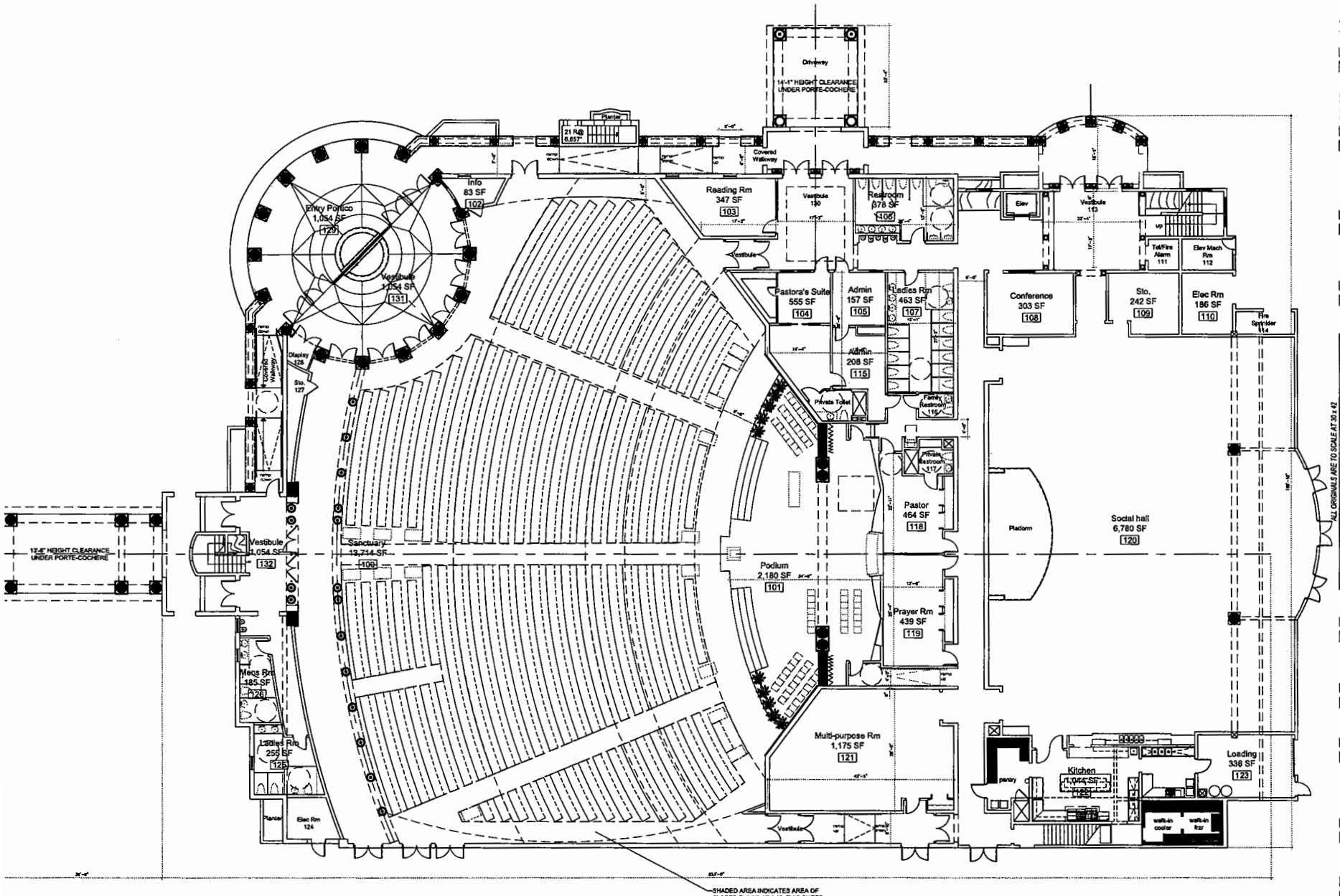
COMM. NO:
07-030

PRINTED FOR:
Zoning Application Submittal
10-17-2007

REVISIONS:
12/27/2007 OWNER CHANGES
04/05/2008 MIAMI-DADE COMMENTS
05/01/2008 BDC

SCALE:
AS NOTED

SHEET NO:
SITE PLAN
A-100



N

1 GROUND FLOOR
1/8" - 1'-0"

RECEIVED

MUNICIPAL SUBMITTAL PACKAGE - FINAL PRODUCT SUBJECT TO CHANGE

GAIL BYRON BALDWIN ARCHITECT INC
AA-0003601
3250 MARY STREET SUITE # 406
COCONUT GROVE, FL 33133
TEL (305) 443 - 2266
FAX (305) 443 - 3903
gail@gailbaldwin.com

CLIENT: PASTORA LIDIA RODRIQUEZ

CHURCH VISIONARY: JOSE GONZALEZ

CONSULTANT:

Ministerios El Buen Pastor
INTERNATIONAL
45 Southwest 122nd Avenue
Miami, Florida 33182

ALL ORIGINALS ARE TO SCALE AT 30 x 42

SEAL:

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COMM. NO: 07-030

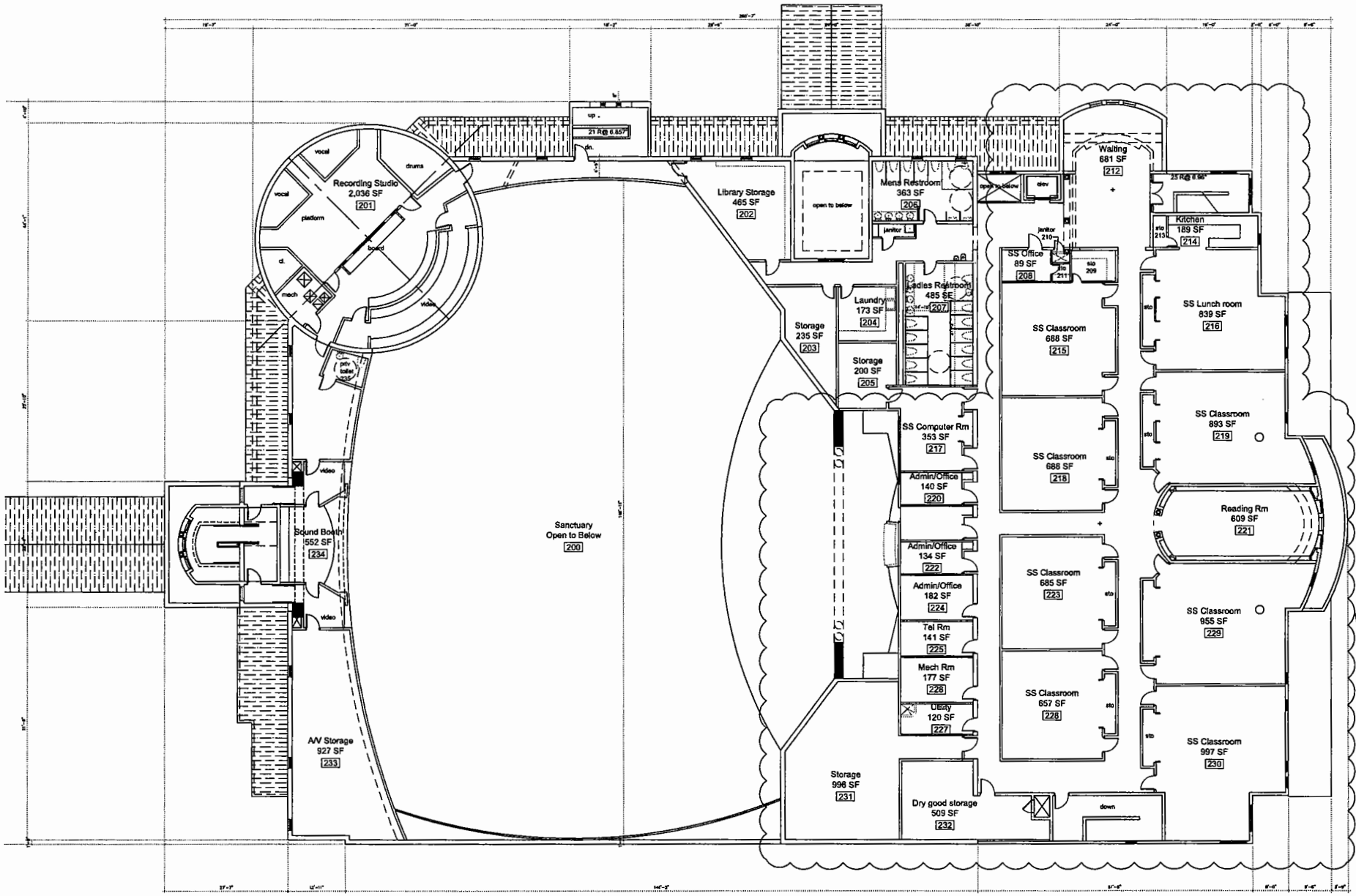
PRINTED FOR: Zoning Application Submittal 10-17-2007

REVISIONS:
1 12/27/2007 OWNER CHANGES
2 04/05/2008 MIAMI-DADE COMMENTS

SCALE: AS NOTED

SHEET NO: GROUND LEVEL A-101

22



1 SECOND FLOOR
1/8" = 1'-0"

MUNICIPAL SUBMITTAL PACKAGE - FINAL PRODUCT SUBJECT TO CHANGE

ALL ORIGINALS ARE TO SCALE AT 30 x 42

GAIL BYRON BALDWIN ARCHITECT INC
AA-0003601

3250 MARY STREET
SUITE # 406
COCONUT GROVE, FL 33133
TEL (305) 443 - 2266
FAX (305) 443 - 3903
gail@gailbaldwin.com

CLIENT:
PASTORA LIDIA RODRIQUEZ

CHURCH VISIONARY:
JOSE GONZALEZ

CONSULTANT:

Ministerios El Buen Pastor
INTERNACIONAL
45 Southwest 122nd Avenue
Miami, Florida 33182

SEAL:

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FL Reg. #4452

COMM. NO:
07-030

PRINTED FOR:
Zoning Application Submittal
10-17-2007

REVISIONS:
1 12/27/2007 OWNER CHANGES
2 04/05/2008 MIAMI-DADE COMMENTS

SCALE:
AS NOTED

SHEET NO:
SECOND LEVEL
A-102

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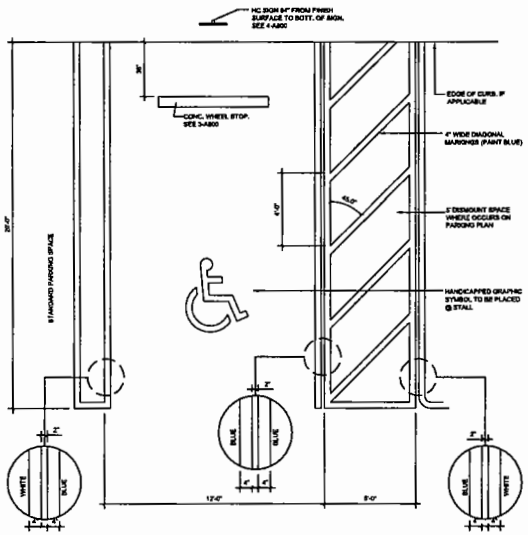
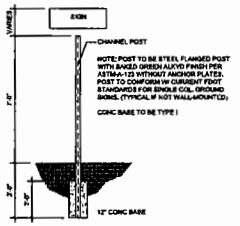
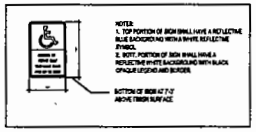


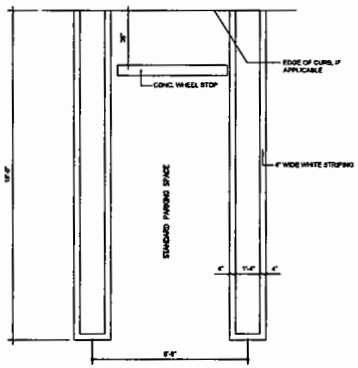
2 A-100.1 HANDICAPPED PARKING STALL (TYP)
SCALE: 3/8" = 1'-0"



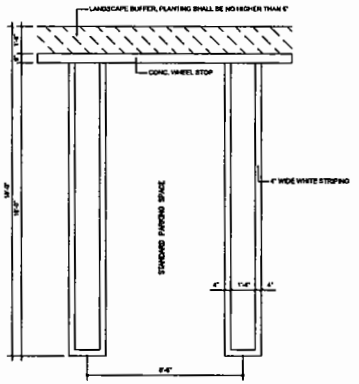
2.1 HANDICAPPED SIGN LOCATION (TYP)
3/8" = 1'-0"



2.2 HANDICAPPED SIGNAGE
3/8" = 1'-0"



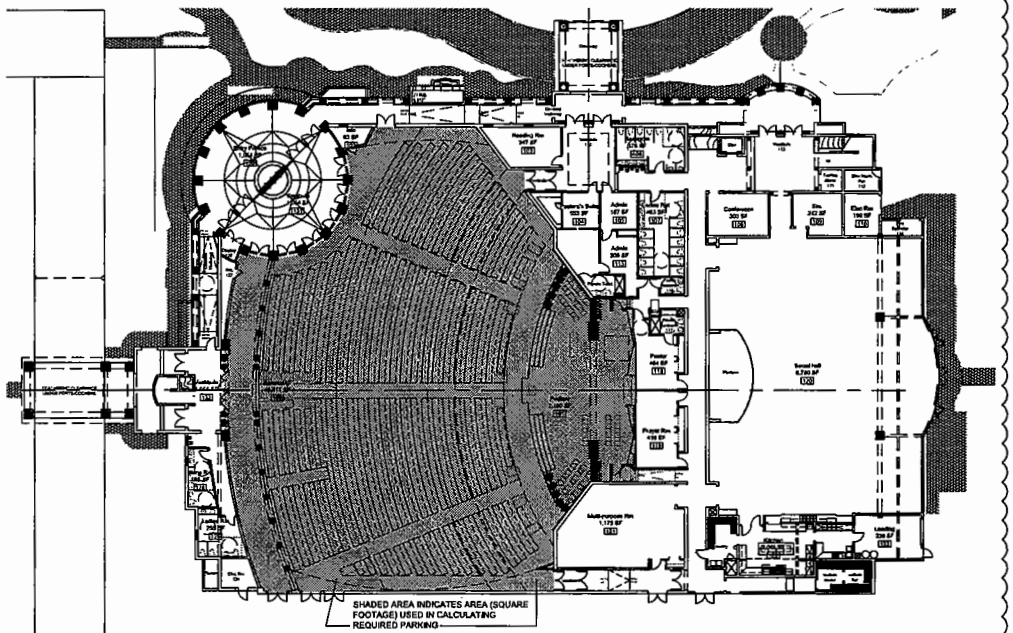
3 A-100.1 REGULAR PARKING STALL (TYPE 1)
SCALE: 3/8" = 1'-0"



4 A-100.1 REGULAR PARKING STALL (TYPE 2)
SCALE: 3/8" = 1'-0"

2.3 HANDICAPPED GRAPHIC
3/8" = 1'-0"

2.5 CONCRETE PARKING CURB
1/2" = 1'-0"



1 PARKING LEGEND
1/16" = 1'-0"

NOTE: PER CODE, REQUIRED PARKING FOR CHURCH/SANCTUARY USE IS BASED ON THE SQUARE FOOTAGE OF THE SANCTUARY, PODIUM, AND WALKWAYS WITHIN THE SANCTUARY. SEE SHADED AREA AT RIGHT.

04/05/2008 BDC

MUNICIPAL SUBMITTAL PACKAGE - FINAL PRODUCT SUBJECT TO CHANGE

RECEIVED

GAIL BYRON BALDWIN ARCHITECT INC
AA-0003601
3250 MARY STREET
SUITE # 406
COCONUT GROVE, FL 33133
TEL (305) 443 - 2268
FAX (305) 443 - 3903
gail@gailbaldwin.com

CLIENT:
PASTORA LIDIA RODRIQUEZ

CHURCH VISIONARY:
JOSE GONZALEZ

CONSULTANT:

ALL ORIGINALS ARE TO SCALE AT 30 x 42

Ministerios El Buen Pastor
INTERNACIONAL
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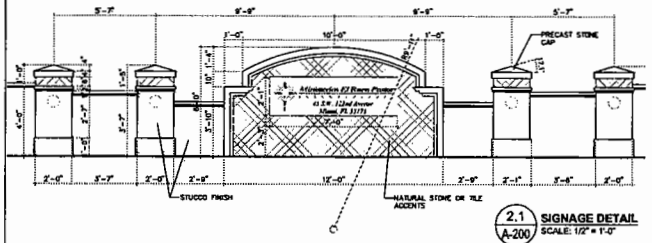
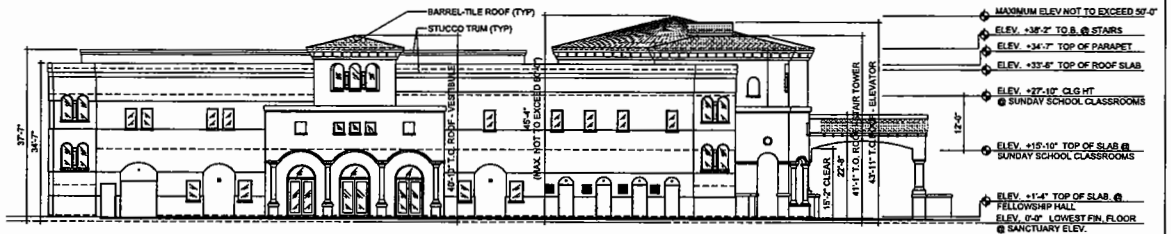
SCALE:
AS NOTED

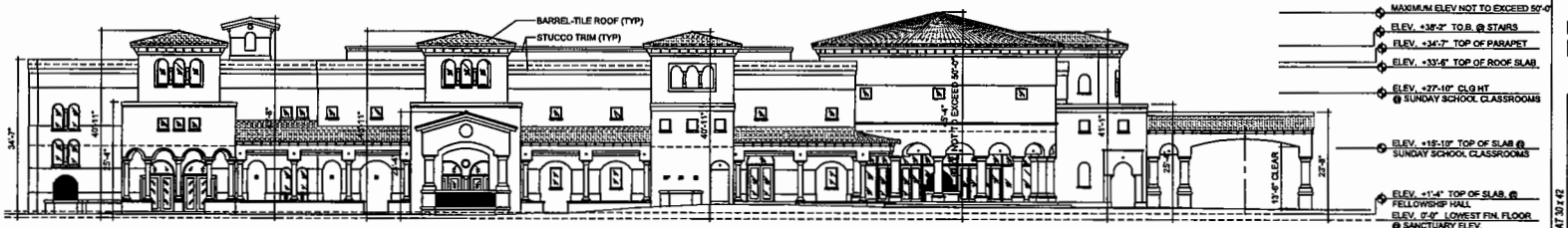
SHEET NO:
SITE PLAN DETAILS
A-100.1



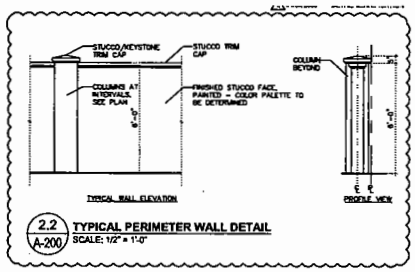
2.1 / A-200 **SIGNAGE DETAIL**
SCALE: 1/2" = 1'-0"



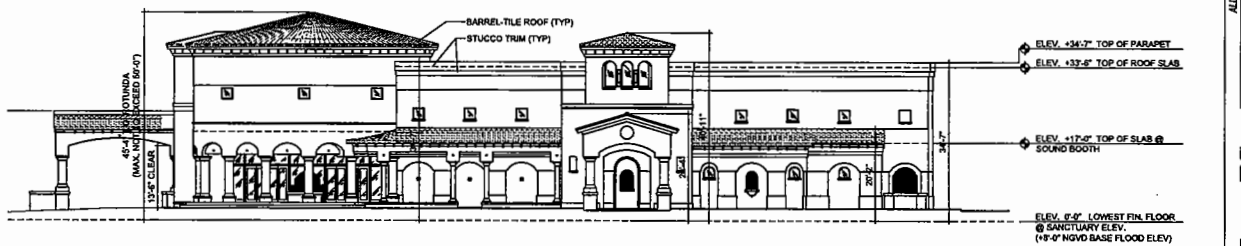
1 **NORTH ELEVATION**
3/32" = 1'-0"



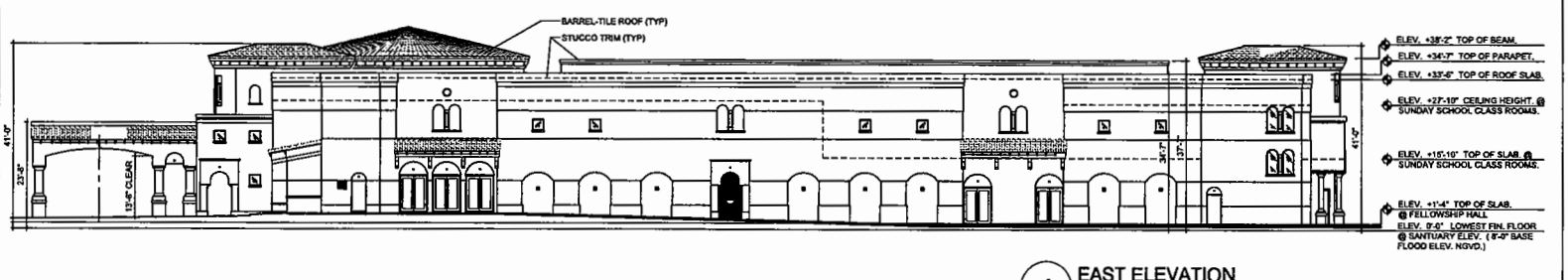
2 **WEST ELEVATION**
3/32" = 1'-0"



2.2 / A-200 **TYPICAL PERIMETER WALL DETAIL**
SCALE: 1/2" = 1'-0"



3 **SOUTH ELEVATION**
3/32" = 1'-0"



4 **EAST ELEVATION**
3/32" = 1'-0"

RECEIVED
[illegible]

MUNNICIPAL SUBMITTAL PACKAGE - FINAL PRODUCT SUBJECT TO CHANGE

GAIL BYRON BALDWIN ARCHITECT INC
AA--0003601
3250 MARY STREET
SUITE # 405
COCONUT GROVE, FL 33133
TEL (305) 443 - 2266
FAX (305) 443 - 3905
gail@gailbaldwin.com

CLIENT:
PASTORA LIDIA RODRIGUEZ

CHURCH VISIONARY:
JOSE GONZALEZ

CONSULTANT:

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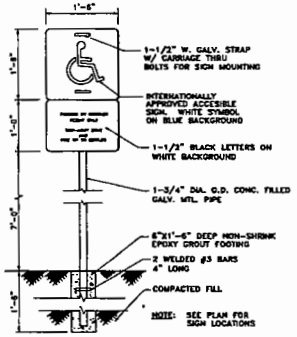
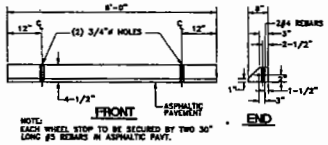
SCALE:
AS NOTED

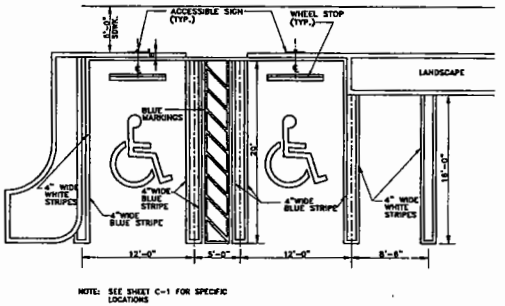
SHEET NO:
ELEVATIONS
A-200



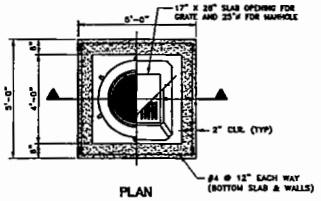
ACCESSIBLE SIGN
N.T.S.



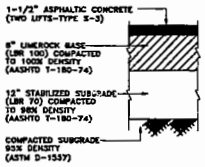
WHEEL STOP DETAIL
N.T.S.



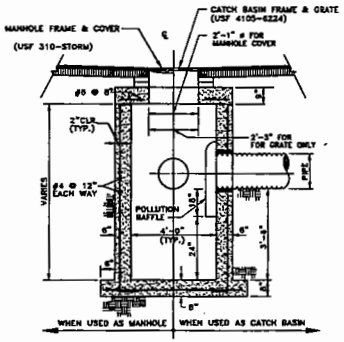
TYPICAL ACCESSIBLE PARKING LAYOUT
SCALE: 3/16"=1'-0"



PLAN



ASPHALTIC PAVEMENT
N.T.S.



SECTION

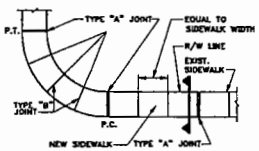
NOTES:

1. SUMP 2'-0" (TYP.), EXCEPT AT POLLUTION CONTROL STRUCTURES SUMP TO BE 3'-6".
2. PROVIDE BAFFLES AS REQUIRED BY MIAMI-DADE D.E.R.M., AS NOTED.

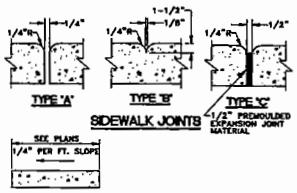
CATCH BASIN/MANHOLE DETAIL
N.T.S.

TABLE OF SIDEWALK JOINTS	
TYPE	LOCATION
"A"	P.C. AND P.T. OF CURVES, JUNCTION OF EXISTING AND NEW SIDEWALKS.
"B"	5'-0" CENTER TO CENTER ON SIDEWALKS
"C"	WHERE SIDEWALK ABUTS CONCRETE CURBS, DRIVEWAYS, AND SIMILAR STRUCTURES ALSO, EVERY 50 FEET OF CONTINUOUS SIDEWALK

TABLE OF SIDEWALK THICKNESS "T"	
LOCATION	"T"
RESIDENTIAL AND INTERIOR AREAS	4"
AT DRIVEWAYS AND OTHER AREAS	6"



SIDEWALK PLAN



SIDEWALK JOINTS

SECTION

STANDARD SIDEWALK CONSTRUCTION
N.T.S.

DRAINAGE STRUCTURE TABLE					
ID	TYPE	RIM/ GRATE	PIPE INVERT	STRUCTURE INVERT	POLLUTION BAFFLE
A	CATCH BASIN	7.30	4.30	0.50	2
B	CATCH BASIN	7.30	4.30	0.50	2
C	CATCH BASIN	7.30	4.30	0.50	2
D	CATCH BASIN	7.30	4.30	0.50	2

GAIL BYRON BALDWIN
ARCHITECT
INC
AA-0003601
3250 MARY STREET
SUITE # 40E
COCONUT GROVE, FL. 331
TEL (305) 443 - 235
FAX (305) 443 - 390
gail@gailbaldwin.com

OWNER:
PASTORA LIDIA RODRIGUEZ

JOSE GONZALEZ

MEP CONSULTANT:

ENG SEAL:

MINISTERIOS EL BUEN PASTOR INTERNACIONAL
45 S.W. 122ND AVENUE
MIAMI, FLORIDA 33182

SEAL:

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SHEET NO:
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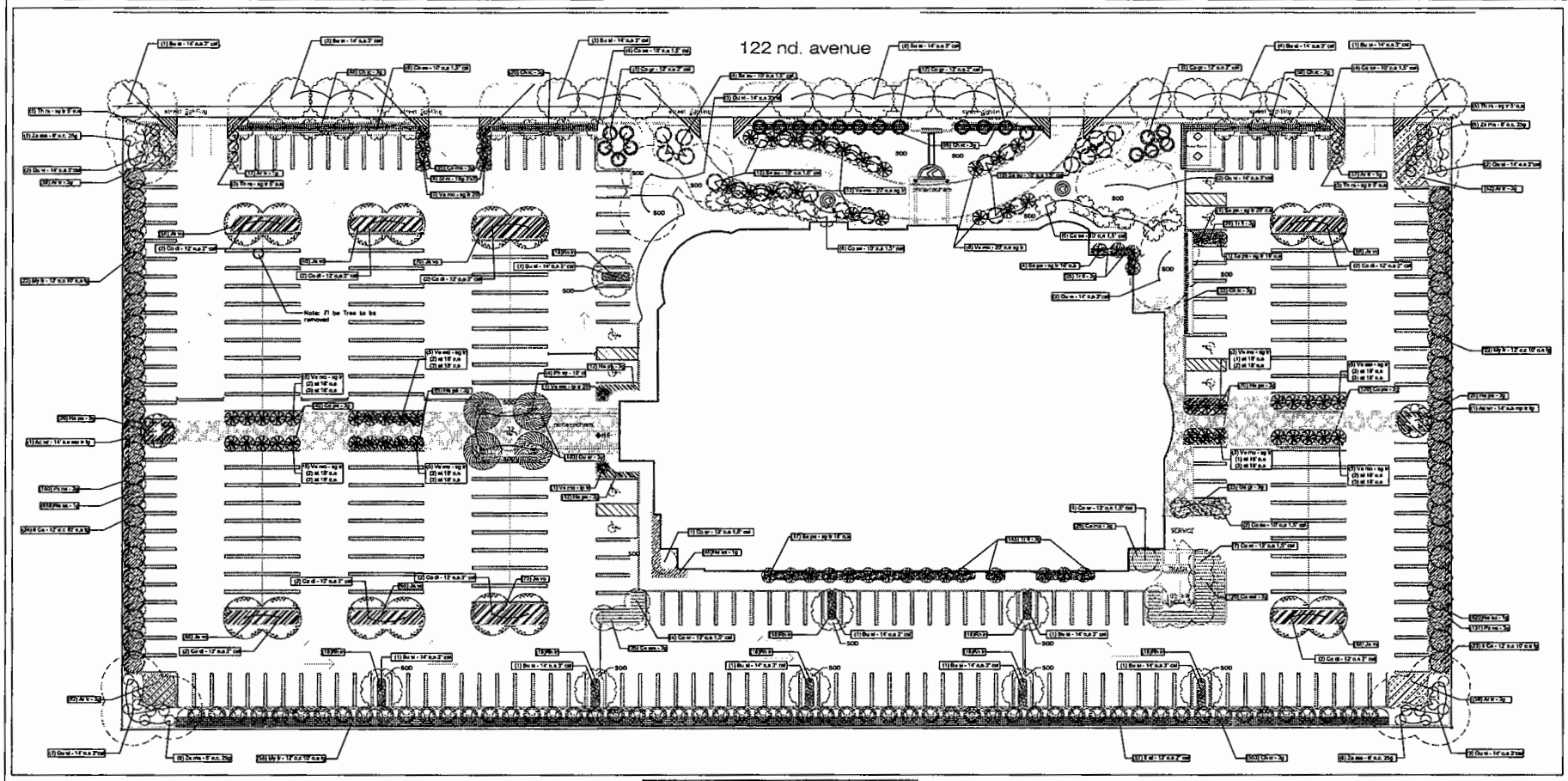
3 OF



LANDSCAPE PLAN
1/20" =1'-0" 10-17-07

Tree/Shrub Legend

ID	Symbol	Scientific Name	Native Y/N	Caliper Installed	Height Installed	SQ.FT. Shrub	QTY	Comments
Bo ea		Bougainvillea spectabilis	Yes		10'	2501	3278	1g.5 o.c.
Ba ga		Artocarpus Heterophyllus	No		30'	1256	274	3g.8 o.c. min.
Ca ma		Carissa macrocarpa 'Boxwood Beauty'	No		12"	343	215	1g.3.5' o.c.
Ch ch		Chrysobalanus icaco 'Red Tip'	Yes		24"-30"	4344	1086	3 MIN. 36", 250 @ 48" 1g.4.5' o.c.
Co ar		Codiaeum variegatum 'Petra'	No		18"	486	972	1g.3.5' o.c.
Ep ra		Ravenala madagascariensis	No		10'	3848	143	1g.8.5' o.c.
Eu gr		Eugenia grandis	No		20'	981	25	3g.8' o.c.
Ho pa		Hamelia patens	Yes		10'	1924	272	1g.4.5' o.c.
Ja ma		Jacaranda mimosifolia	No		40'	3848	636	3g.8.5' o.c.
Ph ph		Philodendron selloum	Yes		30"	1924	2981	3g.5.5 o.c.
Ra fa		Ravenala madagascariensis 'Traveller's Palm'	No		10'	486	1458	3g.8.5' o.c.
Th th		Thrinax radiata	Yes		10'	1337	1169	1g.3.5' o.c.
Ba or		Bauhinia variegata	Yes	3"	12' o.c.		35	
Co ci		Cocos nucifera 'Malayan Dwarf'	Yes	6"	15' o.c.		16	
Co ne		Conocarpus erectus sericeus	Yes	3"	12' o.c.		13	3' o.c.
Co pa		Conocarpus erectus 'Green Buttonwood'	Yes	3"	12' o.c.		22	
Ga ma		Gamelia speciosa	Yes	3.5"	12' o.c.		28	
Ge sp		Geiger or 'Orange Sprayer'	Yes	3"	12' o.c.		22	
Ma ma		Tree shrubby	Yes	4.5"	14' o.c.		47	12' min ht.
My ce		Myrcianthes fragrans	Yes	3.5"	15' o.c.		143	3' o.c. ht.
Qu vi		Quercus virginiana	Yes	3"	14' o.c.		17	
Sa ma		Sabal mexicana	Yes	5.5"	14' o.c.		23	
Sw ma		Swietenia Mahogani	No				6	1g.
Ad ca		Adonidia merrillii	Yes		10' o.c.		3	min 8' ht.
Ph ro		Phoenix roebelenii 'Pygmy Date Palm'	Yes		10' o.c.		4	
Ra pa		Ravenala madagascariensis	Yes		40 SF Min.		19	3g.ht.
Ta ma		Tabebuia rosea	Yes		8' o.c.		76	1g.ht.
Th ra		Thrinax radiata	Yes		12'-20' ea.		23	30 sq ft 1 ea.
Zo ma		Zamia furfuracea	No				20	30g 8' o.c.
							1178	

LANDSCAPING LEGEND & CALCULATIONS		
ZONING DISTRICT	EU-1, EU-M1	
NET LAND AREA	4.256 ACRES / 184,822 SF	
OPEN SPACE	REQUIRED	PROVIDED
A. REQUIRED OPEN SPACE		
- NET LOT AREA (50 FT) x 40%		
- 184,822 SF x 30%	0 SF	31,823 SF
		17.2%
B. PARKING LOT TREES REQ'D		
1 TREE PER 50 SF OF LANDSCAPED AREA		
31,818 SF / 50 SF	366 TREES	
CANAL AREA CALCULATION		
A. MAX. SOD AREA ALLOWED	REQUIRED	PROVIDED
B. 50% x NET LOT AREA		
- 184,822 SF x 50%	MAX. 92,311 SF	71,732 SF
TREES		
A. NO. OF TREES REQUIRED PER NET LOT ACRE		
& LESS THE NO. OF EXISTG TREES MEETING MIN. REQUIREMENTS		
- 5 TREES PER NET LOT ACRE - 5 EXISTG TREES TO REMAIN		
- (4.26 TREES x 5.254 ACRES) - 5 TREES	170 TREES	(This number is inclusive)
A1. PARKING LOT TREES REQUIRED		
1 TREE PER 50 SF OF LANDSCAPE AREA OF PARKING LOT		
- 31,815.863 FT OF LANDSCAPE AREA / 50 SQ FT	366 TREES	
A2. STREET TREES REQUIRED (AVE. SPACING 30' OC)		
- STREET FRONTAGE / 30'-0"		
- 824.4 / 30'-0"	18 TREES	
TOTAL TREES REQUIRED	418 TREES	
B. PERCENTAGE OF PALMS ALLOWED	ALLOWED	PROVIDED
- 30% OF TREES REQUIRED		
- 418 TREES x 30%	125 PALMS	124 PALMS
C. EACH PALM SHALL BE CREDITED AS HALF OF 1 TREE FOR THE TREE COUNT		
- 124 PALMS/ 2		62 TREES
D. NATIVE TREES REQUIRED		
- 30% OF TREES REQUIRED		
- 418 TREES x 30%	125 TREES	357 NATIVE TREES
D. NON-NATIVE TREES PROVIDED		84 NON-NATIVE TREES
E. SURPLUS OF SHRUBS TO BE USED IN TREE COUNT (500 SHRUBS)		
SURPLUS OF SHRUBS /10		
= 50 SHRUBS / 10		5 TREES
	REQUIRED	PROVIDED
NUMBER OF TREES	418 TREES	427 TREES

SHRUBS		
A. NO. OF TREES REQUIRED x 10		
= 418 * 10	4180 SHRUBS	4250 SHRUBS
SURPLUS OF SHRUBS TO BE USED IN TREE COUNT		
SURPLUS OF SHRUBS /10		
= 50 SHRUBS / 10		5 TREES
B. PERCENTAGE OF NATIVE SHRUBS REQUIRED		
- SHRUBS REQUIRED x 30%		
- 4180 * 30%	1254 SHRUBS	2754 NATIVE

Existing Tree Survey

ID	Qty	Symbol	Scientific Name	Native Y/N	Caliper Installed	Height Installed	QTY	Comments
Fi be			Ficus benghalensis	No	48"	80' o.c.	1	Storm damage = decay

Tree Removal Mitigation Calculation

ID	Qty	Symbol	Scientific Name	Native Y/N	Caliper Installed	Height Installed	QTY	Total number of repl. Trees req. (2" DBH minimum; 12' minimum height)
Fi be			Ficus benghalensis	No	48"	80' o.c.	1	16

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OCT 18 2007
MIAMI-DADE COUNTY

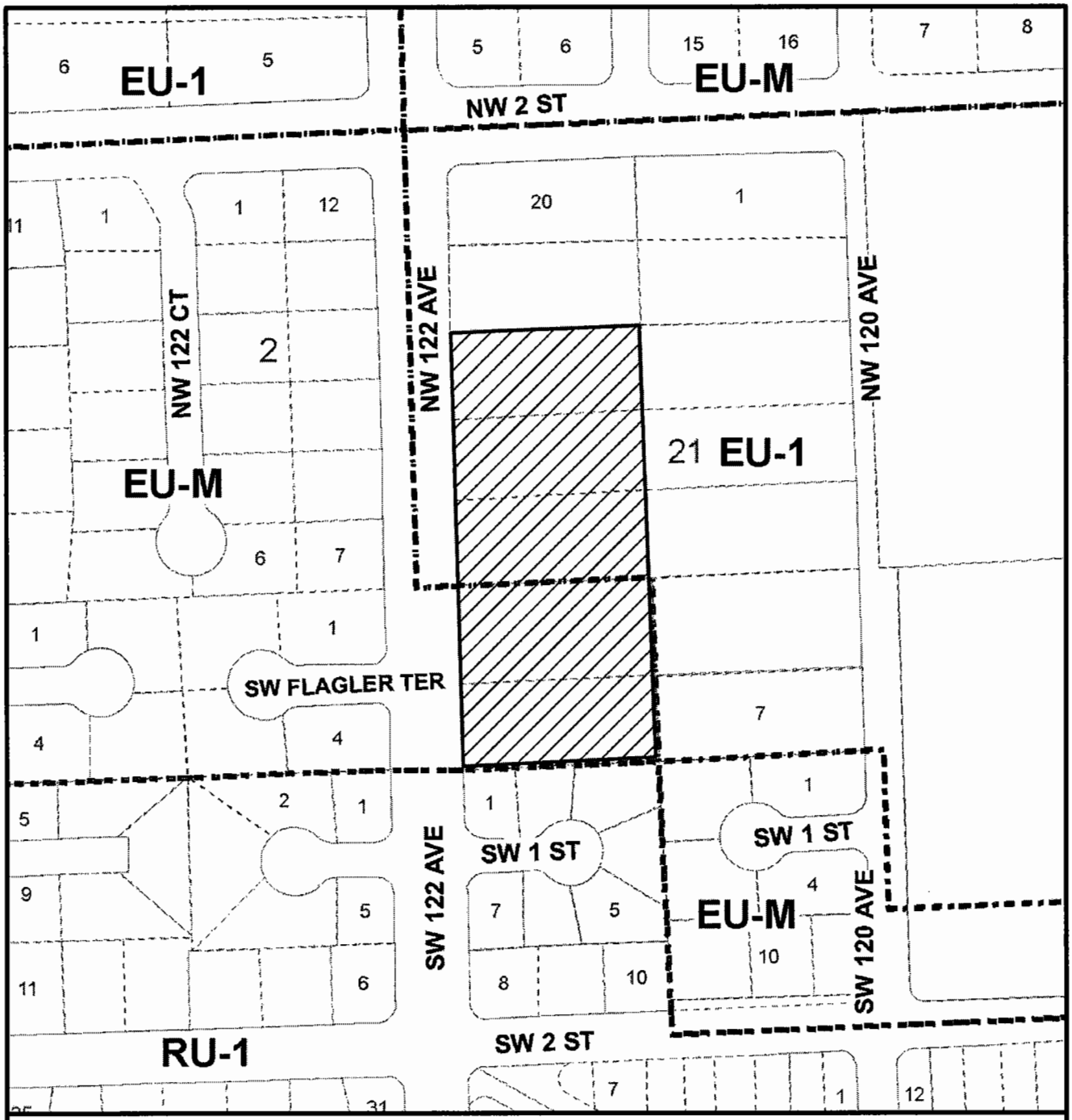
GAIL BYRON BALDWIN
ARCHITECT

Ministerios El Buen Pastor
INTERNATIONAL

10-17-2007

1" = 20'-0"

L-1



MIAMI-DADE COUNTY
HEARING MAP

Process Number
07-366

N

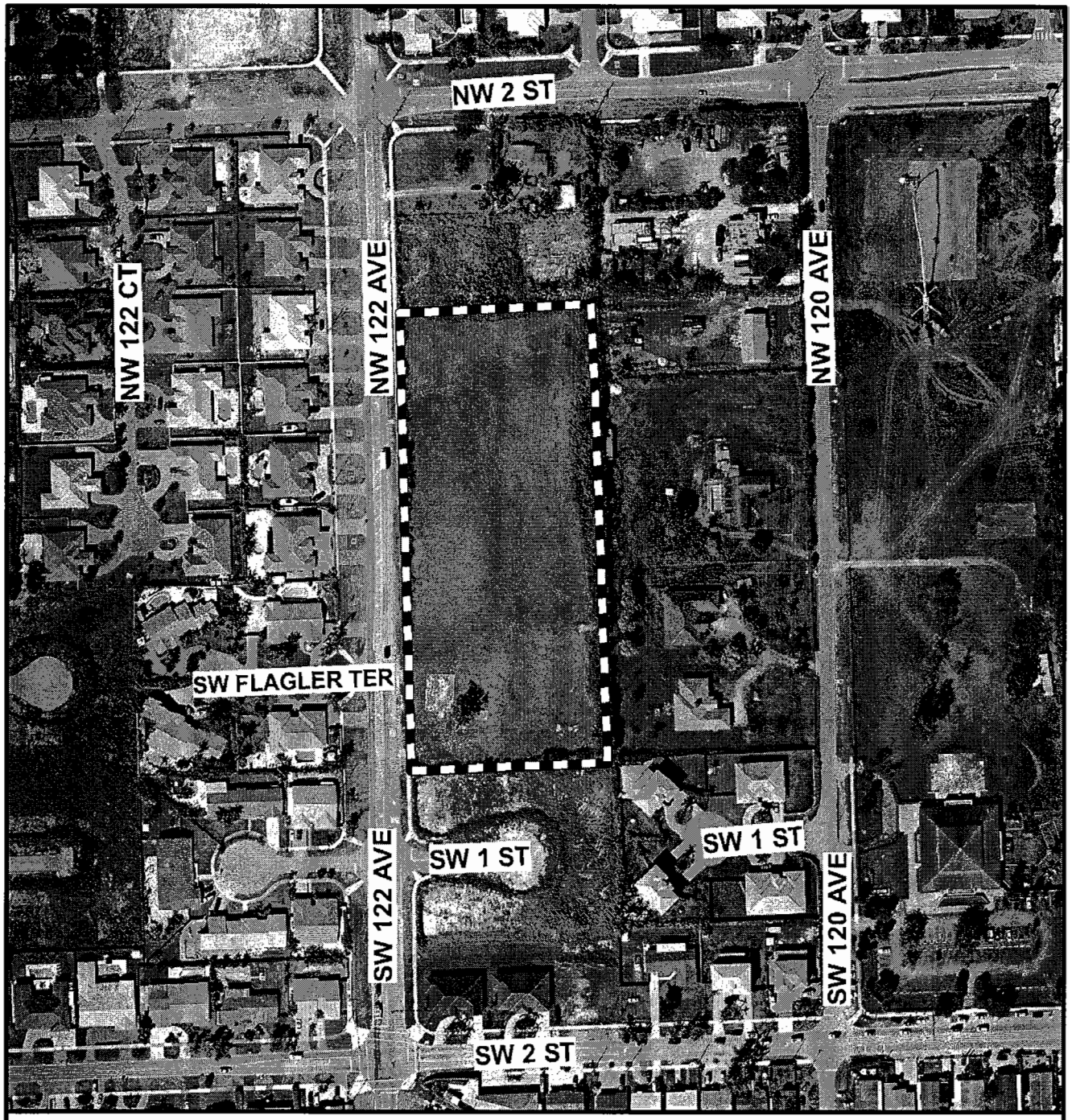
SUBJECT PROPERTY

Section: 01 Township: 54 Range: 39
Applicant: MINISTERIOS EL BUEN PASTOR, INC.
Zoning Board: C10
District Number: 12
Drafter ID: JOAQUIN
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 10/18/07

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL

Process Number
07-366

N

SUBJECT PROPERTY

Section: 01 Township: 54 Range: 39
Applicant: MINISTERIOS EL BUEN PASTOR, INC.
Zoning Board: C10
District Number: 12
Drafter ID: JOAQUIN
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 10/18/07

REVISION	DATE	BY

3. GLORIA MACEDO
(Applicant)

08-10-CZ10-3 (08-2)
Area 10/District 10
Hearing Date: 10/30/08

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:

Year	Applicant	Request	Board	Decision
				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 DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 10

APPLICANT: Gloria Macedo **PH:** Z08-42 (08-10-CZ10-3)

SECTION: 19-54-40 **DATE:** October 30, 2008

COMMISSION DISTRICT: 10 **ITEM NO.:** 3

==========

A. INTRODUCTION:

- **REQUEST:**

  Applicant is requesting to permit an addition to a single-family residence setback 18.74' (25' required) from the rear (south) property line.

  Upon a demonstration that the applicable standards have been satisfied, approval of the request 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 "Gloria Macedo," as prepared by Rodrigo H. Cadavid, P. E., dated stamped received 6/26/08 and consisting of 3 pages. Plans may be modified at public hearing.

- **SUMMARY OF REQUEST:** The applicant is requesting to permit an existing addition to a single-family residence setback closer to the rear property line than permitted.

- **LOCATION:** 11452 S.W. 42 Street, Miami-Dade County, Florida.

- **SIZE:** 75' x 100'

- **IMPACT:** The approval of the request would allow the applicant the maintenance and continued use of the existing addition to the single-family residence. However, the reduced setback from the rear (south) property line could have a negative visual impact on the adjoining single-family residence located to the south of the subject site.

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 dua
Surrounding Properties:	
NORTH: RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua
SOUTH: RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua
EAST: RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua
WEST: RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua

The subject property is located at 11452 S.W. 42 Street in an area characterized by single-family residences developed under the RU-1 zoning district regulations.

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:	**Acceptable**
Buffering:	**Unacceptable**
Access:	**Acceptable**
Parking Layout/Circulation:	**N/A**
Visibility/Visual Screening:	**Unacceptable**
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; and

B. 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 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**
MDT	**No objection**
Fire Rescue	**No objection**
Police	**No objection**

Schools	**No comment**

*Subject to conditions indicated in their memorandum.

H. ANALYSIS:

This subject property is an interior lot located at 11452 S.W. 42 Street and is improved with a single-family residence in an established RU-1, Single-Family Residential District. The applicant is requesting to permit an existing addition to a single-family residence setback 18.74' from the rear (south) property line. Staff notes that said addition does not encroach into the 6' wide utility easement that runs along the rear (west) property line. The RU-1 zoning district requires a minimum rear setback of 25' for the principal residence and any additions. It should be noted that the submitted plans depict an existing detached accessory utility building located on the southwest portion of the site, which the applicant has noted on the plans is to be removed. The applicant has submitted plans depicting the aforementioned request.

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. However, the applicant will have to comply with all DERM requirements as set forth in their memorandum pertaining to this application. The **Public Works Department** and the **Miami-Dade Fire Rescue Department (MDFR)** also have **no objections** to this application and MDFR indicates in their memorandum that the estimated average response travel time is **7:20** minutes.

Approval of the request would allow the applicant the maintenance and continued use of the bedroom and breakfast nook addition to the single-family residence. The subject property is designated for **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). Because the addition will not add additional dwelling units to the property, the RU-1 zoned subject property is **consistent** with the LUP Map designation of the CDMP.

When analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard, staff is of the opinion that the approval of request, to permit an addition to a single-family residence setback 18.74' (25' required) from the rear (south) property line, would be **incompatible** with the surrounding area, would negatively affect the stability and appearance of the community, and would be detrimental to the neighborhood. Specifically, staff opines that the design of the existing addition is intensive and could easily be converted by a future owner into two additional dwelling units, for a total of 3 dwelling units on the site, which is not permitted in the RU-1 zone. Staff's review of the submitted plan indicates that the 1,400 sq. ft. addition consists of two bedrooms, a den, a family room, a bathroom, a "wet bar", breakfast nook and utility room. It should be noted that the portion of the addition that encroaches into the rear (south) setback area consists of a bedroom, breakfast nook and utility room and is accessible via a sliding glass door that leads into the rear yard. The western portion of the addition, which consists of a family room, bathroom, den and bedroom, although not encroaching into the interior side (west) setback area, is accessible via double doors that lead into the interior side yard area. Staff acknowledges that similar requests for relief of rear setback requirements have been granted in the area. For example, property located at 11460 SW 43 Street, approximately 417' to the south of the subject site, was approved a

request to permit a covered terrace addition to a single-family residence setback 15.17' from the rear property line, pursuant to Administrative Variance No. V2001000176. Additionally, property located at 4221 SW 116 Avenue, approximately 336' to the southwest of the subject site was approved a request to permit a covered terrace addition to a single-family residence setback 14' from the rear property line, pursuant to Administrative Variance No. V1990000194. Further, property located at 11421 SW 42 Terrace, approximately 159' to the east of the subject site, was approved a request to permit a 195 sq. ft. home gym addition to a single-family residence setback varying from 8.6' to 9.2' from the rear property line, pursuant to Resolution No. 4-ZAB-338-92. However, staff notes that the applicant's request, although not as intense as those granted in the surrounding area in terms of encroachment into the rear setback area, is substantially more intensive in terms of building mass than those structures approved in the aforementioned approvals. Moreover, as previously mentioned, staff opines that the design of the existing 1,400 sq. ft. addition, with 3 sink areas and 3 ingress/egress doorways, is intensive and could easily be converted by a future owner into two additional dwelling units, for a total of 3 dwelling units on the site, which is not permitted in the RU-1 zone. Furthermore, staff's review of Building Code enforcement records indicates that citations were issued in 2000 and 2003 for a multi-family use in an RU-1 district on the subject site. Therefore, staff opines that the approval of the request would be intrusive and out of character with the surrounding area. As such, staff is of the opinion that the approval of request is **incompatible** with the area and would negatively affect the surrounding properties. Based on all of the aforementioned, staff recommends denial without prejudice of the request under Section 33-311(A)(4)(b) (NUV).

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) Standard, Section 33-311(A)(4)(c), the applicant would have to prove that the request is due to an unnecessary hardship and that, should the request not be granted, such denial would not permit the reasonable use of the premises. However, since the property can be utilized in accordance with RU-1 zoning regulations, this application cannot be approved under the ANUV Standard and should be denied without prejudice under §33-311(A)(4)(c) (ANUV).

Based on all of the foregoing, staff opines that this application does not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and is **incompatible** with the surrounding land uses, would be detrimental to the community, would be intrusive to the adjacent properties and would affect the appearance of the community. Accordingly, staff recommends denial without prejudice of the application under Section 33-311(A)(4)(b) (NUV), Section 33-311(A)(14) (ASDO) and under Section 33-311(A)(4)(c) (ANUV).

I. **RECOMMENDATION:** Denial without prejudice.

J. **CONDITIONS:** None.

DATE INSPECTED: 03/28/08
DATE TYPED: 08/12/08
DATE REVISED: 08/29/08; 09/15/08
DATE FINALIZED: 09/30/08
MCL:MTF:LVT:CI:NC

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

Memorandum

MIAMI-DADE COUNTY

Date: March 24, 2008

To: Subrata Basu, AIA, AICP, Interim Director
Department of Planning and Zoning

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

Subject: C-10 #Z2008000042
Gloria Macedo
11452 S.W. 42nd Street
Request to Permit an Addition that Exceeds Setback Requirements
(RU-1) (0.17 Acres)
19-54-40

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 discus this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

Memorandum MIAMI-DADE COUNTY

Date: March 8, 2006

To: Diane O'Quinn-Williams, 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 the 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: Ovidio Rodriguez, P.E. Assistant Director
Public Works Department

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

Leandro Rodriguez

Memorandum

Date: 19-MAR-08

To: Subrata Basu, Interim Director
Department of Planning and Zoning

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2008000042

Fire Prevention Unit:

Not applicable to Fire Engineering and Water Supply Bureau Site Requirements.

Service Impact/Demand:

Development for the above Z2008000042
located at 11452 S.W. 42 STREET, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1586 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 7:20 minutes

Existing services:

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

Station 9 - Kendall - 7777 SW 117 Avenue
Rescue, ALS Engine

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

Station 78 - Bird Road Loop - SW 40 Street & 117 Avenue.

Fire Planning Additional Comments:

Not applicable to service impact analysis.

DATE: 09/17/08

TEAM METRO

ENFORCEMENT HISTORY

GLORIA MACEDO	11452 SW 42 STREET, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2008000042

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

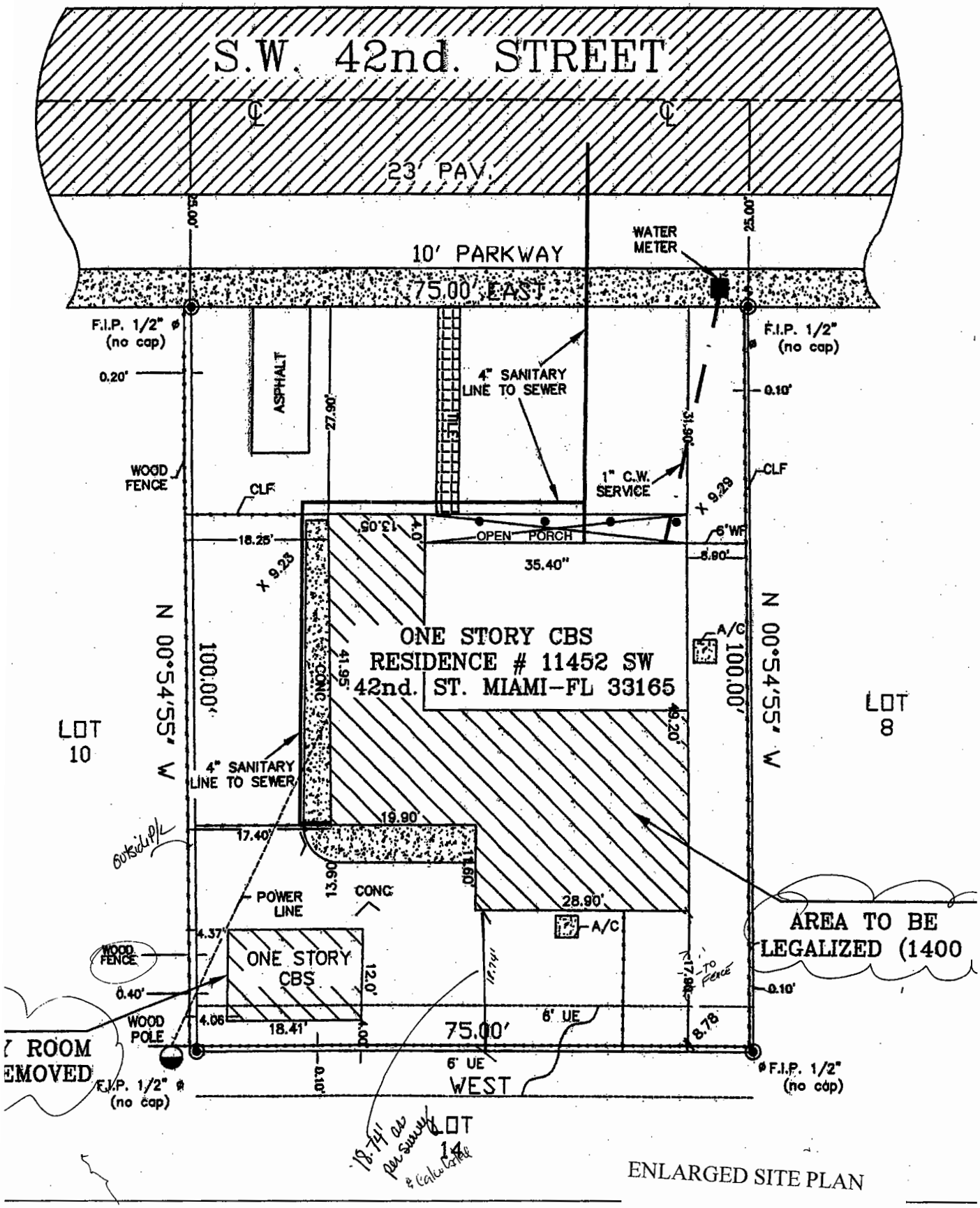
No current violations. No open cases.

Previous cases:

CMS# 200003001800 -CVN issued in February 2000 for Multi-Family Use. Property owner complied with violation; however, CVN remained unpaid. File sent to Lien Unit in November 2000 for non-payment. Department sttled case in August 2002. Case closed.

200318001049 -CVN issued in October 2003 for Multi-Family Use. CVN paid. Case closed as complied.

SITE PLAN



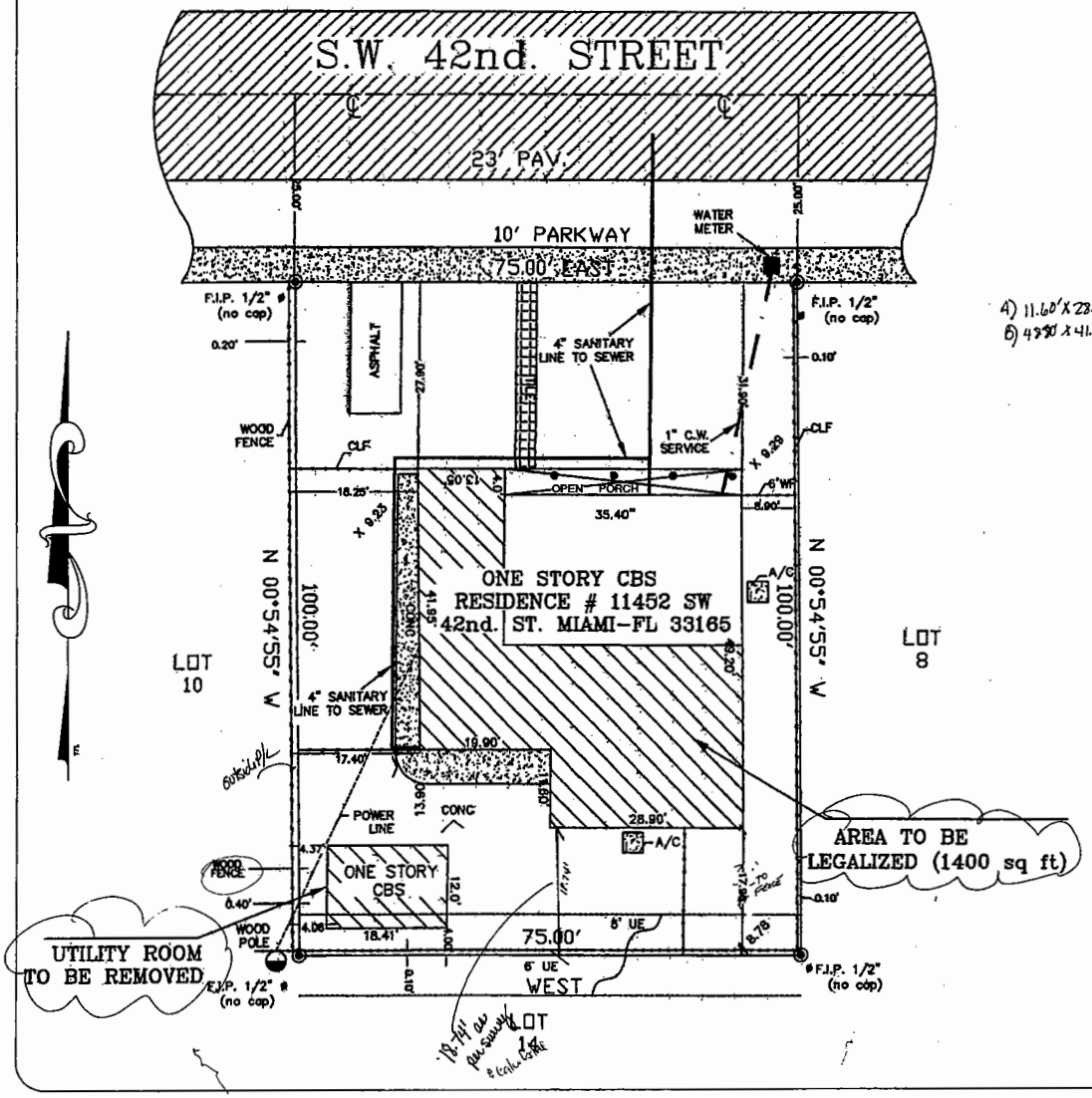
ENLARGED SITE PLAN

208.042

16

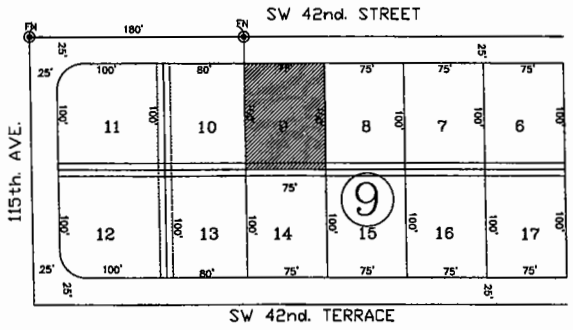
1" = 20'-0"

SITE PLAN



LOCATION SKETCH

SCALE: N.T.S



4) 11.60'X 28.90'= 335.24#
5) 49.90 X 41.95'= 209.16#
2382.4% 7500=31.76%.
lot coverage ok

ZONING LEGEND

SETBACKS: MAIN HOUSE	REQ.	PROVIDED
FRONT	25'	27.90'
INT. SIDE	7.5'	8.90'
SIDE STREET	7.5'	17.40'
REAR	25'	17.90' (variance request 28-042)
TOTAL GREEN AREA		5,162.22'

LEGAL DESCRIPTION

LOT 9 BLOCK 9

SUBDIVISION WEST WOOD LAKE

ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 57 AT PAGE 29 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

RES. # 11452
SW 42nd ST.
MIAMI, FL. 33165

RECEIVED 28-042 JUN 26

DATE OF FIELD SURVEY: / 2008

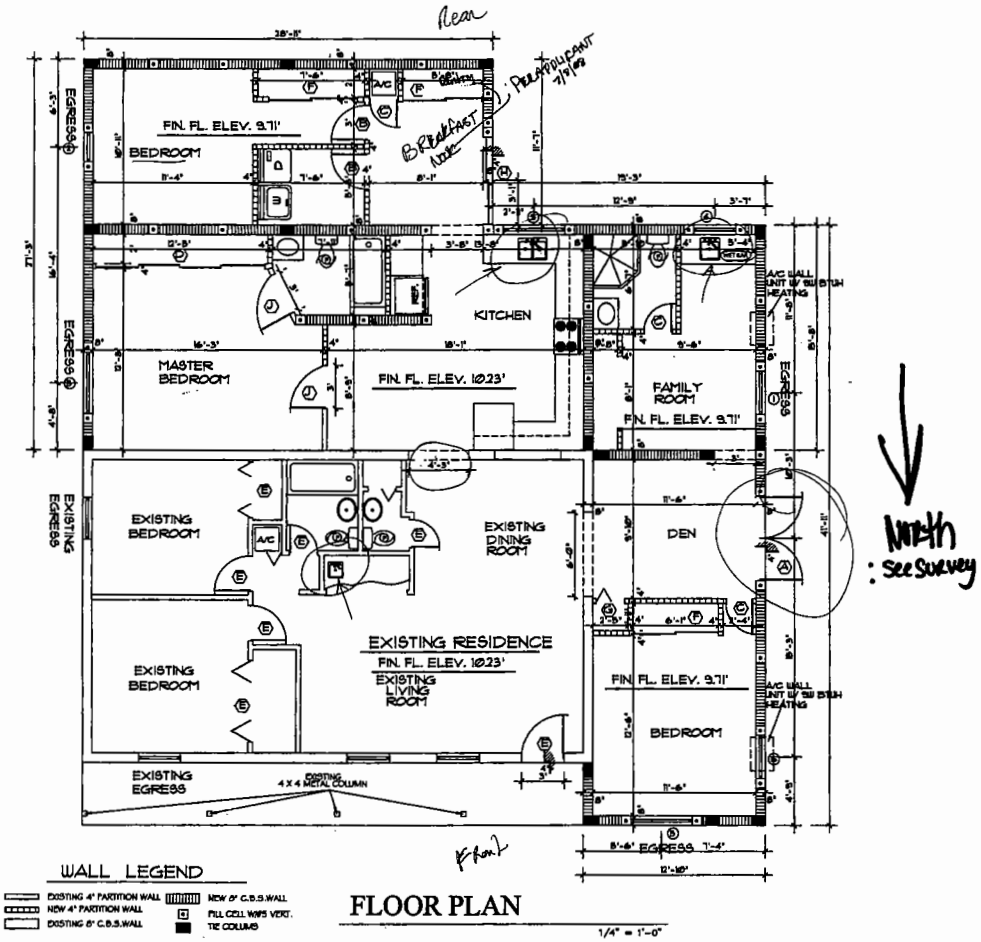
FLOOD ZONE: AE COMMUNITY No. 120635 PANE 170 SUFFIX: J DATE OF FIRM: 7/17/95 BASE FLOOD: 8.00

REVISIONS | DATE

RODRIGO H. CADAVID P.E.
13285 S.W. 124th. STREET
MIAMI, FLORIDA. 33186
(305) 252-6137
P.E. 0039415

GLORIA MACEDO
LOCATION AT: 11452 SW 42ND. ST.
MIAMI, FLORIDA. 33165
PHONE: (305) 226-1759
FAX: N/ PH
SCALE: AS NOTED
DATE: 7/18/2008

SHEET 1 of 3 Sheets



WALL LEGEND

- EXISTING 4" PARTITION WALL
- NEW 4" PARTITION WALL
- EXISTING 8" C.B.S. WALL
- NEW 8" C.B.S. WALL
- FILL CELL WAFS VERT.
- TIE COLUMS

FLOOR PLAN

1/4" = 1'-0"

DOOR SCHEDULE			
MARK	SIZE	TYPE	MATERIAL
A	DBL-36"x80"x1-3/4"	EXT.	FBR.GLS./GLS
B	30" x 80" x 1"	INT.	WOOD
C	24" x 80" x 1"	INT.	WOOD
D	DBL-36"x80" SLD GLS	INT.	WD./GLS
E	EXISTING	EXT.	
F	32"x80" SLD GLS	INT.	WD./GLS
G	24" x 80" x 1"	BI-FOLD	WOOD
H	36"x80" SLD GLS	EXT.	ALUM./GLS
J	36" x 80" x 1"	INT.	WOOD

WINDOW SCHEDULE			
MARK	SIZE	TYPE	REMARKS
1	SH 24 37" X 51"	COLONIAL	EGRESS
2	SH 35 26" X 63"		EGRESS
3	FIXED GLASS 35" X 26"	COLONIAL	FIXED GLS
4	SH 22 37" X 26"	COLONIAL	
5	SH 34 53" X 50"	COLONIAL	EGRESS
6	SH 33 53" X 38"	COLONIAL	
7	SH 1/2-34 26" X 50"	COLONIAL	

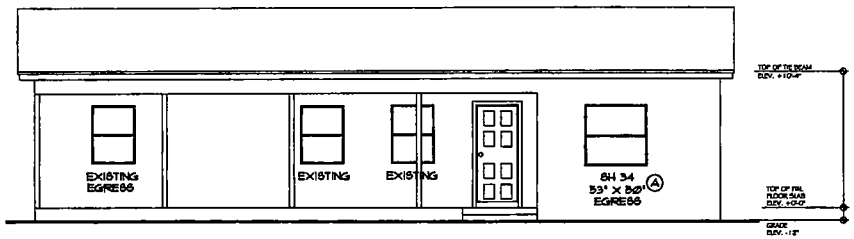
RECEIVED
JUN 26 2008

REVISIONS | DATE

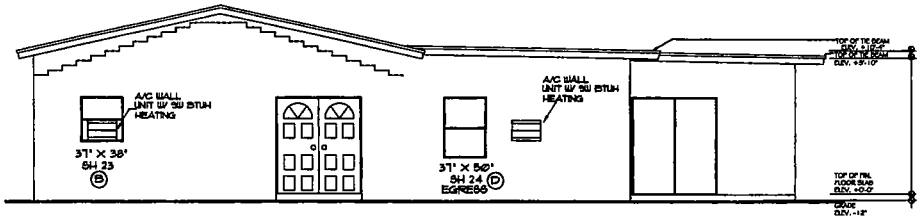
RODRIGO H. CADAVID P.E.
CIVIL & STRUCTURAL ENGINEER
13285 S.W. 124th. STREET
MIAMI, FLORIDA 33186
(305) 252-6137
P.E. 0039415

GLORIA MACEDO
LOCATION AT: 11452 SW 42ND. ST.
MIAMI, FLORIDA 33165
PHONE: (305) 225-1799
FAX:
DRAWN: RH
SCALE: AS NOTED
DATE: 7/15/2007

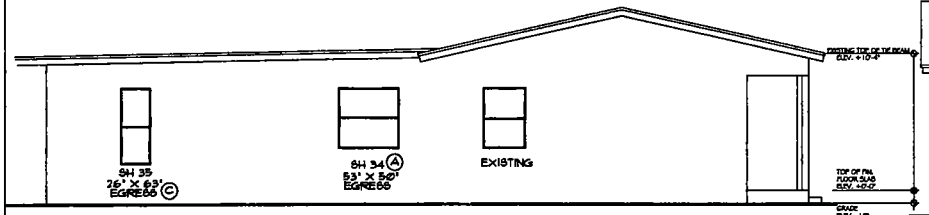
SHEET A-1



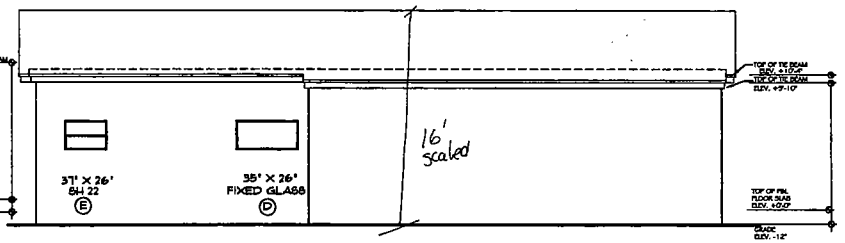
NORTH ELEVATION
1/4" = 1'-0"



WEST ELEVATION
1/4" = 1'-0"



EAST ELEVATION
1/4" = 1'-0"



SOUTH ELEVATION
1/4" = 1'-0"

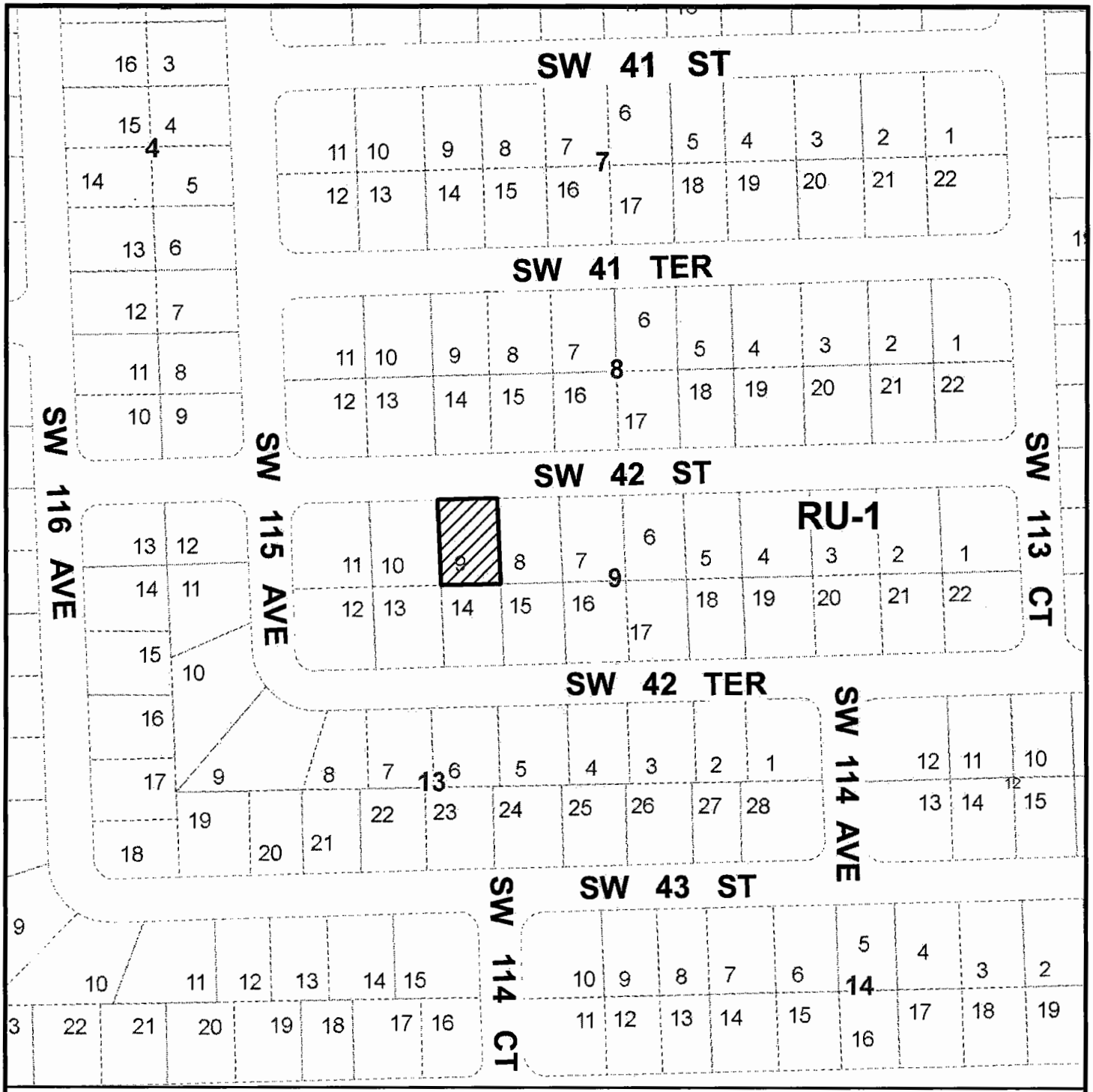
RECEIVED
208.042
JUN 28 2005

REVISIONS	DATE

RODRIGO H. CADAVID P.E.
CIVIL & STRUCTURAL ENGINEER
13285 S.W. 124th. STREET
MIAMI, FLORIDA 33186
(305) 252-6137
P.E. 0039415

GLORIA MACEDO
LOCATION AT: 11452 SW 4 END. ST.
MIAMI, FLORIDA 33186
PHONE: (305) 255-1799
FAX:
DRAWN: RH
SCALE: AS NOTED
DATE: 7/15/2007

SHEET
A-2



MIAMI-DADE COUNTY
HEARING MAP

Process Number
08-042

Section: 19 Township: 54 Range: 40
Applicant: GLORIA MACEDO
Zoning Board: C10
District Number: 10
Drafter ID: JEFFER
Scale: NTS

SUBJECT PROPERTY

N W E S

MIAMI-DADE COUNTY

CREATED ON: 03/19/08

REVISION	DATE	BY
19		

MIAMI-DADE COUNTY

AERIAL

Section: 19 Township: 54 Range: 40
Applicant: GLORIA MACEDO
Zoning Board: C10
District Number: 10
Drafter ID: JEFFER
Scale: NTS

Process Number

08-042

SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

CREATED ON: 03/19/08

REVISION	DATE	BY

4. T MOBILE SOUTH LLC & FIRC TAMIAMI LLC
(Applicant)

08-10-CZ10-4 (08-60)
Area 10/District 11
Hearing Date: 10/30/08

Property Owner (if different from applicant) **FIRC TAMIAMI 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:

Year	Applicant	Request	Board	Decision
1987	Joseph A. DeMaria, Trustee	- Zone change from IU-1, BU-1, BU-3, and BU-2 to BU-2. - Special exception new car agency. - Special exception shops. - Non-Use variances.	CZAB-10	Approved
1998	Tamiami Market Place	Modification of a condition of a previous resolution.	BCC	Approved
2001	Antonio Verede	ASPR Shoppes at Tamiami.	-----	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. 10

APPLICANT: T-Mobile South L.L.C. and Firc Tamiami L.L.C. **PH:** Z08-060 (08-10-CZ10-4)

SECTION: 3-54-39 **DATE:** October 30, 2008

COMMISSION DISTRICT: 11 **ITEM NO.:** 4

==========

A. INTRODUCTION

- **REQUEST:**

  SPECIAL EXCEPTION to permit a 100' high camouflaged wireless supported service facility designed as a flagpole and ancillary equipment.

  Plans are on file and may be examined in the Department of Planning and Zoning entitled 'Shoppes of Tamiami MD1233a,' as prepared by MACTEC Engineering & Consulting, Inc., dated stamped received 5/27/08 and consisting of 5 sheets. Plans may be modified at public hearing.

- **SUMMARY OF REQUEST:**

  The request will allow the applicants to erect a 100' high wireless supported service facility within a proposed flagpole.

- **LOCATION:** 14200 S.W. 8 Street, Miami-Dade County, Florida.

- **SIZE:** 1. 46 Acres

- **IMPACT:**

  Approval of the proposed wireless supported service facility will provide additional wireless cellular coverage to customers in the vicinity of the service radius area. This facility will not impact public services; however, the proposed antenna will be visible to public view.

B. ZONING HEARINGS HISTORY:

In 1987, the Board of County Commissioners (BCC) approved a district boundary change to BU-2 (Special Business District) on the subject property, pursuant to Resolution #Z-203-87. In 1998, the Community Zoning Appeals Board #10 (CZAB #10) approved a request of spacing requirements to permit a proposed automobile dealership and repair facility within 500' of a residential district, pursuant to Resolution #CZAB10-67-98. In 2004, an Administrative Site Plan Review (ASPR) application was approved to permit the construction of a proposed 111,787 sq. ft. commercial development on a portion of the parent tract of land, pursuant to ASPR#2003000001.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Business & Office** use. 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** (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 to Land Use Element 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. **Public Facilities.** Large-scale public facilities, institutional and communications uses, and utilities are specifically identified in the Institutions, Utilities, and Communications category on the Plan map. Small-scale uses and the facilities intended to serve the immediate needs of the residential community may be permitted on compatible sites in Residential Communities subject to adequate design and buffering. These facilities include fire stations, electrical sub-stations and distribution facilities, **cell antennae**, natural gas, telephone, fiber optic, cable, water and sewer facilities. They are preferably located in activity nodes, transition areas, and along major thoroughfares, and also at section centers if designed to serve the immediate neighborhood. Larger uses and facilities which are designed to serve more than a local area are preferably located in or adjacent to Industrial and Office, or **Business and Office** areas.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
BU-2; restaurant	Business and office

Surrounding Properties:

NORTH:	GU; canal and vacant	Open land
SOUTH:	BU-2; shopping center	Business and office
EAST:	BU-2; restaurant	Business and office
WEST:	BU-2; restaurant	Business and office

The subject site is located on an out parcel in the northeasterly portion of a large shopping center on the southwest corner of SW 8 Street and SW 142 Avenue. Shopping centers and restaurant characterize the surrounding area.

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:	**N/A**
Buffering:	**Acceptable**
Access:	**Acceptable**
Parking Layout/Circulation:	**N/A**
Visibility/Visual Screening:	**Acceptable**
Energy Considerations:	**N/A**
Roof Installations:	**N/A**
Service Areas:	**Acceptable**
Signage:	**N/A**
Urban Design:	**N/A**

F. PERTINENT REQUIREMENTS/STANDARDS:

§33-311(A)(18) Wireless Supported Service Facilities, including Antenna Support Structures. This subsection provides for the establishment of criteria, after public hearing, to hear and grant applications to allow a Wireless Supported Service Facility, including Antenna Support Structures. In considering any application for approval hereunder, the Community Zoning Appeals Board shall consider the same subject to approval of a site plan or such other plans as necessary to demonstrate compliance with the standards herein.

(a) *Purpose.* The purpose of this subsection is to create objective standards to regulate Wireless Supported Service Facilities, including Antenna Support Structures. Upon demonstration at public hearing that a zoning application for a Wireless Supported Service Facility, including Antenna Support Structures is in compliance with the standards herein and the underlying district regulations in section 33-36.2 and does not contravene the enumerated public interest standards established herein, the Wireless Supported Service Facility, including any Antenna Support Structure, shall be approved.

1. General standards

   a. The approval of the Wireless Support Facility shall not cause the subject property to fail to comply with any portion of this code or the Comprehensive Development Master Plan.

   b. The proposed Antenna Support Structure and related equipment shall comply with the underlying zoning district standard lot coverage regulations.

   c. The proposed Antenna Support Structure shall not involve any outdoor lighting fixture that casts light on the adjoining parcel of land at an intensity greater than that permitted by Section 33-4.1 of this code, unless providing safety lighting as required by FCC or FAA regulations.

   d. A non-camouflaged Antenna Support Structure 100 feet in height or less, shall be setback from the property line of any existing residential dwelling and the property line of the nearest residentially zoned property located on a contiguous or adjacent parcel of land under different ownership a distance equal to 110 percent of the height of the Antenna Support Structure.

      A survey, site plan or line of sight analysis illustrating this condition shall be provided by the applicant.

   e. The proposed Wireless Supported Service Facility shall provide adequate parking and loading and provide ingress and egress so that vehicles servicing the facility will not block vehicular and pedestrian traffic on abutting streets.

   f. The applicant's proposed Antenna Support Structure associated with the proposed Wireless Supported Service Facility shall be designed in such a manner that in the event of a structural failure, the failed portion of the Antenna Support Structure shall be totally contained within the parent tract.

   g. Proposed fences have the "unfinished" side, if any, directed inward toward the center of the leased parcel proposed for installation of the Antenna Support Structure and related equipment.

   h. Proposed fences will be constructed of durable materials and will not be comprised of chain link or other wire mesh, unless located in an AU or GU zoning districts.

2. Health and safety standards

   a. The proposed Wireless Support Service Facility shall not block vehicular or pedestrian traffic on adjacent uses or properties.

b. The proposed Wireless Supported Service Facility shall be accessible to permit entry onto the property by fire, police and emergency services.

c. The proposed Wireless Supported Service Facility shall comply with any applicable Miami-Dade County aviation requirements.

d. Safe sight distance triangles are maintained pursuant to section 33-11 of this code.

3. Environmental standards

a. The proposed Antenna Support Structure and related equipment shall not result in the destruction of trees that have a diameter at breast height (as defined in Section 18A-3.(J) of this code) of greater than 10 inches, unless the trees are among those listed in Section 24-60(4)(f) of this code.

b. The proposed Wireless Supported Service Facility shall not be located in an officially designated natural forest community.

c. The proposed Wireless Supported Service Facility shall not be located in an officially designated wildlife preserve.

d. The applicant shall submit an environmental impact study prepared by a licensed environmental firm that the proposed Wireless Supported Service Facility will not affect endangered or threatened species or designated critical habitats as determined by the Endangered Species Act of 1974; and that the facility will not have a substantial deleterious impact on wildlife or protected plant species.

e. The applicant shall submit a historical analysis prepared by a professional cultural specialist that the proposed Wireless Supported Service Facility shall not affect districts, sites, buildings, structures or objects of American history, architecture, archeology, engineering or culture, that are listed in the National Register of Historic Places or applicable Miami-Dade County or State of Florida historic preservation regulations.

f. The proposed Wireless Supported Service Facility shall not be located on an Indian Religious site.

4. Necessity standards

a. The applicant shall establish that there are no available existing Wireless Supported Service Facilities or buildings within the prospective provider's search area suitable for the installation of the provider's proposed Antennas due to one or more of the following circumstances:

(i) existing Wireless Supporting Service Facilities or buildings within the search area have insufficient structural capacity to support the proposed antennas and related equipment; or

(ii) existing Wireless Supported Service Facilities or buildings within the search area are not of sufficient height to resolve the lack of wireless service coverage or capacity in the area intended to be served by the proposed Wireless Supported Service Facility or to cure the signal interference problem in that area; or

(iii) the proposed Antenna would cause radio frequency interference or other signal interference problems with existing Wireless Supported Service Facilities or buildings, or the Antenna on the existing Wireless Supported Service Facilities or buildings may cause signal interference with the provider's proposed Wireless Supported Service Facility; or

(iv) the owner of an existing building or Wireless Supported Service Facility located within the provider's search area that has existing height and structural capacity and would otherwise resolve the lack of wireless service coverage, a deficiency in capacity or signal interference problems, has rejected the provider's reasonable attempts to locate its Wireless Supported Service Facility on its building or facility.

The applicant shall provide evidence of one or more criteria listed in 4(a)(i)--(iv) above with an affidavit from a radio frequency engineer, structural engineer, owner or authorized provider's representative acceptable to the Department, as applicable. For purposes of this section, search area shall mean the geographic area within which the provider can demonstrate that the Wireless Supported Service Facility must be located in order to resolve the lack of wireless service coverage, a deficiency in capacity or signal interference problems.

b. The applicant shall demonstrate that the proposed Wireless Supported Service Facility will cure:

i. signal interference problems; or

ii. a total lack of wireless service coverage or capacity among all providers in the area intended to be served by the proposed Wireless Supported Service Facility; and

iii. will allow its customers to make and maintain wireless calls on a reliable basis as defined by the provider's quality criteria; and

c. The applicant shall provide information to permit independent verification of factual data relied upon by the applicant to establish 4(b) above, including, but not limited to the following:

i. the purpose for the proposed Wireless Supported Service Facility; and

ii. the following technical data for the proposed Wireless Supported Service Facility and for each existing, authorized, pending and proposed adjacent facility:

a. site name or other reference;

b. facility latitude and longitude;

c. site elevation;

d. for each antenna at each of the included facilities:

i. height of antenna radiation center;

ii. antenna type and manufacturer;

iii. maximum effective radiated output power, including the maximum total power radiated from all channels;

iv. azimuth of main antenna lobe; and

v. beam tilt and null-fill of each antenna.

iii. a complete up- and down-link power budget for the proposed Wireless Supported Service Facility, including any differences that may exist with the power budgets of the adjacent facilities, to ensure that all of the gain and loss factors used by the applicant are included in a verification analysis.

iv. complete descriptions of methodology, formulas, data presented in appropriate parameter data units (e.g., Erlangs, Watts, dBm, ft.), existing traffic studies and trend analyses if the proposed facility is intended to cure a lack of capacity, and any other information necessary for an independent engineer to verify statements concerning signal interference or lack of capacity or coverage; and

v. identification of any equipment that differs from industry standards.

d. The applicant shall reimburse the department for fees charged to the department for independent verification of factual data relied upon by the applicant, as required pursuant to paragraph 4c above.

5. Mitigation standards

a. A non-camouflaged Antenna Support Structure or equipment building shall be located so that it does not obscure, in whole or in part, an existing view to any historically designated landmark, natural area, or natural water body (i.e., river, lake, ocean) from any residentially zoned property under different ownership.

b. Existing landscaping, vegetation, trees, intervening buildings or permanent structures shall be utilized to the maximum extent possible to obscure the view of the non-camouflaged Antenna Support Structure from public right-of-way or residentially zoned property.

c. Any proposed Antenna Support Structure shall be designed to accommodate the collocation of at least two (2) Providers.

d. All new non-camouflaged Antenna Support Structures approved at public hearing after adoption of this Ordinance, when exceeding 125 feet in height, must be structurally designed to accommodate at least three (3) Providers.

e. To minimize visual impact in all cases, new or reconstructed Antenna Support Structures shall:

(i) if non-camouflaged, utilize non-reflective galvanized finish or coloration to blend in with the natural environment unless Federal Aviation Administration painting or markings are otherwise required. The part of the Antenna Support Structure that is viewed against the sky and all Antennas attached thereto shall be a single color, either light gray or similar neutral color; the part of the Antenna Support Structure and all Antennas not viewed against the sky shall also be colored to blend with its surrounding background and harmonize with the color of existing structures or vegetation, as applicable; and

(ii) be designed to preserve all vegetation to the maximum extent feasible to mitigate visual impact and create a buffer that harmonizes with the elements and characteristics of the existing parcel on which the Wireless Support Service Facility is located and adjacent properties; and

(iii) shall be designed to be harmonious with the architectural elements of the surrounding structures, such as bulk, massing and scale of surrounding properties; or be designed to blend and be harmonious with the principal structure on the property on which the Antenna Support Structure is proposed to be constructed and installed.

f. A camouflaged Antenna Support Structure shall be designed as an artificial tree or to serve a purpose other than supporting antennas (i.e., lighting of sports facilities, transmission of electrical and/or telephone lines, **flag poles**).

g. To reduce the visual impact, an Antenna Support Structure readily observable from residentially zoned districts located within the immediate vicinity of the leased parcel shall be a camouflaged Antenna Support Structure, unless the provider can demonstrate that an Antenna Support Structure of a monopole type would be less visually obtrusive or would reduce proliferation of additional Antenna Support Structures within the immediate vicinity of the search area of the leased parcel and thus reduce

the cumulative visual impact caused by future additional Antenna Support Structures in the immediate vicinity. In all cases, Antenna Support Structures of the guyed wire or self-supporting lattice type for the purposes of providing wireless telecommunications services only, shall be prohibited within the immediate vicinity of all existing residentially zoned districts and residential structures, except that the parent tract of the application property site may contain a residential structure.

h. If a non-camouflaged Antenna Support Structure cannot be readily observed from residentially zoned property located within the immediate vicinity of the leased parcel, strongest support shall be given in the following order from most preferred to least preferred Antenna Support Structure type: existing Antenna Support Structures, existing buildings or structures, monopole, lattice or self-supporting or, guyed wire.

i. The architectural design, scale, mass, color, texture and building materials of any proposed equipment building structure shall be aesthetically harmonious with that of other existing or proposed structures or buildings on the parent and leased tracts and in the immediate vicinity.

j. The accessory wireless equipment building used in conjunction with the proposed Wireless Supported Service Facility shall be designed to mitigate visual impact and be comparable with the scale and character of the existing structures on the subject property and in the immediate vicinity, or blend into natural surrounding vegetation or buildings through the use of color, building materials, textures, fencing or landscaping to minimize visibility from or otherwise make the appearance of the accessory wireless equipment building the least visually obtrusive to adjacent uses and properties, as well as pedestrian and vehicular traffic.

k. If an alternative site exists, or could be constructed, for the Antenna Support Structure, that would provide substantially lesser impact upon residentially zoned districts located within the immediate vicinity of the proposed site and that would provide for a substantially equivalent level of coverage, interference or capacity mitigation as what the applicant demonstrated is necessary pursuant to 33-311(A)(18)(4)(b), then the applicant shall locate the proposed facility on the alternative site.

United States Flag Code Title 36, Chapter 10, Section 174(a) indicates that the United States flag may be displayed twenty-four hours a day if properly illuminated during the hours of darkness.

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**

*Subject to conditions indicated in their memorandum.

H. ANALYSIS:

The subject 1.46-acre parcel of land is located on a corner at 14200 S.W. 8 Street on an out parcel in the northeasterly portion of a large shopping center and is developed with a fast food restaurant. Shopping centers, a canal and restaurants characterize the surrounding area. The applicants are seeking to permit a 100' high camouflaged wireless supported service facility designed as a flagpole, and ancillary equipment. The applicants have submitted plans illustrating the subject property, which is currently operating as a restaurant. Additionally, said plans depict the proposed a 100' high camouflaged wireless supported service facility designed as a flagpole to be located on the south portion of the subject site adjacent to the existing building. The ancillary equipment structures are to be mounted on top of the roof and will be concealed by the existing parapet. Although the subject site is located at the southwest corner of SW 8 Street and SW 142 Avenue, access to the subject site is only available through the parent tract along the west and south property lines.

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. However, the applicants will have to comply with all DERM requirements as set forth in their memorandum pertaining to this application. The **Public Works Department** has **no objections** to this application and indicates that this application does not generate and additional daily peak hour vehicle trips. Additionally, the **Miami-Dade Fire and Rescue Department** has **no objections** to this application and has indicated that the estimated average travel time to the subject site is 5:30 minutes.

Approval of the proposed 100' high camouflaged wireless supported service facility will provide additional coverage to the customers of the wireless company in the vicinity of the service radius area. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this area for **Business and Office** use. The interpretative text of the CDMP indicates that **cell antennae** are preferably located in activity nodes, transition areas, and along major thoroughfares, and also at section centers if designed to serve the immediate neighborhood. Also allowed are 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. Larger uses and facilities, which are designed to serve more than a local area, are preferably located in or adjacent to Industrial and Office, or **Business and Office** areas. This application involves the placement of a cellular antenna at a height of 100' within a proposed flagpole that will be located on the south portion of the site. The proposed flagpole with flag hoist will have additional space to allow for collocation by other wireless carriers. Staff supports the wireless supported service facility on the subject property and notes that

said request will provide cellular service coverage to customers in the vicinity of the service radius area. The applicants have submitted documentation, including radio frequency propagation coverage maps for the area, which shows how the approval of this application will increase the wireless service coverage to provide additional coverage, will improve the wireless phone service, and will cure signal interference problems in this area. Staff notes that the ancillary equipment, structures to be mounted on top of the roof, will be concealed by the existing parapet from the view of pedestrians and those traveling in vehicles on the roads surrounding the shopping center. Staff will recommend as a condition for the approval of this application that a flood light for the flagpole be provided to comply with the United States Flag Code Title 36, Chapter 10, Section 174(a) which indicates that the United States flag may be displayed twenty-four hours a day if properly illuminated during the hours of darkness. As previously mentioned, the subject site is located on an out parcel of a shopping center on the southwest corner of SW 8 Street and SW 142 Avenue (two major thoroughfares). The proposed 100' high wireless supported service facility will have ample spacing from residential properties located approximately 300' to the south. Additionally, the applicants have provided a line of site detail depicting the view from said residences. As such, staff opines that the proposal is **compatible** with the surrounding area and **consistent** with the LUP Map of the CDMP.

Staff notes that the applicants have requested that this application be only and strictly analyzed under Section 33-311(A)(18). In accordance with Section 33-311(A)(18) (Wireless Supported Service Facilities, including Antenna Support Structures), the applicants have to demonstrate that this application, the Special Exception to permit an 100' high camouflaged wireless supported service facility and ancillary equipment, will comply with the general standards under this section. Staff supports this application and is of the opinion that the proposed 100' high camouflaged wireless supported service facility designed as a flagpole and ancillary equipment are consistent with the Comprehensive Development Master Plan. As previously mentioned, staff will recommend as a condition for approval that said development comply with all FAA and FCC lighting requirements and any and all Federal and State regulations governing the up-lighting of the U.S. Flag. Additionally, the applicants have submitted a line of sight detail showing that the proposed flagpole will be visible from the residential properties located to the south. However, in staff's opinion, it will not have a negative visual impact on said residential area. The subject site has adequate ingress, egress, parking and loading areas such that servicing the facility will not block vehicular or pedestrian traffic on abutting streets. The applicant has indicated and staff has confirmed that in the event of a structural failure, the failed portion of the Antenna Support Structure will be totally contained within the parent tract. As previously mentioned, the placement of the ancillary equipment on the rooftop of the existing restaurant building, in staff's opinion, will not generate any adverse visual impact. Furthermore, the applicants have submitted all the necessary documentation that, after being analyzed by staff, shows that the proposal complies with the Health and Safety, Environmental, Necessity and Mitigation standards under this section of the Miami-Dade Code. Under the health and safety standards, the applicants have indicated that the subject site has adequate ingress, egress, parking and loading areas such that servicing the facility will not block vehicular or pedestrian traffic on abutting streets. Additionally, the proposed Wireless Supported Service Facility will provide access onto the property to fire, police and emergency services and also complies with all applicable Miami-Dade County aviation requirements. Furthermore, among other things under the necessity standards, the applicants have indicated that there are no available existing Wireless Supported Service Facilities or buildings within the prospective provider's search area suitable for the

installation of the provider's proposed antenna and have submitted an affidavit from a radio frequency engineer attesting to the aforementioned. Based on all of the aforementioned, staff is of the opinion that the proposed wireless supported service facility and ancillary equipment will be **compatible** with the immediate area and recommends approval with conditions of this application under Section 33-311(A)(18).

Based on all of the aforementioned, staff notes that the application as proposed is **consistent** with the interpretative text of the CDMP and that the approval of this application is **compatible** with the surrounding area. Therefore, staff recommends approval with conditions of this application.

I. RECOMMENDATION:

Approval with conditions.

J. CONDITIONS:

1. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "'Shoppes of Tamiami MD1233a," as prepared by MACTEC Engineering & Consulting, Inc., dated stamped received 5/27/08 and consisting of 5 sheets.

2. That the applicant submit to the Department of Planning and Zoning for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.

3. That the applicants obtain a Certificate of Use for the wireless supported service facility from 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.

4. That the use be established and maintained in accordance with the approved plan.

5. That the monopole be designed to be camouflaged as a flagpole.

6. That the monopole be designed to allow collocation of at least 2 other telecommunication service operators.

7. That the monopole comply with all FAA and FCC lighting requirements and any and all Federal and State regulations governing the up-lighting of the United States flag.

DATE INSPECTED: 07/15/08
DATE TYPED: 08/26/08
DATE REVISED: 08/27/08; 09/04/08; 09/05/08; 09/17/08; 10/21/08
DATE FINALIZED: 10/21/08
MCL; MTF; LVT; JV

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

Memorandum

MIAMI-DADE COUNTY

Date: May 1, 2008

To: Subrata Basu, AIA, AICP, Interim Director
Department of Planning and Zoning

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

Subject: C-10 #Z2008000060
T-Mobile South, LLC and FIRC Tamiami, LLC
14200 S.W. 8th Street
Request to Permit a Cell Tower within a Flag Pole and Modification of a Previous Site Plan to Include a Proposed Cell Tower within a Flag Pole
(BU-2) (1 Acres)
03-54-39

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.

Wellfield Protection
The subject property is located within the West Wellfield interim protection area. The West Wellfield is located between SW 72nd Street and Coral Way along theoretical SW 172nd Avenue. The Board of County Commissioners approved a wellfield protection ordinance for this wellfield. This ordinance provides for stringent wellfield protection measures that restrict development and regulate land uses within the wellfield protection area.

Since the subject request involves a non-residential land use or a zoning category which permits a variety of non-residential land uses, the owner of the property has submitted a properly executed covenant running with the land in favor of Miami-Dade County, as required by Section 24-43(5)(a) of the Code. The covenant provides that hazardous materials shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

Wetlands
The subject property is located within the East Bird Drive Wetlands Basin, in an area that is generally considered to be jurisdictional wetlands. However, a Class IV Wetland Permit will not be required for this property, since the property was determined to be grandfathered at the time of review by the Miami-Dade County Developmental Impact Committee (DIC) and received an approved developmental order as a result of the process prior to July 1, 1994.

The applicant is advised that the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600), and the South Florida Water Management District (1-800-432-2045), may require permits for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation
According to the site plan submitted with this zoning application, the proposal to permit a cell tower within a flag pole will not impact tree resources. Therefore, DERM has no objection to this zoning application; however, the applicant is advised that a Miami-Dade County Tree Removal Permit shall be required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

Enforcement History
DERM has found no open or closed enforcement record for the subject property.

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 discus this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

PH# Z2008000060
CZAB - C10

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:T MOBILE SOUTH LLC & FIRC TAMIAMI 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.

Raul A Pino, P.L.S.
20-JUN-08

Memorandum

Date: 30-APR-08

To: Subrata Basu, Interim Director
Department of Planning and Zoning

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2008000060

Fire Prevention Unit:

Not applicable to Fire Water Engineering & Water Supply Bureau.

Service Impact/Demand:

Development for the above Z2008000060
located at 14200 S.W. 8 STREET, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1385 is proposed as the following:

N/A (residential)	dwelling units	N/A (industrial)	square feet
N/A (Office)	square feet	N/A (institutional)	square feet
N/A (Retail)	square feet	N/A (nursing home/hospitals)	square feet

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 5:30 minutes

Existing services:

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

Station 61 - Trail - 15155 SW 10 Street
ALS Engine

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.

DATE: 04/18/08

TEAM METRO

ENFORCEMENT HISTORY

T MOBILE SOUTH LLC & FIRC TAMIAMI LLC	14200 S.W. 8 STREET, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2008000060

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

04/16/08 Case opened for Enforcement History inspection. No violations observed at this time. No prior cases found for this location.

T MOBILE SOUTH LLC & FIRC TAMIAMI LLC

RICHARD HIRE-MILLER

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: Five Towns LLC

NAME AND ADDRESS	Percentage of Stock
Antonio O Fraga 2465 S Bayshore Dr #302	43.75 %
Alejandro Sosa Coconut Grove, FL 33133	25.00 %
Mansfield USA "	25.00 %
Alexander W. Fraga "	5.00 %
Olga M. Fraga "	1.25 %

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 _____

NAME AND ADDRESS	Percentage of Interest

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: _____

NAME AND ADDRESS	Percentage of Ownership

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ZONING HEARING SECTION
MIAMI-DADE PLANNING & ZONING DEPT

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.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

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 26th day of MARCH 2008. Affiant is personally known to me or has produced _____ as identification.

_____
(Notary Public)

OXANA QUINTANA
MY COMMISSION EXPIRES
AUGUST 26 2009
#DD452234
Bonded Thru Troy Fain-Insurance 800-385-7019
NOTARY PUBLIC, STATE OF FLORIDA

My commission expires: 8.26.09

*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 similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Mansfield USA

NAME AND ADDRESS	Percentage of Stock
Antonio O. Fraga 2665 S. Bayshore Dr. #302, Coconut Grove, FL 33133	100%

If a **TRUST or ESTATE** owns or leases the subject property, list the trust beneficiaries and 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:

NAME AND ADDRESS	Percentage of Interest

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME:

NAME AND ADDRESS	Percent of Ownership

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208060
MAY 27 2008
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MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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 similar entities, further disclosure shall be made to identify natural persons having 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:

_____

_____

_____

_____

_____

NOTICE: For 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 22nd day of April, _____. Affiant is personally known to me or has produced _____ as identification.

_____
(Notary Public)

Olga M. Pena
Commission # DD424051
Expires August 12, 2009

My commission expires _____

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MAY 27 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

*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: T-MOBILE

NAME AND ADDRESS	Percentage of Stock
T-MOBILE IS A PUBLICLY TRADED COMPANY AS A SUBSIDIARY OF DEUTSCH TELE COM (DT)	

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 _____

NAME AND ADDRESS	Percentage of Interest

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: _____

NAME AND ADDRESS	Percentage of Ownership

RECEIVED
APR - 7 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

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.

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 27 day of March, 2008. Affiant is personally know to me ~~or has produced _____ as identification~~.

_____
(Notary Public)

My commission expires: Milana Meshenberg

MILANA MESHENBERG
Comm# DD0561021
Expires 6/6/2010
Bonded Notary Assn., Inc.

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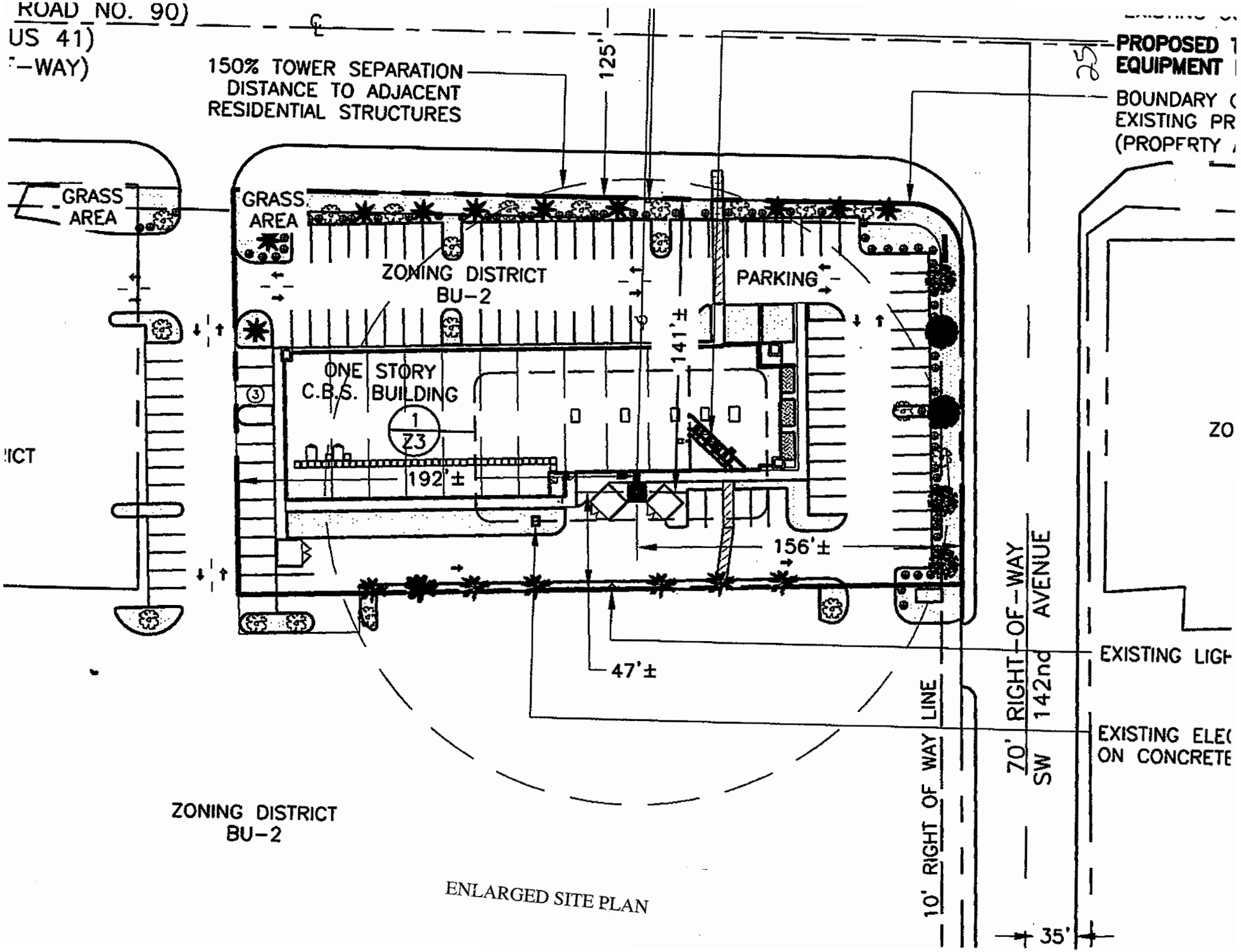
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

*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.



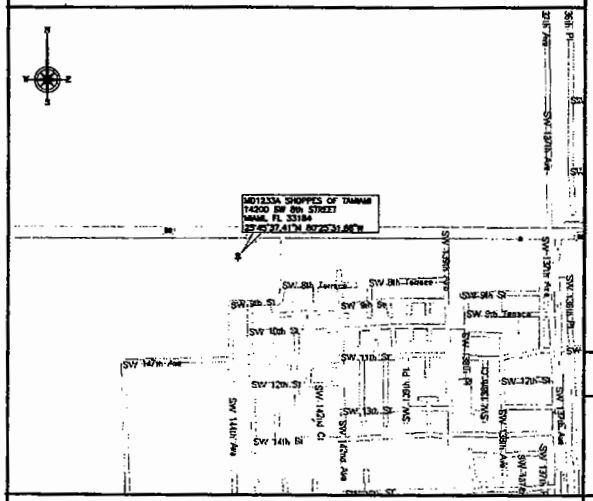
ENLARGED SITE PLAN

DRIVING DIRECTIONS

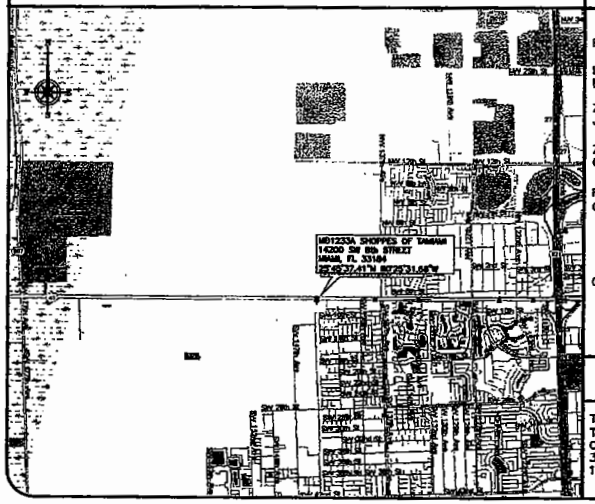
FROM T-MOBILE'S OFFICE TAKE I-595 EAST TO FLORIDA'S TURNPIKE, TAKE TURNPIKE [illegible] 8th STREET). HEAD WEST FOR 2.6 MILES TO SW 142nd AVENUE, [illegible] DE OF STREET.

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: 208-060
DATE: MAY 27 2008
BY: BIL

LOCAL MAP



VICINITY MAP



T··Mobile·®

SHOPPES OF TAMIAMI

14200 SW 8th STREET
MIAMI, FL 33184

MD1233A

PROPOSED INSTALLATION OF NEW 100' FLAGPOLE

SCOPE OF WORK

CIVIL:	INSTALL NEW FLAGPOLE TOWER W/ FOUNDATION.	PLUMBING:	NONE
ELECTRICAL:	INSTALL NEW 200 AMP SERVICE AND PROVIDE GROUNDING IN ACCORDANCE W/ NEC AND T-MOBILE.	STRUCTURAL:	INSTALL ANTENNAS WITHIN NEW TOWER STRUCTURE AND PLATFORM ON ROOF.
MECHANICAL:	NONE	OTHER:	INSTALL T-MOBILE CABINETS ASSOCIATED COAX.

SITE DATA

FOLIO #: 30-4803-024-0012

LATITUDE: 25° 45' 37.41" N
LONGITUDE: 80° 25' 31.66" W

ZONING JURISDICTION: MIAMI-DADE COUNTY

ZONING CLASSIFICATION: BU-2

PROPERTY OWNER(S): FIRC TAMIAMI, LLC
2665 S BAYSHORE DRIVE
SUITE 302
MIAMI FL 33133-5402

CONTACT: CONNIE HULL
(305) 443-2508 EXT. 18

LEGAL DESCRIPTION

TAMIAMI MARKETPLACE PB 162-11 PORT OF TR A DESC BEG 447FTN & 274.38FTE M/L OF SW COR OF TR A CONT N 89 DEG E 325.10FT SELY AD 38.65FT S 01 DEG E 158.11FT

APPROVALS

PROPERTY OWNER _____
RF ENGINEER _____
CONSTRUCTION _____
SITE ACQUISITION _____
ZONING _____
NETWORK _____
OPERATIONS _____
CONTRACTOR _____

CONSTRUCTION NOTES

1. ALL NEW BUILDINGS AND STRUCTURES HAVE BEEN DESIGNED IN ACCORDANCE WITH THE 2004 EDITION OF THE FLORIDA BUILDING CODE, WITH ALL SUBSEQUENT ADOPTED AMENDMENTS, FOR DESIGN PRESSURES GENERATED BY NOMINAL DESIGN 3-SECOND GUST WIND VELOCITY OF 146 MPH.
2. CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.
3. CONTRACTOR SHALL NOTIFY OWNER FOR ACCESS TO SITE.

PROJECT INFORMATION

1. THIS IS AN UNMANNED FACILITY AND WILL BE USED FOR THE TRANSMISSION OF RADIO SIGNALS FOR THE PURPOSE OF PROVIDING PUBLIC CELLULAR SERVICE.
2. T-MOBILE CERTIFIES THAT THIS EQUIPMENT FACILITY WILL BE SERVICED ONLY BY T-MOBILE EMPLOYEES AND SUBCONTRACTORS AND THE WORK ASSOCIATED WITH ANY EQUIPMENT CANNOT BE PERFORMED BY HANDICAPPED PERSONS. THIS FACILITY WILL BE FREQUENTED ONLY BY SERVICE PERSONNEL FOR REPAIR PURPOSES ONLY.
3. NO POTABLE WATER SUPPLY IS TO BE PROVIDED AT THIS LOCATION.
4. NO WASTEWATER WILL BE GENERATED AT THIS LOCATION.
5. NO SOLID WASTE WILL BE GENERATED AT THIS LOCATION.

INDEX OF DRAWINGS

SHT. NO.	DESCRIPTION	REV. NO.
Z1	TITLE SHEET	3
Z2.1	SITE PLAN	3
Z2.2	SITE DATA	0
Z3	ROOF PLAN	0
Z4	TOWER ELEVATION	1
Z5	LINE OF SIGHT AND LANDSCAPE DETAILS	0

T··Mobile·
8100 SW 10th STREET
SUITE 1000
PLANTATION, FL 33324
TEL: (954) 693-7100
FAX: (954) 693-7200

MACTEC
MACTEC ENGINEERING & CONSULTING, INC.
CORPORATE OFFICE
1105 LAKEWOOD PARKWAY
ALPHARETTA, GA 30004
LOCAL OFFICE
5845 NW 158th STREET
MIAMI LAKES, FL 33014
TEL: (305) 826-5588
FAX: (305) 826-1799
CERTIFICATE OF AUTHORIZATION #: 6090

PROJECT NO.: 6788-07-1233 (50)

THIS DRAWING IS COPYRIGHTED AND IS THE SOLE PROPERTY OF THE OWNER. IT IS PROHIBITED FOR ANY PERSON OR ENTITY TO REPRODUCE, PUBLISH OR USE IN ANY WAY ANY PORTION OF THE INFORMATION CONTAINED IN THIS DRAWING AND/OR THE WRITTEN VERSION OF THE OWNER.

SHOPPES OF TAMIAMI
MD1233A
14200 SW 8th STREET
MIAMI, FL 33184

SHEET NAME
TITLE SHEET

SHEET NUMBER
Z1

27

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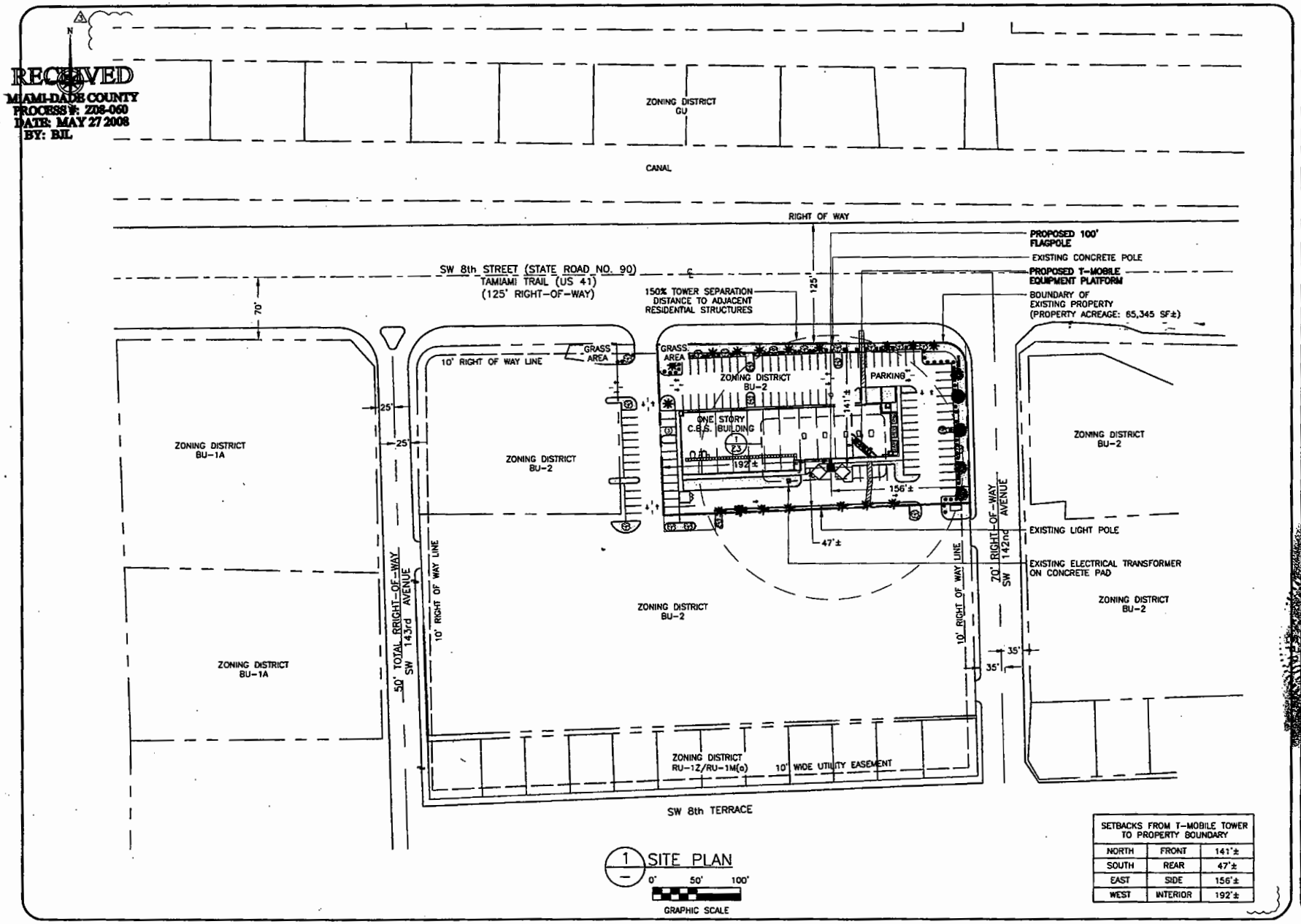
MIAMI-DADE COUNTY
PROCESS #: Z08-060
DATE: MAY 27 2008
BY: BJL



1 SITE PLAN

0' 50' 100'
GRAPHIC SCALE

SETBACKS FROM T-MOBILE TOWER TO PROPERTY BOUNDARY		
NORTH	FRONT	141'±
SOUTH	REAR	47'±
EAST	SIDE	156'±
WEST	INTERIOR	192'±

T-Mobile
8100 SW 10th STREET
SUITE 1000
PLANTATION, FL 33324
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TEL: (305) 826-5588
FAX: (305) 826-1799
CERTIFICATE OF AUTHORIZATION #: 6090

PROJECT NO.: 6788-07-1233 (50)

5/20/08	REVISED
[illegible]/08	REVISED
[illegible]/08	REVISED
[illegible]	[illegible]

STATE OF
MIAMI 233A
14200 SW 8th STREET
MIAMI, FL 33184

SHEET NAME
SITE PLAN

SHEET NUMBER
Z2.1

THIS DRAWING IS COPYRIGHTED AND IS THE SOLE PROPERTY OF THE OWNER. IT IS PRODUCED SOLELY FOR USE AND ITS AFFILIATES. REPRODUCTION OR USE OF THIS DRAWING AND/OR THE INFORMATION CONTAINED IN IT IS FORBIDDEN WITHOUT THE WRITTEN PERMISSION OF THE OWNER.

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: 2008-060
DATE: MAY [illegible]
BY: BJL

BU – ZONING LEGEND
Legend data to be incorporated onto the plan
ZONING DISTRICT: BU-X

See Zoning Art. XXIV, XXV, XXVI, XXVII for BU-1, BU-1A, BU-2, & BU-3 criteria. Parking structure not counted [illegible] used to count # of [illegible] not counted in lot coverage, floor area, nor FAR. Height [illegible] finished floor (F.F.) to [illegible] ridge)

MINIMUM REQUIREMENTS	REQUIRED	PROVIDED
Frontage for interior lot	50'	–
Lot area for interior lot	5,000 s.f.	–
75' frontage for corner lot (50' if PLAT prior to PB 40-16)	75'	98
7,500 s.f. lot area for corner lot (5,000 s.f. if play prior to PB 40-16)	7,500 s.f.	12,993

[illegible] (acres)	1.5	[redacted]	
Less r-o-w			
Less Water			
Less Other			
NET AREA (sq. ft.)	65,345		100 %
Lot Coverage (40% max)	12,993		19 % Provided
Paved Area	39,766		60 % Provided
Landscaped Open Space	13,546		21 % Provided

SETBACK REQUIREMENTS SETBACK TYPE	REQUIRED	PROVIDED
FRONT	20'	141'
SIDE STREET (15' or 25')	15'	156'
INTERIOR (0', 5', 10' or 15')	–	192'
rear (0', 5' or 20')	20'	47'
BETWEEN BUILDINGS	20'	–
Same setbacks as above for accessory buildings		

SIDE ST.: 15', except 25' on any part of bldg. within 25' of RU or EU property.
INTERIOR: 0' if adjacent property is BU or IU & bldg. used only for business or industry. 5' if wall has openings & 4-hr. fire rated. 10' for portions of bldg. with residential use. 15' when adjacent property is RU or EU.
REAR: 5' to BU/IU if opening on rear bldg wall; 0' if no opening. 20' from res. (inc. width of alley).

ZONING DISTRICT	MAX. HEIGHT	MAX. STORIES
BU-1 (Business – Neighborhood)	35'	2 stories
BU-1A (Business – Limited)	45'	4 stories
BU-2 (Business – Special)	no max.	no max.
BU-3 (Business – Liberal)	no max.	no max.

NOTE: Portion of bldg. In BU-2, BU-3 from 35' – 40' height to setback a minimum of 25' from the street; thereafter 1' for each additional 5' of height. (see 33-55 for exemptions)

Maximum Floor Area Ratio (F.A.R.) per No. of Bldg. Stories		
1 story	2 thru 8 stories	9th story and up
0.4	0.11 per additional floor permitted up to 8 stories	0.06 per each additional story above 8th floor
MAX. HEIGHT OF PROPOSED BLDGS.		21 ft.
MAX. NUMBER OF STORIES PERMITTED		1
MAX. NUMBER OF STORIES PROPOSED		1
F.A.R. PERMITTED		12,993
F.A.R. PROPOSED		12,993

LANDSCAPED OPEN SPACE REQUIREMENTS

SIZE OF TOTAL LOT AREA	% OF TOTAL LOT AREA
Up to one (1) acre	18% required for 1 story
More than 1 acre and up to 5 acres	16.0% for 1 story
More than 5 acres and up to 25 acres	14.0% for 1 story
More than 25 acres	12.0% for 1 story

PROCEDURE FOR VARIABLE BLDG. HEIGHTS:
Ex.: A building with 2 heights: 2 stories with 30,000 s.f. under roof and 5 stories with 40,000 s.f. under roof.
Multiply & add (2 x 30,000) + (5 x 40,000) = 260,000.
Add 30,000 + 40,000 = 70,000.
Divide 260,000 by 70,000 = 3.71 (round up to 4)
Use 4 as avg. bldg. height for landscaping requirements.

NOTE: Above is minimum landscaped open space for 1 story. Increase 1.5% per story (or fraction) for 2nd to 8th floor; then 2.5% per floor after 8th. If bldg. height varies use example at right to determine # of stories. Landscape with grass, trees and shrubs. Water areas may be used to meet up to 20% of requirement. Mall areas with landscaping, &/or water areas &/or permanent art displays may be used to meet up to 10% of requirement. See Ch. 18A for landscape criteria.

PARKING REQUIREMENTS

		Total Sq. Ft. per Use	(Sq. Ft. / space ratio)	Spaces Required
Use type:	Retail uses (1 space per 250 s.f. or fraction thereof)	12,993	250	52
Use type:				
Use type:				
Use type:				
Use type:				
NOTE: See Zoning Code Article VII, Off-Street Parking Sec. 33-122 thru 33-132 for parking standards. See Article VIII, Sec33-133 thru 33-137 for rights-of-way requirements.		TOTAL PARKING SPACES REQUIRED:		52
		TOTAL PARKING SPACES PROVIDED:		100

LANDSCAPE LEGEND
(This information is required to be permanently affixed to the plan.)

Zoning District: BU-2 | Net Lot Area: 1.5 acres | 65,345 square feet

OPEN SPACE	REQUIRED	PROVIDED
A. Square feet of open space required by chapter 33, as indicated on site plan: Net lot area: 65,345 square feet x 16% = 10,455 square feet:	10,455	12,586
B. Square feet of parking lot open space required by Chapter 18A, as indicated on site plan: The number of parking spaces 100 x 10 square feet per parking space:	1,000	1,000
C. Total square feet of landscaped open space required by Chapter 33 = A + B:	11,455	13,586

LAWN AREA CALCULATION	REQUIRED	PROVIDED
A. Total square feet of landscape open space required by Chapter 33:	11,455	13,586
B. Maximum lawn area (St. Augustine sod) permitted = 20% x 11,455 square feet:	2,291	2,291

TREES	REQUIRED	PROVIDED
A. The number of trees required per net lot acre: Less the existing number of trees that meet minimum requirements: (minus) = xxxxx trees x net lot acreage:	22 – –	
B. 30% palm trees allowed (two palms = one tree) Palms provided:	6	20
C. Percentage of native trees required = the number of trees provided x 30%:	7	23
D. Street trees (max. average spacing of 35' o.c.): 504 linear feet along street/35: Palms as street trees (max. average spacing of 25' o.c.): 349 linear feet along street/25:	14 14	21 10
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.): 349 linear feet along street/25:	–	18
F. Total number of trees provided:	22	31

SHRUBS	REQUIRED	PROVIDED
A. The total number of trees required x 10 = the number of shrubs required:	220	270
B. The number of shrubs required x 30% = the number of native shrubs required:	66	232

IRRIGATION PLAN
Required by Chapter 33: Auto irrigation: N/A | Hose bib: 2

SYMBOL USED ON PLAN: Symbol	New	Existing	PLANT NAME: Scientific	Common	NATIVE SPECIES: Yes	No	CALIPER: Installed	HEIGHT: Installed	HEIGHT: Estimated at maturity	CANOPY DIAMETER: Estimated at maturity	QUANTITY
		X	SWIETENIA MAHOGONI	MAHOGANY	X		N/A	N/A	40'	25'	3
	X		SWIETENIA MAHOGONI	MAHOGANY	X		2"	12'	40'	25'	2
		X	SABAL PALMETTO	SABAL PALM	X		N/A	N/A	50'	50'	7
	X		SABAL PALMETTO	SABAL PALM	X		4"	15' OA	50'	50'	1
		X	ROYAL SPP.	ROYAL PALM	X		N/A	N/A	50'	50'	12
		X	TABEBUIA	TRUMPET TREE	X		N/A	N/A	35'	15'	8

LEGAL DESCRIPTION: (BY: GEOLINE)

PARENT PARCEL:
(PROVIDED BY THE CLIENT)
PARCEL 1 OF TRACT "A" TAMIAMI MARKET PLACE RECORDED IN PLAT BOOK 162, PAGE 11 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS:
COMMENCE AT THE SOUTHWEST CORNER OF SAID TRACT "A"; THENCE RUN N 01°50'24" W ALONG THE WEST LINE OF SAID TRACT "A", SAID LINE ALSO BEING THE EAST RIGHT OF WAY LINE OF SW 143RD AVENUE, FOR A DISTANCE OF 422.10 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE TO THE SOUTHEAST, HAVING FOR ITS ELEMENTS A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 91°32'56", THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE FOR AN ARC DISTANCE OF 39.95 FEET TO THE POINT OF TANGENCY; THENCE RUN N 89°42'25" E ALONG THE NORTH LINE OF SAID TRACT "A", SAID LINE ALSO BEING THE SOUTH RIGHT OF WAY LINE OF SOUTHWEST 8TH STREET (TAMIAMI TRAIL), FOR A DISTANCE OF 249.38 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREINAFTER DESCRIBED; THENCE CONTINUE N 89°42'25" E, ALONG THE NORTH LINE OF SAID TRACT "A" AND THE SOUTH RIGHT OF WAY LINE OF SW 8TH STREET (TAMIAMI TRAIL) FOR A DISTANCE OF 325.10 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHWEST, HAVING FOR ITS ELEMENTS A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 88°34'28"; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE FOR AN ARC DISTANCE OF 38.65 FEET TO THE POINT OF TANGENCY; THENCE RUN S 01°43'09" E ALONG THE EAST LINE OF SAID TRACT "A", SAID LINE ALSO BEING THE WEST RIGHT OF WAY LINE OF SOUTHWEST 142ND AVENUE, FOR A DISTANCE OF 158.11 FEET TO A POINT; THENCE RUN S 87°44'25" W FOR A DISTANCE OF 347.82 FEET TO A POINT; THENCE RUN N 02°10'57" W FOR A DISTANCE OF 194.48 FEET TO THE POINT OF BEGINNING.

T-MOBILE TOWER PARCEL:
(PREPARED BY THIS OFFICE)
THAT PART OF TRACT "A", TAMIAMI MARKETPLACE ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 182, PAGE 11 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT A DRILL HOLE MARKING THE INTERSECTION OF THE EASTERLY PROJECTION OF THE NORTH LINE OF TRACT "A", TAMIAMI MARKETPLACE, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 162, PAGE 11 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA WITH THE NORTHERLY PROJECTION OF THE EAST LINE OF SAID TRACT "A"; THENCE SOUTH 01°43'09" EAST ALONG SAID NORTHERLY PROJECTION AND ALONG SAID EAST LINE FOR 126.99 FEET; THENCE SOUTH 88°16'51" WEST FOR 98.50 FEET TO THE SOUTHEASTERLY EXTERIOR CORNER OF AN EXISTING BUILDING; THENCE SOUTH 87°38'44" WEST ALONG THE EXTERIOR FACE OF THE SOUTHERLY WALL OF SAID BUILDING FOR 57.11 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 02°21'18" EAST FOR 14.00 FEET; THENCE SOUTH 87°38'44" WEST FOR 8.00 FEET; THENCE NORTH 02°21'16" WEST FOR 14.00 FEET TO AN INTERSECTION WITH SAID EXTERIOR FACE; THENCE NORTH 87°38'44" EAST ALONG SAID EXTERIOR FOR 8.00 FEET TO SAID POINT OF BEGINNING
CONTAINING 112 SQUARE FEET, MORE OR LESS.

T-MOBILE ROOFTOP PARCEL
(PREPARED BY THIS OFFICE)
THAT PART OF THE MAIN ROOF LEVEL OF THE PRIMARY STRUCTURE SITUATED IN THE NORTHEAST PORTION OF TRACT "A", TAMIAMI MARKETPLACE ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 182, PAGE 11 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT A DRILL HOLE MARKING THE INTERSECTION OF THE EASTERLY PROJECTION OF THE NORTH LINE OF TRACT "A", TAMIAMI MARKETPLACE, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 182, PAGE 11 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA WITH THE NORTHERLY PROJECTION OF THE EAST LINE OF SAID TRACT "A"; THENCE SOUTH 01°43'09" EAST ALONG SAID NORTHERLY PROJECTION AND ALONG SAID EAST LINE FOR 126.99 FEET; THENCE SOUTH 88°16'51" WEST FOR 96.50 FEET TO THE SOUTHEASTERLY EXTERIOR CORNER OF AN EXISTING BUILDING; THENCE SOUTH 87°38'44" WEST ALONG THE EXTERIOR FACE OF THE SOUTHERLY WALL OF SAID BUILDING FOR 8.70 FEET; THENCE NORTH 02°18'58" WEST FOR 0.70 FEET TO AN INTERSECTION WITH THE INTERIOR FACE OF THE PARAPET WALL AROUND THE PERIMENTER OF THE MAIN ROOF LEVEL OF SAID BUILDING AND THE POINT OF BEGINNING; THENCE SOUTH 87°38'44" WEST ALONG SAID INTERIOR FACE FOR 9.90 FEET; THENCE NORTH 47°21'18" WEST FOR 23.83 FEET; THENCE NORTH 02°21'16" WEST FOR 9.90 FEET; THENCE SOUTH 47°21'16" EAST FOR 37.83 FEET TO AN INTERSECTION WITH SAID INTERIOR FACE AND SAID POINT OF BEGINNING.
CONTAINING 216 SQUARE FEET, MORE OR LESS.

T-Mobile
8100 SW 10th STREET
SUITE 1000
PLANTATION, FL 33324
TEL: (954) 693-7100
FAX: (954) 693-7200

MACTEC
MACTEC ENGINEERING & CONSULTING, INC
CORPORATE OFFICE
1105 LAKEWOOD PARKWAY
ALPHARETTA, GA 30004
LOCAL OFFICE
5845 NW 158th STREET
MIAMI LAKES, FL 33014
TEL: (305) 826-5588
FAX: (305) 826-1799
CERTIFICATE OF AUTHORIZATION #: 6090

PROJECT NO.: 6788-07-1233 (50)

MD[illegible]33[illegible]
14200 SW 8th STREET
MIAMI, FL 33184

SHEET NAME: SITE DATA
SHEET NUMBER: Z2.2

28

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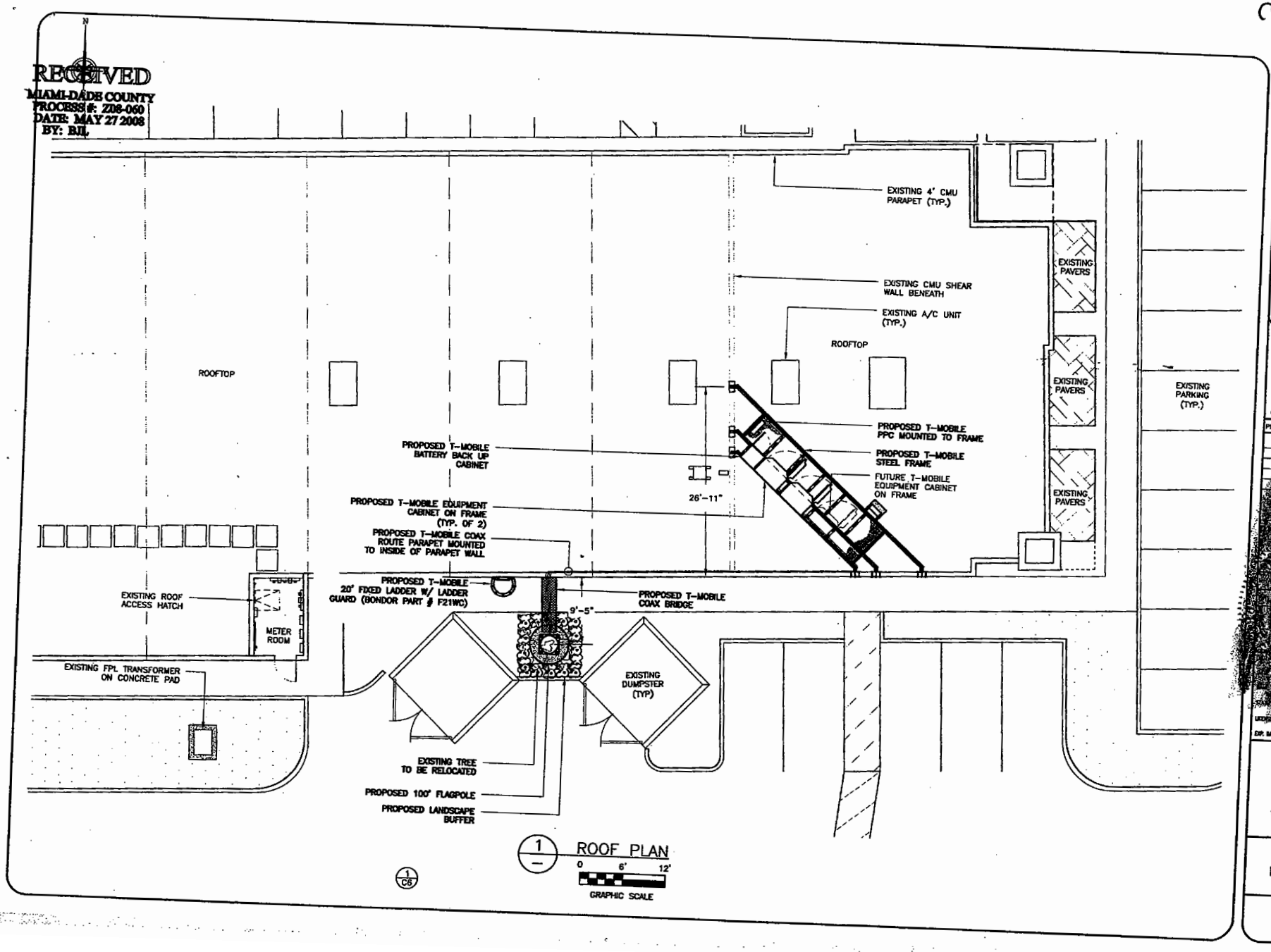
RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z08-060
DATE: MAY 27 2008
BY: BJL



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CERTIFICATE OF AUTHORIZATION # 6090

PROJECT NO.: 6788-07-1233 (50)

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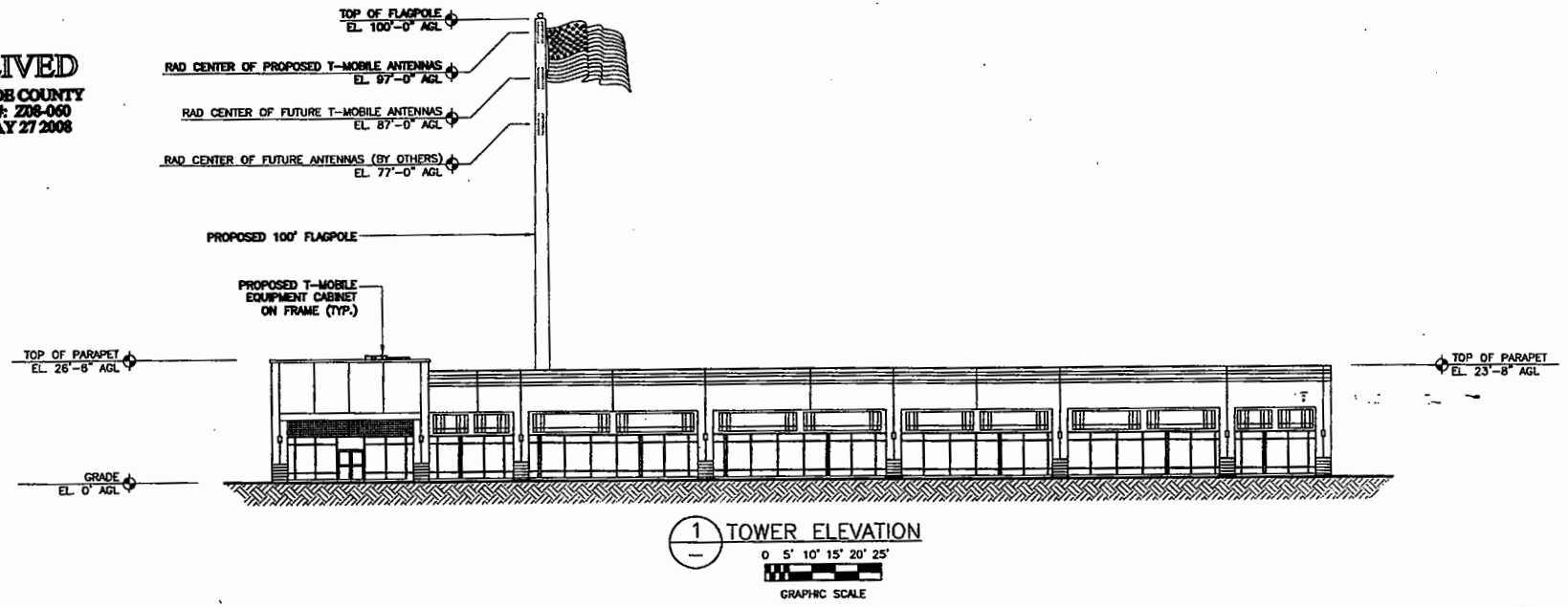
LICENSE NO.:
EXP. DATE: 02/28/09

SHOPPES OF TAMIAMI
MD1233A
14200 SW 8th STREET
MIAMI, FL 33184

SHEET NAME
ROOF PLAN

SHEET NUMBER
Z3

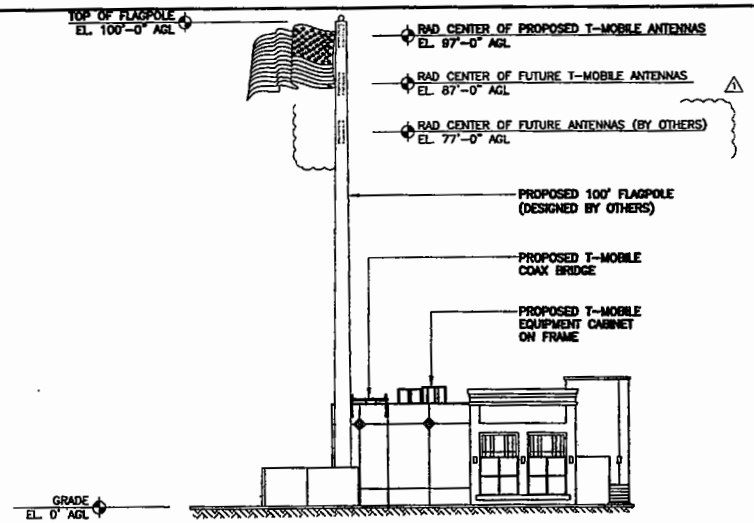
RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z08-060
DATE: MAY 27 2008
BY: BIL



1 TOWER ELEVATION

0 5' 10' 15' 20' 25'

GRAPHIC SCALE



2 EAST ELEVATION

0 5' 10' 15' 20' 25'

GRAPHIC SCALE

T-Mobile
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SUITE 1000
PLANTATION, FL 33324
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FAX: (954) 693-7200

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CORPORATE OFFICE
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ALPHARETTA, GA 30004
LOCAL OFFICE
5845 NW 158th STREET
MIAMI LAKES, FL 33014
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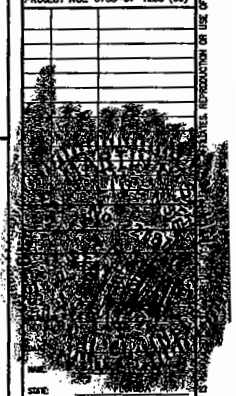
CERTIFICATE OF AUTHORIZATION # 6090

PROJECT NO.: 6788-07-1233 (50)



STATE:
LICENSE No.: 22787
EXP. DATE: 02/28/09

SHOPPES OF TAMIAMI
MD1233A
14200 SW 8th STREET
MIAMI, FL 33184

SHEET NAME
TOWER ELEVATION

SHEET NUMBER
Z4

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31

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z08-060
DATE: MAY 27 2008
BY: BJL

1 LINE OF SIGHT FROM RESIDENCE ON SW 8th TERRACE

0 20' 40'
GRAPHIC SCALE

SHRUBS AND GROUND COVER						
SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE		COMMENTS
CHR	16	CHRYSOBALANUS ICACO "RED TIP"	RED TIP COCOPLUM	24" x 24"		FULL TO BASE
MULCH	TBD	FLORA MULCH OR EQUIVALENT	–	–	STD GRADE B MULCH TO BE INSTALLED AT 3" DEPTH	

2 LANDSCAPE PLAN

0 2' 4' 6'
GRAPHIC SCALE

NOTES:

1. TOP OF SHRUB ROOTBALLS TO BE PLANTED 1" – 2" HIGH WITH SOIL MOUNDING UP TO THE TOP OF THE ROOTBALL.
2. PRUNE ALL SHRUBS TO ACHIEVE A UNIFORM MASS/HEIGHT.
3. 3" MINIMUM SHREDDED CYPRESS MULCH TAPERED TO GRADE 2" FROM TRUNK.
4. EXCAVATE ENTIRE BED SPECIFIED FOR GROUNDCOVER BED.
5. FINISHED GRADE.
6. PREPARED PLANTING SOIL AS SPECIFIED. NOTE: WHEN GROUNDCOVERS AND SHRUBS USED IN MASSES ENTIRE BED TO BE AMENDED WITH PLANTING SOIL MIX AS SPECIFIED.
7. SCARIFY ROOTBALL SIDES AND BOTTOM.

3 SHRUB DETAIL
NTS

T-Mobile
8100 SW 10th STREET
SUITE 1000
PLANTATION, FL 33324
TEL: (954) 693-7100
FAX: (954) 693-7200

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5845 NW 158th STREET
MIAMI LAKES, FL 33014
TEL: (305) 826-5588
FAX: (305) 826-1799

CERTIFICATE OF AUTHORIZATION # 5090
PROJECT NO.: 6788-07-1233 (50)

[redacted]
LICENSE No:
EXP. DATE 02/28/09

SHOPPES OF TAMIAMI
MD1233A
14200 SW 8th STREET
MIAMI, FL 33184

SHEET NAME
LINE OF SIGHT AND LANDSCAPE DETAILS

SHEET NUMBER
Z5

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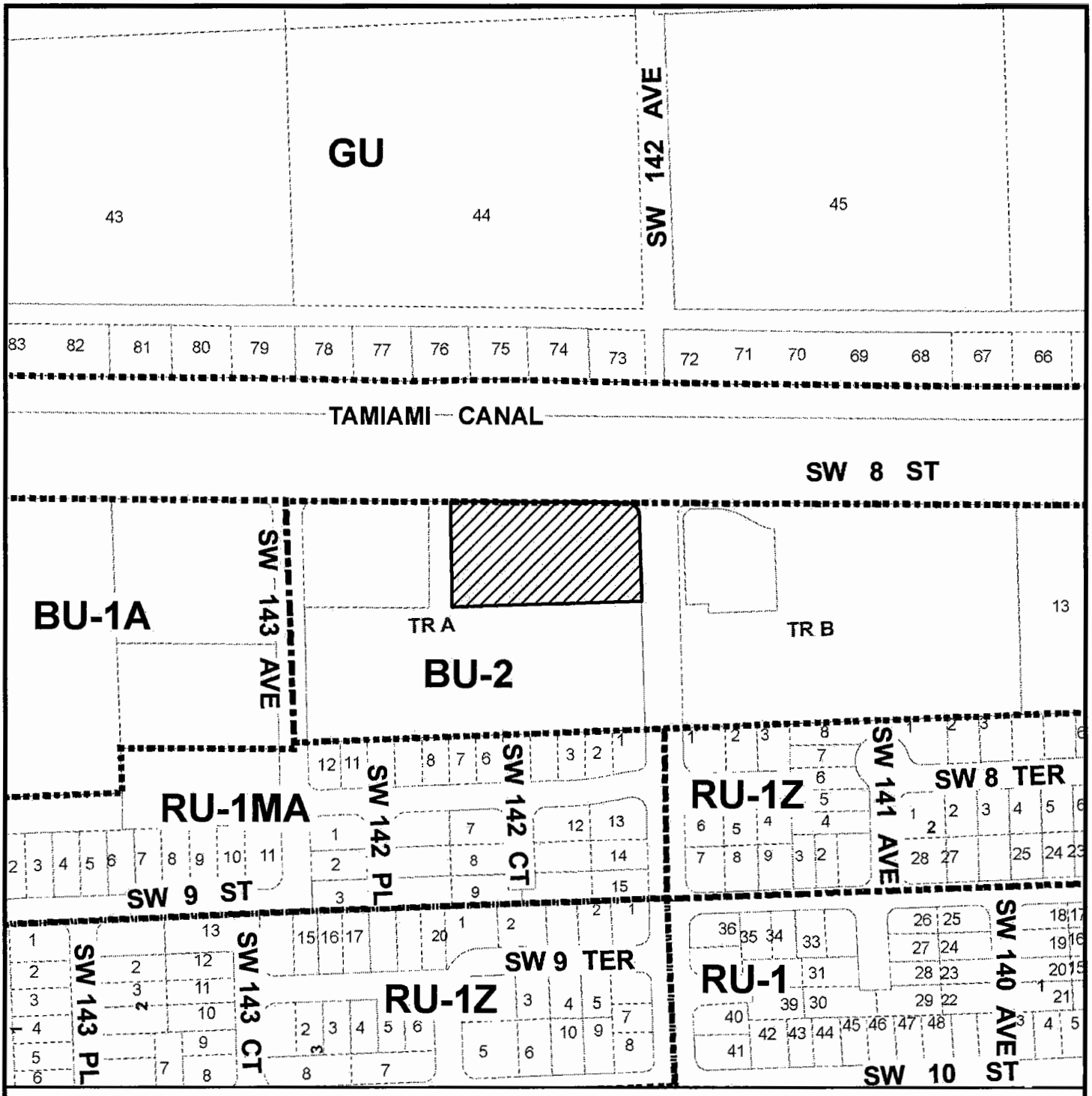


MIAMI-DADE COUNTY
HEARING MAP

Process Number

08-060

Section: 03 Township: 54 Range: 39
Applicant: T MOBILE SOUTH LCC & FIRC TAMIAMI LCC
Zoning Board: C10
District Number: 11
Drafter ID: JEFFER
Scale: NTS

SUBJECT PROPERTY

N W E S

MIAMI-DADE COUNTY

CREATED ON: 08/17/08

REVISION	DATE	BY
32		

MIAMI-DADE COUNTY
AERIAL

Process Number

08-060

N
W E
S

SUBJECT PROPERTY

Section: 03 Township: 54 Range: 39
Applicant: T MOBILE SOUTH LCC & FIRC TAMIAMI LCC
Zoning Board: C10
District Number: 11
Drafter ID: JEFFER
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 08/17/08

REVISION	DATE	BY

5. CALO G. LIBERTELLA
(Applicant)

08-10-CZ10-5 (08-66)
Area 10/District 12
Hearing Date: 10/30/08

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:

Year	Applicant	Request	Board	Decision
1989	William Brody	Zone change from RU-1 to IU-1.	BCC	Approved w/conds.
1990	William Brody	Zone change from RU-1 to IU-1.	BCC	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. 10

APPLICANT: Calo G. Libertella **PH:** Z08-66 (08-10-CZ10-5)

SECTION: 31-53-40 **DATE:** October 30, 2008

COMMISSION DISTRICT: 12 **ITEM NO.:** 5

==========

A. INTRODUCTION

- **REQUEST:**

  RU-1 and IU-1 to IU-1

- **SUMMARY OF REQUEST:** The applicant seeks to change the zoning on the subject property from RU-1, Single Family Residential District, and IU-1, Light Industrial Manufacturing District, to IU-1.

- **LOCATION:** The northeast corner of N.W. 109 Avenue and N.W. 23 Street, Miami-Dade County, Florida.

- **SIZE:** 300' x 120'

- **IMPACT:** The approval of the requested district boundary change will provide industrial uses which could potentially generate additional traffic and noise in the area.

B. ZONING HEARINGS HISTORY: In 1989, a portion of the subject property (Lots 18 and 19) was granted a district boundary change from RU-1, Single Family Residential District, to IU-1, Light Industrial Manufacturing District, by the Board of County Commissioners (BCC), pursuant to Resolution No. Z-267-89. Subsequently, in 1990, a portion of the subject property (Lot 15) was granted a district boundary change from RU-1 to IU-1 by the BCC, pursuant to Resolution No. Z-129-90.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property for **Industrial and Office** use. Manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, and similar uses are permitted in areas designated as "Industrial and Office" on the LUP map. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. The full range of telecommunication facilities, including switching and transmission facilities, satellite telecommunications facilities, microwave towers, radar stations and cell towers is also allowed. Very limited commercial uses to serve the firms and workers in the industrial and office area are allowed dispersed as small business districts and centers throughout the industrial areas. Hotels and motels are also authorized. Freestanding retail and personal service uses and shopping centers larger than 10 acres in size are prohibited in these areas because they would deplete the industrial land supply and they are better located in commercially designated areas and in closer proximity to residential areas. Freestanding retail and personal service uses and shops that are approved in Industrial and Office areas should front on major access roads, particularly near major intersections. In addition, uncommon commercial uses such as amusement uses, and

others with unusual siting requirements may also be considered at appropriate locations. Quarrying activities and ancillary uses may also be approved in areas designated Industrial and Office where compatible with the surrounding area and environment. The specific range and intensity of uses appropriate in a particular Industrial and Office area vary by location as a function of the availability of public services and access and, among other factors, compatibility with neighboring development. Through the zoning review process, use of particular sites or areas may be limited to something less than the maximum allowed in this category. Moreover, special limitations may be imposed where necessary to protect environmental resources.

2. **Uses and Zoning Not Specifically Depicted.** Some existing uses and zoning are not specifically depicted on the LUP map. All existing lawful uses and zoning are deemed to be consistent with this 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 districts and uses. All approval of new industrial locations must be consistent with the LUP map or the specific exceptions provided in the various LUP map categories, the objectives and policies of this Plan.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
RU-1 and IU-1; vacant	Industrial and Office
Surrounding Properties:	
NORTH: IU-1; vehicle open-lot storage	Industrial and Office
SOUTH: IU-1; vehicle open-lot storage	Industrial and Office
EAST: RU-1; vacant	Industrial and Office
WEST: IU-2; warehouse	Industrial and Office

The subject property consists of multiple interior lots and a corner lot and is located on the northeast corner of N.W. 109 Avenue and N.W. 23 Street. The area where the subject property lies is known as Truman City and is predominantly characterized by industrial uses such as open lot storage yards and vacant parcels land.

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**

*Subject to the Board's acceptance of the proffered covenant.

F. PERTINENT REQUIREMENTS/STANDARDS:

In evaluating an application for a **district boundary change, Section 33-311** provides that the Board shall take into consideration, among other factors the extent to which:

(1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;

(2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;

(3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;

(4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;

(5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

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**

*Subject to the conditions indicated in their memoranda.

H. ANALYSIS:

The subject property consists of multiple interior lots and a corner lot and is located on the northeast corner of N.W. 109 Avenue and N.W. 23 Street in an area known as Truman City. The area where the subject property lies is predominantly characterized by industrial uses such as open lot storage yards and vacant parcels land. The applicant is seeking a zone change on the subject property from RU-1, Single Family Residential District, and IU-1, Light Industrial Manufacturing District, to IU-1. Plans submitted for this application depict the development of the site with a one-story 15,102 sq. ft. warehouse and office building. Substantial landscaping in the form of Gumbo Limbo, Pigeon Plum, and Pitch Apple trees as well as a Silver Buttonwood hedge are provided throughout the site. It should be noted that the applicant has voluntarily proffered a covenant that restricts the development of the site to the submitted plans.

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. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The **Public Works Department** also has **no objections** to this application. Their memorandum indicates that this application meets the traffic concurrency criteria and will generate **18** additional daily PM peak hour vehicle **trips**. However, the traffic distribution of these trips to the adjacent roadways does not exceed the acceptable Levels of Service (LOS) which are currently operating at LOS "C" and "D". The Miami-Dade Fire Rescue Department **(MDFR)** does not object to this application and their memorandum indicates that the estimated average travel response time is **8:01** minutes.

The approval of this application will allow the applicant to utilize the subject property for light industrial uses in accordance with the IU-1 zoning classification. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Industrial and Office** use. Uses permitted in these areas are manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, and similar uses are permitted in areas designated as "Industrial and Office" on the LUP map. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. The full range of telecommunication facilities, including switching and transmission facilities, satellite telecommunications facilities, microwave towers, radar stations and cell towers are also allowed. The IU-1 zoning district allows uses such as auto paint and body shops, automobile repair garages, lumberyards, restaurants, wholesale salesrooms and manufacturing operations. Existing uses already occurring in the area include warehouse facilities, car and truck open-lot storage yards, and vacant parcels of land. Therefore, the applicant's request to rezone the property from RU-1 and IU-1 to IU-1 is **consistent** with the goals and objectives of the CDMP and consistent with the development trend toward industrial uses in the area.

When considering district boundary changes, the Board shall hear and grant or deny applications by taking into consideration if the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable

commitment of natural resources will occur as a result of the proposed development. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently utilize or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways. Staff opines that the rezoning of the subject site to IU-1 will not have an unfavorable impact on the environment based upon the favorable recommendation issued by the Department of Environmental Resources Management (DERM) pursuant to their memorandum pertaining to this application. The development of the subject property will not have an unfavorable economic impact on Miami-Dade County and will not unduly burden water, sewer, solid waste disposal, or other necessary public facilities. Additionally, the rezoning does not unduly burden or affect public transportation facilities since the 18 additional daily peak hour vehicle trips do not diminish the current LOS of the area roadways as indicated in the Public Works Department's memorandum. Staff's research reveals that several properties in the surrounding area have recently been granted requests for district boundary changes to IU-1. For example, property located at 10899 NW 22 Street, approximately 288' to the south of the subject site, was granted a district boundary change from RU-1 to IU-1 in March 2008, pursuant to Resolution No. CZAB10-14-08. Additionally, in April 2007, property located at 2380 NW 108 Avenue, approximately 181' to the northeast of the subject site, was granted a district boundary change from RU-1 to IU-1, pursuant to CZAB10-27-07. As such, staff opines that the approval of IU-1 zoning would be in keeping with the character of the surrounding industrial uses in the area, and therefore, would be **compatible** with same and **consistent** with the Industrial and Office land use designation of the CDMP. As such, staff recommends approval of the district boundary change from RU-1 and IU-1 to IU-1 subject to the Board's acceptance of the proffered covenant.

I. RECOMMENDATION:

Approval subject to the Board's acceptance of the proffered covenant.

J. CONDITION: None.

DATE INSPECTED: 05/02/08
DATE TYPED: 08/05/08
DATE REVISED: 08/08/08; 08/29/08; 09/15/08
DATE FINALIZED: 09/30/08
MCL:MTF:LVT:TA:NC

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

Memorandum

MIAMI-DADE COUNTY

Date: May 27, 2008

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

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

Subject: C-10 #Z2008000066
Calo G. Libertella
2301 N.W. 109th Avenue
District Boundary Change from RU-1 and IU-1 to IU-1
(RU-1/IU-1) (0.82 Acres)
31-53-40

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.

Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

A Surface Water Management Individual Permit from the South Florida Water Management District shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site development, final plat or public works approval of paving and drainage plans. The applicant is advised to contact DERM for further information regarding permitting procedures and requirements.

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year/1-day storm event with full on-site retention of the 25-year/3-day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP, subject to compliance with the conditions required by DERM for this proposed development order.

Hazardous Materials Management
Due to the nature of uses allowed in the proposed zoning classification, the applicant may be required to obtain DERM approval for management practices to control the potential discharge and spillage of pollutants associated with some land uses permitted in the requested zoning district. The applicant is advised to contact the Permitting Section of DERM's Pollution Regulation and Enforcement Division, at (305) 372-6600 concerning permitting requirements for fuel storage facilities.

Operating Permits
Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that due to the nature of some land uses permitted under the proposed zoning classification, operating permits from DERM may be required. The Permitting Section of DERM's Pollution Regulation and Enforcement Division may be contacted at (305) 372-6600 for further information concerning operating requirements.

Fuel Storage Facilities
Section 24-45 of the Code outlines regulations for any proposed or existing underground storage facilities. The regulations provide design, permitting, installation, modification, repair, replacement and continuing operation requirements and criteria. In addition, monitoring devices, inventory control practices and pressure testing of fuel storage tanks is required. The applicant is advised to contact the Permitting Section of DERM's Pollution Regulation and Enforcement Division, at (305) 372-6600 concerning permitting requirements for fuel storage facilities.

Pollution Remediation
The applicant is advised that there are records of current contamination assessment or remediation issues related to landfill activity abutting the subject property, Marks Brothers, 1751 N.W. 110th Avenue, SW-1016/F-11592. This site is currently under assessment.

Wetlands
Although the subject property is located within a designated wetland basin, the subject property does not contain jurisdictional wetlands as defined by Section 24-5 of the Code. Therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600), and the South Florida Water Management District (1-800-432-2045), may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation
There are no tree resources issues on the subject property.

Enforcement History
DERM has found no open or closed enforcement record for the subject property.

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 discus this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

PH# Z2008000066
CZAB - C10

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:CALO G LIBERTELLA

This Department has no objections to this application.

Additional improvements may be required at time of permitting.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 18 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveals that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
9408	NW 25 St. w/o NW 107 Ave.	C	C
9510	NW 107 Ave. n/o NW 12 St.	D	D

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.

Raul A Pino, P.L.S.
03-JUL-08

Memorandum

Date: 08-MAY-08

To: Subrata Basu, Interim Director
Department of Planning and Zoning

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2008000066

Fire Prevention Unit:

APPROVAL
Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped April 21, 2008. Any changes to the vehicular circulation must be resubmitted for review and approval.
This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for zoning hearing applications only. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDFR requirements.

Service Impact/Demand:

Development for the above Z2008000066
located at THE NORTHEAST CORNER N.W. 109 AVENUE AND N.W. 23RD STREET. MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1144 is proposed as the following:

N/A residential	dwelling units	N/A industrial	square feet
1,500 Office	square feet	N/A institutional	square feet
12,930 Retail	square feet	N/A nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 4.17 alarms-annually.
The estimated average travel time is: 8:01 minutes

Existing services:

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

Station 29 - Sweetwater - 351 SW 107 Avenue
Rescue, ALS 50' Squrt, Battalion

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

Station 68 - Dolphin - NW 112 Ave & 17 Street

Fire Planning Additional Comments:

Current service impact calculated based on plans date stamped April 21, 2008. Substantial changes to the plans will require additional service impact analysis.

DATE: 04/30/08

TEAM METRO

ENFORCEMENT HISTORY

CALO G LIBERTELLA	THE NORTHEAST CORNER N.W. 109 AVENUE AND N.W. 23RD STREET. MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2008000066

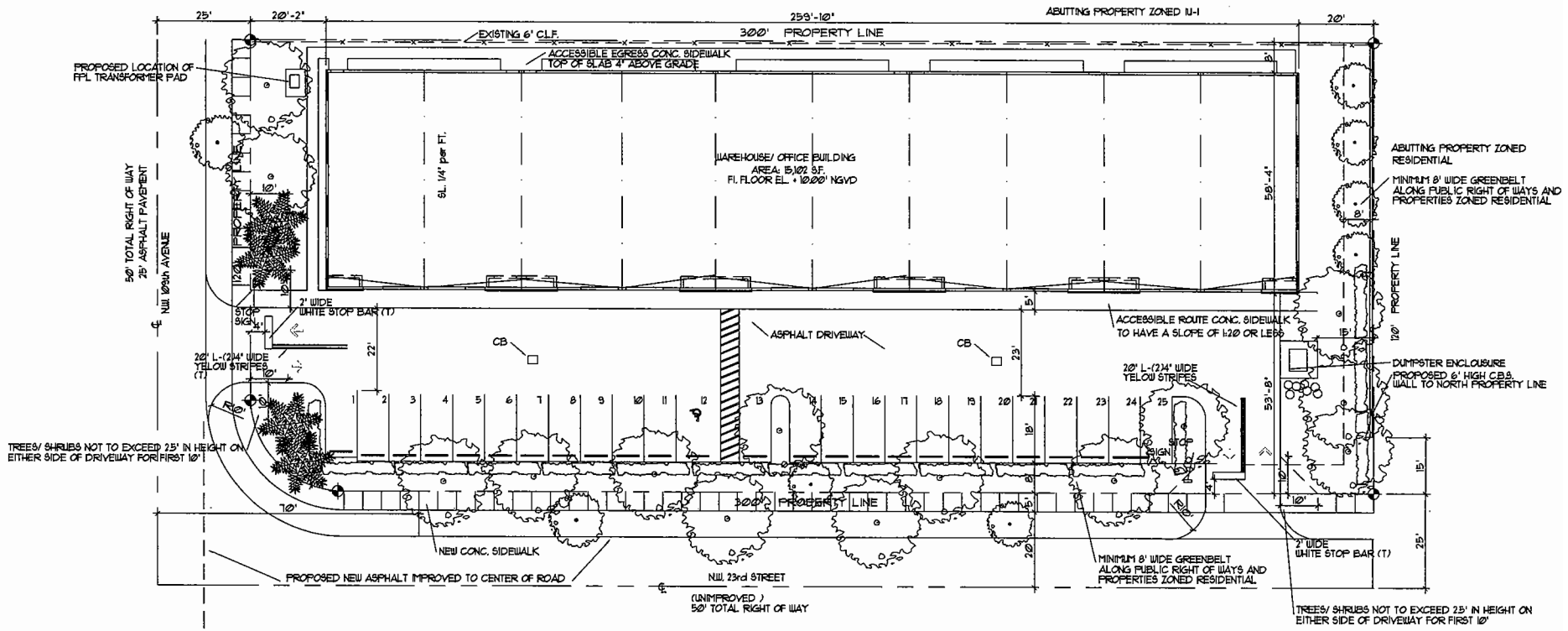
HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

No violations oberved

Osiel Morales

STORAGE OF COMBUSTIBLES UNLESS A COMPLETE AUTOMATIC FIRE SPRINKLER SYSTEM IS PROVIDED FOR THAT BAY AS REQUIRED BY SECTION 1-8-152 OF THE FLORIDA FIRE PREVENTION CODE.



LEGAL DESCRIPTION

LOTS 14, 15, 16, 17, 18, AND 19 BLOCK 3 , HAMPTON PARK
ACCORDING TO THE PLAT THEREOF , AS RECORDED IN PLAT BOOK 48, PAGE 58
OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

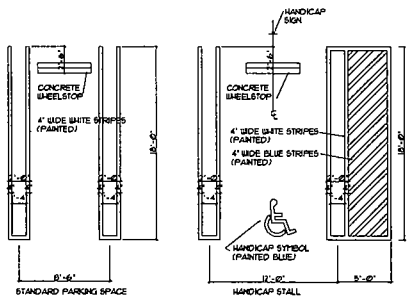
SITE PLAN

SCALE 1" = 20'-0"

RECEIVED
2008-066
MAY 27 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY
1st Rev.

ENLARGED SITE PLAN

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: 208.066
DATE: MAY 27 2008
BY: RDR



PARKING STRIPPING DETAIL TYP.

SCALE = NTS

AREA BREAKDOWN	
TOTAL OFFICE AREA:	1,000 S.F.
TOTAL WAREHOUSE AREA:	13,360 S.F.

PARKING SPACES REQUIRED

OFFICE SPACE =	1,000 SF / 300 = 5 SPACES
WAREHOUSE SPACE =	13,360 S.F./ 1,000 = 13 SPACES
TOTAL REQUIRED =	18 SPACES

PARKING SPACES PROVIDED

REGULAR 8.5' x 18' =	24 SPACES
HANDICAP 12' x 18' =	1 SPACES
TOTAL PROVIDED =	25 SPACES

ZONING LEGEND

BUSINESS, INDUSTRIAL, MULTIPLE FAMILY DEVELOPMENT

ZONING: U-1

HEIGHT (TO RIDGE OF ROOF) 21'-6"
NET LAND AREA 35,715 SQFT.
LOT COVERAGE (EVERYTHING UNDER ROOF): 14,360 SQFT. +42%

SET BACKS:

	REQUIRED:	PROVIDED:
FRONT	REQ. 25'-0"	53'-0"
INTERIOR SIDE	REQ. 5'-0"	30'-0"
SIDE STREET	REQ. 25'-0"	26'-7"
REAR	REQ. 0'-0"	8'-0"

SITE TO BE FILLED TO COUNTY FLOOD CRITERIA ELEVATION NGVD, OR AN ELEVATION NO LESS THAN THE HIGHEST APPROVED CROWN ELEVATION OF THE ROAD ABUTTING THE PROPERTY.

AREA ADJACENT TO LAKE OR CANAL TO BE GRADED SO AS TO PREVENT DIRECT OVERLAND DISCHARGE OF STORM WATER INTO LAKE OR CANAL.

LOT MILL TO BE GRADED SO AS TO PREVENT DIRECT OVERLAND DISCHARGE OF STORM WATER ONTO ADJACENT PROPERTY. APPLICANT WILL PROVIDE CERTIFICATION PRIOR TO FINAL INSPECTION.

ANY APPLICABLE RESOLUTION: _____

NOTICE: IN ADDITION TO THE REQUIREMENTS OF THIS PERMIT, THERE MAY BE ADDITIONAL RESTRICTIONS APPLICABLE TO THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF DADE COUNTY, SECTION 33-1.79(10), FLORIDA STATUTES, EFFECTIVE 1/81/81

APPLICANT: MUST COMPLY WITH SECTION 11-13.1 OF THE MIAMI DADE COUNTY CODE, REGARDING NOTICE OF ROCK MINING OPERATIONS WHERE BLASTING IS PERMITTED, PRIOR TO STARTING CONSTRUCTION.

PARKING: OPEN PARKING LOTS, PARKING FOR NON-ENCLOSED AREAS UNDER OR WITHIN BUILDINGS, WILL BE LIGHTED AS REQUIRED BY CHAPTER 18-C OF MIAMI-DADE COUNTY CODE.

LANDSCAPING: ALL LANDSCAPE AREA WILL HAVE A SPRINKLER SYSTEM.

NOTE: ALL SIGNS DELETED FROM THIS PLAN AND REQUIRE SEPERATE PLANS, APPLICATIONS AND PERMITS.

FLOOD LEGEND

Commercial, Industrial

FOLIO 30-3051-001-0540, 20, 30, 40, 50, 60 ADDRESS 10XXX NW 33rd STREET
LOT 14, 15, 16, 17, 18, 19 BLOCK 3 SUBDIVISION HAMPTON PARK
PLAT BOOK 48 PAGE: 36 METES AND BOUND

HIGHEST CROWN OF ROAD ELEV: 9.0 FT. NGVD, HIGHEST CROWN OF ROAD ELEVATION WAS TAKEN FROM THE ATTACHED CERTIFIED SURVEY PREPARED BY:

RENE ARGUELLES PLS LIC. # 4371
SURVEYOR'S NAME

DRAINAGE PLANS SHALL BE ATTACHED (IF GREATER THAN 3 ACRES, IMPERVIOUS PLANS SHALL BE STAMPED WITH THE DERM-WATER CONTROL SECTION APPROVAL).
DERM-UIC SURFACE WATER MANAGEMENT PERMIT COPY ATTACHED
SFWMD- ENVIRONMENTAL RESOURCES PERMIT COPY ATTACHED
TOTAL IMPERVIOUS AREA _____ UNDERGROUND PARKING- YES / NO (CIRCLE ONE)
IF YES, WATERPROOFING PLANS AND CERTIFICATE SHALL BE ATTACHED.
BASEMENT - YES / NO (CIRCLE ONE)
HAVE THIS SITE OR OTHER PORTION OF THIS PROPERTY BEEN GRANTED A CLOVER OR FINAL CLOVER YES / NO.

	LOWEST FLOOR ELEVATION INCLUDING BASEMENT- SUNKEN AREAS	ADJACENT GRADE ELEVATION NEXT TO WALL OF STRUCTURE	CATCH BASIN ELEVATION
PROPOSED	10.00 FT. NGVD.	9.5' FT. NGVD.	8.75' FT. NGVD.

6'-0" = 9.67 NGVD.

FLOOD ZONE, AH
BASE= 9.0'

NOTE, THIS WAREHOUSE IS CLASSIFIED AS 'NON COMBUSTIBLE'
THIS WILL SEVERELY RESTRICT THE MATERIALS THAT CAN BE STORED AND USED IN THIS LOCATION PER FBC 2001, NFPA SEC. 1103.3 AND NFPA 230 SEC. 7-12
OWNER WILL BE RESPONSIBLE TO VERIFY THAT IN ALL CASES THE USE AND OCCUPANCY OF THE PROPOSED TENANT IS IN FULL COMPLIANCE WITH THE REQUIREMENTS AS DETAILED ABOVE.
FOR THIS IS NON COMBUSTIBLE STORAGE.
BY BUILDING DESIGN NO UNITS CAN BE USED FOR THE STORAGE OF COMBUSTIBLES UNLESS A COMPLETE AUTOMATIC FIRE SPRINKLER SYSTEM IS PROVIDED FOR THAT UNIT AS REQUIRED BY SECTION 1-8-93.2 OF THE FLORIDA FIRE PREVENTION CODE

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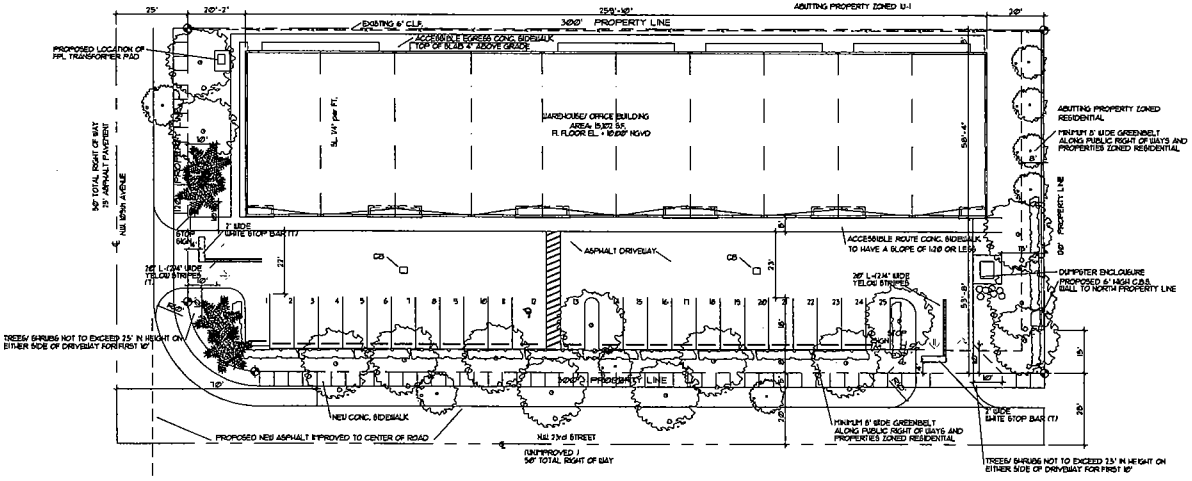
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY
1ST RW.



LEGAL DESCRIPTION

LOTS 14, 15, 16, 17, 18, AND 19 BLOCK 3 , HAMPTON PARK ACCORDING TO THE PLAT THEREOF , AS RECORDED IN PLAT BOOK 48, PAGE 36 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

SITE PLAN

SCALE 1" = 20'-0"

ARMANDO DAVILA
Architect P.A.
21400 Silver Palm Dr. Miami, FL 33170
A.R.#86000844 (305)246-8616

A.R.#8338 Armando Davila

To the best of my knowledge, the plans and specifications comply with the applicable minimum building codes and the applicable fire -safety standards as determined by the local authority in accordance with Section 105 and 633 Florida Statutes.

OWNER:
CALOGERO LIBERTELLA
14711 S.W. 152nd PLACE
MIAMI, FLORIDA 33196
(305) 213-2192

DORAL COMMERCE CENTER

2301 NW 129th AVENUE
MIAMI DADE, FLORIDA 33172

Date	Revisions
Checked	A.D.
Drawn	CAD
Date	08-5-08
Job no.	C-104

A-1

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MIAMI-DADE COUNTY
PROCESS #: 208.066
DATE: MAY 27 2008
BY: [illegible]

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MAY 27 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY
1st Rev

ARMANDO DAVILA
Architect P.A.
21400 Silver Palm Dr. Miami, FL 33170
A.A.#26000844 (305)246-8616

A.R.#9338 Armando Davila

To the best of my knowledge, the plans and specifications comply with the applicable minimum building codes and the applicable fire -safety standards as determined by the local authority in accordance with Section 125 and 633 Florida Statutes.

OWNER:
CALOGERO LIBERTELLA
14671 SW 152nd PLACE
MIAMI, FLORIDA 33196
(305) 215-7152

DORAL COMMERCE CENTER

23601 NW 58th AVENUE
MIAMI DADE, FLORIDA 33172

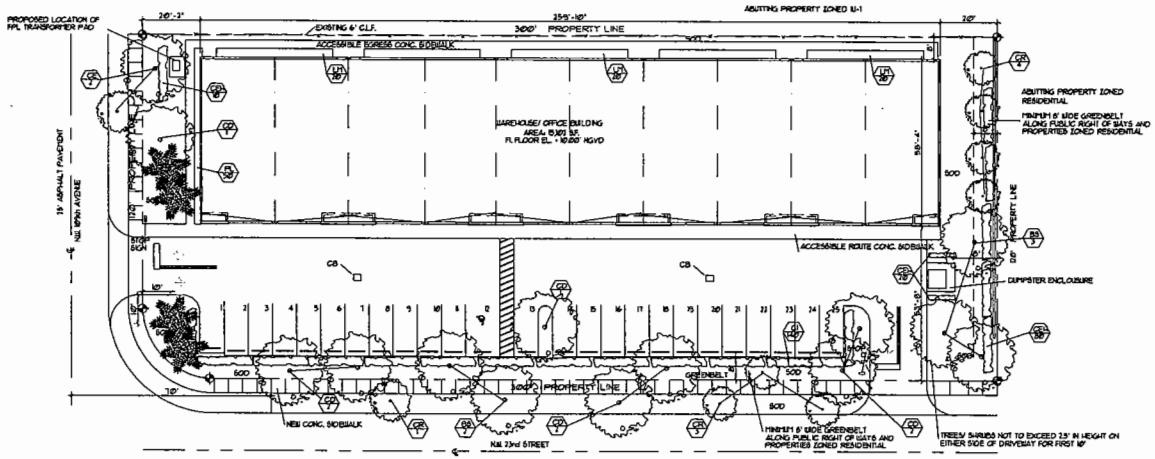
LANDSCAPE LEGEND

ZONING DISTRICT: IU-1 NET LOT AREA: .83 acres 36,000 s.f.

	REQUIRED	PROVIDED
OPEN SPACE		
A1. Square Feet of open space required by Chapter 33, as indicated on site plan: Net lot area = 36,000 s.f. x 15 % = 5,400 s.f.	5,400 SF	
B1. Square Feet of parking lot open space required by Chapter 18 A, as indicated on site plan: Number of parking spaces = 76 x 10 s.f. per parking space = 760 SF	760 SF	760 SF
C1. Total s.f. of landscaped open space required by Chapter 33: A1 + B1 =	5,660 SF	8,550 SF
LAWN AREA CALCULATION		
A1. Total s.f. of landscaped open space required by Chapter 33=	5,660 SF	
B1. Maximum lawn area (ST.Augustine sod) permitted -30% x 5,660 s.f. = 1,132 s.f.	1,132 SF	1,140
TREES		
A1. Number of trees required per net lot acre	15	
Less existing number of trees meeting minimum requirements	0	
= 15 trees x net lot acres =	13	13
B1. 30 % Palms allowed: (two palms= one tree) Palms provided	4	4
C1. Percentage of Native trees required. Number of trees provided x 30% =	0	0
D1. Street trees (medium average spacing of 35' o.c.): 420 linear feet along street / 35 =	12	12
Palms as street trees (max. average spacing 25' o.c.). linear feet along street / 25'=	0	0
E1. Street trees located directly beneath power lines (minimum average spacing of 25' o.c.) linear feet along street / 25 =	0	0
F1. Total number of trees provided=		25
SHRUBS		
A1. Number of trees required x 10 = the number of shrubs required	250	250
B1. Number of shrubs allowed x 30% = Number of native shrubs required	75	250

IRRIGATION PLAN. Required by Chapter 33. Auto irrigation or hose bibb provided.

SYMBOL USED ON PLANS	NEW	EXIST.	PLANT NAME SCIENTIFIC	PLANT NAME COMMON	NATIVE SPECIES YES/NO	CALIPER INSTALLED	HEIGHT INSTALLED	QTY.
BS	X		Bursera simaruba	Gumbo-limbo	yes	2"	12'	5
CD	X		Coccoloba Diversifolia	Pigeon Plum	yes	2"	12'	8
CE	X		Conocarpus Erectus	Silver Buttonwood	yes	2"	11'	3
CR	X		Clusia Roseа	Pitch Apple	yes	2"	12'	8
RE	X		Roystonia Elata	Florida Royal Palm	yes		14'	4
CI	X		Chrysobalanus Icaco	Cocoplum	yes	6	24"H, 36"O.C.	140
CBH	X		Conocarpus Erectus	Silver Buttonwood	yes	6	1 GAL. 36"H, 36"O.C.	80
	X							
PL	X		Pentas Lanceolata	Egyptian Star Flower	no	6	1 GAL. 12"OTC.	56
LT	X		Liriope Muscari	Evergreen Giant	no	6	1 GAL. 12"OTC.	100
SOD	X		Stenotaphrum Secundatum	St. Augustine Grass	yes	6	3"	—

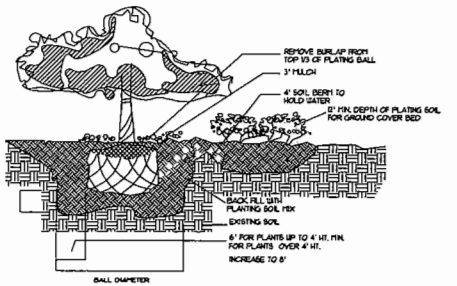


LEGAL DESCRIPTION

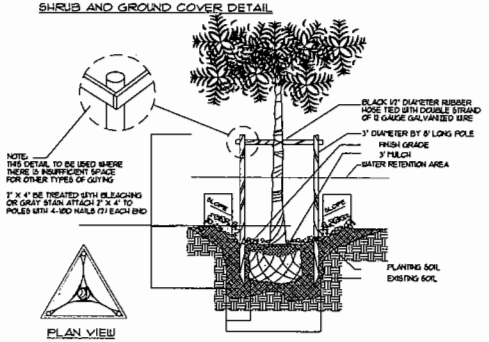
LOTS 14, 15, 16, 17, 18, AND 19 BLOCK 3 , HAMPTON PARK.
ACCORDING TO THE PLAT THEREOF , AS RECORDED IN PLAT BOOK 48, PAGE 58 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

LANDSCAPE PLAN

SCALE 1" = 20'-0"



SHRUB AND GROUND COVER DETAIL



PLAN VIEW

TREE PLANTING DETAIL

Date	Revisions
Checked	A.D.
Drawn	CAO
Date	09-5-07
Job no.	C-104

L-1

16

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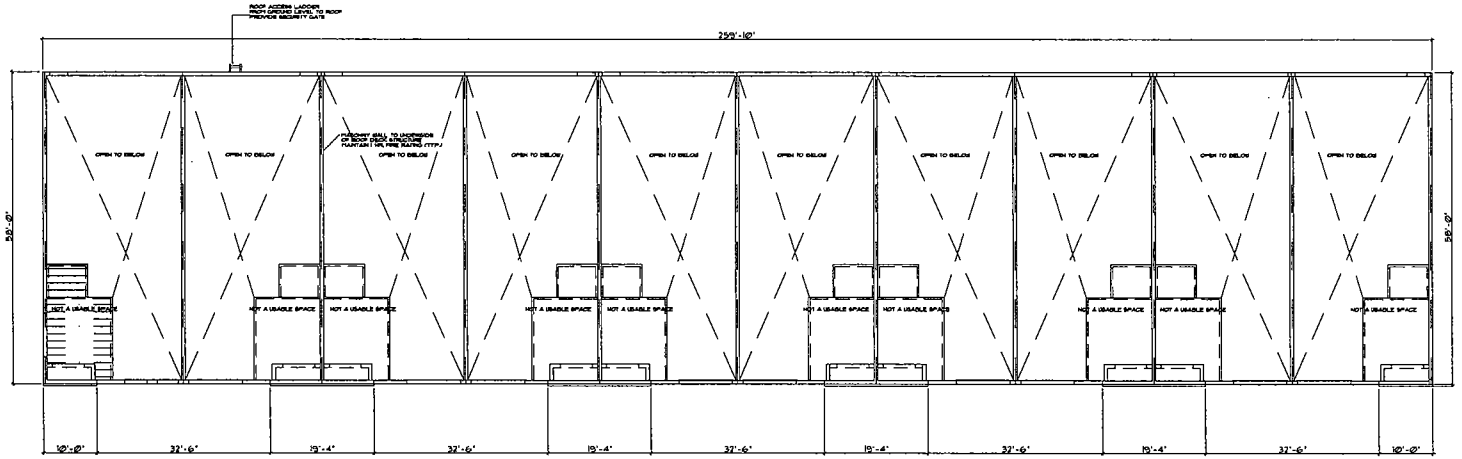
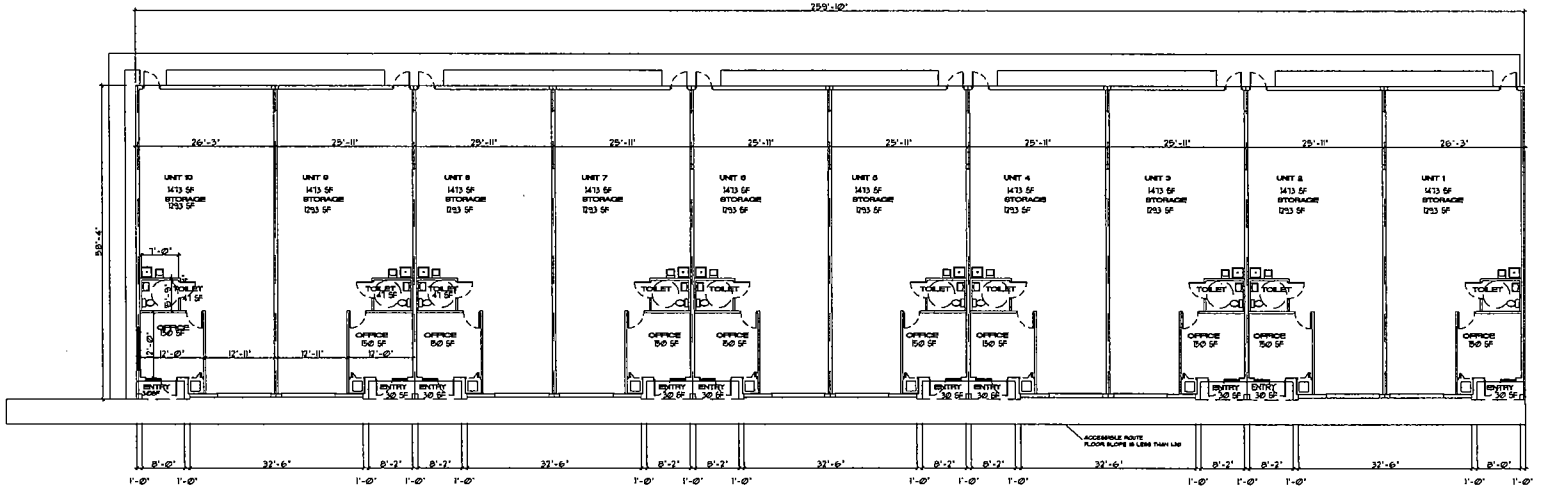
MIAMI-DADE COUNTY
PROCESS #: 208-066
DATE: MAY 27 2008
BY: SDB



INTERMEDIATE LEVEL PLAN
3/32"=1'-0"



FLOOR PLAN
3/32"=1'-0"

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY Alt
1st Rev.

ARMANDO DAVILA
Architect P.A.

21400 Silver Palm Dr. Miami, Fl. 33170
A.A.#26000644 (305)246-8616

A.R.#9338 Armando Davila

To the best of my knowledge, the plans and specifications comply with the applicable minimum building codes and the applicable fire -safety standards as determined by the local authority in accordance with Section 105 and 633 Florida Statutes.

OWNER:
CALOGERO LIBERTELLA
14711 S.W. 152nd PLACE
MIAMI, FLORIDA 33196
(305) 219-2152

DORAL COMMERCE CENTER

2301 N.W. 109th AVENUE
MIAMI DADE, FLORIDA 33172

Date Revisions
Checked A.D.
Drawn CAD
Date 06-14-07
Job no. C-104

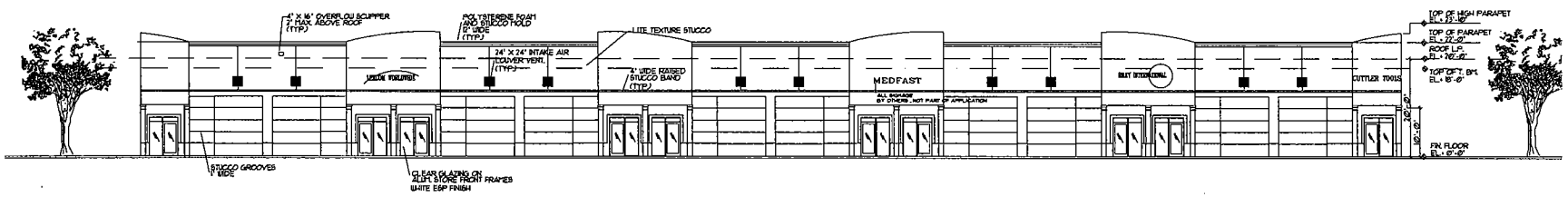
A-2

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: ZON-066
DATE: MAY 27 2008
BY: EDS

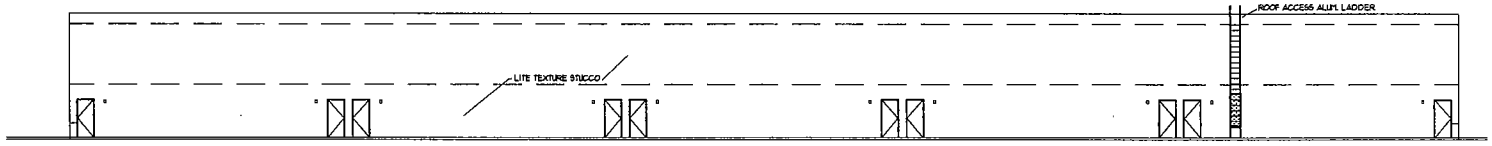
ARMANDO DAVILA
Architect P.A.
21400 Silver Palm Dr. Miami, FL 33170
A.A.#26000644 (305)248-8616

A.R.#9338 Armando Davila

To the best of my knowledge, the plans and specifications comply with the applicable minimum building codes and the applicable fire - safety standards as determined by the local authority in accordance with Section 105 and 633 Florida Statutes.



SOUTH ELEVATION
3/32"=1'-0"



NORTH ELEVATION
3/32"=1'-0"

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208-066
MAY 27 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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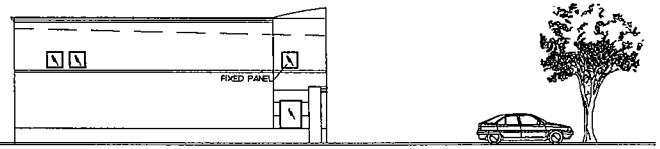
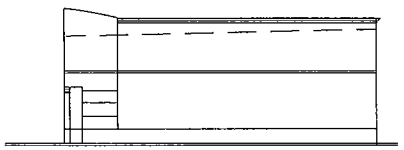
1st Rev.



WEST ELEVATION
3/32"=1'-0"



EAST ELEVATION
3/32"=1'-0"

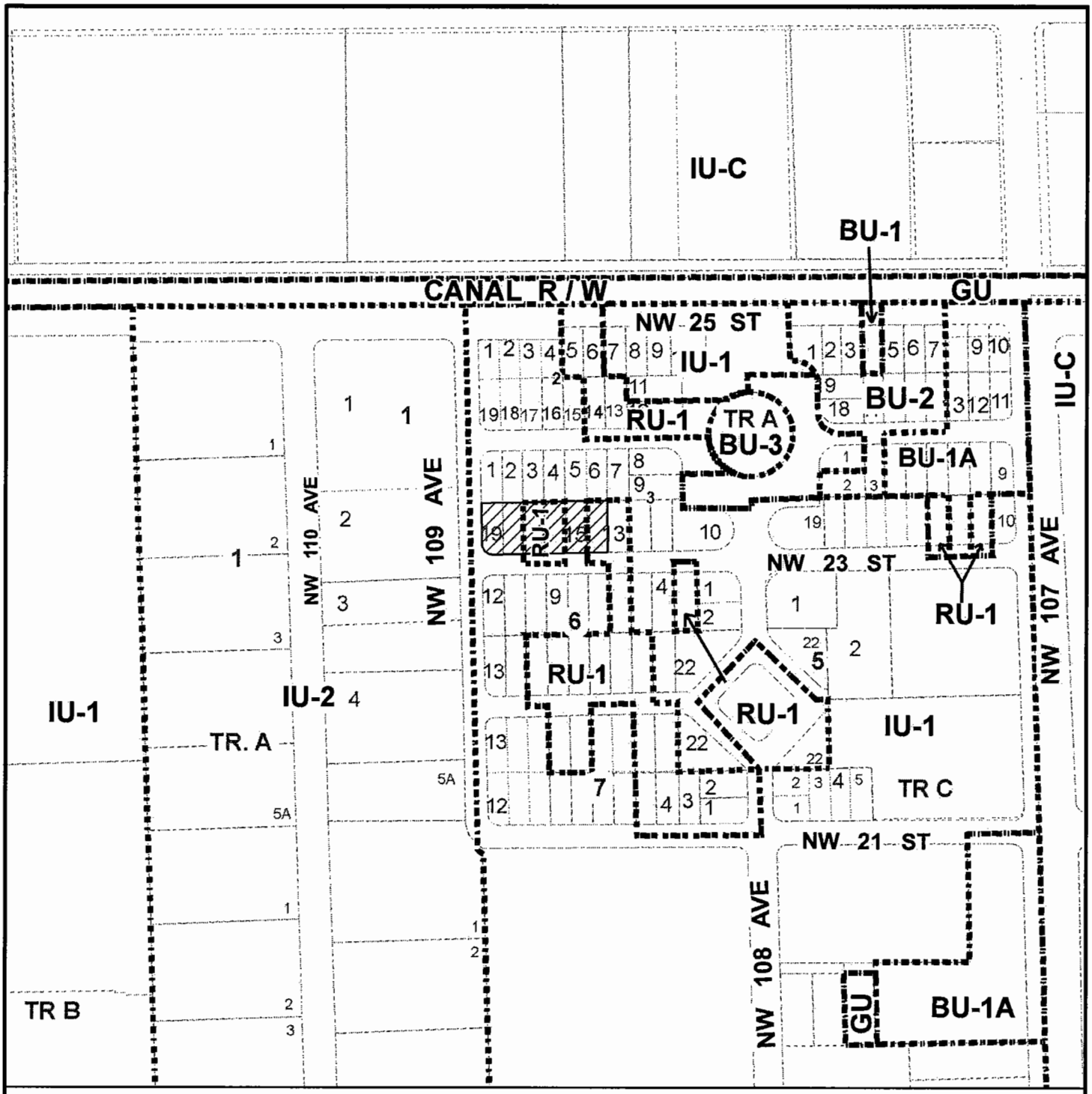
OWNER:
CALOGERO LIBERTELLA
14211 S.W. 152nd PL. PLACE
MIAMI, FLORIDA 33196
(305) 215-2152

DORAL COMMERCE CENTER

2301 N.W. 89th AVENUE
MIAMI DADE, FLORIDA 33172

Date	Revisions
Checked	A.D.
Drawn	EAD
Date	09-14-07
Job no.	C-164

A-3



MIAMI-DADE COUNTY
HEARING MAP

Process Number

08-066

Section: 31 Township: 53 Range: 40
Applicant: CALO G LIBERTELLA
Zoning Board: C10
District Number: 12
Drafter ID: JEFFER
Scale: NTS

N
W E
S

SUBJECT PROPERTY

MIAMI-DADE COUNTY

CREATED ON: 5/07/08

REVISION	DATE	BY
18		

MIAMI-DADE COUNTY

AERIAL

Process Number

08-066

Section: 31 Township: 53 Range: 40
Applicant: CALO G LIBERTELLA
Zoning Board: C10
District Number: 12
Drafter ID: JEFFER
Scale: NTS

SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

CREATED ON: 5/07/08

REVISION	DATE	BY

6. JOSE & MIRIAM ALEGRE
(Applicant)

08-10-CZ10-6 (08-98)
Area 10/District 6
Hearing Date: 10/30/08

Property Owner (if different from applicant) **Jose Alegre, Lucy Alegre, Miriam Molleda, and Jose M. Alegre.**

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:

Year	Applicant	Request	Board	Decision
1956	Chas A. Sigmond	Non-Use variance frontage/area.	-----	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. 10

APPLICANTS: Jose and Miriam Alegre **PH:** Z08-098 (08-10-CZ10-6)

SECTION: 11-54-40 **DATE:** October 30, 2008

COMMISSION DISTRICT: 6 **ITEM NO.:** 6

==========

A. INTRODUCTION:

- **REQUEST:**

  Applicants are requesting to permit a storage, family room and den addition to a duplex residence setback a minimum of 11'1" (25' required) from the rear (east) property line.

  Upon a demonstration that the applicable standards have been satisfied, approval of the request 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 "Alegre Residence," as prepared by Estudios en Diseno, dated stamped received 5/21/08 and containing 3 sheets. Plans may be modified at public hearing.

- **SUMMARY OF REQUEST:**

  The applicants are seeking approval for the maintenance and continued use of an existing addition to a duplex residence, consisting of two storage rooms, a family room and den with less rear setback than required by the RU-2, Two-Family Residential District.

- **LOCATION:**

  2211-2213 SW 75 Avenue, Miami-Dade County, Florida

- **SIZE:** 68.75' x 100'

- **IMPACT:**

  Although the existing addition provides additional living area for the residents of the rear unit of the duplex, the approval of the encroachment into the rear setback could have a negative visual impact on adjacent properties.

B. ZONING HEARINGS HISTORY:

The subject property was a part of a larger parcel of land which, on April 27, 1956, pursuant the Board of Adjustment hearing #4-56, the then Dade County Board of Adjustment approved the re-subdivision of two lots into two 68.5' x 100' building sites.

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-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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
SUBJECT PROPERTY:	
RU-2; duplex residence	Low Medium Density 6 to 13 dua
SURROUNDING PROPERTY:	
NORTH: RU-2; duplex residence	Low Medium Density 6 to 13 dua
SOUTH: RU-2; single family residence	Low Medium Density 6 to 13 dua
EAST: RU-2; duplex residence	Low Medium Density 6 to 13 dua
WEST: RU-2; school	Low Medium Density 6 to 13 dua

The subject property is an interior duplex lot located at 2211/2213 SW 75 Avenue. The surrounding area is developed with duplex residences.

E. SITE AND BUILDINGS:

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

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:

The subject property is an interior duplex lot located at 2211-2213 SW 75 Avenue in an established area zoned RU-2, Two-Family Residential District, and developed with duplexes and single family residences. The applicants are seeking approval of an addition to an existing duplex residence consisting of two storage rooms, family room and den addition setback 11'1" from the rear (east) property line. The RU-2 zoning district requires a minimum rear setback of 25' for additions to the main duplex residences. Plans submitted by the applicants depict the requests for the two storage rooms, family room and den addition to the rear unit of the existing duplex residences.

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 and the **Miami-Dade Fire Rescue Department** estimates an average travel time to the subject property of **7.08** minutes.

Approval of the application will allow the maintenance and continued use of an addition consisting of two storage rooms, a family room and den to the rear unit of the existing duplex which encroaches 13'11" into the required 25' rear (east) setback area. The subject property is designated for **Low Medium Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP), which allows a minimum of 6 to a maximum of 13 dwelling units per gross acre for a total of 2 units on this site. Since the requests will not add additional units to the community, the 6,875 square foot, RU-2 zoned two-family residential lot is **consistent** with the Low-Medium Density Residential designation as shown in the LUP map of the CDMP.

When analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of this request would be **incompatible** with the

surrounding area, would be detrimental to the neighborhood and would affect the appearance of the community. In this request the applicants seek approval for the maintenance and continued use of an addition consisting of two storage rooms, family room and den addition to the rear unit of a duplex residence setback 11'1" (25' required) from the rear (east) property line. Staff notes that the 13'11" encroachment into the required 25' rear setback area represents a 52% encroachment into the rear setback area and in staff's opinion is excessive. Although, the photographs and the plans submitted by the applicant depict that the existing addition has been built to match the same architectural style and scale as the existing duplex residence, the plans submitted by the applicant depict that the interior of the rear unit and the aforementioned addition do not provide adequate passable flow between the rear unit and the addition. As such, staff opines that the subject addition could lend itself to a conversion into a separate dwelling unit on the subject property, which is not permitted in the RU-2 zone resulting in a third unit, which would be **inconsistent** with the Low-Medium Density Residential designation as shown in the LUP map of the CDMP and **incompatible** with the surrounding area. Staff also opines that the approval of this request would have a negative visual impact on the neighboring properties. Staff acknowledges that in 1981, pursuant to Administrative Variance #81-AV-204, a request to allow an addition to setback 21 (25' required) from the rear property line was granted on a parcel of land located at 2125 SW 75 Avenue (approximately 300' north of the subject property) and on August 12, 1985, pursuant to Administrative Variance #85-AV-142, a request to allow an addition to setback 12.5' (25' required) from the rear property line was granted on a parcel of land located at 7601 SW 22 Street (approximately 300' west of the subject property). However, staff notes that the applicant's request is more intense than the other approvals in the area and is of the opinion that the excessive encroachment of the afore-described addition to the duplex residences is intrusive to the neighboring properties and, therefore, is **incompatible** with the surrounding area. Based on all the above, staff recommends denial without prejudice of this application under the Non-Use Variance Standards (NUV).

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 applicants have not provided staff with the documentation required for analysis under the ASDO standards. As such, the request 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 applicants would be required to prove that the request is due to unnecessary hardship and that, should the request not be granted, such denial would not permit the reasonable use of the premises. This application does not comply with the standards of said section since the property can be utilized in accordance with the RU-2 zoning regulations. Therefore, staff recommends denial without prejudice of this application under the Alternative Non-Use Variance (ANUV) Standards.

Accordingly, staff opines that this request is **incompatible** with the surrounding properties and should be denied without prejudice under Section 33-311(A)(4)(b) (NUV) under Section 33-311(A)(14) (ASDO) and under Section 33-311(A)(4)(c) (ANUV).

. **RECOMMENDATION:** Denial without prejudice.

J. **CONDITIONS**: None

DATE INSPECTED: 09/04/08
DATE TYPED: 08/27/08
DATE REVISED: 09/03/08;09/09/08; 09/26/08
DATE FINALIZED: 09/30/08
MCL:MTF:LVT:AA

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

Memorandum

MIAMI-DADE COUNTY

Date: May 28, 2008

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

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

Subject: C-10 #Z2008000098
Jose Alegre, et al
2211-2213 S.W. 75th Avenue
Request to Permit an Addition that Exceeds Setback Requirements
(RU-2) (0.15 Acres)
11-54-40

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 discus this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

REVISION 1
PH# Z2008000098
CZAB - C10

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:JOSE ALEGRE ET AL

This Department has no objections to this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

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.
20-JUN-08

12

Memorandum

Date: 27-MAY-08

To: Subrata Basu, Interim Director
Department of Planning and Zoning

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2008000098

Fire Prevention Unit:

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

Service Impact/Demand:

Development for the above Z2008000098
located at 2211-2213 S.W. 75 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1442 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 7:08 minutes

Existing services:

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

Station 3 - Tropical Park - 3911 SW 82 Avenue
Rescue, ALS Engine

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.

DATE: 08/28/08

TEAM METRO

ENFORCEMENT HISTORY

JOSE & MIRIAM ALEGRE	2211-2213 S.W. 75 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2008000098

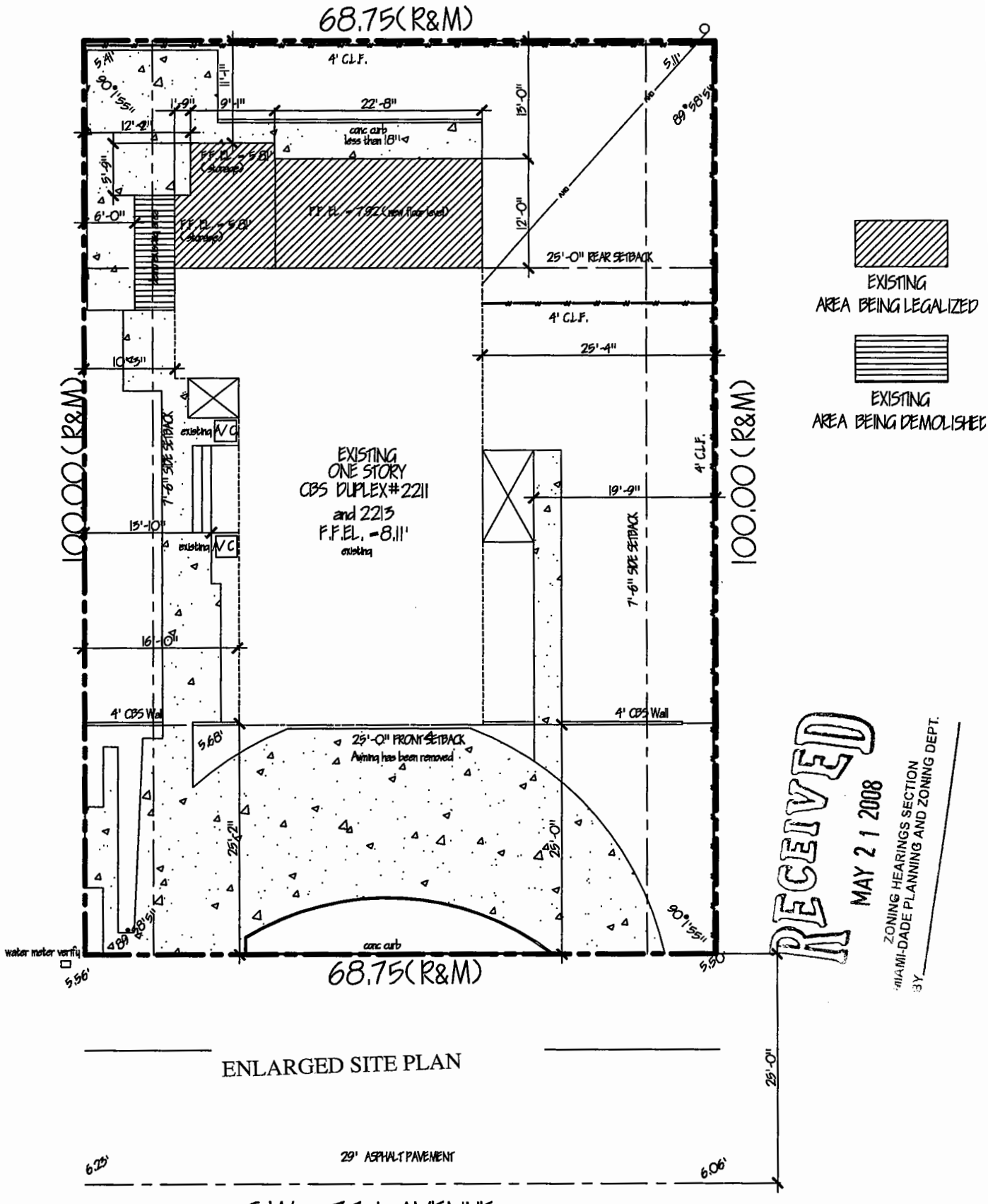
HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

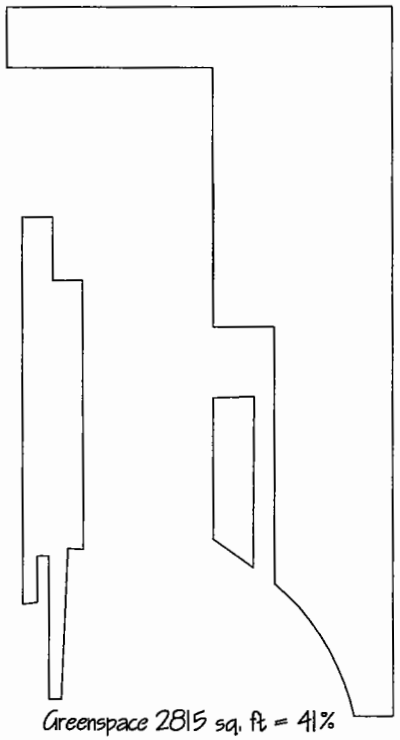
No open cases. No current violations.

Prior case:

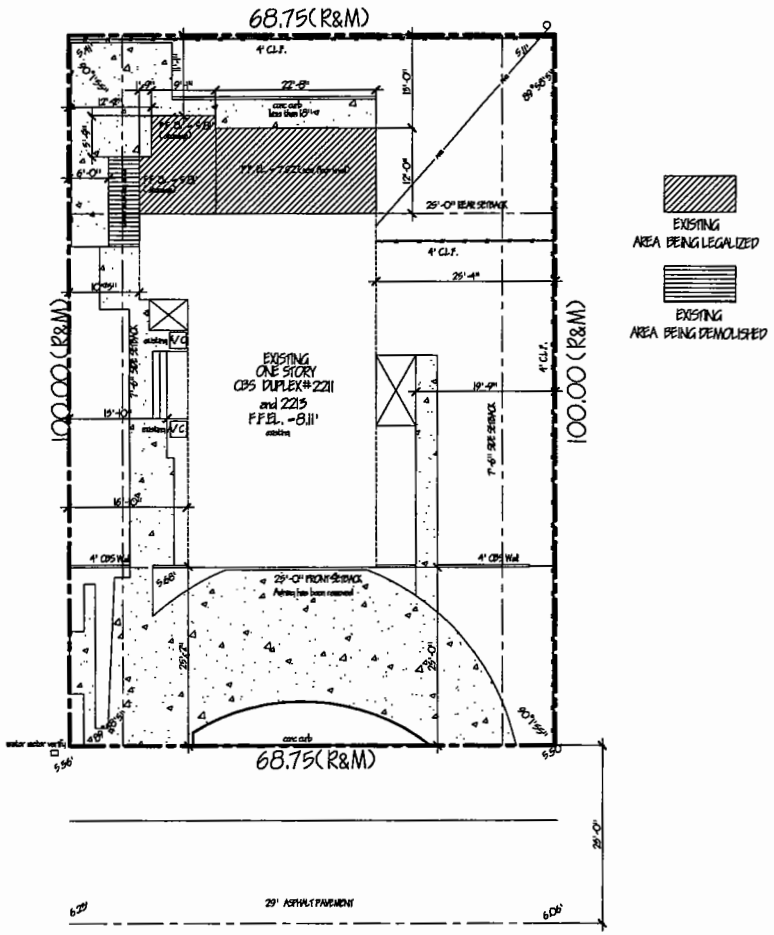
CMS# 200203007310 -CVN issued in September 2002 for Commercial Vehicle. Case closed as complied.


68.75(R&M)
4' C.L.F.
22'-8"
conc curb less than 18"
F.F.EL. = 5.81' (storage)
F.F.EL. = 7.92 (new floor level)
25'-0" REAR SETBACK
4' C.L.F.
25'-4"
EXISTING ONE STORY CBS DUPLEX #2211 and 2213 F.F.EL. = 8.11' existing
existing A/C
7'-6" SIDE SETBACK
100.00 (R&M)
4' CBS Wall
25'-0" FRONT SETBACK
Awning has been removed
conc curb
water meter verify
68.75(R&M)
EXISTING AREA BEING LEGALIZED
EXISTING AREA BEING DEMOLISHED
RECEIVED
MAY 21 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY
ENLARGED SITE PLAN
29' ASPHALT PAVEMENT
S.W. 75th AVENUE

208.098



Greenspace 2815 sq. ft = 41%



S.W. 75th AVENUE

ZONING LEGEND
Single Family & Duplex

ZONING: RU-2
Height (to ridge of roof) 15'
Net Land Area 6,875 sq. ft.
Lot Coverage (everything under roof) Required max 30% = 2062 sq. ft./ Provided = 1915 sq. ft.
SETBACKS: REQUIRED PROVIDED
FRONT 25' / 25'
SIDE 7'-6" / 24.78 south and 10.28' north
SIDE STREET 15' / N/A
REAR 25' / 15'-0" and 11.08' (under by 12'-0" and 15'-11") ASDO
Area adjacent to lake or canal to be graded so as to prevent direct overland discharge of stormwater into lake or canal.
Lot will be graded so as to prevent direct overland discharge or stormwater onto adjacent property. Applicant will provide certification prior to final inspection.
ANY APPLICABLE RESOLUTIONS:
NOTICE:
In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the Public Records of this County, Section 555.79(10), Florida Statutes, effective 7/10/87.
Applicant: Must comply with Section 15-151 of the Miami-Dade County Code: (notice of rock mining operations where blasting is permitted) - prior to starting construction.
A separate permit will be required for all driveway approaches onto public right-of-way. Contact Public Works Department at (305) 375-2142.
The height of fences, walls and hedges shall not exceed 2.5 feet in height within 10 feet of the edge of any driveway leading to a right-of-way.
The height of fences is measured from grade. Grade = Elevation of public sidewalk or crown of road.

RECEIVED
MAY 21 2008

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

General Construction Notes:

Visiting Building Site:
The Contractor, before submitting a price for the scope of work, is assumed to have visited the building site for the purpose of observing first hand any conditions relevant to the completion of the work. No consideration will be given to any claims based on a lack of knowledge of existing conditions unless, these conditions were not readily foreseeable.

General Work:
If any errors or omissions appear in the drawings, specifications or other documents, the Contractor must notify, in writing, the Architect and or Engineer of same, prior to proceeding with the work in question. If the Contractors fails to give notice or provide sufficient time for a response, then the Contractor is responsible for the results of such errors or omissions and for the costs for rectifying same, as well as, for any delays in the construction.

Site Work

General:

1. Protect and maintain all utilities, either underground or overhead, which are to remain as property, or which are to remain until new permanent installations are complete.
2. Take all precautions necessary to protect adjoining property, from excessive drainage, debris and storage. Full responsibility for damages resulting from negligence of these items. No trespassing will be allowed on adjoining property without the consent of the Owner.
3. Provide and place any additional earth needed to bring existing grades to new grades indicated on plans, and dispose of any excess earth on property where indicated.
4. Visit site to examine existing conditions and conditions surrounding sites; determine requirements under which work will be performed.

Completely remove all trees, shrubs, stumps and all other organic debris from areas to be covered by buildings, walks, terraces and driveways. All such debris shall be disposed of at the Contractor's expense. Before removing trees consult Owners.

Termite Treatment:
After placing fill and prior to placing vapor barrier, apply the following dosages of treatment:

Treatment shall be made when weather permits and soil is dry. Protect treated areas from human or animal contact until covered by soil or concrete.

Termite Protection (F.B.C. 1816.1.7)

"Building(s, s) shall have pre-construction treatment, protection against subterranean termites. The rules and laws as established by the "Florida Department of Agriculture and Consumer Services" shall be followed. A certificate of compliance or renewal as approved with respect to pre-construction soil treatment for protection against subterranean termites. A 'Certificate of Compliance' shall be issued to the building department by the licensed pest control company that contains the following statements:

"The building has received a complete treatment for the prevention of subterranean termites. Treatment is in accordance with rules and laws established by the "Florida Department of Agriculture and Consumer Services."

Cleanup:
During construction and cleanup, do not dump debris on any part of the property or in any unauthorized place. Clean grassed areas of all mortar, rocks and debris. Burning of waste materials will not be buried on property. Provide dumpster on site.

Zoning Information: RU-2- USE- DUPLEX

Lot Size (Net):	6,875 s.f.
Lot Coverage Allowed (30%):	2,062 s.f.
Lot Coverage Proposed:	1,915 s.f.
Existing House First Floor:	1,915 s.f.
Existing Covered Terraces:	0 s.f.
Floor Area Factor Calculations (F.A.F.):	n/a
F.A.F. (Allowed):	n/a
F.A.F. (Proposed):	n/a
Setbacks:	
Front Setback:	25'-0"
Rear Setback:	25'-0"
Side Setbacks:	7'-6"
Maximum Height:	2 STORIES

Contractor to advise Architect if any existing trees are in the way of new construction.

Property Address:
2211 S.W. 75th Avenue
Miami, Florida

Flood Zone:	X
Community Number:	120639
Base Flood Elevation:	N/A
Stormwater Flow Elevation:	7.58
Lowest Floor Elevation:	7.93
Avg. Grade Elevation:	0.0

Legal Description:

South 1/2 of Lots 41 and 42 Block G - Section No 2 Coral Terrace according to the Plat thereof, as recorded in Plat Book 14 Page 140, of the Public Records of DADE COUNTY, FLORIDA.

1 Existing Site Plan A1.0 1/8" = 1'-0"

2 Site Notes A1.0 NTS

Estudios en Diseño
7445 S.W. 47th Street
Miami, FL 33155
Ph (305) 740-6968 Fx (305) 381-4701

Allegre Residence

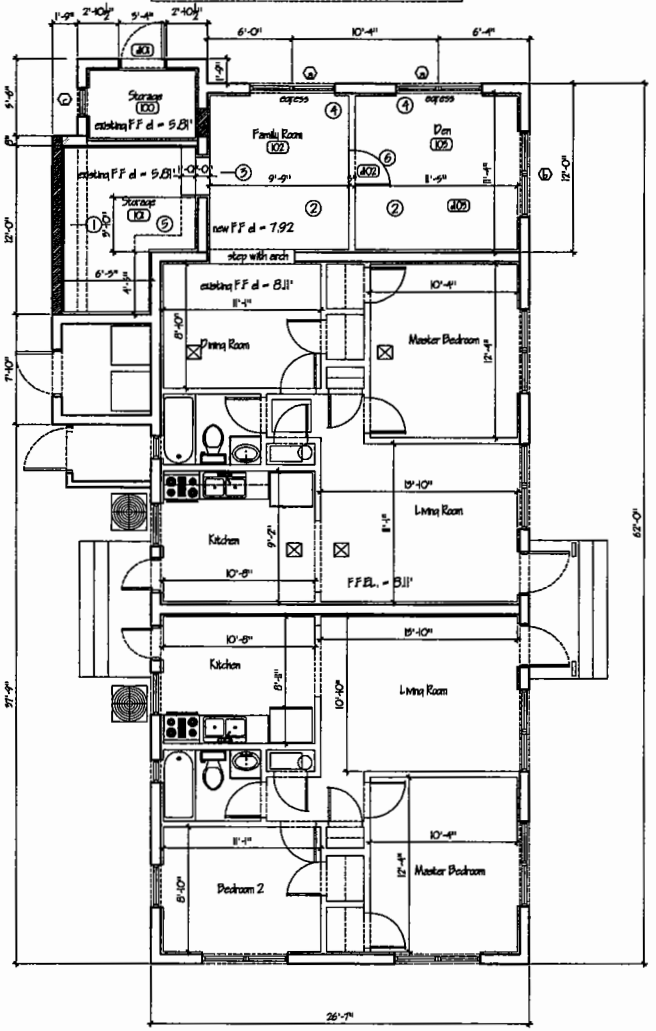
2211 Southwest 75th Avenue
Miami, Florida

Date: 2008-02
Scale: 1/8" = 1'-0"
No.: 0516.08
Drawn By: PMC
Sheet Title: Existing Site Plan
Sheet No.: A1.0

17

LEGALIZATION OF FAMILY ROOM

STORAGE, DEN AND SITTING ROOM



1 A2.1 Existing Floor Plan 1/4" = 1'-0"

General Notes:

1. New 8" block wall with new footing and beam refer to structural
2. New ratoed wood floor refer to structural with laminate finish
3. New steps 3 @ 8" = 24" refer to structural
4. Raise windows as required
5. Upper cabinets
6. Raise door as required

2 A2.1 Notes NTS

Window Schedule

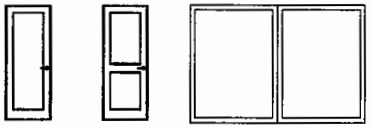
		Type	Finish	Frame	Finish	Remarks
a	72" x 36" - 6050	Aluminum/ Glass	Painted/ Clear	Aluminum	Painted	HR:PGT Manufacturer-Impact -egress
b	existing to remain					
c	existing to remain					

Door Schedule

			Type	Finish	Frame	Finish		Hardware	
d101	3'-0" x 6'-8" x 1 3/4"	Storage	A	Paint	Wood	Paint	-	lock	-
d102	2'-6" x 6'-8" x 1 3/4"	Den	B	Paint	Wood	Paint	-	lock	-

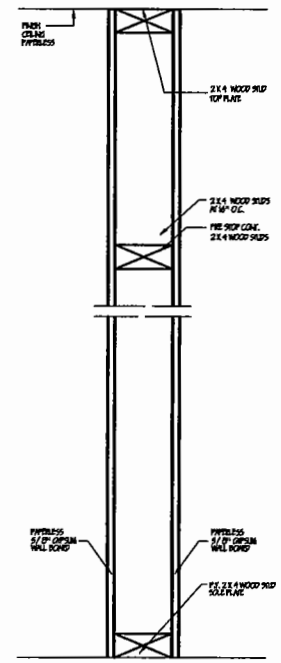
Finish Schedule

		Floors	Base	Walls	Ceiling
100	Storage	Conc	-	5/8" drywall - smooth finish	5/8" drywall smooth finish - painted
101	Storage	Extg. Tile	Tile	5/8" drywall - smooth finish	5/8" drywall smooth finish - painted
102	Family room	Wd	Wd	5/8" drywall - smooth finish	5/8" drywall smooth finish - painted
103	Den	Wd	Wd	5/8" drywall - smooth finish	5/8" drywall smooth finish - painted



Ⓐ Aluminum Door Ⓑ Interior Panel Door ⓐ HR

3 A2.1 Window and Door Schedule NTS



4 A2.1 Interior Partition Detail NTS

5 A2.1 Tie Down Detail NTS

RECEIVED
MAY 2 1 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

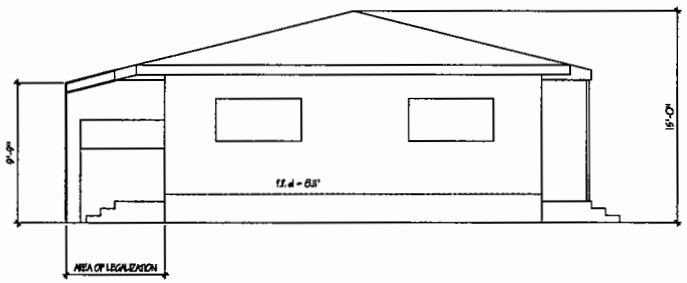
Estudios en Diseño
746 S.W. 486 Street
Miami, FL 33155
Ph (305) 740-6948 Fax (305) 587-4707

Alegre Residence
2211 Southwest 75th Avenue
Miami, Florida

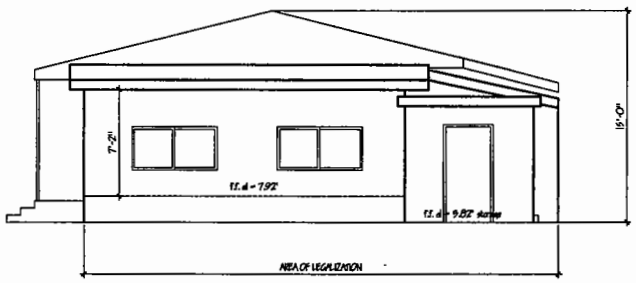
2008-02
1/4" = 1'-0"
05.16.08
OMC
Ap 2.0.dwg

New Floor Plan
A2.1

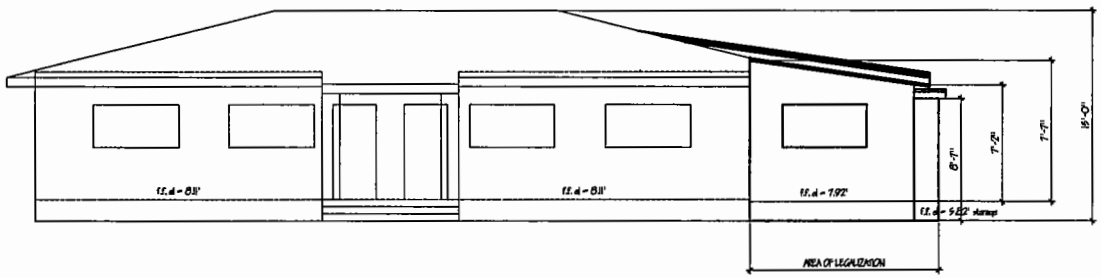
18



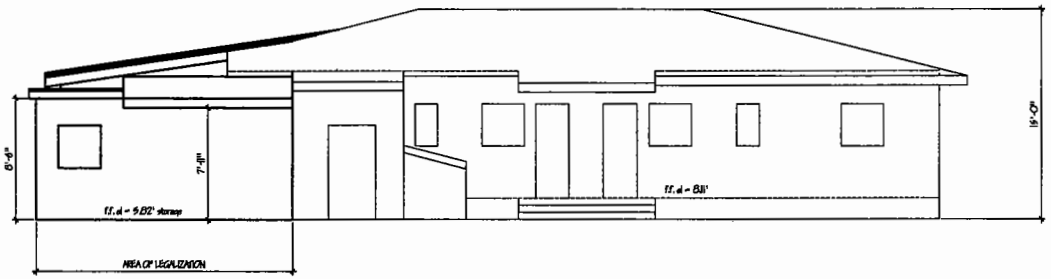
1 / A3.1 West Elevation Front
1/4" = 1'-0"



2 / A3.1 East Elevation Rear
1/4" = 1'-0"



3 / A3.1 South Elevation Right Side
1/4" = 1'-0"



4 / A3.1 North Elevation Left Side
1/4" = 1'-0"

RECEIVED
MAY 21 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY: _____

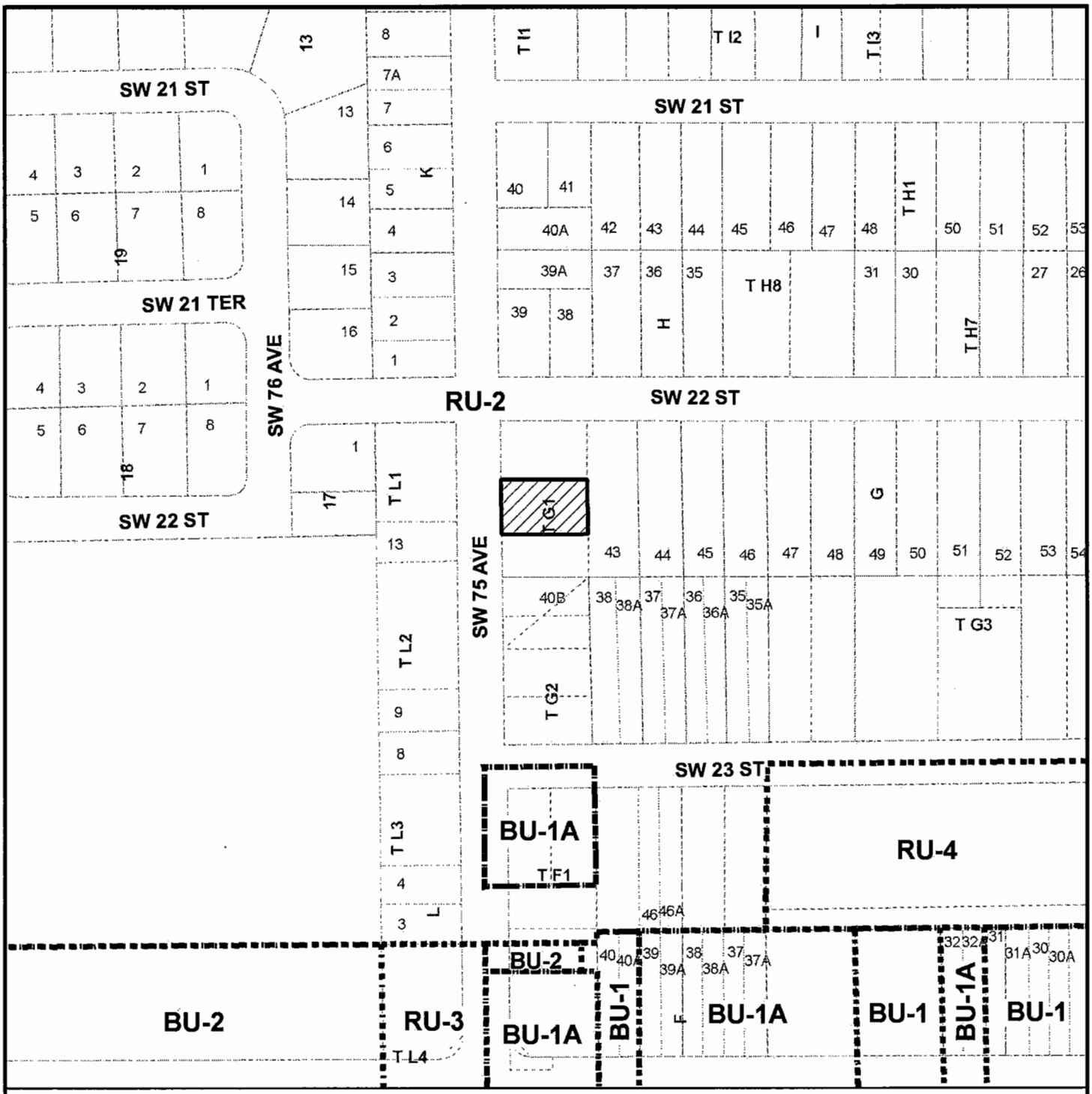
f.f. el = 7.92' was arrived at by
8" above average county flood zone
7.00' and 7.50' = 7.25' + .67' = 7.92
as per Dade County DERM

Estudios en Diseño
7445 SW 48th Street
Miami, FL 33155
Ph (305) 740-6985 Fax (305) 551-1701

Alegre Residence
2211 Southwest 19th Avenue
Miami, Florida

2008-02
1/4" = 1'-0"
05.15.08
BMC

New Elevations
A3.1



MIAMI-DADE COUNTY

RADIUS MAP

Section: 11 Township: 54 Range: 40
Applicant: JOSE ALEGRE ET AL
Zoning Board: C10
District Number: 06
Drafter ID: JOAQUIN
Scale: NTS

Process Number

08-098

SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

CREATED ON: 05/27/08

REVISION	DATE	BY
		19

MIAMI-DADE COUNTY

AERIAL

Section: 11 Township: 54 Range: 40
Applicant: JOSE ALEGRE ET AL
Zoning Board: C10
District Number: 06
Drafter ID: JOAQUIN
Scale: NTS

Process Number

08-098

SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

CREATED ON: 05/27/08

REVISION	DATE	BY

7. VILLA WESTCHESTER ALF, INC.
(Applicant)

08-10-CZ10-7 (08-104)
Area 10/District 10
Hearing Date: 10/30/08

Property Owner (if different from applicant) **Nelly Tamayo.**

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:

Year	Applicant	Request	Board	Decision
1965	Patrick O'Connor	Variance of zoning requirements.	ZAB	Approved
1975	Noel Quesada	- Special exception resubd. & reface. - Variance of frontage.	ZAB	Approved w/conds.
1985	Maria E. Gil	Zone change from AU and GU to RU-1.	BCC	Approved
1986	Ben-Car Investments Corporation, et al	- Zone change from AU and GU to RU-1. - Modification of condition of previous resolution. - Special exception zero lot line development. - Variances of setbacks.	BCC	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. 10

APPLICANT: Villa Westchester ALF, Inc. **PH:** Z08-104 (08-10-CZ10-7)

SECTION: 17-54-40 **DATE:** October 30, 2008

COMMISSION DISTRICT: 10 **ITEM NO.:** 7

==========

A. INTRODUCTION

- **REQUEST:**

  SPECIAL EXCEPTION to permit a group home spaced less than the required 1,000' from another existing group home.

  A special purpose survey and a boundary survey are on file and may be examined in the Department of Planning and Zoning as prepared by D'Avila & Assoc. Services Inc. both dated stamped received 06/03/08.

- **SUMMARY OF REQUEST:** This application seeks to allow a group home to be spaced less than required from another group home.

- **LOCATION:** 9963 S.W. 26 Terrace, Miami-Dade County, Florida.

- **SIZE:** 65' x 80'

- **IMPACT:** The approval of this application will allow the applicant to provide a group home service for residents in the community. However, the approval of the request could result in overcrowding or a concentration of people.

B. ZONING HEARINGS HISTORY: In 1965, the subject site was included as part of an application on a larger portion of land that was granted approval of a request to waive the zoning regulations requiring all uses to be on a public road, to permit access to a proposed home site via a 25' easement, pursuant to Resolution #3-ZAB-250-65. In 1975, the subject site was included as part of an application on a larger portion of land which was granted a special exception to resubdivide and reface a tract of land into 2 non-conforming single-family building sites and a request to permit said lots with a lot frontage of 64.89', pursuant to Resolution #4-ZAB-242-75. In 1985, a portion of the subject site was included as part of an application on a larger portion of land that was granted a zone change from GU, Interim District, and AU, Agricultural District, to RU-1, Single Family Residential District, pursuant to Resolution #Z-276-85. In 1986, a portion of the subject site was included as part of an application on a larger portion of land that was granted a zone change from GU and AU to RU-1, a special exception to permit site plan approval of a proposed zero lot line development and a request to permit some units setback 5' to 40' from the zero lot line side (zero setback required), pursuant to Resolution #Z-208-86.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. 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 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.

2. Also permitted in Residential Communities are neighborhood and community services including schools, parks, houses of worship, day care centers, **group housing facilities**, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood.

3. **Policy LU-4A**
When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale or architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

4. **Objective LU-4C**
Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua
Surrounding Properties:	
NORTH: RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua
SOUTH: RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua
EAST: RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua
WEST: RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua

The subject property is an interior lot located at 9963 SW 26 Terrace, in an area established with single-family residences. A licensed and established group home is located within a 1,000' radius of the subject property, approximately 697.5' to the east of the subject site.

E. SITE AND BUILDINGS:

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

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses. The Board shall hear an application for and grant or deny **special exceptions**; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided 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 which are 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 and its development.

Section 33-196.1 Group Homes.

A group home shall be permitted in a dwelling unit provided:

(c) That the structure used for a group home shall be located at least one thousand (1,000) feet from another existing, unabandoned, legally established group home. The 1,000-foot distance requirement shall be measured by following a straight line from the nearest portion of the structure of the proposed use to the nearest portion of the structure of the existing use.

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**

*Subject to the conditions indicated in their memoranda.

H. ANALYSIS:

The subject property is an interior lot located at 9963 SW 26 Terrace, in an area established with single-family, zero-lot-line residences. A licensed and established group home is located within a 1,000' radius of the subject property, approximately 697.5' to the east of the subject site. Staff notes that the subject group home is regulated by the Florida Department of Health under the Agency for Health Care Administration (AHCA) and that residential group homes are permitted as a matter of right without a public hearing within the RU-1 zoning district as long as no more than 6 resident clients reside in the facility and subject to the 1,000' spacing requirement from other group homes. It should be noted that Florida State Statutes and the Zoning Code both require that a group home be spaced a minimum of 1,000' from another group home and limit group homes to a maximum of 6 resident clients. Group homes are for people needing assistance with activities of daily living but wishing to live as independently as possible for as long as possible.

Assisted living facilities exist to bridge the gap between independent living and nursing home facilities. Residents in group homes are not able to live by themselves but do not require constant care. On April 2, 2007, a "spacing letter" was issued by staff indicating that the subject site was, at that time, spaced more than 1,000' from any other existing, legally established group home and specifying that said letter shall not constitute an approval of the proposed group home nor a reservation to "hold the site" for a group home. Said letter, dated April 2, 2007, also indicates that the establishment of a group home requires the submission of an application for a Zoning Improvement Permit (ZIP) prior to submitting an application for licensing to AHCA. On October 25, 2007, a second "spacing letter" was issued by staff indicating that the subject site to be used for the proposed group home was now located within 1,000' of another existing, legally established group home and, as a result, approval of the proposed group home on the subject site would require approval through the zoning public hearing process. It should be noted that subsequently, on October 29, 2007, ZIP #2008005741 was erroneously issued for the proposed group home that is the subject of this application. Upon obtaining the required ZIP permit, the applicant applied for and obtained a license from AHCA for the proposed group home that was effective as of March 5, 2008 and will expire on March 4, 2010.

The survey submitted with this application depicts a 60' X 80' lot currently improved with a single-family residence that will accommodate the proposed group home. It should be noted that the submitted survey depicts an existing metal shed and metal roof located within the eastern side yard area, which the applicant has noted in the plans is to be removed. Photos submitted by the applicant reflect the removal of said metal shed and roof.

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. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The Public Works Department **(PWD)** has **no objections** to this application. Their memorandum indicates that this application does not generate any new additional daily peak hour vehicle trips and therefore, the application meets traffic concurrency criteria. The **Miami-Dade Fire Rescue Department (MDFR)** also has **no objections** to this application and indicates in their memorandum that the estimated average travel response time is **5:15** minutes.

Approval of the application would allow the applicant to continue to operate a group home within the community spaced closer than allowed to another group home. The subject property is designated **Low Density Residential** use on the Land Use Plan (LUP) Map of the Comprehensive Development Master Plan (CDMP). As previously mentioned, the subject property is an RU-1 zoned lot in an area primarily developed with single-family residences on zero lot line lots. It should be noted that residential group homes are permissible uses within the RU-1 zoning district and considered a single-family residential use as long as no more than 6 resident clients reside in the facility, and subject to the spacing requirements from other group homes, unless approved at public hearing.

The interpretative text of the CDMP indicates that additional uses permitted in Residential Communities include neighborhood and community services including schools, parks, houses of worship, day care centers, **group housing facilities**, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. In addition, **Objective LU-4C** of the CDMP states that residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic. As previously mentioned, ZIP #2008005741 was issued in error for the proposed group home that is the subject of this application and the applicant has obtained a license from AHCA for the proposed group home that was effective as of March 5,

2008 and will expire on March 4, 2010. Although the Department takes responsibility for the error made by staff, this does not absolve the applicant from compliance with the group home spacing requirement in the Zoning Code. Notwithstanding the foregoing, staff opines that the request to permit the proposed group home to be spaced less than required from another existing group home would be **compatible** with the area. As previously mentioned, a licensed and established group home is located within a 1,000' radius of the subject property, approximately 697.5' to the east of the subject site. However, staff opines that the request would not be intrusive and detrimental to the established residential neighborhood characteristic of this area. Staff notes that the subject site lies within Ben Car Subdivision, Section 1, PB 131-69, and that the existing group home located 697.5' to the east of the subject site lies one subdivision to the east of the subject site, in Lizzy Subdivision, Section 2, PB 99-58. Further, the subject site is located along SW 26 Terrace and the existing group home lies along SW 27 Terrace, neither of which traverses SW 99 Avenue and are interrupted by Block 1 of Lizzy Subdivision, Section 1, which is sited along a northerly southerly axis, developed with single-family residences and runs parallel to SW 99 Avenue. In staff's opinion the block and SW 99 Avenue create a physical line of demarcation that separates the two group homes. Additionally, staff maintains that the 697.5' distance between the subject property and the group home to the east is sufficient spacing to mitigate any overcrowding or concentration of people or population in the area, as the applicant is complying with almost 70% of the required distance. As such, staff is of the opinion that the proposed reduced spacing is **compatible** with the area and **consistent** with the objectives of the CDMP for providing said uses.

When analyzing the request under Section 33-311(A)(3), Standards for Special Exceptions, Unusual Uses and New Uses, staff is of the opinion that the existing group home spaced 697.5' from another group home would be **compatible** with the surrounding residential area. When considering the necessity for and reasonableness of the request for special exception of spacing requirements to permit the proposed group home spaced less than the required 1,000' from another existing group home in relation to the present and future development of the area and the compatibility of the applied for exception with the area and its development, staff is of the opinion that the proposed new facility, if approved, would be adequately spaced from the previously established group home, and as such, would not deteriorate the suburban residential quality of life for present and future homeowners in the area. Staff opines that the need for the requested type of use is of paramount importance and significance for the prosperity and quality of life of all Miami-Dade County residents, and maintains that approval of this application would not be overburdening to the community as evidenced by the memoranda issued by the various departments for this application. Accordingly, staff recommends approval with conditions of the requested special exception to permit a group home spaced less than the required 1,000' from another existing group home 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 and Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include among other things but not be limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, 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 prepared by D'Avila & Assoc. Services, Inc., sheet 1 entitled, "Location Sketch" and sheet 2 entitled, "Boundary Survey" all dated stamped received

June 3, 2008 and consisting of a total of 2 sheets. 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 use be established and maintained in accordance with the approved plan.

4. That the group home be restricted to a maximum of 6 resident clients.

5. That the use be made to conform to the requirements and/or recommendations of the Miami-Dade County Fire Department, Miami-Dade County Department of Public Health, and the Florida Agency for Health Care Administration (AHCA).

6. That the applicant comply with all applicable conditions and requirements of the Department of Environmental Resources Management (DERM).

DATE INSPECTED: 08/28/08
DATE TYPED: 08/15/08
DATE REVISED: 08/26/08; 09/02/08; 09/15/08; 09/19/08
DATE FINALIZED: 09/30/08
MCL:MTF:LVT:CXH:NC

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

Memorandum

MIAMI-DADE COUNTY

Date: July 1, 2008

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

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

Subject: C-10 #Z2008000104
Villa Westchester ALF, Inc.
9963 S.W. 26th Terrace
Special Exception to Permit a Group Home Spaced Less than Required from Another Group Home
(RU-1) (0.12 Acres)
17-54-40

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.

Potable Water Service and Wastewater Disposal
Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Operating Permits
Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant should be advised that, due to the nature of some land uses permitted under the proposed zoning classification, operating permits from DERM may be required. It

is, therefore, suggested that the applicant contact the Permitting Section of DERM's Pollution Regulation and Enforcement Division, at (305) 372-6600 concerning operating requirements.

Wetlands
The subject property does not contain jurisdictional wetlands, as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600), and the South Florida Water Management District (1-800-432-2045), may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation
The proposed development will not impact tree resources. Therefore, DERM has no objection to this zoning application. However, the applicant is advised that a Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

Enforcement History
DERM has found no open or closed enforcement record for the subject property.

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 discus this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

PH# Z2008000104
CZAB - C10

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:VILLA WESTCHESTER ALF, INC.

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.

Raul A Pino, P.L.S.
14-AUG-08

Memorandum

Date: 27-JUN-08

To: Marc LaFerrier, Director
Department of Planning and Zoning

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2008000104

Fire Prevention Unit:

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

Service Impact/Demand:

Development for the above Z2008000104
located at 9963 S.W. 26 TERRACE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1482 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 5:15 minutes

Existing services:

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

Station 47 - Westchester - 9361 Coral Way
Rescue, ALS Engine, Battalion

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.

DATE: 08/28/08

TEAM METRO

ENFORCEMENT HISTORY

VILLA WESTCHESTER ALF, INC.	9963 S.W. 26 TERRACE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2008000104

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

No open cases. No current violations.

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: VILLA WESTCHESTER ALF, INC

NAME AND ADDRESS	Percentage of Stock
Nelly TAMAYO	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 _____

NAME AND ADDRESS	Percentage of Interest

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208-104
JUN 03 2008
ZONING EXAMINER SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

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: _____

NAME AND ADDRESS	Percentage of Ownership

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.

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT

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: X Kelly Zamayo
(Applicant)

Sworn to and subscribed before me this 6 day of May, 20 08. Affiant is personally know to me or has produced _____ as identification.

Elena A Sadler
(Notary Public)

My commission expires: 12-13-2011

Seal

ELENA A. SADLER
MY COMMISSION # DD 730227
EXPIRES: December 13, 2011
Bonded Thru Notary Public Underwriters

*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.

PAGE 1 OF 1

SPECIAL PURPOSE SURVEY

D'AVILA & ASSOC. SERVICES, INC.
1800 W. 49th ST. SUITE 336
HIALEAH , FL.33012
PHONE:(305) 512-3710
LB#7538

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z08-104
DATE: JUN 03 2008
BY: SDE

JOB NO. 08-512600

ADDRESS: 9963 S.W. 26th TERRACE MIAMI FL 33165 SCALE: 1" = 200

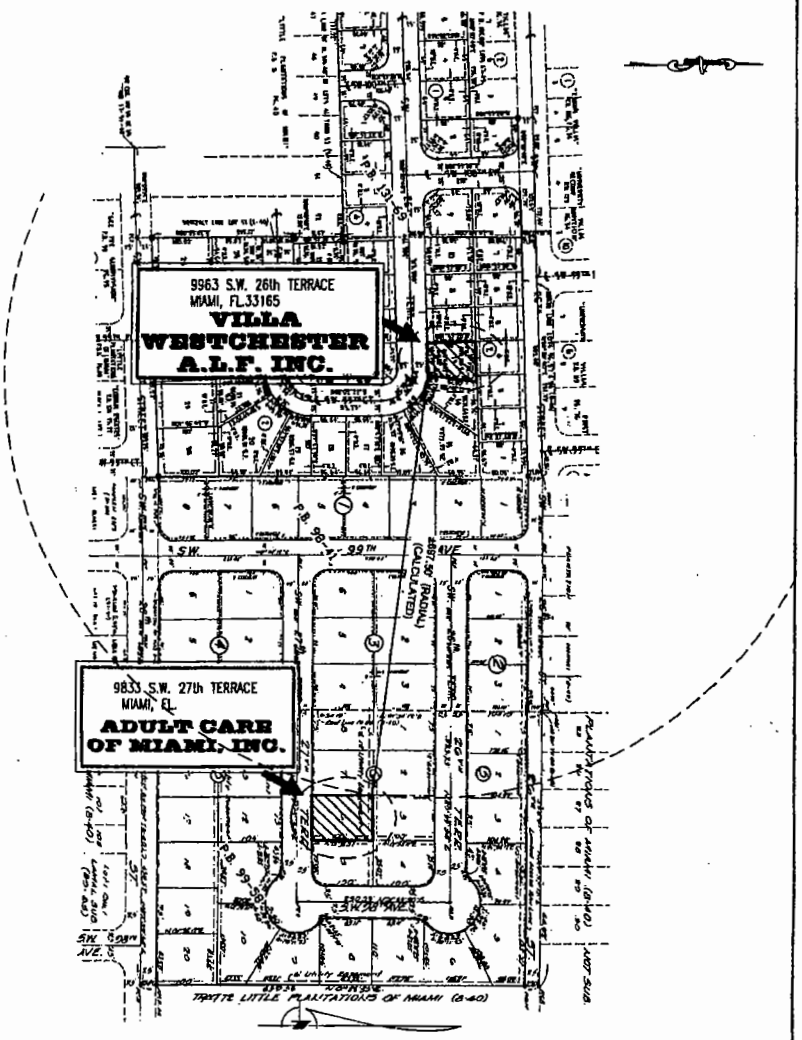
CERTIFY TO: NELLY TAMAYO

LEGAL DESCRIPTION: (FURNISHED BY CLIENT)

LOT 13 BLOCK 2

SUBDIVISION BEN-CAR SUBDIVISION SECTION ONE

ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 131 AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



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Z08-104
JUN 03 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

DATE COMPLETED. 03-28-08

SURVEYOR'S NOTE:

THIS IS NOT A BOUNDARY SURVEY

BY:

EFRAIN C. LOPEZ, P.L.S.
CERTIFICATE No.L.S.-2300
STATE OF FLORIDA
"NOT VALID WITHOUT THE SIGNATURE, DATE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."

D'AVILA & ASSOC. SERVICES, INC.
1800 W. 49th ST. SUITE 336
HIALEAH , FL.33012
PHONE (305) 512-3710
Lb#7538

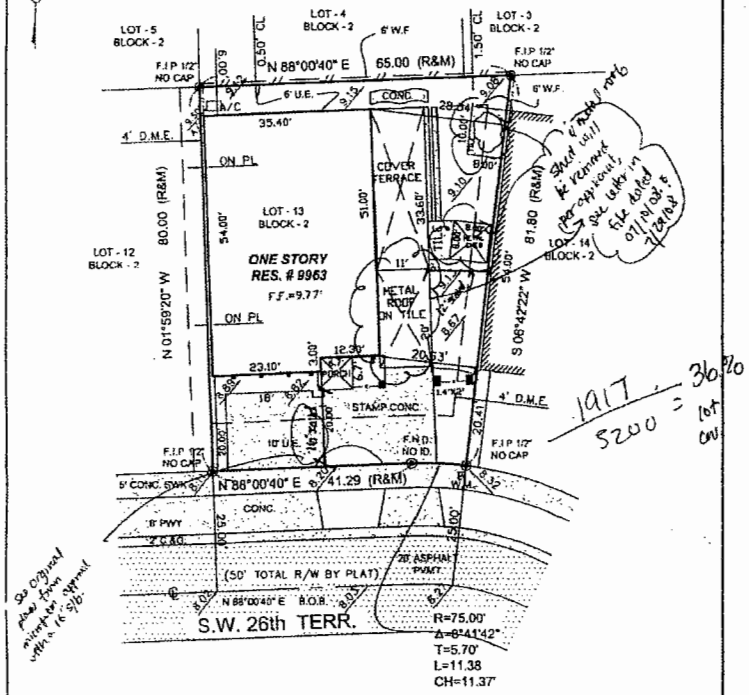
PAGE 2 OF 2
NOT VALID WITHOUT PAGE 1 OF 2

BOUNDARY SURVEY

JOB No. 08-032600
Drawn by: TULY

SCALE: 1" = 20'

RECEIVED
209-104
JUN 03 2009
PLANNING AND ZONING DIVISION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



So disposal plan from engineer will approve with it. Sjb

Shed still in variance, see copy in file dated 07/11/08 & 12/08/08

1917 / 5200 = 36.7% lot cvg

SURVEYOR'S NOTES:
There may be Easements recorded in the Public Records not shown on this Survey.
The purpose of this Survey is for obtaining Title Insurance and Financing and should not be used for Construction purposes.

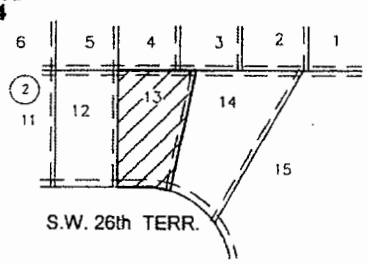
LEGEND AND ABBREVIATIONS

ELEV.	= ELEVATION	C. & G.	= CURB & GUTTER	P.I.	= POINT OF INTERSECTION	D. & M. E.	= DRAINAGE & MAINTENANCE EASEMENT
DRWY.	= DRIVEWAY	S.I.R.	= SET IRON ROD	P.R.C.	= POINT OF REVERSE CURVE	Δ	= CENTRAL ANGLE
U.P.	= UTILITY POLE	P.O.C.	= POINT OF COMMEN-CEMENT	P.C.	= POINT OF CURVATURE	-//-	= WOOD FENCE (6' HIGH)
B.O.B.	= BASIS OF BEARINGS	F.N.	= FOUND NAIL	F.N.D.	= FOUND NAIL/DISK	-x-	=CHAIN LINK FENCE (4' HIGH)
A/C	= AIR CONDITIONING PAD	P.T.	= POINT OF TANGENCY	P.C.C.	= POINT OF COMPOUND CURVE	OOOO	=C.B.S. WALL
A	= ARC DISTANCE	E.N.C.	= ENCROACHMENT	M/L	= MONUMENT LINE	B/C	=BLOCK CORNER
BLDG.	= BUILDING	F.H.	= FIRE HYDRANT	N.G.V.D.	= NATIONAL GEODETIC VERTICAL DATUM	R	= RADIUS
C.B.	= CATCH BASIN	F.I.P.	= FOUND IRON PIPE	O.E.	= OVERHEAD ELECTRIC LINE	RAD.	= RADIAL
C.B.S.	= CONCRETE BLOCK STRUCTURE	F.I.R.	= FOUND REBAR	P.B.	= PLAT BOOK	RES.	= RESIDENCE
CH	= CHORD DISTANCE	I.F.E.	= LOWEST FLOOR ELEVATION	P.C.P.	= PERMANENT CONTROL POINT	R/W	= RIGHT OF WAY
CL	= CLEAR	L.P.	= LIGHT POLE	P.O.	= PAGE	SEC.	= SECTION
C/L	= CENTER LINE	(M)	= MEASURED	P.O.B.	= POINT OF BEGINNING	S.I.P.	= SET IRON PIPE
CONC.	= CONCRETE	(R)	= RECORD	P/L	= PROPERTY LINE	STY	= STORY
		(R & M)	= RECORD & MEASURED	N.T.S.	= NOT TO SCALE	SWK	= SIDEWALK
						U.E.	= UTILITY EASEMENT

LOCATION SKETCH

SCALE: NTS

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z08-104
DATE: JUN 03 2008
BY: SDE



RECEIVED
Z08-104
JUN 03 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY

JOB No. 08-032600 CLIENT: NELLY TAMAYO

PROPERTY ADDRESS 9963 S.W. 26th TERR. MIAMI FL 33165

LEGAL DESCRIPTION: (FURNISHED BY CLIENT)

LOT 13 BLOCK 2

SUBDIVISION BEN-CAR SUBDIVISION, SECTION ONE

ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 131 AT PAGE 69

OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

SUBJECT TO ALL RESTRICTIONS, RESERVATIONS, EASEMENTS AND RIGHT-OF-WAY OF RECORD, UNDERGROUND ENCROACHMENTS IF ANY, NOT LOCATED.

LEGAL NOTES

THE SURVEY OF THE PROPERTY SHOWN HEREON IS IN ACCORDANCE WITH THE DESCRIPTION FURNISHED BY CLIENT NO SEARCH OR PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE FOR ACCURACY OR OMISSIONS, SUBJECT TO OPINION TITLE.

I HEREBY CERTIFY: THAT THE ATTACHED BOUNDARY SURVEY OF THE ABOVE DESCRIBED PROPERTY IS TO THE BEST OF MY KNOWLEDGE AND BELIEF AS RECENTLY SURVEYED PLATTED UNDER MY DIRECTION; ALSO THAT THERE ARE NO ABOVE GROUND ENCROACHMENTS OTHER THAN THOSE SHOWN, AND THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET BY THE FLORIDA BOARD OF LAND SURVEYORS AS SET FORTH IN 472.027 (F.S) AND CHAPTER 61G17-6 FLORIDA ADMINISTRATIVE CODE. ELEVATIONS REFER TO: NGVD DATUM 1929

B.M. USED J- ELEVATIONS 8.29 FEET B.M. LOCATED SW 24 ST / SW 97 AVE

ELEVATION INFORMATION:

BASED ON THE FLOOD INSURANCE RATE MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY DATED OR REVISED ON 02/17/01, THE HEREIN DESCRIBED PROPERTY IS SITUATED WITHIN ZONE X

BASE FLOOD ELEVATION N/A COMMUNITY 120635 PANEL NUMBER 0170 SUFFIX J

THE CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PARTY.

CERTIFIED TO:

NELLY TAMAYO

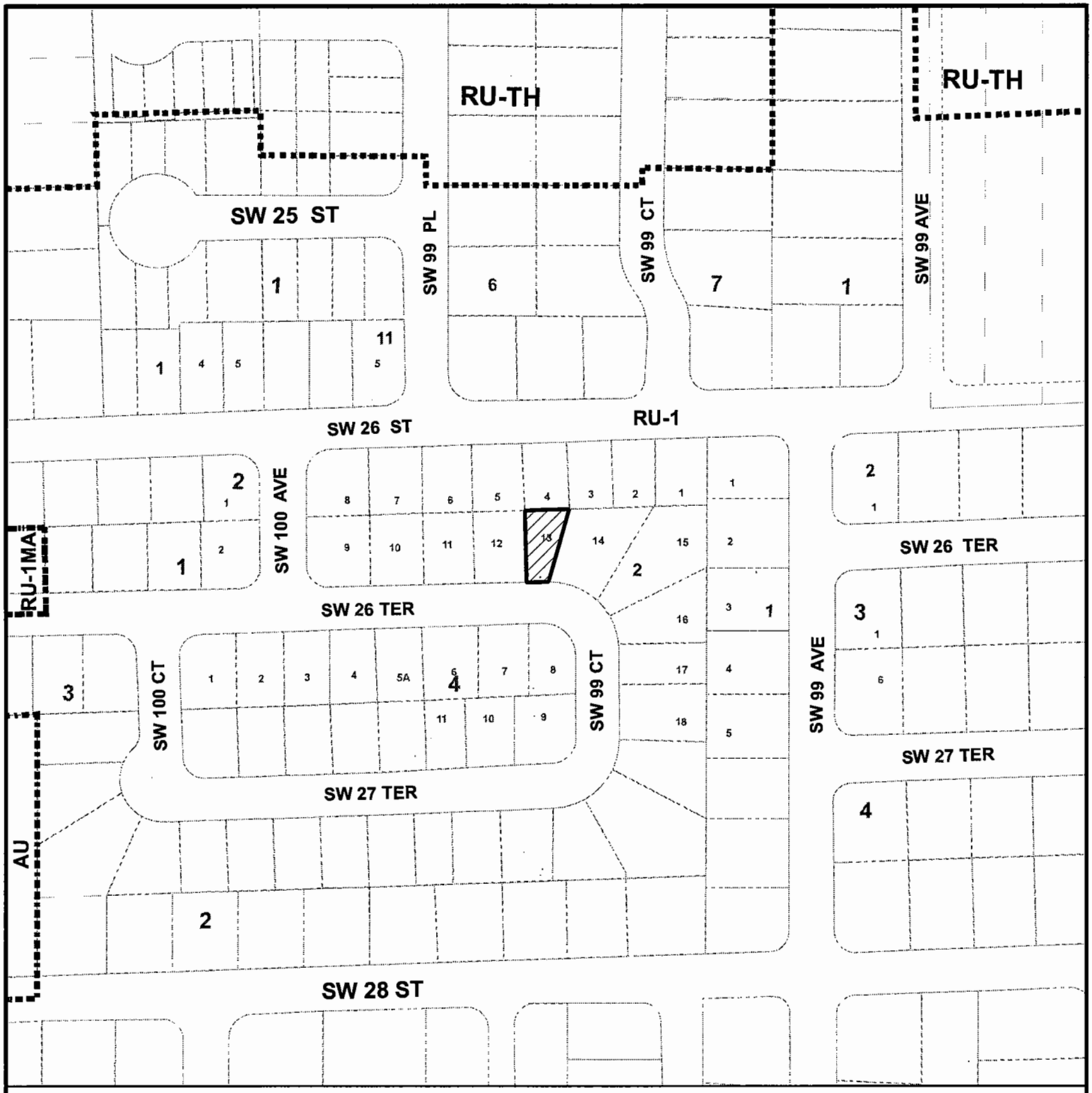
SURVEY DATE: 04-01-08

DRAWN BY: TUEY	DATE: 04-01-08
CHECKED BY: R.A.	DRAWING NO: 2600
JOB NO: 032600	SHEET 1 OF 2

D'AVILA & ASSOC. SERVICES, INC.
Land Surveyors
CERTIFICATE No. L.B.-7938, STATE OF FLORIDA
1800 W. 49th PLACE SUITE 33A
HIALEAH, FL 33012
PHONE (305) 512-1710

BY:
EFRAIN C. LOPEZ, P.L.S.
CERTIFICATE No. L.S.-3300
STATE OF FLORIDA

"NOT VALID WITHOUT THE SIGNATURE, DATE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."



MIAMI-DADE COUNTY
HEARING MAP

Process Number
08-104

N
W E
S

SUBJECT PROPERTY

Section: 17 Township: 54 Range: 40
Applicant: VILLA WESTCHESTER ALF, INC
Zoning Board: C10
District Number: 10
Drafter ID: KEELING
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 06/17/08

REVISION	DATE	BY
		18

MIAMI-DADE COUNTY
AERIAL

Process Number
08-104

N
W E
S

SUBJECT PROPERTY

Section: 17 Township: 54 Range: 40
Applicant: VILLA WESTCHESTER ALF, INC
Zoning Board: C10
District Number: 10
Drafter ID: KEELING
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 06/17/08

REVISION	DATE	BY