KITS

10-31-2008 Version # 2

MIAMI-DADE COUNTY

COMMUNITY ZONING APPEALS BOARD 10

RUBEN DARIO MIDDLE SCHOOL

350 NW 97 Avenue, Miami

Thursday, November 13, 2008 at 6:30 p.m.

PREVIOUSLY DEFERRED

A.	08-9-CZ10-2	RENAISSANCE PROFESSIONAL CONSTRUCTIONS CORP.	07-164	10-54-39	
B.	08-9-CZ10-3	DORA & ORESTES BELLO	07-288	GL2-53/54-39	
C.	08-9-CZ10-6	CESAREO L. PAZ	08-69	19-54-40	
D.	08-10-CZ10-4	T MOBILE SOUTH LLC & FIRC TAMIAMI LLC	08-60	03-54-39	

CURRENT

1.	08-11-CZ10-1	FERRO DEVELOPMENT, LLC	08-34	04-54-39	N
2.	08-11-CZ10-2	BELEN JESUIT PREPARATORY SCHOOL, INC.	08-166	02-54-39	N

Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 10

MEETING OF THURSDAY, NOVEMBER 13, 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. RENAISSANCE PROFESSIONAL CONSTRUCTIONS CORP. (08-9-CZ10-2/07-164)

10-54-39
Area 10/District 11

(1) AU and EU-1 to BU-1A

(2) Applicant is requesting to permit a setback of 6' (20' required) from the rear (north) property line and a setback of 15' (25' required) from the side street (east) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(16) (Alternative Site Development Option for the BU Zoning District) or 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 "Coral Way Commercial South Parcel" as prepared by Ramos/Martinez Archts. Inc., dated stamped received 9/14/07, consisting of 5 sheets. Plans may be modified at public hearing.

LOCATION: The north side of S.W. 26 Street (Coral Way), approximately 264' east of S.W. 147 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.7 Acres

Department of Planning and Zoning Recommendation: Approval of request #1, subject to the Board's acceptance of the proffered covenant; approval with conditions of request #2 under Section 33-311(A)(4)(b) (NUV), and denial without prejudice of same under Sections 33-311(A)(16) (ASDO) and 33-311(A)(4)(c) (ANUV).

Protests: 1 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

Deferred from 9/11/08

B. DORA & ORESTES BELLO (08-9-CZ10-3/07-288)

GL2-53/54-39
Area 10/District 12

Applicants are requesting to permit a covered terrace and bathroom addition to a single-family residence setback varying from 5.06' to 8.06' (10' required) from the side street (north) 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 "Proposed Covered Terrace Addition to a Residence Property of Dora and Orestes Bello," as prepared by Cesar M. Cano, A.I.A., consisting of 3 sheets, dated stamped received 2/28/08. Plans may be modified at public hearing.

LOCATION: 1159 N.W. 136 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 60.04' x 110.09'

Department of Planning and Zoning Recommendation: Denial without prejudice.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

Deferred from 9/11/08

C. **CESAREO L. PAZ (08-9-CZ10-6/08-69)** **19-54-40**
Area 10/District 10

(1) Applicant is requesting to permit a porch addition to a single-family residence setback 24' (25' required) from the front (south) property line.

(2) Applicant is requesting to permit a detached gym room and utility building setback 2' (5' required) from the rear (north) property line and spaced 7' (10' required) from the principle building.

Upon a demonstration that the applicable standards have been satisfied, approval of the requests may be considered under §33-311(A)(14) (Alternative Site Development Option for Single-Family and Duplex Dwelling Units) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Accessory Building Legalization for Cesareo Paz," as prepared by Ruben J. Pujol, Architect, dated stamped received 5/30/08 and consisting of 1 sheet. Plans may be modified at public hearing.

LOCATION: 11341 S.W. 41 Terrace, Miami-Dade County, Florida.

SIZE OF PROPERTY: 75' x 100'

Department of Planning and Zoning Recommendation: Approval with conditions of request #1; denial without prejudice of request #2 under Section 33-311(A)(4)(b) (NUV); denial without prejudice of both requests under Sections 33-311(A)(14) (ASDO) and 33-311(A)(4)(c) (ANUV).

Protests: 0 Waivers: 12

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

Deferred from 9/11/08

D. 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: _____

Deferred from 10/30/08

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1. FERRO DEVELOPMENT L. L. C. (08-11-CZ10-1/08-34) **4-54-39 Area 10/District 11**

(1) RU-3M to BU-1A

(2) DELETION of Declaration of Restrictions recorded in Official Record Book 20979, Page 997-1004, last modified by a Declaration of Restrictions recorded in Official Record Book 22176, Pages 2700-2704.

(3) DELETION of the Covenant Proviso accepted pursuant to Resolution No. CZAB10-13-07, passed and adopted by Community Zoning Appeals Board #10, which accepted a proffered Declaration of Restrictive Covenant, hereinafter the "covenant proviso" as follows:

"BE IT FURTHER RESOLVED that, pursuant to §33-6 of the Code of Miami-Dade County, Florida. The county hereby accepts the proffered Declaration of Restrictive Covenants and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive then the applicable zoning regulations."

The purpose of requests #2 and #3 is to delete a covenant requiring the owner to apply for an Administrative Site Plan Review and comply with the Developmental Impact Committee requirements, if needed, and to delete a covenant proviso tying the site to a residential development, to permit development of the site according to the regulations of the proposed zoning district.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 and #3 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

LOCATION: Lying south of S.W. 8 Street, between S.W. 152 Avenue and S.W. 153 Place, Miami-Dade County, Florida.

SIZE OF PROPERTY: 8.9 Acres

Department of Planning and Zoning Recommendation: Approval of request #1, subject to the Board's acceptance of the proffered covenant; approval of requests #2 and #3 under Section 33-311(A)(7) (generalized modification standards), and denial without prejudice of same requests under Section 33-311(A)(17) (ASDO for modification or elimination of conditions and covenants after public hearing).

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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2. **BELEN JESUIT PREPARATORY SCHOOL, INC. (08-11-CZ10-2/08-166)** **2-54-39**
Area 10/District 12

(1) EU-1 to RU-3

(2) UNUSUAL USE to permit an annual carnival with amusement rides.

(3) Applicant is requesting to permit a building height of 50'8" (35' maximum permitted).

(4) Applicant is requesting to permit parking and drives within 25' of the right-of-way (not permitted).

(5) Applicant is requesting to permit a shed setback 19.34' and to permit bleachers setback 25' (30' required) from the side street (west) property line.

REQUESTS #1 - #5 ON PARCEL "A"

(6) SPECIAL EXCEPTION to permit the expansion of an existing school onto additional properties to the west.

(7) MODIFICATION of Conditions #4, #5, #6, #8, #9 and #10 of Resolution No. Z-122-77, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "4. That the use be approved and restricted to a maximum of 1,000 students."

TO: "4. That the use be approved and restricted to a maximum of 1,500 students."

FROM: "5. That the use be conducted on the premises on weekdays only, Monday through Friday, inclusive."

TO: "5. That the use be conducted on the premises seven days a week."

FROM: "6. That the hours of operation shall be from 7 a.m. to 10 p.m."

TO: "6. That the hours of operation shall be from 6:30 a.m. to midnight, Monday through Friday and 8:00 a.m. to midnight on Saturdays and Sundays."

FROM: "8. That the number of grades will be from 7 to 12."

TO: "8. That the number of grades will be from 6 to 12."

FROM: "9. That the number of classrooms will be as follows:

7-8	7 classes
9-10	10 classes
11-12	4 classes plus labs and special classrooms."

TO: "9. To permit 73 classrooms."

FROM: "10. That the number of teachers will be 40."

TO: "10. That the number of teachers will be 120."

(8) MODIFICATION of Condition #2 of Resolution No. CZAB10-79-01, passed and adopted by Community Zoning Appeals Board #10, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Belen Jesuit Recreational Facility,' as prepared by Albaisa Architects, dated 12/23/99 and consisting of 1 sheet."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Belen Jesuit Preparatory School Master Plan, dated stamped received 9/2/08 and a plan entitled 'Partial Site Plan Annual Carnival,' dated stamped received 9/26/08, all prepared by Santos/Raimundez, Architects, and consisting of 14 sheets."

The purpose of requests #7 and #8 is to allow the applicant to submit new site plans showing additional property for the expansion of the school, an increase in the number of students, grades, teachers and classrooms and to extend the days and hours of operation.

REQUESTS #6 - #8 ON PARCELS "A", "B" AND "C"

(9) Applicant is requesting to permit an administrative building setback 20'8" (75' required) from the interior side (west) property line and spaced less than 75' from a residence under different ownership to the west.

(10) Applicant is requesting to permit a tiki hut setback 27'8" (30' required) from the side street (east) property line.

REQUESTS #9 AND #10 ON PARCEL "C"

(11) Applicant is requesting to waive the zoning regulations requiring interior street rights-of-way to be 50' in width; to permit no dedication of S.W. 128 Avenue between Parcels "A" and "B".

Upon a demonstration that the applicable standards have been satisfied, approval of requests #7 and #8 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of conditions or Covenants After Public Hearing and approval of requests #3-#5 and #9-#11 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

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

LOCATION: 500 S.W. 127 Avenue and 12800 S.W. 6 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 32.54 Acres

Department of Planning and Zoning Recommendation:

Denial without prejudice of request #1; approval with conditions of request #2; approval with conditions of requests #3 through #5 under Section 33-311(A)(4)(b) (NUV), and denial without prejudice of same requests under Section 33-311(A)(4)(c) (ANUV); approval with conditions of request #6 only as it pertains to Parcel C, and denial without prejudice of the balance of request #6 as it pertains to Parcel B; approval with conditions of request #7 as it pertains to Conditions #4, #5, #8, #9, and #10 only, and modified approval of the balance of request #7 as it pertains to Condition #6 to permit the hours of operation to be from 6:30 a.m. to 10 p.m. Monday through Friday, and 8:00 a.m. to 8:00 p.m. Saturday and Sunday, except that the hours of operation shall be allowed to extend to no later than 12 midnight during not more than 10 days per year, Monday through Sunday, of which 3 days will include the annual carnival under Section 33-311(A)(7) (generalized modification standards); modified approval of request #8 only as it pertains to Parcels A and C and to show the removal of Parcel B under Section 33-311(A)(7); denial without prejudice of requests #7 and #8 under Section 33-311(A)(17) (ASDO for modification or elimination of conditions and covenants after public hearing); denial without prejudice of request #11 under Sections 33-311(A)(4)(b) and 33-311(A)(4)(c); approval with conditions of request #10 under Section 33-311(A)(4)(b) and denial without prejudice of same under

Section 33-311(A)(4)(c); denial without prejudice of request #9 unless withdrawn by the applicant, all subject to the acceptance of the proffered covenant.

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. RENAISSANCE PROFESSIONAL CONSTRUCTIONS CORP.
(Applicant)

08-9-CZ10-2 (07-164)
Area 10/District 11
Hearing Date: 11/13/08

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
1947	Dade County Zoning Department	Zone change to RU-1B.	BCC	Approved
1951	Dade County Zoning Department	Lot frontage and zone change.	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
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP

APPLICANT'S NAME: **RENAISSANCE PROFESSIONAL CONSTRUCTIONS CORP.** **#2**

REPRESENTATIVE: Latoya Faiclough

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
08-9-CZ10-2 (07-164)	September 11, 2008	CZAB10		08

REC: Approval of request #1, subject to the Board's acceptance of the proffered covenant; approval with conditions of request #2 under Section 33-311(A)(4)(b) (NUV), and denial without prejudice of same under Sections 33-311(A)(16) (ASDO) and 33-311(A)(4)(c) (ANUV).

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

☒ DEFER: ☐ INDEFINITELY ☒ TO: Nov 13, 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 additional time to submit covenant (joinder).

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.	**M**	Ruben POL III	**X**		
CHAIRMAN		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: Renaissance Professional Constructions Corp. **PH:** Z07-164 (08-9-CZ10-2)

SECTION: 10-54-39 **DATE:** November 13, 2008

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

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A. INTRODUCTION

- **REQUESTS:**

  (1) AU and EU-1 to BU-1A

  (2) Applicant is requesting to permit a setback of 6' (20' required) from the rear (north) property line and a setback of 15' (25' required) from the side street (east) property line.

  Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(16) (Alternative Site Development Option for the BU Zoning District) or 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 "Coral Way Commercial South Parcel" as prepared by Ramos/Martinez Archts. Inc., dated stamped received 9/14/07, consisting of 5 sheets. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:** The applicant seeks to rezone the subject property from AU, Agricultural District, and EU-1, Single-family One-Acre Estate District, to BU-1A, Limited Business District. Additionally, the applicant seeks to permit covered walkways and a commercial building setback closer to the north and east property lines than permitted.

- **LOCATION:** The north side of SW 26 Street (Coral Way) and approximately 264' east of SW 147 Avenue, Miami-Dade County, Florida.

- **SIZE:** 2.7 Acres

- **IMPACT:** Approval of the rezoning of the property to BU-1A will allow the applicant to provide limited business services to the community. However, said zoning would eliminate approximately 0.46 acre of agriculturally (AU) zoned land in Miami-Dade County, bring additional traffic and activity to the surrounding community and would impact public services. Approval of the requested reduction in setbacks to permit the proposed covered walkways and commercial building may visually impact the surrounding area.

B. ZONING HEARINGS HISTORY: In 1947, a portion of the subject site was included as part of an application on a larger portion of land filed by the Dade County Zoning Department, that established EU-1B, Estate District (One Acre or More) zoning for a depth of 330' from the center line of Coral Way from SW 97 Avenue to SW 147 Avenue, pursuant to Resolution No. 2704. In 1951, a portion of the subject site was included as part of an application on a

larger portion of land filed by the Dade County Zoning Department, that among other things, abolished the EU-1B zone classification and rezoned all areas zoned EU-1B at that time to EU-1, Single-Family One Acre Estate District, pursuant to Resolution No. 4257.

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. **Uses and Zoning Not Specifically Depicted on the LUP Map.**
Some existing lawful uses and zoning are not specifically depicted on the LUP map. However, all such existing lawful uses and zoning are deemed to be consistent with 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 and uses. All approval of new commercial locations must be consistent with the LUP map or the specific exceptions provided in the various LUP map categories, and the objectives and policies of this Plan.

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 of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

4. **Policy LU-9J.** Miami-Dade County shall continue to use, but not be limited exclusively to, design guidelines established in its urban design manual as additional criteria for use in the review of all applications for new residential, commercial and industrial development in unincorporated Miami-Dade County.

5. **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.

9. Along arterials, Major and high-speed roadways, pedestrian circulation should be accommodated by sheltering sidewalks from passing traffic by providing landscaping and trees at the street edge. In commercial areas, pedestrian access should be further accommodated by pedestrian pathways from the neighborhood to the business entrances as convenient as those from parking lots, and by providing awnings, overhangs or porticos for protection from the sun and weather.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
AU and EU-1; Vacant lot and Single-family residence	Business and Office
Surrounding Properties:	
NORTH: AU; Row crops	Business and Office
SOUTH: BU-1A; Retail shopping plaza	Business and Office
EAST: AU and EU-1; Vacant	Low Density Residential, 2.5 to 6 dua
WEST: BU-1A; Retail shopping plaza	Business and Office

The subject property is comprised of two interior lots, which lie north of SW 26 Street (Coral Way), approximately 264' east of SW 147 Avenue. Commercial uses, vacant parcels, farmland and single-family residences characterize the area where the subject property lies.

E. SITE AND BUILDINGS:

Site Plan Review:	(Site plan submitted)
Scale/Utilization of Site:	**Acceptable***
Location of Buildings:	**Acceptable***
Compatibility:	**Acceptable***
Landscape Treatment:	**Acceptable***
Open Space:	**Acceptable***
Buffering:	**Acceptable***
Access:	**Acceptable***

Parking Layout/Circulation:	**Acceptable***
Visibility/Visual Screening:	**Acceptable***
Urban Design:	**Acceptable***

*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.

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.

(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 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.

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:

This application was deferred from the September 11, 2008 meeting at the applicant's request to allow the applicant additional time to submit a completed covenant. The subject property is comprised of two interior lots, which lie north of SW 26 Street, (Coral Way) approximately 264' east of SW 147 Avenue. Commercial uses, vacant parcels, farmland and single-family residences characterize the area where the subject property lies. The applicant is seeking a zone change on the subject property from AU, Agricultural District, and EU-1, Single-family One-Acre Estate District, to BU-1A, Limited Business District (request #1). Additionally, the applicant seeks to permit a setback of 6' (20' required) from the rear (north) property line and a setback of 15' (25' required) from the side street (east) property line (request #2). Staff notes that the subject property consists of approximately 0.46 of an acre zoned AU and approximately 2.22 acres zoned EU-1, for a total of 2.7 acres. Staff's inspection of the subject site indicates that the west half of the site is improved with an existing single-family residence and three accessory structures. However, the applicant intends to raze said residence and accessory structures and has submitted plans depicting the aforementioned requests and development of the site with a retail and office building. The applicant has voluntarily proffered a covenant restricting development of the site to the submitted plans.

Plans submitted by the applicant depict the development of the subject site with a 2-story, 41,369 sq. ft. retail and office building with parking, and reflects 20,033 sq. ft. of retail space to be provided on the first floor and 21,335 sq. ft. of office space on the second floor. The elevation plans show that the 2-story structure attains a maximum height of 44'8" when measured to the highest point. The submitted plans illustrate that the L-shaped building is sited along the eastern and southern portions of the site, which effectively conceals the parking area sited on the rear (northwest) portion of the site. Staff's review of the submitted plans indicates that the proposed retail and office building features a Colonnade Canopy walkway along the southern, eastern and northern façade of the building as well as a covered terrace towards the center of the building near the southeast corner of the site. Staff notes that the submitted plans indicate that the applicant has provided a surplus of 5 parking spaces yielding a total of 158 where 153 parking spaces are required for all business and office activities proposed on the site. In staff's opinion, the applicant has provided more than adequate parking for the retail and office uses within the development. Proposed access to the site is provided via 2 two-way driveways, one located on SW 26 Street (Coral Way) and another located on SW 145 Avenue. Staff notes that the submitted plans depict a 5' high CBS wall that runs along the rear (north) property line. Landscape plans illustrate that Buttonwood, Mahogany, and Golden Shower trees are being provided along the rear (north) and interior side (west) property lines. Additionally, staff notes that Golden Shower trees (40' high at time of planting) and Royal palms (12' high at time of planting) are provided along the south and east property lines. Moreover, the submitted plans also depict street trees in the form of Mahogany trees 12' high at time of planting along SW 26 Street (Coral Way) and SW 145 Avenue. Staff notes that the applicant has voluntarily proffered a covenant restricting 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** has **no objections** to this application and their memorandum indicates that additional improvements may be required at time of platting and that road dedications and improvements will be accomplished through the recording of a plat. Their memorandum further indicates that the proposed development will generate an additional **139** PM daily peak hour **vehicle trips**. However, the addition of said trips does not exceed the acceptable Level of Service (LOS) of the adjacent roadways, which are operating at LOS "D" and "E." The **Miami-Dade Fire Rescue Department (MDFR)** has no **objections** to this application.

The applicant is seeking a zone change on the subject property from AU, Agricultural District, and EU-1, Single-family One-Acre Estate District, to BU-1A, Limited Business District, as well as a request to permit covered walkways and a commercial building setback closer to the south and east property lines than permitted. The approval of the requested zone change will allow the applicant to provide a variety of business uses for the community. As previously mentioned, staff notes that the applicant has proffered a covenant restricting development of the subject property to the submitted plans. The subject property is comprised of approximately 0.46 of an acre of AU zoned property and approximately 2.22 acres of EU-1 zoned property. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the entire subject property for **Business and Office** use. As such, the proposed rezoning to BU-1A is **consistent** with the LUP map of the CDMP. This designation accommodates a full range of sales and service activities which

include, among other things, retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities, amusements and commercial recreation establishments. As such, the proposed commercial shopping plaza use on the subject property is **consistent** with the CDMP. Staff notes that BU-1A zoning exists immediately to the west and south of the subject property while EU-1 and AU zoning exist immediately to the north and east. The BU-1A zoned property immediately to the south and west of the subject property are both developed with commercial shopping plazas. Although the subject property abuts an AU-zoned parcel to the north as well as EU-1 and AU-zoned parcels of land to the east, staff acknowleges that the applicant has provided adequate buffering elements along the north and east property lines. Specifically, as previously mentioned, staff notes that the submitted plans depict a 5' high CBS wall as well as landscaping in the form of Buttonwood, Mahogany, and Golden Shower trees along the rear (north) property line. Moreover, staff notes that abundant landscaping in the form of Golden Shower and Mahogany trees is provided along the side street (east) property line. As such, staff opines that the aforementioned wall and landscape elements will effectively mitigate any negative visual or aural impacts generated by this application. As such, staff notes that the proposed zone change to BU-1A is **consistent** with the LUP map designation of the CDMP and the uses permissible are **compatible** with the surrounding area. Additionally, it should be noted that the subject site lies along a major section line roadway, SW 26 Street (Coral Way), and staff's review of the submitted plan reveals that the applicant has incorporated a colonnade canopy walkway with abundant landscaping along the southern, eastern and northern façade of the building as well as street trees along SW 26 Street and SW 145 Avenue which will create an aesthetically pleasing environment for pedestrians that will promote pedestrian circulation at the street edges. Moreover, the applicant has incorporated horizontal architectural features along the front and side street elevations to eliminate the appearance of a "blank wall effect." Furthermore, **Policy LU-4A** states that when evaluating compatibility among proximate land uses, the County shall consider such factors as height, bulk, and scale of architectural elements. Staff notes that the submitted plans depict a two-story commercial building with parking provided to the rear of the proposed two-story building in the northwestern portion of the of the site. As previously mentioned, the BU-1A zoned properties immediately to the south and west of the subject site are both developed with commercial shopping plazas similar in scale to the one proposed in this application. Based on the aforementioned, staff opines that the approval of a zone change to BU1-A, subject to the Board's acceptance of the proffered covenant restricting the development of the site to the submitted plans, would be **compatible** with the surrounding area and **consistent** with the CDMP. Therefore, staff recommends approval of the requested zone change from AU and EU-1 to BU-1A.

In addition to considering if an application, if approved, conforms to the CDMP, the zoning Code requires that, 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. Additionally, 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. As previously mentioned, the proposed district boundary change from AU and EU-1 to BU-1A will allow the applicant to provide a variety of business uses on the subject property such as dry cleaning establishments, hand crafted products shops, junior department stores, and variety stores. Staff notes that BU-1A zoning exists immediately to the west and south of the subject property while EU-1 and AU zoning exists immediately to the east and north. The BU-1A zoned properties immediately to the south and west of the subject property are both developed with commercial shopping centers. Specifically, the property that abuts the subject property to the west was granted, among other requests, a zone change from AU and EU-1 to BU-1A and site plan approval for a proposed commercial development in 1999, pursuant to Resolution #CZAB10-29-99. Additionally, the property located immediately to the south of the subject property, across SW 26 Street, was granted a zone change from AU and EU-1 to BU-1A, pursuant to Resolution #Z-338-87 in 1987, and is currently improved with a grocery store, fast food restaurant and a bank. Further, in 2003, the property located at 14701 SW 26th Street, on the southwest corner of SW 26 Street and SW 147 Avenue, approximately 380' to the southwest of the subject property, was granted a zone change from GU, Interim District, to BU-1A, pursuant to Resolution #CZAB10-22-03. As such, staff opines that the request is **compatible** with the commercial development trend to the west, south, and southwest of the subject property as evidenced by similar approvals of rezoning requests to BU-1A. Additionally, it should be noted that the proposed rezoning to BU-1A will not have an unfavorable impact on the environment as indicated in DERM's memorandum, which indicates that the application is acceptable, and the rezoning does not unduly burden or affect public transportation facilities in the area as indicated in the Public Works Department's memorandum which states that although the proposed development will generate an additional **139** daily peak hour **vehicle trips,** the addition of said trips does not exceed the acceptable level of service of the adjacent roadways, which are currently operating at LOS "D" and "E." Additionally, as previously mentioned, the applicant has voluntarily proffered a covenant restricting the development of the site to the submitted plans. As such, staff recommends approval of the district boundary change to BU-1A, subject to the Board's acceptance of the proffered covenant.

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 maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, would be **compatible** with the surrounding area and would not be detrimental to the neighborhood. Approval of request #2, to permit covered walkways setback of 6' (20' required) from the rear (north) property line and setback 15' (25' required) from the side street (east) property line, would not be out of character with the area, and in staff's opinion, will serve to enhance the character of the site through the incorporation of sound urban design principles as enumerated in the Guidelines for Urban Form. **Policy LU-9J** of the CDMP indicates that Miami-Dade County shall continue to use, but not be limited exclusively to, design guidelines established in its urban design manual as additional criteria for use in the review of all applications for new residential, commercial and industrial development in unincorporated Miami-Dade County. Staff notes that the Guidelines for Urban Form specify that in commercial areas, pedestrian access should be further accommodated by pedestrian pathways from the neighborhood to the business entrances as convenient as those from parking lots, and by providing awnings, overhangs or porticos for protection from the sun and weather. Further, staff notes that the Urban Design Manual indicates that **covered walkways**, street trees, relocation of parking areas to the rear of buildings, among other things, result in a better relationship of buildings

to the street thereby enhancing pedestrian activity. Staff notes that the submitted plans are in compliance with these provisions of the Urban Design Manual as they illustrate that the L-shaped building is sited along the eastern and southern portions of the site, which effectively conceals the parking area sited on the rear (northwest) portion of the site. Further, as previously mentioned, the proposed retail and office building features a "colonnade canopy" walkway along the southern, eastern and northern façades of the building, which will provide shelter for pedestrians from the elements, thereby creating a sense of human scale and promoting pedestrian activity in accordance with the Guidelines for Urban Form mentioned above. Staff is supportive of the request and opines that the siting of the covered walkways in close proximity to the property lines creates a sense of human scale for the development as it relates to the surrounding area. As previously discussed, the submitted plans illustrate abundant landscaping consisting of Golden Shower trees and Royal palms as well as street trees in the form of Mahogany along the side street (east) property line. Additionally, staff notes that the submitted plans depict a 5' high wall and landscaping in the form of Golden Shower, Buttonwood and Mahogany trees along the rear (north) property line. However, in order to provide additional buffering between the proposed parking area, covered walkway and the AU zoned property located to the north of the subject site, staff recommends as a condition of the approval of request #2 that the applicant provides a hedge along the rear (north) property line. As such, staff opines that the proposal will be well buffered from the vacant AU-zoned property located to the north and east as well as from the vacant EU-1 property located to the east of the site. Therefore, staff opines that the approval of request #2 subject to conditions will enhance the aesthetic appeal of the development and encourage pedestrian activity. Based on the aforementioned, staff opines that the approval of request #2 would not be out of character with the area or detrimental to the community and, as such, recommends approval with conditions of request #2 under Section 33-311(A)(4)(b) (NUV).

The Alternative Site Development Option (ASDO) Standards for buildings and structures in the BU Zoning Districts, Section 33-311(A)(16), 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 same. As such, requests #2 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 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. However, the subject property can be developed in accordance with the zoning regulations. As such, staff is of the opinion that request #2 cannot be approved under the ANUV Standard and should be denied without prejudice under same.

Based on all of the foregoing, staff recommends approval of the requested BU1-A zoning (request #1), subject to the Board's acceptance of the proffered covenant, approval with conditions of request #2 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(16) (ASDO) and under Section 33-311(A)(4)(c) (ANUV).

I. RECOMMENDATION:

Approval of the requested BU-1A zoning, subject to the Board's acceptance of the proffered covenant (request #1); approval with conditions of request #2 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(16) (ASDO) and under Section 33-311(A)(4)(c) (ANUV).

J. CONDITIONS: For request #2 only.

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, but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Coral Way Commercial South Parcel" as prepared by Ramos/Martinez Architects, Inc., dated stamped received 09-14-07 and consisting of 5 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 final zoning inspection.

4. That the applicant provide a hedge no less than 3' high at time of planting to grow to and be maintained at a maximum height of 6' along the rear (north) property line.

5. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained within this report.

DATE INSPECTED: 09/07/07
DATE TYPED: 06/19/08
DATE REVISED: 06/20/08; 07/08/08; 07/23/08; 08/08/08; 09/26/08
DATE FINALIZED: 10/13/08
MCL:MTF:LVT:JV:NC

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

Memorandum

MIAMI-DADE COUNTY

Date: May 2, 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 #Z2007000164-Revised
Renaissance Professional Construction Corp.
North of S.W. 26th Street and East of S.W. 147th Avenue
District Boundary Change from AU and EU-1 to BU-1A
(AU/EU-1) (2.7 Acres)
10-54-39

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.

Potable Water Supply and Wastewater Disposal

Public water abuts the site in the form of a 16-inch main. The closest public sanitary sewer main is a 12-inch force main located approximately 325 feet west of this site. Accordingly, the property is within feasible distance for connection to public sanitary sewers, as defined in the Code. Therefore, DERM will require that, in accordance with the requirements of Section 24-13(6) of the Code, the property be connected to the public water supply and public sanitary sewer systems. 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 sewers 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 stipulated 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 #434. Full compliance with all conditions set forth in said approval is required prior to platting or seeking building permits.

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.

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 properties are located within the Bird Drive Wetland Basin. However, the property with folio 30-4910-003-0241 does not contain jurisdictional wetlands. Therefore, a Class IV Wetland Permit will not be required for this property. However, portions of the property with folio 30-4910-003-0240 contain jurisdictional wetlands and will require 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.

DERM has no objection to this application provided the applicant 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. Please contact the Wetlands Resources Program of DERM 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 with folio 30-4910-003-0240 may contain specimen-sized (trunk diameter 18 inches or greater) trees; however, portions of this property contain jurisdictional wetlands. Therefore, any tree resources that lie within these portions will be regulated through a Class IV Wetland Permit.

Please be advised that any tree resources on this site that are not regulated through a Class IV Wetland Permit, as well as any tree resources on the subject property with folio 30-4910-003-0241, will require a Miami-Dade County Tree Removal Permit prior to removal or relocation. Section 24-49.2(II) of the Code requires that specimen trees be preserved whenever reasonably possible. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

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 tree permitting procedures and requirements prior to site development.

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 2
PH# Z2007000164
CZAB - C10

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:RENAISSANCE PROFESSIONAL CONSTRUCTIONS CORP.

This Department has no objections to this application.

The street designation to SW 146 Avenue must be changed to SW 145 Avenue prior to tentative plat submittal.

Median openings and roadway improvements to SW 26 Street are not part of this application and must be filed separately.

Additional improvements may be required at time of platting.

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 139 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
F-88	SW 8 St. e/o SW 137 Ave.	D	D
9134	Coral Way 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.
11-JUN-08

REVISION 2

Memorandum

Date: 24-JUL-08

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2007000164

Fire Prevention Unit:

This Memo supersedes MDFR Memorandum dated May 23, 2007.
APPROVAL
Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped September 14, 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 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 Z2007000164
located at THE NORTH SIDE OF S.W. 26 STREET, APROXIMATELY 264' EAST OF S.W. 147 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1473 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
41,136 Retail	square feet	N/A nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 12.21 alarms-annually.
The estimated average travel time is: 6:10 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 September 14, 2007. Substantial changes to the plans will require additional service impact analysis.

TEAM METRO
WEST OFFICE

ENFORCEMENT HISTORY

NAME:	ADDRESS
RENAISSANCE PROFESSIONAL CONSTR. CORP.	**NORTH SIDE OF SW 26 ST, & APPROX. 264' E OF SW 147 AVE, MIAMI DADE COUNTY, FLORIDA**
DATE	**Fol #3049100030240 & 241**
AUGUST 01, 2008	**CMS# 200812006814**

ZONING Number Z2007000164

CURRENT ENFORCEMENT HISTORY:

AUGUST 01, 2008
An inspection was conducted August 1, 2008 and no violations were observed.

MARCH 10, 2005
CMS # 200512001184, was opened and CVN # 954887, was issued to the property owner for illegally keeping poultry on property. A compliance inspection was conducted on July 22, 2005 and there was compliance. The CVN was not paid and the case file was sent to Lien. The CVN was eventually paid on May 18, 2006. Case closed.

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2007-164
MAY 08 2007
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

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: RENAISSANCE PROFESSIONAL CONSTRUCTIONS CORP.

NAME AND ADDRESS	Percentage of Stock
Doris Binimelis 260 N.W. 132nd Avenue, Miami, Florida 33182	50%
Sara Figueredo 14591 Coral Way, Miami, Florida, 33175	50%

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: 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 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: N/A

NAME AND ADDRESS	Percent 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 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: x _____ x _____

Doris [illegible] (Applicant) Sara Figueredo

Sworn to and subscribed before me this 27 day of April, 27. Affiant is personally known to me or has produced _____ as identification.

_____ (Notary Public)

JUAN R. MARTINEZ
Notary Public - State of Florida
My Commission Expires Aug 26, 2009
Commission # DD 423117
Bonded By National Notary Assn.

My commission expires _____

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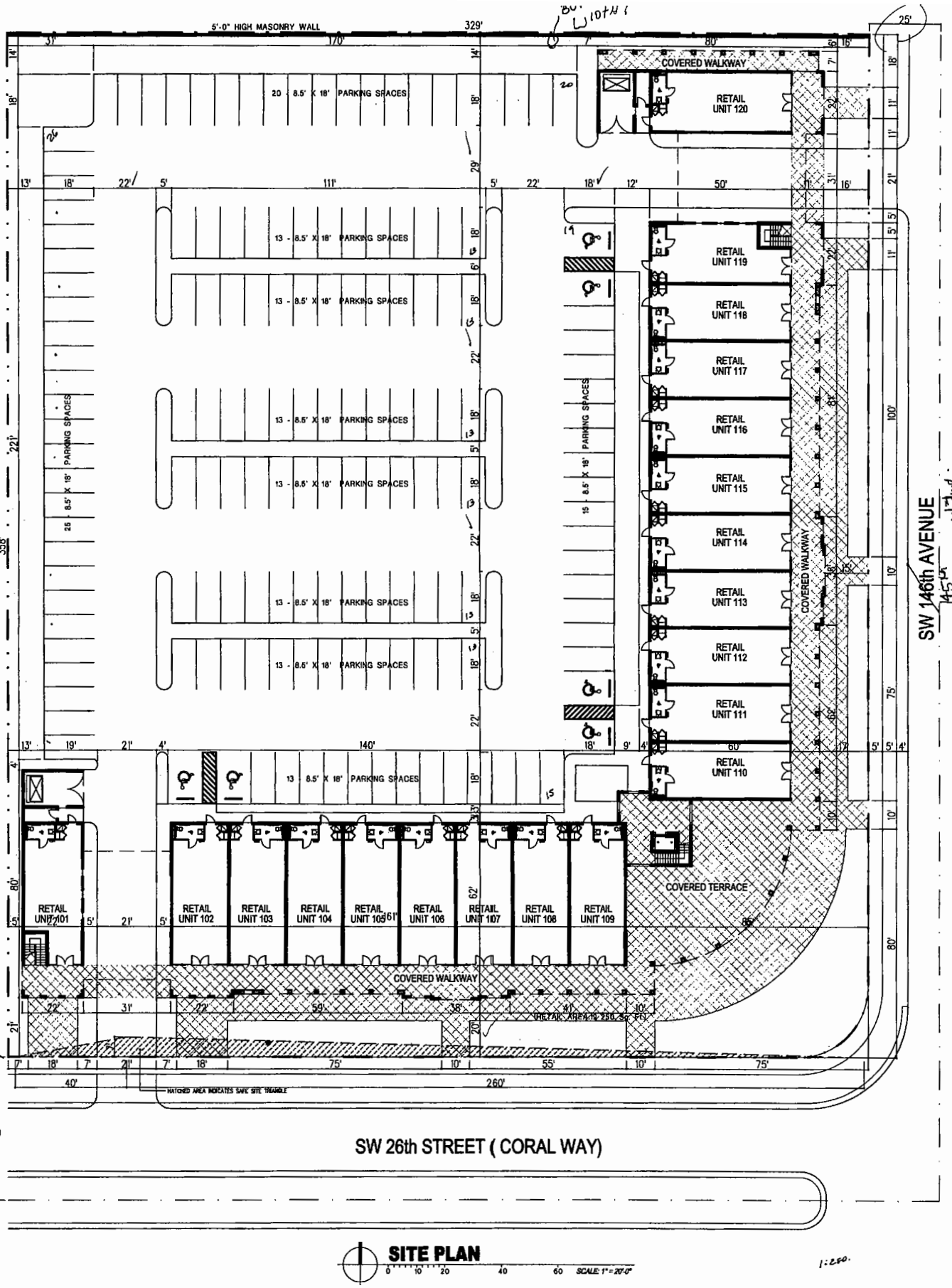
Z07-164
MAY 08 2007
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

*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.



SITE PLAN

SCALE: 1" = 20'-0"

ENLARGED SITE PLAN

25

R:\06-115 Coral Way Commercial Site\SP-1-South.dwg, 9/17/2007 3:59:23 PM

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SITE CALCULATIONS

Parcel A Area Calculations	Sq. Ft.	Acres
Gross Area	117,782.00	2.70
R.O.W. Dedication	9,084.00	0.21
Net Area	108,698.00	2.50
Lake Area	0.00	0.00
Net Upland Area	108,698.00	2.50
Out Parcels	0.00	0.00
Main Parcel	108,698.00	2.50

Parcel A Site Data	Allowed	Provided
Building Height	35.00'	30.00'
Front Setback	20.00'	20.00'
Rear Setback	5.00'	13.00'
Side Interior Setback	5.00'	5.00'
Side Street Setback	15.00'	15.00'
Lot Coverage	40.00%	25.04%
Lot Coverage Area	43,479.20	27,214.00

	Allow./Req.	Provided
Floor Area Ratio	0.91	0.38
Retail Area		19,022.15
Office Area		21,886.00
Total Floor Area		41,136.00
Open Space	55,435.98	18.90%
Open Space Area	19,022.15	20,604.00
Retail Parking (1/250 S.F.)	77	77
Office Parking (1/300 S.F.)	73	73
Handicap Parking	6	6
Stroller Parking	2	2
Total Parking	158	158

Parcel A Site Calculations	Sq. Ft.	%
Building Area	27,214.00	25.04%
Covered Walkway Area		
Dumpster Area	520.00	0.48%
Paved Area	7,125.00	6.55%
Paved Area	51,029.00	46.95%
Pedestrian Walks	2,161.00	1.99%
Green Open Space	20,604.00	18.96%
Total	108,698.00	100.00%

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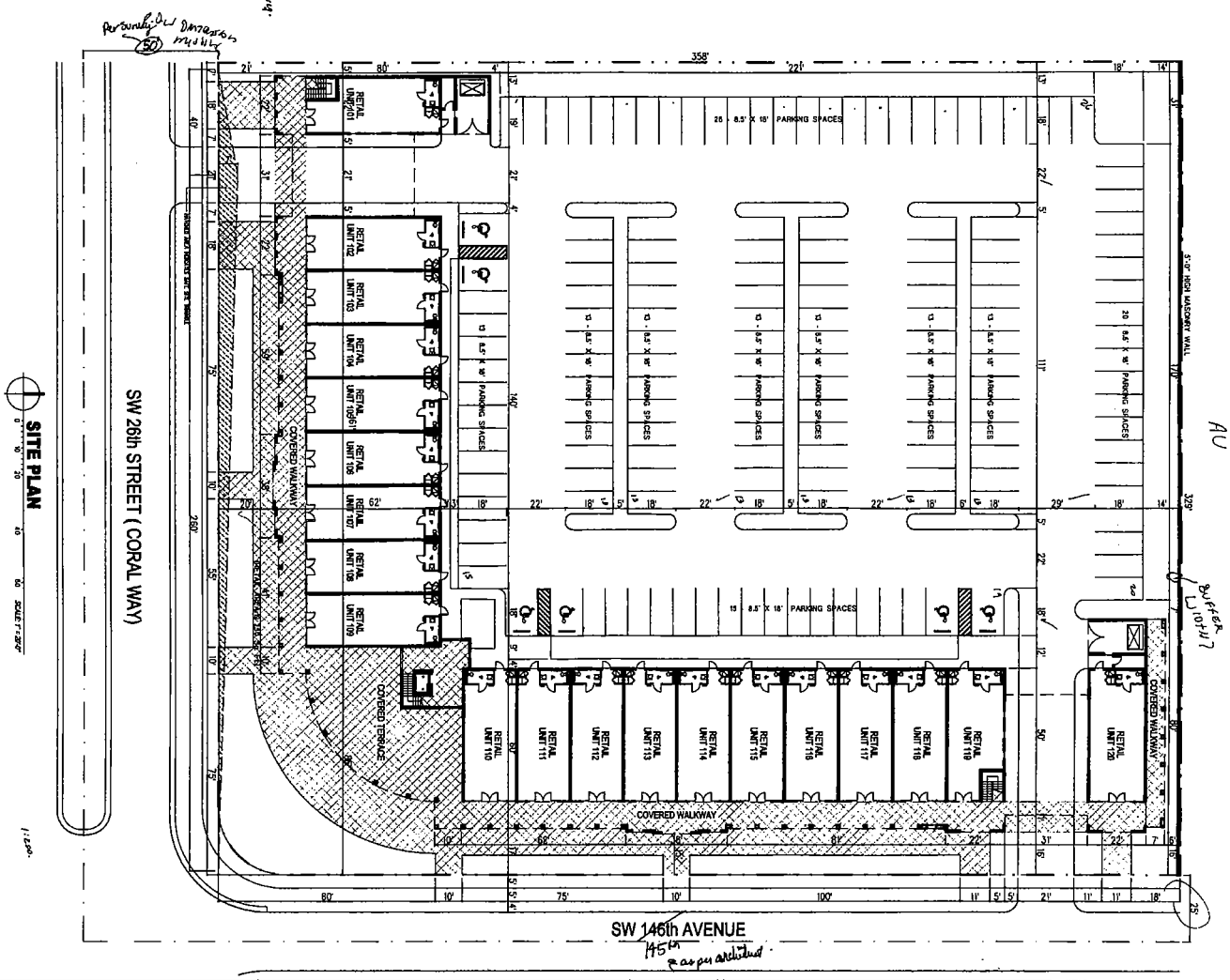
ZONING HEARINGS
MIAMI-DADE COUNTY



SP-1

SITE PLAN CALCULATIONS

CORAL WAY COMMERCIAL
SOUTH PARCEL
IN
MIAMI-DADE COUNTY, FLORIDA

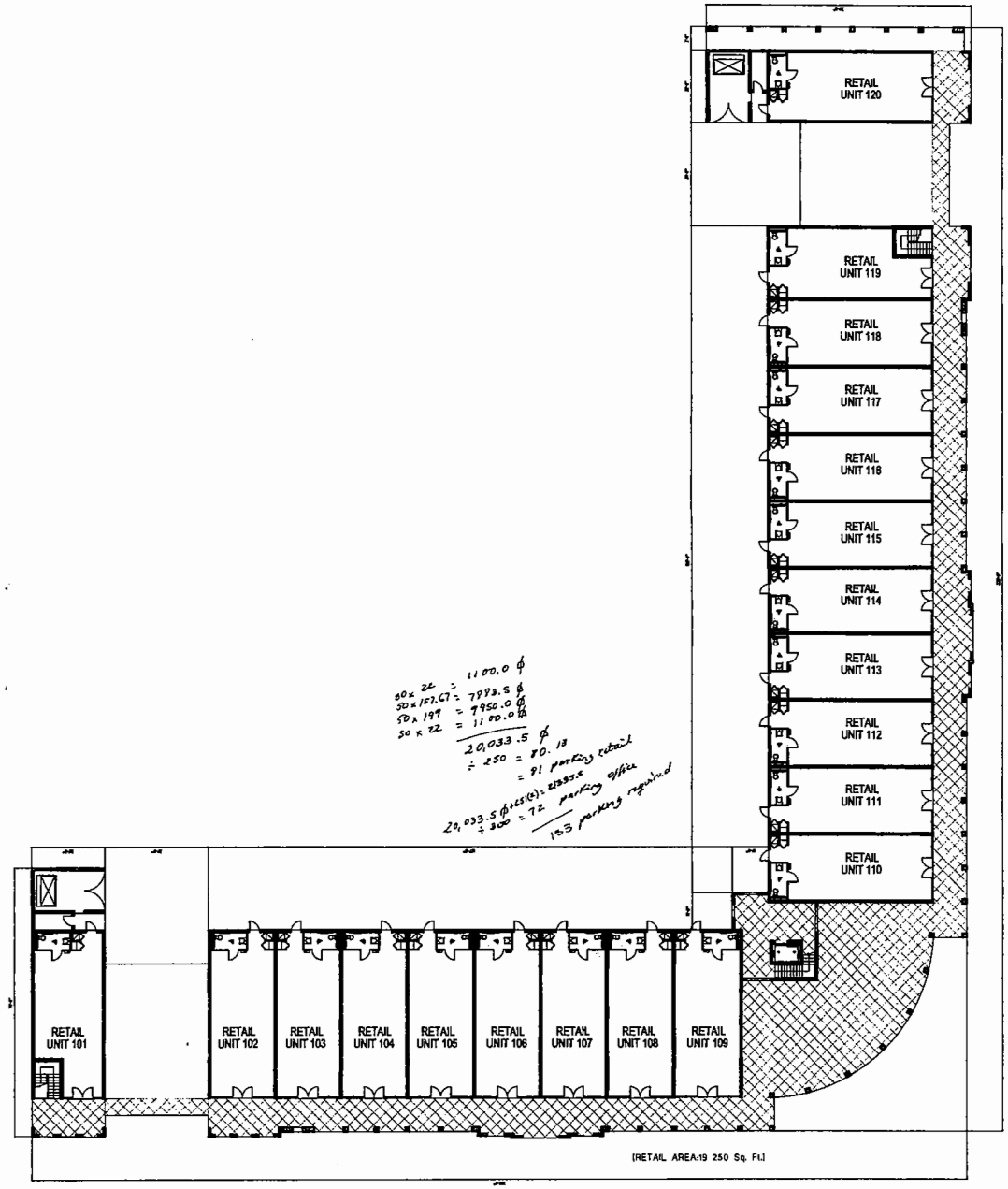
RAMOSMARTINEZ
ARCHITECTS, INC. AA 26000528

MIAMI
2600 S.W. 3rd AVENUE
SUITE 210
MIAMI, FL 33129

TELEPHONE: 305-854-2461
FACSIMILE: 305-854-2463
WEBSITE: www.ramos-mtz.com
E-MAIL: ramos@ramos-mtz.com

NEW YORK
11 ERIE STREET
2nd FLOOR
JERSEY CITY, NJ 07302

27



50 x 22 = 1100.0 ϕ
50 x 157.67 = 7883.5 ϕ
50 x 199 = 9950.0 ϕ
50 x 22 = 1100.0 ϕ
20,033.5 ϕ
÷ 250 = 80.13
= 81 parking retail
20,033.5 ϕ + 651(2) = 21335.5
÷ 300 = 72 parking office
153 parking required

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MIAMI-DADE PLANNING AND ZONING DEPT.
BY

FIRST FLOOR PLAN

0 2 6 12 24 36 SCALE: 1/16" = 1'-0"

RAMOSMARTINEZ
ARCHITECTS, INC. AA 26000328

MIAMI: 2000 S.W. 3rd AVENUE, SUITE 710, MIAMI, FL 33129
TELEPHONE: 305-854-2401
FACSIMILE: 305-854-2403
WEBSITE: www.ramosmartinez.com
NEW YORK: 11 FIRE STREET, 2nd FLOOR, JERSEY CITY, NJ 07302

9/14/07

CORAL WAY COMMERCIAL
SOUTH PARCEL
IN
MIAMI-DADE COUNTY, FLORIDA

FIRST FLOOR

REVISIONS:

CORAL NO. 05-116-1
DATE: 11 DEC 2007
DRAWN BY: L.F.
CHECKED BY:

A-1.1

FC05-116 Coral Way Commercial Site/A-South.dwg, 9/17/2007 3:56:05 PM

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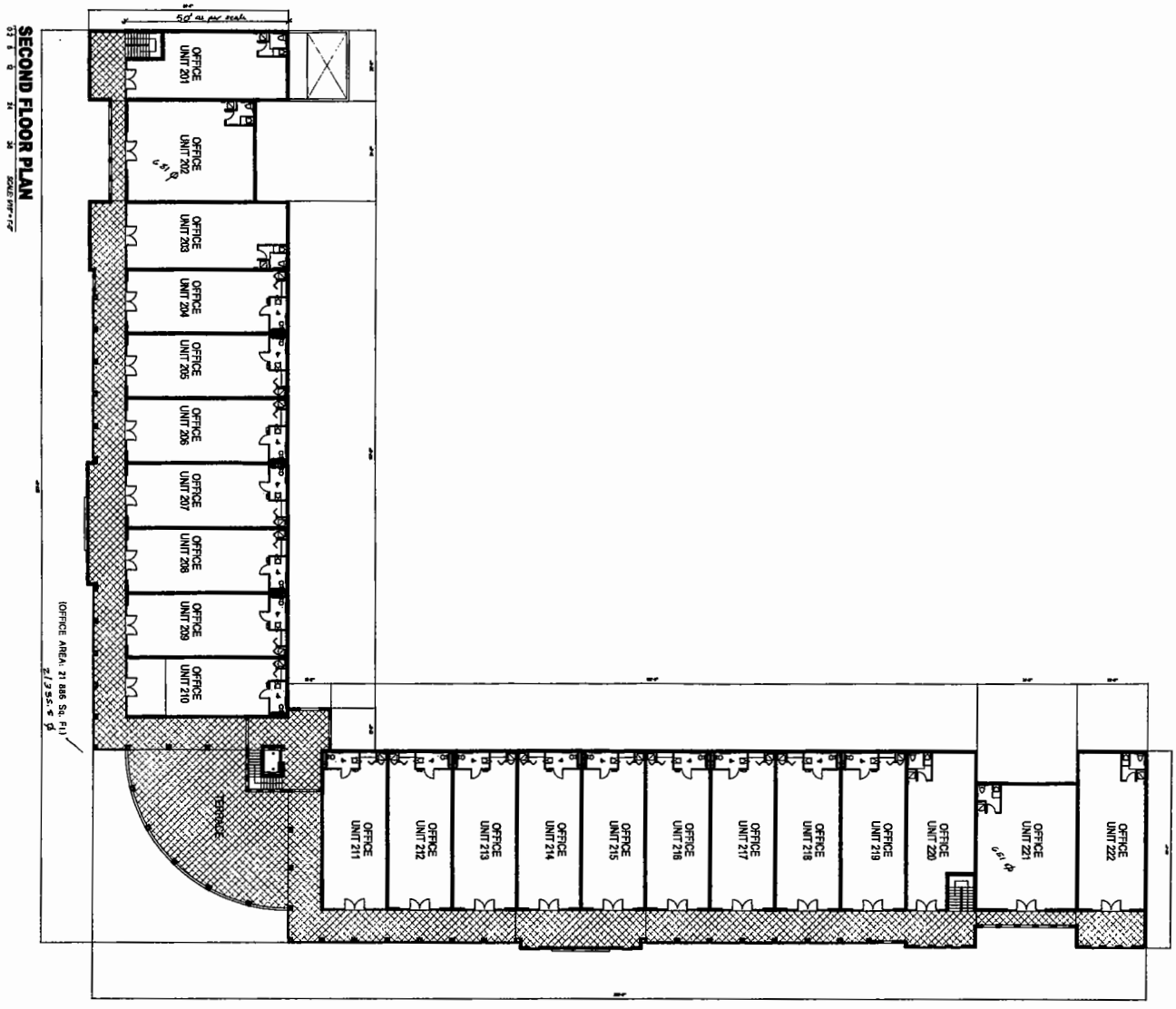

A-1.2

SECOND FLOOR

CORAL WAY COMMERCIAL
SOUTH PARCEL
IN
MIAMI-DADE COUNTY, FLORIDA

9/14/07

RAMOSMARTINEZ
ARCHITECTS, INC. AA 26000928
MIAMI
2902 S.W. 3rd AVENUE
SUITE 710
MIAMI, FL 33129
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JERSEY CITY, NJ 07302

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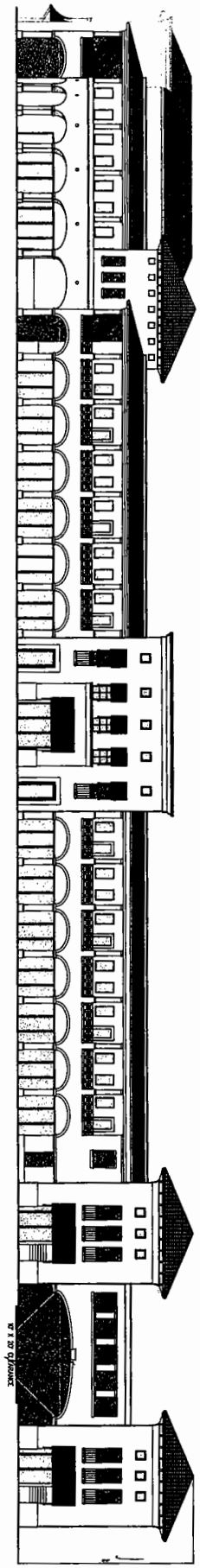
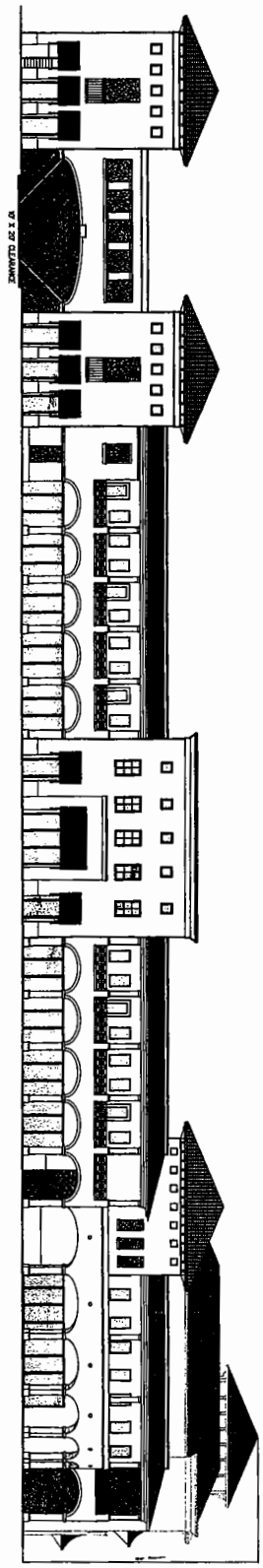


FRONT ELEVATION

SCALE: 3/32" = 1'-0"



SIDE ELEVATION

SCALE: 3/32" = 1'-0"

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2007-1-16
SEP 14 2007
ZONING HEARINGS & SECTION
MIAMI-DADE AND FLORIDA DEPT
BY

A-2

ELEVATION

REVISIONS

CORAL NO. 04-164

DATE: 11/15/2006

DRAWN BY: LF

CHECKED BY:

CORAL WAY COMMERCIAL
SOUTH PARCEL
IN
MIAMI-DADE COUNTY, FLORIDA

9/18/07

RAMOS*MARTINEZ*
ARCHITECTS, INC. AA 26000528

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2800 S.W. 3rd AVENUE
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MIAMI, FL 33129

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WEBSITE: www.ca-arq.com
E-MAIL: mmarq@ca-arq.com

NEW YORK
11 ERIE STREET
2nd FLOOR
JERSEY CITY, NJ 07302

29

LANDSCAPE LEGEND

Zoning District: B-UM Net Lot Area: 108,698 Acres: 2.5

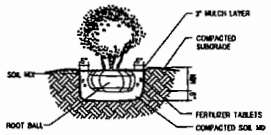
	REQUIRED	PROVIDED
OPEN SPACE		
A. Square Feet of open space required by Chapter 33, as indicated on site plan: Net lot area: 108,698 x 17.5% = 19,022 Sq. Ft.	19,022 Sq. Ft.	19,024 Sq. Ft.
B. Square Feet of parking lot open space required by Chapter 18A, as indicated on site plan: No. parking spaces 158 x 10 SQ.Ft. per parking space.	1,580 SqFt.	1,580 SqFt.
C. Total SqFt. of lanscaped open space required by chapter 33: A+B.	20,602 SqFt.	20,604 SqFt.
LAWN AREA CALCULATION		
A. Total SqFt. of lanscaped open space required by Chapter 33	20,602 SqFt.	20,604 SqFt.
B. Maximum lawn area (sod) permitted: 60% x 20,602 SqFt.	12,361 SqFt.	12,361 SqFt.
TREES		
A. No. trees required per net lot acre. Less existing number of trees meeting minimum requirements = 28 trees x net lot acres= 70 trees	70	72
B. % Palms Allowed: No. trees provided x 30%. % Palms permitted to count as street trees on lot beds x 30%	21 N/A	14 N/A
C. Street trees (maximum average spacing of 35' o.c.). 554 linear feet along street/35= 16	16	16
D. % Natives Required: No. trees provided x 30%.	27	53
E. Streets trees located directly beneath power lines (maximum average spacing of 25' o.c.) ____ linear feet along street/25.	N/A	N/A
F. Total Trees Required: A-C= 88 Total Trees	88	90
SHRUBS		
A. No. trees required x 10= No. of shrubs allowed	660	660
B. No. shrubs allowed x 30%= No. of native shrubs required	258	640

SHRUB PLANT SCHEDULE

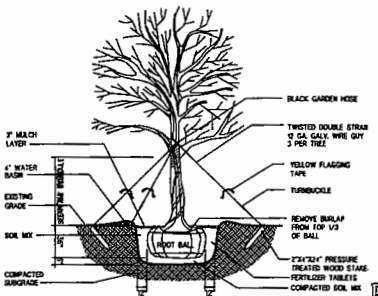
SYMB	QTY.	BOTANICAL NAME	COMMON NAME	NATIVE	REMARKS
	345	Chrysobalanus Icaco	Cocoplum	Yes	3'-0" Min. Height
	295	Asiatica Reticulata	Pawpaw	Yes	3'-0" Min. Height
	220	Hibiscus rosa-sinensis	Hibiscus	No	3'-0" Min. Height
	860				

TREE SCHEDULE

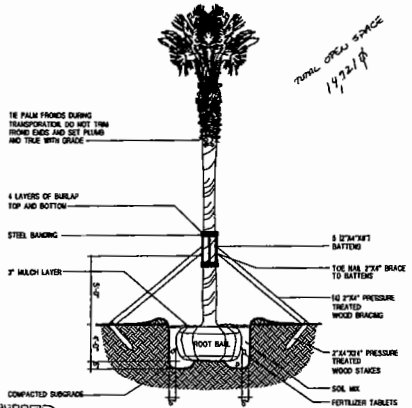
SYMB	QTY.	BOTANICAL NAME	COMMON NAME	NATIVE	REMARKS
	24	Swietnia Mahogani	Mahogany	Yes	10'-0" Min. Height at Planting
	22	Conocarpus Erectus	Buttonwood	Yes	40'-0" Min. Height at Planting
	37	Cassia Fistula	Golden Shower	NO	40'-0" Min. Height at Planting
	7 (14)	Roystonia elata	Florida Royal Palm	Yes	12'-0" Min. Height at Planting
	90				



SHRUB PLANTING DETAIL
N.T.S.



TREE PLANTING DETAIL
N.T.S.



TYPICAL OPEN SPACE 14,321 SF

PALM PLANTING DETAIL
N.T.S.

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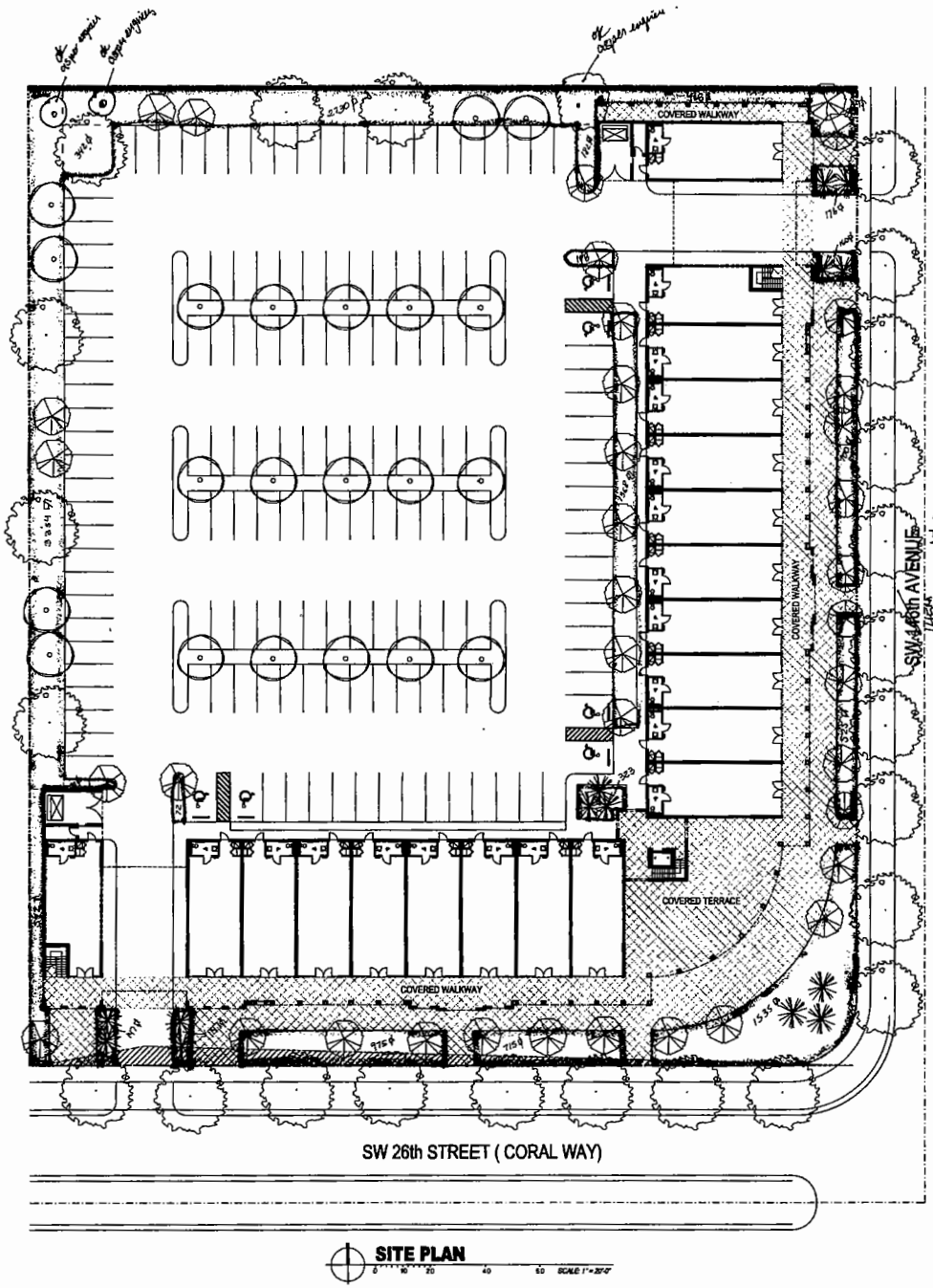
MIAMI-DADE BUILDING AND ZONING DEPT.
BY



SITE PLAN
0 10 20 40 60 SCALE 1"=20'-0"

30

RAMOS MARTINEZ ARCHITECTS INC AA 26000572

MIAMI: 2000 S.W. 3rd AVENUE, SUITE 170, MIAMI, FL 33129, TELEPHONE: 305-856-2621, TELEFAX: 305-856-2622, rmm@bellsouth.net

NEW YORK: 11 EAST 36th STREET, 2nd FLOOR, NEW YORK, NEW YORK 10016

9/14/07

CORAL WAY COMMERCIAL
SOUTH 18 PARCEL
MIAMI-DADE COUNTY, FLORIDA

LANDSCAPE PLAN

REVISIONS:

CORAL WAY: 06-116.1
DATE: 11 DEC 2006
DRAWN BY: LF
CHECKED BY:

L-1

FL06-116 Coral Way Commercial South_-1-North&South.dwg, 9/17/2007 4:02:06 PM
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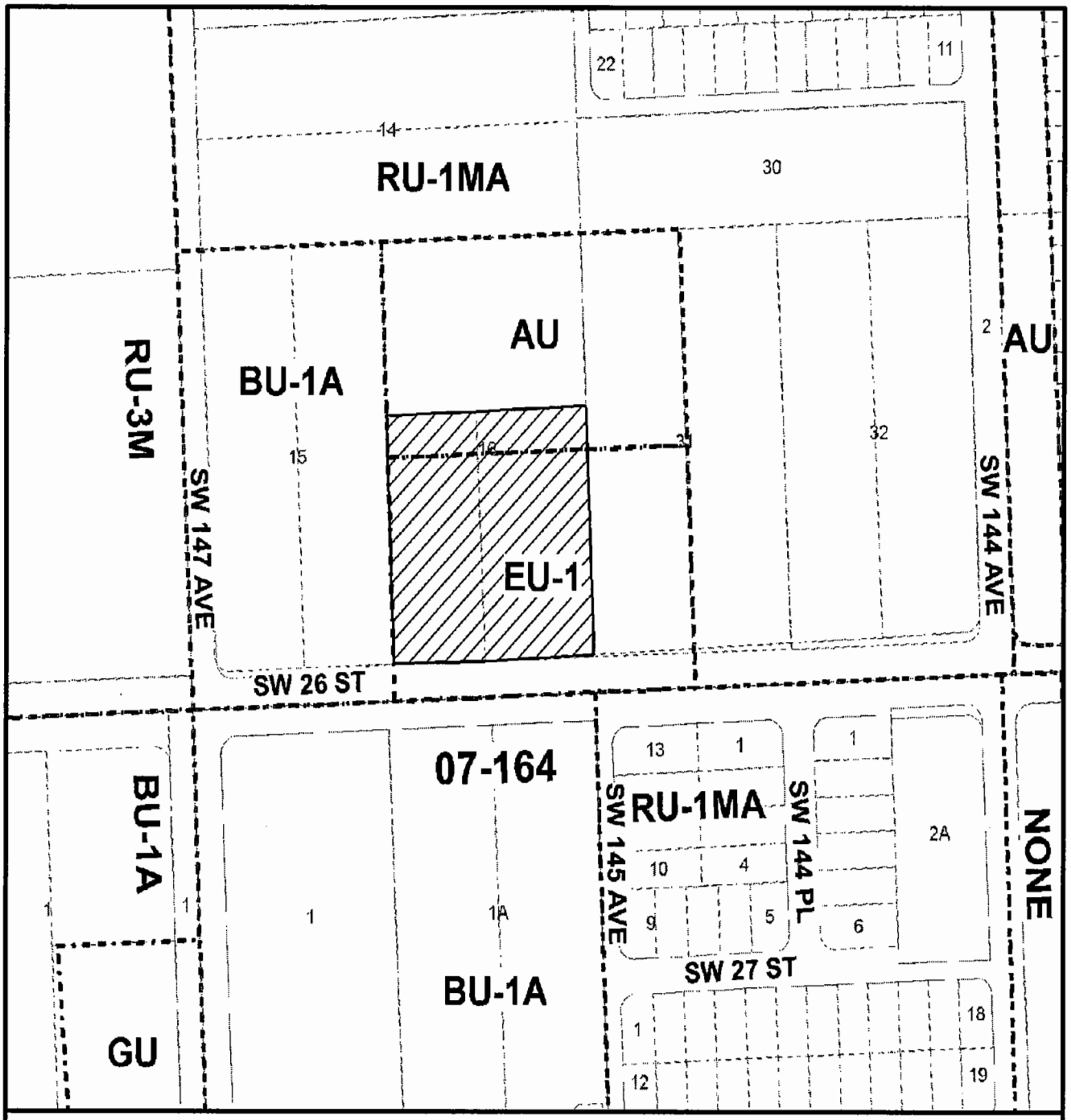


MIAMI-DADE COUNTY
HEARING MAP

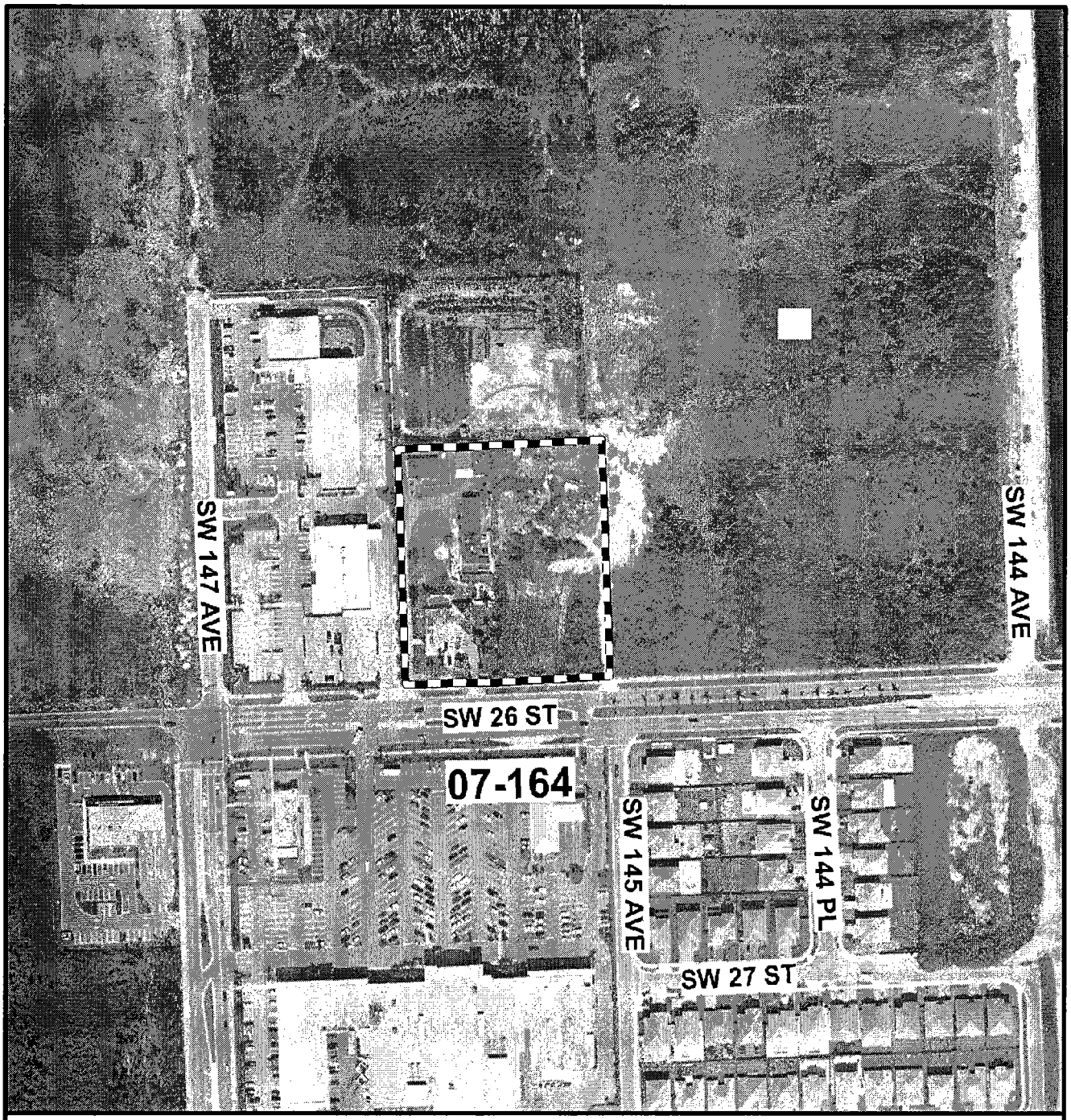
S C A L E
0 NTS
N

SUBJECT PROPERTY

Section: 10 Township: 54 Range: 39
Process Number: 07-164
Applicant: RENAISSANCE PROFESSIONAL CONSTRUCTIONS CORP.
Zoning Board: C10
District Number: 11
Cadastral: ALFREDO
Scale: NTS

MIAMI-DADE COUNTY

GEOMATICS 07-164 05/21/07.AFT



MIAMI-DADE COUNTY
AERIAL

S C A L E
0 NTS

N

SUBJECT PROPERTY

Section: 10 Township: 54 Range: 39
Process Number: 07-164
Applicant: RENAISSANCE PROFESSIONAL CONSTRUCTIONS CORP.
Zoning Board: C10
District Number: 11
Cadastral: ALFREDO
Scale: NTS

MIAMI-DADE COUNTY

GEOMATICS 07-164 05/21/07.AFT

B. DORA & ORESTES BELLO
(Applicant)

08-9-CZ10-3 (07-288)
Area 10/District 12
Hearing Date: 11/13/08

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
1996	Riviera Homes, Inc.	Zone change from GU to RU-1M(a).	BCC	Approved
1998	Riviera Homes	Non-Use variance setbacks and lot coverage.	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

#3

APPLICANT'S NAME: **DORA & ORESTES BELLO**

REPRESENTATIVE: Dora & Orestes Bello

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
08-9-CZ10-3 (07-288)	September 11, 2008	CZAB10		08

REC: Denial without prejudice.

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

■ DEFER: ☐ INDEFINITELY ■ TO: Nov 13, 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: At applicant's request to obtain waivers from the utility companies.

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

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

2

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

APPLICANTS: Dora and Orestes Bello **PH:** Z07-288 (08-09-CZ10-3)

SECTION: GL2-53/54-39 **DATE:** November 13, 2008

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

==========

A. INTRODUCTION:

- **REQUEST:**

  Applicants are requesting to permit a covered terrace and bathroom addition to a single-family residence setback varying from 5.06' to 8.06' (10' required) from the side street (north) 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 "Proposed Covered Terrace Addition to a Residence Property of Dora and Orestes Bello," as prepared by Cesar M. Cano, A.I.A., consisting of 3 sheets, dated stamped received 2/28/08. Plans may be modified at public hearing.

- **SUMMARY OF REQUEST:** The applicants are requesting to permit a proposed covered terrace and bathroom addition setback closer to the side street property line than permitted.

- **LOCATION:** 1159 N.W. 136 Avenue, Miami-Dade County, Florida.

- **SIZE:** 60.04' x 110.09'

- **IMPACT:** The approval of the request would allow the applicants to construct a covered terrace and bathroom addition attached to the northern portion of the existing single-family residence within the side street setback. However, the reduced setback along the north (side street) property line could visually impact the surrounding area.

B. ZONING HEARINGS HISTORY: In 1996, the subject site was part of a larger tract of land that was granted a district boundary change by the Board of County Commissioners from GU, Interim District, to RU-1M(a), Modified Single-Family District, pursuant to Resolution #Z-111-96. In 1998, the subject site remained part of a larger tract of land that was granted approval of a request to permit certain units, including the subject property, to setback 18' (25' required) from the rear property lines and approved a request to permit a maximum lot coverage of 56.8% (40% permitted), pursuant to Resolution #CZAB10-54-98.

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-1M(a); Single-family residence	Low Density Residential, 2.5 to 6 dua
Surrounding Properties:	
NORTH: GU; CSX Railroad and SR-836 on-ramp	Transportation
SOUTH: RU-1M(a); Single-family residence	Low Density Residential, 2.5 to 6 dua
EAST: RU-1M(a); Single-family residence	Low Density Residential, 2.5 to 6 dua
WEST: RU-1M(a); Vacant	Low Density Residential, 2.5 to 6 dua

The subject property is located at 1159 N.W. 136 Avenue in an area characterized by single-family residences developed under the RU-1M(a) zoning district regulations. The CSX Railroad and S.R. 836 (Dolphin) Expressway are located to the north of the site, across NW 12 Street.

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

*Subject to conditions indicated in their memorandum.

H. ANALYSIS:

This application was deferred from the September 11, 2008 meeting at the applicants' request to allow the applicants time to obtain waivers of objection from the respective utility companies. It should be noted that, as of the time of this writing, the applicants have submitted these letters, which are actually required at time of permit issuance, and indicate that the respective utility companies waive any objection to the construction within the utility easement. This subject property is a corner lot located at 1159 N.W. 136 Avenue and is improved with a single-family residence in an established area zoned RU-1M(a), Modified Single-Family Residential District. The applicants are requesting to permit a proposed covered terrace and bathroom addition to a single-family residence setback varying from 5.06' to 8.06' from the side street (north) property line. The RU-1M(a) zoning district requires a minimum side street setback of 10' for the principal residence and any additions. The plans submitted by the applicants depict the above request. It should be noted that staff's inspection of the subject site revealed an existing water fountain located in front of the residence, which the applicants have indicated on the submitted plans is to be removed.

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** also has **no objections** to this application. The Miami-Dade Fire Rescue Department **(MDFR)** also has **no objections** to this application and indicates in their memorandum that the estimated average response travel time is **8:08** minutes.

Approval of the application would allow the applicants to construct a covered terrace and bathroom addition to a single-family residence with a reduced side street setback. 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

covered terrace and bathroom addition will not add additional units to the property, the RU-1M(a) 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 #1 would be **incompatible** with the surrounding area, would negatively affect the stability and appearance of the community, and would be detrimental to the neighborhood. Request #1, to permit a proposed covered terrace and bathroom addition to the single-family residence setback varying from 5.06' to 8.06' (10' required) from the side street (north) property line, will provide additional indoor and outdoor living space for the residents as well as shelter from the elements. However, staff's review of the submitted site plan reveals that the proposed bathroom and covered terrace additions encroach into a 10' wide utility easement that runs along the north property line. It should be noted that the applicants at this time have not submitted the letters which are required at time of permit indicating waivers of objection from the respective utility companies. Staff acknowledges that the submitted pictures of the subject site illustrate an existing 4' high CBS wall and copious landscaping along the north property line. Additionally, staff acknowledges that the subject site adjoins NW 12 Street to the north, which features a total of 80' of right-of-way. However, staff is of the opinion that the approval of the request, which would result in an encroachment varying from 1.94' to 4.94' into the side street (north) setback, would be out of character with the area as evidenced by the lack of similar approvals in the surrounding area. As such, staff is of the opinion that the approval of the request is **incompatible** with the area and will set a negative precedent for similar requests in the area. 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 applicants have 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 applicants 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-1M(a) 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 the approval the application, does not maintain the basic intent and purpose of zoning, is **incompatible** with the surrounding land uses, would be detrimental to the community and would set a negative precedent for similar requests in the area. Accordingly, staff recommends denial without prejudice of the application.

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

J. **CONDITIONS:** None.

DATE INSPECTED: 09/18/07
DATE TYPED: 06/17/08
DATE REVISED: 06/18/08; 07/11/08; 08/12/08; 09/26/08; 10/02/08; 11/3/08
DATE FINALIZED: 11/03/08
MCL:MTF:LVT:CXH:NC

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

Memorandum

MIAMI-DADE COUNTY

Date: September 19, 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 #Z2007000288
Dora and Orestes Bello
1159 N.W. 136th Avenue
Non-Use Variance of Setback Requirements to Permit an Addition to a Single-Family Residence
(RU-1(M)(a)) (0.15 Acres)
52-53-39

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

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

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

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

Memorandum

Date: 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: 06-SEP-07

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

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

Subject: Z2007000288

Fire Prevention Unit:

Not applicable to Fire Engineering site requirements.

Service Impact/Demand:

Development for the above Z2007000288
located at 1159 N.W. 136 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1230 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: 8:08 minutes

Existing services:

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

Station 58, Tamiami, 12700 SW 6th Street
Resce, 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
REVISION 3

TEAM METRO

ENFORCEMENT HISTORY

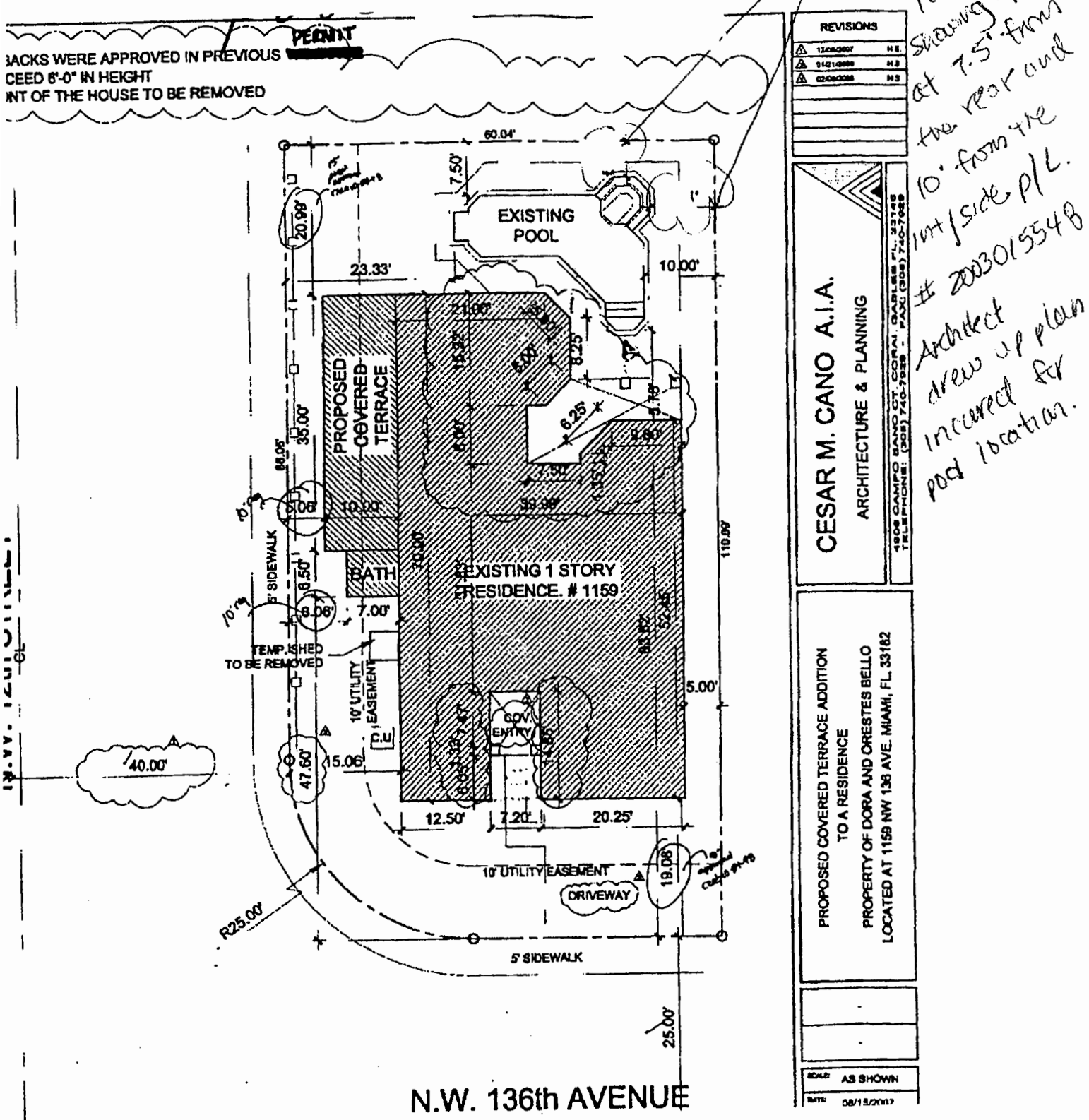
DORA & ORESTES BELLO	1159 NW 136 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2007000288

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

No open cases. No current violations.



See approved plans for existing spa location showing spa at 7.5' from the rear and 10' from the int/side P/L. # 20030155488 Architect drew up plan incorrect for pool location.

ENLARGED SITE PLAN

207-288

16

NOTE: EXISTING POOL SETBACKS WERE APPROVED IN PREVIOUS PERMIT
METAL GATE DOES NOT EXCEED 6'-0" IN HEIGHT
EXISTING FOUNTAIN IN FRONT OF THE HOUSE TO BE REMOVED

LEGAL DESCRIPTION:

LOT 37 BLOCK 7 OF "RIVIERA TRACE FIRST ADDITION" SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 153 AT PAGE 76 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

ZONING DATA:

LOT AREA: ~~6,483 S.F.~~ 6609
EXISTING LOT COVERAGE: 2,567 S.F. (39.5 %)
NEW CONSTRUCTION: 395.5 S.F. (6.1 %)
NEW LOT COVERAGE: 2,962.5 S.F. (45.6 %)

ZONING LEGEND

Zoning:

HEIGHT (TO RIDGE OF ROOF)	15'-0"
NET LAND AREA:	6,483 S.F.
LOT COVERAGE (EVERYTHING UNDER ROOF)	2,962.5 S.F.

SETBACKS	REQUIRED	PROVIDED
FRONT	18'	18.00'
SIDE	5'-0"	5.0'
SIDE STREET	10'	15.00'
REAR	15'	20.00'

2965 / 6609 — 44 % — 56.8% prol. approved Czab1031-98

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: Czab10-54-98

NOTES:

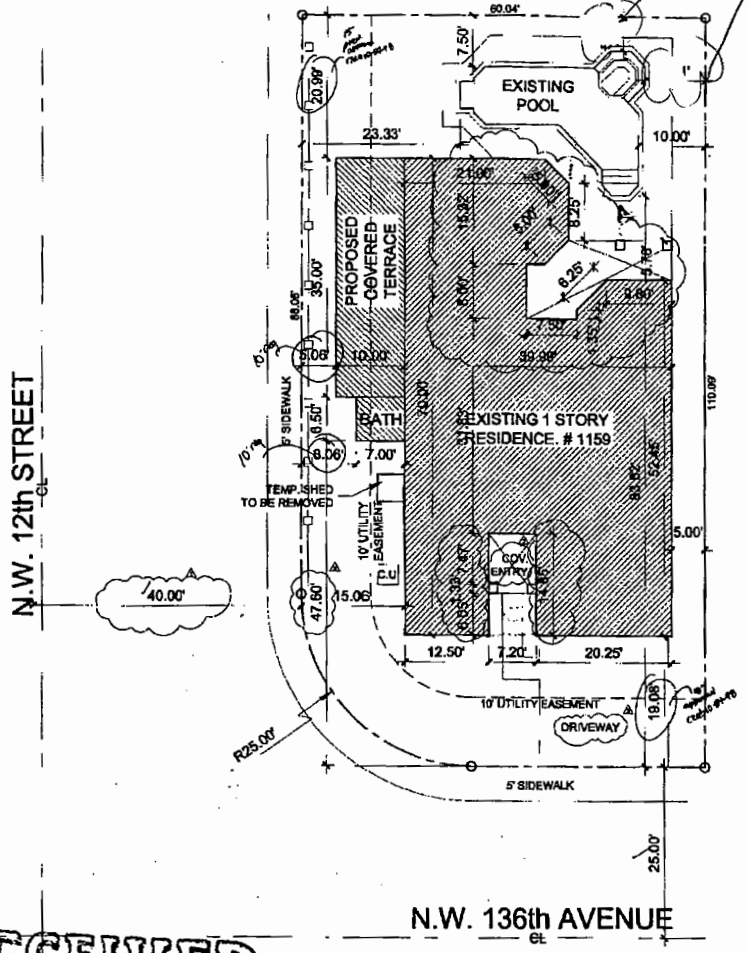
In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the Public Records of the County, Section 333.73 (1-9), Florida Statutes, effective 7/16/97.

Applicant: Must comply with Section 13-13.1 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 over 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.



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

RECEIVED
Z07-288
FEB 28 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

RECEIVED
Z07-288
FEB 28 2008

See approved plans for existing spa location showing spa at 7.5' from the rear and 10' from the int/side p/L. # 2003015548 Architect drew up plan incurred for pool location.

REVISIONS

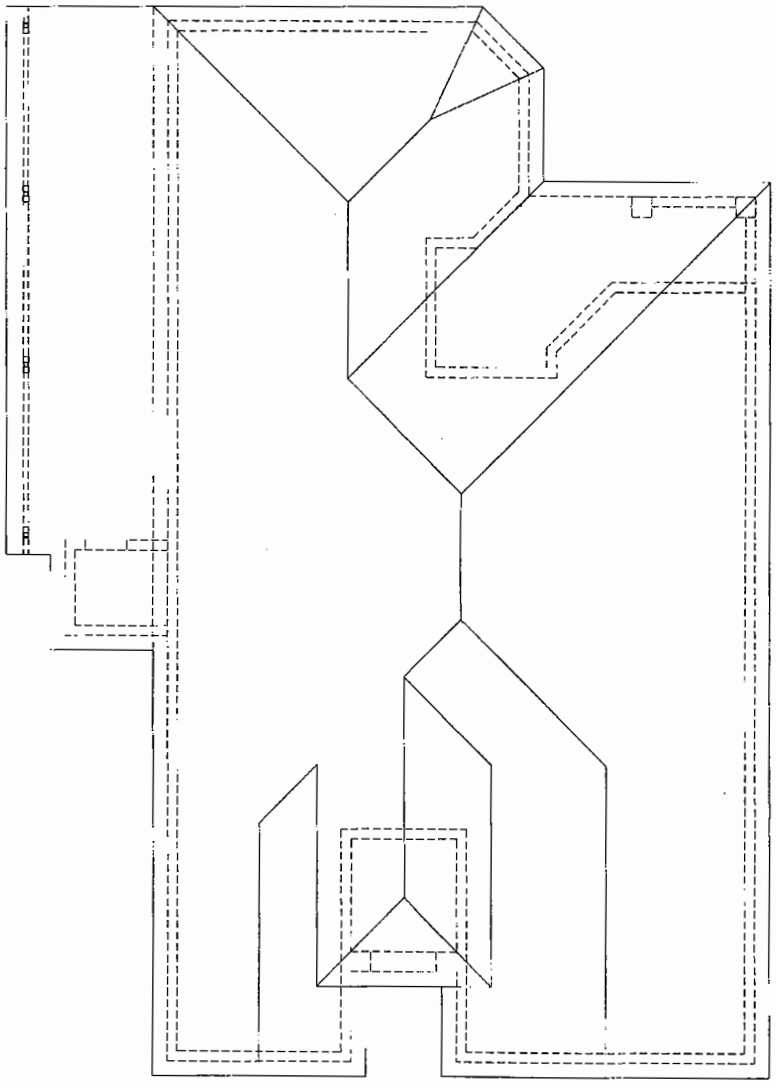
12/06/2007	H.S.	
01/21/2008	H.S.	
02/08/2008	H.S.	

CESAR M. CANO A.I.A.
ARCHITECTURE & PLANNING
1606 CAMPO SANO CT. CORAL GABLES FL. 33146
TELEPHONE: (305) 740-7928 - FAX: (305) 740-7928

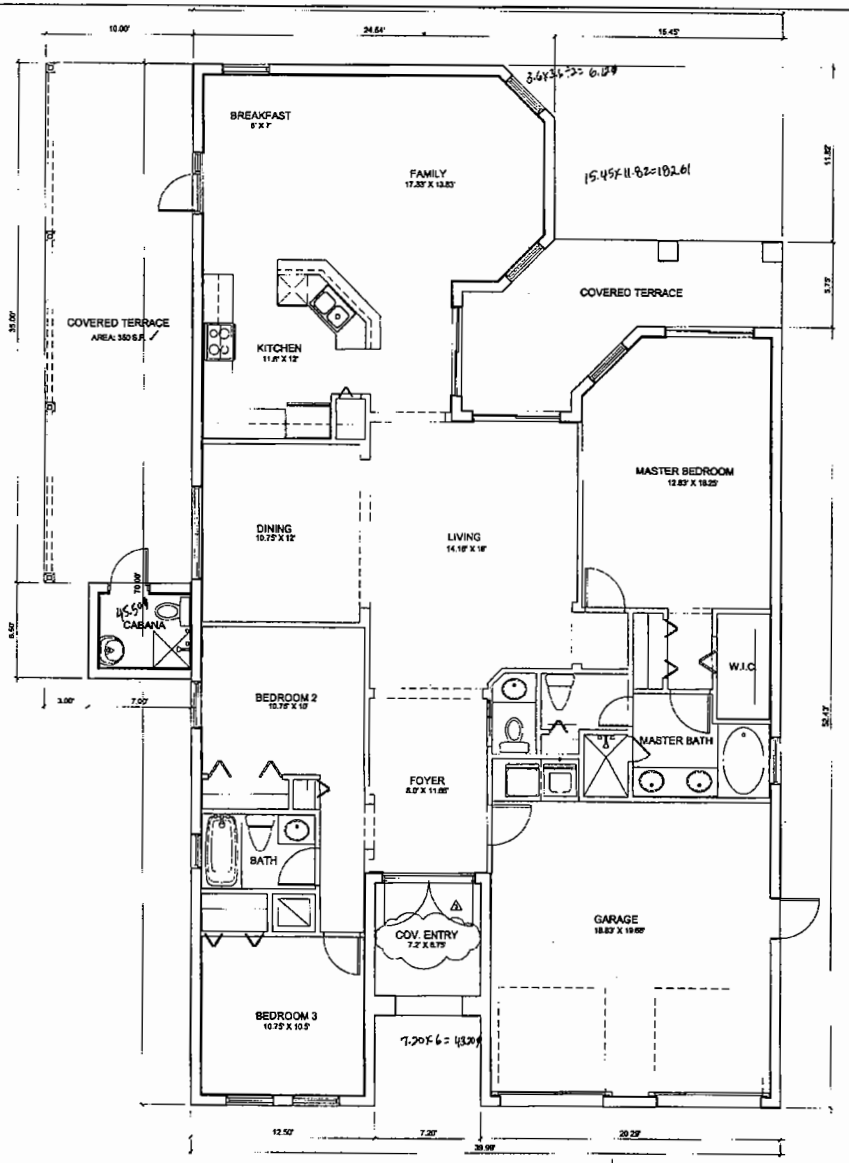
PROPOSED COVERED TERRACE ADDITION TO A RESIDENCE
PROPERTY OF DORA AND ORESTES BELLO
LOCATED AT 1159 NW 136 AVE. MIAMI, FL 33182

SCALE: AS SHOWN
DATE: 06/15/2007
JOB NO.
SHEET NO.: SP-1

8



NEW ROOF PLAN
SCALE: 1/4"=1'-0"



NEW FLOOR PLAN
SCALE: 1/4"=1'-0"

RECEIVED
07-288
FEB 28 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

2799.30
-231.93
2567.37 f
395.50 addn
1962.87 f

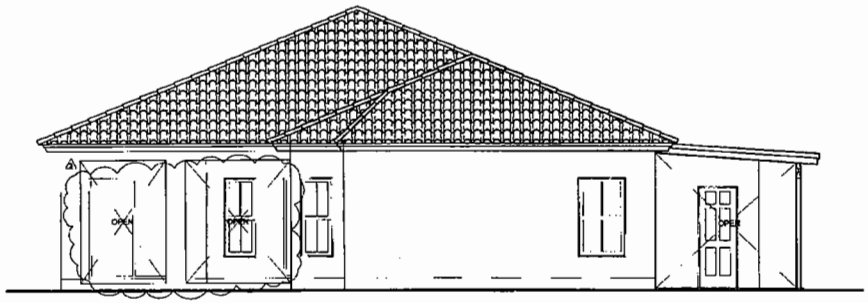
REVISIONS		
1	12/06/2007	H.S.
2	01/21/2008	H.S.
3	02/08/2008	H.S.

CESAR M. CANO A.I.A.
ARCHITECTURE & PLANNING
4806 CAMPO SANO CT. CORAL GABLES FL. 33146
TELEPHONE: (305) 740-7929 - FAX: (305) 740-7928

PROPOSED COVERED TERRACE ADDITION
TO A RESIDENCE
PROPERTY OF DORA AND ORESTES BELLO
LOCATED AT 1159 NW 136 AVE. MIAMI, FL. 33182

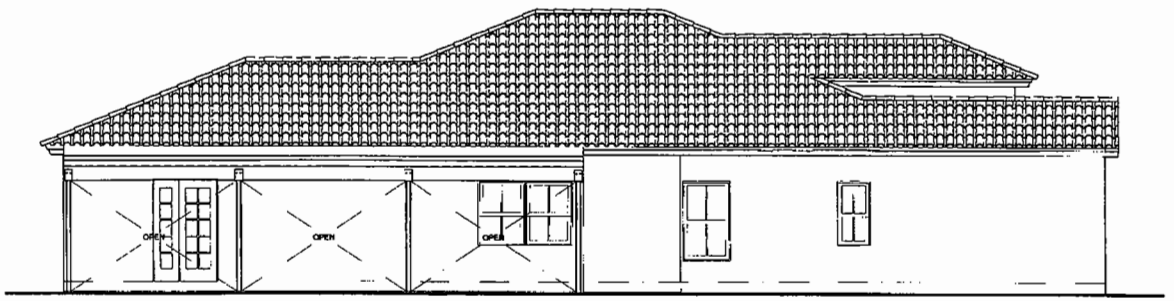
SCALE: AS SHOWN
DATE: 08/15/2007
JOB NO.

SHEET NO.: A-1

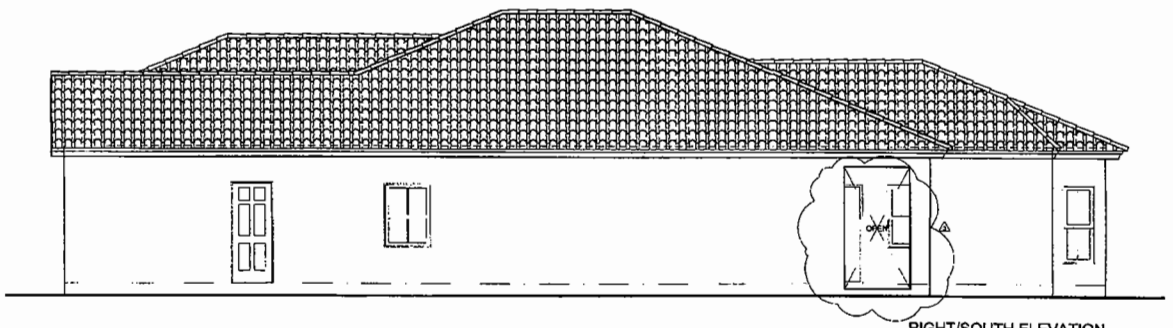


REAR/EAST ELEVATION
SCALE: 1/4"=1'-0"

FRONT/WEST ELEVATION
SCALE: 1/4"=1'-0"



LEFT/NORTH ELEVATION
SCALE: 1/4"=1'-0"



RIGHT/SOUTH ELEVATION
SCALE: 1/4"=1'-0"

RECEIVED
207-2008
FEB 28 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

REVISIONS		
1	12/05/2007	H.S.
2	01/21/2008	H.S.
3	02/08/2008	H.S.

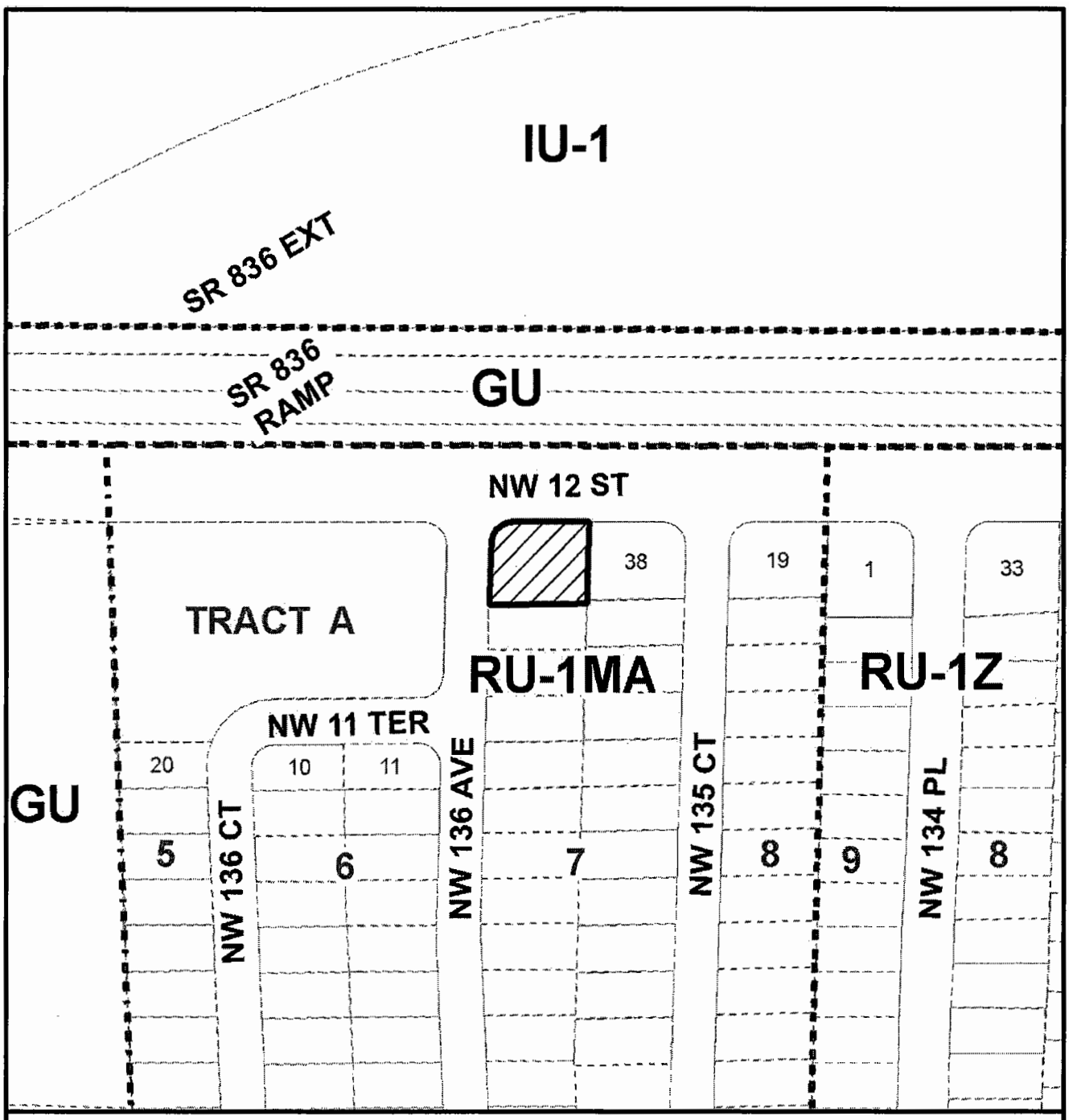
CESAR M. CANO A.I.A.
ARCHITECTURE & PLANNING
4905 CAMPO SANO CT. CORAL GABLES FL. 33146
TELEPHONE: (305) 740-7929 - FAX: (305) 740-7939

PROPOSED COVERED TERRACE ADDITION
TO A RESIDENCE
PROPERTY OF DORA AND ORESTES BELLO
LOCATED AT 1159 NW 136 AVE. MIAMI, FL, 33182

SCALE: AS SHOWN
DATE: 08/15/2007
JOB NO.

SHEET NO.: A-2

3-14-08



MIAMI-DADE COUNTY
HEARING MAP

Process Number
07-288

N

SUBJECT PROPERTY

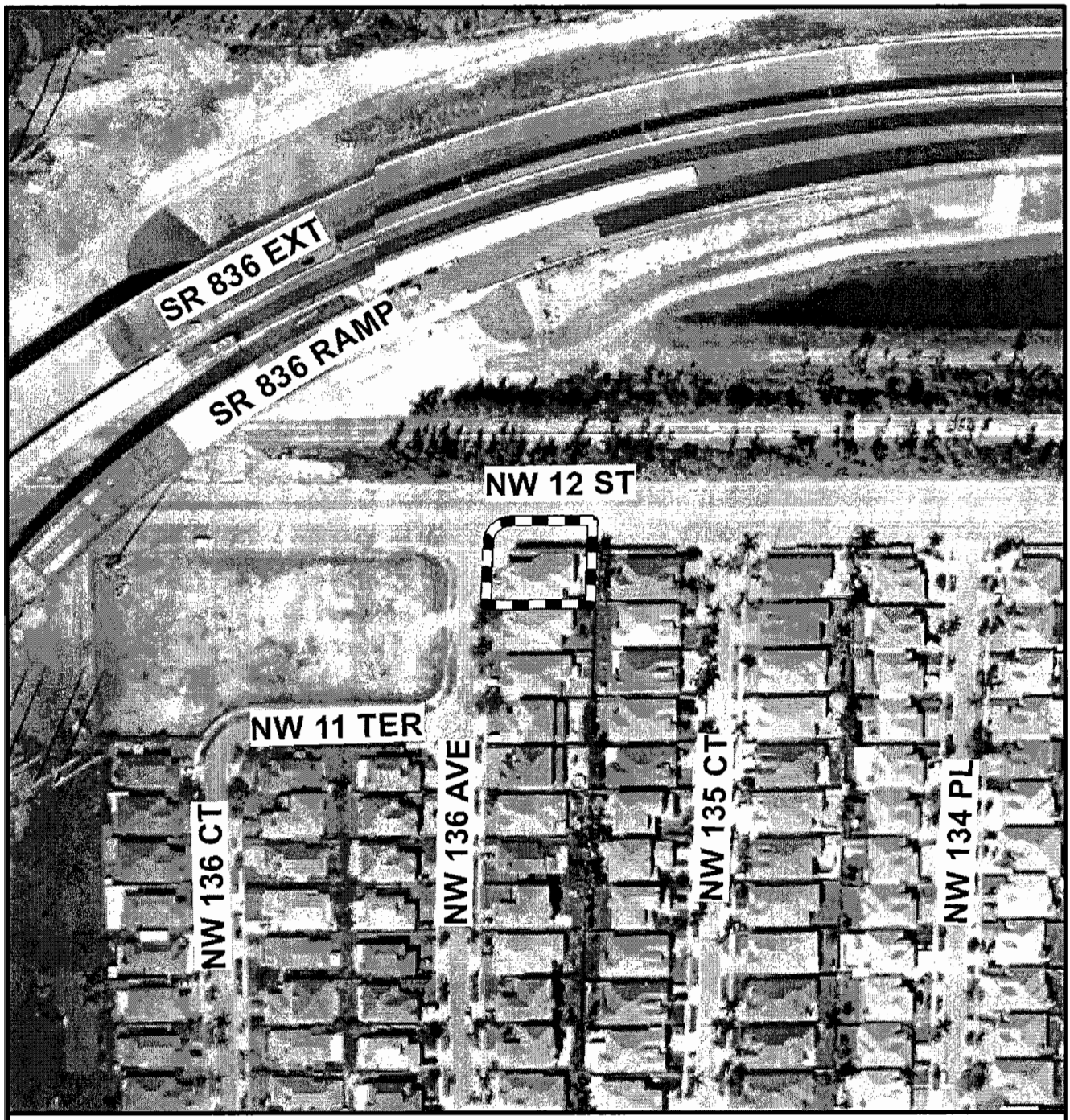
Section: 52 Township: 53 Range: 39
Applicant: DORA & ORESTES BELLO
Zoning Board: C10
District Number: 12
Drafter ID: JOAQUIN
Scale: NTS

MIAMI-DADE COUNTY

20

CREATED ON: 08/29/07

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL

Process Number
07-288

N

SUBJECT PROPERTY

Section: 52 Township: 53 Range: 39
Applicant: DORA & ORESTES BELLO
Zoning Board: C10
District Number: 12
Drafter ID: JOAQUIN
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 08/29/07

REVISION	DATE	BY

C. CESAREO L. PAZ
(Applicant)

08-9-CZ10-6 (08-69)
Area 10/District 10
Hearing Date: 11/13/08

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

#6

APPLICANT'S NAME: **CESAREO L. PAZ**

REPRESENTATIVE: Omar Sisco

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
08-9-CZ10-6 (08-69)	September 11, 2008	CZAB10		08

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

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

■ DEFER: ☐ INDEFINITELY ■ TO: Nov 13, 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: Obtain letters from utility companies. To show photos showing that there is no kitchen In the detached structure and to show the removal of a kitchen and shower on the site of no kitchen or shower in the structure.

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:	6	0	

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

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

APPLICANT: Cesareo L. Paz **PH:** Z08-69 (08-09-CZ10-6)

SECTION: 19-54-40 **DATE:** November 13, 2008

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

==========

A. INTRODUCTION:

- **REQUESTS:**

  (1) Applicant is requesting to permit a porch addition to a single-family residence setback 24' (25' required) from the front (south) property line.

  (2) Applicant is requesting to permit a detached gym room and utility building to setback 2' (5' required) from the rear (north) property line and spaced 7' (10' required) from the principal building.

  Upon a demonstration that the applicable standards have been satisfied, approval of the requests may be considered under §33-311(A)(14) (Alternative Site Development Option for Single-Family and Duplex Dwelling Units) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

  Plans are on file and may be examined in the Department of Planning and Zoning entitled "Accessory Building Legalization for Cesareo Paz," as prepared by Ruben J. Pujol, Architect, dated stamped received 5/30/08 and consisting of 1 sheet. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:** The applicant is requesting to permit an existing porch addition to a single-family residence setback closer to the front property line than permitted, and to permit an existing detached gym room and utility building to be setback closer to the rear property line and spaced closer to the principal building than permitted.

- **LOCATION:** 11341 S.W. 41 Terrace, Miami-Dade County, Florida.

- **SIZE:** 75' x 100'

- **IMPACT:** The approval of the requests would allow the applicant the maintenance and continued use of the existing porch addition to the single-family residence. Additionally, the approval of the requests would allow the applicant the maintenance and continued use of the existing detached gym room/utility building. However, the reduced setbacks along the front (south) and rear (north) property lines as well as the reduced spacing between the detached gym room and utility building and the principal building could have a negative visual impact on the surrounding properties.

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 11341 S.W. 41 Terrace 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:	**Acceptable***
Location of Buildings:	**Unacceptable**
Compatibility:	**Acceptable***
Landscape Treatment:	**N/A**
Open Space:	**Acceptable***
Buffering:	**Acceptable**
Access:	**Acceptable**
Parking Layout/Circulation:	**N/A**
Visibility/Visual Screening:	**Acceptable***
Urban Design:	**N/A**

*Only as applied to request #1 and subject to conditions

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 objection**

*Subject to conditions indicated in their memorandum.

H. ANALYSIS:

This application was deferred from the September 11, 2008 meeting to allow the applicant to address the concerns of the Board regarding the removal of the shower in the gym room addition and to obtain waivers of objection from the respective utility companies. It should be noted that, as of the time of this writing, the applicant has not submitted these letters, which are actually required at time of building permit issuance, and indicate that the respective utility companies waive any objection to the construction within the utility easement. This subject property is an interior lot located at 11341 S.W. 41 Terrace 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 porch addition to a single-family residence setback 24' from the front (south) property line (request #1). The applicant also seeks to permit an existing detached gym room and utility building setback 2' from the rear (north) property line and spaced 7' from the principal building (request #2). The RU-1 zoning district requires a minimum front setback of 25' for the principal residence and any additions, requires accessory buildings to maintain a minimum rear setback of 5' and be spaced a minimum of 10' from the principal residence. The applicant has submitted plans depicting the aforementioned requests.

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 **7:18** minutes.

Approval of the requests would allow the applicant the maintenance and continued use of the existing porch addition to the single-family residence as well as the maintenance and continued use of the existing detached gym room and utility building. 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 porch addition, detached gym room, and utility building will not add additional 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 #1 would be **compatible** with the surrounding area, would not negatively affect the stability and appearance of the community, and would not be detrimental to the neighborhood. Request #1, to permit an existing porch addition to the single-family residence setback 24' (25' required) from the front (south) property line, will provide additional outdoor living space for the residents as well as shelter from the elements. Staff notes that the 1' encroachment into the front setback area is minor and is most likely due to an inadvertent construction error. Moreover, staff notes that property located at 11460 SW 43 Street, approximately 965' to the southwest of the subject site, was granted a request to permit a porte-cochere to setback 12.5' from the front property line, pursuant to Administrative Variance No. V2001000176. As such, staff opines that the approval of request #1 would not be out of character with the surrounding area.

However, staff is of the opinion that the approval of request #2 would be **incompatible** with the surrounding area, would negatively affect the stability and appearance of the community, and would be detrimental to the neighborhood. Staff recognizes that the approval of request #2, to permit a detached gym room and utility building to setback 2' (5' required) from the rear (north) property line and spaced 7' (10' required) from the principal building, would afford the applicants additional indoor living space. However, staff's review of the submitted site plan reveals that the existing detached gym and utility building encroaches into a 6' wide utility easement that runs along the rear (north) property line and it should be noted that the applicant has not submitted letters indicating waivers of objection from the respective utility companies. As previously mentioned, staff notes that the gym room and utility building is detached from the principal residence and access is provided to the gym room from the outside by a dedicated doorway. Further, staff notes that the gym room also features a bathroom and sink and staff opines that said building could easily be converted by a future owner into an additional dwelling unit, for a total of 2 dwelling units on the site, which is not permitted in the RU-1 zone. Staff acknowledges that the submitted pictures of the subject site illustrate an existing 4' high chain link fence along the rear (north) property line as well as an existing 6' high wood fence on the adjoining property's rear property line. Additionally, staff acknowledges that a similar approval to permit a storage shed spaced 5' (10' required) from a covered terrace addition was granted, among other requests, on property located at 11294 SW 43 Street, approximately 855' to the southeast of the subject site, pursuant to Administrative Variance No. V1998000033. Additionally, a property located at 11330 SW 42 Terrace, approximately 557' to the southeast of the subject site, was granted, among other requests, approval of a request to permit a one-story CBS utility structure spaced 5' from the existing residence, pursuant to Administrative Variance No. V2002000037. However, staff notes that no similar approvals as intense as the one sought by the applicant for relief of rear setback requirements for accessory structures along with a request for reduced spacing between an accessory structure and a principal residence have been granted in the area. Therefore, staff opines that the 3' encroachment into the rear setback area in conjunction with the 3' reduction in spacing

between the accessory structure and the principal residence is excessive and would be out of character with the surrounding area. As such, staff is of the opinion that the approval of request #2 is **incompatible** with the area and would negatively affect the surrounding properties. Based on all of the aforementioned, staff recommends approval with conditions of request #1 and denial without prejudice of request #2 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 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. 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 approval of request #1 would not be out of character with the area and is **compatible** with same but that the approval of request #2 is **incompatible** with the surrounding area, would be detrimental to the community, would be visually intrusive to the adjacent properties and would affect the appearance of the community. Accordingly, staff recommends approval with conditions of request #1 and denial without prejudice of request #2 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of both requests under Section 33-311(A)(14) (ASDO) and under Section 33-311(A)(4)(c) (ANUV).

I. RECOMMENDATION:

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

J. CONDITIONS: For request #1 only

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include among other things but 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 "Accessory Building Legalization for Cesareo Paz," as prepared by Ruben J. Pujol, Architect, dated stamped received 5/30/08

and consisting of 1 sheet, except as amended to show the removal or relocation of the existing detached gym room and utility building to conform to the Zoning Code requirements. 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 existing detached gym room and utility building be removed or relocated to conform to the Zoning Code requirements as part of the building permit for the remaining additions.

5. That the applicant apply for and secure a building permit for all of the existing non-permitted additions to the single-family residence from the Building Department within 120 days of the expiration of the appeal period for this public hearing, unless a time extension is granted by the Director of the Department of Planning and Zoning.

6. That the applicant obtain all necessary approvals from the utility easement owners.

DATE INSPECTED: 05/02/08
DATE TYPED: 07/02/08
DATE REVISED: 07/02/08; 07/11/08; 08/12/08; 09/03/08; 09/26/08; 10/02/08; 10/07/08
DATE FINALIZED: 10/13/08
MCL:MTF:LVT:CXH:NC

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

NDN

Memorandum

MIAMI-DADE COUNTY

Date: May 2, 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 #Z2008000069
Cesareo Paz
11341 S.W. 41st Terrace
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

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: 08-MAY-08

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

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

Subject: Z2008000069

Fire Prevention Unit:

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

Service Impact/Demand:

Development for the above Z2008000069
located at 11341 S.W. 41 TERRACE, 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: 7:18 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:

None.

Fire Planning Additional Comments:

Not applicable to service impact analysis.

DATE: 09/04/08

TEAM METRO

ENFORCEMENT HISTORY

CESAREO L. PAZ	11341 SW 41 TERRACE, MIAMI-DADE COUNTY FLORIDA.
APPLICANT	**ADDRESS**

Z2008000069

HEARING NUMBER

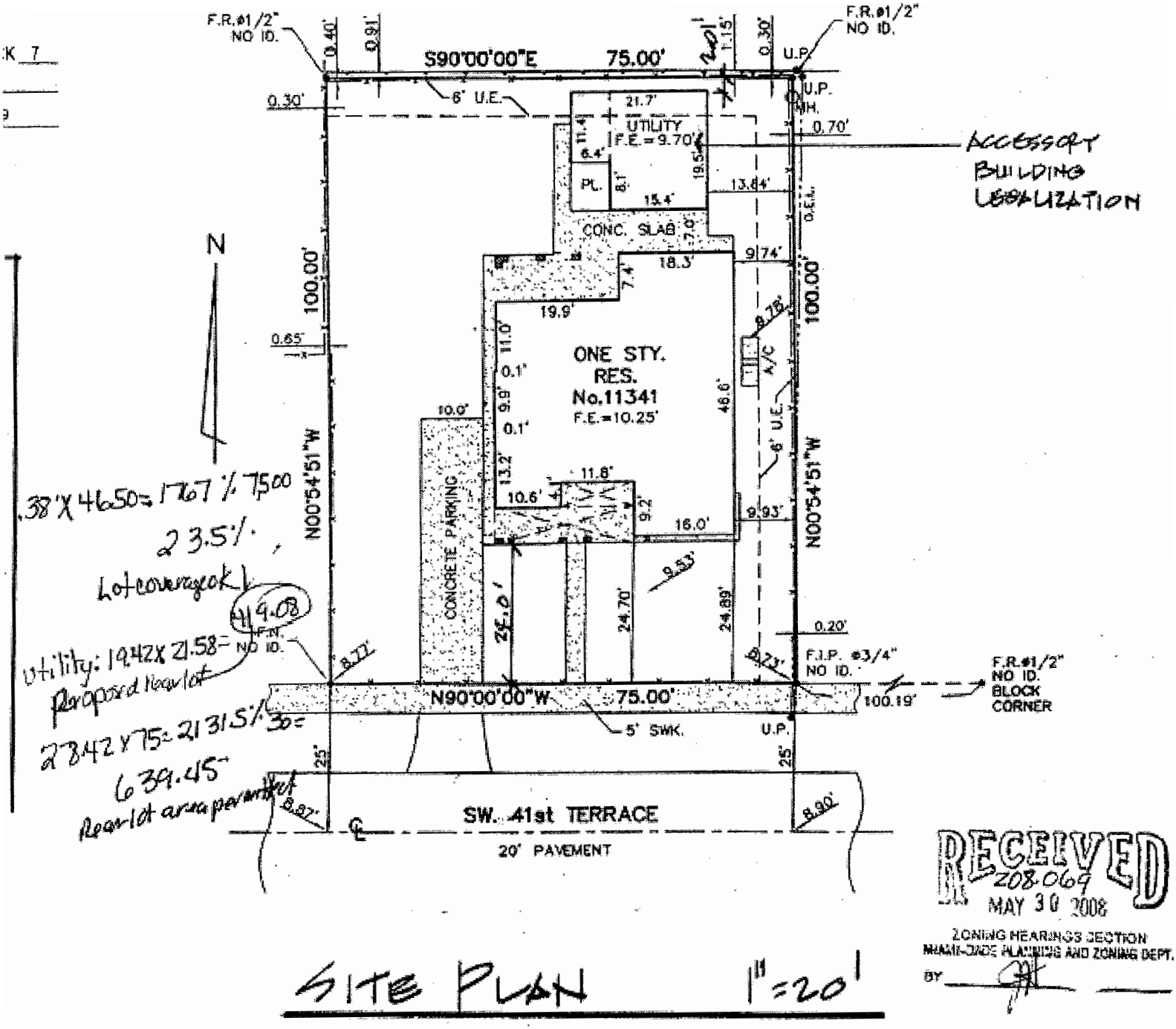
CURRENT ENFORCEMENT HISTORY:

No open cases. No current violations.

Prior cases:

CMS# 200703009389 -CVN issued in September 2007 for Multi Family Use(MFU). Upon interior inspection of property, there was no evidence of MFU; CVN voided.

CMS# 200703011055 -Case referred to Building Dept. for building without permits.

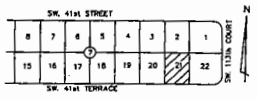


RECEIVED
Z08-069
MAY 30 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

SITE PLAN 1" = 20'

ENLARGED SITE PLAN

8



LOCATION SKETCH
N.T.S.

LEGAL DESCRIPTION

LOT 21 IN BLOCK 7
OF WESTWOOD LAKE
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 57 AT PAGE 29
OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

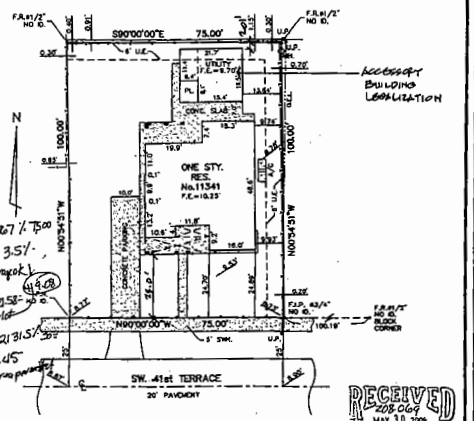
FLOOD LEGEND
Additions, Remodeling, Repairs & Combination

FOLIO 30-4109-001-1600 ADDRESS: 11341 S.W. 41 TERRACE, MIAMI
LOT/UNIT: 21 BLOCK/BLDG. 7
SUBDIVISION: WESTWOOD LAKES PLAT BOOK: 57 PAGE: 29
COST OF CONSTRUCTION-SCOPE OF WORK
EXISTING RENOVATION-COST OF WORK (MUST INCLUDE ITEMIZED LIST):
ADDITION- COST OF WORK: SQ.FT. OF CONST. X (47 SQ.FT. LIVING SPACE)
SQ.FT. OF CONST. X (30 SQ.FT. STORAGE, GARAGE, TERRACE)
TOTAL COST OF WORK:

	Lowest Floor Elev.(Including Basement) (Sum Lvl. Under)	Garage/ Storage Floor Elevation	Adjacent Grade Elevation (next to the wall of the structure)
EXISTING	10.45'	9.70'	9.53
PROPOSED	10.45' FT. MSVD	9.70 FT. MSVD	9.53 FT. MSVD
FLOOD ZONE AE	BASE FLOOD EL. 8.0'		

THE OWNER OF THIS PROPERTY UNDERSTANDS THAT THE WORK AMOUNT INDICATED ABOVE IS GOING TO BE KEPT ON THE OFFICIAL PERMIT RECORD DURING A SIX (6) MONTH PERIOD FROM THE DATE OF WHICH THE CERTIFICATE OF COMPLETION IS ISSUED. IF ANY ADDITIONAL REPAIR, RECONSTRUCTION, ALTERATION, ADDITION, REMODELING OR COMBINATION THEREOF IS DONE BEFORE THE CERTIFICATE OF COMPLETION IS ISSUED, OR WITHIN THE TRACKING PERIOD, IT WILL BE CONSIDERED A CONTINUANCE OF THE ABOVE WORK. IF THE PROPERTY IS DECLARED SUBSTANTIALLY IMPROVED OR DAMAGED, AND THE FLOOR ELEVATION IS NOT IN COMPLIANCE, THE STRUCTURE WILL BE ELEVATED IN ACCORDANCE WITH CHAPTER 11C OF THE MIAMI-DADE COUNTY CODE.

0' - 0" = MSVD



SITE PLAN 1"=20'

RECEIVED
2006 MAY 30
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY:

ZONING LEGEND
Single Family & Duplex

ZONING:		EU-1
Height (to ridge of roof)		9 FT (1 1/2 STORY)
Net Land Area		7500 SQ.FT.
Lot Coverage (everything under roof)		2,193 SQ.FT.
ACCESSORY BUILDING SETBACKS:	REQ.	PROVIDED
FRONT	75 FT	76.67 FT
SIDE	7.5 FT	15.04 FT
SIDE STREET	N/A	N/A
REAR	5 FT	2.01 FT

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:

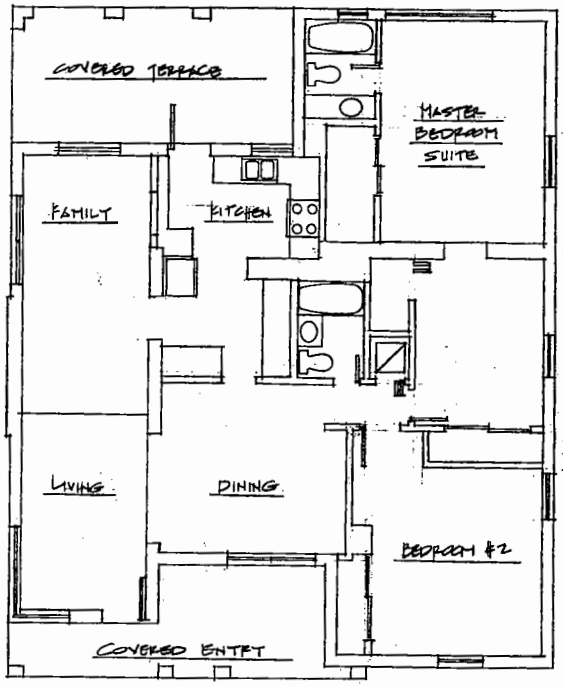
NOTICE:

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 553.79(10), Florida Statutes, Effective 7/1/07.

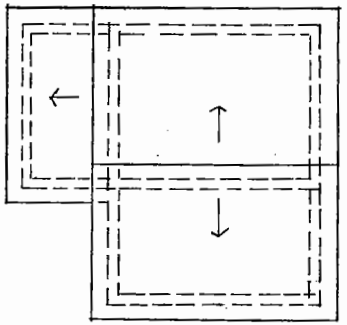
A separate permit will be required for all driveway approaches onto public right of way. Contact Public Works Department.

The height of fences, wall 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.

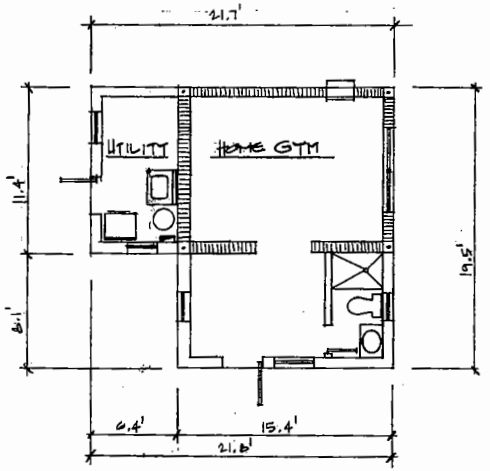
The height of fences is being measured form grade. Grade = Elevation of public sidewalk or crown of road.



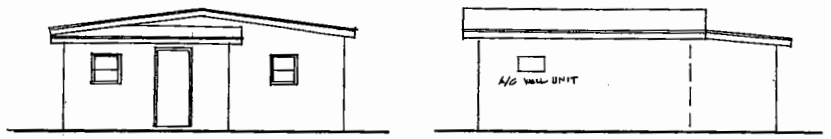
RESIDENCE FLOOR PLAN 1/4"



ROOF PLAN 1/4"



FLOOR PLAN 1/4"



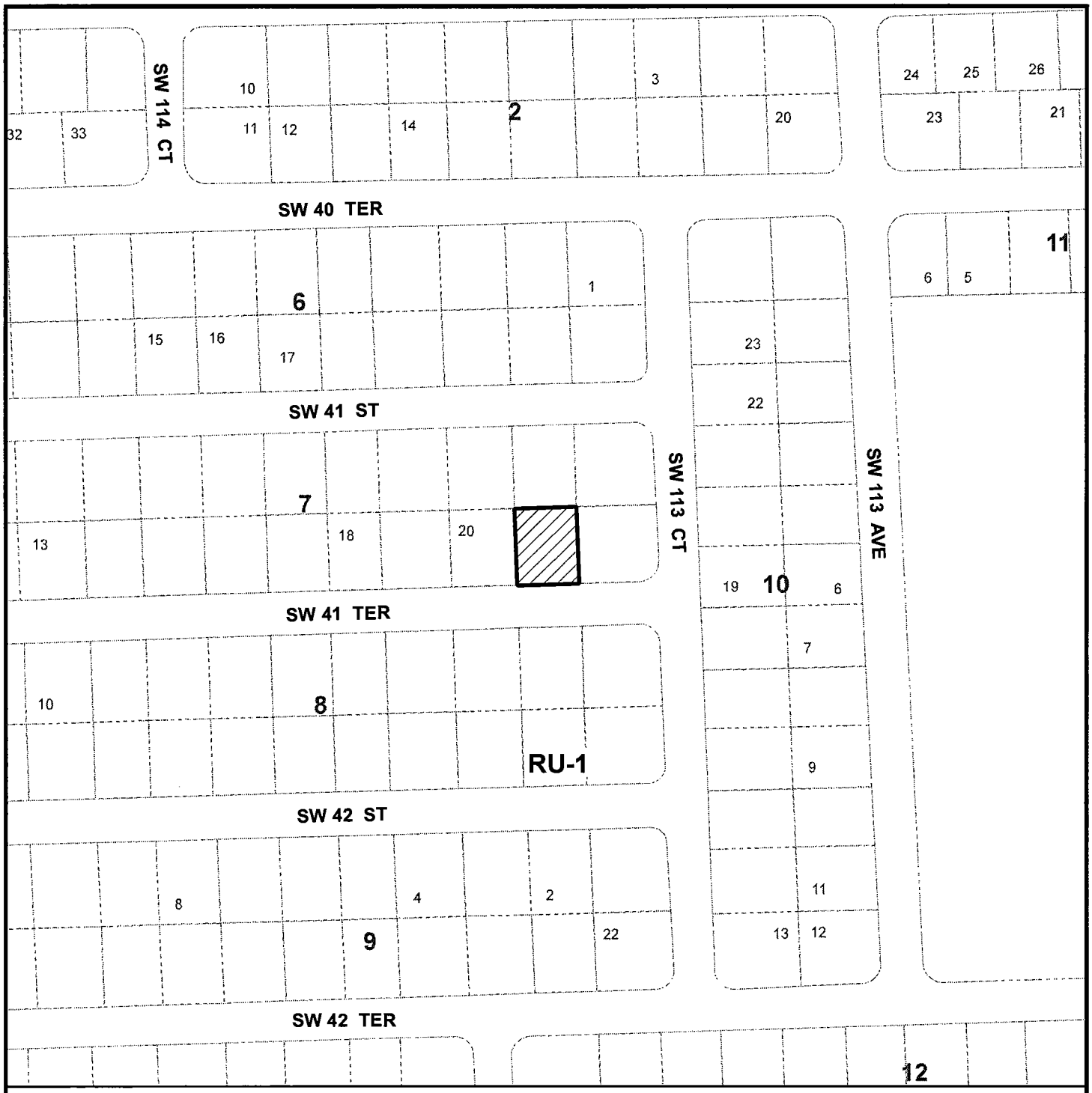
WEST
NORTH
EAST
SOUTH
ELEVATIONS 1/4"

REVISIONS	BY
5/9/2008	

RUBEN J. PUJOL
ARCHITECT
A.I.A. AR # 0010488 N.C.A.
PHONE: (305) 856-8188
12237 S.W. 204 TERRACE
MIAMI, FLORIDA 33177

ACCESSORY BUILDING LEGALIZATION FOR
C E S A R E O P A Z
11341 S.W. 41ST TERRACE, MIAMI, FLORIDA
PHONE: (786) 299 - 7762

Date 4/16/2008
Scale SHOWN
Drawn RJP
Job 2008A.1
Sheet A-1
Of 1 Sheets



MIAMI-DADE COUNTY
HEARING MAP

Process Number
08-069

Section: 19 Township: 54 Range: 40
Applicant: CESAREO L. PAZ
Zoning Board: C10
District Number: 10
Drafter ID: ALFREDO
Scale: NTS

SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

CREATED ON: 05/01/08

REVISION	DATE	BY
19		

MIAMI-DADE COUNTY

AERIAL

Process Number
08-069

N
W E
S

SUBJECT PROPERTY

Section: 19 Township: 54 Range: 40
Applicant: CESAREO L. PAZ
Zoning Board: C10
District Number: 10
Drafter ID: ALFREDO
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 05/01/08

REVISION	DATE	BY

D. T MOBILE SOUTH LLC & FIRC TAMIAMI LLC **08-10-CZ10-4 (08-60)**
(Applicant) **Area 10/District 11**
Hearing Date: 11/13/08

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
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP

#4

APPLICANT'S NAME: **T MOBILE SOUTH LLC & FIRC TAMIAMI LLC**

REPRESENTATIVE: Jerry Proctor

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
08-10-CZ10-4 (08-60)	October 30, 2008	CZAB10		08

REC: Approval with conditions.

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

■ DEFER: ☐ INDEFINITELY ■ TO: Nov 13, 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: Per applicant's request (applicant's attorney assigned to this case is out of town).

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

2

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

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:** November 13, 2008

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

==========

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:

This application was deferred from the October 30, 2008 meeting at the applicant's request. 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; 11/03/08
DATE FINALIZED: 11/03/08
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	2665 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

RECEIVED
APR - 7 2008
ZONING BOARD OF APPEALS

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

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest

Date of contract: _____

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

RECEIVED
APR - 7 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

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

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

Signature: _____
(Applicant)

Sworn to and subscribed before me this 26 day of MARCH, 2008. Affiant is personally known to me or has produced _____ as identification.

_____
(Notary Public)

My commission expires: 8.26.09

ROXANA QUINTANA
NOTARY PUBLIC, STATE OF FLORIDA
COMMISSION EXPIRES August 26, 2009
#DD452234
Bonded Thru Troy Fain-Insurance 800-385-7019

*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

RECEIVED
Z2080000
MAY 27 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 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

RECEIVED
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
BROWARD 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 known to me or has produced _____ as identification.

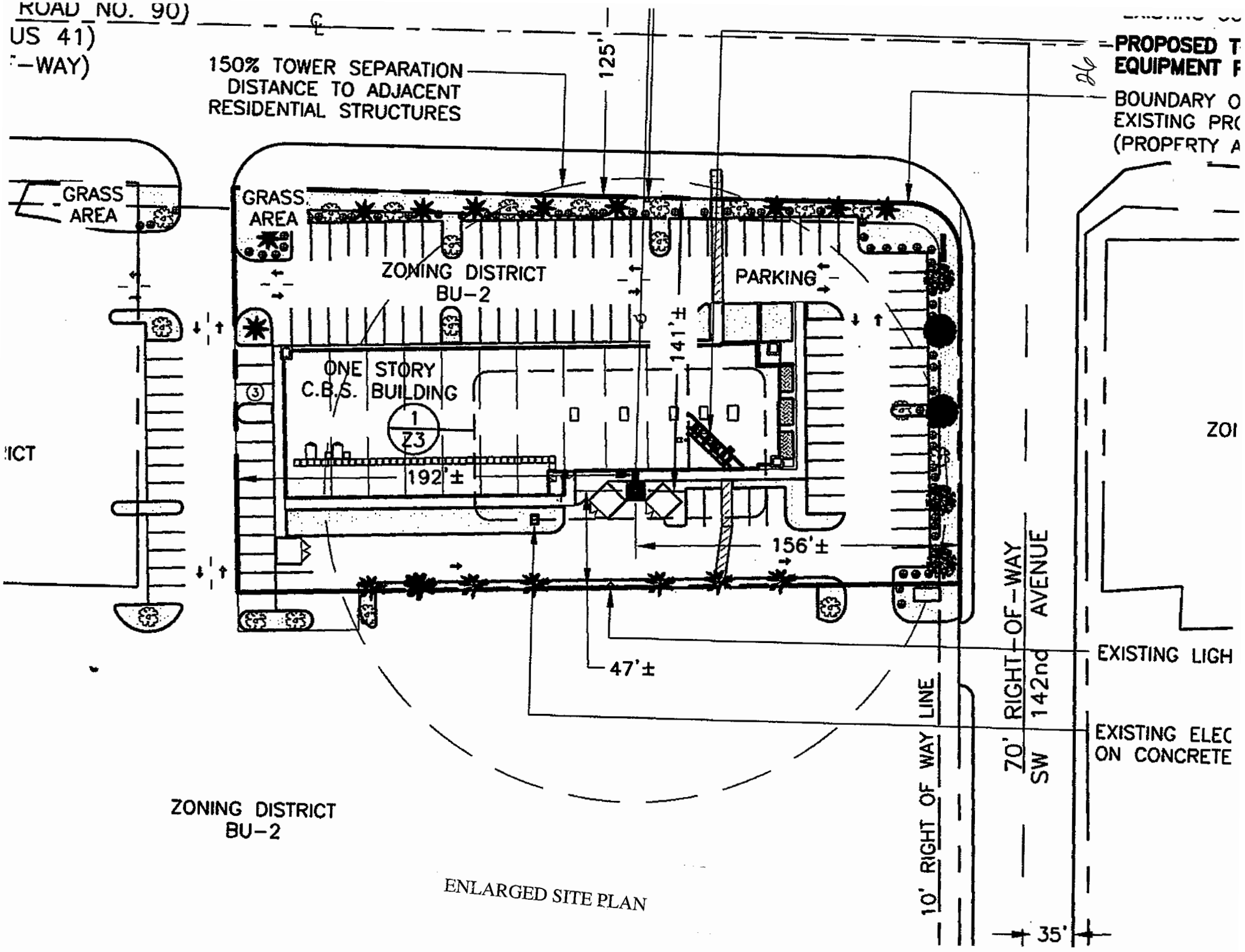
_____ (Notary Public)

My commission expires: Milana Meshenberg

MILANA MESHENBERG
Comm# DD0561021
Expires 6/6/2010
Florida Notary Asstn., Inc.

RECEIVED
APR - 7 2008
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.



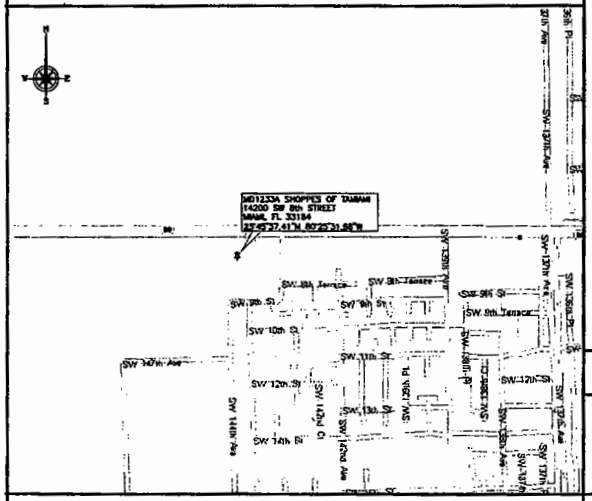
ENLARGED SITE PLAN

DRIVING DIRECTIONS

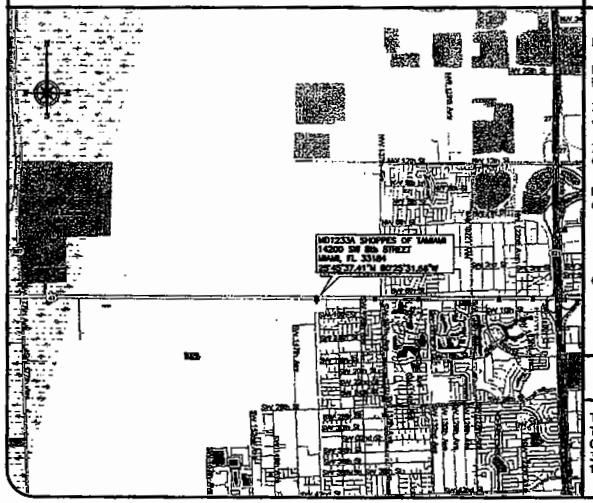
FROM T-MOBILE'S OFFICE TAKE I-595 EAST TO FLORIDA'S TURNPIKE. TAKE TURNPIKE [illegible] 8th STREET). HEAD WEST FOR 2.6 MILES TO SW 142nd AVENUE, [illegible] OF STREET.

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 #: 30-4903-024-0012

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. △1
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

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SUITE 1000
PLANTATION, FL 33324
TEL: (954) 683-7100
FAX: (954) 693-7200

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CORPORATE OFFICE
1105 LAKEWOOD PARKWAY
ALPHARETTA, GA 30004
LOCAL OFFICE
5865 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)

SHOPPES OF TAMIAMI
MD1233A
14200 SW 8th STREET
MIAMI, FL 33184

SHEET NAME
TITLE SHEET

SHEET NUMBER
Z1

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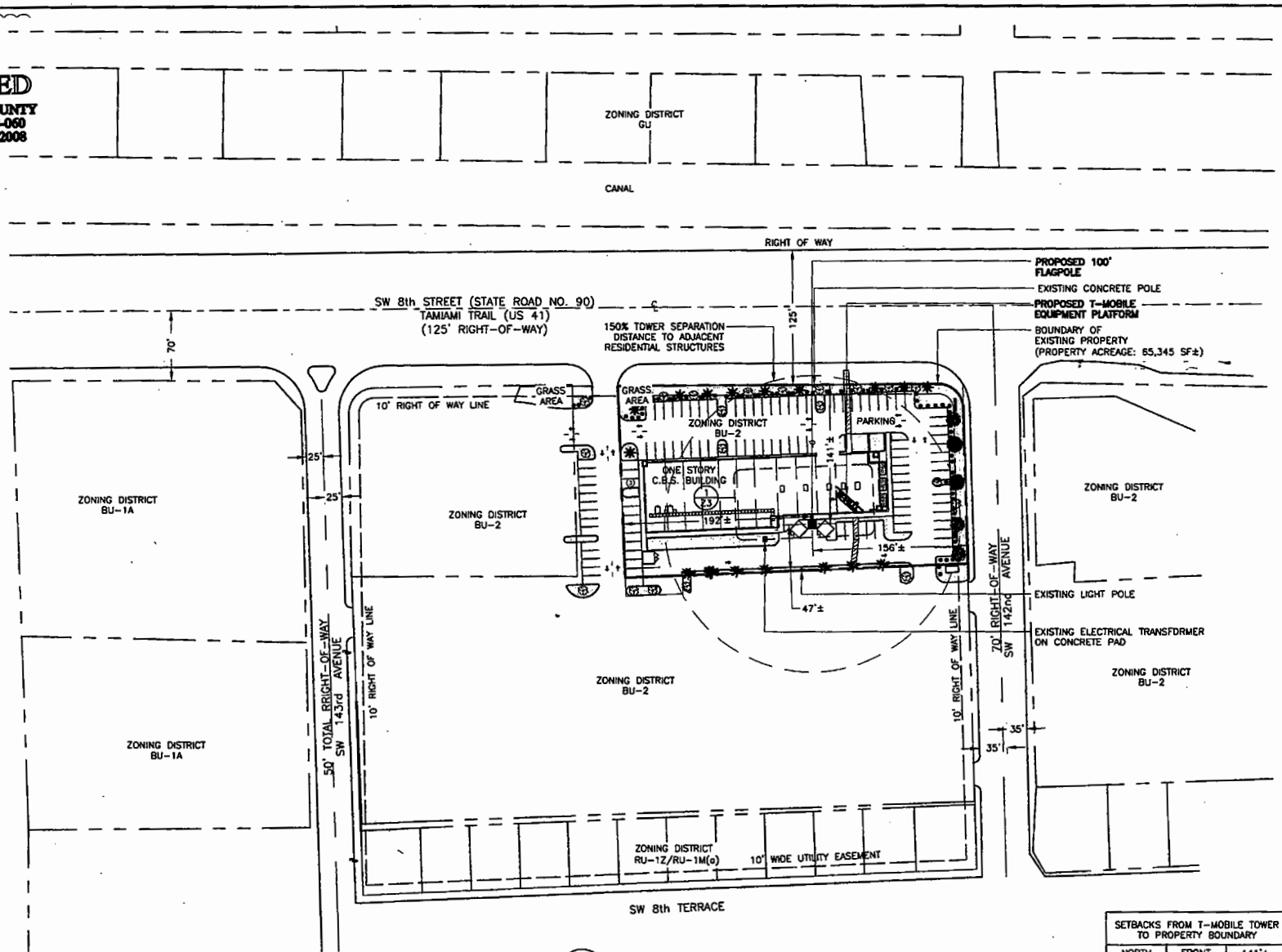

1 SITE PLAN

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'±

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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

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RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z06-060
DATE: MAY …
BY: BIL

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 … ed to count # of … not counted in lot coverage, floor area, nor FAR. Height … finished floor (F.F.) to … 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'	96
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

Gross area (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. withen 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:				
		TOTAL PARKING SPACES REQUIRED:		52
		TOTAL PARKING SPACES PROVIDED:		100

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.

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	New	Existing	Scientific	Common	Native Yes	Native 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 162, 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 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 57.11 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 02°21'16" 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 162, 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 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 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°21'16" 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.

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TEL: (305) 826-5588
FAX: (305) 826-1799
CERTIFICATE OF AUTHORIZATION #: 8090

PROJECT NO.: 6788-07-1233 (50)

MD … 33…
14200 SW 8th STREET
MIAMI, FL 33184

SHEET NAME
SITE DATA

SHEET NUMBER
Z2.2

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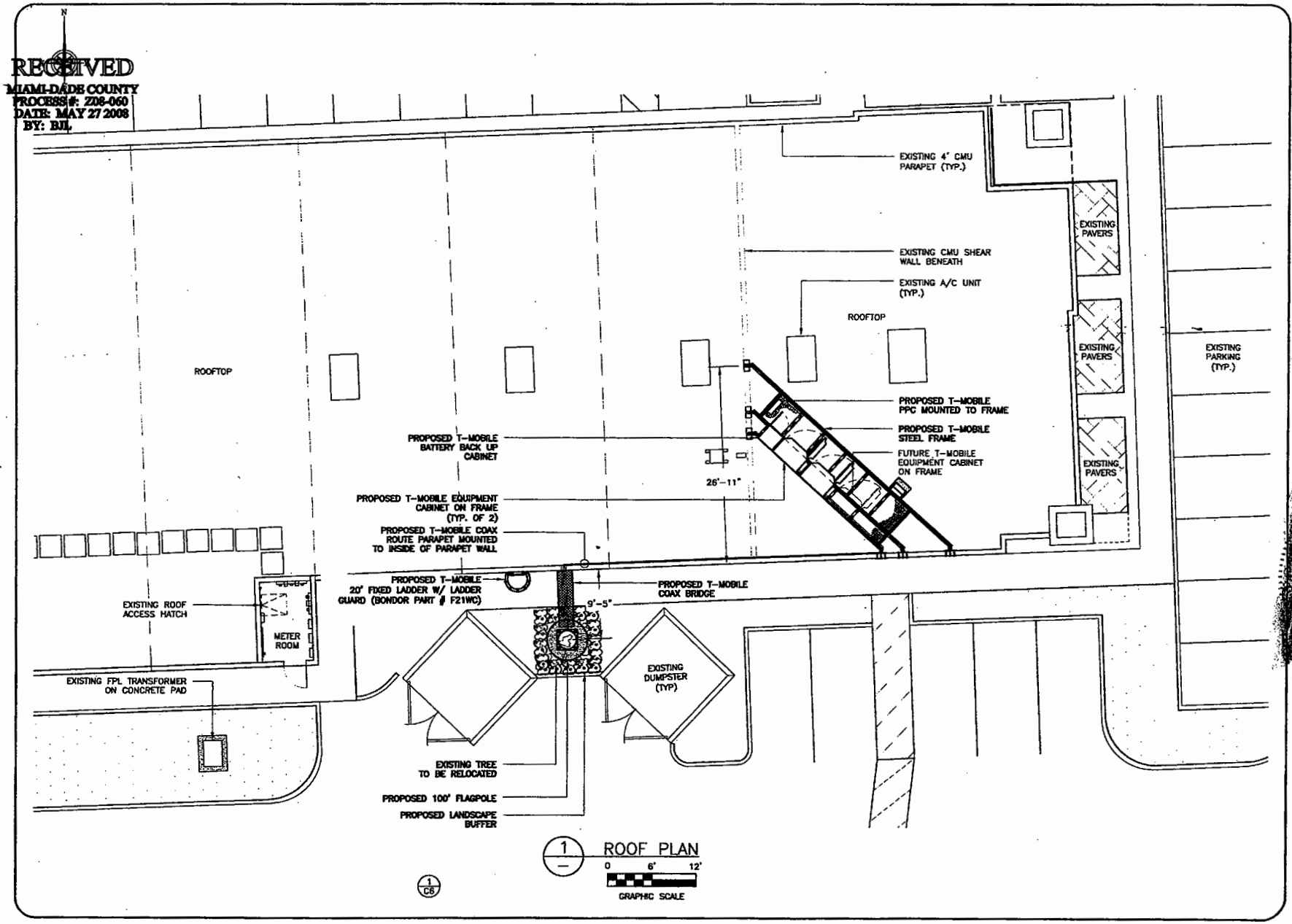

1 ROOF PLAN

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CERTIFICATE OF AUTHORIZATION # 6090

PROJECT NO.: 6788-07-1233 (50)

LICENSE NO.: [illegible]
EXP. DATE: 02/[illegible]/09

SHOPPES OF TAMIAMI
MD1233A
14200 SW 8th STREET
MIAMI, FL 33184

SHEET NAME
ROOF PLAN

SHEET NUMBER
Z3

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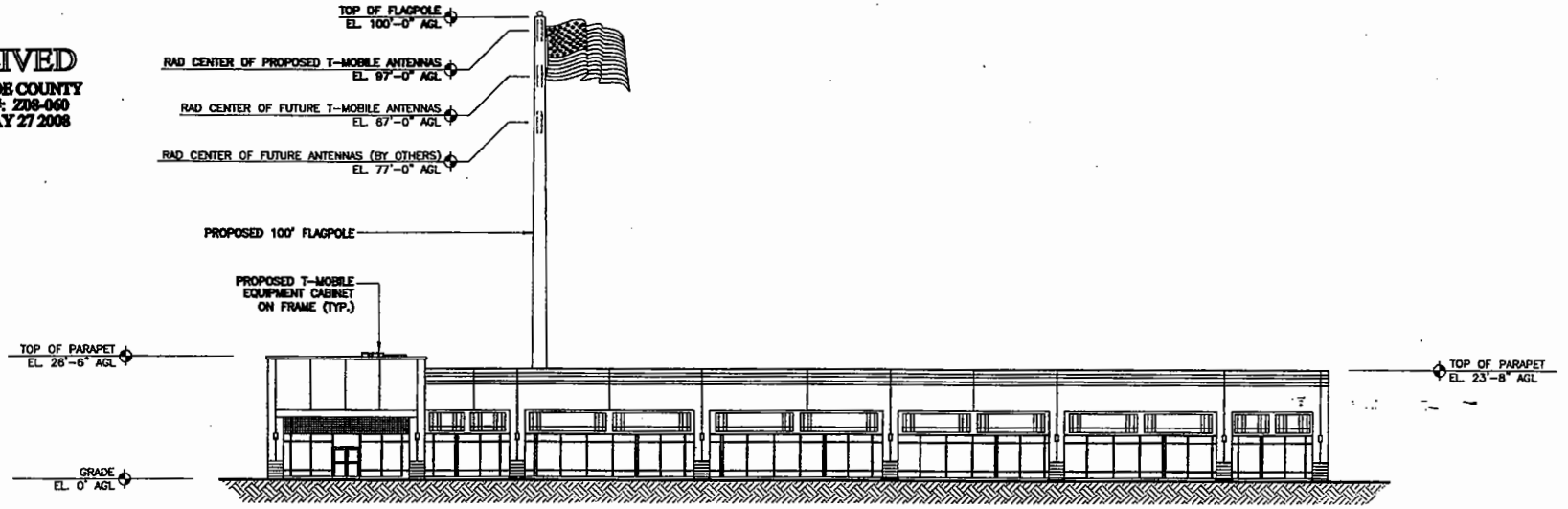
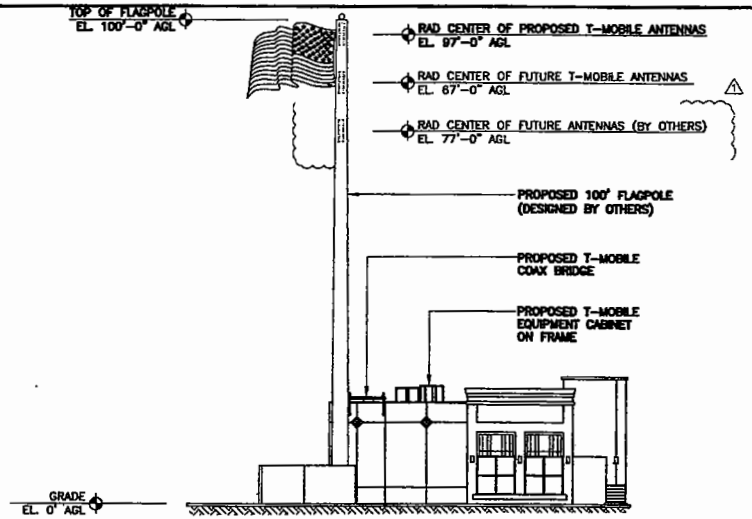


1 TOWER ELEVATION

0 5' 10' 15' 20' 25'

GRAPHIC SCALE



2 EAST ELEVATION

0 5' 10' 15' 20' 25'

GRAPHIC SCALE

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TEL: (305) 828-5588
FAX: (305) 828-1799
CERTIFICATE OF AUTHORIZATION #: 6090

PROJECT NO.: 6788-07-1233 (50)

NAME:
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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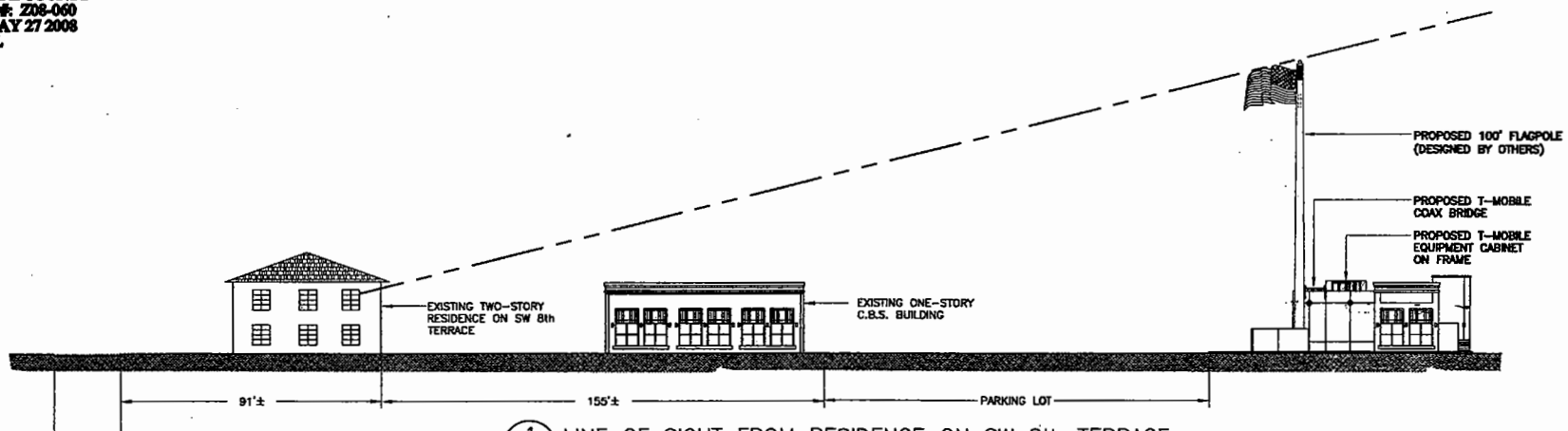
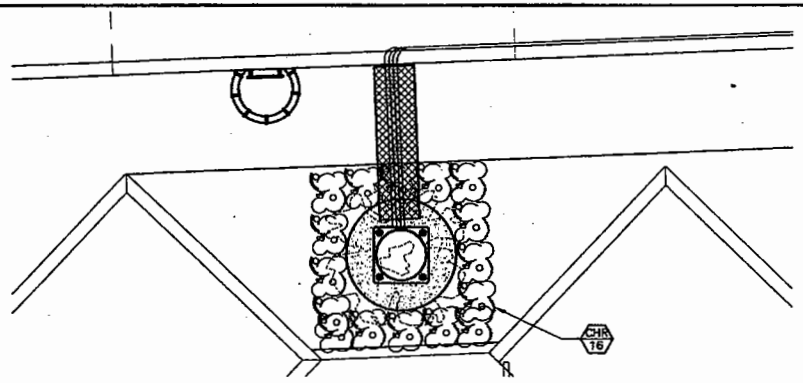


1 LINE OF SIGHT FROM RESIDENCE ON SW 8th TERRACE

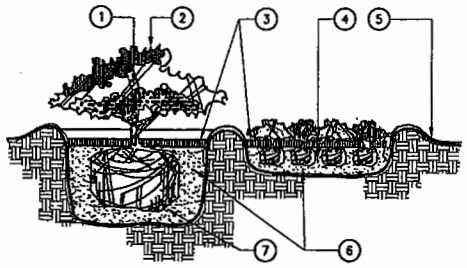
0 20' 40'
GRAPHIC SCALE



SHRUBS AND GROUND COVER						
SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE		COMMENTS
CHR	16	CHRYSOBALANUA 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 TAPEREO 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

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MACTEC ENGINEERING & CONSULTING, INC
CORPORATE OFFICE
1105 LAKEWOOD PARKWAY
ALPHARETTA, GA 30004
LOCAL OFFICE
5845 NW 158th STREET
MIAMI LAKES, FL 33014
TEL: (305) 826-5566
FAX: (305) 826-1799
CERTIFICATE OF AUTHORIZATION # 6090

PROJECT NO.: 6788-07-1233 (50)

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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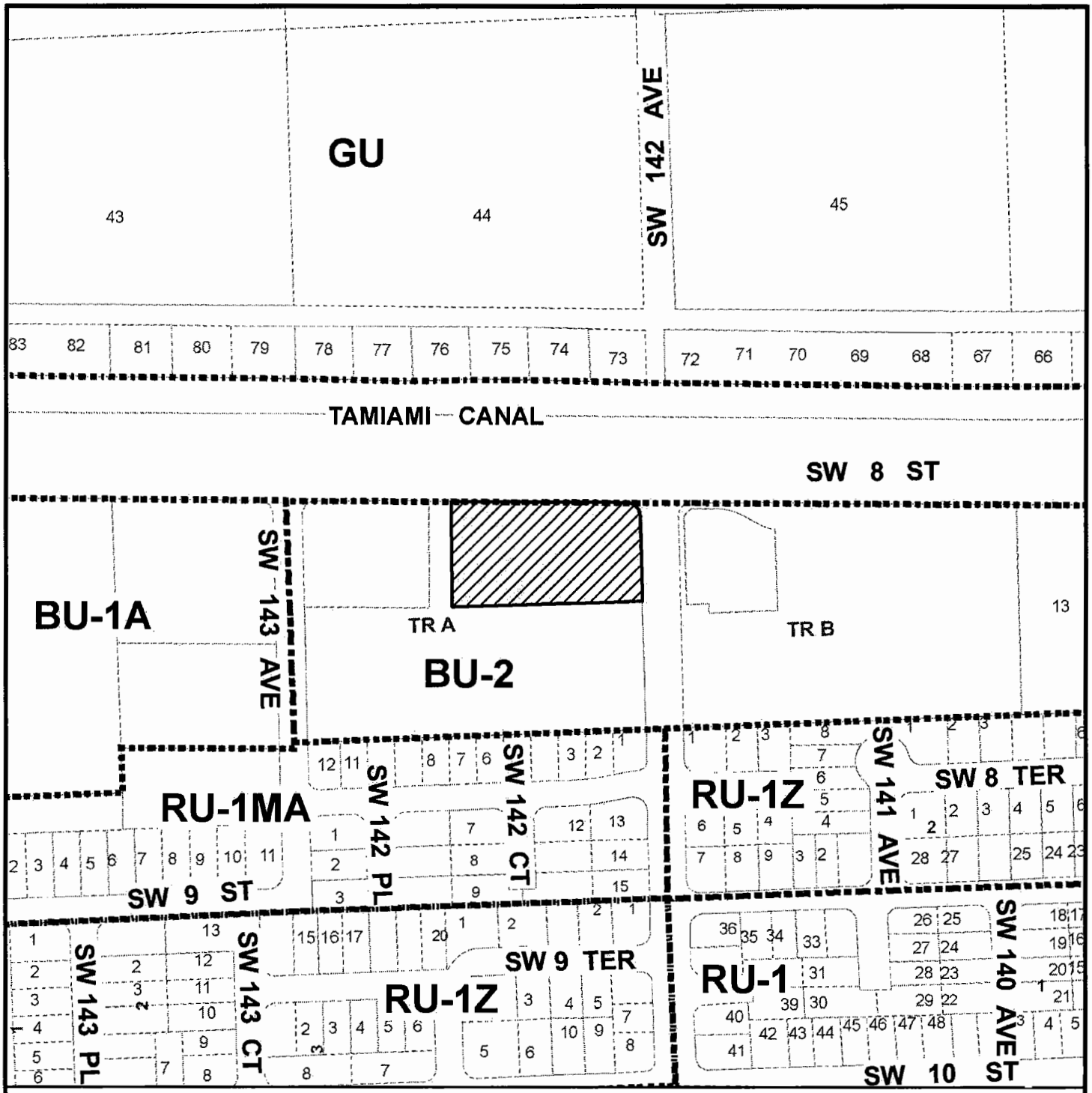


MIAMI-DADE COUNTY
HEARING MAP

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

N
W E
S

SUBJECT PROPERTY

MIAMI-DADE COUNTY

CREATED ON: 08/17/08

REVISION	DATE	BY
		33

MIAMI-DADE COUNTY

AERIAL

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

1. FERRO DEVELOPMENT, LLC **08-11-CZ10-1 (08-34)**
(Applicant) **Area 10/District 11**
Hearing Date: 11/13/08

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
2002	Ferro Development	Zone change from EU-1 to BU-1A.	ZAB	Approved
2007	Ferro Development LLC	Zone change from BU-1A to RU-3M.	ZAB	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: Ferro Development, L.L.C. **PH:** Z08-34 (08-11-CZ10-1)

SECTION: 04-54-39 **DATE:** November 13, 2008

COMMISSION DISTRICT: 11 **ITEM NO.:** 1

==========

A. INTRODUCTION

- **REQUESTS:**

  (1) RU-3M to BU-1A

  (2) DELETION of Declaration of Restrictions recorded in Official Record Book 20979, Pages 997-1004, and a Declaration of Restrictions recorded in Official Record Book 22176, Pages 2700-2704.

  (3) DELETION of that portion of Resolution No. CZAB10-13-07, passed and adopted by Community Zoning Appeals Board #10, which accepted a proffered Declaration of Restrictive Covenants, hereinafter the "covenant proviso," as follows:

  "BE IT FURTHER RESOLVED that, pursuant to §33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered Declaration of Restrictive Covenants and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations."

  The purpose of requests #2 and #3 is to delete a covenant requiring the owner to apply for an Administrative Site Plan Review and comply with the Developmental Impact Committee requirements, if needed, and to delete a covenant proviso tying the site to a residential development, to permit development of the site according to the regulations of the proposed zoning district.

  Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 and #3 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

- **SUMMARY OF REQUESTS**:

  The applicant seeks to change the zoning on the property from RU-3M, Minimum Apartment House District, to BU-1A, Limited Business District. Additionally, two requests, to delete a Declaration of Restrictions that required that the applicant apply for an Administrative Site Plan Review (ASPR) for development of the site to assure compatibility with the surrounding uses and/or developments, to comply with the Developmental Impact Committee requirements, if applicable,

and to delete a portion of a Resolution, the covenant proviso that accepted a proffered covenant to restrict the development of the site to the plans that were submitted for a previously approved residential development, are being sought.

- **LOCATION:**

  The southwest corner of S.W. 8 Street, between S.W. 152 Avenue and S.W. 153 Place, Miami-Dade County, Florida.

- **SIZE:** 8.9 Acres

- **IMPACT:**

  The rezoning of the property would allow the applicant to provide additional commercial and office uses for the community. However, the rezoning could impact water and sewer services and will bring additional traffic into the area.

B. **ZONING HEARINGS HISTORY:**

In 1947, the subject site was included as part of an application on a larger portion of land filed by the Dade County Zoning Department, that was granted a zone change from GU, Interim District, to EU-1B, Estate District (One acre or more), pursuant to Resolution #2638. In 1951, the subject site was included as part of an application on a larger portion of land filed by the Dade County Zoning Department, which abolished the EU-1B zone classification and rezoned all lands in said classification to EU-1, Single-family one Acre Estate District, pursuant to Resolution #4257. In 2002, the subject property was granted a zone change from EU-1 to BU-1A, Limited Business District, pursuant to Resolution #CZAB10-53-02. Earlier that same year during the 2001-2002 Comprehensive Development Master Plan (CDMP) Amendment Cycle, the subject property was granted a change in the Land Use Plan Map designation from Low Density Residential to Business and Office, pursuant to Ordinance #02-87. In the approval of Resolution #CZAB10-53-02, a Declaration of Restrictions was proffered that required that the applicant apply for an Administrative Site Plan Review to assure compliance and compatibility with the surrounding uses and/or developments. In 2007, the subject property was granted a zone change from BU-1A to RU-3M, Minimum Apartment House District, pursuant to Resolution #CZAB10-13-07. A Declaration of Restrictions was proffered by the applicant and accepted by the CZAB-10 that restricted the development of the site to the plans that were submitted; however, said declaration was not officially submitted by the applicant for recording into the official record books of Miami-Dade County.

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 and Office** use. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, 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. **Uses and Zoning Not Specifically Depicted.**

Some existing lawful uses and zoning are not specifically depicted on the LUP map. However, all such existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map."

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
RU-3M; vacant	Business and Office
Surrounding Properties:	
NORTH: GU; vacant land	Open Land
SOUTH: RU-3M; townhouses	Low Density Residential, 2.5 to 6 dua
EAST: RU-3M; townhouses	Low Density Residential, 2.5 to 6 dua
WEST: RU-3M; townhouses	Low Density Residential, 2.5 to 6 dua

The subject property is located on the southwest corner of SW 8 Street (Tamiami Trail) and SW 152 Avenue. The surrounding area to the south, east and west is developed with townhouses, and to the north, across SW 8 Street and the Tamiami Canal, is vacant land.

E. SITE AND BUILDINGS:

Site Plan Review:	**(No site plan submitted)**
Scale/Utilization of Site:	**Acceptable***
Location of Buildings:	**N/A**
Compatibility:	**Acceptable***
Landscape Treatment:	**N/A**
Open Space:	**N/A**
Buffering:	**N/A**
Access:	**Acceptable***
Parking Layout/Circulation:	**N/A**
Visibility/Visual Screening:	**N/A**
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 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.

(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.

33-311(A)(7) Generalized Modification Standards. The Board shall hear applications to **modify** or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

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

Section 33-315.2. An application for public hearing may be filed to amend or delete, in whole or in part, that portion of a resolution which accepts or requires a restrictive covenant by condition or otherwise, hereinafter the **covenant proviso**, where the covenant has not been recorded in the Public Records of Miami-Dade County. An application to amend or delete a covenant proviso may seek effectively the same relief that could have been sought by modification or release of the restrictive covenant had such covenant been timely recorded. Said original jurisdiction over applications shall be with the board that issued the resolution containing the covenant proviso. In considering an application pursuant to this section, the applicable board shall consider the following, in addition to all criteria pertaining to the approvals to which the covenant proviso of the prior resolution pertains:

(1) The extent to which the County, the applicant and the applicant's predecessor(s) in title are responsible for the failure of the covenant to be timely recorded, including whether the failure to record the covenant is a result of clerical or other error;

(2) Whether there was an intent to deceive or mislead the County in connection with the prior resolution containing the covenant proviso; and

(3) Any detriment which the granting of the application may cause to the County, or the public, including the area affected. The consideration of detriment shall include, but not be limited to

(a) whether granting relief will impair the County's ability to obtain compliance with the covenant proviso by the applicant or other property owners to the extent that the covenant proviso may remain in effect after a revision; and

(b) whether the applicant will proffer a new, recordable covenant addressing the concerns that were to have been addressed by the prior covenant.

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 approval of this application will allow the applicant to rezone the property from RU-3M, Minimum Apartment House District, to BU-1A, Limited Business District (request #1). The proposed BU-1A zoning district permits the development of commercial and office uses on parcels of land. The subject property contains approximately 8.9 acres and is located on the Southwest corner of theoretical S.W. 152 Avenue and SW 8 Street (Tamiami Trail). In 2002, the subject property was granted a zone change from EU-1, One Acre Estate Single Family District, to BU-1A, pursuant to Resolution #CZAB10-53-02. Earlier that same year during the 2001-2002 Comprehensive Development Master Plan (CDMP) Amendment Cycle, the subject property was granted a change in the Land Use Plan Map designation from Low Density Residential to Business and Office, pursuant to Ordinance No. 02-87. In the approval of Resolution #CZAB10-53-02, a Declaration of Restrictions was proffered that required that the applicant apply for an Administrative Site Plan Review (ASPR) to assure compatibility with the surrounding uses and/or developments. In 2007, the subject property was granted a zone change from BU-1A to RU-3M, pursuant to Resolution #CZAB10-13-07. A Declaration of Restrictions was proffered by the applicant and accepted by the CZAB-10 that restricted the development of the site to the plans for a residential development that were submitted with said hearing application; however, said declaration was not officially submitted by the applicant for recording in the official record books of Miami-Dade County. The applicant is seeking to delete the Declaration of Restrictions that required the submittal of an ASPR application (request #2) and delete a portion of Resolution #CZAB10-13-07 that required the submittal of a new Declaration of Restrictions for a residential development (request #3) in order to permit development of the site according to the regulations of the proposed BU-1A zoning district. The applicant is cognizant that there are residential uses along the south, east and west property lines. Therefore, the applicant has proffered a covenant which will require the provision of a 15' wide landscape buffer along the perimeter of the site where the subject property abuts RU zoned properties (to the south and west) and that said buffer will include a double row of trees, in order to mitigate any negative visual or aural impact generated by the development of the site.

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 further indicates that this application will generate an additional **395** pm daily peak hour **vehicle trips** to the area. However, said trips will not change or exceed the acceptable Levels of Service (LOS) on the area roadways that are currently operating at LOS "B", "D" and "E". The Miami-Dade Fire Rescue Department **(MDFR)** also has **no objections** to this application and indicates that the estimated average travel response time is **5:18** minutes.

The applicant is requesting a zone change from RU-3M, Minimum Apartment House District, to BU-1A, Limited Business District. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates 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, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities, amusements and commercial recreation establishments. These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. The proposed BU-1A zoning permits uses such as automobile service stations, automobile washing, banks including drive-in teller service, dry cleaning establishments, grocery stores and funeral homes, among others, which are permitted uses in the Business and Office designation of the CDMP. The proposed BU-1A zoning will provide additional retail and office space to serve the existing residential communities, which are located to the east, west and south of the subject property. Therefore, the proposed BU-1A zoning is **consistent** with the Business and Office LUP Map designation of the Master Plan.

When considering district boundary changes, the Board shall hear and grant or deny applications by taking into consideration whether 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. Additionally, the Board shall consider whether the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently use 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. Further, the Board shall take into consideration whether the development conforms to the CDMP.

As previously mentioned, in 2002, the subject property was granted a zone change from EU-1, One Acre Estate Single Family District, to BU-1A, pursuant to Resolution #CZAB10-53-02. Earlier that same year during the 2001-2002 Comprehensive Development Master Plan (CDMP) Amendment Cycle, the subject property was granted a change in the Land Use Plan Map designation from Low Density Residential to Business and Office, pursuant to Ordinance No. 02-87. In the approval of Resolution

#CZAB10-53-02, a Declaration of Restrictions was proffered that required that the applicant apply for an Administrative Site Plan Review (ASPR) to assure compliance and compatibility with the surrounding uses and/or developments. In 2007, the subject property was granted a zone change from BU-1A to RU-3M, pursuant to Resolution #CZAB10-13-07. A Declaration of Restrictions was proffered by the applicant and accepted by the CZAB-10 that restricted the development of the site to the plans for a residential development that were submitted with said hearing application; however, said declaration was not officially submitted by the applicant for recording in the official record books of Miami-Dade County. Staff notes that the proposed zone change from RU-3M to BU-1A, if granted, would be **consistent** with the Business and Office LUP Map designation of the Master Plan for Miami-Dade County. Additionally, the approval of this request would help to address the needs in this area of Miami-Dade County by promoting the development of a vacant site that would provide additional commercial and office uses for the adjacent residential communities. Additionally, the proposed zoning will not burden other public services as indicated by the Public Works Department's memorandum. Furthermore, the proposed rezoning to BU-1A will not have an unfavorable impact on the environment and will not burden water, sewer and solid waste disposal as indicated in DERM's memorandum. As such, staff is of the opinion that the proposed zone change is **compatible** with the area and is **consistent** with the CDMP designation. The Zoning Code does not require a site plan to be submitted with this application; however, as previously mentioned, the applicant has proffered a covenant which will require the provision of a 15' wide landscape buffer along the perimeter of the site where the subject property abuts RU zoned properties (to the south and west) and that said buffer will include a double row of trees, in order to mitigate any negative visual or aural impact generated by the development of the site. In staff's opinion, the additional buffering will ensure compatibility of the commercial development with the adjacent residential community. Accordingly, staff recommends approval of the zone change request to BU-1A (request #1), subject to the Board's acceptance of the proffered covenant.

According to Section 33-315.2 of the Zoning Code, an application for public hearing may be filed to amend or delete, in whole or in part, that portion of a resolution which accepts or requires a restrictive covenant by condition or otherwise, hereinafter the **covenant proviso**, where the covenant has not been recorded in the Public Records of Miami-Dade County. Said original jurisdiction over applications shall be with the board that issued the resolution containing the covenant proviso. The applicant has indicated in the Letter of Intent submitted with this application that a Declaration of Restrictions proffered and accepted by the CZAB-10, pursuant to Resolution #CZAB10-13-07, that restricted the development of the site to the residential site plans that were submitted for said prior hearing, was not officially submitted by the applicant for recording in the official records of Miami-Dade County. The applicant indicates that the reason for not recording the final Declaration of Restrictions is that the real estate market has changed and the RU-3M zoning, in the applicant's opinion, is no longer a feasible option for the subject property. Staff is of the opinion that the granting of request #3 will not detrimentally affect the surrounding area and approval of same would provide additional commercial and office uses for the adjacent residential communities. Staff sees no evidence that there was intent to deceive or mislead the County in spite of the failure by the applicant to record the covenant in a timely manner. Additionally, staff is of the opinion that the granting of the request will not detrimentally affect the County. Additionally, with the submittal of the abovementioned covenant to require the development of the property

with a 15' wide landscape buffer, staff opines that the intent of the prior covenant will be satisfied by said mitigation of any negative visual or aural impact generated by the development of the site.

The standards under Section 33-311(A)(7) Generalized Modification Standards, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of a previously approved condition which has been imposed by any final decision adopted by Resolution would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, would not tend to provoke a nuisance, would not be incompatible with the area when considering the necessity for and reasonableness of the modification or elimination in relation to the present and future development of the area. When requests #2 and #3 are analyzed under Section 33-311(A)(7), staff opines that the approval of these requested deletions would not generate excessive traffic and would not be contrary to the public interest. Approval of request #2, to permit the deletion of a Declaration of Restrictions recorded in Official Record Book 20979, Page 997-1004, and a Declaration of Restrictions recorded in Official Record Book 22176, Pages 2700-2704, that required that the applicant apply for an Administrative Site Plan Review (ASPR) to assure compliance and compatibility with the surrounding uses and/or developments and request #3, to permit the deletion of that portion of Resolution #CZAB10-13-07, passed and adopted by Community Zoning Appeals Board #10, which accepted a proffered Declaration of Restrictive Covenants, hereinafter the "covenant proviso," that restricted the development of the site to the plans for a residential development would allow the applicant to develop the site in accordance with the regulations of the proposed zoning district. When considering the necessity for and the reasonableness of the proposed modifications on the subject property, staff is of the opinion that these deletions will not have an unfavorable effect on the area and will not be contrary to the public interest. As previously mentioned, the approval of these requests would allow the applicant to develop the subject property in accordance with the proposed BU-1A zoning regulations which will provide additional commercial and office uses for the adjacent residential communities. Therefore, subject to the Board's acceptance of the proffered covenant to provide a 15' landscape buffer with a double row of trees along the perimeter of the property adjacent to the residential neighborhood to the west and south, the approval of these requests will be **compatible** with the area. As such, staff further opines that the approval of these requests would be in keeping with the spirit and intent of the previous submittals and would allow the provision of commercial and office uses to the area, and therefore, staff recommends approval of requests #2 and #3 under Section 33-311(A)(7) (Generalized Modification Standards).

The Standards under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved resolution or restrictive covenant complies with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicant has not submitted documentation to indicate which modification or elimination standards are applicable to this application. Due to the lack of information, staff is unable to analyze requests #2 and #3 under said Standards, and as such, these requests should be denied without prejudice under same.

Based on all of the aforementioned, staff recommends approval of request #1, subject to the Board's acceptance of the proffered covenant, approval of requests #2 and #3 under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

I. RECOMMENDATION:

Approval of request #1, subject to the Board's acceptance of the proffered covenant, approval of requests #2 and #3 under Section 33-311(A)(7) and denial without prejudice of same under Section 33-311(A)(17).

J. CONDITIONS: None

DATE INSPECTED: 09/02/08
DATE TYPED: 09/23/08
DATE REVISED: 09/24/08; 09/26/08; 10/09/08; 10/17/08; 10/18/08; 10/24/08
DATE FINALIZED: 10/18/08
MCL; MTF; LVT; NC; JV

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

Memorandum

MIAMI-DADE COUNTY

Date: March 31, 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 #Z2008000034
Ferro Development, LLC.
Southwest Corner of S.W. 8th Street and S.W. 152nd Avenue
District Boundary Change from RU-3M to BU-1A
(RU-3M) (8.68 Acres)
04-54-39

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 S.W. 72nd Street and Coral Way along theoretical S.W. 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.

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 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
DERM has no objection to the subject application provided that the following conditions are satisfied:

1. The proposed project has received Cut and Fill approval # 528. Full compliance with all conditions set forth in said approval is required prior to platting or seeking building permits.
2. 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.
3. 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.
4. Site grading and development shall provide for the full retention of the 100-year/3-day storm event and shall also comply with the requirements of Chapter 11C of the Code.
5. A covenant running with the land binding present and future owners shall be executed and submitted to the Water Control Section prior to final plat approval.
6. No encroachment shall be allowed in the surface water management area from elevation +5.0 feet + 9.20 feet N.G.V.D.
7. Class II permit issued by DERM shall be obtained before the construction of the proposed surface water management system, or final plat approval.

The applicant is advised to contact the DERM Water Control Section at (305) 372-6681 for further information.

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 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.

DERM has no objection to this application provided the applicant 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 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. The applicant is advised to contact the Wetlands Resources Program of DERM at (305) 372-6585 for additional information concerning requirements pertaining to the Miami-Dade County Class IV.

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

PH# Z2008000034
CZAB - C10

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:FERRO DEVELOPEMENT, LLC.

This Department has no objections to this application.

Additional improvements may be required at time of platting

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 395 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
F-88	SW 8 St. e/o SW 137 Ave.	D	D
9800	SW 137 Ave. s/o SW 8 St.	E	E
9798	SW 137 Ave. n/o SW 8 St.	B	B
F-377	SW 8 St. e/o SW 177 Ave.	B	B

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.

(*)Traffic concurrency is based on the density of the property with its proposed use where the number of peak hour vehicle trips may fluctuate.

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

Memorandum

Date: 24-MAR-08

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

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

Subject: Z2008000034

Fire Prevention Unit:

Not applicable to Fire Engineering and Water Supply Bureau Site Requirements at this stage. Compliance with MDFR Site Requirements will be determined upon submission of the development plans for the proposed project.

Service Impact/Demand:

Development for the above Z2008000034
located at LYING SOUTH OF SW 8 STREET BETWEEN S.W. 152 AVENUE & S.W. 153 PLACE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1383 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: 5:18 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 at this stage. Service impact analysis will be determined upon submission of the development plans for the proposed project.

DATE: 03/24/08

TEAM METRO

ENFORCEMENT HISTORY

FERRO DEVELOPEMENT, LLC.	LYING SOUTH OF SW 8 STREET BETWEEN S.W. 152 AVENUE & S.W. 153 PLACE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2008000034

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

March 24, 2008
An inspection was conducted March 24, 2008 and no violations were observed.

DECEMBER 17, 2007
CMS #200712014945 opened in reference to overgrowth. NCO observed overgrowth and contacted property owner by phone to have them cut a 10 foot buffer around perimeter of property. A re-inspection was conducted on December 26, 2007 and the area to be maintained was cut. Case closed.

NOVEMBER 7, 2007
CMS #200712013825 opened in reference to junk & trash deposited on property. Case was referred to Public Works Department. Junk & trash was removed.

JULY 18, 2006
CMS #200612005821 opened in reference to lot maintenance. Warning notice #R52765 was issued to property owner. NCO re-inspected property on September 22, 2006. CVN # 957524 was issued to property owner for failing to comply. A compliance inspection was performed on October 27, 2006 and the property was in compliance & the CVN paid. Case closed.

JULY 18, 2006
CMS #200612005819 opened in reference to junk & trash on property. Case was referred to Public Works Department. Junk & trash was removed.

JULY 18, 2006
CMS #200612005818 opened in reference to junk & trash on property. Warning notice #R52764, was

issued to property owner. NCO re-inspected property on August 18, 2006 & the violation was corrected. Case closed.

May 25, 2006
CMS #200612004453 opened in reference to Enforcement History. Case closed.

JULY 22, 2005
CMS #200512003608 opened in reference to a sign erected on property. Warning notice #N01849 was issued to property owner. NCO re-inspected property on May 25, 2006 and the sign had been removed. Cased closed.

NOVEMBER 2, 2004
CMS #200412007932 opened in reference to junk & trash on property. Warning notice #R5530 was issued to property owner. NCO performed a re-inspection on January 5, 2005 and the violation was corrected. Case closed.

SEPTEMBER 30, 2004
CMS #200412007154 opened in reference to junk & trash on property. NCO inspected property on October 6, 2004 however found no violation. Case closed.

FERRO DEVELOPEMENT, 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: Ferro Development LLC.

NAME AND ADDRESS	Percentage of Stock
Mario Ferro JR.	50%
Mario Ferro SR.	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 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: _____

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 simila

RECEIVED
208-034
FEB 20 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND 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 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.

sign here:

Signature: _____
(Applicant)

Sworn to and subscribed before me this 22 day of February, 2008. Affiant is personally known to me or has produced _____ as Identification.

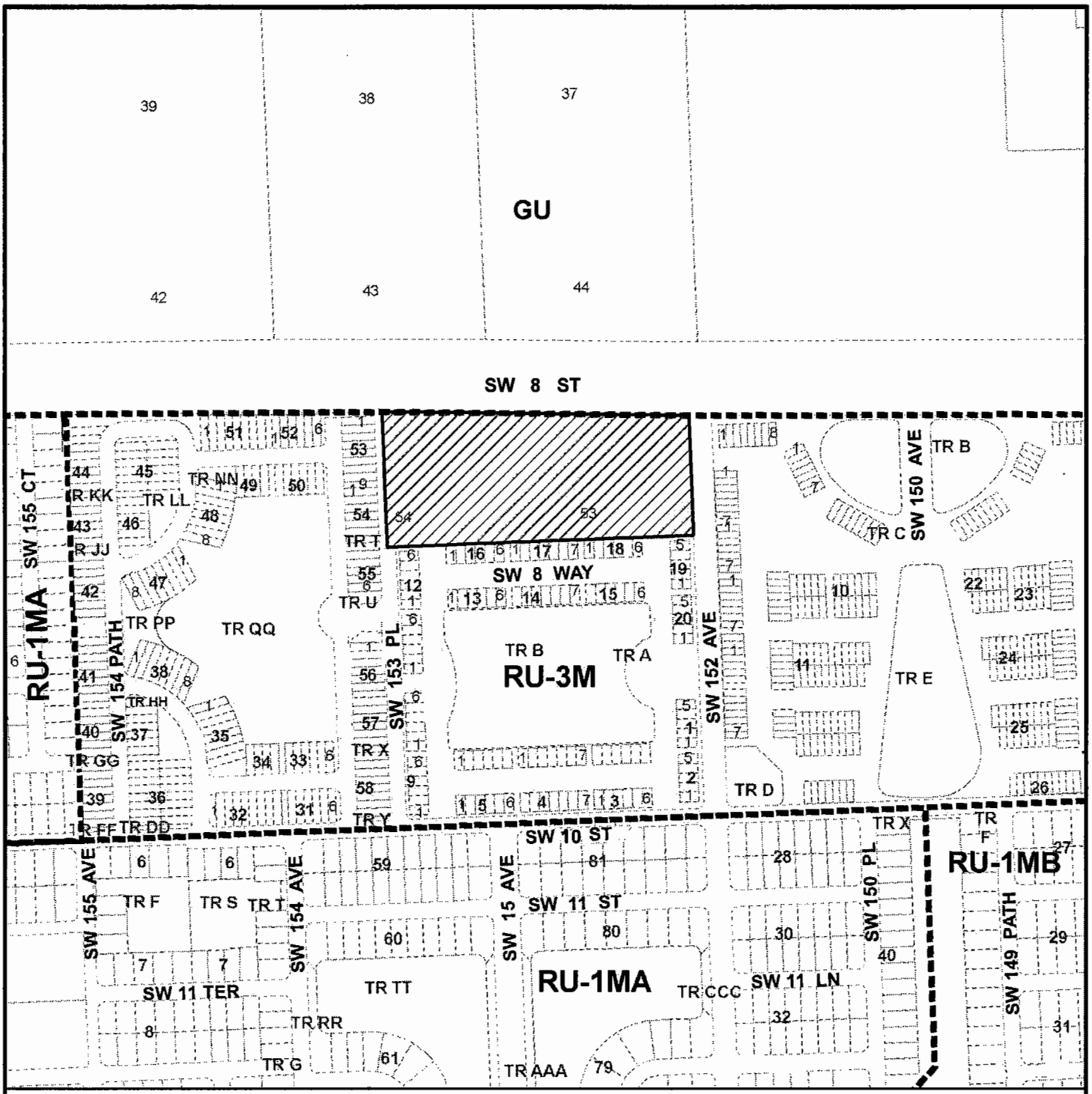
_____
(Notary Public)

YELENY MARTINEZ
MY COMMISSION # DD692047
EXPIRES July 04, 2011
(407) 398-0153 FloridaNotaryService.com

My commission expires July 4, 2011

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z08-034
DATE: FEB 28 2008
BY: JESSE

*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.



MIAMI-DADE COUNTY

HEARING MAP

Section: 04 Township: 54 Range: 39
Applicant: 08-034
Zoning Board: C10
District Number: 11
Drafter ID:ERIC
Scale: NTS

Process Number

08-034

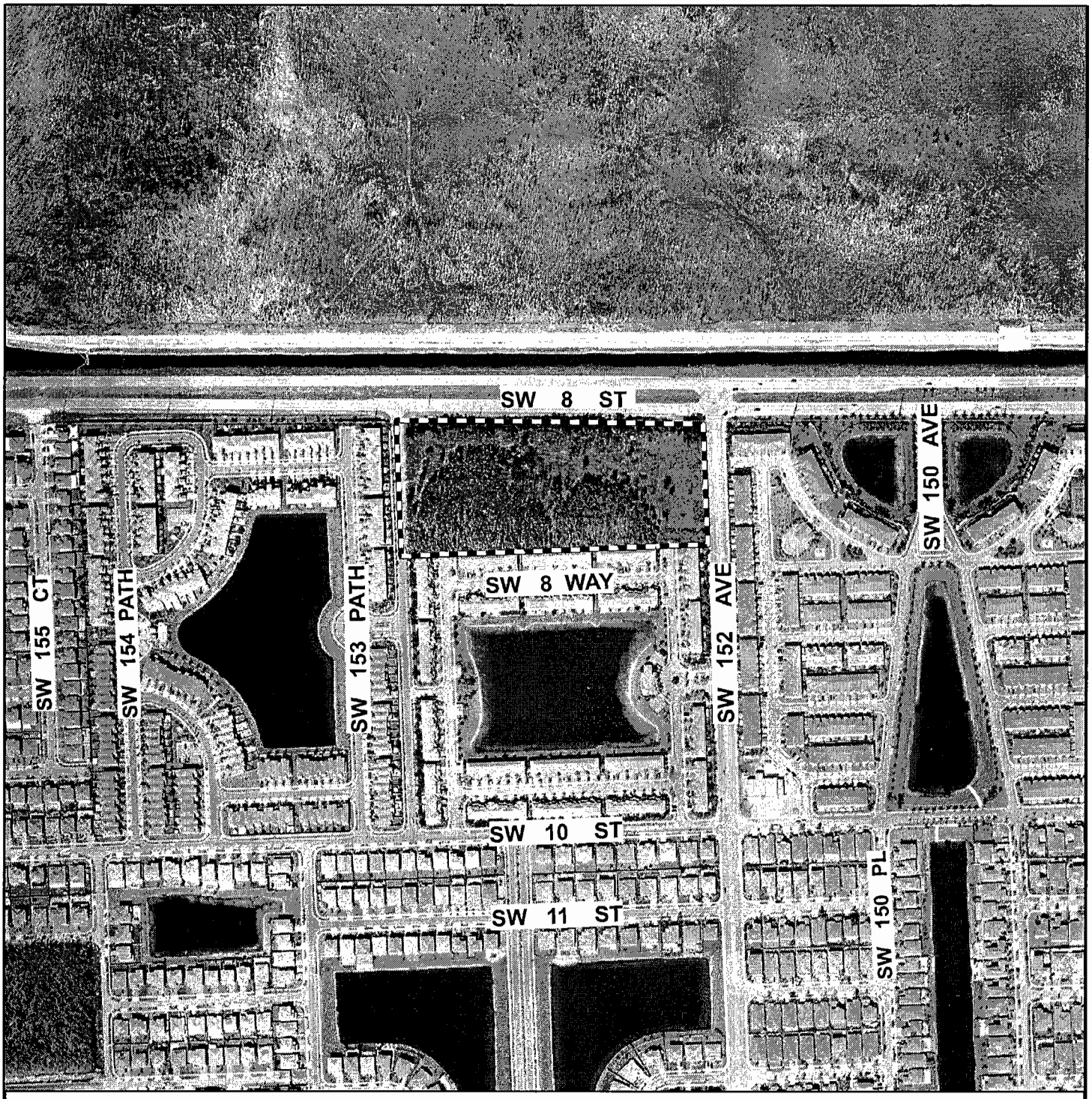
SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

CREATED DATE: 03/05/08

REVISION	DATE	BY
21		



MIAMI-DADE COUNTY

AERIAL MAP

Section: 04 Township: 54 Range: 39
Applicant: 08-034
Zoning Board: C10
District Number: 11
Drafter ID:ERIC
Scale: NTS

Process Number

08-034

SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

FOLIO FILE DATE: 03/05/08

REVISION	DATE	BY

2. BELEN JESUIT PREPARATORY SCHOOL, INC.
(Applicant)

08-11-CZ10-2 (08-166)
Area 10/District 12
Hearing Date: 11/13/08

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
1977	Belen School & Antonio Garcia	- Special exception. - Unusual Use. - Use variance. - Variances private school.	ZAB	Denied without prejudice
1977	Belen School & Antonio Garcia	- Special exception. - Unusual Use. - Use variance. - Variances private school.	BCC	Appeal approved, application approved
1985	Belen Jesuit Prep. School	- Unusual Use to permit an underground/above ground telephone facility. - Non-Use variances.	ZAB	Approved in part w/conds.
1992	Belen School, Inc.	Non-Use variance of signs.	ZAB	Approved w/conds.
2001	Belen Jesuit Prep., Inc.	Special exception to permit the expansion of an existing school.	CZAB-10	Approved in part 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: Belen Jesuit Preparatory School, Inc. **PH:** Z08-166 (08-11-CZ10-2)

SECTION: 2-54-39 **DATE:** November 13, 2008

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

==========

A. INTRODUCTION

o REQUESTS:

(1) EU-1 to RU-3

(2) UNUSUAL USE to permit an annual carnival with amusement rides.

(3) Applicant is requesting to permit a building height of 50'8" (35' maximum permitted).

(4) Applicant is requesting to permit parking and drives within 25' of the right-of-way (not permitted).

(5) Applicant is requesting to permit a shed setback 19.34' and bleachers setback 25' (30' required) from the side street (west) property line.

REQUESTS #1 - #5 ON PARCEL "A"

(6) SPECIAL EXCEPTION to permit the expansion of an existing school onto additional properties to the west.

(7) MODIFICATION of Conditions #4, #5, #6, #8, #9 and #10 of Resolution No. Z-122-77, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "4. That the use be approved and restricted to a maximum of 1,000 students."

TO: "4. That the use be approved and restricted to a maximum of 1,500 students."

FROM: "5. That the use be conducted on the premises on weekdays only, Monday through Friday, inclusive."

TO: "5. That the use be conducted on the premises seven days a week."

FROM: "6. That the hours of operation shall be from 7 a.m. to 10 p.m."

TO: "6. That the hours of operation shall be from 6:30 a.m. to midnight Monday through Friday and 8:00 a.m. to midnight Saturday and Sunday."

FROM: "8. That the number of grades will be from 7 to 12."

TO: "8. That the number of grades will be from 6 to 12."

FROM: "9. That the number of classrooms will be as follows:
7-8 7 classes
9-10 10 classes
11-12 4 classes plus labs and special classrooms."

TO: "9. To permit 73 classrooms."

FROM: "10. That the number of teachers will be 40."

TO: "10. That the number of teachers will be 120."

(8) MODIFICATION of Condition #2 of Resolution No. CZAB10-79-01, passed and adopted by the Community Zoning Appeals Board 10, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Belen Jesuit Recreational Facility,' as prepared by Albaisa Architects, dated 12/23/99 and consisting of 1 sheet."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Belen Jesuit Preparatory School Master Plan, dated stamped received 9/2/08 and a plan entitled 'Partial Site Plan Annual Carnival,' dated stamped received 9/26/08, all prepared by Santos/Raimundez, Architects, and consisting of 14 sheets."

The purpose of requests #7 and #8 is to allow the applicant to submit new site plans showing additional property for the expansion of the school, an increase in the number of students, grades, teachers and classrooms and to extend the days and hours of operation.

REQUESTS #6 - #8 ON PARCELS "A", "B" AND "C"

(9) Applicant is requesting to permit an administrative building setback 20'8" (75' required) from the interior side (west) property line and spaced less than 75' from a residence under different ownership to the west.

(10) Applicant is requesting to permit a tiki hut setback 27'8" (30' required) from the side street (east) property line.

REQUESTS #9 AND #10 ON PARCEL "C"

(11) Applicant is requesting to waive the zoning regulations requiring interior street rights-of-way to be 50' in width; to permit no dedication of S.W. 128 Avenue between Parcels A and B.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #7 and #8 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of conditions or Covenants After Public Hearing and approval of requests #3-#5 and #9-#11 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

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

- **SUMMARY OF REQUESTS:** The applicant seeks to change the zoning from EU-1, Single-Family One Acre Estate District, to RU-3, Four Unit Apartment House District and to host an annual carnival with amusement rides on Parcel A (the existing campus). The applicant is also requesting a special exception to expand the existing school onto additional property to the west within an estate density residential community in order to expand school uses such as a sports recreational facility on Parcel B and convert an existing single-family residence into an administrative office building on Parcel C. In addition, the applicant seeks to modify the conditions of prior Resolutions in order to submit a new site plan showing additional property for the expansion of the school, an increase in the number of students, grades, teachers and classrooms, and to extend the days and hours of operation. Additional requests to permit a shed and existing bleachers setback closer to the side street property line than permitted, to permit parking and drives within 25' of the rights-of-way and to permit an existing building with a greater height than that allowed by the Zoning Code are also being sought. Moreover, the applicant seeks to permit the aforementioned administrative office building setback closer to the interior side property line and spaced closer to an existing residence as well as a request to permit an existing tiki hut setback closer to the side street property line than permitted on Parcel C. A request to permit 0' of dedication for SW 128 Avenue is also being sought between Parcels A and B.

- **LOCATION:** 500 S.W. 127 Avenue and 12800 SW 6 Street, Miami-Dade County, Florida.

- **SIZE:** 32.54 Acres

- **IMPACT:** Approval of the application will allow the applicant to change the zoning from EU-1, Single-Family One Acre Estate District, to RU-3, Four Unit Apartment House District and to host an annual carnival with amusement rides on Parcel A. Said carnival use may bring additional traffic and noise into the surrounding area once a year for the duration of the carnival. Approval of the application will allow the applicant to expand the existing school onto additional property to the west in order to develop a sports recreational facility on Parcel B, and utilize an existing single-family residence as an administrative office building on Parcel C. Both of these requests could have a negative aural and visual impact on the surrounding residential area. In addition, approval of the application will allow the applicant to increase the number of students, grades, teachers and classrooms, and to extend the days and hours of operation, which would allow the existing school to serve additional students in the community. However, it could also bring additional noise and traffic into the surrounding area. Further, the approval of the application will allow the applicant to waive the required right-of-way dedication for both sides of a portion of SW 128 Avenue where Parcel A (the existing school campus) abuts the proposed expansion onto Parcel B to the west. However, this request would impede traffic connectivity along SW 128 Avenue between NW 2nd Street and SW 2nd Street and increase traffic on SW 127 Avenue.

B. **ZONING HEARINGS HISTORY:** In May 1977, a portion of the subject property was denied without prejudice a special exception to permit a private school from grades 1 through 12, to include kitchen and dining areas, gymnasium, and custodian's quarters, a use variance to permit an RU-4A use in the EU-1 zone to permit a two-story structure with twenty overnight sleeping accommodations for occasional use by students and/or their parents for the purpose

of meditation, an unusual use to permit a recreational facility, to permit a basketball and tennis courts, football, track and field and baseball field, as well as requests to permit an 8' high (6' permitted) fence along the side street (east) and front (north) property line, a request to permit a 12' (6' permitted) basketball backstop on the front (north) property line, a request to permit the proposed baseball and football fields in front (on dual streets) of the principal building, and a request to permit a proposed baseball diamond and backstop to setback 6' (75' required) from the front (north) property line and permit a track field to setback 25' (75' required) from the front (north) property line, pursuant to Resolution #4-ZAB-177-77. The applicants amended the application to reflect a request for a special exception to permit a private school from grades 7 through 12, while retaining the original variance requests sought in the original application and appealed the decision of the Zoning Appeals Board (ZAB) to the Board of County Commissioners (BCC), which in June 1977, reversed the decision of the ZAB and approved the application, pursuant to Resolution #Z-122-77. In 1985, a portion of the subject property was granted an unusual use to permit a controlled environment vault (underground and partially above ground telephone equipment facility) and a request to permit the aforementioned facility on a parcel of land with a frontage of 20' (200' required), a lot depth of 30' (330' required) and an area of 600 sq. ft. (5 acres required) by the ZAB, pursuant to Resolution #4-ZAB-127-85. In 2001, a portion of the subject site was granted a special exception to permit the expansion of an existing school onto additional property to the north and to permit recreational fields to be used in conjunction with the school use as well as withdrawal of a request to permit 40 lot trees (80 trees required) and 400 shrubs (1,160 shrubs required), pursuant to Resolution # CZAB10-79-01. All of the above decisions have occurred on the main school campus (Parcel A).

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being **1.8 miles east of** and **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 units per gross acre.

2. 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.

3. **Other Land Uses Not Addressed**
   Certain uses are not authorized under any LUP map category, including many of the uses listed as "**unusual uses**" in the zoning code. Uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible and would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer,

drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area.

4. **Residential Communities**
   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.

5. **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 of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

6. **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.

7. **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, Vacant, single-family residence, and school	Estate Density Residential, 1 to 2.5 dua
Surrounding Properties:	
NORTH: EU-1; Single-family residences	Estate Density Residential, 1 to 2.5 dua
SOUTH: EU-1; Miami-Dade County Fire Station and vacant parcel	Estate Density Residential, 1 to 2.5 dua
EAST: EU-1; Single-family residences	Estate Density Residential, 1 to 2.5 dua
WEST: EU-1; Single-family residences	Estate Density Residential, 1 to 2.5 dua

The 32.54-acre subject property is located within an established residential estate area zoned EU-1 and characterized by single-family residences on one-acre parcels. There are numerous private schools and religious facilities in the immediate area.

E. SITE AND BUILDINGS:

Site Plan Review:

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***
Signage:	**N/A**
Urban Design:	**N/A**

*Only as applied to Parcels A and C and subject to conditions.

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.

33-311(A)(7) Generalized Modification Standards. The Board shall hear applications to **modify** or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when

considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

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

Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations. Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

Section 33-311(A)(4)(c) Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances 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.

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 32.54-acre subject property is located within an established estate area zoned EU-1, Single-Family One Acre Estate District, and characterized by single-family residences on one-acre parcels. There are numerous private schools and religious facilities in the immediate area. It should be noted that Parcel A is improved with the main campus of the existing school and the applicant proposes to expand the school onto 2 additional parcels of land (Parcel B and Parcel C) to the west of Parcel A. Parcel B is currently vacant, and Parcel C is improved with an existing single-family residence. The applicant seeks to change the zoning from EU-1 to RU-3, Four Unit Apartment House District, (request #1) and to permit an annual carnival with amusement rides (request #2) on Parcel A. In addition, the applicant is requesting to permit a building height of 50'8" (35' permitted. However if the zone change to RU-3 is approved, a maximum height of 40' is permitted in that zone) (request #3), to permit parking and drives within 25' of the right-of-way (not permitted) (request #4), and to permit a shed setback 19.34' and bleachers setback 25' (30' required) from the side street (west) property line (request #5) on Parcel A. The applicant is also requesting a special exception to permit the expansion of the existing school onto 2 additional properties (Parcels B and C) to the west (request #6). Additionally, the applicant seeks to modify Conditions #4, #5, #6, #8, #9 and #10 of Resolution #Z-122-77 as follows: Condition #4, to increase the number of students permitted from 1,000 to a maximum of 1,500 students; Condition #5, to extend the days of operation from Monday through Friday to permit the use to be conducted on the subject site seven (7) days a week; Condition #6, to extend the hours of operation from a starting time of 7:00 a.m. to 6:30 a.m. and from a closing time of 10:00 p.m. to midnight Monday through Friday and to operate during the hours of 8:00 a.m. to midnight on Saturdays and Sundays; Condition #8, to expand the number of grades (7 to 12) to allow grades 6 to 12; Condition #9, to increase the number of classrooms from seven classes for grades 7 and 8, ten classes for grades 9 and 10, and four classes plus labs and special classrooms for grades 11 and 12, to permit a total of 73 classrooms; and Condition #10, to increase the number of teachers from 40 to 120 teachers (request #7).

Further, the applicant seeks to modify Condition #2 of Resolution #CZAB10-79-01 to allow the applicant to submit new plans showing 2 additional properties to the west for the expansion of the school use (request #8). The applicant also seeks to permit the conversion of an existing single-family residence into an administration building setback 20'8" (75' required) from the interior side (west) property line and spaced less than 75' from a residence under different ownership to the west (request #9) as well as to permit the maintenance and continued use of an existing tiki hut setback 27'8" (30' required) from the side street (east) property line (request #10) on Parcel C. In addition, the applicant seeks to waive the zoning regulations requiring interior street rights-of-way to be 50' in width; to permit no dedication for a portion of both sides of SW 128 Avenue between Parcels A and B (request #11). The applicant has submitted plans that depict the aforementioned requests. It should be noted that the applicant has voluntarily proffered a covenant that restricts the development of the subject site to the submitted plans; limits the use of Parcel C to an administrative office for the school to serve the Belen Alumni Association; and provides that the school hours of operation shall be from 6:30 a.m. to 10 p.m. Monday through Friday and 8:00 a.m. to 10:00 p.m. Saturday and Sunday, except that the hours of operation shall be allowed to extend to no later than midnight only for 10 days per year, Monday through Sunday, of which 3 days will include the annual carnival. The proffered covenant also indicates that the applicant will implement a Maintenance of Traffic Operation Plan (MOT)

that will prevent the vehicles that are dropping off or picking up the students from interfering with through traffic on either SW 127 Avenue or SW 6 Street; implement dual dismissal times with grades 6th, 7th and 8th dismissed at 3:00 p.m. and grades 9th, 10th, 11th and 12th dismissed at 3:30 p.m.; construct a right turn lane on SW 6 Street; construct a T-Turnaround on the northwest corner of the property between Parcels A and B; and re-designate on-site parking areas as reflected in the MOT.

The applicant indicates in the Child Care Checklist submitted in conjunction with this application that the existing school will have an operating staff of 186 people, which consists of 120 teachers and 66 administrative and clerical personnel in order to provide service for 1,500 students to be enrolled in proposed grade levels 6 to 12, and will be operational seven days a week from the hours of 6:30 a.m. to midnight Monday through Friday and from the hours of 8:00 a.m. to midnight Saturday and Sunday. The submitted plans and Child Care Checklist indicate that the existing school will contain 73 classrooms that feature a total of 54,961 sq. ft. of classroom area to accommodate the proposed enrollment and 418,630 sq. ft. (9.61 acres) of recreation areas that include tennis courts, basketball courts, a football/track field, baseball fields, and a pool. Access to the facility for ingress and egress to one of the parking areas will be located on the east side of the site through 5 two-way ingress/egress drives sited along SW 127 Avenue (Belen Jesuit Boulevard). It should be noted that 3 of the 5 two-way ingress/egress drives sited along SW 127 Avenue are noted on the plans to remain closed during dismissal times in order to achieve a continuous traffic flow through the remaining 2 ingress/egress drives which provide one-way ingress/egress access to the student drop-off and pick-up area with 47 auto stacking spaces provided. The submitted plan also indicates that access to the rear parking area sited on the southwest corner of Parcel A is provided via a two-way ingress/egress drive along SW 6 Street. Staff notes that the submitted plans depict a total of 414 parking spaces provided on Parcel A. As previously mentioned, Parcel B is currently vacant and staff notes that the submitted plans illustrate 5 proposed tennis courts, a proposed shelter and storage structure, and a sports practice field on Parcel B. Additionally, as previously mentioned, Parcel C is currently improved with an existing single-family residence and the submitted plans depict the conversion of said residence into a proposed administration building for the school. Moreover, the submitted plans illustrate both abundant existing landscaping as well as proposed landscaping such as Geiger trees, Oak trees, Silver Buttonwood and Black Ironwood, which have been provided throughout the site.

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 (PWD)** has **no objections** to this application except as noted herein. Specifically, their memorandum indicates that the PWD has **no objections** to the request to permit parking and drives within 25 feet of the right-of-way (request #4). However, the PWD **objects** to the request to permit no dedication for SW 128 Avenue (request #11) and their memorandum indicates that full dedication and improvements are required as a condition of the approval of this application. Their memorandum further indicates that this application generates an additional **100** PM daily peak hour **vehicle trips**. However, the traffic distribution of these additional trips to the adjacent roadways does not exceed the acceptable level of service (LOS) of the surrounding roadways which are operating at LOS "D". Therefore, their memorandum indicates that this application meets traffic concurrency. Moreover, it should be noted that their memorandum indicates that the applicant has proffered a declaration of restrictions incorporating a proposed schedule of

arrival and dismissal times including grade level and number of students as well as a maintenance of traffic operation (MOT) plan that includes provision of all traffic control

devices such as cones and delineators for the arrival and dismissal periods. Submittal of said declaration of restrictions is required by PWD prior to the public hearing for this application. The **Miami-Dade Fire Rescue Department (MDFR)** has **no objections** to this application and indicates in their memorandum that the estimated average travel response time is **2:10** minutes.

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the subject property as being 1.8 miles east of and within the Urban Development Boundary for **Estate Density Residential**. The residential densities allowed in this category range from a minimum of 1.0 to a maximum of 2.5 units per gross acre. This density range is typically characterized by detached estates, which utilize only a small portion of the total parcel. As previously mentioned, the applicant is requesting a zone change from EU-1 to RU-3 on Parcel A. The requested RU-3 zoning permits a maximum of 23 dwelling units per net acre, which staff notes, exceeds the density threshold allowed in the Estate Density Residential category. Further, staff notes that in addition to allowing a school, the requested RU-3 zoning allows uses such as rooming houses, day nurseries, churches, colleges, universities with dormitories, as well as multi-family housing developments which are not allowed under the current EU-1 zoning district regulations as a matter of right. The school was previously approved on Parcel A as a special exception request, and the EU-1 zoning was retained. It should be noted that the applicant's letter of intent indicates, "The RU-3 designation will permit use of the Applicant's property as a private school." However, as previously mentioned, staff notes that the school use on Parcel A was approved as a special exception. Therefore, the zone change request is not necessary as the school use is already permitted on Parcel A where the zone change is requested. Moreover, it should be noted that staff's review of the surrounding area reveals that the area located to the north of the Tamiami Canal within Section 2 Township 54 Range 39 where the subject property lies, is predominantly zoned RU-1, Single-Family Residential District, and EU-1. Further, staff notes that the subject site abuts EU-1 zoned properties developed with single-family estate residences to the east. Although staff acknowledges that the applicant has submitted a covenant restricting any residential use on the property if rezoned to RU-3, staff opines that the approval of the requested RU-3 zoning on Parcel A (request #1) would be out of character with the existing zoning in the area which consists primarily of RU-1 and EU-1 zoned properties and would be inconsistent with the CDMP since it allows a density of 23 dwelling units per net acre where the maximum density permitted on this site by the CDMP is 2.5 units per gross acre. As such, staff is of the opinion that the proposed zone change to RU-3 on Parcel A is **incompatible** with the area and is **inconsistent** with the density limitations under the interpretative text of the **Estate Density Residential** use LUP map designation. Accordingly, staff recommends denial without prejudice of the zone change request to RU-3 on Parcel A (request #1).

The CDMP provides that certain uses are not authorized under any LUP map category, including many of the uses listed as "**unusual uses**" in the Zoning Code. Uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of the Master Plan, and provided that the use would be compatible with and would not have an unfavorable effect on the surrounding area by any of the following: by causing an undue

burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area.

Staff acknowledges that the approval of request #2 would allow the applicant to host an annual carnival, which will provide a recreational amenity for its students, faculty, staff and the community. Staff also notes that a carnival in conjunction with a school is a permitted use in the Zoning Code provided that the school obtains written waivers of objection from property owners within the area and subject to other conditions specified in the Zoning Code. Therefore, the carnival use is consistent with the provisions of the Master Plan that allow uses that are substantially similar to permitted uses. Staff notes that the school has obtained approval every year for many years for the carnival use in the manner outlined in the Zoning Code. The approval of this use at public hearing would not require the school to obtain the written waivers from the neighbors on yearly basis. The applicant has submitted a carnival site plan illustrating the proposed set-up sites for the amusement rides, concessions, booths, generators, and parking for the annual carnival on Parcel A. In staff's opinion allowing the requested carnival with amusement rides for 3 days annually subject to conditions, will not cause an undue burden on roadways, transportation facilities and public utilities. Staff recognizes the impacts associated with carnival activities such as noise emanating from amusement rides, and the potential crowds of people that congregate for the festivities, the glare that can be produced by amusement ride lighting, and the odors emanating from food kiosks. However, it should be noted that the submitted carnival plan illustrates that the set-up sites for the amusement rides and food kiosks are located on the southern portion of Parcel A only, near the approximate center of the site, and reflect a minimum setback of 119'10" from the side street (west) property line and a minimum setback of 235'5" from the side street (east) property line. Therefore, staff opines that the ample setback distances provided from the side street (east and west) property lines will effectively mitigate any potentially negative impacts emanating from the carnival use on the adjacent single-family residences located to the east and west of Parcel A. Staff further notes that the submitted carnival plan indicates a total of 400 parking spaces allocated for the carnival use which staff opines is sufficient to accommodate the anticipated 1,600 carnival attendees based on the Zoning Code requirement of 1 parking space per every 4 persons for open lot recreational uses. As such, staff recommends conditions for the approval of request #2 that will help to further reduce any potentially negative impacts generated by the carnival. Furthermore, staff recommends as conditions for the approval of same that the carnival be permitted to operate only between the hours of 6:00 p.m. and 10:00 p.m. on Friday, 12:00 noon to 11:00 p.m. on Saturday, and 12:00 noon until 9:00 p.m. on Sunday. Additionally, staff recommends that the carnival use be limited to only occur for a maximum of 3 days annually, so the aural and visual impacts generated by this type of activity will be temporary, and will not burden the surrounding community during the rest of the year. Additionally, staff recommends as a condition for the approval of request #2 that no generators be placed adjacent or close to the site's property lines abutting residences. Approval of the request will allow the applicant to provide a recreational amenity to its students, faculty, staff and the community just as a multitude of schools and churches are allowed to have them on a yearly basis. Therefore, staff opines that the annual 3-day

carnival activity is **consistent** with the Master Plan's interpretative text as quoted above. As such, staff recommends approval with conditions of request #2 under Section 33-311(A)(3).

The Master Plan indicates that neighborhood and community services including **schools**, parks, houses of worship, day care centers, group housing facilities, and utility facilities, are permitted in Residential Communities only when consistent with the goals, objectives and policies of the Master Plan and compatible with the neighborhood. Policy LU-4A indicates that 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, hour of operation, buffering, and safety, as applicable. Policy LU-4C 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 school expansion (Parcel B), midblock onto additional property, is intrusive to the residential estate neighborhood located immediately to the north, south and west of said Parcel and would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive noise, light, glare and traffic. However, staff is of the opinion that the other requested expansion onto additional property, onto Parcel C, for the proposed administrative building, would not detrimentally impact the abutting residential area, since staff's review of the submitted plan reveals that the applicant intends to retain the exterior residential character of the existing structure, and it will only be utilized by 6 administrative personnel who manage the Alumni Association. Staff acknowledges that Parcel C is not situated within an activity node nor is it transitional to the higher density or higher intensity land uses as stipulated by the Master Plan's Guidelines for Urban Form. However, it should be noted that the submitted plans indicate that the conversion of the existing single-family residence into the proposed administrative building will not increase the height, bulk, and scale of said building and will retain the residential character of the existing structure. Moreover, it should be noted that the submitted floor plan for Parcel C depicts approximately 1,549 sq. ft. of office space allocated within 6 offices. Notwithstanding the foregoing, staff will condition the approval of the expansion of the school onto Parcel C prohibiting any future expansions and that the structure remain residential in character. Moreover, staff notes that the applicant has voluntarily proffered a covenant that, among other things, prohibits classrooms and additional parking on Parcel C and restricts its use to administrative and alumni office uses only. As such, staff opines that the approval with conditions of the proposed administrative building on Parcel C as illustrated in the submitted plans for this application, subject to the proffered covenant, will not negatively impact the adjacent properties, is **compatible** with the surrounding area, and is therefore, **consistent** with the interpretative text of the CDMP.

As previously mentioned, Parcel B is currently vacant and staff notes that the submitted plans illustrate 5 proposed tennis courts, a proposed shelter and storage building, and sports practice field on Parcel B. Staff is not supportive of the proposed expansion onto Parcel B and opines that said expansion would generate excessive noise emanating from sporting events on the proposed recreational facilities. Moreover, it should be noted that the submitted plans illustrate 4 existing tennis courts on Parcel A as well as additional recreational facilities, which staff opines are more than adequate to serve the recreational needs of the students. In addition, in 2001, a portion of the subject site was granted a special exception to permit the expansion of the school onto additional property to the north

(on Parcel A) and to permit recreational fields to be used in conjunction with the school use, pursuant to Resolution # CZAB10-79-01. Staff is of the opinion that Parcel B is internal to the residential neighborhood as it is surrounded on 3 sides by residential properties and therefore, the proposed expansion onto Parcel B is more intrusive to the residential neighborhood located to the west of Parcel A. Furthermore, staff notes that Parcel B is not situated within an activity node nor is it transitional to higher density or higher intensity land uses as stipulated by the Master Plan's Guidelines for Urban Form. Single-family residences abut the subject Parcel B to the west, north, and south and, in staff's opinion, the additional intensity planned for Parcel B in the form of tennis courts and a practice field could have a negative aural and visual impact on the surrounding residential community and would interrupt the layout of the block where Parcel B is sited. Staff notes that Parcel B of the subject property does not front on a major roadway but rather is located on an internal road (SW 128 Avenue) that serves the abutting residential neighborhood. As such, staff opines that the expansion of the existing school onto Parcel B is **incompatible** with the surrounding area and as such, is **inconsistent** with the Master Plan.

When requests #3 through #5 are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that the approval with conditions of these requests maintains the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with the surrounding area. Request #3, to permit a building height of 50'-8" would not have an adverse effect on the stability and appearance of the community. The current EU-1 zoning on the subject property allows a maximum building height of two-stories; however, the zone also provides that the height shall not exceed 35 feet above finished grade. It should be noted that the requested RU-3 zoning allows a maximum building height of three-stories; however, the RU-3 zone also provides that the height shall not exceed 40 feet above finished grade. It should be noted that Permit No. 2002043512 was issued for the existing Art Center Building and that the approved permit plans depict a maximum building height of 50'-8" when measured to the roofline, which exceeds the maximum 35' building height allowed under the current EU-1 zoning district regulations. As such, staff acknowledges that Permit No. 2002043512 was issued in error. Notwithstanding the foregoing, the existing one-story Art Center building with a maximum height of 50'-8" is, in staff's opinion, compatible with the area. Staff acknowledges that two stories and a 35' maximum height is allowed in the EU-1 zone that abuts the subject property to the west, north, and east, and is also allowed in the GU zone that abuts the subject site to the south. However, staff's review of the submitted site plan reveals that the existing one-story Art Center building is sited towards the center of Parcel A and meets the required setbacks. Further, staff notes that the submitted plans depict abundant existing landscaping around the perimeter of the existing Art Center building in the form of Royal Palms and Oak trees (25' in height), Dogwood trees (13' in height) and Sabel Palms (11' in height). Moreover, it should be noted that the existing Art Center building is further buffered from the existing single-family residences located to the east of Parcel A by SW 127 Avenue, which consists of a total right-of-way width of 100' and is also buffered from the existing single-family residences located to the west of Parcel A by SW 128 Avenue, which consists of a total right-of-way width of 50'. In addition staff notes that the existing Art Center building is setback 170' from the west property line and 98'7" from the east property line. Accordingly, staff opines that the setbacks provided for the existing Art Center building in conjunction with the landscaping and rights-of-way will effectively mitigate any negative visual impact the Art Center building may have on the single-family residences located to the east and west of Parcel A. As such, staff supports request #3 and opines that the existing one-story Art Center building with a maximum height of 50'8" will not have a

negative visual impact on the surrounding area. Request #4, to permit parking and drives within 25' of an official right-of-way (not permitted), would not have an adverse effect on the stability and appearance of the community. The submitted plans depict the majority of the existing parking areas to be located along the eastern perimeter of the site, accessed by 5 two-way ingress/egress drives sited along SW 127 Avenue. The applicant has provided a surplus of 12 parking spaces, which exceeds the requirement of 402 parking spaces. As such, staff opines that more than adequate on-site parking has been provided and that the parking to be located within 25' of the rights-of-way will not cause auto spillage into the streets and will not, therefore, have a negative visual or aural effect on the area since the majority of the parking areas and drives comply with the required 25' setback from the rights-of-way with only a portion of the parking area setback a minimum of 23'8" from the SW 127 Avenue right-of-way and another portion of the parking area setback a minimum of 8'8" from the SW 128 Avenue right-of-way. Staff further notes that the applicant has provided a landscape buffer with a minimum width of 23'8", which includes abundant existing landscaping in the form of Black Olive, Mahogany, and Jacaranda trees that vary in height from 14' to 19' along the SW 127 Avenue right-of-way and a landscape buffer with a minimum width of 8'8", which includes existing landscaping in the form of hedge and Dogwood trees along the SW 128 Avenue right-of-way. Moreover, the submitted plans illustrate proposed street trees in the form of Silver Buttonwood along SW 127 Avenue and Black Ironwood along SW 128 Avenue, which staff opines will mitigate any negative visual impact the parking and drives might have. It should also be noted that the Public Works Department has indicated in their memorandum that they have no objections to request #4. Request #5, to permit a shed setback 19.34' and the bleachers setback 25' from the side street (west) property line where 30' is required would not have a negative visual impact on the properties to the west since the submitted plans depict street trees along a portion of the side street (west) property line in the form of Geiger and Black Ironwood trees as well as Coconut Palms which partially surround the existing shed. Further, staff notes that the submitted plans illustrate proposed street trees along a portion of the side street (west) property line in the form of Silver Buttonwood and a 25' landscape buffer that consists of existing Mahogany trees along that portion of the west property line which coincides with and buffers the existing bleachers. Moreover staff's inspection of the property revealed the presence of an existing 8' high hedge along the entire side street (west) and rear (north) property lines. Therefore, based on the aforementioned, staff recommends approval with conditions of requests #3 through #5 under Section 33-311(A)(4)(b) (NUV).

When analyzing request #6 under Section 33-311(A)(3), Standards For **Special Exceptions**, Unusual Uses and New Uses, staff is of the opinion that the proposed expansion of the school facility onto Parcel B, the northerly expansion to the west, would result in excessive noise, provoke excessive overcrowding and concentration of people when considering the necessity for and reasonableness of such applied for use in relation to the present and future development of the area and the compatibility of the applied for use with the area and its development. The proposed expansion of the school facility onto Parcel B is, in staff's opinion, an intrusion into a residential neighborhood that will generate excessive noise and will provoke excessive overcrowding. Staff notes that the submitted plans illustrate 5 proposed tennis courts, a proposed shelter and storage building and a sports practice field, all sited on Parcel B. As previously mentioned, in 2001, a portion of the subject site (Parcel A) was granted a special exception to permit the expansion of the school onto additional property to the north and to permit recreational fields to be used in conjunction with the school use, pursuant to Resolution # CZAB10-79-01. As such, staff opines that the existing school already has more than adequate recreational facilities to serve the needs of its students. Staff, therefore, opines that the approval of said expansion

of the school use onto Parcel B would disrupt the character and overall welfare and privacy of the neighborhood by increasing noise in this predominately residential neighborhood and interrupting the layout of the block where Parcel B is located. Staff opines that the proposed expansion on Parcel C would not result in excessive noise and traffic, cause undue and excessive burden on public facilities, including streets, roads or highways, and provoke excessive overcrowding and concentration of people. As previously mentioned, the submitted plans indicate that the conversion of the existing single-family residence into the proposed administrative building will not increase the height, bulk, and scale of said building and will retain the residential character of the existing structure. Accordingly, staff recommends as conditions for the approval of the expansion of the school onto Parcel C that the floor area of the existing structure not be expanded and that the structure remain residential in character. Moreover, staff notes that the applicant has voluntarily proffered a covenant that, among other things, prohibits classrooms and additional parking on Parcel C and restricts Parcel C to administrative office use only. In staff's opinion, the expansion onto Parcel B would be **incompatible** with the area and, therefore, **inconsistent** with the interpretative text of the Master Plan. However, staff opines that the expansion onto Parcel C would be **compatible** with the area and, therefore, **consistent** with the interpretative text of the Master Plan. As such, staff recommends partial approval with conditions of request #6 only as it pertains to the expansion of the school onto Parcel C, and denial without prejudice of the balance of request #6 as it pertains to Parcel B under Section 33-311(A)(3).

When analyzing request #7 under Section 33-311(A)(7) (Generalized Modification Standards), staff opines that the approval of said request except for the requested modification of Condition #6, would not adversely impact the surrounding area and would not generate excessive noise or traffic, provoke excessive overcrowding of people, tend to provoke a nuisance, and would be **compatible** with the area. As previously mentioned, the applicant seeks to modify Conditions #4, #5, #6, #8, #9 and #10 of Resolution #Z-122-77 as follows: Condition #4, to increase the maximum number of students from 1,000 to a maximum of 1,500 students; Condition #5, to extend the days of operation of the school from Monday through Friday to permit the use to be conducted on the subject site seven (7) days a week; Condition #6 to extend the hours of operation from 7:00 a.m. to 10:00 p.m., to 6:30 a.m. to midnight; Condition #8, to increase the number of grades from 7 to 12 to grades 6 to 12; Condition #9, to increase the number of classrooms from seven classes for grades 7 through 8, ten classes for grades 9 through 10, four classes plus labs and special classrooms for grades 11 through 12, to permit 73 classrooms; and Condition #10, to increase the number of teachers from 40 to 120 teachers. Staff acknowledges that the portion of request #7 that pertains to the modification of Condition #4 to increase the number of students from 1,000 to 1,500, will bring additional traffic into the surrounding roadways. However, it should be noted that the Public Works Department **does not object** to this request and their memorandum indicates that this application meets traffic concurrency. Moreover, staff notes that the applicant has worked closely with the Public Works Department on a traffic study that includes all the proposed students and has voluntarily proffered a covenant that incorporates a schedule of arrival and dismissal times by grade levels and number of students as well as a Maintenance of Traffic Operation (MOT) plan that includes provision of all traffic control devices such as cones and delineators for student arrival and dismissal periods, which the Public Works Department opines will effectively mitigate any negative impacts. As such, staff opines that the approval of the requested modification of Condition #4 would not adversely impact the surrounding area. Staff opines that the approval of request #7 as it pertains to the modification of Conditions #5, #8, #9 and #10 only to permit the school use to be conducted on the subject site seven (7) days a week, to extend the grade levels to include the 6th grade, to permit 73 classrooms, and to

permit a maximum of 120 teachers would not adversely impact the surrounding area since said components of the school use are internal to the operations of the existing school on Parcel A and do not generate excessive traffic or an over concentration of people. Moreover, staff notes that the requested modification of Conditions #4, #5, #8, #9 and #10 will allow the applicant to provide additional educational services to the community. However, staff opines that approval of request #7 as it pertains to the modification of Condition #6 to extend the hours of operation to be from 6:30 a.m. to midnight Monday through Friday and 8:00 a.m. to midnight Saturday and Sunday is, in staff's opinion, intrusive to the residential neighborhood, will generate excessive traffic, and will have a negative aural impact on the abutting residential properties to the west, north and east. Staff acknowledges that the Letter of Intent submitted by the applicant indicates that said request is sought by the applicant in order to ensure that the school is able to conduct student activities ancillary to the school use, such as intercollegiate school sports, test administration and student theatre, to name a few. As such, staff recommends modified approval of that portion of request #7 that pertains to the modification of Condition #6 to permit the hours of operation to be from 6:30 a.m. to 10 p.m. Monday through Friday and 8:00 a.m. to 8:00 p.m. Saturday and Sunday, except that the hours of operation shall be allowed to extend to no later than 12 midnight during not more than 10 days per year, Monday through Sunday, of which 3 days will include the annual carnival. Therefore, staff recommends approval with conditions of request #7 only as it pertains to Conditions #4, #5, #8, #9 and #10 of Resolution #Z-122-77 and modified approval with conditions of the balance of request #7 (the modification of condition #6 as noted herein) as stipulated above under Section 33-311(A)(7) (Generalized Modification Standards).

The applicant is requesting a modification of Condition #2 of Resolution #CZAB10-79-01 (request #8) to allow the applicant to submit revised plans showing the proposed expansion of the school use onto additional properties to the west. Staff is of the opinion that the partial approval of request #8 only as applied to Parcels A and C would not have an unfavorable effect on the area and therefore, would not be contrary to the public interest. However, staff is of the opinion that the approval of the portions of the submitted plan that includes the proposed expansion onto Parcel B, depicting 5 proposed tennis courts, a proposed shelter and storage building and a sports practice field on Parcel B, would have an unfavorable effect on the area by generating excessive traffic and noise in the EU-1 zoned residential neighborhood located to the west of the Parcel A. It should be noted that staff's review of the submitted plans for the expansion onto Parcel C the southerly expansion, revealed that the conversion of the existing single-family residence will not increase the height, bulk, or scale of the existing structure and will retain a residential character that is compatible with the exiting single-family residences located to the north and west of Parcel C. As such, staff recommends partial approval of request #8 only as applied to Parcels A and C and denial without prejudice of the balance of request #8 as it pertains to Parcel B under Section 33-311(A)(7) (Generalized Modification Standards).

The standards under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved resolution or restrictive covenant complies with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicant has not submitted documentation to indicate which modification or elimination standards are applicable to this application under said section. Due to the lack of information, staff is unable to analyze requests #7

and #8 under said standards, and as such, staff recommends that these requests be denied without prejudice under same.

When requests #9 through #11 are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance Standards, staff is of the opinion that the approval of request #11 would be **incompatible** with the surrounding area and would negatively affect the appearance of the community but that the approval with conditions of requests #9 and #10 would be **compatible** with the surrounding area. Request #11, to waive the zoning regulations requiring interior street rights-of-way to be 50' in width; to permit no dedication for that portion of both sides of SW 128 Avenue between Parcels A and B would allow the applicant to unite Parcels A and B. However, staff notes that the approval of request #11 would impede traffic connectivity along SW 128 Avenue between NW 2nd Street and SW 2nd Street. Moreover, staff opines that request #11 is an integral part of and germane to that portion of request #2 to permit the expansion of the existing school onto additional property to the west (onto Parcel B), which staff does not support since said expansion of the school is intense and intrusive to the residential area located to the west of the subject site. Staff notes that request #9 is not necessary since it applies to buildings of public assemblage and Parcel C will never be used to serve fifty people or more. Request #10, to permit a tiki hut setback 27'8" from the side street (east) property line, results in an encroachment of 2.34', which staff notes is minor and is likely due to an inadvertent construction error. The EU-1 zoning district requires accessory buildings to setback a minimum of 30' from the side street property line. Staff opines that the approval of request #10 would not have a negative visual impact on the existing school site located to the west of Parcel C, which staff notes is owned by the applicant and is included in this application (Parcel A). It should be noted that the submitted plans depict substantial landscaping consisting of Fish Tail Palms, Date Palms and Canary Palms that partially surround the existing tiki hut along the side street (east) portion of the site. In addition, the submitted plans also illustrate street trees in the form of Canary Palms along SW 128 Avenue. Additionally, said roadway consists of a total right-of-way width of 50', which staff opines will further mitigate any negative visual impacts the tiki hut encroachment may have on Parcel A. However, staff recommends as a condition for the approval of this request, that the applicant obtain any required permit for said tiki hut. As such, staff opines that request #11 for the waiver of the right-of-way is **incompatible** with the surrounding area and detrimental to same but that the approval with conditions of request #10 would not have a detrimental impact on the surrounding area. Therefore, staff recommends that request #11 be denied without prejudice and that request #10 be approved with conditions under Section 33-311(A)(4)(b), and that request #9 be denied without prejudice unless withdrawn by the applicant.

When analyzed under the Alternative Non-Use Variance Standards, Section 33-311(A)(4)(c), the applicant would have to prove that requests #3 through #5 and requests #10 through #11 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 and utilized in accordance with the Zoning Code and with previous zoning approvals granted on Parcel A. Therefore, the requests cannot be approved under Section 33-311(A)(4)(c), the Alternative Non-Use Variance (ANUV) Standards, and should be denied without prejudice under same.

Based on all of the aforementioned, staff opines that the requested zone change on Parcel A from EU-1 to RU-3 is unnecessary due to the previous approvals for school uses on Parcel A, is **inconsistent** with the LUP map designation, and is **incompatible** with the surrounding area. Therefore, staff recommends denial without prejudice of the requested

zone change on Parcel A (request #1). However, staff opines that the approval with conditions of the requested unusual use to permit the carnival with amusement rides located on Parcel A, would be **compatible** with the surrounding area and as such, staff recommends approval with conditions of request #2. Staff is further of the opinion that the approval with conditions of requests #3 through #5 maintains the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with the surrounding area. Therefore, staff recommends approval with conditions of requests #3 through #5 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV). Moreover, the proposed expansion of the existing school use onto additional property to the west (Parcel B, the proposed northerly expansion) is, in staff's opinion, **inconsistent** with the interpretative text of the CDMP and an intrusion into a residential neighborhood, but that the proposed expansion of the existing school use onto Parcel C, the proposed southerly expansion to the west, is **compatible** with the surrounding area and therefore **consistent** with the interpretative text of the CDMP. As such, staff recommends approval with conditions of request #6 only as it pertains to the proposed school expansion onto Parcel C and denial without prejudice of the balance of request #6 for the proposed school expansion onto Parcel B, approval with conditions of companion request #10 under Section 33-311(A)(4)(b) (NUV), and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV). Staff recommends that request #9 be denied without prejudice unless withdrawn by the applicant. However, staff recommends denial without prejudice of request #11 to waive the zoning regulations requiring interior street rights-of-way to be 50' in width; to permit no dedication for SW 128 Avenue between Parcels A and B, under Section 33-311(A)(4)(b) (NUV) and under Section 33-311(A)(4)(c) (ANUV). Staff recommends approval of request #7 as it pertains to the modification of Conditions #4, #5, #8, #9 and #10 of Resolution #Z-122-77 to increase the number of students from 1,000 to 1,500, to allow the school use to be conducted on the premises seven days a week, to extend the grade levels to include grades 6 to 12, to permit 73 classrooms, and to permit 120 teachers, and modified approval of the balance of request #7 that pertains to the modification of Condition #6 to extend the hours of operation, to permit the hours of operation to be from 6:30 a.m. to 10 p.m. in lieu of the requested 6:30 a.m. to midnight, Monday through Friday, and 8 a.m. to 8 p.m. in lieu of the requested 8:00 a.m. to midnight, Saturday and Sunday, except that the hours of operation shall be allowed to extend to no later than 12 midnight during not more than 10 days per year, Monday through Sunday, of which 3 days will include the annual carnival, all under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of request #7 under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing. Staff opines that the partial approval of the site plan modification (request #8) only as applied to Parcels A and C is compatible with the area. Therefore, staff recommends modified approval of request #8 only as applied to Parcels A and C and to show the removal of Parcel B under Section 33-311(A)(7) (Generalized Modification Standards), and denial without prejudice same under Section 33-311(A)(17), all subject to the acceptance of the proffered covenant.

I. RECOMMENDATION:

Denial without prejudice of the requested zone change from EU-1 to RU-3 (request #1); approval with conditions of request #2; approval with conditions of requests #3 through #5 under Section 33-311(A)(4)(b) and denial without prejudice of same under Section 33-311(A)(4)(c); approval with conditions of request #6 only as it pertains to Parcel C and denial without prejudice of the balance of request #6 as it pertains to Parcel B; approval with conditions of request #7 as it pertains to Conditions #4, #5, #8, #9 and #10 only and

modified approval of the balance of request #7 as it pertains to Condition #6 to permit the hours of operation to be from 6:30 a.m. to 10 p.m. Monday through Friday and 8:00 a.m. to 8:00 p.m. Saturday and Sunday, except that the hours of operation shall be allowed to extend to no later than 12 midnight during not more than 10 days per year, Monday through Sunday, of which 3 days will include the annual carnival under Section 33-311(A)(7); modified approval of request #8 only as it pertains to Parcels A and C and to show the removal of Parcel B under Section 33-311(A)(7); denial without prejudice of requests #7 and #8 under Section 33-311(A)(17); denial without prejudice of request #11 under Section 33-311(A)(4)(b) (NUV) and Section 33-311(A)(4)(c) (ANUV); approval with conditions of request #10 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV), denial without prejudice of request #9 unless withdrawn by the applicant, all subject to the acceptance of the proffered covenant.

J. **CONDITIONS**: for requests #2 through #5, and request #7, and requests #6 and #8 (on Parcels A and C only) and request #10.

1. That all conditions of Resolutions #Z-122-77 and #CZAB10-79-01 remain in full force and effect, except as herein modified.

2. That in the approval of the plan the same be substantially in accordance with the site plan submitted for the hearing entitled, "Belen Jesuit Preparatory School Master Plan," Sheets A-4 and A-5, LS-2A and LS-2B dated stamped received 9/2/08, Sheets A-3, LS-1, LS-1A, LS-1B, LS-1C and LS-2C dated stamped received 10/21/08, with Sheets A-1 and A-2 last revised 10/27/08 and Sheet A-1.1 last revised 10/28/08 and a plan entitled "Partial Site Plan Annual Carnival," dated stamped received 9/26/08, all prepared by Santos/Raimundez, Architects, and consisting of 14 sheets, only as it pertains to Parcels A and C and as modified herein to show the removal of Parcel B.

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 revised Certificate of Use.

4. That a Unity of Title be submitted to the Department of Planning and Zoning prior to the issuance of a revised Certificate of Use for the school use on Parcels A and C only.

5. That commercial parking be prohibited on the subject site.

6. That the applicant apply for and secure a permit for the proposed administrative building and existing tiki hut on Parcel C and all non-permitted structures on Parcel A from the Building Department within 120 days of the expiration of the appeal period for this Zoning Hearing, unless a time extension is granted by the Director of the Department of Planning and Zoning, for good cause shown.

7. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained within the Departmental memoranda submitted for this application.

8. That the applicant obtain a Certificate of Use for Parcel A for the expansion of the grade levels, the classrooms, teachers and students, for Parcel C, and for the carnival use and renew same annually with the Department of Planning and Zoning.

9. That the carnival use be permitted to operate once a year for a maximum of three (3) consecutive days only (Friday, Saturday and Sunday), and be permitted to operate only between the hours of 6:00 p.m. and 10:00 p.m. on Friday, 12:00 noon to 11:00 p.m. on Saturday, and 12:00 Noon until 9:00 p.m. on Sunday.

10. That no generators used in connection with the carnival be placed adjacent or in close proximity to the site's property lines abutting residences.

11. That security personnel be provided to direct traffic on and off the site during carnival operations.

12. That the carnival use be permitted only in connection with the existing school use on the property.

13. That no night lighting be permitted in connection with any use except for the annual carnival use.

14. That the hours of operation of the school be limited to 6:30 a.m. to 10 p.m. Monday through Friday and 8 a.m. to 8 p.m. Saturday and Sunday, except that the hours of operation shall be allowed to extend to no later than 12 midnight during not more than 10 days per year, Monday through Sunday, of which 3 days will include the annual carnival.

15. That the building foot print (floor area) of the administrative building on Parcel C not be expanded.

16. That no classrooms be permitted within the administrative building on Parcel C.

17. That no additional parking be permitted on Parcel C.

18. That the administrative building on Parcel C remain residential in appearance.

19. That the applicant implement the Maintenance of Traffic Operation Plan (MOT) approved by the Public Works Department (Exhibit B of the covenant) submitted with this application that will not cause vehicles to be waiting in locations where they would interfere with through traffic on either S.W. 127th Avenue or S.W. 6th Street. Implementation of the MOT will commence upon approval of this application and expiration of all appeal periods.

20. That the applicant modify its school schedule to incorporate dual dismissal times. Grades 6th, 7th and 8th will be dismissed at 3:00 PM and grades 9th, 10th, 11th and 12th will be dismissed at 3:30 PM. The applicant may modify the dismissal times as long as they always remain at least 30 minutes apart and subject to the approval of the Miami-Dade County Public Works Department (PWD) in advance of any such change.

21. That the applicant construct a right turn lane on S.W. 6th Street and will diligently pursue permitting and construction of the right turn lane prior to final inspection of the building permit and issuance of the Certificate of Use for the expansion of the number of students.

22. As part of the MOT the applicant will re-designate on-site parking areas as reflected in Figure 2 and Figure 5 of the MOT. Such re-designations will be completed within 30 days after approval of this application and expiration of all appeal periods.

DATE INSPECTED: 04/07/08
DATE TYPED: 09/25/08
DATE REVISED: 09/26/08; 10/09/08; 10/16/08; 10/17/08; 11/03/08; 11/04/08; 11/07/08
DATE FINALIZED: 11/07/08
MCL:MTF:LVT:TA:NC

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

Memorandum

MIAMI-DADE COUNTY

Date: October 14, 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 #Z2008000166-Revised
Belen School, Inc.
300-500 S.W. 127th Avenue
District Boundary Change from EU-1 to RU-3, Modification of Resolutions Z-122-77 and CZAB10-79-01, Special Exception to Permit the Expansion of an Existing School onto Additional Property, Request to Permit Less Setback than Required, Request to Permit Parking and Drives within the Right-of-Way, Unusual Use to Permit an Annual Carnival with Amusement Rides, Request to Permit a Greater Building Height than Allowed, Request to Waive Dedication for Right-of-Way
(EU-1) (26.55 Acres)
02-54-39

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
Based on the information provided, the proposed addition to the existing development will comply with the requirements of the North Trail Basin Cut and Fill criteria. Therefore, DERM may approve the proposed request subject to the following conditions:

1. A re-recording of the existing covenant running with the land reflecting a new modified site plan that includes the new areas that are added as part of this application and reserving a minimum of 11.31 Acres of pervious area. As presented, the site is composed of 29.68 Acres (11.31 Acres of pervious and 18.37 Acres impervious).

2. A berm shall be provided with a minimum elevation of the 100-Year/ 3-Day Storm of 8.19 NGVD along the property lines of the newly added areas. Provide equivalent grading to match the required berm elevation at all roadway entrances.

3. Please note that a special condition is hereby included requiring the engineering company preparing the site grading and drainage plan to submit a final design to this office for approval prior to seeking any construction permit. All open areas of the site shall be graded in compliance with the grades approved as per the temporary cut and fill estimation.

4. Any deviation of the final site plan from the above conditions shall be cause for automatic revocation of this approval for compliance with the North Trail Basin Cut and Fill criteria.

The applicant is advised to contact the Water Control Section of DERM at (305) 372-6681 for further information concerning these requirements.

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 applicant is further advised to contact the Permitting Section of DERM's Pollution Regulation and Enforcement Division, at (305) 372-6600 concerning operating requirements.

Wetlands
Although the subject properties with folios 30-4901-001-0550 and 0551 are not located within a designated wetland basin, the subject properties contain jurisdictional wetlands as defined by Section 24-5 of the Code. Therefore, a Class IV Wetland Permit will be required before any work can be done on these properties. The other properties under this application do not contain jurisdictional wetlands and will not require a Class IV Wetland 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 be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation
Tree Removal Permit 2008-TREE-PER-00529 was issued for the subject properties with folios 30-4902-000-0100 and 30-4902-031-0090 to Belen School, Inc. c/o Carolina Calderin, on October 24, 2008 and is scheduled to expire on October 24, 2009. All approved tree removal or relocation, replanting and final inspection (a two weeks notice is required prior to the final inspection) must be completed prior to the scheduled expiration date of this permit to avoid violation of permit conditions.

The applicant is advised that the landscape plans submitted with this zoning application depict Ficus tree #101 to be removed. This tree does not lie within any of the properties included in this application;

therefore, please be advised that it is not included in the approval of this application. A new Miami-Dade County Tree Removal Permit or an amendment to Tree Removal Permit 2008-TREE-PER-00529 is required prior to the removal or relocation of any other tree on the subject properties. Please contact the DERM Tree Program at (305) 372-6574 for further information.

Enforcement History
DERM has found no current enforcement record for the subject properties:

Belen School, Inc. PSO 498.
On March 22, 1999, Uniform Civil Violation Notice (UCVN) # 733163 was issued to the referenced facility for failure to renew the required operating permit. An affidavit of compliance was received and filed with the Clerk of Courts on May 5, 1999, as the permit was renewed and the case was subsequently closed. However, there is an outstanding balance of $410.00 that is owed and associated with this citation.

On February 18, 2000, UCVN # 708074 was issued to the referenced facility for a repeat violation, whereby this facility, failed to renew the required operating permit. An affidavit of compliance was received and filed with the Clerk of Courts on March 15, 2000, as the permit was renewed and the case was subsequently closed. However, there is an outstanding balance of $1,200.00 that is owed and associated with this citation.

On January 5, 2001, UCVN # 761546 was issued to the referenced facility for an additional repeat violation, whereby this facility, failed to renew the required operating permit. On February 23, 2001 an affidavit of non-compliance was filed with the Clerk of Courts and a Notice of Intent to Lien (NOITL) was issued to the facility on February 27, 2001. Said notice allowed the facility an additional (15) fifteen days to comply. Due to non-compliance a Demand Letter was issued on March 15th 2001. On March 22, 2001 the affidavit of compliance was received and filed with the Clerk of Courts, and the case was subsequently closed due to compliance.

On January 23, 2003, UCVN # 875518 was issued to the referenced facility for failure to renew the required operating permit On February 12, 2003, the affidavit of compliance was received and filed with the Clerk of Courts and the enforcement case associated with this UCVN was subsequently closed.

On February 21, 2006 UCVN # 969683 was issued to facility for failure to secure/renew the required annual operating permit. On March 27, 2006, the affidavit of compliance was received and the enforcement case associated with this citation was subsequently closed due to compliance.

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# Z2008000166
CZAB - C10

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:BELEN JESUIT PREPARATORY SCHOOL, INC.

This Department has no objections to this application except where noted below:

This Department objects to the request to permit no dedication for SW 128 Avenue. The full dedication and improvements are required as a condition of this application. Applicant must contact the Public Works Department for construction scheduling.

This Department has no objections to the request to permit parking and drives within 25 feet of the right-of-way.

It is strongly recommended that the radius return on the north end of the pick-up/drop-off area along the front of the building be increased to a minimum 15 foot radius to facilitate the movement of the queue of vehicles through this loading area.

Traffic Impact Review and Project Requirements:

Counsel for the applicant has agreed to provide a declaration of restrictions incorporating a proposed schedule of arrival and dismissal times including grade level and number of students. This document is required to be provided prior to public hearing for this facility.

Counsel for the applicant has agreed to provide a declaration of restrictions incorporating an operating plan (maintenance of traffic [MOT] operation plan) and it shall include provision of all traffic control devices (e.g. - cones, delineators) for arrival and dismissal periods. This document is required to be provided prior to public hearing for this facility.

The School is an existing use; therefore this application does not generate any new additional daily peak hour trips, where 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.
27-OCT-08

27

RECEIVED
SEP 02 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

Child Care Check List for
Day Nursery, Day Care, Kindergarten, Private School

School Name: Belen Jesuit Preparatory School

School Address: 500 SW 127th Av. Miami, FL Tax Folio # 30-4902-000-0050 #30-4902-000-0100 & #30-4902-000-0120

1. Is this an expansion to an existing School? ☑ Yes ☐ No If yes, indicate the number of students: ~~1,100~~ 1000 and age and grade ranges originally approved: 7 to 12 original – current 6 to 12.

2. Total size of site: varies x varies = 1,354,189.30 ÷ 43,560 sq. ft. = 31.08 acres

3. Number of children or students requested: 1,500 Ages: 11 to 18

4. Number of teachers: ~~98~~ 120 number of administrative & clerical personnel 66

5. Number of classrooms: 73 Total square footage of classroom area: 54,961 SF

6. Total square footage of non-classroom are (offices, bathrooms, kitchen, closets): 99,987 SF

7. Amount of exterior recreation / play area in square footage: 418,630 SF

8. Number & type of vehicle(s) that will be used in conjunction with the operation of the facility: 2 Yellow Busses 67 Passengers (P), 3 Mini Buses 15 P, 2 Mini Bus 20 P, 2 Trucks, 1 Van

9. Number of parking spaces provided for staff, visitors, and transportation vehicles: 414 parking spaces provided 390 parking spaces required by Section 33-124(L).

10. Indicate the number of auto stacking spaces: 47 provided 5 required

11. Proposed height for the structure(s) 50'-8". See Section 33-151.18 (g). Signage will require a separate permit. Contact the Permit Section at 786-315-2100.

12. Size of identification sign: 3 x 20 = ~~60~~ 54 sq. ft. See Section 33-151.18 (c). Signage will require a separate permit. Contact the Permit Section at 786-315-2100.

13. Days and hours of operation: 6:30 a.m. to 12:00 a.m. - 7 days

14. Does the subject facility share the site with other facilities: _____ Yes ✓ No (If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to Section 33-151.16.

15. If the school will include residential uses, do such uses meet the standards provided in Section 33-151.17? ☑ Yes ☐ No (If yes, describe the residential uses and indicate same on the plans). Religious Order Residence.

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PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.

The following information will determine the maximum number of children permitted at the facility. WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.

CLASSROOM SPACE: Calculated by grade levels.

a. Day Nursery / kindergarten, preschool and after school care

35 sq. ft. x N/A (number of children) = N/A sq. ft of classroom area required.

b. Elementary Grades 1 - 6 – 10 Classrooms

30 sq. ft. x 214 (number of children) = 6,420 sq. ft of classroom area required.

c. Junior High and Senior High School (Grades 7-12) – 63 Classrooms

25 sq. ft. x 1,278 (number of children) = 31,950 sq. ft of classroom area required.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 38,370 SF
TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 54,961 SF

OUTDOOR RECREATION SPACE:

a.	Day nursery/ kindergarten, preschool and after school care	45 sq. ft. x N/A	(1/2 of children) =	N/A
b.	Grades 1 – 6	500 sq. ft. x 30	(first 30 children) =	15,000 SF
		300 sq. ft. x 184	(remaining children) =	55,200 SF
c.	Grades 7 – 12	800 sq. ft. x 30	(first 30 children) =	24,000 SF
		300 sq. ft. x 300	(remaining children) =	90,000 SF
		150 sq. ft. x 948	(remaining children) =	142,200 SF

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 326,400 SF
TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 418,630 SF

TREES: See Section 33-151.18(h), and the Planning Division for additional requirements (12th floor).

a. 28 trees are required per net acre. Trees required: 672 Trees provided: 716

b. Ten shrubs are required for each tree required. Shrubs required: 6,720 Shrubs provided: 4,494

c. Grass area for organized sports/ play area in square feet: 309,021 SF

d. Lawn area in square feet (exclusive of organized sports/ play area): 515,494 SF

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BY _____

School Address 500 SW 127th Avenue, Miami, FL Zip Code 33184

THE INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed, sealed, executed and acknowledged on this 27th day of, August at Miami-Dade County, Florida.

WITNESSES:

Fr. Marcelino Garcia, S.J.

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I hereby certify that on this 27th day of August, 2008, before me personally appeared Marcelino Garcia SJ, to me known to be the person described in and who executed the foregoing instrument and he/she acknowledged to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

CAROLINA CALDERIN
MY COMMISSION EXPIRES
August 21, 2011
#DD 698417
Bonded thru
Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA

Jun 2, 2008

REVISION 2

Memorandum

Date: 28-OCT-08

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2008000166

Fire Prevention Unit:

This Memo supersedes MDFR Memorandum dated September 24, 2008.
APPROVAL
Fire Engineering and Water Supply Bureau has no objection to Site plan date stamped October 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 Z2008000166
located at 500 S.W. 127 AVENUE & 12800 SW 6 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1343 is proposed as the following:

N/A (residential)	dwelling units	N/A (industrial)	square feet
3,825 (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: 2.56 alarms-annually.
The estimated average travel time is: 2:10 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 October 21, 2008. Substantial changes to the plans will require additional service impact analysis.

TEAM METRO
WEST OFFICE

ENFORCEMENT HISTORY

BELEN SCHOOL INC	500 SW 127 AVE MIAMI, FLORIDA 33184
APPLICANT	**ADDRESS**
9/17/08	Z2008000166
DATE	**HEARING NUMBER**

CURRENT ENFORCEMENT HISTORY:

09/11/2008	Inspection conducted; no violations observed.
12/15/2007	Case # 200712014787 - Outdoor lighting installed without a permit. The case is pending a public hearing.
04/19/2007	Case # 200712005061 – A Warning Notice was issued for illegally displaying banners. On 4/24/2007, CVN # 982951 was issued due to partial compliance. An inspection on 5/23/2007 confirmed compliance. The CVN was paid and the case was closed on 6/4/2007.
12/28/2006	Case # 200612012776 – CVN # 982814 was issued for violation of Resolution Z-122.77 (8 & 13). Case is open pending public hearing.
11/08/2006	Case # 200612010231 – Case opened due to a citizen complaint regarding "light spillage". An inspection of the property did not confirm the violation and case was closed.
05/10/2005	Case # 200512002431 - Case opened due to a citizen complaint regarding safety issues with the ball field. An inspection of the property confirmed there was no violation and the case was closed.
04/13/2005	Case # 200512002180 – A Warning Notice was issued for overgrowth on the swale area. An inspection on 5/18/2005 confirmed compliance and case was closed.

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: **Belen Jesuit Prepatory School, Inc.**

NAME AND ADDRESS	Percentage of Stock
Guillermo Garcia Tunon	**not for profit**
Marcelino Garcia	
Victor M. Hernandez	
Francisco Perez-Lerena	
Pedro Cartaya	
12725 SW 6 St., Miami, Fl 33184	

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 AND ADDRESS (if applicable)	Percentage of Stock

Date of Contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if an 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 7th day of March, 2007. Affiant is personally known to me or has produced _____ as identification.

_____
(Notary Public)

CAROLINA CALDERON
MY COMMISSION # DD 205765
EXPIRES August 21, 2007
#DD 205765
Bonded thru Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA

My Commission expires: 8/21/07

*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.

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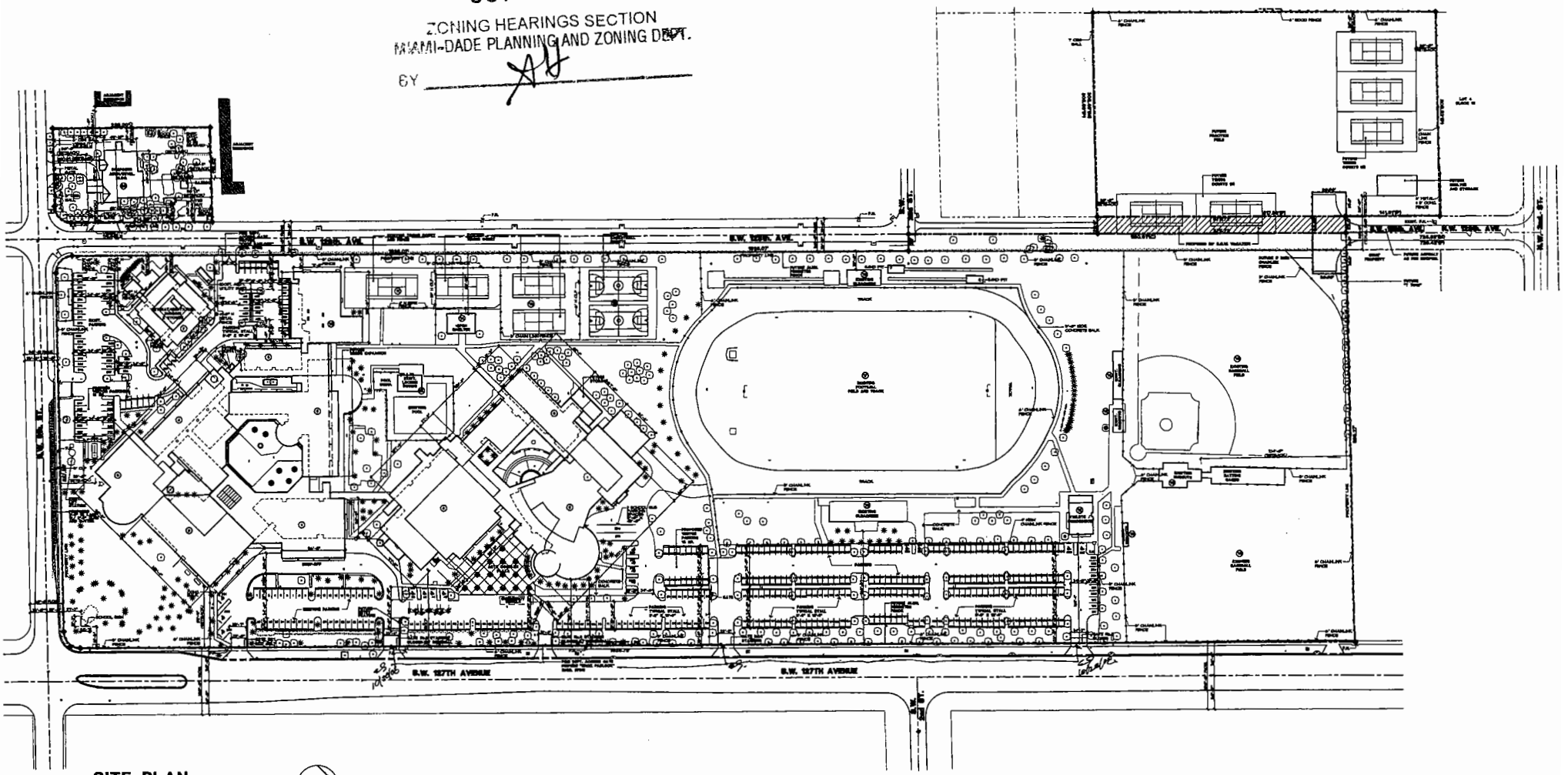

SITE PLAN
SCALE: 1"= 80'-0"

ENLARGED SITE PLAN

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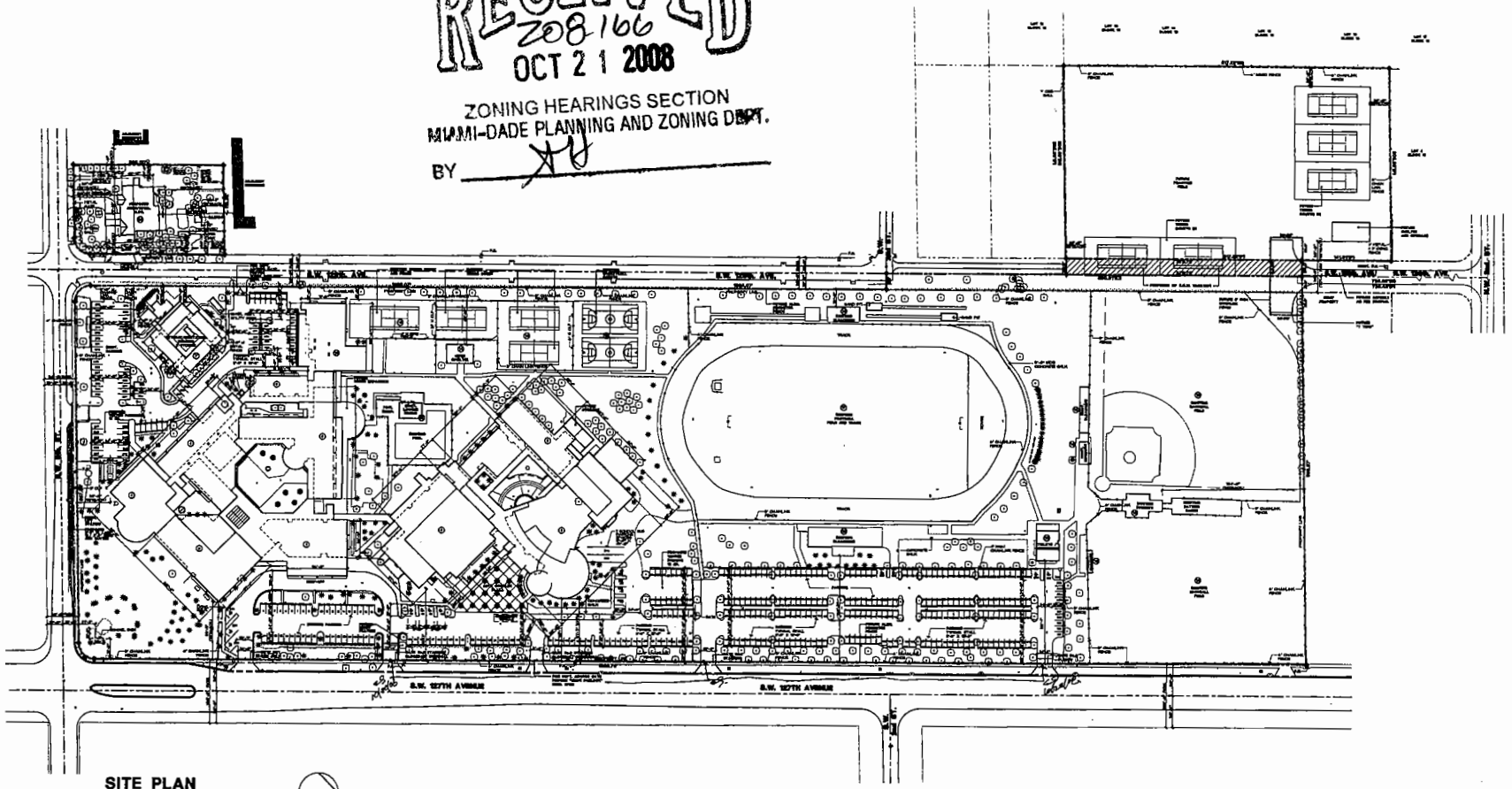

SITE PLAN

SCALE: 1" = 80'-0"

BUILDINGS

1. EXISTING ADMINISTRATION BUILDING (2 STORIES)
   1ST. FLOOR: EXISTING ADMINISTRATIVE OFFICES (FUTURE STUDENT SERVICES)
   2ND. FLOOR: CLASSROOMS / LABS
   BUILDING HEIGHT: 24'-0"
2. LIBRARY (2 STORIES)
   1ST. FLOOR: LIBRARY
   2ND. FLOOR: AUDIO VISUAL CLASSROOM
   BUILDING HEIGHT: 24'-0"
3. SCIENCE BUILDING (2 STORIES)
   1ST. AND 2ND. FLOOR: CLASSROOMS AND LABS.
   BUILDING HEIGHT: 24'-0"
4. CLASSROOMS
   1ST. AND 2ND. FLOOR: CLASSROOMS
   BUILDING HEIGHT: 24'-0"
5. 1ST FLOOR: DINING / KITCHEN / CHAPEL
   2ND. FLOOR: CLASSROOMS
   BUILDING HEIGHT: 24'-0"
6. 1ST FLOOR: OFFICES / TEACHER'S LOUNGE
   2ND. FLOOR: CLASSROOMS
   BUILDING HEIGHT: 24'-0"
7. RETREAT / MEDITATION BUILDING (2 STORIES)
   BUILDING HEIGHT: 18'-4"
8. GYMNASIUM (2 STORIES)
   1ST. FLOOR: LOBBY / BASKETBALL COURT / LOCKERS
   2ND. FLOOR: COACHES' OFFICE / EXERCISE ROOM
   BUILDING HEIGHT: 29'-2"
9. ART CENTER (1 STORY)
   1ST. FLOOR: AUDITORIUM / ART GALLERY / ART CLASSROOMS / ART LABS / MUSIC LAB
   BUILDING HEIGHT: 20'-0"
10. ADMINISTRATION BUILDING (2 STORIES)
    1ST. AND 2ND. FLOOR: OFFICES
    BUILDING HEIGHT: 29'-10"
11. EXISTING TENNIS COURT AND FENCE
12. EXISTING LOCKER ROOMS
13. EXISTING TENNIS COURTS
14. EXISTING SHELTER
15. EXISTING BASKETBALL COURTS
16. EXISTING BLEACHERS
17. EXISTING FOOTBALL FIELD AND TRACK
18. TOILETS / CONCESSION STAND
    BUILDING HEIGHT: 10'-0"
19. EXISTING BASEBALL FIELDS / DUGOUTS
    BUILDING HEIGHT: 9'-0"
20. PROPOSED ADMINISTRATION / DEVELOPMENT BLDG.
    BUILDING HEIGHT: 13'-0"

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10/17/08

SANTOS / RAIMUNDEZ
Architects P.A.
3134 CORAL WAY MIAMI, FLORIDA 33145
TEL (305) 446-2700 FAX (305) 446-2707

SITE PLAN

BELEN JESUIT PREPARATORY SCHOOL
MASTER PLAN
9000 S.W. 127TH AVE.
MIAMI, FLORIDA.

DRAWN A.V./M.K
CHECKED F.S.
DATE 08-08-08
PROJ. NO. 0727

REVISIONS
1 08-08-08 COMMENT
2 10-01-08 COMMENT
3 10-17-08 COMMENT

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OF
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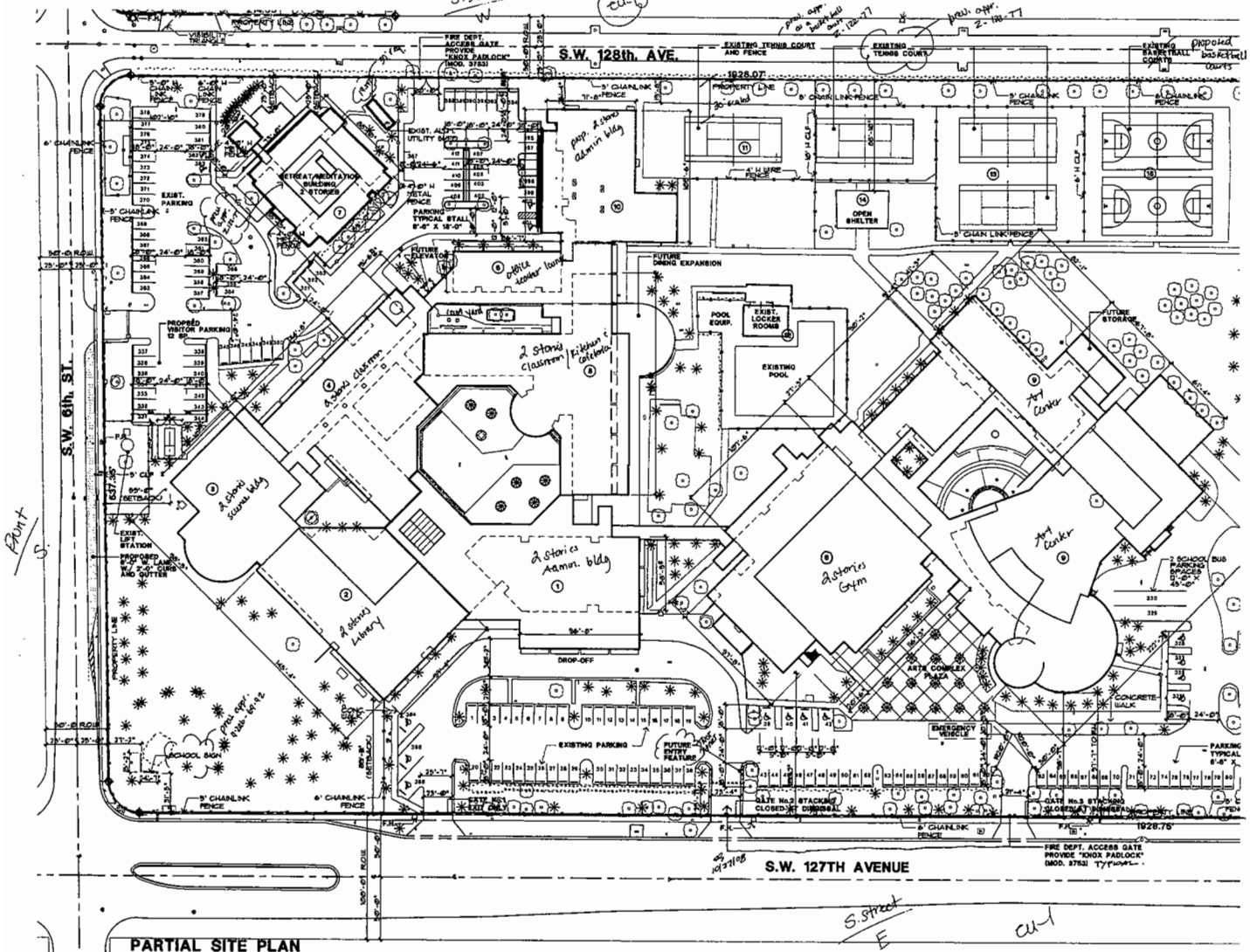


PARTIAL SITE PLAN (South Side)

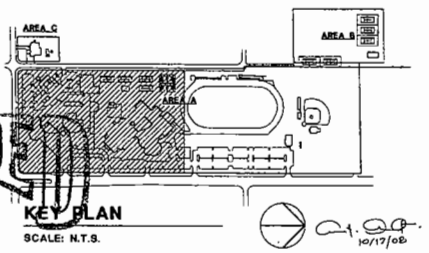
SCALE: 1" = 40'-0"

BUILDINGS

1. EXISTING ADMINISTRATION BUILDING (2 STORIES)
   1ST. FLOOR: EXISTING ADMINISTRATIVE OFFICES (FUTURE STUDENT SERVICES)
   2ND. FLOOR: CLASSROOMS / LABS
   BUILDING HEIGHT: 24'-0"
2. LIBRARY (2 STORIES)
   1ST. FLOOR: LIBRARY
   2ND. FLOOR: AUDIO VISUAL CLASSROOM
   BUILDING HEIGHT: 24'-0"
3. SCIENCE BUILDING (2 STORIES)
   1ST. AND 2ND. FLOOR: CLASSROOMS AND LABS.
   BUILDING HEIGHT: 24'-0"
4. CLASSROOMS
   1ST. AND 2ND. FLOOR: CLASSROOMS
   BUILDING HEIGHT: 24'-0"
5. 1ST FLOOR: DINING / KITCHEN / CHAPEL
   2ND. FLOOR: CLASSROOMS
   BUILDING HEIGHT: 24'-0"
6. 1ST FLOOR: OFFICES / TEACHER'S LOUNGE
   2ND. FLOOR: CLASSROOMS
   BUILDING HEIGHT: 24'-0"
7. RETREAT / MEDITATION BUILDING (2 STORIES)
   BUILDING HEIGHT: 18'-4"
8. GYMNASIUM (2 STORIES)
   1ST. FLOOR: LOBBY / BASKETBALL COURT / LOCKERS
   2ND. FLOOR: COACHES' OFFICE / EXERCISE ROOM
   BUILDING HEIGHT: 29'-2"
9. ART CENTER (1 STORY)
   1ST. FLOOR: AUDITORIUM / ART GALLERY / ART CLASSROOMS / ART LABS / MUSIC LAB
   BUILDING HEIGHT: 20'-8"
10. ADMINISTRATION BUILDING (2 STORIES)
    1ST. AND 2ND. FLOOR: OFFICES
    BUILDING HEIGHT: 26'-10"
11. EXISTING TENNIS COURT AND FENCE
12. EXISTING LOCKER ROOMS
13. EXISTING TENNIS COURTS
14. EXISTING SHELTER
15. EXISTING BASKETBALL COURTS
16. EXISTING BLEACHERS
17. EXISTING FOOTBALL FIELD AND TRACK
18. TOILETS / CONCESSION STAND
    BUILDING HEIGHT: 10'-6"
19. EXISTING BASEBALL FIELDS / DUGOUTS
    BUILDING HEIGHT: 9'-0"
20. PROPOSED ADMINISTRATION / DEVELOPMENT BLDG.
    BUILDING HEIGHT: 15'-0"

ZONING LEGEND / SITE DEVELOPMENT DATA

DEFINITION	REQUIRED/ ALLOWED	EXISTING / PROVIDED
ZONING DISTRICT	USE OF RU-4A IN THE EU-1 ZONE	EU-1 WITH RESOLUTION # Z-122-77
NET LAND AREA (LOT AREA)	1 ACRE MINIMUM	NET AREA A: 1,962,441.68 S.F. (45.05 ACRES) NET AREA B: 598,119.00 S.F. (13.63 ACRES) NET AREA C: 33,937.66 S.F. (0.77 ACRES) TOTAL: 1,594,498.30 S.F. (13.08 ACRES) PROVIDED BY R.O.W. DEDICATION: 9,381.01 S.F. (0.22 ACRES)
LOT COVERAGE	15% MAXIMUM OF TOTAL LOT AREA	172,153 S.F. 1,234,389.30 S.F. = 12.71%
HEIGHT (TO TOP OF ROOF)	35'-0" MINIMUM	60'-8"
SETBACK SOUTH (S.W. 6TH. ST.) NORTH PROPERTY LINE) EAST (S.W. 127TH. AVE.) WEST (S.W. 128TH AVE.)	 25' 25' 25'	 53'-0" 274'-0" 69'-0" 35'-0"
TYPE OF SCHOOL	PRIVATE JR. & SR. HIGH SCHOOL (7TH. TO 12TH. GRADE)	SAME
MAXIMUM NO. OF STUDENTS	1,000 (Z-122-77)	1,481 (803M.S.-678S.H.S.)
NO. OF TEACHERS / STAFF	40 (Z-122-77)	164
NO. OF CLASSROOMS		73
CLASSROOM AREA : ELEMENTARY GRADES 1-6 30 S.F. X 214 (NUMBER OF CHILDREN)-10 CLASSROOMS JUNIOR HIGH AND SENIOR HIGH SCHOOL GRADES 7-12 25 S.F. X 1278 (NUMBER OF CHILDREN)-84 CLASSROOMS	 GRADE 6 = 6,420 S.F. GRADES 7-12 = 31,950 S.F. TOTAL: 38,370 S.F.	 84,981 S.F.
TOTAL NON-CLASSROOM AREA		99,987 S.F.
OUTDOOR RECREATION SPACE : GRADE 6 600 S.F. X 30 = 15,000 S.F. (FIRST 30 CHILDREN) 300 S.F. X 184 = 55,200 S.F. (REMAINING CHILDREN) GRADES 7-12 600 S.F. X 30 = 24,000 S.F. (REMAINING CHILDREN) 300 S.F. X 300 = 90000 S.F. (REMAINING CHILDREN) 150 S.F. X 845 = 142,200 S.F. (REMAINING CHILDREN)	 GRADE 6 = 70,200 S.F. GRADES 7-12 358,200 S.F. TOTAL = 328,400 S.F.	 418,830 S.F.
GRASS AREA FOR ORGANIZED SPORTS / PLAY AREA IN S.F.		309,021 S.F.
LAWN AREA IN S.F. (LAWN SPORTS EXCLUDED)		515,494 S.F.
PARKING REQUIRED		
JUNIOR HIGH (GRADES 6,7,8) -PERSONNEL = -TRANSPORTATION VEHICLES =	 4	
TOTAL PERSONNEL & TRANSP. VEHICLES =	73 73 (1.25) = 92	
	104 JR. HIGH SPACES	
HIGH SCHOOL (GRADES 9,10,11,12) -S.F. CLASSROOMS/ LABORATORIES = -S.F. LIBRARY = -S.F. ADMINISTRATIVE AREAS =	 32,184.00 7,878.00 9,471.00	
-S.F. TOTAL =	49,531/200 = 49,531/200 = 248 SPACES	
-SLEEPING ROOMS =	20 / 3 = 6.66 6.66 (2) = 14 SPACES	
-S.F. OF SEATING AREA IN AUDITORIUM =	4,733.00 4,733.00 / 100 = 28 28 SPACES	
-EMPLOYEES (NON-TEACHERS) =	32 32 / 4 = 8 SPACES	
	298 HIGH SCHOOL SPACES	
TOTAL SPACES REQUIRED	402 398	
PARKING PROVIDED		414 SPACES
DAYS/ HOURS OF OPERATION		6:30 A.M. TO 12:00 A.M. - 7 DAYS.



KEY PLAN

SCALE: N.T.S.

10/17/08

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Architects P.A.
3134 CORAL WAY MIAMI, FLORIDA 33145
(305) 445 8224 Lic. No. AA-P0002699

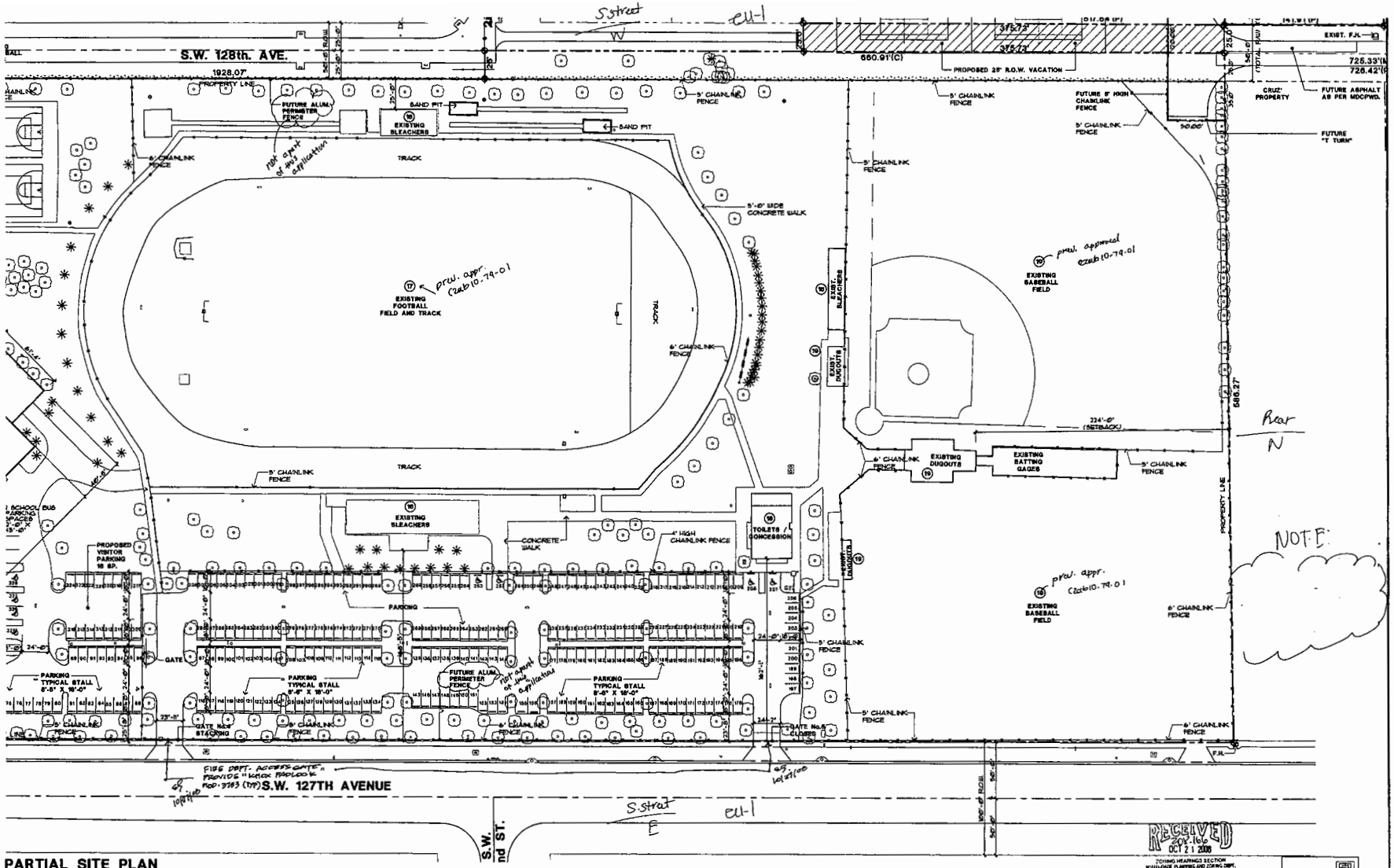
PARTIAL SITE PLAN

BELEN JESUIT PREPARATORY SCHOOL
MASTER PLAN
500 S.W. 127th. AVE.
MIAMI, FLORIDA.

DRAWN A.V./M.K
CHECKED E.S.
DATE 04-24-08
PROJ. NO. 0727

REVISIONS
1 06-02-08 COMMENT
2 08-08-08 COMMENT
3 10-01-08 COMMENT
4 10-17-08 COMMENT

SHEET A-1 OF 6



PARTIAL SITE PLAN (North Side)

SCALE: 1" = 40'-0"

ADDRESS

BELEN JESUIT PREPARATORY SCHOOL
9400 S.W. 127TH. AVENUE, MIAMI, FL. 33184.

ZONING LEGEND NOTES

PARKING: ILLUMINATION AS REQUIRED BY

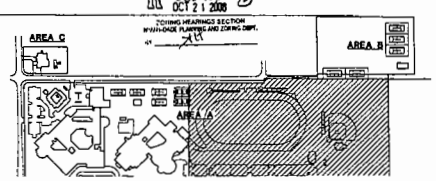
LEGAL DESCRIPTION

PARCEL 1
THE SE 1/4 OF THE NE 1/4 OF THE SE 1/4 OF SECTION 2, TOWNSHIP 54 SOUTH, RANGE 39 EAST, LESS THE EAST 340 FEET, LESS THE SOUTH 35 FEET AND LESS THE WEST 25 FEET, AND LESS: THE AREA BOUNDED BY THE WEST LINE OF THE EAST 340 FEET OF THE SE 1/4 OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 2, AND BOUNDED BY THE NORTH LINE OF THE SOUTH 35 FEET OF THE SE 1/4 OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 2, AND BOUNDED BY A 25 FOOT RADIUS ARC CONCAVE TO THE NORTHWEST, SAID ARC BEING TANGENT TO BOTH OF THE LAST DESCRIBED LINES.
AND LESS: THE AREA BOUNDED BY THE NORTH LINE OF THE SOUTH 35 FEET OF THE SE 1/4 OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 2, AND BOUNDED BY THE EAST LINE OF THE WEST 25 FEET OF THE SE 1/4 OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 2, AND BOUNDED BY A 25 FOOT RADIUS ARC CONCAVE TO THE NORTHEAST, SAID ARC BEING TANGENT TO BOTH OF THE LAST DESCRIBED LINES.

PARCEL 3
THE SE 1/4 OF THE SE 1/4 OF THE NE 1/4 OF SECTION 2, TOWNSHIP 54 SOUTH, RANGE 39 EAST, LESS THE EAST 340 FEET AND LESS THE WEST 25 FEET, MIAMI-DADE COUNTY, FLORIDA.

TOGETHER WITH:
LOT 9, BLOCK 1, ROBADO SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 103, PAGE 42, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

ALSO TOGETHER WITH:
LOTS 5,6,7 AND 8, BLOCK 5, SWEETWATER ESTATES SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 28, PAGE 36, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

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BY

SANTOS / RAIMUNDEZ
Architects P.A.
3136 CORAL WAY
MIAMI, FLORIDA 33145

PARTIAL SITE PLAN

BELEN JESUIT PREPARATORY SCHOOL
MASTER PLAN
9400 S.W. 127th. AVE.
MIAMI, FLORIDA.

DRAWN	A.V./M.K
CHECKED	E.S.
DATE	04-24-08
PROJ. NO.	0727
REVISIONS	
1	06-02-08 COMMENTS
2	08-06-08 COMMENTS
3	10-01-08 COMMENTS
4	10-17-08 COMMENTS

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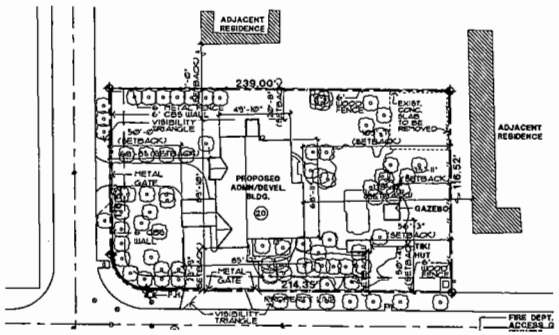


LEGAL DESCRIPTION

LOTS 5, BLOCK 1, ROSADO SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 133, PAGE 42, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AREA C = 33,597.66 SQ. FT. (0.77 ACRES) MORE OR LESS.

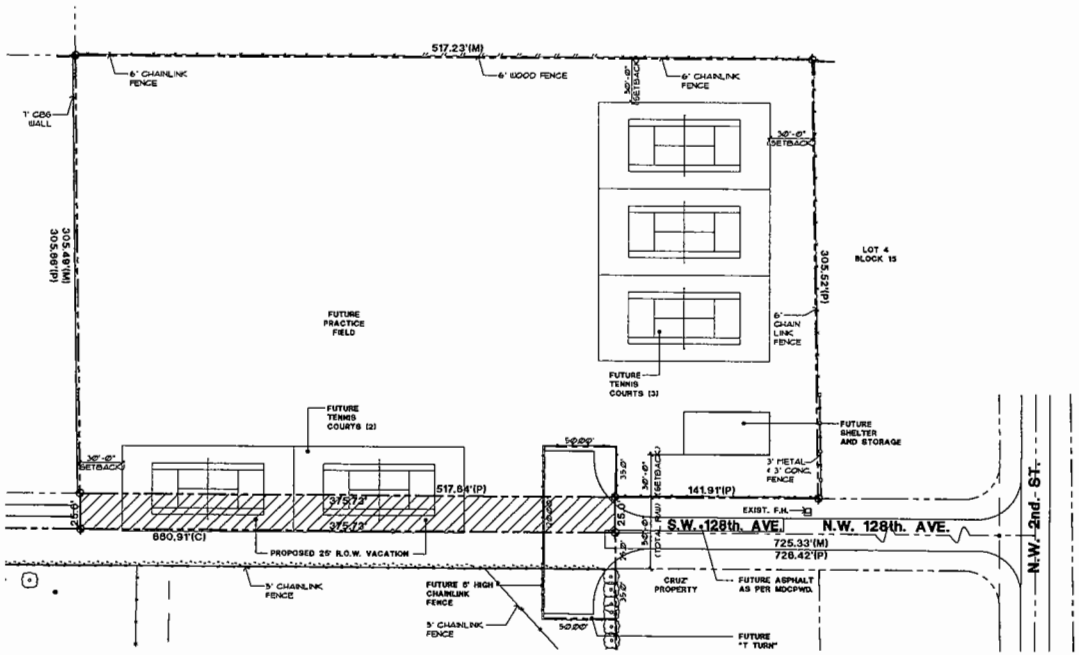
PARTIAL SITE PLAN (West Side)

SCALE: 1" = 40'-0"

LEGAL DESCRIPTION

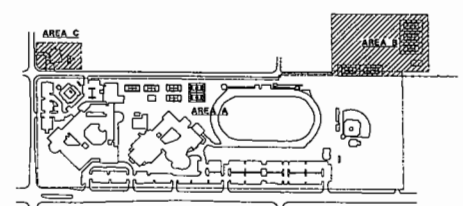
LOTS 5, 6, 7 & 8, BLOCK 15, SWEETWATER ESTATES PLAT BOOK 28, PAGE 36, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AREA B = 158,149.55 SQ. FT. (3.63 ACRES) MORE OR LESS.



LEGAL DESCRIPTION OF 25 FT R.O.W. VACATION

A PORTION OF THE PUBLIC RIGHT OF WAY OF S.W. 128TH AVENUE LOCATED IN SECTION 2, TOWNSHIP 54 SOUTH, RANGE 39 EAST AND DESCRIBED AS FOLLOWS: BOUNDED ON THE WEST BY THE EAST LINE OF LOTS 5,6,7 AND 8, BLOCK 15 SWEETWATER ESTATES SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 28, PAGE 36, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
ON THE NORTH BY A LINE PERPENDICULAR TO THE CENTER LINE OF S.W. 128TH AVENUE AS SHOWN IN SAID PLAT OF SWEETWATER ESTATES SUBDIVISION, AND 25 FEET EASTERLY (AS MEASURED PERPENDICULARLY) FROM THE NORTHEAST CORNER OF SAID LOT 6, BLOCK 15.
ON THE EAST BY THE CENTER LINE OF S.W. 128TH AVENUE AS SHOWN IN SAID PLAT OF SWEETWATER ESTATES SUBDIVISION.
ON THE SOUTH BY A LINE PERPENDICULAR TO THE CENTER LINE OF SAID S.W. 128TH AVENUE AND 25 FEET EASTERLY, AS MEASURED PERPENDICULARLY, FROM THE SOUTHEAST CORNER OF SAID LOT 8, BLOCK 15.
SAID PORTION LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA AND CONTAINING ± 9,350 SQUARE FEET (± 0.215 ACRES).



KEY PLAN

SCALE: N.T.S.

SANTOS / RAIMUNDEZ
Architects P.A.
3134 CORAL WAY MIAMI, FLORIDA 33145
(305) 446 6224 Lic. No. AA-P0002699

PARTIAL SITE PLAN

BELEN JESUIT PREPARATORY SCHOOL
MASTER PLAN
500 S.W. 127th. AVE.
MIAMI, FLORIDA.

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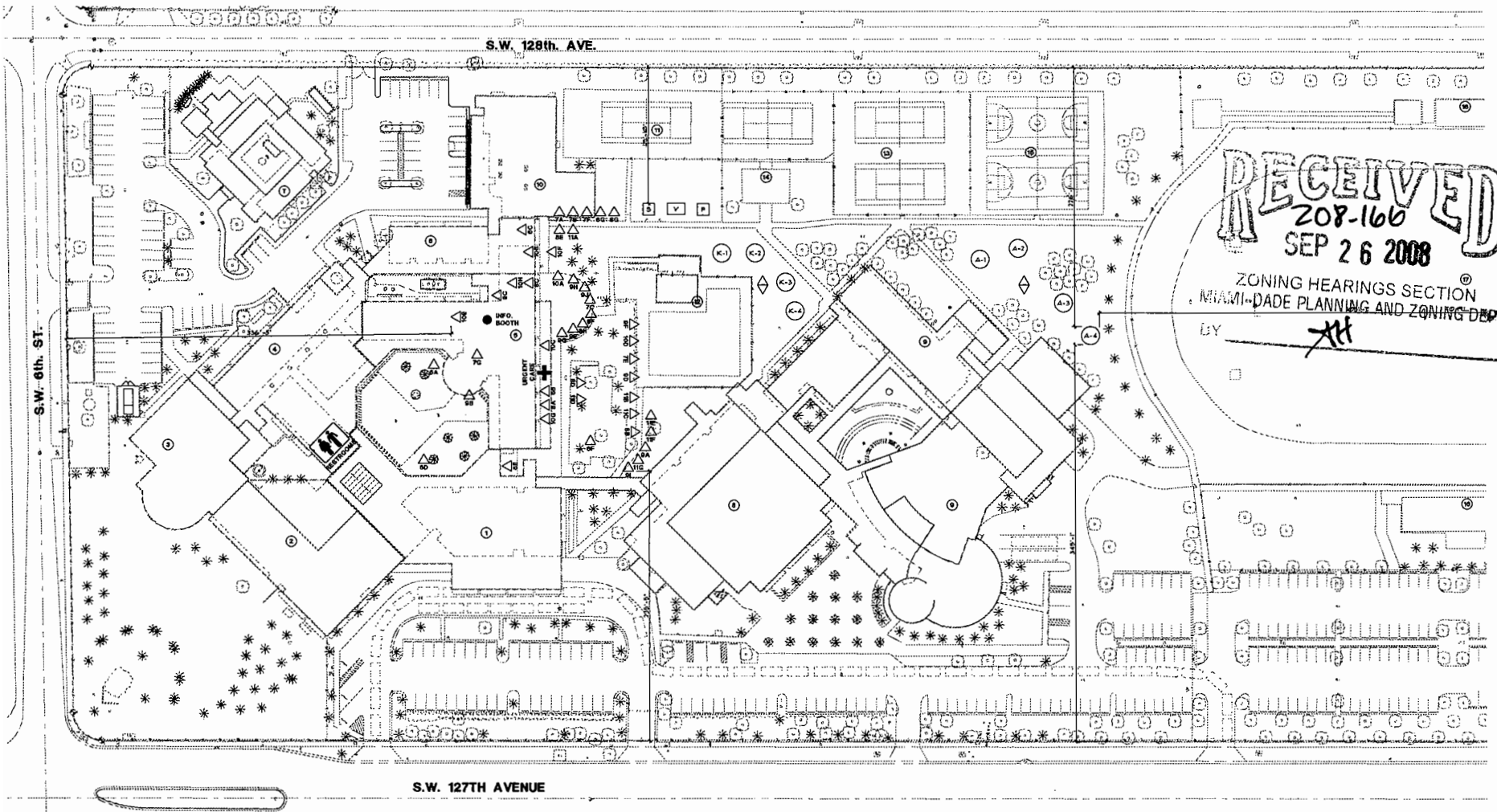
2 08-08-08 CONCEPTS
3 10-01-08 CONCEPTS
4 10-17-08 CONCEPTS

SHEET
A-3
OF
6

39

35



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MIAMI-DADE PLANNING AND ZONING DEPT
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PARTIAL SITE PLAN (South Side)

SCALE: 1"= 40'-0"

BUILDINGS

1. EXISTING ADMINISTRATION BUILDING (2 STORIES)
   1ST. FLOOR: EXISTING ADMINISTRATIVE OFFICES (FUTURE STUDENT SERVICES)
   2ND. FLOOR: CLASSROOMS / LABS
   BUILDING HEIGHT: 24'-0"
2. LIBRARY (2 STORIES)
   1ST. FLOOR: LIBRARY
   2ND. FLOOR: AUDIO VISUAL CLASSROOM
   BUILDING HEIGHT: 24'-0"
3. SCIENCE BUILDING (2 STORIES)
   1ST. AND 2ND. FLOOR: CLASSROOMS AND LABS.
   BUILDING HEIGHT: 24'-0"
4. CLASSROOMS
   1ST. AND 2ND. FLOOR: CLASSROOMS
   BUILDING HEIGHT: 24'-0"
5. 1ST FLOOR: DINING / KITCHEN / CHAPEL
   2ND. FLOOR: CLASSROOMS
   BUILDING HEIGHT: 24'-0"
6. 1ST FLOOR: OFFICES / TEACHER'S LOUNGE
   2ND. FLOOR: CLASSROOMS
   BUILDING HEIGHT: 24'-0"
7. RETREAT / MEDITATION BUILDING (2 STORIES)
   BUILDING HEIGHT: 16'-4"
8. GYMNASIUM (2 STORIES)
   1ST. FLOOR: LOBBY / BASKETBALL COURT / LOCKERS
   2ND. FLOOR: COACHES' OFFICE / EXERCISE ROOM
   BUILDING HEIGHT: 29'-2"
9. ART CENTER (1 STORY)
   1ST. FLOOR: AUDITORIUM / ART GALLERY / ART CLASSROOMS / ART LABS / MUSIC LAB
   BUILDING HEIGHT: 50'-6"
10. ADMINISTRATION BUILDING (2 STORIES)
    1ST. AND 2ND. FLOOR: OFFICES
    BUILDING HEIGHT: 28'-10"
11. EXISTING TENNIS COURT AND FENCE
12. EXISTING LOCKER ROOMS
13. EXISTING TENNIS COURTS
14. EXISTING SHELTER
15. EXISTING BASKETBALL COURTS
16. EXISTING BLEACHERS
17. EXISTING FOOTBALL FIELD AND TRACK
18. TOILETS / CONCESSION STAND
    BUILDING HEIGHT: 10'-6"
19. EXISTING BASEBALL FIELDS / DUGOUTS
    BUILDING HEIGHT: 8'-0"
20. PROPOSED ADMINISTRATION / DEVELOPMENT BLDG.
    BUILDING HEIGHT: 13'-0"

CARNIVAL NOTE:

CARNIVAL SHALL TAKE PLACE AT EXISTING SCHOOL. ALL EXISTING PARKING AREAS SHALL REMAIN IN USE AS PARKING FOR CARNIVAL (414 EXISTING SPACES). CARNIVAL HOURS OF OPERATION SHALL BE NON-CONCURRENT WITH ALL OTHER FUNCTIONS.

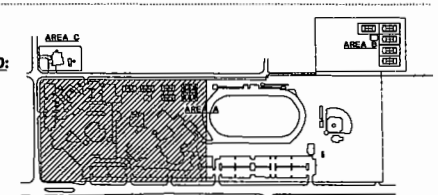
CARNIVAL PARKING / ATTENDEE CAPACITY:

PARKING SP. - 414 EXISTING SPACES
DEDICATED SP. - 400 EXISTING SPACES
TO CARNIVAL
NON-DEDICATED SP. - 14 SPACES

ATTENDEES
400 SP X 4/SP. - 1600 ATTENDEES

CARNIVAL LEGEND:

- A-1 ADULT RIDES
- K-1 KIDDIE RIDES
- 1A KIOSK
- GENERATORS
- V CENTER CONCESSION
- F FOOD BOOTHS
- S SODA BOOTHS



KEY PLAN

SCALE: N.T.S.

SANTOS / RAIMUNDEZ
Architects P.A.
3134 CORAL WAY MIAMI, FLORIDA 33145
(305) 446 6224 Lic. No. AA-P0002899

PARTIAL SITE PLAN
ANNUAL CARNIVAL

BELEN JESUIT PREPARATORY SCHOOL
MASTER PLAN
500 S.W. 127th. AVE.
MIAMI, FLORIDA.

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SHEET
A-1
OF
1

40

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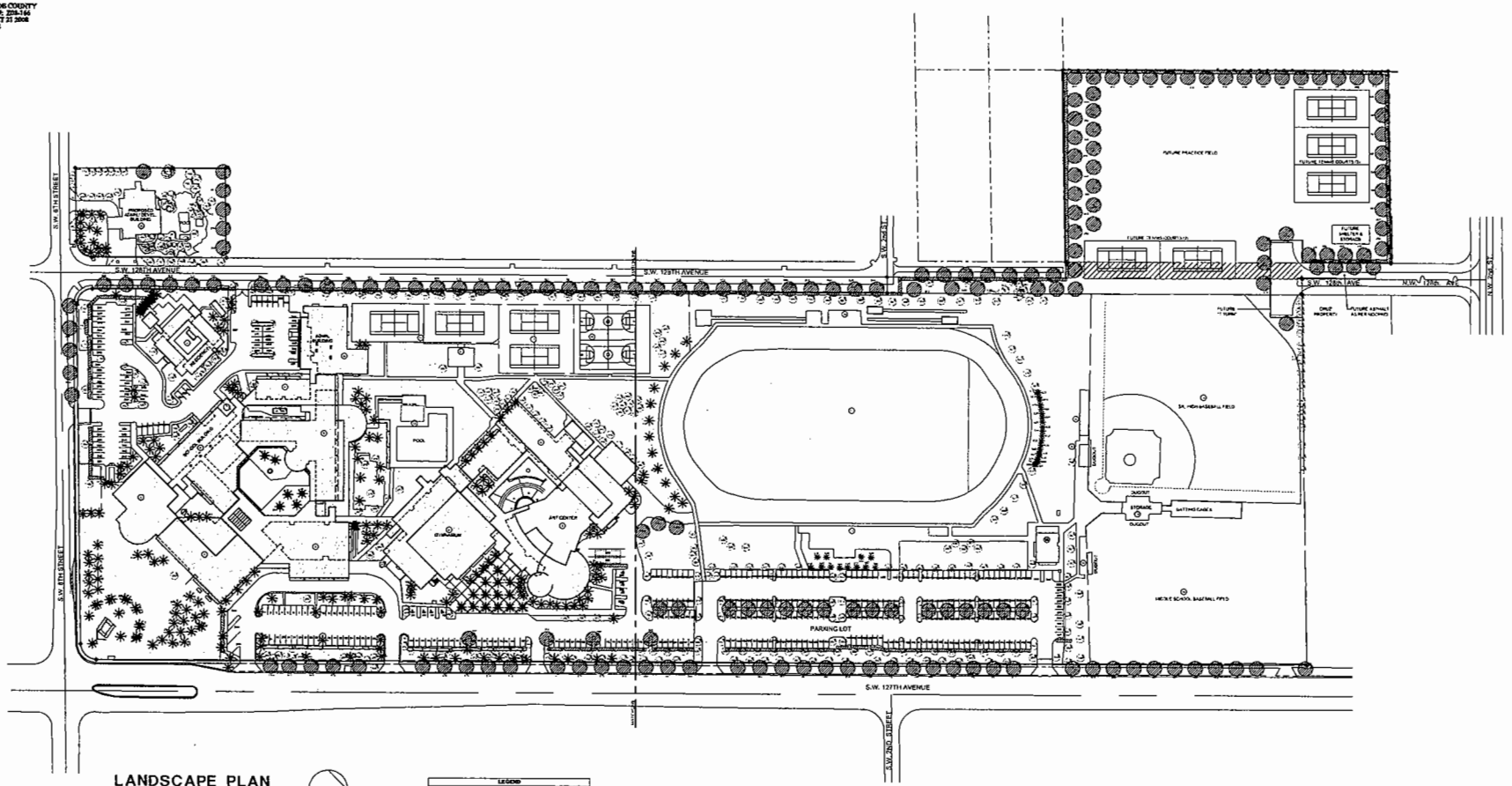

LANDSCAPE PLAN
SCALE: 1": 80'-0"

LEGEND

LANDSCAPE PLAN NOTES

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MIAMI-DADE PLANNING AND ZONING DEPT.
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(305) 448 8824 Lic. No. AA-P0002899

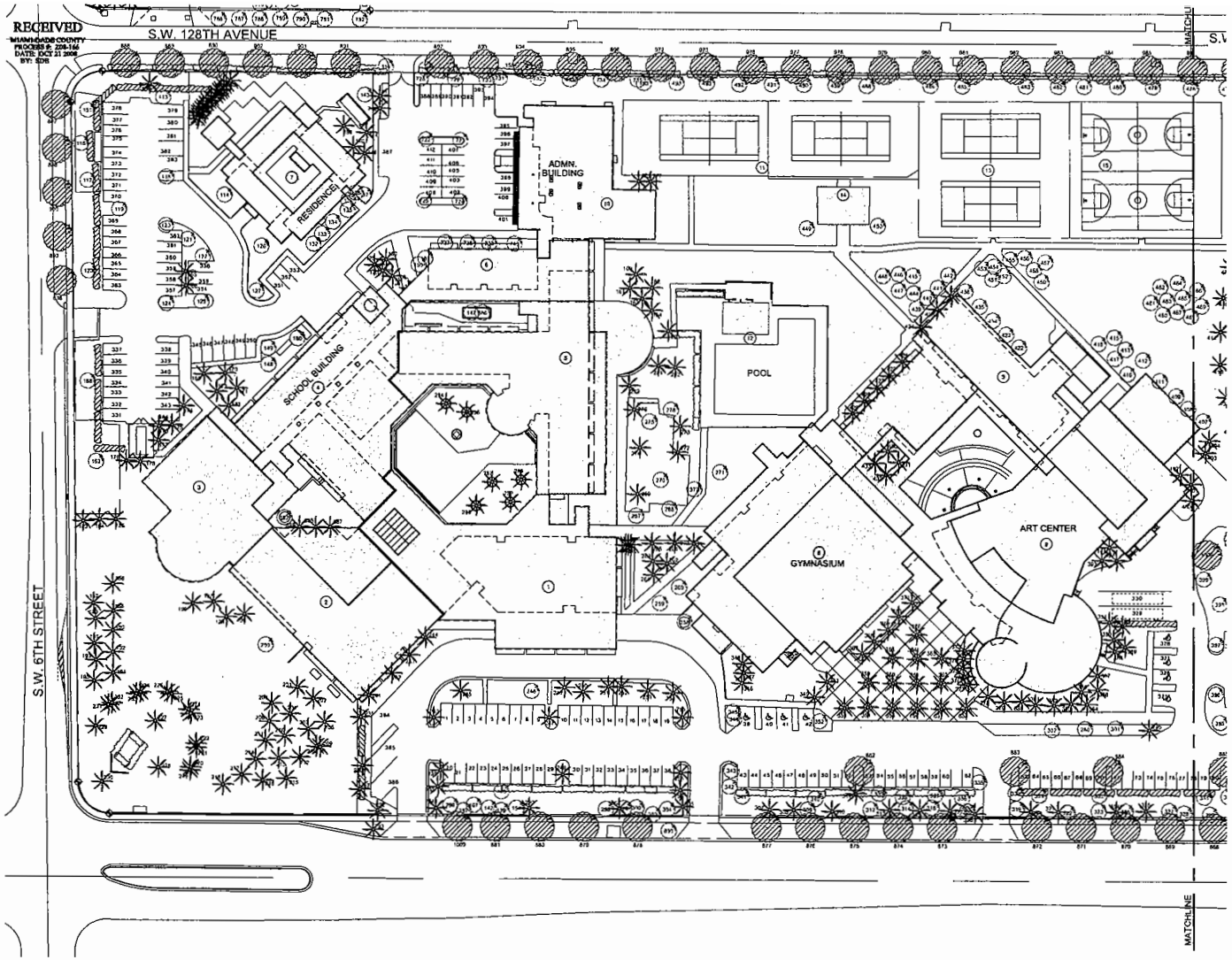
OVERALL LANDSCAPE PLAN

BELEN JESUIT PREPARATORY SCHOOL
MASTER PLAN
500 S.W. 127th. AVE.
MIAMI, FLORIDA.

DRAWN A.V./M.K.
CHECKED E.S.
DATE 4-24-08
PROJ. NO. 0727
REVISIONS
1 06-02-08
2 08-08-08
3 10-01-08
4 10-12-08

SHEET
LS-1
OF
7

41



BUILDINGS

1. EXISTING ADMINISTRATION BUILDING (2 STORIES)
   1ST. FLOOR: EXISTING ADMINISTRATIVE OFFICES (FUTURE STUDENT SERVICES)
   2ND. FLOOR: CLASSROOMS / LABS
   BUILDING HEIGHT: 24'-0"
2. LIBRARY (2 STORIES)
   1ST. FLOOR: LIBRARY
   2ND. FLOOR: AUDIO VISUAL CLASSROOM
   BUILDING HEIGHT: 24'-0"
3. SCIENCE BUILDING (2 STORIES)
   1ST. AND 2ND. FLOOR: CLASSROOMS AND LABS.
   BUILDING HEIGHT: 24'-0"
4. CLASSROOMS
   1ST. AND 2ND. FLOOR: CLASSROOMS
   BUILDING HEIGHT: 24'-0"
5. 1ST FLOOR: DINING / KITCHEN / CHAPEL
   2ND. FLOOR: CLASSROOMS
   BUILDING HEIGHT: 24'-0"
6. 1ST FLOOR: OFFICES / TEACHER'S LOUNGE
   2ND. FLOOR: CLASSROOMS
   BUILDING HEIGHT: 24'-0"
7. RETREAT / MEDITATION BUILDING (2 STORIES)
   BUILDING HEIGHT: 18'-4"
8. GYMNASIUM (2 STORIES)
   1ST. FLOOR: LOBBY / BASKETBALL COURT / LOCKERS
   2ND. FLOOR: COACHES' OFFICE / EXERCISE ROOM
   BUILDING HEIGHT: 29'-2"
9. ART CENTER (1 & 2 STORY)
   1ST. FLOOR: AUDITORIUM / ART GALLERY / ART CLASSROOMS / ART LABS / MUSIC LAB
   BUILDING HEIGHT: 50'-8"
10. ADMINISTRATION BUILDING (2 STORIES)
    1ST. AND 2ND. FLOOR: OFFICES
    BUILDING HEIGHT: 28'-10"
11. EXISTING TENNIS COURTS
12. EXISTING LOCKER ROOMS
13. EXISTING TENNIS COURTS
14. EXISTING SHELTER
15. EXISTING BASKETBALL COURTS
16. EXISTING BLEACHERS
17. EXISTING FOOTBALL FIELD AND TRACK
18. TOILETS / CONCESSION STAND
    BUILDING HEIGHT: 10'-6"
19. EXISTING BASEBALL FIELDS / DUGOUTS
    BUILDING HEIGHT: 9'-0"
20. PROPOSED ADMINISTRATION / DEVELOPMENT BLDG.
    BUILDING HEIGHT: 13'-0"

LEGEND

- EXISTING
- EXISTING PALM TREES
- EXISTING SHRUB
- NEW TREE / PALM
- NEW SHRUB
- SODDED AREA

LANDSCAPE PLAN NOTES

- LOT TREES MUST BE 10'-0" IN HT. AT TIME OF PLANTING
- STREET TREES MUST BE 12'-0" IN HT. AT TIME OF PLANTING
- HEDGES MUST BE 30 IN. MIN. AT TIME OF PLANTING
- HEDGES MUST BE 30 IN. MAX. WHEN PLANTED WITHIN 10' ON EITHER SIDE OF DRIVEWAYS.

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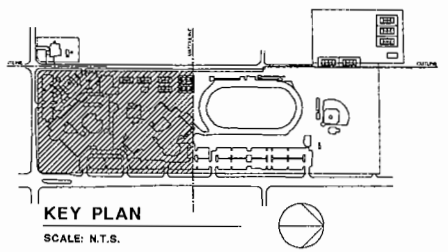

KEY PLAN
SCALE: N.T.S.

SANTOS / RAIMUNDEZ
Architects P.A.
3134 CORAL WAY MIAMI, FLORIDA 33145
(305) 446 6224 Lic. No. AA-P0002699

OVERALL LANDSCAPE PLAN

BELEN JESUIT PREPARATORY SCHOOL
MASTER PLAN
500 S.W. 127th. AVE.
MIAMI, FLORIDA.

DRAWN A.V./M.K.
CHECKED E.S.
DATE 4-24-08
PROJ. NO. 0727
REVISIONS
1 06-02-08 COMMENTS
2 06-08-08 COMMENTS
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4 10-17-08 COMMENTS

SHEET
LS-1A
OF
7

24

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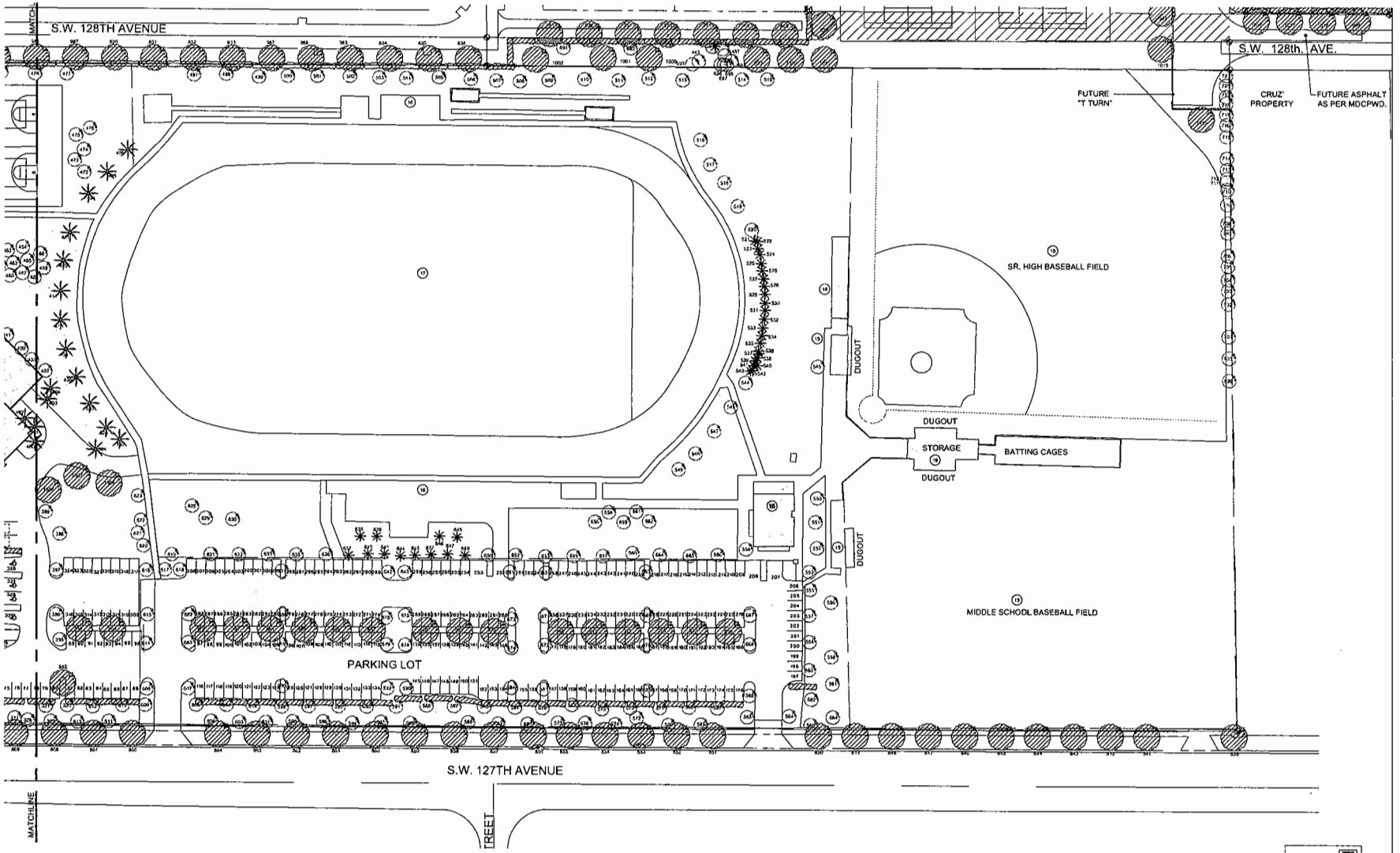

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MIAMI-DADE PLANNING AND ZONING DEPT.
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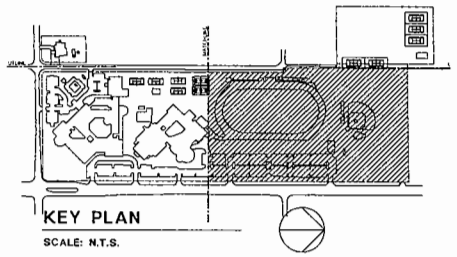

SANTOS / RAIMUNDEZ
Architects P.A.
3134 CORAL WAY MIAMI, FLORIDA 33145
(305) 446 6624 Lic. No. AA-P0002699

OVERALL LANDSCAPE PLAN

BELEN JESUIT PREPARATORY SCHOOL
MASTER PLAN
500 S.W. 127th. AVE.
MIAMI, FLORIDA.

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REVISIONS
1 06-02-08
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SHEET
LS-1B
OF
7

43

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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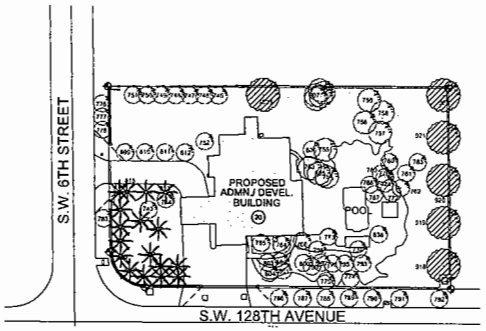
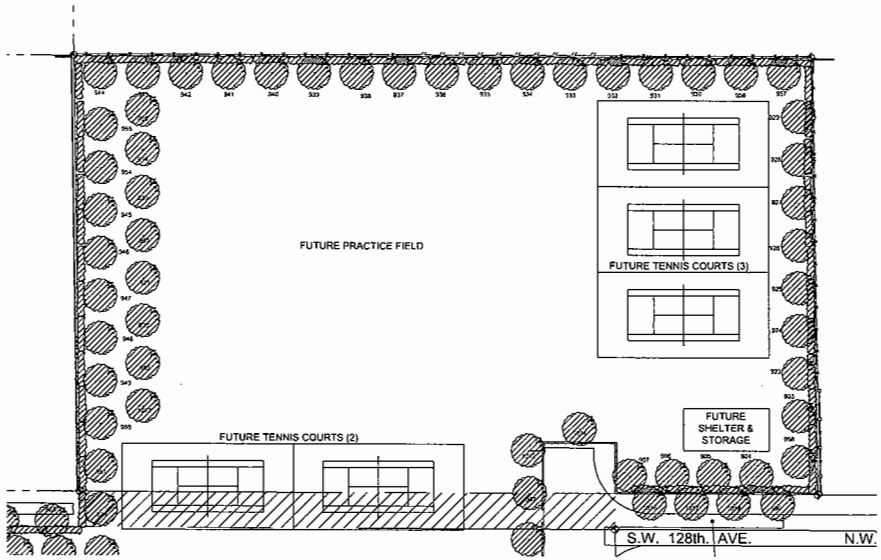


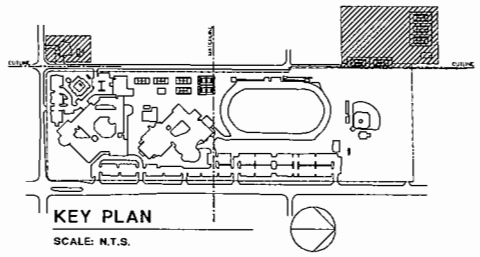
PARTIAL SITE PLAN
(South West Side)

SCALE: 1"= 40'-0"



PARTIAL SITE PLAN
(North West Side)

SCALE: 1"= 40'-0"



SCALE: N.T.S.

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Architects P.A.
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OVERALL LANDSCAPE PLAN

BELEN JESUIT PREPARATORY SCHOOL
MASTER PLAN
500 S.W. 127th. AVE.
MIAMI, FLORIDA.

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1	06-02-08
2	08-08-08
3	10-01-08
4	10-17-08

SHEET
LS-1C
OF
7

47

44

LANDSCAPE TABLE

SYMBOL	NEW	EXIST.	COMMON PLANT NAME	NATIVE YES	NATIVE NO	CALIPER (IN.)	CANOPY DIAMETER	HEIGHT
1		X	CASUARINA			TO BE REMOVED		
2		X	CASUARINA			TO BE REMOVED		
3		X	CASUARINA			TO BE REMOVED		
4		X	BISHOPWOOD			TO BE REMOVED		
5		X	CASUARINA			TO BE REMOVED		
6		X	MALELEUCA			TO BE REMOVED		
7		X	BISHOPWOOD			TO BE REMOVED		
8		X	BISHOPWOOD			TO BE REMOVED		
9		X	BISHOPWOOD			TO BE REMOVED		
10		X	BISHOPWOOD			TO BE REMOVED		
11		X	BISHOPWOOD			TO BE REMOVED		
12		X	MALELEUCA			TO BE REMOVED		
13		X	MALELEUCA			TO BE REMOVED		
14		X	MALELEUCA			TO BE REMOVED		
15		X	MALELEUCA			TO BE REMOVED		
16		X	MALELEUCA			TO BE REMOVED		
17		X	MALELEUCA			TO BE REMOVED		
18		X	MALELEUCA			TO BE REMOVED		
19		X	MALELEUCA			TO BE REMOVED		
20		X	MALELEUCA			TO BE REMOVED		
21		X	BISHOPWOOD			TO BE REMOVED		
22		X	MALELEUCA			TO BE REMOVED		
23		X	MALELEUCA			TO BE REMOVED		
24		X	MALELEUCA			TO BE REMOVED		
25		X	MALELEUCA			TO BE REMOVED		
26		X	MALELEUCA			TO BE REMOVED		
27		X	BISHOPWOOD			TO BE REMOVED		
28		X	BISHOPWOOD			TO BE REMOVED		
29		X	BISHOPWOOD			TO BE REMOVED		
30		X	BISHOPWOOD			TO BE REMOVED		
31		X	BISHOPWOOD			TO BE REMOVED		
32		X	BISHOPWOOD			TO BE REMOVED		
33		X	MALELEUCA			TO BE REMOVED		
34		X	MALELEUCA			TO BE REMOVED		
35		X	MALELEUCA			TO BE REMOVED		
36		X	MALELEUCA			TO BE REMOVED		
37		X	MALELEUCA			TO BE REMOVED		
38		X	MALELEUCA			TO BE REMOVED		
39		X	MALELEUCA			TO BE REMOVED		
40		X	MALELEUCA			TO BE REMOVED		
41		X	BISHOPWOOD			TO BE REMOVED		
42		X	BISHOPWOOD			TO BE REMOVED		
43		X	MALELEUCA			TO BE REMOVED		
44		X	MALELEUCA			TO BE REMOVED		
45		X	BISHOPWOOD			TO BE REMOVED		
46		X	BISHOPWOOD			TO BE REMOVED		
47		X	CASUARINA			TO BE REMOVED		
48		X	CASUARINA			TO BE REMOVED		
49		X	CASUARINA			TO BE REMOVED		
50		X	CASUARINA			TO BE REMOVED		
51		X	CASUARINA			TO BE REMOVED		
52		X	CASUARINA			TO BE REMOVED		
53		X	CASUARINA			TO BE REMOVED		
54		X	CASUARINA			TO BE REMOVED		
55		X	CASUARINA			TO BE REMOVED		
56		X	MALELEUCA			TO BE REMOVED		
57		X	CASUARINA			TO BE REMOVED		
58		X	CASUARINA			TO BE REMOVED		
59		X	CASUARINA			TO BE REMOVED		
60		X	CASUARINA			TO BE REMOVED		
61		X	CASUARINA			TO BE REMOVED		
62		X	CASUARINA			TO BE REMOVED		
63		X	CASUARINA			TO BE REMOVED		
64		X	MALELEUCA			TO BE REMOVED		
65		X	CASUARINA			TO BE REMOVED		
66		X	MALELEUCA			TO BE REMOVED		
67		X	CASUARINA			TO BE REMOVED		
68		X	CASUARINA			TO BE REMOVED		
69		X	CASUARINA			TO BE REMOVED		
70		X	CASUARINA			TO BE REMOVED		
71		X	MALELEUCA			TO BE REMOVED		
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74		X	MALELEUCA			TO BE REMOVED		
75		X	MALELEUCA			TO BE REMOVED		
76		X	MALELEUCA			TO BE REMOVED		
77		X	CASUARINA			TO BE REMOVED		
78		X	MALELEUCA			TO BE REMOVED		
79		X	CASUARINA			TO BE REMOVED		
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82		X	CASUARINA			TO BE REMOVED		
83		X	CASUARINA			TO BE REMOVED		
84		X	CASUARINA			TO BE REMOVED		
85		X	MALELEUCA			TO BE REMOVED		
86		X	CASUARINA			TO BE REMOVED		
87		X	CASUARINA			TO BE REMOVED		

LANDSCAPE TABLE CON'T

SYMBOL	NEW	EXIST.	COMMON PLANT NAME	NATIVE YES	NATIVE NO	CALIPER (IN.)	CANOPY DIAMETER	HEIGHT
88		X	CASUARINA			TO BE REMOVED		
89		X	CASUARINA			TO BE REMOVED		
90		X	CASUARINA			TO BE REMOVED		
91		X	MALELEUCA			TO BE REMOVED		
92		X	CASUARINA			TO BE REMOVED		
93		X	CASUARINA			TO BE REMOVED		
94		X	MALELEUCA			TO BE REMOVED		
95		X	MALELEUCA			TO BE REMOVED		
96		X	MALELEUCA			TO BE REMOVED		
97		X	CASUARINA			TO BE REMOVED		
98		X	BISHOPWOOD			TO BE REMOVED		
99		X	BISHOPWOOD			TO BE REMOVED		
100		X	BISHOPWOOD			TO BE REMOVED		
101		X	FICUS			TO BE REMOVED		
102		X	MALELEUCA			TO BE REMOVED		
103		X	BISHOPWOOD			TO BE REMOVED		
104		X	MALELEUCA			TO BE REMOVED		
105		X	BISHOPWOOD			TO BE REMOVED		
106		X	BISHOPWOOD			TO BE REMOVED		
107		X	BISHOPWOOD			TO BE REMOVED		
108		X	BISHOPWOOD			TO BE REMOVED		
109		X	CASUARINA			TO BE REMOVED		
110		X	CASUARINA			TO BE REMOVED		
111		X	CASUARINA			TO BE REMOVED		
112		X	APPLE CIDER		X	6	12	15
113		X	APPLE CIDER		X	7	13	14
114		X	DATE PALM CLU		X	12	4	4
115		X	PALM CLU		X	12	10	24
116		X	MAHOGANY	X		7	12	10
117		X	MAHOGANY	X		7	12	10
118		X	DOGWOOD	X		9	15	16
119		X	DOGWOOD	X		10	14	17
120		X	PALM		X	6	7	6
121		X	DOGWOOD	X		9	15	18
122		X	DOGWOOD	X		10	14	17
123		X	RUBBER	X		5	10	14
124		X	PALM		X	6	11	13
125		X	APPLE CIDER		X	6	12	15
126		X	DATE PALM CLU		X	12	4	4
127		X	DATE PALM CLU		X	11	5	6
128		X	PALM		X	6	8	10
129		X	PALM		X	7	9	11
130		X	PALM		X	5	7	9
131		X	PALM		X	6	9	11
132		X	DATE PALM CLU		X	12	4	4
133		X	DATE PALM CLU		X	11	3	5
134		X	DATE PALM CLU		X	13	5	4
135		X	DATE PALM CLU		X	11	4	3
136		X	BLACK OLIVE		X	7	9	5
137		X	DATE PALM CLU		X	15	10	5
138		X	BLACK OLIVE		X	6	10	3
139		X	SILVER TRUMP		X	7	13	14
140		X	SILVER TRUMP		X	5	11	13
141		X	SABAL PALM		X	10	13	30
142		X	SILVER TRUMP		X	6	12	15
143		X	MANGO TREE		X	5	9	10
144		X	COCONUT PALM		X	12	15	17
145		X	COCONUT PALM		X	10	14	15
146		X	COCONUT PALM		X	11	16	17
147		X	PALM		X	4	12	13
148		X	DOGWOOD	X		13	16	13
149		X	DOGWOOD	X		12	29	14
150		X	McARTHUR PALM		X	6	17	11
151		X	MAHOGANY	X		9	12	10
152		X	MAHOGANY	X		10	8	10
153		X	MAHOGANY	X		7	13	12
154		X	SILVER TRUMP		X	5	8	15
155			AUSTRALIAN PINE		X	18	30	18
156		X	AUSTRALIAN PINE		X	23	30	21
157		X	AUSTRALIAN PINE		X	26	40	30
158		X	AUSTRALIAN PINE		X	15	22	25
159		X	AUSTRALIAN PINE		X	14	29	32
160		X	COCONUT PALM		X	11	9	15
161		X	COCONUT PALM		X	9	11	13
162		X	COCONUT PALM		X	10	9	14
163		X	COCONUT PALM		X	11	11	15
164		X	COCONUT PALM		X	10	10	14
165		X	PALM		X	6	7	6
166		X	PALM		X	5	6	7
167		X	SILVER TRUMP		X	6	12	15
168		X	FICUS		X	26	29	24
169		X	COCONUT PALM		X	10	13	18
170		X	COCONUT PALM		X	13	16	17
171		X	COCONUT PALM		X	12	17	16
172		X	COCONUT PALM		X	12	17	18
173		X	COCONUT PALM		X	12	16	17
174		X	COCONUT PALM		X	11	15	16

LANDSCAPE TABLE CON'T

SYMBOL	NEW	EXIST.	COMMON PLANT NAME	NATIVE YES	NATIVE NO	CALIPER (IN.)	CANOPY DIAMETER	HEIGHT
175		X	COCONUT PALM		X	11	15	16
176		X	COCONUT PALM		X	12	15	17
177		X	COCONUT PALM		X	12	15	17
178		X	COCONUT PALM		X	12	15	17
179		X	COCONUT PALM		X	11	16	16
180		X	PLUM		X	13	28	13
181		X	McARTHUR PALM		X	5	16	12
182		X	BLACK OLIVE		X	13	30	26
183		X	COCONUT PALM		X	11	15	16
184		X	COCONUT PALM		X	11	15	16
185		X	COCONUT PALM		X	11	15	16
186		X	COCONUT PALM		X	10	13	15
187		X	COCONUT PALM		X	11	14	17
188		X	COCONUT PALM		X	11	14	17
189		X	COCONUT PALM		X	11	14	16
190		X	COCONUT PALM		X	11	14	17
191		X	COCONUT PALM		X	11	14	15
192		X	COCONUT PALM		X	11	14	18
193		X	COCONUT PALM		X	11	14	16
194		X	COCONUT PALM		X	11	14	18
195		X	COCONUT PALM		X	11	14	17
196		X	COCONUT PALM		X	12	15	16
197		X	COCONUT PALM		X	12	15	16
198		X	COCONUT PALM		X	12	15	17
199		X	COCONUT PALM		X	12	15	18
200		X	PALM		X	14	32	28
201		X	COCONUT PALM		X	10	15	17
202		X	COCONUT PALM		X	12	14	17
203		X	COCONUT PALM		X	10	16	15
204		X	COCONUT PALM		X	11	15	18
205		X	COCONUT PALM		X	10	16	15
206		X	COCONUT PALM		X	12	15	17
207		X	COCONUT PALM		X	12	15	16
208		X	COCONUT PALM		X	11	14	15
209		X	COCONUT PALM		X	10	16	16
210		X	COCONUT PALM		X	10	14	17
211		X	COCONUT PALM		X	12	15	15
212		X	COCONUT PALM		X	11	15	16
213		X	COCONUT PALM		X	10	14	15
214		X	COCONUT PALM		X	11	16	15
215		X	COCONUT PALM		X	12	14	16
216		X	COCONUT PALM		X	12	15	17
217		X	COCONUT PALM		X	10	15	17
218		X	COCONUT PALM		X	11	16	15
219		X	ROYAL PALM		X	15	22	18
220		X	ROYAL PALM		X	15	23	18
221		X	ROYAL PALM		X	15	22	18
222		X	ROYAL PALM		X	15	21	16
223		X	ROYAL PALM		X	15	22	18
224		X	ROYAL PALM		X	18	22	18
225		X	ROYAL PALM		X	18	20	16
226		X	ROYAL PALM		X	18	22	18
227		X	ROYAL PALM		X	20	25	18
228		X	ROYAL PALM		X	20	25	16
229		X	ROYAL PALM		X	17	34	16
230		X	ROYAL PALM		X	18	36	16
231		X	ROYAL PALM		X	14	22	18
232		X	ROYAL PALM		X	14	22	18
233		X	ROYAL PALM		X	14	20	18
234		X	ROYAL PALM		X	14	22	18
235		X	QUEEN PALM		X	8	10	25
236		X	QUEEN PALM		X	8	10	25
237		X	QUEEN PALM		X	8	10	25
238		X	QUEEN PALM		X	8	10	20
239		X	QUEEN PALM		X	8	10	20
240		X	QUEEN PALM		X	7	12	20
241		X	ALEXANDER PALM		X	5	10	25
242		X	ALEXANDER PALM		X	5	10	25
243		X	ALEXANDER PALM		X	5	10	25
244		X	ALEXANDER PALM		X	5	10	25
245		X	QUEEN PALM		X	7	12	20
246		X	BOTTLE PALM		X	10	18	18
247		X	QUEEN PALM		X	7	10	20
248		X	QUEEN PALM		X	7	10	20
249		X	COCONUT PALM		X	6	12	20
250		X	QUEEN PALM		X	6	8	20
251		X	COCONUT PALM		X	6	12	20
252		X	QUEEN PALM		X	7	12	20
253		X	COCONUT PALM		X	7	12	20
254		X	QUEEN PALM		X	7	12	20
255		X	COCONUT PALM		X	7	12	20
256		X	QUEEN PALM		X	9	12	35
257		X	QUEEN PALM		X	9	12	35
258		X	MAHOGANY	X		36	26	24
259		X	OAK	X		12	22	26
260		X	OAK	X		13	21	25
261		X	ROYAL PALM		X	16	30	18

LANDSCAPE TABLE CON'T

SYMBOL	NEW	EXIST.	COMMON PLANT NAME	NATIVE YES	NATIVE NO	CALIPER (IN.)	CANOPY DIAMETER	HEIGHT
262		X	ROYAL PALM		X	19	31	17
263		X	ROYAL PALM		X	17	29	19
264		X	PALM		X	7	12	13
265		X	PALM		X	8	12	11
266		X	PALM CLU (3)		X	18	15	16
267		X	MAHOGANY	X		12	18	23
268		X	GUMBO LIMBO	X		13	17	24
269		X	QUEEN PALM		X	12	18	17
270		X	GUMBO LIMBO	X		12	18	25
271		X	GUMBO LIMBO	X		14	20	20
272		X	QUEEN PALM		X	13	17	16
273		X	QUEEN PALM		X	12	16	17
274		X	QUEEN PALM		X	14	18	15
275		X	MAHOGANY	X		13	18	22
276		X	QUEEN PALM		X	13	18	15
277		X	SILVER TRUMP		X	6	10	20
278		X	MAHOGANY	X		12	17	23
279		X	COCONUT		X	11	16	16
280		X	COCONUT		X	10	14	17
281		X	COCONUT		X	12	15	17
282		X	COCONUT		X	10	17	15
283		X	COCONUT		X	10	10	14
284		X	QUEEN PALM		X	10	15	16
285		X	QUEEN PALM		X	10	17	15
286		X	PALM		X	10	18	16
287		X	QUEEN PALM		X	9	17	15
288		X	QUEEN PALM		X	11	15	16
289		X	QUEEN PALM		X	9	17	17
290		X	QUEEN PALM		X	10	16	16
291		X	QUEEN PALM		X	6	15	30
292		X	QUEEN PALM		X	8	10	25
293		X	QUEEN PALM		X	8	10	20
294		X	QUEEN PALM		X	8	10	20
295		X	PALM		X	11	15	13
296		X	SILVER TRUMP		X	6	8	20
297		X	SILVER TRUMP		X	6	8	20
298		X	SILVER TRUMP		X	6	14	15
299		X	PALM TREE		X	10	15	25
300		X	SILVER TRUMP		X	6	10	15
301		X	PALM		X	9	17	15
302		X	PALM		X	10	18	18
303		X	PALM TREE		X	9	12	30
304		X	SILVER TRUMP		X	6	8	20
305		X	QUEEN PALM		X	9	12	35
306		X	PALM		X	12	20	30
307		X	QUEEN PALM		X	12	20	30
308		X	QUEEN PALM		X	12	20	30
309		X	SILVER TRUMP		X	6	10	20
310		X	QUEEN PALM		X	12	20	30
311		X	SILVER TRUMP		X	6	8	20
312		X	SILVER TRUMP		X	6	10	20
313		X	QUEEN PALM		X	12	20	30
314		X	SILVER TRUMP		X	6	10	20
315		X	QUEEN PALM		X	12	20	30
316		X	QUEEN PALM		X	6	10	20
317		X	QUEEN PALM		X	12	20	30
318		X	QUEEN PALM		X	12	20	30
319		X	JACARANDA		X	6	15	13
320		X	QUEEN PALM		X	11	16	14
321		X	QUEEN PALM		X	12	17	15
322		X	JACARANDA		X	7	14	12
323		X	JACARANDA		X	5	16	14
324		X	QUEEN PALM		X	10	15	13
325		X	JACARANDA		X	7	16	12
326		X	QUEEN PALM		X	11	17	14
327		X	JACARANDA		X	6	14	12
328		X	JACARANDA		X	7	15	13
329		X	JACARANDA		X	6	15	13
330		X	BLACK OLIVE		X	8	14	15
331		X	BLACK OLIVE		X	9	13	14
332		X	BLACK OLIVE		X	7	15	16
333		X	BLACK OLIVE		X	9	15	14
334		X	BLACK OLIVE		X	8	13	15
335		X	OAK	X		6	8	20
336		X	BLACK OLIVE		X	6	7	21
337		X	BLACK OLIVE		X	8	9	20
338		X	BLACK OLIVE		X	7	8	19
339		X	BLACK OLIVE		X	6	7	21
340		X	BLACK OLIVE		X	8	8	19
341		X	BLACK OLIVE		X	6	9	20
342		X	BLACK OLIVE		X	3	5	8
343		X	OAK	X		4	4	9
344		X	OAK	X		5	6	8
345		X	OAK	X		6	5	9
346		X	ROYAL PALM		X	20	30	18
347		X	ROYAL PALM		X	19	29	17
348		X	ROYAL PALM		X	21	31	19

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RECEIVED
208-166
SEP 02 2008
G HEARINGS SECTION

SANTOS / RAIMUNDEZ
Architects P.A.
3134 CORAL WAY MIAMI, FLORIDA 33145
(305) 448 8224 Lic. No. AA-P0002699

LANDSCAPE TABLE

BELEN JESUIT PREPARATORY SCHOOL
MASTER PLAN
500 S.W. 127th. AVE.
MIAMI, FLORIDA.

DRAWN A.V./M.K
CHECKED E.S.
DATE 04-24-08
PROJ. NO. 0727
REVISIONS
1 06-02-08 COMMENTS
2 08-06-08 COMMENTS

SHEET
LS-2A
OF
7

LANDSCAPE TABLE CON'T

	NEW	EXIST.	COMMON PLANT NAME	NATIVE YES	NATIVE NO	CALIPER (IN.)	CANOPY DIAMETER	HEIGHT
		X	COCONUT PALM		X	12	16	19
350		X	COCONUT PALM		X	15	11	18
351		X	COCONUT PALM		X	13	15	18
352		X	OAK	X		4	4	4
353		X	ROYAL PALM TREE		X	16	17	25
354		X	ROYAL PALM TREE		X	15	18	24
355		X	ROYAL PALM TREE		X	17	16	25
356		X	ROYAL PALM TREE		X	15	17	26
357		X	ROYAL PALM TREE		X	16	16	25
358		X	ROYAL PALM TREE		X	17	15	24
359		X	ROYAL PALM TREE		X	16	15	25
360		X	ROYAL PALM TREE		X	15	15	24
361		X	ROYAL PALM TREE		X	17	16	26
362		X	ROYAL PALM TREE		X	16	14	25
363		X	ROYAL PALM TREE		X	16	15	24
364		X	ROYAL PALM TREE		X	17	15	26
365		X	ROYAL PALM TREE		X	16	14	25
366		X	ROYAL PALM TREE		X	14	14	20
367		X	COCONUT PALM		X	10	20	30
368		X	COCONUT PALM		X	11	19	31
369		X	COCONUT PALM		X	9	21	29
370		X	COCONUT PALM		X	10	20	30
371		X	COCONUT PALM		X	11	19	31
372		X	MAHOGANY	X		12	18	22
373		X	PALM		X	8	11	11
374		X	PALM		X	9	10	10
375		X	PALM		X	7	10	12
376		X	PALM		X	9	12	10
377		X	PALM		X	8	11	11
378		X	COCONUT PALM		X	12	15	18
379		X	COCONUT PALM		X	13	15	17
380		X	COCONUT PALM		X	11	15	19
381		X	COCONUT PALM		X	12	14	18
382		X	COCONUT PALM		X	13	15	17
383		X	COCONUT PALM		X	11	15	18
384		X	COCONUT PALM		X	12	15	19
385		X	COCONUT PALM		X	11	15	18
386		X	COCONUT PALM		X	12	14	18
387		X	COCONUT PALM		X	13	14	17
388		X	COCONUT PALM		X	12	16	18
389		X	COCONUT PALM		X	13	15	17
390		X	COCONUT PALM		X	12	14	18
391		X	COCONUT PALM		X	11	14	19
392		X	COCONUT PALM		X	12	15	18
393		X	SABAL PALM	X		11	17	12
394		X	SABAL PALM	X		10	13	12
395		X	OAK	X		5	10	12
396		X	OAK	X		6	9	11
397		X	OAK	X		6	11	13
398		X	OAK	X		5	10	11
399		X	OAK	X		5	11	12
400		X	SABAL PALM	X		12	13	12
401		X	SABAL PALM	X		11	14	11
402		X	SABAL PALM	X		13	12	13
403		X	SABAL PALM	X		11	14	11
404		X	SABAL PALM	X		12	13	12
405		X	SILVER PALM	X		15	15	14
406		X	SILVER PALM	X		16	18	16
407		X	DOGWOOD	X		10	14	13
408		X	DOGWOOD	X		8	15	11
409		X	DOGWOOD	X		10	14	13
410		X	SILVER PALM	X		15	17	15
411		X	DOGWOOD	X		9	15	12
412		X	DOGWOOD	X		8	18	11
413		X	DOGWOOD	X		9	17	12
414		X	SILVER PALM	X		15	17	15
415		X	DOGWOOD	X		8	16	12
416		X	DOGWOOD	X		7	17	11
417		X	DOGWOOD	X		9	19	13
418		X	DOGWOOD	X		8	17	12
419			DOGWOOD	TO BE REMOVED				
420			DOGWOOD	TO BE REMOVED				
421			DOGWOOD	TO BE REMOVED				
422		X	DOGWOOD	X		7	19	11
423		X	DOGWOOD	X		8	18	12
424		X	MONTGOMERY PALM		X	10	18	14
425		X	MONTGOMERY PALM		X	11	13	13
426		X	MONTGOMERY PALM		X	10	17	12
427		X	MONTGOMERY PALM		X	10	16	11
428		X	MONTGOMERY PALM		X	9	17	15
429		X	MONTGOMERY PALM		X	10	18	14
430		X	MONTGOMERY PALM		X	8	11	12
431		X	MONTGOMERY PALM		X	7	10	11
432		X	MONTGOMERY PALM		X	9	12	13
433		X	MONTGOMERY PALM		X	8	11	12
434		X	DOGWOOD	X		7	19	13
435		X	DOGWOOD	X		9	17	11

LANDSCAPE TABLE CON'T

SYMBOL	NEW	EXIST.	COMMON PLANT NAME	NATIVE YES	NATIVE NO	CALIPER (IN.)	CANOPY DIAMETER	HEIGHT
436		X	DOGWOOD	X		8	18	12
437		X	PALM		X	9	15	15
438		X	PALM		X	11	17	13
439		X	GUMBO LIMBO	X		9	16	12
440		X	GUMBO LIMBO	X		10	13	11
441		X	GUMBO LIMBO	X		8	17	13
442		X	GUMBO LIMBO	X		10	17	13
443		X	AUSTRALIAN PINE		X	18	30	24
444		X	GUMBO LIMBO	X		10	15	13
445		X	GUMBO LIMBO	X		10	15	11
446		X	GUMBO LIMBO	X		8	15	11
447		X	GUMBO LIMBO	X		10	14	12
448		X	GUMBO LIMBO	X		12	17	12
449		X	MAHOGANY	X		12	15	20
450		X	MAHOGANY	X		13	17	22
451		X	GUMBO LIMBO	X		9	16	12
452		X	GUMBO LIMBO	X		8	17	13
453		X	GUMBO LIMBO	X		9	15	11
454		X	GUMBO LIMBO	X		8	15	13
455		X	GUMBO LIMBO	X		9	15	11
456		X	GUMBO LIMBO	X		10	17	12
457		X	GUMBO LIMBO	X		10	15	13
458		X	GUMBO LIMBO	X		11	15	11
459		X	GUMBO LIMBO	X		10	17	13
460		X	GUMBO LIMBO	X		9	16	12
461		X	GUMBO LIMBO	X		8	15	11
462		X	GUMBO LIMBO	X		10	17	13
463		X	GUMBO LIMBO	X		9	15	12
464		X	GUMBO LIMBO	X		8	16	11
465		X	GUMBO LIMBO	X		10	15	13
466		X	GUMBO LIMBO	X		9	16	12
467		X	GUMBO LIMBO	X		10	17	11
468		X	GUMBO LIMBO	X		9	16	12
469		X	GUMBO LIMBO	X		10	15	13
470		X	SILVER PALM	X		18	16	16
471		X	SILVER PALM	X		19	17	15
472		X	GUMBO LIMBO	X		9	16	12
473		X	GUMBO LIMBO	X		10	17	13
474		X	GUMBO LIMBO	X		8	15	11
475		X	GUMBO LIMBO	X		10	16	13
476		X	GUMBO LIMBO	X		9	17	12
477		X	MAHOGANY	X		11	17	15
478		X	MAHOGANY	X		10	16	17
479		X	MAHOGANY	X		12	18	19
480		X	MAHOGANY	X		10	17	17
481		X	MAHOGANY	X		10	18	17
482		X	MAHOGANY	X		11	17	18
483		X	MAHOGANY	X		11	18	17
484		X	AUSTRALIAN PINE		X	17	31	23
485		X	MAHOGANY	X		10	16	19
486		X	MAHOGANY	X		12	16	17
487		X	AUSTRALIAN PINE		X	19	29	25
488		X	MAHOGANY	X		12	18	17
489		X	MAHOGANY	X		11	17	18
490		X	MAHOGANY	X		10	16	19
491		X	MAHOGANY	X		11	17	18
492		X	MAHOGANY	X		10	18	17
493		X	MAHOGANY	X		12	18	12
494		X	SILVER PALM	X		16	16	16
495		X	SILVER PALM	X		19	17	15
496		X	SILVER PALM	X		15	17	15
497		X	MAHOGANY	X		10	10	8
498		X	MAHOGANY	X		11	16	18
499		X	MAHOGANY	X		12	17	19
500		X	MAHOGANY	X		10	15	17
501		X	MAHOGANY	X		11	17	18
502		X	MAHOGANY	X		12	15	19
503		X	MAHOGANY	X		11	16	18
504		X	MAHOGANY	X		4	10	5
505		X	MAHOGANY	X		5	9	6
506		X	MAHOGANY	X		3	9	4
507		X	MAHOGANY	X		5	11	6
508		X	MAHOGANY	X		10	14	12
509		X	MAHOGANY	X		12	16	14
510		X	MAHOGANY	X		10	14	13
511		X	MAHOGANY	X		11	15	12
512		X	MAHOGANY	X		11	15	13
513		X	MAHOGANY	X		6	12	14
514		X	JACARANDA		X	9	14	15
515		X	JACARANDA		X	10	15	16
516		X	JACARANDA		X	9	14	15
517		X	JACARANDA		X	10	14	16
518		X	JACARANDA		X	10	15	14
519		X	JACARANDA		X	8	13	16
520		X	JACARANDA		X	8	15	14
521		X	SABAL PALM	X		10	7	7
522		X	SABAL PALM	X		11	8	8

LANDSCAPE TABLE CON'T

SYMBOL	NEW	EXIST.	COMMON PLANT NAME	NATIVE YES	NATIVE NO	CALIPER (IN.)	CANOPY DIAMETER	HEIGHT
523		X	SABAL PALM	X		10	8	7
524		X	SABAL PALM	X		11	6	8
525		X	SABAL PALM	X		10	8	7
526		X	SABAL PALM	X		11	8	6
527		X	SABAL PALM	X		10	7	7
528		X	SABAL PALM	X		11	12	12
529		X	SABAL PALM	X		10	12	11
530		X	SABAL PALM	X		11	12	12
531		X	SABAL PALM	X		10	13	11
532		X	SABAL PALM	X		12	12	12
533		X	SABAL PALM	X		10	13	11
534		X	SABAL PALM	X		10	12	11
535		X	SABAL PALM	X		11	13	12
536		X	SABAL PALM	X		10	13	11
537		X	SABAL PALM	X		11	12	12
538		X	SABAL PALM	X		10	7	7
539		X	SABAL PALM	X		15	10	30
540		X	SABAL PALM	X		11	8	8
541		X	SABAL PALM	X		9	6	6
542		X	SABAL PALM	X		10	6	7
543		X	SABAL PALM	X		9	6	8
544		X	SABAL PALM	X		10	7	7
545		X	JACARANDA		X	9	15	17
546		X	JACARANDA		X	9	17	16
547		X	JACARANDA		X	10	16	19
548		X	JACARANDA		X	9	15	18
549		X	JACARANDA		X	10	16	19
550		X	BLACK OLIVE		X	9	12	13
551		X	BLACK OLIVE		X	10	11	14
552		X	BLACK OLIVE		X	10	12	12
553		X	BLACK OLIVE		X	10	12	14
554		X	BLACK OLIVE		X	7	12	12
555		X	BLACK OLIVE		X	9	13	14
556		X	JACARANDA		X	11	21	22
557		X	BLACK OLIVE		X	10	12	13
558		X	BLACK OLIVE		X	9	11	12
559		X	JACARANDA		X	10	20	21
560		X	BLACK OLIVE		X	9	12	12
561		X	JACARANDA		X	12	22	23
562		X	BLACK OLIVE		X	10	11	12
563		X	MAHOGANY	X		11	11	10
564		X	BLACK OLIVE		X	7	13	13
565		X	BLACK OLIVE		X	8	12	14
566		X	OAK	X		5	10	8
567		X	BLACK OLIVE		X	8	14	12
568		X	JACARANDA		X	9	13	12
569		X	BLACK OLIVE		X	7	12	14
570		X	MAHOGANY	X		13	16	20
571		X	BLACK OLIVE		X	8	12	14
572		X	MAHOGANY	X		12	17	19
573		X	BLACK OLIVE		X	7	13	13
574		X	JACARANDA		X	7	15	12
575		X	BLACK OLIVE		X	8	13	12
576		X	JACARANDA		X	8	16	11
577		X	BLACK OLIVE		X	6	13	12
578		X	JACARANDA		X	8	16	13
579		X	BLACK OLIVE		X	8	12	14
580		X	JACARANDA		X	7	15	12
581		X	OAK	X		7	11	9
582		X	BLACK OLIVE		X	7	13	13
583		X	JACARANDA		X	7	15	12
584		X	OAK	X		5	9	11
585		X	BLACK OLIVE		X	6	12	14
586		X	JACARANDA		X	8	16	12
587		X	BLACK OLIVE		X	8	13	12
588		X	BLACK OLIVE		X	8	14	13
589		X	JACARANDA		X	6	13	13
590		X	OAK	X		6	10	11
591		X	BLACK OLIVE		X	7	13	13
592		X	OAK	X		6	11	11
593		X	JACARANDA		X	6	16	14
594		X	JACARANDA		X	5	14	12
595		X	BLACK OLIVE		X	9	15	16
596		X	JACARANDA		X	6	14	12
597		X	BLACK OLIVE		X	8	14	15
598		X	JACARANDA		X	7	15	12
599		X	BLACK OLIVE		X	8	13	14
600		X	OAK	X		6	10	10
601		X	JACARANDA		X	7	13	15
602		X	BLACK OLIVE		X	7	15	14
603		X	JACARANDA		X	6	15	13
604		X	BLACK OLIVE		X	9	13	16
605		X	JACARANDA		X	5	14	12
606		X	BLACK OLIVE		X	9	13	15
607		X	OAK	X		7	12	11
608		X	BLACK OLIVE		X	7	12	11
609		X	BLACK OLIVE		X	7	12	11

LANDSCAPE TABLE CON'T

SYMBOL	NEW	EXIST.	COMMON PLANT NAME	NATIVE YES	NATIVE NO	CALIPER (IN.)	CANOPY DIAMETER	HEIGHT
610		X	BLACK OLIVE		X	8	15	14
611		X	JACARANDA		X	7	14	12
612		X	BLACK OLIVE		X	9	15	16
613		X	JACARANDA		X	8	15	50
614		X	OAK	X		6	11	9
615		X	OAK	X		6	10	9
616		X	OAK	X		6	11	10
617		X	OAK	X		8	12	10
618		X	OAK	X		6	12	10
619		X	BLACK OLIVE		X	8	11	11
620		X	OAK	X		7	12	11
621		X	OAK	X		7	12	11
622		X	OAK	X		5	10	10
623		X	OAK	X		6	11	10
624		X	SILVER PALM	X		15	17	15
625		X	SILVER PALM	X		15	18	14
626		X	SILVER PALM	X		15	18	15
627		X	SILVER PALM	X		16	18	14
628		X	JACARANDA		X	10	17	16
629		X	JACARANDA		X	11	16	15
630		X	JACARANDA		X	9	16	17
631		X	BLACK OLIVE		X	7	11	12
632		X	BLACK OLIVE		X	5	12	10
633		X	BLACK OLIVE		X	7	12	12
634		X	OAK	X		6	10	10
635		X	BLACK OLIVE		X	5	11	10
636		X	BLACK OLIVE		X	8	11	11
637		X	SILVER PALM	X		18	14	12
638		X	SILVER PALM	X		15	13	11
639		X	SILVER PALM	X		17	19	13
640		X	SILVER PALM	X		15	15	11
641		X	SILVER PALM	X		17	15	13
642		X	OAK	X		5	11	10
643		X	OAK	X		6	12	10
644		X	SILVER PALM	X		18	14	12
645		X	SILVER PALM	X		15	15	13
646		X	SILVER PALM	X		16	15	12
647		X	SILVER PALM	X		15	13	11
648		X	SILVER PALM	X		17	13	12
649		X	SILVER PALM	X		18	14	12
650		X	BLACK OLIVE		X	7	12	12
651		X	OAK	X		6	10	10
652		X	BLACK OLIVE		X	8	13	11
653		X	BLACK OLIVE		X	6	11	13
654		X	OAK	X		7	11	9
655		X	BLACK OLIVE		X	6	11	11
656		X	JACARANDA		X	9	18	20
657		X	BLACK OLIVE		X	8	13	11
658		X	JACARANDA		X	10	17	21
659		X	JACARANDA		X	8	19	19
660		X	BLACK OLIVE		X	8	13	11
661		X	JACARANDA		X	10	19	21
662		X	JACARANDA		X	8	17	19
663		X	OAK	X		6	10	9
664		X	BLACK OLIVE		X	8	13	11
665		X	BLACK OLIVE		X	7	12	13
666		X	BLACK OLIVE		X	9	12	11
667		X	OAK	X		5	10	10
668		X	OAK	X		5	10	10
669		X	OAK	X		6	10	10
670		X	OAK	X		6	10	10
671		X	OAK	X		7	11	9
672		X	OAK	X		6	11	10
673		X	OAK	X		7	11	9
674		X	OAK	X		6	10	10
675		X	OAK	X		6	12	10
676		X	OAK	X		6	12	10
677		X	SILVER PALM	X		15	14	12
678		X	OAK	X		6	12	10
679		X	OAK	X		5	12	10
680		X	OAK	X		6	10	10
681		X	OAK	X		5	10	4
682		X	OAK	X		6	11	11
683		X	OAK	X		6	12	11
684		X	JACARANDA		X	11	21	22
685		X	OAK	X		6	10	10
686		X	PALM		X	4	12	12
687		X	PALM CLU		X	12	10	12
688		X	PALM CLU		X	15	11	13
689		X	PALM CLU		X	13	9	11
690		X	ROYAL PALM		X	8	10	20
691		X	COCONUT		X	14	12	12
692		X	COCONUT		X	10	5	10
693		X	PINE TREE		X	25	30	40
694		X	COCONUT		X	10	5	10
695		X	COCONUT		X	10	5	10
696		X	PINE TREE		X	10	15	35

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LANDSCAPE TABLE

DRAWN A.V./M.K
CHECKED E.S.
DATE 04-24-08
PROJ. NO. 0727

REVISIONS
1 06-02-08 CORRECTS
2 08-08-08 CORRECTS

SHEET
LS-2B
OF
-7

RECEIVED
208-1662
SEP 02 2008
ZONING HEARINGS SECTION

54

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LANDSCAPE TABLE CON'T

SYMBOL	NEW	EXIST.	COMMON PLANT NAME	NATIVE YES	NATIVE NO	CALIPER (IN.)	CANOPY DIAMETER	HEIGHT
698		X	PINE TREE		X	10	15	35
699		X	DOGWOOD	X		7	14	7
700		X	DOGWOOD	X		3	12	6
701		X	DOGWOOD	X		9	22	12
702		X	DOGWOOD	X		10	23	14
703		X	DOGWOOD	X		10	21	14
704		X	DOGWOOD	X		10	22	12
705		X	DOGWOOD	X		8	12	10
706		X	DOGWOOD	X		10	24	15
707		X	DOGWOOD	X		9	18	12
708		X	DOGWOOD	X		7	21	13
709		X	DOGWOOD	X		3	9	3
710		X	DOGWOOD	X		7	19	12
711		X	DOGWOOD	X		10	21	14
712		X	DOGWOOD	X		8	21	10
713		X	DOGWOOD	X		8	18	12
714		X	DOGWOOD	X		11	12	12
715		X	DOGWOOD	X		7	14	12
716		X	DOGWOOD	X		6	13	10
717		X	DOGWOOD	X		10	17	12
718		X	DOGWOOD	X		5	13	10
719		X	DOGWOOD	X		3	10	10
720		X	DOGWOOD	X		3	11	6
721		X	DOGWOOD	X		3	10	6
722		X	DOGWOOD	X		17	15	15
723		X	DOGWOOD	X		16	14	16
724		X	DOGWOOD	X		16	16	14
725		X	DOGWOOD	X		17	14	15
726		X	COCONUT PALM		X	17	15	15
727		X	COCONUT PALM		X	16	16	14
728		X	DOGWOOD	X		16	14	16
729		X	DOGWOOD	X		6	20	12
730		X	DOGWOOD	X		5	19	11
731		X	MAHOGANY	X		7	21	13
732		X	MAHOGANY	X		6	19	12
733		X	MAHOGANY	X		5	20	11
734		X	MAHOGANY	X		7	21	13
735		X	MAHOGANY	X		6	19	12
736		X	MAHOGANY	X		5	20	11
737		X	COCONUT		X	7	21	13
738		X	COCONUT		X	10	20	35
739		X	COCONUT		X	11	21	36
740		X	COCONUT		X	9	19	34
741		X	COCONUT		X	9	20	35
742		X	COCONUT		X	11	21	36
743		X	COCONUT		X	10	19	34
744		X	SABAL PALM	X		16	12	20
745		X	PALM		X	10	12	25
746		X	PALM		X	9	13	24
747		X	PALM CLUSTER		X	6	10	20
748		X	PALM CLUSTER		X	5	9	19
749		X	PALM CLUSTER		X	6	10	20
750		X	PALM CLUSTER		X	7	11	21
751		X	PALM		X	8	12	20
752		X	CANARY PALM		X	22	12	15
753		X	COCONUT		X	14	10	15
754		X	PALM		X	10	10	15
755		X	PALM		X	9	11	16
756		X	PALM		X	11	12	14
757		X	PALM		X	10	10	15
758		X	PALM		X	9	12	16
759		X	PALM		X	11	9	14
760		X	CANARY PALM		X	20	12	10
761		X	PALM		X	10	12	20
762		X	CANARY PALM		X	20	10	10
763		X	CANARY PALM		X	23	12	12
764		X	COCONUT		X	8	15	15
765		X	COCONUT		X	9	14	16
766		X	COCONUT		X	18	15	20
767		X	COCONUT		X	10	15	20
768		X	COCONUT		X	11	16	19
769		X	COCONUT		X	9	14	20
770		X	COCONUT		X	11	15	21
771		X	COCONUT		X	9	14	19
772		X	COCONUT		X	11	16	21
773		X	DATE PALM	X		14	12	20
774		X	CANARY PALM		X	20	10	10
775		X	PALM	X		14	10	15
776		X	CANARY PALM		X	14	5	8
777		X	CANARY PALM		X	15	6	7
778		X	CANARY PALM		X	13	4	9
779		X	CANARY PALM	TO BE REMOVED				
780		X	CANARY PALM	TO BE REMOVED				
781		X	CANARY PALM	TO BE REMOVED				
782		X	CANARY PALM	TO BE REMOVED				
783		X	CANARY PALM		X	13	11	11

LANDSCAPE TABLE CON'T

SYMBOL	NEW	EXIST.	COMMON PLANT NAME	NATIVE YES	NATIVE NO	CALIPER (IN.)	CANOPY DIAMETER	HEIGHT
784		X	CANARY PALM	TO BE REMOVED				
785		X	CANARY PALM	TO BE REMOVED				
786		X	CANARY PALM		X	17	9	11
787		X	CANARY PALM		X	16	7	9
788		X	CANARY PALM		X	13	8	11
789		X	CANARY PALM		X	16	9	11
790		X	CANARY PALM		X	17	8	9
791		X	CANARY PALM		X	13	7	10
792		X	SILVER PALM	X		16	9	10
793		X	DATE PALM		X	10	5	9
794		X	FISH TAIL PALM CLU		X	18	13	10
795		X	DATE PALM		X	10	5	10
796		X	DATE PALM		X	10	5	10
797		X	BOTTLE PALM		X	10	5	8
798		X	BOTTLE PALM		X	11	6	8
799		X	BOTTLE PALM		X	12	5	8
800		X	BOTTLE PALM		X	10	6	8
801		X	BOTTLE PALM		X	11	5	8
802		X	BOTTLE PALM		X	10	5	8
803		X	BOTTLE PALM		X	11	6	8
804		X	BOTTLE PALM		X	10	5	9
805		X	ROYAL PALM		X	12	13	15
806		X	ROYAL PALM		X	13	12	14
807		X	BAMBOO CLUSTER		X	7	32	24
808		X	DATE PALM		X	12	10	12
809		X	SILVER PALM	X		17	15	15
810		X	SILVER PALM	X		18	14	16
811		X	SILVER PALM	X		16	16	14
812		X	SILVER PALM	X		17	14	15
813		X	SILVER PALM	X		17	15	15
814		X	CANARY PALM		X	18	16	14
815		X	SILVER PALM	X		18	14	16
816		X	ALEXANDER PALM CLU		X	6	20	12
817		X	ALEXANDER PALM CLU		X	5	19	11
818		X	ALEXANDER PALM CLU		X	7	21	13
819		X	ALEXANDER PALM CLU		X	6	19	12
820		X	ALEXANDER PALM CLU		X	5	20	11
821		X	ALEXANDER PALM CLU		X	7	21	13
822		X	ALEXANDER PALM CLU		X	6	19	12
823		X	ALEXANDER PALM CLU		X	5	20	11
824		X	ALEXANDER PALM CLU		X	7	21	13
825		X	COCONUT PALM		X	10	20	35
826		X	COCONUT PALM		X	11	21	36
827		X	COCONUT PALM		X	9	19	34
828		X	COCONUT PALM		X	9	20	35
829		X	COCONUT PALM		X	11	21	36
830	X		GEIGER TREE	X				
831	X		GEIGER TREE	X				
832	X		GEIGER TREE	X				
833	X		SILVER BUTTONWOOD	X				
834	X		SILVER BUTTONWOOD	X				
835	X		SILVER BUTTONWOOD	X				
836	X		SILVER BUTTONWOOD	X				
837	X		SILVER BUTTONWOOD	X				
838	X		BLACK IRONWOOD	X				
839	X		GEIGER TREE	X				
840	X		GEIGER TREE	X				
841	X		SILVER BUTTONWOOD	X				
842	X		SILVER BUTTONWOOD	X				
843	X		SILVER BUTTONWOOD	X				
844	X		SILVER BUTTONWOOD	X				
845	X		SILVER BUTTONWOOD	X				
846	X		GEIGER TREE	X				
847	X		GEIGER TREE	X				
848	X		GEIGER TREE	X				
849	X		BLACK IRONWOOD	X				
850	X		BLACK IRONWOOD	X				
851	X		BLACK IRONWOOD	X				
852	X		BLACK IRONWOOD	X				
853	X		BLACK IRONWOOD	X				
854	X		BLACK IRONWOOD	X				
855	X		BLACK IRONWOOD	X				
856	X		SILVER BUTTONWOOD	X				
857	X		SILVER BUTTONWOOD	X				
858	X		SILVER BUTTONWOOD	X				
859	X		SILVER BUTTONWOOD	X				
860	X		SILVER BUTTONWOOD	X				
861	X		BLACK IRONWOOD	X				
862	X		BLACK IRONWOOD	X				
863	X		BLACK IRONWOOD	X				
864	X		BLACK IRONWOOD	X				
865	X		BLACK IRONWOOD	X				
866	X		SILVER BUTTONWOOD	X				
867	X		SILVER BUTTONWOOD	X				
868	X		SILVER BUTTONWOOD	X				
869	X		SILVER BUTTONWOOD	X				
870	X		SILVER BUTTONWOOD	X				

LANDSCAPE TABLE CON'T

SYMBOL	NEW	EXIST.	COMMON PLANT NAME	NATIVE YES	NATIVE NO	CALIPER (IN.)	CANOPY DIAMETER	HEIGHT
871	X		SILVER BUTTONWOOD	X				
872	X		SILVER BUTTONWOOD	X				
873	X		BLACK IRONWOOD	X				
874	X		BLACK IRONWOOD	X				
875	X		BLACK IRONWOOD	X				
876	X		BLACK IRONWOOD	X				
877	X		BLACK IRONWOOD	X				
878	X		SILVER BUTTONWOOD	X				
879	X		SILVER BUTTONWOOD	X				
880	X		SILVER BUTTONWOOD	X				
881	X		SILVER BUTTONWOOD	X				
882	X		OAK	X				
883	X		OAK	X				
884	X		OAK	X				
885	X		OAK	X				
886	X		GEIGER TREE	X				
887	X		GEIGER TREE	X				
888	X		GEIGER TREE	X				
889	X		GEIGER TREE	X				
890	X		GEIGER TREE	X				
891	X		BLACK IRONWOOD	X				
892	X		BLACK IRONWOOD	X				
893	X		BLACK IRONWOOD	X				
894	X		BLACK IRONWOOD	X				
895	X		BLACK IRONWOOD	X				
896	X		BLACK IRONWOOD	X				
897	X		GEIGER TREE	X				
898	X		GEIGER TREE	X				
899	X		GEIGER TREE	X				
900	X		GEIGER TREE	X				
901	X		GEIGER TREE	X				
902	X		GEIGER TREE	X				
903	X		GEIGER TREE	X				
904	X		GEIGER TREE	X				
905	X		GEIGER TREE	X				
906	X		GEIGER TREE	X				
907	X		GEIGER TREE	X				
908	X		GEIGER TREE	X				
909	X		GEIGER TREE	X				
910	X		GEIGER TREE	X				
911	X		GEIGER TREE	X				
912	X		GEIGER TREE	X				
913	X		GEIGER TREE	X				
914	X		GEIGER TREE	X				
915	X		GEIGER TREE	X				
916	X		GEIGER TREE	X				
917	X		GEIGER TREE	X				
918	X		GEIGER TREE	X				
919	X		GEIGER TREE	X				
920	X		GEIGER TREE	X				
921	X		GEIGER TREE	X				
922	X		GEIGER TREE	X				
923	X		OAK	X				
924	X		OAK	X				
925	X		OAK	X				
926	X		OAK	X				
927	X		OAK	X				
928	X		OAK	X				
929	X		OAK	X				
930	X		OAK	X				
931	X		OAK	X				
932	X		OAK	X				
933	X		OAK	X				
934	X		OAK	X				
935	X		OAK	X				
936	X		OAK	X				
937	X		OAK	X				
938	X		OAK	X				
939	X		OAK	X				
940	X		OAK	X				
941	X		OAK	X				
942	X		OAK	X				
943	X		OAK	X				
944	X		OAK	X				
945	X		OAK	X				
946	X		OAK	X				
947	X		OAK	X				
948	X		OAK	X				
949	X		OAK	X				
950	X		OAK	X				
951	X		OAK	X				
952	X		OAK	X				
953	X		OAK	X				

LANDSCAPE LEGEND

ZONING DISTRICT: EU-1 WITH RESOLUTION — NET LOT AREA: 31.08 ACRES 1,354,189.30 S.F.

DEFINITION	REQUIRED	PROVIDED
• OPEN SPACE		
A. SQUARE FEET OF OPEN SPACE REQUIRED BY CHAPTER 33, AS INDICATED ON SITE PLAN. NET LOT AREA(1,354,189.3 SF X%) X S.F.	203,128.40 S.F.	1,182,006.30 S.F.
B. SQUARE FEET OF PARKING LOT OPEN SPACE REQUIRED BY CHAPTER 18A, AS INDICATED ON SITE PLAN. THE NUMBER OF PARKING SPACES X 10 S.F. PER PARKING SPACE(	4,140 S.F.	4,140 S.F.
C. TOTAL SQUARE FEET OF LANDSCAPED OPEN SPACE REQUIRED BY CHAPTER 33 (A+B)	207,268.40 S.F	1,186,146.30 S.F
• LAWN AREA CALCULATION		
A. TOTAL SQUARE FEET OF LANDSCAPED OPEN SPACE REQUIRED BY CHAPTER 33(	207,028.40 S.F.	
B MAXIMUM LAWN AREA (ST AUGUSTINE SOD) PERMITTED (X %) X S.F	62,611.26 S.F.	515,494 S.F.
• TREES		
A. THE NUMBER OF TREES REQUIRED PER NET LOT ACRE LESS THE EXISTING NUMBER OF TREES THAT MEET MINIMUM REQUIREMENTS (28 TREES X 31.08 AC.)	870	
B. 30% PALM TREES ALLOWED (TWO PALMS=ONE TREE) PALMS PROVIDED	261	185
C. PERCENTAGE OF NATIVE TREES REQUIRED (THE NUMBER OF TREES PROVIDED X 30%(	261	235
D. STREET TREES (MAX AVERAGE SPACING OF 35' O.C.) 4,215.25 LINEAR FEET ALONG STREET / 35 (	120	100
E. STREET TREES LOCATED DIRECTLY BENEATH POWER LINES (MAXIMUM AVERAGE SPACING OF 25' O.C.) 4,215.25 LINEAR FEET ALONG STREET / 25 (	N/A	
F. TOTAL NUMBER OF TREES PROVIDED (	870	646
• SHRUBS		
A. THE TOTAL NUMBER OF TREES REQUIRED X 10 (THE NUMBER OF SHRUBS REQUIRED	8,700	4,494
B THE NUMBER OF SHRUBS REQUIRED BY X 30% (THE NUMBER OF NATIVE SHRUBS REQUIRED	2,610	2,881
• IRRIGATION PLAN: REQUIRED BY CHAPTER 33 AUTO IRRIGATION OR HOSE BIB PROVIDED		AUTO IRRIGATION

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

SANTOS / RAIMUNDEZ Architects P.A.
9134 CORAL WAY MIAMI, FLORIDA 33165
(305) 448 8224 Lic. No. AA-C000299

LANDSCAPE TABLE

BELEN JESUIT PREPARATORY SCHOOL
MASTER PLAN
500 S.W. 127th. AVE.
MIAMI, FLORIDA.

DRAWN A.V./M.K
CHECKED E.S.
DATE 04-24-08
PROJ. NO. 0727
REVISIONS
1 06-02-08 COMMENTS
2 08-08-08 COMMENTS

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OF
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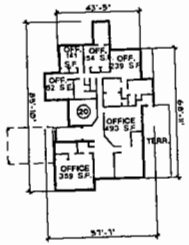
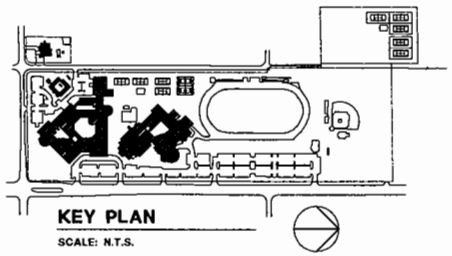


BUILDING 20

BUILDINGS

1. EXISTING ADMINISTRATION BUILDING (2 STORIES)
   1ST. FLOOR: EXISTING ADMINISTRATIVE OFFICES (FUTURE STUDENT SERVICES)
   2ND. FLOOR: CLASSROOMS / LABS
   BUILDING HEIGHT: 24'-0"
2. LIBRARY (2 STORIES)
   1ST. FLOOR: LIBRARY
   2ND. FLOOR: AUDIO VISUAL CLASSROOM
   BUILDING HEIGHT: 24'-0"
3. SCIENCE BUILDING (2 STORIES)
   1ST. AND 2ND. FLOOR: CLASSROOMS AND LABS.
   BUILDING HEIGHT: 24'-0"
4. CLASSROOMS
   1ST. AND 2ND. FLOOR: CLASSROOMS
   BUILDING HEIGHT: 24'-0"
5. 1ST FLOOR: DINING / KITCHEN / CHAPEL
   2ND. FLOOR: CLASSROOMS
   BUILDING HEIGHT: 24'-0"
6. 1ST FLOOR: OFFICES / TEACHER'S LOUNGE
   2ND. FLOOR: CLASSROOMS
   BUILDING HEIGHT: 24'-0"
7. RETREAT / MEDITATION BUILDING (2 STORIES)
   BUILDING HEIGHT: 18'-4"
8. GYMNASIUM (2 STORIES)
   1ST. FLOOR: LOBBY / BASKETBALL COURT / LOCKERS
   2ND. FLOOR: COACHES' OFFICE / EXERCISE ROOM
   BUILDING HEIGHT: 29'-2"
9. ART CENTER (1 STORY)
   1ST. FLOOR: AUDITORIUM / ART GALLERY / ART CLASSROOMS / ART LABS / MUSIC LAB
   BUILDING HEIGHT: 50'-8"
10. ADMINISTRATION BUILDING (2 STORIES)
    1ST. AND 2ND. FLOOR: OFFICES
    BUILDING HEIGHT: 28'-10"
11. EXISTING TENNIS COURTS
12. EXISTING LOCKER ROOMS
13. EXISTING TENNIS COURTS
14. EXISTING SHELTER
15. EXISTING BASKETBALL COURTS
16. EXISTING BLEACHERS
17. EXISTING FOOTBALL FIELD AND TRACK
18. TOILETS / CONCESSION STAND
    BUILDING HEIGHT: 10'-6"
19. EXISTING BASEBALL FIELDS / DUGOUTS
    BUILDING HEIGHT: 9'-0"
20. PROPOSED ADMINISTRATION / DEVELOPMENT BLDG.
    BUILDING HEIGHT: 13'-0"



KEY PLAN

SCALE: N.T.S.

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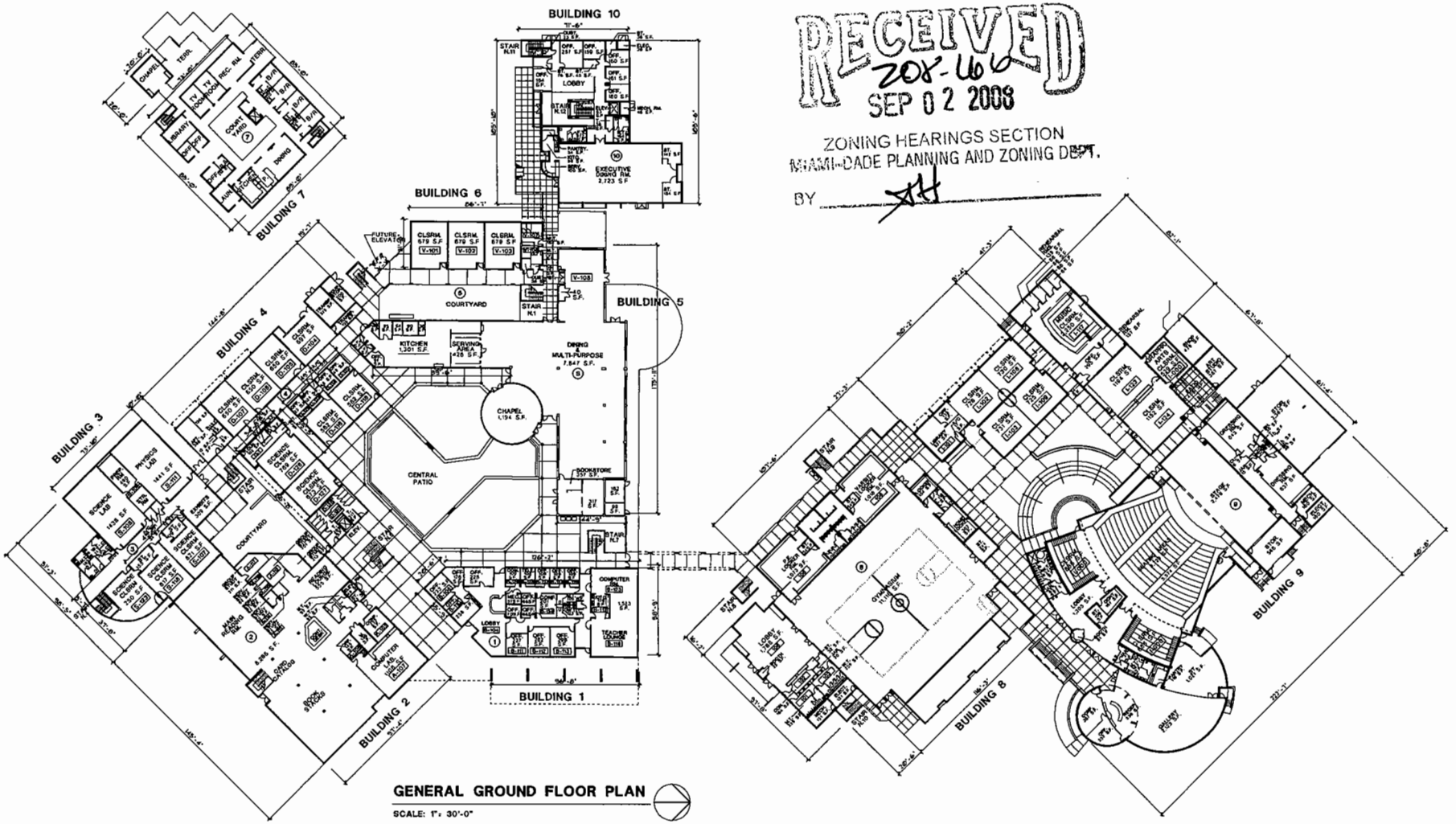

GENERAL GROUND FLOOR PLAN

SCALE: 1" = 30'-0"

SANTOS / RAIMUNDEZ
Architects P.A.
3134 CORAL WAY MIAMI, FLORIDA 33145
(305) 446 8224 Lic. No. AA-P0002629

GENERAL GROUND FLOOR PLAN

BELEN JESUIT PREPARATORY SCHOOL
MASTER PLAN
500 S.W. 127th. AVE.
MIAMI, FLORIDA.

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PROJ. NO. 0727
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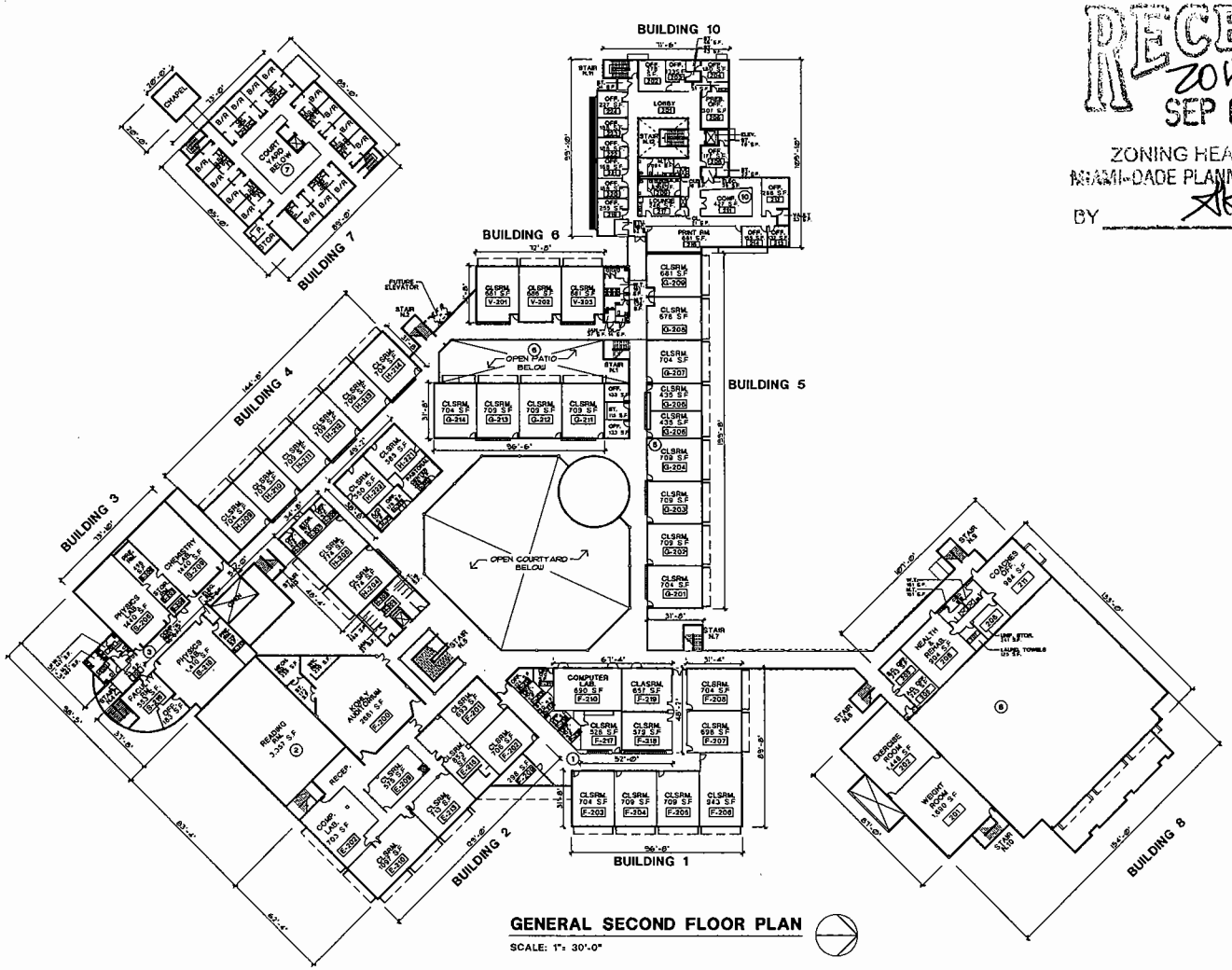
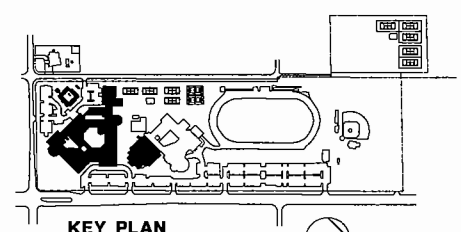


GENERAL SECOND FLOOR PLAN

SCALE: 1"= 30'-0"



KEY PLAN

SCALE: N.T.S.

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    BUILDING HEIGHT: 9'-0"
20. PROPOSED ADMINISTRATION / DEVELOPMENT BLDG.
    BUILDING HEIGHT: 13'-0"

SANTOS / RAIMUNDEZ
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3134 CORAL WAY MIAMI, FLORIDA 33145
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GENERAL SECOND FLOOR PLAN

BELEN JESUIT PREPARATORY SCHOOL
MASTER PLAN
500 S.W. 127th. AVE.
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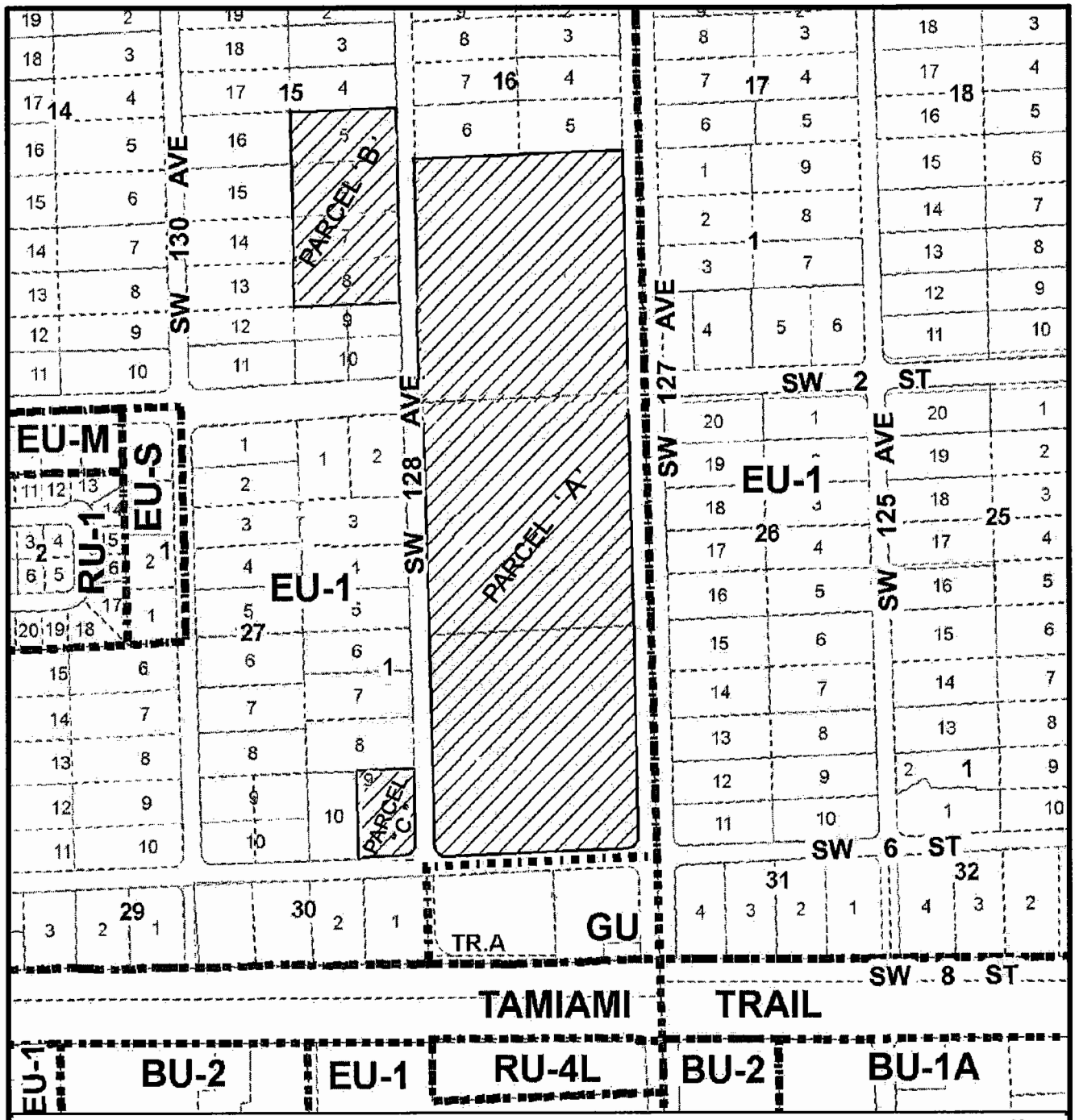


MIAMI-DADE COUNTY

HEARING MAP

Section: 02 Township: 54 Range: 39

Applicant:BELEN JESUIT PREPARATORY SCHOOL, INC.

Zoning Board: C10

Commission District: 12

Drafter ID: JEFFER

Scale: NTS

---------- Zoning

Process Number

08-166

SUBJECT PROPERTY

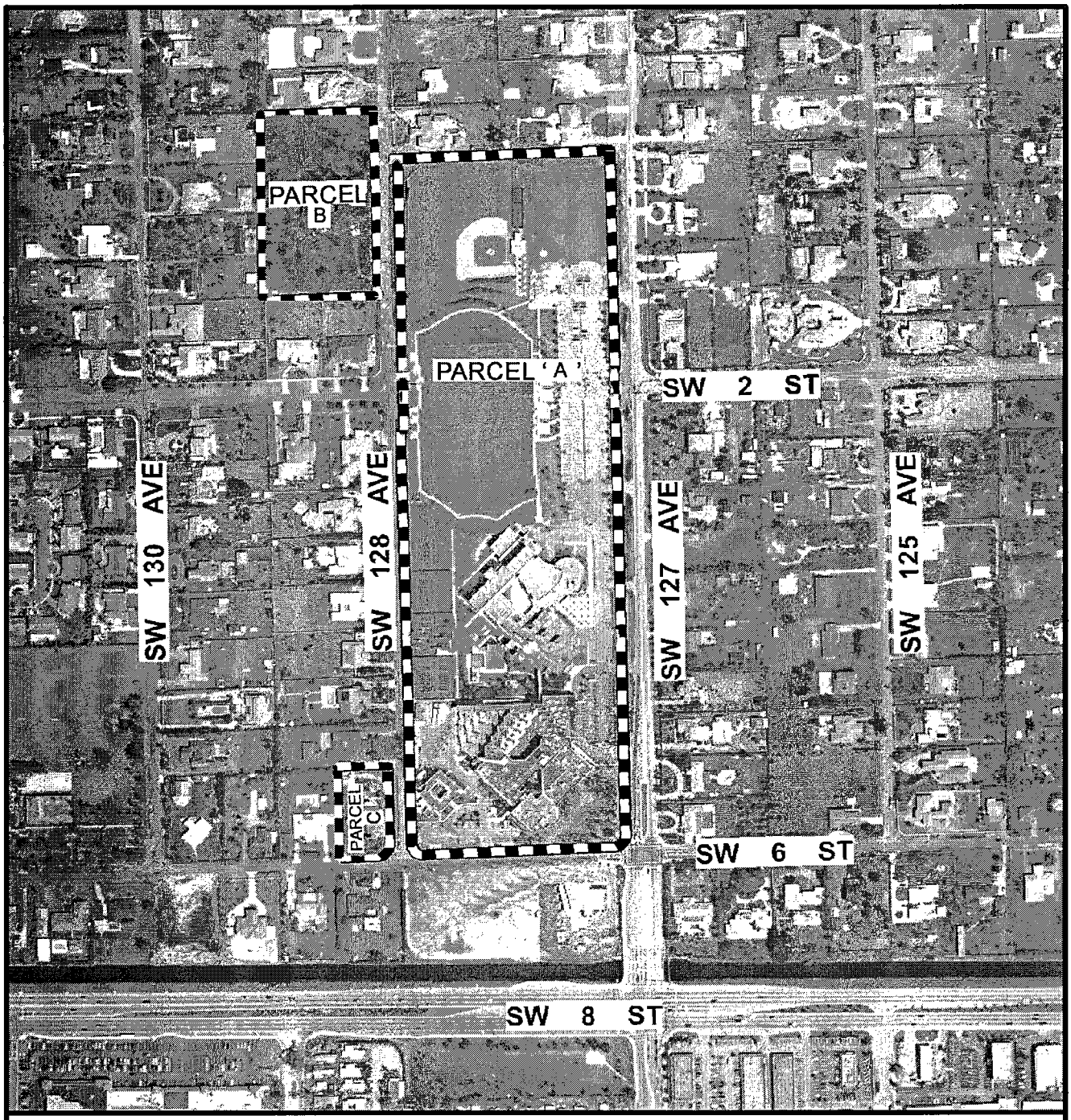
N W E S

RADIUS: 2640'

MIAMI-DADE COUNTY

SKECTH CREATED ON 09/05/08

REVISION	DATE	BY
Applicant Name Change	10/01/08	jgurd



MIAMI-DADE COUNTY

AERIAL YEAR 2008

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MIAMI-DADE COUNTY

SKECTH CREATEDON: 09/05/08

REVISION	DATE	BY
Applicant Name Change	10/31/08	Jgurd