KITS

6-9-2009 Version # 1

MIAMI-DADE COUNTY

COMMUNITY ZONING APPEALS BOARD 10
JORGE MAS CANOSA YOUTH CENTER
250 SW 114 Avenue, City of Sweetwater
Wednesday, July 15, 2009 at 6:30 p.m.

PREVIOUSLY DEFERRED

A.	04-3-CZ10-4	NEIL KADRE	03-324	03-54-40	N

CURRENT

1.	09-7-CZ10-1	REINALDO BERMUDEZ	08-152	11-54-40	N
2.	09-7-CZ-10-2	JANETTE RODRIGUEZ	09-9	18-54-40	N

Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 10

MEETING OF WEDNESDAY, JULY 15, 2009

JORGE MAS CANOSA YOUTH CENTER

250 SW 114 AVENUE, CITY OF SWEETWATER, 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. NEIL KADRE (04-3-CZ10-4/03-324) **03-54-40**
Area 10/Dist. 6

(1) EU-M to RU-1

(2) SPECIAL EXCEPTION to re-face and re-subdivide a platted lot into 4 proposed lots.

A plan is on file and may be examined in the Department of Planning and Zoning entitled " Property Plot Plan" as prepared by Witkin Hults Design Group, dated stamped received 6/10/09, consisting of one sheet. Plan may be modified at public hearing.

LOCATION: The Northeast corner of S.W. 87 Avenue (Galloway Road) & S.W. 4 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 300' x 139'

Department of Planning and Zoning Recommendation: Denial without prejudice.

Protests: 1 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

Deferred from 05-20-2009

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1. REINALDO BERMUDEZ (09-7-CZ10-1/08-152) **11-54-40**
Area 10/Dist. 06

(1) MODIFICATION of Condition #2 of Resolution #5-ZAB-328-95, passed and adopted by the Zoning Appeals Board, 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 "Site Plan", as prepare by Gables Partnership/Roberto P. Toboas, dated 4-13-95. Except as modified herein to provide additional planting along the south side of the existing detached structure."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Palacio De Los Jugos Coral Way', as prepared by De La Llama Architect Planning Interior Design, dated stamped received 2/6/09, consisting of 8 sheets."

The purpose of request #1 is to allow the applicant to submit a revised site plan showing a 2nd floor kitchen/storage area and additional parking for a previously approved restaurant.

(2) Applicant is requesting to permit 28 parking spaces (31 required).

(3) Applicant is requesting to permit an existing detached canopy structure spaced 14'5" (20' required/17' previously approved) from the principal building.

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

Upon a demonstration that the applicable standards have been satisfied, approval of request #1 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing) and approval of requests #2 and #3 may be considered under §33-311(A)(16) (Alternative Site Development Option for the BU Zoning District) or under §33-311(A)(4)(b) (Non-Use Variance or (c) (Alternative Non-Use Variance).

LOCATION: 7085 SW 24 Street (Coral Way), Miami-Dade County, Florida.

SIZE OF PROPERTY: 112.5' x 200'

Department of Planning and Zoning Recommendation:

Approval with conditions of request #1 under Section 33-311 (A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311 (A)(17); approval with conditions of request #2 under Section 33-311(A)(4)(b) (NUV) or under Section 33-311(A)(16) (ASDO) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV); approval with conditions of request #3 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV) and Section 33-311(A)(16) (ASDO).

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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2. JANETTE RODRIGUEZ (09-7-CZ10-2/09-009) **18-54-40**
Area 10/Dist. 10

(1) Applicant is requesting to permit a decorative "wing wall" for a single-family residence setback 4' (7.5' required) from the interior side (northwest) property line and to permit the single-family residence setback a minimum 7.45' (7.5' required) from the interior side (northwest) property line.

(2) Applicant is requesting to permit a detached trellis and barbecue structure setback varying from 0.54' to 2.3' (7.5' required) from the interior side (east) property line and setback 3.4' (7.5' required) from the interior side (south) property line.

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 "As-Built Plans for Legalization for Janette Rodriguez", consisting of 2 sheets, sheet A-1 dated stamped received 4/20/09 and sheet A-2 dated stamped received 1/21/09. Plans may be modified at public hearing.

LOCATION: 10840 S.W. 29 Terrace, Miami-Dade County, Florida.

SIZE OF PROPERTY: 13,384 sq. ft.

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

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

NOTICE

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

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Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in

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

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

A. NEIL KADRE
(Applicant)

04-3-CZ10-4 (03-324)
Area 10/District 6
Hearing Date: 7/15/09

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

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

Disclosure of interest form attached? Yes ☐ No ☑

Previous Zoning Hearings on the Property:

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

A

APPLICANT'S NAME: **NEIL KADRE**

REPRESENTATIVE: Richard Perez

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
04-3-CZ10-4 (03-324)	May 20, 2009	CZAB10		09

REC: Approval, subject to the Board's acceptance of the proffered covenant.

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

■ DEFER: ☐ INDEFINITELY ■ TO: July 15, 2009 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

☐ WITH CONDITIONS

■ OTHER: At applicant request to further meet with the neighbors, change the letter of content to. RU-1 and allow staff to review revised the site plan. At the applicant's request & expense.

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

EXHIBITS: ■ YES ☐ NO COUNTY ATTORNEY: **BRIDGETTE THORNTON**

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

A

APPLICANT'S NAME: **NEIL KADRE**

REPRESENTATIVE: Richard Perez

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
04-3-CZ10-4 (03-324)	March 17, 2009	CZAB10		09

REC: Approval, subject to the Board's acceptance of the proffered covenant.

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

■ DEFER: ☐ INDEFINITELY ■ TO: May 20, 2009 ■ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

☐ APPROVE: ☐ PER REQUEST ☐ PER DEPARTMENT ☐ PER D.I.C.
☐ WITH CONDITIONS

■ OTHER: The Board communicated to the applicant that they would like to see a site plan for this application and have a clearer indication of the proposed use for this site

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

EXHIBITS: ■ YES ☐ NO COUNTY ATTORNEY: **BRIDGETTE THORNTON**

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

APPLICANT'S NAME: NEIL KADRE

REPRESENTATIVE(S): Juan Mayol

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
04-3-CZ10-4 (03-324)	MAY 25, 2004	CZAB10- -04

REQUESTS: 1)SE resubdivide and reface platted lot into three lots 2) NUV OF ZON'G & SUB. REGS to permit 35' width

DEPT. REC: MODIFIED APPROVAL #1 (into 2 lots). DENIAL WOP #2 per 33-311(A)(4)(b) & (c)

☐ WITHDRAW: ☐ Entire Application ☐ ITEM(S) _____

☑ DEFER: ☑ INDEFINITELY ☐ TO: _____ ☐ 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 STD. CONDITIONS

☐

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	S	Jose M. BLANCO (C.A.)	✓		
MR.	M	Manuel CASAS	✓		
VICE-CHAIRMAN		Jesus RODRIGUEZ	✓		
CHAIRMAN		George A. ALVAREZ	✓		

VOTE: 4 to 0

EXHIBITS: ☐ YES ☑ NO **COUNTY ATTORNEY:** David Hope

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

APPLICANT'S NAME: NEIL KADRE

REPRESENTATIVE(S): Felix Lasarte

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
04-3-CZ10-4 (03-324)	MARCH 23, 2004	CZAB10- -04

REQUESTS: 1) SE resub & reface platted lot into three lots. 2) NUV Zoning & Subdivision regs section line to permit 35' in width.

DEPT. REC: MODIFIED APPROVAL OF #1 (CREATE 2 LOTS). DENY WITHOUT PREJUDICE #2

☐ WITHDRAW: ☐ Entire Application ☐ ITEM(S)

☑ DEFER: ☐ INDEFINITELY ☑ TO: May 25, 2004 ☐ 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 STD. CONDITIONS

☐

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	S	Jose M. BLANCO (C.A.)	✓		
MR.		Manuel CASAS	✓		
VICE-CHAIRMAN	M	Jesus RODRIGUEZ	✓		
CHAIRMAN		George A. ALVAREZ	✓		

VOTE: 4 to 0

EXHIBITS: ☐ YES ☑ NO

COUNTY ATTORNEY: David Hope 5

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

APPLICANT: Neil Kadre **PH:** Z03-324 (04-3-CZ10-4)

SECTION: 3-54-40 **DATE:** July 15, 2009

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

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A. INTRODUCTION

- **REQUESTS:**

  (1) EU-M to RU-1

  (2) SPECIAL EXCEPTION to re-face and re-subdivide a platted lot into 4 proposed lots.

  A plan is on file and may be examined in the Department of Planning and Zoning entitled "Property Plot Plan" as prepared by Witkin Hults Design Group, dated stamped received 6/10/09, consisting of one sheet. Plan may be modified at public hearing.

- **SUMMARY OF REQUESTS:**

  The applicant seeks to change the zoning on the property from EU-M, Single-Family Modified Estate Residential District, to RU-1, Single-family Residential District, and to re-face and re-subdivide the subject property into 4 proposed lots in order to develop the site with 4 single-family residences.

- **LOCATION:**

  The Northeast corner of S.W. 87 Avenue (Galloway Road) & S.W. 4 Street, Miami-Dade County, Florida.

- **SIZE:** 300' X 139'

B. ZONING HEARINGS HISTORY:

In 1955, the Board of County Commissioners (BCC) approved through Resolution # 9141, on December 15, 1955, a zone change from RU-1, Single-Family Residential District, to LRU, Limited Residential District. Said rezoning was reclassified as EU-M (Estate Modified District) in accordance with Ordinance No. 57-19, §14(B), 10-22-57.

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 **Office/Residential.** Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. Satellite telecommunication facilities that are ancillary uses to the

businesses in a development are also allowed. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses. The maximum scale and intensity, including height and floor area ratio of office, hotel and motel development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. Where the Office/Residential category is located between residential and business categories, the more intensive activities to occur on the office site, including service locations and the points of ingress and egress, should be oriented toward the business side of the site, and the residential side of the site should be designed with sensitivity to the residential area and, where necessary, well buffered both visually and acoustically.

2. Residential uses are also allowed in the Office/Residential category. In these locations, residential density may be approved up to one density category higher than that allowed in the adjoining or adjacent residentially designated area on the same side of the abutting principal roadway, or up to the density of existing adjoining or adjacent residential development, or zoning if the adjacent or adjoining land is undeveloped whichever is higher.

3. 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 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 zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
EU-M; vacant property	Office/Residential
Surrounding Properties:	
NORTH: EU-M; vacant property	Office/Residential
SOUTH: EU-M; single family residence	Office/Residential
EAST: EU-M; single family residence	Estate Density Residential, 1 to 2.5 dua
WEST: RU-TH; townhouses	Medium Density Residential, 13 to 25 dua

The subject parcel is located on the east side of SW 87 Avenue, south of Flagler Street. The area where the subject property lies is characterized with a mixture of residential uses consisting of townhouses, zero-lot lines, and single family homes on large lots.

E. SITE AND BUILDINGS:

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

F. PERTINENT REQUIREMENTS/STANDARDS:

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

G. NEIGHBORHOOD SERVICES:

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

*Subject to the conditions stated in their memoranda

H. ANALYSIS:

This application was previously deferred indefinitely from the May 25, 2004 meeting at the applicant's request to submit new plans and to work with staff. The applicant then submitted a revised Letter of Intent on November 25, 2008 amending the application to request only a zone change on the subject site. Subsequently, this application was deferred from the March 17, 2009 meeting in order to allow the applicant time to submit a site plan and to provide the Board with more specific information regarding the proposed use of the site. It should be noted that on May 19, 2009 the applicant submitted a Third Revised Letter of Intent amending the application to request a zone change from EU-M, Single-family Modified Estate District, to RU-1, Single-family Residential District and to request a Special Exception to re-face and re-subdivide a platted lot into 4 proposed lots. As a result, the application was deferred by the applicant at the May 20, 2009 meeting. The applicant has submitted a plot plan 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. The **Public Works Department (PWD)** has **no objections** to this application. However, their memorandum indicates that the proposed private drive easement must have a minimum width of 20 feet. Their memorandum further indicates that this application will generate **6** additional PM daily peak hour **vehicle trips**; however, the traffic distribution of these trips will not exceed the acceptable Levels of Service (LOS) on the surrounding roadways which are currently operating at LOS "B" and "D". The Miami-Dade Fire Rescue Department **(MDFR)** has **no objections** to this application and estimates their average travel response time to be 6:31.

This site is designated for **Office/Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). Residential uses are allowed in the Office/Residential category. In these locations, residential density may be approved up to one density category higher than that allowed in the adjoining or adjacent residentially designated area on the same side of the abutting principal roadway, or up to the density of existing adjoining or adjacent residential development, or zoning if the adjacent or adjoining land is undeveloped whichever is higher. Staff notes that the adjoining or adjacent residentially designated area on the same side of the abutting principal roadway is designated for Estate Density Residential use. As such, the subject site may be developed up to one density category higher which is Low Density Residential 2.5 - 6 d.u.a. and would allow a minimum of 2 to a maximum of 4 dwelling units on the subject site. Therefore, staff notes that the applicant's proposal to rezone, re-face, and re-subdivide the subject site into 4 single-family residential lots is numerically **consistent** with the residential density allowed in the Office/Residential land use category. However, staff is of the opinion the requests are incompatible with the surrounding area for reasons to be explained below. Moreover, it should be noted that the CDMP states that all such lawful uses and zoning are deemed to be consistent with the CDMP. As such, the existing EU-M zoning which was established before the CDMP was adopted is also **consistent** with same.

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. 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 utilize or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways. The applicant is seeking approval for a district boundary change from EU-M to RU-1 that, in conjunction with request #2, would allow the applicant to develop the subject site with 4 single-family residences which is numerically **consistent** with the residential density allowed in the Office/Residential land use category. Staff acknowledges that the proposed rezoning will not have an unfavorable impact on the water, sewer, solid waste disposal, or other public services and will not have an unfavorable impact on the environment as indicated by the memorandum submitted by DERM. Additionally, the approval of this application will not have an unfavorable impact on the economy of Miami-

Dade County. Further, the Public Works Department has no objection to this application, and indicates that the additional **6** PM daily peak hour vehicle trips generated by this application will not exceed the acceptable level of service of the surrounding roadways. Notwithstanding the foregoing, staff opines that the proposed rezoning of the subject property to RU-1 is **incompatible** with the area. Specifically, staff notes that the surrounding area is predominately zoned EU-M along the east side of SW 87 Avenue. In addition, it should be noted that the subject site is part of a subdivision, Flagler-Waterway Estates PB 44-44, that was platted in 1944 as a 139' x 300' lot and zoned EU-M. Moreover, staff notes that the residential area that adjoins the subject site is zoned EU-M and said zoning extends approximately ½ mile to the east where a ribbon of RU-1 zoning occurs along east side of SW 82 Avenue. As such, staff opines that the introduction of RU-1 zoning on the subject site would be out of character with the zoning in the surrounding area and would allow a minimum lot frontage of 75' and a minimum encumbered lot area of 7,062 sq. ft. which staff notes is significantly smaller than the lot frontages and lot areas of the adjoining EU-M zoned lots. Therefore, staff opines that the proposed RU-1 zoning would be **incompatible** with the surrounding area. Based on all of the aforementioned, staff recommends denial without prejudice of the requested zone change from EU-M to RU-1.

When analyzing request #2 under Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses And New Uses, staff is of the opinion that the request to re-face and re-subdivide a platted lot into 4 proposed lots would result in excessive noise or traffic, cause undue or excessive burden on transportation, streets, roads or highways, provoke excessive overcrowding and concentration of people, when considering the necessity for and reasonableness of the applied for exception in relation to the present and future development of the area and the compatibility of the applied for exception with the area and its development. Staff acknowledges that property located on the northeast corner of SW 87 Avenue and Grand Canal Drive, approximately 564' to the south of the subject site, was granted approval of a special exception to re-face and re-subdivide 2 platted lots into 4 proposed lots and to permit two lots with frontages of 117' (120' required), pursuant to Resolution #CZAB10-55-05. Further, staff acknowledges that property located on the northeast corner of SW 5 Street and SW 87 Avenue, approximately 283' to the south of the subject site was approved a special exception to re-face and re-subdivide a platted lot into two conforming single-family building sites, each with a lot frontage of 120', pursuant to Resolution #4-ZAB-69-77. Notwithstanding the aforementioned approvals, staff notes that the approval of request #2 will result in 4 lots each with a lot frontage of 75' and encumbered lot areas of 7,062 sq. ft. and 9,750 sq. ft., which staff notes is significantly smaller than the lot areas and lot frontages of the residential lots in the surrounding area. Moreover, staff's review of the submitted plan reveals that the applicant intends to develop the site with 4 proposed residential lots with frontage along SW 87 Avenue to be accessed by means of a private 18' wide T-shaped easement located in the approximate center of the site. Staff opines that the proposed 18' wide T-shaped private easement will channel traffic towards the interior (east) property line which will be aurally intrusive to the existing single-family residence located to the east of the site. Therefore, staff opines that the proposed re-facing and re-subdivision of a platted lot into 4 proposed lots as illustrated on the submitted site plan is **incompatible** with the area. As such, staff recommends denial without prejudice of request #2 under Section 33-311(A)(3).

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Based on all of the aforementioned, staff concludes that the requested zone change from EU-M to RU-1 and companion request to re-face and re-subdivide a platted lot into 4 proposed lots, although numerically **consistent** with the residential density allowed in the Office/Residential land use category, is **incompatible** with the surrounding area. As such, staff recommends denial without prejudice of requests #1 and request #2.

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

J. **CONDITIONS:** None.

DATE INSPECTED: 03/03/04
DATE TYPED: 01/22/09
DATE REVISED: 02/10/09; 02/12/09; 02/18/09; 02/27/09; 04/01/09; 04/09/09; 06/11/09; 07/01/09
DATE FINALIZED: 07/01/09
MCL:NN:NC

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

Memorandum

MIAMI-DADE COUNTY

Date: June 2, 2009

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

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

Subject: C-10 #Z2003000324-2-Revision
Neil Kadre
Northeast Corner of S.W. 87 Avenue and S.W. 4 Street
Request a District Boundary Change from EU-M to RU-1
(EU-M) (.95 Acres)
03-54-40

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

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

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

Wastewater Disposal
The closest public sanitary sewer is an 8-inch gravity main located approximately 132 feet west of this property. This main is within feasible distance for connection to the public sanitary sewer system, as defined in the Code. The requested zoning classification would permit development at densities that require connection to public sanitary sewers. Additionally, the site plan submitted along with this application depicts four lots that would each contain approximately 10,000 square feet. Therefore, connection of the proposed development to public sanitary sewers will be required in accordance with Code requirements. The applicant is advised that DERM approval of any subsequent development orders for this site will be contingent upon compliance with the aforesaid requirements

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

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

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

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

The development criteria and the level of on-site flood protection may vary from those mentioned above if ground water stages are increased as a result of the implementation of the Comprehensive Everglades Restoration Plan.

Wetlands
Although the subject property is not located within a designated wetland basin, a site inspection performed by DERM staff on July 8, 2003 revealed that the subject property contains 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 the subject property. The Wetlands Resources Section of DERM (305-372-6585) may be contacted for further information concerning the wetland permitting requirements.

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

Tree Preservation
The subject property revealed the presence of tree resources; however portions of the property contain jurisdictional wetlands therefore these tree resources will be regulated through a Class IV Wetland Permit. The applicant is 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 records for the subject property.

Concurrency Review Summary
DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

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

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

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

REVISION 1
PH# Z2003000324
CZAB - C10

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: NEIL KADRE

This Department has no objections to this application.

The proposed private drive easement must have a minimum width of 20 feet.

Since this development abuts a State maintained road (SW 87 Ave.), the applicant must contact the district office at 305-470-5367; certain restrictions may apply.

Additional improvements may be required at time of platting/permitting.

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 6 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-44	SW 87 Ave. s/o Flagler St.	B	B
F-1141	W. Flagler St. w/o SR 826	D	D
F-42	SW 87 Ave. s/o SW 24 St.	D	D
9154	W. Flagler St. w/o SW 87 Ave.	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-09

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REVISION 1

Memorandum

Date: 27-MAY-09

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2003000324

Fire Prevention Unit:

This memo supersedes MDFR Memorandum dated January 26, 2009.
APPROVAL
No objection to site plan date stamped May 19, 2009.

Service Impact/Demand:

Development for the above Z2003000324
located at THE NORTHEAST CORNER OF S.W. 87 AVENUE & S.W. 4 STREET, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1352 is proposed as the following:

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

Based on this development information, estimated service impact is: 1.09 alarms-annually.
The estimated average travel time is: 6:31 minutes

Existing services:

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

Station 48 - Fontainebleau - 8825 NW 18 Terrace
Rescue, Technical Rescue Team, Heavy Rescue USAR

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 site plan date stamped May 19, 2009. Substantial changes to the plan will require addtional service impact analysis.

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

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OFFICE OF NEIGHBORHOOD COMPLIANCE
TAMIAMI REGION

ENFORCEMENT HISTORY

NAME:
NEIL KADRE

ADDRESS:
THE NORTHEAST CORNER OF S.W. 87 AVENUE & S.W. 4 STREET, MIAMI-DADE COUNTY, FLORIDA.
3040030060670

DATE: 05/13/09

ZONING HEARING#:
Z2003000324

CURRENT ENFORCEMENT HISTORY:

No open cases. No current violations.

PRIOR CASES:

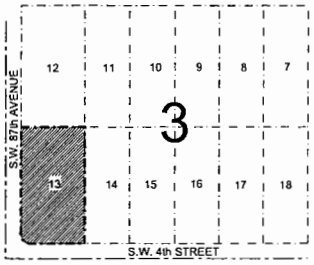
CMS#200003007129. CVN issued in September 2000 for overgrowth. CVN paid. Case closed as complied.

CMS#200103003655. CVN issued in May 2001 for overgrowth. CVN paid. Case closed as complied.

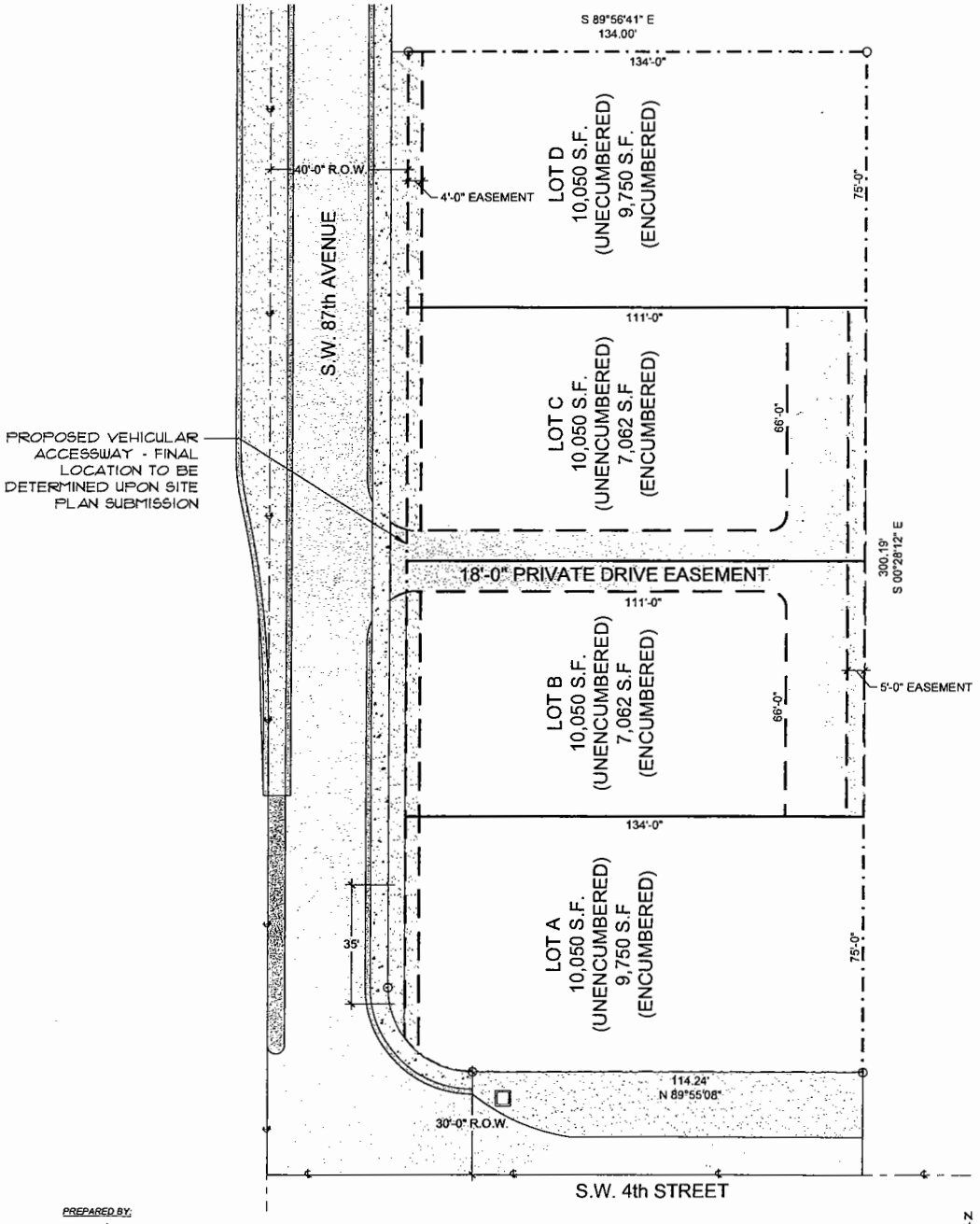
CMS #200103007538. CVN issued in September 2001 for overgrowth. CVN voided. Case closed as complied.

Revised

RECEIVED
Z03-324
JUN 10 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



LOCATION SKETCH



PREPARED BY:
WITKIN HULTS DESIGN GROUP

Property Plot Plan

NTS

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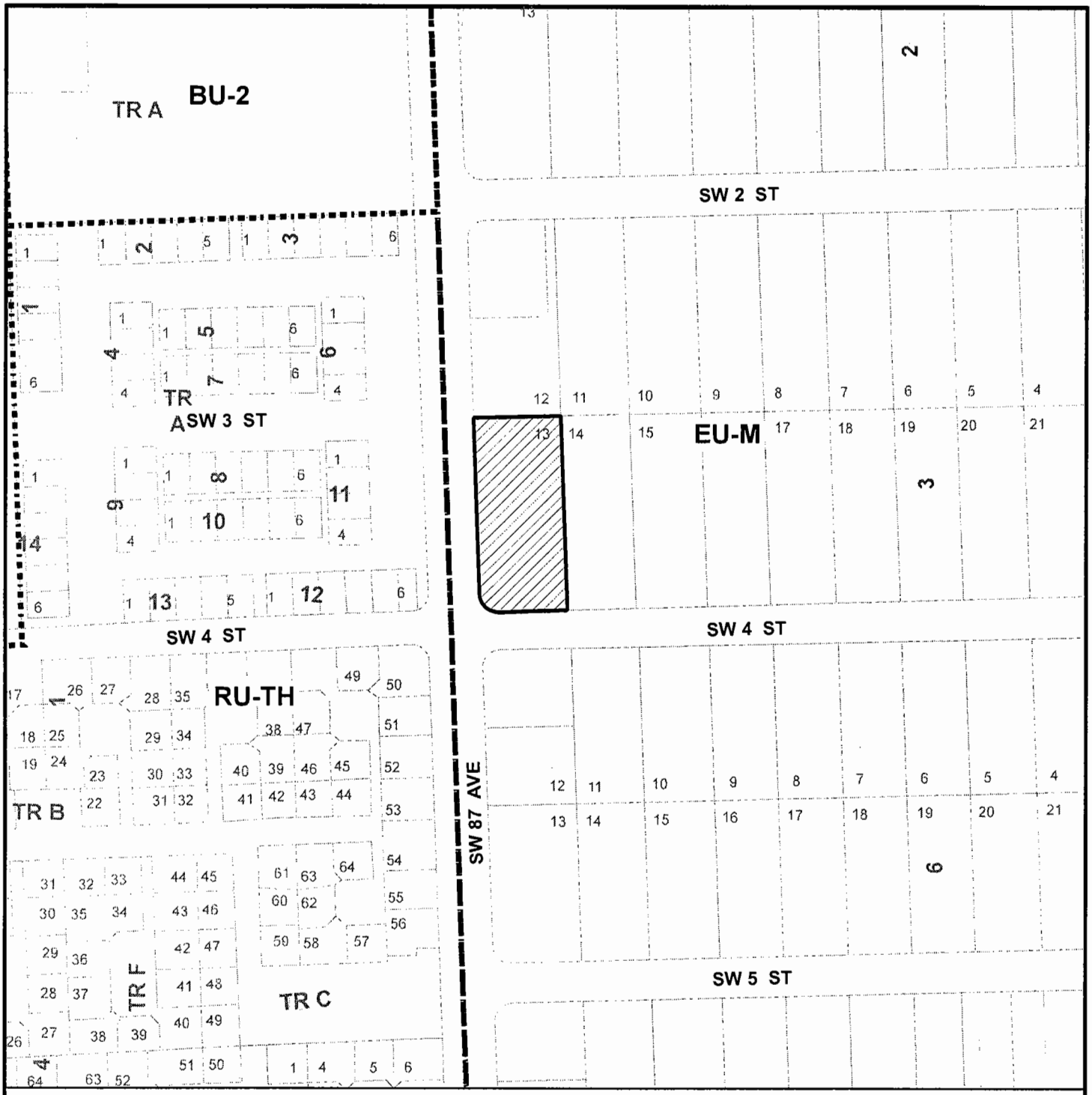

MIAMI-DADE COUNTY
HEARING MAP

Process Number
03-324

Section: 03 Township: 54 Range: 40
Applicant: NEIL KADRE
Zoning Board: C10
Commission District: 06
Drafter ID: ALFREDO
Scale: NTS
---------- Zoning

SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 03/02/09

REVISION	DATE	BY
	20	

MIAMI-DADE COUNTY

AERIAL YEAR 2008

Section: 03 Township: 54 Range: 40
Applicant: NEIL KADRE
Zoning Board: C10
Commission District: 06
Drafter ID: ALFREDO
Scale: NTS
---------- Zoning

Process Number

03-324

SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 03/02/09

REVISION	DATE	BY

1. REINALDO BERMUDEZ
(Applicant)

09-7-CZ10-1 (08-152)
Area 10/District 6
Hearing Date: 7/15/09

Property Owner (if different from applicant) **SAME**

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

Disclosure of interest form attached? Yes ☐ No ☑

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
1995	Guillermina Rives	- Unusual Use to permit outdoor Seating - Non-Use Variance	ZAB	Approved w/Conds.

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

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

APPLICANT: Reinaldo Bermudez **PH:** Z08-152 (09-7-CZ10-2)

SECTION: 11-54-40 **DATE:** July 15, 2009

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

==========

A. INTRODUCTION

- **REQUESTS:**

(1) MODIFICATION of Condition #2 of Resolution #5-ZAB-328-95, passed and adopted by the Zoning Appeals Board, 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 "Site Plan", as prepare by Gables Partnership/Roberto P. Toboas, dated 4-13-95. Except as modified herein to provide additional planting along the south side of the existing detached structure."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Palacio De Los Jugos Coral Way', as prepared by De La Llama Architect Planning Interior Design, dated stamped received 2/6/09, consisting of 8 sheets."

The purpose of request #1 is to allow the applicant to submit a revised site plan showing a 2nd floor kitchen/storage area and additional parking for a previously approved restaurant.

(2) Applicant is requesting to permit 28 parking spaces (31 required).

(3) Applicant is requesting to permit an existing detached canopy structure spaced 14'5" (20' required/17' previously approved) from the principal building.

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

Upon a demonstration that the applicable standards have been satisfied, approval of request #1 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing) and approval of requests #2 and #3 may be considered under §33-311(A)(16) (Alternative Site Development Option for the BU Zoning District) or under §33-311(A)(4)(b) (Non-Use Variance or (c) (Alternative Non-Use Variance).

- **SUMMARY OF REQUESTS:** This application will allow the modification of a condition of a Resolution that will allow the applicant to submit a new site plan illustrating a proposed 2nd floor kitchen and storage area addition as well as additional parking. Additionally, the applicant is requesting to permit fewer parking spaces than required and to permit an existing detached canopy structure to be spaced closer to the principal building than permitted.

- **LOCATION:** 7085 S.W. 24 Street (Coral Way), Miami-Dade County, Florida.

- **SIZE:** 112.5' x 200'

B. ZONING HEARINGS HISTORY: In July 1995, pursuant to Resolution No. 5-ZAB-328-95, the Zoning Appeals Board (ZAB) approved, subject to conditions, an unusual use to permit outdoor seating in conjunction with an existing take-out restaurant and a non-use variance of spacing requirements to permit and existing detached canopy structure to be spaced 17' (20' required) from the principal building.

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 **Business and Office**. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities such as cell towers and satellite telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking systems. 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 uses.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
BU-1A; Restaurant	Business and Office
Surrounding Properties	
NORTH: BU-1A; Multi-family apartments	Business and Office
SOUTH: BU-1 A and BU-2; Automobile dealership and vacant parcel	Business and Office
EAST: BU-1A; Retail	Business and Office
WEST: BU-2; Vacant	Business and Office

E. SITE AND BUILDINGS:

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

*Subject to conditions.

F. PERTINENT REQUIREMENTS/STANDARDS:

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.

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.

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

(1) the character and design of the proposed alternative development will not result in a material diminution of the privacy of adjoining property; and

(2) the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity, taking into account existing structures and open space; and

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

(4) any area of shadow cast by the proposed alternative development upon an adjoining property will be no larger than would be cast by a structure constructed pursuant to the underlying district regulations, or will have no more than a de minimus impact on the use and enjoyment of the adjoining parcel of land; and

(5) the proposed alternative development will not involve the installation or operation of any mechanical equipment closer to the adjoining parcel of land than any other portion of the proposed alternative development, unless such equipment is located within an enclosed, 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

(6) the proposed alternative development will not involve any outdoor lighting fixture that casts light on an adjoining parcel of land at an intensity greater than permitted by this code; and

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

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

(9) the proposed alternative development will not result in the destruction or removal of mature trees within a setback required by the underlying district regulations, with a diameter at breast height of greater than ten (10) inches, unless the trees are among those listed in section 24-60(4)(f) of this code, or the trees are relocated in a manner that preserves the aesthetic and shade qualities of the same side of the lot, parcel or tract; and

(10) any windows or doors in any building(s) to be located within an interior side or rear setback required by the underlying district regulations shall be designed and located so that they are not aligned directly across from facing windows or doors on building(s) of a discordant use located on an adjoining parcel of land; and

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

(12) the area within an interior side or rear setback required by the underlying district regulations located adjacent to a discordant use will not be used for off-street parking except:

(A) in an enclosed garage where the garage door is located so that it is not aligned directly across from facing windows or doors on buildings of a discordant use located on an adjoining parcel of land; or

(B) if the off-street parking is buffered from property that abuts the setback area by a solid wall at least six (6) feet in height along the area of pavement and parking, with either:

(i) articulation to avoid the appearance of a "blank wall" when viewed from the adjoining property, or

(ii) landscaping that is at least three (3) feet in height at time of planting, located along the length of the wall between the wall and the adjoining property, accompanied by specific provision for the maintenance of the landscaping, such as but not limited to, an agreement regarding its maintenance in recordable form from the adjoining landowner; and

(13) any structure within an interior side setback required by the underlying district regulations:

(A) is screened from adjoining property by landscape material of sufficient size and composition to obscure at least eighty percent (80%) (if located adjoining or adjacent to a discordant use) of the proposed alternative development to a height of the lower fourteen (14) feet of such structure(s) at time of planting; or

(B) is screened from adjoining property by an opaque fence or wall at least 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.

(j) An alternative reduction in the number of required parking spaces shall be approved after public hearing upon demonstration of the following:

(1) the alternative reduction of the number of required parking spaces does not apply to parking spaces for the disabled, parking spaces for persons transporting small children, nor to bicycle racks or other means of bicycle storage; and either:

(2) the total number of required parking spaces is not reduced below ten percent (10%); and

(A) the lot, parcel or tract is located within six hundred and sixty (660) feet of an existing transportation corridor such as a Major Roadway identified on the Land Use Plan (LUP) map, within one-quarter (1/4) mile from existing rail transit stations or existing express busway stops; or

(B) the hours of operation of multiple commercial uses within the development vary and do not overlap and a recordable agreement is provided which restricts the hours of operation; or

(3) the alternative development involves a mixed-use project in which the number of off-street parking spaces is calculated by applying the Urban Land Institute (ULI) Shared Parking Methodology to the required number of parking spaces.

(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.

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 memoranda.

H. ANALYSIS:

The subject property is a corner lot that is located at 7085 S.W. 24 Street within the Coral Way Commercial Corridor, which features a myriad of commercial uses. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the subject property for **Business and Office** use, which permits the full range of sales and service activities. The interpretative text of the CDMP also indicates that all existing lawful uses and zoning are deemed to be consistent with the Land Use Plan Map. As such, the existing restaurant and the previously approved outdoor seating use are **consistent** with the LUP Map of the CDMP.

The Department of Environmental Resources Management **(DERM)** has **no objections** to this application and indicates that it meets the minimum requirements of Chapter 24 of the Miami-Dade

County Code. The **Public Works Department** has **no objections** to this application and indicates that the proposal meets traffic concurrency because it lies within the urban infill area where traffic concurrency criteria does not apply. The **Miami-Dade Fire Rescue Department (MDFR)** has **no objections** to this application and indicates that the estimated average travel response time is **6:20** minutes.

When request #1 is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), the proposed 2nd floor kitchen and storage area addition as well as additional parking will not, in staff's opinion, generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, provoke excessive overcrowding of people, tend to provoke a nuisance, be incompatible with the area, nor be contrary to the public interest. Staff's review of the plans submitted in conjunction with this application reveals that the applicant is proposing to expand the existing restaurant by constructing a proposed 448 sq. ft. first floor addition which features a retail area, bathroom and elevator as well as a proposed 2,826 sq. ft. second floor addition which features a storage area, kitchen, and batch oven. Staff opines that the proposed additions have been designed in a manner that is sensitive to the surrounding area in that the proposed additions comply with the setback requirements and do not exceed the maximum allowable floor area ratio (F.A.R.) or height restrictions of the BU-1A zone. Further, staff notes that the proposed additions, as shown on the submitted plans, match the same architectural style and scale as the existing restaurant. As such, staff opines that the approval of the proposed additions will not have a negative visual impact the surrounding area, which features a myriad of commercial uses. It should be noted that the BU-1A zoned property to the north of the subject site is improved with a multi-family apartment building. However, staff notes that the submitted plans illustrate an existing 6' high wood fence and proposed landscaping in the form of 16' high Mahogany Trees and a Cocoplumosa Hedge along the rear (north) property line, which staff opines will effectively buffer the proposed additions. Staff acknowledges that the approval of request #1 will allow the applicant to proceed with a site plan that features retail area and results in an increase in the number of required parking spaces from 13 to 31 and that the applicant is providing 28 parking spaces. However, it should be noted that the requested reduction in parking illustrated on the submitted plans and enumerated in request #2 for a reduction in the number of required parking spaces as discussed below, meets the criteria for approval under the ASDO Standards. When considering the necessity for and the reasonableness of the proposal in relation to the surrounding area and the compatibility of said use with the area and its development, staff is of the opinion that approval with conditions of request #1 will not have an unfavorable effect on same, and will not be contrary to the public interest. Based on all of the aforementioned, staff is of the opinion that approval with conditions of the request would be **compatible** with the surrounding area. As such, staff recommends approval with conditions of request #1 under Section 33-311(A)(7) (Generalized Modification Standards).

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

When request #2 is analyzed under the NUV Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of the request would be **compatible** with the surrounding area, would not

be detrimental to the neighborhood, and would not negatively affect the appearance of the community. As previously mentioned, the **Public Works Department has no objections** to this application and notes that the site meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply. Notwithstanding the foregoing, staff notes that request #2 meets the criteria for approval under the ASDO Standards for a reduction in the number of required parking spaces. As such, staff recommends approval with conditions of request #2 under Section 33-311(A)(4)(b) (NUV) or under Section 33-311(A)(16) (ASDO).

When request #3 is analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of the request would be **compatible** with the surrounding area, would not be detrimental to the neighborhood, and would not negatively affect the appearance of the community. It should be noted that the subject property was formerly occupied by a gas station and in 1995 was granted a non-use variance to permit a detached canopy structure spaced 17' (20' required) from the principal building for outdoor seating in connection with a restaurant, pursuant to Resolution No. 5-ZAB-328-95. However, staff's review of the previously approved plans reveals that the existing detached canopy has since been remodeled. Specifically, staff's review of the previously approved plans reveals that at that time the existing 24' x 21' detached canopy measured approximately 648 sq. ft. and was spaced 17' from the principal building. Plans submitted in conjunction with this application illustrate the existing 18.25' x 27.33' detached canopy with a total area of 498.8 sq. ft. and spaced 14.42' from the principal building in order to accommodate additional parking and a drive-thru lane. Although staff acknowledges that the subject site has already been granted relief of the spacing requirements for existing detached canopy structure, staff opines that request #3, to permit said canopy structure spaced 14'5" (20' required/17' previously approved) from the principal building is internal to the site and will not be visually intrusive to the surrounding area. Therefore, staff recommends approval with conditions of request #3 under Section 33-311(A)(4)(b) (NUV).

The Alternative Site Development Option (ASDO) Standards for the BU Zoning District, Section 33-311(A)(16), provide for the approval of a zoning application 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. It should be noted that the applicant has provided staff with the documentation required for analysis of request #2 under the ASDO Standards. Request #2 meets the criteria for approval under the ASDO Standards for a reduction in the number of required parking spaces. Specifically, the reduction of the number of required parking spaces does not apply to parking spaces for the disabled, parking spaces for persons transporting small children, nor to bicycle racks or other means of bicycle storage (Section 33-311(A)(16)(J)(1)); and the total number of required parking spaces has not been reduced below ten percent (10%) in that the applicant is providing 90.3% of the required parking (28 parking spaces provided, 31 spaces required) (Section 33-311(A)(16)(J)(2). Moreover, the subject site is located within six hundred and sixty (660) feet of an existing transportation corridor such as a Major Roadway identified on the Land Use Plan (LUP) map (Section 33-311(A)(16)(J)(2)(A)). Staff notes that the subject site fronts on SW 24 Street (Coral Way) which is identified on the LUP map as a Major Roadway. As such, staff recommends approval with conditions of request #2 under Section 33-311(A)(16) (ASDO) or under Section 33-311(A)(4)(b) (NUV).

The Alternative Site Development Option (ASDO) Standards for the BU Zoning District, Section 33-311(A)(16), provide for the approval of a zoning application which can demonstrate at a public hearing that the development requested is in compliance with the applicable ASDO Standards and does not contravene the enumerated public interest standards as established. However, the applicant has not provided staff with the documentation required for analysis of request #3 under

same. As such, request #3 cannot be approved under the ASDO Standards and should be denied without prejudice under Section 33-311(A)(16) (ASDO).

Under the Alternative Non-Use Variance (ANUV) Standards, Section 33-311(A)(4)(c), the applicant would have to prove that the requests #2 and #3 are due to unnecessary hardship and that, should the requests not be granted, such denial would not permit the reasonable use of the premises. This application does not comply with the standards of said section since the property can be utilized in accordance with the BU-1A zoning regulations and the previously approved variances, pursuant to Resolution No. 5-ZAB-328-95. Therefore, staff recommends denial without prejudice of requests #2 and #3 under Section 33-311(A)(4)(c) (ANUV).

Based on all of the aforementioned, staff is of the opinion that approval with conditions of request #1 is **compatible** with the surrounding area and is **consistent** with the LUP map designation of the CDMP. Accordingly, staff recommends approval with conditions of request #1 under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17); approval with conditions of request #2 under Section 33-311(A)(4)(b) (NUV) or under Section 33-311(A)(16) (ASDO) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV); approval with conditions of request #3 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV) and Section 33-311(A)(16) (ASDO).

I. RECOMMENDATION:

Approval with conditions of request #1 under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17); approval with conditions of request #2 under Section 33-311(A)(4)(b) (NUV) or under Section 33-311(A)(16) (ASDO) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV); approval with conditions of request #3 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV) and Section 33-311(A)(16) (ASDO).

J. CONDITIONS:

1. That all conditions of Resolution #5-ZAB-328-95 remain in full force and effect except as herein modified.

2. That the applicant apply for and secure a building permit for all non-permitted structures 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.

DATE INSPECTED: 06/01/09
DATE TYPED: 06/10/09
DATE REVISED: 06/11/09; 07/01/09
DATE FINALIZED: 07/01/09
MCL:NN:CH:NC

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

NDN

Memorandum

MIAMI-DADE COUNTY

Date: April 6, 2009

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

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

Subject: C-10 #Z2008000152-1st Revision
Reinaldo Bermudez
7085 S.W. 24 Street
Modification of Resolution 5-ZAB-328-95 to Submit a New Site Plan
(BU-1A) (0.52 Acres)
11-54-40

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

Potable Water Supply 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.

Hazardous Materials Management

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

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.

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

Pollution Remediation
The subject property has records of current petroleum contamination assessment or remediation issues, Marchan Chevron Station, 7085 S.W. 24th Street, UT-523/F-7239. This contaminated site is in a state-funded program awaiting allocation of funds for cleanup.

Air Quality Preservation
In the event that this project includes any kind of demolition, removal or renovation of any existing structure(s), an asbestos survey from a Florida-licensed asbestos consultant is required. If said survey shows friable asbestos materials in amounts larger than prescribed by federal law (260 linear feet of pipe insulation/thermal system insulation [TSI] or 160 square feet of surfacing material), then those materials must be removed/abated by a Florida-licensed asbestos abatement contractor. A Notice of Asbestos Renovation or Demolition form must be filed with the Air Quality Management Division for both the abatement (renovation) work and the demolition activity at least 10 working days prior to starting the field operations.

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

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

Tree Preservation
An aerial review performed by DERM staff revealed that tree resources have been removed from this property without first obtaining the required Miami-Dade County Tree Removal Permit. Consequently, the property owner shall be required to obtain an After-the-Fact Tree Removal Permit. The applicant is advised that enforcement action may be forthcoming as a consequence of the violation. Section 24-49 of the Code requires the preservation of tree resources. Therefore, DERM will require the preservation of all the specimen-sized trees (trunk diameter 18 inches or greater) as defined in the Code, on the site. A Miami Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of Chapter 24. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code. The applicant is advised to contact

DERM staff for permitting procedures and requirements prior to development of site and landscaping plans.

Enforcement History
DERM has found no open or closed 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# Z2008000152
CZAB - C10

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:REINALDO BERMUDEZ

This Department has no objections to this application.

Additional improvements may be required at time of permitting.

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

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

Raul A Pino, P.L.S.
24-FEB-09

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REVISION 1

Memorandum

Date: 26-MAY-09

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2008000152

Fire Prevention Unit:

APPROVAL
Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped February 6, 2009. 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 Z2008000152
located at 7085 S.W. 24 STREET, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1443 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
3,274 Retail	square feet	N/A nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 0.97 alarms-annually.
The estimated average travel time is: 6:20 minutes

Existing services:

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

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

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

None.

Fire Planning Additional Comments:

Current service impact calculated based on letter of intent date stamped February 6, 2009. Substantial changes to the letter of intent will require additional service impact analysis.

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

OFFICE OF NEIGHBORHOOD COMPLIANCE
TAMIAMI REGION

ENFORCEMENT HISTORY

NAME:
Reynaldo Bermudez

ADDRESS:
7085 SW 24 STREET, MIAMI-DADE COUNTY, FLORIDA.
3040110250020

DATE: 07/07/09

ZONING HEARING#:
08-152

CURRENT ENFORCEMENT HISTORY:

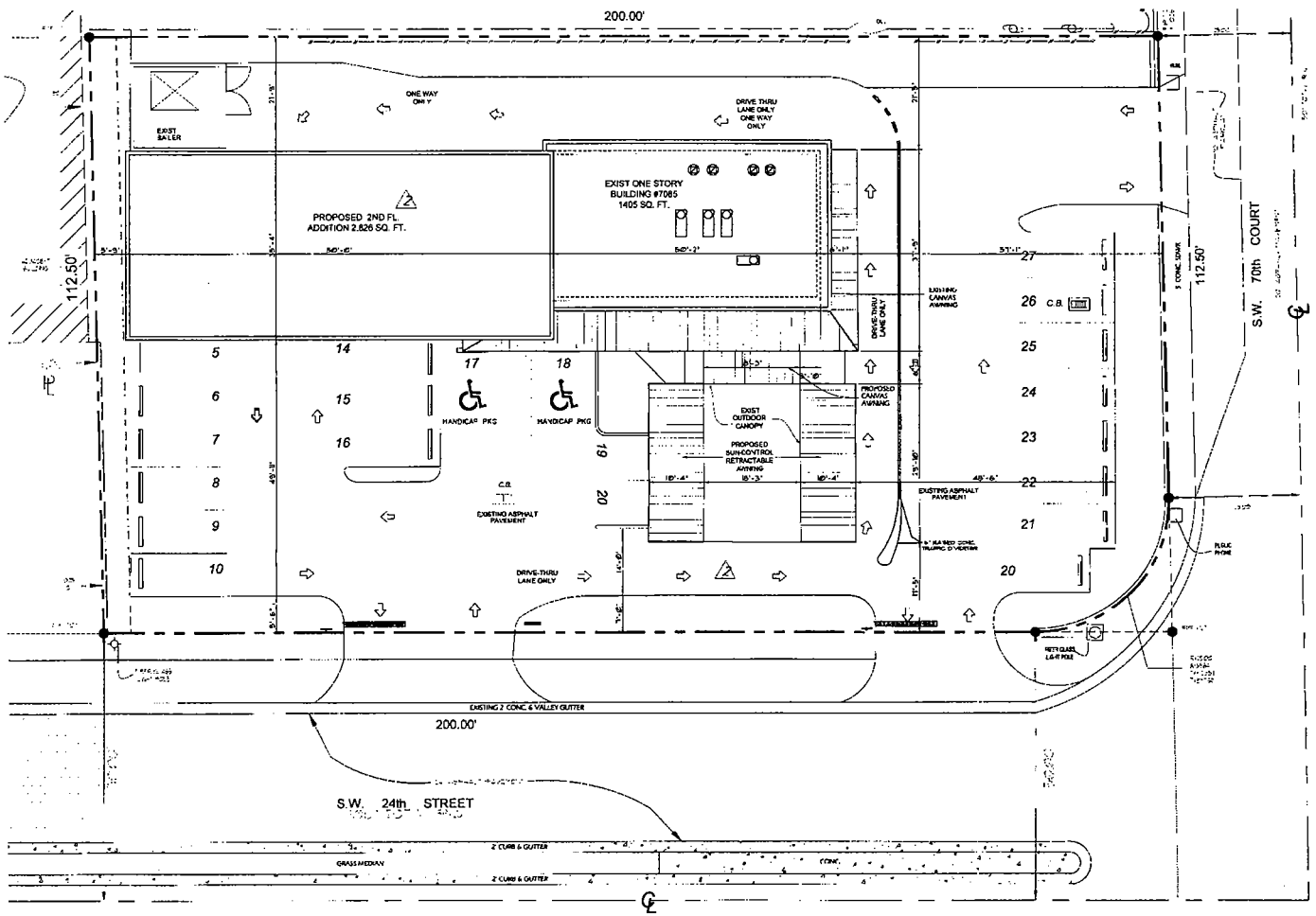
No open cases. No current violations.

PRIOR CASES:

CMS#200003003518. Trash all over property. Case was referred to Sold Waste Dept. Case Closed.

CMS#200303008954. Graffiti on walls and business doors. Warning letter issued. Property owner complied. Case Closed.

CMS #200703002001. Debris on property. Warning letter issued. Property owner complied with violation. Case Closed.



RECEIVED
FEB 06 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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FEB 06 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

This property described as:
The portion, of Tract 7 of the REPLAT OF PORTIONS OF SECTION No. 1 CORAL TERRACE, according to the Plat thereof, as recorded in Plat Book 42, on Page 1, of the Public Records of Dade County, Florida:
From the point of beginning at the N.W. Corner of S.W. 24th Street (Coral Way) and S.W. 70th Court, which point is at the intersection of the West line of S.W. 70th Court with the North line of S.W. 24th Street (Coral Way) proceeding westerly along the North line of S.W. 24th Street (Coral Way) a distance of 200 feet, thence Northerly and parallel to the West line of S.W. 70th Court, a distance of 112.50 feet, thence Easterly and parallel to the North line of S.W. 24th Street, a distance of 200 feet to the West line of S.W. 70th Court, thence Southerly along the West line of S.W. 70th Court, a distance of 112.50 feet to the point of beginning, said property being the South 112.50 feet of the East 200 feet of said Tract 7.

CERTIFIED TO:
Rosendo Benedicto

7085 S.W. 24th Street, Miami, FL 33155

ENLARGED SITE PLAN

ROOF SITE PLAN 1" = 10'

DE LA LLAMA
ARCHITECTURE
PLANNING
INTERIOR DESIGN

JORGE A. DE LA LLAMA
STATE OF FLORIDA - AR17967 - ARCH17167

932 MADEIRA AVENUE, CORAL GABLES, FLORIDA 33134
T (305) 444-3390 F (305) 444-1425 FAX
E-MAIL: JADELLAMA@AOL.COM

CONSULTANTS

PROJECT NAME
FIRST FLOOR EXPANSION & SECOND FLOOR ADDITION

PALACIO DE LOS JUGOS
CORAL WAY

7085 SW 24TH STREET
MIAMI, FLORIDA

DRAWING NAME

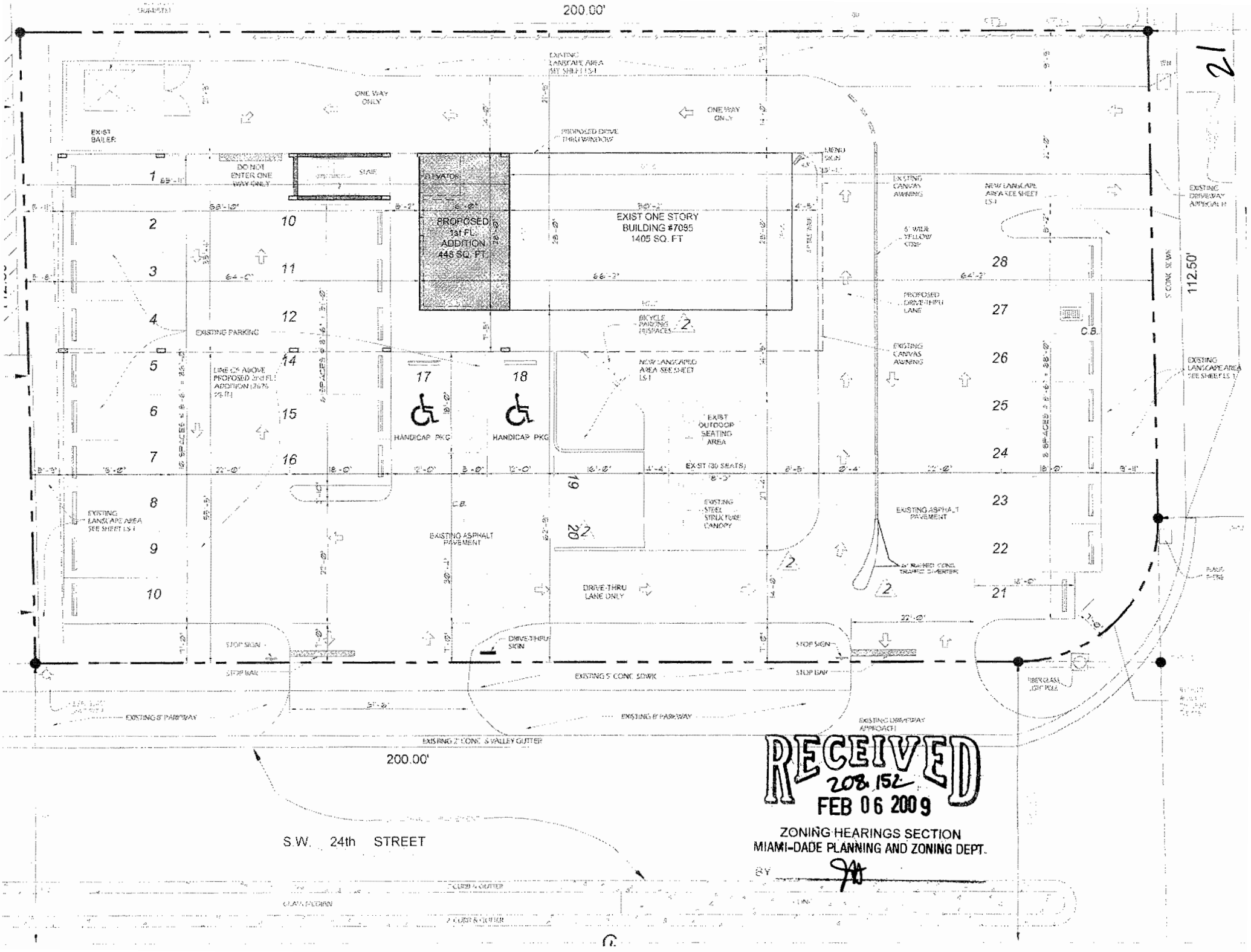
DATE
3 JUNE 2008

REVISION	DATE	BY
1	23 JULY 2008	YCH
2	12 JANUARY 2009	YCH

FILE NAME

COMMISSION NO.

SHEET NO
SP-2



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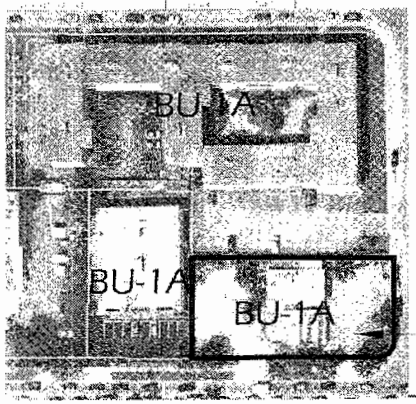
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

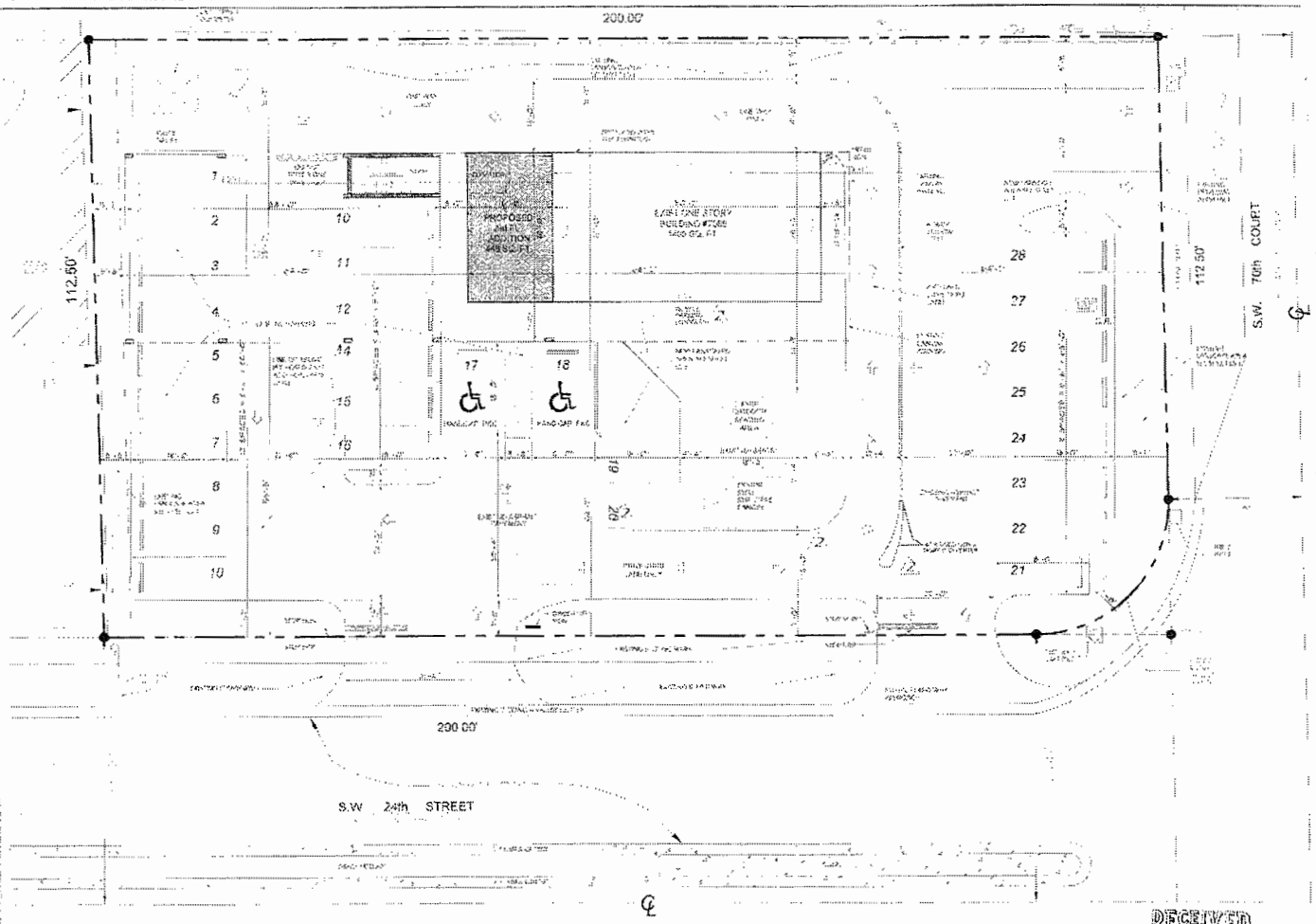
22

ZONING INFORMATION DATA



ZONING MAP

SUBJECT PROPERTY
7055 S.W. 24th Street, Miami, Fl 33155



SITE PLAN 1" = 10'

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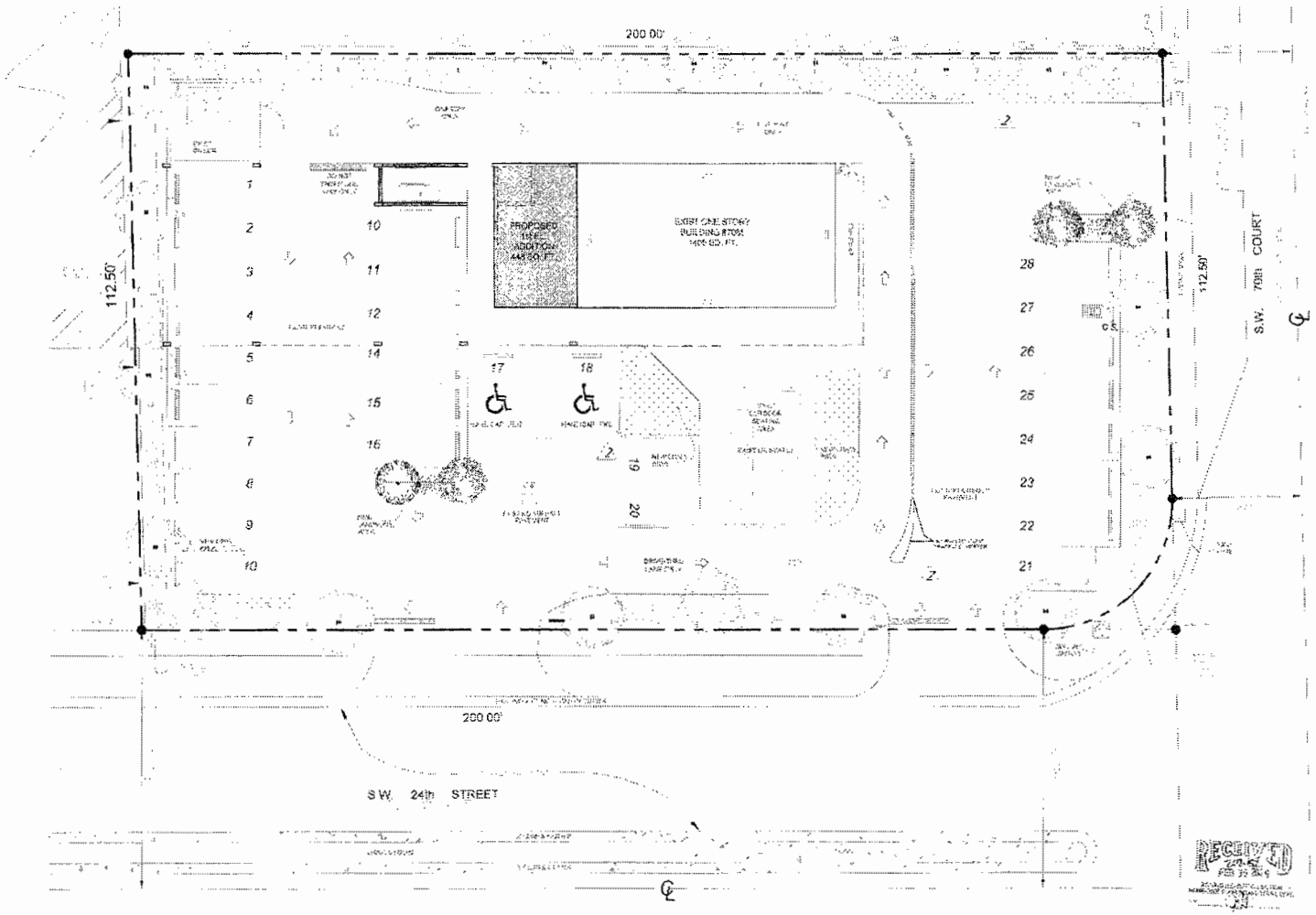
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

DE LLAMA
ARCHITECTURE
PLANNING

PALACIO DE LOS JUGOS
CORAL WAY

SP-1



DE LLAMA

PALACIO DE LOS JUGOS

CORAL WAY

LS-1

LANDSCAPING PLAN 1" = 10'

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FEB 06 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

CONTRACTOR TO REVIEW PLANS AT ORIGINAL PERMIT CONSIDERATIONS AS TO SOILS, SOIL/WALL ETC. IN MR. GENERAL AGAINST DEFRAUDS THAT VERIFY AND TEST OF ANY PROBLEMS, PROBLEMS.

LANDSCAPE CONTRACTOR TO VERIFY PLANTING SOILS UTILITIES PRIOR TO DIGGING, COORDINATE WITH OWNER'S REPRESENTATIVE DURING CONSTRUCTION.

ANY ANGLES, ELEVATIONS, FLOORING, SPECIAL MATERIALS, OR CONDITIONS SHALL BE INVESTIGATED BY THE LANDSCAPE CONTRACTOR'S ESTIMATE.

ALL PLANT MATERIAL TO BE FLORIDA NO. 1 OR BETTER AS PER FLORIDA STATE AGRICULTURE BOARD AND GRADES AND STANDARDS FOR NURSERY PLANTS PART I, II, III, STATE OF AND BOARD OF ... LANDSCAPE CONTRACTOR SHALL NOT VARY THE QUANTITY OF ANY MATERIAL OR SPECIMEN THE DRAWINGS OR THE PLANT LIST.

ALL BROKEN BRANCHES AND DEAD BRANCHES GREATER THAN 1" DIAMETER SHALL BE PRUNED BACK TO THE POINT OF ORIGIN WITH SAW. TOUCH WITH WHITE PAINT.

CONTRACT ARCHITECT AT TIME OF PLANTING FOR ALL PLANT MATERIAL LOCATIONS PRIOR TO PLANTING.

PLANTING SOIL FOR ALL PLANTING CONSIST OF TOP FLORIDA PEAT, ADD COMPOST CREDA SAND, AND IRON SULFATE UNLESS OTHERWISE NOTED, AND SHALL BE MIXED WITH EXISTING SOIL AT A RATIO OF 3:1. THE SUBSOIL SHALL BE FREE OF ROTTED ROOTS, CHAT STONES AND OTHER FOREIGN MATERIALS OTHERWISE, THE MIXED SOILS ARE ACCEPTABLE ONLY AFTER APPROVAL OF ARCHITECT.

PLANT MAINTENANCE BY THE LANDSCAPE CONTRACTOR BEGINS WITH FIRST WATERING AND CONTINUES UNTIL FINAL ACCEPTANCE AND APPROVAL BY OWNER'S ARCHITECT AND OWNER'S ACCEPTANCE THEREAFTER INCLUDES:

WATERING, WEEDING, CULTIVATING, SPRAYING FOR WEEDS OR PEST, MOWING ETC. ALL AS PER NORMAL PRACTICES.

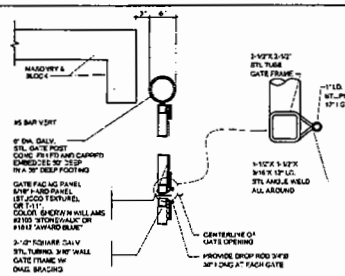
THE LANDSCAPE CONTRACTOR SHALL LEAVE A CLEAN SITE EVERY TIME FROM ALL DEBRIS.

THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE ARCHITECT AND OWNER IF DETERMINES THAT HIS WORK ARE BEING DAMAGED OR STOLEN BY OTHERS.

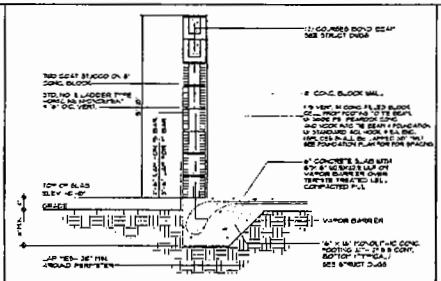
1. IRRIGATION SYSTEM SHALL BE DESIGNED IN ACCORDANCE WITH ORDINANCE MIAMI-DADE COUNTY IRRIGATION ORDINANCE # 90-235 (CHAPTER 18A)
2. HAND OR TIME CLOCK CONTROL TYPE + 24HOUR PROGRAMMABLE WITH MANUAL OPERATION.
IRRIGATION SYSTEM SHALL CONSIST EXCLUSIVELY OF LOW VOLUME TYPE SUCH AS THE EFFECTIVE WATER CONSERVATION ACT OF 1991.
3. IRRIGATION HEADS SHALL NOT EXTEND BEYOND PLANTABLE AREAS, NOR SHALL LOW VOLUME HEADS OPERATE LESS THAN 2 GALLONS PER MINUTE.
4. PROVIDE MOISTURE SENSOR SYSTEM AT ALL AUTOMATIC IRRIGATION SYSTEMS TO AVOID OPERATION OF THE SYSTEM DURING PERIODS OF INCREASED RAINFALL. THE ENTIRE SEASON SHALL BE ADJUSTED TO THE SOIL TYPE AND SET TO KEEP OFF THE IRRIGATION SYSTEM WHEN A MINIMUM OF 1/2" INCH OF RAIN HAS FALLEN.
5. AT ALL IRRIGATION SYSTEMS A HOSE BIBB SHALL BE PROVIDED WITHIN 75 FEET OF ANY LANDSCAPED AREA.

SWEETNIA MAHOGANI / MAHOGANY
GUMBO LIMBO
Palm
MYRTLE OAK
COCOPLUMOSA HEDGE

PLANTING SPECIFICATIONS :

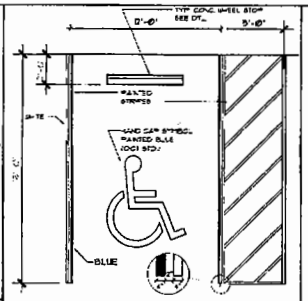


TYPICAL TRASH ENCLOSURE-PLAN (EXISTING)
SCALE: 3/4" = 1'-0"

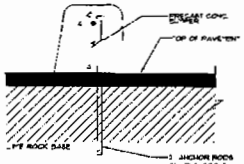


TYPICAL TRASH ENCLOSURE-WALL SECTION (EXISTING)
SCALE: 3/4" = 1'-0"

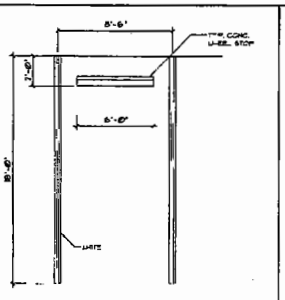
LANDSCAPE SYMBOL:



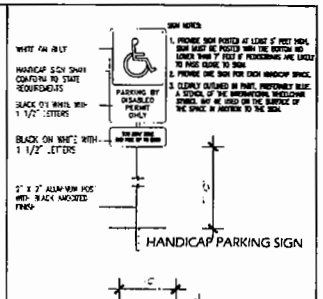
HANDICAP PARKING SPACE



PARKING BUMPER DETAIL



STANDARD PARKING SPACE



HANDICAP & STROLLER PARKING SIGN

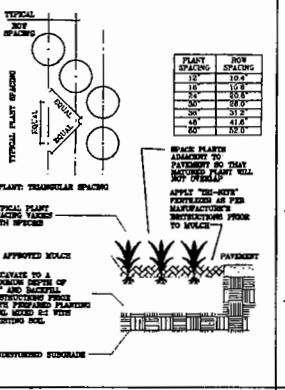
LANDSCAPE LEGEND – CHAPTER 18A –ORDINANCE 98-13

NET LOT AREA 0.513 ACRE 22,330 s.f.

ZONING DISTRICT: BU-1A	REQUIRED	PROVIDED
OPEN SPACE:		
A. Square feet of open space required by Chapter 18A or provided on site plan: Net lot area=22,330 s.f. x 15% = 4,354 s.f.	4,354	4,392
B. Square feet of parking lot open space required by Chapter 18A, or site plan. No. of parking spaces 27	270	270
LAWN AREA CALCULATION		
A. 4,446 Total s.f. of open space required by Chapter 33	4,354	4,392
B. Maximum area new (sod) permissible required by Chapter 18A, or site plan: 20% x 4,354 S.F. =	870 SF	870 SF
TREES: 22 per NET ACRE		
A. No. trees required per net lot	12	12
B. # Palms Allowed (Ca. 3 Trees required x 30% =	4	4
# Palms provided to count as street trees @ 3 to 1 ratio = 30%	N / A	N / A
C. # Shrubs Required (Ca. 10 trees required x 50% =		
D. Street Trees (maximum average spacing at 30' o.c.)	15	8
TOTAL NUMBER OF TREES	21	21
SHRUBS:		
A. No. trees required x 10= No. of shrubs allowed	210	240
B. No. shrubs allowed x 30%= No. of native shrubs required	63	93

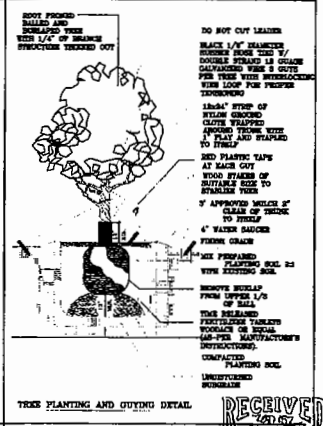
KEY	PLANT TYPE: Scientific Name	Common Name	NATIVE	SIZE: CAL	HT.	CANOPY	QTY
14	Swietnia Mahogani Variegata		NO	2"	12'	15'	56
--	Cocoplum Form	HCS		4"	14'	8'	25
7	Bursera Simaruba GUMBO LIMBO	NTS		2.5"	10'	12'	19
--	Syzygium Wilsonii MYRTLE OAK	NTS		2.5"	12'	8'	33
210	COCOPLUM	HCS			3'-5"		800

LANDSCAPING LEGEND



PLANT SPACING	ROW SPACING
12"	10.4"
18"	15.6"
24"	20.8"
30"	26.0"
36"	31.2"
48"	41.6"
60"	52.0"

GROUND COVER PLANTING



TREE PLANTING AND GUYING DETAIL

TREE PLANTING

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209152
FEB 06 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

DE LA LLAMA
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INTERIOR DESIGN
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EMAIL: JALLAMA@AOL.COM
CONSULTANTS

PROJECT NAME
FIRST FLOOR EXPANSION & SECOND FLOOR ADDITION

PALACIO DE LOS JUGOS

CORAL WAY

7085 SW 24TH STREET
MIAMI FLORIDA

DRAWING NAME

DATE
3 JUNE 2008

REVISION	DATE	BY
1	23 JULY 2008	Y.L.H.
2	12 JANUARY 2009	Y.L.H.

FILENAME
COMMISSION NO
SHEET NO

LS-2

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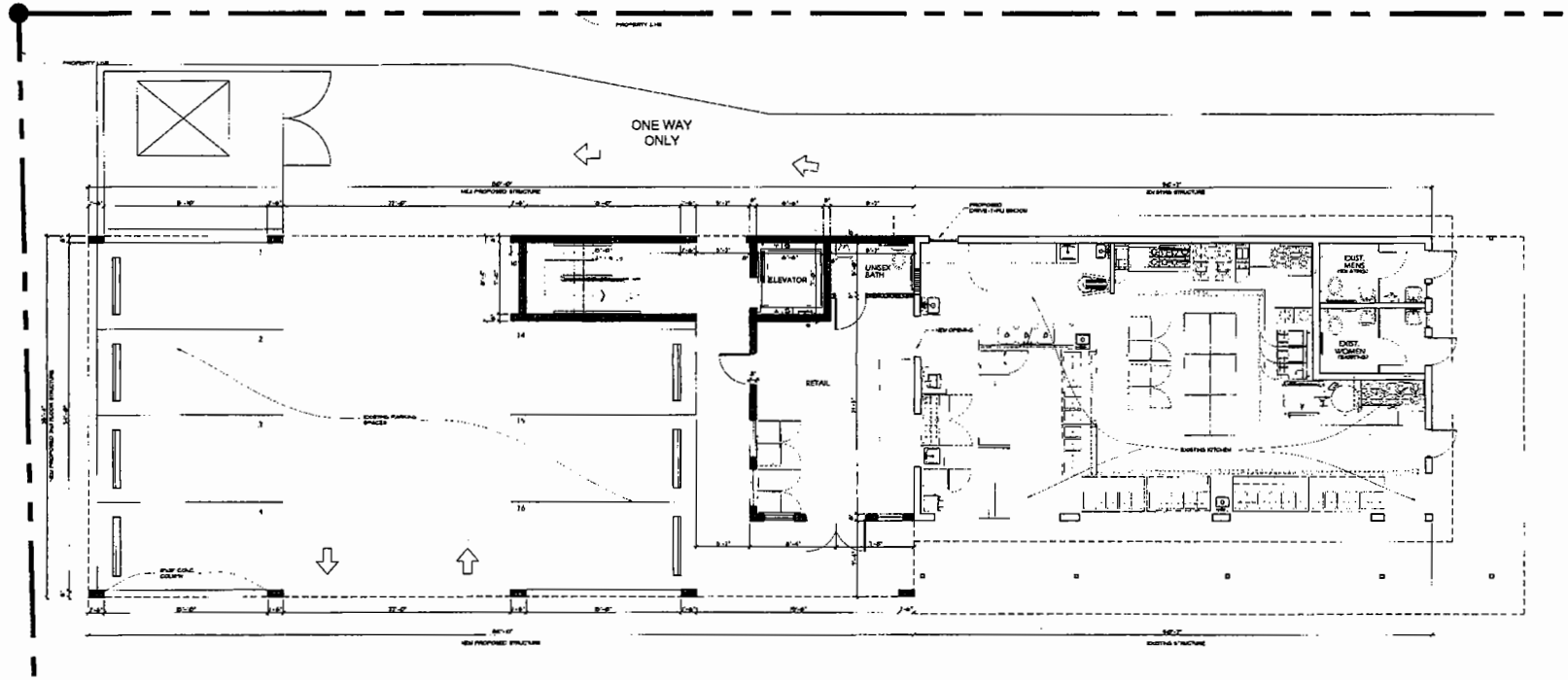

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MIAMI-DADE PLANNING AND ZONING DEPT
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FIRST FLOOR PLAN 3/16" = 1'-0"

DE LA LLAMA
ARCHITECTURE
PLANNING
INTERIOR DESIGN

JORGE A. DE LA LLAMA
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CONSULTANTS

PROJECT NAME
FIRST FLOOR EXPANSION & SECOND FLOOR ADDITION

PALACIO DE LOS JUGOS
CORAL WAY

7085 SW 24TH STREET
MIAMI FLORIDA

DRAWING NAME

DATE
3 JUNE 2008

REVISION	DATE	BY
1	23 JULY 2008	Y.CH.
2	12 JANUARY 2009	Y.CH.

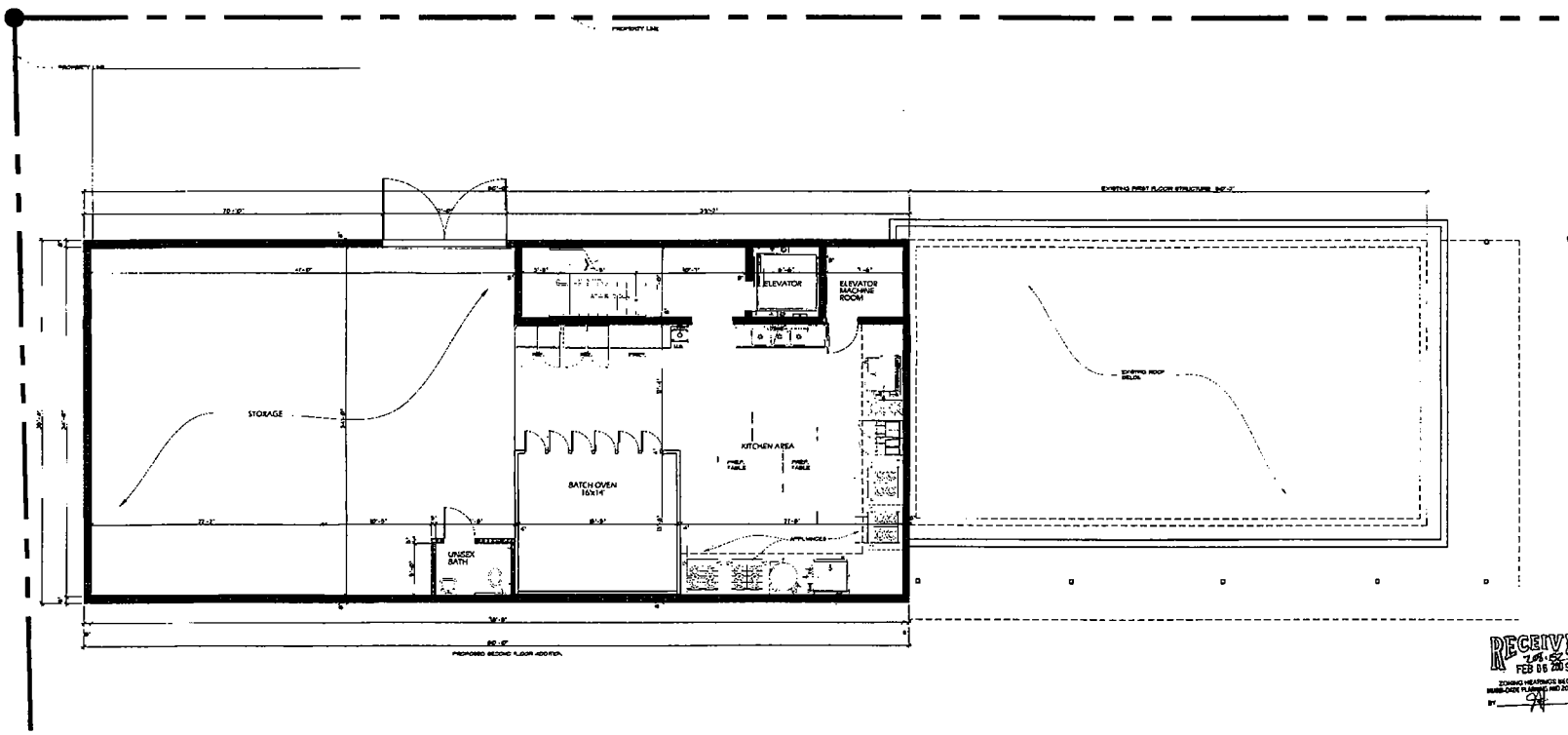
FILENAME

COMMISSION NO.

SHEET NO.

A-1

26



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SECON FLOOR PLAN 3/16" = 1'-0"

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CONSULTANTS

PROJECT NAME

FIRST FLOOR EXPANSION & SECOND FLOOR ADDITION

PALACIO DE LOS JUGOS
CORAL WAY

7085 SW 24TH STREET
MIAMI FLORIDA

DRAWING NAME

DATE
3 JUNE 2008

REVISION	DATE	BY
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2	12 JANUARY 2009	Y.CH.

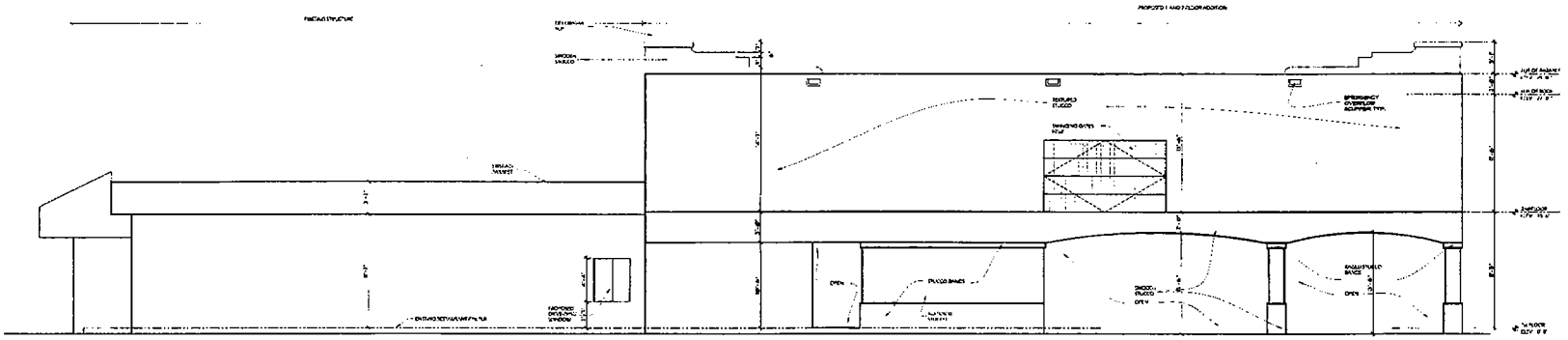
FILENAME

COMMISSION NO

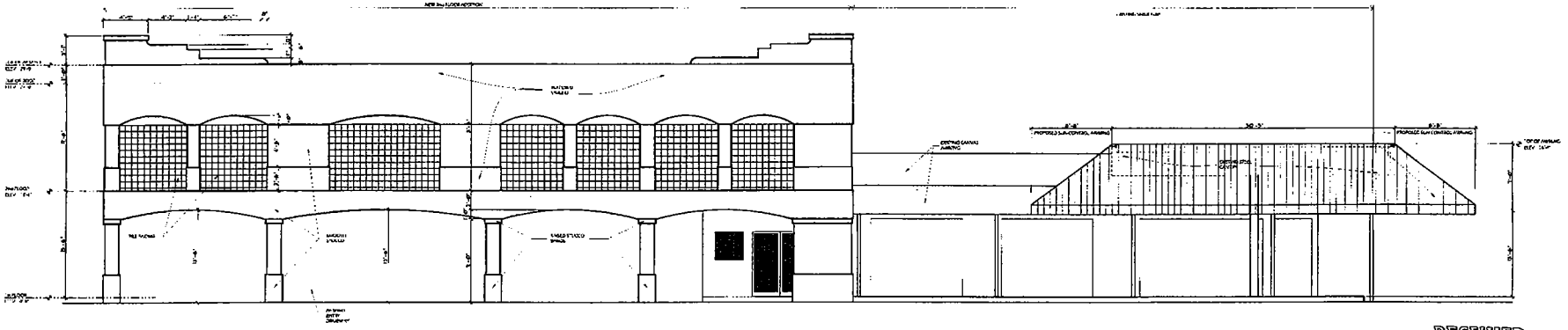
SHEET NO

A-2

27



NORTH ELEVATION 3/16" = 1'-0"



SOUTH ELEVATION 3/16" = 1'-0"

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MIAMI-DADE PLANNING AND ZONING DEPT.

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EMW. JAOLLAFO@HEAOL.COM

CONSULTANTS

1/6/09

PROJECT NAME
FIRST FLOOR EXPANSION &
SECOND FLOOR ADDITION

PALACIO DE LOS JUGOS

CORAL WAY

7085 SW 24TH STREET
MIAMI FLORIDA

DRAWING NAME

DATE
3 JUNE 2008

REVISION	DATE	BY
1	23 JULY 2008	Y.CH.
2	12 JANUARY 2009	Y.CH.

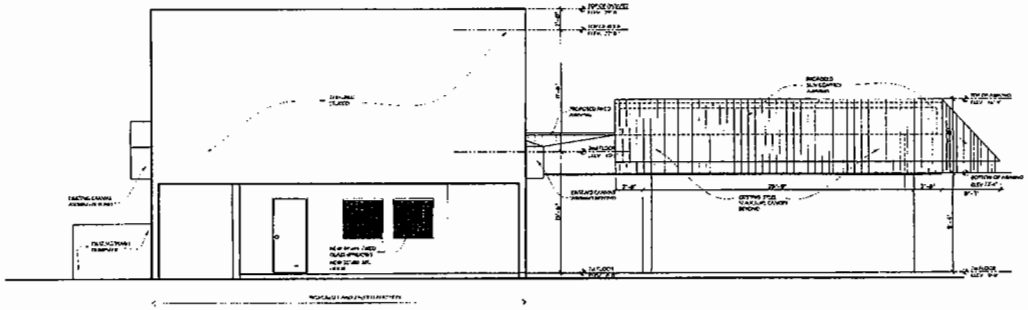
FILENAME

COMPARISON NO

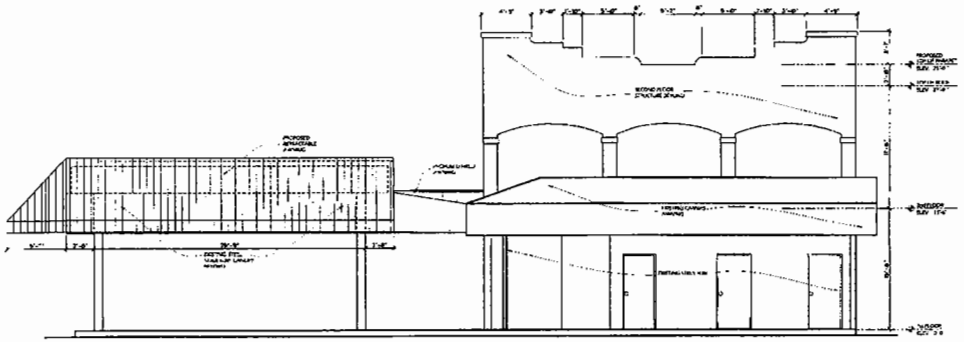
SHEET NO.

A-3

28



WEST ELEVATION 3/16" = 1'-0"



EAST ELEVATION 3/16" = 1'-0"

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MIAMI-DADE PLANNING AND ZONING DEPT.
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ZONING HEARINGS SECTION
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EMAIL: JACLLA@MIAMI.COM

CONSULTANTS

1/12/09

PROJECT NAME
FIRST FLOOR EXPANSION & SECOND FLOOR ADDITION

PALACIO DE LOS JUGOS
CORAL WAY

7085 SW 24TH STREET
MIAMI FLORIDA

DRAWING NAME

DATE
3 JUNE 2008

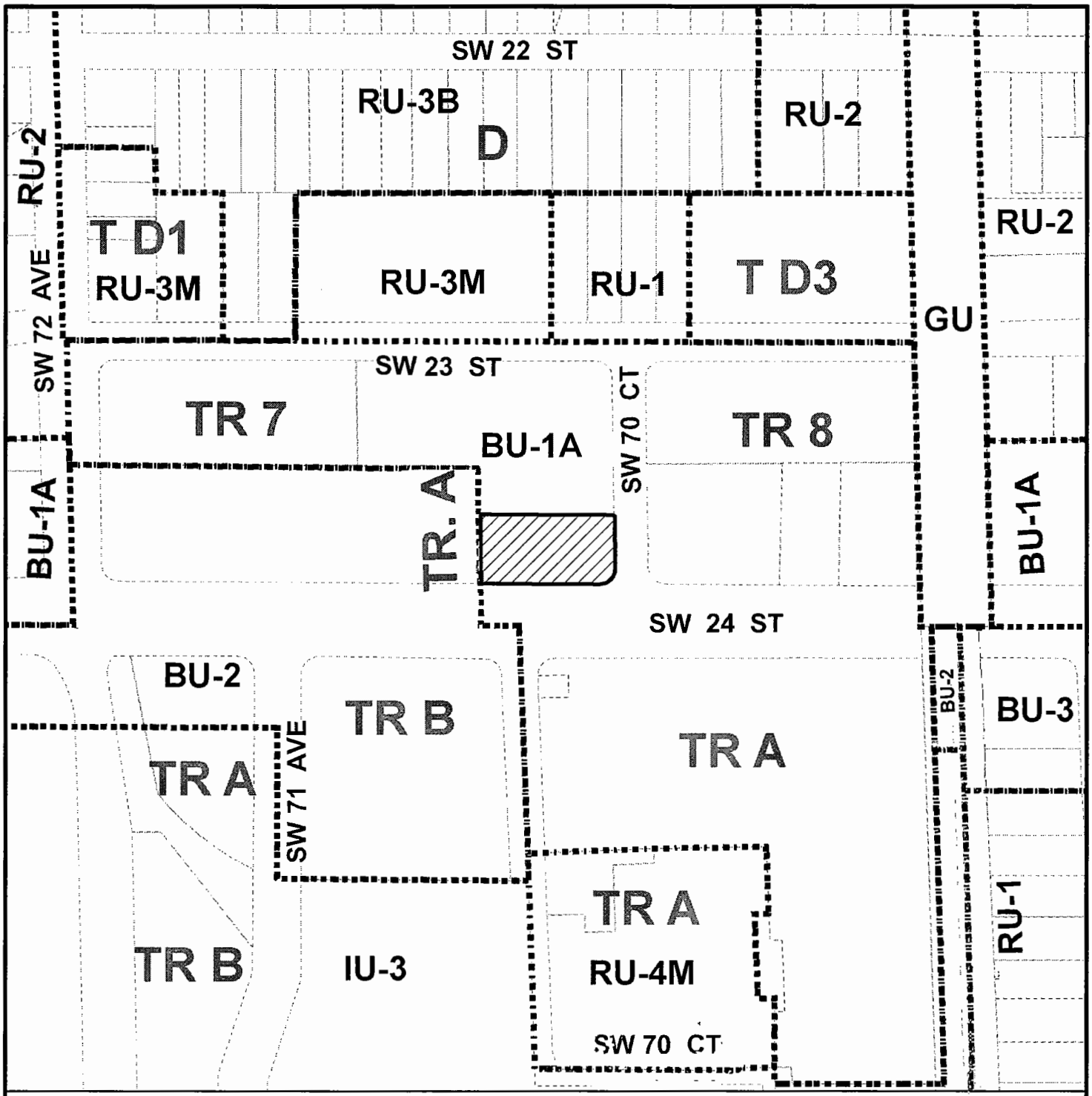
REVISION	DATE	BY
1	23 JULY 2008	Y.CH.
2	12 JANUARY 2009	Y.CH.

FILENAME

COMMISSION NO

SHEET NO

A-4



MIAMI-DADE COUNTY
HEARING MAP

Process Number
08-152

SUBJECT PROPERTY

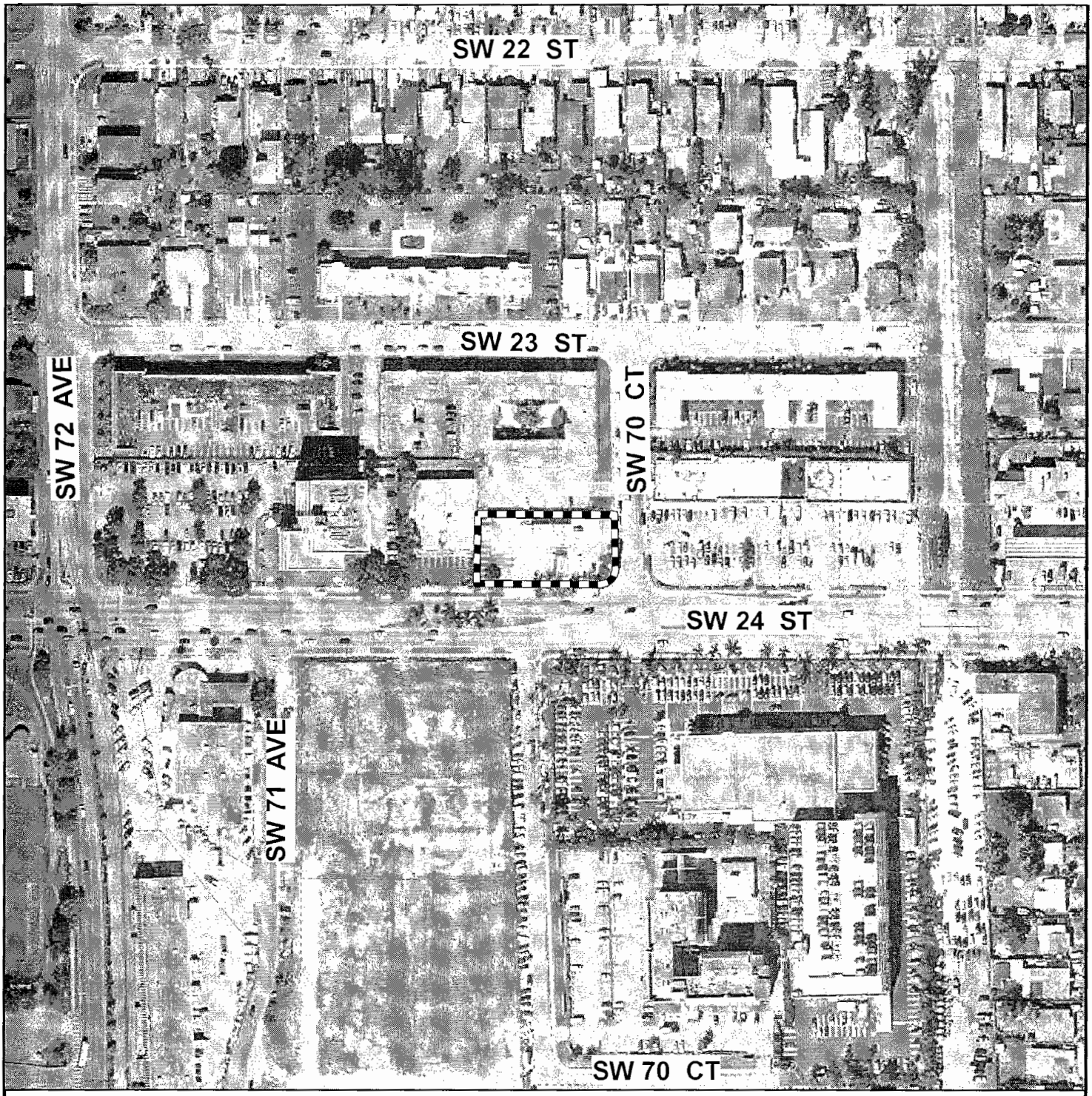
N
W E
S

Section: 11 Township: 54 Range: 40
Applicant: REINALDO BERMUDEZ
Zoning Board: C10
Commission District: 06
Drafter ID: KEELING
Scale: NTS
---------- Zoning

MIAMI-DADE COUNTY

SKETCH CREATED ON: 08/08/08

REVISION	DATE	BY
Add BU-2 zone to BU-1A	05/07/09	KWS
		29



MIAMI-DADE COUNTY

AERIAL YEAR 2008

Section: 11 Township: 54 Range: 40
Applicant: REINALDO BERMUDEZ
Zoning Board: C10
Commission District: 06
Drafter ID: KEELING
Scale: NTS
---------- Zoning

Process Number
08-152

SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 08/08/08

REVISION	DATE	BY
Add BU-2 zone to BU-1A	05/07/09	KWS

2. JANETTE RODRIGUEZ
(Applicant)

09-7-CZ10-2 (09-009)
Area 10/District 10
Hearing Date: 7/15/09

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

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

Disclosure of interest form attached? Yes ☐ No ☑

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
1973	Directors, Building & Zoning Department and Planning Department	Multiple Zone Changes	BCC	Approved

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

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

APPLICANT: Janette Rodriguez **PH:** Z09-009 (09-7-CZ10-2)

SECTION: 18-54-40 **DATE:** July 15, 2009

COMMISSION DISTRICT: 10 **ITEM NO.:** 2

==========

A. INTRODUCTION:

- **REQUESTS:**

  (1) Applicant is requesting to permit a decorative "wing wall" for a single-family residence setback 4' (7.5' required) from the interior side (northwest) property line and to permit the single-family residence setback a minimum 7.45' (7.5' required) from the interior side (northwest) property line.

  (2) Applicant is requesting to permit a detached trellis and barbecue structure setback varying from 0.54' to 2.3' (7.5' required) from the interior side (east) property line and setback 3.4' (7.5' required) from the interior side (south) property line.

  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 "As-Built Plans for Legalization for Janette Rodriguez, consisting of 2 sheets, 1 sheet dated stamped received 1/21/09 and the other dated stamped received 4/20/09. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:**

  The applicant seeks to permit an existing decorative wing wall and the principal residence as well as an existing detached trellis and barbecue structure setback less than required from property lines.

- **LOCATION:** 10840 S.W. 29 Terrace, Miami-Dade County, Florida

- **SIZE:** 13,384 sq. ft.

- **ZONING HEARINGS HISTORY:**

  The subject property is a part of multiple tracts of land that were approved for multiple zoning changes in November 1973, by the Board of County Commissioners (BCC), pursuant to Resolution #Z-357-73. In particular, the tract on which the subject parcel is located was approved for a district boundary change from AU, Agricultural District, to RU-1, Single-family Residential District.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2015 and 2025 Land Use Plan designates the subject property located approximately 4.7 miles east of and within the Urban Development Boundary (UDB) for **Low Density Residential** use. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.

D. NEIGHBORHOOD CHARACTERISTICS:

	ZONING	LAND USE PLAN DESIGNATION
SUBJECT PROPERTY:		
	RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua
SURROUNDING PROPERTY:		
NORTH:	RU-1; Single-family residences	Low Density Residential, 2.5 to 6 dua
SOUTH:	RU-1; Single-family residences	Low Density Residential, 2.5 to 6 dua
EAST:	RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua
WEST:	RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua

The subject property is an irregularly shaped lot located at 10840 SW 29 Terrace Street in an established residential enclave, approximately 4.7 miles east of and within the UDB. The subject property is surrounded primarily by single-family residences.

E. SITE AND BUILDINGS:

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

*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;

B. and the proportionality between the impacts on residents of the proposed alternative development and the immediate vicinity and the amenities or buffering required. For example, a reduction in lot area for numerous lots may warrant the provision of additional common open space. A reduction in a particular lot's interior side setback may warrant the provision of additional landscaping.

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

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

G. NEIGHBORHOOD SERVICES:

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

H. ANALYSIS:

The subject property is an irregularly shaped lot located at 10840 SW 29 Terrace in an area zoned RU-1, Single-Family Residential District, and developed with single-family residences. The subject property is designated as **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP), which allows 2 to 6 dwelling units per acre. Since the request will not add additional dwelling units to the subject property, the RU-1 zoned density of the subject site remains **consistent** with the density threshold of the LUP map of the CDMP. Staff recommends partial approval of this application for reasons stated below.

The Department of Environmental Resources Management **(DERM)** and the Public Works Department **(PWD)** have **no objections** to this application. The Miami-Dade Fire Rescue Department **(MDFRD)** has **no objections** to this application and their memorandum indicates that the estimated average travel response time is **6:18** minutes.

When request #1 is analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval with conditions of this request would be **compatible** with the surrounding area and would not negatively affect the appearance of the community. Approval of this request will allow the maintenance and continued use of the existing residence and the existing decorative "wing wall" feature encroaching into the interior side (northwest) setback. Staff opines that the 4' high decorative "wing wall" is visually unobtrusive to the surrounding properties and, therefore, does not result in an obvious departure from the aesthetic character of the surrounding area. Said decorative wall is connected to a 6' high opaque fence which encloses the side and rear yard. Further, in staff's opinion, the 0.05' encroachment of the existing residence into the interior side (northwest) setback is likely due to an inadvertent construction error. Additionally, said encroachment is minimal and would also not result in an obvious departure from the aesthetic character of the surrounding area. Staff further notes that similar requests were approved through zoning hearings and through the Administrative Adjustment process within the immediate vicinity of the subject property. For example, in 1988, a property located at 10731 SW 28 Street was approved for a request to permit an existing porch addition 4.33' from the interior side (east) property line as well as to permit a utility shed setback 2.8' from the rear (north) property line and 4.8' from the interior side (west) property line, pursuant to Administrative Variance #88-089. Further, staff opines that the existing 0.49' encroachment of the residence into the interior side (north) setback area is due to a construction error that most likely occurred when the residence was originally built. As such, staff opines that the approval of this request under Section 33-311(A)(4)(b), NUV Standards, subject to applicant obtaining permits for all the unpermitted structures as well as removing those that are not permitted through this process on the property, would not have a negative impact on the surrounding community.

However, when request #2 is analyzed under Section 33-311(A)(4)(b), NUV Standards, staff opines that approval of this request, to permit the detached trellis and barbecue structure encroaching into the interior side setbacks, would have a negative visual impact on the appearance of the community. Further, this type of structure provides an outside area amenity for the gathering of guests which, staff opines, would have a negative aural impact on the abutting properties to the east and south. Staff also notes that there are no similar approvals for requests as intensive as this in the surrounding area. As such, staff opines that the requested encroachment is too intensive and that the applicant has ample space on the 13,384 sq. ft. lot to site the trellis and barbecue structure without creating a negative visual or aural impact on the

abutting properties. Based on the aforementioned, staff recommends that request #2 be denied without prejudice under Section 33-311(A)(4)(b) (NUV).

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

When analyzing requests #1 and #2 under the Alternative Site Development Option (ASDO) Standards, Section 33-311(A)(14), staff notes that the ASDO Standards provide for the approval of a zoning application which can demonstrate at a public hearing that the development requested is in compliance with the applicable ASDO Standards and does not contravene the enumerated public interest standards as established. However, the applicant has not provided staff with the documentation required for analysis of the requests under the ASDO Standards. As such, the requests cannot be approved under same and, therefore, staff recommends denial without prejudice of the application under Section 33-311(A)(14) (ASDO).

Based on all of the aforementioned, staff opines that, subject to the recommended conditions, the approval of request #1 is **compatible** with the surrounding properties and **consistent** with the LUP map of the CDMP. However, staff opines that approval of request #2 would be too intensive and would have a negative visual and aural impact on the surrounding properties. Staff therefore recommends approval with conditions of requests #1 under Section 33-311(A)(4)(b), denial without prejudice of request #2 under same and denial without prejudice of requests #1 and #2 under Section 33-311(A)(4)(c).(ANUV) and under Section 33-311(A)(14) (ASDO).

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

J. **CONDITIONS**:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion, said plan to include among other things but 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 to the Department of Planning and Zoning entitled "As-Built Plans for Legalization for Janette Rodriguez, consisting of 2 sheets, 1 sheet dated stamped received 1/21/09 and the other dated stamped received 4/20/09, except as herein amended to show the removal of the trellis and barbecue area, or relocation of said structures to comply with the setback requirements of the zoning code. 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 trellis and barbecue area on the east side of the property be removed or be relocated to comply with the setback requirements of the zoning code prior to the final inspection for a building permit for said additions.

5. That the applicant apply for and secure a building permit for any non-permitted additions or structures from the Building Department within 120 days of the expiration of the appeal period for this zoning hearing application, unless a time extension is granted by the Director of the Department of Planning and Zoning for good cause shown.

DATE INSPECTED:
DATE TYPED: 06/11/09
DATE REVISED: 06/11/09
DATE FINALIZED: 06/16/09
MCL:NN:NC:CH

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

NDN

Memorandum

MIAMI-DADE COUNTY

Date: February 19, 2009

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

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

Subject: C-10 #Z2009000009
Janette Rodriguez
10840 S.W. 29th Terrace
Request to Permit a Carport and Family Room Addition that Exceed Setback Requirements
(RU-1) (0.30 Acres)
18-54-40

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.

Enforcement History
DERM has found no open or closed enforcement records 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.

11

Memorandum

Date: November 26, 2008

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

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

Subject: Zoning Hearing Improvements

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

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

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

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

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

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

Leandro Rodriguez

Memorandum

Date: 05-FEB-09

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2009000009

Fire Prevention Unit:

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

Service Impact/Demand:

Development for the above Z2009000009
located at 10840 S.W. 29 TERRACE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1480 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: 6:18 minutes

Existing services:

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

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

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.

OFFICE OF NEIGHBORHOOD COMPLIANCE
TAMIAMI REGION

ENFORCEMENT HISTORY

NAME:
Janette Rodriguez

ADDRESS:
10840 SW 29 Terrace, MIAMI-DADE COUNTY, FLORIDA.
3040180370200

DATE: 07/07/09

ZONING HEARING#:
09-9

CURRENT ENFORCEMENT HISTORY:

No open cases. No current violations.

PRIOR CASES:

No prior cases.

VOLTAGE	1-60-240
MANUFACTURER:	RHEEM
AHU MODEL NUMBER:	RCGJ-60A1
COND. MODEL NUMBER:	RAPC-060JA
SEER/EER	13.00
LIQUID/SUCTION SIZE-IN	3/8"-3/4"

TINTED WINDOW W/A SHGC.= 0.50

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Rear yard area
5,088%.48 = .009% ok V
(BBQ)
23.1% lot coverage ok V
13,384%.3104 =

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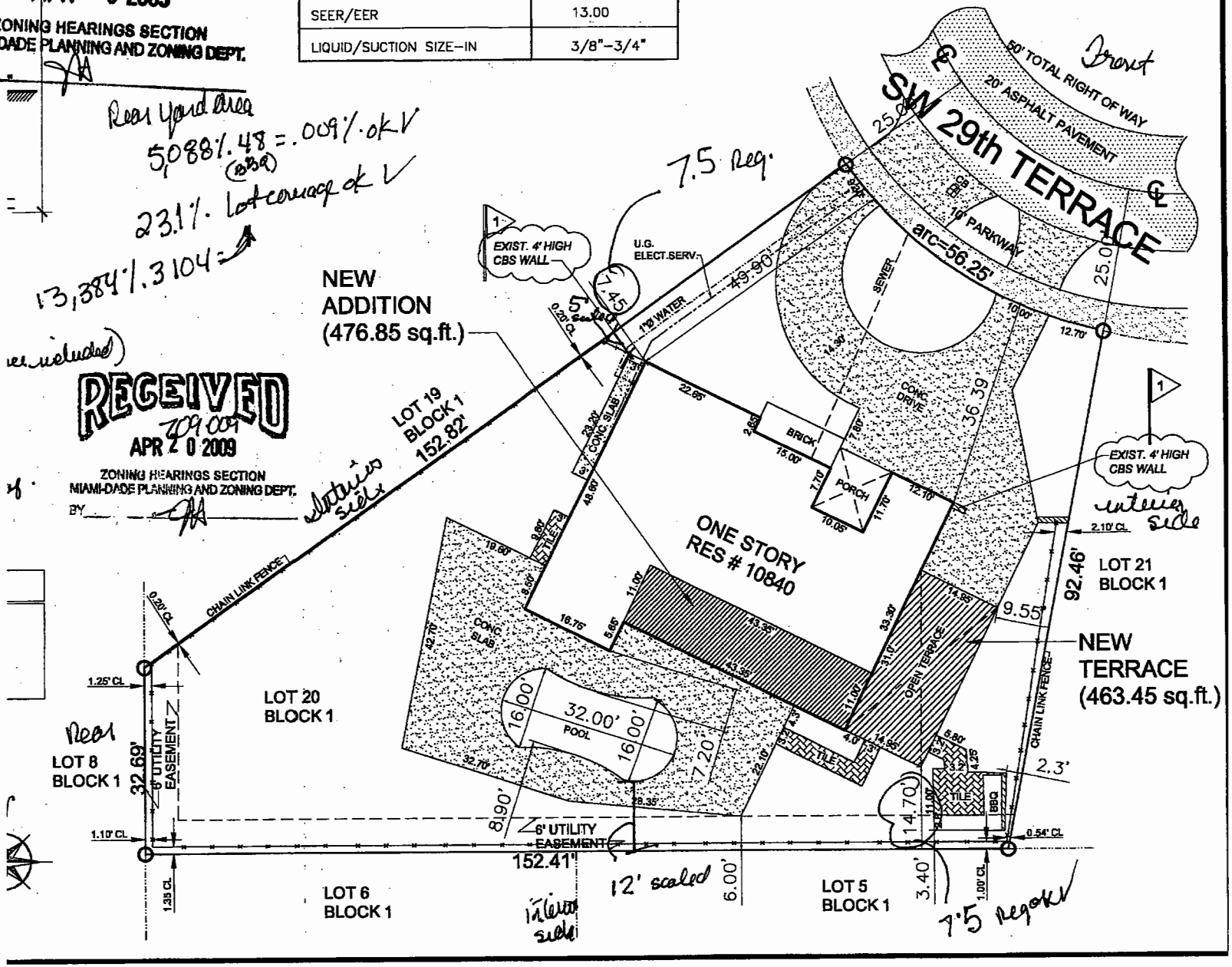


ENLARGED SITE PLAN

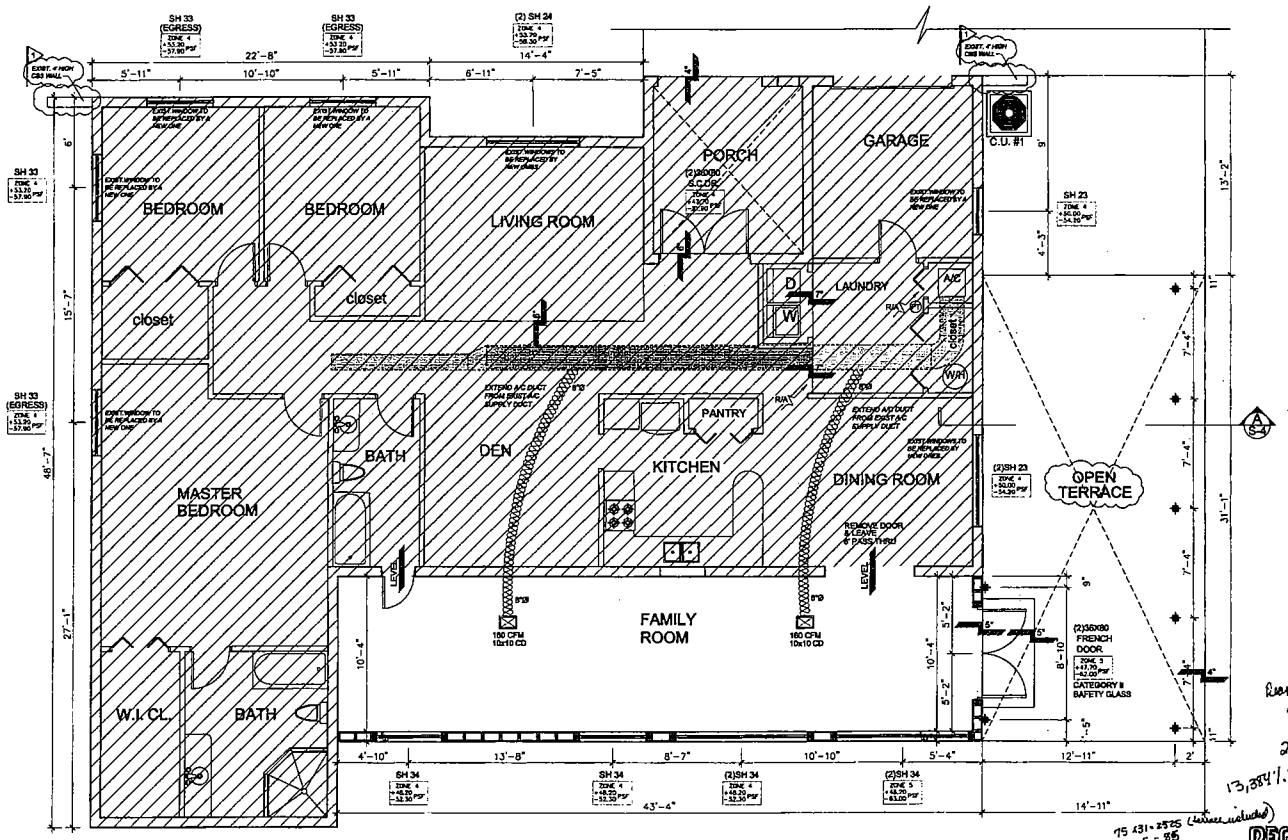
15

CHAPTER 9 B-53: RADON RESISTANCE	R4404.4.3.1 SOIL COMPACTION	SOIL STATEMENT:	R4409.13.5 TERMITE PROTECTION
PROVIDE 8 MIL VAPOR BARRIER AT CONCRETE SLAB TO COMPLY WITH CHAPTER 9 B-53	FILL SUPPORTING CONCRETE SLAB SHALL BE COMPACTED UNDER THE SUPERVISION OF SPECIAL INSPECTOR TO A MINIMUM OF 95 PERCENT OF MAXIMUM DRY DENSITY AS DETERMINED BY COMPACTION TEST FOR ALL LAYERS & 98 PERCENT FOR FOOTING.	SOIL CONDITION AT SITE BY VISUAL INSPECTION INDICATES AN ALLOWABLE BEARING CAPACITY OF 2,000 P.S.F. (UNDISTURSED SAND AND/OR ROCK) PRIOR TO THE INSTALLATION OF ANY FOOTING FOUNDATION SYSTEM FOR NEW BUILDINGS, STRUCTURES OR ADDITIONS THE BUILDING OFFICIAL SHALL BE PROVIDED WITH A STATEMENT FROM AN ARCHITECT OR ENGINEER TO CERTIFY THE PRESUMTIVE SOIL BEARING CAPACITY.	ALL BUILDING SHALL HAVE A PRE-CONSTRUCTION TREATMENT PROTECTION AGAINST SUBTERRANEAN TERMITES. THE RULES AND LAWS AS ESTABLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES SHALL BE DEEMED AS APPROVED WITH RESPECT TO PRECONSTRUCTION SOIL TREATMENT FOR PROTECTION AGAINST SUBTERRANEAN TERMITES. A CERTIFICATE OF COMPLIANCE SHALL BE ISSUED TO THE BUILDING DEPARTMENT BY THE LICENSED PEST CONTROL COMPANY THAT CONTAINS THE FOLLOWING STATEMENT: "THE BUILDING HAS RECEIVED A COMPLETE TREATMENT FOR THE PREVENTION OF SUBTERRANEAN TERMITES. TREATMENT IS IN ACCORDANCE WITH RULES AND LAWS ESTABLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES."

GENERAL NOTES:

1. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS AND ANGLES AND ALL OTHER EXISTING CONDITIONS PRIOR TO COMMENCING ANY WORK. CONTRACTOR TO ALSO VERIFY AND APPROVE ALL INFORMATION ON DRAWINGS. ACCEPTANCE OF THESE PLANS CONSTITUTES APPROVAL. PLEASE NOTIFY ENGINEER BY CERTIFIED MAIL OF ANY CONFLICTS OR DISCREPANCIES, IF ANY.
2. CONTRACTOR SHALL FURNISH AND BE SOLELY RESPONSIBLE FOR ALL TEMPORARY BRACING AND SHORING REQUIRED TO MAINTAIN PLUMBNESS AND STABILITY OF ALL STRUCTURAL ELEMENTS DURING CONSTRUCTION.
3. THE CONTRACTOR SHALL OBTAIN FROM ALL SUBCONTRACTORS THE FINAL APPROVED SITE AND LOCATION OF ALL OPENINGS TO BE PROVIDED FOR RESPECTIVE TRADES. HE SHALL BE RESPONSIBLE FOR LOCATION AND DETAILS.
4. ALL CONCRETE FOR FOUNDATIONS & SLABS ON GRADE SHALL REACH 2500 P.S.I. COMPRESSIVE STRENGTH AT 28 DAYS, AND ALL COLUMNS, GROUTED CELLS, SLABS ABOVE GRADE AND TIE BEAMS SHALL REACH 3000 P.S.I. COMPRESSIVE STRENGTH MINIMUM AT 28 DAYS UNLESS OTHERWISE NOTED.
5. CONTRACTOR/OWNER SHALL BE RESPONSIBLE FOR VERIFYING REQUIRED GRADE & FINISHED FLOOR ELEVATIONS WITH RESPECT TO DADE COUNTY FLOOD CRITERIA, EXISTING CROWN OF ROAD ELEVATIONS, FEDERAL FLOOD CRITERIA OR ANY OTHER GOVERNING BODY.
6. OWNER AND CONTRACTOR SHALL NOTIFY ENGINEER IN WRITING, BY CERTIFIED MAIL UPON COMMENCEMENT PROJECT.

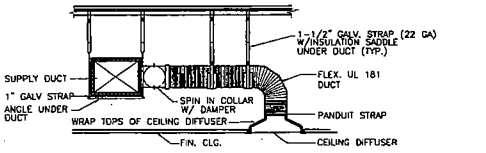
PLEASE NOTE - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO FIELD VERIFY ALL JOB CONDITIONS AND DIMENSIONS.



FLOOR PLAN

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

THE CONSTRUCTION DOCUMENTS HAVE BEEN PREPARED IN COMPLIANCE WITH FBC 2004 & 2006 SUPPLEMENT.



DUCT CONNECTIONS TO CEILING DIFFUSERS DETAIL

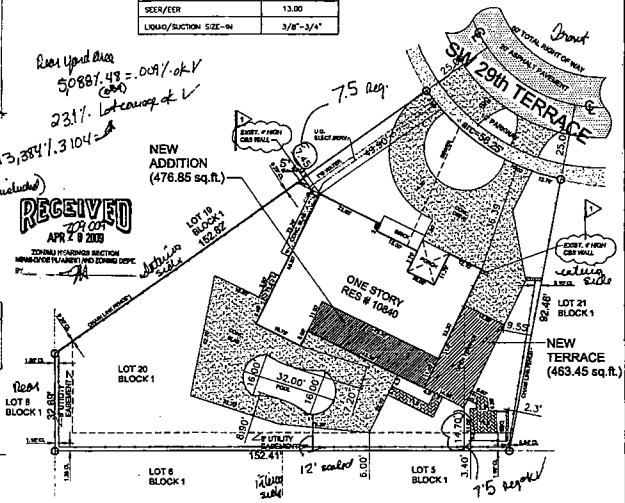
SPLIT SYSTEM SCHEDULE	
	UNIT #1
TOTAL CAPACITY (BTU/HR):	50,500
SENSIBLE BTU/HR	37,500
C.F.M. SUPPLY	1800
STRIP HEATER (KW)	10
ESP.-IN WC.	0.30
TEMP. AIR ENT. COIL DB/WB	80/78
C.U. FLA	21.4
VOLTAGE	1-60-240
MANUFACTURER:	RHEEM
AHU MODEL NUMBER:	RCGJ-60A1
COND. MODEL NUMBER:	RAPC-060JA
SEER/EER	13.00
LIQUID/SUCTION SIZE-IN	3/8"-3/4"

HVAC		
HVAC DESIGN REQUIREMENTS	YES	NO
DUCT SMOKE DETECTOR		X
FIRE DAMPER(S)		X
SMOKE DAMPER(S)		X
FIRE RATED ENCLOSURE		X
FIRE RATED ROOF/FLOOR		X
CEILING ASSEMBLY		X
FIRE STOPPING		X
SMOKE CONTROL		X

TINTED WINDOW W/A SHGC.= 0.50

LEGAL DESCRIPTION

LOT 20, BLOCK 1 OF "ADRIA SUBDIVISION, SECTION F" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 110 AT PAGE 28 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



SITE PLAN

SCALE: 1"- 20'

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BY

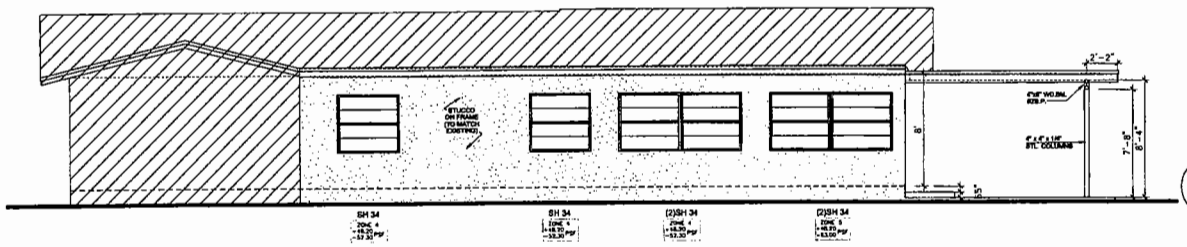
MARIA LOPEZ, P.E.
CIVIL ENGINEER FLA. REG. No.60157
525 S.W. 63rd AVENUE
MIAMI, FL 33144
TEL.: (786) 380-0734

AS BUILT PLANS FOR LEGALIZATION FOR
JANETTE RODRIGUEZ
10840 SW 29th TERRACE
MIAMI, FL 33165

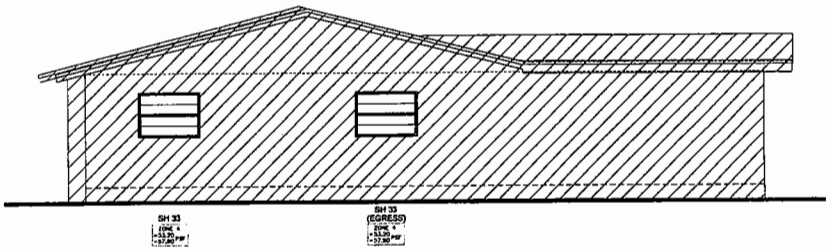
03/26/09

Drawn By: P.P./CBS
Checked: M. LOPEZ
Date: 11/13/08
Project # 08-110

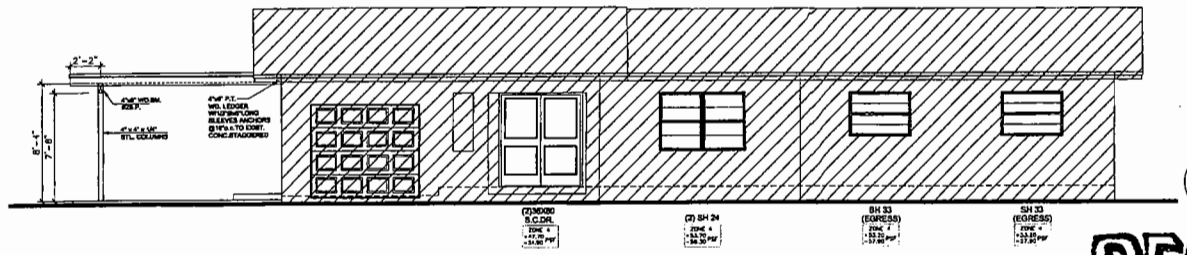
Sheet: A-1



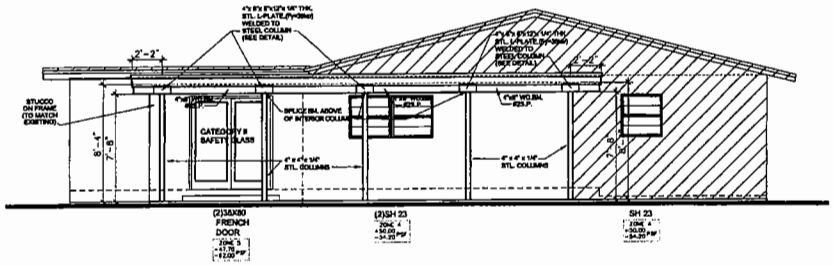
SOUTH ELEVATION
SCALE: 1/4" = 1'- 0"



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



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



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

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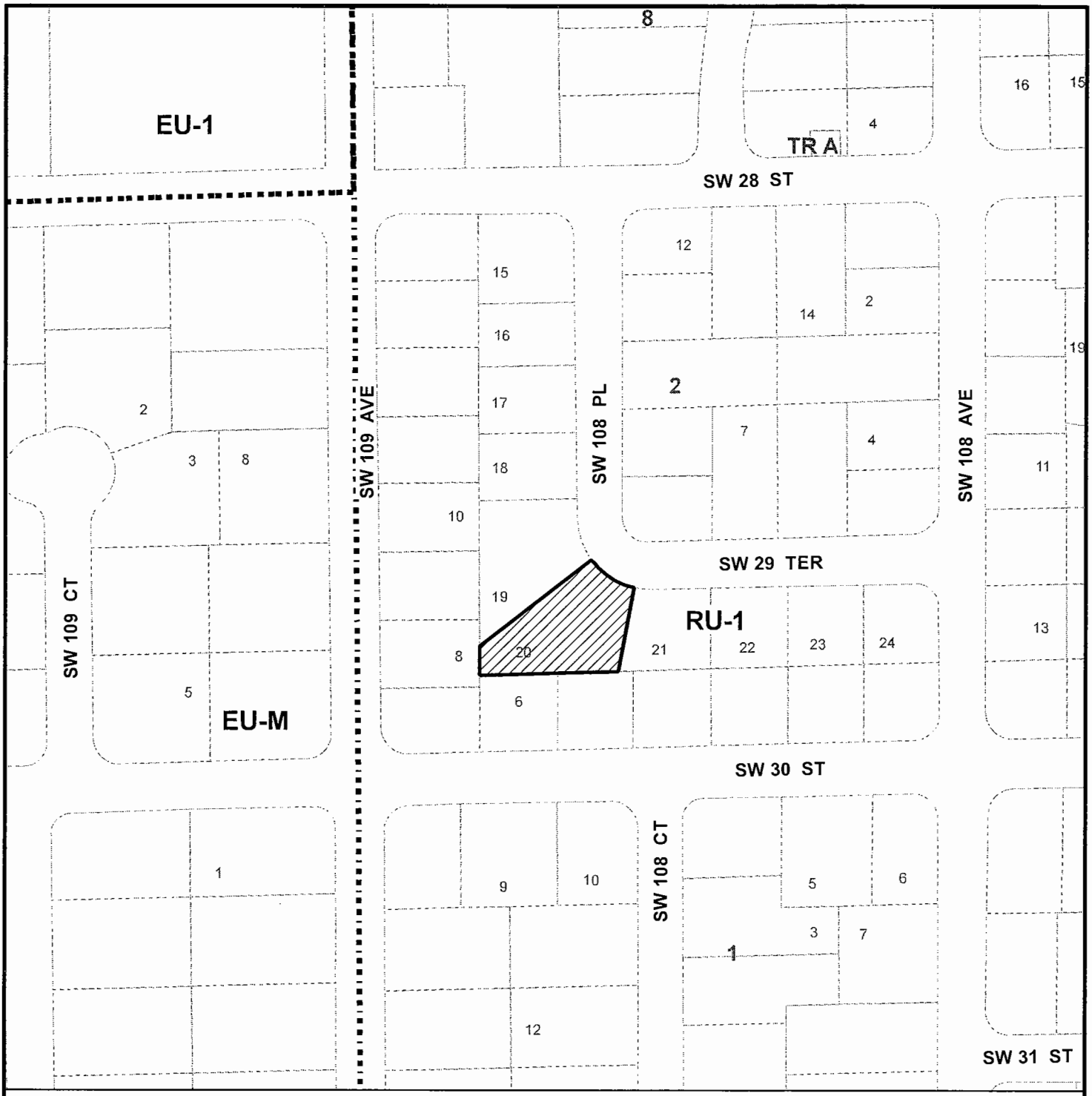
JAN 21 2009

MARIA LOPEZ, P.E.
CIVIL ENGINEER FLA.REG.: No.60157
525 S.W. 63rd AVENUE
MIAMI, FL 33144
TEL.: (786) 380-0734

AS BUILT PLANS FOR LEGALIZATION FOR
JANETTE RODRIGUEZ
10840 SW 29th TERRACE
MIAMI, FL 33165

Drawn by: P.P./CBS
Checked: M. LOPEZ
Date: 11/13/08
Project # 08-110

Sheet:
A-2



MIAMI-DADE COUNTY
HEARING MAP

Process Number
09-009

Section: 18 Township: 54 Range: 40
Applicant: JANETTE RODRIGUEZ
Zoning Board: C10
Commission District: 10
Drafter ID: ALFREDO
Scale: NTS
---------- Zoning

SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 01/29/09

REVISION	DATE	BY
		LB

MIAMI-DADE COUNTY

AERIAL YEAR 2008

Process Number
09-009

Section: 18 Township: 54 Range: 40
Applicant: JANETTE RODRIGUEZ
Zoning Board: C10
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SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 01/29/09

REVISION	DATE	BY