KITS

2-12-2010 Version # 2

MIAMI-DADE COUNTY

COMMUNITY ZONING APPEALS BOARD 10

RUBEN DARIO MIDDLE SCHOOL

350 NW 97 Avenue, Miami

Wednesday, February 17, 2010 at 6:30 p.m.

PREVIOUSLY DEFERRED

A.	09-10-CZ10-1	ZULLY ZALDIVAR	08-83	08-54-41	
B.	09-11-CZ10-1	WESTCHESTER SPANISH SEVENTH DAY ADVENTIST CHURCH	07-3	09-54-40	
C.	07-11-CZ10-1	CARLOS AND NILDA TORRENTS	06-360	16-54-40	
D.	09-12-CZ10-3	GEORGE HURTADO	09-85	17-54-40	

CURRENT

1.	10-2-CZ10-1	SUSANA RODRIGUEZ & HUGO JIMENEZ	09-110	10-54-39	N

Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 10

MEETING OF WEDNESDAY, FEBRUARY 17, 2010

RUBEN DARIO MIDDLE SCHOOL

350 NW 97 AVENUE, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 6:30 P.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

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

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

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

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

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

SWEARING IN OF WITNESSES

A. ZULLY ZALDIVAR (09-10-CZ10-1/08-083) **08-54-41**
Area 10/District 6

(1) RU-3 to RU-5A

(2) Applicant is requesting to permit a parcel of land with a lot area of 8,594.42 sq. ft. (10,000 sq. ft. required).

(3) Applicant is requesting to permit a one-way driveway 12' wide (14' required).

(4) Applicant is requesting to permit a 3' wide landscape buffer (7' required) along the right-of-way.

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

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Zaldivar Office," as prepared by Oscar E. Matutes, R.A., Architecture Interiors, dated stamped received 11/3/08 consisting of 2 sheets and plans entitled "Proposed Zoning change for: Zaldivar," as prepared by Marrero and Associates, dated stamped received 5/22/09, consisting of 2 sheets for a total of 4 sheets. Plans may be modified at public hearing.

LOCATION: 4200-4204 SW 15 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 82' x 104.81'

Department of Planning and Zoning Recommendation:

Approval of zone change from RU-3 to RU-5A, (request #1) subject to the Board's acceptance of the proffered covenant, approval with conditions of requests #2 through #4 under Section 33-311 (A)(4)(b) (NUV), denial without prejudice of same under Section 33-311 (A)(4)(c) (ANUV) denial without prejudice of request #2 under Section 33-311 (A)(20) (ASDO).

Protests: 113 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____
Deferred from 11/10/09

B. WESTCHESTER SPANISH SEVENTH DAY ADVENTIST CHURCH (09-11-CZ10-1/07-003) **10-54-39**
Area 10/District 11

(1) UNUSUAL USE to permit a day care center in conjunction with a previously approved religious facility.

(2) MODIFICATION of a plan approved pursuant to Resolution #2-ZAB-644-64 and last modified by Resolution #4-ZAB-417-83, both passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "Plans are on file and may be examined in the Zoning Department entitled 'Proposed Addition to "Primera Iglesia Bautista de Coral Park,"' as prepared by Cortinas, Aragon and Associates, Architects & Planners, Inc., dated 8-5-83, revised 9-14-83."

TO: "That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'A New Day Care Center for Westchester Spanish 7th Day Adventist Church 9500 SW 16 Street, Miami, Florida,' as prepared by Filer & Hammond Architects, Inc., Sheets 'A-1' and 'L-2' dated stamped received 9/11/09, and the remaining sheets dated stamped received 7/13/09, for a total of 4 sheets."

(3) MODIFICATION of Condition #5 of Resolution #4-ZAB-417-83, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "5. That a landscaped 5' buffer strip be maintained along the north and south property lines."

TO: "5. That a landscaped 5' buffer strip be maintained along the south property line."

(4) MODIFICATION of Conditions #3 and #5 of Resolution No. #Z-371-74, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "3. That the use be approved for and be restricted to a maximum of 12 students."

TO: "3. That the use be approved for and be restricted to a maximum of 65 students."

FROM: "5. That the hours of operation shall be from 8:30 a.m. to 2:30 p.m."

TO: "5. That the hours of operation shall be from 6:30 a.m. to 7:00 p.m."

(5) DELETION of Conditions #7, #8 and #9 of Resolution No. #Z-371-74, passed and adopted by the Board of County Commissioners, reading as follows:

"7. That the number of classrooms in each grade will be 3."

"8. That the number of students in each room will be limited to 4."

"9. That the number of teachers for each room will be 1."

The purpose of requests #2-#5 is to allow the applicant to submit new plans showing a day care center, reconfiguration of the parking lot, increase in the number of students and the hours of operation and to delete the restrictions limiting the number of classrooms in each grade, number of students in each classroom and the number of teachers in each room.

(6) Applicant is requesting to permit parking within 25' of the official rights-of-way.

(7) Applicant is requesting to permit a 4'4" (10' required) spacing between structures.

(8) Applicant is requesting to permit a building for public assemblage setback 24'2" (25' required) from the front (east) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2-#5 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 #6-#8 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

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

LOCATION: 9500 S.W. 16 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.04 Net Acres

Department of Planning and Zoning Recommendation: Approval with conditions of request #1; approval with conditions of requests #2 through #5 under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17) (Modification or Elimination of Conditions and Covenants After Public Hearing); approval with conditions of requests #6 through #8 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV).

Protests: 17 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____
Deferred from 11/10/09

C. CARLOS AND NILDA TORRENTS (07-11-CZ10-1/06-360) **16-54-40**
Area 10/District 10

(1) RU-1 to RU-5A

(2) Applicants are requesting to waive the zoning regulations requiring section line rights-of-way to be 80' in width; to permit 35' of dedication (40' required) for the east half of S.W. 97th Avenue.

(3) Applicants are requesting to permit a lot area of 7,816.15 sq. ft. (10,000 sq. ft. required).

(4) Applicants are requesting to permit a building setback 11'6" (15' required) from the interior side (south) property line and setback 6'10" (15' required) from the interior side (north) property line.

(5) Applicants are requesting to permit a minimum 4'6" wide (7' required) parking lot buffer along the front (west) property line.

(6) Applicants are requesting to permit two access drives (1 two way and 1 one way) along S.W. 97th Avenue (one 2-way drive or two 1-way drives permitted).

(7) Applicants are requesting to permit a two-way drive 9'6" wide (20' required).

(8) Applicants are requesting to permit a minimum 2' wide landscape buffer (5' required) and 3 buffer trees (6 trees required) between dissimilar land uses along the interior side (south) property line and rear (east) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Proposed Renovation to Existing Residence," as prepared by Jose R. Merlo, Architect, dated stamped received 12/04/06, consisting of 4 pages and 1 page dated stamped received 6/5/07 for a total of 5 pages. Plans may be modified at public hearing.

LOCATION: 2631 S.W. 97 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 7,816.15 sq. ft.

Department of Planning and Zoning Recommendation: Denial without prejudice.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____
Deferred from 1/20/10

D. GEORGE HURTADO (09-12-CZ10-3/09-085) **17-54-40**
Area 10/District 10

(1) MODIFICATION of Condition #2 of Resolution #CZAB10-62-05, passed and adopted by Community Zoning Appeals Board #10, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Atlantic Appraisal Consultants,' as prepared by Offerle-Lerner, AIA, consisting of 4 sheets dated October 28, 2004."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Bright Beginnings Learning Center,' as prepared by Golaville K. Rao, dated stamped received 12/18/09 for a total of 3 sheets."

The purpose of request #1 is to allow the applicant to submit a new site plan showing a day care center in lieu of a previously approved office building.

(2) Applicant is requesting to permit a 2-way drive with a width of 9' (20' required).

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

LOCATION: 3231 S.W. 107 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 75' x 105'

Department of Planning and Zoning Recommendation: Denial without prejudice.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____
Deferred from 1/20/10

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1. SUSANA RODRIGUEZ & HUGO JIMENEZ (10-2-CZ10-1/09-110) 10-54-39
Area 10/District 11

(1) Applicants are requesting to permit a covered terrace and bath/storage room addition to a zero lot line residence setback 5.09' (10' required) from the interior side (west) property line.

(2) Applicants are requesting to permit 12' of visible passable openings (21' required).

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

LOCATION: 14350 SW 11 Terrace, Miami-Dade County, Florida.

SIZE OF PROPERTY: 6,706 sq. ft.

Department of Planning and Zoning Recommendation: Approval with conditions.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

NOTICE

****

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

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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. ZULLY ZALDIVAR
(Applicant)

09-10-CZ10-1 (08-083)
Area 10/District 06
Hearing Date: 02/17/10

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

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

Disclosure of interest form attached? Yes ☐ No ☑

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
1952	George J. Murphy	- Multiple Non-Use Variances	BA	Deferred to Date Certain

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: **ZULLY ZALDIVAR**

REPRESENTATIVE: Cesar Sanchez

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
09-10-CZ10-1 (08-083)	November 10, 2009	CZAB10	09

REC: Approval of the zone change from RU-3 to RU-5A, (request #1) subject to the Board's acceptance of the proffered covenant, approval with conditions of requests #2 through #4 under Section 33-311(A)(4)(b) (NUV), denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV) denial without prejudice of request #2 under Section 33-311(A)(20) (ASDO).

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

■ DEFER: ☐ INDEFINITELY ■ TO: Feb 17, 2009 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

■ OTHER: At applicant's request. The applicant's rep stated that the lending institution who issued the mortgage is no longer in business. He has stated that he needs the time to locate the lending institution who now has the mortgage to obtain a signed joinder.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		George A. ALVAREZ			X
COUNCILMAN		Jorge BARBONTIN		X	
VICE-CHAIRMAN	S	Jose GARRIDO (C.A.)	X		
COUNCILMAN		Carlos A. MANRIQUE	X		
COUNCILMAN	M	Rueben POL III	X		
CHAIRMAN		Julio R. CACERES	X		
		VOTE:	4	1	

EXHIBITS: ■ YES ☐ NO COUNTY ATTORNEY: DAVID HOPE

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

#1

APPLICANT'S NAME: **ZULLY ZALDIVAR**

REPRESENTATIVE: Rick Ruiz

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
09-10-CZ10-1 (08-83)	October 14, 2009	CZAB10		09

REC: Approval of zone change from RU-3 to RU-5A (request #1) subject to the Board's acceptance of the proffered covenant, approval with conditions of requests #2 through #4 under Section 33-311 (A)(14)(b) (NUV), denial without prejudice of same under Section 33-311 (A)(4)(c) (ANUV) denial without prejudice of request #2 under Section 33-311 (A)(20) (ASDO).

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

■ DEFER: ☐ INDEFINITELY ■ TO: Nov 10, 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: No re-adv. To submit completed covenant.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		George A. ALVAREZ			X
COUNCILMAN	M	Jorge BARBONTIN	X		
VICE-CHAIRMAN		Jose GARRIDO (C.A.)			X
COUNCILMAN		Carlos A. MANRIQUE	X		
COUNCILMAN	S	Rueben POL III	X		
CHAIRMAN		Julio R. CACERES	X		
		VOTE:	4	0	

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

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

APPLICANT: Zully Zaldivar | **PH:** Z08-083 (09-10-CZ10-1)

SECTION: 8-54-41 | **DATE:** February 17, 2010

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

==========

A. INTRODUCTION

- **REQUESTS:**

  (1) RU-3 to RU-5A

  (2) Applicant is requesting to permit a parcel of land with a lot area of 8,594.42 sq. ft. (10,000 sq. ft. required).

  (3) Applicant is requesting to permit a 1-way driveway 12' wide (14' required).

  (4) Applicant is requesting to permit a 3' wide landscape buffer (7' required) along the right-of-way.

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

  Plans are on file and may be examined in the Zoning Department entitled "Zaldivar Office," as prepared by Oscar E. Matutes, R.A., Architecture Interiors, dated stamped received 11/3/08 consisting of 2 sheets and plans entitled "Proposed Zoning change for: Zaldivar," as prepared by Marrero and Associates, dated stamped received 5/22/09, consisting of 2 sheets for a total of 4 sheets. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:**

  The applicant is seeking to rezone the subject property from RU-3, Four Unit Apartment House District, to RU-5A, Semi-Professional Office District. Additional requests to permit a parcel of land with reduced lot area, a reduced driveway width and to permit a 3' landscape buffer are also being sought.

- **LOCATION:** 4200-4204 S.W. 15 Street, Miami-Dade County, Florida.

- **SIZE:** 82' x 104.81'

B. ZONING HEARINGS HISTORY:

In November 1952, the subject property was approved through the Board of Adjustment process for variances to permit a four-unit apartment building with a front setback of 15' (40' required) and a rear setback of 5' (25' required), pursuant to Resolution #BA 11-52.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

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

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

(3) **Office uses** smaller than five acres in size may be approved in areas designated as Residential Communities where other office, business or industrial use(s) which are not inconsistent with this plan already lawfully exist on the same block face. **However, where such an office, business, or industrial use exists only on a corner lot of a subject block face or block end, approval of office use elsewhere on the block is limited to the one block face or block end which is the more heavily trafficked side of the referenced corner lot.** Office uses may be approved on such sites only if consistent with the objectives and policies of the CDMP and the use or zoning district would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would be out of scale with the character of the neighboring uses or would detrimentally impact the surrounding area. In applying this provision, the maximum limits of an eligible residentially designated block face along which office uses may be extended shall not extend beyond the first intersecting public or private street, whether existing, platted or projected to be necessary to provide access to other property, or beyond the first railroad right-of-way, utility transmission easement or right-of-way exceeding 60 feet in width, canal, lake, public school, church, park, golf course or major recreational facility.

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

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

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
RU-3; duplex residence	Low Density Residential, 2.5 to 6 dua
Surrounding Properties:	
NORTH: RU-3; apartment building	Low Density Residential, 2.5 to 6 dua

SOUTH:	RU-3; office building	Low Density Residential, 2.5 to 6 dua
EAST:	RU-5A; apartment building	Low-medium Density Residential, 6 to 13 dua
WEST:	RU-1; single-family residence	Low Density Residential, 2.5 to 6 dua

The subject property is a corner lot located at 4200-4204 S.W. 15 Street in an area characterized by single-family residences, offices and apartment buildings.

E. SITE AND BUILDINGS:

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

*Subject to conditions.

F. PERTINENT REQUIREMENTS/STANDARDS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(k) Notwithstanding the foregoing, no proposed alternative development shall be approved upon demonstration that the proposed alternative development:

(1) will result in a significant diminution of the value of property in the immediate vicinity; or

(2) will have substantial negative impact on public safety due to unsafe automobile movements, heightened vehicular-pedestrian conflicts, or heightened risk of fire; or

(3) will result in a materially greater adverse impact on public services and facilities than the impact that would result from development of the same parcel pursuant to the underlying district regulations; or

(l) Proposed alternative development under this subsection shall provide additional amenities or buffering to mitigate the impacts of the development as approved, where the amenities or buffering expressly required by this subsection are insufficient to mitigate the impacts of the development. The purpose of the amenities or buffering elements shall be to preserve and protect the economic viability of any enterprises proposed within the approved development and the quality of life of residents and business tenants of the immediate vicinity in a manner comparable to that ensured by the underlying district regulations. Examples of such amenities include but are not limited to: active or passive recreational facilities, landscaped open space over and

above that normally required by the code, additional trees or landscaping, the inclusion of residential use(s), convenient pedestrian connection(s) to adjacent residential development(s), convenient covered bus stops or pick-up areas for transportation services, sidewalks (including improvements, linkages, or additional width), bicycle paths, buffer areas or berms, street furniture, undergrounding of utility lines, cohesive wall signage, and decorative street lighting. In determining which amenities or buffering elements are appropriate for a proposed commercial development, the following shall be considered:

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

(B) the proportionality between the impacts on the residents, business tenants or occupants of parcel(s) in the immediate vicinity and the amenities or buffering required. For example, a reduction in lot area for numerous lots may warrant the provision of additional landscape open space.

G. NEIGHBORHOOD SERVICES:

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

*Subject to conditions indicated in their memoranda.

H. ANALYSIS:

This application was deferred from the October 14, 2009 and November 10, 2009 meetings to allow the applicant additional time to proffer a covenant. The applicant is requesting a zone change from RU-3, Four Unit Apartment House District, to RU-5A, Semi-Professional Office District. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the subject property for **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). The 0.204-acre subject property is located at 4200-4204 S.W. 15 Street, a corner lot, where SW 15 Street intersects with SW 42 Avenue, which is designated as a major roadway on the LUP map of the CDMP. Further, the subject property is at the eastern edge of a residential district where it abuts RU-5A uses to the east, and RU-3 zoned properties to the north and south. However, the property to the south, although zoned RU-3, presently houses an office use, based on a previous approval for a use variance and the property to the north consists of a 2-story apartment building. Though the proposed office development is located on a smaller lot area than allowed by the zoning district being requested, resulting in request #2, and for variances to the zoning regulations to allow a narrower driveway and landscaped

11

strip (requests #3 and #4), staff is of the opinion that the scale and character of the proposed one-story office building, designed to match the abutting residential development to the west, will not have a negative visual impact on the surrounding properties nor will there be a negative impact on traffic on the abutting roadways. However, staff notes that the subject property consists of three platted lots and in order to preserve the integrity of the site, the applicant has voluntarily proffered a covenant in lieu of unity of title limiting the development of the site to the submitted site plans and preventing medical and dental uses on the subject property. Staff therefore opines that the proposed office use is **consistent** with the LUP map and the interpretative text of the CDMP and **compatible** with the surrounding residential and office uses.

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. However, the applicant will have to comply with all conditions as set forth in their memorandum. The **Public Works Department** has **no objections** to this application and indicates in their memorandum that the development meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply. The Miami-Dade Fire Rescue Department **(MDFR)** has **no objections** to this application and their memorandum indicates that the estimated average travel response time is **7:24** minutes.

The applicant seeks to change the zoning on the subject property from RU-3 to RU-5A. Approval of this application will allow the applicant to provide semi-professional office services for the community. Staff notes that the subject property abuts a property to the south that was approved for a Use Variance to permit an appraisal office in the RU-3 zone as would be permitted in the RU-5, Residential/Semi-Professional Office and Apartments District, pursuant to Resolution #Z-14-91, in February 1991. Additionally, the properties located to the east of the subject property across SW 42 Avenue are similarly zoned RU-5A. The subject site, although smaller than required by the proposed zoning district regulations is of adequate size to provide parking for the proposed office use and the parking has been strategically located away from the single-family residences to the west, along the interior side (south) property line abutting the office use to the south. Staff also notes that the property fronts on SW 42 Avenue, which is a half section line road that provides access to a main County east-west highway, SR 836, located approximately 2 miles to the north of the subject property. As previously mentioned, the applicant has submitted a covenant restricting the development of the site to the submitted plans. Staff supports the proposal and opines that the design is in keeping with other office/residence conversions in the area. Furthermore, this conversion of the single-family residence to office use will maintain the scale, height and residential appearance of the area. Landscape architectural elements are used to create a project that is **compatible** with its surroundings and visually impacts, in a positive manner, the surrounding area. As such, staff recommends approval of the district boundary change (request #1) from RU-3 to RU-5A, subject to the Board's acceptance of the proffered covenant.

When requests #2 through #4 are analyzed under the Non-use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of these requests would be **compatible** with the surrounding area, would not be detrimental to the neighborhood, or affect the appearance of the community. Further, staff opines that these requests are not overly intrusive to the surrounding area. Request #2, to permit a parcel of land with a lot

area of 8,594.42 sq. ft. (10,000 sq. ft. required), is relatively minor in nature as the site is only approximately 1,400 sq. ft. under the minimum required for use under the RU-5A zoning district regulations and would not be detrimental to the neighborhood. Additionally, staff notes that a zone change to RU-5A, with lot sizes of 5,181 sq. ft. and 7,500 sq. ft. was granted on 2 separate parcels of land located to the east of the subject property, at 1501 SW 42 Avenue, and 1521-27 SW 42 Avenue, pursuant to Resolution #Z-90-83, in May 1983, and Resolution #Z-83-85, in April 1985, respectively. Request #3, to permit the 1-way drive 12' (14' required) and request #4, to permit a 3' (7' required) wide landscape buffer will not negatively impact traffic on the abutting roadways, or have a negative visual impact on the surrounding properties. Staff notes that the request #3 pertains to a small portion of the driveway where it meets SW 42 Avenue at the eastern end of the property. The submitted plans indicate that the remainder of the drives meets the zoning regulations and as such, approval of the requested variance will not result in spillage of traffic onto the abutting roadways. Further, staff opines that the reduced landscape buffer referred to in request #4 is on the northern side of the property, abutting one parking space. As such, staff opines that the negative visual impact is minimal and not visually intrusive to the abutting property to the north, or to vehicular or pedestrian traffic along SW 15 Street. However, among other things, staff recommends as a condition of approval that there be no medical or dental office use on the subject property. Therefore, staff recommends approval with conditions of requests #2 through #4 under the Non-Use Variance (NUV) Standards.

When requests #2 through #4 are analyzed under the Alternative Non-Use Variance (ANUV) Standard, Section 33-311 (A)(4)(c), the applicant would have to prove that the requests are due to an unnecessary hardship and that, should said requests not be granted, such denial would not permit the reasonable use of the premises. However, since this property can be utilized under the zoning regulations, staff is of the opinion that said requests cannot be approved under the Alternative Non-Use Variance Standard (ANUV) and should be denied without prejudice under same.

The Alternative Site Development Option (ASDO) standards under Section 33-311(A)(20) provide for the approval of a zoning application which can demonstrate at a public hearing that the development requested is in compliance with the applicable Alternative Site Development Option Standards as established. However, the applicant has not provided staff with the documentation required for analysis under the ASDO Standards. As such, request #2 cannot be approved under same and should be denied without prejudice under Section 33-311(A)(14)(ASDO).

Accordingly, staff recommends approval of the zone change from RU-3 to RU-5A, (request #1) subject to the Board's acceptance of the proffered covenant, approval with conditions of requests #2 through #4 under Section 33-311(A)(4)(b) (NUV), denial of same under Section 33-311(A)(4)(c) (ANUV), and denial without prejudice of request #2 under Section 33-311(A)(20) (ASDO).

I. RECOMMENDATION:

Approval of the zone change from RU-3 to RU-5A, (request #1) subject to the Board's acceptance of the proffered covenant, approval with conditions of requests #2 through #4 under Section 33-311(A)(4)(b) (NUV), denial without prejudice of same under Section 33-

311(A)(4)(c) (ANUV)denial without prejudice of request #2 under Section 33-311(A)(20) (ASDO).

J. CONDITIONS: Pertaining to requests #2 through #4 only:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include, but not limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Zaldivar Office," as prepared by Oscar E. Matutes, R.A., Architecture Interiors, dated stamped received 11/3/08 consisting of 2 sheets and plans entitled "Proposed Zoning change for: Zaldivar," as prepared by Marrero and Associates, dated stamped received 5/22/09, consisting of 2 sheets for a total of 4 sheets.

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

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

5. That the applicant obtain a Certificate of Use from the Department of Planning and Zoning upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

6. That no medical or dental office use be established on the subject property.

DATE INSPECTED: 05/29/08
DATE TYPED: 08/28/09
DATE REVISED: 08/31/09, 09/14/09, 09/24/09, 10/15/09, 12/22/09, 01/27/10
DATE FINALIZED: 01/27/10
MCL:NN:AA:CH

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

J.J.
GR

Memorandum

MIAMI-DADE COUNTY

Date: July 13, 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 #Z2008000083-1st Revision
Zully Zaldivar
4200-4204 S.W. 15 Street
District Boundary Change from RU-3 to RU-5A and Request to Permit
Lot Area and Setback Requirements
(RU-3) (0.20 Acres)
08-54-41

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

Potable Water Service

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

Public sanitary sewers are not located within feasible distance for connection to the subject property; consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste.

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

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

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

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

Wetlands
The subject properties do 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
Tree Removal Permit 2008-TREE-PER-00511 was issued to Zully Zaldivar on October 7, 2008 and is scheduled to expire on October 7, 2009. TP 2008-TREE-PER-00511 requires the preservation of one royal poinciana on the northeast corner and a one royal palm on the north border of the property. The site plan submitted with this application entitled " Proposed Zoning Change for Zaldivar" sheet A-1 of 2, dated April 14, 2009 (revised May 21, 2009) and prepared by Marrero and Associates depicts these trees as existing. All approved tree removal/relocation, replanting and final inspection (a two weeks notice is required prior to the final inspection) must be completed prior to the scheduled expiration date of this permit to avoid violation of permit conditions. Please be advised that a new Miami-Dade County Tree Removal Permit or an amendment to this permit is required prior to the removal or relocation of any other tree on the subject property. Please contact this Program at 305-372-6574 for information regarding tree permits.

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# Z2008000083
CZAB - C10

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:ZULLY ZALDIVAR

This Department has no objections to this application.

Must provide One-Way Only and Do Not Enter signs at the driveways of SW 15 Street and SW 42 Avenue respectively.

Additional improvements may be required at time of permitting.

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.
13-AUG-08

REVISION 1

Memorandum

Date: 15-JUL-09

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2008000083

Fire Prevention Unit:

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

Service Impact/Demand

Development for the above Z2008000083
located at 4200-4204 S.W. 15 STREET, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1404 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 7:24 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

Not applicable to service impact analysis.

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

DATE: 29-DEC-09

REVISION 1

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

ZULLY ZALDIVAR

APPLICANT

4200-4204 SW 15 STREET, MIAMI-DADE COUNTY, FLORIDA.

ADDRESS

Z2008000083

HEARING NUMBER

HISTORY:

Folio #30-4108-028-0100

CMS# 200903011235 ¿No open cases. No current violations.

History:

CMS# 200903009716 ¿Foreclosure Registry case. Case closed as complied.

Folio # 30-4108-028-0110

CMS# 200903011236 ¿NOV issued 12/09 for Overheight Hedge. Compliance due in 01/10.

History:

CMS# 200503004030 ¿Complaint for MFU in 08/05. Not in violation.

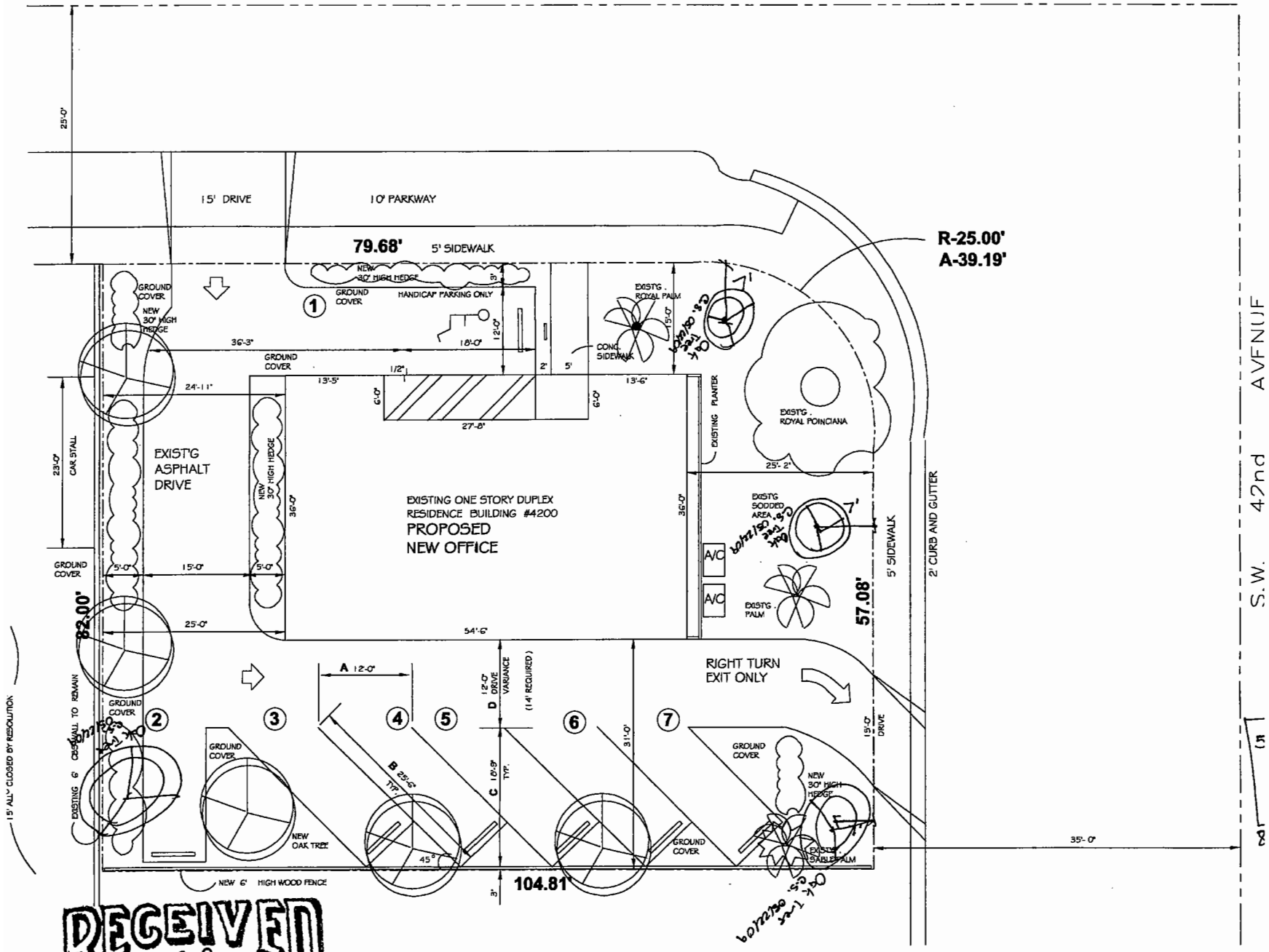
CMS# 200903007994 ¿Complaint for Setback encroachment. Not in violation.

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

REPORTER NAME:

22

S.W. 15Th STREET



RECEIVED
208-83
MAY 22 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

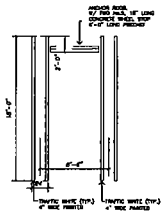
ENLARGED SITE PLAN

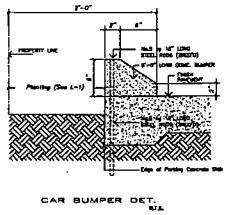
SITE PLAN

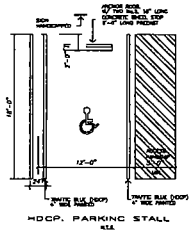
LANDSCAPING LEGEND AND NOTES ON A-2

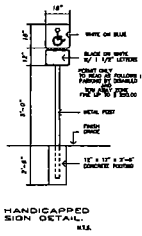
RECEIVED
MIAMI-DADE COUNTY
PROCESS # 208-083
DATE: MAY 22 2009
BY: [illegible]

23









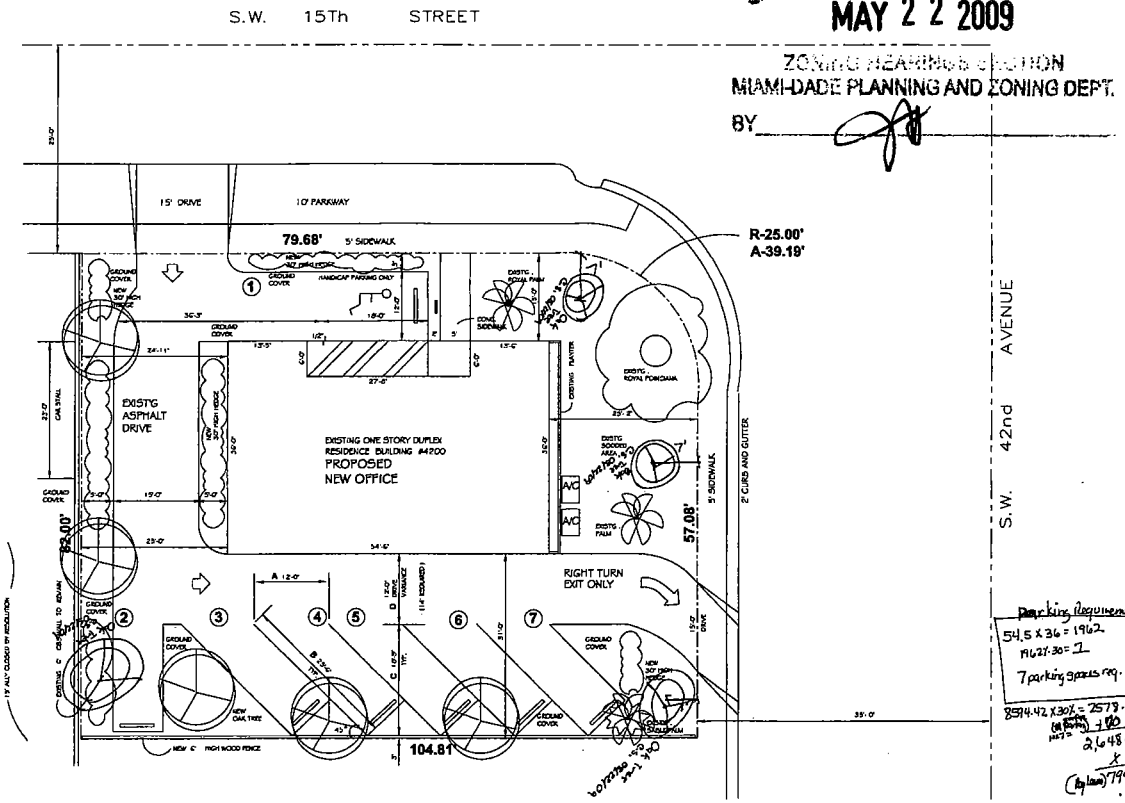
ACCESIBILITY NOTES

ALL AREAS ON AN ACCESIBLE ROUTE SHALL COMPLY WITH GUIDELINES OF FAIR HOUSING ACT, March 6,1991

1.- BUILDING ENTRANCE SHALL BE ON AN ACCESSIBLE ROUTE WITH NO CHANGE IN LEVEL OF MORE THAN 1/2" ALONG ROUTE AND MAXIMUM LEVEL CHANGE OF 3/4" AT ENTRY DOORS OR THRESHOLDS.

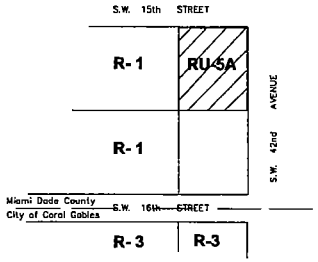
2.- ALL DOORS IN ACCESSIBLE AREA SHALL PROVIDE A CLEAR OPENING OF 32" WHEN DOOR IS OPEN 90 DEGREES (a standard 34" door provides an acceptable nominal 32" opening)

RECEIVED
208.083
MAY 22 2009
ZONING HEARING SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



SITE PLAN

LANDSCAPING LEGEND AND NOTES ON A-2



LOCATION PLAN

Parking Requirements
54.5 X 36 = 1962
1962 ÷ 300 = 7
7 parking spaces req.
8574.42 X 30% = 2572.32
(18 spaces) + 180
2,648.32
X 30%
(by law) 794.49

ZONING LEGEND
ZON. CLASSICATION: RU-3
(VARIENCE) RUB-A
NET LOT AREA:
NET LOT AREA: 8503.75 SF
FOOT PRINT & ALLOWED (40)
ALLOWED: 3541.5 SF
PROPOSED: 2125 SF 1962
FAR & ALLOWED 40
ALLOWED: 3541.5 SF
PROPOSED (.73) SF
SETBACKS REQ. PROPOSED
FRONT 25' 25.4'
REAR 25' 25.40'
SIDE 5' 37'
SIDE ST 15' 30'
GREEN AREA REQUIRED 25%
REQUIRED: 2226 SF
PROPOSED: 2260 SQ.FT.
PARKING (1/300 SF)
REQUIRED: 6 SPACES
PROPOSED: 7 SPACES
(1 HANDI. 6 REQ.)

C.S. 05/22/09

ZONING INFORMATION

ZONING: RU-3
PROPOSED: RU-5A

EXISTING SETBACKS:

Front:	25.20
Street Side:	15.00'
Rear:	24.94'
South Side:	30.83'

LEGAL DESCRIPTION

LOT 16, BLOCK 16 SUNNY SUBDIVISION,
AS RECORDED IN PLAT BOOK 16,
PAGE 48,
OF THE PUBLIC RECORDS OF
DADE COUNTY, FLORIDA.

ZONING HEARING No.
Z2008000083

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PROPOSED ZONING CHANGE FOR:
ZALDIVAR
4200 S.W. 15th STREET
MIAMI - FLORIDA PH. (305)

REVISION

NO. #	DATE / DESCRIPTION
1	5-13-2009
2	5-21-2009

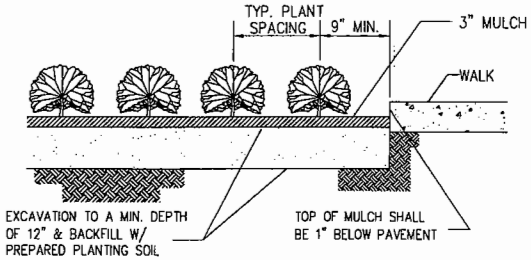
SHEET TITLE: SITE PLAN

CHECKED BY	O.M.
DRAWN BY	R.D.R.
DATE	4-14-2009
JOB NUMBER	
SCALE:	AS SHOWN

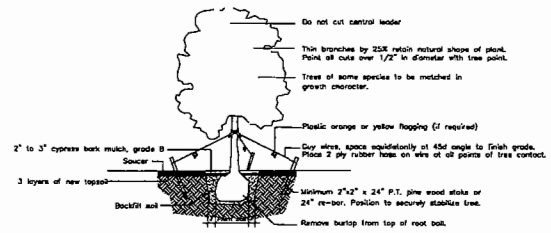
SHEET NUMBER: A-1
OF 2

RECEIVED
MIAMI-DADE COUNTY
PROCESS # 208.083
DATE: MAY 21 2009
BY: JOSEPH

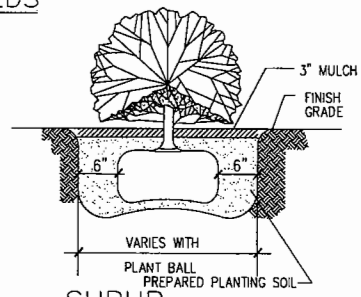
24



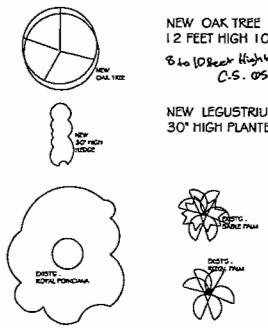
GROUND COVER BEDS
N.T.S.



TREE PLANTING DETAIL



SHRUB
N.T.S.



NEW OAK TREE
12 FEET HIGH 10 FEET SPREAD (Street Trees)
8 to 10 feet Hight (Lot Trees) C.S. 05/22/09
C.S. 05/22/09

NEW LEGUSTRIUM HEDGE
30" HIGH PLANTED AT 18" O.C.

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BY

LANDSCAPE LEGEND

Zoning District: RU-5A Net Lot Area: 0.204 acres 8594.42 square feet

	REQUIRED	PROVIDED
OPEN SPACE		
A. Square feet of open space required by Chapter 33, as indicated on site plan: Net lot area = 8594.42 square feet x 25 % = 2148.60 square feet	2148.60	2250
B. Square feet of parking lot open space required by Chapter 18A, as indicated on site plan: The number of parking spaces 7 x 10 square feet per parking space =	70	
C. Total square feet of landscaped open space required by Chapter 33 = A + B =	2218.60	2250
LAWN AREA CALCULATION		
A. Total square feet of landscaped open space required by Chapter 33 =	2218.60	
B. Maximum lawn area (St. Augustine sod) permitted = 30 % x 2218.6 square feet =	665.58	1220 existing
TREES		
A. The number of trees required per net lot acre less the existing number of trees that meet minimum requirements 28 trees x net lot acreage = 6	6	6
B. 30% palm trees allowed (two palms = one tree) Palms provided =		3
C. Percentage of native trees required = the number of trees provided x 30% =	2	6
D. Street trees (max. average spacing of 35' o.c.): 79.68' linear feet along street . 35 =	2	1
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.): N/A		
F. Total number of trees provided =	6	7
SHRUBS		
A. The total number of trees required x 10 = the number of shrubs required	~~180~~ 120	120
B. The number of shrubs required x 30% = the number of native shrubs required	~~1836~~	70

IRRIGATION to meet LEED requirement Auto irrigation will be inplace for 2 years ot new landscaping areas onle. Existing landscaping water is supplied by hose bib irrigation.

8594.42/43560 = .19 x 28 = 552
6 lot trees req.
6 street trees
12 trees total
x 10
120 shrubs

SEAL: AR0015952

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ZALDIVAR
PROJECT AND LOCATION
4200 S.W. 15th STREET
MIAMI - FLORIDA PH. (305)

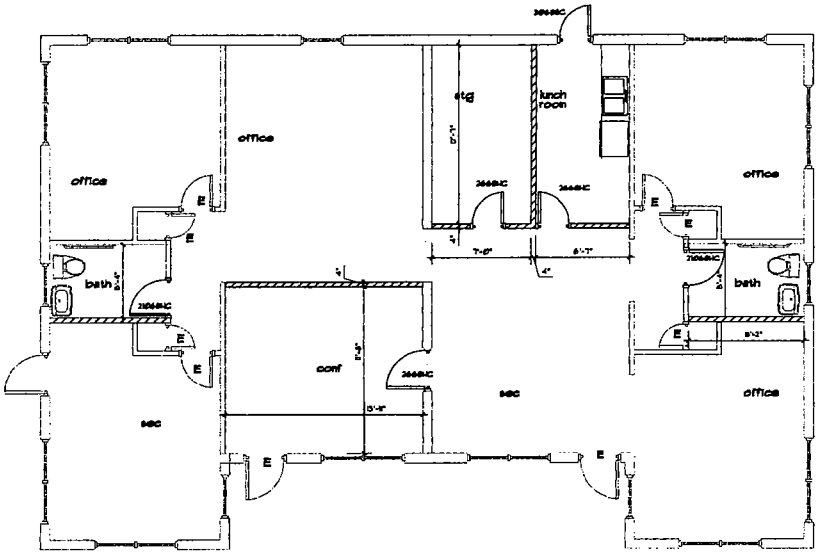
REVISION

NO. #	DATE / DESCRIPTION

SHEET TITLE: NOTES AND LEGEND

CHECKED BY	O.M.
DRAWN BY	R.D.R.
	5-21-2009
JOB NUMBER	
	AS SHOWN

SHEET NUMBER: A-2
OF 2



PROPOSED FLOOR PLAN 1/4"

NORTH

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MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

SCOPE OF WORK

ONE STORY CBS STRUCTURE
REMODEL EXISTING DUPLEX CONVERT TO OFFICE
BUILDING IS NOT SPRINKLED
CONCRETE SLAB

DISABLED ACCESSIBILITY NOTES:

1- TOILET ROOM TO HAVE LEVER TYPE HINDW CLOSER TYPE.
2-ALL COMMON AREAS TO BE ACCESSIBLE TO THE DISABLED
3-MAXIMUM 1/2" DIFFERENCE ON LEVEL AT ANY FLOOR LEVEL
4- DOORS MANEUVERING TO COMPLY BY SECT 404.2
5-WORK AREAS TO COMPLY WITH SECT 4.1(3)
1- TOILET ROOM TO HAVE LEVER TYPE HINDW CLOSER TYPE.

INTRUSION/BURGLARY SECURITY NOTES:

1. ALL LOCKS ON EXTERIOR DOORS SHALL BE CAPABLE OF RESISTING A FORCE OF 300 LBS APPLIED IN ANY POSSIBLE DIRECTION.
2. ALL SINGLE EXTERIOR SWING DOORS SHALL HAVE A LOCK TO BE KEY OPERATED FROM THE EXTERIOR WITH A MINIMUM OF A LABS POSSIBLE KEY CHANGES OR LOCKING, AND AN AUXILIARY SINGLE DEAD BOLT WITH HARDENED BOLT INSERTS.
3. THE ACTIVE LEAF OF A PAIR OF EXTERIOR SWINGING DOOR SHALL HAVE THE SAME LOCKS AS REQUIRED FOR SINGLE EXTERIOR DOORS. THE INACTIVE LEAF OF THESE DOORS SHALL HAVE MULTIPLE POINT LOCKS WITH 5/8" MINIMUM THROW BOLTS WITH INSERTS.
4. SLIDING DOORS SHALL BE PROVIDED WITH SLIDING DOOR DEAD BOLTS OR PIN NOT REMOVABLE OR OPERABLE FROM THE EXTERIOR AT THE JAMB HOLES ALL FLATTENING PLUGGING THEM OR OPPOSITE SIDE OF THE DOOR. THE DEAD BOLT SHALL BE OF A MINIMUM STRENGTH, EFFECTIVENESS, IF NECESSARY, AND EACH DOORS SHALL HAVE NO SCREWS REMOVABLE FROM THE OUTSIDE WHICH WOULD FACILITATE EASY ENTRY FROM OUTSIDE.
5. HINGES ON EXTERIOR OUT SWINGING DOORS SHALL HAVE NON-REMOVABLE PINS.
6. JAMBS OF ALL EXTERIOR OFFSET TYPE IN SWING DOORS SHALL BE RABBETED OR SIMILAR FABRICATION TO PREVENT DEFEATING THE PURPOSE OF THE STRIKE AND THE INTEGRITY OF THE LOCKS AND LATCHES.
7. SINGLE SWINGING EXTERIOR DOORS, IF SOLID SHALL BE SOLID CORE OR NOT LESS THAN 1 3/4" THICK.
8. GLASS IN EXTERIOR DOORS SHALL COMPLY WITH THE AMERICAN NATIONAL STANDARDS INSTITUTE'S - STANDARD Z97.1
9. VISION PANELS IN EXTERIOR DOORS OTHER THAN GLAZING WITHIN ARTS OF THE SAMPLE DOORS, SHALL BE GLAZED WITH GLASS OR OTHER MATERIALS COMPLYING WITH THE NATIONAL STANDARDS INSTITUTE'S - STANDARD Z97.1.
10. SLIDING GLASS DOORS AND WINDOWS SHALL BE INSTALLED AND CONSTRUCTED SO THAT NO PANEL OR LEAF CAN BE LIFTED FROM THE TRACKS WHEN IN THE LOCKED POSITION AND SO AS TO COMPLY WITH THE APPLICABLE PROVISIONS OF THE UNIFORM BUILDING CODE, AND ALL ACCESS TO ENTRY MAINTENANCE, AND FIRE SKILLS.
11. FRONT MAIN ENTRANCE DOOR SHALL BE PROVIDED WITH A DOOR SCOPE OR VISION PANELS.

NOTES: HANDICAPPED ACCESS

WATER CLOSETS: WATER CLOSETS SHALL BE LOCATED BY WAY A WAY WALL OR PARTITION. THE HEIGHT TO THE TOP OF THE TOILET SEAT SHALL BE BY 10 W. SEATS SHALL NOT BE SPRING

FLUSH CONTROLS: CONTROLS SHALL BE AT MAXIMUM ABOVE THE FINISH FLOOR. CONTROLS SHALL BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING, OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL BE NO GREATER THAN 5 LBS.

DIMENSIONS: TOILET WATER DIMENSIONS SHALL BE INSTALLED ON THE RIGHT WALL SIDE OF THE WATER CLOSET. A WAY OF TOILET PAPER DISPENSER SHALL BE PROVIDED. THE DISPENSER SHALL NOT DISPENSE, OR DO NOT HAVE A CONTINUOUS PAPER FLOW, SHALL NOT TO RETURN TO A LIFTED POSITION.

GRAB BARS: GRAB BARS SHALL BE MOUNTED OR WITHIN THE AREA THE BARS SHALL BE FIRMLY FIXED, OR A SIMPLE ADJACENT WALL SHALL BE 1 1/2" OR 1" - GRAB BARS SHALL BE INSTALLED AT 36-39" ABOVE THE FINISH FLOOR. BARS SHALL 42" LONG MINIMUM, 12 INCH BACK WALL. BACK WALL 36" LONG MINIMUM, 27 INCH FROM EACH SIDE OF WATER CLOSET CENTERLINE.

URINALS: URINALS SHALL BE STALL-TYPE OR WALL HUNG WITH AN ELONGATED RIM AT 17 MAXIMUM IS USED.

LAVATORIES: LAVATORIES SHALL BE MOUNTED WITH THE RIM OR COUNTER SURFACE NO HIGHER THAN 34" ABOVE THE FINISH FLOOR. LAVATORY SHALL EXTEND TO PROVIDE A KNEE SPACE OF AT LEAST 27" AT THE FINISH FLOOR. CLEARANCE OF 30" FINISH SHALL BE PROVIDED FROM FINISH FLOOR TO BOTTOM OF APRON. KNEE CLEARANCE OF 17" FINISH SHALL EXTEND 8" FINISH UNDER THE EDGE OF THE LAVATORY. TOE CLEARANCE OF 9" FINISH SHALL BE PROVIDED FOR THE FULL DEPTH OF THE ABOVE THE FINISH FLOOR.

FAUCETS: CONTROLS SHALL BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING, OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL BE NO GREATER THAN 5 LBF. LEVER-OPERATED, PUSH-TYPE, AND ELECTRONICALLY CONTROLLED FAUCETS ARE EXAMPLES OF ACCEPTABLE DESIGNS. IF SELF-CLOSING VALVES ARE USED, THE FAUCETS SHALL REMAIN OPEN FOR AT LEAST 10 SECONDS.

MIRRORS: MIRRORS SHALL BE MOUNTED WITH THE BOTTOM EDGE OF THE REFLECTING SURFACE NO HIGHER THAN 40 ABOVE THE FINISH FLOOR.

ALL LUMBER AND PLYWOOD IN CONTACT WITH CONCRETE, STUCCO, MASONRY OR OTHER CORROSIVE MATERIALS SHALL BE TREATED TO COMPLY WITH AWPA STANDARD LO-3.

CLASS C INTERIOR FINISH - FLAMESPREAD 0-200 , SMOKE DEVELOPED 0-450

LEGEND

- 4" INTERIOR WALLS TO BE REMOVED
- PROPOSED INTERIOR PARTITIONS - 2"X4" WD. STUDS AT 16" O.C. WITH DRYWALL ON BOTH SIDES (1HR GYPSUM) + BATHROOM CLOSET + TUB + SHOWER
- EXISTING 8" CONCRETE BLOCK WALL
- EXISTING 1 HR FIRE RATED PARTITION

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BY AH

CONTRACTOR AND BUILDER

SHALL VERIFY ALL DIMENSIONS ON DRAWINGS AND CONDITIONS AT JOB SITE PRIOR TO THE START OF ANY WORK AND REPORT ANY AND ALL DISCREPANCIES TO THE ARCHITECT IN WRITING ONLY. DO NOT SCALE DRAWINGS.

oscar e. matutes r.a.
ARCHITECTURE INTERIORS
7811 CORAL WAY SUITE 100 MIAMI, FLA. 33155 PH. (305)-267-8610
AA26001646

PROPOSED PROJECT FOR:
ZALDIVAR OFFICE
ADDRESS: 4200 SW 16 ST
MIAMI, FLORIDA

DATE	07/30/08
REVISIONS	
COMMISSION NUMBER	20060711
DRAWING NUMBER	A-3
OF 8	

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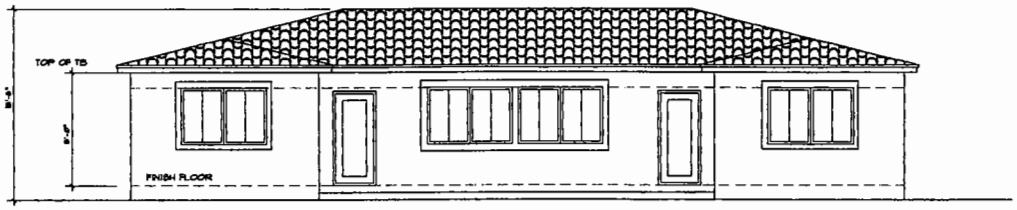
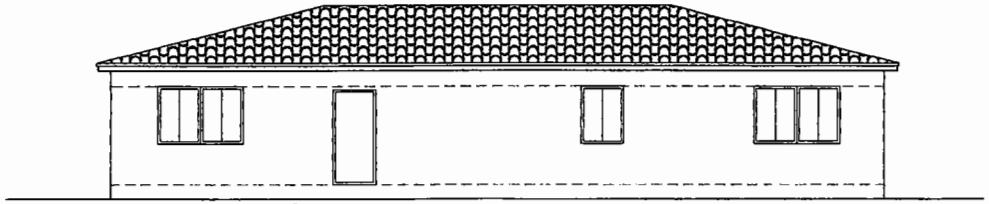
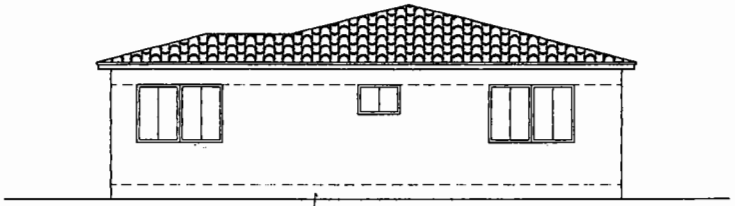


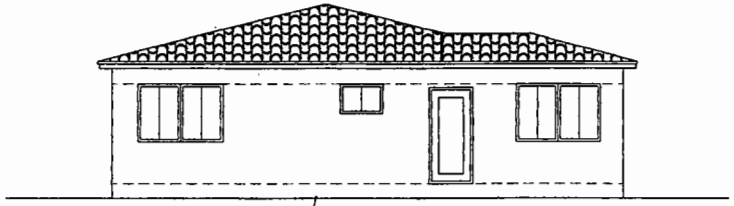
FRONT ELEVATION 1/4'
~~SOUTH~~ NORTH



REAR ELEVATION 1/4'
~~NORTH~~ SOUTH



RIGHT ELEVATION 1/4'
~~EAST~~ WEST



LEFT ELEVATION 1/4'
~~WEST~~ EAST

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oscar e. matutes r.a.
ARCHITECTURE INTERIORS
7811 CORAL WAY SUITE 100 MIAMI, FLA. 33155 PH. (305)-267-6610
AR.0011144

PROPOSED PROJECT FOR:
ZALDIVAR OFFICE
ADDRESS: 4200 SW 16 ST
MIAMI, FLORIDA

DATE
07/30/08

REVISIONS

COMMISSION NUMBER
20060711

DRAWING NUMBER
A-4
OF 8

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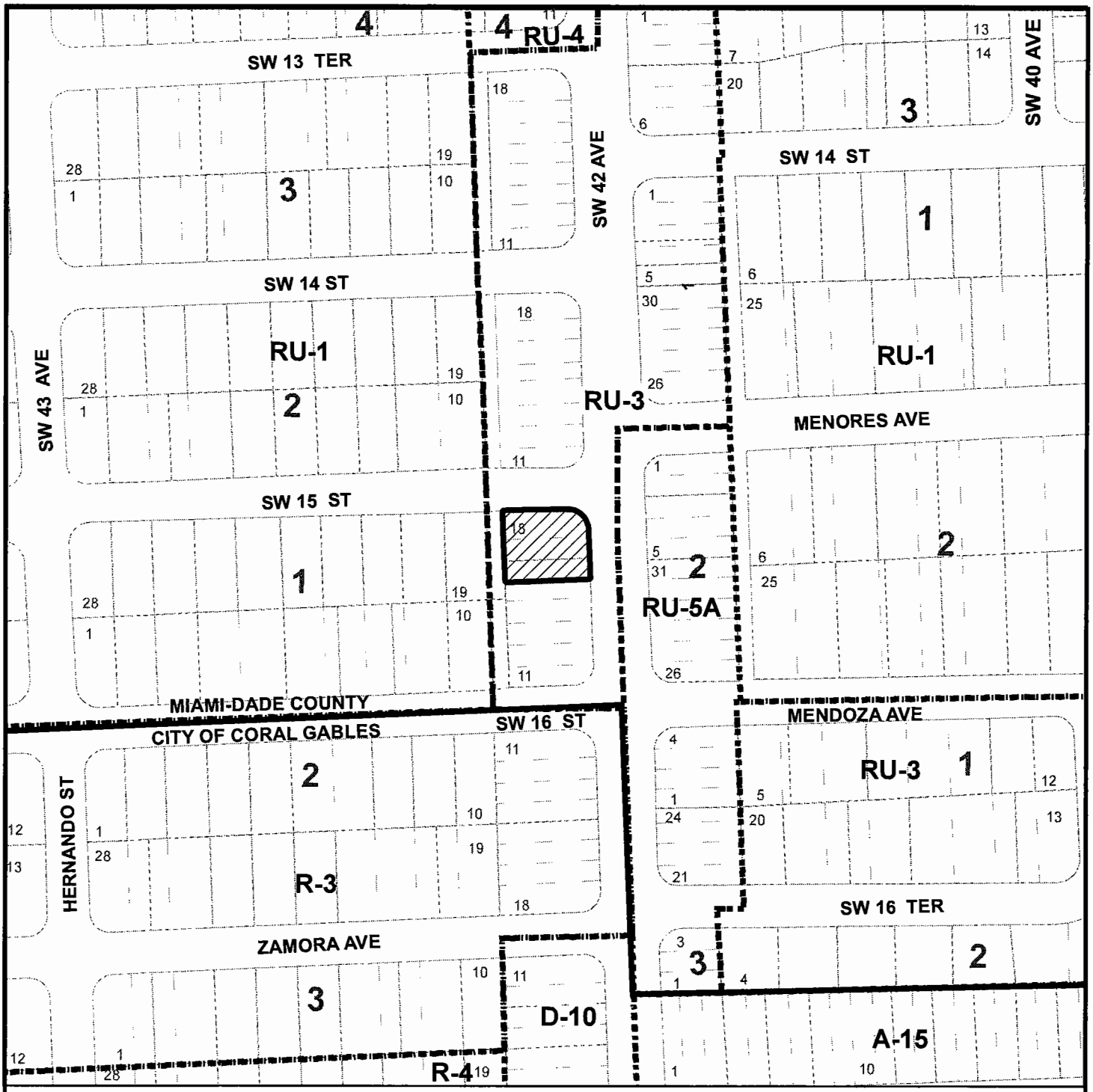

MIAMI-DADE COUNTY
HEARING MAP

Process Number
08-083

Section08 Township:54 Range: 41
Applicant: ZULLY ZALDIVAR
Zoning Board: C10
District Number: 06
Drafter ID: KEELING
Scale: NTS

SUBJECT PROPERTY

N W E S

MIAMI-DADE COUNTY

CREATED ON: 05/23/08

REVISION	DATE	BY
		27

MIAMI-DADE COUNTY
AERIAL

Process Number
08-083

SUBJECT PROPERTY

N
W E
S

Section08 Township:54 Range: 41
Applicant: ZULLY ZALDIVAR
Zoning Board: C10
District Number: 06
Drafter ID: KEELING
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 05/23/08

REVISION	DATE	BY

B WESTCHESTER SPANISH SEVENTH DAY ADENTIST CHURCH
(Applicant)

09-11-CZ10-1 (07-003)
Area 10/District 10
Hearing Date: 02/17/2010

Property Owner (if different from applicant) **FLORIDA CONFERENCE ASSOCIATION OF SEVENTH DAY ADVENTISTS.**

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
1964	Ruth and Harold Loewen	- Special Exception to permit a church, Sunday school and Variance of sign regulation.	ZAB	Approved w/conds.
1974	Coral Park Baptist Church	- Special Exception preschool development class for mentally retarded children in church facilities.	BCC	Approved w/conds.
1983	First Baptist Church of Coral Park Inc.	- Special Exception to permit expansion of a previously approved church. - Non-Use Variance of parking regulations to permit 203 parking spaces. - Special Exception of height requirement to permit the proposed 2 story sanctuary building to be 55' in height.	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
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP

APPLICANT'S NAME: **WESTCHESTER SPANISH SEVENTH DAY ADENTIST CHURCH** **#1**

REPRESENTATIVE: Jerry Proctor and William Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
09-11-CZ10-1 (07-003)	November 10, 2009	CZAB10	09

REC: Approval with conditions of request #1; approval with conditions of requests #2 through #5 under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17) (Modification or Elimination of Conditions and Covenants After Public Hearing); approval with conditions of requests #6 through #8 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV).

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

■ DEFER: ☐ INDEFINITELY ■ TO: Feb 17, 2009 ■ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

☐ WITH CONDITIONS

■ OTHER: At applicant's request to address the Board's concerns with parking, to address the's Board's request to add more landscaping, To address Public Works concerns regarding 95th Street, and for the applicant to work with the neighbors. Any changes will be at applicant's expense.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		George A. ALVAREZ			X
COUNCILMAN	M	Jorge BARBONTIN	X		
VICE-CHAIRMAN		Jose GARRIDO (C.A.)	X		
COUNCILMAN		Carlos A. MANRIQUE			X
COUNCILMAN	S	Rueben POL III	X		
CHAIRMAN		Julio R. CACERES	X		
		VOTE:	4	0	

EXHIBITS: ■ YES ☐ NO COUNTY ATTORNEY: DAVID HOPE

2

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

APPLICANT: Westchester Spanish Seventh Day Adventist Church

PH: Z07-003 (09-11-CZ10-1)

SECTION: 09-54-40

DATE: February 17, 2010

COMMISSION DISTRICT: 10

ITEM NO.: B

==========

A. INTRODUCTION

o REQUESTS:

(1) UNUSUAL USE to permit a day care center in conjunction with a previously approved religious facility.

(2) MODIFICATION of a plan approved pursuant to Resolution #2-ZAB-644-64 and last modified by Resolution #4-ZAB-417-83, both passed and adopted by the Zoning Appeals Board, reading as follow:

FROM: "Plans are on file and may be examined in the Zoning Department entitled 'Proposed Addition to "Primera Iglesia Bautista de Coral Park,"' as prepared by Cortinas, Aragon and Associates, Architects & Planners, Inc., dated 8-5-83, revised 9-14-83."

TO: "Plans are on file and may be examined in the Department Planning and Zoning entitled 'A DayCare Center for Westchester Spanish 7th Day Adventist Church 9500 SW 16 Street, Miami, Florida,' as prepared by Filer & Hammond Architects, Inc., dated stamped received 4/10/09, Sheet 'A-1' last revised on 8/20/09, and consisting of 5 sheets.

(3) MODIFICATION of Condition #5 of Resolution #4-ZAB-417-83, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "5. That a landscaped 5' buffer strip be maintained along the north and south property lines."

TO: "5. That a landscaped 5' buffer strip be maintained along the south property line."

(4) MODIFICATION of Conditions #3 and #5 of Resolution No. #Z-371-74, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "3. That the use be approved for and be restricted to a maximum of 12 students."

TO: "3. That the use be approved for and be restricted to a maximum of 65 students."

FROM: "5. That the hours of operation shall be from 8:30 a.m. to 2:30 p.m."

TO: "5. That the hours of operation shall be from 6:30 a.m. to 7:00 p.m."

(5) DELETION of Conditions #7, #8 and #9 of Resolution No. Z-371-74, passed and adopted by the Board of County Commissioners, reading as follows:

"7. That the number of classrooms in each grade will be 3."

"8. That the number of students in each room will be limited to 4."

"9. That the number of teachers for each room will be 1."

The purpose of requests #2-#5 is to allow the applicant to submit new plans showing a day care center, reconfiguration of the parking lot, increase in the number of students and the hours of operation and to delete the restrictions limiting the number of classrooms in each grade, number of students in each classroom and the number of teachers in each room.

(6) Applicant is requesting to permit parking and drives within 25' of the official rights-of-way.

(7) Applicant is requesting to permit a 4'4" (10' required) spacing between structures.

(8) Applicant is requesting to permit a building for public assemblage setback 24'2" (25' required) from the front (east) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2-#5 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 #6-#8 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

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

- **SUMMARY OF REQUESTS:**

  The applicant seeks approval of an unusual use request to permit a daycare facility in conjunction with a previously approved religious facility. In addition, the applicant seeks to modify conditions of previous Resolutions in order to submit revised plans illustrating the proposed daycare use and reconfiguration of the parking area, to increase the number of students and to extend the hours of operation. Moreover, the applicant seeks to delete conditions of a previous Resolution which restricted the number of classrooms in each grade, number of students in each classroom, and the number of teachers in each room. The applicant also seeks to permit parking and drives within 25' of the rights-of-way, to permit less spacing between structures than that required by Code and to permit a proposed building of public assemblage setback closer to the front (east) property line than permitted.

- **LOCATION:** 9500 S.W. 16 Street, Miami-Dade County, Florida.

- **SIZE:** 2.04 Acres

B. ZONING HEARINGS HISTORY: In 1964, the subject property was granted approval of a special exception to permit a church and Sunday school and a request to permit a 49 sq. ft. sign in an RU (Residential) zone, pursuant to Resolution #2-ZAB-644-64. In 1974, the subject property was granted approval of a special exception to permit a pre-school development class for mentally disabled children in the church facility, pursuant to Resolution #Z-371-74. In 1983, the subject site was granted approval of a special exception to permit the expansion of a previously approved church, a request to permit 203 parking spaces (242 spaces required) and approval of a request to permit a proposed 2 story sanctuary building to be 55' in height (35' maximum permitted), pursuant to Resolution #4-ZAB-417-83.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

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

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

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

4. **Residential Communities**
   Also permitted in Residential Communities are neighborhood and community services including schools, parks, houses of worship, **day care centers**, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood.

5. **Policy LU-4A**
When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
RU-1, Religious facility and pre-school	Low Density Residential, 2.5 to 6 dua
Surrounding Properties:	
NORTH: RU-1; Single-family residences	Low Density Residential, 2.5 to 6 dua
SOUTH: RU-1; Single-family residences	Low Density Residential, 2.5 to 6 dua
EAST: GU; FPL Substation	Low Density Residential, 2.5 to 6 dua
WEST: RU-1; Single-family residences	Low Density Residential, 2.5 to 6 dua

E. SITE AND BUILDINGS:

Site Plan Review:

Scale/Utilization of Site:	**Acceptable***
Location of Buildings:	**Acceptable***
Compatibility:	**Acceptable***
Landscape Treatment:	**Acceptable***
Open Space:	**Acceptable***
Buffering:	**Acceptable***
Access:	**Acceptable***
Parking Layout/Circulation:	**Acceptable***
Visibility/Visual Screening:	**Acceptable***

*Subject to conditions.

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses. The Board shall hear an application for and grant or deny special exceptions; that is, those exceptions permitted by regulations only upon approval after public hearing, **new uses and unusual uses** which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or

other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

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

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

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

Section 33-311(A)(4)(c) Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances from the terms of the zoning regulations the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance

that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

G. NEIGHBORHOOD SERVICES:

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

*Subject to conditions indicated in their memoranda

H. ANALYSIS:

This item was deferred from the November 10, 2009, meeting to allow the applicant time to meet with the neighbors. The 2.04-acre subject property is located within an established residential area zoned RU-1 and characterized by single-family residences. An FPL substation is located immediately to the east of the subject site. The subject property is designated for **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP), which allows a minimum of 2.5 to a maximum of 6.0 dwelling units per acre. However, the interpretative text of the CDMP indicates that all existing lawful residential uses and zoning that are not specifically depicted on the LUP map are deemed to be consistent with the CDMP, as indicated in the section titled "Concepts and Limitations of the Land Use Plan Map." The religious facility use located on this site was previously approved at a zoning hearing, as was the pre-school development class, which staff opines is similar to the proposed day care center. Therefore, staff opines that the existing church and the proposed day care center use are **consistent** with this provision of the interpretative text of the CDMP.

The Master Plan indicates that neighborhood and community services including schools, parks, houses of worship, **day care centers**, group housing facilities, and utility facilities, are permitted in Residential Communities only when consistent with the goals, objectives and policies of the Master Plan and compatible with the neighborhood. Policy LU-4A indicates that when evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale or architectural elements, landscaping, hours of operation, buffering, and safety, as applicable. The subject property is located in the southwest corner of half-section line roads, SW 16 Street and SW 95 Avenue, approximately 300' to the east of section line road, SW 97 Avenue. Staff notes that the site fronts on half section line road, SW 16 Street with a proposed ingress and egress drive. Additionally, the site also has ingress and egress drives along SW 95 Avenue, where it abuts the FPL utility plant and at the point where SW 95 Avenue narrows to allow one-way traffic only to the south. Further, the submitted plans indicate that the proposed day care center located within the existing church building is primarily located in the northeast quadrant of the 2.04 acre parcel, with the playground area encircled by the L shaped building and the proposed church building to be located within the northwest quadrant of the subject parcel, thereby orienting the majority of the proposed activities on the subject parcel away from the abutting residential parcels. As such, staff opines that the daycare center with additional classrooms, students and

teachers, and the reconfigured parking lot for the proposed daycare facility are **compatible** with the surrounding area and are therefore **consistent** with the Master Plan.

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 except as noted herein. Specifically, their memorandum indicates that the PWD has **no objections** to the request to permit parking and drives within 25 feet of the right-of-way (request #6) and further indicates that this application generates an additional **53** PM daily peak hour **vehicle trips**. However, the traffic distribution of these additional trips to the adjacent roadways does not exceed the acceptable level of service (LOS) of the surrounding roadways which are operating at LOS "C" and "D" and the memorandum indicates that this application meets traffic concurrency. The PWD also state in their memorandum that the applicant is required to construct a sidewalk along SW 95 Avenue and that additional improvements may be required at the time of platting/permitting. The **Miami-Dade Fire Rescue Department (MDFRD)** has **no objections** to this application and indicates in their memorandum that the estimated average travel response time is **3:24** minutes.

When analyzing request #1 under Section 33-311(A)(3), Standards For Special Exceptions, **Unusual Uses and New Uses**, staff is of the opinion that the proposed day care center use in conjunction with the previously approved religious facility would be **compatible** with the surrounding area, including the existing residential communities that surround the subject property. The request to permit the day care center to serve 65 children is not, in staff's opinion, overly intensive and will not generate excessive noise within the surrounding area. Furthermore, in staff's opinion, the introduction of the day care center into this residential area will not generate excessive traffic in the area. As previously mentioned, the Public Works Department's memorandum indicates that the application meets traffic concurrency. Additionally, the proposed use 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 the Department of Environmental Resources Management (DERM). Furthermore, staff notes that the submitted plans indicate adequate parking and stacking spaces for the religious facility and the proposed day care center for drop-off and pick up of children, which staff opines, is more than sufficient and will not result in the queuing of vehicles in the abutting right-of-way. Therefore, staff opines that the traffic flow generated as a result of the proposed day care use will be minimally intrusive to the adjacent residential areas and will not disrupt the neighborhood by generating excessive noise or traffic. Additionally, staff is of the opinion that the site is adequately sized to accommodate the proposed facility. According to the submitted plans, the applicant is providing ample classroom area and outdoor recreational playground space to properly accommodate the proposed 65 child enrollment. Said plans also indicate the location of the playground area away from the abutting residences to the south and west which reduces the likelihood of any negative aural impact on the surrounding residential properties. Staff also notes that the applicant has provided adequate buffering in the form of a continuous hedge along the rear (south) property line as well as along the interior side (west) property line where the property abuts single-family residences in order to reduce any negative visual impacts generated from the location of the parking areas. Accordingly, staff recommends approval of request #1 under Section 33-311(A)(3).

When requests #2 through #5 analyzed under the Generalized Modification Standards, Section 33-311(A)(7), staff opines that the proposed modifications of Condition #5, of Resolution #4-ZAB-417-83, and Conditions #3 and #5 of Resolution #Z-371-4, along with the deletion of Conditions #7 through #9 of said Resolution, would not generate excessive noise or traffic, create any dangerous hazard, provoke excessive crowding of people, would not tend to provoke a nuisance or be incompatible with the surrounding area. The proposed modification and deletion of these conditions would allow the applicant to provide additional services to the community by accommodating an additional 53 children in the previously approved pre-school development class. As previously mentioned, the plans submitted by the applicant, are sensitive to the surrounding community. The applicant has provided adequate classroom space and playground area to accommodate the additional students. The submitted plans also display great sensitivity in the siting of the playground area by the applicant. The playground is located on the northwest portion of the property, more than 160' away from the south property line on that area of the property that abuts single-family residences in an area. The playground area is also located to the north of the existing church/day care building and to the east of the proposed sanctuary building, both of which will mitigate any negative aural impacts from the playground on the aforementioned residences to the south and RU-1 zoned properties located to the west. To further mitigate the possibility of any negative visual and aural impact resulting from the proposed expansion of the day care use and reconfiguration of the parking lot, the applicant has provided abundant landscape buffering along the southern property lines in the form of an 11' wide landscape buffer consisting of a continuous hedge and a variety of trees. The applicant has also provided a continuous hedge along the western property line within the landscape buffer, which is a minimum of 5' wide. As such, staff opines that the aforementioned efforts by the applicant to mitigate the impact of the proposed increase in the number of staff and children and reconfiguration of the parking and drives are sufficient to maintain a reasonable transition between the less intensive residential uses to the south and west. In so doing, staff opines that the applicant has designed the proposed development in keeping with the intent of the zoning regulations and will not be contrary to the public interest. Based on all of the aforementioned, staff is of the opinion that approval of requests #2 through #5 would be **compatible** with the surrounding area. However, staff would condition approval of this request that all conditions of Resolution #2-ZAB-644-64, Resolution #4-ZAB-417-83, and last modified by Resolution #Z-371-74, remain in place except as herein modified. Therefore, staff recommends approval with conditions of these requests under Section 33-311(A)(7) (Generalized Modification Standards).

The standards under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved resolution or restrictive covenant complies with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicant has not submitted documentation to indicate which modification or elimination standards are applicable to this application under said section. Due to the lack of information, staff is unable to analyze request #2 through request #5 under said standards, and as such, staff recommends that these requests be denied without prejudice under same.

When requests #6 through #8 are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that the approval with conditions of these requests maintains the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with the surrounding area. Request #6, to permit parking and drives within 25' of the official rights-of-way, would not have an adverse effect on the stability and appearance of the community. The applicant has provided an adequate landscape buffer and trees along the eastern property line that staff opines will mitigate any negative impact of the parking areas within 25' of the right-of-way. Further, staff's research of the surrounding area identified properties that were approved for similar requests. For example, in September 1988, the property located at 8755 SW 16 Street was approved for a similar request pursuant to Resolution #CZAB105798. Similarly, a property located approximately .63 miles southeast of the subject property at 9101 SW 24 Street, was approved for a similar variance, pursuant to Resolution #5-ZAB-284-95, in June 1995.

Additionally, staff opines that approval of requests #7 and #8 would not have a negative visual impact on the surrounding area. Request #7, to permit reduced spacing between the existing church/daycare building and the proposed sanctuary, is internal to the site and not readily visible from the abutting properties. Further, staffs' research of surrounding properties with respect to request #8, identified a property at 8720 SW 20 Terrace that was approved for a request to allow a 22' setback from the side street property line where the zoning regulations required a 25' setback, pursuant to Resolution #5-ZAB-187-94, in May 1994. As such, staff opines that approval of the requested 24' 2" setback (request #8) from the front property line is minimal, less intensive, and will not be precedent setting. Therefore, based on the aforementioned, staff recommends approval with conditions of requests #6 through #8 under Section 33-311(A)(4)(b) (NUV).

When analyzed under the Alternative Non-Use Variance Standards, Section 33-311(A)(4)(c), the applicant would have to prove that requests #6 through #8 are due to unnecessary hardship and that, should the requests not be granted, such denial would not permit the reasonable use of the premises. However, staff notes that the property can be developed and utilized in accordance with the Zoning Code and with previous zoning approvals. Therefore, the requests cannot be approved under Section 33-311(A)(4)(c), the Alternative Non-Use Variance (ANUV) Standards, and should be denied without prejudice under same.

Accordingly, staff is of the opinion that the approval of the day care center, the modification of the previously approved resolutions to allow the applicant to submit revised plans, is **compatible** with the area and is **consistent** with the CDMP. Accordingly, staff recommends approval with conditions of request #1, approval with conditions of requests #2 through #5 under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17) (Modification or Elimination of Conditions and Covenants After Public Hearing); approval with conditions of requests #6 through #8, under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV).

I. RECOMMENDATION:

Approval with conditions of request #1; approval with conditions of requests #2 through #5 under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17) (Modification or Elimination of Conditions

and Covenants After Public Hearing); approval with conditions of requests #6 through #8 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV)

J. CONDITIONS:

1. That all the conditions of Resolution #2-ZAB-644-64, Resolution #4-ZAB-417-83 and Resolution #Z-371-74, remain in full force and effect except as herein modified.

2. That the applicant obtain a new or revised Certificate of Use for the expansion of the day care center, and promptly renew the same annually with, the Department of Planning and Zoning upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

3. That the hedge along the rear (south) and along the side (east and west) property lines be maintained at a height of 6'.

4. That the applicant comply with all applicable conditions and requirements of the Department of Environmental Resources Management (DERM).

5. That the applicant comply with all applicable conditions and requirements of the Public Works Department.

DATE INSPECTED: 10/30/07
DATE TYPED: 09/28/09
DATE REVISED: 09/29/09, 10/14/09, 10/26/09, 01/12/10
DATE FINALIZED: 01/12/10
MCL:NN:JV:CH

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

J.V.
CR

Memorandum

MIAMI-DADE COUNTY

Date: February 3, 2010

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

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

Subject: C-10 #Z2007000003-7th Revision
Westchester Spanish Seventh-Day Adventist Church
9500 S.W. 16 Street
UU to Permit a Day Care Facility; Mod. of a Resolution to Permit a New Site Plan; Request to Permit Parking
(RU-1) (2.04 Acres)
09-54-40

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

Potable Water Service and Wastewater Disposal

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

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

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

Stormwater Management

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

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

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

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

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

Tree Preservation
DERM has reviewed the landscape plan submitted with this zoning application, entitled "A New Daycare Center Use for Existing Westchester Spanish 7th Day Adventist Church" dated June 1, 2005, last revised August 9, 2009, and received by DERM January 6, 2010, Sheet L-2 and prepared by Filer and Hammond Architects Inc. Please be advised that the approval of this application is for the unusual use to permit the daycare facility within the existing structure and for additional parking spaces not for the future sanctuary.

Section 24-49.2(II) of the Code requires that specimen trees be preserved whenever reasonably possible. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements prior to the development of the future sanctuary. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application.

The applicant is advised to contact DERM staff for additional information regarding tree permitting procedures and requirements prior to site development.

Pollution Control
There is a contaminated site abutting the street along the eastern side of the property (approximately within 50 feet tracked under Permit HWR-464/F-16645, FPL-Tropical Substation, 9450 S.W. 16 Street), which received closure with conditions on November 9, 2005. This type of closure requires a covenant running with the land (CFN 2005R1074326, Official Records Book Number 23867, pages 1344-1353, recorded on October 12, 2005, at 12:57:08).

Be advised that solid waste sites were not identified within a 500 foot radius of the site.

Operating Permit
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.

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 Christine Velazquez, at (305) 372-6764.

REVISION 6

PH# Z2007000003
CZAB - C10

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: WESTCHESTER SPANISH SEVENTH DAY ADVENTIST CHURCH

This Department has no objections to this application.

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

Applicant must construct sidewalk along SW 95 Avenue.

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.

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

For further details and/or questions, contact Mr. Harvey L. Bernstein at 305-375-1874, or via e-mail at hlb@miamidade.gov or Mr. Ricardo Gavilan at 305-375-2030, or via e-mail at rlg@miamidade.gov.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 53 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-1074	SW 87 Ave. n/o SW 12 St.	C	C
9698	SW 97 Ave. s/o SW 8 St.	D	D
9699	SW 97 Ave. s/o SW 24 St.	D	D
9122	SW 24 St. w/o SR 826	D	D
9126	SW 24 St. w/o SW 97 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.
23-SEP-09

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

*School Name: Sweetheart Learning Center

School Address: 9500 SW 16 STR. Tax Folio # 30 - 4009-000-0370

1. Is this an expansion to an existing school? ☐ Yes ☒ No If yes, indicate the number of students: _____ and age and grade ranges originally approved: _____

2. Total size of site: 294 x 301 = 88,739 ÷ 43,560 sq. ft. = 2.03 acres

3. Number of children or students requested: 65 Ages: 1 TO 5

4. Number of teachers: 7 number of administrative & clerical personnel

5. Number of classrooms: 5 Total square footage of classroom area: 2,345 SF

6. Total square footage of non-classroom area (offices, bathrooms, kitchens, closets): 2,243 SF

7. Amount of exterior recreation /play area in square footage: 2,418 SF

8. Number & type of vehicle(s) that will be used in conjunction with the operation of the facility: none

9. Number of parking spaces provided for staff, visitors, and transportation vehicles: _____ parking spaces provided 7 parking spaces required by Section 33-124 (L)

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

11. Proposed height for the structure(s): 18'-0" See Section 33-151.18(g)

12.* Size of identification sign: 4 x 8 = 32 sq. ft. See Section 33-151.18 (c). Signage will require a separate permit. Contact the Permit Section at 786-315-2100.

13. Days and hours of operation: M - F 6:30 am - 7 pm (see Filler)

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

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

RECEIVED
207003
JAN - 2 2007
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

17

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

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

CLASSROOM SPACE: Calculated by grade levels.

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

35 sq. ft. x 65 (number of children) = 2,275 sq. ft. of classroom area required.

b. Elementary Grades 1 - 6

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

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

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

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 2,275 SF ✓
TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 2,345 SF ✓

OUTDOOR RECREATION SPACE:

a. Day nursery/kindergarten, preschool and after school care
45 sq. ft. x 33 (1/2 of children) = 1,485 SF

b. Grades 1 - 6
500 sq. ft. x Ø (first 30 children) = _____
300 sq. ft. x Ø (remaining children) = _____

c. Grades 7 - 12
800 sq. ft. x Ø (first 30 children) = _____
300 sq. ft. x Ø (next 300 children) = _____
150 sq. ft. x Ø (remaining children) = _____

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 1,485 SF ✓
TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 2,418 SF ✓

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

a. 28 trees are required per net acre. Trees required: 57 Trees provided: 57
b. Ten shrubs are required for each tree required. Shrubs required: 570 Shrubs provided: 570
c. Grass area for organized sports/ play area in square feet: 2,418 SF
d. Lawn area in square feet (exclusive of organized sports/ play area): 35,496 SF

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207005
JAN - 2 2007
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY _____

School Address: 9500 SW 16 STREET Zip Code: 33172

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

~~Signed, sealed, executed and acknowledged on~~ this 26th day of, June at ~~Miami-Dade~~ Orange County, Florida.

WITNESSES:

Karen Greene

Karen Greene

Frank McMillan

Florida Conference Association of Seventh-day Adventists

By: Thomas L Verrill

Thomas L. Verrill, Vice-President

STATE OF FLORIDA
COUNTY OF ~~MIAMI-DADE~~ Orange

I hereby certify that on this 26th day of June, 2006, before me personally appeared THOMAS L. VERRILL, to me known to be the person described in and who executed the foregoing instrument and he/she acknowledged to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES:

Notary Public State of Florida
Karen Greene
My Commission DD426905
Expires 05/08/2009

Karen Greene

Notary Public: Karen Greene

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207 003
JAN - 2 2007
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

Memorandum

Date: 29-JAN-10

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2007000003

Fire Prevention Unit:

This memo supersedes,MDGFR memorandum date stamped September 28, 2009.
APPROVAL
No objection to site plan date stamepd January 6, 2010.

Service Impact/Demand

Development for the above Z2007000003
located at 9500 SW 16 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1438 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	8,208 (nursing home/hospitals)	square feet

Based on this development information, estimated service impact is: 5.50 alarms-annually.
The estimated average travel time is: 3:24 minutes

Existing services

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

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

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped January 6, 2010. Substantial changes to the plan will require additional service impact analysis.

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

20

DATE: 29-DEC-09

REVISION 4

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

WESTCHESTER SPANISH SEVENTH DAY ADVENTIST CHURCH

APPLICANT

9500 SW 16 ST, MIAMI-DADE COUNTY, FLORIDA.

ADDRESS

Z2007000003

HEARING NUMBER

HISTORY:

Folio # 30-4009-000-0370

CMS#200903011242 ¿No open cases. No current violations.

History:

CMS# 200003007894 ¿Complaint for Light Poles Without Permit in 11/00. Case closed & referred to Building Department.

CMS# 200103010223 ¿Complaint for Kids playing basketball late at night and making heavy noise. Case closed & referred to MDPD.

CMS# 200203000446 ¿Duplicate Case. Case Closed.

CMS# 200203003439 ¿Duplicate Case. Case Closed.

CMS# 200203007991 ¿CVN issued in 09/02 for Sign in the right-of-way. CVN paid. Case closed as complied.

CMS# 200503004713 ¿Complaint for Junk Van/Unauthorized Use in 09/05. Not in Violation.

CMS# 200703007206 NOV issued in 07/07 for Commercial Vehicles. Case closed as complied.

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

REPORTER NAME:

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: Florida Conference Association of Seventh-day Adventists

NAME AND ADDRESS	Percentage of Stock
Michael Cauley, President	
Thomas L. Verrill, Vice-President	
Glenn Carter, Vice-President	
Jose A. LeGrand, Secretary	
Wesley Quale, Assistant Secretary	

The Florida Conference Association of Seventh-day Adventists is a Florida nonprofit organization. None of the Officers hold a beneficial interest in the Corporation.

If ~~a TRUST or ESTATE owns~~ or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME:

NAME AND ADDRESS	Percentage of Interest

N A

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME:

NAME AND ADDRESS	Percent of Ownership

NA

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

NAME OF PURCHASER: _____

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

Date of contract: _____

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

N.A.

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

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

* Signature: Thomas L. Verell, Vice President
(Applicant)

State of Florida
County of Orange

* Sworn to and subscribed before me this 3rd day of January, 2007. Affiant is personally known to me or has produced _____ as identification.

Karen Greene
(Notary Public)

Notary Public State of Florida
Karen Greene
My Commission DD426905
Expires 05/08/2009

* My commission expires 5/8/2009

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

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

25

PROPOSED FUTURE ENTRY DRIVE

301.67'

5' CONC. SWK

W.M

INSTALL NEW 20' WIDE ENTRANCE DRIVE FOR DAYCARE

SANCTUARY FOOT PRINT AT FINAL BUILD OUT

6' CLF

DAYCARE PLAYGROUND

85'-0"

SANCTUARY FOR ZONING HEARING 8,000± SQ. FT. GROUND FL., 1500 SQ. FT. BALCONY

PREVIOUSLY APPROVED 8,000 SQ. FT. SANCTUARY UNDER 4-ZAB-83

SEATING AREA ON THE 1st FL.: 5,976
SEATING AREA ON THE 2nd FL.: 1,318
TOTAL SEATING AREAS: 7,294
TOTAL PARKING SPACES: 73

CONNECT WALKWAY ROOF TO ADJACENT EXISTING BUILDING ROOF

EXISTING COVERED WALKWAY

NEW OPEN WALKWAY

NEW ENCLOSURE OF EXISTING COVERED WALK ADDITION 745 SQ. FT. BY SEPERATE PERMIT BEFORE HEARING

110.50'

EXISTING 1 STORY CHURCH / DAYCARE BUILDING

148.50'

EXISTING WALKWAY

NEW LANDSCAPING

7 CAR AUTO STACKING FOR DAYCARE

LABEL IN FIELD DAYCARE LOADING 6 a.m.-7 a.m.

S.W. 96th AVE

294.06'

S.W. 95th AVE

294.14'

ANCHOR UTILITY POLE

EXIST. LIGHT POLE

EXIST. LIGHT POLE, REMOVE AND RELOCATE AS SHOWN FOR WHEN FUTURE PARKING LOT IS BUILT

NEW 5' WIDE LANDSCAPING

INSTALL 2 NEW RIGHT TURN ONLY SIGNS

S 00°08'56" W

S 89°59'02" E 301.82' 6' CLF (TYP.)

6' C.B.W

LOT COVERAGE AREAS PREVIOUSLY APPROVED BY ZAB AS FOLLOWS:
1. MODIFIED EXISTING CHURCH BUILDING: INCLUDING COVERED NORTH & WEST WALKWAYS BUT EXCLUDING ENCLOSURE OF N. OVERHANG 9,792.44 SQ. FT. ±
AND SANCTUARY 1st FLOOR: 8,207.56 SQ. FT. + 1,500 SQ. FT. 2nd FL.

A 5' LANDSCAPING BUFFER FOR FUTURE PARKING WILL BE PROVIDED ALONG THIS PROPERTY LINE AND ALONG EAST AND WEST

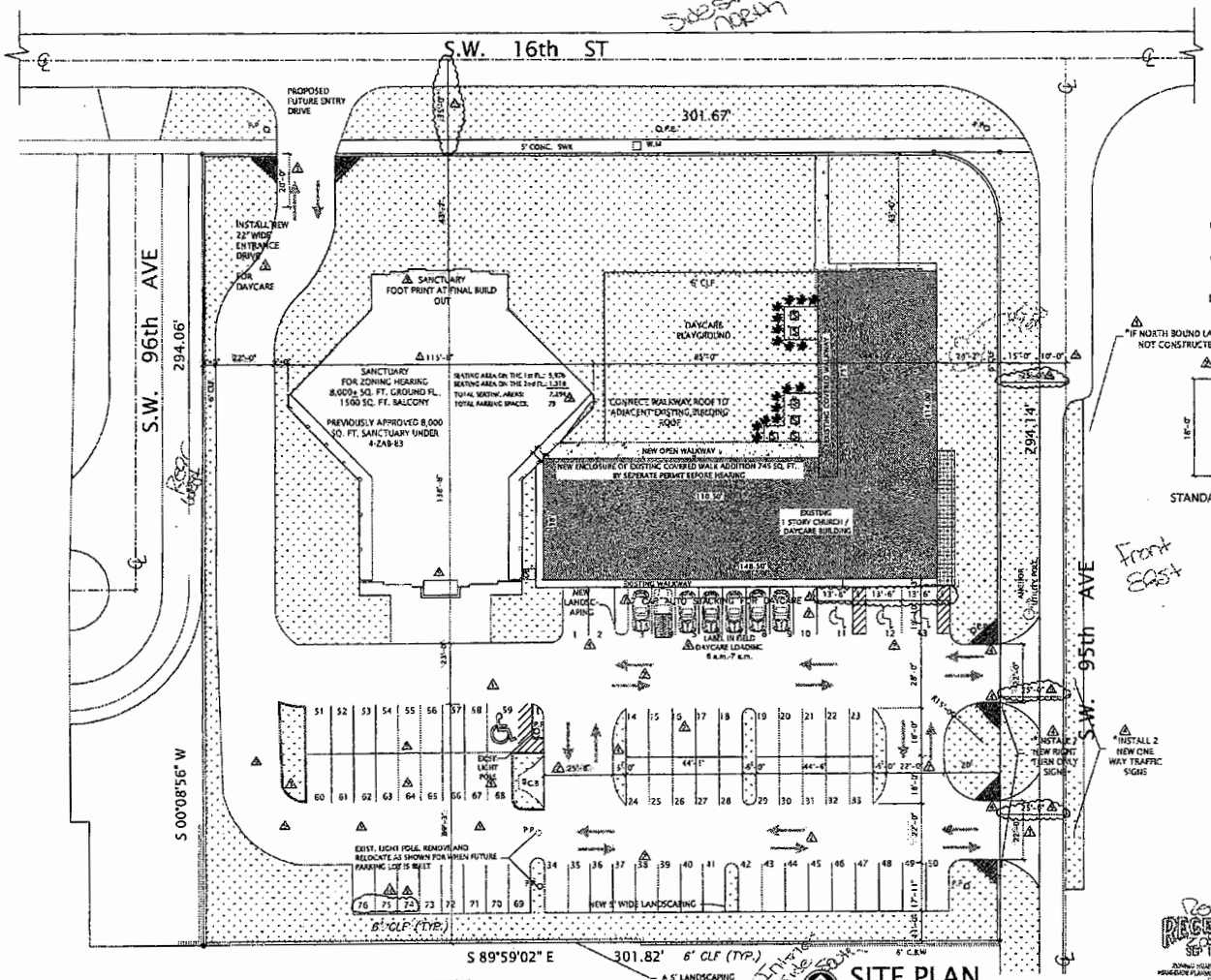
Interior side setback

ZONING LEGEND:

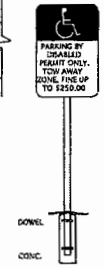
SITE PLAN
SCALE: 1/20

ENLARGED SITE PLAN

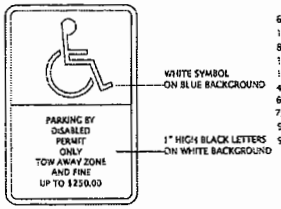
26

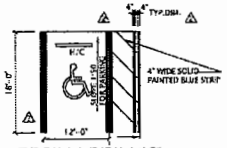


SITE PLAN
SCALE: 1/20

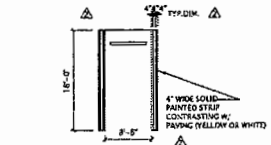


DISABLED PARKING SIGN





TYPICAL HANDICAL SPACE



STANDARD SPACE STRIPING LAYOUT

DATE	REVISION
6/12/07	Revise for Zoning Comments
11/07/07	Revise for Zoning Comments
8/15/08	Revise for Zoning Comments
10/01/08	Revise for Traffic Comments
1/17/09	Revise for Zoning Comments
4/09/09	Revise for zoning comments
6/09/09	Revise for traffic comments
7/06/09 & 8/20/09	Revise for parking
9/09/09	Revise for parking & zoning
9/10/09	Revise for parking & zoning

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*IF NORTH BOUND LANE IS NOT CONSTRUCTED

△ NOTES: △

1) ALL PARKING FOR FUTURE SANCTUARY SHALL BE COMPLIANT WITH ALL ZONING REQUIREMENTS AND REGULATIONS AND SHALL MEET REQUIRED ZONING DIMENSIONS.

2) 7 TEACHER PARKING SPACES ARE EXISTING IN CURRENT PARKING LOT

3) PREVIOUS FUTURE PARKING APPROVED BY DADE COUNTY UNDER ZONING 4-ZAB-417-83 WAS 203 PARKING SPACES, OF WHICH 43.4% (OR 87) WERE APPROVED AS COMPACT SPACES.

4) NEW PARKING REQUIREMENTS WILL REDUCE THE REQUIRED PARKING, THERE WILL BE NO COMPACT PARKING SPACES

5) A 5' LANDSCAPING BUFFER FOR FUTURE PARKING WILL BE PROVIDED ALONG THE EAST, WEST AND SOUTH PROPERTY LINES

LEGAL DESCRIPTION

THE EAST 1/2 OF THE NORTH 1/2 OF THE NW 1/4 OF THE NW 1/4 OF THE SW 1/4 OF SECTION 8, TOWNSHIP 54 SOUTH, RANGE 40 EAST, LESS THE NORTH 35' AND THE EAST 25' THEREOF FOR RIGHT OF WAY.

Filer & Hammond Architects, Inc.
7438-A S.W. 48 ST., MIAMI, FL. 33155 444-5714
A NEW DAYCARE CENTER USE FOR EXISTING
WESTCHESTER SPANISH 7th DAY ADVENTIST CHURCH
9500 SW 16 STREET, MIAMI, FLORIDA

HEARING #
ZAB 2007 000003
DATE: 06-01-05
LIC.#AA-C002179
LIC.#FILER: 3144,
HAMMOND: 5159
COMM. NO.: 0507
TITLE: NEW SITE PLAN
SHEET: A-1

09/10/09

LOT COVERAGE AREAS PREVIOUSLY APPROVED BY ZAB AS FOLLOWS:
1. MODIFIED EXISTING CHURCH BUILDING: INCLUDING COVERED NORTH & WEST WALKWAYS BUT EXCLUDING ENCLOSURE OF N. OVERHANG 9,792.44 SQ. FT. ±
△ AND SANCTUARY: 1st FLOOR: 8,207.56 SQ. FT + 1,500 SQ. FT. 2nd FL.
PREVIOUSLY APPROVED TOTAL: 18,000 SQ. FT.

LOT COVERAGE AREAS BEING PRESENTED FOR THIS HEARING:
1. EXIST. CHURCH BLDG.: INCLUDING ENCLOSURE OF N. OVERHANG 9,792 SQ. FT.
△ ROOFED WEST WALKWAY AND
△ SANCTUARY: 8,208 SQ. FT.
TOTAL AREAS: 17,377 SQ. FT.

SEATING AREAS OF FUTURE SANCTUARY: (SEE SHEET A-5 FOR DETAILS)
FIRST FLOOR SANCTUARY: 5976 SQ. FT. OF SEATING △ 59.76
SECOND FLOOR OF SANCTUARY: 1318 SQ. FT. OF SEATING △ 13.18
REQUIRED PARKING: 1 CAR / 100 SQ. FT. = 73 SPACES △ 72.94 = 73
PROPOSED PARKING PROVIDED: 73 SPACES

A 5' LANDSCAPING BUFFER FOR FUTURE PARKING WILL BE PROVIDED ALONG THIS PROPERTY LINE AND ALONG EAST AND WEST PROPERT LINES

LOT WILL BE GRADED SO AS TO PREVENT DIRECT OVERLAND DISCHARGE OF STORMWATER ONTO ADJACENT PROPERTY. APPLICANT WILL PROVIDE CERTIFICATION PRIOR TO FINAL INSPECTION.

ZONING LEGEND:

ZONING:	
HEIGHT (TO RIDGE OF ROOF)	35'-0"
NET LAND AREA	88,862 SQ. FT.
LOT COVERAGE (EVERYTHING UNDER ROOF)	10,000 \ 65.70

SETBACKS:	EXISTING SETBACKS:
~~FRONT~~ Side St. SW	43.0'
~~STREET-SIDE~~ Front	25.0' 24'2"
INTERIOR ST. SIDE	128.08'
REAR	135.64'

Parking
Church School 36 / 1 = 43 req

Future Church
294/100 = 73 req

DAYCARE LEGEND

CLASSROOM	SQ. FT.	# OF STUDENTS	AGE OF STUDENTS	# OF ADULTS
CLASSROOM 1	1,202	30	4-5 YRS	2
CLASSROOM 2	280	8	2-3 YRS	1
CLASSROOM 3	255	7	1-2 YRS	1
CLASSROOM 4	280	8	2-3 YRS	1
CLASSROOM 5	270	8	2-3 YRS	1
CLASSROOM 6	140	4	1 YR	1
TOTAL	2,427	65		7

△ HOURS OF OPERATION: MON THU FRIDAY 6:30 AM TO 5:30 PM

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BY_____

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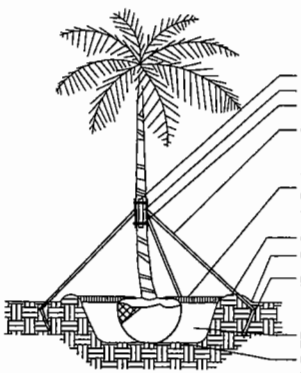
DATE	REVISION
6/12/07	Revise for Zoning Comments
11/07/07	Revise for Zoning Comments
8/15/08	Revise for Zoning Comments
10/01/08	Revise for Traffic Comments
1/17/09	Revise for Zoning Comments
4/09/09	Revise for zoning comments
6/09/09	Revise for Traffic Comments
9/10/09	Revise for Zoning Comments



PALM PLANTING DETAIL

LARGE TREE PLANTING DETAIL SIMILAR

N.T.S.

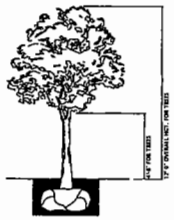
LANDSCAPE NOTES

1. ALL PLANTS MATERIAL SHALL BE FL. No. 1 OR BETTER IN GRADE AND QUALITY.
2. THE SOD MATERIAL TO BE PLANTED SHALL BE ST. AUGUSTINE FLORATUM
3. A MINIMUM OF 10% OF THE REQUIRED TREES AND OR PALMS SHALL BE NATIVE SPECIES.
4. A MAXIMUM OF 20% OF THE NATIVE TREES CAN BE SABAL PALMETTO, (CABBAGE PALM).
5. A MINIMUM OF 30% OF THE REQUIRED SHRUBS SHALL BE NATIVE SPECIES.

SITE TO BE FILLED TO COUNTY FLOOD CRITERIA ELEVATION N.G.V.D. OR AN ELEVATION NO LESS THAN THE HIGHEST APPROVED CROWN ELEVATION OF THE ROAD ABBUTING THE PROPERTY.

AREA ADJACENT TO LAKE OR CANAL TO BE GRADED SO AS TO PREVENT DIRECT OVERLAND DISCHARGE OF STORMWATER INTO LAKE OR CANAL.

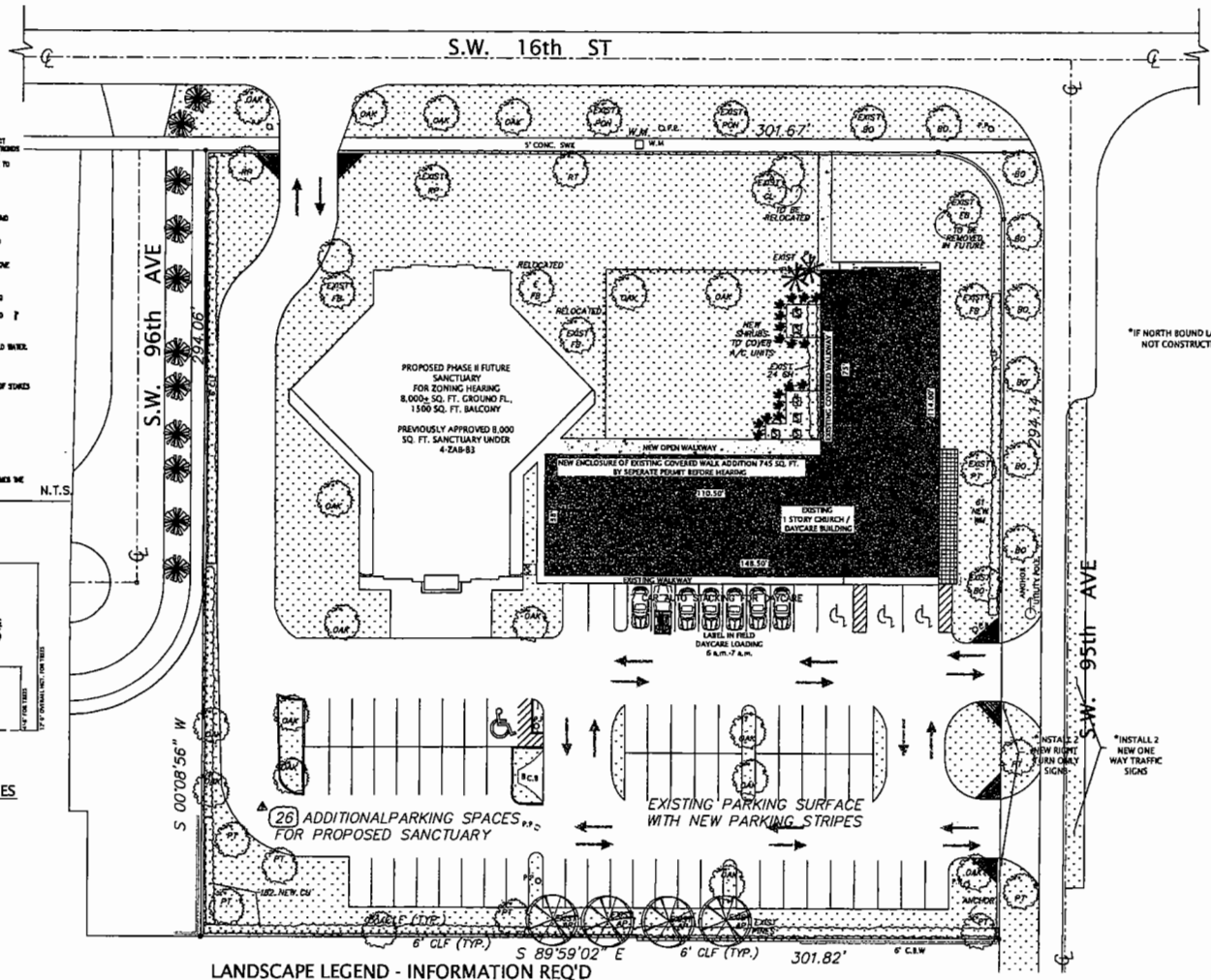
LOT WILL BE GRADED SO AS TO PREVENT DIRECT OVERLAND DISCHARGE OF STORMWATER ONTO ADJACENT PROPERTY. APPLICANT WILL PROVIDE CERTIFICATION PRIOR TO FINAL INSPECTION.



STREET / YARD TREES
(MINIMUM SIZES)

SYMBOL	NEW	EXISTING	PLANT NAME SCIENTIFIC	PLANT NAME COMMON	NATIVE SPECIES YES/NO	HEIGHT INSTALLED	CALIPER OR SPACING	TOTAL
PON	10	2	PONCIANA PINNATA	PUNCAM	NO	15'	3"	12
PT	9	1	TABEBUIA PALLIDE	PINK TAMBRIA	NO	14'	3"	11
CL		1	BURSERA SIMARUBA	GUMBO LIMBO	YES	25'	4"	1
FB		8	FICUS BENJAMINA	FICUS	NO	VARIES 12' TO 25'	VARIES 1" TO 10"	8
AP		4	CASUARINA/PINUS EQUISETIFOLIA	AUSTRALIAN PINE	NO	50'	18" TO 20'	4
P		2	PTYCHOSPERMA ELEGANS	SOLITARE PALM	NO	15'	4"	2
RP	2	1	DELONIX REGIA	ROYAL POINCIANA	NO	12'	2"	3
OAK	17		QUERCUS VIRGINIANA	LIVE OAK	YES	10'	2"	17
BO	5	2	BUCIDA BUCERAS	BLACK OLIVE	NO	12'	3"	7
							TOTAL TREES	64
QP		(11)	ARECACSTRUM ROMANZOFFYTIANUM	QUEEN PALM	NO	20'	8'	(11)
WM	78	0	MYRICA CERIFERA	WAX MYRTLE	YES	1.8'	24"o/c	78
*CH	158	24	LIGUSTRUM LUCIDUM	CHINESE CHERRY	NO	1.8'	24"o/c	182
*NOTE: HEDGE PLANTS MUST GROW TO 6'-0" IN HEIGHT							TOTAL SHRUBS	260

SOD : ST. AUGUSTINE "FLORITAM"
STREET TREES SHALL HAVE 4' CLEAR TRUNKS
WEED - FREE MULCH SHALL BE APPLIED IN A MINIMUM 2" LAYER OF UNDER AND AROUND ALL PLANTING AREAS



*IF NORTH BOUND LANE NOT CONSTRUCTED

LANDSCAPE LEGEND - INFORMATION REQ'D TO BE PERMANENTLY AFFIXED TO PLAN

ZONING DISTRICT: G-1

NET LOT AREA: 88,739 SF. 2.04 ACRES

LAWN AREA CALCULATION

A. ~~[illegible]~~ OF UNIMPROVED OPEN SPACE REQUIRED BY CONTRACTS

B. MAXIMUM LAWN AREA (SOD) PERMITTED = 30% x 88,739 S.F. = 26,620

	REQUIRED	PROVIDED
	33,456	28,112

TREES

A. NO. TREES REQUIRED PER NET ACRE — 20 — N/A

NO. TREES REQUIRED PER ~~[illegible]~~ — 20 — N/A

B. % PALMS ALLOWED: NO. REQUIRE TREES PROVIDED / 2 x 30% — 0 — 0

% PALMS PERMITTED TO COUNT AS STREET TREES ON 1/2 BASIS x 30% — N/A — N/A

C. % NATIVES REQUIRED: NO. TREES PROVIDED x 30% — 8 — 11

D. STREET TREES (MAXIMUM AVERAGE SPACING OF 35' O.C.): 505 LINEAR FEET ALONG STREET/35= — 16 — 16

E. STREET TREES LOCATED DIRECTLY BENEATH POWER LINES (MAXIMUM AVERAGE SPACING 25' O.C.) ..... LINEAR FEET ALONG STREET / 25 = — N/A — N/A

TOTAL TREES — 23 — 42

SHRUBS

A. LIFT RESS REQUIRED x 10 = 280 NO. OF SHRUBS REQ. — 280 — 280 o/c

B. 260 SHRUBS REQ. x 30% = 78 OF NATIVE SHRUBS REQUIRED — 78 — 78

IRRIGATION PLAN — NO

301.82 x 294.06 = 88753

NEW LANDSCAPE PLAN
SCALE 1:20

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BY

Filer & Hammond Architects, Inc.
7438-A S.W. 48 ST., MIAMI, FL. 33155 444-5714

A NEW DAYCARE CENTER USE FOR EXISTING WESTCHESTER SPANISH 7th DAY ADVENTIST CHURCH
9500 SW 16 STREET, MIAMI, FLORIDA

HEARING #
ZAB 2007 000003
DATE: 06-01-05
LIC.#AA-C002179
LIC.#FILER: 3144,
HAMMOND: 5159
COMM. NO.: 0507
TITLE: LANDSCAPE

SHEET: L-2

9-10-09

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BY_____

DATE	REVISION
6/12/07-Revise for Zoning Comments	1
11/07/07-Revise for Zoning Comments	2
8/15/08-Revise for Zoning Comments	3
10/01/08-Revise for Traffic Comments	4
1/17/09-Revise for Zoning Comments	5
4/09/09 - Revise for zoning comments	6
6/09/09-Revise for Traffic Comments	7

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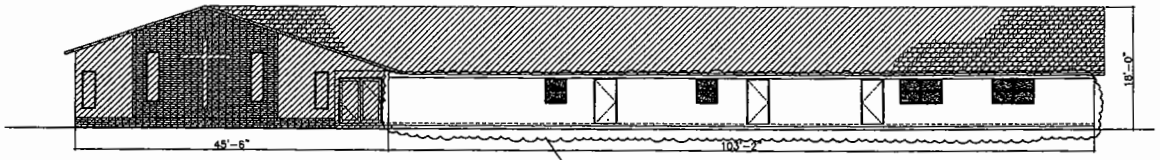
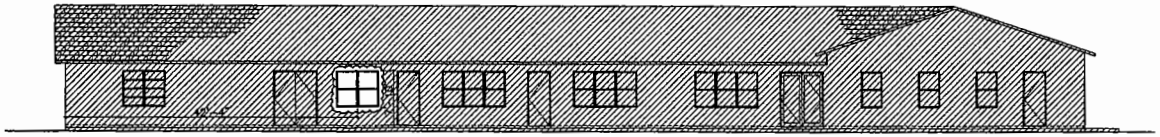
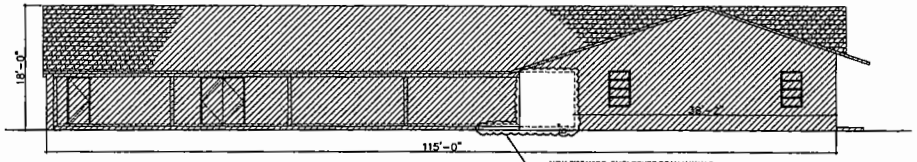


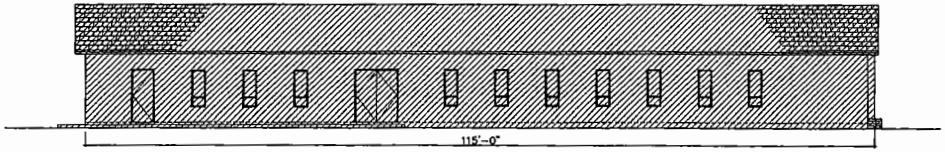
NEW NORTH ELEVATION 1/8"



NEW SOUTH ELEVATION 1/8"



NEW WEST ELEVATION 1/8"

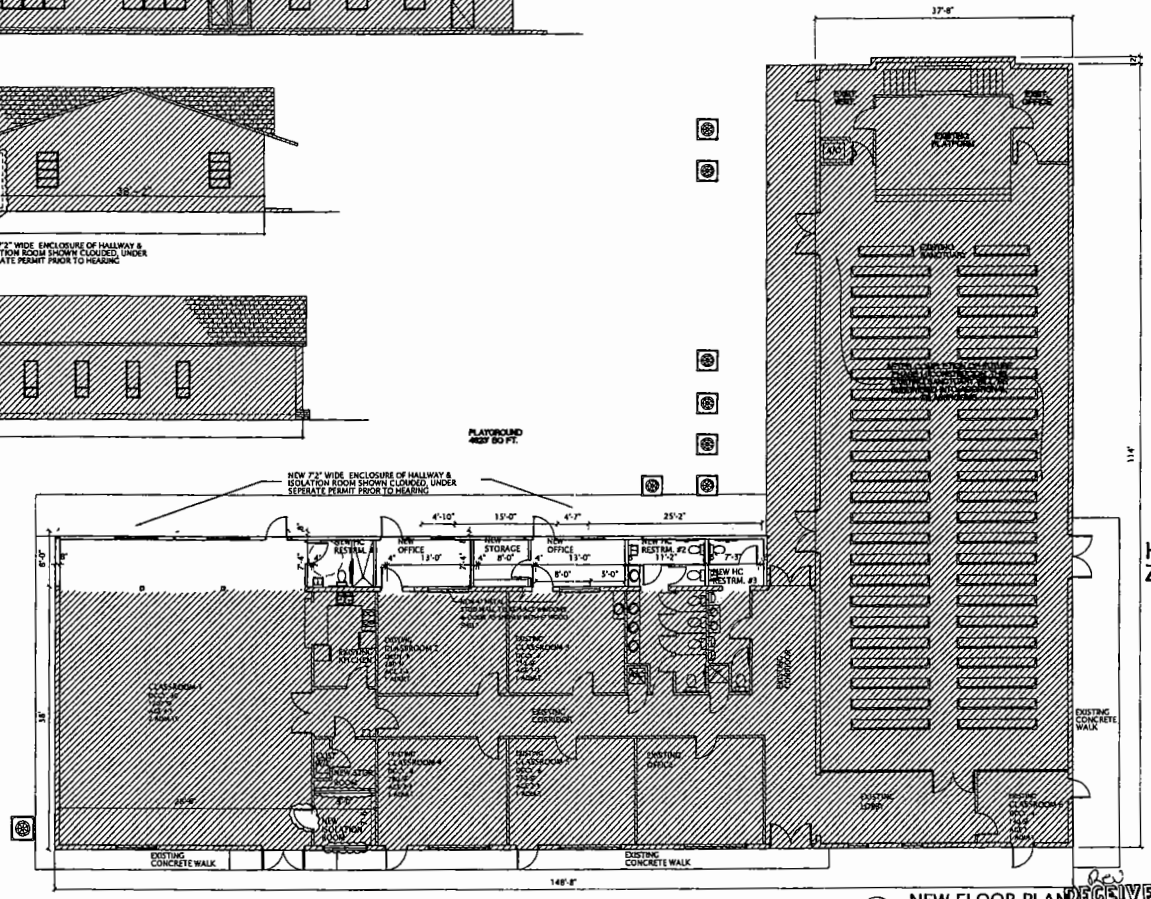


EXISTING EAST ELEVATION - NO CHANGE 1/8"

SYMBOL LEGEND

DENOTES PERIMETER / ENCLOSURE OF NEW CONSTRUCTION

EXISTING 8" CONCRETE BLOCK WALL



NEW FLOOR PLAN
SCALE 1/8"

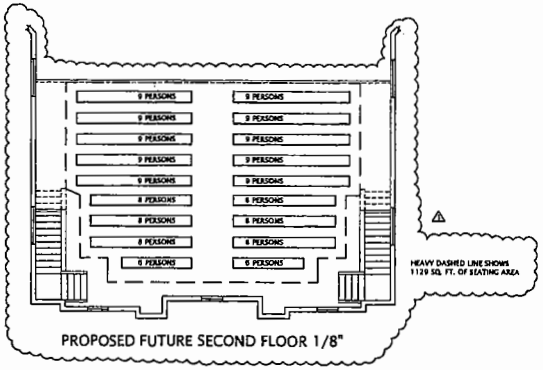
RECEIVED
JUL 13 2009

Filer & Hammond Architects, Inc.
7438-A S.W. 48 ST., MIAMI, FL. 33155 444-5714
A NEW DAYCARE CENTER USE FOR EXISTING
WESTCHESTER SPANISH 7th DAY ADVENTIST CHURCH
9500 SW 16 STREET, MIAMI, FLORIDA

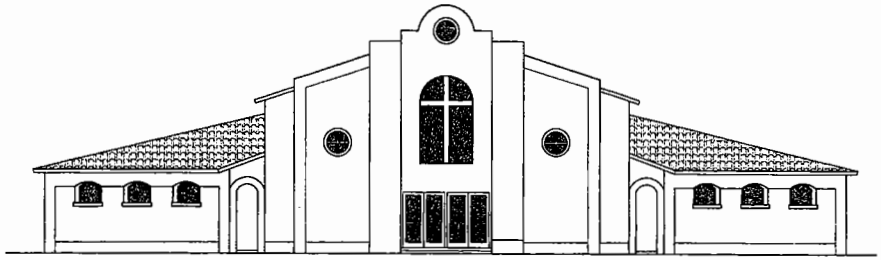
HEARING #
ZAB 2007 000003
DATE: 06-01-05
LIC.#AA-C002179
LIC.#FILER: 3144,
HAMMOND: S159
COMM. NO.: 0507
TITLE: AS BUILT/ ELEVATIONS
SHEET: A-2

7-06-09

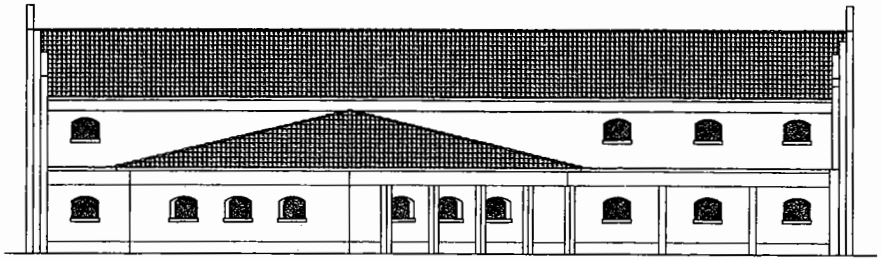
RECEIVED
JUL 13 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



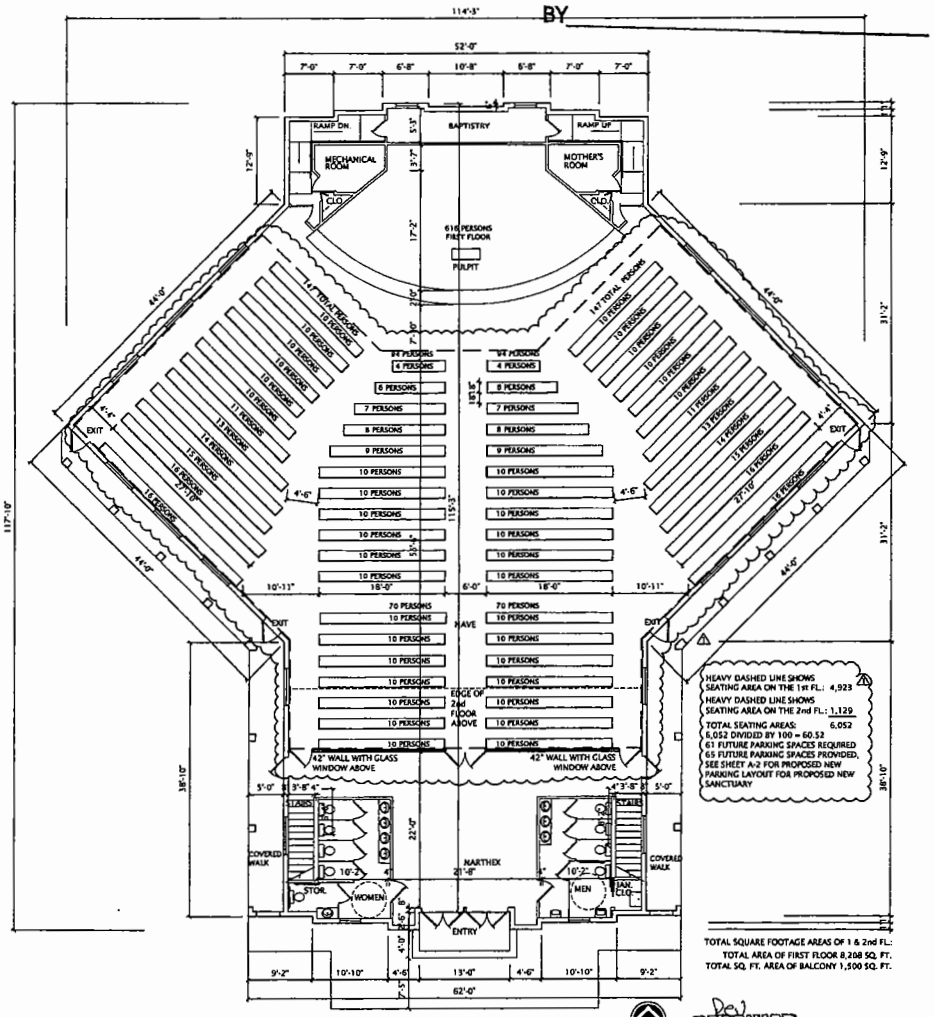
PROPOSED FUTURE SECOND FLOOR 1/8"



PROPOSED FUTURE FRONT ELEVATION 1/8"



PROPOSED FUTURE EAST / WEST ELEVATION 1/8"



PROPOSED FUTURE NEW SANCTUARY 1/8"

RECEIVED
JUL 13 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

07-06-09

DATE	REVISION
6/12/07-Revise for Zoning Comments	1
11/07/07-Revise for Zoning Comments	2
8/15/08-Revise for Zoning Comments	3
10/01/08-Revise for Traffic Comments	4
1/17/09-Revise for Zoning Comments	5
4/09/09 - Revise for zoning comments	6
6/09/09-Revise for Traffic Comments	7

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Filer & Hammond Architects, Inc.
7438-A S.W. 48 ST., MIAMI, FL. 33155 444-5714

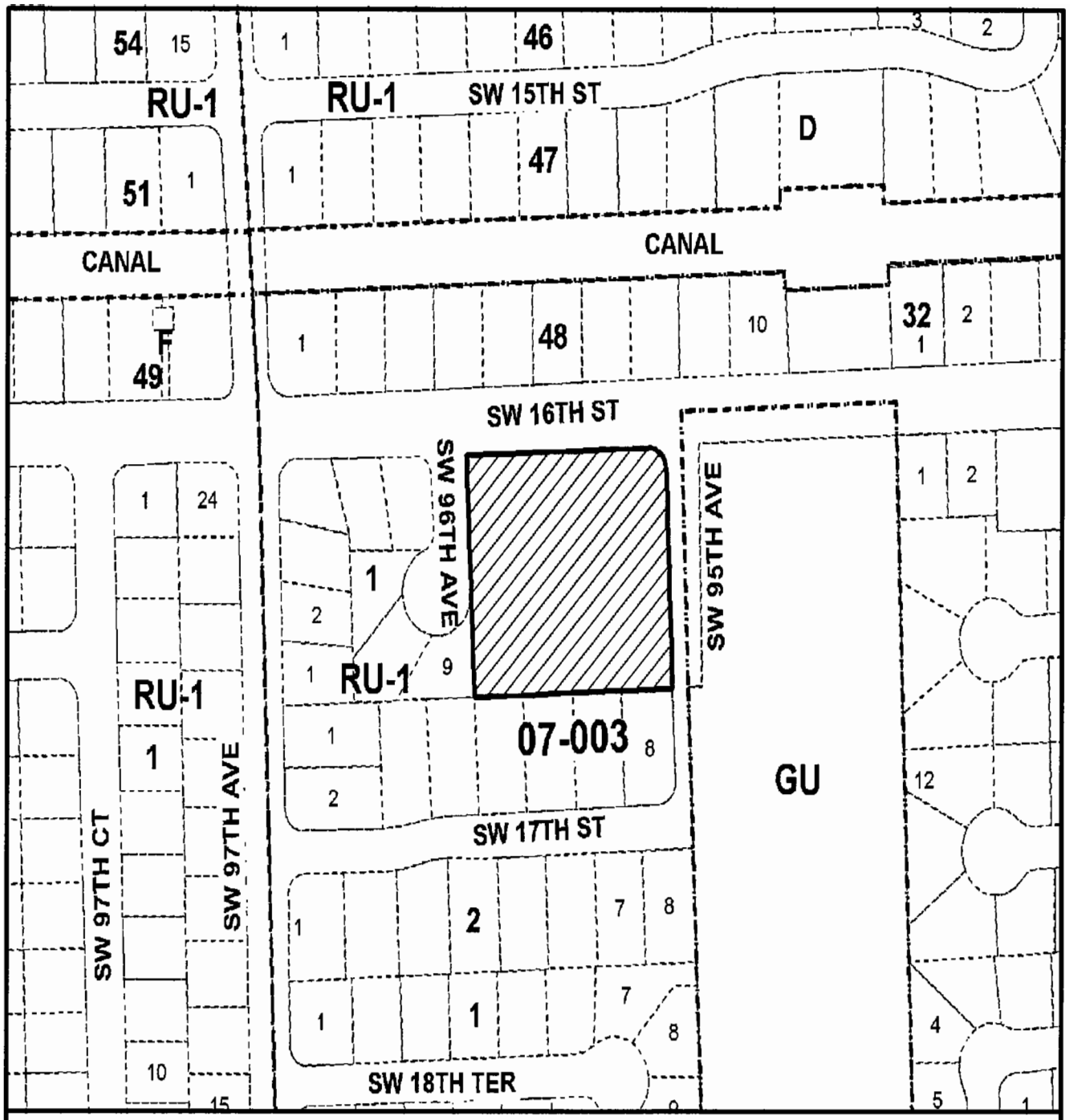
A NEW DAYCARE CENTER USE FOR EXISTING
WESTCHESTER SPANISH 7th DAY ADVENTIST CHURCH
9500 SW 16 STREET, MIAMI, FLORIDA

HEARING #
ZAB 2007 000003

DATE: 02-27-06
LIC.#AA-C002179
LIC.#FILER: 3144,
HAMMOND: S159
COMM. NO.: 0507

TITLE: SANCTUARY FL. PL.

SHEET: A-3



MIAMI-DADE COUNTY

HEARING MAP

S C A L E 0 NTS

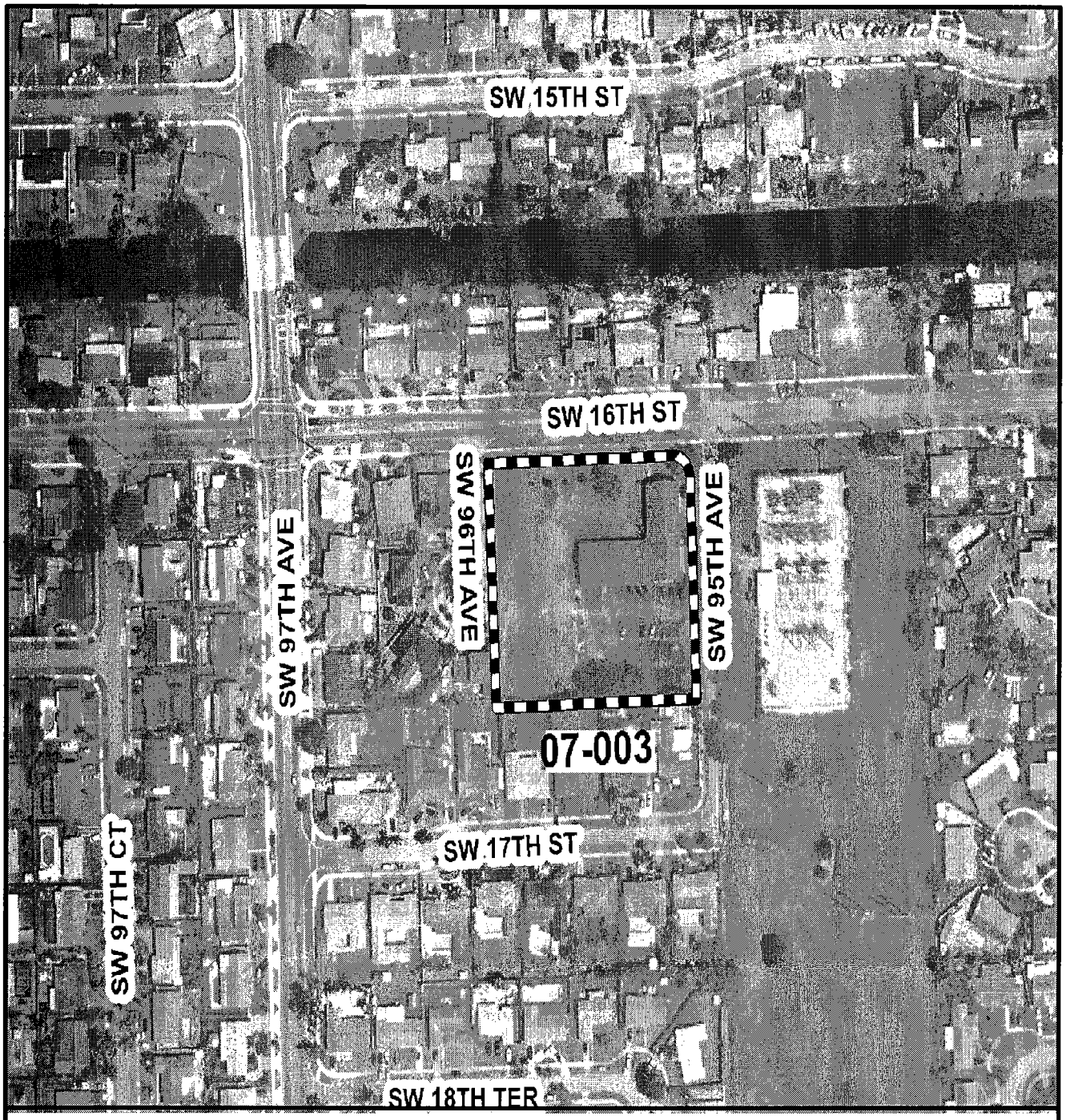
N

SUBJECT PROPERTY

Section: 09 Township: 54 Range: 40
Section: 08 Township: 54 Range: 40
Process Number: 07-003
Applicant: WESTCHESTER SPANISH SEVENTH DAY
Zoning Board: C10
District Number: 10
Cadastral: KEELING
Scale: NTS

MIAMI-DADE COUNTY

GEOMATICS 07-003 01/05/07



MIAMI-DADE COUNTY

AERIAL

S C A L E
0 NTS

N

SUBJECT PROPERTY

Section: 09 Township: 54 Range: 40
Section: 08 Township: 54 Range: 40
Process Number: 07-003
Applicant: WESTCHESTER SPANISH SEVENTH DAY
Zoning Board: C10
District Number: 10
Cadastral: KEELING
Scale: NTS

MIAMI-DADE COUNTY

GEOMATICS 07-003 01/05/07

C. CARLOS AND NILDA TORRENTS
(Applicant)

07-11-CZ10-1 (06-360)
Area 10/District 10
Hearing Date: 02/17/10

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

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

Disclosure of interest form attached? Yes ☐ No ☑

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
	NO HISTORY			

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: **CARLOS AND NILDA TORRENTS**

REPRESENTATIVE: Jorge Merlo

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
07-11-CZ10-1 (06-360)	January 20, 2010	CZAB10		10

REC: Denial without prejudice.

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

■ DEFER: ☐ INDEFINITELY ■ TO: February 17, 2010 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

☐ WITH CONDITIONS

■ OTHER: At applicant's request. The applicant is waiting for the bank to sign the joinder for the covenant.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		George A. ALVAREZ			X
COUNCILMAN		Jorge BARBONTIN			X
VICE-CHAIRMAN		Jose GARRIDO (C.A.)	X		
COUNCILMAN	S	Carlos A. MANRIQUE	X		
COUNCILMAN	M	Rueben POL III	X		
CHAIRMAN		Julio R. CACERES	X		
		VOTE:	4	0	

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **JONI COFFY-ARMSTRONG**

2

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

E

APPLICANT'S NAME: **CARLOS AND NILDA TORRENTS**

REPRESENTATIVE: Jose Merlo and Nilda Torrents

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
07-11-CZ10-1 (06-360)	December 18, 2007	CZAB10		07

REC: Denial without prejudice.

☐ WITHDRAW: ☐ 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 CONDITIONS

☐ **OTHER**: At applicant's expense to allow the applicant time to contact FPL regarding the possibility of parking under the FPL transmission lines (Linear Park) located to the north of the site

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

EXHIBITS: ■ YES ☐ NO

COUNTY ATTORNEYS: **DAVID HOPE** **DIAMELA DEL CASTILLO**

3

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

1

APPLICANT'S NAME: CARLOS AND NILDA TORRENTS

REPRESENTATIVE: **RICHARD PEREZ (attorney)**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
07-11-CZ10-1 (06-360)	NOVEMBER 13, 2007	CZAB10		07

REQ: (1) RU-1 to RU-5A (2) Waive Z regs R-O-W; to permit 35' ded. (3) Lot area 7,816.15 sf. (4) Bldg stbk 11'6" & 6'10" interiors. (5) 3'6" lndscp buffer. (6) 2 accessways w/in 150' lot front. (7) 9'6" wide 2-way drive. (8) 2' wide landscape buffer & 3 buffer trees btwn dissimilar uses.

REC: DWOP

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

■ DEFER: ☐ INDEFINITELY ■ TO: **DEC. 18, 2007** ☐ 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

■ **DEFERRAL ASKED BY ATTORNEY AS FIRM RECENTLY HIRED & NEED TIME TO PREPARE**

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

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

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

APPLICANT: Carlos and Nilda Torrents **PH:** Z06-360 (07-11-CZ10-1)

SECTION: 16-54-40 **DATE:** February 17, 2010

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

==========

A. INTRODUCTION

o **REQUESTS:**

(1) RU-1 to RU-5A

(2) Applicants are requesting to waive the zoning regulations requiring section line rights-of-way to be 80' in width; to permit 35' of dedication (40' required) for the east half of SW 97 Avenue.

(3) Applicants are requesting to permit a lot area of 7,816.15 sq. ft. (10,000 sq. ft. required).

(4) Applicants are requesting to permit a building setback 11'6" (15' required) from the interior side (south) property line and setback 6'10" (15' required) from the interior side (north) property line.

(5) Applicants are requesting to permit a minimum 3'6" wide landscape buffer (7' required) along the right-of-way.

(6) Applicants are requesting to permit two access ways within the 150' wide lot frontage (one 2-way drive or two 1-way drives permitted).

(7) Applicants are requesting to permit a 9'6" wide two-way drive (20' required).

(8) Applicants are requesting to permit a minimum 2' wide landscape buffer (5' required) and 3 buffer trees (6 trees required) between dissimilar land uses along the interior side (south) property line and rear (east) property line.

Plans are on file and may be examined in the Zoning Department entitled "Proposed Renovation to Existing Residence," as prepared by Jose R. Merlo, Architect, dated stamped received 12/04/06, consisting of 4 pages and 1 page dated stamped received 6/5/07 for a total of 5 pages. Plans may be modified at public hearing.

o **SUMMARY OF REQUESTS:** The applicants seek to change the zoning on the property from RU-1, Single-Family Residential District, to RU-5A, Semi-Professional Office District, in order to provide semi-professional office services for the community on a parcel of land with less lot area than that required for said uses. The applicants also seek to waive the zoning regulations requiring section line rights-of-way to be 80' in width; to permit less landscape buffer than required along the right-of-way, to permit two accessways within the 150' wide lot frontage, to permit a two-way drive with less width

than required and to permit a smaller landscape buffer without the buffering elements required between dissimilar land uses. Additionally, the applicants seek to permit the proposed office structure setback closer to the interior side property lines than permitted.

- **LOCATION:** 2631 SW 97 Avenue, Miami-Dade County, Florida.

- **SIZE:** 7,816.15 sq. ft.

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

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

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

3. **Office uses** smaller than five acres in size may be approved in areas designated as Residential Communities where other office, business or industrial use(s) which are not inconsistent with this plan already lawfully exist on the same block face. However, where such an office, business, or industrial use exists only on a corner lot of a subject block face or block end, approval of office use elsewhere on the block is limited to the one block face or block end which is the more heavily trafficked side of the referenced corner lot. Office uses may be approved on such sites only if consistent with the objectives and policies of the CDMP and the use or zoning district would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would be out of scale with the character of the neighboring uses or would detrimentally impact the surrounding area. In applying this provision, the maximum limits of an eligible residentially designated block face along which office uses may be extended shall not extend beyond the first intersecting public or private street, whether existing, platted or projected to be necessary to provide access to other property, or beyond the first railroad right-of-way, utility transmission easement or right-of-way exceeding 60 feet in width, canal, lake, public school, church, park, golf course or major recreational facility.

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

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

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua

		Surrounding Properties:
NORTH:	RU-1; FPL (Linear Park)	Low Density Residential, 2.5 to 6 dua
SOUTH:	RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua
EAST:	RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua
WEST:	RU-5A; 1-story office plaza	Office/Residential

The subject property is an interior lot located at 2631 SW 97 Avenue, in an area characterized with single-family residences. The subject property is neighbored to the north by an FPL transmission line easement, which is also developed as a linear park and runs diagonally to the northeast. To the west, across SW 97 Avenue, is RU-5A zoned property developed with offices.

E. SITE AND BUILDINGS:

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

F. PERTINENT REQUIREMENTS/STANDARDS:

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

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

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

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

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

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

Section 33-311(A)(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.

G. NEIGHBORHOOD SERVICES:

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

*Subject to the conditions indicated in their memorandum.

H. ANALYSIS:

This item was deferred from the December 8, 2009 and January 20, 2010, meetings at the applicant's request in order to proffer a Declaration of Restrictions which will specifically list the proposed office uses on the subject property. However, at the time of this writing staff has not received such Declaration of Restrictions. This item was also deferred from the November 13, 2007, meeting date at the applicant's request in order to allow the applicants an opportunity to meet with staff and it was deferred from the December 18, 2007 meeting to allow the applicant to meet with Florida Power and Light regarding the possibility of parking under the FPL transmission lines (Linear Park) located to the north of the subject property. However, as of this date the applicant has not submitted any additional information to the Department of Planning and Zoning. The subject property is an interior lot located at 2631 SW 97 Avenue, approximately 800' south of SW 24 Street (Coral Way), in an area characterized by single-family homes. The 0.179-acre subject site is currently improved with a one-story single-family

residence. The applicants seek to change the zoning on the subject property from RU-1, Single-Family Residential District, to RU-5A, Semi-Professional Office District (request #1). RU-5A uses include, but are not limited to, office buildings for accountants, architects, attorneys, dentists, medical doctors, notary publics, real estate, and travel agencies, as well as banks without drive-in teller facilities. Plans submitted by the applicants depict the subject site and the existing one-story single-family residence to be retrofitted for the proposed office use. Additionally, the applicants seek to waive the zoning regulations requiring section line rights-of-way to be 80' in width; to permit 35' of dedication (40' required) for the east half of SW 97 Avenue (request #2); to permit a lot area of 7,816.15 sq. ft. (10,000 sq. ft. required) (request #3); to permit a building setback 11'6" (15' required) from the interior side property line and setback 6'10" (15' required) from the interior side property line (request #4); to permit a minimum 3'6" wide landscape buffer (7' required) along the right-of-way (request #5); to permit two access ways within the 150' wide lot frontage (one 2-way drive or two 1-way drives permitted) (request #6); to permit a 9'6" wide two-way drive (20' required) (request #7); and to permit a minimum 2' wide landscape buffer (5' required) and 3 buffer trees (6 trees required) between dissimilar land uses along the interior side property line and rear property line (request #8.) Plans submitted by the applicants depict the subject site and the existing one-story single-family residence to be retrofitted for the proposed office use. The subject property is neighbored to the north by an FPL transmission line easement, which was also approved for as a linear park, pursuant to Resolution No. 1017-75, and runs diagonally to the northeast. Beyond this, further to the north, is a large commercial plaza at the southeast corner of the intersection of SW 24 Street and SW 97 Avenue. The properties immediately to the northeast, east and south are all RU-1 zoned parcels, established with single-family residences. To the west of the subject property, across SW 97 Avenue, is a one-story office plaza on a 4.5-acre parcel of land, approved in 1999 pursuant to Resolution No. CZAB10-60-99.

Plans submitted by the applicants reveal the planned retrofit of an 1,842 sq. ft one-story, single-family residence into an office. The applicants propose an addition to be located in the southeast portion of the residence that will effectively "square off" the structure and provide an additional 277 sq. ft. of office space. The front yard of the site, once configured with a half-circle driveway, will now be paved over to provide 4 parking spaces, and access to the site is now provided by 2 driveways, one of which is a two-way driveway located in the approximate center of the western property line which leads directly into the front parking area and another one-way located along the southern property line which leads into the rear (east) area of the site where 3 additional parking spaces are proposed. A 6' high masonry wall is proposed to be located along the east and south property lines. Elevations illustrate some cosmetic work to be performed on the façade of the structure, whereupon the front of the structure is proposed with a parapet, which increases the height of the structure from a 9' high single-family residence to a 16' high office. Staff is not supportive of the plans for the proposed office use.

The Department of Environmental Resources Management **(DERM)** has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicant will have to comply with all DERM requirements as indicated in their memorandum for this application. The Public Works Department **(PWD) objects** to this application. Specifically, the Public Works Department objects to the request to permit two access driveways within 150' of

lot frontage and to permit said 2-way drives to have less width than required (20 feet minimum width.) Additionally, PWD requires that driveways offset a minimum of 5' from side lot property lines. The Miami-Dade Fire Rescue Department **(MDFR)** has **no objections** to this application.

Approval of the district boundary change will allow the applicants to provide semi-professional office services for the community. This area is designated for **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). The CDMP provides that office uses may be approved along the frontage of major roadways in residential community areas where residences have become less desirable due to inadequate setbacks from roadway traffic and noise, or due to a mixture of nonresidential uses or activities in the vicinity in accordance with the limitations set forth in the CDMP. These office uses may occur in combination with or independent of residential use. Such limited office uses may be approved on such sites in residential community areas only where: a) the residential lot fronts directly on a Major Roadway as designated on the Land Use Plan map; b) the lot or site size does not exceed one acre; and c) the residential area is not zoned, developed or designated on the Land Use Plan map for Estate Density Residential, nor does the subject frontage face such an Estate Density area. The subject property meets certain of the aforementioned criteria of the Master Plan including that the subject property is located on a section-line-roadway (SW 97 Avenue) also designated as a "major roadway" on the Land Use Plan map, the site is less than one acre in size, is not zoned, developed or designated on the Land Use Plan map for Estate Density Residential use, and the subject frontage does not face an Estate Density area. However, the Master Plan also indicates that where other office, business or industrial uses exist on the same block face, approval of similar requests may be granted. Research reveals that there are no similar approvals on the block. The subject property is surrounded by single-family residences to the south, east and northeast. Approval of the rezoning from RU-1 to RU-5A on this interior lot east of SW 97 Avenue would detrimentally impact the existing residential community, would set a negative precedent for allowing semi-professional office uses to be interspersed randomly along major roadways, would promote incompatible zoning and set a negative precedent for land use and building intensification in an established residential area. Moreover, the proposed rezoning to RU-5A would not be in keeping with Policy LU-4C of the CDMP that states that residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility and overall welfare of the neighborhood. Based on the aforementioned, the proposed RU-5A rezoning is **inconsistent** with the CDMP and, in staff's opinion, **incompatible** with the area.

The applicant is seeking approval for a district boundary change from RU-1, Single-Family Residential District, to RU-5A, Semi-Professional Office District, with the intention of retrofitting the existing residence on the subject property into an office building. As previously mentioned, staff concludes that the proposed development would be **inconsistent** with the interpretative text of the CDMP and opines that it would be **incompatible** with the neighboring residential area to the northeast, south and east of the subject property. Staff acknowledges that the proposed office use 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. The proposed

office use will occur on SW 97 Avenue but is neighbored by RU-1 zoned properties, a single-family residence to the south and west, and an FPL transmission line area to the north. As indicated in the submitted plans, a majority of the proposed parking is located in the front (west) portion of the site, accessed from a section-line-roadway by two driveways, which do not comply with the Zoning Code requirements. As proposed, the design is insufficient in providing requirements needed for the proposed office use. The width of the driveways could potentially cause traffic movement conflicts and might lead to the queuing of vehicles along SW 97 Avenue. Further, the Public Works Department objects to several of the requests based on the proposed configuration of the site. Staff is of the opinion that approval of the requested zone change would set a precedent for similar requests for semi-professional office uses southward along the eastern side of SW 97 Avenue, and would deteriorate the established residential area found in the vicinity. Therefore, staff opines that the proposed RU-5A zoning would be **incompatible** with the adjoining RU-1 zoned properties and established residential neighborhood.

When requests #2 through #4 are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that said requests do not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and as such, would be **incompatible** with the surrounding area. Approval of these requests would allow the applicants to retrofit the existing one-story residence in order to accommodate the proposed office uses. Further, the approval of request #2, would allow the applicants to proceed with the development of the site with a 35' of dedication for the east half of SW 97 Avenue. The Public Works Department has no objections to the request and indicates that the additional dedication is not required along this segment of the section line roadway. The foregoing notwithstanding, staff opines that request #2 is germane with request #1 and as such, it should be denied without prejudice. Additionally, staff is of the opinion that the subject property is insufficiently sized to accommodate the desired office usage as evidenced by request #3, to permit a lot area of 7,816.15 sq. ft. (10,000 sq. ft. required). The RU-1 zoning district requires lots to maintain a minimum of 7, 500 sq. ft., while the RU-5A zone requires 10,000 sq. ft. A lot area of 10,000 sq. ft. is required to provide adequate space for the applicants to accommodate the additional requirements demanded by the office use such as parking, landscaping, setbacks, lot coverage, and floor area ratio. Staff opines that the size of the lot is inadequate to accommodate an office use as further evidenced by the additional companion requests #5 through #8. As previously mentioned, it is the intent of the applicants to retrofit the existing single-family residence into a proposed office structure. Plans submitted indicate that the applicants intend to construct a proposed addition that will expand the size of the structure from a footprint of 1,842 sq. ft to 2,119 sq. ft. Also, request #4, to permit a building setback 11'6" (15' required) from the interior side (south) property line and setback 6'10" (15' required) from the interior side (north) property line, indicates that the site is not capable of complying with the RU-5A zoning setback requirements. The existing setback distances comply with the RU-1 zoning district requirements, but when the required distances under the RU-5A zoning district are applied, the structure fails to meet both the north and south setback requirements. Further, plans submitted by the applicants indicate substantial exterior work proposed by the applicants, which, in staff's opinion, changes the residential quality of the structure to a more professional, austere office aesthetic. Although this renovation is probably more suitable for office uses, staff maintains that the approval would be an obvious departure from the residential quality of the surrounding single-family homes. Also, since the requests are an integral part of and germane to the plans submitted for the proposed

office uses and request #1, which is not supported by staff, staff recommends denial without prejudice of requests #2, #3 and #4 under Section 33-311(A)(4)(b) (NUV).

When requests #5 and #8 are analyzed under Section 33-311(A)(4)(b) staff is of the opinion that these requests also do not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and as such, would also be **incompatible** with the surrounding area. Approval of requests #5 and #8 would allow the applicants to supply less than the required amounts of landscaping buffer along two sides of the subject property. Request #5, to permit a minimum 3'6" wide landscape buffer (7' required) along the right-of-way, would allow the applicant to provide only half of the required amount of a green landscaped strip along that portion of the site adjacent to SW 97 Avenue. Staff is of the opinion that this reduction in required landscaping would compromise the green aesthetic achieved by the "linear park" located to the north of the subject property. Furthermore, staff notes that in the immediate vicinity to the south of the subject property, primarily single-family residences front on this roadway and as such, pedestrians walking along the sidewalk would be impacted by the lack of required buffering, thereby becoming cognizant of the discordant use. Additionally, in tandem with the reduced landscape buffer, the applicants have proposed 4 of the 7 required parking spaces to be located in the front of the property, which would create an overall unattractive front yard to the west of the structure and therefore would negatively affect the stability and appearance of the community. Furthermore, request #8, to permit a minimum 2' wide landscape buffer (5' required) and 3 buffer trees (6 trees required) between dissimilar land uses along the interior side (south) property line and rear (east) property line, would also negatively impact adjoining properties, specifically, the abutting residential property to the south and to the east. Staff notes that while attempting to accommodate the proposed use and required parking, the applicants have reduced the landscape buffering element requirement that serves as mitigation for the visual and aural impact on the neighboring properties. Staff notes that the submitted plans reveal that the parking area and the driveway are adjacent to the existing homes, which are two of the program requirements for office use that would most greatly compromise the enjoyment of the neighbors' quality of life. Such uses would produce glare and light spillage from headlights, automobile noises, and exhaust smell from the vehicles that would be too proximate to the outdoor areas of the homes and insufficiently buffered from same. Also, since the requests are an integral part of and germane to the plans submitted for the proposed office uses and request #1, which is not supported by staff, staff recommends denial without prejudice of requests #5 and #8 under Section 33-311(A)(4)(b) (NUV).

When requests #6 and #7 are analyzed under Section 33-311(A)(4)(b) staff is of the opinion that these requests also do not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and as such, would also be **incompatible** with the surrounding area. Staff is not supportive of the configuration and dimensions of the driveways as indicated in the submitted plans. Request #6, to permit two access ways within the 150' wide lot frontage where one 2-way drive or two 1-way drives are permitted, would allow the applicants to proceed with a site plan that could have detrimental traffic impacts on the area by creating unsafe vehicular flow to and from the site and onto SW 97 Avenue. This, in staff's determination, is another indicator that the subject site does not have sufficient lot area or lot frontage to be successfully retrofitted from a residential use to an office use. Also request #7, to permit a 9'6" wide two-way drive where 20' is required, further indicates that even the internal configuration

for on-site traffic flow would be compromised by the site dimensions restrictions. And again, the Public Works Department objects to both of these requests. Additionally, since these requests are an integral part of/and germane to request #1, staff recommends that requests #6 and #7, based on the aforementioned, be denied without prejudice under Section 33-311(A)(4)(b) (NUV).

Based on all of the aforementioned, staff is of the opinion that the proposed RU-5A rezoning would be **incompatible** with the surrounding area and notes that it is **inconsistent** with the provisions found within the interpretative text of the CDMP for allowing office uses on residentially designated land. As such, staff recommends denial without prejudice of the zone change from RU-1 to RU-5A (request #1). Similarly, staff recommends denial without prejudice of the RU-5A companion requests #2 through #8.

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

J. **CONDITIONS:** None.

DATE INSPECTED: 08/01/07
DATE TYPED: 09/20/07
DATE REVISED: 09/24/07; 10/11/07; 10/18/07; 12/11/07; 10/14/09; 11/23/09; 12/11/09; 12/18/09; 02/09/10
DATE FINALIZED: 02/09/10
MCL:GR:NN:TA

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

J.V.
NDN
GL

Memorandum

MIAMI-DADE COUNTY

Date: August 27, 2007

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

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

Subject: C-10 #Z2006000360-Revised
Carlos and Nilda Torrents
2631 S.W. 97th Avenue
District Boundary Change from RU-1 to RU-5A and Non-Use Variance of Right-of-Way, Roadway, Lot Area, Setback and Parking Requirements (RU-1) (0.18 Acres)
16-54-40

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

Potable Water Service and Wastewater Disposal

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

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

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

Stormwater Management

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year/1-day storm event.

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

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

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

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

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

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

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

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

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

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

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

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

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

REVISION 2

PH# Z2006000360
CZAB - C10

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: CARLOS AND NILDA TORRENTS

This Department objects to this application.

This Department objects to the request to permit a two-way driveway to have a width less than required. Two-way driveways must have a minimum width of 20 feet.

This Department objects to the request to permit two access driveways within 150 feet of lot frontage.

Driveway must offset a minimum of 5 feet from side lot property line. Refer to Standard Detail R12.2 of the Public Works Manual of Miami-Dade County.

This Department has no objections to the request to permit 35 feet of dedication on the east half of SW 97 Avenue where 40 feet is required.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 1 PM daily peak hour vehicle trip. The traffic distribution of this trip to the adjacent roadway reveals that the addition of this new trip does not exceed the acceptable level of service of the following roadway:

Sta.#		LOS present	LOS w/project
9699	SW 97 Ave. s/o SW 24 St.	D	D

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

Raul A Pino, P.L.S.
09-OCT-09

REVISION 1

Memorandum

Date: 25-JUL-07

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

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

Subject: Z2006000360

Fire Prevention Unit:

Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped June 5, 2007. Any changes to the vehicular circulation must be resubmitted for review and approval.

Service Impact/Demand:

Development for the above Z2006000360
located at 2631 S.W. 97 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1483 is proposed as the following:

N/A	dwelling units	N/A	square feet
residential		industrial	
2,100	square feet	N/A	square feet
Office		institutional	
N/A	square feet	N/A	square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: 0.45 alarms-annually.
The estimated average travel time is: 5:12 minutes

Existing services:

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

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

Planned Service Expansions:

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

None.

Fire Planning Additional Comments:

Current service impact calculated based on letter of intent date stamped June 5, 2007. Substantial changes to the letter of intent will require additional service impact analysis.

DATE: 29-JAN-10

REVISION 3

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

CARLOS AND NILDA TORRENTS

APPLICANT

2631 S.W. 97 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

ADDRESS

Z2006000360

HEARING NUMBER

HISTORY:

CMS# 201003000928 -Enforcement history case. Not in violation.

Previous cases:

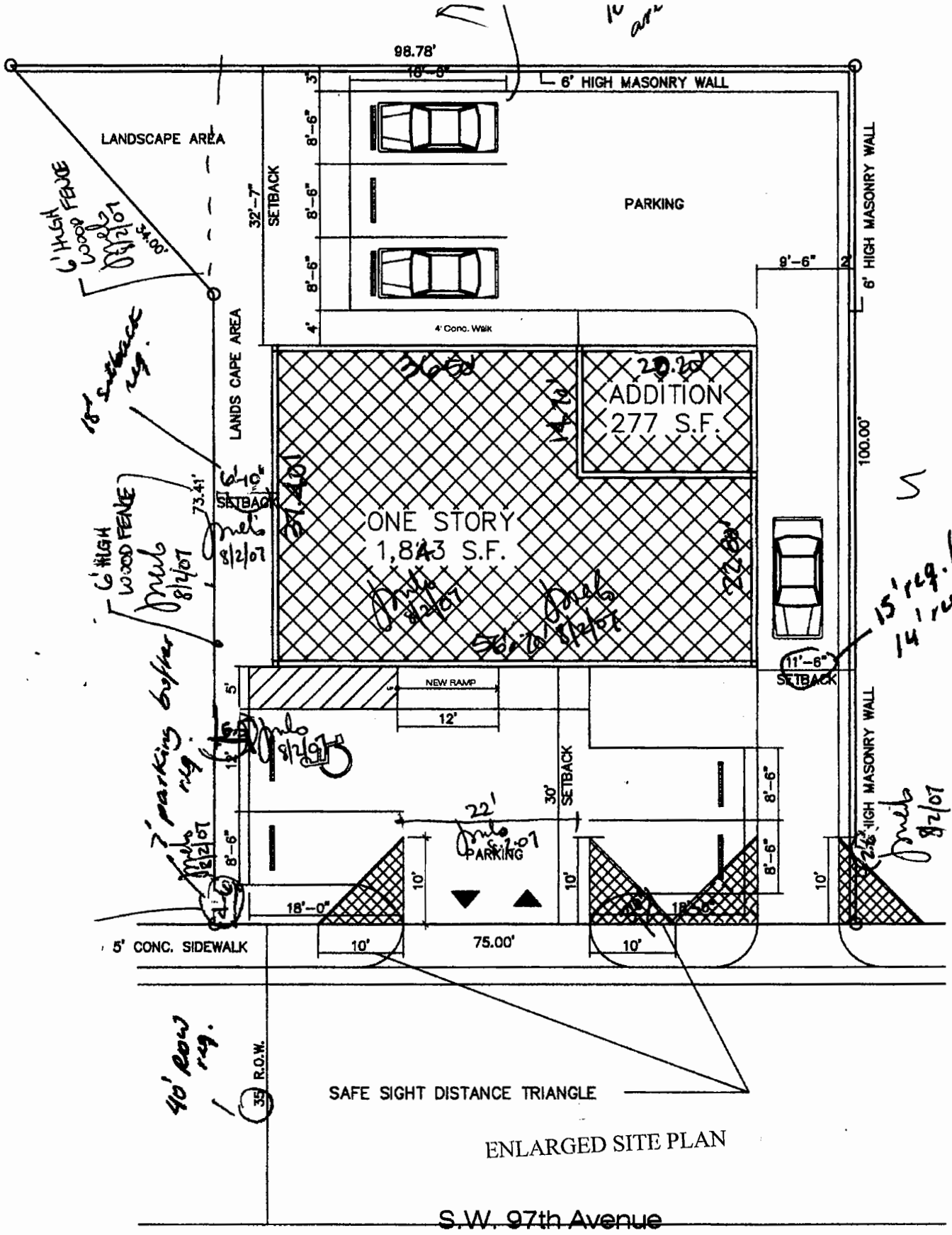
CMS# 20090300707 -NOV issued in 07/2009 for vehicle for sale. Case closed as complied.

CMS# 200903006966 -Enforcement history case. Not in violation.

CMS# 200903000286 -Enforcement history case. Not in violation.

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

REPORTER NAME:

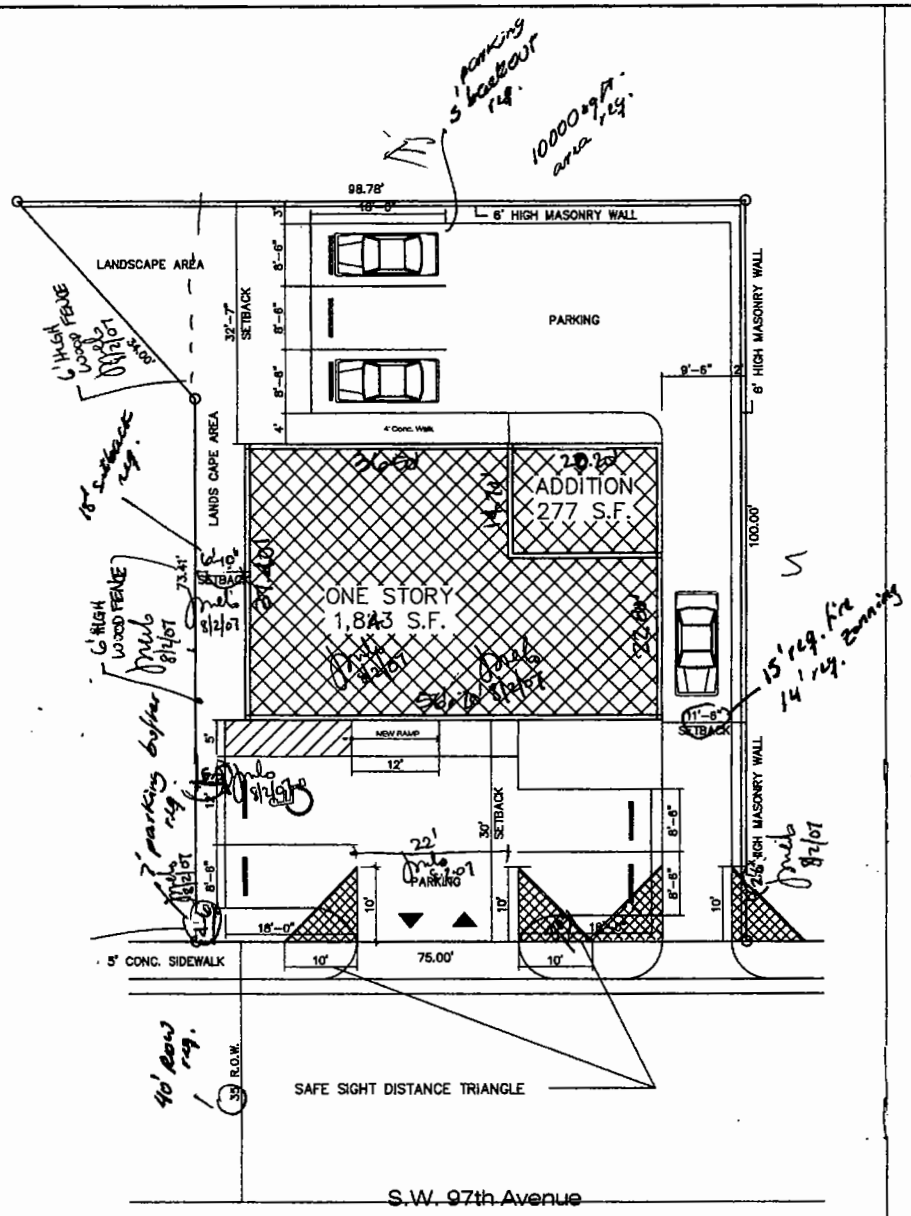


ENLARGED SITE PLAN

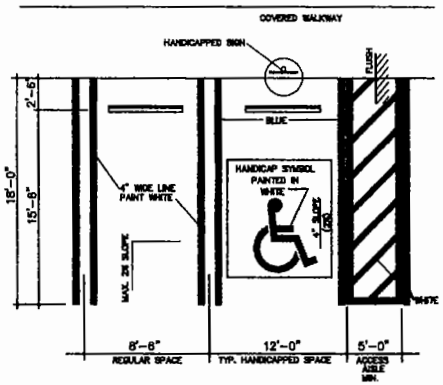
Proposed Site Plan 1/8"

n

21



Proposed Site Plan 1/8"



TYPICAL HANDICAP & REGULAR SPACE DETAIL.

RU-5A ZONING LEGEND

	MINIMUM REQUIREMENTS	REQUIRED	PROVIDED
Existing Zoning: RU5	75 frontage for owner lot	75'	75'
Proposed Zoning: RU-5A	net area for lot	7,500 S.F.	7,617 S.F.
GROSS AREA 10,442 S.F.—24 acres	SETBACK REQUIREMENTS		
Less R.O.W. 2,125 S.F.	SETBACK TYPE		
Less Water N/A	FRONT	25'	30'
Less Other N/A	SIDE STREET	15'	N/A
NET AREA (sq. ft.) 7,617 S.F. 100 %	INTERIOR	15'	11'-6"
Lot coverage (40% max) 2,100 S.F. 26%	REAR	25'	32'-7"
Paved Area 3,363 S.F. 43%			
Landscaped Open Space - 25% 2,230 S.F. 31%			

Maximum Floor Area Ratio (F.A.R.) per No. of Bldg Stories	
1 story	
0.40	
MAX HEIGHT OF PROPOSED BLDGS.	24'
MAX NUMBER OF STORIES PERMITTED	2
MAX NUMBER OF STORIES PROPOSED	1
F.A.R. PERMITTED	.40
F.A.R. PROPOSED	.40

PARKING REQUIREMENTS		spaces required
Dwel Type	(2,100 S.F. / 300) = 7 spaces	
TOTAL PARKING SPACES REQUIRED		7 spaces
TOTAL PARKING SPACES PROVIDED		7 spaces (incl. 1 HC)

LEGAL DESCRIPTION:

LOT 1, BLOCK 4 OF SUBDIVISION "CORAL GARDENS", 3rd ADDITION ACCORDING TO PLAT BOOK 68, PAGE 16, OF THE PUBLIC RECORDS OF MIMAI-DADE COUNTY, FLORIDA

PROPERTY ADDRESS:

2631 SOUTHWEST 97th AVENUE, MIAMI, FLORIDA

RECEIVED
ZOO-360
JUN 05 2007
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

revisions
revisions per zoning requirements 5-31-07

jose r. merlo, registered architect / license. no. AR 0012119

MERLO

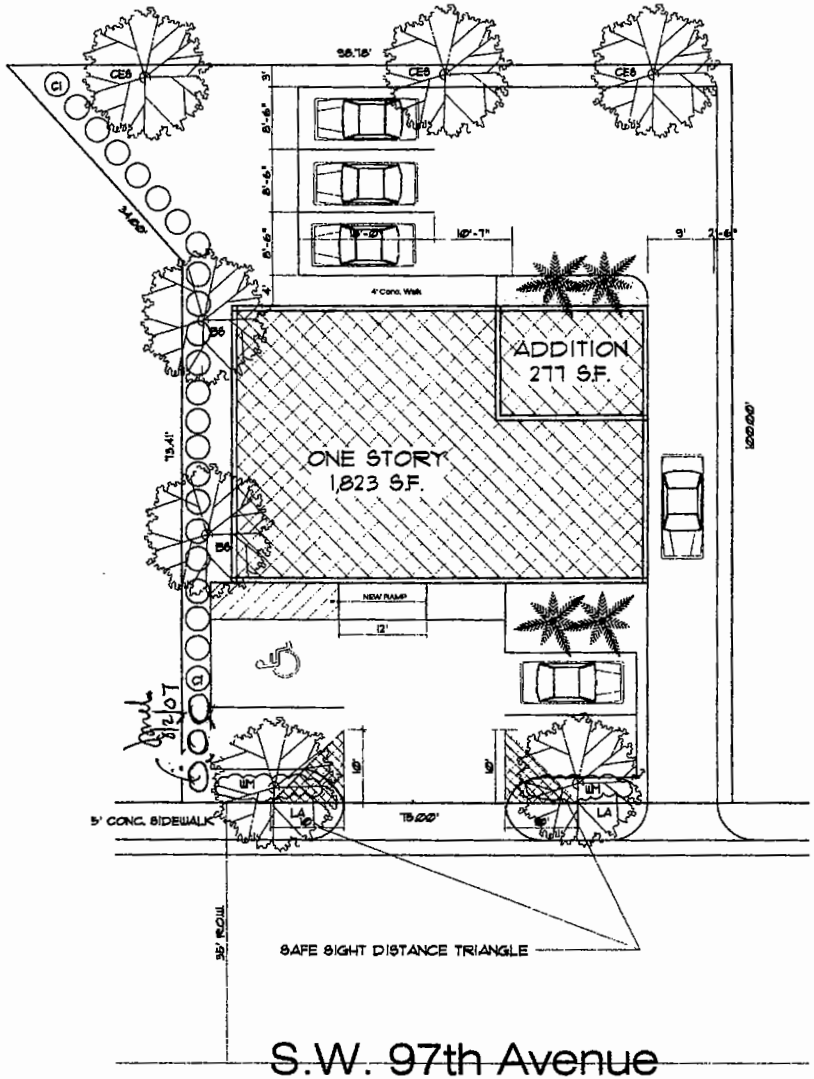
Proposed Renovation to Existing Residence
2631 SW 97th Avenue
Miami, Florida

seal

08-01-06

SP-1

23



N

Proposed Landscaping Plan 1/8"

PLANT MATERIAL SCHEDULE

NATIVE	SYMBOL	BOTANICAL NAME		SPECIFICATION
Y	LA	LIVE OAK	QUERCUS VIRGINIANA	10' TRUNK, 4" MIN. CALIPER
Y	CE6	SILVER BUTTONWOOD	CONCARPUS ERECTUS SER.	10' TRUNK
Y	B6	GUMBO LIMBO	BURSERA SIMARUBA	12' o.a. ht. x 6' spr.
Y	CI	RED TIP COCOPLUM HEDGE	CHRYSOBALANUS ICACO	3 gal. 24" ht. x 24" spr. 24" o.c.
Y	WM	WAX MYRTLE		3 gal. 24" ht. x 24" spr. 24" o.c.

open space 25%

RECEIVED
206-360
DEC 04 2006
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

jose r. merlo, registered architect / license. no. AR 0012119

MERLO

Proposed Renovation
to
Existing Residence
2631 SW 97th Avenue
Miami, Florida

seal

08-01-06

L-1

24

Planting Specifications

NAMES AND GRADES
PLANT SPECIES AND SIZE SHALL CONFORM TO THOSE INDICATED ON THE DRAWINGS. NOMENCLATURE SHALL CONFORM TO STANDARDIZED PLANT NAMES, 1942 EDITION. ALL NURSERY STOCK SHALL BE IN ACCORDANCE WITH 'GRADES AND STANDARDS FOR NURSERY PLANTS' PARTS 1 & 2, LATEST EDITION PUBLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES. ALL PLANTS NOT OTHERWISE SPECIFIED AS BEING FLORIDA FANCY OR SPECIMEN SHALL BE 'FLORIDA GRADE #1' OR BETTER AS DETERMINED BY THE FLORIDA DIVISION OF PLANT INDUSTRY. SPECIMEN MEANS AN EXCEPTIONALLY HEAVY, SYMMETRICAL, TIGHTLY KNIT PLANT, SO TRAINED OR FAVORED IN IT'S DEVELOPMENT THAT FIRST APPEARANCE IS UNQUESTIONABLY AND OUTSTANDINGLY SUPERIOR IN FORM, NUMBER OF BRANCHES, COMPACTNESS AND SYMMETRY.

GENERAL REQUIREMENTS
ALL PLANTS SHALL BE FRESHLY DUG, SOUND, HEALTHY, VIGOROUS, WELL BRANCHED AND FREE OF DISEASE AND INSECT EGGS AND LARVAE AND SHALL HAVE ADEQUATE ROOT SYSTEMS. TREES FOR PLANTING ROWS SHALL BE UNIFORM IN SIZE AND SHAPE. ALL MATERIALS SHALL BE SUBJECT TO APPROVAL BY THE LANDSCAPE ARCHITECT. WHERE ANY REQUIREMENTS ARE OMITTED FROM THE PLANT LIST, THE PLANTS FURNISHED SHALL BE NORMAL FOR THE VARIETY. PLANTS SHALL BE PRUNED PRIOR TO DELIVERY ONLY UPON THE APPROVAL OF THE LANDSCAPE ARCHITECT.

SOIL
PLANTING SOIL FOR USE IN PREPARING BACKFILL FOR PLANT PITS SHALL BE ADDED AT A RATE OF 75% TO 25% EXISTING SOIL. THIS SOIL MIX SHALL BE USED IN ALL PLANT PITS EXCEPT SABAL PALMS WHICH SHALL BE BACKFILLED WITH CLEAN SAND. PLANTING SOIL SHALL BE A FERTILE, FRIABLE NATURAL TOP SOIL OF LOAMY CHARACTER. IT SHALL CONTAIN 40 TO 50% DECOMPOSED ORGANIC MATTER AND SHALL BE FREE FROM HEAVY CLAY, STONES, LIME, PLANTS, ROOTS OR OTHER FOREIGN MATTER OR NOXIOUS WEEDS. IT SHALL NOT CONTAIN TOXIC SUBSTANCES WHICH MAY BE HARMFUL TO PLANT GROWTH.

COMMERCIAL FERTILIZER
TWO FERTILIZERS SHALL BE USED IN ALL TYPES OF PLANTINGS, EXCEPT PALMS. GRANULAR FERTILIZER SHALL BE UNIFORM IN COMPOSITION, DRY AND FREE FLOWING. THIS FERTILIZER SHALL BE DELIVERED TO THE SITE IN THE ORIGINAL UNOPENED BAGS EACH BEARING THE MANUFACTURERS STATEMENT OF ANALYSIS, AND SHALL MEET THE FOLLOWING REQUIREMENTS: 6% NITROGEN, 6% PHOSPHOROUS AND 6% POTASSIUM. TABLET FERTILIZER ('AGRIFORM' OR EQUAL) IN 21 GRAM SIZE SHALL MEET THE FOLLOWING REQUIREMENTS: 20% NITROGEN, 10% PHOSPHOROUS AND 5% POTASSIUM.
THE TWO FERTILIZERS WILL BE APPLIED AT THE FOLLOWING RATES:
1 GALLON: 1/4LB OF 6-6-6 & 1 AGRIFORM TABLET
3 GALLON: 1/2LB OF 6-6-6 & 2 AGRIFORM TABLETS.
7-15 GALLON: 1/2LB OF 6-6-6 & 4 AGRIFORM TABLETS.
1"-6" CALIPER: 2LBS OF 6-6-6 PER 1" CALIPER & 2 AGRIFORM TABLETS PER 1" OF CALIPER.
6" AND LARGER: 3LBS OF 6-6-6 PER 1" CALIPER & 2 AGRIFORM TABLETS PER 1" CALIPER.
'FLORIDA EAST COAST PALM SPECIAL' WILL BE APPLIED TO ALL PALMS AT INSTALLATION AT A RATE OF 1/2 LB PER INCH OF TRUNK CALIPER UNLESS OTHERWISE SPECIFIED.

SOD
SOD SHALL MEET FLORIDA STATE PLANT BOARD SPECIFICATION, ABSOLUTELY TRUE TO VARIETAL TYPE, AND FREE FROM WEEDS, FUNGUS, INSECTS AND DISEASES OF ANY KIND.

MULCH
MULCH MATERIAL SHALL BE 3" DEPTH OF NON-CYPRESS GRADE 'B' SHREDDED MULCH MOISTENED AT THE TIME OF APPLICATION TO PREVENT WIND DISPLACEMENT.

SUBSTITUTIONS
NO SUBSTITUTIONS OF PLANT MATERIAL TYPES OR SIZES WILL BE ALLOWED WITHOUT WRITTEN AUTHORIZATION FROM THE LANDSCAPE ARCHITECT AND TOWN OF DAVIE LANDSCAPE INSPECTOR. CONTAINER GROWN MATERIAL WILL NOT BE ACCEPTED AS A SUBSTITUTE FOR B&B (Balled and Burlapped)

EQUIPMENT SCREENING
ALL OUTDOOR EQUIPMENT SHALL BE SCREENED BY AN APPROVED HEDGE 36" HT. INSTALLED 24" O.C.

MATERIAL UNLESS PREVIOUSLY APPROVED. ALTERNATE SUBSTITUTIONS SHALL BE INDICATED IN BID.

Miscellaneous Notes:

THE LANDSCAPE ARCHITECT HAS REVIEWED SOIL CONDITIONS AND THE SOIL SHALL BE AMENDED AS NECESSARY TO MEET THE REQUIREMENTS OF THE PLANT MATERIALS SPECIFICATIONS. PRIOR TO A LANDSCAPE INSPECTION BY THE TOWN OF DAVIE, THE LANDSCAPE ARCHITECT SHALL SUBMIT A LETTER TO THE TOWN OF DAVIE STATING THAT HE HAS INSPECTED THE INSTALLATION OF THE LANDSCAPE MATERIAL FOR COMPLIANCE TO THE PLANS, SPECIFICATIONS AND DESIGN REQUIREMENTS.

OWNER MUST PROVIDE A COPY OF THE MAINTENANCE AGREEMENT TO THE TOWN LANDSCAPE INSPECTOR, PRIOR TO REQUESTING A FINAL INSPECTION.

36" ht. PLANT MATERIAL SHALL BE PROVIDED AROUND ALL UTILITIES (POOL PUMPS, A/C UTILITY BOXES ETC.)

SOD IS TO BE INSTALLED IN THE RIGHT-OF WAY AND TO THE EDGE OF PAVEMENT. (SWALE AREA)

LANDSCAPE INSTALLATION IS TO BE PERFORMED BY A CERTIFIED LANDSCAPE CONTRACTOR, CERTIFIED ARBORIST, OR A CERTIFICATION THAT IS COMPARABLE.

Irrigation Notes:

IRRIGATION SHALL BE PROVIDED VIA AN UNDERGROUND AUTOMATIC SPRINKLER SYSTEM FITTED WITH A RAIN SENSOR AND PROVING 100% COVERAGE

LANDSCAPING LEGEND

ZONING DISTRICT: RU-5A NET LOT AREA: 2.87 ACRES: 11,200 S.F.

OPEN SPACE	REQUIRED	PROVIDED
A. SQUARE FEET OF OPEN SPACE REQUIRED BY CHAPTER 33, AS INDICATED ON SITE PLAN NET LOT AREA = 7,817 S.F. X 30 % = 2,345 S.F.	2,345	2,360
B. SQUARE FEET OF PARKING LOT OPEN SPACE REQUIRED BY CHAPTER 16A, AS INDICATED ON SITE PLAN NO. PARKING SPACES = 7 X 10 S.F. PER PARKING SPACE = 70	70	110
C. TOTAL S.F. OF LANDSCAPE OPEN SPACE REQUIRED BY CHAPTER 33: A+B =	2,024	2,470
LAWN AREA CALCULATION		
A. 2,024 TOTAL S.F. OF LANDSCAPE OPEN SPACE REQUIRED BY CHAPTER 33	2,024	2,470
B. MAXIMUM LAWN AREA (60D) PERMITTED = 30 % X 2,024 S.F. =	607	607
TREES		
A. NO. TREES REQUIRED PER NET LOT ACRE, LESS EXISTING TREES MEETING MINIMUM REQUIREMENTS = 25 TREES X NET LOT ACRES =	7	9
B. % PALM ALLOWED: NO. TREES PROVIDED X 30% % PALMS PERMITTED TO COUNT AS STREET TREES ON 1:1 BASIS X 30%	2	2
C. % NATIVE REQUIRED: NO. OF TREES PROVIDED X 30%	2	2
D. STREET TREES (MAXIMUM AVERAGE SPACING OF 35' O.C. _____ LINEAR FEET ALONG STREET / 35	2	2
E. STREET TREES LOCATED DIRECTLY BENEATH POWER LINES (MAXIMUM AVERAGE SPACING OF 25' O.C.) _____ LINEAR FEET ALONG STREET / 25	N/A	N/A
F. TOTAL TREES REQUIRED A+D+E= 7 TOTAL TREES	7	9
SHRUBS		
A. NO. TREES REQUIRED X 10= NO. OF SHRUBS ALLOWED	70	70
B. NO. SHRUBS ALLOWED X 30%= NO. OF NATIVE SHRUBS REQUIRED	21	70

jmelo 8/2/07

IRRIGATION PLAN: IF REQUIRE BY CHAPTER 33

Tree Planting Detail

RECEIVED
206-360
DEC 04 2006
EARINGS SECTION
PLANNING AND ZONING DEPT.

Shrub / Groundcover Planting Detail

Palm Tree Planting Detail

revisions

jose r. merlo, registered architect / license. no. AR 0012119

MERLO

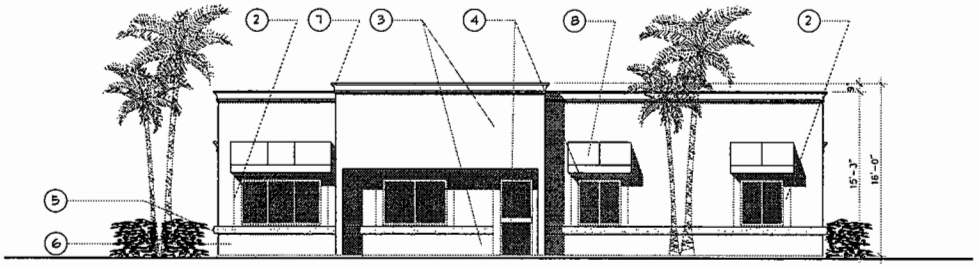
Proposed Renovation to Existing Residence
2611 SW 77th Avenue
Miami, Florida

seal

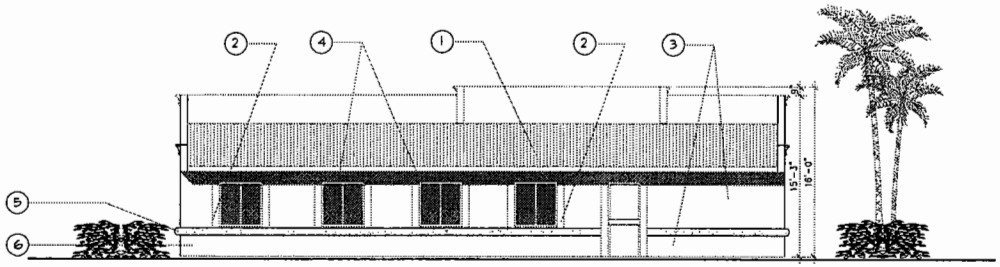
08-01-06

L-2

25
RECEIVED
MARICOPA COUNTY
PLANNING & ZONING
DATE: 08/01/2007
TIME: 3:00 PM



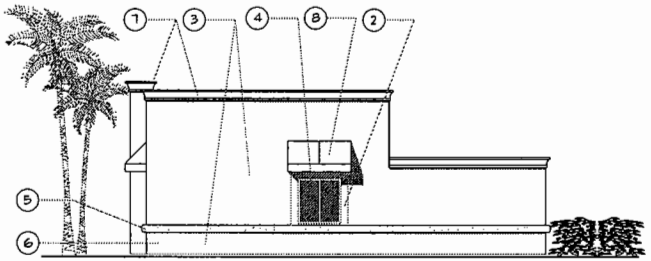
west elevation 1/4"



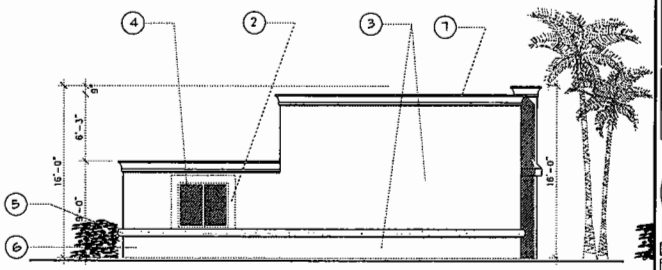
east elevation 1/4"

elevation legend

1. TERRA COTTA ROOF TILE
2. SMOOTH STUCCO BAND
3. SMOOTH STUCCO FINISH
4. 1/4" TEMP. GLAZING IN WHITE ANOD. STOREFRONT + WINDOWS
5. HALF ROUND STONE BANDING
6. SANDSTONE TEXTURED FINISH
7. SANDSTONE PARAPET CAP
8. CANVAS AWNINGS



south elevation 1/4"



north elevation 1/4"

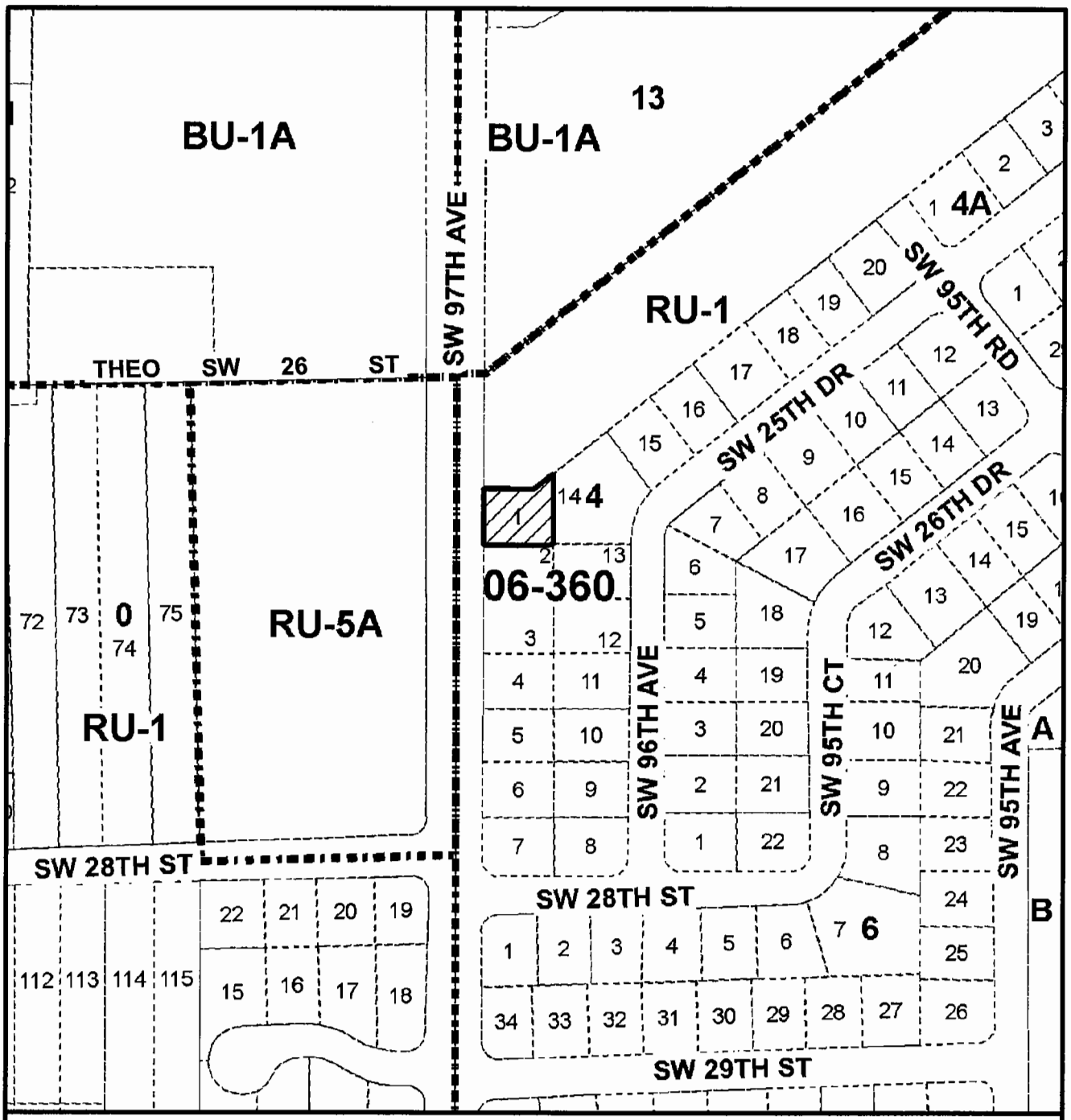
jose c. merlo, registered architect / license. no. AR 0012119
MERLO

Proposed Renovation
to
Existing Residence
3431 S.W. 77th Avenue
Miami, Florida

seal

08-01-06

A-2



MIAMI-DADE COUNTY
HEARING MAP

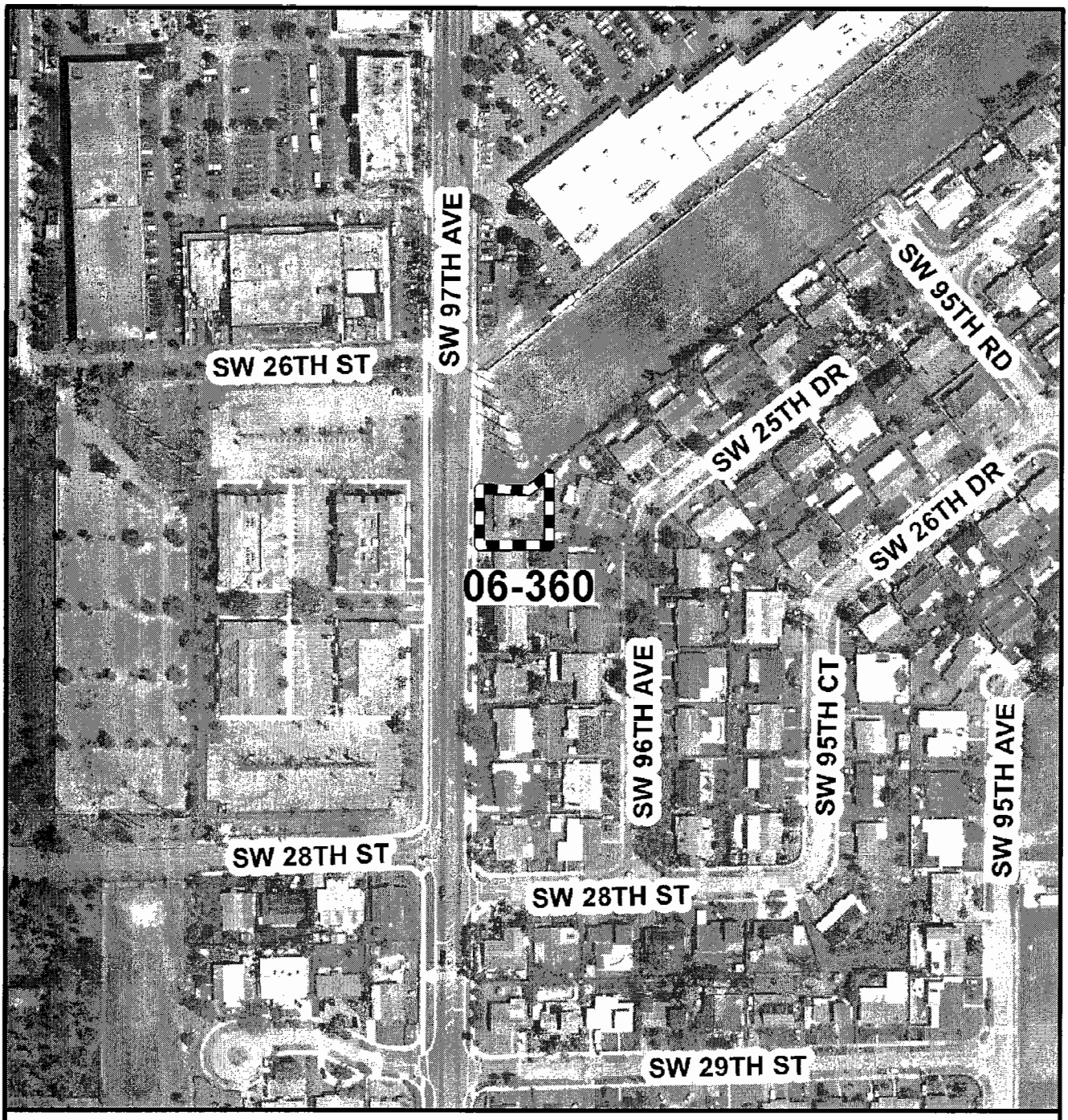
S C A L E 0 NTS N

SUBJECT PROPERTY

Section: 16 Township: 54 Range: 40
Process Number: 06-360
Applicant: CARLOS AND NILDA TORRENTS
Zoning Board: C10
District Number: 10
Cadastral: JEFFER
Scale: NTS

MIAMI-DADE COUNTY

GEOMATICS 06-360 12/15/06



MIAMI-DADE COUNTY

AERIAL

S C A L E
0 NTS

N

SUBJECT PROPERTY

Section: 16 Township: 54 Range: 40
Process Number: 06-360
Applicant: CARLOS AND NILDA TORRENTS
Zoning Board: C10
District Number: 10
Cadastral: JEFFER
Scale: NTS

MIAMI-DADE COUNTY

GEOMATICS 06-360 12/15/06

D. GEORGE HURTADO
(Applicant)

09-12-CZ10-3 (09-085)
Area 10/District 10
Hearing Date: 02/17/10

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

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

Disclosure of interest form attached? Yes ☐ No ☑

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
1958	Macson Homes, Inc.	- Zone change from RU-1 & RU-3 to RU-1 & RU-3	BCC	Approved w/conds.
2005	George Hurtado	- Use Variance to permit semi professional office uses in the RU-1 District. Frontage. Area - Non-Use Variance Setbacks	C-10	Approved w/conds.

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

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

C

APPLICANT'S NAME: **GEORGE HURTADO**

REPRESENTATIVE: Vanessa Hurtado and George Hurtado

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
09-12-CZ10-3 (09-085)	January 20, 2010	CZAB10		10

REC: Denial without prejudice.

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

■ DEFER: ☐ INDEFINITELY ■ TO: February 17, 2010 ☐ 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: There was motion for approval, and the motion ended in a tied vote. Tied votes are automatically deferred to the next hearing.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		George A. ALVAREZ			X
COUNCILMAN		Jorge BARBONTIN			X
VICE-CHAIRMAN	M	Jose GARRIDO (C.A.)	X		
COUNCILMAN	S	Carlos A. MANRIQUE	X		
COUNCILMAN		Rueben POL III		X	
CHAIRMAN		Julio R. CACERES		X	
		VOTE:	2	2	

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **JONI COFFY-ARMSTRONG**

2

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

#3

APPLICANT'S NAME: **GEORGE HURTADO**

REPRESENTATIVE: George Hurtado and Vanessa Santana

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
09-12-CZ10-3 (09-85)	December 8, 2009	CZAB10		09

REC: Denial without prejudice.

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

■ DEFER: ☐ INDEFINITELY ■ TO: January 20, 2010 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

■ OTHER: Deferred due to a lack of time. There were three motions. The first motion was for a deferral and that motioned failed for lack of a second. The second motion was for approval and that motion failed 4 to 1. There was a third motion to reconsider the application for further discussion and that motion passed 3 to 2, but there was no time left in the hearing to discuss the application.

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

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

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

APPLICANT: George Hurtado **PH:** Z09-85 (09-12-CZ10-3)

SECTION: 17-54-40 **DATE:** February 17, 2010

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

==========

A. INTRODUCTION

- **REQUESTS:**

(1) MODIFICATION of Condition #2 of Resolution #CZAB10-62-05, passed and adopted by Community Zoning Appeals Board #10, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Atlantic Appraisal Consultants", as prepared by Offerle-Lerner, AIA, consisting of 4 sheets dated October 28, 2004.

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Bright Beginnings Learning Center", as prepared by Golaville K. Rao, Sheet SP-1, dated stamped received 9/22/09 and the remaining sheets dated stamped received 6/29/09 for a total of 3 sheets.

The purpose of request #1 is to allow the applicant to submit a new site plan showing a child care center in lieu of a previously approved office building.

(2) Applicant is requesting to permit a 2-way drive with a width of 9' (20' required).

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

- **SUMMARY OF REQUESTS:** This application will allow the modification of a condition of a previously approved Resolution that will allow the applicant to submit a new site plan indicating a proposed day care center in lieu of a previously approved office. Additionally, the new plans depict a two-way driveway which does not meet the minimum two-way driveway width.

- **LOCATION:** 3231 SW 107 Avenue, Miami-Dade County, Florida.

- **SIZE:** 75' x 105'

B. ZONING HEARINGS HISTORY:

In 2005, pursuant to Resolution CZAB10-62-05, the Community Zoning Appeals Board 10 approved with conditions, a use variance to allow all RU-5A uses in the RU-1 zoning district, along with non-use variances of setbacks, lot area, driveway width, reduction of the right-of-way for SW 107 Avenue, landscaping and wall requirements.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

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

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

3. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan Density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this CDMP titled "Concepts and Limitations of the Land Use Plan Map." The limitation referenced in this paragraph pertains 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.

4. **Policy LU-4A:** When evaluating **compatibility** among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale or architectural elements, landscaping, hour of operation, buffering, and safety, as applicable.

D. NEIGHBORHOOD CHARACTERISTICS:

	ZONING	LAND USE PLAN DESIGNATION
Subject Property:		
	RU-1; office use	Low Density Residential 2.5 to 6 dua
Surrounding Properties:		
NORTH:	RU-1; office use	Low Density Residential 2.5 to 6 dua
SOUTH:	RU-1; office use	Low Density Residential 2.5 to 6 dua
EAST:	RU-1; Single-family residences	Low Density Residential 2.5 to 6 dua
WEST:	RU-1; office use	Low Medium Residential 6 to 13 dua

The subject property is a parcel of land located at 3231 SW 107 Avenue. The area where the subject property lies is characterized by offices and single-family residences.

E. SITE AND BUILDINGS:

Site Plan Review:	(plans submitted)
Scale/Utilization of Site:	**Unacceptable**
Location of Buildings:	**Unacceptable**
Compatibility:	**Acceptable**
Landscape Treatment:	**Acceptable**
Open Space:	**Acceptable**
Buffering:	**Acceptable**
Access:	**Unacceptable**
Parking Layout/Circulation:	**Unacceptable**
Visibility/Visual Screening:	**Acceptable**
Energy Considerations:	**N/A**
Roof Installations:	**N/A**
Service Areas:	**N/A**
Signage:	**N/A**
Urban Design:	**N/A**

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)(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.

G. NEIGHBORHOOD SERVICES:

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

H. ANALYSIS:

This item was deferred from the December 8, 2009 meeting due to lack of time and it was deferred from the January 20, 2010 meeting due to a tie vote. The subject property is located at 3231 SW 107 Avenue in an established RU-1, Single-Family residential District developed with single-family residences most of which have been converted to offices. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Low Density Residential** use which allows neighborhood community services such as **day care centers**. Additionally, as previously mentioned the subject property has been granted a use variance to allow all RU-5A uses on the subject property which also include a day care center. As such, the subject site contains an existing lawful non-residential use and since the requests will not add additional residential units to the community, the day care center is **consistent** with the Low Density Residential use designation on the LUP map of the CDMP and is **compatible** with the surrounding area, which is characterized by semi-professional offices and single-family residences.

The Department of Environmental Resources Management **(DERM)** has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. The **Public Works Department** has **no objections** to this application with a number of restrictions including that staff assist patrons with access to the rear auto stacking stall. The Miami-Dade Fire Rescue Department **(MDFRD)** has **objections** to the reduced two-way driveway widths for this application. In addition the Miami-Dade Fire Rescue Department **(MDFRD)** has indicated that the average response travel time for this site is **6:36** minutes.

As previously mentioned the approval of request #1, will allow a modification of a previously approved plan approved pursuant to Resolution #CZAB10-62-05. The submitted plans indicate an existing 2,081.26 sq. ft. structure to be converted into a day care center. Additionally, the plans indicate a proposed 1,599 sq. ft. playground area and four (4) parking spaces; two (2) of which will be dedicated to the day care center staff and the other two (2) will be dedicated for dropping off and picking up children. Although staff acknowledges that the applicant has jointly worked with the Public Works Department staff in designing the parking configuration and traffic flow within the site, staff is of the opinion that the functionality of the proposed circular driveway, stacking space and handicapped space shown on the front of the property provide will not be appropriate for dropping off, picking up and trying to park in the handicapped space simultaneously. Staff is of the opinion that it will difficult for the person trying to park his vehicle in the handicapped parking space while the stacking space in front of it is being utilized for dropping off and picking up the children. Additionally, staff notes that the plans do not indicate adequate buffering along the rear (east) property line where the proposed playground area will be located which, in staff's opinion, will create a negative aural impact to the existing residential area to the rear of the subject property. Moreover, the applicant is seeking to allow a two-way driveway with a maximum width of 9' where a 20' minimum driveway width is required (request #2). The Public Works Department is recommending approval of the 9' two-way driveway with a condition that the day care center staff must assist patrons with access to the rear auto stacking stall. Staff is of the opinion that due to the limited staffing of the day care center (2 staff members), it would be difficult for only one (1) of the staff members to operate the day care center while the other staff member is assisting patrons to walk from the stacking space located on the rear of the property. Additionally, staff opines that the proposed 9' two-way driveway will be inadequate for two-way traffic and pedestrian access. Staff opines that such 9' two-way driveway is too narrow and could be a safety hazard for either staff or patrons visiting the site.

As such, staff is of the opinion that the site is not adequately designed for the proposed day care center facility.

I. RECOMMENDATION:

Denial without prejudice.

J. CONDITIONS: None

DATE INSPECTED: 10/23/09
DATE TYPED: 10/23/09
DATE REVISED: 10/27/09; 11/09/09; 12/10/09; 02/09/10
DATE FINALIZED: 02/09/10
MCL:GR:NN:CH:TA

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

J.V.
NDN
GR

Memorandum

MIAMI-DADE COUNTY

Date: October 1, 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 #Z2009000085-1st Revision
George Hurtado
3231 S.W. 107th Avenue
Modification to Previous Resolution to Submit a New Site Plan to Include a Day Care Facility
(RU-1) (0.18 Acres)
54-40-18

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

Public sanitary sewers are not located within feasible distance for connection to the subject property; consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste.

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

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

Wetlands
The subject property does not contain 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.

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.

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: GEORGE HURTADO

This Department objects to this application.

The required disabled parking stall may not be accessible via a one-lane two-way driveway. Staff suggests proposing the disabled parking stall in the front circular drive.

An additional parabolic mirror must be placed on a fence post along the north property line directly across from the back tiled porch.

A hand rail must be placed along the north face of back tiled porch to prevent direct pedestrian access onto the one lane two way drive.

Daycare staff must assist patrons with access to the rear auto stacking stall.

For further details and/or questions, please contact Mr. Harvey L. Bernstein at 305-375-1874, or via e-mail at hlb@miamidade.gov or Mr. Ricardo Gavilan at 305-375-2030, or via e-mail at rlg@miamidade.gov.

Additional improvements may be required at time of permitting.

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

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

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 13 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
9126	Coral Way w/o SW 97 Ave.	D	D
9128	Coral Way w/o SW 107 Ave.	E	E
F-1091	SW 107 Ave. n/o SW 40 St.	D	D
F-72	SW 40 St. e/o HEFT	C	C

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.

05-FEB-10

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

School Name: Bright Beginning Learning Center

School Address: 3231 SW 107 Avenue Tax Folio # 30 - 4017-030-0370

1. Is this an expansion to an existing school ☐ Yes ☑ No If yes, indicated the number of students: _____ and age and grade ranges originally approved: _____.

2. Total size of site: 75 x 105 = 7875 + 43,560 sq. ft. = _____ acres

3. Number of children or students requested: 19 Ages: infant to age 5.

4. Number of teachers: 3 Number of administrative & clerical personnel: 0.

5. Number of classrooms: 3 Total square footage of classroom area: 922 ~~ft~~.

6. Total square footage of non-classroom area (offices, bathrooms, kitchens, closets): 773 ~~ft~~.

7. Amount of outdoor recreation/play area in square footage: 1,599 ~~ft~~.

NOTE: Location requirement for outdoor recreation/play areas must conform to §33-151.18(j)

8. Number & type of vehicle(s) that will be used in conjunction with the operation of the facility: N/A.

9. Number of parking spaces provided for staff, visitors and transportation vehicles: parking spaces provided 4 parking spaces required by §33-124(L) 3.

10. Indicate the number of auto stacking spaces: 2 provided 2 required.

11. Proposed height for the structure(s): 1 See §33-151.18(g).

12. Size of identification sign: _____ x _____ = 24 ~~ft~~ sq. ft. See §33-151.18(c). Signage will require a separate permit. Contact the Permit Section at (786) 315-2100.

13. Days and hours of operation: Monday - Friday 7am - 6pm.

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

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

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

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

CLASSROOM SPACE: Calculated by grade levels.

a. Day Nursery/Kindergarten, preschool and after-school care

35 sq. ft. x 19 (number of children) = 665 sq. ft. of classroom area required.

b. Elementary Grades 1-6

30 sq. ft. x Ø (number of children) = Ø sq. ft. of classroom area required.

c. Junior High and Senior High Schools (Grades 7-12)

25 sq. ft. x Ø (number of children) = Ø sq. ft. of classroom area required.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 665.
TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 992.

OUTDOOR RECREATION SPACE:

a. Day nursery/kindergarten, preschool and after school care
45 sq. ft. x 10 (½ of children) = 450

b. Grades 1-6 500 sq. ft. x _____ (first 30 children) = _____

300 sq. ft. x _____ (remaining children) = _____

c. Grades 7-12 800 sq. ft. x _____ (first 30 children) = _____

300 sq. ft. x _____ (next 300 children) = _____

150 sq. ft. x _____ (remaining children) = _____

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 450.
TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVEDED: 1,599.

TREES: See §33-151.18(g), and the Planning Division (12th Floor) for additional requirements.

a. 28 trees are required per net acre. Trees required: 5 Trees provided: 7.

b. Ten shrubs are required for each tree required. Shrubs required 70 Shrubs provided 70.

c. Grass area for organized sports/play area in square feet: 1,599 ft

d. Lawn area in square feet (exclusive of organized sports/play area): _____

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School Address: 3231 SW 107 Ave, Miami Zip Code: 33165.

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

Signed, sealed, executed and acknowledged on this 14th day of May 2009 at Miami-Dade County, Florida.

Signature

WITNESSES: Aria W. Ramos Aria D. Ramos.

Gisela Rodriguez. GISELA RODRIGUEZ.

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I hereby certify that on this 14th day of May, 2009, before me personally appeared George Hurtado, to me known to be the person described in and who executed the foregoing instrument and he/she acknowledged to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES:

JUAN M. FUNDORA
MY COMMISSION #DD709619
EXPIRES: AUG 29, 2011
Bonded through 1st State Insurance

JUAN M. FUNDORA.

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REVISION 1

Memorandum

Date: 14-JAN-10

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2009000085

Fire Prevention Unit:

APPROVAL
No objection to site plan date stamped December 18, 2009.

Service Impact/Demand

Development for the above Z2009000085
located at 3231 SW 107 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1523 is proposed as the following:

N/A (residential)	dwelling units	N/A (industrial)	square feet
N/A (Office)	square feet	N/A (institutional)	square feet
N/A (Retail)	square feet	1,685 (nursing home/hospitals)	square feet

Based on this development information, estimated service impact is: 1.13 alarms-annually.
The estimated average travel time is: 6:24 minutes

Existing services

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

Station 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

Current service impact analysis based on plans date stamped December 18, 2009. Substantial changes to the plans 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.

DATE: 29-JAN-10

REVISION 3

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

GEORGE HURTADO

APPLICANT

3231 SW 107 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

ADDRESS

Z2009000085

HEARING NUMBER

HISTORY:

Hearing Number 09-85

CMS# 201003000929 -No open cases. No current violations.

Previous Cases:

CMS# 20070300544 ¿NOV issued in 5/2007 for illegal boat storage. Case closed as complied.

CMS# 200903000678 -Enforcement history case in 6/2009. Not in violation.

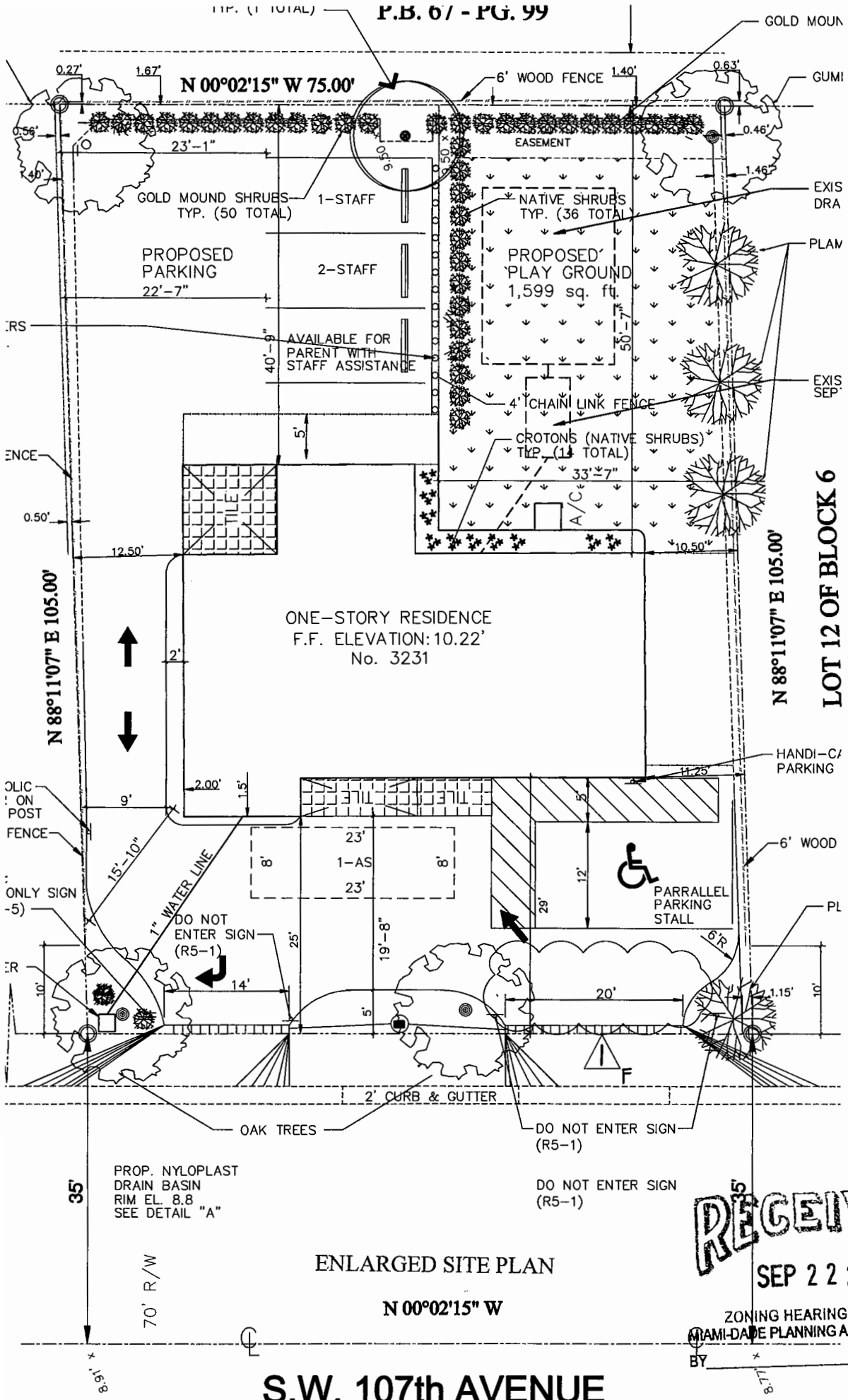
CMS# 200903000287 -Enforcement history case in 10/2009. Not in violation.

CMS# 200903000519 -NOV issued in 10/2009 for overgrowth.
Case closed as complied.

CMS# 200903010223 -Enforcement history case in 11/2009. Not in violation.

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

17



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LANDSCAPE LEGEND INFORMATION REQUIRED TO BE PERMANENTLY AFFIXED TO PLAN

ZONING DISTRICT: RU-5A NET LOT AREA 0.18 ACRES 7875 S.F.

OPEN SPACE	REQUIRED	PROVIDED
A. SQUARE FEET OF OPEN SPACE REQUIRED BY CHAPTER 33. AS INDICATED ON SITE PLAN: NET LOT AREA = 7875 S.F. X 25 %=1968.75 S.F.	1968.75	2081.26
B. SQUARE FEET OF PARKING LOT OPEN SPACE REQUIRED BY CHAPTER 18A. AS INDICATED ON SITE PLAN: NO. PARKING SPACES 04 X 10 S.F. PER PARKING SPACE =	40	40
C. TOTAL S.F. OF LANDSCAPED OPEN SPACE REQUIRED BY CHAPTER 33: A+B =	2008.75	2174
LAWN AREA CALCULATION		
A. TOTAL S.F. OF LANDSCAPED OPEN SPACE REQUIRED BY CHAPTER 33=	2029	2174
B. MAXIMUM LAWN AREA (50%) PERMITTED = 30% X 2029 S.F. =	607	0
TREES		
A. NO. TREES REQUIRED PER NET LOT ACRE LESS EXISTING NUMBER OF TREES MEETING MINIMUM REQUIREMENTS = 2.5 TREES X 1.8 =	5	5
B. % PALMS ALLOWED: NO. TREES PROVIDED X 30% =	2	2
% PALMS PERMITTED TO COUNT AS STREET TREES ON 1:1 BASIS X 30%	N/A	N/A
C. % NATIVES REQUIRED: NO. TREES PROVIDED X 30% =	2	2
D. STREET TREES (MAXIMUM AVERAGE SPACING OF 35' O.C.): 75 LINEAR FEET ALONG STREET / 35 =	2	2
E. STREET TREES LOCATED DIRECTLY BELOW MAIN POWER LINES (MAXIMUM AVERAGE SPACING OF 25' O.C.): LINEAR FEET ALONG STREET / 25 =	7	90
SHRUBS		
A. NO. TREES REQUIRED X 10 = NO. OF SHRUBS ALLOWED	70	100
B. NO. SHRUBS ALLOWED X 30% = NO. OF NATIVE SHRUBS REQUIRED		

IRRIGATION PLAN: IF REQUIRED BY CHAPTER 33

TABLE: CONTAINING INFORMATION AS INDICATED IN SAMPLE BELOW:!

ZONING LEGEND
BUSINESS, INDUSTRIAL, MULTIPLE FAMILY DEVELOPMENT

ZONING: RU-1

HEIGHT (TO RIDGE OF ROOF)	12'-3"
NET LAND AREA	7,875 SQ.FT.
LOT COVERAGE (EVERYTHING UNDER ROOF)	1,695 SQ.FT.

SETBACKS:	REQUIRED	PROVIDED
FRONT	25'-0"	24.70' (EXISTING)
INTERIOR SIDE	15'-0"	12.3'/10.4' (EXISTING)
SIDE STREET	15'-0"	N/A
REAR	25'-0"	40.55' (EXISTING)

SITE TO BE FILLED TO COUNTY FLOOD GRITERIA ELEVATION N.G.V.D. OR AN ELEVATION NO LESS THAN THE HIGHEST APPROVED CROWN ELEVATION OF THE ROAD ABUTTING THE PROPERTY.

AREA ADJACENT TO LAKE OR CANAL TO BE GRADED SO AS TO PREVENT DIRECT OVERLAND DISCHARGE OF STORMWATER INTO LAKE OR CANAL.

LOT WILL BE GRADED SO AS TO PREVENT DIREGT OVERLAND DISCHARGE OR STORMWATER ONTO ADJACENT PROPERTY. APPLICANT WILL PROVIDE CERTIFICATION PRIOR TO FINAL INSPECTION.

ANY APPLICABLE RESOLUTIONS: NONE

NOTICE:
IN ADDITION TO THE REQUIREMENTS OF THIS PERMIT, THERE MAY BE ADDITIONAL RESTRICTIONS APPLICABLE TO THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY, SECTION 553.79(10), FLORIDA STATUTES, EFFECTIVE 7/10/87.

APPLICANT: MUST COMPLY WITH SECTION 13-133.1 OF THE MIAMI-DADE COUNTY CODE,REGARDING NOTICE OF ROCK MINING OPERATIONS WHERE BLASTING IS PERMITTED, PRIOR TO STARTING CONSTRUCTION.

PARKING: OPEN PARKING LOTS, PARKING FOR NON-ENCLOSED AREAS UNDER OR WITHIN BUILDINGS, WILL BE LICHTED AS REQUIRED BY CHAPTER "8-C" OF MIAMI-DADE COUNTY CODE.

LANDSCAPING: ALL LANDSCAPE AREAS WILL HAVE A SPRINKLER SYSTEM.

NOTE: ALL SIGNS DELETED FROM THIS PLAN AND REQUIRE SEPARATE PLANS, APPLICATIONS AND PERMITS.

SITE PLAN DATA
LEGAL DESCRIPTION: LOT 13 IN BLOCK 6 OF MADISON HGTS. 1ST ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 67 AT PAGE 99 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

ZONING OF PROPERTY: RU-1

TOTAL NET LAND : 7,875 SQUARE FEET AND 0.18
GROSS BUILDING LOT COVERAGE: 1,695 SQUARE FEET AND 21.5
TOTAL LANDSCAPE AREA 2,081 SQUARE FEET AND 26.5
ADDITIONAL % OF LANDSCAPE REQUIRED BY CHAPTER 33 N/A
TREES REQUIRED BY CHAPTER 18A 7 TREES REQUIRED BY CHAPTER 33 N/A

TOTAL TREES REQUIRED 10 TOTAL TREES PROVIDED 10

A NOTE IS REQUIRED ON SPRINKLER SYSTEMS TO ALL LANDSCAPED AREAS.

TOTAL PARKING AREA 4,006 SQUARE FEET AND 50.9
TOTAL WALKS 19 SQUARE FEET AND 0.2
TOTAL DRIVES 74 SQUARE FEET AND 0.9

PARKING (SECTION 33-124): SHOW THE SQUARE FOOTAGE OF EACH PROPOSED TYPE OF USE, SUCH AS OFFICE, WAREHOUSE, SHOWROOM, RETAIL SALES, RESTAURANT, LOUNGE, OPEN LOT STORAGE AREA, ETC, THEN CALCULATE THE REQUIRED PARKING FOR EACH TYPE OF USE, ETC, THEN CALCULATE THE REQUIRED PARKING FOR EACH TYPE OF USE.

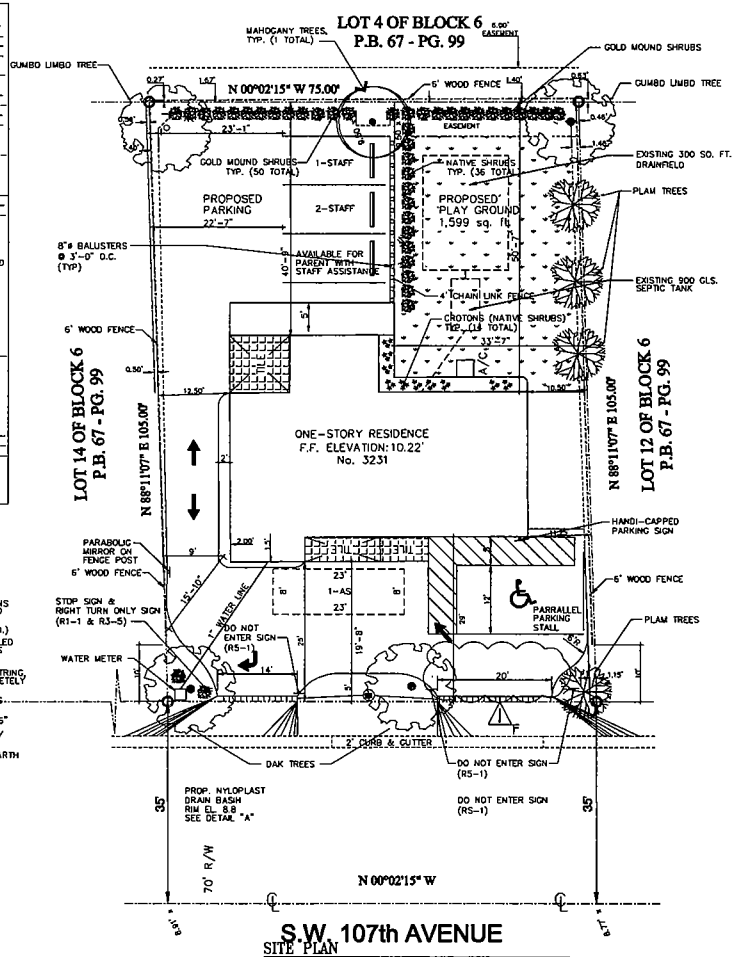
CLASSROOM: 749 SQ.FT. = 2.4 (1 SPACE PER 300 SQ.FT.)
TOTALS: 1,314 SQ.FT. = 4.3 SPACES

HANDICAP ACCESSIBLE SPACES: = 1
(PER F.B.C. 11-4.1.2 (5)) TOTAL= 1

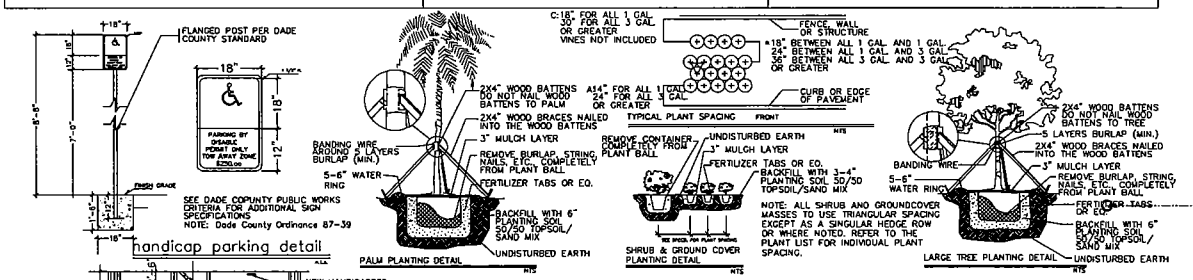
TOTAL PARKING SPACES REQUIRED 3 TOTAL PARKING SPACES PROVIDED 4

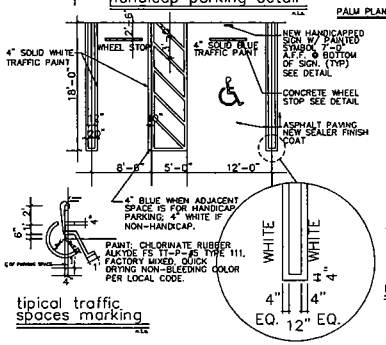
HANDICAPPED PARKING SPACES PROVIDED 1

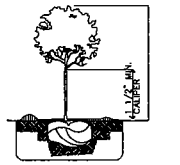
APARTMENTS: TOTAL APARTMENT UNITS N/A
ONE BEDROOM UNITS N/A
2 BEDROOM UNITS N/A
3 BEDROOM UNITS N/A
DENSITY (BASED ON NET LOT AREA) N/A FLOOR AREA RATIO .19
TOTAL NUMBER OF BUILDINGS 1 NUMBER OF STORIES IN EACH BUILDING 1
TOTAL HEIGHT OF EACH BUILDING 12'-3"
SHOW THE LOCATION, SETBACKS AND DETAILS OF ALL PARKING LOT LIGHT STANDARDS OR FIXTURES.



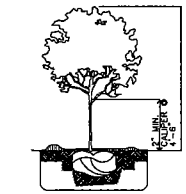
SITE PLAN
SCALE: 1" = 10'-0"



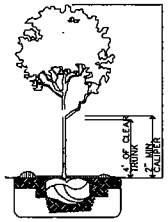




NATIVE TREE HEIGHT
NTS



LOT TREE HEIGHT
NTS



STREET TREE
NTS

LEGAL DESCRIPTION:
LOT 13, IN BLOCK 6, OF MACSON HGTS. 1ST ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 67 AT PAGE 99 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA.

Drawing No.	Project No.	PROJECT:	OWNER:	APPROVED BY:	APPROVED BY:	Revision No. / Date
SP-1 of 7	Date: DRAWN BY: CHECKED BY: G.K.	BRIGHT BEGINNINGS LEARNING CENTER ADDRESS: 3231 S.W. 107th AVENUE MIAMI, FLORIDA 33165	GEORGE HURTADO ADDRESS: 3231 S.W. 107th AVENUE MIAMI, FLORIDA 33165		COLAVILLE E. RAO CIVIL ENGINEER, FLOR 42134	1 PW. DEPT. COMMENTS 07-08-09

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DATE: SEP 22 2009
BY: BRL

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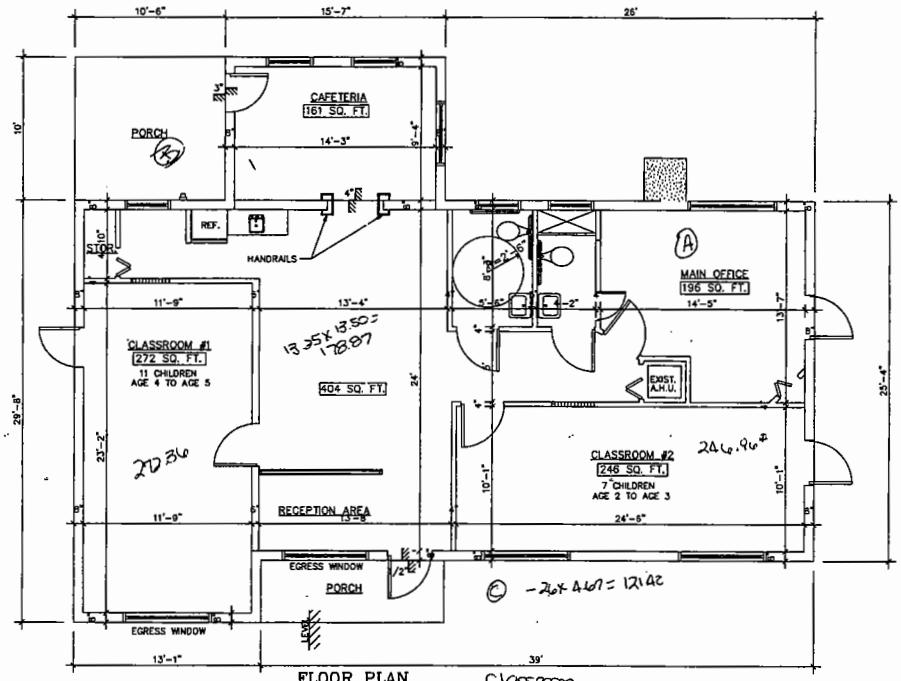
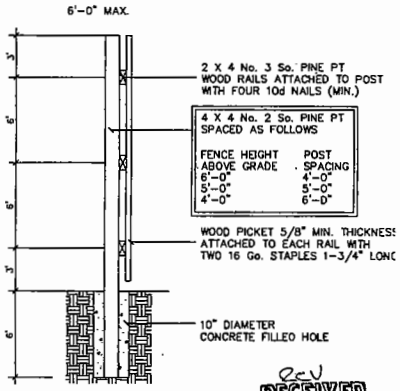


FLOOR PLAN

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

Classroom
246.96
178.87
272.36
698.19

Lot Coverage
(A) 25.25 x 26 = 656.5
(B) 26.08 + 89.67 = 1084.5
(C) 26 x 4.67 = - 121.42
1569.58



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WOOD FENCE DETAIL

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A-1 of 1	Date: DRAWN BY: CHECKED BY: G.K.	BRIGHT BEGINNINGS LEARNING CENTER ADDRESS: 3231 S.W. 107th AVENUE MIAMI, FLORIDA 33165	GEORGE HURTADO ADDRESS: 3231 S.W. 107th AVENUE MIAMI, FLORIDA 33165		GUILLAUMIER, P.E. PAO CIVIL ENGINEER 3000-4234		

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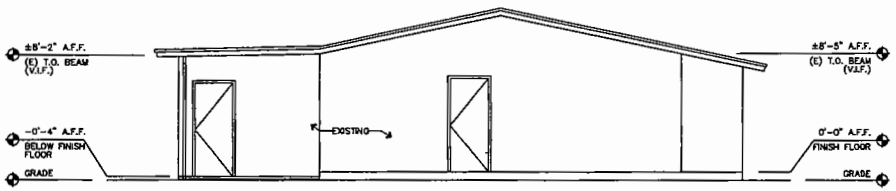
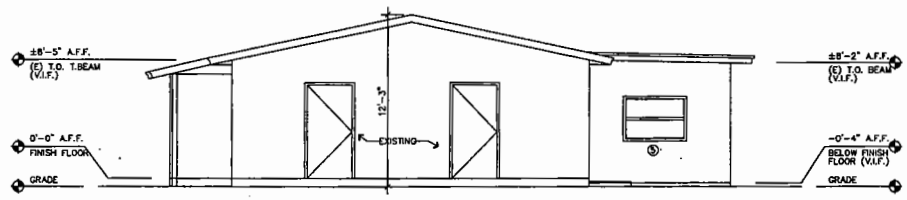


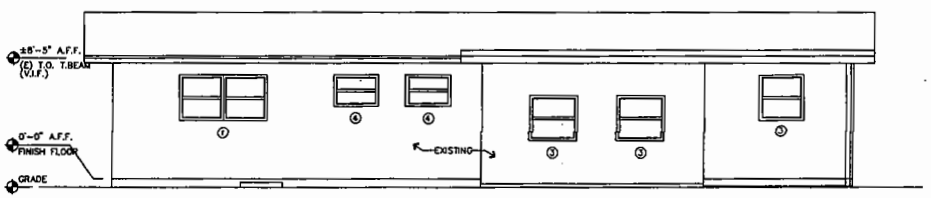
NORTH ELEVATION

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



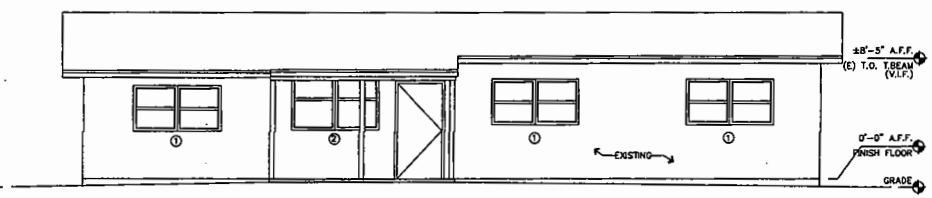
SOUTH ELEVATION

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



EAST ELEVATION

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



WEST ELEVATION

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

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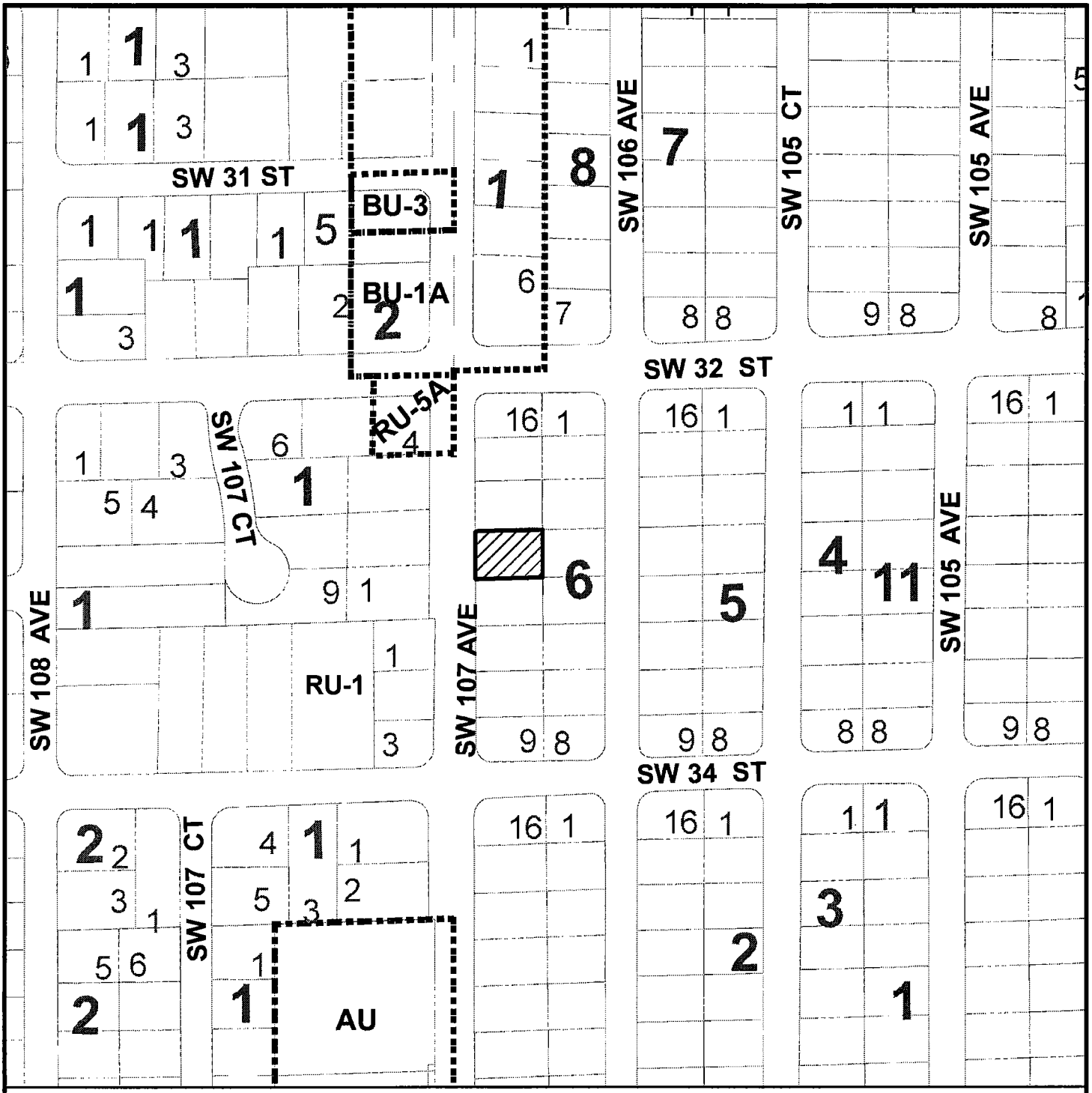
BY

Drawing No.	Project No.	PROJECT:	OWNER:	APPROVED BY:	APPROVED BY:	Revision No.	Date
A-2 of 1	Date: DRAWN BY: CHECKED BY: G.K.	BRIGHT BEGINNINGS LEARNING CENTER ADDRESS: 3231 S.W. 107th AVENUE MIAMI, FLORIDA 33165	GEORGE HURTADO ADDRESS: 3231 S.W. 107th AVENUE MIAMI, FLORIDA 33165		OGLAVILLE K. RAO CIVIL ENGINEER		



MIAMI-DADE COUNTY
HEARING MAP

Process Number
09-085

Section: 17 Township: 54 Range: 40
Applicant: GEORGE HURTADO
Zoning Board: C10
Commission District: 10
Drafter ID: KEELING
Scale: NTS
---------- Zoning

SUBJECT PROPERTY

N W E S

22

MIAMI-DADE COUNTY

SKETCH CREATED ON: 05/28/09

REVISION	DATE	BY

MIAMI-DADE COUNTY

AERIAL YEAR 2008

Section: 17 Township: 54 Range: 40
Applicant: GEORGE HURTADO
Zoning Board: C10
Commission District: 10
Drafter ID: KEELING
Scale: NTS
---------- Zoning

Process Number

09-085

SUBJECT PROPERTY

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S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 05/29/09

REVISION	DATE	BY

1. SUSANA RODRIGUEZ & HUGO JIMENEZ (Applicant)

10-2-CZ10-1 (09-110)
Area 10/District 11
Hearing Date: 02/17/10

Property Owner (if different from applicant) **SUSANA RODRIGUEZ / H HUGO JIMENEZ.**

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
1990	Viaregio Corp. & Maria T. Velasco	- Zone change from AU to RU-1Z.	BCC	Approved
1996	Guillermo & Rolando Kuan, ET AL	- Zone change from AU to RU-1Z.	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: Susana Rodriguez and Hugo Jimenez **PH:** Z09-110 (10-2-CZ10-1)

SECTION: 10-54-39 **DATE:** February 17, 2010

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

==========

A. INTRODUCTION:

o REQUESTS:

(1) Applicants are requesting to permit a covered terrace and bath/storage room addition to a zero lot line residence setback 5.09' (10' required) from the interior side (west) property line.

(2) Applicants are requesting to permit 12' of visible passable openings (21' required).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "New Covered Terrace for Hugo Jimenez & Susana Rodriguez," as prepared by Cesar M. Cano, consisting of 2 sheets, dated stamped received 11/19/09. Plans may be modified at public hearing.

o SUMMARY OF REQUESTS:

The applicants are seeking approval to permit a proposed covered terrace and bath/storage room addition to a zero lot line residence setback less than the required distance from the interior side property line and to permit reduced visible passable openings for the existing single-family residence.

o LOCATION:

14350 S.W. 11 Terrace, Miami-Dade County, Florida.

o SIZE: 6,706 sq. ft.

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

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

include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.

D. NEIGHBORHOOD CHARACTERISTICS:

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

This property is located at 14350 S.W. 11 Terrace. The surrounding area is developed with single-family residences.

E. SITE AND BUILDINGS:

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

F. PERTINENT REQUIREMENTS/STANDARDS:

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

G. NEIGHBORHOOD SERVICES:

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

H. ANALYSIS:

The subject property is located at 14350 S.W. 11 Terrace in an established RU-1Z, Single Family Zero Lot Line Residential Zoning District. The subject property is designated for **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP), which allows a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. Since the request will not add additional dwelling units to the property, the RU-1Z zoned single-family residence is **consistent** with the Low Density Residential designation as shown in the LUP map of the CDMP.

The Department of Environmental Resources Management (**DERM**) **does not object** to this application and indicates that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. The **Public Works Department does not object** to this application. The Miami-Dade Fire Rescue Department **(MDFRD)** also has **no objections** to this application and has indicated that the average response travel time for this site is **5:26** minutes.

The applicants are requesting to permit a covered terrace and bath/storage room addition to a zero lot line residence setback 5.09' (10' required) from the interior side (west) property line and to permit 12' of visible passable openings (21' required). Staff is of the opinion that the approval of the requests would be **compatible** with the surrounding area, would not negatively affect the stability and appearance of the community, and would not be detrimental to the neighborhood. Staff notes that the proposed covered terrace and bath/storage room addition, which has been architecturally designed in harmony with the existing residence, will provide shelter to the applicants and their guests from the environment while providing additional outdoors living space and recreational area. However, staff recommends that the proposed covered terrace addition not be enclosed except with approved insect screen material. Staff also notes that 12' of visible passable openings (21' required) allows adequate external lighting and visibility to the outdoors and is interior to the site and, in staff's opinion, does not have a negative visual impact on the neighboring properties. Additionally, staff notes that the site plan and photographs submitted by the applicants show an existing 6' high concrete wall along the rear (south) property line and along both the interior sides (east and west) property lines which, in staff's opinion, will diminish any visual and aural impact generated by the proposed covered terrace and bath/storage room addition. As such, staff recommends approval with conditions of the requests under Section 33-311(A)(4)(b).

Accordingly, staff opines that this application is **compatible** with the surrounding properties and **consistent** with the LUP map of the CDMP and, therefore, recommends approval with conditions of the request under Section 33-311(A)(4)(b).

I. RECOMMENDATION:

Approval with conditions.

J. CONDITIONS:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include, but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "New Covered Terrace for Hugo Jimenez & Susana Rodriguez," as prepared by Cesar M. Cano, consisting of 2 sheets, dated stamped received 11/19/09. 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 covered terrace addition not be enclosed in any manner except for approved insect protection material.

DATE INSPECTED: 09/15/09
DATE TYPED: 12/15/09
DATE REVISED: 12/16/09
DATE FINALIZED: 01/15/10
MCL:GR:NN:AA:JV

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

J.V.
G.R.

Memorandum

MIAMI-DADE COUNTY

Date: August 12, 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 #Z2009000110
Susana Rodriguez and Hugo Jimenez
14350 S.W. 11 Terrace
To Permit a Terrace Addition Setback Less than Required from Property Lines
(RU-1Z) (0.15 Acres)
10-54-39

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

Wellfield Protection

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

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

Potable Water Service and Wastewater Disposal

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

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.

Wetlands
The subject property is located within the East Bird Drive Basin, in an area that normally contains wetlands. However, this property has already been included as part of a larger project, under Class IV Wetland Permit FW96-011. All Class IV Wetland Permit requirements for this property have been completed under the previously issued permit. Therefore, DERM has no objection to the scheduling of this zoning application.

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
According to the site plan submitted with this zoning application, the proposal to permit a terrace addition will not impact tree resources. Therefore, DERM has no objection to this zoning application, however please be advised that a Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of Chapter 24.

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.

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: 30-JUL-09

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2009000110

Fire Prevention Unit:

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

Service Impact/Demand

Development for the above Z2009000110
located at 14350 S.W. 11 TERRACE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1385 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 5:26 minutes

Existing services

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

Station 61 - Trail - 15155 SW 10 Street
ALS Engine, Squad

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

DATE: 24-DEC-09

REVISION 1

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

SUSANA RODRIGUEZ & HUGO JIMENEZ

APPLICANT

14350 S.W. 11 TERRACE, MIAMI-DADE COUNTY, FLORIDA.

ADDRESS

Z2009000110

HEARING NUMBER

HISTORY:

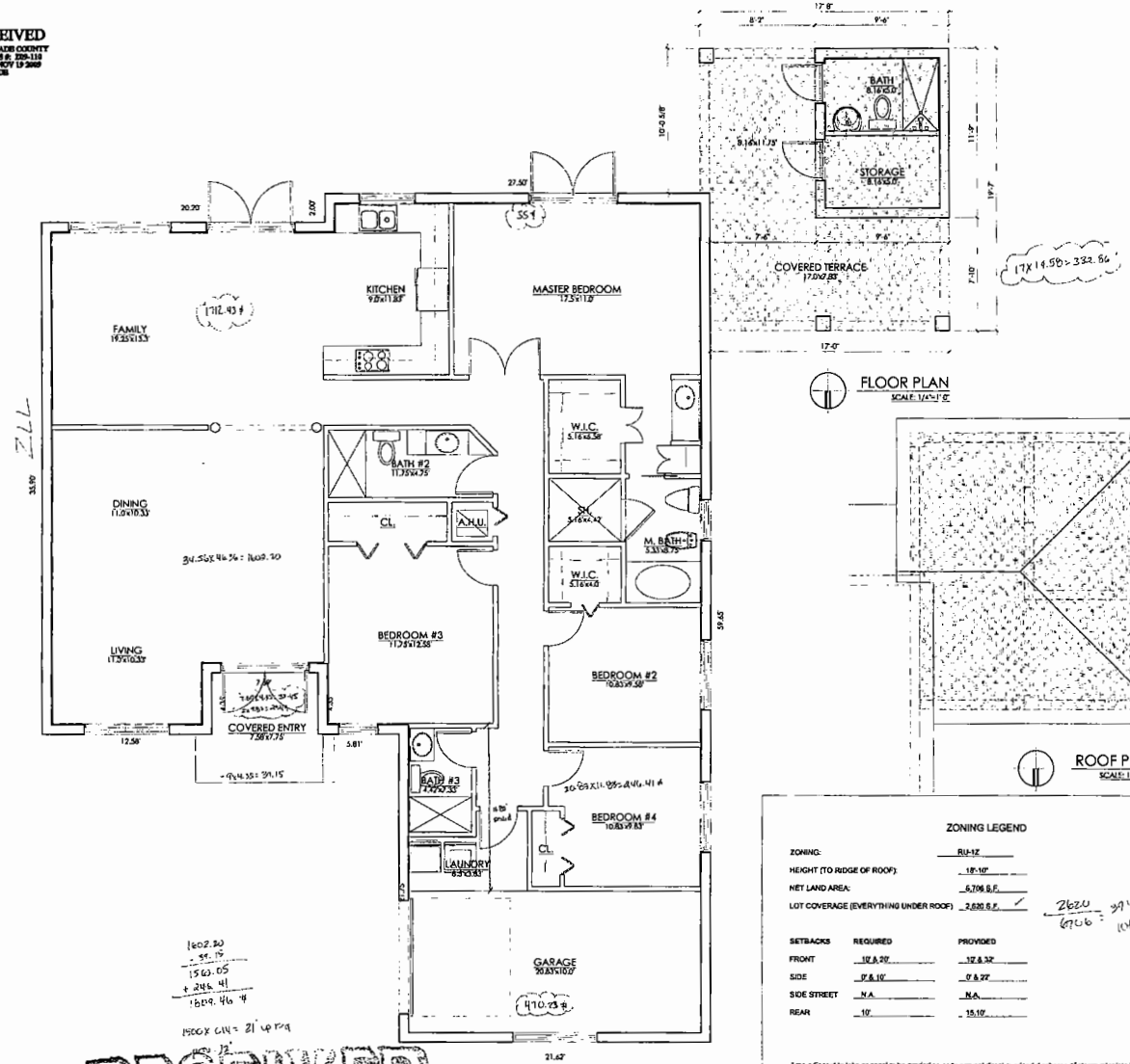
NO CURRENT ZONING VIOLATIONS OBSERVED [200912006952]. PRIOR HISTORY INSPECTION CONDUCTED ON 7/24/09, REVEALED NO ZONING VIOLATIONS FOUND [200912003921]

SUSANA RODRIGUEZ AND HUGO JIMENEZ

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

REPORTER NAME:

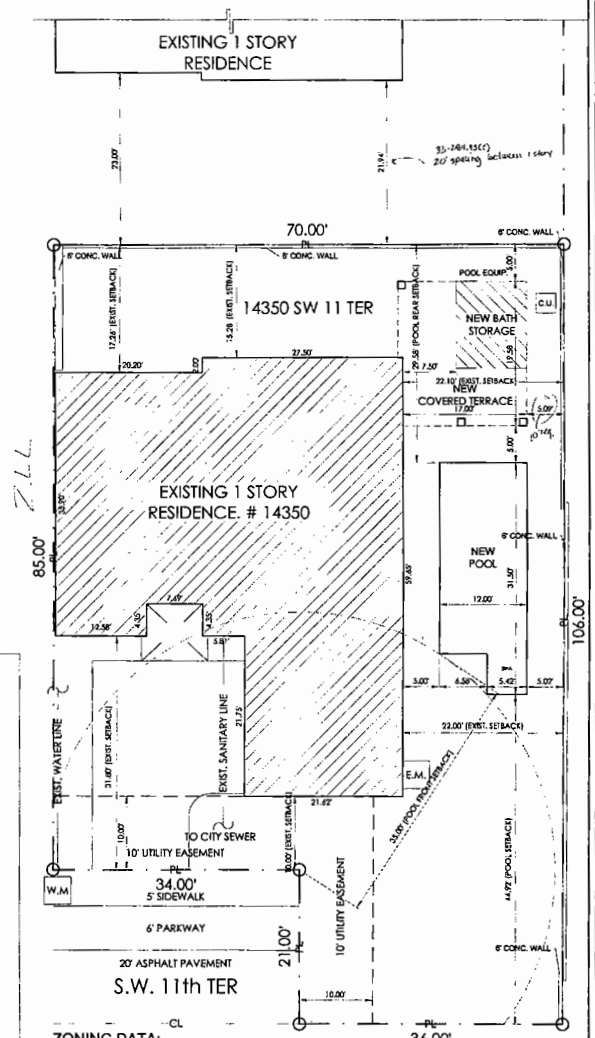
RECEIVED
MIAMI-DADE COUNTY
PROGRESS #: 209-110
DATE: NOV 19 2009
TY: BZR



SCOPE OF WORK:

THE PURPOSE OF THESE PLANS IS TO APPLY FOR A VARIANCE FOR A NEW COVERED TERRACE ADDITION WITH

1. SIDE SETBACK OF 5.09' INSTEAD OF 10' REQUIRED



ZONING LEGEND

ZONING:	RU-1Z
HEIGHT (TO RIDGE OF ROOF):	18'-10"
NET LAND AREA:	6,706 S.F.
LOT COVERAGE (EVERYTHING UNDER ROOF)	2,620 S.F.

2620 / 6706 = 39 % lot cov.

SETBACKS	REQUIRED	PROVIDED
FRONT	12' & 20'	12' & 32'
SIDE	0' & 10'	0' & 29'
SIDE STREET	N.A.	N.A.
REAR	10'	15.10'

Area adjacent to lake or canal to be graded so as to prevent direct overland discharge of stormwater into lake or canal.

Lot will be graded so as to prevent direct overland discharge or stormwater onto adjacent property. applicant will provide certification prior to final inspection.

ANY APPLICABLE RESOLUTIONS: _____

NOTICE:

In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the Public Records of this County. Section 553.79 (10), Florida Statutes, effective 7/1/87.

Applicant: Must comply with Section 13-13.1 of the Miami-Dade County Code. (notice of rock mining operations where blasting is permitted) - prior to starting construction.

A separate permit will be required for all driveway approaches onto public right-of-way.Contact public Works Department at (305) 375-2142.

The height of fences, walls and hedges shall not exceed 2.5 feet in height within 10 feet of the edge of any driveway leading to a right-of-way.

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

ZONING DATA:

LOT AREA: 6,706 S.F.
EXISTING LOT COVERAGE: 2,280 S.F. (34 %)
NEW CONSTRUCTION: 340 S.F. (5 %)
NEW LOT COVERAGE: 2,620 S.F. (39 %)

LEGAL DESCRIPTION:

LOT 4 BLOCK 1 OF "MICHELINE" SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 150 AT PAGE 10 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

RECEIVED
209-110
NOV 19 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

REVISIONS

CESAR M. CANO A.I.A.
ARCHITECTURE & PLANNING
4605 CAMINO BANYAN CT. CORAL GABLES FL. 33146
TELEPHONE: (305) 740-7929 FAX: (305) 740-7928

NEW COVERED TERRACE FOR HUGO JIMENEZ & SUSANA RODRIGUEZ

LOCATED AT 14350 SW 11 TERRACE
MIAMI , FL 33125

SCALE: AS SHOWN
DATE: 06/19/2009
JOB NO
SHEET NO.: A-1

11-18-09
STATE OF FLORIDA REGISTRATION No. 4625

12

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: 229-110
DATE: JUL 20 2009
BY: [illegible]

RECEIVED
2009-110
JUL 20 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY [illegible]

RECEIVED
JUL 20 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY [illegible]

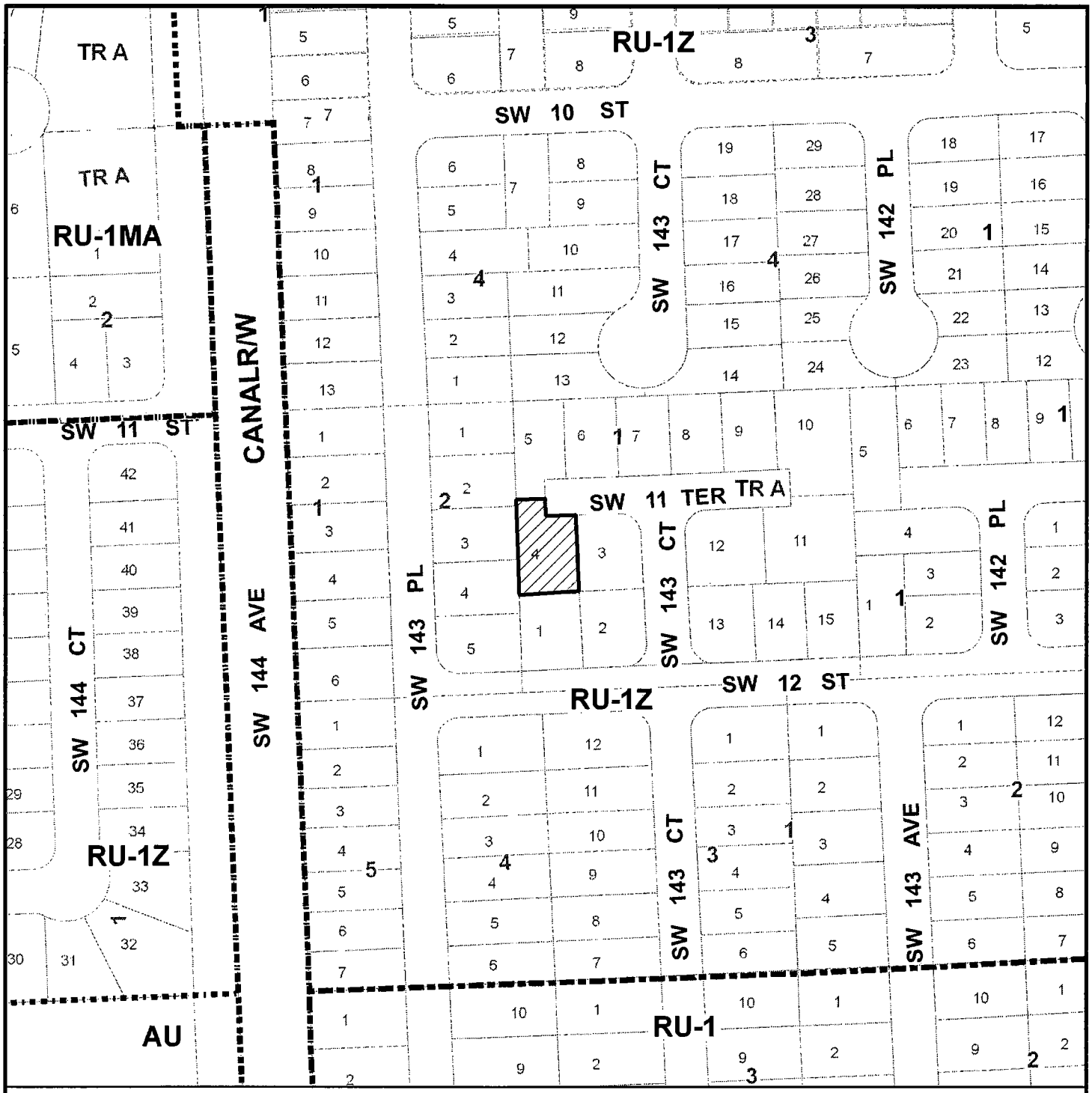
REVISIONS

CESAR M. CANO A.I.A.
ARCHITECTURE & PLANNING
1808 CAMPO SANO CT., CORAL GABLES FL. 33146
TELEPHONE: (305) 740-7828 - FAX: (305) 740-7829

NEW COVERED TERRACE FOR
HUGO JIMENEZ & SUSANA RODRIGUEZ
LOCATED AT 14350 SW 11 TERRACE
MIAMI , FL 33125

SCALE:	AS SHOWN
DATE:	06/19/2009
JOB NO.	
SHEET NO.:	A-2

7-17-09
STATE OF FLORIDA
REGISTRATION No. 4628



MIAMI-DADE COUNTY

HEARING MAP

Process Number

09-110

Section: 10 Township: 54 Range: 39
Applicant: SUSANA RODRIGUEZ & H HUGO JIMENEZ
Zoning Board: C10
Commission District: 11
Drafter ID: JEFFER
Scale: NTS
---------- Zoning

SUBJECT PROPERTY

N W E S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 07/24/09

REVISION	DATE	BY
		13

MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

09-110

Section: 10 Township: 54 Range: 39
Applicant: SUSANA RODRIGUEZ & H HUGO JIMENEZ
Zoning Board: C10
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---------- Zoning

SUBJECT PROPERTY

N W E S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 07/24/09

REVISION	DATE	BY