

KITS

8-9-2010 Version # 1



COMMUNITY ZONING APPEALS BOARD 10
E.W.F. STIRRUP ELEMENTARY SCHOOL
330 NW 97 Avenue, Miami

Wednesday, September 15, 2010 at 6:30 p.m.

RELOCATED MEETING

PREVIOUSLY DEFERRED

A.	10-7-CZ10-1	<u>FARM STORES CORP</u>	<u>09-113</u>	03-54-40
B.	10-7-CZ10-2	<u>NASEEM T. UDDIN</u>	<u>09-164</u>	10-54-40

CURRENT

1.	10-9-CZ10-1	<u>LYNDON ONTIVERO</u>	<u>09-153</u>	13-54-39	N
2.	10-9-CZ10-2	<u>MIGUEL M. CARDELLES</u>	<u>10-7</u>	21-54-40	N
3.	10-9-CZ10-3	<u>COSETTE SANCHEZ</u>	<u>10-9</u>	14-54-40	N
4.	10-9-CZ10-4	<u>FERNANDO RODRIGUEZ</u>	<u>10-56</u>	15-54-40	N



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 10

MEETING OF WEDNESDAY, SEPTEMBER 15, 2010

E.W.F. STIRRUP ELEMENTARY SCHOOL

330 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

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Surgi-Staff & ISG Building Signs," as prepared by A & A Design Engineers, Inc., consisting of 2 sheets, dated stamped received 4/16/10 and a survey as prepared by Miguel Espinosa, consisting of 2 sheets, dated stamped received 11/18/09, for a total of 4 sheets. Plans may be modified at public hearing.

LOCATION: 8281 SW 24 ST, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 105.74' x 100'

Department of Planning and
Zoning Recommendation:

Denial without prejudice.

Protests: _____ 1 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

Deferred from: 7-21-10

1. LYNDON ONTIVERO (10-9-CZ10-1/09-153)

**13-54-39
Area 10/District 10**

- (1) Applicant is requesting to permit a shed setback 0.1' (5' required) from the rear (SE/ly) property line and setback 2.3' to 4.1' (7.5' required) from the interior side (NE/ly) property line.
- (2) Applicant is requesting to permit a metal carport setback 1.17' (2' required) from the interior side (NE/ly) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Rear Pre-Fab Shed & Open Carport to be Legalized," as prepared by Golaville K. Rao, Sheets "SP-1" and "A-2" dated stamped received 6/8/10 and Sheet "A-1" dated stamped received 11/3/09 for a total of 3 sheets. Plans may be modified at public hearing.

LOCATION: 2725 S.W. 119 Court, Miami-Dade County, Florida.

SIZE OF PROPERTY: 97.59' x 103.89'

Department of Planning and
Zoning Recommendation:

Denial without prejudice.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

2. MIGUEL M. CARDELLES (10-9-CZ10-2/10-007)

**21-54-40
Area 10/District 10**

- (1) Applicant is requesting to permit an existing addition to a single-family residence setback varying from 13'10" to 18' (25' required) from the rear (south) property line.
- (2) Applicant is requesting to permit a lot coverage of 40% (35% permitted).
- (3) Applicant is requesting to permit an accessory structure setback 3'3" (5' required) from the rear (south) property line, setback 4' (7'6" required) from the interior side (west) property line and spaced 4'8" (10' required) from the residence.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Miguel Cardelles," as prepared by Miguel E. Jimenez, P. E., Site Plan A-1, dated stamped received 2/1/10 and Sheet "A-2" and "A-3" dated stamped received 3/31/10 and consisting of a total of 3 pages. Plans may be modified at public hearing.

LOCATION: 8810 S.W. 54 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 75' x 103'

Department of Planning and
Zoning Recommendation:

Approval with conditions.

Protests: 0

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

3. COSETTE SANCHEZ (10-9-CZ10-3/10-009)

**14-54-40
Area 10/District 06**

- (1) Applicant is requesting to permit an existing addition to a single-family residence setback 15.8' (25' required) from the rear (north) property line.
- (2) Applicant is requesting to permit an existing addition to the single-family residence setback varying from 24.69' to 24.7' (25' required) from the front (south) property line
- (3) Applicant is requesting to permit the existing single-family residence setback varying from 14.89' to 14.97' (15' required) from the side street (west) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Existing Residence," as prepared by Rodriguez Professional Design Corp., Sheet "A-1" dated stamped received 2/17/10 and Sheet "A-0" dated stamped received 6/7/10 for a total of 2 sheets. Plans may be modified at public hearing.

LOCATION: 3025 S.W. 76 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 50' x 100'

Department of Planning and
Zoning Recommendation:

Approval with conditions.

Protests: 0

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

4. FERNANDO RODRIGUEZ (10-9-CZ10-4/10-056)

**15-54-40
Area 10/District 10**

Applicant is requesting to permit an existing addition to a single-family residence setback varying from 15.02' to 15.4' (25' required) from the rear (south) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Legalization for Fernando Rodriguez," as prepared by Ruben Pujol, Architect, dated stamped received 6/21/10 for a total of 2 sheets. Plans may be modified at public hearing.

LOCATION: 8250 S.W. 32 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 77' x 100'

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.

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. FARM STORES CORP
(Applicant)

10-7-CZ10-1 (09-113)
Area 10/District 06
Hearing Date: 09/15/10

Property Owner (if different from applicant) **MARGUERITE ROUTENBERG.**

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

If so, who are the interested parties? **FARM STORES CORP.**

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1973	Robert E Marx, ET AL	- Zone change from RU-1 & RU-2 to BU-1.	BCC	Approved in part
1973	Robert E Marx, ET AL	- Zone change from RU-1 & RU-2 to BU-1.	ZAB	Denied without prejudice.

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

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

#1

APPLICANT'S NAME: **FARM STORES CORP**

REPRESENTATIVE: Andres Rodriguez and Carlos Bareu

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
10-7-CZ10-1 (09-113)	July 21, 2010	CZAB10 10

REC: Denial without prejudice.

- WITHDRAW: APPLICATION ITEM(S): _____
 DEFER: INDEFINITELY TO: Sept 15, 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: The application was deferred because the Board had lost a quorum. Councilman

Manrique had the hearing. While the hearing was occurring the Board wanted the applicant to provide more parking.

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

VOTE:

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EXHIBITS: YES NO

COUNTY ATTORNEY: DAVID HOPE

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

APPLICANT: Farm Stores Corp.

PH: Z09-113 (10-07-CZ10-1)

SECTION: 3-54-40

DATE: September 15, 2010

COMMISSION DISTRICT: 6

ITEM NO.: A

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A. INTRODUCTION

o **REQUESTS:**

- (1) USE VARIANCE to permit a drive-up ATM machine in the BU-1 zone as would be permitted in the BU-1A zone.
- (2) Applicant is requesting to permit a 2' wide greenbelt (7' required) along a portion of the right-of-way.
- (3) Applicant is requesting to permit a 4.5' wide buffer between dissimilar land uses along the interior side (south) property line and to permit a 2' wide buffer along a portion of the rear (east) property line (5' required for each).
- (4) Applicant is requesting to permit 1 parking space (3 parking spaces required).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Farm Store Enhancement Program," as prepared by Architectural Design Collaborative, Sheet "A-04" dated stamped received 7/22/09, Sheets "A-03" and "A-05" dated stamped received 1/4/10, for a total of 3 sheets. Plans may be modified at public hearing.

o **SUMMARY OF REQUESTS:**

The applicant seeks a use variance to permit a drive-up ATM in the BU-1, Neighborhood Business District, as would be permitted in the BU-1A, Limited Business District. Requests are also being sought to permit a reduced greenbelt along a portion of the right-of-way, to permit a reduced landscape buffer along portions of the rear and interior side property lines, and to permit fewer parking spaces than required.

o **LOCATION:** 7990 West Flagler Street, Miami-Dade County, Florida.

o **SIZE:** 118.5' x 100'

B. ZONING HEARINGS HISTORY:

In January 1973, the subject property was included in an application that encompassed a larger portion of land for which the Zoning Appeals Board (ZAB) recommended denial of the requested zone change from RU-1, Single-Family Residential District, and RU-2, Two-Family Residential District, to BU-1, Neighborhood Business District, and recommended approval of a zone change to RU-5A, Semi-Professional Office District in lieu thereof, pursuant to Resolution No. 4-ZAB-21-73. Subsequently, in April 1973, the Board of

County Commissioners (BCC) approved a zone change from RU-1 and RU-2 to RU-5A, except that the west 118 ½ feet of the north 100 feet of Block 9 of Flagami 3rd Addition (PB 17-59) (subject property) was granted a zone change from RU-2 to BU-1, pursuant to Resolution #Z-124-73.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Office/Residential**. Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. Satellite telecommunication facilities that are ancillary uses to the businesses in a development are also allowed. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses. The maximum scale and intensity, including height and floor area ratio of office, hotel and motel development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. Where the Office/Residential category is located between residential and business categories, the more intensive activities to occur on the office site, including service locations and the points of ingress and egress, should be oriented toward the business side of the site, and the residential side of the site should be designed with sensitivity to the residential area and, where necessary, well buffered both visually and acoustically.
2. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. **All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.**
3. **Policy LU-5B.**
All development orders authorizing a **new land use** or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and **is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map"**. The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

BU-1; Drive-through convenience store

Office / Residential

Surrounding Properties:

NORTH: BU-2; Automobile dealership and Restaurant	Business and Office
SOUTH: RU-2; Duplex	Low-Medium Density Residential, 6-13 dua
EAST: RU-5A; Offices	Office / Residential
WEST: RU-5A; Offices	Office/Residential

The subject property is a corner lot located at 7990 West Flagler Street in an area characterized by commercial development to the north, office development to the east and west of the site along West Flagler Street, and duplexes to the south of the site.

E. SITE AND BUILDINGS:

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

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(4)(a) Use Variance. The Board shall hear and grant applications for **use variances** from the terms of the zoning regulations as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in **unnecessary hardship**, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum use variance that will permit the reasonable use of the premises. A "use variance" is a variance which permits a use of land other than which is prescribed by the zoning regulations and shall include a change in permitted density.

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

required.

G. NEIGHBORHOOD SERVICES:

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

*Subject to conditions indicated in their memoranda.

H. ANALYSIS:

This application was deferred from the July 21, 2010 meeting due to a loss of quorum and to allow the applicant time to provide additional parking on the site. The 11,850 sq. ft. subject property is located at 7990 West Flagler Street, is zoned BU-1, Neighborhood Business District, and is currently improved with a drive-through convenience store. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the subject property for **Office/Residential** use. Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. Notwithstanding the foregoing, the interpretative text of the CDMP states that all existing lawful uses and zoning are deemed to be consistent with the CDMP as provided in the section "Concepts and Limitations of the Land Use Plan Map." As such, staff notes that the existing BU-1 zoning and the existing drive through convenience store use on the subject site are consistent with the interpretative text of the CDMP. However, staff notes that the requested use variance to permit a drive-up ATM machine in the BU-1 zone as would be permitted in the BU-1A (Limited Business District) zone is **inconsistent** with the Office/Residential LUP map designation of the subject site. The interpretative text of the CDMP states that approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists. Furthermore, **Policy LU-5B** states that all development orders authorizing a **new land use** shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map." Staff opines that approval of the requested use variance to permit a BU-1A use (drive-up ATM machine) on this BU-1 zoned site would further detract the use of the subject site from the office-type uses that are allowed under the Office/Residential LUP Map designation. Staff notes that the approval of more intense commercial uses on the subject site other than those commercial uses that are currently allowed under the existing BU-1 zoning district would be **inconsistent** with the Office/Residential LUP Map designation. Based on the foregoing, it should be noted that the requested use variance sought in request #1 would need a CDMP Amendment approved by the Board of County Commissioners in order to change the property's LUP Map designation from Office/Residential to Business and Office prior to an approval at a zoning hearing. As such, staff recommends denial without prejudice of request #1.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards

set forth in Chapter 24 of the Code of Miami-Dade County. The **Public Works Department** has **no objections** to this application and their memorandum indicates that the subject site may require platting in accordance with Chapter 28 of the Miami-Dade County Code. Their memorandum also indicates that this application will not generate any new additional daily peak hour **vehicle trips**; therefore, no vehicle trips have been assigned. The Miami-Dade Fire Rescue Department (**MDFRD**) also has **no objections** to this application. Also, they indicate that the estimated travel response time is **7:36 minutes**.

As previously mentioned, the requested use variance is **inconsistent** with the Office/Residential LUP map designation of the CDMP. A **use variance** as provided in Section 33-311(A)(4)(a) permits a use of land other than which is prescribed by the zoning regulations. The standard stipulates that the Board shall hear and grant applications for use variances from the terms of the zoning regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the use variance will be in harmony with the general purpose and intent of the regulations. Staff acknowledges that the property located at 7900 West Flagler Street, approximately 202' to the east of the subject site, was granted approval of a use variance to permit a drive-in teller facility in the RU-5A zone as would be permitted in the BU-1A zone, pursuant to Resolution #Z-131-81. Staff also notes that property located at 8190 West Flagler Street was denied without prejudice a request for a use variance to permit a dry cleaning business in the RU-5A and RU-1 zone, as would be permitted in the BU-1A zone, pursuant to Resolution No. Z-179-95 and property located at the southwest corner of West Flagler Street and SW 79 Court was also denied without prejudice a request for a use variance to permit a restaurant with a drive-in window in the RU-5A zone as would be permitted in the BU-1A zone, pursuant to Resolution No. Z-23-80. Notwithstanding the aforementioned approval, staff is of the opinion that the applicant has not demonstrated any special conditions related to the subject site where the literal enforcement of applicable zoning district provisions would result in unnecessary hardship. Further, as previously mentioned the requested use variance is **inconsistent** with the Office/Residential LUP map designation of the CDMP and **would require a CDMP amendment to the site's LUP Map designation prior to approval at zoning hearing**. Moreover, staff notes that the 3rd District Court of Appeals of the State of Florida has ruled that zoning applications inconsistent with the CDMP cannot be approved by a zoning board based upon considerations of fundamental fairness. Additionally, staff notes that the applicant proposes to reconcile the traffic circulation associated with the drive-up ATM machine with the traffic circulation of the existing drive-through convenience store by creating a by-pass lane along the periphery of the site, for which additional variances of required landscape buffers are being sought in order to accommodate said by-pass lane. The proposed plan would place queued automobiles closer to the adjoining duplex residence located to the south of the subject property and closer to the West Flagler Street right-of-way. Therefore, staff opines that the requested use variance is **inconsistent** with the Office/Residential LUP map designation of the CDMP, there is no zoning hardship relative to the establishment of a BU-1 use on this site that would justify the approval of the use variance, and that the requested drive-up ATM use is intrusive and would bring additional noise and traffic to the residential community located to the south of the site. Based on the foregoing analysis, the use variance request does not meet the standards set forth in Section 33-311(A)(4)(a), which requires that a zoning hardship be shown. As such, request #1 cannot be approved

under same. Staff therefore, recommends denial without prejudice of request #1 under Section 33-311(A)(4)(a).

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 **incompatible** with the surrounding area, would be detrimental to the neighborhood, and would negatively affect the appearance of the community. Staff opines that approval of request #2, to permit a 2' wide greenbelt (7' required) along a portion of the West Flagler right-of-way is overly excessive, visually intrusive, and does not maintain the basic intent and purpose of the zoning regulations. Similarly, staff opines that approval of request #3, to permit a 4.5' wide buffer between dissimilar land uses along the interior side (south) property line and to permit a 2' wide buffer along a portion of the rear (east) property line (5' required for each) is also excessive and visually intrusive. Moreover, staff opines that requests #2 and #3 are germane to request #1, which staff does not support, and apply to the by-pass lane to accommodate the traffic circulation for the proposed drive-up ATM machine that, in staff's opinion, is inconsistent with the Office/Residential LUP Map designation of the CDMP. Further, approval of request #4, to permit one (1) parking space (3 parking spaces required) could cause an overflow of vehicles resulting in traffic congestion on and around the subject site, on neighboring properties, and on the swales or rights-of-way. Therefore, approval of request #4 would be **incompatible** with the surrounding area and would be detrimental to the neighborhood. Therefore, staff recommends that requests #2 through #4 be denied without prejudice under Section 33-311(A)(4)(b) (NUV).

Staff notes that request #1 to permit a drive-up ATM machine in the BU-1 zone as would be permitted in the BU-1A zone, is **inconsistent** with the Office/Residential Designation of the LUP Map of the CDMP and **would require a CDMP amendment prior to an approval at a zoning hearing**. Based on all of the aforementioned, staff recommends denial without prejudice of the use variance request to permit a drive-up ATM machine in the BU-1 zone as would be permitted in the BU-1A zone (request #1), denial without prejudice of request #1 under Section 33-311(A)(4)(a) and denial without prejudice of requests #2 through #4 under Section 33-311(A)(4)(b) (NUV).

I. RECOMMENDATION:

Denial without prejudice.

J. CONDITIONS: None.

DATE TYPED: 05/20/10
DATE REVISED: 06/01/10; 06/09/10; 07/28/10; 08/20/10; 08/26/10
DATE FINALIZED: 08/26/10
MCL:GR:NN:TA:NC

for 

Marc C. LaFerrier, AICP, Director
Miami-Dade County Department of Planning and Zoning 62

Memorandum



Date: January 13, 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 #Z2009000113-2nd Revision
Farm Stores Corp.
7990 W. Flagler Street
District Boundary Change from BU-1 to BU-1A
(BU-1) (0.272 Acres)
03-54-40

A handwritten signature in black ink, appearing to read "Jose Gonzalez". The signature is written in a cursive, flowing style.

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.

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.

Tree Preservation

The subject property contains tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. 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 permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

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

Enforcement History

DERM has found no open or closed enforcement records for the subject property.

Hazardous Materials Management

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

Operating Permits

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

Fuel Storage Facilities

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

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 Christine Velazquez, Interim Manager at (305) 372-6764.

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: FARM STORES CORP

This Department has no objections to this application.

Additional improvements may be required at time of permitting.

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

This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This meets the traffic concurrency criteria set for an Initial Development Order



Raul A Pino, P.L.S.

08-OCT-09

Memorandum



Date: 26-JAN-10
To: Marc LaFerrier, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2009000113

Fire Prevention Unit:

APPROVAL
No objections to site plan date stamped January 4, 2010.

Service Impact/Demand

Development for the above Z2009000113
located at 7990 WEST FLAGLER STREET, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1353 is proposed as the following:

<u>N/A</u> residential	dwelling units	<u>N/A</u> industrial	square feet
<u>N/A</u> Office	square feet	<u>N/A</u> institutional	square feet
<u>657</u> Retail	square feet	<u>N/A</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 0.20 alarms-annually.
The estimated average travel time is: 7:36 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 40 - West Miami - 975 SW 62 Avenue
Rescue, ALS Engine.

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
None.

Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped January 4, 2010. Substantial changes to the plans will require additional service impact analysis.

TEAM METRO

ENFORCEMENT HISTORY

FARM STORES CORP

7990 WEST FLAGLER STREET,
MIAMI-DADE

APPLICANT

ADDRESS

7/9/2010

Z2009000113

DATE

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:
NO RECORD OF VIOLATION FOUND

VIOLATOR:
MARGUERITE GAEL ROUTENBERG

Memorandum



Date: June 7, 2010

To: Franklin Gutierrez, Zoning Services Coordinator
Agenda Coordinator's Office

From: James Byers, Zoning Permitting Division Chief
Department of Planning and Zoning

Subject: 09-113 Folio: 3040030010870

Enforcement History

On June 4, 2010, an inspection of 7990 W Flagler Street revealed Farm Store to be operating with a valid Certificate of Use. However, the required wall along the north property line that separates a commercial district from a residential district is in a dilapidated state and has missing sections.

A review of Building Neighborhood Compliance Department's records showed that there is one open case for an expired permit, Case No. 2009003908.

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: FARM STORES CORPORATION (owner)

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>CARLOS BAIED, CEO</u>	<u>0%</u>
<u>MAURICE BAIED, COO</u>	<u>0%</u>
<u>JOSE GARCI-DEBROSA, PRESIDENT & G.C.</u>	<u>0%</u>
<u>18501 Old Cutler Road, Suite 270;</u>	
<u>Palmetto Bay, Florida 33157</u>	

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

TRUST/ESTATE NAME _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____

RECEIVED
JUL 22 2009

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

If there is a CONTRACT FOR PURCHASE, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: Bank of America (LEASE)

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>ISABEL Surtani; Bank of America</u>	<u>0%</u>
<u>1910 Bruce B. Downs Blvd;</u>	
<u>Wesley Chapel, FL 33543</u>	

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

TRUST/ESTATE NAME _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>

RECEIVED
0913
JUL 22 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

If there is a CONTRACT FOR PURCHASE, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

NAME OF PURCHASER: FARM STORES CORPORATION

NAME, ADDRESS AND OFFICE (if applicable)

JOSE GARCIA - PEDROSA, PRESIDENT
5025 COLLINS AVE. APT. 2206 M.B., FL 33140

CARLOS BARED, C.E.O.
6525 SW 135 TERRACE, MIAMI FL 33156

MAURICE BARED, C.O.O.
12101 ROCK GARDEN LANE, PINELAKE FL 33156

Percentage of Interest

0%

0%

0%

Date of contract: _____

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

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

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

Signature: [Signature]
(Applicant)

Sworn to and subscribed before me this 29 day of JULY, 2007. Affiant is personally known to me or has produced _____ as identification.

[Signature]
(Notary Public)



My commission expires: 6-11-2010

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

NAME OF PURCHASER: Bank of America, N.C. Corporation

NAME, ADDRESS AND OFFICE (if applicable)

Bank of America
1910 Bruce B. Down Blvd
Wesley Chapel Fl. 33543-9262
Pasco County FL 2 882 01 01
Attn Isabel Surtani

Percentage of Interest

0

Date of contract: March 2008

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

none -

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

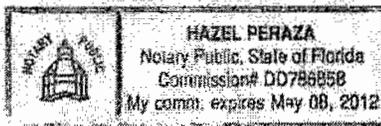
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: Isabel Surtani
(Applicant)

Sworn to and subscribed before me this 18 day of Aug, 2009. Affiant is personally known to me or has produced as identification.

H. Peraza
(Notary Public)

My commission expires: May 8, 2012

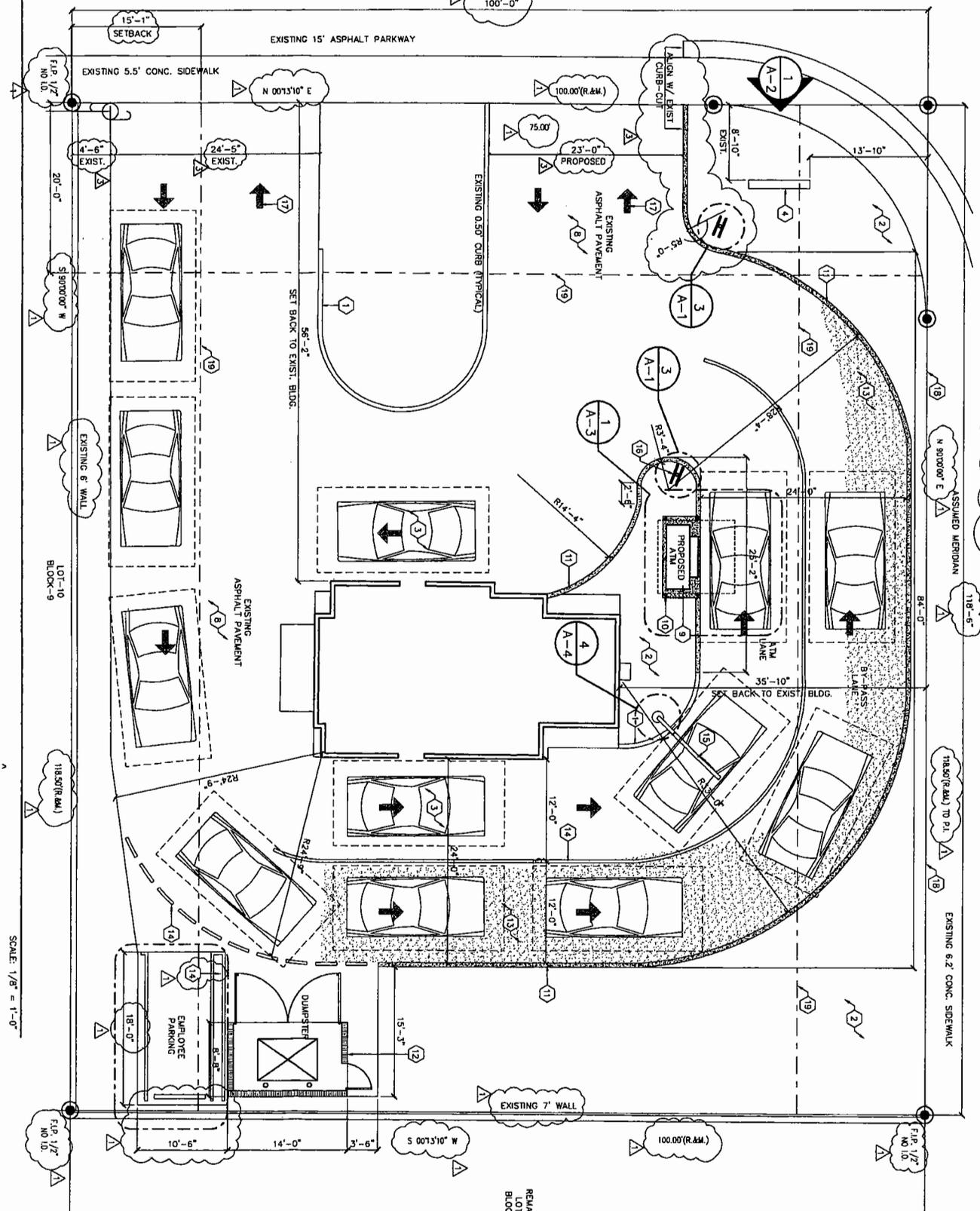


*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership 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.

PROPOSED PLAN
 STAGE 1 227

S.W. 80th. AVE.
 21' ASPHALT PAVEMENT 60' TOTAL R/W

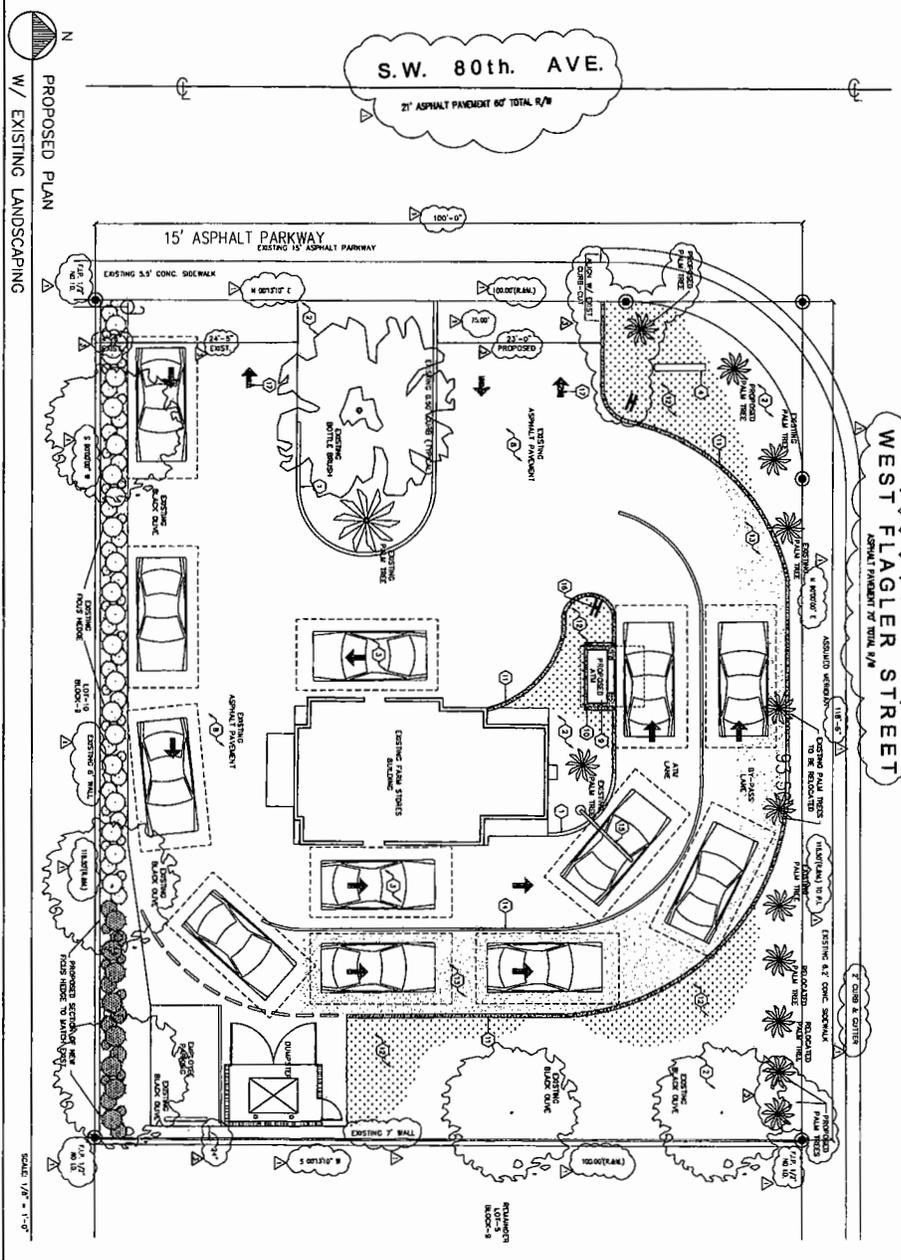
WEST FLAGLER STREET
 ASPHALT PAVEMENT 70' TOTAL R/W



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

REMAINDER
 LOT-5
 BLOCK-9

1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 4. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.
 5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.



PROJECT NOTES

- EXISTING 5' CONCRETE CURB TO REMAIN. THE EXISTING 5.5' CONCRETE SIDEWALK TO BE RECONSTRUCTED TO MATCH ADJACENT SIDEWALKS.
- EXISTING 15' ASPHALT PARKWAY TO BE RECONSTRUCTED TO MATCH ADJACENT PARKWAYS.
- EXISTING 21' ASPHALT PAVEMENT TO BE RECONSTRUCTED TO MATCH ADJACENT PAVEMENTS.
- EXISTING 5.5' CONCRETE SIDEWALK TO BE RECONSTRUCTED TO MATCH ADJACENT SIDEWALKS.
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- EXISTING 21' ASPHALT PAVEMENT TO BE RECONSTRUCTED TO MATCH ADJACENT PAVEMENTS.

SITE CALCULATIONS

ITEM	EXISTING	PROPOSED
TOTAL AREA	15,000 SF	15,000 SF
ASPHALT PAVEMENT	5,000 SF	5,000 SF
CONCRETE SIDEWALK	1,000 SF	1,000 SF
LANDSCAPING	9,000 SF	9,000 SF

LEGAL DESCRIPTION:
 LOT 3, LOTS 1/2 AND 1/4 OF LOTS 8 AND 9 OF SECTION 16, TOWNSHIP 30N, RANGE 17E, S1-1

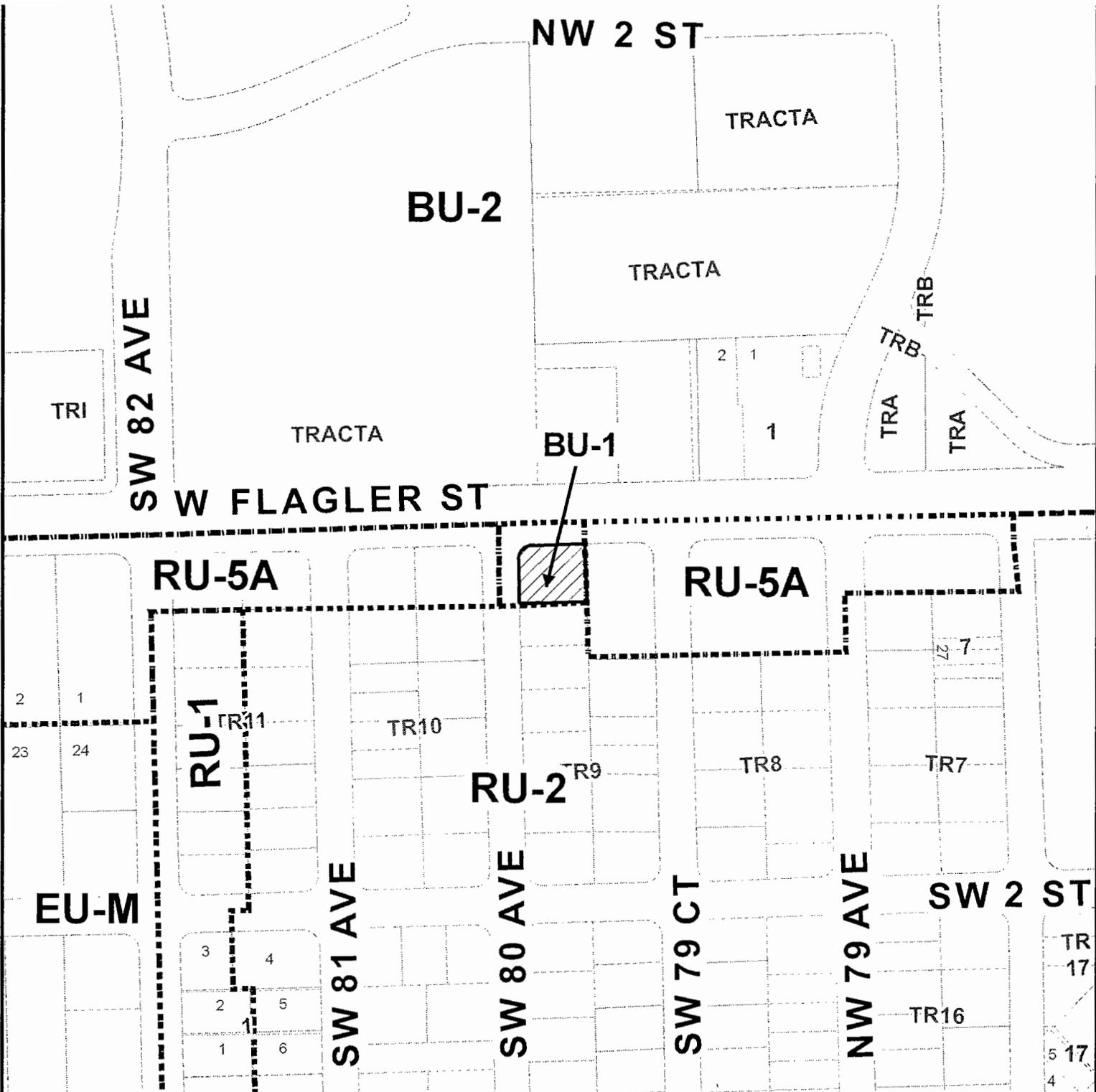
ARCHITECTURE • PLANNING • INTERIOR DESIGN • SPACE PLANNING

C.B. RICHARD ELLIS

101 S. GLENDALE AVENUE, SUITE 200
 GAITHERSBURG, MD 20878
 TEL: 301-927-1111
 FAX: 301-927-1112
 WWW.CBRICHARDELLIS.COM

ADDC

1515 AVENUE AVENUE, SUITE 200
 GAITHERSBURG, MD 20878
 TEL: 301-927-1111
 FAX: 301-927-1112
 WWW.ADDC.COM



MIAMI-DADE COUNTY
HEARING MAP

Process Number
09-113

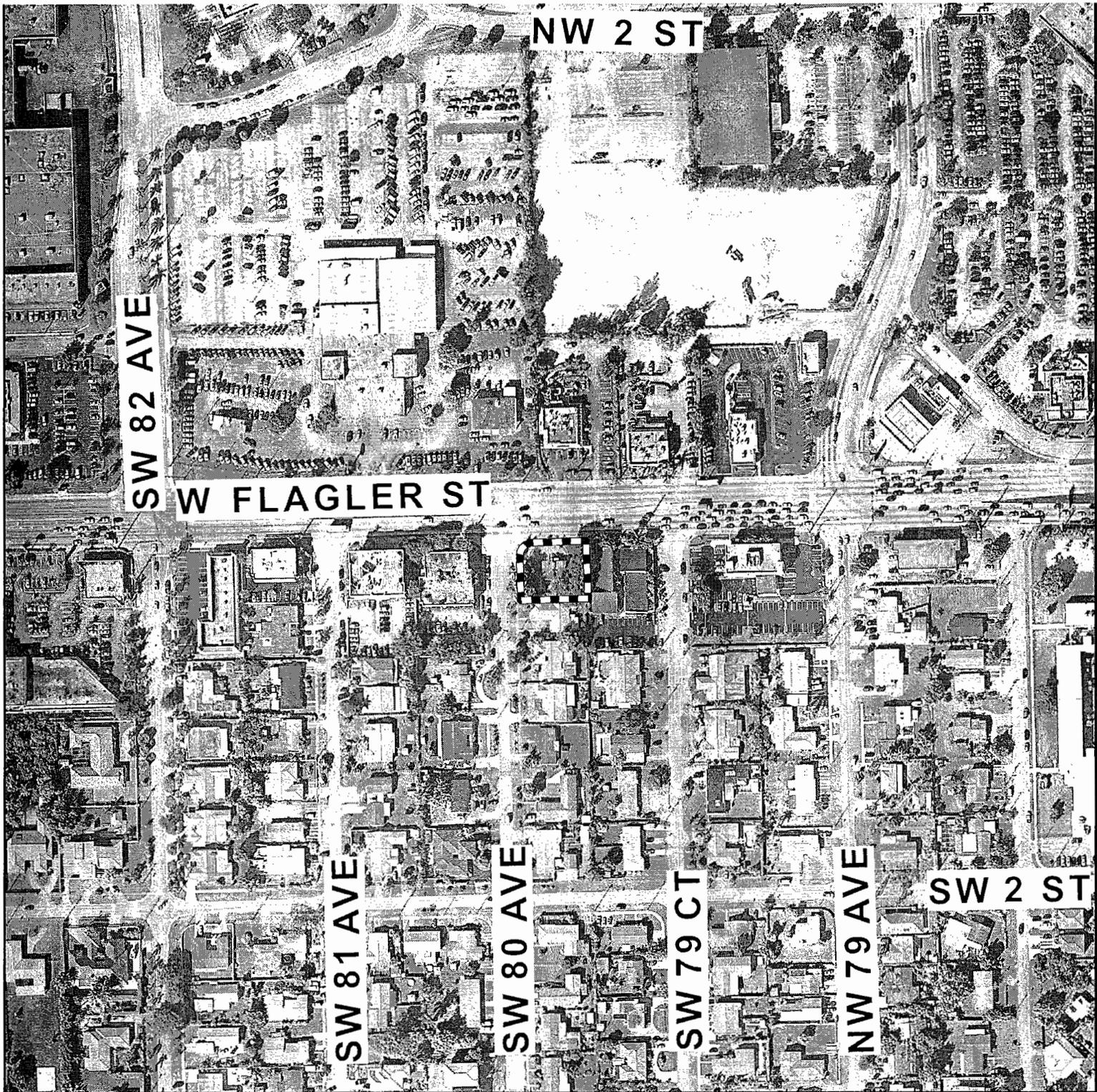
Section: 03 Township: 54 Range: 40
 Applicant: FARM STORE CORP.
 Zoning Board: C10
 Commission District: 6
 Drafter ID: JEFFER
 Scale: NTS
 ----- Zoning



SUBJECT PROPERTY



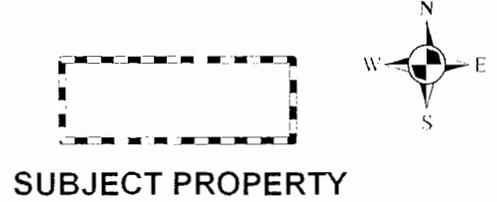
REVISION	DATE	BY
	24	



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number
09-113

Section: 03 Township: 54 Range: 40
 Applicant: FARM STORE CORP.
 Zoning Board: C10
 Commission District: 6
 Drafter ID: JEFFER
 Scale: NTS
 ----- Zoning



SUBJECT PROPERTY



SKETCH CREATED ON: 07/29/09

REVISION	DATE	BY

B. NASEEM T. UDDIN
(Applicant)

10-7-CZ10-2 (09-164)
Area 10/District 10
Hearing Date: 09/15/10

Property Owner (if different from applicant) **NE SUNRISE INVESTMENTS CORP.**

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1988	Enrique Pimentel ET AL	- Use Variance for mortgage office. - Non-Use Variance of parking.	BCC	Approved w/conds.
1989	Tasnim Uddin	- Use Variance for office uses. - Non-Use Variance of parking. - Modification of plans.	ZAB	Approved on a modified basis.

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

#2

APPLICANT'S NAME: **NASEEM T. UDDIN**

REPRESENTATIVE: Paul H. Freeman (Attorney)

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
10-7-CZ10-2 (09-164)	July 21, 2010	CZAB10 10

REC: Denial without prejudice.

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>Sept 15, 2010</u> <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input checked="" type="checkbox"/> OTHER:	To submit a covenant limiting uses on the site and submit a floor plan showing layout	
of both office uses.		

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	M	Carlos A. MANRIQUE	X		
COUNCILMAN		Rueben POL III	X		
CHAIRMAN		Julio R. CACERES	X		
VOTE:			4	0	

EXHIBITS: YES NO

COUNTY ATTORNEY: DAVID HOPE

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

APPLICANT: Naseem T. Uddin

PH: Z09-164 (10-7-CZ10-2)

SECTION: 10-54-40

DATE: September 15, 2010

COMMISSION DISTRICT: 10

ITEM NO.: B

=====

A. INTRODUCTION

o **REQUESTS:**

- (1) DELETION of Condition #2 of Resolution 4-ZAB-388-89, passed and adopted by the Zoning Appeals Board, reading as follows:

“2. That not more than one office use be permitted to occupy the structure at any time.

The purpose of request #1 is to allow the applicant to delete a condition that restricts the property to a single office use.

- (2) Applicant is requesting to permit 2 signs with a total area of 93.5 sq. ft. on the southwest wall elevation and 2 signs with a total area of 45 sq. ft. on the southeast wall elevation (one, 12 sq. ft. sign permitted for each street frontage).

Plans are on file and may be examined in the Department of Planning and Zoning entitled “Surgi-Staff & ISG Building Signs,” as prepared by A & A Design Engineers, Inc., consisting of 2 sheets, dated stamped received 4/16/10. Plans may be modified at public hearing.

- o **SUMMARY OF REQUESTS:** This application will allow the applicant to delete a condition of a previously approved resolution that restricts the property to a single office use and permit 2 additional signs on the property that are larger than permitted by the zoning regulations on this site.

- o **LOCATION:** 8281 S.W. 24 Street, Miami-Dade County, Florida.

- o **SIZE:** 105.74' x 100'

- B. ZONING HEARINGS HISTORY:** In 1988, the subject site was granted a use variance to permit a mortgage broker’s office in the RU-1, Single-Family Residential District, as would be permitted in the RU-5A, Semi-Professional Office District, pursuant to Resolution #Z-140-88. Subsequently, pursuant to Resolution #4-ZAB-388-89, the subject property was granted a use variance to permit semi-professional office uses in the RU-1 District as would be permitted in the RU-5A zone along with variances to the parking regulations. The aforementioned resolution also restricted the structure to one office use at any time.

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. This density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses. It could include low-rise

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

2. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.
3. **Policy LU-9B vii** of the Land Use Element states that Miami-Dade County shall continue to maintain and enhance, as necessary, regulations consistent with the CDMP which govern the use and development of land and which, as a minimum, regulate signage.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

RU-1; office building

Low Density Residential, 2.5 to 6 dua

Surrounding Properties

NORTH: RU-1; single-family residence

Low Density Residential, 2.5 to 6 dua

SOUTH: RU-1; single-family residence

Low Density Residential, 2.5 to 6 dua

EAST: RU-1; office building

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:

(Elevation plan submitted.)

Scale/Utilization of Site:

Acceptable

Location of Buildings:

Acceptable

Compatibility:

Unacceptable

Landscape Treatment:

N/A

Open Space:

N/A

Buffering:

N/A

Access:

Acceptable

Parking Layout/Circulation:

N/A

Signage:

Unacceptable

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations. Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and

purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

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, and to modify or **eliminate** any condition of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(c)(3); 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.

G. NEIGHBORHOOD SERVICES:

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

H. ANALYSIS:

This item was deferred from the July 21, 2010 meeting of Community Zoning Appeals Board (CZAB) 10, to allow the applicant time to submit a covenant limiting the uses on the site and to submit a floor plan. At the time of writing, staff has not yet received or reviewed the covenant or the aforementioned floor plans. The subject property is designated as **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP), which allows 2.5 to 6 dwelling units per acre. The subject property is currently developed with an office which was granted a use variance in 1989 to permit semi-professional office uses in the RU-1, Single-Family Residential District as would be permitted in the RU-5A, Semi-Professional Office District, along with variances from the parking regulations. The existing zoning clause of the interpretative text of the CDMP states that all such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." As such, the existing office use is consistent with the LUP map and the interpretative text of the CDMP. However, staff opines that approval of the applicant's request to increase the number of office uses on this site would be overly intensive and would set a negative precedent for multiple office uses on single-family residential sites in this RU-1 zone. Additionally, staff notes that **Policy 9B vii** of the Land Use Element of the CDMP indicates that Miami-Dade County shall continue to maintain, and enhance as necessary, regulations consistent with the CDMP, which govern the use and development of land which, as a minimum, regulate signage. Staff has consistently recommended denial of applications seeking deviations from the Zoning Code signage regulations and is of the opinion that the Zoning Code provides adequate signage allowances. Staff is of the opinion that the proposed signage is excessive and therefore should be denied. As such, although the existing office use is **consistent** with the interpretative text and the

LUP map designation of **Low Density Residential** use, staff opines that approval of this application, which would allow multiple office uses and signage, would be overly intensive and lead to a proliferation of signage on the property which would be **incompatible** with the surrounding area which is characterized by residential developments. Staff, therefore, recommends that the application be denied without prejudice.

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. Furthermore, the application does not generate any new additional daily peak hour trips and it meets the traffic concurrency criteria. The Miami-Dade Fire Department (**MDFRD**) has **no objections** to this application and has indicated that the average travel response time for this site is **6:09** minutes.

When request #1, to allow the applicant to delete a condition of a previously approved resolution that restricts the property to a single office use is analyzed under Section 33-311(A)(7) Generalized Modification Standards, staff opines that approval of the request would result in an overly intense use of the site and would therefore be **incompatible** with the predominant residential uses found to the north of SW 24 Street. Staff notes that based on memoranda from the Public Works Department, DERM and MDFRD, approval of this request 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. However, staff opines that although a substantial amount of the residential properties that abut SW 24 Street and SW 84 Avenue were approved for use variances to allow offices in the RU-1 zone as would be permitted in the RU-5A zone, the majority of them were restricted to one (1) office use only. As such, staff opines that approval of this request to allow more than one (1) office use would set a precedent for more intensive use of these residential properties and result in a proliferation of office uses in this area. This would in staff's opinion likely result in additional traffic on the adjoining streets and would result in a negative impact on the residential uses to the north as well as the remaining residential uses along the north side of SW 24 Street in this area. Further, staff opines that since the zoning and any approvals for variances run with the land, approvals for a deletion of this condition would allow subsequent owners to establish multiple office uses on the subject property. Staff, therefore, recommends denial without prejudice of request #1 under Section 33-311(A)(7) Generalized Modification Standards.

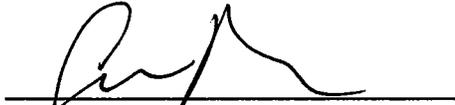
When request #2 is analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of the request would be **incompatible** with the surrounding area and would negatively affect the appearance of the community. The plans submitted for this application indicate that the property currently has two (2) wall signs with a total of 93.5 sq. ft. on the south elevation of the building and two (2) wall signs on the east elevation with a total of 45 sq. ft., which identify the business of the occupant on the east and south facades of the building. Staff notes that the RU-5A District, regulations would allow the applicant a maximum of one (1) 12 sq. ft. sign for each street frontage, which staff opines would be adequate and would preclude the appearance of visual clutter due to excessive signage. Staff notes that the request for additional signage which exceeds the permitted square footage is in part germane to the applicant's request to allow an additional office use on the subject site. However, as previously mentioned, staff is not supportive of the applicant's request for an additional office use and therefore would not be supportive of two (2) additional wall signs in excess of the two (2) allowed by the RU-5 zoning regulations. In the case of the signs on the south elevation, combined they are almost seven (7) times larger than the square footage permitted by Code. Staff opines that the approval of these two (2) additional signs in the RU-1 zoning district would be excessive and could set a negative

precedent for the proliferation of signage in this area. Therefore, staff recommends denial without prejudice of #2 under Section 33-311(A)(4)(b) (NUV).

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

J. **CONDITIONS:** None.

DATE TYPED: 05/17/10
DATE REVISED: 05/18/10, 06/01/10, 06/09/10, 07/27/10
DATE FINALIZED: 07/27/10
MCL:MTF:NN:NC:CH

fa 

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

Memorandum



Date: December 1, 2009
To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez". The signature is written in a cursive style and is positioned to the right of the "From:" field.

Subject: C10 #Z2009000164
Naseem Uddin
8281 S.W. 24th Street
Deletion of Conditions a Previous Approved Resolution to Allow a
Medical Office Use and More than One Office
(RU-1) (0.24 Acres)
10-54-40

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.

Hazardous Materials Management

Due to the nature of activities inherent to some of the permitted land uses, the applicant may be required to obtain DERM approval for management practices to control the potential discharge and spillage of pollutants. The applicant is advised to contact the Permitting Section of DERM's Pollution

Regulation and Enforcement Division, at (305) 372-6600 concerning required management practices as related to the handling of hazardous materials.

Operating Permits

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

Wetlands

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

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

Tree Preservation

The proposal of the deletion of conditions to a previous approved resolution 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 discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: NASEEM T. UDDIN

This Department has no objections to this application.

This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This meets the traffic concurrency criteria set for an Initial Development Order.



Raul A Pino, P.L.S.

18-FEB-10

Memorandum



Date: 01-DEC-09
To: Marc LaFerrier, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2009000164

Fire Prevention Unit:

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

Service Impact/Demand

Development for the above Z2009000164
located at 8281 SW 24 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1440 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 6:09 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 47 - Westchester - 9361 Coral Way
Rescue, ALS Engine

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

NASEEM T. UDDIN

8281 SW 24 ST, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2009000164

HEARING NUMBER

HISTORY:

Current case:

200903011229 -NOV issued in 12/09 for Two Canopies Without Permit.

Previous Case:

200803007589 -NOV issued in 7/08 for Overgrowth. Case closed as complied.

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

REPORTER NAME:

Memorandum



Date: June 7, 2010

To: Franklin Gutierrez, Zoning Services Coordinator
Agenda Coordinator's Office

From:  James Byers, Zoning Permitting Division Chief
Department of Planning and Zoning

Subject: 09-164 Folio: 3040100011380

Enforcement History

An inspection On June 4, 2010, revealed two businesses operating from this location of 8281 SW 24 Street. In accordance with Resolution No. 4ZAB-388-89, only one office use is permitted at any one time. Surgi-Staff has a valid Certificate of Use. Insurance Solutions is the second tenant and this company is operating without a valid Certificate of Use. A Notice of Violation will be issued.

A review of Building Neighborhood Compliance Department's records showed that there is one open case for erecting a sign without a permit, 2009013406.

RECEIVED

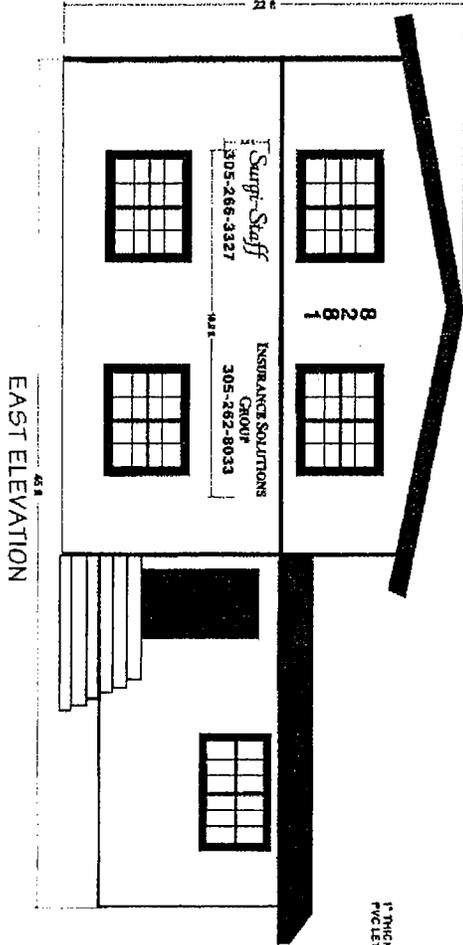
MIAMI-DADE COUNTY

PROCESS #: Z09-164

DATE: APR 16 2010

BY: SDE

NON-ILLUMINATED SIGN



2.6' **Surgi-Staff**
 305-266-3327

18.0'

INSURANCE SOLUTIONS GROUP
 305-262-8033

Project: Surgi-Staff & ISG Building Signs
 Address: 6281 SW 24th Street
 Miami, FL 33155
 Prepared by: E. A. Suarez, P.E. #17591
 Date: October 22, 2009

AAA DESIGN ENGINEERS, INC.
 6050 SW 79th COURT
 MIAMI, FL 33145

WALL AREA: 710 SQ. FT.
 SIGN AREA: 45 SQ. FT.

Handwritten signature and date: 12/17/09

*Handwritten notes: 2.5 x 19 = 45 sq ft
 1.5 max permit fted*

Handwritten note: 15 ft

*Handwritten notes: 209-164
 ATT*

RECEIVED

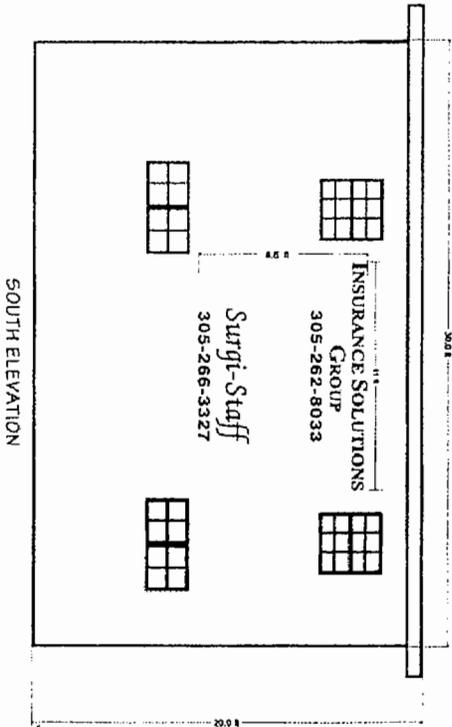
MIAMI-DADE COUNTY

PROCESS #: Z09-164

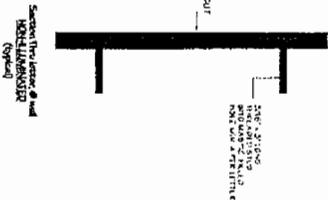
DATE: APR 16 2010

BY: SDE

NON-ILLUMINATED SIGN



WALL AREA: 600 SQ. FT.
SIGN AREA: 93.5 SQ. FT.



Project: Surgi-Staff & ISG Building Signs
 Address: 6281 SW 24TH Street
 Miami, FL 33155
 Prepared by: E.A. Suarez, P.E. #17591
 Date: October 22, 2008

AKA DESIGN ENGINEERS, INC
 6050 SW 79TH COURT
 MIAMI, FL 33143

8.5x11 = 93.5 sq

[Handwritten signature]
 12/19/09

[Faint handwritten notes]
 Z09-164

131 12/23/10



MIAMI-DADE COUNTY
HEARING MAP

Process Number

09-164

Section: 15 Township: 54 Range: 40
 Applicant: NASEEM T. UDDIN
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER
 Scale: NTS
 ----- Zoning



SUBJECT PROPERTY



REVISION	DATE	BY
	18	



MIAMI-DADE COUNTY
HEARING MAP

Process Number

09-164

Section: 10 Township: 54 Range: 40
 Applicant: NASEEM T, UDDIN
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER
 Scale: NTS
 ----- Zoning



SUBJECT PROPERTY



SKETCH CREATED ON: 11/20/09

REVISION	DATE	BY

1. LYNDON ONTIVERO
(Applicant)

10-8-CZ10-1 (09-153)
Area 10/District 10
Hearing Date: 09/15/10

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

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
None				

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

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

APPLICANTS: Lyndon Ontivero

PH: Z09-153 (10-9-CZ10-1)

SECTION: 13-54-39

DATE: September 15, 2010

COMMISSION DISTRICT: 10

ITEM NO.: 1

A. INTRODUCTION:

o **REQUESTS:**

- (1) Applicant is requesting to permit a shed setback 0.1' (5' required) from the rear (southeasterly) property line and setback 2.3' to 4.1' (7.5' required) from the interior side (northeasterly) property line.
- (2) Applicant is requesting to permit a metal carport setback 1.17' (2' required) from the interior side (northeasterly) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Rear Pre-Fab Shed & Open Carport to be Legalized," as prepared by Golaville K. Rao, Sheets "SP-1" and "A-2" dated stamped received 6/8/10 and Sheet "A-1" dated stamped received 11/3/09 for a total of 3 sheets. Plans may be modified at public hearing.

- o **SUMMARY OF REQUESTS:** The applicant is requesting to permit an existing accessory structure setback less than required from the interior side and rear property lines. Additionally, the applicant seeks to permit a metal carport addition to the single-family residence encroaching into the interior side (east) setback area.

- o **LOCATION:** 2725 S.W. 119 Court, Miami-Dade County, Florida.

- o **SIZE:** 97.59' x 103.89'

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

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

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

RU-1; single-family residence

Low Density Residential, 2.5 to 6 dua

Surrounding Properties:

NORTHWEST: RU-1; single-family residence

Low Density Residential, 2.5 to 6 dua

SOUTHEAST: RU-1; single-family residence

Low Density Residential, 2.5 to 6 dua

NORTHEAST: RU-1; single-family residence

Low Density Residential, 2.5 to 6 dua

SOUTHWEST: RU-1; single-family residences

Low Density Residential, 2.5 to 6 dua

E. SITE AND BUILDINGS:

Site Plan Review:

(Site plan submitted.)

Scale/Utilization of Site:

Unacceptable

Location of Buildings:

Unacceptable

Compatibility:

Unacceptable

Landscape Treatment:

N/A

Open Space:

Acceptable

Buffering:

Unacceptable

Access:

Acceptable

Parking Layout/Circulation:

N/A

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(4)(b) Non-Use Variances from other than airport regulations.

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

G. NEIGHBORHOOD SERVICES:

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

H. ANALYSIS:

Approval of the application would allow the applicant the maintenance and continued use of an existing metal carport addition as well as the existing accessory structure (shed) both of which encroach into the required setback areas for the RU-1, Single Family Residentially zoned property. The subject property is designated for **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). Because the proposal will not add additional dwelling units to the property, the RU-1 zoned subject property is **consistent** with the LUP Map designation of the CDMP.

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** and the **Miami-Dade Fire Rescue Department (MDFRD)** also have **no objections** to this application and MDFRD indicates in their memorandum that the estimated average response travel time to this site is **7:10** minutes.

When analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard, staff is of the opinion that the approval of requests #1 and #2 would be **incompatible** with the surrounding area and would negatively affect the stability and appearance of the community. Staff opines that the approval of request #1, to permit the existing 10' x 12' utility shed setback 0.1' (5' required) from the rear (southeasterly) property line and setback 2.3' to 4.1' from the interior side (northeasterly) property line is excessive and would affect the stability and appearance of the neighborhood. In addition, said utility shed is also encroaching into a 6' utility easement which runs along the interior side (northeasterly) and rear (southeasterly) property lines. Similarly, staff opines that the request to permit the existing metal carport setback 1.17' (2' required) from the interior side (east) property line is also excessive. Further, staff notes that the metal carport also encroaches into the aforementioned 6' wide utility easement along the interior side (northeasterly) property line. Moreover, pictures submitted by the applicant indicate that the metal carport roof overhang extends over the interior side (northeasterly) property line which staff opines could result in water runoff onto the adjacent property to the northeast. Staff's research of properties in the surrounding area did not indicate any other properties that were approved for combined variances to the setback regulations as intensive as that requested in this application. As such, staff opines that approval of the aforementioned requests would result in a negative visual impact on the properties in this area. Therefore, staff recommends that the aforementioned requests, requests #1 and #2, be denied without prejudice under Section 33-311(A)(4)(b) (NUV).

Based on all of the foregoing, staff opines that the approval of the encroachment of the existing shed into the rear (southeasterly) and interior side (northeasterly) setback areas (request #1) and of the metal carport addition into the interior side (northeasterly) setback (request #2), would be out of character with the area and **incompatible** with same. Accordingly, staff recommends denial without prejudice of request #1 and #2 under Section 33-311(A)(4)(b) (NUV).

I. RECOMMENDATION:

Denial without prejudice.

J. CONDITIONS: None.

DATE TYPED: 07/09/10
DATE REVISED: 07/09/10, 07/27/10
DATE FINALIZED: 08/16/10
MCL:GR:NN:CI:CH

For 

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

Memorandum



Date: November 16, 2009

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

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

Subject: C-10 #Z2009000153
Lyndon Ontivero
2725 S.W. 119th Court
Request to Permit a Carport and Shed Setback Less than Required from
Property Lines
(RU-1) (0.23 Acres)
13-54-39

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.

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

Concurrency Review Summary

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable Level of Service (LOS) standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan (CDMP) for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

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

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

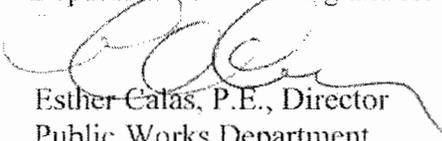
If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

Memorandum



Date: November 26, 2008

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

From: 
Esther Galas, 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: 13-NOV-09
To: Marc LaFerrier, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2009000153

Fire Prevention Unit:

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

Service Impact/Demand

Development for the above Z2009000153
located at 2725 SW 119 CT, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1478 is proposed as the following:

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

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

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 58 - Tamiami - 12700 SW 6 Street
Rescue, ALS Engine

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

TEAM METRO

ENFORCEMENT HISTORY

LYNDON ONTIVERO

2725 SW 119 CT, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2009000153

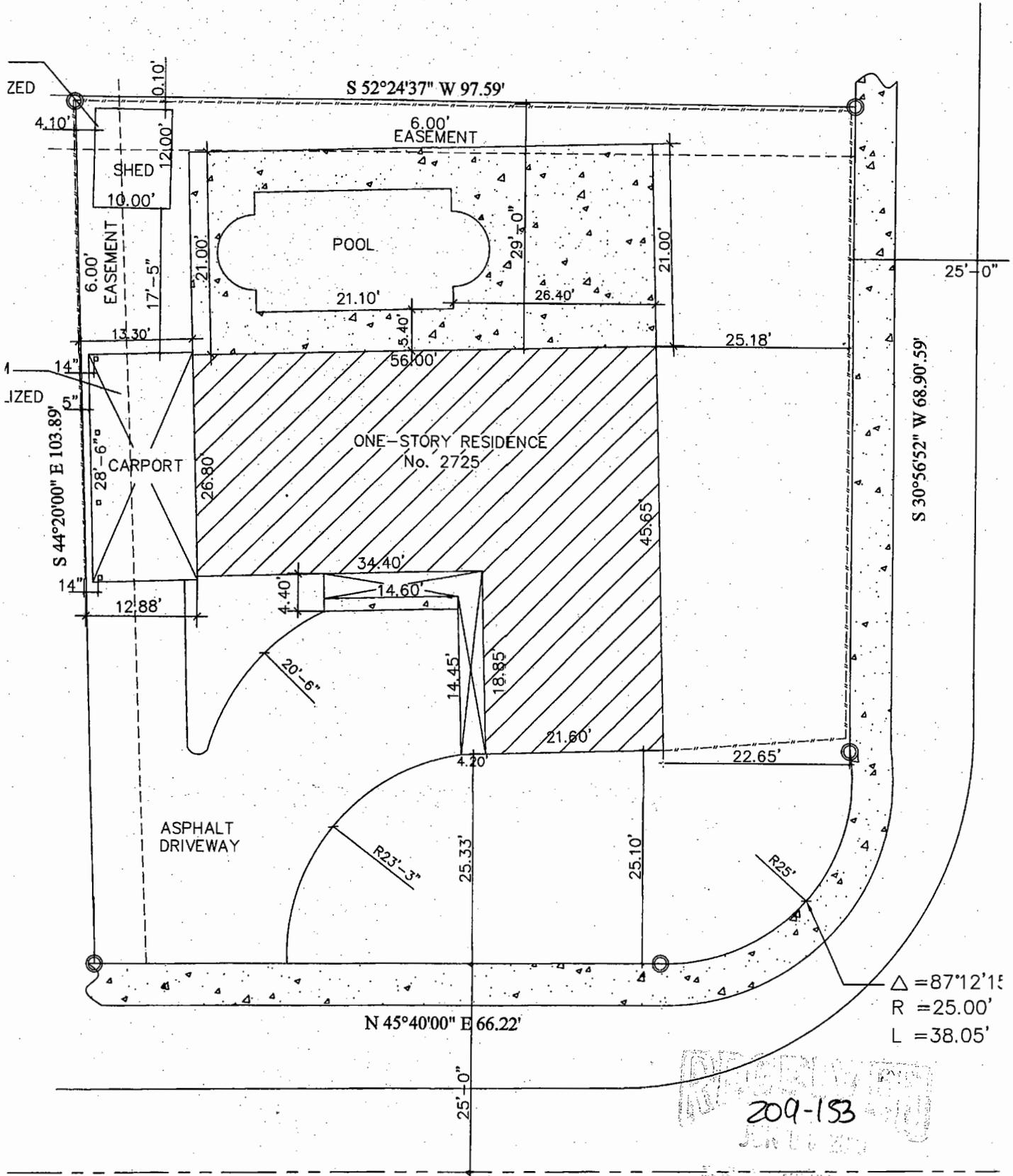
HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

NO CURRENT ZONING VIOLATIONS OBSERVED

LYNDON ONTIVERO

ARMANDO DE LA TORRE



S.W. 119th COURT
ENLARGED SITE PLAN

209-153
 JUN 10 2010
 ENGINEER'S SEAL AND SIGNATURE

RECORDED
209-153

**ZONING REGULATIONS - PART I
MUNICIPAL PLANNING AND ZONING DEPT.**

BY _____

PROJECT NO. _____ ADDRESS: 2725 SW 119th Ct. CITY: MIAMI, FL 33175
 SUBDIVISION: SOUTHERN ESTATES 22nd ADDITION
 LOT: 7
 ZONING: RS-M
 PLAT BOOK: 83
 PAGE: 28
 DATE: 11/15/11
 DRAWN BY: _____
 CHECKED BY: _____
 DATE: _____

EXISTING USE	PROPOSED USE	PERMITTED
RESIDENTIAL SINGLE-FAMILY	RESIDENTIAL SINGLE-FAMILY	YES
RESIDENTIAL MULTIFAMILY	RESIDENTIAL MULTIFAMILY	NO
COMMERCIAL	COMMERCIAL	NO
INDUSTRIAL	INDUSTRIAL	NO

THE OWNER OF THIS PROPERTY UNDERSTANDS THAT THE WORK INDICATED HEREON IS TO BE KEPT ON THE PROJECT FROM THE DATE OF THE PERMIT THROUGH THE END OF THE PROJECT. THE OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PROJECT FROM THE DATE OF THE PERMIT THROUGH THE END OF THE PROJECT. THE OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PROJECT FROM THE DATE OF THE PERMIT THROUGH THE END OF THE PROJECT. THE OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PROJECT FROM THE DATE OF THE PERMIT THROUGH THE END OF THE PROJECT.

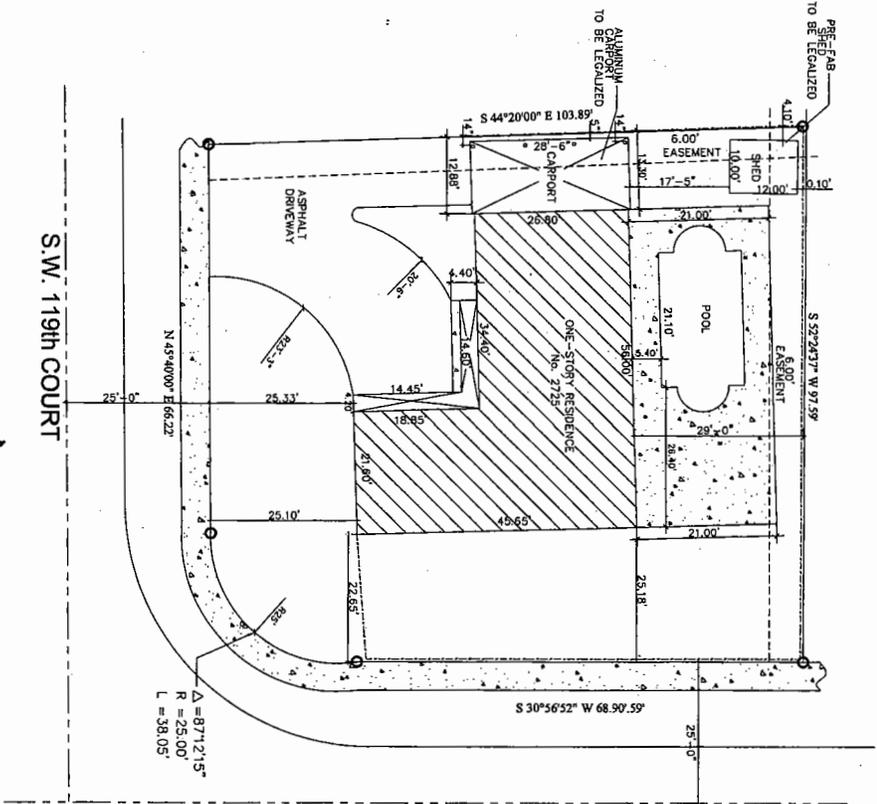
SCOPE OF WORK
 LEGALIZATION
 REAR PORCH
 PER-PAR SHEED
 & OPEN CARPORT

ZONING LEGEND

ZONE	DESCRIPTION	PERMITTED	NOT PERMITTED					
RS-M	RESIDENTIAL SINGLE-FAMILY	YES	NO					
RM	RESIDENTIAL MEDIUM-DENSITY	NO	YES					
RM-2	RESIDENTIAL MEDIUM-DENSITY (2-UNIT)	NO	YES					
RM-3	RESIDENTIAL MEDIUM-DENSITY (3-UNIT)	NO	YES					
RM-4	RESIDENTIAL MEDIUM-DENSITY (4-UNIT)	NO <table border="1" <tr> <td>REAR PORCH</td> <td>YES</td> </tr> <tr> <td>PER-PAR SHEED</td> <td>NO</td> </tr> <tr> <td>OPEN CARPORT</td> <td>NO</td> </tr>	REAR PORCH	YES	PER-PAR SHEED	NO	OPEN CARPORT	NO
REAR PORCH	YES							
PER-PAR SHEED	NO							
OPEN CARPORT	NO							

RM-5	RESIDENTIAL MEDIUM-DENSITY (5-UNIT)	NO	YES
RM-6	RESIDENTIAL MEDIUM-DENSITY (6-UNIT)	NO	YES
RM-7	RESIDENTIAL MEDIUM-DENSITY (7-UNIT)	NO	YES
RM-8	RESIDENTIAL MEDIUM-DENSITY (8-UNIT)	NO	YES
RM-9	RESIDENTIAL MEDIUM-DENSITY (9-UNIT)	NO	YES
RM-10	RESIDENTIAL MEDIUM-DENSITY (10-UNIT)	NO	YES
RM-11	RESIDENTIAL MEDIUM-DENSITY (11-UNIT)	NO	YES
RM-12	RESIDENTIAL MEDIUM-DENSITY (12-UNIT)	NO	YES
RM-13	RESIDENTIAL MEDIUM-DENSITY (13-UNIT)	NO	YES
RM-14	RESIDENTIAL MEDIUM-DENSITY (14-UNIT)	NO	YES
RM-15	RESIDENTIAL MEDIUM-DENSITY (15-UNIT)	NO	YES
RM-16	RESIDENTIAL MEDIUM-DENSITY (16-UNIT)	NO	YES
RM-17	RESIDENTIAL MEDIUM-DENSITY (17-UNIT)	NO	YES
RM-18	RESIDENTIAL MEDIUM-DENSITY (18-UNIT)	NO	YES
RM-19	RESIDENTIAL MEDIUM-DENSITY (19-UNIT)	NO	YES
RM-20	RESIDENTIAL MEDIUM-DENSITY (20-UNIT)	NO	YES

ANY APPLICABLE RESOLUTIONS: N/A



LEGAL DESCRIPTION
 LOT 7
 SUBDIVISION SOUTHERN ESTATES 22nd ADDITION
 ACCORDING TO THE PLAT THEREON AS RECORDED IN PLAT BOOK 83 AT PAGE 28 OF THE
 PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

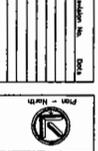
Drawing No. **SP-1**
 of **3**

PROJECT: REAR PORCH SHEED & OPEN CARPORT TO BE LEGALIZED
 ADDRESS: 2725 SW 119th Ct. MIAMI, FL 33175

OWNER: LYNDON ONTIBERO
 ADDRESS: 2725 SW 119th Ct. MIAMI, FL 33175

APPROVED BY: _____
 DATE: _____

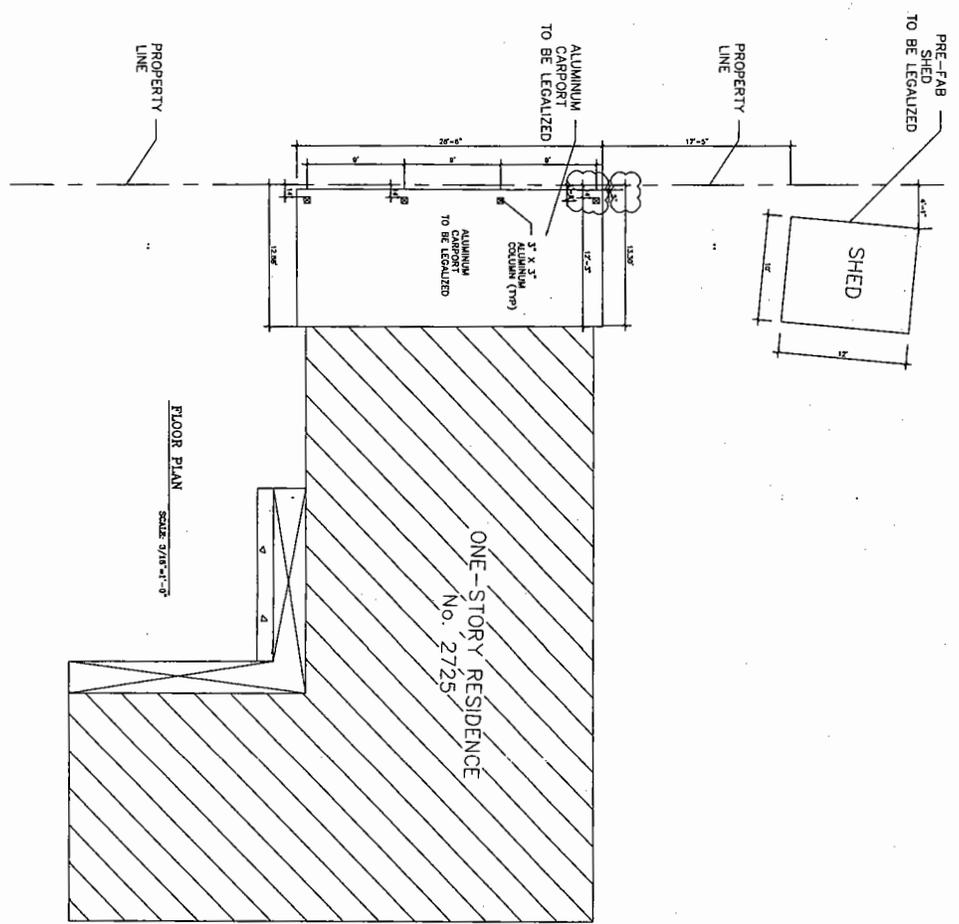
11862 SW 26th Street, Suite 1, Miami, FL 33175
 305.552.2222
PSS
 PLANNING & SURVEYING



209-153
 11/15/11

209-153

ZONING PERMITS SECTION
 MUNICIPAL PLANNING AND ZONING DEPT.
 BY _____



FLOOR PLAN
 SCALE: 3/16" = 1'-0"

Drawing No.
A-2
 of
3

Project No.	
Date	
Scale	
Checked by	

PROJECT: REAR REPAIRS SHED &
 OTHER CARPORT
 TO BE LEGALIZED
 ADDRESS: 2725 SW 119th CT
 MIAMI, FL 33175

OWNER: LYNDON ONTIVERO
 ADDRESS: 2725 SW 119th CT
 MIAMI, FL 33175

DATE OF ISSUE
 CITY AND COUNTY
 STATE

11405 SW 28 Street, Suite 1, Miami, FL 33175
PSS
 THE 305 228 8000 FAX: 305 228 8481
 15, 2007

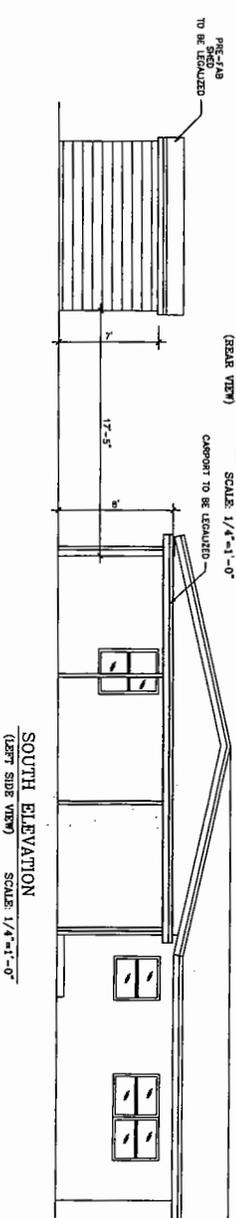
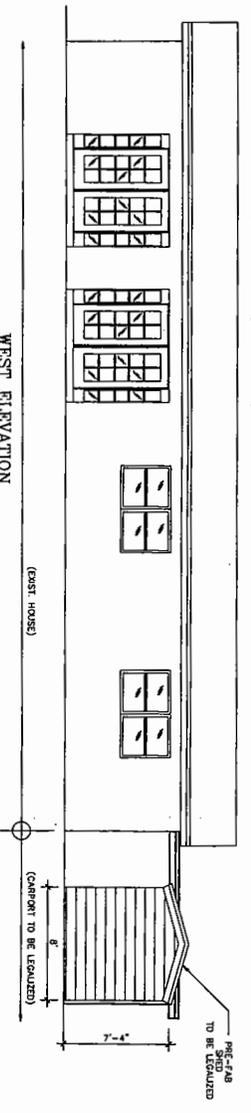
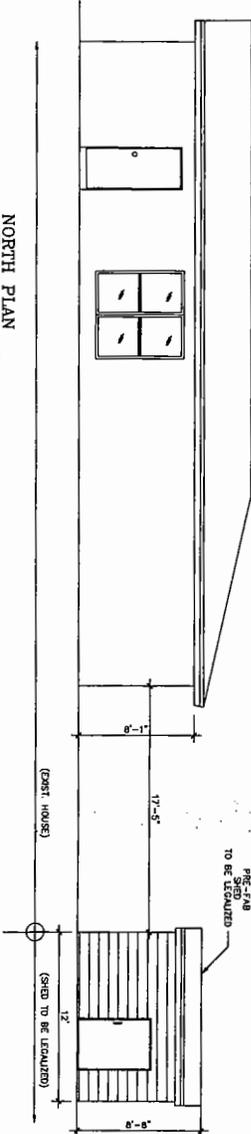
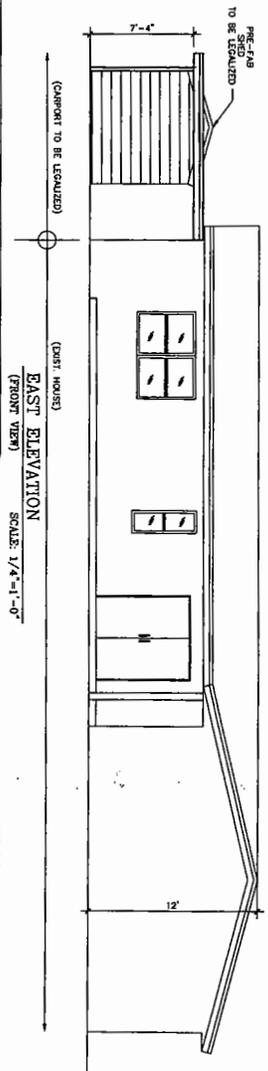
Revision No.	Date



Sheet 1
 209-153

2009-133

RECEIVED
 DEPARTMENT OF CONSTRUCTION
 DIVISION OF PERMITS
 10/15/09



Drawing No. **A-1** of **3**

Project No. _____
 SHEET NO. _____
 DESIGNED BY: _____

PROJECT: **REAR PRE-FAB SHED & OPEN CARPORT TO BE LEGALED**
 ADDRESS: **2723 SW 119th Ct. MIAMI, FL 33175**

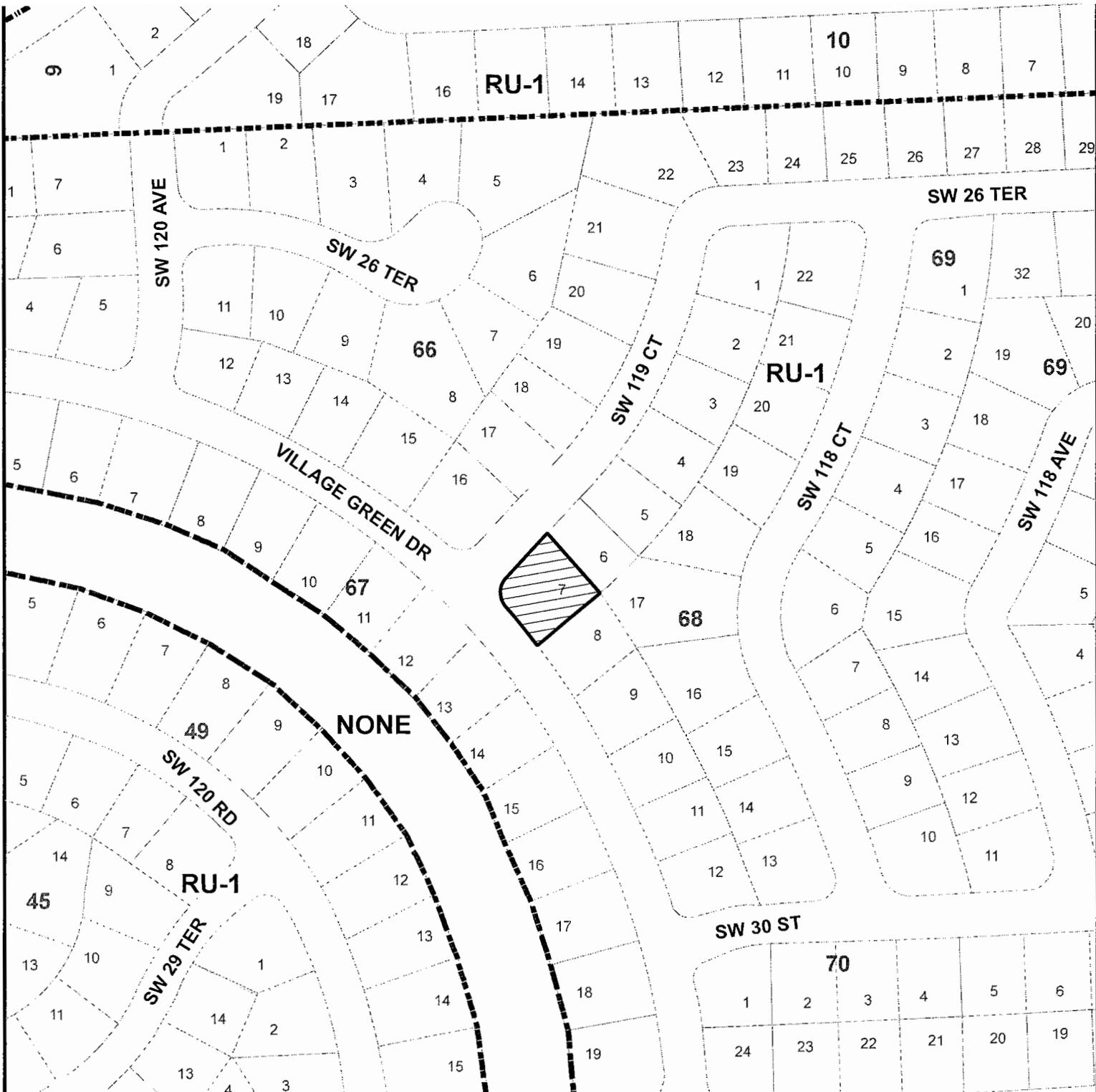
OWNER: **LYNDON ONTVISIO**
 ADDRESS: **2723 SW 119th Ct. MIAMI, FL 33175**

ARCHITECT: **CRIVELLO AND ASSOCIATES, INC.**
 11845 SW 26 Street, Suite 1, Suite 1-2 Miami, FL 33175
 Tel: 305.556.1800 Fax: 305.556.1801

PSS
 PROFESSIONAL SEAL
 11845 SW 26 Street, Suite 1, Suite 1-2 Miami, FL 33175
 Tel: 305.556.1800 Fax: 305.556.1801

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

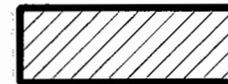
RECEIVED
 10/15/09



**MIAMI-DADE COUNTY
HEARING MAP**

Process Number
09-153

Section: 13 Township: 54 Range: 39
 Applicant: LYNDON ONTIVERO
 Zoning Board: C10
 Commission District: 10
 Drafter ID: ALFREDO
 Scale: NTS
 ----- Zoning

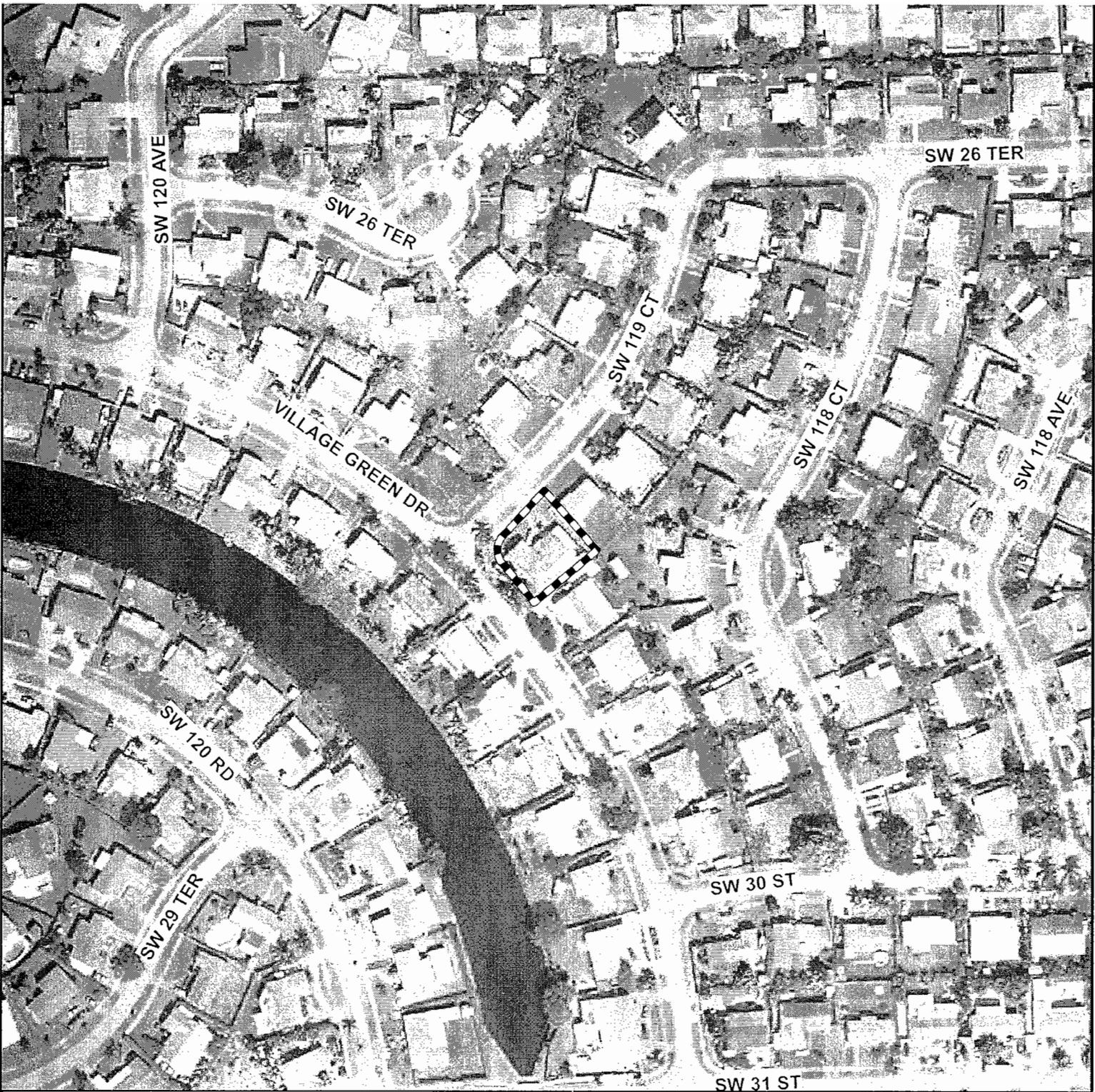


SUBJECT PROPERTY



SKETCH CREATED ON: 11/06/09

REVISION	DATE	BY
		14



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Section: 13 Township: 54 Range: 39

Applicant: LYNDON ONTIVERO

Zoning Board:C10

Commission District: 10

Drafter ID: ALFREDO

Scale: NTS

----- Zoning

Process Number

09-153



SUBJECT PROPERTY



SKETCH CREATED ON: 11/06/09

REVISION	DATE	BY

2. MIGUEL M. CARDELLES
(Applicant)

10-7-CZ10-2 (10-007)
Area 10/District 10
Hearing Date: 09/15/10

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

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1955	Louis Herwitzer	- Zone change from GU to RBU-1.	BCC	Approved.
1956	Sun Valley Estates Inc.	- Amend resolution 8569 to permit platting.	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: Miguel M. Cardelles

PH: Z10-007 (10-9-CZ10-2)

SECTION: 21-54-40

DATE: September 15, 2010

COMMISSION DISTRICT: 10

ITEM NO.: 2

A. INTRODUCTION:

o **REQUESTS:**

- (1) Applicant is requesting to permit an existing addition to a single-family residence setback varying from 13'10" to 18' (25' required) from the rear (south) property line.
- (2) Applicant is requesting to permit a lot coverage of 40% (35% permitted).
- (3) Applicant is requesting to permit an accessory structure setback 3'3" (5' required) from the rear (south) property line, setback 4' (7'6" required) from the interior side (west) property line and spaced 4'8" (10' required) from the residence.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Miguel Cardelles," as prepared by Miguel E. Jimenez, P.E. Site Plan A-1, dated stamped received 2/1/10 and Sheet "A-2: and "A-3" dated stamped received 3/31/10 and consisting of a total of 3 pages. Plans may be modified at public hearing.

o **SUMMARY OF REQUESTS:**

The applicant is seeking approval to permit an existing addition to a single-family house with a reduced rear (south) setback from property line. In addition, the applicant is requesting a greater lot coverage than allowed by the Zoning Code and to allow an accessory structure with reduced setbacks from the rear and interior side property lines and spaced less than the required distance from the existing residence.

o **LOCATION:**

8810 SW 54 Street, Miami-Dade, County, Florida.

o **SIZE:** 75' x 103'.

B. ZONING HEARINGS HISTORY:

In 1955, pursuant to Resolutions #8569, the subject property was part of a larger property which the Board of County Commissioners (BCC) granted a rezoning from GU, Interim

District to RU-1, Single-family Residential District. Also in 1956, pursuant to Resolution #8624, the BCC granted the applicant release from a previous condition to dedicate a portion of SW 54 Street. In 1956, pursuant to Resolution #9622, the BCC approved the requested amendments of Resolutions #8569 and #8624 to permit the platting and development of the subject property.

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:

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

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 comment
Fire Rescue	No objection
Police	No objection
Schools	No comment

H. ANALYSIS:

The subject property is a 7,725 sq. ft. interior platted lot located at 8810 SW 54 Street in an established RU-1, Single Family 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 requests will not add additional dwelling units to the community, the RU-1 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 **5:24** minutes.

When requests #1, #2, and #3 are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard, staff is of the opinion that the approval of these 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. The plans submitted by the applicant depict an existing family room addition to the single-family residence encroaching into the rear (south) setback area, said encroachment varying from 7' to 11'2" into the rear (south) setback area where a 25' setback is required (request #1). The applicant is also seeking a lot coverage of 40% where 35% is permitted (request #2) and to allow the continued use of an accessory structure setback 3'3" (5' required) from the rear (south) property line, setback 4' (7.6' required) from the interior side (west) property line and spaced 4'8" (10' required) from the residence (request #3).

The Letter of Intent submitted by the applicant indicates the above referenced requests are to legalize a currently existing family room addition and accessory structure. Staff notes that the survey depicts an existing 6' high wood fence along the rear (south) property line and a 6' high CBS wall along the interior side (west) property line. Staff notes that the family room provides additional living space to the resident and that the family room addition has been architecturally designed to match the same architectural style and scale of the existing residence. Staff opines that the existing 6' high CBS wall which runs along the interior side (west) property line provides adequate buffering to mitigate any possible negative visual impact to the neighboring property to the west caused by said setback encroachments. Additionally staff's research found similar approvals for reduced setbacks within a two block radius of the subject property. For example, pursuant to Administrative Variance V1980000030, an addition to a single-family residence was approved to setback 12.6' where 25' is required from the rear (south) property line at 8820 SW 54 Terrace. While staff's research did not find other approvals for increase lot coverage in the area and reduced setbacks for accessory structures, staff opines that the requests for a 5% increase in lot coverage and the reduced setbacks for the accessory structure is not overly intensive and will not have a negative impact on the neighboring properties. The 165 sq. ft. utility shed structure is located at the southwest portion of the site. As previously noted, there is an existing 6' high CBS wall located along the interior (west) property line and a 6' high wood fence that runs along the rear (south) property line which in staff's opinion, diminishes any negative visual impact the accessory structure could have on the abutting properties. Staff also is of the opinion that the 5'4" encroachment into the 10' spacing is interior to the site and does not create a negative visual impact to the neighboring properties. Based, on all the aforementioned, staff opines that requests #1-#3 are not overly intensive and would not have a negative visual impact on the surrounding area. However, due to the configuration of the floor plan of the existing residence, staff opines that the single-family residence could be converted into a multi-family structure by future owners. As such, staff recommends as a condition of approval that the applicant submit a Declaration of Use restricting the use on the site to single-family use only. In addition, the applicant is required to obtain a building permit to legalize said family room, laundry room and utility shed.

Accordingly, staff opines that approval of the application would be **compatible** with the surrounding properties and **consistent** with the LUP map of the CDMP and, therefore, recommends approval with conditions of requests #1 through #3 under Section 33-311 (A)(4)(b) (Non-Use Variance).

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 "Miguel Cardelles," as prepared by Miguel E. Jimenez, P.E. Site Plan A-1, dated stamped received 2/1/10 and Sheet "A-2" and "A-3: dated stamped received 3/31/10 and consisting of a total of 3 pages
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submits a Declaration of Use restricting the use of the subject property to a single family residence use only prior to the issuance of a building permit.
5. That the applicant apply for a building permit for the family room and laundry room additions as well as the utility shed from the Building Department within 90 days after final public hearing approval of this application and that the work be completed within 90 days after the issuance of the building permit.

DATE TYPED: 07/13/10
DATE REVISED: 07/16/10; 08/09/10; 08/20/10
DATE FINALIZED: 08/20/10
MCL:GR:NN:TA:CI

for 

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

Memorandum



Date: February 18, 2010
To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez". The signature is written in a cursive, flowing style.

Subject: C-10 #Z2010000007
Miguel Cardelles
8810 S.W. 54 Street
Requesting to Permit an Existing Addition to an Existing Single-Family Residence Setback Less than Required, Requesting to Permit an Existing Single-Family Residence have a Lot Coverage more than Permitted, Requesting an Existing Accessory structure to an Existing Single-Family Residence Setback Less than Required and Requesting that an Existing Accessory Structure be Spaced Less than Required from an Existing Single-Family Residence
(RU-1) (0.177 Acres)
21-54-40

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

Wellfield Protection

The subject property is located within the Basic Day Pumpage Wellfield Protection Area of the Alexander Orr/Snapper Creek/Southwest Wellfield Complex. Development of the subject property shall be in accordance with the regulations established in Section 24-43 of the Code. Since the proposed zoning request is for a residential land use, a hazardous wastes prohibition covenant is not required. However, as previously stated all development shall conform with code requirements.

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.

The subject property does not meet the minimum allowable lot size requirements of Section 24-43.1(3) of the Code for a single-family residence or duplex served with a septic tank and public water. However, since the legal subdivision, creating by plat such tract of land, occurred prior to the effective date of the aforesaid Code Section, the subject property is grandfatherable and may be administratively approved by DERM. DERM does not object to the proposed use served by a septic tank and drainfield disposal system, provided that all the above criteria are met and connection is made to public water.

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.

Tree Preservation

According to the site plan submitted with this zoning application, the proposal to permit an existing addition will not impact existing tree resources. Therefore, DERM has no objection to this zoning application, however please be advised that an aerial review performed by DERM staff revealed that tree resources have been removed from this property without first obtaining the required Miami-Dade County Tree Removal Permit. Consequently, the property owner shall be required to obtain an After-the-Fact Tree Removal Permit. The applicant is advised that enforcement action may be forthcoming as a consequence of the violation. Section 24-49 of the Code requires the preservation of tree resources. Therefore, DERM will require the preservation of all the specimen-sized trees (trunk diameter 18 inches or greater) as defined in the Code, on the site. A Miami Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code

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.

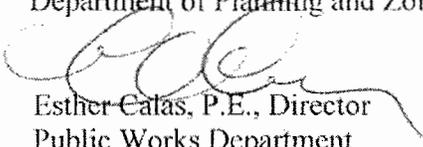
If you have any questions concerning the comments, or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

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: 22-FEB-10
To: Marc LaFerrier, Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2010000007

Fire Prevention Unit:

Not applicable to MDFR site requirements.

Service Impact/Demand

Development for the above Z2010000007
located at 8810 SW 54 ST
in Police Grid 1634 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 5:24 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 13 - East Kendall - 6000 SW 87 Avenue
BLS 75' Ladder, Squad

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

MIGUEL M. CARDELLES

8810 SW 54 ST, miami-dade county,
florida

APPLICANT

ADDRESS

Z2010000007

HEARING NUMBER

HISTORY:

20100133239 ;NOV issued in 01/2010 for WORK W/O PERMITS INCLUDING: GARAGE
CONVERSION, RIGHT SIDE ADDITION, REAR ADDITION, REAR UTILITY SHED, ACCORDION
SHUTTERS, FRONT PORCH STRUCTURAL REPAIR WITH ELECTRICAL WIRING AND ROOF
COVERING REPLACEMENT. Case is ongoing. Property owner has extension and working toward
compliance.

20100133256 ;NOV issued in 10/2009 for expired permit. Case closed after determined not in
violation.

MIGUEL M. CARDELLES

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

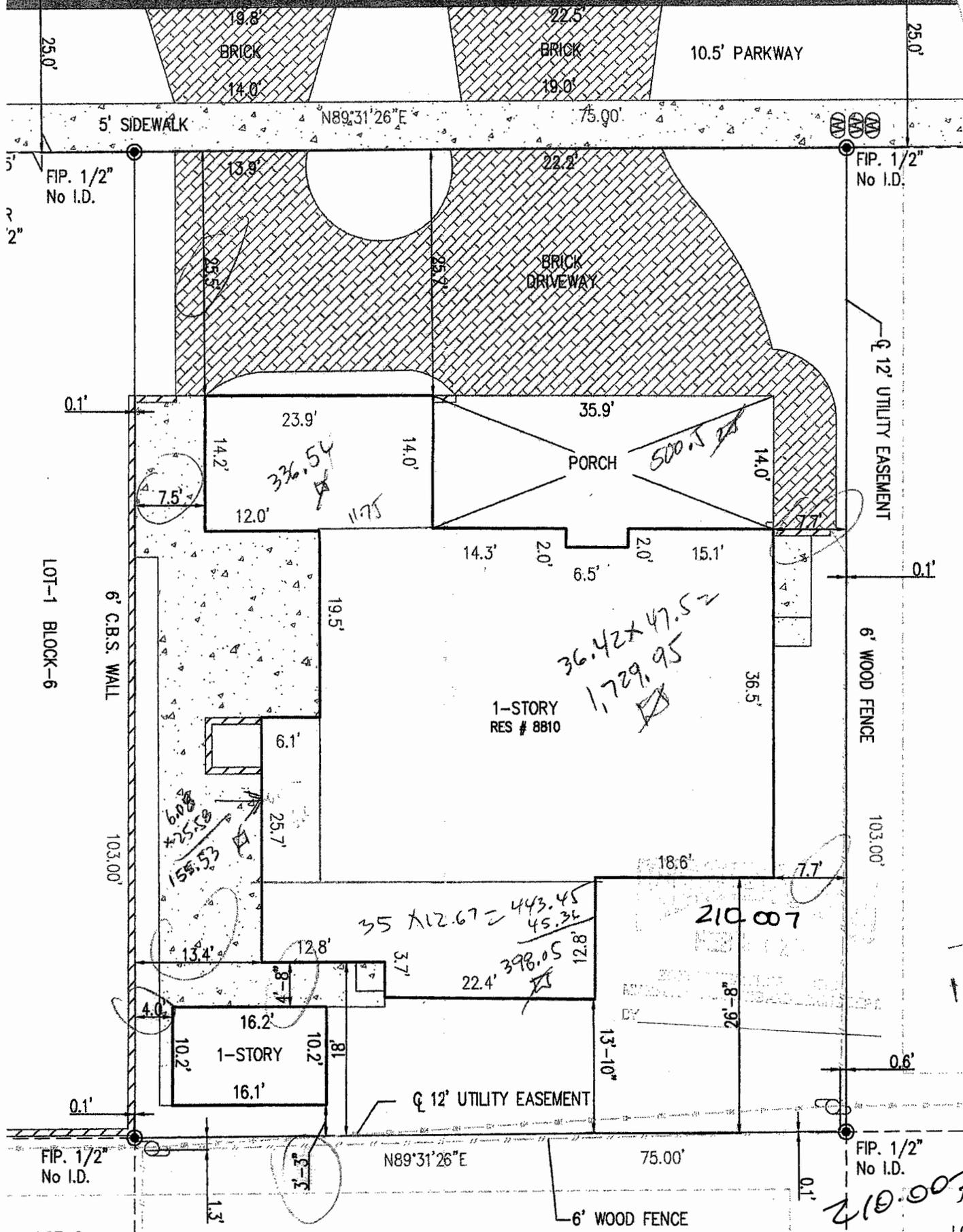
N/A

REPORTER NAME:

N/A

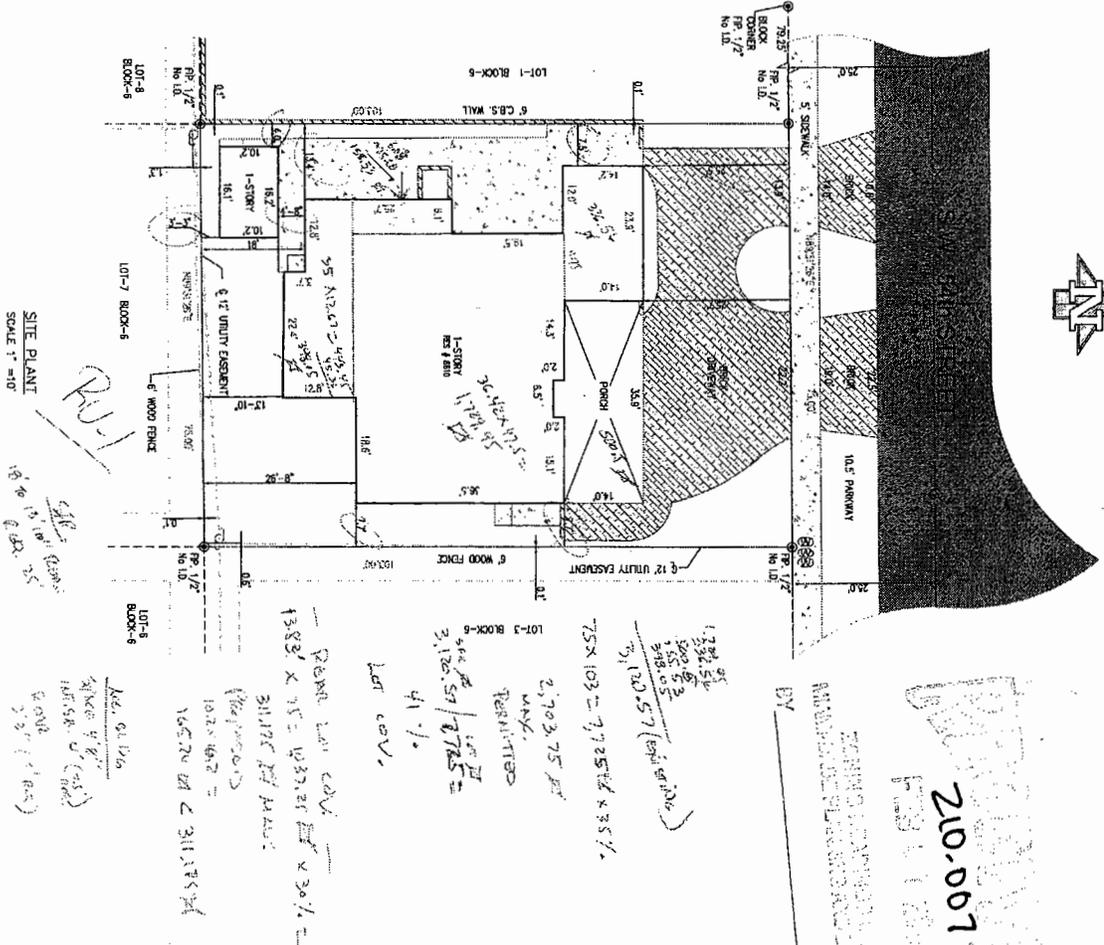
S.W. 54th STREET

20' ASPHALT PAVEMENT
60' TOTAL RIGHT-OF-WAY



ENLARGED SITE PLAN

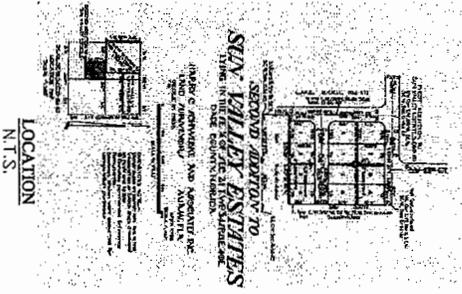
210.007 13
700.012
LO



210-007

BY _____

RECORDING DEPARTMENT



LEGAL DESCRIPTION

LOT 1, BLOCK 6 "SECOND ADDITION TO SIN VALLEY ESTATES" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 67, PAGE 106, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

ZONING LEGEND

RU-1

SINGLE-FAMILY ESENTIAL

ZONING:	NET LOT AREA:	75	X	103	=	7,725	S.F.
MAXIMUM LOT COVERAGE (EVERYTHING UNDER ROOF)	7,725	X	35%	=	2,704	S.F.	
AREA UNDER ROOF					3,082	S.F.	
PROVIDED LOT COVERAGE					40%		

SETBACKS:	REQUIRED	PROVIDED
FRONT	25'	33.5'
SIDE (RIGHT)	7.5'	7.5'
SIDE (LEFT)	7.5'	7.7'
REAR	25'	13.9'

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 ADJUTING 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.

248-007
RECEIVED
FEB 6 2007

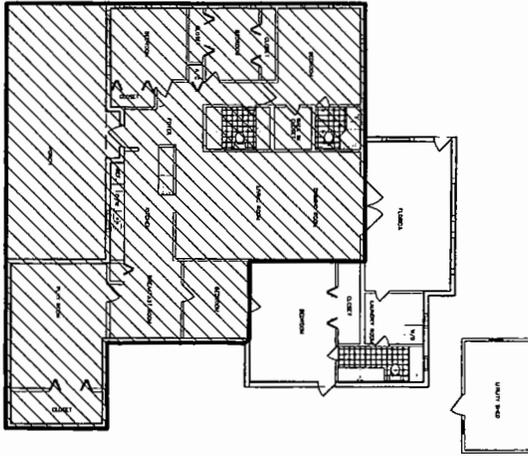
A-1



Miguel E. Jimenez, PE
P.E. # 61718
1040 SW 143 Ct
Miami Florida 33184
786-395-2858

PROJECT: APPLICATION FOR A PUBLIC HEARING
OWNER: MIGUEL CARDELLES
ADDRESS: 8810 SW 54 ST, MIAMI FL. 33165

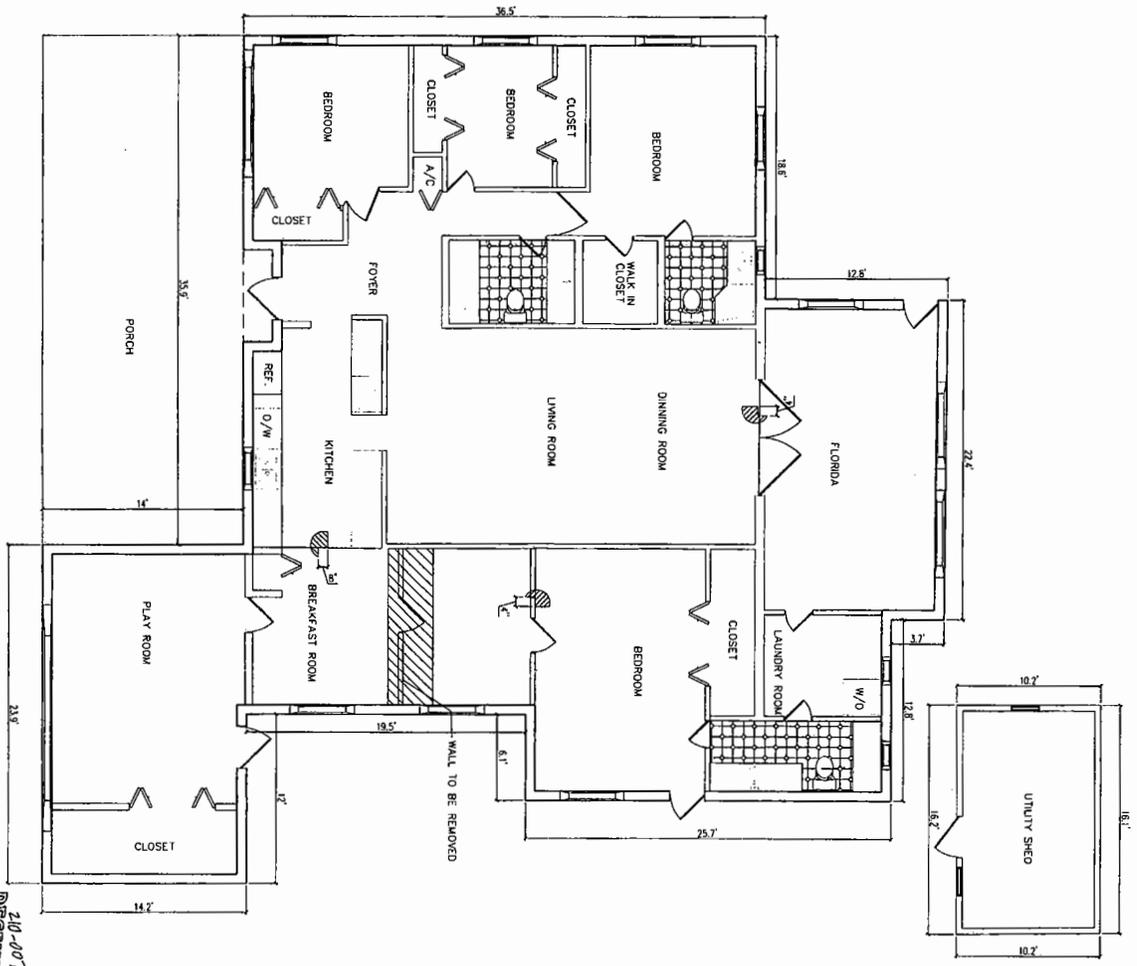
REVISIONS		
NO.	DATE	DESCRIPTION



EXISTING RESIDENCE AND ADDITION
SCALE 1/8" = 1'-0"



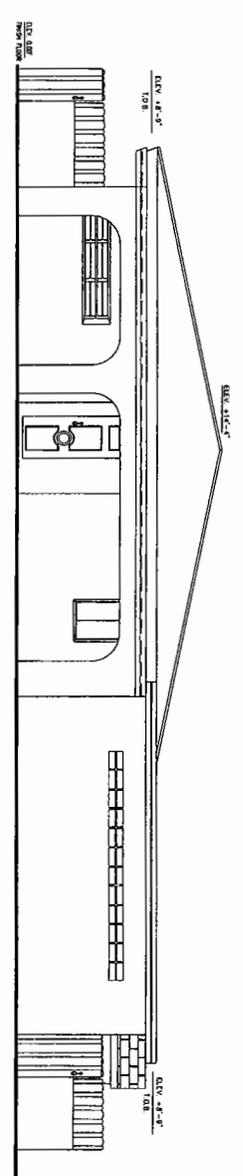
210-007
RECEIVED
MAY 1 2007



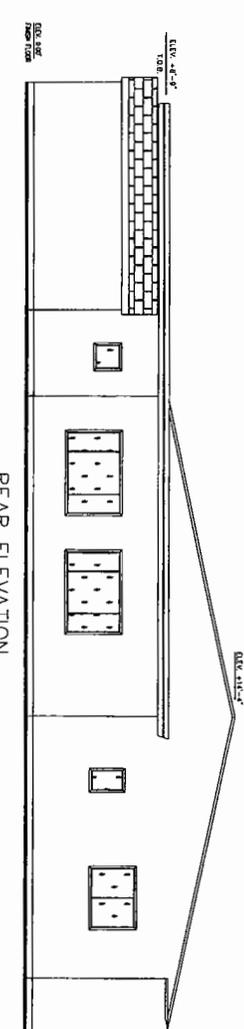
FLOOR PLAN
SCALE 1/4" = 1'-0"

210-007
RECEIVED
MAY 1 2007

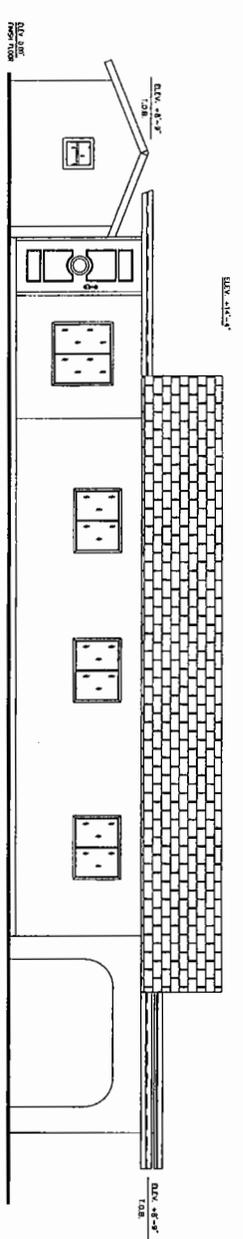
	Miguel E. Jimenez, PE PE # 61718 1040 SW 143 Ct Miami Florida 33184 786-395-2858	PROJECT: APPLICATION FOR A PUBLIC HEARING OWNER: MIGUEL CARDELLES ADDRESS: 8810 SW 54 ST, MIAMI FL. 33165	<table border="1"> <thead> <tr> <th colspan="3">REVISIONS</th> </tr> <tr> <th>No.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	REVISIONS			No.	DATE	DESCRIPTION									
	REVISIONS																	
No.	DATE	DESCRIPTION																
210-007 RECEIVED MAY 1 2007	A-2 FLOOR PLAN	MIGUEL E. JIMENEZ CONSULTING ENGINEER	No. DATE DESCRIPTION															



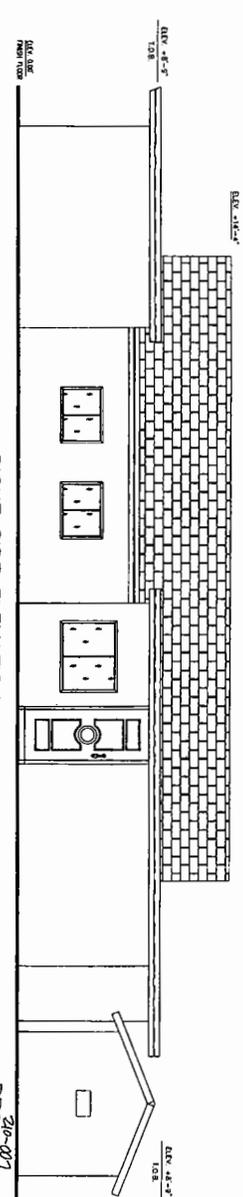
FRONT ELEVATION
SCALE 1/8" = 1'-0"



REAR ELEVATION
SCALE 1/8" = 1'-0"



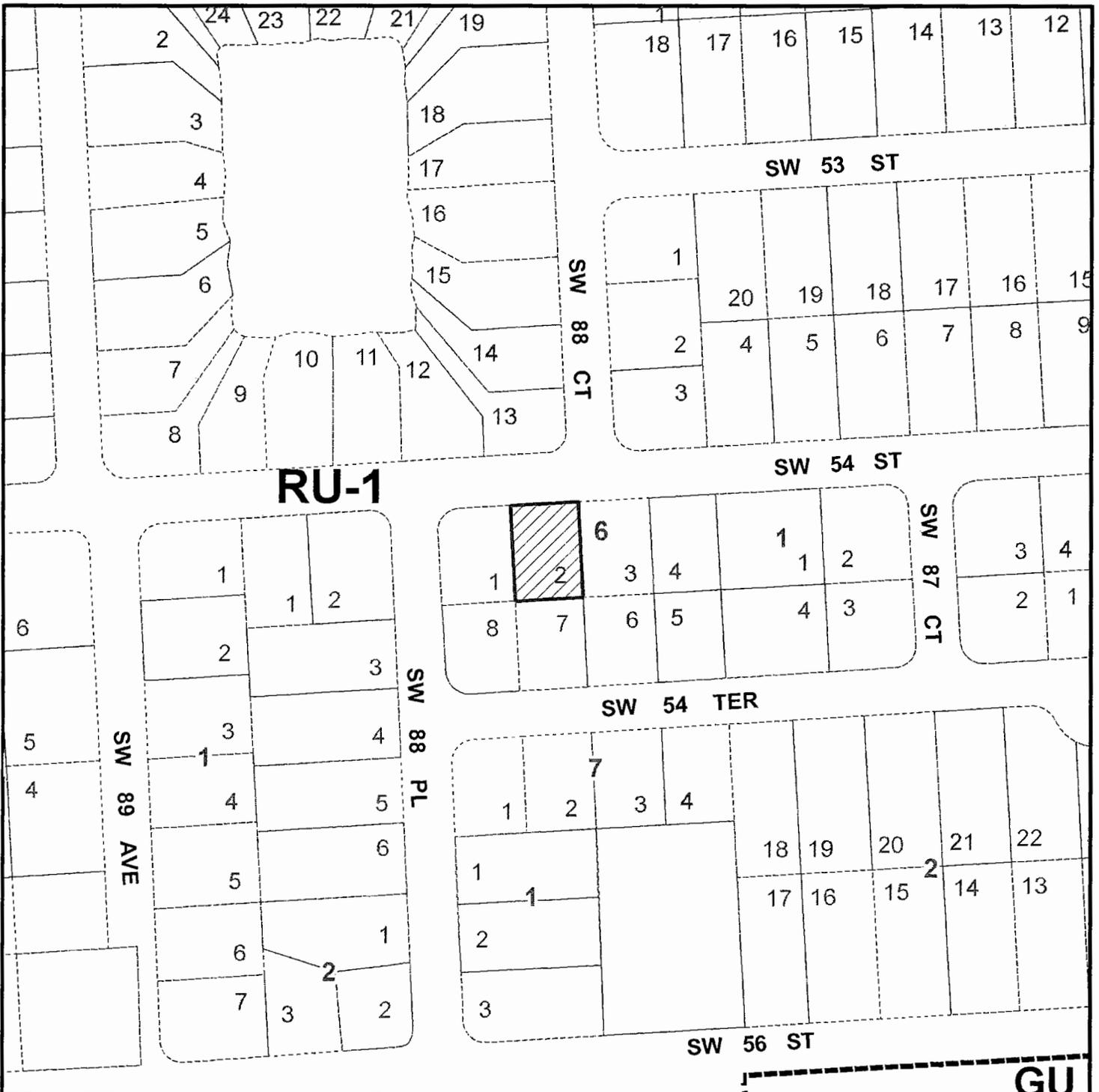
LEFT SIDE ELEVATION
SCALE 1/8" = 1'-0"



RIGHT SIDE ELEVATION
SCALE 1/8" = 1'-0"

210.007

<p>Miguel E. Jimenez, PE PE # 61718 1040 SW 143 Ct Miami Florida 33184 786-395-2858</p>	<p>PROJECT: APPLICATION FOR A PUBLIC HEARING</p> <p>OWNER: MIGUEL CARDELLES</p> <p>ADDRESS: 8810 SW 54 ST, MIAMI FL. 33165</p>	<table border="1"> <thead> <tr> <th colspan="3">REVISIONS</th> </tr> <tr> <th>No.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	REVISIONS			No.	DATE	DESCRIPTION									
	REVISIONS																
No.	DATE	DESCRIPTION															
<p>Scale: 1/8" = 1'-0"</p> <p>DATE: 2/10/07</p> <p>RECEIVED</p>	<p>Sheet: A-3</p> <p>ELEVATIONS</p>																



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2010000007



Legend

 Subject Property Case

Section: 21 Township: 54 Range: 40
 Applicant: MIGUEL M. CARDELLES
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS



SKETCH CREATED ON: Thursday, February 11, 2010

REVISION	DATE	BY
		17



MIAMI-DADE COUNTY
 AERIAL YEAR 2009

Process Number

Z2010000007

Section: 21 Township: 54 Range: 40
 Applicant: MIGUEL M. CARDELLES
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property



MIAMI-DADE
COUNTY

SKETCH CREATED ON: Thursday, February 11, 2010

REVISION	DATE	BY

3. COSETTE SANCHEZ
(Applicant)

10-9-CZ10-3 (10-009)
Area 10/District 06
Hearing Date: 09/15/10

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

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1946	J.J. Lamb, F.E. Mackie, Jr., ET AL	- Zone change from RU-2 & BU-1 to RU-1.	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: Cosette Sanchez

PH: Z10-9 (10-9-CZ10-3)

SECTION: 14-54-40

DATE: September 15, 2010

COMMISSION DISTRICT: 6

ITEM NO.: 3

=====

A. INTRODUCTION:

o **REQUESTS:**

- (1) Applicant is requesting to permit an existing addition to a single-family residence setback 15.8' (25' required) from the rear (north) property line.
- (2) Applicant is requesting to permit an existing addition to the single-family residence setback varying from 24.69' to 24.7' (25' required) from the front (south) property line
- (3) Applicant is requesting to permit the existing single-family residence setback varying from 14.89' to 14.97' (15' required) from the side street (west) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Existing Residence," as prepared by Rodriguez Professional Design Corp., Sheet "A-1" dated stamped received 2/17/10 and Sheet "A-0" dated stamped received 6/7/10 for a total of 2 sheets. Plans may be modified at public hearing.

o **SUMMARY OF REQUESTS:**

The applicant is seeking approval to permit an existing den and bathroom addition setback less than the required distance from the rear property line, to permit an existing library addition setback less than the required distance from the front property line, and to allow a single-family residence setback less than the required distance from the side street property line.

o **LOCATION:**

3025 S.W. 76 Avenue, Miami-Dade County, Florida.

o **SIZE:** 50' x 100'

B. ZONING HEARINGS HISTORY: None that is specific to the subject site.

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-1; Single-family residence

Low Density Residential, 2.5 to 6 du

SURROUNDING PROPERTY:

NORTH: RU-1; Single-family residence

Low Density Residential, 2.5 to 6 du

SOUTH: RU-1; Single-family residence

Low Density Residential, 2.5 to 6 du

EAST: RU-1; Single-family residence

Low Density Residential, 2.5 to 6 du

WEST: RU-1; Single-family residence

Low Density Residential, 2.5 to 6 du

This property is a corner lot located at 3025 S.W. 76 Avenue. 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

*Subject to conditions.

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

H. ANALYSIS:

The subject property is an 5,000 sq. ft. corner platted lot located at 3025 SW 76 Avenue in an established RU-1, Single Family 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 requests will not add additional dwelling units to the community, the RU-1 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 **7:10** minutes.

When requests #1, #2, and #3 are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard, staff is of the opinion that the approval of these 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 existing den, bathroom and library additions provide additional living space for the residents. Further, as shown on the submitted elevations, the existing den, bathroom and library additions have been architecturally designed to match the scale and character of the existing residence. Additionally, staff notes that the approval of these requests would be compatible with the surrounding area as evidenced by similar approvals in the area. Specifically, staff notes that property located at 7555 SW 30 Street was

granted approval of requests to permit an addition to a single-family residence setback 12.5' from the rear property line and to permit a porch/carport addition to the residence setback 23' from the front property line, pursuant to Administrative Variance No. V1989000037. Moreover, staff notes that property located at 7530 SW 31 Street was granted approval of requests to permit an addition setback 20' from the front property line pursuant to Administrative Variance No. V2004000031. Staff acknowledges that the existing 0.11' and 0.03 encroachments into the side street (west) setback area and the 0.3' and 0.31' encroachments into the front (south) setback area are minor and are probably due to an inadvertent construction error when the residence was originally built. Furthermore, staff's review of aerial photographs reveals existing mature trees located along the front and rear property lines which staff opines will mitigate any negative visual impacts the existing additions may have on the surrounding area. Notwithstanding the foregoing, staff's review of the submitted floor plans indicate an external door on one side of the laundry room and interior connectivity from the laundry room to a bedroom and bathroom. Staff opines that said connectivity provided by the exterior door in the laundry room could be converted by a future owner to a second unit for a total of 2 dwelling units on this RU-1 zoned single-family lot. As such, staff recommends as conditions for the approval of this application, that the applicant submit a Declaration of Use limiting the site to single-family use and that the exterior door along the eastern elevation be removed and the passageway connecting the laundry room and bedroom be sealed and that the only access to the laundry room be from the bathroom as illustrated on the submitted plan. Furthermore, the applicant is required to obtain a building permit for the den and bathroom addition from the Building Department.

Accordingly, staff opines that approval of the application would be **compatible** with the surrounding properties and **consistent** with the LUP map of the CDMP and, therefore, recommends approval with conditions of requests #1 through #3 under Section 33-311 (A)(4)(b) (Non-Use Variance).

I. RECOMMENDATION:

Approval with conditions.

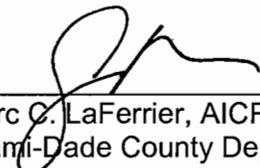
J. CONDITIONS:

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 "Existing Residence," as prepared by Rodriguez Professional Design Corp., Sheet "A-1" dated stamped received 2/17/10 and Sheet "A-0" dated stamped received 6/7/10 for a total of 2 sheets, except as herein modified to show the removal of the exterior door on the eastern elevation which provides outside access to the laundry room and the removal of the interior door from the bedroom to the laundry room. 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 a Declaration of Use agreement, in recordable form, limiting the property to single-family use be submitted to and meet with the approval of the Director of the Department of Planning and Zoning prior to permit issuance.
5. That in order to maintain internal connectivity and preclude a future multi-family use within the residence, the exterior door located on the eastern elevation and the interior door between the bedroom and the laundry room be removed and that the passageways between the existing laundry room and bathroom remain open (as shown on plans).
6. That the existing shed located on the northeast corner of the site be removed or that permits be obtained to relocate the shed to conform with zoning setback requirements within 90 days of the expiration of the appeal period for this Zoning Hearing, unless a time extension is granted by the Director of the Department of Planning and Zoning, and prior to further permit issuance for the existing additions; should same be relocated, then the applicant must obtain a building permit for the same from the Building Department prior to its relocation.
7. That the applicant apply for a building permit for the den and bathroom addition from the Building Department within 90 days after final public hearing approval of this application and that the work be completed within 90 days after the issuance of the building permit.

DATE TYPED: 07/08/10
DATE REVISED: 07/28/10; 08/06/10; 08/20/10
DATE FINALIZED: 08/20/10
MCL:GR:NN:JV:NC

For 

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

NDN
GR

Memorandum

Date: March 2, 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 #Z2010000009
Cosette Sanchez
3025 S.W 76 Avenue
Request to Permit Less Setback than Required
(RU-1) (.115 Acres)
14-54-40

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

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

Concurrency Review Summary

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable 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.

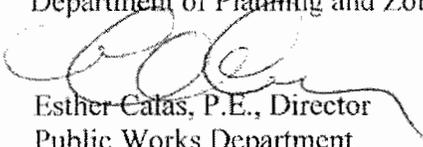
If you have any questions concerning the comments, or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

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: 25-FEB-10
To: Marc LaFerrier, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z201000009

Fire Prevention Unit:

Not applicable to MDRF site requirements.

Service Impact/Demand

Development for the above Z201000009
located at 3025 S.W. 76 AVENUE
in Police Grid 1487 is proposed as the following:

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

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

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 3 - Tropical Park - 3911 SW 82 Avenue
Rescue, ALS Engine

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

COSETTE SANCHEZ

3025 SW 76 AVENUE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z201000009

HEARING NUMBER

HISTORY:

Open cases:

NEIGHBORHOOD COMPLIANCE
None

BUILDING

20090132413 NOV issued in 9/2009 for Working Without Permit ¿ Terrace enclosure, utility shed, shutters, exterior door, metal fence, washer, a/c compressors. Case ongoing.

Previous Cases:

NEIGHBORHOOD COMPLIANCE

CMS#200003004031 ¿ NOV issued in 5/2000 for Commercial Vehicle. Case closed as complied.

CMS#200518000619 ¿ Complaint in 8/2005 for Multi Family Use. Case closed as Not in Violation.

CMS#200903008367 ¿ Complaint in 9/2009 for Addition without a permit. Case closed and referred to Building Division.

CMS#201003000155 ¿ Complaint in 1/2010 for Work without a permit. Permit on file and Building Division has open case.

BUILDING

None

NA

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

NA

REPORTER NAME:

NA

S.W. 76th AVENUE

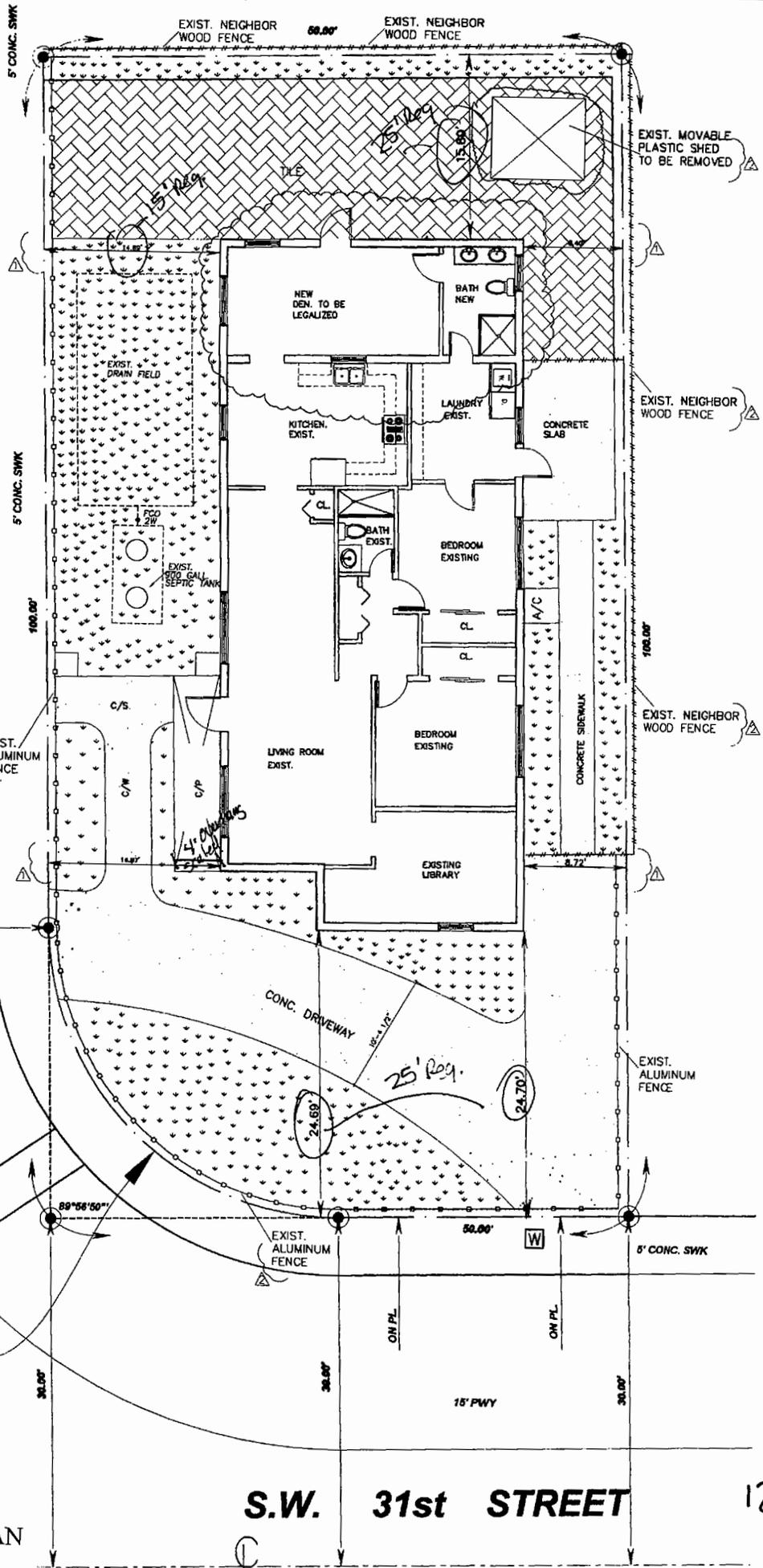
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JUN 07 2010

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY *[Signature]*

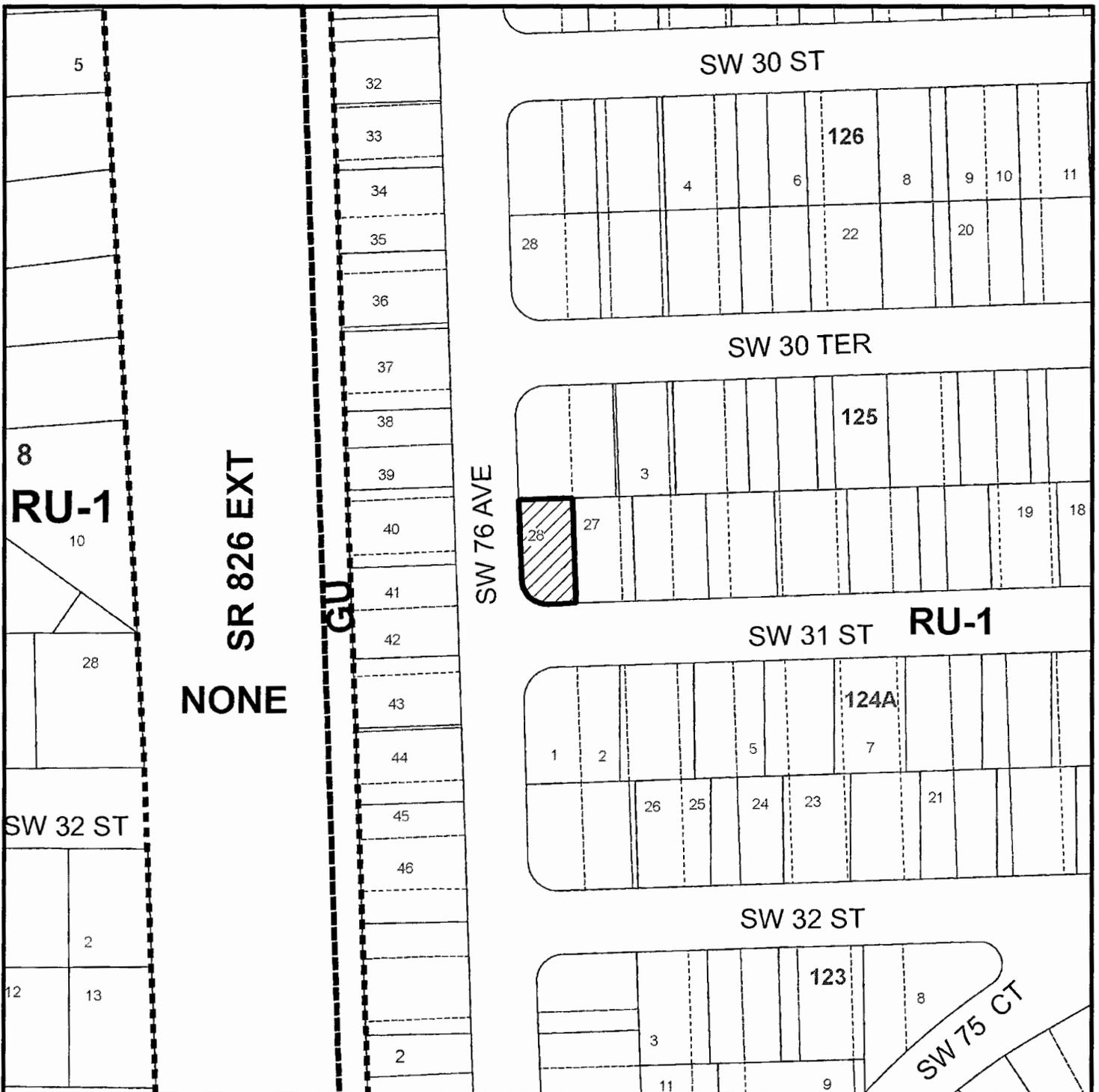
R=25.00'
L=39.29'
Tan=25.02'
Δ=90°03'10"
CHB=S48°20'24"E
CH=35.37'

ENLARGED SITE PLAN



S.W. 31st STREET

12



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2010000009

Section: 14 Township: 54 Range: 40
 Applicant: COSETTE SANCHEZ
 Zoning Board: C10
 Commission District: 6
 Drafter ID: KEELING STENNETT
 Scale: NTS

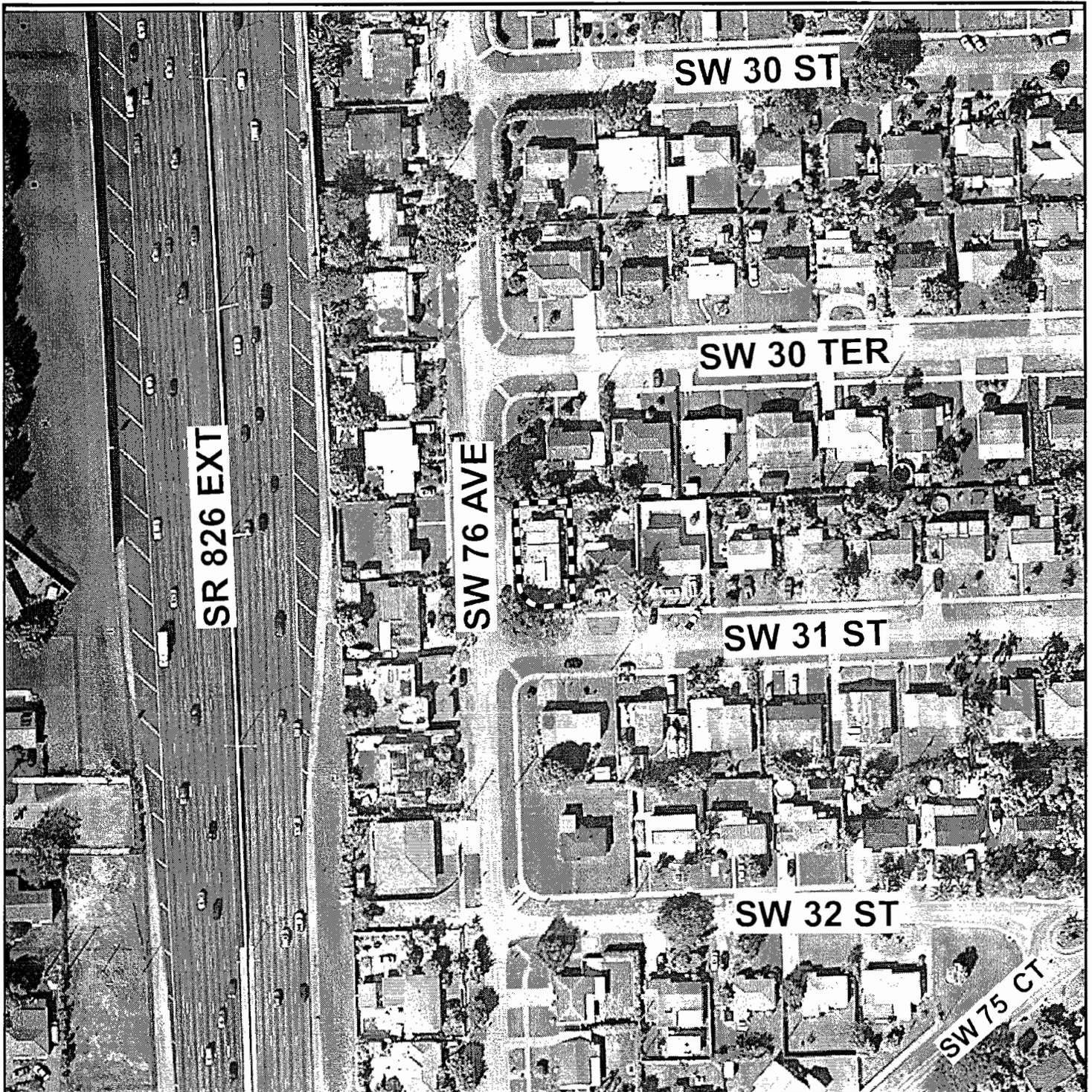
Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Monday, February 22, 2010

REVISION	DATE	BY
		15



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number

Z201000009

Legend



 Subject Property

Section: 14 Township: 54 Range: 40
 Applicant: COSETTE SANCHEZ
 Zoning Board: C10
 Commission District: 6
 Drafter ID: KEELING STENNETT
 Scale: NTS



SKETCH CREATED ON: Monday, February 22, 2010

REVISION	DATE	BY

4. FERNANDO RODRIGUEZ
(Applicant)

10-9-CZ10-4 (10-056)
Area 10/District 10
Hearing Date: 09/15/10

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

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
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 DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 10**

APPLICANT: Fernando Rodriguez

PH: Z10-056 (10-9-CZ10-4)

SECTION: 15-54-40

DATE: September 15, 2009

COMMISSION DISTRICT: 10

ITEM NO.: 4

A. INTRODUCTION:

o **REQUEST:**

Applicant is requesting to permit an existing addition to a single-family residence setback varying from 15.02' to 15.4' (25' required) from the rear (south) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Legalization for Fernando Rodriguez," as prepared by Ruben Pujol, Architect, dated stamped received 6/21/10 for a total of 2 sheets. Plans may be modified at public hearing.

o **SUMMARY OF REQUEST:**

The applicant seeks to permit the continued use of an existing single-family residence setback less than the required distance from the rear (south) property line.

o **LOCATION:** 8250 SW 32 Street, Miami-Dade County, Florida

o **SIZE:** 77' x 100'

o **ZONING HEARINGS HISTORY:** None .

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

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

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

SUBJECT PROPERTY:

RU-1; Single-family residence

Low Density Residential, 2.5 to 6 du

SURROUNDING PROPERTY:

<u>NORTH:</u> RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua
<u>SOUTH:</u> RU-1; Single-family residences	Low Density Residential, 2.5 to 6 dua
<u>EAST:</u> RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua
<u>WEST:</u> RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua

E. SITE AND BUILDINGS:

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

*Subject to conditions

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(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 objection
MDT	No comment
Fire Rescue	No objection
Police	No comment
Schools	No comment

H. **ANALYSIS:**

The subject property is an interior lot located at 8250 SW 32 Street in an area zoned RU-1, Single-Family Residential District, and developed with single-family residences. The subject property is designated as **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP), which allows 2.5 to 6 dwelling units per acre. Since the request will not add additional dwelling units to the subject property, the RU-1 zoned density of the subject site remains **consistent** with the density threshold of the LUP map of the CDMP.

The Department of Environmental Resources Management (**DERM**) and the Public Works Department (**PWD**) have **no objections** to this application. The Miami-Dade Fire Rescue Department (**MDFRD**) has **no objections** to this application and their memorandum indicates that the estimated average travel response time to this site is **4:07** minutes.

When the application is analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that approval subject to conditions of this request would be **compatible** with the surrounding area and would not negatively affect the appearance of the community. Approval of this request will allow the maintenance and continued use of the existing master bedroom and covered terrace addition to the residence which encroach into the rear (south) setback area. Staff notes that the applicant obtained a building permit in 1991 for a family room addition to the front of the existing residence. The submitted plans and the survey at that time depicted a portion of the residence which is now shown on the floor plan as a master bedroom and bathroom addition, setback 15.3' from the rear (south) property line. However, the covered terrace addition which is setback 15.4' from the rear (south) property line was constructed since then without the required permits. Therefore, the applicant is required to obtain the necessary permits for the covered terrace addition. Staff also notes that the survey and pictures submitted by the applicant depict an existing 6' high CBS and wood fence which runs along the rear (south) property line. As such, staff opines that the 9.96' to 9.98' encroachment into the rear setback area is adequately buffered by said 6' high CBS wall and wood fence and that the aforementioned encroachment is visually unobtrusive to the surrounding properties and, therefore, does not result in an obvious departure from the aesthetic character of the surrounding area.

Staff further notes that similar requests were approved through zoning hearings within the immediate vicinity of the subject property. For example, in 1996, a property located at 8331 SW 33 Terrace was approved for a request to permit an existing residence setback 10.7' from the rear (north) property line, pursuant to Resolution #5-ZAB-142-96. Additionally, a property located to the east of the subject property at 3200 SW 80 Avenue was approved pursuant to Resolution #CZAB10-66-05. However, staff opines that due to the configuration of the floor plans of the existing master bedroom addition, inclusive of two full bathrooms, and an entrance door along the east elevation, future owners could easily convert the addition into a second residential unit. Therefore, staff recommends as a condition for the approval of the application that the applicant submits a Declaration of Use agreement which restricts the use of the property to single-family use only, that the exterior entrance door depicted on the east elevation of the submitted plans be removed or replaced by a fire approved egress window, and that the covered terrace addition remains open-sided. Additionally, staff recommends that the door way between the master bedroom and bedroom #2 as depicted on the plans be sealed. As such, staff opines that the approval of this application subject to conditions under Section 33-311(A)(4)(b), NUV Standards would not have a negative visual impact on the surrounding community.

Based on all of the aforementioned, staff opines that, subject to the recommended conditions, the approval of the application is **compatible** with the surrounding properties and **consistent** with the LUP map of the CDMP. Staff therefore recommends approval with conditions of the application 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 among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing to the Department of Planning and Zoning entitled "Legalization for Fernando Rodriguez," as prepared by Ruben Pujol, Architect, dated stamped received 6/21/10 for a total of 2 sheets, except as amended herein to show the removal of the entrance door from the east elevation or that said opening be replaced with a fire approved egress window and the closure of the doorway between the master bedroom and bedroom #2. 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 remains open-sided and not enclosed in any manner except for approved insect screen materials.
5. That the applicant maintains the existing 6' high CBS wall and wood fence along the rear (south) property line.
6. That the applicant submits a Declaration of Use Agreement in recordable form which is acceptable to the Director that restricts this property to a single-family use only.
7. That the applicant apply for a building permit for the covered terrace addition from the Building Department within 90 days after final public hearing approval of this application and that the work be completed within 90 days after the issuance of the building permit.

DATE TYPED: 07/16/10
DATE REVISED: 07/16/10, 07/27/10, 08/04/10, 08/20/10
DATE FINALIZED: 08/20/10
MCL:GR:NN:NC:CH

For 

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

NAN
GR

Memorandum



Date: June 7, 2010
To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

Subject: C-10 #Z2010000056
Fernando Rodriguez
8250 S.W. 32nd Street
To Permit a Single-Family Residence Setback Less than Required from
Property Lines
(RU-1) (0.18 Acres)
15-54-40

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

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

Concurrency Review Summary

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable 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.

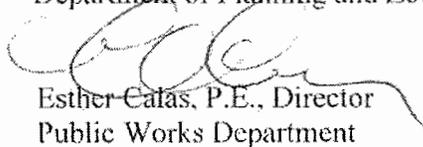
If you have any questions concerning the comments, or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

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: 09-JUN-10
To: Marc LaFerrier, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2010000056

Fire Prevention Unit:

Not applicable to MDFR site requirements.

Service Impact/Demand

Development for the above Z2010000056
located at 8250 S.W. 32 STREET, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1527 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 4:07 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 3 - Tropical Park - 3911 SW 82 Avenue
Rescue, ALS Engine

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

FERNANDO RODRIGUEZ

8250 SW 32 STREET, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2010000056

HEARING NUMBER

HISTORY:

Open Cases:

NEIGHBORHOOD COMPLIANCE

None

BUILDING

None

Previous Cases:

NEIGHBORHOOD COMPLIANCE

CMS#200303006768 ¿Complaint in 7/2003 for Abandoned Vehicle in right-of-way. Case closed as not in violation.

CMS#200303008309 ¿Complaint in 9/2003 for Overgrown Property. Case closed as not in violation.

CMS# 200703004789 ¿CVN issued in 5/2007 for Sign in the right-of-way. CVN paid. Case closed as complied.

CMS# 200703004954 ¿CVN issued in 5/2007 for Sign in the right-of-way. CVN paid. Case closed as complied.

CMS#200703004955 ¿CVN issued in 5/2007 for Sign in the right-of-way. CVN paid. Case closed as complied.

CMS#200703005671 ¿CVN issued in 6/2007 for Sign in the right-of-way. CVN paid. Case closed as complied.

CMS#200703005672 ¿CVN issued in 6/2007 for Sign in the right-of-way. CVN paid. Case closed as complied.

CMS#200903007409 ¿CVN issued in 8/2009 for Unauthorized Use- marijuana grow house. CVN paid. Case closed as complied.

CMS# 200903007410 ¿NOV issued in 8/2009 for Derelict Vehicles with expired or no tags. Case closed as complied.

CMS# 200903007411 ¿NOV issued in 8/2009 for Auto Repairs. Case closed as complied.

BUILDING

2006070306 -Natural Disaster Case Opened Using Damage Assessment Log for Working Without Permit. Case closed.

20090131793 ¿NOV issued in 8/2009 for Working Without Permit. Case closed. Case opened in error.

20090131850 ¿ CVNs issued for Working Without Permit ¿building, plumbing, mechanical, and electrical. Permits obtained. CVNs paid. Case closed as complied.

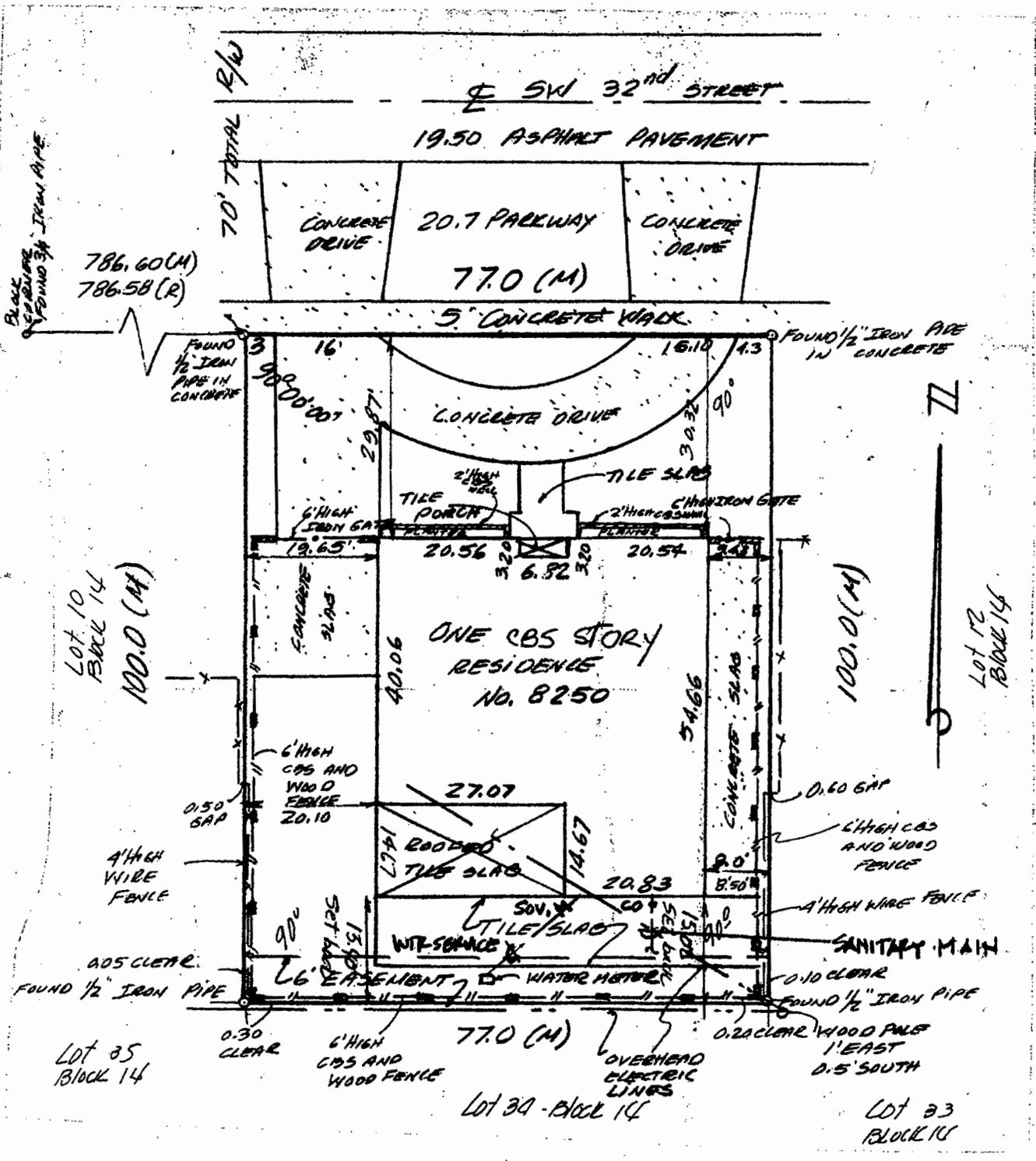
N/A

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

N/A

REPORTER NAME:

N/A



SITE PLAN 1"=20'

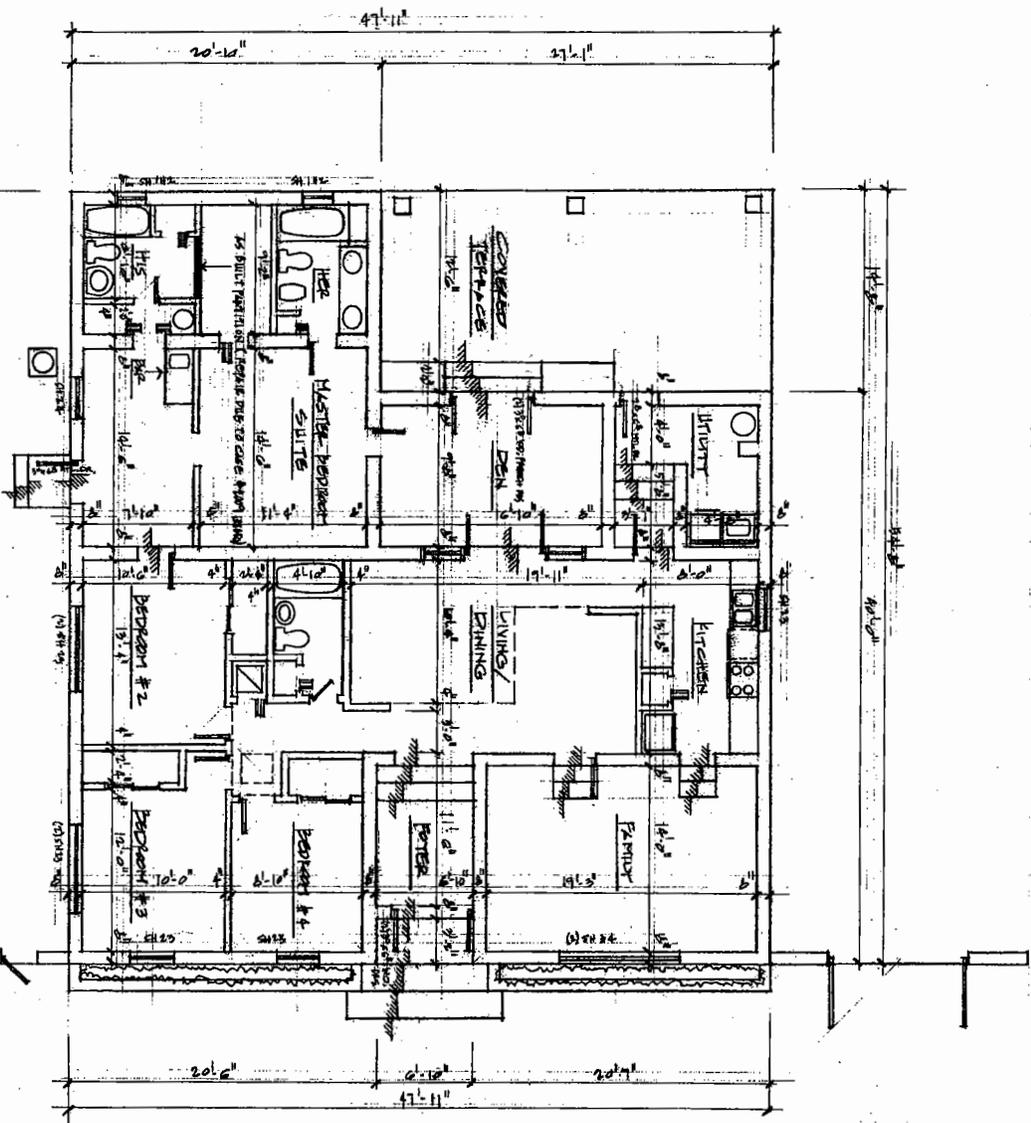
ENLARGED SITE PLAN

210-056
 JUN 2 1966

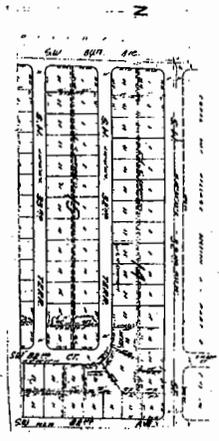
ENGINEERING DEPARTMENT



EXISTING FLOOR PLAN 1/4"

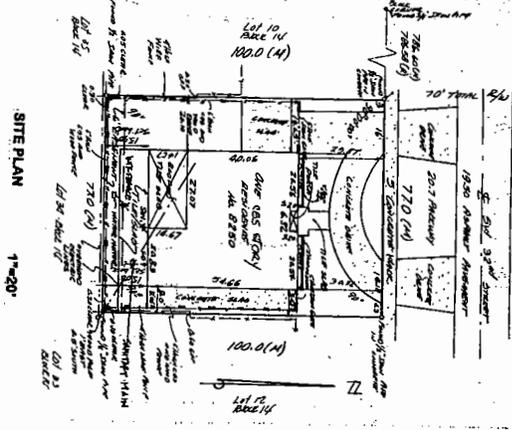


210-0516



LOCATION MAP
SCALE = 1/4"

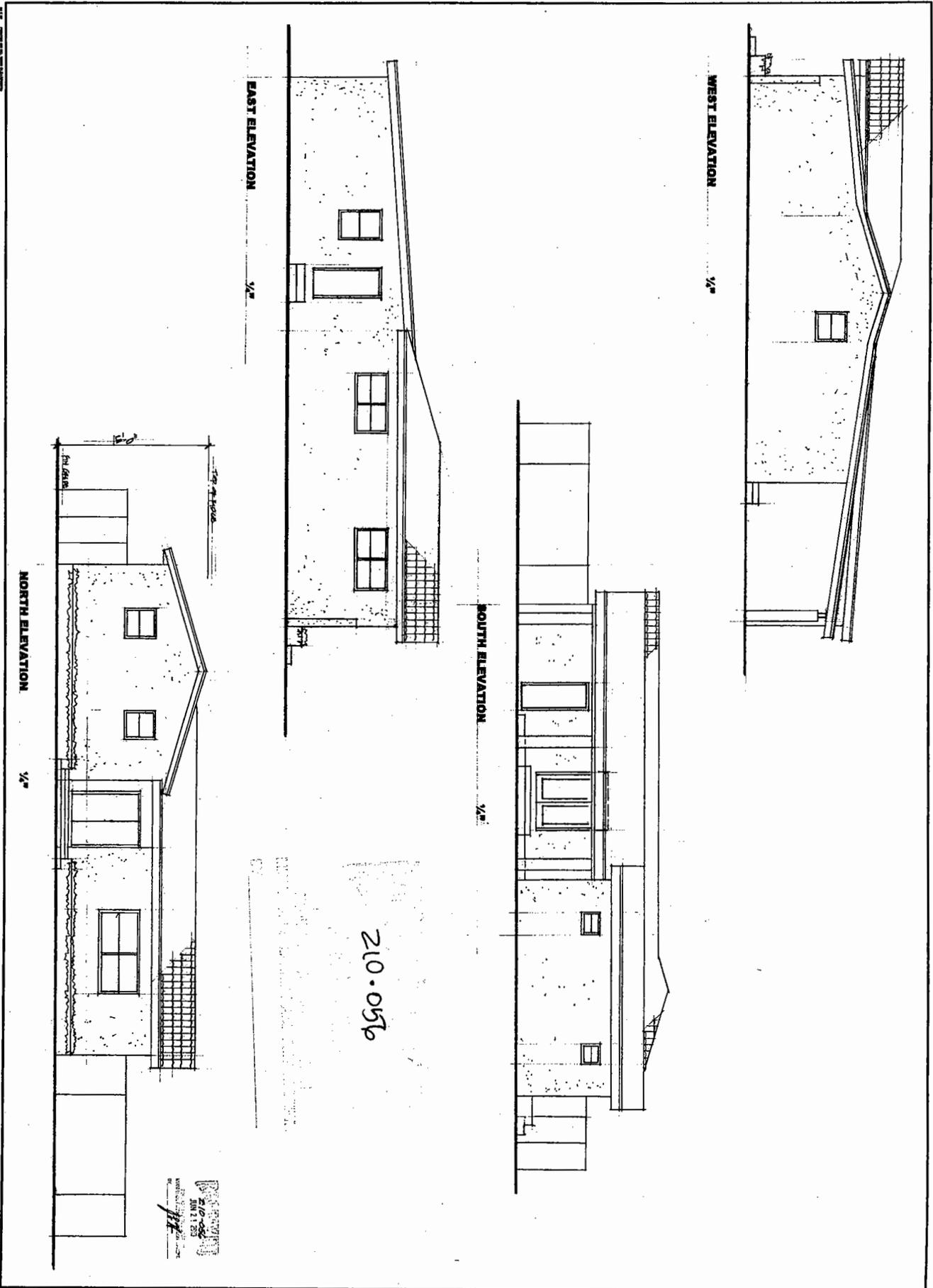
LEGAL DESCRIPTION
Lot 11, Block 18, Subdivision 10, Dade County, Florida



SITE PLAN
1/4"

LEGALIZATION FOR FERNANDO RODRIGUEZ 8250 S.W. 32 STREET, MIAMI, FLORIDA PHONE: (786) 663-9517	RUBEN J. PUJOL ARCHITECT A.I.A. AN# 000466 N.A.C.A. PHONE: (305) 764-2188 12237 S.W. 304 TERRACE MIAMI, FLORIDA 33177	REVIEWED DATE
		DRAWN DATE
SCALE SHEET NO.	TOTAL SHEETS	DATE

12

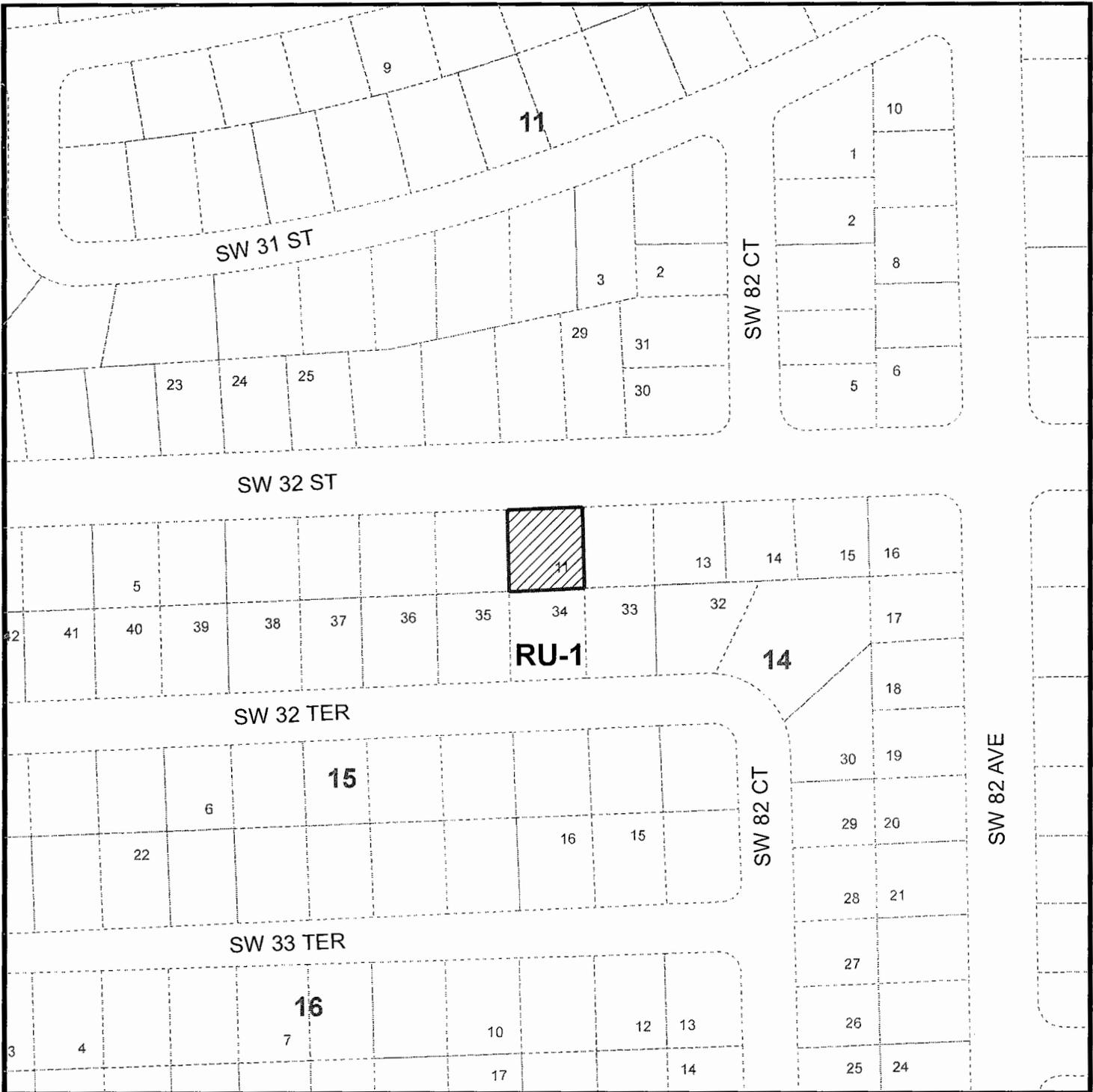


Title Block
 Date: 11/11/06
 Scale: 1/4" = 1'-0"
 Drawing No: A-1
 Project No: 210-056

LEGALIZATION FOR
FERNANDO RODRIGUEZ
 8250 S.W. 32 STREET, MIAMI, FLORIDA
 PHONE: (786) 663-9517

RUBEN J. PUJOL
 ARCHITECT
 A.I.A. AR # 0010488 N.A.C.A.
 PHONE: (305) 948-2169
 12237 S.W. 204 TERRACE
 MIAMI, FLORIDA 33177

NO.	DESCRIPTION



**MIAMI-DADE COUNTY
HEARING MAP**

Process Number
Z2010000056

Legend

-  Zoning
-  Subject Property Case



Section: 15 Township: 54 Range: 40
 Applicant: FERNANDO RODRIGUEZ
 Zoning Board: C10
 Commission District: 10
 Drafter ID: ALFREDO FERNANDEZ-CUETO
 Scale: NTS



SKETCH CREATED ON: Monday, May 24, 2010

REVISION	DATE	BY
		14



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number
Z201000056

Legend

 Subject Property



Section: 15 Township: 54 Range: 40
 Applicant: FERNANDO RODRIGUEZ
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SKETCH CREATED ON: Monday, May 24, 2010

REVISION	DATE	BY