

# KITS

10-25-2010 Version # 2



COMMUNITY ZONING APPEALS BOARD 10

RUBEN DARIO MIDDLE SCHOOL

350 NW 97 Avenue, Miami

Tuesday, November 30, 2010 at 6:30 p.m.

## CURRENT

- |    |              |  |               |          |   |
|----|--------------|--|---------------|----------|---|
| 1. | 10-11-CZ10-1 | <u>ANTHONY B. WILSON</u>                                       | <u>08-111</u> | 13-54-40 | N |
| 2. | 10-11-CZ10-2 | <u>GUSTAVO DUANYS, ET AL</u>                                   | <u>10-33</u>  | 15-54-40 | N |
| 3. | 10-11-CZ10-3 | <u>WESTCHESTER SPANISH CHRISTIAN<br/>CHURCH INC. &amp; FPL</u> | <u>10-43</u>  | 20-54-40 | N |



# Official Zoning Agenda

## COMMUNITY ZONING APPEALS BOARD

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COMMUNITY ZONING APPEALS BOARD - AREA 10

MEETING OF TUESDAY, NOVEMBER 30, 2010

RUBEN DARIO MIDDLE SCHOOL

350 NW 97 AVENUE, MIAMI, FLORIDA

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

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

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

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

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

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

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

SWEARING IN OF WITNESSES

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LOCATION: 7820 S.W. 28 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 75' x 100'

Department of Planning and  
Zoning Recommendation:

Approval with conditions.

Protests: \_\_\_\_\_ 0 \_\_\_\_\_

Waivers: \_\_\_\_\_ 0 \_\_\_\_\_

APPROVED: \_\_\_\_\_

DENIED WITH PREJUDICE: \_\_\_\_\_

DENIED WITHOUT PREJUDICE: \_\_\_\_\_

DEFERRED: \_\_\_\_\_

**3. WESTCHESTER SPANISH CHRISTIAN CHURCH & FPL (10-11-CZ10-3/10-043)**

**20-54-40  
Area 10/District 10**

(1) SPECIAL EXCEPTION to permit the expansion of a religious facility, private school and day nursery onto additional property to the west.

(2) MODIFICATION of Conditions #2, #8, #10, #12 and #13 of Resolution 4-ZAB-365-84, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'C.B.S. 2 Story Church – School Bldg. For Riviera Baptist Church,' as prepared by George A. Dotzler, Designer, dated 6-4-84 on pages 1, 3, and 4, and dated 6-8-84 on page 2."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Proposed Church for: The Rock Church,' as prepared by Villa & Associates, Inc., consisting of 13 sheets dated stamped received 06/21/10."

FROM: "8. That the use be approved and restricted to a maximum of 153 students."

TO: "8. That the day nursery, kindergarten and private school be approved and restricted to a maximum of 350 students."

FROM: "10. That the hours of operation shall be between 7:00 a.m. and 6:00 p.m."

TO: "10. That the hours of operation for the day nursery, kindergarten and private school shall be between 7:00 a.m. and 6:00 p.m."

FROM: "12. That the number of grades shall be from kindergarten to 12<sup>th</sup>."

TO: "12. That the number of grades in the private school shall range from day nursery and kindergarten to 8<sup>th</sup>."

FROM: "13. That the proposed school will not have sport facilities on a competitive basis and there will not be night lights."

TO: "13. That the proposed school shall not have sport facilities on a competitive basis and there shall be not night lights, except that outdoor lighting of the off-street parking areas, walkways and buildings shall be permitted in accordance with the applicable regulations."

(3) MODIFICATION of Conditions #5 and #7 of Resolution 2-ZAB-40-63, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "5. That the use be approved for and be restricted to a maximum of eighty (80) children."

TO: "5. That the use be approved for and be restricted to a maximum of three-hundred and fifty (350) children."

FROM: "7. That the hours of operation shall be between 8:30 a.m. and 11:30 a.m."

TO: "7. That the hours of operation for the kindergarten use shall be between 7:00 a.m. and 6:00 p.m."

- (4) DELETION of Condition #6 of Resolution 2-ZAB-40-63, passed and adopted by the Zoning Appeals Board, reading as follows:

"6. That the use be restricted to children in the age group of four (4) to five (5) year olds."

- (5) DELETION of Conditions #1 and #5 of Resolution 3-ZAB-330-66, passed and adopted by the Zoning Appeals Board, reading as follows:

"1. That the age group approved include children two and three years old."

"5. That the variance is to become effective after the landscaping has been put in."

- (6) DELETION of Conditions #3, #5 and #15, of Resolution 4-ZAB-365-84, passed and adopted by the Zoning Appeals Board, reading as follows:

"3. That the day nursery and private school, grades K-12, be temporary, not to exceed a period of five years from date of hearing."

"5. That the 39 trees, as required by the zoning code, be placed on the site within 90 days, and that each tree be a minimum of 8' at the time of planting."

"15. That one six sq. ft. sign be permitted in connection with the use; said sign be of a type and location to be approved by the Zoning Director."

The purpose of Requests #2 - #6 is to allow the applicant to submit a revised site plan showing a proposed religious facility and a two-story school building for an existing previously approved religious facility, day nursery, kindergarten and private school site and to increase the number of children allowed while reducing the number of grade levels.

- (7) Applicants are requesting to permit a proposed religious facility setback a minimum of 9'9" (25' required) from the side street (east property line, setback a minimum of 20' (50' required) from the rear (north) property line and spaced less than 75' required from a residence under different ownership to the north and east.
- (8) Applicants are requesting to permit the proposed 2-story school building setback a minimum of 7'9" (25' required) from the side street (east) property line and spaced less than 75' from a residence under different ownership to the east.
- (9) Applicants are requesting to permit an existing 2-story school building setback 14'6" (25' required) from the side street (east) property line.
- (10) Applicants are requesting to permit parking and drives within 25' of the right-of-way (not permitted).
- (11) Applicants are requesting to permit 6,380 sq. ft. of outdoor recreational space (111,015 sq. ft. required).
- (12) Applicants are requesting to permit parking on natural terrain (hard surface required).
- (13) Applicants are requesting to permit 8 dissimilar land use buffer trees (9 trees required) and waive the 6' high wall or fence along portions of the rear (north) property line.

(14) Applicant is requesting to permit 64 lot trees (119 trees required), 34 street trees (43 trees required) and 900 shrubs (1,620 shrubs required).

(15) Applicants are requesting to permit an existing detached 140 sq. ft. sign, (24 sq. ft. maximum permitted) and setback 10' (15' required) from the side street (west) property line.

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

LOCATION: 10601 S.W. 48 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 4.26 Acres

Department of Planning and Zoning Recommendation:

Denial without prejudice.

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](http://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.

**1. ANTHONY B. WILSON**  
**(Applicant)**

**10-11-CZ10-1 (08-111)**  
**Area 10/District 06**  
**Hearing Date: 11/30/10**

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:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
1946	J.J. Lamb	- Increase cubic content.	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:** Anthony B. Wilson

**PH:** Z08-111 (10-11-CZ10-1)

**SECTION:** 13-54-40

**DATE:** November 30, 2010

**COMMISSION DISTRICT:** 6

**ITEM NO.:** 1

**A. INTRODUCTION:**

o **REQUESTS:**

- (1) Applicant is requesting to permit an existing garage setback 7.2' (25' required) from the rear (north) property line.
- (2) Applicant is requesting to permit the existing single-family residence setback a minimum of 14.6' (15' required) from the side street (west) property line.
- (3) Applicant is requesting to permit a canvas carport setback a minimum of 3.85' from the side street (west) property line and setback a minimum of 3.2' from the rear (north) property line (5' required for both).
- (4) Applicant is requesting to permit a jacuzzi setback 7.94' (10' required) from the interior side (east) property line and setback a minimum of 49.7' (75' required) from the front (south) property line.
- (5) Applicant is requesting to permit a raised wood deck setback 3.3' (6.25' required) from the interior side (east) property line.
- (6) Applicant is requesting to permit a lattice fence with a maximum height of 12.4' (6' maximum permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Existing Conditions," as prepared by N25 Architect Co., consisting of 4 sheets dated stamped received 1/13/10. Plans may be modified at public hearing.

- o **SUMMARY OF REQUESTS:** The applicant seeks to permit the existing single-family residence and additions setback less than required from the rear (north), interior side (east) and side-street (west) property lines. Additionally, the applicant seeks to permit an accessory structure and a Jacuzzi that encroaches into the aforementioned side-street and rear setback areas and to permit said Jacuzzi setback less than required from the front (south) property line. The applicant also seeks to permit a lattice fence with a height exceeding the maximum permitted by the RU-1, Single-Family Residential District zoning regulations.
- o **LOCATION:** 5913 SW 26 Street, Miami-Dade County, Florida.
- o **SIZE:** 62.5' x 100'

**B. ZONING HEARINGS HISTORY:** None.

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

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

**D. NEIGHBORHOOD CHARACTERISTICS:**

ZONING

LAND USE PLAN DESIGNATION

**Subject Property:**

RU-1; single-family residence

Low Density Residential, 2.5 to 6 du

**Surrounding Properties:**

**NORTH:** RU-1; single-family residence

Low Density Residential, 2.5 to 6 du

**SOUTH:** RU-1; single-family residences

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

**E. SITE AND BUILDINGS:**

**Site Plan Review:**

(Site plan submitted.)

Scale/Utilization of Site:

**Acceptable\***

Location of Buildings:

**Acceptable\***

Compatibility:

**Acceptable\***

Landscape Treatment:

**N/A**

Open Space:

**Acceptable\***

Buffering:

**Unacceptable**

Access:

**Acceptable**

Parking Layout/Circulation:

**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	<b>No objection</b>
Public Works	<b>No objection</b>
Parks	<b>No objection</b>
MDT	<b>No comment</b>
Fire Rescue	<b>No objection</b>
Police	<b>No objection</b>
Schools	<b>No comment</b>

**H. ANALYSIS:**

The subject property is located at 5913 SW 26 Street, in an area characterized by single-family residences and is designated for **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). This category allows a range in density from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre. Since the applicant's letter of intent does not indicate any intent to use the existing single-family residence and additions for more than the allowable single-family dwelling, then the RU-1, Single-Family Residential District, zoned parcel 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** also has **no objections** to the application. The **Miami-Dade Fire Rescue Department (MDFRD)** also has **no objections** to this application and indicates in their memorandum that the estimated average response travel time is **6:24** minutes.

When requests #1 and #3 are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard, staff is of the opinion that approval of these requests would not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations, would affect the stability and appearance of the community and would be **incompatible** with same. Staff notes that the approval of request #1 to allow the existing garage, depicted in the submitted plans as a storage room, setback 7.2' from the rear (north) property line would not be precedent setting in this area. For example, a property located one (1) block to the southwest of the subject property on SW 27 Street, was approved, pursuant to Resolution #CZAB10-9-99, in 1999, to allow the single-family residence setback 3.15' from the rear (south) property line. However, staff's research of the permit records of the subject property indicates that the subject property was approved for an addition to the then garage, now depicted in the submitted floor plans as the storage room, in 1948. Said addition connected the garage to the existing residence by means of a covered porch, which was not enclosed and therefore was not considered a part of the principal building. Staff's research of the permit records for the subject

property did not indicate any evidence that the covered porch attaching the garage to the residence was legally enclosed and the applicant has not provided staff with evidence to the contrary. Therefore, staff opines that the garage is now a part of the existing residence and therefore must meet the rear setback requirements for a principal building in the RU-1 zoning district, which is 25'. As such, in staff's opinion, approval of this 17.8' encroachment of the principal building on this RU-1 zoned property combined with the applicant's request for the approval of the canvas carport encroaching into the side-street (west) and rear (north) setback areas (request #3), along with the three (3) other variances requested in this application, would set a negative precedent for overly intensive development of RU-1 zoned properties in this area. Therefore, staff recommends denial without prejudice of requests #1 and #3, under the NUV standards.

However, staff opines that when request #2, #4 and #5, are similarly analyzed under Section 33-311(A)(4)(b), NUV, approval of these requests would be **compatible** with the surrounding area and would not affect the stability and appearance of the community. When request #2 is analyzed under the NUV standards, staff notes that there were properties in the surrounding area that were approved for variances of the side-street setback requirements that were similar to or more intensive than what is being requested herein. For example, a property located at 2755 SW 58 Avenue, two (2) blocks to the southeast of the subject property was approved to permit a porch addition setback 11.5' from the side-street (west) property line, where 15' is required, pursuant to Resolution #CZAB-10-10-06, in 2006. The applicant in this case is requesting a variance to permit the residence setback 14.6' from the side-street (west) property line, which is less intensive and in staff's opinion is likely due to construction error. Additionally, staff opines that approval of requests #4 and #5 would not affect the stability and appearance of the surrounding area and would be compatible with same. Staff notes that the Jacuzzi and the raised wood deck, that are the subject of requests #4 and #5 respectively, are located within the interior side setback area of the residence, which is enclosed by a privacy fence, the subject of request #6, and some shrubbery along the interior side (east) property line, based on pictures submitted by the applicant. However, since the raised wood deck and Jacuzzi could be used by the resident and guests as an outdoor recreational area, staff recommends as a condition of approval, that the applicant install an opaque fence or a continuous hedge along the interior side (east) property line to mitigate any negative visual or aural impact on the abutting residential property to the east. Based on the aforementioned, staff recommends approval of request #2, and approval with conditions of requests #4 and #5 under the NUV standards.

When request #6, to permit the lattice fence with a maximum height of 12.4' (6' permitted) is similarly analyzed under the NUV standards, staff opines that approval would be contrary to the intent of the RU-1 zoning regulations and would set a negative precedence for similar approvals in this area. However, staff opines that a modified approval to allow the fence at height of 8' would not be precedent setting and would be **compatible** with the surrounding area. For example, staff notes that a property located at 2755 SW 58 Avenue, two (2) blocks to the southeast of the subject property, was approved in 2006, pursuant to Resolution #CZAB10-10-06, to permit a residence with an 8' 10" (6' high permitted) high arched entry wall door. Further, staff opines that the reduced fence height would still provide the applicant with adequate privacy for the use of the Jacuzzi and terrace area along the interior side (east) of the residence, would maintain the curb appeal that the lattice fence provides to the residence and would

continue to provide a visual buffer for the encroachment of the Jacuzzi into the front setback area. As such, staff recommends approval with conditions of request #6 under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard.

Based on the aforementioned, staff opines that the existing single-family residence is **consistent** with the Low-Density designation of the LUP map of the CDMP and that approval with conditions of requests #2, #4 and #5 along with a modified approval of request #6, would be **compatible** with the surrounding predominant residential developments. However, staff opines that approval of requests #1 and #3 would be detrimental to the community and therefore **incompatible** with same. Staff therefore, recommends approval with conditions of requests #2, #4 and #5, and modified approval of request #6, under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard and denial without prejudice of requests #1 and #3 under same. Notwithstanding the above, this application has to be deferred due to an inadvertent error in the advertisement.

I. **RECOMMENDATION:**

Deferral.

J. **CONDITIONS:** (For requests #2, #4, #5 and #6 only.)

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Existing Conditions," as prepared by N25 Architect Co., consisting of 4 sheets dated stamped received 1/13/10, except as herein modified to show the lowering of the lattice fence height to 8', removal of the canvas carport and restoring the terrace connecting the garage to the house to the 1948 permit condition.
3. That the use be established and maintained in accordance with the approved plan.
4. That buffering be provided along the interior side (east) property line, either in the form of a 6' high wood fence or hedge, not less than 3' high at the time of planting, which shall grow to and be maintained at a height of 6'. Said buffering shall be installed prior to final zoning inspection for the existing raised deck and jacuzzi.
5. That the applicant apply for a building permit for the addition from the Building Department within 90 days after final public hearing approval of this application.

**DATE TYPED:** 09/29/10  
**DATE REVISED:** 09/30/10, 10/25/10, 11/10/10  
**DATE FINALIZED:** 11/10/10  
MCL:GR:NN:NC:CH

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

Memorandum 

**Date:** July 7, 2008  
**To:** Marc C. LaFerrier, AICP, Director  
Department of Planning and Zoning

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

**Subject:** C-10 #Z2008000111  
Anthony Wilson  
5913 S.W. 26<sup>th</sup> Street  
Request to Permit an Addition that Exceeds Setback Requirements and a  
Greater Fence Height than Allowed  
(RU-1) (0.14 Acres)  
13-54-40

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

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

Concurrency Review Summary

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

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

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

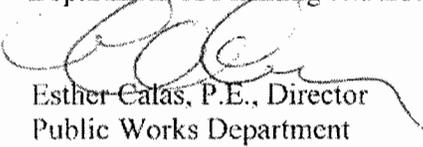
If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

# Memorandum



**Date:** November 26, 2008

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

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

**Subject:** Zoning Hearing Improvements

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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:** 23-FEB-10  
**To:** Marc LaFerrier, Director  
 Department of Planning and Zoning  
**From:** Herminio Lorenzo, Fire Chief  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2008000111

**Fire Prevention Unit:**

Not applicable to MDRF site requirements.

**Service Impact/Demand**

Development for the above Z2008000111 located at 5913 S.W. 26 ST, MIAMI-DADE COUNTY, FLORIDA. in Police Grid 1491 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: 6:24 minutes

**Existing services**

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

**Planned Service Expansions:**

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

**Fire Planning Additional Comments**

Not applicable to service impact analysis.

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

SW 60 AVENUE

16' PAVEMENT

22' PARKWAY

S. Street  
W. St

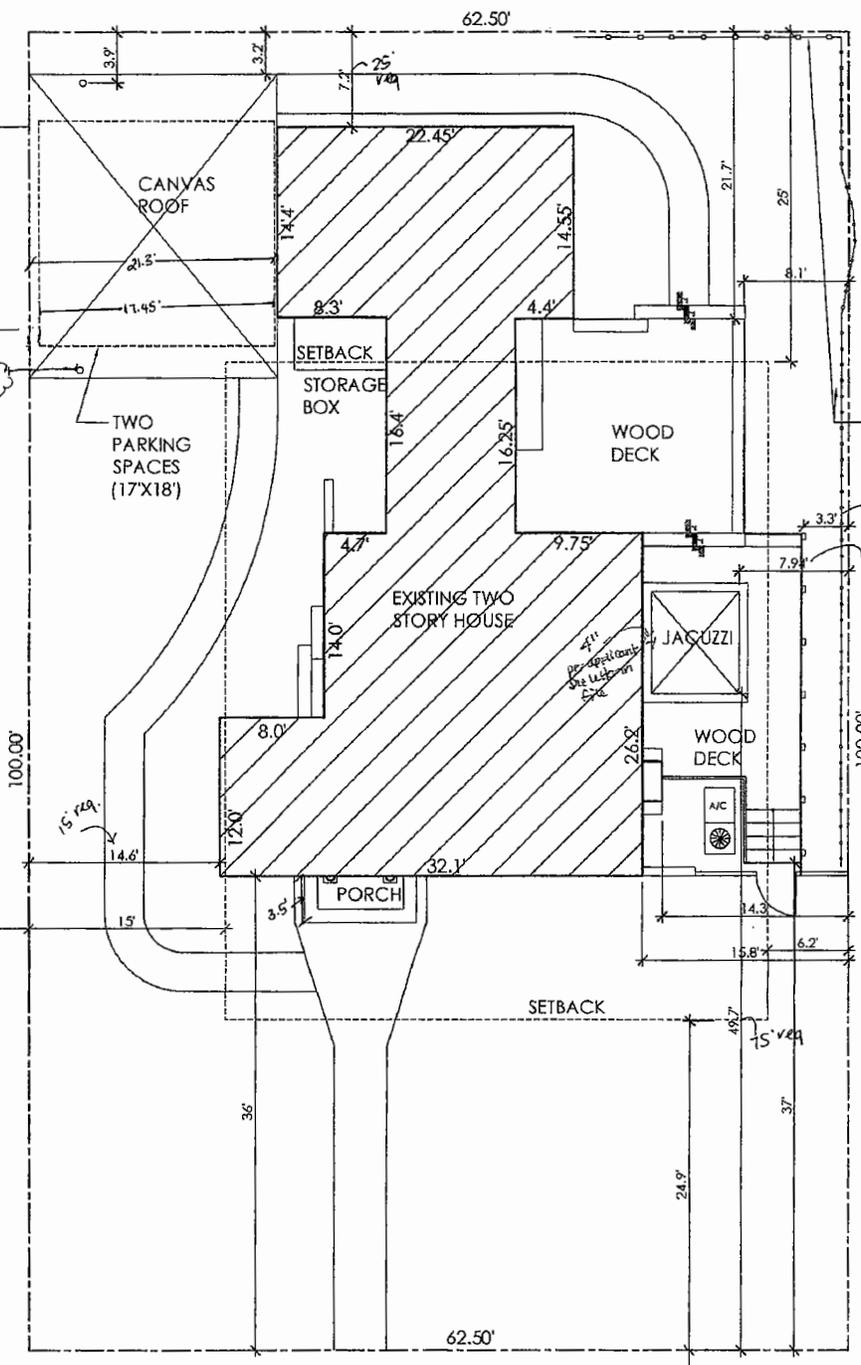
RECEIVED  
208-111  
JAN 13 2010

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

27' PARKWAY

20' PAVEMENT

SW 26 STREET



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





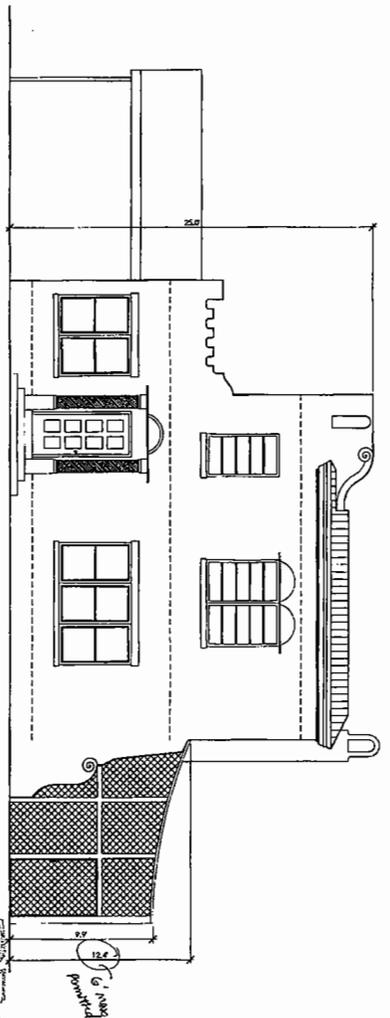
Existing conditions  
 dt:  
 5913 SW 26 Street  
 Miami, FL 33131

**M25**  
 ARCHITECTURE  
 4783 SW 72 Ave  
 Miami, Florida 33155  
 Tel: 305.444.5151  
 Fax: 305.444.5151  
 License A 0002240

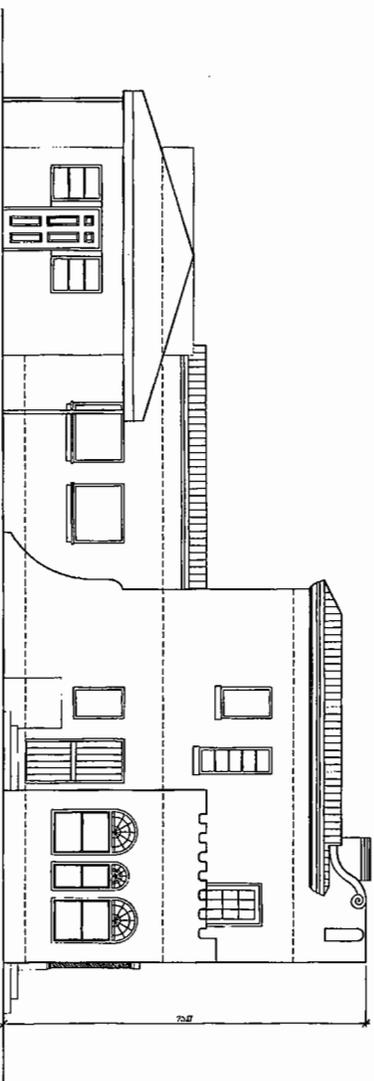
**RECEIVED**  
 ZONING-11  
 JAN 13 2009

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

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



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



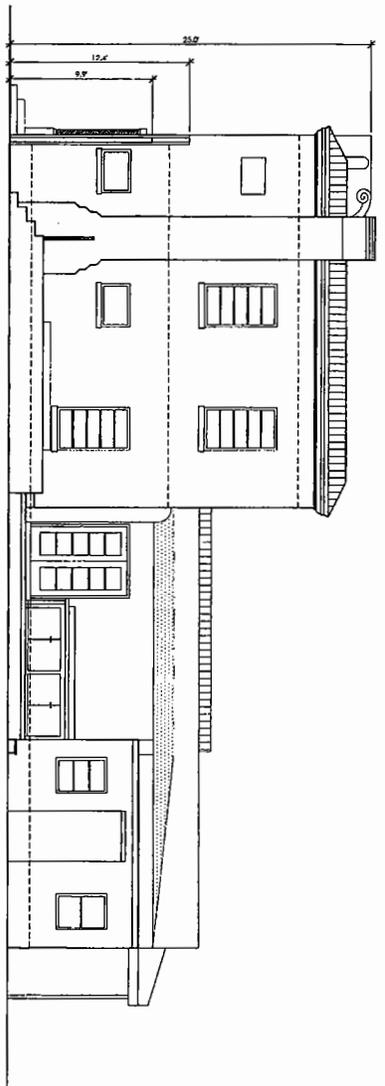
**RECEIVED**  
 JAN 13 2009  
 MIAMI-DADE PLANNING AND ZONING DEPT.

Prepared by:                           Checked by:                       
 Drawn by:                           Date:                       
 Project No.                     

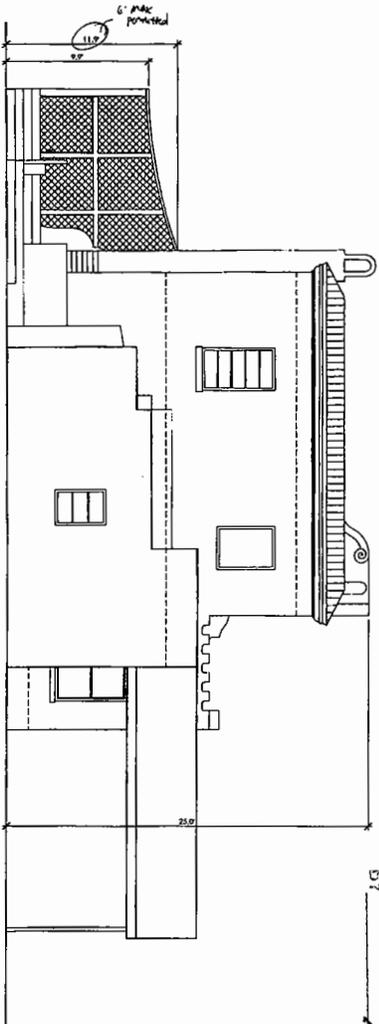
Drawing No.:  
**A3.00**

Issue Date:      Project No.  
 Feb. 04, 2008  
 000 715 2009

ELEVATIONS  
 Sheet Title:  
 The drawings and/or specifications herein are prepared by the Architectural Firm and are not to be construed as a contract. The drawings and/or specifications shall be read in conjunction with the contract documents and shall be subject to the terms and conditions of the contract documents. The Architectural Firm shall not be responsible for any errors or omissions in the drawings and/or specifications. The Architectural Firm shall not be responsible for any changes or modifications to the drawings and/or specifications. The Architectural Firm shall not be responsible for any delays or interruptions in the drawings and/or specifications. The Architectural Firm shall not be responsible for any damages or losses resulting from the drawings and/or specifications. The Architectural Firm shall not be responsible for any claims or lawsuits filed against the Architectural Firm. The Architectural Firm shall not be responsible for any claims or lawsuits filed against the Architectural Firm. The Architectural Firm shall not be responsible for any claims or lawsuits filed against the Architectural Firm.



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



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

**RECEIVED**  
2008-11-19  
JAN 13 2009

ZONING HEARING SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY *[Signature]*

**RECEIVED**  
JAN 27 2009  
MID-LEVEL PLANNING AND ZONING DEPT.

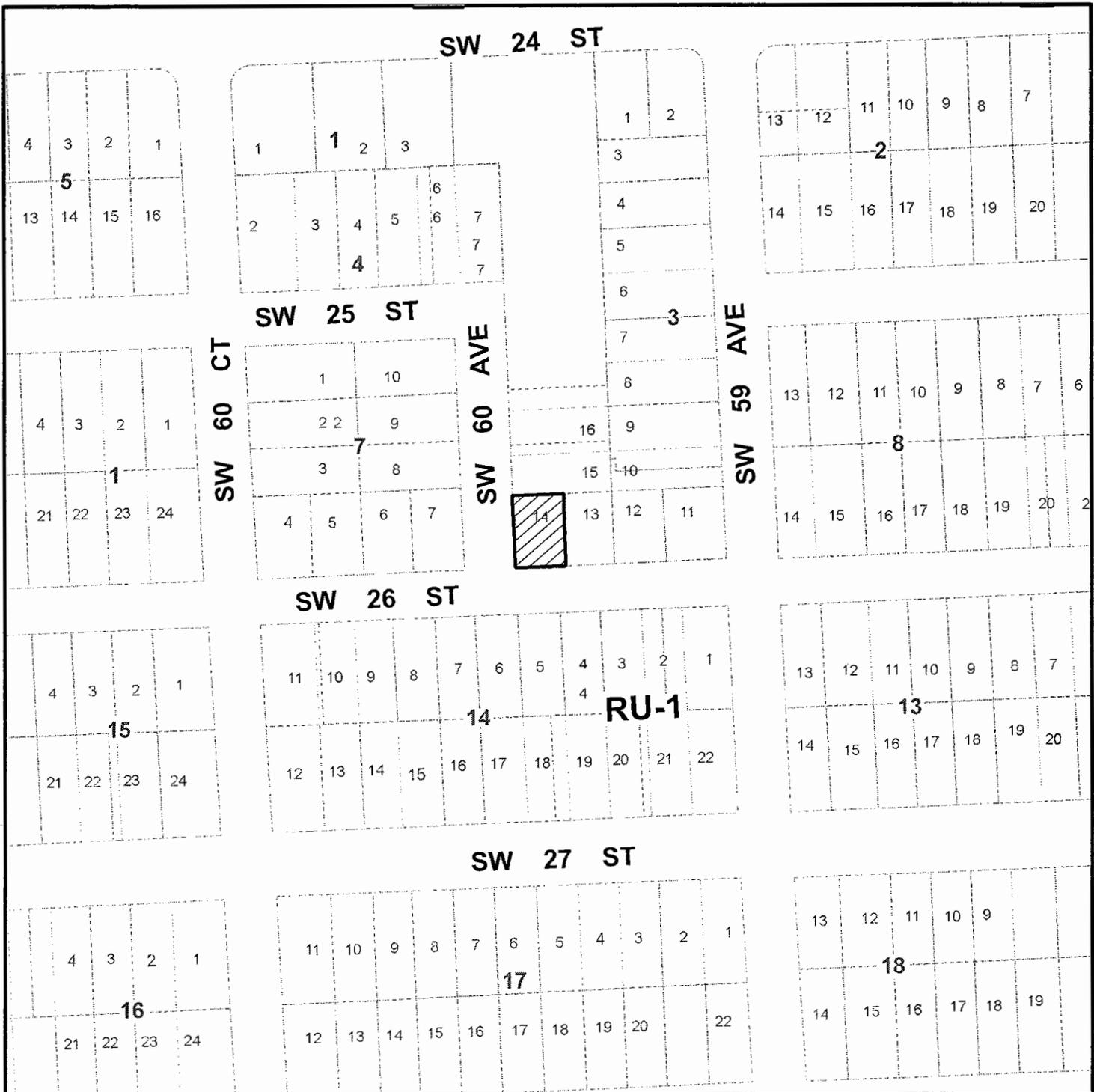
Existing conditions  
dt:  
5913 SW 26 Street  
Miami, FL 33155

**M 25**  
4730 SW 172 Ave  
Miami, FL 33155  
Phone: 305-446-7241  
Florida License A-00002676

This drawing is a reproduction of the original drawing and is not to be used for any other purpose. The original drawing is the property of the architect and is to be used only for the project and site shown. Any reproduction of this drawing for any other purpose is strictly prohibited. The architect assumes no responsibility for the accuracy of the information shown on this drawing. The architect is not responsible for the accuracy of the information shown on this drawing. The architect is not responsible for the accuracy of the information shown on this drawing. The architect is not responsible for the accuracy of the information shown on this drawing.

Issue Date: Project No.  
Feb. 04, 2008  
007-13-2008  
Drawing No.:  
**A4.00**

Professional of Record: Norman B. Baker  
Architect: Norman B. Baker  
Registration No.: 14001  
Date: 7/13/09



**MIAMI-DADE COUNTY**  
**HEARING MAP**  
 Section: 13 Township: 53 Range: 41  
 Applicant: ANTHONY B. WILSON  
 Zoning Board: C10  
 Commission District: 6  
 Drafter ID: JEFFER  
 Scale: NTS  
 ----- Zoning

Process Number  
**08-111**



**SUBJECT PROPERTY**



SKETCH CREATED ON: 07/02/08

REVISION	DATE	BY

16



**MIAMI-DADE COUNTY**

AERIAL YEAR 2008  
 Section: 13 Township: 53 Range: 41  
 Applicant: ANTHONY B. WILSON  
 Zoning Board: C10  
 Commission District: 6  
 Drafter ID: JEFFER  
 Scale: NTS  
 ----- Zoning

Process Number

**08-111**



**SUBJECT PROPERTY**



SKETCH CREATED ON: 07/02/08

REVISION	DATE	BY

**2. GUSTAVO DUANYS, ET AL**  
**(Applicant)**

**10-11-CZ10-2 (10-033)**  
**Area 10/District 10**  
**Hearing Date: 11/30/10**

Property Owner (if different from applicant) **Duanys & Iglesias Gustavo & Libia.**

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>
1947	Arthur Fishman ET AL	- Zone Change from AU, GU and BU-2A to BU-2, RU-1 and RU-2.	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**

**APPLICANTS:** Gustavo Duanys, et al.

**PH:** Z10-033 (10-11-CZ10-2)

**SECTION:** 15-54-40

**DATE:** November 30, 2010

**COMMISSION DISTRICT:** 10

**ITEM NO.:** 2

**A. INTRODUCTION:**

o **REQUESTS:**

1. Applicants are requesting to permit an addition to a single family residence setback 16.60' (25' required) from the rear (south) property line.
2. Applicants are requesting to permit a swimming pool setback 65.07' (70.5' required) from the front (north) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Amnesty Work To An Addition Legalization For: Gustavo Duanys & Orlando Iglesias" as prepared by Nestor J. Cifuentes, consisting of 2 sheets dated stamped received 04-06-2010. Plans may be modified at public hearing.

o **SUMMARY OF REQUESTS:**

The applicants are seeking approval for the continued use of an existing addition to a single family residence with less rear setback and an existing swimming pool with less front setback than that required by the Zoning Code.

o **LOCATION:**

7820 SW 28 Street, Miami-Dade County, Florida

o **SIZE:** 75' x 100'

**B. ZONING HEARINGS HISTORY:** None.

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

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

LAND USE PLAN

**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

**E. SITE AND BUILDINGS:**

**Site Plan Review:**

(Site plan submitted.)

Scale/Utilization of Site:

**Acceptable\***

Location of Buildings:

**Acceptable\***

Compatibility:

**Acceptable\***

Landscape Treatment:

**Acceptable**

Open Space:

**Acceptable**

Buffering:

**Acceptable**

Access:

**Acceptable**

Parking Layout/Circulation:

**Acceptable**

Visibility/Visual Screening:

**Acceptable**

\*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	<b>No objection</b>
Public Works	<b>No objection</b>
Parks	<b>No objection</b>
MDT	<b>No objection</b>
Fire Rescue	<b>No objection</b>
Police	<b>No objection</b>
Schools	<b>No comment</b>

**H. ANALYSIS:**

The subject property is an interior lot located at 7820 SW 28 Street in an established area zoned RU-1, Single Family Residential District, and developed with single-family residences. The applicant is seeking approval for the continued use of an existing addition to an existing single family residence which encroaches into the rear setback area and the continued use of an existing swimming pool which encroaches into the front setback area. The subject property is designated for **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP), which allows a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. Since the request will not add additional units to the community, the existing single family residence on this 7,500 square foot lot and the existing RU-1 zoning is **consistent** with 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** also has **no objections** to this application. The **Miami-Dade Fire Rescue Department** does not object to this application and has indicated in their memorandum that the estimated average travel time is **5:17** minutes.

Approval of the application will allow the maintenance and continued use of an existing walk in closet and half bath addition which encroaches 8.4' into the rear (south) setback area and the continued use of an existing swimming pool which encroaches 5.43' into the front (north) setback area. When analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of the request would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community. Staff is of the opinion that the visual and aural impact of the existing addition and swimming pool are buffered from the neighboring properties to the south by an existing 6' high wood fence running along the rear (south) and interior sides (east and west) property lines and that the 5.43' encroachment into the front setback area is adequately buffered from the residence across SW 28 street by the existing single family residence on the subject site since said swimming pool is located behind said residence. As such staff is of the opinion that the swimming pool encroachment into the required front (north) setback area and the 8.4' encroachment into the rear (south) setback area do not result in an obvious departure from the aesthetic character of the surrounding area. As such, staff recommends approval with conditions of this application under the (NUV) Non-Use Variance Standards.

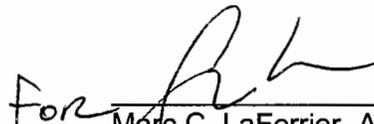
**I. RECOMMENDATION:**

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 "Amnesty Work To An Addition Legalization For: Gustavo Duanys & Orlando Iglesias" as prepared by Nestor J. Cifuentes, consisting of 2 sheets dated stamped received 04-06-2010. 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 applicant apply for a building permit for the walk in closet and half bath addition from the Building Department within 90 days after final public hearing approval of this application.

**DATE INSPECTED:** 10/06/10  
**DATE TYPED:** 10/06/10  
**DATE REVISED:** 10/21/10  
**DATE FINALIZED:**  
MCL:GMR:NN:NC:AA

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

# Memorandum

**Date:** April 20, 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 #Z2010000033  
Duanys Gustavo, Orlando Iglesias, & Libis Iglesias  
7820 S.W. 28<sup>th</sup> Street  
To Permit an Addition to a Single-Family Residence Setback Less than  
Required from Property Lines  
(RU-1) (0.172 Acres)  
15-54-40

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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 the request on this application since the request does not entail any environmental concern. However, the applicant is advised that DERM approval of subsequent development orders will be contingent upon compliance with all applicable requirements of the Code.

#### 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.

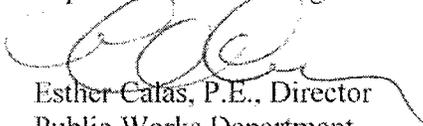
If you have any questions concerning the comments, or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

# 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

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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:** 21-APR-10  
**To:** Marc LaFerrier, Director  
Department of Planning and Zoning  
**From:** Herminio Lorenzo, Fire Chief  
Miami-Dade Fire Rescue Department  
**Subject:** Z2010000033

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## Fire Prevention Unit:

Not applicable to MDFR site requirements.

## Service Impact/Demand

Development for the above Z2010000033  
located at 7820 S.W. 28 STREET, MIAMI-DADE COUNTY, FLORIDA.  
in Police Grid 1486 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: 5:17 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

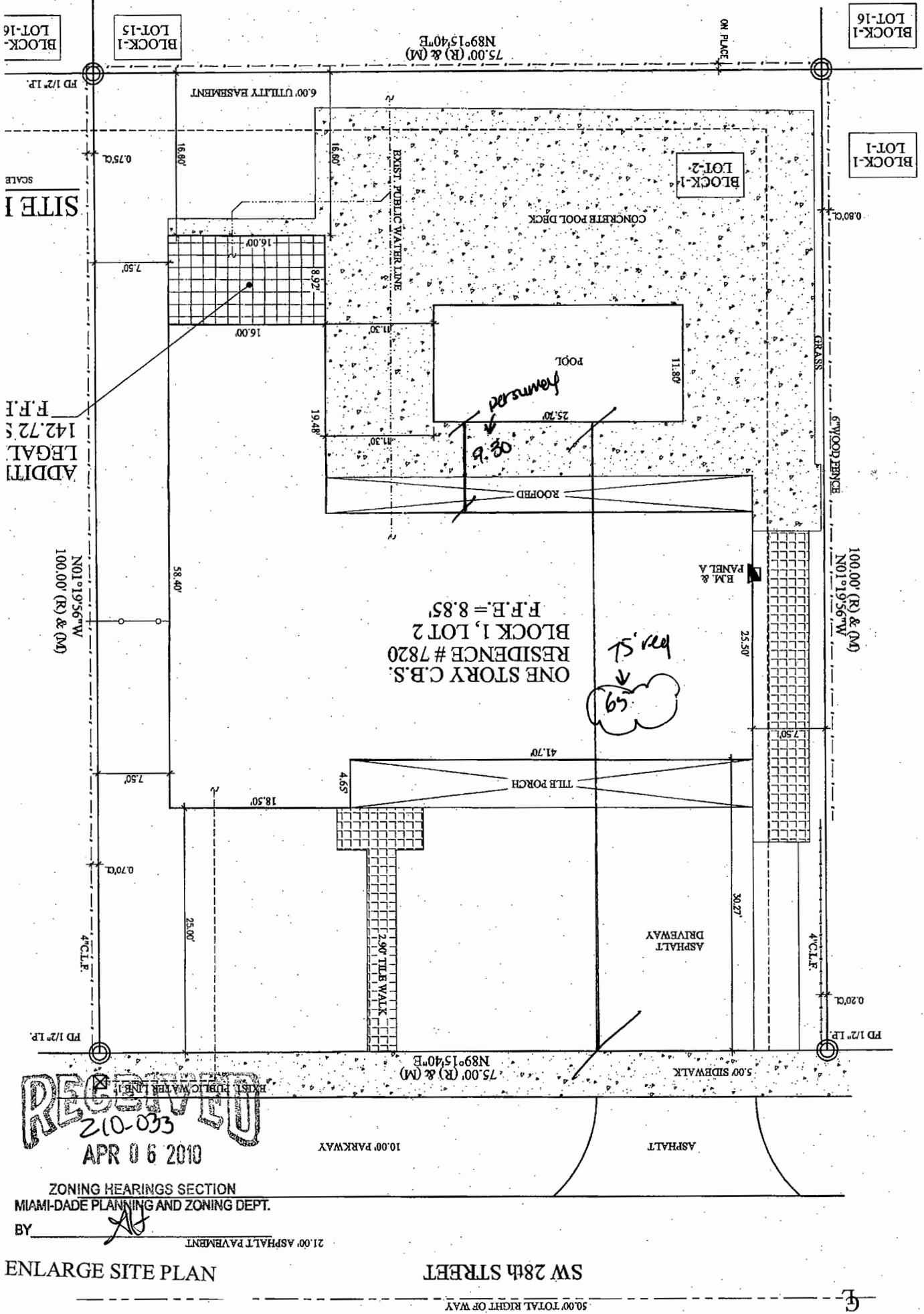
## Planned Service Expansions:

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

## Fire Planning Additional Comments

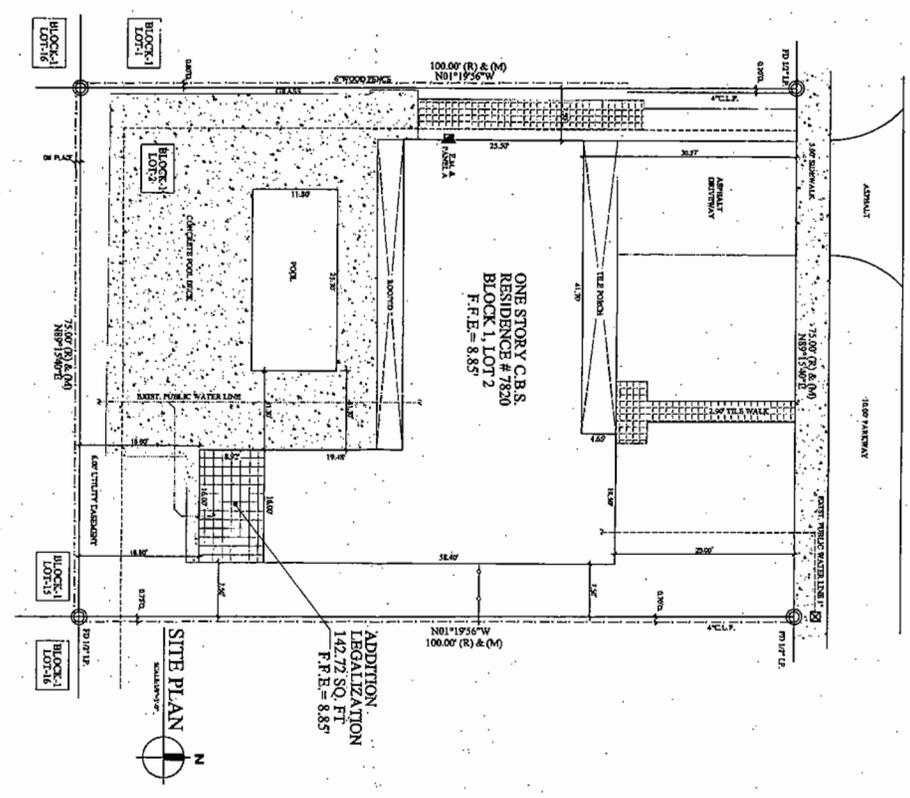
Not applicable to service impact analysis.

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



RECEIVED  
 PLANNING DEPARTMENT  
 775 N. MIAMI AVENUE  
 MIAMI, FL 33136

SW 28th STREET  
 11.20' ASPHALT PAVEMENT



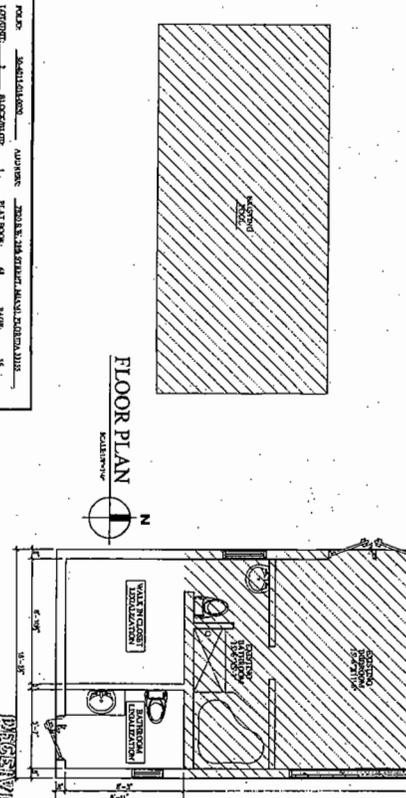
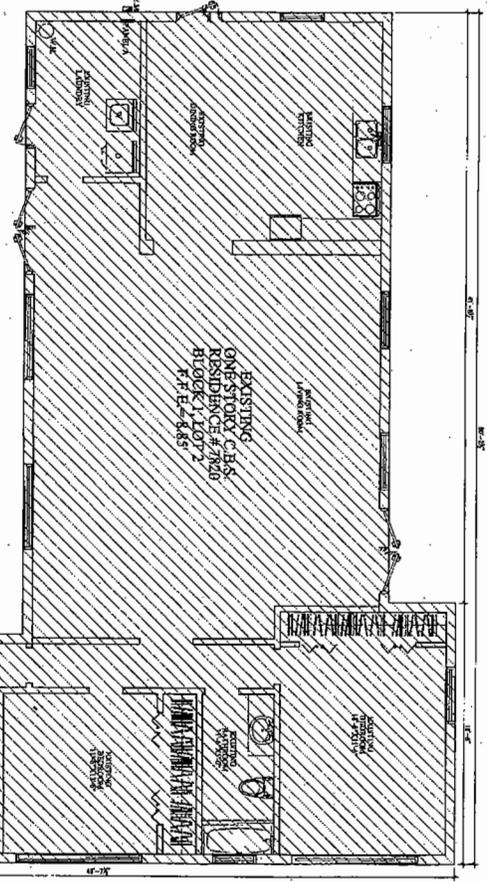
**ZONING: SINGLE FAMILY**

NOTICE: IN ADOPTING THIS REGULATION, THE BOARD HAS CONSIDERED THE PUBLIC INTEREST AND THE BEST INTERESTS OF THE CITY OF MIAMI. THE BOARD HAS CONSIDERED THE PUBLIC INTEREST AND THE BEST INTERESTS OF THE CITY OF MIAMI. THE BOARD HAS CONSIDERED THE PUBLIC INTEREST AND THE BEST INTERESTS OF THE CITY OF MIAMI.

ADDITION LEGALIZATION  
 14,772 SQ. FT.  
 F.F.E. = 885

**RECEIVED**  
 20-055  
 APR 06 2010

ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY *[Signature]*



ROOM	ADDITION	EXISTING	TOTAL
LIVING ROOM	1,200 SQ. FT.	1,200 SQ. FT.	2,400 SQ. FT.
KITCHEN	800 SQ. FT.	800 SQ. FT.	1,600 SQ. FT.
DINING ROOM	600 SQ. FT.	600 SQ. FT.	1,200 SQ. FT.
BEDROOM	1,000 SQ. FT.	1,000 SQ. FT.	2,000 SQ. FT.
BATH	400 SQ. FT.	400 SQ. FT.	800 SQ. FT.
PORCH	1,772 SQ. FT.	0 SQ. FT.	1,772 SQ. FT.
<b>TOTAL</b>	<b>4,772 SQ. FT.</b>	<b>4,000 SQ. FT.</b>	<b>8,772 SQ. FT.</b>

**LEGAL DESCRIPTION**

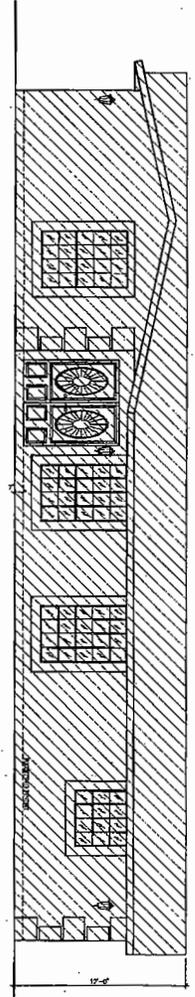
SCOPE OF WORK

1. DESIGN AND CONSTRUCTION OF THE ADDITION LEGALIZATION.

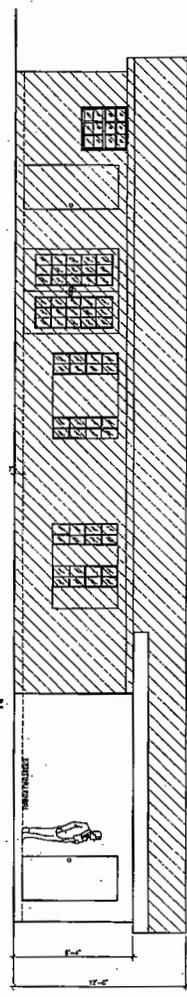
2. PREPARE ALL NECESSARY PERMITS AND APPLICATIONS.

3. OBTAIN ALL NECESSARY APPROVALS.

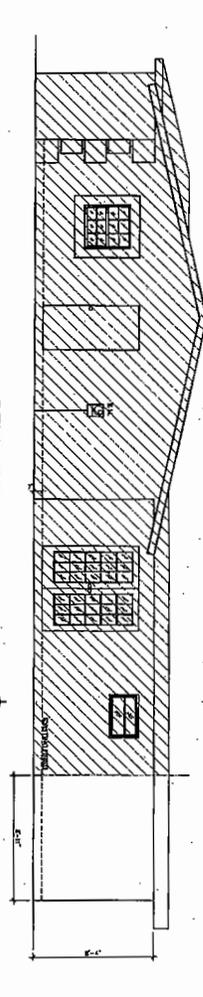
<p>REVISIONS</p> <p>DESCRIPTION</p> <p>DATE</p> <p>DESIGN BY</p> <p>APPROVED BY</p> <p>SCALE</p> <p>PROJECT NO.</p> <p>DATE</p> <p>DESIGN BY</p> <p>APPROVED BY</p> <p>SCALE</p> <p>PROJECT NO.</p> <p>DATE</p>	<p><b>SITE PLAN AND FLOOR PLAN</b></p> <p><b>AMNESTY WORK TO AN ADDITION LEGALIZATION FOR: GUSTAVO DUANYS &amp; ORLANDO IGLESIAS.</b></p> <p>7820 S.W. 28th STREET, MIAMI, FLORIDA. 33155</p>	<p>PROJECT FILE</p> <p>AMNESTY WORK TO AN ADDITION LEGALIZATION FOR: GUSTAVO DUANYS &amp; ORLANDO IGLESIAS.</p> <p>7820 S.W. 28th STREET, MIAMI, FLORIDA. 33155</p>	<p>880 SW 31 ST        MIAMI, FLORIDA 33135        PH: 305-554-5554        F: 305-554-5554</p>
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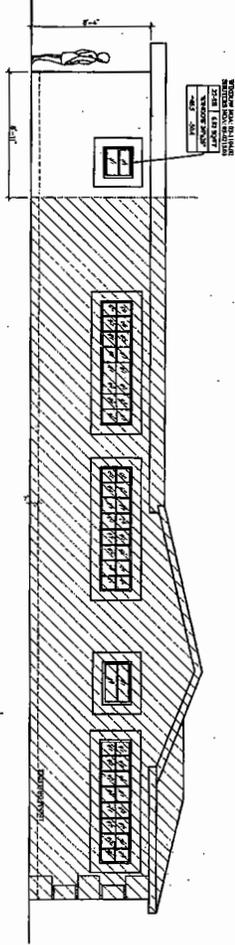
EXISTING FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION



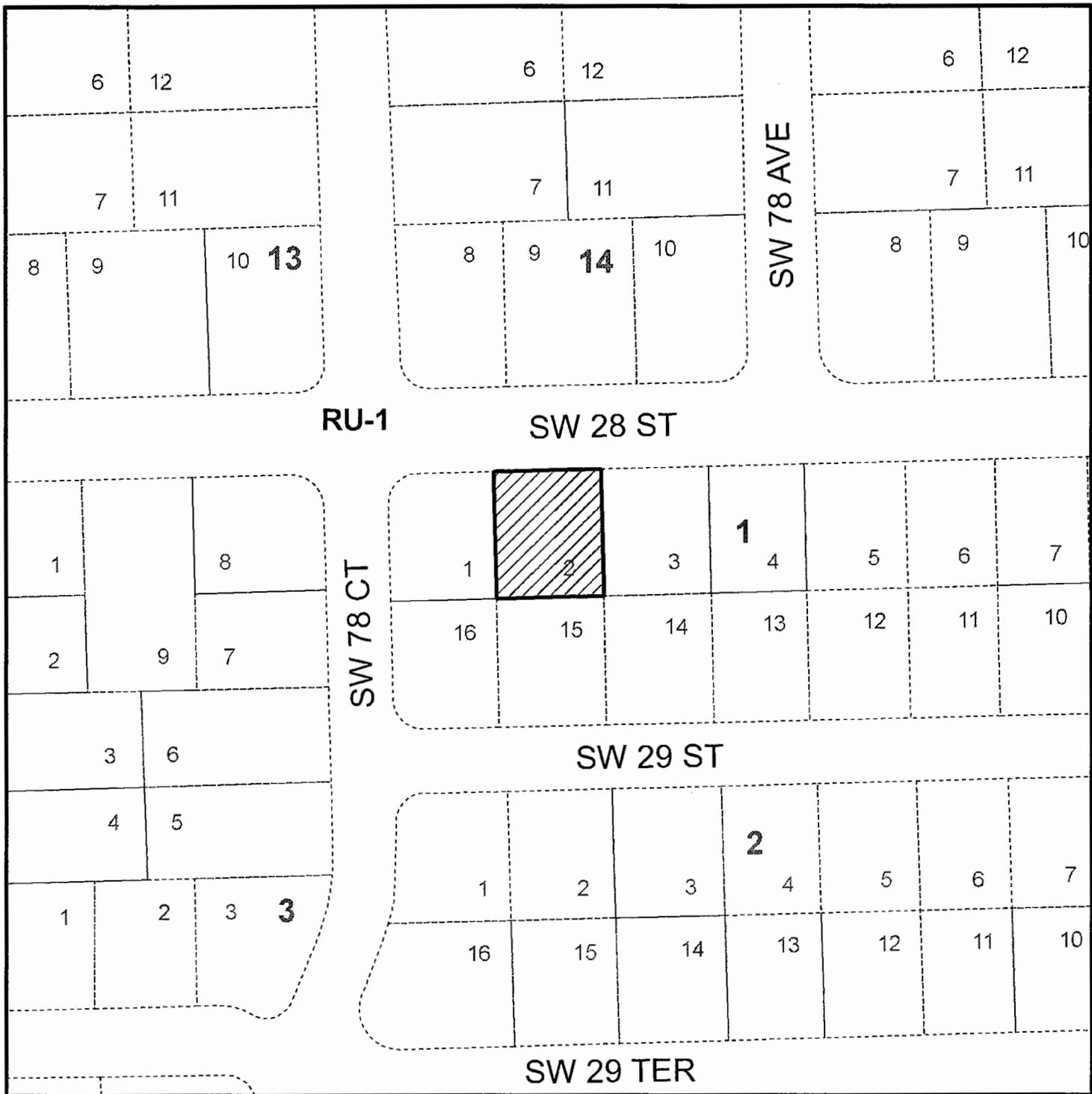
RIGHT ELEVATION

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

**RECEIVED**  
 210.033  
 APR 06 2010

**RECEIVED**  
 PLANNING DEPARTMENT  
 APR 06 2010

SHEET NO. <b>A-1</b> 1 OF 5	DESIGNER PROJECT NO. DATE DRAWN BY APPROVED BY SEAL PROJECT NUMBER # 2000176	TITLE <b>SITE PLAN AND FLOOR PLAN</b>	PROJECT TITLE <b>AMNESTY WORK TO AN ADDITION LEGALIZATION FOR: GUSTAVO DUANY'S &amp; ORLANDO IGLESIAS.</b>	800 SW 31 TER. MIAMI BEACH, FL 33135 PH: 305-554-0534 PDA@PDA.COM # 2000176
		REVISIONS	ADDRESS <b>*820 S.W. 28th STREET, MIAMI, FLORIDA. 33155</b>	



**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2010000033**



Section: 15 Township: 54 Range: 40  
 Applicant: DUANYS GUSTAVO, ORLANDO IGLESIAS  
 & LIBIA IGLESIAS  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: KEELING  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Wednesday, April 14, 2010

REVISION	DATE	BY
		12



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2009**

Process Number  
**Z2010000033**



Section: 15 Township: 54 Range: 40  
 Applicant: **DUANYS GUSTAVO, ORLANDO IGLESIAS**  
 & **LIBIA IGLESIAS**  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: KEELING  
 Scale: NTS

**Legend**  
 Subject Property



SKETCH CREATED ON: Wednesday, April 14, 2010

REVISION	DATE	BY

**3. WESTCHESTER SPANISH CHRISTIAN  
CHURCH & FPL  
(Applicant)**

**10-11-CZ10-3 (10-043)  
Area 10/District 10  
Hearing Date: 11/30/10**

Property Owner (if different from applicant) **United States Development LTD.**

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:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
1958	Olympia Baptist Church	- Special Exception for church & allied uses.	BCC	Approved in part
1961	Riviera Baptist Church	- Variance of frontage, lot area and setback.	BCC	Approved
1963	Riviera Baptist Church	- Unusual Use to permit kindergarten.	ZAB	Approved w/conds.
1966	Riviera Baptist Church	- Unusual Use for day nursery. - Variance of condition of resolution.	ZAB	Approved w/conds.
1984	Riviera Baptist Church	- Special Exception to permit the expansion of a provisional. - Non-Use Variance of zoning regulation and parking.	ZAB	Approved w/conds.

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

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

**APPLICANTS:** Westchester Spanish Christian Church  
& FPL

**PH:** Z10-043 (10-11-CZ10-3)

**SECTION:** 20-54-40

**DATE:** November 30, 2010

**COMMISSION DISTRICT:** 10

**ITEM NO.:** 3

**A. INTRODUCTION**

o **REQUESTS:**

(1) SPECIAL EXCEPTION to permit the expansion of a religious facility, private school and day nursery onto additional property to the west.

(2) MODIFICATION of Conditions #2, #8, #12 and #13 of Resolution No. 4-ZAB-365-84, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'C.B.S. 2 Story Church – School Bldg. For Riviera Baptist Church,' as prepared by George A. Dotzler, Designer, dated 6-4-84 on pages 1, 3, and 4, and dated 6-8-84 on page 2."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Proposed Church for: The Rock Church,' as prepared by Villa & Associates, Inc., consisting of 13 sheets dated stamped received 12/8/09 with Sheets "A-1" and "A-2" dated last revised 12/18/09."

FROM: "8. That the use be approved and restricted to a maximum of 153 students."

TO: "8. That the day nursery, kindergarten and private school be approved and restricted to a maximum of 350 students."

FROM: "12. That the number of grades shall be from kindergarten to 12<sup>th</sup>."

TO: "12. That the number of grades in the private school shall range from kindergarten to 8<sup>th</sup>."

FROM: "13. That the proposed school will not have sport facilities on a competitive basis and there will not be night lights."

TO: "13. That the proposed school shall not have sport facilities on a competitive basis and there shall not be night lights, except that outdoor lighting of the off-street parking areas, walkways and buildings shall be permitted in accordance with the applicable regulations."

- (3) MODIFICATION of Conditions #5 and #7 of Resolution No. 2-ZAB-40-63, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "5. That the use be approved for and be restricted to a maximum of eighty (80) children."

TO: "5. That the use including the day nursery, kindergarten and private school be approved for and be restricted to a maximum of 350 children."

FROM: "7. That the hours of operation shall be between 8:30 a.m. and 11:30 a.m."

TO: "7. That the hours of operation for the the day nursery, kindergarten and private school shall be between 7:00 a.m. and 6:00 p.m."

- (4) DELETION of Condition #6 of Resolution No. 2-ZAB-40-63, passed and adopted by the Zoning Appeals Board, reading as follows:

"6. That the use be restricted to children in the age group of four (4) to five (5) year olds."

- (5) DELETION of Conditions #1, and #5 of Resolution No. 3-ZAB-330-66, passed and adopted by the Zoning Appeals Board, reading as follows:

"1. That the age group approved include children two and three years old."

"5. That the variance is to become effective after the landscaping has been put in."

- (6) DELETION of Conditions #3, #5 and #15, of Resolution No. 4-ZAB-365-84, passed and adopted by the Zoning Appeals Board, reading as follows:

"3. That the day nursery and private school, grades K-12, be temporary, not to exceed a period of five years from date of hearing."

"5. That the 39 trees, as required by the zoning code, be placed on the site within 90 days, and that each tree be a minimum of 8' at the time of planting."

"15. That one six sq. ft. sign be permitted in connection with the use; said sign be of a type and location to be approved by the Zoning Director."

The purpose of Requests #2 - #6 is to allow the applicant to submit a revised site plan showing a proposed religious facility and a two-story school building to an

existing church, day nursery, kindergarten and private school site and to increase the number children allowed while reducing the number of grade levels.

- (7) Applicants are requesting to permit a proposed religious facility setback a minimum of 9'9" (25' required) from the side street (east) property line, setback a minimum of 20' (50' required) from the rear (north) property line, setback varying from 9'9" to 17'3" (50' required) from the interior side (west) property line and spaced less than 75' from a residence under different ownership to the north and east.
- (8) Applicants are requesting to permit the proposed 2-story school building setback a minimum of 7'9" (25' required) from the side street (east) property line.
- (9) Applicants are requesting to permit an existing 2-story school building setback 14'6" (25' required) from the side street (east) property line.
- (10) Applicants are requesting to permit parking and drives within 25' of the right-of-way (not permitted).
- (11) Applicants are requesting to permit 6,380 sq. ft. of outdoor recreational space (111,015 sq. ft. required).
- (12) Applicants are requesting to permit parking on natural terrain (hard surface required).
- (13) Applicants are requesting to permit 8 dissimilar land use buffer trees (9 trees required) and waive the 6' high wall or fence along portions of the rear (north) property line.
- (14) Applicants are requesting to permit 64 lot trees (119 trees required), 34 street trees (43 trees required) and 900 shrubs (1,620 shrubs required).
- (15) Applicants are requesting to permit an existing detached 140 sq. ft. sign, (24 sq. ft. maximum permitted/6 sq. ft. previously approved) and setback 10' (15' required) from the side street (west) property line.

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

o **SUMMARY OF REQUESTS:**

The approval of this application will allow the applicants to expand a previously approved religious facility, private school, kindergarten and daycare nursery onto additional property and to modify and delete conditions of prior Resolutions which would allow the applicant to submit revised site plans that depict building additions that are a part of this expansion, increase the number of children in the school and reduce the grade levels. Approval of the application will also allow the applicant to permit the religious and educational facility with reduced setbacks, to be spaced

closer than permitted to existing residences and to allow parking within 25' of a right-of-way and parking on natural terrain. Additionally, the applicants seek to permit the redevelopment of the site with fewer lot trees, a reduced landscaping buffer and to allow a larger sign than permitted by the Zoning Code.

o **LOCATION:**

10601 S.W. 48 Street, Miami-Dade County, Florida.

o **SIZE:** 4.26 Acres

**B. ZONING HEARINGS HISTORY:**

In 1958, the entire subject property which was identified as Tract 49, in Dade County Development Company, was approved for Special Permit to allow a church and allied uses, pursuant to Resolution #1741. Subsequently, in 1961, pursuant to Resolution #ZB-35-61, the eastern 134.96' portion of this tract was approved for variances to the zoning regulations, of lot frontage, area and to allow the church with reduced setbacks from the side (west) property line. In February 1963, the aforementioned portion of the tract containing the church was approved for an unusual use to permit a kindergarten with certain conditions pursuant to Resolution #2-ZAB-40-63. The subject site was granted an unusual use in 1966 to permit a day nursery and to vary a condition of the 1963 Resolution, pursuant to Resolution #3-ZAB-330-66. The day nursery and kindergarten uses were later approved with conditions to allow an expansion up to 153 children in 1984, pursuant to Resolution #4-ZAB-365-84.

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential**. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded..
2. **Residential Communities.** The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are neighborhood and community services including **schools**, parks, **houses of worship**, **daycare centers**, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments, mix of land uses, and their relationships
3. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan Density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this CDMP titled "Concepts and Limitations of the Land Use

Plan Map.” The 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.

4. 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.

5. **Statement of Legislative Intent.**

6. The Board recognizes that a particular application may bring into conflict, and necessitate a choice between, different goals, priorities, objectives, and provisions of the CDMP. While it is the intent of the Board that the Land Use Element be afforded a high priority, other elements must be taken into consideration in light of the Board’s responsibility to provided for the multitude of needs of a large heavily populated and diverse community. This is especially true with regard to the siting of public facilities.

Recognizing that County Boards and agencies will be required to balance competing policies and objectives of the CDMP, it is the intention of the County Commission that such boards and agencies consider the overall intention of the CDMP as well as portions particularly applicable to a matter under consideration in order to ensure that the CDMP, as applied, will protect the public health, safety and welfare.

6. **Policy LU-4A** of the Land Use Element states that when evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.
7. **Policy LU-4D** of the Land Use Element states that uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the complementary elements and buffer any potentially incompatible elements.
8. **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; private school, daycare, religious facility    Low Density Residential, 2.5 to 6 dua

**Surrounding Properties:**

NORTH: RU-1; single-family residence, FP&L easement	Low Density Residential, 2.5 to 6 dua
SOUTH: RU-1; single-family residences FP&L easement	Low Density Residential, 2.5 to 6 dua
EAST: RU-1; single-family residences	Low Density Residential, 2.5 to 6 dua
WEST: RU-1; single-family residences	Low Density Residential, 2.5 to 6 dua

**E. SITE AND BUILDINGS:**

<b>Site Plan Review:</b>	(Plans submitted.)
Scale/Utilization of Site:	<b>Unacceptable</b>
Location of Buildings:	<b>Unacceptable</b>
Compatibility:	<b>Unacceptable</b>
Landscape Treatment:	<b>Unacceptable</b>
Open Space:	<b>Acceptable</b>
Buffering:	<b>Unacceptable</b>
Access:	<b>Acceptable</b>
Parking Layout/Circulation:	<b>Acceptable</b>
Urban Design:	<b>N/A</b>

**F. PERTINENT REQUIREMENTS/STANDARDS:**

**Section 33-311(A)(3) Special Exceptions, Unusual and New uses.** The Board shall hear an application for and grant or deny **special exceptions**; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and unusual uses which by regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

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

to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

**Section 33-311(A)(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	<b>No objection*</b>
Public Works	<b>No objection*</b>
Parks	<b>No objection</b>
MDT	<b>No objection</b>
Fire Rescue	<b>No objection</b>
Police	<b>No objection</b>
Schools	<b>No comments</b>

\*Subject to the conditions indicated in their memoranda.

**H. ANALYSIS:**

Approval of this application will allow the applicants to submit a revised site plan showing expansion of the religious facility, private school and day nursery and kindergarten onto additional property to the west. Additionally, the applicants seek to modify and delete conditions of prior Resolutions in order to submit revised plans, increase the number of children and reduce the grade levels for the private school. Further, among other things, the applicants seek to approve the religious and educational facility spaced less than required from residences, with reduced setbacks, and reduced landscaping and buffering along with other variances to the RU-1, Single-Family Residential District regulations. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this area for **Low Density Residential** use. Said Land Use permits neighborhood and community services including **schools**, parks, **houses of worship**, **daycare centers**, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of the Master Plan and compatible with the neighborhood. Staff notes that the existing religious facility, private school, kindergarten and day nursery were previously approved pursuant to prior resolutions, which are the subject of requests #2 through #6, and as such are **consistent** with the CDMP. However, **Policy LU-4A** of the Land Use Element states that when evaluating compatibility among proximate land uses, the County shall among other things consider such factors as noise, lighting, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation and buffering. Additionally, **Policy LU-4D** of said Land Use Element, states that uses that are potentially incompatible shall be permitted only where proper design solutions can and will be used, to among other

things, buffer any potentially incompatible elements of the proposed development. Staff opines that the proposed expansion of the facility which includes a new church building and a two (2) story school building with reduced setbacks from the side-street (east) property line, spaced less than required from residences under different ownership to the north and east, as well as variances to the landscaping buffer requirements, is overly intensive and incompatible with the surrounding residential developments located to the east, north and south. As such, although staff recognizes that there may be competing Policies in other areas of the CDMP, staff opines that based on the aforementioned, the approval of the proposed expansion of the church is **inconsistent** with Policy LU-4A and Policy LU4-D of the Land Use Element of the CDMP. As such, staff opines that the expansion of the religious facility, private school and day nursery is **inconsistent** with the CDMP and **incompatible** with the surrounding area.

Additionally, the CDMP indicates in **Policy LU-9B.vii** of the Land Use Element 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. Staff has consistently recommended denial of applications seeking deviations from the signage requirements and is of the opinion that the Zoning Code provides adequate signage allowances. Staff is of the opinion that the proposed sign in conjunction with the existing multi-use religious facility, specifically the size and scale of the proposed sign, is **incompatible** with the area and not in harmony with the general appearance and character of the community.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Miami-Dade County Code. The **Public Works Department (PWD)** has **no objections** to this application. Their memorandum indicates that this project meets traffic concurrency criteria for an Initial Development Order and will generate **105 PM** additional peak hour **vehicle trips**. The traffic distribution of these trips to the adjacent roadways does not exceed the acceptable level of service (LOS) of the area roadways which are currently operating at LOS "B" and "C". The **Miami-Dade Fire Rescue Department (MDFR)** Department has **no objections** to this application and their memorandum indicates that the estimated average travel response time is **7:02 minutes**.

When request #1 is analyzed under Section 33-311(A)(3), Standards For **Special Exceptions**, Unusual Uses and New Uses, staff is of the opinion that although the existing religious and educational facility is consistent with the LUP map of the CDMP, approval of the expansion of the uses onto additional property to the west along with multiple variances of the zoning regulations, would have a negative aural and visual impact on the surrounding residential communities and therefore would be incompatible with same when considering the necessity for and reasonableness of such applied for exception and use in relation to the present and future development of the area concerned and the compatibility of the applied for exception and use with the area and its development. Staff notes that DERM, MDFRD and the Public Works Department, do not object to this application. However, the Public Works Department memorandum indicates that their approval is subject to numerous conditions, including the requirement of a covenant restricting the number of students and schedule of arrival and dismissal times. Although the request is to expand the existing uses to the west, staff notes that the submitted plans indicate that the intensity of the additional development is located on the existing portion of the tract which abuts the existing

residences located to the north and east. Staff opines that approval of the application would have a negative visual and aural impact on the surrounding area and would be **incompatible** with the area. Therefore, staff recommends denial without prejudice of request #1 under Section 33-311(A)(3) (Special Exceptions, Unusual Uses and New Uses).

When requests #2 through #6, to allow the applicants to submit a revised site plan showing the expansion of the existing religious facility, private school, kindergarten and day nursery onto additional property to the west with an increase in the number of children and reduction of the grade levels are analyzed under the Generalized Modification Standards, Section 33-311(A)(7), staff opines that approval of said requests would have a negative visual and aural impact on the surrounding residential developments and would be **incompatible** with same. Notwithstanding the fact that the Public Works Department, DERM and the MDFRD do not object to these requests, staff notes that the existing site already contains an existing two (2) story building that encroaches into the side-street (east) setback area as well as being within the 75' spacing requirement for buildings of public assemblage. Therefore, staff opines that the approval of the increased intensity in the physical development of the site with additional buildings that will encroach into the side-street (east) and rear (north) setback areas, within the 75' spacing requirement for churches and schools, along with a 128% increase in the number of children on the site is overly intensive and will have a negative visual and aural impact on the surrounding residential developments. As such, when considering the necessity and reasonableness of the requested modification or elimination in relation to the present and future development of the area concerned, staff opines that the approval of requests #2 through #6 would be **incompatible** with the area concerned. Staff, therefore, recommends denial without prejudice of the aforementioned requests under the Generalized Modification Standards, Section 33-311(A)(7).

When requests #7 through #15 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 residential developments. Staff opines that requests #7 through #14 are germane to requests #1 through #6, which would allow the applicants to submit revised site plans depicting more intense encroachments into the setback areas and into the 75' spacing required for buildings of public assemblage from residences, as well as allowing for an additional 197 children on the site. Staff opines that these encroachments would have a negative visual and aural impact on the surrounding area. Therefore, staff opines that approval of requests #7 through #9, along with the approval of requests #10 through #14, which would permit the increased development with reduced buffering, landscaping, recreational space as well as parking variances, would further increase the intensity of the negative visual and aural impact on the surrounding existing residential developments. Additionally, staff's research of the surrounding area, did not locate any such facility that was approved for combined requests as intensive as those that are being requested in this application. As such, staff opines that approvals of requests #7 through #14 would set a negative precedent for the overintensive development and use of similar facilities in this area of the County and therefore should be denied without prejudice.

When request #15, to permit an existing 140 sq. ft. sign (24 sq. ft. permitted), and setback 10' (15' required) from the side-street (west) property line is analyzed under Section 33-311(A)(4)(b), the Non-Use Variance Standards, staff opines that approval would not maintain the basic intent and purpose of the zoning and other land use regulations and would be visually intrusive and detrimental to the surrounding area. In staff's opinion, the

request is excessive and could lead to a proliferation of requests for such signage by setting a precedent in the area. Staff notes that the existing 140 sq. ft. sign which was illegally erected, is 5.8 times the size permitted by the Zoning Code (24 sq. ft.). Staff is not convinced of the reasonableness of or necessity for the requested size and location of the signage for the religious and educational facility and maintains that the introduction of this size of sign in the area would be visually intrusive to the area. Further, staff notes that there were no other approvals of variances to the signage regulations as excessive as that sought in request #15 within the surrounding area. Staff therefore opines that the approval of the aforementioned request for a variance of the signage regulations and to allow a sign within the front setback area is not only excessive, but is also **incompatible** with the area. Therefore, staff recommends denial without prejudice of requests #7 through #15 under Section 33-311(A)(4)(b) (NUV).

Accordingly, staff is of the opinion that the approval of proposed expansion of the religious facility inclusive of the day nursery, kindergarten and private school onto additional property, and to allow the development with multiple variances to the zoning regulations while increasing the number of children on the site by 128%, is overly intensive and will set a negative precedent for over intensive development of similar religious and educational facilities in this area. Further, based on the fact that the applicants are requesting nine (9) variances from the Zoning Code to accommodate the expansion of the facility, staff opines that the applicant is unable to provide sufficient buffering or design elements to mitigate the negative impacts of the proposed development on the abutting residential developments as required under **Policy LU4-A** and **Policy LU-4D**, of the Land Use Element of the CDMP. Staff, therefore opines that the approval of the proposed expansion, specifically, of the religious and educational facility, would be **incompatible** with the area, **inconsistent** with **Policy LU4-A** and **Policy LU-4D** of the Land Use Element of the CDMP and should be denied. Staff therefore, recommends denial without prejudice of request #1 under Section 33-311(A)(3) (Special Exceptions, Unusual Uses and New Uses), denial without prejudice of requests #2 through #6, under the Generalized Modification Standards, Section 33-311(A)(7) and denial without prejudice of requests #7 through #15, under Section 33-311(A)(4)(b) (NUV).

I. **RECOMMENDATION:**

Denial without prejudice.

J. **CONDITIONS:** None.

**DATE TYPED:** 10/07/10  
**DATE REVISED:** 10/08/10, 10/22/10, 11/09/10  
**DATE FINALIZED:** 11/09/10  
MCL:GR:NN:NC:CH

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

**Date:** July 8, 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 #Z2010000043-2<sup>nd</sup> Revision  
Westchester Spanish Christian Church, Inc.  
10601 S.W. 48<sup>th</sup> Street  
Non-Use Variance for Lesser Setback than Required, to Request  
Modification of a Previous Plan, to Permit Off Street Parking, to Permit  
Less Outdoor Recreation and to Permit a Religious Facility  
(RU-1) (4.26 Acres)  
20-54-40

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

Pursuant to Section 24-43(5) of the Code, hazardous wastes are prohibited within the Average Day Pumpage Wellfield Protection Area for the Alexander Orr/Snapper Creek/Southwest Wellfield Complex. The owner of the property has submitted a properly executed covenant running with the land in favor of Miami-Dade County, as required by Section 24-43(5)(a) of the Code. The covenant provides that hazardous materials shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

Potable Water Service and wastewater Disposal

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

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

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

#### Stormwater Management

DERM Water Control Section has no objection to this application if the following conditions are satisfied:

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

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage must be provided for the 5-year/1-day storm event.

Site grading and development shall provide for the full retention of the 25-year/3-day storm event and shall also comply with the requirements of Section 11C of the Code, as well as with all State and Federal Criteria, and shall not cause flooding of adjacent properties.

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

#### Wetlands

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

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

#### Tree Preservation

Tree Removal Permit 2010-TREE-PER-00066 was issued for this property to Westchester Spanish Christian Church Inc on July 6, 2010 and is scheduled to expire on July 6, 2011. TP2010-TREE-PER-00066 requires the relocation of specimen-sized (Trunk diameter 18 inches or greater) black olive tree #7 to the northwest part of the property as identified in DERM-approved permitted plans. All approved tree removal/relocation, replanting and final inspection (a two weeks notice is required prior to the final inspection) must be completed prior to the scheduled expiration date of this permit to avoid violation of permit conditions. Please be advised that a new Miami-Dade County Tree Removal Permit or an amendment to this permit is required prior to the removal or relocation of any other tree on the subject property. Please contact this Program at 305-372-6574 for information regarding tree permits.

Enforcement History

DERM has found no open or closed enforcement 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.

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: WESTCHESTER SPANISH CHRISTIAN CHRISTIAN CHURCH & FPL

This Department has no objections to this application.

Miami Dade County Public Works Department Traffic Engineering Division has no objection to this proposal, as long as the recommendations and comments indicated below are incorporated into the plans and related documentation.

The Traffic Engineering Division has reviewed: the Site Plans, dated 05/11/10; the Technical Memorandum, The Rock Church Traffic Impact Study, dated 04/30/10; and the School Traffic Impact Study, dated 11/13/09, for the proposed facility located at 10601 SW 48 Street and has the following recommendations and comments:

Site Plan Review:

Improvement of a five-foot wide shoulder for future bicycle lane usage on SW 48 Street along the site frontage shall be shown on the site plan. The proposed construction shall include, but not limited to, pavement, swale, curb and gutter improvements.

Traffic Study Review:

The Technical Memorandum, The Rock Church Traffic Impact Study, dated 04/30/10, and the School Traffic Impact Study, dated 11/13/09, are acceptable.

Project Requirements:

All off-site improvements shall be constructed prior to the school expansion.

School Speed Zone signs (florescent yellow-green material must be used where applicable), pavement markings, and flashing beacons are required along SW 48 Street. These are also required along SW 107 Avenue (SR 985) adjacent to the site, subject to FDOT approval. A school speed zone and flashing beacons will not be required, if and only if, a school policy explicitly stating that all students must be driven in motorized vehicles to and from the school is provided within a covenant for this facility and published as school policy. If in the future the school changes policy, then the school administration will be responsible to fund and install such traffic control devices with the

approval of Miami Dade Public Works Department and FDOT, where applicable.

The proposed schedule of arrival and dismissal times including grade level and number of students are required to be provided in a covenant/Declaration of Restrictions for this facility.

A Maintenance of Traffic (MOT) operation plan including provision of any traffic control devices (e.g. - cones, delineators), required staff, and passenger vehicle traffic operations (e.g. - ingress, egress, direction of travel, etc.) for arrival and dismissal periods is required to be provided in a covenant/Declaration of Restrictions for this facility. The MOT must contain the following statement: The applicant shall supply staff to direct any vehicles which may stack in through-lanes, or non-designated parking areas in the public rights of way onto the school site.

Standard Comments:

Public sidewalks are required to extend across all school driveways around the site. This will include pedestrian (ADA) ramps where applicable. All pedestrian crosswalks around the school must have zebra pavement markings.

Safe sight distance clearance is required at all driveways; therefore, no trees shall remain or be planted in any clear zones. No tree foliage or branches shall descend below 7 ft within the public right-of-way. All tree placements in sight triangles shall meet or exceed FDOT Index 546.

Plans submitted for Permit shall conform to MUTCD, MDPWD and other appropriate standards for engineering design in the public right-of-way. Existing and proposed striping, signs, and lane widths must be shown on these plans for all adjacent roadways. Also, plans must indicate any existing or proposed private driveways across the streets adjacent to the school site. All improvements or modifications to SW 107 Avenue (SR 985) will require a permit from District VI, FDOT.

All roadway improvements including, but not limited to, traffic signs, markings and signals shall be installed by the applicant adjacent to, or nearby, this facility to ameliorate any adverse vehicular impacts caused by the traffic attracted to this facility. Also, traffic control devices, e.g., crosswalks, may be required at locations remote from this site along safe routes to school to provide for pedestrian student safety.

The Public Works Department reserves the right to add or modify requirements based upon any additional information that may be received during this review process.

Should you need additional information or clarification on this matter,

please contact Mr. Ricardo Gavilan at (305) 375-2030.

Sidewalk is required along the right-of-way line of SW 106 Avenue.

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

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 105 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
F-46	SW 107 Ave. n/o SW 72 St.	C	C
F-47	SW 107 Ave. s/o SW 40 St.	B	B
9266	SW 56 St. w/o SW 97 Ave.	C	C
9268	SW 56 St. w/o SW 107 Ave.	C	C
9700	SW 97 Ave. s/o SW 40 St.	C	C
9702	SW 97 Ave. s/o SW 56 St.	C	C

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



Raul A Pino, P.L.S.

23-JUN-10



# 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:** Z2010000043

**Fire Prevention Unit:**

APPROVAL  
 No objection to site plan date stamped December 8, 2009.

**Service Impact/Demand**

Development for the above Z2010000043  
 located at 10601 S.W. 48 STREET, MIAMI-DADE COUNTY, FLORIDA.  
 in Police Grid 1588 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>15,670</u> institutional	square feet
<u>N/A</u> Retail	square feet	<u>16,510</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 21.6 alarms-annually.  
 The estimated average travel time is: 7:02 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**

Current service impact calculated based on site plan date stamped December 8, 2009. Substantial changes to the plan will require additional service impact analysis.

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

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

WESTCHESTER SPANISH  
CHRISTIAN CHRISTIAN CHURCH &  
FPL

10601 S.W. 48 STREET, MIAMI-  
DADE COUNTY, FLORIDA.

---

APPLICANT

---

ADDRESS

---

Z2010000043

---

HEARING NUMBER

**HISTORY:**

Open Cases:

Neighborhood Compliance:  
None

Building:  
None

Prior Cases:

Neighborhood Compliance:

200603003143 ¿Complaint in 06/2006 for Commercial Vehicle. Not in violation.

200803001794 ¿Complaint in 02/2008 for Abandoned Car. Not in violation.

201003000164 ¿Enforcement History Inspection in 01/2001. No violations.

Building:

A2000002772 ¿CVN issued to contractor in 05/2000 for Expired Permit. CVN voided in 07/2003 due to contractor being out of business. New case opened for enforcement on property owner. Case closed.

2003019758 ¿NOV issued in 07/2003 for Expired Permit. Permit renewed and case closed as complied.

F2001102537 ¿NOV issued in 02/2003 for Unsafe Structures (40-year recertification).  
Recertification obtained. Case closed as complied.  
20080118209 ¿NOV issued in 02/2008 for Working Without a Permit. Permits obtained. Case  
closed as complied.

N/A

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

N/A

**REPORTER NAME:**

N/A

**DISCLOSURE OF INTEREST\***

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

CORPORATION NAME: WESTCHESTER SPANISH CHRISTIAN CHURCH, INC. D/B/A THE ROCK-MIAMI CHURCH, INC 10601 S.W. 48<sup>th</sup> Street, Miami, Florida 33165-5665.

NAME AND ADDRESS	Percentage of Stock
Pastor Alfredo Perez, 10601 S.W. 48 <sup>th</sup> Street, Miami, Florida 33165-5665.	N/A

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

TRUST/ESTATE NAME: \_\_\_\_\_

NAME AND ADDRESS	Percentage of Interest

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

NAME AND ADDRESS	Percentage of Ownership

210-043

TH

210-043

AB

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

NAME OF PURCHASER: \_\_\_\_\_

NAME AND ADDRESS (if applicable)	Percentage of Interest
_____	_____
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_____	_____

Date of contract: \_\_\_\_\_

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

**NOTICE:** For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of

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

Signature: \_\_\_\_\_  
(Applicant)

Sworn to and subscribed before me this 13<sup>th</sup> day of May, 2010. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

Del E. Anderson  
(Notary Public)



My commission expires 7-19-2011

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

**DISCLOSURE OF INTEREST\***

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

**CORPORATION NAME:** Florida Power & Light Company, the principal subsidiary of FPL Group, Inc.

NAME AND ADDRESS	Percentage of Stock
<u>Publicly traded as "FPL" on NYSE</u>	<u>100%</u>

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

**TRUST/ESTATE NAME:** \_\_\_\_\_

NAME AND ADDRESS	Percentage of Interest

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

**PARTNERSHIP OR LIMITED PARTNERSHIP NAME:** \_\_\_\_\_

NAME AND ADDRESS	Percentage of Ownership

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

NAME OF PURCHASER: \_\_\_\_\_

NAME AND ADDRESS (if applicable)	Percentage of Interest
_____	_____
_____	_____
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Date of contract: \_\_\_\_\_

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

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

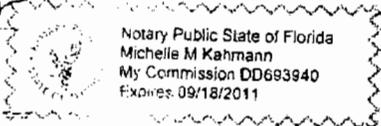
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: \_\_\_\_\_

*Ernest H. Hicks*  
Ernest H. Hicks (Applicant) V.P., Corp. Real Estate

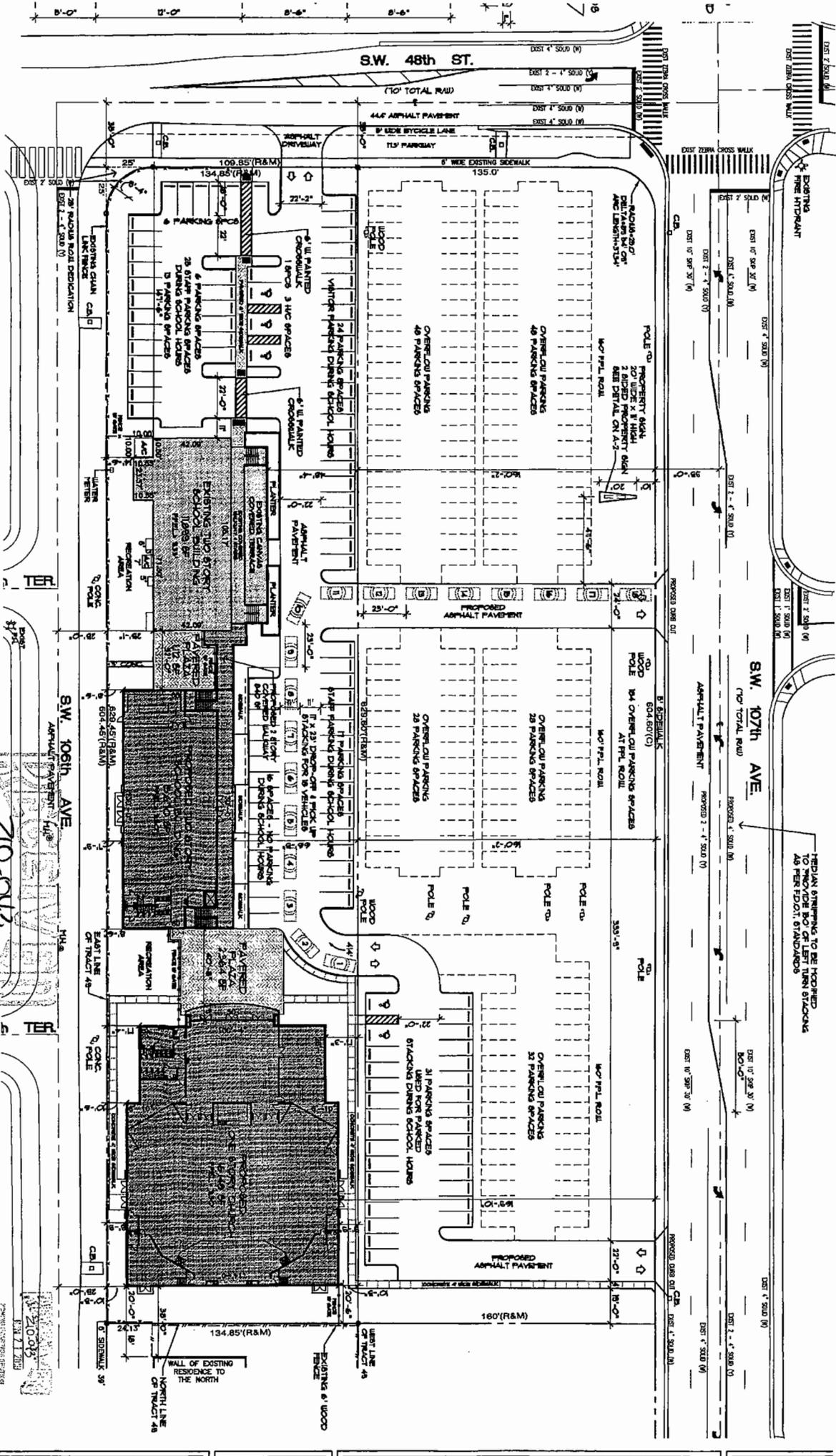
Sworn to and subscribed before me this 13<sup>th</sup> day of April, 2010. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

*Michelle M. Kahmann*  
(Notary Public)



My commission expires \_\_\_\_\_

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



20-042  
 JUN 21 2010

ZONING HEARINGS SECTION  
 MAN-DIVIDE PLANNING AND ZONING DEPT.  
 BY *SAH*

ENLARGE SITE PLAN

MEDIAN STRIPING TO BE MODIFIED  
 AS PER FOOT COUNTERS





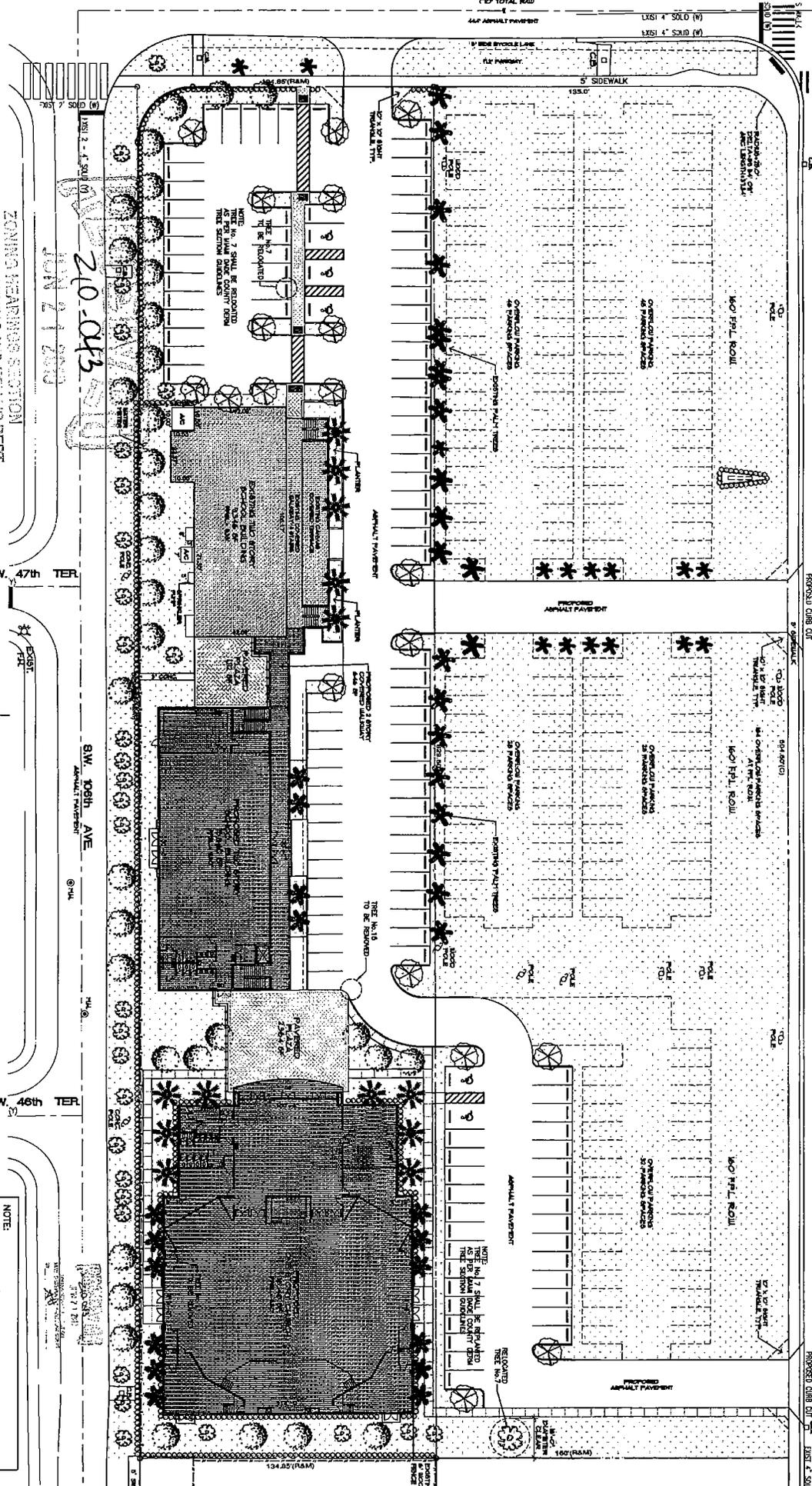




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S.W. 48th ST.  
 44' TOTAL ROAD



ZONING HEARING SECTION  
 MMW-B-02E PLANNING AND ZONING DEPT.  
 BY: *AT*

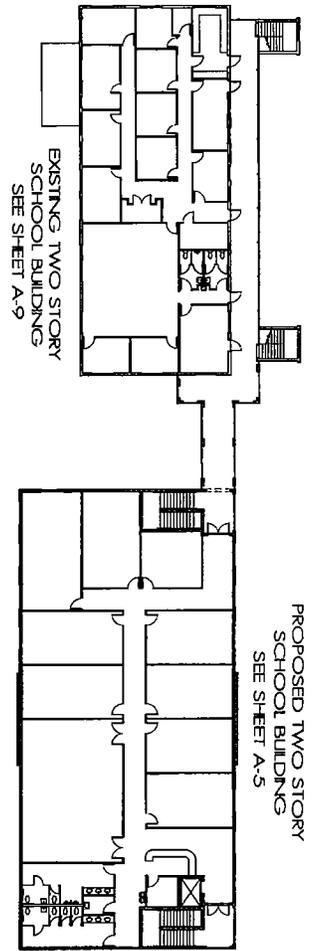
LANDSCAPE PLAN  
 1"=20' 0"

	<b>VILLA &amp; ASSOCIATES INC.</b> ARCHITECTURE PLANNING 1700 SW 40th STREET SUITE 201 - MIAMI FL 33135 - PHONE 877-9781 CONSULTANT 1
	JAMES A. VALDIVIA P.L.L.C. REG. ARCHITECT
<b>THE ROCK CHURCH FOR:</b> FOLIO # 30-4200-000-0700 WAREHOUSING AND DISTRIBUTION 3000 SW 48th ST MIAMI FL 33155-5505 PATRON: MR. FREEDY PEREZ - 305 500-0000	DATE: 11-10-10 TIME: 10:28 AM DRAWING NUMBER: L-2 OF 2

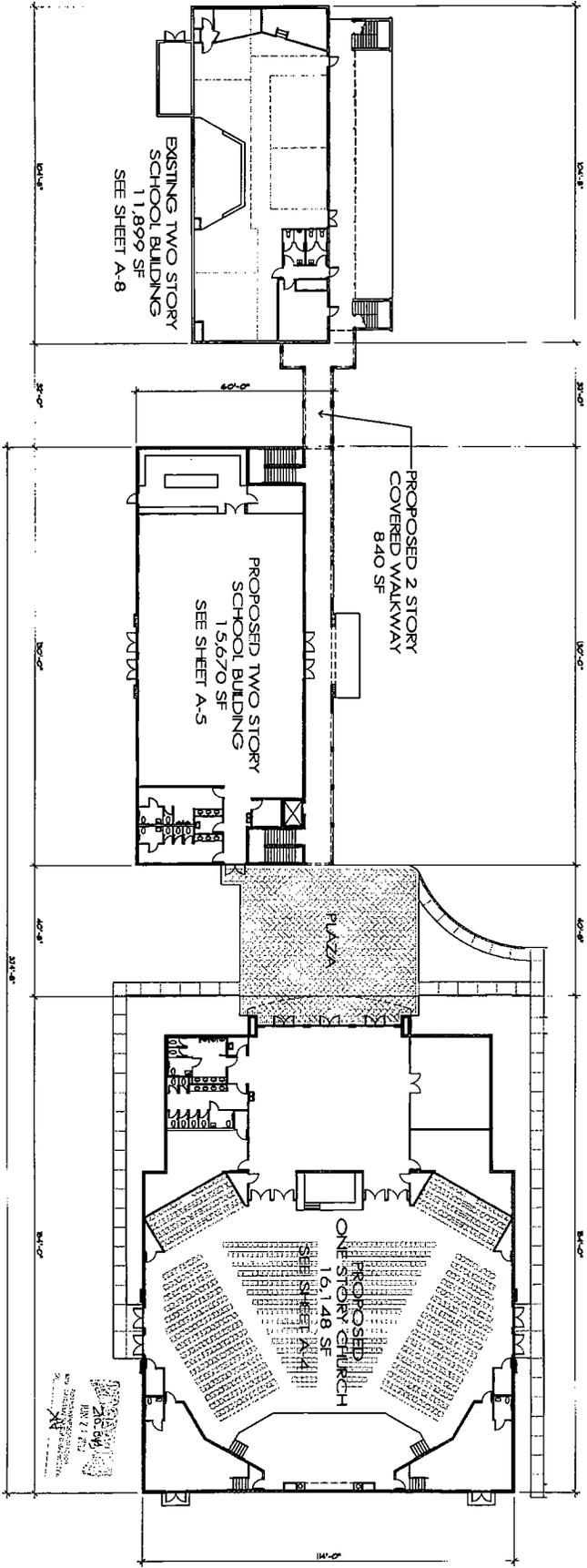
NOTE:  
 TREES PLANTED 7' FROM THE RIGHT OF WAY CAN BE  
 COUNTED TOWARD THE STREET TREE REQUIREMENT  
 HOWEVER SUCH CONDITION IS N/A TO THIS PROJECT  
 SINCE THIS PROJECT ALREADY PROVIDES 34  
 TREES IN THE RIGHT OF WAY.



RECEIVED  
 MAY 21 2008  
 PLANNING AND ZONING DEPT.  
 10801 SW 46 ST. MIAMI, FL 33155



PROPOSED 2nd FLOOR PLAN 1/8" = 1'-0"  
 N SEE SHEETS A-5 AND A-9



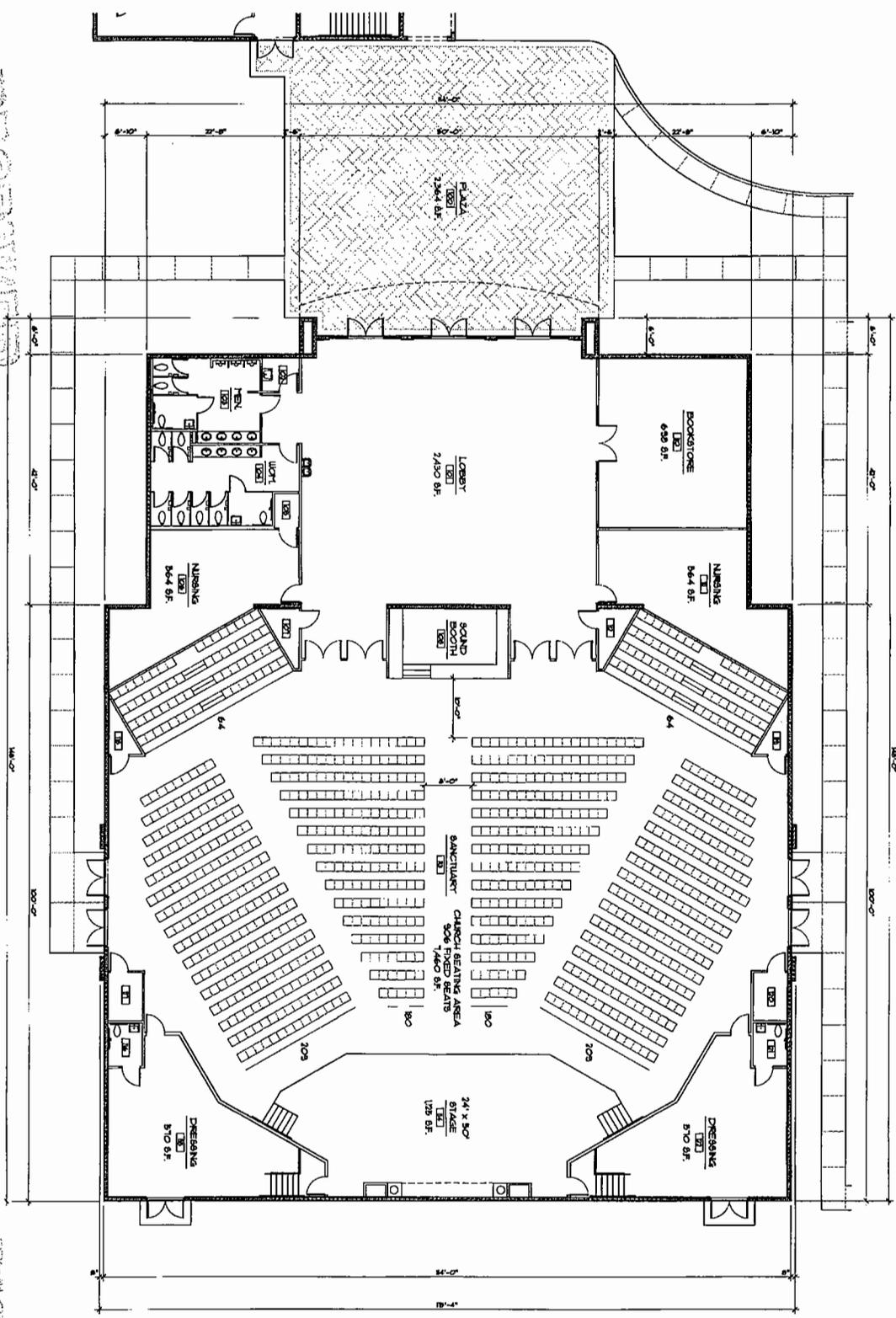
PROPOSED FLOOR PLAN 1/8" = 1'-0"  
 N SEE SHEETS A-4 AND A-5

RECEIVED  
 JUN 21 2008  
 ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY JA

<p>DATE: 05/21/08          DRAWN BY: JLV          CHECKED BY: JLV          SCALE: 1/8" = 1'-0"          SHEET: A-3 OF 10</p>		<p><b>VILLA &amp; ASSOCIATES INC.</b>          ARCHITECTURE PLANNING INTERIOR DESIGN          7264 SW 40 STREET - MIAMI FL 33155 - (305) 561-8281          CONSULTANT:</p>	<p>Corporation License          BA-00000000          Architectural Seal          JORGE L VILLAVENCIO          NO. A92012110</p>	<p>PROPOSED CHURCH FOR:  <b>THE ROCK CHURCH</b>          FOLIO # 30-4220-000-0120          WESTCHESTER SPANISH CHRISTIAN CHURCH INC.          10801 SW 46 ST MIAMI FL 33155-5885          PASTOR- MR. FREDDY PEREZ - 305 000-0000</p>	<p>REVISIONS:</p> <table border="1"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>								

**RECEIVED**  
 JUN 21 2018  
 210-048

FOR THE BOARD OF DIRECTORS  
 WESTCHESTER SPANISH CHRISTIAN CHURCH  
 BY: *AR*



PROPOSED FLOOR PLAN  
 16,148 SF.

DATE: 06-14-18	SCALE: 1/8" = 1'-0"
BY: AR	NO. 10

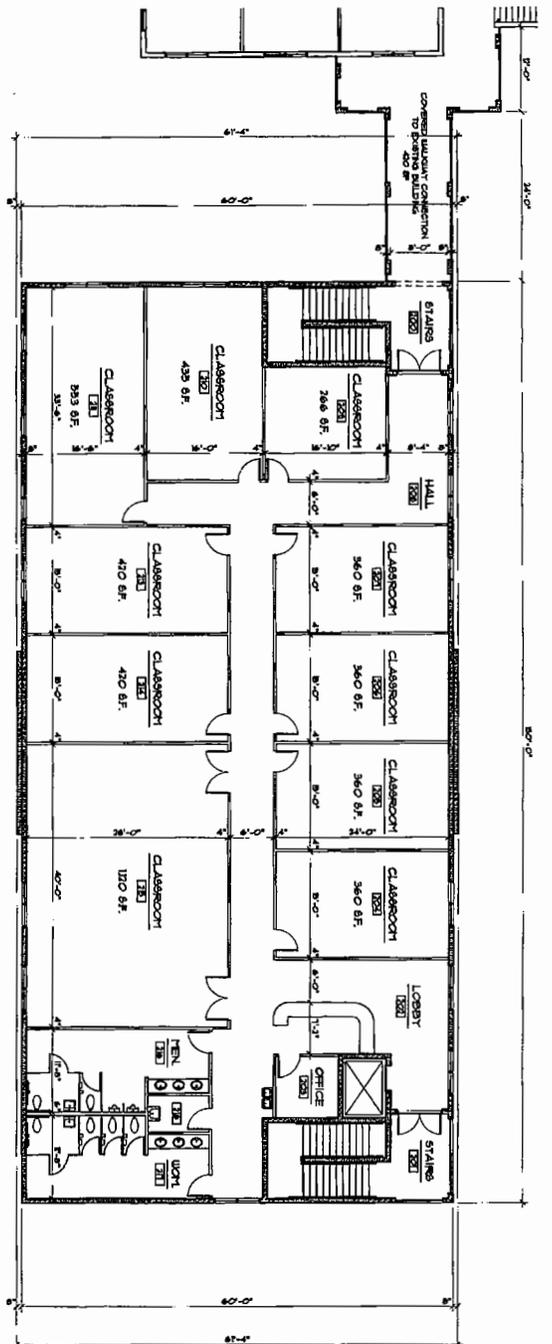


**VILLA & ASSOCIATES INC.**  
 ARCHITECTURE PLANNING INTERIOR DESIGN  
 7544 SW 48 STREET MIAMI FL 33155 (305) 691-9191  
 CONSULTANT 1

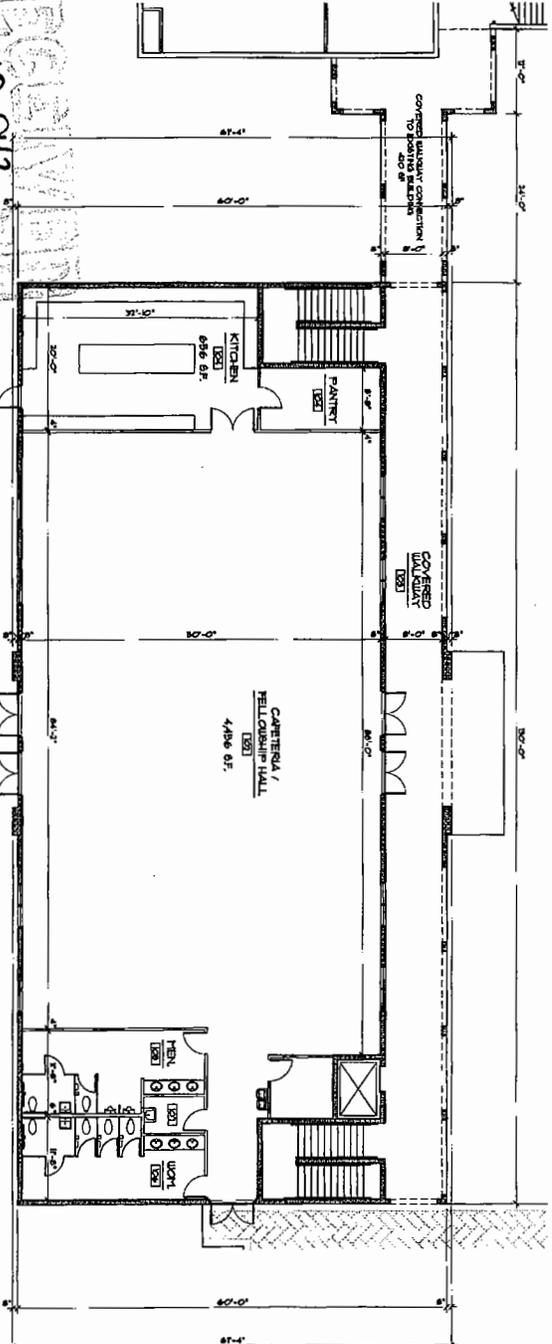
Composition License  
 #A4000208  
 Architectural Seal  
 JORGE L. VILLAVENCOSO  
 NO. A40013118

**PROPOSED CHURCH FOR:  
 THE ROCK CHURCH**  
 FOLIO # 30-4020-000-0120  
 WESTCHESTER SPANISH CHRISTIAN CHURCH INC.  
 10801 SW 48 ST MIAMI FL 33155-5885  
 PASTOR- MR. FREDDY PEREZ - 305 000-0000

REVISIONS:



PROPOSED 2nd FLOOR PLAN  
 18" = 1'-0"



PROPOSED 1st FLOOR PLAN  
 1/8" = 1'-0"

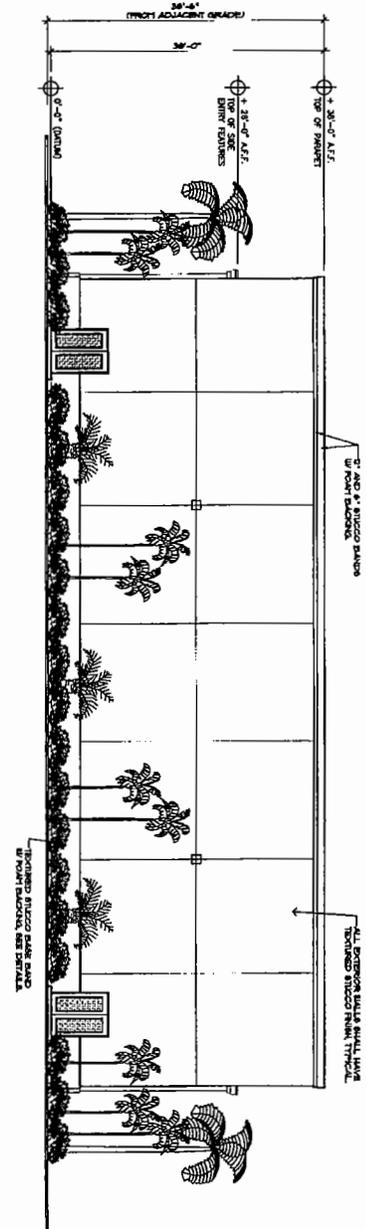
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 JUN 2 2010  
 210-003

ZONING, PLANNING & PERMITTING  
 MUNICIPAL PLANNING AND ZONING DEPT.  
 BY *[Signature]*

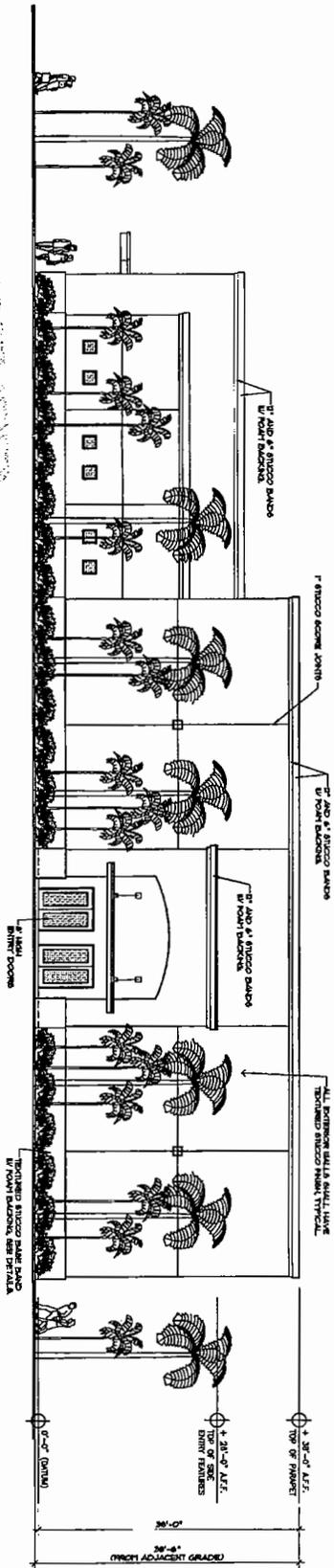
<p>DATE: 06-11-10          SCALE: 1/8" = 1'-0"          SHEET: A-5 OF 10</p>		<p><b>VILLA &amp; ASSOCIATES INC.</b>          ARCHITECTURE PLANNING INTERIOR DESIGN          7344 SW 48 STREET - MIAMI FL 33155 - (305) 661-6191          CONSULTANT: JORGE L. VILLAVENCENO MD. A0001110</p>	<p>Corporation License #A0000509          Architectural Seal          JORGE L. VILLAVENCENO MD. A0001110</p>	<p>PROPOSED CHURCH FOR:  <b>THE ROCK CHURCH</b>          FOLIO # 30-4020-000-0120          WESTCHESTER SPANISH CHRISTIAN CHURCH INC.          10801 SW 48 ST MIAMI FL 33155-9665          PASTOR - MR. FREDDY PEREZ - 305 000-0000</p>	<p>REVISIONS:</p>
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PROPOSED CHURCH BUILDING  
 FRONT ELEVATION  
 NORTH



PROPOSED CHURCH BUILDING  
 SIDE ELEVATION  
 EAST

**RECEIVED**  
 210-043  
 JAN 21 2003

ZONING DEPARTMENT  
 PLANNING AND ZONING DEPT.  
 BY *SKH*

DATE	SCALE
04-11-93	1/8"
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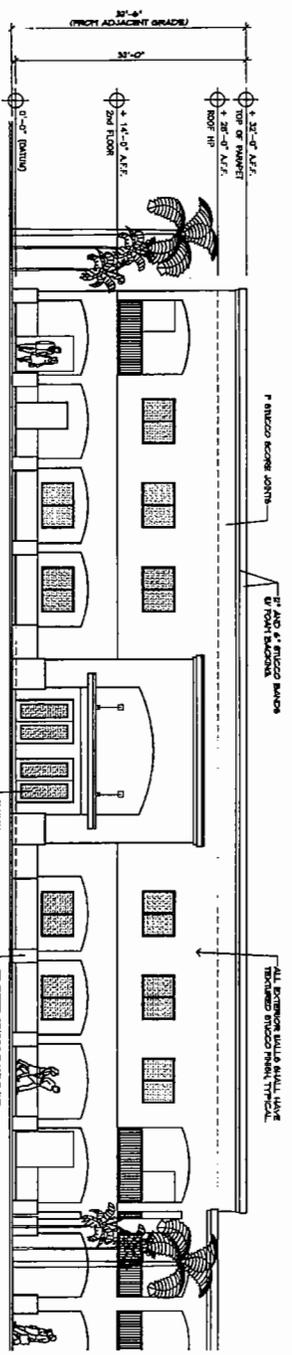
**VILLA & ASSOCIATES INC.**  
 ARCHITECTURE - PLANNING - INTERIOR DESIGN  
 7344 SW 48 STREET - MIAMI FL 33155 - (305) 591-5191  
 CONSULTANT:

Corporation License #A420036  
 Architectural Seal  
 JORGE E. VILLAVICENCIO  
 No. AR021210

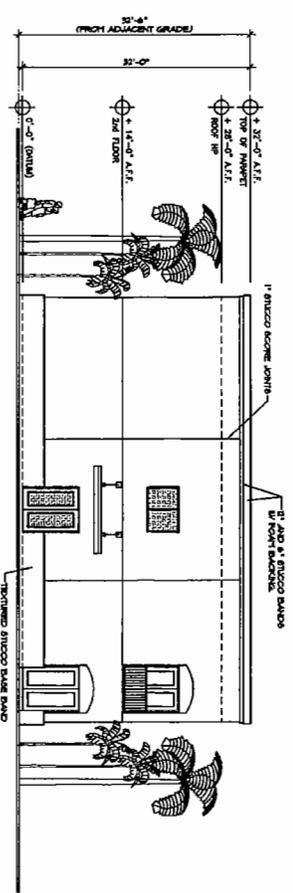
PROPOSED CHURCH FOR:  
**THE ROCK CHURCH**  
 FOLIO # 30-4020-000-0120  
 WESTCHESTER SPAINISH CHRISTIAN CHURCH INC.  
 10001 SW 48 ST MIAMI FL 33155-0666  
 PASTOR- MR. FREDDY PEREZ - 305 000-0000

REVISIONS:

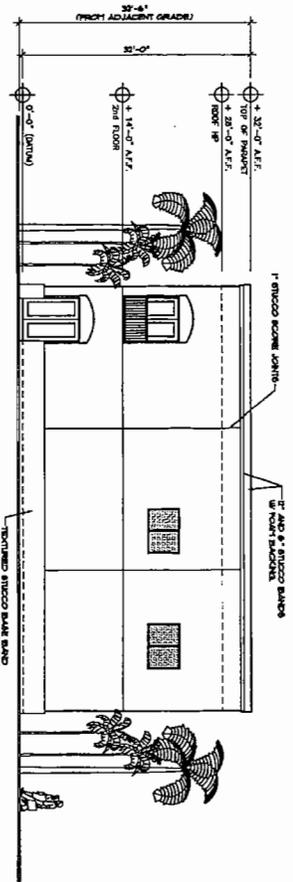
37



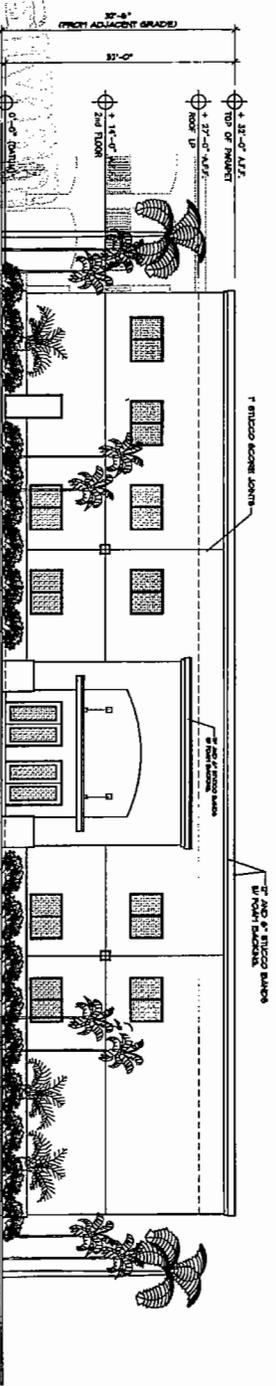
PROPOSED SCHOOL BUILDING  
 FRONT ELEVATION (WEST) 1/8"



PROPOSED SCHOOL BUILDING  
 SIDE ELEVATION (NORTH) 1/8"



PROPOSED SCHOOL BUILDING  
 SIDE ELEVATION (SOUTH) 1/8"



PROPOSED SCHOOL BUILDING  
 FRONT ELEVATION (EAST) 1/8"

210-043  
 JUN 21 1987

ZONING ORDINANCE SECTION  
 MINIMUM PLANNING BOARD ZONING DEPT.  
 BY ALF

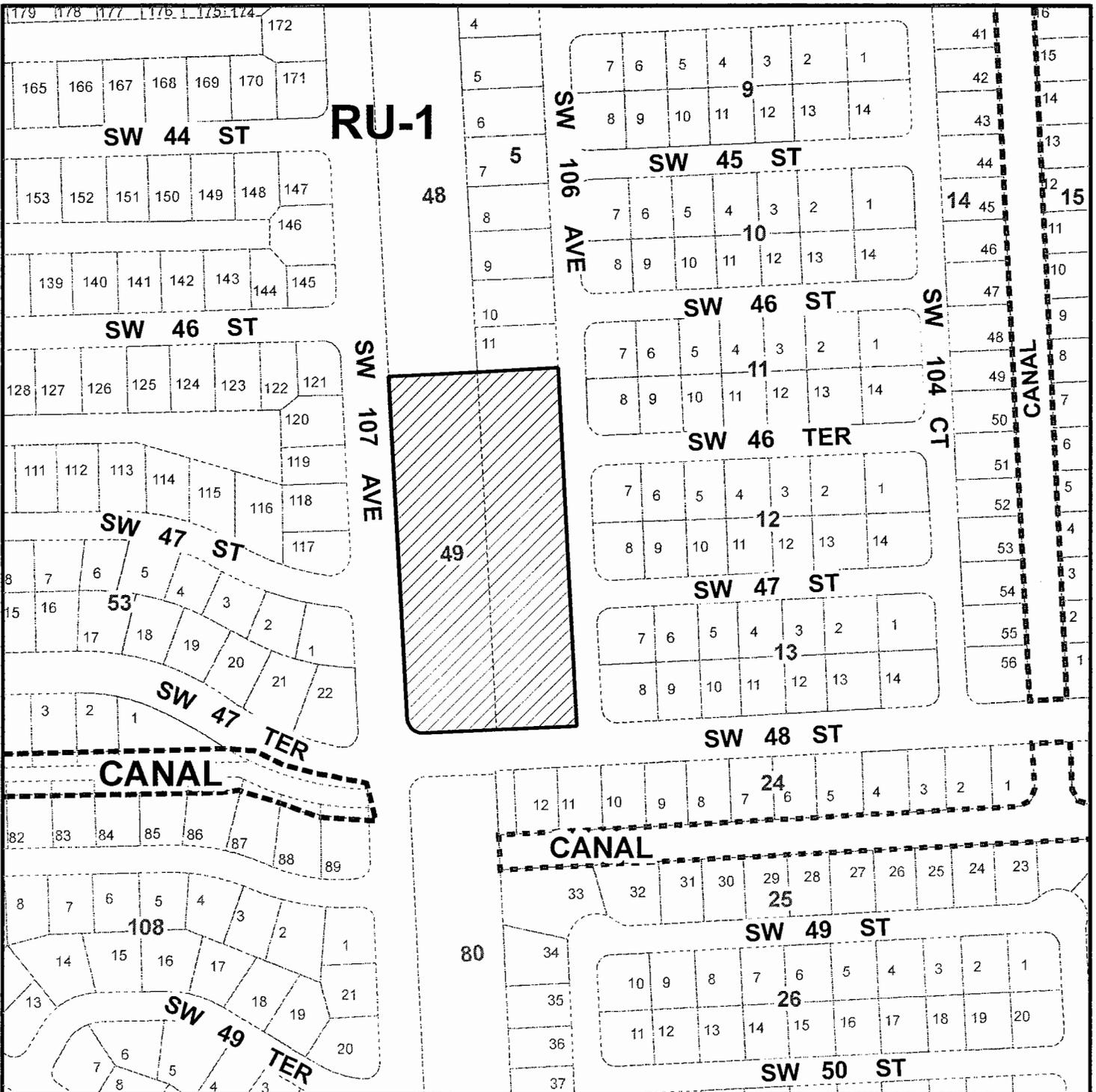
DATE: 04-14-87  
 SCALE: 1/8"  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 TITLE: ARCHITECTURE  
 PROJECT NO: A-8 OF 10

**VILLA & ASSOCIATES INC.**  
 ARCHITECTURE PLANNING INTERIOR DESIGN  
 7944 SW 48 STREET MIAMI FL 33156 (305) 681-6101  
 CONSULTANT:

Corporation License  
 844000056  
 Architectural Dept.  
 JORGE L. VILLAVICENCIO  
 NO. AR021212

PROPOSED CHURCH FOR:  
**THE ROCK CHURCH**  
 FOLD # 30-420-000-020  
 WESTCHESTER SPANISH CHRISTIAN CHURCH INC.  
 10601 SW 48 ST MIAMI FL 33186-8665  
 PASTOR- MR. FREDDY PEREZ - 305 000-0000

REVISIONS:

**RU-1**

**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2010000043**



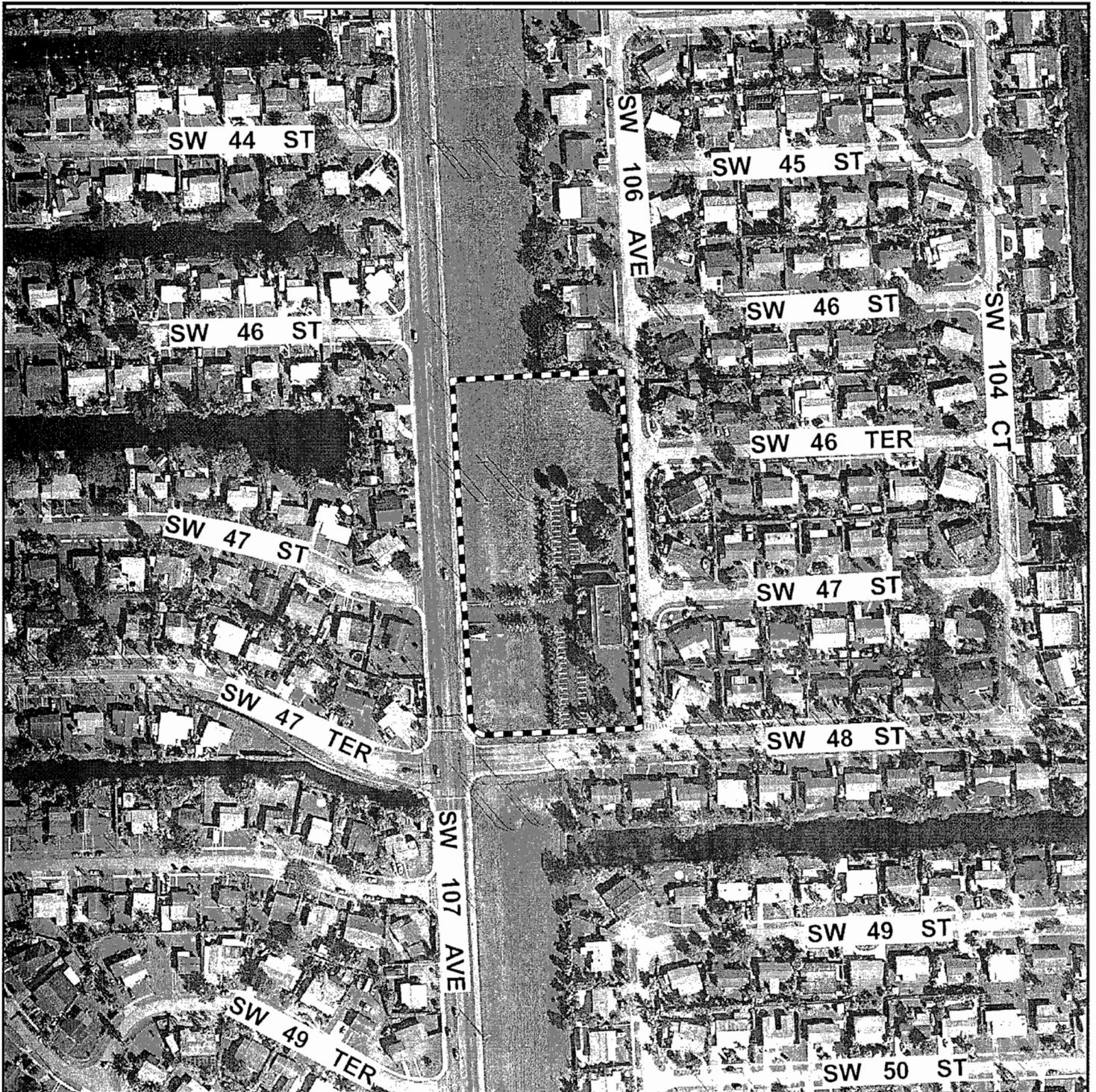
Section: 20 Township: 54 Range: 40  
 Applicant: WESTCHESTER SPANISH CHRISTIAN CHR  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**  
 Subject Property Case  
 Zoning



SKETCH CREATED ON: Tuesday, May 4, 2010

REVISION	DATE	BY
	39	



**MIAMI-DADE COUNTY**

**AERIAL YEAR 2009**

Process Number

**Z2010000043**

Section: 20 Township: 54 Range: 40  
 Applicant: WESTCHESTER SPANISH CHRISTIAN CHR  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

Legend

 Subject Property



SKETCH CREATED ON: Tuesday, May 4, 2010

REVISION	DATE	BY