KITS

12-3-2008 Version # 1

MIAMI-DADE COUNTY

COMMUNITY ZONING APPEALS BOARD 12
KENDALL VILLAGE CENTER - CIVIC PAVILLION
8625 SW 124 Avenue, Miami
Tuesday, January 6, 2009 at 6:30 p.m.

PREVIOUSLY DEFERRED

A.	08-12-CZ12-1	RONALD, RAMIRO, & MAGALI CHAVEZ	07-344	03-55-40	

CURRENT

1.	09-1-CZ12-1	EIGHTY SEVENTH CT, LLC	07-317	28-54-40	N
2.	09-1-CZ12-2	ALBERTO ROS	08-110	30-54-40	N
3.	09-1-CZ12-3	JULIO & NAYLET I. MOREJON	08-173	27-54-40	N

Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 12

MEETING OF TUESDAY, JANUARY 6, 2009

KENDALL VILLAGE CENTER – CIVIC PAVILION

8625 SW 124 AVENUE, MIAMI, FLORIDA

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

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

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

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

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

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

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

SWEARING IN OF WITNESSES

A. RONALD, RAMIRO AND MAGALI CHAVEZ (08-12-CZ12-1/07-344) **3-55-40**
Area 12/District 8

EU-1 to EU-M

LOCATION: 8300 S.W. 94 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.16 Acres

Department of Planning and Zoning Recommendation: Denial without prejudice.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

Deferred from 12/2/08

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1. EIGHTY SEVENTH CT., L. L. C. (09-1-CZ12-1/07-317) **28-54-40**
Area 12/District 7

(1) RU-1 to BU-1A

(2) Applicant is requesting to permit an office building setback 5' (15' required) from the interior side (north and south) property lines.

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(16) (Alternative Site Development Option for the BU Zoning District) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Proposed Project for: 87 Ct. L. L. C.," as prepared by Oscar E. Matutes and consisting of 4 sheets: Sheets "A-2" and "A-3" last revised 10/13/08 and the remaining two sheets dated stamped received 9/5/07. Plans may be modified at public hearing.

LOCATION: 7027 S.W. 87 Court, Miami-Dade County, Florida.

SIZE OF PROPERTY: 120' x 100'

Department of Planning and Zoning Recommendation: Approval of request #1, subject to the Board's acceptance of the proffered covenant; approval with conditions of request #2 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Sections 33-311(A)(14) (ASDO) and 33-311(A)(4)(c) (ANUV).

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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2. ALBERTO ROS (09-1-CZ12-2/08-110) **30-54-40**
Area 12/District 10

(1) Applicant is requesting to waive the zoning regulations prohibiting accessory buildings to extend above the height of the wall or wood fence enclosing the townhouse site; to permit a shed to be higher than the wall or wood fence.

(2) Applicant is requesting to waive the zoning regulations requiring a spacing of 20' be provided between each group of townhouses, 15' of which shall be unencumbered by walls, fences or other structures or buildings, 5' may be encumbered by trellises, chimneys or walkways which may be enclosed by privacy fences; to waive same to permit a 6' high wood fence within the unencumbered area.

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

Plans are on file and may be examined in the Department of Planning and Zoning entitled "As-Built for Existing Open Covered Alum. Terrace Roof for Ros Residence," as prepared by Vertex Architecture, dated stamped received 9/1/08 and consisting of 1 sheet. Plans may be modified at public hearing.

LOCATION: 7112 S.W. 113 Court, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2,697 sq. ft.

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

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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3. JULIO AND NAYLET I. MOREJON (09-1-CZ12-3/08-173) **27-54-40**
Area 12/District 7

(1) Applicants are requesting to permit a parcel of land with a lot frontage of 122.5' (125' required), a lot depth of 149.84' (200' required) and a lot area of 0.421 acre (1 acre required).

(2) Applicants are requesting to permit a single-family residence setback 30' (50' required) from the front (east) property line.

(3) Applicants are requesting to permit the single-family residence with a lot coverage of 21.4% (20% permitted for a one-story residence).

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

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Proposed New Construction for: Morejon Residence," as prepared by Danger Marine Design L. L. C., dated stamped received 9/23/08 and consisting of 6 pages. Plans may be modified at public hearing.

LOCATION: Lying west of S.W. 80 Court, approximately 250' north of S.W. 72 Street (Sunset Drive); A/K/A: 7050 S.W. 80 Court, Miami-Dade County, Florida.

SIZE OF PROPERTY: 0.421 Acre

Department of Planning and Zoning Recommendation: Approval with conditions of requests #1 through #3 under Section 33-311(A)(4)(b) (NUV), and denial without prejudice of same requests under Sections 33-311(A)(4)(c) (ANUV) and 33-311(A)(14) (ASDO).

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

THE END

NOTICE OF APPEAL RIGHTS

Decisions of the Community Zoning Appeals Board (CZAB) are appealed either to Circuit Court or to the Board of County Commissioners (BCC) depending upon the items requested in the Zoning Application. Appeals to Circuit Court must be filed within 30 days of the transmittal of the CZAB resolution. Appeals to BCC must be filed with the Zoning Hearings Section of the Department of Planning and Zoning within 14 days of the posting of the results in the department.

Further information and assistance may be obtained by contacting the Legal Counsel's office for the Department of Planning and Zoning at (305) 375-3075, or the Zoning Hearings Section at (305) 375-2640. For filing or status of Appeals to Circuit Court, you may call the Clerk of the Circuit Court at (305) 349-7409.

A. RONALD, RAMIRO, & MAGALI CHAVEZ **08-12-CZ12-1 (07-344)**
(Applicant) **Area 12/District 8**
Hearing Date: 1/6/09

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

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

Disclosure of interest form attached? Yes ☐ No ☑

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
				NONE

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

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 12
MOTION SLIP

#1

APPLICANT'S NAME: **RONALD, RAMIRO AND MAGALI CHAVEZ**

REPRESENTATIVE: Melissa Tapanes

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
08-12-CZ12-1 (07-344)	December 2, 2008	CZAB12		08

REC: Denial without prejudice.

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

■ DEFER: ☐ INDEFINITELY ■ TO: Jan 6, 2009 ■ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

☐ WITH CONDITIONS

■ OTHER: To submit a revised site plan and covenant.

TITLE	M/S	NAME	YES	NO	ABSENT
MS.		Peggy BRODEUR			X
MR.		Jorge Luis GARCIGA	X		
VICE-CHAIRMAN		Alberto SANTANA	X		
MS.		Carla Ascencio-SAVOLA	X		
MR.		Jose I. VALDES	X		
MS.		Angela VAZQUEZ	X		
CHAIRMAN		Elliot N. ZACK	X		
		VOTE:	6	0	

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

2

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 12

APPLICANTS: Ronald, Ramiro and Magali Chavez **PH:** Z07-344 (08-12-CZ12-1)

SECTION: 3-55-40 **DATE:** January 6, 2009

COMMISSION DISTRICT: 8 **ITEM NO.:** A

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A. INTRODUCTION

- **REQUEST:**

  EU-1 to EU-M

- **SUMMARY OF REQUEST:**

  The applicants are seeking to change the zoning on the property from EU-1, Single-Family One Acre Estate Residential District, to EU-M, Estate Modified Residential District.

- **LOCATION:**

  8300 S.W. 94 Street, Miami-Dade County, Florida.

- **SIZE:** 1.16 Acres

- **IMPACT:**

  The approval of the requested district boundary change will allow the applicants to subdivide the property to provide additional residential units for the community. The rezoning of this site could have a negative impact on traffic in the area.

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 **Estate Density Residential** use. This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 dwelling units per gross acre.

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

3. **Policy LU-9C.** Miami-Dade County shall continue to encourage and promote the transfer of Severable Use Rights (SUR) from lands which are allocated SURs in Chapter 33B, Code of Miami-Dade County, to land located within the Urban Development Boundary (UDB) as designated on the LUP map.

4. **Severable Use Rights.** The entire unincorporated area within the UDB is eligible to receive and utilize Severable Use Rights (SUR's) in accordance with provisions of Chapter 33-B, Code of Miami-Dade County. Accordingly, certain developments as specified in Chapter 33-B may be entitled to density or floor area bonuses as authorized by Chapter 33-B. If the existing SUR program is modified pursuant to Land Use Element Policy LU-9C or other transferable development rights programs are established, all rights established by such programs shall be transferable to receiver sites inside the UDB as established in those programs.

D. NEIGHBORHOOD CHARACTERISTICS:

	ZONING	LAND USE PLAN DESIGNATION
Subject Property:		
	EU-1; Abandoned Residence	Estate Density Residential, 1 to 2.5 dua
Surrounding Properties:		
NORTH:	EU-M; Single-family residence	Estate Density Residential, 1 to 2.5 dua
SOUTH:	EU-1; Single-family residence	Estate Density Residential, 1 to 2.5 dua
EAST:	EU-M; Single-family residences	Estate Density Residential, 1 to 2.5 dua
WEST:	EU-1; Single-family residence	Estate Density Residential, 1 to 2.5 dua

The 1.16 net acre subject property is a vacant lot located over 7 miles east of and within the UDB at 8300 S.W. 94 Street in an established estate single-family residential area.

E. SITE AND BUILDINGS:

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

F. PERTINENT REQUIREMENTS/STANDARDS:

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

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

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

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

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

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

G. NEIGHBORHOOD SERVICES:

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

*Subject to the conditions indicated in their memoranda.

H. ANALYSIS:

This application was deferred from the December 2, 2008 meeting at the applicant's request to submit revised plans. As of the time of this writing, staff has not received any revised plans. The subject property is a rectangular corner lot and located over 7 miles east of and within the UDB at 8300 S.W. 94 Street. The applicants are requesting a district boundary change from EU-1, Single-Family One Acre Estate Residential District, to EU-M, Estate Modified Residential District. Plans submitted by the applicants illustrate the intent to subdivide the subject property into three (3) EU-M zoned lots. It is the intent of the applicants to utilize SUR's to obtain the zoning bonuses for lot frontage and lot area to achieve the desired configuration. One-story, single-family residences

characterize the surrounding area. The applicants have voluntarily proffered a covenant restricting the development of the site to the submitted plans and limiting the density to a maximum of 3 units with the utilization of Severable Use Rights (SUR's).

Plans submitted by the applicants illustrate the subject property subdivided into 3 EU-M zoned lots, each fronting on SW 83 Avenue. The proposed corner lot situated at the SW corner and of SW 94 Street and of SW 83 Avenue has been proposed with a lot frontage of 100.82' and a net lot area of 14,417 sq. ft.; the remaining lots situated on the middle and southern portions of the site have been proposed each with lot frontages of 100' and net lot areas of 14,300 sq. ft. The EU-M zoning regulations require lots to have a minimum lot frontage of 120', a minimum lot depth of 115' and a minimum net lot area of 15,000 sq. ft. Staff notes that the 3 proposed lots do not comply with the minimum lot frontage and lot area required. However, the applicants have voluntarily proffered a covenant, which along with restricting the subdivision to be developed in accordance with the submitted plans, requires the applicants to purchase and utilize one (1) Severable Use Right (SUR) to obtain the SUR bonus for lot frontage (allows 100' minimum) and for lot area (allows 12,500 minimum). Staff is none of the less not supportive of the district boundary change and the proposed subdivision plan as submitted.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that this application meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicants will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The Public Works Department **(PWD)** has **no objections** to this application. They have indicated that road dedications and improvements will be accomplished through the recording of a plat. According to their memorandum, this application meets traffic concurrency criteria, will generate **3** additional PM daily peak hour **vehicle trips** and the distribution of these trips to the adjacent roadways will not exceed the acceptable Levels of Service (LOS) of the roadways, which are currently operating at LOS "C" and "D". The Miami-Dade Fire Rescue Department **(MDFR)** also has **no objections** to the application and indicates that the estimated response time is **6:15 minutes**.

As previously mentioned, the approval of the requested district boundary change would allow the applicants to subdivide the property into 3 residential lots. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Estate Density Residential** use, which permits a minimum of 1 unit per gross acre to a maximum of 2.5 units per gross acre. This would generate a permissible numerical density threshold of a minimum of 1 to a maximum of 3 dwelling units on the 1.25 gross acre site. The applicants have submitted a proposed subdivision plan illustrating the division of the land into three EU-M parcels and a covenant restricting the development of the site to the submitted plans and requiring the purchase of SUR's. As such, this proposal is within the numerical density threshold permitted under the LUP map designation for Estate Density Residential use and is, therefore, **consistent** with the LUP map of the CDMP. As previously mentioned, however, staff notes that the 3 illustrated lots have been configured with substandard lot frontages that do not comply with the minimum frontage requirement of 120' for EU-M lots, and specifically have measurements of 100', 100' and 100.82'. Additionally, said proposed lots also do not comply with the minimum lot area requirement of 15,000 sq. ft. for EU-M lots, and specifically have lot areas of 14,300 sq. ft., 14,300 sq. ft. and 14,417 sq. ft. Within **Policy LU-9C** of the interpretative text of the CDMP, it is indicated that the entire unincorporated area of Miami-Dade County within the Urban Development Boundary (UDB) is eligible to receive and utilize SUR's in accordance with provisions of Chapter 33-B of the Zoning Code. The subject property is located over 7 miles east of and within the UDB in an established Estate residential area. With the utilization of SUR's, the proposed EU-M zoning, if approved, would receive a development bonus that reduces the required lot frontage from 120' to 100' and lessens the required net lot area from 15,000 sq. ft. (0.344 acre) to 12,500 sq. ft. (0.287 acre) for

EU-M zoned properties. As previously mentioned, the plans submitted by the applicants reflect an intended development of the 3 lots with the utilization of the SUR bonus for lot frontage and lot area. As such, the applicant's proposal of 3 EU-M zoned lots, utilizing SURs, is within the density range which permits up to 3 residential units and thus is consistent with the CDMP and is consistent with Policy LU-9C of the CDMP. However, staff opines that the approval of the proposal would be out of character with the development pattern in the area as no similar approvals exist in the immediate vicinity. Specifically, approval of this application, in staff's opinion, will disrupt the development pattern of the EU-1 established block area where the subject property lies, which consists of eight EU-1 zoned lots. Additionally, staff opines that approval of this zone change could precipitate further development in this block area located between SW 94 Street and SW 96 Street, and between SW 83 Avenue and SW 84 Avenue. Furthermore, staff notes that the residence located to the north of the subject site has a net lot area of 19,493 sq. ft. Additionally, the properties located to the east of the subject site have net lot areas of 17,652 sq. ft. and 17,484 sq. ft., which are larger lot areas than the ones being proposed. Accordingly, staff notes that, although the proposed development is **consistent** with the numerical threshold of the LUP map's Estate Density Residential designation, in staff's opinion, the proposed zone change to EU-M as proposed is **incompatible** with the surrounding area.

When considering district boundary changes, the Board shall hear and grant or deny applications by taking into consideration whether the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall also consider whether the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways. The rezoning, if granted, conforms to the LUP Map density of the Comprehensive Development Master Plan for Miami-Dade County. As previously mentioned, the proposed development is **consistent** with the Estate Density Residential LUP Map designation of the CDMP. This project will not have an unfavorable impact on the water, sewer, solid waste disposal, or other public services and will not have an unfavorable impact on the environment as indicated by the memorandum submitted by DERM. Additionally, the proposed development does not unduly burden or affect public transportation facilities as indicated in the PWD's memorandum submitted for this application and the proposed residential development will be readily accessible by the intersection of two roadways operating at acceptable LOS standards. However, as previously mentioned, approval of this application, in staff's opinion, will disrupt the development pattern of the EU-1 established block area where the subject property lies, which consists of eight EU-1 zoned lots. Additionally, staff opines that approval of this zone change could precipitate further development in this block area. Furthermore, as previously mentioned, staff notes that the property located to the north of the subject site has a net lot area of 19,493 sq. ft. and the properties located to the east of the subject site have net lot areas of 17,652 sq. ft. and 17,484 sq. ft., which are larger lot areas than the ones being proposed. The EU-1 zoned lot located to the west of the subject property contains a lot area of 50,530 sq. ft. and the EU-1 zoned lot located to the south has 57,935 sq. ft. of lot area. The submitted site plan illustrates a configuration of 3 lots that are not harmonious with the lot size of the neighboring properties, and as such, would, in staff's opinion, create a detrimental impact that would compromise the stability and appearance of the immediate area. Accordingly, staff notes that, although the proposed development is **consistent** with the numerical threshold of the LUP map's Estate Density Residential designation, the application, in staff's opinion, is **incompatible** with the surrounding area.

Based on all of the foregoing, staff opines that the approval of the district boundary change would not be in keeping with the basic intent and purpose of the zoning and subdivision regulations. Additionally, although the requested zone change to EU-M is **consistent** with the CDMP, staff is of the opinion that approval of same will be **incompatible** with the surrounding area. Therefore, staff recommends denial without prejudice of the district boundary change from EU-1 to EU-M.

I. RECOMMENDATION:

Denial without prejudice.

J. CONDITIONS: None.

DATE INSPECTED: 09/19/08
DATE TYPED: 10/10/08
DATE REVISED: 10/14/08; 10/27/08; 11/17/08; 12/03/08; 12/08/08
DATE FINALIZED: 12/08/08
MCL:MTF:NN:AA:JV

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

Memorandum

MIAMI-DADE COUNTY

Date: September 2, 2008

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

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

Subject: C-12 #Z2007000344-Revised
Ronald, Ramiro and Magali Chavez
8300 S.W. 94th Street
District Boundary Change from EU-1 to EU-M
(EU-1) (1.16 Acres)
03-55-40

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

Potable Water Service

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

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

Wastewater Disposal

Public sanitary sewers are not located within feasible distance for connection to the subject property; consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste. DERM has no objection to the interim use of a septic tank and drainfield provided that the maximum sewage loading allowed by Section 24-43.1(3) of the Code is not exceeded and the property is connected to public water. In accordance with the Code, the minimum lot size for a single family residence or duplex served by public water and a septic tank shall be 15,000 square feet (gross) or 20,000 square feet (gross), respectively.

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

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

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

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

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

Tree Preservation
Tree Removal Permit 2008-TREE-PER-00008 was issued to Ronald and Ramiro Chavez on August 29, 2008 and is scheduled to expire on August 29, 2009. The tree removal permit requires the preservation of 43 regular size trees (#6,11,18-21,23,24,26-28,30,31,36-38,40-47,49,51,59-62,73,81-84,86,93,94,99-103) and one specimen size (trunk diameter 18 inches or greater) royal poinciana tree (#53) as identified in the DERM-approved permitted plans. Also, a consent agreement was signed on August 25, 2008 to redress alleged violations of Section 24-49 (1) of the Code at this site. This consent agreement is scheduled to expire on August 25, 2008.

The site plans submitted with this application entitled "Baptist Manor", prepared by Mendez Professional Engineering Corporation, sheets LP-1-3 and dated September 17, 2007 depicts these trees to remain. Therefore, DERM has no objection to the approval of this zoning application.

All approved tree removal or relocation, replanting and final inspection (a two weeks notice is required prior to the final inspection) must be completed prior to the scheduled expiration date of this permit to avoid violation of permit conditions. The applicant is advised that a new Miami-Dade County Tree Removal Permit or an amendment to Tree Removal Permit 2008-TREE-PER-00008 is required prior to the removal or relocation of any other tree on the subject property. The DERM Tree Program may be contacted at (305) 372-6574 for further information.

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

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

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

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

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

REVISION 1
PH# Z2007000344
CZAB - C12

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:RONALD, RAMIRO & MAGALI CHAVEZ

This Department has no objections to this application.

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 3 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-684	SW 88 St. e/o SW 79 Ave.	D	D
F-66	SW 88 St. w/o SW 87 Ave.	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.
10-SEP-08

REVISION 1

Memorandum

Date: 26-SEP-08

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2007000344

Fire Prevention Unit:

This memo supersedes MDFR Memorandum dated October 4, 2007.
APPROVAL
Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped Septemeber 4, 2008. Any changes to the vehicular circulation must be resubmitted for review and approval.
This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for zoning hearing applications only. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDFR requirements.

Service Impact/Demand:

Development for the above Z2007000344
located at 8300 SW 94 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1830 is proposed as the following:

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

Based on this development information, estimated service impact is: 0.81 alarms-annually.
The estimated average travel time is: 6:15 minutes

Existing services:

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

Station 23 - Suniland - 7825 SW 104 Street
Rescue, BLS 75' Ladder

Planned Service Expansions:

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

None.

Fire Planning Additional Comments:

Current service impact calculated based on letter of intent date stamped September 4, 2008. Substantial changes to the letter of intent will require additional service impact analysis.

DATE: 10/05/07
REVISION 1

TEAM METRO

ENFORCEMENT HISTORY

RONALD, RAMIRO & MAGALI CHAVEZ

APPLICANT

8300 S.W. 94 STREET, MIAMI-DADE COUNTY, FLORIDA.

ADDRESS

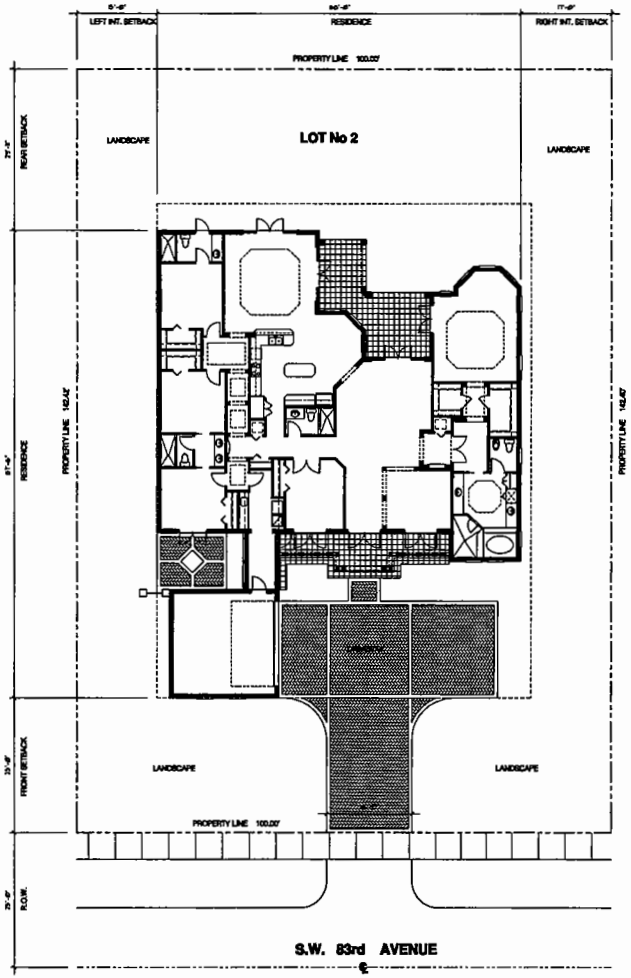
Z2007000344

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

There was one previously closed sign violation case:
200602012182: Sign on ROW-removed by NCO-insufficent info-closed

RECEIVED
MIAMI-DADE COUNTY
PROCESS # 777-944
DATE: SEP 14 2006
BY: D.K.



Site Plan Scale: 3/32" = 1'-0"

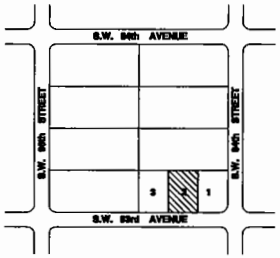
MODEL "A" (ONE STORY)

SITE USE DATA

ZONING :	EU-M
NET LAND AREA - ACRES :	.334
NET LAND AREA - SQUARE FEET :	14,840.00 Sq. Ft.
LOT COVERAGE, ALLOWED (30% MAX.) :	4,272.00 Sq. Ft.
LOT COVERAGE PROVIDED (29.91%) :	4,260.00 Sq. Ft.
MAXIMUM BUILDING HEIGHT ALLOWED :	35'-0"
BUILDING HEIGHT PROVIDED :	24'-8"

SETBACKS:

	REQUIRED	PROVIDED
FRONT	25'-0"	25'-0"
REAR	25'-0"	29'-11"
INTERIOR SIDE (RIGHT)	15'-0"	17'-0"
INTERIOR SIDE (LEFT)	15'-0"	15'-0"



Location Map N.T.S.

LEGAL DESCRIPTION

LOT 2 OF THE EAST 1/2 OF THE NE 1/4 OF THE SW 1/4 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 3 TOWNSHIP 55 SOUTH, 40 RANGE LESS THE NORTH 25 ft. FOR RIGHT OF WAY PURPOSES ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

Art-Tech design group, corp.
CONSULTING DESIGNERS

REVISIONS

BAPTIST MANOR
S.W. 83rd AVENUE AND 84th STREET MIAMI, FL.

Mendez Professional Engineering Corp.
1385 CORAL WAY SUITE 203
MIAMI, FL 33145
Phone: (305) 854 9824
Jose Antonio Mendez
Professional Engineer
P.E. No 53288

MENDEZ PROFESSIONAL ENGINEERING CORP.
CA 0000324

Date	09-17-07
Scale	AS NOTED
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Drawing	A-1.1

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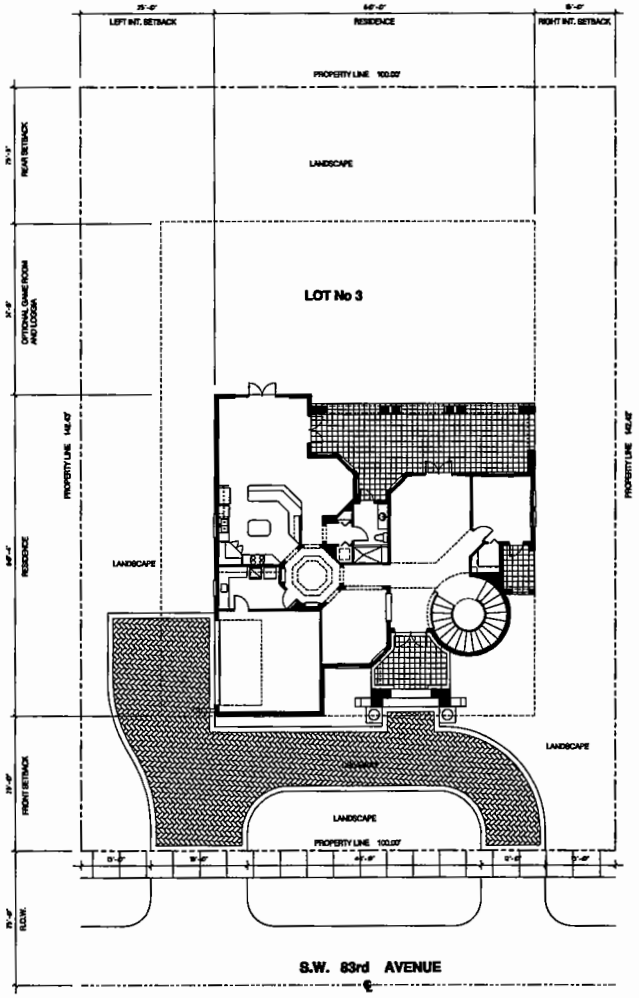


Site Plan

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

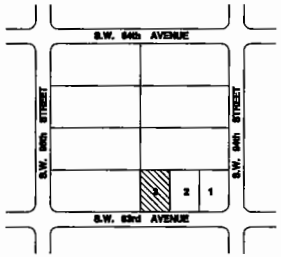
MODEL "B" (TWO STORY)

SITE USE DATA

ZONING :	EU-M
NET LAND AREA - ACRES :	.334
NET LAND AREA - SQUARE FEET :	14,200.00 Sq. Ft.
LOT COVERAGEL ALLOWED (30% MAX.) :	4,260.00 Sq. Ft.
LOT COVERAGE PROVIDED (22.1%) : EXCLUDING OPTIONAL GAME ROOM AND LOGGIA)	3,140.00 Sq. Ft.
LOT COVERAGE PROVIDED (25.4%) : INCLUDING OPTIONAL GAME ROOM AND LOGGIA)	3,610.00 Sq. Ft.
MAXIMUM BUILDING HEIGHT ALLOWED :	35'-0"
BUILDING HEIGHT PROVIDED :	34'-0"

SETBACKS:

	REQUIRED	PROVIDED
FRONT	25'-0"	25'-0"
REAR (EXCLUDING OPTIONS)	25'-0"	57'-1"
REAR (INCLUDING OPTIONS)	25'-0"	25'-6"
INTERIOR SIDE (RIGHT)	15'-0"	16'-0"
INTERIOR SIDE (LEFT)	15'-0"	25'-0"



Location Map

N.T.S.

LEGAL DESCRIPTION

LOT 3 OF THE EAST 1/2 OF THE NE 1/4 OF THE SW 1/4 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 3 TOWNSHIP 55 SOUTH, 40 RANGE LESS THE NORTH 25 ft. FOR RIGHT OF WAY PURPOSES ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

Art-Tech design group, corp.
CONSULTING DESIGNERS

REVISIONS

BAPTIST MANOR
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Jose Antonio Mendez.
Professional Engineer
P.E. No 53238

MENDEZ PROFESSIONAL ENGINEERING CORP.
CA 0000534

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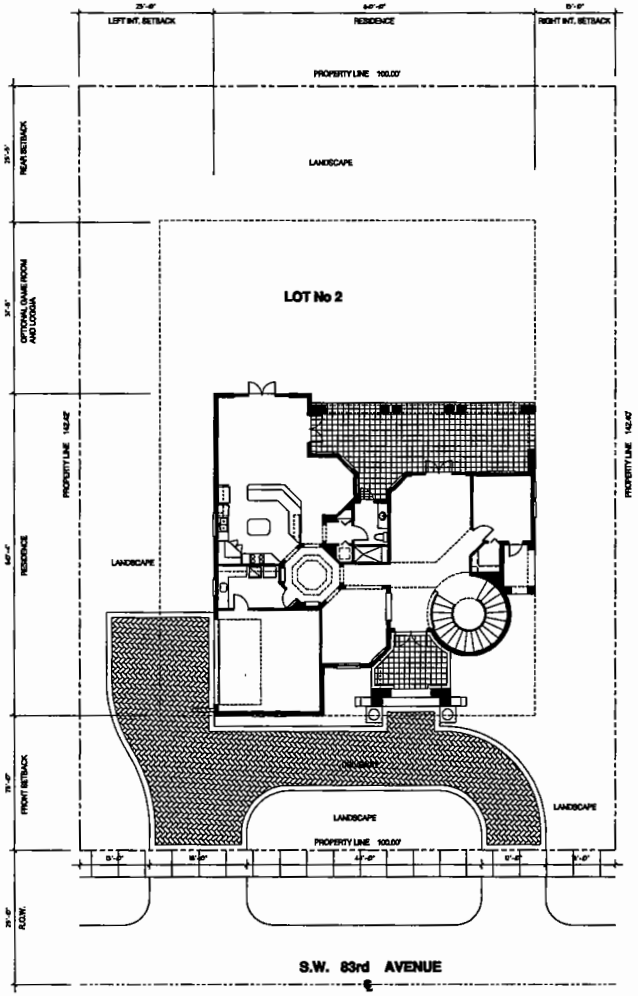
17



Site Plan

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

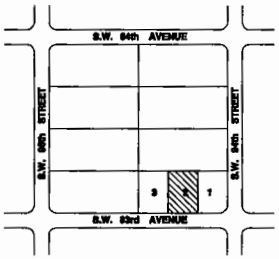
MODEL "B" (TWO STORY)

SITE USE DATA

ZONING :	EU-M
NET LAND AREA - ACRES :	.334
NET LAND AREA - SQUARE FEET :	14,520.00 Sq. Ft.
LOT COVERAGEL ALLOWED (30% MAX.) :	4,260.00 Sq. Ft.
LOT COVERAGE PROVIDED (22.1%) : EXCLUDING OPTIONAL GAME ROOM AND LOGGIA)	3,140.00 Sq. Ft.
LOT COVERAGE PROVIDED (25.4%) : INCLUDING OPTIONAL GAME ROOM AND LOGGIA)	3,610.00 Sq. Ft.
MAXIMUM BUILDING HEIGHT ALLOWED :	35'-0"
BUILDING HEIGHT PROVIDED :	34'-0"

SETBACKS:

	REQUIRED	PROVIDED
FRONT	25'-0"	25'-0"
REAR (EXCLUDING OPTIONS)	25'-0"	57'-1"
REAR (INCLUDING OPTIONS)	25'-0"	25'-5"
INTERIOR SIDE (RIGHT)	15'-0"	15'-0"
INTERIOR SIDE (LEFT)	15'-0"	25'-0"



Location Map

N.T.S.

LEGAL DESCRIPTION

LOT 2 OF THE EAST 1/2 OF THE NE 1/4 OF THE SW 1/4 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 9 TOWNSHIP 55 SOUTH, 40 RANGE LESS THE NORTH 25 ft. FOR RIGHT OF WAY PURPOSES ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

Art-Tech design group, corp.
CONSULTING ENGINEERS

REVISIONS

BAPTIST MANOR
S.W. 83rd AVENUE AND 84th STREET MIAMI, FL

Mendez Professional Engineering Corp.
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Jose Antonio Mendez,
Professional Engineer
P.E. No 53285

MENDEZ PROFESSIONAL ENGINEERING CORP.
CA 0000024

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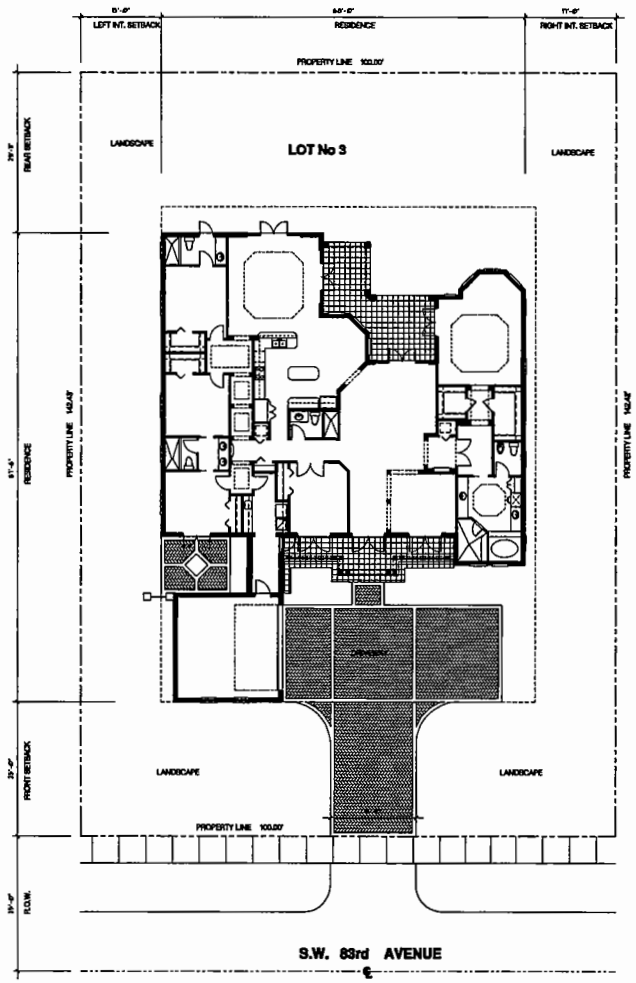


Site Plan

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

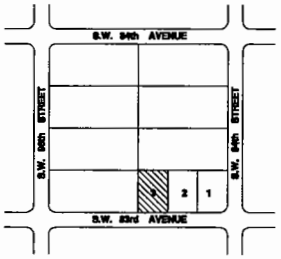
MODEL "A" (ONE STORY)

SITE USE DATA

ZONING :	EU-M
NET LAND AREA - ACRES :	.334
NET LAND AREA - SQUARE FEET :	14,540.00 Sq. Ft.
LOT COVERAGE ALLOWED (30% MAX.) :	4,372.00 Sq. Ft.
LOT COVERAGE PROVIDED (29.91%) :	4,260.00 Sq. Ft.
MAXIMUM BUILDING HEIGHT ALLOWED :	35'-0"
BUILDING HEIGHT PROVIDED :	24'-6"

SETBACKS:

	REQUIRED	PROVIDED
FRONT	25'-0"	25'-0"
REAR	25'-0"	29'-11"
INTERIOR SIDE (RIGHT)	15'-0"	17'-0"
INTERIOR SIDE (LEFT)	15'-0"	15'-0"



Location Map

N.T.S.

LEGAL DESCRIPTION

LOT 3 OF THE EAST 1/2 OF THE NE 1/4 OF THE SW 1/4 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 3 TOWNSHIP 55 SOUTH, 40 RANGE LESS THE NORTH 25 ft. FOR RIGHT OF WAY PURPOSES ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

Art-Tech design group, corp.
CONSULTING DESIGNERS

Mendez Professional Engineering Corp.
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Jose Antonio Mendez
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MENDEZ PROFESSIONAL ENGINEERING CORP.
CA 0000324

REVISIONS

BAPTIST MANOR
S.W. 83rd AVENUE AND 84th STREET MIAMI, FL.

Date	09-17-07
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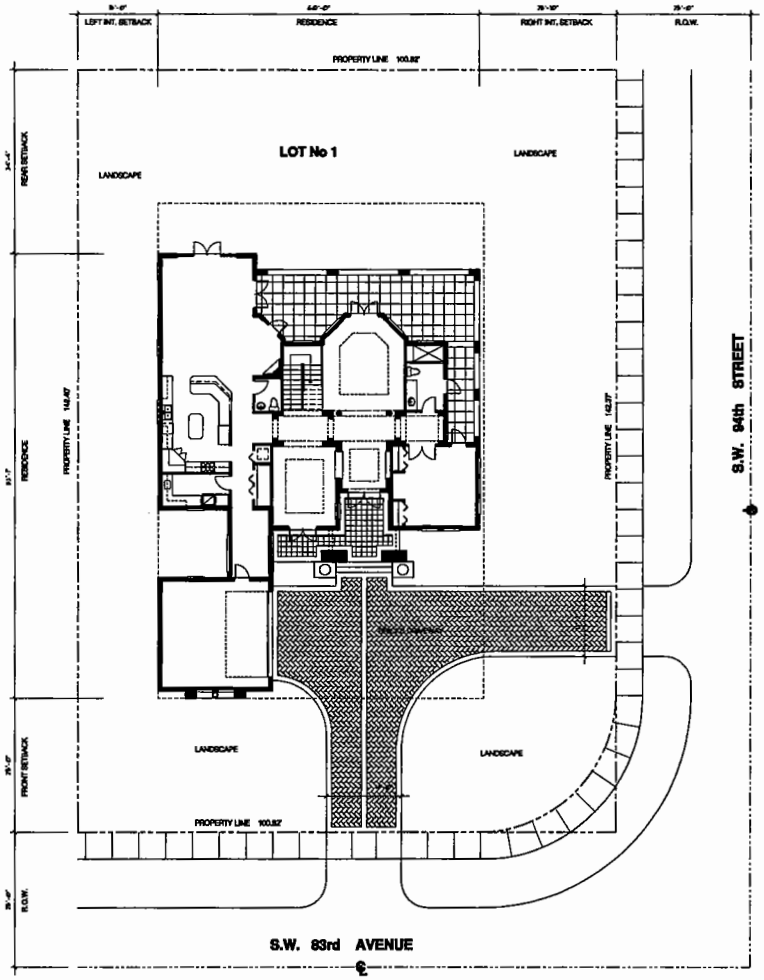


Site Plan Scale: 3/32" = 1'-0"

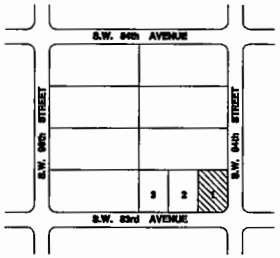
MODEL "C" (TWO STORY)

SITE USE DATA

ZONING :	BU-M
NET LAND AREA - ACRES :	.334
NET LAND AREA - SQUARE FEET :	14,065.87 Sq. Ft.
LOT COVERAGEL ALLOWED (30% MAX.) :	4,219.50 Sq. Ft.
LOT COVERAGE PROVIDED (24.9%) :	3,507.82 Sq. Ft.
MAXIMUM BUILDING HEIGHT ALLOWED :	35'-0"
BUILDING HEIGHT PROVIDED :	34'-0"

SETBACKS:

	REQUIRED	PROVIDED
FRONT	25'-0"	25'-0"
REAR	25'-0"	34'-4"
SIDE STREET	25'-0"	25'-10"
INTERIOR SIDE (LEFT)	15'-0"	15'-0"



Location Map N.T.S.

LEGAL DESCRIPTION

LOT 1 OF THE EAST 1/2 OF THE NE 1/4 OF THE SW 1/4 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 3 TOWNSHIP 56 SOUTH, 40 RANGE LESS THE NORTH 25 ft. FOR RIGHT OF WAY PURPOSES ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

Art-Tech design group, corp.
CONSULTING DESIGNERS

REVISIONS

BAPTIST MANOR
S.W. 83rd AVENUE AND 84th STREET MIAMI, FL.

Mendez Professional Engineering Corp.
Jose Antonio Mendez
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1385 CORAL WAY SUITE 203
MIAMI ,FL 33145
Phone: (305) 854 9824

Date	09-17-07
Scale	AS NOTED
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DATE: SEP 14 2009
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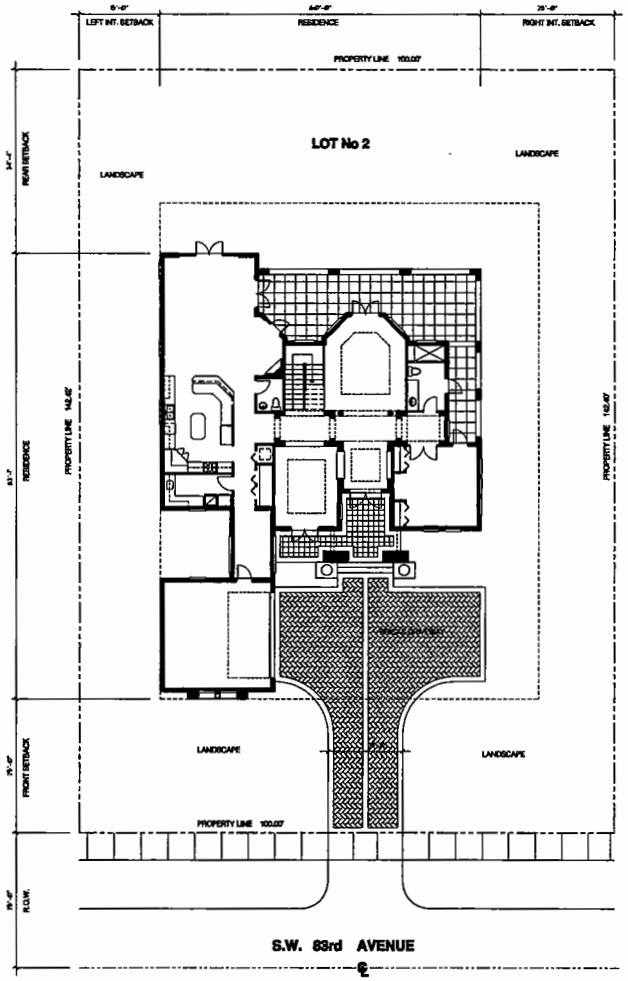


Site Plan

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

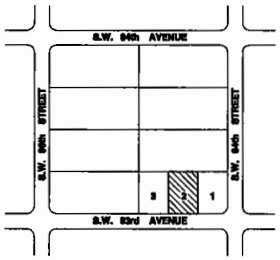
MODEL "C" (TWO STORY)

SITE USE DATA

ZONING :	EU-M
NET LAND AREA - ACRES :	.326
NET LAND AREA - SQUARE FEET :	14,240.00 Sq. Ft.
LOT COVERAGEL ALLOWED (30% MAX.) :	4,272.00 Sq. Ft.
LOT COVERAGE PROVIDED (24.6%) :	3,507.82 Sq. Ft.
MAXIMUM BUILDING HEIGHT ALLOWED :	35'-0"
BUILDING HEIGHT PROVIDED :	34'-0"

SETBACKS:

	REQUIRED	PROVIDED
FRONT	25'-0"	25'-0"
REAR	25'-0"	34'-4"
RIGHT SIDE	15'-0"	25'-0"
LEFT SIDE	15'-0"	15'-0"



Location Map

N.T.S.

LEGAL DESCRIPTION

LOT 2 OF THE EAST 1/2 OF THE NE 1/4 OF THE SW 1/4 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 3 TOWNSHIP 55 SOUTH, 40 RANGE LESS THE NORTH 25 ft. FOR RIGHT OF WAY PURPOSES ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

Art - Tech design group, corp.
CONSULTING DESIGNERS

Mendez Professional Engineering Corp.
1385 CORAL WAY SUITE 203
MIAMI, FL 33145
Phone: (305) 854 9824
Jose Antonio Mendez.
Professional Engineer
P.E. No 53288

REVISIONS

BAPTIST MANOR
S.W. 83rd AVENUE AND 84th STREET MIAMI, FL.

Date	09-17-07
Scale	AS NOTED
Drawn	ET-LA
Proj.	
Drawing	C-1.2

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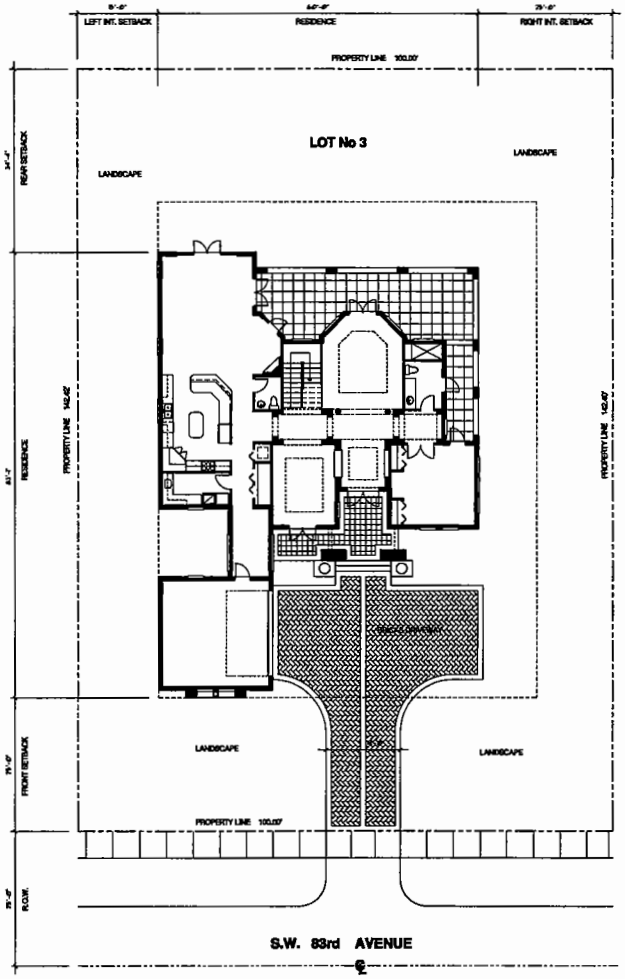
BY: BR

21



Site Plan Scale: 3/32" = 1'-0"

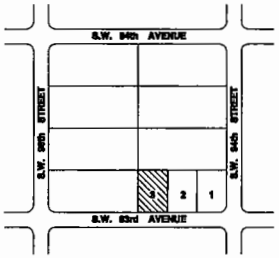
MODEL "C" (TWO STORY)

SITE USE DATA

ZONING :	EU-M
NET LAND AREA - ACRES :	.326
NET LAND AREA - SQUARE FEET :	14,240.00 Sq. Ft.
LOT COVERAGEL ALLOWED (30% MAX.) :	4,272.00 Sq. Ft.
LOT COVERAGE PROVIDED (24.8%) :	3,507.82 Sq. Ft.
MAXIMUM BUILDING HEIGHT ALLOWED :	35'-0"
BUILDING HEIGHT PROVIDED :	34'-0"

SETBACKS:

	REQUIRED	PROVIDED
FRONT	25'-0"	25'-0"
REAR	25'-0"	34'-4"
RIGHT SIDE	15'-0"	25'-0"
LEFT SIDE	15'-0"	15'-0"



Location Map N.T.S.

LEGAL DESCRIPTION

LOT 3 OF THE EAST 1/2 OF THE NE 1/4 OF THE SW 1/4 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 3 TOWNSHIP 55 SOUTH, 40 RANGE LESS THE NORTH 25 ft. FOR RIGHT OF WAY PURPOSES ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

REVISIONS

BAPTIST MANOR
S.W. 83rd AVENUE AND 84th STREET MIAMI, FL.

Art-Tech design group, corp.
CONSULTING DESIGNERS

Mendez Professional Engineering Corp.
1385 CORAL WAY SUITE 203
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Phone: (305) 854 8824
Jose Antonio Mendez.
Professional Engineer
P.E. No 53398

MENDEZ PROFESSIONAL ENGINEERING CORP.
CA 0000824

Date	09-17-07
Scale	AS NOTED
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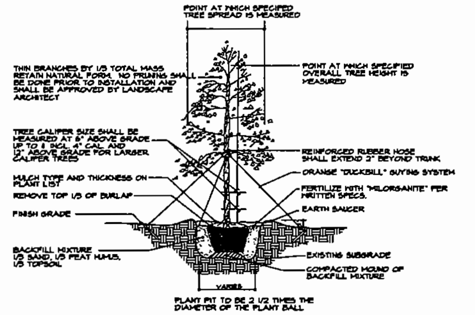
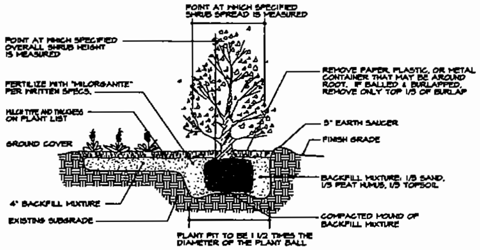
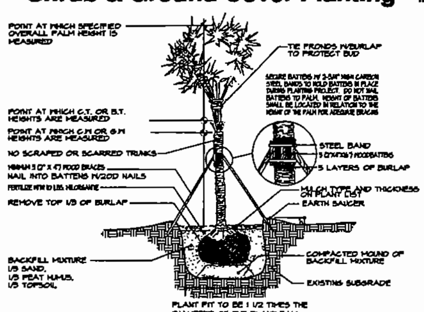
RECEIVED
MIAMI-DADE COUNTY



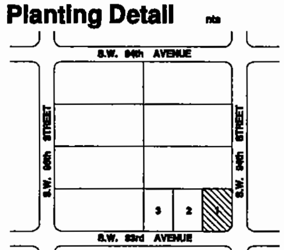
Tree Planting Detail
nts



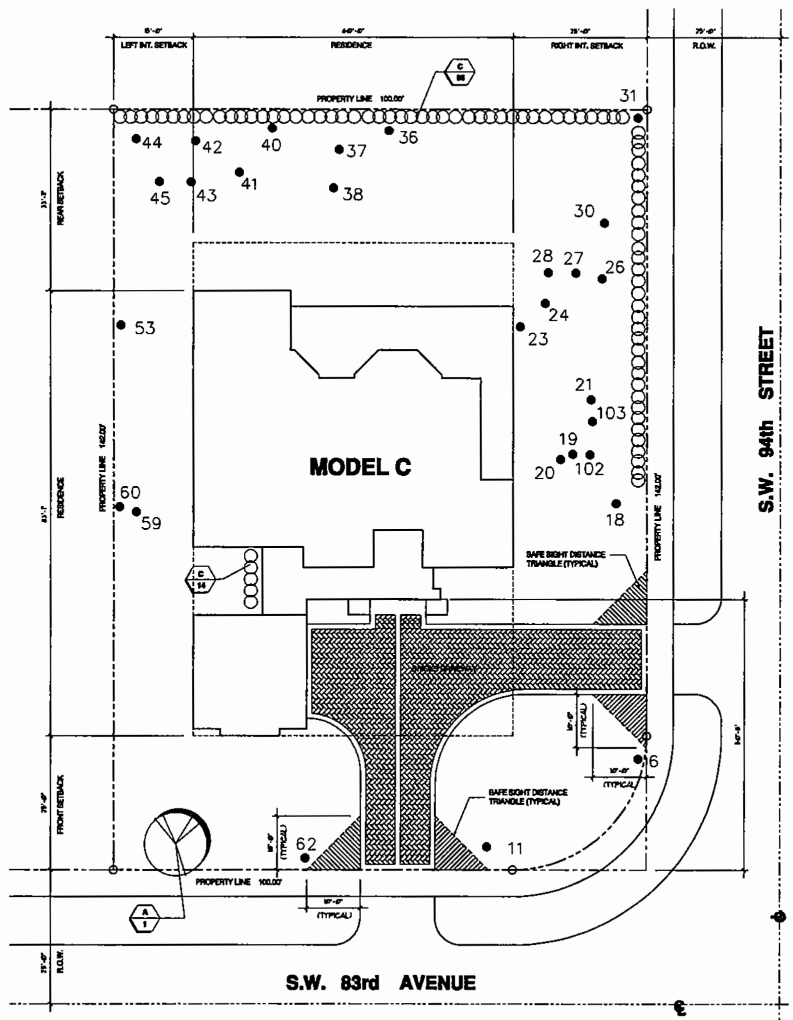
Shrub & Ground Cover Planting
nts



Palm Planting Detail
nts



Location Map
N.T.S.



Landscape Plan
Scale: 3/32" = 1'-0"

THE SAFE SIGHT DISTANCE TRIANGLE SHALL NOT CONTAIN OBSTRUCTIONS TO CROSS VISIBILITY AT A HEIGHT OF TWO AND ONE-HALF (2.5) FEET ABOVE THE PAVEMENT, GROUND COVERS, SHRUBS, VINES, HEDGES, TREES, ROCKS, WALLS AND FENCES.

LOT 1

LEGAL DESCRIPTION

LOT 1 OF THE EAST 1/2 OF THE NE 1/4 OF THE SW 1/4 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 3 TOWNSHIP 55 SOUTH, 40 RANGE LESS THE NORTH 25 ft. FOR RIGHT OF WAY PURPOSES ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

EXISTING TREE SCHEDULE

	TREE NUMBER	DIAMETER (IN FEET)	HEIGHT (IN FEET)	CANOPY (IN FEET)	COMMON NAME	REMARKS
(*)	6	1.5'	30'	25'	OAK	EXISTING TREE TO REMAIN
(*)	11	1.4'	50'	40'	ROYAL PONCIANA	EXISTING TREE TO REMAIN
(*)	18	1.3'	30'	30'	ROYAL PONCIANA	EXISTING TREE TO REMAIN
(**)	19	1.2'	40'	30'	OAK	EXISTING TREE TO REMAIN
	20	0.9'	35'	30'	ROYAL PONCIANA	EXISTING TREE TO REMAIN
	21	0.8'	30'	35'	ROYAL PONCIANA	EXISTING TREE TO REMAIN
	23	0.6'	12'	10'	COCONUT PALM	EXISTING TREE TO REMAIN
	24	1.0'	35'	30'	ROYAL PONCIANA	EXISTING TREE TO REMAIN
(*)	26	1.0'	40'	20'	OAK	EXISTING TREE TO REMAIN
	27	0.7'	25'	15'	ROYAL PONCIANA	EXISTING TREE TO REMAIN
	28	0.6'	15'	15'	COCONUT PALM	EXISTING TREE TO REMAIN
(*)	30	1.0'	25'	20'	ROYAL PONCIANA	EXISTING TREE TO REMAIN
	31	2 X 0.4'	15'	20'	ORCHID TREE	EXISTING TREE TO REMAIN
	36	0.6'	15'	10'	COCONUT PALM	EXISTING TREE TO REMAIN
	37	0.6'	12'	10'	COCONUT PALM	EXISTING TREE TO REMAIN
	38	0.6'	12'	10'	COCONUT PALM	EXISTING TREE TO REMAIN
	40	0.6'	12'	10'	COCONUT PALM	EXISTING TREE TO REMAIN
	41	0.6'	12'	10'	COCONUT PALM	EXISTING TREE TO REMAIN
	42	0.6'	12'	10'	COCONUT PALM	EXISTING TREE TO REMAIN
	43	0.6'	12'	10'	COCONUT PALM	EXISTING TREE TO REMAIN
	44	0.6'	15'	10'	COCONUT PALM	EXISTING TREE TO REMAIN
	45	0.6'	12'	10'	COCONUT PALM	EXISTING TREE TO REMAIN
(**)	53	2.0'	40'	40'	ROYAL PONCIANA	EXISTING TREE TO REMAIN
(**)	59	0.6'	25'	20'	ROYAL PONCIANA	EXISTING TREE TO REMAIN
(**)	60	0.5'	20'	15'	ROYAL PONCIANA	EXISTING TREE TO REMAIN
	61	0.8'	30'	20'	COCONUT PALM	EXISTING TREE TO REMAIN
(*)	62	1.2'	40'	40'	ROYAL PONCIANA	EXISTING TREE TO REMAIN
	102	—	8.0'	8.0'	PALM	EXISTING TREE TO REMAIN
	103	—	8.0'	6.0'	PALM	EXISTING TREE TO REMAIN

NOTE:

1. GENERAL CONTRACTOR TO VERIFY EXACT LOCATION OF EXISTING TREES TO REMAIN. GENERAL CONTRACTOR TO NOTIFY THE ARCHITECTS OF ANY DISCREPANCY OF LOCATION OF EXISTING TREES SHOWN IN LANDSCAPE PLAN.
2. SEE EXISTING TREE SURVEY FOR EXISTING TREES TO BE REMOVED.
3. THE PROPOSED LANDSCAPE PLAN SHOWS THE NEW LOCATION OF EXISTING TREES TO BE RELOCATE.
   SEE EXISTING TREE SURVEY FOR LOCATION OF EXISTING TREES TO BE RELOCATED.

LANDSCAPE LEGEND

Zoning District: EU-M Net Lot Area: 14,065.87 .323 acres

	REQUIRED	PROVIDED
OPEN SPACE		
A. Square Feet of open space required by Chapter 33, as indicated on site plan: Net lot area = ___ s.f. x ___ % = ___ s.f.	—	—
B. Square Feet of parking lot open space required by Chapter 18A, as indicated on site plan: No. parking spaces 2 x 10 s.f. per parking space =	—	—
C. Total s.f. of landscaped open space required by Chapter 33: A + B =	—	—
LAWN AREA CALCULATION		
A. ___ total s.f. of landscaped open space required by Chapter 33		
B. Minimum lawn area (sod) permitted = 50% x 14,065.87 s.f. =	7,032.94	7,032.94
TREES		
A. No. trees required per net lot acre Less existing number of trees meeting minimum requirements = 4 Trees x net lot acres = (4 trees per lot)	3	3 (**)
B. % Palms Allowed: No. trees provided / 2 x 30% = % Palms permitted to count as street trees on 1:1 basis x 30%	—	—
C. % Natives Required: No. trees provided x 30% =	1	10
D. Street trees (maximum average spacing of 35' o.c.): 242 linear feet along street / 35 =	6.91	7 (*)
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.): ___ linear feet along street / 25 =	—	—
SHRUBS		
A. No. trees required x 10 = no. of shrubs allowed	100	110
B. No. shrubs allowed x 30% = no. of native shrubs required	33	110
IRRIGATION PLAN: (if required by chapter 33) (IRRIGATION PROVIDED WITH HOSE BIDDS)	(Yes)	X (No)

SYMBOL USED ON PLAN			PLANT NAME		NATIVE SPECIES		CALIPER	HEIGHT		CANOPY DIAM.	QUANTITY
Symbol	New	Exist.	Scientific	Common	Yes	No	Installed	Installed	at maturity	at maturity	
A	X		Quercus Virginia	Live Oak	X				10'-0"	10'-0"	1 (*) SEE NOTE #2 BELOW
C	X		Spaxunamus Hibiscus	Hibiscus	X				24" min.	@ 30" O.C.	110
D	X		Melaleuca Mulch	Mulch	X						

LANSCAPE NOTES:

(**) 1. EXISTING TREES #19, #53, #59, AND #60 ARE COUNTED AS PART OF THE LOT TREE REQUIREMENTS. SEE EXISTING TREE SCHEDULE IN THIS SHEET. GENERAL CONTRACTOR TO FIELD VERIFY THE EXACT LOCATION OF THE EXISTING TREES

(*) 2. EXISTING TREES #6, #11, #18, #26, #30, AND #62 WILL BE COUNTED AS PART OF THE STREET TREES REQUIREMENT. SE EXISTING TREE SCHEDULE IN THIS SHEET. GENERAL CONTRACTOR TO FIELD VERIFY THE EXACT LOCATION OF THE EXISTING TREES

Art-Tech design group, corp.
CONSULTING DESIGNERS

Mendez Professional Engineering Corp.
Jose Antonio Mendez,
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MIAMI, FL 33145
Phone: (305) 854 9824

BAPTIST MANOR
S.W. 83rd AVENUE AND 94th STREET MIAMI, FL.

REVISIONS

Date	09-17-07
Scale	AS NOTED
Drawn	ET-LA
Proj.	
Drawing	LP-1

22

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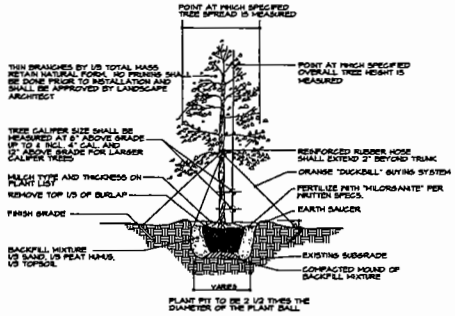
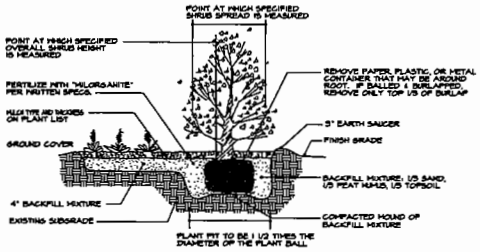
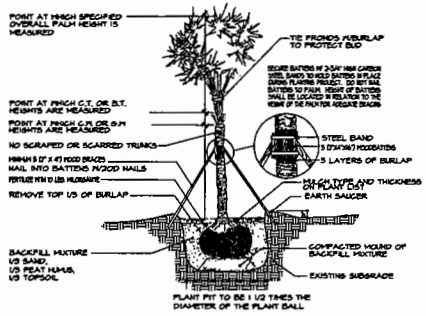
RECEIVED
MIAMI-DADE COUNTY
ELECTION # 237-044
DATE: SEP 14 2006
SIT: S.T.



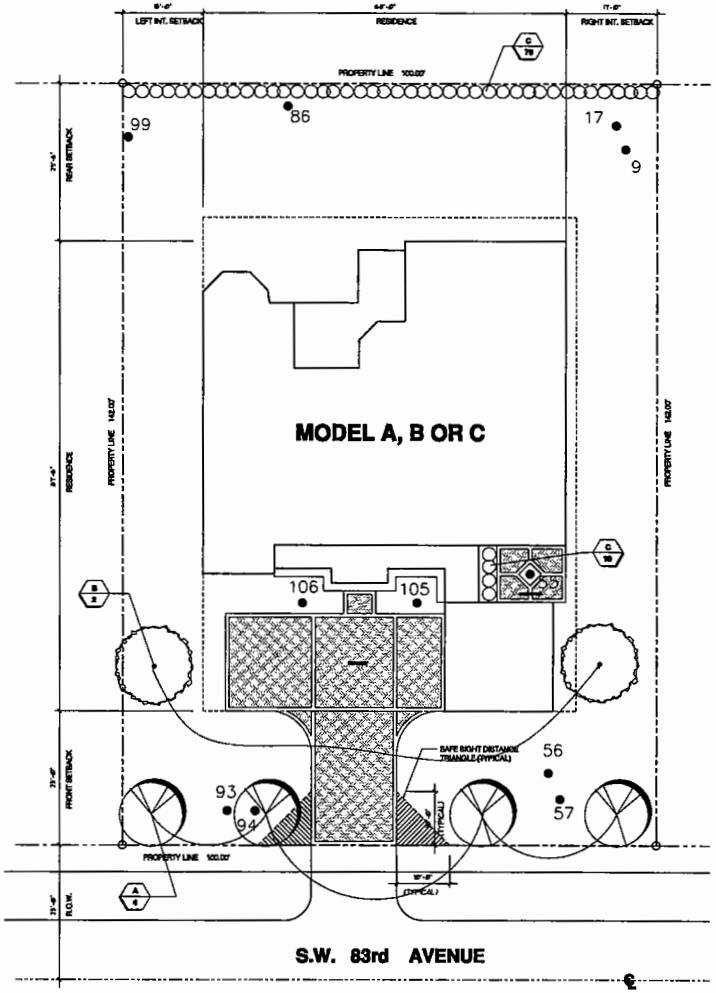
Tree Planting Detail n.t.s



Shrub & Ground Cover Planting n.t.s



Palm Planting Detail n.t.s



Landscape Plan Scale: 3/32" = 1'-0"
LOT 3

THE SAFE SIGHT DISTANCE TRIANGLE SHALL NOT CONTAIN OBSTRUCTIONS TO CROSS VISIBILITY AT A HEIGHT OF TWO AND ONE-HALF (2.5) FEET ABOVE THE PAVEMENT, GROUND COVERS, SHRUBS, VINES, HEDGES, TREES, ROCKS, WALLS AND FENCES.

LEGAL DESCRIPTION

LOT 3 OF THE EAST 1/2 OF THE NE 1/4 OF THE SW 1/4 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 3 TOWNSHIP 55 SOUTH, 40 RANGE LESS THE NORTH 25 ft. FOR RIGHT OF WAY PURPOSES ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

LANDSCAPE LEGEND

Zoning District: EU-M Net Lot Area: 14,200 sq.ft. .326 acres

	REQUIRED	PROVIDED
OPEN SPACE		
A. Square Feet of open space required by Chapter 33, as indicated on site plan: Net lot area = ____ s.f. x .2 % = ____ s.f.	____	____
B. Square Feet of parking lot open space required by Chapter 18A, as indicated on site plan: No. parking spaces ____ x 10 s.f. per parking space =	____	____
C. Total s.f. of landscaped open space required by Chapter 33: A + B =	____	____
LAWN AREA CALCULATION		
A. ____ total s.f. of landscaped open space required by Chapter 33		
B. Maximum lawn area (sod) permitted = 50% x 14,200 s.f. =	7,100.00	7,100.00
TREES		
A. No. trees required per net lot acre: Less existing number of trees meeting minimum requirements = 4 Trees x net lot acres = (4 trees per lot)	3	3 (##)
B. % Palms Allowed: No. trees provided / 2 x 30% =	____	____
% Palms permitted to count as street trees on 1:1 basis x 30%	____	____
C. % Mahoes Required: No. trees provided x 30% =	1	1
D. Street trees (maximum average spacing of 30' o.c.) 100 linear feet along street / 35 =	3	4
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.): ____ linear feet along street / 25 =	____	____
SHRUBS		
A. No. trees required x 10 = no. of shrubs allowed	73	80
B. No. shrubs allowed x 30% = no. of native shrubs required	24	50
IRRIGATION PLAN (if required by chapter 33) (IRRIGATION PROVIDED WITH HOSE BIBBS)	(Yes)	X (No)

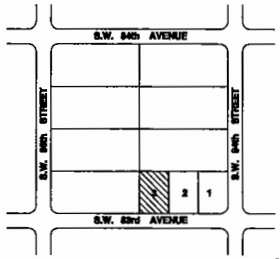
SYMBOL USED ON PLAN			PLANT NAME		NATIVE SPECIES		CALIPER	HEIGHT		CANOPY DIAM.	QUANTITY
Symbol	New	Exist.	Scientific	Common	Yes	No	Installed	Installed	at maturity	at maturity	
A	X		Swietenia Mahogany	Mahogany	X				10'-0"	10'-0"	2 (##) SEE NOTE #2 BELOW
B	X		Quercus Virginia	Live Oak	X				10'-0"	10'-0"	4
C	X		Hibiscus Rosa-sinensis	Hibiscus	X				24" min.	@ 30" O.C.	80
D	X		Melaleuca Nesophila	Mulch	X						

LANDSCAPE NOTES:
(##) 1. EXISTING TREES #86 WILL BE COUNTED AS PART OF THE LOT TREE REQUIREMENT. SEE EXISTING TREE SCHEDULE IN T1.63 SHEET. GENERAL CONTRACTOR TO FIELD VERIFY THE EXACT LOCATION OF THE EXISTING TREES

EXISTING TREE SCHEDULE

TREE NUMBER	DIAMETER (IN FEET)	HEIGHT (IN FEET)	CANOPY (IN FEET)	COMMON NAME	REMARKS
(##) 86	1.4'	30'	30'	OAK	EXISTING TREE TO REMAIN
93	0.5'	15'	15'	SABAL PALM	EXISTING TREE TO REMAIN
94	1.0'	10'	10'	SABAL PALM	EXISTING TREE TO REMAIN
9	0.5'	25'	20'	COCONUT PALM	EXISTING TREE TO RELOCATE
17	0.5'	25'	20'	COCONUT PALM	EXISTING TREE TO RELOCATE
55	0.5'	8.0'	8.0'	SABAL PALM	EXISTING TREE TO RELOCATE
56	0.5'	25'	25'	COCONUT PALM	EXISTING TREE TO RELOCATE
57	0.5'	12'	25'	COCONUT PALM	EXISTING TREE TO RELOCATE
105	—	8.0'	8.0'	PALM	EXISTING TREE TO RELOCATE
106	—	8.0'	8.0'	PALM	EXISTING TREE TO RELOCATE

NOTE:
1. GENERAL CONTRACTOR TO VERIFY EXACT LOCATION OF EXISTING TREES TO REMAIN. GENERAL CONTRACTOR TO NOTIFY THE ARCHITECTS OF ANY DISCREPANCY OF LOCATION OF EXISTING TREES SHOWN IN LANDSCAPE PLAN.
2. SEE EXISTING TREE SURVEY FOR EXISTING TREES TO BE REMOVED.
3. THE PROPOSED LANDSCAPE PLAN SHOWS THE NEW LOCATION OF EXISTING TREES TO BE RELOCATE. SEE EXISTING TREE SURVEY FOR LOCATION OF EXISTING TREES TO BE RELOCATED.



Location Map n.t.s.

Art-Tech design group, corp.
CONSULTING DESIGNERS

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Jose Antonio Mendez
Professional Engineer
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MENDEZ PROFESSIONAL ENGINEERING CORP.
CA 0000532

REVISIONS

BAPTIST MANOR
S.W. 83rd AVENUE AND 84th STREET MIAMI, FL.

Date	09-17-07
Scale	AS NOTED
Drawn	ET-LA
Proj.	
Drawing	LP-3

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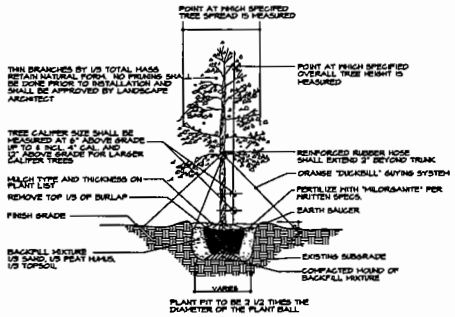
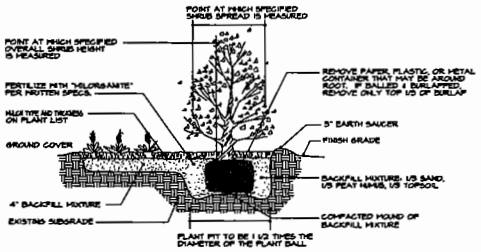
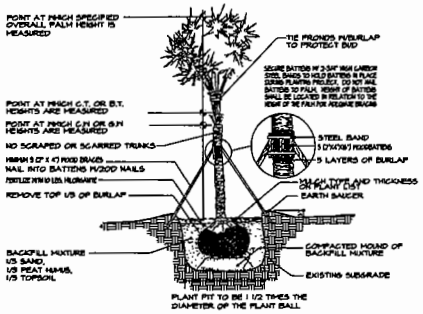
MIAMI-DADE COUNTY
PROCESS #: 2207-044
DATE: SEP 14 2008
JYT BZ



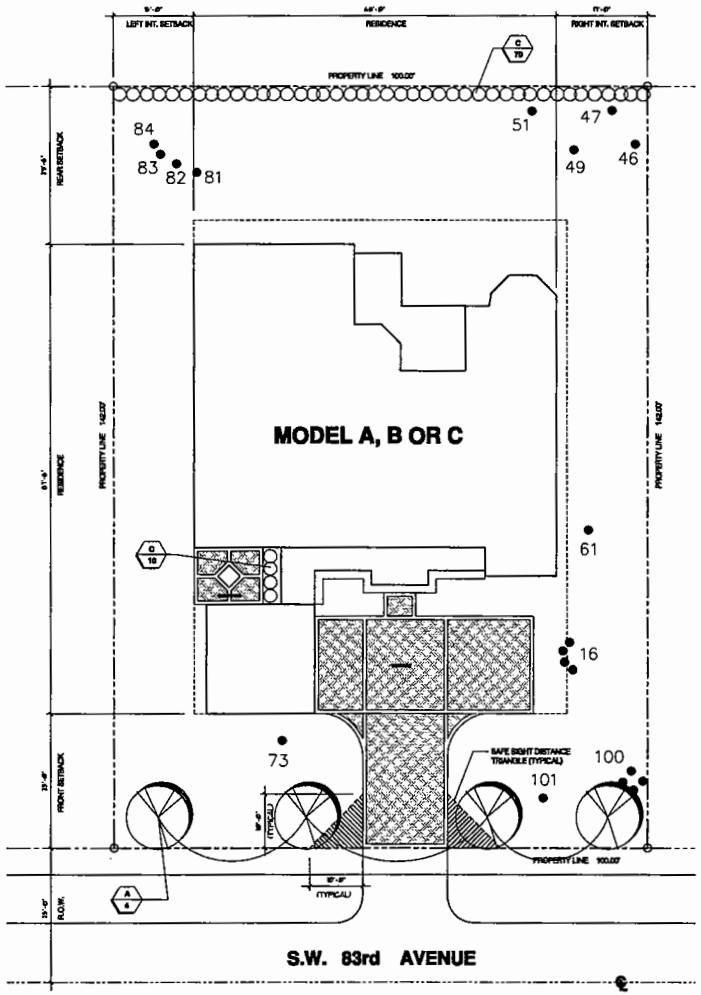
Tree Planting Detail n/a



Shrub & Ground Cover Planting n/a



Palm Planting Detail n/a



Landscape Plan Scale: 3/32" = 1'-0"

LOT 2

LEGAL DESCRIPTION

LOT 2 OF THE EAST 1/2 OF THE NE 1/4 OF THE SW 1/4 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 3 TOWNSHIP 55 SOUTH, 40 RANGE LESS THE NORTH 25 ft. FOR RIGHT OF WAY PURPOSES ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

THE SAFE SIGHT DISTANCE TRIANGLE SHALL NOT CONTAIN OBSTRUCTIONS TO CROSS VISIBILITY AT A HEIGHT OF TWO AND ONE-HALF (2.5) FEET ABOVE THE PAVEMENT, GROUND COVERS, SHRUBS, VINES, HEDGES, TREES, ROCKS, WALLS AND FENCES.

LANDSCAPE LEGEND

Zoning District: EU-M Net Lot Area: 14,200 .326 acres

	REQUIRED	PROVIDED
OPEN SPACE		
A. Square Feet of open space required by Chapter 33, as indicated on site plan: Net lot area = ____ s.f. .35 = 5,1 s.f.	____	____
B. Square Feet of parking lot open space required by Chapter 18A, as indicated on site plan: No. parking spaces 2 x 10 s.f. per parking space =	____	____
C. Total s.f. of landscaped open space required by Chapter 33: A + B =	____	____
LAWN AREA CALCULATION		
A. ____ total s.f. of landscaped open space required by Chapter 33		
B. Maximum lawn area (sod) permitted = 50% x 14,200 s.f. =	7,100.00	7,100.00
TREES		
A. No. trees required per net lot acre. Less existing number of trees meeting minimum requirements = 4 Trees x net lot acres = (4 trees per lot)	3	3 (0 (#))
B. % Palms Allowed: No. trees provided / 2 x 30% =	____	____
% Palms permitted to count as street trees on 1:1 basis x 30%	____	____
C. % Native Required: No. trees provided x 30% =	1	1
D. Street trees (maximum average spacing of 30' o.c.): 100 linear feet along street / 35 =	3	4
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.): ____ linear feet along street / 25 =	____	____
SHRUBS		
A. No. trees required x 10 = no. of shrubs allowed	70	80
B. No. shrubs allowed x 30% = no. of native shrubs required	24	80
IRRIGATION PLAN: (If required by chapter 33)	____ (Yes)	X (No)
(IRRIGATION PROVIDED WITH HOSE BIBBS)		

SYMBOL USED ON PLAN			PLANT NAME		NATIVE SPECIES		CALIPER	HEIGHT		CANOPY DIAM.	QUANTITY
Symbol	New	Exist.	Scientific	Common	Yes	No	Installed	Installed	at maturity	at maturity	
A	X		Quercus Virginiana	Live Oak	X				10'-0"	10'-0"	4
C	X		Hibiscus Rosa-Sinensis	Hibiscus	X				24" min.	@ 30" O.C.	80
D	X		Mulch Mulch	Mulch	X						

LANDSCAPE NOTES:

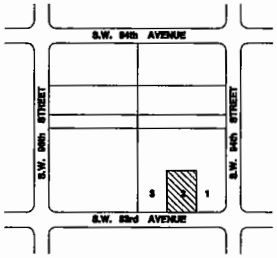
(**) 1. EXISTING TREES #73, #61, #62, AND #64 ARE COUNTED AS PART OF THE LOT TREE REQUIREMENTS. SEE EXISTING TREE SCHEDULE IN THIS SHEET. GENERAL CONTRACTOR TO FIELD VERIFY THE EXACT LOCATION OF THE EXISTING TREES

EXISTING TREE SCHEDULE

	TREE NUMBER	DIAMETER (IN FEET)	HEIGHT (IN FEET)	CANOPY (IN FEET)	COMMON NAME	REMARKS
	46	0.5'	12'	10'	COCONUT PALM	EXISTING TREE TO REMAIN
	47	0.5'	12'	10'	COCONUT PALM	EXISTING TREE TO REMAIN
	49	0.5'	12'	10'	COCONUT PALM	EXISTING TREE TO REMAIN
	51	0.5'	12'	10'	COCONUT PALM	EXISTING TREE TO REMAIN
	61	0.5'	30'	20'	COCONUT PALM	EXISTING TREE TO REMAIN
(**)	73	1.2'	30'	20'	ROYAL POINCIANA	EXISTING TREE TO REMAIN
(**)	81	1.5'	50'	30'	ROYAL POINCIANA	EXISTING TREE TO REMAIN
(**)	82	0.5'	40'	30'	ROYAL POINCIANA	EXISTING TREE TO REMAIN
	83	1.0'	20'	20'	TREE	EXISTING TREE TO REMAIN
(**)	84	1.5'	50'	40'	ROYAL POINCIANA	EXISTING TREE TO REMAIN
	100	4 x 0.5'	25'	10'	PALM	EXISTING TREE TO REMAIN
	101	1.4'	30'	30'	TREE	EXISTING TREE TO REMAIN
	16	4 x 0.5'	40'	12'	PALM	EXISTING TREE TO RELOCATE

NOTE:

1. GENERAL CONTRACTOR TO VERIFY EXACT LOCATION OF EXISTING TREES TO REMAIN. GENERAL CONTRACTOR TO NOTIFY THE ARCHITECTS OF ANY DISCREPANCY OF LOCATION OF EXISTING TREES SHOWN IN LANDSCAPE PLAN.
2. SEE EXISTING TREE SURVEY FOR EXISTING TREES TO BE REMOVED.
3. THE PROPOSED LANDSCAPE PLAN SHOWS THE NEW LOCATION OF EXISTING TREES TO BE RELOCATE. SEE EXISTING TREE SURVEY FOR LOCATION OF EXISTING TREES TO BE RELOCATED.



Location Map N.T.S.

Art-Tech design group, corp.
CONSULTING ENGINEERS

24

REVISIONS

BAPTIST MANOR
S.W. 83rd AVENUE AND 84th STREET MIAMI, FL.

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MIAMI, FL 33145
Phone: (305) 854 9824
Jose Antonio Mendez
President/Engineer
P.E. No. 53238

MENDEZ PROFESSIONAL ENGINEERING CORP.
CA 0000632

Date	09-17-07
Scale	AS NOTED
Drawn	ET-LA
Proj.	
Drawing	LP-2

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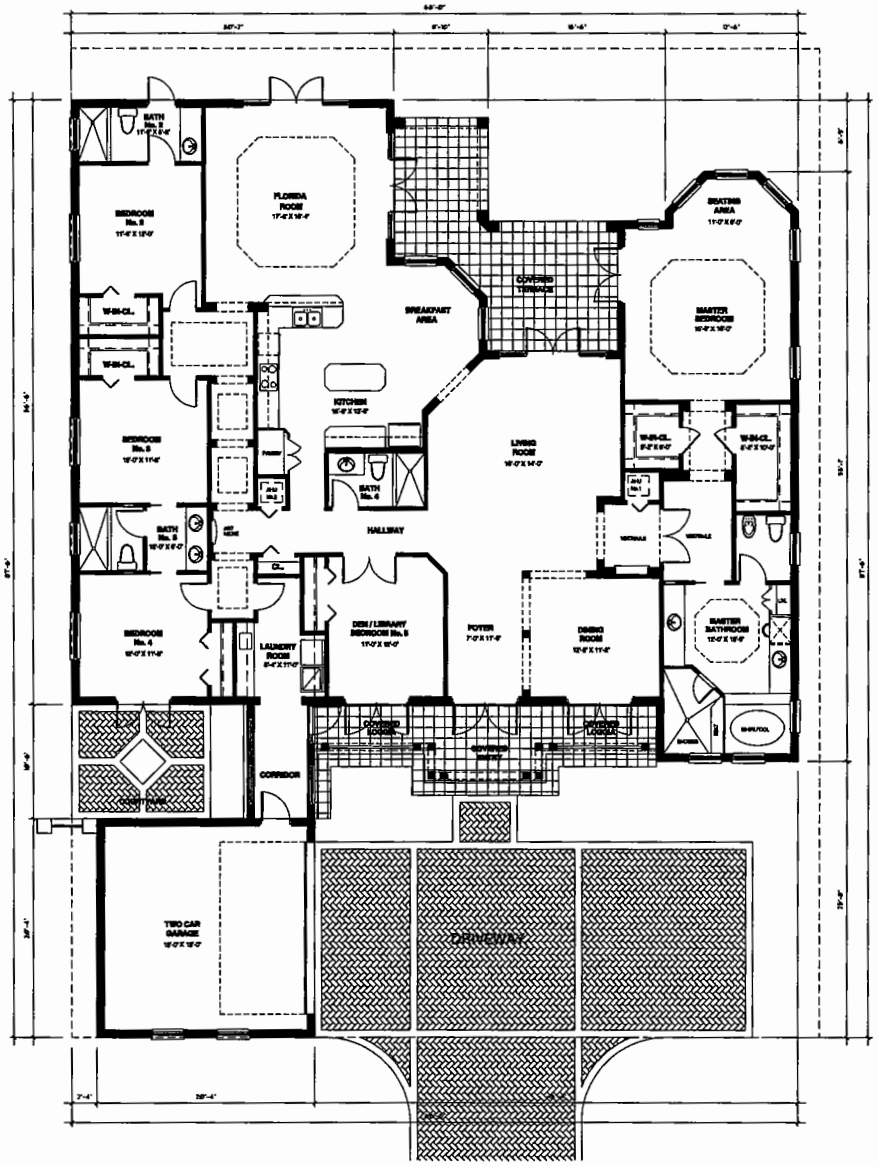
MIAMI-DADE COUNTY
PROCESS #: ZAY-044
DATE: SEP 14 2006
BY: B.R.

25



Ground Floor Plan
MODEL A OPTION 1

Scale: 3/16" = 1'-0"

RESIDENTIAL SQ. FT. CALCULATION:
MODEL "A" (ONE STORY)

A/C AREA	3,384.00 S.F.
TWO CAR GARAGE	414.00 S.F.
COVERED TERRACE	288.00 S.F.
COVERED ENTRY	90.00 S.F.
COVERED LOGGIA	84.00 S.F.
TOTAL S.F.	4,260.00 S.F.

Art-Tech design group, corp.
CONSULTING DESIGNERS

REVISIONS

BAPTIST MANOR
S.W. 83rd AVENUE AND 94th STREET MIAMI, FL.

Mendez Professional Engineering Corp.
Jose Antonio Mendez.
Professional Engineer
P.E. No 53288
1385 CORAL WAY SUITE 203
MIAMI ,FL 33145
Phone: (305) 854 9824

MENDEZ PROFESSIONAL ENGINEERING CORP.
CA 0000374

Date	09-17-07
Scale	AS NOTED
Drawn	ET-LA
Proj.	
Drawing	A-2

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MIAMI-DADE COUNTY
PROCESSED BY: DRP-004
DATE: SEP 14 2006
JOY: BJL

26

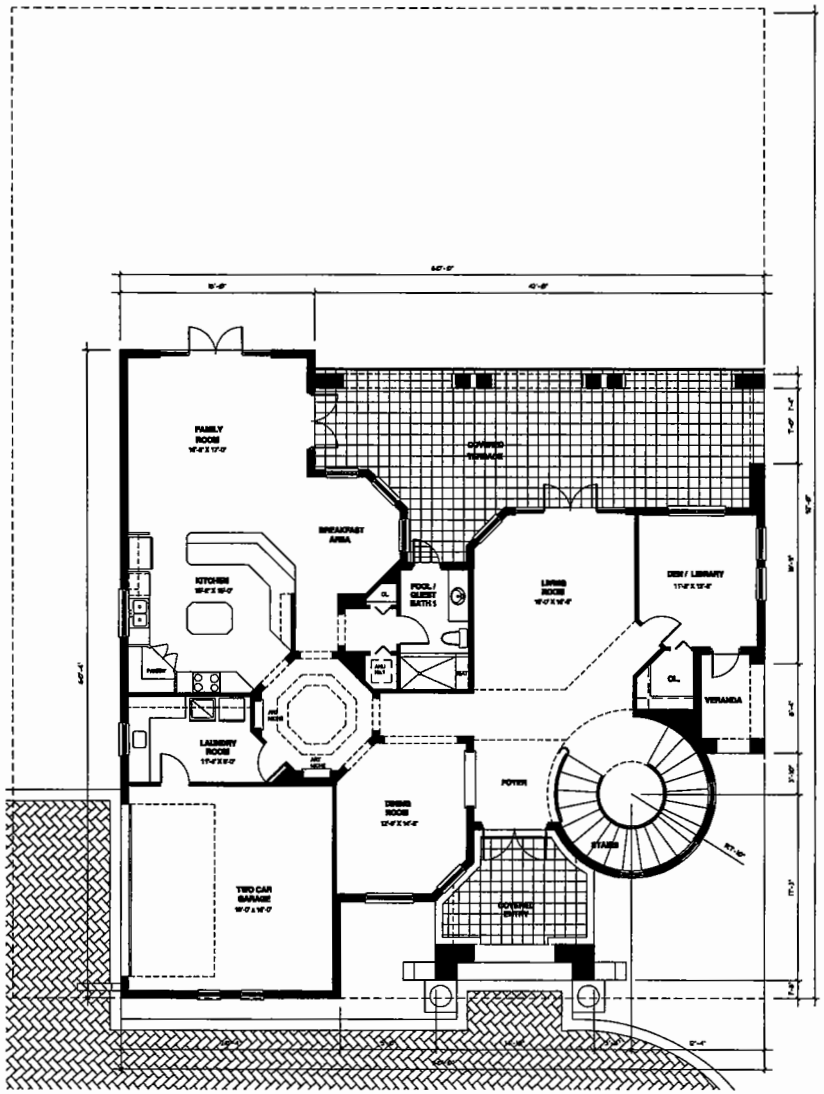
RESIDENTIAL SQ. FT. CALCULATION:
MODEL "B" (TWO STORY)

GROUND FLOOR

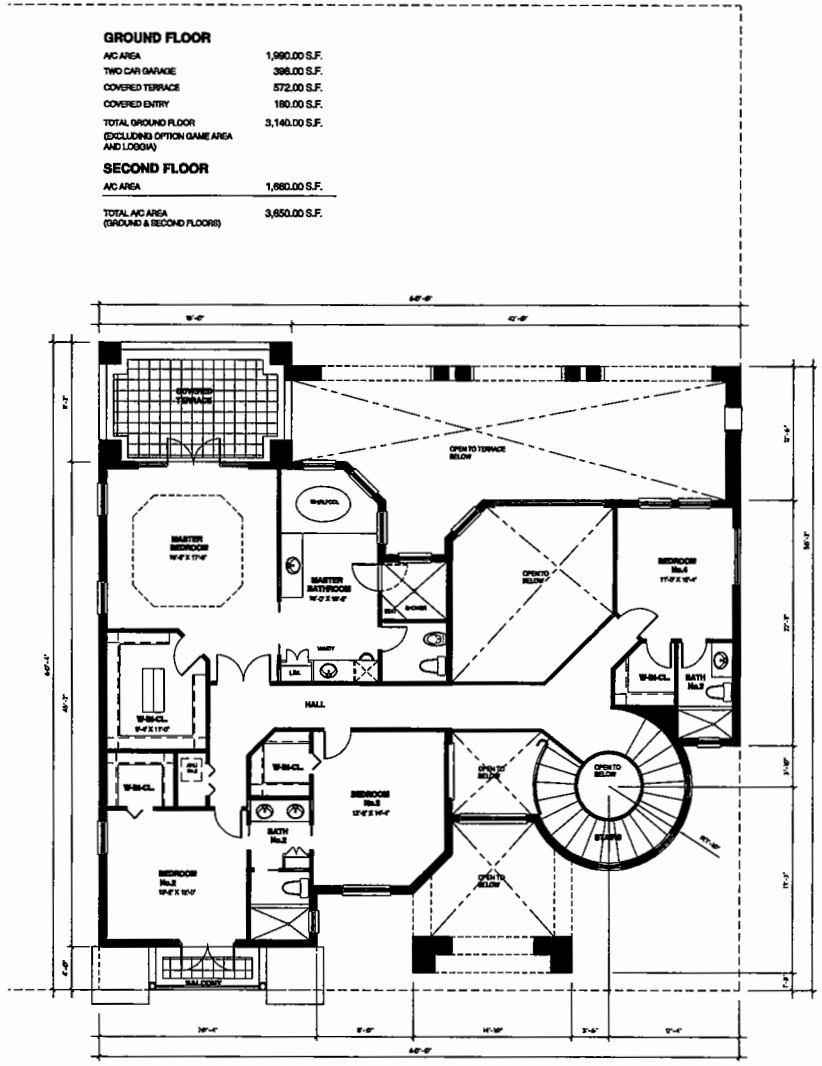
A/C AREA	1,990.00 S.F.
TWO CAR GARAGE	398.00 S.F.
COVERED TERRACE	572.00 S.F.
COVERED ENTRY	180.00 S.F.
TOTAL GROUND FLOOR (EXCLUDING OPTION GAME AREA AND LOGGIA)	3,140.00 S.F.

SECOND FLOOR

A/C AREA	1,680.00 S.F.
TOTAL A/C AREA (GROUND & SECOND FLOORS)	3,650.00 S.F.



Ground Floor Plan Scale: 3/16" = 1'-0"
MODEL B OPTION 1



Second Floor Plan Scale: 3/16" = 1'-0"
MODEL B OPTION 1

Art-Tech design group, corp.
CONSULTING DESIGNERS

Mendez Professional Engineering Corp.
Jose Antonio Mendez
President/Engineer
P.E. No. 33838
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REVISIONS

BAPTIST MANOR
S.W. 83rd AVENUE AND 94th STREET MIAMI, FL

Date	09-17-07
Scale	AS NOTED
Drawn	ET-LA
Proj.	
Drawing	B-2

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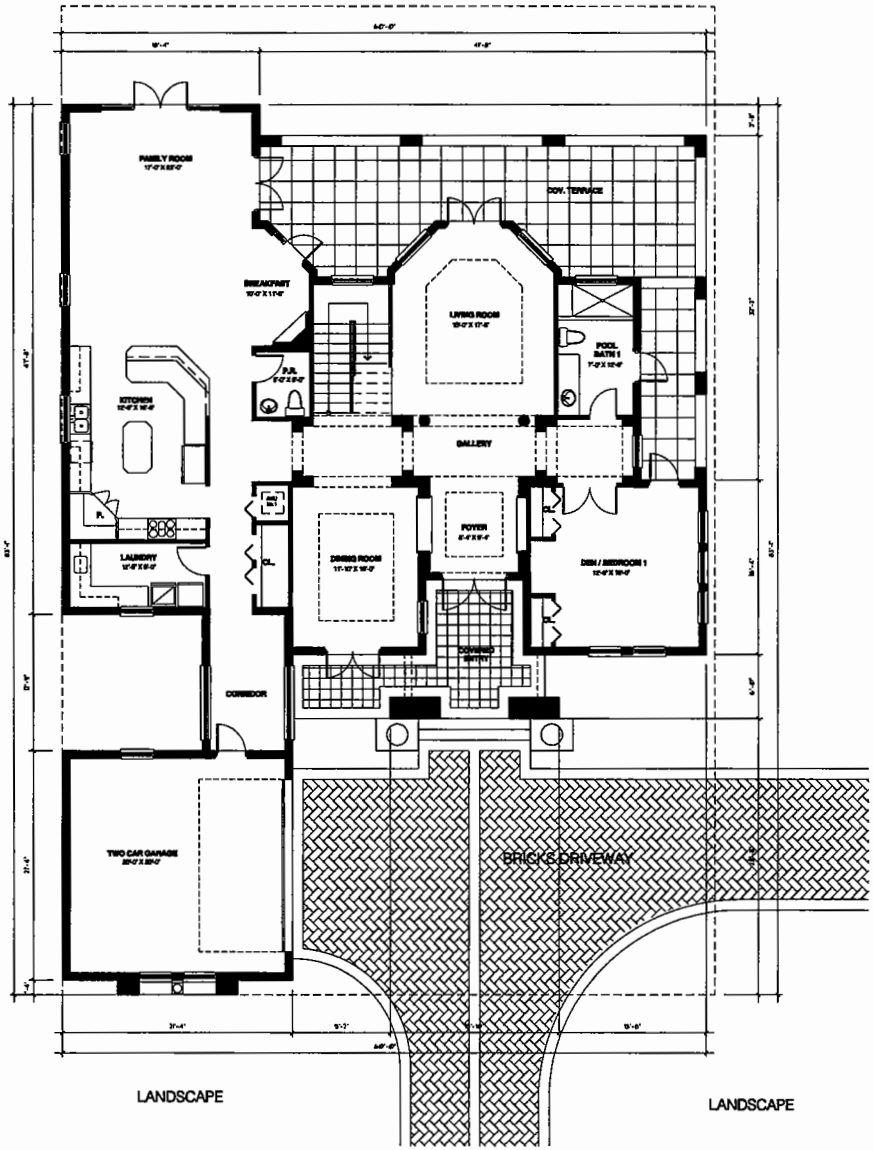
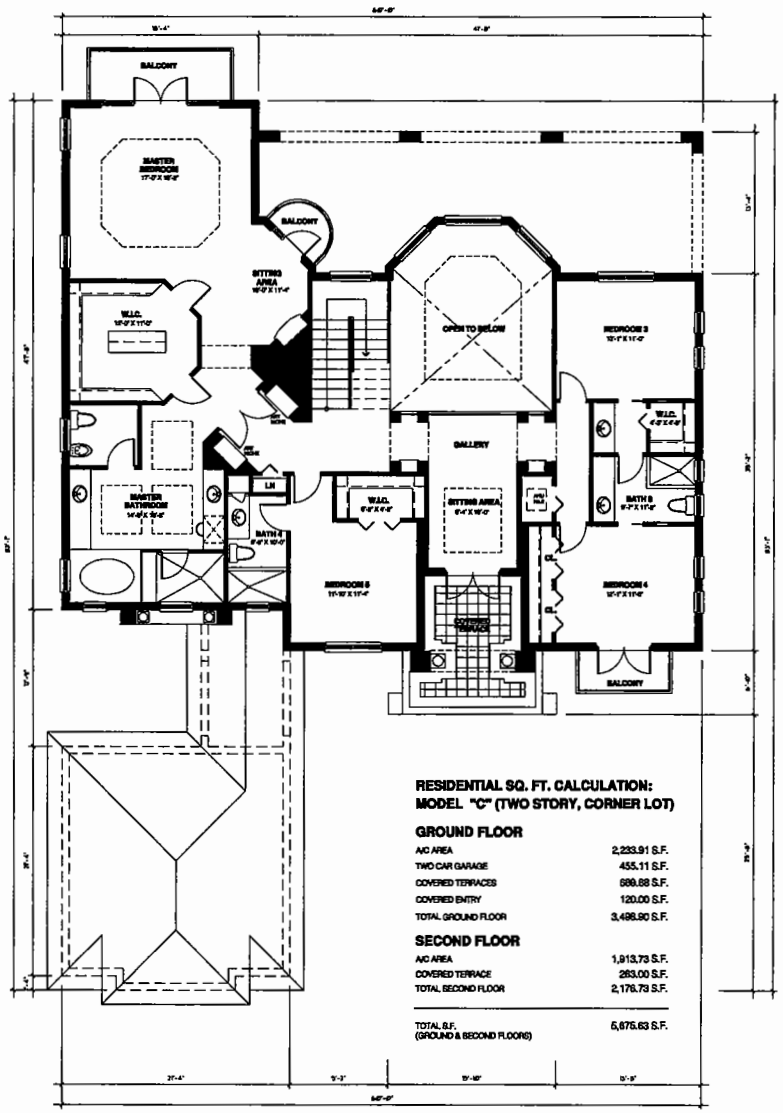
DOCUMENT #: 2007-444
DATE: SEP 14 2006
BY: MK



Ground Floor Plan Scale: 3/16" = 1'-0"
MODEL C OPTION 1



RESIDENTIAL SQ. FT. CALCULATION:
MODEL "C" (TWO STORY, CORNER LOT)

GROUND FLOOR

A/C AREA	2,233.91 S.F.
TWO CAR GARAGE	455.11 S.F.
COVERED TERRACES	686.88 S.F.
COVERED ENTRY	120.00 S.F.
TOTAL GROUND FLOOR	3,496.90 S.F.

SECOND FLOOR

A/C AREA	1,913.73 S.F.
COVERED TERRACE	263.00 S.F.
TOTAL SECOND FLOOR	2,176.73 S.F.

TOTAL S.F. (GROUND & SECOND FLOORS)	5,675.63 S.F.

Second Floor Plan Scale: 3/16" = 1'-0"
MODEL C OPTION 1

Art-Tech design group, corp.
CONSULTING DESIGNERS

REVISIONS

BAPTIST MANOR
S.W. 83rd AVENUE AND 94th STREET MIAMI, FL.

Mendez Professional Engineering Corp.
1385 CORAL WAY SUITE 203
MIAMI, FL 33145
Phone: (305) 854 9824
Jose Antonio Mendez.
Professional Engineer
P.E. No 53248

MENDEZ PROFESSIONAL ENGINEERING CORP.
CA 0000024

Date	09-17-07
Scale	AS NOTED
Drawn	ET-LA
Proj.	
Drawing	C-2

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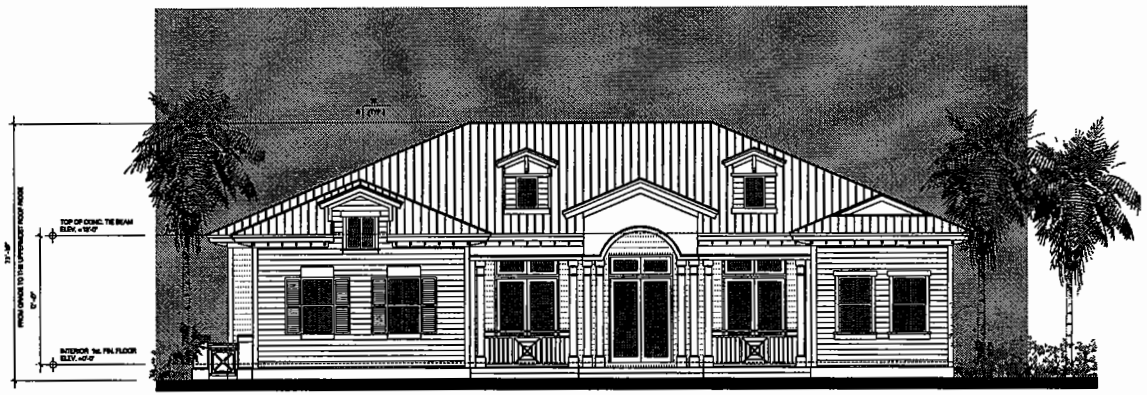
RECEIVED
MIAMI-DADE COUNTY
PROCESS #: [illegible]
DATE: [illegible]
[illegible]

Rear Elevation Scale: 3/16" = 1'-0"



Front Elevation Scale: 3/16" = 1'-0"

MODEL A OPTION 1

Art-Tech design group, corp.
CONSULTING DESIGNERS

Mendez Professional Engineering Corp.
Jose Antonio Mendez
President and Engineer
P.E. No 53288
1385 CORAL WAY SUITE 203
MIAMI, FL 33145
Phone: (305) 854 9824

MENDEZ PROFESSIONAL ENGINEERING CORP.
CA 0000024

REVISIONS

BAPTIST MANOR
S.W. 83rd AVENUE AND 94th STREET MIAMI, FL.

Date	09-17-07
Scale	AS NOTED
Drawn	ET-LA
Proj.	
Drawing	A-3

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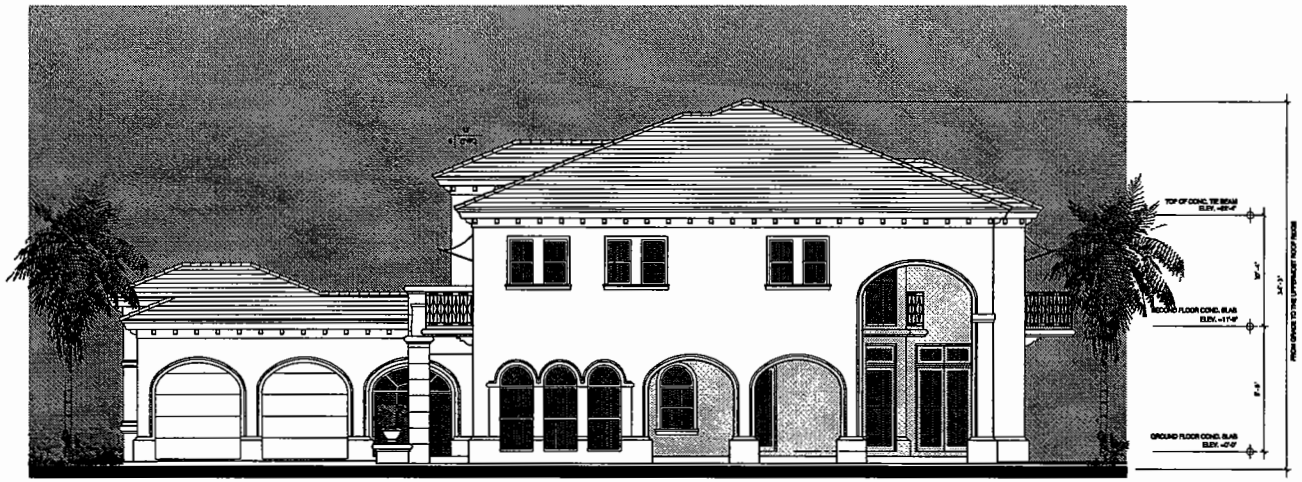
DATE: SEP 14 2006
BY: BJL



Right Side Elevation Scale: 3/16" = 1'-0"
MODEL C

Right Side Elevation Scale: 3/16" = 1'-0"
MODEL C

Art-Tech design group, corp.
CONSULTING ENGINEERS

Mendez Professional Engineering Corp.
1385 CORAL WAY, SUITE 203
MIAMI, FL 33145
Phone: (305) 854 9924

Jose Antonio Mendez
Professional Engineer
P.E. No 53258

PROFESSIONAL ENGINEERING CORP.
CA 00006824

REVISIONS

BAPTIST MANOR
S.W. 83rd AVENUE AND 94th STREET MIAMI, FL.

Date	09-17-07
Scale	AS NOTED
Drawn	ET-LA
Proj.	
Drawing	C-4

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29

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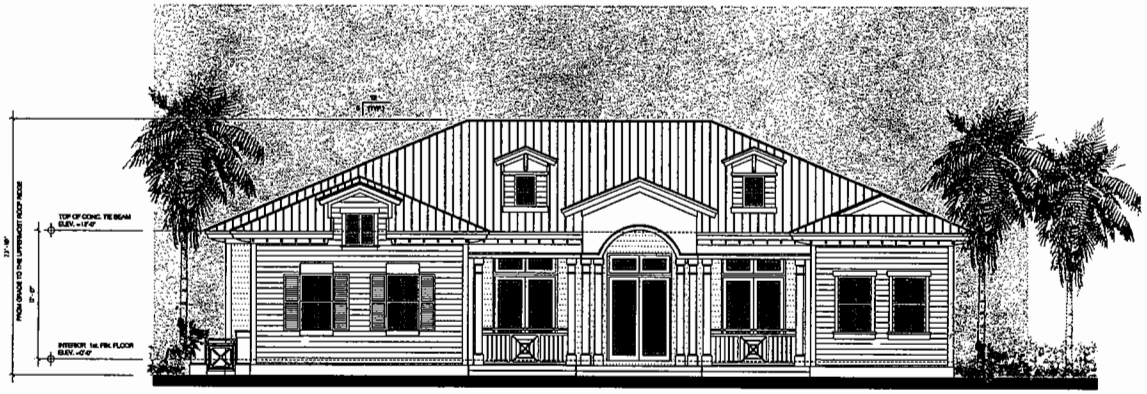
PROCESS #: 2017-544
DATE: SEP 15 2006
BY: BR/

Rear Elevation Scale: 3/16" = 1'-0"



Front Elevation Scale: 3/16" = 1'-0"

MODEL A OPTION 1

Art - Tech design group corp.
CONSULTING ENGINEERS

REVISIONS

BAPTIST MANOR
S.W. 82nd AVENUE AND 94th STREET MIAMI, FL

Mendez Professional Engineering Corp.
1385 CORAL WAY SUITE 203
MIAMI, FL 33145
Phone: (305) 854 9824
Jose Antonio Mendez.
Professional Engineer
P.E. No 53288

PROFESSIONAL ENGINEERING CORP.
CA 0000031

Date	09-17-07
Scale	AS NOTED
Drawn	ET-LA
Proj.	
Drawing	A-3

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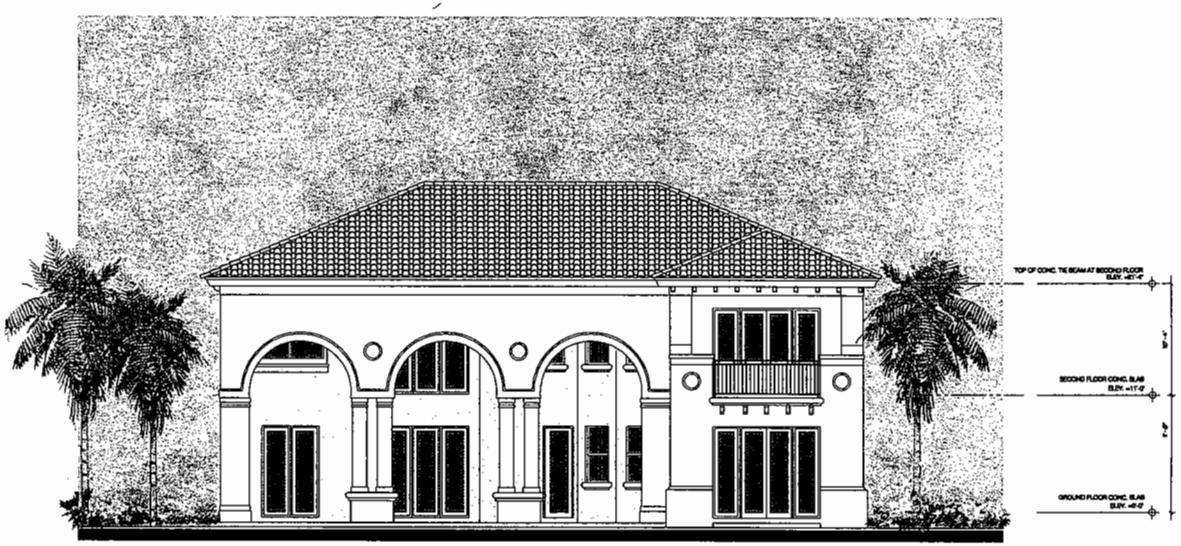
30

34'-3"
FROM GRADE TO THE UPPERMOST ROOF RIDGE
8'-6"
18'-4"
7'-6"
GROUND FLOOR CONC. SLAB
ELEV. -10'-0"
SECOND FLOOR CONC. SLAB
ELEV. -17'-0"
TOP OF CONC. TIE BEAM AT SECOND FLOOR
ELEV. -24'-2"
TOP OF CONC. TIE BEAM AT STAIRS
ELEV. 0'-0"

GROUND FLOOR CONC. SLAB
ELEV. -10'-0"
SECOND FLOOR CONC. SLAB
ELEV. -17'-0"
TOP OF CONC. TIE BEAM AT SECOND FLOOR
ELEV. -24'-2"
TOP OF CONC. TIE BEAM AT STAIRS
ELEV. 0'-0"
8'-6"
18'-4"
7'-6"
34'-3"
FROM GRADE TO THE UPPERMOST ROOF RIDGE

RECEIVED
MIAMI-DADE COUNTY
PROCESS & ZONING
DATE: SEP 18 2008
BY: DJL

Front Elevation Scale: 3/16" = 1'-0"
MODEL B OPTION 1



Rear Elevation Scale: 3/16" = 1'-0"
MODEL B OPTION 1

Art-Tech design group corp.
CONSULTING DESIGNERS

REVISIONS

BAPTIST MANOR
S.W. 88rd AVENUE AND 94th STREET MIAMI, FL.

Mendez Professional Engineering Corp.
1385 CORAL WAY SUITE 203
MIAMI, FL 33145
Phone: (305) 854 9824
Jose Antonio Mendez.
Professional Engineer
P.E. No 53288

MENDEZ PROFESSIONAL ENGINEERING CORP.
CA 0000024

Date	09-17-07
Scale	AS NOTED
Drawn	ET-LA
Proj.	
Drawing	B-3

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32

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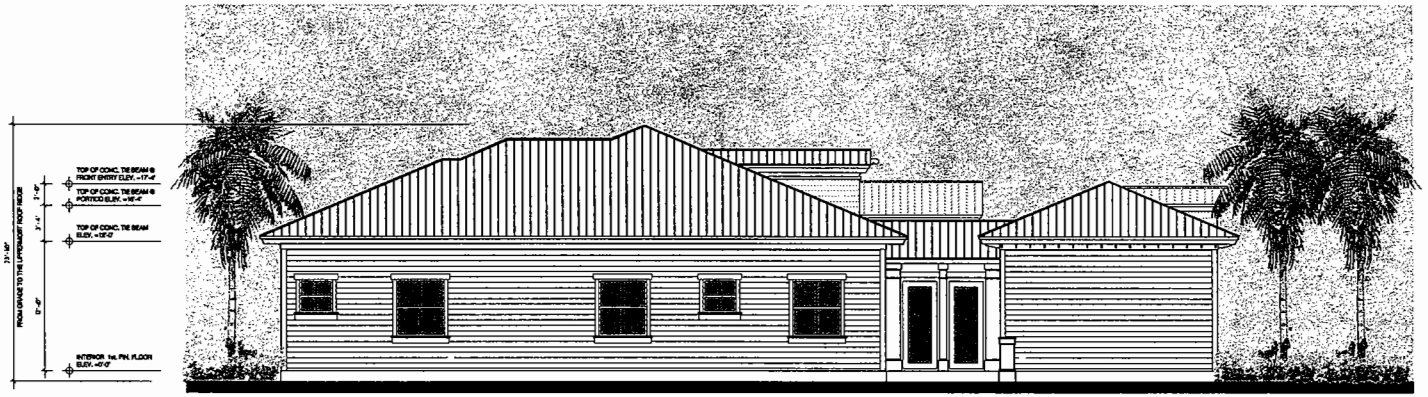
MIAMI-DADE COUNTY
PROCESS #: 2007-044
DATE: SEP 16 2008
BY: [illegible]

Right Side Elevation Scale: 3/16" = 1'-0"



Left Side Elevation Scale: 3/16" = 1'-0"

Art-Tech design group corp.
CONSULTING DESIGNERS

Mendez Professional Engineering Corp.
1385 CORAL WAY SUITE 203
MIAMI, FL 33145
Phone: (305) 854 9824
Jose Antonio Mendez,
Professional Engineer
P.E. No 53268

CA 20000324

Date	09-17-07
Scale	AS NOTED
Drawn	ET-LA
Proj.	
Drawing	A-4

REVISIONS

BAPTIST MANOR
S.W. 83rd AVENUE AND 94th STREET MIAMI, FL.

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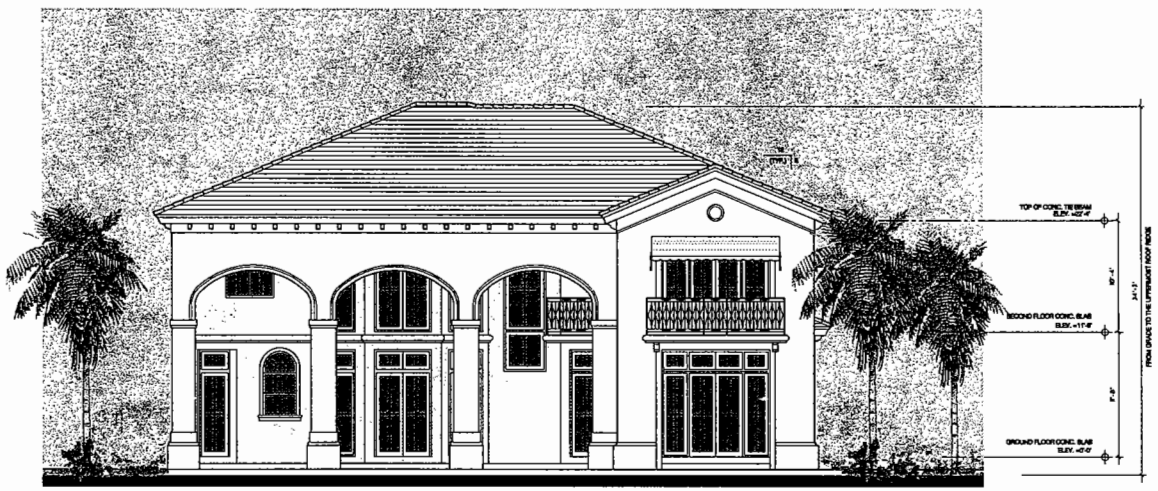
RECEIVED
MIAMI-DADE COUNTY
PROCESS #: 2074-06
DATE: SEP 15 2006
BY: BSL

Front Elevation Scale: 3/16" = 1'-0"
MODEL C



Rear Elevation Scale: 3/16" = 1'-0"
MODEL C

34

Art - Tech design group corp.
CONSULTING DESIGNERS

Mendez Professional Engineering Corp.
1385 CORAL WAY SUITE 203
MIAMI, FL 33145
Phone: (305) 854 9824
Jose Antonio Mendez.
Professional Engineer
P.E. No 53288

REGISTERED PROFESSIONAL ENGINEER
CA 0000624

REVISIONS

BAPTIST MANOR
S.W. 88rd AVENUE AND 84th STREET MIAMI, FL.

Date	09-17-07
Scale	AS NOTED
Drawn	ET-LA
Proj.	
Drawing	C-3

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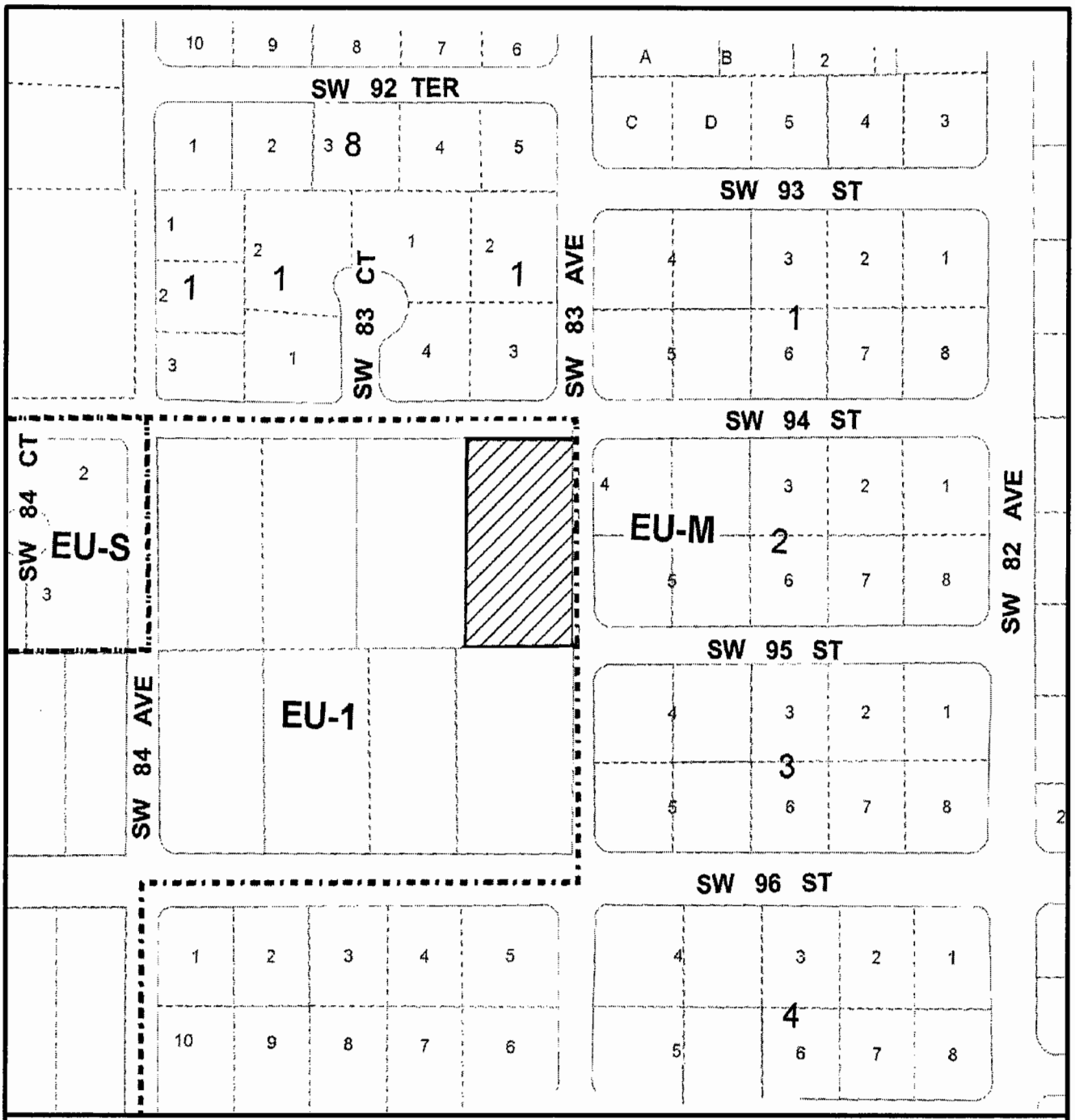


MIAMI-DADE COUNTY
HEARING MAP

Process Number
07-344

N

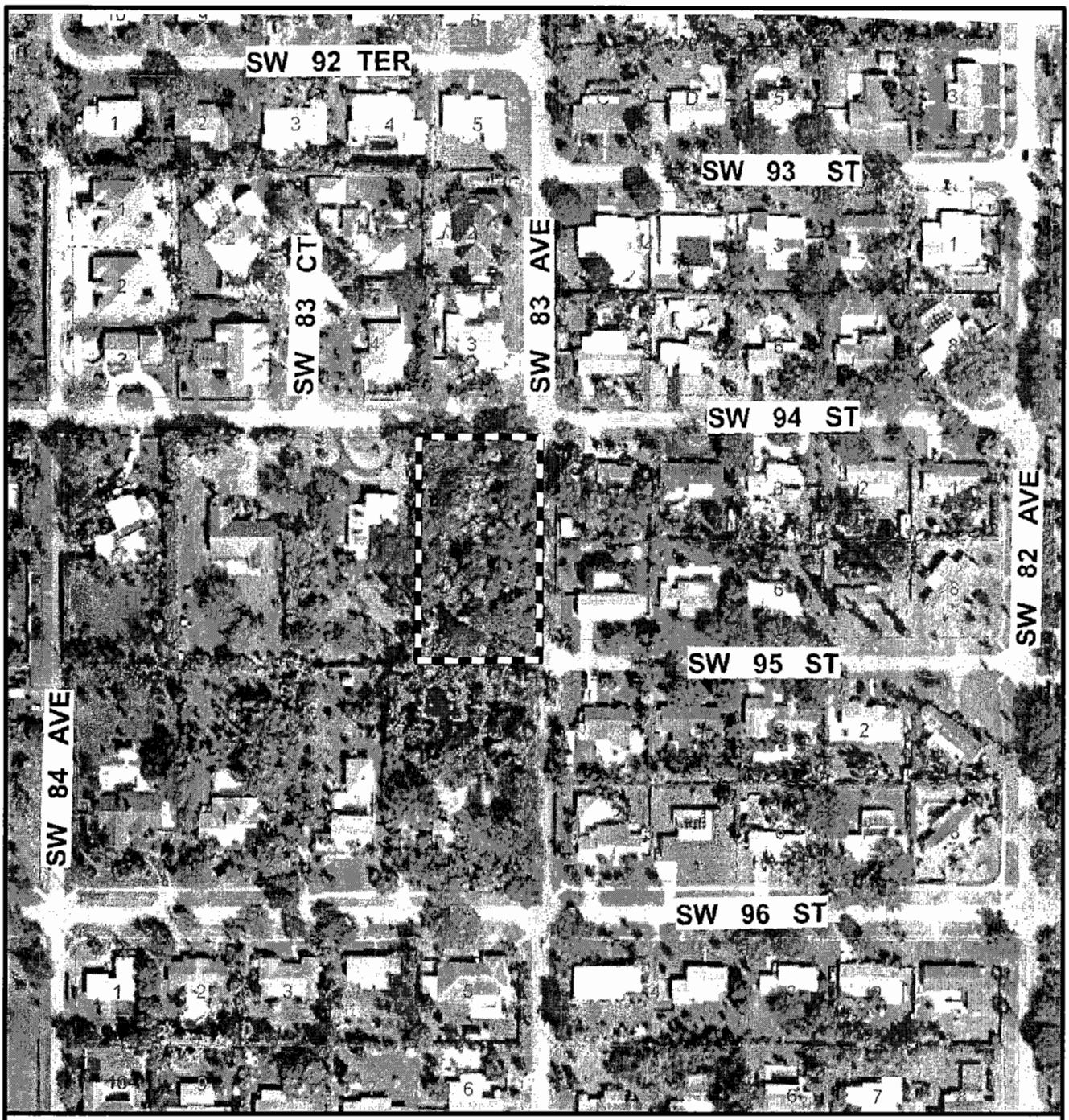
SUBJECT PROPERTY

Section: 03 Township: 55 Range: 40
Applicant: RONALD, RAMIRO & MAGALI CHAVEZ
Zoning Board: C12
District Number: 08
Drafter ID: ERIC
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 09/28/07

REVISION	DATE	BY
Applicant Name	01/02/07	KBM



MIAMI-DADE COUNTY
AERIAL

Process Number
07-344

N

SUBJECT PROPERTY

Section: 03 Township: 55 Range: 40
Applicant: RONALD, RAMIRO & MAGALI CHAVEZ
Zoning Board: C12
District Number: 08
Drafter ID: ERIC
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 09/28/07

REVISION	DATE	BY
Applicant Name	01/02/07	EAM

Received by
Zoning Agenda Coordinator
DEC 02 2008

This instrument was prepared by:
Name: Melissa Tapanes Llahues, Esq.
Address: Bercow Radell & Fernandez, P.A.
200 S. Biscayne Boulevard, Suite 850
Miami, Florida 33131

Ronald, Ramiro & Maggali Chavez
Item #1
Hearing # 07-344

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described as the East 1/2 of the NE 1/4 of the SW 1/4 of the SE 1/4 of the NW 1/4 of Section 3, Township 55 South, 40 Range, less the North 25 ft. for right-of-way purposes, all lying and being in Miami-Dade County, Florida, and hereinafter called the "Property," which is supported by the attorney's opinion, and

IN ORDER TO ASSURE the **County** that the representations made by the owner during consideration of Public Hearing No. 07-344 will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

(1) That said Property shall be developed substantially in accordance with the plans previously submitted entitled, "Baptist Manor," prepared by Mendez Professional Engineering Corp., dated 09/17/07 and consisting of eight (8) pages, and pages LP-1, LP-2, and LP-3 stamped and sealed on 07/16/08 and consisting of three (3) pages, said plan being on file with the Miami-Dade County Department of Planning and Zoning, and by reference made a part of this agreement. The purchase of severable use rights (SURs) shall be required for the development of the Property under the submitted plans

(2) That said Property shall be developed with a maximum of three (3) units

(Space reserved for Clerk)

County Inspection. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of all of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing.

Should this Declaration of Restrictions be so modified, amended or released, the Director of the Miami-Dade County Department of Planning and Zoning, or the executive officer of the successor of such Department, or in the absence of such director or executive officer by his assistant in charge of the office in his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion

Recording. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect

Acceptance of Declaration. Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

Owner. The term Owner shall include the Owner, and its heirs, successors and assigns

[Execution Pages Follow]

ACKNOWLEDGMENT
INDIVIDUAL

Signed, witnessed, executed and acknowledged on this 1ST day of December, 2008.

WITNESSES:

Signature

John Kovacs
Print Name

Signature

Chris Machin
Print Name

Individual Signature

Ronald Chavez
Print Name
Address:
8300 SW 84 Street
Miami, Florida

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by Ronald Chavez, who is personally known to me or has produced _____, as identification.

Witness my signature and official seal this 1st day of December, 2008, in the County and State aforesaid.

CHRISTOPHER MACHIN
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD619523
EXPIRES 12/4/2010
BONDED THRU 1-888-NOTARY1

Notary Public-State of Florida

Chris Machin
Print Name

My Commission Expires: 12/4/10

[c:forms/ac-in sam (2/98)]

ACKNOWLEDGMENT
INDIVIDUAL

Signed, witnessed, executed and acknowledged on this 1st day of December, 2008.

WITNESSES:

Signature

JOHN KOVACS
Print Name

Signature

CHRIS MACHIN
Print Name

Ramiro Chavez
Individual Signature

Ramiro Chavez
Print Name
Address:
8300 SW 84 Street
Miami. Florida

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by RAMIRO CHAVEZ, who is personally known to me or has produced _____, as identification.

Witness my signature and official seal this 1st day of DECEMBER, 2008, in the County and State aforesaid.

CHRISTOPHER MACHIN
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD619523
EXPIRES 12/4/2010
BONDED THRU 1-888-NOTARY1

Notary Public-State of FLORIDA

CHRIS MACHIN
Print Name

My Commission Expires: 12/4/10

[c:forms/ac-in sam (2/98)]

ACKNOWLEDGMENT
INDIVIDUAL

Signed, witnessed, executed and acknowledged on this 1st day of December, 2008.

WITNESSES:

Signature

JOHN KOVACS
Print Name

Signature

CHRIS MACHIN
Print Name

Individual Signature

Magali Chavez
Print Name
Address:
8300 SW 84 Street
Miami, Florida

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by MAGALI CHAVEZ, who is personally known to me or has produced _____, as identification.

Witness my signature and official seal this 15 day of DECEMBER, 2008, in the County and State aforesaid.

CHRISTOPHER MACHIN
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD619523
EXPIRES 12/4/2010
BONDED THRU 1-888-NOTARY1

Notary Public-State of FLORIDA

CHRIS MACHIN
Print Name

My Commission Expires: 12/4/10

[c:forms/ac-in sam (2/98)]

1. EIGHTY SEVENTH CT, LLC
(Applicant)

09-1-CZ12-1 (07-317)
Area 12/District 7
Hearing Date: 1/6/09

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

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

Disclosure of interest form attached? Yes ☑ No ☐

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
1988	Harriet E. Barbara	- Use variance medical office. - Variance to waive required wall & parking requirements. - Variance of setbacks.	BCC	Approved w/conds.

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

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 12

APPLICANT: Eighty Seventh Ct., L. L. C. **PH:** Z07-317 (09-1-CZ12-1)

SECTION: 28-54-40 **DATE:** January 6, 2009

COMMISSION DISTRICT: 7 **ITEM NO.:** 1

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A. INTRODUCTION

- **REQUESTS:**

  (1) RU-1 to BU-1A

  (2) Applicant is requesting to permit an office building setback 5' (15' required) from the interior side (north and south) property lines.

  Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(16) (Alternative Site Development Option for the BU Zoning District) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

  Plans are on file and may be examined in the Department of Planning and Zoning entitled "Proposed Project for: 87 Ct. L. L. C.," as prepared by Oscar E. Matutes and consisting of 4 sheets: Sheets "A-2" and "A-3" last revised 10/13/08 and the remaining two sheets dated stamped received 9/5/07. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:**

  The applicant seeks to change the zoning on the subject property from RU-1, Single Family Residential District, to BU-1A, Limited Business District. Additionally, a request is being sought to permit an office building with lesser setbacks from the interior side (north and south) property lines.

- **LOCATION:**

  7027 S.W. 87 Court, Miami-Dade County, Florida.

- **SIZE:** 120' x 100'

- **IMPACT:**

  The approval of the requested district boundary change will provide commercial uses which could potentially generate additional traffic and noise in the area. The request to permit encroachments into the interior side setback areas could visually and aurally impact the surrounding properties.

B. ZONING HEARINGS HISTORY:

In 1988, the Board of County Commissioners (BCC), pursuant to Resolution #Z-181-88, granted a request to permit an existing accessory building to be used as an electronic medical equipment office and storage of goods in the RU-1 zone as would be permitted

in the BU-3 zone, in connection with an existing single-family residence. Other requests were also granted to waive a 5' high decorative masonry wall on the interior side (north and south) property lines, to permit a 10' (22' required) two-way drive, and to permit backing out onto SW 87 Court (none permitted), to permit the mail order building to be spaced 17.9' (20' required) from the existing residence, and to permit an existing single family residence setback 5.3' (7.5' required) from the interior side (north) property line.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the easterly 1.53-acres of subject property (Parcel "A") as being within the Urban Development Boundary for **Business and Office** use. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.

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

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
RU-1; single-family residence	Business and Office

Surrounding Properties:

NORTH:	RU-5A; office building	Business and Office
SOUTH:	RU-1; single-family residence	Business and Office
EAST:	BU-1A; shopping center	Business and Office
WEST:	RU-1; single-family residence	Business and Office

The subject property consists of two interior lots and is located at 7027 S.W. 87 Court. The area where the subject property lies is predominantly characterized by commercial and residential uses.

E. SITE AND BUILDINGS:

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

*Subject to the Board's acceptance of the proffered covenant.

F. PERTINENT REQUIREMENTS/STANDARDS:

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

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

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

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

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

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

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

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

Section 33-311(A)(16) Alternative Site Development Option for Buildings and Structures in the BU Zoning Districts. This subsection provides for the establishment of an alternative site development option, after public hearing, for buildings and structures permitted by the underlying district regulations, except residential buildings and structures and religious facilities, in the BU-1, BU-1A, BU-2, and BU-3 zoning districts, in accordance with the standards established herein. In considering any application for approval hereunder, the Community Zoning Appeals Board shall consider the same subject to approval of a site plan or such other plans as necessary to demonstrate compliance with the standards herein.

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

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

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

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

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

(5) the proposed alternative development will not involve the installation or operation of any mechanical equipment closer to the adjoining parcel of land than any other portion of the proposed alternative development, unless such equipment is located within an enclosed, soundproofed structure and if located on the roof of such an alternative development shall be screened from ground view and from view at the level in which the installations are located, and shall be designed as an integral part of and harmonious with the building design; and

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) is screened from adjoining property by an opaque fence or wall at least eight (8) feet, six (6) feet if located adjoining or adjacent to a discordant use, in height that meets the standards set forth in paragraph (g) herein; and

(14) any structure not attached to a principal building and proposed to be located within a setback required by the underlying district regulations shall be separated from any other structure by at least 10 feet or the minimum distance to comply with fire safety standards, whichever is greater; and

(15) when a principal or accessory building is proposed to be located within a setback required by the underlying district regulations, any enclosed portion of the upper floor of such building shall not extend beyond the first floor of such building within the setback; and

(16) safe sight distance triangles shall be maintained as required by this code; and

(17) the parcel proposed for alternative development shall continue to provide the required number of on-site parking spaces as required by this Code, except that off-site parking spaces may be provided in accordance with Section 33-128 of this Code; and

(18) the parcel proposed for alternative development shall satisfy all other applicable underlying district regulations or, if applicable, prior zoning actions issued prior to the effective date of this ordinance (May 2, 2003), regulating setbacks, lot area and lot frontage, lot coverage, floor area ratio, landscaped open space and structure height; and

(19) the proposed development will meet the following:

(A) interior side setbacks shall not be reduced by more than fifty percent (50%) of the side setbacks required by the underlying district regulations, or the minimum distance required to comply with fire safety standards, whichever is greater when the adjoining parcel of land is a BU or IU district; interior side setbacks shall not be reduced by more than twenty-five (25%) percent of the interior side setbacks required by the underlying district regulations when the adjoining parcel of land allows a discordant use.

(B) side street setbacks shall not be reduced by more than twenty-five (25%) of the underlying district regulations;

(B) front setbacks (including double-frontage setbacks) shall not be reduced by more than twenty-five (25%) percent of the setbacks required by the underlying district regulations; and

(D) rear setbacks shall not be reduced below fifty (50%) percent of the rear setback required by the underlying district regulations, or the minimum distance required to comply with fire safety standards, whichever is greater, when the adjoining parcel of land is a BU or IU district; rear setbacks shall not be reduced below twenty-five (25%) percent of the rear setback required by the underlying district regulations when the adjoining parcel of land allows a discordant use.

(E) setbacks between building(s) shall not be reduced below 10 feet, or the minimum distance required to comply with fire safety standards, whichever is greater.

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

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

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

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

(I) **Proposed alternative development** under this subsection shall provide additional amenities or buffering to mitigate the impacts of the development as approved, where the amenities or buffering expressly required by this subsection are insufficient to mitigate the impacts of the development. The purpose of the amenities or buffering elements shall be to preserve and protect the economic viability of any commercial enterprises proposed within the approved development and the quality of life of residents and other owners of property in the immediate vicinity in a manner comparable to that ensured by the underlying district regulations. Examples of such amenities include but are not limited to: active or passive recreational facilities, landscaped open space over and above that normally required by the code, additional trees or landscaping materials, the inclusion of residential use(s), convenient pedestrian connection(s) to adjacent residential development(s), convenient covered bus stops or pick-up areas for transportation services, sidewalks (including improvements, linkages, or additional width), bicycle paths, buffer areas or berms, street furniture, undergrounding of utility lines, monument signage (where detached signs are allowed) or limited and cohesive wall signage, and decorative street lighting. In determining which amenities or buffering elements are appropriate, the following shall be considered:

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

(B) the proportionality between the impacts on the residents or other owners of property of parcel(s) in the immediate vicinity and the amenities or buffering required. For example, a reduction in setbacks for numerous lots or significantly large commercial buildings may warrant the provision of additional landscaped open space.

G. NEIGHBORHOOD SERVICES:

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

*Subject to the conditions indicated in their memoranda.

H. ANALYSIS:

The subject property consists of two interior lots and is located at 7027 S.W. 87 Court in an area predominantly characterized by commercial and residential uses. The applicant is seeking a zone change on the subject property from RU-1, Single Family Residential District, to BU-1A, Limited Business District. Additionally, a request to permit an office building setback 5' (15' required) from the interior side (north and south) property lines is being sought. Plans submitted for this application depict the development of the site with a one-story 4,500 sq. ft. office building fronting on SW 87 Court. Substantial landscaping in the form of Live Oak trees as well as Ixora hedges are provided throughout the site. It should be noted that the applicant has voluntarily proffered a covenant that restricts the development of the site to the submitted plans.

The Department of Environmental Resources Management **(DERM)** has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The **Public Works Department** also has **no objections** to this application. Their memorandum indicates that this application meets the traffic concurrency criteria and will generate **5** additional daily PM peak hour vehicle **trips**. However, the traffic distribution of these trips to the adjacent roadways does not exceed the acceptable Levels of Service (LOS) of the surrounding roadways which are currently operating at LOS "C" and "E". The Miami-Dade Fire Rescue Department **(MDFR)** does not object to this application and their memorandum indicates that the estimated average travel response time is **7:31** minutes.

The approval of this application will allow the applicant to utilize the subject property for office uses in accordance with the BU-1A zoning classification. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Business and Office** use. Uses permitted in these areas are retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. The BU-1A zoning district allows uses such as automobile new parts and equipment, sales only, automobile service stations, automobile self-service gas stations, banks, including drive-in teller service, billiard rooms and pool rooms, dog and pet hospitals in air-conditioned buildings, dry cleaning establishments, employment agencies, furniture stores, retail of new merchandise only, grocery stores, natatoriums, printing shops, self-service storage facility, supermarkets and variety stores. Existing uses already occurring in the area include shopping centers and office buildings. Therefore, the applicant's request to rezone the property from RU-1 to BU-1A to construct an office building on the subject site is **consistent** with the goals and objectives of the CDMP and consistent with the development trend toward commercial uses in the area.

When considering district boundary changes, the Board shall hear and grant or deny applications by taking into consideration if the proposed development will have a favorable

or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently utilize or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways. Staff opines that the rezoning of the subject site to BU-1A will not have an unfavorable impact on the environment based upon the favorable recommendation issued by the Department of Environmental Resources Management (DERM) pursuant to their memorandum pertaining to this application. The development of the subject property will not have an unfavorable economic impact on Miami-Dade County and will not unduly burden water, sewer, solid waste disposal, or other necessary public facilities. Additionally, the rezoning does not unduly burden or affect public transportation facilities since the 5 additional daily peak hour vehicle trips do not diminish the current LOS of the area roadways as indicated in the Public Works Department's memorandum. Staff's research reveals that several properties in the surrounding area have been granted requests for district boundary changes to RU-5A and BU-2. For example, in 2006, a property located at 7190 SW 87 Avenue, approximately 100' to the south of the subject site, was granted a district boundary change from RU-1 and BU-2 to BU-2, pursuant to Resolution #CZAB12-22-06. Additionally, in 1997, a property located immediately to the north of the subject site was granted a district boundary change from RU-1 to RU-5A, pursuant to Z-39-97. As such, staff opines that the approval of BU-1A zoning would be in keeping with the character of the surrounding commercial and office uses in the area, and therefore, would be **compatible** with same and **consistent** with the Business and Office land use designation of the CDMP. As such, staff recommends approval of the district boundary change from RU-1 to BU-1A, subject to the Board's acceptance of the proffered covenant.

When request #2, to permit an office building setback 5' (15' required) from the interior side (north and south) property lines, is analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of the request would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not negatively affect the appearance of the community. Under said standard, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations 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. Staff opines that the office building's encroachments of 10' into the interior side setback areas are not intrusive and would not result in an obvious departure from the aesthetic character of the surrounding area. Staff notes that other similar approvals already exist in the immediate vicinity. For example, in 2006, a property located at 7190 SW 87 Avenue, approximately 100' to the south of the subject site, was granted among other things a similar request to permit a parking garage building with interior side setbacks (north and south) of 2' where 15' were required, pursuant to Resolution #CZAB12-22-06. Staff notes that the submitted plans depict a 6' high CBS wall along the interior sides (north and south)

11

property lines which, in staff's opinion, would be sufficient to mitigate any visual impact generated by the requested setback encroachment. Staff further notes that abundant landscaping located specifically along the interior sides (north and south) property lines in the form of Live Oak trees as well as Ixora hedges will further mitigate any visual impact generated by same. As such, staff recommends approval with conditions of request #2 under the Non-Use Variance Standards (NUV).

The Alternative Site Development Option (ASDO) Standards for the BU Zoning District, Section 33-311(A)(16), provide for the approval of a zoning application which can demonstrate at a public hearing that the development requested is in compliance with the applicable ASDO Standards and does not contravene the enumerated public interest standards as established. However, the applicant has not provided staff with the documentation required for analysis under same. As such, request #2 cannot be approved under the ASDO Standards and should be denied without prejudice under Section 33-311(A)(16) (ASDO).

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

Accordingly, staff opines that the application is **consistent** with the LUP map of the CDMP, is **compatible** with the surrounding properties and therefore recommends approval of the district boundary change from RU-1 to BU-1A, subject to the Board's acceptance of the proffered covenant; approval with conditions of request #2 under Section 33-311(A)(4)(b) (NUV); and denial without prejudice of request #2 under Section 33-311(A)(14) (ASDO) and under Section 33-311(A)(4)(c) (ANUV).

I. RECOMMENDATION:

Approval of request #1, subject to the Board's acceptance of the proffered covenant; approval with conditions of request #2 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(14) (ASDO) and under Section 33-311(A)(4)(c) (ANUV).

J. CONDITIONS: For request #2 only.

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

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Project for: 87 Ct. L. L. C.," as prepared by Oscar E. Matutes and consisting of 4 sheets: Sheets "A-2" and "A-3" last revised 10/23/08 and the remaining two sheets dated stamped received 9/5/07.

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

DATE INSPECTED: 09/02/08
DATE TYPED: 11/19/08
DATE REVISED: 11/20/08; 11/24/08; 12/02/08; 12/08/08
DATE FINALIZED: 12/08/08
MCL:MTF:LVT:NC:JV

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

NDN

Memorandum

MIAMI-DADE COUNTY

Date: October 22, 2008

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

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

Subject: C-12 #Z2007000317-Revised
Eighty Seventh Ct., LLC
7027 S.W. 87th Court
District Boundary Change from RU-1 to BU-1A and Non-Use Variance of Setback Requirements to Permit an Office Building
(RU-1) (0.27 Acres)
28-54-40

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, Potable Water Service and Wastewater Disposal

The subject property is located within the Basic Wellfield Protection Area for the Alexander Orr Wellfield. The site is situated within the 10-day travel time contour of the said wellfield. Therefore, development on the subject property shall be in accordance with regulations established in Section 24-43 of the Code.

Sewage loading restrictions are in effect within this wellfield protection area. According to Section 24-43 of the Code, the maximum sewage loading rate, for non-residential properties served by public water and public sanitary sewers, may not exceed 850 GPD/acre, which translates to a maximum of 3,024 square feet of office space. Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required, in accordance with Code requirements. All sewer lines serving the property shall comply with the exfiltration standards as applied to development within wellfield protection areas.

The site plan submitted shows a proposed office building with 4,500 square feet of office space; however, the sewage loading allowed within this wellfield protection area only allows a maximum office space of 3,024 square feet. In accordance with the Code, the property owner has obtained a variance from the requirements of the aforesaid Code Section from the Environmental Quality Control Board (EQCB), subject to the conditions stated in Board Order 08-28.

Furthermore, since the subject request is for a non-residential land use, the owner of the property has submitted a properly executed covenant in accordance with Section 24-43(5) of the Code which provides that hazardous materials or wastes shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

Stormwater Management
Section 24-43 of the Code also regulates stormwater disposal methods within public water supply wellfield protection areas. The Code requires that all stormwater runoff shall be retained on-site utilizing only infiltration or seepage type drainage systems on that part of the wellfield protection area that is beyond the 30-day travel time contour and infiltration only for that part comprehended between 100 feet from the wells to the 10-day travel time contour. The Code prohibits the disposal of stormwater within 100 feet of the wells. Accordingly, all stormwater collected within this area shall be diverted from the same via concrete swale. Oil and grease interceptors will be required at all catch basins preceding the exfiltration systems.

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

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

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

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

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

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

Tree Preservation
The subject property contains tree resources. Section 24-49.2(II) of the Code requires that specimen (trunk diameter 18 inches or greater) trees be preserved whenever reasonably possible. However, a site plan submitted to DERM with tree removal permit application 2008-TREE-PER-00519 depicts all trees on the property to be non specimen and are existing within a single-family residence; therefore, no permit is required for this property.

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

Concurrency Review Summary
DERM has conducted a concurrency review for this application and has determined that the same meets all applicable Level of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal, and

flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

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

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

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

PH# Z2007000317
CZAB - C12

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:EIGHTY SEVENTH CT, LLC

This Department has no objections to this application.

Additional improvements may be required at time of permitting.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 5 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-1075	SW 87 Ave. s/o SW 56 St.	C	C
F-1068	SW 72 St. w/o Palmetto Expwy.	C	C
F-1076	SW 87 Ave. n/o SW 85 St.	C	C
F-68	SW 72 St. e/o SW 107 Ave.	E	E

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.
20-SEP-07

Memorandum

Date: 25-SEP-07

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

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

Subject: Z2007000317

Fire Prevention Unit:

- Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped September 5, 2007. Any changes to the vehicular circulation must be resubmitted for review and approval.
This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for zoning hearing applications. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDFR requirements.

Service Impact/Demand:

Development for the above Z2007000317
located at 7027 S.W. 87 COURT, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1713 is proposed as the following:

N/A	dwelling units	N/A	square feet
residential		industrial	
4,500	square feet	N/A	square feet
Office		institutional	
N/A	square feet	N/A	square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: 0.99 alarms-annually.
The estimated average travel time is: 7:31 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:

Station 13 - East Kendall - 6000 SW 87 Avenue.

Fire Planning Additional Comments:

Current service impact calculated based on plans date stamped September 5, 2007. Substantial changes to the plans will require additional service impact analysis.

OFFICE of NEIGHBORHOOD COMPLIANCE TAMIAMI OFFICE

ENFORCEMENT HISTORY

EIGHTY SEVENTH CT, LLC	7027 SW 87 COURT
APPLICANT	**ADDRESS**
DECEMBER 24, 2008	07-317
INSPECTION DATE	**HEARING NUMBER**

CURRENT ENFORCEMENT HISTORY:

CMS 200803012019 – NOT IN VIOLATION
CMS 200703003361 – WARNING NOTICE – DAMAGE FENCE – VIOLATION CORRECTED – CLOSED CASE

DISCLOSURE OF INTEREST*

If a **COMPANY** owns or leases the subject property, list Members and percent of interest 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: Eighty Seventh Ct, LLC

NAME AND ADDRESS	Percentage Interest
Miguel Sagre (Managing Member)	100%
5001 SW 87 Avenue	
Miami, Florida 33165	

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BY

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

TRUST/ESTATE NAME:

NAME AND ADDRESS	Percentage of Stock

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME:

NAME AND ADDRESS	Percentage of Stock

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

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable) _____ Percentage of Stock

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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: _____
(Applicant)

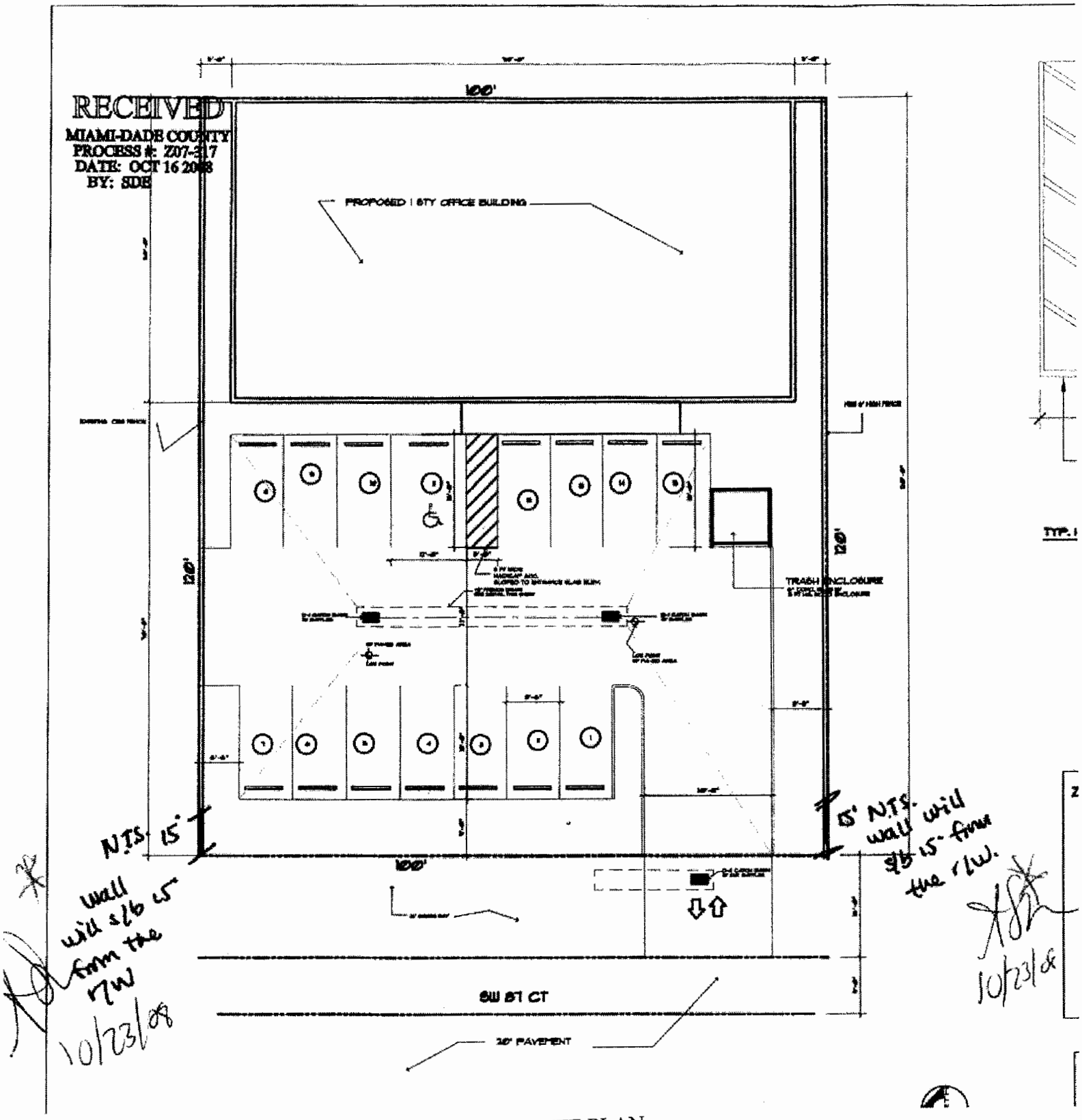
Sworn to and subscribed before me this 17 day of July, 2007. Affiant is personally known to me or has produced _____ as identification.

_____
(Notary Public)

ESTRELLITA SIBILA
Notary Public - State of Florida
My Commission Expires Mar 22, 2009
Commission # DD 409832
Bonded By National Notary Assn.

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



ENLARGED SITE PLAN

23

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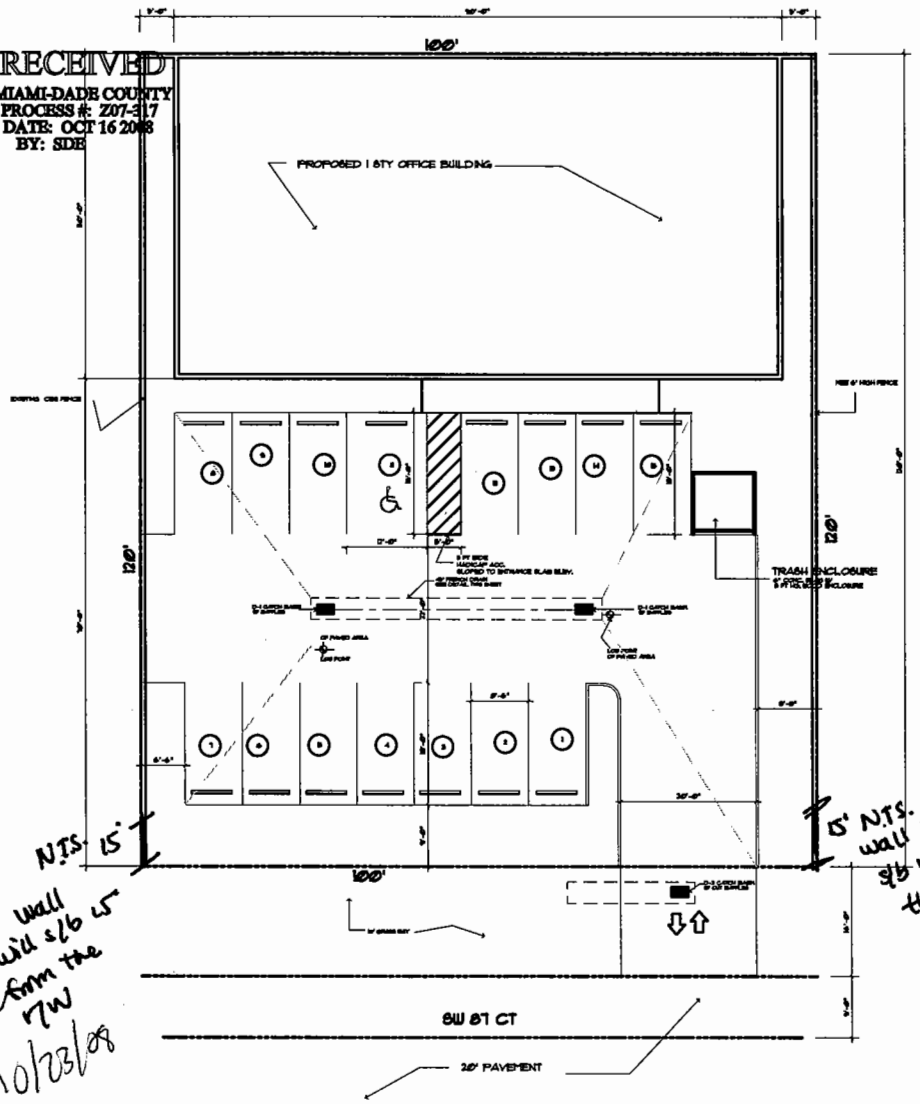
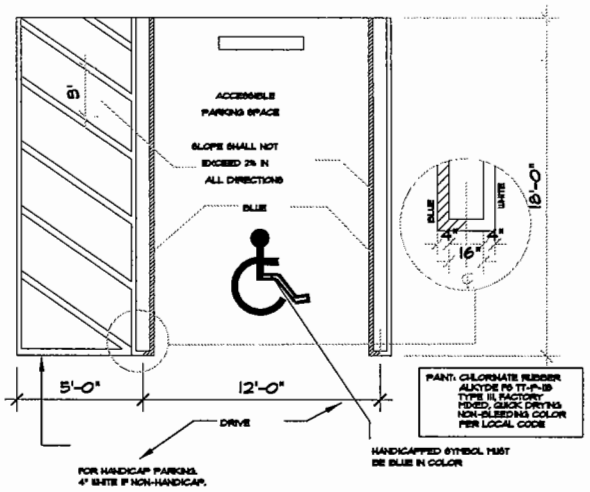
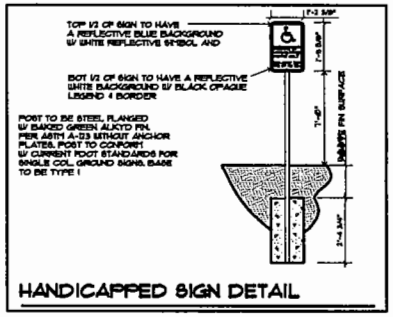
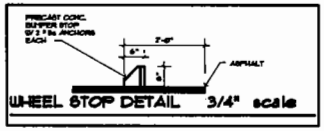




TYP. HC PARKING DETAIL NTS



HANDICAPPED SIGN DETAIL



WHEEL STOP DETAIL 3/4" scale

ZONING LEGEND

ZON. CLASSICATION: BU-A (VARIENCE)
NET LOT AREA:
NET LOT AREA: 12000 SF

ROOT PRINT % ALLOWED (.40)
ALLOWED: 4800 SF
PROPOSED: 4800 SF

FAR % ALLOWED.40
ALLOWED: 4800 SF
PROPOSED: 4800 SF

SETBACKS	REQ	PROPOSED
FRONT	25'	25'-0"
REAR	0'	0'
SIDE	5'	5'

GREEN AREA REQUIRED (.15)
REQUIRED: 2160 SF
PROPOSED: 2408 SQ/FT

PARKING (1/300 SF)
REQUIRED: 15 SPACES
PROPOSED: 15 SPACES
(1 HAND. + 14 REG.)

LEGAL DESCRIPTION

LOTS 23 AND 25, BLOCK 5
OF SUNSET PARK PLAT BOOK 32, PAGE 9
DADE COUNTY, FLORIDA

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

PROPOSED PROJECT FOR:
87 CT LLC.
ADDRESS: 7027 SW 87 CT
MIAMI, FLORIDA

DATE
04/25/07

REVISIONS

COMMISSION NUMBER
20070701

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DATE: SEP 05 2007
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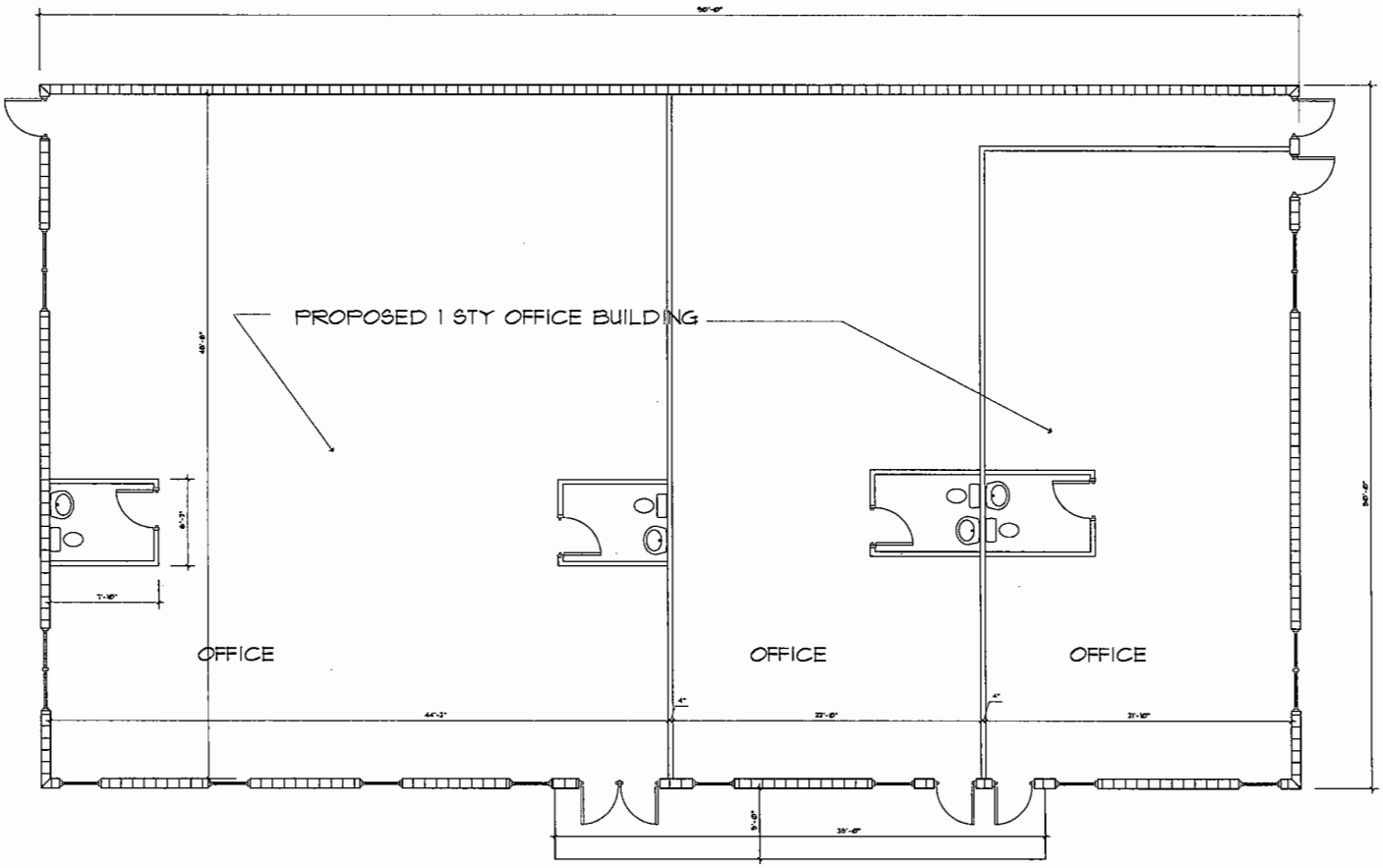

FLOOR PLAN 1/4"

oscar e. matutes r.a.
ARCHITECTURE INTERIORS
7811 CORAL WAY SUITE 100 MIAMI, FLA. 33155 PH. (305)-267-8610
AR-0007164

PROPOSED PROJECT FOR:
87 CT L.L.C.
ADDRESS: 7027 SW 87 CT
MIAMI, FLORIDA

DATE
04/26/07

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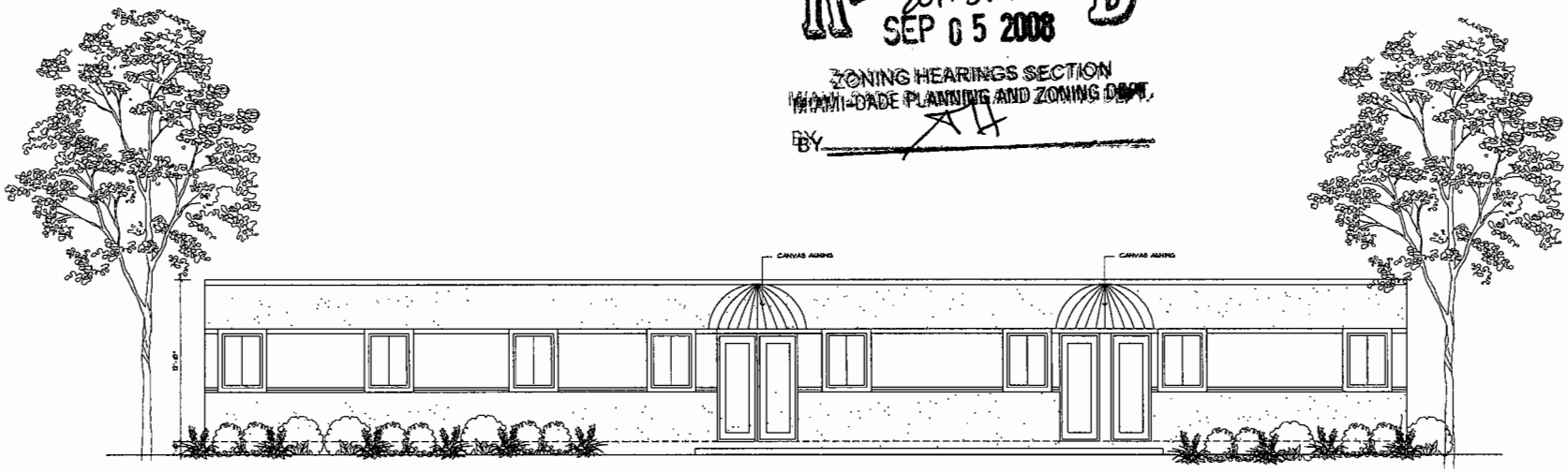
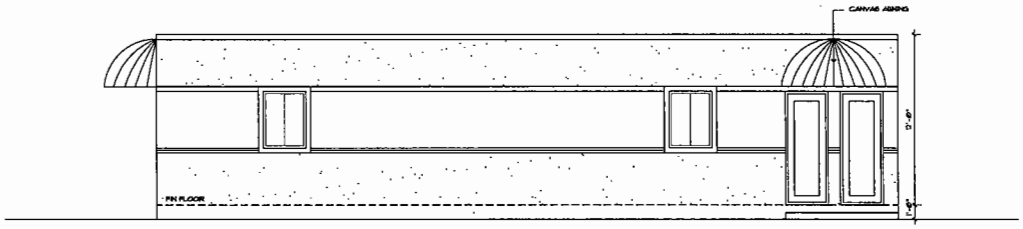
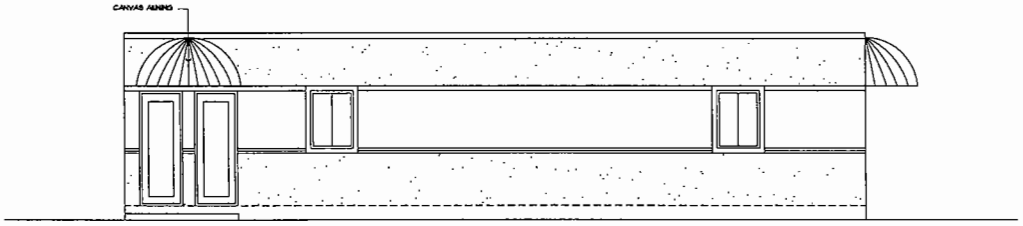


FRONT ELEVATION 1/4'
EAST



RIGHT SIDE ELEVATION 1/4'
SOUTH



LEFT SIDE ELEVATION 1/4'
NORTH

oscar e. matutes r.a.
ARCHITECTURE INTERIORS
7811 CORAL WAY SUITE 100 MIAMI, FLA. 33155 PH. (305)-267-8810
AA26001744

PROPOSED PROJECT FOR:
87 CT L.L.C.
ADDRESS: 7027 SW 87 CT
MIAMI, FLORIDA

DATE
04/26/07

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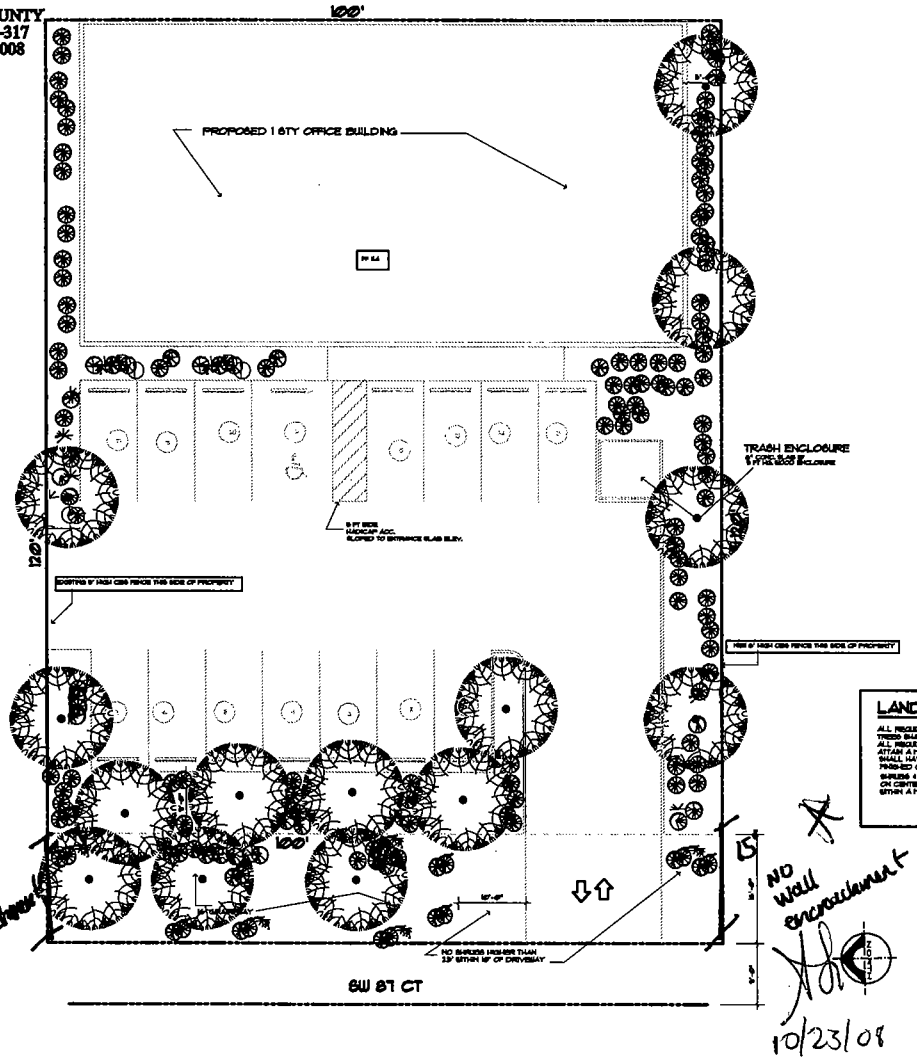

1st 15' no wall encroachment
10/23/08

NO wall encroachment
10/23/08

LANDSCAPING PLAN 1/8"

LANDSCAPE LEGEND

ZONING DISTRICT BU-1A NET LOT AREA 6.176 ACRES 26868 S.F.

OPEN SPACE

	REQUIRED	PROVIDED
A. SQUARE FEET OF OPEN SPACE REQUIRED BY CHAPTER 33, AS INDICATED ON SITE PLAN NET LOT AREA = 26868 S.F. X 10 % = 2686 S.F.	2686	2163
B. SQUARE FEET OF PARKING LOT OPEN SPACE REQUIRED BY CHAPTER 18A, AS INDICATED ON SITE PLAN. NO. OF PARKING SPACES 15 X 10 S.F. PER PARKING SPACE=	150	
C. TOTAL S.F. OF LANDSCAPED OPEN SPACE REQUIRED BY CHAPTER 33, A+B=	2836	2405

LAWN AREA CALCULATION

A. 2836 TOTAL S.F. OF LANDSCAPED OPEN SPACE REQUIRED BY CHAPTER 33		
B. MAXIMUM LAWN AREA (SOD) PERMITTED = 30 % X 2836 S.F.=	851	350

TREES

A. NUMBER OF TREES REQUIRED PER NET LOT ACRE		
LESS EXISTING NUMBER OF TREES MEETING MINIMUM REQUIREMENTS		
= 72 TREES X NET LOT ACRE = 7	7	10
B. PALMS ALLOWED: NUMBER OF TREES PROVIDED / 2 X 30% =	2	
PALMS PERMITTED TO COUNT AS STREET TREES ON U BASIS X 30%	-	-
C. NATIVES REQUIRED: NUMBER OF TREES PROVIDED X 30%	2	7
D. STREET TREES (MAX. AVERAGE SPACING OF 30' OC) 160' L.F. / 30=	5	4
E. STREET TREES LOCATED DIRECTLY BENEATH POWER LINES (MAX. AVERAGE SPACING 25' OC.) ____ LINEAR FEET ALONG STREET / 25=	-	-

SHRUBS

A. NUMBER OF TREES REQUIRED X 10 = NUMBER OF SHRUBS ALLOWED	70	250
B. NUMBER OF SHRUBS ALLOWED X 30% = NUMBER OF NATIVE SHRUBS REQUIRED	21	64
IRRIGATION PLAN, IF REQUIRED BY CHAPTER 33	(YES)	NO (NO)

PLANT NAME					NATIVE SPECIES YES/NO	CALIPER INSTALLED	HEIGHT		CANOPY DIAM. AT MATURITY
SYMBOL	NSI	SHRT.	SCIENTIFIC	COMMON			INSTALLED	MATURE	
QV	10	6	QUERCUS VIRGINIANA	LIVE OAK	YES	3" MIN. DBH	12	40'-50'	40'

NOTES:
1. ALL NEWLY PLANTED AND RELOCATED PLANT MATERIAL SHALL BE MAINTAINED BY TEMPORARY IRRIGATION UNTIL SUCH TIME AS THEY ARE ESTABLISHED.
2. IRRIGATION SHALL BE PROHIBITED WITHIN NATIVE PLANT COMMUNITIES.
3. ALL PLANTING AREAS TO RECEIVE A MIN. OF 3" OF MULCH.

LANDSCAPE NOTES

ALL REQUIRED LANDSCAPED MATERIALS SHALL BE GRADED "FLORIDA #1 OR BETTER."
TREES SHALL BE A MINIMUM OF TEN (10) FEET IN OVERALL HEIGHT UPON PLANTING.
ALL REQUIRED TREES SHALL BE OF AN APPROVED SHADE TREE VARIETY WHICH SHALL ATTAIN A MINIMUM MATURE CROWN SPREAD GREATER THAN FIFTEEN (15) FEET AND SHALL HAVE A CLEAR TRUNK OF AT LEAST FIVE (5) FEET ABOVE PARKING GRADE LEVEL.
SHRUBS & HEDGES SHALL BE A MIN. OF 2 1/2 FT IN HEIGHT UPON PLANTING AND 2 1/2 FT ON CENTER AND MAINTAINED SO AS TO FORM A CONTINUOUS UNBROKEN, SOLID, VISUAL SCREEN WITHIN A MAXIMUM OF ONE (1) YEAR AFTER PLANTING.

LEGEND

LIVE OAK — QV (TYPICAL TREE) MIN. 12 FT. HT. 5/ 3" MIN CALIPER

DIONA (TYPICAL SHRUB)

oscar e. matutes r.a.
ARCHITECTURE INTERIORS
7811 CORAL WAY SUITE 100 MIAMI, FLA. 33155 PH. (305)-267-8510
AA 26001143

PROPOSED PROJECT FOR:
87 CT LLC.
ADDRESS: 7027 SW 87 CT
MIAMI, FLORIDA

DATE 04/26/07

REVISIONS

COMMISSION NUMBER 20060711

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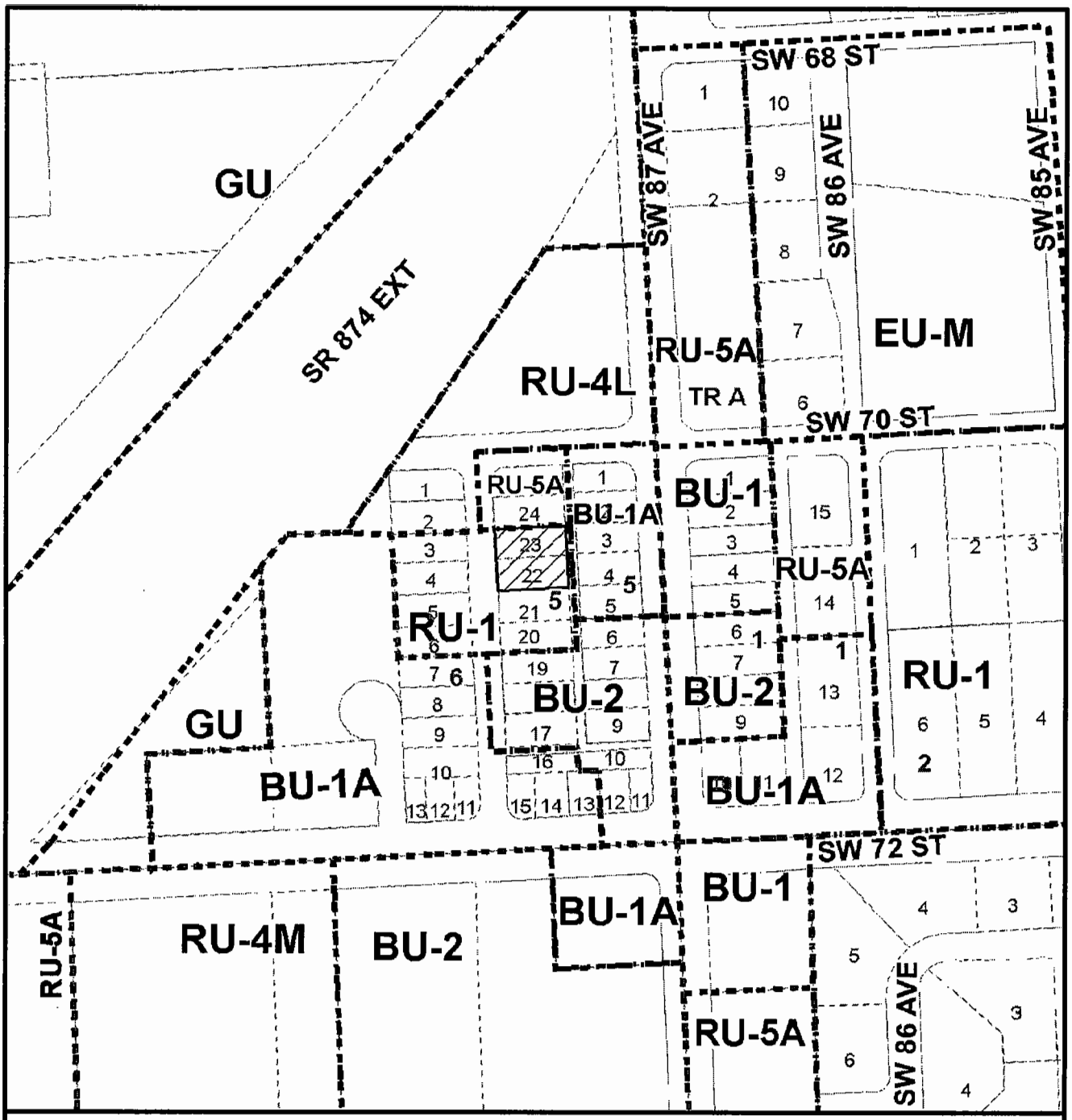


MIAMI-DADE COUNTY
HEARING MAP

Process Number
07-317

N

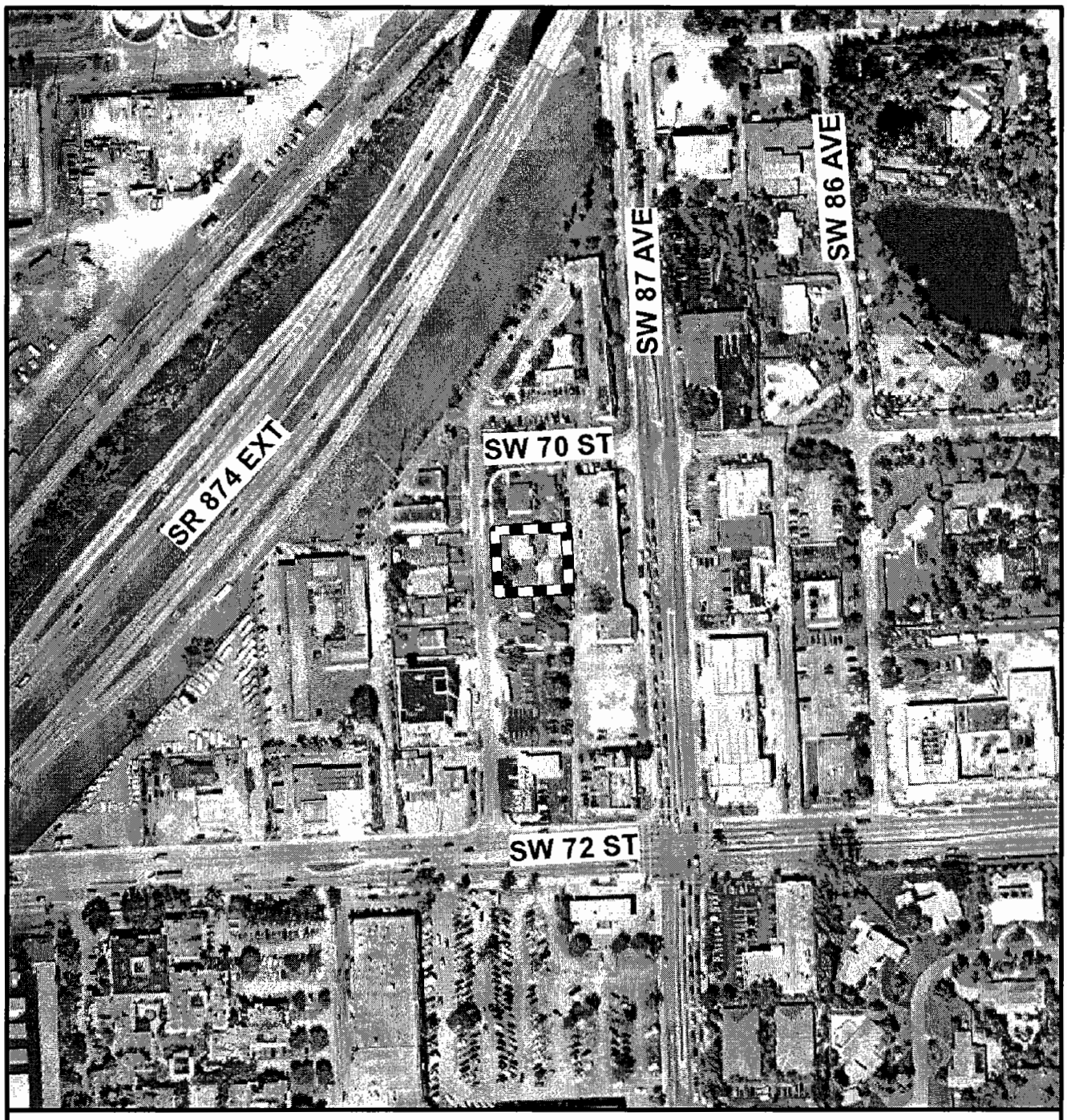
SUBJECT PROPERTY

Section: 28 Township: 54 Range: 40
Applicant: EIGHTY SEVENTH CT, LLC
Zoning Board: C12
District Number: 7
Drafter ID: N'NAGBE
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 09/14/07

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL

Process Number
07-317

N

SUBJECT PROPERTY

Section: 28 Township: 54 Range: 40
Applicant: EIGHTY SEVENTH CT, LLC
Zoning Board: C12
District Number: 7
Drafter ID: N'NAGBE
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 09/14/07

REVISION	DATE	BY

2. ALBERTO ROS
(Applicant)

09-1-CZ12-2 (08-110)
Area 12/District 10
Hearing Date: 1/6/09

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

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

Disclosure of interest form attached? Yes ☐ No ☑

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
1965	Arvida Corp.	Zone change from RU-1 to AU.	BCC	Approved
1965	Arvida Corp.	Zone change from RU-1 to AU.	ZAB	Recommended for approval
1971	Gadco Corp, Harold Brown, Tr. and Steve Brown.	- Zone change from AU to RU-3M. - Special exception multi-family apartment.	BCC	Approved w/conds.
1971	Gadco Corp., Harold Brown, Tr.	Zone change from AU to RU-3M.	ZAB	Approved w/conds.
1972	Gadco Corp, Harold Brown, Tr. & Steve Brown.	- Zone change from RU-3M to RU-TH. - Special exception to permit townhouse development. - Unusual Use to permit recreational area lake excavation & entrance gate.	BCC	Approved
1972	Gadco Corp, Harold Brown, Tr. & Steve Brown.	- Zone change from RU-3M to RU-TH. - Special exception to permit townhouse development. - Unusual use to permit recreational area, lake excavation and entrance gate.	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. 12

APPLICANT: Alberto Ros **PH:** Z08-110 (09-1-CZ12-2)

SECTION: 30-54-40 **DATE:** January 6, 2009

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

==========

A. INTRODUCTION:

- **REQUESTS:**

1. Applicant is requesting to waive the zoning regulations prohibiting accessory buildings to extend above the height of the wall or wood fence enclosing the townhouse site; to permit a shed to be higher than the wall or wood fence.

2. Applicant is requesting to waive the zoning regulations requiring a spacing of 20' be provided between each group of townhouses, 15' of which shall be unencumbered by walls, fences or other structures or buildings, 5' may be encumbered by trellises, chimneys or walkways which may be enclosed by privacy fences; to waive same to permit a 6' high wood fence within the unencumbered area.

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

Plans are on file and may be examined in the Department of Planning and Zoning entitled "As-Built for Existing Open Covered Alum. Terrace Roof for Ros Residence," as prepared by Vertex Architecture, dated stamped received 9/1/08 and consisting of 1 sheet. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:**

The applicant seeks to permit an existing shed to be higher than an existing wood fence and to allow said existing 6' high wood fence to encroach within the required 15' distance between the end of a group of townhouses.

- **LOCATION:** 7112 S.W. 113 Court, Miami-Dade County, Florida.

- **SIZE:** 2,697 sq. ft.

- **IMPACT:** The approval of the requests would provide the applicant with additional fenced side yard area and outside storage, however approval of the requests could visually impact the surrounding properties.

B. ZONING HEARINGS HISTORY:

In 1972, pursuant to Resolution #Z-48-72, the Board of County Commissioners (BCC) approved a district boundary change on the subject property from AU, Agricultural District, and RU-3M, Minimum Apartment House District, to RU-TH, Townhouse District.

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-Medium Density Residential** use. This category allows a range in density from a minimum of 6 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
SUBJECT PROPERTY:	
RU-TH; Townhouse	Low Medium Density Residential, 6 to 13 dua
SURROUNDING PROPERTY:	
NORTH: RU-TH; Townhouse	Low Medium Density Residential, 6 to 13 dua
SOUTH: RU-TH; Townhouse	Low Medium Density Residential, 6 to 13 dua
EAST: RU-TH; Townhouses	Low Medium Density Residential, 6 to 13 dua
WEST: RU-TH; Townhouse	Low Medium Density Residential, 6 to 13 dua

The subject property is an internal lot located at 7112 S.W. 113 Court. The townhouse residence fronts on SW 113 Court to the east and is located in an established townhouse development.

E. SITE AND BUILDINGS:

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

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

G. NEIGHBORHOOD SERVICES:

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

*Subject to the conditions indicated in their memoranda.

H. ANALYSIS:

The subject property is an interior lot located at 7112 S.W. 113 Court, in an established townhouse development zoned RU-TH, Townhouse District. The applicant seeks to waive the zoning regulations prohibiting accessory buildings to extend above the height of the wall or wood fence enclosing the townhouse site in order to permit a shed to be higher than the wall or wood fence (request #1); and to waive the zoning regulations requiring a spacing of 20' be provided between each group of townhouses, 15' of which shall be unencumbered by walls, fences or other structures or buildings, and 5' of which may be encumbered by trellises, chimneys or walkways which may be enclosed by privacy fences, in order to permit a 6' high wood fence within the unencumbered area (request #2). The applicant has submitted plans depicting the aforementioned requests.

The Department of Environmental Resources Management **(DERM)** has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The Public Works Department **(PWD)** also has **no objections** to this application and has indicated in their

memorandum that gates must be provided to access the Utility and Access easements and that said gates must remain unlocked. Additionally, the Miami-Dade Fire Rescue Department **(MDFR)** has **no objections** to this application and their memorandum indicates that the estimated average travel response time is **7:05** minutes.

The subject property is designated for **Low Medium Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP), which allows a minimum of 6 to a maximum of 13 dwelling units per gross acre yielding a density threshold of a maximum of 1 dwelling unit on this site. Since the requests sought herein will not add additional dwelling units to the residence, the RU-TH zoned townhouse residence is **consistent** with the Low Medium Density Residential designation as shown on the LUP map of the CDMP.

When the application is analyzed under Section 33-311(A)(4)(b), Non-Use Variance (NUV) Standard, staff is of the opinion that the approval of the requests would be **compatible** with the surrounding area, and would not negatively affect the stability and appearance of the community. Request #1, to waive the zoning regulations prohibiting accessory buildings to extend above the height of the wall or wood fence enclosing the townhouse site in order to permit a shed to be higher than the wall or wood fence, would permit the maintenance and continued use of an existing 8'10" high shed located on the northern portion of the site adjacent to the subject townhouse residence and spaced approximately 9' from the interior side (north) property line. Additionally, said shed structure will be buffered from the neighboring properties by an existing 6' high wood fence that runs along the interior side of the property. Request #2, will allow the applicant to waive the zoning regulations requiring a spacing of 20' be provided between each group of townhouses, 15' of which shall be unencumbered by walls, fences or other structures or buildings, and 5' of which may be encumbered by trellises, chimneys or walkways which may be enclosed by privacy fences in order to permit a 6' high wood fence within the unencumbered area. The approval of the request will allow the applicant's fence to encroach 3.87' into the required unencumbered 15' spacing between buildings. Staff does not object to this request and notes that the applicant has made aesthetic improvements to the site that positively impact the neighborhood. Specifically, on the northwest corner of the property, the submitted pictures depict two well maintained palm trees, and along the north and west property lines, a well maintained 6' high wood fence has been constructed utilizing fenestration to avoid the appearance of a blank wall. Staff notes that the applicant has obtained written approval from the Home Owner's Association for the 6' high wood fence as erected on the side. Staff also notes that there is a 5' utility and access easement that runs along the north property line. Staff further notes that as conditions of approval, staff recommends that the applicant provide front and rear gates within the 5' utility and access easement and that the applicant obtain written waivers from the affected utility companies prior to building permit issuance for the continued use of the existing 6' high wood fence. Based on all of the aforementioned, staff opines that this application would not be detrimental to the community, would not be intrusive to the adjacent properties, would not affect the appearance of the townhouse community and is **compatible** with the surrounding area. Therefore, staff recommends that requests #1 and #2 be approved with conditions under Section 33-311(A)(4)(b) (NUV).

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

Based on all of the aforementioned, staff opines that the application is **compatible** with the surrounding properties and **consistent** with the LUP map of the CDMP and therefore recommends approval of this application under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV).

I. RECOMMENDATION:

Approval of requests #1 and #2 under Section 33-311(A)(4)(b) (NUV), and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV).

J. CONDITIONS:

1. That 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, and other requirements.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "As-Built for Existing Open Covered Alum. Terrace Roof for Ros Residence," as prepared by Vertex Architecture, dated stamped received 9/1/08 and consisting of 1 sheet. 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 obtain written waivers from the affected utility companies prior to building permit issuance.

5. That the applicant secure a building permit for the existing 6' high wood fence within the required unencumbered 15' spacing between buildings and the existing shed from the Building Department within 120 days of the expiration of the appeal period for this application, unless a time extension is granted by the Director of the Department of Planning and Zoning.

6. That front and rear gates be provided within the utility and access easement and that said gates must remain unlocked.

DATE INSPECTED: 10/14/08
DATE TYPED: 11/18/08
DATE REVISED: 11/19/08; 12/08/08
DATE FINALIZED: 12/08/08
MCL:MTF:NN:AA:JV

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

NDN

Memorandum

MIAMI-DADE COUNTY

Date: June 23, 2008

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

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

Subject: #Z2008000110
Alberto Ros
7112 S.W. 113th Court
Request to Permit an Existing Addition that Exceeds Setback Requirements
(RU-TH) (0.06 Acres)
30-54-40

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

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

Concurrency Review Summary

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

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

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

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

REVISION 1

PH# Z2008000110
CZAB - C12

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:ALBERTO ROS

This Department has no objections to this application.

The applicant must provide gates to access the Utility and Access easements and that said gates must remain unlocked for the use of the utility companies.

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

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

Memorandum

Date: 27-JUN-08

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2008000110

Fire Prevention Unit:

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

Service Impact/Demand:

Development for the above Z2008000110
located at 7112 S.W. 113 COURT, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1708 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 7:05 minutes

Existing services:

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

Station 9 - Kendall - 7777 SW 117 Avenue
Rescue, ALS Engine

Planned Service Expansions:

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

None.

Fire Planning Additional Comments:

Not applicable to service impact analysis.

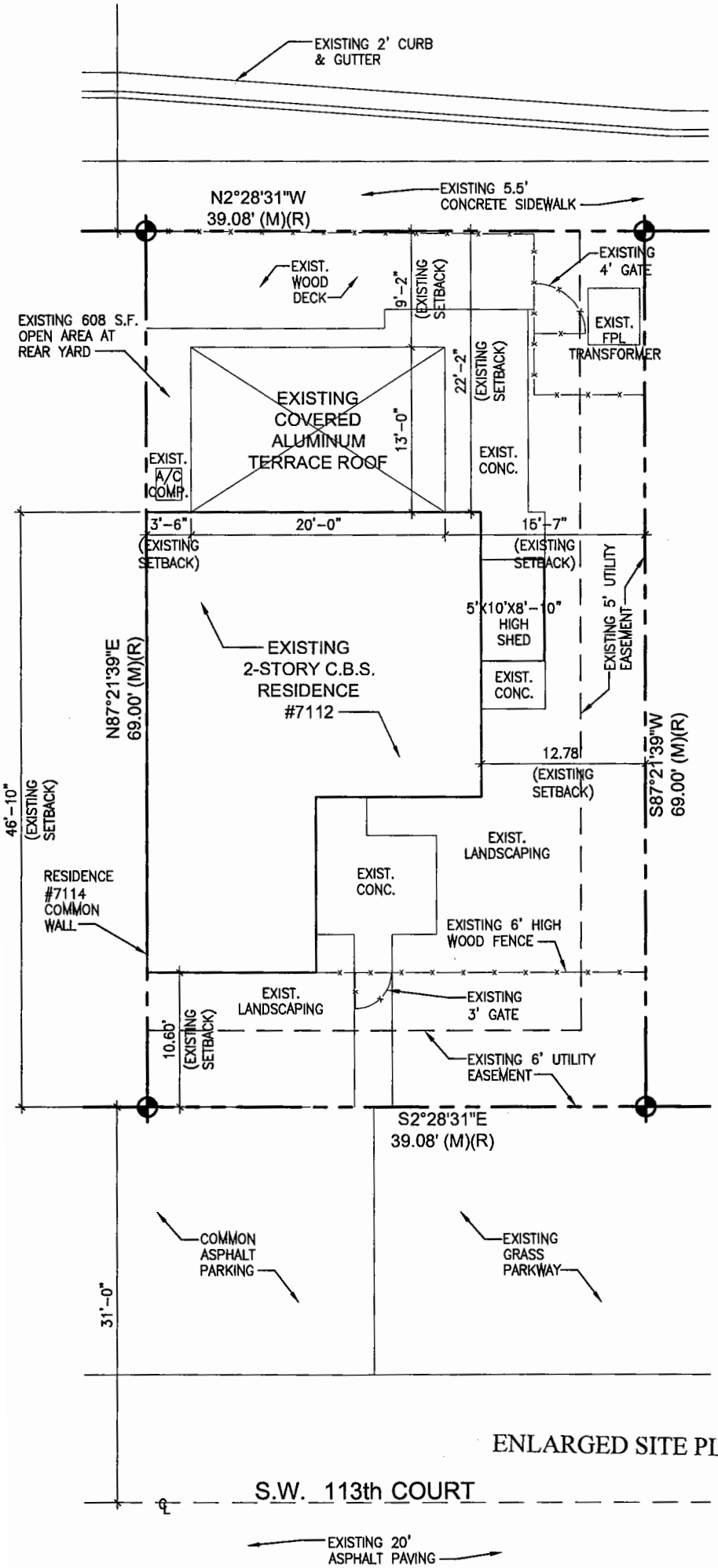
OFFICE of NEIGHBORHOOD COMPLIANCE TAMIAMI OFFICE

ENFORCEMENT HISTORY

JULIO & NAYLET I. MOREJON	7050 SW 80 COURT
APPLICANT	**ADDRESS**
DECEMBER 24, 2008	08-173
INSPECTION DATE	**HEARING NUMBER**

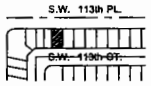
CURRENT ENFORCEMENT HISTORY:

CMS 200803012021 – NOT IN VIOLATION



ENLARGED SITE PLAN

11



2 A-1 LOCATION PLAN
SCALE: 1"=200'

INDEX OF DRAWINGS
A-1 SITE PLAN

SITE DATA

ZONING: RU-1H (TOWNHOUSE DISTRICT, 8.5 UNITS/NET ACRE)

LOT AREA: 2,697 S.F.

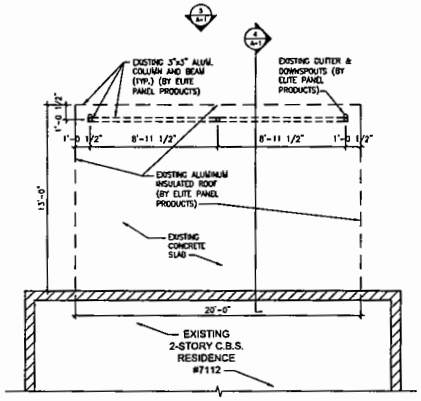
SQUARE FOOTAGE OF EXISTING HOUSE: 1,360 S.F.

	HOUSE SETBACKS: REQUIRED (MIN.)	HOUSE SETBACKS: PROVIDED	TERRACE SETBACKS: REQUIRED (MIN.)	TERRACE SETBACKS: PROVIDED
FRONT:	10'-0"	10.6' (EXISTING)	25'-0"	46'-10" (EXISTING)
REAR:	20'-0"	22'-2" (EXISTING)	5'-0"	9'-2" (EXISTING)
SIDES:	0' & 10'	0' & 12.78' (EXISTING)	0' & 10'	3'-8" & 15'-7" (EXISTING)
OPEN AREA:	500 S.F.	608 S.F.		

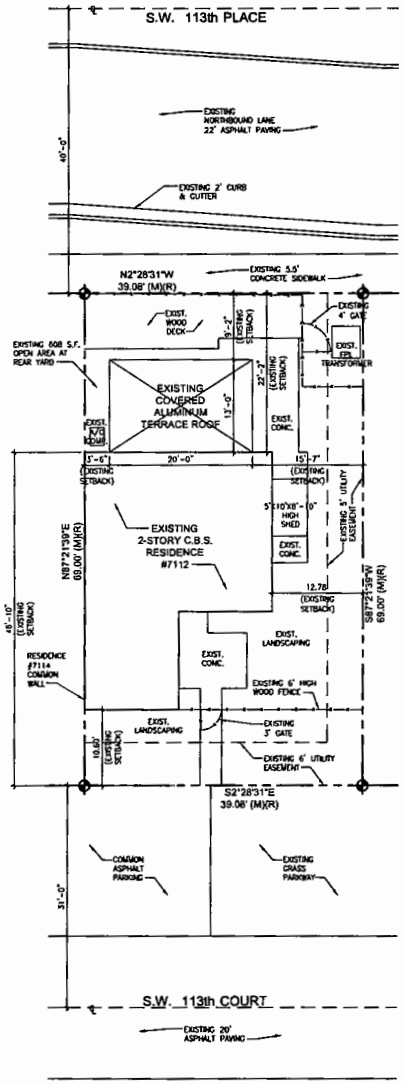
SURVEY NOTES:
ALL SURVEY NOTATION AND DESCRIPTIONS ARE RELAYED FROM INFORMATION TAKEN BY "THOMAS J. KELLY, INC., 8125 S.W. 120 ST., PINECREST, FL 33156 (786) 242-7692". FIELD SURVEY TAKEN 04-03-2008. SEE ATTACHED SURVEY.

LEGAL DESCRIPTION:
LOT 26, BLOCK 1, OF SNAPPER CREEK TOWNHOUSES SECTION ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 93, PAGE 82, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

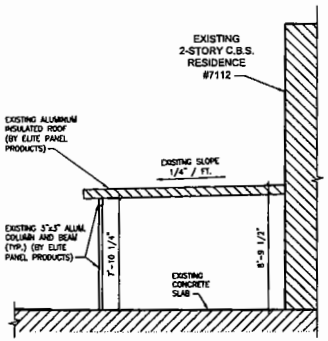
SCOPE OF WORK:
THE SCOPE OF WORK IS AN EXISTING COVERED ALUMINUM TERRACE ROOF.



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

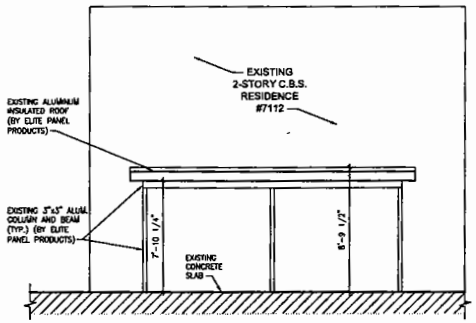


1 A-1 SITE PLAN
SCALE: 1/8" = 1'-0"



4 A-1 SECTION / SIDE ELEVATION
SCALE: 1/4" = 1'-0"

NOTE: ALL EXISTING ALUMINUM PIECES AND ATTACHMENTS OF THE EXISTING ALUMINUM INSULATED ROOF SYSTEM ARE BY ELITE PANEL PRODUCTS AS PER MIAMI-DADE COUNTY PRODUCT APPROVALS 03-0109.01 & 08-0123.03. ALL EXISTING PIECES AND ATTACHMENTS MEET THE FBC AND WERE ATTACHED AND CONNECTED AS PER THE ATTACHMENT DETAILS OF THE ABOVE-LISTED PRODUCT CONTROL APPROVAL NUMBERS.



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

RECEIVED
SEP - 1 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

RECEIVED
MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING AND ZONING
2008 SEP 29 PM 3:00
BY: DC

ARCHITECTURE
Architecture with a Point
AA26000839
Carlos J. Bravo, R.A. AR17584
Alejandro Santamaría, R.A. AR91405

Vertex Architecture, Inc.
10250 SW 56th Street
Suite C-101
Miami, FL 33165
Ph: 305.412.9499
Fax: 305.412.9498
www.vertexarchitecture.com
cas@vertexarchitecture.com

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SEAL

AS AN PROFESSIONAL ARCHITECT AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE PLANS AND SPECIFICATIONS CONTAINED HEREIN COMPLY WITH ALL APPLICABLE BUILDING CODES.

As-Built for Existing Open Covered Alum. Terrace Roof for Ros Residence

Owner:
Alberto Ros
7112 SW 113 Ct.
Miami, FL 33173
(305) 596-3194

Permit Set

Consultant:

REVISIONS

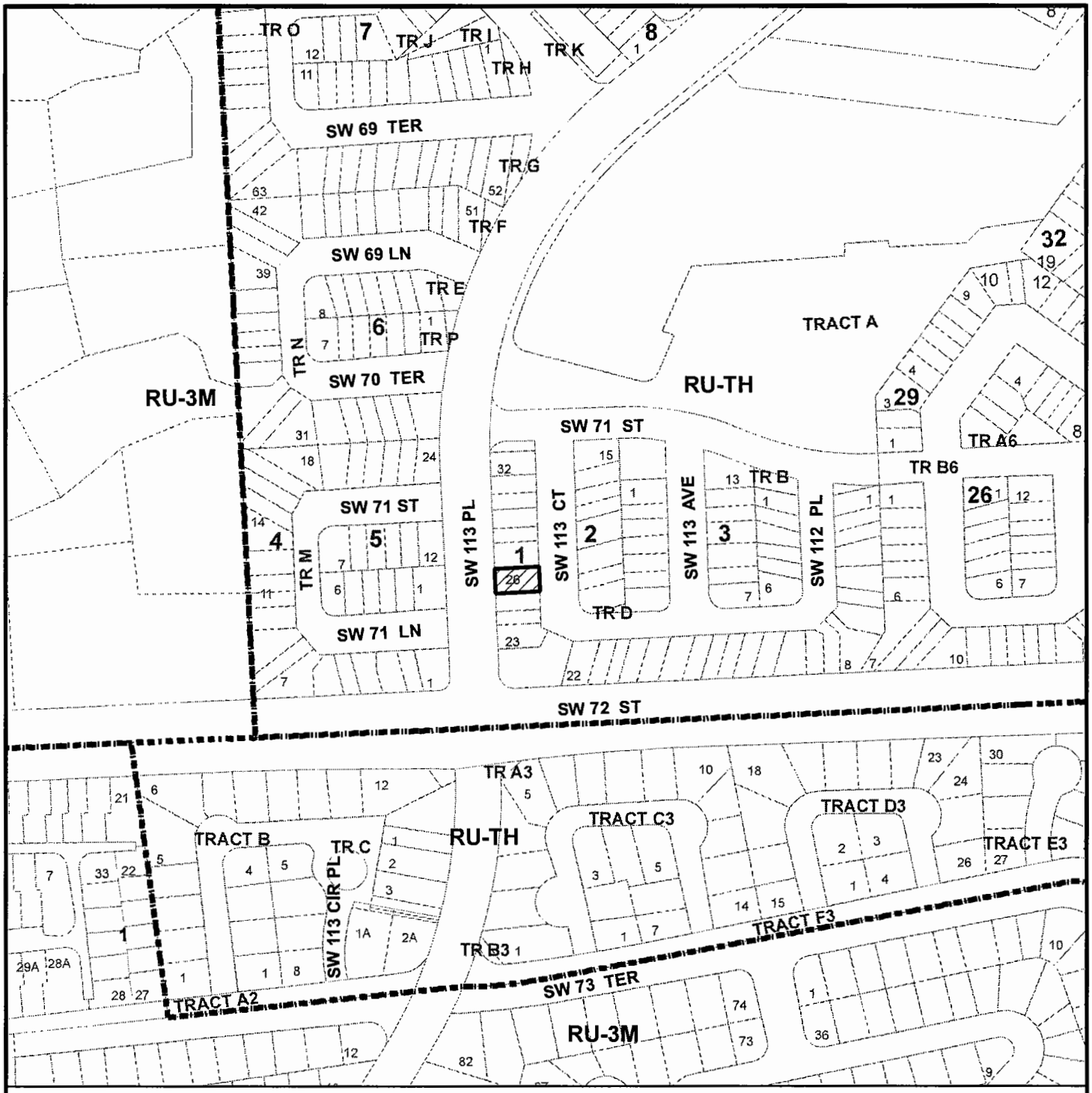
No	DATE	DESCRIPTION

SITE PLAN / SITE DATA / LOCATION PLAN / FLOOR PLAN / ELEVATIONS

SHEET TITLE

DATE 08-27-08
DRAWN BY A.S.P.
REVIEWED BY A.S.P.
0849
PROJECT NO.

A-1
SHEET



MIAMI-DADE COUNTY
HEARING MAP

Process Number
08-110

SUBJECT PROPERTY

N W E S

Section: 30 Township: 54 Range ; 40
Applicant: ALBERTO ROS
Zoning Board: C12
District Number:10
Drafter ID: KEELING
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 06/19/08

REVISION	DATE	BY
		13

MIAMI-DADE COUNTY
AERIAL

Process Number
08-110

N
W E
S

SUBJECT PROPERTY

Section: 30 Township: 54 Range ; 40
Applicant: ALBERTO ROS
Zoning Board: C12
District Number:10
Drafter ID: KEELING
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 06/19/08

REVISION	DATE	BY

3. JULIO & NAYLET I. MOREJON
(Applicant)

09-1-CZ12-3 (08-173)
Area 12/District 7
Hearing Date: 1/6/09

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

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

Disclosure of interest form attached? Yes ☐ No ☑

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
				NONE

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

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 12

APPLICANTS: Julio and Naylet I. Morejon **PH:** Z08-173 (09-1-CZ12-3)

SECTION: 27-54-40 **DATE:** January 6, 2009

COMMISSION DISTRICT: 7 **ITEM NO.:** 3

==========

A. INTRODUCTION

- **REQUESTS:**

  (1) Applicants are requesting to permit a parcel of land with a lot frontage of 122.5' (125' required), a lot depth of 149.84' (200' required) and a lot area of 0.421 acre (1 acre required).

  (2) Applicants are requesting to permit a single-family residence setback 30' (50' required) from the front (east) property line.

  (3) Applicants are requesting to permit the single-family residence with a lot coverage of 21.4% (20% permitted for a one-story residence).

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

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Proposed New Construction for: Morejon Residence," as prepared by Danger Marine Design L. L. C., dated stamped received 9/23/08 and consisting of 6 pages. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:**

  The applicants seek to permit a parcel of land with a reduced lot frontage, depth and area in order to construct a single-family residence. Additional requests are being sought to permit said proposed single-family residence setback less than required from the front property line and to permit a greater lot coverage than allowed.

- **LOCATION:**

  Lying west of S.W. 80 Court, approximately 250' north of S.W. 72 Street (Sunset Drive); A/K/A: 7050 S.W. 80 Court, Miami-Dade County, Florida.

- **SIZE:** 0.421 Acre

o **IMPACT:**

Approval of these requests will permit the applicants to construct a single-family residence on a parcel of land with a reduced lot frontage, lot depth, and lot area, with a setback less than required from the front property line and resulting in a greater lot coverage than allowed, which could have a negative visual and aural impact on the surrounding properties.

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Estate Density Residential** use. This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 dwelling units per gross acre.

D. NEIGHBORHOOD CHARACTERISTICS:

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

This property is located west of S.W. 80 Court, approximately 250' north of S.W. 72 Street (Sunset Drive); A/K/A: 7050 S.W. 80 Court. The surrounding area is predominately developed with single-family residences.

E. SITE AND BUILDINGS:

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

Buffering:	**Acceptable**
Access:	**Acceptable**
Visibility/Visual Screening:	**Acceptable**
Energy Considerations:	**N/A**
Roof Installations:	**N/A**
Urban Design:	**N/A**

* Subject to conditions

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(14) Alternative Site Development Option for Single Family and Duplex Dwellings.

The following standards are alternatives to the generalized standards contained in zoning regulations governing specified zoning districts:

(c) Setbacks for a single family or duplex dwelling shall be approved after public hearing upon demonstration of the following:

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

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

3. the proposed alternative development will not reduce the amount of open space on the parcel proposed for alternative development to less than 40% of the total net lot area; and

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

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

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

7. the architectural design, scale, mass, and building materials of any proposed structure or addition are aesthetically harmonious with that of other existing or

proposed structures or buildings on the parcel proposed for alternative development; and

8. the wall of any building within a setback area required by the underlying district regulations shall be improved with architectural details and treatments that avoid the appearance of a "blank wall"; and

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

10. any windows or doors in any building to be located within an interior setback required by the underlying district regulations shall be designed and located so that they are not aligned directly across from facing windows or doors on buildings located on an adjoining parcel of land; and

11. total lot coverage shall not be increased by more than twenty percent (20%) of the lot coverage permitted by the underlying regulations; and

12. the area within an interior side setback required by the underlying district regulations located behind the front building line will not be used for off-street parking except:

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

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

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

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

13. any structure within an interior side setback required by the underlying district regulations;

    a. is screened from adjoining property by landscape material of sufficient size and composition to obscure at least sixty percent (60%) of the proposed

alternative development to a height of the lower fourteen (14) feet of such structure at time of planting; or

b. is screened from adjoining property by an opaque fence or wall at least six(6) feet in height that meets the standards set forth in paragraph (f) herein; and

14. any proposed alternative development not attached to a principal building, except canopy carports, is located behind the front building line; and

15. any structure not attached to a principal building and proposed to be located within a setback required by the underlying district regulations shall be separated from any other structure by at least three (3) feet; and

16. when a principal building is proposed to be located within a setback required by the underlying district regulations, any enclosed portion of the upper floor of such building shall not extend beyond the first floor of such building within the setback; and

17. the eighteen (18) inch distance between any swimming pool and any wall or enclosure required by this code is maintained; and

18. safe sight distance triangles shall be maintained as required by this code; and

19. the parcel proposed for alternative development will continue to provide on-site parking as required by this code; and

20. the parcel proposed for alternative development shall satisfy underlying district regulations or, if applicable, prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002), regulating lot area, frontage and depth.

21. the proposed development will meet the following:

    a. interior side setbacks will be at least three (3) feet or fifty percent (50%) of the side setbacks required by the underlying district regulations, whichever is greater.

    b. Side street setbacks shall not be reduced by more than fifty percent (50%) of the underlying zoning district regulations;

    c. Interior side setbacks for active recreational uses shall be no less than seven (7) feet in EU, AU, or GU zoning district or three (3) feet in all other zoning districts to which this subsection applies;

    d. Front setbacks will be at least twelve and one-half (12 ½) feet or fifty percent (50%) of the front setbacks required by the underlying district regulations, whichever is greater;

e. Rear setbacks will be at least three (3) feet for detached accessory structures and ten (10) feet for principal structures.

(d) The **lot area, frontage, or depth** for a single family or duplex dwelling shall be approved upon demonstration of at least one of the following:

1. the proposed lot area, frontage or depth will permit the development or redevelopment of a single family or duplex dwelling on a parcel of land where such dwelling would not otherwise be permitted by the underlying district regulations due to the size or configuration of the parcel proposed for alternative development, provided that:

    A. the parcel is under lawful separate ownership from any contiguous property and is not otherwise grandfathered for single family or duplex use; and

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

    C. the size and dimensions of the lot are sufficient to provide all setbacks required by the underlying district regulations; and

    D. the lot area is not less than ninety percent (90%) of the minimum lot area required by the underlying district regulations; and

    E. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and

    F. the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and

    G. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.

2. the proposed alternative development will result in open space, community design, amenities or preservation of natural resources that enhances the function or aesthetic character of the immediate vicinity in a manner not otherwise achievable through application of the underlying district regulations, provided that:

    A. the density of the proposed alternative development does not exceed that permitted by the underlying district regulations; and

    B. the size and dimensions of each lot in the proposed alternative development are sufficient to provide all setbacks required by the underlying district regulations, or, if applicable, any prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002); and

C. each lot's area is not less than eighty percent (80%) of the lot area required by the underlying district regulations; and

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

E. the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and

F. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.

3. the proposed lot area, frontage or depth is such that:

A. the proposed alternative development will not result in the creation of more than three (3) lots; and

B. the size and dimensions of each lot are sufficient to provide all setbacks required by the underlying district regulations; and

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

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

ii. the average area of the developed lots in the immediate vicinity within the same zoning district; and

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

E. the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and

F. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.

4. If the proposed alternative development involves the creation of new parcels of smaller than five (5) gross acres in an area designated agricultural in the Comprehensive Development Master Plan:

A. the abutting parcels are predominately parcelized in a manner similar to the proposed alternative development on three (3) or more sides of the parcel proposed for alternative development; and

B. the division of the parcel proposed for alternative development will not precipitate additional land division in the area; [and]

C. the size and dimensions of each lot in the proposed alternative development are sufficient to provide all setbacks required by the underlying district regulations; and

D. the proposed alternative development will not result in an obvious departure from the aesthetic character of the surrounding area defined by the closest natural and man-made boundaries lying with [in] the agricultural designation; and

E. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.

(e) A lot coverage ratio for a single family or duplex dwelling shall be approved after public hearing upon demonstration of the following:

1. total lot coverage shall not be increased by more than twenty percent (20%) of the lot coverage permitted by the underlying district regulations; and

2. the proposed alternative development will not result in the destruction or removal of mature trees on the lot with a diameter at breast height of greater than ten (10) inches, unless the trees are among those listed in section 24-60(4)(f) of this code, or the trees are relocated in a manner that preserves the aesthetic and shade qualities of the lot; and

3. the increase in lot coverage will not result in a principal building with an architectural design, scale, mass or building materials that are not aesthetically harmonious with that of other existing or proposed structures in the immediate vicinity; and

4. the proposed alternative development will not result in an obvious departure from the aesthetic character of in the immediate vicinity.

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

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

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

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

4. will combine severable use rights obtained pursuant to Chapter 33B of this code in conjunction with the approval sought hereunder so as to exceed the limitations imposed by section 33B-45 of this code.

(h) Proposed alternative development under this subsection shall provide additional amenities or buffering to mitigate the impacts of the development as approved, where the amenities or buffering expressly required by this subsection are insufficient to mitigate the impacts of the development. The purpose of the amenities or buffering elements shall be to preserve and protect the quality of life of the residents of the approved development and the immediate vicinity in a manner comparable to that ensured by the underlying district regulations. Examples of such amenities include but are not limited to: active or passive recreational facilities, common open space, additional trees or landscaping, convenient covered bus stops or pick-up areas for transportation services, sidewalks (including improvements, linkages, or additional width), bicycle paths, buffer areas or berms, street furniture, undergrounding of utility lines, and decorative street lighting. In determining which amenities or buffering elements are appropriate for a proposed development, the following shall be considered:

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

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

Section 33-311(A)(4)(b) Non-use 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.

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

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

G. NEIGHBORHOOD SERVICES:

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

*Subject to the conditions indicated in their memorandum.

H. ANALYSIS:

The subject property is located west of S.W. 80 Court, approximately 250' north of S.W. 72 Street (Sunset Drive), A/K/A: 7050 S.W. 80 Court, in an area developed with single family residences under the zoning regulations for EU-1, Estate 1 Family 1 Acre Gross Residential District. The applicants are requesting to permit a parcel of land with a lot frontage of 122.5' (125' required), a lot depth of 149.84' (200' required) and a lot area of 0.421 acre (1 acre required) (request #1), to permit a single-family residence setback 30' (50' required) from the front (east) property line (request #2) and to permit the single-family residence with a lot coverage of 21.4% (20% permitted for a one-story residence) (request #3). The applicants have submitted plans illustrating the above requests.

The Department of Environmental Resources Management **(DERM)** has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicants will have to comply with all DERM requirements as set forth in their memorandum pertaining to this application. The **Public Works Department** also has **no objections** to this application. The Miami-Dade Fire Rescue Department **(MDFRD)** has **no objection** to this application and has indicated that the average response travel time for this site is **7:03** minutes.

Approval of these requests will permit the applicants to construct a single-family residence on a parcel of land with a reduced lot frontage, lot depth, and lot area, with a setback less than required from the front property line and resulting in a greater lot coverage than allowed. The subject property is designated for **Estate Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP), which allows a minimum of 1 to a maximum of 2.5 dwelling units per gross acre for a total of 1 unit on this site. Since the requests will not add additional units to the community, the 0.421-acres, EU-1 zoned estate residential lot is **consistent** with the density requirements of the Estate Density Residential designation as shown in the LUP map of the CDMP.

In analyzing request #1, to permit a parcel of land with a lot frontage of 122.5' (125' required), a lot depth of 149.84' (200' required) and a lot area of 0.421 acre (1 acre required), request #2, to permit a single-family residence setback 30' (50' required) from the front (east) property line, and request #3, to permit the single-family residence with a lot coverage of 21.4% (20% permitted for a one-story residence), under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that these requests will not negatively affect the stability and appearance of the area, nor are they intensive or burdensome to the area. Approval of these requests do not result in an obvious departure from the aesthetic character of the surrounding area as there have been similar approvals in the vicinity of the subject property. Specifically, in 1994, the property located approximately 122' to the south of the subject site was approved for requests to permit a lot area of 0.57 acre, to permit a lot depth of 175', to permit a lot frontage of 124', to permit a proposed residence setback 25' from the front (south) property line and to permit a lot coverage of 30%, pursuant to Resolution #5-ZAB-68-94. Additionally, in 1967, the property located immediately to the north of the subject site was granted requests to permit a lot coverage of 20% (15% required for 2-story single-family residences) and to permit an addition setback 26' 6" from the front (east) property line, pursuant to Resolution #3-ZAB-93-67. Staff notes that requests #1 through #3 are comparable and that some of the requests are even less intensive than the 1994 and 1967 approvals, as mentioned above. Furthermore, staff opines that although the proposed residence will setback closer than permitted from the front property line, approval of this application along with the existing and proposed landscaping and trees will not create any visual disturbance and will provide a pleasant architectural characteristic that enhances the frontal appearance of the block face where the subject property is located. Additionally, the proposed single-family residence will comply with all other setback and spacing requirements with the exception of the front setback in request #2 and, as such, is well spaced from the adjacent properties. Staff notes that a 4' high CBS wall exists along the interior side (north and south) property lines which, along with existing landscaping, in staff's opinion, would be sufficient to mitigate any visual impact generated by this application. Based on the aforementioned, staff opines that the approval of requests #1 through #3 will not negatively affect the appearance and stability of the area, would be **compatible** with the surrounding area, and should be approved with conditions under the NUV Standards.

When requests #1 through #3 are analyzed under the Alternative Non-use Variance (ANUV) Standards, Section 33-311(A)(4)(c), the applicants would have to prove that the requests are due to unnecessary hardship and that, should the requests not be granted, such denial would not permit the reasonable use of the premises. Staff is of the opinion that these requests do not comply with the standards of said section since the property can be utilized in accordance with the applicable zoning regulations. Therefore, staff recommends denial without prejudice of requests #1 through #3 under the Alternative Non-use Variance (ANUV) Standards.

The Alternative Site Development Option (ASDO) Standards under Section 33-311(A)(14) provide for the approval of a zoning application which can demonstrate at a public hearing that the development requested is in compliance with the applicable ASDO Standards and does not contravene the enumerated public interest standards as established. However, the applicants have not provided staff with the documentation required for analysis of requests #1 through #3 under said standards. As such, the

requests cannot be approved under same and should be denied without prejudice under Section 33-311(A)(14) (ASDO).

Accordingly, staff recommends approval with conditions of requests #1 through #3 under Section 33-311(A)(4)(b) (NUV), and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV) and under Section 33-311(A)(14) (ASDO).

I. RECOMMENDATION:

Approval with conditions of requests #1 through #3 under Section 33-311(A)(4)(b) (NUV), and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV) and under Section 33-311(A)(14) (ASDO).

J. CONDITIONS:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion said plan to include, 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 "Proposed New Construction for: Morejon Residence," as prepared by Danger Marine Design L. L. C., dated stamped received 9/23/08 and consisting of 6 pages. 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 plans.

DATE INSPECTED: 09/09/08
DATE TYPED: 11/25/08
DATE REVISED: 11/26/08; 12/02/08; 12/08/08
DATE FINALIZED: 12/08/08
MCL; MTF; NN; NC; JV

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

NDN

Memorandum

MIAMI-DADE COUNTY

Date: September 15, 2008

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

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

Subject: C-12 #Z2008000173
Julio and Naylet Morejon
7050 S.W. 80th Court
Request to Permit Less Lot Frontage, Setback, Lot Depth, and Lot Area than Required
Request to Permit a Greater Lot Coverage than Required
(EU-1) (0.35 Acres)
27-54-40

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

Wellfield Protection
The subject property is located within the Basic Wellfield Protection Area for the Alexander Orr Wellfield. The site is situated within the 100-day travel time contour of the said wellfield. Therefore, development on the subject property shall be in accordance with regulations established in Section 24-43 of the Code. Since the subject request is for a residential zoning district a covenant prohibiting hazardous materials is not required. However, all development shall comply with the requirements of Section 24-43 of the Code.

Potable Water Service
The closest public water main is located approximately 135 feet from the subject property. Based on the proposed request, the subject property is within feasible distance for connection to public water. Therefore, connection of the proposed development to the public water supply system shall be required in accordance with Code requirements.

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

Wastewater Disposal
Public sanitary sewers are not located within feasible distance for connection to the subject property; consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste. DERM has no objection to the interim use of a septic tank and drainfield provided that the maximum sewage loading allowed by Section 24-43.1(3) of the

Code is not exceeded and the property is connected to public water. In accordance with the Code, the minimum lot size for a single family residence or duplex served by public water and a septic tank shall be 15,000 square feet (gross) or 20,000 square feet (gross), respectively.

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

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

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

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

Tree Preservation
The subject property may contain specimen-sized (trunk diameter 18 inches or greater) trees. Section 24-49.2(II) of the Code requires that specimen trees be preserved whenever reasonably possible. The applicant is advised that a Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

The site plan submitted with this zoning application entitled "Morejon Residence", prepared by Danger Marine Design, LLC, sheet L-1.0 and dated August 25, 2008 depicts the trees on the southern part of the property to remain. Therefore, DERM has no objection to the proposed development.

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

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

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

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

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

PH# Z2008000173
CZAB - C12

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:JULIO & NAYLET I. MOREJON

This Department has no objections to this application.

Additional improvements may be required at time of permitting.

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

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

Raul A Pino, P.L.S.
28-NOV-08

REVISION 1

Memorandum

Date: 08-OCT-08

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2008000173

Fire Prevention Unit:

APPROVAL:
No objection to Site plan date stamped September 3, 2008.

Service Impact/Demand:

Development for the above Z2008000173
located at 7050 S.W. 80 COURT, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1714 is proposed as the following:

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

Based on this development information, estimated service impact is: 0.27 alarms-annually.
The estimated average travel time is: 7:03 minutes

Existing services:

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

Station 13 - East Kendall - 6000 SW 87 Avenue
BLS 75' Ladder, Squad

Planned Service Expansions:

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

None.

Fire Planning Additional Comments:

Current service impact calculated based on plans date stamped September 3, 2008. Substantial changes to the plans will require additional service impact analysis.

OFFICE of NEIGHBORHOOD COMPLIANCE TAMIAMI OFFICE

ENFORCEMENT HISTORY

ALBERTO ROS	7112 SW 113 COURT
APPLICANT	**ADDRESS**
DECEMBER 24, 2008	08-110
INSPECTION DATE	**HEARING NUMBER**

CURRENT ENFORCEMENT HISTORY:

CMS 200803012020 – NOT IN VIOLATION

19

PROPOSED NEW CONSTRUCTION FOR:

MOREJON RESIDENCE

7050 SW 80TH COURT

MIAMI, FLORIDA 33143

DANGER MARINE DESIGN
PROJECT MANAGER / DESIGNER
13275 S.W. 36th Street Miami, Florida 33175
Phone: 305.225.2700
Cell: 305.301.7222
Email: mmnld@yahoo.com

INDEX OF DRAWINGS

ARCHITECTURE

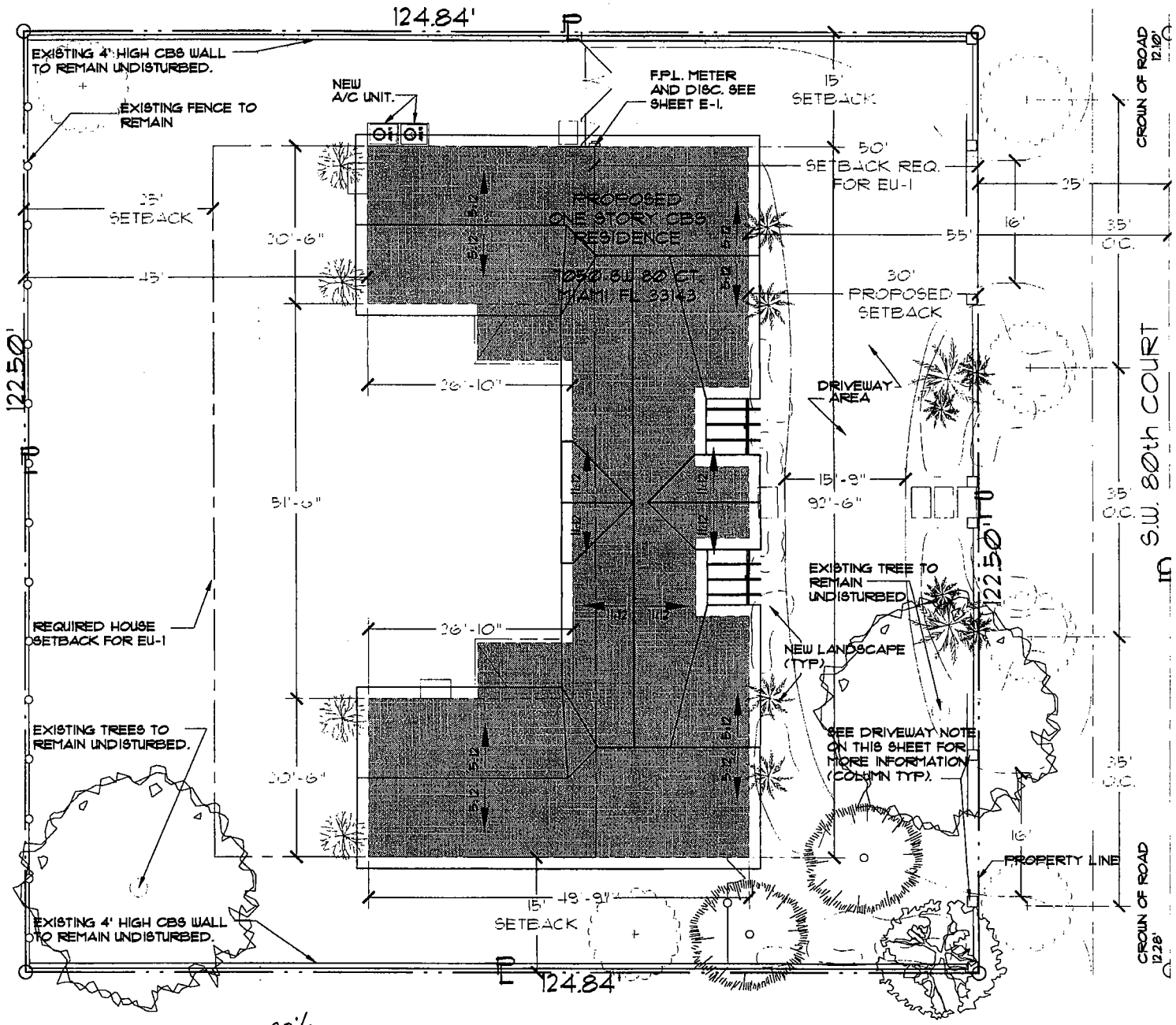
AS-1.0	SITE PLAN & ZONING INFORMATION
A-2.0	PROPOSED FLOOR PLAN
A-2.1	PROPOSED FLOOR PLAN
A-3.0	PROPOSED ELEVATIONS
L-1.0	PROPOSED LANDSCAPE PLAN

RECEIVED
2008-173
SEP 23 2008
ZONING HEARINGS SECTION
PLANNING AND ZONING DEPT.
BY

ZONING VARIANCE REVIEW

AUGUST 25, 2008

Miami-00541.3.001 : 9/19/2008 14:55:23

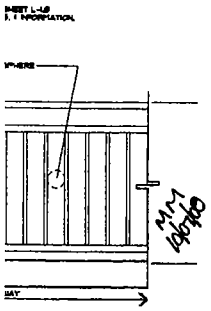


1 story 20%
Lot width 125 req.
Lot depth 200 req

124.84
122.50
15,292.9 LOT AREA ÷ 3286.3 = 21.4% Over lot coverage

122.50
÷ 25
3062.5 R.O.W.

15,292.9
3,062.5
18,355.4 - gross area (including R.O.W)



MM 10/07/08

RECEI 208
SEP 23
ZONING HEARIN
MIAMI-DADE PLANNING
BY

NORTH

PROPOSED SITE PLAN

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

ENLARGED SITE PLAN

20

Miami-006413-0001 9/19/2008 16:59:21

21

LEGAL DESCRIPTION

21 54 40 5.025FT OF N36.75FT OF W 124.84FT OF E1/2 OF SW/4 OF SW/4 OF SE1/4
LOT SIZE 125.00 X 125 OR 15660-00110 01/1001 1

FLOOD LEGEND

ADDITIONS, REMODELING, REPAIRS AND COMBINATION

FOLIO: 30-4021-000-0140 ADDRESS: 7050 SW 80TH COURT
LOT / UNIT: ____ BLOCK / BLDG: __
SUBDIVISION: _____ PLAT BOOK: ___ PAGE: __

ELEVATION	RESIDENCE LOWEST FLOOR	GARAGE / STORAGE	ADJACENT GRADE
EXISTING	N/A	N/A	14.16'
PROPOSED	15.28'	14.16'	14.46'

CROWN OF THE ROAD = 12.28'

THE OWNER OF THIS PROPERTY UNDERSTANDS THAT THE WORK AMOUNT INDICATED ABOVE IS GOING TO BE KEPT ON THE OFFICIAL RECORD DURING A SIX (6) MONTH PERIOD FROM THE DATE OF WHICH THE CERTIFICATE OF COMPLETION IS ISSUED. IF ANY ADDITIONAL REPAIR, RECONSTRUCTION, ALTERATION ADDITION, REMODELING, OR COMBINATION THEREOF IS DONE BEFORE THE ABOVE WORK, IF THE PROPERTY IS DECLARED SUBSTANTIALLY IMPROVED OR DAMAGED AND THE FLOOR ELEVATION IS NOT IN COMPLIANCE, THE STRUCTURE WILL BE ELEVATED IN ACCORDANCE WITH CHAPTER 30 OF THE MIAMI-DADE COUNTY CODE.

0'-0" = 15.28' N.G.V.D.

ZONING LEGEND

SINGLE FAMILY

ZONING: SINGLE FAMILY (EU-1)

HEIGHT (TO RIDGE OF ROOF FROM GRADE):	22'-0"
NET LAND AREA:	15,377 S.F.
LOT COVERAGE (UNDER ROOF):	3,260 S.F.
PROPOSED RESIDENCE =	3,260 S.F.
PROPOSED CARPORT / STORAGE =	N/A S.F.
PROPOSED ADDITION =	N/A S.F.
LOT COVERAGE = 3,260 / 15,377.00 =	21.2% (12% OVER ALLOWED)

SETBACKS:		REQUIRED	PROPOSED
	FRONT (SW 80TH CT)	50'-0"	" 30'-0" "
	SIDE (NORTH)	15'-0"	15'-0"
	SIDE (SOUTH)	15'-0"	15'-0"
	REAR	25'-0"	45'-0"

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

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

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

ANY APPLICABLE RESOLUTION: _____

NOTICE: IN ADDITION TO THE REQUIREMENTS OF THIS PERMIT, THERE MAY BE ADDITIONAL RESTRICTIONS APPLICABLE TO THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. SECTION 553.79 (10) FLORIDA STATUTES, EFFECTIVE 1/10/91.

APPLICANT WILL COMPLY WITH ORDINANCE 90-90 (SECTION 13-13.1) OF THE METROPOLITAN DADE COUNTY CODE, PRIOR TO STARTING CONSTRUCTION.

A SEPARATE PERMIT WILL BE REQUIRED FOR ALL DRIVEWAY APPROACHES. CONTACT PUBLIC WORKS DEPARTMENT.

THE HEIGHT OF FENCES, WALL, AND HEDGES SHALL NOT EXCEED 25 FEET IN HEIGHT WITHIN 10 FEET OF THE EDGE OF ANY DRIVEWAY HEADING TO A RIGHT OF WAY. THE HEIGHT OF FENCES IS BEING MEASURED FROM GRADE= ELEVATION OF PUBLIC SIDEWALK OF CROWN OF ROAD.

48 HOURS BEFORE DIGGING
CALL TOLL FREE
1-800-432-4770
UNCLE UNDERGROUND UTILITIES
NOTIFICATION CENTER

Zoning Calculations: MIAMI DADE COUNTY

Year Built: ..... NEW CONSTRUCTION
Lot Size: 15,377

	Allowed	Proposed	Over
Lot Coverage:....15,377 SQ.FT.x20%.....	3,075	3,260	185
No More than 20% (one story residence)	20%	21.2%	1.2%

	Allowed	Proposed	Over
Setbacks: .....(FRONT)	50'-0"	30'-0"	20'-0"
(REAR)	25'-0"	45'-0"	
(SIDE)	15'-0"	15'-0"	
(NEXT)	35'-0"	22'-0"	

Variance:
The original home was found to be unsafe and was mandated to be torn down. The lot is also non-compliant as it does not meet its zoning requirements. We are requesting to build on a non-compliant lot with some modification to the front setback and to the lot coverage (see figures above). Also, please see Letter of Intent for more info. regarding requested variance information.

GENERAL NOTES

ALL DIMENSIONS SHALL BE VERIFIED AT FIELD BY GENERAL CONTRACTOR SHOULD THERE BE ANY INCONSISTENCY WITH PLAN DIMENSIONS, ARCHITECT SHALL BE NOTIFIED (WRITTEN) FOR APPROVAL BEFORE PROCEEDING WITH WORK.

PLANS PART OF THIS SET ARE COMPLIMENTARY. INFORMATION IS NOT LIMITED TO ONE PLAN. DRAWINGS AND SPECIFICATIONS ARE INSTRUMENTS OF SERVICE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT WHETHER THE PROJECT FOR WHICH THEY ARE MADE IS EXECUTED OR NOT. THEY ARE NOT TO BE USED BY THE OWNER ON OTHER PROJECTS OR EXTENSIONS TO THIS PROJECT, EXCEPT BY AGREEMENT IN WRITING AND WITH APPROPRIATE COMPENSATION TO THE ARCHITECT. THESE PLANS WERE PREPARED TO BE SUBMITTED TO GOVERNMENTAL BUILDING AUTHORITIES FOR REVISION TO COMPLIANCE WITH APPLICABLE BUILDING CODES AND IT IS THE SOLE RESPONSIBILITY OF THE OWNER AND/OR CONTRACTOR TO BUILD ACCORDING TO THE DRAWINGS. IF CONTRACTOR AND/OR SUBCONTRACTOR FIND IT NECESSARY TO DEVIATE FROM THE ORIGINAL APPROVED PLANS, THEN IT IS THE CONTRACTOR'S AND THE SUBCONTRACTOR'S RESPONSIBILITY TO PROVIDE THE ARCHITECT WITH FOUR COPIES OF THE PROPOSED CHANGES FOR ARCHITECT'S APPROVAL BEFORE PROCEEDING WITH THE WORK.

IN ADDITION THE CONTRACTOR AND SUBCONTRACTOR ARE RESPONSIBLE FOR PROCURING ALL NECESSARY APPROVALS FOR THE BUILDING AUTHORITIES FOR THE PROPOSED CHANGES, BEFORE PROCEEDING WITH THE WORK. THE CONTRACTOR AND SUBCONTRACTOR ARE RESPONSIBLE FOR PROCURING ALL NECESSARY INSPECTIONS AND APPROVALS FROM THE BUILDING AUTHORITIES DURING THE EXECUTION. CONTRACTOR TO VERIFY ALL EXISTING ELECTRICAL SERVICE AND COORDINATE WITH OWNER FOR NEW SERVICE REQUIREMENTS AND CONTRACTOR SHALL INFORM ARCHITECT OF ANY DISCREPENCIES BEFORE COMMENCING WITH WORK.

OWNER / BUILDER AND/OR CONTRACTOR SHALL OBTAIN NECESSARY PERMITS, LICENSES, AND CERTIFICATIONS AND PAY ALL FEES.

OWNER / BUILDER AND/OR CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS IN THE FIELD AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT OF ANY THAT DIFFER OR INTERFERE WITH THOSE SHOWN ON THIS PLAN BEFORE PROCEEDING WITH WORK. ALL DIMENSIONS SUPERSEDE SCALED DRAWINGS.

OWNER / BUILDER AND/OR CONTRACTOR TO GUARD AGAINST ANY AND ALL POSSIBLE HAZARDOUS CONDITIONS (EXPOSED HOT WIRING, ETC.) WHICH MIGHT OCCUR AS A RESULT OF CONSTRUCTION.

OWNER / BUILDER AND/OR CONTRACTOR SHALL BE RESPONSIBLE FOR PERIODIC CLEANING AND REMOVAL OF ALL DEBRIS UNTIL THE PREMISES ARE ACCEPTED IN A CLEAN, HABITABLE CONDITION.

OWNER / BUILDER AND/OR CONTRACTOR TO CHALK UP ALL PARTITIONS IN THE FIELD AND NOTIFY ARCHITECT PRIOR TO CONSTRUCTION. ALL NEW WALL INFILLS SHALL BE MADE TO MATCH THICKNESS AND MATERIALS OF ADJACENT CONSTRUCTION UNLESS OTHERWISE NOTED.

OWNER / BUILDER AND/OR CONTRACTOR TO NOTIFY ARCHITECT IF BASIC A/C DUCT SYSTEM INTERFERES WITH INSTALLATION OF LIGHT FIXTURES.

OWNER / BUILDER AND/OR CONTRACTOR SHALL NOT PERMIT UNAUTHORIZED PERSONS INSIDE THE CONSTRUCTION AREA.

OWNER / BUILDER AND/OR CONTRACTOR TO INSTALL BARRIERS AND DROP TARPAULINS AS NECESSARY AND REQUIRED AROUND PERIMETER OF CONSTRUCTION LIFTS TO PROTECT THE PUBLIC. FINISHES MUST BE PROTECTED AND ANY FINISHES DAMAGED SHALL BE REPLACED BY CONTRACTOR IMMEDIATELY. CONTRACTOR SHALL MAINTAIN A DUMPSTER AT A SITE DETERMINED BY BUILDING MANAGEMENT FOR THE ENTIRE DURATION OF CONSTRUCTION.

NOTE : TERMITE PROTECTION

ALL BUILDINGS SHALL HAVE A PRE-CONSTRUCTION TREATMENT PROTECTION AGAINST SUBTERRANEAN TERMITES. THE RULES AND LAWS AS ESTABLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES SHALL BE DEEMED AS APPROVED WITH RESPECT TO PRECONSTRUCTION SOIL TREATMENT FOR PROTECTION AGAINST SUBTERRANEAN TERMITES. A CERTIFICATE OF COMPLIANCE SHALL BE ISSUED TO THE BUILDING DEPARTMENT BY THE LICENSED PEST CONTROL COMPANY THAT CONTAINS THE FOLLOWING STATEMENT: "THIS BUILDING HAS RECEIVED A COMPLETE TREATMENT FOR THE PREVENTION OF SUBTERRANEAN TERMITES. TREATMENT IS IN ACCORDANCE WITH RULES AND LAWS ESTABLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES."

TREE NOTE:

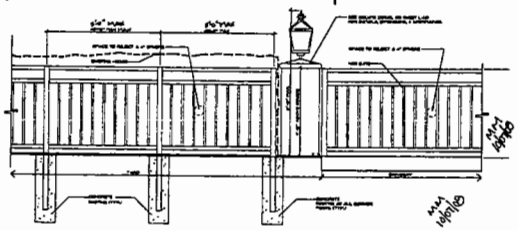
EXISTING TREES TO REMAIN UNDISTURBED. PROVIDE A 10'-0" BARRIER AROUND EXISTING TREES. NO MACHINERY, CHEMICALS, MATERIALS, EQUIPMENT, FILL AND/OR PEOPLE TO BE WITHIN PERIMETER OF BARRIER.

LANDSCAPE:

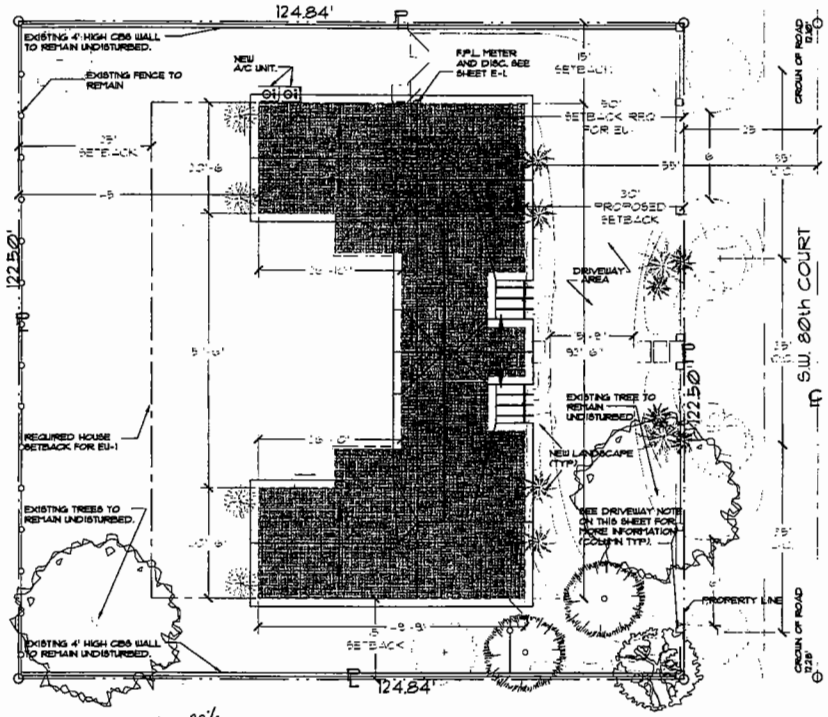
FOR LANDSCAPE INFORMATION, PLEASE SEE SHEET L-1.0

DRIVEWAY NOTE:

ALL 16" COLUMNS WITHING 10' OF A DRIVEWAY REQUIRE A 10" CONVEX MIRROR, TO BE PLACED 3' FROM GRADE.



1 GATE DETAIL @ WEST (FRONT) ELEVATION
SCALE : NTS



1 story 20%
Lot width 125 req
Lot depth 200 req

124.84
122.50
15,292 A LOT AREA ÷ 3263 = 21.4% over lot coverage

122.50
x 25
3062.5 e.o.o.

15,292.9
3,062.5
18,355.4 - gross area (including e.o.o.)

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

PROPOSED SITE PLAN
SCALE : 3/32" = 1'-0"

NORTH

S1

DATE:

PROPOSED NEW CONSTRUCTION FOR:
MOREJON RESIDENCE
7050 SW 80TH COURT
MIAMI, FLORIDA 33143

DRAWN:
DANGER MARINER DESIGN LLC
7375 SW 131ST STREET MIAMI, FLORIDA 33183
TEL: 305-251-2500 FAX: 305-235-2100
EMAIL: MMNGDM@AOL.COM

ZONING VARIANCE REVIEW

DATE : 8/25/08
SCALE : SHOWN
JOB NO.: 08-001
SHEET
AS-1.0
OF 5 SHEETS

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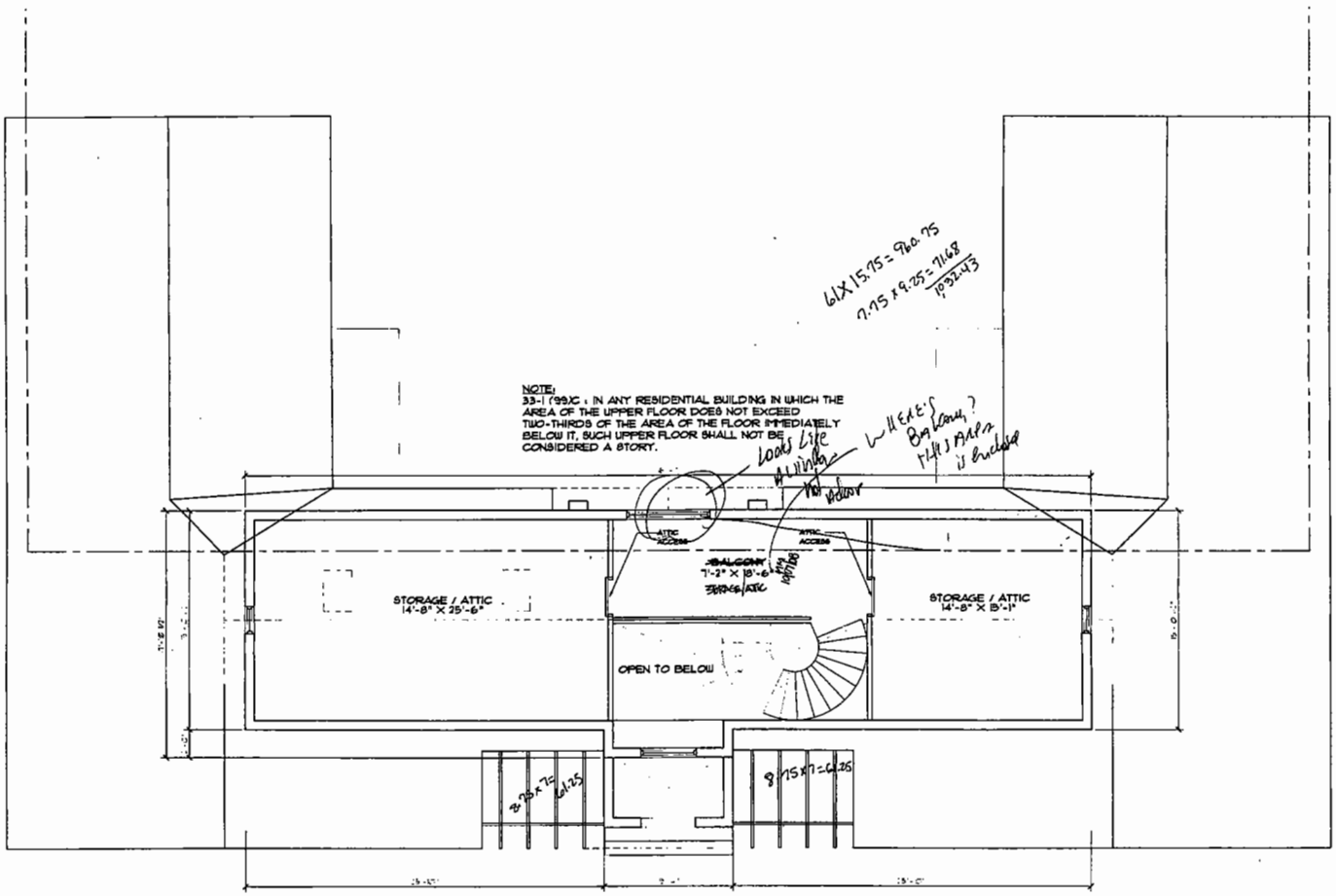


WALL / SYMBOL LEGEND	
SYMBOL	DESCRIPTION
	NEW 8" CBS WALL
	NEW INTERIOR PARTITIONS
HB	HOSE BIB

RECEIVED
ZONING
SEP 23 2008
ZONING & PLANNING SECTION
OF MIAMI-DADE PLANNING AND ZONING DEPT.

NORTH

PROPOSED ATTIC / BALCONY PLAN

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

PROPOSED NEW CONSTRUCTION FOR:

MOREJON RESIDENCE

7050 SW 88TH COURT
MIAMI, FLORIDA 33143

DRAWN:
DANGER MARINE DESIGN, LLC
7000 SW 97TH AVENUE, SUITE 101
MIAMI, FLORIDA 33173
TEL: (305)273-3700 FAX: (305)273-3700
EMAIL:
MMARINE@YAHOO.COM

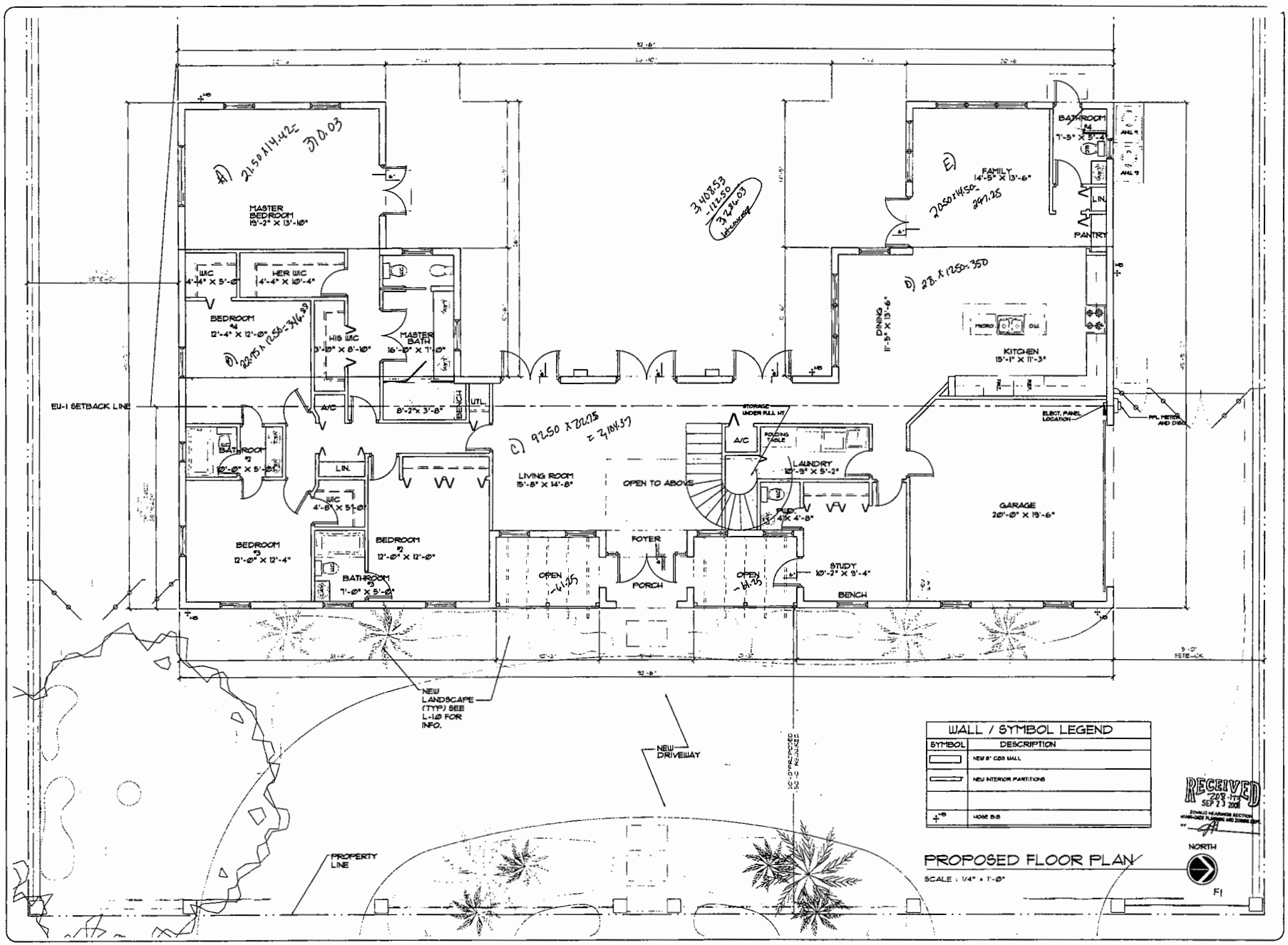
ZONING VARIANCE REVIEW

DATE : 8/25/08
SCALE : SHOWN
JOB NO : 08-001

SHEET
A-2.1

OF 5 SHEETS

23



WALL / SYMBOL LEGEND	
SYMBOL	DESCRIPTION
	NEW 8" CBS WALL
	NEW INTERIOR PARTITIONS
+⁰	HOSE B/B

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SEP 23 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

PROPOSED FLOOR PLAN

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

DATE:

PROPOSED NEW CONSTRUCTION FOR:

MOREJON RESIDENCE

7850 SW 80TH COURT
MIAMI, FLORIDA 33143

DRAWN:
DANGER MARINK DESIGN, LLC
EMAIL:

ZONING VARIANCE REVIEW

DATE : 8/25/08
SCALE SHOWN
JOB NO. 08-001
SHEET
A-2.0
OF 5 SHEETS

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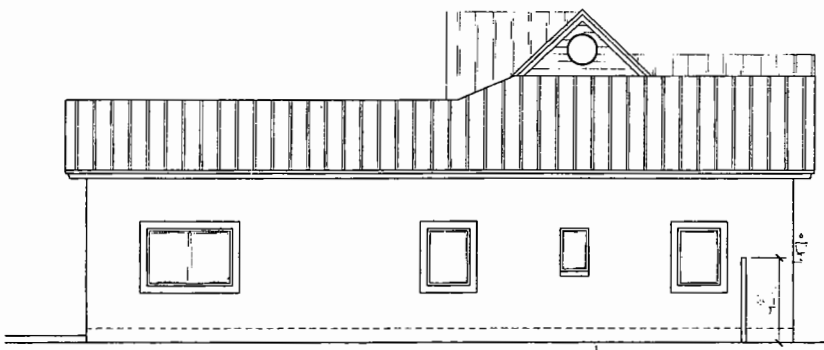
24

PROPOSED EAST ELEVATION ✓

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

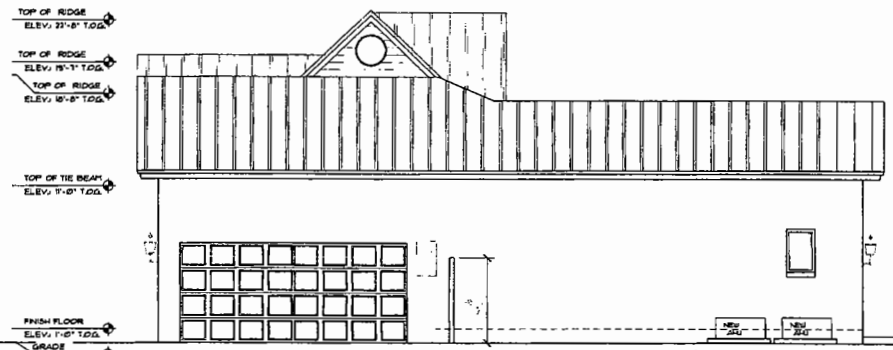
PROPOSED WEST ELEVATION ✓

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



PROPOSED SOUTH ELEVATION ✓

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



PROPOSED NORTH ELEVATION ✓

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

E1

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SEP 23 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

PROPOSED NEW CONSTRUCTION FOR:

MOREJON RESIDENCE

7050 SW 80TH COURT
MIAMI, FLORIDA 33143

DRAWN:
DANGER MARINE DESIGN, LLC
EMAIL:
DMMDESIGNANDD.COM

ZONING VARIANCE REVIEW

DATE:

DATE : 8/25/08
SCALE : SHOWN
JOB NO.: 08-001
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OF 5 SHEETS

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PLANTING SPECIFICATIONS :

I. GENERAL NOTES

CONTRACTOR TO REVIEW PLANS AT BIDDING TIME. CONSIDERATIONS AS TO SOILS, DRAINAGE, ETC. TO BE REVIEWED AGAINST PREPARED PLAN. NOTIFY ARCHITECT OF ANY POTENTIAL PROBLEMS.

LANDSCAPE CONTRACTOR TO VERIFY EASEMENT AND UTILITIES PRIOR TO DIGGING, COORDINATING SUCH EFFORTS WITH OWNER, THE GENERAL CONTRACTOR AND/OR UTILITY COMPANY.

ANY UNIQUE SOIL CONDITIONS REQUIRING SPECIAL MATERIALS, OR EQUIPMENTS SHALL BE REFLECTED IN THE LANDSCAPE CONTRACTOR'S BID.

IF BIDDING IS TAKING PLACE PRIOR TO SITE IMPROVEMENTS (I.E. CLEARING, FILLING ETC.) EACH CONTRACTOR SHALL PRIOR TO BEGINNING HIS WORK, VERIFY THAT THE SITE CONDITIONS ARE APPROPRIATE FOR COMPLETION THERE OF.

THE LANDSCAPE CONTRACTOR SHALL MEET AND COMPLY WITH ALL APPLICABLE CODES/ORDINANCES AND SHALL COORDINATE ALL WORK WITH THE GENERAL CONTRACTOR AND OTHER ON-SITE TRADES. HE SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO BEGINNING WORK AS REQUIRED BY GOVERNING AGENCIES.

II. PLANT MATERIAL

ALL PLANT MATERIAL TO BE FLORIDA NO. I OR BETTER AS PER FLORIDA STATE AGRICULTURE BOARD AND GRADES AND STANDARDS FOR NURSERY PLANTS I I II, STATE PLANT BOARD OF FLORIDA. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFYING QUALITY OF ALL MATERIAL BY SECURING THE OPINION OF THE ARCHITECT

PLANT LIST AND QUALITIES ARE A COURTESY ITEM. THE LANDSCAPE CONTRACTOR IS BIDDING THE LANDSCAPE CONTRACTOR TO VERIFY LIST AND QUALITIES FOR HIS BID. NOTIFY ARCHITECT OF DIFFERENCES, UN-NAMED, UNKEYED, OR ILLEGIBLE ITEMS.

NO SUBSTITUTIONS WILL BE ACCEPTED UNLESS SO NOTED IN WRITING AND APPROVED BY ARCHITECT DURING BIDDING OR CONSTRUCTION PROCESS. PLANT MATERIAL SUPPLY IS THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR, AND HE SHALL TAKE STEPS TO INSURE AVAILABILITY AT INSTALLATION TIME.

ALL PLANT MATERIAL AND SOD TO BE DISEASE AND PEST FREE.

ALL B/B TREES AND PALMS SHALL HAVE ROOT BALLS PROPORTIONATE TO SIZE OF THE PLANT, AS PER GRADES AND STANDARDS, LATEST EDITION.

ALL TREES TO BE SINGLE TRUNKED WITH CLEAR TRUNKS UNLESS OTHERWISE CALLED FOR.
MULTI-STEM OR MULTI-TRUNKED TREES TO BE INDIVIDUAL PLANTS FORMING THE PLANT, NOT SUCKERING BRANCHES ABOVE GRADE.

III. INSTALLATION

ALL BROKEN BRANCHES AND CLEAR TRUNKS BRANCHES TO BE PRUNED BACK FLUSH WITH MAIN TRUNK.

CONTACT ARCHITECT AT TIME OF STAKING PLANT MATERIAL LOCATIONS PRIOR TO PLANTING.

PLANTING SOIL FOR ALL PLANTING CONSIST OF 50% FLORIDA PEAT, 40% COARSE SILICA SAND, AND 10% HUMUS UNLESS OTHERWISE NOTED, AND SHALL BE MIXED WITH EXISTING SOIL AT A RATIO OF 3:1. THE BACKFILL SHALL BE FREE OF DEBRIS, ROOTS, CLAY, STONES AND OTHER FOREIGN MATERIALS . COMPARABLE PRE-MIXED SOILS ARE ACCEPTABLE ONLY AFTER APPROVAL OF ARCHITECT.

WHEN PLANTING IN SANDY OR ROCKY SOILS, OR LIMEROCK FILL, AMEND PLANTING MIX WITH WATER RETAINING ADDITIVE, "TERRASORB" OR APPROVED EQUAL. ALL TREES AND PALMS SHALL BE PLANTED IN A MINIMUM OF 200 CUBIC FEET PREPARED PLANTING SOIL WITH A DEPTH OF AT LEAST FIVE FEET.

ALL PLANTINGS TO BE THOROUGHLY HAND WATERED AND BACK-WASHED DURING AND AFTER PLANTING TO REMOVE ALL AIR VOIDS IN PLANTING AREA. VERIFY WATER SOURCE DURING BIDDING.

DO NOT PLANT ANY MATERIAL DEEPER THAN IT WAS PREVIOUSLY GROWN IN NURSERY OR CONTAINER.

ALL B/B PLANTS SHALL BE STAKED OR GUYED AS PER PLANTING DETAILS.

NO NAILS TO BE DRIVEN INTO PLANT TISSUE FOR STAKING AND GUYING USE STRAPPING WITH BURLAP TO PROTECT ALL TISSUE FROM WOOD BLOCKING.

ALL SOLID SOD TO BE PLACED OVER FINE-GRADED AND HAND-RAKED AREAS. GROUND SHALL BE FREE OF ALL DEBRIS AND VISIBLE ROCKS, OR LOW OR HIGH SPOTS. LAY SOD WITH TIGHT JOINS, THEN TAMP OR ROLL. ALL SOD TO BE APPROVED ST. AUGUSTINE (FX-10 OR FLORITAM).

FERTILIZER SHALL BE AN ORGANIC FERTILIZER CONTAINING NITROGEN, PHOSPHORIC ACID AND POTASH IN EQUAL PERCENTAGES OF PLANT FOOD BY WEIGHT, IN FOLLOWING FORMS.

CONTAINERIZED MATERIAL (I.E. SHRUBS, VINES, GROUND COVER) SHALL RECEIVE A GRANULAR SUCH AS "TRI-NITE", OR APPROVED EQUAL.

SPECIMENS SHALL RECEIVE TIME-RELEASED FERTILIZER SUCH AS "WOODACE", OR APPROVED EQUAL.

B/B MATERIAL SHALL RECEIVE TIME-RELEASED FERTILIZER IN THE FORM OF PACKETS OR BRIQUETTES, SUCH AS "WOODACE", OR APPROVED EQUAL.

PALMS SHALL RECEIVE A PALM-SPECIAL MIX CONTAINING MAGNESIUM, MANGANESE, CHELATED IRON, AND OTHER MINOR ELEMENTS, SUCH AS THOSE PRODUCED BY VIGORO INDUSTRIES, INC. OR ATLANTIC FERTILIZER COMPANIES, MIAMI, FLORIDA.

MULCH MATERIAL SHALL BE SHREDDED EUCALYPTUS MULCH MOISTENED AT TIME OF APPLICATIONS. ALL TREES, PALMS, SHRUBS AND GROUND COVER BEDS SHALL RECEIVE IMMEDIATELY AFTER PLANTING.

THE CONTRACTOR IS RESPONSIBLE FOR THE INSTALLATION AS DESCRIBED IN THE PLANTING PLAN.

IN THE EVENT OF A DISCREPANCY BETWEEN THE PLANT SCHEDULE AND THE PLAN, THE PLANTING PLAN TAKES PRECEDENCE.

CONTACT LANDSCAPE ARCHITECT AT TIME OF STAKING PLANT MATERIAL LOCATIONS PRIOR TO PLANTING.

CONTACT LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO MAKING ASSUMPTIONS FOR PLANT MATERIAL SUBSTITUTIONS.

IV. COMPLETION

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

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

THE LANDSCAPE CONTRACTOR SHALL LEAVE A CLEAN SITE DAILY, FREE FROM ALL DEBRIS.

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

THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANTING WORK FOR A PERIOD OF 6 MONTHS AFTER THE DATE OF PROVISIONAL ACCEPTANCE. DURING THE GUARANTEE PERIOD, THE LANDSCAPE CONTRACTOR SHALL REPLACE AT NO COST TO THE OWNER, ANY PLANT REQUIRED UNDER THE CONTRACT THAT DIES OR IS NOT ESTABLISHED. ANY PLANTS MISSING OR DEFECTIVE SHALL BE FURNISHED OR REPLACED IN A MANNER SATISFACTORY TO THE ARCHITECT IN CASE OF ANY DOUBT AS TO THE CONDITION AND SATISFACTORY ESTABLISHMENT OF PLANT, THE ARCHITECT MAY ALLOW SUCH A PLANT TO REMAIN THROUGH ANOTHER 60 DAY PERIOD AT WHICH TIME THE PLANT IN QUESTION, IF FOUND TO BE DEAD, IN AN UNHEALTHY OR BADLY IMPAIRED COST TO THE OWNER.

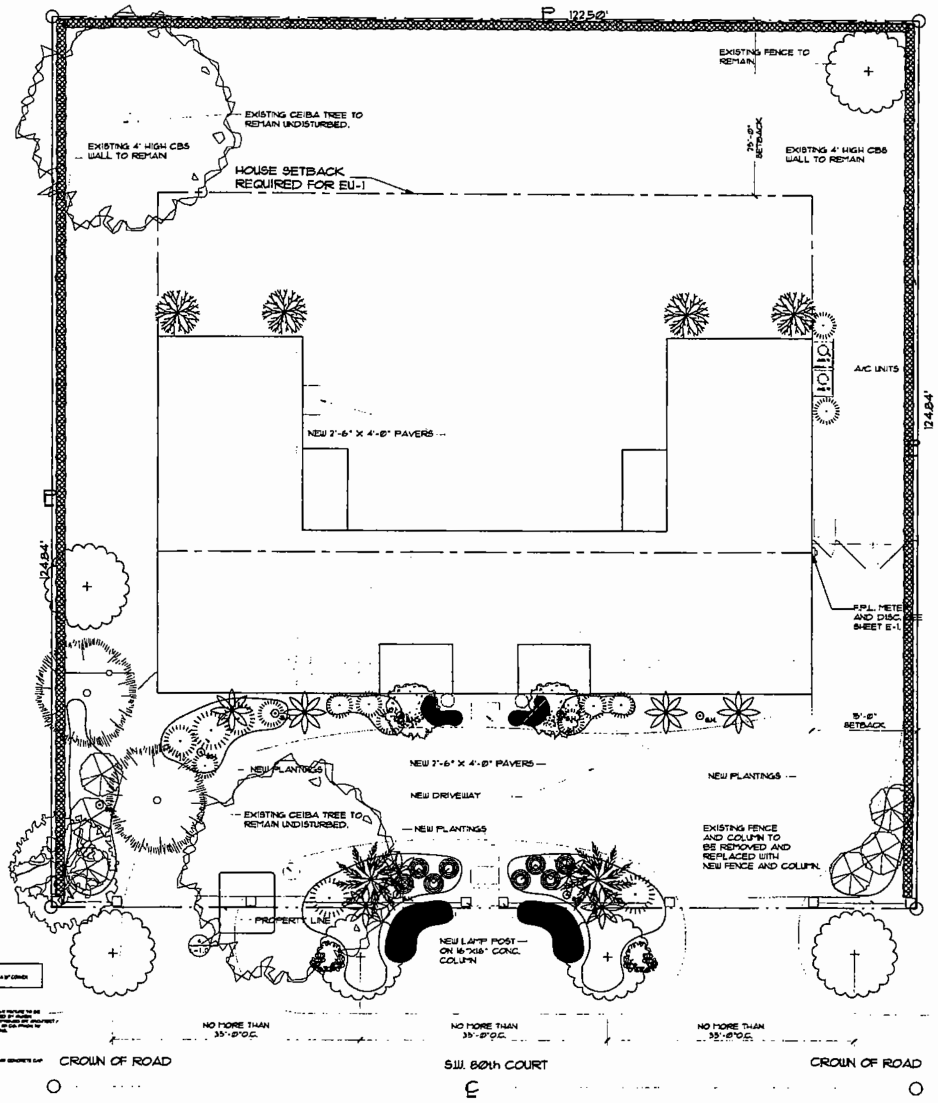
TREE LEGEND

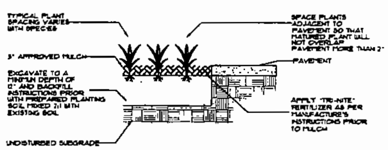
**TIME OF PLANTING

SYMBOL	COMMON NAME	SCIENTIFIC NAME	LOCATION	HT.	CALIPER
	ROYAL PALM	ROYSTONEA ELATA	FRONT	10'-0" MIN.	3" (INCH) MIN.
	COCONUT PALM	COCOS NUCIFERA	FRONT	10'-0" MIN.	3" (INCH) MIN.
	CRAPE MYRTLE	LAEGERSTROMIA INDICA	FRONT	10'-0" MIN.	3" (INCH) MIN.
	MAHOGANY	SWIETENIA MAHOGANY	RIGHT OF WAY / REAR	12'-0" MIN.	3" (INCH) MIN.
	DWARF YAUPON HOLLY	ILEX VOMITORIA NANA'	REAR	10'-0" MIN.	3" (INCH) MIN.
	LAUREL OAK	QUERCUS LAURIFOLIA	FRONT / SIDE	10'-0" MIN.	3" (INCH) MIN.
	GUMBO-LIMBO	BURSERA SIMARUBA	FRONT / SIDE	10'-0" MIN.	3" (INCH) MIN.
	PLUMBAGO	PLUMBAGO AURICULATA	FRONT	18" (INCH) MIN.	30" O.C. MIN.
	FLORIBUNDA ROSE	ROSE HYBRIDS	FRONT	18" (INCH) MIN.	30" O.C. MIN.
	GARDENIA	GARDENIA JASMINOIDES	FRONT	18" (INCH) MIN.	30" O.C. MIN.
	CALLA LILIES	ZANTEDESCHIA SPP.	FRONT	18" (INCH) MIN.	30" O.C. MIN.
	COCOPLUM	CHRYSOBALANUS ICACO	FRONT / REAR / SIDE	18" (INCH) MIN.	30" O.C. MIN.
	MEXICAN HEATHER	CUPHEA HYSSOPIFOLIA	FRONT	18" (INCH) MIN.	30" O.C. MIN.
	ST. AUGUSTINE GRASS (SODDING)	STENOTAPHRUM SECUNDATUM	WHEN NECESSARY	--	--
	BOUGAINVILLEA	BOUGAINVILLEA SPP.	OVER FRONT TRELLIS	18" (INCH) MIN.	30" O.C. MIN.
	RELOCATED PLANTS	VARIES	FRONT	--	--

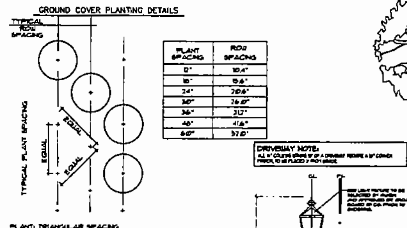
LEGEND

S.H.	PROPOSED SPRINKLER HEAD / IRRIGATION SYSTEM



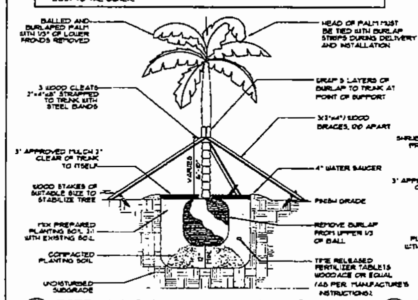


1 GROUND COVER DETAIL
SCALE : NTS

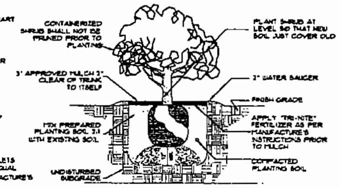


PLANT SPACING	ROW SPACING
12"	10.4"
18"	15.6"
24"	20.6"
30"	26.0"
36"	31.2"
48"	41.6"
60"	52.0"

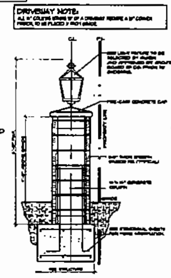
DRIVEWAY NOTE:



2 TREE PLANTING AND BRACING DETAIL
SCALE : NTS



3 SHRUB PLANTING AND BRACING DETAIL
SCALE : NTS



4 COLUMN DETAIL
SCALE : NTS

NUMBER OF TREES REQUIRED

TABLE A — **TIME OF PLANTING

MINIMUM NUMBER OF TREES REQUIRED				MAX. LAWN AREA
LAND USE EU-1	PER ACRE OF NET LOT AREA	STREET TREES	SHRUBS	PERCENT OF NET LOT AREA
REQUIRED	5 MIN.	4 MIN.	130 MIN.	60% (5,176 SQFT)
PROVIDED	0	4 MIN.	160	56% (8,914 SQFT)

LANDSCAPE / HARDSCAPE PLAN

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

4

NORTH

RECEIVED SEP 23 2008
ZONING HEARINGS SECTION MIAMI-DADE PLANNING AND ZONING DEPT.

DATE:

PROPOSED NEW CONSTRUCTION FOR:

MOREJON RESIDENCE

7050 SW 80TH COURT
MIAMI, FLORIDA 33143

DRAWN:
DANGER MARINE DESIGN, LLC
EMAIL:

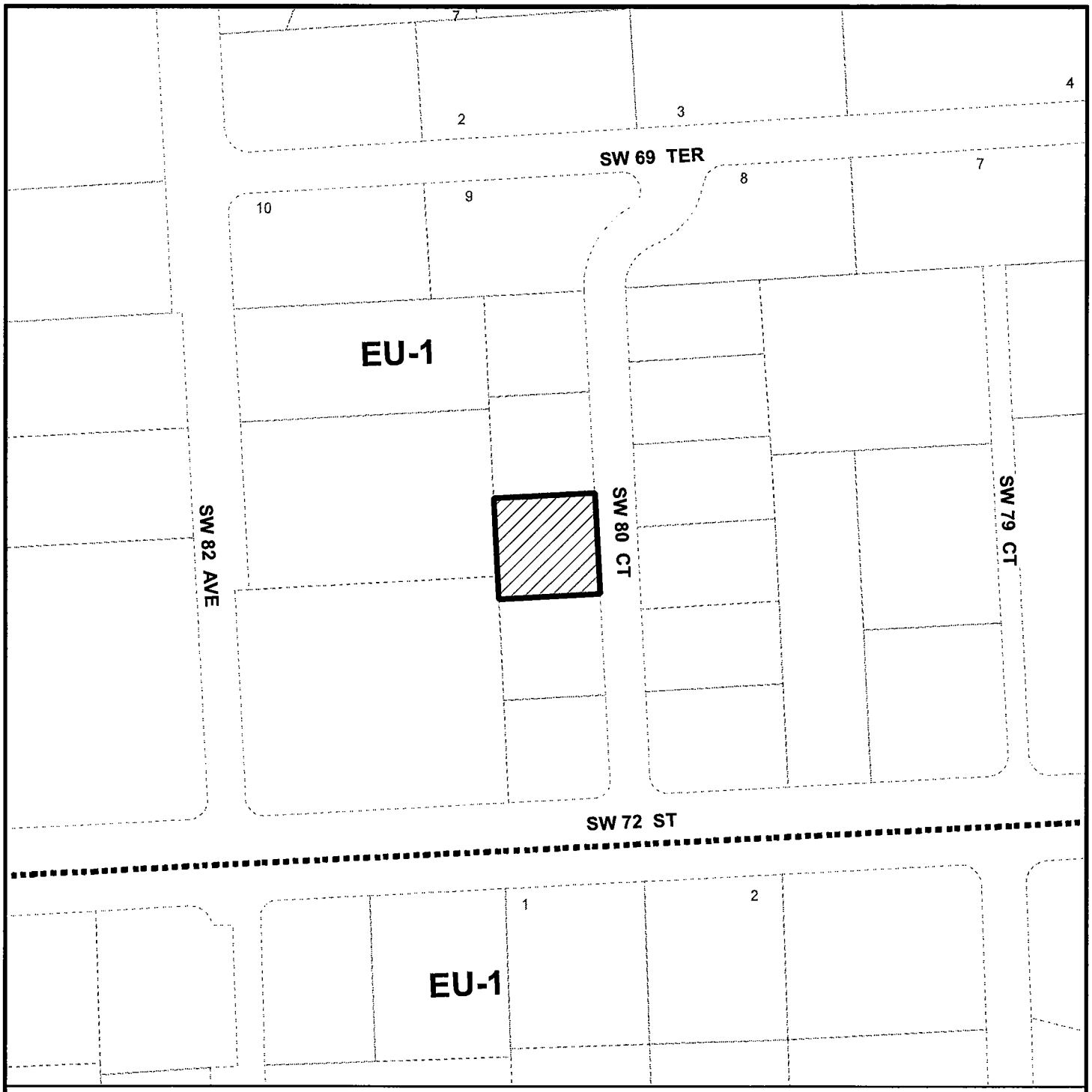
ZONING VARIANCE REVIEW

DATE : 6/25/08
SCALE : SHOWN
JOB NO.: 08-001
SHEET

L-1.0

OF 5 SHEETS

25



MIAMI-DADE COUNTY
HEARING MAP

Process Number
08-173

Section: 27 Township: 54 Range: 40
Applicant: JULIO & NAYLET I. MOREJON
Zoning Board: C12
Commission District: 07
Drafter ID:KEELING
Scale: NTS
---------- Zoning

SUBJECT PROPERTY

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MIAMI-DADE COUNTY

SKETCH CREATED ON: 09/11/08

REVISION	DATE	BY
		26

MIAMI-DADE COUNTY

AERIAL YEAR 2008

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MIAMI-DADE COUNTY

SKETCH CREATED ON: 09/11/08

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