

# FINAL AGENDA

1-4-2012 Version # 1



COMMUNITY ZONING APPEALS BOARD 12  
KENDALL VILLAGE CENTER - CIVIC PAVILLION  
8625 SW 124 Avenue, Miami  
Tuesday, February 7, 2012 at 6:30 p.m.

## CURRENT

1.	12-2-CZ12-1	<u>ELIZABETH GIL &amp; CUTLER BAY</u> <u>VENTURE, LLC</u>	<u>11-99</u>	35-54-40	N
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# Official Zoning Agenda

## COMMUNITY ZONING APPEALS BOARD

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COMMUNITY ZONING APPEALS BOARD - AREA 12

MEETING OF TUESDAY, FEBRUARY 7, 2012

KENDALL VILLAGE CENTER – CIVIC PAVILLION

8625 SW 124 AVENUE, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 7:00 P.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

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

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

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

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

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

SWEARING IN OF WITNESSES

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1. **ELIZABETH GIL & CUTLER BAY VENTURE, LLC (12-2-CZ12-1/11-099)** **35-54-40**  
**Area 12/District 07**

- (1) NON-USE VARIANCE of zoning regulations requiring that all lots have frontage on a public right-of-way; to waive same to permit two existing lots with no frontage on a public right-of-way and to have access to the public right-of-way by means of a 50' wide private drive.
- (2) NON-USE VARIANCE to permit the existing lots with a width of 0' (125' required).

Plans are on file and may be examined in the Department of Sustainability, Planning and Economic Enhancement, entitled: "Proposed Site Plan" as prepared by Juan A. Rodriguez, RA and dated stamped received 8/16/11. Plans may be modified at public hearing.

LOCATION: Northwest corner of SW 72 Avenue & SW 80 Street, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 2.5 ACRES

Department of Sustainability, Planning and Economic Enhancement

Recommendation:

Approval with conditions.

Protests: 0

Waivers: 0

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

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

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

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**NOTICE**

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

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Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Sustainability, Planning and Economic Enhancement (DSPEE) within 14 days after the DSPEE has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (The DSPEE's posting will be made on a bulletin board located in the office of the DSPEE). All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-

313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website ([www.municode.com](http://www.municode.com)). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

**Miami-Dade County Sustainability, Planning and Economic Enhancement Department  
Staff Report to Community Council No. 12**

**PH: Z11-099 (12-2-CZ12-1)**

**February 7, 2012**

**Item No. 1**

<b>Recommendation Summary</b>	
<b>Commission District</b>	7
<b>Applicants</b>	Elizabeth Gil and Cutler Bay Venture, LLC
<b>Summary of Requests</b>	The applicants are seeking to waive the zoning regulations that require lots to have frontage on a right-of-way for two (2) lots in an existing subdivision and to have access to said lots through a private drive.
<b>Location</b>	Northwest corner of SW 72 Avenue and SW 80 Street, Miami-Dade County, Florida.
<b>Property Size</b>	2.5 acres
<b>Existing Zoning</b>	EU-1
<b>Existing Land Use</b>	vacant
<b>2015-2025 CDMP Land Use Designation</b>	Estate Density, 1 to 2.5 dua (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b), Non-Use Variance standards (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Approval with conditions</b>

**REQUESTS:**

- (1) NON-USE VARIANCE of zoning and subdivision regulations requiring that all lots have frontage on a public right-of-way; to waive same to permit two existing lots with no frontage on a public street and to permit access from said parcels to a public street by means of a private easement.
- (2) NON-USE VARIANCE to permit two (2) existing lots with 0' frontage (125' required).

A Boundary Survey is on file and may be examined in the Sustainability, Planning and Economic Enhancement Department entitled "Proposed Site Plan " as prepared by Juan A. Rodriguez, RA and dated stamped received August 16, 2011. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:**

The plan submitted depicts the 2.5 acre parcel subdivided into four (4) lots.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	EU-1; vacant	Estate Density Residential (1 to 2.5 dua)
<b>North</b>	EU-1; single-family residence	Estate Density Residential (1 to 2.5 dua)
<b>South</b>	None; Expressway (SR 878)	Transportation

<b>East</b>	EU-1; single-family residences	Estate Density Residential (1 to 2.5 dua)
<b>West</b>	EU-1; single-family residences	Estate Density Residential (1 to 2.5 dua)

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is a 2.5 acre EU-1, Single-Family One Acre District lot, located at the northwest corner of SW 72 Avenue and SW 80 Street. The submitted plans depict the parcel subdivided into four (4) lots, the smallest of which is 23,366 sq. ft. and the largest is 32,915 sq. ft. The area surrounding the subject property to the north, east and west and is primarily characterized by single-family residences on parcels that also vary in size from approximately 22,000 sq. ft. to 41,000 sq. ft.

**SUMMARY OF THE IMPACTS:**

Approval of this application will allow the applicant to convert a public right-of-way into a private easement. The residents of the two (2) lots without frontage on a public right-of-way would have access through a private drive.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the site for **Estate Density Residential**. *This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. 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 acre.* Approval of these requests would result in the construction of four (4) dwelling units which meet the density threshold of the land use designation. Staff notes that because this application will not generate any additional units, approval with conditions of the requests is **consistent** with the density requirement of the CDMP.

**ZONING ANALYSIS:**

When requests #1 and #2 are analyzed under the *Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b)*, staff is of the opinion that approval of the application would be **compatible** with the surrounding area and would not be detrimental to the neighborhood. Additionally, staff opines that the approval of the application would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. In 2007, the 2.5 acre subject parcel was subdivided into four (4) substandard, EU-1, Single-Family Estate District lots with the purchase of Severable Use Rights (SURs). Two (2) of the lots front onto SW 72 Avenue which is a well travelled half-section line road and the two (2) westernmost lots are accessible from SW 79 Terrace, which runs westerly for approximately, 230' from SW 72 Avenue and terminates at said lots in a cul-de-sac. Staff acknowledges that the street, SW 79 Terrace, is not a "through street," would only serve this self-contained community and that the access way would be solely used by the residents of this subdivision and their guests. Additionally, staff further notes that converting the existing public street serving this development into a private access easement would not affect traffic flow in the area since the existing road does not provide connectivity to adjacent developments. However, staff notes that approval of this application is conditional on

the applicants obtaining approval of a road closing petition. **As such, staff recommends approval with conditions of requests #1 and #2 under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b) (NUV).**

**ACCESS, CIRCULATION AND PARKING:** Not applicable.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

**OTHER:** Not applicable.

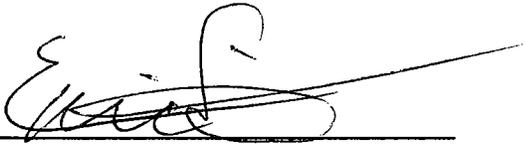
**RECOMMENDATION:**

**Approval with conditions.**

**CONDITION FOR APPROVAL (For request #2 only):**

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Permitting, Environment and Regulatory Affairs upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Site Plan " as prepared by Juan A. Rodriguez, RA and dated stamped received August 16, 2011. 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 applicants comply with all applicable conditions and requirements of the Department of Public Works and Waste Management, including obtaining approval of a road closing petition for SW 79 Terrace.

ES:MW:GR:NN:AN:CH



Eric Silva, AICP, Interim Assistant Director  
Zoning and Community Design  
Miami-Dade County Sustainability, Planning  
and Economic Enhancement Department

*NDN  
GMR*

ZONING RECOMMENDATION ADDENDUM  
HISTORY  
MOTION SLIPS\*  
DEPARTMENT MEMORANDA  
DISCLOSURE OF INTEREST\*  
HEARING PLANS\*  
MAPS

\*If applicable

## ZONING RECOMMENDATION ADDENDUM

Elizabeth Gil and Cutler Bay Venture, LLC  
Z11-099

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS</b>	
Permitting, Environment and Regulatory Affairs	No objection*
Public Works and Waste Management	No objection*
Parks	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection
*Subject to conditions in their memorandum.	

### COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

<p><b>Estate Density Residential (Pg. I-31)</b></p>	<p><i>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 units per gross acre.</i></p>
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### PERTINENT ZONING REQUIREMENTS/STANDARDS

<p><b>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.</b></p>	<p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for <b>non-use variances</b> 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.</i></p>
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**1. ELIZABETH GIL & CUTLER BAY VENTURE, LLC**  
**(Applicant)**

**12-2-CZ12-1 (11-099)**  
**Area 12/District 07**  
**Hearing Date: 02/07/12**

Property Owner (if different from applicant) **Elizabeth Gil.**

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

If so, who are the interested parties?

Disclosure of interest form attached? Yes  No

**Previous Zoning Hearings on the Property:**

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
No History				

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

**Date:** September 7, 2011  
**To:** Marc C. LaFerrier, AICP, Director  
Department of Planning and Zoning

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

**Subject:** C-12 #Z2011000099  
Elizabeth Gil & Cutler Bay Venture, LLC  
Northwest Corner of S.W. 72<sup>nd</sup> Avenue and S.W. 80<sup>th</sup> Street  
To Permit Lots with Frontage on a Private Drive  
(EU-1) (2.5 Acres)  
35-54-40

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

Potable Water Service

A public water main abuts lots 1 and 4. The same water main is located approximately 165 feet from lots 2 and 3. Based on the proposed request, lots 2 and 3 are 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 the Code requirements.

Be advised that the water main extension permit is issued by the Florida Department of Health. Civil drawings for the proposed water main extension will need to be approved by the Miami-Dade Water and Sewer Department and the DERM Water and Wastewater Engineering Section.

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 plans shall comply with the requirements of Section 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

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

### Wetlands

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

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

### Tree Preservation

Tree Removal Permit #003190-2006 was issued for these properties on March 29, 2007, renewed on June 22, 2011 and is scheduled to expire on March 29, 2012. All approved tree removal/relocation, replanting and final inspection (a two weeks notice is required prior to the final inspection) must be completed prior to the scheduled expiration date of this permit to avoid violation of permit conditions. Please be advised that a new Miami-Dade County Tree Removal Permit or an amendment to this permit is required prior to the removal or relocation of any other tree on the subject properties. Please contact this Program at (305) 372-6600 for information regarding tree permits.

### Enforcement History

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

### Concurrency Review Summary

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

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

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

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

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: ELIZABETH GIL & CUTLER BAY VENTURE, LLC

This Department has no objections to this application.

The applicant must submit a road closing petition for SW 79 Terrace with the Department; said petition must be successful with SW 79 Terrace closed. Applicant must contact Pablo Rodriguez at 305-375-4654.

An entrance feature application will be required for any installation of gates or controlled entrance access.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any road dedications and improvements required 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.

18-OCT-11

# Memorandum



**Date:** August 30, 2011

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

**From:** *MIA* Maria I. Nardi, Chief  
Planning and Research Division

**Subject:** Z2011000099: ELIZABETH GIL & CUTLER BAY VENTURE, LLC

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**Application Name:** ELIZABETH GIL & CUTLER BAY VENTURE, LLC.

**Project Location:** The site is located at northwest corner of SW 72 AVE & SW 80 ST, Miami-Dade County.

**Proposed Development:** The applicant is requesting a non-use variance to permit a private drive.

**Impact and demand:** Because this application does not generate any residential population, the CDMP Open Space Spatial Standards do not apply and this Department has no objection to this application.

We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb

Cc: John M. Bowers, RLA/AICP, Landscape Architect 2

# Memorandum



**Date:** 24-AUG-11  
**To:** Marc LaFerrier, Director  
Department of Planning and Zoning  
**From:** Karls Paul-Noel, Interim Director  
Miami-Dade Fire Rescue Department  
**Subject:** Z2011000099

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## **Fire Prevention Unit:**

No objection.

## **Service Impact/Demand**

Development for the above Z2011000099  
located at Northwest corner OF SW 72 AVE & SW 80 ST, MIAMI-DADE COUNTY, FLORIDA.  
in Police Grid 1756 is proposed as the following:

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

Based on this development information, estimated service impact is: 1.12 alarms-annually.  
The estimated average travel time is: 6:58 minutes

## **Existing services**

The Fire station responding to an alarm in the proposed development will be:  
Station 14 - South Miami - 5860 SW 70 Street  
Rescue, ALS Engine, Battalion 8

## **Planned Service Expansions:**

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

## **Fire Planning Additional Comments**

Current service impact calculated based on site plan date stamped August 16, 2011. Substantial changes to the plan will require additional service impact analysis.

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

DATE: 05-JAN-12

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

ELIZABETH GIL & CUTLER BAY  
VENTURE, LLC

Northwest corner OF SW 72 AVE &  
SW 80 ST, MIAMI-DADE COUNTY,  
FLORIDA.

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APPLICANT

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ADDRESS

Z2011000099

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HEARING NUMBER

**HISTORY:**

OPEN CASES:

Neighborhood Compliance  
None for any folio

Building  
None for any folio

PREVIOUS CASES:

Neighborhood Compliance  
Folio# 3040350530040

CMS# 201103003777 ¿Complaint for overgrowth in 5/2011. Case closed as not in violation.  
CMS# 201103007466 ¿Complaint for overgrowth in 8/2011. Case closed as not in violation.

No other previous cases for the other folios.

Building  
None for any folio

None

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

N/A

**REPORTER NAME:**

L. Cuellar

# ZONING INSPECTION REPORT

Inspector: BOELLARD, FRANCIE

Inspection Date

Evaluator: CARL HARRISON

12/23/11

**Process #:** Z2011000099  
**Applicant's Name:** ELIZABETH GIL & CUTLER BAY VENTURE, LLC

**Locations:** Northwest corner OF SW 72 AVE & SW 80 ST, MIAMI-DADE COUNTY, FLORIDA.

**Size:** 2.5 ACRES

**Folio #:** 3040350530040

**Request:**

1 NON-USE VARIANCE of zoning regulations requiring lots to have frontage on a public street; to waive same to permit 4 existing lots with 0' frontage (125' required) on a public street and to permit access to said parcels to a public street by means of a private easement.

2 Applicant is requesting to permit the existing lots with an area varying from 23,366 SF -32,915 SF (43,560 SF required).

**EXISTING ZONING**

**Subject Property** EU-1,

**EXISTING USE** V

**SITE CHARACTERISTICS**

**STRUCTURES ON SITE:**

NONE

**USE(S) OF PROPERTY:**

VACANT LAND

**FENCES/WALLS:**

6' MASONRY WALL TO THE NORTH & 6' PREFAB LIKE WALL TO THE EAST & SOUTH. 6' CHAIN LINK FENCE TO THE WEST

**LANDSCAPING:**

APPROXIMATELY 25 TREES

**BUFFERING:**

NONE

**VIOLATIONS OBSERVED:**

OVERGROWN VACANT PARCEL WITH DEBRIS. UNFINISHED & DILAPITATED WALL ON THE EAST & SOUTH SIDE. GRAFFITI ON THE SOUTH & EAST WALLS

**OTHER:**

**Process #** Z2011000099  
**Applicant's Name** ELIZABETH GIL & CUTLER BAY VENTURE, LLC

# ZONING INSPECTION REPORT

## SURROUNDING PROPERTY

### NORTH:

EU1 RESIDENCES

### SOUTH:

878 EXPRESSWAY, APARTMENT BUILDINGS & CONDOS & DKUC

### EAST:

EU1 RESIDENCES

### WEST:

EU1 RESIDENCES

## SURROUNDING AREA

RESIDENTIAL HOMES, METRO RAIL STATION, DADELAND MALL, RETAIL & COMMERCIAL ESTABLISHMENTS. EU1, MULTIFAMILY APARTMENTS & CONDOS, DOWNTOWN KENDALL URBAN CENTER

## NEIGHBORHOOD CHARACTERISTICS:

PRIMARILY RESIDENTIAL NEIGHBORHOOD

## COMMENTS:

DISCLOSURE OF INTEREST\*

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

CORPORATION NAME: \_\_\_\_\_

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

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

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

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: Cutler Bay Venture, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
<u>Luis Machado</u>	<u>100%</u>
<u>305 Alcazar Coral Gables, FL</u>	
_____	
_____	

**RECEIVED**  
 211-899  
 AUG 16 2011

ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.

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

entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

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

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

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

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

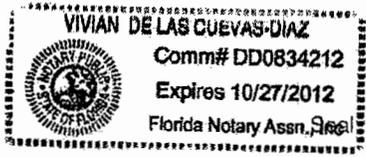
**NOTICE:** For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

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

Sworn to and subscribed before me this 15<sup>th</sup> day of August, 2011. Affiant is personally know to me or has produced \_\_\_\_\_ as identification.

[Signature]  
(Notary Public)



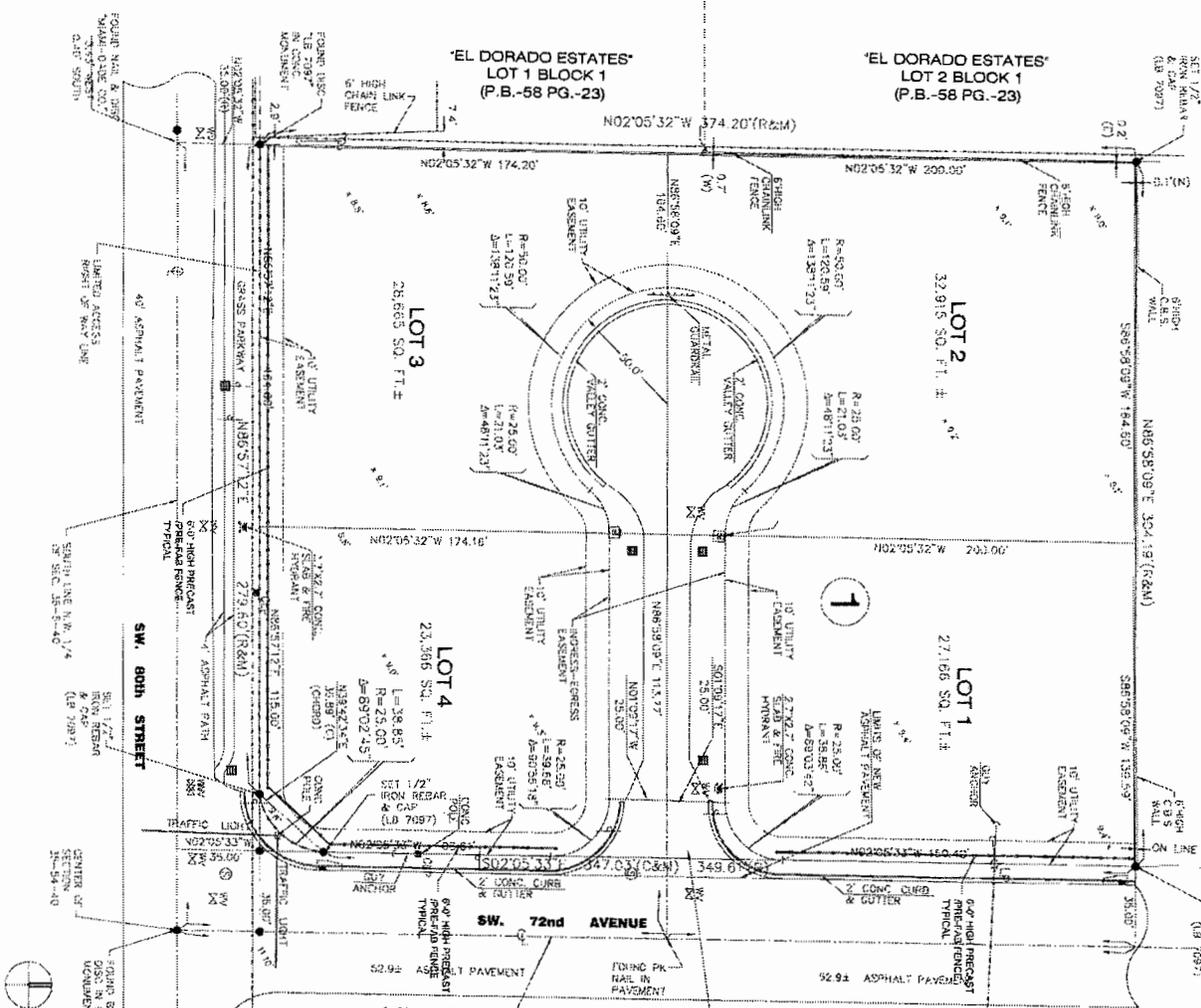
My commission expires: \_\_\_\_\_

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

**RECEIVED**  
21-099  
AUG 16 2011

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

NOT SUBDIVIDED  
 A PORTION OF THE S.E. 1/4, OF THE S/E 1/4, OF THE NW 1/4  
 OF SECTION 36, TOWNSHIP 54 SOUTH, RANGE 40 EAST

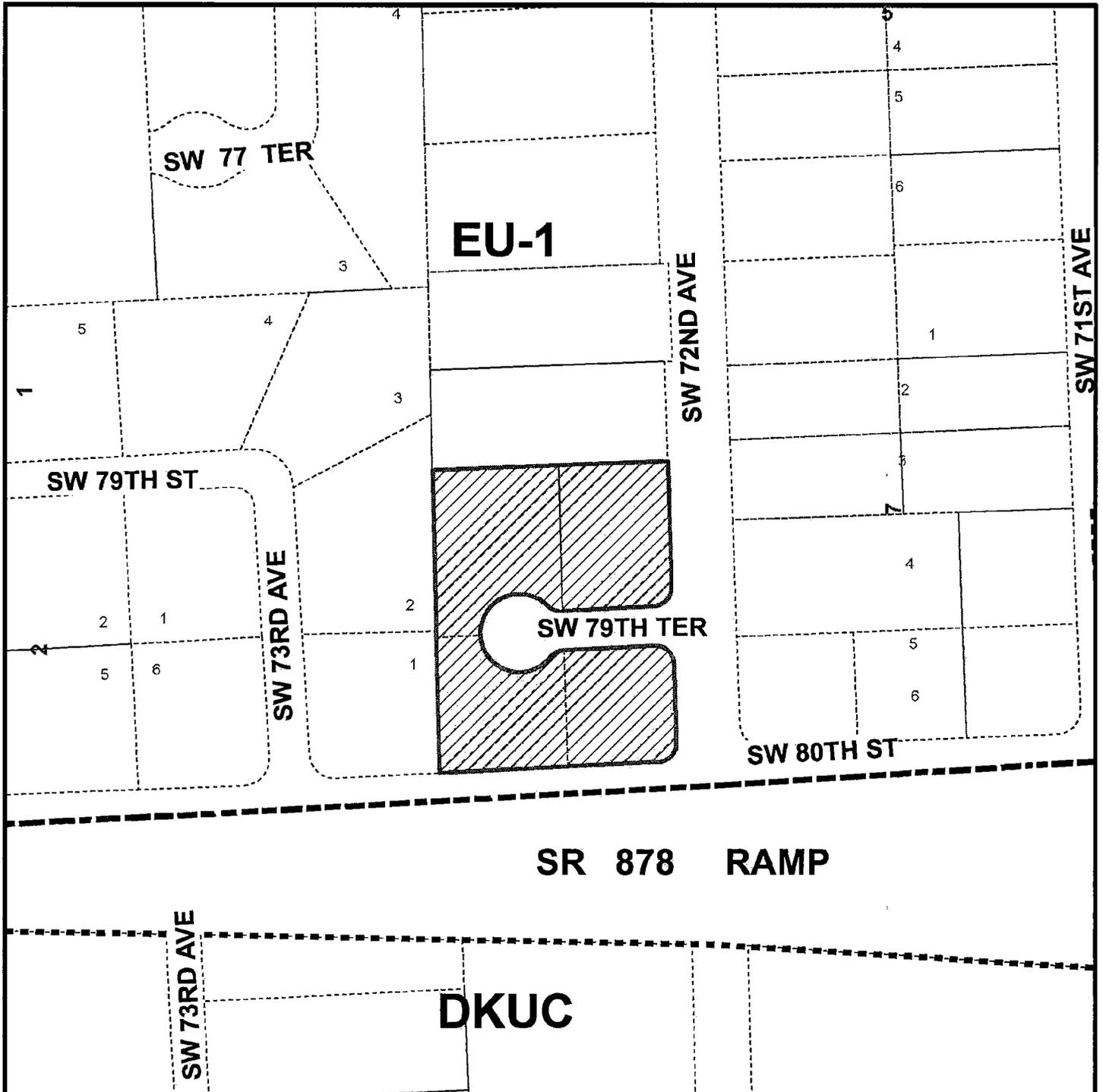


PROPOSED SITE PLAN  
 SCALE: 1"=20'-0"

**RECEIVED**  
 Z-11-089  
 AUG 16 2011  
 ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY

TRACT "A"  
 PUBLIC RIGHT OF WAY  
 1,519 SQ. FT.

18



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

Process Number  
**Z2011000099**



Section: 35 Township: 54 Range: 40  
 Applicant: ELIZABETH GIL & CUTLER BAY VENTURE, LLC  
 Zoning Board: C12  
 Commission District: 7  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

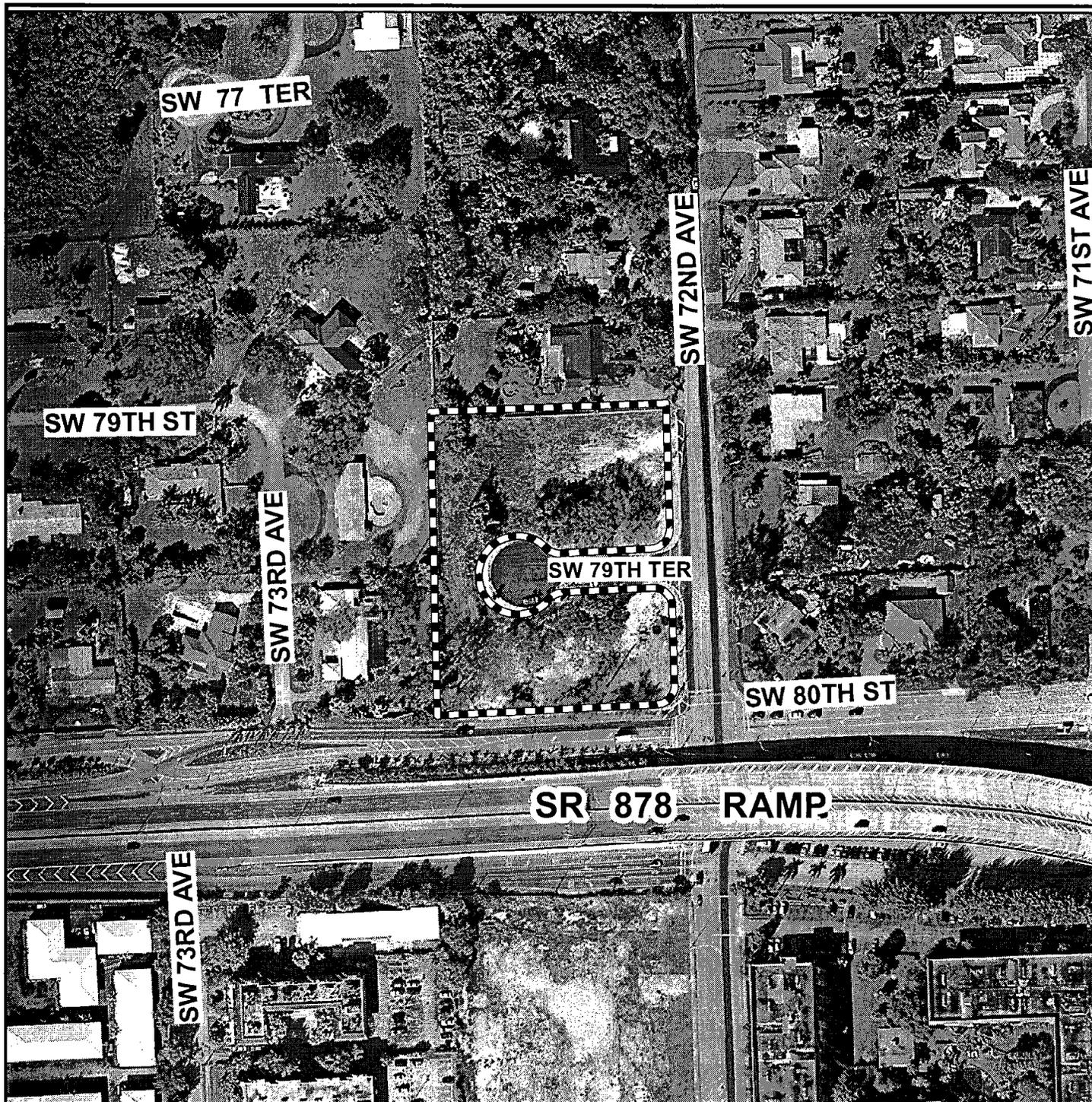
**Legend**

 Subject Property Case



SKETCH CREATED ON: Tuesday, August 23, 2011

REVISION	DATE	BY
		19



**MIAMI-DADE COUNTY**

**AERIAL YEAR 2009**

Process Number

**Z2011000099**

Section: 35 Township: 54 Range: 40

Applicant: ELIZABETH GIL & CUTLER BAY VENTURE, LLC

Zoning Board: C12

Commission District: 7

Drafter ID: JEFFER GURDIAN

Scale: NTS

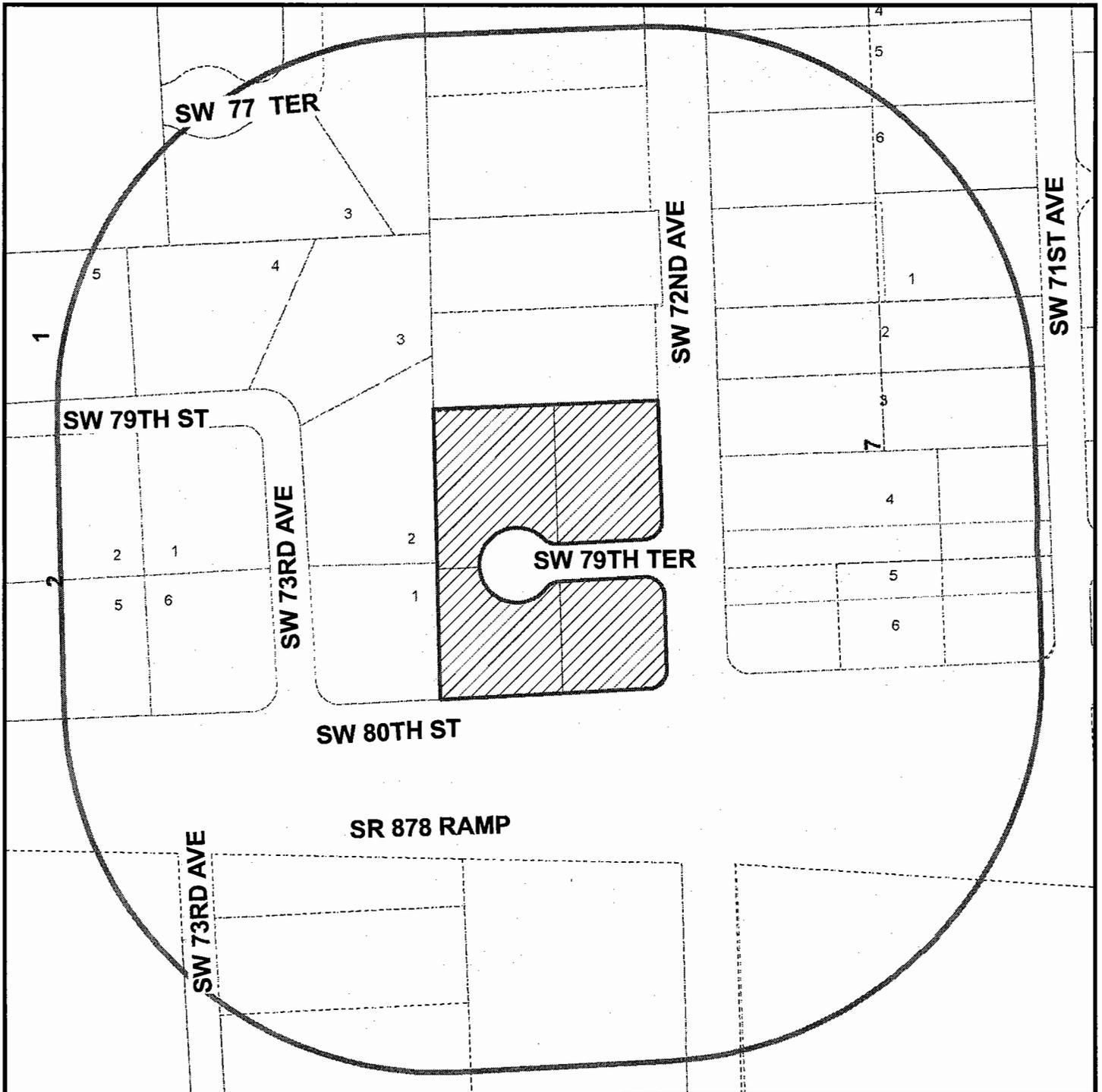
Legend

 Subject Property



SKETCH CREATED ON: Tuesday, August 23, 2011

REVISION	DATE	BY
		20



**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Process Number

**Z2011000099**

RADIUS: 500

Section: 35 Township: 54 Range: 40

Applicant: ELIZABETH GIL & CUTLER BAY VENTURE, LLC

Zoning Board: C12

Commission District: 7

Drafter ID: JEFFER GURDIAN

Scale: NTS



**Legend**

 Subject Property

 Buffer



SKETCH CREATED ON: Tuesday, August 23, 2011

REVISION	DATE	BY