

KITS

9-14-2009 Version # 2



COMMUNITY ZONING APPEALS BOARD 14
SOUTH DADE GOVERNMENT CENTER-ROOM 203 (OLD BUILDING)
10710 SW 211 Street, Miami
Tuesday, October 13, 2009 at 6:00 p.m.

PREVIOUSLY DEFERRED

A. 09-9-CZ14-2 GERARDO A. DIAZ 08-112 07-57-39

CURRENT

1. 09-10-CZ14-1 REGIONAL PROPERTIES, INC 09-89 17-56-39 N

2. 09-10-CZ14-2 MIAMI DADE COUNTY HEALTH DEPARTMENT 09-94 32-55-40 N



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 14

MEETING OF TUESDAY, OCTOBER 13, 2009

SOUTH DADE GOVERNMENT CENTER – ROOM 203 (OLD BUILDING)

10710 SW 211 STREET, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 6:00 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

The purpose of Request #2 is to allow the applicant to submit a new site plan showing the relocation of 40 existing beds to 4 new villas with 10 beds housed in each villa for a previously approved home for the developmentally disabled.

- (3) Applicant is requesting to permit a minimum setback of 22' (75' required) from the rear (west) property line setback 37.75' (75' required) from the interior side (south) property line and setback a minimum of 12.33' (25' required) from the side street (north) property line.
- (4) Applicant is requesting to permit parking within 25' of an official right-of-way (not permitted).
- (5) Applicant is requesting to permit a lot coverage of 25.9% (15% maximum permitted).
- (6) Applicant is requesting to permit buildings spaced a minimum 3' (10' required) from each other.
- (7) Applicant is requesting to permit an above-ground water tank setback 7.5' (20' required) from the interior side (south) property line.
- (8) Applicant is requesting to permit a detached sign with an area of 32 sq. ft. (1.5 sq. ft. maximum permitted, 16' previously approved) and setback 0' (15' required) from the front (east) property line.

REQUESTS #2-#8 ON PARCELS "A" AND "B"

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing) and approval of requests #3 - #8 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

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

LOCATION: 22300 S.W. 162 AVENUE, Miami-Dade County, Florida.

SIZE OF PROPERTY: 9 Acres

Department of Planning and
Zoning Recommendation:

Approval of request #1, modified approval with conditions of request #2, under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17) (Modification or Elimination of Conditions and Covenants After Public Hearing); modified approval of request #5 to permit 18% lot coverage, and approval with conditions of requests #4, #6 and #7, under Section 33-311(A)(4)(b) (NUV); denial without prejudice of requests #3 and #8 under same, and denial without prejudice of requests #3 through #8, under Section 33-311(A)(4)(c) (ANUV).

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

**2. MIAMI-DADE COUNTY HEALTH DEPT.
(09-10-CZ14-2/09-094)**

**32-55-40
Area 14/District 9**

MODIFICATION of Condition #2 of Resolution #CZAB14-36-00, passed and adopted by Community Zoning Appeals Board #14, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Perrine Public Health Unit,' as prepared by Reynolds, Smith & Hills, Inc., dated 6/26/00 and consisting of 6 sheets, and a plan entitled 'Richmond Perrine Optimist Club,' as prepared by Architecture Plus, dated 6/26/00 and consisting of 4 sheets and a survey entitled 'Specific Purpose Survey,' as prepared by Robayna & Assoc., dated 6/17/00 and consisting of 1 sheet."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Courtyard Enclosure & Renovation/Tobacco Education,' as prepared by C. Alan Anderson, Architect, P. A., sheet A1.0 dated stamped received 7/17/09 and the remaining sheets dated stamped received 6/16/09 for a total of 7 sheets."

The purpose of the first request is to allow the applicant to submit a new site plan showing an enclosure of a courtyard for a previously approved public health facility.

Upon a demonstration that the applicable standards have been satisfied, approval of the request may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

LOCATION: 18255 HOMESTEAD AVENUE, Miami-Dade County, Florida.

SIZE OF PROPERTY: 5 Acres.

Department of Planning and
Zoning Recommendation:

Approval with conditions under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice under Section 33-311(A)(17) (Modification or Elimination of Conditions and Covenants After Public Hearing).

Protests: _____ 0 _____ Waivers: _____ 0 _____
APPROVED: _____ DENIED WITH PREJUDICE: _____
DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

NOTICE

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

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

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website (www.municode.com). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

A. GERARDO A. DIAZ
(Applicant)

09-9-CZ14-2 (08-112)
Area 14/District 8
Hearing Date: 10/13/09

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:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
NO HISTORY				

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

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 14
MOTION SLIP

#2

APPLICANT'S NAME: **GERARDO A. DIAZ**

REPRESENTATIVE: Gerardo Diaz

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
09-9-CZ14-2 (08-112)	September 9, 2009	CZAB14	09

REC: Approval with conditions of request #1 under Section 33-311(A)(3), approval with conditions of request #2 under Section 33-311(A)(4)(b) and denial without prejudice of request #2 under Section 33-311(A)(4)(c).

WITHDRAW: APPLICATION ITEM(S): _____

DEFER: INDEFINITELY TO: Oct 13, 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 obtain info on the future four laning of Krome Avenue and how the street dedication
of the property will affect the area with these lane additions.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		Nehemiah DAVIS	X		
VICECHAIRMAN	M	Curtis LAWRENCE	X		
COUNCILMAN		Patrice MICHEL			X
COUNCILMAN	S	Michael RODRIGUEZ	X		
CHAIRMAN		Wilbur B. BELL	X		
VOTE:			4	0	

EXHIBITS: YES NO

COUNTY ATTORNEY: ABBIE SCHWARDER

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 14**

APPLICANT: Gerardo A. Diaz

PH: Z08-112 (09-9-CZ14-2)

SECTION: 7-57-39

DATE: October 13, 2009

COMMISSION DISTRICT: 8

ITEM NO.: A

A. INTRODUCTION:

o **REQUESTS:**

- (1) UNUSUAL USE to permit a day care center.
- (2) Applicant is requesting to permit a right-of-way dedication of 40' (62.5' required) along the (east portion) of Krome Avenue (SW 177 Avenue).

Upon a demonstration that the applicable standards have been satisfied, approval of the request 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 Zoning Department entitled "Little Eagles Learning Center" as prepared by Edgar Munoz, P.E., dated stamped received 2-6-09 and consisting of 7 pages. Plans may be modified at public hearing.

o **SUMMARY OF REQUESTS:**

This application seeks to allow an unusual use to establish a day care center on the subject property and permit said property with a reduced right-of-way dedication along the east side of Krome Avenue.

o **LOCATION:** 29625 SW 177 Avenue, Miami-Dade County, Florida.

o **SIZE:** 2.52 Acres

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 **2 miles** east of the Urban Development Boundary for **Estate Density Residential**. 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.
- 2. **Residential Communities.** The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are

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

3. "Congregate residential uses" and nursing homes may be permitted at suitable locations in Residential Communities in keeping with the following density allowance: Each 2.5 occupants shall be considered to be one dwelling unit, and the maximum number of dwelling units allowed shall be no greater than the number allowed in the next higher residential density category than that for which the site is designated. The intensity of use that may be approved for "daytime service uses" such as **day care facilities** shall be limited as necessary to be compatible with adjacent uses and to comply with water supply and sewage regulations contained in Chapter 24 of the Miami-Dade County Code.

If located in Estate, Low or Low-Medium Density neighborhoods, congregate residential uses, and daytime service uses such as **day care centers**, should locate only in activity nodes, transition areas and section centers as indicated in the Guidelines for Urban Form, or on sites that are transitional to higher density or higher intensity land uses, to public uses or to other areas of high activity or accessibility. In particular, nursing homes are best located on a Major or Minor Roadway and in, or adjacent to commercial or institutional areas, higher density areas or other situations transitional from lower density residential areas.

4. **Policy LU-4A.** When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.
5. **Policy LU-4C.** Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic.
6. **Guidelines for Urban Form.** The following guidelines establish a generalized pattern for location of different uses, their intensity and density, and the interconnecting network of vehicular and pedestrian movement:
 4. Intersections of section line roads shall serve as focal points of activity, hereafter referred to as activity nodes. Activity nodes shall be occupied by any nonresidential components of the neighborhood including public and semi-public uses. When commercial uses are warranted, they should be located within these activity nodes. In addition, of the various residential densities which may be approved in a section through density averaging or on an individual site basis, the higher density residential uses should be located at or near the activity nodes.

5. Areas abutting and adjacent to activity nodes should serve as transition areas suitable for eligible higher residential densities, public and semi-public uses including day care and congregate living uses.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

EU-1; Single-family residence

Estate Density Residential 1 to 2.5 dua

Surrounding Properties:

NORTH: AU: Agricultural use

Estate Density Residential 1 to 2.5 dua

SOUTH: EU-1; Vacant

Estate Density Residential 1 to 2.5 dua

EAST: EU-1; Single-family residence

Estate Density Residential 1 to 2.5 dua

WEST: EU-M; Single-family residence

Estate Density Residential 1 to 2.5 dua

The subject property is a corner parcel located at 29625 SW 177 Avenue. The surrounding properties are developed with single family residences, vacant parcels and agricultural uses.

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
Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

*Subject to conditions.

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses. The Board shall hear an application for and grant or deny special exceptions; that is, those exceptions

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

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

*Subject to the conditions indicated in their memoranda.

H. **ANALYSIS:**

This item was deferred from the September 9, 2009 meeting at the request of the Board to have the applicant meet with neighbors and Public Works staff. The 2.52-acre parcel of land zoned EU-1, Estate 1 family 1 Acre gross District, is a corner lot located at 29625 SW 177 Avenue (Krome Avenue) approximately 2 miles east of the Urban Development Boundary and is improved with a single-family residence. The subject property is designated for **Estate Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). The interpretative text of the CDMP provides that neighborhood and community services such as **day care centers** are permitted only when consistent with other goals objectives and policies of the Plan and compatible with the neighborhood. The interpretative text of the CDMP indicates that in areas designated Estate Density Residential neighborhoods, daytime service uses such as **day care centers**, should be located only in activity nodes, transition areas and section centers, or on sites that are transitional to higher density or higher intensity land uses, to public uses or to other areas of high activity or accessibility. Therefore, staff opines, the proposed day care and after-school use on the subject property are in keeping with the Guidelines for Urban Form.

Within the interpretative text of the CDMP, **Policy LU-4A** provides that when evaluating compatibility among proximate land uses, the County shall among other things consider such factors such as: access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable. The plans submitted by the applicant indicate that the existing one-story single-family residence will be converted to accommodate the proposed day care center. The Child Care Checklist indicates that the proposed day care center will be operating with a staff of 10, provide a service for 60 children ranging in ages from infants to 5 years, contain four classrooms and will be operational Mondays through Fridays from the hours of 7:00 A.M. to 7:00 P.M.

Access to the facility for ingress and egress to the parking areas will be located on the north side of the site onto SW 296 Street (Avocado Drive) and on the east side onto SW 177 Avenue (Krome Avenue). Additionally, the landscaping plans indicate that the site will be improved with a total of 135 trees and 880 shrubs in addition to the existing landscaped areas. The applicant proposes to retrofit the one-story single-family structure into the day care center which as indicated on the submitted plans, will retain the residential scale and character of the site. The interpretative text of the CDMP, **Policy LU-4C** provides that residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic. In staff's opinion, the establishment of this day care center will be highly accessible to its patrons due to its location, which lies at the southeast corner of two section line roads (Krome Avenue and Avocado Drive). As such, staff is of the opinion that the proposed day care use is **consistent** with the LUP map designation and with the objectives of the CDMP and compatible with the surrounding area.

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

the applicant must improve the parking lot area with additional directional signage and an increase in driveway width. The Public Works Department also indicates that the application meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply. The **Fire Department objects** to this application and has indicated in their memorandum that the applicant must provide a Knox pad lock for the manual gate and provide a 15' clear roadway for one-way traffic. The response time to this facility is approximately **7:15** minutes.

When analyzing request #1 under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New Uses, and considering the necessity for and reasonableness of the day care center and after school care in relation to the present and future development of the area, staff is of the opinion that the proposed day care center would be **compatible** with the surrounding area, including the existing estate residential communities and agricultural uses that surround the subject property. In staff's opinion, the introduction of this use into this estate and agricultural area will not disrupt the overall welfare and privacy of the neighborhood by generating excessive noise or traffic. The request to permit the day care center to serve 60 children is not, in staff's opinion, overly intensive and will not generate excessive noise within the surrounding area. Staff notes that the playground area is centrally located within the subject property and that the proposed landscaped areas will provide adequate buffering to the neighboring properties to the east and south. In addition, the proposed street trees and public right-of-way dedications for SW 296 Street (Avocado Drive) and SW 177 Avenue (Krome Avenue) also will provide adequate buffering to the neighboring properties across such streets. Furthermore, as indicated by the Public Works Department the application meets traffic concurrency and the proposed day nursery will generate 50 PM daily peak hour vehicle trips which do not exceed the acceptable level of service in the area. As such, the proposed use does not unduly burden or affect public transportation facilities and the proposed day care center with after-school care will be readily accessible to section-line roadways, Krome Avenue and Avocado Drive. Staff notes that the submitted plans indicate that the applicant has provided the required number of parking spaces on site as well as a surplus of 5 parking spaces yielding a total of 15 parking spaces for the facility. Five of the spaces are auto-stacking spaces for drop-off and pick up of children, which staff opines, is more than sufficient and will not result in the queuing of vehicles in the abutting rights-of-way. Staff notes that the submitted plans depict two proposed ingress/egress driveways with one being located on the northern portion of the site along Avocado Drive. Staff opines that the traffic flow generated as a result of the site configuration and the subject property's location on the southeast of section line roadways will not be intrusive to the adjacent residential areas. Therefore, in staff's opinion, the introduction of the proposed day care center into this area will not disrupt the neighborhood by generating excessive noise or traffic. Staff is of the opinion that the existing site is adequately sized to accommodate the proposed day care center. According to the submitted plans provided with this application, the applicant is providing 2,100 sq. ft. of classroom area and 1,500 sq. ft. of outdoor recreational playground to properly accommodate the 60 children proposed for enrollment. The proposed use will not have an unfavorable impact on the water, sewer, solid waste disposal, or other public services and will not have an unfavorable impact on the environment as indicated by the memorandum submitted by the Department of Environmental Resources Management (DERM). As such, staff recommends that request #1 for an unusual use to permit a day care center, be approved with conditions under Section 33-311(A)(3).

Based on all of the aforementioned, staff is of the opinion that the approval with conditions of this application is **compatible** with the surrounding area and is **consistent** with the LUP map designation and the interpretative text of the CDMP. Accordingly, staff recommends approval with conditions of request #1 under Section 33-311(A)(3).

When request #2 is analyzed under Section 33-311(A)(4)(b) to allow the continued use of the subject property with an existing right-of-way dedication of 40' in lieu of the required 62.5' on the east side of SW 177 Avenue (Krome Avenue). Staff notes that the additional 22.5' zoned right-of-way dedication has been determined not to be necessary by the Public Works Department and that the existing 40' right-of-way dedication is compatible with most of the section line streets throughout Miami-Dade County. As such the existing 40' right-of-way dedication on the east side of SW 177 Avenue (Krome Avenue) provides sufficient width for additional traffic lanes. Staff recommends that request #2, to allow a 40' right-of-way dedication in lieu of the required 62.5', be approved with conditions under Section 33-311(A)(4)(b).

I. RECOMMENDATION:

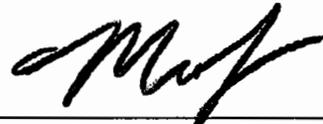
Approval with conditions of request #1 under Section 33-311(A)(3), approval with conditions of request #2 under Section 33-311(A)(4)(b) and denial without prejudice of request #2 under Section 33-311(A)(4)(c).

J. CONDITIONS:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning & Zoning 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 "Little Eagles Learning Center" as prepared by Edgar Munoz, P.E., dated stamped received 2-6-09 and consisting of 7 pages.
3. That the use be established and maintained in accordance with the approved plan.
4. That prior to issuance of a building permit, the applicant submit to the Department of Planning and Zoning for its review and approval a landscaping plan which indicates the type and size of plant material. Said landscaping shall be installed prior to final zoning inspection.
5. That the use be made to conform to the requirements and/or recommendations of the Miami-Dade County Fire Department, the Miami-Dade County Department of Public Health, and the State of Florida Department of Children and Families (Child Care Licensing Unit).
6. That the use shall be restricted to a maximum number of 60 children.
7. That the hours of operation shall be between 7:00 A.M. to 7:00 P.M

8. That the use may be conducted on the premises Monday through Friday.
9. That the applicant obtain a Certificate of Use from, and promptly renew the same annually with, the Department of Planning and Zoning upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
10. That the applicant comply with all applicable conditions and requirements of the Department of Environmental Resources Management (DERM).
11. That the applicant comply with all applicable conditions and requirements of the Public Works Department memorandum.
12. That all signage be in compliance with the zoning regulations and that no caricatures be placed on the fences or walls of the structure.

DATE INSPECTED: 07/21/09
DATE TYPED: 07/21/09
DATE REVISED: 07/24/09, 08/14/09
DATE FINALIZED: 08/14/09
MCL:NN:CH:TA



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

NDA

Memorandum



Date: March 19, 2009
To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez". The signature is fluid and cursive, written over the printed name in the "From:" field.

Subject: C-14 #Z2008000112-1st Revision
Gerardo Diaz
29625 S.W. 177 Avenue
Unusual Use to Permit a Daycare
(EU-1) (2.46 Acres)
07-57-39

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

Potable Water Service

The subject property is located within the franchised water service area of the City of Homestead. 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 cannot be made available to this site. Therefore, DERM would not object to the interim use of a septic tank and drainfield system as a means for the disposal of domestic liquid waste, provided that the proposed development meets the sewage loading requirements of Section 24-13(4) of the Code. Based upon the available information the proposal meets the said requirements; furthermore, since the request is for a non-residential land use, the property owner has submitted a properly executed covenant running with the land in favor of Miami-Dade County as required by Section 24-13(4)(a) of the Code.

Notwithstanding the foregoing, the applicant is advised that any activity that may generate liquid waste other than domestic sewage, including but not limited to, medical or dental offices, shall not be permitted on this property, unless and until is connected to the public sanitary sewer system.

Tree Preservation

The subject property contains specimen-sized (trunk diameter 18 inches or greater) trees. Section 24-49.2(II) of Chapter 24, the Code of Miami-Dade County requires that specimen trees be preserved whenever reasonably possible. The landscape plan submitted with this application entitled "Little Eagles Learning Center", prepared by Edgar Muñoz P.E., sheet 4/7 dated November 18, 2008 (revised February 5, 2009) and Sheet 5/7 dated November 19, 2008 (revised January 31, 2009) depicts all tree resources on site including specimen-size trees. According to the landscape plans these tree resources will not be impacted by the proposed parking area and playground. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of Chapter 24. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

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

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

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.

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.

Pollution Remediation

The subject property is located within a designated brownfield area. The applicant is advised that there are economic incentives available for development within this area. For further information concerning these incentives, contact the Pollution Remediation Section of DERM at 305-372-6700.

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.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: GERARDO A. DIAZ

This Department has no objections to this application.

This Department has no objections to the request to permit 40 feet of dedication for the east half of SW 177 Avenue (Krome Avenue) where 62.5 feet is required.

The northbound movement from the parking lot should be southbound to provide a queue lane and bypass lane.

15 foot minimum turning radii along all vehicle paths shall be provided.

The required handicapped walkway shall extend from the handicapped parking spaces, across the driveway, to the pedestrian sidewalk landing in front of the building.

A "DO NOT ENTER" sign shall be provided at the exiting one way driveway.

A "DO NOT ENTER" sign shall be provided at the entrance of the obsolete driveway.

Widen the "U" from the south end of the parking width to the south end of the drop-off area from 14 feet to 20 feet, except 22 feet behind parking space No. 7, which is the required back-out length as per Miami-Dade County Code.

Existing driveway at SW 296 Street (Avocado Drive) shall be moved eastward to provide the minimum 125 feet of required offset from the Northbound Krome Avenue edge of travel way to the beginning edge of driveway along SW 296 Street (Avocado Drive).

Fences along the right-of-way must be relocated to new property line after right-of-way dedications.

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

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 50 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveals 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
9932	SW 288 St. w/o US-1	B	B
9936	SW 296 St. w/o US-1	C	C
9938	SW 296 St. e/o SW 197 Ave.	C	C
9942	SW 304 St. w/o US-1	D	D

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



Raul A Pino, P.L.S.

28-JUL-09

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

School Name: Little Eagles Learning Center

School Address: 29625 S.W. 177 Av Tax Folio # 30 - _____

1. Is this an expansion to an existing school? Yes No If yes, indicate the number of students: _____ and age and grade ranges originally approved: _____
2. Total size of site: 307.27 x 348.96 = 107,224.93 + 43,560 sq. ft. = 2.46 acres
3. Number of children or students requested: 60 Ages: 0 to 5 years old
4. Number of teachers: 8 number of administrative & clerical personnel 2
5. Number of classrooms: 4 Total square footage of classroom area: 2,100 S/F
6. Total square footage of non-classroom area (offices, bathrooms, kitchens, closets):
1,310 S/F
7. Amount of exterior recreation /play area in square footage: 1,500 S/F
8. Number & type of vehicle(s) that will be used in conjunction with the operation of the facility:
None
9. Number of parking spaces provided for staff, visitors, and transportation vehicles:
15 parking spaces provided 10 parking spaces required by Section 33-124 (L)
10. Indicate the number of auto stacking spaces: 5 provided 4 required
11. Proposed height for the structure(s): 22' See Section 33-151.18(g)
12. Size of identification sign: 8 x 4 = 32 sq. ft. See Section 33-151.18 (c).
Signage will require a separate permit. Contact the Permit Section at 786-315-2100.
13. Days and hours of operation: Monday through Friday. 7:00 AM to 7:00 PM
14. Does the subject facility share the site with other facilities? Yes No (If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to Section 33-151.16.)
15. If the school will include residential uses, do such uses meet the standards provided in Section 33-151.17? Yes No (If yes, describe the residential uses and indicate same on the plans.)

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208-112
JUN 18 2008

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

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JUN 18 2008

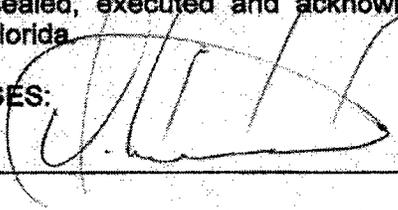
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY JH

School Address: 29625 S.W. 177 AV Miami FL Zip Code: 33030

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

Signed, sealed, executed and acknowledged on this 18 day of June 2008 at Miami-Dade County, Florida

WITNESSES:

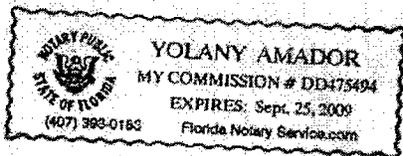


OSCAR R. AMADOR

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I hereby certify that on this 18 day of June, 2008, before me personally appeared Mr. Gerardo A. Diaz, to me known to be the person described in and who executed the foregoing instrument and he/she acknowledged to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES:



Yolany Amador
15436 SW 36 terrace
miami, FL 33185
(786) 512-4018

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MIAMI-DADE PLANNING AND ZONING DEPT
BY [Signature]

Memorandum



Date: 26-FEB-09
To: Marc LaFerrier, Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2008000112

Fire Prevention Unit:

This memo supersedes MDRF Memorandum dated July 9, 2008.
 These comments are for plans date stamped February 6, 2009.

OBJECTIONS

Applicant must comply with previous Fire comments memorandum dated July 9, 2008.
 - Provide a Knox pad lock for manual gate or a Knox key switch for electrical gate.
 - Provide 15 feet clear roadway width for One-Way traffic.

Service Impact/Demand:

Development for the above Z2008000112
 located at 29625 S.W. 177 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 2573 is proposed as the following:

<u>N/A</u> residential	dwelling units	<u>N/A</u> industrial	square feet
<u>N/A</u> Office	square feet	<u>N/A</u> institutional	square feet
<u>N/A</u> Retail	square feet	<u>3,410</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 2.28 alarms-annually.
 The estimated average travel time is: 7:15 minutes

Existing services:

The Fire station responding to an alarm in the proposed development will be:
 Station 16 - Homestead - 325 NW 2 Street
 Rescue, ALS Engine, ALS 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 plans date stamped February 6, 2009. Substantial changes to the plan will require additional service impact analysis.

TEAM METRO

ENFORCEMENT HISTORY

GERARDO A. DIAZ

29625 S.W. 177 AVENUE, MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2008000112

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

Current case history;

Case #200901008228 was opened based on enforcement history request and inspected on 09-16-09. No access granted to inspect, NCO left business card to get a call back. Case remains open for re-inspection on 09-25-09.

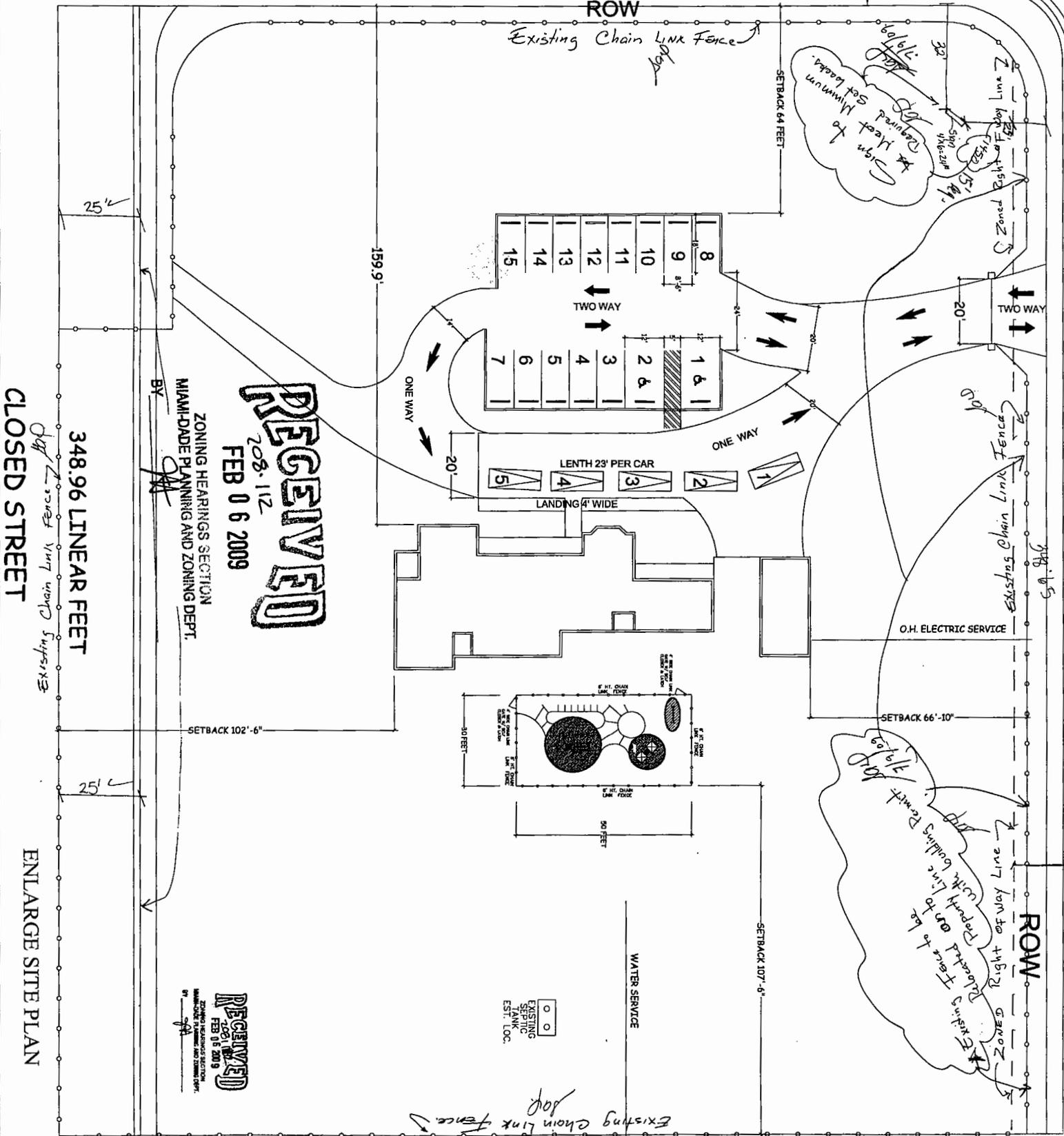
Previous case history

Case #200901006532 was opened based on enforcement history request and inspected on 07-23-09. No violations observed and case was closed.

Case #200901000672 was opened based on enforcement history request and inspected on 02-18-09. No violations observed and case was closed.

KROME AVENUE (SW 177TH AVENUE)

309.27



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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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KROME AVENUE (SW 177TH AVENUE)

307.27

ROW

Existing Chain Link Fence

SETBACK 14'-6"

AVOCADO DRIVE (SW 296TH STREET)

ROW

O.H. ELECTRIC SERVICE

SETBACK 66'-10"

SETBACK 107'-8"

WATER SERVICE

EXISTING EST. LOC.

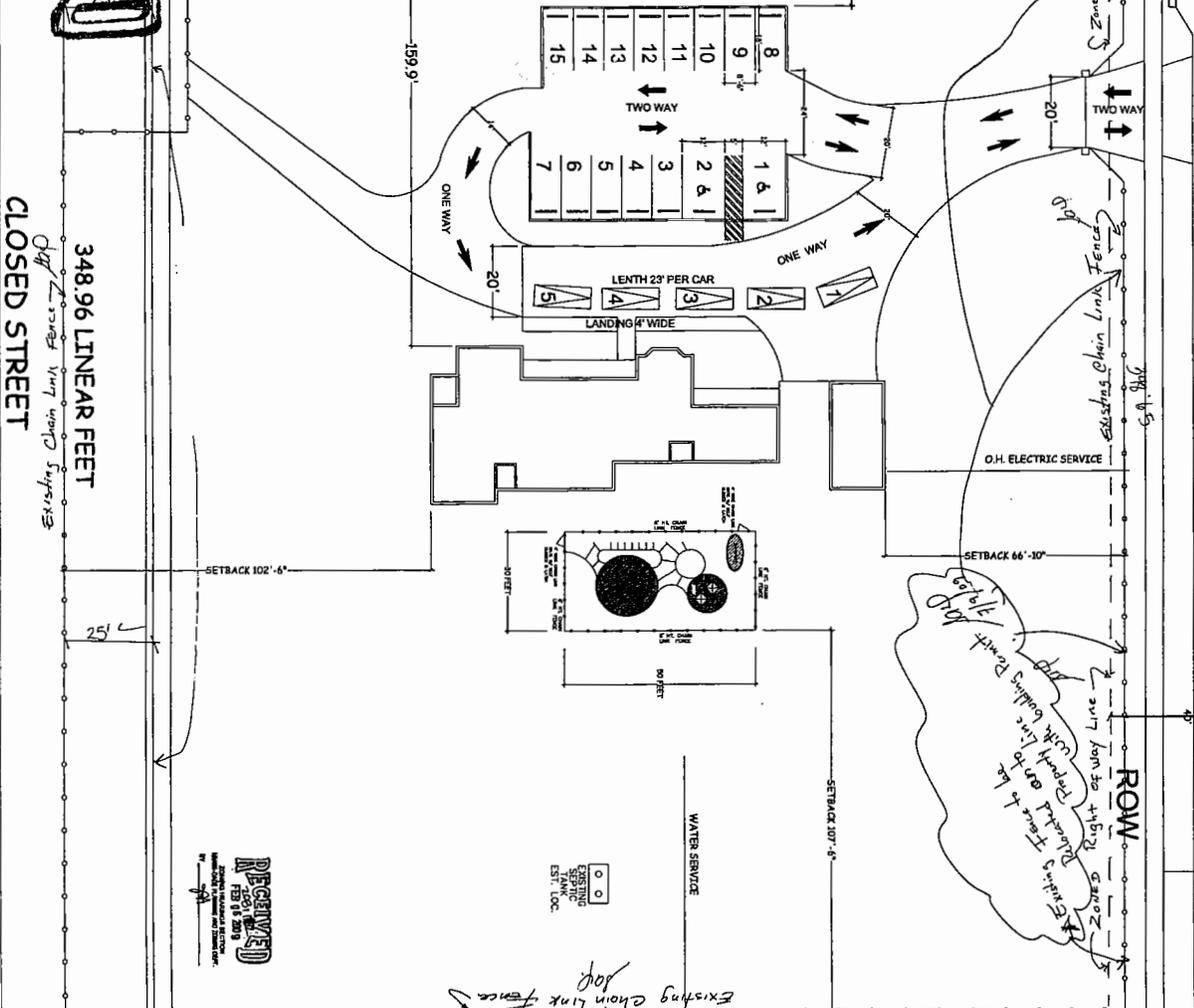
Existing Chain Link Fence

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348.96 LINEAR FEET
CLOSED STREET

FEB 06 2009

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



307.27 LINEAR FEET

LEGAL DESCRIPTION:
The North 1/2 of the NW 1/4 of the NW 1/4 of the NW 1/4, less the North 25.00 Feet, less the East 300.00 Feet, and less the West 40.00 feet thereof, in Section 7, Township 57 South, Range 39 East, Tying and being in Miami-Dade County, Florida. Official Records book 21969 at Page 141.

Handwritten notes:
307.27 x 398.96 = 109,224.937
2.46 = 18' 10" x 19' 6" = 360 sq ft
3.46 = 18' 10" x 19' 6" = 360 sq ft

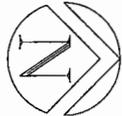
SITE INFORMATION

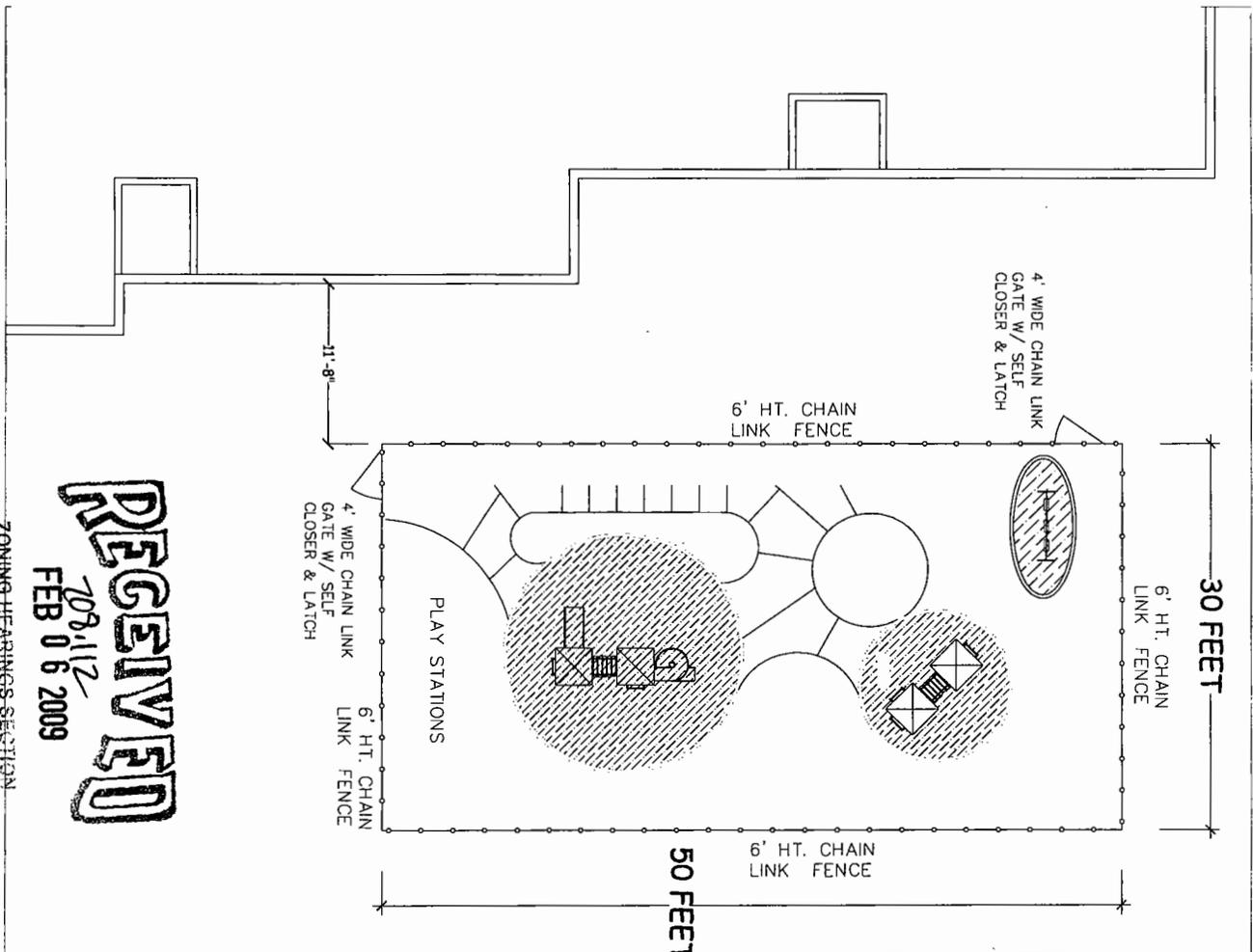
1)- ZONING: E11	RESIDENTIAL SINGLE FAMILY
2)- LOT AREA: 367,724 sq ft	18' x 22' 4"
3)- GROUND FLOOR BUILDING: 3,410 sq ft	BLDG. FOOTPRINT
4)- LANDSCAPED GREEN AREAS: 102,311 sq ft	LANDSCAPED GREEN AREAS
5)- SETBACKS:	FRONT: 30'-0" (TO PARKING) SIDE: 10'-0" (TO BUILDING) REAR: 20'-0" (TO BUILDING)
6)- UT CONCRETE: 1,310 3'x4' 50 FT	UT CONCRETE
7)- TOTAL ASPHALT AREA: 4,280 50 FT	TOTAL ASPHALT AREA

SITE PLAN

EDGAR MUNOZ, P.E.
Fl. Lic. 50051
6623 NW 173 LANE
Miami, Florida 33015
(305) 827-4672

LITTLE EAGLES LEARNING CENTER
29625 SW 177 AVENUE
HOMESTEAD, FLORIDA





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

PLAYGROUND COMPUTATIONS
 ESTIMATED NUMBER OF CHILDREN = 60
 REQUIRED A TOTAL OF 45/2 SQUARE FEET PER CHILD
 REQUIRED = 1,350 SQUARE FEET OF OUTDOORS PLAYGROUND
 PROVIDED A TOTAL OF 1,500 SQUARE FEET OF PLAYGROUND

50 x 30 = 1500
 1500 / 2 = 750
 750 x 2 = 1500
 1500 > 1350
 ✓

PLAYGROUND

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

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DAY CARE 7 Oct 08 1/4" = 1'-0" 3/7	EDGAR MUNOZ, P.E. Fl. Lic. 50051 6623 NW 173 LANE Miami, Florida 33015 (305) 827-4672	LITTLE EAGLES LEARNING CENTER 29625 SW 177 AVENUE HOMESTEAD, FLORIDA
---	--	---

KROME AVENUE (SW 177TH AVENUE)

AVOCADO DRIVE (SW 296TH STREET)

CLOSED STREET

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

LANDSCAPE

2/11/09

NOTE:
All Trees will be Preserved and when Construction work is Close to a Tree A Barrette 15 Feet wide Around The Tree will be installed

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LANDSCAPE: LOT AREA 2.34 ACRES	
	REQUIRED/PROVIDED
INSIDE PROPERTY TREES	56 / 135
INSIDE PROPERTY SHRUBS	560 / 660
ALONG STREET TREES	580 / 220
ALONG STREET SHRUBS	290 / 400

NOTE:
SHRUBS ARE NOT SHOWN FOR CLARITY

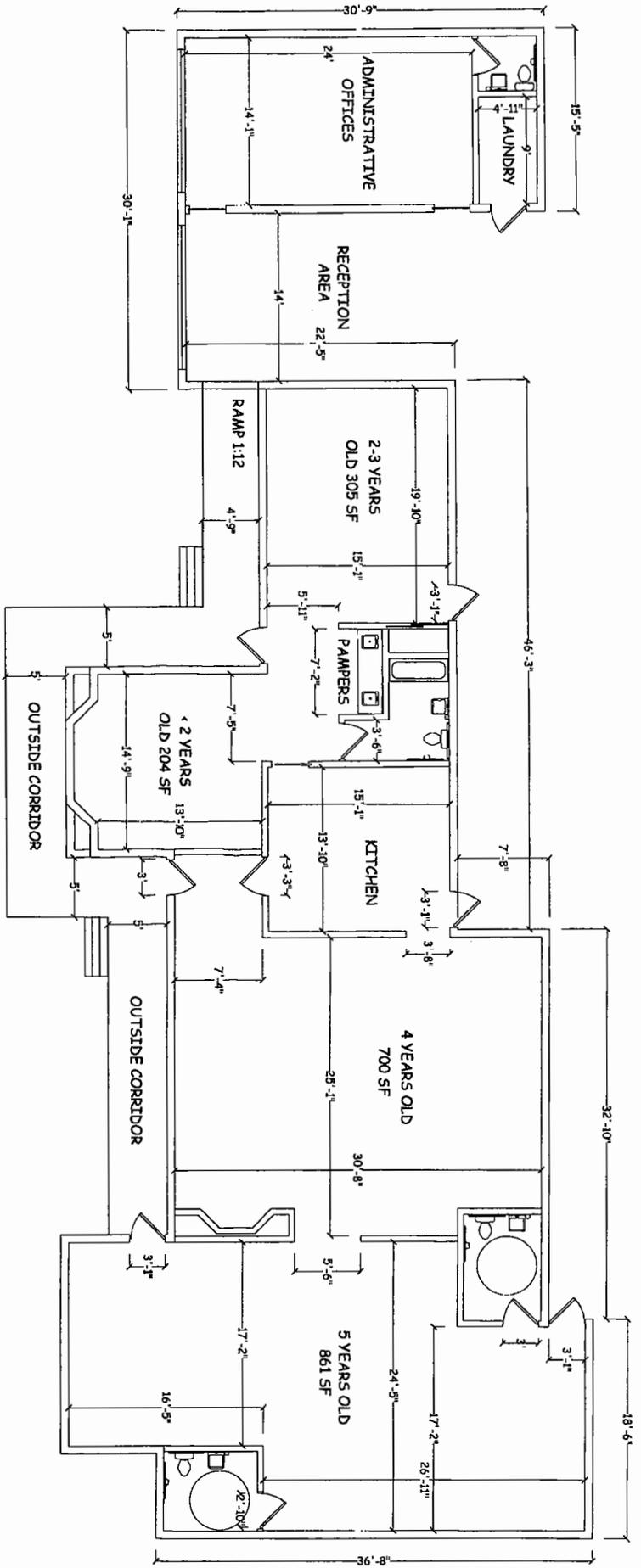


EDGAR MUNOZ, P.E.
Fl. Lic. 50051
6623 NW 173 LANE
Miami, Florida 33015
(305) 827-4672

LITTLE EAGLES LEARNING CENTER
29625 SW 177 AVENUE
HOMESTEAD, FLORIDA

DATE DWT CARE
7/8/04/08
NTS
4/7

FLOOR PLAN



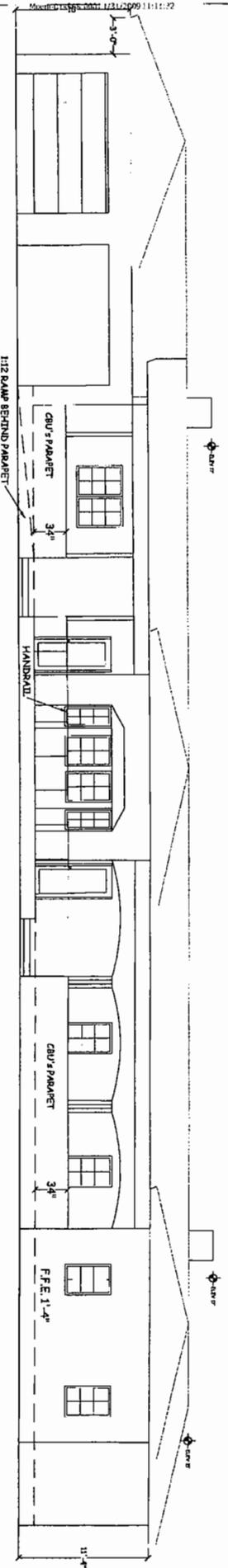
CALCULATIONS:

CONSTRUCTION AREA = 3,410 SQUARE FEET
 NET AREA FOR CHILDREN CARE = 2,100 SF
 NUMBER OF CHILDREN = 60
 AREA FOR EACH CHILD = 35 SQUARE FEET

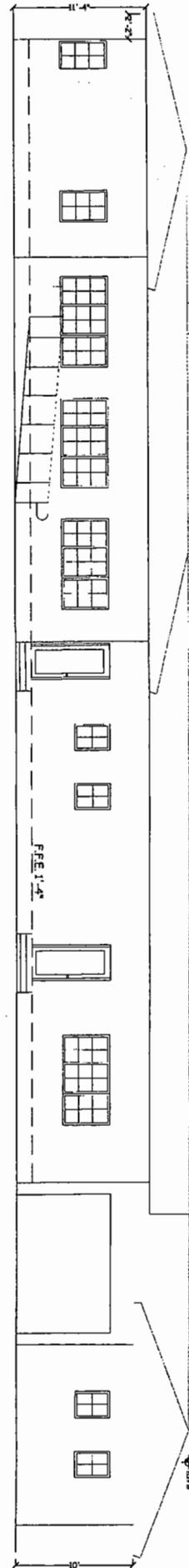
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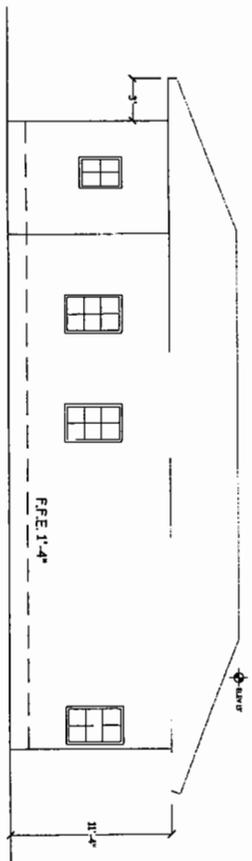
ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY *[Signature]*



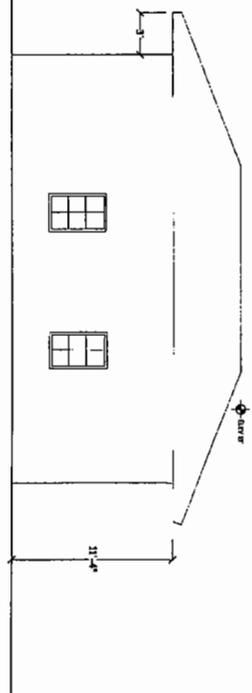
FRONT ELEVATION



REAR ELEVATION



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

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

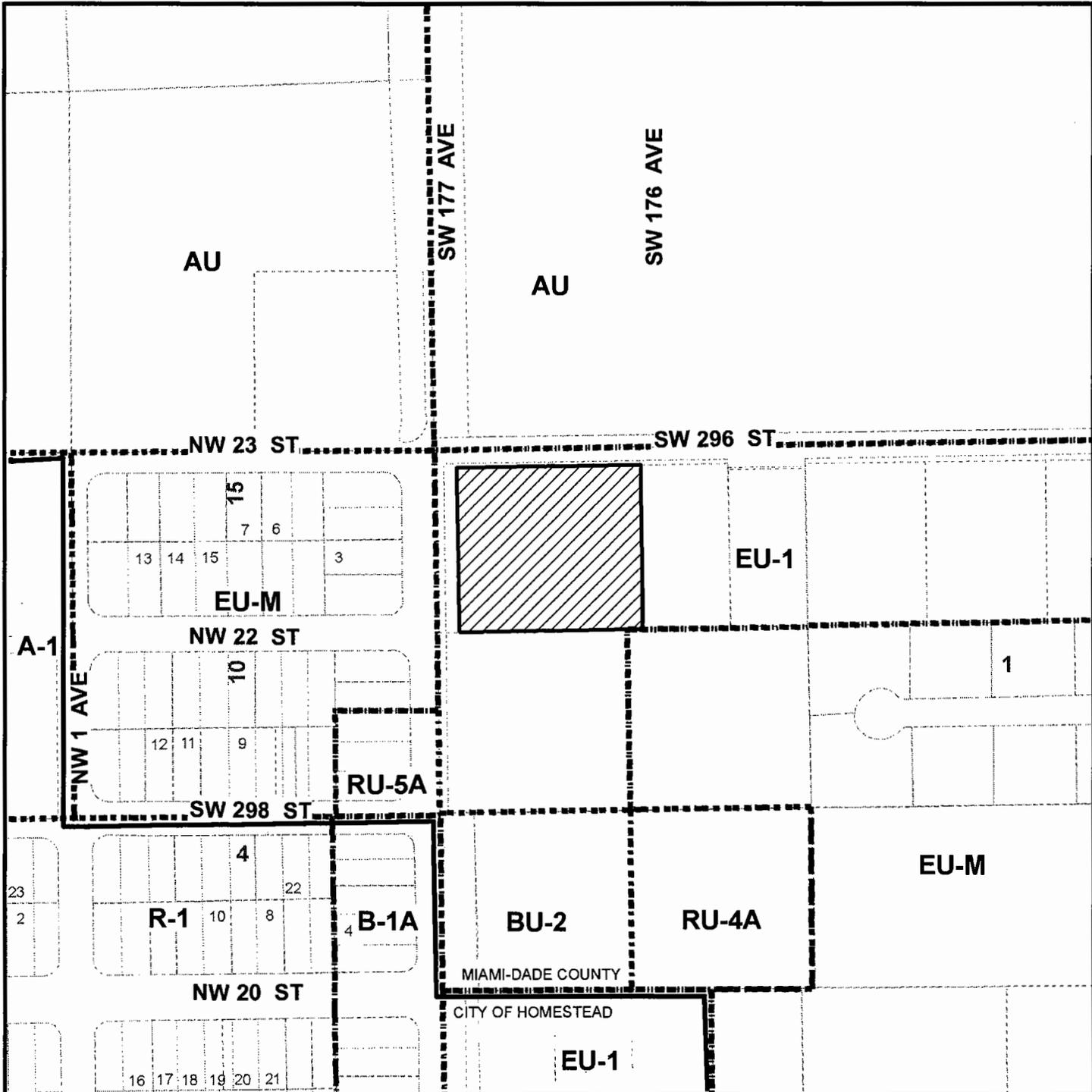
ZONING HEARINGS SECTION
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BY *AK*

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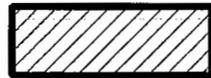
EDGAR MUNOZ, P.E.
 FL Lic. 50051
 6623 NW 173 LANE
 Miami, Florida 33015
 (305) 827-4672

LITTLE EAGLES LEARNING CENTER
 29625 SW 177 AVENUE
 HOMESTEAD, FLORIDA



**MIAMI-DADE COUNTY
HEARING MAP**

Process Number
08-112



SUBJECT PROPERTY

Section: 07 Township: 57 Range: 39
 Applicant: GERARDO A. DIAZ
 Zoning Board: C14
 District Number: 08
 Drafter ID: ALFREDO
 Scale: NTS



CREATED ON: 06/25/2008

REVISION	DATE	BY
Zone Labels missing	07/14/09	AFT 28



MIAMI-DADE COUNTY
AERIAL

Process Number
08-112



SUBJECT PROPERTY

Section: 07 Township: 57 Range: 39
 Applicant: GERARDO A. DIAZ
 Zoning Board: C14
 District Number: 08
 Drafter ID: ALFREDO
 Scale: NTS



CREATED ON: 06/25/2008

REVISION	DATE	BY

1. REGIONAL PROPERTIES, INC.
(Applicant)

09-10-CZ14-1 (09-089)
Area 14/District 8
Hearing Date: 10/13/09

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:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1976	Exceptional Children School	- Special Exception to permit private institution for retarded. - Variance setback - Variance parking - Variance of sign regulation	ZAB	Approved w/conds.
1978	Exceptional Children School	- Modification of condition #2 of resolution. - Special Exception to expand number of beds. - Non-Use Variance of zoning regulation for parking <i>spaces</i>	ZAB	Approved w/conds.
1981	Sunrise School	- Zone change from (AU) to BU-1A - Variance to waive required wall	BCC	Approved w/conds.
1982	Exceptional Children's Home	- Modification of unnumbered condition & condition 2, of resolution. - Special Exception to permit expansion of the institution. - Special exception to permit a chapel	ZAB	Approved w/conds.
1992	Sunrise Community Inc.	- Unusual Use to permit a private institution. - Non-Use Variance of setback, zoning regulation's of spacing. - Modification of condition #2 of resolution.	ZAB	Approved

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

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 14**

APPLICANTS: Regional Properties, Inc.

PH: Z09-089 (09-10-CZ14-1)

SECTION: 17-56-39

DATE: October 13, 2009

COMMISSION DISTRICT: 8

ITEM NO.: 1

A. INTRODUCTION:

o **REQUESTS:**

- (1) BU-1A to AU

REQUEST #1 ON PARCEL "B"

- (2) MODIFICATION of Conditions #2 of Resolution #4-ZAB-258-76, last modified by 4-ZAB-78-92, both passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'The Sunrise School for the Retarded,' as prepared by Robert Barnes and Associates, dated received 12-13-91."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Greenhouse Project at Sunrise Community, Inc.,' as prepared by CBI Consulting, consisting of 17 sheets, sheet "L1-01" – "L1-05" dated stamped received 8/31/09, with sheets L1-01 & L1-05 dated last revised 09-04-09, sheet SKA-1 dated stamped received 9/5/09, and the remaining 11 sheets dated stamped received 6/3/09."

The purpose of request #2 is to allow the applicant to submit a new site plan showing the relocation of 40 existing beds to 4 new villas with 10 beds housed in each villa, for a previously approved home for the developmentally disabled.

- (3) Applicant is requesting to permit a minimum setback of 22' (75' required) from the rear (west) property line setback 37.75' (75' required) from the interior side (south) property line and setback a minimum of 12.33' (25' required) from the side street (north) property line.
- (4) Applicant is requesting to permit parking within 25' of an official right-of-way (not permitted).
- (5) Applicant is requesting to permit a lot coverage of 25.9% (15% maximum permitted).
- (6) Applicant is requesting to permit buildings spaced a minimum 3' (10' required) from each other.

- (7) Applicant is requesting to permit an above-ground water tank setback 7.5' (20' required) from the interior side (south) property line.
- (8) Applicant is requesting to permit a detached sign with an area of 32 sq. ft. (1.5 sq. ft. maximum permitted/16sq. ft. previously approved) and setback 0' (15' required) from the front (east) property line.

REQUESTS #2-#7 ON PARCELS "A" AND "B"

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of conditions or Covenants After Public Hearing) and approval of requests #2- #8 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

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

o **SUMMARY OF REQUESTS:**

This application seeks to permit the rezoning of a small area within the subject parcel, Parcel "B", from BU-1A, Limited Business District, to AU, Agricultural District. Additionally, the applicant seeks to modify a condition of a previously approved Resolution to allow additional residential buildings on the site with reduced rear, interior side and side street setbacks and increased lot coverage. Said plans also indicate existing buildings on the site with reduced spacing between buildings and reduced setbacks, which the applicant now seeks approval to permit. Additionally, the applicant seeks to permit parking within 25' of the right-of-way.

o **LOCATION:** 22300 S.W. 162 Avenue, Miami-Dade County, Florida.

o **SIZE:** 9 Acres

B. ZONING HEARINGS HISTORY:

The subject property was approved for a Special Exception to permit a private, residential educational institution along with variances to the setback, parking and sign regulations, pursuant to Resolution #4-ZAB-258-76, in June 1976. Subsequently, the subject property was approved for a number of modifications to the plans approved in the aforementioned Resolution, the last of which was approved pursuant to Resolution #4-ZAB-78-92, in February 1992. The latter Resolution also allowed a number of trailers, storage bins, tanks and sheds on the subject property with variances from the setback and spacing requirements. Additionally, a parcel in the northwest corner of the subject property, Parcel "A", was approved for a zone change from AU, Agricultural District, to BU-1A, Limited Business District, in September 1981, pursuant to Resolution #Z-213-81.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property for **Agriculture**. The area designated as "Agriculture" contains the best agricultural land

remaining in Miami-Dade County. As stated in the Miami-Dade County Strategic Plan, approved in 2003 by the Board of County Commissioners, protection of viable agriculture is a priority. The principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture such as packing houses, and farm residences. Uses ancillary to, and necessary to support the rural residential community of the agricultural area may also be approved, including houses of worship; however, schools shall not be approved in Agriculture areas but should be located inside the UDB in accordance with Policy EDU-2.A.

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. **Objective LU-4.** Miami-Dade County shall, by the year 2015, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretative text, or with the character of the surrounding community.
4. **Policy LU-4A.** of the Land Use Element state when evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.
5. **Policy LU-4D.** Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the compatible and complimentary elements and buffer any incompatible elements.
6. **Policy 9B vii** of the Land Use Element states that Miami-Dade County shall continue to maintain and enhance, as necessary, regulations consistent with the CDMP which govern the use and development of land and which, as a minimum, regulate signage.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

AU/EU-1/RU-4/BU-1A; private, residential, educational institution

Agriculture

Surrounding Properties:

NORTH: AU; nursery

Agriculture

WEST: AU; single-family residence,

Agriculture

cultivated land

EAST: EU-1; vacant land Agriculture

SOUTH: AU/EU-1/RU-4; cultivated land Agriculture

The subject parcel is located at 22300 SW 162 Avenue, approximately 2.8 miles west of and outside the Urban Development Boundary. The surrounding area is comprised of a nursery, cultivated and vacant land, a single family residence and a park.

E. SITE AND BUILDINGS:

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

*Subject to conditions

F. PERTINENT REQUIREMENTS/STANDARDS:

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

- (1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;
- (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;
- (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;

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

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

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

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

*Subject to the conditions indicated in their memoranda.

H. ANALYSIS:

The Land Use Plan (LUP) Map of the Comprehensive Development Master Plan (CDMP) designates the subject property for **Agricultural** use. Approval of this application will allow the applicants to rezone the northwest corner of the subject property, Parcel "B", from BU-1A, Limited Business District, to AU, Agricultural District which is **consistent** with the LUP Map designation and **Objective LU4** of the interpretative text of the CDMP. Additionally, staff notes that the remainder of the property, Parcel "A", consisting of the existing facility has been approved through the zoning hearings process and is therefore a lawful use that is 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.

In addition to the existing buildings, including the storage and maintenance buildings, which are spaced less than required by the zoning regulations and the proposed water tank encroaches into the interior side setback area, the applicant also proposes to add additional buildings to the existing facility which results in a lot coverage that exceeds the zoning regulations by 10% and results in setback encroachments to the rear (west), interior side (south) and side street (north) property lines. Staff opines that approval of the increased development of the property, resulting in requests #2, #3 and #5, is overly intensive and will result in a negative visual impact on the surrounding agricultural community, which is primarily developed with nurseries, cultivated and vacant land. Staff, therefore opines that approval of the additional development as proposed, will negatively impact the surrounding community, and in staff's opinion, not designed in a manner that will integrate the compatible and complimentary elements and buffer any incompatible elements, and is therefore **inconsistent** with Policy LU-4D, of the interpretative text of the CDMP.

With respect to request #8, the CDMP indicates in **Policy LU-9B vii** of the Land Use Element that Miami-Dade County shall continue to maintain, and enhance as necessary, regulations consistent with the CDMP which govern the use and development of land and which, as a minimum, regulate signage. Staff has consistently recommended denial of applications seeking deviations from the signage requirements and is of the opinion that the Zoning Code provides adequate signage allowances. Staff is of the opinion that approval of the applicant's request (request #8) to permit the existing sign 32 sq. ft. in area (16 sq. ft. previously approved) and setback closer to the front property line than permitted, in conjunction with the existing facility, is **incompatible** with the area and not in harmony with the general appearance and character of the community. As such, staff determines that the proposed

sign is contrary to **Policy LU-9B vii** of the interpretative text of the Master Plan and therefore **inconsistent** with the provisions of the CDMP.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in Chapter 24 of the Code of Miami-Dade County. However, the applicants will have to comply with all DERM's conditions indicated in their memorandum pertaining to this application. The **Public Works Department** has **no objections** to this application and their memorandum indicates that the subject site requires re-platting in accordance with Chapter 28 of the Miami-Dade County Code. Their memorandum also indicates that this application will not generate any new additional daily peak hour **vehicle trips** to the area, therefore, no vehicle trips have been assigned. The Miami-Dade Fire Rescue Department (**MDFRD**) also has **no objections** to this application. Also, they indicate that the estimated travel response time is **8:18 minutes**.

The applicant is seeking a district boundary change from BU-1A to AU (request #1) for Parcel "B", a small 1,250 sq. ft. area located at the northwest corner of the subject property. This parcel was rezoned to BU-1A, pursuant to Resolution #Z 213-81, to allow for a fuel storage tank for the facility, which is no longer needed and has been removed from the site. As previously mentioned, staff opines that rezoning Parcel "B" of the subject property is **consistent** with the Agricultural designation of the LUP map and Objective LU-4, of the interpretative text of the CDMP. Additionally, in staff's opinion, the rezoning of this northwestern parcel of the subject property, Parcel "B", will not have an unfavorable impact on the environmental and natural resources of Miami-Dade County or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities which have been constructed or planned and budgeted for construction based on memoranda from DERM, the Public Works Department and MDFRD. Based on the aforementioned, staff therefore recommends approval of the applicant's request to rezone Parcel "B" of the subject property to AU.

When request #2 is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), staff opines that the proposed modification of Condition #2, of Resolution #4-ZAB-258-76, last modified by Resolution #4-ZAB-78-92, that would allow the applicant to submit a new site plan showing 4 new villas and a gazebo along with existing storage and maintenance building additions and a water tank for the existing group home facility, would not generate excessive noise or traffic, create any dangerous hazard, provoke excessive crowding of people, would not tend to provoke a nuisance to the surrounding area. However, as previously mentioned, though the existing building additions and the water tank would not have a negative visual effect on the surrounding properties, staff opines that the proposed expansion of the 4 villas and gazebo as indicated in the submitted plans is too intensive, resulting in the additional requests for variances to the zoning regulations for setbacks and lot coverage. The submitted plans display a design that is not sensitive to the surrounding agricultural community. As such, staff opines that approval of the modification to allow the additional buildings as configured will have a negative visual impact on the surrounding agricultural zoned properties and is therefore **incompatible** with same. Therefore, staff recommends modified approval of request #2 to allow the existing building additions and water tank only, under Section 33-311(A)(7) (Generalized Modification Standards).

The standards under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing, provide for the approval of a zoning application which

demonstrates at public hearing that the modification or elimination of conditions of a previously approved resolution or restrictive covenant complies with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicants have not submitted documentation to indicate which modification standards are applicable to request #2. Due to the lack of information, staff is unable to properly analyze this request under said standards, and as such, staff opines that request #2 should be denied without prejudice under same.

When requests #3, and #5, are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, as previously mentioned, staff is of the opinion that approval of these requests would be **incompatible** with the surrounding community. Staff notes that the aforementioned requests result from the submittal of revised plans showing additional buildings to the western portion of the previously approved residential/educational facility. Staff maintains that the proposed 4 villa buildings and gazebo, with multiple setback encroachments, are overly intensive and therefore visually intrusive to the surrounding agricultural properties. Further, the submitted plans depict a proposed development of the site that exceeds the permitted 15% lot coverage by an additional 10.9%, resulting in a total lot coverage of 25.9% (request #5). As previously mentioned, staff is supportive of the existing buildings and the proposed water tank, which results in a lot coverage of 18%, and which staff opines is not excessive. Based on the aforementioned, staff recommends denial without prejudice of request #3 and modified approval of request #5 to allow 18% lot coverage under the Non-Use Variance (NUV) Standards.

However, staff opines that when the applicant's requests for variances to the zoning regulations for the existing buildings, requests #4, #6 and #7, are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, approval of said requests would not affect the stability and appearance of the community and would not be detrimental to the community. Staff opines that the applicant's request to permit parking within 25' of an official right-of-way (request #4) is not precedent setting as the subject property was previously approved for a similar variance pursuant to Resolution #4-ZAB-258-76, in June 1976. Staff also notes that the Public Works Department has no objections to the applicants' request to provide parking within 25' of the official right-of-way subject to conditions indicated in their memorandum. Additionally, the applicant seeks to legalize existing storage and maintenance building additions located central to the existing site, with reduced spacing from other buildings (request #6), and approval for a proposed water tank setback less than permitted from the interior side (south) property line (request #7). Staff opines that approval of the aforementioned requests would not be visually intrusive nor out of character with the surrounding area. The submitted plans indicate that the buildings and the reduced spacing referred to in request #6, are centrally located on the northern portion of the site abutting proposed SW 224 Street and not easily visible from the surrounding properties. However, staff recommends that additional trees be placed along the south property line in the area of the water tank as a visual buffer for the encroachment into the interior side (south) setback area. Based on the aforementioned, staff recommends approval with conditions of requests #4, #6 and #7 under the Non-Use Variance (NUV) Standards.

When request #8 is analyzed under Section 33-311(A)(4)(b), the Non-Use Variance Standards, to permit a 32 sq. ft. sign (1.5 sq. ft. permitted; 16 sq. ft. previously approved), and setback 0' (15' required) from the front (east) property line (request #8) does not maintain the basic intent and purpose of the zoning and other land use regulations and would be visually intrusive and detrimental to the surrounding area. In staff's opinion, the request is excessive

and could lead to a proliferation of such signage by setting a precedent in the area. Staff notes that the size of the proposed sign, 32 sq. ft, is 21 times the size permitted by the Zoning Code (1.5 sq. ft.) and 2 times the size previously approved by a non-use variance (16 sq. ft.). Additionally, staff notes that the facility was also required by the previous approval to locate the sign 15' from the front east property line as is required by the zoning regulations. Staff is not convinced of the reasonableness of or necessity for the requested size and location of the signage for the residential/educational facility and maintains that the introduction of this size of sign in the area would be a visual disturbance to the pastoral setting that is characteristic of the area. Further, staff notes that apart from the previous approval for a variance to the signage regulations on the subject property, no other approval for a variance to the aforementioned regulations, or to allow for signage encroaching into the setback area was approved in the surrounding area. Staff therefore opines that approval of the aforementioned request for a variance to the signage regulations and to allow a sign within the front setback area is not only excessive, but is also **incompatible** with the area. Therefore, staff recommends denial without prejudice of request #8 under Section 33-311(A)(4)(b) (NUV).

When requests #3- #8 are analyzed under Section 33-311(A)(4)(c), the Alternative Non-Use Variance (ANUV) Standards, the applicants would have to prove that the requests are due to an unnecessary hardship and that, should the requests be denied, such denial would not permit the reasonable use of the premises. However, since the property can be utilized in accordance with the AU zoning regulations and previous zoning approvals, staff is of the opinion that requests #3- #8 cannot be approved under the Alternative Non-Use Variance (ANUV) Standards and should be denied without prejudice under same.

Accordingly, staff is of the opinion that the requested zone change from BU-1A, to AU, on Parcel "B", along with the requested variances to the parking, spacing and setback regulations for the existing facility and the proposed water tank, are **compatible** with the area and **consistent** with the LUP map and interpretative text of the CDMP. However, staff opines that the applicant's request for approval of the revised plan showing the expansion of the facility with buildings located on the western portion of the property, resulting in multiple setback encroachments and a lot coverage of 25.9% is excessive, visually intrusive to the surrounding agricultural zoned properties and therefore **incompatible** with the area and **inconsistent** with the interpretative text of the CDMP. Accordingly, staff recommends approval of request #1, for a district boundary change on Parcel "B", modified approval with conditions of request #2 under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17) (Modification or Elimination of Conditions and Covenants After Public Hearing); modified approval of request #5 to allow an 18% lot coverage, and approval with conditions of requests #4, #6 and #7, under Section 33-311(A)(4)(b) (NUV); denial without prejudice of requests #3 and #8 under same, and denial without prejudice of requests #3 through #8, under Section 33-311(A)(4)(c) (ANUV).

I. RECOMMENDATION:

Approval of request #1, modified approval with conditions of request #2, under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17) (Modification or Elimination of Conditions and Covenants After Public Hearing); modified approval of request #5 to permit 18% lot coverage, and approval with conditions of requests #4, #6 and #7, under Section 33-311(A)(4)(b) (NUV); denial without prejudice of requests #3 and #8 under same, and denial without prejudice of requests #3 through #8, under Section 33-311(A)(4)(c) (ANUV).

J. CONDITIONS:

1. That all the conditions of Resolution #4-ZAB-258-76 and Resolution #4-ZAB-78-92, remain in full force and effect except as herein modified.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Greenhouse Project at Sunrise Community, Inc.," as prepared by CBI Consulting, consisting of 17 sheets, sheet "L1-01" – "L1-05" dated stamped received 8/31/09, with sheets L1-01 & L1-05 dated last revised 09-04-09, sheet SKA-1 dated stamped received 9/5/09, and the remaining 11 sheets dated stamped received 6/3/09", except as herein amended to show the removal of the 4 new villas, the gazebo and the sign.
3. That the applicants submit to the Department of Planning Zoning for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use for the expansion.
4. That the applicant provide 3 additional trees along the interior side (south) property line adjacent to the water tank, with a minimum height of 12' at time of planting.
5. That the use be established and maintained in accordance with the approved plan.
6. That the applicant complies with all applicable conditions and requirements of the Department of Environmental Resources Management (DERM).
7. That applicant complies with all applicable conditions and requirements of the Public Works Department as stated in their memorandum.

DATE INSPECTED: 08/02/09
DATE TYPED: 08/21/09
DATE REVISED: 08/24/09, 09/04/09, 09/10/09, 09/11/09, 09/24/09
DATE FINALIZED: 09/24/09

MCL:NN:AA:CH



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

new

Memorandum



Date: September 17, 2009

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

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez". The signature is fluid and cursive, written over the printed name in the "From:" field.

Subject: C-14 #Z2009000089-1st Revision
Regional Properties, Inc., f/k/a Sunrise, a Community for the Retarded
22300 S.W. 162 Avenue
Modification of Resolution 4-ZAB-78-92 to Permit an Expansion to an
Exceptional Children's Home not Increasing the Number of Clients(120)
(AU) (9.00 Acres)
17-56-39

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

Potable Water Supply and Wastewater Disposal

Public water and public sanitary sewers are located approximately three miles northeast of the subject property; therefore, connection to the public water and public sanitary sewer systems is not feasible.

Accordingly, the property is served by an on-site water supply well and water treatment plant as a source of potable water and an on-site sewage treatment plant as a means for the disposal of the domestic liquid waste. Both treatment plants were originally approved by DERM pursuant to a previous request and are in conformance with all applicable regulations and are operating under current operating permits issued by the State of Florida and by the Water and Wastewater Engineering Section of DERM. Furthermore, the subject request to permit an expansion of the existing facility does not include an increase to the existing permitted 120 residents; therefore, the domestic liquid waste generated will not increase.

Stormwater Management

The proposed project shall comply with Stormwater retention requirements for properties located outside of the Urban Development Boundary, where flood protection in this area has been determined to be inadequate to support new development. Water management areas set aside for flood protection shall be designed to retain on-site the 100-year/3-days 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 wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

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

Tree Preservation

Tree Removal Permit 2008-TREE-PER-00428 was issued for this property to Regional Properties Inc., on April 24, 2009 and is scheduled to expire on April 24, 2010. TP 2008-TREE-PER-00428 requires the preservation of specimen-sized (trunk diameter 18 inches or greater) trees as well as other tree resources as identified in DERM-approved permitted plans. The landscape plan submitted with this application entitled "Greenhouse Project at Sunrise Community Inc-Existing Tree Disposition Plan", dated April 29, 2008, sheet LA-1 and prepared by CBI Consulting depicts these trees to remain. Therefore, DERM recommends approval of this zoning application. 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 Tree Removal Permit is required prior to the removal or relocation of any other tree on the subject property. Please contact this Tree Program at 305-372-6574 for information regarding tree permits.

Enforcement History

The subject property has records of two former cases involving Uniform Civil Violation Notices (UCVN's) issued for:

1. Operating without a permit (UCVN# 000669 issued August 12, 1996). Case closed due to compliance on September 9, 1996.
2. Non-compliance with conditions of operating permit i.e. filters were bypassed (UCVN # 878351 issued March 4, 2002). Case closed due to compliance on April 12, 2002.

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 CDM for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review.

Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

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

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

PUBLIC WORKS DEPARTMENT COMMENTS

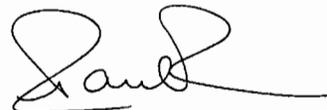
Applicant's Names: REGIONAL PROPERTIES, INC

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 application meets the traffic concurrency criteria set for an Initial Development Order.



Raul A Pino, P.L.S.

02-JUL-09

Memorandum



Date: 06-OCT-09
To: Marc LaFerrier, Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2009000089

Fire Prevention Unit:

This memo supersedes MDFR memorandum dated June 19, 2009.

APPROVAL

Fire Engineering and Water Supply Bureau has no objection to Site plan date stamped August 31, 2009. 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 Z2009000089
 located at 22300 S.W. 162 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 2343 is proposed as the following:

<u>N/A</u>	dwelling units	<u>N/A</u>	square feet
residential		industrial	
<u>N/A</u>	square feet	35,756	square feet
Office		institutional	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: 24.01 alarms-annually.
 The estimated average travel time is: 8:18 minutes

Existing services

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

Station 60 - Redland - 17605 SW 248 Street
 ALS Tanker

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 31, 2009.

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

TEAM METRO

ENFORCEMENT HISTORY

REGIONAL PROPERTIES, INC

22300 S.W. 162 AVENUE, MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2009000089

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

Current case history:

Case 200901007638 was opened based on enforcement history request and inspected on 8-28-09. No violations were observed and case was closed.

Previous case history:

Case 20090105179 was opened based on enforcement history request and inspected on 6-15-09. No violations were observed and case was closed.

Case 200701006957 was opened based on enforcement history request and inspected on 11-14-07. No violations were observed and case was closed.

DISCLOSURE OF INTEREST*

If a **NOT FOR PROFIT CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

NOT FOR PROFIT CORPORATION NAME: Regional Properties, Inc., a Florida not for profit corporation

NAME AND ADDRESS _____ Percentage of Stock _____

Richard H. McCarthy, President
5041 SW 94 Court
Miami, FL 33165

Pauline Young, Secretary/Treasurer
12805 SW 103 Court
Miami, FL 33176

If a **LIMITED LIABILITY COMPANY** owns or leases the subject property, list the principals including managers. [Note: Where managers consist of 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: N/A

Percentage of Stock _____

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BY AK

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: N/A

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

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.

Regional Properties, Inc., a Florida not for profit corporation

By: Richard H. McCarthy
Richard H. McCarthy., President

Sworn to and subscribed before me this 11th day of October, 2007. Affiant is personally known to me or has produced as identification.

Sherril L Thorp
(Notary Public)



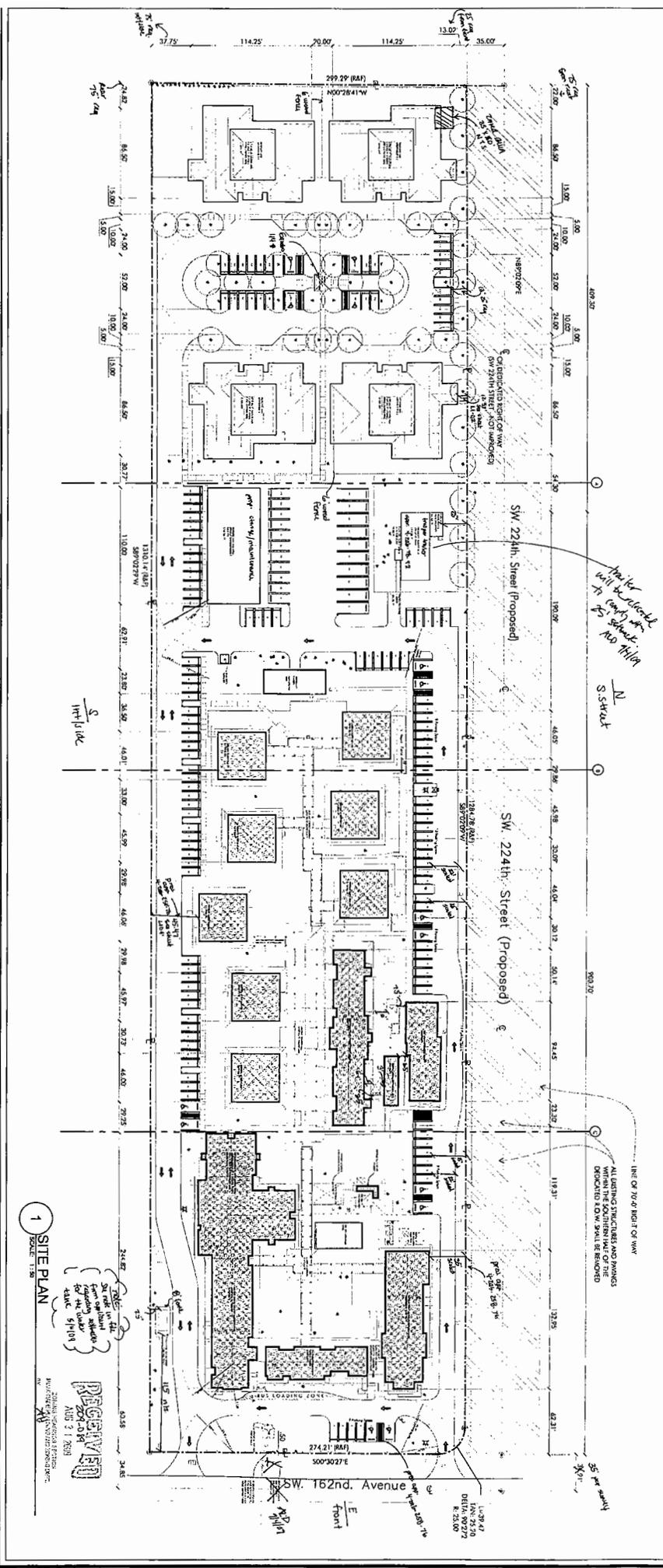
My commission expires 3-1-09

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

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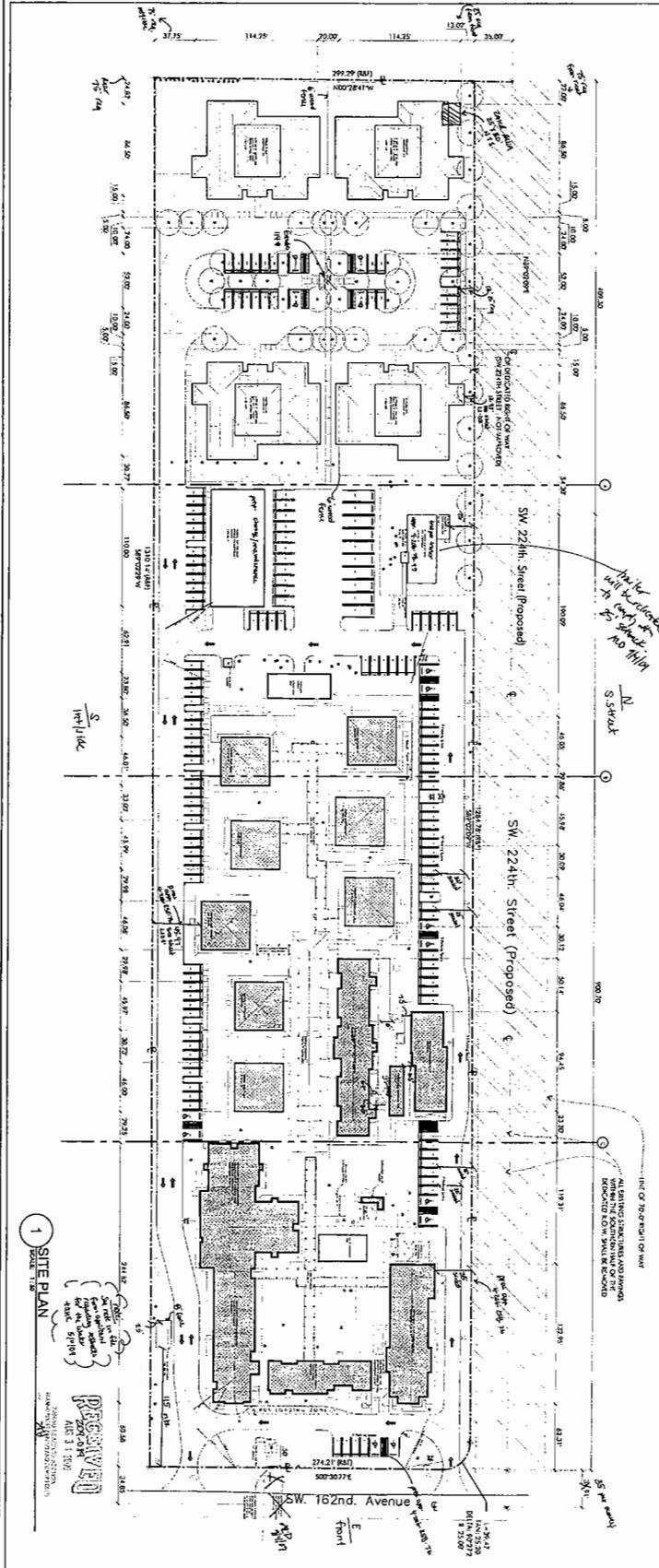
ZONING HEARINGS SECTION
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 BY



ENLARGED SITE PLAN

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 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.

BY *[Signature]*



MATERIAL	QUANTITY	NUMBER OF	NUMBER OF
		EXISTING BBS	PROPOSED BBS
1. ASPHALT DRIVE	12,800	0	0
2. ASPHALT DRIVE	2,810	0	0
3. ASPHALT DRIVE	0	0	0
4. ASPHALT DRIVE	0	0	0
5. ASPHALT DRIVE	0	0	0
6. ASPHALT DRIVE	0	0	0
7. ASPHALT DRIVE	0	0	0
8. ASPHALT DRIVE	0	0	0
9. ASPHALT DRIVE	0	0	0
TOTAL ASPHALT DRIVE	15,610	0	0
10. ASPHALT DRIVE	0	0	0
TOTAL ASPHALT DRIVE	15,610	0	0
11. ASPHALT DRIVE	0	0	0
TOTAL ASPHALT DRIVE	0	0	0
TOTAL OF ALL MATERIALS	15,610	0	0

MATERIAL	QUANTITY	NUMBER OF	NUMBER OF
		EXISTING BBS	PROPOSED BBS
1. ASPHALT DRIVE	12,800	0	0
2. ASPHALT DRIVE	2,810	0	0
3. ASPHALT DRIVE	0	0	0
4. ASPHALT DRIVE	0	0	0
5. ASPHALT DRIVE	0	0	0
6. ASPHALT DRIVE	0	0	0
7. ASPHALT DRIVE	0	0	0
8. ASPHALT DRIVE	0	0	0
9. ASPHALT DRIVE	0	0	0
TOTAL ASPHALT DRIVE	15,610	0	0
10. ASPHALT DRIVE	0	0	0
TOTAL ASPHALT DRIVE	0	0	0
TOTAL OF ALL MATERIALS	15,610	0	0

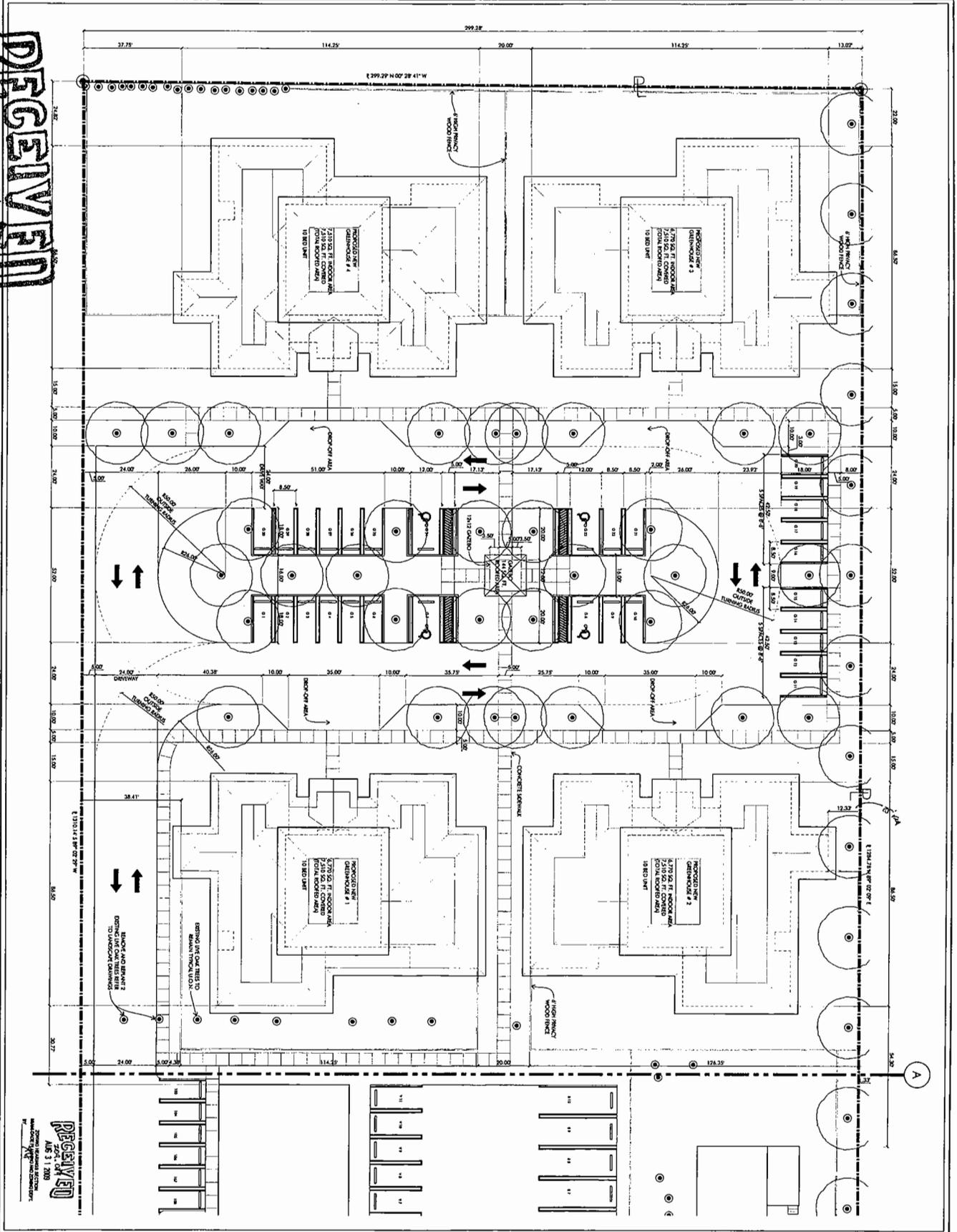
MATERIAL	QUANTITY	NUMBER OF	NUMBER OF
		EXISTING BBS	PROPOSED BBS
1. ASPHALT DRIVE	12,800	0	0
2. ASPHALT DRIVE	2,810	0	0
3. ASPHALT DRIVE	0	0	0
4. ASPHALT DRIVE	0	0	0
5. ASPHALT DRIVE	0	0	0
6. ASPHALT DRIVE	0	0	0
7. ASPHALT DRIVE	0	0	0
8. ASPHALT DRIVE	0	0	0
9. ASPHALT DRIVE	0	0	0
TOTAL ASPHALT DRIVE	15,610	0	0
10. ASPHALT DRIVE	0	0	0
TOTAL ASPHALT DRIVE	0	0	0
TOTAL OF ALL MATERIALS	15,610	0	0

1 SITE PLAN
 SCALE: 1/8" = 1'-0"
 DATE: 8/28/09
 DRAWN BY: JKAWELBHM
 CHECKED BY: [Signature]

OWNER: REGIONAL PROPERTIES, INC.
 9640 SUNSET DRIVE
 MIAMI, FL 33173
 305-596-9000

GREENHOUSE PROJECT AT SUNRISE COMMUNITY, INC.
 2220 SW 162nd AVENUE
 MIAMI, FL 33170-3907
 305-554-9150

CB CONSULTING
 ARCHITECTURE - ENGINEERING
 11111 SW 12th Street, Suite 110
 Miami, FL 33176
 P: (305) 224-2125
 F: (305) 224-2125
 C: (305) 224-2125
 WWW.CBCONSULTING.COM



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 AUG 31 2009
 MIAMI-DADE PLANNING AND ZONING DEPT.

ENLARGED SITE PLAN

OWNER: REGIONAL PROPERTIES, INC.
 5900 SHERBANE
 MIAMI, FL 33172
 305-556-9040

PROJECT: GREENHOUSE PROJECT AT SUNRISE COMMUNITY, INC.
 2280 SW 152ND AVENUE
 MIAMI, FL 33175-2907
 305-544-1150

CONSULTING ARCHITECTURE + ENGINEERING
 13232 SW 128th STREET SUITE 110
 MIAMI, FL 33176
 P: (305) 239-4889
 F: (305) 239-7155
 010@CBAIENGINEERING.COM
 010@SUNRISECOMMUNITY.COM
 MICHAEL S. TULLA ARCHITECT, AIA, LEED
 MICHAEL T. WATKINS ARCHITECT, AIA, LEED

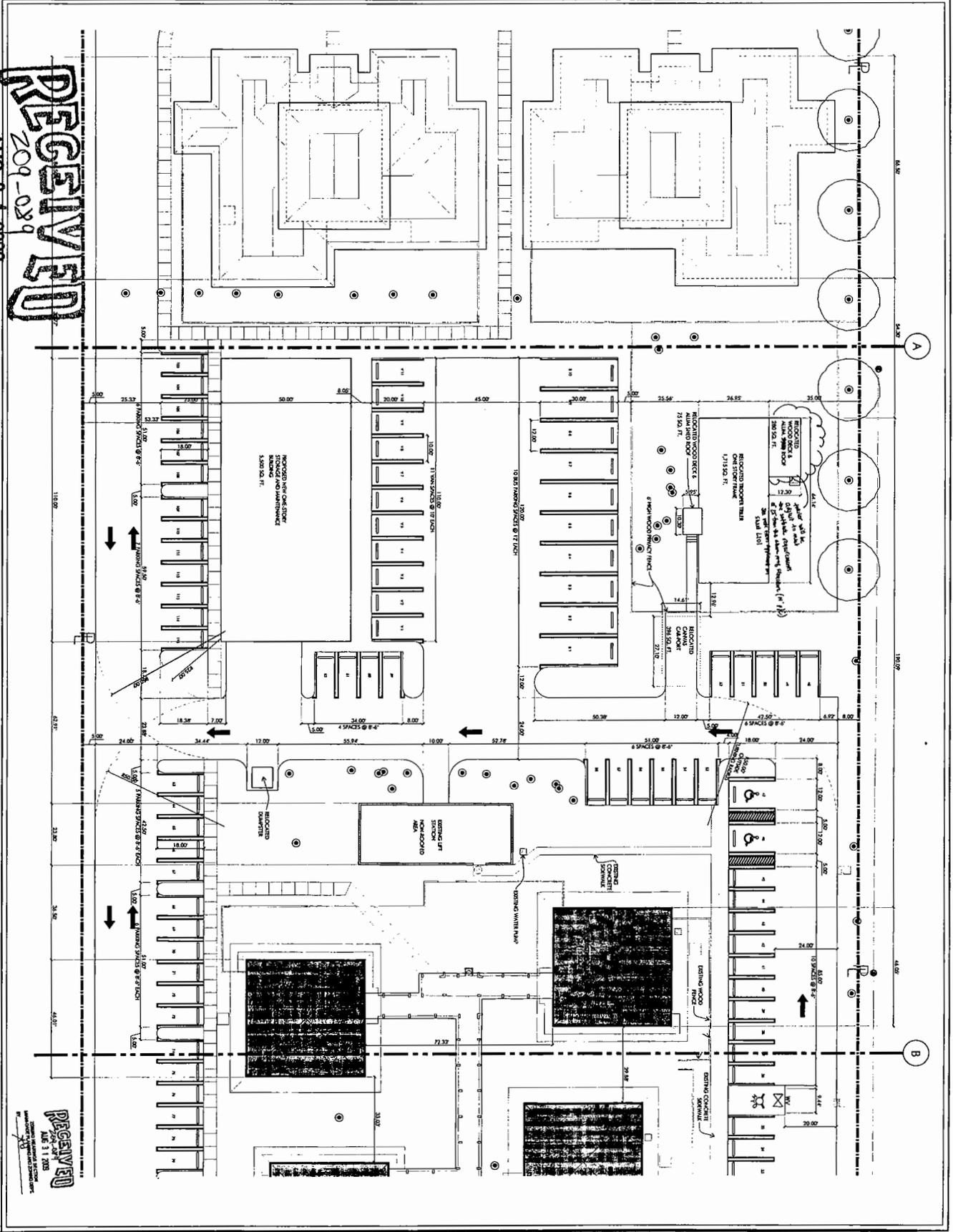
CBAI
 CONSULTING ARCHITECTURE + ENGINEERING

Scale: 1" = 32.00'

North Arrow

Sheet: LI-02

Project: GREENHOUSE PROJECT AT SUNRISE COMMUNITY, INC.



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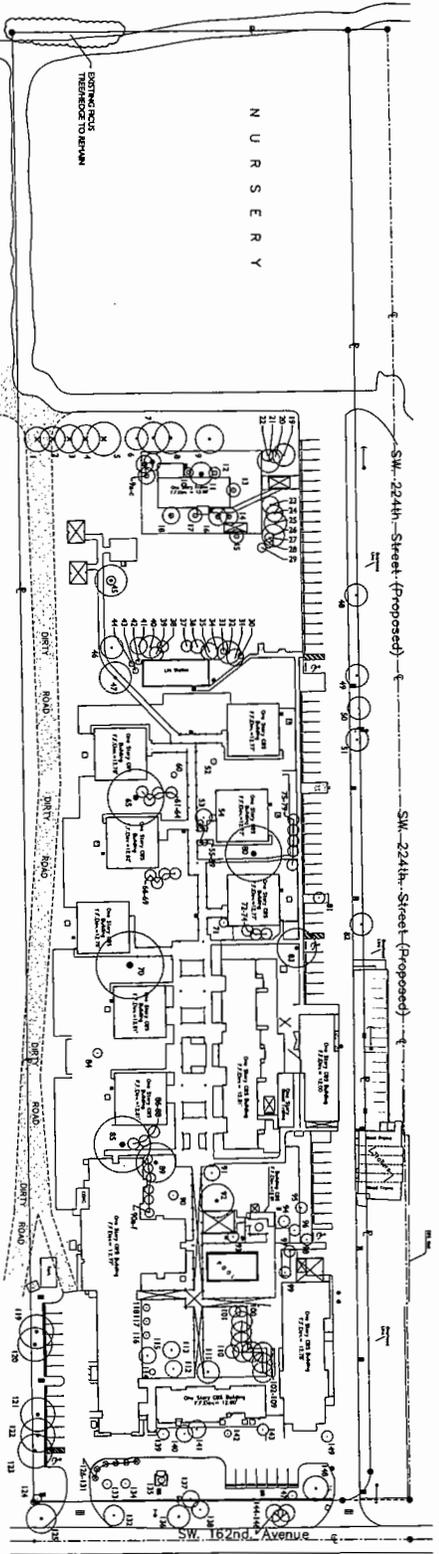
L1-03

ENLARGED
 SITE PLAN

OWNER: REGIONAL
 PROPERTIES, INC.
 9940 SUNSET DRIVE
 MIAMI, FL 33172
 305-595-9040

GREENHOUSE
 PROJECT
 AT
 SUNRISE
 COMMUNITY, INC.
 23300 SW 162ND AVENUE
 MIAMI, FL 33170-2907
 305-248-4190

CRI
 CONSULTING
 ARCHITECTURE + ENGINEERING
 12223 SW 126th STREET SUITE 110
 MIAMI, FL 33176
 P (305) 259-4099
 F (305) 259-7155
 631 @ CRIARCHITECTURE.COM
 MICHAEL S. TULL ARCHITECT, P.A. 2004
 ARCHITECTS - LICENSED ARCHITECTS



EXISTING TREE DISPOSITION LIST

NO.	DATE	COMMON NAME	HEIGHT	DBH	CONDITION	RECOMMENDATION
1	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
2	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
3	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
4	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
5	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
6	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
7	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
8	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
9	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
10	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
11	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
12	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
13	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
14	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
15	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
16	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
17	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
18	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
19	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
20	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
21	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
22	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
23	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
24	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
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29	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
30	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
31	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
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74	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
75	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
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79	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
80	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
81	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
82	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
83	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
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95	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
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98	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
99	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN
100	08/15/08	SPRING BLOSSOM	12	4.5	GOOD	RETAIN

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1 EXISTING TREE DISPOSITION PLAN
 SCALE: 1"=30'

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 MIAMI-DADE COUNTY
 PLANNING AND ZONING DEPARTMENT

OWNER: REGIONAL PROPERTIES, INC.
 9640 SW 11TH ST
 MIAMI, FL 33177
 305.596.9040

DESIGNED BY: ROSENBERG GARDNER DESIGN

DATE: 08/15/08
 PROJECT NUMBER: LA-1
 SHEET: 1 OF 1

[Signature]

CONSULTING ARCHITECTURE + ENGINEERING
 11212 W. 126th STREET SUITE 110
 MIAMI, FL 33177
 P: (305) 326-2155
 F: (305) 326-2155
 www.cbeinc.com

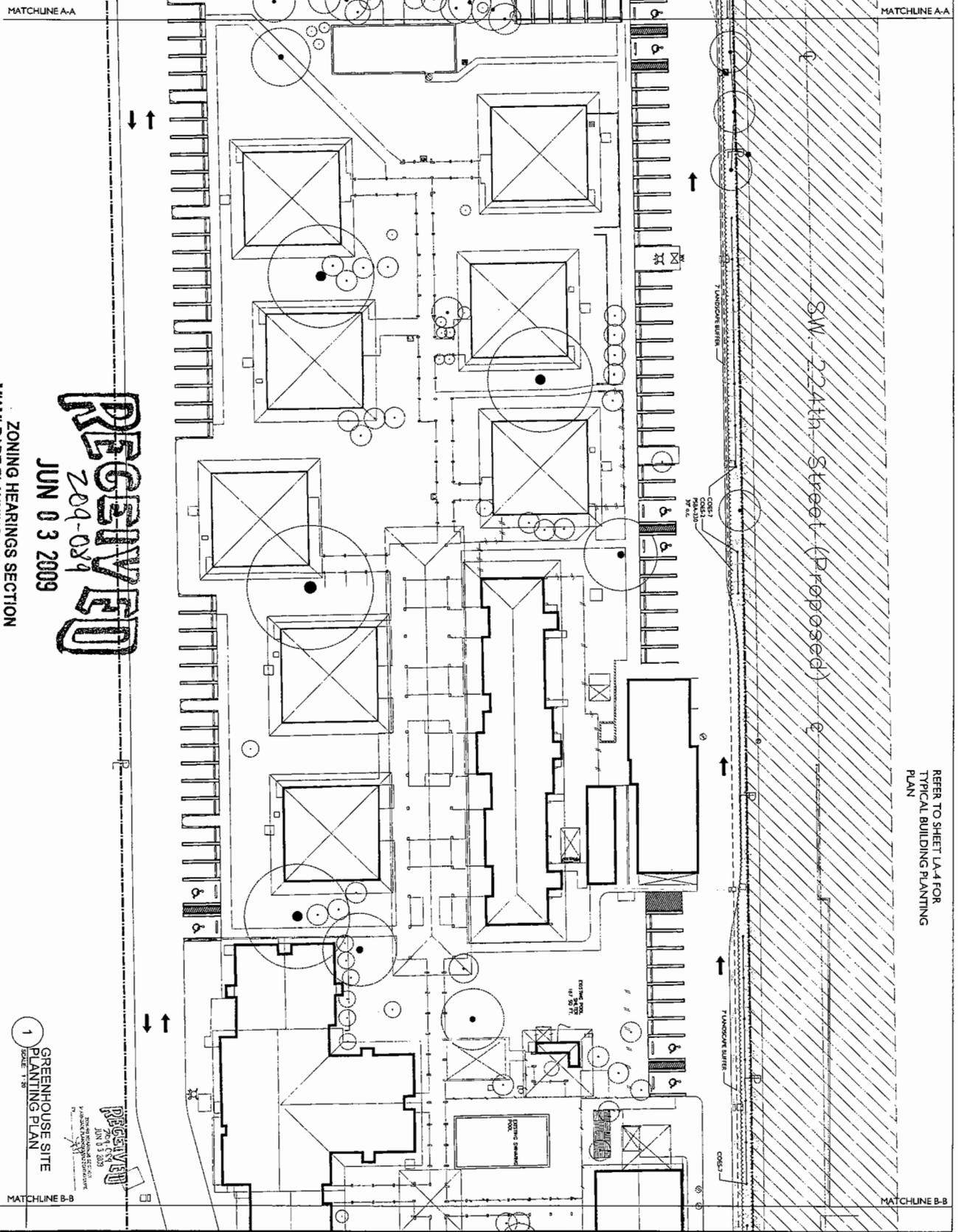
MOHAMED T. TAJM, ARCHITECT AT-LARGE
 ALBERT R. RIZZO, ARCHITECT AT-LARGE

GREENHOUSE PROJECT AT SUNRISE COMMUNITY, INC.
 22300 SW 162nd AVENUE
 MIAMI, FL 33170-2907
 305.545-4150



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Greenhouse Project 2008-5 (FLA) sheet.dwg Sep 11, 2008 4:32 pm KDR



REFER TO SHEET LA-4 FOR
TYPICAL BUILDING PLANTING
PLAN

MATCHLINE A-A

MATCHLINE A-A

MATCHLINE B-B

MATCHLINE B-B

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MIAMI-DADE PLANNING AND ZONING DEPT.
BY AK

1 GREENHOUSE SITE
PLANTING PLAN
SCALE: 1"=20'

LA-3

Date: 04/27/09
Project Number: 1239310
Drawing Title: 042
Scale: 1"=20'

ROSENBERG
GARDNER
DESIGN

See plan

PLANTING PLAN

OWNER: REGIONAL
PROPERTIES, INC.
9910 SUNSET DRIVE
MIAMI, FL 33173
305.596.9640

COMMUNITY, INC.
23100 SW 160th AVENUE
MIAMI, FL 33170-2007
305.245.6150

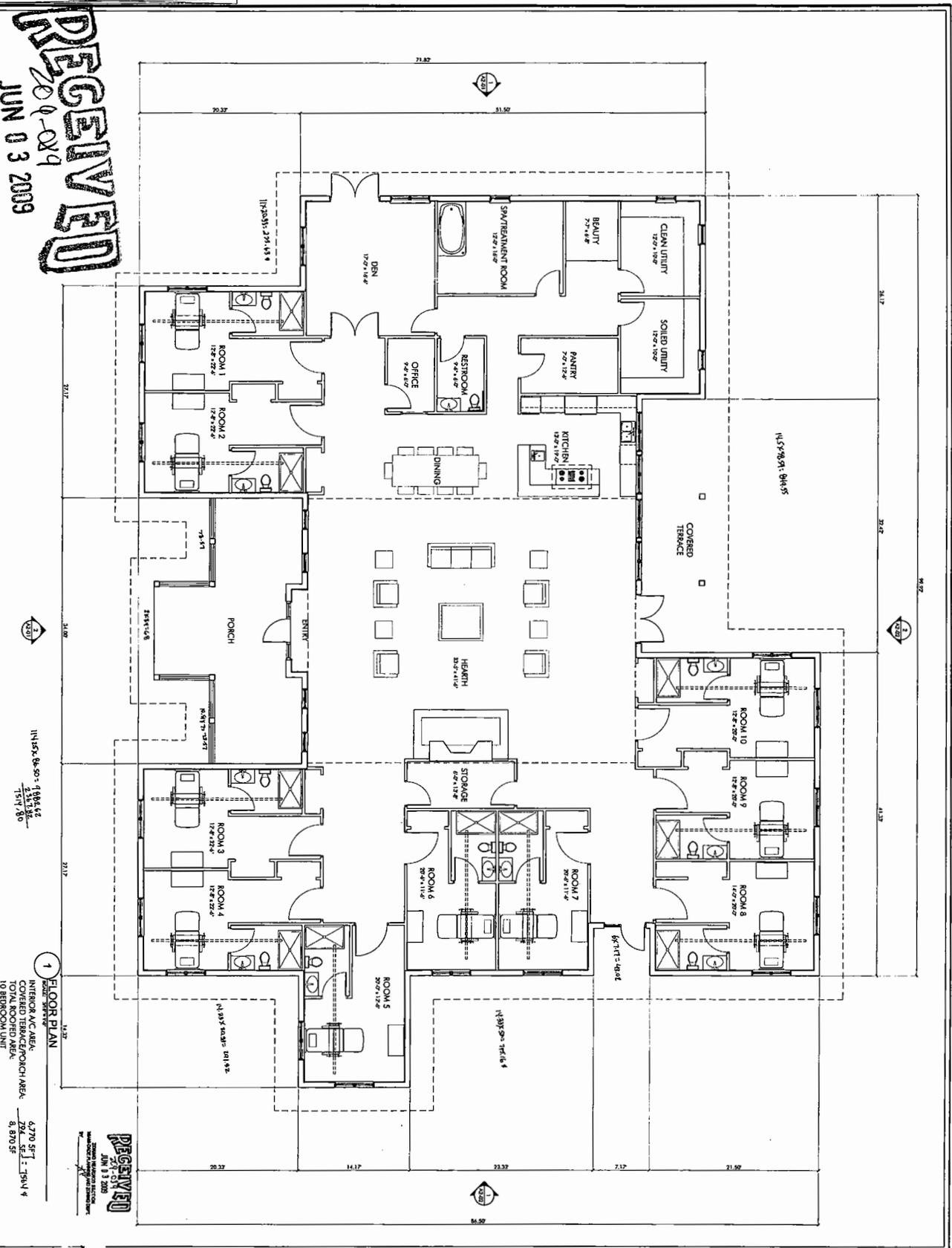
GREENHOUSE
PROJECT
AT
SUNRISE

CONSULTING
ARCHITECTURE - ENGINEERING
14111 NW 17th STREET SUITE 118
MIAMI, FL 33187
P (305) 321-4888
F (305) 321-7155
www.cbaconsulting.com

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ARCHITECTURE - ENGINEERING

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1 FLOOR PLAN
 INTERIOR A.C. AREA: 4,770 SF
 COVERED TERRACE/PORCH AREA: 292 SF
 TOTAL ROOMED AREA: 5,062 SF
 10 BEDROOM UNITS

A1-01

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GREENHOUSE PROJECT AT SUNRISE COMMUNITY, INC.
 2200 SW 16TH AVENUE
 MIAMI, FL 33135
 305-262-4150

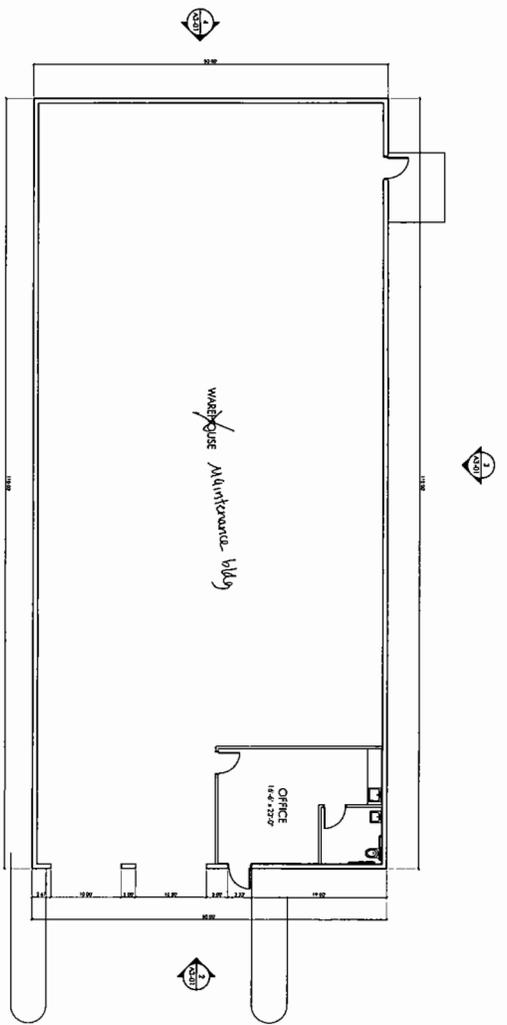
OWNER: REGIONAL PROPERTIES, INC.
 9000 SUNSET DRIVE
 MIAMI, FL 33173
 305-586-9000

ARCHITECT: GREENHOUSE PROJECT AT SUNRISE COMMUNITY, INC.
 2200 SW 16TH AVENUE
 MIAMI, FL 33135
 305-262-4150

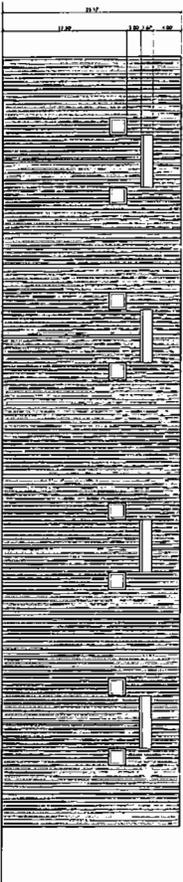
DATE: 06/03/09
 PROJECT NUMBER: 09-001
 DRAWING NO.: A1-01

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

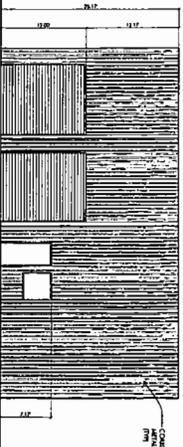
DATE: 06/03/09



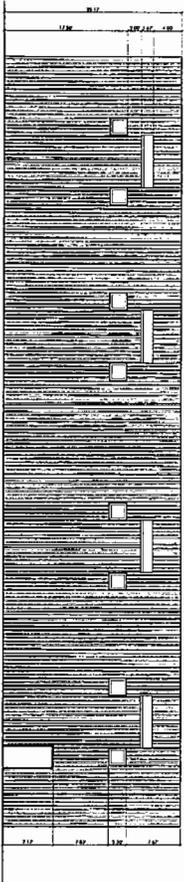
A MAINTENANCE BLDG. FLOOR PLAN
 INTERIOR / COVERED AREA 5,500 SF



1 SOUTH ELEVATION



2 EAST ELEVATION



3 NORTH ELEVATION



4 WEST ELEVATION

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CB
 CONSULTING

ARCHITECTURE • ENGINEERING
 1100 S.W. 15TH AVENUE, SUITE 1110
 MIAMI, FL 33135
 P: (305) 325-4000
 F: (305) 324-7144
 www.cbconsulting.com

GREENHOUSE
 PROJECT
 AT
 SUNRISE
 COMMUNITY, INC.
 2280 SW 162nd AVENUE
 MIAMI, FL 33170-2907
 305-254-8150

OWNER: REGIONAL
 PROPERTIES, INC.
 9040 SUNSET DRIVE
 MIAMI, FL 33173
 305-596-9040

MAINTENANCE
 BUILDING
 FLOOR PLAN

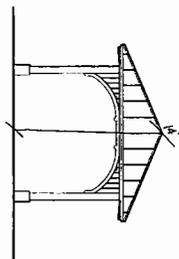
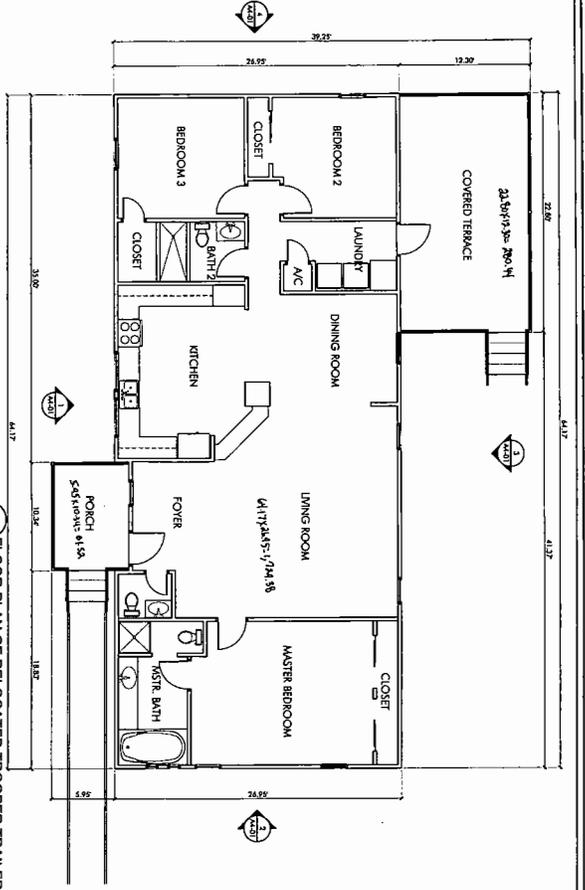
A3-01

Project Number: A3-01-01
 Project Name: A3
 Drawn By: A3
 Date: 06-11-09

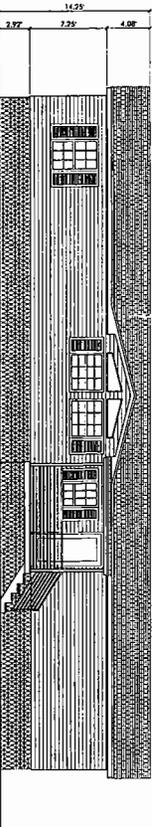
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 2009-03-03
 JUN 03 2009

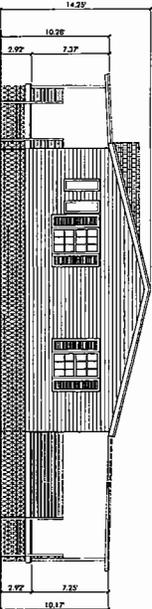
ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY *[Signature]*



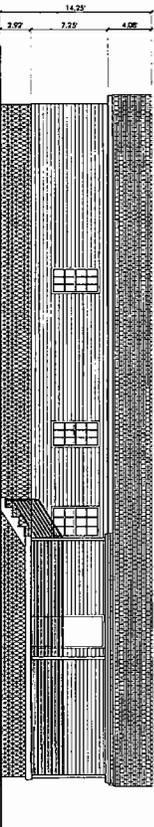
G1 GAZEBO ELEVATION
 GREENHOUSE PLAZA GAZEBO
 ALL ELEVATIONS OF GAZEBO ARE IDENTICAL
 TOTAL ROOFED AREA: 255 SF



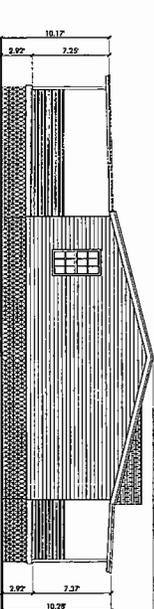
1 SOUTH ELEVATION
 SCALE: 3/8" = 1'-0"



1 EAST ELEVATION
 SCALE: 3/8" = 1'-0"



1 NORTH ELEVATION
 SCALE: 3/8" = 1'-0"



1 WEST ELEVATION
 SCALE: 3/8" = 1'-0"

[Professional Seal and Stamp]

CB CONSULTING
 ARCHITECTURE + ENGINEERING
 11235 SW 178th STREET SUITE 110
 MIAMI, FL 33196
 P (305) 335-4500
 F (305) 335-7155
 www.cbconsulting.com
 4410 SW 178th Avenue, Suite 110
 Miami, FL 33196
 P (305) 335-4500
 F (305) 335-7155
 www.cbconsulting.com

GREENHOUSE PROJECT AT SUNRISE COMMUNITY, INC.
 2230 SW 162nd AVENUE
 MIAMI, FL 33190
 305.245.6150

OWNER: REGIONAL PROPERTIES, INC.
 9040 SUNSET DRIVE
 MIAMI, FL 33173
 305.259.9900

TROOPER TRAILER PLAN & ELEVATIONS/ GAZEBO ELEVATION

DATE: 06/20/08
 PROJECT NUMBER: A4-01
 PROJECT MANAGER: AVE
 ARCHITECT: MFC
 DRAWN BY: JAV 6/12

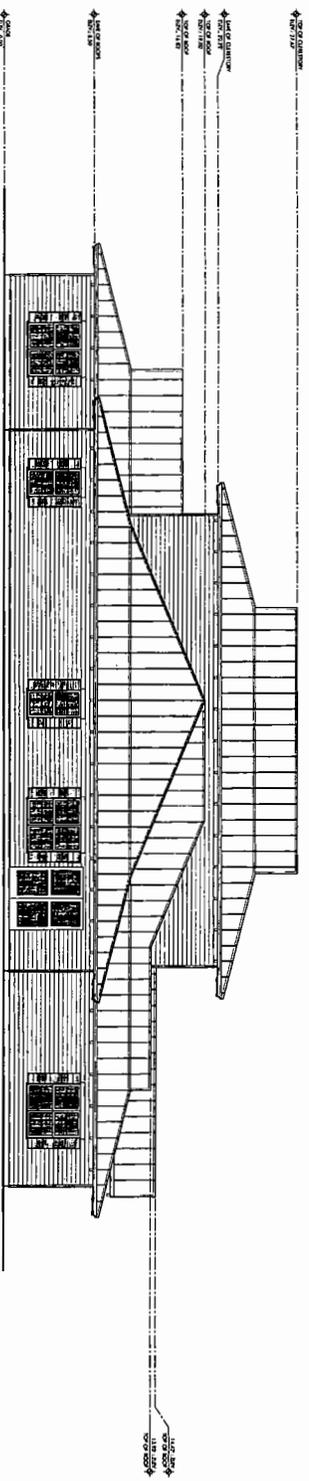
DATE: 6/20/08
 PROJECT NUMBER: A4-01
 PROJECT MANAGER: AVE
 ARCHITECT: MFC
 DRAWN BY: JAV 6/12

A4-01

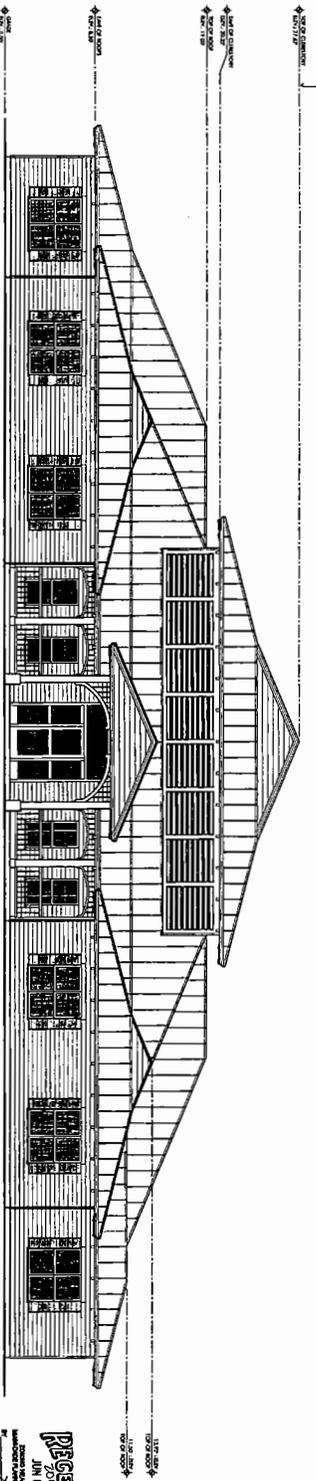
RECEIVED
MAY 14 2009
PLANNING AND ZONING DEPT.

RECEIVED
209-079
JUN 03 2009

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



1 NORTH ELEVATION



2 EAST ELEVATION

RECEIVED
209-079
JUN 03 2009

34

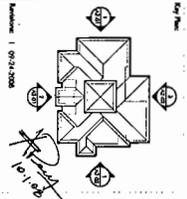
CB
CONSULTING
ARCHITECTURE - ENGINEERING

14100 N. BISCAYNE BLVD., SUITE 110
MIAMI, FL 33178
P (305) 353-5489
F (305) 354-7155
www.cbconsulting.com

GREENHOUSE
PROJECT
AT
SUNRISE
COMMUNITY, INC.
2200 SW 162ND AVENUE
MIAMI, FL 33170-9007
305-254-8150

OWNER: REGIONAL
PROPERTIES, INC.
9900 SUNSET DRIVE
MIAMI, FL 33173
305-254-9400

NORTH AND
EAST ELEVATIONS



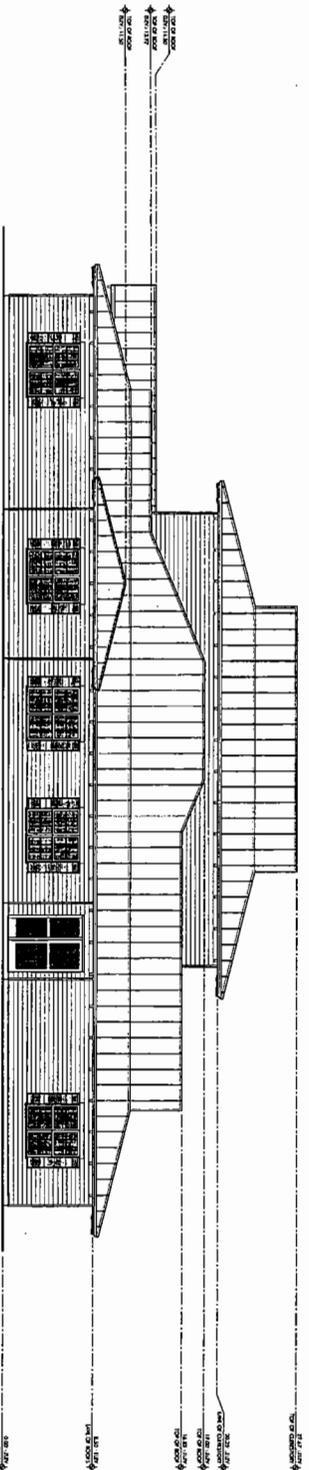
A2-01

Date: 05/20/08
Project Number: 14100N
Project Name: GH
Drawing No.: A2-01
Scale: 1/8" = 1'-0"

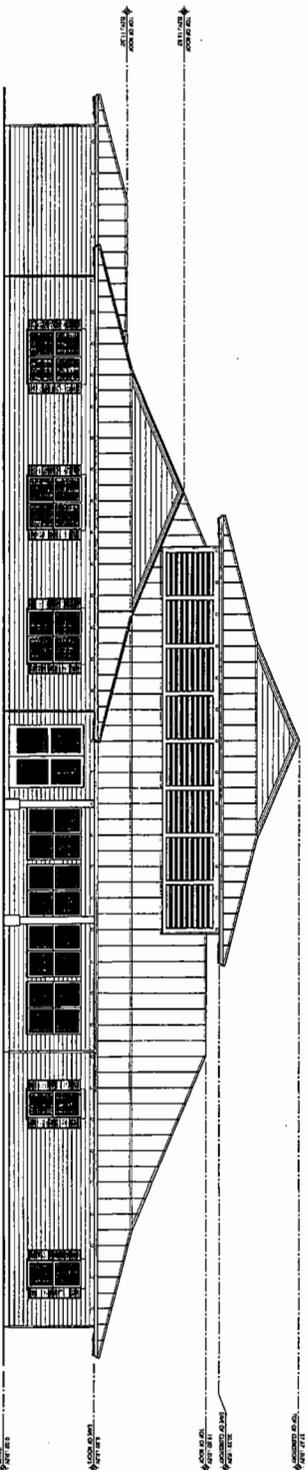
RECEIVED
 2009-06-03

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

JUN 03 2009



1 SOUTH ELEVATION



2 WEST ELEVATION

RECEIVED
 JUN 03 2009
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.

35

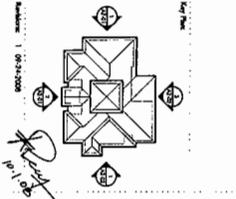
CPBI
 CONSULTING
 ARCHITECTURE • ENGINEERING

11100 BISCAYNE BLVD., SUITE 1100
 MIAMI, FL 33146
 P (305) 351-4099
 F (305) 351-7181
 www.cpbiconsulting.com

GREENHOUSE
 PROJECT
 AT
 SUNRISE
 COMMUNITY, INC.
 22300 SW 162ND AVENUE
 MIAMI, FL 33170
 305-263-8150

OWNER: REGIONAL
 PROPERTIES, INC.
 9940 SUNSET DRIVE
 MIAMI, FL 33178
 305-596-9900

SOUTH AND
 WEST ELEVATIONS



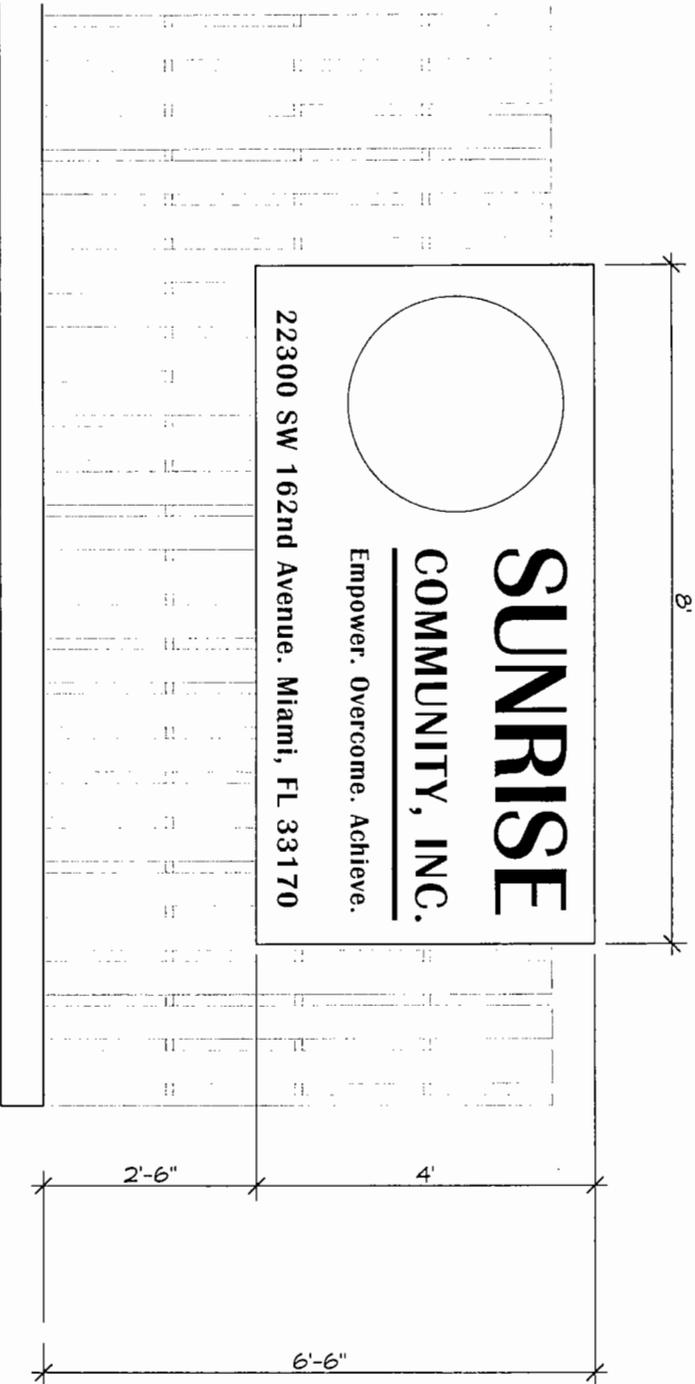
A2-02

RECEIVED

MIAMI-DADE COUNTY
PROCESS #: Z09-089
DATE: SEP 05 2009
BY: SDE

RECEIVED
2-09-09
SEP 05 2009

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



PROPOSED RELOCATED SUNRISE COMMUNITY SIGN
SCALE: 1/2" = 1'-0"

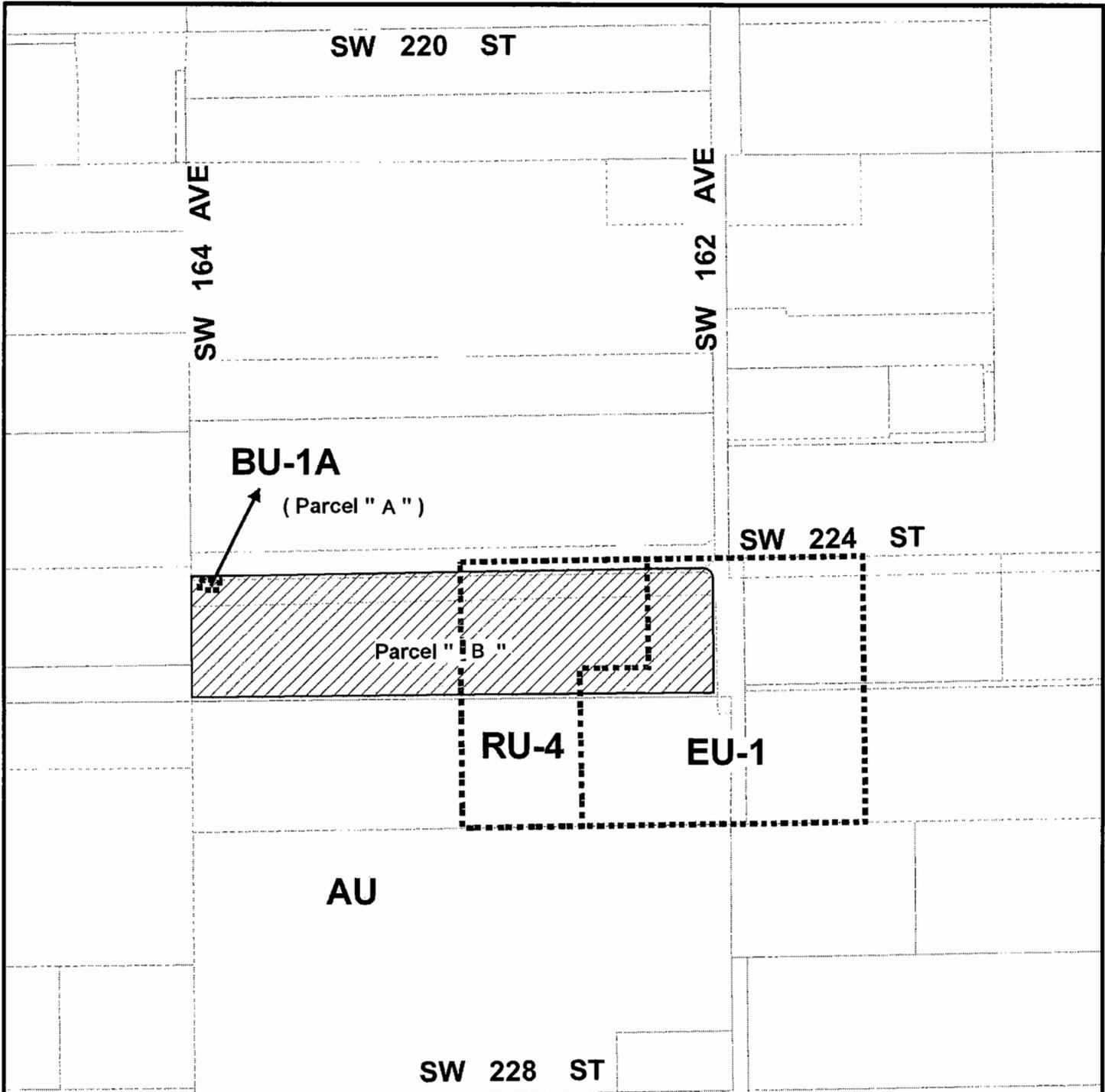


13375 SW 128th STREET S
LITTLE FL 33176
MIAMI, FL 33176
P: (305) 259-4009
F: (305) 254-7165
cbi@cbiconsultinginc.com
www.cbiconsultinginc.com

GREENHOUSE
PROJECT AT
SUNRISE
COMMUNITY, INC.
22300 SW 162nd AVENUE
MIAMI, FL 33170-3907
305-245-6150

Drawing Title:
PROPOSED
RELOCATED SUNRISE
COMMUNITY SIGN

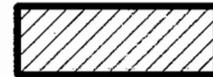
Date: 9/3/2009
Project Number: FL07003-D
Project Manager: AFP
Drawn By: AFP
Scale:
SKA-1



MIAMI-DADE COUNTY
HEARING MAP

Process Number
09-089

Section: 17 Township: 56 Range: 39
 Applicant: REGIONAL PROPERTIES, INC
 Zoning Board: C14
 Commission District: 8
 Drafter ID: JEFFER
 Scale: NTS
 ----- Zoning



SUBJECT PROPERTY



SKETCH CREATED ON: 06/10/09

REVISION	DATE	BY
		37



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Section: 17 Township: 56 Range: 39
 Applicant: REGIONAL PROPERTIES, INC
 Zoning Board: C14
 Commission District: 8
 Drafter ID: JEFFER
 Scale: NTS
 ----- Zoning

Process Number

09-089



SUBJECT PROPERTY



SKETCH CREATED ON: 06/10/09

REVISION	DATE	BY

2. MIAMI-DADE COUNTY HEALTH DEPT
(Applicant)

09-10-CZ14-2 (09-094)
Area 14/District 9
Hearing Date: 10/13/09

Property Owner (if different from applicant) **MIAMI-DADE COUNTY.**

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1984	Isaiah King	- Special exception liquor package store.	ZAB	Approved w/cods.
1989	Admar Inc.	- Zone change from RU-1 to RU-2 - Non-Use Variance for lot area & frontage.	BCC	Approved in Part
2000	Miami-Dade County Office of Community & Economic Development	- Zone change to BU-2. - Special exception for a commercial development. - Non-Use Variance for landscape buffer. - Unusual Use entrance feature - Unusual Use for outdoor recreation facility.	C14	Approved in Part w/conds.
2007	Director of the Department of Planning & Zoning	- Multiple Zone Change to Perrine Community Urban Center District (PECUC).	BCC	Approved

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

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 14**

APPLICANT: Miami-Dade County Health Department

PH: Z09-094 (09-10-CZ14-2)

SECTION: 32-55-40

DATE: October 13, 2009

COMMISSION DISTRICT: 9

ITEM NO.: 2

=====

A. INTRODUCTION

o **REQUEST:**

MODIFICATION of Condition #2 of Resolution CZAB14-36-00, passed and adopted by Community Zoning Appeals Board #14, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Perrine Public Health Unit,' as prepared by Reynolds, Smith & Hills, Inc., dated 6/26/00 and consisting of 6 sheets, and a plan entitled 'Richmond Perrine Optimist Club,' as prepared by Architecture Plus, dated 6/26/00 and consisting of 4 sheets and a survey entitled 'Specific Purpose Survey,' as prepared by Robayna & Assoc., dated 6/17/00 and consisting of 1 sheet."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Courtyard Enclosure & Renovation/Tobacco Education,' as prepared by C. Alan Anderson, Architect, P. A., sheet A1.0 dated stamped received 7/17/09 and the remaining sheets dated stamped received 6/16/09 and consisting of 7 sheets."

The purpose of the request is to allow the applicant to submit a new site plan showing an enclosure of a courtyard for a previously approved public health facility.

Upon a demonstration that the applicable standards have been satisfied, approval of the request may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

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

o **SUMMARY OF REQUEST:**

This application will allow the applicant to modify a previously approved plan for a health center within the Perrine Community Urban Center District (PECUC), showing the enclosure of a courtyard.

o **LOCATION:** 18255 Homestead Avenue, Miami-Dade County, Florida.

- o **SIZE:** 5 acres

ZONING HEARINGS HISTORY:

The subject property was approved for a zone change from BU-1, Neighborhood Business District, BU-2, Special Business District and RU-1, Single Family Residential District, to BU-2, in October 2000, pursuant to Resolution #CZAB14-36-00. Additionally, pursuant to said Resolution, the subject property was also approved for a Special Exception to permit site plan approval for a proposed commercial development, a variance to the landscaping requirements, an Unusual Use to permit a fountain and to permit an outdoor private recreational facility. In October 2007, pursuant to Resolution #Z-52-07, the subject property, was a part of a section of land that was approved for a district boundary change from multiple zones to PECUC (Perrine Community Urban Center) 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 **Community Urban Center**.

Urban Centers

Diversified Urban Centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate- to high-intensity design-unified areas that will contain a concentration of different urban functions integrated both horizontally and vertically. Three scales of centers are planned: Regional, the largest, notably the Downtown Miami central business district; Metropolitan Centers such as the evolving Dadeland area; and **Community Centers** which will serve localized areas. Such centers shall be characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. Regional and Metropolitan Centers, as described below, should also have convenient, preferably direct, connections to a nearby expressway or major roadways to ensure a high level of countywide accessibility. The locations of Urban Centers and the mix and configuration of land uses within them are designed to encourage convenient alternatives to travel by automobile, to provide more efficient land use than recent suburban development forms, and to create identifiable "town centers" for Miami-Dade's diverse communities. These centers shall be designed to create an identity and a distinctive sense of place through unity of design and distinctively urban architectural character of new developments within them. The core of the centers should contain business, employment, civic, and/or high-or moderate-density residential uses, with a variety of moderate-density housing types within walking distance from the centers. Both large and small businesses are encouraged in these centers, but the Community Centers shall contain primarily moderate and smaller sized businesses which serve, and draw from, the nearby community. Design of developments and roadways within the centers will emphasize pedestrian activity, safety and comfort, as well as vehicular movement. Transit and pedestrian mobility will be increased and area-wide traffic will be reduced in several ways: proximity of housing and retail uses will allow residents to walk or bike for some daily trips; provision of both jobs, personal services and retailing within walking distance of transit will encourage transit use for commuting; and conveniently located retail areas will accommodate necessary shopping during the morning or evening commute or lunch hour. Urban Centers are identified on the LUP map by circular symbols noting the three scales of

planned centers. The Plan map indicates both emerging and proposed centers. The designation of an area as an urban center indicates that governmental agencies encourage and support such development. The County will give special emphasis to providing a high level of public mass transit service to all planned Urban Centers. Given the high degree of accessibility as well as other urban services, the provisions of this section encourage the intensification of development at these centers over time. In addition to the Urban Center locations depicted on the Land Use Plan Map, all future rapid transit station sites and their surroundings shall be, at a minimum, developed in accordance with the Community Center policies established below. Following are policies for Development of Urban Centers designated on the Land Use Plan (LUP) map. Where the provisions of this section authorize land uses or development intensities or densities different or greater than the underlying land use designation on the LUP map, the more liberal provisions of this section shall govern. All development and redevelopment in Urban Centers shall conform with the guidelines provided below.

Uses and Zoning Not Specifically Depicted on the LUP Map.

Within each map category numerous land uses, zoning classifications and housing types may occur. Many existing uses and zoning classifications are not specifically depicted on the Plan map. This is due largely to the scale and appropriate specificity of the countywide LUP map, graphic limitations, and provisions for a variety of uses to occur in each LUP map category. All existing lawful uses and zoning are deemed to be consistent with this Plan.

D. NEIGHBORHOOD CHARACTERISTICS:

<u>ZONING</u>	<u>LAND USE PLAN DESIGNATION</u>
<u>Subject Property:</u>	
PECUC/ID; health center	Community Urban Center
<u>Surrounding Properties:</u>	
NORTH: PECUC/I; recreational center	Community Urban Center
SOUTH: PECUC/MM: vacant land	Community Urban Center
EAST: PECUC; Busway	Community Urban Center
WEST: PECUC/MC/I; retail stores, vacant land, Residences	Community Urban Center

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
Urban Design:	Acceptable

F. PERTINENT REQUIREMENTS/STANDARDS:

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

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

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 objection

*Subject to the conditions indicated in their memorandum.

H. ANALYSIS:

The subject property is located approximately **3.5 miles east of and within the Urban Development Boundary (UDB) Line**, in an area which is currently being developed as a compact, mixed-use community. The subject property, which was previously zoned BU-2, Special Business District, was part of a section of land that was rezoned from multiple zones to PECUC (**Perrine Community Urban Center**) District. The approval of this application will permit the applicant to modify previously approved plans.

The subject property lies within the Core Sub-District of the PECUC and is designated as Institutional (I) under the PECUC's Land Use Plan map. The I zone allows civic uses in accordance with the Street Types Development Parameters. As such, the current health center use and the proposed modification of the previously approved plans to expand the current services by expanding the covered area of the building is **consistent** with the PECUC designation on the LUP map of the CDMP. The existing structure was built in accordance with the prior BU-2 District regulations. The applicant is enclosing a small courtyard which is located within the building. Staff opines that approval of the requested modification to the plans would maintain the basic intent and purpose of the PECUC Master Plan, which is the citizens' vision for the future growth and the re-development of the unincorporated area of Perrine in southern Miami-Dade County. Staff notes that the submitted plans indicate modifications to the structure that are internal to the site and which do not change the previously approved elevation or landscaping plans. As such, due to the minor modification of the plans, the application will not trigger review under the PECUC regulations. Staff opines that approval of the application would be **compatible** with the future development of the area.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. The **Public Works Department** has **no objections** to this application and their memorandum indicates that since the application will not generate any new additional daily peak hour trips, no vehicle trips have been assigned. The Miami-Dade Fire Rescue Department (**MDFRD**) also **does not object** to this application and they indicate that the estimated response time is **5:11 minutes**.

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

When analyzed under the Generalized Modification Standards, Section 33-311(A)(7), the proposed modification will not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, provoke excessive overcrowding of people, tend to provoke a nuisance, be incompatible with the area, nor be contrary to the public interest. Approval of this application will allow the applicant to modify the previously approved plans in accordance with the development regulations of the Perrine Community Urban Center District. The Ordinance provides for the allocation of development intensities within Core sub-districts within the boundaries of the Urban Center as envisioned by the CDMP; requires new development to be organized according to an interconnected network of tree-lined streets and sidewalks to improve pedestrian access to transit, jobs, and shopping; allocates open space in the form of squares, greens and/or plazas; and includes criteria shaping the way buildings front onto open spaces and streets. As previously mentioned, the modification to the previously approved plans are internal to the site and will not result in

changes to the elevation or landscaping plans which would not visually impact the surrounding area. Additionally, the applicant has provided adequate parking on the site to satisfy the increased covered area within the current building site. As such, the proposed modification will not change the visual impact of the building on the surrounding area and as such will not be contrary to the public interest. Based on all of the aforementioned, staff is of the opinion that the approval of this application would be **consistent** with the CDMP and **compatible** with the surrounding area and would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, provoke excessive overcrowding of people, nor would it tend to provoke a nuisance or be incompatible with the area. Therefore, staff recommends approval with conditions of this application under Section 33-311(A)(7).

Based on the aforementioned, staff recommends approval with conditions of this application under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice under Section 33-311(A)(17) (Modification or Elimination of Conditions and Covenants After Public Hearing).

I. RECOMMENDATION:

Approval with conditions under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice under Section 33-311(A)(17) (Modification or Elimination of Conditions and Covenants After Public Hearing).

J. CONDITIONS

1. That all the conditions of Resolution #CZAB14-36-00 remain in full force and effect except as herein modified.
2. That the use be established and maintained in accordance with the approved plan.

DATE INSPECTED:

DATE TYPED: 08/10/09

DATE REVISED: 08/11/09

DATE FINALIZED: 09/14/09

MCL:NN:JV:CH



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

NDW

Memorandum



Date: July 13, 2009

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

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

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

Subject: C-14 #Z2009000094
Miami-Dade County Health Department
18255 Homestead Avenue
Request a Modification of a Previous Plan to Include a Courtyard
Enclosure
(PUCD) (5.00 Acres)
32-55-40

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.

Potable Water Service and Wastewater Disposal

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

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

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

Wetlands

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

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

Tree Preservation

According to the site plan submitted with this zoning application, the proposal of the courtyard enclosure will not impact tree resources. Therefore, the Tree Program has no objection to this zoning application, however please be advised that a Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of Chapter 24.

Enforcement History

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

Pollution Control

The subject property is located within a designated brownfield area. The applicant is advised that there are economic incentives available for development within this area. For further information concerning these incentives contact the Pollution Remediation Section of DERM at 305-372-6700.

Hazardous Materials Management

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

Operating Permits

Section 24-18 of the Code authorizes DERM to require operating permits for facilities that could be a source of pollution. The proposed use of the subject property may require operating permits from DERM. The applicant is advised to contact the Pollution Regulation and Enforcement Division of DERM concerning operating permit requirements.

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

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

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

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: MIAMI DADE COUNTY HEALTH DEPT

This Department has no objections to this application.

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



Raul A Pino, P.L.S.

30-JUN-09



Memorandum

Date: 06-OCT-09
To: Marc LaFerrier, Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2009000094

Fire Prevention Unit:

This memo supersedes MDRFR memorandum dated July 7, 2009.
 APPROVAL

Fire Engineering and Water Supply Bureau has no objection to Site plan date stamped July 17, 2009. Any changes to the vehicular circulation must be resubmitted for review and approval.

This plan has been reviewed to assure compliance with the MDRFR 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 MDRFR requirements.

Service Impact/Demand

Development for the above Z2009000094
 located at 18255 HOMESTEAD AVENUE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 2147 is proposed as the following:

<u>N/A</u> residential	dwelling units	<u>N/A</u> industrial	square feet
<u>N/A</u> Office	square feet	<u>3,476</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: 2.22 alarms-annually.
 The estimated average travel time is: 5:11 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
 Station 50 - Perrine - 9798 Hibiscus Street
 Rescue.

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 July 17, 2009. Substantial changes to the plan will require additional service impact analysis.

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

01

TEAM METRO

ENFORCEMENT HISTORY

MIAMI DADE COUNTY HEALTH
DEPT

18255 HOMESTEAD AVE, MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2009000094

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

200902010533 CLOSED ENF HISTORY (NO VIOLATION FOUND).

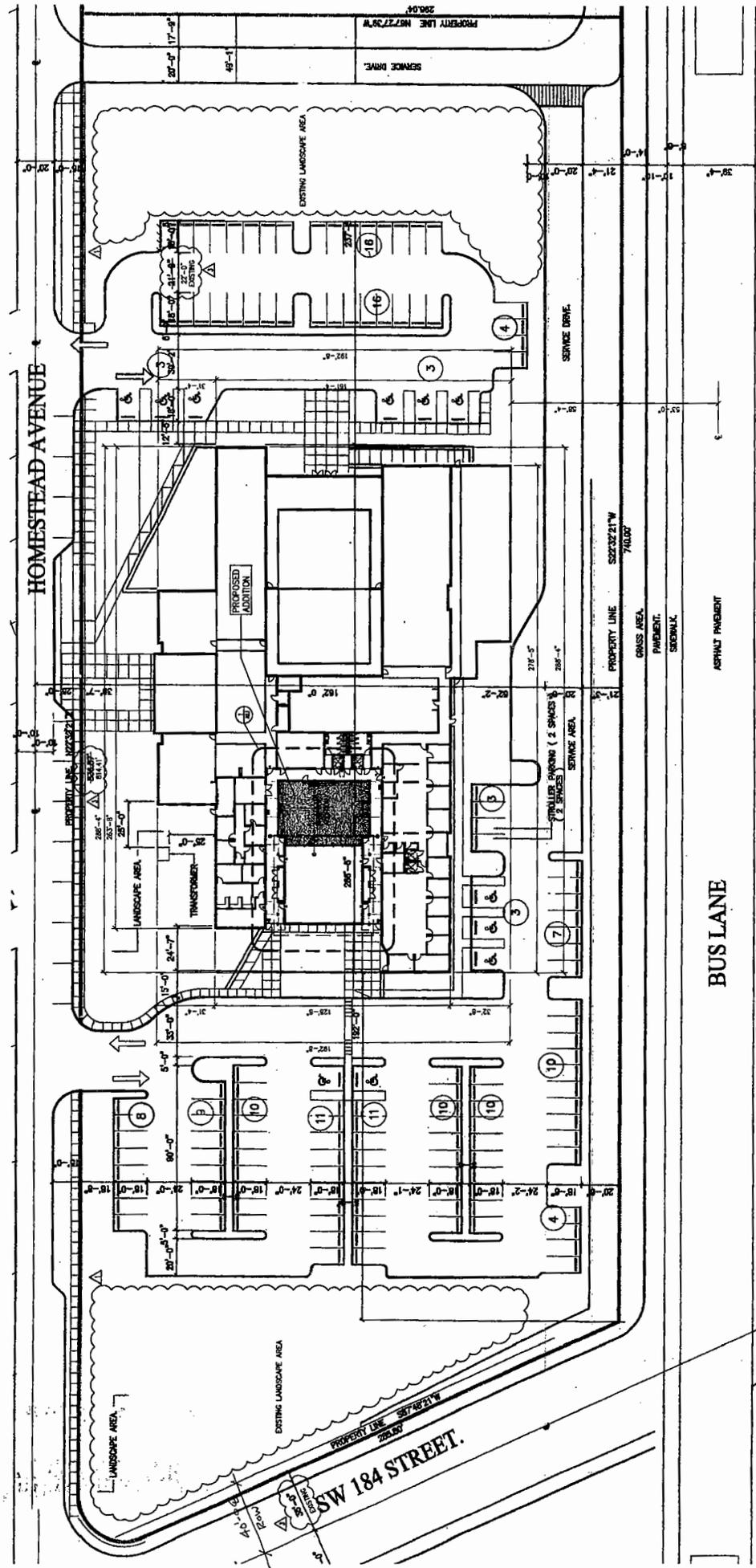
200902007963 CLOSED ENF HISTORY (NO VIOLATION FOUND).

200302006006 CLOSED JUNK & TRASH (NO VIOLATION FOUND).

CAMPO BRENDA

C. Al
 3000 N.W.
 Miami, FL 33150
 Phone: 305-555-1234
 Fax: 305-555-1234
 E-mail: cal@cal.com

S. W. 184 Street
 200.00'



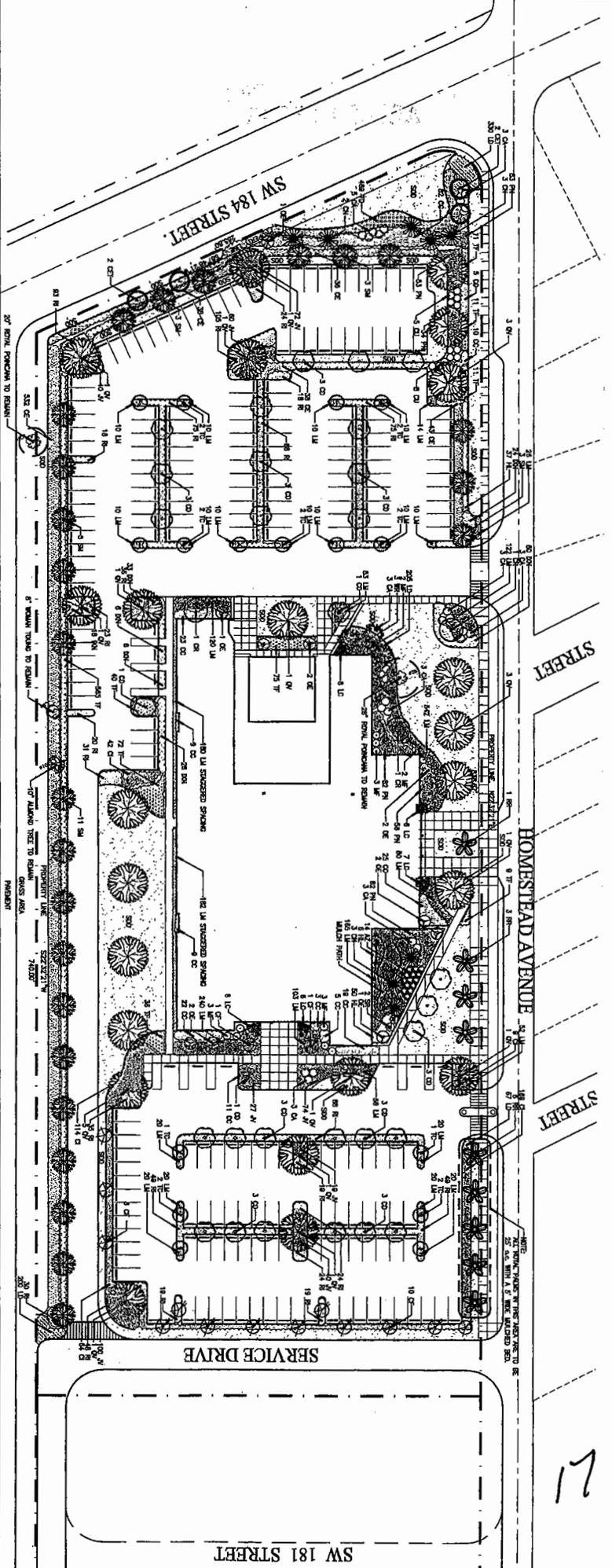
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ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY _____

ENLARGED SITE PLAN

BUS LANE

FLORIDA EAST COAST RAILROAD R/W



FLORIDA EAST COAST RAILROAD

BUS LANE

LANDSCAPE LEGEND

Zoning District: B2Z
 Net Lot Area: 848 sqm
 227,428 sq. ft.

- OPEN SPACE**
- A. Square feet of open space required by Chapter 23 on lots on the site plan: 227,428 sq. ft.
 - B. Square feet of parking lot open space required by Chapter 18A, per parking space = 2,400 sq. ft.
 - C. Total sq. ft. of landscaped open space required by Chapter 23, A + B = 43,428 sq. ft.
- LAND AREA CALCULATION**
- A. 2000 sq. ft. of landscaped open space required by Chapter 23
 - B. Maximum lawn area (sq. ft.) permitted = 20 * 227,428 sq. ft. = 4,548,560

- TREES**
- A. No. trees required per lot area: 22
 - B. Minimum number of trees (150 - 4 existing trees = 116 trees)
 - C. 2 trees x net lot area (150 - 4 existing trees = 116 trees) = 232 trees
 - D. 2 trees x net lot area (150 - 4 existing trees = 116 trees) = 232 trees
 - E. 2 trees x net lot area (150 - 4 existing trees = 116 trees) = 232 trees

REQUIRED	PROVIDED
22,000	23,000
2,400	2,400
43,428	43,428
2000	2000
4,548,560	4,548,560

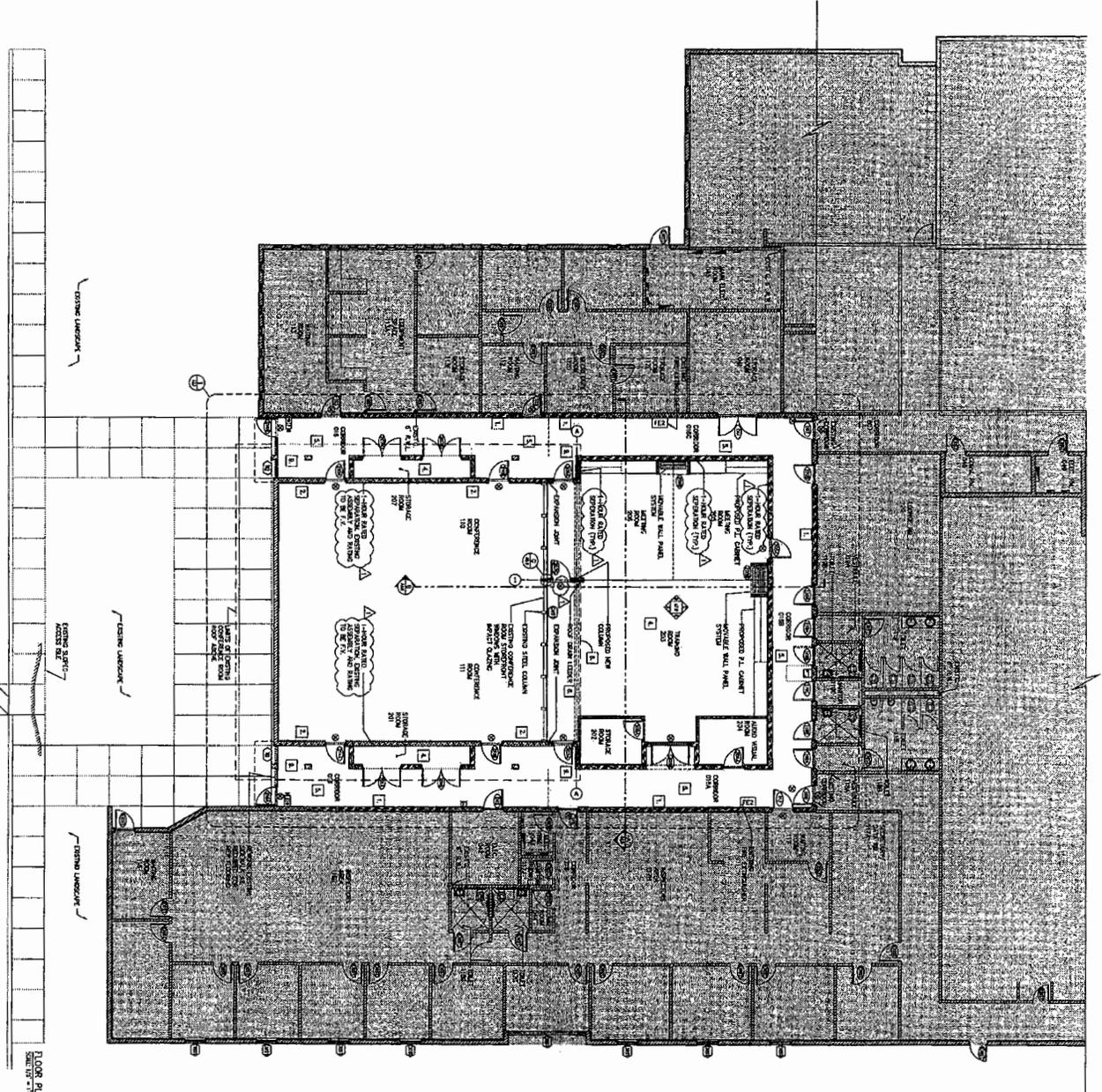
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Species Name	Quantity	Plant Name	Quantity
Shrub	100	Shrub	100
Tree	22	Tree	22
...

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17



FLOOR PLAN
SHEET 17-1

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

DATE: 06/16/09

BY: CM

PROJECT: A20

21 JUN 2009

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

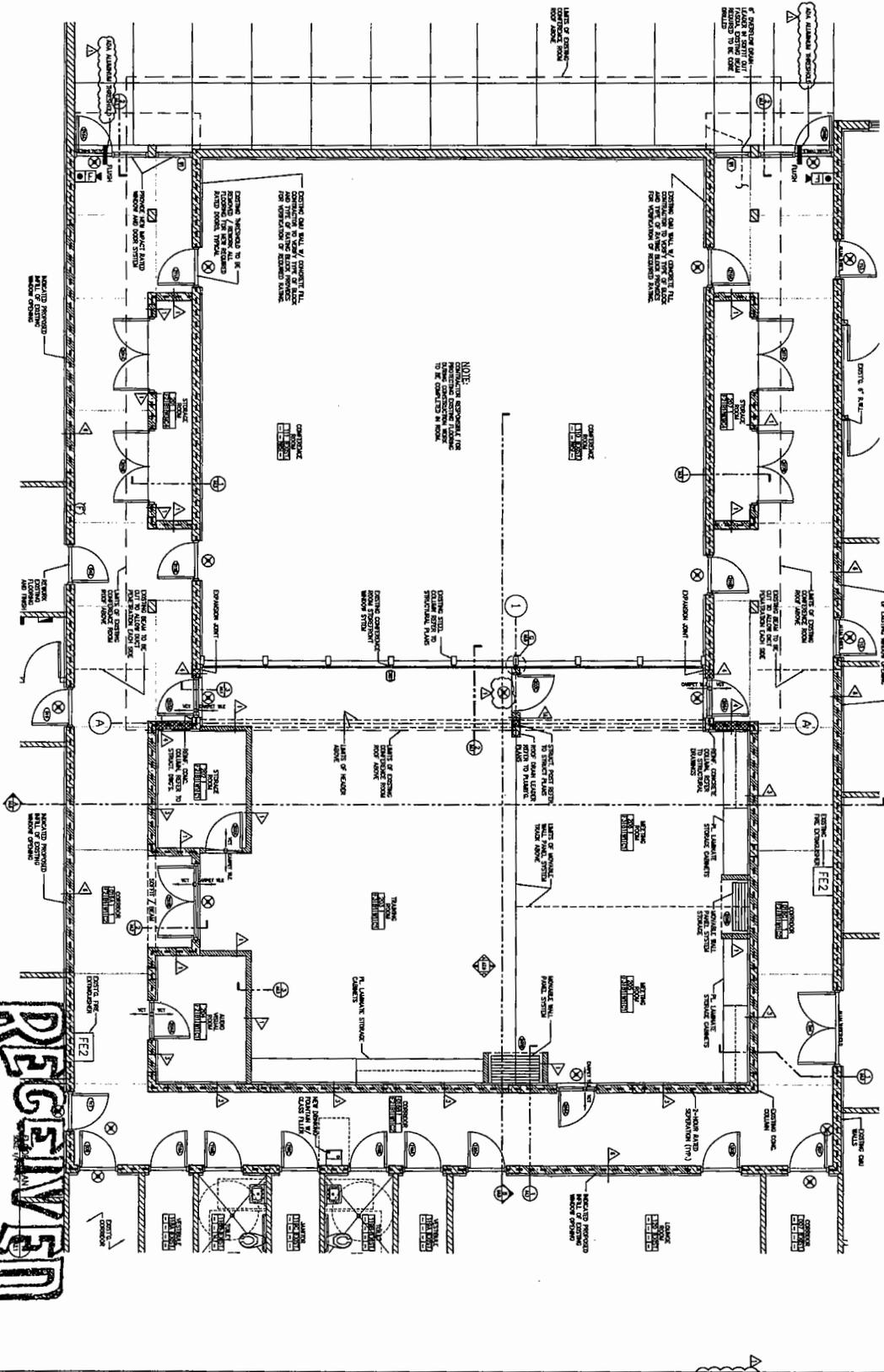
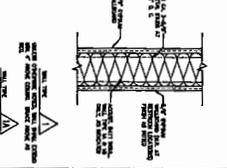
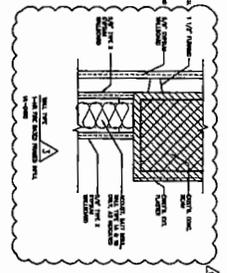
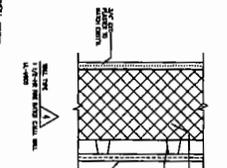
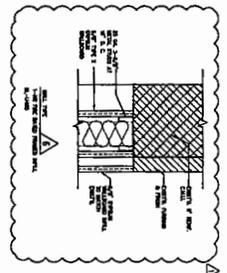
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10000 S. W. 15th Ave., Suite 100
Miami, FL 33187
Tel: 305.555.1234
Fax: 305.555.1235
www.calamer.com

Courtyard Enclosure
& Renovation /
1000000 Education
DCH • 707/5100

- CONSTRUCTION NOTES:**
1. ALL EXISTING AND NEW WORK SHALL BE SHOWN WITH SHADING.
 2. ALL EXISTING AND NEW WORK SHALL BE SHOWN WITH SHADING.
 3. ALL EXISTING AND NEW WORK SHALL BE SHOWN WITH SHADING.
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 8. ALL EXISTING AND NEW WORK SHALL BE SHOWN WITH SHADING.
 9. ALL EXISTING AND NEW WORK SHALL BE SHOWN WITH SHADING.
 10. ALL EXISTING AND NEW WORK SHALL BE SHOWN WITH SHADING.

81



NOTE: ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE IBC CODES REFERENCED THEREIN. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE IBC CODES REFERENCED THEREIN.

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JUN 16 2009

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

FINISH SCHEDULE

NO.	DESCRIPTION	DATE
1	PREPARE FINISH SCHEDULE	06/15/09
2	REVISIONS	06/15/09
3	REVISIONS	06/15/09
4	REVISIONS	06/15/09
5	REVISIONS	06/15/09
6	REVISIONS	06/15/09
7	REVISIONS	06/15/09
8	REVISIONS	06/15/09
9	REVISIONS	06/15/09
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49	REVISIONS	06/15/09
50	REVISIONS	06/15/09

Courtyard Exposure & Renovation / Tobacco Education
DOH # 7078100

C. ALAN ANDERSON ARCHITECT P.A.
2000 BAYVIEW BOULEVARD
SUITE 1000
MIAMI, FL 33133
TEL: 305.358.1234
WWW.CAANDERSON.COM

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ENLARGED FLOOR PLAN

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

DATE: 06/15/09

PROJECT: COURTYARD EXPOSURE & RENOVATION / TOBACCO EDUCATION

CLIENT: DOH # 7078100

ARCHITECT: C. ALAN ANDERSON ARCHITECT P.A.

DATE: 06/15/09

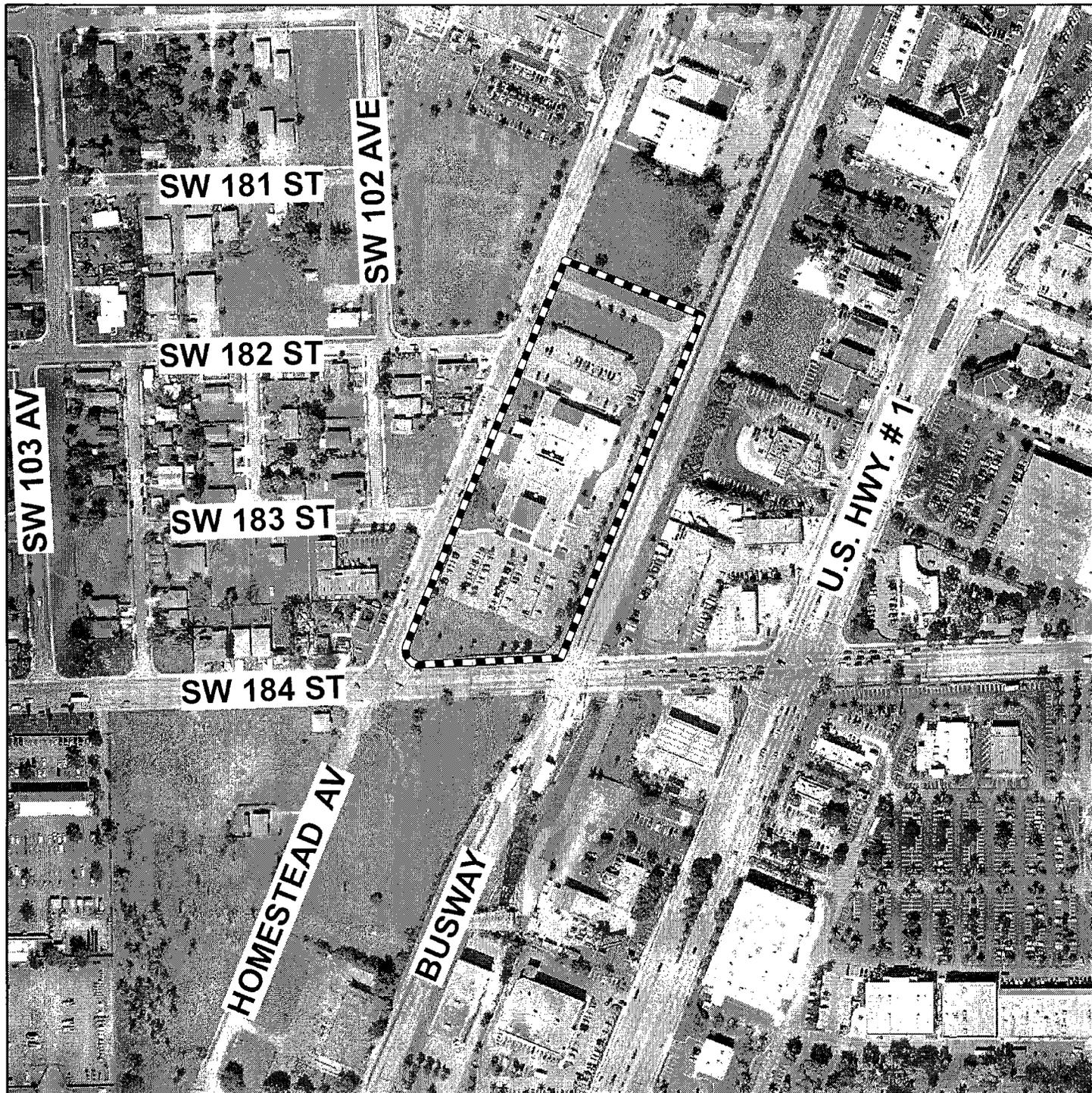
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CLIENT: DOH # 7078100

ARCHITECT: C. ALAN ANDERSON ARCHITECT P.A.

DATE: 06/15/09



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Section: 32 Township: 55 Range: 40

Applicant: MIAMI DADE COUNTY HEALTH DEPT

Zoning Board: C14

Commission District: 09

Drafter ID: KEELING

Scale: NTS

----- Zoning

Process Number

09-094



SUBJECT PROPERTY



SKETCH CREATED ON: 06/24/09

REVISION	DATE	BY