MIAMI-DADE COUNTY

KITS

5-13-09 Version #1

BOARD OF COUNTY COMMISSIONERS
ZONING HEARINGS

THURSDAY, JUNE 18, 2009

PLACE OF MEETING: COUNTY COMMISSIONERS CHAMBERS
OF THE STEPHEN P. CLARK CENTER – 2ND FLOOR
111 NW 1 STREET, MIAMI

TIME OF MEETING 9:30 A.M.

CURRENT	HEARING #	DISTRICT
1. ARCHIMEDEAN PROPERTIES, LLC	08-194	N 10

Request: - Modification of covenants to submit revised plans for (6) temporary modular classrooms, increase grade levels and increase the number of night functions/special activities for the charter school.

Location: 12425 SW 72 Street (Sunset Drive), Miami-Dade County, Florida within the Urban Development Boundary (UDB).

Official Zoning Agenda

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSION MEETING OF THURSDAY, JUNE 18, 2009

NOTICE: THE FOLLOWING HEARING IS SCHEDULED FOR 9:30 A.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMISSION SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMISSION BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE COMMISSION BE GRANTED BY THE MAJORITY VOTE OF THE COMMISSION 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 COMMISSION CHAMBER. PERSONS EXITING THE COMMISSION CHAMBER SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE COMMISSION CHAMBERS IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE CHAMBERS 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

1. ARCHIMEDEAN PROPERTIES, LLC (09-6-CC-2/08-194) **25-54-39**
BCC/District 10

(1) MODIFICATION of Conditions #3, #9 and #11 of Resolution Z-16-05, last modified by Resolution Z-31-06, both resolutions passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Archimedean Academy Charter School,' as prepared by Civica, consisting of 11 sheets, dated stamped received 6/7/06."

TO: "3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Archimedean Academy, Inc. Charter School Addition of Grades 9 to 12,' as prepared by Anthony E. Tzamtzis, consisting of 4 sheets dated stamped received 3/31/09."

FROM: "9. That night activities and/or functions at the charter school shall be limited to 10 events per year and shall end no later than 10:00 p.m."

TO: "9. That night activities and/or functions at the charter school shall be limited to 24 events per year and shall end no later than 10:00 p.m."

FROM: "11. That the charter school use shall be limited to Grades K-8th grade for a maximum of 800 students."

TO: "11. That the charter school use shall be limited to Grades K-12th grade for a maximum of 800 students."

(2) MODIFICATION of Condition #2 of Resolution Z-31-06, passed and adopted by the Board of County Commisioners, reading as follows:

FROM: "2. That the charter school use shall be limited to grades K through 8th with the expansion from 600 to 800 students as follows:

Year 1	2006-2007 School Year	addition of 80 students (620 Students)
Year 2	2007-2008 School Year	addition of 60 students (680 Students)
Year 3	2008-2009 School Year	addition of 60 students (740 Students)
Year 4	2009-2010 School Year	addition of 60 students (800 Students)"

TO: "2. That the charter school use shall be limited to grades K through 12th for a total of 800 students as follows:

Year 1	2006-2007 School Year	addition of 80 students (620 Students)
Year 2	2007-2008 School Year	addition of 60 students (680 Students)
Year 3	2008-2009 School Year	addition of 60 students (740 Students)
Year 4	2009-2010 School Year	addition of 60 students (800 Students)"

(3) MODIFICATION of Paragraphs #3 and #9 of a Declaration of Restrictions recorded in Official Record Book 23679, Pages 4935-4943, last modified by "Declaration of Restrictions Amendment and Restatement of the Declaration of Restrictions Recorded at Official Records Book 23679, Pages 4935-4943," recorded in Official Record Book 25853, Pages 4991-5006, reading as follows:

FROM: "3. The use of the Property shall be established and maintained substantially in accordance with that certain plan entitled 'Archimedean Academy Charter

School,' as prepared by Civica, dated stamped received on June 7, 2006, consisting of eleven (11) sheets (including the cover page).

TO: "3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Archimedean Academy, Inc. Charter School Addition of Grades 9 to 12,' as prepared by Anthony E. Tzamtzis, consisting of 4 sheets dated stamped received 3/31/09."

FROM: "9. The Charter School shall have staggered start and dismissal times as follows:

7:30 a.m. – 1:30 p.m.	Grades K – 1	(178 students)
7:30 a.m. – 2:30 p.m.	Grades 2 – 3	(178 students)
8:00 a.m. – 3:00 p.m.	Grades 4 – 5	(178 students)
8:30 a.m. – 3:30 p.m.	Grades 6 – 8	(266 students)

TO: "9. The Charter School shall have staggered start and dismissal times as follows:

8:00 a.m. – 3:00 p.m.	Grades K – 5	(Wednesdays 8:00 a.m. – 2:00 p.m)
8:40 a.m. – 4:00 p.m.	Grades 6 – 8	(Wednesdays 8:40 a.m. – 3:00 p.m)
7:30 a.m. – 3:30 p.m.	Grades 9 – 12	(Wednesdays 7:30 a.m. – 2:30 p.m)

(4) Modification of Paragraph #10 of Declaration of Restrictions Amendment and Restatement of the Declaration of Restrictions Recorded at Official Records Book 23679, Pages 4935-4943, recorded in Official Record 25853, Pages 4991-5006, reading as follows:

FROM: "10. That the charter school use shall be limited to grades K through 8th with the expansion from 600 to 800 students as follows:

Year 1	2006-07 School Year	Addition of 80 students (620 students)
Year 2	2007-08 School Year	Addition of 60 students (680 students)
Year 3	2008-09 School Year	Addition of 60 students (740 students)
Year 4	2009-10 School Year	Addition of 60 students (800 students)

TO:"10. That the Charter School use shall be limited to grades K through 12th with the expansion to 800 students as follows:

2009-10 School Year Addition of 60 students (800 students)"

(5) Modification of Paragraph #10 of Declaration of Restrictions recorded in Official Record Book 23679, Pages 4935-4943 last modified and renumbered as Paragraph #11 of Declaration of Restrictions Amendment and Restatement of the Declaration of Restrictions Recorded at Official Records Book 23679, Pages 4935-4943, recorded in Official Record Book 25853, Pages 4991-5006, reading as follows:

FROM: "11.That night activities and/or functions at the Charter School shall be limited to ten (10) events per year and shall end no later than 10:00 p.m."

TO: "11.That night activities and/or functions at the Charter school shall be limited to twenty-four (24) events per year and shall end no later than 10:00 p.m.

The purpose of requests #1 thru #5 is to allow the applicant to submit revised plans showing (6) temporary modular classrooms, to increase the grade levels and to extend the number of night activities and functions per calendar year for the previously approved Charter School.

Upon a demonstration that the applicable standards have been satisfied, approval of the requests 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.

LOCATION: 12425 SW 72 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 9.36 Acres

Development Impact Committee Recommendation: Approval with conditions of requests #1 through #5 under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17) (Generalized Modification or Elimination of Conditions or Covenants After Public Hearing).

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

THE END

NOTICE OF APPEAL RIGHTS

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

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

1. ARCHIMEDEAN PROPERTIES, LLC.
(Applicant)

09-6-CC-2 (08-194)
BCC/District 10
Hearing Date: 6/18/09

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

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

Disclosure of interest form attached? Yes ☐ No ☑

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
1985	Monastery of the Exalation of the Most Holy Cross, Inc.	- Special exception to permit a charter school. - Non-Use variance of parking. - Unusual Use to permit an entrance feature.	ZAB	Approved w/conds.
1985	Monastery of the Exalation of the Most Holy Cross, Inc.	- Special exception to permit a charter school. - Non-Use variance of parking. - Unusual Use to permit an entrance feature.	BCC	Appeal Approved , Application Approved
1987	Monastery of the Exalation of the Most Holy Cross, Inc.	- Special exception to permit a church. - Unusual Use to permit a daycare. - Non-Use variance's for parking and signage. - Modification of conditions of resolution.	ZAB	Approved w/conds.
2005	Archimedean Properties L.L.C.	- Special exception to permit a charter school.	BCC	Approved w/conds.
2006	Archimedean Properties L.L.C.	- Special exception expansion of a charter school. - Modification and deletion of condition of resolution and covenant.	BCC	Approved w/conds.

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

Memorandum

MIAMI-DADE COUNTY

Date: June 18, 2009

To: The Board of County Commissioners

From: Developmental Impact Committee
Executive Council

Subject: Developmental Impact Committee Recommendation

APPLICANT: Archimedean Properties L.L.C. (Z08-194)

SUMMARY OF REQUESTS:

The applicant is seeking to modify conditions of Resolutions Z-16-05 and Z-31-06 and to modify paragraphs of a Declaration of Restrictions in order to submit revised plans showing (6) temporary modular classrooms, to increase the grade levels for the previously approved charter school and to increase the number of night functions/special activities for the charter school.

LOCATION: 12425 SW 72 Street (Sunset Drive), Miami-Dade County, Florida.

COMMENTS:

This application went before the Developmental Impact Committee because the applicant is requesting to modify a previously approved charter school. Section 33-303.1(D)(7) of the Code of Miami-Dade County charges the Developmental Impact Committee (DIC) to address applications with respect to: (I) conformance with all applicable plans; (II) environmental impact; (III) impact on the economy; (IV) impact on essential services; and (V) impact on public transportation facilities and accessibility.

Charter schools are educational institutions which are authorized and maintained in accord with the provisions of Chapter 1002 and Chapter 1013.35, Florida Statutes, as same may be amended from time to time. All such public charter schools shall be additionally authorized locally by the Miami-Dade County School Board through a process established by that entity for the approval of the charter. Miami-Dade Land Use regulations relating to public charter school facilities are set forth in Sections 33-152 through 162 of the Code of Miami-Dade County which was established in 2004 pursuant to Ordinance 04-108. The purpose of this Section and relevant provisions of the CDMP are to provide standards for land use approval of public charter school facilities pursuant to said Ordinance. In addition, an Interlocal Agreement with the School Board of Miami-Dade County was also established pertaining to the siting of such facilities and is applicable in the unincorporated area.

The meeting of the DIC Executive Council was held and the attached Department memoranda were reviewed and considered by said Committee.

DIC RECOMMENDATION:

Approval with conditions of requests #1 through #5 as set forth in the Department of Planning and Zoning's recommendation.

The Executive Council found that the proposed application, with the applied conditions, is in keeping with the Comprehensive Development Master Plan Land Use map designation for the subject parcel and is in compliance with Article XI - Public Charter School facilities of Chapter 33 of the Code of Miami-Dade County. In relation to the present and future development of the area, the Executive Council finds that the modifications to the charter school site, with the acceptance of the proffered covenant and the applied conditions, will permit a development which is **consistent** with the Comprehensive Development Master Plan (CDMP), and will not be contrary to the public interest. In addition, the Council also finds that the development will be **compatible** with the surrounding area and would not detrimentally impact same.

APPLICATION NO. Z08-194
ARCHIMEDEAN PROPERTIES, LLC

Respectfully Submited,

DIC Executive Council
May 06, 2009

Susanne M. Torriente
Assistant County Manager — AYE

Manny Mena, Assistant Fire Chief
Miami-Dade Fire Rescue Department — AYE

Irma San Roman, Deputy Director
Metropolitan Planning Organization Secretariat — AYE

Maria Teresa Fojo, Acting Assistant Director of Zoning
Department of Planning and Zoning — AYE

Esther Calas, P.E., Director
Public Works Department — AYE

Jose Gonzalez, P.E., Assistant Director
Department of Environmental Resources Mgmt — AYE

Jorge S. Rodriguez, P.E., Assistant Director
Miami-Dade Water and Sewer Department — AYE

DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE DEVELOPMENT IMPACT COMMITTEE

APPLICANT: Archimedean Properties L.L.C. **PH:** Z08-194 (08-05-BCC)

SECTION: 25-54-39 **DIC DATE:** May 6, 2009

COMMISSION DISTRICT: 10

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A. INTRODUCTION

o REQUESTS:

(1) Modification of Condition #3, #9 and #11 of Resolution Z-16-05, last modified by Resolution Z-31-06, both Resolutions passed and adopted by the Board of County Commissioners reading as follows:

FROM: "3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, 'Archimedean Academy Charter School,' as prepared by Civica, consisting of 11 sheets, dated stamped received 6/7/06.

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FROM: "9. That night activities and/or functions at the charter school shall be limited to 10 events per year and shall end no later than 10:00 p.m.

TO: "9. That night activities and/or functions at the charter school shall be limited to 24 events per year and shall end no later than 10:00 p.m.

FROM:"11. That the charter school use shall be limited to Grades K-8th for a maximum of 800 students.

TO: "11. That the charter school use shall be limited to Grades K-12th for a maximum of 800 students."

(2) Modification of Condition #2 of Resolution Z-31-06 passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "2. That the charter school use shall be limited to grades K through 8th with the expansion from 600 to 800 students as follows:

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FROM:"9. The Charter School shall have staggered start and dismissal times as follows:

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8:00 a.m. – 3:00 p.m.	Grades 4-5	(178 students)
8:30 a.m. – 3:30 p.m.	Grades 6-8	(266 students)

TO: "9. The Charter School shall have staggered start and dismissal times as follows:

8:00 a.m. - 3:00 p.m.	Grades K-5	(Wednesdays 8:00 a.m.– 2:00 p.m.)
8:40 a.m. - 4:00 p.m.	Grades 6-8	(Wednesdays 8:40 a.m.–3:00 p. m.)
7:30 a.m.- 3:30 p.m.	Grades 9-12	(Wednesdays 7:30 a.m.– 2:30 p.m.)

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TO: "11. That night activities and/or functions at the Charter School shall be limited to twenty-four (24) events per year and shall end no later than 10:00 p.m.

"The purpose of requests #1 thru #5 is to allow the applicant to submit revised plans showing (6) temporary modular classrooms, to increase the grade levels and to extend the number of night activities and functions per calendar year for the previously approved charter school."

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

- **SUMMARY OF REQUESTS:**

  The applicant is seeking to modify conditions of Resolutions Z-16-05 and Z-31-06 and to modify paragraphs of Declarations of Restrictions in order to submit revised plans showing (6) temporary modular classrooms, to increase the grade levels for the previously approved charter school up to 12th grade and to increase the number of night functions/special activities for the charter school.

- **LOCATION**: 12425 SW 72 Street (Sunset Drive), Miami-Dade County, Florida.

- **SIZE:** 9.36 Acres

B. ZONING HEARINGS HISTORY:

In 1985, pursuant to Resolution #-156-85, the Zoning Appeals Board (ZAB), approved a special exception to permit a private school, grades 5 through 12, including a monastery, a non-use variance of parking requirements and an unusual use to permit two entry features on a portion of the subject property. In 1987, pursuant to Resolution #4-ZAB-133-87, the monastery was granted a special exception to permit a church in conjunction with a monastery and school, an unusual use and special exception to permit a day care center and a modification of Resolution #Z-156-85 to permit the expansion of the previously approved school to include kindergarten through 4th grade. A non-use variance of parking requirements and sign regulations was also granted. In 2005, pursuant to Resolution #Z-16-05, a special exception was granted to permit a charter school for a maxium of 540 students in grades K-8th. Additionally, in 2006 pursuant to Resolution #Z-31-06 a special exception was granted to permit the expansion of the charter school from 540 to 800 students in grades K-8, along with modifications of conditions of Resolution #Z-16-05.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being approximately **4 mile east of and within the Urban Development Boundary for Agriculture use.** 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.

   In order to protect the agricultural industry, uses incompatible with agriculture, and uses and facilities that support or encourage urban development are not allowed in this area. Residential development that occurs in this area is allowed at a density of no more than one unit per five acres. Creation of new parcels smaller than five acres for residential use may be approved in the Agriculture area only if the immediate area surrounding the subject parcel on three or more sides is predominately parcelized in a similar manner, and if a division of the subject parcel would not precipitate additional land division in the area. No business or industrial use should be approved in the area designated Agriculture unless the use is directly supportive of local agricultural production, and is located on an existing arterial roadway, and has adequate water supply and sewage disposal in accordance with Chapter 24 of the County Code, and the development order specifies the approved use(s); however, packing houses for produce grown in Florida are not restricted to locating on an existing arterial roadway. Other uses compatible with agriculture and with the rural residential character may be approved in the Agriculture area only if deemed to be a public necessity, or if deemed to be in the public interest and the applicant demonstrates that no suitable site for the use exists outside the Agriculture area. Existing quarrying and ancillary uses in the Agriculture area may continue operation and be considered for approval of expansion.

2. **Educational Element Goal.** Develop, operate, and maintain a system of public education by Miami-Dade County Public Schools, in cooperation with the County and other appropriate governmental agencies, which will strive to improve the quality and quantity of public educational facilities available to the citizenry of Miami-Dade County, Florida.

3. **Policy EDU-2A.** It is the policy of Miami-Dade County that the Miami-Dade County Public School System shall not purchase sites for schools nor build new schools outside of the Urban Development Boundary (UDB), and that new elementary schools constructed should be located at least ¼ mile inside the UDB; new middle schools should be located at least ½ miles inside the UDB, and; new senior high schools should be located at least one mile inside the UDB. In substantially developed areas of the County where suitable sites in full conformance with the foregoing are not available and a site or portion of a site should conform with the foregoing location criteria and the principal school buildings and entrances should be placed as far as functionally practical from the UDB. The same criteria of this paragraph that apply to public schools also pertain to private schools.

4. **Objective EDU-1.** Work towards the reduction of the overcrowding which currently exists in the Miami-Dade County Public School System while striving to attain an optimum level of service. Strive to provide additional solutions to overcrowding so that countywide enrollment in Miami-Dade County's public schools does not exceed 115% of current Florida Inventory of School Houses (FISH) capacity (both permanent and relocatables). Additionally, by 2010 Miami-Dade County Public Schools shall meet state requirements for class size. This numeric objective is adopted solely as a guideline for school facility planning and shall not be used as a Level of Service Standard or as a basis for denial of development orders.

5. **Policy EDU-1D.** Cooperate with the Miami-Dade County Public School System in their efforts to provide public school facilities to the students of Miami-Dade County, which operate on optimum capacity, in so far as funding available. Operational activities may be developed and implemented, where appropriate, which mitigate the impacts of overcrowding while maintaining the instructional integrity of the educational program.

6. **Policy EDU-2D.** When considering a site for possible use as an educational facility, the district should review the adequacy and proximity of other public facilities and services necessary to the site such as roadway access, fire flow and potable water, sanitary sewers, and police and fire services

7. **Policy LU-2A.** All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvement Element (CIE).

8. **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.

9. **Policy LU-9B.** 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:

   i) Land use consistent with the CDMP Land Use Element and CDMP Level of Service Standards;
   ii) Subdivision of land;
   iii) Protection of potable water wellfields;
   iv) Areas subject to seasonal or periodic flooding;
   v) Stormwater management
   vi) Signage; and
   vii) On-site traffic flow and parking to ensure safety and convenience and that no avoidable off-site traffic flow impediments are caused by development.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
GU; charter school	Agriculture
Surrounding Properties:	
NORTH: GU; single-family residences and plant nursery	Agriculture
SOUTH: GU; churches EU-M; single-family residences	Estate Density Residential, 1 to 2.5 dua
EAST: GU; plant nursery	Agriculture
WEST: GU; churches	Agriculture

The subject property is located at 12425 SW 72 Street on the north side of SW 72 Street (Sunset Drive) in an area known as horse country. The area surrounding the property is developed with institutional uses such as churches. A single-family residential subdivision lies to the south and plant nurseries are found to the north and east.

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:	**N/A**
Urban Design:	**N/A**

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 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 fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, 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 or Covenants After Public Hearing). The Community Zoning Appeals 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 paragraphs of this section have 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 33-153. Public hearing required in all districts.
The establishment, expansion or modification of a charter school facility is permitted in any zoning district after public hearing upon demonstration that the standards established in this article have been met. Any existing covenant or declaration of restrictions relating to an existing charter school facility shall be modified or deleted only in accordance with the provisions of Article XXXVI of the zoning code of Miami-Dade County.

G. NEIGHBORHOOD SERVICES:

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

*Subject to conditions indicated in their memoranda.

H. ANALYSIS

The subject property is a 9.36-acre parcel of land located at 12425 SW 72 Street which is currently developed as a K-8 charter school for 800 students. The applicant is requesting to increase the permitted grade levels from K-8 to K-12 but is not proposing to increase the number of students approved. The revised plan submitted by the applicant, indicates an existing two-story building with 171 parking spaces for faculty and visitors and six (6) temporary modular classrooms located on the northern portion of the site. There are two entrances located on SW 72nd Street for vehicular traffic. The applicant is requesting an additional six (6) temporary modular classrooms to be located adjacent to the current modular units. The site plan depicts open space and recreational areas, including a soccer field and basketball court, interspersed throughout the northern, eastern and western portions of the site. The northern and eastern portions of the site are enclosed by 6' high wooden and chain link fencing.

The Department of Environmental Resources Management **(DERM)** has **no objection** to this application. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum. Additionally, the Public Works Department **(PWD) does not object** to the application provided the applicant adheres to the conditions listed in their memorandum. The Miami-Dade Transit **(MDT),** the **Miami-Dade Aviation Department** and Miami-Dade Water and Sewer **(WASD)** have **no objections** to this application. The **Miami-Dade Fire Rescue Department (MDFR)** also has **no objection** to this application. Their memorandum indicates that the estimated travel response time of **6:40** minutes complies with the performance objective of national industry. The Miami-Dade County Public Schools **(MDCPS)** did not comment on this application.

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Agriculture** use. 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-2A.

The subject property was approved for use as a private school in 1985, at which time, the applicant's contention that the school was a public necessity and of public interest in this area was confirmed by the Zoning Appeals Board. The Zoning Appeals Board also concluded that there were no other suitable sites for the use outside the Agriculture area. The Agriculture designation of the Master Plan indicates that other uses **compatible** with agriculture and the rural residential character may be approved in the Agriculture area only if deemed to be a public necessity, or if deemed to be in the public interest and the applicant demonstrates that no suitable site for the use exists outside the Agriculture area. The changes being requested by the applicant are to increase the grade levels from K-8 to K-12, place six temporary modular structures for classroom use on the site and increase

the number of functions allowed on the site annually. In addition, the current charter school serves students from grades K-8th. The addition of grades 9-12 provides a continuous feeder pattern for the students by allowing the 8th grade students to continue their high school education at the current site. Also, the applicant has indicated that current pending Florida Class Size Amendment will require the applicant to provide more classrooms at the property than are currently in place. Staff opines that the current application does not represent a material change to the previous applications, except as noted, and therefore staff opines that the application is in keeping with the established intensity and uses that currently surround the subject property and is, therefore, **compatible** with the neighborhood and **consistent** with the objectives of the CDMP.

When requests #1 through #5 are analyzed under the Generalized Modification Standards, Section 33-311(A)(7), the addition of 6 temporary modular structures, the proposed increase in grade levels, and the increase of events per year from 10 to 24, in staff's opinion, will not adversely impact the surrounding area and will be **compatible** with same. While staff acknowledges there will be some impacts with the increase of night activities/functions and the addition of grade levels, those impacts are mitigated by the fact that the additional events will be held primarily during off-peak hours in an area which is not intensely residential. In addition, the applicant is not allowing students to drive to school which will alleviate potential parking impacts to the surrounding community. When considering the necessity for and the reasonableness of the requests, staff is of the opinion that the approval of this application will not have an unfavorable effect on the area, and will not be contrary to the public interest. Staff's review of both the previously approved plans and the newly submitted plans reveals that, overall, the only physical difference in the plans is the addition of the six (6) temporary modular structures which are adjacent to the six (6) existing structures. The applicant has committed to removing the six (6) temporary modular structures by August 1, 2016. The increase in grade levels from K-8 to K-12 will not generate excessive overcrowding of people, or tend to provoke a nuisance since the applicant is not requesting an increase in the number of students and therefore there will be no additional impacts to the community. Additionally, staff opines that with the addition of high school grades there will be a need to increase night functions such as sporting events and other social functions geared primarily to the high school students. It should be noted that while the applicant has requested an increase in night activities, the original times for concluding the functions/activities remains the same. The new staggered arrival and dismissal times also reflect the additional grade levels and is consistent with the Public Works requirements. As previously mentioned, the school is already in operation and has complied with all the conditions imposed by the previous Resolutions and Declarations. As such, staff opines that the approval of requests #1-5 would not be detrimental to the surrounding area and is **compatible** with same. As such, staff recommends approval with conditions of requests #1- #5 under Section 33-311(A)(7).

The Standard 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 modification or elimination standards are applicable to this application. Due to the lack of information, staff is unable to properly analyze requests

#1 thru #5 under said Standards and, as such, staff recommends denial without prejudice under Section 33-311(A)(17).

Accordingly, staff recommends approval with conditions of requests #1 through #5 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 or Covenants After Public Hearing).

I. RECOMMENDATION:

Approval with conditions of requests #1 through #5 under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17) (Generalized Modification or Elimination of Conditions or Covenants After Public Hearing).

J. CONDITIONS:

1. That all the conditions of Resolution No. Z-31-06 and Z-16-05 remain in full force and effect except as herein modified.

2. That a revised Declaration of Restrictions be submitted to the Department of Planning and Zoning within 90 days after final public hearing approval of this application, unless a time extension is granted by the Director of Planning and Zoning, for a good cause.

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

4. That the applicant comply with all the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda which are part of the May 6, 2009 DIC record of this application and incorporated herein by reference.

5. That the school gates be opened at least 30 minutes prior to the arrival and dismissal times.

6. That the charter school use be limited to grades Kindergarten through 12th and be limited to a maximum of 800 students.

7. That there will be staggered shifts at arrival and dismissal times for students at the charter school, separated by a minimum of 30 minutes. The arrival and dismissal times shall be as follows:

8:00 a.m. - 3:00 p.m.	Grades K-5 (Wednesdays 8:00 a.m. – 2:00 p.m)
8:40 a.m. - 4:00 p.m.	Grades 6-8 (Wednesdays 8:40 a.m. – 3:00 p.m)
7:30 a.m.- 3:30 p.m.	Grades 9-12 (Wednesdays 7:30 a.m. – 2:30 p.m.)

8. That at time of yearly renewal of Certificate of Use, the applicant shall submit to the Department of Planning and Zoning a letter from the principal of the school detailing the number of students and the grade levels that are currently enrolled in said facility.

9. That the temporary modular structures on site be removed from the property by August 1, 2016.

10. That high school students will not be permitted to drive to school.

DATE INSPECTED:
DATE TYPED: 3/24/09
DATE REVISED: 3/25/09, 3/30/09, 3/31/09, 4/16/09, 4/17/09, 4/28/09
DATE FINALIZED: 4/28/09

MCL:MTF:NN:JV:CI

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

Memorandum

Date: March 20, 2009

To: Nicholas D. Nitti
Educational Facilities Coordinator
Department of Planning and Zoning

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

Subject: Recommendations for Archimedean Properties Process No.: Z2008000194

Miami Dade County Public Works Department Traffic Engineering Division recommends approval, if and only if, the recommendations, as indicated below, are incorporated into the plans and related documentation.

The Traffic Engineering Division has reviewed the Site Plans, dated October 1, 2008, submitted to the P&Z Department October 6, 2008, for the proposed facility located at SW 72nd St. & SW 123rd Avenue and has the following recommendations and comments:

- Site Specific Comments:

  1. The Site Plan is acceptable as submitted.

- Project Requirements:

  1. A proposed schedule of arrival and dismissal times including grade level and number of students are required to be provided in a covenant and/or "Letter of Intent" for this facility. This schedule shall have a maximum of three shifts per arrival and dismissal period and shall not exceed the previously approved number of students that may be scheduled to arrive or be dismissed in a single shift.

  2. The applicant shall provide the following statement in a covenant and/or "Letter of Intent": The School shall provide trained personnel to manage traffic operations and direct any vehicles which may stack in through lanes or non-designated parking areas in the public rights of way onto the school site during dismissal periods, and possibly, arrival periods onsite.

  3. A Maintenance of Traffic (MOT) operation plan for arrival and dismissal periods must be provided in a covenant for this facility.

- Standard Comments:

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

2. Safe sight distance clearance is required at all driveways; therefore, no trees shall remain or be planted in any clear zones. No tree foliage or branches shall descend below 7 ft within the public right-of-way. All tree placements in sight triangles shall meet or exceed FDOT Index 546. Any proposed planting, relocation or removal of trees and other foliage including any installation of irrigation systems in the public right-of-way must be approved by the R.A.A.M. Division of this Department. Also, any relocation or removal of trees must be approved by DERM. These approvals should be applied for, and received, prior to DIC Executive Council approval of this project. A "Covenant for Maintenance" agreement, recorded in the public record, must be provided prior to permitting any of these types of installations within the public right-of-way.

3. Plans submitted for Permit shall conform to MUTCD, MDPWD and other appropriate standards for engineering design in the public right-of-way. Prior to formal submittal of plans for approval and permitting, a Dry Run Paving and Drainage submittal is required to review compliance with DIC conditions for approval and appropriate standards, and to rectify any discrepancies between existing facilities, plans, conditions for approval, or standards. Existing and proposed striping, signs, and lane widths must be shown on these plans for all adjacent roadways. Also, plans must indicate any existing or proposed private driveways across the streets adjacent to the school site.

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

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

Should you need additional information or clarification on this matter, please contact me at (305) 375-2030.

cc: Jeff Cohen, P.E., Assistant Chief, Traffic Engineering Division
Robert Williams, P.E., Acting Chief, Traffic Signals and Signs Division
Raul A. Pino, P.L.S., Chief, Land Development Division
David Cardenas, Chief, Right of Way and Aesthetic Assets Management Division
Harvey L. Bernstein, Educational Facilities Administrator, Traffic Engineering Division
Armando Hernandez, Concurrency Coordinator, Traffic Engineering Division
Vishnu Rajkumar, Signal Design Administrator, Traffic Engineering Division

Memorandum

MIAMI-DADE COUNTY

Date: November 4, 2008

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

From: Sunil Harman, Director, Aviation Planning, Land-Use & Grants
Aviation Department

Subject: DIC Application #08-194
Archimedean Properties, Inc.
DN-08-11-084

As requested by the Department of Planning and Zoning, the Miami-Dade Aviation Department (MDAD) has reviewed Developmental Impact Committee (DIC) Zoning Application #08-194, Archimedean Properties, Inc. The applicant is requesting to increase the grade levels at the existing charter school from K-8 to K-10 and to modify a previous Resolution. The subject property is 9.3 acres and is located at 12425 Sunset Drive, Miami-Dade County, Florida.

Based on the available information, MDAD has determined that the proposed land use is compatible with operations from Kendall-Tamiami Executive Airport.

SH/rb

C: Max Fajardo, E.I., Deputy Aviation Director
José Ramos, R.A., Chief, Aviation Planning
Nick Nitti, DIC Coordinator, Department of Planning & Zoning

Memorandum

MIAMI-DADE COUNTY

Date: April 17, 2009

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

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

Subject: C-11 #Z2008000194-2nd Revision
Archimedean Properties, LLC
12425 Sunset Drive
Modification of a Previous Resolution to Increase the Grades Levels
(AU) (9.36 Acres)
25-54-39

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

Wellfield Protection
The subject property is located within the Basic Wellfield Protection Area for the Southwest Wellfield. Specifically, the site is situated within the 100-day travel time contour of the said wellfield. The subject property is also located within the West Wellfield interim protection area. Therefore, development on the subject property shall be in accordance with regulations established in Section 24-43 of the Code of Miami-Dade County, Florida (the Code).

The owner of the property has submitted properly executed covenant running with the land in favor of Miami-Dade County as required by Section 24-43.1(5)(a) of the Code. Consequently, DERM may approve the subject application and the same may be scheduled for public hearing.

Potable Water Supply 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, 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 alternative means of sewage disposal. Use of an alternative 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.

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

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

Tree Preservation
Tree Removal Permit 2007-TREE-PER-00646 was issued only for the property with folio 30-4925-000-0620 to Archimedean Properties LLC, on December 28, 2007. This permit expired on December 28, 2008. Please be advised that the required replanting and final inspection as per Tree Removal Permit 2007-TREE-PER-00646 must take place. The applicant should renew this permit or request a final inspection to avoid violation of permit conditions. A two weeks notice is required prior to the final inspection.

The applicant has submitted to DERM a landscape plan entitled
"Existing Landscape Plan", sheet L-1, dated 1/16/09 (revised 3/30/2009)and prepared by Anthony E Tzamtzis Architect, which depicts the existing trees on site "to remain". Therefore, this Section recommends approval of this zoning application.

However, please be advised that a new Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any other tree on the subject properties. Please contact this Program at (305) 372-6574 for information regarding tree permits.

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

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

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

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

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

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

Memorandum

MIAMI-DADE COUNTY

Date: November 12, 2008

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

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

Subject: DIC # 08-194 Archimedean Properties, Inc.
12425 Sunset Drive, Miami-Dade County, FL

According to the letter of intent, the applicant is seeking to increase the grade levels at the existing charter school from K-8 to K-10 and to modify a previous Resolution. The Miami-Dade Fire Rescue Department (MDFR) has **no objections** to DIC application #Z2008000194. The request will have no impact to capacity or levels of service that MDFR provides to that area of the County.

EXISTING SERVICES

Based on data retrieved during calendar year 2007, the average travel time to the vicinity of the proposed development was **6:40** minutes. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8-minutes at 90% of all incidents. Travel time to the vicinity of the proposed development complies with the performance objective of national industry.

The stations responding to a fire alarm will be:

STATION	ADDRESS	EQUIPMENT	STAFF
9	7777 SW 117th Avenue	Rescue, ALS Engine	7
57	8501 SW 127th Avenue	Rescue	3
37	4200 SW 142nd Avenue	Rescue, ALS Engine	7
53	11600 SW Turnpike Hwy	Rescue	3

If you need additional information, please contact Mr. Carlos Heredia, Planning Section Lead Worker at 786-331-4540.

HL:ch

Memorandum

MIAMI-DADE COUNTY

Date: November 13, 2008

To: Nicholas D. Nitti
DIC Coordinator
Department of Planning and Zoning

From: John Garcia
Principal Planner
Miami-Dade Transit / Planning & Development Division

Subject: Review of DIC Project No. 08-194 (Archimedean Properties, Inc.)

Project Description

The applicant is requesting to increase the grade levels from K-8 to K-10 and to modify a previously approved resolution. The subject property is 9.3 acres and is located at 12425 Sunset Drive in Miami-Dade County, Florida.

Current Transit Service

There is direct transit service within the immediate vicinity of the application site. The closest transit service is provided by Metrobus Routes 72 and 272/Sunset KAT along SW 72nd Street (Sunset Drive) and by the Metrobus Route 56 along SW 117th Avenue. The service headways for the above mentioned routes (in minutes) are as follows:

Metrobus Route Service Summary
Archimedean Properties, Inc. Application Site

Route(s)	Service Headways (in minutes)						Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8pm)	Overnight	Saturday	Sunday		
56	60	60	50	N/A	N/A	N/A	0.7	F
72	30	30	30	N/A	30	30	0.0	F
272 / Sunset KAT	9	N/A	N/A	N/A	N/A	N/A	0.3	E / F

Notes: *L means Metrobus local route service*
F means Metrobus feeder service to Metrorail
E means Express or Limited-Stop Metrobus service

Future Transportation/Transit Improvements

Currently, the 2009 Transportation Improvement Plan (TIP) does not propose any improvements in the immediate vicinity of this project. The 2030 Long Range Transportation Plan (LRTP) does not propose any improvements in the immediate vicinity of this project.

The draft 2008 ten-year Transit Development Plan (TDP), that currently is in the review/approval phase before adoption by the Board of County Commissioners identifies in its 2018 Recommended Service Plan the following improvements/adjustments on the existing routes serving the vicinity of the project:

Route 56:	No planned improvements.
Route 72:	Extend route westward to the future West Kendall Terminal. Adjust weekend headway from 30 to 60 minutes and discontinue the branch to Miller Square.
Route 272:	Realign route to the future West Kendall Terminal.

MDT Comments/Recommendations

Miami-Dade Transit (MDT) currently provides local bus service to the school and in addition, the westbound bus stop directly in front of the subject property has a covered shelter. Based on the information presented, MDT has no objections to this project.

Concurrency

This project has been reviewed by MDT for mass transit concurrency and was found to be concurrent with the level-of-service standards established for Miami-Dade County.

Memorandum

MIAMI-DADE COUNTY

Date: November 6, 2008

To: Nicholas D. Nitti, DIC Coordinator
Department of Planning and Zoning

From: Bertha M. Goldenberg, P.E., Assistant Director
Regulatory Compliance and Planning

Subject: Archimedean Properties, LLC - DIC Application # - Z2008000194

Below, please find the Miami-Dade Water and Sewer Department's (MDWASD) comments for the subject project.

Application Name: Archimedean Properties, LLC.

Proposed Development: Requesting approval of an Exception to permit 9th and 10th grade students to attend Archimedean's Upper Conservatory High School.

Project Location: 12425 SW 72nd Street, Miami, Florida.

Water/Sewer/Water Conservation: The subject project is located within MDWASD's service area. There is no impact on the Water & Sewer / Conservation areas of concern, since the application does not involve new construction nor an increase in the number of students.

Should you have any questions, please call me at (786) 552-8120 or contact Maria A. Valdes at (786) 552-8198.

TEAM METRO

ENFORCEMENT HISTORY

ARCHIMEDEAN PROPERTIES, LLC	12425 SW 72 STREET, MIAMI-DADE COUNTY,
APPLICANT	**ADDRESS**
6/8/2009 8:27:53 AM	Z2008000194
DATE	**HEARING NUMBER**

CURRENT ENFORCEMENT HISTORY:
CMS#200912002815, INSPECTION CONDUCTED AND NO VISIBLE VIOLATIONS OBSERVED.

VIOLATOR:
ARCHIMEDEAN PROPERTIES, LLC

SANTIAGO GONZALEZ

27

ARCHIMEDEAN ACADEMY, INC

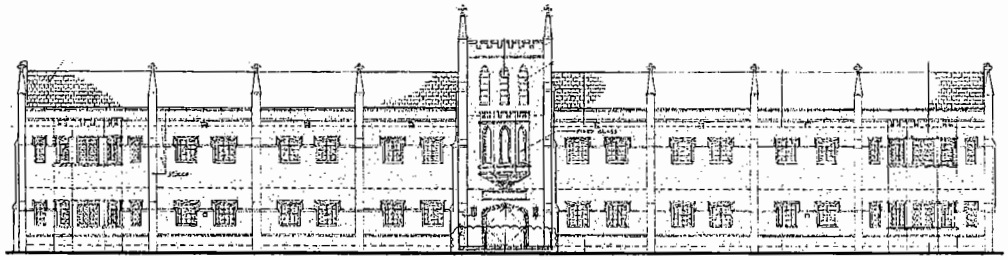
▪ CHARTER SCHOOLS ▪

ADDITION OF GRADES 9 TO 12 △

12425 SUNSET DR. - MIAMI - FLORIDA - 33183

D.I.C. SUBMITTAL

OCTOBER 01, 2008



OWNER	ARCHITECT	CONSULTANTS	INDEX OF DRAWINGS
ARCHIMEDEAN PROPERTIES, LLC. 12425 SW 72ND STREET MIAMI, FLORIDA, 33183	ANTHONY E. TZAMTZIS, AIA ARCHITECT AR 09207 2421 TIGERTAIL AVENUE, MIAMI, FL 33133 PH. (305) 389-9009 FAX (305) 857-3542 EMAIL: atzamtzis@bellsouth.net	DELTA SURVEYORS, INC L.B No. 3386 STATE OF FLORIDA 13052 SW 133rd CT. MIAMI, FL 33186 PH. (305) 253-0909 FAX (305) 253-0933	SURVEY COVER SHEET A-1 EXISTING SITE PLAN A-2 EXISTING SITE/BLDG. PHOTOGRAPHS A-3 EXISTING K-8 SCHOOL BLDG. FLOOR PLAN AND ELEVATIONS L-1 EXISTING LANDSCAPE PLAN

REVISIONS

No	DATE	DESCRIPTION
△1	01-23-09	RESPONSE TO ZONING AND TRAFFIC COMMENTS
△2	03-18-09	DIC APPLICATION REVISION

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z08-194
DATE: MAR 31 2009
DIV. SIGNAL

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: 2008-184
DATE: MAR 31 2009
BY: KDB

LOCATION MAP
N.T.S.

LEGAL DESCRIPTION

The East 1/2 of the SE 1/4 of the SW 1/4 of the SW 1/4, LESS the South 50.0 feet thereof, in Section 25, Township 54 South, Range 39 East, Miami-Dade County, Florida.

The West 1/2 of SW 1/4 of the SE 1/4 of the SW 1/4, LESS the South 50.0 feet thereof, in Section 25, Township 54 South, Range 39 East, Miami-Dade County, Florida.

Approximately 9.37 Acres.

ZONING LEGEND

MIAMI-DADE COUNTY, FLORIDA - Chapter 33, Zoning

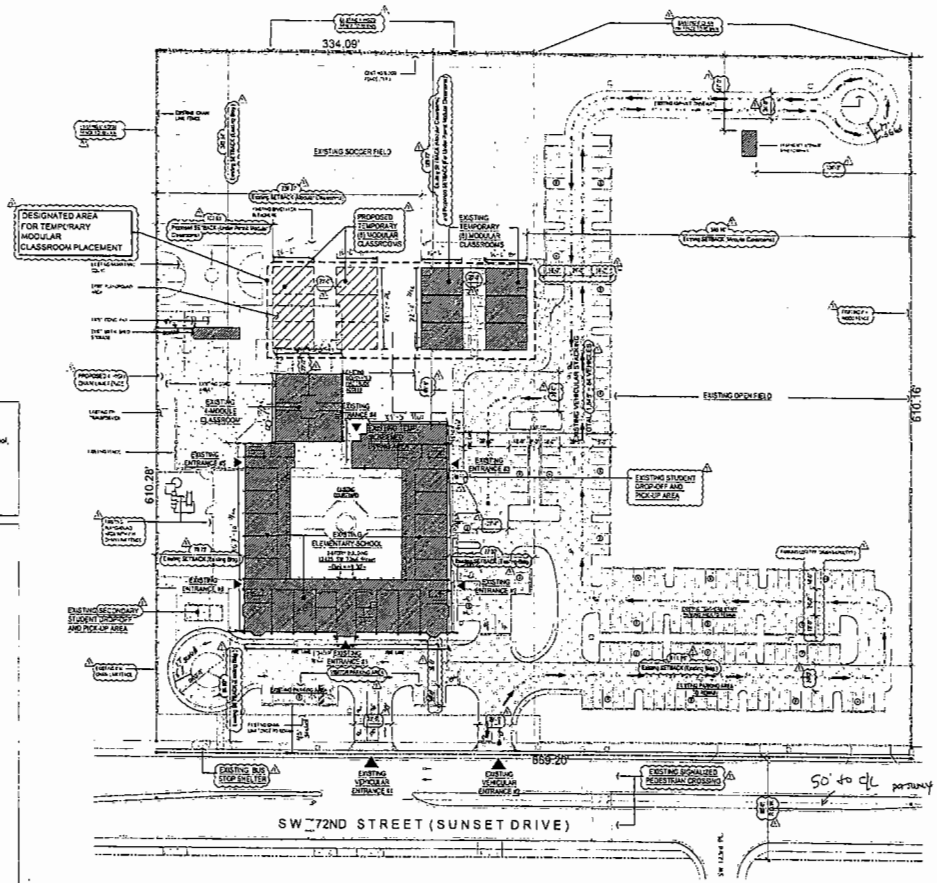
Existing Use: Elementary and Middle School K-8 with temporary Modular Classrooms
Proposed Use: Add 9 to 12 grades / No physical improvements proposed

ZONING DISTRICT: GU
NET LOT AREA: 408,043 SF or 9.36 acres

SETBACKS & Height	REQUIRED	EXISTING TO REMAIN
Existing Main Building		
Front	25.0'	90.0'
Side (east)	25.0'	410.0'
Side (west)	50.0'	38.33'
Rear	50.0'	343.54'
Height	35.0'	25.0' at parapet 35.0' at roof
Existing Kindergarten Modular		
Front	25.0'	204.75'
Side (east)	25.0'	Met @
Side (west)	50.0'	105.42'
Rear	50.0'	165.39'
Height	35.0'	13.0'
Existing Temporary Modular Classroom		
Front	25.0'	243.66'
Side (east)	25.0'	156.25'
Side (west)	50.0'	370.67'
Rear	50.0'	188.32'
Height	35.0'	14.0'

LOT COVERAGE: 13% (61,205 SF) 3.89% (20,061 SF)*

* INCLUDES THE AREA OF EXISTING STUDENT DROP-OFF & PICK-UP COVERED CANOPY



EXISTING SITE PLAN
SCALE: 1" = 50'

REFER TO SURVEY BY DELTA SURVEYORS, INC.
DATE: AUGUST 26, 2008

SCOPE OF WORK

1. EXPAND GRADES FROM K-9 TO K-12 (ADDITION OF 9 TO 12 GRADES).
2. DESIGNATE AREA FOR TEMPORARY MODULAR CLASSROOM PLACEMENT AS SHOWN ON THIS PLAN.
3. NO PHYSICAL IMPROVEMENTS PROPOSED AT THIS TIME

PARKING REQUIREMENTS SECTION 33-124 OF MIAMI-DADE COUNTY CODE, AS AMENDED, AS APPLICABLE TO ELEMENTARY SCHOOL SECTION 33-124 (B), ITEMS 1, 2, & 3

24 HOUR TYPE	No. OF TEACHERS	No. OF OTHER STAFF	TOTAL PERSONNEL	No. OF TRANSP. VEHICLES	AREA IN SF (CLASSROOMS, LIBRARY, ADMIN. & SIMILAR)	PARKING SPACES REQUIRED	PARKING PROVIDED
KINDERGARTEN & ELEMENTARY GRADES K-5	24	18	42	11	N/A	42	-
JUNIOR HIGH GRADES 6-8	16	9	25	10	N/A	25	-
HIGH SCHOOL GRADES 9-12	N/A	4	4	-	2,869	Not permanently	13
TOTAL PARKING REQUIRED, PROVIDED						67	171

PARKING CALCULATIONS NOTES BASED ON MIAMI-DADE COUNTY ORDINANCE 33,

1. CODE REQUIRED PARKING FOR ELEMENTARY AND JUNIOR HIGH SCHOOLS SHALL EQUAL THE COMBINED TOTAL OF PERSONNEL AND TRANSPORTATION VEHICLES.
2. CODE REQUIRED PARKING FOR JUNIOR HIGH SCHOOLS SHALL EQUAL THE COMBINED TOTAL OF PERSONNEL AND TRANSPORTATION VEHICLES.
3. CODE REQUIRED PARKING FOR HIGH SCHOOLS IS 1 SPACE/300 SF OF CLASSROOMS, LIBRARIES, AND ADMINISTRATION AREAS.
   - CLASSROOM AREA: 45/55% SF EA. = 2,530/300 = 11
   - LIBRARY AREA: N/A
   - ADMINISTRATION: 997/300 = 3
   - TOTAL PARKING REQUIRED: 2,869 SF / 300 SF/space = 13 SP

4. EVEN THOUGH PARKING FOR HIGH SCHOOLS IS NOT REQUIRED, WE ARE PROVIDING 13 SPACES FOR THIS APPLICATION BECAUSE WE ANTICIPATE THAT THE SCHOOL WILL NOT ALLOW STUDENTS TO DRIVE.

STUDENTS ENROLLMENT

	No. OF STUDENTS
EXISTING (K-8)	670
ADD 9 TO 12 GRADES	130
TOTAL	*805 Students

* 800 STUDENTS FOR 2009-2010 SCHOOL YEAR PER RESOLUTION Z-31-06

LEGEND

- EXISTING BUILDINGS OR TEMPORARY PORTABLES
- EXISTING WALKWAYS
- EXIST. CONC. POLE PARKING LIGHTING
- EXISTING VEHICULAR STACKING TOTAL: 1848' = 84 VEHICLES
- PROPOSED TEMPORARY MODULAR CLASSROOMS

RECEIVED
2009-184
MAR 20 2009
ZONING HEARING 24 SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY: KDB

APPLICATION MASTER NOTES:

1 - ALL CONDITIONS SHOWN ARE AS APPROVED BY MIAMI-DADE COUNTY RESOLUTIONS Z-18-05 & Z-31-06 EXCEPT AS NOTED IN THIS SCOPE OF WORK

2 - ALL SITE ELEMENTS, PARKING LAYOUT, BUILDING ELEMENTS, LIFE SAFETY ALARM AND EMERGENCY SYSTEMS ARE EXISTING TO REMAIN UNDER THIS APPLICATION.

3 - THIS APPLICATION TO BE USED AS RECORD OF EXISTING CONDITIONS FOR THE ADDITION OF 9 TO 12 GRADES.

REVISIONS

No.	DATE	DESCRIPTION
1	01-23-09	RESPONSE TO ZONING ANALYSIS COMMENTS
2	03-16-09	DIC APPLICATION RESUBMISSION

ANTHONY E. TZAMTZIS, AIA
ARCHITECT AR 09207
3121 TOMTEBO AVENUE, MIAMI, FL 33133
PH: (305) 305-9005 FAX: (305) 857-3947
EMAIL: aztamtzis@bellsouth.net

Sheet Title: EXISTING SITE PLAN
Submittal: D.I.C. SUBMITTAL

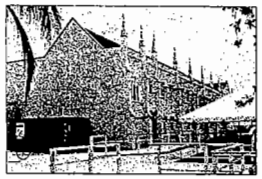
ARCHIMEDEAN ACADEMY, INC
CHARTER SCHOOLS
ADDITION OF GRADES K (9 to 12)
12425 Sunset Dr. Miami, Florida 33183

Date: 01-16-09
Scale: AS NOTED
Drawn:
Job: 06-1218
Sheet: A-1
Of: Sheets

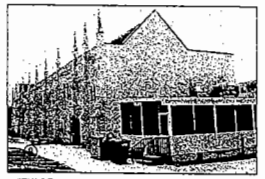
RECEIVED
MIAMI-DADE COUNTY
PROCESS #: 206-134
DATE: MAR 31 2009
BY: ADS

VIEW OF THE FRONT SCHOOL ENTRANCE FROM ACROSS SUNSET DRIVE

MEDIUM SIZE OAK TREES BORDER THE NORTH PROPERTY LINE ALONG THE SOCCER FIELD EDGE

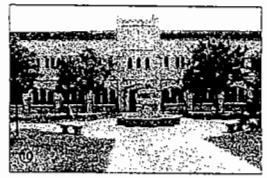


VIEW OF THE REAR AND WEST FACADE LOOKING SOUTH

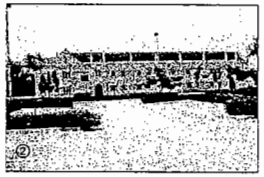


VIEW OF THE REAR AND EAST FACADE WITH THE EXISTING TEMPORARY DINING AREA IN FOREGROUND

VIEW OF THE REAR PART OF THE SCHOOL FROM THE SOCCER FIELD WITH THE EXISTING MODULAR CLASSRODMS IN FOREGRDUND.



VIEW OF THE INTERIOR COURTYARD LOOKING SOUTH

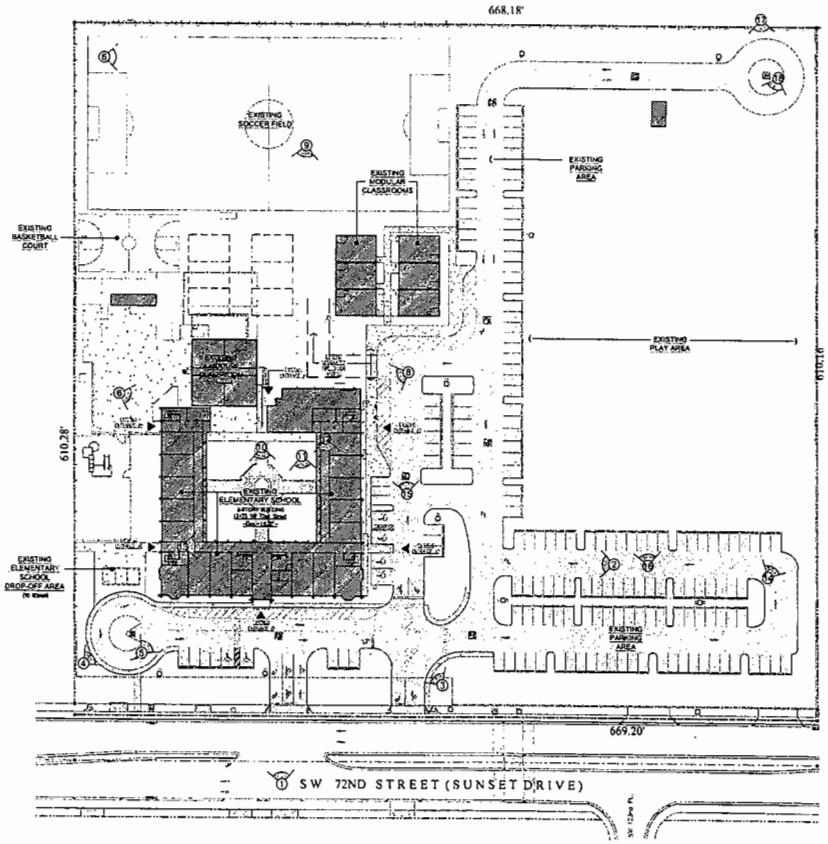


VIEW OF THE EAST EXISTING FACADE SIDE FROM THE PARKING AREA

LOOKING WEST AT THE SW CORNER OF THE EXISTING BUILDING

LOOKING EAST ON THE FRONT FACADE OF THE EXISTING SCHOOL BUILDING

VIEW OF THE WEST FACADE OF THE EXISTING SCHOOL WITH THE ELEMENTARY SCHOOL DROP OFF AND PICK-UP AREA



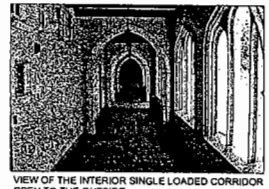
EXISTING SITE PLAN WITH PHOTOGRAPHS

SCALE: 1" = 50'

LOOKING NORTH WITH THE EXISTING TWO MODULAR CLASSROOM BUILDINGS AT THE BACKGROUND

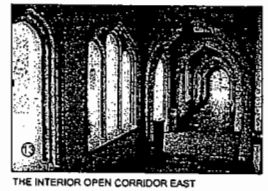
ANOTHER VIEW OF THE INTERIOR COURTYARD LOOKING WEST

VIEW OF THE EXISTING OPEN FIELD SITE OF THE PROPOSED MIDDLE/HIGH SCHOOL BUILDING



VIEW OF THE INTERIOR SINGLE LOADED CORRIDOR OPEN TO THE OUTSIDE

LOOKING SOUTH ALONG THE EASTERN BOUNDARY LINE WITH FICUS TREES



THE INTERIOR OPEN CORRIDOR EAST

LOOKING SOUTH AT THE EXISTING OPEN FIELD SITE OF THE PROPOSED GYM BUILDING WITH THE EXISTING SCHOOL AT THE FAR BACKGROUND

MATURE FICUS TREES BORDER THE SITE ALONG THE EAST PROPERTY LINE

RECEIVED
MAR 31 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY: ADS

APPLICATION MASTER NOTES:

1 - ALL CONDITIONS SHOWN ARE AS APPROVED BY MIAMI-DADE COUNTY RESOLUTIONS Z-18-05 & Z-31-06 EXCEPT AS NOTED IN THIS SCOPE OF WORK

2 - ALL SITE ELEMENTS, PARKING LAYOUT, BUILDING ELEMENTS, LIFE SAFETY ALARM AND EMERGENCY SYSTEMS ARE EXISTING TO REMAIN UNDER THIS APPLICATION.

3 - THIS APPLICATION TO BE USED AS RECORD OF EXISTING CONDITIONS FOR THE ADDITION OF 9 TO 12 GRADES.

REVISIONS

No	DATE	DESCRIPTION
1	10-23-08	RESPONSE TO ZONING AND TRAFFIC COMMENTS
2	03-15-09	DIC APPLICATION REVISION
3	03-30-09	RESPONSE TO ZONING COMMENTS

ANTHONY E. TZAMTZIS, AIA
ARCHITECT AR 09207
7421 TIGERTAIL AVENUE, MIAMI, FL 33133
PHONE: (305) 868-2222 FAX: (305) 868-2223
EMAIL: atzamtzis@archimedean.com

Sheet Title:
SITE PHOTOGRAPHS
TAKEN ON AUGUST 23, 2008

Submittal:
D.I.C. APPLICATION #22008000194

ARCHIMEDEAN ACADEMY, INC
CHARTER SCHOOL
ADDITION OF GRADES 9 (to 12)
12425 Sunset Dr. Miami, Florida 33183

Date	01-16-09
Scale	AS NOTED
Drawn	
Job	06-1216
Sheet	A-2
of	Sheets

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: 208-194
DATE: MAR 31 2009
BY: RDH

LANDSCAPE LEGEND - EXISTING TREES

SYMBOL	COUNT	BOTANICAL / COMMON NAME	DESCRIPTION	REMARKS	NATIVE	DROUGHT TOLERANT
PP	112	Peltophorum Pterocarpum YELLOW POINCIANA	3" TO 8" CAL. 12' TO 14' HIGH	ALL TO REMAIN	YES	YES
BS	84	Bursera Simaruba GUMBO LIMBO	4" TO 8" CAL. 8' TO 10' HIGH	ALL TO REMAIN	YES	YES
BB	6	Bucida Buceras BLACK OLIVE	8" TO 12" CAL. 12' TO 20' HIGH	ALL TO REMAIN	YES	YES
QV	38	Quercus Virginiana LIVE OAK	8" TO 12" CAL. 15' TO 25' HIGH - EXCEPT WHERE NOTED	ALL TO REMAIN	YES	YES
SM	12	Swietenia Mahogani MAHOGANY	5" TO 12" CAL. 12' TO 20' HIGH	ALL TO REMAIN	YES	YES
TH	2	Tabebuia Heterophylla PINK TAB	8" CAL. 18' HIGH	ALL TO REMAIN	YES	YES
FB	15	Ficus Benjamina WEEPING FIG	20' to 30' HIGH	ALL TO REMAIN	YES	-

LANDSCAPE LEGEND - EXISTING PALMS

SYMBOL	COUNT	BOTANICAL / COMMON NAME	DESCRIPTION	REMARKS	NATIVE	DROUGHT TOLERANT
AR	5	Arecastrum Romanzoffianum QUEEN PALM	8" DIA., 8' TO 15' HIGH	ALL TO REMAIN	-	
CB	2	Coccothrinax Barbadensis SILVER PALM	4' DIA	ALL TO REMAIN	-	

LANDSCAPE LEGEND - EXISTING SHRUBS

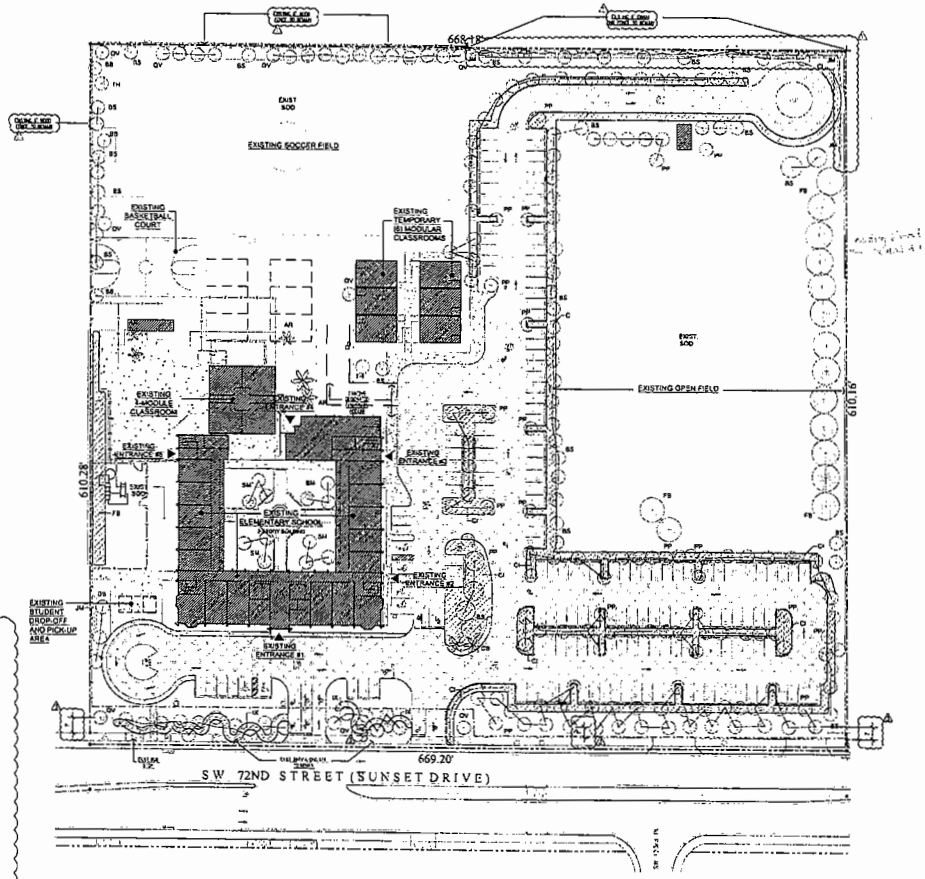
SYMBOL	COUNT	BOTANICAL / COMMON NAME	DESCRIPTION	REMARKS	NATIVE	DROUGHT TOLERANT
CI	3,110	Chrysobalanus Icaco COCO PLUM	24" TO 36" HIGH	ALL TO REMAIN	YES	YES
IX	46	Ixora Coccinea RED IXORA	36" HIGH	ALL TO REMAIN	YES	YES
FB	40	Ficus Benjamina WEEPING FIG	8' to 10' HIGH	ALL TO REMAIN	YES	-
JM	220	Jasminum Multiflorum JASMINE	24" HIGH MIN.	ALL TO REMAIN	YES	-

LANDSCAPE LEGEND PER MIAMI-DADE COUNTY ORDINANCE 18A

ZONING DISTRICT: MIAMI-DADE COUNTY GU (AU)

Net Lot Area: 9.36 acres or 408,047 sf

	REQUIRED	PROVIDED
TREES		
Number of trees required per net acre: 9 9.36 acres X 9 (Excluding palms)	85	280
Street Trees at 35' OC max. 669 lf / 35 = 20	20	32
Native trees must be 30% of required trees 85 X 30% = 26	26	263
Palms of 10' min overall height shall count as required tree at 2 to 1 ratio. No more than 50% of min. tree requirements shall be met by palms. (Min. tree count met by trees alone)	-	7
LAWN AREA		
Maximum Lawn area permitted is 60% of net acre area 408,047 X 60% = 244,829 sf Lawn Area provided is 69,925 sf. Complies with above.	-	
OPEN SPACE Percent of open space required : 0%	-	
SHRUBS Provide ten shrubs per required tree 85 X 10 = 850	850	3,216
Native shrubs shall be 30%	255	3,150



EXISTING LANDSCAPE LEGEND

SYMBOL	DESCRIPTION
	EXISTING TREE TO REMAIN
	DENOTES SAME TYPE OF TREES REFER TO TREE TABLE FOR SYMBOL
	EXISTING PALM
	EXIST. SHRUBS

EXISTING LANDSCAPE PLAN

SCALE: 1" = 50'

N

RECEIVED
MAR 31 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

REVISIONS

No	DATE	DESCRIPTION
1	01-23-09	RESPONSE TO ZONING AND TRAFFIC COMMENTS
2	03-15-09	DIC APPLICATION REVISION
3	03-30-09	RESPONSE TO ZONING COMMENTS

ANTHONY E. TZAMTZIS, AIA
ARCHITECT AR 09207
7421 TIGERTAIL AVENUE, MIAMI, FL 33133
PH: (305) 865-6545 FAX: (305) 865-6542
EMAIL: etzamtzis@bellsouth.net

Sheet Title: EXISTING LANDSCAPE PLAN

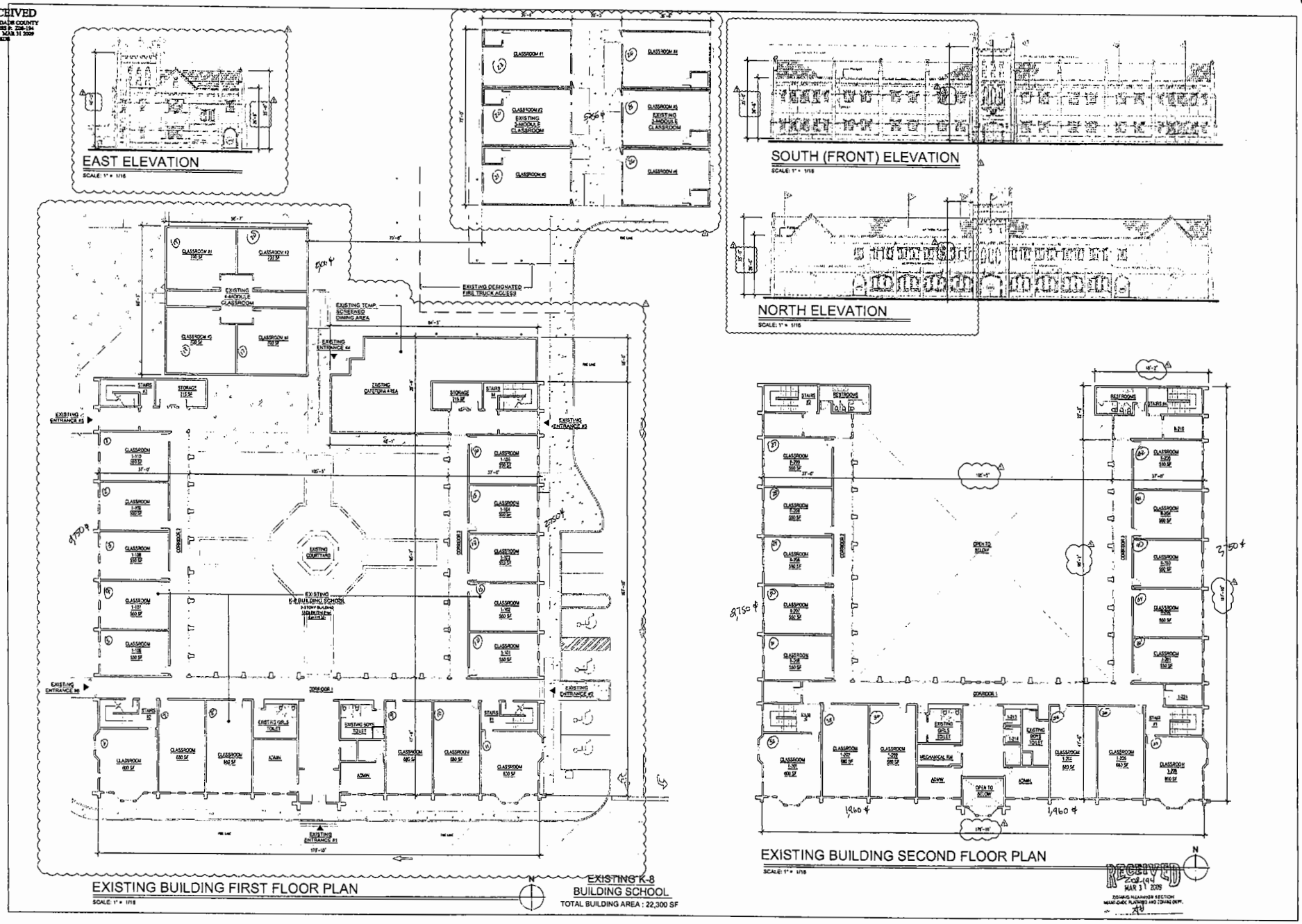
Description: D.I.C. APPLICATION #22008000194

ARCHIMEDEAN ACADEMY, INC
CHARTER SCHOOLS
ADDITION OF GRADES 9 to 12
12425 Sunset Dr. Miami, Florida 33183

Date: 01-16-09
Scale: AS NOTED
Drawn:
Job: 08-1218
Sheet: L-1
Of: Sheets

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z08-194
DATE: MAR 31 2009
BY: KDB

31



REVISIONS		
No	DATE	DESCRIPTION
1	01-23-09	RESPONSE TO ZONING AND TRAFFIC COMMENTS
2	03-15-09	DIC APPLICATION REVISION
3	03-30-09	RESPONSE TO ZONING COMMENTS

ANTHONY E. TZAMTZIS, AIA
ARCHITECT AR 09207
2421 TIGERTAIL AVENUE, MIAMI, FL 33133
PH. (305) 389-6009 FAX (305) 857-2642
EMAIL: atzamtzis@anthonytzamtzis.net

Sheet Title: **EXISTING BUILDING PLANS AND ELEVATIONS**

Submittal: D.I.C. APPLICATION #Z2008000194

ARCHIMEDEAN ACADEMY, INC

CHARTER SCHOOLS
ADDITION OF GRADES 5 to 12
12425 Sunset Dr. Miami, Florida 33183

Date	01-16-09
Scale	AS NOTED
Drawn	
Job	06-1218
Sheet	A-3
Of	Sheets

DISCLOSURE OF INTEREST*

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

CORPORATION NAME:_____

NAME AND ADDRESS	Percentage of Stock

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

TRUST/ESTATE NAME _____

NAME AND ADDRESS	Percentage of Interest

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: Archimedean Properties, LLC

NAME AND ADDRESS	Percentage of Ownership
See Exhibit "C" attached	

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

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z08-194
DATE: OCT 06 2008
BY: SDE

NAME OF PURCHASER:_____

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

Date of contract:_____

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

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

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

Archimedean Properties, LLC.

Signature:_____
(Applicant) Lambros Katsoufis, Manager

Sworn to and subscribed before me this 1 day of October 2008. Affiant is personally know to me or has produced DL. as identification.

_____
(Notary Public)

NOTARY PUBLIC - STATE OF FLORIDA
Linda Christian
Commission #DD651416
Expires: MAR. 23, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

My commission expires:_____

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

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z08-194
DATE: OCT 06 2008
BY: SDE

EXHIBIT "C"

Disclosure of Interest for Archimedean Properties, LLC:

Members of Archimedean Properties, LLC	Percentage Owned
1. George Bavelis c/o 1155 Brickell Bay Drive Suite 2810 Miami, FL 33131	2.86%
2. Passman Shipping Agency S.A. c/o 8619 Westwood Center Drive Suite 300 Vienna, Virginia 22182 Stockholders – Angelis Katsoufis – 100% Eubolas 30 11362 Kupseli Greece	31.14%
3. Pcla International, S.A. c/o Arias, Fabrega & Fabrega Plaza Bancomer Building 50th Street Panama, Republic of Panama Stockholders – Angelis Katsoufis – 100% Eubolas 30 11362 Kupseli Greece	23%
4. Crec Investments S.A. c/o Arias, Fabrega & Fabrega Plaza Bancomer Building 50th Street Panama, Republic of Panama Stockholders – Christos Hatziemannouil – 100% 61 Heathcroft Hamstead Way London, NW 11 7HJ United Kingdom	3%
5. Morphosis, LLC c/o 3135 SW 3rd Avenue Miami, FL 33129 Stockholders Dr. Nikos Georgoulakis – 50% 10855 SW 72 Street Miami, Fl 33173 Kyriakos Georgoulakis – 50% 13580 SW 109 Ct. Miami, FL 33176	21.43%
6. Gus Andy 1317 Beach Dr. Cate May, New Jersey 08204	5.71%
7. Dimosthenis Kotis and Toribia Miranda 3348 SW 22 Street Miami, FL 33145	4.29%
8. Panagiotis Alexopoulos 1537 Hollywood Blvd. Hollywood, FL 33020	2.86%
9. Adis Haralambides 901 N. Venetian Dr. Miami, FL 33129	5.71%

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z08-194
DATE: OCT 06 2008
BY: SDE

Department of Planning and Zoning
111 NW 1 Street 11th Floor
Miami, Florida 33128

CHILD CARE CHECK LIST FOR CHARTER SCHOOLS

A signed charter contract from the Miami-Dade County School Board must accompany this application which matches the location, # of students and grade levels of the proposed application

School Name: Archimedean Charter School

School Address: 12425 Sunset Drive

Tax Folio #30-4925-000-0620; and
30-4925-000-0690

Total size of site: 9.36 +/- acres

Is this an expansion to an existing school? ☒ yes ☐ no

If yes, indicate the # of students and grade levels previously approved:

800 students; K-8 and the Resolutions # Z-16-05 and Z-31-06

Number of children/students requested: 800 Grade Levels: ~~K-10~~ K-12 Ages: 5 yrs to-16 yrs

Number of classrooms: 40 Total square footage of classroom area: ~~26,000 sq. ft~~ 32,152 sf

Total square footage of outdoor recreation/play area: 219,100 square feet

Number of parking spaces provided for staff, visitors, and transportation vehicles: 171

Days and hours of operation: Monday through Friday; 7:30 AM to 3:00 PM

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

Signed, sealed, executed and acknowledged on this 27 day of March, 2009 at Miami-Dade County, Florida.

WITNESSES:

Archimedean Properties, LLC

By: _____
Lambros Katsoufis, Manager

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I hereby certify that on this 27 day of March, 2009, before me personally appeared Lambros Katsoufis, as Manager of Archimedean Properties, LLC, to me known to be the person described in and who executed the foregoing instrument and he/she acknowledge to me the execution thereof to be his/her free ct for the uses and purposes therein mentioned.

Linda Christian
NOTARY PUBLIC - STATE OF FLORIDA
Linda Christian
Commission #DD651416
Expires: MAR. 23, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

My Commission Expires
MIADOCS 3387325 1

CFN 2007R0802192
OR Bk 25853 Pgs 4991 - 5006; (16pgs)
RECORDED 08/14/2007 10:15:48
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

EXISTING

This instrument was prepared by:

Name: Leila Batties
Address: Holland & Knight LLP
701 Brickell Avenue
Suite 3000
Miami, Florida 33131

A 9

(Space reserved for Clerk of Court)

DECLARATION OF RESTRICTIONS

Amendment and Restatement of the Declaration of Restrictions Recorded at Official Records Book 23679, Pages 4935-4943

THIS DECLARATION OF RESTRICTIONS is made this 23 day of August, 2006, by **ARCHIMEDEAN PROPERTIES, LLC** a Florida limited liability company (the "Owner"), in favor of Miami-Dade County, a political subdivision of the State of Florida (the "County").

WITNESSETH:

WHEREAS, the Owner holds fee simple title to that certain property lying, being and situated in Miami-Dade County, Florida, to-wit:

See attached Exhibit "A"

hereinafter referred to as the "Property;"

WHEREAS, a Declaration of Restrictions (hereinafter referred to as the "Declaration") in favor of Miami-Dade County, was recorded in the Public Records of Miami-Dade County in Official Records Book 23679, at Pages 4935 to 4943, which placed certain restrictions and conditions on the use of the Property;

WHEREAS, Public Hearing No. 2006-55 (the "Application") was held before the Board of County Commissioners (the "Board") on August 24, 2006, and deferred to September 14, 2006, at which hearing the Board adopted Resolution No. Z-31-06 (the "Resolution"), a copy of which is attached as Exhibit "B;"

WHEREAS, the Resolution approved the modification of Paragraphs 3, 9, and 12 of the Declaration as follows:

Paragraph No. 3

FROM:

"3. The use of the Property shall be established and maintained substantially in accordance with that certain plan entitled 'Archimedean Academy Charter School,' as prepared by Civica, dated stamped received on April 19, 2005, consisting of nine (9) sheets (including the cover page)."

TO:

"3. The use of the Property shall be established and maintained substantially in accordance with that certain plan entitled 'Archimedean Academy Charter School,' as prepared by Civica, dated stamped received on June 7, 2006, consisting of eleven (11) sheets (including the cover page)."

Paragraph No. 9

FROM:

"9. That the Charter School use shall be limited to Kindergarten (K) through Eight (8th) grades for a maximum of five hundred and forty (540) students (unless a different enrollment and/or grade levels are approved in the future by the County following an application by the Owner, as provided in the Code of Miami-Dade County and provided the Declaration is modified as provided herein, all subject to any conditions in the approving resolution)."

TO:

"9. That the Charter School use shall be limited to Kindergarten (K) through Eighth (8th) grades for a maximum of eight hundred (800) students (unless a different enrollment and/or grade levels are approved in the future by the County following an application by the Owner, as provided in the Code of Miami-Dade County and provided the Declaration is modified as provided herein, all subject to any conditions in the approving resolution)."

Paragraph No. 12

FROM:

"12. The Owner shall comply with all of the applicable conditions, requirements recommendations, requests and other provisions of the various Departments as contained in the Developmental Impact Committee ("DIC") report."

TO:

"12. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda, which are part of the record of this application and incorporated herein by reference."

WHEREAS, the Owner and the County desire that the covenants herein amend, restate and supersede those of the Declaration;

NOW THEREFORE, IN ORDER TO ASSURE the County that the representations made during consideration of the Application will be abided by, the Owner freely, voluntarily and without duress makes the following declaration of restrictions covering and running with the Property:

1. Prior to the submittal of an application for building permit and/or Certificate of Use in connection with the Property, the Owner shall submit a site plan (the "Site Plan") to the Department and meet with the approval of the Director of the Department. The Site Plan shall include, without limitation, the location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, and landscaping.

2. The Site Plan shall be in a form which is substantially similar to the Site Plan previously submitted with the Application.

3. The use of the Property shall be established and maintained substantially in accordance with that certain plan entitled "Archimedean Academy Charter School," as prepared by Civica, dated stamped received on June 7, 2006, consisting of eleven (11) sheets (including the cover page).

4. Prior to the issuance of a building permit for the Charter School, the Owner shall submit to the Department for its review and approval a landscaping plan that indicates the type and size of plant material to be used on the Property. The plant material shall have been installed in accordance with such landscaping plan prior to the issuance of a certificate of use.

5. Upon compliance with all terms and conditions of the building permit applicable to the Property, the Owner shall obtain a certificate of use from (and promptly renew the same annually with) the Department. Such certificate of use shall be subject to cancellation upon violation of any of the conditions contained within the building permit.

6. No outside speakers, other than in connection with emergency systems, shall be permitted on the Property.

7. The waste pick-up for the Charter School shall be performed by a private commercial entity and shall be limited to pick-up between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, provided that such pick-up shall not be performed during the arrival and dismissal times.

8. The Charter School gates shall be opened at least thirty (30) minutes prior to the arrival and dismissal times.

9. The Charter School shall have staggered start and dismissal times as follows:

7:30 a.m. – 1:30 p.m.	Grades K – 1	(178 students)
7:30 a.m. – 2:30 p.m.	Grades 2 – 3	(178 students)
8:00 a.m. – 3:00 p.m.	Grades 4 – 5	(178 students)
8:30 a.m. – 3:30 p.m.	Grades 6 – 8	(266 students)

10. That the Charter School use shall be limited to grades K through 8th with the expansion from 600 to 800 students as follows:

Year 1	2006-07 School Year	Addition of 80 students (620 students)
Year 2	2007-08 School Year	Addition of 60 students (680 students)
Year 3	2008-09 School Year	Addition of 60 students (740 students)
Year 4	2009-10 School Year	Addition of 60 students (800 students)

11. That night activities and/or functions at the Charter School shall be limited to ten (10) events per year and shall end no later than 10:00 p.m.

12. If the Charter School is constructed but fails to begin operation and/or the Charter School fails after establishment, the Owner, within thirty-six (36) months of the Charter School's failure to begin operation or closure, shall:

(a) cause the Charter School to be in full compliance with all zoning regulations applicable to the Property allowing a use other than the charter school use, or

(b) transfer the operation of the Charter School to another charter school operator or to the Miami-Dade County School Board, after securing the necessary approvals from the Miami-Dade County School Board, or

(c) convert the Charter School to a permitted use within the zoning district applicable to the Property, provided said use has first been authorized through the issuance of the appropriate permits from the Department, or

(d) secure necessary public hearing approvals to convert the Charter School to a use not otherwise permitted within the zoning district applicable to the Property.

13. In addition to the foregoing provisions, the Owner agrees to comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda, which are part of the record of the Application and incorporated herein by reference.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, ARCHIMEDEAN PROPERTIES, LLC, has caused these present to be signed in its name on this 23 day of August, 2006.

WITNESSES:

Leila Battles
Witness
LeilaBattles
Printed Name

Witness
PAMELA JACKSON
Printed Name

ARCHIMEDEAN PROPERTIES, LLC
a Florida limited liability company

By: _____
Lambros Katsoufis, Manager

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 23 day of August, 2006, by Lambros Katsoufis, as manager of Archimedean Properties, LLC, a Florida limited liability company, on behalf of said company, who is personally known to me or has produced F.D.L. LICENSE as identification.

My Commission Expires:

PAMELA JACKSON
MY COMMISSION # DD 478385
EXPIRES: December 17, 2009
Bonded Thru Notary Public Underwriters

Notary Public - State of Florida
PAMELA JACKSON
Printed Name

EXHIBIT "A"
LEGAL DESCRIPTION OF SUBJECT PROPERTY

The east 1/2 of the SE 1/4 of the SW 1/4 of the SW 1/4, less the south 50' and the west 1/2 of the SW 1/4 of the SE 1/4 of the SW 1/4, all in Section 25, Township 54 South, Range 39 East.

4140762_v1

EXHIBIT "B" (1 OF 8)

Approved: _____ **Mayor**

Veto: _____

Override: _____

RESOLUTION NO. Z-31-06

WHEREAS, **ARCHIMEDEAN PROPERTIES L. L. C.** applied for the following:

(1) SPECIAL EXCEPTION to permit the expansion of a charter school from 540 students to 1,080 students in grades K-8.

(2) MODIFICATION of Conditions #3 & #11 of Resolution Z-16-05, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Archimedean Academy Charter School,' as prepared by Civica, consisting of 10 sheets, dated stamped received April 19, 2005, except as herein modified to include 540 students only."

"11. That the charter school use shall be limited to Grades K-8th for a maximum of 540 students."

TO: "3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Archimedean Academy Charter School,' as prepared by Civica, consisting of ~~10~~ 11 sheets, dated stamped received ~~April 19, 2005~~ June 7, 2006, ~~except as herein modified to include 1,080 students only~~."

"11. That the charter school use shall be limited to Grades K-8th for a maximum of ~~540~~ 1,080 students."

(3) Deletion of Condition #9 of Resolution # Z-16-05 passed and adopted by the Board of County Commissioners, and reading as follows:

"9. That night activities and/or functions at the charter school shall be limited to 10 events per year and shall end no later than 10:00 p.m."

(4) MODIFICATION of Paragraphs #3, #9 & #12 of a Declaration of Restrictions recorded in Official Records Book 23679, Pages 4935 – 4943, reading as follows:

FROM: "3. The use of the property shall be established and maintained substantially in accordance with that certain plan entitled 'Archimedean Academy Charter School,' as prepared by Civica, dated stamped received on April 19, 2005, consisting of nine (9) sheets (including the cover page)."

"9. That the Charter School use shall be limited to Kindergarten (K) through Eighth (8th) grades for a maximum of five hundred and forty (540) students (unless a different enrollment and/or grade levels are approved in the future by the County following an application by the Owner, as provided in the Code of Miami-Dade County and provided the Declaration is modified as provided herein, all subject to any conditions in the approving resolution)."

"12. The Owner shall comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Developmental Impact Committee ("DIC") report."

TO: "3. The use of the property shall be established and maintained substantially in accordance with that certain plan entitled 'Archimedean Academy Charter School,' as prepared by Civica, dated stamped received on ~~April 19, 2005~~ June 07, 2006, consisting of ~~nine (9)~~ eleven (11) sheets (including the cover page)."

"9. That the Charter School use shall be limited to Kindergarten (K) through Eighth (8th) grades for a maximum of ~~five hundred and forty (540)~~ one thousand eighty (1080) students (unless a different enrollment and/or grade levels are approved in the future by the County following an application by the owner, as provided in the Code of Miami-Dade County and provided the declaration is modified as provided herein, all subject to any conditions in the approving resolution)."

"12. ~~The Owner shall comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Developmental Impact Committee ("DIC") report."~~ That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda which are part of the record of the application and incorporated herein by reference."

(5) Deletion of Paragraph #10 of Declaration of Restrictions recorded in Official Record Book 23679, Pages 4935 – 4943, reading as follows:

"10. That night activities and/or functions at the Charter School shall be limited to ten (10) events per year and shall end no later than 10:00 PM."

The purpose of these requests is to allow the applicant to submit revised plans for the previously approved charter school, to increase the number of students, to ensure that the current departmental memos to the DIC be incorporated as part of the approval of this application, and to have no limit on the number of night functions that could occur at the school.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #5 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §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 Zoning Department. Plans may be modified at public hearing.

SUBJECT PROPERTY: The east ½ of the SE ¼ of the SW ¼ of the SW ¼, less the south 50' and the west ½ of the SW ¼ of the SE ¼ of the SW ¼, all in Section 25, Township 54 South, Range 39 East.

LOCATION: 12425 S.W. 72 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter and to the recommendation of the Developmental Impact Committee, it is the opinion of this Board that the requested special exception to permit the expansion of a charter school from 540 students to 1,080 students in grades K-8 be approved on a modified basis to permit a gradual expansion during a five year period to a maximum of 800 students in grades K - 8 (Item #1) would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance, and that the requested modifications of Conditions #3 & #11 of Resolution Z-16-05, passed and adopted by the Board of County Commissioners (Item #2), and of Paragraphs #3, #9 & #12 of a Declaration of Restrictions recorded in Official Records Book 23679, Pages

4935 – 4943 (Item #4) with Item 4 pertaining to the site plan and on a modified basis pertaining to a gradual expansion to 800 students during a five year period would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance, and that the requested special exception to permit a gradual expansion to 800 students in grades K-8 (Item #1) on a modified basis would not have an adverse impact upon the public interest and should be approved, and that the requested deletions of Condition #9 of Resolution Z-16-05 passed and adopted by the Board of County Commissioners (Item #3) and of Paragraph #10 of Declaration of Restrictions recorded in Official Record Book 23679, Pages 4935 – 4943 (Item #5) would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and

WHEREAS, a motion to approve Items #1, 2, and 4 on a modified basis and deny Items #3 and 5 without prejudice was offered by Commissioner Sen. Javier D. Souto, seconded by Commissioner Bruno A. Barreiro, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	aye	Dennis C. Moss	aye
Jose "Pepe" Diaz	aye	Dorrin D. Rolle	aye
Audrey M. Edmonson	absent	Natacha Seijas	absent
Carlos A. Gimmenez	aye	Katy Sorenson	aye
Sally A. Heyman	absent	Rebecca Sosa	aye
Barbara J. Jordan	aye	Sen. Javier D. Souto	aye

Chairperson Joe A. Martinez aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the requested special exception to permit a gradual expansion of a charter school during a five-year period to a maximum of 800 students in grades K - 8 (Item #1), the requested modifications of Conditions #3 & #11 of Resolution Z-16-05, passed and adopted by the Board of County Commissioners (Item #2), and of Paragraphs #3, #9 & #12 of a Declaration of Restrictions recorded in Official Records Book 23679, Pages 4935 – 4943 (Item #4) with Item #4

pertaining to the site plan and on a modified basis pertaining to a gradual expansion of 800 students during a five year period, be and the same are hereby approved, subject to the following conditions:

1. That all of the conditions of Resolution Z-16-05 remain in full force and effect except as herein modified.

2. That the charter school use shall be limited to grades K through 8th with the expansion from 600 to 800 students as follows:

Year 1	2006-2007 School Year	addition of 80 students (620 Students)
Year 2	2007-2008 School Year	addition of 60 students (680 Students)
Year 3	2008-2009 School Year	addition of 60 students (740 Students)
Year 4	2009-2010 School Year	addition of 60 students (800 Students)

3. That a revised Declaration of Restrictions be submitted to the Department within 90 days of approval of this application unless a time extension is granted for good cause shown.

4. That the number of night-time activities at the school be limited to 10 events per year and that the time of such activities do not exceed 10:00 pm.

5. That the proffered covenant be amended to include all the conditions and requirements of the Public Works Department

BE IT FURTHER RESOLVED, that the requested modification of Conditions #3 & #11 of Resolution Z-16-05, passed and adopted by the Board of County Commissioners (Items #2) on a modified basis, as modified shall read as follows:

3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Archimedean Academy Charter School,' as prepared by Civica, consisting of 11 sheets, dated stamped received June 7, 2006.

11. That the charter school use shall be limited to Grades K-8th for a maximum of 800 students.

BE IT FURTHER RESOLVED, that the requested modification of Paragraphs #3, #9 & #12 of a Declaration of Restrictions recorded in Official Records Book 23679, Pages 4935 – 4943 (Items #4) on a modified basis, as modified shall read as follows:

3. The use of the property shall be established and maintained substantially in accordance with that certain plan entitled 'Archimedean Academy Charter School,' as prepared by Civica, dated stamped received on June 07, 2006, consisting of eleven (11) sheets (including the cover page)."

9. That the Charter School use shall be limited to Kindergarten (K) through Eighth (8th) grades for a maximum of eight hundred (800) students (unless a different enrollment and/or grade levels are approved in the future by the County following an application by the owner, as provided in the Code of Miami-Dade County and provided the declaration is modified as provided herein, all subject to any conditions in the approving resolution)."

12. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda which are part of the record of the application and incorporated herein by reference.

BE IT FURTHER RESOLVED, that the requested deletions of Condition #9 of Resolution Z-16-05 passed and adopted by the Board of County Commissioners (Item #3) and of Paragraph #10 of Declaration of Restrictions recorded in Official Record Book 23679, Pages 4935 – 4943 (Item #5) be and the same are hereby denied without prejudice.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

EXHIBIT "B" (7 of 8)

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 14th day of September, 2006, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 06-8-CC-3
ej

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida
By [redacted] SULLIVAN
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 6TH DAY OF OCTOBER, 2006.

EXHIBIT "B" (8 of 8)

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

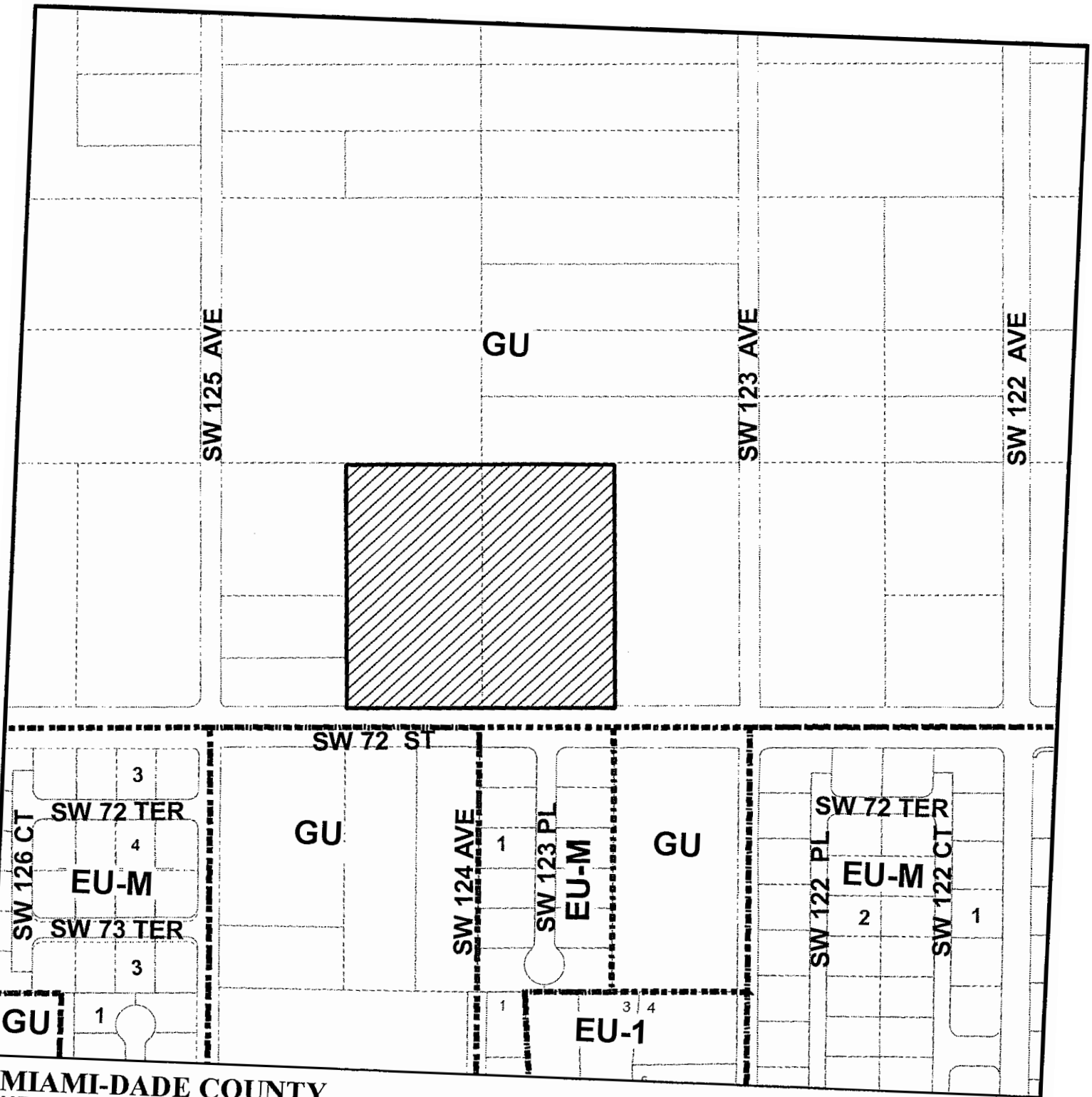
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-31-06 adopted by said Board of County Commissioners at its meeting held on the 14th day of September, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 6th day of October, 2006.

Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL

51



MIAMI-DADE COUNTY
HEARING MAP

Process Number
08-194

Section: 25 Township: 54 Range: 39
Applicant: ARCHIMEDEAN PROPERTIES, LLC
Zoning Board: C11
Commission District: 10
Drafter ID: KEELING
Scale: NTS
---------- Zoning

SUBJECT PROPERTY

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W E
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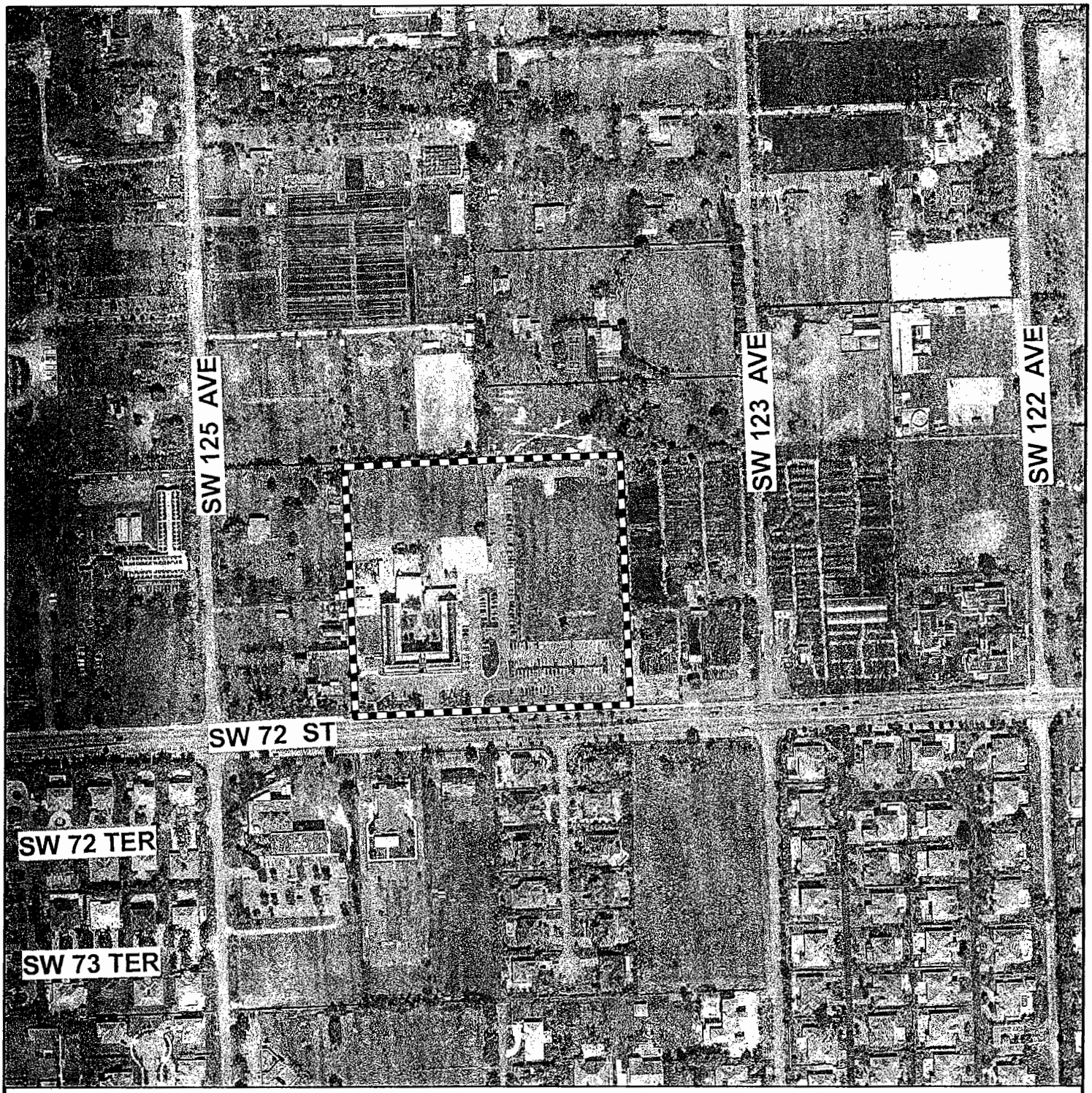
SKETCH CREATED ON: 11/07/08

MIAMI-DADE COUNTY

REVISION	DATE	BY
		52



MIAMI-DADE COUNTY
AERIAL YEAR 2008

Process Number
08-194

N
W E
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SUBJECT PROPERTY

Section: 25 **Township:** 54 **Range:** 39
Applicant: ARCHIMEDEAN PROPERTIES, LLC
Zoning Board: C11
Commission District: 10
Drafter ID: KEELING
Scale: NTS
---------- Zoning

MIAMI-DADE COUNTY

SKETCH CREATED ON: 11/07/08

REVISION	DATE	BY