

**BOARD OF COUNTY COMMISSIONERS
ZONING HEARINGS**

THURSDAY, JUNE 23, 2011

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.

PREVIOUSLY DEFERRED

HEARING #

DISTRICT

A. RENE MIGUEL VALDEZ

Request(s): - District Boundary Change from RU-1 to RU-5A or in the alternative, Use Variance to permit RU-5A uses in the RU-1 zone.

**05-364
(Appeal)**

10

Location: 2425 SW 82 Avenue, Miami-Dade County, Florida.
Within the Urban Development Boundary (UDB).

**B. SANTA FE HACIENDAS, LLC & CEMEX
CONSTRUCTION MATERIALS FLORIDA, LLC.**

09-176

11

Request(s): - Unusual Use to permit a Lake Excavation.

Location: Lying west of SW 177 Avenue (Krome Avenue) and south of theoretical SW 90 Street, Miami-Dade County, Florida.
Outside the Urban Development Boundary (UDB).

C. NORTHSTAR GRACELAND, LLC.

10-076

8 & 9

Request(s): - Zone change from BU-1A to GU
- Special exception to permit a cemetery
- Modify resolution & covenant to permit the applicant to submit revised site plans showing relocation of an office building & to delete a covenant on the BU-1A portion of the site.

Location: 13900 SW 117 Avenue, Miami-Dade County, Florida.
Within the Urban Development Boundary (UDB).

**BOARD OF COUNTY COMMISSIONERS
ZONING HEARINGS**

THURSDAY, JUNE 23, 2011

<u>CURRENT</u>	<u>HEARING #</u>	<u>DISTRICT</u>
1. <u>ARCHIMEDEAN PROPERTIES, LLC</u> Request(s): - Special exception to permit an expansion of an existing charter school to the northeast and to increase the number of students - Modify resolution and modify and delete covenants to permit the applicant to submit revised site plans showing the expansion of the charter school onto additional property and showing additional classroom buildings, to increase the number of students, to increase the number of night activities and special events and to delete three covenants in order to submit one consolidated covenant that encompasses the entire property to permit less parking than required. Location: 12425 SW 72 Street (Sunset Drive), Miami-Dade County, Florida. Within the Urban Development Boundary (UDB).	08-175	10
2. <u>MIAMI-DADE COUNTY AVIATION DEPARTMENT</u> Request(s): - District Boundary Change from IU-2 to GP Location: The northeast corner of NW 12 Street and Milam Dairy Road extension, Miami-Dade County, Florida. Within the Urban Development Boundary (UDB).	10-150	12
3. <u>MIAMI-DADE COUNTY AVIATION DEPARTMENT</u> Request(s): - District Boundary Change from IU-2 to GP Location: Lying north of NW 14 Street, between Milam Dairy Road extension and the Palmetto Expressway, Miami-Dade County, Florida. Within the Urban Development Boundary (UDB).	10-151	12
4. <u>COLUMBIA LAGRANGE HOSPITAL, INC. & KENDALL HEALTHCARE GROUP, LTD.</u> Request(s): - Unusual Use to permit a proposed heliport to be located on the roof of an existing hospital building. - Modify Resolution and Declaration of Restrictions in order to submit revised plans which show the location of a proposed heliport on the roof of one of the existing hospital buildings Location: 11750 Bird Road, Miami-Dade County, Florida. Within the Urban Development Boundary (UDB).	11-038	10



Official Zoning Agenda

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSION MEETING OF THURSDAY, JUNE 23, 2011

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

15-54-40
BCC/District 10

- (1) RU-1 TO RU-5A.

OR IN THE ALTERNATIVE:

- (2) USE VARIANCE to permit RU-5A uses in the RU-1 zone.

Plans are on file and may be examined in the Zoning Department entitled "Proposed RU-5A Zoning For: Rene Miguel Valdez," as prepared by G.J.R., Architects, consisting of 2 sheets, dated 11/18/05. Plans may be modified at public hearing.

LOCATION: 2425 S.W. 82 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 0.307 Acre

Department of Planning and Zoning
Recommendation:

Denial without prejudice of request #1 and approval with conditions of request #2, subject to the Board's acceptance of the proffered covenant.

Protests: 165

Waivers: 11

DENIAL OF APPEAL (SUSTAIN C.Z.A.B.): _____

APPROVAL OF APPEAL (OVERRULE C.Z.A.B.): _____

DEFERRED: _____

Deferred from 4-28-11

01-55-38
BCC/District 11

- (1) UNUSUAL USE to permit a Lake Excavation.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Prop. Lake Excavation" as prepared by Fortin, Leavy, Skiles, Inc., Sheet '2-A' dated stamped received 9/27/10 and the remaining 4 sheets dated stamped received 8/17/10 for a total of 5 sheets. Plans may be modified at public hearing.

LOCATION: Lying West of S.W. 177 Avenue (Krome Avenue) and South of theoretical S.W. 90 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 412 Acres

Department of Planning and Zoning
Recommendation:

Denial without prejudice.

Protests: 187

Waivers: 242

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____
Deferred from 4-28-11

DEFERRED: _____

C. NORTHSTAR GRACELAND, LLC (11-4-CC-1/10-076)

**13 & 24-55-39
BCC/District 8/9**

- (1) DBC from BU-1A to GU
- (2) SPECIAL EXCEPTION to permit a proposed cemetery.
- (3) Deletion of a Declaration of Restrictions, recorded on Official Record Book 17735, Pages 3054 through 3057.

The purpose of request #3 is to remove an agreement on the site limiting it to a funeral home and administrative offices only, to permit the continued use of an existing cemetery in lieu thereof.

Request #1 through #3 on Exhibit "C"

- (4) MODIFICATION of plans approved pursuant to Resolution No. 7696, last modified by Condition #2 of Resolution No. Z-68-97, both passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Graceland South" as prepared by Jack D. Raudenbush, Architect, dated received May 3, 1996, and consisting of 4 sheets, except as herein modified as follows:

2a. Remove the island at the entrance from the cemetery road and provide a 14' width for the entrance and exit driveways.

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Offices Building for Graceland Memorial Park," as prepared by Gomez Associates Architects P.A., consisting of sixteen (16) sheets dated stamped received December 13, 2011.

The purpose of request #4 is to allow the applicant to submit plans showing the configuration of the cemetery and relocation of a previously approved office building.

Request #4 on Exhibit "A", "B" & "C"

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: 13900 S.W. 117th Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 36.02 Acres

Department of Planning and Zoning
Recommendation:

Approval of request #1 and approval with
conditions of requests #2 through #4.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

Deferred from 4-28-11

1. **ARCHIMEDEAN PROPERTIES, LLC (11-6-CC-1/08-175)**

**25-54-39
BCC/District 10**

(1) SPECIAL EXCEPTION to permit the expansion of an existing charter school onto additional property to the northeast.

(2) SPECIAL EXCEPTION to permit the expansion of the existing charter school from 800 students to 1,300 students in grades K-12.

(3) MODIFICATION of Condition #6 of Resolution #Z-21-09, passed and adopted by the Board of County Commissioners, and reading as follows:

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

TO: "6. That the charter school use be limited to grades Kindergarten through 12th and be limited to a maximum of 1,300 students."

(4) MODIFICATION of Conditions #3, #9 and #11 of Resolution #Z-16-05, last modified by Resolution Z-21-09, passed and adopted by the Board of County Commissioners and 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 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."

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. Master Plan for Middle and High School Expansion,' as prepared by Anthony E. Tzamtzis AIA, consisting of 21 sheets dated stamped received April 5, 2011 and a boundary survey as prepared by Delta Surveyors, Inc. consisting of 2 sheets dated stamped received April 12, 2011"

FROM: "9. That night activities and/or functions at the charter school shall be limited to 12 events per year and shall end no later than 10:00 p.m."

TO: "9. That night activities and/or special events 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-12th 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 1,300 students."

- (5) MODIFICATION of Condition #2 of Resolution Z-31-06 last modified by Resolution Z-21-09 passed and adopted by the Board of County Commissioners, and reading as follows:

FROM: "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)"

TO: "2. That the charter school use shall be limited to grades K through 12th with the expansion from 800 to 1,300 students as follows:

Year 1	2011-2012 School Year	No. of permitted students 800-950
Year 2	2012-2013 School Year	No. of permitted students 950-1100
Year 3	2013-2014 School Year	No. of permitted students 1100-1250
Year 4	2014-2015 School Year	No. of permitted students 1250-1300."

- (6) Deletion of three (3) Declarations of Restrictions Recorded at Official Record Book 23679, Pages 4935-4943, Official Record Book 25853, pages 4991-5006 and Official Record Book 27020, Pages 0954-972.

The purpose of requests #3 - #6 is to permit the applicant to submit revised site plans showing the expansion of the charter school onto additional property and showing additional classroom buildings, to increase the number of students, to increase the number of night activities and functions and to delete three covenants in order to submit one consolidated covenant that encompasses the entire property.

- (7) Applicant is requesting to permit parking on natural terrain (not permitted).

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 S.W. 72 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 12.67 Gross Acres

Developmental Impact Committee
Recommendation:

Denial without prejudice.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

2. MIAMI-DADE COUNTY (11-6-CC-2/10-150)
AVIATION DEPARTMENT

35-53-40
BCC/District 12

IU-2 to GP

LOCATION: The northeast corner of NW 12 Street and Milan Dairy Road Extension,
Miami Dade County, Florida.

SIZE OF PROPERTY: 14.61 Acres

Department of Planning and Zoning
Recommendation:

Approval.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

3. MIAMI-DADE COUNTY (11-6-CC-3/10-151)
AVIATION DEPARTMENT

35-53-40
BCC/District 12

IU-2 to GP

LOCATION: Lying north of NW 14 Street, between N.W. 72 Avenue and the Palmetto
Expressway, Miami-Dade County, Florida.

SIZE OF PROPERTY: 26.5 Acres

Department of Planning and Zoning
Recommendation:

Approval.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

4. COLUMBIA LAGRANGE HOSPITAL, INC. & (11-6-CC-4/11-038)
KENDALL HEALTHCARE GROUP, LTD.

13-54-39
BCC/District 10

- (1) UNUSUAL USE to permit a proposed heliport.
- (2) MODIFICATION of Condition #2 of Resolution # Z-8-04, passed and adopted by the Board of County Commissioners on the 18th day of December, 2004, only as it applies to the subject property and reading as follows:

FROM: "2. That the property will be developed in substantial compliance with the site plan entitled Kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2nd day of December, 2003."

TO: "2. That the property will be developed in substantial compliance with the site plan entitled Kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2nd day of December, 2003, and "Kendall Medical Center Helipad Addition" prepared Gresham Smith and Partners, dated stamped received April 6, 2011.

- (3) Modification of paragraph #1 of the a Declaration of Restriction recorded in Official Record Book 22393, PGS 2160-2170, reading as follows:

FROM: "2. That the property will be developed in substantial compliance with the site plan entitled Kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2nd day of December, 2003. ("Site Plan"). If the property is developed in phases, each phase will be developed in substantial accordance with the site plan.

TO: "2. That the property will be developed in substantial compliance with the site plan entitled Kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2nd day of December, 2003. ("Site Plan") and "Kendall Medical Center Helipad Addition" prepared Gresham Smith and Partners, dated stamped received April 6, 2011. If property is developed in phases, each phase will be developed in substantial accordance with the site plan.

The purpose of the request is to allow the applicant to submit plans showing the location the proposed heliport on the roof of the existing hospital building.

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: 11750 BIRD ROAD, MIAMI-DADE COUNTY, FLORIDA

SIZE OF PROPERTY: 17.92 Acres

Department of Planning and Zoning
Recommendation:

Approval with conditions, subject to the Board's acceptance of the proffered covenant.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

T H E E N D

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 Zoning Hearings Section for the Department of Planning and Zoning at (305) 375-2640. For filing or status of Appeals to Circuit Court, you may call the Clerk of the Circuit Court at (305) 349-7409.

A. RENE MIGUEL VALDEZ
(Applicant)

06-10-CZ10-2 (05-364)
BCC/District 10
Hearing Date: 06/23/11

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

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

Disclosure of interest form attached? Yes ☐ No ☒

Previous Zoning Hearings on the Property:

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

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

ZONING ACTION**MEMORANDUM****Harvey Ruvin****Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners****(305) 375-5126****(305) 375-2484 FAX****www.miami-dadeclerk.com****DATE: 04/28/2011****#Z- 05-364****ITEM: A****APPLICANT: RENE MIGUEL VALDEZ****MOTION: DEFERRED – 6/23/11 W/O NOTICE**

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro		X		
Bell		X		
Diaz				E
Heyman	S	X		
Jordan				E
Monestime		X		
Moss		X		
Sosa				E
Souto	M	X		
Vice Chairwoman Edmonson				E
Chairman Martinez		X		
TOTAL		7	0	

ZONING ACTION

MEMORANDUM

Harvey Ruvin

Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners

(305) 375-5126

(305) 375-2484 FAX

www.miami-dadeclerk.com



DATE: 3/17/2011 **#Z**

ITEM: A.

APPLICANT: RENE MIGUEL VALDEZ
(06-10-CZ10-2/05-364)

MOTION: Deferred to April 28, 2011 due to lack of a quorum.

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro				
Bell				
Diaz				
Gimenez				
Heyman				
Jordan				
Monestime				
Moss				
Seijas				
Sosa				
Souto				
Vice Chairwoman Edmonson				
Chairman Martinez				
TOTAL				

ZONING ACTION**MEMORANDUM****Harvey Ruvin****Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners****(305) 375-5126****(305) 375-2484 FAX****www.miami-dadeclerk.com****DATE:** April 26, 2007**#Z-06-07****ITEM: A.****APPLICANT:** Rene Miguel Valdez**MOTION:** Denied the appeal and upheld the decision of the CZAB which denied the application with prejudice

ROLL CALL	M/S	YES	NO	ABSENT
Diaz		X		
Edmonson				X
Gimenez		X		
Heyman				X
Martinez		X		
Moss	S			
Rolle		X		
Seijas				X
Sorenson		X		
Sosa		X		
Souto	M			
Vice Chairwoman Jordan		X		
Chairman Barreiro		X		
TOTAL		10	0	3

ZONING ACTION

MEMORANDUM

Harvey Ruvin

Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners

(305) 375-5126

(305) 375-2484 FAX

www.miami-dadeclerk.com



DATE: 2/8/2007

#Z-

ITEM: 1.

APPLICANT: RENE MIGUEL VALDEZ

(06-10-CZ10-2/05-364)

MOTION: to defer the foregoing application to the April 26, 2007, BCC Zoning meeting, with leave to amend; and to correct the advertisement with a new notice to the applicant.

ROLL CALL	M/S	YES	NO	ABSENT
Diaz		X		
Edmonson		X		
Gimenez		X		
Heyman		X		
Martinez		X		
Moss		X		
Rolle		X		
Seijas		X		
Sorenson		X		
Sosa				X
Souto		X		
Vice Chairwoman Jordan		X		
Chairman Barreiro				X
TOTAL		11	0	2

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP

2

APPLICANT'S NAME: RENE MIGUEL VALDEZ

REPRESENTATIVE: APPLICANT, PHIL WARD, ADRIAN PARADOS

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
06-10-CZ10-2 (05-364)	OCTOBER 17, 2006	CZAB10	62	06

REQ: (1) RU-1 to RU-5A.....OR IN THE ALTERNATIVE.....(2) UV permit RU-5A uses in RU-1

REC: DWOP

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input type="checkbox"/> TO: _____ <input type="checkbox"/> W/LEAVE TO AMEND
<input checked="" type="checkbox"/> DENY:	<input checked="" type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input checked="" type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input type="checkbox"/>		

TITLE	M/S	NAME	YES	NO	ABSENT
VICE-CHAIRMAN		Juan Carlos ACOSTA	X		
MR.		Javier A. BETANCOURT			X
MR.	M	Julio R. CACERES	X		
MR.		Manuel CASAS	X		
MR.	S	Jose GARRIDO (C.A.)	X		
CHAIRMAN		Carlos A. MANRIQUE	X		
VOTE:			5	0	

EXHIBITS: ☒ YES ☐ NO

COUNTY ATTORNEY: DAVID HOPE

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

APPLICANT: Rene Miguel Valdez

PH: Z05-364 (06-10-CZ10-2)

SECTION: 15-54-40

DATE: June 23, 2011

COMMISSION DISTRICT: 10

ITEM NO.: A

A. INTRODUCTION

o **SUMMARY OF REQUESTS:**

The applicant is requesting a district boundary change on the subject property from RU-1, Single-Family Residential District, to RU-5A, Semi-Professional Office District, or in the alternative, a use variance to permit RU-5A office uses in the RU-1 zoning district.

o **REQUESTS:**

THE BOARD OF COUNTY COMMISSIONERS WILL BE CONDUCTING PROCEEDINGS ON REMAND FROM CIRCUIT COURT WITH DIRECTIONS TO APPROVE THE FOLLOWING:

(1) RU-1 to RU-5A

OR IN THE ALTERNATIVE:

(2) Use Variance to permit RU-5A uses in the RU-1 zone.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Proposed RU-5A Zoning for Rene Miguel Valdes," as prepared by G. J. R. Architects, consisting of 2 sheets, dated stamped received 11/18/05. Plans may be modified at public hearing.

o **LOCATION:** 2425 SW 82 Avenue, Miami-Dade County, Florida.

o **SIZE:** 0.307 Acres

B. ZONING HEARINGS HISTORY: In October 2006, the Community Zoning Appeals Board 10 (CZAB 10) denied with prejudice the applicant's requests for a zone change from RU-1 to RU-5A or in the alternative a use variance to permit RU-5A uses in the RU-1 zone, pursuant to Resolution No. CZAB10-62-06. The applicant appealed CZAB 10's decision to the BCC which denied said appeal with prejudice, pursuant to Resolution No. Z-6-07. This application has been remanded to the Board of County Commissioners (BCC) by the Circuit Court of the Eleventh Judicial Circuit with instructions to act in accordance with Court's Opinion which rejected the Board's decision to deny the application. The Circuit Court quashed the BCC's decision to sustain the Community Zoning Appeals Board 10 decision to deny this application.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT:

1. *The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential** use. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. Residential densities of blocks abutting activity nodes as defined in the Guidelines for Urban Form, or of blocks abutting section line roads between nodes, shall be allowed a maximum residential density of 10.0 dwelling units per gross acre. To promote infill development, residential development exceeding the maximum density of 6.0 dwelling units per acre is permitted for substandard lots that were conveyed or platted prior to August 2nd, 1938. This density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.*
2. *Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.*
3. **Office uses** smaller than five acres in size may be approved in areas designated as Residential Communities where other office, business or industrial use(s) which are not inconsistent with this plan already lawfully exist on the same block face. However, where such an office, business, or industrial use exists only on a corner lot of a subject block face or block end, approval of office use elsewhere on the block is limited to the one block face or block end which is the more heavily trafficked side of the referenced corner lot. Office uses may be approved on such sites only if consistent with the objectives and policies of the CDMP and the use or zoning district would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would be out of scale with the character of the neighboring uses or would detrimentally impact the surrounding area. In applying this provision, the maximum limits of an eligible residentially designated block face along which office uses may be extended shall not extend beyond the first intersecting public or private street, whether existing, platted or projected to be necessary to provide access to other property, or beyond the first railroad right-of-way, utility transmission easement or right-of-way

exceeding 60 feet in width, canal, lake, public school, church, park, golf course or major recreational facility.

In addition, office uses may be approved along the frontage of major roadways in residential community areas where residences have become less desirable due to inadequate setbacks from roadway traffic and noise, or due to a mixture of nonresidential uses or activities in the vicinity in accordance with the limitations set forth in this paragraph. These office uses may occur in combination with or independent of residential use. Such limited office uses may be approved on such sites in residential community areas only where: a) the residential lot fronts directly on a Major Roadway as designated on the Land Use Plan map (Frontage roads are not eligible for consideration); b) the lot or site size does not exceed one acre; and c) the residential area is not zoned, developed or designated on the Land Use Plan map for Estate Density Residential, nor does subject frontage face such an Estate Density area. Office use approvals, pursuant to this paragraph may only authorize: a) conversion of an existing residence into an office; b) addition of an office use to an existing residence; or, c) the construction of a new office building on lots which were finally platted prior to March 25, 1991 in a size one acre or smaller. Additionally, such office uses may be approved only if the scale and character of the prospective office use are compatible with the surrounding residential neighborhood and if the site has sufficient dimensions to permit adequate on-site parking and buffering of adjacent residences from the office. Other factors that will be considered in determining compatibility include, but are not limited to traffic, noise, lighting, shadows, access, signage, landscaping, and hours of operation. Signage shall be restricted both in size, style, and location to preclude a commercial appearance. Landscaping and buffering of adjacent residences and rear properties will be required. Emphasis shall be placed on retention of the general architectural style of the area, where the area is sound and attractive. Development Orders authorizing the conversion of existing homes into offices, the addition of offices to existing residences or the construction of new buildings encompassing office uses pursuant to this paragraph may be approved only where compatible and where the intensity and character of the new building including gross floor area, lot coverage and height, will be consistent with the homes which exist or which could be built on the immediately adjacent parcels.

4. **Policy LU-4D.** *Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the compatible and complementary elements and buffer any potentially incompatible elements.*

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

RU-1; Single-family residence

Low Density Residential, 2.5 to 6 du

Surrounding Properties:

<u>NORTH:</u>	RU-2; Travel agency and Insurance company	Low Density Residential, 2.5 to 6 dua
<u>SOUTH:</u>	RU-1; Group home	Low Density Residential, 2.5 to 6 dua
<u>EAST:</u>	RU-1; Single-family residence	Low Density Residential, 2.5 to 6 dua
<u>WEST:</u>	RU-1; Office and Single-family residence	Low Density Residential, 2.5 to 6 dua

F. PERTINENT ZONING REQUIREMENTS/STANDARDS:

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

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

Section 33-311(A)(4)(a) Use Variance. *The Board shall hear and grant applications for use variances from the terms of the zoning regulations as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum use variance that will permit the reasonable use of the premises. A "use variance" is a*

variance which permits a use of land other than which is prescribed by the zoning regulations and shall include a change in permitted density.

G. NEIGHBORHOOD SERVICES PROVIDER COMMENTS:

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

*Subject to the conditions indicated in their memoranda.

H. PLANNING AND ZONING ANALYSIS:

This application was deferred from the April 28, 2011 meeting at the request of the applicant. This application has been remanded to the Board of County Commissioners (BCC) by the Circuit Court of the Eleventh Judicial Circuit with instructions to act in accordance with said court's opinion which rejected the Board's decision to deny the application. The applicant, Rene Miguel Valdes, appealed the decision of the BCC by seeking the issuance of a writ of certiorari from the Appellate Division of the 11th Judicial Circuit Court to quash the BCC's denial of the application (Resolution No. Z-6-07).

On October 17, 2006, pursuant to Resolution CZAB10-62-06, the Community Zoning Appeals Board – 10 (CZAB-10) denied with prejudice this application by a vote of 5 to 0. On November 6, 2006, the applicant appealed the CZAB-10's decision to this Board which denied the appeal by a vote of 10-0, pursuant to Resolution No. Z-6-07. Upon review, the appellate court found that the Board's decision to deny this application is not fairly debatable, amounts to reverse spot zoning and does not comport with the essential requirements of the law, thereby resulting in a miscarriage of justice (Circuit Court Case No. 07-304-AP). The Circuit Court granted certiorari and quashed the BCC's decision to sustain the Community Zoning Appeals Board 10 decision to deny this application. The County appealed the Circuit Court decision to the 3rd District Court of Appeal. The 3rd District Court of Appeal affirmed the Circuit Court's decision, though there was a vigorous dissent by a member of the court. The Florida Supreme Court denied further review of this case.

The applicant indicated on the appeal application to this Board that the subject property fronts on SW 82 Avenue, a half section-line road, and is located one lot to the south of the SW 24 Street (Coral Way). Additionally, the applicant notes that the subject property is impacted by substantial traffic along SW 82 Avenue, and indicates that the subject property is also impacted by the neighboring office uses found to the north and west, and by the adult congregate living facility to the south. The applicant maintains that the property is no longer appropriate for residential use.

The subject property is located at 2425 SW 82 Avenue, approximately 140' south of SW 24 Street (Coral Way), in an area characterized by single-family homes, a group home, and office/residential conversions. The 0.307-acre subject site is currently improved with a one-story single-family residence. The applicant seeks to change the zoning on the

subject property from RU-1, Single-Family Residential District, to RU-5A, Semi-Professional Office District, or in the alternative, a use variance to permit RU-5A uses in the RU-1 zoning district.

RU-5A uses include, but are not limited to, office buildings for accountants, architects, attorneys, dentists, medical doctors, notary publics, real estate, and travel agencies as well as banks without drive-through teller facilities. However, the applicant indicated in their Letter of Intent that the purpose of the zone change is to permit an architect's office. Staff notes that the applicant has proffered a covenant specifically restricting the office use on the site to that of an architect's office. Plans submitted by the applicant demonstrate that the subject site complies with all RU-5A zoning requirements for setbacks and lot coverage, including the compulsory parking requirements needed for office use.

Approval of either request would allow the applicant to provide semi-professional office services for the community. The subject site is designated for **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). The CDMP provides that office uses may be approved along the frontage of major roadways in residential community areas where residences have become less desirable due to inadequate setbacks from roadway traffic and noise, or due to a mixture of nonresidential uses or activities in the vicinity in accordance with the limitations set forth in the CDMP. These office uses may occur in combination with or independent of residential use. Such limited office uses may be approved on such sites in residential community areas only where: a) the residential lot fronts directly on a Major Roadway as designated on the Land Use Plan map (Frontage roads are not eligible for consideration); b) the lot or site size does not exceed one acre; and c) the residential area is not zoned, developed or designated on the Land Use Plan map for Estate Density Residential, nor does the subject frontage face such an Estate Density area.

The subject property meets some of the aforementioned criteria of the Master Plan for approval of office uses within residential designations in that the subject property is less than one acre in size and is not zoned, developed or designated on the Land Use Plan map for Estate Density Residential. However, although the subject property is located on a half-section line roadway (SW 82 Avenue) it does not front on a "major roadway" as designated on the Land Use Plan map.

Notwithstanding the foregoing, the Master Plan also indicates that where other office, business or industrial uses exist on the same block face, approval of similar requests may be granted. However, where such an office, business or industrial use exists on a corner lot of a subject block face or block end, approval of office uses elsewhere on the block is limited to the one block face or block end which is the more heavily trafficked side of the referenced corner lot. One of the two neighboring parcels to the north, situated on the corner of SW 82 Avenue and Coral Way, was granted a use variance to permit all RU-5A uses in an RU-1 zone, pursuant to Resolution No. #Z-192-90; but cannot be considered as part of the same block face where the subject property lies, since it fronts Coral Way, the more heavily trafficked side.

Moreover, Resolution No. 4-ZAB-133-71 also approved a use variance on the other neighboring parcel to the north of the subject property also facing Coral Way and the property to the west of the subject site was granted approval of a use variance to permit a janitorial office in the RU-1 zone as would be permitted in the RU-5A zone, pursuant to Resolution No. Z-112-91. It should be noted that the parcel to the south of the subject

property on the same block face has an existing group home which staff notes is a permitted RU-1 use, is considered a single-family residential use and is limited to no more than 6 people residing on the premises.

Notwithstanding the foregoing, the appellate court determined that operating a group home for the elderly is commercial in nature and concluded that the subject site is "...a veritable island or, at the very least, a peninsula in a sea of commercially zoned property..." Based on the findings of the Court, staff opines that the subject site meets the CDMP criteria for the approval of an office use in a residential community in that a commercial use (group home) lawfully exists on the same blockface as the subject site. In addition, since the subject site abuts lawfully existing office uses to the north and west, staff opines that the introduction of an office use on this site is **compatible** with the other office uses located to the north and west of the site and with the existing group home located to the south of the site. Policy LU-4D of the CDMP states that uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the compatible and complementary elements and buffer any potentially incompatible elements. Staff notes that the submitted plans illustrate a 6' high Cherry Hedge along the north, east and south property lines with palms and Live Oak trees which staff opines will effectively buffer the office use from the surrounding properties. As such the staff opines that the proposed architect's office as illustrated on the submitted plans is consistent with Policy LU-4D of the CDMP and with the interpretative text of the CDMP for the approval of office uses in residential communities. Although, staff notes that the requested rezoning to RU-5A would be **compatible** with the surrounding office uses and **consistent** with the CDMP, **staff is supportive of the alternative use variance request subject to the Board's acceptance of the proffered covenant which limits the office use on the site to an architect's office, in that none of the properties that abut the subject site are zoned RU-5A.**

When considering district boundary changes, the Board shall hear and grant or deny applications by taking into consideration if the proposed development conforms to the Comprehensive Development Master Plan for Miami-Dade County. As previously mentioned, the requested RU-5A zoning would be **consistent** with the interpretative text of the CDMP and **compatible** with the neighboring office uses to the north and west of the subject property and with the existing group home to the south of the subject site.

Staff notes that the proposed architect's office will not have an unfavorable impact on the water, sewer, solid waste disposal, or other public services and will not have an unfavorable impact on the environment as indicated by the memorandum submitted by DERM. Additionally when considering zone changes, the Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County. The approval of this application will not have an unfavorable impact on the economy nor on the environmental and natural resources of Miami-Dade County. Furthermore, the proposed development does not unduly burden or affect public transportation facilities as indicated in the Public Works Department's memorandum submitted for this application. The applicant seeks to change the zoning on the subject property from RU-1, Single-Family Residential District, to RU-5A, Semi-Professional Office District, to allow the applicant to provide semi-professional office services for the community. As previously mentioned, the applicant has proffered a covenant specifically restricting the office use on the site to that of an architect's office.

Staff's research reveals that most of the single-family residential lots fronting on SW 24 Street, between SW 82 Place and SW 79 Court, have gradually converted to non-residential uses and offices. Specific research indicates that of the 15 lots that front on Coral Way between those four blocks, only three lots are still in residential use; numerous public hearings have approved use variances as early as 1963 and as recent as an RU-5A district boundary change approval in 2007. Most, if not all, of these land use conversions are due to the increase in traffic and noise associated with Coral Way, which over the years have negatively impacted the quality of life of residents with homes fronting said corridor. Additionally, the placement of office uses is better located where traffic activity is intense and the roadway is well traveled, as opposed to having residences front such a busy vehicular corridor. Notwithstanding the foregoing, staff opines that RU-5A zoning should be limited to those lots fronting on SW 24 Street (Coral Way) and notes that although the properties to the north and west of the subject site have been granted approval at public hearing to permit office uses, staff notes that said properties are zoned RU-2 and RU-1 respectively. Moreover, staff notes that none of the properties along SW 82 Avenue are zoned RU-5A and therefore staff opines that the introduction of RU-5A zoning on the subject site would create an "island" of RU-5A zoning midblock along SW 82 Avenue. Although, staff notes that the requested rezoning to RU-5A would be **compatible** with the surrounding office uses and **consistent** with the CDMP, staff is supportive of the alternative use variance request subject to the Board's acceptance of the proffered covenant which limits the office use on the site to an architect's office, in that none of the properties that abut the subject site are zoned RU-5A. **Therefore, staff recommends denial without prejudice of request #1.**

In the alternative to the district boundary change (request #1), the applicant is requesting a use variance to permit RU-5A uses in the RU-1 zone. A use variance, as stated in Section 33-311(A)(4)(a), is a variance which permits a use of land other than that which is prescribed by the zoning regulations. Section 33-311(A)(4)(a) also states that the Board shall hear and grant applications for use variances from the terms of the zoning regulations as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the use variance will be in harmony with the general purpose and intent of the regulations.

As previously mentioned the Circuit Court granted certiorari and quashed the BCC's decision to sustain the Community Zoning Appeals Board 10 decision to deny this application. Staff notes that use variances were approved on two parcels of land abutting the subject property to the north, pursuant to Resolution Nos. Z-192-90 and 4-ZAB-133-71. Furthermore, the appellate court determined that operating a group home for the elderly is commercial in nature and concluded that the subject site is "...a veritable island or, at the very least, a peninsula in a sea of commercially zoned property that substantially diminishes or renders its value to be virtually worthless as a residential property." Based on the aforementioned, staff concurs with the Court's finding and opines that the subject site is no longer conducive for use as a single-family residence. Therefore, staff is of the opinion that the approval of the requested use variance to permit semi-professional office uses in the RU-1 zone as would be permitted in the RU-5A zone on the subject property, subject to the Board's acceptance of the proffered covenant, will not be contrary to the public interest and will be in harmony with the general purpose and intent of the regulations which is to promote development that is compatible with the surrounding area. Staff's research as well as the opinion issued by the Circuit Court reveals that due to the conversion of the area to predominantly office usage, special conditions have transpired in

the surrounding area whereby a literal enforcement of the provisions of the RU-1 zoning regulations would result in **unnecessary hardship**. In staff's opinion, the spirit of the regulations shall be observed and substantial justice done by the approval of the semi-professional office use on this site. **Therefore, staff recommends approval with conditions of the requested use variance under Section 33-311(A)(4)(a), subject to the Board's acceptance of the proffered covenant.**

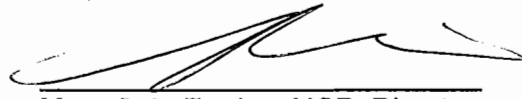
I. RECOMMENDATION:

Denial without prejudice of request #1 and approval with conditions of request #2, subject to the Board's acceptance of the proffered covenant.

J. CONDITIONS:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit; said plan to include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, parking, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed RU-5A Zoning for Rene Miguel Valdes," as prepared by G. J. R. Architects, consisting of 2 sheets, dated stamped received 11/18/05, except as herein modified to show a 5' high wood fence in lieu of the chain link fence along the interior side (north and south) property lines and rear (east) property line.
3. That the applicant submit to the Department of Planning and Zoning for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
4. That the use be established and maintained in accordance with the approved plan.
5. That the applicant comply with all applicable conditions and requirements of the Public Works Department.
6. That the applicant install a 5' high wood fence along the interior side (north and south) property lines and the rear (east) property line. Said fence shall be installed prior to final zoning inspection for the proposed addition.
7. That the use be restricted to an architect's office only, pursuant to the proffered covenant.

DATE TYPED: 02/03/11
DATE REVISED: 02/04/11; 02/08/11; 02/25/11; 03/21/11; 04/29/11
DATE FINALIZED: 04/29/11
MCL:GR:NN:TA:NC


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

Memorandum



Date: February 7, 2011

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

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

Subject: C-10 #Z2005000364-2nd Revision
Rene Miguel Valdez
2425 SW 82nd Avenue
District Boundary Change from RU-1 to RU-5A
(RU-1) (0.31 Ac)
15-54-40

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

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.

Stormwater Management

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

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood

protection set forth in the CDMP, subject to compliance with the conditions required by DERM for this proposed development order.

Wetlands

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

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

Tree Preservation

The subject property contains tree resources. Section 24-49 of the Code requires the preservation of tree resources. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any trees. A tree survey showing all the tree resources on-site will be required prior to reviewing the tree removal permit application. The applicant is advised to contact DERM staff for permitting procedures and requirements prior to development of site and landscaping plans.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

PUBLIC WORKS DEPARTMENT COMMENTS

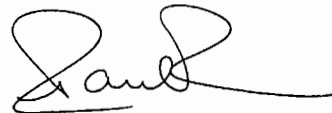
Applicant's Names: RENE MIGUEL VALDEZ

This Department has no objections to this application subject to the following:

Parking space #10 must have 5 feet of paved aisle end back-out at time of permitting.

Landscaping and fences must comply with safe site distance triangle requirements set forth in Sec. 33-11 of the Miami-Dade County Code.

The proposed use of this application generates the same number of vehicle trips as the existing use and will not generate any new vehicle trips; therefore this application meets the Initial Traffic Concurrency Criteria.



Raul A Pino, P.L.S.

02-FEB-11

PETITION OF APPEAL FROM DECISION OF
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY AW AMOUNT OF FEE \$ 1,902.⁸²

RECEIPT # I 200621126

DATE HEARD: 10/17/06

BY CZAB # 10

RECEIVED
05-364

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

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. 06-10-C210-2 (05-364)

Filed in the name of (Applicant) Rene Miguel Valdes

Name of Appellant, if other than applicant _____

Address/Location of APPELLANT'S property: 2425 S.W. 82nd Avenue

Application, or part of Application being Appealed (Explanation):

Entire Appealable Application

Appellant (name): Rene Miguel Valdes
hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:
(State in brief and concise language)

The property fronts on SW 82 Avenue, a half-section line road. The property is one lot removed from the intersection of Coral Way (S.W. 24th Street). This section of SW 82 Avenue is affected by substantial traffic. The property is also impacted by office use to the south and west, and an adult congregate living facility to the north. The property is no longer appropriate for residential use.

APPELLANT MUST SIGN THIS PAGE

Date: 6 day of November, year: 2006

Signed

Rene M. Valdes
Rene M. Valdes

Print Name

2425 SW 82 AVE MIAMI, FL 331
Mailing Address

(305) 579-0644 (305) 961-5644
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate:

Rene M. Valdes
Representing

Simon Fern
Signature

Simon Fern
Print Name

1221 Buckell Ave
Address

Miami FL 33131
City State Zip

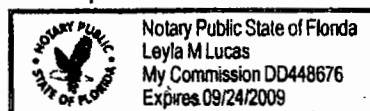
305 579-0644
Telephone Number

Subscribed and Sworn to before me on the 6 day of November, year 2006

Leyla M. Lucas
Notary Public

(stamp/seal)

Commission expires:



APPELLANT'S AFFIDAVIT OF STANDING

(must be signed by each Appellant)

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

Before me the undersigned authority, personally appeared Rene M. Valdes
(Appellant) who was sworn and says that the Appellant has standing to file the attached appeal
of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community
Zoning Appeals Board matter because of the following:

(Check all that apply)

- ☐ 1. Participation at the hearing
☒ 2. Original Applicant
☐ 3. Written objections, waivers or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury,
and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

[Signature]
Signature

Simon Ferry
Print Name

[Signature]
Signature

Leyla M. Lucas
Print Name

[Signature]
Appellant's signature

Rene M. Valdes
Print Name

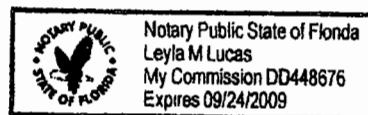
Sworn to and subscribed before me on the 6 day of November, year 2006

Appellant is personally know to me or has produced FL. ID. as
identification.

[Signature]
Notary
(Stamp/Seal)

Commission Expires:

[b:forms/affidapl.sam(11/03)]



Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-6-07

WHEREAS, **RENE MIGUEL VALDEZ** applied to Community Zoning Appeals Board 10 for the following:

- (1) RU-1 to RU-5A

OR IN THE ALTERNATIVE:

- (2) USE VARIANCE to permit RU-5A uses in the RU-1 zone.

Plans are on file and may be examined in the Zoning Department entitled "Proposed RU-5A Zoning for Rene Miguel Valdes," as prepared by G. J. R. Architects, consisting of 2 sheets, dated 4/22/04.

SUBJECT PROPERTY: Lot 4, Block 8, CORAL WAY HOMESITES, Plat book 46, Page 21.

LOCATION: 2425 S.W. 82 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 10 that the requested district boundary change to RU-5A (Item #1), or in the alternative, the requested use variance to permit RU-5A uses in the RU-1 zone (Item #2) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that said application was denied by Resolution No. CZAB10-62-06, and

WHEREAS, **RENE MIGUEL VALDEZ** appealed the decision of Community Zoning Appeals Board 10 to the Board of County Commissioners for the following:

(1) RU-1 to RU-5A

OR IN THE ALTERNATIVE:

(2) USE VARIANCE to permit RU-5A uses in the RU-1 zone.

Plans are on file and may be examined in the Zoning Department entitled "Proposed RU-5A Zoning for Rene Miguel Valdes," as prepared by G. J. R. Architects, consisting of 2 sheets, dated 4/22/04. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 4, Block 8, CORAL WAY HOMESITES, Plat book 46, Page 21 AND THE SOUTH ½ OF ALLEY LYING NORTH AND ADJACENT PER R-941-74.

LOCATION: 2425 S.W. 82 Avenue, 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, after reviewing the record and decision of the Metropolitan Dade County Zoning Appeals Board 10 and after having given an opportunity for interested parties to be heard, it was the opinion of the Board of County Commissioners, Miami-Dade County, Florida, that that the grounds and reasons alleged by the appellants specified in the appeal were insufficient to merit a reversal of the ruling made by the Zoning Appeals Board in Resolution No. CZAB10-62-06 and that the appeal should be denied and the decision of Community Zoning Appeals Board 10 should be sustained, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to RU-5A (Item #1), or in the alternative, the requested use variance to permit RU-5A uses in the RU-1 zone (Item #2) would not be compatible with the neighborhood and area concerned and would be in

conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and

WHEREAS, a motion to deny the appeal with prejudice, sustain the decision of Community Zoning Appeals Board 10, and deny the application with prejudice was offered by Commissioner Sen. Javier D. Souto, seconded by Commissioner Dennis C. Moss, and upon a poll of the members present the vote was as follows:

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

Bruno A. Barreiro aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the appeal be and the same is hereby denied with prejudice and the decision of Community Zoning Appeals Board 10 is sustained.

BE IT FURTHER RESOLVED that the requested district boundary change to RU-5A (Item #1), be and the same is hereby denied with prejudice.

BE IT FURTHER RESOLVED that the requested use variance to permit RU-5A uses in the RU-1 zone (Item #2) be and the same is hereby denied with prejudice.

BE IT FURTHER RESOLVED that Resolution No. CZAB10-62-06 remains in full force and effect.

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.

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 26th day of April, 2007, 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. 06-10-CZ10-2

ej

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By: **KAY SULLIVAN**
Deputy Clerk

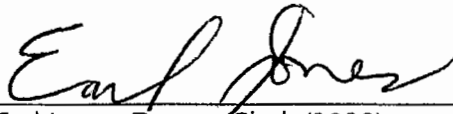
THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 17TH DAY OF MAY, 2007.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Deputy Clerk's Name, 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-6-07 adopted by said Board of County Commissioners at its meeting held on the 26th day of April, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 17th day of May, 2007.



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

SEAL



RESOLUTION NO. CZAB10-62-06

WHEREAS, **RENE MIGUEL VALDEZ** applied for the following:

- (1) RU-1 to RU-5A

OR IN THE ALTERNATIVE:

- (2) USE VARIANCE to permit RU-5A uses in the RU-1 zone.

Plans are on file and may be examined in the Zoning Department entitled "Proposed RU-5A Zoning for Rene Miguel Valdes," as prepared by G. J. R. Architects, consisting of 2 sheets, dated 4/22/04.

SUBJECT PROPERTY: Lot 4, Block 8, CORAL WAY HOMESITES, Plat book 46, Page 21.

LOCATION: 2425 S.W. 82 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to RU-5A (Item #1), or in the alternative, the requested use variance to permit RU-5A uses in the RU-1 zone (Item #2) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and

WHEREAS, a motion to deny Items #1 & 2 with prejudice was offered by Julio R. Caceres, seconded by Jose Garrido, and upon a poll of the members present the vote was as follows:

Juan Carlos Acosta	aye	Manuel Casas	aye
Javier A. Betancourt	absent	Jose Garrido	aye
Julio R. Caceres	aye		
	Carlos A. Manrique	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 10, that the requested district boundary change to RU-5A (Item #1), be and the same is hereby denied with prejudice.

BE IT FURTHER RESOLVED, that the requested use variance to permit RU-5A uses in the RU-1 zone (Item #2) be and the same is hereby denied with prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 17th day of October, 2006.

Hearing No. 06-10-CZ10-2
Is

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Luis Salvat, 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 Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-62-06 adopted by said Community Zoning Appeals Board at its meeting held on the 17th day of October 2006.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 24th day of October 2006.



Luis Salvat, Deputy Clerk (2678)
Miami-Dade County Department of Planning and Zoning



PLANNING AND ZONING
AGENDA OFFICE

NOT FINAL UNTIL TIME EXPIRES
TO FILE RE-HEARING MOTION,
AND, IF FILED, DISPOSED OF.

2011 FEB -4 P 12:15

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT, IN
AND FOR MIAMI-DADE COUNTY,
FLORIDA

RENE MIGUEL VALDEZ,

Petitioner,

v.

MIAMI DADE COUNTY BOARD OF
COUNTY COMMISSIONERS,

Respondent.

APPELLATE DIVISION

CASE NUMBER: 07-304 AP

LOWER CASE NO: Z-607

FILED FOR RECORD
2008 MAR 31 PM 2:31
CLERK, CIRCUIT COURT
DADE COUNTY, FLA.
CIVIL #101
VANESTHER FLETCHER

Opinion filed: March 31, 2008.

On Petition for Writ of Certiorari from the Miami-Dade County Board of County Commissioners.

Javier L. Gonzalez, Esq., of Gonzalez & Rodriguez, P.L., for Petitioner.

John McInnis, Esq., Assistant Miami-Dade County Attorney, for Respondent.

Before SOTO, LEBAN, and VENZER, JJ.

VENZER, J.

Petitioner Rene Miguel Valdez ("Mr. Valdez") seeks review of a decision by the Miami-Dade County Board of County Commissioners ("the Board"). The Board sustained the Community Zoning Appeals Board 10's decision to deny Mr. Valdez's application for a boundary change from RU-1 (single family use) to RU-5A (semi-professional office district), or

Received by
Zoning Agenda Coordinator

FEB 04 2011

Received by
Zoning Agenda Coordinator

FEB 04 2011

in the alternative a use variance to permit a RU-5A use in the RU-1 zoning district¹ to allow an architectural office on the property's premises.

Upon receipt of a petition for writ of certiorari, this Court's review is limited to a three part standard: (1) whether procedural due process was accorded; (2) whether essential requirements of the law were observed; and (3) whether the findings and judgment were supported by competent substantial evidence. *Dep't of Highway Safety & Motor Vehicles v. Wejebe*, 954 So. 2d 1245, 1248 (Fla. 3d DCA 2007).

Procedural due process rights are afforded to an individual when the person receives notice and an opportunity to be heard. *Joshua v. City of Gainesville*, 768 So. 2d 432, 438 (Fla. 2000). The Board argues that the Mr. Valdez was afforded procedural due process because he received notice and a hearing before the Board of County Commissioners. Mr. Valdez contends that he was denied his right to due process of law because of a commissioner's comments at the hearing.² The record reflects that Mr. Valdez did not object to the commissioner's comments

¹ Resolution No. Z-6-07 states in part that "... it was the opinion of the Board of County Commissioners, Miami-Dade County, Florida, that the grounds and reasons alleged by the appellants specified in the appeal were insufficient to merit a reversal of the ruling made by the Zoning Appeals Board in Resolution No. CZAB10-62-06 and that the appeal should be denied and decision of the Community Zoning Appeals Board 10 should be sustained. ..." (R. at 2.)

² Mr. Valdez argues that Rule 7.01(g) of the Rules of Procedure governing the Board of County Commissioners was violated because Commissioner Souto made comments that implied that Mr. Valdez and his counsel were friends. The Commissioner even referred to Mr. Valdez as family. On April 26, 2007, Commissioner Souto made the following comments at the hearing:

[Commissioner Souto]: And I'm in the same situation here basically. These fellows in front of me are some of my best friends. Simon over there, Simon Ferro, is one of my best friends. Mr. Valdes [sic] too, my best friends. His brother was one of my best friends. And to the extent the word for this, we're friends, like family. But this has nothing to do with family or friends. This has to do with what's right or what's not right, and I hope they understand that and that everyone understands that.

even after the votes were recorded.³ We find that Mr. Valdez was afforded due process because he had notice and ample opportunity to participate at the Board hearing. Moreover, Mr. Valdez's failure to object at the hearing precludes him from raising the issue for the first time on appeal. *First City Sav. Corp. of Tex. v. S & B Partners*, 548 So. 2d 1156, 1158 (Fla. 5th DCA 1989) (circuit court on certiorari review of zoning decision will not consider issues not presented to the county commission), *review dismissed*, 554 So. 2d 1168 (Fla. 1989).

A departure from the essential requirements of law occurs when there has been a violation of a clearly established principle of law resulting in a miscarriage of justice. *Haines City Cmty. Dev. v. Heggs*, 658 So. 2d 523, 528 (Fla. 1995).

The Florida Supreme Court has utilized the fairly debatable test to uphold zoning ordinances. *City of Miami Beach v. Lachman*, 71 So. 2d 148, 152 (Fla. 1953). So long as a zoning restriction is fairly debatable, that is, when it is "open to dispute or controversy on grounds that make sense, whether the zoning restriction advances the public health, welfare, safety, or morals of the community, the subject restriction is considered to be constitutional." *City Comm'n of City of Miami v. Woodlawn Park Cemetery Co.*, 553 So. 2d 1227, 1230 (Fla. 3d DCA 1989) (footnote and citations omitted).

However, if the zoning ordinance results in reverse spot zoning, then the restriction is not fairly debatable because it is confiscatory and invalid. *City of Miami Beach v. Robbins*, 702 So. 2d 1329, 1330 (Fla. 3d DCA 1997). In *Robbins*, the Third District Court of Appeal noted:

Reverse spot zoning occurs when the ordinance prevents a property owner from utilizing his or her property in a certain way, when virtually all of the adjoining neighbors are not subject to such a restriction, creating, in effect, a veritable

³ Out of thirteen Commissioners voting, three commissioners were absent. The remaining ten Commissioners voted to deny Mr. Valdez's appeal with prejudice and sustain the Community Zoning Appeal Board 10's decision. (R. at 3.)

zoning island or zoning peninsula in a surrounding sea of contrary zoning classification.

Id.

In the case at bar, Mr. Valdez's property is located at 2425 S.W. 82nd Avenue in unincorporated Miami-Dade County, Florida. Mr. Valdez requested a zoning change from RU-1, single residential district, to RU-5A, semi-professional office district *or in the alternative* a use variance to permit an RU-5A classification to allow an architect's office on the premises. However, the Board decided that Mr. Valdez's request for a zoning change was incompatible with the area concerned and inconsistent with the intent of the land development plan for Miami-Dade County.

Upon this Court's review of the aerial, hearing, radius, and hand sketched maps of Mr. Valdez's property and the surrounding area (R. at 113-17), we are not persuaded by the Board's argument. Immediately north of Mr. Valdez's property is a travel agency and insurance company. Both of these properties have been granted use variances allowing RU-5A uses in an RU-2 zoning district. (Resp't Resp. to Pet. for Writ. of Cert., 4.) To the south of Mr. Valdez's property is a group home for the elderly which is still classified as RU-1. The Board avers that the group home is permitted to have RU-1 classification pursuant to section 419.001, Florida Statutes (2007). (Resp't Resp. to Pet. for Writ. of Cert., 4.) Typically, group homes have caretakers assisting the occupants or providing services to assist the elderly with daily activities. This Court is mindful of these activities and agrees with Mr. Valdez that operating a group home for the elderly is commercial in nature. To the east of Mr. Valdez's property, the land is classified as a single-family residence. (R. at 42.) However, the property to the west of Mr. Valdez's property is zoned single-family residence with a permitted office use.

Despite the large concentration of nonresidential activity surrounding Mr. Valdez's property, the Board denied Mr. Valdez similar zoning privileges as the surrounding property

owners. In *Woodlawn*, 553 So. 2d at 1233, the Third District held it confiscatory when a property owner is prevented from utilizing his property in a certain manner, even though adjoining property owners are not subject to the same restrictions.

The Board's denial of Mr. Valdez's request for a zoning change or use variance to permit an architectural office appears to us as arbitrary and not fairly debatable. As such, the Board's actions amount to reverse spot zoning which is impermissible. See *Debes v. City of Key West*, 690 So. 2d 700, 701 (Fla. 3d DCA 1997) (court noting that singling out the owner's property for disparate treatment represented an instance of "discriminatory spot zoning-or, in this context, spot planning-in reverse."); see also *Tollius v. City of Miami*, 96 So. 2d 122, 125 (Fla. 1957) (Supreme Court of Florida reversing a rezoning restriction because the property no longer retained the features at the time the zoning ordinance was passed and the block where the property was located was a veritable island); *Olive v. City of Jacksonville*, 328 So. 2d 854, 856 (Fla. 1st DCA 1976) (court holding that to deny the appellants' commercial zoning classification would constitute reverse spot zoning and the subject property was a literal peninsula); *Manilow v. City of Miami Beach*, 213 So. 2d 589, 592-93 (Fla. 3d DCA 1968) (court holding that to deny relief to the property owner would constitute reverse spot zoning and the property, except for the northern most part, was similar to a "veritable island"); *Kugel v. City of Miami Beach*, 206 So. 2d 282, 285 (Fla. 3d DCA 1968) (court holding that since the character of the property had been changed by other actions of the municipality, the zoning regulation was arbitrary and could not be characterized as fairly debatable). Similar to the reverse spot zoning examples we have cited, Mr. Valdez's property is a veritable island or, at the very least, a peninsula in a sea of commercially zoned property that substantially diminishes or renders its value to be virtually

worthless as a residential property. *See City of Miami Beach v. Robbins*, 702 So. 2d 1329, 1330 (Fla. 3d DCA 1997).

Therefore, we grant certiorari because the Board's decision does not comport with the essential requirements of the law and results in a miscarriage of justice. *Haines City Cmty. Dev. V. Heggs*, 658 So. 2d 523, 528 (Fla. 1995). The County Commission's decision to sustain the Community Zoning Appeals Board's decision to deny Mr. Valdez's application for a boundary change from RU-1 (single family use) to RU-5A (semi-professional office district), or in the alternative a use variance to permit a RU-5A use in the RU-1 zoning district, is quashed. The matter is remanded to the Board with instructions to act in accordance with this opinion. Certiorari granted.

SOTO and LEBAN, JJ., concur.

COPIES FURNISHED TO COUNSEL
OF RECORD AND TO ANY PARTY
NOT REPRESENTED BY COUNSEL

COPIES FURNISHED TO
COUNSEL OF RECORD AND
TO ANY PARTY NOT REPRESENTED
BY COUNSEL



Memorandum

Date: 01-FEB-11

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2005000364

Fire Prevention Unit:

No objection.

Service Impact/Demand

Development for the above Z2005000364
located at 2425 SW 82 AVE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1441 is proposed as the following:

N/A	dwelling units	N/A	square feet
<u>residential</u>		<u>industrial</u>	
1,286	square feet	N/A	square feet
<u>Office</u>		<u>institutional</u>	
N/A	square feet	N/A	square feet
<u>Retail</u>		<u>nursing home/hospitals</u>	

Based on this development information, estimated service impact is: 0.29 alarms-annually.
The estimated average travel time is: 6:05 minutes

Existing services

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

Station 3 - Tropical Park - 3911 SW 82 Avenue
Rescue, ALS Engine

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Current service impact calculated based on Letter of Intent dated November 8, 2005. Substantial changes to the Letter of Intent will require additional service impact analysis.

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

DATE: 09-FEB-11
REVISION 3

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

RENE MIGUEL VALDEZ

2425 SW 82 AVE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2005000364

HEARING NUMBER

HISTORY:

No current/open cases from Neighborhood Compliance and/or Building Divisions.

No prior cases from either division for the last 12 months.

None

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

None

REPORTER NAME:

L. Cuellar

ZONING INSPECTION REPORT

Inspector: MARTINEZ, RAMIRO

Inspection Dat

Evaluator: JAMES MURPHY

02/09/11

Process #: Z2005000364
Applicant's Name RENE MIGUEL VALDEZ

Locations: 2425 SW 82 AVE, MIAMI-DADE COUNTY, FLORIDA.

Size: 0.307 ACRES

Folio #: 3040150050880

Request:

1 THE APPLICANT IS REQUESTING A ZONE CHANGE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT TO SEMI-PROFESSIONAL OFFICE DISTRICT.

EXISTING ZONING

Subject Property RU-1,

EXISTING USE

SITE CHARACTERISTICS

STRUCTURES ON SITE:

ONE STORY CBS RESIDENCE ON THE SITE.

USE(S) OF PROPERTY:

THE PROPERTY IS CURRENTLY UTILIZED AS A SINGLE-FAMILY RESIDENCE (RU-1).

FENCES/WALLS:

THERE IS A 5- FT CHAIN-LINK FENCE ALONG THE NORTH PROPERTY LINE; 5 FT. WIRE FENCE ALONG THE EAST AND SOUTH PROPERTY LINES, AND A 4-FT. PICKET FENCE ALONG THE FRONT, WEST PROPERTY LINE.

LANDSCAPING:

NO LANSCAPING ON THE PROPERTY.

BUFFERING:

THERE IS A 6-FT CHERRY HEDGE ALONG THE WEST HALF OF THE NORTH PROPERTY LINE THAT BELONGS TO THE ADJACENT PROPERTY.

VIOLATIONS OBSERVED:

NO VIOLATIONS OBSERVED AT THE TIME OF INSPECTION. BNC MEMO DATED 02/09/2011 REV#3 ON FILE. THERE IS AN OPEN PERMIT NO. 1992098317 FOR BLDG 107 (ROOF) EXPIRED ON 02/17/1993.

OTHER:

THE ADJACENT PROPERTY ABUTTING THE EAST HALF OF THE THE NORTH PROPERTY LINE NEEDS TO PROVIDE A LANDSCAPE BUFFER IN ORDER TO MINIMIZE THE VISUAL IMPACT OF THE PARKING AREA.

Process # Z2005000364
Applicant's Name RENE MIGUEL VALDEZ

ZONING INSPECTION REPORT

SURROUNDING PROPERTY

NORTH:

RU-2; TRAVEL AGENCY & INSURANCE OFFICE.

SOUTH:

RU-1; EXISTING GORUP HOME - 6 RESIDENTS.

EAST:

RU-1; SINGLE-FAMILY RESIDENCE.

WEST:

RU-1; SINGLE-FAMILY RESIDENCE & OFFICE USE.

SURROUNDING AREA

THE SUBJECT PROPERTY IS SURROUNDED BY OFFICE/RESIDENTIAL CONVERSIONS THAT HAVE BEEN GRANTED ON PARCELS FRONTING CORAL WAY LOCATED TO THE NORTH AND WEST OF SITE AND ONE STORY SINGLE FAMILY RESIDENCES TO THE EAST AND SOUTH.

NEIGHBORHOOD CHARACTERISTICS

THIS AREA IS CHARACTERIZED BY A NUMBER OF OFFICE/RESIDENTIAL CONVERSIONS THAT HAVE TAKEN PLACE ON PROPERTIES FRONTING CORAL WAY. HOWEVER, ALL OF THE AREA TO EAST AND SOUTH REMAINS RESIDENTIAL.

COMMENTS:

PICTURES OF SITE AND SURROUNDING AREA MAY BE VIEWED FROM THE WEST DADE FILE UNDER ZONING EVALUATION.

HASSUN 02/09/2011: ENFORCEMENT HISTORY UPDATED.

Inspector **MARTINEZ, RAMIRO**

Evaluator **JAMES MURPHY**

Process Number: **Z2005000364** Applicant Name **RENE MIGUEL VALDEZ**



Date: 28-APR-06

Comments: East View From Backyard of Subject Property.



Date: 28-APR-06

Comments: Front View of Subject Property



Date: 28-APR-06

Comments: North View from Subject property - Travel Agency.

Inspector **MARTINEZ, RAMIRO**

Evaluator **JAMES MURPHY**

Process Number: **Z2005000364** Applicant Name **RENE MIGUEL VALDEZ**



Date: 28-APR-06

Comments: Northeast View from Subject Property - Insurance Office.



Date: 28-APR-06

Comments: South from Subject Property - adjacent residence.



Date: 28-APR-06

Comments: Southeast Corner View of Subject Property

Inspector **MARTINEZ, RAMIRO**

Evaluator **JAMES MURPHY**

Process Number: **Z2005000364** Applicant Name **RENE MIGUEL VALDEZ**



Date: 28-APR-06

Comments: West View From Subject Property.

NOV 7 8 1967

LEGAL DESCRIPTION
Lot 4 Block 8 of Coral Way Homesites, According to the Declaration thereon as recorded in Plat Book 46 at Page 2 of the Public Records of Dade County, Florida

LEGAL DESCRIPTION
Lot 4 Block 8 of Coral Way Homesites, According to the Declaration thereon as recorded in Plat Book 46 at Page 2 of the Public Records of Dade County, Florida

LEGAL DESCRIPTION
Lot 4 Block 8 of Coral Way Homesites, According to the Declaration thereon as recorded in Plat Book 46 at Page 2 of the Public Records of Dade County, Florida

LEGEND

LEGEND

PHOTO AREA (CONTINUED)

PHOTO AREA (CONTINUED)

[illegible][illegible][illegible][illegible][illegible][illegible]

170

170

LOCATION MAP

1.1

5/17/04

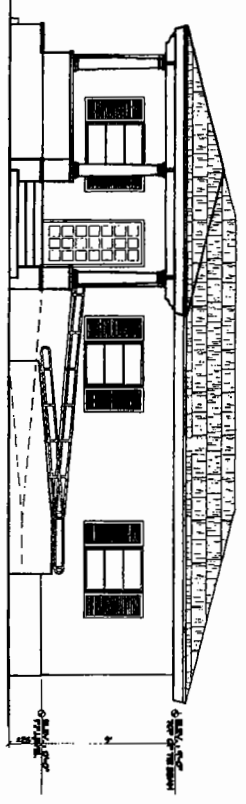
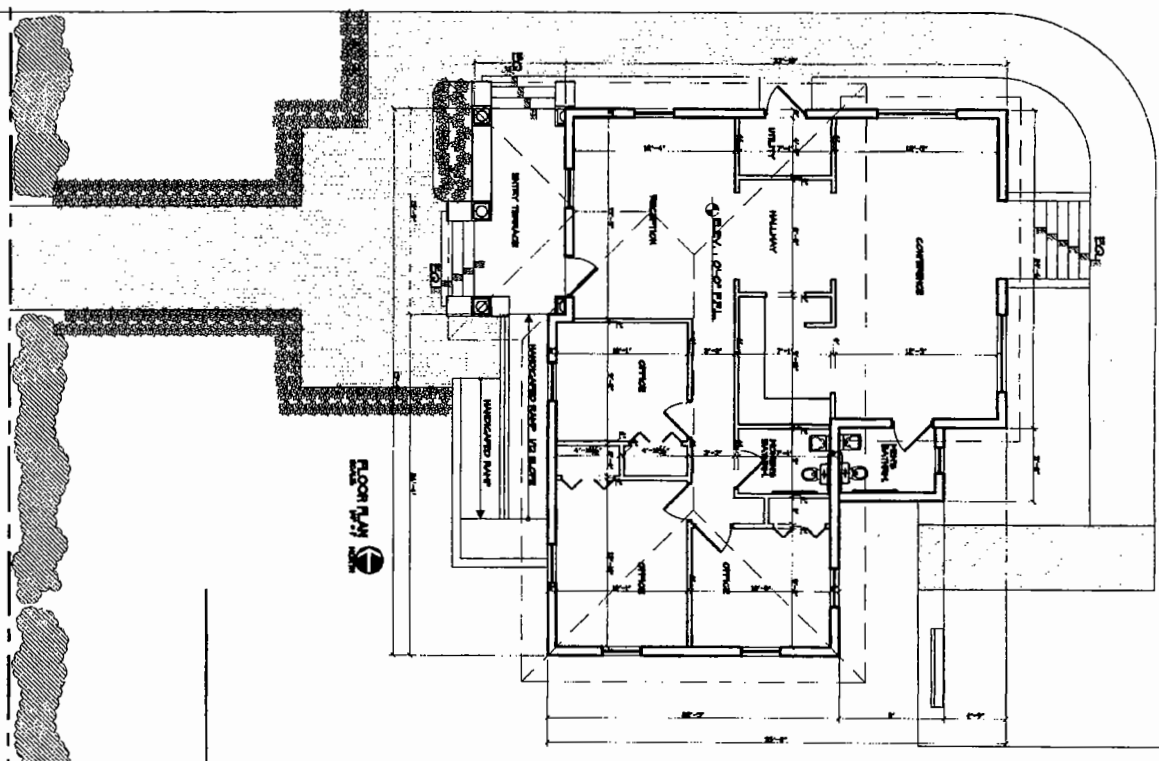
**PROPOSED RU-5A ZONING FOR
RENE MIGUEL VALDES
2425 SW 82ND AVE MIAMI, FLORIDA
PHONE: 305 599 4947**



G.J.R. ARCHITECTS CORP.
18300 Hwy 24 • P.O. Box 117 • Houston, TX 77033 • 713/465-1000

ROUTING	7A-1
ROLE	AS NOTED
ORIGIN	LTP
ORIGIN #	
DATE	10/2/5

45



FRONT ELEVATION

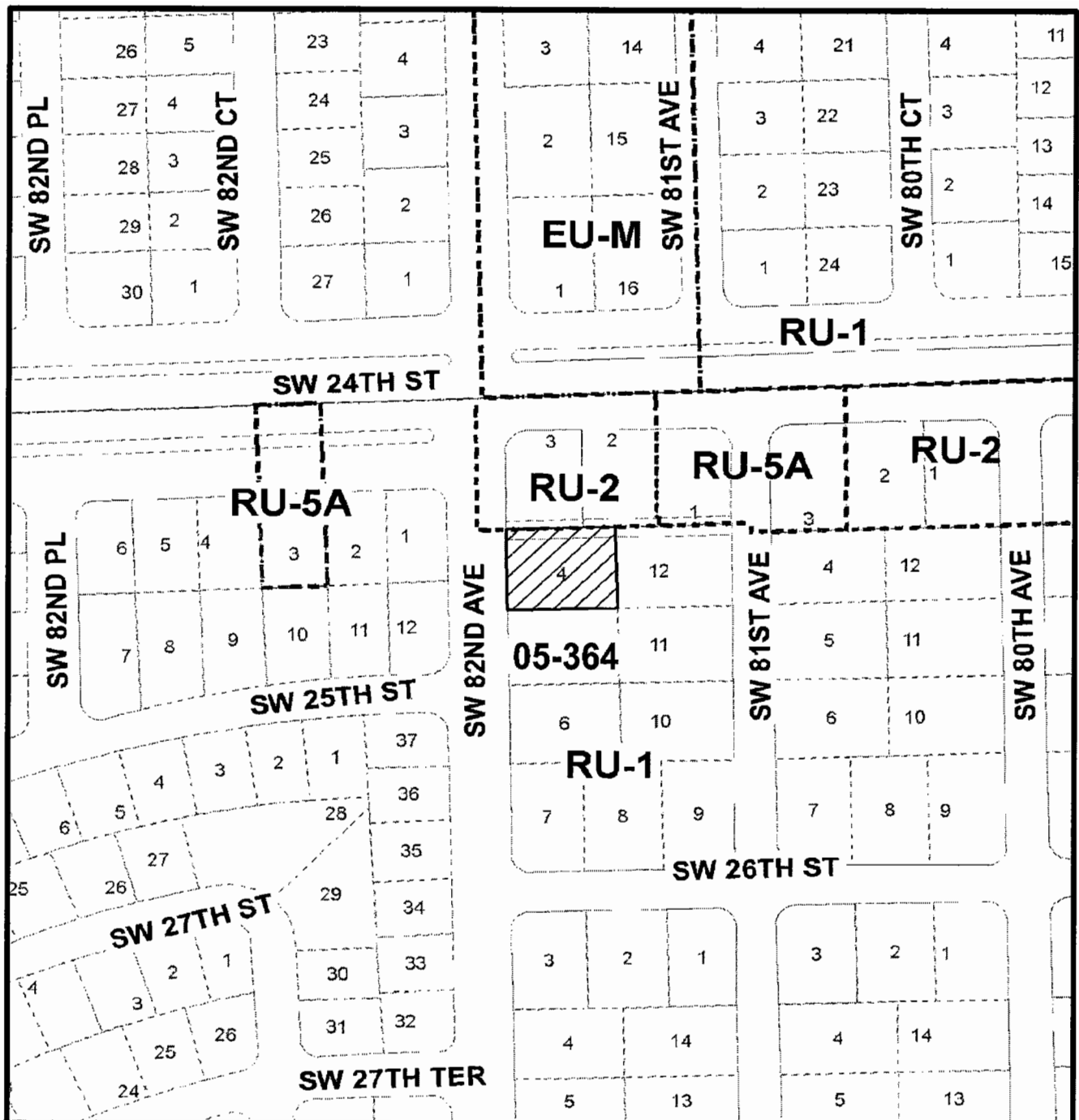
RECEIVED
 NOV 18 2003

ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT

Handwritten signature/initials

Handwritten signature: Rene Valdes
 5/11/04

<p>GJR ARCHITECTS CORP. 10300 NW 41st ST, F-115, MIAMI, FL PHONE: 305 686 4847</p>	ARCHITECTS / PLANNERS / INTERIORS PHONE: 305 686 4847	CLIENT:	PROPOSED RU-6A ZONING FOR RENE MIGUEL VALDES 2425 SW 82ND AVE, MIAMI, FLORIDA PHONE: 305 686 4847
	SHEET: 04/23/04 DATE: AS NOTED DRAWN BY: L.V. CHECKED BY:	SCALE:	DATE: 5/11/04



MIAMI-DADE COUNTY HEARING MAP

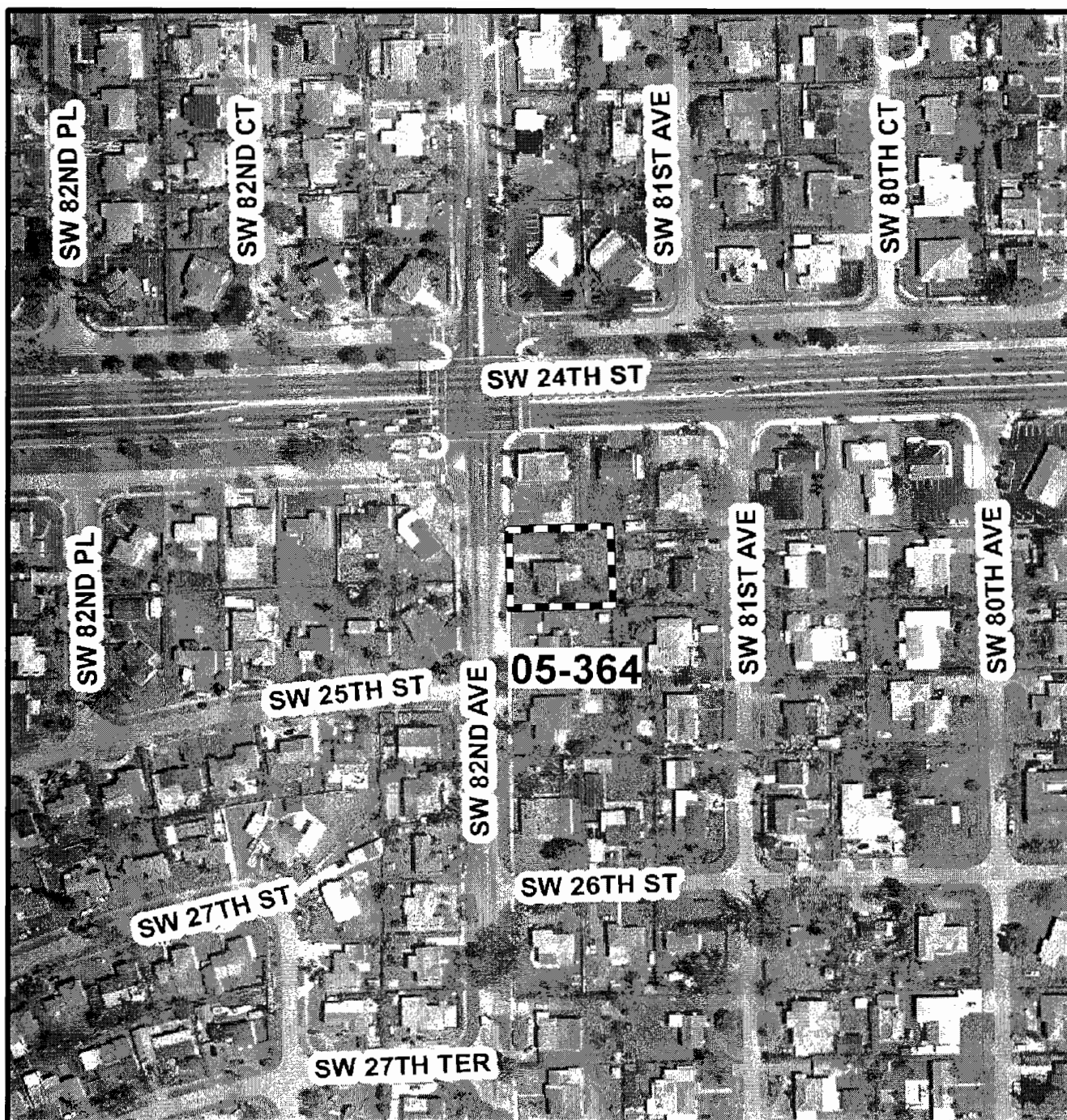
Section: 15 Township: 54 Range: 40
 Process Number: 05-364
 Applicant: RENE MIGUEL VALDEZ
 Zoning Board: C10
 District Number: 10
 Drafter ID: ALFREDO
 Scale: 1:200'



 SUBJECT PROPERTY

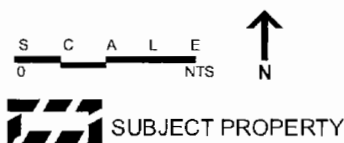


47



MIAMI-DADE COUNTY
AERIAL

Section: 15 Township: 54 Range: 40
 Process Number: 05-364
 Applicant: RENE MIGUEL VALDEZ
 Zoning Board: C10
 District Number: 10
 Drafter ID: ALFREDO
 Scale: NTS



**B. SANTA FE HACIENDAS LLC &
CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC**
(Applicant)

11-3-CC-2 (09-176)
BCC/District 11
Hearing Date: 06/23/11

Property Owner (if different from applicant) **Santa Fe Haciendas LLC.**

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

Disclosure of interest form attached? Yes ☒ No ☐

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1978	Directors, Building, & Zoning & Planning Depts.	- Zone change from IU-1 & IU-2 to AU.	BCC	Approved

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

ZONING ACTION**MEMORANDUM****Harvey Ruvin****Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners****(305) 375-5126****(305) 375-2484 FAX****www.miami-dadeclerk.com****DATE: 04/28/2011****#Z- 09-176****ITEM: C****APPLICANT: SANTA FE HACIENDAS, LLC****MOTION: DEFERRED-6/23/11 W/O NOTICE**

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro		X		
Bell		X		
Diaz				E
Heyman	S	X		
Jordan				E
Monestime		X		
Moss	M	X		
Sosa				E
Souto		X		
Vice Chairwoman Edmonson				E
Chairman Martinez		X		
TOTAL		7	0	

ZONING ACTION

MEMORANDUM

Harvey Ruvin

Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners

(305) 375-5126

(305) 375-2484 FAX

www.miami-dadeclerk.com



DATE: 3/17/2011

#Z-

ITEM: 2

**APPLICANT: SANTA FE HACIENDAS, LLC &
CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC
(11-3-CC-2/09-176)**

MOTION: Deferred to April 28, 2011 due to lack of a quorum.

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro				
Bell				
Diaz				
Gimenez				
Heyman				
Jordan				
Monestime				
Moss				
Seijas				
Sosa				
Souto				
Vice Chairwoman Edmonson				
Chairman Martinez				
TOTAL				

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

APPLICANTS: Santa Fe Haciendas, L.L.C., Et Al

PH: Z09-176 (11-3-CC-2)

SECTION: 1-55-38

DATE: June 23, 2011

COMMISSION DISTRICT: 11

ITEM NO.: B

A. INTRODUCTION

o **SUMMARY OF REQUEST:**

This application seeks to allow a lake excavation.

o **REQUEST:**

(1) UNUSUAL USE to permit a lake excavation.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Prop. Lake Excavation," as prepared by Fortin, Leavy, Skiles, Inc., Sheet "2A," dated stamped received 9/27/10 and the remaining sheets dated stamped received 8/17/10, for a total of 5 sheets. Plans may be modified at public hearing.

o **LOCATION:**

Lying west of SW 177 Avenue (Krome Avenue), and south of theoretical SW 90 Street Street, Miami-Dade County, Florida.

o **SIZE:** 412 Gross Acres

B. ZONING HEARINGS HISTORY:

In January 1957, the subject property was a part of a parcel of land that was rezoned from GU, Interim District, to IU-1, Light Manufacturing District and IU-2, Heavy Manufacturing District, pursuant to Resolution #10967. Subsequently, in October 1978, the subject property was rezoned to AU, Agricultural District, pursuant to Resolution #Z-226-78.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT:

1. *The Adopted 2015 and 2025 Land Use Plan designates the subject property as being **approximately 0.47 miles** west of and **outside the Urban Development Boundary (UDB)** 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 and farm residences. Uses ancillary to, and necessary to support the rural residential community of the agricultural area may also be approved, including houses of worship; however, schools shall not be approved in*

Agriculture areas but should be located inside the UDB in accordance with Policy EDU-2.A.

2. *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 contiguous sides is predominately and lawfully 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 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.***

Policy LU-3F. Super-Majority Vote: Any zoning action or amendment to the CDMP that would approve any use other than direct production and permitted residential uses of property, in an area designated as Agriculture, whether as a primary use or as an accessory or subordinated use to an agricultural use, or action that would liberalize standards or allowances governing such other uses on land that is, a) outside the Urban Development Boundary (UDB), and b) within one mile of the right-of-way line of any portions of Krome Avenue designated in this Plan for improvement to 4-lanes, shall require an affirmative vote of not less than five members of the affected Community Zoning Appeals Board and two-thirds of the total membership of the Board of County Commissioners then in office, where such Community Zoning Appeals Board or Board of County Commissioners issues a decision. The term "direct agricultural production" includes crops, livestock, nurseries, groves, packing houses, and barns but not uses such as houses of worship, schools, sale of produce and other items, and outdoor storage vehicles. This policy is not intended to permit any use not otherwise permitted by the CDMP. Any modification to this section to allow additional uses within the one mile distance from Krome Avenue shall require an affirmative vote of not less than two-thirds of the Board of County Commissioners then in office.

Other Land Uses Not Addressed. Certain uses are not authorized under any LUP map category, including many of the uses listed as "**unusual uses**" in the zoning code. Uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible and would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or

signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. However, this provision does not authorize such uses in Environmental Protection Areas designated in this Element.

Uses and Zoning Not Specifically Depicted on the LUP Map. Within each map category numerous land uses, zoning classifications and housing types may occur. Many existing uses and zoning classifications are not specifically depicted on the Plan map. This is due largely to the scale and appropriate specificity of the countywide LUP map, graphic limitations, and provisions for a variety of uses to occur in each LUP map category. In general, 5 acres is the smallest site depicted on the LUP map, and smaller existing sites are not shown. All existing lawful uses and zoning are deemed to be consistent with this Plan unless such a use or zoning (a) is found through a subsequent planning study, as provided in Policy LU-4E, to be inconsistent with the criteria set forth below; and (b) the implementation of such a finding will not result in a temporary or permanent taking or in the abrogation of vested rights as determined by the Code of Miami-Dade County, Florida.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

AU; vacant land

Agriculture

Surrounding Properties:

NORTH: AU; lake excavation

Agriculture

SOUTH: AU; farm residences,
vacant land

Agriculture

EAST: AU; row crops, vacant land

Agriculture

WEST: GU; park

Environmentally Protected Parks

E. PERTINENT ZONING REQUIREMENTS/STANDARDS:

Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses. The Board shall hear an application for and grant or deny special exceptions; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and **unusual uses** which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which

have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

Section 33-314(C)(11.1) Direct Applications and Appeals to the County Commission. *Notwithstanding the provisions of Section 33-13(e) of this code, applications for unusual uses for lake excavations to expand bona fide rock mining operations, as defined in Section 33-422(3) of the code, onto property contiguous and immediately adjacent to existing bona fide rock mining operations; associated Class I and Class IV permit applications as defined in Section 24-48.1; and all applications for uses ancillary to bona fide rock mining pursuant to Section 33-422(c) of this article.*

Section 33-422(3) Uses Permitted by this Article. *For the purposes of this article, "bona fide rock mining" means the commercial extraction of limestone and sand suitable for production of construction aggregates, sand, cement and road base materials for shipment offsite by any person or company primarily engaged in the commercial mining of any such natural resources.*

F. NEIGHBORHOOD SERVICES PROVIDER COMMENTS:

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDT	No objection
Fire Rescue	No objection
Police	No objection
Schools	Not applicable
FDOT	No objection

*Subject to conditions indicated in their memoranda.

G. PLANNING AND ZONING ANALYSIS:

This application was deferred from the April 28, 2011 meeting of the Board of County Commissioners (BCC) due a lack of quorum for a supermajority vote. Prior to this, the application was indefinitely deferred from the January 13, 2011 meeting by the Community Zoning Appeals Board 11 and subsequently, was deferred from the March 17, 2011 meeting of the BCC due to an inadvertent error in the advertisement. The applicant has amended the application and provided the Department with additional information in a revised letter of intent indicating that the operator overseeing the proposed lake excavation is the same operator on the Krome Quarry located on the abutting property to the north along with other documentation. As such, this application meets the criteria for direct application to the Board of County Commissioners (BCC), under Section 33-314(C)(11.1), Direct Applications and Appeals to the County Commission, of the Code and as such should be scheduled before the BCC.

The subject property is located approximately 0.47 miles west of and outside the UDB in an area designated **Agriculture** and abuts Krome Avenue that is designated in the Master Plan for improvement to 4-lanes. The subject property has been and is being used for active agricultural purposes. This application would allow the applicant an Unusual Use to permit a 306.82 acre lake excavation/rock mining use on this 412-acre AU, Agricultural District parcel. However, the CDMP indicates that *uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible with and would not have an unfavorable effect on the surrounding area.*

The applicants' letter of intent indicates that the proposed lake excavation is similar to the uses allowed in the Rock Mining Overlay District (ROZA). Staff notes that although the subject property is located approximately 1.5 miles south of and outside the ROZA district, the property abuts a property to the north that has an ongoing rock mining operation. Said property and the property located further north contain rock mining operations that were approved approximately 50 years ago. Both of these rock mining operations extend northward into the ROZA District which ends at approximately SW 56 Street. The ROZA ordinance which was enacted in 2004, allows for the creation of an area in the northwest section of the County where rock mining and uses that are ancillary to rock mining are permitted without a public hearing.

However, the interpretative text of the CDMP *allows for the consideration of the expansion of existing quarrying uses in the Agriculture area.* The applicants are seeking an unusual use to permit a lake excavation on a parcel of land that does not have an ongoing lake excavation use. However, the abutting property located to the north contains an ongoing lake excavation and ancillary uses which were initially approved approximately fifty (50) years prior to the applicants' request for a lake excavation on the subject property. The applicants' revised letter of intent indicates that CEMEX Construction Materials Florida, LLC (CEMEX), currently conducts rock mining and ancillary activities on the abutting property to the north of the subject property, along with another property located north of that property. Said letter indicates that CEMEX operates on both of these properties pursuant to existing Short-Form Limestone Purchase and Option agreements that CEMEX entered into with each of the respective property owners which is the same type of agreement they have with the owners of the subject property. Staff notes that these lake excavations/rock mining operations extend as far north as the southernmost boundary of the ROZA District. Although the subject property is separate from the two (2) aforementioned properties, staff opines that the extension of the rock mining operations onto the subject property could constitute an expansion of the lake excavation operations being conducted by CEMEX and would be compatible with same. Staff notes that the applicant has proffered a covenant (attached) which imposes conditions and restrictions on the subject property for the proposed rock mining operation. Said conditions and restrictions among other things include, a continuous 15' high landscaped berm along the interior side (south) property line as well as restrictions on the hours of operation, on mining operations within 200' of the southern property line and on blasting within 500' of existing residences. Therefore, staff opines that these agreements along with the applicants' proffered covenant constitute an expansion of the existing rock mining operations on these properties located to the north. **As such, staff concludes that based on the above, the proposed lake excavation on the subject property is an expansion of an existing quarrying use and is consistent with the CDMP.**

However, Policy **LU-3F** of the interpretative text of the CDMP *requires that any zoning action or amendment to the CDMP that would approve any use other than direct production and permitted residential uses of property, in an area designated as Agriculture, whether as a primary use or as an accessory or subordinated use to an agricultural use, or action that would liberalize standards or allowances governing such other uses on land that is, a) outside the Urban Development Boundary (UDB), and b) within one mile of the right-of-way line of any portions of **Krome Avenue** designated in this Plan for improvement to 4-lanes, shall require an affirmative vote of not less than two-thirds of the total membership of the Board of County Commissioners then in office, where such Board of County Commissioners (BCC) issues a decision.* Staff notes that the subject property is located outside the UDB and within a mile of the right-of-way of Krome Avenue. As such, the approval of this application would require a super-majority vote since said uses do not involve the direct production of agriculture, are not permitted residential uses in an agriculturally designated land, and approval of said requests would liberalize the standards or allowances governing such uses.

Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses and New Uses states that *the Board shall hear an application for and grant or deny special exceptions; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and **unusual uses** which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.* Staff notes that the subject property abuts properties to the north that are currently engaged in rock mining operations. The applicant's letter of intent indicates that the current operator of the rock mining activities on the abutting properties would be the same operator of the proposed rock mining operations on the subject property. Staff opines that as a result, there will not be a negative impact on the rock mining industry in this section of the County and therefore, not have a negative impact on the economy of the County.

Staff notes that the Public Works Department, MDFRD, Florida Department of Transportation (FDOT) and DERM do not object to the application. DERM indicates in their memorandum that the proposed excavation is located within 700 feet of the Everglades National Park (ENP) and the L-31N levee and has recommended approval based on certain conditions. As such, based on memoranda from these departments, approval of this application would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction or tend to create a fire or other equally or greater dangerous hazards.

Notwithstanding, *when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development, staff*

opines that approval of the requested unusual use to permit the rock mining operation would be **incompatible** with the surrounding area. Staff notes that the subject property provided a significant separation between the previously approved rock mining uses on the properties located to the north and the farm residences located to the south of the subject property. Staff recognizes that the applicants have proffered a covenant which, in addition to combining the rock mining operations on the abutting parcel to the north, also helps to mitigate negative visual or aural impacts that the proposed use would have on the farm residences located to the south and to the east. Said covenant would among other things, require the applicant to install a 15' high berm along the south property line as well as limit the use of explosives within 500' of existing residences. However, notwithstanding the memoranda from the Public Works and Miami-Dade Fire Rescue Departments, staff opines that approval of the expansion of the mining activities onto the subject property could result in an increase in traffic, dust and noise from the rock mining operations that would have a negative impact on the surrounding agricultural properties. Therefore, notwithstanding the applicants' proffered covenant, staff opines that approval of this application will result in the removal of this parcel which acts as a buffer and would result in a southward expansion of the mining operations. Said expansion in staff's opinion would have a negative visual and aural impact on the farm residences and other agricultural parcels located to the south and east of the subject property as well as the environmentally protected national park located to the west.

As such, staff opines that the applicants' request to permit the expansion of an existing rock mining operation onto additional property to the south is **consistent** with the adopted interpretative text of the CDMP. However, it would be **incompatible** with the majority of the properties in the surrounding area and as such should be denied. **Based on the aforementioned, staff recommends that the applicants' request for an Unusual Use to permit a lake excavation be denied without prejudice under Section 33-311(A)(3), Standards for Special Exceptions, Unusual Uses and New Uses.**

H. RECOMMENDATION: Denial without prejudice.

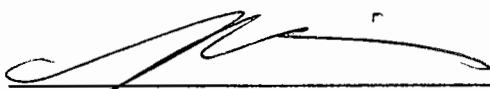
I. CONDITIONS: None.

DATE TYPED: 12/03/10

DATE REVISED: 02/06/10, 12/8/10, 01/28/11, 02/02/11, 02/07/11, 02/08/11, 02/09/11,
03/02/11, 04/12/11, 04/19/11, 04/29/11

DATE FINALIZED: 04/29/11

MCL:GR:NN:AA:CH



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

NDN

Memorandum



Date: March 10, 2011

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

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

Subject: BCC #Z2009000176 -5th Revision
Santa Fe Haciendas, LLC
North of S.W. 100th Street between S.W. 177th Avenue and S.W. 188th
Avenue
Unusual Use to Permit a Lake Excavation and portable rock crushing and
screening equipment
(AU) (412 Acres)
01-55-38

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, the application may be scheduled for public hearing.

Wetlands

The Wetland Resources Section has reviewed the revised site plan submitted on August 20, 2010 by Santa Fe Haciendas, LLC requesting an unusual use to permit a lake excavation and the use of mobile ancillary rock crushing and screening equipment for a property located west of Krome Avenue and south of theoretical S.W. 91st Street. On May 26, 2009, a Class IV Permit application was submitted to DERM requesting to excavate 5.18 acres of wetlands within the 412-acre project area. To date, the Class IV Wetland Permit has not been issued.

DERM notes that the edge of the proposed excavation is located within 700 feet of Everglades National Park (ENP) and the L-31N levee, however, the excavation is proposed to be phased, with the first phase having a minimum of 2500 feet of set-back from the levee. It is anticipated that the full excavation will increase the seepage from the higher groundwater stages to the west to the lower stages to the east. This will be detrimental to the wetlands within the ENP. The phased approach is acceptable provided the use be conditioned to specifically prohibit mining within the 2500 foot set-back area until a seepage management plan is provided and approved by DERM.

The revised site plan depicts a lake excavation within the agricultural designation of the Comprehensive Development Master Plan (CDMP). This appears to be a new commercial use within the Agricultural area. DERM recommends that Planning carefully evaluate appropriateness of this use under the CDMP.

Wellfield Protection

The subject property is located within the West Wellfield interim protection area. The Board of County Commissioners approved a wellfield protection ordinance for this wellfield. This ordinance provides for stringent wellfield protection measures that restrict development, and regulate land uses within the wellfield protection area.

Section 24-43(7) of the Code regulates excavations within wellfield protection areas. Section 24-43(7)(a) requires that no excavation may be permitted within a wellfield protection area unless the property owner has submitted to DERM a properly executed covenant running with the land in favor of Miami-Dade County that shall provide for security measures during the excavation. The property owner has submitted a properly executed covenant, in accordance with Section 24-43(7) of the Code. T

Section 24-43(5) of the Code regulates to a prohibition of hazardous materials within the wellfield protection areas. Therefore, a (5)(a) covenant must be proffered for the use of fuel and lubricants required for rockmining operations. As stated in this section of the Code, "... no County or municipal officer, agent, employee or Board shall approve, grant or issue any building permit, certificate of use and occupancy...or zoning action (district boundary change, unusual use, use variance or equivalent municipal zoning actions.....without obtaining the prior written approval of the Director or Director's designee." The property owner has submitted a properly executed covenant, in accordance with Section 24-43(5) of the Code

Stormwater Management

An existing covenant running with the land, executed by the owner of the property in favor of Miami-Dade County in accordance with Section 24-43(7) of the Code of Miami-Dade County, Florida (the Code), has been reviewed and approved by DERM's Water Control Section. In addition, DERM has no objection to this application if the following conditions are also satisfied:

An Environmental Resources Permit from the South Florida Water Management District shall be required for the construction and operation of the required water management system. This permit shall be obtained prior to platting and site development, or Public Works approval of paving and drainage plans.

Any proposed development must comply with the Water Quality Level of Service (WQLOS) and the minimum acceptable Flood Protection Level of Service (FPLOS) set forth by the CDMF.

The development criteria and the level of on-site flood protection may be influenced if the ground water stages are increased as a consequence of the implementation of the Comprehensive Everglades Restoration Plan.

Pollution Remediation

There are no records of current contamination assessment/remediation issues on the property or abutting the property. Additionally, there are no historical records of contamination assessment/remediation issues regarding non-permitted sites associated with this property or abutting the property.

Tree Preservation

The subject property contains tree resources and contains jurisdictional wetlands. Wetland Resources will be regulated through a DERM Class IV Wetland Permit. Any non wetland tree resources on the site will require a Miami-Dade County Tree Removal Permit prior to removal or relocation.

Concurrency Review Summary

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

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

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

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

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: SANTA FE HACIENDAS LLC

This Department has no objections to this application.

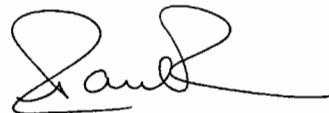
Lake slopes are to comply with Miami-Dade County Code requirements and the Public Works Manual of Miami-Dade County.

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

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

Since this development abuts a State maintained road (SW 177 Avenue), the applicant must contact the district office at 305-470-5367, certain restrictions may apply.

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



Raul A Pino, P.L.S.

22-APR-10

PLANNING AND ZONING
AGENDA OFFICE



BCC 3-17-11
09-176
FOR FILE
WAPOLCON
Mark W

PLANNING AND ZONING
AGENDA OFFICE
2011 MAR 10 P 12:09
RE: SCOT
GOVERNOR

2011 MAR 10 P 12:09 **Florida Department of Transportation**

605 Suwannee Street
Tallahassee, FL 32399-0450

February 28, 2011

2011 MAR -9 P 3:57
OFFICE OF THE
SECRETARY
PLANNING & ZONING
METROPOLITAN PLANNING SECT

Mr. Mark LaFerrier
Department of Planning and Zoning, Miami-Dade County
Zoning Hearing Section
111 North West First Street, 11th Floor
Miami, Florida 33128

RECEIVED
209-176
MAR 04 2011

MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING
201103237

Re: Santa Fe Haciendas Zoning Application, P.H. No. 09-176
(Process Number Z2009000176)

Dear Mr. Mark LaFerrier:

It has come to my attention Santa Fe Haciendas and Cemex, Inc. has a pending application for an unusual use approval for a limestone mining expansion to supply material to their Florida Department of Transportation (FDOT) approved Source 87089 on Krome Avenue, Miami, Florida.

Because of its strategic location along the CSX rail corridor, Cemex's Krome mine has historically been a valuable supply source of construction aggregates to rail redistribution terminals in the following areas: Orlando, Jacksonville, Tampa, Daytona, Gainesville, Ocala, Mulberry, and Largo. This successful network is essential to the continuance of FDOT's road and bridge construction work program commitments across a large portion of the state.

This property is the only remaining significant upland (non-jurisdictional by US Army Corps of Engineers) tract, which is also outside of the Lake Belt. Krome is the only mine that was able to operate fully during the Lake Belt shutdown period. It has always been a critical supply link and that is even more so if something were to interrupt the Lake Belt mining again.

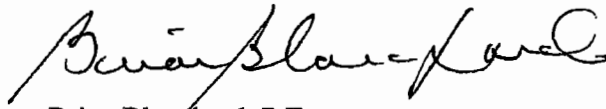
In order for Florida to maintain its economic growth and quality of life, the state must continue to improve its transportation infrastructure. A stable supply of all types of aggregate, including Miami limestone, is important to that effort and to ensure that road projects as well as private developments may move forward without delay.

Mr. Mark LaFerrier
February 28, 2011
Page two

Without locally available sources, the only viable alternative is to acquire this material from other states or countries. These sources are often more costly and delivery is sometimes not reliable. This project will fulfill a critical need for aggregate material and is located for convenient transport of the material north to where it is needed.

I hope you find this information useful in your deliberations. If you have any questions, please contact me at 850-414-5240.

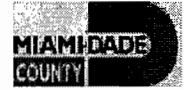
Sincerely,

A handwritten signature in black ink, appearing to read "Brian Blanchard". The signature is fluid and cursive, with a large, stylized "B" and "C".

Brian Blanchard, P.E.
Chief Engineer

BB/jsi

cc: The Honorable Joe Martinez, Chair



Memorandum

Date: 12-OCT-10

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2009000176

Fire Prevention Unit:

This memo supersedes MDR memorandum dated September 10, 2010.

APPROVAL

- No objection to site plan date stamped September 27, 2010.

Service Impact/Demand:

Development for the above Z2009000176

located at LYING WEST OF S.W. 177 AVENUE (KROME AVENUE) AND SOUTH OF THEORETICAL S.W. 91 STREET, MIAMI-DADE COUNTY, FLORIDA.

in Police Grid 1813 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.

The estimated average travel time is: 8:10 minutes

Existing services

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

Station 56 - West Sunset - 16250 SW 72 Street
Rescue, ALS Engine Haz Mat Support.

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

DATE: 09-FEB-11
REVISION 2

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

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

SANTA FE HACIENDAS, LLC &
CEMEX CONSTRUCTION
MATERIALS FLORIDA, LLC

LYING WEST OF S.W. 177 AVENUE
(KROME AVENUE) AND SOUTH OF
THEORETICAL S.W. 90 STREET,
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2009000176

HEARING NUMBER

HISTORY:

BUILDING & NEIGHBORHOOD COMPLIANCE DEPARTMENT
BUILDING & NEIGHBORHOOD COMPLIANCE
DIVISION

ENFORCEMENT HISTORY

NAME: ADDRESS:
SANTA FE HACIENDAS, LLC & CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC
LYING WEST OF SW 177 AVE(KROME AVE) AND SOUTH OF THEORETICAL SW 90 ST,
MIAMI-DADE COUNTY

Folio: 30-5801-000-0010

DATE:
2/8/11

CURRENT ENFORCEMENT HISTORY:

Open Cases:
No open cases.

Closed Cases:
No previous cases.

Ronald Szep,
Building Enforcement and Legal Services Division Director

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

REPORTER NAME:

ZONING INSPECTION REPORT

Inspector: HASSUN, PEDRO

Inspection Dat

Evaluator: N/A

03/16/11

Process #:	Applicant's Name
Z2009000176	SANTA FE HACIENDAS, LLC & CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC
Locations:	LYING WEST OF S.W. 177 AVENUE (KROME AVENUE) AND SOUTH OF THEORETICAL S.W. 90 STREET, MIAMI-DADE COUNTY, FLORIDA.
Size:	412 ACRES
	Folio #: 3058010000010

Request:

1 THE APPLICANT IS REQUESTING A ZONE CHANGE FROM AGRICULTURAL-RESIDENTIAL DISTRICT TO HEAVY INDUSTRIAL MANUFACTURING DISTRICT AND AN UNUSUAL USE FOR A LAKE EXCAVATION AND ROCK CRUSHING AND SCREENING PLANT ANCILLARY TO THE PROPOSED LAKE EXCAVATION.

EXISTING ZONING

Subject Property AU,

EXISTING USE

SITE CHARACTERISTICS

STRUCTURES ON SITE:

NONE

USE(S) OF PROPERTY:

ROW CROPS

FENCES/WALLS:

NONE

LANDSCAPING:

NONE

BUFFERING:

OVERGROWN GRASS.

VIOLATIONS OBSERVED:

BNC MEMO DATED 02/09/2011 REV#2 ON FILE. NO OTHER VIOLATION CASES FOUND. JUNK & TRASH OBSERVES ON THE EAST PROPERTY LINE APPROXIMATELY SW 93 ST.

OTHER:

NONE

Process # Applicant's Name

ZONING INSPECTION REPORT

Z2009000176 SANTA FE HACIENDAS, LLC & CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC

SURROUNDING PROPERTY

NORTH:

AU: CEMEX KROME QUARRY:LAKE EXCAVATION

SOUTH:

AU: 5 ACRES LOTS WITH SINGLE FAMILY RESIDENCE

EAST:

AU: PLANT NURSERY & CROPS

WEST:

GU: CANAL(CENT & SO FLA FLOOD CONTROL DIST) & PROPERTY OWNED BY USA EVERGLADES NATIONAL PARK

SURROUNDING AREA

AGRICULTURAL USES WITH EXISTING LAKE EXCAVATION TO THE NORTH OF SUBJECT PROPERTY.

NEIGHBORHOOD CHARACTERISTICS:

AGRICULTURAL USES AND 5 ACRES LOTS TO THE SOUTH WITH RESIDENCES.

COMMENTS:

Inspector **HASSUN, PEDRO**

Evaluator **N/A**

Process Number: **Z2009000176** Applicant Name **SANTA FE HACIENDAS, LLC & CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC**



Date: 17-MAY-11

Comments: S SIDE OF SUBJECT PROPERTY.



Date: 17-MAY-11

Comments: SUBJECT PROPERTY E VIEW ON SW 100 ST.



Date: 17-MAY-11

Comments: SUBJECT PROPERTY EAST PROPERTY LINE
APPROX. SW 93 ST JUNK & TRASH - BOAT HULL.

Inspector **HASSUN, PEDRO**

Evaluator **N/A**

Process Number: **Z2009000176** Applicant Name **SANTA FE HACIENDAS, LLC & CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC**



Date: 17-MAY-11

Comments: SUBJECT PROPERTY EAST SIDE SW VIEW.



Date: 17-MAY-11

Comments: SUBJECT PROPERTY EAST SIDE NW VIEW.



Date: 17-MAY-11

Comments: SUBJECT PROPERTY SOUTH PROPERTY LINE.

Inspector **HASSUN, PEDRO**

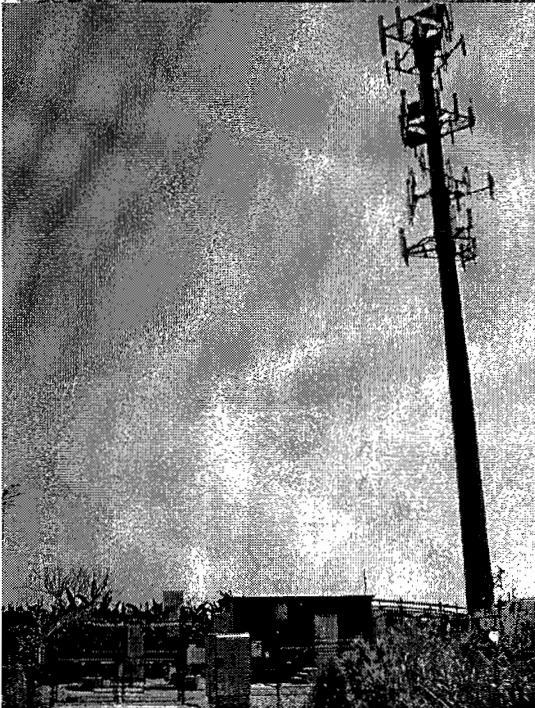
Evaluator **N/A**

Process Number: **Z2009000176** Applicant Name **SANTA FE HACIENDAS, LLC & CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC**



Date: 17-MAY-11

Comments: EAST OF SUBJECT PROPERTY AKA 9300 SW 177 AVE VILLA NURSERY 30-5906-000-0029.



17-MAY-11

Date:

NORTHEAST OF SUBJECT PROPERTY AKA 8801 SW 177 AVE CROWN CASTLE INTERNATIONAL 30-5906-000-0024.

Comments:



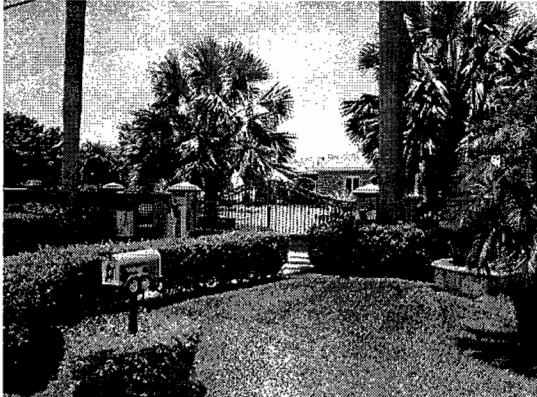
Date: 17-MAY-11

Comments: SOUTH OF SE CORNER OF SUBJECT PROPERTY AKA 17805 SW 100 ST DAISY'S NURSERY 30-5801-000-1030.

Inspector **HASSUN, PEDRO**

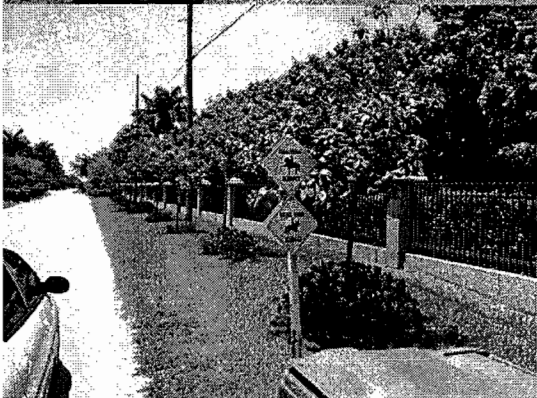
Evaluator **N/A**

Process Number: **Z2009000176** Applicant Name **SANTA FE HACIENDAS, LLC & CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC**



Date: 17-MAY-11

Comments: SOUTH OF SE CORNER OF SUBJECT PROPERTY
AKA 17821 SW 100 ST & 17849 SW 100 ST WEST
KENDALL FARMS 30-5801-000-1010 & 1020.



Date: 17-MAY-11

Comments: WEST VIEW ON SW 100 ST SOUTH OF SUBJECT
PROPERTY AKA 17821 SW 100 ST & 17849 SW 100
ST WEST KENDALL FARMS 30-5801-000-1010 &
1020.



Date: 17-MAY-11

Comments: EAST VIEW ON 100 ST SOUTH OF SUBJECT
PROPERTY AKA 17821 SW 100 ST & 17849 SW 100
ST WEST KENDALL FARMS 30-5801-000-1010 &
1020.

Inspector **HASSUN, PEDRO**

Evaluator **N/A**

Process Number: **Z2009000176** Applicant Name **SANTA FE HACIENDAS, LLC & CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC**



Date: 17-MAY-11

Comments: NORTH OF SUBJECT PROPERTY AKA 8800 SW 177 AVE CEMEX KROME QUARRY 30-4851-000-0010.



Date: 17-MAY-11

Comments: NORTH OF SUBJECT PROPERTY AKA 8800 SW 177 AVE CEMEX KROME QUARRY 30-4851-000-0010.



Date: 17-MAY-11

Comments: CANAL WEST OF SUBJECT PROPERTY AKA 30-5802-000-0020.

Inspector **HASSUN, PEDRO**

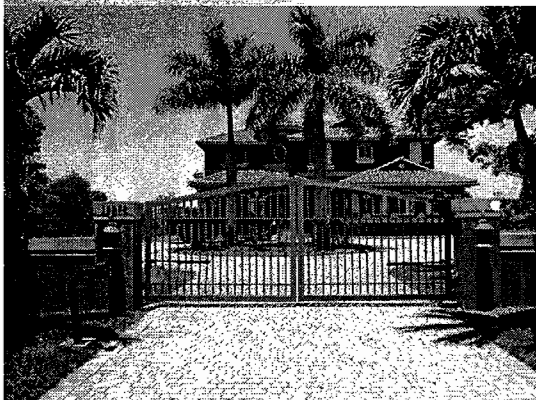
Evaluator **N/A**

Process Number: **Z2009000176** Applicant Name **SANTA FE HACIENDAS, LLC & CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC**



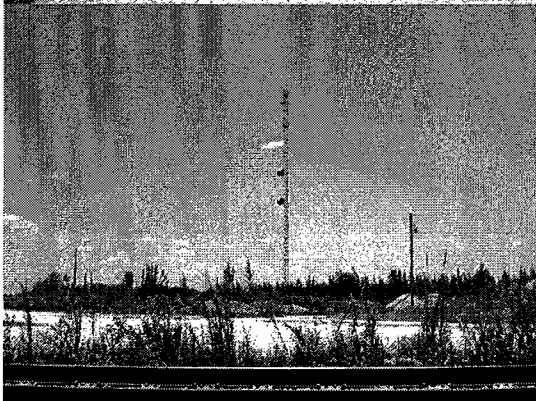
Date: 17-MAY-11

Comments: SOUTH OF SW CORNER OF SUBJECT PROPERTY
AKA 18695 SW 100 ST 30-5801-000-0770.



Date: 17-MAY-11

Comments: SOUTH OF SW OF SUBJECT PROPERTY AKA 18575
SW 100 ST 30-5801-000-0780.



Date: 17-MAY-11

Comments: NORTH OF SUBJECT PROPERTY AKA 8800 SW 177
AVE CEMEX KROME QUARRY 30-4851-000-0010.

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: **CEMEX Construction Materials Florida, LLC**

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>CEMEX S.A.B. de C.V., Traded in NYSE</u>	<u>100 %</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

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

TRUST/ESTATE NAME _____

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>

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

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

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

Signature: _____
(Applicant)

Sworn to and subscribed before me this 10th day of January, 2011. Affiant is personally known to me or has produced _____ as identification.

Sheryl M. Tyson
(Notary Public)

My commission expires: 9/4/11

Seal



*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.

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: Sante Fe Haciendas, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Mr. Masoud Shojaee, 5835 Blue Lagoon Drive Suite #400 Miami, FL 33126</u>	<u>50%</u>
<u>Mrs. Maria Lamas-Shojaee, 5835 Blue Lagoon Drive Suite #400 Miami, FL 33126</u>	<u>50%</u>

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

TRUST/ESTATE NAME: _____

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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

RECEIVED
209170
DEC 23 2009

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

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

NAME OF PURCHASER: _____

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

Date of contract: _____

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

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

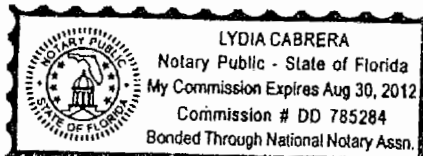
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: _____
(Applicant)

Sworn to and subscribed before me this 18 day of December 2009. Affiant is personally known to me or has produced _____ as identification.

(Notary Public)

My commission expires 8/30/12



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

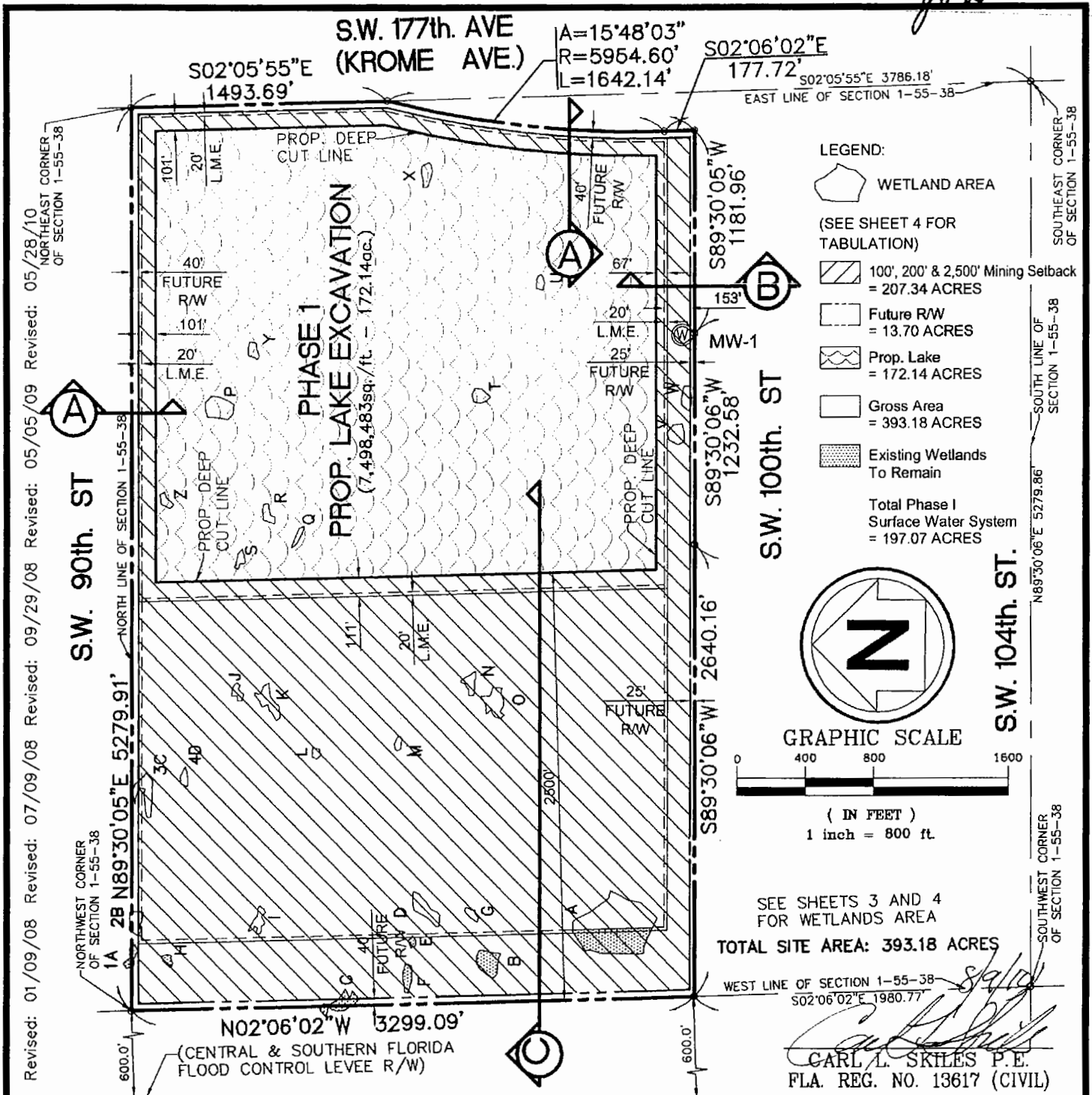
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20976
DEC 23 2009

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT

31

Rev#1 209-176
AG 7

JSN



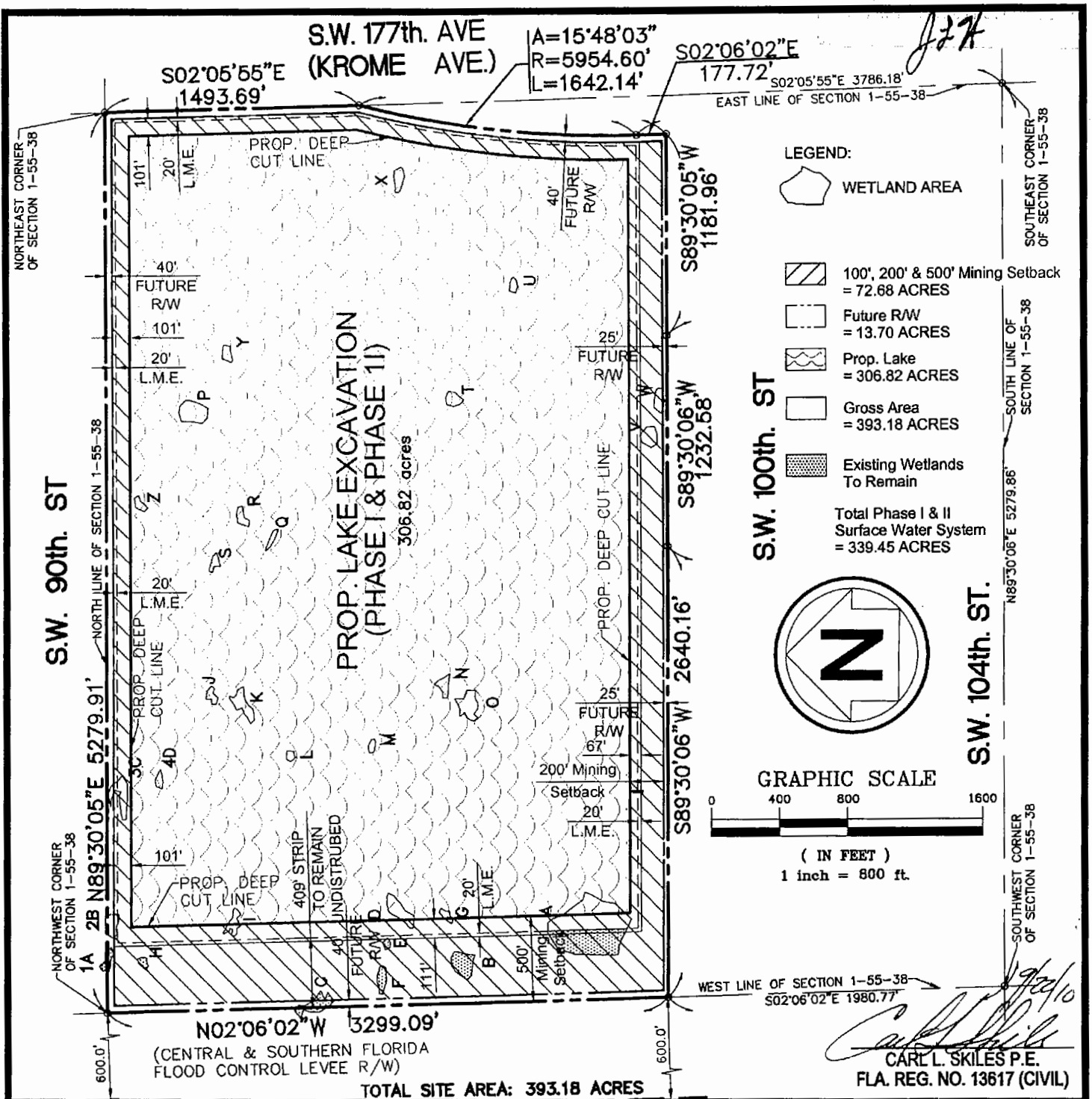
Drawn By	REP
Cad. No.	061816-2
Ref. Dwg.	3006-075
Plotted:	5/27/10 12:23a

LAKE MINING PLAN - Section 1-55-38	
FORTIN, LEAVY, SKILES, INC.	
CONSULTING ENGINEERS, SURVEYORS & MAPPERS	
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653	
180 Northeast 168th Street / North Miami Beach, Florida 33162	
Phone 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com	

Date	09/18/06
Scale	1"=800'
Job. No.	067027
Dwg. No.	1006-192
Sheet	2 of 6

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Rev#2 209-176
SEP 27 2010



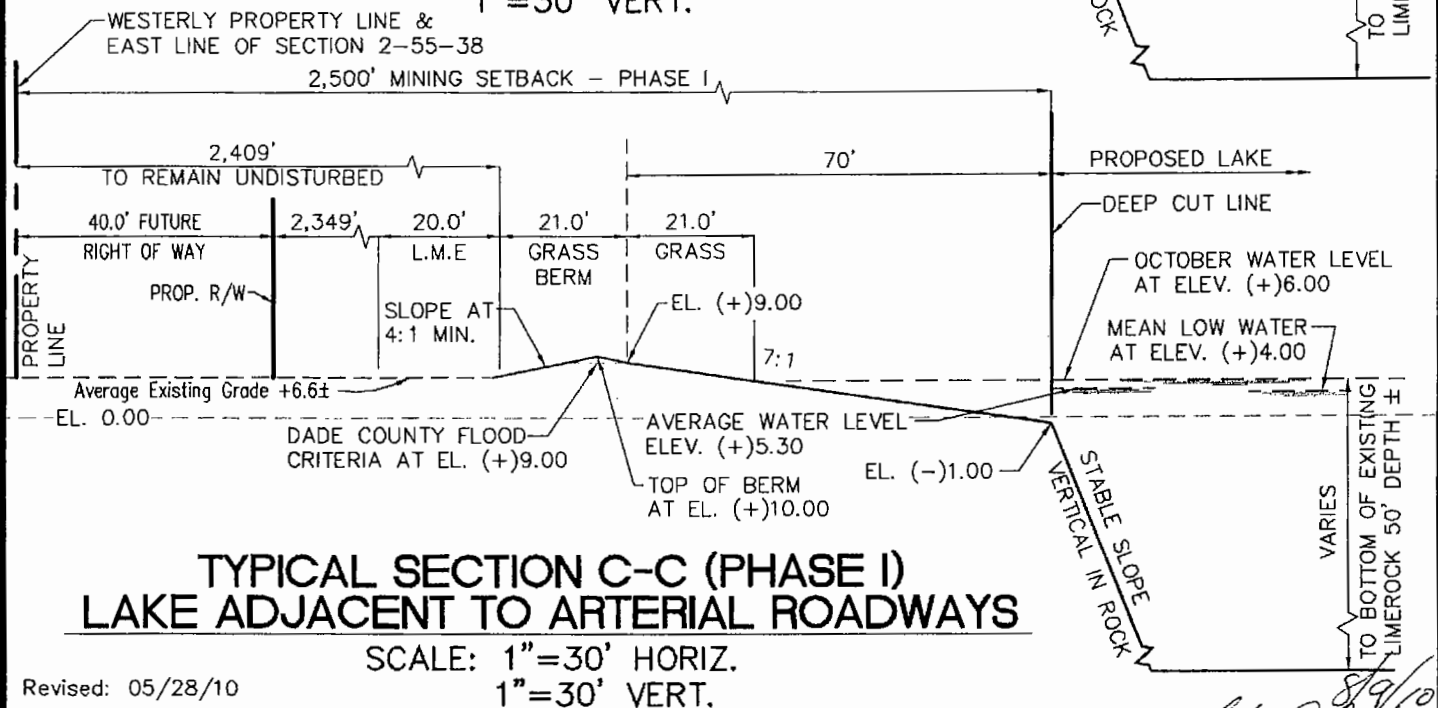
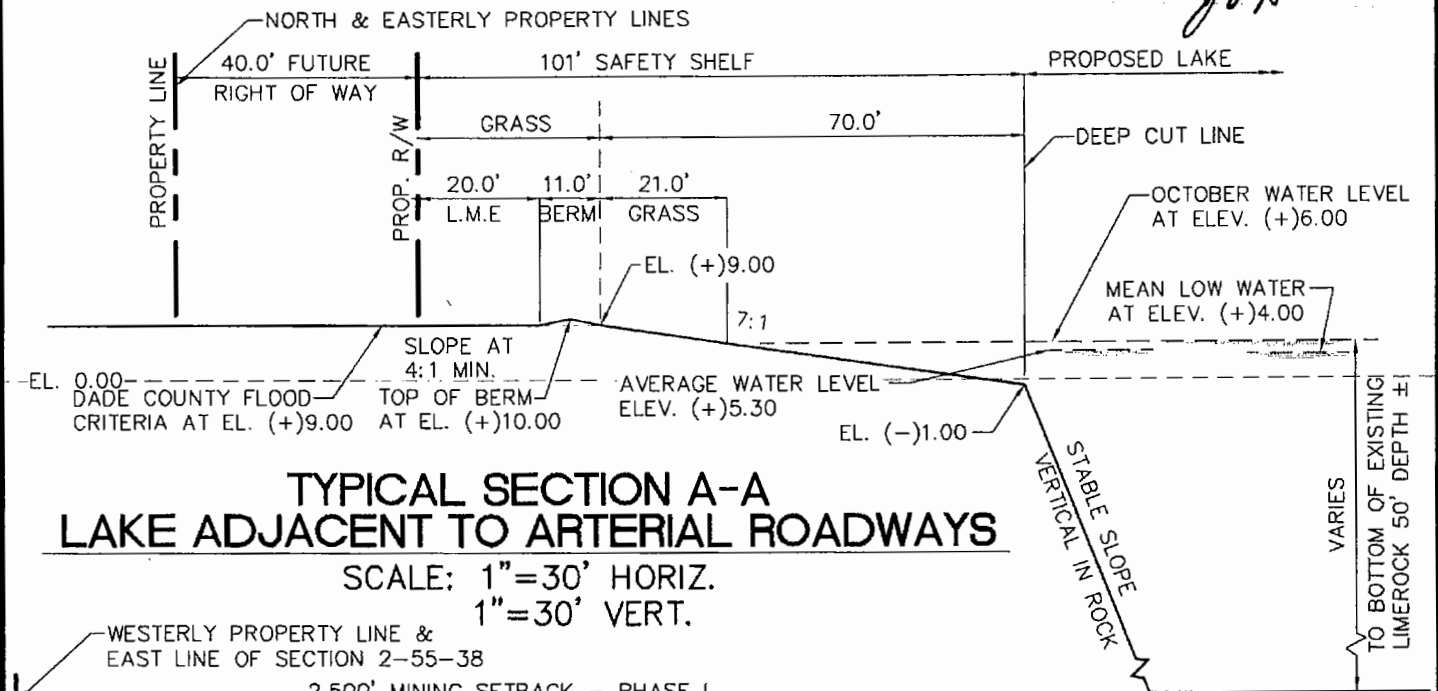
Drawn By	REP
Cad. No.	061816-EX
Ref. Dwg.	3006-075
Plotted:	9/22/10 9:35a

Lake Excavation Plan (Phase I & Phase II) - Section 1-55-38	
FORTIN, LEAVY, SKILES, INC.	
CONSULTING ENGINEERS, SURVEYORS & MAPPERS	
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653	
180 Northeast 168th Street / North Miami Beach, Florida 33162	
Phone 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com	

Date	09/22/10
Scale	1"=800'
Job. No.	067027
Dwg. No.	1006-192-Ex
Sheet	2A of 6

Rev#1 209-176
AG 7

JP



Revised: 05/28/10
Revised: 05/05/09
Revised: 09/29/08
Revised: 07/09/08
Revised: 01/09/08

NOTE: ELEV. REFERS TO NATIONAL
GEODETIC VERTICAL DATUM

CARL L. SKILES P.E.
FLA. REG. NO. 13617 (CIVIL)

Drawn By	REP
Cad. No.	061816-2
Ref. Dwg.	3006-075
Plotted:	5/27/10 12:23a

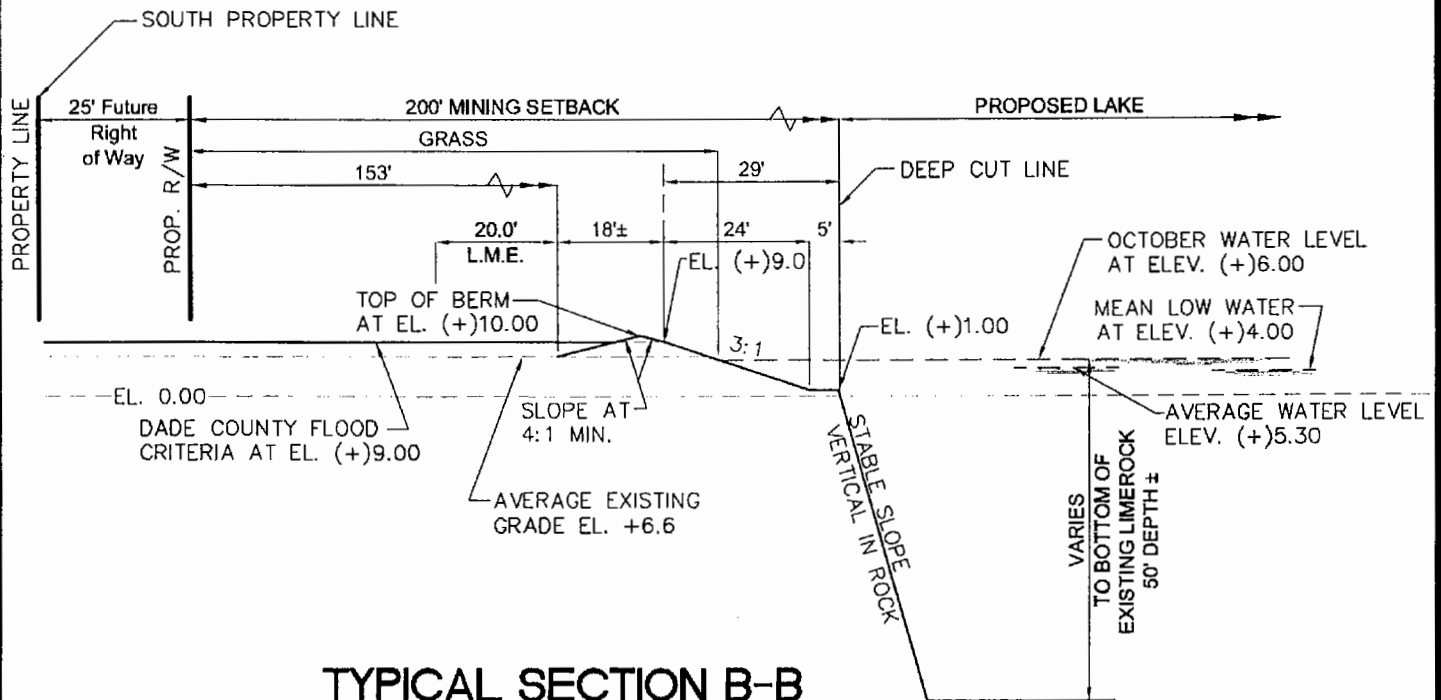
PROP. LAKE EXCAVATION - Section 1-55-38

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th Street / North Miami Beach, Florida 33162
Phone 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com

Date	09/18/06
Scale	AS SHOWN
Job. No.	067027
Dwg. No.	1006-192
Sheet	5 of 6

Rev#1 209-176
167

JSA



**TYPICAL SECTION B-B
LAKE WITH COMMON ACCESS,
NOT ADJACENT TO ROADWAYS**

SCALE: 1"=30' HORIZ.
1"=30' VERT.

NOTE: ELEV. REFERS TO NATIONAL
GEODETIC VERTICAL DATUM

Revised: 09/29/08
Revised: 01/09/08

8/9/10
Carl L. Skiles
CARL L. SKILES P.E.
FLA. REG. NO. 13617 (CIVIL)

Drawn By	REP
Cad. No.	061816-2
Ref. Dwg.	3006-075
Plotted:	5/27/10 12:23a

PROP. LAKE EXCAVATION - Section 1-55-38

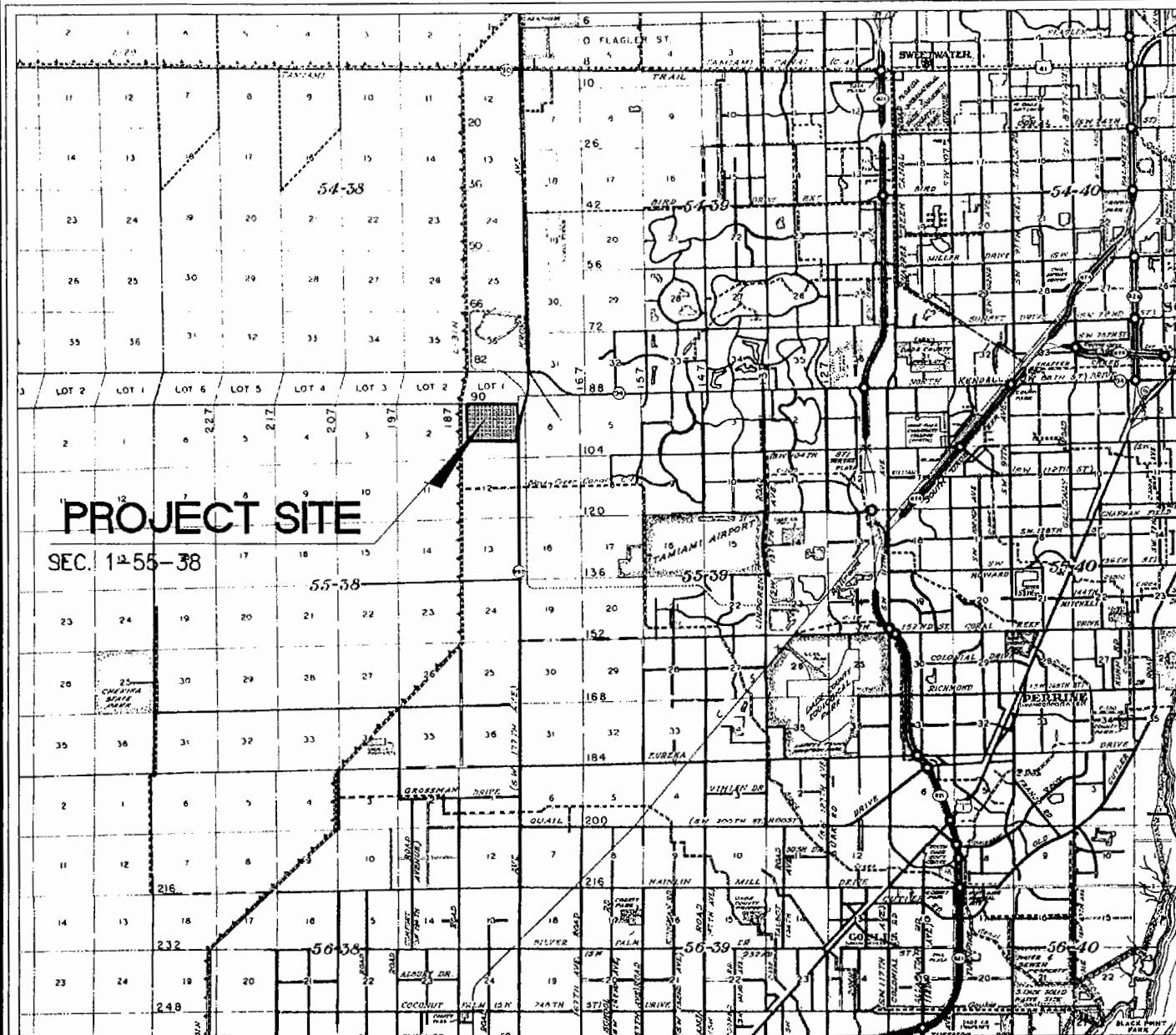
FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th Street / North Miami Beach, Florida 33162
Phone 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com

Date	09/18/06
Scale	AS SHOWN
Job. No.	067027
Dwg. No.	1006-192
Sheet	6 of 6

209-176

REV#1

JST



LOCATION SKETCH

Revised: 09/29/08
 Revised: 07/09/08
 Revised: 01/09/08

SECT 1, TWP. 55s, RNG. 38e.
 N.T.S.



CARL L. SKILES P.E.
 FLA. REG. NO. 13617 (CIVIL)

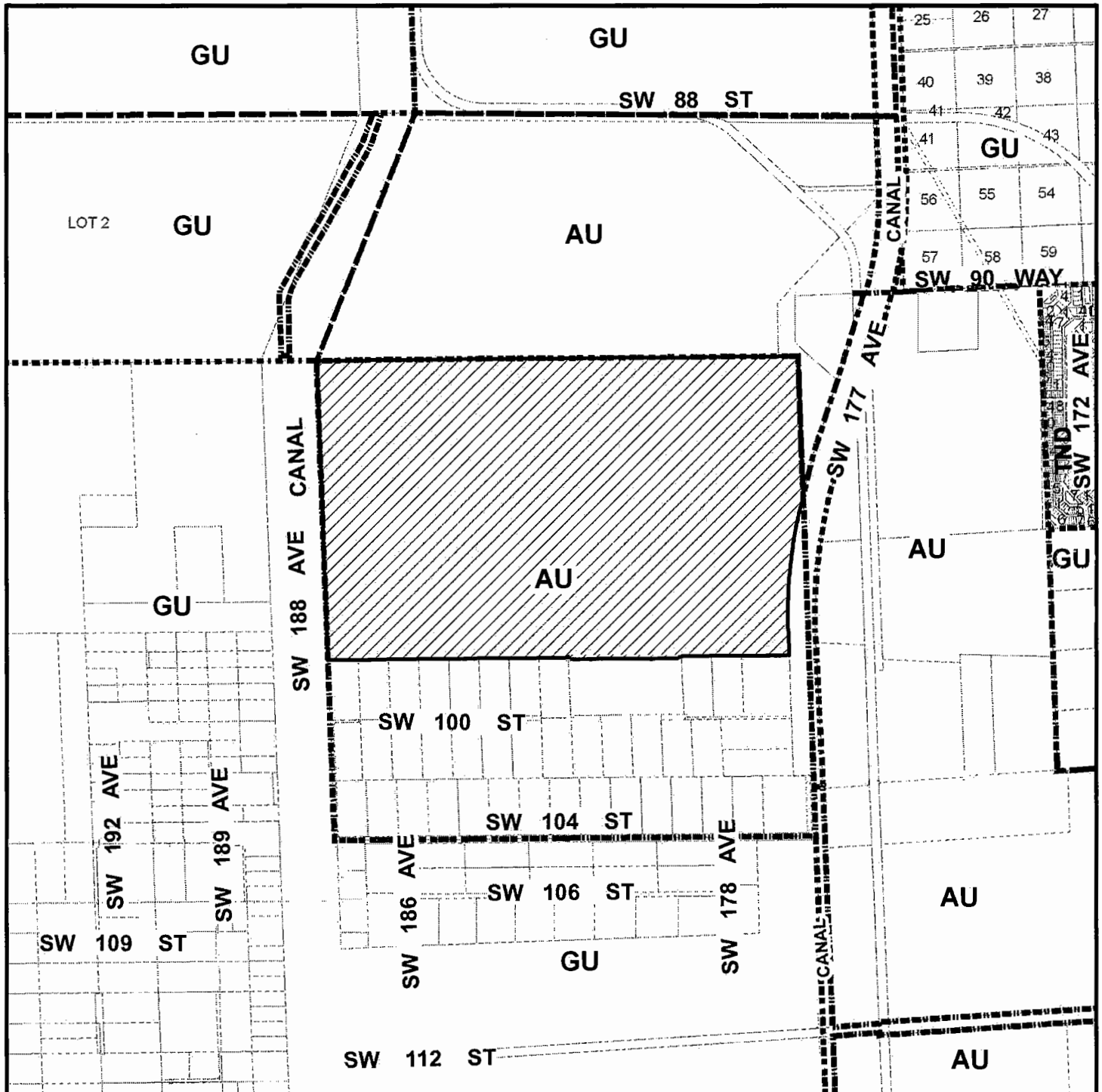
Drawn By	REP
Cad. No.	061816-2
Ref. Dwg.	3006-075
Plotted:	5/27/10 12:23a

PROP. LAKE EXCAVATION - Section 1-55-38

FORTIN, LEAVY, SKILES, INC.
 CONSULTING ENGINEERS, SURVEYORS & MAPPERS
 FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
 180 Northeast 168th Street / North Miami Beach, Florida 33162
 Phone 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com

Date	09/18/06
Scale	AS SHOWN
Job. No.	067027
Dwg. No.	1006-192
Sheet	1 of 6

36



MIAMI-DADE COUNTY
HEARING MAP

Process Number
09-176

Section: 01 Township: 55 Range: 38
Applicant: SANTA FE HACIENDAS LLC
Zoning Board: C11
Commission District: 11
Drafter ID: JEFFER
Scale: NTS

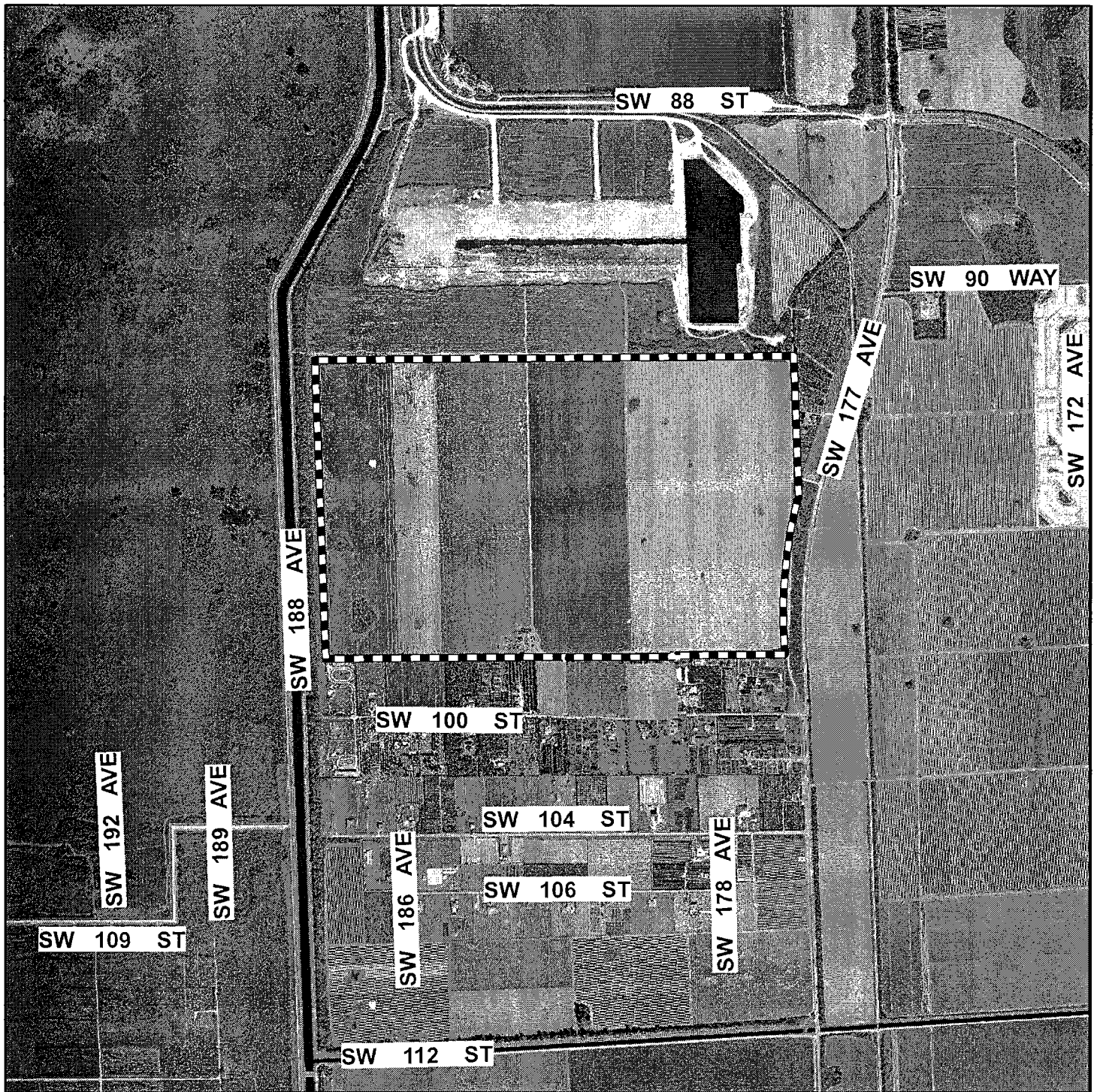


SUBJECT PROPERTY



SKETCH CREATED ON: 01/25/10

REVISION	DATE	BY
Revised Legal	10/09/10	Jgurd
37		



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number

09-176



Section: 01 Township: 55 Range: 38
Applicant: SANTA FE HACIENDAS LLC
Zoning Board: C11
Commission District: 11
Drafter ID: JEFFER
Scale: NTS



SUBJECT PROPERTY



SKETCH CREATED ON: 01/25/10

REVISION	DATE	BY
Revised Legal	10/09/10	Jgurd

C. NORTHSTAR GRACELAND, LLC
(Applicant)

11-4-CC-1 (10-076)
BCC/District 08/09
Hearing Date: 06/23/11

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

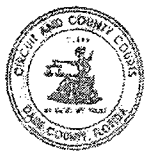
Is there an option to purchase ☐ / lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☒

Disclosure of interest form attached? Yes ☒ No ☐

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1978	Graceland Cemeteries Inc.	- Special Exception to permit a cemetery.	C04	Approved w/conds.
1979	Paradie Memorial Gardens, Inc.	- Special Exception to modify site plans & Specail Exception to resubdivide platted lots. - Non-Use Variance setbacks.	C04	Approved w/conds.
1988	Pinelawn Memorial, Inc.	- Modification of previous plans. - Non-Use Variance for office building. - Unusual Use to permit Entrance Feature.	C04	Approved in part w/conds.
1992	Osiris Holdings of Florida D/B/A Graceland Cemeeteries, Inc. and Pinelawn Memorial, Inc.	- Special Exception to resubdivide. - Non-Use Variance of setbacks. - Unusual Use to permit Entrance Feature. - Modification of resolution.	C04	Approved w/conds.
1994	Osiris Holdings	- Modification of Resolution. - Non-Use Variance of setback. - Non-Use Variance.	C05	Approved w/conds.
1997	Osiris Holdings of Fla.	- Modification of resolution. - Special Exception for site plan approval. - Non-Use Variance.	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.

ZONING ACTION**MEMORANDUM**

Harvey Ruvin
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
(305) 375-5126
(305) 375-2484 FAX
www.miami-dadeclerk.com

DATE: 04/28/2011**#Z-10-076****ITEM: 1****APPLICANT: NORTHSTAR GRACELAND, LLC****MOTION: DEFERRED – 6/23/11 W/O NOTICE**

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro		X		
Bell	M	X		
Diaz				E
Heyman	S	X		
Jordan				E
Monestime		X		
Moss		X		
Sosa				E
Souto		X		
Vice Chairwoman Edmonson				E
Chairman Martinez		X		
TOTAL		7	0	

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

APPLICANT: Northstar Graceland, LLC

PH: Z10-76 (11-4-CC-1)

SECTION: 24/13-55-39

DATE: June 23, 2011

COMMISSION DISTRICT: 8 and 9

ITEM NO.: C

A. INTRODUCTION

o SUMMARY OF REQUESTS:

The applicant is requesting a district boundary change from BU-1A, Limited Business District, to GU, Interim District, a special exception to permit an existing cemetery and a deletion of a recorded agreement on a portion of the subject property in order to permit the continued use of an existing cemetery on said parcel. The applicant also seeks to modify a condition of a previous Resolution in order to submit revised plans showing the existing cemetery and the relocation of a previously approved office building.

o REQUESTS:

- (1) DISTRICT BOUNDARY CHANGE from BU-1A to GU.
- (2) SPECIAL EXCEPTION to permit an existing cemetery.
- (3) Deletion of a Declaration of Restrictions recorded in Official Record Book 17735, Pages 3054 through 3057.

The purpose of request #3 is to remove an agreement limiting the uses on this portion of the subject property to a funeral home and administrative office only and to allow the continued use of an existing cemetery.

Requests #1 through #3 on Exhibit "C"

- (4) MODIFICATION of plans approved pursuant to Resolution No. 7696, last modified by Condition #2 of Resolution No. Z-68-97, both passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Graceland South" as prepared by Jack D. Raudenbush, Architect, dated received May 3, 1996, and consisting of 4 sheets, except as herein modified as follows:

- 2a. Remove the island at the entrance from the cemetery road and provide a 14' width for entrance and exit driveways."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Office Building for Graceland Memorial Park," as prepared by Gomez Associates Architects P.A. consisting of seventeen (17) sheets dated stamped received December 13, 2010."

The purpose of request #4 is to allow the applicant to submit revised plans showing the reconfiguration of the existing cemetery and the relocation of a previously approved office building.

Request #4 on Exhibit "A", "B", and "C"

- o **LOCATION:** 13900 SW 117 Avenue, Miami-Dade County, Florida.
- o **SIZE:** 36.02 Acres

B. ZONING HEARINGS HISTORY:

In 1954, a portion of the subject site was granted approval of a special permit for a cemetery use, pursuant to Resolution No. 7696. In 1978, a portion of the subject site was granted approval of requests to permit a cemetery use and waive the required 80' right-of-way for SW 136th Street in order to permit said cemetery use to traverse the section line of theoretical SW 136th Street, pursuant to Resolution No. 4-ZAB-415-78. In 1979, a portion of the subject site was granted approval of requests to submit revised plans illustrating a proposed office and garage building and an expansion of the grave sites, to re-subdivide a platted tract of land into 20 grave sites, to permit the re-subdivision of 88 grave sites into a building site for the proposed office building, to permit the office building setback 50' from the front (east) property line, and to permit burial sites 22.5' (50' required) from a right-of-way which is 70' or more in width (SW 117 Avenue), pursuant to Resolution No. 4-ZAB-452-79. In 1988, a portion of the subject site was granted approval of requests to modify the previously approved site plan, to permit a proposed office building setback 37.2' (50' previously approved) from the front (east) property line, to permit a proposed mausoleum setback 22.5' (50' required) from a right-of-way which is 70' or more in width (SW 117 Avenue), and a request to permit two (2) entrance features, pursuant to Resolution No. 4-ZAB-428-88. In 1992, the subject site was granted approval of requests to modify the previously approved plans in order to permit the re-subdivision of platted tracts of land and grave sites into building sites for proposed mausoleums, proposed office buildings and proposed drives, to permit mausoleums setback 12' from SR-821 (Florida Turnpike), to permit an entrance feature with decorative masonry walls, sign copy, identification logo, gates and landscaping, pursuant to Resolution 4-ZAB-265-92. In 1997, the subject site was granted approval of requests to modify the previously approved site plans in order to show an expansion of the cemetery and a proposed funeral home and office site and a portion of the subject site (Parcel C) was granted a district boundary change from AU, Agricultural District, to BU-1A, Limited Business District, a special exception for the expansion of a cemetery and funeral home, and a request to waive the required 5' high masonry wall where a business lot abuts a GU zoned property along the interior side (north and south) and rear (west) property lines, all pursuant to Resolution No. Z-68-97. A Declaration of Restrictions recorded in ORB 17735, Pages 3054-3057, restricts the use permitted on the BU-1A zoned portion of the site to a funeral home and administrative office.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT:

1. *The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low-Medium Density**. This category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.*
2. *Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.*
3. **Public Facilities.** *Large-scale public facilities, institutional and communications uses, and utilities are specifically identified in the Institutions, Utilities, and Communications category on the Plan map. Small-scale uses and the facilities intended to serve the immediate needs of the residential community may be permitted on compatible sites in Residential Communities subject to adequate design and buffering. These facilities include fire stations, electrical sub-stations and distribution facilities, cell antenna, natural gas, telephone, fiber optic, cable, water and sewer facilities. They are preferably located in activity nodes, transition areas, and along major thoroughfares, and also at section centers if designed to serve the immediate neighborhood. Larger uses and facilities which are designed to serve more than a local area are preferably located in or adjacent to Industrial and Office, or Business and Office areas. **Cemeteries** may also be permitted in Residential Communities where direct access to a Major or Minor Roadway is provided or where traffic would not disrupt adjacent residential areas.*
4. *Neighborhood or community-serving institutional uses, cell towers and utilities including schools, libraries, sanitary sewer pump stations and fire and rescue facilities in particular, and **cemeteries** may be approved where compatible in all urban land use categories, in keeping with any conditions specified in the applicable category, and where provided in certain Open Land subareas. Compatibility shall be determined in accordance to Policy LU-4A. Co-location of communication and utility facilities are encouraged. Major utility and communication facilities should generally be guided away from residential areas; however, when considering such approvals, the County shall consider such factors as the type of function involved, the public need, existing land use patterns in the area and alternative locations for the facility. All approvals must be consistent with the goals, objectives and policies of the Comprehensive Development Master Plan.*
5. *The Board of County Commissioners, or the appropriate Community Zoning Appeals Board, may approve residential development at a density up to 17 percent above the maximums provided below where it is certified that no less than 30 percent of the units in the development, excepting accessory dwelling units, will be priced to be affordable to low and*

very-low income households. In order to efficiently use, and not prematurely deplete, the finite development capacity that exists inside the Plan's Urban Development Boundary (UDB), land should not be developed at densities lower than the minimum established for each category. Exceptions to the minimums may exist outside transportation or transit corridors where such an exception would serve the interest of compatibility or protect the public health, safety, or important resources. For purposes of this paragraph, transportation and transit corridors are land areas located within 660 feet of planned Major Roadways identified on the LUP map, and within one-quarter mile from existing rail transit stations, express busway stops, future transit corridors and planned transit centers identified in the CDMP.

6. **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.*

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

AU; GU; BU-1A; cemetery, vacant land

Low Medium Density Residential, 6-13 dua

Surrounding Properties:

NORTH: AU; nursery

Low Medium Density Residential, 6-13 dua

SOUTH: GU; cemetery

Low Medium Density Residential, 6-13 dua

EAST: RU-1; single-family residences

Low Density Residential, 2.5-6 dua

WEST: GU; Florida Turnpike

Transportation

E. PERTINENT ZONING REQUIREMENTS/STANDARDS:

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

- (1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;*
- (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;*

- (3) *The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;*
- (4) *The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.*
- (5) *The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.*

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

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, and to **modify** or eliminate any condition restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(c)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

F. NEIGHBORHOOD SERVICES PROVIDER COMMENTS:

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

*Subject to conditions indicated in their memoranda.

G. PLANNING AND ZONING ANALYSIS:

This item was deferred from the April 28, 2011 meeting of the Board of County Commissioners (BCC) due to an inadvertent error in the advertisement. The BCC shall have jurisdiction to directly hear applications encompassing property located in more than one Community Zoning Appeals Board (CZAB) pursuant to Section 33-314(A)(2). The subject property is located within two (2) separate CZAB Districts. A portion of the subject property is located within the CZAB 12 District and the remainder is located within CZAB 14 District.

The 36.02 acre subject property which consists of three (3) parcels ("A", "B" and "C"), located within the Urban Development Boundary (UDB) designated as **Low-Medium Density Residential** on the LUP map of the CDMP. *The CDMP indicates that this category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. However, the CDMP states that existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. Said CDMP also states that, Large-scale public facilities, institutional and communications uses, and utilities are specifically identified in the Institutions, Utilities, and Communications category on the Plan map. Small-scale uses and the facilities intended to serve the immediate needs of the residential community may be permitted on compatible sites in Residential Communities subject to adequate design and buffering. Cemeteries may also be permitted in Residential Communities where direct access to a Major or Minor Roadway is provided or where traffic would not disrupt adjacent residential areas. Further, the interpretative text of the CDMP states that neighborhood or community-serving institutional uses, including cemeteries may be approved where compatible in all urban land use categories, in keeping with any conditions specified in the applicable category. The subject property was granted approval for a cemetery and ancillary uses which included mausoleums and offices in conjunction with the cemetery. Additionally, the interpretative text states that exceptions to the minimums density guidelines may exist outside transportation or transit corridors where such an exception would serve the interest of compatibility or protect the public health, safety, or important resources. The applicant also seeks to rezone a portion of the subject property from BU-1A, Limited Business District, to GU, Interim District. In staff's opinion, the proposed GU zoning is compatible with the existing zoning and uses on the remainder of the subject property. As such, staff opines that the continued use of the existing cemetery, mausoleum and the relocation of the previously approved office uses in conjunction with the cemetery, are compatible with the surrounding area and consistent with the interpretative text and LUP map of the CDMP.*

When considering district boundary changes, *the Board shall hear and grant or deny applications by taking into consideration whether the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. Additionally, the Board shall consider whether the development will have a favorable or unfavorable impact on the*

economy of Miami-Dade County, if it will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways. Further, the Board shall take into consideration whether the development conforms to the CDMP. As previously mentioned, a portion of the subject property, Parcel "C", was previously granted a district boundary change from AU to BU-1A in 1997, pursuant to Resolution No. Z-68-97. A Declaration of Use was at the time proffered by the then owners of the subject property which restricted the uses on this portion of the site (Parcel "C") to a funeral home and administrative office. However, the applicant is now seeking to rezone this portion of the property from BU-1A to GU and to allow the existing cemetery to remain. Staff is supportive of the approval of this request, which would be **compatible** with the remainder of the property (Parcel "A" and "B") which is zoned AU and GU, as well as the residentially zoned properties located to the east. Additionally, approval of request #1 would allow this portion of the property to be brought into conformity with the LUP map of the CDMP by the removal of the commercial zoning on this portion of the property. **Therefore, staff opines that approval of request #1 would be consistent with the CDMP.**

When request #2 is analyzed under Section 33-311(A)(3), Standards For **Special Exceptions**, Unusual Uses and New Uses, staff is of the opinion that approval would be **compatible** with the surrounding AU and GU district cemetery uses on the remainder of the property and would be **consistent** with the Low-Medium Density designation of the subject property on the LUP map of the CDMP. Staff notes that based on memoranda from DERM, the Public Works Department and the Miami-Dade Fire Rescue Department (MDFRD), approval of this request to permit the continued use of the cemetery on this parcel (Parcel "C"), *will not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.* Further, staff opines that approval of this request will not have an unfavorable effect on the economy of the County. Additionally, staff opines that this request is germane to request #1, and that the approval of the continued use of the existing cemetery will bring the parcel into conformity with the LUP map of the CDMP. **Therefore, staff recommends approval with conditions of request #2 under Section 33-311(A)(3) (Special Exceptions, Unusual Uses and New Uses).**

Similarly, when requests #3 and #4 are analyzed under the Generalized Modification Standards, Section 33-311(A)(7), staff opines that approval of these requests would be **compatible** with the surrounding cemetery and mausoleum uses and **consistent** with the Low-Medium Density designation of the subject property on the LUP map of the CDMP. Section 33-311(A)(7) states that 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, and to **modify or eliminate any condition restrictive covenants, or parts thereof**, accepted at public hearing, except as otherwise provided in Section 33-314(c)(3); provided that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the*

necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned. Request #3, is germane to requests #1 and #2, of which staff is supportive. Approval of this request, would allow the applicant to delete a covenant which restricts the use on this parcel, Parcel "C", to a funeral home and administrative office. As previously noted, neither DERM, MDFRD nor the Public Works Department object to this application and as such, staff opines that approval would not create any dangerous hazards or provoke a nuisance that would be incompatible with the surrounding area. Further, staff opines that the removal of the funeral home use, which is a commercial use, would be consistent with the existing designation of the subject parcel on the LUP map of the CDMP.

Additionally, staff opines that approval of request #4, which would allow the applicant to submit revised plans showing the configuration of the existing cemetery and the relocation of the office that was previously approved on the site, would not also create any dangerous hazards or be incompatible with the surrounding area. Staff notes that the cemetery uses and office uses that were ancillary to the cemetery and mausoleums were approved pursuant to prior resolutions from 1954 through 1992. As such, the approval of request #3, and request #4, would not have a negative visual impact on the surrounding area, would not set a precedent for similar uses in this area and would be **compatible** with same. However, staff notes that condition #6 of Resolution No. Z-68-97, required a Unity of Title for the entire property. Staff notes that at the time of writing, said Unity of Title has not been submitted. As such, staff recommends that as a condition for approval that a Unity of Title be provided as required by condition #6 of the aforementioned 1997 resolution, within 60 days of the final approval for this hearing. **Therefore, staff recommends approval with conditions of requests #3 and #4, under the Generalized Modification Standards, Section 33-311(A)(7).**

Based on the aforementioned, staff opines that approval of request #1 and approval with conditions of requests #2 through #4 would be compatible with the existing cemetery and mausoleum uses on the remainder of the subject property and the residential uses located to the east and would be consistent with the LUP map of the CDMP.

H. RECOMMENDATION:

Approval of request #1 and approval with conditions of requests # 2 through #4.

I. CONDITION: (For requests #2 through #4 only)

1. That all the conditions of Resolution No. 7696, and Resolution No. Z-68-97 remain in full force and effect except as herein modified.
2. That a Unity of Title be provided, as required by Condition #6 of Resolution #Z-68-97, within 60 days of the final approval for this hearing.
3. That this Resolution will not be transmitted to the Clerk of the Commission until the required Declaration of Restrictions is submitted in final, recordable form acceptable to the Department.

Northstar Graceland, LLC

Z10-76

Page 9

DATE TYPED: 03/22/11

DATE REVISED: 03/22/11, 03/24/11, 04/19/11, 04/29/11

DATE FINALIZED: 04/29/11

MCL:GR:NN:AA:CH



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

NDN

Memorandum



Date: July 7, 2010

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

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over the printed name of the Assistant Director.

Subject: C-12 #Z2010000076
Northstar Graceland, LLC
13900 S.W. 117th Avenue
District Boundary Change from AU to BU-1A, District Boundary Change
from BU-1 to GU and Special Exception to Permit a Cemetery in the GU
Zoning District
(BU-1) (36.02 Acres)
24-55-39

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

Potable Water Service

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

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

Wastewater Disposal

The closest public sanitary sewer is located approximately 2,066 feet from the subject property. Based on the proposed request, the subject property is within feasible distance for connection to public sanitary sewers. Therefore, connection of any proposed development to the public sanitary sewer system shall be required in accordance with the Code requirements.

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

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of 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.

Stormwater Management

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

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage must be provided for the 5-year/1-day storm event. Site grading and development shall provide for the full retention of the 25-year/3-day storm event and shall also comply with the requirements of Section 11C of the Code, as well as with all State and Federal Criteria, and shall not cause flooding of adjacent properties.

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

Wetlands

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

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

Tree Preservation

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

Hazardous Materials Management

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

Operating Permits

Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that due to the nature of some land uses permitted under the proposed zoning classification, operating permits from DERM may be required. The Permitting Section of DERM's Pollution Regulation and Enforcement Division may be contacted at (305) 372-6600 for further information concerning operating requirements.

Fuel Storage Facilities

Section 24-45 of the Code outlines regulations for any proposed or existing underground storage facilities. The regulations provide design, permitting, installation, modification, repair, replacement and continuing operation requirements and criteria. In addition, monitoring devices, inventory control practices and pressure testing of fuel storage tanks is required. The applicant is advised to contact the Permitting Section of DERM's Pollution Regulation and Enforcement Division, at (305) 372-6600 concerning permitting requirements for fuel storage facilities.

Enforcement History

DERM has reviewed the Permits and Enforcement database and has found no open or closed enforcement records for the subject properties identified by Folios 30-5913-000-0033, 30-5913-000-0032, 30-5924-000-0040 and 30-5924-000-0051.

DERM has reviewed the Permits and Enforcement database and has found one closed enforcement records for the subject property identified by Folio 30-5924-001-0010. DERM has a case under the name Pine Lawn Memorial located at 13900 SW 117th Ave. Notices of Violations were issued on December 19, 1989 and February 22, 1990 for improper disposal of solid waste. An inspection on May 5, 1990 indicated the site all fill was removed and the case was subsequently closed.

Concurrency Review Summary

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

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

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

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

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: NORTHSTAR GRACELAND, LLC

This Department has no objections to this application.

Proposed median improvements/modifications along SW 117 Avenue are not part of this application and are subject to the approval of the Director.

Sidewalk may be required along the property line for SW 117 Avenue.

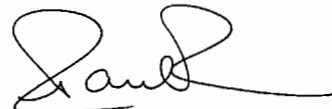
Additional improvements may be required at time of permitting/platting.

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

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 30 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
9752	SW 117 Ave. s/o SW 136 St.	C	C
9754	SW 117 Ave. s/o SW 152 St.	C	C
9850	SW 152 St. w/o SW 117 Ave.	D	D
F-56	SW 152 St. e/o SW 107 Ave.	D	D

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



Raul A Pino, P.L.S.

03-JAN-11



Memorandum

Date: 22-FEB-11

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2010000076

Fire Prevention Unit:

This memo supersedes MDR memorandum dated July 20, 2010.

APPROVAL

No objection to site plan date stamped December 13, 2010.

Service Impact/Demand:

Development for the above Z2010000076
located at 13900 S.W. 117 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 2022 is proposed as the following:

N/A	dwelling units	N/A	square feet
<u>residential</u>		<u>industrial</u>	
3,349	square feet	N/A	square feet
<u>Office</u>		<u>institutional</u>	
N/A	square feet	N/A	square feet
<u>Retail</u>		<u>nursing home/hospitals</u>	

Based on this development information, estimated service impact is: 0.74 alarms-annually.
The estimated average travel time is: 6:32 minutes

Existing services

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

Station 53 - Turnpike - 11600 SW Turnpike Hwy
Rescue, Squad

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped December 13, 2010. Substantial changes to the plan will require additional service impact analysis.

DATE: 06-APR-11

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

NORTHSTAR GRACELAND, LLC

13900 S.W. 117 AVENUE, MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2010000076

HEARING NUMBER

HISTORY:

BUILDING & NEIGHBORHOOD COMPLIANCE DEPARTMENT

NEIGHBORHOOD REGULATIONS AND LEGAL SERVICES DIVISION

ENFORCEMENT HISTORY

10-076

ADDRESS: 13900 SW 117 AVE

FOLIO: 3059130000033, 3059130000032, 3059240010010, 3059240000051, 3059240000040

DATE: 4/6/11

NAME: NORTHSTAR GRACELAND, LLC

OPEN CASES:

Neighborhood Regulations:

No open cases.

Building Code:
No open cases.

CLOSED CASES:
Neighborhood Regulations:
No closed cases.

Building Code:
No closed cases.

Ronald Szep, Neighborhood Regulations and Legal Services Division Director
Miami-Dade County Building and Neighborhood Compliance Department

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

REPORTER NAME:

ZONING INSPECTION REPORT

Inspector: HASSUN, PEDRO

Inspection Date

Evaluator: N/A

04/01/11

Process #: Z2010000076
Applicant's Name: NORTHSTAR GRACELAND, LLC
Locations: 13900 S.W. 117 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
Size: 36.02 ACRES
Folio #: 3059240010010

Request:

- 1 DBC from BU-1A to AU
- 2 Special Exception to permit a proposed cemetery.

3 Deletion of a Declaration of Restrictions, recorded on Official record Book 17735, pages 3054 through 3057.

The purpose of request #3 is to remove an agreement on the site limiting it to a funeral home and administrative offices only, to permit the cemetery in lieu thereof.

Requests #1 through #3 on Exhibit "C"

4 Modification of plans approved pursuant to Resolution No. 7696, last modified by condition #2 of Resolution No. Z-68-97, both passed and adopted by the Board of County Commissioners, reading as follows:

From: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Graceland South," as prepared by Jack D. Raudenbush, Architect, dated received May 3, 1996 and consisting of 4 sheets, except as herein modified as follows:

To: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Offices Building for Graceland Memorial Park" as prepared by Gomez Associates Architects P.A., consisting of seventeen (17) sheets dated stamped received December 13th, 2011.

The purpose of request #3 is to allow the applicant to submit plans showing the addition of an office building to the subject property.

Request #4 on Exhibits "A", "B" & "C"

EXISTING ZONING

Subject Property AU, BU-1A, GU,

EXISTING USE CEMETERY

SITE CHARACTERISTICS

STRUCTURES ON SITE:

THREE (3) ONE STORY MAUSOLEUM, ONE (1) ONE STORY MAINTENANCE BUILDING, ONE MODULAR BUILDING: OFFICE, & ONE 20 FT CARGO STORAGE CONTAINER.

USE(S) OF PROPERTY:

CEMETERY: "GRACELAND SOUTH MEMEMORIAL PARK"

FENCES/WALLS:

5 FT CBS PILARS CONNECTED WITH ONE CONCRETE ACROSS BETWEEN COLUMNS ON EAST PROPERTY LINE. 6 FT CHAINLINK FENCE WITH 3 STRAND BOB WIRE ON THE NORTH, WEST, AND SOUTH PROPERTY LINES. 3 FT CBS WALL AROUND THE ABOVE GROVE BURIAL AREA. 20 FT

ZONING INSPECTION REPORT

COLUMNS ENTRANCE FEATURES WITH 12 FT IRON GATES AT THREE ACCESS ROADS ON THE EAST PROPERTY SIDE.

LANDSCAPING:

2 FT HEDGE ALONG EAST FENCE BUT NOT ALONG FOLIO NO. 30-5913-000-0033 WHICH IS NOT LANDSCAPED. LANDSCAPING WITHIN THE CEMETERY IS POOR.

BUFFERING:

20 FT ROW OF TREES PLANTED ABUTTING SW 117 AVE SWALE AREA EVERY 35 FT. BUFFERING REQUIRED ON THE WEST PROPERTY SIDE ABUTTING FLORIDA NORTH BOUND TURNPIKE.

VIOLATIONS OBSERVED:

NOTICE OF VIOLATION ISSUED BY DEPARTMENT OF PLANNING & ZONING FOR 33-8, CEMETERY UNDER NEW OWNERSHIP. NO PERMITS FOUND FOR SALES OFFICE MODULAR BUILDING WITHIN THE 50 FT FRONT SETBACK AND A CARGO STORAGE CONTAINER. DEATCHED SIGN ON PROPERTY FOLIO NO. 30-5913-000-0033 WITHOUT PERMIT. BNC MEMO DATED 04/06/2011 ON FILE. NO OPEN CASES WITH BNC. NO OPEN CIVIL VIOLATION NOTICES WITH CLERK OF THE COURT.

OTHER:

THERE IS AN ILLEGAL OPEN STORAGE OF CRYPTS ON THE VACANT LOT FOLIO NO. 30-5913-000-0033.

Process # Applicant's Name

Z2010000076 NORTHSTAR GRACELAND, LLC

SURROUNDING PROPERTY

NORTH:

AU - PLANT NURSERY

SOUTH:

GU - DADE SOUTH MEMORIAL PARK CEMETERY

EAST:

RU-1 DAYCARE CENTER & SINGLE FAMILY RESIDENCE

WEST:

FLORIDA TURNPIKE - NORTH BOUND

SURROUNDING AREA

THIS AREA ALONG SW 117 AVE HAS VARIOUS CEMETERIES ABUTTING THE FLORIDA TURNPIKE.

NEIGHBORHOOD CHARACTERISTICS

THIS IS A LOW DENSITY AREA TO THE EAST OF THE PROPERTY DIVIDED BY A FULL SECTION ROADWAY WITH LANDSCAPED MEDIAN.

COMMENTS:

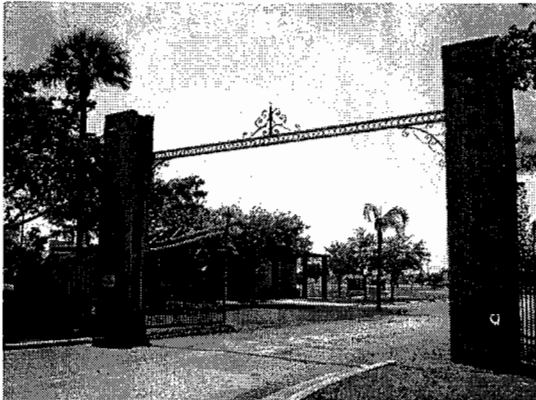
ZONING INSPECTION REPORT

NO PERMITS WHERE FOUND FOR THE SALES OFFICE TO INCLUDE CARGO STORAGE CONTAINER WHICH IS BEING USE TO STORE FILE AND THE NEW PARKING CONFIGURATION.

Inspector **HASSUN, PEDRO**

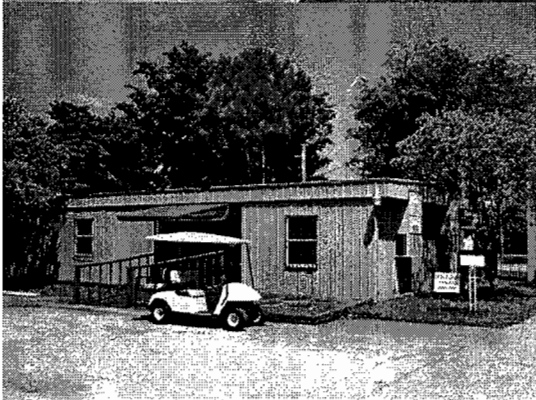
Evaluator **N/A**

Process Number: **Z2010000076** Applicant Name **NORTHSTAR GRACELAND, LLC**



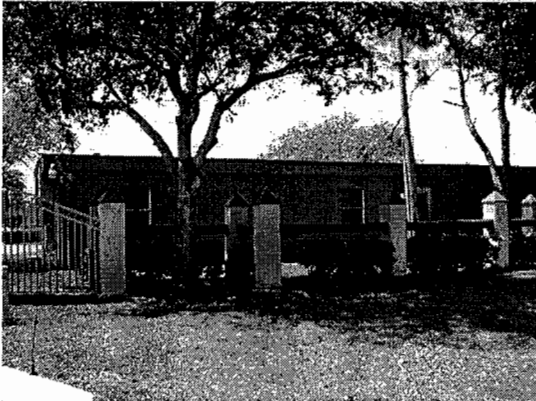
Date: 12-APR-11

Comments: MAIN ENTRANCE FEATURE FOR THE CEMETERY ON THE EAST AND LAST ACCESS ENTRANCE TO THE SOUTH.



Date: 12-APR-11

Comments: SALES OFFICE AT THE CENTER ENTRANCE ON THE EAST ENCROACHING THE 50 FT SETBACK REQUIREMENT.



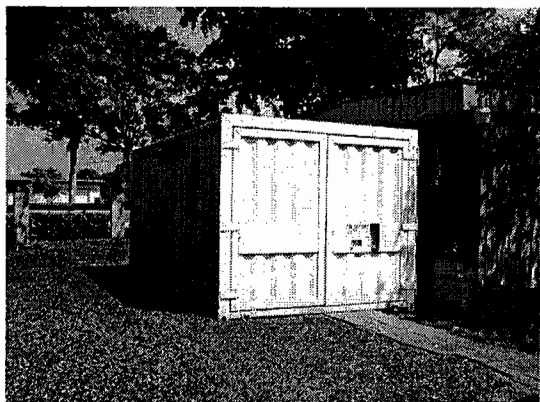
Date: 12-APR-11

Comments: SALES OFFICE AT MIDDLE ENTRANCE ON EAST SIDE OF THE PROPERTY REAR VIEW.

Inspector **HASSUN, PEDRO**

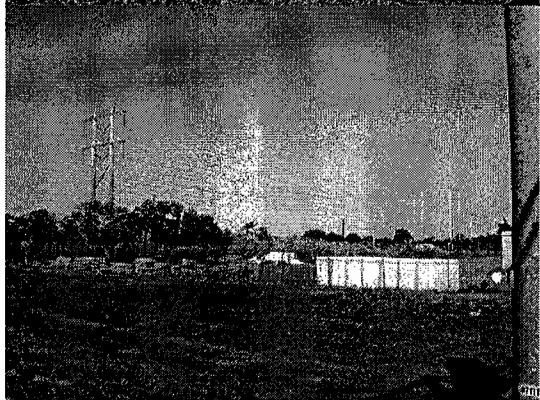
Evaluator **N/A**

Process Number: **Z2010000076** Applicant Name **NORTHSTAR GRACELAND, LLC**



Date: 12-APR-11

Comments: CARGO STORAGE CONTAINER ON THE NORTH SIDE OF THE SALES OFFICE ON THE EAST SIDE ALSO ENCROACHING 50 FT SETBACK.



Date: 12-APR-11

Comments: ILLEGAL OPEN LOT STORAGE OF CRYPTS ON THE NW PORTION OF CEMETERY EXPANSION VACANT LOT FOLIO NO, 30-5913-000-0033.



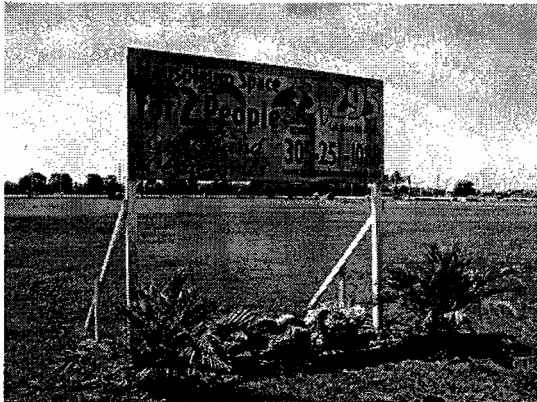
Date: 12-APR-11

Comments: ILLEGAL OPEN LOT STORAGE OF CRYPTS ON THE NW PORTION OF CEMETERY EXPANSION VACANT LOT FOLIO NO. 30-5913-000-0033.

Inspector **HASSUN, PEDRO**

Evaluator **N/A**

Process Number: **Z2010000076** Applicant Name **NORTHSTAR GRACELAND, LLC**



Date: 12-APR-11

Comments: CLASS B POINT OF SALE DETACHED SIGN WITHOUT PERMITS ON THE VACANT LOT FOLIO NO. 30-5913-000-0033.



Date: 12-APR-11

Comments: PROPERTY TO HTE EAST ACROSS VACANT LOT AKA 13301 SW 117 AVE LINCOLN-MARTI CHILD CARE CENTER.



Date: 12-APR-11

Comments: CEMETERY TO THE SOUTH OF SUBJECT PROPERTY.

Inspector **HASSUN, PEDRO**

Evaluator **N/A**

Process Number: **Z2010000076** Applicant Name **NORTHSTAR GRACELAND, LLC**



Date: 12-APR-11

Comments: NURSERY TO THE NORTH OF PORPERTY.



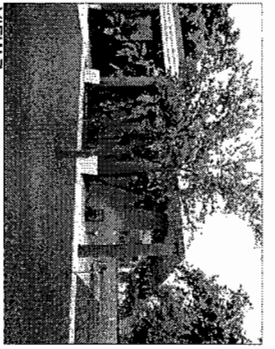
Date: 12-APR-11

Comments: NORTH VIEW OF SW 117 AVE.

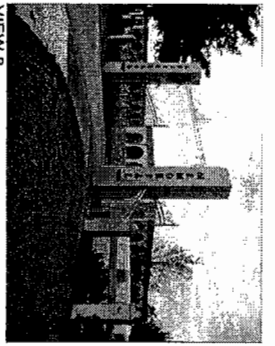


Date: 12-APR-11

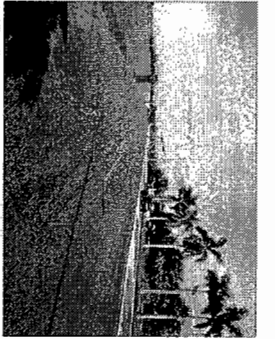
Comments: SOUTH VIEW OF SW 117 AVE.



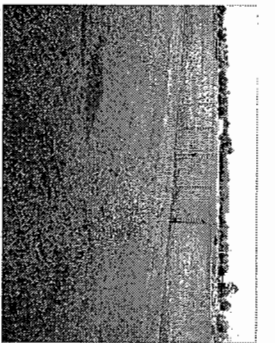
VIEW 7
SOUTHEAST



VIEW 8
SOUTHWEST



VIEW 9
NORTH



VIEW 10
EAST



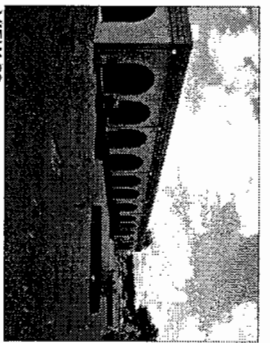
VIEW 11
NORTH



VIEW 12
NORTHEAST



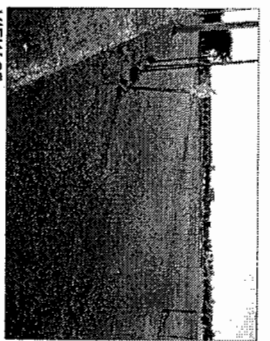
VIEW 22
SOUTHEAST



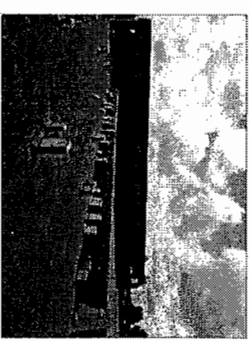
VIEW 23
SOUTHWEST



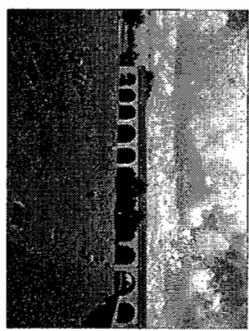
VIEW 24
SOUTH



VIEW 25
SOUTHWEST



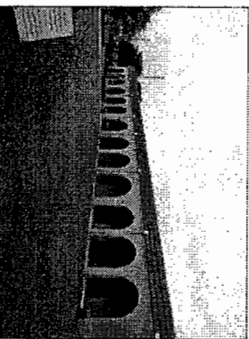
VIEW 26
SOUTHWEST



VIEW 27
NORTH



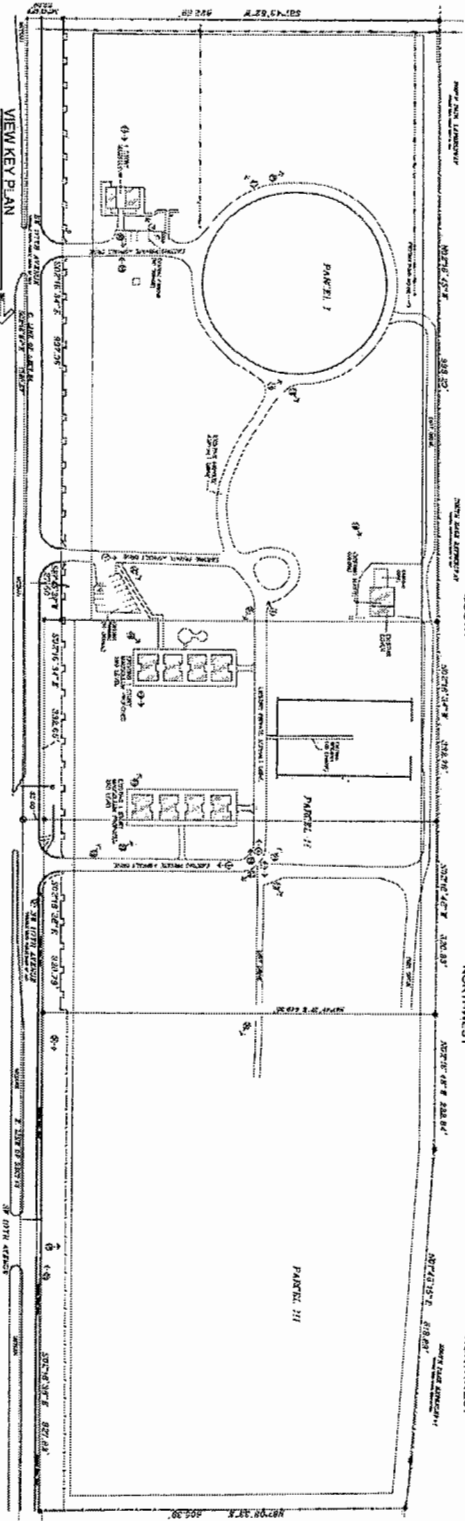
VIEW 28
SOUTH



VIEW 29
NORTHWEST



VIEW 30
NORTHWEST



DATE: 10/10/00
BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]
PROJECT NO: 2000-48

PH1.02

OF 2

CEMETERY - PHOTOS
PROPOSED OFFICES FOR
GRACELAND MEMORIAL PARK
13920 SW 17TH AVENUE MIAMI FLORIDA 33185

GOETZ ASSOCIATES
ARCHITECTS P.A.
1000 N. W. 10TH AVE.
SUITE 1000
MIAMI, FLORIDA 33136
TEL: (305) 746-3476
FAX: (305) 746-3476
Email: goetz@goetz.com

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: Northstar Graceland, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>William Hamilton</u>	<u>20%</u>
<u>Brian Sullivan</u> <u>210-076</u>	<u>20%</u>
<u>Deborah Gilmore</u>	<u>20%</u>
<u>Alan Teal</u>	<u>20%</u>
<u>Detlef Taylpr</u> <u>STH</u>	<u>20%</u>
<u> </u>	<u> </u>

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

TRUST/ESTATE NAME:

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME:

<u>NAME AND ADDRESS</u>	<u>Percent of Ownership</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

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

NAME OF PURCHASER: _____

NAME ADDRESS AND OFFICE (if applicable)	Percentage of 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:

_____ 210-076

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

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

Signature: _____
(Applicant)

Sworn to and subscribed before me this day of MAY, 2010. Affiant is personally known to me or has produced PERSONALLY KNOWN as identification.

(Notary Public)



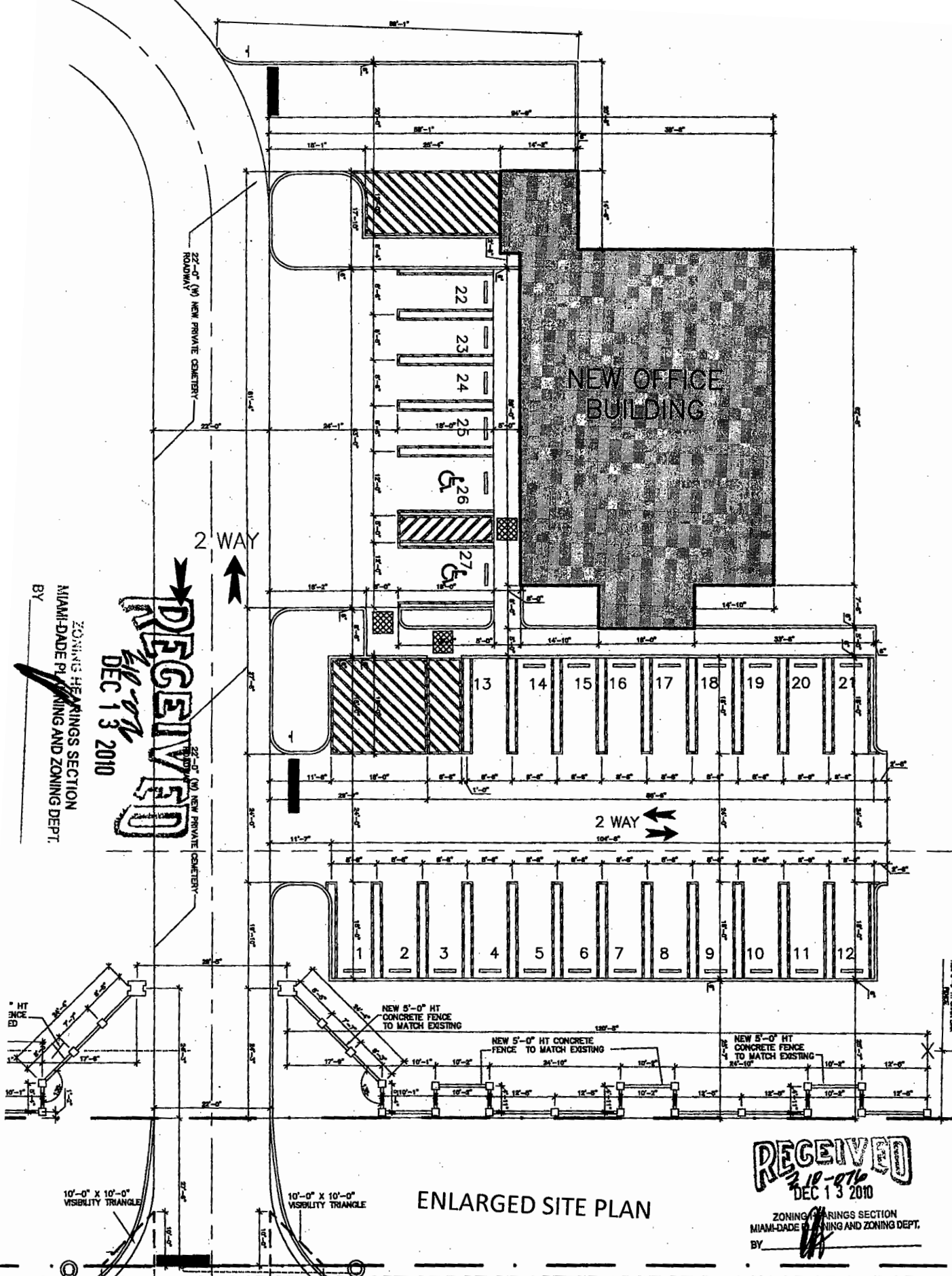
NESTOR SEJO
MY COMMISSION # DD 807755
EXPIRES: July 21, 2012
Bonded Thru Budget Notary Services

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 a other 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 percent (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.

PH: (954)
FAX: (954)
Email: ago

DO NOT SCALE
DIMENSIONS
VERIFY ALL
CONDITIONS
ARCHITECT IN
VARIATIONS IN
CONSTRUCTION



ENLARGED SITE PLAN

RECEIVED
DEC 13 2010

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

OFFICES PARKING PLAN

Seal
Alberto F.
Lic. N : 1

Lic. No
AA 0001895
EB 000677

Re
No.

- 1
- 2
- 3
- 4

32

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

DEC 13 2010

RECEIVED

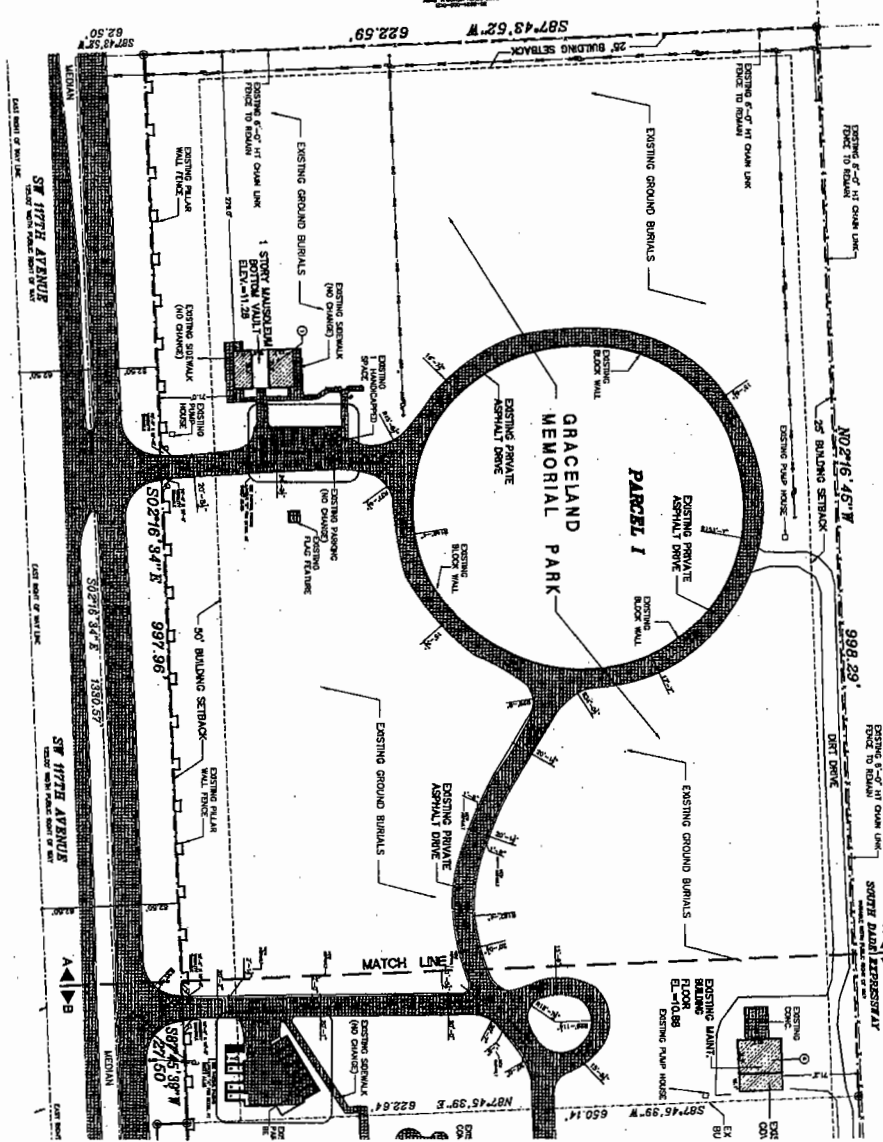
GRACE ASSOCIATES
ARCHITECTS P.A.
Interior Architecture

1111 N. 10TH AVE.
SUITE 100
MIAMI, FL 33136
TEL: (305) 358-4177
FAX: (305) 358-4178
WWW.GRACEASSOCIATES.COM

DO NOT SCALE DIMENSIONS
ON THIS PLAN. ALL DIMENSIONS
SHOWN ON THIS PLAN ARE TO BE
CONSIDERED AS APPROXIMATE
AND NOT TO BE USED FOR
CONSTRUCTION.

PROPOSED DATA	NO.	DATE	REVISION	BY
1. SITE PLAN	1	07-27-10	1	GRACE ASSOCIATES
2. FLOOR PLAN	2	07-27-10	1	GRACE ASSOCIATES
3. SECTION	3	07-27-10	1	GRACE ASSOCIATES
4. ELEVATION	4	07-27-10	1	GRACE ASSOCIATES
5. EXISTING CONDITIONS	5	07-27-10	1	GRACE ASSOCIATES
6. EXISTING CONDITIONS	6	07-27-10	1	GRACE ASSOCIATES
7. EXISTING CONDITIONS	7	07-27-10	1	GRACE ASSOCIATES
8. EXISTING CONDITIONS	8	07-27-10	1	GRACE ASSOCIATES
9. EXISTING CONDITIONS	9	07-27-10	1	GRACE ASSOCIATES
10. EXISTING CONDITIONS	10	07-27-10	1	GRACE ASSOCIATES

EXISTING CALCULATIONS (BASED ON AREA)		PROPOSED CALCULATIONS (BASED ON AREA)	
EXISTING AREA	1,000 SF	PROPOSED AREA	1,000 SF
EXISTING PERIMETER	1,000 SF	PROPOSED PERIMETER	1,000 SF
EXISTING PERIMETER	1,000 SF	PROPOSED PERIMETER	1,000 SF
EXISTING PERIMETER	1,000 SF	PROPOSED PERIMETER	1,000 SF
EXISTING PERIMETER	1,000 SF	PROPOSED PERIMETER	1,000 SF
EXISTING PERIMETER	1,000 SF	PROPOSED PERIMETER	1,000 SF
EXISTING PERIMETER	1,000 SF	PROPOSED PERIMETER	1,000 SF
EXISTING PERIMETER	1,000 SF	PROPOSED PERIMETER	1,000 SF
EXISTING PERIMETER	1,000 SF	PROPOSED PERIMETER	1,000 SF
EXISTING PERIMETER	1,000 SF	PROPOSED PERIMETER	1,000 SF



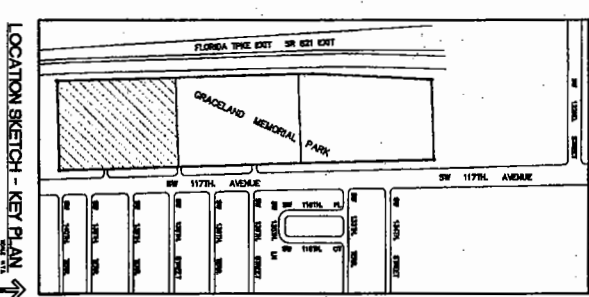
SITE PLAN 'A-A' (SOUTH AREA)
SCALE: 1"=50'

SIGNS AND PLATS REGISTRATION
APPROVAL NO. 4-748-23-21

RECEIVED
DEC 13 2010
8:10-074

ZONING HEARING
MIAMI-DADE PLANNING DEPT.
BY

NOTES:
1. THE PROPOSED OFFICE BUILDING IS TO BE CONSTRUCTED ON THE SOUTH SIDE OF SW 117TH AVENUE, BETWEEN SW 27TH AVENUE AND SW 28TH AVENUE.
2. THE PROPOSED OFFICE BUILDING IS TO BE CONSTRUCTED ON THE SOUTH SIDE OF SW 117TH AVENUE, BETWEEN SW 27TH AVENUE AND SW 28TH AVENUE.
3. THE PROPOSED OFFICE BUILDING IS TO BE CONSTRUCTED ON THE SOUTH SIDE OF SW 117TH AVENUE, BETWEEN SW 27TH AVENUE AND SW 28TH AVENUE.
4. THE PROPOSED OFFICE BUILDING IS TO BE CONSTRUCTED ON THE SOUTH SIDE OF SW 117TH AVENUE, BETWEEN SW 27TH AVENUE AND SW 28TH AVENUE.
5. THE PROPOSED OFFICE BUILDING IS TO BE CONSTRUCTED ON THE SOUTH SIDE OF SW 117TH AVENUE, BETWEEN SW 27TH AVENUE AND SW 28TH AVENUE.
6. THE PROPOSED OFFICE BUILDING IS TO BE CONSTRUCTED ON THE SOUTH SIDE OF SW 117TH AVENUE, BETWEEN SW 27TH AVENUE AND SW 28TH AVENUE.
7. THE PROPOSED OFFICE BUILDING IS TO BE CONSTRUCTED ON THE SOUTH SIDE OF SW 117TH AVENUE, BETWEEN SW 27TH AVENUE AND SW 28TH AVENUE.
8. THE PROPOSED OFFICE BUILDING IS TO BE CONSTRUCTED ON THE SOUTH SIDE OF SW 117TH AVENUE, BETWEEN SW 27TH AVENUE AND SW 28TH AVENUE.
9. THE PROPOSED OFFICE BUILDING IS TO BE CONSTRUCTED ON THE SOUTH SIDE OF SW 117TH AVENUE, BETWEEN SW 27TH AVENUE AND SW 28TH AVENUE.
10. THE PROPOSED OFFICE BUILDING IS TO BE CONSTRUCTED ON THE SOUTH SIDE OF SW 117TH AVENUE, BETWEEN SW 27TH AVENUE AND SW 28TH AVENUE.



SITE PLAN
PROPOSED OFFICES BUILDING FOR
GRACELAND MEMORIAL PARK
13900 SW 117TH AVENUE MIAMI FLORIDA 33653

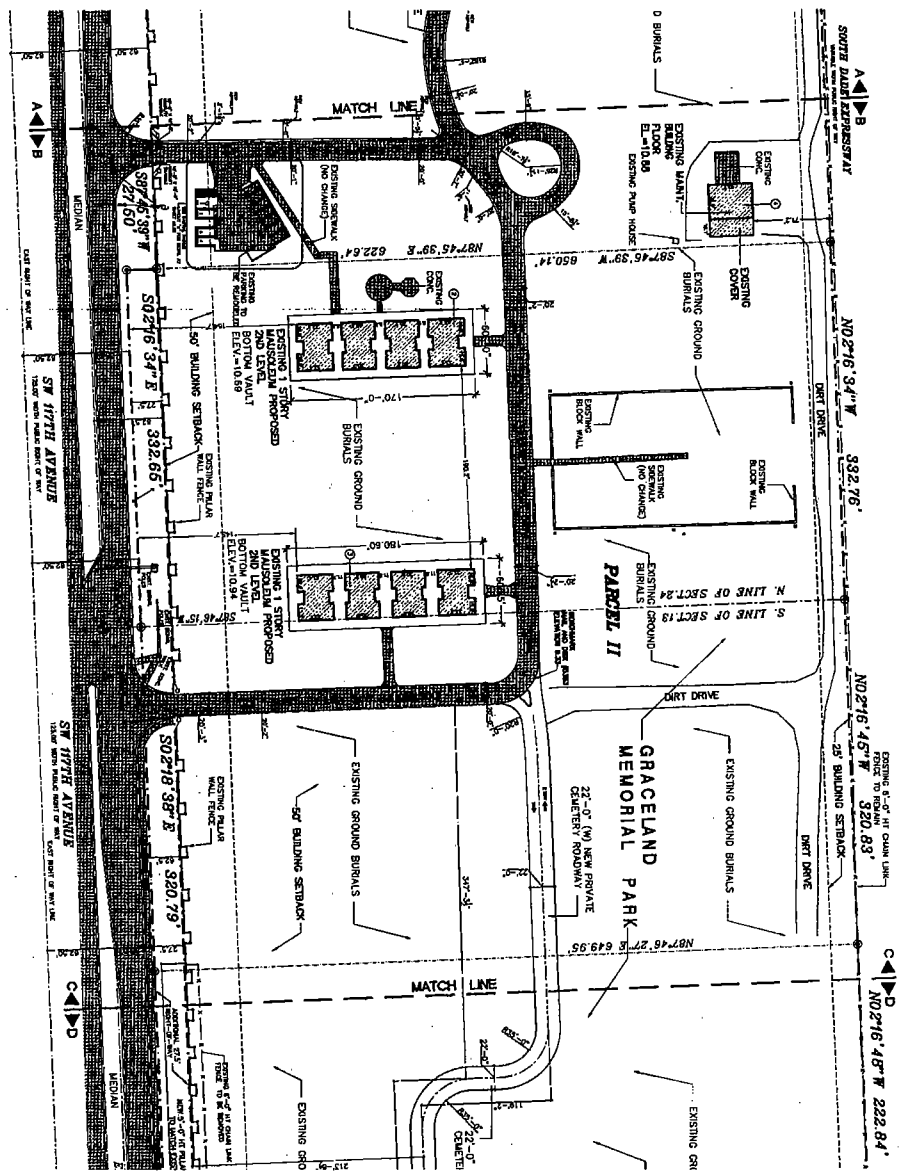
RECEIVED
DEC 13 2010
8:10-074
APPROVED BY: [Signature]
DATE: 12-28-09
PROJECT NO: 2008-04

NO.	DATE	BY
01	07-27-10	GRACE ASSOCIATES
02	07-27-10	GRACE ASSOCIATES
03	07-27-10	GRACE ASSOCIATES
04	07-27-10	GRACE ASSOCIATES
05	07-27-10	GRACE ASSOCIATES
06	07-27-10	GRACE ASSOCIATES
07	07-27-10	GRACE ASSOCIATES
08	07-27-10	GRACE ASSOCIATES
09	07-27-10	GRACE ASSOCIATES
10	07-27-10	GRACE ASSOCIATES

SP1.01
OF 5

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 DEC 13 2010
 ZONING HEARING
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY _____

SITE PLAN 'B-C' (MID-AREA)
 SCALE: 1"=50'

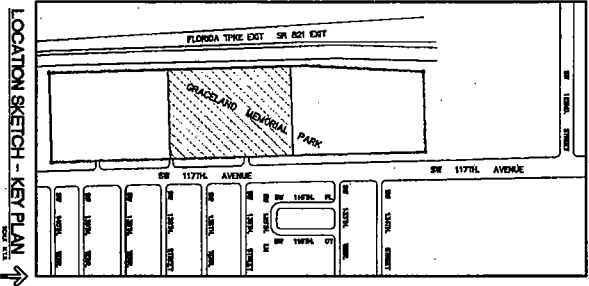


LOCAL DESCRIPTION:

The proposed building is located on the south side of SW 117th Avenue, between the existing building and the dirt drive. The building is a long, narrow structure with a total length of approximately 1,000 feet. It is divided into several sections, including a main office building, a parking lot, and a small structure at the end. The building is surrounded by existing ground, including a parking lot and a small structure at the end. The building is surrounded by existing ground, including a parking lot and a small structure at the end.

PROJ. DATA			
PROJECT NO.	1001	DATE	10/10/10
PROJECT NAME	PROPOSED OFFICES BUILDING	CLIENT	GRACELAND MEMORIAL PARK
PROJECT ADDRESS	13900 SW 117th Avenue, Miami, FL 33185	DESIGNER	CONZUE ASSOCIATES
PROJECT TYPE	OFFICE BUILDING	DATE	10/10/10
PROJECT AREA	1.00 AC.	DATE	10/10/10
PROJECT PERMIT NO.	1001	DATE	10/10/10
PROJECT PERMIT DATE	10/10/10	DATE	10/10/10
PROJECT PERMIT EXPIRATION	10/10/11	DATE	10/10/10
PROJECT PERMIT STATUS	APPROVED	DATE	10/10/10
PROJECT PERMIT COMMENTS	ALL INFORMATION IS FOR INFORMATION ONLY. THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION.		
PROJECT PERMIT CONTACT	CONZUE ASSOCIATES, 13900 SW 117th Avenue, Miami, FL 33185		
PROJECT PERMIT PHONE	(305) 555-1234		
PROJECT PERMIT FAX	(305) 555-1234		
PROJECT PERMIT EMAIL	info@conzue.com		
PROJECT PERMIT WEBSITE	www.conzue.com		
PROJECT PERMIT SOCIAL MEDIA	Facebook: Conzue Associates, Twitter: ConzueAssoc		
PROJECT PERMIT OTHER	None		

EXISTING CALCULATIONS (BASED ON AREA)			
DESCRIPTION	AREA (SQ FT)	NO. PARKING SPACES	REMARKS
EXISTING OFFICES	3,348 SQ FT	13 SPACES	
TOTAL OF EXISTING BUILDINGS		13 SPACES	
TOTAL OF EXISTING PARKING SPACES ON SITE		13 SPACES	
TOTAL OF NEW PARKING SPACES		27 SPACES	
TOTAL OF PARKING SPACES		40 SPACES	



SPI.02
OF 5

REVISIONS:

NO.	DATE	BY
01	06-06-10	P
02	07-22-10	P
03	08-07-10	P
04	09-27-10	P
05	11-11-10	P

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 DEC 13 2010
 ZONING HEARING
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY _____

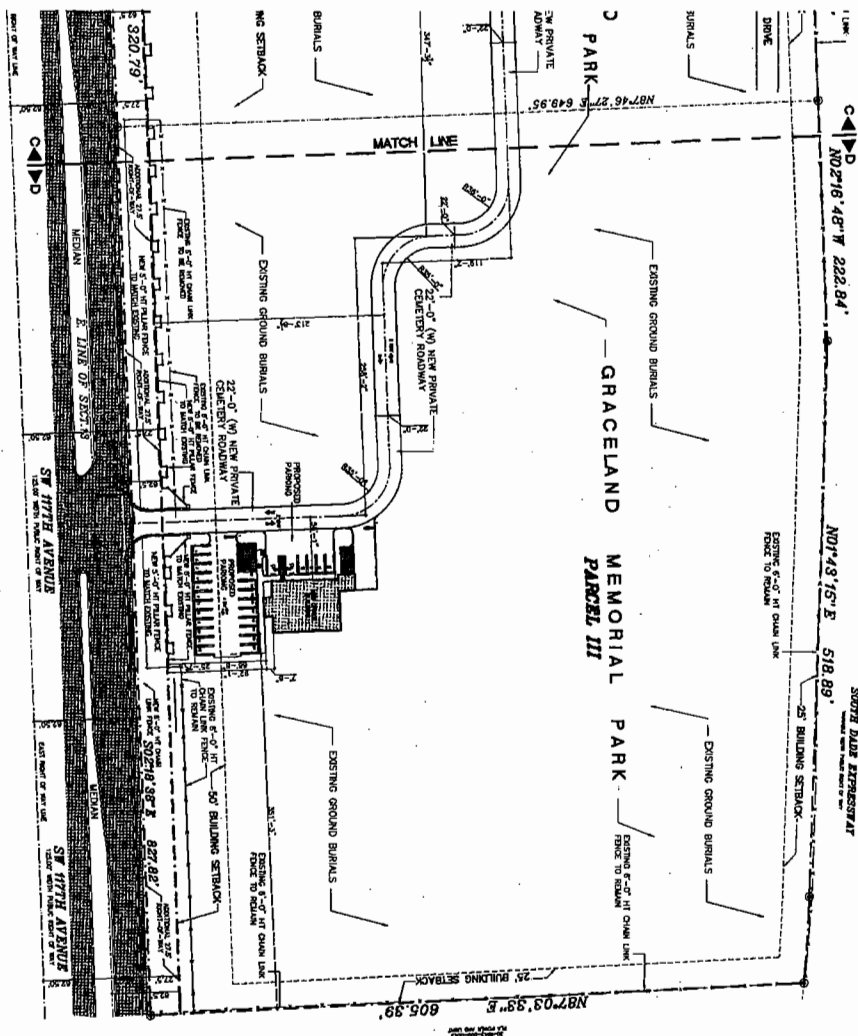
SITE PLAN
PROPOSED OFFICES BUILDING FOR GRACELAND MEMORIAL PARK
 13900 SW 117th Avenue Miami Florida 33185

CONZUE ASSOCIATES
 ARCHITECTS P.A.
 4681 N.W. 104th Ave.
 Fort Lauderdale, FL 33308
 TEL: (954) 714-4177
 FAX: (954) 714-4178
 WWW.CONZUE.COM

RECEIVED
DEC 13 2010

SITE PLAN 'D-D' (NORTH AREA)

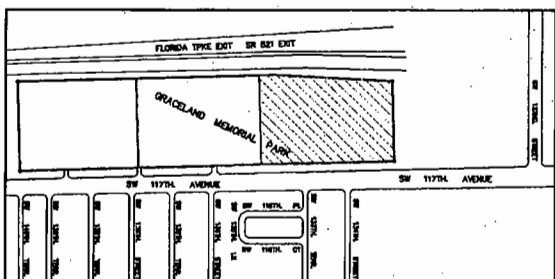
$\frac{A}{\text{SCALE } 1''=30'}$

[illegible]

1978, 1980, 1982, 1984, 1986, 1988, 1990, 1992, 1994, 1996, 1998, 2000, 2002, 2004, 2006, 2008, 2010, 2012, 2014, 2016, 2018, 2020, 2022, 2024, 2026, 2028, 2030, 2032, 2034, 2036, 2038, 2040, 2042, 2044, 2046, 2048, 2050, 2052, 2054, 2056, 2058, 2060, 2062, 2064, 2066, 2068, 2070, 2072, 2074, 2076, 2078, 2080, 2082, 2084, 2086, 2088, 2090, 2092, 2094, 2096, 2098, 2100, 2102, 2104, 2106, 2108, 2110, 2112, 2114, 2116, 2118, 2120, 2122, 2124, 2126, 2128, 2130, 2132, 2134, 2136, 2138, 2140, 2142, 2144, 2146, 2148, 2150, 2152, 2154, 2156, 2158, 2160, 2162, 2164, 2166, 2168, 2170, 2172, 2174, 2176, 2178, 2180, 2182, 2184, 2186, 2188, 2190, 2192, 2194, 2196, 2198, 2200, 2202, 2204, 2206, 2208, 2210, 2212, 2214, 2216, 2218, 2220, 2222, 2224, 2226, 2228, 2230, 2232, 2234, 2236, 2238, 2240, 2242, 2244, 2246, 2248, 2250, 2252, 2254, 2256, 2258, 2260, 2262, 2264, 2266, 2268, 2270, 2272, 2274, 2276, 2278, 2280, 2282, 2284, 2286, 2288, 2290, 2292, 2294, 2296, 2298, 2300, 2302, 2304, 2306, 2308, 2310, 2312, 2314, 2316, 2318, 2320, 2322, 2324, 2326, 2328, 2330, 2332, 2334, 2336, 2338, 2340, 2342, 2344, 2346, 2348, 2350, 2352, 2354, 2356, 2358, 2360, 2362, 2364, 2366, 2368, 2370, 2372, 2374, 2376, 2378, 2380, 2382, 2384, 2386, 2388, 2390, 2392, 2394, 2396, 2398, 2400, 2402, 2404, 2406, 2408, 2410, 2412, 2414, 2416, 2418, 2420, 2422, 2424, 2426, 2428, 2430, 2432, 2434, 2436, 2438, 2440, 2442, 2444, 2446, 2448, 2450, 2452, 2454, 2456, 2458, 2460, 2462, 2464, 2466, 2468, 2470, 2472, 2474, 2476, 2478, 2480, 2482, 2484, 2486, 2488, 2490, 2492, 2494, 2496, 2498, 2500, 2502, 2504, 2506, 2508, 2510, 2512, 2514, 2516, 2518, 2520, 2522, 2524, 2526, 2528, 2530, 2532, 2534, 2536, 2538, 2540, 2542, 2544, 2546, 2548, 2550, 2552, 2554, 2556, 2558, 2560, 2562, 2564, 2566, 2568, 2570, 2572, 2574, 2576, 2578, 2580, 2582, 2584, 2586, 2588, 2590, 2592, 2594, 2596, 2598, 2600, 2602, 2604, 2606, 2608, 2610, 2612, 2614, 2616, 2618, 2620, 2622, 2624, 2626, 2628, 2630, 2632, 2634, 2636, 2638, 2640, 2642, 2644, 2646, 2648, 2650, 2652, 2654, 2656, 2658, 2660, 2662, 2664, 2666, 2668, 2670, 2672, 2674, 2676, 2678, 2680, 2682, 2684, 2686, 2688, 2690, 2692, 2694, 2696, 2698, 2700, 2702, 2704, 2706, 2708, 2710, 2712, 2714, 2716, 2718, 2720, 2722, 2724, 2726, 2728, 2730, 2732, 2734, 2736, 2738, 2740, 2742, 2744, 2746, 2748, 2750, 2752, 2754, 2756, 2758, 2760, 2762, 2764, 2766, 2768, 2770, 2772, 2774, 2776, 2778, 2780, 2782, 2784, 2786, 2788, 2790, 2792, 2794, 2796, 2798, 2800, 2802, 2804, 2806, 2808, 2810, 2812, 2814, 2816, 2818, 2820, 2822, 2824, 2826, 2828, 2830, 2832, 2834, 2836, 2838, 2840, 2842, 2844, 2846, 2848, 2850, 2852, 2854, 2856, 2858, 2860, 2862, 2864, 2866, 2868, 2870, 2872, 2874, 2876, 2878, 2880, 2882, 2884, 2886, 2888, 2890, 2892, 2894, 2896, 2898, 2900, 2902, 2904, 2906, 2908, 2910, 2912, 2914, 2916, 2918, 2920, 2922, 2924, 2926, 2928, 2930, 2932, 2934, 2936, 2938, 2940, 2942, 2944, 2946, 2948, 2950, 2952, 2954, 2956, 2958, 2960, 2962, 2964, 2966, 2968, 2970, 2972, 2974, 2976, 2978, 2980, 2982, 2984, 2986, 2988, 2990, 2992, 2994, 2996, 2998, 3000, 3002, 3004, 3006, 3008, 3010, 3012, 3014, 3016, 3018, 3020, 3022, 3024, 3026, 3028, 3030, 3032, 3034, 3036, 3038, 3040, 3042, 3044, 3046, 3048, 3050, 3052, 3054, 3056, 3058, 3060, 3062, 3064, 3066, 3068, 3070, 3072, 3074, 3076, 3078, 3080, 3082, 3084, 3086, 3088, 3090, 3092, 3094, 3096, 3098, 3100, 3102, 3104, 3106, 3108, 3110, 3112, 3114, 3116, 3118, 3120, 3122, 3124, 3126, 3128, 3130, 3132, 3134, 3136, 3138, 3140, 3142, 3144, 3146, 3148, 3150, 3152, 3154, 3156, 3158, 3160, 3162, 3164, 3166, 3168, 3170, 3172, 3174, 3176, 3178, 3180, 3182, 3184, 3186, 3188, 3190, 3192, 3194, 3196, 3198, 3200, 3202, 3204, 3206, 3208, 3210, 3212, 3214, 3216, 3218, 3220, 3222, 3224, 3226, 3228, 3230, 3232, 3234, 3236, 3238, 3240, 3242, 3244, 3246, 3248, 3250, 3252, 3254, 3256, 3258, 3260, 3262, 3264, 3266, 3268, 3270, 3272, 3274, 3276, 3278, 3280, 3282, 3284, 3286, 3288, 3290, 3292, 3294, 3296, 3298, 3300, 3302, 3304, 3306, 3308, 3310, 3312, 3314, 3316, 3318, 3320, 3322, 3324, 3326, 3328, 3330, 3332, 3334, 3336, 3338, 3340, 33

[illegible]

2025 COLLECTIONS (PAGE 04 OF 06)				REMARKS
DESCRIPTION AND OFFICES	(DAY)	NO. PAYMENT SERVICES 1/000 OF	12 SERVICES	
TOTAL OF PAYMENT SERVICES			12 SERVICES	
TOTAL OF COLLECTION SERVICES ON REC				
TOTAL OF 187 PAYMENT SERVICES			27 SERVICES	
TOTAL OF PAYMENT SERVICES			44 SERVICES	



LOCATION SKETCH - KEY PLAN

SITE PLAN

**PROPOSED OFFICES BUILDING FOR
GRACELAND MEMORIAL PARK**
13800 SW 117th AVENUE MIAMI FLORIDA 33853

**GOHEZ ASSOCIATES
ARCHITECTS P.A.**

Architects
Engineering
Interior Architects/Interiors

4521 N.W. 130th AVE.
SUITE 200
SUNSHINE
PLAZA
MIAMI, FL 33151
P: (305) 746-5177
F: (305) 746-5170
E: info@gohez.com
Web: www.gohez.com

■ ■ ■

DO NOT SCALE DIMENSIONS
ON THIS PLAN. ALL DIMENSIONS
SHOWN ARE TO FACE UNLESS
NOTED OTHERWISE. ALL DIMENSIONS
ARE TO CENTERLINE OF CURB AND
CENTERLINE OF DRIVE AND NOT
TO FACE OF DRIVE. ALL DIMENSIONS
ARE TO FACE OF DRIVE. ALL
DIMENSIONS ARE TO FACE OF DRIVE.
CONSTRUCTION.

Revisions	
No.	By Date
△	05-05-10 J
△	07-22-10 J
△	09-07-10 S
△	09-27-10 S
△	11-11-10 S

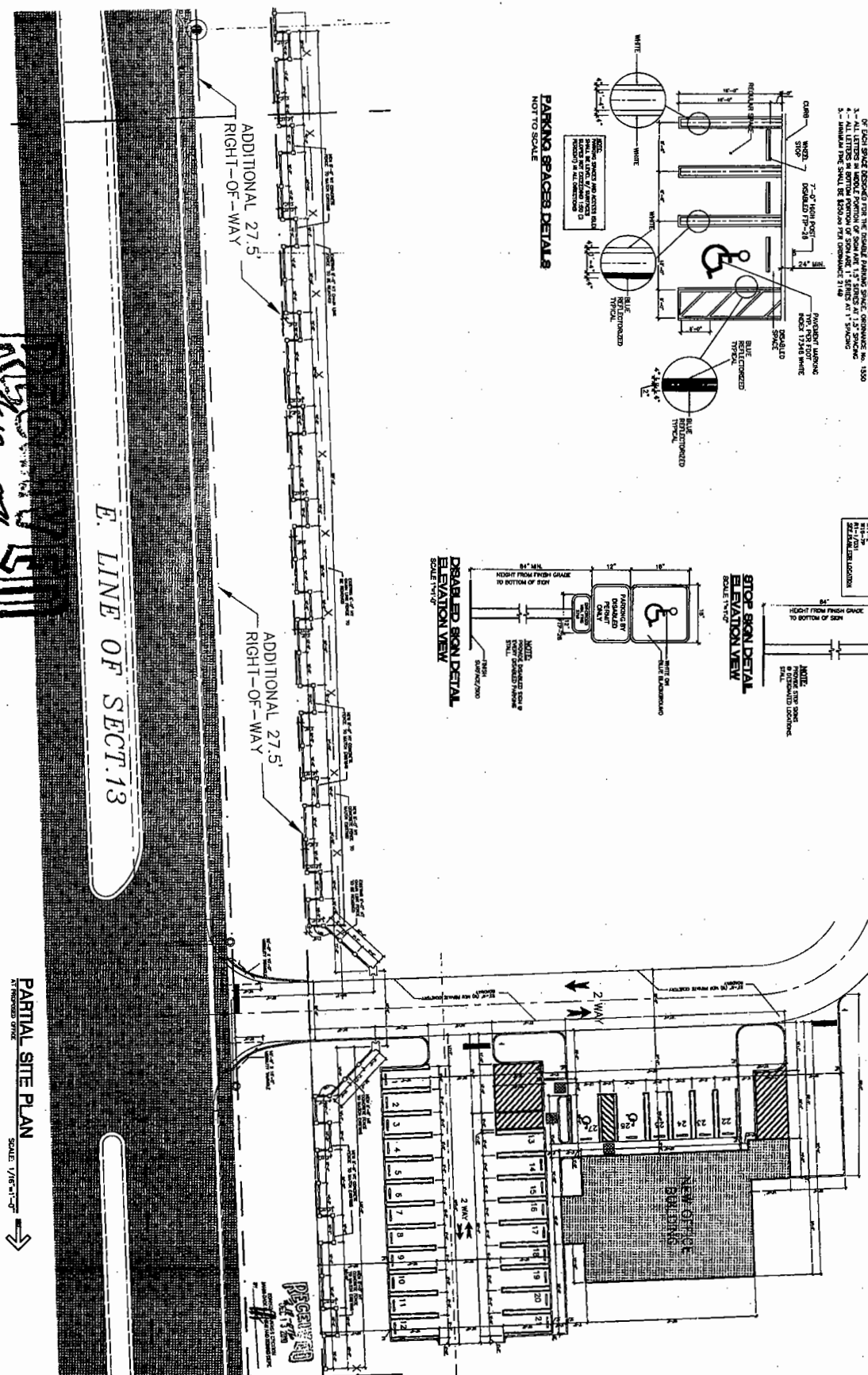
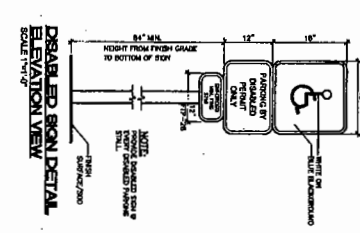
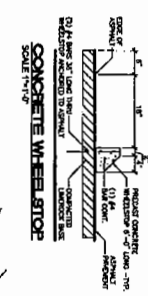
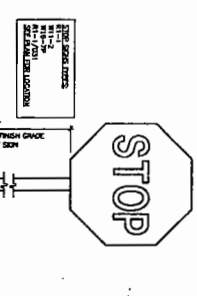
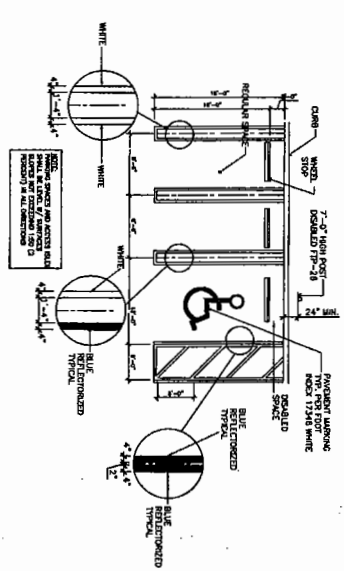
Date: 12-28-09
 Drawn: J
 Approved: MO
 Project No: 2009-04

SP1.03

CP 5

THE TOP PORTION OF FIP-26 SHALL HAVE A REFLECTIVE BLUE BACKGROUND WITH WHITE REFLECTIVE STRIPES AND BORDER

- 1- DECEASED SON WILL BE OF 5.0.0.1 (BURN) COLOR
- 2- PHOTOGRAPH BORN LINES (ONE ON EACH SIDE) OF THE INSIDE PLATE WILL BE OF A BLUE COLOR OF A QUALITY EQUIVALENT TO SUPER STREPE PLATING PAINT SOLD BY FOX VALLEY STEEL, INC. OF CHRY. ELIMOS. (PHONE 1.800.333.4770) SHALL BE STAMPED ON THE WRITING SURFACE OF EACH SPOT CHECKED FOR THE INSIDE PLATING SPACING. OTHERWISE NO. 1550
- 3- ALL LETTERS IN BOTTOM PORTION OF SIGN ARE 1.5" SPACING
- 4- ALL LETTERS IN BOTTOM PORTION OF SIGN ARE 1" SPACING
- 5- MAXIMUM FEE SHALL BE \$500.00 PER DECORATIVE 3149



OFFICES PARKING PLAN

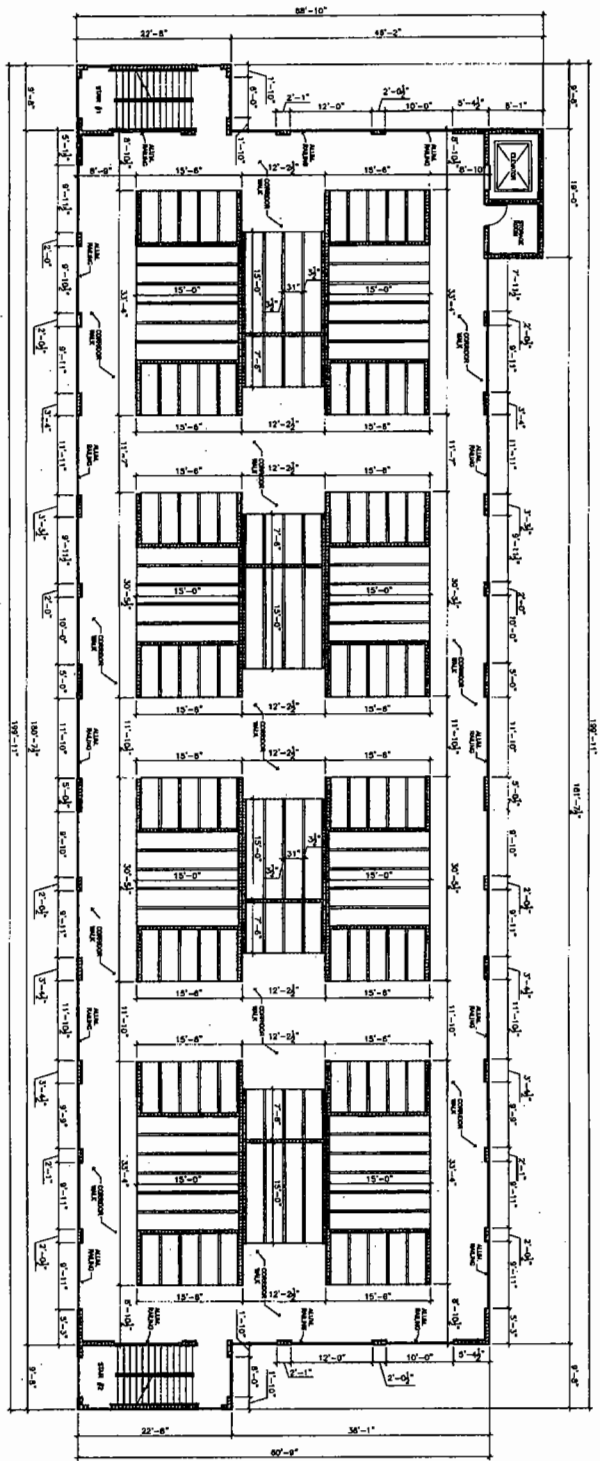
PROPOSED OFFICES BUILDING FOR GRACELAND MEMORIAL PARK
13900 SW 117th AVENUE MIAMI FLORIDA 33853

15612 15613 15614 15615 15616 15617 15618 15619 15620 15621 15622 15623 15624 15625 15626 15627 15628 15629 15630 15631 15632 15633 15634 15635 15636 15637 15638 15639 15640 15641 15642 15643 15644 15645 15646 15647 15648 15649 15650 15651 15652 15653 15654 15655 15656 15657 15658 15659 15660 15661 15662 15663 15664 15665 15666 15667 15668 15669 15670 15671 15672 15673 15674 15675 15676 15677 15678 15679 15680 15681 15682 15683 15684 15685 15686 15687 15688 15689 15690 15691 15692 15693 15694 15695 15696 15697 15698 15699 15700 15701 15702 15703 15704 15705 15706 15707 15708 15709 15710 15711 15712 15713 15714 15715 15716 15717 15718 15719 15720 15721 15722 15723 15724 15725 15726 15727 15728 15729 15730 15731 15732 15733 15734 15735 15736 15737 15738 15739 15740 15741 15742 15743 15744 15745 15746 15747 15748 15749 15750 15751 15752 15753 15754 15755 15756 15757 15758 15759 15760 15761 15762 15763 15764 15765 15766 15767 15768 15769 15770 15771 15772 15773 15774 15775 15776 15777 15778 15779 15780 15781 15782 15783 15784 15785 15786 15787 15788 15789 15790 15791 15792 15793 15794 15795 15796 15797 15798 15799 15800 15801 15802 15803 15804 15805 15806 15807 15808 15809 15810 15811 15812 15813 15814 15815 15816 15817 15818 15819 15820 15821 15822 15823 15824 15825 15826 15827 15828 15829 15830 15831 15832 15833 15834 15835 15836 15837 15838 15839 15840 15841 15842 15843 15844 15845 15846 15847 15848 15849 15850 15851 15852 15853 15854 15855 15856 15857 15858 15859 15860 15861 15862 15863 15864 15865 15866 15867 15868 15869 15870 15871 15872 15873 15874 15875 15876 15877 15878 15879 15880 15881 15882 15883 15884 15885 15886 15887 15888 15889 15890 15891 15892 15893 15894 15895 15896 15897 15898 15899 15900 15901 15902 15903 15904 15905 15906 15907 15908 15909 15910 15911 15912 15913 15914 15915 15916 15917 15918 15919 15920 15921 15922 15923 15924 15925 15926 15927 15928 15929 15930 15931 15932 15933 15934 15935 15936 15937 15938 15939 15940 15941 15942 15943 15944 15945 15946 15947 15948 15949 15950 15951 15952 15953 15954 15955 15956 15957 15958 15959 15960 15961 15962 15963 15964 15965 15966 15967 15968 15969 15970 15971 15972 15973 15974 15975 15976 15977 15978 15979 15980 15981 15982 15983 15984 15985 15986 15987 15988 15989 15990 15991 15992 15993 15994 15995 15996 15997 15998 15999 16000		No. 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	Residents 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	B.Y. 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 4
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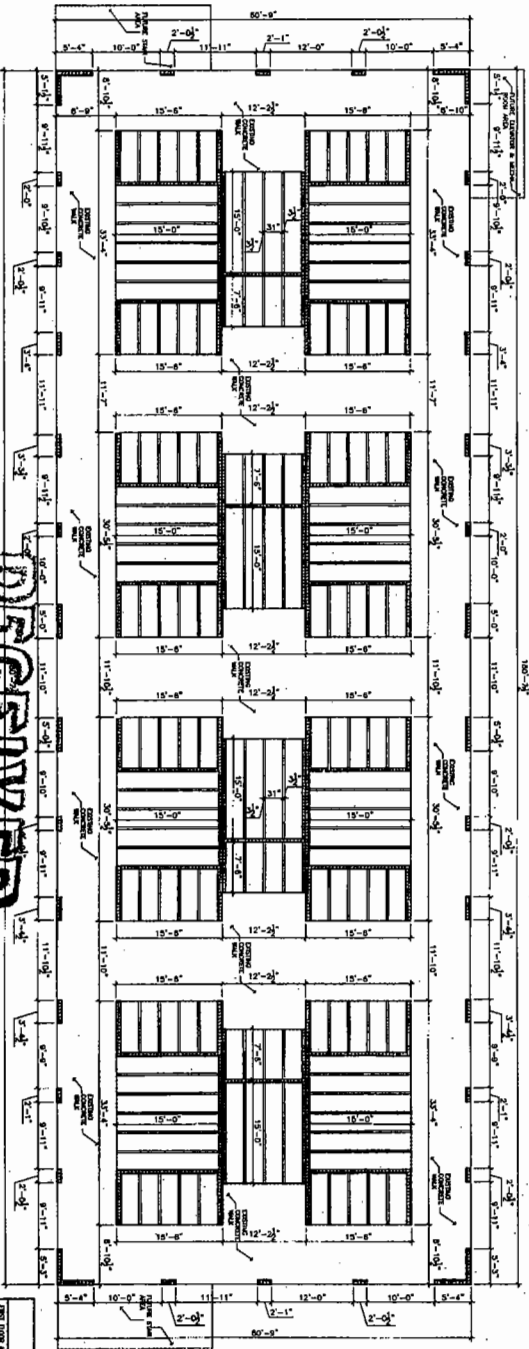
PARTIAL SITE PLAN
AT PROPOSED OFFICE
SCALE: 1/16"=1'-0"


REC-26
DEC 13 2010

ZONING BOARD
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____



SECOND FLOOR PLAN - BUILDING 3
FUTURE SECOND FLOOR (MAUSOLEUM) SCALE 1/8"=1'-0"



FIRST FLOOR PLAN - BUILDING 3
EXISTING FIRST FLOOR (MAUSOLEUM) SCALE 1/8"=1'-0"

BUILDING 3 AREAS	
TOTAL	11,281 SF
EXISTING FIRST FLOOR	11,281 SF
NEW	0 SF
REMOVED	0 SF

A1.03	CF	6
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DEC 13 2010

ZONING REVIEW
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

FIRST & SECOND FLOOR PLANS - BUILDING 3

PROPOSED OFFICES BUILDING FOR
GRACELAND MEMORIAL PARK
13900 SW 117TH AVENUE MIAMI FLORIDA 33053

Architect
Gomez Associates
13900 SW 117th Ave.
Miami, FL 33053
Tel: 305-444-1177
Fax: 305-444-1178
Email: gomez@gozma.com

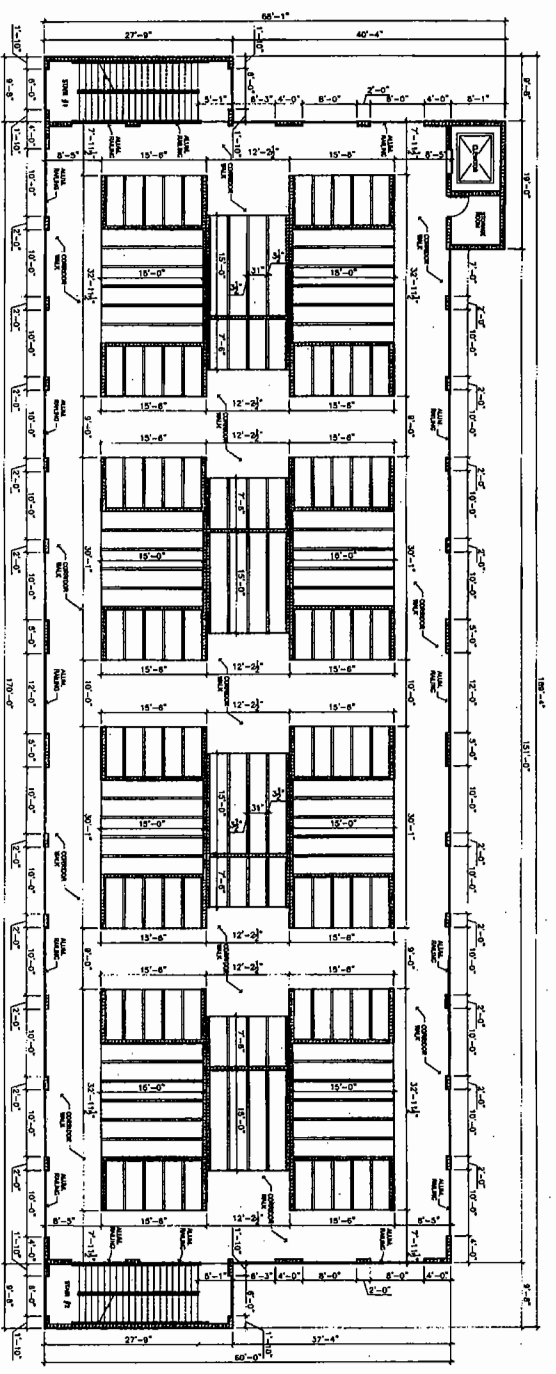
Architect
Gomez Associates
13900 SW 117th Ave.
Miami, FL 33053
Tel: 305-444-1177
Fax: 305-444-1178
Email: gomez@gozma.com

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DEC 13 2010

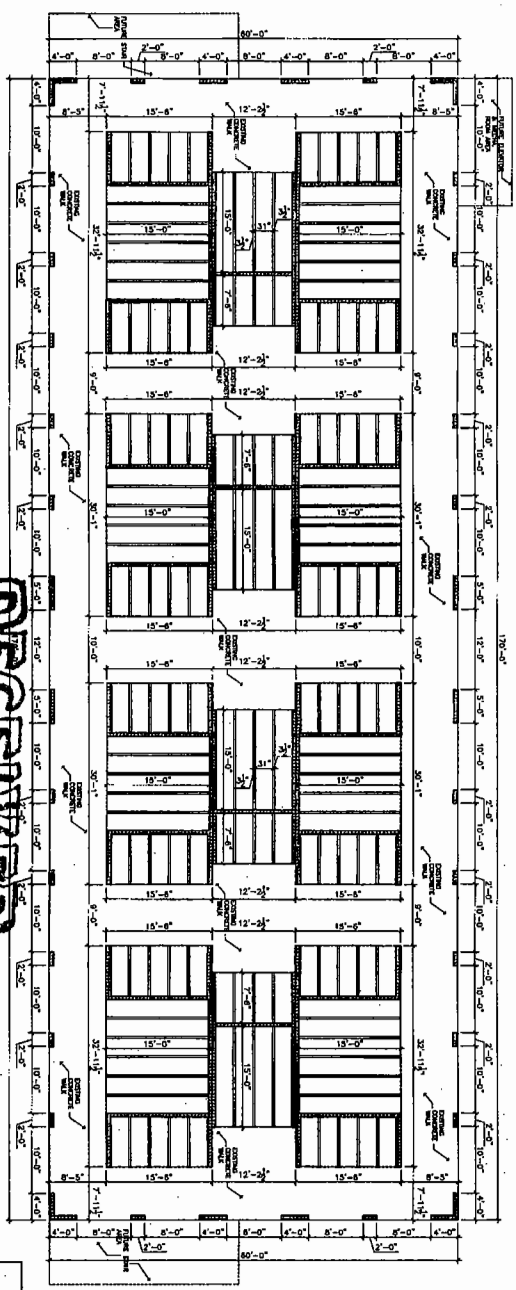
Architect
Gomez Associates
13900 SW 117th Ave.
Miami, FL 33053
Tel: 305-444-1177
Fax: 305-444-1178
Email: gomez@gozma.com

Architect
Gomez Associates
13900 SW 117th Ave.
Miami, FL 33053
Tel: 305-444-1177
Fax: 305-444-1178
Email: gomez@gozma.com

SECOND FLOOR PLAN - BUILDING 2
FUTURE SECOND FLOOR (MAUSOLEUM)
SCALE: 1/8"=1'-0"



FIRST FLOOR PLAN - BUILDING 2
EXISTING FIRST FLOOR (MAUSOLEUM)
SCALE: 1/8"=1'-0"



RECEIVED
DEC 13 2010

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BUILDING 2 AREAS	
EXISTING FIRST FLOOR (MAUSOLEUM)	MAUSOLEUM
FUTURE SECOND FLOOR (MAUSOLEUM)	MAUSOLEUM
TOTAL	MAUSOLEUM
REMARKS	

A1.04
6

FIRST & SECOND FLOOR PLANS - BUILDING 2

PROPOSED OFFICES BUILDING FOR
GRACELAND MEMORIAL PARK
13900 SW 117th AVENUE MIAMI FLORIDA 33653

Scale: 1/8" = 1'-0"
Date: 10-20-10
Author: F. Gomez
Check: N. N. N.
Ltr. N: N-0004184

CONRY ASSOCIATES
ARCHITECTS P.A.
Architect
Engineer
Interior Architect
4010 N.W. 118th AVE.
SUITE 100
MIAMI, FL 33181
TEL: (305) 748-0119
FAX: (305) 748-0119
Email: gomez@conry.com



ZONING HEARINGS
MIAMI-DADE PLANNING AND ZONING

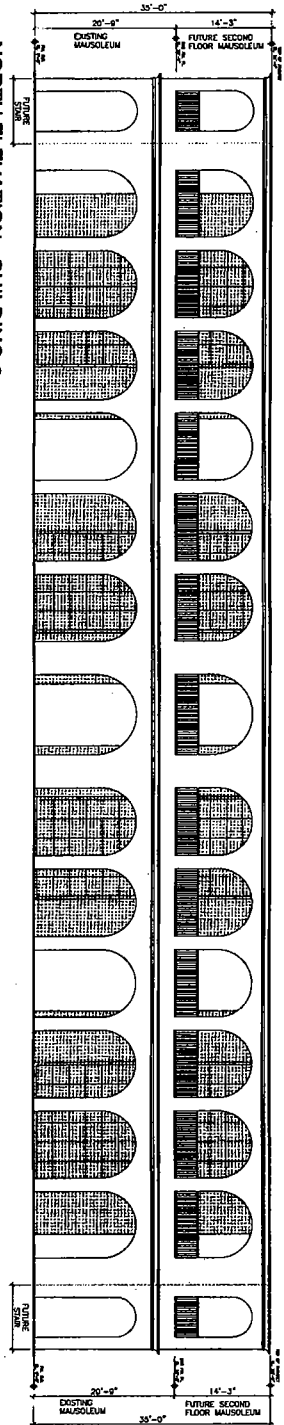
A1.02	OF	6
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**GOMEZ ASSOCIATES
ARCHITECTS P.A.**

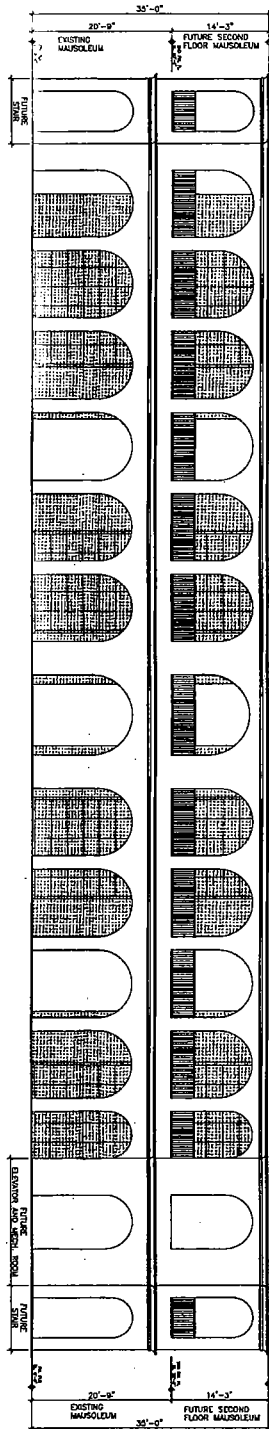
Architect
Engineering
Interior Architecture

4821 N.W. 103RD AVE.
SUITE 200
FORT LAUDERDALE, FL 33301
TEL: (954) 744-5177
FAX: (954) 744-5179
Email: gomez@aol.com

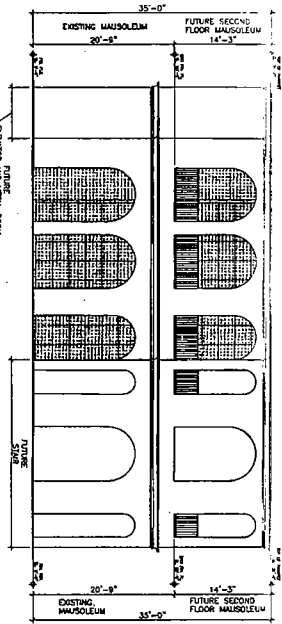
DO NOT STATE DISABILITIES
OR OTHER HANDICAPS
ON ANY ADVERTISING AND
MARKETING MATERIALS
UNLESS IT BEING OF ANY
VANTAGE TO YOUR FIRM
OR CLIENT.



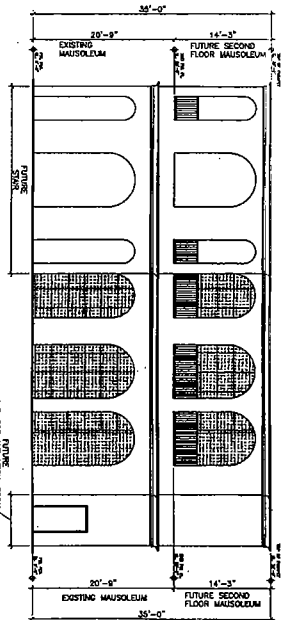
NORTH ELEVATION - BUILDING 2
 FUTURE SECOND FLOOR (MAUSOLEUM) SCALE 1/8"=1'-0"



SOUTH ELEVATION - BUILDING 2
 FUTURE SECOND FLOOR (MAUSOLEUM) SCALE 1/8"=1'-0"



EAST ELEVATION - BUILDING 2
 FUTURE SECOND FLOOR (MAUSOLEUM) SCALE 1/8"=1'-0"



WEST ELEVATION - BUILDING 2
 FUTURE SECOND FLOOR (MAUSOLEUM) SCALE 1/8"=1'-0"

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 12-13-2010
 10:58 AM

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



GOMEZ ASSOCIATES
ARCHITECTS P.A.
 Architecture
 Engineering
 Interior Architecture
 4001 N.W. 103rd Ave.
 Suite 100
 Fort Lauderdale, FL 33351
 Tel: (954) 766-5177
 Fax: (954) 766-5178
 Email: agomez@aol.com

DATE: 12/13/2010
 DRAWN BY: J. GOMEZ
 CHECKED BY: J. GOMEZ
 APPROVED BY: J. GOMEZ
 PROJECT: 10-000154

ELEVATION PLANS - BUILDING 2
PROPOSED OFFICES BUILDING FOR
GRACELAND MEMORIAL PARK
 13900 SW 117th Avenue Miami Florida 33185

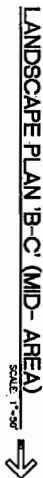
Scale: 1/8"=1'-0"
 12/13/2010
 10:58 AM

12/13/2010
 10:58 AM

RECEIVED
 12-13-2010
 10:58 AM

No.	Date	By
1	08-07-10	J.P.
2	09-27-10	J.P.
3		
4		
5		
6		

A1.06
OF
6



46



NOTES:
1. THE LANDSCAPE PLAN IS A PRELIMINARY DESIGN. IT IS SUBJECT TO CHANGE AND MODIFICATION BASED ON THE RESULTS OF THE DESIGN PROCESS.
2. THE LANDSCAPE PLAN IS A PRELIMINARY DESIGN. IT IS SUBJECT TO CHANGE AND MODIFICATION BASED ON THE RESULTS OF THE DESIGN PROCESS.
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PARTIAL LANDSCAPE PLAN **PROPOSED OFFICES BUILDING FOR** **GRACELAND MEMORIAL PARK** 13900 SW 117th Avenue Miami Florida 33183

Architect:
Landscape Architect:
Landscape Architect:
Landscape Architect:

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

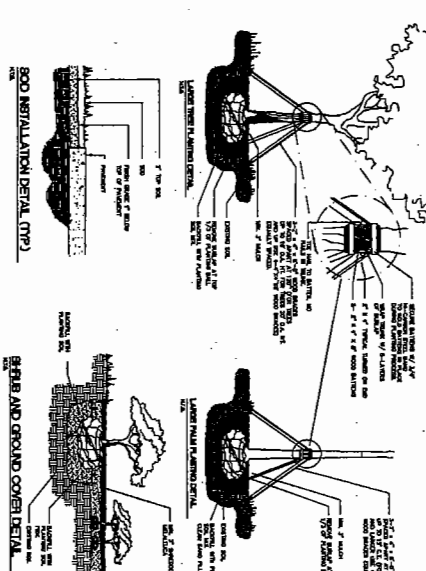
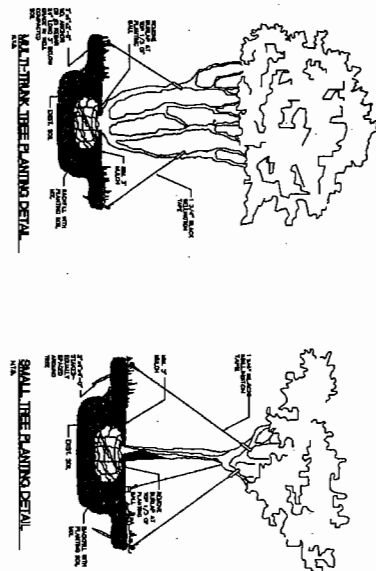
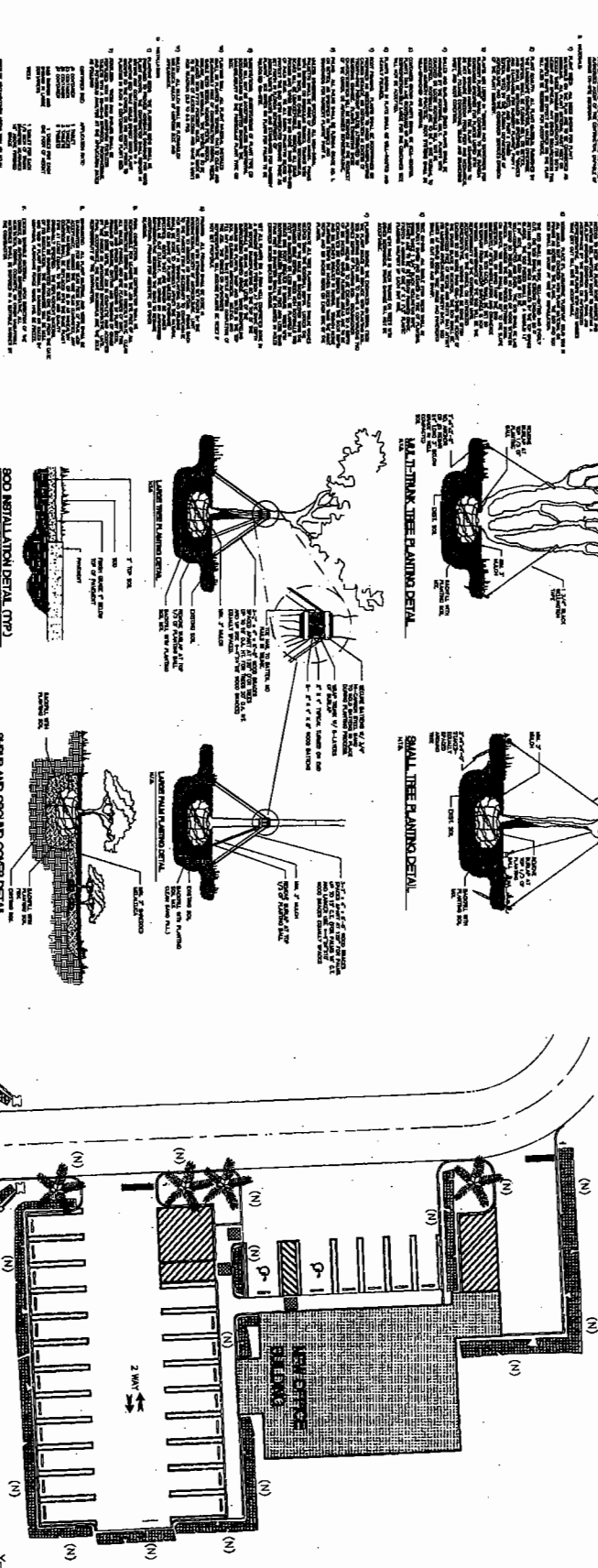
Sheet: 4

Revision	No.	Date	By
1	05-05-10	J.P.	
2	07-22-10	J.P.	
3	08-07-10	J.P.	
4	09-27-10	J.P.	
5	11-11-10	J.P.	

Drawn: J.P.
Approved: J.P.
Project No: 2009-04

LP104

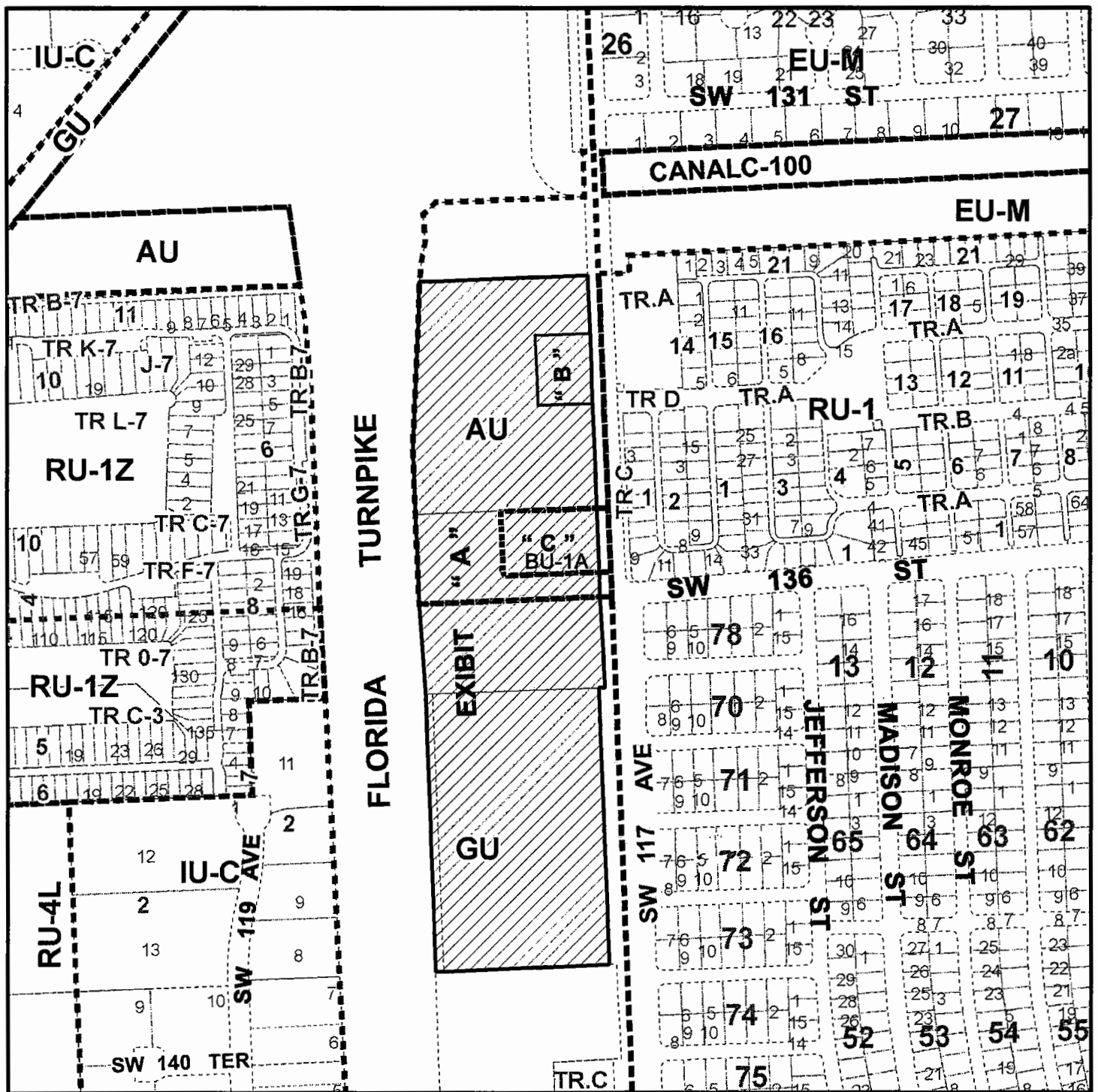
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E. LINE OF SECT 13

PROPOSED
OFFICES BUILDING
FOR GRACELAND MEMORIAL PARK
DEC 13 2010

ZONING HEARING
MIAMI-DADE PLANNING AND ZONING DEPT.
BY





MIAMI-DADE COUNTY
HEARING MAP

Process Number

Z2010000076

Section: 24/13 Township: 55 Range: 39
 Applicant: NORTHSTAR GRACELAND, LLC
 Zoning Board: BCC
 Commission District: 9/8
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

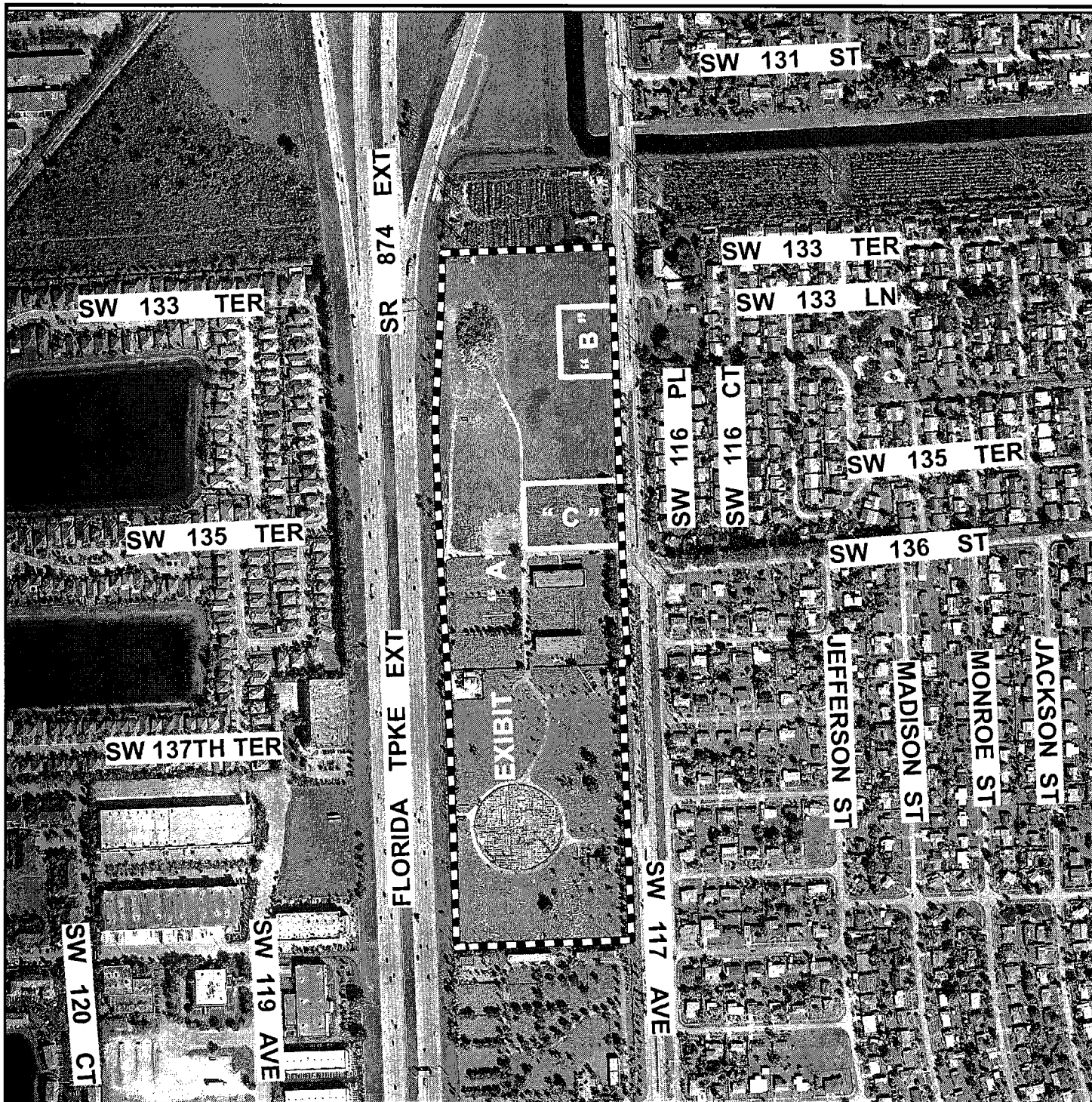
Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Tuesday, June 22, 2010

REVISION	DATE	BY
		49



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

Z2010000076

Legend



Subject Property



Section: 24/13 Township: 55 Range: 39
Applicant: NORTHSTAR GRACELAND, LLC
Zoning Board: BCC
Commission District: 9/8
Drafter ID: JEFFER GURDIAN
Scale: NTS



SKETCH CREATED ON: Tuesday, June 22, 2010

REVISION	DATE	BY

1. ARCHIMEDEAN PROPERTIES, LLC
(Applicant)

11-6-CC-1 (08-175)
BCC/District 10
Hearing Date: 06/23/11

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

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

Disclosure of interest form attached? Yes ☒ No ☐

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1985	Monastery of the Exaltation of the Most Holy Cross, Inc.	<ul style="list-style-type: none">- Special Exception to permit a charter school.- Non-Use Variance of parking.- Unusual Use of entrance feature.	ZAB	Approved w/conds.
1985	Monastery of the Exaltation of the Most Holy Cross, Inc.	<ul style="list-style-type: none">- Special Exception to permit a charter school.- Non-Use Variance of parking.- Unusual Use of entrance feature.	BCC	Appeal Approved, Application Approved
1987	Monastery of the Exaltation of the Most Holy Cross, Inc.	<ul style="list-style-type: none">- Special Exception to permit a church.- Unusual Use for a daycare.- Non-Use Variances for parking & signage.- Modification of condition of resolution.	ZAB	Approved w/conds.
2005	Archimedean Properties, LLC	<ul style="list-style-type: none">- Special Exception for a Charter School.	BCC	Approved w/conds.
2006	Archimedean Properties, LLC	<ul style="list-style-type: none">- Special Exception to expand the charter school.- Modify & Deletion of resolution & covenant.	BCC	Approved w/conds.
2009	Archimedean Properties, LLC	<ul style="list-style-type: none">- Modification of resolution.	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.

**AGENDA
DIC EXECUTIVE COUNCIL
May 25, 2011
9:30 a.m.
Stephen P. Clark Center
12th Floor DIC Conference Room**

**PLANNING AND ZONING
AGENDA OFFICE**

2011 JUN 14 P 1:57

ZONING

Archimedean Properties L.L.C.
Application No. 08-175

ADJOURN

Memorandum



Date: June 23, 2011

To: The Board of County Commissioners

From: Developmental Impact Committee
Executive Council

Subject: Developmental Impact Committee Recommendation

APPLICANT: Archimedean Properties L.L.C. (Z08-175)

SUMMARY OF REQUESTS:

The applicant is seeking to permit the expansion of an existing charter school onto additional property to the northeast and to increase the maximum number of students from 800 to 1,300 (a 62% increase over previous approval). The applicant also seeks to modify conditions of previous Resolutions, as well as to delete three (3) previously recorded Declarations of Restrictions in order to submit revised plans illustrating the school expansion, to allow a total of 24 special events per year and increase the maximum number of students. Moreover, the applicant is requesting to permit special event parking on natural terrain which is not permitted by the Zoning Code.

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 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 accordance 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 on May 25, 2011 and the attached Department memoranda were reviewed and considered by said Committee.

DIC RECOMMENDATION:

Denial without prejudice.

The Executive Council found that the development will be **incompatible** with the surrounding area and would detrimentally impact same. Additionally, the proposed application is not in keeping with the Comprehensive Development Master Plan Land Use map designation for the subject parcel and, therefore, in relation to the present and future development of the area, the approval of the charter school expansion will be **inconsistent** with the Comprehensive Development Master Plan (CDMP).

APPLICATION NO. Z08-175
ARCHIMEDEAN PROPERTIES, LLC

Respectfully Submitted,


DIC Executive Council
May 25, 2011

Susanne M. Torriente
Assistant County Manager



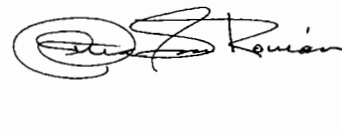
AYE

Giovannie Ulloa, Fire Chief
Miami-Dade Fire Rescue Department



AYE

Irma San Roman, Interim Director
Metropolitan Planning Organization Secretariat



AYE

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



AYE

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

Absent

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



AYE

John W. Renfrow, P.E., Director
Miami-Dade Water and Sewer Department

Absent

**DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE DEVELOPMENT IMPACT COMMITTEE**

APPLICANT: Archimedean Properties L.L.C.

PH: Z08-175

SECTION: 25-54-39

DIC DATE: May 25, 2011

COMMISSION DISTRICT: 10

=====

A. INTRODUCTION

o SUMMARY OF REQUESTS:

The applicant is seeking to permit the expansion of an existing charter school onto additional property to the northeast and to increase the maximum number of students from 800 to 1,300 (a 62% increase over previous approval). The applicant also seeks to modify conditions of previous Resolutions, as well as to delete three (3) previously recorded Declarations of Restrictions in order to submit revised plans illustrating the school expansion, to allow a total of 24 special events per year and increase the maximum number of students. Moreover, the applicant is requesting to permit special event parking on natural terrain (130 parking spaces) which is not permitted by the Zoning Code.

o REQUESTS:

(1) SPECIAL EXCEPTION to permit the expansion of an existing charter school onto property to the northeast.

(2) SPECIAL EXCEPTION to permit the expansion of the existing charter school from 800 students to 1,300 students in grades K-12.

(3) MODIFICATION of Condition #6 of Resolution #Z-21-09, passed and adopted by the Board of County Commissioners, and reading as follows:

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

TO: "6. That the charter school use be limited to grades Kindergarten through 12th and be limited to a maximum of 1,300 students."

(4) MODIFICATION of Conditions #3, #9 and #11 of Resolution #Z-16-05, last modified by Resolution Z-21-09, passed and adopted by the Board of County Commissioners and 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, 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."

TO: "3. The in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Archimedean Academy, Inc. Master Plan for Middle and High School Expansion,' as prepared by Anthony E. Tzamtzis, AIA, consisting of 17 sheets dated stamped received 1/10/11."

FROM: "9. That night activities and/or functions at the charter school shall be limited to 12 events per year and shall end no later than 10:00 p.m."

TO: "9. That night activities and/or special events 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 1,300 students."

- (5) MODIFICATION of Condition #2 of Resolution Z-31-06 last modified by Resolution Z-21-09 passed and adopted by the Board of County Commissioners, and reading as follows:

FROM: "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)"

TO: "2. That the charter school use shall be limited to grades K through 12th with the expansion from 800 to 1,300 students as follows:

Year 1	2011-2012 School Year	No. of permitted students 800-950
Year 2	2012-2013 School Year	No. of permitted students 950-1100
Year 3	2013-2014 School Year	No. of permitted students 1100-1250
Year 4	2014-2015 School Year	No. of permitted students 1250-1300."

- (6) Deletion of three (3) Declarations of Restrictions Recorded at Official Record Book 23679, Pages 4935-4943, Official Record Book 25853, pages 4991-5006 and Official Record Book 27020, Pages 0954-972.

The purpose of requests #3 - #6 is to permit the applicant to submit revised site plans showing the expansion of the charter school onto additional property and showing additional classroom buildings, to increase the number of students, to increase the number of night activities and special events and to delete three covenants in order to submit one consolidated covenant that encompasses the entire property.

- (7) Applicant is requesting to permit special event parking on natural terrain (not permitted).

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

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

o **SIZE:** 12.67 Gross Acres

B. ZONING HEARINGS HISTORY:

In 1985, pursuant to Resolution #4-ZAB-178-85, 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. Said application was appealed to the Board of County Commissioners, which upheld the decision of the ZAB, pursuant to Resolution #Z-156-85. 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 1993, a portion of the subject property was part of a larger parcel of land which was granted approval of requests to expand an existing daycare center, private school (grades K-12), church and monastery onto additional property to the west, to permit a convent and outdoor chapel as well as requests to permit 92 parking spaces (201 spaces required), 268 students and to extend the expiration date of the temporary detached sign and modular classroom buildings, pursuant to Resolution No. 4-ZAB-177-93.

In 2005, pursuant to Resolution #Z-16-05, a special exception was granted to permit a charter school for a maximum of 540 students in grades K-8th on the western portion of the subject property. 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. In 2009, modifications of conditions of Resolutions #Z-16-05 and Z-31-06 as well as modifications of several paragraphs of previously recorded Declarations of Restrictions were granted to permit the applicant to submit revised plans showing six (6) temporary modular classrooms, to increase the grade levels and to increase the number of night activities and functions per calendar year for the Charter School, pursuant to Resolution No. Z-21-09.

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

- 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-3A.*

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. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan Density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this CDMP titled "Concepts and Limitations of the Land Use Plan Map." The limitation referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.*
- 3. Neighborhood or community-serving institutional uses, cell towers and utilities including **schools**, libraries, sanitary sewer pump stations and fire and rescue facilities in particular, and cemeteries may be approved where compatible **in all urban land use categories**, in keeping with any conditions specified in the applicable category, and where provided in certain Open Land subareas. Compatibility shall be determined in accordance to Policy LU-4A.*
- 4. **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.*
- 5. **Objective EDU-1.** Work towards the reduction of the overcrowding which currently exists in the Miami-Dade County Public Schools, while striving to attain an optimum level of service pursuant to Objective EDU-2. Provide additional solutions to overcrowding so that countywide enrollment in Miami-Dade County's public schools will meet state requirements for class size by September 1, 2010.*
- 6. **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.*
- 7. **Policy EDU-3A.** It is the policy of Miami-Dade County that the Miami-Dade County Public Schools 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 1/4 mile inside the UDB; new middle schools should be located at least 1/2 mile*

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 for a new school must encroach closer to the UDB, the majority of the 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.

- 6. **Policy EDU-3E.** When considering a site for possible use as an educational facility, the Miami-Dade County Public Schools should review the adequacy and proximity of other public facilities and services necessary to the site such as roadway access, transportation, fire flow and portable water, sanitary sewers, drainage, solid waste, police and fire services, and means by which to assure safe access to schools, including sidewalks, bicycle paths, turn lanes, and signalization*
- 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-5B.** All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.*
- 10. **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; religious facility and
private school

Agriculture

E. PERTINENT ZONING REQUIREMENTS/STANDARDS:

Section 33-314 of the Code of Miami-Dade County:

(C) *The County Commission shall have jurisdiction to directly hear other applications as follows:*

- (12) *Hear application for and, upon recommendation of the Developmental Impact Committee, grant or deny those special exceptions for public charter school facilities permitted by the regulations only upon approval after public hearing, provided the applied for special exception, in the opinion of the Board of County Commissioners, is found to be in compliance with the standards contained in Article XI and Section 33-311(A)(3) of this Code.*

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 or restrictions relating to an existing charter school facility shall be modified or deleted only in accordance with the provisions of Article XXXVI of this code.

Section 33-159. Plan review standards

- (a) *Scale. The scale of proposed public charter school facilities shall be compatible with the scale of surrounding proposed or existing uses and shall be made compatible by the use of buffering elements.*

- (b) *Compatibility.* The design of public charter school facilities shall be compatible with the design, kind and intensity of uses and scale of the surrounding area.
- (c) *Buffers.* Buffering elements shall be utilized for visual screening and substantial reduction of noise levels at all property lines where necessary.
- (d) *Landscape.* Landscape shall be preserved in its natural state insofar as is practicable by minimizing the removal of trees or the alteration of favorable characteristics of the site. Landscaping and trees shall be provided in accordance with Chapter 18A of this code.
- (e) *Circulation.* Pedestrian and auto circulation shall be separated insofar as is practicable, and all circulation systems shall adequately serve the needs of the facility and be compatible and functional with circulation systems outside the facility.
- (f) *Noise.* Effective measures shall be provided to keep noise at acceptable levels.
- (g) *Service areas.* Wherever service areas are provided, they shall be screened and so located as to be compatible with the adjacent properties.
- (h) *Parking areas.* Parking areas shall be screened and so located as to be compatible with the adjacent properties.
- (i) *Operating time.* The operational hours of a public charter school facility shall be compatible with the activities of other adjacent properties.
- (j) *Industrial and commercial.* Where schools are proposed in or adjacent to, industrial or commercial areas, it shall be clearly demonstrated in graphic form and otherwise, how the impact on the commercial or industrial area has been minimized through site design techniques and/or operational modifications.
- (k) *Fences and walls.* Outdoor recreation and/or play areas shall be enclosed with fences and/or walls.

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

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

G. NEIGHBORHOOD SERVICES PROVIDER COMMENTS:

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDT	No objection
WASD	No objection
Fire Rescue	No objection
Police	No objection
Schools	Surplus Student Stations: 1,227
Aviation	No objection

*Subject to conditions indicated in their memoranda.

H. PLANNING AND ZONING ANALYSIS:

The subject property is a 12.67 gross acre parcel of land located at 12425 SW 72 Street which is currently developed as a K-12 charter school for 800 students. The applicant is requesting to expand the existing charter school onto adjacent property to the northeast, to increase the maximum number of students from 800 to 1,300, to permit a total of 24 night activities per year as well as to permit special event parking on natural terrain which is not permitted by the Zoning Code. Additional variances to modify conditions of prior Resolutions and to delete three (3) previously recorded Declarations of Restrictions are also being sought.

Approval of this application would permit an existing K-12 charter school to increase the number of students from 800 to 1,300. 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-3A. It should be noted that the existing charter school is located 4 miles east of and inside the UDB. Staff notes that the western portion of the subject property (4.6 acres) was approved for 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 Board of County Commissioners, pursuant to Resolution #Z-156-85. In 2006, pursuant to Resolution #Z-31-06, the BCC approved a maximum of 800 students (Kindergarten through 8th grade). In 2009, pursuant to Resolution #Z-21-09, the BCC granted approval to expand grades through 12th.

The CDMP also indicates that **existing uses are deemed to be consistent with this Plan** as provided in the section of the CDMP titled "Concepts and Limitations of the Land Use Plan Map." **As such, the existing charter school with the approved enrollment of 800 students is consistent with the CDMP and compatible with other institutional uses in the area.**

As previously mentioned, the subject property is located inside the UDB where schools are permitted provided all CDMP criteria, specifically compatibility criteria as indicated in Policy LU-4A, are met. **Policy LU-5B in the Land Use Element of the CDMP allows the Director to be "the principal administrative interpreter of the CDMP"**. On November 10, 2003, The Department issued a "Letter of Interpretation" in response to an inquiry involving the "location of private schools in 'Agriculture' designated parcels within the Urban Development Boundary". In this letter, the Department concluded the following:

"In conclusion, based on the relevant CDMP goals, objectives, policies and Land Use Plan map text provisions, I find that public and private schools may be approved, **where compatible**, in all urban land use categories, including Agriculture, inside the UDB, in keeping with any conditions specified in the applicable category. Outside the UDB, in areas designated "Agriculture", private schools are prohibited".

Staff notes that the subject property is located within an area known as "Horse Country" which encompasses a two square mile, agriculturally designated area inside the Urban Development Boundary west of the Homestead Extension to Florida's Turnpike between SW 40 Street and SW 72 Street. This area is characterized by large lot single family residences developed in accordance with the AU zoning district regulations. Staff notes that the residents in this area enjoy a rural-type lifestyle with equestrian activities and agricultural uses. Staff also acknowledges that there are several schools and churches in this area. However, the proposed expansion is of extraordinary scale and intensity.

Staff is of the opinion that the expansion of the existing charter school by increasing the student population from 800 to 1,300 (a 62% increase over previous approval) students as well as the requested expansion of the charter school campus onto additional property to the northeast is intrusive and **incompatible** with the area. **Further, staff opines that either the expansion of**

the charter school property or the increase to 1,300 students would be incompatible with the area and, therefore, would be inconsistent with the CDMP.

It should be noted that staff's research reveals that a multitude of private educational facilities have been approved over the years along SW 72 Street (Sunset Drive). Figure 1 below provides an overview of the private school educational facilities that have been approved within this section mile along SW 72 Street and their currently approved enrollment. Based on staff's research of approved educational facilities in the surrounding area, staff opines that the requested increase in student enrollment and scale of the proposed expansion is out of character with the approved enrollment and scale of the existing educational facilities located along SW 72 Street within this section mile.

Additionally, staff notes that there is another approved school along SW 56 Street at 5801 SW 120th Avenue, approximately 1 mile north of the subject property, where in 1996 the Zoning Appeals Board approved an increase of students to 1,177, pursuant to Resolution #5-ZAB-22-96. Staff opines that this school is an anomaly when compared with others schools within the Horse Country area, specifically along SW 72 Street. Based on the aforementioned, staff opines that the proposed 1,300 student population would create a negative impact to the surrounding area by creating an increase in traffic, especially during the morning and afternoon hours when students are dropped-off and picked-up from school activities. Notwithstanding the foregoing, staff acknowledges that the Public Works Department has no objections to this application. However, staff opines that the increase in student population when engaged in recreational activities and the additional special night events would have a negative aural impact on the surrounding properties. In addition, staff is of the opinion that the proposed expansion of the charter school use onto additional property to the northeast is intrusive to the existing rural residential community as it brings recreational facilities in the form of four (4) tennis courts onto a parcel of land that fronts on SW 123 Avenue and abuts an existing single-family residence to the north.

Staff further opines that said expansion will transform the school into a large scale educational facility that serves the needs of students from other areas of the County resulting in a negative impact to the surrounding area. Therefore, staff opines that the proposed expansion onto additional property to the northeast and the proposed enrollment of 1,300 students will provoke excessive overcrowding or concentration of people or population. *Section 33-311(A)(3) of the Zoning Code indicates that the Board shall consider the necessity for and reasonableness of such applied for exception in relation to the present and future development of the area concerned and the compatibility of the applied for exception with such area and its development.* Staff opines that the proposed expansion onto additional property and request for an additional 500 students is **incompatible** with the area and will detrimentally impact the rural character of this area known as Horse Country. **As such, staff recommends denial without prejudice of requests #1 and #2 under Section 33-311(A)(3).**

Educational Facilities Approved				
Name	Location	Resolution Number	Approved Enrollment	Grade Levels
Section 25 Township 54 Range 39 (North of Sunset Drive)				
Kendale Faith United Methodist Church	12601 SW 72 Street	4-ZAB-200-76	95 students	Day nursery and Kindergarten
Freedom Baptist Church of DC, Inc.	12515 SW 72 Street	Z-326-87	193 students	Kindergarten to 12th grade

Sunset Church of Christ	12001 SW 72 Street	CZAB11-12-99	325 students	Kindergarten to 10th grade
Sunset Preparatory School	11925 SW 72 Street	4-ZAB-65-70	263 students	Kindergarten to 8th grade
Section 36 Township 54 Range 39 (South of Sunset Drive)				
Sunset Construction, LLC	12400 SW 72 Street	CZAB11-18-99	80 students	Pre-Kindergarten to 1st grade
Praise & Worship Center Church of God	12450 SW 72 Street	CZAB11-40-01	47 students	Day nursery and Kindergarten
Muslim Center of Miami, Inc.	Southwest corner of SW 72 Street and SW 123 Avenue (currently vacant)	Z-99-94	200 students	Day nursery and Kindergarten through 6th grade

Figure 1.

When requests #3 through #6 are analyzed under the Generalized Modification Standards, Section 33-311(A)(7), the revised plans illustrating the expansion of the school campus onto additional property to the northeast, the requested increase of night events per year from 12 to 24 and the increase in the approved enrollment from 800 students to 1,300 students as well as the request to delete three (3) Declarations of Restrictions, in staff's opinion, are intertwined with requests #1 and #2, and will adversely impact the surrounding area and will be **incompatible** with same. Staff's review of both the previously approved plans and the newly submitted plans reveals that, in staff's opinion, the proposed expansion is too excessive and out of character with the surrounding area.

The revised plans submitted in conjunction with this application illustrate the proposed expansion of the existing charter school campus onto additional property located to the northeast of the current school site. The revised plans depict development of the campus in four (4) phases. **Phase 1** illustrates the construction of two (2) temporary modular classroom buildings which house a total of six (6) classrooms. **Phase 2** illustrates a proposed 2-story middle/high school building located on the eastern side of the site along with four (4) new tennis courts located along the northern portion of the site as well as a new 1-story tennis facility building located adjacent to the tennis courts. **Phase 3** illustrates the removal of two (2) temporary modular classroom buildings and the construction of a proposed multi-purpose athletic court behind the existing main school building as well as the removal of two (2) temporary modular classroom buildings along the east portion of the site and the construction of a proposed 2-story (34' high) gymnasium building with a seating capacity of 600 persons. **Phase 4** illustrates the demolition of the existing 1-story residence (administrative office) on the northeastern most portion of the site and the construction of a new 2-story cultural center building. The revised plans also illustrate the relocation of one of the existing driveways along SW 72 Street to the easternmost corner of the site and a new access driveway for emergency vehicles along SW 123 Avenue.

As previously mentioned, staff opines that the proposed expansion of the charter school use onto additional property to the northeast is intrusive to the existing rural residential community. Moreover, staff opines that the proposed improvements as illustrated on the revised plans are excessive and are germane to and an integral part of the request to increase the student population which staff does not support. In addition, it should be noted that in 2009, the applicant had also requested to increase the number of night activities from 10 events per year

to 24 events per year, which the BCC approved on a modified basis to allow 12 night activities per year, pursuant to Resolution No. Z-21-09. Although, in the 2009 application staff had originally supported the applicant's request to permit 24 night activities per year, it should be noted that the 2009 application did not seek an increase in the maximum number of students. Therefore, staff opines that the request to permit 24 night activities per year when considered in conjunction with the request to increase the number of students to 1,300 and the request to expand the school onto additional property to the northeast is excessive and is not in keeping with the spirit and intent of Resolution No. Z-21-09. Request #6, to delete three (3) Declarations of Restrictions, in order to allow the applicant to submit one (1) consolidated covenant that encompasses the entire subject property is, in staff's opinion, germane to and an integral part of the proposed school expansion and requested increase in student population, which staff does not support. When considering the necessity for and the reasonableness of the requests, staff is of the opinion that the approval of requests #3 through #6 will have an unfavorable effect on the area, and will be contrary to the public interest. As such, staff opines that the approval of requests #3 through #6 would be detrimental to the surrounding area and is **incompatible** with same. **As such, staff recommends denial without prejudice of requests #3 through #6 under Section 33-311(A)(7).**

When request #7 is analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that the approval of this request does not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **incompatible** with the surrounding area. Staff does not support request #7, to permit 130 special event parking spaces on natural terrain. Staff acknowledges that property located one parcel to the west of the subject site was granted approval of a request to permit 18 parking spaces and 5 stacking spaces on natural terrain, pursuant to Resolution #Z-326-87. Notwithstanding the aforementioned approval, staff opines that the applicant's request is more intense because the number of parking spaces is greater than that previously approved under Resolution #Z-326-87 and will likely generate dust which may affect adjacent properties and as such will be incompatible with same. Additionally, this request is evidence of the intrusiveness of the proposed school expansion on the rural residential community located to the north of the site. **Therefore, based on the aforementioned, staff recommends denial without prejudice of request #7 under Section 33-311(A)(4)(b) (NUV).**


Accordingly, staff recommends denial without prejudice of the application.

I. RECOMMENDATION:

Denial without prejudice.

J. CONDITIONS: None.

DATE TYPED: 01/28/11
DATE FINALIZED: 05/20/11
MCL:GR:NN:AA:JV



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

Memorandum



Date: May 12, 2011

To: Jorge Vital
Educational Facilities Coordinator
Department of Planning and Zoning

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

Subject: Recommendations for Archimedean Academy, Process No. Z2008000175

Miami Dade County Public Works Department Traffic Engineering Division (TED) has no objections to this application provided the recommendations and comments, as indicated below, are adequately addressed in the related documentation, and found acceptable to TED.

TED has reviewed the Letter of Intent, revised date 04/04/2011; the Site Plan, dated revised 04/04/2011, received by Planning and Zoning on 04/04/2011; the Traffic Impact Analysis, dated revised 09/2010; the Supplemental Traffic Data Memorandum, dated 04/24/2011; and the Traffic Operations Plan, dated 09/15/2010, for the proposed facility located at 12425 SW 72 Street, and has the following recommendations and comments:

- Site Plan

A clearly marked pedestrian pathway(s) crossing the stacking queue from the visitor parking areas (specifically the parking aisles nearest SW 72 Street) to the building's pedestrian walkways, like those walkways traversing the central parking lot that connects the ADA accessible parking stalls, must be proposed.

- Traffic Study

The Traffic Impact Analysis with Supplemental Traffic Data Memorandum, dated 04/24/2011, is acceptable.

- Traffic Operations Plan (TOP)

The Traffic Operations Plan, dated 09/15/2010, is acceptable.

- Project Requirements

1. A "Declaration of Restrictions" in favor of the Miami-Dade County Public Works Department must be recorded in the Official Records of Miami-Dade County, Florida, prior to the date of the school expansion. The "Declaration of Restrictions" shall include a TOP narrative and plan that has been found acceptable by TED.
2. The existing posted time intervals for the school speed zone are required to be modified for the new schedule, as needed. This can be included in the Paving and Drainage plans.
3. The existing drop curbs, which will no longer be used, on Sunset Dr. along the school frontage must be reconstructed to standard sidewalk cross-section.
4. All off-site improvements shall be constructed prior to the school expansion.

- 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 ladder 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 Mr. Jeff Cohen 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
Mohammed Mansuri, P.E., Public Works Land Development
Leandro Rodriguez, Public Works Land Development

Memorandum

Date: April 15, 2011

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

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



Subject: DIC#Z2008000175-3rd Revision
Archimedean Properties, LLC
12425 Sunset Drive
Special Exception to Expand an Existing Charter School,
Modification of Resolution Z-31-06 to Permit a New Site Plan and
Modification of a Declaration of Restrictions to Include Additional
Property

(GU) (12 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 of the Southwest Wellfield. Development of the subject property shall be in accordance with the regulations established in Section 24-43 of the Code. Since the subject request is for a non-residential land use, the owner of the property has submitted a properly executed covenant in accordance with Section 24-43(5) of the Code which provides that hazardous materials or wastes shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

Potable Water Service

The subject property is located within the franchised water service area of Miami-Dade Water and Sewer Department (MDWASD). Connection of the proposed development to the public water supply system shall be in accordance with Code requirements.

The source for this water supply is Alexander Orr Water Treatment Plant. This plant has sufficient capacity to provide current water demand. The plant is presently producing water that meets Federal, State, and County drinking water standards.

Sanitary Sewer Service

The subject property is located within the franchised sewer service area of Miami-Dade County Water and Sewer Department (MDWASD).

There is a private sanitary sewer system within the site. This system operates under DERM Private Sanitary Sewer Operating (PSO) Permit No. 236. This private system includes a pumping station (99-00236) that discharges its flows into a force main that abuts this property along SW 72nd St. The flows are directed either to pumping station 30-0001, 30-0559 or 30-0536. From 30-0001 the flows go to the Central District Wastewater Treatment Plant. From 30-0559 or 30-0536, the flows go to pump station 30-TANDEM and then to the South District Wastewater Treatment Plant.

The public sanitary system treatment plants and private sanitary sewer system are currently working within the mandated criteria set forth in the First and Second Partial Consent Decree.

Stormwater Management

Additional drainage restrictions may be applicable since the subject property is located within the Basic Wellfield Protection Area of the Southwest Wellfield. Specifically, the site is situated within 100-day travel time contour of said Wellfield. Section 24-43 of the Code dictates and regulates the allowable method for storm water within this area.

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

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

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

Site grading and development plans shall comply with the requirements of Section 11C of the Code, as well as with all State and Federal Criteria, and shall not cause flooding of adjacent properties.

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

Pollution Remediation

DERM has reviewed the information regarding the above referenced sites and indicates that there are no records of current contamination assessment/remediation issues on these properties or abutting these properties. Additionally, there are no historical records of contamination assessment/remediation issues regarding non-permitted sites associated with these properties or abutting these properties.

Air Quality Preservation

In the event that this project includes any kind of demolition, removal or renovation of any existing structure(s), an asbestos survey from a Florida-licensed asbestos consultant is required. If said survey shows friable asbestos materials in amounts larger than prescribed by federal law (260 linear feet of pipe insulation/thermal system insulation [TSI] or 160 square feet of surfacing material), then those materials must be removed/abated by a Florida-licensed asbestos abatement contractor. A NOTICE OF ASBESTOS RENOVATION or DEMOLITION form must be filed with the Air Quality Management

Division for both the abatement (renovation) work and the demolition activity at least 10 working days prior to starting the field operations.

According to the parking information provided, the amount of parking does not appear to be sufficient in size to generate a level of vehicular traffic equal to or in excess of the threshold values listed in the State of Florida (FDEP) Guidelines for Indirect Sources. Therefore, the Air Quality Management Division does not have any concerns regarding this project from a transportation (mobile sources) standpoint.

Wetlands

The subject properties do not contain jurisdictional wetlands as defined by Section 24-5 of the Code; therefore, a DERM 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 for these properties to Archimedean Properties LLC, on December 18, 2007, an amendment of the permit was done on August 18, 2010; also the permit expiration has been extended. All approved tree removal/relocation, replanting and final inspection (a two weeks notice is required prior to the final inspection) must be completed prior to the scheduled expiration date of this permit on December 18, 2011 in order to avoid violation of permit conditions. Please be advised that a new Miami-Dade County Tree Removal Permit or an amendment to this permit is required prior to the removal or relocation of any other trees on the subject properties. Please contact this Program at 305-372-6574 for information regarding tree permits.

Enforcement History

DERM has found one (1) closed enforcement case for the referenced property address.

Archimedean Academy (PSO 236)

On November 12th 2008 a Warning Notice was issued to this facility for failure to submit the required Elapsed Time (ET) meter readings. The ET meter readings were later submitted and on May 1st 2009 the case was subsequently closed due to compliance.

Operating Permit

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.

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

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

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

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

cc: Nick Nitti, DIC Coordinator

Memorandum



Date: January 25, 2011

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

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

Subject: DIC 2008000175 - Archimedean Properties, Inc.
12425 Sunset Drive, Miami-Dade County, FL
Revision No. 3

SERVICE IMPACT/DEMAND

- (A) Based on development information, this project is expected to generate approximately 45 fire and rescue calls annually. The estimated number of alarms results in a moderate impact to existing fire and rescue service. However, the existing station serving this area will be able to handle the expected number of alarms.
- (B) Based on data retrieved during calendar year 2010, the average travel time to the vicinity of the proposed development was 6:16 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.
- (C) A suspected fire within this project would be designated as a building dispatch assignment. Such an assignment requires three (3) suppressions or engines, telesquirts or tankers, one (1) aerial, one (1) rescue and an accompanying command vehicle. This assignment requires twenty (20) firefighters and officers.

EXISTING SERVICES

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

SITE PLAN REVIEW:

- (A) Fire Engineering & Water Supply Bureau has reviewed and approved the revised site plan entitled 'Archimedean Academy, Inc., Charter Schools Master Plan for Middle and High School Expansion' as prepared by Anthony M. Tzamtzis, AIA, dated stamp received January 10, 2011.

DIC 2008000175 - Archimedean Properties, Inc.
January 25, 2011
Page 2 of 2
Revision No. 3

- (B) This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for DIC applications. Please be advised that during the platting and permitting stages of this project, the proffered site plan must be reviewed by the Fire Water & Engineering Bureau to assure compliance with the Florida Fire Prevention Code (FFPC) and National Fire Protection Association (NFPA) standards.

For additional information, please contact Mr. Carlos Heredia, Planning Section Supervisor at 786-331-4544.

HL:ch

Memorandum



Date: April 25, 2011

To: Jorge Vital
DIC Coordinator
Department of Planning and Zoning

From: Nilia Cartaya *Nilia Cartaya*
Principal Planner
Miami-Dade Transit - Planning & Development Division

Subject: Review of DIC Project No. 08-175 (Archimedean Properties, Inc.)

Project Description

The applicant is requesting a special exception to permit the expansion of an existing charter school onto additional property. In addition, the applicant is also requesting to increase the number of students from 800 to 1,300 to modify a previously approved resolution and delete a previously recorded declaration of restrictions. The subject property is 12 acres and is located at 12425 SW 72 Street 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). 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		
72	30	30	30	N/A	60	60	0.0	F
272 / Sunset KAT	10	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 2011 Transportation Improvement Plan (TIP) does not propose any improvements in the immediate vicinity of this project. The 2035 Long Range Transportation Plan (LRTP) does not propose any improvements in the immediate vicinity of this project.

The draft 2011 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 2021 Recommended Service Plan the following improvements/adjustments on the existing routes serving the vicinity of the project:

Route 72: No planned improvements.

Route 272: No planned improvements.

MDT Comments/Recommendations

Miami-Dade Transit (MDT) currently provides local bus service to the school and in addition, the westbound bus stop located 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



Date: April 12, 2011

To: Jorge Vital, DIC Coordinator
Department of Planning and Zoning

Thru *WU* Maria I. Nardi, Chief
Planning and Research Division

From: *JB* John M. Bowers, AICP/RLA
Landscape Architect 2
Planning and Research Division

Subject: Z20080000175 – Archimedean Properties, LLC

Application Name: Archimedean Properties, LLC

Project Location: The site is located at 12425 SW 72 Street, Miami-Dade County. The site is currently used as a charter school, grades K-8 with an enrollment of 800 students.

Proposed Development: In the original letter of intent the applicant had requested approval for a Special Exception to expand the facility and enrollment to include 1,300 students in grades K-12. The applicant has submitted revised site plans (dated received 4-5-2011 by Miami-Dade County) and a revised letter of intent dated January 31, 2011 to include changes to the original application including the following:

- That night activities and/or special events at the charter school shall be limited to twenty-four (24) events per year and shall end no later than 10:00 pm;
- That the charter school use be limited to grades K-12 with the expansion from 800 to 1300 students as follows;
 - Year 1 2011-2012 School Year 800-950 students
 - Year 2 2012-2013 School Year 950-1100 students
 - Year 3 2013-2014 School Year 1100-1250 students
 - Year 4 2014-2015 School Year 1250-1300 students
- The applicant has deleted the suggested variance from Section 33-279(18) of the Miami-Dade County Code; and
- The applicant has provided a correction to the legal description of the property.

Subsequently a revised letter of intent dated April 4, 2011 was submitted addressing the recent updates to the site plan (dated received 4-5-2011 by Miami-Dade County).

Impact and demand: Because this application does not generate any residential population, the CDMP Open Space Spatial Standards do not apply and this Department has no objection to this application. Therefore, we have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

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

MN:jb

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

center

Memorandum



Date: April 28, 2011

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

From: José A. Ramos, R.A., Chief, Aviation Planning Division
Aviation Department

Subject: DIC Application #08-175 - Revised Plans
Archimedean Properties, Inc.
DN-11-04-547

A handwritten signature in black ink, appearing to be "J. Ramos", written over the "From:" line.

As requested by the Department of Planning and Zoning, the Miami-Dade Aviation Department (MDAD) has reviewed Developmental Impact Committee (DIC) Zoning Application #08-175, Archimedean Properties, Inc. The applicant is requesting a special exception to permit the expansion of an existing charter school into additional property. In addition, the applicant is also requesting to increase the number of students from 800 to 1300, to increase the grade levels from K-8 to K-12 and to modify a previously approved Resolution. The subject property is approximately 12 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 MDAD's system of airports.

JR/rb

RECEIVED
MAY - 4 2011

MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

201105213

DATE: 12-MAY-11

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

ARCHIMEDEAN PROPERTIES, LLC

12425 S.W. 72 STREET, MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2008000175

HEARING NUMBER

HISTORY:

FOLIO:(3049250000620)/NO ZONING, BUILDING, OR LIEN VIOLATIONS FOUND
FOLIO: (3049250000681)/NO ZONING, BUILDING, OR LIEN VIOLATIONS FOUND
FOLIO: (3049250000690)/NO ZONING, BUILDING, OR LIEN VIOLATIONS FOUND

ARCHIMEDEAN PROPERTIES, LLC

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

REPORTER NAME:

ZONING INSPECTION REPORT

Inspector: MARTINEZ, RAMIRO

Inspection Date

Evaluator: N/A

05/12/11

Process #: Z2008000175
Applicant's Name: ARCHIMEDEAN PROPERTIES, LLC
Locations: 12425 S.W. 72 STREET, MIAMI-DADE COUNTY, FLORIDA.
Size: 12.67 GROSS ACRES
Folio #: 3049250000690

Request:

1 Special Exception to permit the expansion of an existing charter school onto adjacent property to the northeast.

2 Special Exception to permit additional students within the existing charter school from 800 students to 1,300 students in grades K-12.

3 Modification of Condition #6 of Resolution Z-21-09, passed and adopted by Board of County Commissioners on the 23rd day of July 2009, reading as follows:

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

TO: "6. That the charter school use be limited to grades Kindergarten through 12th and be limited to a maximum of 1,300 students.

4 Modification of Conditions #3, #9 and #11 of Resolution Z-21-09, passed and adopted by Board of County Commissioners on the 23rd day of July 2009, 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, 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."

TO: "3. That in the approval of the plan, the same be substantially in accordance with that submitted for hearing entitled 'Archimedean Academy, Inc. Master Plan for Middle and High School Expansion,' as prepared by Anthony E. Tzamtzis, AIA, consisting of 21 sheets dated stamped received April 12th, 2011", "Boundary Survey" prepared by Delta Surveyors, Inc. dated stamped received April 12, 2011.

FROM: "9. That night activities and/or functions at the charter school shall be limited to 12 events per year and shall end no later than 10:00 p.m.

TO: "9. That night activities and/or special events 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-12th for a maximum of 800 students.

TO: 11. That the charter school use shall be limited to Grades K-12th for a maximum of 1,300 students.

5 Modification of Condition #2 of Resolution #Z-31-06 and further modified by Resolution Z-21-09, passed and adopted by the Board of County Commissioners on the 23rd day of July 2009, reading as follows:

FROM: 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)

TO: 2. That the charter school use shall be limited to grades K through 12th with the expansion from 800 to 1,300 students as follows:

Year 1	2011-2012 School Year	No. of permitted students 800-950
Year 2	2012-2013 School Year	No. of permitted students 950-1100
Year 3	2013-2014 School Year	No. of permitted students 1100-1250

ZONING INSPECTION REPORT

Year 4 2014-2015 School Year No. of permitted students 1250-1300

6 Deletion of three (3) Declaration of Restrictions recorded at Official Records Book 23679 pages 4935 - 4943, recorded at OR 25853, PG 4991-5006 and OR 27020, PG 0954-972.

The purpose of requests #3-#5 is to permit the applicant to submit plans showing the expansion of the charter school onto additional property and show additional classroom buildings, to increase the number of students, increase the number of night activities and functions and to delete three covenants in order to submit one consolidated covenant.

7 Applicant is requesting to permit parking on natural terrain (not permitted)
OR IN THE ALTERNATIVE TO REQUEST #7

8 Applicant is requesting to permit 197 parking spaces (327 required).

EXISTING ZONING

Subject Property GU,

EXISTING USE SCHOOL

SITE CHARACTERISTICS

STRUCTURES ON SITE:

TWO STORY SCHOOL BUILDING, 5 MODULAR BUILDINGS, 2 PREFAB SHEDS, AND AN ACCESSORY STRUCTURE ON SITE.

USE(S) OF PROPERTY:

CHARTER SCHOOL.

FENCES/WALLS:

THE NORTHERN & EASTERN PORTIONS OF THE SITE ARE ENCLOSED BY A 6 FT WOODEN AND CHAIN LINK FENCE.

LANDSCAPING:

THE SITE IS SUFFICIENTLY LANDSCAPED THROUGHOUT THE INTERIOR AND PERIMETER OF PROPERTY. LOT TREES & STREET TREES COMPLY W/ 18A.

BUFFERING:

THERE ARE TREES ALONG THE FRONT AND REAR PROPERTY LINES OF THE PROPERTY THAT HELP SERVE AS A BUFFER.

VIOLATIONS OBSERVED:

THERE ARE TWO SHEDS ON THE NE CORNER OF PARCEL 1 (SEE SURVEY ENTITLED ALTA/ACSM) THAT DO NOT COMPLY W/SETBACKS. THESE TWO SHEDS ALONG WITH 3 METAL CONTAINERS HAVE TO BE LEGALIZE OR REMOVED FROM PROPERTY. SEE PICTURES ON PAGE 3. BNC ENFORCEMENT LETTER HAS NOT BEEN SUBMITTED AS OF YET, BUT A REVIEW OF BNC RECORDS & CLERK OF THE COURTS SHOWED NO OPEN CASES OR CITATIONS ON THIS PROPERTY.

OTHER:

Process # **Applicant's Name**

Z2008000175 ARCHIMEDEAN PROPERTIES, LLC

ZONING INSPECTION REPORT

SURROUNDING PROPERTY

NORTH:

GU; SINGLE-FAMILY RESIDENCES & PLANT NURSERY.

SOUTH:

GU; CHURCHES & EUM; 2 STORY SINGLE FAMILY RESIDENCES.

EAST:

GU; PLANT NURSERY

WEST:

GU; CHURCHES

SURROUNDING AREA

THE AREA SURROUNDING THE SUBJECT PROPERTY IS DEVELOPED W/INSTITUTIONAL USES SUCH AS CHURCHES. A SINGLE-FAMILY RESIDENTIAL SUBDIVISION LIES TO THE SOUTH AND PLANT NURSERIES ARE FOUND TO THE NORTH & EAST.

NEIGHBORHOOD CHARACTERISTICS

THE NEIGHBORHOOD AREA IS CHARACTERIZED BY CHURCHES, SINGLE FAMILY RESIDENCES, AND PLANT NURSERIES.

COMMENTS:

Inspector **MARTINEZ, RAMIRO**

Evaluator **N/A**

Process Number: **Z2008000175** Applicant Name **ARCHIMEDEAN PROPERTIES, LLC**



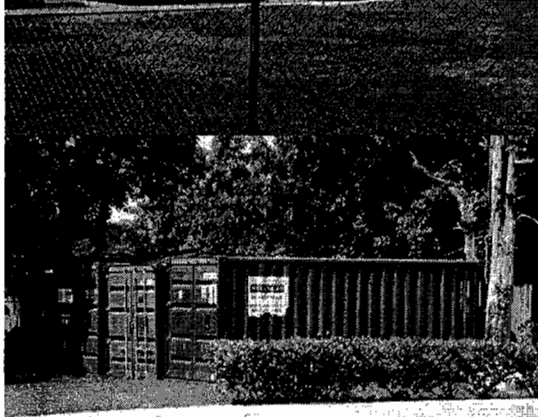
Date: 12-MAY-11

Comments: NORTHWEST FRONT VIEW OF SUBJECT PROPERTY.



Date: 12-MAY-11

Comments: 5 MODULAR BUILDINGS LOCATED DIRECTLY BEHIND THE SCHOOL.



Date: 12-MAY-11

Comments: 3 ILLEGAL METAL CONTAINERS LOCATED AT THE NE CORNER OF PARCEL 2.

Inspector **MARTINEZ, RAMIRO**

Evaluator **N/A**

Process Number: **Z2008000175** Applicant Name **ARCHIMEDEAN PROPERTIES, LLC**



Date: 12-MAY-11

Comments: TWO ILLEGAL SHEDS LOCATED ON THE NE CORNER OF PARCEL 1.



Date: 12-MAY-11

Comments: ACCESSORY STORAGE BLDG LOCATED IN THE CENTER PORTION OF PARCEL 2.



Date: 12-MAY-11

Comments: CHURCH LOCATED TO THE SW OF SUBJECT PROPERTY.

Inspector **MARTINEZ, RAMIRO**

Evaluator **N/A**

Process Number: **Z2008000175** Applicant Name **ARCHIMEDEAN PROPERTIES, LLC**



Date: 12-MAY-11

Comments: PRIVATE SCHOOL LOCATED DIRECTLY TO THE SOUTH OF SUBJECT PROPERTY.



Date: 12-MAY-11

Comments: EUM SUBDIVISION LOCATED TO THE SE OF SUBJECT PROPERTY.



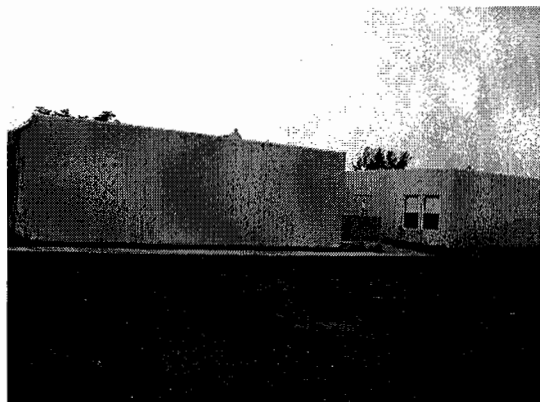
Date: 12-MAY-11

Comments: RELIGIOUS FACILITY LOCATED TO THE SOUTH.

Inspector **MARTINEZ, RAMIRO**

Evaluator **N/A**

Process Number: **Z2008000175** Applicant Name **ARCHIMEDEAN PROPERTIES, LLC**



Date: 12-MAY-11

Comments: MODULAR BLDGS ON SUBJECT PROPERTY.
LOCATED TO THE NORTH SIDE OF SCHOOL BLDG.



Date: 12-MAY-11

Comments: PLANT NURSERY LOCATED TO THE EAST OF
SUBJECT PROPERTY.



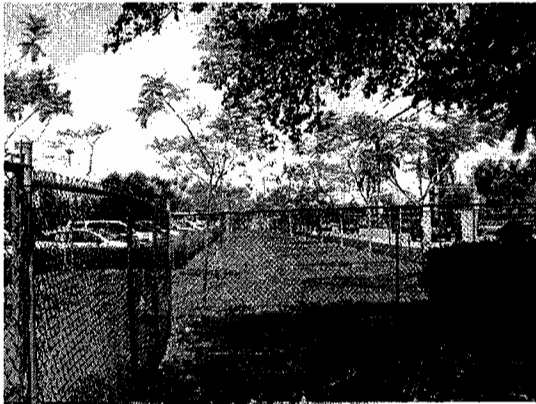
Date: 12-MAY-11

Comments: TREE BUFFER LOCATED ALONG THE NORTH
PROPERTY LINE OF SUBJECT PROPERTY.

Inspector **MARTINEZ, RAMIRO**

Evaluator **N/A**

Process Number: **Z2008000175** Applicant Name **ARCHIMEDEAN PROPERTIES, LLC**



Date: 12-MAY-11

Comments: LANDSCAPE BUFFER IN THE FRONT EAST SIDE OF SCHOOL.



Date: 12-MAY-11

Comments: LANDSCAPE BUFFER IN THE FRONT WEST SIDE OF SCHOOL.



Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Alberto M. Carvalho

Miami-Dade County School Board

Agustin J. Barrera, Chair
Pera Tabares Hantman, Vice Chair
Renier Diaz de la Portilla
Evelyn Langlieb Greer
Dr. Wilbert "Tee" Holloway
Dr. Martin Karp
Ana Rivas Logan
Dr. Marta Pérez
Dr. Solomon C. Stinson

November 05, 2008

Mr. Marc C. LaFerrier, Director
Department of Planning and Zoning
Miami-Dade County
111 NW 1 Street, 11th Floor, Suite 1110
Miami, FL 33128

Received by
Zoning Agenda Coordinator

NOV 07 2008

RE: **08-175, Archimedean Academy, Inc. Charter School Inc. (6-12)**
12425 SW 72 Street

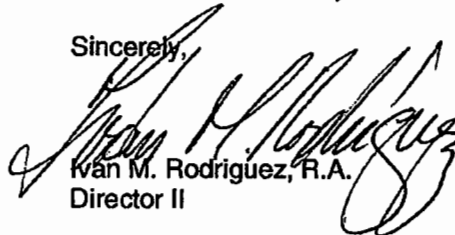
Dear Mr. LaFerrier:

In response to your Department's request seeking information regarding traditional public and charter schools in the general area of the above-referenced charter school application, please see the attached Public School Projected Capacity Analysis (Attachment A).

As you will note under Attachment A, Miami Sunset is currently designated as the school to serve the area of this application at the 9 through 12 grade levels. In addition, the analysis provides capacity information for traditional public schools in the surrounding area, depicting an overall surplus of student stations at the senior high level of 1,227.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,



Ivan M. Rodriguez, R.A.
Director II

IMR:ir
L 211
Attachments

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerno
Ms. Vivian G. Villaamil
Ms. Corina Esquijarosa
Ms. Maria-Teresa Fojo
Mr. Nick Nitti

Received by
Zoning Agenda Coordinator

NOV 07 2008

Facilities Planning

Ana Rijo-Conde, AICP, Planning Officer • 1450 N.E. 2nd Avenue, Suite 525 • Miami, Florida 33132
305-995-7285 • FAX 305-995-4760 • Ario@dadeschools.net

ATTACHMENT "A"
PUBLIC SCHOOL PROJECTED ANALYSIS
November 5, 2008

Received by
Zoning Agenda Coordinator
NOV 07 2008

APPLICATION: 08-175, Archimedean Properties, LLC.

SCHOOLS SERVING AREA OF APPLICATION

SENIOR: Miami Sunset Senior High – 13125 SW 72 Street

School is located in South Regional Center.

The following student population and available facility capacity data is based on student enrollment as of October 2008:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	%UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	%UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE	DEFICIT OR SURPLUS CAPACITY
Senior High Schools						
Miami Sunset Senior	2,771	2,421	114%	428	97%	78
Felix Varela Senior	3,361	2,817	119%	0	119%	-544
G. Holmes Braddock Senior	3,617	2,859	127%	926	96%	168
John A. Ferguson Senior	4,151	3,776	110%	0	110%	-375
S/S HHHH1 (New Senior)*	0	1,900	0%	0	0%	1,900

* Currently Under Design

AVAILABLE STUDENT
STATIONS **1,227**

Memorandum



Date: April 15, 2011

To: Jorge Vital, DIC Coordinator
Department of Planning and Zoning

From: Maria A. Valdes, Section Chief *Maria Valdes*
Comprehensive Planning & Water Supply Certification

Subject: Archimedean Properties, LLC - DIC Application # - Z2008000175 (REVISION # 1)

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

Application Name: Archimedean Properties, LLC.

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

Proposed Development: Requesting approval of a Special Exception to expand Archimedean's Charter Schools onto the property to the east and north of said school. Archimedean is requesting a gradual expansion of the school's current enrollment of 800 students in grades K-8 to an enrollment of 1,300 students in grades K-12. The school will have a total gross area of 76,791 square feet of which a total of 48,135 square feet is proposed with this application. The total water demand of the school is 9,215 gallons per day (gpd), based on new flow rates implemented on October 1, 2010. A total of 5,776 gpd is generated by the proposed development. Please see the table below which describes the project total net increase of water demand.

Total Water Demand		
USE	Rate	Water Demand (gpd)
Proposed Total School Square Footage = 76,791 sq.ft.	12gpd/100sq.ft.	9,215
Total Existing School Square Footage = 28,656 sq.ft.	12gpd/100sq.ft.	3,439
NET Increase		5,776

Water: The subject project is located within MDWASD's service area. The nearest point of connection for water is either an existing eight (8)-inch or twelve (12)-inch Water Mains on the property. The source of water for this project is the Alexander Orr Water Treatment Plant.

Additionally, on January 11, 2011, MDWASD implemented a Water Supply Certification Program to assure adequate water supply is available to all water users of the MDWASD as required by policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the MDWASD's 20-year Water Use Permit. Please note that a Water Supply Certification will be required for this project. The certification letter is issued at the time an Agreement, Verification Form or Ordinance Letter is offered or during the Plat process prior to the final Development Order. MDWASD will be the utility providing water services subject to the following conditions:

- Adequate transmission and Plant capacity exist at the time of the applicant's request.
- Adequate water supply is available prior to issuance of a building permit or its functional equivalent.
- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Sewer: The subject project is located within MDWASD's service area. There is an existing private pump station within the property. The South District Wastewater Treatment Plant (WWTP) is the facility for treatment and disposal of the wastewater. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection. MDWASD will be the utility providing sewer services subject to the following conditions:

- Adequate transmission and plant capacity exist at the time of the owner's request. Capacity evaluations of the plant for average flow and peak flows will be required, depending on the compliance status of the United States Environmental Protection Agency (USEPA) Second and Final Partial Consent Decree.
- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

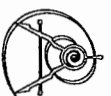
Water Conservation: All future development for the subject area will be required to comply with water use efficiency techniques for indoor water use in accordance with Section 8-31, 32-84 and 8A-381 of the Code of Miami-Dade County. In addition, the future development will be required to comply with the landscape standards in sections 18-A and 18-B of Miami-Dade County Code.

For more information about our Water Conservation Program please go to
<http://www.miamidade.gov/conservation/home.asp>.

For information concerning the Water-Use Efficiency Standards Manual please go to
http://www.miamidade.gov/conservation/library/WUE_standards_manual_final.pdf

Should you have any questions, please call me at (786) 552-8198.

ARCHIMEDEAN ACADEMY, INC

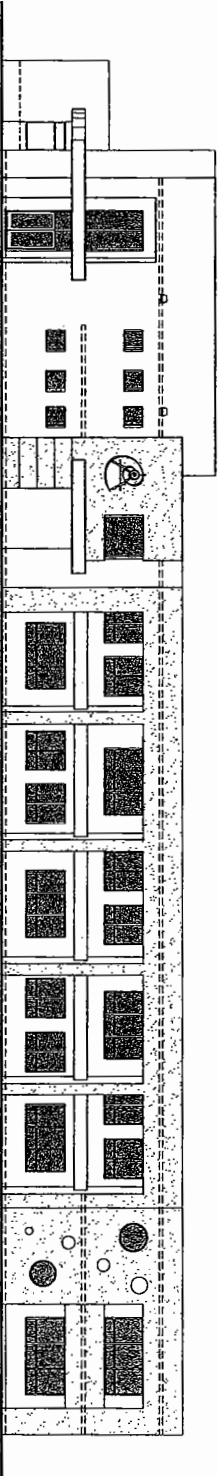


• CHARTER SCHOOLS •

MASTER PLAN FOR MIDDLE AND HIGH SCHOOL EXPANSION

12425 SUNSET DR. - MIAMI - FLORIDA - 33183

D.I.C. SUBMITTAL
SEPTEMBER 03, 2008



OWNER

ARCHITECT

INDEX OF DRAWINGS

ARCHIMEDEAN PROPERTIES, LLC.

12425 SW 72ND STREET
MIAMI, FLORIDA, 33183

TRAFFIC CONSULTANT

KIMLEY-HORN AND ASSOCIATES, INC.
4431 EMBARCADERO DRIVE
WEST PALM BEACH, FL 33407
TEL. (561) 845 0605

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

RECEIVED
208-175
APR 05 2011

MIAMI DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

COVER SHEET

EXISTING

- MP/EX-1 EXISTING SITE PHOTOGRAPHS
- MP/EX-2 EXISTING SITE PHOTOGRAPHS
- MP/EX-3 EXISTING ELEMENTARY SCHOOL BLDG. FLOOR PLAN AND ELEVATIONS
- MP/EX-4 EXISTING MODULARS AND CAFETERIA FLOOR PLAN AND ELEVATIONS
- MP/EX-5 EXISTING AERIAL PHOTOGRAPHY

PROPOSED

Master Plan Set

- MP-1 EXISTING SITE PLAN
- MP-2 DEMOLITION SITE PLAN
- MP-3.0 PHASING PLAN
- MP-3.1 PROPOSED MASTER SITE PLAN AND SCOPE OF WORK
- MP-3.2 PROPOSED VEHICULAR STACKING AND PARKING SITE PLAN
- MP-3.3 SITE DETAILS
- MP-4 MIDDLE & HIGH SCHOOL BLDG. - FLOOR PLAN
- MP-4.1 MIDDLE & HIGH SCHOOL BLDG. - ELEVATIONS
- MP-5 GYMNASIUM BLDG. - FLOOR PLAN
- MP-5.1 GYMNASIUM BLDG. - ELEVATIONS
- MP-6 CULTURAL CENTER BLDG. FLOOR PLAN AND ELEVATIONS
- MP-7 TENNIS FACILITIES BLDG. A FLOOR PLAN AND ELEVATIONS

LANDSCAPE

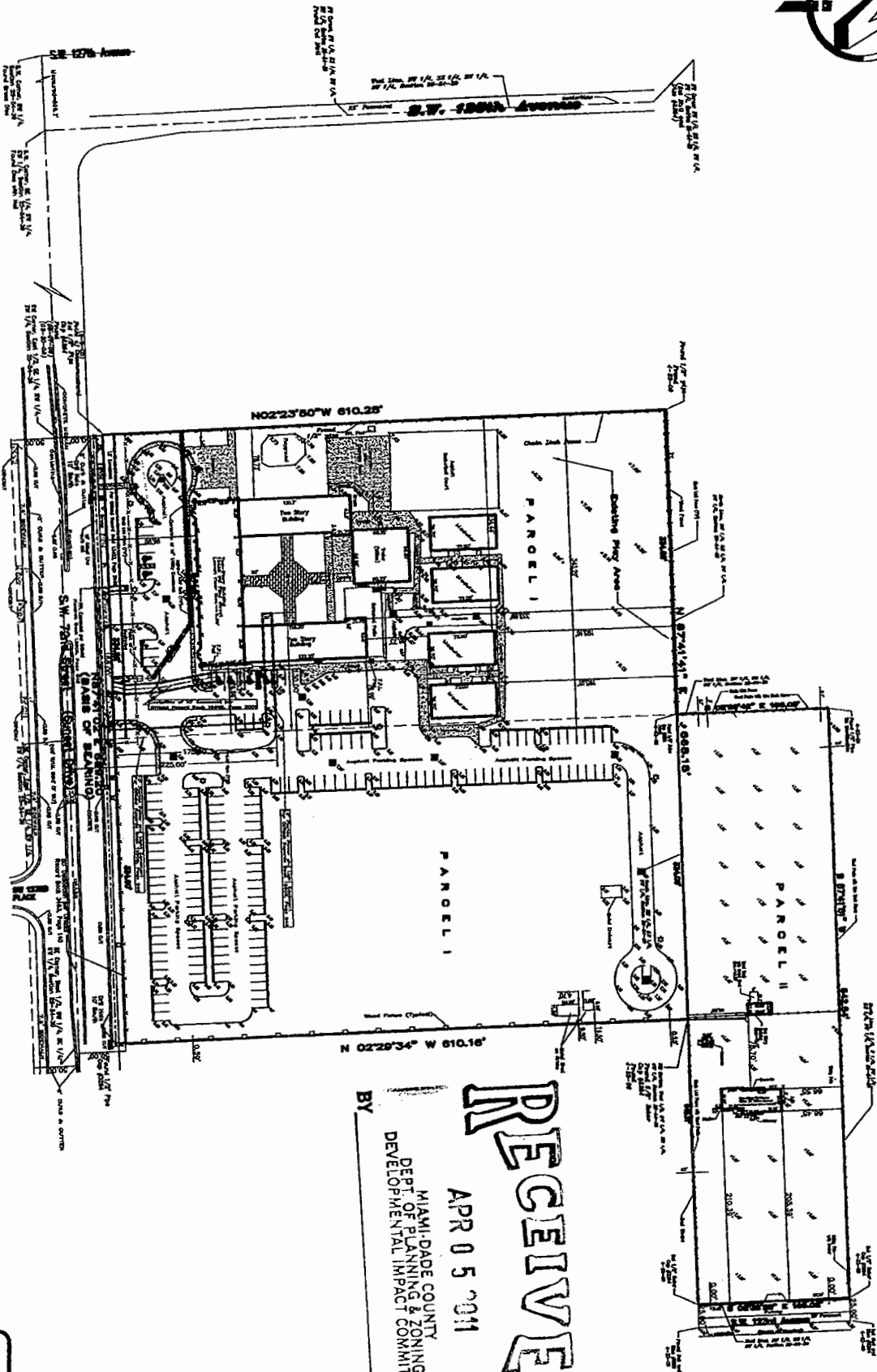
- MP/L-1 EXISTING LANDSCAPE PLAN
- MP/L-1a EXISTING LANDSCAPE SCHEDULES & SUMMARIES
- MP/L-2 PROPOSED LANDSCAPE PLAN

NO.	DATE	REVISIONS
1	04/05/08	REVISIONS TO DEMOLITION THINGS
2	04/05/08	REVISIONS TO DEMOLITION THINGS
3	04/05/08	REVISIONS TO DEMOLITION THINGS
4	04/05/08	REVISIONS TO DEMOLITION THINGS
5	04/05/08	REVISIONS TO DEMOLITION THINGS
6	04/05/08	REVISIONS TO DEMOLITION THINGS
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8	04/05/08	REVISIONS TO DEMOLITION THINGS
9	04/05/08	REVISIONS TO DEMOLITION THINGS
10	04/05/08	REVISIONS TO DEMOLITION THINGS
11	04/05/08	REVISIONS TO DEMOLITION THINGS
12	04/05/08	REVISIONS TO DEMOLITION THINGS
13	04/05/08	REVISIONS TO DEMOLITION THINGS
14	04/05/08	REVISIONS TO DEMOLITION THINGS
15	04/05/08	REVISIONS TO DEMOLITION THINGS
16	04/05/08	REVISIONS TO DEMOLITION THINGS
17	04/05/08	REVISIONS TO DEMOLITION THINGS
18	04/05/08	REVISIONS TO DEMOLITION THINGS
19	04/05/08	REVISIONS TO DEMOLITION THINGS
20	04/05/08	REVISIONS TO DEMOLITION THINGS





"ALTA/ACSM Land Title Survey"



RECEIVED

APR 05 2011

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

BY

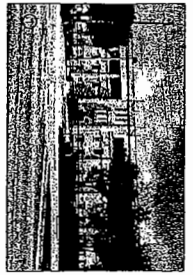
THIS DOCUMENT CONSISTS OF TWO (2) SHEETS
AND EACH SHEET SHALL NOT BE CONSIDERED
VALID UNLESS ALL SHEETS ARE ATTACHED
TO THE OTHER.

REAL

ALTA/ACSM SURVEY

Delta Surveyors, Inc.
12002 SW 133rd COURT MIAMI, FL 33186
PHONE (305) 253-0600 E-MAIL: DELTA@DELTAFLA.COM

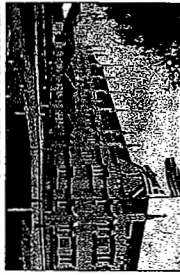
45



VIEW OF THE FRONT SCHOOL ENTRANCE FROM ACROSS SUNSET DRIVE



LOOKING INTO THE SCHOOL PROPERTY FROM THE EAST DRIVEWAY



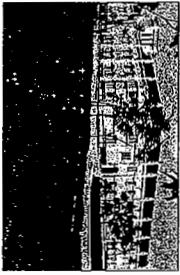
VIEW OF THE EAST EXISTING FACADE SIDE FROM THE PARKING AREA



LOOKING EAST ON SUNSET DRIVE, PEDESTRIAN CROSSING TRAFFIC LIGHT AT BACKGROUND



LOOKING ACROSS SUNSET DR. OUT FROM THE WEST MAIN ACCESS DRIVEWAY



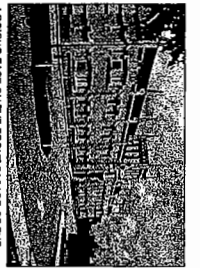
LOOKING WEST AT THE SW CORNER OF THE EXISTING BUILDING



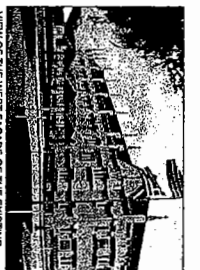
LOOKING WEST ALONG THE LANDSCAPED BUFFER ON SUNSET DRIVE



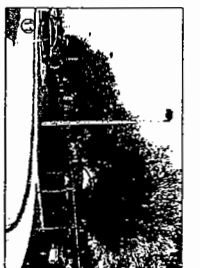
VIEW OF THE OAK TREES BORDERING THE FOOT AND ALONG SUNSET DR. IN FRONT OF THE EXISTING BUILDING



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 PICKUP AREA



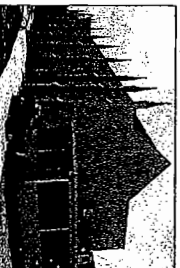
VIEW OF THE MATURE OAK TREES BORDERING ALONG SUNSET DRIVE



ALONG THE WESTERN PROPERTY LINE, AN EXISTING RELIGIOUS INSTITUTION THICK FIGS HEDGES PROVIDE PRIVACY.



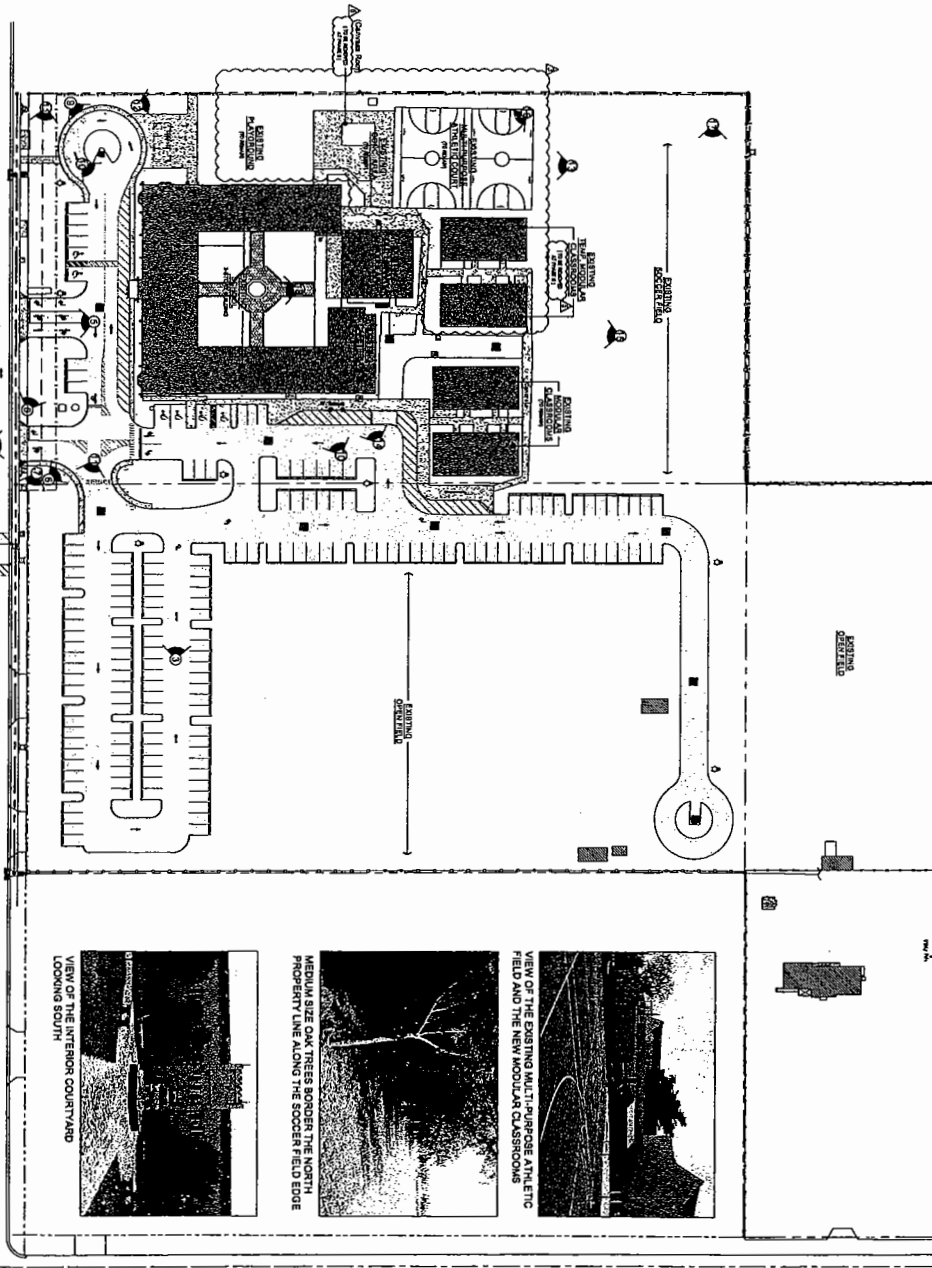
VIEW OF THE REAR AND WEST FACADES LOOKING SOUTH WITH THE MULTI-PURPOSE ATHLETIC FIELDS IN FOREGROUND



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 CLASSROOMS IN FOREGROUND



RECEIVED

APR 05 2011

EXISTING MASTER PLAN

SCALE: 1" = 40'

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

BY

ARCHIMEDEAN ACADEMY, INC
MASTER PLAN for Middle and High School Expansion
12425 Sunset Dr. Miami, Florida 33183

SITE PHOTOGRAPHS
TAKEN ON AUGUST 23, 2008
and SEPTEMBER 06, 2010
D.I.C. SUBMITTAL

ANTHONY E. TZAMTZIS, AIA
ARCHITECT AR 09207

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EMAIL: atzamtzis@architect.com

03-23-10	RESP. TO ZONING COMMISSION'S Request Survey
08-06-10	UPDATED PLAN AND PHOTO

46



ANOTHER VIEW OF THE INTERIOR COURTYARD LOOKING WEST



VIEW OF THE INTERIOR SINGLE LOADED CORRIDOR OPEN TO THE OUTSIDE



THE INTERIOR OPEN CORRIDOR EAST



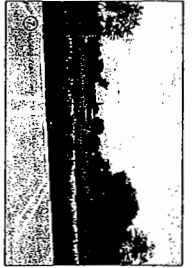
VIEW ACROSS THE LANDSCAPED INTERSECTION OF SUNSET AND SW 12TH AVE LOOKING EAST WITH ANOTHER NURSERY BUSINESS



MATURE PALM TREES ACROSS THE SITE ALONG THE EAST PROPERTY LINE



LOOKING NORTH WITH THE EXISTING TWO CLASSROOM BUILDINGS AT THE BACKGROUND



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



LOOKING SOUTH ALONG THE EASTERN BOUNDARY LINE WITH TREES IN THE BACKGROUND



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



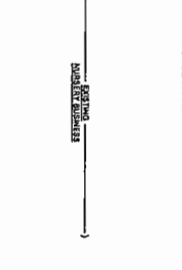
SW LOOKING EAST ACROSS THE EXISTING OPEN FIELD



LOOKING EAST TOWARDS SW 12TH AVE



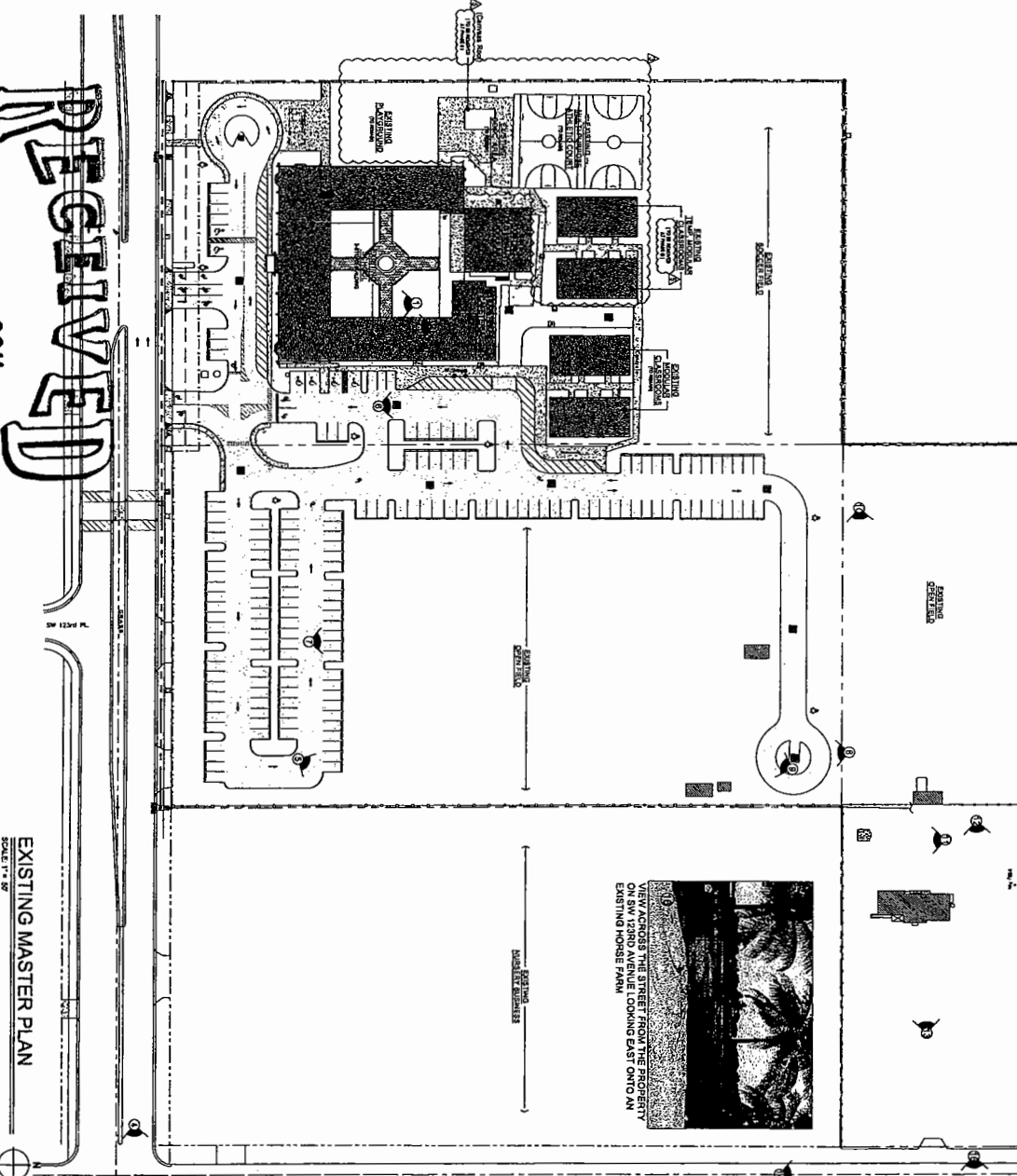
VIEW OF THE EXISTING BUILDING TO BE REMOVED LOOKING WEST



VIEW OF THE FRONT AREA OF THE PROPERTY LOOKING NORTH ON SW 12TH AVE



LOOKING SOUTH ON THE SW 12TH AVENUE AT THE EXISTING RESIDENCE ABUTTING THE SITE ON THE NORTH SIDE



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DEPT. OF PLANNING & ZONING
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EXISTING MASTER PLAN
SCALE 1" = 50'

47

ARCHIMEDEAN ACADEMY, INC
MASTER PLAN for Middle and High School Expansion
12425 Sunset Dr, Miami, Florida 33183

SITE PHOTOGRAPHS
TAKEN ON AUGUST 23, 2008
AND SEPTEMBER 06, 2010
D.I.C. SUBMITTAL

ANTHONY E. TZAMTZIS, AIA
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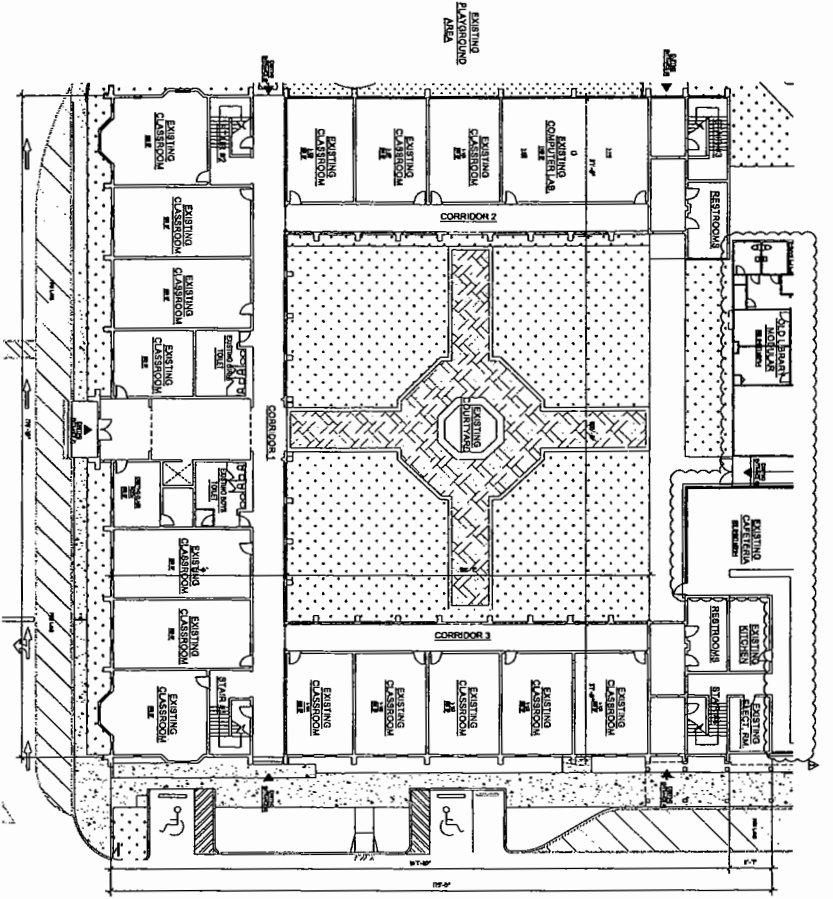
03-22-10	RESP. TO ZONING COMMITTEE (Updated Survey)
08-08-08	UPDATED PLAN AND PHOTOS

09-23-08
AS NOTED
09-21-08
MP/EX-2

RECEIVED

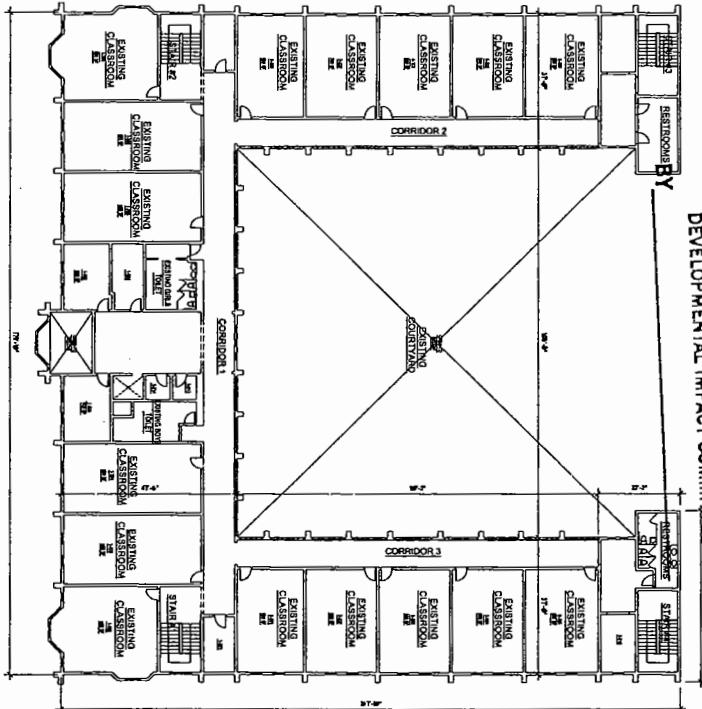
APR 05 2011

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE



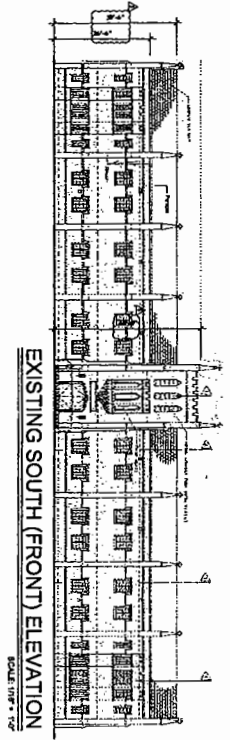
EXISTING ELEMENTARY SCHOOL BUILDING - FIRST FLOOR PLAN
SCALE 1/8" = 1'-0"

EXISTING ELEMENTARY SCHOOL BLDG.
GROUND FLOOR GROSS SF AREA (GSF): 17,770 SF

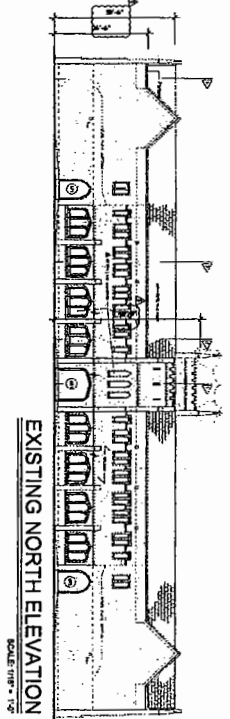


EXISTING ELEMENTARY SCHOOL BUILDING - SECOND FLOOR PLAN
SCALE 1/8" = 1'-0"

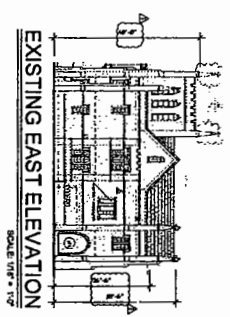
EXISTING ELEMENTARY SCHOOL BLDG.
SECOND FLOOR GROSS SF AREA (GSF): 17,750 SF



EXISTING SOUTH (FRONT) ELEVATION
SCALE 1/8" = 1'-0"



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



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

ARCHIMEDEAN ACADEMY, INC
MASTER PLAN for Middle and High School Expansion
12425 Sunset Dr. Miami, Florida 33183

EXISTING ELEMENTARY
SCHOOL BUILDING
PLANS & ELEVATIONS
D.I.C. SUBMITTAL

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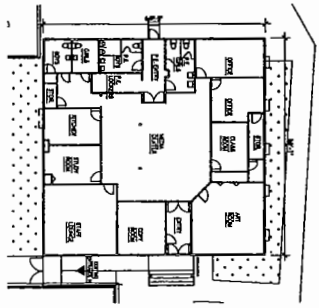
MP/EX-3

48

RECEIVED

APR 05 2011

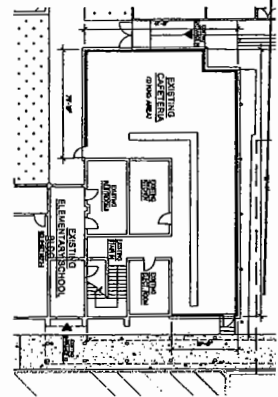
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE



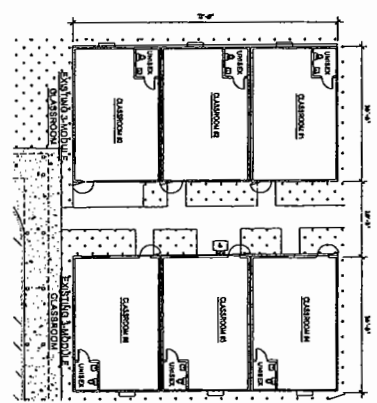
EXISTING OLD LIBRARY MODULAR - FLOOR PLAN



EXISTING SCREENED CAFETERIA - FLOOR PLAN



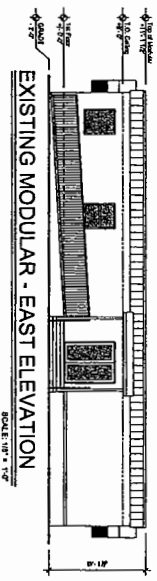
EXISTING MODULAR CLASSROOMS - FLOOR PLAN



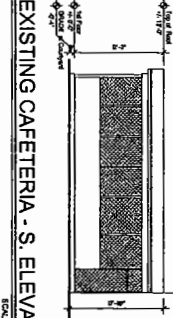
EXISTING OLD LIBRARY MODULAR
GROUND FLOOR GROSS SF AREA (GSF): 3,530 SF

EXISTING CAFETERIA
GROUND FLOOR GROSS SF AREA (GSF): 2,100 SF

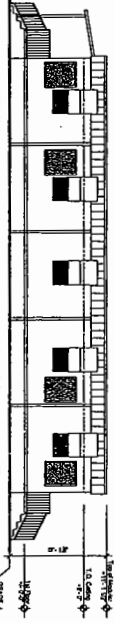
EXISTING 3- MODULAR CLASSROOMS
GROUND FLOOR GROSS SF AREA (GSF): 5,256 SF (Total for two)



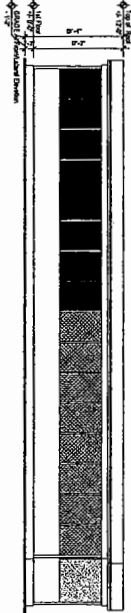
EXISTING MODULAR - EAST ELEVATION



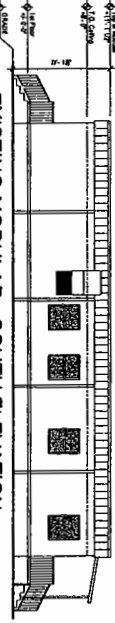
EXISTING CAFETERIA - S. ELEVATION



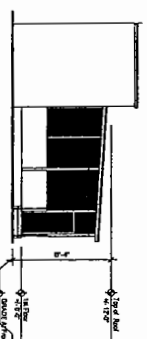
EXISTING MODULAR - NORTH ELEVATION



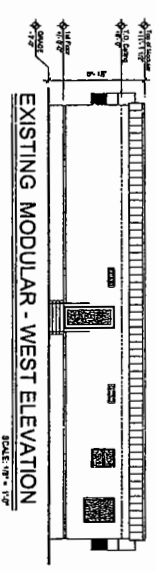
EXISTING CAFETERIA - N. ELEVATION



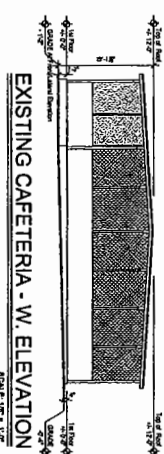
EXISTING MODULAR - SOUTH ELEVATION



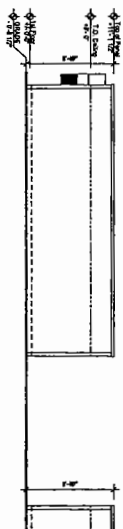
EXISTING CAFETERIA - E. ELEVATION



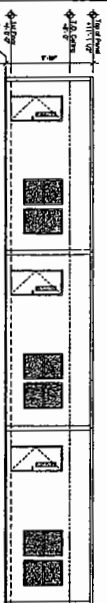
EXISTING MODULAR - WEST ELEVATION



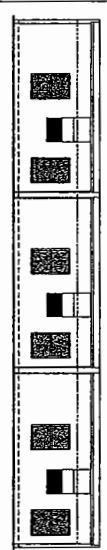
EXISTING CAFETERIA - W. ELEVATION



EXISTING MODULAR - S. & N. ELEVATION. (TYP)



EXISTING MODULAR - WEST ELEVATION



EXISTING MODULAR - EAST ELEVATION

ARCHIMEDEAN ACADEMY, INC
MASTER PLAN for Middle and High School Expansion
12425 Sunset Dr. Miami, Florida 33183

EXISTING MODULAR
BUILDINGS
PLANS & ELEVATIONS
D.I.C. SUBMITTAL

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DATE	04-05-11
BY	RESPONSE TO EXHIBIT COMMENTS

49

50

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

BY _____

**SINGLE FAMILY
RESIDENTIAL**

HORSE FARM

COMMERCIAL
NURSERY

**COMMERCIAL
NURSERY**

ELEMENTARY SCHOOL
(Vacant)

VACANT

**SINGLE FAMILY
RESIDENTIAL**

**SF. RESIDENTIAL
AND HORSE FARM**

COMMERCIAL
NURSERY

CHURCH

OFFICE

CHURCH



EXISTING AERIAL PHOTOGRAPHY WITH ADJACENT USES

3425 TIGHE ROAD, AVENUE, MIAMI, FL 33133
PH: (305) 389-0008 FAX: (305) 877-3542
EMAIL: stacy@csa@bellsouth.net

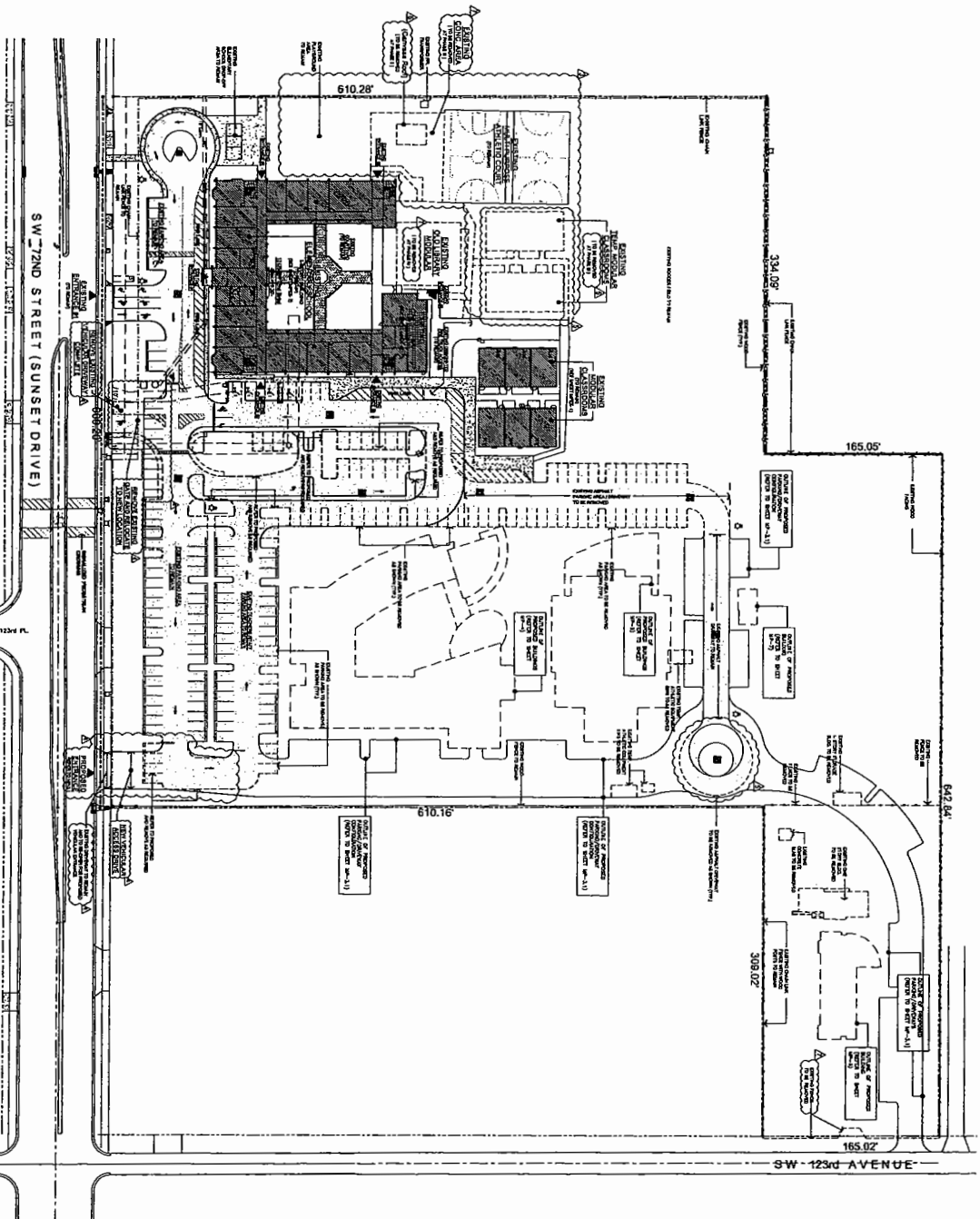
D.I.C. SUBMITTAL

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APR 05 2011

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

DEMOLITION SITE PLAN



DEMOLITION NOTES:

1. The proposed demolition is scheduled to be begun. Demolition is to be completed as shown on Sheet MP-2.10.
2. All existing improvements to be protected during demolition.
3. Maintain all safety to the existing operations and the accessibility at all times.

ARCHIMEDEAN ACADEMY, INC
MASTER PLAN for Middle and High School Expansion
12425 Sunset Dr. Miami, Florida 33183

DEMOLITION
SITE PLAN
D.I.C. SUBMITTAL

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3401 TIGERTRAIL AVENUE, MIAMI, FL 33133
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EMAIL: atzamtzis@architect.com

62-01-01	RESP. TO D.I.C. COMMENTS (Required Review)
62-01-02	RESP. TO MDC Public Works Traffic Dept. Comments
62-01-03	RESPONSE TO D.I.C. COMMENTS
62-01-04	RESPONSE TO D.I.C. COMMENTS

52



ALCOHOL-INDUCED CUNYITY, PHILIPPA - (Casper, M), *Learning*

ZONEING / DISTRICT : Q1C
 NET LOT AREA : 514,444 SF OR 11.81 ACRES

EXISTING NEIGH BUILDING
Front 25.0'

The existing New Making one story modular prefabricated classroom buildings are temporary and meet all building requirements as shown in the plan and cross section.

Side (wall)	30.0"
Side (floor)	30.0"

Year	2000
2001	30.0

Slide (growth) S.O. 9°

2011 KNITTING: BUILDING NEW TO

Extending Cefazolin Patenting Beyond Nucleic

Existing Wordforms in the Classroom (2 Dullhouse)

2100 PACIFIC BLVD. S.W.

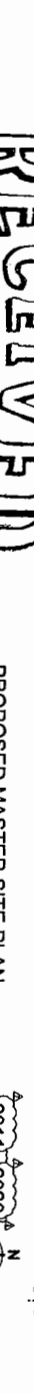
New Covered Walkway New Tennis Facilities

BUILDING AREA SUMMARY

TOTAL AND A KNISSTING A PH

DOI-607 ENHANCE

10



These planets submitted as part of a U.I.C. application by the Archimedeian Academy, Inc. Charter Schools requesting an increase in student enrollment to

1. Master Plan for the entire 11.8-acre property depicting expansion of the

Calculus, Media, and Administration areas for 6-12 grades. This 2 story

3. **New Indoor Gymnasium Building with a multi-purpose indoor play court**
 A with 600 bleacher seating capacity locker rooms, exercise rooms, athletic

4. New Cultural Center with small indoor auditorium, offices and facility

5. New outdoor athletic facilities to include four new outdoor tennis courts.

- New additional parking and improvement the existing interior traffic

Figure 1

[illegible]

2011-2020

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00-00-00

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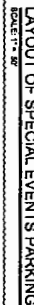
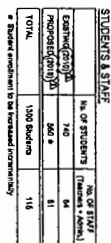
N	
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Age Group	Percentage
18-29	65
30-49	75
50-69	85
70+	88

[illegible]

APR 05 2011

By

167[illegible]

EXISTING / NEW / PLANNING BREAKDOWN			
STANDARD PARKING STALL	HOV-3+ PARKING STALL	SUB-TOTAL	TOTAL PARKING PROPOSED
EXISTING / PLANNING	164	8	171
EXISTING / ALLOCATED TO BE ALLOCATED	64	2	66
EXISTING / PLANNING	109	10	119
TOTAL	164	12	176

PROPOSED VEHICULAR STACKING / PARKING SITE PLAN

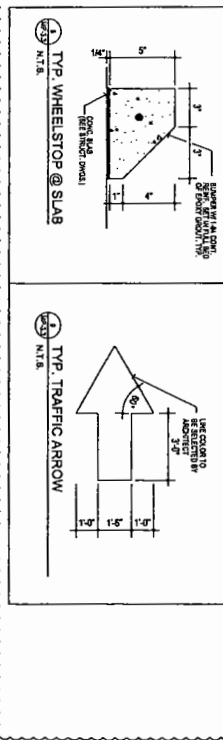
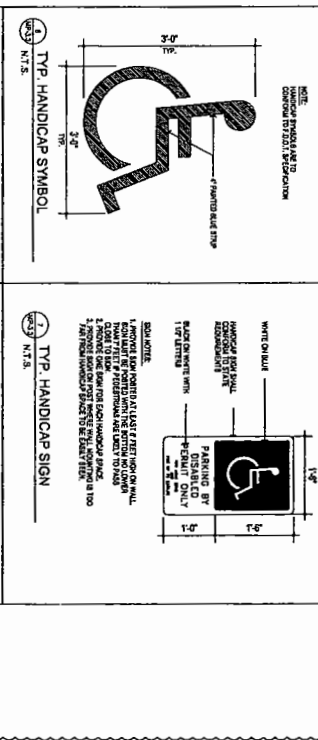
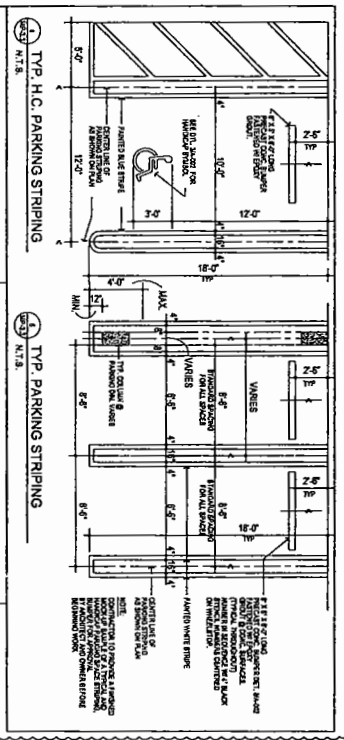
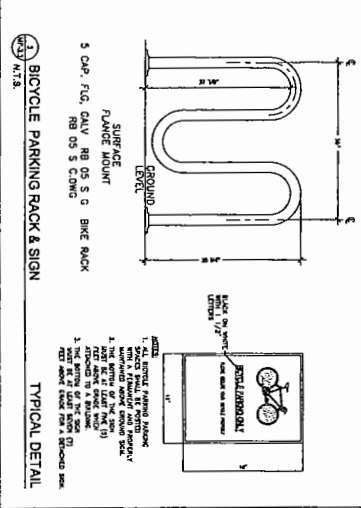
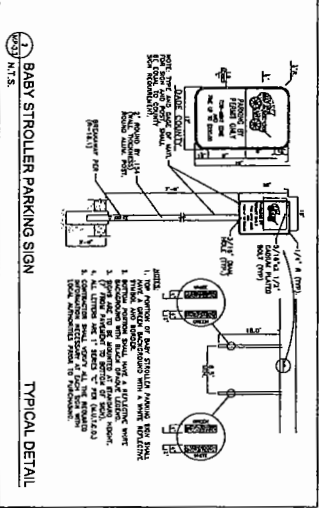
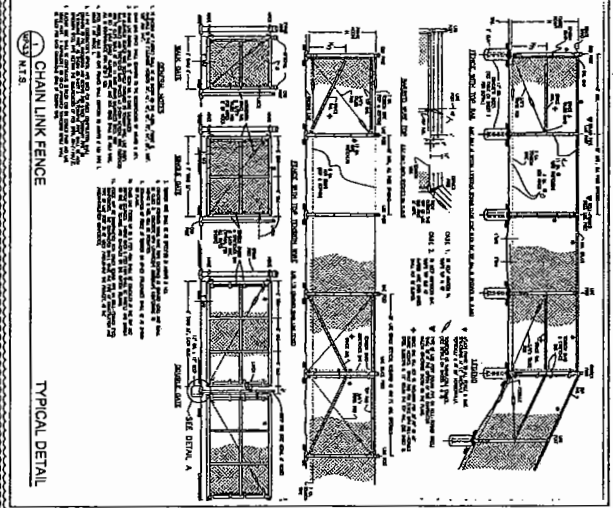
Sheet Title: **PROP. VEHICULAR & PARKING SITE PLAN**

Submitted: **D.I.C. SUBMITTAL**

2421 TIGER TAIL AVE/NEUF, 68868, FL 32132
 PH: (305) 369-9008 FAX: (305) 857-3542
 EMAIL: steve@neuf.com

01-23-08	RESPONSE TO ZONING/TRAFFIC COMMENTS
03-27-08	RESPONSE TO ZONING COMMENTS
03-30-08	RESP. TO ZONING COMMENTS Received from Neighbors to Zoning Comments
04-08-10	MDC Public Works Traffic Dept. Comments
11-17-10	RESPONSE TO ZONING/TRAFFIC COMMENTS
01-08-11	RESPONSE TO ZONING COMMENTS
03-08-11	RECEIVED BY ZONING COMMENTS

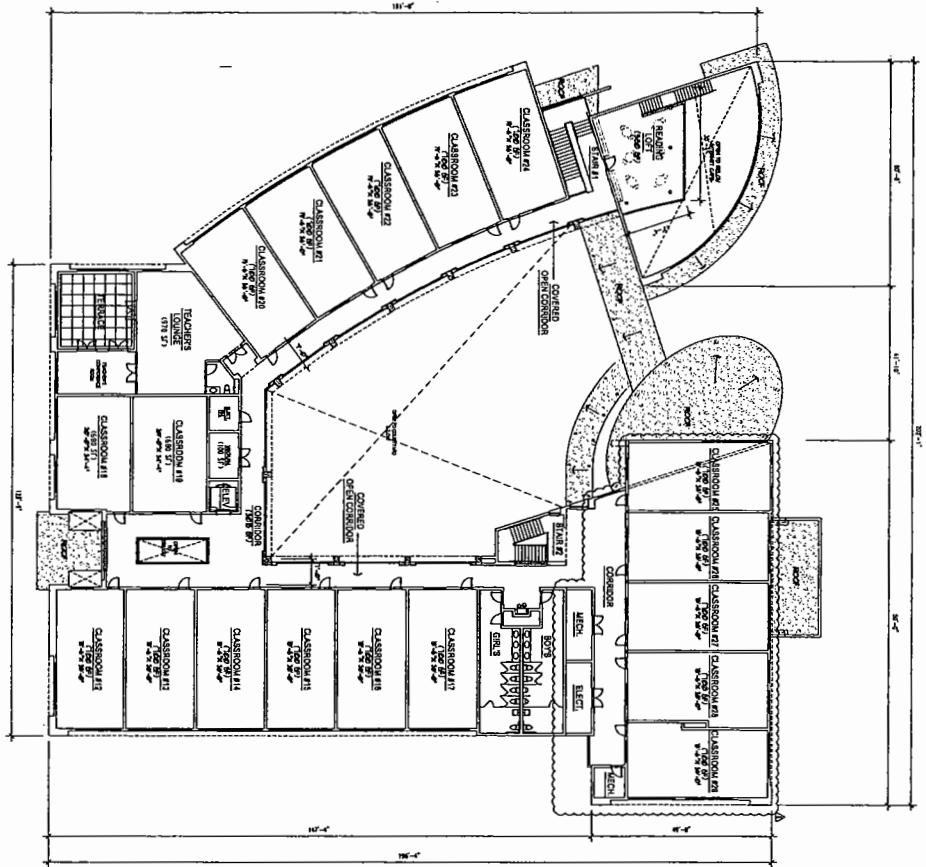
55



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MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

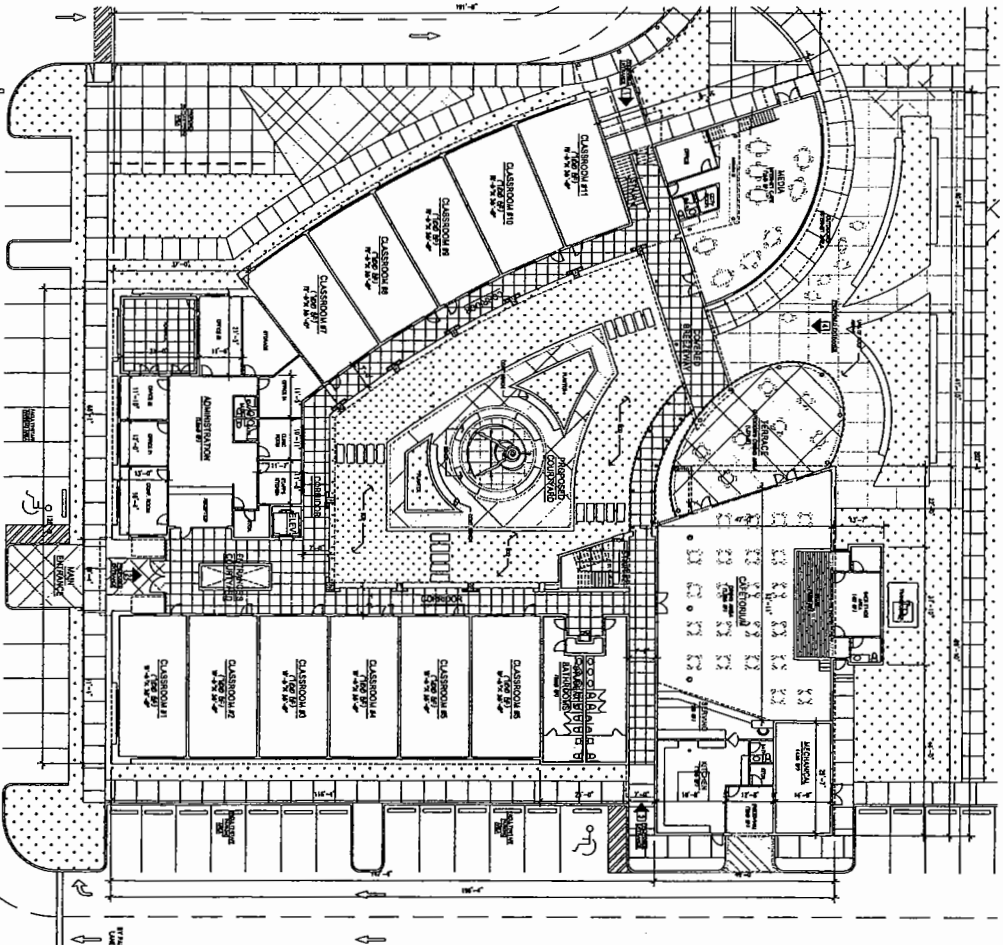
SITE PLAN DETAILS

56



PROPOSED MIDDLE & HIGH SCHOOL BLDG. - SECOND FLOOR PLAN

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



PROPOSED MIDDLE & HIGH SCHOOL BLDG. - FIRST FLOOR PLAN

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



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APR 05 2011

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

BY

FIRST FLOOR GROSS SF AREA (GSF) : 23,145 SF
COVERED TERRACE SF AREA (GSF) : 1,535 SF
TOTAL LOT COVERAGE : 24,680 SF

FIRST FLOOR GROSS SF AREA (GSF) : 23,145 SF
SECOND FLOOR GSF AREA : 21,990 SF
TOTAL BUILDING GSF : 45,135 SF

ARCHIMEDEAN ACADEMY, INC
MASTER PLAN for Middle and High School Expansion
12425 Sunset Dr. Miami, Florida 33183

MIDDLE & HIGH SCHOOL BLDG. FLOOR PLANS
D.I.C. SUBMITTAL

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01-23-09	RESPONSE TO ZONING AND TRAFFIC COMMENTS
02-27-09	RESPONSE TO ZONING COMMENTS
03-22-10	RESPONSE TO ZONING COMMENTS (Public Hearing Survey)
03-22-10	RESPONSE TO ZONING COMMENTS
03-22-10	MDC Public Works Traffic Dept. Comments
11-12-10	RESPONSE TO ZONING AND TRAFFIC COMMENTS
01-05-11	RESPONSE TO ZONING COMMENTS

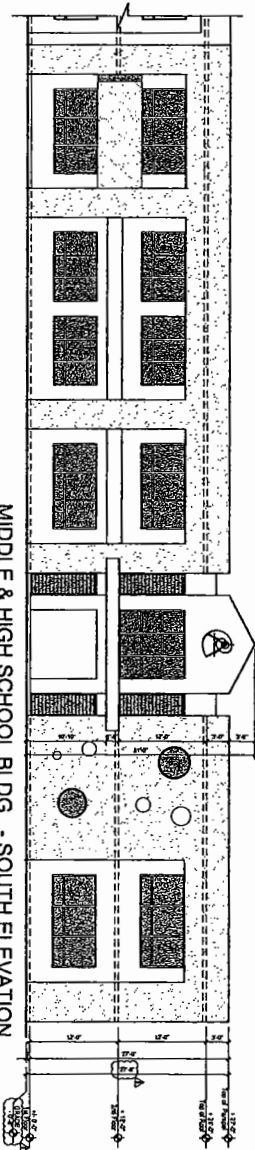
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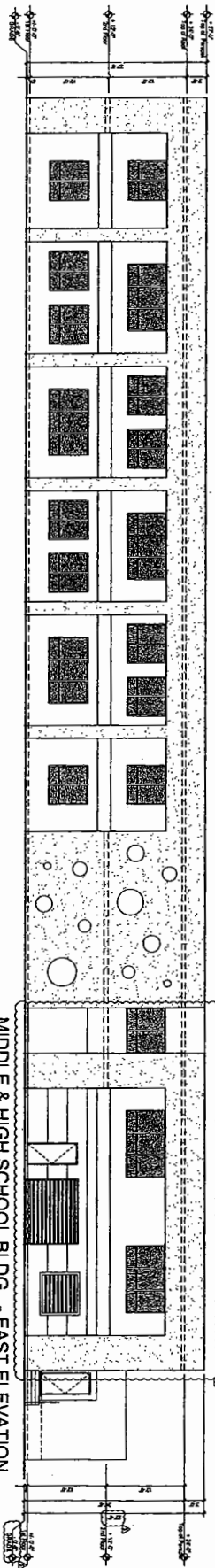
APR 05 2011

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

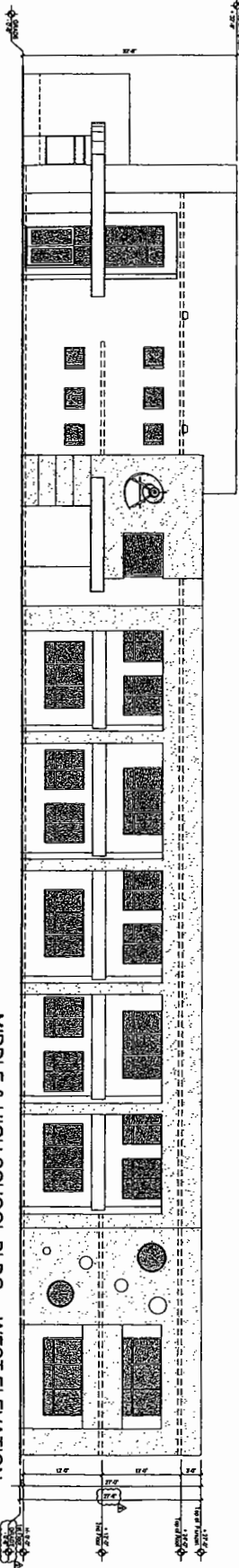
BY _____



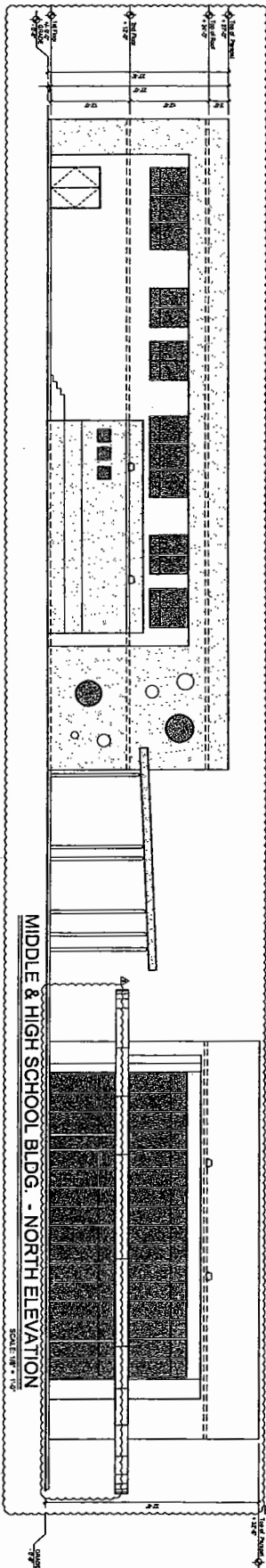
MIDDLE & HIGH SCHOOL BLDG. - SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



MIDDLE & HIGH SCHOOL BLDG. - EAST ELEVATION
SCALE: 1/8" = 1'-0"



MIDDLE & HIGH SCHOOL BLDG. - WEST ELEVATION
SCALE: 1/8" = 1'-0"



MIDDLE & HIGH SCHOOL BLDG. - NORTH ELEVATION
SCALE: 1/8" = 1'-0"

ARCHIMEDEAN ACADEMY, INC
MASTER PLAN for Middle and High School Expansion
12425 Sunset Dr. Miami, Florida 33183

**MIDDLE & HIGH SCHOOL BLDG.
ELEVATIONS**
D.I.C. SUBMITTAL

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EMAIL: atzamtzis@aiaarchitect.com

01-23-09	RESPONSE TO ZONING AND TRAFFIC COMMENTS
03-27-09	RESPONSE TO ZONING COMMENTS
03-22-10	RESP. TO ZONING COMMENTS (second Survey)
05-08-10	RE: RESPONSE TO ZONING COMMENTS
11-12-10	MDC Public Works Traffic Dept. Comments
11-12-10	RESPONSE TO ZONING AND TRAFFIC COMMENTS
01-05-11	RESPONSE TO ZONING COMMENTS

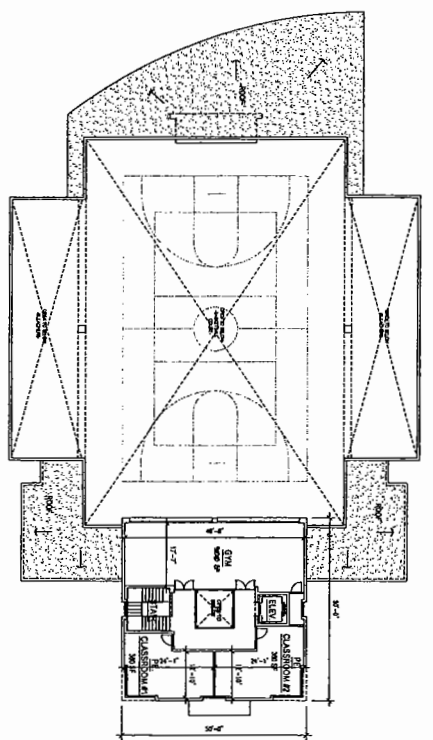
58

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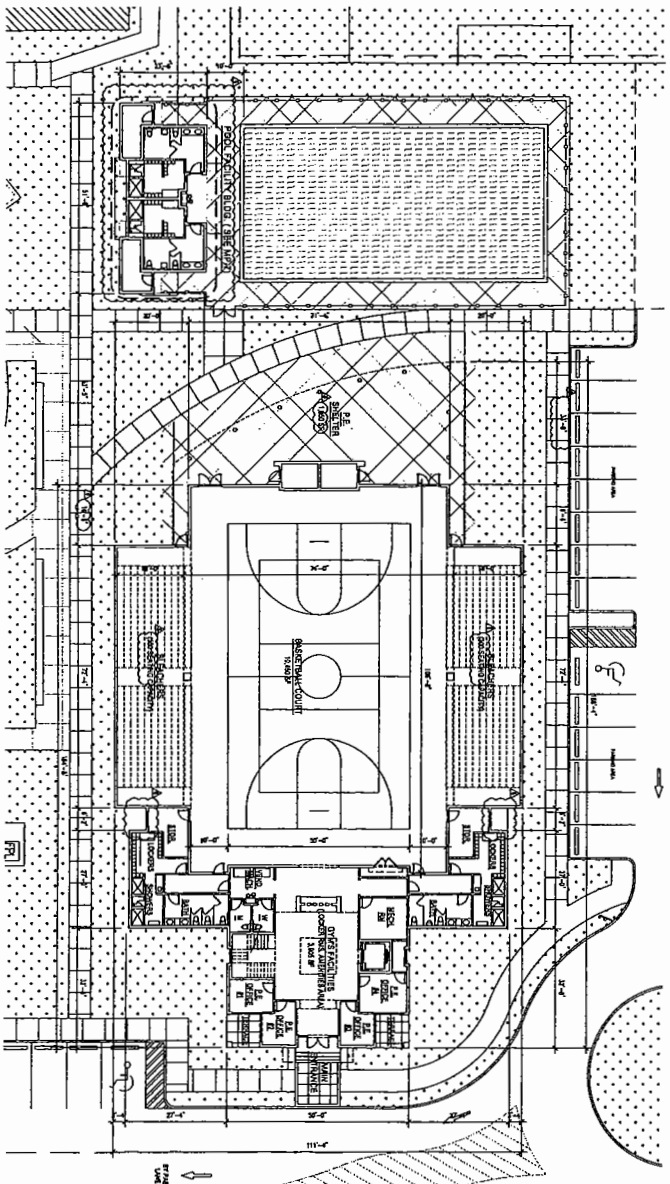
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

BY



GYMNASIUM BUILDING - SECOND FLOOR PLAN

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



GYMNASIUM BUILDING - FIRST FLOOR PLAN

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

SEATING CAPACITY: 600 Persons
(See Parking Calculations at sheet MP-3.2)

BASKETBALL COURT / BLEACHERS	: 10,450 SF
FIRST FLOOR GSF AREA (BLDG. FACILITIES)	: 3,905 SF
TOTAL FIRST FLOOR GROSS SF AREA (GSF)	: 14,355 SF
+ COVERED P.E. SHELTER	: 1,850 SF
TOTAL LOT COVERAGE	: 16,305 SF
FIRST FLOOR GSF AREA	: 14,355 SF
SECOND FLOOR GSF AREA	: 2,500 SF
TOTAL BUILDING GSF	: 16,855 SF

ARCHIMEDEAN ACADEMY, INC
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12425 Sunset Dr. Miami, Florida 33183

**GYMNASIUM BLDG.
FLOOR PLANS**
D.I.C. SUBMITTAL

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01-23-08	RESPONSE TO ZONING AND TRAFFIC COMMENTS
02-27-08	RESPONSE TO ZONING COMMENTS
03-22-08	RESP. TO ZONING COMMENTS (owner Survey)
03-28-08	REPORTS TO ZONING COMMENTS
08-08-08	ADDC Public Works Traffic Dept. Comments
11-07-08	RESPONSE TO ZONING AND TRAFFIC COMMENTS
01-05-11	RESPONSE TO ZONING COMMENTS

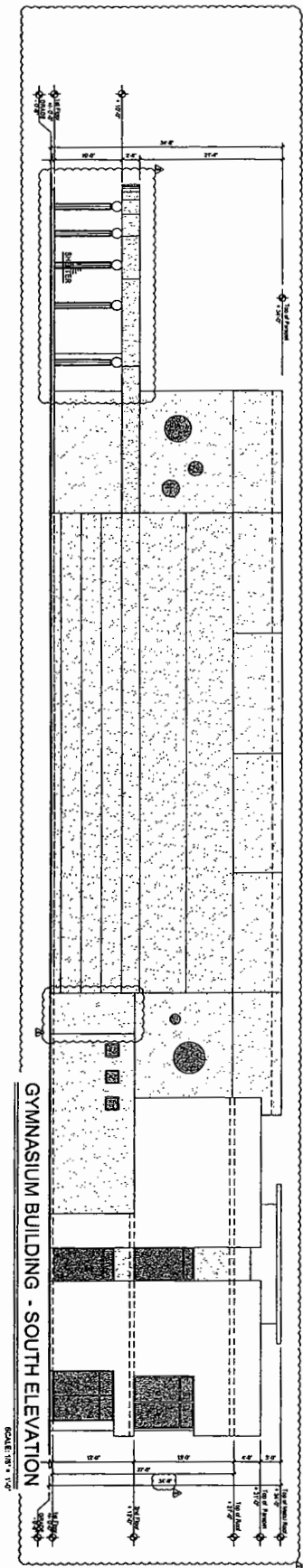
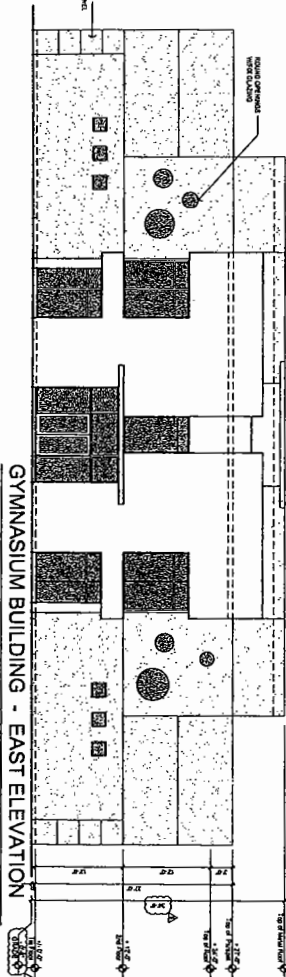
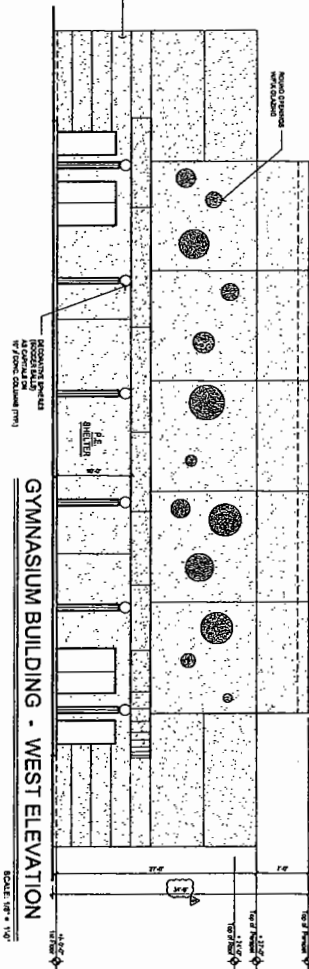
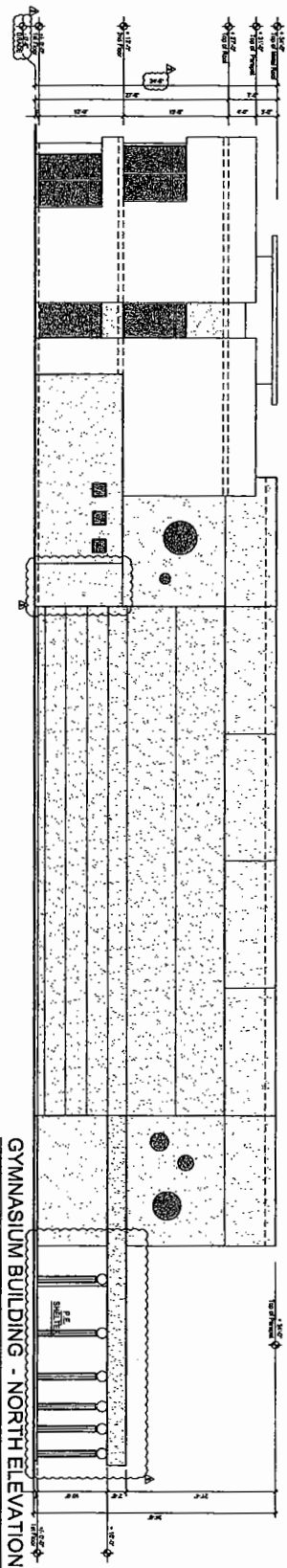
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MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

BY _____



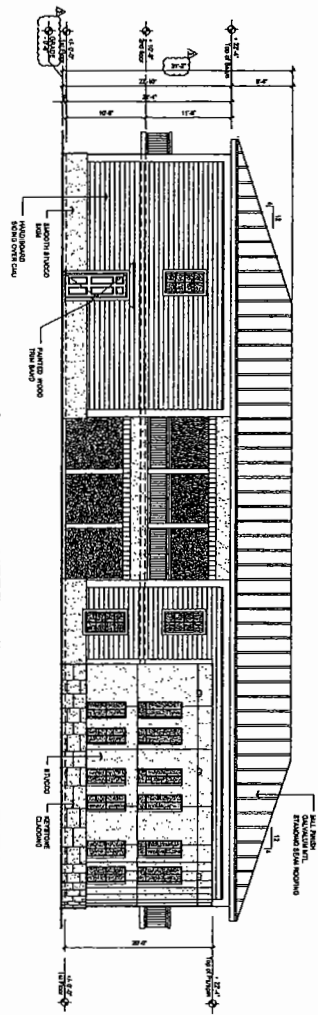
ARCHIMEDEAN ACADEMY, INC
MASTER PLAN for Middle and High School Expansion
12425 Sunset Dr. Miami, Florida 33183

GYMNASIUM BLDG. ELEVATIONS
D.I.C. SUBMITTAL

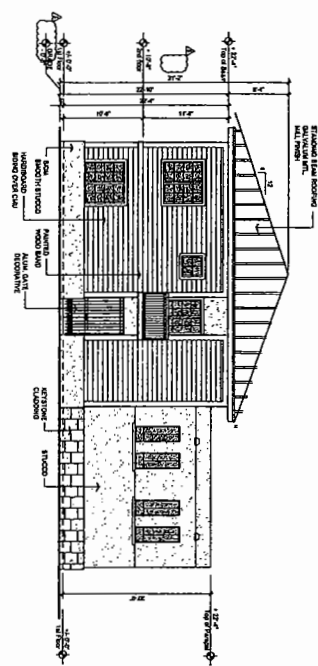
ANTHONY E. TZAMTZIS, AIA
ARCHITECT AR 09207
3421 TROJAN AVENUE, MIAMI, FL 33133
PH: (305) 896-8008 FAX: (305) 896-2502
EMAIL: atzamtzis@earthlink.net

01-23-08	RESPONSE TO ZONING AND TRAFFIC COMMENTS
03-27-08	RESPONSE TO ZONING COMMENTS
03-27-08	RESP. TO ZONING (CONCEPT) RESPONSE SURVEY
08-05-10	MDC Public Works Traffic Dept. Comments
11-17-10	RESPONSE TO ZONING AND TRAFFIC COMMENTS
01-05-11	RESPONSE TO ZONING COMMENTS

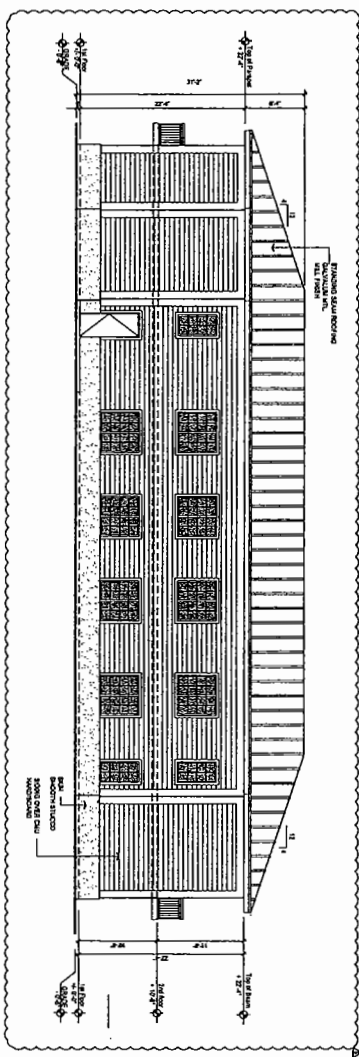
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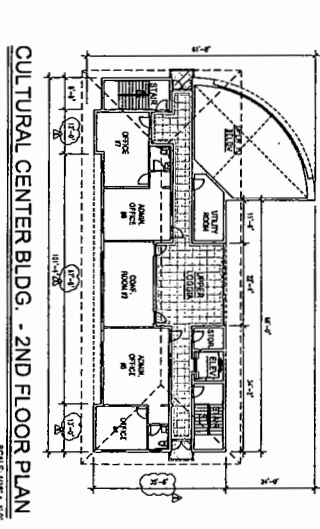
CULTURAL CENTER BUILDING - NORTH ELEVATION
SCALE: 1/8" = 1'-0"



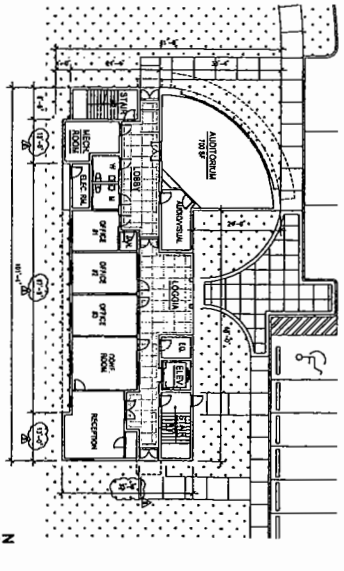
CULTURAL CENTER BUILDING - EAST ELEVATION
SCALE: 1/8" = 1'-0"



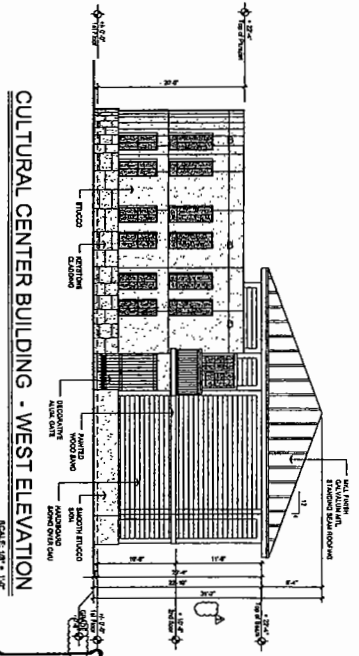
CULTURAL CENTER BUILDING - SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



CULTURAL CENTER BLDG. - 2ND FLOOR PLAN
SCALE: 1/8" = 1'-0"



CULTURAL CENTER BLDG. - 1ST FLOOR PLAN
SCALE: 1/8" = 1'-0"



CULTURAL CENTER BUILDING - WEST ELEVATION
SCALE: 1/8" = 1'-0"

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AUDITORIUM AREA : 700 SF
SEATING CAPACITY : 50 PERSONS
FIRST FLOOR GROSS SF AREA (GSF) : 3,920 SF
SECOND FLOOR GSF AREA : 2,841 SF
TOTAL BUILDING GSF : 6,761 SF

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

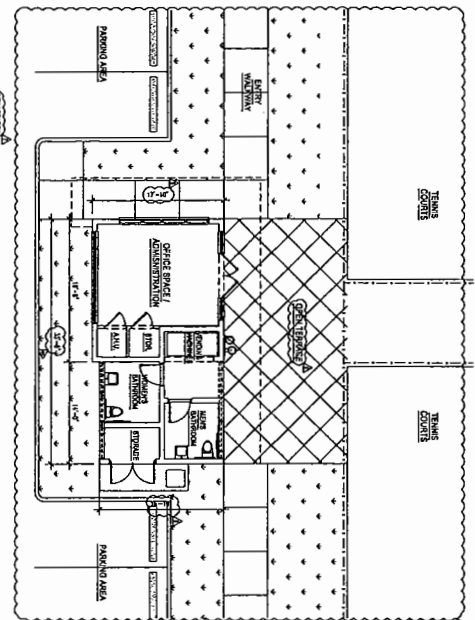
ARCHIMEDEAN ACADEMY, INC
MASTER PLAN for Middle and High School Expansion
12425 Sunset Dr. Miami, Florida 33183

CULTURAL CENTER PLANS / ELEV.
D.I.C. SUBMITTAL

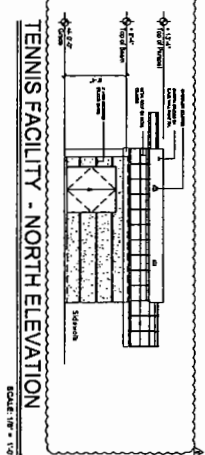
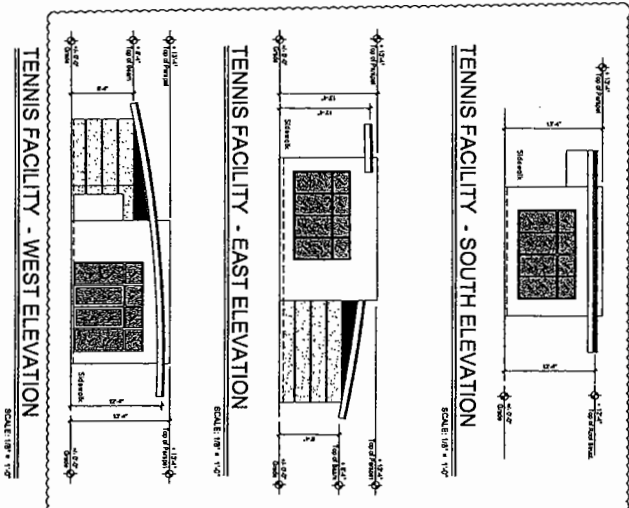
ANTHONY E. TZAMTZIS, AIA
ARCHITECT AR 09237
301 THERMAL AVENUE, MIAMI, FL 33132
PH: (305) 386-8808 FAX: (305) 386-8802
EMAIL: antony@tzamtzis.net

01-20-09	RESPONSE TO ZONING AND TRAFFIC COMMENTS
03-21-09	RESPONSE TO ZONING COMMENTS
03-23-09	RESP. TO ZONING COMMENTS (second survey)
08-08-09	APPROACH TO SCHOOL COMMENTS
08-08-09	MDC Public Works Traffic Dept. Comments
11-12-09	RESPONSE TO ZONING AND TRAFFIC COMMENTS
01-06-10	RESPONSE TO ZONING COMMENTS

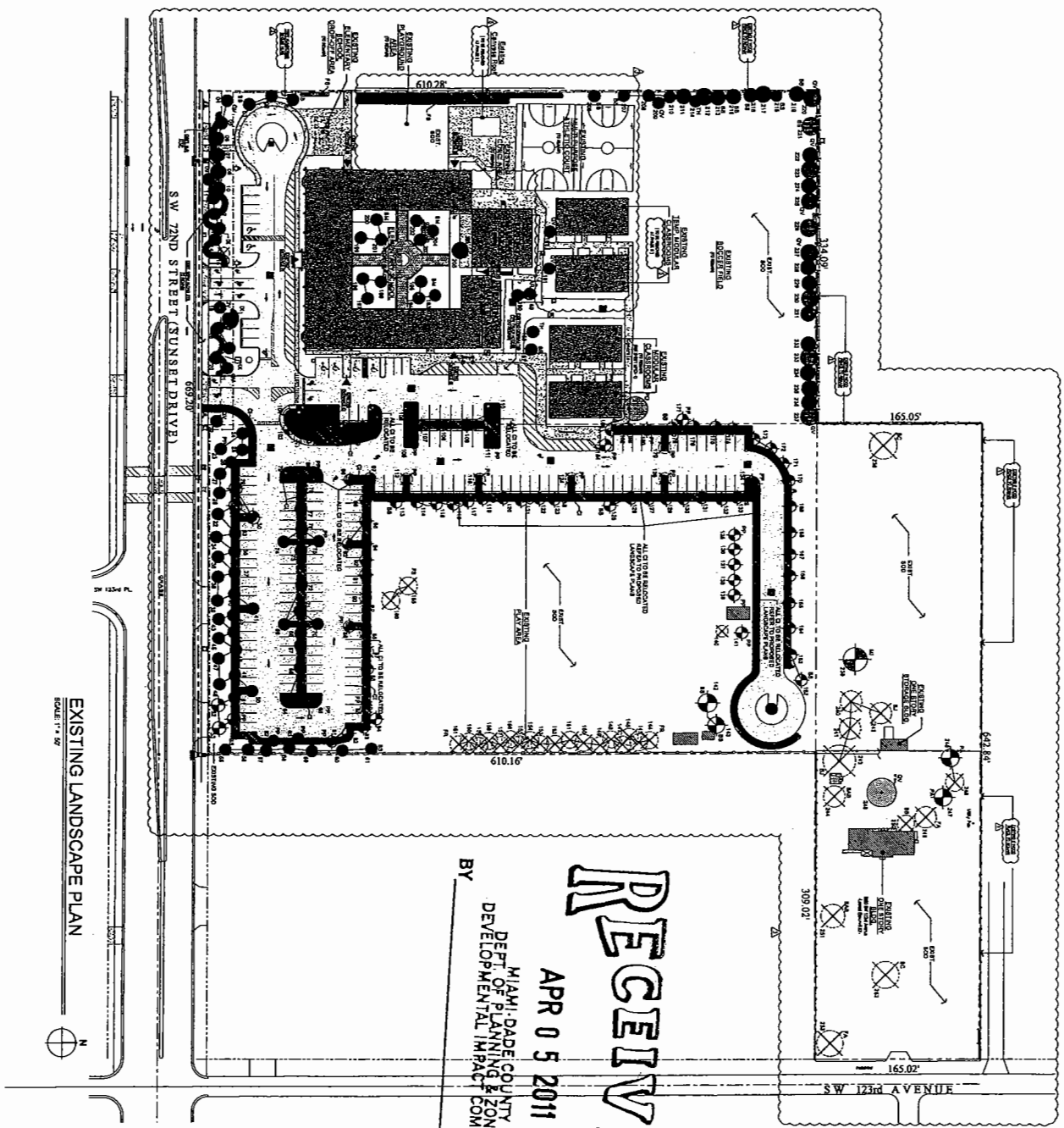
61



TENNIS FACILITY BLDG. - FLOOR PLAN
 TENNIS FACILITY BUILDING
 GROUND FLOOR GROSS SF AREA (GSF) : 585 SF
 SCALE: 1/8" = 1'-0"



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 MIAMI-DADE COUNTY
 DEPT. OF PLANNING & ZONING
 DEVELOPMENTAL IMPACT COMMITTEE
 BY _____



EXISTING LANDSCAPE PLAN
SCALE: 1" = 50'



TREE LEGEND

REFER TO SHEET MPL-18 FOR TREE INVENTORY AND SUMMARY

- EXISTING TREE TO REMAIN
- EXISTING TREE TO BE REMOVED
- EXISTING TREE TO BE RELOCATED
- EXISTING TREE TO BE RETAINED ON SITE
- EXISTING TREE TO BE RELOCATED AS SHOWN
- EXISTING TREE TO BE RETAINED AS SHOWN
- EXISTING TREE TO BE RETAINED AS SHOWN

D - DIAMETER TREE TYPE AT INVENTORY LOCATION
- DIAMETER TREE NUMBER AT INVENTORY LOCATION

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 APR 05 2011
 MIAMI-DADE COUNTY
 DEPT. OF PLANNING & ZONING
 DEVELOPMENTAL IMPACT COMMITTEE
 BY _____

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 APR 05 2011
 MIAMI-DADE COUNTY
 DEPT. OF PLANNING & ZONING
 DEVELOPMENTAL IMPACT COMMITTEE
 BY _____

<p>ARCHIMEDEAN ACADEMY, INC MASTER PLAN for Middle and High School Expansion 12425 Sunset Dr. Miami, Florida 33183</p>	<p>EXISTING LANDSCAPE PLAN D.I.C. SUBMITTAL</p>	<p>ANTHONY E. TZAMTZIS, AIA ARCHITECT AR 09207 2421 FORESTAL AVENUE, MIAMI, FL 33133 PH: (305) 399-9009 FAX: (305) 457-2542 EMAIL: atzamtzis@aia.com</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"> <p>DATE: 03-21-11 DRAWN: AS NOTED CHECK: 03-21-11 TITLE: MPL-1</p> </td> <td style="width: 50%;"> <p>RESP. TO ZONING COMMENTS (Detailed Survey)</p> </td> </tr> </table>	<p>DATE: 03-21-11 DRAWN: AS NOTED CHECK: 03-21-11 TITLE: MPL-1</p>	<p>RESP. TO ZONING COMMENTS (Detailed Survey)</p>
<p>DATE: 03-21-11 DRAWN: AS NOTED CHECK: 03-21-11 TITLE: MPL-1</p>	<p>RESP. TO ZONING COMMENTS (Detailed Survey)</p>				

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EXISTING TREE INVENTORY AS OF MARCH 2010 AND PROPOSED ACTION

[illegible]

RECEIVED
APR 05 2011

RECEIVED

ANTHONY E. TZAMTZIS, AIA
ARCHITECT AR 09207

3421 TIGERSTAR AVENUE, MIAMI, FL 33133
PH: (305) 399-0009 FAX: (305) 857-3542
EMAIL: atzamtzis@ttsouth.com

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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].

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2008 SEP - 3 2008

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

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 27 day of Aug, 2008. Affiant is personally known to me or has produced D/L license as identification.

Linda Christian NOTARY PUBLIC - STATE OF FLORIDA
(Notary Public) Linda Christian
Commission # DD651416
Expires: MAR. 23, 2011
My commission expires: _____
BONDED THRU ATLANTIC BONDING CO., INC.

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

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SEP - 3 2008

MIADOCS 2935404 1
8/1/08

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

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 Katsoulis - 100% Eubolas 30 11362 Kupseli Greece	31.14%
3.	Pela International, S.A. c/o Arias, Fabrega & Fabrega Plaza Bancomer Building 50 th Street Panama, Republic of Panama Stockholders - Angelis Katsoulis - 100% Eubolas 30 11362 Kupseli Greece	23%
4.	Cree Investments S.A. c/o Arias, Fabrega & Fabrega Plaza Bancomer Building 50 th Street Panama, Republic of Panama Stockholders - Christos Hatzimannouil - 100% 61 Heathercroft Hamstead Way London, NW 11 7HU United Kingdom	3%
5.	Morphosis, LLC c/o 3135 SW 3 rd Avenue Miami, FL 33129 Stockholders Dr. Nikos Georgoulakis - 50% 10835 SW 72 Street Miami, FL 33173 Kyriakos Georgoulakis - 50% 13580 SW 109 Ct. Miami, FL 33176	21.43%
6.	Gus Andy 1317 Beach Dr. Cape May, New Jersey 08204	5.71%
7.	Dimitrotheis 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%

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208 175
SEP - 3 2008

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

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; #30-4925-000-0681; and
30-4925-000-0690

Total size of site: 12 +/- 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: 1300 Grade Levels: K-12 Ages: _____

Number of classrooms: TBD 66 Total square footage of classroom area: TBD 46,654

Total square footage of outdoor recreation/play area: 140,833 square feet

Number of parking spaces provided for staff, visitors, and transportation vehicles: 208

Days and hours of operation: Monday through Friday: 7:30 AM to 3:30 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 August at Miami-Dade County, Florida.

WITNESSES:

[Signature]
[Signature]

Archimedean Properties, LLC

By: [Signature]

Lambros Katsoufis, Manager

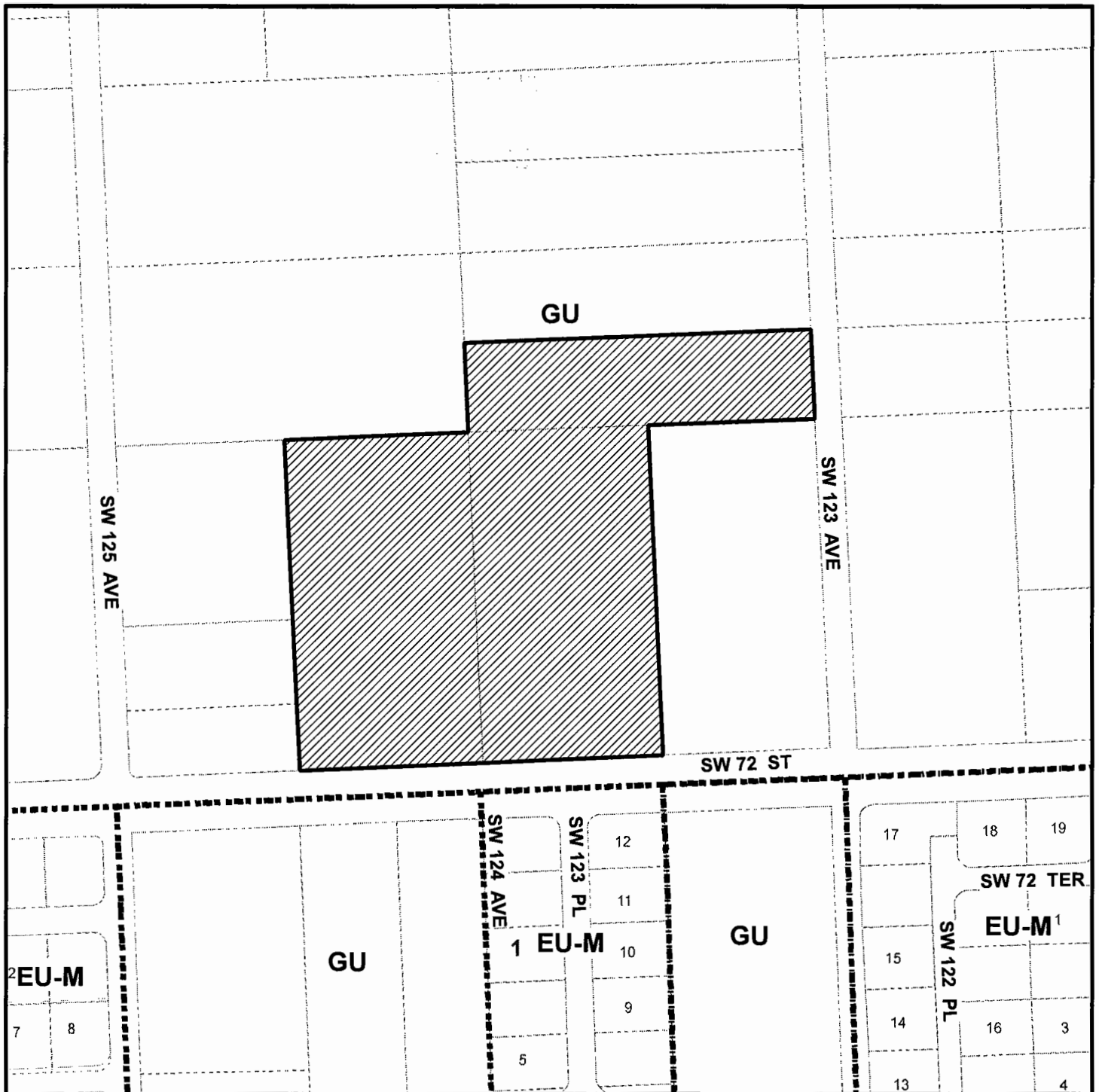
STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I hereby certify that on this 27 day of August, 2008, 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 act for the uses and purposes therein mentioned.

[Signature]

My Commission Expires
MIADOCs 2947384 1

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



**MIAMI-DADE COUNTY
HEARING MAP**

Process Number
08-175

Section: 25T ownship:54R ange: 39
Applicant: ARCHIMEDEAN PROPERTIES, LLC.
Zoning Board:C11
Commission District: 10
Drafter ID: ALFREDO
Scale: NTS
----- Zoning

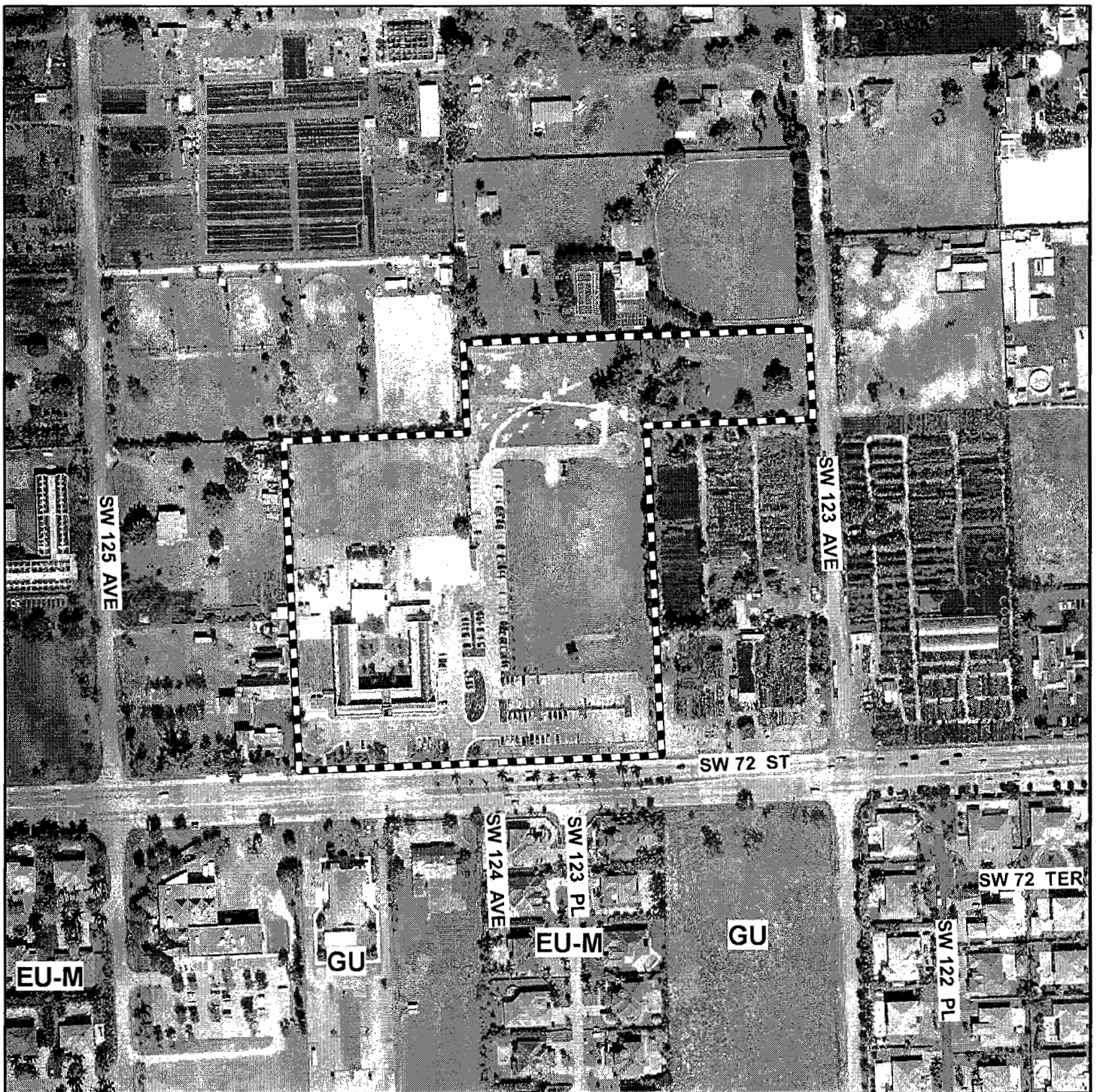


SUBJECT PROPERTY



SKETCH CREATED ON: 10/03/08

REVISION	DATE	BY
		70



MIAMI-DADE COUNTY
AERIAL YEAR 2008

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

Process Number
08-175



SUBJECT PROPERTY



SKETCH CREATED ON: 10/03/08

REVISION	DATE	BY

2. MIAMI-DADE COUNTY
AVIATION DEPARTMENT
(Applicant)

11-6-CC-2 (10-150)
BCC/District 12
Hearing Date: 06/23/11

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

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

Disclosure of interest form attached? Yes ☐ No ☒

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1984	Kennely & Kaplan Inc.	- Use Variance for furniture store in IU-2.	BCC	Approved w/conds.
1987	Kaufman & Roberts	- Use Variance electrical appliance store. - Modification of condition #2 of Resolution.	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.

**DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

APPLICANT: The Miami-Dade County Aviation Department

PH: Z10-150 (11-6-CC-2)

SECTIONS: 35-53-40

DATE: June 23, 2011

COMMISSION DISTRICT: 12

ITEM NO.: 2

A. INTRODUCTION

o **SUMMARY OF REQUESTS:**

The applicant is seeking to rezone a portion of MDAD property from IU-2, Heavy Industrial Manufacturing District, to GP, Government Property.

o **REQUEST:**

District Boundary Change from IU-2 to GP

o **LOCATION:** The northeast corner of NW 12 Street and Milam Dairy Road extension, Miami-Dade County, Florida.

o **SIZE:** 14.61 Acres

B. ZONING HEARINGS HISTORY:

In November 1984, pursuant to Resolution #Z-248-84, the subject property was approved for a Use Variance to allow a furniture store in the IU-2 zone as would be permitted in the BU-1A, Limited Business District. Subsequently, in July 1987, the subject property was approved to allow an electrical appliance store in the IU-2 district as would be allowed in the BU-1A district as well as a modification of the previously approved plans, pursuant to Resolution #Z-209-87.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT:

1. *The adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Transportation and Terminal** use. The LUP map includes a summarized portrayal of the major components of Miami-Dade County's existing and future transportation network. Included are roadways and major switching yards, and such major terminals as the County airports and the Miami-Dade Seaport. This information is included on the LUP map to provide orientation and locational references, and to relate future development patterns to the future transportation network. The Transportation and Capital Improvements Elements of the CDMP provide additional details about these facilities, including their intended sizes, functions, uses, and designs and, with the exception of local streets, schedules and improvements. As provided in the policies of the Transportation Element, transportation facilities such as terminals and transit stations shall contain the transportation uses and may contain other uses as provided in the applicable Transportation Subelement.*

2. AVIATION SUBELEMENT

Goal

ENSURE THE PROVISION OF AN ECONOMIC, INTEGRATED ENVIRONMENT AND COMMUNITY-SENSITIVE, AND BALANCED SYSTEM OF AIRS TRANSPORTATION FACILITIES AND SERVICES TO MOVE PASSENGERS AND CARGO EFFECTIVELY AND EFFICIENTLY; ACCOMMODATE AND ENCOURAGE ALL TYPES OF GENERAL AVIATION ACTIVITY, INCLUDING BUSINESS, COMMERCIAL, INSTRUCTIONAL, AND PERSONAL ACTIVITY; AND ENHANCE THE ECONOMY AND QUALITY OF LIFE IN THE COUNTY AND REGION.

POLICIES

AV-7B Miami-Dade County shall update its airport compatible zoning ordinances to promote compatible land use around Miami International, Opa-Locka Executive, Kendall-Tamiami Executive, and Homestead General Aviation Airports. These ordinances updates shall be based on the guidelines recommended in the following federal and state documents. Due to operational differences, all listed documents may not pertain to all airports.

(Federal) – Department of Transportation – Federal Aviation Regulation Part 77 (Objects affecting Navigable Airspace)

(Federal) – Department of Defense Air Installation Compatible Use Zone Report (AICUZ) for HAFB (August 1988)

(State) – Chapter 333, Florida Statutes, (Airport Zoning)

AV-8A The Miami-Dade County Aviation Department, through the continued increase in the capacity of the County's airports to meet the forecast aviation demands, and the State and local governmental economic development entities through their commerce and industry promotion programs should expand the importance of the aviation industry to Miami-Dade County and the regional economy.

AV-8B When consistent with aviation facility locational objectives for airspace safety and environmental and community compatibility, the Aviation Department shall provide additional facility and operational capacity in the aviation systems in locations that offer greatest potential for expansion of aviation-related economic development and redevelopment in the vicinity and opportunities for aviation-related employment for Miami-Dade County residents.

3. **Future Aviation Facilities:** Future aviation facility improvements are proposed to be made on or adjacent to the sites of existing airports. These sites are:

- Miami International Airport
- Opa-Locka Executive Airport
- Kendall-Tamiami Executive Airport
- Homestead General Aviation Airport
- Miami-Dade Collier Training and Transition Airport

The location and layout of these future facilities, including runway protection zones and points of ingress and egress, are indicated on the Physical Airport 2015-2025 map series below following this page. The configuration of the proposed site expansion and individual improvements at these locations are either yet to be determined or beyond the scope of this Subelement.

The natural resources and future land uses surrounding these facilities are identified in the map series and Future Land Use Plan map contained in the Land Use Element of this Plan.

4. Aviation Facility Improvements

Meeting Miami-Dade County's current and future aviation needs will require numerous facility improvements to be made. These improvements are divided between those addressing existing deficiency needs, future growth needs, and other needs (i.e., renovation and remodeling, etc.) and between near term (2007-2012) and long term (2013-2025). These improvements are listed by facility on the following table and many near-term improvements are described in more detail in the Capital Improvements Element.

All proposed uses on lands owned by Miami-Dade County at the Opa-Locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport that are designated as Terminal on the LUP map, may be developed for the uses described in this subsection. All proposed uses on such lands shall comply with the requirements of the Future Aviation Facilities Section of the Aviation Subelement, shall be compatible with, and not disruptive of, airport operations occurring on such lands, and shall comply with all applicable regulations of the Federal Aviation Administration and other applicable law.

The portion of the Opa-Locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport designated in the Comprehensive Development Master Plan for aviation uses, shall be deemed to consist of all portions of the airports where general public access is restricted (but not including terminal concourses), shall generally be limited to aviation uses, including but not limited to airfield uses such as runways, taxiways, aprons, runway protection zones, landing areas, and support and maintenance facilities such as control towers, flight service stations, access roads, fire stations, storage and aircraft maintenance and repair facilities and hangars, aircraft and aircraft parts manufacturing and storage, fixed based operators, air cargo operations, specialized aircraft service operations, and fuel farms. Up to fifty (50) percent of the areas designated for aviation uses may be developed with aviation-related uses. Aviation-related uses shall include, but not be limited to, manufacturing, storage, office, service, or similar uses ancillary to or supportive of aviation uses. The Director of the Miami-Dade Aviation Department, or the Aviation Department's designee, in consultation with the Director of Miami-Dade Department of Planning and Zoning, shall determine whether any particular use is an aviation use or an aviation-related use. Where not otherwise prohibited by law, open space and interim or existing agricultural uses and zoning may also be permitted in the portions of these airports designated for aviation use, subject to such conditions and requirements as may be imposed to ensure public health and safety.

The portion of these airports designated in the Comprehensive Development Master Plan for aviation related and non-aviation uses, shall be deemed to consist of all portions of the

airports where general public access is not restricted and terminal concourses only at Miami International Airport, and may include aviation, aviation-related, and non-aviation uses that are compatible with airport operations and consistent with applicable law.

Aviation uses where general public access is allowed may include existing uses and the following or substantially similar uses:

- *passenger terminal area, which may include non-aviation related uses designed to serve the traveling public and on-site employees, such as offices, personal services, retail activities, restaurants, auto rental businesses, and lodging establishments,*
- *parking garages and lots serving the airport,*
- *access roadways serving the airport,*
- *offices of aviation industry companies and the Miami-Dade County Aviation Department,*
- *facilities of fixed base operators,*
- *hangar rentals and tie downs,*
- *ground transportation services,*
- *aircraft and automobile rental establishments,*
- *aviation-related educational uses such as flight schools, simulator training facilities, helicopter and aerobatics training and other educational facilities providing aviation courses,*
- *aviation-related governmental agency facilities,*
- *flying club facilities,*
- *aviation-related entertainment uses such as skydiving establishments, museums and sightseeing services, and*
- *aviation-related retail uses such as aircraft sales, electronic an instrument sales and pilot stores.*

Subject to the restrictions contained herein, the following non-aviation-related uses may be approved in the portions of the Opa-Locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport designated for non-aviation uses on the Airport Land Use Master Plan maps:

- *lodgings such as hotels and motels (except for Homestead General),*
- *office buildings (except for Homestead General),*
- *lodgings and office buildings at Miami International Airport (except in terminal concourses),*
- *industrial uses such as distribution, storage, manufacturing research and development and machine shops (except for Homestead General),*
- *agricultural uses,*
- *retail, restaurants, and personal service establishments (except for Homestead General), and*
- *gaming establishments (limited to Miami International Airport only).*

Such non-aviation uses at the Opa-Locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport shall be limited as follows:

- (1) The land area within Opa-Locka Executive, Miami International, and Kendall-Tamiami Executive airports that may be devoted to particular non-aviation uses shall be limited to the following percentages of the land area designated for aviation-related and non-aviation uses within each airport. Non-aviation-related at Opa-Locka Executive Airport shall range from 20 to 85 percent for industrial uses, 5 to 35 percent for commercial uses, 5 to 25 percent for office uses, 0 to 10 percent for hotels and motels, and 0 to 20 percent for institutional uses. Non-aviation-related at Miami International Airport shall range from 20 to 85 percent for industrial uses, 5 to 50 percent for commercial uses and/or office uses, 0 to 50 percent for hotels and motels, and 0 to 20 percent for institutional uses. Non-aviation-related at Kendall-Tamiami Executive Airport shall range from 0 to 85 percent for industrial uses, 0 to 100 percent for commercial uses, 0 to 25 percent for office uses, 0 to 10 percent for hotels and motels, and 0 to 20 percent for institutional uses.*
- (2) Those portions of Homestead General Aviation Airport that are not developed for uses that are aviation-related or directly supportive of airport operations shall be developed with agricultural uses.*
- (3) Each non-aviation use shall comply with applicable law, including but not limited to FAA regulations and the current airport layout plan on file with the Miami-Dade County Aviation Department governing permissible uses on the entire airport property.*
- (4) At Kendall-Tamiami Executive Airport, the development of the 8.2 acre (973.52 ft x 363 ft) parcel for non-aviation uses at the southwest corner of SW 137 Avenue and theoretical SW 124 Street shall be limited to access roads, open space, parking and drainage facilities.*
- 5. Policy LU-5B.** *All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.*
- 6. Uses and Zoning Not Specifically Depicted on the LUP Map.** *Some existing lawful uses and zoning are not specifically depicted on the LUP map. However, all such existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new commercial locations must be consistent with the LUP map or the specific exceptions provided in the various LUP map categories, and the objectives and policies of this Plan.*

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

IU-2: vacant land, parking lot,

Transportation and Terminal

Surrounding Properties:

NORTH: IU-2: CSX rail tracks

Transportation and Terminal

SOUTH: IU-1: vacant land, warehouses and
office buildings,

Industrial and Office

EAST: IU-2: warehouses

Industrial and Office,

WEST: IU-2: hotel and retail store

Industrial and Office

E. PERTINENT ZONING REQUIREMENTS/STANDARDS:

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

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

F. NEIGHBORHOOD SERVICES PROVIDER COMMENTS

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

G. PLANNING AND ZONING ANALYSIS

The development and operations at Miami International Airport (MIA) are guided by the Comprehensive Development Master Plan (CDMP). The Land Use Element and the Aviation Subelement of the CDMP contain the bulk of the policy framework under which MIA operates. The subject property, an integral part of MIA, is designated as **Transportation and Terminal** on the CDMP Land Use Plan Map. Included within this designation are roadways and major switching yards, and such major terminals as the County airports and the Miami-Dade Seaport.

The **Future Aviation Facilities** section of the **Aviation Subelement** of the CDMP states that *all proposed uses on lands owned by Miami-Dade County at the County's airports that are designated as Terminal on the LUP map, may be developed for the uses described in the subelement. In addition, it states that all proposed uses on such lands shall comply with the requirements of the Future Aviation Facilities Section of the Aviation Subelement, shall be compatible with, and not disruptive of, airport operations occurring on such lands, and shall comply with all applicable regulations of the Federal Aviation Administration and other applicable law.*

The **Future Aviation Facilities** section states that portions of an airport may be designated for aviation uses, aviation related uses or non-aviation uses. The **Airport Land Use Master Plan 2015-2025** maps contained in the Aviation Subelement of the CDMP provide for the land uses allowed at the County's major airports including MIA. The subject parcel is located in an area that is designated for non-aviation uses on the MIA Land Use Master Plan, 2015-2025 map. The Future Aviation Facilities section also states the type of non-aviation uses that are permissible at the airports and the ranges in which this non-aviation uses may occur. The permitted non-aviation uses are grouped under the categories of industrial, commercial, office, hotels and motels and institutional. In order to implement the CDMP, the Department of Planning and Zoning is preparing an update to Article XXXVIII of the Code [Miami International Airport (Wilcox Field) Zoning]. This update consists of the addition of a section that provides for the permitted uses at the given ranges for lands designated under the GP zoning classification within the airport. This allows the diversity of uses permitted in the CDMP in contrast with the limitations of the current zoning classification (IU-2).

The applicant is requesting a zone change from IU-2, Heavy Industrial Manufacturing District to GP, Government Property. Staff opines that approval of the applicant's request to rezone the subject parcel to GP would be **consistent** with the Transportation and Terminal designation of the LUP map of the CDMP and would be **compatible** with the surrounding area.


When considering district boundary changes, the Board shall hear and grant or deny applications by taking in consideration whether the proposed development conforms to the Comprehensive Development Master Plan for Miami-Dade County. This application is seeking approval for a district boundary change to GP. The proposed rezoning does not, as evidenced by the memoranda from DERM and the Public Works Department, generate detrimental effects on the County's environment or road services in the area and staff notes that the rezoning to GP would provide a logical continuum for future development for the site that would be consistent with the interpretative text of the Aviation Subelement and the LUP map for the MIA. Staff opines that there would be no negative impact on the economy of the County and that the approval of the proposed rezoning, would be **consistent** with the CDMP, and would be **compatible** with the surrounding area. **As such, staff recommends approval of the application.**

H. **RECOMMENDATION:**

Approval.

I. **CONDITIONS:** None

DATE TYPED: 05/02/11
DATE REVISED: 05/02/11, 05/06/11
DATE FINALIZED: 05/24/11
MCL:GR:NN:AA:CH



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

Memorandum



Date: October 6, 2010

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

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

Subject: BCC #Z2010000150
Miami-Dade County Aviation Department
West of Milam Dairy Road
District Boundary Change from IU-2 to GP
(IU-2) (14 Acres)
35-53-40

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

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

Potable Water Service and Wastewater Disposal

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

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

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

Stormwater Management

According to the survey submitted and the letter of intent which indicate just change of use, the proposed project will not affect the existing stormwater management system. Therefore, DERM Water Control has no pertinent comments.

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

An on site inspection performed by DERM staff on June 25, 2008 revealed that the subject properties contain specimen-sized (trunk diameter 18 inches or greater) trees. Section 24-49.2(II) of the Code requires that specimen trees be preserved whenever reasonably possible. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

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

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

Enforcement History

DERM staff has reviewed this application and has found one (1) closed enforcement case for the referenced property address. The following is a summary of this closed enforcement case that is associated with the subject folio:

IGC REALTY/INTEGRATED DIST SYSTEM (IW5 1902).

In October 1996 Uniform Civil Violation Notice # (UCVN's) 178374 & 178375 were issued to this facility for operating a potential source of liquid and hazardous wastes on site while the property is being served by septic tank. The facility appealed the UCVN's in January 1997 and in April 1997 it was determined that the grandfather rule could be applied to this facility. In August 1997 the permit was secured and this case was subsequently closed due to compliance.

Hazardous Materials Management

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

Operating Permits

Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that due to the nature of some land uses permitted under the proposed zoning classification, operating permits from DERM may be required. The Permitting Section of DERM's Pollution Regulation and Enforcement Division may be contacted at (305) 372-6600 for further information concerning operating requirements.

Concurrency Review Summary

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

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

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

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

PUBLIC WORKS DEPARTMENT COMMENTS

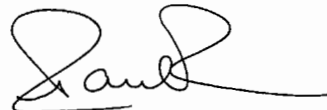
Applicant's Names: MIAMI-DADE COUNTY AVIATION DEPARTMENT

This Department has no objections to this application.

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

Additional improvements may be required at time of platting.

This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.

A handwritten signature in black ink, appearing to read "Raul", with a stylized flourish extending to the right.

Raul A Pino, P.L.S.

08-DEC-10

Memorandum



Date: 22-OCT-10
To: Marc LaFerrier, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2010000150

Fire Prevention Unit:

Not applicable to MDFR site requirements.

Service Impact/Demand

Development for the above Z2010000150
located at LYING WEST OF MILAM DAIRY ROAD, BETWEEN THE SEABOARD AIRLINE RAILROAD AND NW 12
STREET, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1211 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 6:12 minutes

Existing services

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

Station 17 - Virginia Gdns - 7050 NW 36 Street
ALS 75' Ladder, Hazardous Material Unit, Battalion

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

DATE: 12-MAY-11
REVISION 1

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

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

MIAMI-DADE COUNTY AVIATION
DEPARTMENT

THE NORTHEAST CORNER OF
NW 12 STREET & MILAM DAIRY
ROAD EXTENSION, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2010000150

HEARING NUMBER

HISTORY:

FOLIO:(3030350000123)/NO ZONING, BUILDING,OR LIEN VIOLATIONS FOUND/
FOLIO:(3030350000126)/NO ZONING, BUILDING,OR LIEN VIOLATIONS FOUND/
FOLIO:(3030350000122)/NO ZONING, BUILDING,OR LIEN VIOLATIONS FOUND

MIAMI-DADE COUNTY AVIATION DEPARTMENT

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

REPORTER NAME:

ZONING INSPECTION REPORT

Inspector: DIAZ, ROBERT
Evaluator: CARL HARRISON

Inspection Date: 05/09/11

Process #:	Applicant's Name
Z2010000150	MIAMI-DADE COUNTY AVIATION DEPARTMENT
Locations:	THE NORTHEAST CORNER OF NW 12 STREET & MILAM DAIRY ROAD EXTENSION, MIAMI-DADE COUNTY, FLORIDA.
Size:	14.61 ACRES
	Folio #: 3030350000126

Request:

DBC FROM IU-2 TO GP.

EXISTING ZONING

Subject Property IU-2,

EXISTING USE CBS BLDG & PARKING

SITE CHARACTERISTICS

STRUCTURES ON SITE:

none vacant lot

USE(S) OF PROPERTY:

parking for const. worker

FENCES/WALLS:

6" chain link fence

LANDSCAPING:

palms, ficus trees 15 to 35 ft. on southnorthside

BUFFERING:

none

VIOLATIONS OBSERVED:

rock & sand pit. (working for xpressway)

OTHER:

Process #	Applicant's Name
Z2010000150	MIAMI-DADE COUNTY AVIATION DEPARTMENT

ZONING INSPECTION REPORT

SURROUNDING PROPERTY

NORTH:

railroad track & airport runway

SOUTH:

Iu1 commercial & office building

EAST:

warehouses (doral funiture)

WEST:

west of 72 ave wendy on corner with warehouses

SURROUNDING AREA

mostly IU1 and IU2 warehouseing and office building

NEIGHBORHOOD CHARACTERISTICS

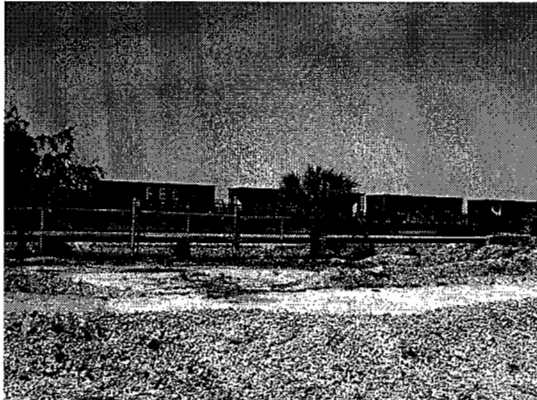
commercial/Industrial

COMMENTS:

Inspector **DIAZ, ROBERT**

Evaluator **CARL HARRISON**

Process Number: **Z2010000150** Applicant Name **MIAMI-DADE COUNTY AVIATION DEPARTMENT**



Date: 09-MAY-11

Comments: NORTHSIDE OF PROPERTY. RAILROAD TRACK



Date: 10-MAY-11

Comments: northside of property.railroad track



Date: 10-MAY-11

Comments: SOUTHWEST CONER OF PROPERTY

Inspector **DIAZ, ROBERT**

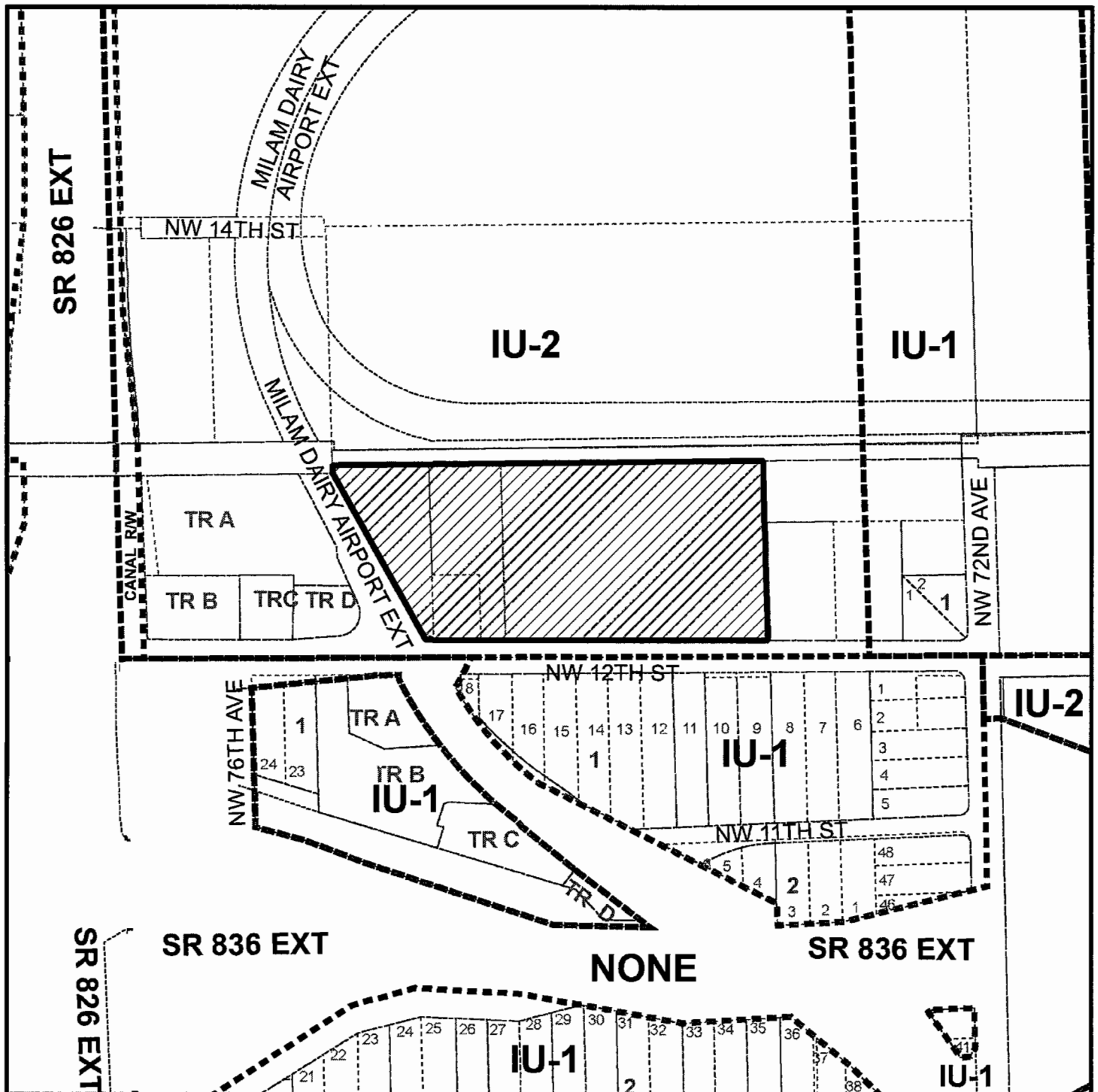
Evaluator **CARL HARRISON**

Process Number: **Z2010000150** Applicant Name **MIAMI-DADE COUNTY AVIATION DEPARTMENT**



Date: 10-MAY-11

Comments:





MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2010000150

Section: 35 Township: 53 Range: 40
Applicant: MIAMI DADE COUNTY AVIATION DEPARTMENT
Zoning Board: BCC
Commission District: 12
Drafter ID: KEELING
Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Thursday, September 30, 2010

REVISION	DATE	BY
		20



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

Z2010000150

Section: 35 Township: 53 Range: 40

Applicant: MIAMI DADE COUNTY AVIATION DEPARTMENT

Zoning Board: BCC

Commission District: 12

Drafter ID: KEELING

Scale: NTS

Legend



Subject Property



**MIAMI-DADE
COUNTY**

SKETCH CREATED ON: Thursday, September 30, 2010

REVISION	DATE	BY

3. MIAMI-DADE COUNTY
AVIATION DEPARTMENT
(Applicant)

11-6-CC-3 (10-151)
BCC/District 12
Hearing Date: 06/23/11

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

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

Disclosure of interest form attached? Yes ☐ No ☒

Previous Zoning Hearings on the Property:

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

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

**DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

APPLICANT: The Miami-Dade County Aviation Department

PH: Z10-151 (11-6-CC-3)

SECTIONS: 35-53-40

DATE: June 23, 2011

COMMISSION DISTRICT: 12

ITEM NO.: 3

A. INTRODUCTION

o **SUMMARY OF REQUESTS:**

The applicant is seeking to rezone a portion of MDAD property from IU-2, Heavy Industrial Manufacturing District, to GP, Government Property.

o **REQUEST:**

District Boundary Change from IU-2 to GP

o **LOCATION:** Lying north of NW 14 Street, between Milam Dairy Road extension and the Palmetto Expressway, Miami-Dade County, Florida.

o **SIZE:** 26.5 Acres

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT:

1. *The adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Transportation and Terminal** use. The LUP map includes a summarized portrayal of the major components of Miami-Dade County's existing and future transportation network. Included are roadways and major switching yards, and such major terminals as the County airports and the Miami-Dade Seaport. This information is included on the LUP map to provide orientation and locational references, and to relate future development patterns to the future transportation network. The Transportation and Capital Improvements Elements of the CDMP provides additional details about these facilities, including their intended sizes, functions, uses, and designs and, with the exception of local streets, schedules and improvements. As provided in the policies of the Transportation Element, transportation facilities such as terminals and transit stations shall contain the transportation uses and may contain other uses as provided in the applicable Transportation Subelement.*

2. **AVIATION SUBELEMENT**

Goal

ENSURE THE PROVISION OF AN ECONOMIC, INTEGRATED ENVIRONMENT AND COMMUNITY-SENSITIVE, AND BALANCED SYSTEM OF AIRS TRANSPORTATION

FACILITIES AND SERVICES TO MOVE PASSENGERS AND CARGO EFFECTIVELY AND EFFICIENTLY; ACCOMMODATE AND ENCOURAGE ALL TYPES OF GENERAL AVIATION ACTIVITY, INCLUDING BUSINESS, COMMERCIAL, INSTRUCTIONAL, AND PERSONAL ACTIVITY; AND ENHANCE THE ECONOMY AND QUALITY OF LIFE IN THE COUNTY AND REGION.

POLICIES

AV-7B Miami-Dade County shall update its airport compatible zoning ordinances to promote compatible land use around Miami International, Opa-Locka Executive, Kendall-Tamiami Executive, and Homestead General Aviation Airports. These ordinances updates shall be based on the guidelines recommended in the following federal and state documents. Due to operational differences, all listed documents may not pertain to all airports.

(Federal) – Department of Transportation – Federal Aviation Regulation Part 77 (Objects affecting Navigable Airspace)

(Federal) – Department of Defense Air Installation Compatible Use Zone Report (AICUZ) for HAFB (August 1988)

(State) – Chapter 333, Florida Statutes, (Airport Zoning)

AV-8A The Miami-Dade County Aviation Department, through the continued increase in the capacity of the County's airports to meet the forecast aviation demands, and the State and local governmental economic development entities through their commerce and industry promotion programs should expand the importance of the aviation industry to Miami-Dade County and the regional economy.

AV-8B When consistent with aviation facility locational objectives for airspace safety and environmental and community compatibility, the Aviation Department shall provide additional facility and operational capacity in the aviation systems in locations that offer greatest potential for expansion of aviation-related economic development and redevelopment in the vicinity and opportunities for aviation-related employment for Miami-Dade County residents.

3. **Future Aviation Facilities:** Future aviation facility improvements are proposed to be made on or adjacent to the sites of existing airports. These sites are:

- Miami International Airport
- Opa-Locka Executive Airport
- Kendall-Tamiami Executive Airport
- Homestead General Aviation Airport
- Miami-Dade Collier Training and Transition Airport

The location and layout of these future facilities, including runway protection zones and points of ingress and egress, are indicated on the Physical Airport 2015-2025 map series below following this page. The configuration of the proposed site expansion and individual improvements at these locations are either yet to be determined or beyond the scope of this Subelement.

The natural resources and future land uses surrounding these facilities are identified in the map series and Future Land Use Plan map contained in the Land Use Element of this Plan.

4. Aviation Facility Improvements

Meeting Miami-Dade County's current and future aviation needs will require numerous facility improvements to be made. These improvements are divided between those addressing existing deficiency needs, future growth needs, and other needs (i.e., renovation and remodeling, etc.) and between near term (2007-2012) and long term (2013-2025). These improvements are listed by facility on the following table and many near-term improvements are described in more detail in the Capital Improvements Element.

All proposed uses on lands owned by Miami-Dade County at the Opa-Locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport that are designated as Terminal on the LUP map, may be developed for the uses described in this subsection. All proposed uses on such lands shall comply with the requirements of the Future Aviation Facilities Section of the Aviation Subelement, shall be compatible with, and not disruptive of, airport operations occurring on such lands, and shall comply with all applicable regulations of the Federal Aviation Administration and other applicable law.

The portion of the Opa-Locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport designated in the Comprehensive Development Master Plan for aviation uses, shall be deemed to consist of all portions of the airports where general public access is restricted (but not including terminal concourses), shall generally be limited to aviation uses, including but not limited to airfield uses such as runways, taxiways, aprons, runway protection zones, landing areas, and support and maintenance facilities such as control towers, flight service stations, access roads, fire stations, storage and aircraft maintenance and repair facilities and hangars, aircraft and aircraft parts manufacturing and storage, fixed based operators, air cargo operations, specialized aircraft service operations, and fuel farms. Up to fifty (50) percent of the areas designated for aviation uses may be developed with aviation-related uses. Aviation-related uses shall include, but not be limited to, manufacturing, storage, office, service, or similar uses ancillary to or supportive of aviation uses. The Director of the Miami-Dade Aviation Department, or the Aviation Department's designee, in consultation with the Director of Miami-Dade Department of Planning and Zoning, shall determine whether any particular use is an aviation use or an aviation-related use. Where not otherwise prohibited by law, open space and interim or existing agricultural uses and zoning may also be permitted in the portions of these airports designated for aviation use, subject to such conditions and requirements as may be imposed to ensure public health and safety.

The portion of these airports designated in the Comprehensive Development Master Plan for aviation related and non-aviation uses, shall be deemed to consist of all portions of the airports where general public access is not restricted and terminal concourses only at Miami International Airport, and may include aviation, aviation-related, and non-aviation uses that are compatible with airport operations and consistent with applicable law.

Aviation uses where general public access is allowed may include existing uses and the following or substantially similar uses:

- *passenger terminal area, which may include non-aviation related uses designed to serve the traveling public and on-site employees, such as offices, personal services, retail activities, restaurants, auto rental businesses, and lodging establishments,*
- *parking garages and lots serving the airport,*
- *access roadways serving the airport,*
- *offices of aviation industry companies and the Miami-Dade County Aviation Department,*
- *facilities of fixed base operators,*
- *hangar rentals and tie downs,*
- *ground transportation services,*
- *aircraft and automobile rental establishments,*
- *aviation-related educational uses such as flight schools, simulator training facilities, helicopter and aerobatics training and other educational facilities providing aviation courses,*
- *aviation-related governmental agency facilities,*
- *flying club facilities,*
- *aviation-related entertainment uses such as skydiving establishments, museums and sightseeing services, and*
- *aviation-related retail uses such as aircraft sales, electronic an instrument sales and pilot stores.*

Subject to the restrictions contained herein, the following non-aviation-related uses may be approved in the portions of the Opa-Locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport designated for non-aviation uses on the Airport Land Use Master Plan maps:

- *lodgings such as hotels and motels (except for Homestead General),*
- *office buildings (except for Homestead General),*
- *lodgings and office buildings at Miami International Airport (except in terminal concourses),*
- *industrial uses such as distribution, storage, manufacturing research and development and machine shops (except for Homestead General),*
- *agricultural uses,*
- *retail, restaurants, and personal service establishments (except for Homestead General), and*
- *gaming establishments (limited to Miami International Airport only).*

Such non-aviation uses at the Opa-Locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport shall be limited as follows:

- (1) *The land area within Opa-Locka Executive, Miami International, and Kendall-Tamiami Executive airports that may be devoted to particular non-aviation uses shall be limited to the following percentages of the land area designated for aviation-related and non-*

aviation uses within each airport. Non-aviation-related at Opa-Locka Executive Airport shall range from 20 to 85 percent for industrial uses, 5 to 35 percent for commercial uses, 5 to 25 percent for office uses, 0 to 10 percent for hotels and motels, and 0 to 20 percent for institutional uses. Non-aviation-related at Miami International Airport shall range from 20 to 85 percent for industrial uses, 5 to 50 percent for commercial uses and/or office uses, 0 to 50 percent for hotels and motels, and 0 to 20 percent for institutional uses. Non-aviation-related at Kendall-Tamiami Executive Airport shall range from 0 to 85 percent for industrial uses, 0 to 100 percent for commercial uses, 0 to 25 percent for office uses, 0 to 10 percent for hotels and motels, and 0 to 20 percent for institutional uses.

- (2) Those portions of Homestead General Aviation Airport that are not developed for uses that are aviation-related or directly supportive of airport operations shall be developed with agricultural uses.
 - (3) Each non-aviation use shall comply with applicable law, including but not limited to FAA regulations and the current airport layout plan on file with the Miami-Dade County Aviation Department governing permissible uses on the entire airport property.
 - (4) At Kendall-Tamiami Executive Airport, the development of the 8.2 acre (973.52 ft x 363 ft) parcel for non-aviation uses at the southwest corner of SW 137 Avenue and theoretical SW 124 Street shall be limited to access roads, open space, parking and drainage facilities.
5. **Policy LU-5B.** All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.
6. **Uses and Zoning Not Specifically Depicted on the LUP Map.** Some existing lawful uses and zoning are not specifically depicted on the LUP map. However, all such existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new commercial locations must be consistent with the LUP map or the specific exceptions provided in the various LUP map categories, and the objectives and policies of this Plan.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

IU-2: vacant land

Transportation and Terminal

Surrounding Properties:

NORTH: IU-2: office buildings	Industrial and Office
SOUTH: IU-2: vacant land, warehouses and office buildings	Industrial and Office & Transportation and Terminal
EAST: IU-2: warehouses, airstrip	Industrial and Office
WEST: GU: 826 Expressway	Transportation and Terminal

E. PERTINENT ZONING REQUIREMENTS/STANDARDS:

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

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

F. NEIGHBORHOOD SERVICES PROVIDER COMMENTS

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

Schools
Aviation

No comment
No objection

G. PLANNING AND ZONING ANALYSIS

The development and operations at Miami International Airport (MIA) are guided by the Comprehensive Development Master Plan (CDMP). The Land Use Element and the Aviation Subelement of the CDMP contain the bulk of the policy framework under which MIA operates. The subject property, an integral part of MIA, is designated as **Transportation and Terminal** on the CDMP Land Use Plan Map. Included within this designation are roadways and major switching yards, and such major terminals as the County airports and the Miami-Dade Seaport.

The **Future Aviation Facilities** section of the **Aviation Subelement** of the CDMP states that *all proposed uses on lands owned by Miami-Dade County at the County's airports that are designated as Terminal on the LUP map, may be developed for the uses described in the subelement. In addition, it states that all proposed uses on such lands shall comply with the requirements of the Future Aviation Facilities Section of the Aviation Subelement, shall be compatible with, and not disruptive of, airport operations occurring on such lands, and shall comply with all applicable regulations of the Federal Aviation Administration and other applicable law.*

The **Future Aviation Facilities** section states that portions of an airport may be designated for aviation uses, aviation related uses or non-aviation uses. The **Airport Land Use Master Plan 2015-2025** maps contained in the Aviation Subelement of the CDMP provide for the land uses allowed at the County's major airports including MIA. The subject parcel is located in an area that is designated for non-aviation uses on the MIA Land Use Master Plan, 2015-2025 map. The Future Aviation Facilities section also states the type of non-aviation uses that are permissible at the airports and the ranges in which this non-aviation uses may occur. The permitted non-aviation uses are grouped under the categories of industrial, commercial, office, hotels and motels and institutional. In order to implement the CDMP, the Department of Planning and Zoning is preparing an update to Article XXXVIII of the Code [Miami International Airport (Wilcox Field) Zoning]. This update consists of the addition of a section that provides for the permitted uses at the given ranges for lands designated under the GP zoning classification within the airport. This allows the diversity of uses permitted in the CDMP in contrast with the limitations of the current zoning classification (IU-2).

The applicant is requesting a zone change from IU-2, Heavy Industrial Manufacturing District to GP, Government Property. Staff opines that approval of the applicant's request to rezone the subject parcel to GP would be **consistent** with the Transportation and Terminal designation of the LUP map of the CDMP and would be **compatible** with the surrounding area.

When considering district boundary changes, the Board shall hear and grant or deny applications by taking in consideration whether the proposed development conforms to the Comprehensive Development Master Plan for Miami-Dade County. This application is seeking approval for a district boundary change to GP. The proposed rezoning does not, as evidenced by the memoranda from DERM and the Public Works Department, generate detrimental effects on the County's environment or road services in the area and staff notes that the rezoning to GP would provide a logical continuum for future development for the site that would be consistent with the interpretative text of the Aviation Subelement and the LUP map for the MIA. Staff opines that

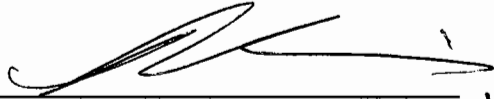
there would be no negative impact on the economy of the County and that the approval of the proposed rezoning, would be **consistent** with the CDMP, and would be **compatible** with the surrounding area. **As such, staff recommends approval of the application.**

H. **RECOMMENDATION:**

Approval.

I. **CONDITIONS:** None

DATE TYPED: 05/02/11
DATE REVISED: 05/06/11
DATE FINALIZED: 05/24/11
MCL:GR:NN:AA:CH



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

NDN

Memorandum



Date: October 15, 2010

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

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over the printed name.

Subject: BCC #Z2010000151
Miami-Dade County Aviation Department
Milam Dairy Road Airport Extension and N.W. 75th Avenue
District Boundary Change from IU-2 to GP
(IU-2) (26.5 Acres)
35-53-40

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

Potable Water Service and Wastewater Disposal

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

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

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

Stormwater Management

Any proposed development with more than 2.0 acres of impervious area will require an Environmental Resources Permit from the South Florida Water Management District.

In addition an Environmental Assessment and DERM Class VI permit will be required for any proposed drainage system on this site. All stormwater shall be retained on site utilizing a properly designed seepage or infiltration drainage system. Drainage must be provided for the 5-year/1-day storm event.

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

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

Wetlands

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

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

Tree Preservation

Tree Removal Permits 2010-TREE-PER-00447 and 2010-TREE-PER-00294 were issued for these properties. Tree Removal Permit 2010-TREE-PER-00294 requires the preservation of several specimen-sized (Trunk diameter 18 inches or greater) and non specimen-sized trees as identified in DERM-approved permitted plans.

All approved tree removal/relocation, replanting and final inspection (a two weeks notice is required prior to the final inspection) must be completed prior to the scheduled expiration date of these permits to avoid violation of permit conditions. Please be advised that a new Miami-Dade County Tree Removal Permit or an amendment to these permits 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(s) identified by Folio 30-3035-000-0090. A review of the database and system found one open enforcement case for the property identified by Folio 30-3035-000-0072.

DERM has a file (ARP-162) for under the name De Moya Hydraulic Spill. On December 14, 2009 a Notice of Violation was issued for petroleum spill to open ground. Additional Notices were issued on April 20, 2009 and August 10, 2010 and the case remains open for failure to submit the required Source Removal Report.

Concurrency Review Summary

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

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

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

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

REVISION 1
PH# Z2010000151
CZAB - BCC

PUBLIC WORKS DEPARTMENT COMMENTS

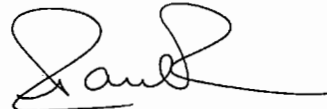
Applicant's Names: MIAMI-DADE COUNTY AVIATION DEPARTMENT

This Department has no objections to this application.

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

Additional improvements may be required at time of platting.

This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.



Raul A Pino, P.L.S.

08-DEC-10



Memorandum

Date: 22-OCT-10

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2010000151

Fire Prevention Unit:

Not applicable to MDR site requirements.

Service Impact/Demand

Development for the above Z2010000151
located at LYING SOUTH OF APPROXIMATELY N.W. 19 STREET, BETWEEN N.W. 72 AVENUE AND THE
PALMETTO EXPRESSWAY, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1151 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 5:12 minutes

Existing services

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

Station 17 - Virginia Gdns - 7050 NW 36 Street
ALS 75' Ladder, Hazardous Material Unit, Battalion

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

DATE: 12-MAY-11
REVISION 1

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

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

MIAMI-DADE COUNTY AVIATION
DEPARTMENT

LYING NORTH OF NW 14 STREET,
BETWEEN MILAM DAIRY EXT. &
THE TURNPIKE EXTENSION,
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2010000151

HEARING NUMBER

HISTORY:

FOLIO: (3030350000090)/NO ZONING, BUILDING, OR LIEN VIOLATIONS FOUND
FOLIO: (3030350000072)/NO ZONING, BUILDING, OR LIEN VIOLATIONS FOUND

MIAMI-DADE COUNTY AVIATION DEPARTMENT

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

REPORTER NAME:

ZONING INSPECTION REPORT

Inspector: EDWARDS, RALPH

Inspection Dat

Evaluator: CARL HARRISON

05/20/11

Process #: Z2010000151
Applicant's Name MIAMI-DADE COUNTY AVIATION DEPARTMENT

Locations: LYING NORTH OF NW 14 STREET, BETWEEN MILAM DAIRY EXT. & THE TURNPIKE
EXTENSION, MIAMI-DADE COUNTY, FLORIDA.

Size: 26.5 ACRES

Folio #: 3030350000090

Request:

DBC FROM IU2 TO GP

EXISTING ZONING

Subject Property IU-2,

EXISTING USE

SITE CHARACTERISTICS

STRUCTURES ON SITE:

None

USE(S) OF PROPERTY:

Vacant lot

FENCES/WALLS:

None

LANDSCAPING:

4 FT cocoplum hedge northsie of property/large oak and black olive trees, palms,crotons hedge.

BUFFERING:

Hedge all around north property line

VIOLATIONS OBSERVED:

Heavy equiptment without permit

OTHER:

Process # **Applicant's Name**
Z2010000151 MIAMI-DADE COUNTY AVIATION DEPARTMENT

ZONING INSPECTION REPORT

SURROUNDING PROPERTY

NORTH:

Commercial office building

SOUTH:

Airport

EAST:

Commercial warehouses

WEST:

Expressway

SURROUNDING AREA

Commercial office building with warehouses and airport.

NEIGHBORHOOD CHARACTERISTICS:

Industrial use and office buildings between Miami International Airport and the 826 Palmetto Expressway.

COMMENTS:

PRETTY LANDSCAPING.

Inspector **EDWARDS, RALPH**

Evaluator **CARL HARRISON**

Process Number: **Z2010000151** Applicant Name **MIAMI-DADE COUNTY AVIATION DEPARTMENT**



Date: 18-MAY-11

Comments: view of northeast corner of property



Date: 18-MAY-11

Comments: view of southwest side of property



Date: 18-MAY-11

Comments: view of the northeast side of property

Inspector **EDWARDS, RALPH**

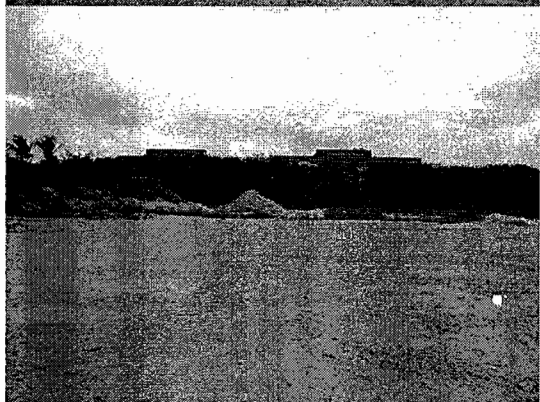
Evaluator **CARL HARRISON**

Process Number: **Z2010000151** Applicant Name **MIAMI-DADE COUNTY AVIATION DEPARTMENT**



Date: 18-MAY-11

Comments: view of westside of property on east side of corporate way st



Date: 18-MAY-11

Comments: westside of property next to expressway. uses as rock pit for expreeway



Date: 18-MAY-11

Comments: Rock pit on westside of property

Inspector **EDWARDS, RALPH**

Evaluator **CARL HARRISON**

Process Number: **Z2010000151** Applicant Name **MIAMI-DADE COUNTY AVIATION DEPARTMENT**



Date: 18-MAY-11

Comments: Expressway wall on westside of property



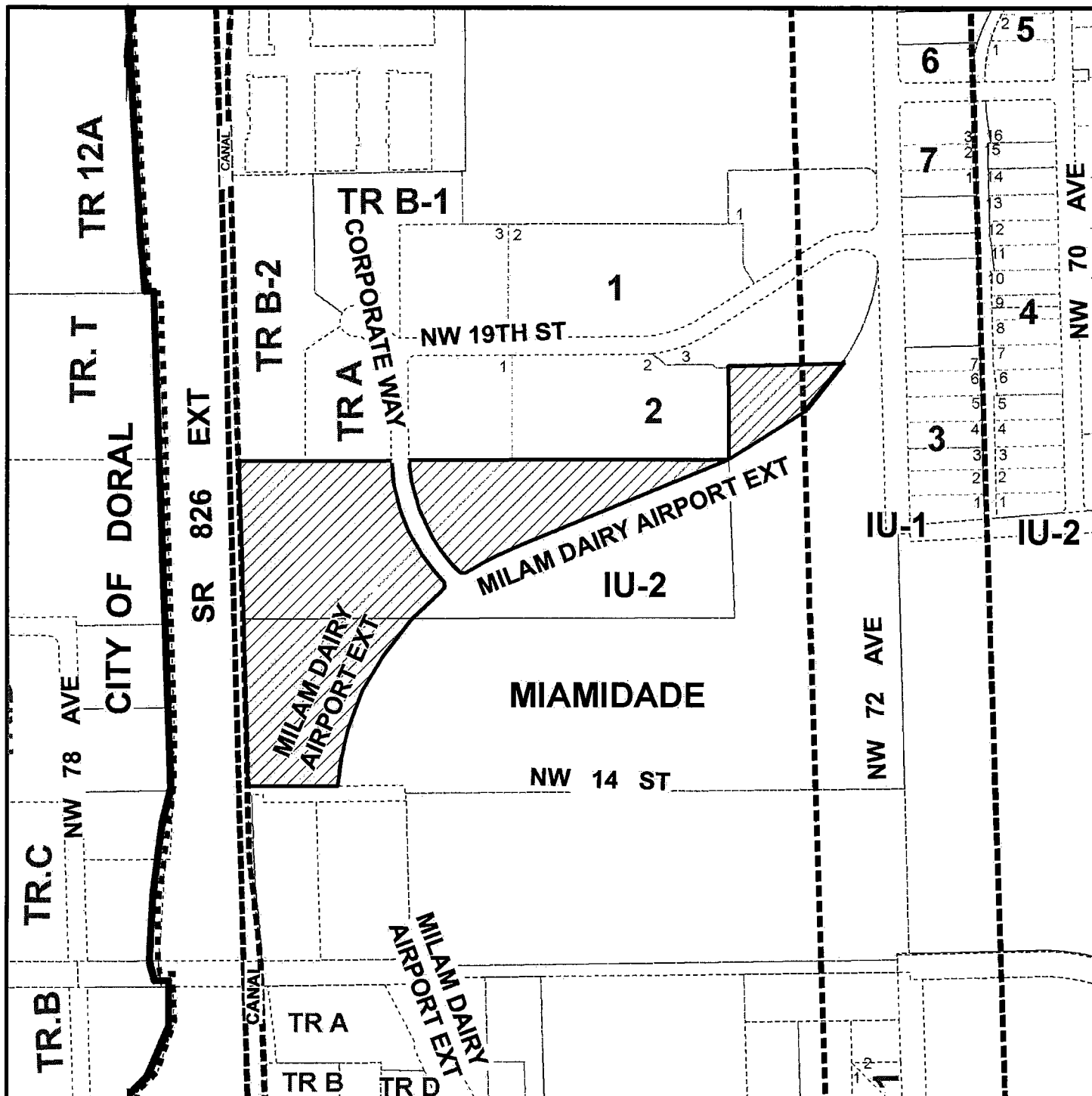
Date: 18-MAY-11

Comments: view of westside of property. violation of heavy equipment on property without a permit



Date: 20-MAY-11

Comments: view of southeast side of property



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2010000151

Section: 35 Township: 53 Range: 40
 Applicant: MIAMI DADE COUNTY AVIATION DEPARTMENT
 Zoning Board: BCC
 Commission District: 12
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

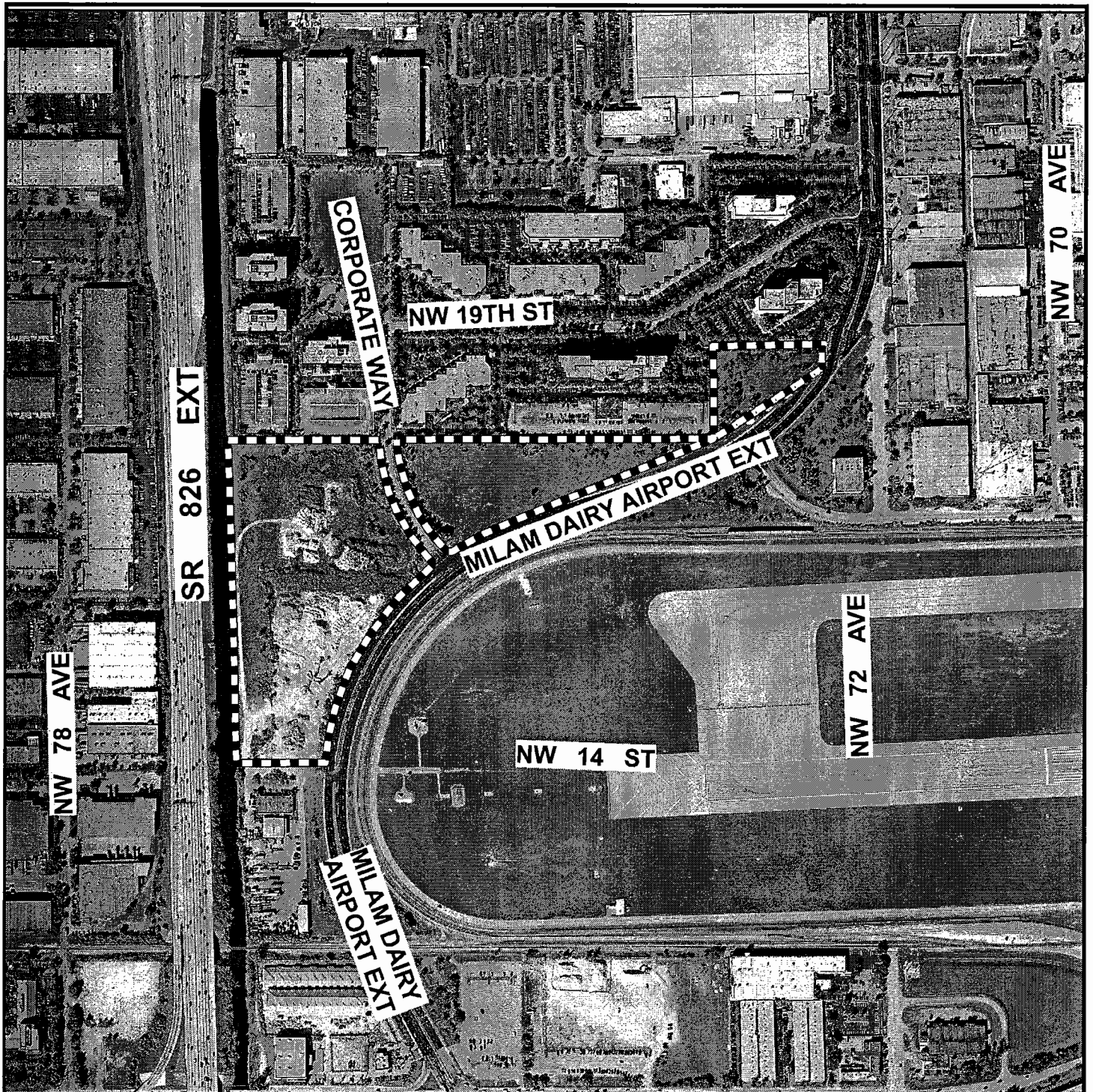
Legend

 Subject Property Case



SKETCH CREATED ON: Monday, October 4, 2010

REVISION	DATE	BY
		21



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number
Z2010000151

Legend



Subject Property



Section: 35 Township: 53 Range: 40
 Applicant: MIAMI DADE COUNTY AVIATION DEPARTMENT
 Zoning Board: BCC
 Commission District: 12
 Drafter ID: JEFFER GURDIAN
 Scale: NTS



SKETCH CREATED ON: Monday, October 4, 2010

REVISION	DATE	BY

**4. COLUMBIA LAGRANGE HOSPITAL, INC. &
KENDALL HEALTHCARE GROUP, LTD.
(Applicant)**

**11-6-CC-4 (11-038)
BCC/District 10
Hearing Date: 06/23/11**

Property Owner (if different from applicant) **COLUMBIA LAGRANGE HOSPITAL, INC.**

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

Disclosure of interest form attached? Yes ☒ No ☐

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1962	Village Green 10 Pin Lanes, Inc	- Variance of 250 sq. ft. detached sign setback 20'.	ZAB	Approved w/conds.
1962	Village Green 10 Pin Lanes, Inc	- Unusual Use & Variance for nightclub bowling alley spaced less than 2,500' from school.	ZAB	Approved w/conds.
1967	Michael Sossin	- Variance of setback requirement. - Variance of spacing requirement (for conversion to convalescent home).	ZAB	Approved w/conds.
1970	Sossin System, Inc	- Special Exception & Unusual Use for a Hosptial in business zone setback spacing.	ZAB	Approved in part w/conds.
1971	American Hospital Development Corp. & Miami Sportfishing Club, Inc.	- Modify condition #3 of Resolution 4-ZAB-264-70.	ZAB	Approved w/conds.
1978	South Dade Health Complex	- Modification of Resolution. - Special Exception to permit expansion of existing hospital. - Variance of setback.	ZAB	Approved w/conds.
1979	South Dade Health Complex LTD	- Modification of resolution.	ZAB	Approved w/conds.
1990	Amireit (Kendall) Inc.	- Modificatin of resolution.	ZAB	Approved w/conds.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

APPLICANTS: Columbia Lagrange Hospital, Inc., and
Kendall Healthcare Group, Ltd.

PH: Z11-038 (11-6-CC-4)

SECTION: 13-54-39

DATE: June 23, 2011

COMMISSION DISTRICT: 10

ITEM NO.: 4

A. INTRODUCTION:

o **SUMMARY OF REQUESTS:**

The applicants seek to modify a condition of a previously approved Resolution along with a paragraph of the accompanying Declaration of Restrictions in order to submit revised plans which show the location of a proposed heliport on the roof of one of the existing hospital buildings.

o **REQUESTS:**

(1) UNUSUAL USE to permit a proposed heliport to be located on the roof of an existing hospital building.

(2) MODIFICATION of Condition #2 of Resolution # Z-8-04, passed and adopted by the Board of County Commissioners on the 18th day of December, 2004, only as it applies to the subject property and reading as follows:

FROM: "2. That the property, will be developed in substantial compliance with the site plan entitled Kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2nd day of December, 2003."

TO: "2. That the property will be developed in substantial compliance with the site plan entitled Kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2nd day of December, 2003, and "Kendall Medical Center Heliport Addition" prepared Gresham Smith and Partners, dated stamped received April 6, 2011.

(2) MODIFICATION of paragraph #1 of the a Declaration of Restriction recorded in ORB 22393, PGS 2160-2170, only as it applies to the subject property, reading as follows:

FROM: "1. That the property will be developed in substantial compliance with the site plan entitled Kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2nd day of December, 2003. ("Site Plan"). If the property is developed in phases, each phase will be developed in substantial accordance with the site plan."

TO: "1. That the property will be developed in substantial compliance with the site plan entitled Kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2nd day of December, 2003. ("Site

Plan”) and “Kendall Medical Center Heliport Addition” prepared Gresham Smith and Partners, dated stamped received April 6, 2011. If property is developed in phases, each phase will be developed in substantial accordance with the site plan.”

The purpose of requests #2 and #3 is to allow the applicants to submit plans showing the location of the proposed heliport on the roof of the existing building.

- o **LOCATION:** 11750 Bird Road, Miami-Dade County, Florida.
- o **SIZE:** 17.92 acres.

B. ZONING HEARINGS HISTORY:

The subject property or portions thereof, has been the subject of a number of hearings from 1962 through 2004, most of which pertain to the existing hospital on the site. In 1970, pursuant to Resolution #4-ZAB-264-70, the subject property was approved to allow a hospital in a business zone. Subsequently, between 1971 and 1978, said hospital was approved for modifications to the site plan of the existing hospital which also included a parking lot located to the south of SW 42 Street, which was zoned BU-1A, Limited Business District. The southern parcel of the subject property that is located to the south of SW 42 Street was approved for a zone change from BU-1A to EU-1, Single-Family One-Acre Estate District in September 1978, pursuant to Resolution #Z-207-78. In addition, between 1990 and 2004, the hospital was approved for additional improvements which also included an expansion on properties located to the west including additional parking garages and an emergency room facility pursuant to Resolution #4-ZAB-341-90. The hospital uses were further expanded on properties located to the west including additional parking garages and a four-story addition to the hospital, pursuant to Resolution Z-8-04 at which time the applicant also proffered a covenant which, among other things, limited the development of the hospital to the approved plan.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT:

1. The adopted 2015 and 2025 Land Use Plan designates **the northern portion of the subject property located to the north of SW 42 Street for Institutions and Utilities.** *The Plan map illustrates, for information purposes, only the location of major institutional uses, communication facilities and utilities of metropolitan significance. Depicted are such uses as **major hospitals, medical complexes**, colleges, universities, regional water-supply, antenna fields, radio and television broadcast towers, wastewater and solid waste utility facilities such as the resources recovery plant, major government office centers and military installations. The full range of institutions, communications and utilities may be allowed under this land use category. Offices are also allowed in this map category. Internally integrated business areas smaller than 5 acres in size or up to 10 percent of the total floor area of an institutional, public facility or office use may also be approved in this map category. If the owner of land designated as Institutions, Utilities and Communications chooses to develop the land for a different use and no public agency intends to use the site for a public facility, the land may be developed for a use or a density comparable to and compatible with*

surrounding development providing that such development is consistent with the goals, objectives and policies of the CDMP especially Policies LU-4A and LU-4B.

The Homestead Air Reserve Base is also included in this category on the Land Use Plan map. The range of uses that may occur on the Base as it is redeveloped shall emphasize military aviation and related uses, national security, recreation uses, educational and other institutional uses. All future uses on the former Base will be consistent with the Record of Decision issued by the Secretary of the Air Force as it pertains to County use of the Base property.

Neighborhood or community-serving institutional uses, cell towers and utilities including schools, libraries, sanitary sewer pump stations and fire and rescue facilities in particular, and cemeteries may be approved where compatible in all urban land use categories, in keeping with any conditions specified in the applicable category, and where provided in certain Open Land subareas. Compatibility shall be determined in accordance to Policy LU-4A. Co-location of communication and utility facilities are encouraged. Major utility and communication facilities should generally be guided away from residential areas; however, when considering such approvals, the County shall consider such factors as the type of function involved, the public need, existing land use patterns in the area and alternative locations for the facility. All approvals must be consistent with the goals, objectives and policies of the Comprehensive Development Master Plan.

Electric power transmission line corridors are permitted in every land use category when located in established right-of-ways or certified under the Florida Electrical Power Plant Siting Act (Sections 403.501-403.518, F.S.) as an ancillary use to a new power plant, or the Transmission Line Siting Act (Sections 403.52-403.5365 F.S.) for individual electrical transmission lines. If an electric power transmission line corridor does not meet either of the above conditions, it shall be situated in an area designated as Institutions, Utilities and Communications; Industrial and Office; Business and Office; or Parks and Recreation on the adopted Land Use Plan map. When compatible with adjacent uses and permitted by County and State regulations, non-utility ancillary uses that may be located in transmission line corridors include agriculture, parking lots, open space, golf courses, bikeways and paths for walking and exercising.

2. *The Adopted 2015 and 2025 Land Use Plan designates **the portion of the subject property located to the south of SW 42 Street for Agriculture**. The area designated as "Agriculture" contains the best agricultural land remaining in Miami-Dade County. As stated in the Miami-Dade County Strategic Plan, approved in 2003 by the Board of County Commissioners, protection of viable agriculture is a priority. The principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture such as packing houses, and farm residences. Uses ancillary to, and necessary to support the rural residential community of the agricultural area may also be approved, including houses of worship; however, schools shall not be approved in Agriculture areas but should be located inside the UDB in accordance with Policy EDU-2.A.*
3. ***Uses and Zoning Not Specifically Depicted on the LUP Map.** Within each map category numerous land uses, zoning classifications and housing types may occur. Many existing uses and zoning classifications are not specifically depicted on the Plan map. This is due largely to the scale and appropriate specificity of the countywide LUP*

map, graphic limitations, and provisions for a variety of uses to occur in each LUP map category. In general, 5 acres is the smallest site depicted on the LUP map, and smaller existing sites are not shown. All existing lawful uses and zoning are deemed to be consistent with this Plan unless such a use or zoning (a) is found through a subsequent planning study, as provided in Policy LU-4E, to be inconsistent with the criteria set forth below; and (b) the implementation of such a finding will not result in a temporary or permanent taking or in the abrogation of vested rights as determined by the Code of Miami-Dade County, Florida.

4. **Policy LU-4A.** *When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.*

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

BU-2; hospital and medical offices
EU-1; hospital parking lot

Institution and Utilities
Agriculture

Surrounding Properties:

NORTH: GU: Turnpike ramp
BU-2: service station and offices
RU-1 & RU-TH: single-family
residences and townhomes

Transportation
Institution and Utilities
Low Density Residential, 2.5 to 6 du

SOUTH: EU-1; single-family residences
and utility plant

Agriculture

EAST: GU; Florida Turnpike

Transportation

WEST: OPD; vacant land

Institution and Utilities

E. PERTINENT ZONING REQUIREMENTS/STANDARDS:

Section 33-311(A)(3) Special Exceptions, Unusual and New Uses

*The Board shall hear an application for and grant or deny special exceptions; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and **unusual uses** which by regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other*

5

equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

33-311(A)(7) Generalized Modification Standards. *The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution, and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate board finds after public hearing (a) that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.*

F. NEIGHBORHOOD SERVICES PROVIDER COMMENTS:

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

*Subject to conditions.

G. PLANNING AND ZONING ANALYSIS:

The BCC shall have jurisdiction to directly hear applications encompassing property located in more than one Community Zoning Appeals Board (CZAB) District pursuant to Section 33-314(A)(2). The subject property is located within two (2) separate CZAB Districts. A portion of the subject property is located within the CZAB 11 District and the remainder is located within CZAB 10 District.

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates **the portion of the subject property located to the north of SW 42 Street for Institutions, Utilities and Communication use.** *This category accommodates the location of major institutional uses, communication facilities and utilities of metropolitan significance. Depicted are such uses as **major hospitals, medical complexes**, colleges, universities, regional water-supply, antenna fields, radio and television broadcast towers, wastewater and*

solid waste utility facilities such as the resources recovery plant, major government office centers and military installations. The full range of institutions, communications and utilities may be allowed under this land use category. Offices are also allowed in this map category. The Adopted 2015 and 2025 Land Use Plan designates the portion of the subject property located to the south of SW 42 Street which currently contains a parking lot for hospital staff for Agriculture. The principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture such as packing houses, and farm residences. However, the interpretative text of the CDMP states that all existing lawful uses and zoning are deemed to be consistent with this Plan unless such a use or zoning (a) is found through a subsequent planning study, as provided in Policy LU-4E, to be inconsistent with the criteria set forth below; and (b) the implementation of such a finding will not result in a temporary or permanent taking or in the abrogation of vested rights as determined by the Code of Miami-Dade County, Florida. Staff's research indicated that a portion of the parcel, located to the south that contains the staff parking area was previously zoned BU-1A, Limited Business District and as such was a legally permitted use. The staff parking area which is located on Lot #41 and Lot #42 of "Exhibit B" of the submitted plans, has been identified on previous modifications of the hospital site plans which have been approved for modifications since 1978 and up until the current site plan that was approved pursuant to resolution #Z-8-04. Although the parcel containing Lot #41 and Lot #42 was rezoned to EU-1, Single-Family One Acre District in 1978, pursuant to Resolution #Z-207-78, the existing parking lot remains as a legally permitted non-conforming use. However, the area designated on Exhibit B as Lot #40 was never legally permitted for a parking lot use and thus does not qualify as an existing use or a legal non-conforming use. Accordingly, the use of Lot #40 as a parking lot would not be permitted by the EU-1 zoning district and would be **inconsistent** with the interpretive text and LUP map of the CDMP. As such, staff opines that the existing hospital uses located on the portion of the property that is designated Institutions, Utilities and Communications and the parking area on Lot #41 and Lot #42 located within the area designated Agriculture on the LUP map of the CDMP, **are compatible with the surrounding area and consistent with the interpretative text and the LUP map of the CDMP.**

Similarly, when the applicants' request to permit the proposed heliport use on top of one of the existing hospital buildings (request #1), is analyzed under Special Exceptions, Unusual and New Uses standards of Section 33-311(A)(3), staff opines that approval of this request will not cause undue or excessive burden on public facilities to the surrounding community. The existing hospital is located along Bird Road, a well travelled east/west major roadway and abuts the Turnpike Extension located to the east, which is a major north/south expressway. The applicants' letter of intent states that the requested modifications to the plan will allow the existing hospital to include a heliport which is required for the operation of a Level II Trauma Center. The submitted plans indicate the location of the proposed heliport on top of a four story building located approximately 250' to the north of the closest residentially zoned property. As such, staff opines that the proposed use is reasonably spaced and sufficiently buffered from the residentially zoned properties located to the south and therefore will not have a negative aural or visual impact on same. Further, staff notes that the approval of the applicants' request will allow the hospital to operate as a Level II Trauma Center and thereby provide the community with additional trauma services. When *considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development*, staff opines that

approval with conditions of this request will be **compatible** with the surrounding area and will provide a needed benefit to the present and future development of the area.

When requests #2 and #3 are analyzed under the Generalized Modification Standards, Section 33-311(A)(7), the proposed modifications in staff's opinion, will not generate excessive traffic, provoke excessive overcrowding of people, tend to provoke a nuisance, and would be **compatible** with the area. Staff notes that the purpose of the proposed modifications is to allow the applicant to submit plans showing the location of the proposed heliport on the roof of the existing building. Further, staff acknowledges that DERM, Public Works, and the Miami-Dade Fire Rescue Departments do not object to the application. Based on their memoranda pertaining to this application, staff opines that approval of these requests will not unduly burden the services provided by the County in this area. Therefore, staff opines that the approval of the applicants' requests would not have a negative visual or aural impact on the residential developments to the west and south and therefore, would be **compatible** with the area concerned, when considering the necessity and reasonableness of the modifications or in relation to the present and future development of the area. However, staff notes that the survey submitted with the application indicates that currently, the hospital allows parking on Lot #40 of the south parcel, referred to as "Exhibit B", which was denied pursuant to Resolution #4-ZAB-180-78. Therefore, staff recommends as a condition for approval that the applicants provide a buffer in the form of a 6' high CBS wall, or chain link fence with a hedge, not less than 3' high at the time of planting, which shall grow to and be maintained at a height of 6', along the interior side (west) property line of Lot #41 of the southern parcel and also remove the existing parking stops and re-sod Lot #40 of the southern parcel in order to prevent parking on said parcel. Staff notes that the applicant has proffered a covenant addressing the aforementioned conditions. **As such, staff recommends approval with conditions of requests #2 and #3 under Section 33-311(A)(7), Generalized Modification Standards, subject to the Board's acceptance of the proffered covenant.**

Based on the aforementioned, staff maintains that approval of (request #1) to permit the proposed heliport on the roof of one of the existing hospital buildings and approval with conditions of requests #2 and #3, which would allow the applicants to modify a condition of a resolution and a paragraph of a declaration of restrictions, in order to submit revised plans showing the proposed heliport with the existing hospital would be **consistent** with the LUP map of the CDMP and **compatible** with the surrounding area. **Accordingly, staff recommends approval with conditions of request #1 under Section 33-311(A)(3) and requests #2 and #3 under Section 33-311(A)(7), subject to the Board's acceptance of the proffered covenant.**

H. **RECOMMENDATION:**

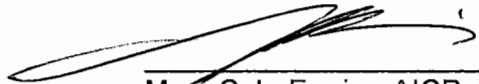
Approval with conditions, subject to the Board's acceptance of the proffered covenant.

I. **CONDITIONS:**

1. That all the conditions of Resolution #Z-8-04, and the Declaration of Restriction recorded in ORB 22393, PGS 2160-2170, remain in full force and effect except as herein modified.

2. That buffering be provided along the interior side (west) property line, of lot #41, referred to as "Exhibit B" in the submitted plans, in the form of a continuous 6' high CBS wall, or chain link fence with a hedge, not less than 3' high at the time of planting, which shall grow to and be maintained at a height of 6' in order to prevent overflow parking on Lot #40. Said buffering shall be installed prior to obtaining a certificate of use for the proposed heliport addition.
3. That no vehicles be allowed to park on Lot #40 of the south parcel of the hospital referred to as "Exhibit B" in the submitted plans.
4. That the parking stops and the gravel area on lot #40 be removed and replaced with sod.
5. 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 recommendation incorporated herein by reference.
6. That this Resolution will not be transmitted to the Clerk of the Commission until the required Declaration of Restrictions is submitted in final, recordable form acceptable to the Department.

DATE TYPED: 05/04/11
DATE REVISED: 05/05/11, 05/17/11, 05/18/11, 06/02/11, 06/07/11
DATE FINALIZED: 06/07/11
MCL:GR:NN:AA:CH



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

NON

Memorandum



Date: April 22, 2011

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

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over a light blue grid background.

Subject: BCC #Z2011000038
Kendall Healthcare Group, Ltd.
11750 Bird Road
Modification of a Previous Resolution/Agreement to Permit a Helipad and
Unusual Use to permit a Helipad
(BU-2) (17.92 Acres)
13-54-40

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

Potable Water Service and Wastewater Disposal

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

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

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

Stormwater Management

The proposed project does not affect the existing drainage system.

Wetlands

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

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

Tree Preservation

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

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 CDMF 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.

DERM does not have any environmental concerns for the approval of this application, therefore this memorandum shall constitute DERM's written approval, as required by the Code.

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

Memorandum

MIAMI-DADE
COUNTY

Date: May 18, 2011

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

From: José A. Ramos, R.A., Acting Director for Aviation Planning, Land-Use and Grants
Aviation Department

Subject: Columbia LaGrange Hospital, Inc. & Kendall Healthcare Group, LTD (PH:11-038)
MDAD DN-11-05-557

As requested by the Department of Planning and Zoning, the Miami-Dade Aviation Department (MDAD) has reviewed the applicant's request for an Unusual Use to permit a helipad and a modification of a previous resolution/agreement to permit a helipad at 11750 SW 40th Street, Miami-Dade County, Florida.

Please be advised that MDAD is not responsible for approving heliport locations; this is handled by the Federal Aviation Administration (FAA) and Florida Department of Transportation (FDOT). The heliport approval process is as follows:

The applicant completes form 7480-1 Notice of Landing Area Proposal to the FAA which is available at <http://forms.faa.gov/forms/faa7480-1.pdf>. The applicant then receives a letter of acknowledgement from the FAA. The applicant checks with local zoning for any heliport restrictions. Upon receipt of the FAA determination letter, the applicant contacts FDOT by applying on their website for site approval. There is a 45 day waiting period. If no opposition is offered, after 45 days, the applicant must register the landing area with FDOT Airport Registration Renewal & New Airport Site Approval by using their website at www.florida-aviation-database.com. The applicant must re-register every 2 years thereafter. FDOT issues a site approval letter by email. Please note that FDOT helicopter landing pad permits are handled by:

FDOT Aviation Office, Central Office, Tallahassee, FL
Telephone : 850-414-4500
Fax: 850-414-4508

Should you have any questions, please feel free to contact me at 305-876-8080.

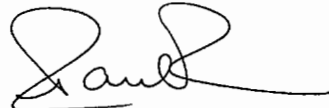
JR/rb

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: COLUMBIA LAGRANGE HOSPITAL, INC,

This Department has no objections to this application.

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

A handwritten signature in black ink, appearing to read "Raul", with a stylized flourish extending to the right.

Raul A Pino, P.L.S.

19-APR-11

Memorandum



Date: 02-MAY-11
To: Marc LaFerrier, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2011000038

Fire Prevention Unit:

APPROVAL
No objection via Case # Z2011000038

Service Impact/Demand

Development for the above Z2011000038
located at 11750 BIRD RD, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1585 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 6:30 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 9 - Kendall - 7777 SW 117 Avenue
Rescue, ALS Engine

Planned Service Expansions:

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

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

DATE: 28-APR-11

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

COLUMBIA LAGRANGE HOSPITAL,
INC,

11750 BIRD RD, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2011000038

HEARING NUMBER

HISTORY:

BLDG: 20090125665-B OPENED, 12/2/08 FOR FAILURE TO OBTAIN A PERMIT FOR
INTERIOR RENOVATIONS. TICKET #B087901 WAS ISSUED. THE CASE WAS FORWARDED
TO LIEN. THE CASE WAS CLOSED 4/13/11.
NC: NO ZONING OR LIEN VIOLATIONS FOUND.

COLUMBIA LAGRANGE HOSPITAL, INC

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

REPORTER NAME:

ZONING INSPECTION REPORT

Inspector: MARTINEZ, RAMIRO

Inspection Dat

Evaluator: N/A

05/16/11

Process #: Z2011000038
Applicant's Name: COLUMBIA LAGRANGE HOSPITAL, INC, & KENDALL HEALTHCARE GROUP, LTD.
Locations: 11750 BIRD RD, MIAMI-DADE COUNTY, FLORIDA.
Size: 17.92 ACRE
Folio #: 3049130000011

Request:

1 UNUSUAL USE to permit a proposed heliport to be located on the roof of an existing hospital building.
2 Modification of Condition #2 of Resolution # Z-8-04 passed and adopted by Board of County Commissioners on the 18th day of December, 2004, only as it applies to the subject property and reading as follows:

From: "2. That the property will be developed in substantial compliance with the site plan entitled kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2nd day of December, 2003.

To: "2. That the property will be developed in substantial compliance with the site plan entitled kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2nd day of December, 2003, and "kendall Medical Center Heliport Addition" prepared Gresham Smith and Partners, dated stamped received April 6, 2011.

3 Modification of paragraph #1 of a Declaration of Restrictions recorded in ORB 22393, PGS 2160-2170, only as it applies to the subject property, reading as follows:

From: "2. That the property will be developed in substantial compliance with the site plan entitled kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2nd day of December, 2003. ("site Plan"). If the property is developed in phases, each phase will be developed in substantial accordance with site plan.

To: "2. That the property will be developed in substantial compliance with the site plan entitled kendall Medical Center, prepared by Gresham Smith and Partners, dated the 2nd day of December, 2003. ("site Plan"), and "kendall Medical Center Heliport Addition" prepared by Gresham Smith and Partners, dated stamped received April 6, 2011. If the property is developed in phases, each phase will be developed in substantial accordance with the site plan.

The purpose of the request is to allow the applicant to submit plans showing the location of the proposed heliport on the roof of the existing building.

EXISTING ZONING

Subject Property BU-2,

EXISTING USE HOSPITAL

SITE CHARACTERISTICS

STRUCTURES ON SITE:

MULTI-STORY HOSPITAL, 7-STORY PARKING GARAGE, 4 STORY OFFICE BUILDING & A PARKING LOT TO THE WEST SIDE OF SITE.

USE(S) OF PROPERTY:

HOSPITAL USE & USE ANCILLARY TO A HOSPITAL USE.

FENCES/WALLS:

ZONING INSPECTION REPORT

THERE IS A 6 FT ALUMINUM FENCE ALONG THE WEST, NORTH AND A SMALL PORTION OF THE SOUTH PROPERTY LINES.

LANDSCAPING:

THE SITE IS SUBSTANTIALLY LANDSCAPED THROUGHOUT THE SITE AS REQUIRED BY CHAPTER 33-253(2.1)(F) AND 18A. THE SITE HAS A VARIETY OF SPECIES SUCH AS LIVE OAKS, ROYAL PALMS & GUMBO LIMBO.

BUFFERING:

VIOLATIONS OBSERVED:

HOSPITAL IS CURRENTLY OPERATING WITHOUT A VALID CERTIFICATE OF USE. THERE IS A PENDING APPLICATION FOR A CHANGE OF OWNERSHIP IN 2008 (U2008009240), WHICH IS STILL PENDING. NOV ISSUED TO HOSPITAL FOR OPERATING W/O A VALID CU. NO OTHER VIOLATIONS WERE OBSERVED AT TIME OF INSPECTION. BNC ENFORCEMENT LETTER IS NOT ON FILE, BUT RESEARCH OF DADE CONTY RECORDS REVEAL NO OPEN ENFORCEMENT CASES UNDER FOLIO NO. 3049130000011.

OTHER:

Process # Applicant's Name

Z2011000038 COLUMBIA LAGRANGE HOSPITAL, INC, & KENDALL HEALTHCARE GROUP, LTD.

SURROUNDING PROPERTY

NORTH:

FLORIDA TURNPIKE RIGHT OF WAY & RU-TH/RU-1; TOWMHOUSES & SINGLE FAMILY HOMES.

SOUTH:

CANAL & EU-1; SINGLE FAMILY RESIDENCES & FPL SUBSTATION.

EAST:

FLORIDA TURNPIKE.

WEST:

OPD - UNIMPROVED PROPERTY.

SURROUNDING AREA

THE SITE IS SURROUNDED BY THE TURNPIKE TO THE EAST, RESIDENTIAL TO THE NORTH & SOUTH AND VACANT LAND ZONED OPD TO THE WEST.

NEIGHBORHOOD CHARACTERISTICS

THE NEIGHBORHOOD CHARACTERISTICS ARE CHARACTERIZED BY SINGLE FAMILY HOMES, TOWNHOMES, AND A FUTURE OFFICE PARK DISTRICT LOCATED TO THE WEST OF SUBJECT PROPERTY.

COMMENTS:

Inspector **MARTINEZ, RAMIRO**

Evaluator **N/A**

Process Number: **Z2011000038** Applicant Name **COLUMBIA LAGRANGE HOSPITAL, INC, & KENDALL HEALTHCARE GROUP, LTD.**



Date: 16-MAY-11

Comments: NORTH FRONT ELEVATION OF HOSPITAL.



Date: 17-MAY-11

Comments: NORTH FRONT ELEVATION OF SUBJECT PROPERTY.



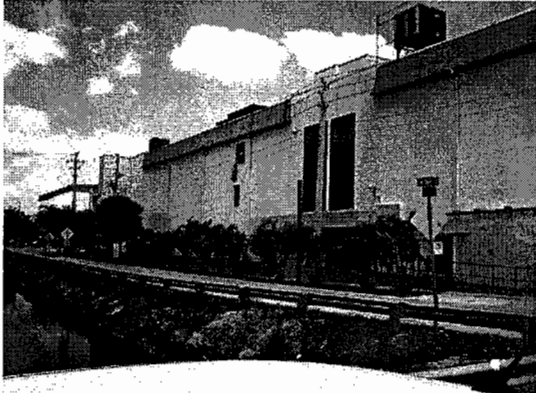
Date: 16-MAY-11

Comments: EAST ELEVATION OF SUBJECT PROPERTY.

Inspector **MARTINEZ, RAMIRO**

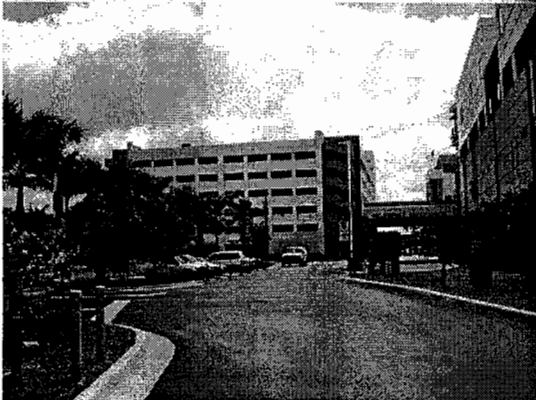
Evaluator **N/A**

Process Number: **Z2011000038** Applicant Name **COLUMBIA LAGRANGE HOSPITAL, INC, & KENDALL
HEALTHCARE GROUP, LTD.**



Date: 16-MAY-11

Comments: REAR SOUTH ELEVATION OF SUBJECT PROPERTY.



Date: 16-MAY-11

Comments: EAST ELEVATION OF PARKING GARAGE.



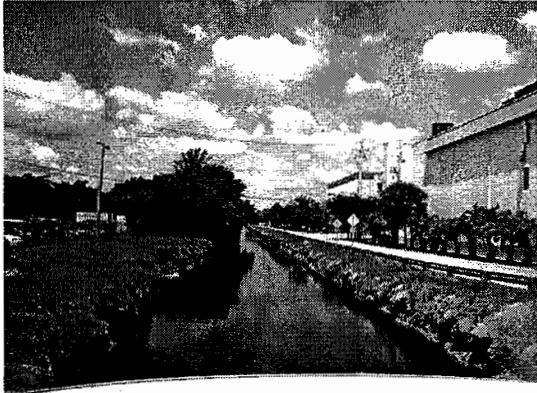
Date: 16-MAY-11

Comments: MEDICAL PLAZA LOCATED ON THE WESTERN HALF
OF SUBJECT PROPERTY.

Inspector **MARTINEZ, RAMIRO**

Evaluator **N/A**

Process Number: **Z2011000038** Applicant Name **COLUMBIA LAGRANGE HOSPITAL, INC, & KENDALL HEALTHCARE GROUP, LTD.**



Date: 16-MAY-11

Comments: THERE IS A CANAL BETWEEN THE HOSPITAL & THE EU-1 RESIDENCES LOCATED TO THE SOUTH OF SUBJECT PROPERTY.



Date: 16-MAY-11

Comments: EMPLOYEE PARKING LOT LOCATED TO THE SOUTH SW 42 ST.



Date: 16-MAY-11

Comments: EU-1 RESIDENCES LOCATED TO THE SOUTH OF CANAL & SUBJECT PROPERTY.

Inspector **MARTINEZ, RAMIRO**

Evaluator **N/A**

Process Number: **Z2011000038** Applicant Name **COLUMBIA LAGRANGE HOSPITAL, INC, & KENDALL HEALTHCARE GROUP, LTD.**



Date: 16-MAY-11

Comments: FLORIDA TURNPIKE LOCATED TO THE EAST OF SUBJECT PROPERTY.



Date: 16-JUN-11

Comments: OPD VACANT LAND LOCATED TO THE WEST OF SUBJECT PROPERTY.



Date: 16-JUN-11

Comments: RU-1 SINGLE FAMILY RESIDENCES LOCATED TO THE NW OF SUBJECT PROPERTY.

Inspector **MARTINEZ, RAMIRO**

Evaluator **N/A**

Process Number: **Z2011000038** Applicant Name **COLUMBIA LAGRANGE HOSPITAL, INC, & KENDALL HEALTHCARE GROUP, LTD.**



Date: 16-MAY-11

Comments: RU-TH TOWNHOMES LOCATED TO THE NORTH OF SUBJECT PROPERTY.



Date: 16-MAY-11

Comments: THERE IS A CANAL & HEAVY VEGETATION BETWEEN THE SUBJECT PROPERTY & EU-I RESIDENCES TO THE NORTH.



Date: 16-MAY-11

Comments: NW ENTRANCE TO SUBJECT PROPERTY.

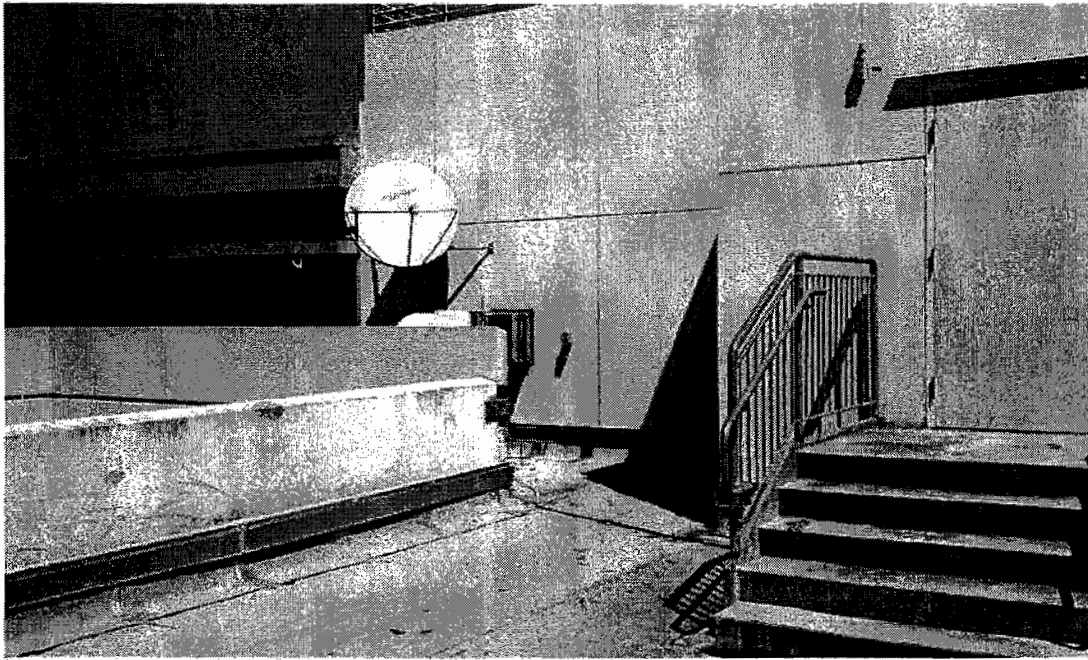


Photo #2

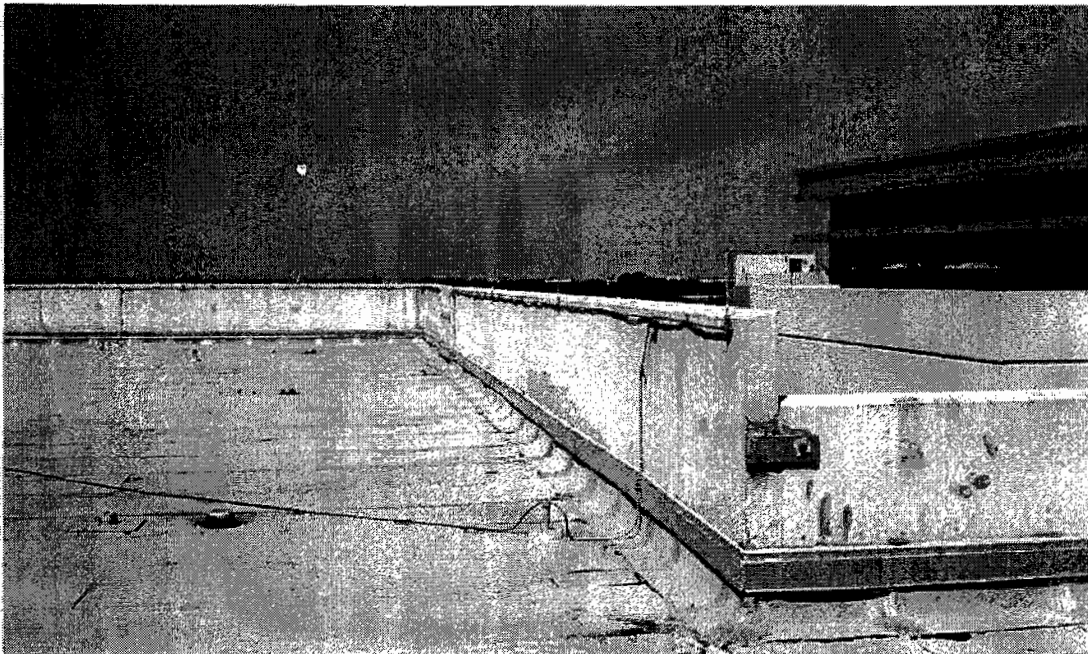


Photo #3

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



Photo #4

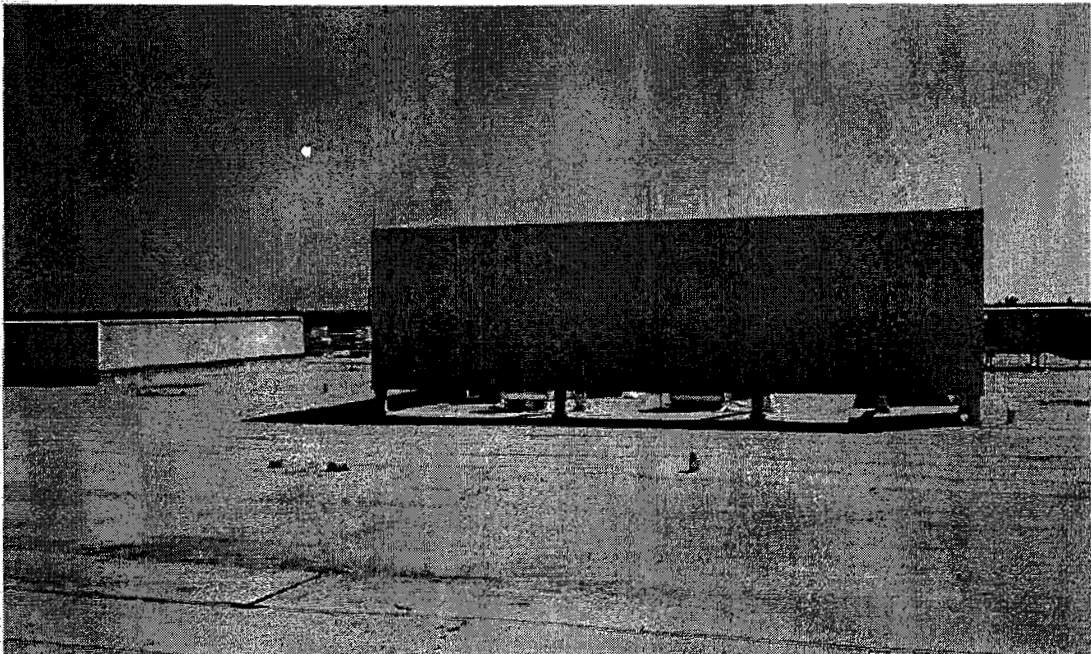


Photo #5

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

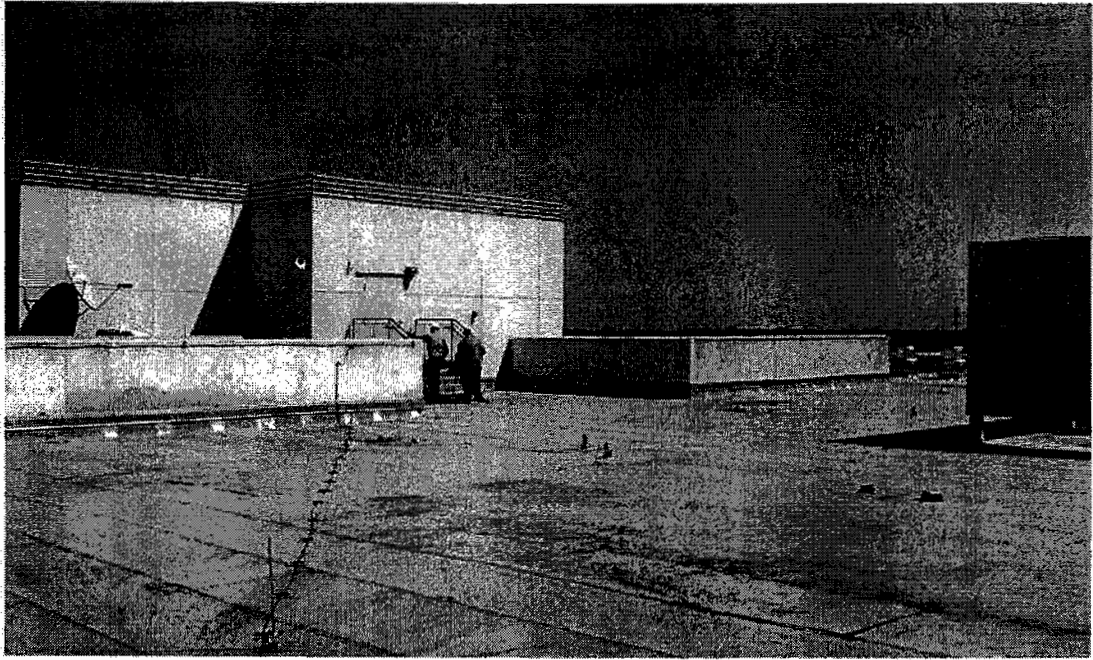


Photo #6



Roof Aerial

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711-038
APR 06 2011

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

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: Columbia LaGrange Hospital, Inc.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
HCA Holdings, Inc.	100% of the stock
One Park Plaza	of Columbia is ultimately
P.O. Box 750	owned by HCA Holdings,
Nashville, TN 37202	Inc., whose stock is publicly
	traded.

*See attached for addresses

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

TRUST/ESTATE NAME _____

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

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


PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>

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

MIADOCS 5229642 4

4/5/11

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ZONING HEARINGS SECTION
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stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

Date of contract: _____

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

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

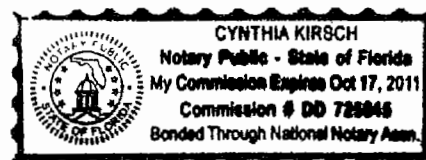
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: *[Signature]*
Columbia LaGrange Hospital, Inc. (Applicant)

Sworn to and subscribed before me this 5 day of April, 2011. Affiant is personally known to me or has produced _____ as identification.

[Signature]
(Notary Public)

My commission expires: 10-17-2011



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

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211-038
APR 05 2011

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4/5/11

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

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: _____

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

*See attached for addresses

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

TRUST/ESTATE NAME _____

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


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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: Kendall Healthcare Group, Ltd.

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
See attached Exhibit "D"	_____
_____	_____
_____	_____

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

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4/5/11

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211-038
APR 06 2011
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY 

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

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

Date of contract: _____

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

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

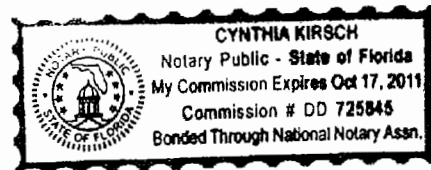
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: *Kendall Healthcare Group, Ltd.*
Kendall Healthcare Group, Ltd. (Applicant)

Sworn to and subscribed before me this 5 day of April, 2011. Affiant is personally known to me or has produced _____ as identification.

Cynthia Kirsch
(Notary Public)

My commission expires: 10-17-2011



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

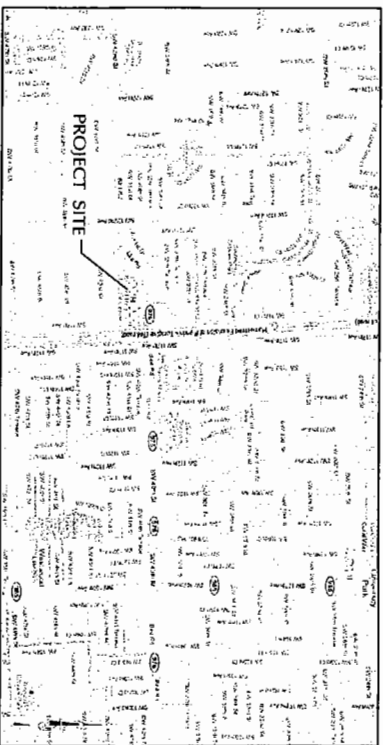
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211-038
APR 06 2011

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4/5/11

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



Helipad Addition
11750 S.W. 40th STREET
Miami, Florida



Vicinity Map

Not to Scale

ZONING HEARING EXHIBITS
APRIL 5, 2011

FIRM. CERT. NO. AAP000034 / EB0003806
GS&P Project No.: 28164.00
Owner's Account No. 359410010



Contact: Ryan Sweeney
615-770-8442 Office
866-715-3370 Fax
ryan_sweeney@gspnet.com



**Design Service
For The Built
Environment**

- Atlanta
Birmingham
Charlotte
Cincinnati
Columbus
Dallas
Fort Lauderdale
Jacksonville
Knoxville
Louisville
Nashville
Memphis
Richmond
Tampa

**GRESHAM
SMITH AND
PARTNERS**
1405 Nashville City Center
415 Union Street
Nashville, Tennessee 37203
615.770.8100



**Kendall
Medical
Center**
Hillpad
Addition

Miami, Florida

[illegible]

COVER SHEET

CO.1

FILE
PROJECTS
DATE
01-06-2011
D:\ZARFAC\NOOP\16104-1
2010-09
01-06-2011

**Design Services
For The Built
Environment**

Atlanta
Birmingham
Charlotte
Cincinnati
Columbus
Dallas
Fort Lauderdale
Jacksonville
Knoxville
Louisville
Nashville
Memphis
Richmond
Tampa

GREESHAM
SMITH AND
PARTNERS

[illegible]MATH 051 AND 101
 ALL 1-3 MATHS ARE NEW

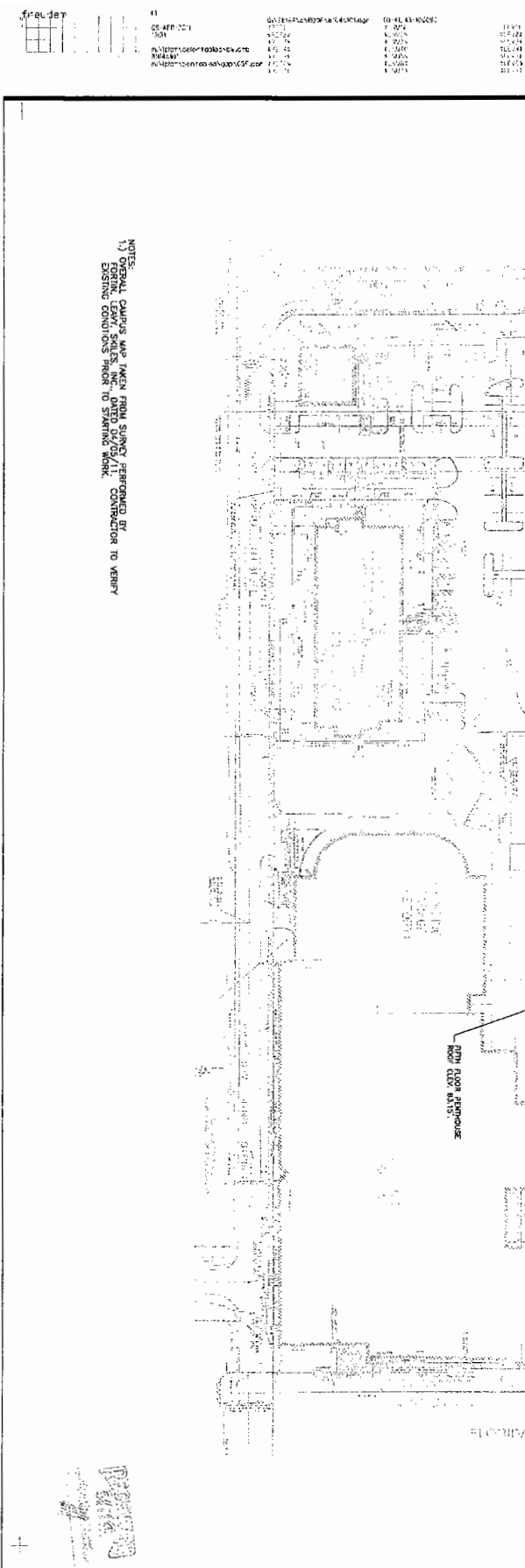
**Kendall
Medical
Center**
Hempstead
Addition
Miami, Florida

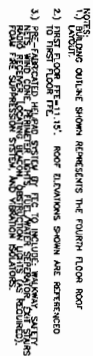
Miami, Florida

[illegible]OVERALL
CAMPUS MAP

5.1

FILE: 0-328164-14:ROOF/010400
PROJECT: 27164-00
DATE: 21-05-2011

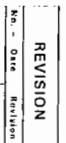




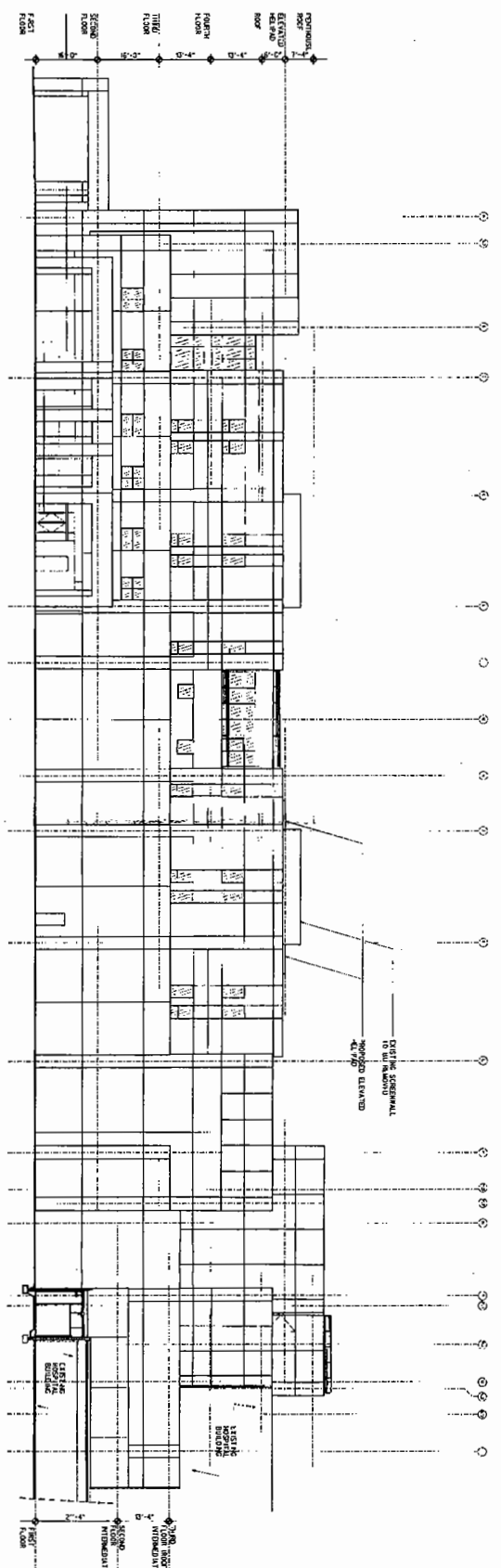
1

GREENHAFTH
SMITH AND
PARTNERS
1001 Washington City Center
711 Union Street
Seattle, WA 98101
415.774.1818
WWW.GREENTHAFTH.COM

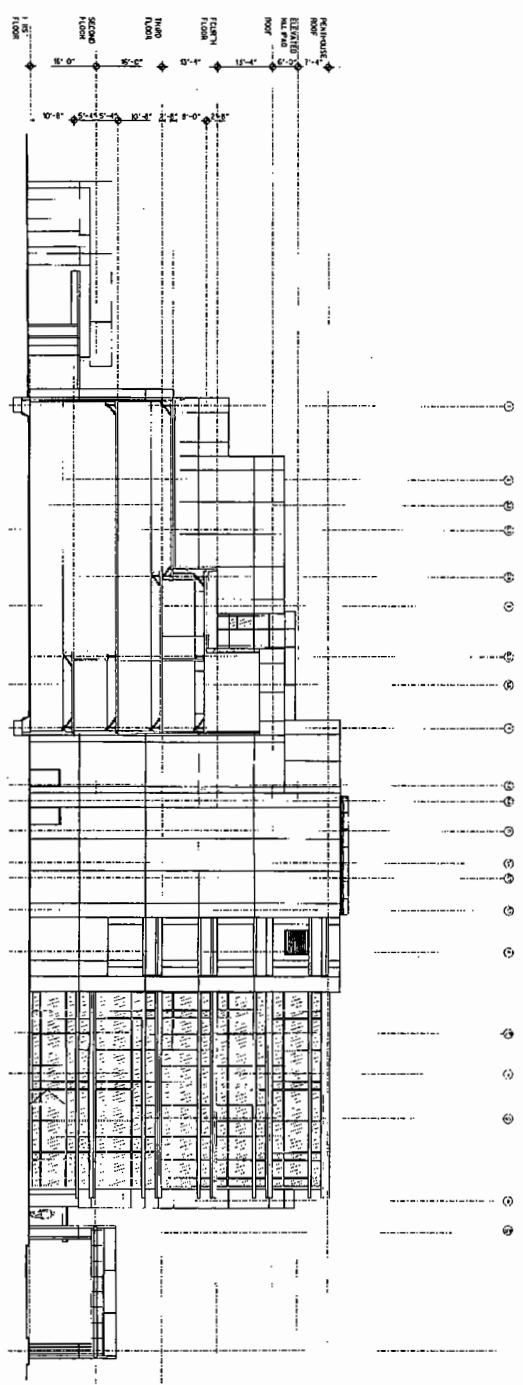
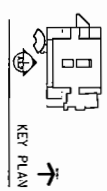
**Medical
Center**
Heliport
Addition
Miami, Florida

Foreign Registration Number
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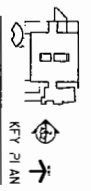
C1.2



1 SOUTH ELEVATION



2 EAST ELEVATION



NOT FOR CONSTRUCTION



Design Services
For The Built
Environment

- Atlanta
- Birmingham
- Chattanooga
- Fort Lauderdale
- Jacksonville
- Louisville
- Nashville
- Orlando
- Phoenix
- Tampa
- Washington

GRESHAM
SMITH AND
PATNERS

ARCHITECTS

3000 LANTANA DRIVE
SUITE 200
FORT LAUDERDALE, FL 33309
TEL: (954) 473-1111
FAX: (954) 473-1112
WWW.GS&PDESIGN.COM

EDICU
Surgey Addition
Miami, Florida
Owner: ADRIAN P. SERVICES



Kendall
Regional
Medical
Center

EDICU
Surgey Addition
Miami, Florida
Owner: ADRIAN P. SERVICES

Signature

ISSUE
Rev. - Date - Description

REVISION
Rev. - Date - Description

REVISION
Rev. - Date - Description

SOUTH AND EAST
OVERALL
ELEVATIONS
A3.2

34



Design Services
For The Built
Environment

Atlanta

Birmingham

Chicago

Fort Lauderdale

Jacksonville

Louisville

Memphis

Phoenix

Portland

Tampa

GABRIEL
SMITH AND
PARTNERS

Architects
2000 North
Biscayne Blvd., Suite 1000
Miami, Florida 33132
Tel: 305.372.1111
Fax: 305.372.1112
www.gabriel-smith.com

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ARCHITECTS

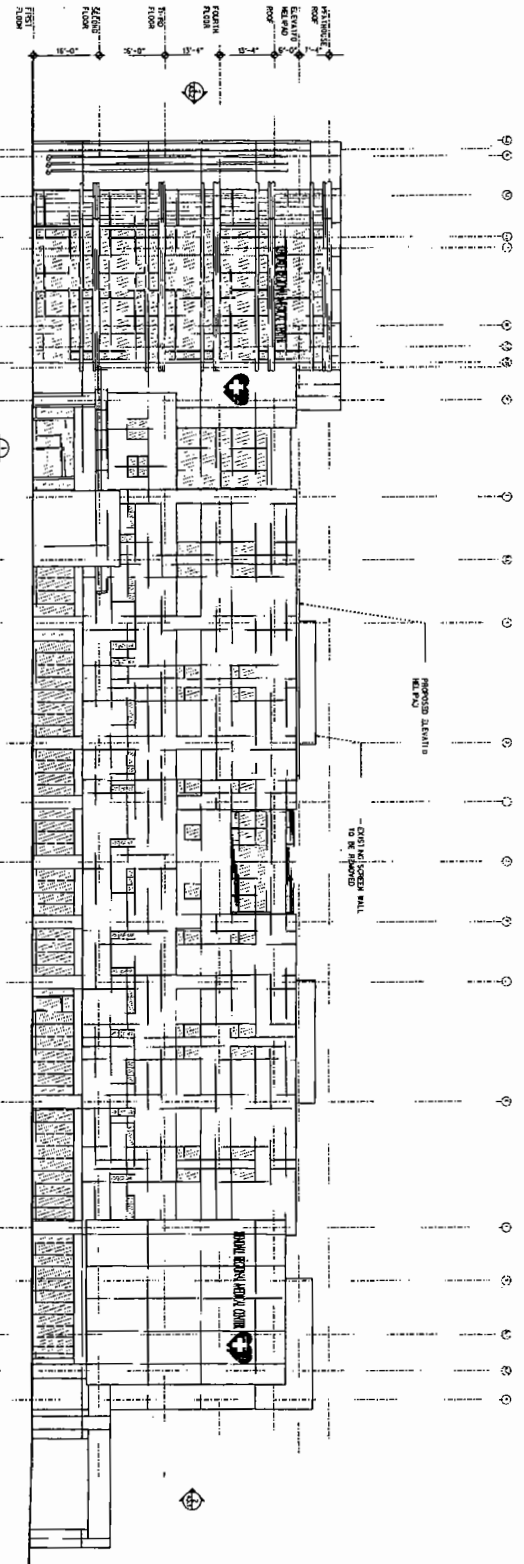
1000 Biscayne Blvd., Suite 1000
Miami, Florida 33132
Tel: 305.372.1111
Fax: 305.372.1112
www.gabriel-smith.com

ARCHITECTS

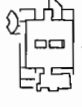
1000 Biscayne Blvd., Suite 1000
Miami, Florida 33132
Tel: 305.372.1111
Fax: 305.372.1112
www.gabriel-smith.com

ARCHITECTS

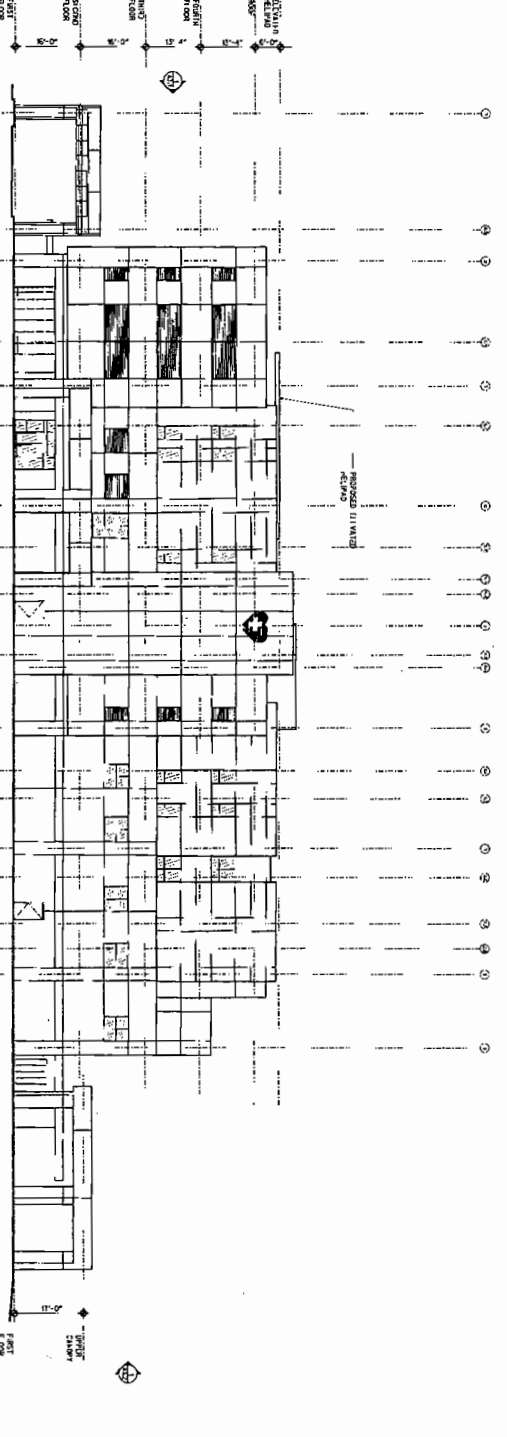
1000 Biscayne Blvd., Suite 1000
Miami, Florida 33132
Tel: 305.372.1111
Fax: 305.372.1112
www.gabriel-smith.com



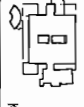
1 NORTH ELEVATION



KEY PLAN



2 WEST ELEVATION



KEY PLAN

NOT FOR
CONSTRUCTION



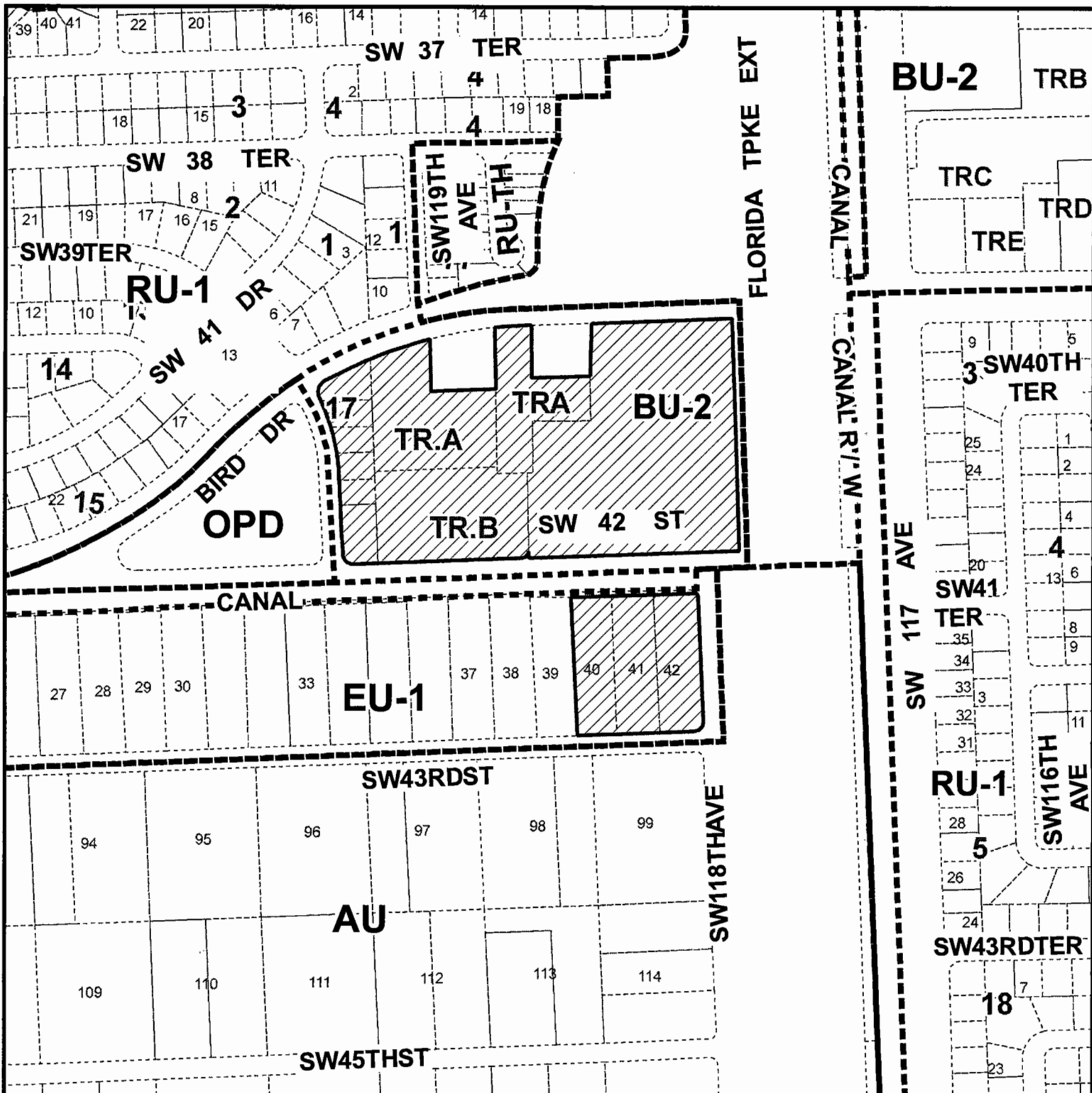
[Signature]

Kendall
Regional
Medical
Center
FDICU
Surgey Addition
Miami, Florida
Drawing No. 10-1000000000

ISSUE	NO.	DATE	REVISION
1	1	10/10/00	10/10/00
2	2	10/10/00	10/10/00
3	3	10/10/00	10/10/00
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8	8	10/10/00	10/10/00
9	9	10/10/00	10/10/00
10	10	10/10/00	10/10/00

NOT FOR
CONSTRUCTION

A3.1



MIAMI-DADE COUNTY
HEARING MAP

Process Number

Z2011000038

Section: 13/24 Township: 54 Range: 39
 Applicant: COLUMBIA LAGRANGE HOSPITAL, INC,
 Zoning Board: BCC
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Wednesday, April 13, 2011

REVISION	DATE	BY
		35



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

Z2011000038

Section: 13/24 Township: 54 Range: 39

Applicant: COLUMBIA LAGRANGE HOSPITAL, INC,

Zoning Board: BCC

Commission District: 10

Drafter ID: JEFFER GURDIAN

Scale: NTS

Legend



Subject Property



SKETCH CREATED ON: Wednesday, April 13, 2011

REVISION	DATE	BY