



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARINGS**

THURSDAY, NOVEMBER 21, 2013

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

TIME OF MEETING 9:30 AM

CURRENT:

HEARING # DISTRICT(S)

1. **L F R LAND FAMILY LP & TUSCANY PLACE ASSOC.** **13-061** **09**

Request(s): - The application is for a deletion of a prior Declaration of Restrictions and to permit a fence with a height that is more than required.

Location: Lying West of SW 137 Avenue, between SW 252 and theoretical SW 258 Street, Miami-Dade County, Florida.
Within the Urban Development Boundary (UDB)



Official Zoning Agenda

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSION MEETING OF THURSDAY, NOVEMBER 21, 2013

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 WITNESS

1. L F R LAND FAMILY LP & TUSCANY PLACE ASSOC. 13-11-CC-1 (13-61)

27-56-39
BCC/Dist. 9

REQUEST #1 ON PARCELS A, B & C

- (1) DELETION of the Declaration of Restrictions Recorded in Official Record Book 20749, pages 3683 – 3687.

The purpose of the above request is to allow the applicant to delete a Declaration of Restriction that was proffered in conjunction with a previously approved zone change in order to develop the property under the current Community Urban Center Regulations.

REQUEST #2 ON PARCELS B & C

- (2) NON-USE VARIANCE to permit an aluminum fence with a height of 6' (3.5' maximum permitted) in front of the build-to-line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "San Marino" as prepared by Burgos Lanza Architects & Planners, with sheet A0.03B dated stamped received 7/1/13 and sheet A0.05 dated stamped received 9/9/13 for a total of 2 sheets. Plans may be modified at public hearing.

LOCATION: Lying West of SW 137 Avenue, between SW 252 Street and theoretical SW 258 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 32.06 Acres

Department of Regulatory and
Economic Resources
Recommendation:

Approval of requests #1 and #2 with
conditions.

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 Regulatory and Economic Resources (RER), 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 Regulatory and Economic Resources (RER), 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.



**Miami-Dade County Regulatory and Economic Resources Department
Staff Report to the Board of County Commissioners**

PH: Z13-061(13-11-BCC-1)

November 21, 2013

Item No. 1

Recommendation Summary	
Commission District	9
Applicants	LFR Land Family LP & Tuscany Place Associates.
Summary of Requests	The application is for a deletion of a prior Declaration of Restrictions and to permit a fence with a height that is more than required.
Location	Lying West of SW 137 Avenue, between SW 252 and theoretical SW 258 Street, Miami-Dade County, Florida.
Property Size	32.06 +/- acres
Existing Zoning	PCUC, Princeton Community Urban Center NCUC, Naranja Community Urban Center
Existing Land Use	Vacant
2015-2025 CDMP Land Use Designation	Business and Office Low Middle Density Residential Community Urban Center (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(7) Generalized Modification Standards Section 33-311(A)(4)(b) Non-Use Variance (see attached Zoning Recommendation Addendum)
Recommendation	Approval of requests #1 and #2 with conditions

The BCC shall have jurisdiction directly over applications to modify or delete a prior Declaration of Restrictions recorded prior to July 27, 2005 encumbering property located within any Urban Center Zoning district as indicated in Section 33-314(14) of the County Code.

REQUESTS:

1. DELETION of the Declaration of Restrictions recorded in Official Record Book 20749, pages 3683 – 3687.

REQUEST #1 ON PARCELS A, B & C

The purpose of the above request is to allow the applicant to delete a restriction restricting the number of units and to allow the applicant to separate the site into two parcels for the previously approved multi-family development.

2. NON-USE VARIANCE to permit an aluminum fence with a height of 6' (3.5' maximum permitted) in front of the build-to-line.

REQUEST #2 ON PARCELS B & C

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "San Marino" as prepared by Burgos Lanza Architects & Planners, with sheet A0.03B dated stamped received 07/01/13 and sheet A0.05 dated stamped received 09/09/13 for a total of 2 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND HISTORY:

The applicant seeks the approval of a request to delete a prior Declaration of Restrictions restricting the number of units and to allow the applicant to separate the site into two parcels for the previously approved multi-family development (request #1) and to permit a fence with a height of 6' (3.5' maximum permitted) in front of the build-to-line (request #2).

In May 1989, pursuant to Resolution Z-100-89, a portion of the subject property located between theoretical S.W. 257 Street and S.W. 258 Street, and between S.W. 137 Avenue was approved for a district boundary change from AU (Agricultural District) to RU-TH (Townhouse District).

In March 2002, pursuant to Resolution CZAB15-14-02, a portion of the subject property located between South Dixie Highway and S.W. 137 Avenue and theoretical S.W. 252 Street was approved for a district boundary change from AU (Agricultural), BU-1 (Neighborhood Business District) and BU-1A (Limited Business District) to RU-4L (Limited Apartment House District) The applicant proffered a covenant restricting the development to 380 multifamily units, 12.7 units per acre on subject parcels "A" and "B".

In June 2005, pursuant to Resolution Z-13-05, a portion of the subject property, Parcel A located west of SW 137 Avenue between SW 252 Street and SW 256 Street was part of a larger tract of land that was rezoned to the **Princeton Community Urban Center District (PCUCD)**.

Sequentially, in November 2005, pursuant to Resolution Z-26-05, the remaining southern portion of the subject property, Parcels B and C located West of SW 137 Avenue and between SW 256 Street and 258 Street was a part of a larger tract of land that was rezoned to the **Naranja Community Urban Center District (NCUCD)**.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	PCUC; Apartments NCUC; Vacant land	Community Urban Center
North	PCUC; Bank	Community Urban Center
South	NCUC; Single Family Residences	Community Urban Center
East	PCUC; Single-Family Residences and church	Community Urban Center
West	PCUC; Busway and Single Family Residences	Community Urban Center

NEIGHBORHOOD CHARACTER:

The property is located in two community urban centers, Princeton Community Urban Center District (PCUCD) and Naranja Community Urban Center District (NCUCD). The property consists of three parcels, Parcels A, B and C. Parcel A has apartment buildings and is the larger of the three parcels located west of SW 137 Avenue between SW 252 Street and SW 256

Street and zoned Princeton Community Urban Center District (PCUCD). Parcels B and C are undeveloped and are located West of SW 137 Avenue, between SW 256 Street and 258 Street and is zoned Naranja Community Urban Center District (NCUCD). The property is surrounded by a commercial bank to the north, single-family residences and a church to the east, single family residences to the south, and a bus way and single-family residences to the west.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to delete a prior Declaration of Restrictions restricting the number of units and allow the applicant to separate the site into two parcels for the previously approved multi-family development in a manner consistent with the regulations of the Urban Center Zoning Districts. The variance of fence height will allow the applicant to secure the community in a manner consistent with development of the surrounding area. However, the approval of a fence above the height permitted under said regulations could have a visual impact on properties in the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

In June 2005, pursuant to Resolution Z-13-05, Parcel A of the subject property was part of a larger tract of land that was rezoned to the **Princeton Community Urban Center District (PCUCD)**, subsequently in November 2005, pursuant to Resolution Z-26-05, Parcels B and C was a part of a larger tract of land that was rezoned to the **Naranja Community Urban Center District (NCUCD)**.

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property as lying within the **NCUCD and PCUCD**. Urban Centers are identified as hubs for future development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve and are intended to be moderate-to-high-intensity design-unified areas that will contain a concentration of different urban functions such as residential uses integrated both horizontally and vertically. Emphasis in design and development of these centers and all of their individual components have been created to promote active pedestrian environments through high-quality design of public spaces as well as private buildings; human scaled appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. All of the parcels within the boundaries of the approved NCUCD described in Ordinance #04-217 and the PCUC District described in Ordinance #05-146 are regulated by plans and descriptive standards which are consistent with the Urban Center interpretative text. Among other things, said Ordinances requires buildings to be oriented to the street, parking lots to be predominately relegated to the rear or sides of buildings, primary building entrances to be placed close to the street and/or open space, and shade trees and weather protection to be available in order to create a pedestrian-friendly environment at street level.

The purpose of the application is to allow the applicant to delete a Declaration of Restrictions restricting the number of units and to separate the site into two parcels for the previously approved multi-family development (request #1) and to permit an aluminum fence with a height of 6' in front of the build-to-line that will be higher than permitted by the NCUC regulations (request #2). These requests will allow the applicant to develop the parcels in conjunction with the remainder "A" that is located within the PCUC District as a multi-family residence.

As such, the application is **compatible** with the residential uses allowed and therefore **consistent** with the CDMP LUP map Urban Center designation and the Land Use Element interpretative text for Urban Centers.

ZONING ANALYSIS:

Staff notes that Parcel "A" is within the Center Sub-District and is designated MC, Mixed Use Corridor and RM, Residential Modified on the regulating plans for the PCUC District that were approved in November 2005. Parcel "A" is already developed with 340 residential units. Parcels "B" and "C" are vacant parcels within the Edge Sub-District and are designated MC on the regulating plans for the NCUC District. Said designation could allow the property to be developed at a maximum of 52 dwelling units per acre, which could allow a maximum of 452 residential units on the 8.7 net acre parcel. However, Parcels B and C are currently being developed through an Administrative Site Plan Review (ASPR) process. Staff's review of the current application, ASPR #13-007, indicates a proposed 172 unit residential development.

When the applicant's request to delete a prior Declaration of Restrictions restricting the number of units and to allow the applicant to separate the site into two parcels for the previously approved multi-family development (request #1), is analyzed under Section 33-311(A)(7), Generalized Modification Standards, staff opines that the requested deletion would not generate excessive noise or traffic, nor create a dangerous hazard, nor provoke excessive overcrowding of people, nor be incompatible with the area as based on the recommendations and/or information contained in memoranda from the Division of Environmental Resources Management (DERM) and the Traffic and Platting Review Section of the Department of Regulatory and Economic Resources (RER). Staff found a similar approval for a deletion of a Declaration of Restrictions within the surrounding area. For example, a tract of land located to the SW corner of SW 137 Avenue and theoretical SW 258 Street, AKA 25820 S.W. 137 Avenue was approved pursuant to Z-19-09 to delete a prior Declaration of Restrictions restricting the development to 36 residential units. Staff further opines that the request is **compatible and consistent** with the residential uses allowed by the CDMP LUP map Urban Center designation and the Land Use Element interpretative text for Urban Centers. **Therefore, staff recommends approval of the request #1 with conditions under Section 33-311 (A)(7), Generalized Modification Standards.**

When the applicants' request to permit an aluminum fence with a height of 6' in front of the build-to-line (request #2) is analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of this request would be **compatible** with the surrounding area and would not be detrimental to the neighborhood or negatively affect the appearance of the community. The submitted plan depicts the proposed aluminum fence located along the north property line abutting SW 256 Street, the east property line of the subject property abutting SW 137 Avenue, the south property line abutting 258 Street and the west property line abutting theoretical SW 138 Avenue. Staff opines that although the proposed fence is an average 2'-5" taller than allowed by the NCUCD regulations, the fence meets the 75% transparency requirement and approval will not have a negative visual impact on the surrounding properties. Although there were no similar approvals in the surrounding area, staff opines that because of the unique location of this development abutting four (4) roadways, the proposed fence will provide a welcome visual transition between Parcels B and C being developed under the NCUCD regulations and the existing multi-family residences located on Parcel A to the north. Therefore, staff opines that approval of the increased height for the proposed fence will act as a reasonable deterrent to unwanted pedestrian or vehicular traffic

from encroaching into the property. As such, staff opines that approval with conditions of the application will also not have a negative impact on the future development of the surrounding area within the NCUC. **Therefore, staff recommends that request #2 be approved with conditions under Section 33-311(A)(4)(b) (NUV), Non-Use variance standards.**

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate an ingress/egress point along SW 137 Avenue.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

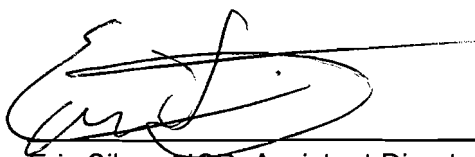
RECOMMENDATION:

Approval of requests #1 and #2 with conditions.

CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, only as it applies to the fence, the same be substantially in accordance with that submitted for the hearing entitled ""San Marino" as prepared by Burgos Lanza Architects & Planners, with sheet A0.03B dated stamped received 07/01/13 and sheet A0.05 dated stamped received 09/09/13 for a total of 2 sheets
3. That the use be established and maintained in accordance with the approved plan.

ES:MW:NN:CH:EJ


Eric Silva, AICP, Assistant Director
Development Services Division
Miami-Dade County
Regulatory and Economic Resources Department

NON

ZONING RECOMMENDATION ADDENDUM

LFR Land Family LP & Tuscany Place Assoc.
Z13-061

	<p>and support such development. The County will give special emphasis to providing a high level of public mass transit service to all planned urban centers. Given the high degree of accessibility as well as other urban services, the provisions of this section encourage the intensification of development at these centers over time. In addition to the Urban Center locations depicted on the Land Use Plan Map, all future rapid transit station sites and their surroundings shall, at a minimum, be developed in accordance with the Community Center policies established below.</p> <p>Following are policies for development of Urban Centers designated on the Land Use Plan (LUP) map. Where the provisions of this section authorize land uses or development intensities or densities different or greater than the underlying land use designation on the LUP map, the more liberal provisions of this section shall govern. All development and redevelopment in Urban Centers shall conform to the guidelines provided below.</p> <p>Uses and Activities. Regional and Metropolitan Centers shall accommodate a concentration and variety of uses and activities which will attract large numbers of both residents and visitors while Community-scale Urban Centers will be planned and designed to serve a more localized community. Uses in Urban Centers may include retail trade, business, professional and financial services, restaurants, hotels, institutional, recreational, cultural and entertainment uses, moderate to high density residential uses, and well planned public spaces. Incorporation of residential uses is encouraged, and may be approved, in all centers, except where incompatible with airport or heavy industrial activities. Residential uses may be required in areas of the County and along rapid transit lines where there exists much more commercial development than residential development, and creation of employment opportunities will be emphasized in areas of the County and along rapid transit lines where there is much more residential development than employment opportunity. Emphasis in design and development of all centers and all of their individual components shall be to create active pedestrian environments through high-quality design of public spaces as well as private buildings; human scale appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. Existing public water bodies shall also be incorporated by design into the public spaces within the center.</p> <p>Buildings. Buildings and their landscapes shall be built to the sidewalk edge in a manner that frames the adjacent street to create a public space in the street corridor that is comfortable and interesting, as well as safe for pedestrians. Architectural elements at street level shall have a human scale, abundant windows and doors, and design variations at short intervals to create interest for the passing pedestrian. Continuous blank walls at street level are prohibited. In areas of significant pedestrian activity, weather protection should be provided by awnings, canopies, arcades and colonnades.</p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>33-311(A)(7) Generalized Modification Standards</p>	<p>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.</p>
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ZONING RECOMMENDATION ADDENDUM

*LFR Land Family LP & Tuscany Place Assoc.
Z13-061*

33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	<i>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.</i>
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1. L F R LAND FAMILY LP & TUSCANY PLACE ASSOC. 13-11-CC-1 (13-061)
(Applicant)

Area BCC/District 08
Hearing Date: 11/21/13

Property Owner (if different from applicant) **L F R & FAMILY, LP ET, AL.**

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

If so, who are the interested parties?

Disclosure of interest form attached? Yes ☒ No ☐

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1989	Sam B. Nevel	- Zone change from AU to RU-TH.	BCC	Approved
2000	Church of God Inc.	- Special Exception to permit a religious facility. - Non-Use Variance of Zoning requirement to permit a proposed building with a height of 38'.	C15	Approved with Condition(s).
2002	Hugo G. Morales, Trustee	- Zone change AU, BU-1 and BU-1A to RU-4L. - Special Exception for multi family development. - Unusual Use for lake excavation.	C15	Approved with Condition(s)
2005	The Director of the Department of Planning & Zoning	- Multiple zone change to NCUC.	BCC	Approved
2005	The Director of the Department of Planning & Zoning	- Multiple zone change to PCUC.	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.

Memorandum



Date: October 11, 2013

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources 

Subject: C-15 #Z2013000061-1st Revision
L F R Land Family, LP and Tuscany Place Associates
Laying West of S.W. 137th Avenue, Between S.W. 252nd Street and
Theoretical S.W. 258th Street, Miami-Dade County, Florida
Deletion of declaration of restriction for a previous approved multi-
family development and Non-Use Variance to permit a greater
fence height than permitted.
(NCUC) (32.06 Acres)
27-56-39

The subject application has been reviewed by the Department of Regulatory and Economic Resources- Division of Environmental Resources Management (DERM) for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

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 any future development order approval. The applicant is advised to contact the DERM Water Control Section at (305) 372-6681 for further information regarding permitting procedures and requirements. Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 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 Chapter 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 for this proposed development order.

Wetlands

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

The applicant is advised that permits from the Army Corps of Engineers (305) 526-7181), the Florida Department of Environmental Protection (561) 681-6600 and the South Florida Water Management

District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

The property contains specimen-sized trees (trunk diameter 18 inches or greater), which will be impacted. Tree Removal/Relocation Permit #4666 was issued for these properties on September 24, 2013 and authorizes the removal of non specimen trees and the relocation of two specimen sized strangler fig trees. Be advised that as part of the relocation requirements for Tree Removal/Relocation Permit #4666, the applicant has agreed to implement a tree relocation methodology plan dated September 23, 2013 when relocating the trees subject to this permit.

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 September 24, 2016 in order to avoid violation of permit conditions.

Please be advised that a new Miami-Dade County Tree Removal/Relocation Permit or an amendment to this permit is required prior to the removal and/or relocation of additional trees on the subject property that are subject to the Tree Preservation and Protection provisions of the Code.

The applicant is advised to contact the Tree Permitting Program at (305) 372-6574 for information regarding tree permits.

Concurrency Review Summary

A concurrency review has been conducted 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 written approval as required by Chapter 24 of 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.

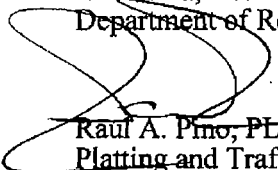
cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: September 4, 2013

To: Eric Silva, Assistant Director
Department of Regulatory and Economic Resources

From:  Raul A. Pino, PLS, Chief
Platting and Traffic Review Section
Department of Regulatory and Economic Resources

Subject: Z2013000061
Name: LFR Land Family & Tuscany Place Assoc.
Location: Lying West of SW 137 Avenue, between SW 252 Street and
Theoretical SW 258 Street
Section 27 Township 56 South Range 39 East

The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has no objections.

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

Proposed fence must comply with the safe sight distance triangle requirements set forth in Section 33-11 of the Miami Dade County Code.

Additional improvements may be required at time of permitting

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.

Memorandum



Date: October 25, 2013

To: Eric Silva, Assistant Director
Regulatory and Economic Resources Department

From: Paul Mauriello, Assistant Director, Waste Operations
Public Works and Waste Management Department

Subject: LFR Land Family, LP and Tuscany Place Associates update (#13_061)

The Public Works and Waste Management Department (PWWM) has no objections to the proposed application as the supplemental information provided in the application does not affect the waste management service provided.

The review was created as requested to update a previous response dated July 19, 2013, as the applicant is currently providing updates to the site plan. Pursuant to Chapter 15 of the Miami-Dade County Code, entitled Solid Waste Management, apartments on the property will be considered multi-family residential establishments. As the PWWM does not actively compete for multi-family residential waste collection service at this time, waste collection services may be provided by a private waste hauler. The application will have no impact or any associated costs.

The PWWM does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste. The PWWM is in compliance with this standard, meaning that there is adequate disposal capacity to meet projected growth in demand, inclusive of the application reviewed here, which is not anticipated to have a negative impact on disposal service.

If you should have any questions, please do not hesitate to contact Stacey McDuffie, Manager of the Fiscal Management and Planning Division at 305-514-6661.

Memorandum



Date: August 15, 2013

To: Jack Osterholt, Deputy Mayor
Director, Regulatory and Economic Resources Department

From: Maria I. Nardi, Chief *M. I. N.*
Planning and Research Division
Parks, Recreation and Open Spaces Department

Subject: Z2013000061: L F R LAND FAMILY, & TUSCANY PLACE ASSOC.

Application Name: L F R LAND FAMILY, & TUSCANY PLACE ASSOC.

Project Location: The site is located in that area LYING WEST OF SW 137 AVENUE, BETWEEN SW 252 STREET AND THEORETICAL SW 258 STREET, Miami-Dade County.

Proposed Development: The request is for approval of a non-use variance of fence height and deletion of a covenant to delete a previous Declaration of Restrictions since the site has been rezoned as part of the Princeton and Naranja Community Urban Center zoning districts. The already developed portion of the site (Parcel A) is located in the Princeton Community Urban Center zoning district and the remaining Parcels B and C are located in the Naranja zoning district. The Applicant plans a development of a gated multi-family development to be submitted for Administrative Site Plan Review approval as required by the standards of the Naranja Community Urban Center zoning district regulations. The site plan includes pool and clubhouse and other open space to serve the project residents.

Impact and demand: This application does not generate any new residential population over what was previously approved and therefore has no additional impact which would be applicable to CDMO Open Space Spatial Standards. In addition, the site is located in Parks Benefit District #3 which has a surplus of 208.3 acres in local park inventory for the purpose of calculating level of service and therefore meets concurrency. In the future, the Applicant, as stated above, will provide an application for Administrative Site Plan Review approval.

Recommendation: Based on our findings described herein **PROS HAS NO OBJECTION TO THIS APPLICATION.**

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum



Date: 21-OCT-13
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2013000061

Fire Prevention Unit:

- No objection to Letter of Intent.

Service Impact/Demand

Development for the above Z2013000061
located at LYING WEST OF SW 137 AVENUE, BETWEEN SW 252 STREET AND THEORETICAL SW 258
STREET, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 2435 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 6:18 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 5 - Goulds/Princeton - 13150 SW 238 Street
Rescue, BLS Engine, Battalion 7

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: 13-AUG-13

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

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

L F R LAND FAMILY LP &
TUSCANY PLACE ASSOC.

LYING WEST OF SW 137 AVENUE,
BETWEEN SW 252 STREET AND
THEORETICAL SW 258 STREET,
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2013000061

HEARING NUMBER

HISTORY:

NC OPEN: THERE ARE NO CURRENT OPENED NEIGHBORHOOD COMPLIANCE CASES FOR FOLIO NUMBERS 30-6927-017-0040, 30-6927-017-0010, OR 30-6927-000-0450.

FOLIO: 30-6927-017-0040

NC CLOSED: CASE NUMBER 201201006279, WAS OPENED ON SEPTEMBER 25, 2012, FOR FAILURE TO PERFORM LOT MAINTENANCE IN A RESIDENTIAL DISTRICT AS STATED IN 19-13 (A)(2) [OVERGROWTH OF GRASS AND WEEDS]. A WARNING LETTER WAS ISSUED THE SAME DAY. THE VIOLATION WAS CORRECTED AND THE CASE WAS CLOSED.

CASE NUMBER 201301002706, WAS OPENED ON APRIL 18, 2013, FOR FAILURE TO PERFORM LOT MAINTENANCE IN A RESIDENTIAL DISTRICT AS STATED IN 19-13(A)(2) [OVERGROWTH OF GRASS AND WEEDS]. CITATION NUMBER T037126 WAS ISSUED ON MAY 3, 2013, FOR NON-COMPLIANCE TO THE WARNING LETTER, WHICH WAS PREVIOUSLY ISSUED UNDER CASE NUMBER 2001301002706. THE VIOLATION WAS CORRECTED AND THE CITATION WAS PAID. THE CASE HAS BEEN CLOSED.

THERE ARE NO CLOSED NEIGHBORHOOD COMPLIANCE CASES FOR FOLIO NUMBERS 30-6927-017-0010 OR 30-6927-000-0450.

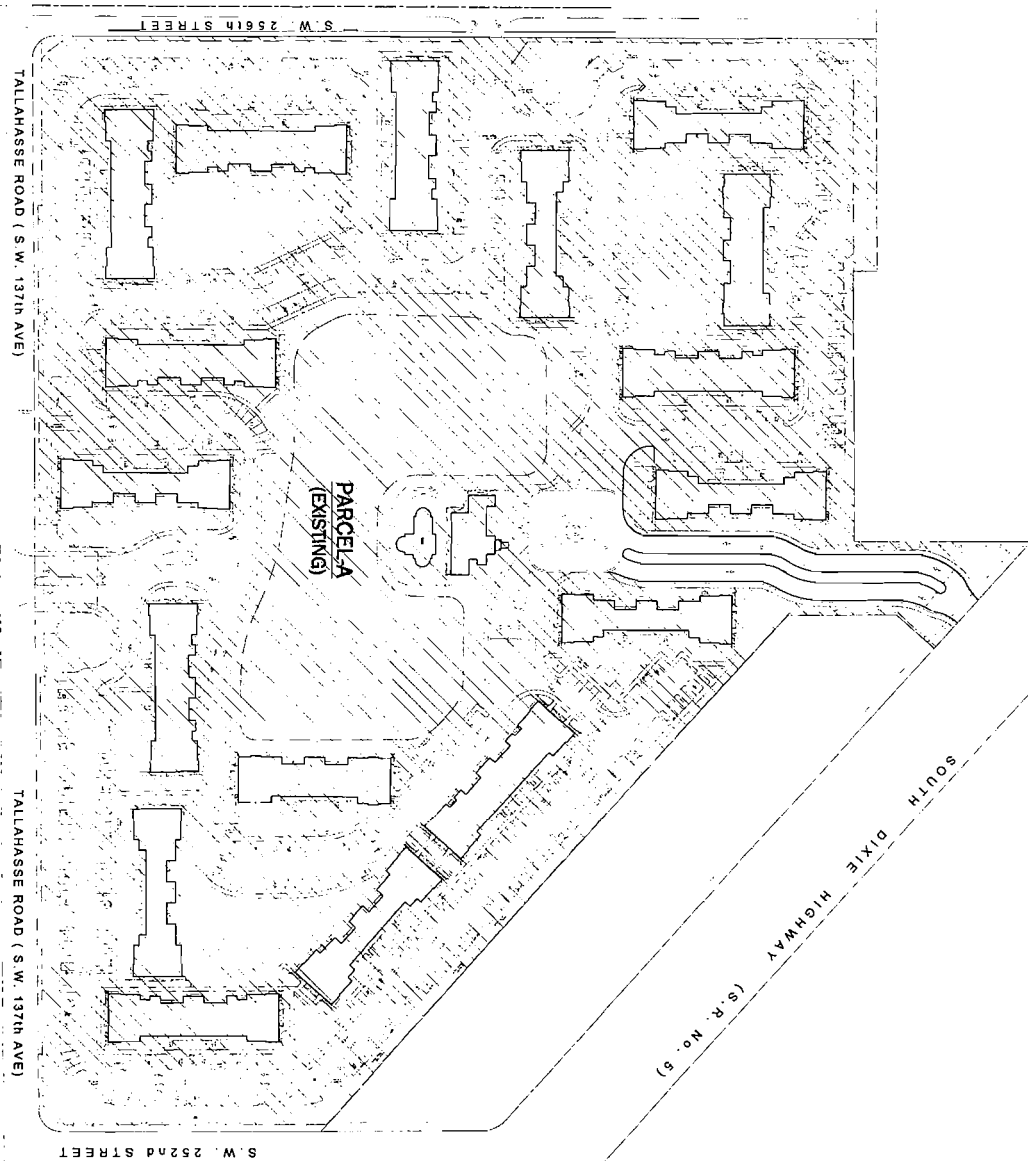
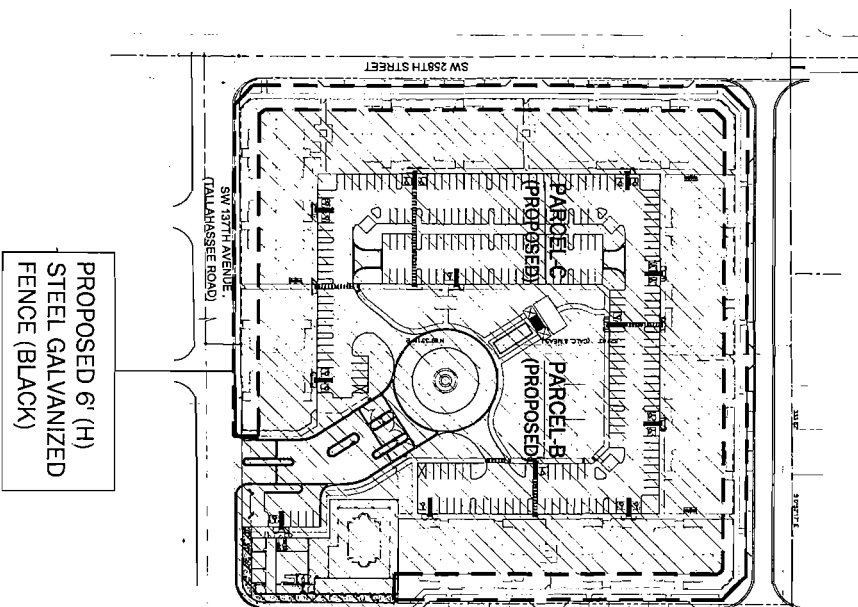
BLDG SUPPORT: THERE ARE NO CURRENT OPENED OR CLOSED BUILDING SUPPORT CASES FOR ANY OF THE FOLIO'S.

L.F.R. LAND FAMILY LP & TUSCANY PLACE ASSOCA.

Parcel A:
TRACT A OF TUSCANY PLACE PLAT PB 159-95, LESS BEG 976.67FTW &
35FTN OF E/4 COR OF SEC CONT N 100 DEG W 267.57FT S 89 DEG W
27.20FT S 00 DEG E & 307.20FT N 89

Parcel B:
TRACT D OF TUSCANY PLACE PLAT PB 159-95.

Parcel C:
S 1/4 of the NE 1/4 of the NE 1/4 of the SE 1/4 of Section 27, Township 56, Range 36



PROPOSED 6' (H)
STEEL GALVANIZED
FENCE (BLACK)

⊕ N SITE PLAN
SCALE 1/60" = 1'-0"

DECEMBER 213-061 SEP 9 2003

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

1. $\text{CH}_3\text{COOH} \rightleftharpoons \text{CH}_3\text{COO}^- + \text{H}^+$
 2. $\text{H}_2\text{O} \rightleftharpoons \text{H}^+ + \text{OH}^-$
 3. $\text{H}_2\text{O} \rightleftharpoons \text{H}_3\text{O}^+ + \text{OH}^-$
 4. $\text{H}_2\text{O} \rightleftharpoons \text{H}^+ + \text{OH}^-$
 5. $\text{H}_2\text{O} \rightleftharpoons \text{H}_3\text{O}^+ + \text{OH}^-$
 6. $\text{H}_2\text{O} \rightleftharpoons \text{H}^+ + \text{OH}^-$
 7. $\text{H}_2\text{O} \rightleftharpoons \text{H}_3\text{O}^+ + \text{OH}^-$
 8. $\text{H}_2\text{O} \rightleftharpoons \text{H}^+ + \text{OH}^-$
 9. $\text{H}_2\text{O} \rightleftharpoons \text{H}_3\text{O}^+ + \text{OH}^-$
 10. $\text{H}_2\text{O} \rightleftharpoons \text{H}^+ + \text{OH}^-$

A0.05

PHASE I & II
SCALE 1/8" = 1'-0"

DATE	03/05/1
DRAWN	CR
PROJECT No.	13-315
SCALE	AS-SHOW



**BURGOS
LANZA**
ARCHITECTS & PLANNERS

BURGOS LANZA & ASSOCIATES
2730 SW 3 AVENUE
Miami, Florida 33129

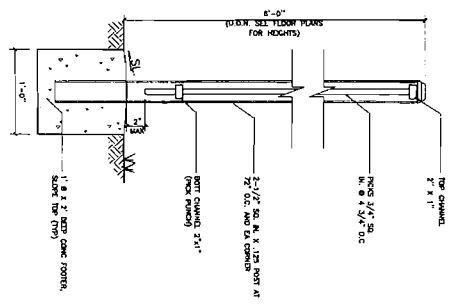
SAN MARINO

LOCATED AT:
SW 256TH STREET
AND SW 137TH AVENUE

[illegible]

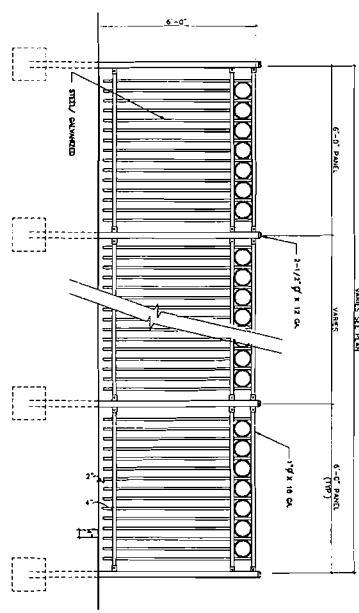
**PICKET FENCE
POST FOOTING DETAIL**

② (STEEL GALVANIZED - SPANISH CROWN ROOFING) 1" @ 1'-4"



ALUM FENCE DETAIL

① (STEEL GALVANIZED - SPANISH CROWN ROOFING) 1" @ 1'-4"

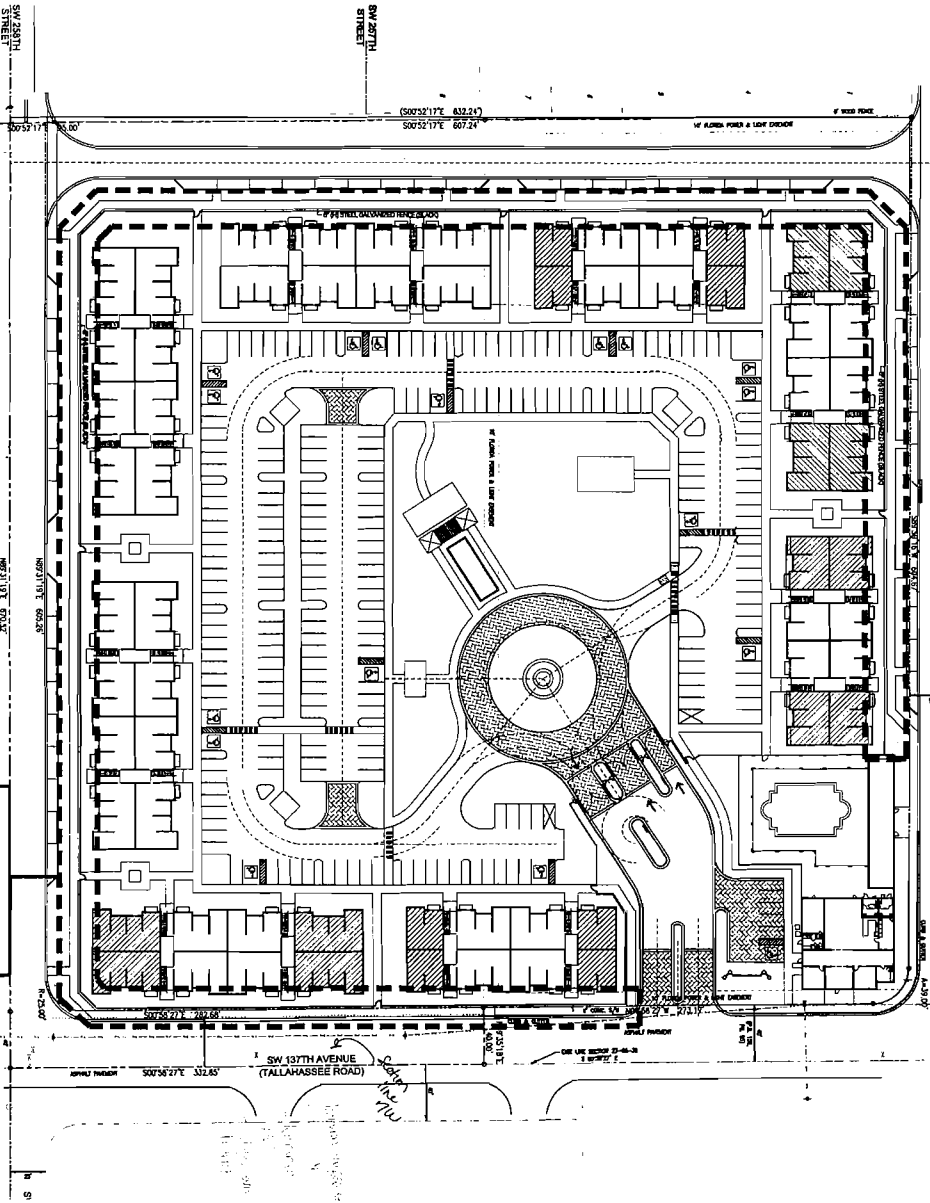


ZONING REFINING SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY 7/18

RECEIVED
213-061
JUL 01 2013

**PROPOSED 6' (H)
STEEL GALVANIZED
FENCE (BLACK)**

N SITE PLAN
SCALE 1/8" = 1'-0"

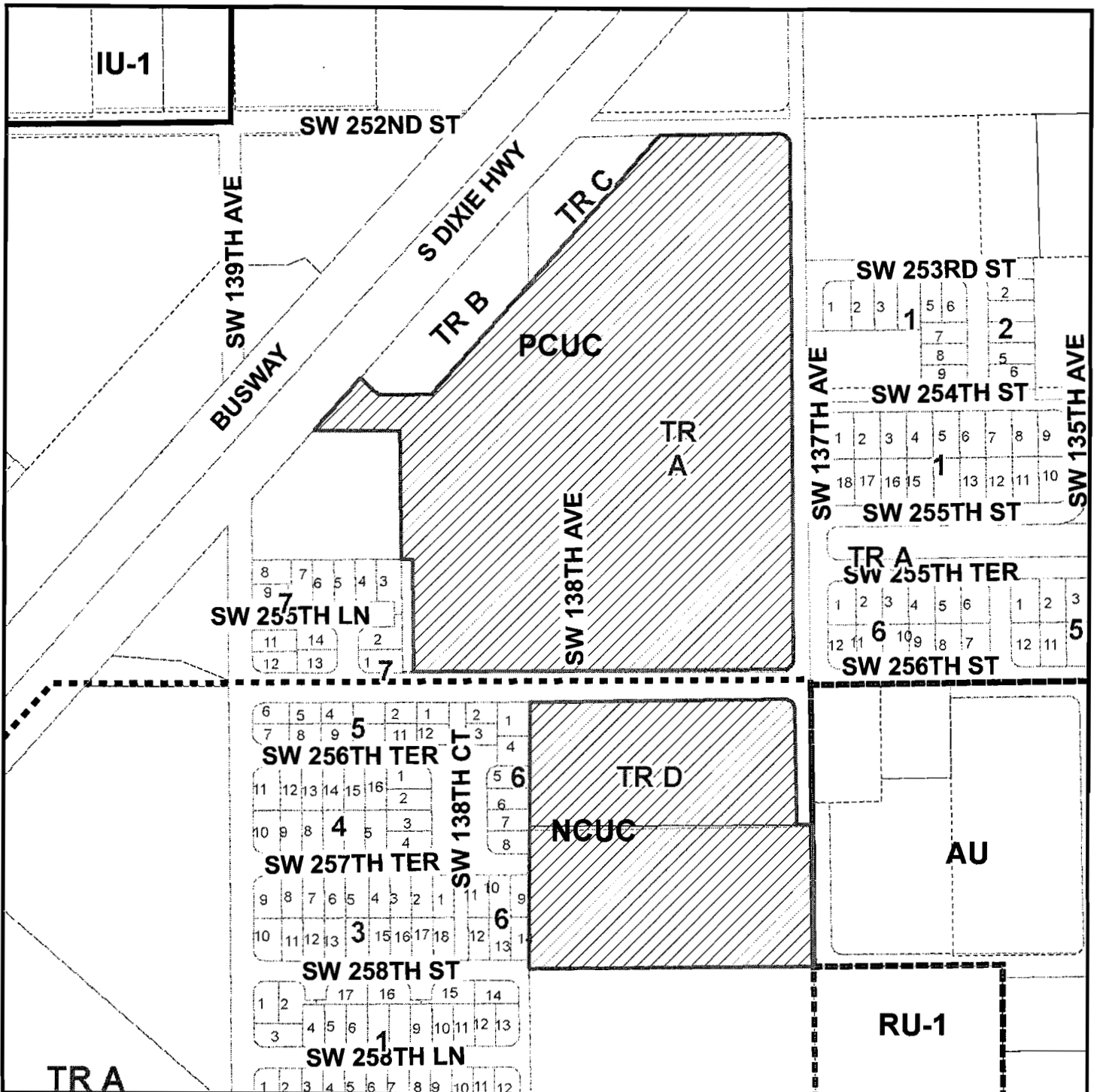


A0.03B
SITE PLAN
SCALE 1/8" = 1'-0"
JUL 27 2013

BURGOS LANZA
ARCHITECTS & PLANNERS
AA 26001019
BURGOS LANZA & ASSOCIATES
470 BULWARK WAY, SUITE 214
CORAL GABLES, FLORIDA 33134
(786) 664-9030
CORAL GABLES, FLORIDA 33134
CORAL GABLES, FLORIDA 33134

SAN MARINO
FOR:
LOCATED AT:
SW 25TH STREET
AND SW 13TH AVENUE

REVISIONS	REV	DATE	DESCRIPTION
	1		
	2		
	3		
	4		
	5		
	6		
	7		
	8		
	9		
	10		



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2013000061

Section: 27/26 Township: 56 Range: 39
 Applicant: L F R LAND FAMILY, & TUSCANY PLACE ASSOC.
 Zoning Board: C15
 Commission District: 9
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

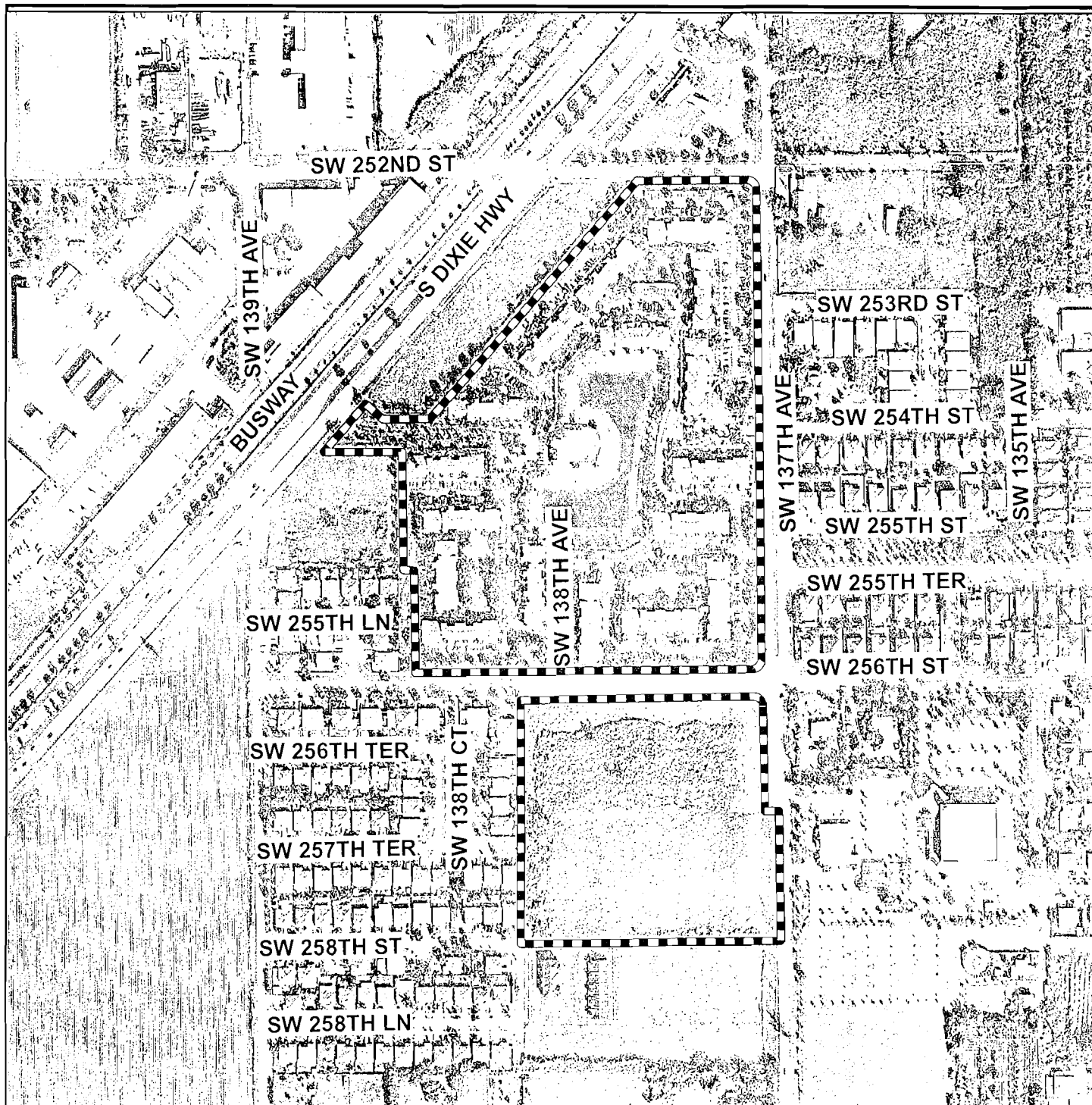
Legend

 Subject Property Case



SKETCH CREATED ON: Friday, July 12, 2013

REVISION	DATE	BY
	18	



MIAMI-DADE COUNTY

AERIAL YEAR 2012

Process Number

Z2013000061

Section: 27/26 Township: 56 Range: 39

Applicant: L F R LAND FAMILY, & TUSCANY PLACE ASSOC.

Zoning Board: C15

Commission District: 9

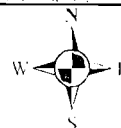
Drafter ID: JEFFER GURDIAN

Scale: NTS

Legend



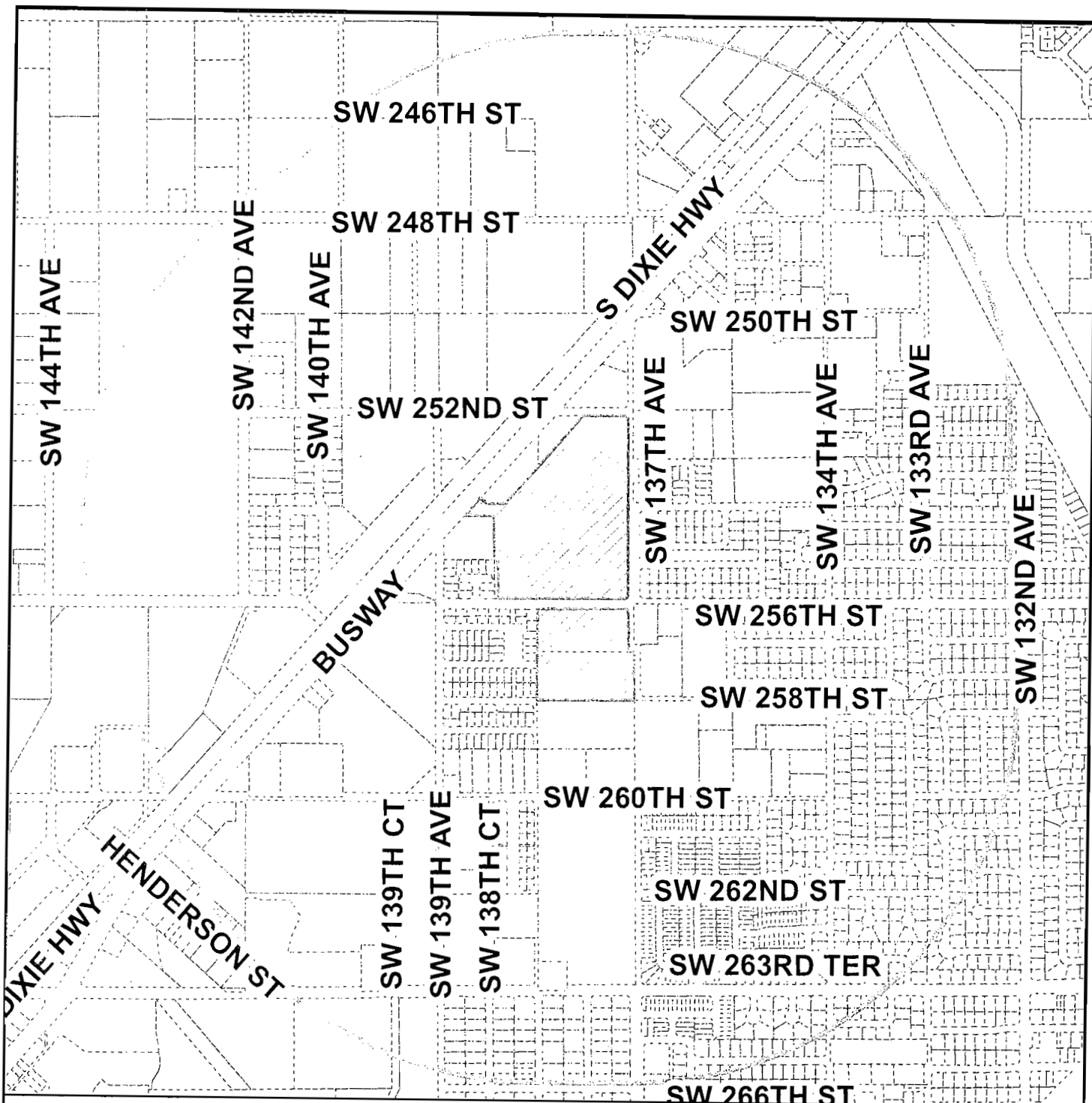
Subject Property



MIAMI-DADE

SKETCH CREATED ON: Friday, July 12, 2013

REVISION	DATE	BY
	19	



MIAMI-DADE COUNTY
RADIUS MAP

Process Number

Z2013000061

Section: 27/26 Township: 56 Range: 39

RADIUS: 2640

Applicant: L F R LAND FAMILY, & TUSCANY PLACE ASSOC.



Zoning Board: C15

Commission District: 9

Drafter ID: JEFFER GURDIAN

Scale: NTS

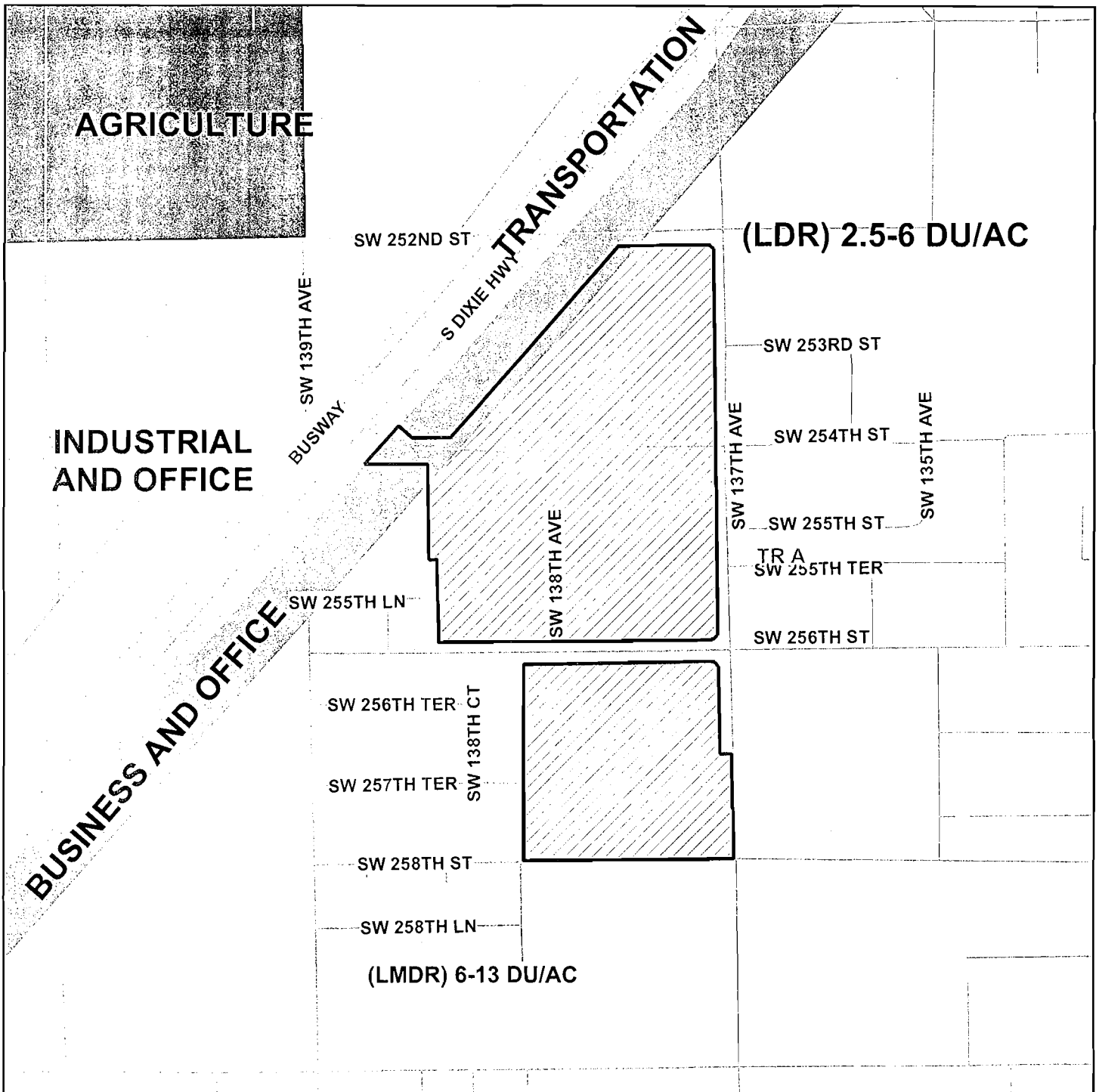
Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Friday, July 12, 2013

REVISION	DATE	BY
	20	





MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2013000061

Section: 27/26 Township: 56 Range: 39
Applicant: L F R LAND FAMILY, & TUSCANY PLACE ASSOC.
Zoning Board: C15
Commission District: 9
Drafter ID: JEFFER GURDIAN
Scale: NTS



Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Friday, July 12, 2013

REVISION	DATE	BY