KITS

11-10-2008 Version # 1

MIAMI-DADE COUNTY

COMMUNITY ZONING APPEALS BOARD 2

HIGHLAND OAKS PARK

20300 NE 24 Avenue, Miami

Wednesday, December 17, 2008 at 7:00 p.m.

CURRENT

1.	08-12-CZ2-1	LENIN ANTONIO FERRERA REVOCABLE TRUST	08-58	05-52-42	N

Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 2

MEETING OF WEDNESDAY, DECEMBER 17, 2008

HIGHLAND OAKS PARK

20300 NE 24 AVENUE, MIAMI, FLORIDA

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

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

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

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

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

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

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

SWEARING IN OF WITNESSES

1. **LENIN ANTONIO FERRERA REVOCABLE TRUST (08-12-CZ2-1/08-58)** **5-52-42**
Area 2/District 4

(1) GU to RU-1

(2) Applicant is requesting to permit Lots 1 and 2 each with a lot frontage of 60' (75' required) and a lot area of 6,000 sq. ft. (7,500 sq. ft. required).

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(14) (Alternative Site Development Option for Single-Family and Duplex Dwelling Units) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Mr. & Mrs. Ferrera Residence," as prepared by Caymart Design, Inc., consisting of 8 sheets dated stamped received 4/18/08 and 1 sheet dated stamped received 6/3/08 for a total of 9 sheets. Plans may be modified at public hearing.

LOCATION: 1150 N.E. Miami Gardens Drive, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1 Acre

Department of Planning & Zoning Recommendation: Approval of request #1; denial without prejudice of request #2 under Section 33-311(A)(4)(b) (NUV), and denial without prejudice of same request under Sections 33-311(A)(14) (ASDO) and 33-311(A)(4)(c) (ANUV).

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

THE END

NOTICE OF APPEAL RIGHTS

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

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

1. LENIN ANTONIO FERRERA REVOCABLE TRUST **08-12-CZ2-1 (08-58)**
(Applicant) **Area 2/District 4**
Hearing Date: 12/17/08

Property Owner (if different from applicant) **Lenin Ferrera.**

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

Disclosure of interest form attached? Yes ☑ No ☐

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
				NONE

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

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 2

APPLICANT: Lenin Antonio Ferrera **PH:** Z08-58 (08-12-CZAB2-1)

SECTION: 5-52-42 **DATE:** December 17, 2008

COMMISSION DISTRICT: 4 **ITEM NO.:** 1

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A. INTRODUCTION

- **REQUESTS:**

  (1) GU to RU-1

  (2) Applicant is requesting to permit Lots 1 and 2 each with a frontage of 60' (75' required) and a area or 6,000 sq. ft. (7,500 sq. ft. required).

  Upon a demonstration that the applicable standards have been satisfied, approval of Request #2 may be considered under §33-311(A)(14) (Alternative Site Development Option for Single-Family and Duplex Dwelling Units) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

  Plans are on file and may be examined in the Department of Planning and Zoning entitled "Mr. & Mrs. Ferrera Residence," as prepared by Caymart Design, Inc., consisting of 8 sheets dated stamped received 4/18/08 and 1 sheet dated stamped received 6/3/08 for a total of 9 sheets. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:** The applicant is requesting a zone change on the subject property from GU, Interim District, to RU-1, Single Family Residential District. Additionally, the applicant is seeking to permit two substandard lots, each with less lot frontage and less lot area than required by the Zoning Code.

- **LOCATION:** 1150 NE Miami Gardens Drive, Miami-Dade County, Florida.

- **SIZE:** 0.95 Acre

- **IMPACT:** Approval of Request #1 will allow the applicant to rezone the 0.95 subject property from GU to RU-1 which will bring minimal traffic into the area and may impact public services. Further, the approval of the Request #2 will allow the subdivision of the 0.95-acre parcel into three lots; one conforming lot and two substandard lots, which may set a precedent for similar requests, may detrimentally impact the surrounding area, and could impact traffic circulation.

B. ZONING HEARINGS HISTORY:

In 2008, the applicant submitted a Declaration of Use for a guest house in connection with a single-family residence, recorded in Official Record Book 26575, Pages 4803 – 4808.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential**. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line 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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
GU; Single-family residence	Low Density Residential, 2.5 to 6 dua
Surrounding Properties:	
NORTH: RU-4; Apartments	Medium Density Residential, 13 to 25 dua
SOUTH: RU-1; Single-family residences	Low Density Residential, 2.5 to 6 dua
EAST: RU-1; Single-family residences	Low Density Residential, 2.5 to 6 dua
WEST: RU-1; Single-family residences	Low Density Residential, 2.5 to 6 dua

The subject 0.95-acre parcel is an interior parcel with dual frontage in the middle of a block developed with single-family residences, which can be found to the east, west and south of the site. Apartments are located to the north of the subject site.

E. SITE AND BUILDINGS:

Site Plan Review:	(Plans submitted)
Scale/Utilization of Site:	**Unacceptable**
Location of Buildings:	**N/A**
Compatibility:	**Unacceptable**
Landscape Treatment:	**N/A**
Open Space:	**N/A**
Buffering:	**N/A**
Access:	**Unacceptable**
Parking Layout/Circulation:	**N/A**
Visibility/Visual Screening:	**N/A**
Energy Considerations:	**N/A**
Roof Installations:	**N/A**
Service Areas:	**N/A**
Signage:	**N/A**

Urban Design: **N/A**

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

Section 33-311(A)(4)(c) - Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances for setbacks, minimum lot area, frontage and depth, maximum lot coverage and maximum structure height, the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a

literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

Section 33-311(A)(14) Alternative Site Development Option for Single Family and Duplex Dwellings.

The following standards are alternatives to the generalized standards contained in zoning regulations governing specified zoning districts:

(d) The **lot area, frontage, or depth** for a single family or duplex dwelling shall be approved upon demonstration of at least one of the following:

1. the proposed lot area, frontage or depth will permit the development or redevelopment of a single family or duplex dwelling on a parcel of land where such dwelling would not otherwise be permitted by the underlying district regulations due to the size or configuration of the parcel proposed for alternative development, provided that:

    A. the parcel is under lawful separate ownership from any contiguous property and is not otherwise grandfathered for single family or duplex use; and

    B. the proposed alternative development will not result in the further subdivision of land; and

    C. the size and dimensions of the lot are sufficient to provide all setbacks required by the underlying district regulations; and

    D. the lot area is not less than ninety percent (90%) of the minimum lot area required by the underlying district regulations; and

    E. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and

    F. the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and

    G. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.

2. the proposed alternative development will result in open space, community design, amenities or preservation of natural resources that enhances the function or aesthetic character of the immediate vicinity in a manner not

otherwise achievable through application of the underlying district regulations, provided that:

A. the density of the proposed alternative development does not exceed that permitted by the underlying district regulations; and

B. the size and dimensions of each lot in the proposed alternative development are sufficient to provide all setbacks required by the underlying district regulations, or, if applicable, any prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002); and

C. each lot's area is not less than eighty percent (80%) of the lot area required by the underlying district regulations; and

D. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and

E. the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and

F. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.

3. the proposed lot area, frontage or depth is such that:

A. the proposed alternative development will not result in the creation of more than three (3) lots; and

B. the size and dimensions of each lot are sufficient to provide all setbacks required by the underlying district regulations; and

C. no lot area shall be less than the smaller of:

i. ninety percent (90%) of the lot area required by the underlying district regulations; or

ii. the average area of the developed lots in the immediate vicinity within the same zoning district; and

D. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and

E. the parcel proposed for alternative development is not zoned AU or GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and

F. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.

4. If the proposed alternative development involves the creation of new parcels of smaller than five (5) gross acres in an area designated agricultural in the Comprehensive Development Master Plan:

   A. the abutting parcels are predominately parcelized in a manner similar to the proposed alternative development on three (3) or more sides of the parcel proposed for alternative development; and

   B. the division of the parcel proposed for alternative development will not precipitate additional land division in the area; [and]

   C. the size and dimensions of each lot in the proposed alternative development are sufficient to provide all setbacks required by the underlying district regulations; and

   D. the proposed alternative development will not result in an obvious departure from the aesthetic character of the surrounding area defined by the closest natural and man-made boundaries lying with [in] the agricultural designation; and

   E. sufficient frontage shall be maintained to permit vehicular access to all resulting lots.

(g) Notwithstanding the foregoing, no proposed alternative development shall be approved upon demonstration that the proposed alternative development:

1. will result in a significant diminution of the value of property in the immediate vicinity; or

2. will have substantial negative impact on public safety due to unsafe automobile movements, heightened vehicular-pedestrian conflicts, or heightened risk of fire; or

3. will result in a materially greater adverse impact on public services and facilities than the impact that would result from development of the same parcel pursuant to the underlying district regulations; or

4. will combine severable use rights obtained pursuant to Chapter 33B of this code in conjunction with the approval sought hereunder so as to exceed the limitations imposed by section 33B-45 of this code.

(h) Proposed alternative development under this subsection shall provide additional amenities or buffering to mitigate the impacts of the development as approved, where the amenities or buffering expressly required by this subsection are insufficient to mitigate the impacts of the development. The purpose of the amenities or buffering elements shall be to preserve and

protect the quality of life of the residents of the approved development and the immediate vicinity in a manner comparable to that ensured by the underlying district regulations. Examples of such amenities include but are not limited to: active or passive recreational facilities, common open space, additional trees or landscaping, convenient covered bus stops or pick-up areas for transportation services, sidewalks (including improvements, linkages, or additional width), bicycle paths, buffer areas or berms, street furniture, undergrounding of utility lines, and decorative street lighting. In determining which amenities or buffering elements are appropriate for a proposed development, the following shall be considered:

A. the types of needs of the residents of the parcel proposed for development and the immediate vicinity that would likely be occasioned by the development, including but not limited to recreational, open space, transportation, aesthetic amenities, and buffering from adverse impacts; and

B. the proportionality between the impacts on residents of the proposed alternative development and the immediate vicinity and the amenities or buffering required. For example, a reduction in lot area for numerous lots may warrant the provision of additional common open space. A reduction in a particular lot's interior side setback may warrant the provision of additional landscaping.

G. NEIGHBORHOOD SERVICES:

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

*Subject to conditions stated in their memoranda.

H. ANALYSIS:

The subject 0.95-acre parcel is an interior parcel with dual frontage in the middle of a block developed with single-family residences, which can be found to the east, west and south of the site. Apartments are located to the north of the subject site. The applicant is seeking to rezone the 0.95-acre parcel from GU, Interim District, to RU-1, Single-Family Residential District, (Request #1). Additionally, the applicant is seeking to permit two (2) of the proposed three (3) lots with a lot frontage of 60' and with a lot area of 6,000 sq. ft. each, where the Zoning Code requires 75' of lot frontage and 7,500 sq. ft. of lot area. The applicant has submitted plans depicting the subdivision of the 0.95-acre parcel of land into three proposed lots; one (1) proposed conforming lot to face NE 184 Street with a lot frontage of 125' and a lot area of 20,200 sq. ft. and two (2) proposed substandard lots to face Miami Gardens Drive. Each substandard lot has a lot frontage of 60' where 75' of lot

frontage is required and a with a lot area of 6,000 sq. ft. where 7,500 sq. ft. of lot area is required. The subject property contains an existing single family residence which, as depicted by the plans submitted for this application, will be demolished in order to allow a proposed two-story single family residence on the conforming lot to front on NE 184 Street and two proposed residences on the two proposed substandard lots facing Miami Gardens Drive. However, the applicant has not submitted plans for the proposed single-family residences on the two proposed substandard lots facing Miami Gardens Drive.

The Department of Environmental Resources Management **(DERM)** has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County and in their memorandum submitted for this application have indicated that the applicant has obtained a variance of Chapter 24-43.1(3) of the Code from the Miami-Dade County Environmental Control Board (EQCB) subject to conditions for a total of three lots. However, the applicant will have to comply with all DERM requirements as set forth in their memorandum pertaining to this application. The **Public Works Department** has **no objections** to these requests. According to their memorandum, this land requires platting in accordance with Chapter 28 of the Miami-Dade County Code and that this project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply. Additionally, the **Miami-Dade Fire and Rescue Department** has **no objection** to this application and their memorandum states that the estimated average travel time to the site is **6:25** minutes.

Approval of this application would allow the applicant to rezone the subject property from GU, Interim District, to RU-1, Single-Family Residential District, and to subdivide the 0.95-acre parcel of land into three (3) proposed lots; one (1) conforming lot and two (2) substandard lots. The subject property is designated for **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP), which allows a minimum of 2.5 to a maximum of 6 units per acre, which permits the 0.95-acre subject parcel to be developed with a minimum of 2 units and a maximum of 5 units. However, due to the configuration of the 0.95-acre subject parcel with 121.46' of frontage on Miami Gardens Drive and 125.12' of frontage on NE 184 Street, the subject 0.95-acre parcel could only be subdivided into two (2) conforming RU-1 lots, one (1) lot to face Miami Gardens Drive and one (1) lot to face NE 184 Street, which is **consistent** with the numerical threshold of the LUP map's Low Density Residential designation. Staff also notes that the 0.95-acre parcel could be subdivided into four (4) lots by utilizing **Severable Use Rights**, which would allow the development of the subject property with two (2) lots facing onto Miami Gardens Drive and two (2) lots to face NE 184 Street, which would also be **consistent** with the Land Use Plan (LUP) of the Comprehensive Development Master Plan (CDMP). Staff acknowledges that the applicant's proposal of three (3) lots is **consistent** with the numerical density threshold of the LUP map's **Low Density Residential** designation.

Therefore, 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. The Board shall also 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 rezoning, if granted, conforms to the LUP Map density of the Comprehensive Development Master Plan for Miami-Dade County. Staff notes that the Public Works Department does not object to this application and the Department of Environmental Resources Management's memorandum, indicates that public water can be made available to the property, which will not reduce the Levels of Service (LOS) standards as set forth in the CDMP and that the applicant has obtained Environmental Control Board (EQCB) approval for three (3) lots. However, staff's review of the submitted plans reveals that the proposed configuration of the site includes three (3) proposed lots, two of which have substandard frontage and area which staff finds unacceptable. Staff notes, that the subject 0.95-acre parcel of land has dual frontage on Miami Gardens Drive and NE 184 Street. If Request #1 is granted and Request #2 is denied, the subject property could be subdivided into two conforming lots: one lot, to face Miami Gardens Drive and the other lot, to face NE 184 Street. Additionally, with the approval of Request #1, the applicant has the option to purchase two Severable Use Rights which would allow the subdivision of the 0.95-acre dual frontage parcel into four lots: two lots, to face Miami Gardens Drive, and two lots, to face NE 184 Street which, in both cases, would be **consistent** with the numerical density threshold of the LUP map's **Low Density Residential** designation. As such, staff recommends approval of Request #1 to rezone the subject property to RU-1, which is **consistent** with the **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP).

When Request #2 is analyzed under the Non-Use Variance (NUV) Standard, Section 33-311(A)(4)(b), staff is of the opinion that the approval of the request would affect the stability and appearance of the community and would be **incompatible** with the surrounding area. The approval of the request, to permit two (2) of the proposed three (3) lots with lot frontages of 60' where 75' is required and a lot area of 6,000 sq. ft. where 7,500 sq. ft. is required will result in an obvious departure from the aesthetic character of the surrounding area. Staff notes that the subject property is located in the middle of a block which is developed with single family residences to the east, west and south on sites ranging from approximately 7500 sq. ft. to over 9,000 sq. ft. in lot area, and with minimum lot frontages of 75'. Staff also notes that there have been no similar approvals in the area. As such, staff is of the opinion that the proposed two (2) substandard lots would be **incompatible** with the existing single-family residences lying to the east and west on the same block where the subject property is located and would be an obvious departure from the aesthetic character of the existing homes on the same block that face onto Miami Gardens Drive and with the existing homes lying to the south of the subject property. Notwithstanding staff's recommendation for denial of Request #2, as previously indicated, if Request #1 is approved, the applicant has the option to purchase two Severable Use Rights which would allow the subdivision of the 0.95-acre dual frontage parcel into four lots with 6,000 sq. ft. of area and 60' of frontage. As such, staff recommends denial without prejudice of Request #2 under Section 33-311(A)(4)(b) (NUV).

The Alternative Site Development Option (ASDO) Standards, Section 33-311(A)(14), provide for the approval of a zoning application which can demonstrate at a public hearing

that the development requested is in compliance with the applicable ASDO Standards and does not contravene the enumerated public interest standards as established. This application meets some of the criteria for approval under the ASDO Standards for lot frontage and area. Specifically, the site provides sufficient frontage for vehicular access (Section 33-311(A)(14)(d)(1)(G)); the size is sufficient to provide all setbacks (Section 33-311(A)(14)(d)(1)(C)); the site is not zoned GU or AU; and the site is not designated as agriculture or open land on the LUP map of the CDMP (Section 33-311(A)(14)(d)(1)(F). Further, the parcel is under lawful separate ownership from any contiguous property, is not otherwise grandfathered for single family or duplex use (Section 33-311(A)(14)(d)(1)(A)) and will not result in the further subdivision of land (Section 33-311(A)(14)(d)(1)(B)). However, the request, to permit a single-family residence on two substandard lots, each with an area of **6,000** sq. ft. (7,500 sq. ft. required), does not comply with the ASDO Standard in Section 33-311(A)(14)(d)(1)(D) which requires that no lot area shall be less than ninety percent (90%) of the lot area required by the underlying district. Additionally, the substandard sized lots will result in an obvious departure from the aesthetic character of the immediate vicinity as evidenced by the larger sized parcels of land that are prevalent in the surrounding area (Section 33-311(A)(14)(d)(1)(E)). The two (2) proposed substandard lots, each with a lot area of **6,000** sq. ft. fall below the minimum numerical lot area of 6,750 sq. ft., which is the 90% minimum required for approval in this zone under the ASDO Standard. Therefore, the Request #2 cannot be approved under same and should be denied without prejudice under Section 33-311(A)(14) (ASDO).

When the request is analyzed under the Alternative Non-Use Variance (ANUV) Standard, Section 33-311(A)(4)(c), the applicant would have to prove that the request is due to an unnecessary hardship and that, should the request not be granted, such denial would not permit the reasonable use of the premises. The applicant has not demonstrated that the denial of this application would result in unnecessary hardship. As such, this application cannot be approved under this section and, therefore, staff recommends denial without prejudice of the Request #2 under Section 33-311(A)(4)(c) (ANUV).

Based on all of the aforementioned, staff recommends approval of Request #1 and denial without prejudice of Request #2 of this application under Section 33-311(A)(4)(b) (NUV), and denial without prejudice of same (Request #2) under Sections 33-311(A)(14) (ASDO), and 33-311(A)(4)(c) (ANUV).

I. RECOMMENDATION:

Approval of Request #1 and denial without prejudice of Request #2 of this application under Section 33-311(A)(4)(b) (NUV), and denial without prejudice of same (Request #2) under Sections 33-311(A)(14) (ASDO), and 33-311(A)(4)(c) (ANUV).

J. CONDITIONS: None

DATE INSPECTED: 04/23/08
DATE TYPED: 11/06/08
DATE REVISED: 11/06/08; 11/12/08; 12/03/08; 12/11/08
DATE FINALIZED: 12/11/08
MCL:MTF:NN:NC:AA

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

Memorandum

MIAMI-DADE COUNTY

Date: September 18, 2008

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

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

Subject: C-02 #Z2008000058-Revised
Lenin Ferrera
1150 N.E. Miami Gardens Drive
District Boundary Change from GU to RU-1 and Request to Permit Two Lots with Lot Area and Frontage less than Required
(GU) (1 Acres)
05-52-42

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 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 548 feet from the subject property; therefore, extension of the public sanitary sewer system to serve these properties may not be feasible. Consequently, the proposed development would have to be served by septic tanks and drainfields as a means for the disposal of domestic liquid waste.

The subject application seeks to rezone the property to the RU-1 zoning category, which allows lots that are 7,500 square feet in size. Moreover, the application further seeks to subdivide the subject site into three lots. Section 24-43.1(3) of the Code provides that the minimum lot size for a single-family residence served by public water and a septic tank shall be 15,000 square feet (gross). The plans submitted along with this request, entitled "Mr. and Mrs. Ferrera Residence", as prepared by Caymart Design, Inc., indicates that two of the proposed lots would have gross areas less than 15,000 square feet. However, in accordance with the Code, the applicant has obtained a variance from the requirements of the aforesaid Code Section from the Miami-Dade County Environmental Quality

Control Board (EQCB), subject to the conditions stated in the board order. Therefore, the subject application may be approved and scheduled for public hearing.

Stormwater Management
All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year / 1-day storm event.

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

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the 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 Class IV Wetland Permit will not be required.

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

Tree Preservation
Tree Removal Permit 2008-TREE-PER-00216 was issued for this property to Lenin Ferrera on July 22, 2008 and is scheduled to expire on July 22, 2009. This tree permit requires the preservation of specimen-sized (trunk diameter 18 inches or greater) trees as identified in the DERM-approved permitted plans. The landscape plan submitted with this application entitled "Mr. and Mrs. Ferrera Residence", dated 1/3/08 revised 1/08/2008, sheet no. SP-1, prepared by Caymart Design Inc depicts these trees to remain. Therefore, DERM may approve this zoning application.

All approved tree removal or relocation, replanting and final inspection (a two weeks notice is required prior to the final inspection) must be completed prior to the scheduled expiration date of this permit to avoid violation of permit conditions. The applicant is advised that a new Miami-Dade County Tree Removal Permit or an amendment to Tree Removal Permit 2008-TREE-PER-00216 is required prior to the removal or relocation of any other tree on the subject property. The DERM Tree Program may be contacted at (305) 372-6574 for information regarding tree permits.

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

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

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

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

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

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

PH# Z2008000058
CZAB - C02

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:LENIN ANTONIO FERRERA REVOCABLE TRUST

This Department has no objections to this application.

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

This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.

Raul A Pino, P.L.S.
17-JUN-08

Memorandum

Date: 17-APR-08

To: Subrata Basu, Interim Director
Department of Planning and Zoning

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

Subject: Z2008000058

Fire Prevention Unit:

APPROVAL
Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped April 7, 2008.

Service Impact/Demand:

Development for the above Z2008000058
located at 1150 N.E. MIAMI GARDENS DRIVE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 4133 is proposed as the following:

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

Based on this development information, estimated service impact is: 0.27 alarms-annually.
The estimated average travel time is: 6:25 minutes

Existing services:

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

Station 31 - N Miami Beach - 17050 NE 19 Avenue
Rescue, ALS 50' Squrt

Planned Service Expansions:

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

None.

Fire Planning Additional Comments:

Current service impact calculation based on plans date stamped April 7, 2007. Substantial change to the plans will require additional service impact analysis.

DATE: 11/12/08
REVISION 1

TEAM METRO

ENFORCEMENT HISTORY

LENIN ANTONIO FERRERA REVOCABLE TRUST	1150 NE MIAMI GARDENS DRIVE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2008000058

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

05/30/2008 - Junk and Trash on property. Inspection revealed no junk and trash on property. 07/03/2008 Case closed (200806002278) 06/12/08 - Junk & Trash and Overgrowth on Right a way. Property Owner corrected violation. 07/09/2008 Case closed. (200806002914) 06/13/2008 - Junk and Tash on property. 7/19/08 Prpoerty owner corrected violation. Case closed (200806002594). 11/12/2008 - Inspection revealed no violation on property.

Inspected by NCO Gwendolyn Bradley.

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 LENIN Antonio FERRERA REV. Trust

NAME AND ADDRESS	Percentage of Interest
LENIN Antonio FERRERA	100%
1150 NE Miami Garden Drive	

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: _____

NAME AND ADDRESS	Percentage of Ownership

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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)
LENIN ANTONIO CERVERA

Sworn to and subscribed before me this 21 day of April, 2008. Affiant is personally known to me or has produced _____ as identification.

_____
(Notary Public)

My commission expires: _____

NOTARY PUBLIC-STATE OF FLORIDA
Harry Tempkins
Commission # DD725658
Expires: JAN. 26, 2012
BONDED THRU ATLANTIC BONDING CO., INC.

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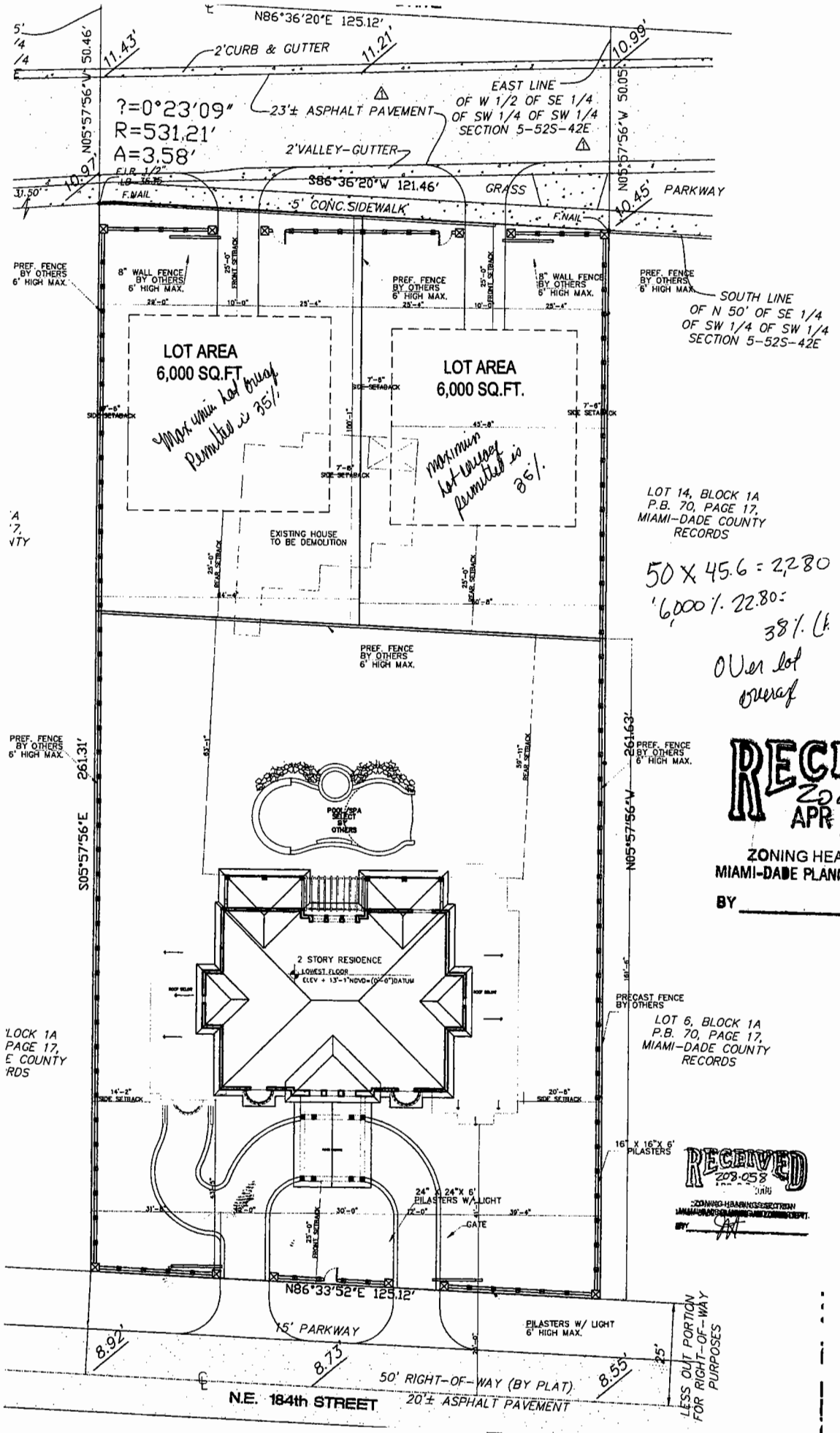
BY _____

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



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ZONING HEARINGS SECTION
BY

ENLARGED SITE PLAN

GENERAL NOTES :

1. CONCRETE SHALL HAVE 3,000 PSI COMPRESSIVE STRENGTH AT 28 DAYS, UNLESS OTHERWISE NOTED (U.O.N.).
2. ALL REINFORCING STEEL SHALL BE DEFORMED BARS, AND SHALL HAVE A MINIMUM YIELD STRENGTH OF 60,000 PSI GRADE 60, AND MEET ASTM A-36 SPECS.
3. ALL STRUCTURAL STEEL SHALL HAVE A MINIMUM YIELD STRENGTH OF 36,000 PSI, AND MEET ASTM A-36 SPECS.
4. ALL DETAILING, FABRICATION AND PLACING OF REINFORCING BARS MUST FOLLOW THE ACI "MANUAL OF STANDARD PRACTICE FOR DETAILING REINFORCED CONCRETE STRUCTURES". U.O.N.
5. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AT JOB SITE BEFORE STARTING WORK. DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT/ENGINEER BEFORE PROCEEDING WITH THE WORK.
6. STRUCTURAL DRAWINGS SHALL BE WORKED TOGETHER WITH ARCHITECTURAL, A/C, ELECTRICAL AND MECHANICAL DWGS., TO LOCATE OPENINGS, DRAINS, SLEEVES, SLOPES, DEPRESSED SLABS, BOLTS, CURBS, ETC.
7. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH ACI-301 "SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS"
8. REMOVAL OF FORMWORK SHALL BE IN ACCORDANCE WITH ACI-347 "RECOMMENDED PRACTICE FOR CONCRETE FORMWORK."
9. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS FOR ARCHITECT/ENGINEER'S APPROVAL.
10. DO NOT SCALE DRAWINGS. DIMENSIONS GOVERN.
11. REBARS SHOWN ON SECTIONS ARE FOR PLACEMENT DETAIL ONLY, SIZE AND AMOUNT OF REBARS ARE AS PER SCHEDULES.
12. CONTRACTOR SHALL OBTAIN LATEST SET OF DRAWINGS, INCLUDING ANY REVISIONS, BEFORE STARTING CONSTRUCTION.
13. NO CHANGES OR SUBSTITUTIONS SHALL BE MADE WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECT.
14. THIS OFFICE DOES NOT ACCEPT ANY RESPONSIBILITY FOR THE INTERPRETATION OF THESE PLANS BY OTHERS, UNLESS REQUESTED IN WRITING, AND IT IS GIVEN THE AUTHORITY TO CHECK AND APPROVE SHOP DRAWINGS, AND TO VERIFY THE ACTUAL PLACING OF REBARS IN THE FIELD
15. ALL CONSTRUCTION SHALL MEET THE REQUIREMENTS OF LOCAL ORDINANCES AND THE "FLORIDA BUILDING CODE", CURRENT EDITION.

SECURITY AND FORCED ENTRY PREVENTION:

1. PROVIDE INTRUSION AND BURGLARY SECURITY DEVICES AS SET FORTH
2. ALL LOCKS ON EXTERIOR DOORS SHALL BE CAPABLE OF RESISTING A FORCE OF 300 LB. APPLIED IN ANY MOVEABLE DIRECTION AND IN ACCORDANCE WITH RESISTANCE STANDARDS SET FORTH IN THE FLORIDA BUILDING CODE.
3. ALL SINGLE EXTERIOR SWING DOORS SHALL HAVE A LOCK TO BE KEY OPERATED FROM THE EXTERIOR WITH A MINIMUM OF 6000 POSSIBLE KEY CHANGES OR LOCKING AUXILIARY SINGLE DEAD BOLT WITH HARDENED BOLT INSERTS.
4. THE ACTIVE LEAF OF PAIRS OF EXTERIOR SWING DOORS SHALL HAVE SAME LOCKS AS REQUIRED FOR SINGLE EXTERIOR SWING DOORS. THE INACTIVE LEAF SHALL HAVE MULTIPLE POINTS OF LOCKS WITH 5/8" MIN. THROW BOLTS WITH INSERTS.
5. JAMBS OF ALL EXTERIOR OFFSET TYPE IN SWING DOORS SHALL BE RABBETTED OR OF SIMILAR FABRICATION TO PREVENT DEFEATING THE PURPOSE OF THE STRIKE AND THE INTEGRITY OF THE LOCKS AND LATCHES.
6. HINGES ON EXTERIOR OUT SWINGING DOORS SHALL HAVE NON REMOVABLE PINS AND NON-EXPOSED SCREWS.
7. GLASS AND EXTERIOR DOORS SHALL COMPLY WITH THE AMERICAN NATIONAL STANDARDS ISTITUTE'S STANDARD 297.1.
8. VISION PANEL EXTERIOR DOORS OTHER THAN GLAZING WITHIN 40 OF THE INSIDE LOCKING ACTIVATING DEVICE OF LOOSE AND SWING DOORS SHALL COMPLY WITH THE AMERICAN NATIONAL STANDARD INSTITUTE'S STANDARD 297.1.
9. WINDOWS SHALL BE INSTALLED AND CONSTRUCTED SO THAT NO PANEL CAN BE LIFTED FROM THE TRACKS WHEN IN THE LOCKED POSITION AND SO AS TO COMPLY WITH THE ARCHITECTURAL ALUMINUM MAGS ASSOCIATION STANDARDS FOR FORCE ENTRY RESISTANCE , AAMA 13033 PROVIDE LOCKS AS PER FBC . EXTERIOR WINDOW SHALL BE LOCKED DEVICE CAPABLE OF WITHSTANDING A FORCE OF 150 LB. APPLIED IN AN OPERABLE DIRECTION.

ZONING LEGEND

ZONING: RU-1

NET LAND AREA 20,200 S.F.

	REQ.	PROPOSED MAIN HOUSE
LOT COVERAGE (EVERYTHING UNDER ROOF)	20,200 S.F. x .35=7,700 S.F.	5,200 S.F.
SETBACKS: FRONT	25'-0"	25'-0"
SIDE RIGH	7'-6"	20'-6"
SIDE LEFT	7'-6"	14'-2"
REAR	25'-0"	59'-11"

SITE TO BE FILLED TO COUNTY FLOOD CRITERIA ELEVATION N.G.V.D. OR AN ELEVATION NO LESS THAN THE HIGHEST APPROVED CROWN ELEVATION OF THE ROAD ABUTTING THE PROPERTY.

AREA ADJACENT TO LAKE OR CANAL TO BE GRADED SO AS TO PREVENT DIRECT OVERLAND DISCHARGE OF STORMWATER INTO LAKE OR CANAL.

LOT WILL BE GRADED SO AS TO PREVENT DIRECT OVERLAND DISCHARGE OF STORMWATER ONTO ADJACENT PROPERTY. ANY APPLICABLE RESOLUTION. [illegible] APPLICANT WILL PROVIDE CERTIFICATION PRIOR TO FINAL INSPECTION. IN ADDITION TO THE REQUIREMENTS OF THIS PERMIT, THERE MAY BE

ADDITIONAL RESTRICTIONS APPLICABLE TO THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. SECTION 553.78 (10), FLORIDA STATUTES, EFFECTIVE 7/10/87.

A SEPARATE PERMIT WILL BE REQUIRED FOR ALL DRIVEWAY APPROACHES. CONTACT PUBLIC WORKS DEPT.

THE HEIGHT OF FENCES, WALL AND HEDGES SHALL NOT EXCEED 2.5 FEET IN HEIGHT WITHIN 10 FEET OF THE EDGE OF ANY DRIVEWAY LEADING TO A RIGHT OF WAY.

THE HEIGHT OF FENCES IS BEING MEASURED FROM GRADE. GRADE = ELEVATION OF PUBLIC SIDEWALK OR CROWN OF ROAD. O.S.F.H. -(OUTSIDE SPECIAL FLOOD HAZARD) ALL ELECTRICAL AND MECHANICAL EQUIPMENT MUST BE LOCATED AT OR ABOVE THE REQUIRED LOWEST FLOOR ELEVATION.

S.F.H. -(SPECIAL FLOOD HAZARD) ALL ELECTRICAL AND MECHANICAL EQUIPMENT MUST BE LOCATED AT OR ABOVE THE BASE FLOOD ELEVATION OR REQUIRED LOWEST FLOOR ELEVATION WHICH EVER IS HIGHER.

LOWEST FLOOR - Shall mean the lowest floor of the lowest enclosed area(including basement).An unfinished or flood resistant enclosure,usable for parking of vehicles. building access or storage in an area other than a basement area,is not considered a building's lowest floor;provided that such enclosure is not built as to render the structure in violation of the applicable non-elevation design requirements in sections 11c-3,11c-4,11c-5.

GARAGE OR STORAGE (SFHA,OSHA(11c-3-f)- Fully enclosed areas below the base elevations shall be design to preclude finished living space except allowable uses i.e.parking,limited storage and building access and shall be design to allow for the entry and exit of flood-waters to automatically equalize hydrostatic flood forces on exterior walls.

Design for complying with this requirement must be either certified by a proffessional engineer or architect and meet the following criteria:

(1) Provide a minimum of two(2) openings having a total net area of no less than one (1) square inch for every square foot of enclosed area size.Bottom of all opening shall be no more higher than one(1) foot above grade.

(2) The interior portion of such enclosed area shall NOT be partitioned or finish into separate rooms or air conditioned.

FIRE RATINGS DESCRIPTION:

CEILING:

1 x 3 FURRING 16" O.C. , ONE LAYER 5/8" TYPE X GYPSUM LATH, 5d CEMENT-COATED OR RING SHANKED NAILS 6" O.C. PAPER TAPE EMBEDDED IN CEMENTITIOUS COMPOUND OVER JOINTS, EXPOSED NAIL HEADS COVERED WITH COMPOUND OVER JOINTS, EXPOSED NAIL HEADS COVERED WITH COMPOUND AND PRODUCT APPROVED INSULATION OF FIBERGLASS OR MINERAL WOOL BATTS, OR BLOWN IN FIBERGLASS, MINERAL WOOL OR CELLULOSIC INSULATION HAVING A MINIMUM INSULATION VALUE OF R-11.

WALL:

2 X 4 WD. STUDS 16" O.C. WITH 5/8" TYPE "X" GYPSUM WALL- BOARD APPLIED VERTICALLY OR HORIZONTALLY NAILED WITH 6d COOLER NAILS 7" ON CENTER WITH END JOINTS ON NAILING MEMBERS.

GENERAL NOTES :

1- ALL RAIN WATER SHALL BE RETAINED WITHIN PROPERTY.

2- ALL APPROACHES TO BE COORDINATED WITH STREET TREES, STREET LIGHTS, MIAMI- DADE BUILDING FIRE HYDRANTS, ETC.

3-LANDSCAPING SHALL COMPLY WITH ORDINANCE 98.13 CHAPTER 18-A OF CODE / FLORIDA LANDSCAPE ORDINANCE.

LEGAL DESCRIPTION

THE EAST 125 FEET OF THE N ½ OF THE W ½ OF THE SE 1/4 OF THE SW 1/4 OF SECTION 5, TOWNSHIP 52 SOUTH, RANGE 42 EAST; LESS THE SOUTH 25 FEET OF SAID PARCEL FOR ROADWAY PURPOSES, AND LESS THE FOLLOWING DESCRIBED PARCEL, TO WIT:

BEGING AT THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SE 1/4 OF THE SW 1/4 OF THE SW 1/4 OF SECTION 5, TOWNSHIP 52 SOUTH, RANGE 42 EAST, DADE COUNTY, FLORIDA; THENCE RUN SOUTH 05°57'56" EAST, ALONG THE EAST LINE OF THE WEST 1/2 OF THE SE 1/4 OF THE SW 1/4 OF THE SW ¼ OF SAID SECTION 5, FOR A DISTANCE OF 50.05 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE NORTH 50.00 FEET OF THE SE ¼ OF THE SW ¼ OF THE SW ¼ OF DAID SECTION 5, THENCE RUN SOUTH 86°36'20" WEST, ALONG THE SOUTH LINE OF THE NORTH 50.00 FEET OF THE SE ¼ OF THE SW ¼ OF THE SW ¼ OF SAID SECTION 5, FOR A DISTANCE OF 121.46 FEET TO THE POINT OF INTERSECTION WITH A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST, THE CENTER OF WHICH BEARS SOUTH 10°10'17" EAST, FROM SAID POINT OF INTERSECTION, THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CIRCULAR CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 531.21 FEET, THROUGH A CENTRAL ALGLE OF 00°23'09", FOR AN ARC DISTANCE OF 3.58 FEET TO THE POINT OF INTERSECTION WITH THE WEST LINE OF THE EAST 125 FEET OF THE WEST ¼ OF THE SE ¼ OF THE SW ¼ OF THE SW ¼ OF THE SAID SECTION 5; THENCE RUN NORTH 05°57'56" WEST, ALONG THE WEST LINE OF THE EAST 125 FEET OF THE WEST ¼ OF THE SE ¼ OF THE SW ¼ OF THE SW ¼ OF SAID SECTION 5, FOR A DISTANCE OF 50.46 FEET TO THE POINT OF INTERSECTION WITH THE NORTH LINE OF THE SE ¼ OF THE SW ¼ OF THE SW ¼ OF THE SAID SECTION 5; THENCE RUN NORTH 86°36'20" EAST, ALONG THE NORTH LINE OF THE SE ¼ OF THE SW ¼ OF THE SW ¼ OF SAID SECTION 5, FOR A DISTANCE OF 125.12 FEET TO THE POINT OF BEGINNING, SAID LANDS SITUATE, LYING AND BEING IN DADE COUNTY, FLORIDA.

ALL BUILDINGS SHALL HAVE PRECONSTRUCTION TREATMENT PROTECTION AGAINST TERMITES AS PER F.B.C 1816.1.7 A CERTIFICATE OF COMPLIANCE SHALL BE ISSUED TO THE BUILDING DEPARTAMENT BY THE LICENSED PEST CONTROL COMPANY THAT CONTAINS THE FOLLOWING STATMENT "THE BUILDING HAS RECEIVED A COMPLETE TREATMENT FOR THE PREVENTION OF SUBTERRANEAN TERMITES. TREATMENT IS IN ACCORDANCE WITH THE RULES AND LAWS ESTABLISHED BY THE FLORIDA DEPT OF AGRICULTURE AND CONSUMER SERV.

AREA TABLE	
GROUND FLOOR	4,980 S.F.
SECOND FLOOR	2,570 S.F.
GARAGE (BASEMENT)	2,810 S.F.
TOTAL CONSTRUCTION AREA	10,440 S.F.
GROUND FLOOR A/C	4,480 S.F.
SECOND FLOOR A/C	2,215 S.F.
BASEMENT A/C	620 S.F.
TOTAL A/C	7,315 S.F.

SEPTIC TANK NOTE:

THERE ARE NO PERTINENT FEATURES ON ADJACENT PROPERTIES OR ACROSS THE STREET THAT MAY AFFECT THE SEPTIC TANK SYSTEM INSTALLATION.

SITE PLAN
SCALE:1/16"=1'-0"

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MIAMI-DADE PLANNING AND ZONING DEPT.
BY ____________

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SITE PLAN

MR. & MRS. FERRERA RESIDENCE
1150 MIAMI GARDENS DRIVE
MIAMI, FLORIDA

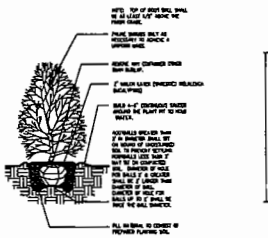
SP-1

04-22-08

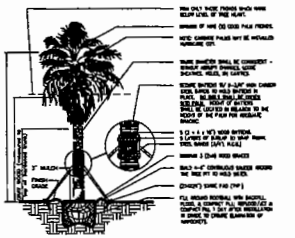
22

CATHEART DESIGN, INC. DBA STUDIO ARCHITECTURAL DESIGN PLANNING AND CONSULTANT SERVICES
2001 SW FIFTH CT., 204
Miami, FL 33135
PH: 305-643-6770
Fax: 305-643-6771
cathart@bellsouth.net
www.cathartdesign.com

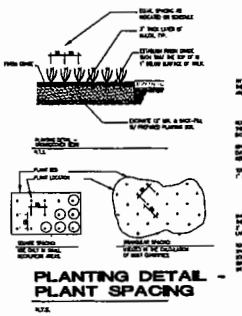
MR. & MRS. FERRERA RESIDENCE
1150 MIAMI GARDENS DRIVE
MIAMI, FLORIDA



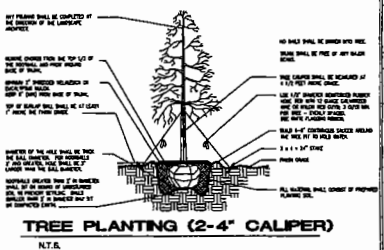
SHRUB PLANTING
N.T.S.



TYPICAL PALM TREE PLANTING
N.T.S.



PLANTING DETAIL - PLANT SPACING
N.T.S.



TREE PLANTING (2-4" CALIPER)
N.T.S.

EXISTING PLANT MATERIAL LIST

No.	DESCRIPTION		DIAMETER	HIGH	CANOPY
1	SLASH PINE	PROPOSED	1.2'	38'	16'
2	ALMOND	PROPOSED	2.8'	45'	44'
3	OAK	PROPOSED	1.2'	12'	6'
4	OAK	PROPOSED	1.5'	18'	8'
5	OAK	PROPOSED	1.8'	40'	37'
6	OAK	PROPOSED	2.1'	36'	28'
7	GABAGE PALM	PROPOSED	1.5'	18'	15'
8	OAK	TO REMAIN	2.0'	35'	26'
9	GABAGE PALM	TO REMAIN	1.8'	22'	16'
10	OAK	TO REMAIN	2.8'	52'	56'
11	OAK	TO REMAIN	0.8'	18'	14'
12	AVOCADO	TO REMAIN	2.0'	18'	40'
13	ROYAL PONCIANA	TO REMAIN	2.3'	44'	58'
14	SAPODILLA	TO REMAIN	1.8'	18'	20'
15	PALM	PROPOSED	1.9'	25'	12'
16	PALM	PROPOSED	1.9'	25'	12'
17	PALM	PROPOSED	1.9'	25'	12'
18	PALM	PROPOSED	1.9'	25'	12'
19	PALM	PROPOSED	1.9'	25'	12'
20	SHRUB	PROPOSED	0.9'	1.5'	3'
21	FICUS	PROPOSED		8'	12'
22	FICUS	PROPOSED		8'	12'
23	FICUS	PROPOSED		8'	12'
24	FICUS	PROPOSED		8'	12'
25	FICUS	PROPOSED		8'	12'
26	FICUS	PROPOSED		8'	12'
27	PALM	PROPOSED	1.9'	25'	12'
28	PALM	PROPOSED	1.9'	25'	12'
29	PALM	PROPOSED	1.9'	25'	12'
30	PALM	PROPOSED	1.9'	25'	12'
31	PALM	PROPOSED	1.9'	25'	12'
32	PALM	PROPOSED	1.9'	25'	12'
33	PALM	PROPOSED	1.9'	25'	12'
34	PALM	PROPOSED	1.9'	25'	12'
35	PALM	PROPOSED	1.9'	25'	12'
36	PALM	PROPOSED	1.9'	25'	12'
37	SLASH PINE	PROPOSED	1.2'	38'	16'
38	PALM	PROPOSED	1.9'	25'	12'
39	PALM	PROPOSED	1.9'	25'	12'
40	PALM	PROPOSED	1.9'	25'	12'
41	SLASH PINE	PROPOSED	1.2'	38'	16'
42	FICUS PUMILA (SHRUB)	PROPOSED		6'	

LANDSCAPE NOTES:

1. PLANT MATERIAL SHALL MEET OR EXCEED THE STANDARDS FOR PLANT MATERIAL AS ESTABLISHED IN THE LANDSCAPE CODE OF THE CITY OF MIAMI.
2. PLANT MATERIAL SHALL CONFORM TO THE GRADES AND STANDARDS FOR FLORIDA NO. 1 OR BETTER AS DESCRIBED IN "GRADES AND STANDARDS FOR NURSERY PLANTS" (LATEST EDITION) BY THE FLORIDA DEPARTMENT OF AGRICULTURE, CONSUMER SERVICES DIVISION.
3. NO TREES SHALL BE INSTALLED CLOSER THAN 4 FT AWAY FROM ANY UNDERGROUND UTILITY LINES.
4. TREES SHALL BE INSTALLED IN ACCORDANCE WITH THE STANDARDS OF THE NATIONAL ARBORIST ASSOCIATION.
5. ALL TREES SHALL HAVE A MINIMUM CALIPER OF THREE (3) INCHES AND BE A MINIMUM OF 12 FEET IN HEIGHT AT TIME OF PLANTING.
6. TOPSOIL SHALL BE CLEAN AND FREE OF CONSTRUCTION DEBRIS, WEEDS, ROOTS NOXIOUS PESTS AND DISEASES. IMMUNE TOPSOIL WITH HORTICULTURALLY ACCEPTABLE ORGANIC MATERIAL.
7. PLANTING SOIL: ALL PLANTING PITS SHALL BE BACK-FILLED WITH PLANTING SOIL CONSISTING OF 50 PERCENT MUCK, SAND, NO PERCENT MUCK AND 10 PERCENT HUMUS OR PEAT, BY VOLUME.
8. MULCHING: ALL EXPOSED SOIL AREAS IN PLANTING BEDS, INCLUDING HEDGE ROWS, SHALL BE KEPT WEED FREE AND MULCHED TO A MINIMUM THREE (3) INCH DEPTH, EXCEPT THAT NO MULCH SHALL BE REQUIRED IN ANNUAL BEDS. THE TYPE OF MULCH SHALL BE SHREDDED AND COMPOSTED MELALEUCA TREE, GRADE 'B', AT A MINIMUM, PROVIDE AN 18 INCH MULCH RING OF MULCH AROUND TREE TRUNKS LOCATED IN GRASS AREAS.
9. APPLY FERTILIZER TO GROUND LEVEL PLANTINGS ACCORDING TO THE FOLLOWING RATES:
   SOD: 8-8-8 AT 3 LBS/1000 SF
   ANNUALS AND GROUNDCOVER: OSMOCOTE - SIERRA BLEND 14-14-14 PER MFR REC.
   SHRUBS, TREES, PALMS: AGRIFORM 20-10-5 TABLETS, 3/SHRUB, 10/TREE-PALM
10. TREES AND PALMS SHALL BE GUYED OR STAKED AS PER THE DETAILS.
11. ALL LANDSCAPED AREAS SHALL BE PROVIDED WITH AN IRRIGATION SYSTEM THAT PROVIDES 100 PERCENT COVERAGE WITH 50 PERCENT MINIMUM OVERLAP.
12. THE IRRIGATION SYSTEM SHALL INCLUDE A RAIN SENSOR DEVICE WHICH WILL LIMIT THE OPERATION OF THE SYSTEM IF SUFFICIENT RAINFALL HAS OCCURRED.
13. SOD: THE SPECIES OF GRASS FOR LAWNS SHALL BE ST. AUGUSTINE 'FLORATAM' AND SHALL BE INSTALLED AS SOLID SOD.
14. COORDINATE THE FINAL PLACEMENT OF TREES WITH THE PLACEMENT OF PARKING LOT LIGHTING.

LANDSCAPE LEGEND

CHAPTER 18A-ORDINANCE 95-222

ZONING: RU-1

	REQ.	PROV.
LAWN AREA (As defined in Ordinance)	0.15 (*GROSS LOT AREA)	
	3,498 SQ. FT.	13,063 SQ. FT.

TREES PER NET LOT (NOTE: 30% OF REQUIRED TREES AND/OR PALMS SHALL BE NATIVE SPECIES.
NO MORE THAN 20% OF THE NATIVE TREE REQUIRED SHALL BE SABAL PALMETTO (CABBAGE PALM)

	REQ.	PROV.
STREET TREES	6	6

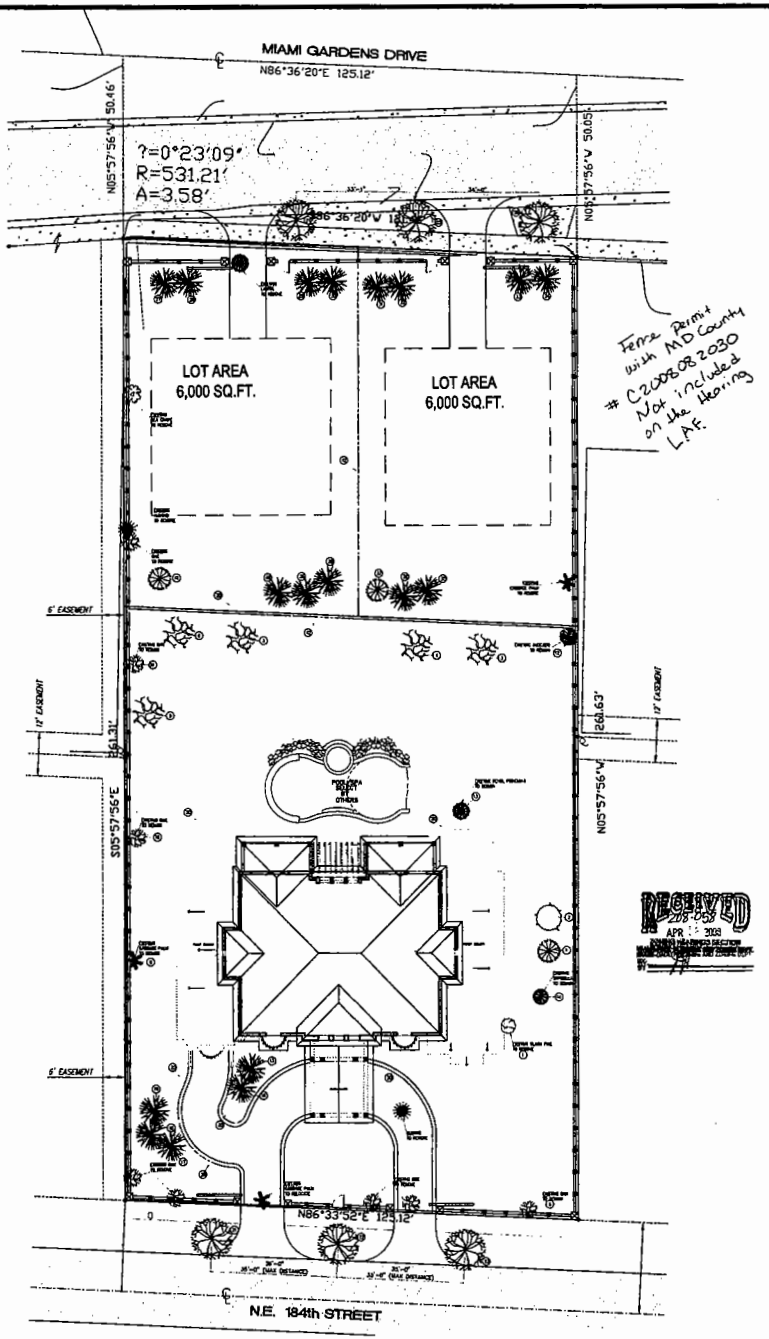
(TREES IN THE RIGHT OF WAY(*) OR ON PRIVATE PROPERTY* WILL REQUIRE PUBLICS WORKS APPROVAL OR SPECIAL TAXING DISTRICT.

LOT TREES (EXISTING)	9	7
LOT TREES (NEW)		27
TOTAL NUMBER OF TREES	40	40
SHRUBS(10 SHRUBS FOR EA. TREE REQUIRED)		

*30% SHRUBS/MEDIOES SHALL BE NATIVE SPECIES.
*IRRIGATION SYSTEM REQUIRED PURSUANT TO CHAPTER 33 DADE COUNTY CODE.

TREE SYMBOL KEY:

- OAK (PROPOSED)
- PALM (PROPOSED)
- SLASH PINE (PROPOSED)
- ALMOND (PROPOSED)



LANDSCAPING PLAN

RECEIVED
APR 18 2008

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

REV. #	DATE
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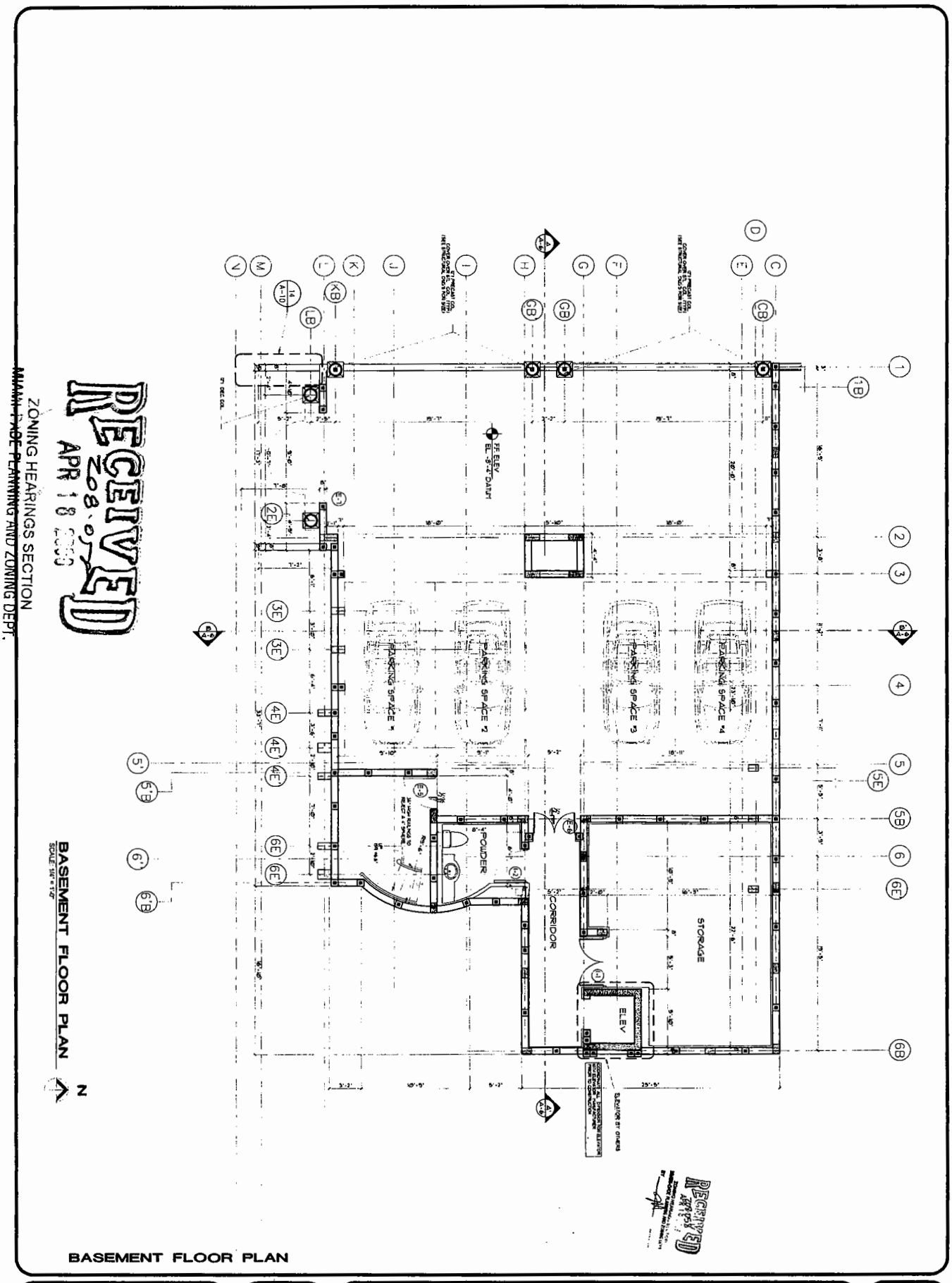
9	

PROJECT No.:
DESIGNED BY: O.M.
DRAWN BY: O.M.
CHECKED BY: O.M.
ISSUE DATE: 11-05-07
DRAWING SCALE: AS SHOWN

Arash
ARCH. ALI ASHRAFI ACCOCI
LIC.# AR 0016941
2001 S.W. 74th COURT
MIAMI, FL 33155
TEL: 305-661-4770
FAX: 305-661-4771
SEAL REVISIONS 04-22-08

LP-1



RECEIVED
208.057
APR 18 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

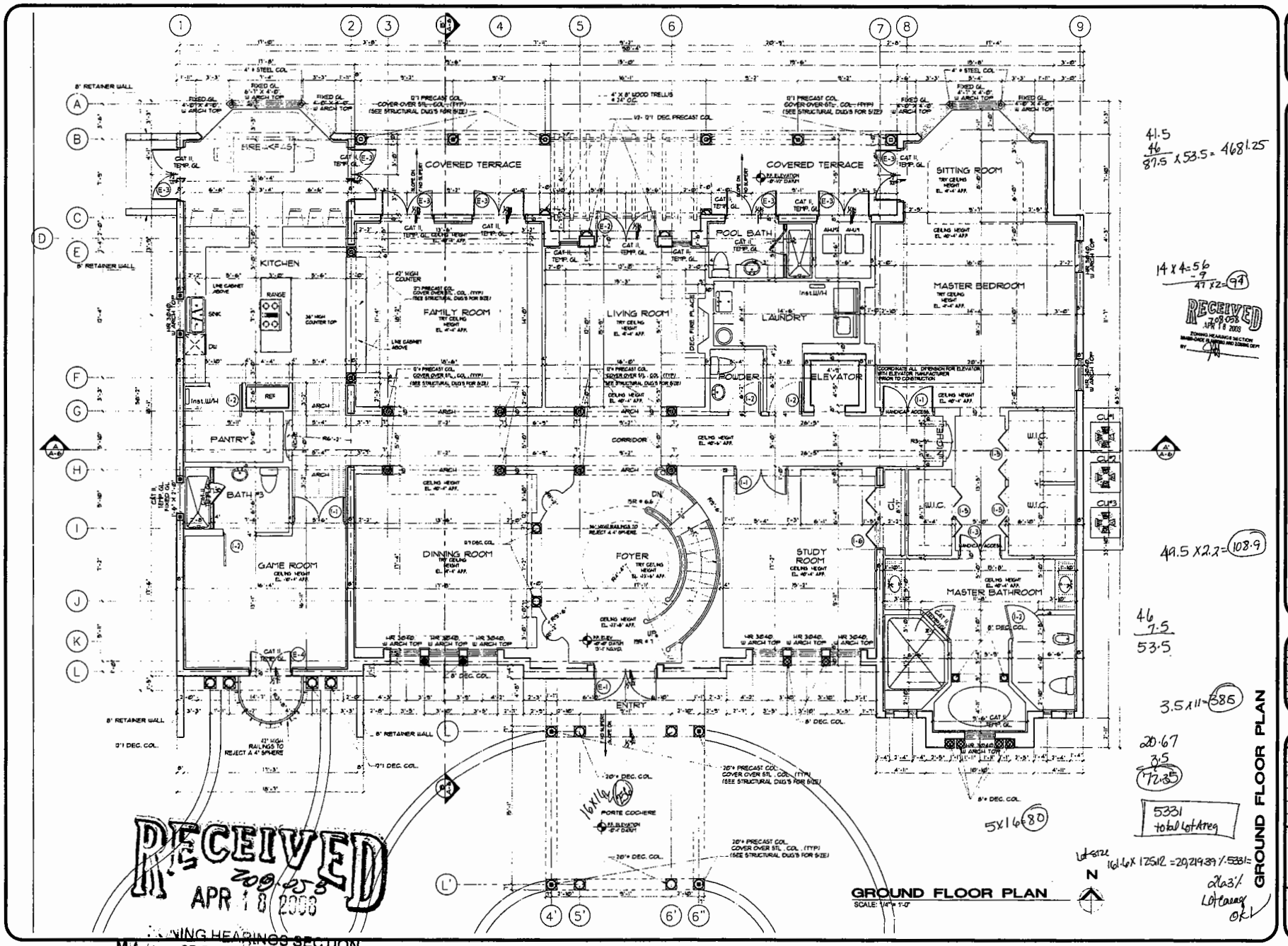
BASEMENT FLOOR PLAN

MR. & MRS. FERRERA RESIDENCE
1150 MIAMI GARDENS DRIVE
MIAMI, FLORIDA

A-1

24

25



GROUND FLOOR PLAN
SCALE: 1/4" = 1'-0"

41.5
46
87.5 x 53.5 = 4681.25

14 x 4 = 56
-9
47 x 2 = 94

49.5 x 2.2 = 108.9

46
7.5
53.5

3.5 x 11 = 385

20.67
3.5
72.35

5331
total Lot Area

5 x 16 = 80

Lot size 161.6 x 125.12 = 20,219.39 / 5331 = 26.3%
Lot Coverage OK

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208-058
APR 18 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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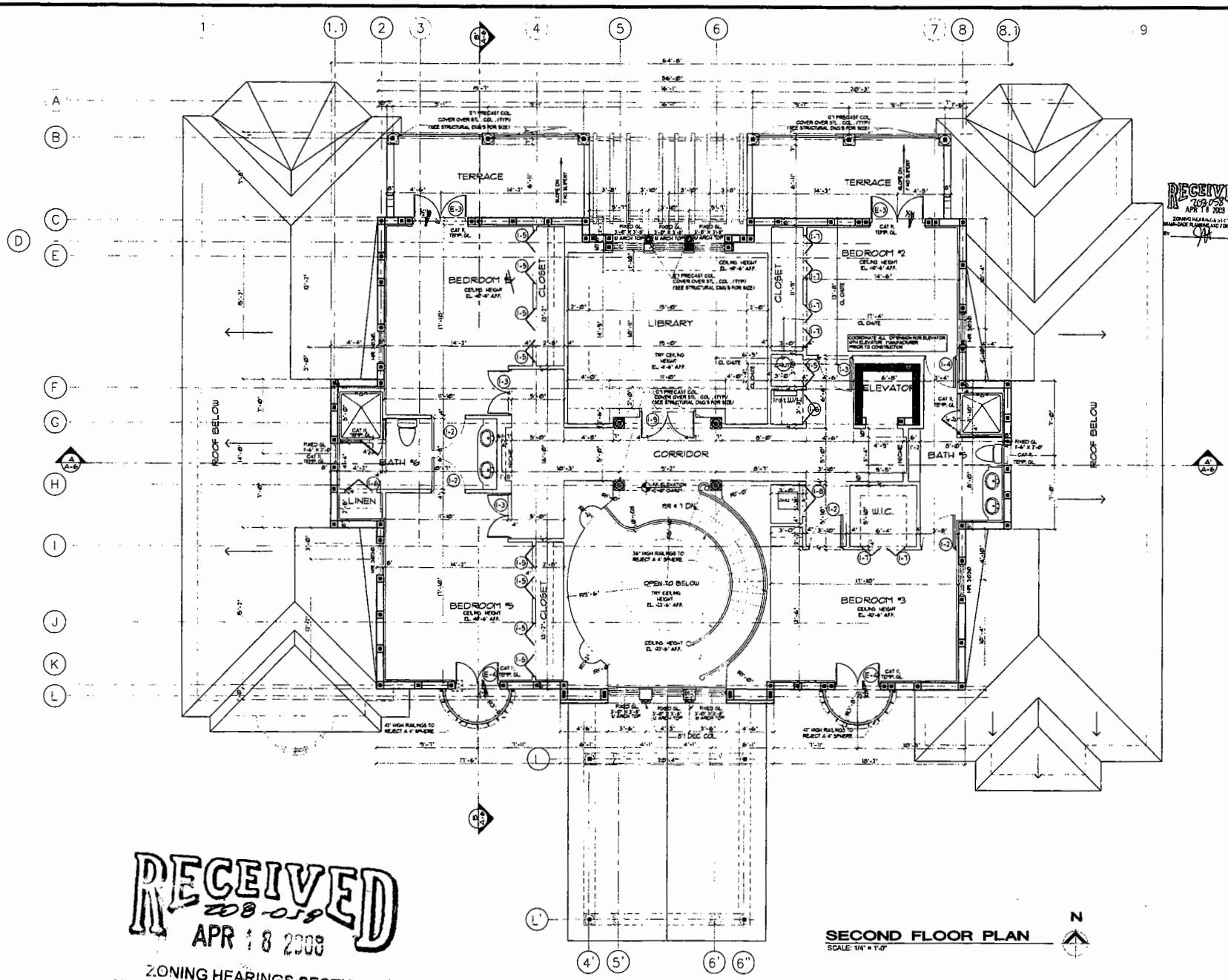
208-058
APR 18 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

GROUND FLOOR PLAN

MR. & MRS. FERRERA RESIDENCE
1150 MIAMI GARDENS DRIVE
MIAMI, FLORIDA

A-2



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

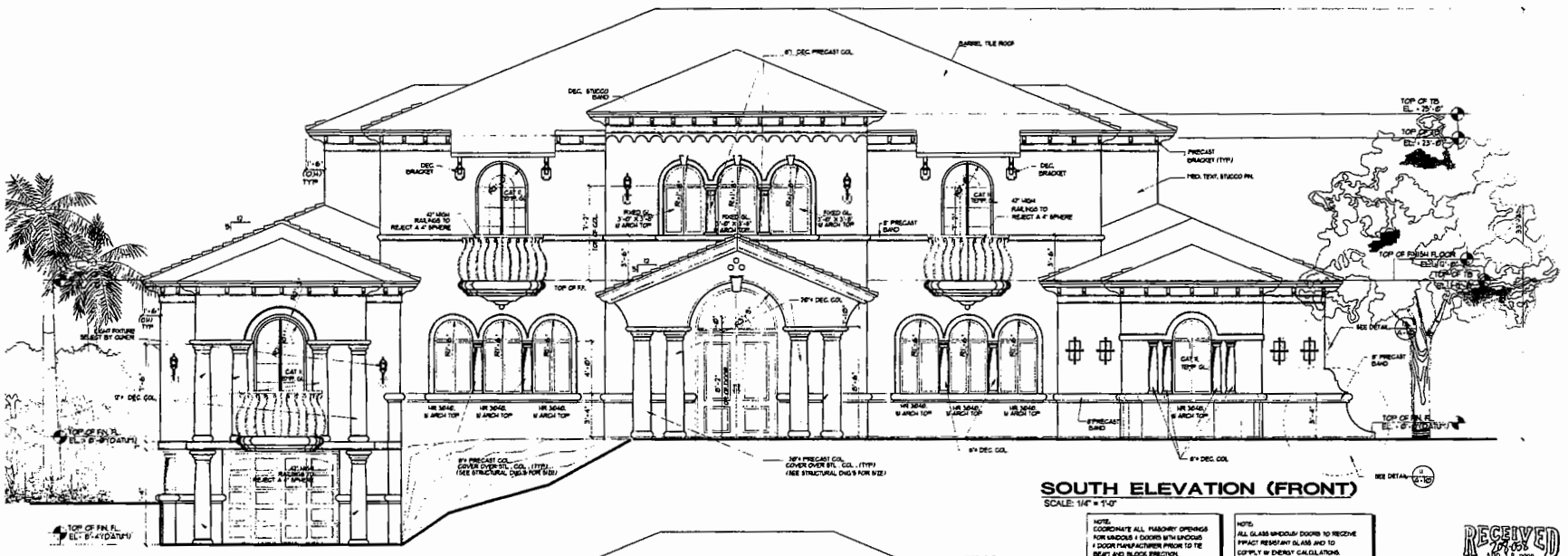
RECEIVED
APR 18 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

SECOND FLOOR PLAN

MR. & MRS. FERRERA RESIDENCE
1150 MIAMI GARDENS DRIVE
MIAMI, FLORIDA

A-3

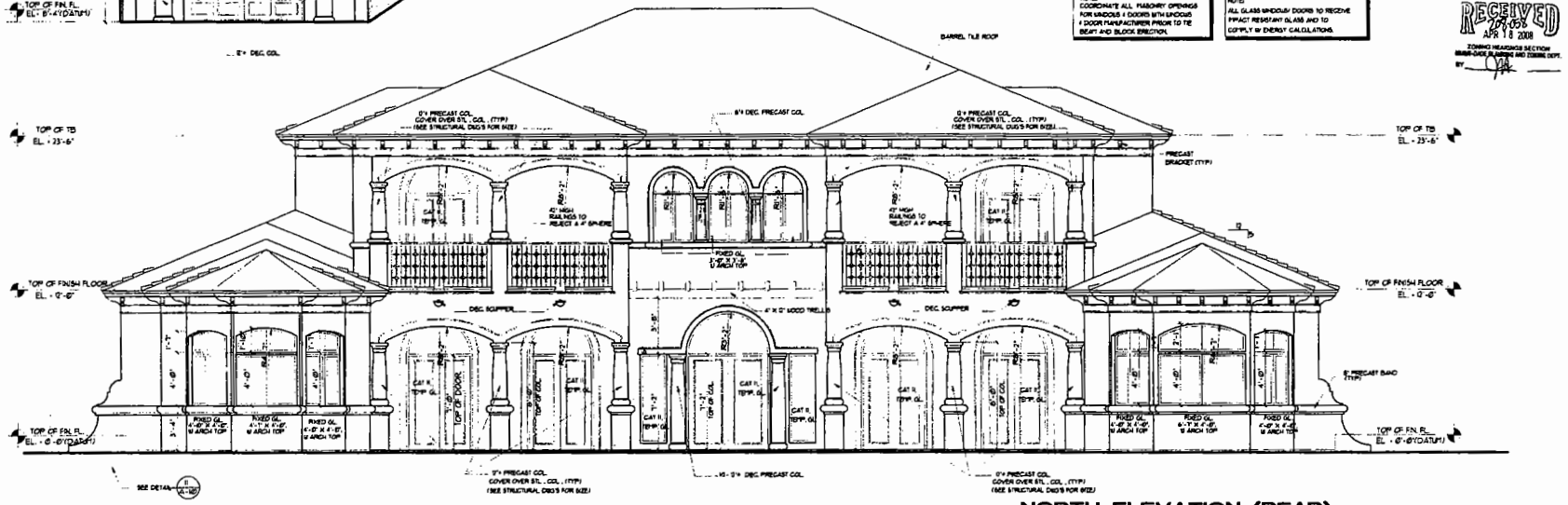


SOUTH ELEVATION (FRONT)
SCALE: 1/4" = 1'-0"

NOTE:
COORDINATE ALL MASONRY OPENINGS FOR WINDOWS & DOORS WITH WINDOWS & DOOR MANUFACTURER PRIOR TO TIE BEAM AND BLOCK ERECTION.

NOTE:
ALL GLASS WINDOWS/ DOORS TO RECEIVE IMPACT RESISTANT GLASS AND TO COMPLY W/ ENERGY CALCULATIONS.

RECEIVED
APR 18 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



NORTH ELEVATION (REAR)
SCALE: 1/4" = 1'-0"

NOTE:
COORDINATE ALL MASONRY OPENINGS FOR WINDOWS & DOORS WITH WINDOWS & DOOR MANUFACTURER PRIOR TO TIE BEAM AND BLOCK ERECTION.

NOTE:
ALL GLASS WINDOWS/ DOORS TO RECEIVE IMPACT RESISTANT GLASS AND TO COMPLY W/ ENERGY CALCULATIONS.

RECEIVED
08-05-8
APR 18 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

NORTH & SOUTH ELEVATION

CATMART DESIGN, INC. CA # 27138
ARCHITECTURAL JOB DOW PLANNING AND CONSULTANT ENGINEERS
8000 S W 74TH CT., STE
Miami, FL 33143
PH.: 305-663-0700
FAX: 305-663-0771
mayteret@bellsouth.net
www.mayteretdesign.com

MR. & MRS. FERRERA RESIDENCE
1150 MIAMI GARDENS DRIVE
MIAMI, FLORIDA

MARK	DATE
1	
2	
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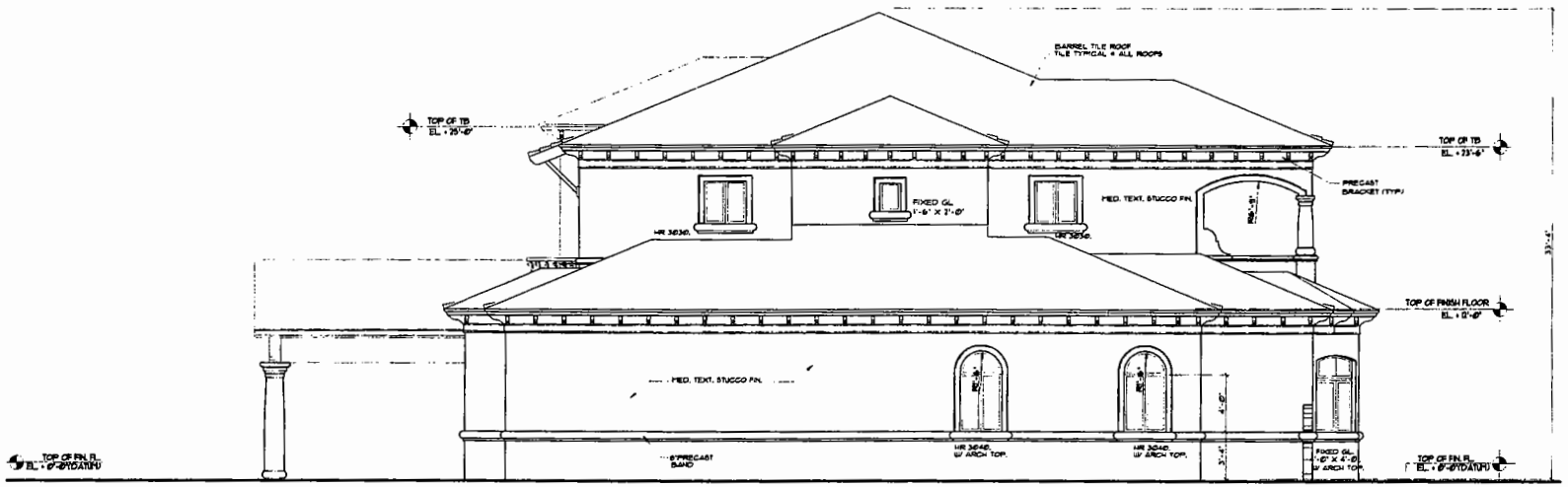
4	
5	
6	

PROJECT No.:	
DESIGNED BY:	DM
DRAWN BY:	DM
CHECKED BY:	DM
DATE:	04-07-08
DRAWING SCALE:	AS SHOWN

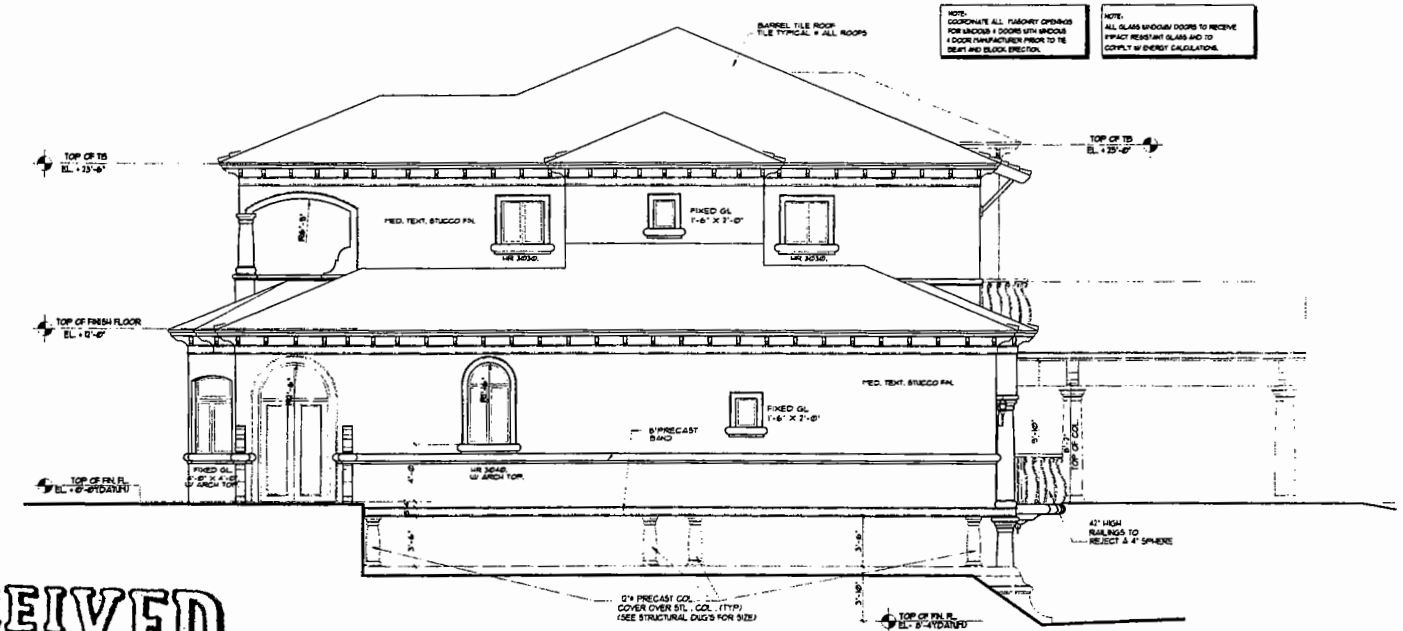
ARCH. JORGE MAYET
LIC # AR 90
7900 S.W. 74th CRT. ST
MIAMI, FL 33143
TEL: 305-663-0700
FAX: 305-663-0771
SEAL/ SIGNATURE: 04-07-08

A-4



EAST ELEVATION (RIGHT SIDE)
SCALE: 1/4" = 1'-0"

RECEIVED
2080-056
APR 18 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



WEST ELEVATION (LEFT SIDE)
SCALE: 1/4" = 1'-0"

RECEIVED
2080-056
APR 18 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

WEST & EAST ELEVATION

CA SMART DESIGN, INC. CA # 27134
ARCHITECTURAL DESIGN PLANNING
AND CONSULTANT ENGINEERS
9301 S.W. 74TH CT., STE
Miami, FL 33156
PH.: 305-663-4779
Fax: 305-663-4771
carmen1@bellsouth.net
www.carmensmartdesign.com

MR. & MRS. FERRERA RESIDENCE
1150 MIAMI GARDENS DRIVE
MIAMI, FLORIDA

PROJECT No.	
DESIGNED BY:	C.S.D.
DRAWN BY:	C.S.D.
CHECKED BY:	C.S.D.
ISSUE DATE:	04-07-08
DRAWING SCALE:	1/4"=1'-0"

ARCH. REG. NO. 0016911
LIC. # AR 0016911
9301 S.W. 74th COURT
MIAMI, FL 33173
TEL: 305-663-4779
FAX: 305-663-4771

SEAL
SIGNATURE: 04-07-08

A-5

29

RECEIVED
2008-05-8
APR 18 2008

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

CAYMART DESIGN, INC. d.b.a. CTN
ARCHITECTURAL, DESIGN PLANNING AND CONSULTANT ENGINEERS
8001 S.W. 74TH CT., #04
Miami, FL 33156
Tel: 305-663-4770
Fax: 305-663-4771

RECEIVED
APR 18 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

MR. & MRS. FERRERA RESIDENCE
1150 MIAMI GARDENS DRIVE
MIAMI, FLORIDA

DEPT. #	DATE
1	
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8	

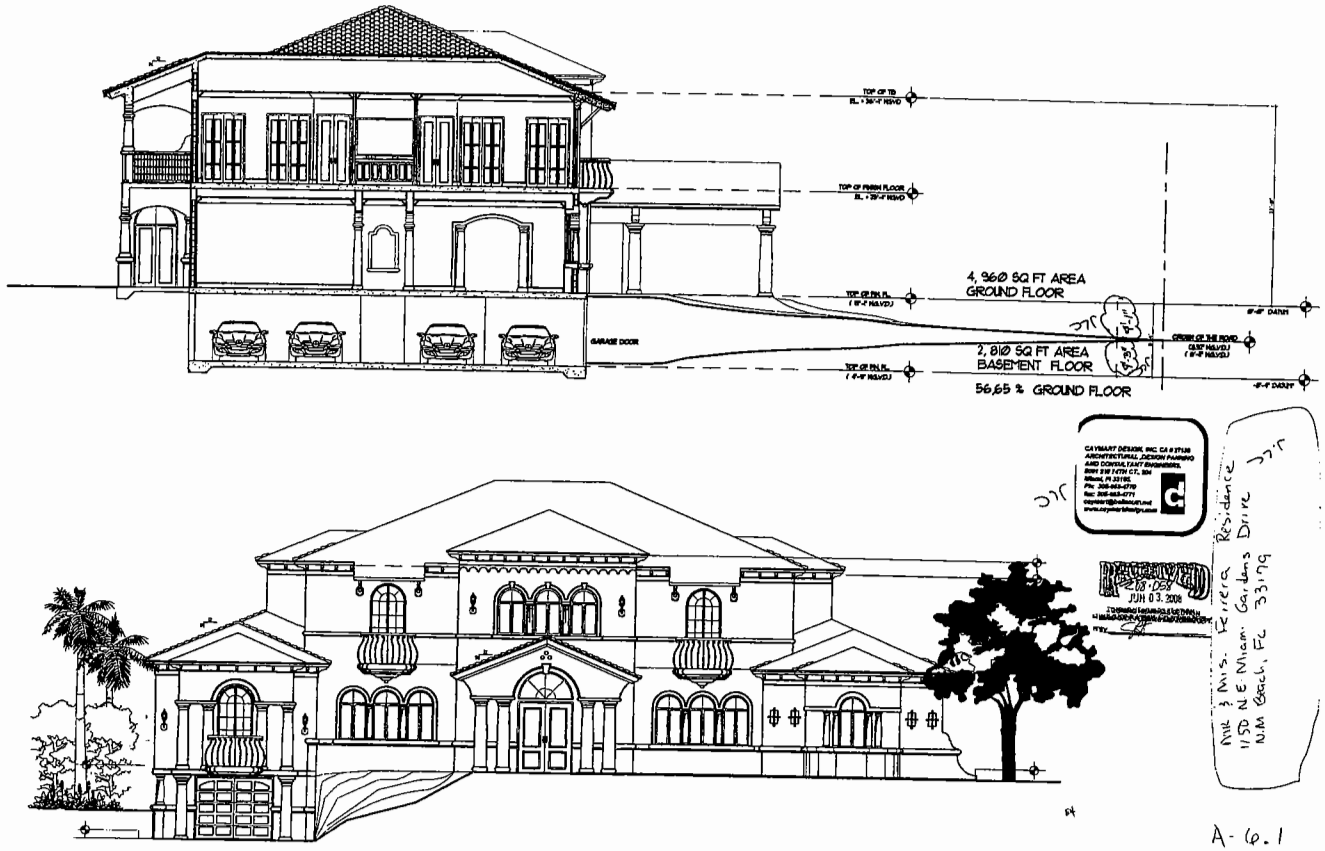
PROJECT #:
DESIGNED BY: O.M.
DRAWN BY: O.M.
CHECKED BY: O.M.
ISSUE DATE: 04-08
DRAWING SCALE: AS SHOWN

ARCH. REGISTRATION
LIC. # AR 0008141
1965 S.W. 74th COURT
Miami, FL 33155
TEL. 305-663-4770
FAX. 305-663-4771

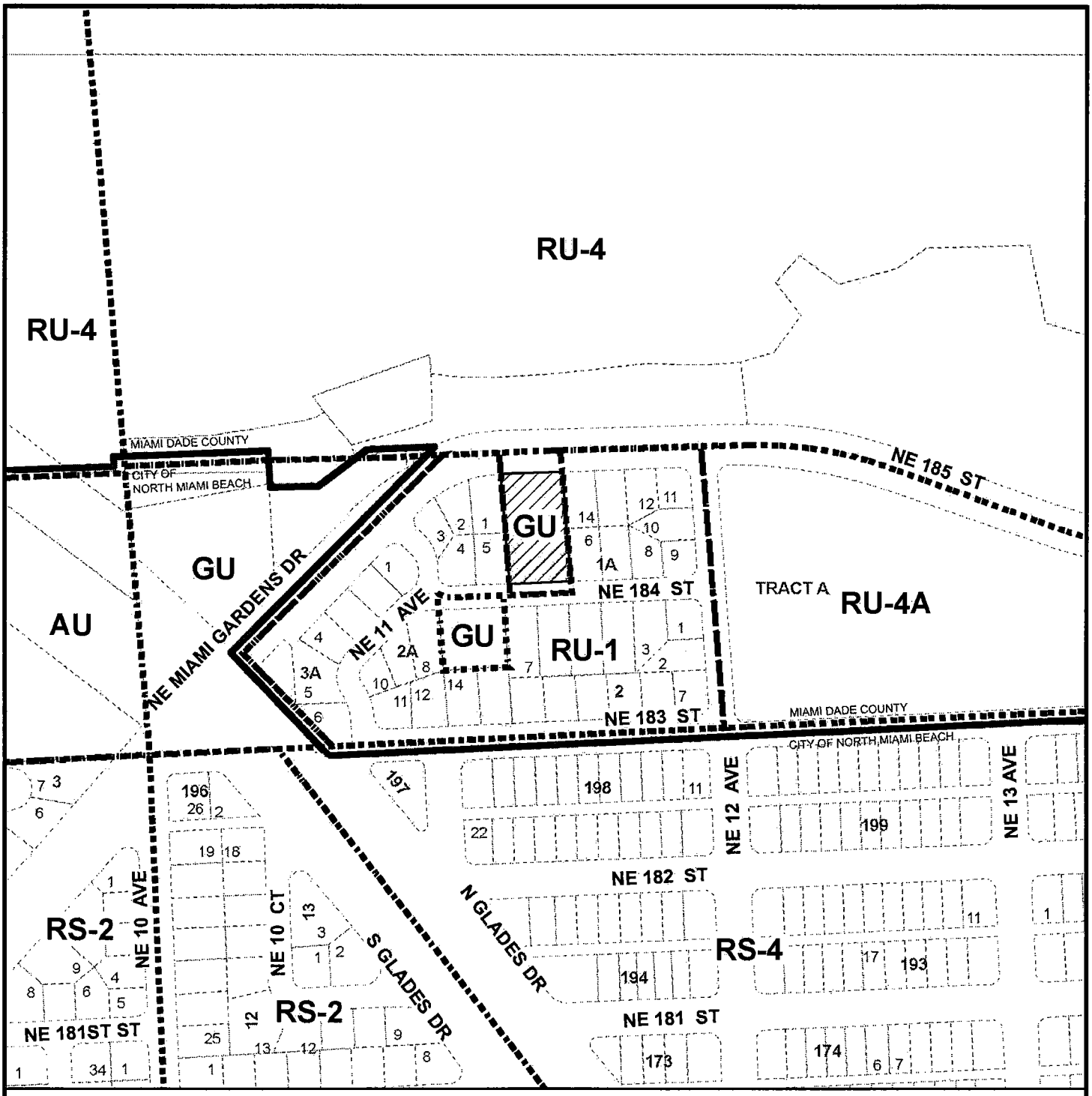
SEAL/ SIGNATURE: 09-07-05

A-6

30



4,960 SQ FT AREA
GROUND FLOOR
2,810 SQ FT AREA
BASEMENT FLOOR
56,65 % GROUND FLOOR
GARAGE DOOR
CAYMART DESIGN, INC. CA # 27138
ARCHITECTURAL, DESIGN PARKING
AND CONSULTANT ENGINEERS
JUN 03. 2008
Mr & Mrs. Ferrera Residence
1150 N.E. Miami Gardens Drive
N.M Beach, FL 33179
A-6.1



MIAMI-DADE COUNTY

HEARING MAP

Process Number

08-058

Section: 05 Township: 52 Range: 42
Applicant: LENIN FERRERA
Zoning Board: 02
District Number:04
Drafter ID: ERIC
Scale: NTS

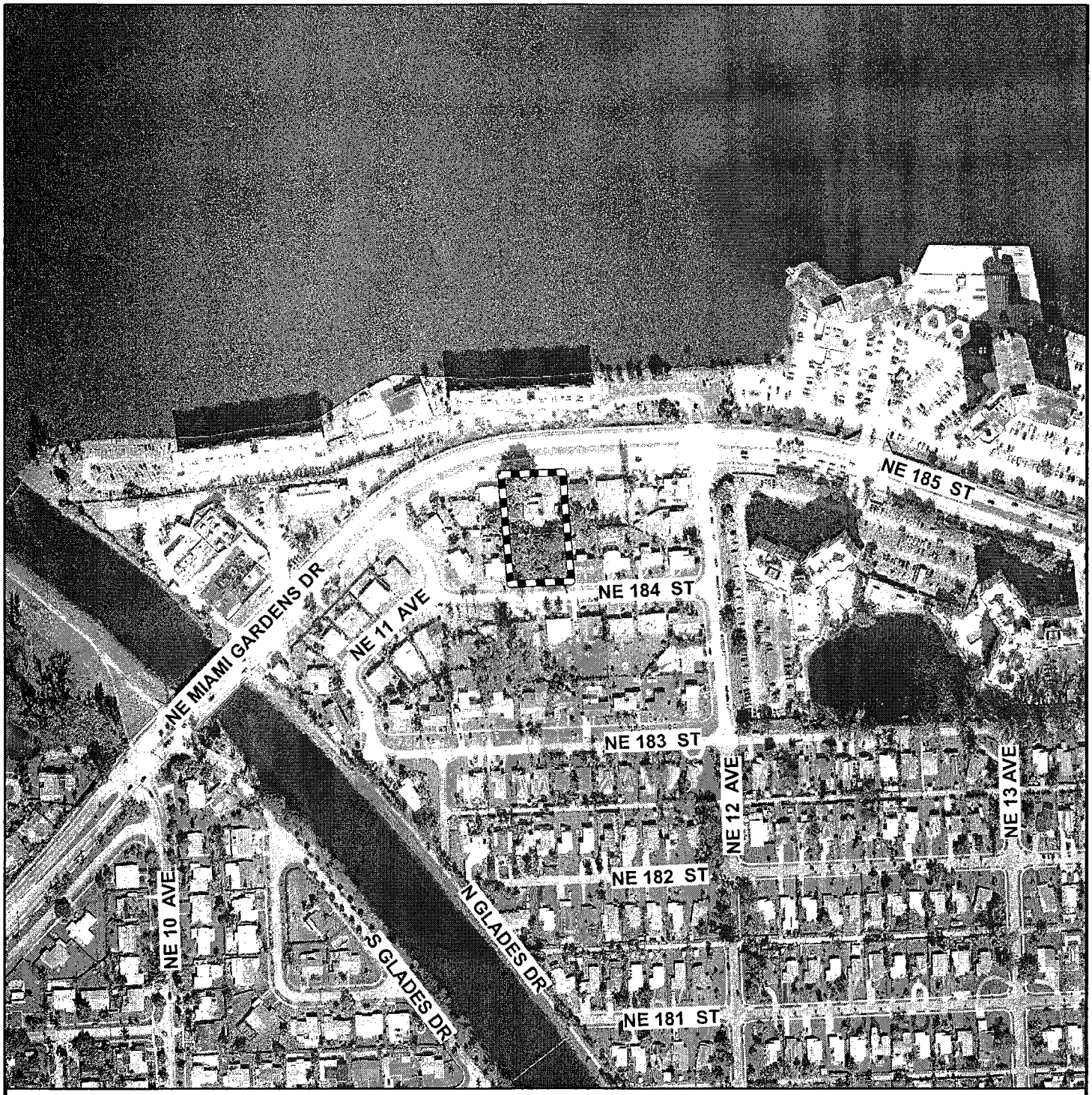
SUBJECT PROPERTY

N W E S

MIAMI-DADE COUNTY

CREATED ON: 04/14/2008

REVISION	DATE	BY
CITY BOUNDARIES	06/05/08	AFT



MIAMI-DADE COUNTY

AERIAL

Section: 05 Township: 52 Range: 42
Applicant: LENIN FERRERA
Zoning Board: 02
District Number:04
Drafter ID: ERIC
Scale: NTS

Process Number

08-058

N
W E
S

SUBJECT PROPERTY

MIAMI-DADE COUNTY

CREATED ON: 04/14/2008

REVISION	DATE	BY