

# FINAL AGENDA

10-5-2015 Version # 1



COMMUNITY ZONING APPEALS BOARD 5  
LAWTON CHILES MIDDLE SCHOOL  
8190 NW 197 Street, Miami  
Thursday, November 12, 2015 at 7:00 p.m.

## PREVIOUSLY DEFERRED

A. 15-10-C5-1 INTERNATIONAL LAND DEVELOPERS,  
INC 15-61 35-53-39 N



# Official Zoning Agenda

## COMMUNITY ZONING APPEALS BOARD

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COMMUNITY ZONING APPEALS BOARD - AREA 5

MEETING OF THURSDAY, NOVEMBER 12, 2015

LAWTON CHILES MIDDLE SCHOOL

8190 NW 197 STREET, 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

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**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to Community Council No. 5**

**PH: Z15-061 (15-10-CZ5-1)**

**November 12, 2015**

Item No. A

<b>Recommendation Summary</b>	
<b>Commission District</b>	12
<b>Applicant</b>	International Land Development, Inc.
<b>Summary of Request</b>	The applicant is seeking approval of a district boundary change from GU to IU-1.
<b>Location</b>	East of NW 129 Avenue between NW 15 Street and NW 16 Street, Miami-Dade County, Florida
<b>Property Size</b>	3.50 Acres
<b>Existing Zoning</b>	GU, Interim District
<b>Existing Land Use</b>	Vacant
<b>2020 - 2030 CDMP Land Use Designation</b>	Restricted Industrial and Office <i>(see attached Zoning Recommendation Addendum)</i>
<b>Comprehensive Plan Consistency</b>	Consistent with the LUP map, and the interpretative text and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311, District Boundary Change, <i>(see attached Zoning Recommendation Addendum)</i>
<b>Recommendation</b>	<b>Approval, subject to the Board's acceptance of the proffered covenant.</b>

This item was deferred from the October 15, 2015 Community Zoning Appeals Board (CZAB) #5 meeting to allow for the application to be properly advertised.

**REQUEST:**

DISTRICT BOUNDARY CHANGE from GU to IU-1.

**PROJECT DESCRIPTION AND PROJECT HISTORY:**

The applicant is seeking approval of a district boundary change from GU, Interim District, to IU-1, Light Industrial District. No plans were submitted for the subject application. A zoning covenant was proffered by the applicant with several conditions to dedicate an additional 5' for right-of-way along all property lines in order to provide the required 35' right-of-way dedication along all property lines, to remove and relocated a fence shown in the survey encroaching on the right-of-way within the subject property, and to restrict the development of the site to comply with the IU-1 zoning regulations.

<b><u>NEIGHBORHOOD CHARACTERISTICS</u></b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	GU; vacant	Restricted Industrial and Office
<b>North</b>	GU; vacant	Restricted Industrial and Office
<b>South</b>	GU; vacant	Restricted Industrial and Office
<b>East</b>	GU; vacant	Restricted Industrial and Office

<b>West</b>	GU; vacant	Restricted Industrial and Office
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**NEIGHBORHOOD COMPATIBILITY:**

The 3.50-acre subject property is a vacant parcel located east of NW 129 Avenue between NW 15 Street and NW 16 Street. The surrounding properties are zoned GU and remain vacant.

**SUMMARY OF THE IMPACTS:**

The approval of this application will allow the applicant to rezone the property to IU-1 in order to redevelop the parcel with additional light manufacturing uses such as warehouses.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property for **Restricted Industrial and Office** use. Staff notes that the CDMP Land Use Element interpretative text states that *Industrial and Office areas designated as "Restricted" are areas where the range of uses and design of facilities are governed by special groundwater protection regulations. This category primarily affects "wellfield protection areas" designated in the Miami-Dade County Code (Chapter 24, Code of Miami-Dade County). Development in Restricted Industrial and Office areas should generally be limited to office uses, but certain business, warehousing and manufacturing uses may be permitted, provided that the use employs best management practices, and the use does not involve the on-site use, handling, storage, manufacture or disposal of hazardous materials or waste as defined in Chapter 24 of the County Code.*

The IU-1 zoning district allows uses such as auto paint and body shops, automobile repair garages, lumberyards, restaurants, wholesale salesrooms and manufacturing operations. Existing uses already occurring in the area include warehouses located to the north of the subject property on a property zoned IU-1. Additionally, staff notes that there is a vacant property zoned IU-1 located approximately 250' to the north of the subject site. Staff notes that the memorandum from the Division of Environmental Resources Management (DERM) of the Department of Regulatory and Economic Resources (RER) indicates that the applicant proffered a DERM covenant prohibiting the use of hazardous materials. Further, CDMP Land Use Element interpretative text, **Objective LU-4** requires the County to *reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.* Staff notes that the approval of the application would allow the property to be rezoned to a zoning district that is consistent with the CDMP LUP map designation. Therefore, staff opines that subject to the proffered covenant approval of the applicant's request to rezone the property to IU-1 is **consistent** with the CDMP Land Use Element interpretative text in **Restricted Industrial and Office** areas and the CDMP Land Use Plan map **Restricted Industrial and Office** designation for the subject property.

**ZONING ANALYSIS:**

Staff supports the district boundary change in request #1. Staff notes that the 3.50-acre subject property is a vacant parcel located East of NW 129 Avenue between NW 15 Street and NW 16 Street. The surrounding properties are zoned GU and remain vacant. Existing uses already occurring in the area include warehouses located far to the north of the subject property in a property zoned IU-1. Additionally, staff notes that there is a vacant property zoned IU-1 located

approximately 250' to the north of the subject site. Staff further notes that a covenant was proffered by the applicant to dedicate an additional 5' for right-of-way along all property lines in order to provide the required 35' right-of-way dedication along all property lines, to remove and relocate a fence shown in the survey encroaching on the right-of-way within the subject property, and to restrict the development of the site to comply with the IU-1 zoning regulations.

Staff opines that the rezoning of the subject site to IU-1 will not have an unfavorable impact on the environment based upon the favorable recommendation issued by DERM of the Department of RER pursuant to their memorandum pertaining to this application and the proffered covenant submitted by the applicant to DERM prohibiting the use of hazardous materials on the subject site. Staff opines that the development of the subject property will not have an unfavorable economic impact on Miami-Dade County. Additionally, the Platting and Traffic Review Section of the RER indicated in its memorandum that the application will not generate any new additional daily peak hour trips and, therefore, this application meets the traffic concurrency criteria set for an Initial Development Order. As such, staff opines that the approval of IU-1 zoning would be in keeping with the character of the surrounding industrial uses in the area, would be **compatible** with same and **consistent** with the Restricted Industrial and Office land use designation of the CDMP. **As such, staff recommends approval of this application under Section 33-311, District Boundary Change, subject to the Board's acceptance of the proffered covenant.**

**ACCESS, CIRCULATION AND PARKING:** Not applicable.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

**OTHER:** Not applicable.

**RECOMMENDATION:** Approval, subject to the Board's acceptance of the proffered covenant.

**CONDITIONS FOR APPROVAL:** None.

NK:MW:NN:CH:JV

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

*NK*

# ZONING RECOMMENDATION ADDENDUM

International Land Development, Inc.  
Z15-061

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS*</b>	
Division of Environmental Resource Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Space	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment

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

<b>Restricted Industrial and Office (Pg. I-40)</b>	<i>The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for <b>Restricted Industrial and Office</b>. Industrial and Office areas designated as "Restricted" are areas where the range of uses and design of facilities are governed by special groundwater protection regulations. This category primarily affects "wellfield protection areas" designated in the Miami-Dade County Code (Chapter 24, Code of Miami-Dade County). Development in Restricted Industrial and Office areas should generally be limited to office uses, but certain business, warehousing and manufacturing uses may be permitted, provided that the use employs best management practices, and the use does not involve the on-site use, handling, storage, manufacture or disposal of hazardous materials or waste as defined in Chapter 24 of the County Code.</i>
<b>Objective LU-4 (Pg. I-9)</b>	<i>Miami-Dade County shall continue to reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.</i>

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<b>Section 33-311 District Boundary Change</b>	<p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) <b>Section 33-311</b> provides that the Board shall take into consideration, among other factors the extent to which:</p> <p>(1) <i>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;</i></p>
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## ZONING RECOMMENDATION ADDENDUM

International Land Development, Inc.  
Z15-061

	<p>(2) <i>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;</i></p> <p>(3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i></p> <p>(4) <i>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;</i></p> <p>(5) <i>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.</i></p>
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**A. INTERNATIONAL LAND DEVELOPERS, INC.**  
**(Applicant)**

**15-10-CZ5-1 (15-061)**  
**Area 5/District 12**  
**Hearing Date: 11/12/15**

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

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

Disclosure of interest form attached? Yes  No

**Previous Zoning Hearings on the Property:**

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

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

# Memorandum



**Date:** September 8, 2015

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

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

**Subject:** C-05 #Z2015000061-3<sup>rd</sup> Revision  
International Land Developers, Inc.  
East of NW 129<sup>th</sup> Avenue between NW 15<sup>th</sup> and 16<sup>th</sup> Street  
Zone change from GU to IU-1  
(GU) (1.63 Acres)  
35-53-39

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over the "From:" field of the memorandum.

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.

#### Wellfield Protection

The subject property is located within the average wellfield protection zone of the Northwest Wellfield Complex. Development of the subject property shall be in accordance with the regulations established in Section 24-43 of the Code.

Since the subject request involves a non-residential land use or a zoning category which permits a variety of non-residential land uses, the owner of the property has submitted a properly executed covenant running with the land in favor of Miami-Dade County, as required by Section 24-43(5)(a) of the Code. The covenant provides that hazardous materials shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

#### Potable Water Supply and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required, in accordance with Code requirements. All sewer lines serving the property shall comply with the exfiltration standards as applied to development within wellfield protection areas.

Be advised that the required water main extension permit is issued by the Florida Department of Health. Civil drawings for the water main extension will need to be approved by the Miami-Dade Water and Sewer Department and the Environmental Permitting Section of RER.

Civil drawing for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department and the Environmental Wastewater Permitting Section of DERM prior to approval of final development orders.

Existing public water and public sanitary sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the

proposed development order, if approved, will not result in a reduction of the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

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

#### Stormwater Management

The proposed development is located within the North Trail Basin and is subject to a Cut and Fill approval. It is the applicant's responsibility to contact the DERM Water Control Section at (305) 372-6681 for further information regarding permitting procedures and requirements.

Applicant is advised that an Environmental Resource Permit from the South Florida Water Management District (1-800-432-2045) will 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. It is the applicant's responsibility to contact the above mentioned agency for further information regarding permitting procedures and requirements.

#### Wetlands

The subject property is located within the Transitional Northeast Wetland Basin, in an area that normally contains wetlands. However, this property was issued Class IV Wetlands Permit FW 95-021 for the filling of 2.27 acres of wetlands and set aside 1.00 acres of wetlands as stormwater retention onsite. All wetland impacts on this property were completed while this permit was valid.

DERM has no objection to this zoning application provided that no impacts occur beyond what was permitted on this site. Any additional work in jurisdictional wetlands will require a new Class IV permit.

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

#### Tree Preservation

The subject property revealed the presence of tree resources and contains wetlands. Please be advised that tree resources that lie within wetlands areas will be regulated through a Class IV Wetlands Permit; however tree resources within areas not designated as wetlands will require a Miami-Dade County Tree Removal Permit prior to removal and/or relocation.

In accordance with the Code and CON8I of the CDMP, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development, or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species. DERM also recommends that this requirement be included as a condition of any zoning approval.

The applicant is advised to contact Tree Permitting Program at (305) 372-6574 for additional information regarding tree permitting procedures and requirements.

Enforcement History

The subject property has no open and three (3) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section at 305-372-6902 if you require additional information.

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.

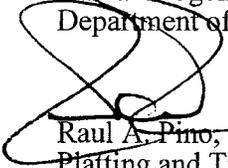
cc: Nathan Kogon, Department of Regulatory and Economic Resources

# Memorandum



**Date:** June 16, 2015

**To:** Nathan Kogon, 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:** Z2015000061  
Name: International Land Developers, Inc.  
Location: East of NW 129 Avenue Between 15 & 16  
Section 35 Township 53 South Range 39 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lots 1 thru 10 & Lot 13 Block 7 Lot 14 & Lots 17 thru 17 thru 26 Block 7 Lots 11 & 12 Block 7 of Plat Book 27, Page 33.

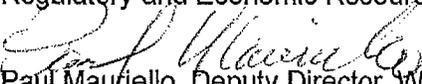
This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order

# Memorandum



**Date:** July 1, 2015

**To:** Nathan Kogon, Assistant Director  
Regulatory and Economic Resources Department

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

**Subject:** International Land Developers Inc. (#15\_061)

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The Department's review of the above-referenced item is provided below. Additional comments will be provided as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie, Manager, Intergovernmental and External Affairs, at 305-375-1354. **The PWWM has no objections to the proposed application.**

**Application:** *International Land Developers Inc.*, requests a district boundary change from Interim (GU) to Industrial, light manufacturing (IU-1) to allow the applicant to sell/ develop the vacant property with light industrial uses.

**Location:** The subject property is located between NW 15<sup>th</sup> and 16<sup>th</sup> Street and NW 128<sup>th</sup> and 129<sup>th</sup> Avenue, in Miami-Dade County, Florida.

**Size:** The subject property is approximately 3.5 acres in size.

## **Analysis:**

### 1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (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 flows. The latest Concurrency Status Determination issued on September 18, 2014, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Regulatory and Economic Resources Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

### 2. Garbage and Trash Collection Services

The property as mentioned in the application falls within the PWWM solid waste collection service area. The district boundary change on the property meets the County Code definition of development for "commercial establishments." According to Chapter 15 of the Miami-Dade

Code entitled Solid Waste Management, commercial establishments must meet the following requirements:

"Every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service.

### 3. Recycling

The following language from **Section 15-2.3a** of the Code requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

- |                                  |  |
|----------------------------------|--|
| 1) High grade office paper       | 6) Steel (cans, scrap)                         |
| 2) Mixed paper                   | 7) other metals/scrap production materials     |
| 3) Corrugated cardboard          | 8) Plastics (PETE, HDPE-natural, HDPE-colored) |
| 4) Glass (flint, emerald, amber) | 9) Textiles                                    |
| 5) Aluminum (cans, scrap)        | 10) Wood                                       |

**Section 15-2.3** of the Code states the failure of a commercial establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner and the owner(s) and operator(s) of the commercial establishment shall be jointly and severally liable.

### 4. Waste Storage/Setout Considerations

**Section 15-4** of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

### 5. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

- a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
- b. "T" shaped turnaround 60 feet long by 10 feet wide
- c. Paved throughway of adequate width (minimum 15 feet)

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection.

# Memorandum



**Date:** August 13, 2015

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

**From:** Maria I. Nardi, Chief *M-I.*  
Planning and Design Excellence Division  
Parks, Recreation and Open Spaces Department

**Subject:** Z2015000061: INTERNATIONAL LAND DEVELOPERS, INC.  
Revised Plans Submitted Dated Stamped Received Through 8-05-2015

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**Application Name:** INTERNATIONAL LAND DEVELOPERS, INC.

**Project Location:** The site is located in that area E OF NW 129 AVE BET 15 & 16, Miami-Dade County.

**Proposed Development:** The request is for a district boundary change from GU to IU-1 for light industrial uses.

**Impact and demand:** This application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

**Recommendation:** PROS has no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review. 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 Planning Section Supervisor

# Memorandum



**Date:** 11-JUN-15  
**To:** Jack Osterholt, Director  
 Department of Regulatory and Economic Resources  
**From:** Dave Downey, Fire Chief  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2015000061

## Recommendation:

No objection to the Letter of Intent.

## Service Impact/Demand

Development for the above Z2015000061  
 located at \*E OF NW 129 AVE BET 15 & 16, MIAMI-DADE COUNTY, FLORIDA.  
 in Police Grid 1140 is proposed as the following:

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

Based on this development information, estimated service impact is: No Impact. N/A alarms-annually.

## Existing services

The Fire station responding to an alarm in the proposed development will be: Station # 58  
 The estimated average travel time is: 6:24 minutes

## Planned Service Expansions:

The following stations/units are planned in the vicinity of this development: None.

## Fire Planning Additional Comments

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

# ***Building and Neighborhood Compliance***

## **ENFORCEMENT HISTORY**

INTERNATIONAL LAND DEVELOPERS, INC      EAST OF NW 129 AVENUE, BETWEEN 15 STREET  
& 16 STREET,  
MIAMI-DADE COUNTY, FLORIDA

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**APPLICANT**

**ADDRESS**

OCTOBER 15, 2015

Z2015000061

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**DATE**

**HEARING NUMBER**

**REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:**

September 9, 2015

**FOLIO: 30-3935-002-0410, 303935-002-0411, AND 30-3935-002-0400**

**NEIGHBORHOOD REGULATIONS:**

THERE ARE NO CURRENT OPEN OR CLOSED CASES

**BUILDING SUPPORT REGULATIONS:**

THERE ARE NO CURRENT OPEN OR CLOSED CASES

**VIOLATOR:**

INTERNATIONAL LAND DEVELOPERS, INC

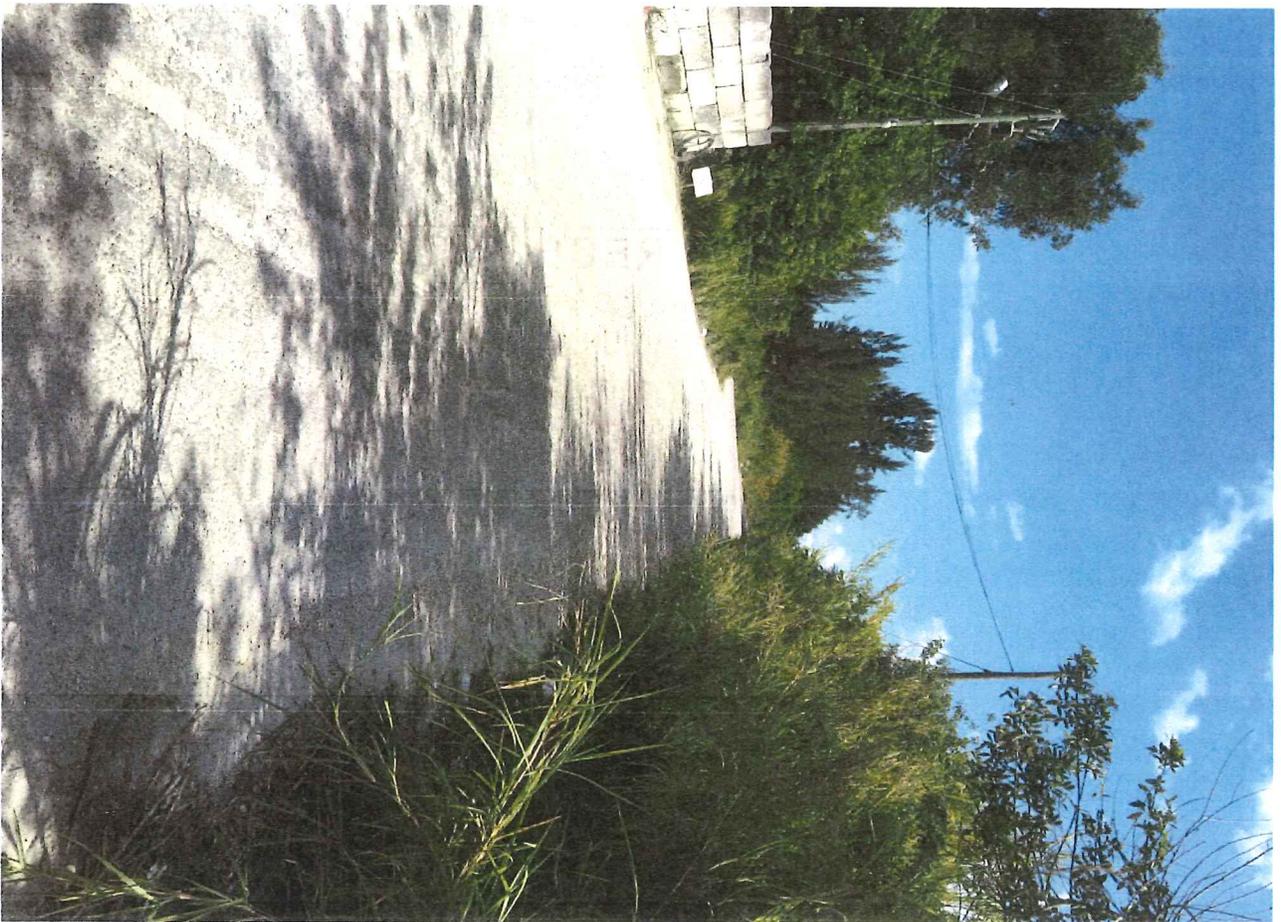
**OUTSTANDING LIENS AND FINES:**

AS OF SEPTEMBER 9, 2015, THERE ARE NO OUTSTANDING LIENS OR FINES



**RECEIVED**  
215-61  
JUN 03 2015  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND  
ECONOMIC RESOURCES  
DEVELOPMENT SERVICES

*for DHH*



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*215-61*  
**JUN 03 2015**  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND  
ECONOMIC RESOURCES  
DEVELOPMENT SERVICES

*for WAH*



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*215-61*  
**JUN 03 2015**  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND  
ECONOMIC RESOURCES  
DEVELOPMENT SERVICES

*for IOAH*

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: International Land Developers, Inc.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
Lisette Salazar, 450 SW 92 <sup>nd</sup> Passage, Miami, FL 33174	100%
_____	_____
_____	_____
_____	_____

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

TRUST/ESTATE NAME \_\_\_\_\_

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

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

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215-61  
JUN 03 2015  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND  
ECONOMIC RESOURCES  
DEVELOPMENT SERVICES  
*Jay RATH*

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].

22

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 *Lisette Salazar* \_\_\_\_\_ *Lisette Salazar* \_\_\_\_\_  
 (Applicant) (Print Applicant name)

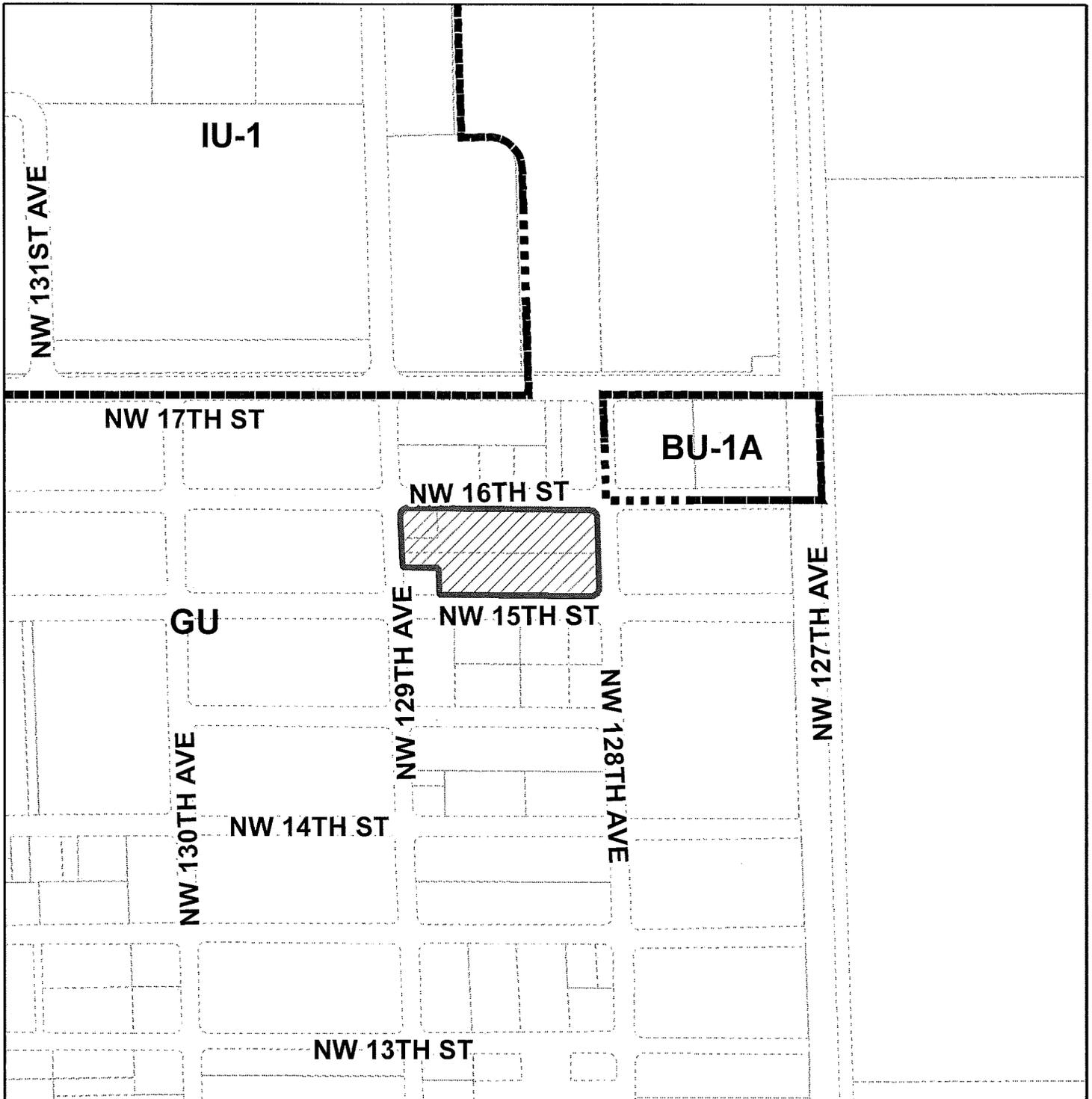
Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. Affiant is personally know to me or has produced \_\_\_\_\_ as identification.

*Barbara Munoz*  
(Notary Public)



My commission expires: \_\_\_\_\_

\*Disclosure shall not be required on: 1) an 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.



**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number

**Z2015000061**

**Legend**

-  Subject Property Case
-  Zoning



Section: 35 Township: 53 Range: 39  
 Applicant: INTERNATIONAL LAND DEVELOPERS, INC  
 Zoning Board: C5  
 Commission District: 12  
 Drafter ID: E.CESPEDES  
 Scale: NTS



SKETCH CREATED ON: Friday, June 5, 2015

REVISION	DATE	BY
		24



**MIAMI-DADE COUNTY**

AERIAL YEAR 2014

Process Number

**Z2015000061**

**Legend**



Subject Property

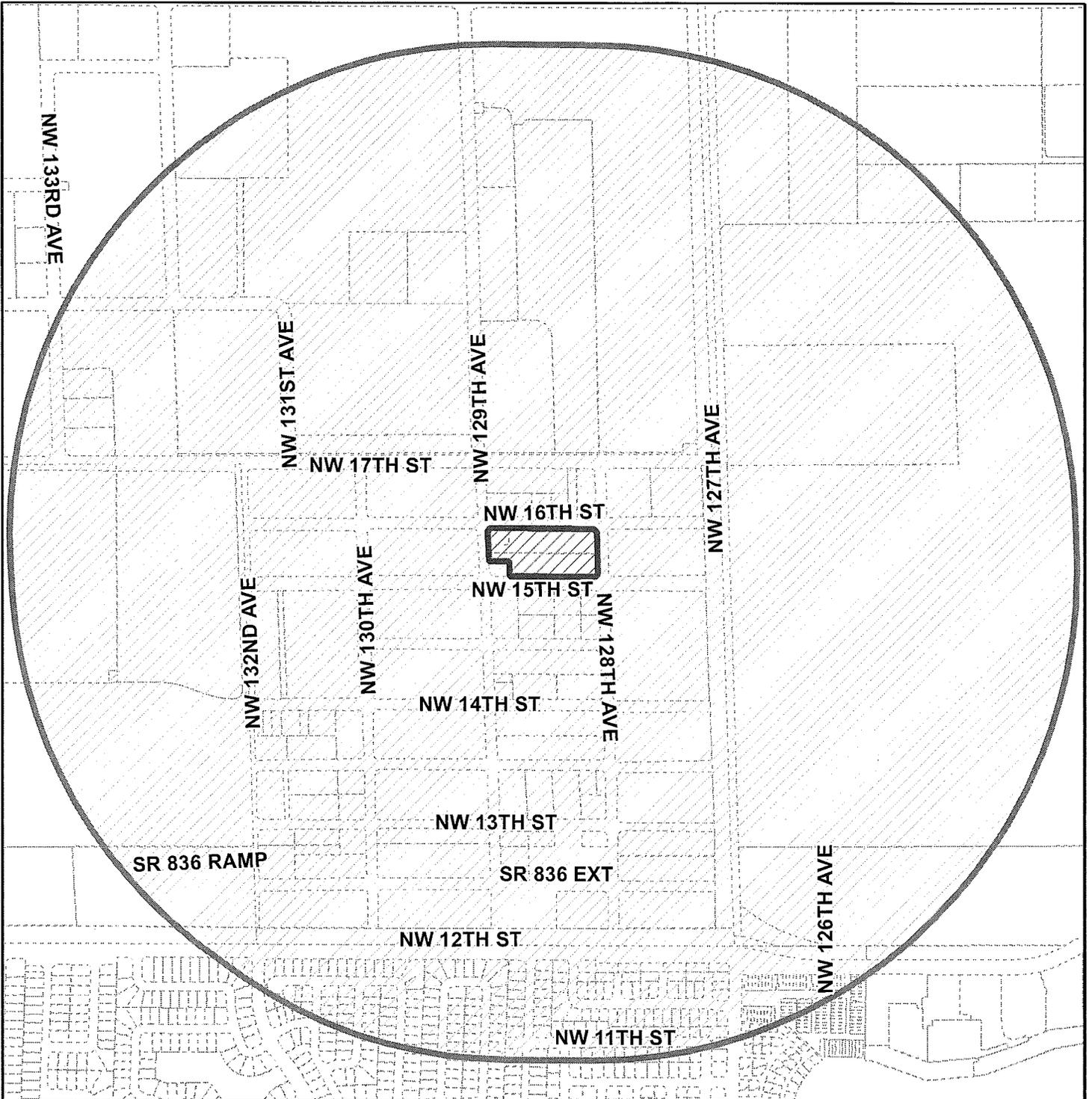


Section: 35 Township: 53 Range: 39  
 Applicant: INTERNATIONAL LAND DEVELOPERS, INC  
 Zoning Board: C5  
 Commission District: 12  
 Drafter ID: E.CESPEDES  
 Scale: NTS



SKETCH CREATED ON: Friday, June 5, 2015

REVISION	DATE	BY
		25



**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Process Number

**Z2015000061**

RADIUS: 2640

Section: 35 Township: 53 Range: 39

Applicant: INTERNATIONAL LAND DEVELOPERS, INC

Zoning Board: C5

Commission District: 12

Drafter ID: E.CESPEDES

Scale: NTS

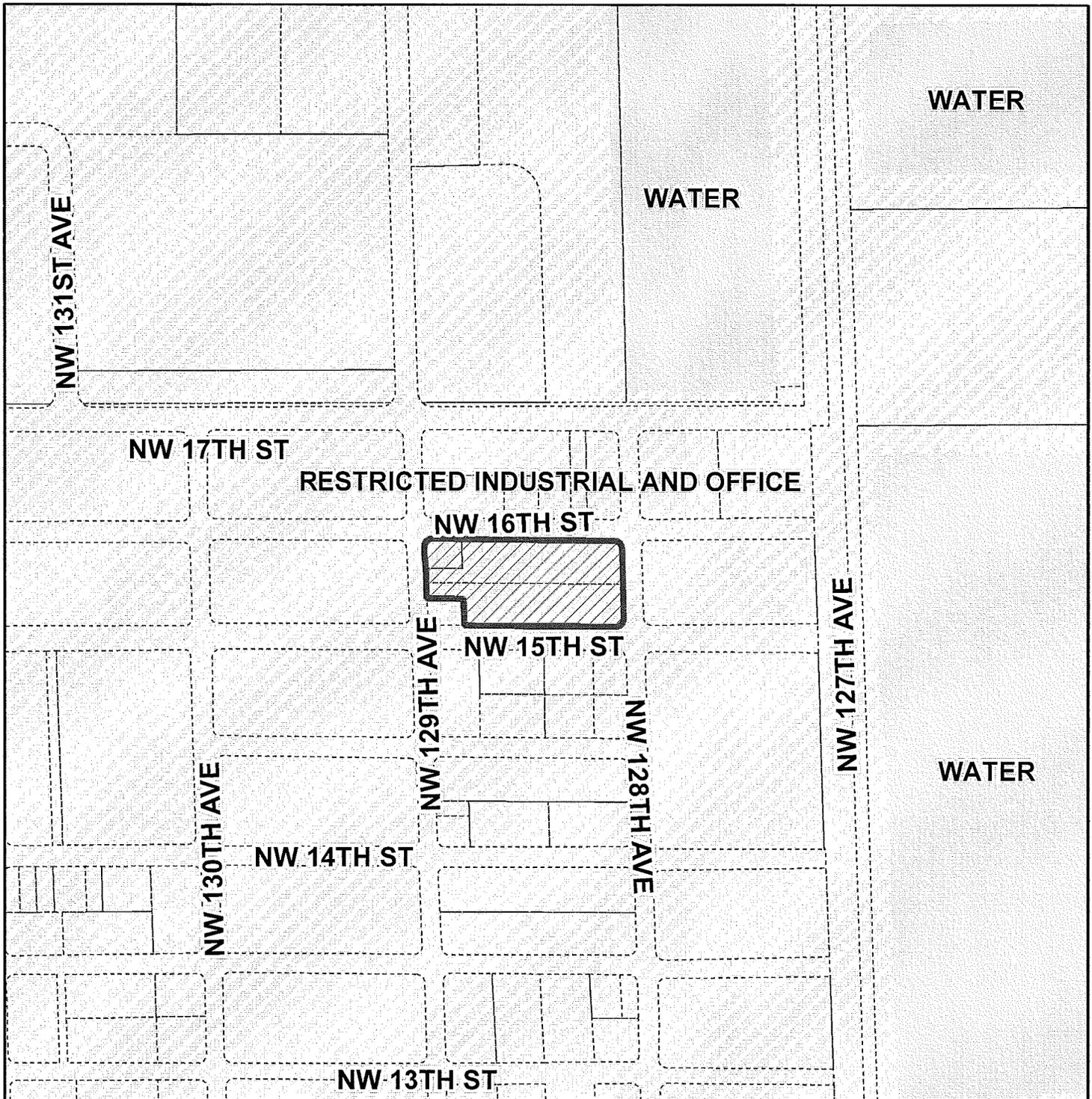
**Legend**

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Friday, June 5, 2015

REVISION	DATE	BY
		26



**MIAMI-DADE COUNTY**

CDMP MAP

Process Number

**Z2015000061**

**Legend**

 Subject Property Case



Section: 35 Township: 53 Range: 39  
 Applicant: INTERNATIONAL LAND DEVELOPERS, INC  
 Zoning Board: C5  
 Commission District: 12  
 Drafter ID: E.CESPEDES  
 Scale: NTS



SKETCH CREATED ON: Friday, June 5, 2015

REVISION	DATE	BY

This instrument was prepared by:  
Name: Carlos A. Manrique  
Viocam, LLC  
Address: 23 Northwest 136<sup>th</sup> Place  
Miami, FL 33182-1937

International Land  
Developers, Inc.  
CZAB 5 10/15/15  
Z-15-061  
v.2

**DRAFT**

(Space reserved for Clerk)

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### DECLARATION OF RESTRICTIONS - REZONING

*WHEREAS*, the undersigned Owner, International Land Developers, Inc., holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the attorney's opinion, and

*IN ORDER TO ASSURE* the County that the representations made by the owner during consideration of Public Hearing No. 15-061 will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- (1) The Owner will dedicate an additional 5' (Five Feet) for right-of-way along all property lines in order to provide the required 35' right-of-way dedication along all property lines, unless not required by the Public Works Department.
- (2) Existing fence shown on property survey encroaching on the right-of-way will be removed and relocated within the subject property.
- (3) All existing and/or proposed uses will comply with the proposed IU-1 zoning regulations.
- (4) The owner will comply with all the applicable conditions, requirements, recommendations, requests and other provisions of the Division of Environmental Resources of the Department of Regulatory and Economic Resources as contained in its memorandum dated July 29, 2015.

**County Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

**Covenant Running with the Land.** This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified

or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the then-owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

Modification, Amendment, Release. This Declaration may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the then-owner(s) of the property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, or the Director as provided by the Miami-Dade County Code of Ordinances. It is provided, however, in the event that the Property is annexed to an existing municipality or the Property is incorporated into a new municipality, any modification, amendment, or release shall not become effective until it is approved by such municipality and is thereafter approved by the Board of County Commissioners, in accordance with applicable procedures.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion

Recording. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Regulatory and Economic Resources Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

Acceptance of Declaration. Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

Owner. The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]

EXHIBIT "A"  
LEGAL DESCRIPTION

Parcel 1:

LOTS 1 THROUGH 10 AND LOT 13 BLOCK 7 OF WESTERN MIAMI SECTION B, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 27 PAGE 33 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

Parcel 2:

Lots 14 Block 7 And Lots 17 THROUGH 26 BLOCK 7 OF WESTERN MIAMI SECTION B, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 27 PAGE 33 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

Parcel 3:



Declaration of Restrictions

Page 4

Lots 11 AND 12, Block 7 of WESTERN MIAMI SECTION B, according to the Plat thereof as recorded in Plat Book 27, Page(s) 33, of the Public Records of Miami-Dade County, Florida