KITS

12-29-2009 Version # 1

MIAMI-DADE COUNTY

COMMUNITY ZONING APPEALS BOARD 8
HENRY REEVES ELEMENTARY SCHOOL
2005 NW 111 Street, Miami
Tuesday, February 2, 2010 at 7:00 p.m.

CURRENT

1.	10-2-CZ8-1	IBRAHIM GONZALEZ, ET. AL	07-361	20-52-42	N
2.	10-2-CZ8-2	HOUSES UNLIMITED, INC.	09-35	16-53-41	N
3.	10-2-CZ8-3	RICO INNOCENT	09-135	04-53-41	N

Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 8

MEETING OF TUESDAY, FEBRUARY 2, 2010

HENRY REEVES ELEMENTARY SCHOOL

2005 NW 111 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

1. IBRAHIM GONZALEZ, ET. AL (10-2-CZ8-1/07-361) **20-52-42**
Area 8/District 2

(1) SPECIAL EXCEPTION to permit a music conservatory in conjunction with a convention hall spaced less than 500' from a residential district.

(2) Applicants are requesting to permit a minimum 3' wide greenbelt (7' required) along the rights-of-way.

(3) Applicants are requesting to permit a landscaped open space of 13.6% (16% required).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Abe Music," as prepared by Christina Fandino, AIA, Sheets "SP-1," and "L-1" dated stamped received 10/9/09 and the remaining sheets dated stamped received 10/15/07, for a total of 5 sheets. Plans may be modified at public hearing.

LOCATION: 14501 West Dixie Highway, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.45 Acres

Department of Planning and Zoning Recommendation: Approval with conditions.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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2. HOUSE UNLIMITED, INC. (10-2-CZ8-2/09-035) **16-53-41**
Area 8/District 2

(1) Applicant is requesting to permit a minimum 5' wide greenbelt (8' required) along portions of the rights-of-way.

(2) Applicant is requesting to waive the zoning regulations limiting the wall to a height of 4' within the required front and side street setback areas on a dual frontage lot; to permit an 8' high wall in lieu thereof.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Metal Movers, Inc.," as prepared by Eusebio M. Mora, Architect, Sheet "A1" dated stamped received 7/8/09 and Sheet "A2" dated stamped received 7/30/09, both with hand written revisions dated 12/11/09, for a total of 2 sheets. Plans may be modified at public hearing.

LOCATION: 6700 N.W. 32 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 0.85 Acre

Department of Planning and Zoning Recommendation: Denial without prejudice of request #1 and approval with conditions of request #2..

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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3. RICO INNOCENT. (10-2-CZ8-3/09-135) **04-53-41**
Area 8/District 2

Applicant is requesting to permit an addition to a single-family residence setback 8.49' (25' required) from the rear (south) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Mrs. Rico Innocent," as prepared by Etienne Prophete consisting of 4 sheets, dated stamped received 10/16/09 with sheet 3, last handwritten revision dated 10/26/09. Plans may be modified at public hearing.

LOCATION: 3120 N.W. 99 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 50' x 140'

Department of Planning and Zoning Recommendation: Denial without prejudice.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

NOTICE

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THE FOLLOWING SUMMARY INFORMATION IS PROVIDED AS A COURTESY; IT SHOULD NOT BE TREATED AS LEGAL ADVICE AND IT SHOULD NOT BE RELIED UPON. LEGAL CONSULTATION MAY BE WARRANTED IF AN APPEAL OR OTHER LEGAL CHALLENGE IS BEING CONTEMPLATED.

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Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County

Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Planning and Zoning (DPZ) within 14 days after the DPZ has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (The DPZ's posting will be made on a bulletin board located in the office of the DPZ.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website (www.municode.com). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

1. IBRAHIM GONZALEZ, ET. AL
(Applicant)

10-2-CZ8-1 (07-361)
Area 8/District 2
Hearing Date: 02/02/10

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

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

Disclosure of interest form attached? Yes ☐ No ☑

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
1948	Wade Hampton Home	- Zone change from GU to BU-2, RU-2 & RU-3B.	ZC	Approved
1958	Dick McGinley	- Zone change from BU-1 to BU-1A to permit gas service station.	ZC	Approved

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

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 8

APPLICANT: Ibrahim Gonzalez, et. al **PH:** Z07-361 (10-2-CZ8-1)

SECTION: 20-52-42 **DATE:** February 2, 2010

COMMISSION DISTRICT: 2 **ITEM NO.:** 1

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A. INTRODUCTION

- **REQUESTS:**

  (1) SPECIAL EXCEPTION to permit a music conservatory in conjunction with a convention hall spaced less than 500' from a residential district.

  (2) Applicants are requesting to permit a minimum 3' wide greenbelt (7' required) along the rights-of-way.

  (3) Applicants are requesting to permit landscaped open space of 13.6% (16% required).

  Plans are on file and may be examined in the Zoning Department entitled "Abe Music," as prepared by Christina Fandino, AIA, Sheets "SP-1," and "L-1" dated stamped received 10/9/09 and the remaining sheets dated stamped received 10/15/07, for a total of 5 sheets. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:**

  This application would allow the applicants to establish a music conservatory in conjunction with a convention hall spaced less than required from a residential district with a smaller greenbelt than required along the rights-of-way and a reduced landscape open space.

- **LOCATION:**

  14501 West Dixie Highway, Miami-Dade County, Florida.

- **SIZE:** 1.45 acres

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2015 and 2025 Land Use Plan designates the western approximately 260' of the subject property running parallel to West Dixie Highway as being within the Urban Development Boundary for **Business and Office**. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication

facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.

The Adopted 2015 and 2025 Land Use Plan designates the balance of the subject property as being within the Urban Development Boundary for **Low Density Residential** use. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. This density category is generally characterized by single family housing, e.g., single family detached, cluster and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.

Uses and Zoning Not Specifically Depicted. Some existing lawful uses and zoning are not specifically depicted on the LUP map. However, all such existing uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new commercial locations must be consistent with the LUP map or the specific exceptions provided in the various LUP map categories and the objectives and policies of this plan.

Policy LU-4A. When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, **landscaping**, hours of operation, buffering, and safety, as applicable.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
BU-1A/BU-1; commercial building	Business and Office Low Density Residential, 2.5 to 6 dua
Surrounding Properties:	
NORTH: BU-1A; commercial building	Business and Office

SOUTH:	BU-1/BU-1A/RU-2/RU-3; apartment Buildings, single-family residences	Business and Office Low Density Residential, 2.5 to 6 dua
EAST:	BU-1; group home, apartment building	Low Density Residential, 2.5 to 6 dua Business and Office
WEST:	BU-1A; shopping center, office building	Business and Office

The subject property is a commercial building located at 14501 West Dixie Highway. The area is characterized by a mixture of retail, offices, apartment buildings and single-family residences.

E. SITE AND BUILDINGS:

Site Plan Review:	(Site plan submitted)
Scale/Utilization of Site:	**Acceptable**
Location of Buildings:	**Acceptable**
Compatibility:	**Acceptable**
Landscape Treatment:	**Acceptable***
Open Space:	**Acceptable**
Buffering:	**Acceptable***
Access:	**Acceptable**
Parking Layout/Circulation:	**Acceptable**
Visibility/Visual Screening:	**Acceptable**

*Subject to conditions

F. PERTINENT REQUIREMENTS/STANDARDS:

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

Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations. Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the

non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

G. NEIGHBORHOOD SERVICES:

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 indicated in their memorandum.

H. ANALYSIS:

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the western approximately 260' of the subject property running parallel to West Dixie Highway as being within the Urban Development Boundary (UDB) for **Business and Office** use. This designation accommodates a full range of sales and service activities which include, among other things, retail, wholesale, personal and professional services, commercial and professional offices, entertainment and cultural facilities, amusements and commercial recreation establishments. The balance of the subject property is designated **Low Density Residential** use on the LUP map. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. This density category is generally characterized by single family housing, e.g., single family detached, cluster and townhouses. The subject property is currently used as commercial and is zoned BU-1, Neighborhood Business District and BU-1A, Limited Business District. The interpretative text of the CDMP states that some existing lawful uses and zoning are not specifically depicted on the LUP map. However, all such existing uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." As such, the current and proposed uses of the subject property that extend into eastern portions of the property that are designated Low Density Residential use are also deemed to be consistent with this plan. Further, staff opines that the proposed music conservatory use in conjunction with a convention hall is substantially similar to entertainment and cultural facilities, which are uses allowed in the Business and Office category on the LUP map. As such, the proposed music conservatory and convention hall use on the subject property is **consistent** with the LUP map of the CDMP.

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. However, the applicants 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 this application and state in their

memorandum that the application meets the Initial Traffic Concurrency as it lies within the urban infill area where traffic concurrency does not apply. Public Works, however indicates in their memorandum that the land requires platting and that the road dedications and improvements will be accomplished through the recording of a plat. **Miami-Dade Fire Rescue** also has **no objections** to this application and indicates in their memorandum that their estimated average travel response time is **5:30** minutes.

When analyzing request #1, to permit a music conservatory in conjunction with a convention hall spaced less than 500' from a residential district, under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New Uses, and considering the necessity for and reasonableness of the applicant's request in relation to the present and future development of the area, staff is of the opinion that the proposed use would be **compatible** with the existing commercial uses found in the area. The proposed music conservatory and convention hall will be located on a major roadway, West Dixie Highway, a well travelled roadway in this section of the County. In staff's opinion, no undue or excessive burden on public facilities, including water, sewer, solid waste disposal, streets or roads is expected as indicated by the memoranda provided by DERM and the Public Works Department in connection with this application. Although it is expected that the proposed music conservatory and convention hall may add to the concentrations of people in the surrounding area, staff opines that the existing building is adequately buffered from the abutting RU-2 and RU-3 properties to the south by a continuous row of hedges interspersed with palm trees. Additionally, staff notes that the submitted plans indicate that the parking and drives on the subject property serve to divert the traffic away from the aforementioned residential properties to the south, with the majority of the parking located on the northeastern parcel with traffic exiting onto NE 146 Street. Further, staff opines that the existence of 2 ingress and egress points for the complex located along West Dixie Highway will also mitigate any negative impact on traffic on the abutting streets that lead into the residential districts located to the south and east of the subject property. Additionally, staff opines that the applicants' request for a special exception is not precedent setting, as in 1993 a property located at the northeast corner of West Dixie Highway and NE 148 Street was similarly approved to allow an adult night club spaced less than 500' from a residential district, pursuant to Resolution #4-ZAB-68-93. As such, staff recommends approval with conditions of the applicants' request for Special Exception under Section 33-311(A)(3).

When requests #2 and #3 are analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of the requests, to permit a minimum greenbelt of 3' (7' required) adjacent to property lines that abut rights-of-way (request #2) and to permit a landscape open space of 13.6% (16% required) (request #3), would be **compatible** with the surrounding area, would not be detrimental to the neighborhood, and would not negatively affect the appearance of the community. The corner parcel is an irregularly shaped property abutting NE 145 Street, West Dixie Highway and NE 146 Street, containing a 17,000+ sq. ft. building on the southwest portion of the parcel. The submitted plans indicate a 5' wide greenbelt where it abuts West Dixie Highway which as previously mentioned is a well travelled roadway in this section of the County and a 3' wide greenbelt abutting NE 146 Street, a minor roadway. Said plans also indicate that in addition to the reduced greenbelt which contains a continuous hedge along West Dixie Highway, the applicants have provided a row of Mahogany street trees as well as a number of Silver Palms interspersed with the parking lanes in this area. As such, staff opines that any negative visual impact from the reduced green belt has been

compensated by the enhanced greenery in this area. Additionally, staff opines that the requested variance to permit a reduced landscape open space (request #3) is minimal and will not have a negative visual impact on the surrounding area. Further, staff opines that approval of a 2.4% reduction in the landscape open space is not precedent setting. Further, staff notes that the submitted plans depict a heavier concentration of trees and hedges to the west, south and east of the building, thereby creating a visual landscape buffer to the nearby residential properties. As such, staff recommends approval of requests #2 and #3 under Section 33-311(A)(4)(b) (NUV).

Accordingly, staff recommends approval with conditions of request #1 under Section 33-311(A)(3) (Standards For Special Exceptions, Unusual Uses And New Uses) and approval with conditions of requests #2 and #3 under Section 33-311(A)(4)(b) (NUV).

I. RECOMMENDATION: Approval with conditions.

J. CONDITIONS:

1. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Abe Music," as prepared by Christina Fandino, AIA, Sheets "SP-1," and "L-1" dated stamped received 10/9/09 and the remaining sheets dated stamped received 10/15/07, for a total of 5 sheets.

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

3. That the applicants submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.

4. That the applicants obtain a Certificate of Use from, and renew the same annually with, the Department of Planning and Zoning, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

5. That the applicants comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various departments as contained in their memoranda pertaining to this application.

DATE INSPECTED: 10/30/07
DATE TYPED: 12/15/09
DATE REVISED: 12/16/09; 12/21/09, 01/05/10, 01/15/10
DATE FINALIZED: 01/15/10
MCL:GR:NN:AA:CH

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

Memorandum

MIAMI-DADE COUNTY

Date: October 26, 2009

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

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

Subject: C-08 #Z2007000361 Revised
Ibrahim Gonzalez, et al
14501 W. Dixie Highway
Request to Permit Less Setback than Required
(BU-1) (1.45 Acres)
20-52-42

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 the Code requirements.

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

Wastewater Disposal
Public sanitary sewers are not located within feasible distance for connection to the subject property; consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste.

DERM would not object to the interim use of a septic tank and drainfield system provided that the site is connected to the public water supply system and the proposed development meets the sewage loading requirements of Section 24-43.1(4) of the Code. Based upon the available information the proposal meets said requirements. Furthermore, since the request is for a non-residential land use, the property owner has submitted a properly executed covenant running with the land in favor of Miami-Dade County as required by Section 24-43.1(4)(a) of the Code, which provides that the only liquid waste, less and except the exclusions contained therein, which shall be generated, disposed of, discharged or stored on the property shall be domestic sewage discharged into a septic tank.

Operating Permits
Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that the requested use of the subject property may require operating permits from DERM. The Permitting Section of DERM's Pollution Regulation and Enforcement Division may be contacted at (305) 372-6600 for further information concerning operating requirements

Pollution Remediation
The applicant is advised that there records of petroleum contamination assessment or remediation issues on the abutting property to the north (Avanti Export, Inc.\DBA Avanti Tires & More, 14575 W Dixie Hwy, UT 236, File # 2329). The site is in a State-funded program for the petroleum contamination, awaiting allocation of funds for cleanup.

Air Quality Preservation
In the event that this project includes any kind of demolition, removal or renovation of any existing structure(s), an asbestos survey from a Florida-licensed asbestos consultant is required. If said survey shows friable asbestos materials in amounts larger than prescribed by federal law (260 linear feet of pipe insulation/thermal system insulation [TSI] or 160 square feet of surfacing material), then those materials must be removed/abated by a Florida-licensed asbestos abatement contractor. A Notice of Asbestos Renovation or Demolition form must be filed with the Air Quality Management Division for both the abatement (renovation) work and the demolition activity at least 10 working days prior to starting the field operations.

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

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

Tree Preservation
According to the site plan submitted with this zoning application, the proposal to permit a public assembly to an existing commercial building will not impact tree resources. Therefore, DERM has no objection to this zoning application, however please be advised that a Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

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

Concurrency Review Summary
DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted 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.

REVISION 1

PH# Z2007000361
CZAB - C08

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: IBRAHIM GONZALEZ, ET. AL

This Department has no objections to this application.

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

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.

Additional improvements may be required at time of platting.

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

Raul A Pino, P.L.S.
20-OCT-09

REVISION 1

Memorandum

Date: 15-DEC-09

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2007000361

Fire Prevention Unit:

This memo supersedes MDFR memorandum dated October 23, 2009.
APPROVAL
No objection to site plan date stamped October 9, 2009.

Service Impact/Demand

Development for the above Z2007000361
located at 14501 WEST DIXIE HIGHWAY, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0399 is proposed as the following:

N/A (residential)	dwelling units	N/A (industrial)	square feet
9,259 (Office)	square feet	N/A (institutional)	square feet
8,540 (Retail)	square feet	N/A (nursing home/hospitals)	square feet

Based on this development information, estimated service impact is: 5.56 alarms-annually.
The estimated average travel time is: 5:30 minutes

Existing services

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

Station 22 - Interama - 15655 Biscayne Blvd.
BLS 75' Ladder, EMS Capt.

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Current service impact calculated based on plan date stamped October 9, 2009.

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

DATE: 28-DEC-09

REVISION 1

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

IBRAHIM GONZALEZ, ET. AL

APPLICANT

14501 WEST DIXIE HIGHWAY,
MIAMI-DADE COUNTY, FLORIDA.

ADDRESS

Z2007000361

HEARING NUMBER

HISTORY:

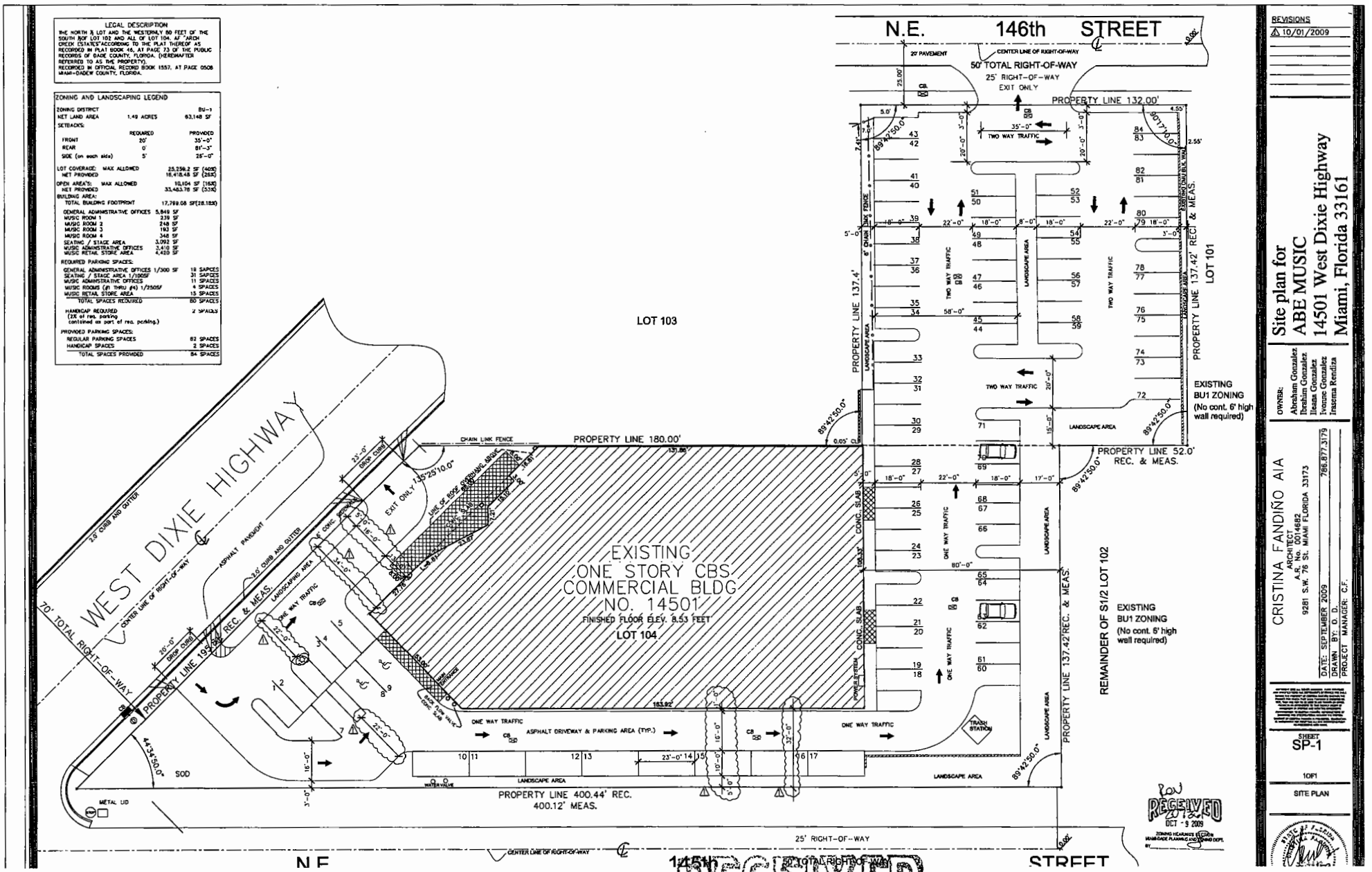
CURRENT ENFORCEMENT HISTROY:
Case #200906005594 was opened based on enforcement history request and inspected on 12/28/09. No violation ovserved and case closed.

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

REPORTER NAME:

Juan Diaz-Estrada

14



LEGAL DESCRIPTION

THE NORTH ½ LOT AND THE WESTERNLY 80 FEET OF THE SOUTH ½ OF LOT 102 AND ALL OF LOT 104, AF "ARCH CREEK ESTATES" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 46, AT PAGE 73 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. (HEREINAFTER REFERRED TO AS THE PROPERTY).
RECORDED IN OFFICIAL RECORD BOOK 1557, AT PAGE 0508 MIAMI-DADEW COUNTY, FLORIDA.

ZONING AND LANDSCAPING LEGEND

ZONING DISTRICT		BU-1
NET LAND AREA	1.49 ACRES	63,148 SF
SETBACKS:		
	REQUIRED	PROVIDED
FRONT	20'	35'-0"
REAR	0'	81'-3"
SIDE (on each side)	5'	26'-0"
LOT COVERAGE: MAX ALLOWED		25,259.2 SF (40%)
NET PROVIDED		16,418.48 SF (26%)
OPEN AREA'S: MAX ALLOWED		10,104 SF (16%)
NET PROVIDED		33,483.76 SF (53%)
BUILDING AREA:		
TOTAL BUILDING FOOTPRINT		17,799.08 SF(28.18%)
GENERAL ADMINISTRATIVE OFFICES		5,849 SF
MUSIC ROOM 1		239 SF
MUSIC ROOM 2		248 SF
MUSIC ROOM 3		193 SF
MUSIC ROOM 4		348 SF
SEATING / STAGE AREA		3,092 SF
MUSIC ADMINISTRATIVE OFFICES		3,410 SF
MUSIC RETAIL STORE AREA		4,420 SF
REQUIRED PARKING SPACES:		
GENERAL ADMINISTRATIVE OFFICES 1/300 SF		19 SAPCES
SEATING / STAGE AREA 1/100SF		31 SAPCES
MUSIC ADMINISTRATIVE OFFICES		11 SPACES
MUSIC ROOMS (#1 THRU #4) 1/250SF		4 SPACES
MUSIC RETAIL STORE AREA		15 SPACES
TOTAL SPACES REQUIRED		80 SPACES
HANDICAP REQUIRED (2% of req. parking contained as part of req. parking.)		2 SPACES
PROVIDED PARKING SPACES:		
REGULAR PARKING SPACES		82 SPACES
HANDICAP SPACES		2 SPACES
TOTAL SPACES PROVIDED		84 SPACES

REVISIONS
△ 10/01/2009

Site plan for ABE MUSIC
14501 West Dixie Highway
Miami, Florida 33161

OWNER:
Abraham Gonzalez
Ibrahim Gonzalez
Ileana Gonzalez
Ivonne Gonzalez
Irasema Rendiza

CRISTINA FANDIÑO AIA
ARCHITECT
A.R. No. 0014682
9281 S.W. 76 St. MIAMI FLORIDA 33173
786.877.3179

DATE: SEPTEMBER 2009
DRAWN BY: O. D.
PROJECT MANAGER: C.F.

SHEET
SP-1
1OF1
SITE PLAN

RECEIVED
OCT - 9 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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OCT / 9 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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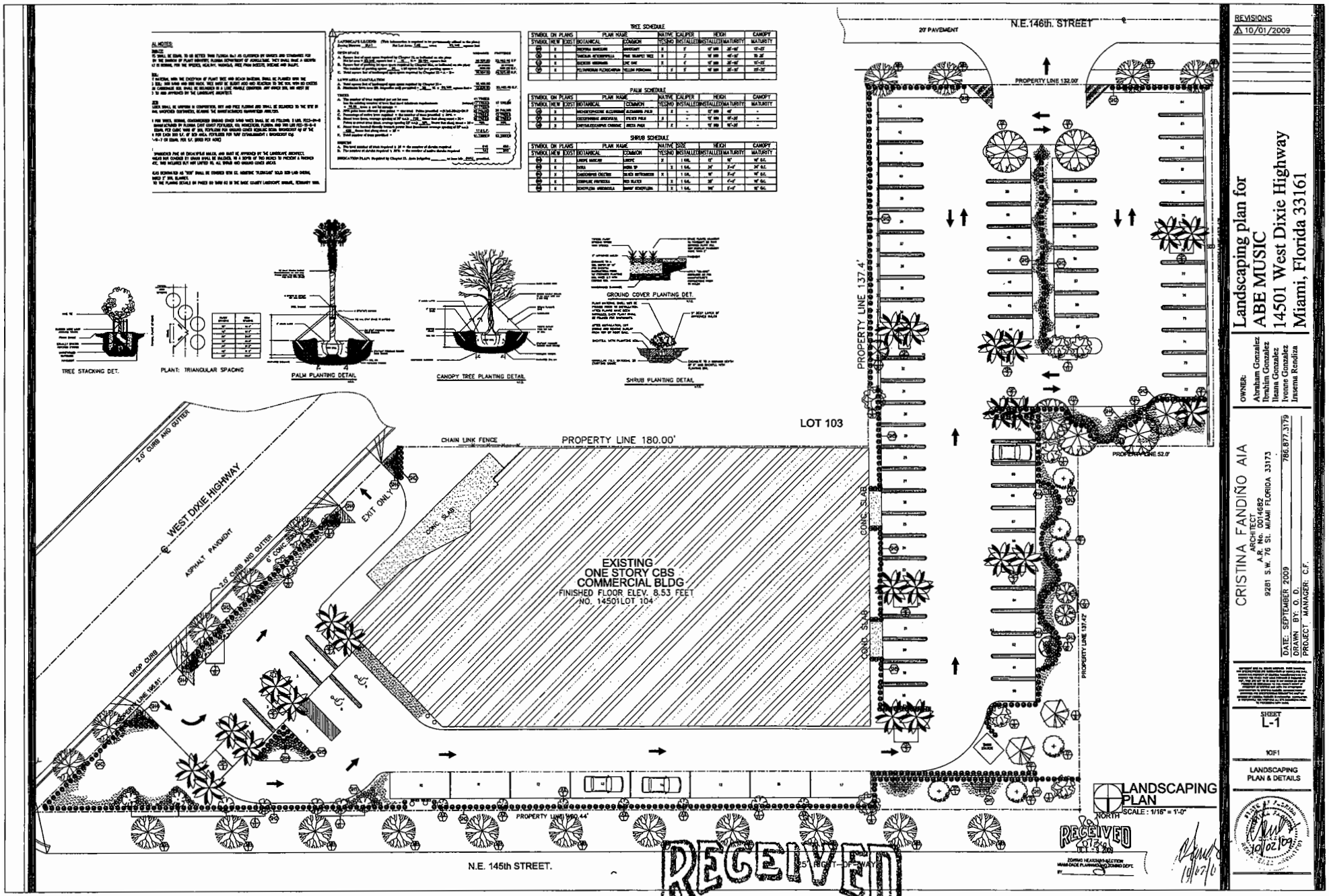


TREE SCHEDULE

SYMBOL ON PLANS			PLANT NAME		NATIVE	CALIPER	HEIGHT		CANOPY
SYMBOL	NEW	EXIST	BOTANICAL	COMMON	YES/NO	INSTALLED	INSTALLED	MATURITY	MATURITY

PALM SCHEDULE

SYMBOL ON PLANS			PLANT NAME		NATIVE	CALIPER	HEIGHT		CANOPY
SYMBOL	NEW	EXIST	BOTANICAL	COMMON	YES/NO	INSTALLED	INSTALLED	MATURITY	MATURITY

SHRUB SCHEDULE

SYMBOL ON PLANS			PLANT NAME		NATIVE	SIZE	HEIGHT		CANOPY
SYMBOL	NEW	EXIST	BOTANICAL	COMMON	YES/NO	INSTALLED	INSTALLED	MATURITY	MATURITY

REVISIONS
10/01/2009

Landscaping plan for
ABE MUSIC
14501 West Dixie Highway
Miami, Florida 33161

OWNER:
Abraham Gonzalez
Ibrahim Gonzalez
Ileana Gonzalez
Ivonne Gonzalez
Inserna Rendiza

CRISTINA FANDIÑO AIA
ARCHITECT
A.R. No. 0014682
9281 S.W. 76 St. MIAMI FLORIDA 33173
786.877.3179

DATE: SEPTEMBER 2009
DRAWN BY: O. D.
PROJECT MANAGER: C.F.

SHEET
L-1

10F1

LANDSCAPING PLAN & DETAILS

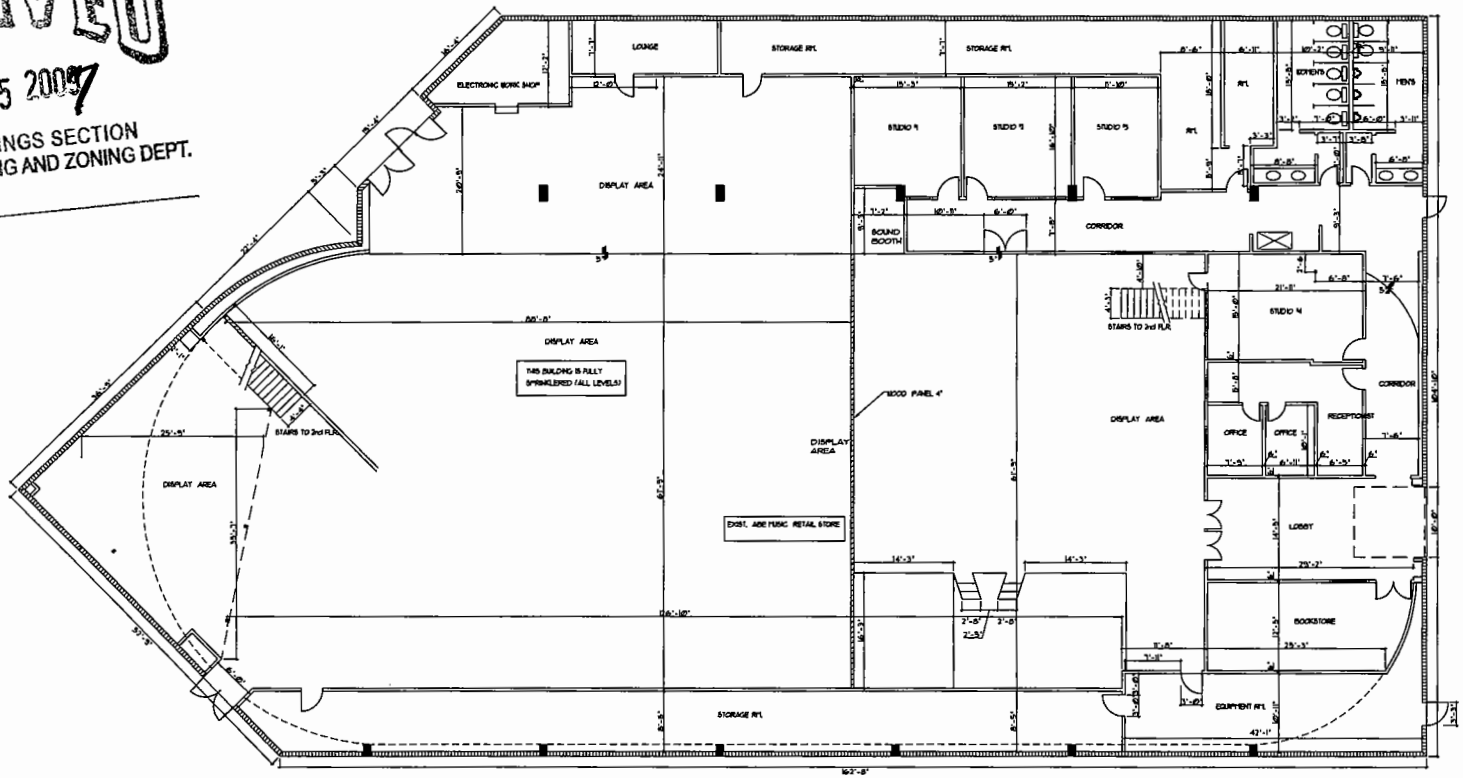
RECEIVED
OCT 09 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

RECEIVED
OCT / 9 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

16

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: 877-063
DATE: OCT 15 2007
NB: RL

RECEIVED
OCT 15 2007
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



FLOOR PLAN

REVISIONS

CRISTINA FANDIÑO AIA
ARCHITECT
A.R. No. 0014682
9281 S.W. 76 St. MIAMI FLORIDA 33173
Cell (786) 877-3179

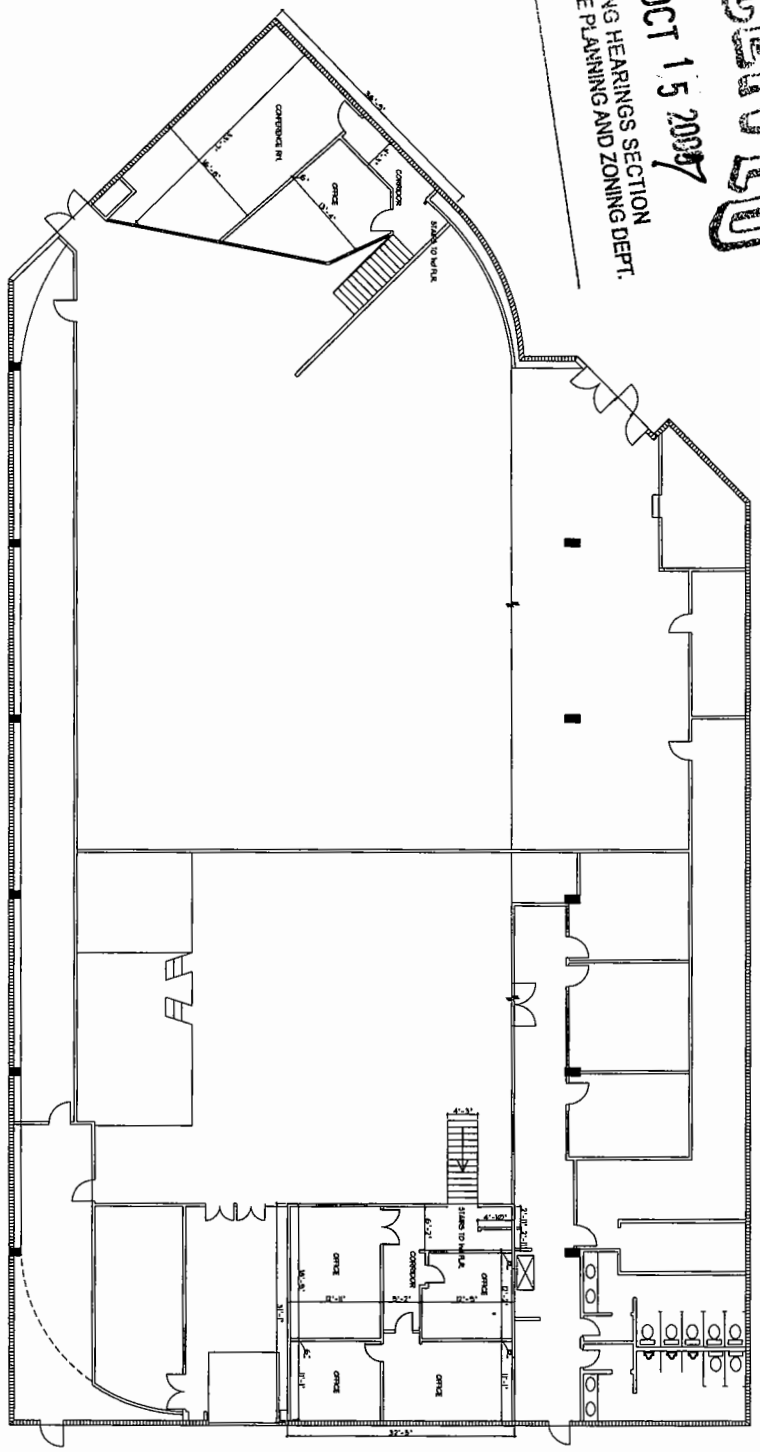
AS-BUILTS
ARCH ONLY

ABE MUSIC
(305) 949-5757 14501 W. DIXIE HWY. NORTH
MIAMI, FLA.

Scale:
Date: 03-06-07
Job No.: 07-037
Sheet No.:
AS-1
1 OF 4

RECEIVED
MIAMI-DADE COUNTY
OCT 15 2007
ZONING HEARINGS

RECEIVED
OCT 15 2007
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

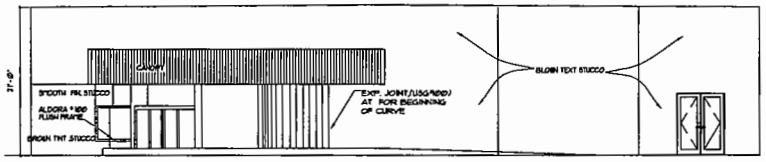


MEZANINE PLAN

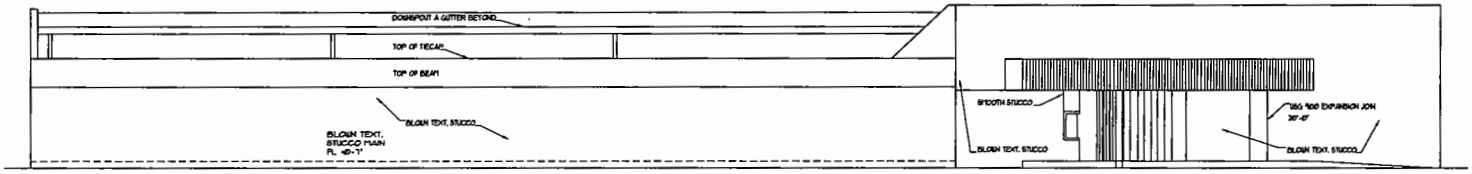
Scale:	ABE MUSIC (305) 949-5757 14501 W. DIXIE HWY. NORTH MIAMI, FLA.	AS-BUILTS ARCH ONLY	CRISTINA FANDIÑO AIA ARCHITECT A.R. No. 0014682 9281 S.W. 76 St. MIAMI FLORIDA 33173 Cell (786) 877-3179	REVISIONS
Date: 03-06-07				
Job No.: 07-037				
Sheet No.: AS-2 2 OF 4				

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: 2007-261
DATE: OCT 15 2007
BY: RR

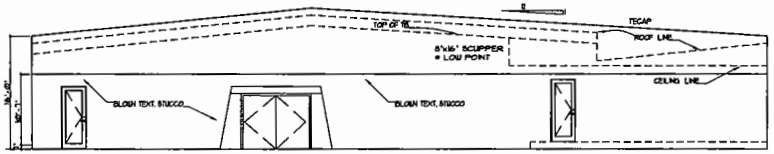
RECEIVED
OCT 15 2007
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



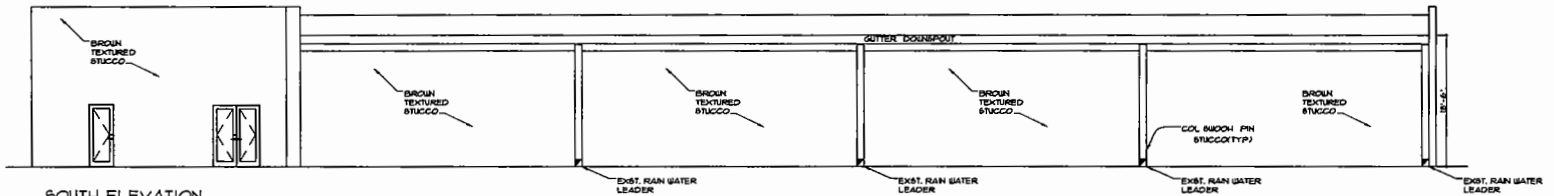
WEST (FRONT) ELEVATION
SCALE 1/8"=1'-0"



NORTH ELEVATION
SCALE 1/8"=1'-0"



EAST ELEVATION
SCALE 1/8"=1'-0"



SOUTH ELEVATION
SCALE 1/8"=1'-0"

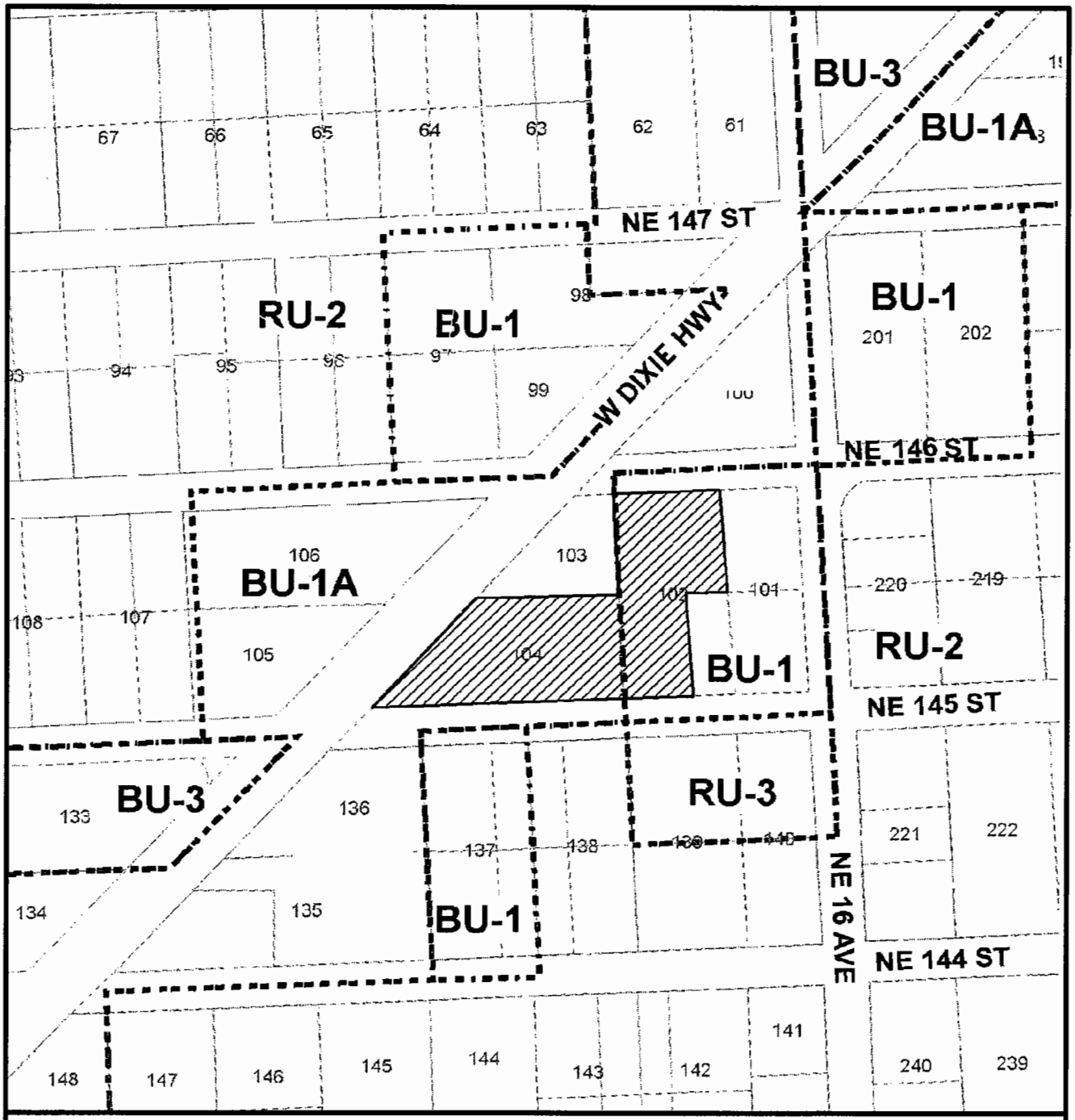
REVISIONS

CRISTINA FANDIÑO AIA
ARCHITECT
A.R. No. 0011682
9281 S.W. 76 St. MIAMI FLORIDA 33173
Cell (786) 877-3179

AS-BUILTS
ARCH ONLY

ABE MUSIC
(305) 949-5757 14501 W. DIXIE HWY. NORTH
MIAMI, FLA.

Scale:
Date: 03-06-07
Job No.: 07-037
Sheet No.:
AS-3
3 OF 4



MIAMI-DADE COUNTY
HEARING MAP

Process Number
07-361

N

SUBJECT PROPERTY

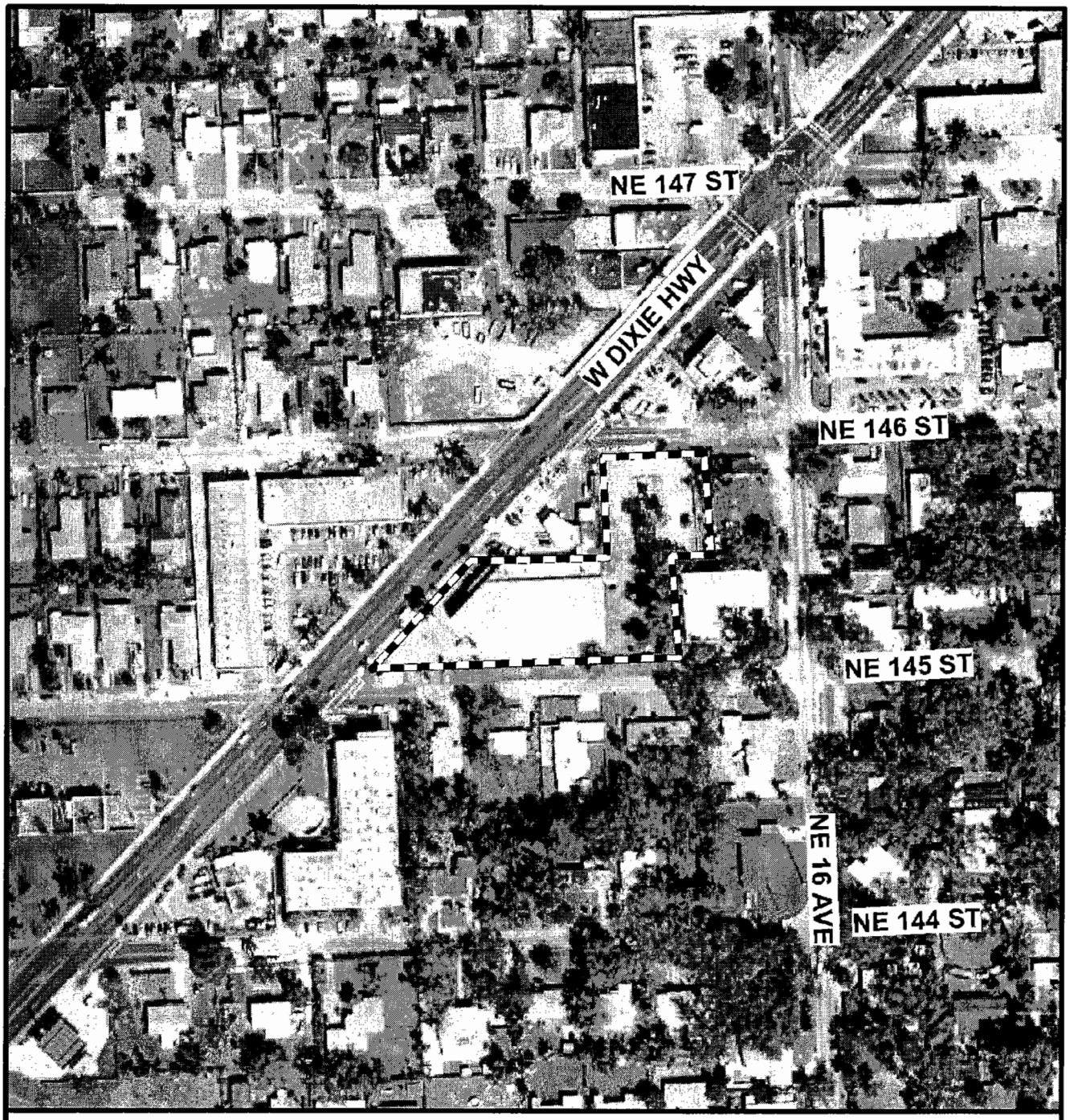
Section: 20 Township: 52 Range: 42
Applicant: IBRAHIM GONZALEZ, ET. AL.
Zoning Board: C08
District Number: 02
Drafter ID: ALFREDO
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 10/18/07

REVISION	DATE	BY
Zone Updated	12/11/07	AFT

19



MIAMI-DADE COUNTY
AERIAL

Process Number
07-361

N

SUBJECT PROPERTY

Section: 20 Township: 52 Range: 42
Applicant: IBRAHIM GONZALEZ, ET. AL.
Zoning Board: C08
District Number: 02
Drafter ID: ALFREDO
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 10/18/07

REVISION	DATE	BY

2. HOUSE UNLIMITED, INC.
(Applicant)

10-2-CZ8-2 (09-035)
Area 8/District 2
Hearing Date: 02/02/10

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

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

Disclosure of interest form attached? Yes ☑ No ☐

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
	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.

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 8

APPLICANT: Houses Unlimited, Inc. **PH:** Z09-035 (10-2-CZ8-2)

SECTION: 16-53-41 **DATE:** February 2, 2009

COMMISSION DISTRICT: 2 **ITEM NO.:** 2

==========

A. INTRODUCTION

- **REQUESTS:**

  (1) Applicant is requesting to permit a minimum 5' wide greenbelt (8' required) along portions of the rights-of-way.

  (2) Applicant is requesting to waive the zoning regulations limiting the wall to a height of 4' within the required front and side street setback areas on a dual frontage lot; to permit a 8' high wall in lieu thereof.

  Plans are on file and may be examined in the Department of Planning and Zoning entitled "Metal Movers, Inc.," as prepared by Eusebio M. Mora, Architect, Sheet "A-1", dated stamped received 7/8/09 and sheet "A-2" dated stamped received 7/30/09 for a total of 2 sheets last handwritten revision dated 12/11/09. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:**

  The applicant seeks to waive the required 8' wide greenbelt along the public rights-of-way of NW 67 Street and NW 68 Street and to exceed the wall height limitation within the required front (dual frontage lot) and side street setback areas.

- **LOCATION:** 6700 NW 32 Avenue, Miami-Dade County, Florida.

- **SIZE:** 0.85 Acre

B. ZONING HEARINGS HISTORY: None

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property for **Industrial and Office** use. Industries, manufacturing operations, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, merchandise marts and similar uses are permitted in areas designated as "Industrial and Office" on the LUP map. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. Limited commercial uses to serve the firms and workers in the industrial and office area are encouraged, dispersed as small business districts and centers throughout the industrial areas. Hotels and motels are also authorized. Free-standing retail and personal service uses and shopping centers larger than 10 acres in size are prohibited in these areas because they

would deplete the industrial land supply and they are better located in commercially designated areas and in closer proximity to residential areas. Free-standing retail and personal service uses and shopping centers that are approved in Industrial and Office areas should front on major access roads, particularly near major intersections. In addition, uncommon commercial uses such as amusement uses, and others with unusual siting requirements may also be considered at appropriate locations. Quarrying activities and ancillary uses may also be approved in areas designated Industrial and Office where compatible with the surrounding area and environment. The specific range and intensity of uses appropriate in a particular Industrial and Office area vary by location as a function of the availability of public services and access and, among other factors, compatibility with neighboring development. Through the zoning review process, use of particular sites or areas may be limited to something less than the maximum allowed in this category. Moreover, special limitations may be imposed where necessary to protect environmental resources.

2. **Policy LU-4A**
   When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
IU-1; storage	Industrial and Office
Surrounding Properties:	
NORTH: IU-1; warehouses	Industrial and Office
SOUTH: IU-1; warehouses	Industrial and Office
EAST: BU-1, BU-1A; commercial	Business and Office
WEST: IU-1; warehouse	Industrial and Office

E. SITE AND BUILDINGS:

Site Plan Review:	(Site plan submitted)
Scale/Utilization of Site:	**Acceptable**
Location of Buildings:	**Acceptable**
Compatibility:	**Acceptable**
Landscape Treatment:	**Unacceptable**
Open Space:	**Unacceptable**
Buffering:	**Acceptable**
Access:	**Acceptable**
Parking Layout/Circulation:	**Acceptable**

Visibility/Visual Screening:	**Acceptable**
Urban Design:	**N/A**

F. PERTINENT REQUIREMENTS/STANDARDS:

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

G. NEIGHBORHOOD SERVICES:

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

H. ANALYSIS:

The subject property is located at 6700 NW 32 Avenue within an established industrial and commercial area. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Industrial and Office** use. Uses permitted in these areas are manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, and similar uses are permitted in areas designated as "Industrial and Office" on the LUP map. The existing IU-1 zoning on the site allows the existing storage facility. As such, the subject property is **consistent** with the LUP map designation of the CDMP.

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. The **Public Works Department** has **no objections** to this application and their memorandum indicates that this application meets the traffic concurrency criteria. The Miami-Dade Fire Rescue Department **(MDFR)** has **no objection** to this application and their memorandum indicates that the estimated average travel response time is **6:18** minutes.

When request #1 is analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) standards, staff is of the opinion that approval of this request would be **incompatible** with the surrounding area, would be detrimental to the neighborhood, and would have a negative effect on the stability and appearance of the community. Staff notes that approval of request #1 will allow the applicant to waive a required 8' wide greenbelt along the right-of-way lines of NW 67 Street and NW 68 Street. Staff is of the opinion that the approval of a 5' wide greenbelt in lieu of the required 8' wide greenbelt would not provide adequate buffering between the right-of-way

line of the aforementioned streets since the applicant is also seeking to allow the storage of materials from within the aforementioned 8' high masonry concrete wall (request #2). Staff opines that it would be too intense and visually intrusive to allow the storage of materials only to within 5' from the aforementioned right-of-way lines. In addition staff notes that a 5' distance of such intense use to the existing sidewalks along the aforementioned rights-of-ways could create a safety hazard to pedestrians when loading and unloading materials being delivered and being picked up on the site. As such, staff is of the opinion, that request #1 is **incompatible** with the surrounding area and recommends denial without prejudice of same.

When request #2 is analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) standards, staff is of the opinion that approval of this request would be **compatible** with the surrounding area, would not be detrimental to the neighborhood, and would not have a negative effect on the stability and appearance of the community. Staff notes that approval of request #2 will allow the applicant to erect a proposed 8' high masonry concrete wall to encroach into the front (north and south) and side street (east) setback areas. Staff notes that the surrounding area is mostly developed with warehouse uses, storage yards, and some commercial uses across the street which are similar to the use being conducted on the subject property. However, staff recommends approval of this request with the condition that the landscaped area along the rights-of-way be properly maintained and that a hedge be provided within the required 8' wide greenbelt between the right-of-way and the proposed 8' high masonry concrete wall. Additionally, staff recommends that the site be used only for the storage of bundled material and that no dismantling or sorting of material be conducted on site. Staff also recommends the approval of request #2 with a condition that the applicant properly maintains the aforementioned hedge within the required 8' wide greenbelt along the right-of-way line of NW 67 Street, NW 68 Street and NW 32 Avenue. As such, staff is of the opinion that request #2 is **compatible** with the surrounding area and recommends approval with conditions of same.

I. RECOMMENDATION:

Denial without prejudice of request #1 and approval with conditions of request #2.

J. CONDITIONS: (for request #2 only).

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Metal Movers, Inc.," as prepared by Eusebio M. Mora, Architect, Sheet "A-1", dated stamped received 7/8/09 and sheet "A-2" dated stamped received 7/30-09 for a total of 2 sheets last handwritten revision dated 12/11/09, except as amended to show the required 8' wide greenbelt and hedge along NW 67 Street, NW 68 Street and NW 32 Avenue.

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

4. That the applicant submit to the Department for its review and approval, a landscaping plan which indicates the type and size of plant material, prior to the issuance of a

building permit and to be installed prior to the issuance of a Certificate of Use and Occupancy.

5. That a continuous hedge not less than 3' high at the time of planting, which shall grow to and be maintained at a height of 8' be provided within the required 8' wide greenbelt along the right-of-way lines of NW 67 Street, NW 68 Street and NW 32 Avenue penetrated only at approved points for ingress and egress to the property.

6. That the material being stored on the site be delivered to the site in bundles or prepackaged and that no sorting of material be conducted on the premises.

7. That the applicant obtain a Certificate of Use and Occupancy from, and promptly renew the same annually with, the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

DATE INSPECTED: 12/10/09
DATE TYPED: 12/10/09
DATE REVISED: 12/11/09; 12/21/09; 01/5/10; 01/15/10
DATE FINALIZED: 01//15/10
MCL:GR:NN:CH:TA

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

NDN
6R

Memorandum

MIAMI-DADE COUNTY

Date: April 14, 2009

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

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

Subject: C-08 #Z2009000035
Houses Unlimited, Inc.
6700 N.W. 32 Avenue
Request to Permit the Landscape Buffer along a Right-of-Way to be Less than Required
(IU-1) (.84 Acres)
16-53-41

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.

DERM has no pertinent comments regarding this application since the request does not entail any environmental concern.

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

Concurrency Review Summary
DERM has conducted a concurrency review for this application and has determined that the same meets all applicable Level of Service (LOS) standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan 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# Z2009000035
CZAB - C08

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:HOUSES UNLIMITED, INC.

This Department has no objections to this application.

Additional improvements may be required at time of permitting.

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.
07-APR-09

REVISION 2

Memorandum

Date: 11-DEC-09

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2009000035

Fire Prevention Unit:

This memo supersedes MDFR memorandum dated May 16, 2009.
APPROVAL
No objections to site plan date stamped July 8, 2009, with handwritten corrections dated July 7, 2009.

Service Impact/Demand

Development for the above Z2009000035
located at 6700 N.W. 32 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0860 is proposed as the following:

N/A (residential)	dwelling units	N/A (industrial)	square feet
N/A (Office)	square feet	42,236 (institutional)	square feet
N/A (Retail)	square feet	N/A (nursing home/hospitals)	square feet

Based on this development information, estimated service impact is: 1.86 alarms-annually.
The estimated average travel time is: 6:18 minutes

Existing services

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

Station 2 - Model Cities - 6460 NW 27 Avenue.
Rescue, BLS 65' Aerial, Squad, Battalion.

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Current service impact calculated based on plan date stamped July 8, 2009. Substantial changes to the plan will require additional service impact analysis.

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

DATE: 24-DEC-09

REVISION 1

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

HOUSES UNLIMITED, INC.	6700 N.W. 32 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2009000035

HEARING NUMBER

HISTORY:

CURRENT ENFORCEMENT HISTORY:
Case #200904010167 was opened based on enforcement history request and inspected on 12/24/09. No violation observed and case closed.

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

REPORTER NAME:

Belinda Brown

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: Houses Unlimited, Inc.

NAME AND ADDRESS	Percentage of Stock
Mushtaq Mian 4851 NW 103rd Ave., Suite 446 Sunrise, Florida 33351	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 _____

NAME AND ADDRESS	Percentage of Interest

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS	Percentage of Ownership

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2009035
MAR 16 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or 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: X _____
(Applicant)

as President of Houses Unlimited, Inc.

Sworn to and subscribed before me this 2nd day of February, 20 09. Affiant is personally know to me or has produced _____ as identification.

_____
(Notary Public)

NOTARY PUBLIC-STATE OF FLORIDA
Stephen Raoul Garcia-Vidal
Commission # DD461819
Expires: OCT. 01, 2009
Bonded Thru Atlantic Bonding Co., Inc.

My commission expires: _____ Seal

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

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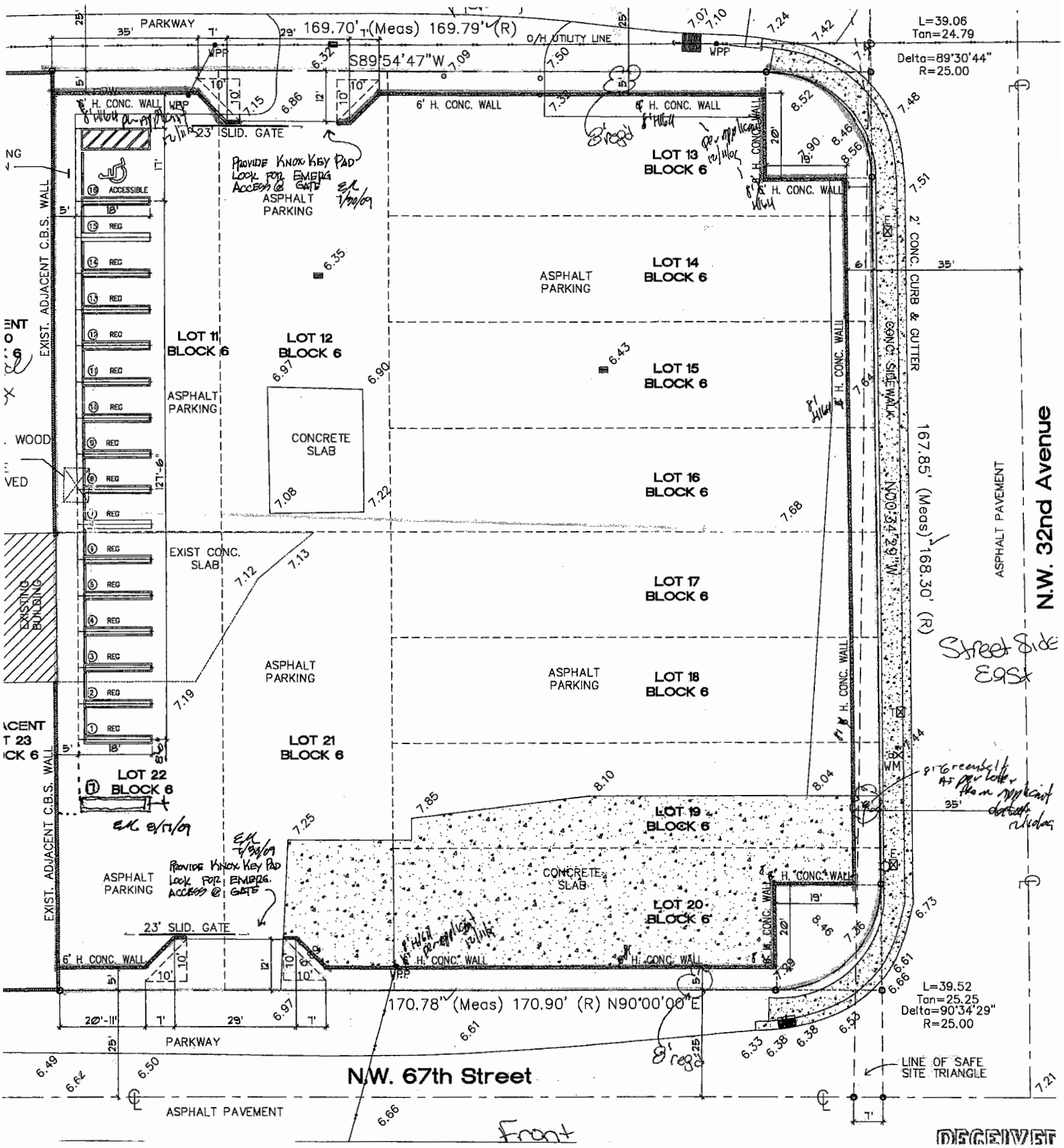
MAR 16 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT



ENLARGE SITE PLAN

13

14

Proposed Fence Project for:

METAL MOVERS INC.

6700 N.W. 32nd Avenue Miami, Florida 33147.

NOTE: The intent of these plans is to obtain the necessary and required permits, to establish an outside storage, to construct a wall and to reinstate the Certificate of Use to Metal Movers Inc. located at 6700 Northwest 32 Avenue, Miami, Fl. to continue to operate as scrap metal collection, transfer and/or recycling facility in an IU-1 (Industrial Light) zoning district.

Eusebio M. Mora
Architect Fla. Lic. # AR0011732
6761 Southwest 68th Terrace
Miami, Florida 33143
(305) 740-5185

INDEX OF DRAWINGS

SHT. 1 - COVER SHEET / SITE PLAN
SHT. 2 - LANDSCAPE PLAN / DETAILS

ZONING DATA

ZONING: IU-1 INDUSTRIAL, LIGHT MANUFACTURING

HEIGHT (to ridge)	@ 6ft NO BLDG ON SITE
NET LAND AREA	+/-2296 SF. (10.17 AC)
LOT COVERAGE (everything under roof)	@ 8ft NO BLDG ON SITE

FENCE SET BACKS:	REQUIRED	PROVIDED
FRONT	25'-0"	3'-0"
SIDE	N/A	
SIDE STREET	15'-0"	3'-0"
REAR	10'-0"	0'-0"

PARKING:	REQUIRED	PROVIDED
REG. 8.5'x18.0' H/C. 12.0'x18.0'	OPEN LOTS 1 PS / 5000 SF - 15 PS 396868 SF. (10.81 AC) 42, 236	25 SPACES REG. (8.5'x18.0') 1 SPACE H/C (11'x18.0') 26 PARKING SPACES TOTAL

NOTES:

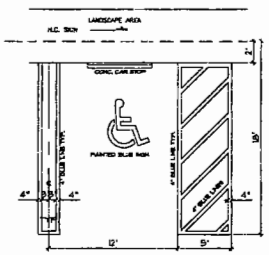
In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the Public Records of this County. Section 553.73(10), Florida Statutes, Effective 7/1/81.

A separate permit will be required for all driveway approaches onto public right of way. Contact Public Works Department.

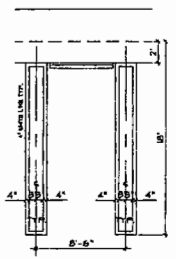
The height of fences, wall and hedges shall not exceed 2.5 feet in height within 10 feet of the edge of any driveway leading to a right of way.

The height of fence is being measured from grade, Grade = Elevation of public sidewalk or the crown of road.
Area adjacent to lake or canal to be grade so as to prevent direct overland discharge of stormwater into lake or canal.

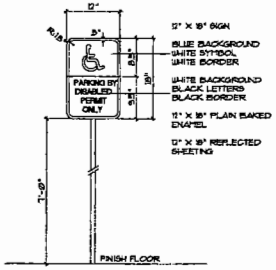
Lot will be graded so as to prevent direct overland discharge or stormwater onto adjacent property.



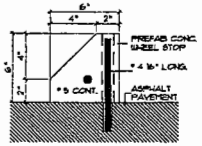
① ACCESSIBLE PARKING 1/4"



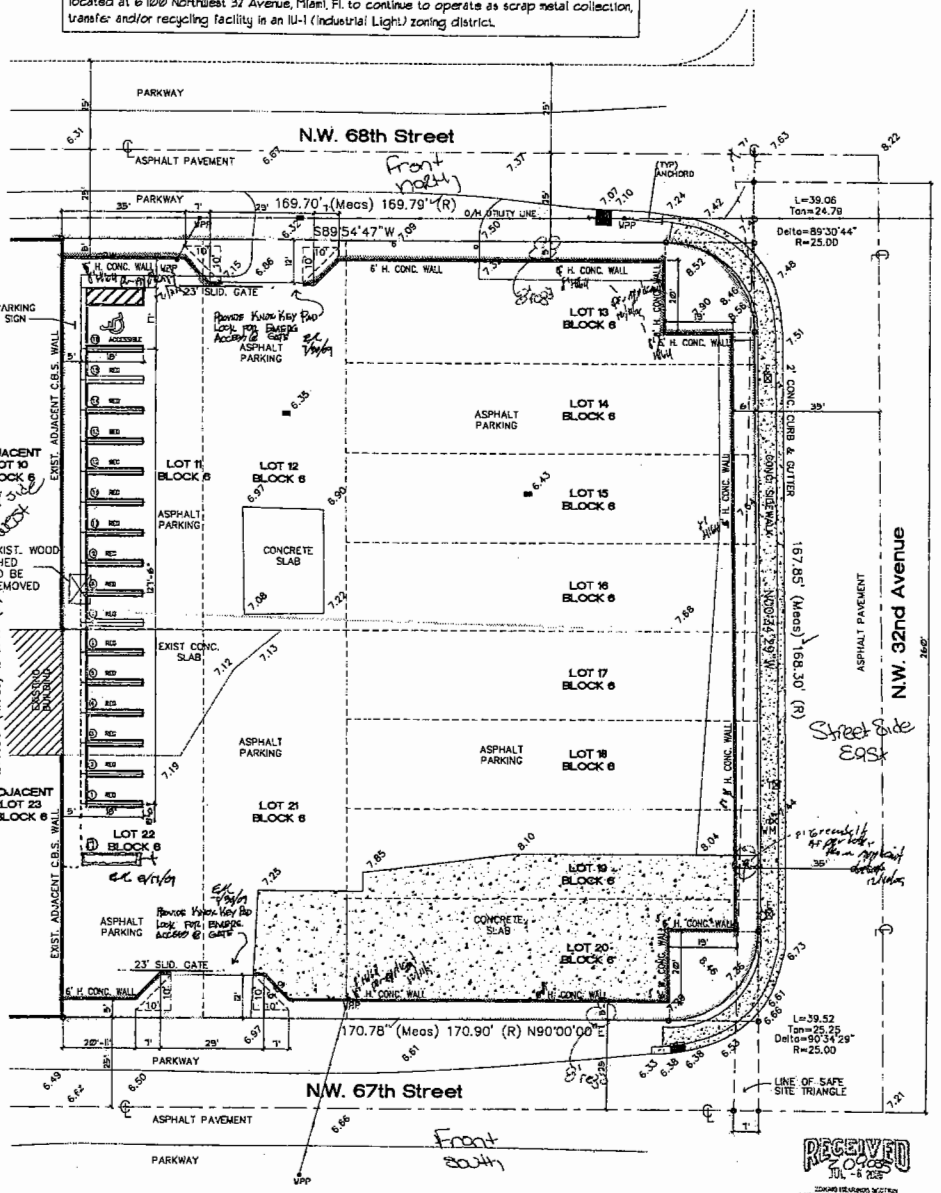
② REGULAR PARKING 1/4"



③ HANDICAPPED SIGN N.T.S.



④ WHEEL STOP DET. N.T.S.



SITE PLAN 1/16"

LEGAL DESCRIPTION:
Lots 11 through 22 in Block 6 of "BUNN CREST" according to the plat thereof as recorded in Plat Book 22 at Page 19 of the public records of Miami-Dade County, Florida.

RECEIVED
2009
JUL - 8

Permit # 2009000035

7/8/09

TITLE:	COVER SHEET / SITE PLAN
REVISED BY:	
DATE:	
NO. REMARKS:	
PROPOSED PROJECT FOR:	METAL MOVERS INC.
PROJECT:	6700 N.W. 32nd Avenue Miami, Florida 33147.
DRAWN BY:	MJA
CHECKED BY:	EMM
ATTACHMENT NO.:	ATTACHMENT #
DRAWING FILE NO.:	2009-001
DATE:	02/10/2009
SCALE:	NOTED
SHEET NUMBER:	A1 OF 2

sf5601-001627-0001 7/30/2009 09:11:42

LANDSCAPE LEGEND

Zoning District: IU-1 INDUSTRIAL, Light Manufacturing. Net Lot Area: 92,127 Acres 92,316 sq ft

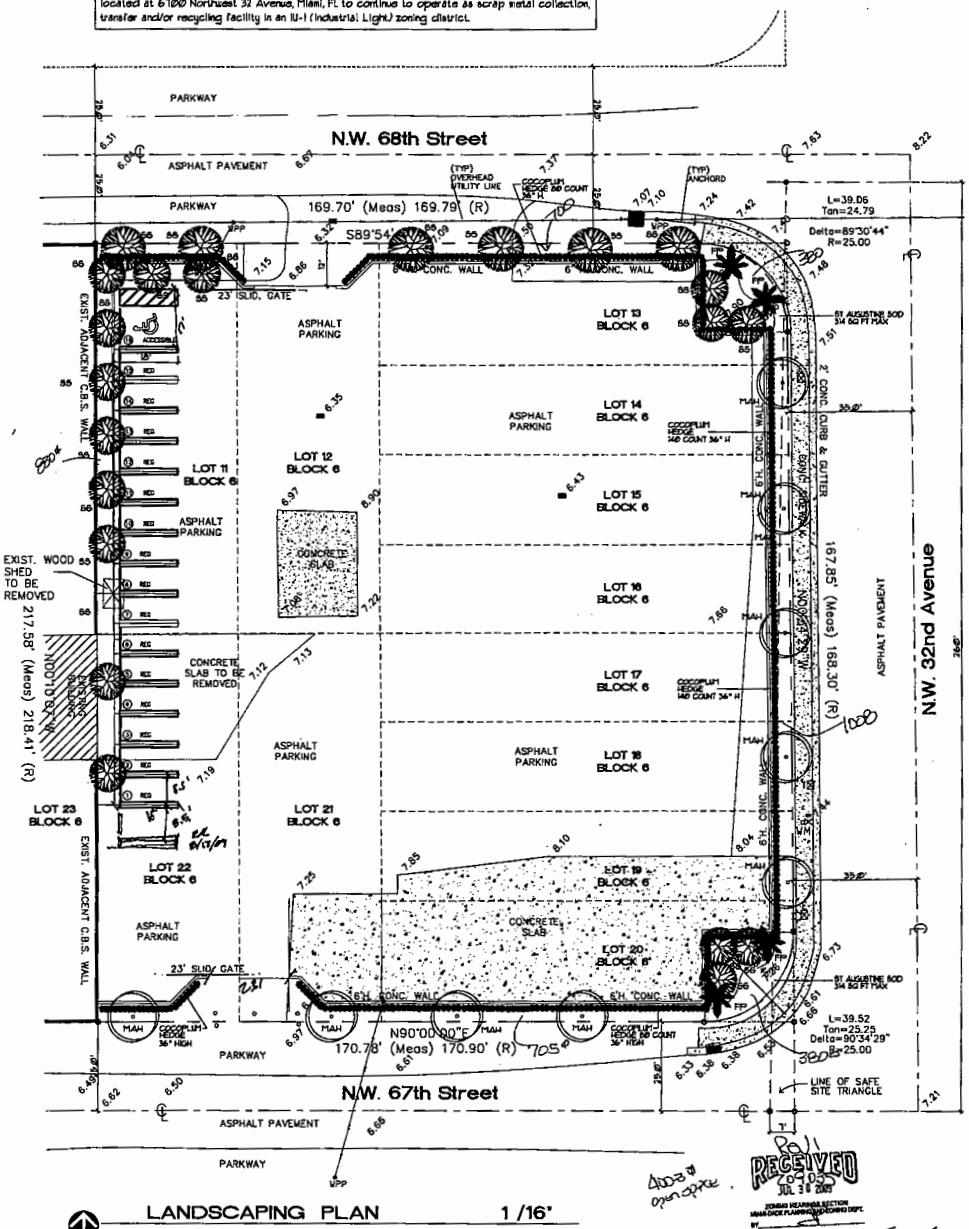
		Required	Provided
OPEN SPACE:			
A.	Square feet of open space required by Chapter 33, as indicated on site plan: Net lot area = 92,316 square feet X 10 % = 4231 square feet	4214 SF	4470 SF
B.	Square feet of parking lot open space required by Chapter 18A, as indicated on site plan. The number of parking spaces 174 (see) x 10 square feet per parking space =	1740	1740 SF
C.	Total square feet of landscape open space required by Chapter 33 = A+B =	4954 SF	6210 SF
LAWN AREA CALCULATION			
A.	Total square feet of landscaped open space required by Chapter 33=	4954 SQ FT	
B.	Maximum lawn area (St. Augustine sod) permitted = 30 % x 6210 square feet = 1863 SQ FT	819 SQ FT	819 SQ FT
TREES			
A.	The number of trees required per net lot acre (see the existing number of trees that must the minimum requirements (above) = 35 trees x net lot acreage =	13 Trees	13 Trees
B.	30% palm trees allowed (you palm trees first) Palms provided = 4 Palms	13 Trees 4 Palms	13 Trees 4 Palms
C.	Percentage of native trees required = the number of trees provided x 30% =	5 Trees	11 Trees
D.	Street trees (max. average spacing 35' o.c.) Street trees along street x 35=	14 Trees	14 Trees
E.	Palms as street trees (max. average spacing 25' o.c.) 240 linear feet along street = 25=	0	0
F.	Street trees located directly beneath power lines (minimum average spacing of 25' o.c.) 150 linear feet along street / 25 =	6 Trees	6 Trees
	Total number of trees provided =	34 Trees	34 Trees
SHRUBS			
A.	The total number of trees required x 10 = the number of shrubs required	340 Shrubs	340 Shrubs
B.	The number of shrubs required x 30% = the number of native shrubs required	90 Shrubs	300 Shrubs

IRRIGATION PLAN: Required by Chapter 33. Auto irrigation X or hose bib ____ provided.

SYMBOL USED ON PLAN			PLANT NAME		NATIVE SPECIES		CALIPER	HEIGHT		CANOPY DIAMETER	QUANTITY
Symbol	Drive	Existing	Scientific	Common	Yes	No	Installed	Installed	Estimated at maturity	Estimated at maturity	
MAH	9	0	Swietenia Mahagoni	Mahogany	Yes		2"	12'	35'-60'	30'-40'	9
ES	22	0	Zegonia Portlia	Spanish Stopper	Yes		2"	12'	15'-20'	10'-15'	22
FTP	4	0	Wodyetia Bifurcata	Foxtail Palm	No		3"	10'	15'-30'	10'-15'	4
COCO	305	0	Chrysobalanus Icaco	Cocoplum Hedge	Yes			36"			305

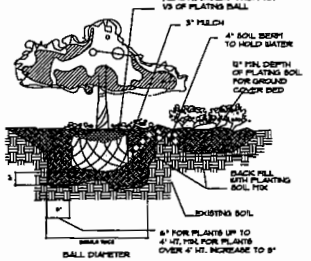
*Required fee trees located on-demand or relocated to power lines and palms used at 1:1 ratio
ADDITIONAL INFORMATION MAY BE REQUIRED BY CHAPTER 18A

NOTE: The intent of these plans is to obtain the necessary and required permits, to establish an outside storage, to construct a wall and to reinstate the Certificate of Use to Metal Movers Inc. located at 6700 Northeast 32 Avenue, Miami, FL to continue to operate as scrap metal collection, transfer and/or recycling facility in an IU-1 (Industrial Light) zoning district.

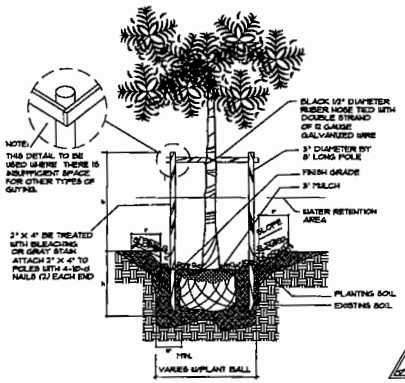


LANDSCAPING PLAN 1/16"

LEGAL DESCRIPTION:
Lots 11 through 22 in Block 6 of "BUNN CREST" according to the plat thereof as recorded in Plat Book 22 at Page 10 of the public records of Miami-Dade County, Florida.



SHRUB AND GROUND COVER DETAIL



TREE PLANTING DETAIL

PLAN VIEW

Eusebio M. Mora
Architect Fla. Lic. # AR0011732

6751 Southwest 68th Terrace
Miami, Florida 33143
(305) 740-5185

TITLE: LANDSCAPING PLAN / DETAILS

NO.	REMARKS:	DATE:	REVISED BY:

TITLE: PROPOSED PROJECT FOR METAL MOVERS INC.
PROJECT: 6700 N.W. 32nd Avenue Miami, Florida 33147.

DRAWN BY: MJA
CHECKED BY: EMM
ATTACHMENT NO.: ATTACHMENT#
DRAWING FILE NO.: 2009-001
DATE: 02/10/2009
SCALE: NOTED
SHEET NUMBER: A2 OF 2 2

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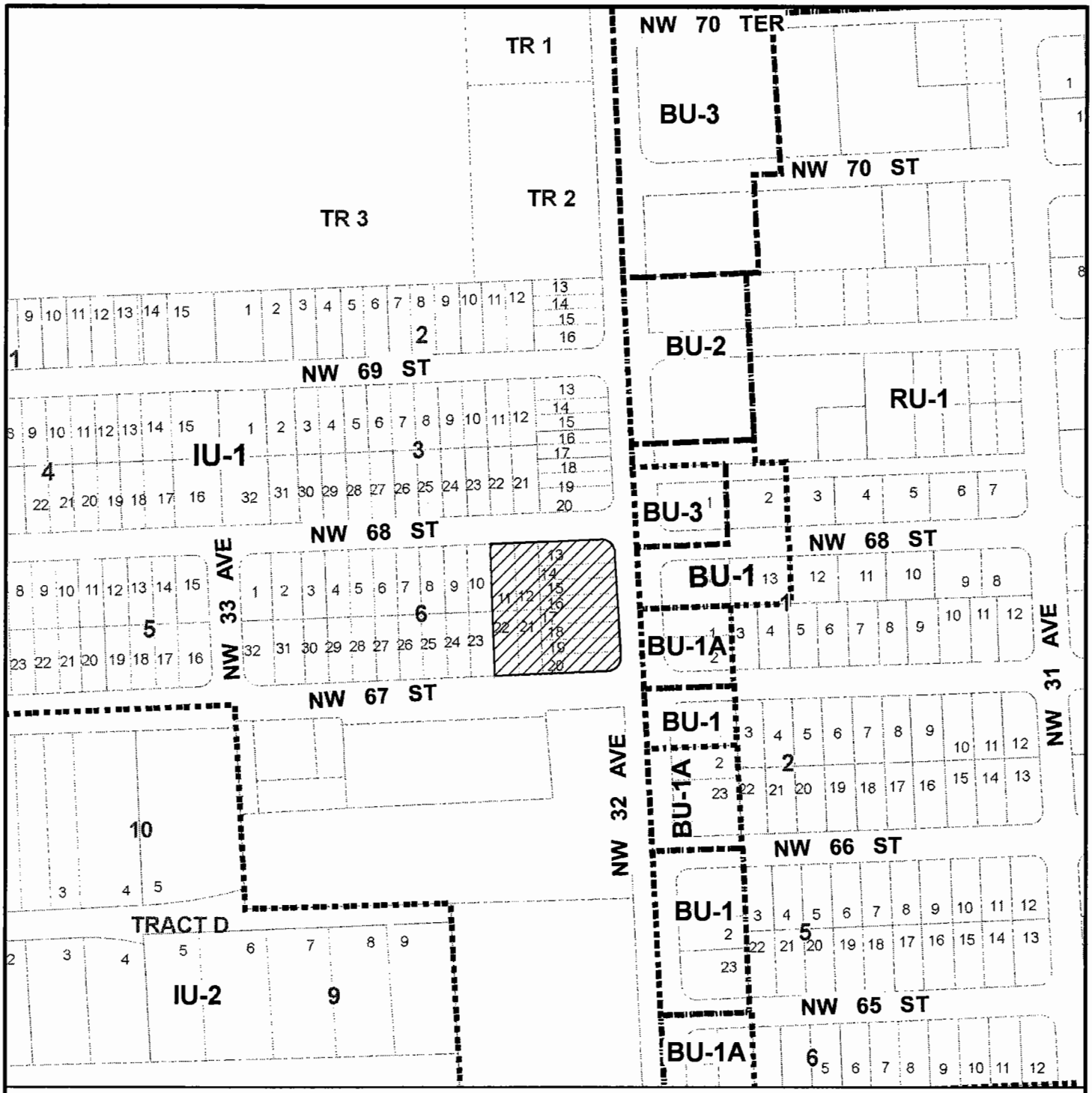
JUL 30 2009
ZONING RECEPTION SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

ADDED W open space

E.M. 7/29/09



MIAMI-DADE COUNTY

HEARING MAP

Section: 16 Township: 53 Range: 41
Applicant: HOUSES UNLIMITED ,INC
Zoning Board: C08
Commission District: 02
Drafter ID: JEFFER
Scale: NTS
---------- Zoning

Process Number

09-035

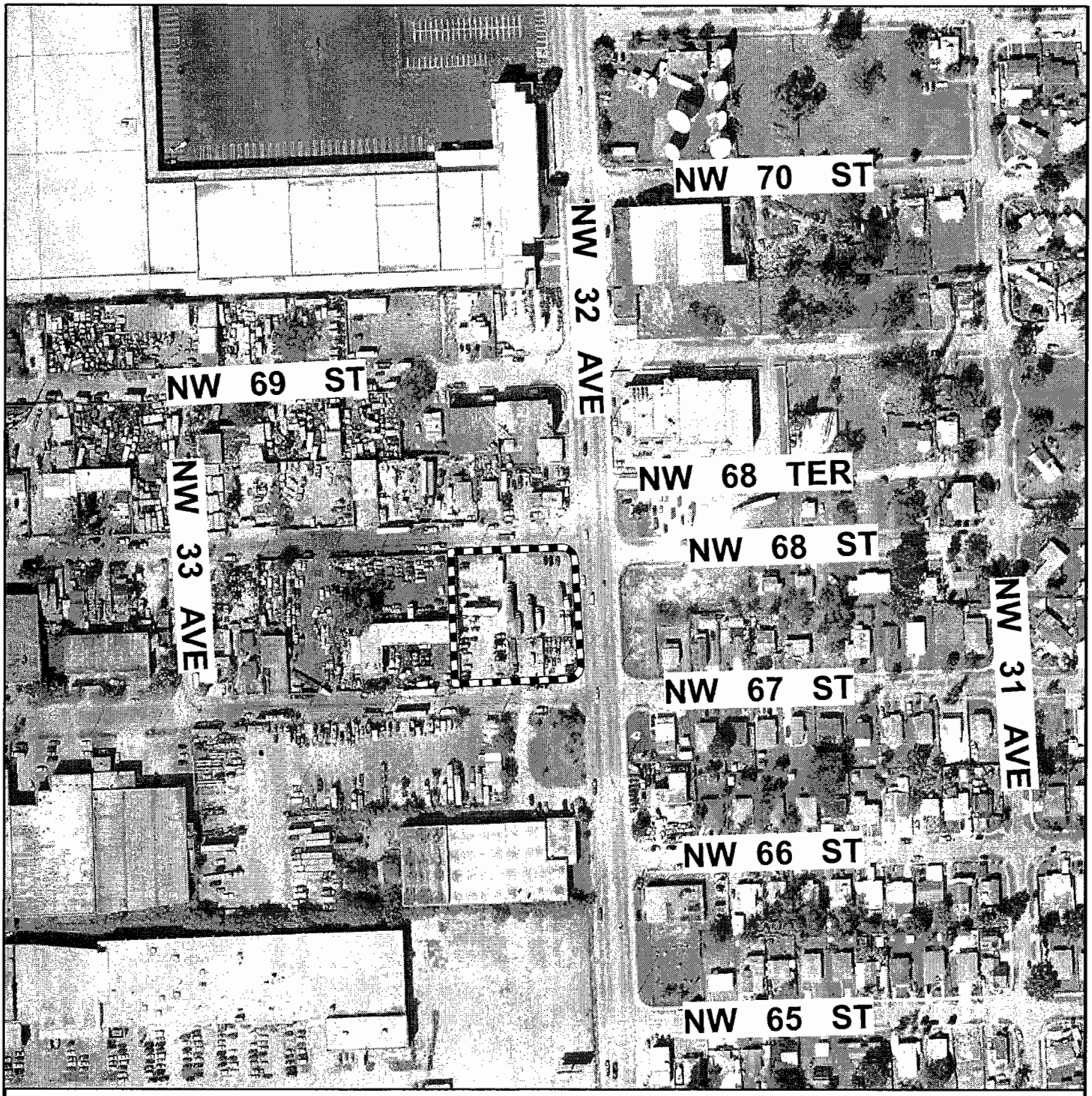
SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 03/20/09

REVISION	DATE	BY
		16



MIAMI-DADE COUNTY

AERIAL YEAR 2008

Process Number

09-035

Section: 16 Township: 53 Range: 41
Applicant: HOUSES UNLIMITED ,INC
Zoning Board: C08
Commission District: 02
Drafter ID: JEFFER
Scale: NTS
---------- Zoning

N
W E
S

SUBJECT PROPERTY

MIAMI-DADE COUNTY

SKETCH CREATED ON: 03/20/09

REVISION	DATE	BY

3. RICO INNOCENT
(Applicant)

10-2-CZ8-3 (09-135)
Area 8/District 2
Hearing Date: 02/02/10

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

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

Disclosure of interest form attached? Yes ☐ No ☑

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
1947	Margaret Rawlins & Dade County Zoning Dept.	- Multiple zone change	BCC	Approved
1948	Margaret Rawlins & Dade County Zoning Dept.	- Clerical Error in resolution # 2427.	BCC	Approved

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

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 8

APPLICANTS: Rico Innocent **PH:** Z09-135 (10-2-CZ8-3)

SECTION: 4-53-41 **DATE:** February 2, 2010

COMMISSION DISTRICT: 2 **ITEM NO.:** 3

==========

A. INTRODUCTION

- **REQUEST:**

  Applicant is requesting to permit an addition to a single-family residence setback 8.49' (25' required) from the rear (south) property line.

  Plans are on file and may be examined in the Department of Planning and Zoning entitled "Mrs. Rico Innocent," as prepared by Etienne Prophete consisting of 4 sheets, dated stamped received 9/22/09, with sheet 3, last handwritten revision dated 10/26/09. Plans may be modified at public hearing.

- **SUMMARY OF REQUEST:**

  The applicant is seeking to permit an existing addition to the single-family residence encroaching into the rear (south) setback area.

- **LOCATION:**

  3120 NW 99 Street, Miami-Dade County, Florida.

- **SIZE:** 50' x 140'

B. ZONING HEARINGS HISTORY: None.

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** use. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. This density category is generally characterized by single family housing, e.g., single family detached, cluster and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
RU-1; Single-Family Residence	Low Density Residential, 2.5 to 6 dua
Surrounding Properties:	
NORTH: RU-1; single-family residence	Low Density Residential, 2.5 to 6 dua
SOUTH: RU-1; single-family residences	Low Density Residential, 2.5 to 6 dua
EAST: RU-1; single-family residence	Low Density Residential, 2.5 to 6 dua
WEST: RU-1; single-family residence	Low Density Residential, 2.5 to 6 dua

E. SITE AND BUILDINGS:

Site Plan Review:	(Site plan submitted)
Scale/Utilization of Site:	**Unacceptable**
Location of Buildings:	**Unacceptable**
Compatibility:	**Unacceptable**
Landscape Treatment:	**Acceptable**
Open Space:	**Acceptable**
Buffering:	**Unacceptable**
Access:	**Acceptable**

F. PERTINENT REQUIREMENTS/STANDARDS:

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

G. NEIGHBORHOOD SERVICES:

DERM	**No objection**
Public Works	**No objection**
Parks	**No objection**
MDT	**No objection**
Fire Rescue	**No objection**

Police	**No objection**
Schools	**No comment**

H. ANALYSIS:

The subject property is developed with an existing single-family residence located at 3120 NW 99 Street, within the Urban Development Boundary (UDB). The subject property is designated as **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP), which allows 2.5 to 6 dwelling units per acre. Because the addition will not add additional dwelling units to the property, the RU-1, Single-Family Residential District, zoned subject property is **consistent** with the LUP Map designation of the CDMP.

The Department of Environmental Resources Management **(DERM)** has **no objection** to this application and indicates that it meets the minimum requirements of Chapter 24 of the Miami-Dade County Code. The **Public Works** and **Miami-Dade Fire Rescue (MDFR) Departments** also have **no objections** to this application. The MDFR memorandum indicates that the estimated average travel response time is **5:30** minutes.

When the application is analyzed, under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that the request is **incompatible** with the surrounding area, negatively affects the stability and appearance of the community, and would be precedent setting if approved. The submitted plans indicate the single-family residence with an existing addition to the south which encroaches 16.51' into the rear setback, consisting of an entertainment room, sewing room, bedrooms, laundry room and two bathrooms. Although the applicant has modified the floor plans to remove two existing doors which provide additional access to the addition which includes a corridor for connectivity, staff opines that the proposed floor plan could allow the property to be used as a multi-family residence in the future, which would be contrary to the intent of the RU-1 zoning regulations. Additionally, staff's review of Building Code enforcement records indicates that in August 2009, a citation was issued for building without a permit on the subject site. Staff therefore opines that approval of an encroachment as intensive as requested in this application does not maintain the basic intent of the zoning and subdivision regulations and would have a detrimental impact on the appearance and stability of the neighborhood. As such, staff notes that the approval of the application would not only be **incompatible** with and adversely affect the aesthetic character of the area, but would also set a negative precedent for similar intense requests for relief of the rear setback requirements. Therefore, staff recommends denial without prejudice of the application under the NUV Standards.

Based on all of the aforementioned, staff opines that, approval of the application and the submitted plans would be **consistent** with the density threshold of the LUP map of the CDMP. However, it would have a negative visual impact on the abutting properties to the south, an adverse effect on the aesthetic character of the surrounding properties, would set a negative precedent, and is therefore **incompatible** with the surrounding area. Therefore, staff recommends denial without prejudice of the application.

I. RECOMMENDATION:

Denial without prejudice.

J. CONDITIONS: None

DATE INSPECTED: 12/07/09
DATE TYPED: 12/08/09
DATE REVISED: 12/10/09; 12/21/09, 01/05/10
DATE FINALIZED: 01/05/10
MCL:NN:AA:CH

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

NDN
GR

Memorandum

MIAMI-DADE COUNTY

Date: October 19, 2009

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

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

Subject: C-08 #Z2009000135
Rico Innocent
3120 N.W. 99th Street
To Permit Additions to a Single-Family Residence Setback less than Required from Property Lines
(RU-1) (0.1606 Acres)
04-53-41

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.

DERM has no pertinent comments regarding this application since the request does not entail any environmental concern.

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

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

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

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

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

Memorandum

Date: November 26, 2008

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

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

Subject: Zoning Hearing Improvements

In order to enhance the efficiency of the zoning review process for public hearings, your Department requested that Public Works Department (PWD) provide standard "bypass" comments for some residential applications. These applications will be limited to single family residences, townhouses and duplexes, where the applicant seeks zoning hearing relief for a customary residential use, on previously platted lots. The following applications for public hearings could "bypass" the PWD review:

Applications requesting setback variances
Applications requesting variance on lot frontage
Applications requesting variance on lot area
Applications requesting greater lot coverage than permitted by Code
Applications requesting additions to an existing structure

Pursuant to Sec. 33-24 of the Miami-Dade County Code, for those applications where a structure encroaches onto an easement, the applicant must secure from the easement owner a written statement that the proposed use will not interfere with owner's reasonable use of the easement.

Please contact Mr. Raul Pino, P.L.S., Chief, Land Development Division, at (305) 375-2112, if you have any questions.

cc: Antonio Cotarelo, P.E., Assistant Director
Public Works Department

Raul Pino, P.L.S., Chief
Land Development Division

Leandro Rodriguez

Memorandum

Date: 02-OCT-09

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2009000135

Fire Prevention Unit:

Not applicable to Fire Engineering & Water Supply Bureau site requirements.

Service Impact/Demand

Development for the above Z2009000135
located at 3120 N.W. 99 STREET, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0676 is proposed as the following:

N/A 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: N/A alarms-annually.
The estimated average travel time is: 5:30 minutes

Existing services

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

Station 7 - W Little River - 9350 NW 22 Avenue
Rescue, ALS Engine, Squad

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

DATE: 24-DEC-09

REVISION 1

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

RICO INNOCENT	3120 N.W. 99 STREET, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2009000135

HEARING NUMBER

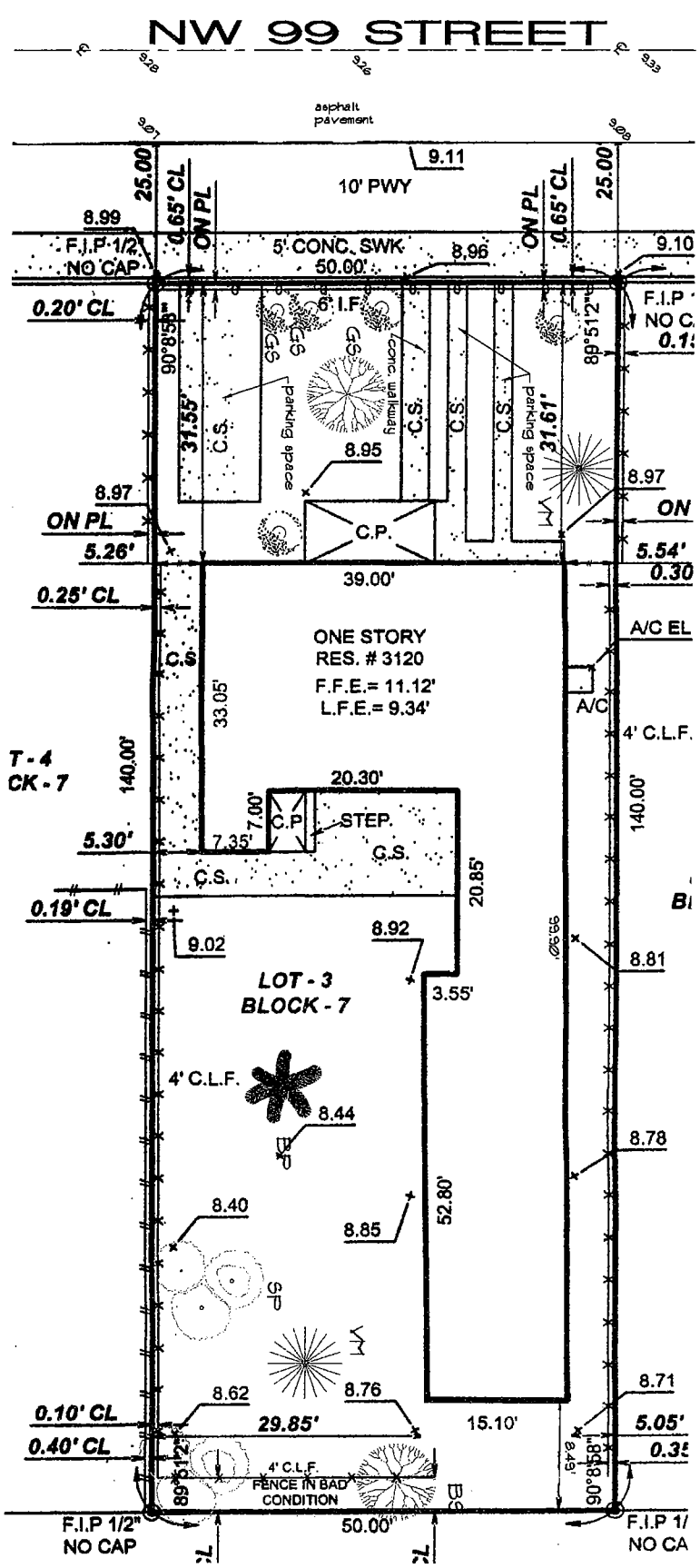
HISTORY:

CURRENT ENFORCEMENT HISTORY:
Case #200904010146 was opened based on enforcement history request and inspected on 12/23/09. No violation observed and case closed.

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

REPORTER NAME:

Lourdes Orozco



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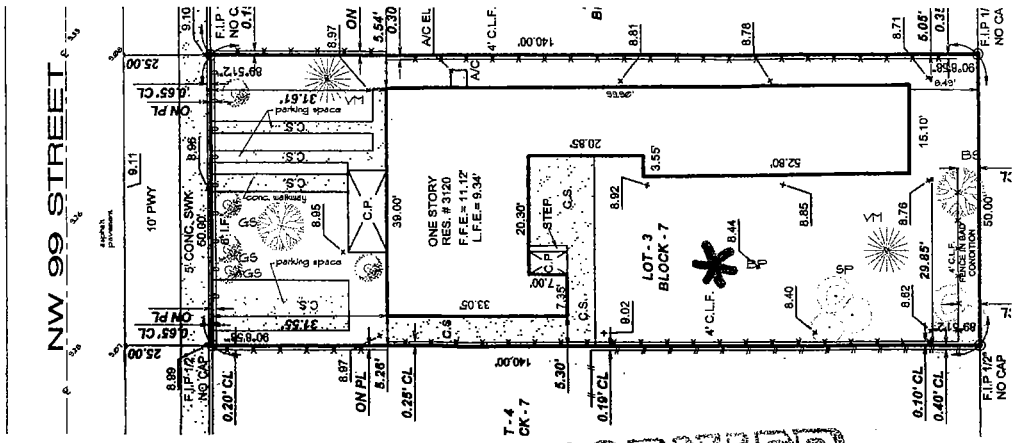
2009-135
OCT 16 2009
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

ENLARGE SITE PLAN



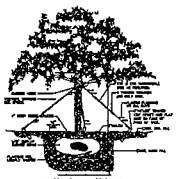
SITE PLAN

SCALE: 1" = 10'

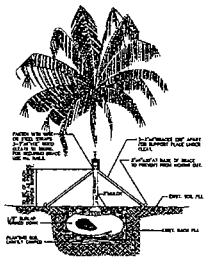
LEGAL DESCRIPTION

Lot 3, Block 7, of "PLAT OF THE TROPICS" according to the Plat thereof as recorded in Plat Book 10, at Page 17 of the Public Records of Miami Dade County, Florida.

PLANT LIST				
TREES	NAMES	NOTES	DROUGHT	QTY
BS	hyophorbe verschaffeltii spindle palm (exist'g.)	10'X6'/5' CT/2' CALP	YES	4
VM	hyophorbe lagenicaulis bottle palm (exist'g.)	2-13' OA 3'-16'OA	YES	3
SP	ravenala madagascariensis travelers palm (exist'g.)	12'-16' SMOOTH TRUNKS	YES	2
GS	conocarpus erectus silver buttonwood (exist'g.)	10'-15'	YES	1
BP	chamaedorea erumpens bamboo palm (exist'g.)	12'-16' SMOOTH TRUNKS	YES	2



TYPICAL TREE



TYPICAL PALM

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common name
EXISTING PALM TREE TO REMAIN
SCIENTIFIC NAME
ROYSTONEA ELATE
D = 8, C = 6, H = 15'

BS

SP

GS

BP

pink ixora hedges
5'-0" in height (@ maturity)
36" ht. min. at installation

NOTE: edges to be cut from existing 7'-0" ht. to a proposed 5'-0" ht. at final construction.

ZONING LEGEND
Single Family & Duplex

ZONING:	RU-1
Height (to ridge of roof)	14'1" +/-
Net Land Area	10000 SQ.FT.
Lot Coverage (everything under roof)	Total Sq. Ft.: 2203.5 sf = 31.4%
	existing house: 1492.15 sf = 21.26% addition: 615.35 sf = 8.78%, porch: 98.0 sf = 1.4%

SETBACKS:	REQ.	PROVIDED
FRONT	25'	31.3'
SIDE	5.0'	5.3'
SIDE STREET	5.0'	5.54'
REAR	25'	8.49'

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 or stormwater onto adjacent property. Applicant will provide certification prior to final inspection.

ANY APPLICABLE RESOLUTIONS: N/A

NOTICE:

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 553.79(10), Florida Statutes, effective 7/10/87.

Applicant: Will comply with Ordinance 80-90 (Section 13-13.1 of the Metropolitan Dade County Code: notice of rock mining operations where blasting is permitted) - prior to starting construction.

A separate permit will be required for all driveway approaches onto public right of way. Contact Public Works Department.

The height of fences, walls and hedges shall not exceed 2.5 feet in height within 10 feet of the edge of any driveway leading to a right or way.

The height of fences is being measured from grade. Grade = Elevation of public sidewalk or crown of road.

LANDSCAPE LEGEND Information Required to be Permanently Affixed to Plan.

Zoning District: RU-1 Plat Lot Area _____ acre _____ s.f.

OPEN SPACE	REQUIRED	PROVIDED
A. Square Feet of open space required by Chapter 33, as indicated on site plan: Net lot area = _____ s.f. x _____ % = _____ s.f.	NA	
B. Square Feet of parking lot open space required by Chapter 18A, as indicated on site plan: No. parking spaces _____ x 10 s.f. per parking space =	NA	
C. Total s.f. of landscaped open space required by Chapter 33: A+B =	NA	
LAWN AREA CALCULATION		
A. _____ total s.f. of landscaped open space rounded by Chapter 33 B. Maximum lawn area (sod) permitted = _____ x _____ s.f. =	4343 sf	
TREES		
A. No. trees required per net lot area: Less existing number of trees meeting minimum requirements = _____ trees x net lot acres =	1	1
B. % Palms Allowed: No. trees provided x 20% = % Palms permitted to count as street trees on 1:1 basis x 30%		8
C. % Natives Required: No. trees provided x 30% =		
D. Street trees (maximum average spacing of 25' o.c.): _____ linear feet along street / 25 =	2	3
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.): _____ linear feet along street / 25 =		
SHRUBS		
A. No. trees required x 10 = No. of shrubs allowed	5	50
B. No. shrubs allowed x 30% = No. of native shrubs required		292 lf

IRRIGATION PLAN: If required by Chapter 33 THESE Containing information to be inserted in margin below:

09-135
10-16-09
AH

FOR HEARING ONLY
NOT FOR CONSTRUCTION
DATE: AUGUST 20, 2009

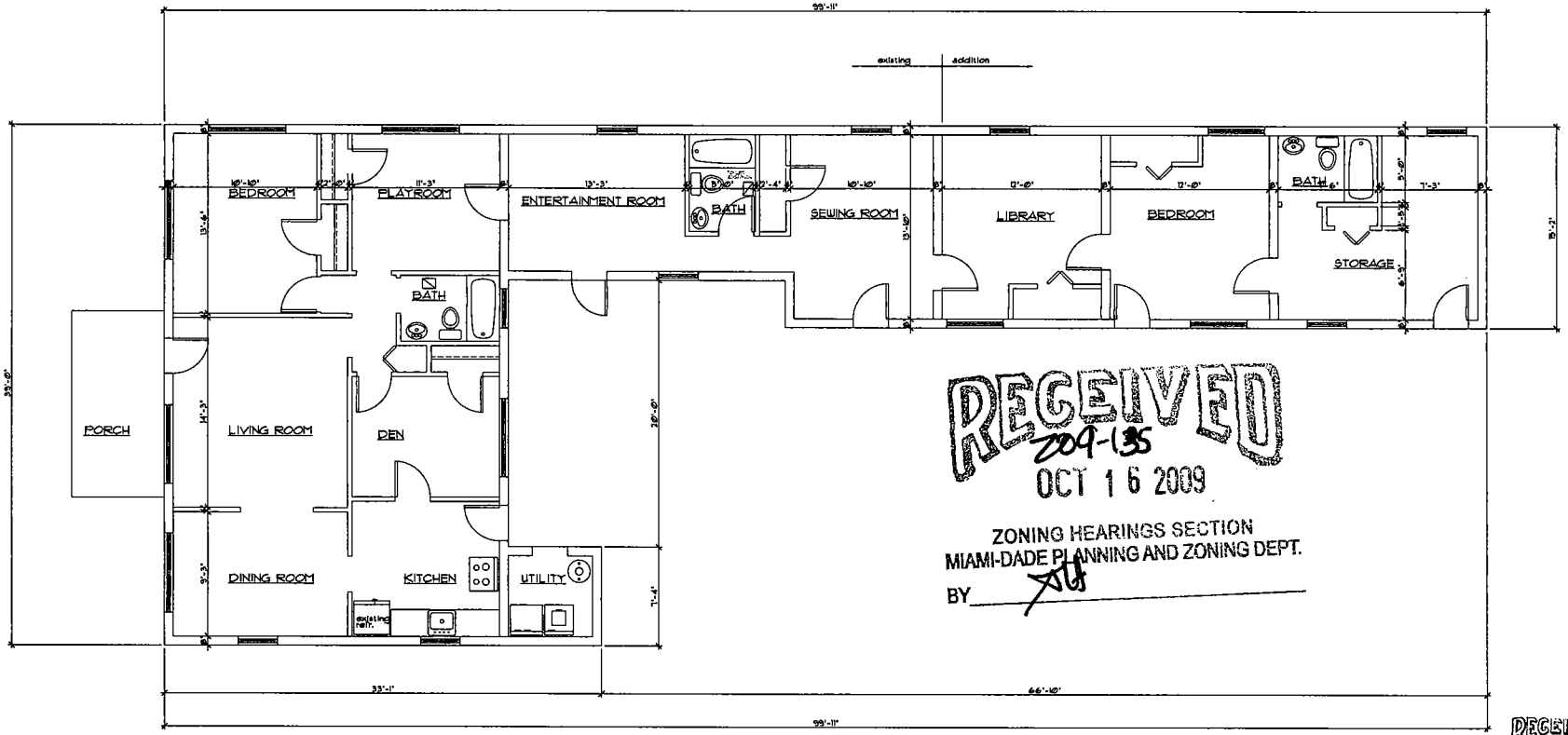
DATE	DESCRIPTION	BY

ETIENNE PROPHETE
PROF. ENG.
2733 SW 46 COURT
DANIA, FL ORIDA
TEL. 954.391.8823
CIVIL 44316

PLAN FOR:
Mrs RICO INNOCENT
3120 NW 99 STREET
MIAMI, FLORIDA

DRAWN BY	JAM
CHECKED BY	EP
DATE	07.7.09
PROJECT NO.	09-021
DRAWING NO.	1
OF	

12



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EXISTING FLOOR PLAN

SCALE 1/4" = 1'-0"

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DATE: AUGUST 28, 2009

DATE	DESCRIPTION	BY

ETIENNE PROPHETE
PROF. ENG.
2733 SW 46 COURT
DANIA, FLORIDA
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CIVIL 44316

PLAN FOR:
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CHECKED BY	EP
DATE	07.7.09
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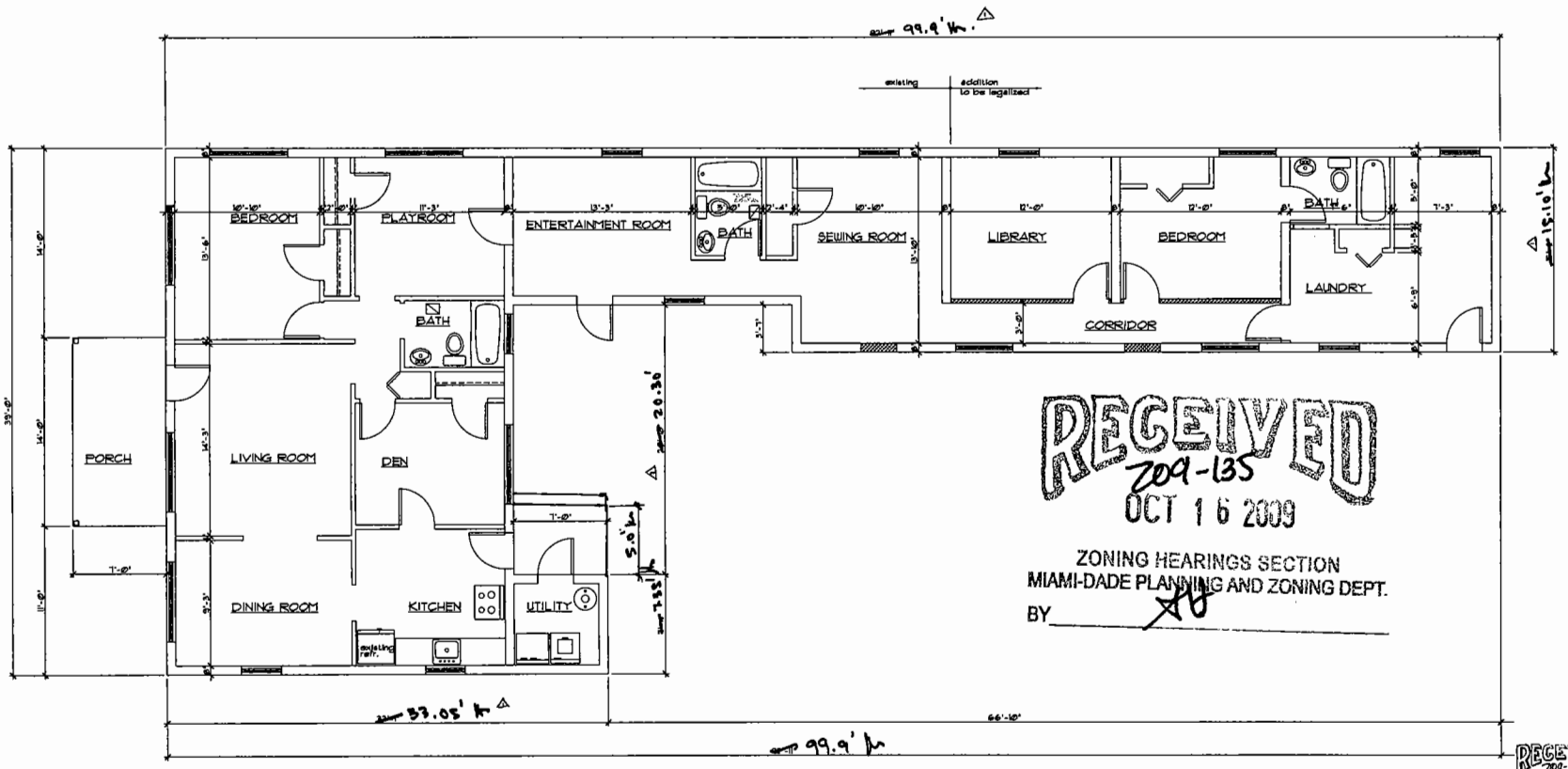
DRAWING NO.	2
OF	



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PROPOSED FLOOR PLAN

SCALE: 1/4" = 1'-0"

△ - Revision made by architect
10.26.09

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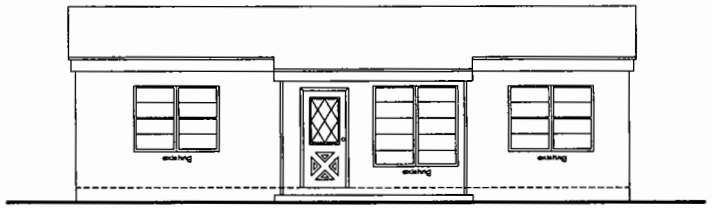
DRAWING NO.	3
OF	



NORTH ELEV.

SCALE 1/4" = 1'-0"

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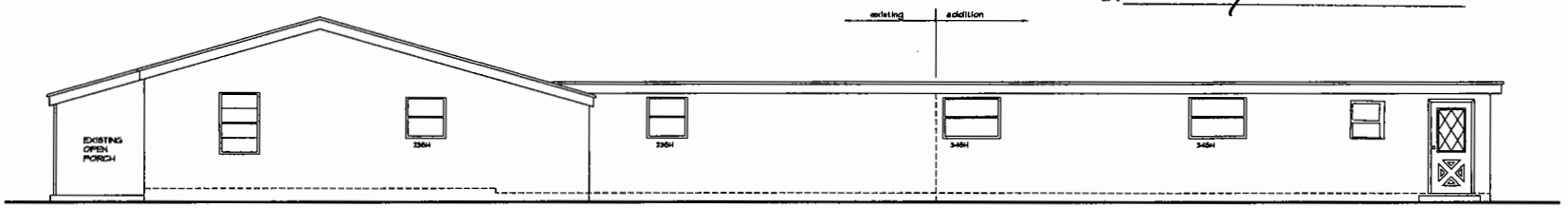
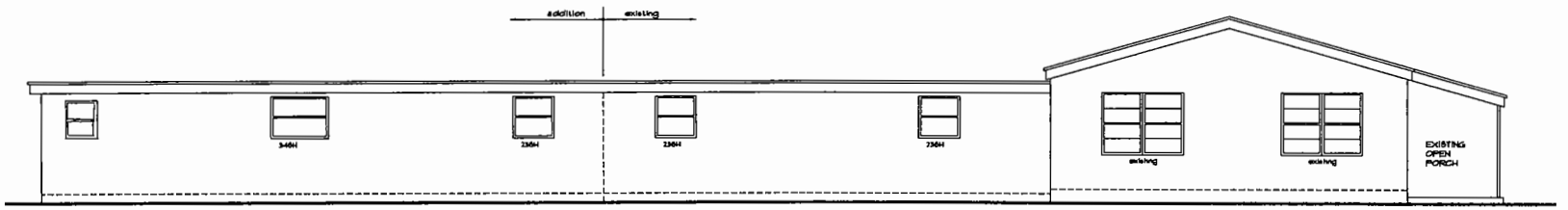


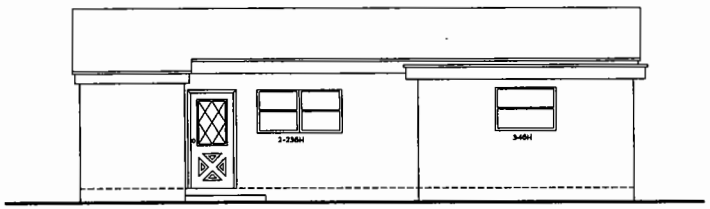
WEST ELEV.

SCALE 1/4" = 1'-0"



EAST ELEV.

SCALE 1/4" = 1'-0"



SOUTH ELEV.

SCALE 1/4" = 1'-0"

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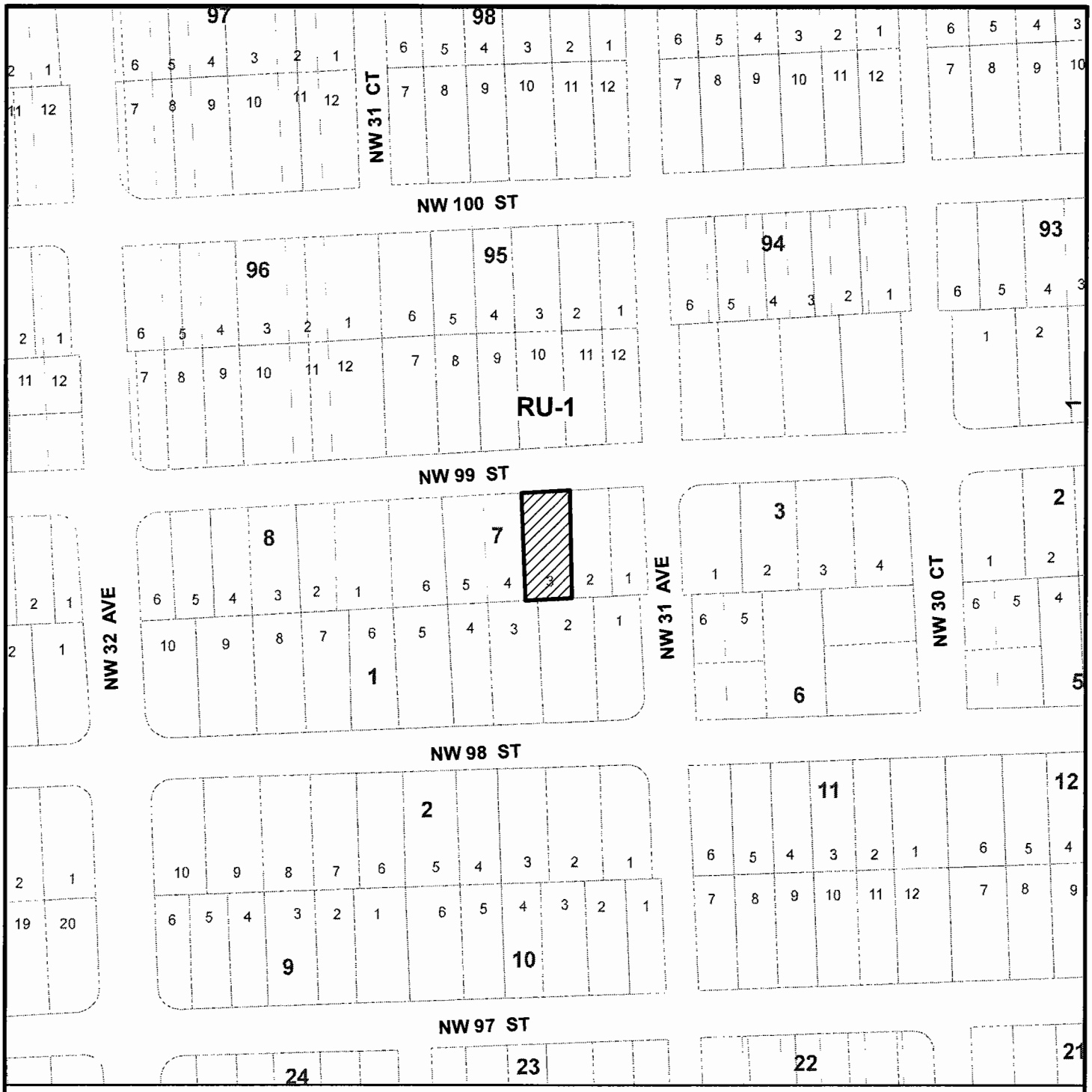
OF	



MIAMI-DADE COUNTY
HEARING MAP

Process Number
09-135

Section:04 Township: 53 Range: 41
Applicant: RICO INNOCENT
Zoning Board: C08
Commission District: 02
Drafter ID: ALFREDO
Scale: NTS
---------- Zoning

SUBJECT PROPERTY

N
W E
S

MIAMI-DADE COUNTY

SKETCH CREATED ON: 09/28/09

REVISION	DATE	BY
		15

MIAMI-DADE COUNTY

AERIAL YEAR 2009

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