

FINAL AGENDA

10-11-2012 Version # 2



**COMMUNITY ZONING APPEALS BOARD 8
HENRY REEVES ELEMENTARY SCHOOL**

2005 NW 111 Street, Miami

Wednesday, November 14, 2012 at 7:00 p.m.

PREVIOUSLY DEFERRED

A.	12-4-CZ8-2	<u>NEW SOLID ROCK MISSIONARY BAPTIST CHURCH</u>	11-122	03-53-41
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CURRENT

1.	12-11-CZ8-1	<u>NEW URBAN DEVELOPMENT, LLC</u>	10-159	22-53-41	N
2.	12-11-CZ8-2	<u>KAROL KAZMIERCZAK, TRUSTEE</u>	12-58	03-53-41	N
3.	12-11CZ8-3	<u>EQUITYMAX INC</u>	12-91	10-53-41	N



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 8

MEETING OF WEDNESDAY, NOVEMBER 14, 2012

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

Department of Regulatory and
Economic Resources
Recommendation:

Approval with conditions.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

3. EQUITYMAX, INC. (12-11-CZ8-3/12-091)

**10-53-41
Area 08/District 02**

- (1) NON-USE VARIANCE to permit an existing addition to a single family residence setback 17.7' (25' required) from the rear (north) property line.
- (2) NON-USE VARIANCE to permit a second existing addition to the single family residence setback 4' (5' required) from the interior side (west) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Equymax" as prepared by Carlos Tillan and dated stamped received 7/16/12 for a total of 5 sheets. Plans may be modified at public hearing.

LOCATION: 1913 NW 86 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 4,350 sq. ft.

Department of Regulatory and
Economic Resources
Recommendation:

Approval with conditions.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

NOTICE

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.

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 Regulatory and Economic Resources (RER), within 14 days after RER 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. (RER's posting will be made on a bulletin board located in the office of RER.) 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.

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 8**

PH: Z11-122 (12-04-CZ08-2)

November 14, 2012

Item No. A

Recommendation Summary	
Commission District	2
Applicant	New Solid Rock Missionary Baptist Church
Summary of Requests	The applicant is seeking to permit the continued use of existing parking on natural terrain.
Location	9026 N.W. 22 nd Avenue, Miami-Dade County, Florida.
Property Size	75' x 119'
Existing Zoning	BU-1
Existing Land Use	Religious Facility
2015-2025 CDMP Land Use Designation	Business and Office and Low-Medium Density Residential (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
Recommendation	Denial without prejudice.

This item was deferred from the September 12, 2012 and the June 13, 2012 meeting of the Community Zoning Appeals Board (CZAB) to allow the applicant to obtain a parking lot design, cost estimates and an approximate time schedule of the time needed to obtain the necessary funding. This item was also deferred from the April 18, 2012 meeting of the CZAB 8 to allow the applicant to research the cost of paving and to determine how long they will need to continue to park on natural terrain.

REQUEST:

NON-USE VARIANCE of zoning regulations requiring off street parking areas to be hard surfaced; to waive same to permit the continued use of parking areas on natural terrain.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled "New Solid Rock Missionary Baptist Church" as prepared by Brown and Associates, consisting of one (1) sheet and dated stamped received 10/19/11. Plans may be modified at public hearing.

PROJECT DESCRIPTION: Existing 2,239 sq. ft. religious facility with parking on natural terrain.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	BU-1; religious facility	Business and Office
North	BU-1A; vacant	Business and Office
South	BU-1A; duplex residence	Business and Office Low-Medium Density Residential (6 to 13 dua)
East	RU-1; single-family residence BU-1A; vacant	Business and Office
West	RU-1; single-family residence BU-1A; vacant	Low-Medium Density Residential (6 to 13 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is an interior lot, located at 9026 N.W. 22nd Avenue. Single-family residences characterize the surrounding area where the subject property lies.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to maintain the existing parking areas on natural terrain. However, the parking areas on natural terrain may create overcrowding and cause spillage of traffic on the abutting roadway.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property for **Business and Office** use. The CDMP Land Use Element adopted interpretative text for the Business and Office land use category provides for the accommodation of *the full range of sales and service activities*. Further, said adopted Land Use Element interpretative text for Institutions, Utilities and Communications, states that ***Neighborhood or community-serving institutional uses, may be approved where compatible in all urban land use categories.*** The existing one-story, 2,239 square foot church is located on the portion of the property that is designated for Business and Office use and is zoned BU-1, Neighborhood Business District. This zoning district permits religious facilities such as the church. As such, the existing religious facility use is **compatible** with the uses allowed in the BU-1 zoning district and is **consistent** with the CDMP Business and Office LUP map designation.

ZONING ANALYSIS:

Resolution Z-4-93, passed and adopted by the Board of County Commissioners in 1993, approved a church use on the subject property with less parking, a reduced driveway, reduced back up space for parking spaces, less lot frontage, lot area and landscaped open space than required. In 1995, pursuant to resolution 5-ZAB-144-95, the applicant was approved on a temporary basis for a period of two years, to permit 11 parking spaces to be on natural terrain and to waive the requirement that off-street parking spaces be hard surfaced. While staff has never been opposed to the use on a BU-1 zoned property, the variances requested point to the limitations of the physical site. Furthermore, staff opines that the applicant has had sufficient time (16 years) to pave the parking areas of the subject property.

When the subject request is analyzed under the Non-Use Variances From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff opines that approval of this request would not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **incompatible** with same. The approval of this request would allow the applicant to continue to permit parking on natural terrain in lieu of the required hard surface. Paved parking is required according to Section 33-126 of the Miami-Dade County Zoning Code (the Code). The Code provides *that in all Districts, except AU, RU-1, RU-2 and RU-3, all off-street parking areas be surfaced with a minimum of a rolled six-inch rock base and a one-inch durable weatherproof asphaltic pavement. The occupancy or use of a given structure or premises shall be prohibited until the required off-street parking area has been improved, inspected and approved.* Said parking requirements allow for an organized parking area with clearly delineated parking spaces and drives, which facilitates the flow of traffic on-site. Staff is of the opinion that the approval of the subject request may cause overcrowding as a result of having an unpaved parking area with no delineation of parking spaces and would have a negative impact on the

circulation of vehicles on the site. Staff further opines that this could result in the spillage of parking onto N.W. 22nd Avenue, which is a well travelled north/south roadway and would have a negative impact on traffic in this area. Additionally, staff notes that photographs submitted by the applicant indicate that cars park on the adjacent contiguous property, which is not a part of this application and therefore may not be used for parking. As such, staff opines that the approval of the subject request would negatively impact the surrounding properties with the spillage of parking onto the abutting roadway. **Therefore, staff recommends denial without prejudice of the subject request under Section 33-311(A)(4)(b), Non-Use Variances From Other than Airport Regulations.**

Furthermore, staff notes that the Public Works and Waste Management Department (PWWM) objects to this application noting that "the proposed driveway connection to N.W. 22nd Street may interfere with the existing light pole on the sidewalk". In addition, its memo requires that the parking spaces be redesigned at 90 degrees so that vehicles may back-out and exit the property.

CIRCULATION AND PARKING:

The site plan submitted depicts the existing religious facility with 11 parking spaces, four (4) of which are angled parking spaces, a reduced driveway and reduced back up space for the parking spaces.

ENVIRONMENTAL REVIEW: Not applicable.

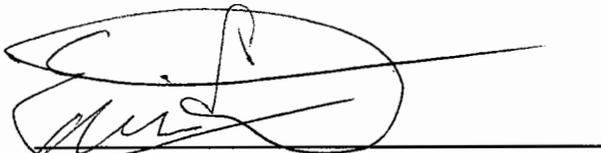
OTHER: Not applicable.

RECOMMENDATION:

Denial without prejudice.

CONDITIONS FOR APPROVAL: None.

ES:NN:CH:JC



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

NDW

ZONING RECOMMENDATION ADDENDUM

Applicant: New Solid Rock Missionary Baptist Church
PH: Z11-122

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Regulatory and Economic Resources (Environmental Resources Management Division)	No objection
Public Works and Waste Management	Objects
Parks	No objection
Fire Rescue	No objection
Police	No comment
Schools	No comment
*Subject to conditions in their memorandum.	

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

<p>Business and Office (Pg. I-41)</p>	<p><i>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.</i></p> <p><i>Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP-designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. If there is no adjacent or adjoining residential use existing, zoned or designated on the same side of the roadway, the maximum allowable residential density will be that which exists or which this plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively commercial use of the site. Where SURs or TDRs are transferred to Business-designated parcels which are zoned or to be used for residential development, or when a residential project utilizes the inclusionary zoning program the allowances of the Residential communities section may be used within the limits provided in this paragraph.</i></p>
<p>Institutions, Utilities and Communications (Pg. I-53)</p>	<p>Neighborhood or community-serving institutional uses, cell towers and utilities including schools, libraries, sanitary sewer pump stations and fire and rescue facilities in particular, and cemeteries may be approved where compatible in all urban land use categories, in keeping with any conditions specified in the applicable category, and where provided in certain Open Land subareas. Compatibility shall be determined in accordance to Policy LU-4A. Co-location of communication and utility facilities are encouraged. Major utility and communication facilities should generally be guided away from residential areas; however, when considering such approvals, the County shall consider such factors as the type of function involved, the public need, existing land use patterns in the area and alternative locations for the facility. All approvals must be consistent with the goals, objectives and policies of the Comprehensive Development Master Plan</p>

ZONING RECOMMENDATION ADDENDUM

Applicant: New Solid Rock Missionary Baptist Church
PH: Z11-122

PERTINENT ZONING REQUIREMENTS/STANDARDS

33-11(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>
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A. NEW SOLID ROCK MISSIONARY BAPTIST CHURCH
(Applicant)

12-4-CZ8-2(11-122)
Area 8/District 02
Hearing Date: 11/14/12

Property Owner (if different from applicant) **Ozzie & Prudence Flowers.**

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1995	New Solid Rock Mission Baptist Church	- Non-Use Variance of Zoning Regulations requiring off street parking spaces to be hard surfaced to waive same to permit 11 parking spaces to be on natural terrain.	ZAB	Approved with Condition(s)

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
COMMUNITY ZONING APPEALS BOARD - AREA 8
MOTION SLIP

B

APPLICANT'S NAME: **NEW SOLID ROCK MISSIONARY BAPTIST CHURCH**

REPRESENTATIVE: Vinnette Lamb

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
12-04-CZ08-2 (11-122)	September 12, 2012	CZAB8	12

REC: Denial without prejudice.

WITHDRAW: APPLICATION ITEM(S): _____

DEFER: INDEFINITELY TO: November 14, 2012 W/LEAVE TO AMEND

DENY: WITH PREJUDICE WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS

APPROVE: PER REQUEST PER DEPARTMENT PER D.I.C.

WITH CONDITIONS

OTHER: Deferred by the applicant in order for the applicant to submit a new site of revised plans to staff.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN	S	Richard C. BROWN (C.A.)	X		
COUNCILMAN		Patrick CURE	X		
COUNCILMAN		Arthemon JOHNSON	X		
COUNCIL WOMAN		Voncarol Yvette KINCHEN	X		
VICE CHAIRMAN	M	Fredericke Alan MORLEY	X		
CHAIRWOMAN		Joy J. DAVIS	X		
VOTE:			6	0	

EXHIBITS: YES NO

COUNTY ATTORNEY: DAVID HOPE

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 8
MOTION SLIP

A

APPLICANT'S NAME: **NEW SOLID ROCK MISSIONARY BAPTIST CHURCH**

REPRESENTATIVE: **Vinnette Lamb**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
12-4-CZ8-2 (11-122)	June 13, 2012	CZAB8	12

REC: Denial without prejudice.

WITHDRAW: APPLICATION ITEM(S): _____
 DEFER: INDEFINITELY TO: Sept 12, 2012 W/LEAVE TO AMEND
 DENY: WITH PREJUDICE WITHOUT PREJUDICE
 ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS
 APPROVE: PER REQUEST PER DEPARTMENT PER D.I.C.
 WITH CONDITIONS
 OTHER: Deferred to allow the applicant to submit a site plan to staff and to research the cost of paving so that they are better prepared to explain to the board how much time they would need to continue to park on natural terrain.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		Richard C. BROWN (C.A.)	X		
COUNCILMAN		Patrick CURE			X
COUNCILMAN	S	Arthemon JOHNSON	X		
COUNCIL WOMAN	M	Voncarol Yvette KINCHEN	X		
VICE CHAIRMAN		Fredericke Alan MORLEY	X		
CHAIRWOMAN		Joy J. DAVIS	X		
VOTE:			5	0	

EXHIBITS: YES NO

COUNTY ATTORNEY: **DAVID HOPE**

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 8
MOTION SLIP

#3

APPLICANT'S NAME: **NEW SOLID ROCK MISSIONARY BAPTIST CHURCH**

REPRESENTATIVE: Vinnette Lamb

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
12-04-CZ8-2 (11-122)	April 18, 2012	CZAB8 12

REC: Denial without prejudice.

WITHDRAW: APPLICATION ITEM(S): _____

DEFER: INDEFINITELY TO: June 13, 2012 W/LEAVE TO AMEND

DENY: WITH PREJUDICE WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS

APPROVE: PER REQUEST PER DEPARTMENT PER D.I.C.

WITH CONDITIONS

OTHER: Deferred to allow the applicant to research the cost of paving so that they are better prepared to explain to the board how long they will need to continue to park on natural terrain.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		Richard C. BROWN (C.A.)	X		
COUNCILMAN	S	Patrick CURE	X		
COUNCILMAN	M	Arthemon JOHNSON	X		
COUNCIL WOMAN		Voncarol Yvette KINCHEN			X
VICE CHAIRMAN		Fredericke Alan MORLEY			X
CHAIRWOMAN		Joy J. DAVIS	X		
VOTE:			4	0	

EXHIBITS: YES NO

COUNTY ATTORNEY: DAVID HOPE

Memorandum



Date: November 9, 2011
To: Charles Danger, P.E., Interim Director
Permitting, Environment and Regulatory Affairs

From: Jose Gonzalez, P.E., Assistant Director
Permitting, Environment and Regulatory Affairs

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

Subject: C-08 #Z2011000122
New Solid Rock Missionary Baptist Church
9026 N.W. 22nd Avenue
To Permit Parking on Natural Terrain
(BU-1) (.23 Acres)
03-53-41

The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and it meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

Potable Water Service

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

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

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.

Stormwater Management

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

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

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

Wetlands

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

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

Tree Preservation

The proposal to permit parking on natural terrain will not impact tree resources. 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

The subject properties have two (2) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information.

Concurrency Review Summary

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

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

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

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

Cc: Eric Silva, Permitting, Environment and Regulatory Affairs

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: NEW SOLID ROCK MISSIONARY BAPTIST CHURCH

This Department objects to this application.

The proposed angled parking is designed for one-way traffic. Redesign parking spaces at 90 degrees so vehicles may back-out and exit the property.

The proposed driveway connection to NW 22 Street may interfere with the existing light pole on the sidewalk.

Additional improvements may be required at time of permitting.

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

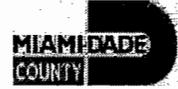
This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.



Raul A Pino, P.L.S.

16-DEC-11

Memorandum



Date: 01-NOV-11
To: Charles Danger, Director
Department of Permitting, Environment and Regulatory Affairs
From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department
Subject: Z2011000122

Fire Prevention Unit:

No objection via case Z2011000122.

Service Impact/Demand

Development for the above Z2011000122
located at 9026 NW 22 AVE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0738 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 4:06 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.

Memorandum



Date: November 28, 2011

To: Charles Danger, P.E., Interim Director
Permitting, Environment and Regulatory Affairs

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

Subject: Z2011000122: NEW SOLID ROCK MISSIONARY BAPTIST CHURCH

Application Name: NEW SOLID ROCK MISSIONARY BAPTIST CHURCH

Project Location: The site is located at the 9026 NW 22 AVE, Miami-Dade County.

Proposed Development: The applicant is requesting a non-use variance to park on natural terrain for an existing church.

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

We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

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

MN:jb

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

DATE: 24-SEP-12
REVISION 2

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

NEW SOLID ROCK MISSIONARY
BAPTIST CHURCH

9026 NW 22 AVE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2011000122

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. BNC: No open/closed cases.

New Solid Rock Missionary Baptist Church

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

REPORTER NAME:

ZONING INSPECTION REPORT

Inspector: EDWARDS, RALPH

Inspection Date

Evaluator: JACQUELINE CARRANZA

02/22/12

Process #: Z2011000122
Applicant's Name: NEW SOLID ROCK MISSIONARY BAPTIST CHURCH

Locations: 9026 NW 22 AVE, MIAMI-DADE COUNTY, FLORIDA.

Size: 75'X119'

Folio #: 3031030000190

Request:

NON USE VARIANCE to permit parking on natural terrain.

EXISTING ZONING

Subject Property BU-1,

EXISTING USE CHURCH

SITE CHARACTERISTICS

STRUCTURES ON SITE:

small church building with new office building behind the church with parking lot

USE(S) OF PROPERTY:

RELIGIOUS

FENCES/WALLS:

A 5' MASONRY WALL ON THE WEST SIDE OF THE PROPERTY

LANDSCAPING:

REAR OF THE PROPERTY NEXT TO THE PARKING AREA HAS HEDGES. A FEW TREES ON THE PROPERTY

BUFFERING:

HEDGES

VIOLATIONS OBSERVED:

THERE IS A 2ND BUILDING TOO CLOSE TO THE CHURCH; IT IS LESS THAN 5' FROM THE CHURCH

OTHER:

Process # **Applicant's Name**
Z2011000122 NEW SOLID ROCK MISSIONARY BAPTIST CHURCH

SURROUNDING PROPERTY

ZONING INSPECTION REPORT

NORTH:
VACANT

SOUTH:
SINGLE FAMILY RU1

EAST:

WEST:

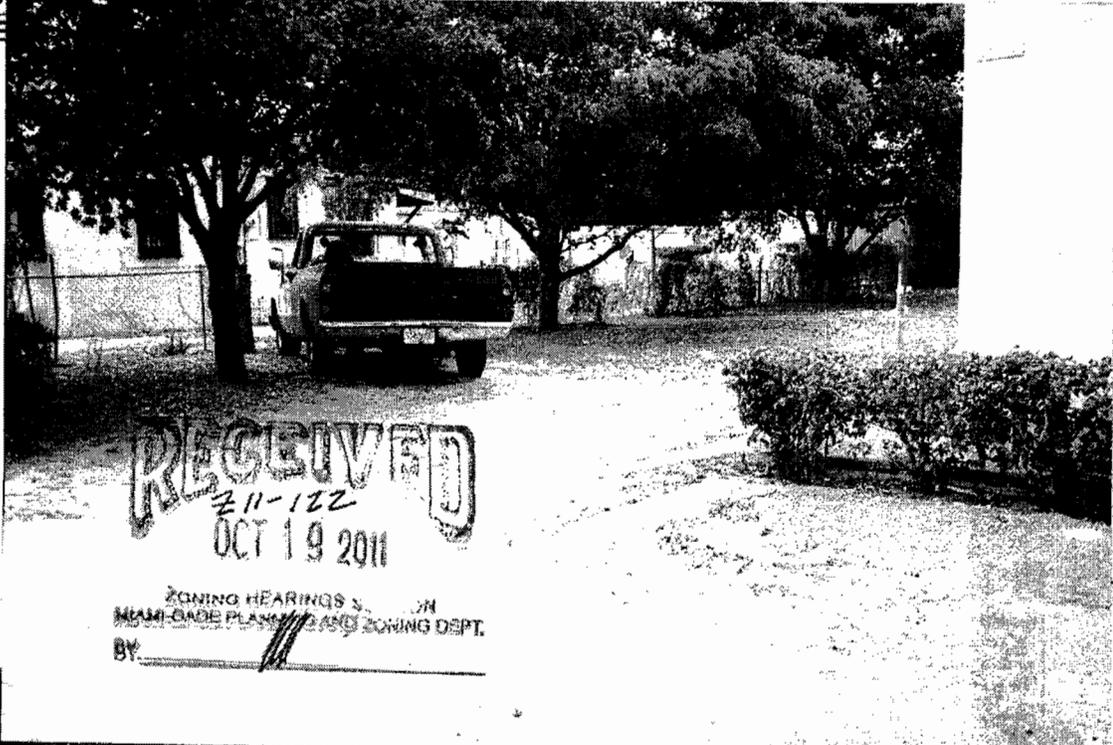
SURROUNDING AREA

NEIGHBORHOOD CHARACTERISTICS:

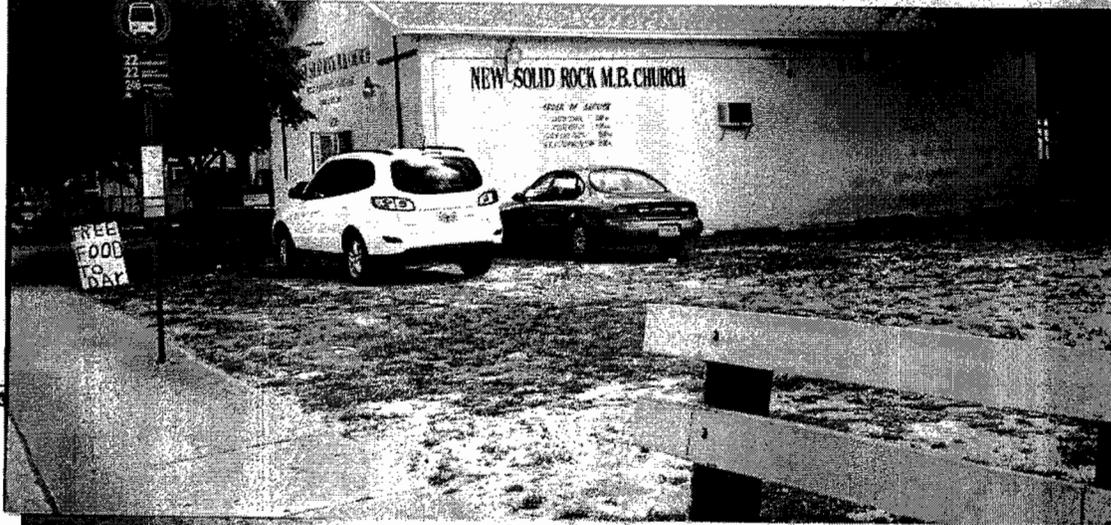
COMMENTS:

PHOTOGRAPHS

FRONT E



SIDE



REA



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: New Solid Rock Missionary Baptist Church

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Onzie Flowers</u>	<u>50%</u>
<u>1779 NW 90 Street, Miami, FL 33147</u>	
<u>Prudence Flowers</u>	<u>50%</u>
<u>1779 NW 90 St, Miami, FL 33147</u>	

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

TRUST/ESTATE NAME _____

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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

RECEIVED
NOV 11-102
OCT 19 2011

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.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

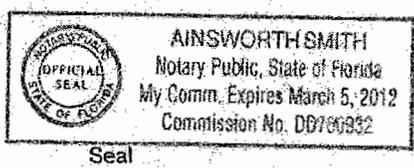
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: *Andre Flowers*
(Applicant)

Sworn to and subscribed before me this 22nd day of Sept, 2011. Affiant is personally know to me or has produced _____ as identification.

[Signature]
(Notary Public)
My commission expires: 3-5-2012



X ✓

*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 percent of the ownership interest in the partnership, corporation or trust.

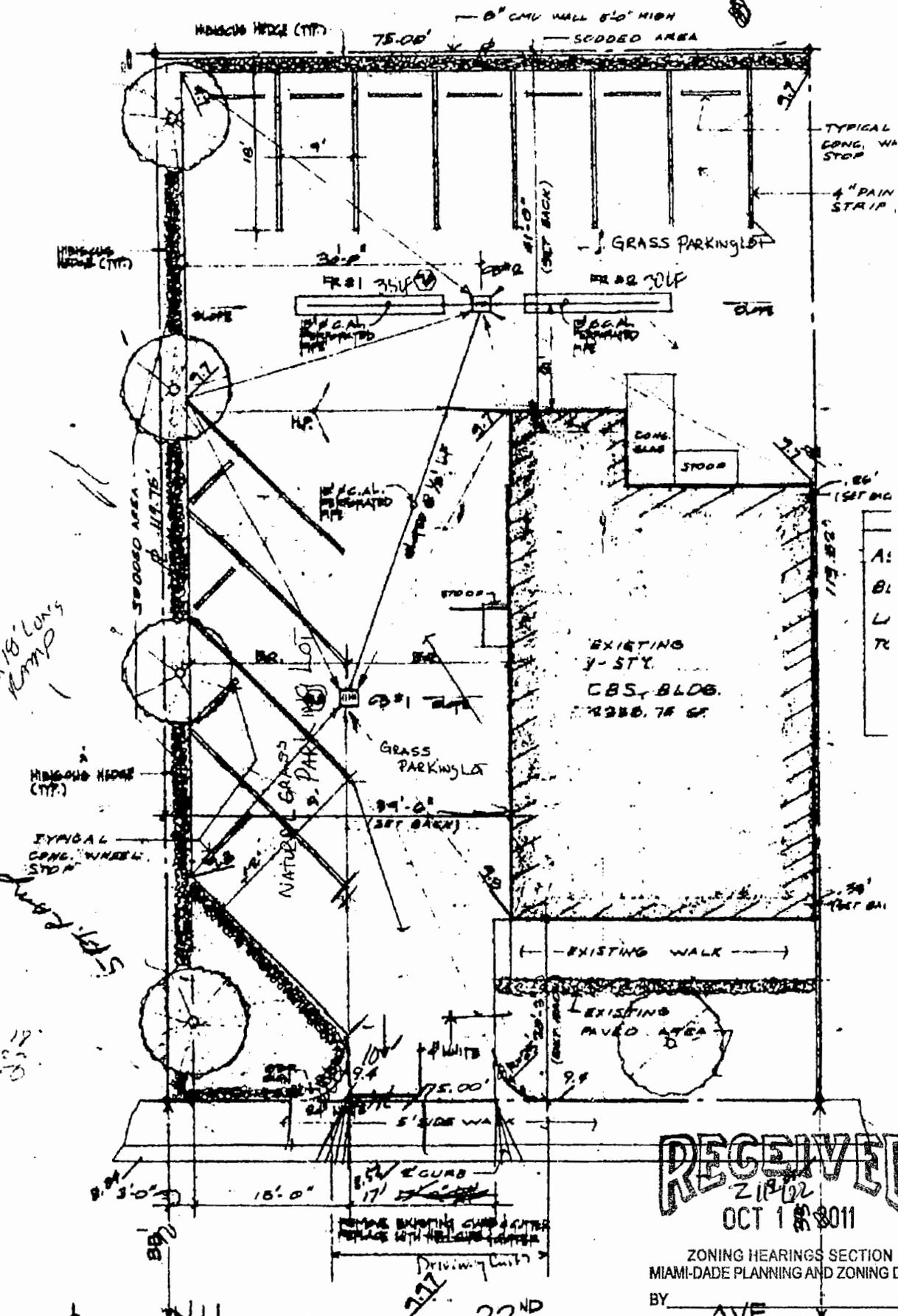
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311-123
OCT 19 2011

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

12' x 18' LOUIS
RAMP

STAIR RAMP

19'
20'



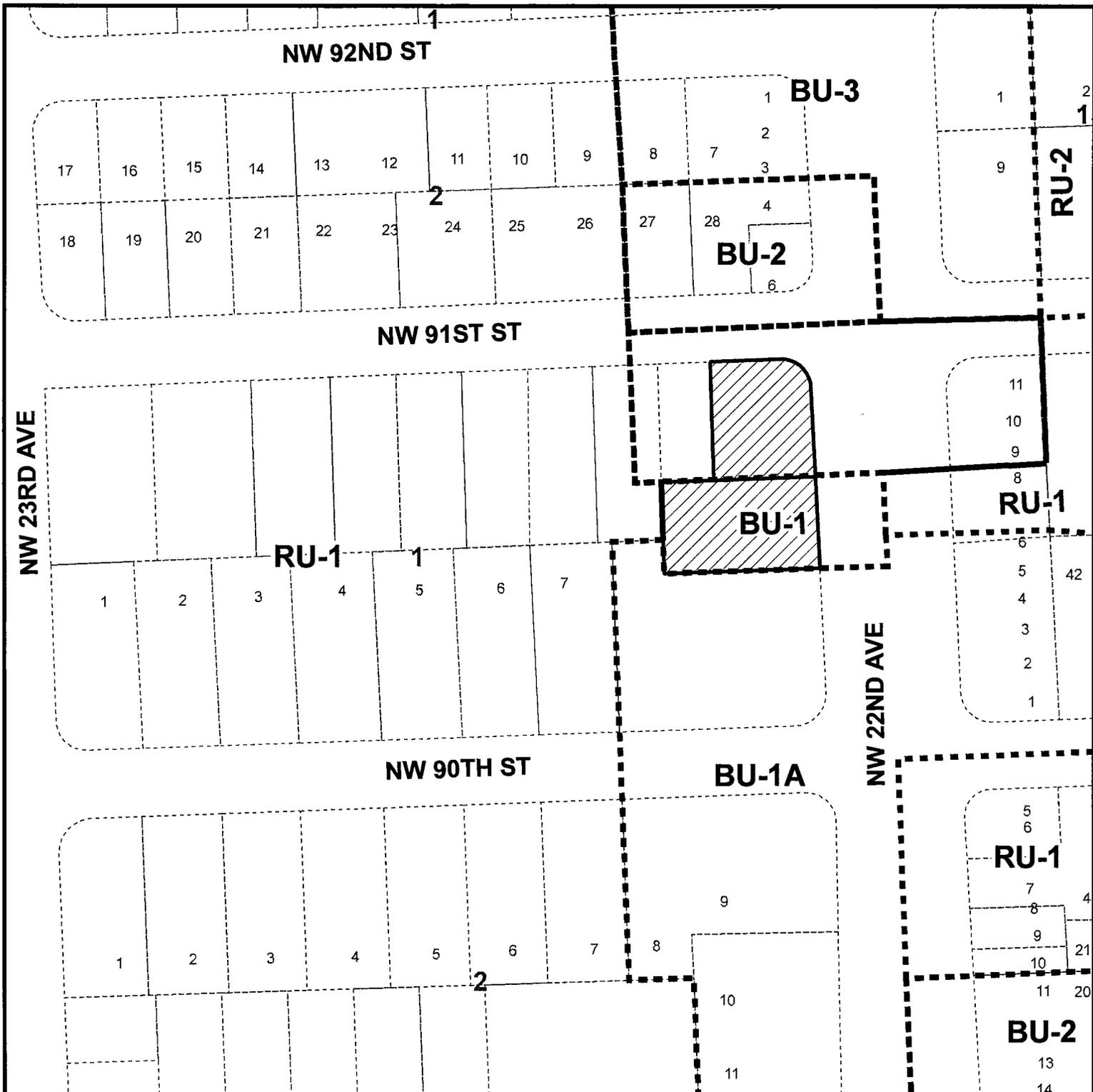
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ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____ AVE

ENLARGED SITE PLAN 21

**PROPOSED
 PARKING LOT PLAN**



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2011000122



Section: 03 Township: 53 Range: 41
 Applicant: NEW SOLID ROCK MISSIONARY BAPTIST CHURCH
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Tuesday, November 29, 2011

REVISION	DATE	BY
		23



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number

Z2011000122

Section: 03 Township: 53 Range: 41
 Applicant: NEW SOLID ROCK MISSIONARY BAPTIST CHURCH
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

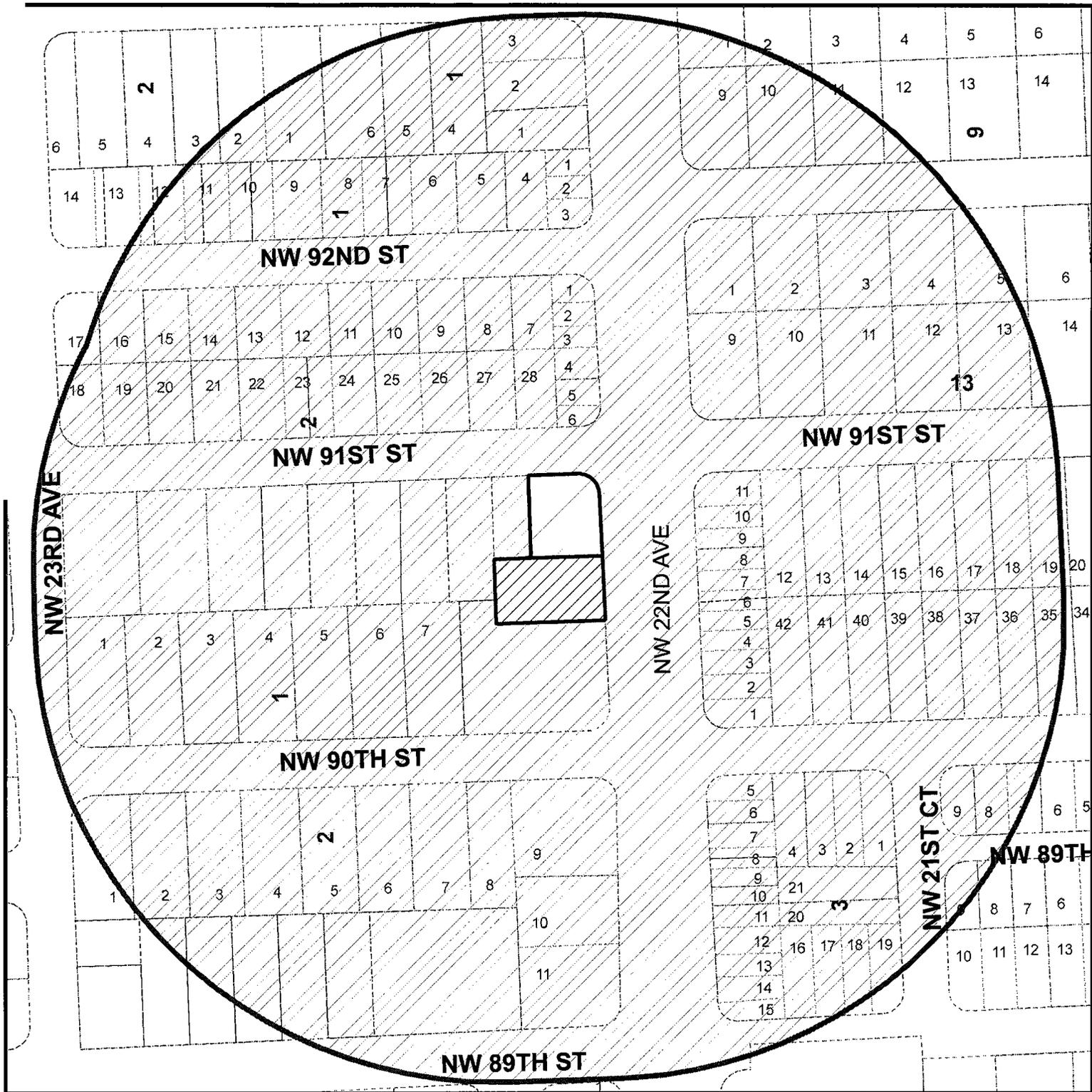
Legend

 Subject Property



SKETCH CREATED ON: Tuesday, November 29, 2011

REVISION	DATE	BY
		24



**MIAMI-DADE COUNTY
RADIUS MAP**

Section: 03 Township: 53 Range: 41
 Applicant: NEW SOLID ROCK MBC
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Process Number
Z2011000122
 RADIUS: 500



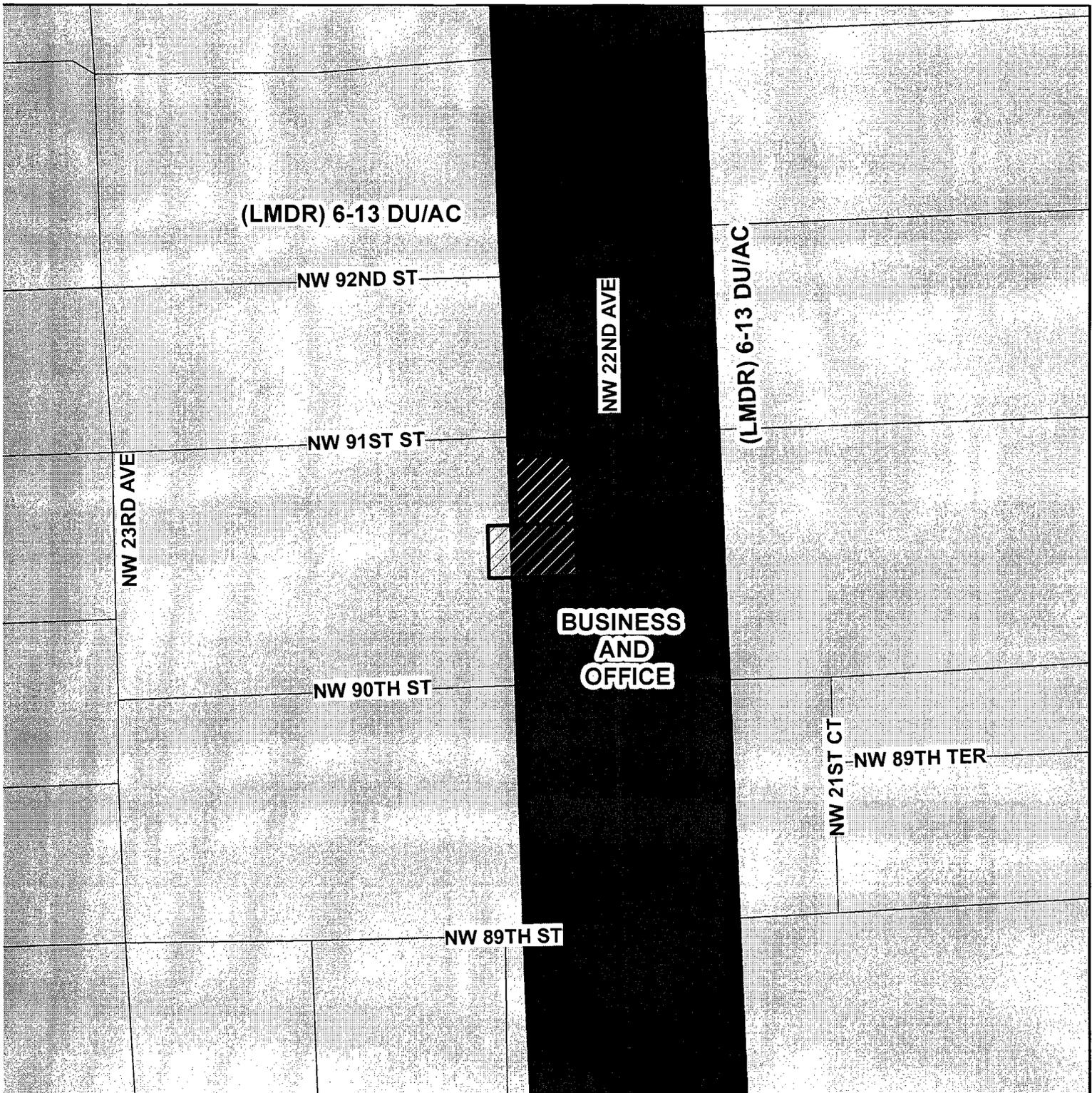
Legend

-  Subject Property
-  Contiguous Properties
-  Buffer



SKETCH CREATED ON: Thursday, November 3, 2011

REVISION	DATE	BY
		25



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2011000122



Section: 03 Township: 53 Range: 41
 Applicant: NEW SOLID ROCK MBC
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, November 3, 2011

REVISION	DATE	BY

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 8**

PH: Z10-159 (12-11-CZ8-1)

November 14, 2012

Item No. 1

Recommendation Summary	
Commission District	3
Applicant	New Urban Development, LLC
Summary of Requests	The applicant is seeking approval of a zone change in order to develop the subject property with elderly and workforce residential housing units with reduced setbacks and a greater floor area ratio (F.A.R.) than allowed. Further, the applicant seeks to permit less open space than required and to waive the required 5' dissimilar land use buffer.
Location	Lying east of NW 24 Avenue, between NW 51 Street and NW 53 Street, Miami-Dade County, Florida
Property Size	4.53 acres
Existing Zoning	RU-2, Two-Family Residential
Existing Land Use	Vacant and multi-family residential
2015-2025 CDMP Land Use Designation	Medium High Density Residential (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311 District Boundary Change Section 33-311(A)(4)(b) Non-Use Variances from other than airport regulations (see attached Zoning Recommendation Addendum)
Recommendation	Approval of request #1 subject to the Board's acceptance of the proffered covenant and approval of requests #2 through #11 with conditions

REQUESTS:

- (1) DISTRICT BOUNDARY CHANGE from RU-2 (Two Family Residential) to RU-4 (Apartments 50 units/net acre).
- (2) NON-USE VARIANCE to waive the required 5' wide dissimilar land use buffer with 6' high wall fence or hedge along the interior side (east, west, north & south) property lines.

Requests #1 & #2 on Parcels "A" & "B"

- (3) NON-USE VARIANCE to permit the proposed building "A" to setback varying from 5'-0" to 11'-5" from the front (west) property line (35' required).
- (4) NON-USE VARIANCE to permit the proposed building "A" to setback varying from 5'-9" to 10'-1" from the side street (south) property line and setback 11'-3" from the side street (north) property line (35' required for both).
- (5) NON-USE VARIANCE to permit the proposed building "A" to setback 29'-10" from the rear (east) property line (31' required).
- (6) NON-USE VARIANCE to permit an open space of 20% (40% required).

- (7) NON-USE VARIANCE to permit a floor area ratio (F.A.R) of 1.47 (1.20 maximum permitted).
- (8) NON-USE VARIANCE to waive the required additional landscaped open space reserved for parking in the event the department determines the provided parking for the elderly housing development is not adequate.

Requests #3 through #8 on Parcel "A"

- (9) NON-USE VARIANCE to permit the proposed building "B" to setback 12'-0" from the front (west) property line and setback 10'-10" from the side street (north) property line (25' required for both).
- (10) NON-USE VARIANCE of setback requirements to permit the proposed building "C1" to setback varying from 11'-9" to 16'-9" from the side street (south) property line (25' required).
- (11) NON-USE VARIANCE to permit an open space of 37% (40% required).

Requests #9 through #11 on Parcel "B"

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Superior Manor Schematic Design" as prepared by Mateu Architecture Inc. dated stamped and consisting of 4 sheets dated stamped received 4/16/12, 1 sheet dated stamped received 8/17/12 and 3 sheets dated stamped received 9/12/12 for a total of 8 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The site plan depicts the proposed 204 unit elderly and workforce housing residential development spread across two parcels (A & B). There are 83 parking spaces on Parcel A and 126 parking spaces on Parcel B.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-2; vacant and multi-family residential	Medium High Density Residential (25 to 60 dua)
North	Model City Urban Center District & RU-2; senior housing & duplexes	Community Urban Center Medium Density Residential (13 to 25 dua)
South	RU-2; vacant land	Medium Density Residential (13 to 25 dua)
East	RU-2; vacant land, single family residences & duplex	Medium Density Residential (13 to 25 dua)
West	RU-2; multi-family residential, vacant land, duplex and single-family residences	Medium Density Residential (13 to 25 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is located between NW 51 Street and NW 53 Street, east of NW 24 Avenue. The surrounding area is characterized by vacant land, residential and institutional uses.

SUMMARY OF THE IMPACTS:

The approval this application could have a positive impact on the surrounding neighborhood with the development of elderly and workforce housing in this area of the County. However, the requested variances may visually impact the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The approximately 4.53-acre subject property is designated as **Medium High Density Residential** on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. *This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas.* Staff notes that the property was the subject of a small scale CDMP amendment during the October 2007 Amendment Cycle and was redesignated from Medium Density Residential to the current Medium High Density designation. At the time of the amendment, the applicant proffered a CDMP covenant that among other things limited the maximum number of residential units, the maximum building heights identified by location, provided for design guidelines for the proposed development and required that all units be designated for affordable and/or workforce housing.

The approval of the requests sought in this application will permit the applicant to rezone the subject property from RU-2 (Two Family Residential) to RU-4 (Apartment 50 units/net acre), permit residential buildings setback less than required from the front, rear and interior side property lines, permit less open space, and permit greater F.A.R than required. Additionally, the applicant seeks to waive the required open space that should be set aside as a result of the parking reduction for the elderly housing portion of the development and the required dissimilar land use buffer along the north, south, east and west property lines. Staff notes that the requested RU-4 zoning district would yield 226 residential units; however, the applicant proffered a covenant at the time of the CDMP amendment which allows the site to be developed with a maximum of 280 residential units. Further, staff notes that the submitted plans depict the proposed development with 204 residential units, which is 76 units less than the CDMP covenant permitted and incorporates the CDMP covenant Design Guidelines. Staff opines that the requested RU-4 zoning district is **consistent** with the Medium High Density Residential designation of the subject property on the CDMP Land Use Plan map.

Staff opines that the proposed elderly and workforce multi-family development furthers the Land Use Element **Policy LU-1C** which indicates that *Miami-Dade County shall give priority to infill redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.* Staff notes that the subject parcel is located within the Model City/Brownsville Targeted Urban Area, and as such furthers the Land Use Element **Objective LU-12**, which indicates that the County *shall take specific measures to promote infill development that are located in the Urban Infill Area (UIA) as defined*

in Policy TC-1B or in a built-up area with urban services that is situated in a Community Development Block Grant (CDBG)-eligible area, a Targeted Urban Area identified in the Urban Economic Revitalization Plan for Targeted Urban Areas, an Enterprise Zone established pursuant to state law or in the designated Empowerment Zone established pursuant to federal law. Additionally, the proposed development furthers the Land Use Element Policy **LU-10A**, which indicates that the County shall facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation. Staff notes that the proposed development, is located 1/4 mile from the Brownsville Metrorail Station and 2/3 mile from the Martin Luther King, Jr. Plaza Station which furthers the Community Health and Design Element **Policy CHD-2B** which indicates the County shall encourage well designed infill and redevelopment to reduce vehicle miles traveled and improve air quality. Furthermore, staff opines that the proposed development is **consistent** with **Policy LU-4A** which states that when evaluating compatibility among proximate land uses, the County shall consider such factors as height, bulk, and scale of architectural elements. Staff notes in addition to the cohesive design the applicant has provided transitions from the subject property by locating the buildings close to the street with parking behind the buildings and screened by landscaping from the adjacent right-of-ways. Further the proposed development provides a transition from the high intensity multi-story residential buildings located along NW 54 Street to lower intensity one story duplex and single family homes located south of NW 52 Street. As such, staff opines that approval of the proposed elderly and workforce multi-family residential development has been designed in accordance with the CDMP covenant and therefore is **compatible** with the surrounding area and is **consistent** with CDMP's Land Use Element **Policy LU-1C, Objective LU-12, LU-10A, and Policy LU-4A** and the Community Health and Design Element **Policy CHD-2B**.

Further, staff opines that the proposed development is **consistent** the Housing Element **Objective HO-6** and **Policies HO-6A** and **HO-6C** which indicates in part that the County should increase and promote the location of housing for extremely low, very low, low, moderate-income households, including workforce housing options close to places of employment, mass transit or have easy access to a range of public services.

ZONING ANALYSIS:

When request #1, District Boundary Change from RU-2 (Two-Family Residential) to RU-4 (Apartments 50 units /net acre), is analyzed under Section 33-311 of the Code, staff opines that the approval of this request would be **consistent** with the land use interpretative text of the CDMP. Section 33-311 of the Code states that the purpose of zoning and regulations is to provide a comprehensive plan and among other things, lessen congestion on the highways and promote health, safety, morals, convenience and general welfare, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses. As such, staff opines that the applicant's request for a zone change in order to develop the subject site with elderly and working force multi-family residential units will not have a negative impact on the surrounding area. Further staff found similar approvals for zone changes to the RU-4 district in the surrounding area. For example, pursuant to Resolution Nos. Z-102-64, Z-106-64 and Z-108-64 properties located to the southwest, and southeast were granted approval for a district boundary change from RU-3 (Four Unit Apartment 7,500 sq. ft. net), RU-2 (Two-Family Residential), and GU (Interim) to RU-4 (Apartments 50 units /net acre), respectively. Additionally a property located to the northeast of the subject site was granted approval for a district boundary change from BU-2 (Special

Business) and BU-3 (Liberal Business) to RU-4, pursuant to Resolution No. Z-293-73. Further, staff notes that the applicant has proffered a covenant that ties the development to the limits placed at the time of the CDMP amendment and will restrict the development to the proposed site plan. **As such, staff recommends approval of request #1, subject to the acceptance of the proffered covenant, under Section 33-311.**

When request #2 (non-use variance to waive the required 5' wide land use buffer with a 6' high wall, fence or hedge) is analyzed under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations, staff opines that it is **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community. Staff notes that the submitted landscape plan depicts trees located along the north, south, east and west property lines that act as a visual buffer and minimizes any visual impact of the proposed development on the abutting residential properties. Staff opines that approval of the request would not have a negative visual or aural impact on the abutting properties and would be **compatible** with the same. **As such, staff recommends approval with conditions of request #2 under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.**

When analyzing requests #3 through #5, #7, #9 and #10 under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations, staff opines that approval of the requests to permit buildings "A", "B" and "C1" to encroach into the required front, side street, and rear setback areas is **compatible** with the surrounding area and would not have a negative impact on the appearance of the community. Staff opines that the applicant has utilized Urban Center Design Guidelines; therefore, the buildings have been designed to front the streets as would be required if located in an Urban Center District. Staff notes that the subject property is located just south of the boundary of the Model City Urban Center District (MCUCD) and provides a transition from MCUCD to the less intensive residential districts. Staff opines that the encroachments in the required setback areas are minimal and the buildings address the street which provides for public space in the street corridor that is comfortable, interesting as well as safe for pedestrians as required by the CDMP covenant submitted during the October 2003 Amendment Cycle. Further, staff opines that the 27% increase in F.A.R. (request #7) is **compatible** with the surrounding area and applies only to Parcel A, the north portion of the subject property. As previously stated, the subject site is in close proximity to MCUCD and the resulting F.A.R. is similar to what is allowed in that zoning district. The requested F.A.R. increase provides for a transition from MCUCD to the less intense residential developments to the south. **As such, staff recommends approval with conditions of requests #3 through #5, #7, #9 and #10 under Section 33-311(A)(4)(a), Use Variances From Other Than Airport Regulations.**

Further, when requests #6, #8 and #11 are analyzed under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations, staff opines that approval of the requests, for less open space (requests #6 & #11) than permitted and to waive the required additional landscaped open-space reserved for parking in the event the Department determines that additional parking is needed (request #8) are **compatible** with the surrounding area and would not have a negative impact on the appearance of the community. Staff notes that the design of the residential units incorporates patios for the ground level units and balconies for all other units. Staff opines that the inclusion of patios and balconies into the design provides an outdoor amenity that is an extension of the individual units and open space for residents to enjoy. Further, staff notes that the memorandum submitted by the Parks, Recreation and Open Spaces Department indicates that there are four (4) parks within 3500' of the subject property

which would provide residents with an additional outdoor recreational option. Additionally, staff notes that the applicant is required to set aside open space for future parking in the event it is determined that the reduced parking count does not provide adequate parking for the development (request #8); however in order to provide the 138 elderly residential units on Parcel A, staff opines insufficient area remains to provide the required additional open space as evidenced by the request. Further opines that the close proximity to mass transportation offsets the need for parking and offers the residents an additional transportation option. Staff notes that subject site is located approximately 0.4 mile from the Brownsville Metrorail station and from a Metrobus Route 27 stop. **As such, staff recommends approval with conditions of requests #6, #8 and #11 under Section 33-311(A)(4)(a), Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING:

The submitted site plan depicts two (2) parcels; Parcel A is located south of NW 53 Street and east of NW 24 Avenue; Parcels B is east of NW 24 Avenue between NW 52 Street and NW 51 Street. The submitted site plan depicts 83 parking spaces on Parcel A, four (4) of which are dedicated handicap accessible spaces, 75 standard spaces for the elderly housing residential units, two (2) for the property manager and two (2) for the on-site office. There is a single ingress/egress point located along NW 53 Street for Parcel A. Parcel B contains 126 parking spaces for the workforce housing residential units, with 7 dedicated handicap accessible spaces and 119 standard spaces. There are two (2) ingress/egress points for Parcels B along NW 51 Street, one (1) ingress/egress point along NW 52 Street and one (1) egress point along NW 24 Avenue.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

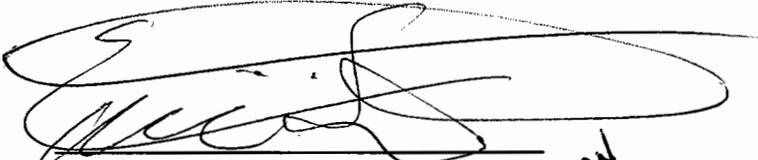
RECOMMENDATION: Approval of request #1 subject to the Board's acceptance of the proffered covenant and approval of requests #2 through #11 with conditions

CONDITIONS FOR APPROVAL: (for requests #2 through #11 only)

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, signs, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Superior Manor Schematic Design" as prepared by Mateu Architecture Inc. dated stamped and consisting of 4 sheets dated stamped received 4/16/12, 1 sheet dated stamped received 8/17/12 and 3 sheets dated stamped received 9/12/12 for a total of 8 sheets.
3. That the maximum number of residential units be restricted to 204 units (138 elderly affordable housing units, 1 manager's unit, and 65 workforce housing units).
4. That the use be established and maintained in accordance with the approved plan.

5. That the applicant obtain a Certificate of Use from and promptly renew same annually with the Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
6. That the applicant comply with all applicable conditions and requirements of the Environmental Resources Management Division of the Department of Regulatory and Economic Resources, the Public Works and Waste Management Department, and the Miami-Dade Fire Rescue Department as contained in their memoranda pertaining to this application.

ES:MW:NN:CH:AN

A large, stylized handwritten signature in black ink, appearing to read 'Eric Silva', is written over a horizontal line.

Eric Silva, AICP, Assistant Director
Development Services
Department of Regulatory and Economic Resources

NDN

ZONING RECOMMENDATION ADDENDUM

New Urban Development, LLC.
Z10-159

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Public Works & Waste Management	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection
*Subject to conditions in their memorandum.	

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

Medium High Density Residential (Pg. I-31)	<i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Medium High Density Residential. This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas. The provisions of the section below entitled "Density Increase with Urban Design" are not applicable to this density category. At such time as Miami-Dade County's land development regulations are amended pursuant to Policy LU-90, a density bonus can be added to each residential zoning district that falls within the Medium-High Density range of 25 to 60 dwelling units per gross acre. When land development regulations are amended, this density bonus may allow a maximum of 60 dwelling units per gross acre on properties that are designated Medium-High Density on the Land Use Plan map. These density bonuses shall not apply to existing or proposed developments with vehicular entrances that are controlled or have entry gates or existing or proposed developments with private streets.</i>
Land Use Element Policy LU-4A (Pg. I-11)	<i>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.</i>
Land Use Element Policy LU-10A (Pg. I-23)	<i>Miami-Dade County shall facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation.</i>
Land Use Element Policy LU-1C (Pg. I-2)	<i>Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.</i>
Land Use Element Objective LU-12 (Pg. I-24)	<i>Miami-Dade County shall take specific measures to promote infill development that are located in the Urban Infill Area (UIA) as defined in Policy TC-1B or in a built-up area with urban services that is situated in a Community Development Block Grant (CDBG)-eligible area, a Targeted Urban Area identified in the Urban Economic Revitalization Plan for Targeted Urban Areas, an Enterprise Zone established pursuant to state law or in the designated Empowerment Zone established pursuant to federal law.</i>
Housing Element Objective HO-6 (Pg. III-6)	<i>Increase affordable housing opportunities for extremely low, very low, low, moderate-income households, including workforce housing options, within reasonable proximity to places of employment, mass transit and necessary public services in existing urbanized areas.</i>

ZONING RECOMMENDATION ADDENDUM

New Urban Development, LLC.
Z10-159

Housing Element Policy HO-6A (Pg. III-6)	<i>Promote the location of housing for extremely low, very low, low, and moderate-income households, including workforce housing options, near employment centers or premium transportation services through the application of CDMP planning provisions and cooperation with County agencies which provide affordable housing.</i>
Housing Element Policy HO-6C (Pg. III-6)	<i>Priority should be given to assisting affordable work force housing projects which are proximate to employment concentrations, mass transit, or have easy access to a range of public services.</i>
Community Health & Design Element Policy CHD-2B (Pg. XII-2)	<i>Encourage well designed infill and redevelopment to reduce vehicle miles traveled and improve air quality.</i>

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311 District Boundary Change	<p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) Section 33-311 provides that the Board shall take into consideration, among other factors the extent to which:</p> <ol style="list-style-type: none"> (1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i> (2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i> (3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i> (4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i> (5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i>
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ZONING RECOMMENDATION ADDENDUM

*New Urban Development, LLC.
Z10-159*

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

1. NEW URBAN DEVELOPMENT, LLC
(Applicant)

12-11-CZ8-1 (10-159)
Area 08/District 03
Hearing Date: 11/14/12

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

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1949	S.J. McCarthy	- Zone change from BU-2A to BU-3A.	BCC	Denied
1960	Irving S. Philipson	- Zone change from RU-2 to RU-3B.	BCC	Denied
1978	Irving Philipson	- Special Exception to re-subdivide & reface lots. - Non-Use Variance's setbacks, frontage, area and street widths.	C04	Approved with condition(s)
1980	Bam Realty Co.	- Special Exception to permit a Single-Family Residence development to be served by a private easement. - Non-Use Variance's setbacks, frontage and area. - Waive access by a private easement.	C04	Approved with condition(s)
1980	BAM Realty Co.	- Special Exception to re-subdivide & reface tracts, to permit Single-Family Residence's on private easements. - Non-Use Variance's lot coverage and setback's requirements.	C04	Approved with condition(s)

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

Memorandum 

Date: September 27, 2012
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources



Subject: C-08 #Z2010000159-7th Revision
New Urban Development, LLC
5155 N.W. 24th Avenue
District Boundary Change from RU-2 to RU-4, to Permit a Lesser
Setback Less than Required from Property Lines, to Permit Lesser
Open Space than Required and to Request to Lesser Parking
Spaces than Required
(RU-2) (4.53 Acres)
22-53-41

The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

Potable Water Service and Wastewater Disposal

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

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

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

Stormwater Management

A Surface Water Management General Permit from the Department shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to platting and/or site development, or public works approval of paving and drainage

plans. The applicant is advised to contact the Water Control Section at (305)-372-6681 for further information regarding permitting procedures and requirements.

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

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

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

Wetlands

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

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

Tree Preservation

Tree Removal Permit TREE-003522-2011 was issued for these properties on June 15, 2012 and expires on June 15, 2013. Tree Removal Permit TREE-003522-2011 requires the preservation of specimen-sized (Trunk diameter 18 inches or greater) trees as identified in approved permitted site plans.

The Tree Permitting Program previously disapproved this application since the landscape plans depicted trees #18 and #82 to be removed and were not in accordance with the permitted site plans. However, an on site inspection was performed by the Tree Permitting Program staff on September 26, 2012; consequently, this Program is currently processing an amendment to Tree Removal Permit TREE-003522-2011 to include the removal of trees #18 and #82.

Be advised that a new Miami-Dade County Tree Removal/Relocation Permit or an amendment to this permit is required prior to the removal and/or relocation of additional trees on the subject properties. Please contact the Tree Permitting Program at (305)-372-6600, voice option #2, for information regarding tree permits.

Enforcement History

There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property.

Concurrency Review Summary

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

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

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

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

cc: Eric Silva, Department of Regulatory and Economic Resources

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: NEW URBAN DEVELOPMENT, LLC

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

Sidewalk adjacent to asphalt drive off of NW 52 Street must have a minimum width of 6 feet.

Dumpster doors swinging out must remain clear of vehicular path.

Appropriate signage ensuring smooth traffic circulation is to be provided at Paving and Drainage submittal.

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

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

This 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-JUN-12

Memorandum



Date: 22-AUG-12
To: Jack Osterholt, Director
 Department of Regulatory and Economic Resources
From: William W. Bryson, Fire Chief.
 Miami-Dade Fire Rescue Department
Subject: Z2010000159

Fire Prevention Unit:

Fire Engineering & Water Supply has reviewed and approved the revised site plan dated stamp received 8/17/12.

Service Impact/Demand

Development for the above Z2010000159 located at lying East of NW 24 ave, between NW 51 street & NW 53 street, Miami-Dade County, florida in Police Grid 0967 is proposed as the following:

<u>204</u> residential	dwelling units	<u> </u> industrial	square feet
<u> </u> Office	square feet	<u> </u> institutional	square feet
<u> </u> Retail	square feet	<u> </u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 57 alarms-annually.
 The estimated average travel time is: 4:36 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
 Station No. 2 - Model Cities - 6460 NW 27 Avenue
 Rescue, 65' Aerial, Battalion

Planned Service Expansions:

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

Fire Planning Additional Comments

N/A

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

Memorandum



Date: August 31, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

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

Subject: Z2010000159: New Urban Development, LLC
Includes revised plans dated submitted through 8/17/12

Application Name: New Urban Development, LLC

Project Location: The site is located East of NW 24 Ave, between NW 51 street & NW 53 Street, Miami-Dade County.

Proposed Development: The applicant is requesting a district boundary change to RU-4 and several non-use variances. Review includes revised plans dated submitted through 8/17/12.

Impact and demand: The site consists of 4.53 acres. The application proposes 204 residential units including 138 units of elderly housing, 1 managers unit and 65 workforce units. When measured by the County concurrency level-of-service standard for the unincorporated area of 2.75 acres of local recreation open space for 1,000 persons, the 204 dwelling units would generate the need for approximately .92 acres of local parks.

Recreation and Open Space Element policies ROS-2a (i); (ii); (iii); (iv); and (v) provide for the establishment of Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space. This application is in Park Benefit District 1 (PBD1) which has a surplus capacity of 407.20 acres when measured by the County concurrency level-of-services standard for the unincorporated area of 2.75 acres of local recreation open space for 1,000 persons in UMSA.

The 2007 Miami-Dade County Parks and Open Space System Master Plan (OSMP) recommends the creation of an interconnected framework of parks, public spaces, natural and cultural areas, greenways, trails, and streets that promote sustainable communities, the health and wellness of County residents, and that serve the diverse local, national, and international communities. The future development plans of the application area should be developed to be consistent this objective.

Concurrency/Capacity Status: County-owned local parks that are within two miles of the subject application are described in Table A, which lists the name, type and acreage for each park. The nearest park to the application site is Marva Bannerman Park, which is located approximately .13 miles away.

Table A - County Parks (local only)
Within a 2 Mile Radlus of Application Area.

NAME	CLASS	TOTALACRE
Gwen Cherry Park	COMMUNITY PARK	38.55
Alonzo Kelly Park	MINI-PARK	0.50
Area 226	MINI-PARK	0.50
Area 227	MINI-PARK	0.50
Claire Rosichan Park	MINI-PARK	0.38

Northwest Highlands Park	MINI-PARK	0.80
Broadway Park	MINI-PARK	0.50
Drew Park	NEIGHBORHOOD PARK	4.13
Partners Park	NEIGHBORHOOD PARK	5.80
Area 225	MINI-PARK	0.39
Gladeview Park	MINI-PARK	0.92
Glenwood Park	MINI-PARK	0.55
Jefferson Reaves, Sr. Park	COMMUNITY PARK	1.67
Rocky Creek Park	MINI-PARK	0.25
Olinda Park	COMMUNITY PARK	6.40
Marva Y. Bannerman Park & Pool	COMMUNITY PARK	3.92
West Little River Park		4.45
27th Avenue Teen Center (Boxing)	SINGLE PURPOSE PARK	1.44
Melrose Park	NEIGHBORHOOD PARK	3.40

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

MN:jb

Cc: John M. Bowers, RLA/AICP, Parks Property Management Supervisor

Enforcement History

Applicant: New Urban Development, LLC

Hearing Number: 10-159

Folio Number 3031220610010, 3031220200060, 3031220000111

ENFORCEMENT HISTORY: NC: Folio 3031220610010 – No open cases. Folio 3031220200060 – No open cases. Folio 3031220000111 – No open cases. Prior case opened August 20, 2012 for illegal objects on right-of-way and a warning was issued. Citation was issued on August 23, 2012. Property owner requested a extension and was given until September 1, 2012. CVN was submitted for void on August 24, 2012. Violation corrected August 29, 2012. Case closed on September 7, 2012.

BNC: Folio 3031220610010 – BSS case 20090130207-B opened on May 19, 2009 for Bldg 6. Notice of Violation issued for Failure to maintain a bldg or structure or devices in safe condition. Failure to illuminate parking lots, alleys, or access thereto in violation of section 8C-3 of the Metropolitan Dade County Code. Civil Violation Notice B088134 issued on March 18, 2010 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed was issued on April 8, 2011. Lien was recorded on April 11, 2012; case remains open in non compliance.

BSS case 20090130210-B opened on May 19, 2009 for Bldg 7. Notice of Violation issued for Failure to maintain a bldg or structure or devices in safe condition. Failure to illuminate parking lots, alleys, or access thereto in violation of section 8C-3 of the Metropolitan Dade County Code. Civil Violation Notice B101673 issued on September 23, 2010 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed was issued on April 8, 2011. Lien was recorded on April 11, 2012; case remains open in non compliance.

BSS case 20090130212-B opened on May 19, 2009 for Bldg 8. Notice of Violation issued for Failure to maintain a bldg or structure or devices in safe condition. Failure to illuminate parking lots, alleys, or access thereto in violation of section 8C-3 of the Metropolitan Dade County code. Civil Violation Notice B099133 issued on March 18, 2010 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed was issued on April 8, 2011. CVN was paid on June 7, 2011. Lien was recorded on April 11, 2012; case remains open in non compliance.

BSS case 20090130213-B opened on May 19, 2009 for Bldg 3. Notice of Violation issued for Failure to maintain a bldg or structure or devices in safe condition. Failure to illuminate parking lots, alleys, or access thereto in violation of section 8c-3 of the Metropolitan Dade County Code. Civil Violation Notice B101674 issued on September 24, 2010 for non

compliance. Final Notice of Intent to Lien//Demand for payment to be mailed was issued on April 8, 2011. Lien was recorded on April 11, 2012; case remains open in non compliance.

BSS case 20090130370-B opened on May 27, 2009 for Bldg 1. Notice of Violation for Failure to maintain a bldg or structure or devices in safe condition. Failure to illuminate parking lots, alleys, or access thereto in violation of section 8C-3 of the Metropolitan Dade County Code. Civil Violation Notice B088132 issued on March 18, 2010 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed was issued on April 11, 2011. CVN was paid on June 7, 2011. Lien was recorded on April 25, 2012; case remains open in non compliance.

BSS case 20090130583-B opened on June 8, 2009 for bldg 10. Notice of violation issued for Failure to maintain a bldg or structure or devices in safe condition. Failure to illuminate parking lots, alleys, or access thereto in violation of section 8c-3 of the Metropolitan Dade County Code. Civil Violation Notice B088131 issued on March 18, 2010 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed was issued on October 12, 2010. Lien was recorded on May 18, 2011; cvn was paid on June 7, 2011 case remains open in non compliance.

BSS case 20090128164-X opened on February 9, 2009. Notice of Violation issued for Failure to maintain a building, structure, device or part thereof in a safe condition as evidenced by all work not being complete and/or not having obtained final inspection approval under permit No. 1991108618. Civil Violation Notice B087612 issued on September 28, 2009 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed was issued on October 12, 2010. Lien was recorded on May 18, 2011. CVN was paid on June 7, 2011 case remains open in non compliance.

3031220200060 – BSS case 20100135531-B opened on March 11, 2010. Notice of Violation issued for Failure to maintain a bldg or structure or devices in safe condition. Failure to illuminate parking lots and access thereto. Civil Violation Notice (CVN) P007913 issued on April 19, 2012. Case remains open in non compliance.

3031220000111 – BSS case A2007007826-X opened on August 11, 2007 for 2384 2386 NW 52 St. Notice of Violation issued for expired permit 2004061848. Civil Violation B027138 issued on October 9, 2007 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed issued on June 13, 2011. Lien was recorded on December 30, 2011; case remains open in non compliance.

BSS case A2007003109-X opened on February 12, 2007 for 2388 2390 NW 52 St. Notice of Violation issued for expired permit 2004061852. Civil Violation Notice B005424 issued on April 4, 2007 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed issued on August 30, 2007. Lien was recorded on April 20, 2009; case remains open in non compliance.

BSS case A2007003406-X opened on February 12, 2007 for 2372 2374 NW 52 St. Notice of Violation issued for expired permit 2004061854. Civil Violation Notice B009952 issued on April 3, 2007 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed issued on August 30, 2007. Lien was recorded on April 20, 2009; case remains open in non compliance.

BSS case A2007003433-X opened on February 12, 2007 for 2368 2370 NW 52 St. Notice of Violation issued for expired permit 2004061850. Civil Violation Notice B009953 issued on April 3, 2007 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed issued on August 30, 2007. Lien was recorded on April 20, 2009; case remains open in non compliance.

BSS case A2007003471-X opened on February 12, 2007 for 2376 2378 NW 52 St. Notice of Violation issued for expired permit 2004061849. Civil Violation Notice B009954 issued on April 3, 2007 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed issued on August 1, 2007. Lien was recorded on April 20, 2009; case remains open in non compliance.

BSS case A2007003499-X opened on February 12, 2007 for 5157 5155 NW 24 Ave. Notice of Violation issued for expired permit 2004061851. Civil Violation Notice B009955 issued on April 3, 2007 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed issued on August 1, 2007. Lien was recorded on October 15, 2007; case remains open in non compliance.

BSS case A2007003531-X opened on February 12, 2007 for 2396 2398 NW 52 St. Notice of Violation issued for expired permit 2004061847. Civil Violation Notice B009956 issued on April 3, 2007 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed issued on August 3, 2007. Lien was recorded on October 15, 2007; case remains open in non compliance.

BSS case A2007003645-X opened on February 12, 2007 for 2380 2382 NW 52 St. Notice of Violation issued for expired permit 2004061853. Civil Violation Notice B005423 issued on April 3, 2007 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed issued on August 6, 2007. Lien was recorded on October 15, 2007; case remains open in non compliance.

Memorandum



Date: October 24, 2012

To: Franklin Gutierrez, Agenda Supervisor, Agenda Coordinator's Office
Department of Regulatory and Economic Resources

From: James Byers, Zoning Permitting Division Chief
Department of Regulatory and Economic Resources

Subject: Z2010000159

Zoning Inspector: Ralph Edwards
Inspection date: October 17, 2012
Location: E of NW 24 AVE BTWN NW 51 ST & NW 53 ST.

The subject properties has a total of 4.53 acres with duplex residences.

The subject property was inspected and has rear setback violation which they are applying for.

No CU violation observed.

DISCLOSURE OF INTEREST*

RECEIVED
MIAMI-DADE COUNTY
PROCESS # 210-159
DATE: 09/22/2010
BY: DAH

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

CORPORATION NAME: New Urban Development, LLC

NAME AND ADDRESS Percentage of Stock

New Urban Development, LLC 100% owned by Urban League
Oliver Gross, Managing Member of Great Miami, Inc. (see below)
8500 NW 25 Avenue
Miami, FL 33147

Urban League of Greater Miami, Inc. A Florida Non-Profit Corporation
Talmadge W. Fair, President
8500 NW 25 Avenue
Miami, FL 33147

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

TRUST/ESTATE NAME: N/A

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 partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities,
further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

NAME AND ADDRESS Percent of Ownership

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210-159
SEP 22 2010

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

RECEIVED

MIAMI-DADE COUNTY

PROCESS #: Z10-159

DATE OF PURCHASE: _____ BY: DAH

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:

N/A

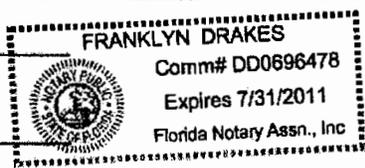
NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: [Signature], Managing Member of New Urban Development, LLC
(Applicant, Title)

Sworn to and subscribed before me this 20 AUGUST 2010 day of 20 AUGUST 2010. Affiant is personally known to me or has produced as identification.

[Signature]
(Notary Public)

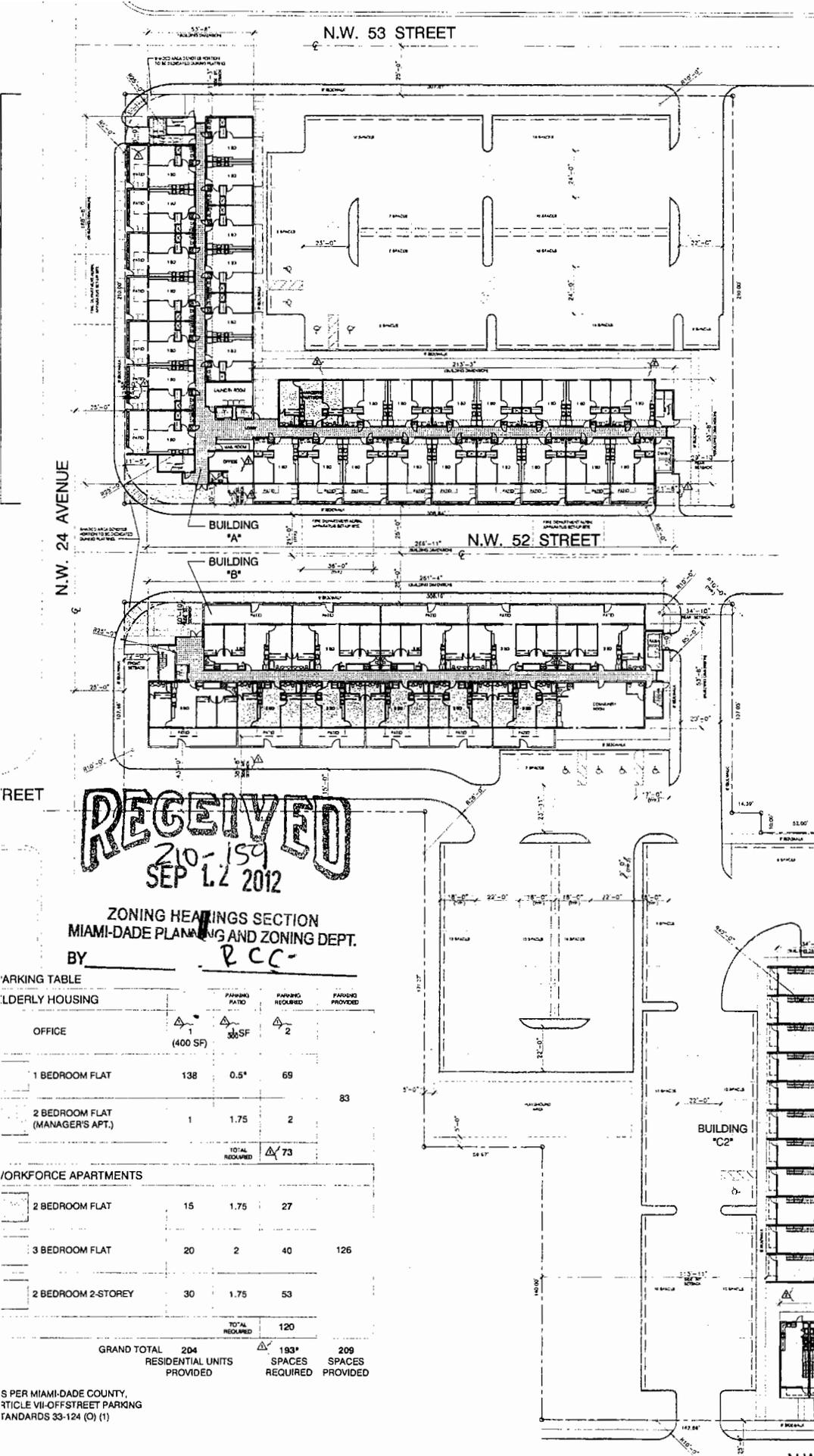


My commission expires _____

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

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210-159
SEP 22 2010

ZONING DEPARTMENT
MIAMI-DADE COUNTY
BY: [Signature]



COMBINED PHASE

OPEN SPACE (SEC 33-218)	40% MIN. (78,300 SF)	3% (5,700 SF)
STANDARD SPACES	18	11
H.C. SPACES	103	20
TOTAL	121	31
FUTURE SPACES FOR ELDERLY HOUSING	100*	

PARKING DATA	REQ	PROPOSED
STANDARD SPACES	18	11
H.C. SPACES	103	20
TOTAL	121	31
FUTURE SPACES FOR ELDERLY HOUSING	100*	

UNIT COUNT:	UNIT TYPE	UNIT SF	UNIT QTY.
BUILDING "A" (ELDERLY)	1 BEDROOM FLAT	540 SF	138
	2 BEDROOM FLAT	791 SF	1
BUILDING "B" (WORKFORCE)	2 BEDROOM FLAT	791 SF	15
	3 BEDROOM FLAT	1,008 SF	20
BUILDING "C1" (WORKFORCE)	2 BEDROOM 2-STORY	1,008 SF	8
BUILDING "C2" (WORKFORCE)	2 BEDROOM 2-STORY	1,008 SF	11
BUILDING "C3" (WORKFORCE)	2 BEDROOM 2-STORY	1,008 SF	11
	TOTAL		204

NORTH LOT
AREA AFTER DEDICATIONS: 84,349 SF (1.48 ACRES)

LOT COVERAGE (SEC. 33-218)	ALLOWED 40% MAX. (25,738 SF)	PROPOSED 53% (29,278 SF)
F.A.R.	3-STORIES	1.20 MAX. (27,278 SF)
BUILDING HEIGHT	3-STORIES	5-STORIES
BUILDING SETBACK (SEC. 33-211)	REQ	PROPOSED
ELDERLY HOUSING (BLDG. A)		
FRONT:	30' MIN. *	N/A
SIDE INT.:	20' MIN. *	N/A
SIDE ST.:	30' MIN. *	N/A
REAR:	31' MIN. *	N/A

* 20' MIN. SETBACK = 40% OF ADDITIONAL HEIGHT OVER 30'
 ** 25' MIN. SETBACK = 40% OF ADDITIONAL HEIGHT OVER 30'
 *** 31' MIN. SETBACK = 40% OF ADDITIONAL HEIGHT OVER 30'

OPEN SPACE (SEC 33-218)	40% MIN. (25,738 SF)	PROPOSED 53% (29,278 SF)
STANDARD SPACES	71*	79
H.C. SPACES	73	83
TOTAL	144	162
FUTURE SPACES FOR ELDERLY HOUSING	130*	

PARKING DATA	REQ	PROPOSED
STANDARD SPACES	71*	79
H.C. SPACES	73	83
TOTAL	144	162
FUTURE SPACES FOR ELDERLY HOUSING	130*	

UNIT COUNT:	UNIT TYPE	UNIT SF	UNIT QTY.
BUILDING "A" (ELDERLY)	1 BEDROOM FLAT	540 SF	138
	2 BEDROOM FLAT	791 SF	1

SOUTH LOT
AREA AFTER DEDICATIONS: 131,779 SF (3.01 ACRES)

LOT COVERAGE (SEC. 33-218)	ALLOWED 40% MAX. (52,712 SF)	PROPOSED 57% (51,200 SF)
F.A.R.	3-STORIES	0.80 (104,843 SF)
BUILDING HEIGHT	3-STORIES	3-STORIES
BUILDING SETBACK (SEC. 33-211)	REQ	PROPOSED
WORKFORCE APARTMENTS (BLDG. B)		
FRONT:	20' MIN.	40'*
SIDE INT.:	20' MIN.	20' MIN.
SIDE ST.:	20' MIN.	20' MIN.
REAR:	20' MIN.	35' 10"
WORKFORCE APARTMENTS (BLDG. C1, C2 & C3)		
FRONT:	20' MIN.	115' 111.50'*
SIDE INT.:	20' MIN.	20' MIN.
SIDE ST.:	20' MIN.	N/A
REAR:	20' MIN.	30' 11"

OPEN SPACE (SEC 33-218)	REQ	PROPOSED
STANDARD SPACES	117	118
H.C. SPACES	3	7
TOTAL	120	125

PARKING DATA	REQ	PROPOSED
STANDARD SPACES	117	118
H.C. SPACES	3	7
TOTAL	120	125

UNIT COUNT:	UNIT TYPE	UNIT SF	UNIT QTY.
BUILDING "B" (WORKFORCE)	2 BEDROOM FLAT	791 SF	15
	3 BEDROOM FLAT	1,008 SF	20
BUILDING "C1" (WORKFORCE)	2 BEDROOM 2-STORY	1,008 SF	8
BUILDING "C2" (WORKFORCE)	2 BEDROOM 2-STORY	1,008 SF	11
BUILDING "C3" (WORKFORCE)	2 BEDROOM 2-STORY	1,008 SF	11

N.W. 51 STREET

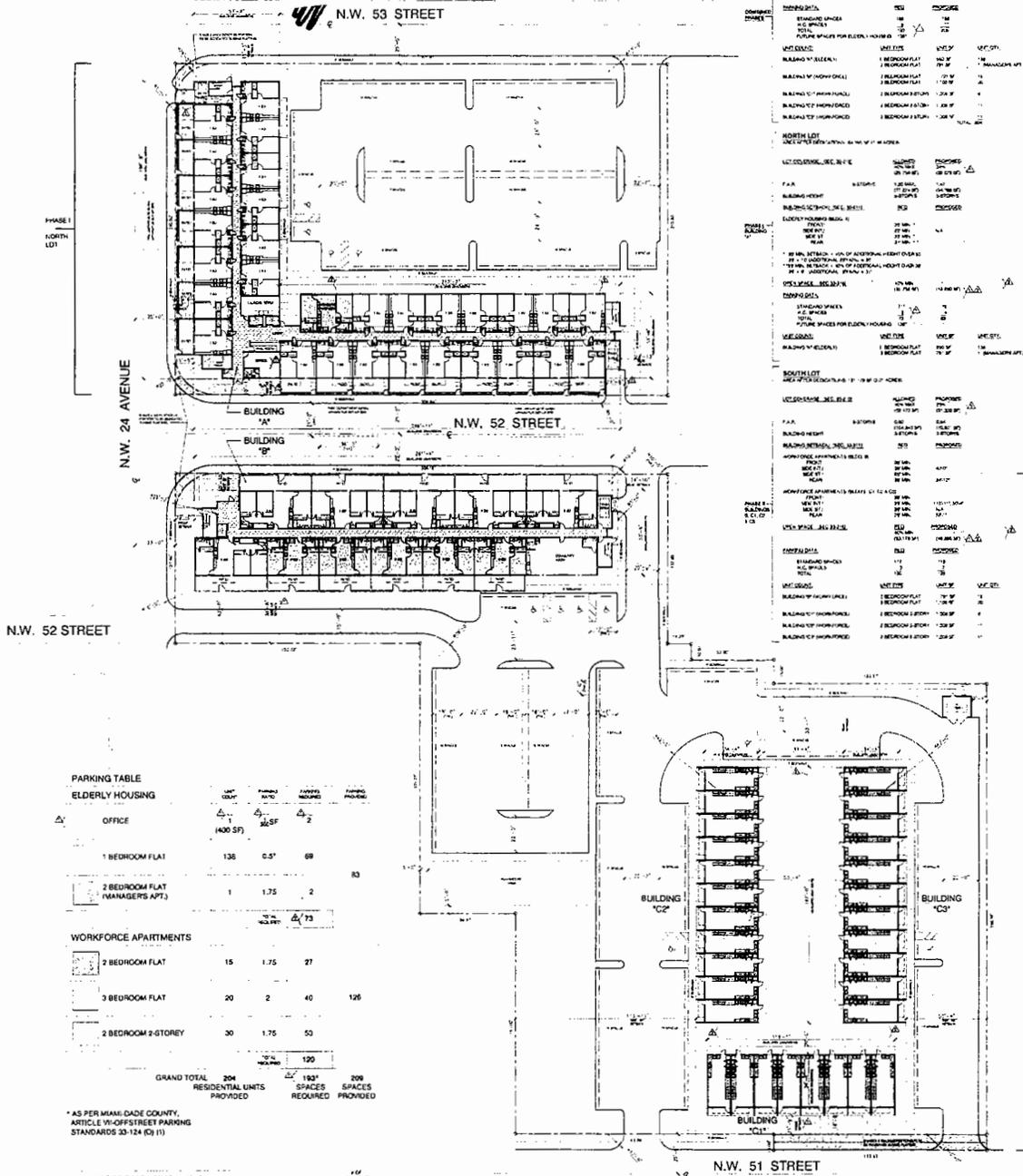
ENLARGED SITE PLAN

25

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 20-159
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ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.

BY RCC



SITE DATA

2010 AMERICAN MAPS COUNTY: MIAMI-DADE COUNTY
 TOWN AND SUBDIVISION: 2010 PRELIMINARY PLANNING AND ZONING DEPT.
 SITE AREA: 100,000 SQ. FT. (2.28 ACRES)
 PROJECT AREA: 100,000 SQ. FT. (2.28 ACRES)
 UNIMPAVED AREA: 100,000 SQ. FT. (2.28 ACRES)
 IMPROVED AREA: 100,000 SQ. FT. (2.28 ACRES)

COVERED LOTS

USE	AREA (SQ. FT.)	PERCENTAGE
OFFICE	1,000	1.00%
1 BEDROOM FLAT	138	0.14%
2 BEDROOM FLAT (MANAGERS APT)	1	0.00%
2 BEDROOM FLAT	15	0.01%
3 BEDROOM FLAT	20	0.02%
2 BEDROOM 2-STORY	30	0.03%
TOTAL	184	0.18%

NORTH LOT

USE	AREA (SQ. FT.)	PERCENTAGE
OFFICE	1,000	1.00%
1 BEDROOM FLAT	138	0.14%
2 BEDROOM FLAT	15	0.01%
3 BEDROOM FLAT	20	0.02%
2 BEDROOM 2-STORY	30	0.03%
TOTAL	184	0.18%

SOUTH LOT

USE	AREA (SQ. FT.)	PERCENTAGE
OFFICE	1,000	1.00%
1 BEDROOM FLAT	138	0.14%
2 BEDROOM FLAT	15	0.01%
3 BEDROOM FLAT	20	0.02%
2 BEDROOM 2-STORY	30	0.03%
TOTAL	184	0.18%

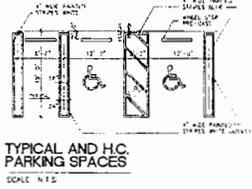
PARKING TABLE

Category	Count	Area (SQ. FT.)	Area (SQ. FT.)	Area (SQ. FT.)
OFFICE	2	1,000	1,000	1,000
1 BEDROOM FLAT	138	0.57	69	69
2 BEDROOM FLAT (MANAGERS APT)	1	1.75	2	83
2 BEDROOM FLAT	15	1.75	27	75
3 BEDROOM FLAT	20	2	40	120
2 BEDROOM 2-STORY	30	1.75	50	120
GRAND TOTAL	206	308	197	309

AS PER MIAMI-DADE COUNTY, ARTICLE VI-OFF-STREET PARKING STANDARDS 30-124 (G) (1)

WORKFORCE HOUSING UNITS TABLE

Building	Units
BUILDING 'B'	38
BUILDING 'C1'	8
BUILDING 'C2'	11
BUILDING 'C3'	11
GRAND TOTAL	68



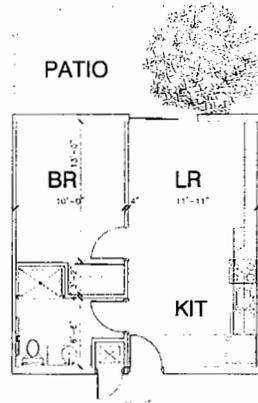
SUPERIOR MANOR
 SCHEMATIC DESIGN

GROUND FLOOR / SITE PLAN
 1:30

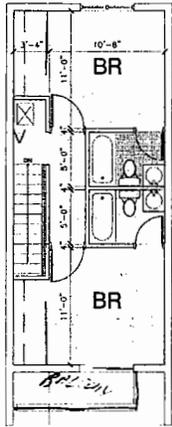
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 APR 16 2012

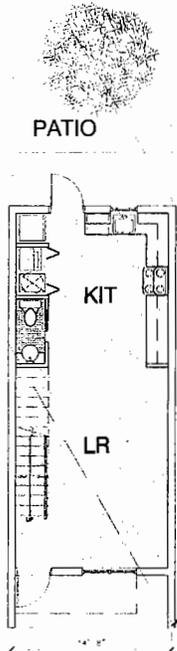
ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY _____



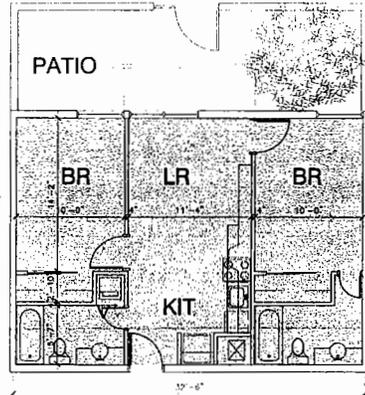
1 BEDROOM APARTMENT FLAT
 550 SF (ELDERLY)



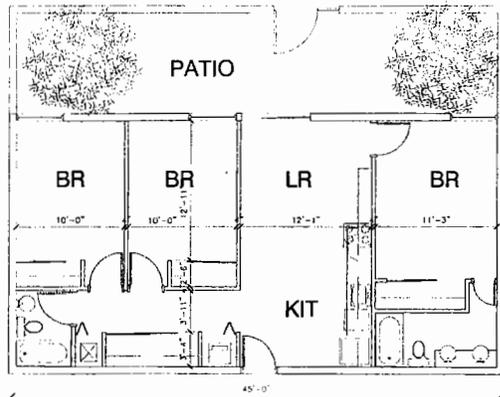
SECOND FLOOR



2 BEDROOM APARTMENT 2-STORY
 1,008 SF FIRST FLOOR (WORKFORCE)



2 BEDROOM APARTMENT FLAT
 791 SF (WORKFORCE)



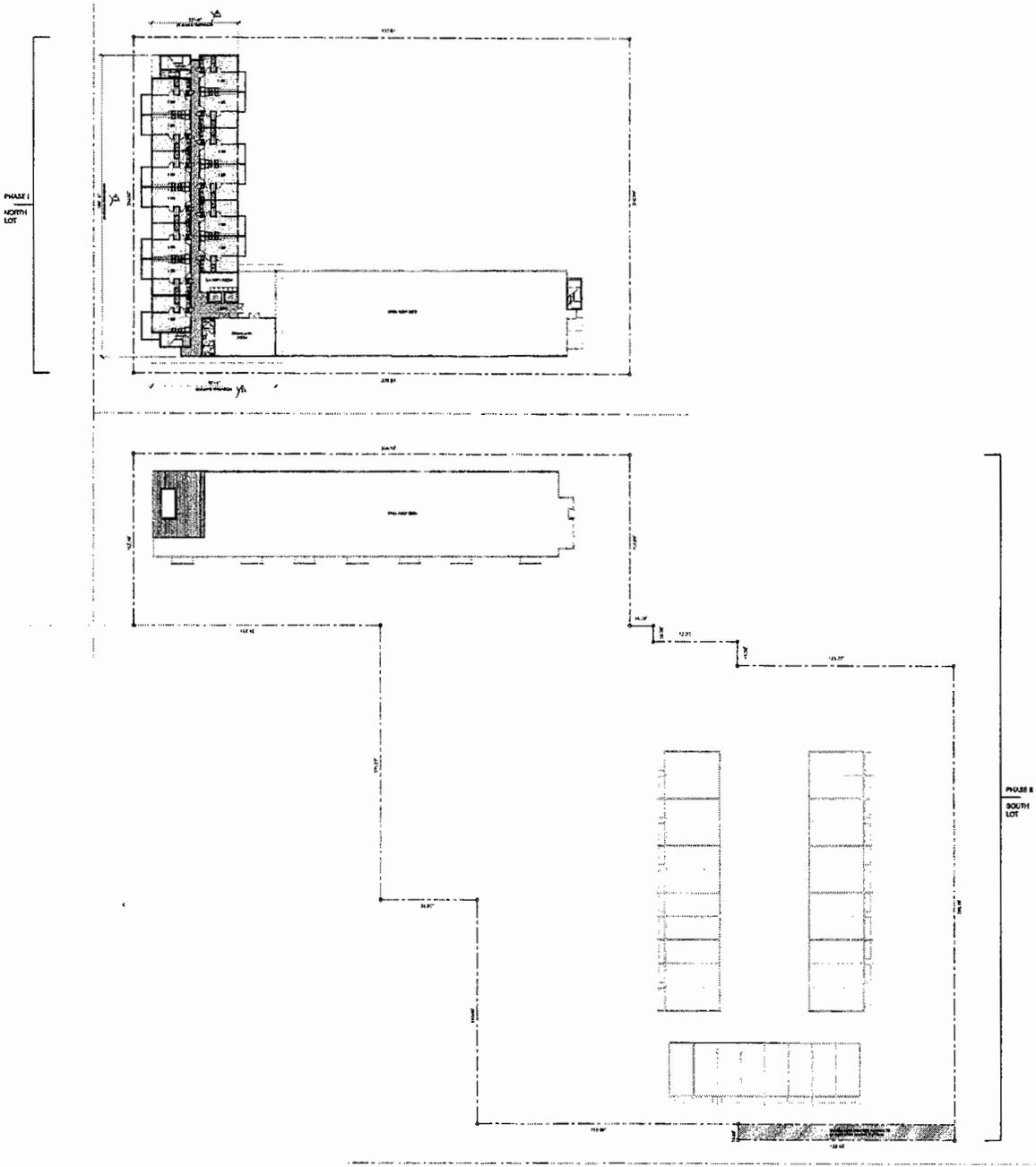
3 BEDROOM APARTMENT FLAT
 1,100 SF (WORKFORCE)

SUPERIOR MANOR
 SCHEMATIC DESIGN 04-05-12

ENLARGED UNIT PLANS
 3/16" = 1'-0"

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MATEU



SUPERIOR MANOR
SCHEMATIC DESIGN

08-16-12



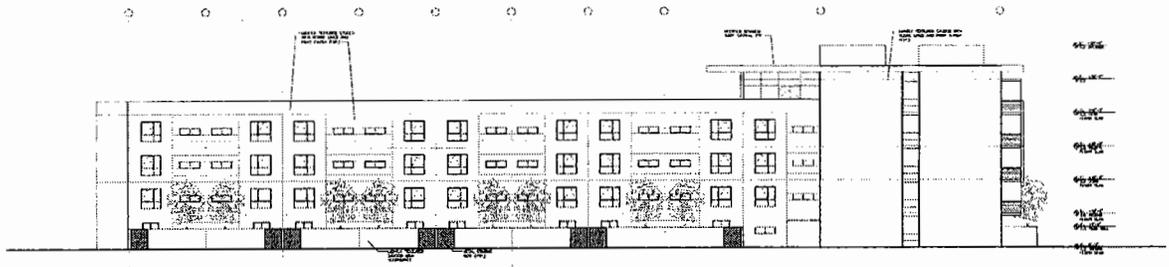
5TH FLOOR PLANS

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210-159
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ZONING REVIEW SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

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8/17/12

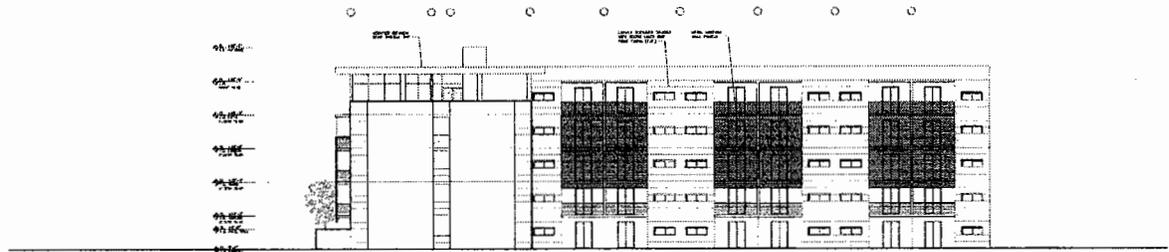
MATED



ELDERLY BUILDING

NORTH ELEVATION

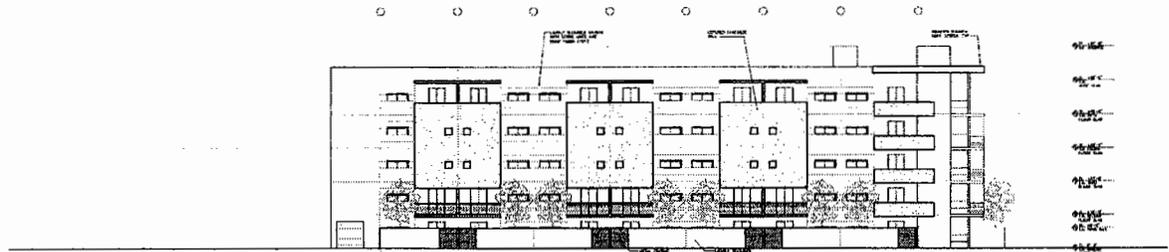
1/16"=1'-0"



ELDERLY BUILDING

EAST ELEVATION

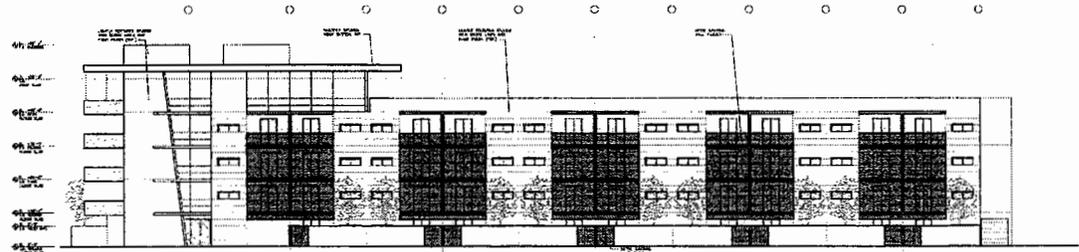
1/16"=1'-0"



ELDERLY BUILDING

WEST ELEVATION

1/16"=1'-0"



ELDERLY BUILDING

SOUTH ELEVATION

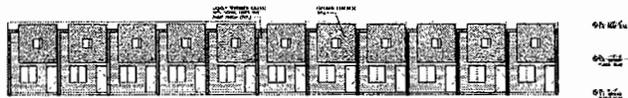
1/16"=1'-0"

SUPERIOR MANOR
SCHEMATIC DESIGN 04-05-12

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ZONING HEARING SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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WORKFORCE TOWNHOUSES

WEST ELEVATION

1/16"=1'-0"



WORKFORCE TOWNHOUSES

EAST ELEVATION

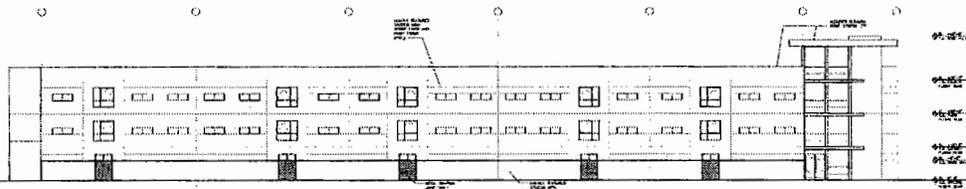
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WORKFORCE TOWNHOUSES

SOUTH ELEVATION

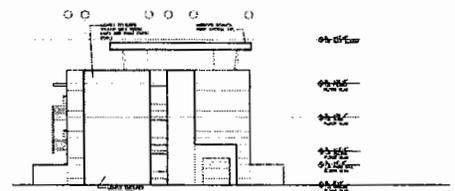
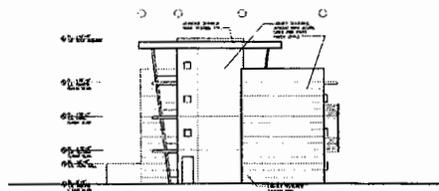
1/16"=1'-0"



WORKFORCE APARTMENTS

NORTH ELEVATION

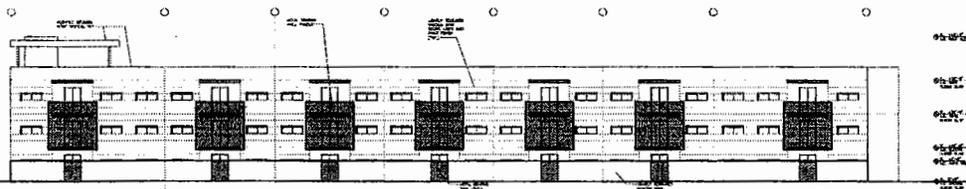
1/16"=1'-0"



WORKFORCE APARTMENTS

EAST & WEST ELEVATIONS

1/16"=1'-0"



WORKFORCE APARTMENTS

SOUTH ELEVATION

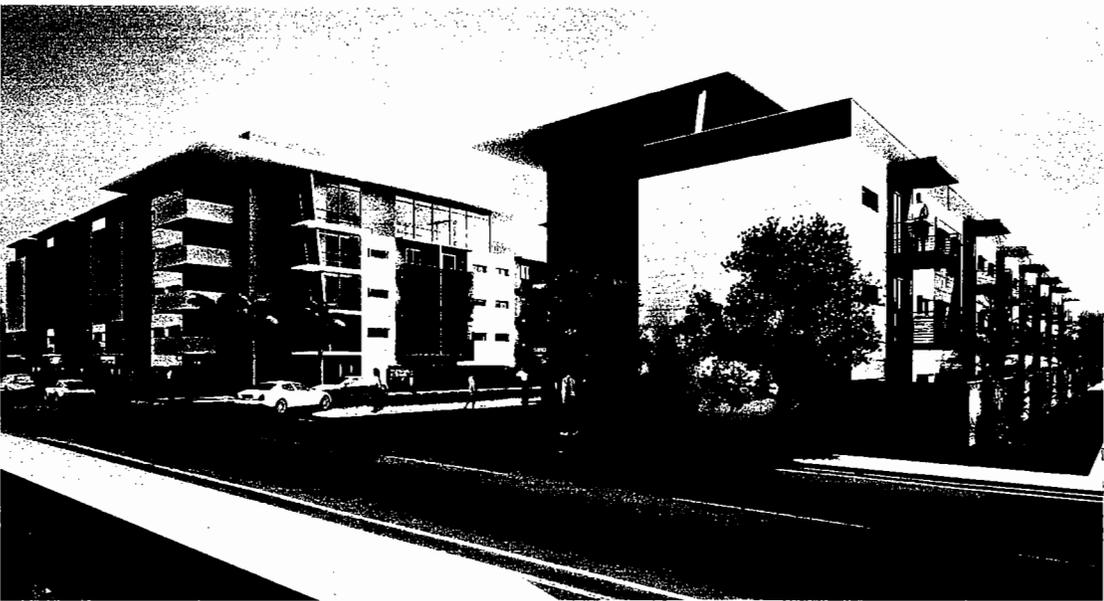
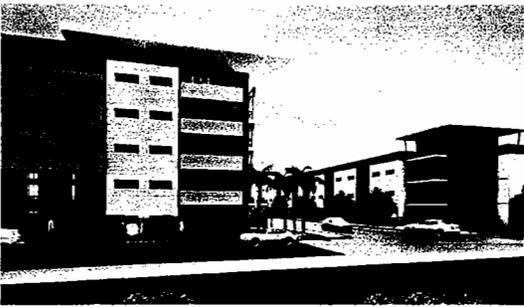
1/16"=1'-0"

SUPERIOR MANOR
SCHEMATIC DESIGN 02-22-12

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AUG 17 2012
ZONING REVIEW SECTION
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RECEIVED
AUG 18 2012

MATEU
31



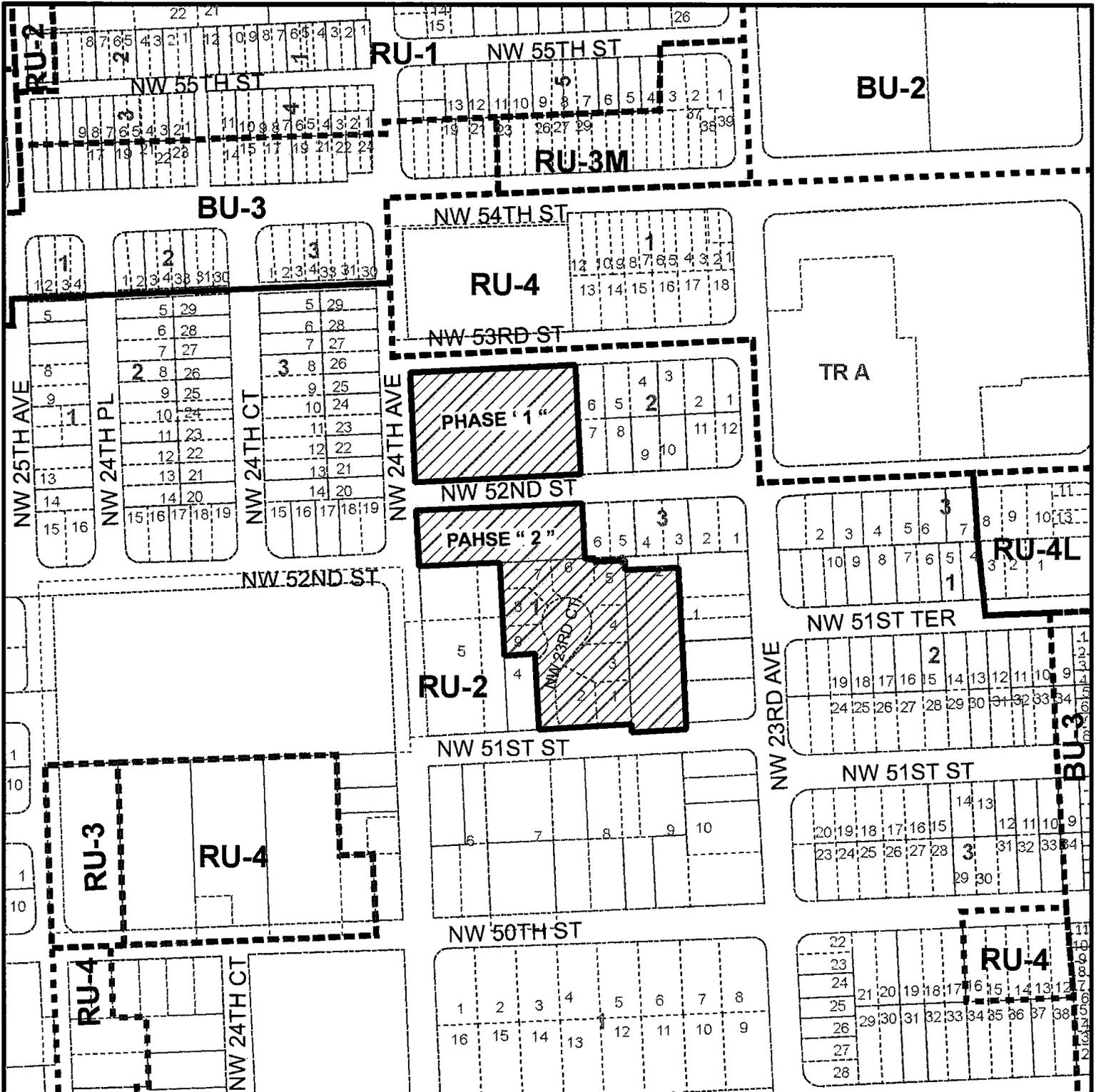
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210-159
APR 16 2012

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

SUPERIOR MANOR
SCHEMATIC DESIGN

RENDERINGS
N.T.S.

MATEU
4/16/12



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2010000159



Section: 22 Township: 53 Range: 41
 Applicant: NEW URBAN DEVELOPMENT, LLC
 Zoning Board: C8
 Commission District: 3
 Drafter ID: KEELING
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



REVISION	DATE	BY
		34



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number
Z2010000159



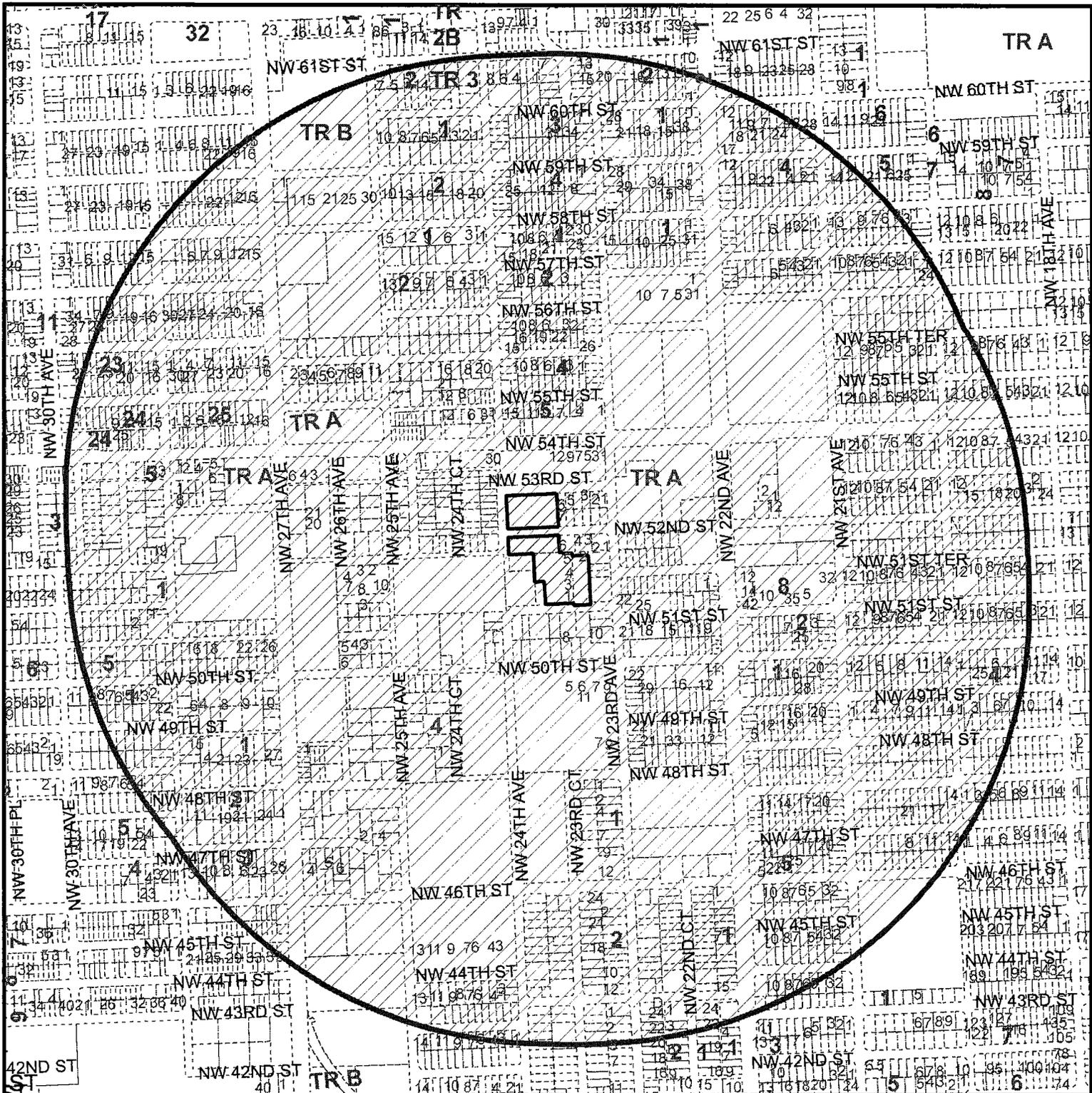
Section: 22 Township: 53 Range: 41
 Applicant: NEW URBAN DEVELOPMENT, LLC
 Zoning Board: C8
 Commission District: 3
 Drafter ID: KEELING
 Scale: NTS

Legend
 Subject Property



SKETCH CREATED ON: Tuesday, September 28, 2010

REVISION	DATE	BY
		35



**MIAMI-DADE COUNTY
RADIUS MAP**

Section: 22 Township: 53 Range: 41
 Applicant: NEW URBAN DEVELOPMENT, LLC
 Zoning Board: C8
 Commission District: 3
 Drafter ID: KEELING
 Scale: NTS

Process Number
Z2010000159
 RADIUS: 2640

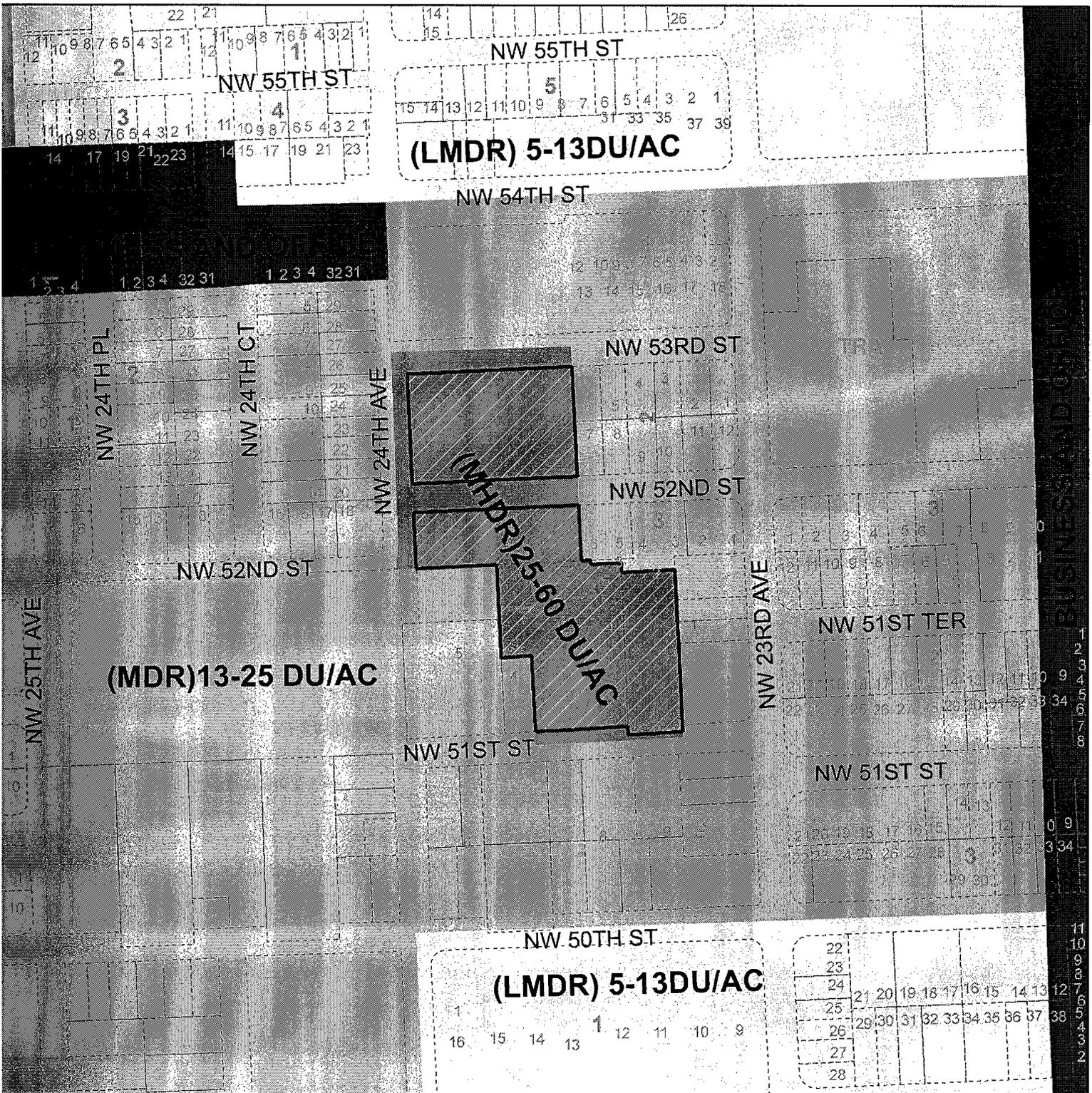
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Tuesday, September 28, 2010

REVISION	DATE	BY
		36



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2010000159



Section: 22 Township: 53 Range: 41
 Applicant: NEW URBAN DEVELOPMENT, LLC
 Zoning Board: C8
 Commission District: 3
 Drafter ID: KEELING
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Tuesday, September 28, 2010

REVISION	DATE	BY

CZAB-8 November 14, 2011
Item 1 — Z10-159
New Urban Development, LLC

This instrument was prepared by:
Name: Matthew Amster, Esq.
Address: Bercow Radell & Fernandez, P.A.
200 S. Biscayne Blvd., Suite 850
Miami, Florida 33131

(Space reserved for Clerk)

**DECLARATION OF RESTRICTIONS
INCLUDING WORKFORCE HOUSING**

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

IN ORDER TO ASSURE the County that the representations made by the Owner during consideration of Public Hearing No. 10-159 (the "Application") will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- (1) **Site Plan.** That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Superior Manor Schematic Design" as prepared by Mateu Architecture Inc. dated stamped and consisting of 4 sheets dated stamped received 4/16/12, 1 sheet dated stamped received 8/17/12 and 3 sheets dated stamped received 9/12/12 for a total of 8 sheets.
- (2) **Dwelling Units.** Pursuant to the Declaration of Restrictions for Comprehensive Development Master Plan (CDMP) Application No. 3 of the October 2007 Amendment Cycle, as recorded in Official Record Book 27157 at Page 2775 (the "CDMP Covenant"), all residential units constructed on the Property shall be designated for affordable and/or workforce housing and shall meet the criteria of affordable and/or workforce housing in Miami-Dade County;
 - (a) The development of the Property shall include 138 non-profit elderly affordable housing units, 1 affordable manager's apartment unit and 65 workforce housing units for a total of 204 units;
 - (b) There shall not be any market-rate dwelling units on the Property;

PLANNING AND ZONING
AGENDA OFFICE

2012 OCT 26 P 3:49

(Public Hearing)

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(c) Owner acknowledges that sale or lease of any dwelling unit on the Property outside of the range of either affordable or workforce housing ranges shall not be permitted unless the CDMP Covenant is properly amended;

(3) **Workforce Housing.** In accordance with the Workforce Housing Development Program, Chapter 33, Article XIIA of the Code of Miami-Dade County (the "Code"), the development of the Property shall include 65 workforce housing units as follows: Building "B" – 35 units; Building "C1" – 8 units; Building "C2" – 11 units; and Building "C3" – 11 units. Additionally, the Property shall be developed in accordance with the following specifications:

(a) A workforce housing unit ("WHU" or "restricted WHU") shall mean a dwelling unit, the sale, rental or pricing of which, is restricted to households whose income range is established at between 65% and 140% of the most recent median family income for the County as reported by the U.S. Department of Housing and Urban Development (HUD) and as maintained by the Department of Regulatory and Economic Resources at the time of sale or rental of each WHU;

(b) The development of the Property shall include 65 WHUs, which will be restricted by a Declaration of Restrictions in accordance with Chapter 33, Article XIIA of the Code, 138 non-profit elderly affordable housing units and 1 manager's dwelling unit;

(c) All 204 dwelling units on the Property, including the 65 WHUs, will be rental dwelling units with a minimum lease period of twelve months, provided that the Owner may convert one or more rental units to owner-occupied units as long as 65 dwelling units remain subject to Chapter 33, Article XIIA of the Code;

(d) Each lessee of the restricted WHUs will use the WHU as the lessee's primary residence and subleasing shall be prohibited;

(e) The Property will be developed generally in accordance with the Estimated Construction Schedule, attached hereto as Exhibit "B", which indicates the approximate dates when construction of the new residential dwelling units (including the restricted WHUs, the non-profit elderly affordable housing units and the manager's dwelling unit) will be initiated and completed;

(Public Hearing)

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- (f) The restricted WHUs on the Property will consist of two-bedroom and three-bedroom apartment type units in Building "B" and two-bedroom two-story apartment type units in Buildings "C1", "C2", and "C3";
- (4) **Individual Workforce Housing Agreements**. Prior to the earlier of final plat approval or application for building permit for the first new residential unit on the Property, the Owner shall submit a Workforce Housing Agreement (the "Agreement") for the restricted WHUs on the Property to the Director of the Department of Regulatory and Economic Resources. The Agreement will encumber each restricted WHU in the entire development, and specify the restrictions of each of the restricted WHUs and such further arrangements, restrictive covenants, resale restrictions, and rental restrictions as are necessary to carry out the purposes of Chapter 17, Article IX, Sections 17-142 through 17-144 inclusive, of the Code, and shall include the following:
- (a) A binding commitment that the restrictions of Chapter 33, Article XIIA and Chapter 17, Article IX of the Code shall run with the land for the entire 20-year control period of each of the WHUs;
 - (b) A binding commitment that the covenants will bind the Owner, any assignee, mortgagee, or buyer, and all other parties that receive title to or an interest in each of the WHUs;
 - (c) A statement that the covenants shall be senior to all other liens or encumbrances on the Property, including all instruments securing permanent financing, except that tax and assessment liens shall be superior to the covenants; and
 - (d) A binding commitment that incorporates all terms and conditions regarding WHUs, including without limitation, the required shared equity agreement, eligibility standards, appropriate sale and rental price standards and affordability controls required of purchasers of WHUs pursuant to Chapter 17, Article IX of the Code.
- (5) **Parking Spaces for Elderly Affordable Housing**. In the event that the non-profit elderly affordable housing ceases in Building "A", Owner acknowledges that there is insufficient parking on the Property for Building "A" and that to permit other residential uses requires providing appropriate parking, which may be achieved by, but not limited to, one or more of the following options:

(Public Hearing)

(Space reserved for Clerk)

- (a) Reduce the number of units;
- (b) Provide parking within 300 feet as may be permitted by the Code Section 33-128(b);
- (c) Construct structured parking on the Property;
- (d) Seek a variance of the required parking through a public hearing.

(6) **Miscellaneous.**

- (a) **County Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.
- (b) **Covenant Running with the Land.** This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.
- (c) **Term.** This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.
- (d) **Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion

(Public Hearing)

(Space reserved for Clerk)

thereof, by a written instrument executed by the, then, owner(s) of all of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing, provided that, in accordance with Section 33-193.13(E) of the Code, the provisions relating to the WHUs may be modified by mutual consent of the Owner and the Directors of the Miami-Dade County Department of Regulatory and Economic Resources and Miami-Dade Public Housing Agency, or their successor agencies, as long as the modified agreement remains in conformity with Chapter 33, Article XIIA of the Code and substantially conforms to this Declaration's provisions relating to number, location, distribution and timing of construction of WHUs.

- (e) **Enforcement.** Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.
- (f) **Authorization for Miami-Dade County to Withhold Permits and Inspections.** In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this Declaration is complied with.
- (g) **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.
- (h) **Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County,

(Public Hearing)

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and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

- (i) **Severability**. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.
- (j) **Recording**. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the Application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Department of Regulatory and Economic Resources or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.
- (k) **Acceptance of Declaration**. Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.
- (l) **Owner**. The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]

(Public Hearing)

(Space reserved for Clerk)

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed on this 18 day of October, 2012.

WITNESS(ES)

[Signature]
Signature

SCOTT OSMAN
Print Name

[Signature]
Signature

ELON METAYER
Print Name

New Urban Development, LLC, a Florida non-profit Limited Liability Company

8500 NW 25th Avenue
Miami, Florida 33147

By: [Signature]
Name: Oliver L. Gross
Title: President

STATE OF Florida

COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me by Oliver L. Gross the President of New Urban Development, LLC, and for the purposes stated herein on behalf of the LLC. He/She is personally known to me or has produced _____, as identification.

Witness my signature and official seal this 18 day of October, 2012, in the County and State aforesaid.

My Commission Expires:
7/18/15

[Signature]
Notary Public
Natacha Desamours
Print Name



(Public Hearing)

(Space reserved for Clerk)

JOINDER BY MORTGAGEE CORPORATION

The undersigned One United Bank, a Massachusetts Chartered Trust Company, Mortgagee under that certain mortgage from New Urban Development, LLC, dated the 12th day of December 2005, and recorded in Official Records Book 24104, Pages 4484 - 4528, of the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing agreement, specifically Declaration of Restrictions Including Workforce Housing for Miami-Dade County Public Hearing No. 10-159 for New Urban Development, LLC, does hereby acknowledge that the terms of this agreement are and shall be binding upon the undersigned and its successors in title.

IN WITNESS WHEREOF, these presents have been executed this 18th day of October, 2012.

Witnesses:

[Signature]
Signature
ALISA L. ZELLS, AVP
Print Name
[Signature]
Signature
ROBERT
Print Name

One United Bank, a Massachusetts Chartered Trust Company
Address: 3683 Crenshaw Blvd.
Los Angeles, CA 90016

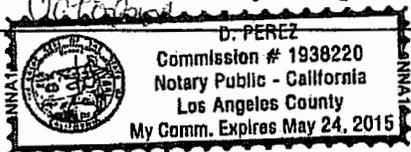
By: [Signature] Yan Feng, Vice President

[*Note: All others require attachment of original corporate resolution of authorization]

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

The foregoing instrument was acknowledged before me by YAN FENG a VICE PRESIDENT of One United Bank, on behalf of the banking corporation. She/he is personally known to me or has produced CALIFORNIA DRIVER LICENSE, as identification.

Witness my signature and official seal this 18th day of October, 2012, in the County and State aforesaid.



[Signature]
Notary Public-State of CALIFORNIA
D. PEREZ
Print Name

My Commission Expires: May 24, 2015

Exhibit "A"

LEGAL DESCRIPTION

PARCEL A (PHASE I –NORTH LOT)

A PORTION OF THE NW ¼ OF SECTION 22, TOWNSHIP 53 SOUTH, RANGE 41 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NW CORNER OF THE SW ¼ OF THE NE ¼ OF THE NW ¼ OF SAID SECTION 22; THENCE RUN S 89 52'13"E FOR A DISTANCE OF 25.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF NW 24TH AVENUE; THENCE RUN N 00 00'39" E ALONG SAID EAST RIGHT-OF-WAY, FOR A DISTANCE OF 182.37 FEET TO A POINT OF BEGINNING; THENCE CONTINUE N 00 00'39" E ALONG SAID EAST RIGHT-OF-WAY FOR A DISTANCE OF 160.00 TO A POINT OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING FOR ITS ELEMENTS, A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90 11'43" AND AN ARC DISTANCE OF 39.36 FEET TO A POINT OF TANGENCY; THENCE RUN S 89 47' 38" E , A DISTANCE OF 282.72 FEET TO A POINT; THENCE RUN S 00 03' 14" E FOR A DISTANCE OF 210.00 FEET TO A POINT; THENCE N 89 47'38" W FOR A DISTANCE OF 283.13 TO A POINT OF A CURVE CONCAVE TO THE NORTHEAST; THENCE RUN ALONG THE ARC OF SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89 48'17", AND AN ARC DISTANCE OF 39.18 FEET TO A POINT OF TANGENCY, ALSO BEING THE POINT OF BEGINNING AND CONTAINING 64,664.00 SQUARE FEET OR 1.48 ACRES MORE OR LESS.

PARCEL B (PHASE II –SOUTH LOT)

A PORTION OF THE NW ¼ OF SECTION 22, TOWNSHIP 53 SOUTH, RANGE 41 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NW CORNER OF THE SW ¼ OF THE NE ¼ OF THE NW ¼ OF SAID SECTION 22; THENCE RUN S 89 52'13"E FOR A DISTANCE OF 25.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF NW 24TH AVENUE, ALSO BEING THE POINT OF BEGINNING; THENCE RUN N 00 00'39" E ALONG SAID EAST RIGHT-OF-WAY, FOR A DISTANCE OF 82.10 FEET TO A POINT OF CURVE; THENCE RUN NORTHEASTERLY ALONG SAID CURVE, CONCAVE TO THE SOUTHEAST, HAVING FOR ITS ELEMENTS, A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90 11'43" AND AN ARC DISTANCE OF 39.36 FEET TO A POINT OF TANGENCY; THENCE S 89 47' 38" E , FOR A DISTANCE OF 282.92 FEET TO A POINT; THENCE RUN S 00 03' 14" E FOR A DISTANCE OF 107.05 FEET TO A POINT; THENCE S 89 52'13" E, FOR A DISTANCE OF 14.39 FEET TO A POINT, THENCE S 00 03'45" E , FOR A DISTANCE OF 10.00 FEET TO A POINT; THENCE S 89 52'13" E, FOR A DISTANCE OF 52.00 FEET TO A POINT; THENCE S 00 03'45" E, FOR A DISTANCE OF 15.00 FEET TO A POINT; THENCE S 89 52'13"E, FOR A DISTANCE OF 133.18 FEET TO A POINT; THENCE S 00 05'35" E, FOR A DISTANCE OF 296.16 FEET TO A POINT; THENCE N 89 53'15" W FOR A DISTANCE OF 133.24 FEET TO A POINT; THENCE N 00 08'45"W FOR A DISTANCE OF 10.00 FEET TO A POINT; THENCE RUN N 89 53'15" W ALONG THE NORTH RIGHT-OF-WAY LINE OF NW 51TH STREET, FOR A DISTANCE OF 162.86 FEET TO A POINT; THENCE RUN N 00 00'54" W FOR A DISTANCE OF 140.00 FEET TO A POINT; THENCE RUN N 89 53'15"W, FOR A DISTANCE OF 59.97 FEET TO A POINT; THENCE RUN N 00 00'54" W, FOR A DISTANCE OF 171.27 FEET TO A POINT; THENCE RUN N 89 52'13" W FOR A DISTANCE OF 152.18 FEET TO THE POINT OF BEGINNING AND CONTAINING 132,851.00 SQUARE FEET OR 3.05 ACRES MORE OR LESS.

Exhibit "B"

**Estimated Construction Schedule
For Superior Manor Apartments
Public Hearing No. 10-159**

Phase of Development	Construction Description	Estimated Start Date	Estimated Completion Date
Phase I (north lot)	Building A - Elderly Housing	June 1, 2013	August 31, 2014
Phase II (south lot)	Building B - Workforce Housing	Jan 5, 2014	March 31, 2015
Phase II (south lot)	Buildings C1, C2 & C3 - Workforce Housing	Jan 5, 2014	March 31, 2015

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 8**

PH: Z12-058 (12-11-CZ8-2)

November 14, 2012

Item No. 2

Recommendation Summary	
Commission District	2
Applicant	Karol Kazmierczak, Trustee
Summary of Requests	The applicant is seeking to allow a duplex residence setback closer to the front and rear property lines and to permit a picket fence taller than 2.5' in the safe sight distance triangle.
Location	2221 NW 95 Street, Miami-Dade County, Florida.
Property Size	8,250 sq. ft.
Existing Zoning	RU-2, Two-Family Residential
Existing Land Use	Duplex residence
2015-2025 CDMP Land Use Designation	Low Medium Density Residential (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
Recommendation	Approval with conditions

REQUEST:

- (1) NON-USE VARIANCE to an existing duplex residence setback a minimum of 9.57' (25' required) from the rear (north) property line and setback 22.70' (25' required) from the front (south) property line.
- (2) NON-USE VARIANCE to permit a 5' high picket fence within the safe sight distance triangle (maximum 2.5' high picket fence permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Project House 2221 NW 95th Street, Miami, Florida 33147", prepared by Karol Kazmierczak, two sheets dated stamped received 4/17/12 and the remaining sheet dated stamped received 5/21/12 for a total of 3 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION: Existing approximately 2,384 sq. ft. duplex residence

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-2; duplex residence	Low Medium Density Residential (6 to 13 dua)
North	North Central Urban Area District; duplex residence	Community Urban Center
South	North Central Urban Area District; gas station and commercial	Community Urban Center
East	North Central Urban Area District; commercial	Community Urban Center
West	RU-2; vacant	Low Medium Density Residential (6 to 13 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is an existing duplex residence located at 2221 NW 95 Street. Residential and commercial uses characterize the surrounding area where the subject property lies.

SUMMARY OF THE IMPACTS:

Approval of this application will permit a duplex residence to setback closer to the front and rear property lines and a 5' high picket fence within the safe sight distance triangle. However, the encroachments could have a visual impact on the surrounding area and the fence could be a visual hazard for vehicles entering and exiting the property.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is designated as **Low Medium Density Residential** on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. This category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. *The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.* The approval of this application will legalize encroachments into the front and rear setback areas and permit a 5' high fence in the safe sight distance triangle. Further, staff notes that approval will not add additional dwelling units to the site beyond what is allowed by the CDMP LUP map and will not change the duplex residence use. Since the applicant is not requesting to add additional dwelling units to the site above that allowed nor change the existing duplex residence use, approval of the application with conditions is **consistent** with the density range of the Low Density Residential CDMP LUP map designation.

ZONING ANALYSIS:

When request #1 is analyzed under the Non-Use Variances From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff is of the opinion that the request to permit an existing front porch and rear additions to encroach into the front and rear setback areas would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community. Staff notes that the encroachment into the front (south) setback area is for the residential unit labeled west unit on the site plan and the rear (north) addition encroachment is for the east unit. While staff did not find similar approvals for encroachments into the front and rear setback areas, staff opines that the existing 2.3' encroachment into the front (south) setback area is minimal and does not have a negative visual impact on the surrounding area. Further, staff opines that the 15.25' encroachment into the rear (north) setback area is adequately buffered from the abutting property to the north by landscaping located along the rear (south) property line of the abutting property. However, as a condition of approval staff recommends that the applicant install an opaque 6' high fence, wall, or a hedge, 3' high at the time of planting, to grow to and be maintained at a height of 6' along the rear (north) property line as a visual buffer.

Further, when analyzing request #2, to permit a 5' high picket fence within the safe sight distance triangle under the Non-Use Variance (NUV) Standards, staff opines that approval of this request would not be detrimental to the surrounding neighborhood and would not have a negative visual impact on same. Staff opines that the existing picket fence, although 2.5' taller than permitted is designed in a manner that allows for adequate visibility from the safe sight

triangle area for vehicles entering or leaving the residence. Staff also notes that the Public Works and Waste Management Department does not object to request #2 as evidenced in their memorandum.

In staff's opinion the approval of requests #1 and #2 would not be out of character with the surrounding area and is **compatible** based on the above analysis. However, staff opines that due to the layout of the floor plan for the existing duplex residence, future owners could easily convert the duplex residence into additional residential units. Therefore, staff recommends as a condition for approval, that the applicant submit a Declaration of Use agreement which restricts the use of the subject property to two-family use only. **As such, staff recommends approval of requests #1 and #2 with conditions under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION: Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Project House 2221 NW 95th Street, Miami, Florida 33147", prepared by Karol Kazmierczak, two sheets dated stamped received 4/17/12 and the remaining sheet dated stamped received 5/21/12 for a total of 3 sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submits a Declaration of Use Agreement to the Department of Regulatory and Economic Resources restricting the use of the subject property to a two-family residence prior to the issuance of a building permit.
5. That the applicant installs an opaque 6' high fence, wall, or a hedge, 3' high at the time of planting, to grow to and be maintained at a height of 6' along the rear (north) property line as a visual buffer.

ES:MW:NN:CH:AN

A large, stylized handwritten signature in black ink, appearing to read 'Eric Silva', is written over a horizontal line. The signature is highly cursive and loops back to cross the line multiple times.

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

NSW

ZONING RECOMMENDATION ADDENDUM

*Karol Kazmierczak, Trustee
Z12-058*

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Public Works & Waste Management	No objection
Parks, Recreation & Open Spaces	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection
*Subject to conditions in their memorandum.	

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

<p>Low-Medium Density Residential (Pg. I-31)</p>	<p><i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low-Medium Density Residential. This category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.</i></p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

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

2. KAROL KAZMIERCZAK, TRUSTEE
(Applicant)

12-11-CZ8-2 (12-058)
Area 08/District 02
Hearing Date: 11/14/12

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

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

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

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

Memorandum

Date: June 26, 2012

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

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

Subject: C-08 #Z2012000058-1st Revision
Karol Kazmierczak as Trustee
2221 NW 95th Street
Non Use Variance to Permit a Single Family Residence Setback
Less than Required from Property Lines
(RU-2) (0.19 Acres)
03-53-41



The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

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.

The subject property does not meet the minimum allowable lot size requirements of Section 24-43.1(3) of the Code for a single-family residence or duplex served with a septic tank and public water. However, since the legal subdivision, creating by plat such tract of land, occurred prior to the effective date of the aforesaid Code Section, the subject property is grandfatherable and may be administratively approved. The department does not object to the proposed use served by a septic tank and drainfield disposal system, provided that all the above criteria are met and connection is made to public water.

Stormwater Management

The existing additions will not affect the existing stormwater management system.

Wetlands

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

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

Tree Preservation

According to the site plan submitted with this zoning application, the proposal for a non use variance to approve reduced setbacks on the existing structures will not impact tree resources. Be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of Chapter 24 of the Code.

Enforcement History

There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property.

Concurrency Review Summary

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

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

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

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

cc: Eric Silva, Department of Regulatory and Economic Resources

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: KAROL KAZMIERCZAK, TRUSTEE

This Department has no objections to this application.

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



Raul A Pino, P.L.S.

29-JUN-12

Memorandum



Date: 04-MAY-12
To: , Director
Department of Sustainability, Planning and Economic Enhancement
From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department
Subject: Z2012000058

Fire Prevention Unit:

Not applicable to MDRF site requirements.

Service Impact/Demand

Development for the above Z2012000058
located at 2221 NW 95 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0638 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 2:30 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.

Memorandum



Date: May 14, 2012

To: Jack Osterholt, Director
Sustainability, Planning and Economic Enhancement Department

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

Subject: Z2012000058: KAROL KAZMIERCZAK, TRUSTEE

Application Name: KAROL KAZMIERCZAK, TRUSTEE

Project Location: The site is located at 2221 NW 95 ST, Miami-Dade County.

Proposed Development: The applicant is requesting approval of non-use variance for setbacks on a residential lot.

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

We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

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

MN:jb

Cc: John M. Bowers

DATE: 21-JUN-12

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

KAROL KAZMIERCZAK, TRUSTEE

2221 NW 95 ST, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2012000058

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY; NC; No open cases. prior case opened March 24, 2011 for storing junk/trash and warning issued. On April 12, 2011 citation issued. Affidavit on non compliance June 23, 2011. Case forwarded to collection June 27, 2011. Accepted by remediation June 30, 2011 and placed on contractor list July 7, 2011. Lien accepted July 13, 2011, noil mailed July 14, 2011. Remediation complete August 5, 2011. Payment plan fulfilled September 26, 2011, case closed November 29, 2011. BNC; BSS case 20110147278-B opened August 29, 2011. Notice of Violation issued August 31, 2011 for 105.1 violation, to wit: rear addition at east unit and front porch built contrary to code 8-11(a) violation, to wit: crack at exterior wall of rear unit and broken windows. civil Violation Notice P006606,P006608 & P006609 issued on December 27, 2011 for non compliance. CVN's were paid on February 17, 2012. CVN's placed in abeyance due to change in ownership. Case closed on april 10, 2012. BSS case 20120151718-X opened March 26, 2012. Notice of violation issued on March 27, 2012 for expired permit 1993275987. Case remains open. BSS case 20110147347-X opened August 31, 2011. Notice of Violation issued on August 31, 2011 for expired permit 1993275987. March 26, 2011 permit in non compliance, change of ownership, new case opened 20120151718 to address violation. Case closed on march 30, 2012. BSS case 20120151558-B opened March 19, 2012. Notice of Violation issued on april 4, 2012 for 105.1 violations, to wit:rear addition and front porchh, 8-11(a) violation, to wit:exterior wall damage, missing/broken windows, electrical, plumbing and mechanical violations as per certificate of use report. Case remains open.

Karol Kazmierczak, Trustee

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

Memorandum



Date: October 23, 2012

To: Franklin Gutierrez, Agenda Supervisor, Agenda Coordinator's Office
Department of Regulatory and Economic Resources

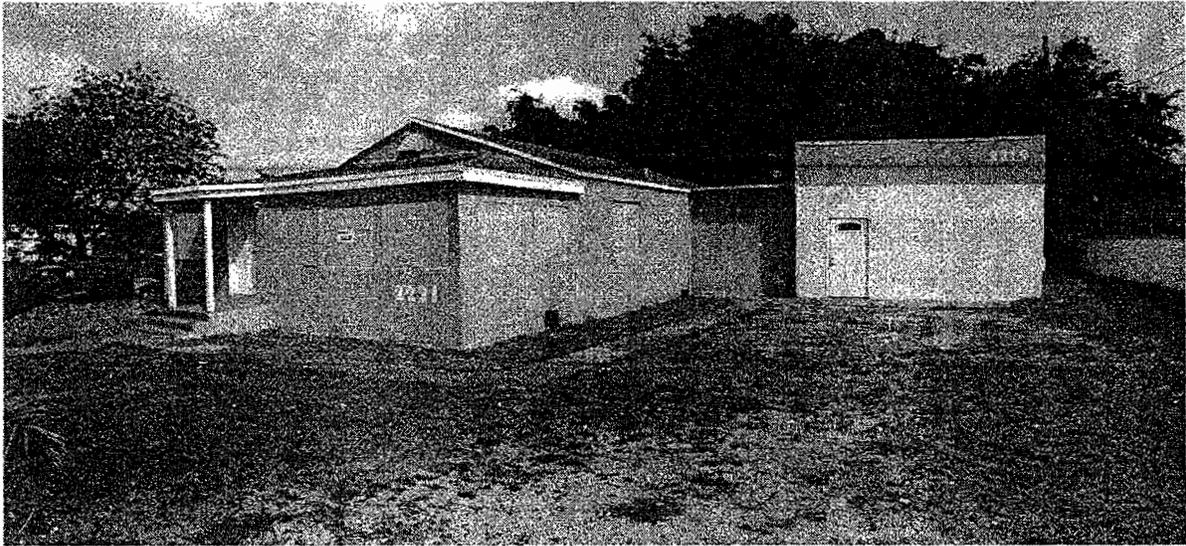
From: James Byers, Zoning Permitting Division Chief
Department of Regulatory and Economic Resources

Subject: Z2012000058

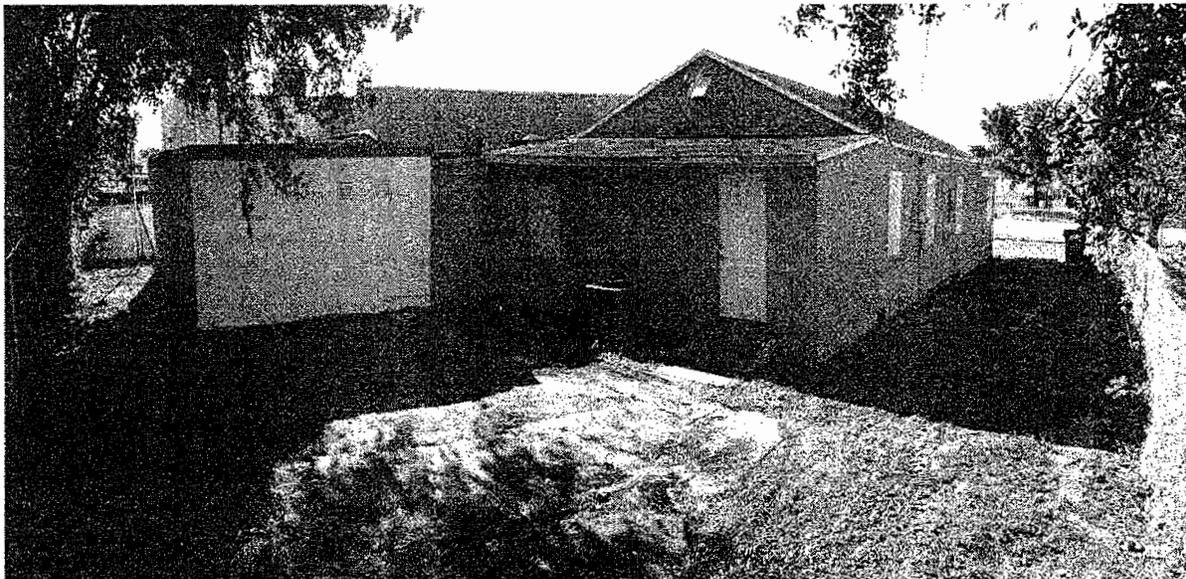
Zoning Inspector: Ralph Edwards
Inspection date: October 17, 2012
Location: 2221 NW 95 ST

The subject properties is a single family residential property located at 2221 NW 95 ST.

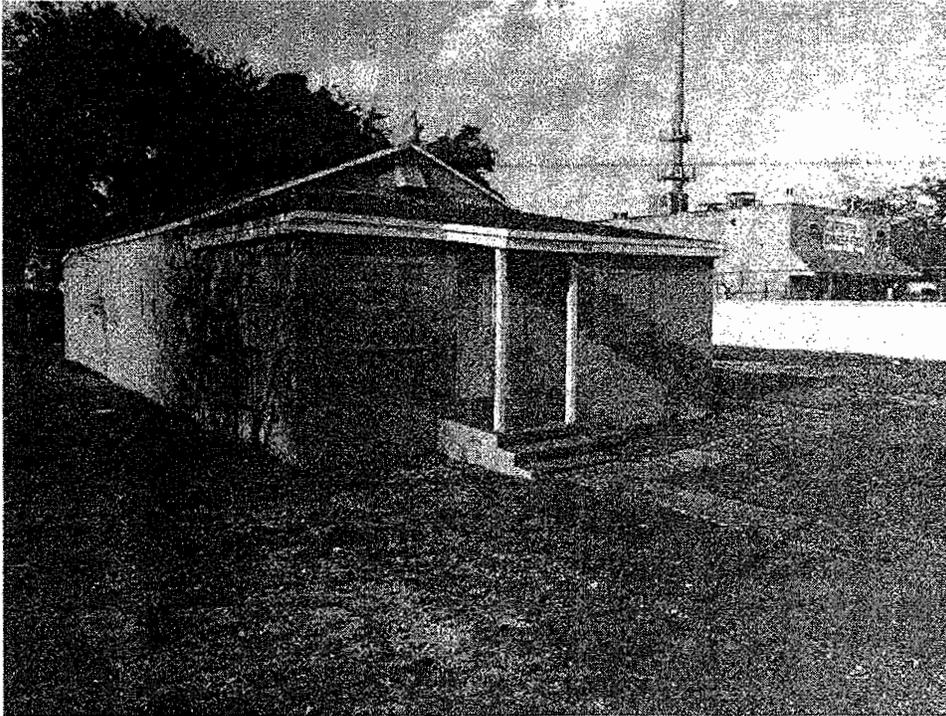
The subject property was inspected and has rear setback violations which they want to correct. No CU is required.



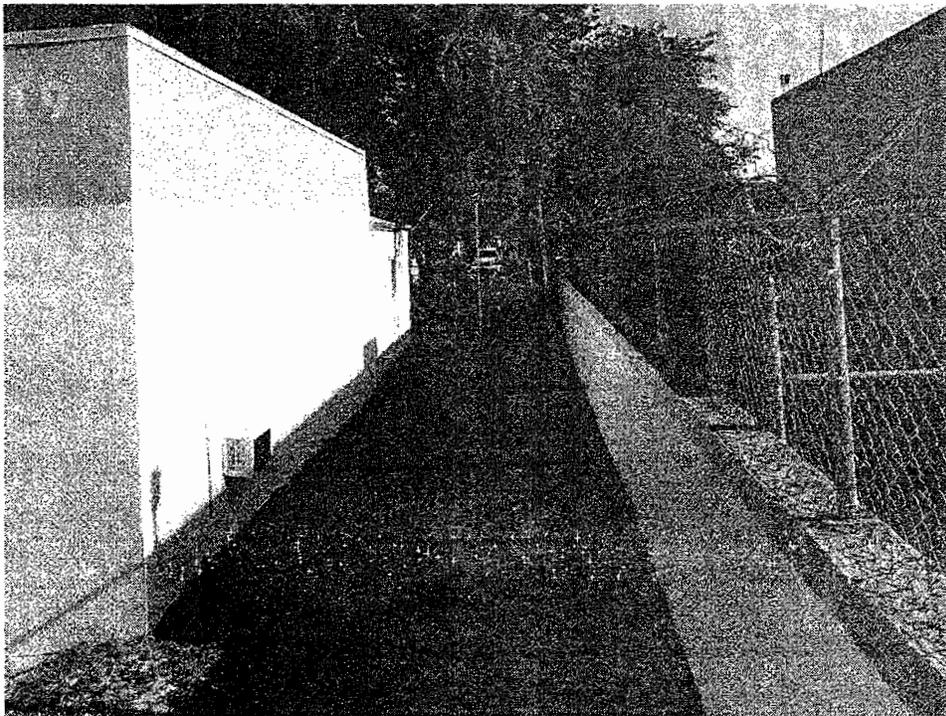
South Facade



North Facade



West Facade



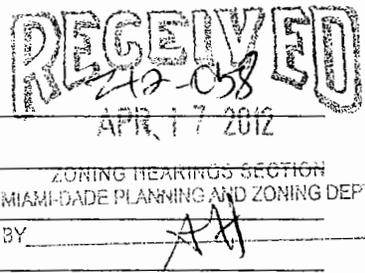
East Facade

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: _____

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



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 KAC FAMILY BENEFICIAL TRUST VTD 03/04/2011

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
<u>MIRAL, LLC</u>	<u>100%</u>
<u>KAROL KAZMIERZAK</u>	<u>100%</u>
_____	_____
_____	_____

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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

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

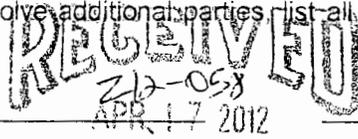
entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: _____

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

Date of contract: _____

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



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

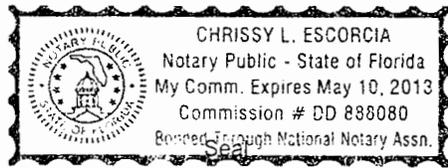
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: *David Meyer*
 (Applicant)

Sworn to and subscribed before me this 16 day of March , 20 12 . Affiant is personally know to me or has produced FDL as identification.

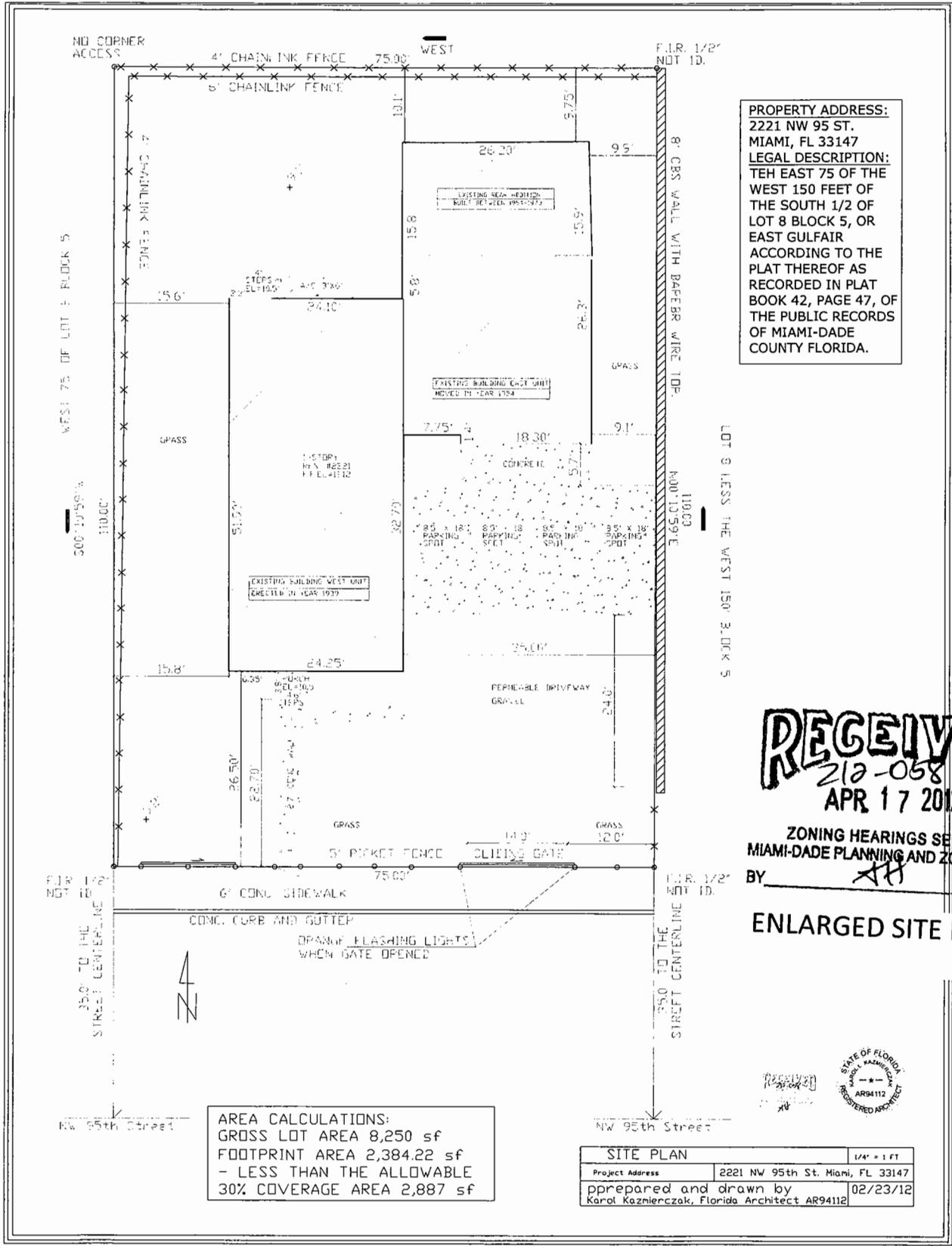
 [Signature]
 (Notary Public)



My commission expires: May 10, 2013

*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.

RECEIVED
MAY 10 2012
PLANNING DEPT
FOR ZONING



PROPERTY ADDRESS:
2221 NW 95 ST.
MIAMI, FL 33147
LEGAL DESCRIPTION:
TEH EAST 75 OF THE
WEST 150 FEET OF
THE SOUTH 1/2 OF
LOT 8 BLOCK 5, OR
EAST GULFAIR
ACCORDING TO THE
PLAT THEREOF AS
RECORDED IN PLAT
BOOK 42, PAGE 47, OF
THE PUBLIC RECORDS
OF MIAMI-DADE
COUNTY FLORIDA.

RECEIVED
212-068
APR 17 2012

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

ENLARGED SITE PLAN

AREA CALCULATIONS:
GROSS LOT AREA 8,250 sf
FOOTPRINT AREA 2,384.22 sf
- LESS THAN THE ALLOWABLE
30% COVERAGE AREA 2,887 sf

SITE PLAN		1/4" = 1 FT
Project Address	2221 NW 95th St. Miami, FL 33147	
Prepared and drawn by	Karol Kazmierczak, Florida Architect AR94112	02/23/12



NO CORNER ACCESS

WEST

F.I.R. 1/2" NOT ID.

4' CHAINLINK FENCE
6' CHAINLINK FENCE

75.00'
10.1'

9.75'

4' CHAINLINK FENCE

+ 9 1/2'

EXISTING REAR ADDITION
BUILT BETWEEN 1954-1973

EXISTING BUILDING EAST UNIT
MOVED IN YEAR 1954

EXISTING BUILDING WEST UNIT
CREATED IN YEAR 1939

1-STORY RES. #2221
F.F.C.L.=11.12'

8.5' X 18' PARKING SPOT
8.5' X 18' PARKING SPOT
8.5' X 18' PARKING SPOT
8.5' X 18' PARKING SPOT

PERMEABLE DRIVEWAY
GRAVEL
RECEIVED
212-058
APR 17 2012

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY *[Signature]*

5' PICKET FENCE

SLIDING GATE

6' CONC. SIDEWALK

CONC. CURB AND GUTTER

ORANGE FLASHING LIGHTS
WHEN GATE OPENED

8' CBS WALL WITH BAREBR WIRE TOP.

110.00'
N00'10'59"E

LOT 8 LESS THE WEST 150' BLOCK 5

WEST 75' OF LOT B BLOCK 5

300'10'59"W

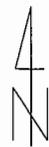
110.00'

F.I.R. 1/2" NOT ID.

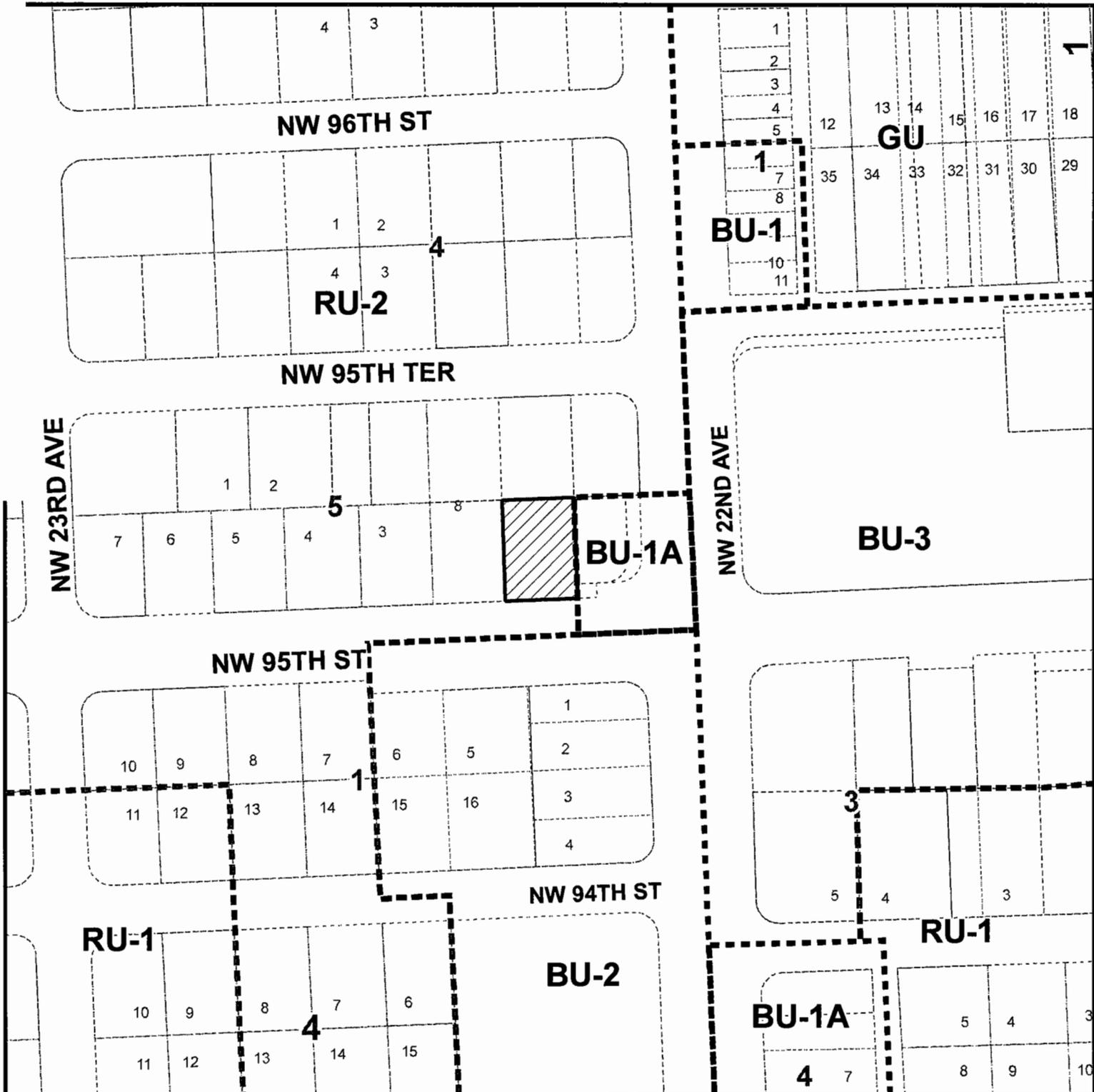
35.0' TO THE STREET CENTERLINE

F.I.R. 1/2" NOT ID.

35.0' TO THE STREET CENTERLINE



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MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2012000058



Section: 03 Township: 53 Range: 41
 Applicant: KAROL KAZMIERCZAK, TRUSTEE
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Tuesday, May 1, 2012

REVISION	DATE	BY
		22



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number

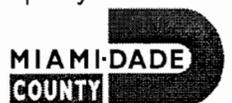
Z2012000058



Section: 03 Township: 53 Range: 41
 Applicant: KAROL KAZMIERCZAK, TRUSTEE
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

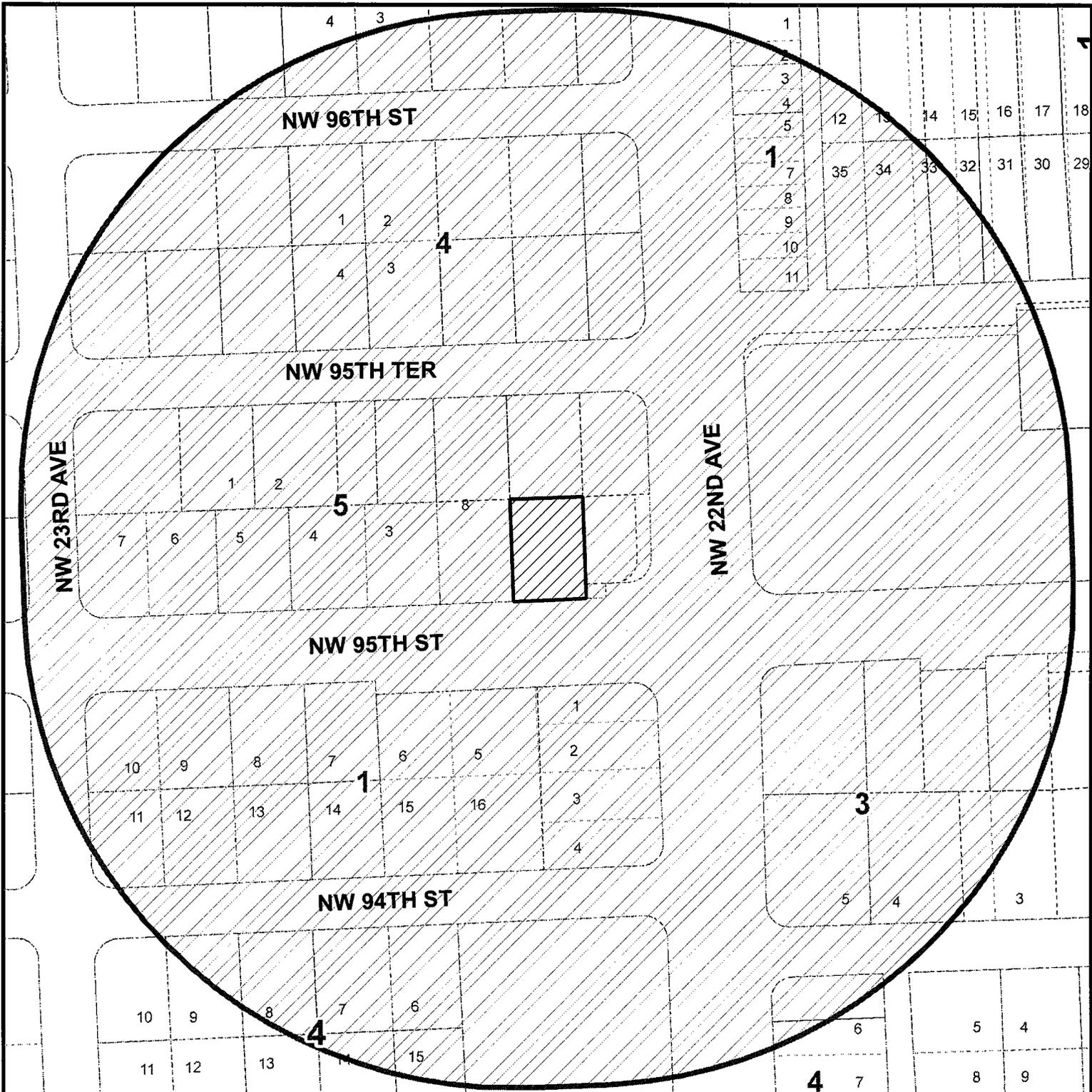
Legend

 Subject Property



SKETCH CREATED ON: Tuesday, May 1, 2012

REVISION	DATE	BY
		23



MIAMI-DADE COUNTY
RADIUS MAP

Process Number

Z2012000058

RADIUS: 500



Section: 03 Township: 53 Range: 41
 Applicant: KAROL KAZMIERCZAK, TRUSTEE
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Tuesday, May 1, 2012

REVISION	DATE	BY
		24



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2012000058



Section: 03 Township: 53 Range: 41
 Applicant: KAROL KAZMIERCZAK, TRUSTEE
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Tuesday, May 1, 2012

REVISION	DATE	BY

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 8**

PH: Z12-091 (12-11-CZ8-3)

November 14, 2012

Item No. 3

Recommendation Summary	
Commission District	2
Applicant	Equitymax, Inc.
Summary of Requests	The applicant is seeking to permit existing additions to a single-family residence that encroach into the rear (north) and interior side (west) setback areas.
Location	1913 NW 86 Street, Miami-Dade County, Florida.
Property Size	4,350 sq. ft.
Existing Zoning	RU-1, Single-family Residential District
Existing Land Use	Single-family residence
2015-2025 CDMP Land Use Designation	Low Density Residential, 2.5 to 6 dua <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b), Non-Use Variance Standards <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions.

REQUESTS:

1. NON-USE VARIANCE to permit an existing addition to a single family residence setback from 17.7' (25' required) from the rear (north) property line.
2. NON-USE VARIANCE to permit a second existing addition to a single family residence setback from 4' (5' required) from the interior side (west) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Equitymax, Inc." as prepared by Carlos Tillan dated stamped received 7/16/12 for a total of 5 sheets.

PROJECT DESCRIPTION:

The plan submitted depicts the existing 1,289 sq. ft. single family residence including the existing additions encroaching into the rear (north) and interior side (west) setback areas on the substandard lot.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-1; single-family residence	Low Density Residential (2.5 to 6 dua)
North	RU-1; single-family residence	Low Density Residential (2.5 to 6 dua)
South	RU-1; single-family residence	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)

NEIGHBORHOOD COMPATIBILITY:

The subject property is an interior, sub-standard RU-1, Single-Family Residential District lot located on NW 86 Street. The area surrounding the subject property is primarily characterized by single-family residences.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to permit the existing additions to the residence. Although the existing additions provide the applicant with additional living area, staff opines that they may have a visual impact on the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the site for **Low Density Residential**. *This category allows a range in density from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre and is characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses.* The approval of the request sought in the application will not add additional dwelling units to the site beyond what is allowed by the LUP map of the CDMP, and will not change the single-family detached use. Since the applicant is not requesting to add additional dwelling units or change the single-family detached use, approval of the application with conditions is **consistent** with the density threshold of Low Density Residential Communities map of the CDMP LUP map designation.

ZONING ANALYSIS:

Staff notes that the applicant submitted revised plans dated stamped received August 24, 2012, that are within the scope of the advertisement. When the applicant's requests to permit the single-family residence with an existing addition to the residence setback 17.7' (25' required) from the rear (north) property line (request #1) and setback 4', where 5' is required from the interior side (west) property line (request #2) are analyzed under the Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval with conditions of these requests would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with the area. Staff opines that subject to the conditions, the 7.3' encroachment into the rear (north) setback area as well as the 1' encroachment into the interior side (west) setback area will not have a negative visual impact on the abutting properties located to the north and west. Staff notes that the survey and pictures submitted with this application indicate that the subject property is separated from the abutting properties to the north and west by a chainlink fence which staff opines does not mitigate the negative visual impact of the aforementioned encroachments. Therefore, as a condition for approval, staff recommends that the applicant either installs an opaque, 6' high wall or fence or in addition to the existing fence, install a hedge to grow and be maintained at a maximum height of 7'.

Staff notes that the requests are not out of character with previous approvals of variances to the setback regulations in this area. For example, pursuant to Administrative Variance

#V1985000079, a property located northwest of the subject property at 2044 NW 87 Street was approved to allow the residence to setback 18' (25' required) from the rear (south) property line. Additionally, pursuant to Resolution #4-ZAB-278-91, a property located south of the subject property, at 1953 NW 83 Street, was approved to allow a carport addition setback 4.75' (5.8' required) from the interior side (west) property line. However, in staff's opinion, the existing floor plan for the single-family residence could be easily converted by future owners to allow multiple residential uses on the property. Therefore, staff recommends as a condition for approval that the applicant provide a Declaration of Use that would restrict the property to a single family use only. Further, staff notes that the applicant has been cited by the Building and Neighborhood Compliance (BNC) Section of the Department of Regulatory and Economic Resources for construction without the required permits. As such, as a condition for approval of the application, staff recommends that the applicant obtain the applicable permits for the additions and that the applicant complies with all the requirements set forth in the attached Departments' memoranda. **Staff therefore, recommends approval with conditions of requests #1 and #2 under the Section 33-311(A)(4)(b), Non-Use Variance standards.**

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

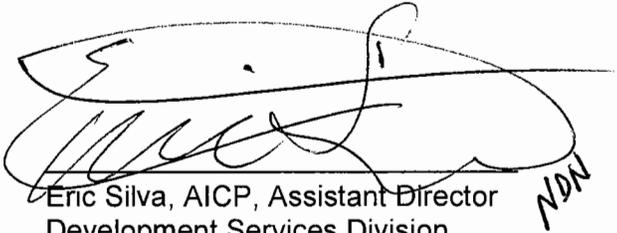
Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Equitymax, Inc." as prepared by Carlos Tillan dated stamped received 8/24/12 for a total of 4 sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtain a building permit for all non-permitted additions on the property where applicable from the Department of Regulatory and Economic Resources.
5. That the applicant submits a Declaration of Use to the Department of Regulatory and Economic Resources restricting the use of the subject property only to a single family residence prior to the issuance of a building permit.

6. That the applicant installs an opaque 6' high fence, wall, or a hedge, 3' high at the time of planting, to grow to and be maintained at a height of 6' along the rear (north) property line as a visual buffer.

ES:MW:NN:JC:CH

A large, stylized handwritten signature in black ink, appearing to read 'Eric Silva'. The signature is written over a horizontal line and includes a large loop at the end.

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

NDN

ZONING RECOMMENDATION ADDENDUM

Equitymax, Inc.
Z12-091

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
Environmental Resource Management Division (RER)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment
*Subject to conditions in their memorandum.	

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

Low-Density Residential (Pg. I-31)	<i>The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

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

3. EQUITYMAX INC
(Applicant)

12-11-CZ8-3 (12-091)
Area 08/District 02
Hearing Date: 11/14/12

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

If so, who are the interested parties? **Equitymax Inc.**

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

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

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

Memorandum

Date: August 3, 2012

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

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

Subject: #Z2012000091
Equity Max, Inc.
1913 NW 86th Street
Non Use Variance to Permit Less Setbacks than Required
(RU-1) (99 Acres)
10-53-41

The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

Flood Protection:

The application site is not within a Special Flood Hazard Zone as per determined by the Federal Flood Insurance Rate Maps (FIRM) for Miami-Dade County. The County flood criterion for this site is 6.0 ft NGVD. The proposed addition as depicted in the zoning request for a variance of set backs appears to be a substantial improvement matching the elevation of the existing single family residence, as defined in Chapter 11C of the Code.

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 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.

The subject property does not meet the minimum allowable lot size requirements of Section 24-43.1(3) of the Code for a single-family residence or duplex served with a septic tank and public water. Pursuant to Section 24-43.1(3), the minimum lot size for a single family residence or duplex served by public water and a septic tank shall be 15,000 square feet (gross) or 20,000 square feet (gross), respectively. However, if it can be demonstrated that the legal subdivision, creating such tract of land, occurred prior to the effective date of the requirement, the subject property is grandfatherable. The Department does

not object to the proposed use served by a septic tank and drainfield disposal system, provided that all the above criteria are met and connection is made to public water.

Stormwater Management

The areas to be legalized will not affect the existing stormwater management system.

Wetlands

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

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

Tree Preservation

The proposal of the additions will not impact tree resources. Therefore, the Tree Permitting Program has no objection to this zoning application, however be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

Enforcement History

There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property.

Concurrency Review Summary

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

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

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

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

cc: Eric Silva, Department of Regulatory and Economic Resources

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: EQUITYMAX INC

This Department has no objections to this application.

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

A handwritten signature in black ink, appearing to read "Raul", with a long horizontal flourish extending to the right.

Raul A Pino, P.L.S.

03-AUG-12

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW # Z12-091
Equity Max Inc.

Application: *Equity Max Inc* is requesting a non-use variance for an interior setback on the property to permit a carport and a rear setback for a terrace enclosure. The property is zoned in a single family residential area.

Size: The subject property is approximately 0.1 acres (4,350 square feet).

Location: The subject property is located at 1913 NW 86th Street in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 12, 2011, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The property as mentioned in the application falls within the PWWM solid waste collection service area. The single-family residence on the property meets the County Code definition of "residential unit." As such, according to Chapter 15 of the Miami-Dade Code entitled Solid Waste Management, the residential unit on the property currently receives, and shall continue to receive **PWWM** waste collection service. Twice weekly curbside waste collection, twice per year scheduled bulky waste collection service, and unlimited use of the 13 Trash and Recycling Centers are the services currently provided to residential units in the PWWM solid waste collection service area.

3. Recycling

The PWWM provides curbside recycling services to **residential units** located in unincorporated Miami-Dade County through a private contractor. The single stream recycling program currently includes separation of glass, aluminum cans, steel cans, plastic bottles, newspaper and phone books. Further information may be obtained by calling the Department's Public Information & Outreach Division at 305-594-1500 or 305-514-6714.

Applicants are **strongly** advised to incorporate adequate space in their building plans to accommodate the recycling program (i.e. somewhere for residents to store their recycling carts).

4. Waste Storage/Setout Considerations

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

5. Site Circulation Considerations

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

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

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

Memorandum



Date: 09-AUG-12
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department
Subject: Z2012000091

Fire Prevention Unit:

Not applicable to MDRF site requirements.

Service Impact/Demand

Development for the above Z2012000091
located at 1913 NW 86 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0794 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 5:18 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,

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.

Memorandum



Date: August 13, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

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

Subject: Z2012000091: EQUITYMAX INC

Application Name: EQUITYMAX INC

Project Location: The site is located at 1913 NW 86 ST, Miami-Dade County.

Proposed Development: The applicant is requesting approval for variances to setbacks for an existing single family residence.

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

We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

EQUITYMAX INC

1913 NW 86 ST, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2012000091

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC; No open cases. BNC: BSS case 20090128448-B opened on February 24, 2009. Notice of Violation issued on February 25, 2009 for Failure to obtain required building permit(s) prior to commencing work on:Attached addition at rear carport enclosure and new windows. Civil Violation Notice B075013 was issued on August 13, 2009. CVN was appealed and hearing held on September 5, 2010, at hearing property owner was found guilty and given 30 days to comply. Final Notice of Intent to Lien/Demand for payment was issued on July 7, 2011. Ownership changed on October 20, 2011, cvn paid on February 24, 2012 and new case 20120148360-B opened. BSS case 20120148360-B opened on October 20, 2011. Notice of Violation issued on October 20, 2011 for failure obtain required building permit(s) prior to commencing work on:Attached addition at rear carport enclosure and new windows. Civil Violation Notice P007245 was issued on February 3, 2012 for non compliance. CVN was appealed on February 15, 2012, hearing was withdrawn on July 18, 2012. Case remains open. BSS case 20120150623-B opened on February 3, 2012. Notice of Violation issued on February 3, 2012 for Failure to obtain required building permit(s) prior to commencing work on: Security cameras. Violation was corrected, permit 2012034542 obtained. Case closed on April 26, 2012.

EquityMax Inc

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

Memorandum



Date: October 23, 2012

To: Franklin Gutierrez, Agenda Supervisor, Agenda Coordinator's Office
Department of Regulatory and Economic Resources

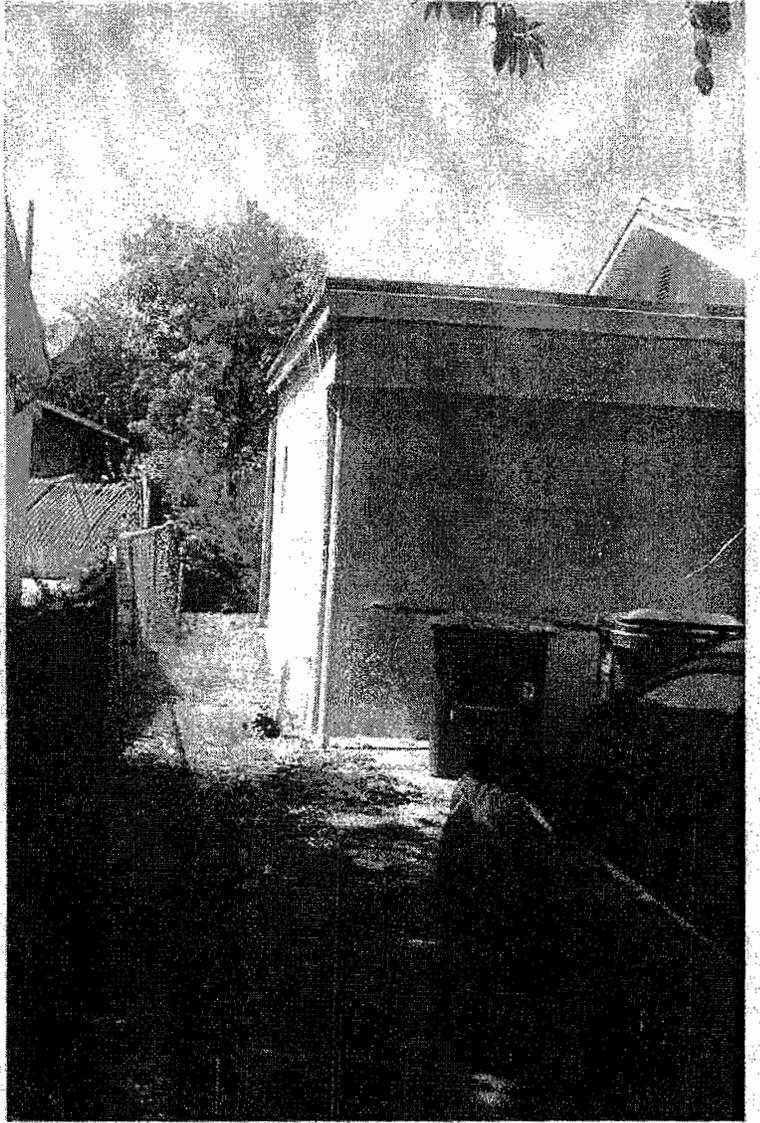
From: James Byers, Zoning Permitting Division Chief
Department of Regulatory and Economic Resources

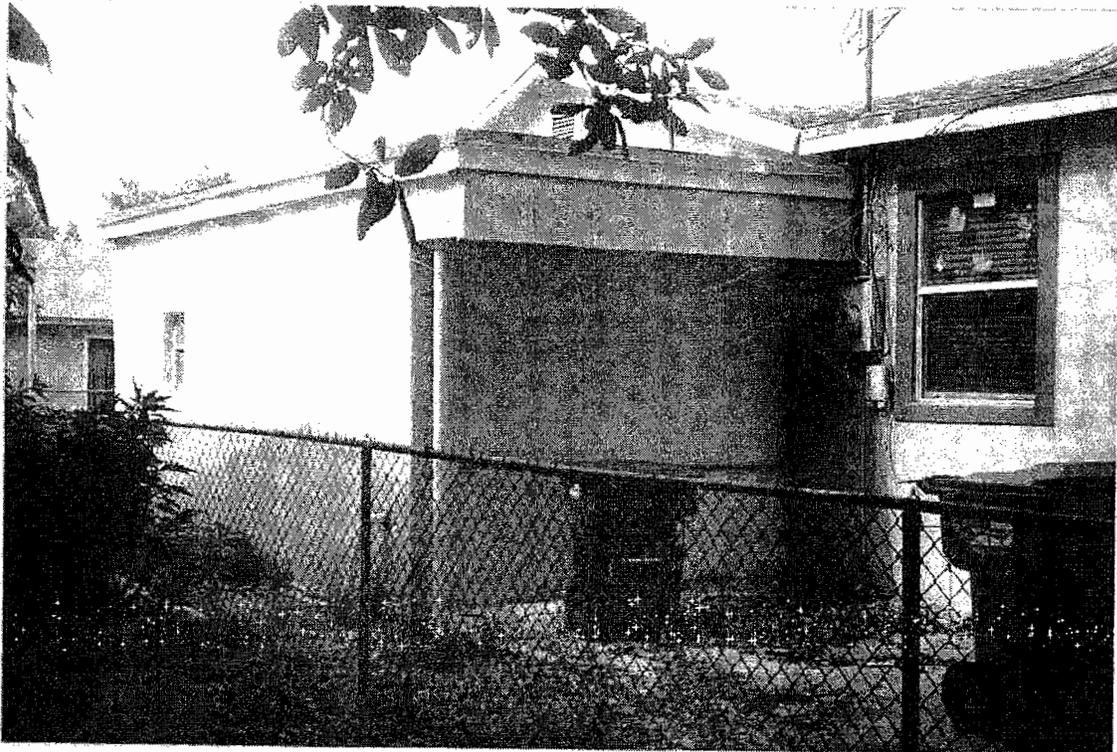
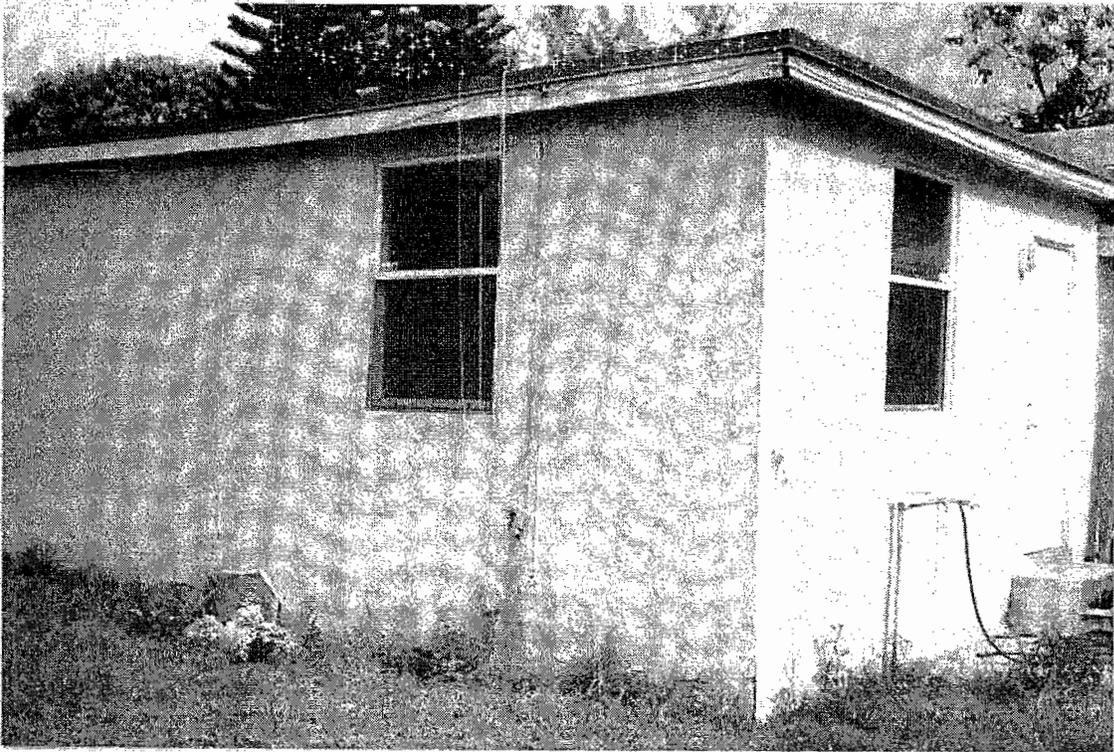
Subject: Z2012000091

Zoning Inspector: Ralph Edwards
Inspection date: October 17, 2012
Location: 1913 NW 86 ST

The subject properties is a single family resident located at 1913 NW 86 ST.

The subject property was inspected and has rear setback violation.







[Handwritten mark]

DISCLOSURE OF INTEREST*

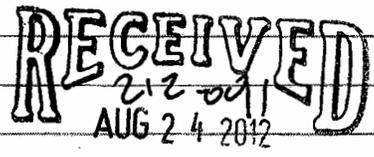
If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural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

CORPORATION NAME: EQUITYMAX, INC.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
BRAD EMMER 20 Bay Colony Lane Fl. Lauderdale, FL 33308-2004	100%

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

TRUST/ESTATE NAME _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
 ZONING HEARINGS SECTION MIAMI-DADE PLANNING AND ZONING DEPT BY <i>[Signature]</i>	

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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

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

entities. further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

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Date of contract: _____

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

FG

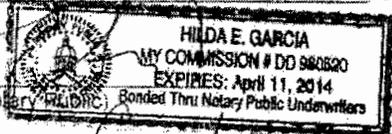
if any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

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

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

Signature: _____
(Applicant)

Sworn to and subscribed before me this 3 day of July 20 12 Affiant is personally know to me or has produced ID as identification.

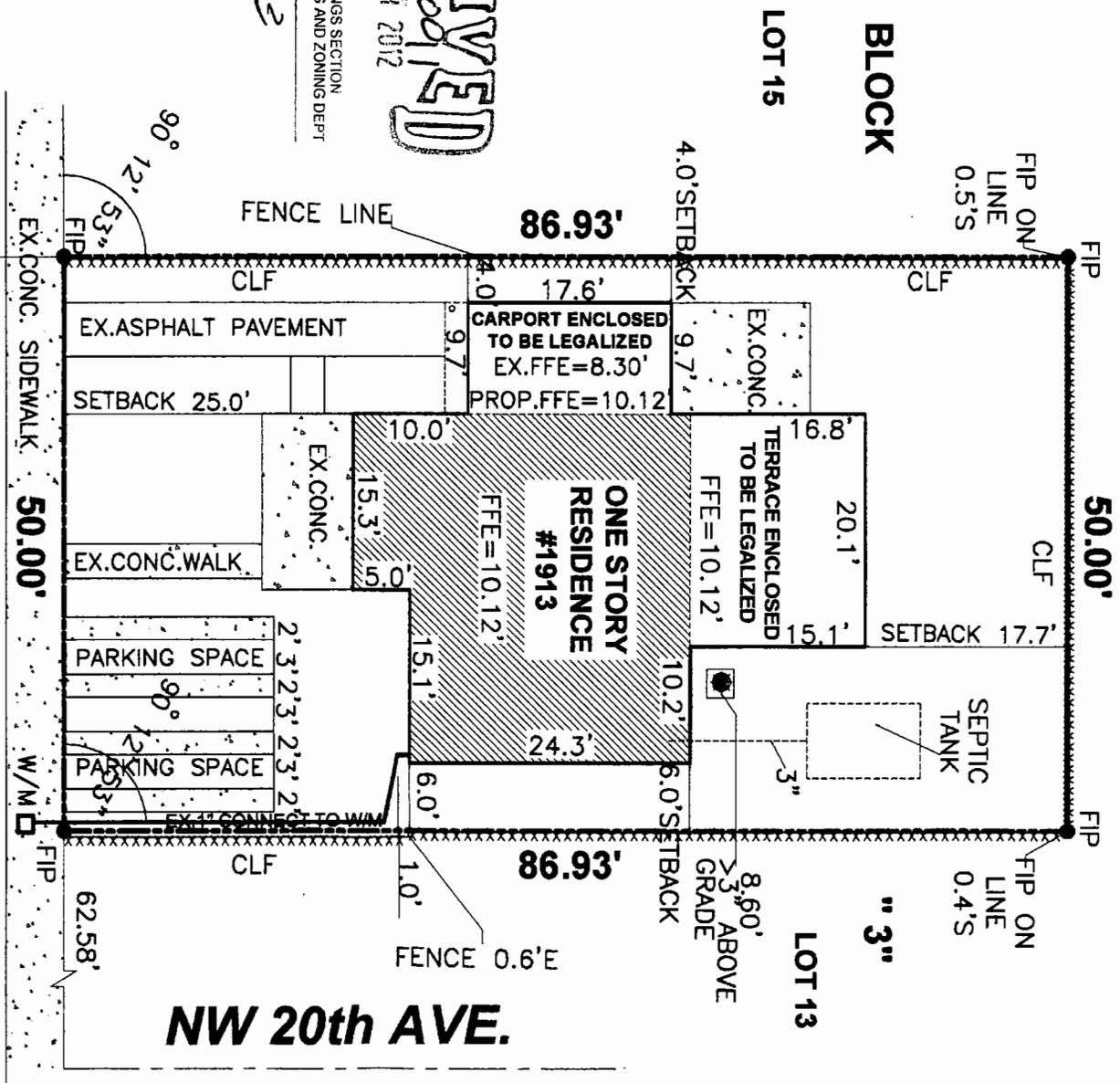


My commission expires: _____ Seal

*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.

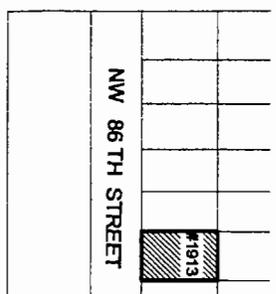
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ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT
 BY *FE*



NW 20th AVE.

*ENLARGES
 SITE PLAN*



21

LOCATION SKE

LEGAL DESCI

LOT 14, BLOCK 3 EVERGLADES AVENUE
 PLAT THEREOFF, PRECORDED PB 19, P
 FLORIDA RECORDS.

PROPERTY AD

1913 NW 86 ST
 MIAMI, FL 33147

BUILDING CRITI

LOT GROSS AREA
 EX HOUSE TO REMAIN
 AREA TO BE REMODELING & TO BE

TOTAL AREA
 % LOT COVER HOUSE

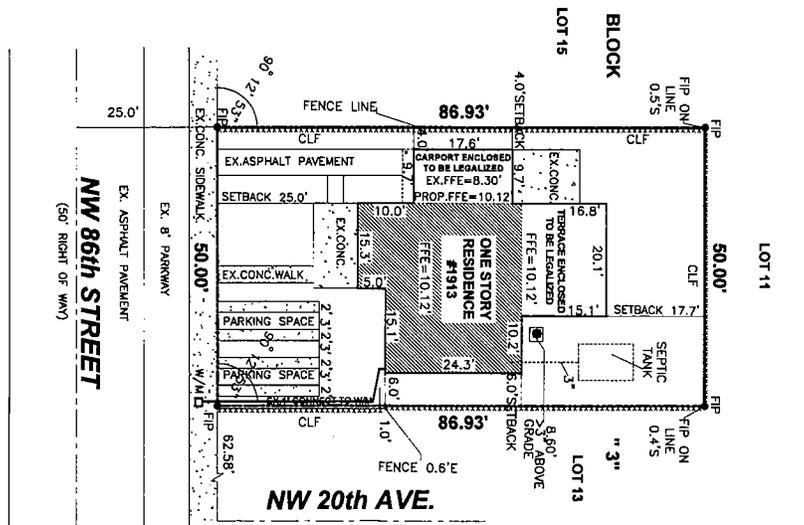
ZONING LEGEND

ZONING:
 HEIGHT (to ridge of roof):
 GROSS LAND AREA
 SETBACKS: FRONT
 SIDE RIGHT
 SIDE LEFT
 REAR

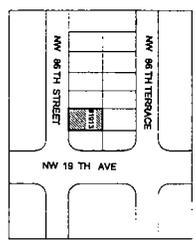
E1 AND ZONE

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ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT
 BY *FB*



SITE PLAN N
 SCALE: 1" = 10'



LEGAL DESCRIPTION
 LOT 15, BLOCK 2, SUBDIVISION 1, SECTION 1, TOWNSHIP 24 NORTH, RANGE 28 WEST, COUNTY OF MIAMI, FLORIDA

PROPERTY ADDRESS
 1913 NW 86th St

BUILDING CRITERIA
 TOTAL AREA: 1285 SF
 1/4 LOT COVER HOUSE

ZONING LEGEND
 RESIDENTIAL SINGLE-FAMILY (RS-F)
 RESIDENTIAL MEDIUM-DENSITY (RM-F)
 RESIDENTIAL HIGH-DENSITY (RH-F)

FLOOD ZONE
 FLOOD ZONE A (100-YEAR FLOOD)
 FLOOD ZONE X (1% ANNUAL CHANCE FLOOD)



FLOOD LEGEND

LOCAL DESCRIPTION	LOCAL ELEVATION	STATE ELEVATION	ADJACENT GRADE ELEVATION
ADJACENT TO REMAIN	11.51'	11.51'	11.51'
ENCLOSURE TO BE LEGALIZED	11.51'	11.51'	11.51'

SITE GENERAL NOTES

1. ALL ENCLOSURE AREAS TO BE LEGALIZED SHALL BE CONSTRUCTED TO MEET THE REQUIREMENTS OF THE MIAMI-DADE COUNTY ZONING ORDINANCES AND THE MIAMI-DADE COUNTY DEPARTMENT OF PUBLIC WORKS AND ENGINEERING.
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SCOPE OF WORK:

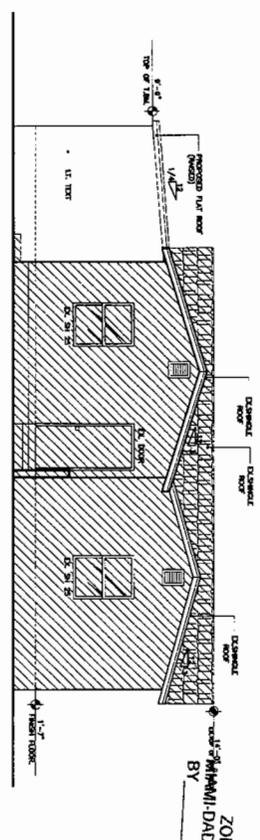
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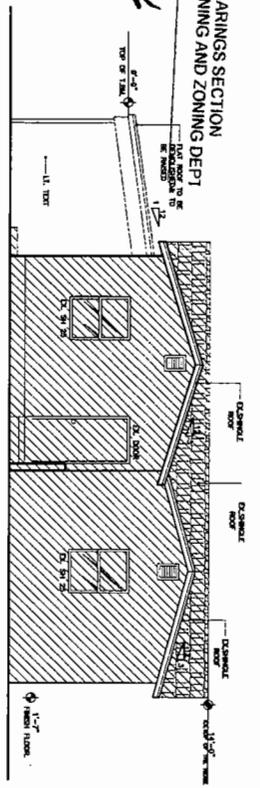
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 AUG 24 2012

ZONING HEARINGS SECTION
 BY *PC* MIAMI-DADE PLANNING AND ZONING DEPT

PROPOSED SOUTH ELEVATION
 SCALE: 1/4" = 1'-0"

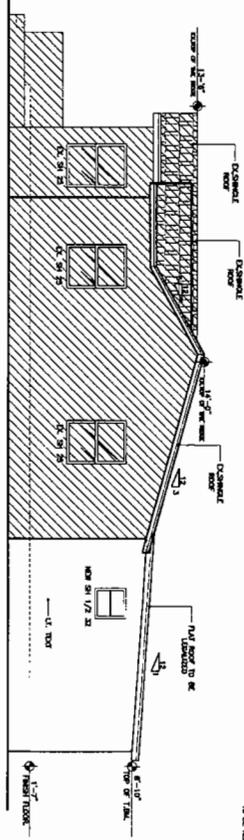


EXISTING SOUTH ELEVATION
 SCALE: 1/4" = 1'-0"

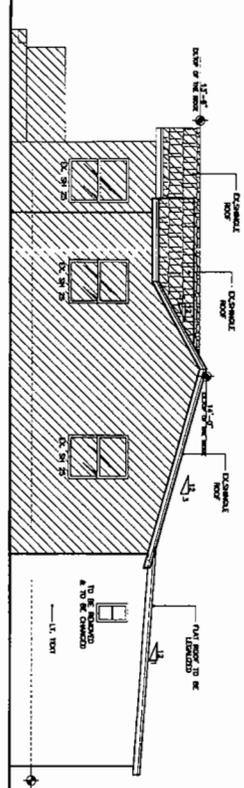


LEGEND:
 [Hatched Box] EXISTING ROOF TO REMAIN
 [Dotted Box] AREA TO BE LEGALIZED
 [Solid Box] TO BE DEMOLISHED

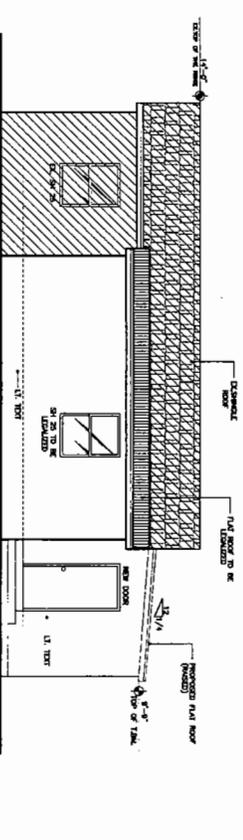
PROPOSED EAST ELEVATION
 SCALE: 1/4" = 1'-0"



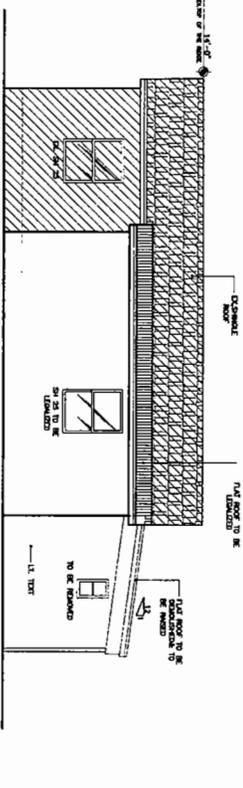
EXISTING EAST ELEVATION
 SCALE: 1/4" = 1'-0"



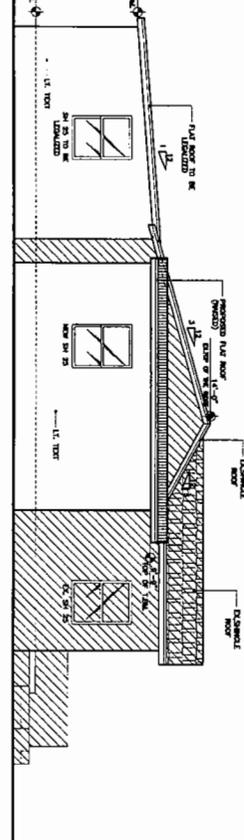
PROPOSED NORTH ELEVATION
 SCALE: 1/4" = 1'-0"



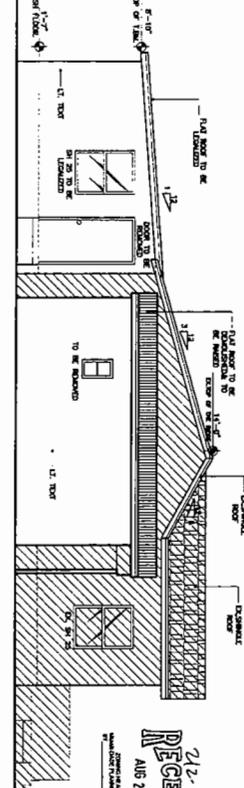
EXISTING NORTH ELEVATION
 SCALE: 1/4" = 1'-0"



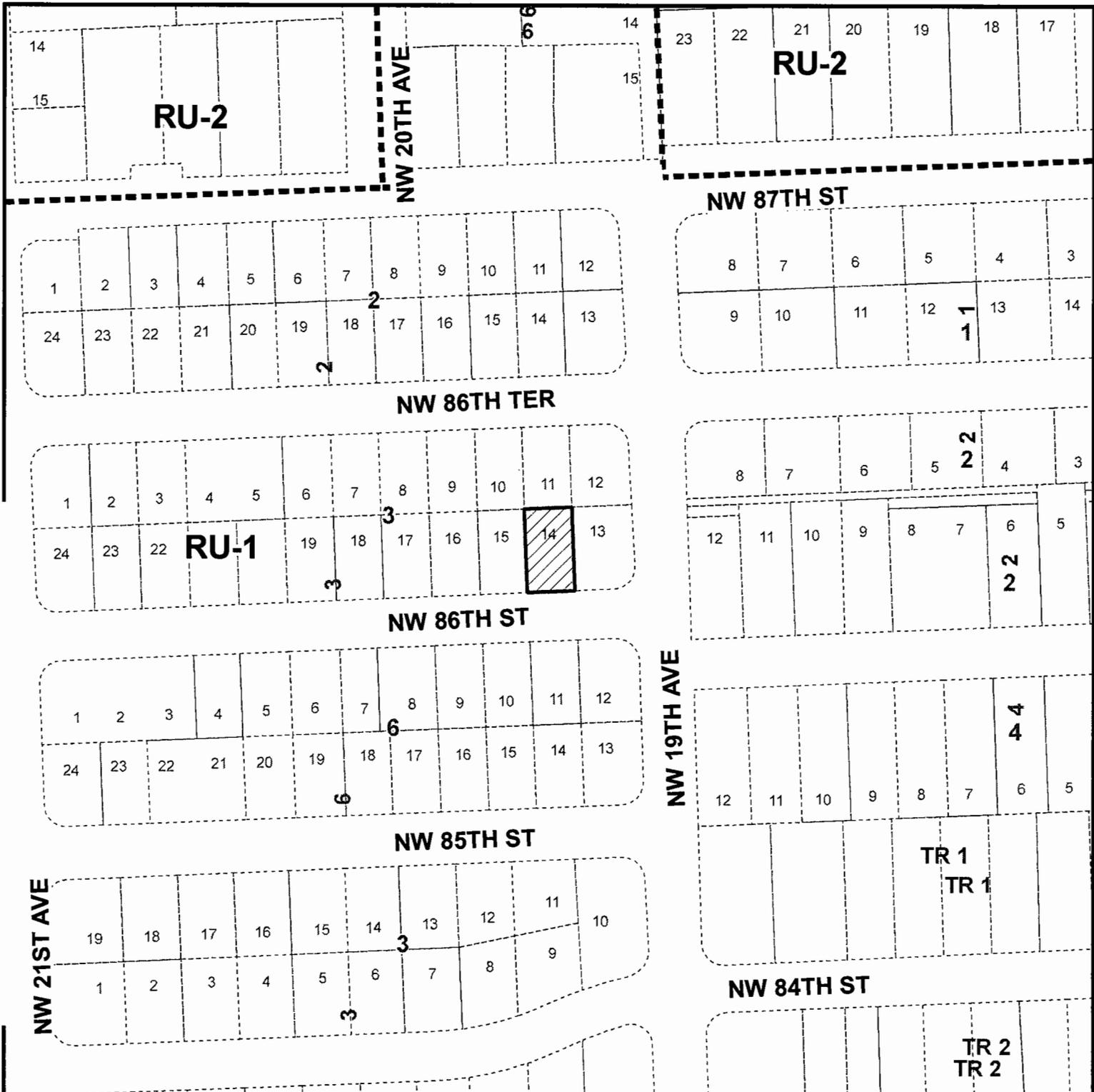
PROPOSED WEST ELEVATION
 SCALE: 1/4" = 1'-0"



EXISTING WEST ELEVATION
 SCALE: 1/4" = 1'-0"



<p>ENGINEER: CARLOS TILLAN P.E. LIC.# 68869 Ph: (305) 527 9041 11214 SW 156 PL MIAMI, FL, 33196</p>	<p>ENCLOSED AREAS TO BE LEGALIZED</p> <p>OWNER: EQUITYMAX INC. 1913 NW 86th ST MIAMI, FL, 33147</p>
<p>Scale: 4 OF 4 A3.1</p>	<p>RECEIVED 2/2-09 AUG 24 2012</p>



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2012000091



Section: 10 Township: 53 Range: 41
 Applicant: EQUITYMAX INC
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, July 26, 2012

REVISION	DATE	BY
		26



MIAMI-DADE COUNTY
AERIAL YEAR 2012

Process Number

Z201200091



Section: 10 Township: 53 Range: 41
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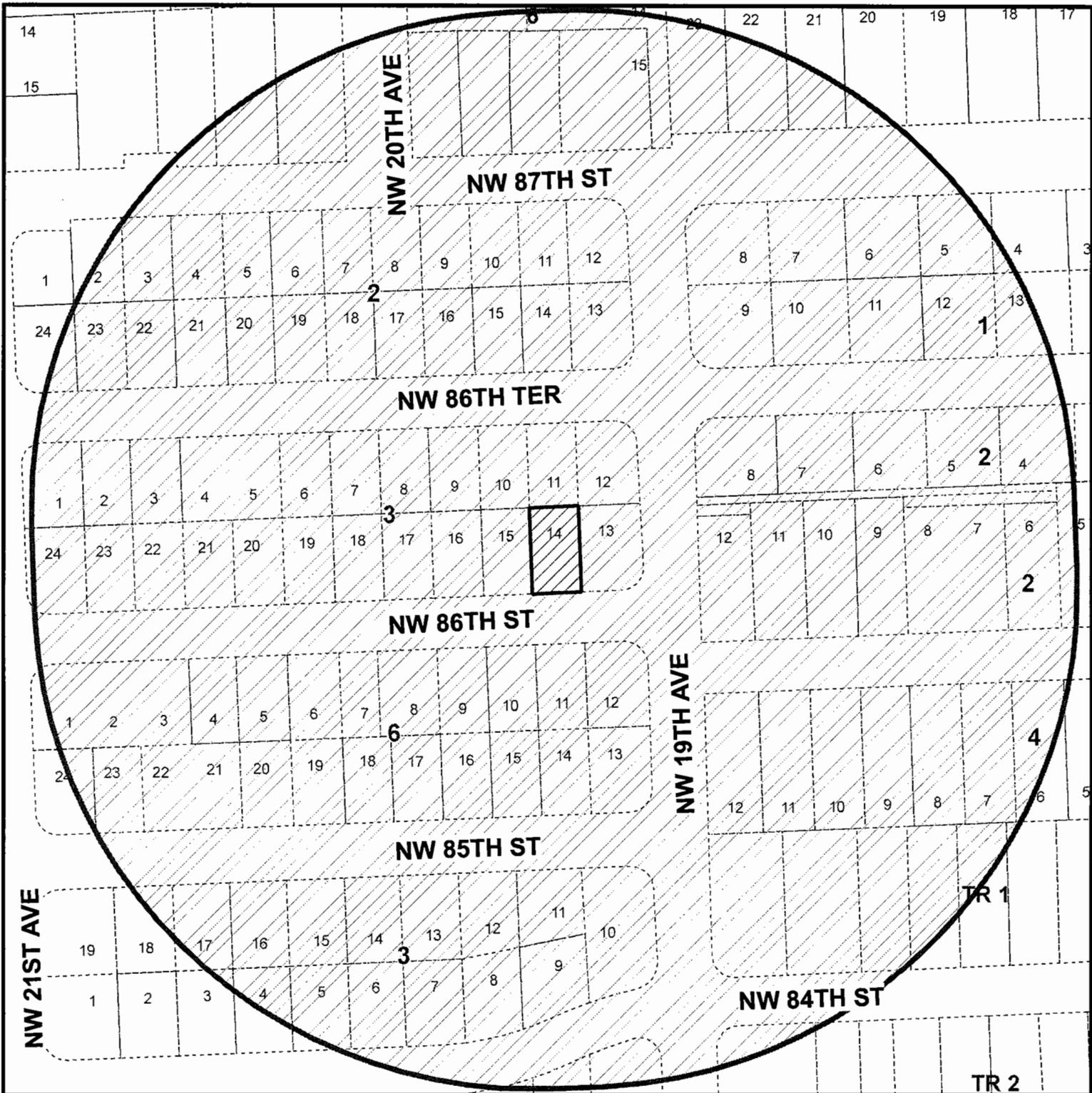
Legend

 Subject Property



SKETCH CREATED ON: Thursday, July 26, 2012

REVISION	DATE	BY
		27



**MIAMI-DADE COUNTY
RADIUS MAP**

Process Number
Z2012000091
RADIUS: 500

Section: 10 Township: 53 Range: 41
Applicant: EQUITYMAX INC
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS



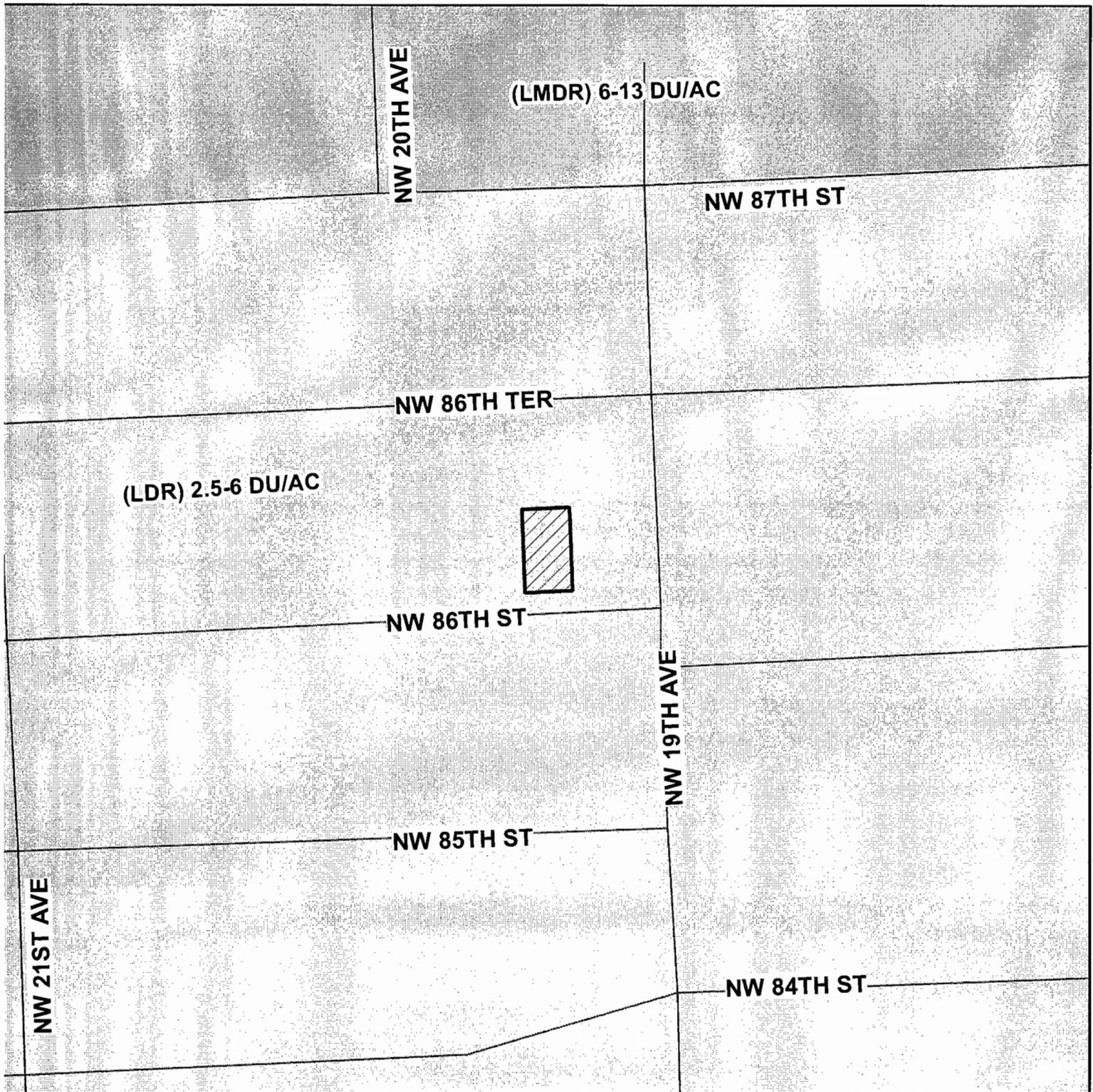
Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Thursday, July 26, 2012

REVISION	DATE	BY
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MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2012000091



Section: 10 Township: 53 Range: 41
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Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, July 26, 2012

REVISION	DATE	BY