

FINAL AGENDA

9-23-2014 Version # 1



COMMUNITY ZONING APPEALS BOARD 8
HENRY REEVES ELEMENTARY SCHOOL
2005 NW 111 Street, Miami
Wednesday, October 29, 2014 at 7:00 p.m.

CURRENT

1. 14-10-CZ8-1 JEUNE JESUS MIRACLE INC. 12-9 35-52-41 N



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 8

MEETING OF WEDNESDAY, OCTOBER 29, 2014

HENRY REEVES ELEMENTARY SCHOOL

2005 NW 111 STREET, MIAMI, FLORIDA

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

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

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

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

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

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

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

SWEARING IN OF WITNESSES

1. JEUNE JESUS MIRACLE, INC (14-10-CZ8-1/12-009)

35-52-41
Area 08/District 02

- (1) SPECIAL EXCEPTION to permit the expansion of a previously approved religious facility onto additional property to the West.
- (2) MODIFICATION of Condition #2 of Resolution CZAB8-01-06, passed and adopted by the Community Zoning Appeals Board #8, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Jeune Jesus Miracle Church" as prepared by Edgar Munoz, P.E., consisting of 5 pages, sheets A-000, A-1, A-2, A-View and SL-1 dated stamped received 11/23/05, and except as modified herein to reduce the church's seating area to comply with the number of parking spaces proposed."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Jeune Jesus Miracle Church" as prepared by Hernando J. Navas, P.E. dated stamped received 3/13/14 and consisting of 5 pages."

The purpose of Request #2 is to permit the applicant to submit a new site plan indicating an expansion of the parking lot to the west for a previously approved religious facility.

- (3) NON-USE VARIANCE to permit parking within the 25' to the official right-of-way on the west proposed lot.

The aforementioned plans are on file and may be examined in the Department of Regulatory and Economic Resources. Plans may be modified at public hearing.

LOCATION: 11250 NW 7 Avenue & 729 NW 112 Street, MIAMI-DADE COUNTY, FLORDIA.

SIZE OF PROPERTY: 1.12 Acres

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), or its successor Department, 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: Z12-009 (14-10-CZ8-1)

October 29, 2014

Item No. 1

Recommendation Summary	
Commission District	2
Applicant	Jeune Jesus Miracle, Inc.
Summary of Requests	The applicant is requesting approval of a special exception request and to modify a condition from a previous resolution in order to submit a new site plan indicating an expansion of a parking lot to the west for a previously approved religious facility. Additionally, the applicant is requesting to allow parking within 25' of a right-of-way.
Location	11250 NW 7 Avenue and 729 NW 112 Street, Miami-Dade County, Florida
Property Size	1.02-acres
Existing Zoning	NCUAD, North Central Urban Area District RU-1, Single-Family Residential District
Existing Land Use	Church and single-family residence
2020-2030 CDMP Land Use Designation	Community Urban Center 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)(3) Special Exceptions, Unusual Uses and New Uses Section 33-311(A)(7) Generalized Modification Standards Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
Recommendation	Approval with conditions

REQUESTS:

- (1) SPECIAL EXCEPTION to permit the expansion of a previously approved religious facility onto additional property to the West.
- (2) MODIFICATION of Condition #2 of Resolution #CZAB8-01-06, passed and adopted by the Community Zoning Appeals Board #8, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Jeune Jesus Miracle Church" as prepared by Edgar Munoz, P.E., sheets A-000, A-1, A-2, A-View and SL-1 dated stamped received 11/23/05, consisting of 5 pages and except as modified herein to reduce the church's seating area to comply with the number of parking spaces proposed."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Jeune Jesus Miracle Church" as prepared by Hernando J. Navas, P.E. dated stamped received 3/13/14 and consisting of 5 pages."

The purpose of request #2 is to permit the applicant to submit a new site plan indicating an expansion of the parking lot to the west for a previously approved religious facility.

- (3) NON-USE VARIANCE to permit parking within the 25' to the official right-of-way (not permitted).

The aforementioned plans are on file and may be examined in the Department of Regulatory and Economic Resources. Plans may be modified at public hearing.

PROJECT DESCRIPTION & HISTORY:

The subject property is located on the west side of NW 7 Avenue, which is a major commercial corridor, between NW 112 and NW 113 Street. The surrounding area is predominately commercial with the exception of established single family residences to the west.

The submitted site plan depicts the previously approved religious facility building located towards the southeast corner of the subject property with a large parking area located to the north of said existing building. Another large parking area is being proposed to an area located to the southwest on the subject property. This area being expanded into measures 50' X 140' and is noted as Lot A in the submitted plans.

The eastern portion of the subject property was subject of multiple zoning hearings among which, was the approval to permit the existing church, pursuant to Resolution #CZAB-8-1-06, on a parcel that was zoned BU-2 and RU-1. Subsequently, the then entire parcel was a part of a larger tract that was rezoned to NCUAD, pursuant to Resolution #Z-14-12. The applicant now seeks to permit expansion of the church use onto the RU-1 zoned parcel to the west to permit additional parking for the church.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	NCUAD & RU-1; church and single-family residence	Community Urban Center Low-Medium Density Residential, 6 dua to 13 dua
North	NCUAD & RU-1; commercial and single-family residences	Community Urban Center Low-Medium Density Residential, 6 dua to 13 dua
South	NCUAD & RU-1; commercial and single-family residences	Community Urban Center Low Medium Density Residential, 6 dua to 13 dua
West	RU-1; single-family residences	Low-Medium Density Residential, 6 dua to 13 dua
East	NCUAD; commercial	Community Urban Center

NEIGHBORHOOD COMPATIBILITY:

The subject property is located on the west side of NW 7 Avenue, which is a major commercial corridor, between NW 112 and NW 113 Street. The surrounding area is predominately commercial with the exception of established single family residences to the west.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to expand the religious facility use onto additional property to the west and will provide additional parking spaces for the congregation to use. However, the requests could impact the surrounding area with additional traffic and could have a visual impact on the neighboring properties to the west.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The western portion of the subject property, which measures 50' X 140' and is noted as Lot A in the submitted plans, is designated as **Low-Medium Density Residential** on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. *The residential densities allowed in this category shall range from a minimum of 6 to a maximum of 13 dwelling units per gross acre. The CDMP Land Use Element interpretative text for Residential Communities indicates that neighborhood and community services including houses of worship are permitted only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood.* The rest of the property to the east, which houses the existing church, is designated **North Central Urban Area District (NCUAD)**. Urban Centers are identified as hubs for future development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve and are intended to be moderate-to-high-intensity design-unified areas that will contain a concentration of different urban functions integrated both horizontally and vertically. Emphasis in design and development of these centers and all of their individual components have been created to promote active pedestrian environments through high-quality design of public spaces as well as private buildings; human scaled appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. All of the parcels within the boundaries of the approved NCUAD are regulated by plans and descriptive standards described in Ordinance #11-65, which is consistent with the Urban Center interpretative text. Among other things, said Ordinance requires buildings to be oriented to the street, parking lots to be predominately relegated to the rear or sides of buildings, primary building entrances to be placed close to the street and/or open space, and shade trees and weather protection to be available in order to create a pedestrian-friendly environment at street level. Additionally, said ordinance permits fences at a maximum height of 3'-6" when located in front of the build-to-line.

Staff notes that the CDMP Land Use Element interpretative text for residential communities permits neighborhood or community services including religious facilities when compatible with the neighborhood. Further, the **Land Use Element Policy LU-4A** sets forth the criteria to determine compatibility and states that *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.*

Based on the zoning analysis below, staff opines that the existing church use and proposed expansion to provide additional parking are **compatible** with the area based on the criteria outlined in CDMP Policy LU4-A. Therefore, staff opines that approval of the application would

be **consistent** with the CDMP Land Use Element interpretative text for properties designated Community Urban Center, and Low-Medium Density Residential.

ZONING ANALYSIS:

The 1.02-acre subject property is located at 11250 NW 7 Avenue which is located on the west side of NW 7 Avenue between NW 112 Street and NW 113 Street. The applicant is seeking to permit an expansion of the church use onto a RU-1 zoned parcel of land located immediately to the west of the previously approved church property (request #1). Said area, which measures 50' X 140', is noted as Lot A in the submitted plans, and will be utilized for parking only. Additionally, the applicant is requesting a modification of the previously approved site plan to show the above mentioned parking area (request #2) and to permit said proposed parking area within 25' of the official right-of-way (not permitted)(request #3). The plans submitted as part of this application depict the development of this site with the aforementioned requests. The existing property is developed with a rectangular building that houses the existing church. Staff notes that no additional buildings are being proposed. The applicant will reconfigure the parking lot to accommodate the additional area for parking, while continuing to provide vehicular connectivity and traffic flow throughout the site. Religious facilities are permitted in the RU-1 zoning district only after approval at public hearing (special exception).

When request #1, special exception to permit the expansion of a previously approved religious facility onto additional property to the west, is analyzed under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New Uses, staff opines that approval of the same would be **compatible** with the surrounding area. Staff opines that the approval of request #1 would not create a negative visual impact to the surrounding commercial businesses and single-family residences in the area. The applicant is proposing to develop the additional area to the west, measuring 50' X 140', with surface parking. Staff opines that the approval of same would create a transition from the heavily traveled, commercial zoned and business designated roadway (NW 7 Avenue) to the residential neighborhood to the west and serve to buffer any impact from same onto the residential neighborhood. Staff notes that the ingress/egress drives are located on the original church parcel and, in staff's opinion, will not create new traffic impacts. Staff further notes that this area will be buffered from adjacent residential properties by ample landscaping in the form of a continuous Green Buttonwood hedge and six (6) lot trees, together with an existing 6' high wood fence. Staff is of the opinion that the buffering provided will mitigate any visual and aural impacts generated by the proposed parking lot. However, as a condition for approval, staff recommends that the 6' high wood fence remains and be maintained as a visual buffer along the west and north property lines within the expansion area. Further, if said fence is removed that it be replaced by an opaque 6' high fence or cbs wall.

Staff further opines that based on memoranda from the Division of Environmental Resource Management (DERM) of the Department of Regulatory and Economic Resources (RER), Miami-Dade Fire Rescue Department (MDFRD) and the Department of Public Works and Waste Management, the approval of the request would not generate or result in excessive noise or traffic. Furthermore, staff opines that the proposed request would not cause undue or excessive burden on public facilities, tend to create a fire or other equally or greater dangerous hazards. **Therefore, staff recommends approval with conditions of request #1 under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New Uses.**

When request #2, to permit the modification of conditions of a previously approved resolution in order to allow the applicant to submit a new site plan indicating an expansion of the parking lot to the west for a previously approved religious facility is analyzed under Section 33-311(A)(7), Generalized Modification Standards, staff opines that said request would be **compatible** with

the surrounding area. Staff notes that approval of the request will allow the applicant to submit a revised site plan that depicts a proposed parking lot on an area located to the west of the subject site to serve the church patrons and guests. Said parking lot area is shown in the submitted plans with 22 parking spaces. Staff opines that the request will not result in excessive traffic as evidenced by the memorandum from the Platting and Traffic Review Section of RER which states that the project meets the traffic concurrency criteria set for an Initial Development Order. The Division of Environmental Resources Management of RER indicates that approval will not result in a reduction in the LOS standards for an initial Development order for wastewater disposal, or stormwater management. Additionally the memorandum from the Miami-Dade Fire Rescue Department does not indicate that the request will have a negative impact on fire rescue services in the area.

Based on the aforementioned Department memoranda, staff opines that approval of request #2 will not result in, among other things excessive overcrowding and concentration of people. Further, staff opines that approval of the request would not have negative visual, noise, or traffic impact or unduly burden County services in the surrounding area as evidenced in the memoranda submitted by the reviewing departments. **Therefore, staff recommends approval with conditions of request #2 under Section 33-311(A)(7) Generalized Modification Standards.**

Similarly, when request #3 is analyzed under Section 33-311(A)(4)(b), non-use variances, staff opines that approval of the request to permit parking within the 25' to the official right-of-way (not permitted) is **compatible** with the surrounding area and will not have a negative impact on the appearance of the community. Staff notes from the site plan that the proposed parking spaces within 25' of the right-of-way are located at the southwest portion of the property within the expansion area and amount to approximately four (4) parking spaces. Additionally, as previously mentioned, said parking lot will be, in staff's opinion, adequately buffered from the adjacent properties by landscaping that includes a continuous row of hedges and trees and a 6' high wood fence, which will provide a visual buffer to the neighboring properties north, west and south of the subject property. Further, staff notes that approval of this request is similar to the previously approved request for the existing church parcel and, in staff's opinion, will not be out of character with said previous approval. **Therefore staff recommends approval with conditions of Request #3 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING:

The submitted site plan depicts three (3) egress/ingress points located along NW 7 Avenue, NW 112 Street and NW 113 Street. The applicant will provide 57 parking spaces for the church use.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That all the conditions of Resolution #CZAB8-01-06, remain in full force and effect except as herein modified.

2. That the existing 6' high wood fence running along the west and north property lines within the expansion area remain and be maintained; and that if the fence is removed or destroyed, it be replaced by a 6' high opaque fence or cbs wall.

ES:MW:NN:CH:JV



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

MM

ZONING RECOMMENDATION ADDENDUM

Jeune Jesus Miracle, Inc.
Z12-009

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Parks, Recreation & Open Spaces	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection

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

<p>Urban Centers (Pg. I-46-48)</p>	<p><i>Diversified urban centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate- to high-intensity design-unified areas which will contain a concentration of different urban functions integrated both horizontally and vertically. Three scales of centers are planned: Regional, the largest, notably the downtown Miami central business district; Metropolitan Centers such as the evolving Dadeland area; and Community Centers which will serve localized areas. Such centers shall be characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. Regional and Metropolitan Centers, as described below, should also have convenient, preferably direct, connections to a nearby expressway or major roadways to ensure a high level of countywide accessibility.</i></p> <p><i>The locations of urban centers and the mix and configuration of land uses within them are designed to encourage convenient alternatives to travel by automobile, to provide more efficient land use than recent suburban development forms, and to create identifiable "town centers" for Miami-Dade's diverse communities. These centers shall be designed to create an identity and a distinctive sense of place through unity of design and distinctively urban architectural character of new developments within them.</i></p> <p><i>The core of the centers should contain business, employment, civic, and/or high-or moderate-density residential uses, with a variety of moderate-density housing types within walking distance from the centers. Both large and small businesses are encouraged in these centers, but the Community Centers shall contain primarily moderate and smaller sized businesses which serve, and draw from, the nearby community. Design of developments and roadways within the centers will emphasize pedestrian activity, safety and comfort, as well as vehicular movement. Transit and pedestrian mobility will be increased and area wide traffic will be reduced in several ways: proximity of housing and retail uses will allow residents to walk or bike for some daily trips; provision of jobs, personal services and retailing within walking distance of transit will encourage transit use for commuting; and conveniently located retail areas will accommodate necessary shopping during the morning or evening commute or lunch hour.</i></p> <p><i>Urban Centers are identified on the LUP map by circular symbols noting the three scales of planned centers. The Plan map indicates both emerging and proposed centers. The designation of an area as an urban center indicates that governmental agencies encourage and support such development. The County will give special emphasis to providing a high level of public mass transit service to all planned urban centers. Given the high degree of accessibility as well as other urban services, the provisions of this section encourage the intensification of development at these centers over time. In addition to the Urban Center locations depicted on the Land Use Plan Map, all future rapid transit station sites and their surroundings shall, at a minimum, be developed in accordance with the Community Center policies established below.</i></p> <p><i>Following are policies for development of Urban Centers designated on the Land Use Plan (LUP) map. Where the provisions of this section authorize land uses or development intensities or densities different or greater than the underlying land use designation on the LUP map, the more liberal provisions of this section shall govern. All development and redevelopment in Urban Centers shall conform to the guidelines provided below.</i></p>
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ZONING RECOMMENDATION ADDENDUM

Jeune Jesus Miracle, Inc.
Z12-009

	<p>Uses and Activities. <i>Regional and Metropolitan Centers shall accommodate a concentration and variety of uses and activities which will attract large numbers of both residents and visitors while Community-scale Urban Centers will be planned and designed to serve a more localized community. Uses in Urban Centers may include retail trade, business, professional and financial services, restaurants, hotels, institutional, recreational, cultural and entertainment uses, moderate to high density residential uses, and well planned public spaces. Incorporation of residential uses is encouraged, and may be approved, in all centers, except where incompatible with airport or heavy industrial activities. Residential uses may be required in areas of the County and along rapid transit lines where there exists much more commercial development than residential development, and creation of employment opportunities will be emphasized in areas of the County and along rapid transit lines where there is much more residential development than employment opportunity. Emphasis in design and development of all centers and all of their individual components shall be to create active pedestrian environments through high-quality design of public spaces as well as private buildings; human scale appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. Existing public water bodies shall also be incorporated by design into the public spaces within the center.</i></p> <p>Buildings. <i>Buildings and their landscapes shall be built to the sidewalk edge in a manner that frames the adjacent street to create a public space in the street corridor that is comfortable and interesting, as well as safe for pedestrians. Architectural elements at street level shall have a human scale, abundant windows and doors, and design variations at short intervals to create interest for the passing pedestrian. Continuous blank walls at street level are prohibited. In areas of significant pedestrian activity, weather protection should be provided by awnings, canopies, arcades and colonnades.</i></p>
<p>Low Medium Density Residential (Pg. I-29)</p>	<p><i>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>
<p>Residential Communities (Pg. I-34)</p>	<p><i>The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different constructions systems. Also permitted in residential Communities are neighborhood and community services including schools, parks, houses of worship, day care centers, group housing facilities, and utility facilities only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments mix of land uses, and their relationship.</i></p>
<p>Land Use Element LU-4A (Pg. I-9)</p>	<p><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></p>
<p>Land Use Element LU-4D (Pg. I-9)</p>	<p><i>Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the compatible and complementary elements and buffer any potentially incompatible elements.</i></p>
<p>Objective LU-4 (Pg. I-9)</p>	<p><i>Miami-Dade County shall, by the year 2020, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.</i></p>

ZONING RECOMMENDATION ADDENDUM

Jeune Jesus Miracle, Inc.
Z12-009

PERTINENT ZONING REQUIREMENTS/STANDARDS

33-311(A)(3) Special exceptions, unusual and new uses	<p><i>Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development. For purposes of public hearing, a site plan shall be considered one (1) special exception, and upon approval of a site plan by the Community Zoning Appeals Board and/or the Board of County Commissioners, all non-use variances incorporated within and reflected upon the site plan shall be considered a part thereof, and official approval of the site plan shall constitute approval of all such non-use variances, unless otherwise so moved by the approving board.</i></p>
Section 33-311(A)(7) Generalized Modification Standards.	<p><i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.</i></p>
33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	<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. JEUNE JESUS MIRACLE INC.
(Applicant)

14-10-CZ8-1(12-009)
Area 08/District 02
Hearing Date: 10/29/14

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

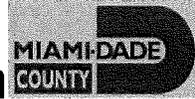
Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1965	W. M. (NEWT) Hudson	- Zone change from RU-1 to BU-2.	BCC	Approved with Condition(s)
1998	Industrial Realty & Funding, Inc.	- Reformation.	C08	Approved with Condition(s)
2006	Jeune Jesus Miracle, Inc.	- Special Exception to permit a religious facility. - Non-Use Variance of setbacks	C08	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: March 26, 2014

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

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

Subject: C-08 #Z2012000009-1st Revision
Jeune Jesus Miracle, Inc.
11250 NW 7th Avenue
To Permit Parking in a more Restrictive Zone and Modification of a
Previous Approved Plan
(BU-2) (.80 Acres)
35-52-41

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

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

A 16-inch force main and an 8-inch gravity sewer main abut the property along NW 7th Avenue. Be advised that connection to the abutting sewer main will be required in the event that a change of use or new construction that signifies an increase in wastewater flow is proposed. Since the work proposed in this application will not result in an increase in the wastewater flow generated, connection to public sewer will not be required at this time.

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

Stormwater Management

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

Site grading and development 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 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/Relocation Permit TREE 4885 was issued for this property on December 11, 2013. All approved tree removal/relocation, replanting and final inspection (a two weeks notice is required prior to the final inspection) must be completed prior to the scheduled expiration date of this permit on December 11, 2015 in order to avoid violation of permit conditions. Please be advised that an amendment to this permit is required prior to the removal and/or relocation of additional trees on the subject property that are subject to the Tree Preservation and Protection provisions of the Code. Please contact the Tree Permitting Program at 305-372-6574 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.

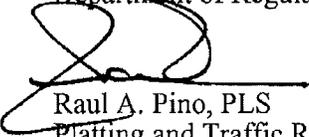
cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum



Date: April 8, 2014

To: Eric Silva, Development Coordinator
Department of Regulatory and Economic Resources

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

Subject: Z2012000009
Name: Jeune Jesus Miracle Inc.
Location: 11250 NW 7th Avenue
Section 35 Township 52 South Range 41 East

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

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

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

Memorandum



Date: March 31, 2014

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

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

Subject: Z2012000009: JEUNE JESUS MIRACLE INC.
Revised plans submitted dated stamped received 3-13-2014

Application Name: JEUNE JESUS MIRACLE INC.

Project Location: The site is located at 11250 NW 7 AVE, Miami-Dade County.

Proposed Development: The applicant is requesting a modification of a previous resolution and approval to permit a parking lot in a more restrictive zone for a church.

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

Recommendation: PROS has no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review. Based on our findings described herein PROS HAS NO OBJECTION TO THIS APPLICATION.

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

MN:jb

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

Memorandum



Date: 09-JUN-14
To: Jack Osterholt, Director
 Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2012000009

Fire Prevention Unit:

No objection to the site plan with a March 18, 2014 Zoning Department received date.

Service Impact/Demand

Development for the above Z2012000009
 located at 11250 NW 7 AVE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 0592 is proposed as the following:

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

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

Existing services

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

Sttaion 19 - North Miami W. - 550 NW 131 Street
 Rescue, ALS 65' Squrt, TRT-1

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.

DATE: 16-SEP-14
REVISION 2

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

JEUNE JESUS MIRACLE INC.

11250 NW 7 AVE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2012000009

HEARING NUMBER

HISTORY:

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

Jeune Jesus Miracle Inc.

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

REPORTER NAME:

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].

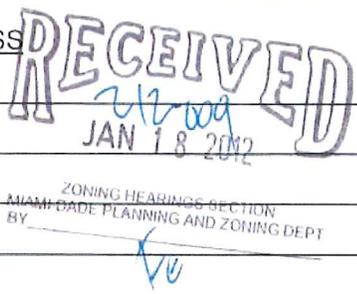
CORPORATION NAME: Jeune Jesus Miracle Church Inc.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>NON PROFIT ORGANIZATION</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>



 RECEIVED
 2/12/09
 JAN 18 2012
 ZONING HEARINGS SECTION
 MIAMI DADE PLANNING AND ZONING DEPT
 BY [Signature]

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.

_____	_____
_____	_____
_____	_____
_____	_____

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.

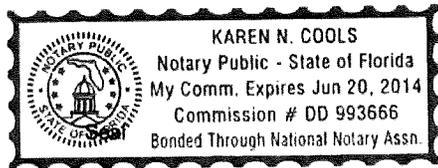
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: _____
(Applicant)

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

(Notary Public)

My commission expires: June 20 2014



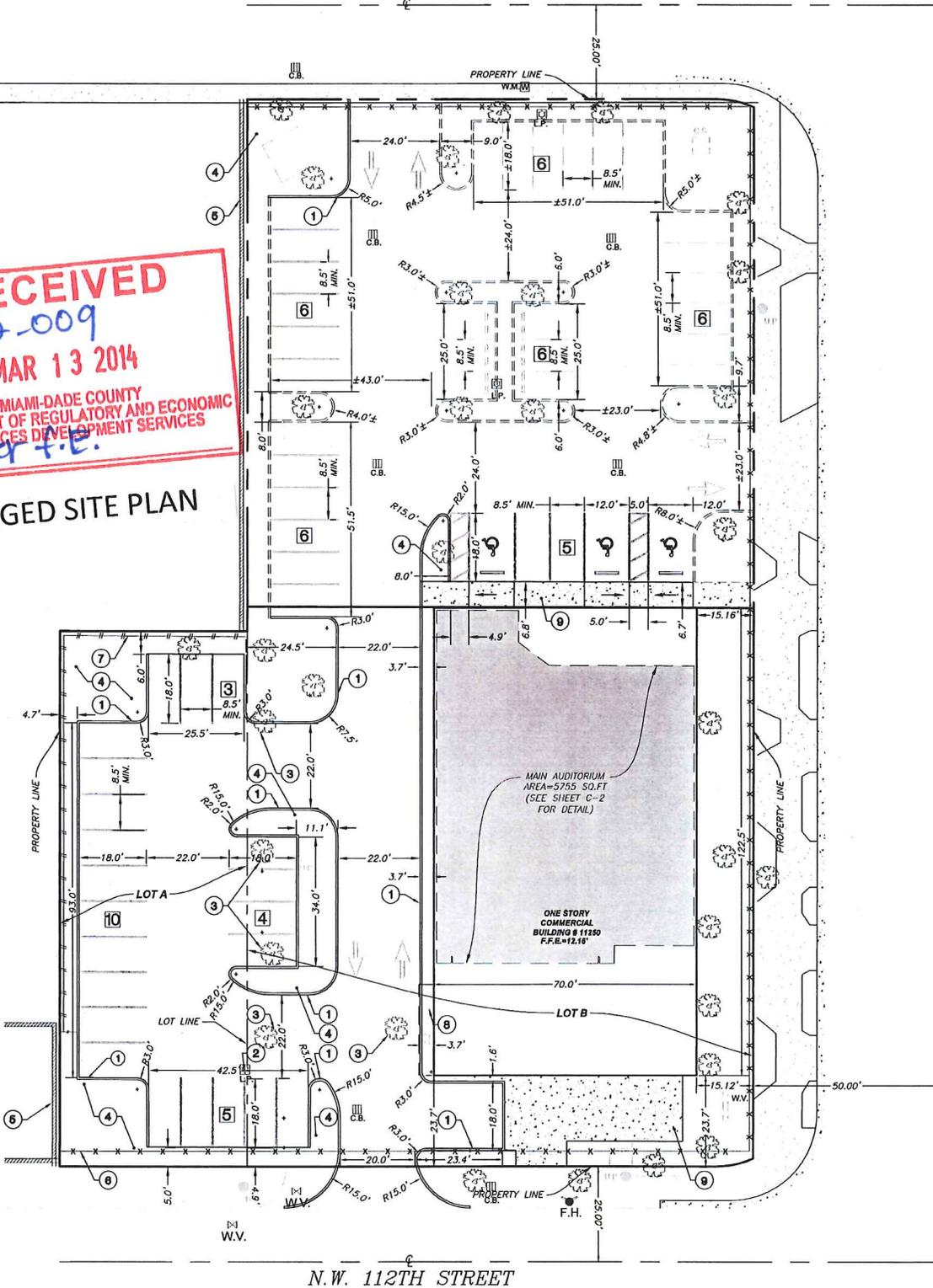
*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership 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.

N.W. 113TH STREET

N.W. 7TH AVENUE

RECEIVED
28-009
MAR 13 2014
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC
RESOURCES DEVELOPMENT SERVICES
By *R.F.E.*

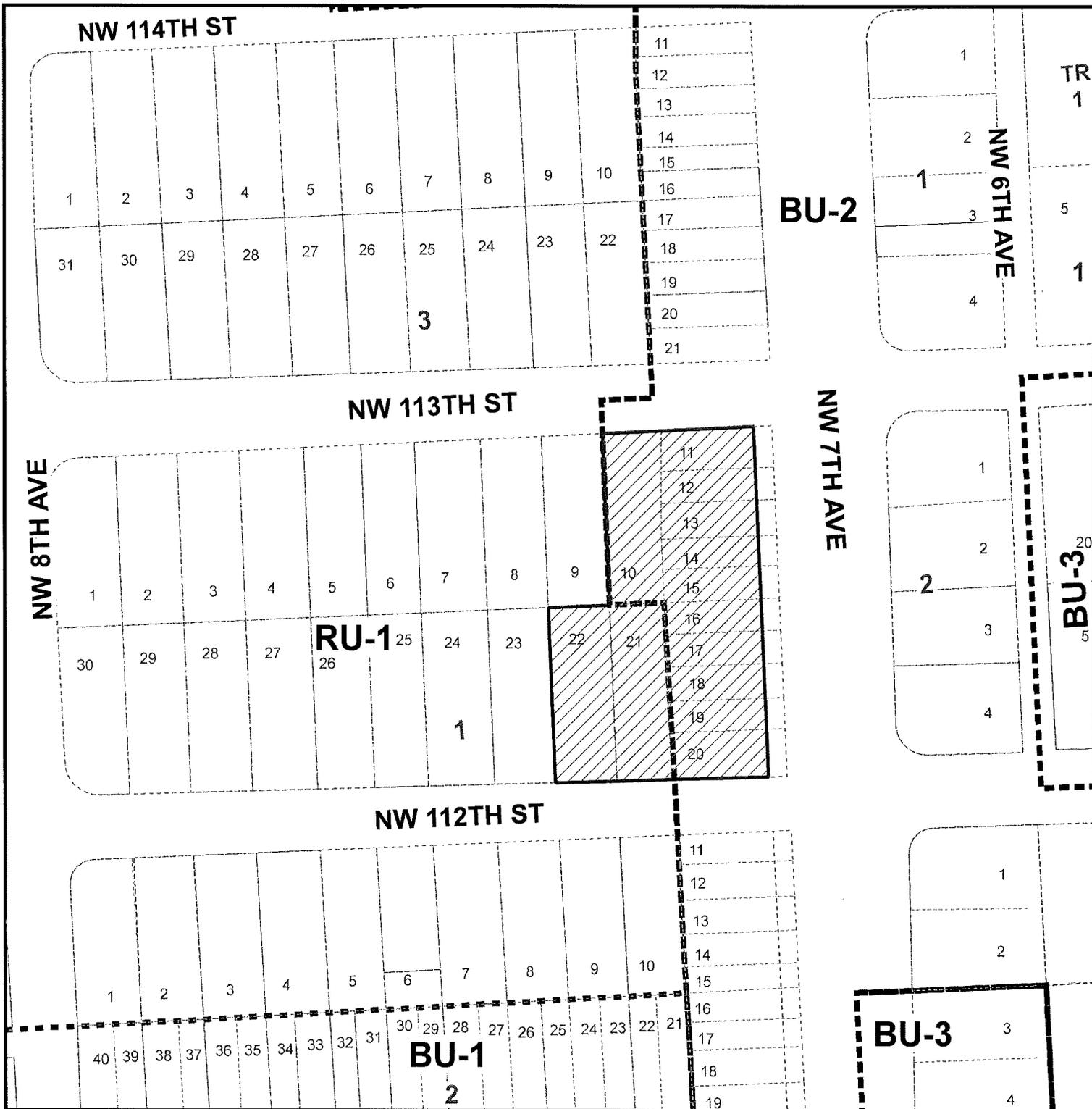
ENLARGED SITE PLAN



N.W. 112TH STREET

212
RECEIVED
MARCH 13 2014

20



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2012000009



Section: 35 Township: 52 Range: 41
 Applicant: JEUNE JESUS MIRACLE INC.
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, February 2, 2012

REVISION	DATE	BY
		26



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number

Z201200009



Section: 35 Township: 52 Range: 41
 Applicant: JEUNE JESUS MIRACLE INC.
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

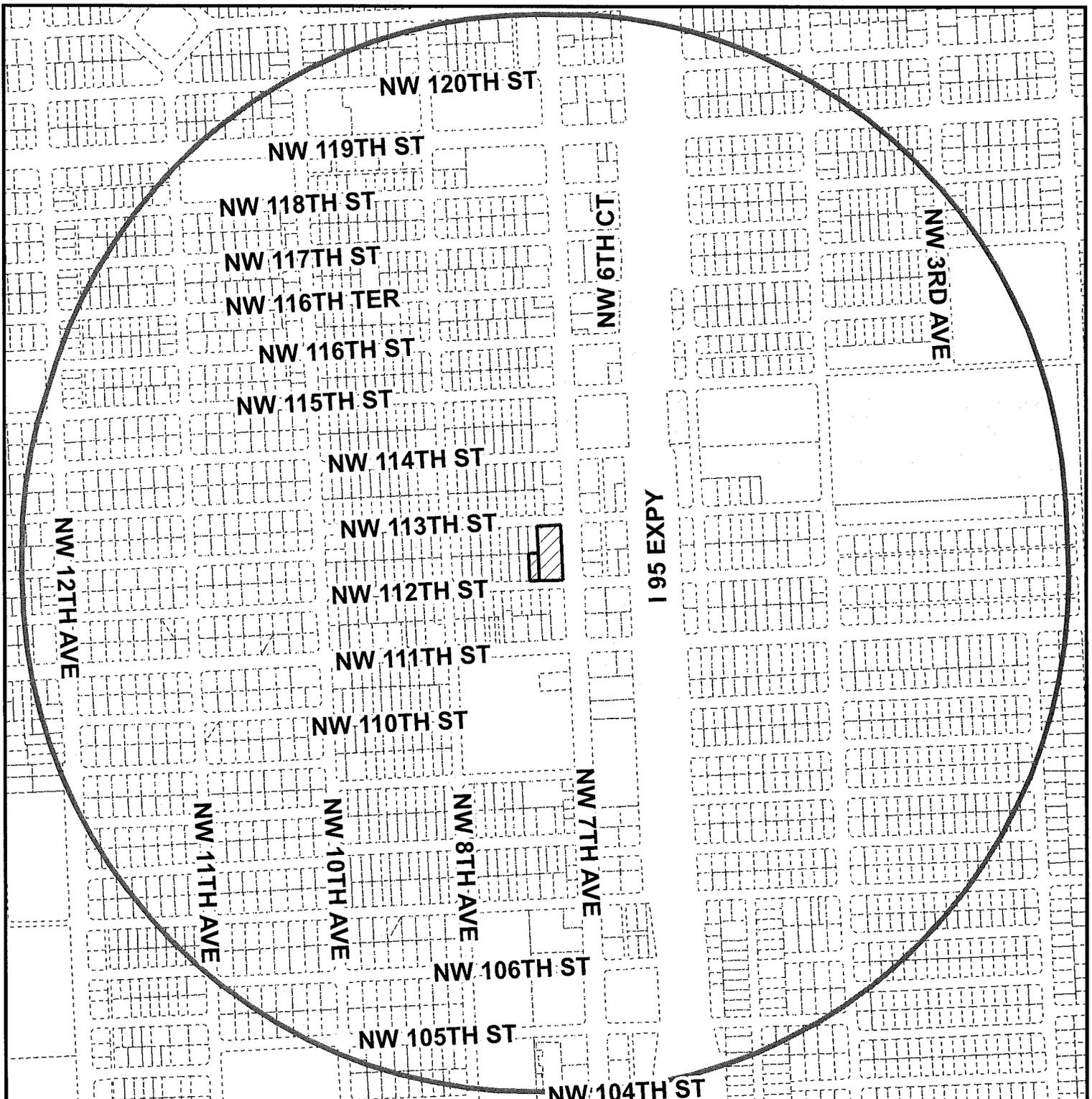
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 Subject Property



SKETCH CREATED ON: Thursday, February 2, 2012

REVISION	DATE	BY
		27



MIAMI-DADE COUNTY
RADIUS MAP

Section: 35 Township: 52 Range: 41
 Applicant: JEUNE JESUS MIRACLE INC.
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Process Number

Z2012000009

RADIUS: 2640

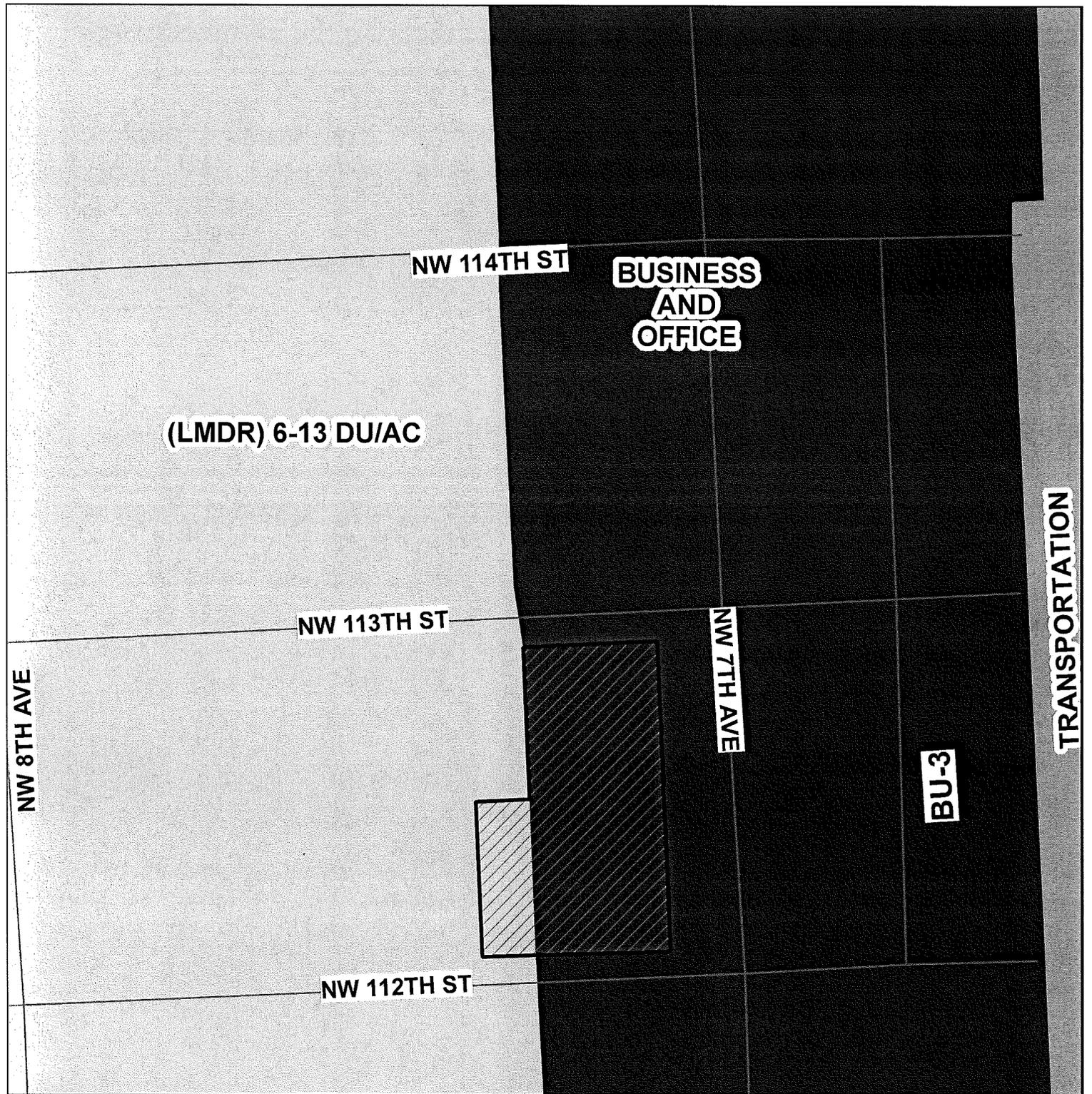
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-  Subject Property
-  Buffer



SKETCH CREATED ON: Thursday, February 2, 2012

REVISION	DATE	BY
		28



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2012000009



Section: 35 Township: 52 Range: 41
 Applicant: JEUNE JESUS MIRACLE INC.
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, February 2, 2012

REVISION	DATE	BY