

THE FOLLOWING HEARING WAS DEFERRED & REVISED FROM 1/16/07 TO THIS DATE:

HEARING NO. 06-12-CZ10-5 (06-136)

11-54-40
Council Area 10
Comm. Dist. 6

APPLICANT: FOUNTAIN INTERNATIONAL INVESTMENTS, INC.

- (1) BU-1A to BU-2
- (2) Applicant is requesting to permit a proposed office building setback 17.33' from the front (south) property line and setback 20.33' (34.1' required for both) from the side street (west) property line.
- (3) Applicant is requesting to permit an existing office building setback 17.33' (30' required) from the front (south) property line.
- (4) Applicant is requesting to permit a lot coverage of 42.5% (40% permitted).
- (5) Applicant is requesting to permit a decorative water fountain setback 18.5' (20' required) from the front (south) property line and spaced 4' (20' required) from the principal building.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 through #5 may be considered under §33-311(A)(16) (Alternative Site Development Option for the BU Zoning District) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Gables Gate Professional Building," as prepared by Behar Font and Partners, P. A., Architecture Planning Interiors, consisting of 14 sheets dated stamped received 1/5/07. Plans may be modified at public hearing.

SUBJECT PROPERTY: Tract 7, less the north 152' thereof and less the east 300' thereof of a re-plat of a portion of SECTION NO. 1, CORAL TERRACE, Plat book 63, Page 3.

LOCATION: 7171 S.W. 24 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.89 Acres

BU-1A (Business – Limited)

BU-2 (Business – Special)

THE FOLLOWING HEARING WAS DEFERRED FROM 11/14/06 TO THIS DATE:

HEARING NO. 06-11-CZ10-2 (06-60)

22-54-40
Council Area 10
Comm. Dist. 10

APPLICANT: PIERINA MONTANO

- (1) UNUSUAL USE to permit a day care center with after-school care.
- (2) Applicant is requesting to permit a building setback 50'6" (50' maximum required) from the front (east) property line.
- (3) Applicant is requesting to permit parking areas and drives within 25' of the official right-of-way (not permitted).

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 & #3 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Kartoon Kids Learning Center," as prepared by Octavio A. Santurio, A. I. A., dated stamped received 9/25/06 and consisting of three sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 1, Block 1, ORFE SUBDIVISION, Plat book 104, Page 75.

LOCATION: 8400 S.W. 40 Terrace, Miami-Dade County, Florida.

SIZE OF PROPERTY: 88.07' x 146.26'

PRESENT ZONING: RU-1 (Single-Family Residential)

THE FOLLOWING HEARING WAS DEFERRED AND REVISED FROM 1/16/07 TO THIS DATE:

HEARING NO. 06-12-CZ10-1 (06-35)

15-54-40
Council Area 10
Comm. Dist. 10

APPLICANT: INTERNATIONAL AGENCIES, INC.

- (1) RU-3B & BU-2 to BU-1A
- (2) Applicant is requesting to waive the zoning regulations requiring a 5' high masonry wall where a business lot abuts a residential zone along the interior side (east) property line.
- (3) Applicant is requesting to waive the landscape regulations requiring a 6' high wall, fence or hedge between dissimilar land uses along the interior side (east) property line.
- (4) Applicant is requesting to permit an accessory structure (dumpster) setback 5' (20' required) from the rear (north) property line and 8'8" (15' required) from the interior side (east) property line.
- (5) Applicant is requesting to permit a total of 86 parking spaces (102 parking spaces required).
- (6) Applicant is requesting to permit a landscape open space of 16% (19% required).
- (7) Applicant is requesting to permit a minimum 5' wide greenbelt (7' required) adjacent to the front (S.W. 40th Street) property line.

REQUESTS #1 - #7 ON PARCEL #1

- (8) Applicant is requesting to permit the residential building setback varying from 22'6" to 23' (25' required) from the rear (south) property line and setback a minimum of 8'4" (15' required) from the interior side (east) property line and 8' (15' required) from the interior side (west) property line.

REQUEST #8 ON PARCEL #2

Upon a demonstration that the applicable standards have been satisfied, approval requests #4 - #6 may be considered under §33-311(A)(16) (Alternative Site Development Option for the BU Zoning District) and approval of requests #2 - #8 under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "New 3-Story Building: Eduardo Reyes," as prepared by Villa & Associates, Inc., dated stamped received 10/4/06 and Sheet L-1 dated stamped received 11/6/06 and consisting of a total of 8 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: PARCEL 1: The south 485.55' of the following legal description: Commence at the Southeast corner of the SW ¼, of the SW ¼, of Section 15, Township 54 South, Range 40 East; thence due west, along the south line of the SW ¼, of the SW ¼, of the said Section 15, for a distance of 528'; thence N1°40'28"E, parallel to the east line of the SW ¼, of the SW ¼, of the said Section 15, for a distance of 50.02' to a point which is located 50' north of, as measured at right angles to the south line of the SW ¼, of the SW ¼, of the said Section 15 and the Point of beginning of the tract of land hereon described; thence continue N1°40'28"E for a distance of 610.84' to a point on the south line, of the south ½, of the north ½, of the SW

CONTINUED ON PAGE TWO

APPLICANT: INTERNATIONAL AGENCIES, INC.

PAGE TWO

$\frac{1}{4}$, of the SW $\frac{1}{4}$, of the said Section 15; thence S89°56'35"W, along the south line of the south $\frac{1}{2}$, of the north $\frac{1}{2}$, of the SW $\frac{1}{4}$, of the SW $\frac{1}{4}$ of the said Section 15, for a distance of 98'; thence S2°11'41"W for a distance of 610.93' to a point which is located 50' north, as measured at right angles to the south line of the SW $\frac{1}{4}$, of the SW $\frac{1}{4}$, of the said Section 15; thence due east for a distance of 103.55' to the Point of beginning. AND: PARCEL 2: All of the above legal description, less the south 485.55'.

Commence at the Southeast corner of the SW $\frac{1}{4}$, of the SW $\frac{1}{4}$, of Section 15, Township 54 South, Range 40 East; thence due west, along the south line of the SW $\frac{1}{4}$, of the SW $\frac{1}{4}$, of the said Section 15, for a distance of 528'; thence N1°40'28"E, parallel to the east line of the SW $\frac{1}{4}$, of the SW $\frac{1}{4}$, of the said Section 15, for a distance of 50.02' to a point which is located 50' north of, as measured at right angles to the south line of the SW $\frac{1}{4}$, of the SW $\frac{1}{4}$, of the said Section 15 and the Point of beginning of the tract of land hereon described; thence continue N1°40'28"E for a distance of 610.84' to a point on the south line, of the south $\frac{1}{2}$, of the north $\frac{1}{2}$, of the SW $\frac{1}{4}$, of the SW $\frac{1}{4}$, of the said Section 15; thence S89°56'35"W, along the south line of the south $\frac{1}{2}$, of the north $\frac{1}{2}$, of the SW $\frac{1}{4}$, of the SW $\frac{1}{4}$ of the said Section 15, for a distance of 98'; thence S2°11'41"W for a distance of 610.93' to a point which is located 50' north, as measured at right angles to the south line of the SW $\frac{1}{4}$, of the SW $\frac{1}{4}$, of the said Section 15; thence due east for a distance of 103.55' to the Point of beginning.

LOCATION: 8485 S.W. 40 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.13 Acres

RU-3B (Bungalow Court)
BU-1A (Business – Limited)
BU-2 (Business – Special)

THE FOLLOWING HEARING WAS DEFERRED FROM 1/16/07 TO THIS DATE:

HEARING NO. 07-1-CZ10-4 (06-98)

14-54-40
Council Area 10
Comm. Dist. 6

APPLICANTS: JOAQUIN & SONIA PEREZ

(1) RU-1 to BU-2

OR IN THE ALTERNATIVE TO REQUEST #1, REQUESTS #2 & #3:

- (2) UNUSUAL USE to permit a parking lot within a more restrictive zone than the use it serves.
- (3) Applicant is requesting to permit parking areas and drives within 25' of the official right-of-way (not permitted).

REQUESTS #1 - #3 ON PARCEL "A"

- (4) Applicant is requesting to waive the zoning regulation requiring a 5' high masonry wall between the BU zoned and RU zoned properties interior to the site.

REQUEST #4 ON PARCEL "B" IN CONJUNCTION WITH REQUESTS #2 & #3

Upon a demonstration that the applicable standards have been satisfied, approval of requests #3 and #4 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "New Parking Lot," as prepared by The Architects Group, dated stamped received 10/24/06 and consisting of 9 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: PARCEL "A": The north 50' of Lots 59 and 60, CENTRAL MANOR, FIRST SECTION, Plat book 16, Page 19. AND: PARCEL "B": Lots 37 and 38, less the north 7' for street, CENTRAL MANOR, FIRST SECTION, Plat book 16, Page 19

LOCATION: 2415 S.W. 68 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 0.26 Acre

RU-1 (Single-Family Residential)

BU-2 (Business – Special)

THE FOLLOWING HEARING WAS DEFERRED FROM 1/16/07 TO THIS DATE:

HEARING NO. 07-1-CZ10-5 (06-148)

4-54-39
Council Area 10
Comm. Dist. 11

APPLICANT: FERRO DEVELOPMENT L. L. C.

BU-1A to RU-3M

SUBJECT PROPERTY: That portion of Tracts 53 and 54, of the SUPPLEMENTAL MAP NO. 1 OF THE LANDS OF THE MIAMI EVERGLADES LAND CO. LTD., in Section 4, Township 54 South, Range 39 East, Plat book 3, Page 39, more particularly described as follows:

That portion of the east $\frac{3}{4}$ of the SW $\frac{1}{4}$ of Section 4, Township 54 South, Range 39 East, less the west 989.93', the south 880' and less the east 35', which lies south of the S/ly right-of-way line of State Road No. 90 (U.S. 41), A/K/A: Tamiami Trail.

LOCATION: The Southwest corner of S.W. 8 Street & S.W. 152 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 8.68 Acres

BU-1A (Business- Limited)

RU-3M (Minimum apartment House 12.9 units/net acre)

THE BOARD OF COUNTY COMMISSIONERS REMANDED THIS ITEM ON 5/25/06 BACK TO THIS BOARD:

HEARING NO. 05-5-CZ10-3 (04-389)

11-54-40
Council Area 10
Comm. Dist. 6

APPLICANTS: 8th STREET HOLDINGS L. L. C. F/K/A: FRANK & GEORGETTE BREIVOGEL

RU-3B to IU-1

SUBJECT PROPERTY: Lots 9-26, Block 3, and Lots 1-8 & Lots 25-32, Block 4, TAMIAMI CITY PLAT, Plat book 14, page 9.

LOCATION: Lying between S.W. 68 Court & S.W. 68 Avenue and both sides of S.W. 9 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.86 Acres

RU-3B (Bungalow Court)
IU-1 (Industry – Light)

HEARING NO. 07-2-CZ10-1 (05-217)

15-54-40
Council Area 10
Comm. Dist. 10

APPLICANT: RICHARD GONZALEZ

(1) RU-2 to RU-5A

OR IN THE ALTERNATIVE TO REQUEST #1, THE FOLLOWING:

(2) USE VARIANCE to permit RU-5A uses in the RU-2 zone.

Plans are on file and may be examined in the Zoning Department entitled "Proposed Office Building for Richard Gonzalez," as prepared by Tectonics Associates, Sheets SP-1 & L-1 dated stamped received 10/11/06 and consisting of 2 pages and Sheets SP-2 & A-1 dated stamped received 9/27/06 and consisting of 2 pages. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 3, Block 7, CORAL WAY HOMESITES, Plat book 46, Page 21.

LOCATION: 8040 S.W. 24 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 90' x 150'

PRESENT ZONING: RU-2 (Two-Family Residential)

APPLICANT: CORAL WAY LEARNING CENTER

- (1) UNUSUAL USE to permit a day care center.
- (2) MODIFICATION of Condition #2 of Resolution #5-ZAB-229-95, passed and adopted by the Zoning Appeals Board, 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 'New Sanctuary Building for the Coral Way United Methodist Church,' as prepared by Walter W. Baggesen, Jr., Architect, consisting of 7 sheets, dated Sept. 1, 1994, except as herein delete two southernmost entrances on the east side, and the southernmost entrance on the west side of the property."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'New Sanctuary Building for the Coral Way United Methodist Church,' as prepared by Walter W. Baggesen, Jr., Architect, consisting of 7 sheets, dated Sept. 1, 1994, except as herein modified to delete the two southernmost entrances on the east side, and the southernmost entrance on the west side of the property and plans entitled 'Coral Way Learning Center,' as prepared by William Hamilton Arthur, Architect, Sheets CVS-1, A-2 & A-3 dated stamped received 10/10/06 and Sheets SP-1, L-1 & A-1 dated stamped received 10/13/06 totaling 6 sheets."

The purpose of request #2 is to allow the applicant to submit revised site plans showing the day care center in conjunction with a previously approved religious facility.

- (3) DELETION of a Paragraph of Resolution #4149, passed and adopted by the Board of County Commissioners, reading as follows:

"On condition that said property is deed restricted for church purposes only."

The purpose of request #3 is to delete the condition restricting use of the property to a religious facility only to permit a day care center as an additional use.

- (4) Applicant is requesting to permit parking with a back-out aisle of 17.7' (22' required).
- (5) Applicant is requesting to permit a setback of 21' (25' required) from the front (west) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 & #3 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing) and approval of requests #4 & #5 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

The aforementioned plans are on file and may be examined in the Zoning Department. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 1 – 4 & 12, Block 5, CORAL WAY HOMESITES, Plat book 46, Page 21.

LOCATION: 7900 S.W. 24 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.61 Acres

PRESENT ZONING: RU-1 (Single-Family Residential)
RU-3 (Four-Unit Apartment)

APPLICANTS: ARGELIA N. CARO & JAVIER TEJERA

- (1) Applicants are requesting to permit a covered porch addition to a single-family residence setback a minimum of 19.24' (25' required) from the front (south) property line.
- (2) Applicants are requesting to permit a detached utility building setback 1.65' (5' required) from the rear (north) property line and setback 4'2" (7'6" required) from the interior side (west) property line.

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

Plans are on file and may be examined in the Zoning Department entitled "Site Plan," as prepared by Fernando Gomez Pina, dated stamped received 9/1/06 and consisting of 4 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 10, Block 7, HARWOOD VILLAGE, Plat book 50, Page 35.

LOCATION: 7395 S.W. 19 Street Road, Miami-Dade County, Florida.

SIZE OF PROPERTY: 8,677 sq. ft.

PRESENT ZONING: RU-1 (Single-Family Residential)

HEARING NO. 07-2-CZ10-4 (06-182)

2-54-39
Council Area 10
Comm. Dist. 12

APPLICANT: HUGO CARBALLOSA

Applicant is requesting to permit a 2-story single-family residence with a lot coverage of 17% (15% maximum permitted for 2-story residences).

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

Plans are on file and may be examined in the Zoning Department entitled "A Residence for Mr. Hugo C. Vasquez, as prepared by Orlando Perez, Jr., consisting of 5 sheets: Sheet 1 dated stamped received 10/23/06, Sheet 3 dated stamped received 10/3/06, Sheet 4 dated stamped received 8/28/06 and the remaining 2 sheets dated stamped received 6/21/06. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 5, Block 1, WDL D SUBDIVISION, Plat book 149, Page 28.

LOCATION: 13190 N.W. 6 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 110' x 163.24'

PRESENT ZONING: EU-1 (Estates 1 Family 1 Acre Gross)

HEARING NO. 07-2-CZ10-5 (06-226)

13-54-39
Council Area 10
Comm. Dist. 10

APPLICANT: MIGUEL RAMOS

- (1) Applicant is requesting to permit a covered terrace addition to a single-family residence setback 13.95' (25' required) from the rear (south) property line.
- (2) Applicant is requesting to permit a lot coverage of 38.13% (35% permitted).

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

A plan is on file and may be examined in the Zoning Department entitled "New Terrace," as prepared by Francisco Hernandez. P. E., dated stamped received 8/7/06 and consisting of one sheet. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 8, Block 26, SOUTHERN ESTATES, FOURTH ADDITION, Plat book 73, Page 81.

LOCATION: 12260 S.W. 40 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 8,000 sq. ft.

PRESENT ZONING: RU-1 (Single-Family Residential)

HEARING NO. 07-2-CZ10-6 (06-238)

9-54-40
Council Area 10
Comm. Dist. 10

APPLICANTS: ANTONIO AND MARIA BARRIAL

Applicants are requesting to permit a Florida room addition to a single-family residence setback 8'2" (25' required) from the rear (west) property line.

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

Plans are on file and may be examined in the Zoning Department entitled "Legalized Florida Room Antonio Barrial and Maria Gonzalez," as prepared by Fernando Gomez-Pina, P. E., dated stamped received 9/8/06 and consisting of 3 pages. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 7, Block 19, CORAL PARK ESTATES, SECTION 1, Plat book 65, Page 86.

LOCATION: 1740 S.W. 89 Place, Miami-Dade County, Florida.

SIZE OF PROPERTY: 100' x 100'

PRESENT ZONING: RU-1 (Single-Family Residential)

HEARING NO. 07-2-CZ10-7 (06-280)

12-54-39
Council Area 10
Comm. Dist. 11

APPLICANT: ORLANDO FERNANDEZ AND MANUEL RIERA

- (1) Applicants are requesting to permit additions to a duplex residence setback varying from 11.86' to 13.64' (25' required) from the rear (east) property line.
- (2) Applicants are requesting to permit a lot coverage of 40% (30% permitted).

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

Plans are on file and may be examined in the Zoning Department entitled "Twin Villas Addition for: Orlando Fernandez Residence & Manuel Riera," as prepared by I. Leon & Assoc., Inc., Pages E-1 & F-1 dated stamped received 9/19/06 and Sheet S-1 dated stamped received 10/3/06. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 11, Block 23, INTERNATIONAL GARDENS, SECTION 5, PART 3, Plat book 111, Page 24.

LOCATION: 1105-1107 S.W. 117 Court, Miami-Dade County, Florida.

SIZE OF PROPERTY: 80' x 100'

PRESENT ZONING: RU-TH (Townhouse – 8.5 units/net acre)

APPLICANTS: JACK'S SHOPPING CENTER LTD. AND ELIES' CORNER LTD.

- (1) BU-1 and BU-1A to BU-1A
- (2) MODIFICATION of Paragraph #1 of a Declaration of Restrictions as recorded in Official Records Book 14561, Pages 3759 through 3764, reading as follows:

FROM: "1. That said property shall be developed substantially in accordance with the spirit and intent of the plans previously submitted, prepared by J. A. Rodriguez-Jomolca, entitled 'Interior Remodeling for Gema Corp.,' dated the 7th day of August, 1989, hereinafter referred to as 'site plan'."

TO: "1. That said property shall be developed substantially in accordance with the spirit and intent of the plans previously submitted, entitled 'Jack's Center & Elie's Corner,' as prepared by William Hamilton Arthur, Architect, dated stamped received 11/20/06 and consisting of 8 sheets; hereinafter referred to as 'site plan'."

- (3) MODIFICATION of Paragraph #1 of a Declaration of Restrictive Covenants in Lieu of Unity of Title (Commercial) as recorded in Official Records Book 19618, Pages 511 through 540, reading as follows:

FROM: "1. The property will be developed in substantial conformity with the site plan entitled 'Jack's and Elie's Corner – Overall Site Plan,' prepared by William Hamilton Arthur Architects, Inc., dated the 8th day of January, 2001. No modification shall be effected in said site plan without the written consent of the then owner(s) or property, and the Director of the Department of Planning and Zoning; provided the Director finds that the modification conforms with the standards established in §33-257 of the Code of Miami-Dade County and provided further that should the Director withhold such approval, the then owner(s) of the property, shall be permitted to seek such modification by application to modify the plan or covenant at public hearing before the Zoning Appeals Board or Board of County Commissioners of Miami-Dade County, Florida, whichever by law has jurisdiction over such matter."

TO: "1. The property will be developed in substantial conformity with the site plan entitled 'Jack's Center & Elie's Corner,' as prepared by William Hamilton Arthur Architects, Inc., dated stamped received 11/20/06 and consisting of 8 sheets. No modification shall be effected in said site plan without the written consent of the then owner(s) or property, and the Director of the Department of Planning and Zoning; provided the Director finds that the modification conforms with the standards established in §33-257 of the Code of Miami-Dade County and provided further that should the Director withhold such approval, the then owner(s) of the property, shall be permitted to seek such modification by application to modify the plan or covenant at public hearing before the Community Zoning Appeals Board or Board of County Commissioners of Miami-Dade County, Florida, whichever by law has jurisdiction over such matter."

APPLICANTS: JACK'S SHOPPING CTR. LTD. & ELIES' CORNER LTD. PAGE TWO

The purpose of requests #2 & #3 is to allow the applicant to submit revised plans showing an addition and modifications to a retail development, including a bank with drive-through tellers and driveway reconfigurations.

- (4) Applicants are requesting to permit an opening in the required 5' high masonry wall along the rear (south) property line where the rear of the business lot lies across the street from an RU zoned property; to permit an egress and ingress drive from the property onto S.W. 40 Terrace (not permitted).
- (5) Applicants are requesting to waive the required 6' high wall, fence or hedge between dissimilar land uses along a portion of the rear (south) property line to permit an egress and ingress drive from the property onto S.W. 40 Terrace.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 and #3 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing) and approval of requests #4 and #5 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

The aforementioned plans are on file and may be examined in the Zoning Department. Plans may be modified at public hearing.

SUBJECT PROPERTY: PARCEL 1: Lots 1-3, JACK'S SHOPPING CENTER, Plat book 56, Page 63, together with the south 100' of that certain vacated 25' alley as set forth and described in Resolution #R-528-98, Official Records Book 18141, Page 34, LESS AND EXCEPT: The N/ly 155' of the following described parcel: Begin at the southwest corner of said Lot 1; thence run N/ly along the west line of said Lot 1, also being the E/ly line of vacated alley, for a distance of 255' to a Point of intersection with the north line of said Lot 1, also being the S/ly right-of-way line of S.W. 40th Street (Bird Road); thence run E/ly along the last described line for a distance of 13.35' to a point; thence deflecting to the right at an angle of 89°44'16' to the previously described course, run S/ly for a distance of 254.95' to a point on the S/ly line of said Lot 1; thence run W/ly along said S/ly line for a distance of 9.36' to a Point of beginning. AND: PARCEL 2: Together with those non-exclusive easement rights for ingress, egress, access and utilities over and upon the parcel described in Exhibit A2, contained in that certain Easement and Operating Agreement, Official Records Book 19865, Page 2274. ELIE'S CORNER: The north 305' of Tract 1, less the south 125' and less the north 25', and less the west 25' for right-of-way dedication, BIRD ROAD FARMS, Plat book 7, Page 19. ELIE'S II: The south 125' of the north 305' of Tract 1, BIRD ROAD FARMS, Plat book 7, Page 19, less the south 25' for alley and less the west 25' for road right-of-way.

LOCATION: Lying south of S.W. 40 Street (Bird Road), between S.W. 98 Avenue and S.W. 99 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.8 Acres

PRESENT ZONING: BU-1 (Business – Neighborhood)
BU-1A (Business – Limited)