

KITS

12-7-2010 Version # 1



COMMUNITY ZONING APPEALS BOARD 10
RUBEN DARIO MIDDLE SCHOOL
350 NW 97 Avenue, Miami
Wednesday, January 12, 2011 at 6:30 p.m.

PREVIOUSLY DEFERRED

A. 10-11-CZ10-1 ANTHONY B. WILSON 08-111 13-54-40 N

CURRENT

1. 11-1-CZ10-1 MEBAHIAH, INC. 09-156 15-54-40 N

2. 11-1-CZ10-2 CHRISTIAN & JESSICA GARCELL DE GOMEZ 10-57 04-54-39 N

3. 11-1-CZ10-3 ALBERTO CARO & JEANETTE FARACH CARO 10-77 01-54-39 N

4. 11-1-CZ10-4 FLORIDA POWER & LIGHT COMPANY 10-102 04-54-40 N



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 10

MEETING OF WEDNESDAY, JANUARY 12, 2011

RUBEN DARIO MIDDLE SCHOOL

350 NW 97 AVENUE, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 6:30 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

A. ANTHONY B. WILSON (10-11-CZ10-1/08-111)

**13-54-40
Area 10/District 06**

- (1) Applicant is requesting to permit an existing storage room setback 7.2' (25' required) from the rear (north) property line.
- (2) Applicant is requesting to permit the existing single-family residence setback 14.6' (15' required) from the side street (west) property line.
- (3) Applicant is requesting to permit a canvas carport setback a minimum of 3.85' from the side street (west) property line and setback a minimum of 3.2' from the rear (north) property line (5' required for both).
- (4) Applicant is requesting to permit a jacuzzi setback 7.94' (10' required) from the interior side (east) property line and setback 49.7' (75' required) from the front (south) property line..
- (5) Applicant is requesting to permit a raised wood deck setback 3.3' (6.25' required) from the interior side (east) property line.
- (6) Applicant is requesting to permit a lattice fence with a maximum height of 12.4' (6' maximum permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Existing Conditions," as prepared by N25 Architect Co., consisting of 4 sheets dated stamped received 1/13/10. Plans may be modified at public hearing.

LOCATION: 5913 S.W. 26 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 62.5' x 100'

Department of Planning and
Zoning Recommendation:

Approval with conditions of requests #2, #4 and #5, modified approval of request #6 and denial without prejudice of requests #1 and #3 under Section 33-311(A)(4)(b) NUV Standards.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

Deferred from: November 30, 20010

1. MEBAHIAH, INC. (11-1-CZ10-1/09-156)

**15-54-40
Area 10/District 10**

- (1) MODIFICATION of Condition #2 of Resolution No.4-ZAB-227-92, 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 'Use Change of Exist. Residence to Office,' as prepared by J. J. Gaston Rivero, P.A., and dated 1/15/92."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, Sheets 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and LS-6 dated stamped received 2/3/10 and Sheets 'SP-1.1,' 'SP-1.0,' 'A-1,' 'LS-1,' 'LS-3' and 'LS-5' dated stamped received 5/13/10 for a total of 15 sheets."

- (2) DELETION of Condition #4 of Resolution No.4-ZAB-227-92, passed and adopted by the Zoning Appeals Board, reading as follows:

"4. That medical, dental, chiropractor, optometrist and opticians' offices be prohibited."

The purpose of requests #1 and #2 is to allow the applicant to submit a new site plan shown in 2 phases and to delete the condition that prohibits medical, dental, chiropractor, optometrist and opticians' offices. Once phase 2 is complete both sites will stand on their own.

REQUESTS #1 AND #2 ON LOT 3, BLOCK 19 ONLY.

- (3) MODIFICATION of Condition #2 of Resolution No. CZAB10-17-08, passed and adopted by Community Zoning Appeals Board #10, 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 'Gonzalez Family Company LLC Office Complex,' as prepared by de la Pezuela & Associates, consisting of a total of 9 sheets, dated stamped received 3/14/08. 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."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets LS-2,' 'LS-4' and 'LS-6' dated stamped received 2/3/10 and Sheets 'SP1.1,' 'SP1.0,' 'A-1,' 'LS-1,' 'LS-3' and LS-5,' dated stamped received 5/13/10 for a total of 15 sheets."

- (4) MODIFICATION of Paragraph #1(a) and #1(c) of a Declaration of Restrictions as recorded in Official Record Book 26433, Pages 1614 – 1619, reading as follows:

FROM: "1(a). That said property shall be developed substantially in accordance with the plans previously submitted, prepared by de la Pezuela & Associates entitled 'Gonzalez Family Company LLC Office Complex,' dated stamped received 3/14/08 and consisting of a total of 9 sheets, said plans being on file with the Miami-Dade County Department of Planning and Zoning and by reference made a part of this agreement."

TO: "1(a). That said property shall be developed substantially in accordance with the plans entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, Sheets 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and 'LS-6' dated stamped received 2/3/10 and Sheets 'SP1.1,' 'SP1.0,' 'A-1,' 'LS-1,' 'LS-3' and LS-5,' dated stamped received 5/13/10 for a total of 15 sheets."

FROM: "1(c) Owner agrees to restrict the property to the following uses:
(1) Medical Doctor's Office/Clinic

- a. (27) Medical Doctors
- b. (15) Chiropractors
- c. (31) Opticians
- d. (32) Optometrists
- (2) Professional Office
 - a. (2) Accountants-Bookkeeping
 - b. (4) Advertising (no shops)
 - c. (8) Architects
 - d. (9) Attorneys
 - e. (13) Building contractors (office only – no shop or storage)
 - f. (22) Drafting or plan service
 - g. (35) Real Estate
 - h. (36) Real Estate Management
 - i. (45) Zoning Consultants
- (3) Dental Office
 - a. (20) Dentist

TO: "1(c) Owner agrees to restrict the property to the following uses:

- (1) Medical Doctor's Office/Clinic
 - a. (27) Medical Doctors
 - b. (15) Chiropractors
 - c. (31) Opticians
 - d. (32) Optometrists
- (2) Professional Office
 - a. (2) Accountants-Bookkeeping
 - b. (4) Advertising (no shops)
 - c. (8) Architects
 - d. (9) Attorneys
 - e. (13) Building contractors (office only – no shop or storage)
 - f. (22) Drafting or plan service
 - g. (35) Real Estate
 - h. (36) Real Estate Management
 - i. (45) Zoning Consultants
 - j. (44) Travel Agencies
- (3) Dental Office
 - a. (20) Dentists

The purpose of the requests is to allow the applicant to submit a new site plan shown in 2 phases and to delete the condition that prohibits medical, dental, chiropractor, optometrist and opticians' offices. Once phase 2 is complete both sites will stand on their own.

REQUESTS #3 - #4 ON LOT 4, BLOCK 19 ONLY

- (5) Applicant is requesting to permit a 4' high masonry wall along the north and a portion east property lines (6' required).

REQUEST #5 ON LOT 3, BLOCK 19 ONLY

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

LOCATION: 3721 and 3731 S.W. 87 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 0.49 Acre

Department of Planning and
Zoning Recommendation:

Approval with conditions.

Protests: 0

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

2. **CHRISTIAN & JESSICA GARCELL DE GOMEZ** (11-1-CZ10-2/10-057) 04-54-39
Area 10/District 11

Applicants are requesting to waive the zoning regulations requiring no accessory use structure for a townhouse residence to extend above the height of the enclosed patio wall; to permit a chickee hut to extend above the height of the 6' wood fence.

A plan is on file and may be examined in the Department of Planning and Zoning entitled "As-Built," as prepared by D'Avila & Associates Services, Inc., dated stamped received 5/19/10 consisting of 2 sheets. Plans may be modified at public hearing.

LOCATION: 14756 S.W. 9 Terrace, Miami-Dade County, Florida.

SIZE OF PROPERTY: 24.17' x 95'

Department of Planning and
Zoning Recommendation:

Denial without prejudice.

Protests: 0

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

3. **ALBERTO CARO & JEANETTE FARACH CARO** (11-1-CZ10-3/10-077) 01-54-39
Area 10/District 12

Applicants are requesting to permit a single-family residence with a lot coverage of 19.9% (15% permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Custom Residence for Mr. And Mrs. Alberto & Jenny Caro, as opened by Bellon Milanese Architects Planners, dated stamped received 7/20/10 and consisting of 10 pages. Plans may be modified at public hearing.

LOCATION: The N.E. corner of N.W. 2 Street, and N.W. 124 Avenue, aka 201 N.W. 124 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 0.838 Acre

Department of Planning and
Zoning Recommendation:

Approval with conditions.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

4. FLORIDA POWER & LIGHT COMPANY (11-1-CZ10-4/10-102)

**04-54-40
Area 10/District 06**

- (1) DBC from AU to RU-5A.
- (2) Unusual Use to permit a parking lot within a more restrictive zone than the use it serves.
- (3) Applicant is requesting to waive the zoning regulations requiring a 5' high wall or fence along the interior side (north) and rear (east) property lines.
- (4) Applicant is requesting to permit a 1-way drive with a minimum width of 9' (14' wide required).
- (5) Applicant is requesting to permit 45 degree angle parking with a minimum stall length of 20' (26.5' required) and a minimum stall aisle width of 9' (12' required).
- (6) Applicant is requesting to permit an landscape open space of 16.28% (25% required).
- (7) Applicant is requesting to permit 135 lot trees (172 required) 0 street trees (36 required) and 0' shrubs (2,080 required).
- (8) Applicant is requesting to waive the dissimilar land use buffer along the north, and east property lines.
- (9) Applicant is requesting to permit 0' to 7' wide landscape buffer (7' required) along the right-of-way.

REQUESTS # 1 THRU #9 ON PARCEL B.

- (10) Unusual Use to permit a heliport.
- (11) Deletion of Condition #3 of Resolution Z-8-72 passed and adopted by the Board of County Commissioners, reading as follows:

“3 . That the proffered agreement be accepted and that the same include an agreement that they will apply to remove the BU-2 zoning and replace the same with the proposed office park district when it is adopted, provided that the building which is erected falls within the purview of that ordinance”.

The purpose of request #11 is to delete the condition to rezone the BU-2 portion of the property to Office Park District and to allow the current BU-2 zoning classification to remain on the site.

REQUESTS #10 AND 11 ON PARCEL A.

(12) Applicant is requesting to permit an office building with 1,503 parking spaces (1,672 parking spaces required).

REQUEST #12 ON PARCELS A AND B

A Boundary survey and a plan is on file and may be examined in the Department of Planning and Zoning entitled "Boundary and Topographic Survey" as prepared by A.R. Toussaint & Associates, Inc. consisting of 3 sheets. Sheet 1 dated stamped received 11/12/10, last handwritten revision dated 12/06/10 and sheets 2 and 3 dated stamped received 10/28/10 and a plan entitled "Florida Power and Light FP&L General Office & OverFlow Parking Lot" as prepared by Leo Giangrande dated stamp received 12/02/10 all totaling 4 sheets. Plans may be modified at public hearing.

LOCATION: Lying south of Flagler Street and on both sides of S.W. 92 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 25.98 Acres

Department of Planning and Zoning Recommendation:

Approval of request #1, approval with conditions of requests #2 through #6 and requests #8 through #12, subject to the Board's acceptance of the proffered covenant and denial without prejudice of request #7 .

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 Planning and Zoning (DPZ) within 14 days after the DPZ has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (The DPZ's posting will be made on a bulletin board located in the office of the DPZ.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

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

A. ANTHONY B. WILSON
(Applicant)

10-11-CZ10-1 (08-111)
Area 10/District 06
Hearing Date: 01/12/11

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>
1946	J.J. Lamb	- Increase cubic content.	BCC	Approved

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

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP

#1

APPLICANT'S NAME: **ANTHONY B. WILSON**

REPRESENTATIVE: Anthony Wilson

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
10-11-CZ10-1 (08111)	November 30, 2010	CZAB10 10

REC: Approval with conditions of requests #2, #4, and #5, modified approval of request #6 and denial without prejudice of requests #1 and #3, under Section 33-311(A)4)(b) NUV Standards.

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>January 12, 2011</u> <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input checked="" type="checkbox"/> OTHER:	Deferral at staff's request to correct an error in the advertisement.	

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		Jorge BARBONTIN			X
COUNCIL WOMAN		Deborah M. CEDENO	X		
VICE-CHAIRMAN	M	Jose GARRIDO (C.A.)	X		
COUNCILMAN	S	Richard M. GOMEZ			
COUNCILMAN		Miguel A. MARTINEZ	X		
COUNCILMAN		Toufic ZAKHARIA	X		
CHAIRMAN		Julio R. CACERES			

VOTE: _____

EXHIBITS: YES NO

COUNTY ATTORNEY: **DAVID HOPE**
DARON FITCH

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 10**

APPLICANT: Anthony B. Wilson

PH: Z08-111 (10-11-CZ10-1)

SECTION: 13-54-40

DATE: January 12, 2011

COMMISSION DISTRICT: 6

ITEM NO.: A

A. INTRODUCTION:

o **REQUESTS:**

- (1) Applicant is requesting to permit an existing storage room setback 7.2' (25' required) from the rear (north) property line.
- (2) Applicant is requesting to permit the existing single-family residence setback 14.6' (15' required) from the side street (west) property line.
- (3) Applicant is requesting to permit a canvas carport setback a minimum of 3.85' from the side street (west) property line and setback a minimum of 3.2' from the rear (north) property line (5' required for both).
- (4) Applicant is requesting to permit a jacuzzi setback 7.94' (10' required) from the interior side (east) property line and setback 49.7' (75' required) from the front (south) property line..
- (5) Applicant is requesting to permit a raised wood deck setback 3.3' (6.25' required) from the interior side (east) property line.
- (6) Applicant is requesting to permit a lattice fence with a maximum height of 12.4' (6' maximum permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Existing Conditions," as prepared by N25 Architect Co., consisting of 4 sheets dated stamped received 1/13/10. Plans may be modified at public hearing.

- o **SUMMARY OF REQUESTS:** The applicant seeks to permit the existing single-family residence and additions setback less than required from the rear (north), interior side (east) and side-street (west) property lines. Additionally, the applicant seeks to permit an accessory structure and a Jacuzzi that encroaches into the aforementioned side-street and rear setback areas and to permit said Jacuzzi setback less than required from the front (south) property line. The applicant also seeks to permit a lattice fence with a height exceeding the maximum permitted by the RU-1, Single-Family Residential District zoning regulations.

- o **LOCATION:** 5913 SW 26 Street, Miami-Dade County, Florida.

- o **SIZE:** 62.5' x 100'

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential**. 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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

RU-1; single-family residence

Low Density Residential, 2.5 to 6 du

Surrounding Properties:

NORTH: RU-1; single-family residence

Low Density Residential, 2.5 to 6 du

SOUTH: RU-1; single-family residences

Low Density Residential, 2.5 to 6 du

EAST: RU-1; single-family residence

Low Density Residential, 2.5 to 6 du

WEST: RU-1; single-family residence

Low Density Residential, 2.5 to 6 du

E. SITE AND BUILDINGS:

Site Plan Review:

(Site plan submitted.)

Scale/Utilization of Site:

Acceptable*

Location of Buildings:

Acceptable*

Compatibility:

Acceptable*

Landscape Treatment:

N/A

Open Space:

Acceptable*

Buffering:

Unacceptable

Access:

Acceptable

Parking Layout/Circulation:

N/A

*Subject to conditions.

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(4)(b) Non-Use Variances from other than airport regulations.

Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and

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

G. NEIGHBORHOOD SERVICES:

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

H. ANALYSIS:

This item was deferred from the November 30, 2010 meeting of the Community Zoning Appeals Board (CZAB) 10, due to an error in the advertisement. The subject property is located at 5913 SW 26 Street, in an area characterized by single-family residences and is designated for **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). This category allows a range in density from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre. Since the applicant's letter of intent does not indicate any intent to use the existing single-family residence and additions for more than the allowable single-family dwelling, then the RU-1, Single-Family Residential District, zoned parcel is **consistent** with the LUP map designation of the CDMP.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. The **Public Works Department** also has **no objections** to the application. The **Miami-Dade Fire Rescue Department (MDFRD)** also has **no objections** to this application and indicates in their memorandum that the estimated average response travel time is **6:24** minutes.

When requests #1 and #3 are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard, staff is of the opinion that approval of these requests would not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations, would affect the stability and appearance of the community and would be **incompatible** with same. Staff notes that the approval of request #1 to allow the existing storage room, setback 7.2' from the rear (north) property line would not be precedent setting in this area. For example, a property located one (1) block to the southwest of the subject property on SW 27 Street, was approved, pursuant to Resolution #CZAB10-9-99, in 1999, to allow the single-family residence setback 3.15' from the rear (south) property line. However, staff's research of the permit records of the subject property indicates that the subject property was approved for an addition to the then garage, now depicted in the submitted floor plans as the storage room, in 1948. Said addition connected the then garage to the existing residence by means of a covered porch, which was not enclosed and therefore was not considered a part of the

principal building. Staff's research of the permit records for the subject property did not indicate any evidence that the covered porch attaching the then garage to the residence was legally enclosed and the applicant has not provided staff with evidence to the contrary. Therefore, staff opines that the garage, now depicted as a storage room, is now a part of the existing residence and therefore must meet the rear setback requirements for a principal building in the RU-1 zoning district, which is 25'. As such, in staff's opinion, approval of this 17.8' encroachment of the principal building on this RU-1 zoned property combined with the applicant's request for the approval of the canvas carport encroaching into the side-street (west) and rear (north) setback areas (request #3), along with the three (3) other variances requested in this application, would set a negative precedent for overly intensive development of RU-1 zoned properties in this area. It should be noted that in the 1999 public hearing (CZAB10-9-99) on the property located to the southwest of the subject site, staff recommended a modified approval to permit a rear setback of 13.65' for the principal residence and that said application did not have as many variances as this application. Therefore, staff recommends denial without prejudice of requests #1 and #3, under the NUV standards.

However, staff opines that when request #2, #4 and #5, are similarly analyzed under Section 33-311(A)(4)(b), NUV, approval of these requests would be **compatible** with the surrounding area and would not affect the stability and appearance of the community. When request #2 is analyzed under the NUV standards, staff notes that there were properties in the surrounding area that were approved for variances of the side-street setback requirements that were similar to or more intensive than what is being requested herein. For example, a property located at 2755 SW 58 Avenue, two (2) blocks to the southeast of the subject property was approved to permit a porch addition setback 11.5' from the side-street (west) property line, where 15' is required, pursuant to Resolution #CZAB-10-10-06, in 2006. The applicant in this case is requesting a variance to permit the residence setback 14.6' from the side-street (west) property line, which is less intensive and in staff's opinion is likely due to construction error. Additionally, staff opines that approval of requests #4 and #5 would not affect the stability and appearance of the surrounding area and would be compatible with same. Staff notes that the Jacuzzi and the raised wood deck, that are the subject of requests #4 and #5 respectively, are located within the interior side setback area of the residence, which is enclosed by a privacy fence, the subject of request #6, and some shrubbery along the interior side (east) property line, based on pictures submitted by the applicant. However, since the raised wood deck and Jacuzzi could be used by the resident and guests as an outdoor recreational area, staff recommends as a condition of approval, that the applicant install an opaque fence or a continuous hedge along the interior side (east) property line to mitigate any negative visual or aural impact on the abutting residential property to the east. Based on the aforementioned, staff recommends approval of request #2, and approval with conditions of requests #4 and #5 under the NUV standards.

When request #6, to permit the lattice fence with a maximum height of 12.4' (6' permitted) is similarly analyzed under the NUV standards, staff opines that approval would be contrary to the intent of the RU-1 zoning regulations and would set a negative precedence for similar approvals in this area. However, staff opines that a modified approval to allow the fence at height of 8' would not be precedent setting and would be **compatible** with the surrounding area. For example, staff notes that a property located at 2755 SW 58 Avenue, two (2) blocks to the southeast of the subject property, was

approved in 2006, pursuant to Resolution #CZAB10-10-06, to permit a residence with an 8' 10" (6' high permitted) high arched entry wall door. Further, staff opines that the reduced fence height would still provide the applicant with adequate privacy for the use of the Jacuzzi and terrace area along the interior side (east) of the residence, would maintain the curb appeal that the lattice fence provides to the residence and would continue to provide a visual buffer for the encroachment of the Jacuzzi into the front setback area. As such, staff recommends approval with conditions of request #6 under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard.

Based on the aforementioned, staff opines that the existing single-family residence is **consistent** with the Low-Density designation of the LUP map of the CDMP and that approval with conditions of requests #2, #4 and #5 along with a modified approval of request #6, would be **compatible** with the surrounding predominant residential developments. However, staff opines that approval of requests #1 and #3 would be detrimental to the community and therefore **incompatible** with same.

I. RECOMMENDATION:

Approval with conditions of requests #2, #4 and #5, modified approval of request #6 and denial without prejudice of requests #1 and #3, under Section 33-311(A)(4)(b) NUV Standards.

J. CONDITIONS: (For requests #2, #4, #5 and #6 only.)

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to 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 "Existing Conditions," as prepared by N25 Architect Co., consisting of 4 sheets dated stamped received 1/13/10, except as herein modified to show the lowering of the lattice fence height to 8', removal of the canvas carport and restoring the terrace connecting the storage room to the house to the 1948 permit condition.
3. That the use be established and maintained in accordance with the approved plan.
4. That buffering be provided along the interior side (east) property line, either in the form of a 6' high wood fence or hedge, not less than 3' high at the time of planting, which shall grow to and be maintained at a height of 6'. Said buffering shall be installed prior to final zoning inspection for the existing raised deck and jacuzzi.
5. That the applicant apply for a building permit for the addition from the Building Department within 90 days after final public hearing approval of this application.

DATE TYPED: 09/29/10
DATE REVISED: 09/30/10, 10/25/10, 11/10/10, 12/01/10
DATE FINALIZED: 12/01/10
MCL:GR:NN:NC:CH

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

Memorandum



Date: July 7, 2008
To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

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

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

Subject: C-10 #Z2008000111
Anthony Wilson
5913 S.W. 26th Street
Request to Permit an Addition that Exceeds Setback Requirements and a
Greater Fence Height than Allowed
(RU-1) (0.14 Acres)
13-54-40

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

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

Concurrency Review Summary

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable Level of Service (LOS) standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

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

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

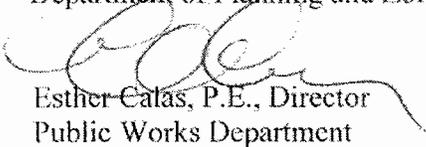
If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

Memorandum



Date: November 26, 2008

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

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

Subject: Zoning Hearing Improvements

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

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

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

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

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

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

Leandro Rodriguez



Memorandum

Date: 23-FEB-10
To: Marc LaFerrier, Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2008000111

Fire Prevention Unit:

Not applicable to MDFR site requirements.

Service Impact/Demand

Development for the above Z2008000111
 located at 5913 S.W. 26 ST, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 1491 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: 6:24 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
 Station 40 - West Miami - 975 SW 62 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.

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

ANTHONY B. WILSON

5913 S.W. 26 ST, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2008000111

HEARING NUMBER

HISTORY:

No violation found at property

ANTHONY B. WILSON

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

REPORTER NAME:

SW 60 AVENUE

16' PAVEMENT

27' PARKWAY

S. Street
Wdth

CONCRETE DRIVE

CANVAS ROOF

TWO PARKING SPACES (17'X18')

SETBACK
STORAGE BOX

WOOD DECK

EXISTING TWO STORY HOUSE

JAGUZZI

WOOD DECK

PORCH

SETBACK

27' PARKWAY

20' PAVEMENT

SW 26 STREET

rear
~~south~~
north

front
~~north~~
south

RECEIVED
208-111
JAN 13 2010

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

PH

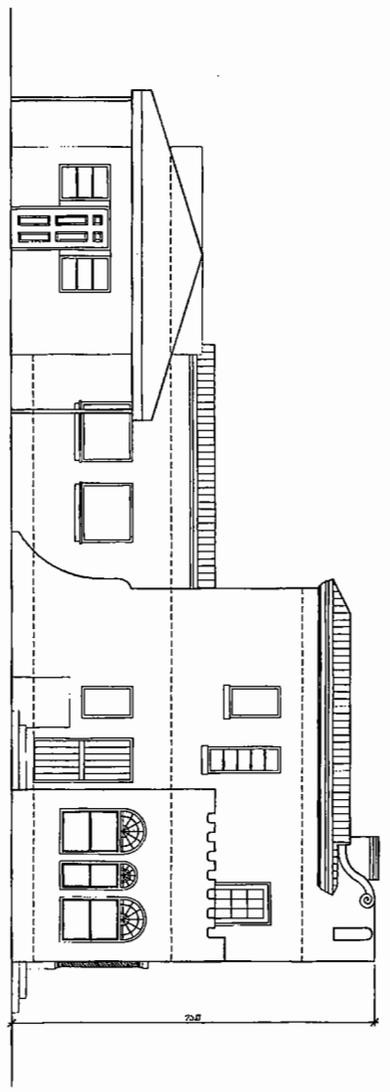
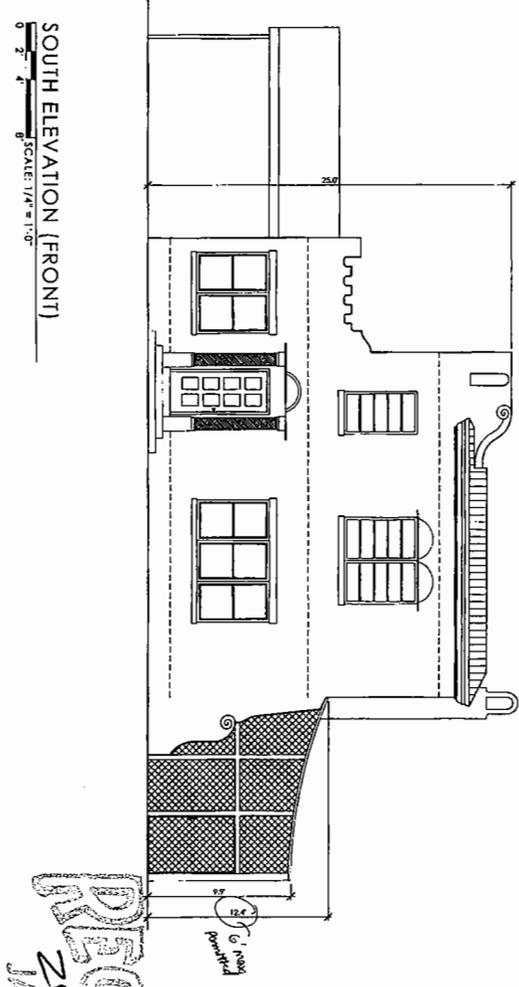
REGULATORY ZONING
JAN 13 2010
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

Existing conditions
 dt:
 5913 SW 26 Street
 Miami, FL 331--

M 25
 ARCHITECTS
 4783 SW 72 Ave
 Miami, FL 33155
 Phone 305 444 5151
 Fax 305 444 5151
 Florida License # A 00029242

RECEIVED
 2009-11-11
 JAN 13 2010

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



Production of Plans: Myself/Other
 Designer: Architect
 Registration No.: A 00011800
 2/10/09

Drawing No.: **A3.00**

Project No.:

Issue Date:

Project No.:

Scale:

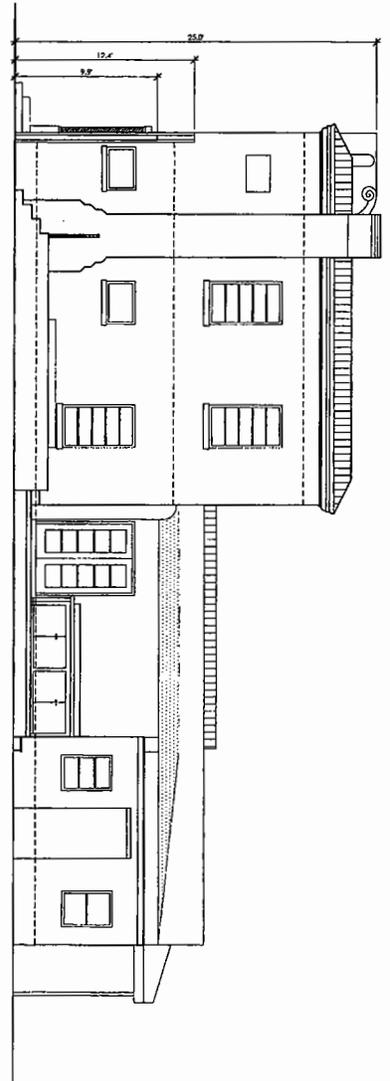
Sheet Title:

ELEVATIONS

The drawings and/or specifications have been prepared in the office of the Architect and are not to be construed as a contract. The drawings and/or specifications shall be read in conjunction with the contract documents. The Architect shall not be responsible for any errors or omissions in the drawings and/or specifications. The Architect shall not be responsible for any construction methods or materials not shown or specified. The Architect shall not be responsible for any construction methods or materials not shown or specified. The Architect shall not be responsible for any construction methods or materials not shown or specified.

Existing conditions
dt:
5913 SW 26 Street
Miami, FL 33155

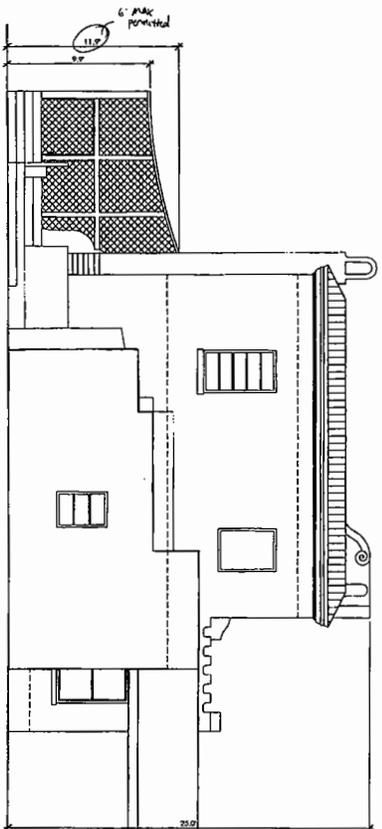
M 25
 ARCHITECTURE
 4793 SW 72 Ave
 Miami, Florida 33155
 Phone 305 444 7181
 Florida License # 00000212



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

RECEIVED
2008-11-11
JAN 13 2009

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



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

RECEIVED
JAN 13 2009
MIAMI-DADE PLANNING AND ZONING DEPT.

This drawing is a reproduction of a drawing prepared by the architect. It is not to be used for construction purposes without the written consent of the architect. The architect is not responsible for any errors or omissions in this drawing. The architect is not responsible for any changes made to this drawing after it has been prepared. The architect is not responsible for any damage to the drawing or any loss of the drawing. The architect is not responsible for any delay in the completion of the drawing. The architect is not responsible for any cost of reproduction of this drawing. The architect is not responsible for any other matters relating to this drawing.

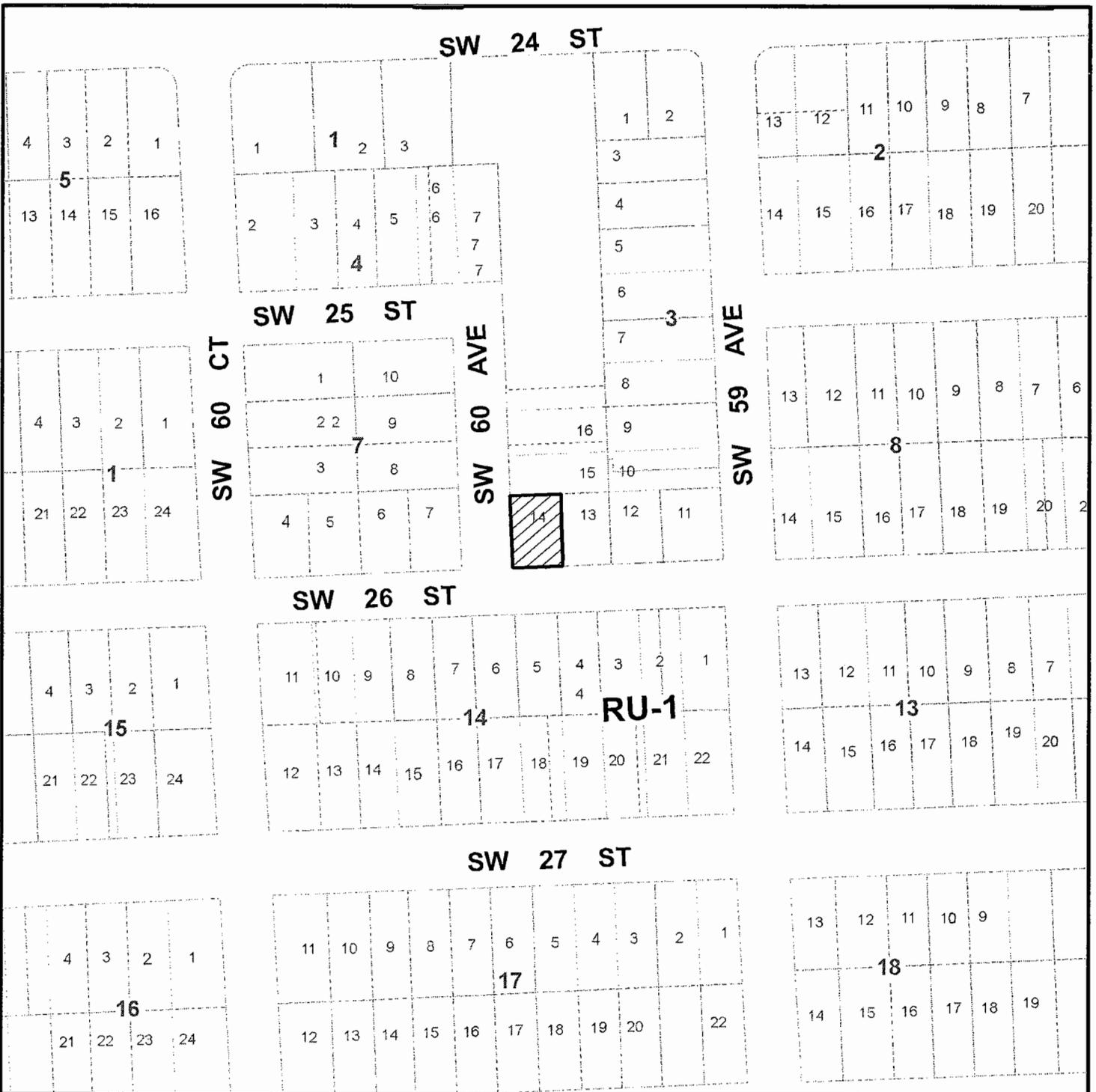
Sheet Title:
ELEVATIONS

Issue Date: Project No.

Rev. 04 2008
Rev. 12 2008

Drawing No.:
A4.00

Professional of Record: Norman Binkley
Architect: JAC OCLLPC
Registration No. 12971
Date: 7/19/98



MIAMI-DADE COUNTY
HEARING MAP
 Section: 13 Township: 53 Range: 41
 Applicant: ANTHONY B. WILSON
 Zoning Board: C10
 Commission District: 6
 Drafter ID: JEFFER
 Scale: NTS
 ----- Zoning

Process Number
08-111



SUBJECT PROPERTY



SKETCH CREATED ON: 07/02/08

REVISION	DATE	BY
		17



MIAMI-DADE COUNTY

AERIAL YEAR 2008
 Section: 13 Township: 53 Range: 41
 Applicant: ANTHONY B. WILSON
 Zoning Board: C10
 Commission District: 6
 Drafter ID: JEFFER
 Scale: NTS
 ----- Zoning

Process Number

08-111



SUBJECT PROPERTY



SKETCH CREATED ON: 07/02/08

REVISION	DATE	BY

1. MEBAHIAH, INC.
(Applicant)

11-1-CZ10-1 (09-156)
Area 10/District 10
Hearing Date: 01/12/11

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>
1992	Orlando Callejas as Trustee of Omar Realty	- Use Variance semi-professional office uses RU-5A. - Non-Use Variance setbacks. - Non-Use Variance lot area.	ZAB	Approved w/conds.
2008	Gonzalez Family CO. LLC	- Zone change from RU-1 to RU-5A. - Lot coverage. - Open space.	C10	Approved in part w/conds.

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

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 10**

APPLICANT: Mebahiah, Inc.

PH: Z09-156 (11-1-CZ10-1)

SECTION: 15-54-40

DATE: January 12, 2011

COMMISSION DISTRICT: 10

ITEM NO.: 1

=====

A. INTRODUCTION

- o **SUMMARY OF REQUESTS:** The applicant seeks to modify conditions of previous Resolutions and provisions of a previously recorded Declaration of Restrictions in order to submit a new site plan shown in 2 phases and to delete a condition of a previous Resolution that prohibits medical, dental, chiropractor, optometrist and opticians' offices. The applicant also seeks to modify a provision of a previously recorded Declaration of Restrictions in order to include travel agencies as a permitted use on the subject site and to permit a 5' high wall along the north and a portion of the east property lines.

- o **REQUESTS:**

- (1) MODIFICATION of Condition #2 of Resolution No. 4-ZAB-227-92, 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 'Use Change of Exist. Residence to Office,' as prepared by J. J. Gaston Rivero, P.A., and dated 1/15/92."

- TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, Sheets 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and LS-6dated stamped received 2/3/10 and Sheets 'SP-1.1,' 'SP-1.0', 'A-1,' LS-1,' 'LS-3' and 'LS-5'dated stamped received 5/13/10 for a total of 15 sheets."

- (2) DELETION of Condition #4 of Resolution No. 4-ZAB-227-92, passed and adopted by the Zoning Appeals Board, reading as follows:

- "4. That medical, dental, chiropractor, optometrist and opticians' offices be prohibited."

The purpose of requests #1 and #2 is to allow the applicant to submit a new site plan shown in 2 phases and to delete the condition that prohibits medical, dental, chiropractor, optometrist and opticians' offices. Once phase 2 is complete both sites will stand on their own.

REQUESTS #1 AND #2 ON LOT 3, BLOCK 19 ONLY.

- (3) MODIFICATION of Condition #2 of Resolution No. CZAB10-17-08, passed and adopted by Community Zoning Appeals Board #10, 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 'Gonzalez Family Company LLC Office Complex,' as prepared by de la Pezuela & Associates, consisting of a total of 9 sheets, dated stamped received 3/14/08. 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."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets LS-2,' 'LS-4' and 'LS-6' dated stamped received 2/3/10 and Sheets 'SP1.1,' 'SP1.0,' 'A-1,' 'LS-1,' 'LS-3' and LS-5,' dated stamped received 5/13/10 for a total of 15 sheets."

- (4) MODIFICATION of Paragraph #1(a) and #1(c) of a Declaration of Restrictions as recorded in Official Record Book 26433, Pages 1614 – 1619, reading as follows:

FROM: "1(a). That said property shall be developed substantially in accordance with the plans previously submitted, prepared by de la Pezuela & Associates entitled 'Gonzalez Family Company LLC Office Complex,' dated stamped received 3/14/08 and consisting of a total of 9 sheets, said plans being on file with the Miami-Dade County Department of Planning and Zoning and by reference made a part of this agreement."

TO: "1(a). That said property shall be developed substantially in accordance with the plans entitled 'Offices of Vacuba, Inc.,' as prepared by Jose R. Merlo, Architect, 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets 'LS-2,' 'LS-4' and 'LS-6' dated stamped received 2/3/10 and Sheets 'SP1.1,' 'SP1.0,' 'A-1,' 'LS-1,' 'LS-3' and LS-5,' dated stamped received 5/13/10 for a total of 15 sheets."

FROM: "1(c) Owner agrees to restrict the property to the following uses:

(1) Medical Doctor's Office/Clinic

- a. (27) Medical Doctors
- b. (15) Chiropractors
- c. (31) Opticians
- d. (32) Optometrists

(2) Professional Office

- a. (2) Accountants-Bookkeeping
- b. (4) Advertising (no shops)
- c. (8) Architects
- d. (9) Attorneys
- e. (13) Building contractors (office only – no shop or storage)
- f. (22) Drafting or plan service
- g. (35) Real Estate
- h. (36) Real Estate Management
- i. (45) Zoning Consultants

- (3) Dental Office
 - a. (20) Dentist

TO: "1(c) Owner agrees to restrict the property to the following uses:

- (1) Medical Doctor's Office/Clinic

- a. (27) Medical Doctors
- b. (15) Chiropractors
- c. (31) Opticians
- d. (32) Optometrists

- (2) Professional Office

- a. (2) Accountants-Bookkeeping
- b. (4) Advertising (no shops)
- c. (8) Architects
- d. (9) Attorneys
- e. (13) Building contractors (office only – no shop or storage)
- f. (22) Drafting or plan service
- g. (35) Real Estate
- h. (36) Real Estate Management
- i. (45) Zoning Consultants
- j. (44) Travel Agencies

- (3) Dental Office

- a. (20) Dentists

The purpose of the requests #3 and #4 is to allow the applicant to submit a new site plan shown in 2 phases and to allow an additional use on the subject property. Once phase 2 is complete both sites will stand on their own.

REQUESTS #3 - #4 ON LOT 4, BLOCK 19 ONLY

- (5) Applicant is requesting to permit a 4' high masonry wall along the north and a portion of the east property lines (6' required, 5' previously approved).

REQUEST #5 ON LOT 3, BLOCK 19 ONLY

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

- o **LOCATION:** 3721 and 3731 S.W. 87 Avenue, Miami-Dade County, Florida.
- o **SIZE:** 0.49 Acre

- B. **ZONING HEARINGS HISTORY:** In 1992, the Zoning Appeals Board (ZAB) granted approval of a use variance to permit semi-professional office uses in the RU-1 zoning district as would be permitted in the RU-5A district as well as approval of requests to permit an existing building setback 11' from the interior side (south) property line and to permit a minimum square foot area of 895 sq. ft. (1,000 sq. ft. required) as office space on the northern portion of the subject site (Lot 3 Block 19), pursuant to Resolution No. 4-ZAB-227-92. In 2008, the southern portion of the subject site (Lot 4 Block 19) was granted a district boundary change from RU-1, Single Family Residential District, to RU-5A, Semi-Professional Office District, as well as requests to permit 35' of dedication for the east half of SW 87 Avenue, to permit a proposed office building setback 7.5' (15' required) from the interior side (north) property line, to permit a lot coverage of 46.4% (40% required), to permit a landscape open space of 24% (25% required), and to permit a 6'6" wide (7' required) landscape buffer along the right-of-way, pursuant to Resolution No. CZAB10-17-08.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential** use.
2. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan Density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this CDMP titled "Concepts and Limitations of the Land Use Plan Map." The limitation referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.
3. **Office uses** smaller than five acres in size may be approved in areas designated as Residential Communities where other office, business or industrial use(s) which are not inconsistent with this plan already lawfully exist on the same block face. However, where such an office, business, or industrial use exists only on a corner lot of a subject block face or block end, approval of office use elsewhere on the block is limited to the one block face or block end which is the more heavily trafficked side of the referenced corner lot. Office uses may be approved on such sites only if consistent with the objectives and policies of the CDMP and the use or zoning district would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would be out of scale with the character of the neighboring uses or would detrimentally impact the surrounding area. In applying this provision, the maximum limits of an eligible residentially designated block face along which office uses may be extended shall not extend beyond the first intersecting public or private street, whether existing, platted or projected to be necessary to provide access to other property, or beyond the first railroad right-of-way, utility transmission easement or right-of-way exceeding 60 feet in width, canal, lake, public school, church, park, golf course or major recreational facility.

In addition, office uses may be approved along the frontage of major roadways in residential community areas where residences have become less desirable due to inadequate setbacks from roadway traffic and noise, or due to a mixture of nonresidential uses or activities in the vicinity in accordance with the limitations set forth in this paragraph. These office uses may occur in combination with or independent of residential use. Such limited office uses may be approved on such sites in residential community areas only where: a) the residential lot fronts directly on a Major Roadway as designated on the Land Use Plan map (Frontage roads are not eligible for consideration); b) the lot or site size does not exceed one acre; and c) the residential area is not zoned, developed or designated on the Land Use Plan map for Estate Density Residential, nor does subject frontage face such an Estate Density area. Office use approvals, pursuant to this paragraph may only authorize: a) conversion of an existing residence into an office; b) addition of an office use to an existing residence; or, c) the construction of a new office building on lots which were finally platted prior to March 25, 1991 in a size one acre or smaller. Additionally, such office uses may be approved only if the scale and character of the prospective office use are compatible with the surrounding residential neighborhood and if the site has sufficient dimensions to permit adequate on-site parking and buffering of adjacent residences from the office. Other factors that will be considered in

determining compatibility include, but are not limited to traffic, noise, lighting, shadows, access, signage, landscaping, and hours of operation. Signage shall be restricted both in size, style, and location to preclude a commercial appearance. Landscaping and buffering of adjacent residences and rear properties will be required. Emphasis shall be placed on retention of the general architectural style of the area, where the area is sound and attractive. Development Orders authorizing the conversion of existing homes into offices, the addition of offices to existing residences or the construction of new buildings encompassing office uses pursuant to this paragraph may be approved only where compatible and where the intensity and character of the new building including gross floor area, lot coverage and height, will be consistent with the homes which exist or which could be built on the immediately adjacent parcels.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

RU-1 and RU-5A; Office building and vacant lot Low Density Residential, 2.5 to 6 dua

Surrounding Properties:

NORTH: RU-1; Single-family residence Low Density Residential, 2.5 to 6 dua

SOUTH: RU-1 and BU-1A; Shopping Center Low Density Residential, 2.5 to 6 dua

EAST: RU-1; Day care, Pre-school
and After School facility
and Single-family residence Low Density Residential, 2.5 to 6 dua

WEST: RU-2; Single-family residences Low-Medium Density Residential, 6 to 13 dua

F. PERTINENT REQUIREMENTS/STANDARDS:

33-311(A)(7) Generalized Modification Standards. 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 (a) 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, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.

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

G. NEIGHBORHOOD SERVICES:

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

*Subject to the conditions indicated in their memoranda.

H. ANALYSIS:

The subject property consists of two platted lots, Lots 3 and 4 of Block 19, Third Addition to Tropical Highlands, located at 3721 and 3731 S.W. 87 Avenue and is improved with an existing one-story office building on Lot 3. Based on staff's review of photographs submitted by the applicant and aerial photographs, Lot 4 is currently vacant but was previously improved with a one-story single-family residence which has recently been razed. The surrounding area is characterized primarily by single-family residences. However, some of the single-family residences that front on SW 87 Avenue have been approved for office uses and have been converted into offices. The subject property is neighbored to the south by a Shopping Center, which fronts on Bird Road (SW 40 Street). It should also be noted that the subject property is located less than one-mile to the south of a designated Community Center, located at the intersection of SW 24 Street (Coral Way) and SW 87 Avenue, as illustrated on the LUP map of the CDMP. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Low Density Residential** use. As previously mentioned, in 1992, the Zoning Appeals Board (ZAB) granted approval of a use variance to permit semi-professional office uses in the RU-1 zoning district as would be permitted in the RU-5A district on the northern portion of the site (Lot 3), pursuant to Resolution No. 4-ZAB-221-92 and in 2008, the Community Zoning Appeals Board 10 granted approval of a district boundary change from RU-1 to RU-5A, pursuant to Resolution No. CZAB10-17-08. The interpretative text of the CDMP states that all existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of the CDMP titled "Concepts and Limitations of the Land Use Plan Map." Staff's review of the submitted site plan reveals that the approval of the requested modification and deletion requests will preserve the existing office use previously approved on the subject site. As such, the requests to modify conditions of previous Resolutions and provision of a previously recorded Declaration of Restrictions in order to submit a new site plan for two (2) office buildings, to delete a condition of a previous Resolution that prohibits medical, dental, chiropractor, optometrist and opticians' offices on Lot 4, and to modify a provision of a previously recorded Declaration of Restrictions in order to include travel agencies as a permitted use on the subject site are **consistent** with the Low Density Residential LUP map designation of the Master Plan.

When requests #1 through #4 are analyzed under the Generalized Modification Standards, Section 33-311(A)(7), the proposed modifications and deletion will not, in staff's opinion, generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, provoke excessive overcrowding of people, tend to provoke a nuisance, be incompatible with the area, nor be contrary to the public interest. Staff notes that the previously approved plans for the northern portion of the subject site (Lot 3) reflect a 1,553 sq. ft. office building with 6 parking spaces located to the rear of said building along the east property line. Furthermore, the previously approved plans for the southern portion of the site (Lot 4) reflect a 2-story, 6,720 sq. ft. office building with parking and limited office space on the first floor and 5,200 sq. ft. of office space on the second floor. It should be noted that the plans submitted for this application illustrate the development of the subject site in two phases. The submitted plans for phase I illustrate the existing office building on Lot 3 and a proposed parking lot on Lot 4 which will serve the existing office building on Lot 3 and be accessible via a 23' wide driveway that connects the two lots. The submitted plans for phase II illustrate the same 2-story 6,720 sq. ft. office building that was previously approved in 2008 on Lot 4 and the same 1-story office building that was previously approved in 1992 on Lot 3, with the connecting 23' wide driveway being closed. Once phase II is complete, both sites will comply with the previous approvals under said Resolutions. However, since the submitted site plan for phase I indicates that there will be surplus parking on Lot 4 for the existing office on Lot 3 and in order to maintain the integrity of the site plan submitted for phase I, staff recommends that the applicant submit a Unity of Title on both parcels (Lots 3 and 4) which may be released by the Director upon completion of phase II.

Staff acknowledges that the intent of the use restrictions effectuated by Condition #4 of Resolution No. 4-ZAB-227-92 was to ensure that the office uses on the northern portion of the site (Lot 3) would not generate a large volume of traffic. However, staff notes that the proposed parking lot on Lot 4 consists of 26 parking spaces in addition to the existing 6 parking spaces on Lot 3, for a total of 32 parking spaces to serve the existing office building on Lot 3 upon the completion of phase I. As previously mentioned, once phase II is complete, both sites will stand on their own and staff notes that each site complies with the parking requirements of the Zoning Code and with the prior zoning approvals granted on each site. Furthermore, staff opines that the requested deletion will not unduly burden or affect public transportation facilities since in the opinion of the Public Works Department the request will not generate any new additional daily peak hour vehicle trips; therefore the subject property meets traffic concurrency criteria as indicated by the Public Works Department's memorandum. As such, staff has no objections to request #2, subject to a condition that the applicant submits a Unity of Title agreement in order to preclude a stand-alone parking lot on Lot 4 upon the completion of phase I, which is not a permitted use in the RU-5A zoning district. Staff has no objections to request #4, and notes that the existing office building on the northern portion of the subject site is currently occupied by a travel agency which the applicant has stated in their letter of intent they intend to relocate to the proposed two-story office building on Lot 4, upon the completion of phase II of the proposed development plan. However, although travel agencies are a permitted use in the RU-5A zoning district, the approved office uses on the southern portion of the subject site are governed by a Declaration of Restrictions recorded in Official Record Book 26433, Pages 1614-1619, which excludes travel agencies from the list of permitted uses on Lot 4. It should be noted that upon completion of phase II, Lot 4 will have 23 parking spaces, which staff notes is sufficient to accommodate the requested travel agency office use. Thus, when considering the necessity for and the reasonableness of the proposal in relation to the surrounding area and the compatibility of said use with the area and its development, staff is of the opinion that requests #1 through #4 will not have an unfavorable effect on same, and will not be contrary to the public interest. Based on all of the aforementioned, staff is of the opinion that approval of requests #1 through #4, subject to conditions, would be **compatible** with the surrounding area. As such, staff recommends

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approval, subject to conditions, of requests #1 through #4 under Section 33-311(A)(7) (Generalized Modification Standards).

When request #5, to permit a 4' high masonry wall along the north and a portion of the east property lines (5' previously approved, 6' required), is analyzed under Section 33-311(A)(4)(b), staff is of the opinion that said request does not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and as such, would be **incompatible** with the surrounding area. Moreover, staff opines that the approval of request #5 does not maintain the basic intent of the previously approved plans for Lot 3 which illustrate a 5' high masonry wall along the north and east property line. The approval of request #5 would allow the applicant the maintenance and continued use of an existing 4' high masonry wall along the north property line and a portion of the east property line. Staff notes that the submitted plans illustrate the existing 4' high masonry wall along the north property line and along the portion of the east property line that coincides with Lot 3, at which point a proposed 6' high masonry wall is depicted on the remaining portion of the east property line. Staff notes that the property to the north of the subject site is zoned RU-1 and is improved with a single-family residence and that the applicant should raise the existing 4' high masonry wall to 6' in order to provide additional buffer and to provide a uniform wall height along the east property line. Moreover, it should be noted that if request #5 is denied, the applicant will be required to raise the height of the existing wall on Lot 3 to 5' as is depicted in the previously approved 1992 plans. Therefore, staff notes that request #5 is **incompatible** with the surrounding area and as such, staff recommends denial without prejudice of request #5 under Section 33-311(A)(4)(b) (NUV).

Based on all of the aforementioned, staff is of the opinion that the approval of requests #1 through #4, subject to conditions would be **compatible** with the surrounding area but that the approval of request #5 would be **incompatible** with same. As such, staff recommends approval with conditions of requests #1 through #4 under Section 33-311(A)(7) (Generalized Modification Standards) and recommends denial without prejudice of request #5 under Section 33-311(A)(4)(b) (NUV).

I. **RECOMMENDATION:** Approval with conditions.

J. **CONDITIONS:**

1. That all the conditions of Resolutions No. 4-ZAB-227-92 and No. CZAB10-17-08 remain in full force and effect, except as herein modified.
2. That a unity of title agreement or agreement in lieu of unity of title, in recordable form, encumbering the entire subject property (Lots 3 and 4) be submitted to and meet the approval of the Director of the Department of Planning and Zoning within 30 days after final public hearing approval of this application, said Unity of Title may be released by the Director after completion of phase II as shown on the site plans submitted for the hearing.
3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Offices of Vacuba, Inc.," as prepared by Jose R. Merlo, Architect, 'SP-1,' 'A-1.,' 'A-2,' 'A-2.,' 'A-3' and 'A-4,' dated stamped received 11/24/09, Sheets LS-2,' 'LS-4' and 'LS-6' dated stamped received 2/3/10 and Sheets 'SP1.1,' 'SP1.0,' 'A-1,' 'LS-1,' 'LS-3' and LS-5,' dated stamped received 5/13/10 for a total of 15 sheets, except as herein modified to show a 6' high masonry wall along the north and east property lines.

DATE TYPED:
DATE REVISED:
DATE FINALIZED:
MCL:GR:NN:TA:NC

11/19/10
11/23/10; 12/07/10; 12/21/10
12/21/10

for 

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

Memorandum



Date: June 1, 2010
To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez". The signature is written in a cursive, flowing style.

Subject: C-10 #Z2009000156 – 2nd Revision
Ernesto Gonzalez
3721 S.W. 87th Avenue
Modification of a Previous Resolution to Submit a New Site Plan
(RU-5A) (0.49 Acres)
15-54-40

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Wellfield Protection

The subject property is located within the Average Pumpage Wellfield Protection Area for the Alexander Orr/Snapper Creek Southwest Wellfield Complex. Development of the subject property shall be in accordance with the regulations established in Section 24-43 of the Code.

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

Potable Water 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 DERM for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the

system. Lack of adequate capacity in the system may require the approval of 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

All 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. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development shall comply with the requirements of Chapter 11C of the Code. 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 DERM 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

The subject properties contain tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. 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. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application. The applicant is advised to contact DERM staff for additional information regarding permitting procedures and requirements prior to site development.

Pollution Control

The subject property is located within a designated brownfield area. The applicant is advised that there are economic incentives available for development within this area. For further information concerning these incentives contact the Pollution Remediation Section of DERM at 305-372-6700.

Operating Permits

Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that due to the nature of some land uses permitted in the existing zoning classification, operating permits from DERM may be required. The Permitting Section of DERM's Pollution Regulation and Enforcement Division may be contacted at (305) 372-6600 for further information concerning operating requirements.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: MEBAHIAH, 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 meets the traffic concurrency criteria set for an Initial Development Order.



Raul A Pino, P.L.S.

21-MAY-10

Memorandum



Date: 03-JUN-10
To: Marc LaFerrier, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2009000156

Fire Prevention Unit:

APPROVAL

- Fire Engineering and Water Supply Bureau has no objection to Site plan date stamped May 13, 2010. Any changes to the vehicular circulation must be resubmitted for review and approval.

This plan has been reviewed to assure compliance with the MDRF Access Road Requirements for zoning hearing applications only. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDRF requirements.

Service Impact/Demand

Development for the above Z2009000156
located at 3721 & 3731 SW 87 AVE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1527 is proposed as the following:

<u>N/A</u> residential	dwelling units	<u>N/A</u> industrial	square feet
<u>3,040</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: 0.66 alarms-annually.
The estimated average travel time is: 4:24 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 3 - Tropical park - 3911 SW 82 Avenue.
Rescue, ALS Engine

Planned Service Expansions:

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

Fire Planning Additional Comments

Current service impact calculated based on plans date stamped May 13, 2010. Substantial changes to the plans will require additional service impact analysis.

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

MEBAHIAH, INC.

3721 & 3731 SW 87 AVE, MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2009000156

HEARING NUMBER

HISTORY:

Folio # 30-4015-007-0290

CMS#200903010576 ¿No current violations. No open cases.

History:

CMS# 200003001252 ¿Complaint for Junk & Trash in 02/00. Not in Violation.

CMS#200103003660 -Complaint for Unauthorized Use in 05/01. Not in Violation.

CMS#200103003662 -Complaint for Recreational Vehicle in 05/01. Not in Violation.

CMS#200303008127 - Complaint for Unauthorized Use in 09/03. Not in Violation.

Folio # 30-4015-007-0300

Case#200903011287 ¿No current violations. No open cases.

History:

CMS#200003003365 ¿NOV issued in 03/00 for Failure to Obtain Permit. Case closed as complied.

CMS#200003003366 ¿NOV issued in 0300 for Overgrowth. Case closed as complied.

CMS#200103006593 ¿NOV issued in 08/01 for Structure Without Permit. Case closed as complied.

CMS#200103006595 ¿Complaint for Multi Family Use in 08/01. Not in Violation.

CMS#200103006596 ¿Complaint for Junk & Trash in 08/01. Not in Violation.

CMS#200103006685 ¿NOV issued for Recreational Vehicle. Case closed as complied.

CMS#200203001437 ¿Complaint for Multi Family Use in 02/02. Not in Violation.

CMS#200203008135 ¿Complaint for Recreational Vehicle in 02/02. Not in Violation.

CMS#200603003216 ¿Complaint for Construction Without Permit. Referred To Building Department. Case Closed.

CMS#200603005386 ¿Complaint for Junk & Trash in 10/06. Not in Violation.

CMS#200603005427 ¿Complaint for Structure Maintenance. Not in Violation.

CMS#200603005606 ¿CVN issued in 11/06 for Overgrown Property. CVN paid. Case closed as complied.

CMS#200603005607 ¿CVN issued in 11/06 for Overgrown Swale. CVN paid. Case closed as complied.

CMS#200903002324 ¿NOV issued in 04/09 for Overgrowth. Case closed as complied.

CMS#200903002665 ¿CVN issued in 05/09 for Graffiti. CVN paid. Case closed as complied.

CMS#200903002666 ¿NOV issued in 04/09 for No Visible Street Address Numbers. Case closed as complied.

CMS#200903002667 NOV issued in 04/09 for Fence in Disrepair. Case closed as complied.

**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: MEBAHIAH Inc.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>ERNESTO A GONZALEZ</u>	<u>100 %</u>
<u>5793 SW 84 AVENUE</u>	
<u>MIAMI FLORIDA 33143</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 N/A

<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: N/A

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

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0950
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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY J

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].

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.

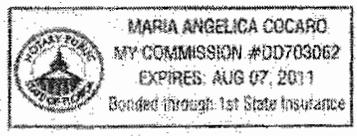
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: [Handwritten Signature]
(Applicant)

Sworn to and subscribed before me this 20 day of Jan, 20 10. Affiant is personally know to me or has produced _____ as identification.

[Handwritten Signature]
(Notary Public)

My commission expires: 08/07/11

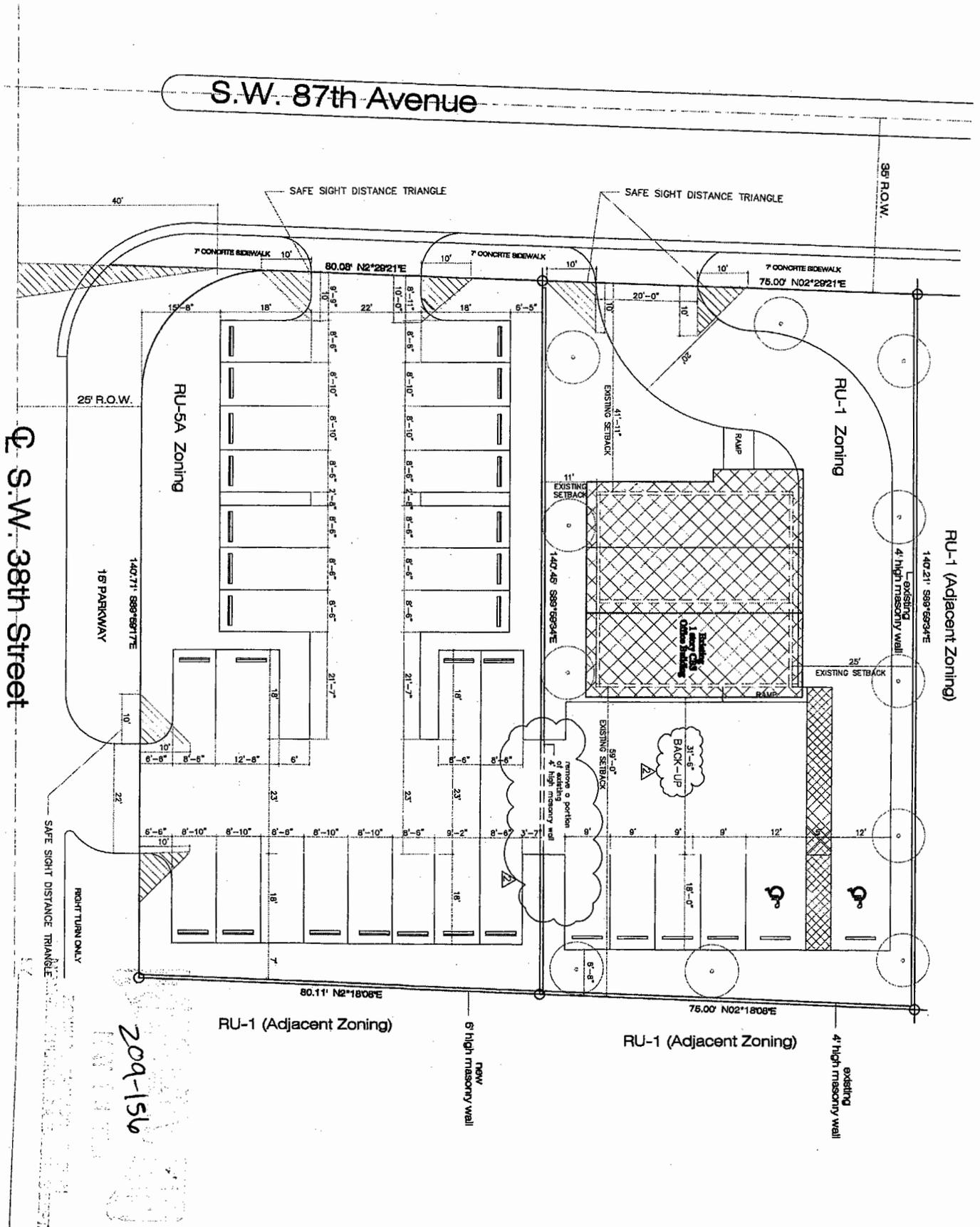


Seal

*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.

209-156
JAN 21 2010
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

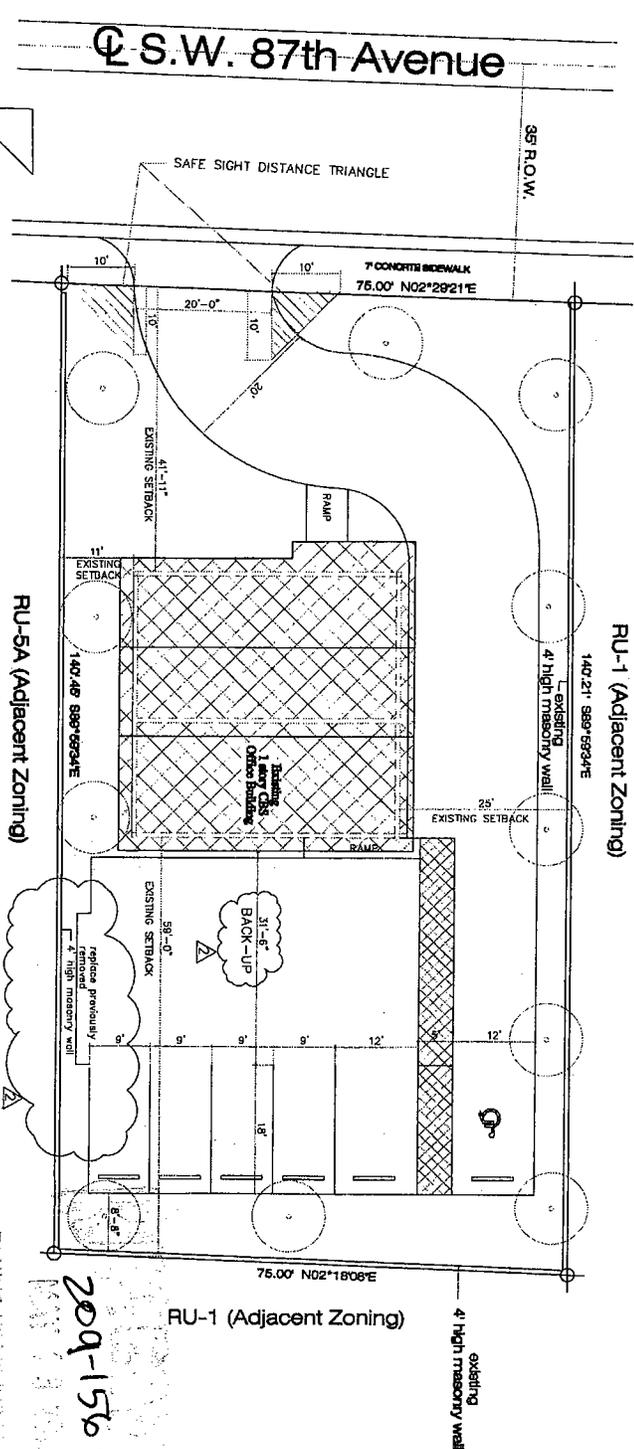
ENLARGED SITE PLAN



RU-1 (Adjacent Zoning)

RU-1 (Adjacent Zoning)

RU-1 (Adjacent Zoning)



Modified Site Plan 1/8"

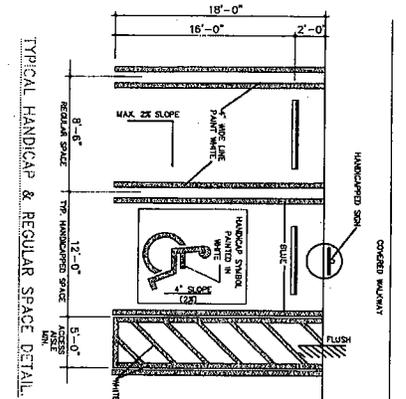
Phase 2

LEGAL DESCRIPTION:
 LOT 3, BLOCK 19 OF SUBDIVISION "TROPICAL HIGHLANDS", 3rd ADDITION ACCORDING TO PLAT BOOK 59 PAGE 12, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

PROPERTY ADDRESS:
 3721 SOUTHWEST 87th AVENUE, MIAMI, FLORIDA

NOTE:
 PHASE 2 DRAWINGS WERE APPROVED PER RESOLUTION No. 4-ZAB-227-92

RU-1 ZONING LEGEND	
MINIMUM LOT AREA	10,000 SQ. FT.
MINIMUM FRONT YARD SETBACK	10 FT.
MINIMUM SIDE YARD SETBACK	5 FT.
MINIMUM REAR YARD SETBACK	10 FT.
MAXIMUM BUILDING HEIGHT	35 FT.
MAXIMUM GROUND COVER	30%
MAXIMUM LOT COVERAGE	30%
MAXIMUM LOT AREA	10,000 SQ. FT.
MINIMUM FRONT YARD SETBACK	10 FT.
MINIMUM SIDE YARD SETBACK	5 FT.
MINIMUM REAR YARD SETBACK	10 FT.
MAXIMUM BUILDING HEIGHT	35 FT.
MAXIMUM GROUND COVER	30%
MAXIMUM LOT COVERAGE	30%
MINIMUM LOT AREA	10,000 SQ. FT.
MINIMUM FRONT YARD SETBACK	10 FT.
MINIMUM SIDE YARD SETBACK	5 FT.
MINIMUM REAR YARD SETBACK	10 FT.
MAXIMUM BUILDING HEIGHT	35 FT.
MAXIMUM GROUND COVER	30%
MAXIMUM LOT COVERAGE	30%



SP-1.0

10-19-99

seal
 5-13-98

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 3721 Southwest 87th Avenue
 Miami, Florida

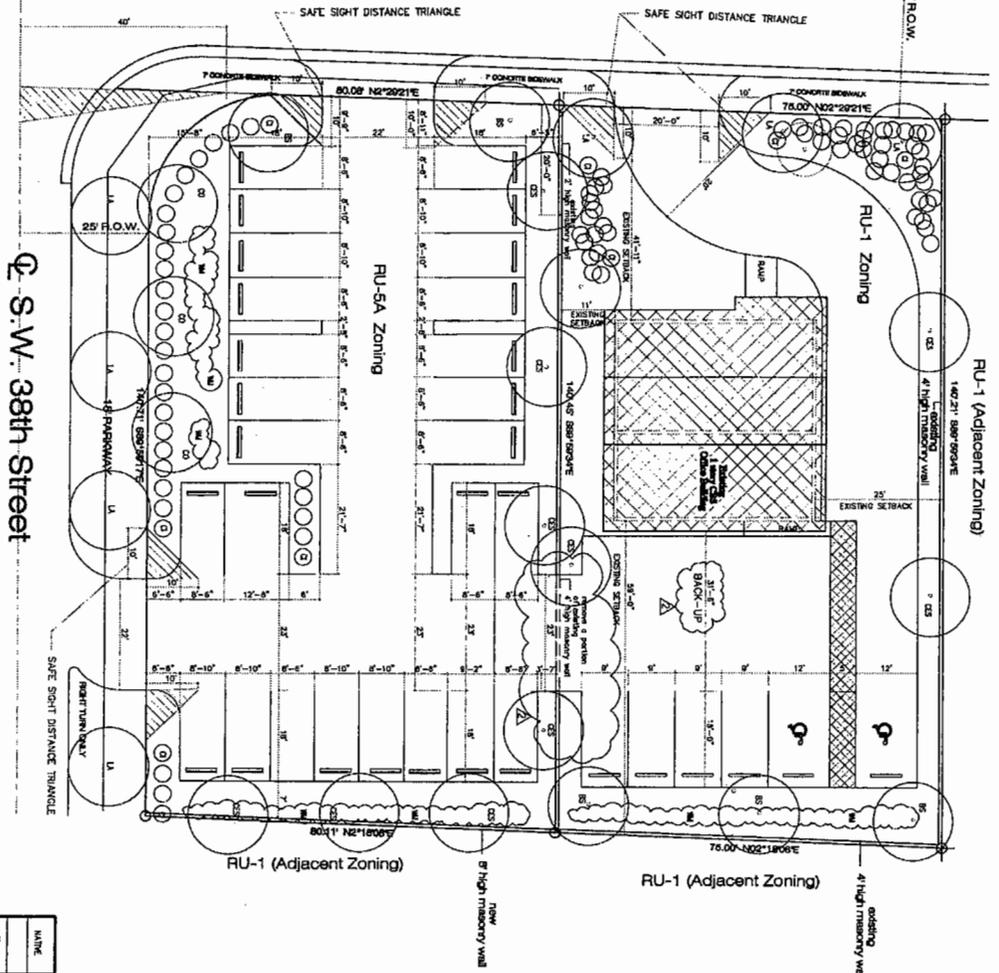
JOSE R. MARLO, REGISTERED ARCHITECT / LICENSE NO. AR 0012119

MARLO

REVISION	DATE

S.W. 87th Avenue

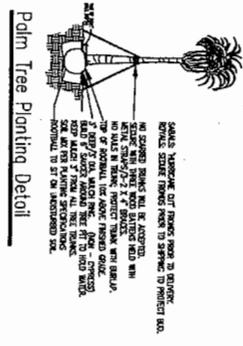
Proposed Site Plan 3/32"
Combined Lots - Phase 1



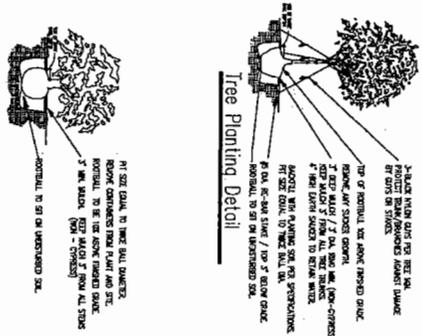
Z09-156

NAME	SYMBOL	COMMON NAME	BOTANICAL NAME	REGISTRATION
LA	LA	LIFE OAK	QUERCUS MONTEANA	12' TRUNK, 4" DIA. CLIPPER
CS	CS	SHADY BUTTERWORT	CONOCLEAVE SEROTICA	12' TRUNK, 4" DIA. CLIPPER
SS	SS	ORANGE LINDO	BIGNONIA SPANDEA	12' TRUNK, 4" DIA. CLIPPER
D	D	RED TIP COQUINIA HERB	CHROMOLAIS SPADA	12' TRUNK, 4" DIA. CLIPPER
MA	MA	MAINTENANCE		12' TRUNK, 4" DIA. CLIPPER

Plant Material Schedule



Shrub / Groundcover Planting Detail



3721 SW 87th Avenue, Miami, Florida
3731 SW 87th Avenue, Miami, Florida

LS-1

10-16-09
Julo 5-13-10

Offices of Vacuba, Inc.
3721 & 3731 Southwest 87th Avenue
Miami, Florida

JOSE R. MERLO, REGISTERED ARCHITECT / LICENSE NO. AR 0012119
MERLO

REVISION	DATE	BY

Planting Specifications

PLANTING SPECIFICATIONS
 PLANT SPECIES AND SIZE SHALL CONFORM TO THOSE INDICATED ON THE DRAWINGS. INDICATED PLANT SPECIES SHALL CONFORM TO STANDARDIZED PLANT NAMES AND SYMBOLS. ALL NURSERY STOCK SHALL BE IN ACCORDANCE WITH GRADES AND STANDARDS ESTABLISHED BY THE FLORIDA NURSERY AND LANDSCAPE ASSOCIATION. ALL PLANTS NOT OTHERWISE SPECIFIED AS BEING FLORIDA GROWN OR SPECIALLY BREED OR GROWN IN FLORIDA SHALL BE OBTAINED FROM THE FLORIDA DIVISION OF PLANT INDUSTRY. SPECIES THAT FIRST APPEARANCE IS UNDESIRABLE AND OUTSTANDING SUPERIOR IN TOTAL NUMBER OF BRANCHES, COMPACTNESS AND STURDINESS.
 GENERAL REQUIREMENTS
 ALL PLANTS SHALL BE SUBJECT TO APPROVAL BY THE LANDSCAPE ARCHITECT. WHERE ANY REQUIREMENTS ARE OBTAINED FROM THE LANDSCAPE ARCHITECT, THE ARCHITECT'S REQUIREMENTS SHALL PREVAIL OVER THE VENDOR'S. PLANTS SHALL BE PROVIDED PRIOR TO DELIVERY ONLY UPON THE APPROVAL OF THE LANDSCAPE ARCHITECT.

SOIL
 PLANTING SOIL FOR USE IN PREPARING BACKFILL FOR PLANT HITS SHALL BE ADDED AT A RATE OF 75% TO 25% EXISTING SOIL. THIS SOIL MIX SHALL BE USED IN ALL PLANT HITS EXCEPT SAND PALS WHICH SHALL BE BACKFILLED WITH CLEAN SAND. EXISTING SOIL SHALL BE TESTED FOR PHOSPHORUS AND POTASSIUM. SAND PALS SHALL BE BACKFILLED WITH SAND AND DECOMPOSED ORGANIC MATTER AND SHALL BE FREE FROM HEAVY CLAY STONES, LIME PLANTS, ROOTS OR OTHER FOREIGN MATTER OR HAZARDOUS WEEDS. IT SHALL NOT CONTAIN TOXIC SUBSTANCES WHICH MAY BE HARMFUL TO PLANT GROWTH.
COMMERCIAL FERTILIZER
 TWO FERTILIZERS SHALL BE USED IN ALL TYPES OF PLANTINGS. EXCEPT PALMS. GRANULAR FERTILIZER SHALL BE UNIFORM IN EACH BEARING THE MANUFACTURER'S STATEMENT OF ANALYSIS, AND SHALL MEET THE FOLLOWING REQUIREMENTS: 5% NITROGEN, 15% PHOSPHORUS AND 15% POTASSIUM. TABLET FERTILIZER (KARFONOR OR EQUIV) IN 21 GROM SIZE SHALL MEET THE FOLLOWING REQUIREMENTS: 5% NITROGEN, 15% PHOSPHORUS AND 15% POTASSIUM. FERTILIZERS SHALL BE APPLIED AT THE FOLLOWING RATES:
 1. GOLF COURSE: 1/2 LB OF 6-6-6 & 1/2 AEROSOL TABLET PER 1' OF CROWN.
 2. PALM: 1/2 LB OF 6-6-6 & 1/2 AEROSOL TABLET PER 1' OF CROWN.
 3. GOLF COURSE: 1/2 LB OF 6-6-6 & 1/2 AEROSOL TABLET PER 1' OF CROWN.
 4. PALM: 1/2 LB OF 6-6-6 & 1/2 AEROSOL TABLET PER 1' OF CROWN.
 5. GOLF COURSE: 1/2 LB OF 6-6-6 & 1/2 AEROSOL TABLET PER 1' OF CROWN.
 6. PALM: 1/2 LB OF 6-6-6 & 1/2 AEROSOL TABLET PER 1' OF CROWN.
 7. GOLF COURSE: 1/2 LB OF 6-6-6 & 1/2 AEROSOL TABLET PER 1' OF CROWN.
 8. PALM: 1/2 LB OF 6-6-6 & 1/2 AEROSOL TABLET PER 1' OF CROWN.
 9. GOLF COURSE: 1/2 LB OF 6-6-6 & 1/2 AEROSOL TABLET PER 1' OF CROWN.
 10. PALM: 1/2 LB OF 6-6-6 & 1/2 AEROSOL TABLET PER 1' OF CROWN.
SOIL
 SOIL SHALL MEET FLORIDA STATE PLANT BOARD SPECIFICATION, ABSOLUTELY TRUE TO VARIETY, TYPE, AND FREE FROM WEEDS, ROCKS, DEBRIS AND OBSTACLES OF ANY KIND.
MULCH
 MULCH MATERIAL SHALL BE 3" DEPTH OF HIGH-COMPRESS GRADE 'B' SPREADER MULCH. MULCH SHALL BE APPLIED TO PREVENT WIND DISPERSAL.

NO SUBSTITUTIONS
 NO SUBSTITUTIONS OF PLANT MATERIAL, TYPES OR SIZES WILL BE ALLOWED WITHOUT WRITTEN AUTHORIZATION FROM THE LANDSCAPE ARCHITECT AND TOWN OF DAVE LANDSCAPE INSPECTOR. CONTAINER GROWN MATERIAL WILL NOT BE ACCEPTED AS A SUBSTITUTE FOR ALIQUOT EQUIPMENT SHALL BE SCREENED BY AN APPROVED HEDGE 30" HT, INSTALLED 24" OC.
 MATERIAL, UNLESS PREVIOUSLY APPROVED. ALTERNATE SUBSTITUTIONS SHALL BE INDICATED IN BID.

Miscellaneous Notes:

THE LANDSCAPE ARCHITECT HAS REVIEWED SOIL CONDITIONS AND THE SOIL SHALL BE AMENDED AS NECESSARY TO MEET THE REQUIREMENTS OF THE PLANT MATERIALS SPECIFICATIONS. LANDSCAPE INSPECTION BY THE TOWN OF DAVE, THE LANDSCAPE ARCHITECT SHALL SUBMIT A LETTER TO THE TOWN OF DAVE STATING THAT HE HAS INSPECTED THE INSTALLATION OF THE LANDSCAPE MATERIAL FOR COMPLIANCE TO THE PLANS, SPECIFICATIONS AND DESIGN REQUIREMENTS.
 OWNER MUST PROVIDE A COPY OF THE MAINTENANCE AGREEMENT TO THE TOWN OF DAVE.
 36" PLANT MATERIAL SHALL BE PROVIDED AROUND ALL UTILITIES (POLE PUMPS, A/C UTILITIES BOXES ETC.)
 SOIL TO BE INSTALLED IN THE RIGHT-OF-WAY AND TO THE EDGE OF PAVEMENT (SMALLE AREA)
 LANDSCAPE INSTALLATION IS TO BE PERFORMED BY A CERTIFIED LANDSCAPE CONTRACTOR, CERTIFIED ARBORIST, OR A CERTIFICATION THAT IS COMPARABLE.
Irrigation Notes:
 IRRIGATION SHALL BE PROVIDED VIA AN UNDERGROUND AUTOMATIC SPRINKLER SYSTEM FITTED WITH A RAIN SENSOR AND PROGRAM 100% COVERAGE.



LANDSCAPING LEGEND (This information is required to be permanently affixed to the plan)

Zone District: RU-1 Net Lot Area: 0.241 (acre) 10,515 Square Feet

OPEN SPACE	REQUIRED	PROVIDED
A) Minimum Square feet open space required by Chapter 33, as indicated on site plan: <u>10,515</u> (sq. ft.) x <u>25%</u> = <u>2,628</u> squared feet	2,628	3,900
B) Squared feet of parking lot open space required by Chapter 18A, as indicated on site plan: the number of parking spaces = <u>6</u> x 10 squared feet per parking space = <u>60</u>	60	60
C) Total squared feet of landscaped open space required by Chapter 33: <u>448</u> =	2,688	3,960

LAWN AREA CALCULATION

A) Total squared feet of landscaped open space required by Chapter 33: 2,688 squared feet =

B) Maximum lawn area (St. Augustine sod) permitted: 30 x 2,688 squared feet = 798

TREES

REQUIRED	PROVIDED
A) The number of trees required per net lot acre = 257 trees x 28 trees per acre (minus)	6,74
B) less the existing number of trees that meet minimum requirements	6,74
C) 30% of trees allowed (this number = one tree) points provided =	0
D) Percentage of native trees required = the number of trees provided x 30% =	2,02
E) Street trees (max. overage spacing of 35' o.c.): <u>75</u> linear feet along street / 35 =	2,14
F) Street trees located directly beneath power lines (maximum overage spacing of 25' o.c.): <u>linear</u> feet along street / 25 =	N/A
G) Total number of trees provided =	N/A
H) <u>8.88</u>	10

SHRUBS

A) The Total number of trees required x 10 = the number of shrubs required

B) The number of shrubs required x 30% = the number of native shrubs required.

IRRIGATION PLAN: Required by Chapter 33. Auto Irrigation: or hose bib

Provided:

LANDSCAPING LEGEND (This information is required to be permanently affixed to the plan)

Zone District: RU-5A Net Lot Area: 0.257 (acre) 11,200 Square Feet

OPEN SPACE	REQUIRED	PROVIDED
A) Minimum Square feet open space required by Chapter 33, as indicated on site plan: net lot area <u>11,200</u> (sq. ft.) x <u>25%</u> = <u>2,800</u>	2,800	3,006
B) Squared feet of parking lot open space required by Chapter 18A, as indicated on site plan: the number of parking spaces = <u>26</u> x 10 squared feet per parking space = <u>260</u>	3,060	260
C) Total squared feet of landscaped open space required by Chapter 33: <u>448</u> =	2,800	3,266

LAWN AREA CALCULATION

A) Total squared feet of landscaped open space required by Chapter 33: 2,800 squared feet =

B) Maximum lawn area (St. Augustine sod) permitted: 30 x 2,800 squared feet = 840

TREES

REQUIRED	PROVIDED
A) The number of trees required per net lot acre = 257 trees x 28 trees per acre (minus)	7,19
B) less the existing number of trees that meet minimum requirements	7,19
C) 30% of trees allowed (two points = one tree) points provided =	0
D) Percentage of native trees required = the number of trees provided x 30% =	2,15
E) Street trees (max. overage spacing of 35' o.c.): <u>220</u> linear feet along street / 35 =	6,28
F) Street trees located directly beneath power lines (maximum overage spacing of 25' o.c.): <u>linear</u> feet along street / 25 =	N/A
G) Total number of trees provided =	N/A
H) <u>13.47</u>	16

SHRUBS

A) The Total number of trees required x 10 = the number of shrubs required

B) The number of shrubs required x 30% = the number of native shrubs required.

IRRIGATION PLAN: Required by Chapter 33. Auto Irrigation: or hose bib

Provided:

3731 SW 87th Avenue, Miami, Florida

PREPARED BY: [Signature]

seal

10-19-09

LS-2

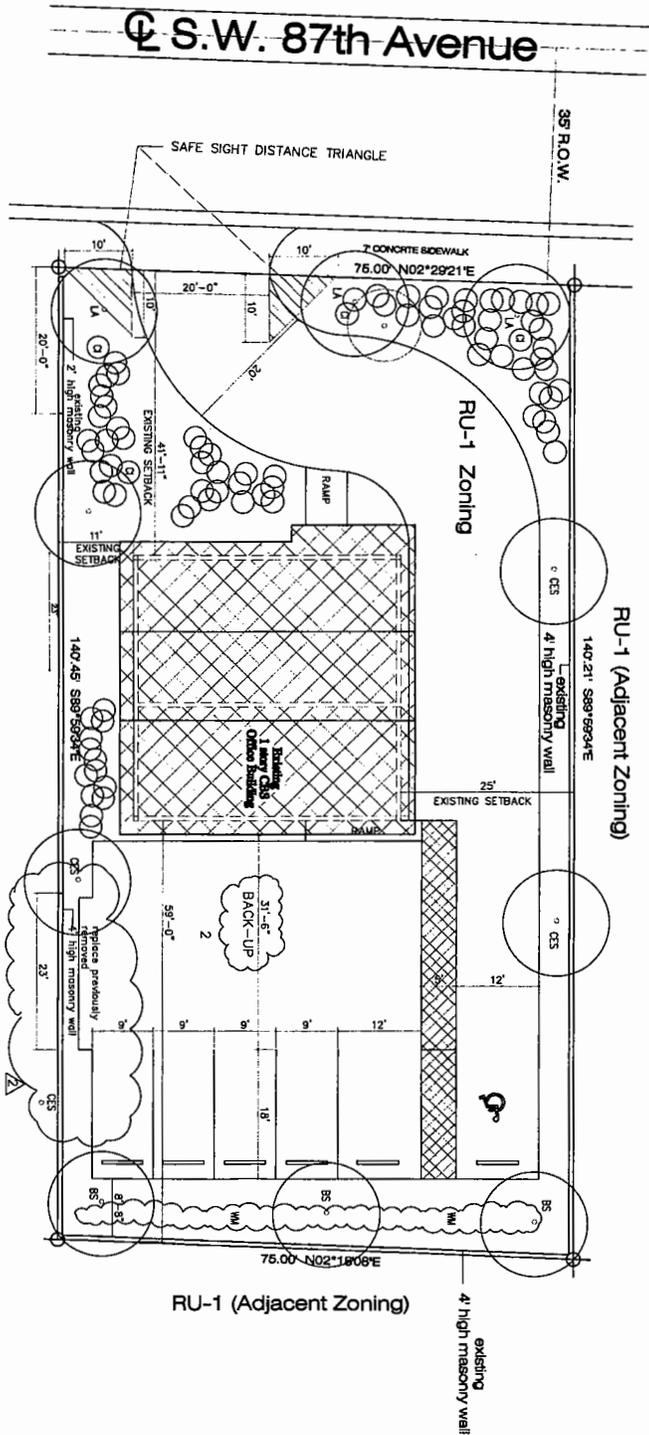
Office Complex
 3721 & 3731 Southwest 87th Avenue
 Miami, Florida

jose r. merlo, registered architect / license no. AR 0012119

MERLO

revisions

Phase 2
 Proposed Landscaping Plan 1/8" N



209-156

Plant Material Schedule

PLANT	SYMBOL	COMMON NAME	BOTANICAL NAME	SPECIFICATION
Y	LA	LIME OAK	QUERCUS VIRENOLATA	(12" TRUNK, 4' HIG. CUTTERS) Δ
Y	CS	SILVER BATTENWOOD	COSMOPHOS BERTENSIS CS	(12" TRUNK, 4' HIG. CUTTERS) Δ
Y	RS	ORANGE LIME	BONINIA SERRATA	(12" TRUNK, 4' HIG. CUTTERS) Δ
Y	D	RED TWIG DOGWOOD	COSSYPIUM SERRATUM	(12" TRUNK, 4' HIG. CUTTERS) Δ
Y	MI	RED WAX	MYRTILLIS	(12" TRUNK, 4' HIG. CUTTERS) Δ

3721 SW 87th Avenue, Miami, Florida

		Offices of Vacuba, Inc. 3721 Southwest 87th Avenue Miami, Florida	jose r. merlo, registered architect / license no. AR 0012119 	revision
				[] [] [] [] []

S.W. 87th Avenue

Proposed Landscaping Plan 1/8" Phase 2

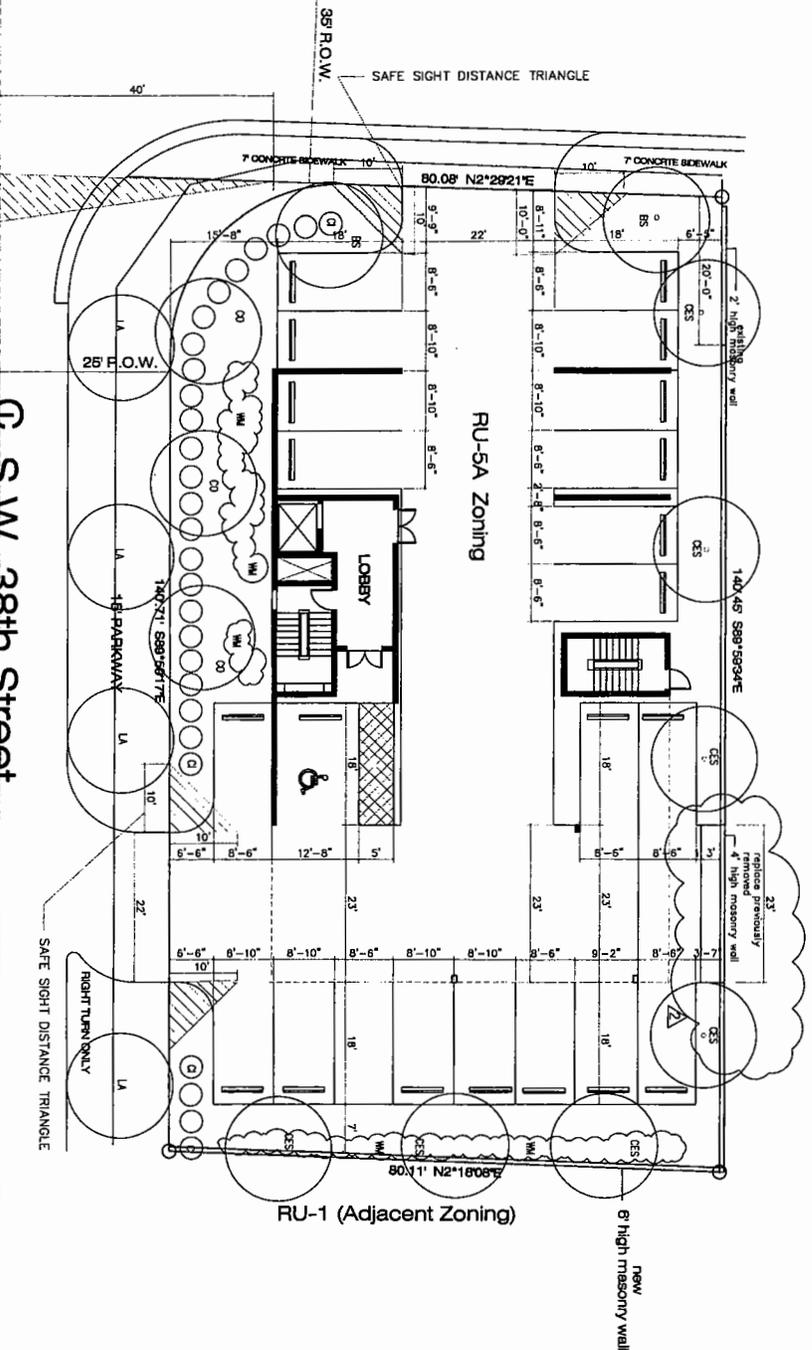
S.W. 38th Street

N

Plant Material Schedule

NATIVE	SYMBOL	COMMON NAME	BOTANICAL NAME	SPECIFICATION
Y	LA	LIFE OAK	QUERCUS VIRENOLATA	12" DBH, 4' MIN. CLEAR
Y	CS	SEMI BUTTERNUT	CHONOPUS BERTUS SPEC	10" DBH, 4' MIN. CLEAR
Y	BS	CLAYBERRY	SMILAX SPURGEA	12" DBH, 4' MIN. CLEAR
Y	D	RED TIE DOGWOOD	QUERUS FALCATA	3" DBH, 4' MIN. CLEAR
Y	MM	WAX MYRTLE	MYRTILLAS ALBA	3" DBH, 4' MIN. CLEAR

3731 SW 87th Avenue, Miami, Florida



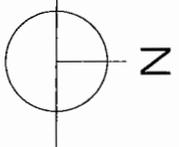
LS-5
10-19-09

Office Complex
3731 Southwest 87th Avenue
Miami, Florida

JOSE R. MERLO, REGISTERED ARCHITECT / LICENSE NO. AR 0012119
MERLO

REVISIONS

Site Plan - Ground Level
Phase 2



Enclosed Spaces
Total Ground Floor Area - 1,520 S.F.
of enclosed spaces, including offices, lobby,
elevator and stairs

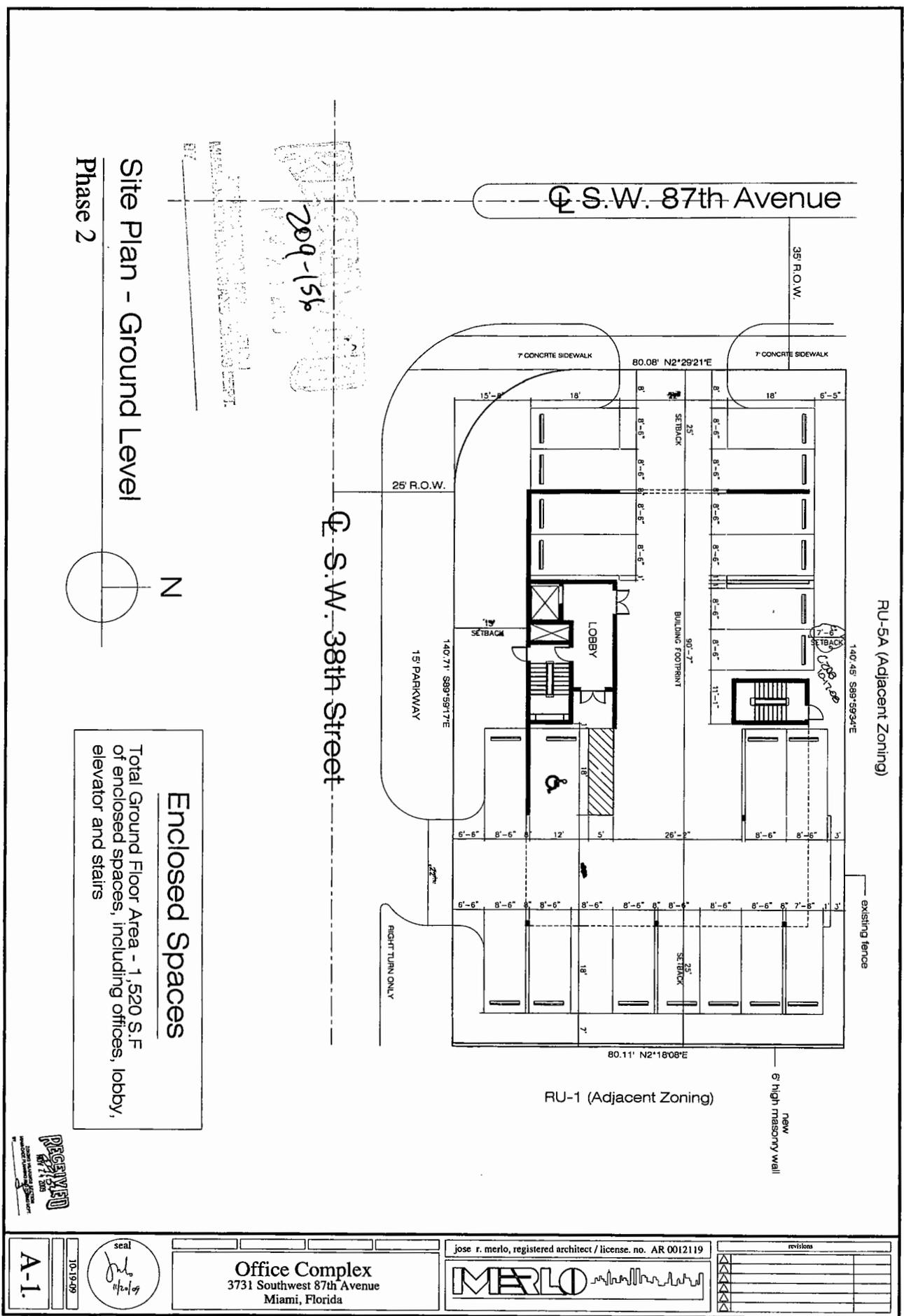


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10-19-09
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Office Complex
3731 Southwest 87th Avenue
Miami, Florida

jose r. merlo, registered architect / license. no. AR 0012119
MERLO

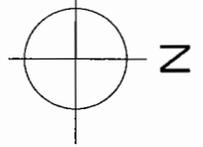
revisions



PROJECT NO. 209-156

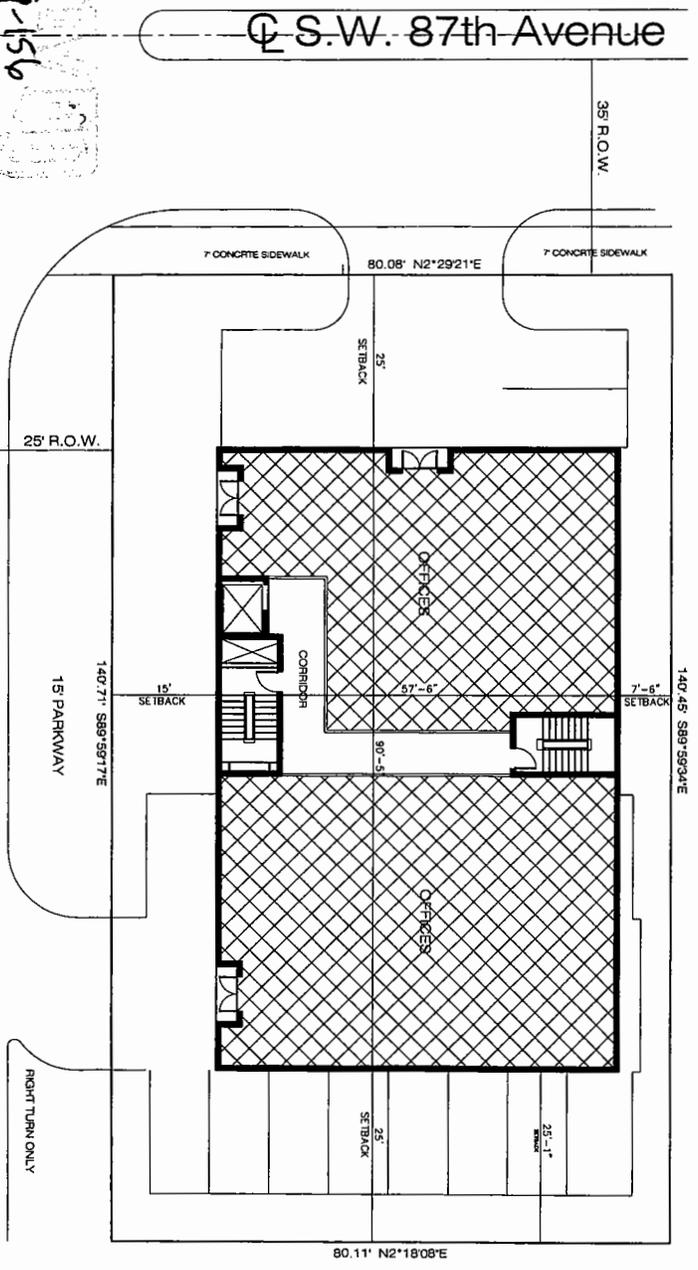
DESIGNED BY: J. MERLO
 DRAWN BY: J. MERLO
 CHECKED BY: J. MERLO
 DATE: 10/13/09

Site Plan - Second Level
 Phase 2



Enclosed Spaces
 Total Second Floor Area - 5,200 S.F.
 of enclosed spaces, including offices, lobby,
 elevator and stairs

☐ S.W. 87th Avenue
 ☐ S.W. 38th Street



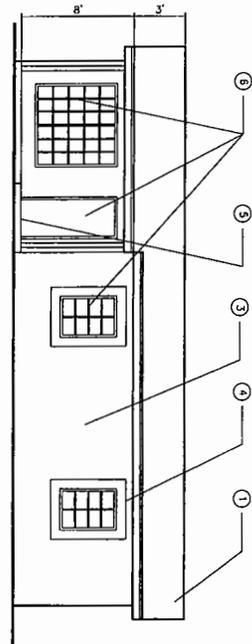
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 A-2

seal
 Jose R. Merlo

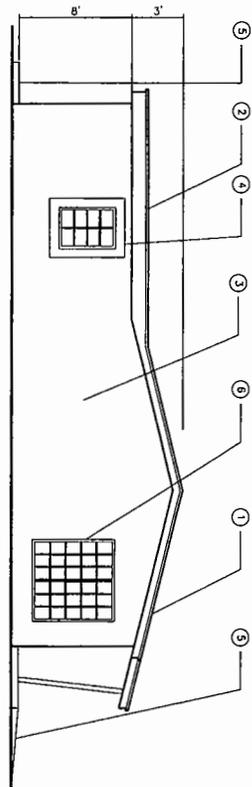
Office Complex
 3731 Southwest 87th Avenue
 Miami, Florida

jose r. merlo, registered architect / license. no. AR 0012119

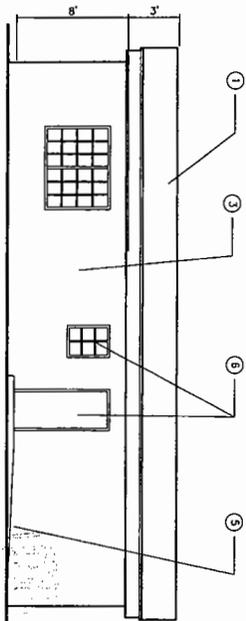
NO.	REVISIONS



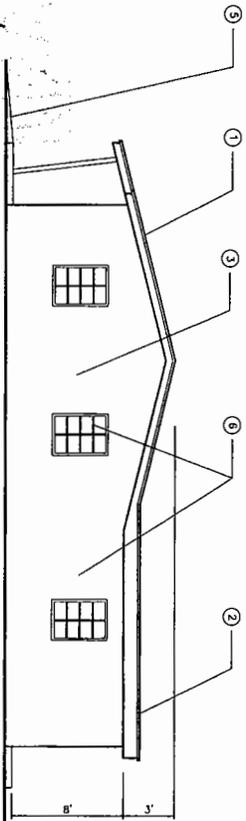
existing west elevation 1/4"



north elevation 1/4"



east elevation 1/4"



south elevation 1/4"

elevation legend

① EXISTING SHINGLE ROOF
② EXISTING FLATE ROOF

③ EXISTING SMOOTH STUCCO FINISH
④ EXISTING SMOOTH STUCCO BAND

⑤ EXISTING HANDICAP RAMP
⑥ EXISTING DOORS WINDOWS



A-2

10-19-09

Offices of Vacuba, Inc.
3721 Southwest 87th Avenue
Miami, Florida

jose c. merlo, registered architect / license. no. AR 0012119

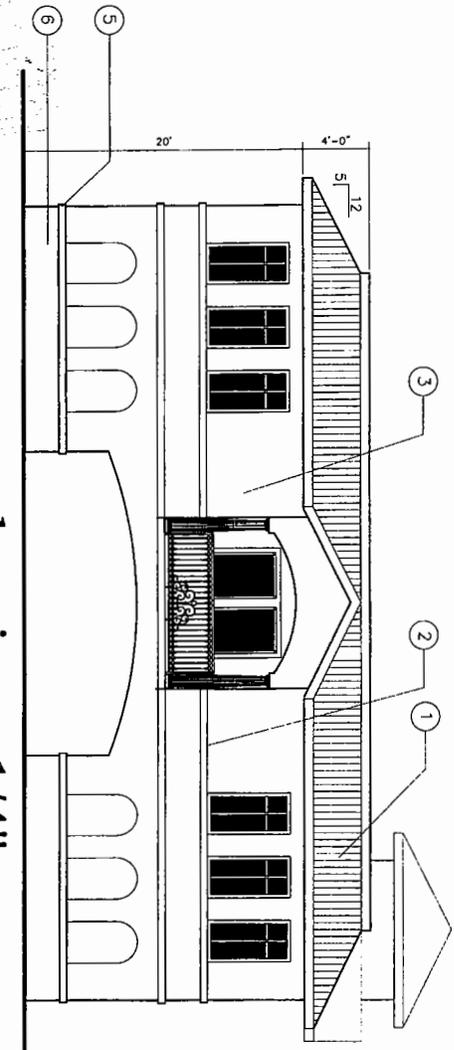


revisions

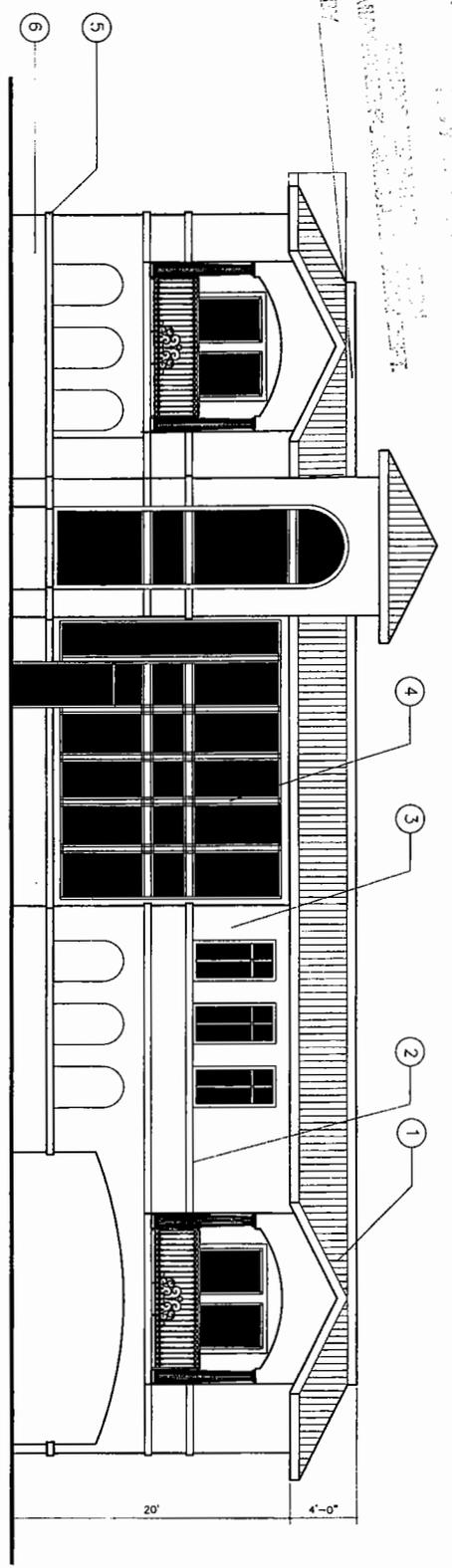
no.	description	date

209-156

west elevation 1/4"



south elevation 1/4"



elevation legend

- ① TILE ROOF (TERRACOTA)
- ② SMOOTH STUCCO BAND
- ③ SMOOTH STUCCO FINISH
- ④ 1/4" TEMP. GLAZING IN WHITE ANOD. STOREFRONT (TYPICAL)
- ⑤ 1 1/2" HALF ROUND STONE CAP
- ⑥ SANDSTONE TEXTURED FINISH



10-19-09
A-3

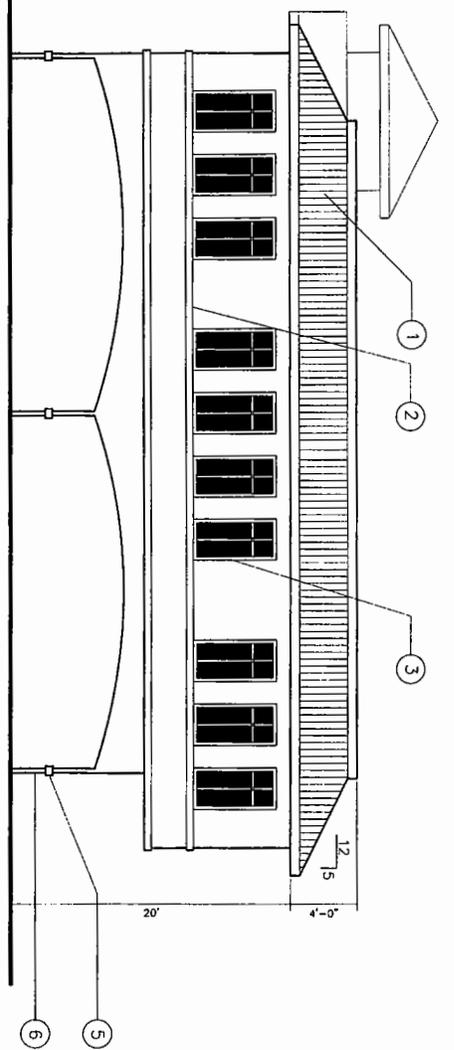
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3731 Southwest 87th Avenue
Miami, Florida

Jose R. Merlo, registered architect / license. no. AR 0012119
MERLO

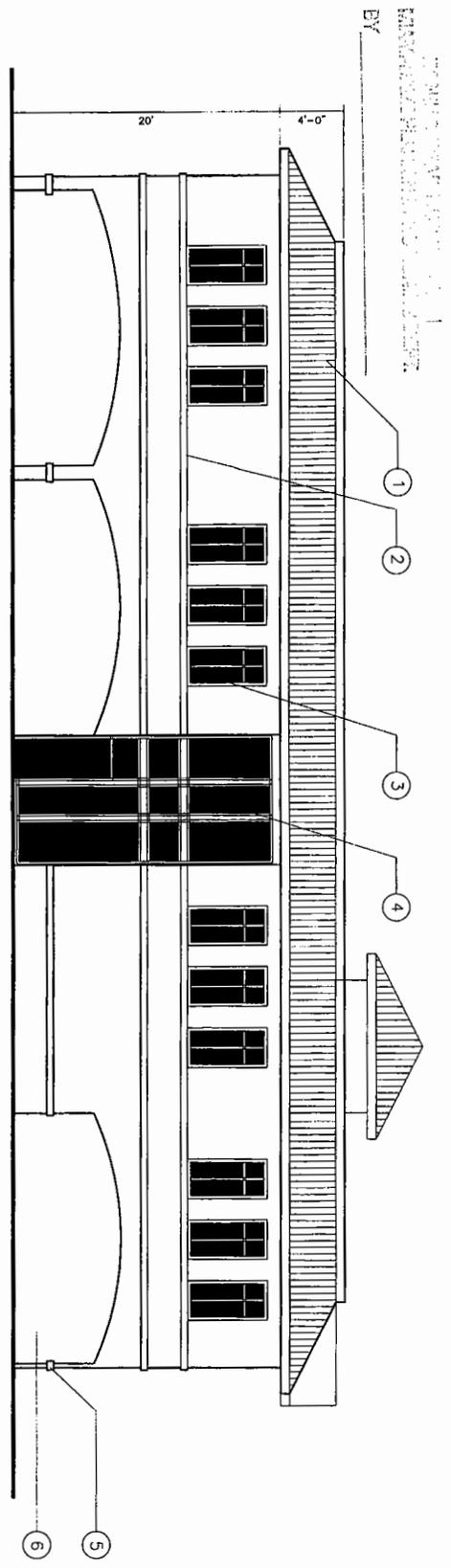
revisions	

35

200-156



east elevation 1/4"



north elevation 1/4"

elevation legend

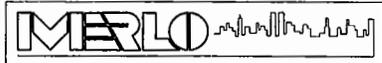
- ① TILE ROOF (TERRACOTA)
- ② SMOOTH STUCCO BAND
- ③ SMOOTH STUCCO FINISH
- ④ 1/4" TEMP. GLAZING IN WHITE ANOD. STOREFRONT (TYPICAL)
- ⑤ 1 1/2" HALF ROUND STONE CAP
- ⑥ SANDSTONE TEXTURED FINISH



10-19-09
A-4

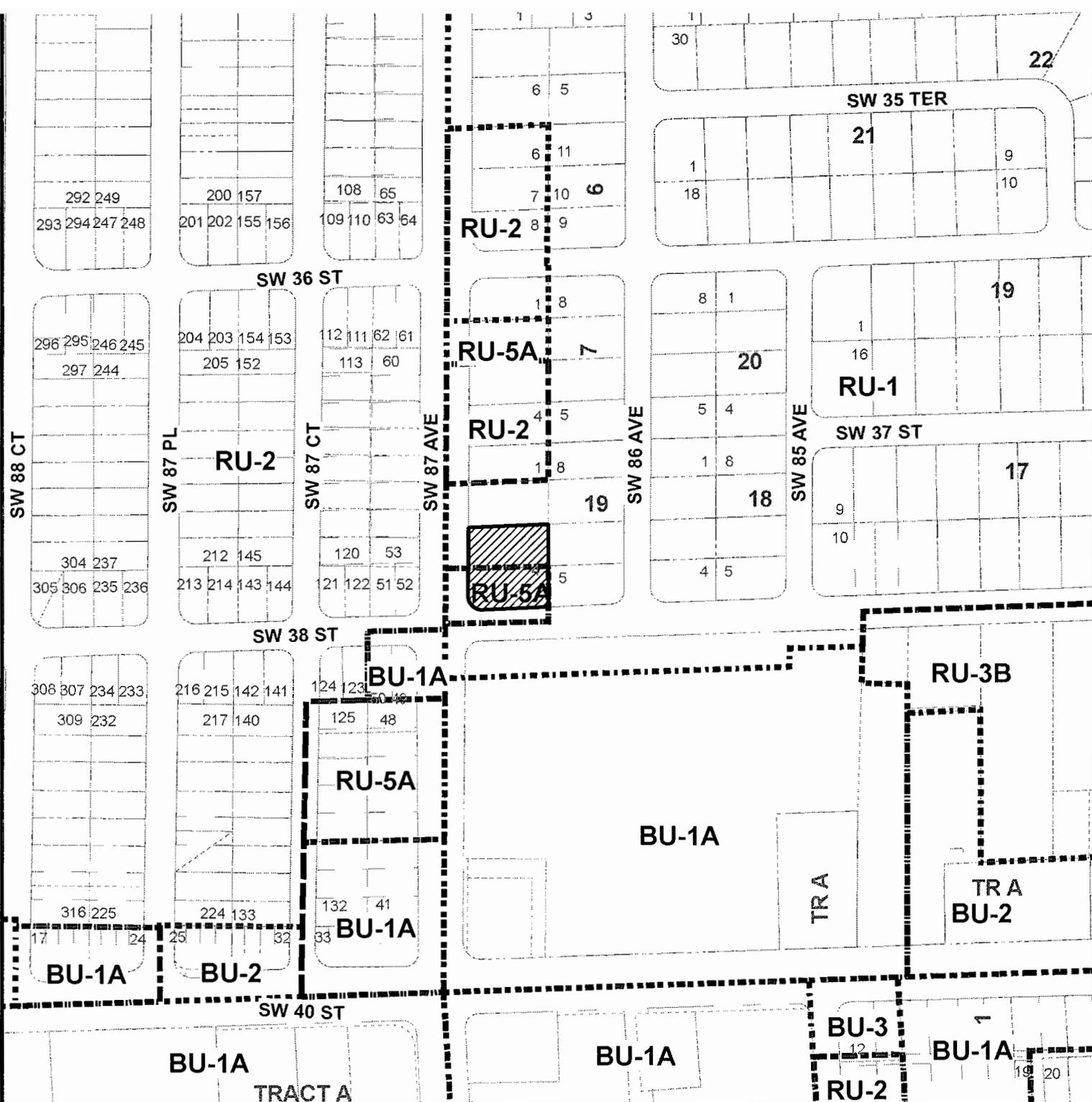
Office Complex
3731 Southwest 87th Avenue
Miami, Florida

jose r. merlo, registered architect / license. no. AR 0012119



revisions	

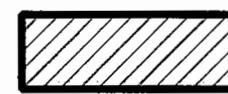
36



MIAMI-DADE COUNTY
HEARING MAP

Process Number
09-156

Section: 15 Township: 54 Range: 40
 Applicant: **MEBAHIAH, INC.**
 Zoning Board: C10
 Commission District: 10
 Drafter ID: ALFREDO
 Scale: NTS
 ----- Zoning



SUBJECT PROPERTY



SKETCH CREATED ON: 11/20/09

REVISION	DATE	BY
APPLICANT'S NAME CHANGE	07/07/10	AFT 37



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Section: 15 Township: 54 Range: 40

Applicant: MEBAHIAH, INC.

Zoning Board: C10

Commission District: 10

Drafter ID: ALFREDO

Scale: NTS

----- Zoning

Process Number

09-156



SUBJECT PROPERTY



SKETCH CREATED ON: 11/20/09

REVISION	DATE	BY
APPLICANT'S NAME CHANGE	07/07/10	AFT

2. CHRISTIAN & JESSICA GARCELL DE GOMEZ
(Applicant)

11-1-CZ10-2 (10-057)
Area 10/District 11
Hearing Date: 01/12/11

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>
1999	Transword Management Services	- Zone change from GU and EU-1 to RU3M. - Special Exception to permit a residential development. - Unusual Use entrance feature & lake excavations. - Non-Use Variance of zoning regulation.	C10	Denied with prejudice
2000	Transword Management Services	- Zone change from GU and EU-1 to RU3M. - Special Exception to permit a residential development. - Unusual Use entrance feature & lake excavations. - Non-Use Variance of zoning regulation.	BCC	Approved on a modified basis
2003	United Homes at Emerald Lakes, Inc.	- Deletion of condition of resolution.	C10	Approved

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

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 10**

APPLICANT: Christian and Jessica Garcell de Gomez

PH: Z10-057 (11-1-CZ10-2)

SECTION: 04-54-39

DATE: January 12, 2011

COMMISSION DISTRICT: 11

ITEM NO.: 2

A. INTRODUCTION:

o **SUMMARY OF REQUEST:**

The applicant seeks to permit the continued use of an existing chickee hut which extends over the height of the existing 6' high wood fence.

o **REQUEST:**

Applicants are requesting to waive the zoning regulations requiring no accessory use structure for a townhouse residence to extend above the height of the enclosed patio wall; to permit a chickee hut to extend above the height of the 6' wood fence.

A plan is on file and may be examined in the Department of Planning and Zoning entitled "As-Built," as prepared by D'Avila & Associates Services, Inc., dated stamped received 5/19/10. Plans may be modified at public hearing.

o **LOCATION:** 14756 SW 9 Terrace, Miami-Dade County, Florida.

o **SIZE:** 24.17' x 95'

B. ZONING HEARINGS HISTORY: In 2000, the subject property was granted a district boundary change from GU, Interim District and EU-1, Single-Family One Acre Estate District to RU-3M, Minimum Apartment House District, and also the approval for a residential development, private recreational area, lake excavation, and entrance features, pursuant to Resolution No. Z-4-00, by the Board of County Commissioners.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential**. 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.
2. Existing uses and zoning are not specifically depicted on the LUP map. All existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning districts and uses. All approval of new industrial locations must be consistent with the LUP map or the specific

exceptions provided in the various LUP map categories, the objectives and policies of this Plan.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

SUBJECT PROPERTY:

RU-3M; Townhouse

Low Density Residential, 2.5 to 6 dua

SURROUNDING PROPERTY:

NORTH: RU-3M; Vacant lot & Townhouse

Low Density Residential, 2.5 to 6 dua

SOUTH: RU-3M; Lake

Low Density Residential, 2.5 to 6 dua

EAST: RU-3M; Townhouse

Low Density Residential, 2.5 to 6 dua

WEST: RU-3M; Vacant

Low Density Residential, 2.5 to 6 dua

F. PERTINENT REQUIREMENTS/STANDARDS:

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

G. NEIGHBORHOOD SERVICES:

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

H. ANALYSIS:

The subject property is a corner lot located at 14756 SW 9 Terrace, in an established townhouse development zoned RU-3M, Minimum Apartment House district. The applicants seek to waive the zoning regulations; to permit the continued use of an existing chickee hut in the rear yard area of the townhouse unit which exceeds the height of an existing 6' high wood fence. The applicant has submitted plans depicting the aforementioned requests.

The subject property is designated for **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). Since existing lawful uses and zoning are deemed to be **consistent** with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map" and since the request sought herein will not add additional dwelling units to the residence, the RU-3M zoned townhouse residence is **consistent** with the Low Density Residential designation as shown on the LUP map of the CDMP.

When the application is analyzed under Section 33-311(A)(4)(b), Non-Use Variance (NUV) Standard, staff is of the opinion that the approval of the requests would be **incompatible** with the surrounding area, and would negatively affect the appearance of the community. This request will allow the applicant the continued use of an existing 12' x 16' chickee hut located in the rear yard area of the existing townhouse unit. Staff notes that although the rear of the subject parcel abuts an existing lake and that the subject site only has one neighbor to the east which is buffered from said chickee hut by a 6' high wood fence, staff is of the opinion that the existing chickee hut is not compatible with the design and architectural design of the existing townhouse units. In addition, the height of said chickee hut is excessive since it exceeds the height of the 6' high wood fence by approximately 6'9" resulting in a total height of 13'9" which staff opines is excessive and creates a negative visual impact to the neighboring property to the east and to the neighboring properties across the lake to the south. Staff acknowledges that the letter of intent submitted by the applicants' states that they have obtained the approval from the Home Owners Association supporting the location and design of the chickee hut. However, as previously mentioned staff opines that the height and design of the existing chickee hut results in a negative visual impact to the surrounding area and as such staff recommends denial without prejudice of this application under Section 33-311(A)(4)(b) (NUV).

Based on all of the aforementioned, staff opines that the application is **incompatible** with the surrounding properties and **consistent** with the LUP map of the CDMP and therefore recommends denial without prejudice of this application with conditions under Section 33-311(A)(4)(b) (NUV).

I. **RECOMMENDATION:**

Denial without prejudice.

J. **CONDITIONS:** None.

DATE INSPECTED: 06/04/10
DATE TYPED: 11/22/10
DATE REVISED: 11/24/10
DATE FINALIZED:
MCL:MTF:NN:NC:AA

For 

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

Memorandum



Date: June 8, 2010
To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

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

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

Subject: C-10 #Z2010000057
Christian and Jessica Garcell de Gomez
14756 S.W. 9TH Terrace
To Permit an Accessory Structure in a Townhouse Development to
Extend the Height of the Enclosed Wood Fence
(RU-3M) (0.05 Acres)
04-54-39

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Service and Wastewater Disposal

The subject property is currently connected to a public water and public sanitary sewers. 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 DERM for this proposed development order.

Stormwater Management

DERM Water Control Section has no objection to the approval of this application.

Wetlands

The subject property is located within the Bird Drive Wetland Basin, in an area that normally contains wetlands. However, this property has already been included as part of a larger project, under Class IV Wetland Permit FW00-063. All Class IV Wetland Permit requirements for this property have been completed under the previously issued permit.

Therefore, DERM has no objection to the scheduling of this zoning application provided that no impacts occur beyond what was permitted on this site.

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.

Natural Forest Communities

The subject property is located near to an EEL (Environmentally Endangered Lands) property. EEL properties are subject to Natural Forest Community regulations (See Section. 24-49, of the Code) and EEL Ordinance for preservation and management consistent with the purposes set forth in Section 24-50 of the Code. The County has a vested interest in maintaining this EEL area as a natural preserve. This EEL property will be maintained by the use of periodic ecological prescribed burning. This management technique reduces the wildfire threat and is beneficial to wildlife and the rare plant species harbored by this plant community. Such burning is generally performed once every three years. The subject property lies within the potential smoke dispersion corridor. Consequently, the subject property may be affected by the periodic smoke events from the prescribed burns or unexpected wildfires.

According to the landscape to the Code, controlled species may not be planted within 500 feet of the native plant community. Please refer to the Landscape Manual of the Department of Planning and Zoning for a list of these controlled landscaping plants.

Tree Preservation

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

Enforcement History

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

Concurrency Review Summary

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

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

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

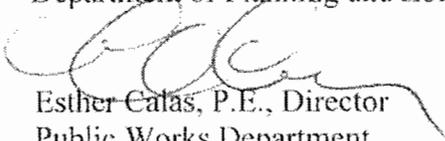
If you have any questions concerning the comments, or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

Memorandum



Date: November 26, 2008

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

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

Subject: Zoning Hearing Improvements

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

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

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

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

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

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

Leandro Rodriguez

Memorandum



Date: 12-JUL-10
To: Marc LaFerrier, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2010000057

Fire Prevention Unit:

Not applicable to MDRF site requirements.

Service Impact/Demand

Development for the above Z2010000057
located at 14756 S.W. 9 TERRACE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1384 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: 3:12 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 61 - Trail - 15155 SW 10 Street
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.

8

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

CHRISTIAN & JESSICA GARCELL
DE GOMEZ

14756 S.W. 9 TERRACE, MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2010000057

HEARING NUMBER

HISTORY:

NC: NO CURRENT ZONING VIOLATIONS
BLDG: (1) CASE OPENED FOR WORK WITHOUT A PERMIT [20100133733], YEAR 2009.
CASE IS PENDING CLOSURE FROM THE BLDG DEPT.

CHRISTIAN & JESSICA GARCELL DE GOMEZ

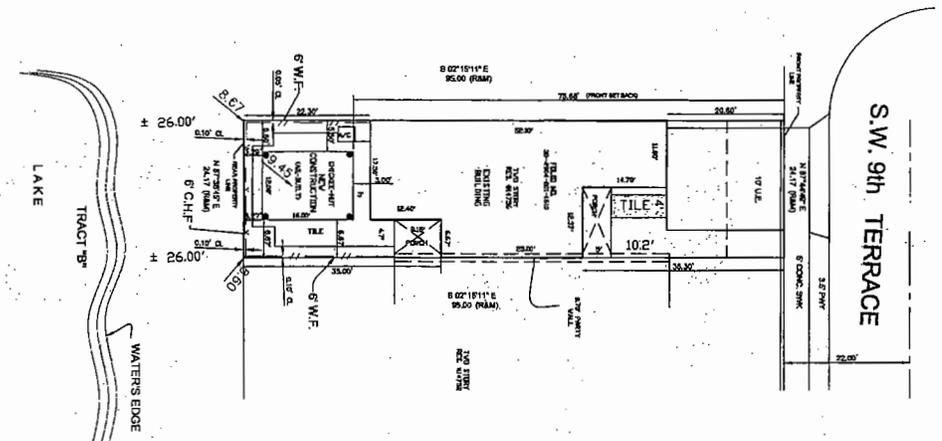
**OUTSTANDING FINES, PENALTIES, COST OR LIENS
INCURRED PURSUANT TO CHAPTER 8CC:**

REPORTER NAME:

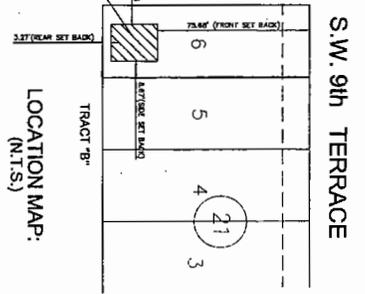
UNKNOWN

SITE PLAN

SCALE: 1"=10'



S.W. 9th TERRACE



S.W. 9th TERRACE

LOCATION MAP:
(N.T.S.)

RECEIVED
Z-10-05
SEP 14 2010

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



LEGAL DESCRIPTION

LOT 6, BLOCK 21, EMERALD LAKES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 158, PAGE 5 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA. SUBJECT TO ALL RESTRICTIONS, RESERVATIONS, EASEMENTS AND RIGHT-OF-WAY OF RECORD, UNDERGROUND ENCROACHMENTS, IF ANY, HAVE NOT BEEN LOCATED.

REGISTERED PROFESSIONAL SURVEYOR
STATE OF FLORIDA
NO. 12547
EXPIRES 12/31/2010

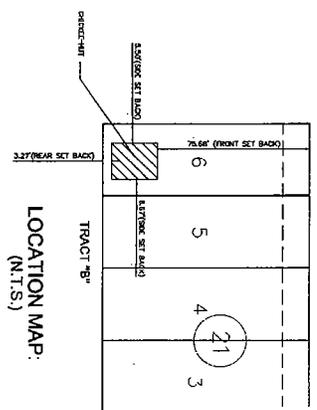
"NOT VALID WITHOUT THE SIGNATURE, DATE AND THE ORIGINAL RAISED SEAL OF A FLORIDA PROFESSIONAL ENGINEER"

SHEET 2 OF 3		SITE PLAN CHICKEE-HUT 14756 S.W. 9th TERRACE MIAMI FLORIDA 33194		D'AVILA & ASSOCIATES, SVCS, INC Land Surveyors and Engineers CERTIFICATE No. 29058, STATE OF FLORIDA 1800 W. 49th ST, SUITE 201 HIALEAH, FL 33012 PHONE: (305) 512-3710		<table border="1"> <thead> <tr> <th colspan="2">REVISIONS</th> </tr> <tr> <th>NO.</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>		REVISIONS		NO.	DESCRIPTION										
REVISIONS																					
NO.	DESCRIPTION																				
DESIGNED BY: CHRISTIAN JESSICA DRAWN BY: FRANCISCO AGUIRRE CHECKED BY: FRANCISCO AGUIRRE DATE: 07/07/10	DATE: 07/07/10 R.A.	SIGN & SEAL FRANCISCO AGUIRRE, P.E. STATE 07/07-10	DATE: 07/07/10 R.A.	DATE: 07/07/10 R.A.	DATE: 07/07/10 R.A.	DATE: 07/07/10 R.A.	DATE: 07/07/10 R.A.														

**CHICKEE-HUT
 AS-BUILT**

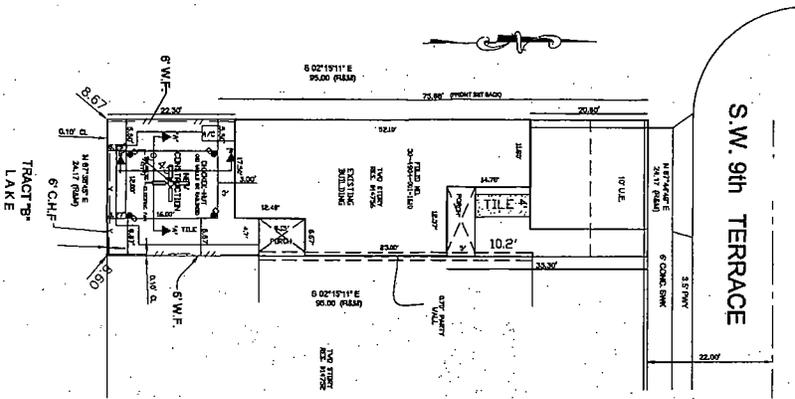


S.W. 9th TERRACE



**LOCATION MAP:
 (N.T.S.)**

S.W. 9th TERRACE



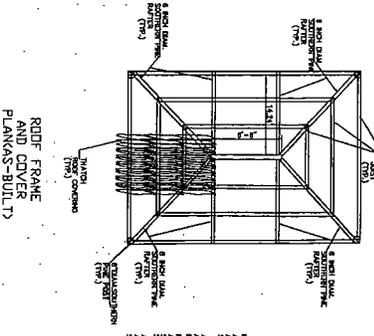
STRUCTURAL CALCULATIONS:
 Archon WinPost Program
OUTPUT DATA
 Required pole ground embedment = 4.00 ft
 Actual Pole Bending Stress = 2095.80 psi
 Allowable Pole Bending Stress = 2160.00 psi
 Total Wind Force on attachment = 4500 lbs
 Total Wind Force on attachment = 1031.85 lbs
 Attachment Wind Pressure = 54.31 psf
 Pole Wind Pressure = 24.34 psf
 Height of extra force above ground = 0.00 ft
 Resultant Force Height = 8.40 ft
 End Bending Pressure = 0.00 psf
 End Pressure is OK!
 End Bending Stress adequate

INPUT DATA
 Wind Velocity = 140.00 mph
 Height above ground = 10.00 ft
 Unbraced Length = 8.00 ft
 Gross area of attachment = 64.00 ft²
 Open area of attachment = 45.00 ft²
 Pole section modulus = 21.21 in³
 Number of poles = 4
 Spacing of poles = 18.3 ft
 Pole Gross Section = 6.00 in x 6.00 in
 Extra Lateral Load added to each pole = 0.00 lbs
 Axial Load Eccentricity = 0.00 in
 Soil Compressive Strength = 2500.00 psf

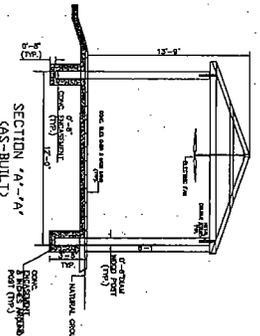
ENGINEER'S NOTE:
 THE STRUCTURE OF THE ARCHON CORP. HAS BEEN INSPECTED BY THE HIALEAH COUNTY ENGINEER. THE ARCHON CORP. HAS BEEN ADVISED THAT THE STRUCTURE IS IN COMPLIANCE WITH THE HIALEAH COUNTY ORDINANCES. THE ARCHON CORP. HAS BEEN ADVISED THAT THE STRUCTURE IS IN COMPLIANCE WITH THE HIALEAH COUNTY ORDINANCES. THE ARCHON CORP. HAS BEEN ADVISED THAT THE STRUCTURE IS IN COMPLIANCE WITH THE HIALEAH COUNTY ORDINANCES.

FRANCISCO A. GARCIA, P.E., LICENSE
 STATE OF FLORIDA # 56267

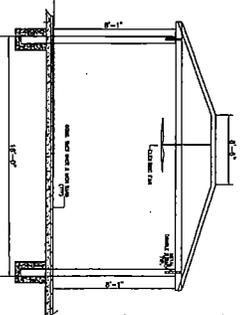
**FLOOR PLAN
 SCALE: 1"=10'**



**ROOF FRAME
 AND COVER
 PLAN (AS-BUILT)**



SECTION 'A-A'



SECTION 'B-B'

**ZONING HEARING SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY: *XHT***

**RECEIVED
 210-057
 SEP 14 2010**

LEGAL DESCRIPTION
 LOT 48.000, 21, DETAILED LAYER, ACCORDING TO THE PLAT THEREOF RECORDED IN HIALEAH COUNTY BOOK 156, PAGE 9 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, SUBJECT TO ALL RESTRICTIONS, RESERVATIONS, EASEMENTS AND RIGHT-OF-WAY OF RECORD UNDERGROUND ENCUMBRANCES, IF ANY, HAVE NOT BEEN LOCATED.

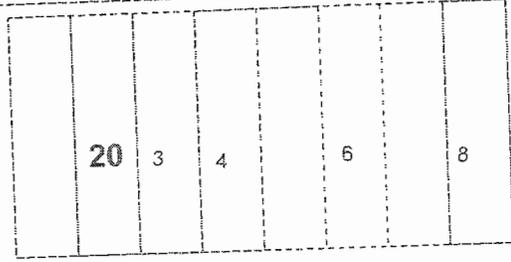
NOT VALID WITHOUT THE SIGNATURE, DATE AND THE ORIGINAL
 POWER OF ATTORNEY OF A LICENSED PROFESSIONAL ENGINEER

**RECEIVED
 210-057
 SEP 14 2010**

FLOOR PLAN & DETAILS CHICKEE-HUT 14756 S.W. 9th TERRACE MIAMI FLORIDA 33194		D'AVILA & ASSOCIATES, SVCS, INC Land Surveyors and Engineers CERTIFICATE No. 29056, STATE OF FLORIDA 1800 W. 49th ST. SUITE 201 HIALEAH, FL 33012 PHONE: (305) 512-3710		<table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION												
NO.	DATE	DESCRIPTION																	
CLIENT: CHRISTINA & JESSICA GARCIA DE GONZALEZ DESIGNED BY: FRANCISCO GARCIA	DRAWN: DATE: 07/07/10	CHECKED: DATE: 07/07/10	SIGN & SEAL: FRANCISCO A. GARCIA, P.E. STATE OF FLORIDA # 56267																
ACAD DWG PROJECT NO. CHICKEE-HUT 10-00-0050	SHEET 3 OF 3	NOT VALID WITHOUT THE SIGNATURE, DATE AND THE ORIGINAL POWER OF ATTORNEY OF A LICENSED PROFESSIONAL ENGINEER																	

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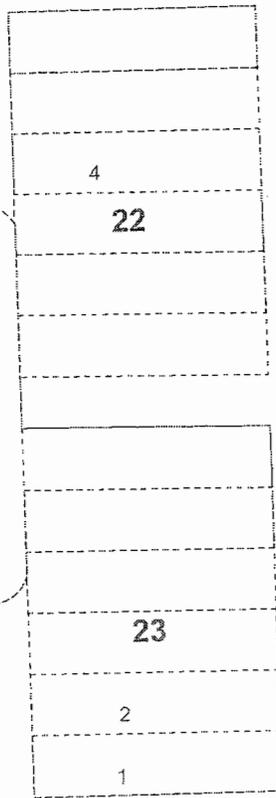


SW 9TH TER

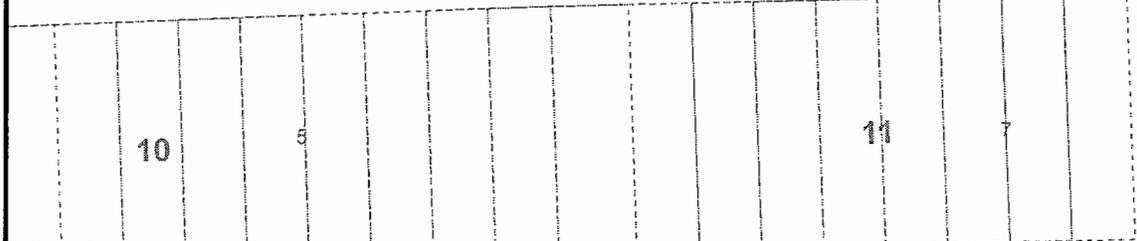
RU-3M



21



SW 147TH CT



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2010000057



Section: 04 Township: 54 Range: 39
 Applicant: CHRISTIAN & JESSICA GARCELL DE GOMEZ
 Zoning Board: C10
 Commission District: 11
 Drafter ID: KEELING
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Wednesday, May 26, 2010

REVISION	DATE	BY
		13



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Section: 04 Township: 54 Range: 39
 Applicant: CHRISTIAN & JESSICA GARCELL DE GOMEZ
 Zoning Board: C10
 Commission District: 11
 Drafter ID: KEELING
 Scale: NTS

Process Number
Z2010000057

Legend
Legend

 Subject Property



SKETCH CREATED ON: Wednesday, May 26, 2010

REVISION	DATE	BY

3. ALBERTO CARO & JEANETTE FARACH CARO
(Applicant)

11-1-CZ10-3 (10-077)
Area 10/District 12
Hearing Date: 01/12/11

Property Owner (if different from applicant) **ALBERTO CARO & JEANETTE FARACH CARO**

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>
1985	Directors, Building, Zoning & Planning Departments	- Zone change from GU, AU and EU-1 to EU-1.	BCC	Approved

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

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 10**

APPLICANTS: Alberto and Jeanette Farach Caro

PH: Z10-77 (11-1-CZ10-3)

SECTION: 1-54-39

DATE: January 12, 2011

COMMISSION DISTRICT: 12

ITEM NO.: 3

=====

A. INTRODUCTION:

- o **SUMMARY OF REQUEST:** The applicants are requesting to permit a proposed single-family residence with a lot coverage which exceeds that allowed by the Zoning Code.

- o **REQUEST:**

Applicants are requesting to permit a single-family residence with a lot coverage of 19.9% (15% permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Custom Residence for Mr. and Mrs. Alberto & Jenny Caro, as opened by Bellon Milanese Architects Planners, dated stamped received 7/20/10 and consisting of 10 pages. Plans may be modified at public hearing.

- o **LOCATION:** Northeast corner of NW 2 Street and NW 124 Avenue, a/k/a 201 NW 124 Avenue, Miami-Dade County, Florida.

- o **SIZE:** 0.838 Acre.

B. ZONING HEARINGS HISTORY:

The subject parcel is a part of a tract of land that in March 1985, was approved for a district boundary change GU, Interim District and AU, Agricultural District, to EU-1, Single-Family One Acre Estate District, pursuant to Resolution #Z-64-85. Said resolution also permitted certain existing platted lots with less than the required 125' of frontage and less than the one acre of lot area as residential building sites.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2015 and 2025 Land Use Plan designates the subject property subject property as being approximately 3,258' east of and within the Urban Development Boundary for **Estate Density Residential**. This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 units per gross acre.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

EU-1; vacant

Estate Density Residential, 1 to 2.5 du

Surrounding Properties:

NORTH: EU-1; vacant

Estate Density Residential, 1 to 2.5 du

SOUTH: EU-1; Single-family residence

Estate Density Residential, 1 to 2.5 du

EAST: EU-1; vacant

Estate Density Residential, 1 to 2.5 du

WEST: EU-1; vacant

Estate Density Residential, 1 to 2.5 du

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(4)(b) Non-Use Variances from other than airport regulations.

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

G. NEIGHBORHOOD SERVICES:

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

H. ANALYSIS:

This subject property is a vacant corner lot located at the northeast corner of NW 2 Street and NW 124 Avenue, a/k/a 201 NW 124 Avenue, in an established area zoned EU-1, Single-Family One Acre District. The subject property is designated for **Estate Density Residential** on the LUP map of the CDMP. Because the approval of this application will not add additional dwelling units to the property, the EU-1 zoned subject property is **consistent** with the LUP Map designation of the CDMP.

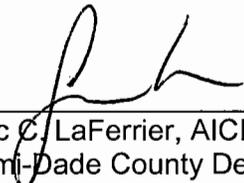
When the applicants' request to permit the proposed single-family residence with a lot coverage of 19.9% is analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard, staff is of the opinion that the approval of this request would be **compatible** with the surrounding area, would not negatively affect the stability and appearance of the community, and would not be detrimental to the area. Approval of the application will permit the applicants to construct a custom built, two-story single-family residence with a floor area of 7,290 sq. ft. resulting in a 19.9% lot coverage where 15% maximum is permitted. Staff notes that pursuant to Resolution #Z-64-85, the subject lot was a part of a larger parcel of land that was approved for a district boundary change to EU-1 in 1985 and to allow some lots with less lot frontage and area than required in the EU-1 zoning district. Further, staff notes that similar requests for lot coverage were approved through the Administrative Variance process within less than a ½ mile of the subject property. For example, in 1993, pursuant to Administrative Variance #V93-1006, a residence located to the northwest of the subject property at 210 NW 124 Avenue, was approved for a request to permit a residence with a lot coverage of 16.5%. Similarly, in 1996, a property located at 465 NW 125 Avenue, was approved pursuant to Administrative Variance #V96-129, to permit a residence with a lot coverage of 17%. As such, staff opines that approval of the applicants' request for 19.9% lot coverage would not affect the stability and appearance of the community and would not set a precedent for over-intensive development of EU-1 properties in this area. However, staff recommends that as a condition for the approval of the request, that the roofed breezeway connecting the two (2) garages and the porte-cochere to the residence remains open sided and not be enclosed in any manner. As such, staff recommends approval with conditions of the application under Section 33-311(A)(4)(b) (NUV)

I. **RECOMMENDATION:** Approval with conditions.

J. **CONDITIONS:**

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to 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 "Custom Residence for Mr. and Mrs. Alberto & Jenny Caro, as opened by Bellon Milanese Architects Planners, dated stamped received 7/20/10 and consisting of 10 pages.
3. That the use be established and maintained in accordance with the approved plan.
4. That the breezeway connecting the two (2) garages and the porte-cochere to the residence remains open sided and not be enclosed in any manner.

DATE TYPED: 11/18/10
DATE REVISED: 11/19/10, 11/23/10; 12/21/10
DATE FINALIZED: 12/21/10
MCL:GR:NN:AA:CH

For 

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

Memorandum



Date: October 26, 2010

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

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez". The signature is fluid and cursive, written over the printed name.

Subject: C-10 #Z2010000177
Vincent Carey
2920 S.W. 75th Avenue
To Permit a Single-Family Residence Setback Less than Required from
Property Lines
(RU-1) (0.15 Acres)
14-54-40

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Service

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

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

Wastewater Disposal

Public sanitary sewers are not located within feasible distance for connection to the subject property. Consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste. DERM has no objection to the interim use of a septic tank and drainfield, provided that the maximum sewage loading allowed by Section 24-43.1(3) of the Code is not exceeded. Based on available information, the proposed single-family residence or duplex served by a septic tank would not exceed the maximum allowable sewage loading for the subject property.

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 by DERM 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

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

Enforcement History

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

Concurrency Review Summary

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

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

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

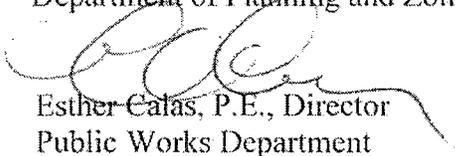
If you have any questions concerning the comments, or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

Memorandum



Date: November 26, 2008

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

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

Subject: Zoning Hearing Improvements

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

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

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

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

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

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

Leandro Rodriguez

Memorandum



Date: 14-JUL-10
To: Marc LaFerrier, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2010000077

Fire Prevention Unit:

No objection.

Service Impact/Demand

Development for the above Z2010000077 located at the N.E. corner of NW 124 Ave & NW 2 ST AKA 201 N.W. 124 AVENUE in Police Grid 1287 is proposed as the following:

1 residential	dwelling units	N/A industrial	square feet
N/A Office	square feet	N/A institutional	square feet
N/A Retail	square feet	N/A nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 0.27 alarms-annually.
The estimated average travel time is: 5:11 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 58 - Tamiami - 12700 SW 6 Street
Rescue, ALS Engine.

Planned Service Expansions:

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

Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped June 23, 2010.

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

ALBERTO CARO & JEANETTE
FARACH CARO

201 N.W. 124 AVENUE

APPLICANT

ADDRESS

Z2010000077

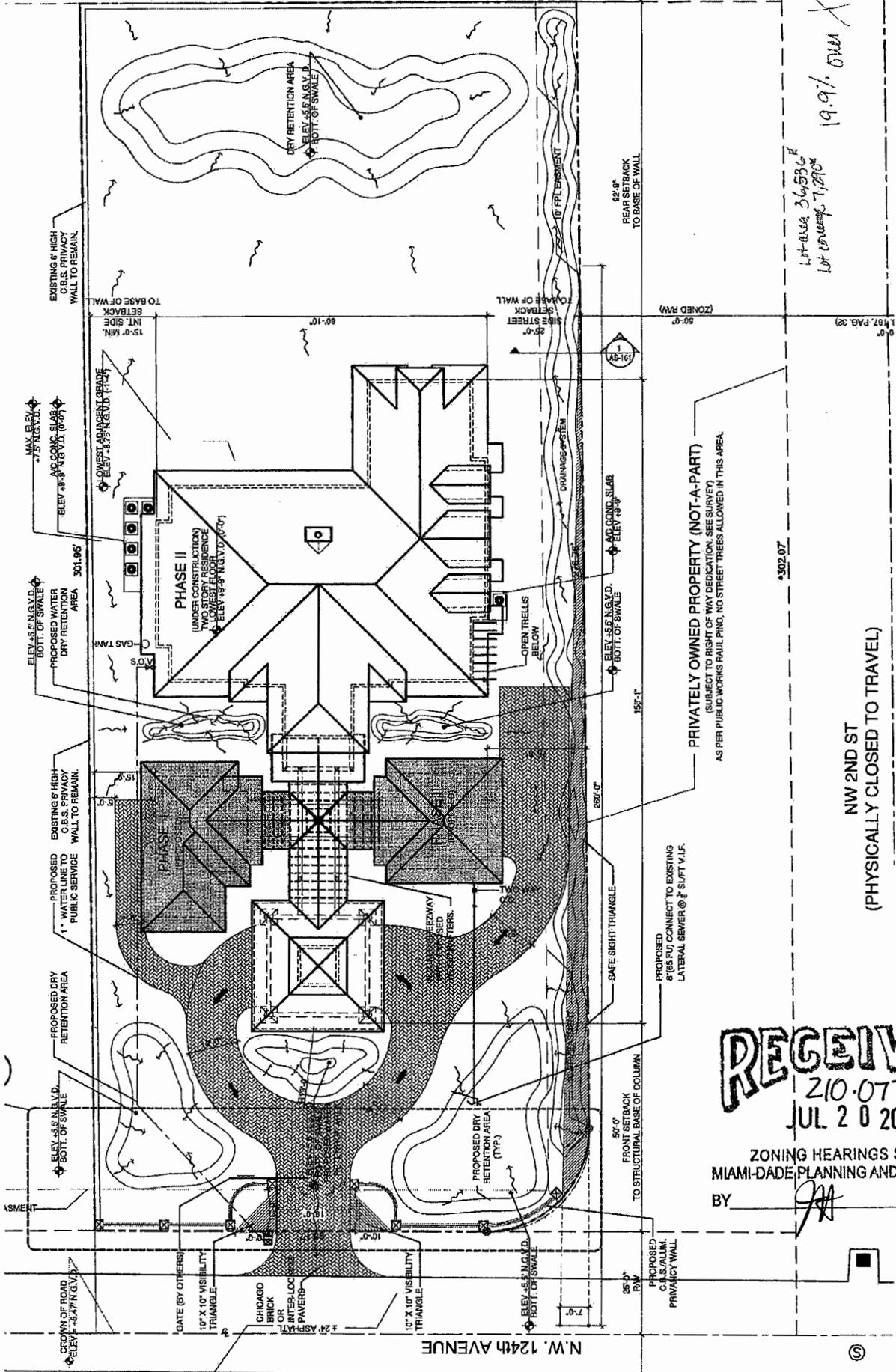
HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY; NC: No cases. BNC: No cases

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

REPORTER NAME:



ENLARGED SITE PLAN

RECEIVED
 210-077
 JUL 20 2010
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY *[Signature]*

NW 2ND ST
 (PHYSICALLY CLOSED TO TRAVEL)

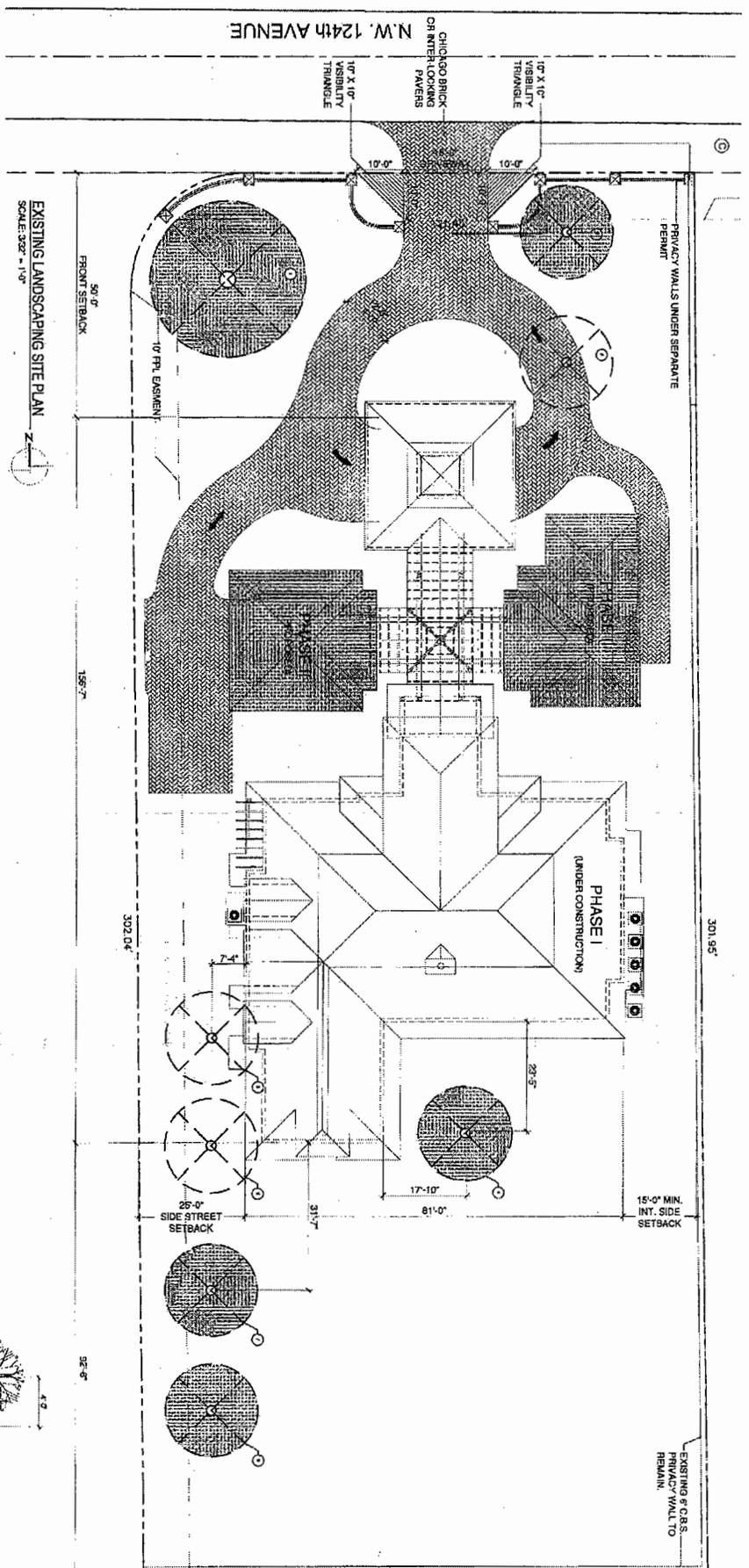
PRIVATELY OWNED PROPERTY (NOT-A-PART)
 (SUBJECT TO RIGHT OF WAY DEDICATION, SEE SURVEY)
 AS PER PUBLIC WORKS RAIL PINK, NO STREET TREES ALLOWED IN THIS AREA.

*302.07

Lot Area 36,536 sq ft
 Lot Coverage 7,790 sq ft
 19.9% Over X

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

RECEIVED
 JUL 20 2010
 210.077



EXISTING TREES LEGEND

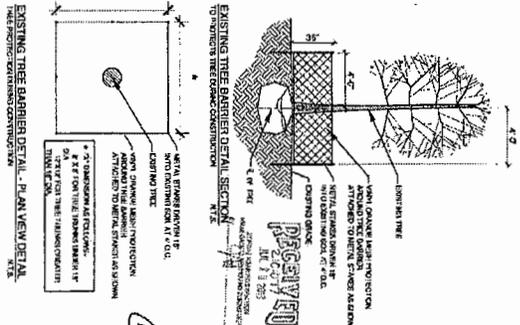
TREE IDENTIFICATION	DESCRIPTION	TREES ON (BRUSH MAT)	TREE APPROX. STEM D. HEIGHT	REMARKS
1	EXISTING BLACK OAK	11"	42'	TO REMAIN
2	EXISTING BLACK OAK	11"	42'	TO REMAIN
3	EXISTING BLACK OAK	11"	42'	TO REMAIN
4	EXISTING LIVE OAK	11"	31'	TO BE SAVED
5	EXISTING BLACK OAK	11"	42'	TO BE SAVED
6	EXISTING BLACK OAK	11"	42'	TO BE SAVED
7	EXISTING BLACK OAK	11"	42'	TO BE SAVED
8	EXISTING BLACK OAK	11"	42'	TO BE SAVED
9	EXISTING BLACK OAK	11"	42'	TO BE SAVED
10	EXISTING BLACK OAK	11"	42'	TO BE SAVED

LEGEND

INDICATE WALLS UNDER SEPARATE PERMIT

INDICATE WALLS UNDER SEPARATE PERMIT

INDICATE WALLS UNDER SEPARATE PERMIT



Belton Milanes architects planners

FOR MR. & MRS. ALBERTO & JENNY CARO

201 NW 124 Avenue, Miami, FL 33182

DATE: 07/15/10

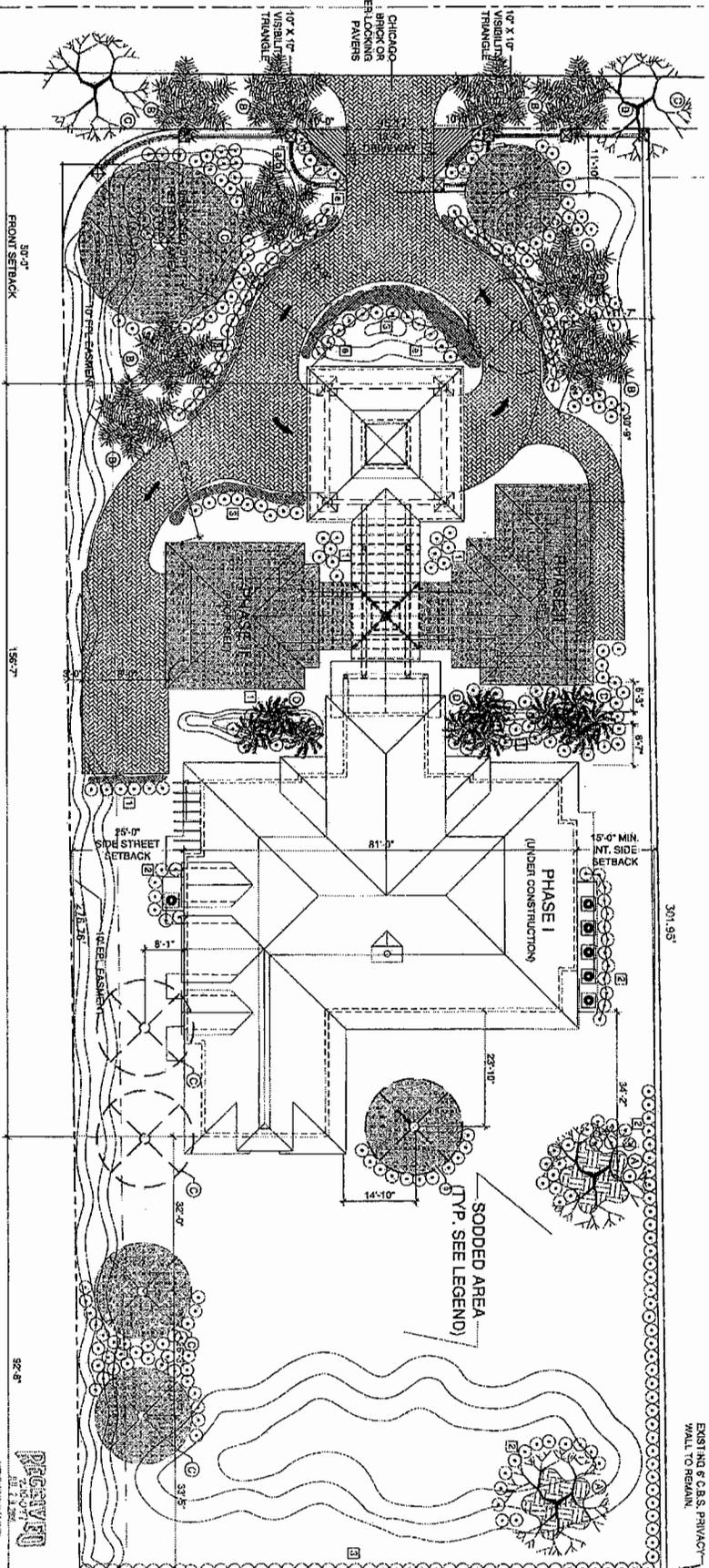
SCALE: 3/32" = 1'-0"

PROJECT: CUSTOM RESIDENCE FOR MR. & MRS. ALBERTO & JENNY CARO

DATE: 07/15/10

SCALE: 3/32" = 1'-0"

PROJECT: CUSTOM RESIDENCE FOR MR. & MRS. ALBERTO & JENNY CARO



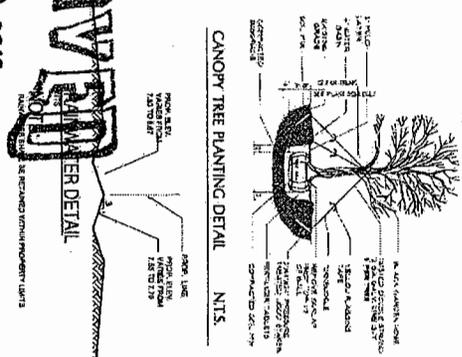
LANDSCAPE PLAN
SCALE: 3/8" = 1'-0"

LEGEND

DIAGONAL HATCH: EXISTING UTILITIES
 DOTTED LINE: PROPOSED UTILITY LOCATIONS
 SOLID LINE: EXISTING PROPERTY BOUNDARIES
 DASHED LINE: PROPOSED PROPERTY BOUNDARIES

PLANTING NOTES

1. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION.
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TREE LEGEND

PROPOSED NEW TREE
 EXISTING TREE TO REMAIN
 EXISTING TREE TO BE REMOVED
 SPECIAL CONSIDERATION TREE

SHRUB PLANTING DETAIL N.T.S.

PROPOSED NEW SHRUB
 EXISTING SHRUB TO REMAIN
 EXISTING SHRUB TO BE REMOVED

LANDSCAPE LIST - PROPOSED TREES

QUAN.	KEY	BOTANICAL NAME	HEIGHT/SPREAD	COLUBER
1	A	QUINCY JACQUINIA, LIGHT BARK	12' / 12'	5
2	B	WAXY LEAF, LIGHT BARK	12' / 12'	5
3	C	WAXY LEAF, DARK BARK	12' / 12'	5
4	D	WAXY LEAF, BARK FREE	12' / 12'	5
5	E	WAXY LEAF, BARK FREE	12' / 12'	5
6	F	WAXY LEAF, BARK FREE	12' / 12'	5
7	G	WAXY LEAF, BARK FREE	12' / 12'	5
8	H	WAXY LEAF, BARK FREE	12' / 12'	5
9	I	WAXY LEAF, BARK FREE	12' / 12'	5
10	J	WAXY LEAF, BARK FREE	12' / 12'	5

SHRUBS

QUAN.	KEY	BOTANICAL NAME	HEIGHT/SPREAD	COLUBER
1	K	WAXY LEAF, BARK FREE	12' / 12'	5
2	L	WAXY LEAF, BARK FREE	12' / 12'	5
3	M	WAXY LEAF, BARK FREE	12' / 12'	5
4	N	WAXY LEAF, BARK FREE	12' / 12'	5
5	O	WAXY LEAF, BARK FREE	12' / 12'	5

GRASSING COVER

QUAN.	KEY	BOTANICAL NAME	HEIGHT/SPREAD	COLUBER
1	P	WAXY LEAF, BARK FREE	12' / 12'	5
2	Q	WAXY LEAF, BARK FREE	12' / 12'	5
3	R	WAXY LEAF, BARK FREE	12' / 12'	5
4	S	WAXY LEAF, BARK FREE	12' / 12'	5
5	T	WAXY LEAF, BARK FREE	12' / 12'	5

LANDSCAPE LEGEND:

LANDSCAPE LEGEND: 1. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION. 2. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION. 3. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION. 4. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION. 5. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION. 6. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION. 7. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION. 8. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION. 9. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION. 10. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION.

SOIL STATEMENT

1. ALL SOILS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION. 2. ALL SOILS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION. 3. ALL SOILS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION. 4. ALL SOILS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION. 5. ALL SOILS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION. 6. ALL SOILS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION. 7. ALL SOILS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION. 8. ALL SOILS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION. 9. ALL SOILS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION. 10. ALL SOILS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MIAMI'S LANDSCAPE DESIGN AND MAINTENANCE MANUAL (LDM), LATEST EDITION, AND THE CITY OF MIAMI'S PLANTING SPECIFICATIONS, LATEST EDITION.

VIOLATION NOTICE

DATE: JUL 20 2010

BY: [Signature]

REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT

MIAMI-DADE PLANNING AND ZONING DEPT.

Bellon Milanes architects planners

15

CUSTOM RESIDENCE FOR MR. & MRS. ALBERTO & JENNY CARO

FOR MR. & MRS. ALBERTO & JENNY CARO

201 NW 124 Avenue, Miami, FL 33182

DATE: JUL 20 2010

BY: [Signature]

REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT

MIAMI-DADE PLANNING AND ZONING DEPT.

AREA BREAKDOWN:

NON-AC AREA	624 S.F.
POINTE COOCHE	624 S.F.
CONCRETE DRIVEWAY & PORCHES	202 S.F.
BREAKROOM #1	181 S.F.
BREAKROOM #2	181 S.F.
LOFT	146 S.F.
GRANITE	79 S.F.
CONCRETE DRIVEWAY	79 S.F.
CONCRETE DRIVEWAY	79 S.F.
TOTAL NON-AC AREA	2,897 S.F.
AC AREA	4,594 S.F.
MAIN RESIDENCE COVERED FLOOR	4,594 S.F.
WALKWAY SURFACE IN COVERED FLOOR	3,488 S.F.
TOTAL LOT COVERAGE	7,390 S.F.
TOTAL BUILDING AREA	11,006 S.F.

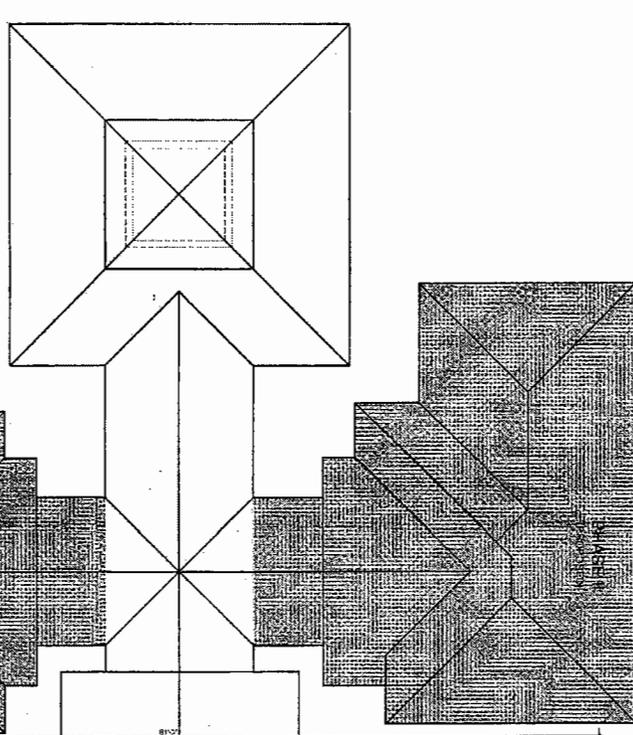
LEGEND

INDICATES PERMITTED AND UNPERMITTED CONSTRUCTION

PERMITTED CONSTRUCTION

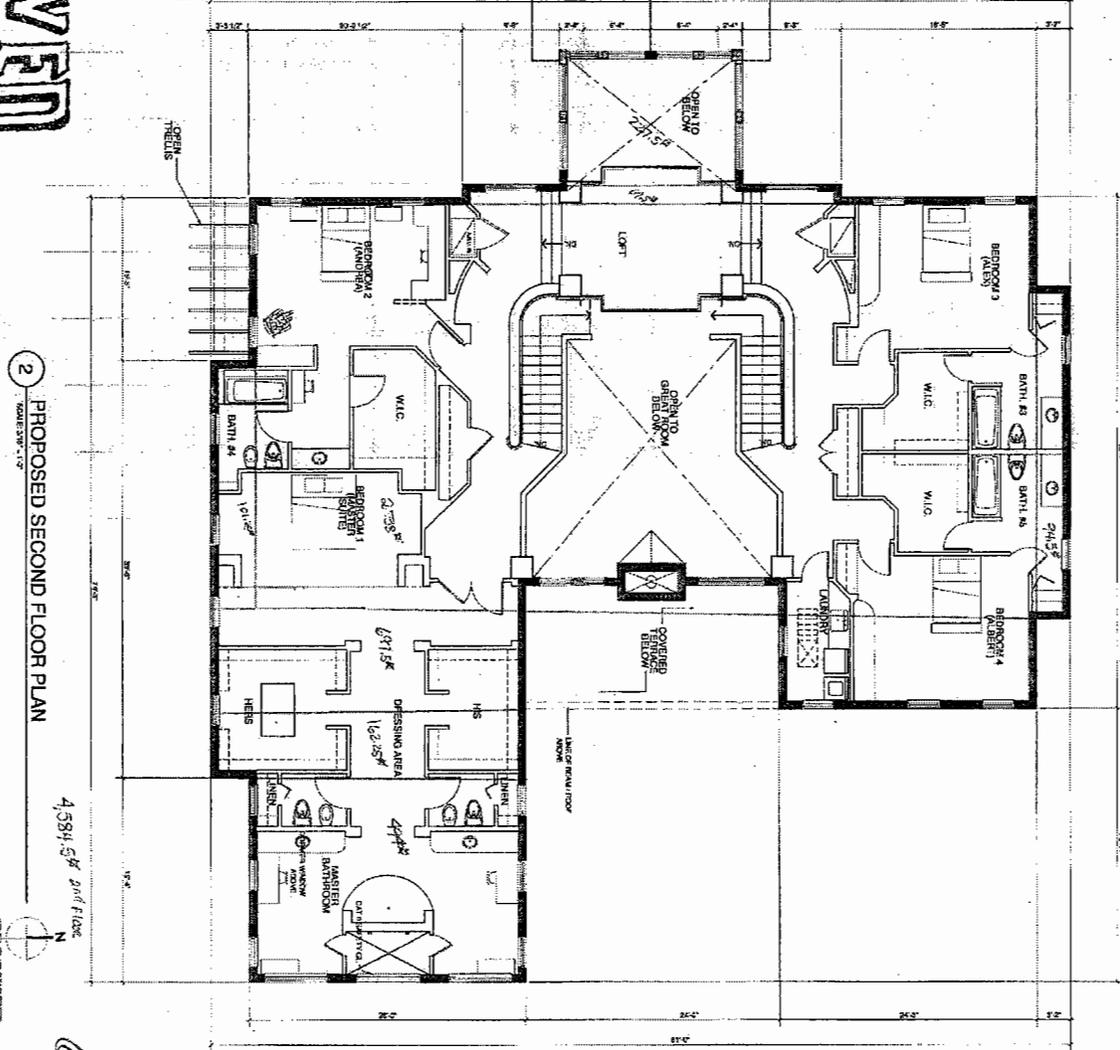
UNPERMITTED CONSTRUCTION

CONSTRUCTION NOT PERMITTED



RECEIVED
 20-077
 JUL 20 2010

ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY *[Signature]*



PROPOSED
 ARCHITECTURAL DRAWING
 JUL 14 2010

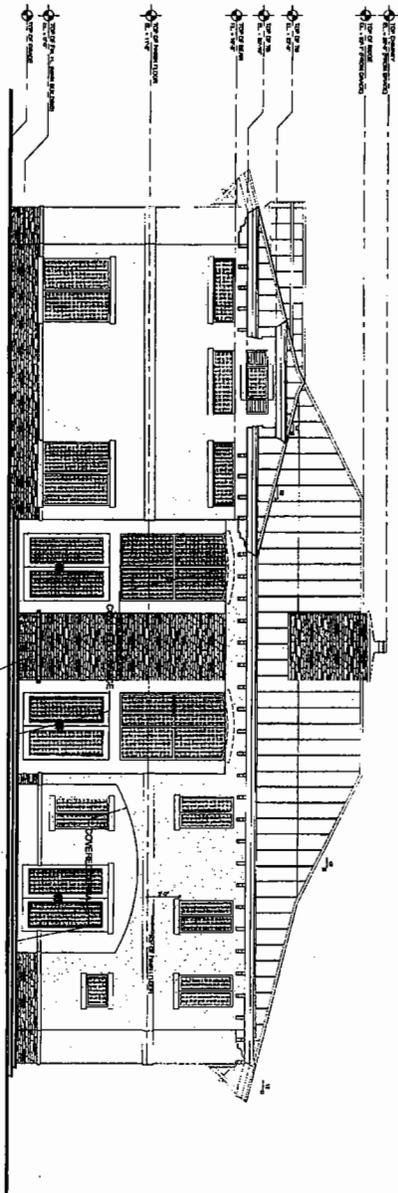
2nd Floor
 A-2

CUSTOM RESIDENCE FOR
 FOR
MR. & MRS. ALBERTO & JENNY CARO
 201 NW 124 Avenue, Miami, FL 33182

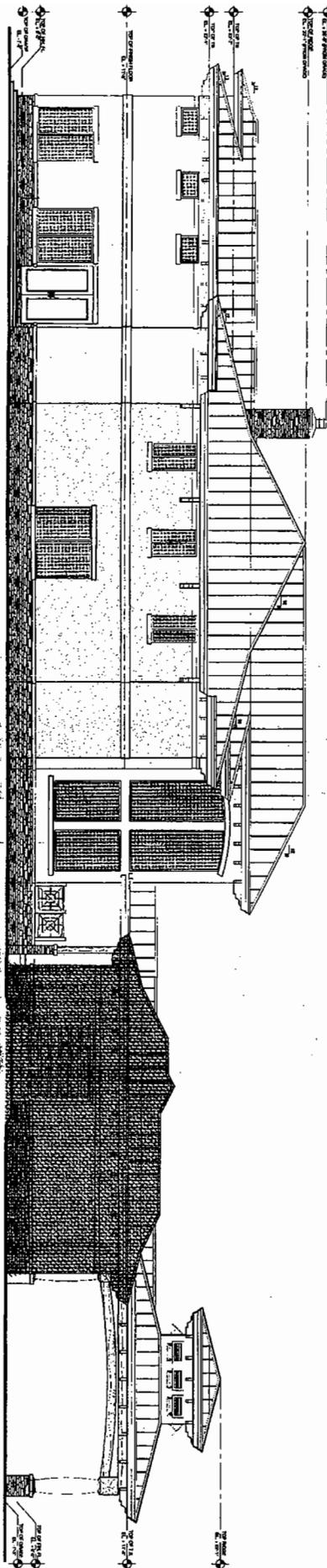
Belloni Milanes
 architects
 planners

17411 SW 132 Ave. Suite 100
 Miami, FL 33186
 (305) 228-2772
 (305) 228-2112
 www.bellonimilanes.com
 14-00000005

ARCHITECTS
 LANDSCAPE ARCHITECTS
 PLANNING ARCHITECTS



3 PROPOSED REAR (EAST) ELEVATION
SCALE: 1/8" = 1'-0"



4 PROPOSED LEFT SIDE (NORTH) ELEVATION
SCALE: 1/8" = 1'-0"

RECEIVED
210-077
JUL 20 2010

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY *[Signature]*

LEGEND

	OWNER'S NAME (PRINTED) AND LIGHT CONSTRUCTION
	PERMIT NUMBER (PRINTED)
	ARCHITECT'S NAME (PRINTED) AND LIGHT CONSTRUCTION

RECEIVED
JUL 14 2010
[Signature]

DATE: 07/14/10
DRAWN BY: [Name]
CHECKED BY: [Name]

CUSTOM RESIDENCE FOR
FOR
MR. & MRS. ALBERTO & JENNY CARO
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CONSULTANTS

ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY *[Signature]*

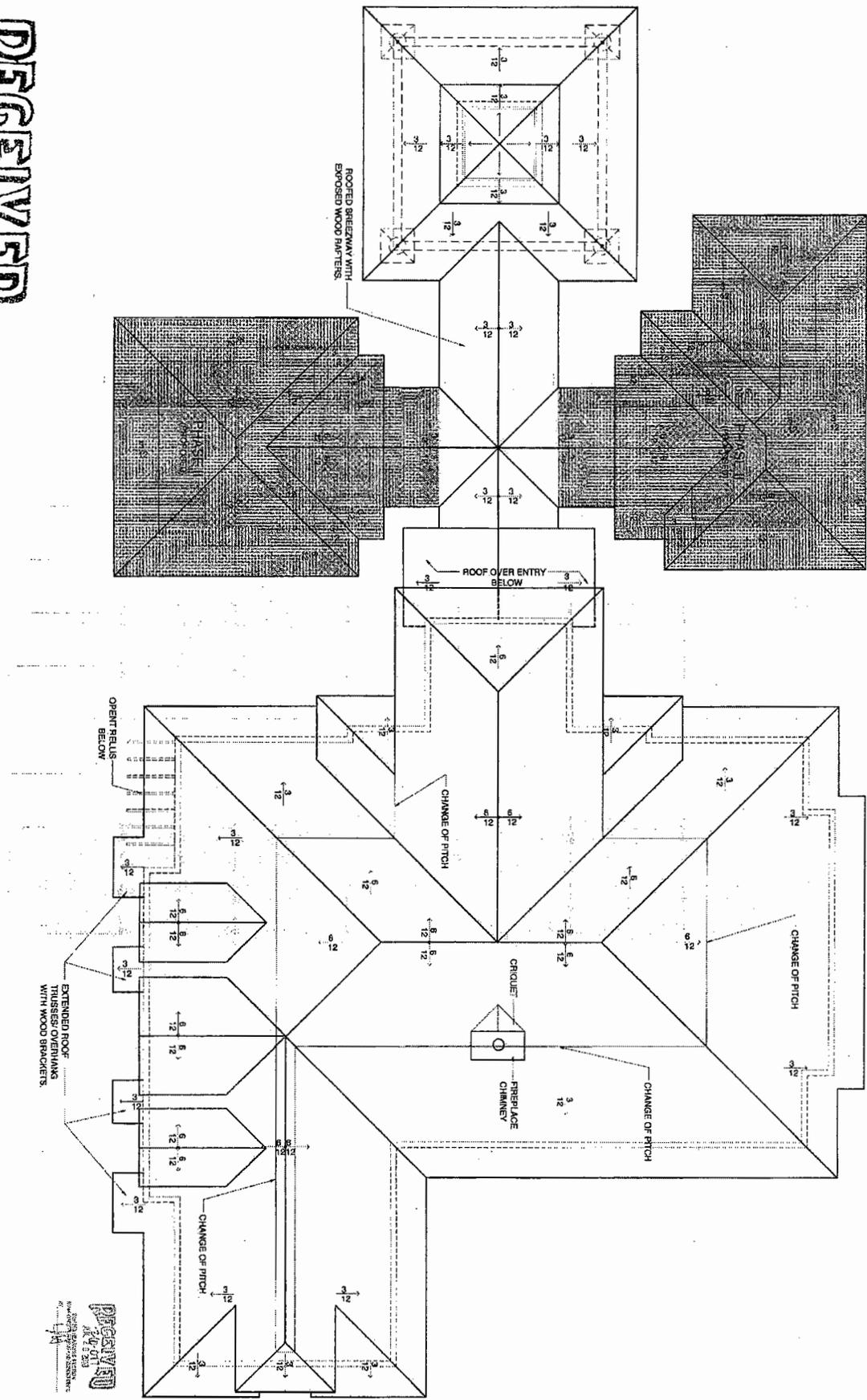
RECEIVED
 210.077
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3 PROPOSED ROOF PLAN
 SCALE: 3/8" = 1'-0"



LEGEND
 DIMENSIONS IN PARENTHESES INDICATE DIMENSIONS OF MATERIALS
 DIMENSIONS IN BRACKETS INDICATE DIMENSIONS OF FINISHES
 DIMENSIONS IN DASHES INDICATE DIMENSIONS OF STRUCTURE

DATE: 7/14/10
 A-3
 SHEET 3 OF 10



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[Signature]
 PROJECT ARCHITECT
 PROJECT NO. 210.077
 CHECKED BY: AEDM/ALM

CLIENT
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MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z201000077

Legend

-  Zoning
-  Subject Property Case



Section: 01 Township: 54 Range: 39
 Applicant: ALBERTO CARO & JEANETTE FARACH CARO
 Zoning Board: C10
 Commission District: 12
 Drafter ID: ALFREDO FERNANDEZ-CUETO
 Scale: NTS



SKETCH CREATED ON: Thursday, June 24, 2010

REVISION	DATE	BY
		22



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number
Z2010000077

Legend



Subject Property



Section: 01 Township: 54 Range: 39
 Applicant: ALBERTO CARO & JEANETTE FARACH CARO
 Zoning Board: C10
 Commission District: 12
 Drafter ID: ALFREDO FERNANDEZ-CUETO
 Scale: NTS



SKETCH CREATED ON: Thursday, June 24, 2010

REVISION	DATE	BY

4. FLORIDA POWER & LIGHT COMPANY
(Applicant)

11-1-CZ10-4 (10-102)
Area 10/District 06
Hearing Date: 01/12/11

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>
1952	Florida Power & Light Company	- Zone change from AU to GU. - Special Exception for electric sub station.	BCC	Approved w/conds.
1959	Florida Power & Light Company	- Modification to expand the sub station onto additional property.	BCC	Approved w/conds.
1966	Florida Power Light and Company	- Unusual Use expansion of existing sub station.	ZAB	Approved w/conds.
1969	Florida Power & Light Company	- Unusual Use to expand the sub station onto additional property.	ZAB	Approved w/conds.
1971	Florida Power & Light Company	- Zone change from AU to BU-2.	ZAB	Recommended for Approval
1972	Ruth Morat	- Zone change from AU to BU-2.	BCC	Approved w/conds.
1974	Florida Power & Light	- Unusual Use to permit a heliport.	BCC	Approved w/conds.
1975	Florida Power & Light Company	- Variance parking. - Unusual Use temporary non-commercial parking.	ZAB	Approved w/conds.
1978	Florida Power & Light Company	- Modification of condition of resolution.	ZAB	Approved
1982	Florida Power & Light Company	- Unusual Use to permit temporary non-commercial parking.	ZAB	Approved w/conds.

1985	Florida Power & Light Company	- Unusual Use to permit the maintenance and continued use of temporary non-commercial parking.	ZAB	Approved w/conds.
1988	Florida Power & Light Company	- Modification of condition of resolution.	ZAB	Approved w/conds.
1991	Florida Power & Light Company	- Modification of condition of resolution.	ZAB	Approved w/conds.
1998	Omnipoint Comm. M.B. Operations Inc.	- Unusual Use to permit roof-mounted panel antennae.	C10	Approved w/conds.

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

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 10**

APPLICANT: Florida Power and Light Company

PH: Z10-102 (11-1-CZ10-4)

SECTION: 04-54-40

DATE: January 12, 2011

COMMISSION DISTRICT: 6

ITEM NO.: 4

A. INTRODUCTION:

o **SUMMARY OF REQUESTS:**

The applicant seeks to change the zoning on a portion of the subject property (parcel B) from AU, Agricultural District, to RU-5,A Semi-Professional Office District, and to allow parking on parcel B for the BU-2, Special Business District portion (parcel A) of the subject property. Additionally, the applicant seeks non-use variances of the zoning code to waive the requirement for a wall and landscape buffering where the property abuts contiguous property with more restrictive zoning, to permit one-way drives with a reduced width, to permit angled parking aisles with a reduced width and depth and to permit less parking spaces than required by the Zoning Code. The applicant also seeks variances to allow less landscape open space, trees and reduced landscape buffer along the rights-of-way than required by the Zoning Code. Further, the applicant seeks to permit a heliport and to delete a condition of a prior resolution requiring the applicant to remove the BU-2 zoning when a previously proposed OPD, Office Park District is adopted.

o **REQUESTS:**

- (1) District Boundary Change from AU to RU-5A
- (2) UNUSUAL USE to permit non-commercial parking in a zone (RU-5A) more restrictive than the zone (BU-2) of the use it serves
- (3) Applicant requesting to waive the zoning regulations requiring a 5' high wall or fence along the interior side (east) and rear (north) property lines.
- (4) Applicant is requesting to permit a one (1) –way drive with a minimum width of 9' (14' wide required).
- (5) Applicant is requesting to permit 45 degree angle parking with a minimum stall length of 20' (26.5' required) and a minimum stall aisle width of 9' (12' required).
- (6) Applicant is requesting to permit a landscape open space of 16.28% (25% required).
- (7) Applicant is requesting to permit 135 lot trees (172 required), 0 street trees (36 required) and 0 shrubs (2,080 required).
- (8) Applicant is requesting to waive the dissimilar land use buffer along the north and east property lines.
- (9) Applicant is requesting to permit 0' to 7' wide landscape buffer (7' required) along the right-of-way.

- (7) Applicant is requesting to permit 135 lot trees (172 required), 0 street trees (36 required) and 0 shrubs (2,080 required).
- (8) Applicant is requesting to waive the dissimilar land use buffer along the north and east property lines.
- (9) Applicant is requesting to permit 0' to 7' wide landscape buffer (7' required) along the right-of-way.

REQUESTS #10 and #11 ON PARCEL A

- (10) UNUSUAL USE to permit a heliport.
- (11) Deletion of Condition #3 of Resolution #Z-8-72 passed and adopted by the Board of County Commissioners, reading as follows:

"3. That the proffered agreement be accepted and that same include an agreement that they will apply to remove the BU-2 zoning and replace same with the proposed OPD when it is adopted, provided that the building which is erected falls within the purview of that ordinance."

The purpose of request #11 is to delete the condition to rezone the BU-2 portion of the subject property to OPD and to allow the current BU-2 zoning classification to remain on the site.

REQUEST #12 ON PARCEL A and B

- (12) Applicant is requesting to permit an office building with 1,503 parking spaces (1,672 parking spaces required)

A Boundary survey and a plan is on file and may be examined in the Department of Planning and Zoning entitled "Boundary and Topographic Survey" as prepared by A. R. Toussaint & Associates, Inc. consisting of 3 sheets. Sheet 1 dated stamped received 11/12/10, last handwritten revision dated 12/06/10 and sheets 2 & 3 dated stamped received 10/28/10 and a plan entitled "Florida Power & Light FP&L General Office & OverFlow Parking Lot" as prepared by Leo Giangrande dated stamped received 12/02/10 all totaling 4 sheets. Plans may be modified at public hearing.

- o **LOCATION:** Lying south of Flagler Street and on both sides of SW 92 Avenue, Miami-Dade County, Florida.
- o **SIZE:** 25 Acres

B. ZONING HEARINGS HISTORY:

In January 1972, Parcel A of the subject property was rezoned from AU to BU-2, pursuant to Resolution #Z-8-72, at which time the applicant proffered an agreement, which was accepted by the Board of County Commissioners (BCC), to remove the BU-2, zoning and replace same with a proposed OPD when it is adopted. In 1974, said parcel was subsequently approved to permit

a heliport on the roof of the six (6) story building for a period of 10 years, pursuant to Resolution #Z386-74. In 1975, pursuant to Resolution #4-ZAB-324-75, the subject property was approved for a variance to allow less parking than allowed and an unusual use to permit temporary non-commercial parking in a zone more restrictive than the use it serves is located on Parcel B. Between 1975 and 1991, parcel B of the subject property was approved for extensions of the period of time to allow non-commercial parking in a zone more restrictive than the use it serves is located. The last extension was granted in 1991, pursuant to Resolution #4-ZAB-135-91 and permitted the non-commercial parking up until April 1996.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan (LUP) of the Comprehensive Development Master Plan (CDMP) designates lots 23 and 24, which constitute the southern half of the subject property as being within the Urban Development Boundary for **Office/Residential**. Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. Satellite telecommunication facilities that are ancillary uses to the businesses in a development are also allowed. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses. The maximum scale and intensity, including height and floor area ratio of office, hotel and motel development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. Where the Office/Residential category is located between residential and business categories, the more intensive activities to occur on the office site, including service locations and the points of ingress and egress, should be oriented toward the business side of the site, and the residential side of the site should be designed with sensitivity to the residential area and, where necessary, well buffered both visually and acoustically.
2. **Other Land Uses Not Addressed.** Certain uses are not authorized under any LUP map category, including many of the uses listed as "unusual uses" in the zoning code. Uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible and would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. However, this provision does not authorize such uses in Environmental Protection Areas designated in this Element.
3. The plan recognizes existing strip office development along roadways. Ribbons or strips of office use along roadway frontages are identified along one or both block faces fronting certain roadways. Where only one block face is indicated, this specifically provides that only one block face is intended for office use and is not to suggest that the opposite face is also

included. The lateral boundary of the ribbon indicates the extent to which office uses may be allowed to expand along the roadway frontage. The depth of the ribbon for office development and other uses permitted by the Office/Residential land use category is more generalized. In general, the depth should be limited to the norm for the strip, but may be approved at such other depth that will provide a logical transition to adjacent uses, or accommodate vehicular parking to serve an adjacent use, provided that site planning or design features are used, to furnish compatibility with any adjoining and adjacent residential uses that exist or are designated on the Land Use Plan map, in keeping with the Plan's policies. Extension of the strip depth beyond the mid-block to the frontage of an interior street, does not necessarily authorize vehicular access on that interior street, and such access may be prohibited if it would be incompatible with neighboring development. Intervening areas between ribbons along a highway face may be used only for the uses permitted in the designated land use category. Further lateral extension of the ribbon beyond that shown on the Plan map will require a Plan amendment.

4. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan Density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this CDMP titled "Concepts and Limitations of the Land Use Plan Map." The limitation referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.
5. **Policy LU-4A.** When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.
6. **Policy LU-4C.** Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

AU & BU-2; Office building and parking lots

Office/Residential

Surrounding Properties:

NORTH: BU-1A; vacant land
 AU & GU; electrical substation

Business and Office
 Office/Residential

SOUTH: RU-TH; private club and vacant land

Low-Medium Density Residential, 5 to 13
 du

EAST: AU; electrical substation, vacant land

Office/Residential

WEST: RU-4M; apartment buildings

Medium-Density Residential, 13 to 25 dua

E. PERTINENT REQUIREMENTS/STANDARDS:

In evaluating an application for a **district boundary change**, **Section 33-311** provides that the Board take into consideration, among other factors, the extent to which:

- (1) 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;
- (2) 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;
- (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) 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;
- (5) 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.

Section 33-311(A)(3) Special Exceptions, Unusual and New Uses

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

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

33-311(A)(7) Generalized Modification Standards. 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; 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.

F. NEIGHBORHOOD SERVICES:

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

*Subject to the conditions indicated in their memoranda.

G. ANALYSIS:

Approval of the application would allow the applicant to rezone parcel B from AU, Agricultural District to RU-5A, Semi-Professional Office District, and to allow parking on said parcel B for the BU-2, Special Business District portion of the subject property, Parcel A, located to the west. The entire subject property, parcels A and B, is designated for **Office/Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). Staff notes that parcel A of the subject property was approved for a zone change to BU-2, pursuant to Resolution #Z-8-72, in 1972. As such, the interpretative text of the CDMP states that all such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this CDMP titled "Concepts and Limitations of the Land Use Plan Map." Similarly, said interpretative text further indicates that the depth of the ribbon for office development and other uses permitted by the Office/Residential land use category is more generalized. In general, the depth should be limited to the norm for the strip, but may be approved at such other depth that will provide a logical transition to adjacent uses, or accommodate **vehicular parking** to serve an adjacent use, provided that site planning or design features are used, to furnish compatibility with any adjoining and adjacent residential uses that exist or are designated on the Land Use Plan map, in keeping with the Plan's policies. Parcel B of the subject property abuts contiguous

properties to the north, east and south that are not a part of this application and are currently zoned AU, Agricultural, GU, Interim District and RU-TH, Townhouse District. The applicant is also requesting a waiver of various requirements of the Code pertaining to the landscaping such as the required amount of trees and the dissimilar land use buffer that would mitigate any negative visual impact on the more restrictively zoned properties. However, staff opines that the contiguous properties which also contain a electrical substation and a vacant lot would not be impacted and therefore approval of the proposed parking parcel B would be **compatible** with the abutting AU, GU and RU-TH zoned properties located on the north, east and south and would therefore be **consistent** with the Office/Residential designation on the LUP map and the interpretative text of the CDMP.

When considering district boundary changes, the Board shall hear and grant or deny applications by taking into consideration if the proposed development conforms to the Comprehensive Development Master Plan for Miami-Dade County. The Board must also take into consideration other potential impacts and staff acknowledges that the proposed RU-5A zoning for office use on south half of the subject property will not have an unfavorable impact on the water, sewer, solid waste disposal, or other public services. Additionally, the approval of this application will not have an unfavorable impact on the economy and will not unduly burden or affect public transportation facilities as indicated in the Public Works Department's memorandum submitted for this application. The applicant seeks to change the zoning on parcel B, from AU to RU-5A to allow the applicant to provide additional parking for the offices located on the larger BU-2 parcel, parcel A, located to the west. In staff's opinion, the requested rezoning of parcel B, to facilitate parking in the more restrictive RU-5A zone, is of itself unobtrusive and compatible with surrounding uses. As such, staff opines that the proposed RU-5A zoning on the subject property as proposed along with the proffered unity of title, is **compatible** with the surrounding properties, as well as **consistent** with the interpretative text and with the LUP map of the CDMP. Therefore, staff recommends approval of the applicants' request for a district boundary change from AU to RU-5A on parcel B of the subject property.

Similarly, staff's analysis of request #2, for an Unusual Use to permit parking in a more restrictive zone (RU-5A) than the use it serves (BU-2), under the standards of Section 33-311(A)(3) Special Exceptions, Unusual and New Uses, finds that the request on its own does not, based on the memoranda of the Public Works and Fire Departments, create an undue burden on services, 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, nor would it have a negative effect on the economy of Miami-Dade County. Further, when requests #3 through #6 and requests #8 and #9, which staff opines are ancillary to the applicant's request to allow parking in a more restrictive zone, and request #12, to allow less parking than required on the entire subject property, are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that the approval of the requests would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and therefore would be **compatible** with the surrounding area. Staff notes that this parcel, parcel B, was previously approved to allow parking for the BU-2 parcel located to the west, last renewed pursuant to Resolution #4-ZAB-135-91, which permitted the non-commercial parking up until April 1996. Further, staff notes that parcel B, on which the excess parking for the BU-2 parcel will be located, abuts contiguous parcels that are not a part of this application. The parcel to the north contains a substation belonging to the applicant and the parcels to the east and south are vacant parcels that also belong to the applicant. Further, staff notes that the parcel located to the south of parcel B, is separated by a 60' wide right-of-way, SW 4 Street. As such, staff opines that approval of the

applicant's request to allow parking on the proposed RU-5A parcel of land will not have a negative visual impact on the surrounding area and is not likely to impact other County services in the area based on the memoranda from DERM, Public Works and the Miami-Dade County Fire Department (MDFRD).

Additionally, staff notes that the applicant's letter of intent indicates that the gross square footage of the office building on parcel A is 668,774 sq. ft., which would require a minimum of 1,672 parking spaces. Staff opines that the existing office building on parcel A and the parking on parcel A, has been in existence on the subject parcel for more than 10 years. Additionally, staff notes that the subject BU-2 parcel has previously received approval for a similar request for less parking than required, pursuant to Resolution #4-ZAB-324-75. As such, staff opines that the approval of request #12, would not be precedent setting, nor would it result in a proliferation of similar requests for variances to the Code, pertaining to reduced parking on commercial and office sites in the area. Therefore, based on the aforementioned, staff opines that the approval of request #2 to allow parking in a more restrictive zone than the BU-2 zone it serves and the ancillary requests to vary the zoning regulations for the parcel on which the parking is to be located, requests #3 through #6 and requests #8, #9 and #12, would be **compatible** with the surrounding area and **consistent** with the interpretative text of the CDMP. Further, staff notes that the applicant has proffered a covenant tying the use of the parking lot on parcel B (proposed RU-5A) to the office building located on, parcel A (BU-2). As such, staff recommends approval of request #2 under the Special Exceptions, Unusual and New Uses standards of Section 33-311(A)(3), subject to the Board's acceptance of the proffered covenant and approval with conditions of requests #3 through #6 and requests #8, #9 and #12, under Section 33-311(A)(4)(b) NUV.

However, when request #7 is similarly analyzed under Section 33-311(A)(4)(b) NUV, staff opines that approval of this request would **incompatible** with the surrounding area and would not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Notwithstanding staff's recommendation of the approval of the applicant's other requests of variances to the zoning regulations and in particular to waive the requirements for a dissimilar land use buffer where parcel B abuts contiguous property located to the north and east, staff opines that the reduction in the number of trees and shrubbery requested by the applicant is excessive. However, although the office building on parcel A and the parking area on the parcel B have been in existence for a number of years, staff opines that the site has enough area to provide the required number of trees and shrubbery to mitigate the negative visual impacts of the parking areas on the surrounding residential uses to the south and west of the contiguous property. Staff, therefore, recommends denial without prejudice of request #7 under Section 33-311(A)(4)(b) NUV.

Similarly, when the applicant's request to permit the continued use of an existing heliport (request #10) on parcel A, is analyzed under Special Exceptions, Unusual and New Uses standards of Section 33-311(A)(3), staff opines that approval of this request will not, based on memoranda of the Public Works, DERM and Fire Departments, cause undue or excessive burden on public facilities to the surrounding community. Further, staff notes that the heliport use was previously approved on this site in 1974, pursuant to Resolution #Z-286-74 and has continued on the site since that time. The aforementioned resolution had restricted the heliport use to a period of 10 years, which expired in 1984. However, staff notes that although the use apparently continued, and the applicant's letter of intent indicates that plans for the office building in the Miami-Dade Building Department depict the helipad on top of the existing office building, there are no records of approval of extensions of this use. Additionally, the boundary

and Topographic survey submitted by the applicant indicates that the helipad is located on the eastern side of the building on parcel A, which staff opines reduces the likelihood of the creation of a hazard to the condominiums located to the west of parcel A. Therefore, in staff's opinion, approval with conditions of the applicant's request to permit the continued heliport use on the subject parcel will be **compatible** with the business use to the north of West Flagler Street, the existing office use and the existing electric substation located to the east of the subject property.

When request #11, the purpose of which is to allow the current BU-2 zoning to remain on the site, is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), staff opines that approval of said request 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. Staff notes that the Public Works Department, DERM and the MDFRD do not object to this application. Further, staff notes that the existing BU-2 zoning and the office building were approved since January 1972, pursuant to Resolution #Z-8-72. As such, staff opines that the maintenance of the existing BU-2 zoning and the office use would not create any new impact on the surrounding properties and as such would be **compatible** with same. Staff, therefore, recommends approval with a condition of request #11 under the Generalized Modification Standards, Section 33-311(A)(7).

Based on the foregoing, staff is of the opinion that the approval of the proposed RU-5A rezoning (request #1), the request to permit parking in a more restrictive zone (request #2), the request for a heliport (request # 10) along with the approval of accompanying non-use variances in requests #3 through #6 and requests #8, #9 and #12 on the subject parcels which are designated Office/Residential on the LUP map of the CDMP, would be **compatible** with the surrounding area and, based on the provisions of the interpretative text of the CDMP, it is **consistent** with same. Therefore, staff recommends approval of the aforementioned requests, subject to the Board's acceptance of the proffered covenant. However, staff opines that the site has sufficient room to provide the required number of trees on the site and therefore opine that approval of request #7 would be **incompatible** with the surrounding area and therefore should be denied without prejudice.

H. **RECOMMENDATION:** Approval of request #1, approval with conditions of requests #2 through #6 and requests #8 through #12, subject to the Board's acceptance of the proffered covenant and denial without prejudice of request #7.

I. **CONDITIONS:**

1. That all other conditions of Resolution #Z-8-72 remain in full force and effect except as herein modified
2. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include, but not limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Boundary and Topographic Survey" as prepared by A. R. Toussaint

& Associates, Inc. consisting of 3 sheets. Sheet 1 dated stamped received 11/12/10, last handwritten revision dated 12/06/10 and sheets 2 & 3 dated stamped received 10/28/10 and a plan entitled "Florida Power & Light FP&L General Office & OverFlow Parking Lot" as prepared by Leo Giangrande dated stamped received 12/02/10 all totaling 4 sheets.

4. That the applicant obtain a new or revised Certificate of Use for the expansion of the parking onto parcel B, and promptly renew the same annually with, the Department of Planning and Zoning upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions
5. That all operations for the heliport conducted at this location should be under direct communication with and the jurisdiction of the Miami International Airport FAA Tower.
6. That the operation of the heliport shall meet all the requirements of the FAA and the Aviation Division of the State Department of Transportation and the Miami-Dade County Aviation Department (MDAD).
7. Approval of the heliport shall be for a period of ten (10) years, prior to the expiration of which time the same shall be brought back to the CZAB for a review as to the continued use.
8. That the use be established and maintained in accordance with the approved boundary survey.

DATE TYPED: 12/13/10
DATE REVISED: 12/13/10, 12/14/10; 12/21/10; 12/22/10
DATE FINALIZED: 12/22/10
MCL:GR:NN:AA:CH



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

NDN
EMR

Date: October 15, 2010

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

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



Subject: C-10 #Z2010000102-1st Revision
Florida Power & Light Company
9250 W. Flagler Street
Unusual Use to Permit a Helliport and Non-Commercial Parking for an
Existing FPL Substation and District Boundary Change from AU to RU-
5A
(GU) (37.5 Acres)
04-54-40

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Service 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 DERM for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of 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

The proposed project will not affect the existing stormwater management system.

Pollution Remediation

There are current records of metal contamination assessment/remediation issues on these properties (FPL-Flagami Substation, 195 SW 92 Ave., HWR-426/F-16199). These properties are under a Covenant with engineering controls.

There are no records of current contamination on the abutting properties. Additionally, there are no historical records of contamination assessment/remediation issues regarding non-permitted sites associated neither with these properties nor on any of the abutting properties.

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

There are no tree resources issues on the subject properties.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: FLORIDA POWER & LIGHT COMPANY

This Department has no objections to this application.

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



Raul A Pino, P.L.S.

13-DEC-10

Memorandum



Date: 13-DEC-10
To: Marc LaFerrier, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2010000102

Fire Prevention Unit:

This memo supersedes MDFR memorandum dated October 6, 2010.
APPROVAL
No objection via Case # Z2010000102

Service Impact/Demand

Development for the above Z2010000102
located at LYING SOUTH OF FLAGLER ST. & ON BOTH SIDES OF SW 92 AVE., MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1350 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: 7:06 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 29 - Sweetwater - 351 SW 107 Avenue
Rescue, ALS 75' Ladder, Squad, Battalion.

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.

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

FLORIDA POWER & LIGHT
COMPANY

LYING SOUTH OF FLAGER ST. &
ON BOTH SIDES OF SW 92 AVE.,
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2010000102

HEARING NUMBER

HISTORY:

Folio -3040040000280

Current Cases:

Neighborhood Compliance
None

Building
None

Previous Cases:

Neighborhood Compliance
CMS# 201003002040 ¿Complaint in 3/2010 for Illegal Barb Wire Fence. Case closed as complied.

Building
A2006006218 ¿NOV issued in 9/2006 for Expired Permit. Permits renewed. Case closed as
complied.

Folio ¿ 3040040240010

Current Cases:

Neighborhood Compliance
None

Building
None

Previous Cases:

Neighborhood Compliance
None

Building

A1997005557, A1997007517, A1997007289, A1997007455, A1997007460, A1997007465, A2003004731, A2006005774 ¿Expired Permit cases referred to Building Code Compliance Office and closed.

A2006003104, A2006003137, A2006003287, A2006003365, A2006003374 ¿NOVs issued 4/2006 for Expired Permit. Permits renewed. Cases closed as complied.

A2007007790 - NOVs issued 8/2007 for Expired Permit. Permits renewed. Case closed as complied.

200532572 ¿NOV issued 3/2005 for Boilers Without Permit. Permit obtained. Case closed as complied.

200532573 ¿Boilers case open in error.

200532577 - Boilers case open in error.

200532583 ¿NOV issued 3/2005 for Boilers Without Permit. Permit obtained. Case closed as complied.

200532585 ¿NOV issued 3/2005 for Boilers Without Permit. Permit obtained. Case closed as complied.

200532568 ¿NOV issued 3/2005 for Boilers Without Permit. Permit obtained. Case closed as complied.

N/A

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

N/A

REPORTER NAME:

N/A

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: Florida Power & Light Company

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
Please see Exhibit A	Florida Power & Light is a fully owned subsidiary of NextEra Energy, Inc. (Exhibit B), a publicly traded corporation in the New York Stock Exchange, symbol NEE
_____	_____
_____	_____
_____	_____

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 Stock</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 Stock</u>
_____ 210-102	_____
_____	_____
_____	_____
_____	_____

If there is a CONTRACT FOR PURCHASE _____

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: Orot Flagler, LLC

NAME AND ADDRESS AND OFFICE (if applicable)	Percentage of Stock
Manuel Grosskopf	100%

Date of contract: 9/30/10

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: Terry I. Higks (Applicant)

Sworn to and subscribed before me this 30th day of Sept. 2010. Affiant is personally known to me or has produced as identification.

Michelle M. Kahmann (Notary Public)

My commission expires: 9/18/11



*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.

210-152

Handwritten initials

EXHIBIT A

Florida Power & Light Company

Armando J. Olivera
President and
Chief Executive Officer

Keith Hardy
Vice President, Distribution

Robert E. Barrett, Jr.
Vice President, Finance

Lakshman Charanjiva
Vice President and
Chief Information Officer

Timothy Fitzpatrick
Vice President,
Marketing & Communication

Manny Miranda
Vice President,
Transmission and Substation

Kimberly Ousdahl
Vice President, Controller and
Chief Accounting Officer

Randall R. LaBauve
Vice President, Environmental Services

R. Wade Litchfield
Vice President and General Counsel

Pamela M. Rauch
Vice President,
Corporate & External Affairs

Marlene M. Santos
Vice President,
Customer Service

Eric E. Silagy
Senior Vice President, Regulatory
and State Governmental Affairs

210-102

AB

EXHIBIT B

NEXTERA ENERGY, INC.

Mr. Lewis Hay III

Chairman, Chief Executive Officer, Chairman of Executive Committee,
Chairman of FPL Energy LLC and Chairman of Florida Power & Light Company

Mr. James L. Robo

President and Chief Operating Officer

Mr. Armando Pimentel Jr.

Chief Financial Officer and Executive Vice President of Finance

Mr. Armando J. Olivera

Chief Executive Officer of Florida Power & Light Company and
President of Florida Power & Light Company

Mr. Moray P. Dewhurst

Vice Chairman and Chief of Staff

210-102

At

WALKDOWN INFORMATION		TECHNICAL ACCEPTANCE	
AS-BUILT INFORMATION	DATE	ENGINEERING ORGANIZATION	DATE

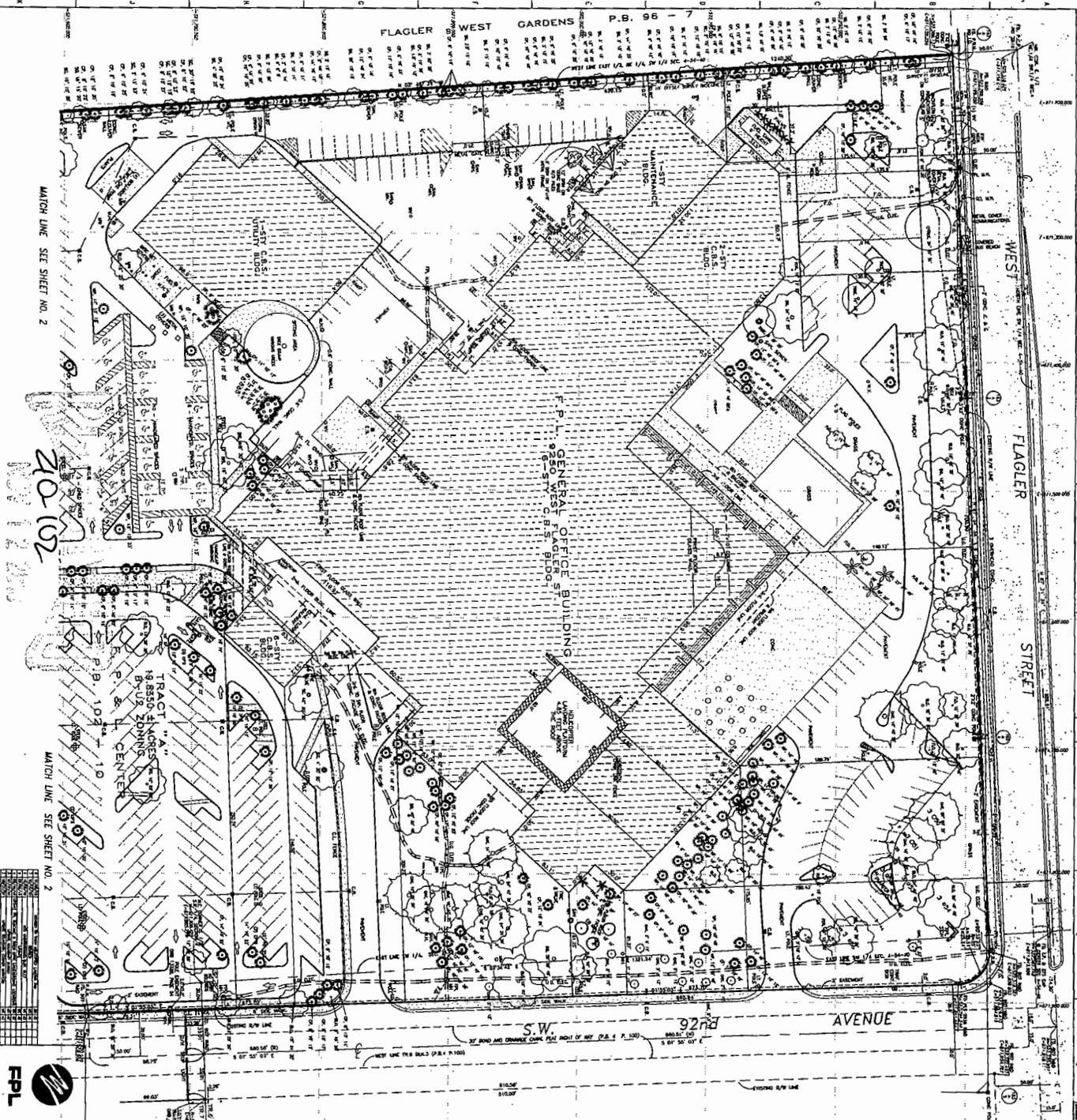
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MAN-MADE PLANNING AND ZONING DEPT.
BY *[Signature]*

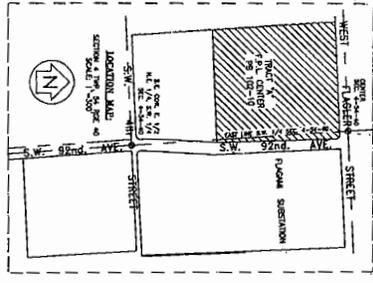
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FLAGAMI (C-15732) SUBSTATION



BOUNDARY AND TOPOGRAPHIC SURVEY



A. R. TOWNSEND & ASSOCIATES, INC.
LAND SURVEYORS
1000 N. MIAMI STREET
MIAMI, FLORIDA 33131
PHONE 375-1100
FAX 375-1101
DATE: OCTOBER 17, 2007
DATE: MAY 26, 2010

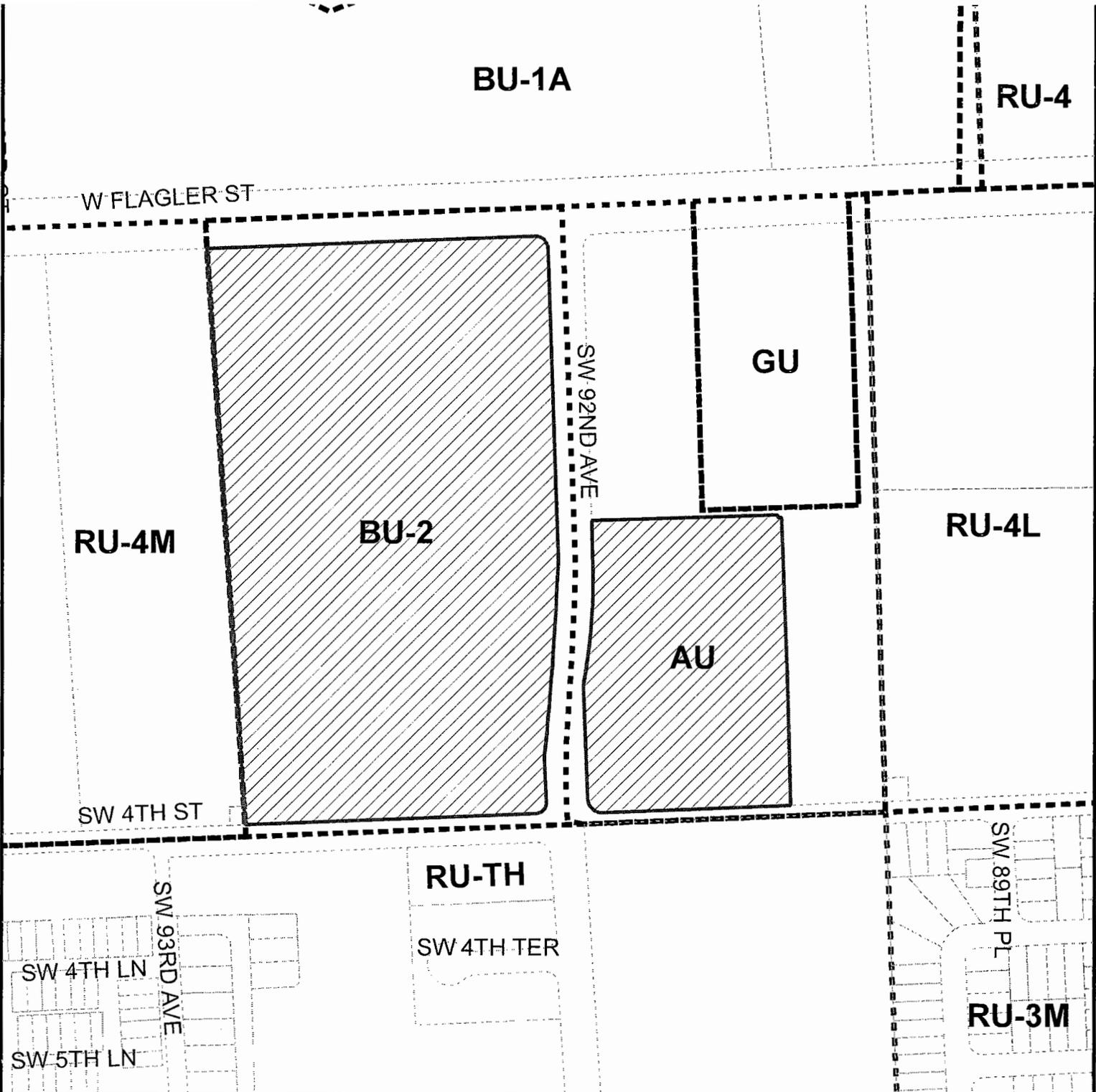
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FPL
BOUNDARY & TOPOGRAPHIC SURVEY
F. P. L. GENERAL OFFICE BUILDING
9250 WEST FLAGLER ST.
MIAMI
FLORIDA

14806 / 14269 / 11434
1 OF 2

DATE: OCTOBER 17, 2007
DATE: MAY 26, 2010



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2010000102

Legend

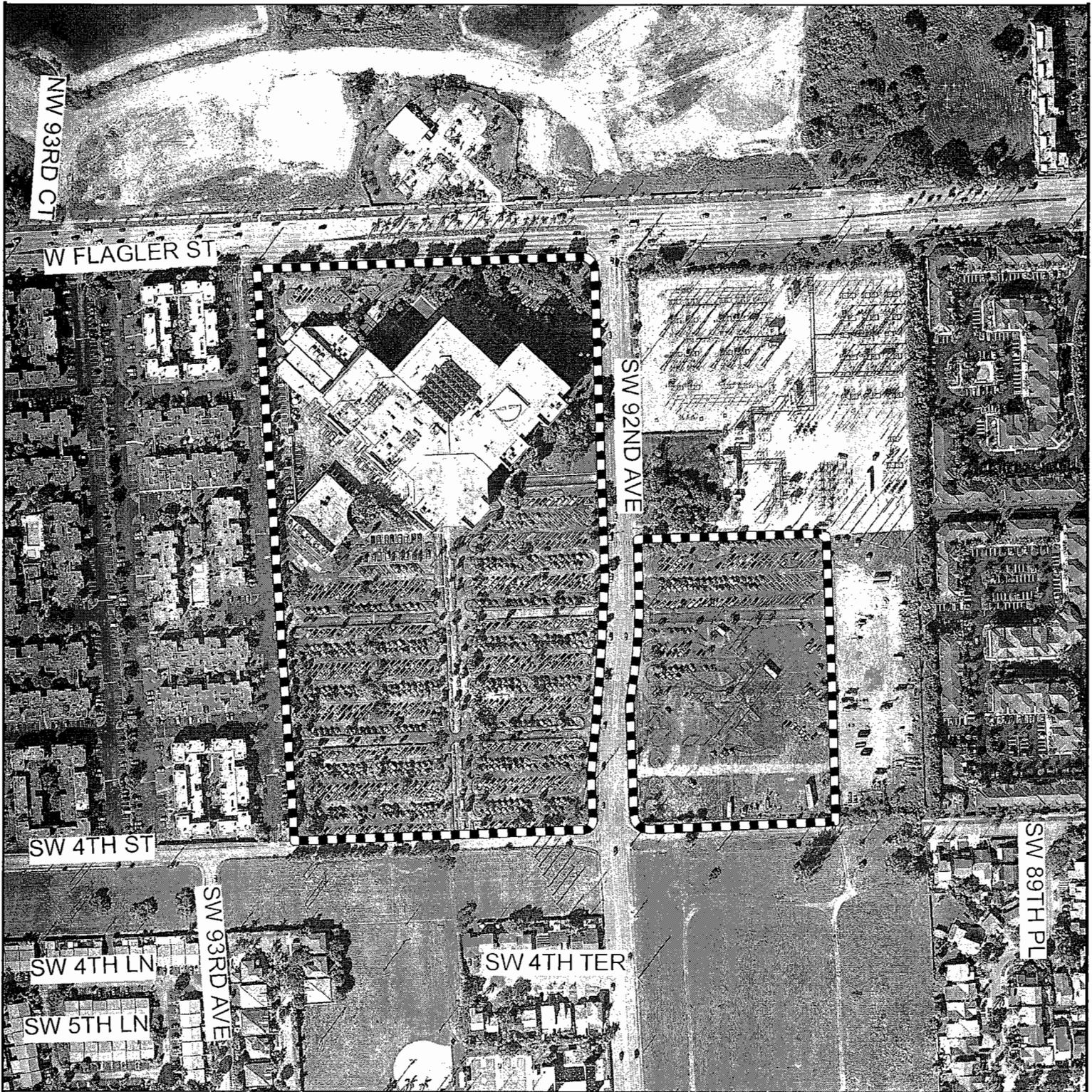
-  Zoning
-  Subject Property Case



Section: 04 Township: 54 Range: 40
 Applicant: FLORIDA POWER & LIGHT COMPANY
 Zoning Board: C10
 Commission District: 10/6
 Drafter ID: ALFREDO FERNANDEZ-CUETO
 Scale: NTS



REVISION	DATE	BY
	11/27	



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number
Z2010000102

Legend



 Subject Property

Section: 04 Township: 54 Range: 40
 Applicant: FLORIDA POWER & LIGHT COMPANY
 Zoning Board: C10
 Commission District: 10/6
 Drafter ID: ALFREDO FERNANDEZ-CUETO
 Scale: NTS



SKETCH CREATED ON: Tuesday, November 30, 2010

REVISION	DATE	BY