

FINAL AGENDA

6-11-2012 Version # 1



COMMUNITY ZONING APPEALS BOARD 10
JORGE MAS CANOSA YOUTH CENTER
250 SW 114 Avenue, City of Sweetwater
Tuesday, July 24, 2012 at 6:30 p.m.

RESCHEDULED MEETING

CURRENT

- | | | | | | | |
|-----|--------------|------------------------------------|--|--------------|----------|---|
| 1.. | 12-07-CZ10-1 | <u>RWRS SAENZ, LLC</u> | | <u>12-31</u> | 10-54-40 | N |
| 2.. | 12-07-CZ10-2 | <u>BLUE LAKE DEVELOPMENT, CORP</u> | (DEVELOPMENTAL
IMPACT
COMMITTEE) | <u>12-38</u> | 05-54-40 | N |
| 3.. | 12-07-CZ10-3 | <u>ASPURU MORTGAGE CORP</u> | | <u>12-53</u> | 10-54-40 | N |

Originally Scheduled for July 11, 2012



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 10

MEETING OF TUESDAY, JULY 24, 2012

JORGE MAS CANOSA YOUTH CENTER

250 SW 114 AVENUE, CITY OF SWEETWATER, FLORIDA

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

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

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

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

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

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

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

SWEARING IN OF WITNESSES

1. RWRS SAENZ, LLC (12-7-CZ10-1/12-031)

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

- (1) MODIFICATION of plans approved pursuant to Resolution Z-198-82, passed and adopted by the Board of County Commissioners, reading as follows;

FROM: "Plans are on file and may be examined in the Zoning Department entitled "Proposed Rose - Semi-Professional Office Application" as prepared by Jacqueline Rose, dated 7-6-82.

TO: That the property shall be developed substantial in accordance with the plans entitled "Westchester Family Dentistry & Orthodontic" as prepared by Donald Obando, Architect & Associates, P.A., sheets A-1.0R and LSC-1.0R dated stamped received 3/21/12, sheets A-2.3R, A-3.0R and A-31.R dated stamped received 6/5/12, all other sheets dated stamped received 2/8/12 for a total of 10 sheets.

The purpose of the request is to allow the applicant to submit revised plans showing a proposed 2 story office building in lieu of the previously approved 1 story office building.

- (2) NON-USE VARIANCE of setback requirements to permit the proposed office building to setback 22'-8" from the front (South) property line (25' required).

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

LOCATION: 8345 Coral Way, Miami-Dade County, Florida.

SIZE OF PROPERTY: 0.27 Acre

Department of Regulatory and
Economic Resources
Recommendation:

Approval with conditions.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

2. BLUE LAKE DEVELOPMENT, CORP. (12-7-CZ10-2/12-038)

**05-54-40
Area 10/District 10**

- (1) DISTRICT BOUNDARY CHANGE from GU to BU-2.

IF REQUEST #1 IS APPROVED, THEN THE FOLLOWING:

- (2) SPECIAL EXCEPTION to permit a residential development to wit: housing for the elderly.
(3) UNUSUAL USE to permit the filling of an existing lake.

Department of Regulatory and
Economic Resources
Recommendation:

Approval with conditions.

Protests: _____ 1 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

NOTICE

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

Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Regulatory and Economic Resources (RER), or its successor Department, within 14 days after RER has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (RER's posting will be made on a bulletin board located in the office of RER.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

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

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 10**

PH: Z12-031 (12-7-CZ10-1)

July 24, 2012

Item No. 1

Recommendation Summary	
Commission District	10
Applicants	RWRS Saenz, LLC
Summary of Requests	The applicant is seeking to modify previously approved plans and to allow the proposed building with a lesser setback than required by Code.
Location	8345 Coral Way, Miami-Dade County, Florida.
Property Size	0.27 acres
Existing Zoning	RU-1
Existing Land Use	Office Building
2015-2025 CDMP Land Use Designation	Low Density Residential <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(7) Generalized Modification Standards , Section 33-311(A)(4)(b), Non-Use Variance Standards <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions

REQUESTS:

- (1) MODIFICATION of plans approved pursuant to Resolution Z-198-82, passed and adopted by the Board of County Commissioners, reading as follows;

FROM: "Plans are on file and may be examined in the Zoning Department entitled "Proposed Rose - Semi-Professional Office Application" as prepared by Jacqueline Rose, dated 7-6-82.

TO: "Plans are on file and may be examined in the Zoning Department entitled "Westchester Family Dentistry & Orthodontic" as prepared by Donald Obando, Architect & Associates, P.A., sheets A-1.0 and LSC-1.0 dated stamped received March 21, 2012, sheets A-2.3R, A-3.OR and A-3.1R dated stamped received June 5, 2012, all other sheets dated stamped received February, 08, 2012 for a total of 10 sheets.

The purpose of the request is to allow the applicant to submit revised plans showing a new two-story office building replacing the previously approved one-story office building.

- (2) NON-USE VARIANCE of setback requirements to permit the proposed office building to setback 22'-8" from the front (South) property line (25' required).

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

PROJECT DESCRIPTION:

The applicant seeks to redevelop the site with a new 4,450 sq. ft. two-story dental office building with parking located on the ground floor.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-1; office building	Low Density Residential (2.5 to 6 dua)
North	RU-1; single-family residence	Low Density Residential (2.5 to 6 dua)
South	RU-1; single-family residence	Low Density Residential (2.5 to 6 dua)
East	RU-1: office building	Low Density Residential (2.5 to 6 dua)
West	RU-1; parking lot BU-1; office building	Low Density Residential (2.5 to 6 dua); Business and Office

NEIGHBORHOOD COMPATIBILITY:

The subject property is located in the northeast corner of S.W. 24th Street and S.W. 84th Avenue. The surrounding properties to the east and west are commercial sites and the parcel to the north contains a single-family residence. The area surrounding the subject property is primarily characterized by commercial and residential uses.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to continue to provide the community with dental services.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is designated as ***Low Density Residential*** use on the Comprehensive Development Master Plan (CDMP) the Land Use Plan (LUP) map. The CDMP Land Use Element interpretative text, Residential Communities, under Office Uses, indicates that *office uses smaller than five acres in size may be approved in areas designated as Residential Communities where other office uses which are not inconsistent already lawfully exist on the same block face*. The subject property is located on a block face that is entirely commercial. The adjacent property to the east is a child care center and the next three properties that complete the block face are all office uses, a medical equipment office, an insurance company and a title services office. Therefore, the existing dental office use is consistent with and meets the criteria set forth in the CDMP Land Use Element Interpretive Text, under Residential Communities, subsection titled Commercial Uses (in Residential Communities) for the allowance of office uses in this land use category.

The subject property is currently developed with a 2,782 sq. ft. one-story dental office building, which was approved in 1982 pursuant to Resolution #Z-198-82. Said resolution granted approval to permit semi-professional office uses in the RU-1 zoning district as would be allowed in the RU-5A zoning district, setback variances and waived wall requirements when abutting

residential zoning. The applicant currently seeks to redevelop the site with a new 4,450 sq. ft. two-story dental office building with parking located on the ground floor. Since the applicant does not propose to change the existing use of a dental office, staff opines that the proposed redevelopment of the dental office use is **consistent** with the CDMP Land Use Element Interpretative Text for Office Uses in Residential Communities.

ZONING ANALYSIS:

When request #1 is analyzed under Section 33-311(A)(7), **General Modification Standards**, staff opines that the proposed modification of the previously approved site plan to redevelop the site with a two-story dental office building, will not generate excessive noise or traffic, provoke excessive overcrowding of people, tend to provoke a nuisance, and would be **compatible** with the surrounding area. Furthermore, staff opines that approval of this request will not have a negative impact on the surrounding roadways or create a fire hazard based on the recommendations and/or information contained in memoranda from the Miami-Dade County Public Works and Waste Management and Fire Rescue Departments. As previously mentioned, the proposed plans depict a new 4,450 sq. ft. two-story building with parking on the ground floor. This will result in an increase of approximately 1,668 sq. ft. of building area on the 0.27-acre parcel. The proposed building however does not exceed the maximum lot coverage allowed by the RU-5A zoning regulations. As such, staff opines that the proposed redevelopment does not result in an over-intensive development of the subject property. Additionally, when considering the necessity for and reasonableness of the modification in relation to the present and future development of the area concerned, staff opines that approval of this application would be compatible with the same. **Therefore, staff recommends approval with conditions of request #1, under the Generalized Modification Standards, Section 33-311(A)(7).**

When request #2 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, which is contingent upon the approval of request #1, will maintain the basic intent and purpose of the zoning, subdivision and other land use regulations, will not affect the stability and appearance of the community and is **compatible** with the surrounding area. Request #2 seeks to permit the proposed building setback 22'-8" from the front (south) property line (25' required). In staff's opinion, this 2'-4" encroachment will not have a negative visual impact on SW 24 Street, which is a major roadway. This road has a 20' two-way frontage road that is buffered by a 35' wide green belt from the main eight (8) lane road.

Staff notes that the subject property abuts commercial sites to the east and west; however, the property abutting to the north is a single-family residence. The plans provided depict a 6' high masonry wall along the interior sides (east and west) and rear (north) property lines, which staff opines provides an adequate buffer of the proposed development from the abutting properties. However, as a condition for approval of this application, staff recommends that the 6' high masonry wall be maintained along the interior sides (east and west) and rear (north) property lines as indicated on the submitted plans. In staff's opinion, this will mitigate any negative visual impact that may result from the development of the site on the abutting properties.

Furthermore, staff notes that the second property to the east of the subject property on the same block face, located at 9600 SW 8 ST deleted a condition to permit medical and dental uses in the RU-1 zoning district, pursuant to Resolution No. 5-CZAB-124-97. The approval restricted the number of medical and dental professionals allowed on the premises to one (1). Staff opines that restricting the number of dental or medical professionals at the subject site at any given time as a condition of approval will be consistent with other approvals in the surrounding area. As such, staff opines that the request would be **compatible** with the area

concerned, when considering the necessity and reasonableness of the modifications in relation to the present and future development of the area. **Therefore, staff recommends approval with conditions of request #2 under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard.**

ACCESS, CIRCULATION AND PARKING:

The submitted plans indicate an adequate number of parking spaces for the dental office use with a single point of ingress and egress along SW 24th Street.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

RECOMMENDATION:

Approval with conditions.

CONDITIONS FOR APPROVAL:

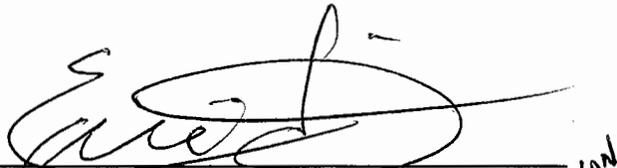
1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That the use be established and maintained in accordance with the approved plan.
3. That the applicant obtain a Certificate of Use from and promptly renew the same annually with the Department of Regulatory and Economic Resources upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
4. That the 6' high masonry wall be maintained along the interior sides (east and west) and rear (north) property lines as indicated on the submitted plans.
5. That the dental office be restricted to only one practicing professional dentist on site at any given time.
6. That the applicant comply with all applicable conditions and requirements of the Department of Regulatory and Economic Resources – Construction, Permitting and Building Code Division (formally known as Department of Permitting, Environment and Regulatory Affairs) and all other departments as contained in their memoranda pertaining to this application.

ES:MW:NN:CH:JC

RWRS Saenz, LLC

Z12-031

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NDW

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

ZONING RECOMMENDATION ADDENDUM

RWRS Saenz, LLC
Z12-031

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Permitting, Environment & Regulatory Affairs	No objection
Public Works and Waste Management	No objection
Parks, Recreation & Open Spaces	No objection
Miami-Dade Transit	No comment
Fire Rescue	No objection
Police	No objection
Schools	No comment
*Subject to conditions in their memorandum.	

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

<p>Low Density Residential (Pg. I-31)</p>	<p><i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential. This category allows a range in density from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. The types of housing typically found in areas designated low density include single-family housing e.g., single family detached, cluster and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i></p>
<p>Residential Communities, Office Uses (Pg. I-35)</p>	<p><i>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 I-36 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.</i></p> <p><i>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</i></p>

ZONING RECOMMENDATION ADDENDUM

RWRS Saenz, LLC
Z12-031

	<p>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.</p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Section 33-311(A)(7) Generalized Modification Standards</p>	<p>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.</p>
<p>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</p>	<p>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.</p>

1. RWRS SAENZ, LLC
(Applicant)

12-7-CZ10-1 (12-031)
Area 10/District 10
Hearing Date: 07/24/12

Property Owner (if different from applicant) **Roger Saenz & Valesca Saenz.**

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>
1964	Alvin F. Rose	- Use Variance professional office building in RU-1 setback 7.75' (10' required). - Waive requirements of street parking and sprinkler system.	ZAB	Approved with Condition(s)
1982	Alvin & Jacqueline Rose	- Use Variance semi-professional office uses in RU-1 (RU-5A uses). - Variiances no 5' high wall along property line and building setback 7.75' from East and 7.6' from West (15' required).	BCC	Approved with Condition(s)

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

Memorandum



Date: February 24, 2012

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

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

Subject: C-10 #Z2012000031
RWRS Saenz, LLC
8345 Coral Way
To Permit a Dentist Office Use in the RU-1 Zone, as Would be Permitted in the RU-5A Zone and Modification of a Previous Resolution to Permit a Two Story Office Building (RU-1) (.27 Acres)
10-54-40

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

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

Potable Water Service and Wastewater Disposal

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

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

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

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

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

Wetlands

The subject 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.

Air Quality Preservation

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

Operating Permits

Section 24-18 of the Code authorizes the Department to require operating permits from facilities that could be a source of pollution. The applicant is advised that the requested use of the subject property may require operating permits. It is therefore suggested that the applicant contact the Department concerning operating permit requirements.

Tree Preservation

The subject property contains tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. 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. 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 the Tree Program for additional information regarding permitting procedures and requirements prior to site development.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

cc: Eric Silva, Sustainability, Planning and Economic Enhancement

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: RWRS SAENZ, LLC

This Department has no objections to this application.

Additional improvements may be required at time of permitting.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 16 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
9122	SW 24 St. w/o SR 826	D	D
9124	SW 24 St. w/o SW 87 Ave.	D	D
F-42	SW 87 Ave. s/o SW 24 St.	C	C
F-1074	SW 87 Ave. n/o SW 12 St.	D	D

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.



Raul A Pino, P.L.S.

18-APR-12

Memorandum



Date: February 29, 2012

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

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

Subject: Z2012000031: RWRS SAENZ, LLC

Application Name: RWRS SAENZ, LLC

Project Location: The site is located at 8345 CORAL WAY, Miami-Dade County.

Proposed Development: The applicant is requesting approval of a use variance to permit a dentist office, and non-use variances of setback regulations and zoning regulations.

Because this application does not generate any additional residential population, the CDMP Open Space Spatial Standards do not apply and this Department has no objection to this application.

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

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

MN:jb

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

Memorandum



Date: 08-MAR-12
To: , Director
Department of Sustainability, Planning and Economic Enhancement
From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department
Subject: Z2012000031

Fire Prevention Unit:

Not applicable to MDRF site requirements.

Service Impact/Demand

Development for the above Z2012000031
located at 8345 CORAL WAY, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1440 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 5:32 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 47 - Westchester - 9361 Coral Way
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.

DATE: 22-FEB-12

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

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

RWRS SAENZ, LLC

8345 CORAL WAY, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2012000031

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. Prior case opened September 17, 2010 for failure to perform lot maintenance and a warning was issued. A citation was issued October 14, 2010 and noncompliance December 8, 2010. Case was sent to remediation December 9, 2010 but was corrected by owner on February 16, 2011. Case was sent to lien February 22, 2011. Payment plan fulfilled on July 27, 2011. Lien satisfied November 16, 2011. BNC: No open cases.

RWRS Saenz LLC

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

REPORTER NAME:

Memorandum



Date: May 31, 2012

To: Franklin Gutierrez, Agenda Supervisor, Agenda Coordinator's Office
Miami-Dade Sustainability, Planning and Economic Enhancement

From: Ramiro Martinez , Zoning Services Inspector
Department of Permitting, Environment and Regulatory Affairs

Subject: Hearing Application Process No.Z2012000031 – Folio No.30-4010-016-0340

The above-mentioned property was approved through Resolution Z-198-82 to permit semi-professional office uses in a RU-1 district. Field inspection reveals the site complies with the terms and conditions of this resolution, except for an illegal wall signs observed on the building. Applicant needs to remove the sign from the premises or include it in the application as a sign variance.

Except for the wall sign violation, there were no other zoning violations observed at the time of inspection and a review of BNC records does not show any open enforcement cases under the referenced folio number.

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: RWRS SAENZ, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>ROGER A. SAENZ</u> <u>9743 NW 30 STREET DORAL, FL. 33172</u>	<u>50%</u>
<u>WALESKA SAENZ</u> <u>9743 NW 30 STREET DORAL, FL 33172</u>	<u>50%</u>

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

TRUST/ESTATE NAME _____

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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

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212-077
FEB 08 2012

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

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

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

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

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.

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 2-7-2012
 FEB 08 2012
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY _____

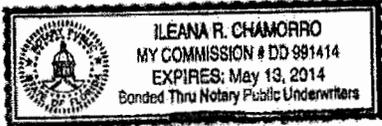
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: *[Signature]*
(Applicant)

Sworn to and subscribed before me this 26 day of January 2012. Affiant is personally know to me or has produced know to me as identification.

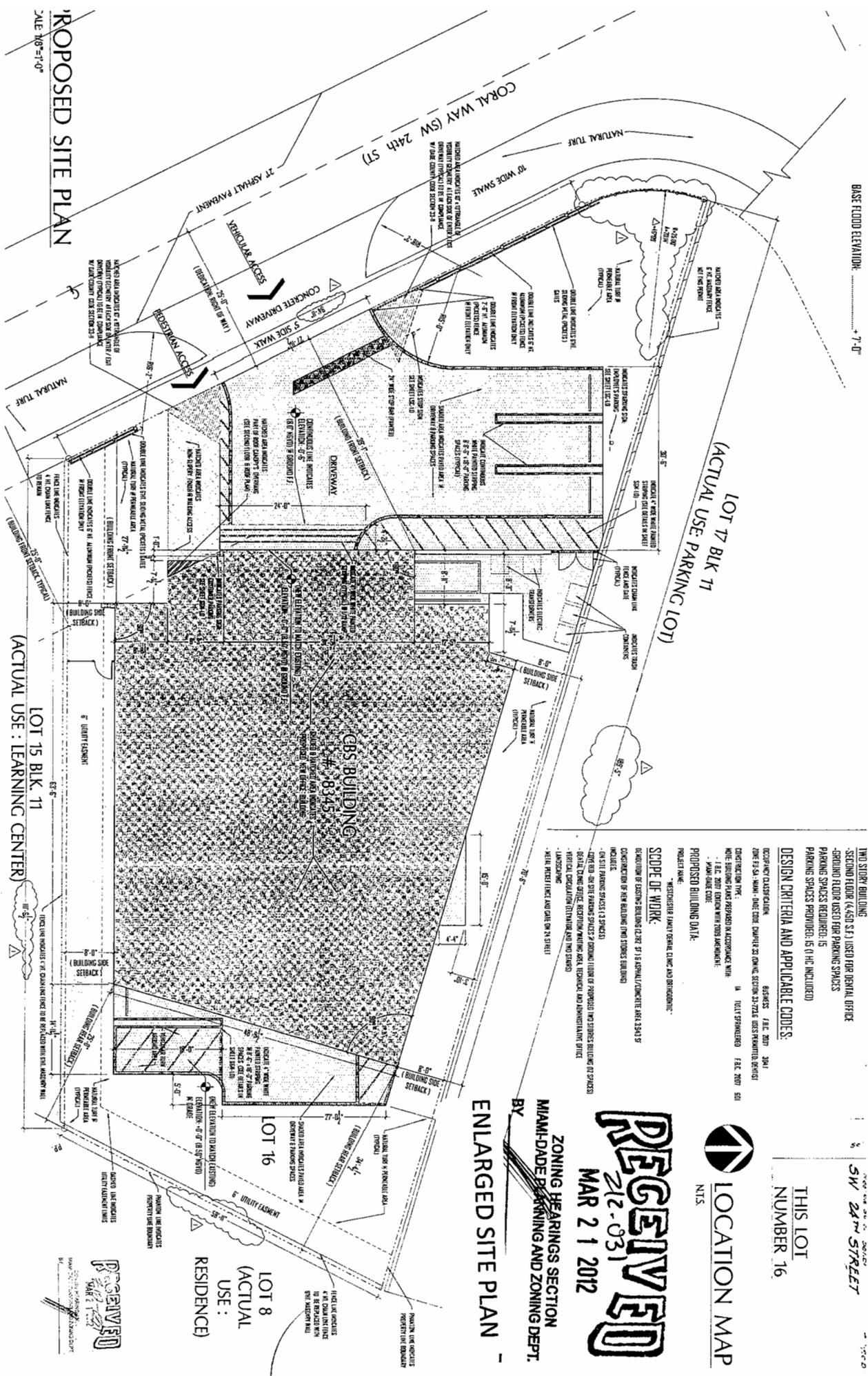
Ileana R. Chamorro
(Notary Public)



My commission expires: May 13, 2014

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.



BASE FLOOD ELEVATION: +7'-0"

PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"

LOT 17 BLK 11
(ACTUAL USE: PARKING LOT)

LOT 15 BLK. 11
(ACTUAL USE: LEARNING CENTER)

TWO STORY BUILDING
- SECOND FLOOR (4,450 S.F.) USED FOR DENTAL OFFICE
- GROUND FLOOR USED FOR PARKING SPACES
- PARKING SPACES REQUIRED: 15
- PARKING SPACES PROVIDED: 15 (ON-LOT INCLUDED)
DESIGN CRITERIA AND APPLICABLE CODES:
- OCCUPANCY CATEGORIZATION: OFFICES / I.C. 2007 3041
- CORNER LOT: CORNER LOT (CORNER OF CORAL WAY AND 27TH STREET)
- DISTRICT: N.T.S.
- NOTE: BUILDING PLANS PREPARED IN ACCORDANCE WITH
- I.C. 2007 SECTION 107.01 AND 107.02
- PLANNING CODE
PROPOSED BUILDING DATA:
- PROJECT NAME: WESTCHESTER FAMILY DENTISTRY AND ORTHODONTIC
SCOPE OF WORK:
- REVISION OF EXISTING BUILDING TO BE 1.5 STORIES (CONCRETE RFTL 32413)
- CONSTRUCTION OF NEW BUILDING (TWO STORIES BUILDING)
- FINISHES
- ON-LOT PARKING SPACES (15 SPACES)
- DETAILED ARCHITECTURAL DRAWINGS (ELEVATIONS, SECTIONS, AND FOUNDATION PLANS)
- MECHANICAL, ELECTRICAL, AND PLUMBING (MEP) SYSTEMS
- MECHANICAL, ELECTRICAL, AND PLUMBING (MEP) SYSTEMS



LOCATION MAP
N.T.S.

THIS LOT
NUMBER 16

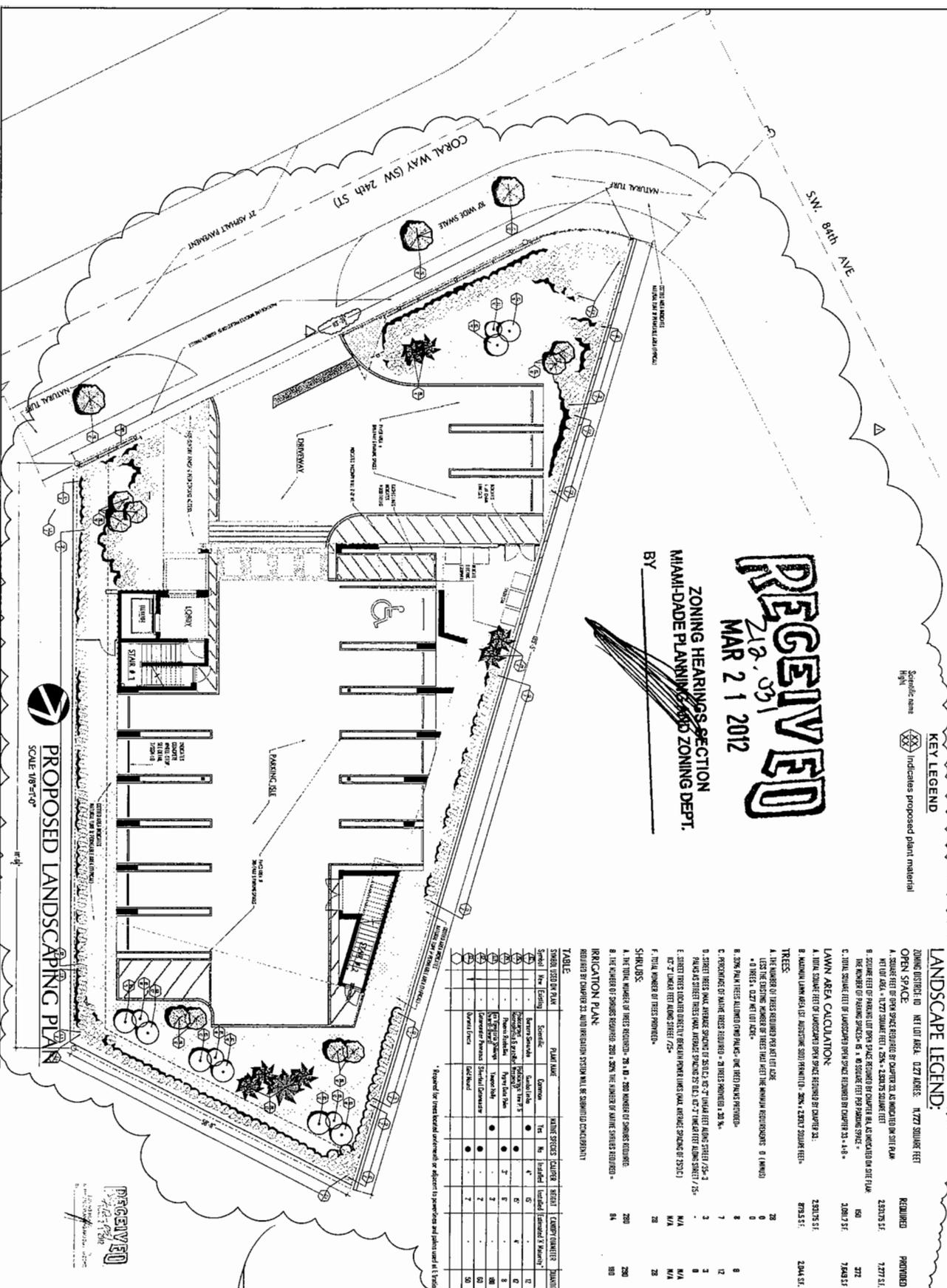
SW 24th STREET

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2/2-03
MAR 21 2012

ZONING HEARINGS SECTION
BY
MIAMI-DADE PLANNING AND ZONING DEPT.
ENLARGED SITE PLAN

KEY LEGEND
 Scientific name
 High
 Indicates proposed plant material

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 MAR 21 2012
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY _____



PROPOSED LANDSCAPING PLAN
 SCALE: 1/8"=1'-0"

LANDSCAPE LEGEND:

- ZONING DISTRICT: D1** NET LOT AREA: 0.27 ACRES. 11,727 SQUARE FEET
OPEN SPACE:
 A. SQUARE FEET OF OPEN SPACE REQUIRED BY CHAPTER 22A, AS IMPOSED BY THE ZONING DISTRICT: 2,820 SQ. FT.
 B. SQUARE FEET OF OPEN SPACE PROVIDED BY CHAPTER 22A, AS IMPOSED BY THE ZONING DISTRICT: 2,820 SQ. FT.
 C. NET SQUARE FEET OF OPEN SPACE PROVIDED BY CHAPTER 22A: 0 SQ. FT.
LAWN AREA CALCULATION:
 A. MINIMUM SQUARE FEET OF LAWN AREA REQUIRED BY CHAPTER 22A: 2,820 SQ. FT.
 B. ACTUAL SQUARE FEET OF LAWN AREA PROVIDED: 2,820 SQ. FT.
TREES:
 A. THE NUMBER OF TREES REQUIRED PER NET LOT AREA: 28
 B. THE NUMBER OF TREES PROVIDED: 0
 C. THE NUMBER OF TREES PROVIDED AS A PERCENTAGE OF THE NUMBER OF TREES REQUIRED: 0%
 D. THE NUMBER OF TREES PROVIDED AS A PERCENTAGE OF THE NUMBER OF TREES REQUIRED: 0%
 E. THE NUMBER OF TREES PROVIDED AS A PERCENTAGE OF THE NUMBER OF TREES REQUIRED: 0%
 F. THE NUMBER OF TREES PROVIDED: 0

TABLE 1: PLANT LIST FOR PLAN

Symbol	Plant Name	Native Species	Quantity	Comments
○	Common	Yes	4	
○	Swamp White	No	4	
○	Swamp Yellow	No	4	
○	Swamp Orange	No	4	
○	Swamp Red	No	4	
○	Swamp Purple	No	4	
○	Swamp Blue	No	4	
○	Swamp Green	No	4	
○	Swamp Brown	No	4	
○	Swamp Grey	No	4	
○	Swamp Black	No	4	
○	Swamp White	No	4	
○	Swamp Yellow	No	4	
○	Swamp Orange	No	4	
○	Swamp Red	No	4	
○	Swamp Purple	No	4	
○	Swamp Blue	No	4	
○	Swamp Green	No	4	
○	Swamp Brown	No	4	
○	Swamp Grey	No	4	
○	Swamp Black	No	4	

RECEIVED

NEW CONSTRUCTION
WESTCHESTER FAMILY DENTISTRY & ORTHODONTIC
 8345 CUKAL WAY, MIAMI, FL 33143
 WWW.WESTCHESTERDENT.COM

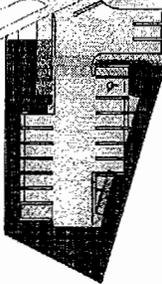
ARCHITECT: DONALD GRANDO
 Architect & Associates, P.A.
 1800 N.W. 107th Ave., Suite 100
 Miami, FL 33157
 Phone: (305) 551-4314
 Fax: (305) 551-4300
 Email: don@grando.com

PREPARED BY:
RWMS SAENZ, LLC
 5745 NW 30th Street, Suite 100, Coral Gables, FL 33134
 Phone: (305) 441-1111
 Fax: (305) 441-1112
 Email: info@rwms.com

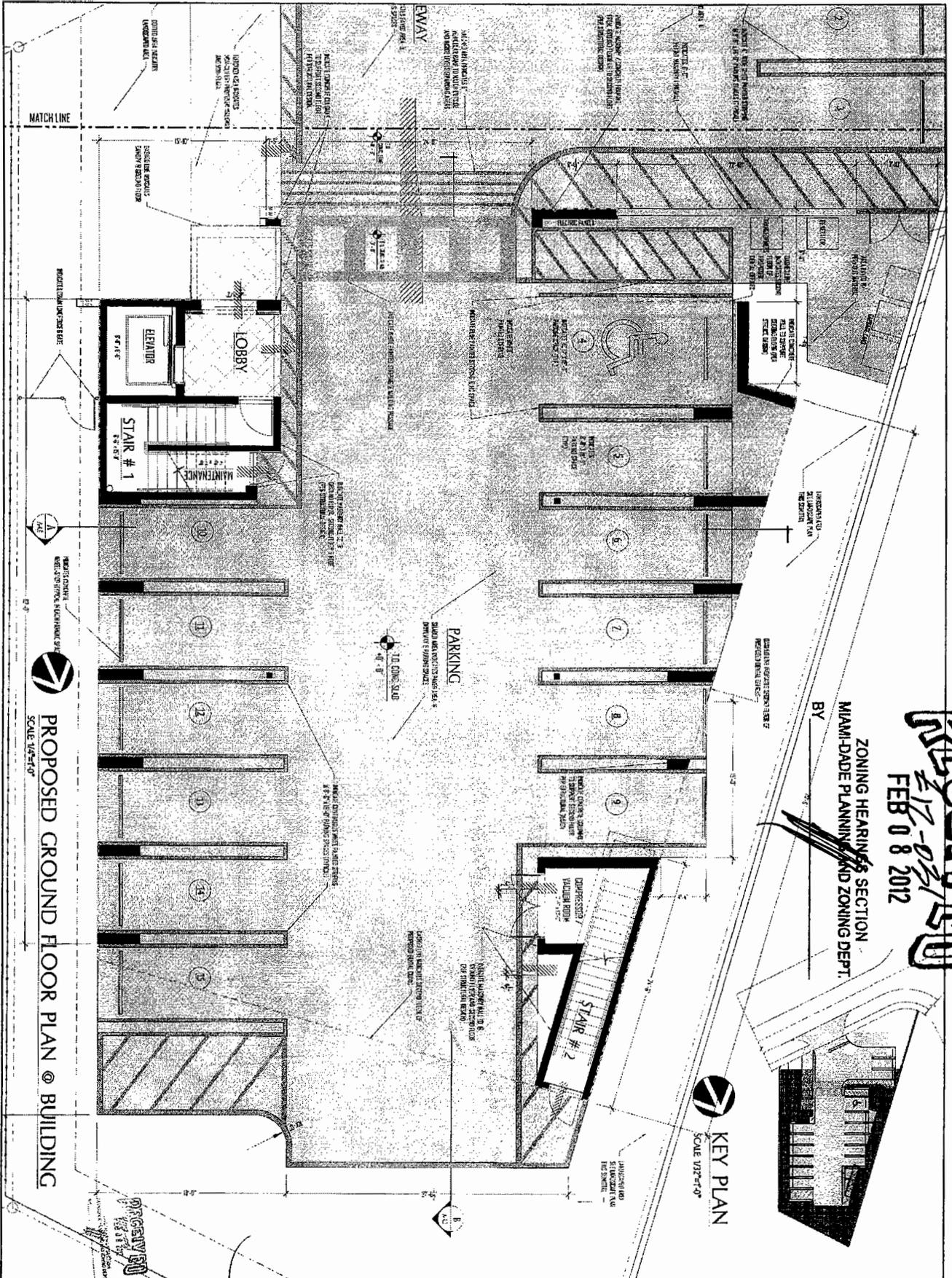
DATE: 11/11/11
SCALE: 1/8"=1'-0"

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 FEB 08 2012

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

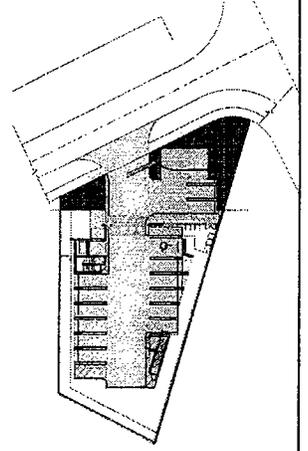
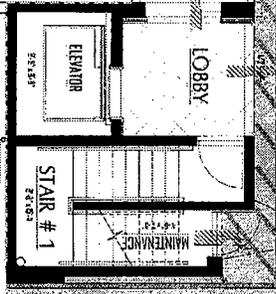
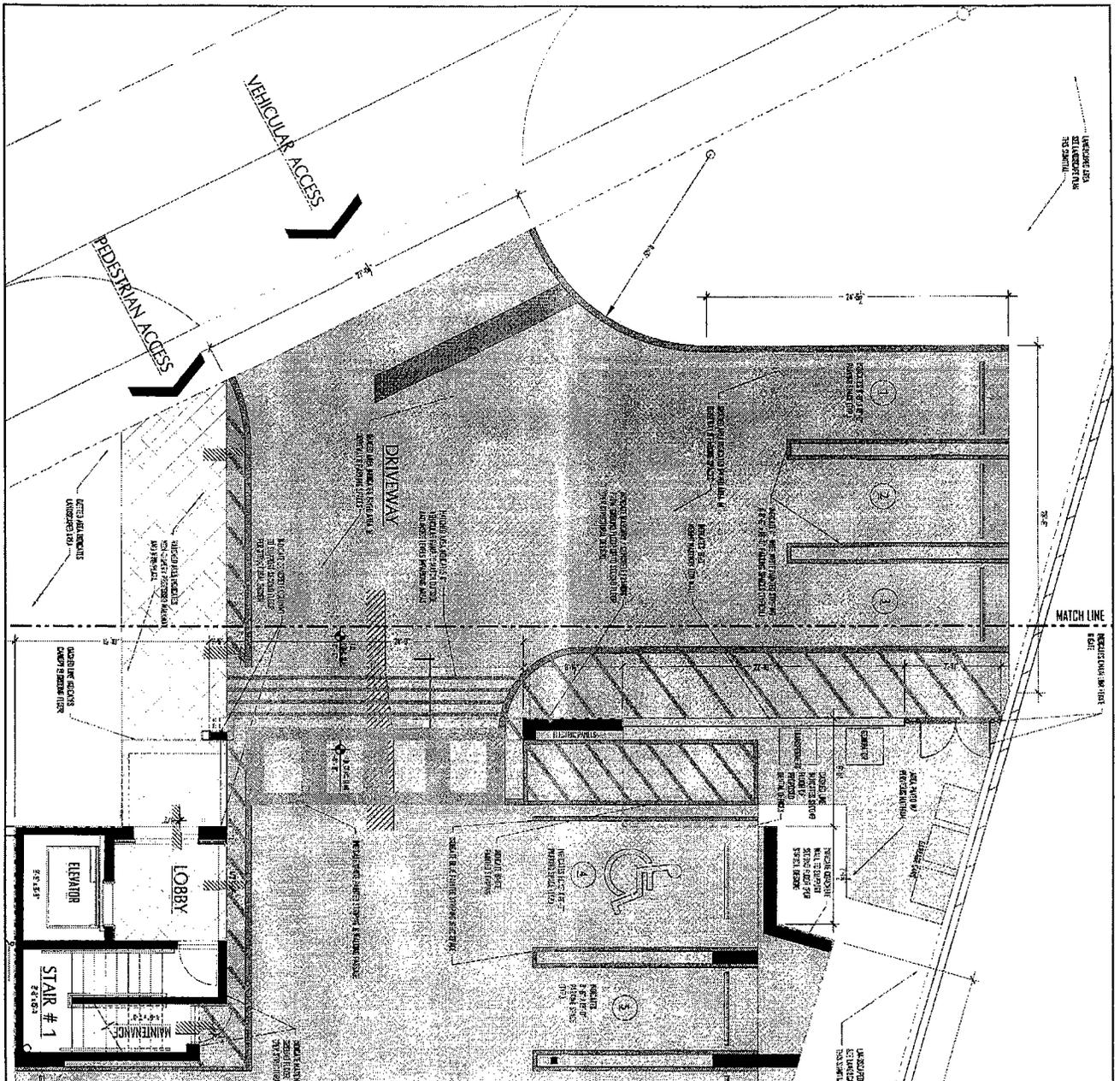


KEY PLAN
 SCALE 1/8"=1'-0"



PROPOSED GROUND FLOOR PLAN @ BUILDING
 SCALE 1/8"=1'-0"

<p>DKORLID OSARDO ARCHITECT & ASSOCIATES P.A. 1101 N.W. 10TH ST. MIAMI, FL 33136 TEL: 305.575.8888 FAX: 305.575.8889 WWW.DKORLIDOSARDO.COM</p>	<p>NEW CONSTRUCTION WESTCHESTER FAMILY DENTISTRY & ORTHODONTIC 8245 CORAL WAY, MIAMI, FLORIDA 33155</p>	<p>PROPOSED BUILDING @ GROUND FLOOR & PARKING</p>
<p>DATE: 02/07/12 DRAWN BY: RWS CHECKED BY: RWS TITLE: FLOOR PLAN</p>	<p>DATE: 02/07/12 DRAWN BY: RWS CHECKED BY: RWS TITLE: FLOOR PLAN</p>	<p>DATE: 02/07/12 DRAWN BY: RWS CHECKED BY: RWS TITLE: FLOOR PLAN</p>



KEY PLAN
SCALE: 1/32"=1'-0"

**PROPOSED ON-SITE
PARKING SPACES
@ GROUND FLOOR
(PARTIAL PLAN)**
SCALE: 1/4"=1'-0"

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FEB 08 2012

ZONING HEAVY TRUCKS SECTION
MIAMI-DADE PLANNING AND ZONING DEPARTMENT
BY: [Signature]
DATE: 2/14/12

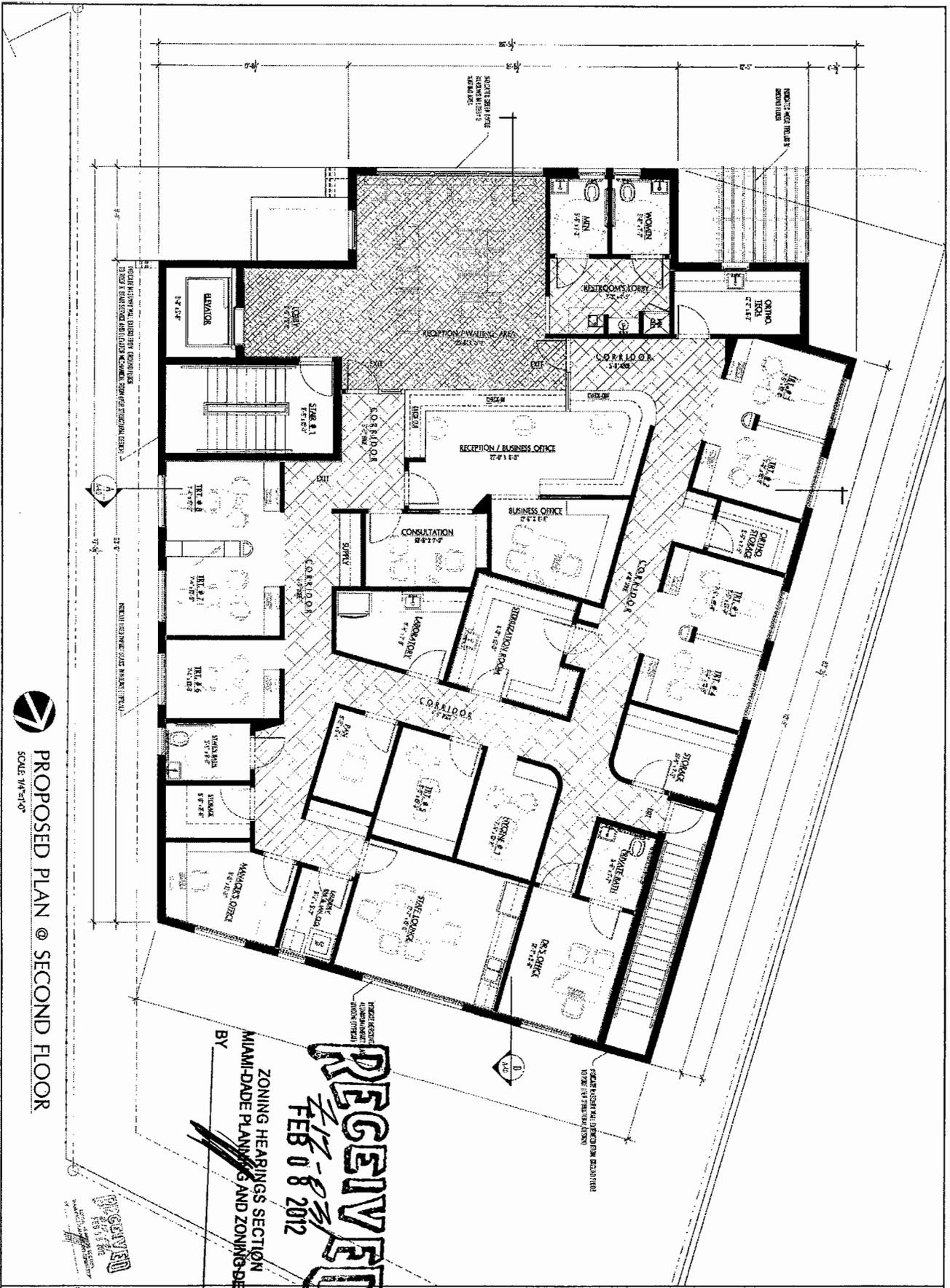
NO.	DATE	DESCRIPTION
1	2/14/12	ISSUED FOR PERMIT
2	2/14/12	ISSUED FOR PERMIT
3	2/14/12	ISSUED FOR PERMIT
4	2/14/12	ISSUED FOR PERMIT
5	2/14/12	ISSUED FOR PERMIT
6	2/14/12	ISSUED FOR PERMIT
7	2/14/12	ISSUED FOR PERMIT
8	2/14/12	ISSUED FOR PERMIT
9	2/14/12	ISSUED FOR PERMIT
10	2/14/12	ISSUED FOR PERMIT

DATE: 2/14/12
SCALE: 1/4"=1'-0"

NEW CONSTRUCTION
**WESTCHESTER FAMILY DENTISTRY
& ORTHODONTIC**
8345 CENTRAL WAY, MIAMI, FLORIDA 33155

DONALD GRANDI
Architect & Designer, P.A.
4100 N.W. 11th St.
Miami, FL 33142
www.donaldgrandi.com



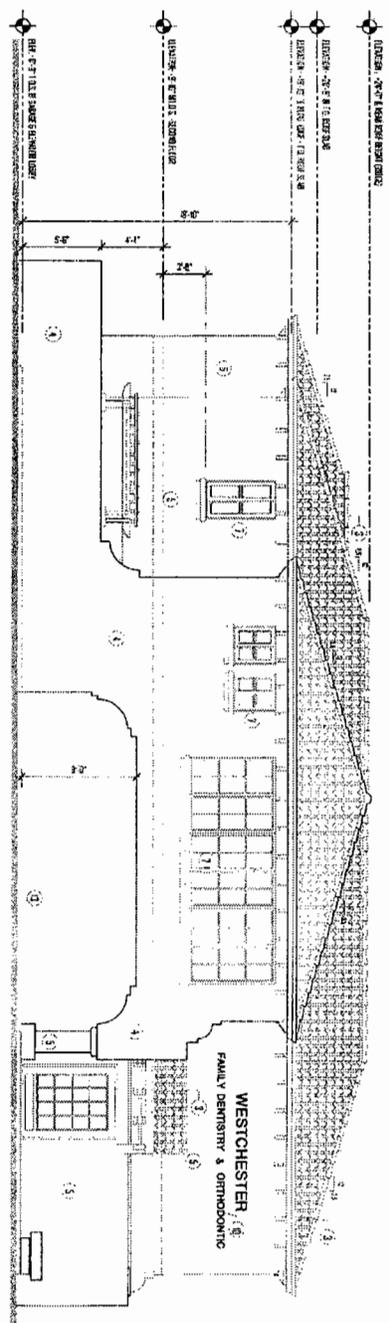


PROPOSED PLAN @ SECOND FLOOR
SCALE: 1/8"=1'-0"

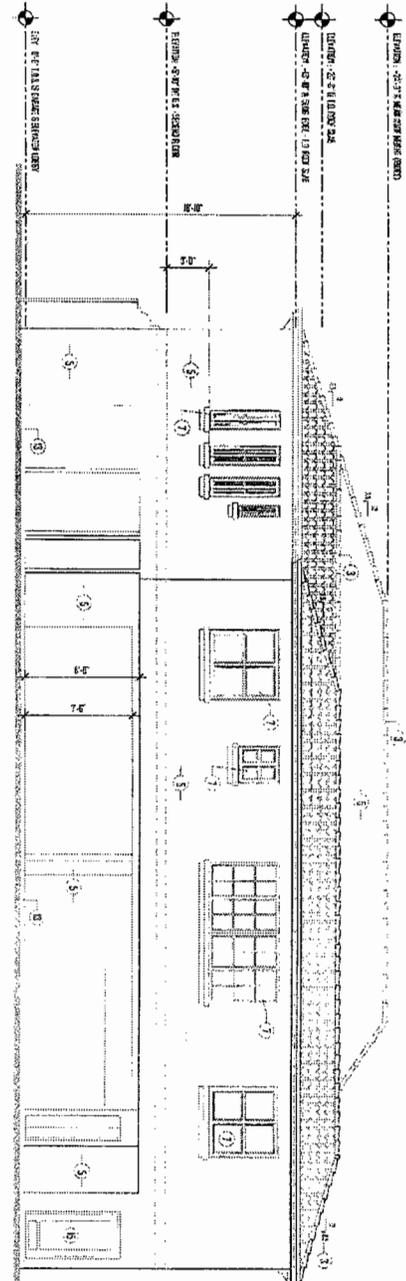
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FEB 11 2012
MIA-MIAMI

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FEB 08 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY [Signature]

<p>NEW CONSTRUCTION</p> <p>WESTCHESTER FAMILY DENTISTRY & ORTHODONTIC</p> <p>8345 CORAL WAY, MIAMI, FL 33155</p> <p>www.abandearch.com</p>	<p>Architect: Andrew DeLeon, FAIA</p> <p>Project: 1201 1201-1202</p> <p>Scale: 1/8"=1'-0"</p> <p>Date: 02/08/12</p>	<p>DONALD GRAND</p> <p>Architect & Engineer, P.A.</p> <p>A.R. 93595</p>	



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



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

- MATERIAL LEGEND**
- 1) LIGHT GRAY BRICK WITH SANDY RED MORTAR
 - 2) RED BRICK WITH SANDY RED MORTAR
 - 3) GRAY CONCRETE BLOCK WITH SANDY RED MORTAR
 - 4) WHITE STUCCO
 - 5) SANDY RED BRICK WITH SANDY RED MORTAR
 - 6) LIGHT GRAY BRICK WITH SANDY RED MORTAR
 - 7) LIGHT GRAY BRICK WITH SANDY RED MORTAR
 - 8) RED BRICK WITH SANDY RED MORTAR
 - 9) WHITE STUCCO
 - 10) GRAY CONCRETE BLOCK WITH SANDY RED MORTAR
 - 11) SANDY RED BRICK WITH SANDY RED MORTAR

STUCCO NOTE:
 FINISHES TO BE APPLIED TO ALL EXTERIOR WALLS AND PARAPETS UNLESS OTHERWISE NOTED.
 ALL EXTERIOR WALLS TO BE FINISHED WITH SANDY RED BRICK WITH SANDY RED MORTAR.
 ALL EXTERIOR WALLS TO BE FINISHED WITH SANDY RED BRICK WITH SANDY RED MORTAR.
 ALL EXTERIOR WALLS TO BE FINISHED WITH SANDY RED BRICK WITH SANDY RED MORTAR.
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 FEB 08 2012

ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____

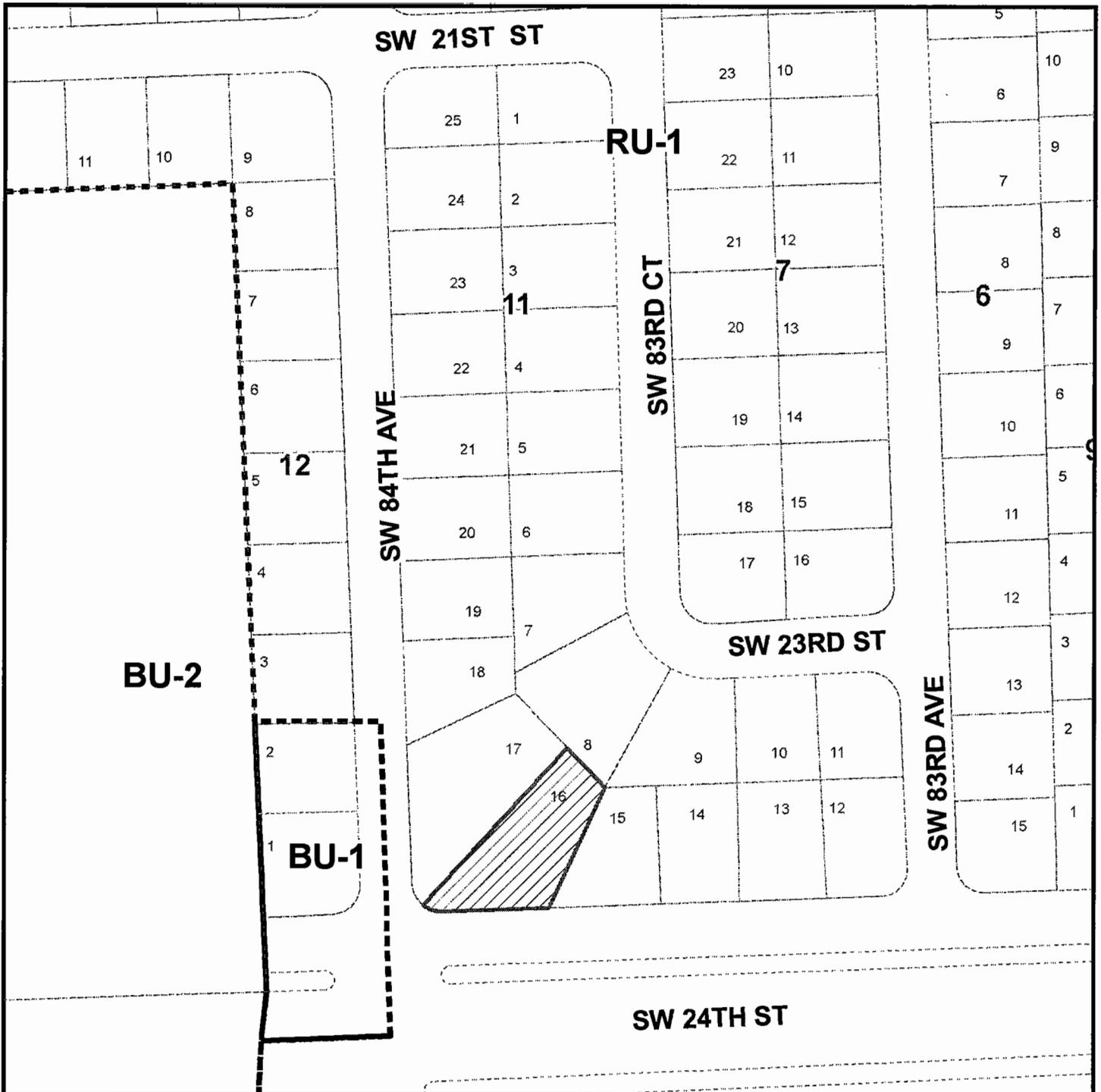
NEW CONSTRUCTION
WESTCHESTER FAMILY DENTISTRY & ORTHODONTIC
 8345 KURAL WAY, MIAMI, FLORIDA 33183

PROPOSED BUILDING ELEVATIONS

DONALD ORANICO
 ARCHITECTS & ASSOCIATES, P.A.
 1100 BAYVIEW BLVD.
 SUITE 1000
 MIAMI, FL 33134
 TEL: 305-575-1111
 WWW.DONALDORANICO.COM

APPROVED CONTRACT DOCUMENTS
 Project: 2011-001
 Date: 02/08/12
 Drawn: [Signature]
 Checked: [Signature]
 www.donaldoranico.com

DATE: 02/08/12
 TIME: 10:00 AM
 DRAWN: [Signature]
 CHECKED: [Signature]



**MIAMI-DADE COUNTY
HEARING MAP**

Process Number
Z2012000031



Section: 10 Township: 54 Range: 40
 Applicant: RWRS SAENZ, LLC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Wednesday, February 22, 2012

REVISION	DATE	BY
		29



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number

Z2012000031



Section: 10 Township: 54 Range: 40
 Applicant: RWRS SAENZ, LLC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

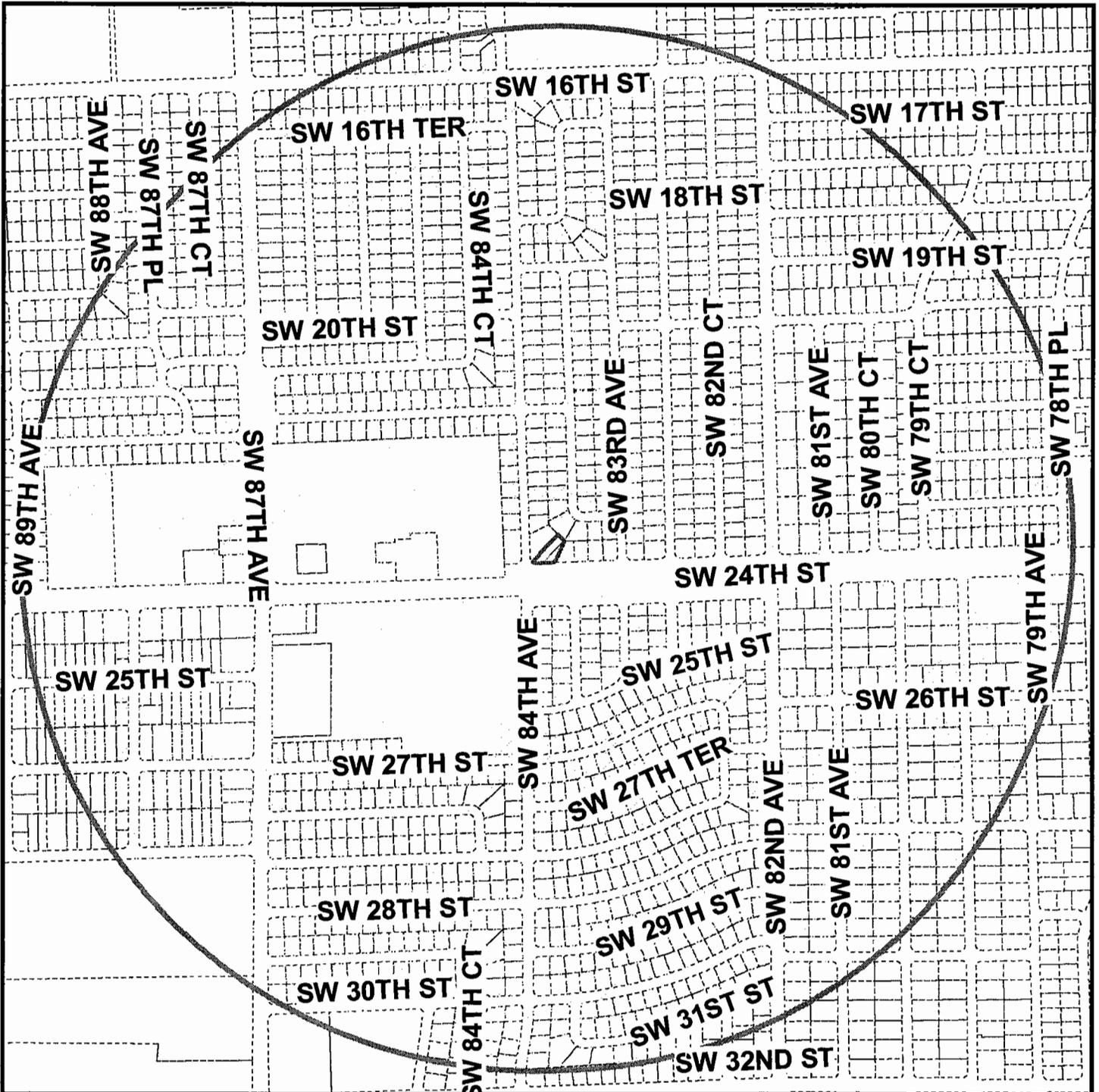
Legend

 Subject Property



SKETCH CREATED ON: Wednesday, February 22, 2012

REVISION	DATE	BY
		30



MIAMI-DADE COUNTY
RADIUS MAP

Process Number
Z2012000031
 RADIUS: 2640

Section: 10 Township: 54 Range: 40
 Applicant: RWRS SAENZ, LLC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Wednesday, February 22, 2012

REVISION	DATE	BY

Memorandum



Date: July 24, 2012

To: The Community Zoning Appeals Board - 10

From: Developmental Impact Committee
Executive Council

Subject: Developmental Impact Committee Recommendation

APPLICANT: Blue Lake Development, Corp. (Z12-038)

SUMMARY OF REQUESTS:

The applicant is requesting a district boundary change from GU (Interim District) to BU-2 (Special Business District), a special exception to permit site plan approval of a mixed-use development consisting of a retail center and housing for the elderly, an unusual use to permit the filling of an existing lake and several other non-use variances.

LOCATION: Lying on the northeast corner of Flagler Street and NW 102 Avenue, Miami-Dade County, Florida.

COMMENTS:

This application is before the Developmental Impact Committee due to the size of the application. Section 33-303.1(D)(7) of the Code of Miami-Dade County charges the Developmental Impact Committee (DIC) to address applications with respect to: (I) conformance with all applicable plans; (II) environmental impact; (III) impact on the economy; (IV) impact on essential services; and (V) impact on public transportation facilities and accessibility.

The meeting of the DIC Executive Council was held on May 23, 2012 and the attached Department memoranda were reviewed and considered by said Committee.

DIC RECOMMENDATION:

Approval with conditions, subject to the Board's acceptance of the proffered covenant as set forth in the Department of Permitting, Environment and Regulatory Affairs' recommendation.

The Executive Council is of the opinion that this application will be in keeping with the Comprehensive Development Master Plan designation for the subject property. In addition, the Council found that the approval of this application with conditions and the acceptance of the proffered covenant, will not be contrary to the public interest, is in keeping with the spirit of the regulations, and will permit the reasonable use of the premises. As such, the Executive Council finds that approval of this application will be **consistent** with the CDMP and **compatible** with the surrounding area.

Memorandum



Date: May 23, 2012

To: The Community Zoning Appeals Board - 10

From: Developmental Impact Committee
Executive Council

Subject: Developmental Impact Committee Recommendation

APPLICANT: Blue Lake Development, Corp. (Z12-038)

SUMMARY OF REQUESTS:

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APPLICATION NO. Z12-38
BLUE LAKE DEVELOPMENT, CORP

Respectfully Submitted,

DIC Executive Council
May 23, 2012

Giovannie Ulloa, Fire Chief
Miami-Dade Fire Rescue Department



AYE

Irma San Roman, Interim Director
Metropolitan Planning Organization Secretariat

Absent

Eric Silva, AICP
Sustainability, Planning and Economic Enhancement
Department



AYE

Antonio Cotarelo, Assistant Director
Public Works Department



AYE

Jose Gonzalez, P.E., Assistant Director
Department of Environmental Resources Mgmt



AYE

John W. Renfrow, P.E., Director
Miami-Dade Water and Sewer Department

Absent

**Miami-Dade County Permitting, Environment and Regulatory Affairs Department
Staff Report to the Development Impact Committee**

PH: Z12-038

DIC Date: **May 23, 2012**

Item No. 1

Recommendation Summary	
Commission District	10
Applicant	Blue Lake Development, Corp.
Summary of Requests	The applicant is seeking to allow a zone change to BU-2 and to permit a retail development in conjunction with a multi-family residential apartment building for the elderly. Additionally, the applicant seeks to permit the filling of an existing lake and to permit parking and drives abutting a public park located to the east as well as to provide openings in the required dissimilar land use buffer for proposed walkways .
Location	The northeast corner of West Flagler Street and NW 102 Avenue, Miami-Dade County, Florida.
Property Size	37.5 gross acres
Existing Zoning	GU, Interim District
Existing Land Use	vacant
2015-2025 CDMP Land Use Designation	Business and Office <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311, District Boundary Change, Section 33-311(A)(3), Special Exception, Unusual use and New Uses, Section 33-311(A)(4)(b), Non-Use Variance standards <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval, subject to the Board's acceptance of the proffered covenant

REQUESTS:

- (1) DISTRICT BOUNDARY CHANGE from GU to BU-2.

IF REQUEST #1 IS APPROVED THEN THE FOLLOWING:

- (2) SPECIAL EXCEPTION to permit a residential development, to wit: housing for the elderly.
- (3) UNUSUAL USE to permit the filling of an existing lake.
- (4) NON-USE VARIANCE of zoning regulations requiring a 5' high decorative masonry wall along the common boundary line where a business lot abuts an AU, GU, RU or EU zoned property; to waive same to permit pedestrian openings in the decorative wall and to permit portions of iron fence sections in lieu of the required wall along the interior side (east) property line north of the retail buildings adjacent to public park.
- (5) NON-USE VARIANCE of landscape regulations requiring a continuous buffer consisting of a 6' high wall, fence or hedge where dissimilar land uses exist on adjacent properties; to waive same to permit pedestrian openings in the wall and iron fence along the interior side (east) property line north of the retail buildings adjacent to public park.

- (6) NON-USE VARIANCE of zoning regulations as it pertains to a business lot adjacent to a public park where neither a driveway nor parking area shall be located between the structure and the public park; to waive same to permit a driveway and parking spaces along the interior side (east) property line.

Plans are on file and may be examined in the Permitting, Environment and Regulatory Affairs (PERA) Department or its successor Department entitled "Fontainebleau Square" as prepared by CPH Engineers, Surveyors, Architects and Planners, "Enlarged Floor Plans & Exterior Elevations", prepared by Lawrence S. Levinson, Fontainebleau Square- Master Development", prepared by Humphreys and Partners Architects, L.P., "Landscape Plan Fontainebleau Square", prepared by Architectural Alliance, all dated stamped received 4/18/12, consisting of 25 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The submitted plans depict the proposed approximately 340,000 sq. ft. retail facility along with a 155-unit elderly residential apartment building on the northeast portion of the 37.5-acre parcel which abuts an existing park located to the east.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	GU; vacant land	Business and Office
North	RU-4M & GU; vacant land and apartments	Parks and Recreation
South	RU-5A; religious facility RU-2: single-family residences	Office Residential Low Density Residential (2.5 to 6 dua)
	BU-1A; shopping center	Business and Office
East	GU: park	Medium Density Residential (13 to 25 dua)
West	GU; private school RU-4M; apartments	Low-Medium Density Residential (6 to 13 dua)

NEIGHBORHOOD COMPATIBILITY:

The 37.5-acre subject property is a vacant parcel that was previously developed as a trailer park, is surrounded by parcels developed with a school located to the west, a park located to the east and a religious facility located to the south of the property. Additionally, the subject property is surrounded by condominium apartment uses to the north and partially to the west and single-family residences and an existing retail shopping center use located to the south.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to develop the parcel in accordance with the proposed BU-2, Special Business District regulations along with the apartment building for the elderly. This will provide the community with additional access to retail uses and senior

residential units in this area. However, the proposed development of the retail and residential site could have traffic impacts on the surrounding institutional, residential and commercial developments in this area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

Staff notes that the 37.5-acre parcel that is designated for **Business and Office** use and was the subject of a Comprehensive Development Master Plan (CDMP) amendment which was adopted by the Board of County Commissioners (BCC) in May 2009, pursuant to Ordinance #09-28. The applicant at that time proffered a CDMP Declaration of Restrictions, recorded in Official Records Book 26955, Pages 0723 – 0732, which restricts the development of the commercial and personal services on the parcel to a maximum of 375,000 sq. ft. and that no less than 150 dwelling units designated for elderly housing as defined under the Fair Housing Act of 1959, along with ancillary and accessory uses as needed. Said covenant also restricted the types of uses, development height and the location of buildings on the site in relation to the existing residential developments located to the north and west of the subject parcel. The covenant also required the applicant to maintain a landscape buffer varying from 15' to 25' along the north and west property lines which will include a decorative wall or fence with openings for pedestrian traffic along the north property line and a 3' high earthen berm with a hedge and row of trees. Further, the Business and Office category *accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, entertainment and cultural facilities, amusements and commercial recreation.*

The applicant has proffered a zoning covenant with this application which maintains aforementioned restrictions from the CDMP amendment and will restrict the development to the submitted site plans. Since the approval of the application, subject to the acceptance of the covenant would maintain the restrictions of the development of the site based on the CDMP amendment and the CDMP covenant, staff opines that subject to the acceptance of the proffered zoning covenant, approval with conditions of the application will be **consistent** with the CDMP Land Use Element interpretative text for the **Business and Office** use.

ZONING ANALYSIS:

The applicant seeks approval of a request for a zone change from GU, Interim District, to BU-2, Special Business District (request #1). In addition, the application seeks to approve other requests (requests #2 through #6) for the development of the site under the BU2 zoning regulations which are contingent on the approval of the district boundary change.

When the applicant's request to rezone the 37.5-acre parcel to BU-2, Special Business District (request #1), is analyzed under Section 33-311, District Boundary Change, along with request #2, a Special Exception to permit a residential development for elderly housing and request #3, an Unusual Use to permit the filling of an existing lake are analyzed under Section 33-311(A)(3), Special Exception, Unusual and New Uses, staff opines that the approval of the requests would be **compatible** with the commercial, multi-family residential and institutional uses in the surrounding area.

Staff notes that based on the memorandum from the Public Works and Waste Management Department, the approval of request #1 to rezone the property to BU-2, request #2 to allow the development of residential housing for the elderly in conjunction with the commercial development and request #3 to permit the filling of the existing lake would efficiently use the

roads, streets and highways which have been constructed, planned or budgeted for in this area and further, would not result in excessive traffic. Their memorandum states that subject to conditions, the application meets the criteria for traffic concurrency for an Initial Development Order. Similarly, the memorandum from the Environmental Resources Division of the Permitting, Environmental and Regulatory Affairs Department, indicates that the approval of the aforementioned requests will not have an unfavorable impact on the environmental resources of the County. Specifically, its memorandum indicates that a review of the application for compliance with the requirements of Chapter 24 of the Code indicated that the Level of Service standards as specified in the CDMP for potable water supply, wastewater disposal and flood protection are valid for this initial development order. The Miami-Dade Fire Rescue Department (MDFRD) memorandum stated that the average travel time to the vicinity of the proposed development would be **5:22** minutes. According to its memorandum, this travel time complies with the performance objective of the national industry. As such, staff opines that approval of the aforementioned requests will not unduly burden the MDFRD resources that exists or that are budgeted or planned for in this area. In addition, staff notes that the proposed lakefill area will provide the applicant with additional area for development and a portion will be converted and kept as a water retention area for the site. Therefore, staff opines that the approval of the zone change in conjunction with the proposed elderly housing and the lakefill would not, based on the memoranda of the aforementioned departments, create an undue burden on traffic or the environmental resources nor would it create a hazard that would burden the resources of the MDFRD. However, staff notes that the Parks, Recreation and Open Spaces Department has conditioned its approval of this application on the redesign of an element of the site plan which would allow an accentuation of the entry from the site to the Ruben Dario Park which is located to the east of the development. Further, staff notes that the applicant has proffered a covenant that ties the development to the limits placed at the time of the CDMP amendment and will restrict the development to the proposed site plan. **Based on the aforementioned, staff recommends approval of request #1 under Section 33-311, District Boundary Change, subject to the acceptance of the proffered covenant and approval with conditions requests #2 and #3 under Section 33-311(A)(3), Special Exception, Unusual and New Uses.**

When request #4 to waive the requirement for a decorative wall where the business lot abuts AU, GU, RU or EU zoned property; and request #5 to waive the landscape regulations requiring a continuous buffer consisting of a 6' high wall, fence or hedge where dissimilar land uses exist on adjacent properties and to permit pedestrian openings in the wall and iron fence along the interior side (east) property line north of the retail buildings adjacent to public park located to the east; and request #6 to waive the restriction against the location of parking and drives for a business lot adjacent to a public park are analyzed under the Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval with conditions of these requests will maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with same. Staff notes that the proposed site is surrounded by multifamily residential units to the north and west as well as an existing park located to the east. Additionally, staff notes that the proposed development of the site with both a commercial and elderly housing component is unique. As such, staff opines that approval of requests #4 and #5 would allow convenient access for the customers and the elderly residents and their guests convenient pedestrian access to the park located to the east. Further, notwithstanding the objection and conditional approval of this request by the Parks, Recreation and Open Spaces Department (see addendum), staff is supportive of the applicant's request for the access drives along the interior side (east) property line which abuts the park (request #6). In staff's opinion the use of this driveway for delivery trucks will not have a negative noise impact on the

residential uses that are primarily located to the north and to the west of the subject parcel. Additionally, the parking areas that abut the park account for only approximately 0.07% of the 1,364 commercial parking spaces on the site and as such, would not have a major negative visual impact on same. **Staff nevertheless, recommends approval with conditions of requests #4 through #6, under the Section 33-311(A)(4)(b), Non-Use Variance standards.**

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate three (3) ingress/egress points along West Flagler Street, the easternmost one of which is an access drive for the delivery trucks. Additionally, the plans indicate an ingress/egress drive along the side (west) property line abutting NW 102 Avenue. These plans also indicate pedestrian walkways from NW 102 Avenue as well as from the public park abutting the property to the east. Staff further notes that the plans depict a proposed bus bay and shelter along the south property line abutting West Flagler Street. The applicant has also provided 174 more parking spaces than required for the commercial and residential developments.

NEIGHBORHOOD SERVICES PROVIDER REVIEW:

Aviation

The Miami-Dade County Aviation Department (MDAD) has no objections to this application. MDAD has determined that the proposed requests are compatible with operations from MDAD's system of airports.

Permitting, Environment and Regulatory Affairs (Environment Division)

The Department of Permitting, Environment and Regulatory Affairs (PERA) does not object to this application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County.

Its memorandum indicates that the property is located within the Miami-Dade Water and Sewer Department's water and sewer franchised service areas. The Surface Water Management General Permit from the Department will be required for the construction and operation of the surface water management system and must be obtained prior to platting and/or site development. Its memorandum further indicates that the applicant is required to comply with the tree permitting requirements and must meet the standards of Section 24.49.2(II) of the Code that includes the submittal of a tree survey. PERA has conducted a concurrency review for this application and has determined it meets all applicable level of service standards for an initial development order as specified in the adopted CDMP for potable water supply, wastewater disposal and flood protection. The subject properties do not contain any jurisdictional wetlands.

Miami-Dade Fire Rescue

The Miami-Dade Fire Rescue Department (MDFR) has no objections to this application.

Its memorandum indicates that the proposed development could generate approximately 144 fire and rescue calls annually. The department states that the estimated number of alarms would result in a minimal impact to the existing fire and rescue service and current stations serving the area will be able to handle the additional number of alarms. The average travel time to the vicinity of the proposed development is 5:22 minutes (based on 2010 data). Travel time to the vicinity of the proposed development complies with the national performance objective.

Parks, Recreation and Open Spaces

The Miami-Dade Parks, Recreation and Open Spaces Department (MDPROS) objects to the request to permit parking and drives abutting the Ruben Dario Park that is immediately east of the site. However, its memorandum states that if this variance is approved, the Department is requesting that a condition for approval is that the applicant provides architectural elements such as an arbor over the proposed pedestrian walkway connecting the development to the Ruben Dario Park.

Public Works and Waste Management Department (Traffic Engineering Division)

The Public Works and Waste Management Department, Traffic Division (TED) does not object to this application.

Its memorandum indicates that the application meets the criteria for traffic concurrency for an Initial Development Order. The memorandum further indicates that no vehicle trips have been assigned for this application and that additional traffic concurrency reviews will be required at a future stage of the development.

Water and Sewer Department

The Miami-Dade County Water and Sewer Department (MDWASD) has no objections to this application. Public water mains and sanitary sewers exist throughout the area.

OTHER: Not applicable.

RECOMMENDATION:

Approval of request #1, subject to the Board's acceptance of the proffered covenant and approval with conditions of requests #2 through #6.

CONDITIONS FOR APPROVAL (For requests #2 through #6 only):

1. That a site plan be submitted to and meet with the approval of the Director of the Permitting, Environment and Regulatory Affairs Department or its successor Department upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Fontainebleau Square" as prepared by CPH Engineers, Surveyors, Architects and Planners, "Enlarged Floor Plans & Exterior Elevations", prepared by Lawrence S. Levinson, Fontainebleau Square- Master Development", prepared by Humphreys and Partners Architects, L.P., "Landscape Plan Fontainebleau Square", prepared by Architectural Alliance, all dated stamped received 4/18/12, consisting of 25 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant provide a 23' X 6' foot concrete pad along the south property line (West Flagler Street) for the enhanced bus station.

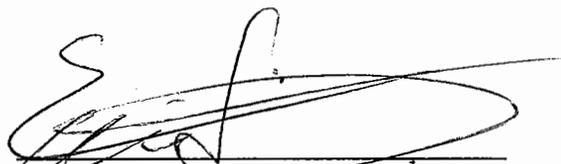
5. That the owners shall set aside and maintain as a landscaped area, the west twenty-five (25) feet and the northern fifteen (15) feet, where the property abuts residential uses as a landscaped buffer.
6. Prohibited Uses: The following uses shall be prohibited on the Property:
 - a) Private clubs, as defined in Section 33-247(35) of the Code
 - b) Nightclubs. As defined in Section 33-253(6) of the Code
 - c) No portion of the premises within any building on the Property may be used for the display, sale or rental of videotapes, printed matter, pictures, films, graphic or any materials which activities require the exclusion of minors pursuant to Chapter 847, Florida Statutes
 - d) Donated goods center
 - e) Automobile light truck sales
 - f) Billiard and pool rooms
 - g) Motorcycle sales and repairs
 - h) Open air theatre
 - i) Skating rinks
 - j) Rental trucks
7. That no portion of the property subject to the approved excavation fill plan and permit shall be transferred without the approval of the Director, unless the filling of the subject excavation has been completed in accordance with the excavation fill plan and permit for the fill project and unless the bond has been released.
8. That no fill be permitted within the adjacent rights-of-way.
9. That if in the opinion of the Director the lakefill is hazardous to the surrounding area, the hazardous area shall be fenced in, or otherwise protected, by the applicants as directed by the Director.
10. That the applicant shall obtain all permits required by this Code and comply with all permit requirements and all applicable conditions of the Environmental Resources Division of the Permitting, Environment and Regulatory Affairs Department or its successor Department as well as the Public Works and Waste Management Department for the duration of the fill project
11. That only such clean fill material as allowed by Chapter 24 of this Code and approved in writing by the Environmental resources Division of the Permitting, Environment and Regulatory Affairs Department or its successor Department, as set forth herein, shall be used in the fill project.
12. That in order to insure compliance with all terms and conditions imposed, a cash bond or substantially equivalent instrument meeting with the approval of the Director shall be posted with the Permitting Environment and Regulatory Affairs Department or its successor Department, payable to Miami-Dade County, in an amount as may be determined and established by the Director of the Department of Permitting, Environment and Regulatory Affairs; said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County and said instrument shall be executed by the property owner and any and all parties who may have an interest in the

land, such as mortgagees, etc. The bond amount shall be based on the volume of cut required to create the approved slope configuration.

13. That any unacceptable fill material shall be stored in containers; shall not be permitted to remain on the project site for more than thirty (30) days; and shall not exceed a volume of forty (40) cubic yards.
14. That neither the clean fill material piles, nor the unacceptable fill material piles, nor the piles awaiting sorting shall be permitted to exceed a height of 10 feet above the applicable flood elevations for the property.
15. That the fill project shall meet all storm water management requirements of the Code of Miami-Dade County and the filled excavation or portion of excavation filled shall not exceed the applicable flood elevations for the property.
16. That if the fill project is discontinued, abandoned, falls behind schedule or time expires under the permit, the remaining excavation shall immediately be sloped to conform with the previously approved excavation plans and all equipment and concomitant uses shall be removed from the premises, unless an application to extend the time is filed with the Department prior to expiration of the approval and provided that good cause is demonstrated as to the delay in completing the filling of the excavation. In no event shall such extension allow the fill project to continue beyond three (3) years after issuance of permit.
17. That the property shall be suitably posted to meet with the approval of the Director; said posting shall denote the fill project and shall warn the public concerning the possible hazards prior to commencement and for the duration of the fill project.
18. That the property shall be staked to meet with the approval of the Director of the Permitting Environment and Regulatory Affairs Department or its successor Department; said stakes shall be maintained in proper position so that the limits of the lake fill, slopes and grade levels may be easily determined.
19. That all Federal, State and local permits be obtained prior to commencement of the lake fill. In the event that any Federal, State or local permit is revoked or otherwise held to be invalid, the lake fill operation shall immediately cease.
20. That the deadline date for the completion of the fill project, including final closure and completion of all tasks set forth in the approved plans and permit shall be determined by the Director and established in the permit. All authorized work shall be carried on continuously and expeditiously so that the filling will be completed within the allocated time, but in no event for any more than three (3) years from issuance of the CU permit;
21. That upon completion of the project, the property shall be restored and left in an acceptable condition meeting with the approval of the Director of the Permitting, Environment and Regulatory Affairs Department or its successor Department.
22. That the hours of the lakefill operation shall be controlled by the Director.

23. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project develops and the lakefill operation progresses. In accordance with this requirement, the applicants shall submit "as built" surveys prepared and sealed by a Florida licensed surveyor and/or professional engineer at one-fourth, one-half, three-fourths and final completion of the lake fill operation or at six-month intervals, whichever is of a lesser duration, or upon request of either the Environmental Resources Division of the Permitting, Environment and Regulatory Affairs Department or its successor Department when it appears that the lake fill is proceeding contrary to approved plans.
24. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda that are part of the record of the May 23, 2012, DIC recommendation and are incorporated herein by reference.
25. That any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the conditions herein agreed to are being complied with.

ES:MW::GR:NN:JV:CH



Eric Silva, AICP, Assistant Director
Zoning and Community Design
Miami-Dade County Sustainability,
Planning and Economic Enhancement Department
Permitting, Environment and Regulatory Affairs Department

ZONING RECOMMENDATION ADDENDUM
HISTORY
MOTION SLIPS*
DEPARTMENT MEMORANDA
DISCLOSURE OF INTEREST*
HEARING PLANS*
MAPS

*If applicable

ZONING RECOMMENDATION ADDENDUM

Blue Lake Development, Corp.
Z12-038

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
PERA	No objection*
Public Works and Waste Management	No objection*
Parks	Objects to request #4 only
MDT	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection
*Subject to conditions in their memorandum.	

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

Business and Office (Pg. I-41)	<i>This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.</i>
Objective LU-4 (Pg. I-11)	<i>Miami-Dade County shall, by the year 2015, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.</i>
Land use Policy LU-4D (Pg. I-11)	<i>Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the complementary elements and buffer any potentially incompatible elements.</i>

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311 District Boundary Change	<i>(A) The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i>
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ZONING RECOMMENDATION ADDENDUM

Blue Lake Development, Corp.
Z12-038

	<p>(F) Section 33-311 provides that the Board shall take into consideration, among other factors the extent to which:</p> <ol style="list-style-type: none"> (1) 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.
<p>Section 33-311(A)(3) Special Exception, Unusual and New Uses.</p>	<p><i>Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.</i></p>
<p>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.</p>	<p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i></p>

2. BLUE LAKE DEVELOPMENT, CORP
(Applicant)

12-7-CZ10-2 (12-038)
Area 10/District 10
Hearing Date: 07/24/12

Property Owner (if different from applicant) **Roger Saenz & Valesca Saenz.**

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>
1957	M.C. Tidwell	- Special Exception for expansion of a trailer park.	BCC	Approved with Condition(s)
1958	James G. Pace and M.C. Tidwell	- Special Exception for expansion of a trailer park.	BCC	Approved with Condition(s)
1968	Director, Dade County Building and Zoning Department	- Special Exception modification Deletion of conditions.	ZAB	Approved
1973	Director, Dade County Building and Zoning Department	- Zone change from IU-2 to GL.	BCC	Approved
1981	Blue Lake Develop. Corp.	- Special Exception requesting site plan approval & expansion of existing mobile home park onto adjacent property.	ZAB	Approved with Condition(s)

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

Date: April 2, 2012

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

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

Subject: DIC No. Z2012000038
Blue Lake Development Corp.
Northeast corner of Flagler Street and SW 102nd Avenue
District Boundary Change from GU to BU-2, Special Exception to
Permit a Residential Development, to Wit: Housing for the Elderly
and Unusual Use to Permit the Filling of an Existing Lake
(GU) (37.15 Acres)
05-54-40

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

Potable Water Supply

The subject property is located within the Miami-Dade Water and Sewer Department (MDWASD) water franchised service area. Public water serves the site in the form of an 8-inch distribution main located within the property.

The source for this water supply is MDWASD's Hialeah-Preston Water Treatment Plant. This plant has sufficient capacity to provide current water demand. The plant is presently producing water that meets Federal, State, and County drinking water standards.

Wastewater Disposal

The subject property is located within MDWASD sanitary sewer franchised service area. Public sanitary sewers abut the site along West Flagler Street in the form of a 42-inch force main; additionally, a 24-inch force main partially abuts the site along N. W. 102nd Avenue.

The wastewater flow is directed into pump station 30-0187, and then, the Central District Wastewater Treatment Plant. The aforementioned sanitary sewer pump stations as well as the Central District Wastewater Treatment Plant are owned and operated by Miami Dade Water and Sewer Department. The aforesaid force main and pump stations, are currently working within the mandated criteria set forth in the First and Second Partial Consent Decree At this time the Central District Wastewater Treatment Plant has sufficient capacity to treat current discharge.

Connection of the proposed development to the public sanitary sewer system shall be required in accordance with Code requirements. Civil drawings for the required sewer main extension will need to be approved by MDWASD and the Department's Water and Wastewater Engineering Section prior to approval of final development orders.

Stormwater Management

A Surface Water Management General Permit from the Department shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to platting and/or site development, or public works approval of paving and drainage plans. The applicant is advised to contact the Water Control Section for further information regarding permitting procedures and requirements.

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage must be provided for the 5-year/1-day storm event. The proposed retention area must comply with the water quality requirement.

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

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

Wetlands

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

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

Tree Preservation

A review of this Department's records revealed that a site inspection performed on June 24, 2008 documented specimen-sized trees (trunk diameter 18 inches or greater) as well as prohibited trees on this site. According to the site plan submitted with this zoning application, specimen-sized trees may be impacted. Section 24-49.2(II) of the Code requires that specimen-sized trees be preserved whenever reasonably possible. As such, this Program recommends approval of this application with the condition that a Miami Dade Tree Removal/Relocation Permit is duly obtained prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of Chapter 24 of the Code. Said Tree Removal/Relocation Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code. Please be advised that if this condition cannot be met prior to development orders, this zoning application would have to be resubmitted for review.

The applicant is required to comply with the above tree permitting requirements. Approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application. Also note that the applicant must meet the standards of Section 24.49.2(II) of the Code that includes the submittal of a tree survey with the trees numbered, indicating the tree species, diameter at breast height, location of all trees and one of the following:

1. A revised site plan that indicates the preservation of all specimen-sized trees at their current location, or

2. Comply with all specimen-sized tree removal standards set forth in Section 24-49.2(II) of the Code.

The applicant is advised to contact the Tree Permitting Program at 305-372-6600, voice option #2, for additional information regarding tree permitting procedures and requirements prior to site development.

Enforcement History

The subject property has one (1) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information.

Concurrency Review Summary

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

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

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

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

cc: Eric Silva, Sustainability, Planning and Economic Enhancement
Jorge Vital, Sustainability, Planning and Economic Enhancement

Memorandum



Date: March 12, 2012

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

From: William W. Bryson, Fire Chief
Miami-Dade Fire Rescue Department *William Bryson*

Subject: DIC 2012000038 – Blue Lake Development Corporation
Located on the northeast corner of West Flagler Street and NW 102nd Avenue, Miami-Dade County, FL

According to the letter of intent dated February 22, 2012, the applicant is seeking a district boundary change from GU (Interim District) to BU-2 (Special Business District), along with a special exception to permit site plan approval of a mixed-use development consisting of a retail center and housing for the elderly, an unusual use to permit the filling of an existing lake, including non-use variance requests of zoning regulations.

SERVICE IMPACT/DEMAND

- (A) Based on development information, this project is expected to generate approximately **144** fire and rescue alarms annually. The estimated number of alarms results in a moderate impact to existing fire and rescue service. However, existing fire and rescue stations will be able to absorb the additional number of alarms.
- (B) Based on data retrieved during calendar year 2011, the average travel time to the vicinity of the proposed development was **5:22 minutes**. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8-minutes at 90% of all incidents. Travel time to the vicinity of the proposed development complies with the performance objective of national industry.
- (C) A suspected fire within this project would be designated as a building dispatch assignment. Such an assignment requires three (3) suppressions or engines, telesquirts or tankers, one (1) aerial, one (1) rescue and an accompanying command vehicle. This assignment requires twenty (20) firefighters and officers.

EXISTING SERVICES

STATION	ADDRESS	EQUIPMENT	STAFF
29	351 SW 107 Avenue	Rescue, Aerial, Squad	9
48	8825 NW 18 Terrace	Rescue, Engine, Battalion	8
47	9361 SW 24 Street	Rescue, Engine	7
40	975 SW 62 Avenue	Rescue, Engine	7

SITE PLAN REVIEW:

- (A) Fire Engineering & Water Supply Bureau reviewed and approved the site plan entitled 'Fontainebleau Square' as prepared by CPH Architects, dated stamp received February 22, 2012.
- (B) This plan has been reviewed to assure compliance with the MDR Access Road Requirements for DIC applications. Please be advised that during the platting and permitting stages of this project, the proffered site plan must be reviewed by the Fire Water & Engineering Bureau to assure compliance with the Florida Fire Prevention Code (FFPC) and National Fire Protection Association (NFPA) standards.

For additional information, please contact Mr. Carlos Heredia, Planning Section Supervisor at 786-331-4544.

/ch

Memorandum



Date: May 7, 2012

To: Jorge Vital
DIC Coordinator
Zoning and Community Design, SPEE

From: 
Antonio Cotarelo, P.E.
Interim County Engineer
PWWM

Subject: DIC 12-038
Name: Blue Lake Development Corporation
Sec.5 Twp.54 Rge 40

I. MAJOR EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION

West Flagler Street is a major arterial; NW/SW 97 and 107 Avenues are Section Line roadways; NW/SW 102 Avenue is a Half Section Line roadway.

II. CONCURRENCY REVIEW ON EXISTING ROADWAYS: Trip Generated by this Development 1,072 PM Peak Hour

- A. Station F-1218 located on NW 107 Avenue north of NW 7 Street, has a maximum LOS E of 5,150 vehicles during the PM Peak Hour. This station has a current Peak Hour Period (PHP) of 4,254 vehicles, and an additional 96 vehicles have been assigned to this section of the roadway from previously approved Development Orders. Furthermore, Station F-1218 with its 4,350 PHP and assigned vehicles is operated at LOS D. As a result, the 175 vehicle trips generated by this development at this station, combined with the existing PHP, will cause this segment to retain at a LOS D.
- B. Station F-2580 located on SW 107 Avenue south of West Flagler Street, has a maximum LOS E of 3,100 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2,805 vehicles, and 30 vehicles have been assigned to this section of roadway from previously approved Development Orders. Station F-2580 with its 2,835 PHP and assigned vehicles is operated at LOS E. The 127 vehicles generated by this development when combined with the existing PHP will cause this segment to retain at a LOS E.
- C. Station 9156 located on West Flagler Street west of NW 97 Avenue, has a maximum LOS EE of 6,300 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 3,015 vehicles, and 38 vehicles have been assigned to this section of roadway from previously approved Development Orders. Station 9156 with its 3,053 PHP and assigned vehicles is operated at LOS C. The 673 vehicles generated by this development when combined with the existing PHP will cause this segment to retain at a LOS C.

- D. Station 9158 located on West Flagler Street west of NW 107 Avenue, has a maximum LOS EE of 5,868 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2,447 vehicles and 6 vehicles have been assigned to this section of roadway from previously approved Development Orders. Station 9158 with its 2,453 PHP and assigned vehicles is operated at LOS D. The 97 vehicles generated by this development when combined with the existing PHP will cause this segment to retain at a LOS D.

III. TRAFFIC IMPACT STUDY COMMENTS

All the improvements should comply with the criteria set by the "Florida Green Book". In order to improve vehicular traffic operations and safer pedestrian experience, the following is strongly recommended.

- A. The following proposed improvements shown in the site plan in Attachment 1, are expected to provide improved traffic operation along the adjacent roadways:
 - 1. Exclusive westbound right-turn lane at the main driveway along Flagler Street.
 - 2. Easement or dedication is required for bus bay along Flagler Street.
 - 3. Improved left-turn storages at project driveways along Flagler Street.
- B. The West Flagler Street and 102 Avenue intersection has been identified as one of the critical locations for pedestrians and the proposed project is expected to increase pedestrian traffic significantly. Therefore, it is highly recommended that this intersection be evaluated for pedestrian improvements such as:
 - 1. Provide ADA ramps at all corners of the intersection.
 - 2. Provide countdown pedestrian signal heads at all corners of the intersection.
 - 3. Evaluate extension of median separators along West Flagler Street at east and west legs to enhance pedestrian safety.
- C. In order to enhance traffic operation at West Flagler Street and 102 Avenue, existing span wire signal should be converted to a mast arm signal.

IV. SITE PLAN CRITIQUE

The following details need to be evaluated:

- 1. 90° Handicap Parking and Sign are not compliant, use FDOT 2010 Design Standards Index no. 17346, Sheet 12.
- 2. For 45° parking space dimensions, use FDOT 2010 Design Standards Index no. 17346, Sheet 12.
- 3. The westbound truck path should not encroach on the southbound through traffic at the driveway.
- 4. Pedestrian crosswalks to be constructed at the entrances/exits at NW 102 Avenue and West Flagler Street.
- 5. The correction of the above mentioned details and minor errors shall be accomplished during the Paving and Drainage plan review process.

V. STANDARD CONDITIONS THAT APPLY TO THIS DEVELOPMENT

- A. The following certification signed and sealed by a State of Florida registered engineer shall be provided in a letter or plan submitted before T-Plat is approved:
"I hereby certify that the all of the roads for the subject project comply with all of the applicable portions of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Green Book) regarding: design speed, lane widths, horizontal alignment, vertical alignment, stopping sight distance, intersection sight distance, horizontal/clear zone clearance, vertical clearance, super elevation, shoulder widths, grades, bridge widths, etc."
- B. Street lights and other right-of-way improvements are required per Public Works and Waste Management (PWWM) Standards.
- C. Provide appropriate radii to allow for large vehicles from Fire Rescue Department, Public Works and Waste Management Department and school buses from Miami-Dade County Public Schools.
- D. Driveways shall be no less than twenty two feet (22') in width and shall be resilient enough for large vehicles.
- E. All landscaping, walls, fences, entrance features, etc., will be subject to the Safe Sight Distance as per Section 33-11 of the Miami-Dade County Code; G5.3 of the PWWM Manual; and Index 546, FDOT Design Standards for Design Construction, Maintenance and Utility Operations on the State Highway System.
- F. Entrance features are not reviewed and/or approved under this application. They must be submitted to the Plat Committee as an entrance feature application.
- G. All traffic signing, markings and signal plans, on site and offsite, shall be submitted to the PWWM for Paving and Drainage review and approval. Any signing and/or striping submitted in site plan is not reviewed or approved at this time.

VI. SUMMARY

This application meets the criteria for traffic concurrency for an Initial Development Order. No vehicle trips have been reserved by this application. Additional traffic concurrency reviews will be required at a future stage of development. Recommendations resulted from the traffic impact study review are required to be implemented by the applicant. This project will require payment of Road Impact Fees (RIF) at the time of building permits are sought.

cc: Joan Shen, Ph.D., P.E., PTOE, Interim Chief, Traffic Engineering Division, PWWM
Jeff Cohen, P.E., Assistant Chief, Traffic Engineering Division, PWWM
Armando E. Hernandez, Special Administrator, Traffic Concurrency Coordinator, PWWM
Muhammad Khan, P.E., PTOE, PTP, Traffic Engineering Division, PWWM

Memorandum



Date: April 24, 2012

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

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

Subject: Z2012000038: BLUE LAKE DEVELOPMENT, CORP

Application Name: BLUE LAKE DEVELOPMENT, CORP

Project Location: The site is located at the northeast corner of FLAGLER ST & NW 102 AVE, Miami-Dade County.

Proposed Development: The applicant is requesting a district boundary change from GU to BU2, a special exception to permit residential units; and non-use variances, including a variance of the zoning regulations as they pertain to a business adjacent to a public park where neither a driveway or parking area shall be located between the structure and the public park.

Impact and demand: The site consists of approximately 37.15 net acres. The application proposes a mixed-use development including 155 residential units of elderly housing; 337,021 SF of retail and 3,970 SF bank use. When measured by the County concurrency level-of-services standard for the unincorporated area of 2.75 acres of local recreation open space for 1,000 persons, the 155 dwelling units would generate the need for approximately 1.07 acres of local parks.

Recreation and Open Space Element policies ROS-2a (i); (ii); (iii); (iv); and (v) provide for the establishment of Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space. This application is in Park Benefit District 1 (PBD1) which has a surplus capacity of 407.20 acres when measured by the County concurrency level-of-services standard for the unincorporated area of 2.75 acres of local recreation open space for 1,000 persons in UMSA. There is a need to supplement the local park inventory on the neighborhood level, however. Parks, Recreation and Open Spaces Department (PROS) is currently working to determine the opportunities to increase the inventory of local park acreage in this area.

Immediately east of the application site is Ruben Darío Park. The site plan for this zoning shows residential parking and retail delivery services areas along the east boundary. A buffer with a 6 foot wall and landscaping is located along this boundary. A pedestrian access point in the northeast corner connecting the park with the proposed mixed-use project is provided.

As stated above, the applicant is requesting a variance of the zoning regulations as they pertain to a business adjacent to a public park where neither a driveway or parking area shall be located between the structure and the public park. PROS objects to the variance request. Planned uses within the proposed site plan should be oriented so that the residential and retail uses would front directly on the park and not be separated by a driveway or parking. The 2007 Miami-Dade County Parks and Open Space System Master Plan (OSMP) recommends the creation of an interconnected framework of parks, public spaces, natural and cultural areas, greenways, trails, and streets that promote sustainable communities, the health and wellness of County residents, and that serve the diverse local, national, and international communities. The future development plans of the application area should be developed to be consistent with this objective.

If the variance is granted it is recommended that the conditions requiring the site plan be re-designed to take better advantage of the site's adjacency to the park by providing architectural elements such as arbors over the proposed pedestrian walkway to accentuate the park entry. It is requested that the concrete block wall be finished on the park side. North of the retail buildings regular intervals of sections of iron fencing should be incorporated into the wall in order to break up the visual mass of the concrete wall and allow views into the park. This will increase the opportunities for "eyes on the park" from the viewpoint of pedestrians in the retail parking and residential areas.

Current Park Benefit District Area Conditions: County-owned local parks that are within two miles of the subject application are described in Table A which lists the name, type and acreage for each park.

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

Park Facility	Classification	Acreage
Rockway Park	COMMUNITY PARK	5.01
Tamiami Canal Park	NEIGHBORHOOD PARK	1.52
The Womens Park	SINGLE PURPOSE PARK	15.16
Francisco Human Rights Park	MINI-PARK	2.88
Ruben Dario Park	COMMUNITY PARK	14.97
Westbrook Park	NEIGHBORHOOD PARK	2.10
Coral Estates Park	COMMUNITY PARK	5.26

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

MN:jb

Cc: John M. Bowers, Parks Property Section Supervisor

Memorandum



DATE: April 23, 2012

TO: Jorge Vital
DIC Coordinator
Permitting, Environment and Regulatory Affairs

FROM: Nilia Cartaya *Nilia Cartaya*
Principal Planner
Miami-Dade Transit - Engineering, Planning & Development Division

SUBJECT: Review of DIC Project No. 12-038 (Blue Lake Development, Corp.)
MDT Project No. OSP006
FSC No. 41.04

Project Description

12-085 – Blue Lake Development, Corp. is requesting a district boundary change from GU (Interim District) to BU-2 (Special Business District), a special exception to permit site plan approval of a mixed-use development consisting of a retail center and housing for the elderly, an unusual use to permit the filling of an existing lake and several other non-use variances. The subject property is approximately 37.15 acres and is located on the northeast corner of West Flagler Street and NW 102 Avenue, Miami-Dade County, Florida.

Current Transit Service

There is transit service along West Flagler Street, provided by Routes 11 and 51 (Flagler MAX). The alignment for these routes is illustrated on the attached maps. The service headways for these routes (in minutes) are as follows:

Metrobus Route Service Summary
Blue Lake Development, Corp. Application Site

Route(s)	Service Headways (in minutes)						Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8pm)	Overnight	Saturday	Sunday		
11	16	24	40	60	24	30	0	L
51 (Flagler MAX)	15	30	30	n/a	n/a	n/a	0	L/F/E

Notes: L means Metrobus local route service
F means Metrobus feeder service to Metrorail
E means Express or Limited-Stop Metrobus service

November 2011 Line Up

Future Transportation/Transit Improvements

The 2012 Transportation Improvement Program (TIP) does not list any improvements within the immediate vicinity of the site.

The 2035 Long Range Transportation Plan (LRTP) does not list any improvements within the immediate vicinity of the site.

The draft 2012 ten-year Transit Development Plan (TDP) which is currently in the review/approval phase before adoption by the Board of County Commissioners identifies in its 2022 Recommended Service Plan the following improvements/adjustments on the existing routes serving the vicinity of the project:

Route	Improvement/Adjustment
11	No planned improvements.
51 (Flagler MAX)	Route to be converted to the Flagler Enhanced Bus and extended to the future transit terminal located at SW 8 Street and SW 147 Avenue

MDT Comments/Recommendations

Routes 11 and 51 (Flagler MAX) run along West Flagler Street adjacent to the proposed development. Miami-Dade Transit (MDT) Metrobus Routes 11 and 51 (Flagler MAX) currently provide bus service with a 30 minute or better AM/PM peak-hour headways. Therefore, this application meets the adopted mass transit level of service standards as prescribed by Policy MT-1A of the Mass Transit Sub-element of the Comprehensive Development Master Plan (CDMP).

The submitted plans for the subject site include a mixed-used development consisting of retail and housing for the elderly. As previously mentioned, the draft 2012 ten-year Transit Development Plan (TDP) which is currently in the review/approval phase before adoption by the Board of County Commissioners identifies in its 2022 Recommended Service Plan the conversion of the existing Route 51 (Flagler MAX) to the Flagler Enhanced Bus Service.

MDT is actively pursuing implementation of the Flagler Enhanced Bus which will run adjacent to the subject site along West Flagler Street and will provide premium transit service from MDT's proposed West Miami-Dade/SW 8 Street Park-and-Ride/Transit Terminal to the Government Center Metrorail Station in Downtown Miami (see attached map for route alignment). This service will also connect the new Marlins Ballpark along NW 7 Street as well as serve the Miami-Dade College Wolfson Campus, American Airlines Arena, the Metropolitan Hospital and the Magic City Casino. This enhanced bus project will feature specially-branded diesel/electric hybrid buses as well as strategic park and ride locations.

As illustrated on the attached map, the Flagler Enhanced Bus will feature a stop at NW 102 Avenue. Bus stops or stations will be spaced approximately every mile along the service route. MDT opines that an enhanced bus station at this location is a critical component of the Flagler Enhanced Bus service that will provide both the elderly residents of this mixed-use development and the transit patrons of this premium route with enhanced passenger amenities. **MDT has no objections to this application subject to the following conditions:**

1. That the applicant design and construct a bus pull-out bay along West Flagler Street in accordance with the attached schematic entitled "Plan Concrete Slab Option" for bus pull-out bay dimensions.
2. That the applicant reserve a 15' X 23' foot print along the south property line (West Flagler Street) for the enhanced bus station and that said foot print be illustrated on the site plans at time of permitting.

Based on the information presented, MDT has no objections to this project.

Concurrency

This project has been reviewed by MDT for mass transit concurrency and was found to be concurrent with the mass transit level-of-service standards established for Miami-Dade County.

Memorandum



Date: April 27, 2012

To: Jack Osterholt, Deputy Mayor/Director
Sustainability, Planning and Economic Enhancement (SPEE)

From: Maria A. Valdes, Chief, LEED® Green Associate
Comprehensive Planning & Water Supply Certification Section

Subject: Blue Lake Development Corporation
DIC Application # Z2012000038 (REVISION # 1)

Below, please find the Miami-Dade Water and Sewer Department's (MDWASD) comments for the subject project.

Application Name: Blue Lake Development Corporation

Proposed Development: The applicant is requesting a district boundary change from GU (Interim District) to BU-2 (Special Business District), a special exception to permit site plan approval of a mixed-use development consisting of a retail center and housing for the elderly plus an unusual use to permit the filling-in of an existing lake excavation and certain non-use variances. As per the revised Letter of Intent dated April 18, 2012, the square footage of the proposed retail development increased by 2,500 square feet. The development will consist of 339,521 square feet (sq.ft.) of Retail, 3,970 sq.ft. for a Bank and 155 units for elderly housing (apartments). The total water demand for this development will be 57,401gpd.

Project Location: The subject property is located on the northeast corner of West Flagler Street and N.W. 102nd Avenue, in unincorporated Miami-Dade County.

Water: The subject project is located within MDWASD's service area. The nearest point of connection for water is an existing 16-inch water main abutting the property on West Flagler Street, from which the developer shall connect the developer's property. Any public water main extension within the property shall be twelve (12)-inch minimum diameter. If two or more fire hydrants are to be connected to a public water main extension within the property, then the water system shall be looped with two (2) points of connection. Please note that final points of connections will be issued at the time the applicant request connection to the potable water system infrastructure. The source of water for this project is the Alexander Orr Water treatment Plant. Please note that the water comments provided herein address CDMP policies WS-1A, WS-1B and WS-2A.

Additionally, effective January 11, 2011, MDWASD implemented a Water Supply Certification (WSC) Program to assure adequate water supply is available to all water users of the MDWASD as required by Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the MDWASD's 20-year Water Use Permit. Please note that a WSC will be required for this project. The certification letter will be issued at the time an Agreement, Verification Form or Ordinance Letter is offered or during the Plat process prior to the final Development Order.

MDWASD will be the utility providing water services subject to the following conditions:

- Adequate transmission and Plant capacity exist at the time of the applicant's request.
- Adequate water supply is available prior to issuance of a building permit or its functional equivalent.

- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Sewer: The subject project is located within MDWASD's service area. There are three 8-inch sanitary sewer gravity lines within close proximity that may serve as points of connection for sewer service for the subject development. The first point of connection is located 320 feet south of West Flagler Street along SW 99th Avenue, the second is located 250 feet south of West Flagler Street along SW 102nd Avenue and the third point of connection is located at W. Park Avenue and W. Park Drive, from either of which the developer may connect provided that there is sufficient depth and that there are no obstacles which would preclude construction of the sewer. Please note that final points of connection will be issued at the time the applicant request connection to the sanitary sewer infrastructure. The Central District Wastewater Treatment Plant (WWTP) is the facility for treatment and disposal of the wastewater. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection. MDWASD will be the utility providing sewer services subject to the following conditions:

- Adequate transmission and plant capacity exist at the time of the owner's request consistent with policy WS-2A(2) of the CDMP. Capacity evaluations of the plant for average flow and peak flows will be required, depending on the compliance status of the United States Environmental Protection Agency (USEPA) Second and Final Partial Consent Decree.
- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Pump Station : 0120	Pump Station : 0121	Pump Station : 0129
Projected NAPOT: 5.82 hrs.	Projected NAPOT: 8.27 hrs.	Projected NAPOT : 6.77 hrs.

Water Conservation: All future development for the subject area will be required to comply with water use efficiency techniques for indoor water use in accordance with Section 8-31, 32-84 and 8A-381 of the Code of Miami-Dade County. In addition, the future development will be required to comply with the landscape standards in sections 18-A and 18-B of Miami-Dade County Code.

For more information about our Water Conservation Program please go to
<http://www.miamidade.gov/conservation/home.asp>.

For information concerning the Water-Use Efficiency Standards Manual please go to
http://www.miamidade.gov/conservation/library/WUE_standards_manual_final.pdf

Should you have any questions, please call me at (786) 552-8198 or Alfredo B. Sanchez at (786) 552-8237.

Memorandum



Date: May 7, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

From:  Christopher Rose
Assistant Director, Administration
Public Works and Waste Management Department

Subject: DIC # Z12-038
Blue Lake Development Corporation

Attached please find a copy of this Department's review of the above-referenced item. The review was created as requested to update a previous response dated March 15, 2012. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie, Division Director, Planning and Intergovernmental Affairs at 305-514-6661.

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW #Z12-038
Blue Lake Development Corporation

Application: *Blue Lake Development Corporation* is requesting a district boundary change from GU (Interim District) to BU-2 (Special Business District), a special exemption to permit site plan approval of a mixed use development consisting of a retail center and housing for the elderly, an unusual use permit to fill an existing lake excavation, and certain non-use variances regarding the development of a decorative masonry wall and provisions regarding business adjacent to a public park.

Size: The subject property is 37.15 acres.

Location: The subject property is generally located at the northeast corner of Flagler Street and SW 102nd Avenue in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

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

2. Garbage and Trash Collection Services

The Public Works and Waste Management Department (PWWM) maintains the response provided via memo dated March 15, 2012, as the current revisions to the application does not affect the waste management service provided.

The mixed use development consisting of a retail center and housing for the elderly, will likely be considered a "commercial unit", and "multi-family residential unit," respectively. Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial and multi-family developments located in unincorporated Miami-Dade County:

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at PWWM facilities.

3. Recycling: Multifamily Units

Regarding **multi-family units**, **Section 15-2.2a** requires "every multi-family residential establishment shall provide for a recycling program which shall be serviced by a permitted hauler or the appropriate governmental agency and shall include, at a minimum, the five (5) materials listed in Section 15-2.2 below."

- 1) Newspaper
- 2) Glass (flint, emerald, amber)
- 3) Aluminum cans
- 4) Steel cans
- 5) Plastics (PETE, HDPE-natural, HDPE-colored)

Section 15-2.2b states the failure of a multi-family residential establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner(s) shall be liable, provided, however, that in the case of a condominium or cooperative apartment having a condominium association or cooperative apartment association, said association, rather than individual unit owners, shall be liable for any such violation.

Applicants are **strongly** advised to incorporate adequate space and facilities in their building plans to accommodate the required recycling program. Requests for approval of modified recycling programs must be made directly to the Department at 305 514-6666.

4. Recycling: Commercial Establishments

The following language from **Section 15-2.3a** requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

- | | |
|----------------------------------|--|
| 1) High grade office paper | 6) Steel (cans, scrap) |
| 2) Mixed paper | 7) other metals/scrap production materials |
| 3) Corrugated cardboard | 8) Plastics (PETE, HDPE-natural, HDPE-colored) |
| 4) Glass (flint, emerald, amber) | 9) Textiles |
| 5) Aluminum (cans, scrap) | 10) Wood |

Section 15-2.3 states the failure of a commercial establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner and the owner(s) and operator(s) of the commercial establishment shall be jointly and severally liable.

5. Waste Storage/Setout Considerations

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

6. Site Circulation Considerations

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

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

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

Memorandum

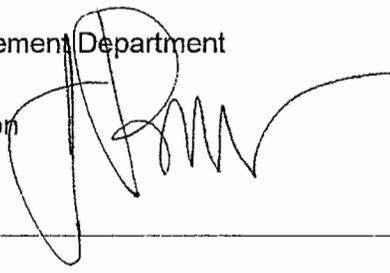


Date: March 14, 2012

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

From: José A. Ramos, R.A., Division Director
Aviation Planning, Land-Use and Grants Division
Aviation Department

Subject: DIC Application No.12-038
Blue Lake Development
MDAD DN-12-03-1009



As requested by the Sustainability, Planning and Economic Enhancement Department, the Miami-Dade Aviation Department (MDAD) has reviewed the applicant's request for a District Boundary Change from GU to BU-2 (Special Business District), a special exception to permit site plan approval of a mixed-use development consisting of a retail center and housing for the elderly, an unusual use to permit the filling-in of an existing lake excavation, and certain non-use variances. The subject property is approximately 37.15 net acres and is located on the northeast corner of West Flagler Street and NW 102nd Avenue, Miami-Dade County, Florida.

Based upon our review of the project information provided to us, it appears that the proposed development at this location is compatible with operations from Miami International Airport, provided there are no conflicts with applicable local, state and federal aviation guidelines/regulations including the Code of Miami-Dade County, Chapter 33, Airport Zoning.

Should you have any questions, please feel free to contact me at 305-876-8080.

JR/rb

DATE: 04-APR-12

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

BLUE LAKE DEVELOPMENT, CORP

The northeast corner of FLAGLER
ST & NW 102 AVE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2012000038

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC; No open cases. Prior case opened April 19, 2011 for graffiti on wall and warning issued. Case closed April 28, 2011. BNC: No open/close BSS cases.

Blue Lake Development Corp

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

REPORTER NAME:

Memorandum



Date: June 11, 2012

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

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

Subject: Z2012000038

The Property at the Northeast corner of Flagler ST & NW 102 AVE was inspected by Ralph Edwards. Inspector observed a vacant lot with no unauthorized use and no violations. This property was used as an old trailer park before it became a vacant lot.

ZONING HEARING PLANS FOR FONTAINEBLEAU SQUARE

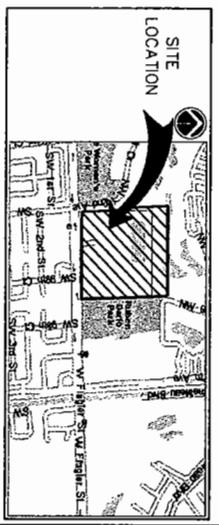
9801-10001 WEST FLAGLER STREET
MIAMI-DADE COUNTY, FL 33172

FOLIO: 30-4005-001-0080

regency centers



3130 YACHT CLUB DRIVE, AVENTURA, FL 33180
TEL: (305) 481-0800 FAX: (305) 481-0800



SECTION 5, TOWNSHIP 24 SOUTH, RANGE 48 EAST
MIAMI-DADE COUNTY, FLORIDA

CONSULTANTS

DEVELOPER
REGENCY CENTERS
3041 PGA BLVD
PALM BEACH GARDENS, FL 33410
(561) 635-2308
ATTN: JOSE SPOONER & CHRIS RUEN

MASTER DEVELOPMENT, INC.
3130 YACHT CLUB DRIVE
AVENTURA, FL 33180
(305) 481-0800
ATTN: ROBERT SHAPIRO

LAND USE COUNSEL
HOLLAND AND KNIGHT
701 BRICKELL AVENUE
MIAMI, FL 33131
(305) 786-7793
ATTN: JUAN MAYOL, ESQ.

ENGINEER
GPH ENGINEERS, INC.
1982 S.W. 1ST STREET
MIAMI, FLORIDA 33135
(305) 372-4466
ATTN: TODD H. HENDRIX, P.E.

SURVEYOR
LEVEL-TECH SURVEYORS, LLC.
5775 BLUE LAGOON DR., SUITE 110
MIAMI, FL 33158
(305) 281-4483
ATTN: LOUIS LEBRON, PSM

LANDSCAPE ARCHITECT
ARCHITECTURAL ALLIANCE
112 S.W. 4TH AVENUE
FT. LAUDERDALE, FL 33315
(954) 471-0800
ATTN: HIGH JOHNSON, RLA

ARCHITECT
LEVINSON ALCOGGER ASSOCIATES, L.P.
1177 WEST LOOP SOUTH, SUITE 800
HOUSTON, TEXAS 77027
(713) 800-5640
ATTN. LAWRENCE LEVINSON

PLANNERS & PARTNERS
4539 ALPHA ROAD, SUITE 300
DALLAS, TEXAS 75240
(972) 701-6858
ATTN. JEREMY HAHN

INDEX

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SURVEY	BOUNDARY SURVEY
CIVIL PLANS	SITE PLAN
	DETAIL SHEET
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A2.0	EXTERIOR BUILDING ELEVATIONS
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LEGAL DESCRIPTION

TRACTS 6, 9, 10 AND 11, 1/4 SECTION 1, OF TOWNSHIP 24 SOUTH, RANGE 48 EAST, COUNTY OF MIAMI-DADE COUNTY, FLORIDA, AND PORTION OF TRACT 12, OF THE PUBLIC LANDS OF MIAMI-DADE COUNTY, FLORIDA, BY SOUTH-OF-PAVE DEEDS RECORDED IN RECORD BOOK 10300, AT PAGE 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

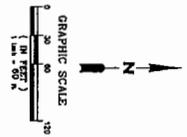
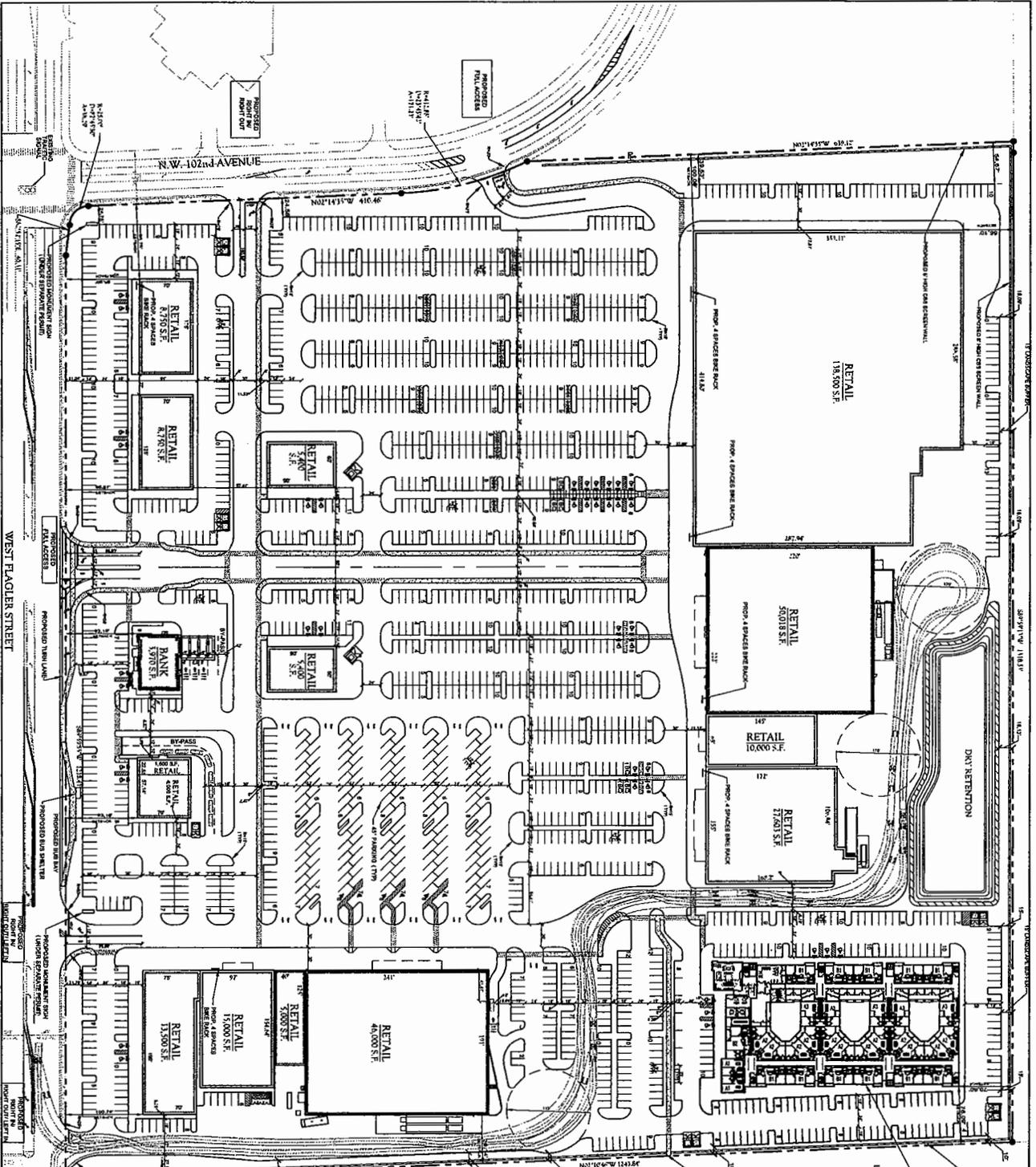
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THE USER OF THESE PLANS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.

	THE GPH GROUP 1000 N. MIAMI AVENUE SUITE 1000 MIAMI, FL 33132 TEL: (305) 372-4466 FAX: (305) 372-4466 WWW.GPHGROUP.COM	EMPLOYEES: PROJECT MANAGER ARCHITECTURAL DESIGNER LANDSCAPE ARCHITECT CIVIL ENGINEER SURVEYOR PLANNING & ZONING DEVELOPMENT	GPH GROUP, INC. 1000 N. MIAMI AVENUE SUITE 1000 MIAMI, FL 33132 TEL: (305) 372-4466 FAX: (305) 372-4466 WWW.GPHGROUP.COM
	COVER SHEET FONTAINEBLEAU SQUARE 9801-10001 WEST FLAGLER STREET MIAMI-DADE, FL 33172	DESIGNED BY: MCZ DRAWN BY: LY CHECKED BY: MCZ APPROVED BY: THB SCALE: NONE DATE: 02-21-12 JOB NO.: R9105 FILE: COVER	04-05-12 ADDED SHEETS TS-1 & TS-2 TO BOOK Revision

NOT FOR CONSTRUCTION



4 STORY SENIOR HOUSING FACILITY
157 UNITS
177,346 SF TOTAL (4 STORIES)

RUBEN DARIO PARK

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DRAWN BY: L.Y.
CHECKED BY: XXX
APPROVED BY: XXX
SCALE: 1" = 60'
DATE: -
JOB NO.: -
FILE: CONCEPT L22

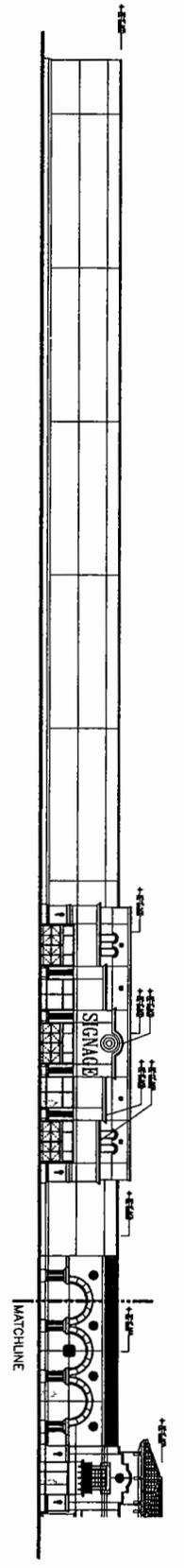
CONCEPT PLAN
FONTAINEBLEAU SQUARE
WEST FLAGLER STREET &
NW 102ND AVENUE
MIAMI-DADE, FLORIDA

Sheet No. **G-1**

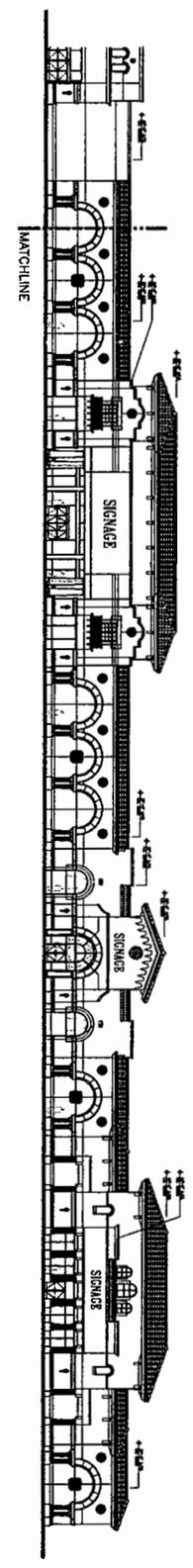
gph
GRAPHIC PRESENTATION
ARCHITECTS
1000 N.W. 102ND AVENUE
MIAMI, FL 33186
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ENGINEER
ARCHITECT
PLANNING
ENVIRONMENTAL SCIENTIST
COMMUNITY DEVELOPMENT
GENERAL CONTRACTOR
TRADING/INTERMEDIARY
REAL ESTATE
LANDSCAPE ARCHITECT
CIVIL ENGINEER
CONSULTING ENGINEER
LANDSCAPE ARCHITECT
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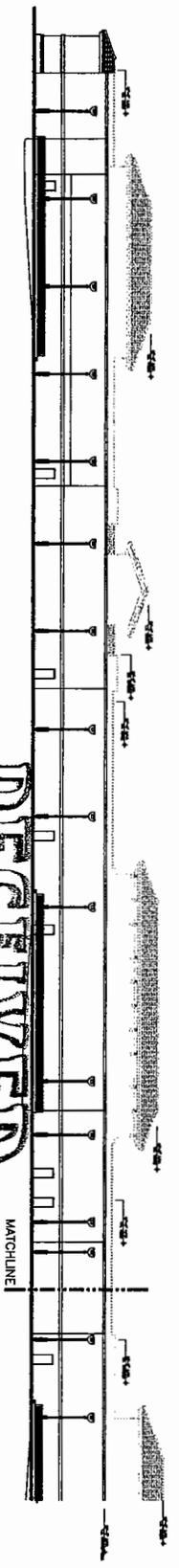
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SCALE: 1/8" = 1'-0"



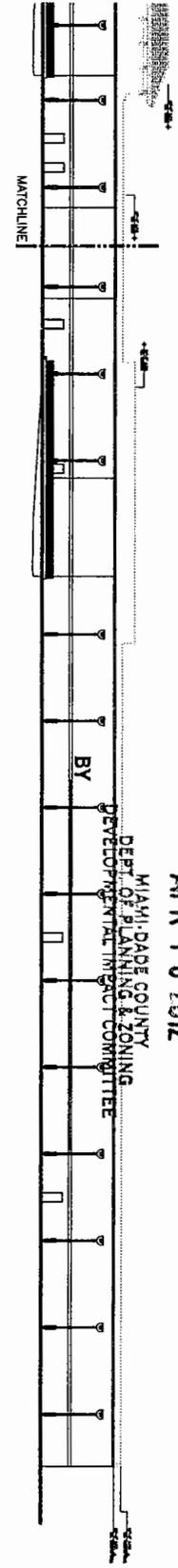
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SCALE: 1/8" = 1'-0"



3 EXTERIOR ELEVATION - BUILDING 'A' - SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

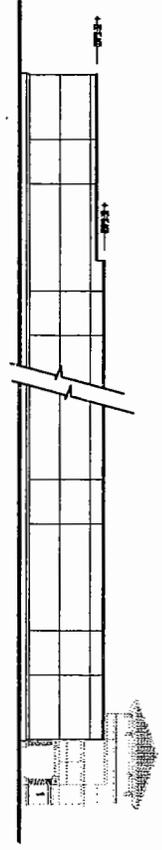


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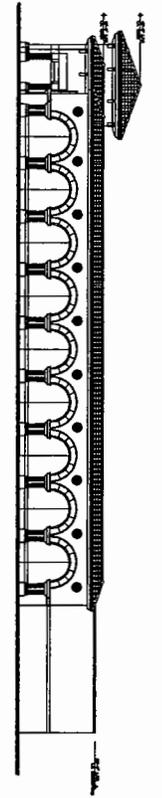


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5 EXTERIOR ELEVATION - BUILDING 'A' - EAST ELEVATION
SCALE: 1/8" = 1'-0"



6 EXTERIOR ELEVATION - BUILDING 'A' - WEST ELEVATION
SCALE: 1/8" = 1'-0"



CONCEPT DRAWINGS ARE SUBJECT TO CHANGE.

FONTAINEBLEAU SQUARE

WEST FLAGLER ST. & NW 102ND AVE.
 MIAMI, DADE COUNTY, FLORIDA

41

regency
 a leading quality forward

MASTER
 ARCHITECT

LAWRENCE S. LEVINSON
 ARCHITECT

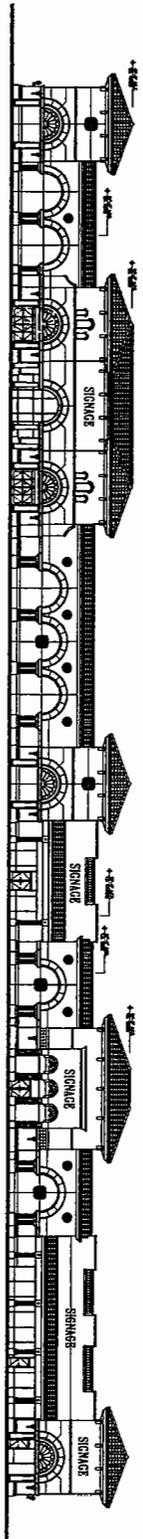
107 N. W. 10th Ave., Suite 800, Miami, FL 33136
 (305) 375-1100
 FAX: (305) 375-1101
 www.lsl.com

LAT Project Number: 2011.170
 Issued For: **EDWARD HILBING**

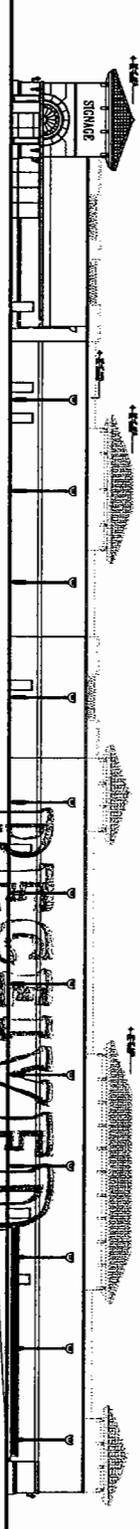
PROJECT OF RECORD: **LAWRENCE S. LEVINSON**
 FLORIDA LICENSE NO. 14523

EXTERIOR ELEVATIONS
 DATE: 03/11/12
 DRAWN BY: **REXWORTH 22, 2012**

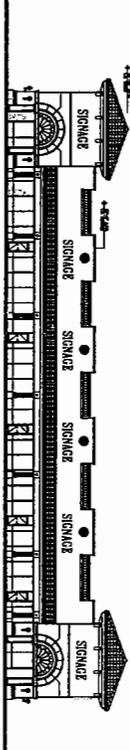
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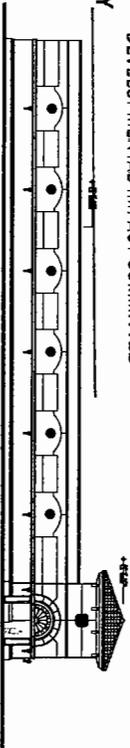
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A3.0 SCALE: 1/8" = 1'-0"



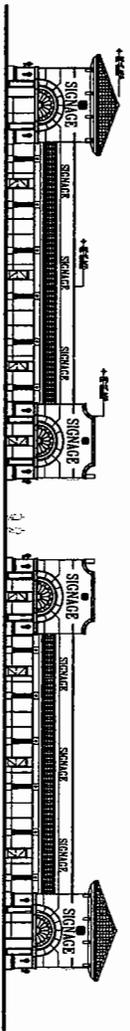
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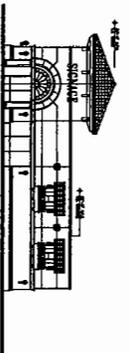
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A3.0 SCALE: 1/8" = 1'-0"



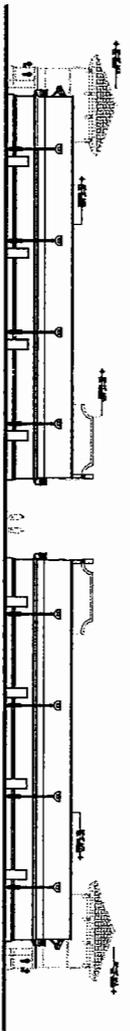
4 EXTERIOR ELEVATION - BUILDING 'B' - SOUTH ELEVATION
A3.0 SCALE: 1/8" = 1'-0"



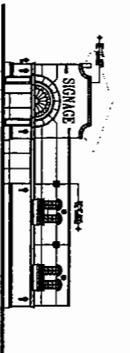
5 EXTERIOR ELEVATION - BUILDINGS 'C' & 'D' - NORTH ELEVATION
A3.0 SCALE: 1/8" = 1'-0"



6 EXTERIOR ELEVATION - BUILDINGS 'C' & 'D' - EAST/WEST ELEVATION
A3.0 SCALE: 1/8" = 1'-0"



7 EXTERIOR ELEVATION - BUILDINGS 'C' & 'D' - SOUTH ELEVATION
A3.0 SCALE: 1/8" = 1'-0"



8 EXTERIOR ELEVATION - BUILDINGS 'C' & 'D' - COURTYARD ELEVATION
A3.0 SCALE: 1/8" = 1'-0"

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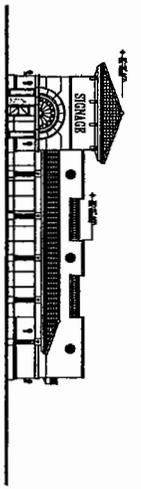
117 N. W. 10th Street, Suite 800, Miami, FL 33136
P: 305.375.2222
F: 305.375.2222
www.lsl.com
Interior Design : Engineering
ARCHITECTS

PROJECT OF FONTAINEBLEAU SQUARE, MIAMI, FLORIDA
OWNER: FONTAINEBLEAU SQUARE, INC. 2012

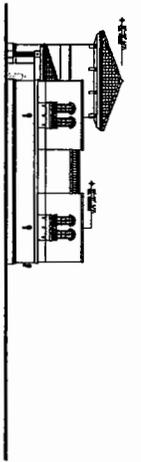
DATE: 03/22/12
DRAWN BY: [Name]
CHECKED BY: [Name]

A3.0

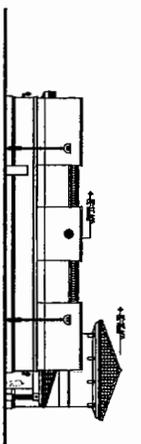
EXTERIOR ELEVATIONS
DATE: 03/22/12



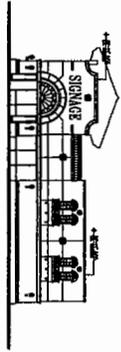
1 EXTERIOR ELEVATION: BUILDINGS E & F - EAST/WEST ELEVATION
A4.0 SCALE: 1/8" = 1'-0"



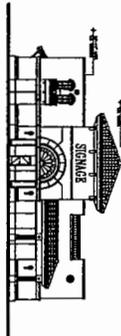
2 EXTERIOR ELEVATION: BUILDINGS E & F - SOUTH ELEVATION
A4.0 SCALE: 1/8" = 1'-0"



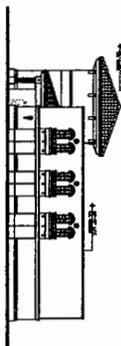
3 EXTERIOR ELEVATION: BUILDINGS E & F - WEST/EAST ELEVATION
A4.0 SCALE: 1/8" = 1'-0"



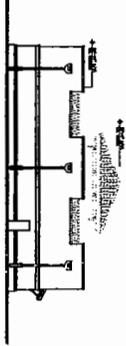
4 EXTERIOR ELEVATION: BUILDINGS E & F - COURTYARD
A4.0 SCALE: 1/8" = 1'-0"



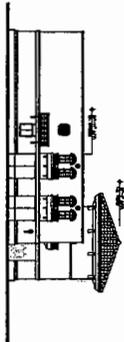
5 EXTERIOR ELEVATION: BUILDING H - NORTH ELEVATION
A4.0 SCALE: 1/8" = 1'-0"



6 EXTERIOR ELEVATION: BUILDING H - WEST ELEVATION
A4.0 SCALE: 1/8" = 1'-0"



7 EXTERIOR ELEVATION: BUILDING H - SOUTH ELEVATION
A4.0 SCALE: 1/8" = 1'-0"



8 EXTERIOR ELEVATION: BUILDING H - EAST ELEVATION
A4.0 SCALE: 1/8" = 1'-0"

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APR 18 2012

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

BY _____

FONTAINEBLEAU SQUARE

WEST FLAGLER ST. & NW 102ND AVE.
MIAMI, DADE COUNTY, FLORIDA

Regency
making quality forward

MASTERS
MAN

1000 BROADWAY, SUITE 2000
MIAMI, FLORIDA 33130
TEL: 305.371.1000
WWW.REGENCYMASTERS.COM



LAWRENCE S. LEVINSON

1175 S.W. 15TH AVENUE, SUITE 2000
MIAMI, FLORIDA 33135
TEL: 305.371.1000
WWW.LEVINSONDESIGN.COM

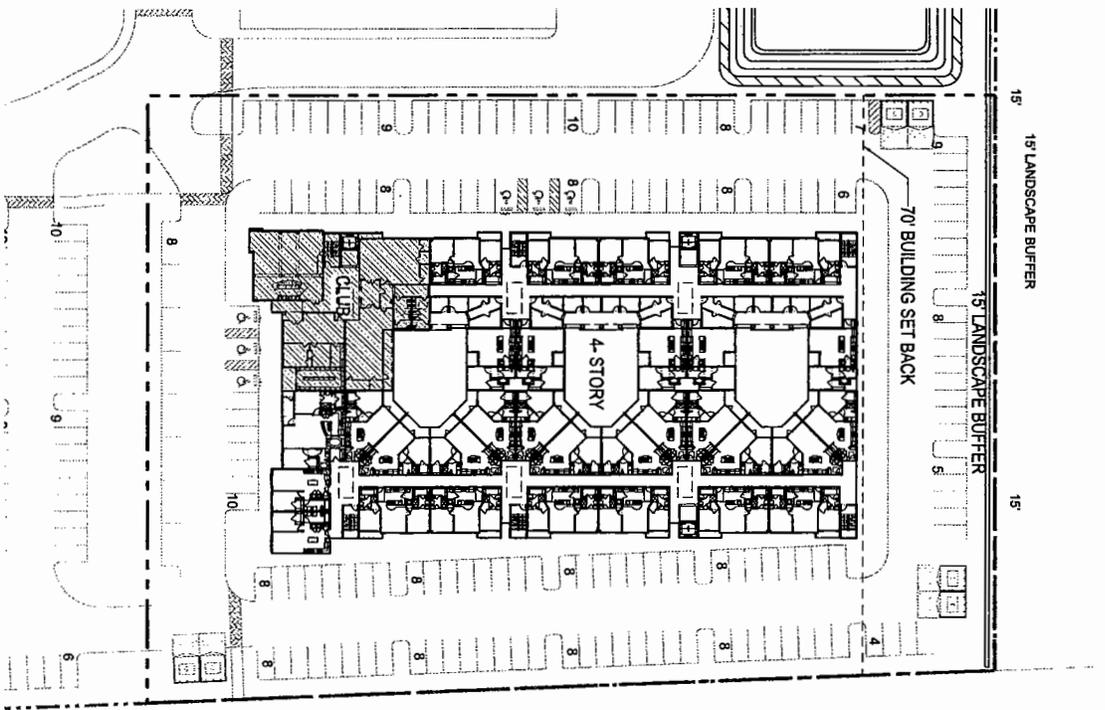
ARCHITECT OF RECORD: LAWRENCE S. LEVINSON
FLORIDA CERTIFICATE NO. 0013266

LDP Project Number: 2012.1150
Issued For: ZONING SUZANO

A4.0

EXTERIOR ELEVATIONS
FEBRUARY 22, 2012

CONCEPT DRAWINGS ARE SUBJECT TO CHANGE.



ARCHITECTURAL SITE PLAN

FONTAINEBLEAU SQUARE - SENIOR HOUSING

MASTER DEVELOPMENT

02/15/2012

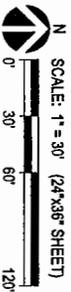
MIAMI, FL

HPA#11351



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1000 BAYVIEW DRIVE, SUITE 1000, MIAMI, FL 33134
 TEL: 305.571.1100 FAX: 305.571.1101
 WWW.HUMPHREYS-AND-PARTNERS.COM



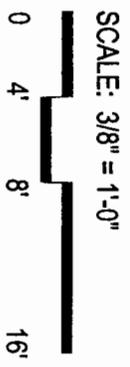
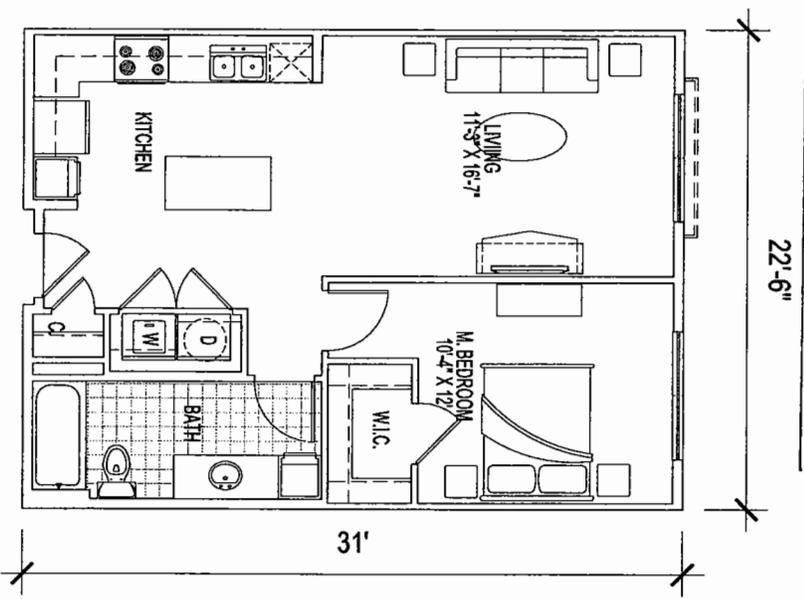
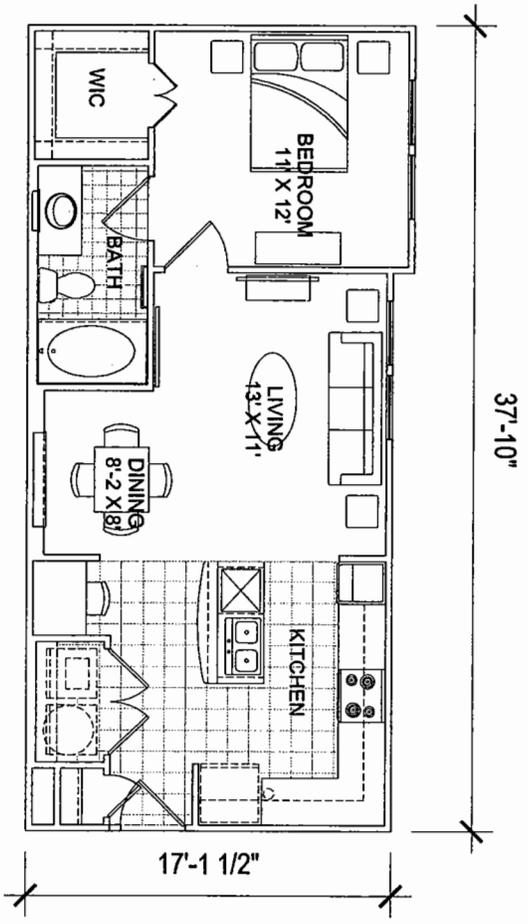
A-201

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 DEPT. OF PLANNING & ZONING
 DEVELOPMENTAL IMPACT COMMITTEE
 BY _____

FONTAINEBLEAU SQUARE SENIOR HOUSING					2011351
UNIT TABULATION					22/112
UNIT NAME	NET AREA(SQ)	UNIT COUNT	PERCENTAGE	TOTAL AREA	% BUILDING
E1	1b/71ba	18	11.61%	11,662	62.58%
A1	7b/71ba	6	3.51%	5,560	
A2	7b/71ba	48	30.97%	36,576	
A3	7b/71ba	23	14.84%	18,676	
B1	2b/21ba	48	30.97%	44,592	37.42%
B2	2b/21ba	7	4.52%	8,847	
B3	2b/21ba	3	1.94%	4,014	
TOTALS		155	100.00%	129,960	

UNIT AVERAGE NET SF: 838
 NET AREA IS COMPUTED TO INCLUDE SQUARE FOOTAGE FROM EXTERIOR FACES OF ALL EXTERIOR WALLS THAT ENCLOSE AREAS SPECIFIED (DOES NOT INCLUDE FINISH, BALCONIES, INTRUDER ALARM STORAGE)
PROJECT DATA
 UNIT AVERAGE NET SF: 838 S.F.
 ACRES: 2.24 ACRES
 DENSITY: 47.68 UNITS/ACRE
 PARKING: 172 SPACES
 PROVIDED: 147 SPACES/UNIT

BY _____



A301

FONTAINEBLEAU SQUARE - SENIOR HOUSING

MASTER DEVELOPMENT

02/15/2012

MIAMI, FL

HPA#11351



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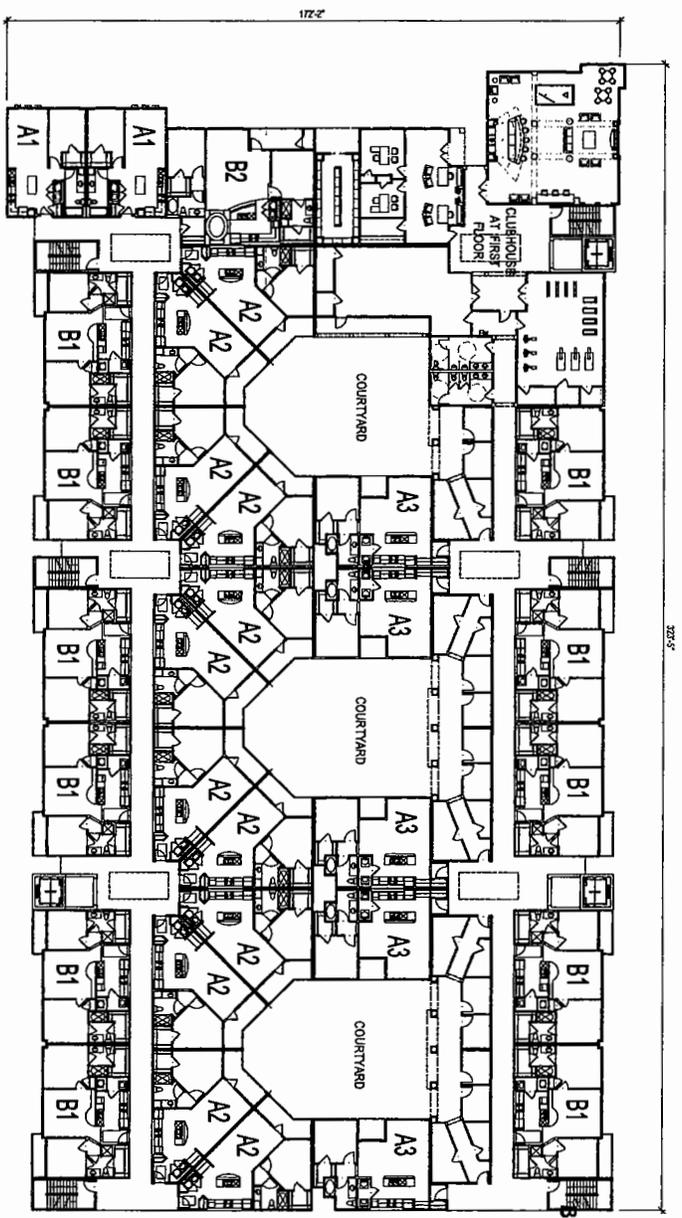
1000 Biscayne Blvd., Suite 1200, Miami, FL 33132
Tel: 305.371.1100 Fax: 305.371.1101
www.humphreysandpartners.com

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01 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



A-411

FONTAINEBLEAU SQUARE - SENIOR HOUSING
MASTER DEVELOPMENT

02/15/2012

MIAMI, FL

HPA#11351



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Architects, Engineers, Planners, and Interiors
1000 Biscayne Blvd., Suite 2000, Miami, FL 33132
Tel: 305.372.4400 Fax: 305.372.4401 www.humphreys.com

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Kemper Architects, Engineers
and Interiors, Inc. (KEMPER)
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Tel: 305.372.4400 Fax: 305.372.4401 www.humphreys.com

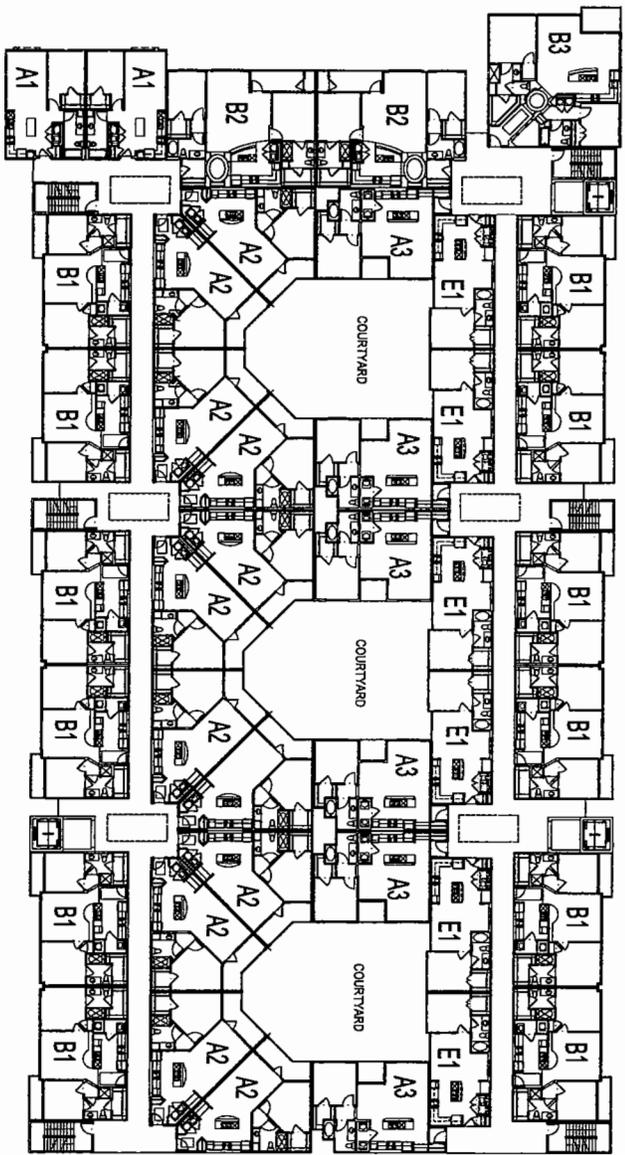
73

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MIAMI, DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

BY _____



01 SECOND - FORTH FLOOR PLAN
SCALE: 1/16" = 1'-0"



SCALE: 1" = 16' (24"x36" SHEET)

A-412

FONTAINEBLEAU SQUARE - SENIOR HOUSING

MASTER DEVELOPMENT

02/15/2012

MIAMI, FL

HPA#11361



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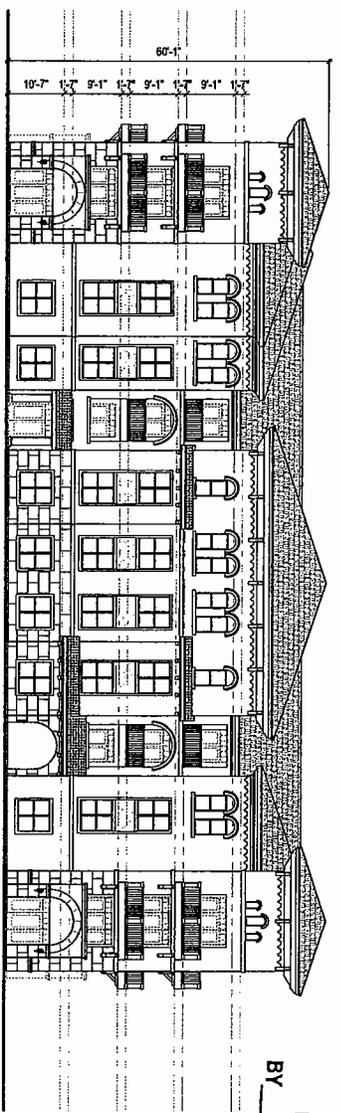
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82

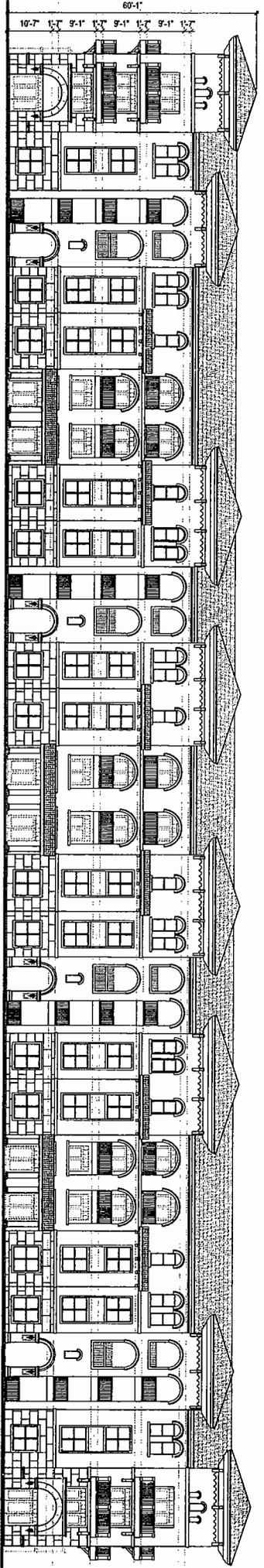
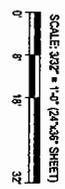
APR 18 2012

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DEVELOPMENTAL IMPACT COMMITTEE

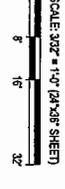
BY



01 SOUTH ELEVATION
SCALE: 3/32" = 1'-0"



02 EAST ELEVATION
SCALE: 3/32" = 1'-0"



SCALE: 3/32" = 1'-0" (24"x36" SHEET)

CONCEPTUAL ELEVATIONS, SUBJECT TO CHANGE

A415

FONTAINEBLEAU SQUARE - SENIOR HOUSING

MASTER DEVELOPMENT

02/15/2012

MIAMI, FL

HPA#11361



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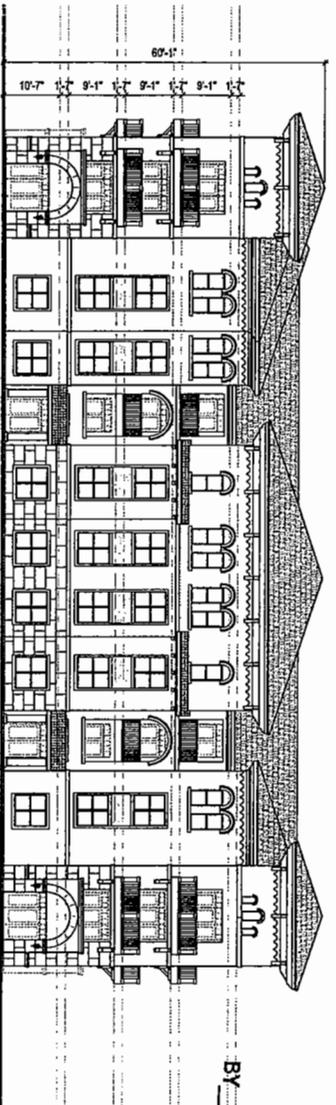
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TEL: 305.371.1000 FAX: 305.371.1001
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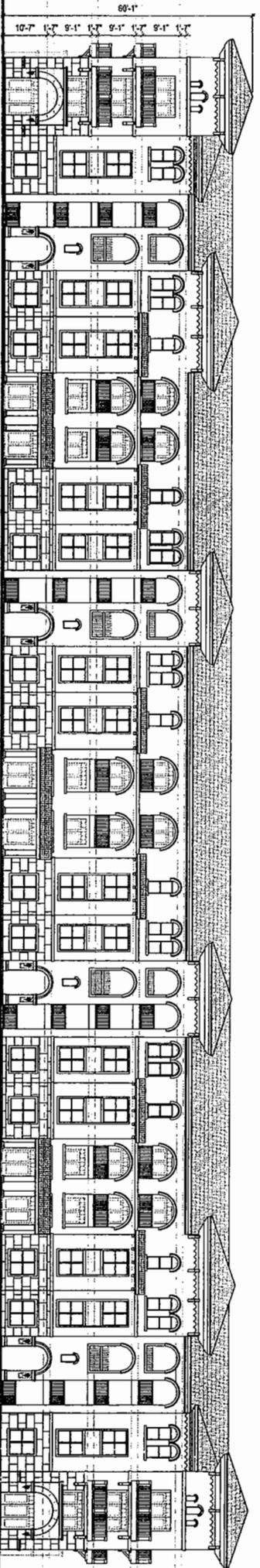
APR 18 2012

MIAMI-DADE COUNTY
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DEVELOPMENTAL IMPACT COMMITTEE

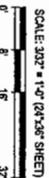
BY _____



01 NORTH ELEVATION
SCALE: 3/32" = 1'-0"



02 WEST ELEVATION
SCALE: 3/32" = 1'-0"



CONCEPTUAL ELEVATIONS, SUBJECT TO CHANGE

FONTAINEBLEAU SQUARE - SENIOR HOUSING

MASTER DEVELOPMENT

02/15/2012

MIAMI, FL

HPA#11351

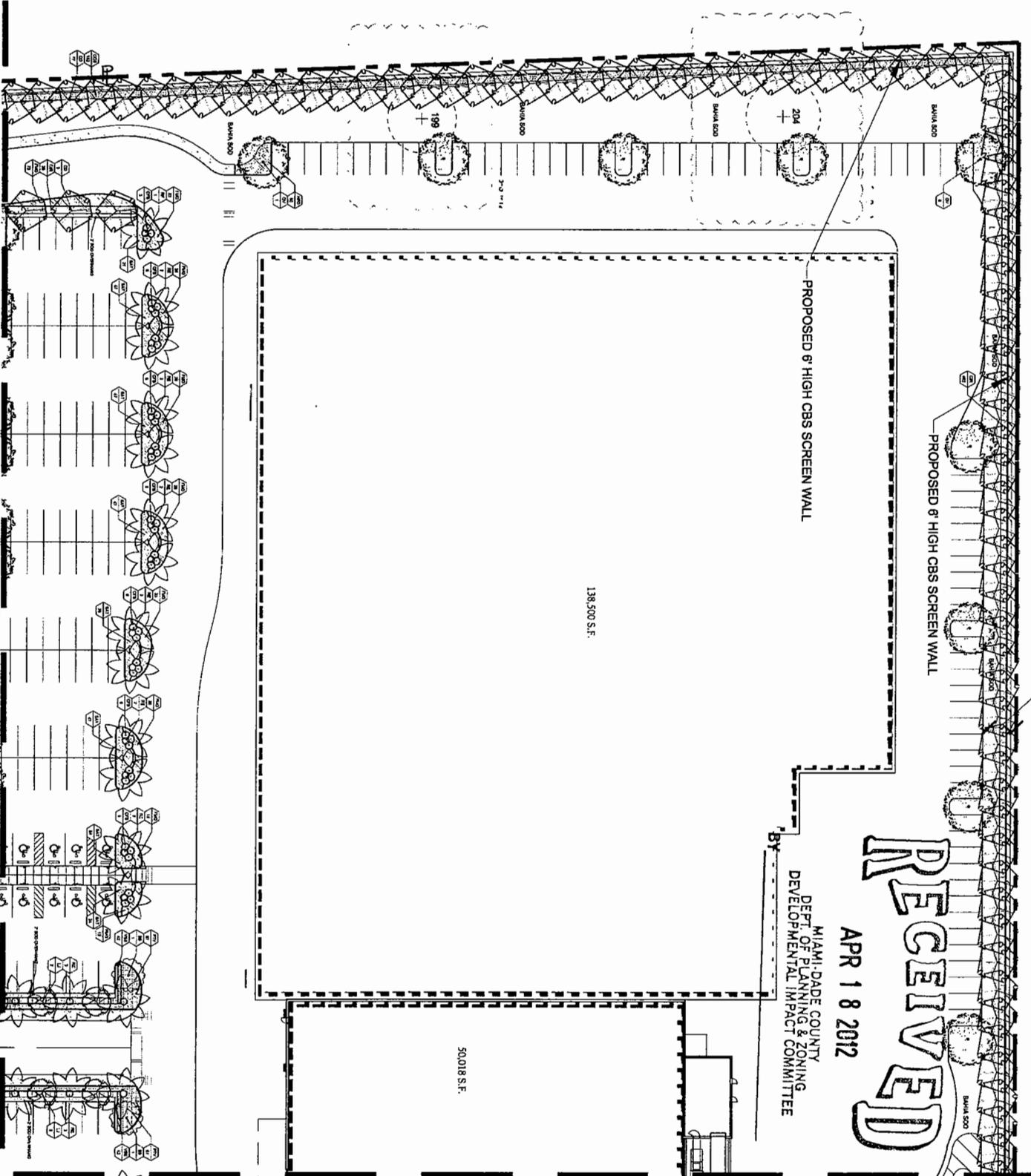


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A416

49

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SCALE: 3/32" = 1'-0" (24"x36" SHEET)



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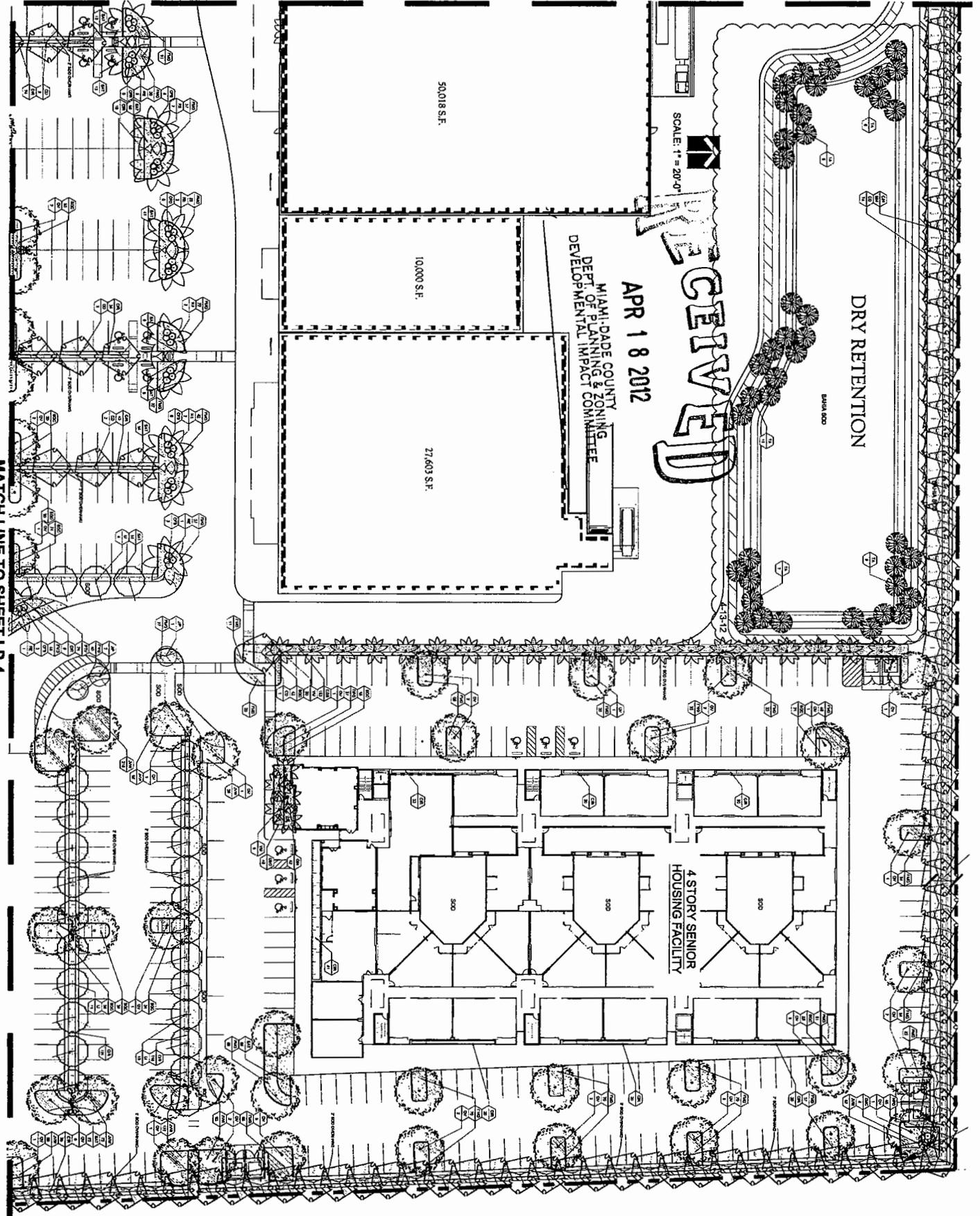
MATCH LINE TO SHEET LP-2

MATCH LINE TO SHEET LP-3

SCALE: 1" = 20'-0"

LP-1 Sheet 1 of 1	Project Number 14-05	Issue Date 03-26-12	Date 03-26-12	Project Name Fontainebleau Square	Project Location West Flagler Street & NW 102nd Avenue Miami Dade County, Florida	Project Number 14-05	Project Name Fontainebleau Square	Project Location West Flagler Street & NW 102nd Avenue Miami Dade County, Florida	Project Number 14-05	Project Name Fontainebleau Square	Project Location West Flagler Street & NW 102nd Avenue Miami Dade County, Florida
	Project Number 14-05	Issue Date 03-26-12	Date 03-26-12	Project Name Fontainebleau Square	Project Location West Flagler Street & NW 102nd Avenue Miami Dade County, Florida	Project Number 14-05	Project Name Fontainebleau Square	Project Location West Flagler Street & NW 102nd Avenue Miami Dade County, Florida	Project Number 14-05	Project Name Fontainebleau Square	Project Location West Flagler Street & NW 102nd Avenue Miami Dade County, Florida

MATCH LINE TO SHEET LP-1



MATCH LINE TO SHEET LP-4

Landscape Plan
Fontainebleau Square
 West Flagler Street & NW 102nd Avenue
 Miami Dade County, Florida

LP-2
 Sheet 1 of 2

Project Name	Fontainebleau Square
Project Address	West Flagler Street & NW 102nd Avenue
Project City	Miami Dade County, Florida
Project Date	04-18-12
Project No.	1115
Project Designer	Architectural Alliance
Project Manager	Michael J. ...
Project Engineer	...

Scale	1" = 20'-0"
North Arrow	...
Revision	...

Author	...
Checker	...
Plotter	...

Project No.	...
Project Name	Fontainebleau Square
Project Address	West Flagler Street & NW 102nd Avenue
Project City	Miami Dade County, Florida

Project No.	...
Project Name	Fontainebleau Square
Project Address	West Flagler Street & NW 102nd Avenue
Project City	Miami Dade County, Florida

Project No.	...
Project Name	Fontainebleau Square
Project Address	West Flagler Street & NW 102nd Avenue
Project City	Miami Dade County, Florida

Project No.	...
Project Name	Fontainebleau Square
Project Address	West Flagler Street & NW 102nd Avenue
Project City	Miami Dade County, Florida

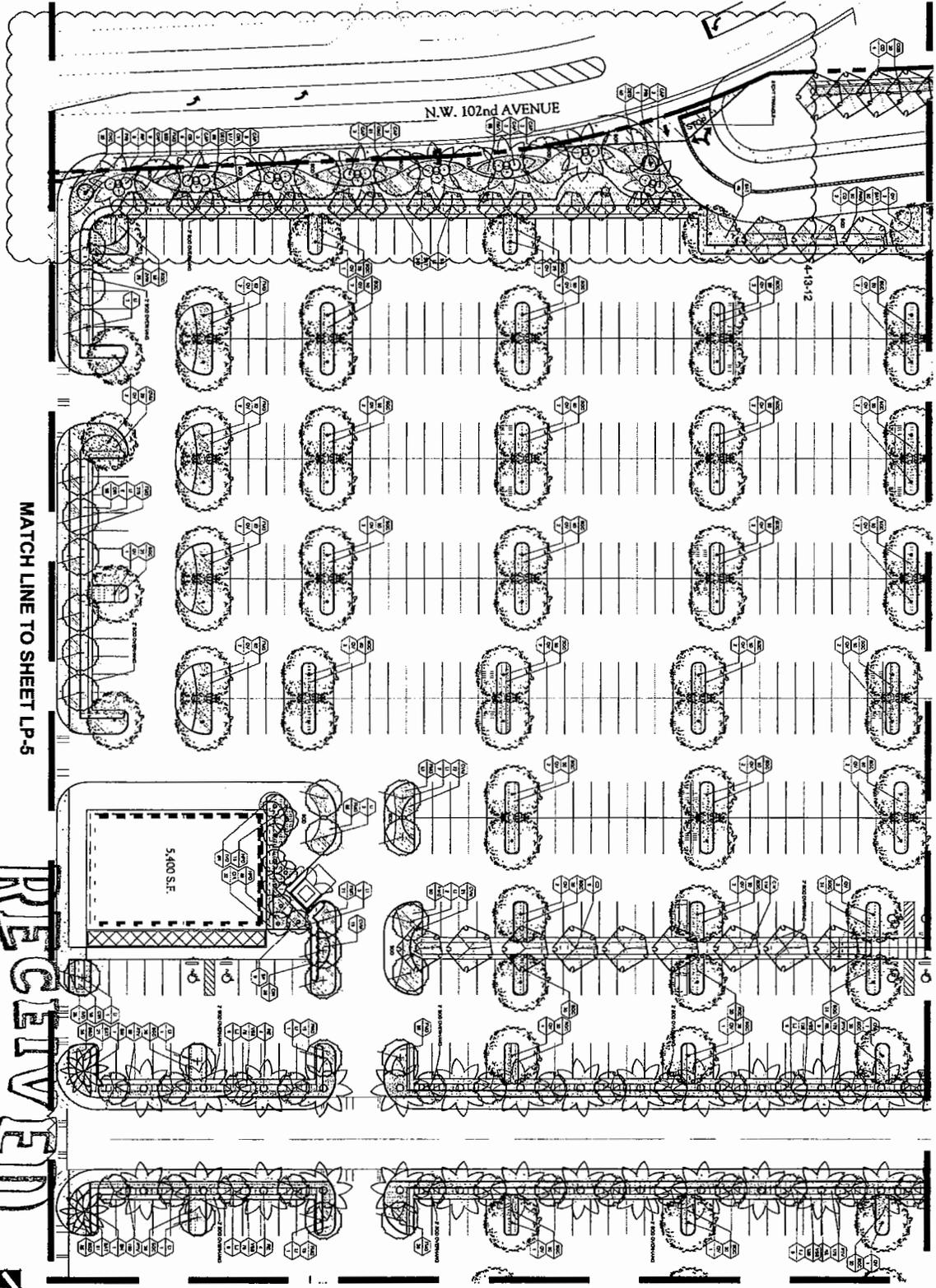
Project No.	...
Project Name	Fontainebleau Square
Project Address	West Flagler Street & NW 102nd Avenue
Project City	Miami Dade County, Florida

Project No.	...
Project Name	Fontainebleau Square
Project Address	West Flagler Street & NW 102nd Avenue
Project City	Miami Dade County, Florida

Project No.	...
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Project Address	West Flagler Street & NW 102nd Avenue
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Project City	Miami Dade County, Florida

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Project Name	Fontainebleau Square
Project Address	West Flagler Street & NW 102nd Avenue
Project City	Miami Dade County, Florida



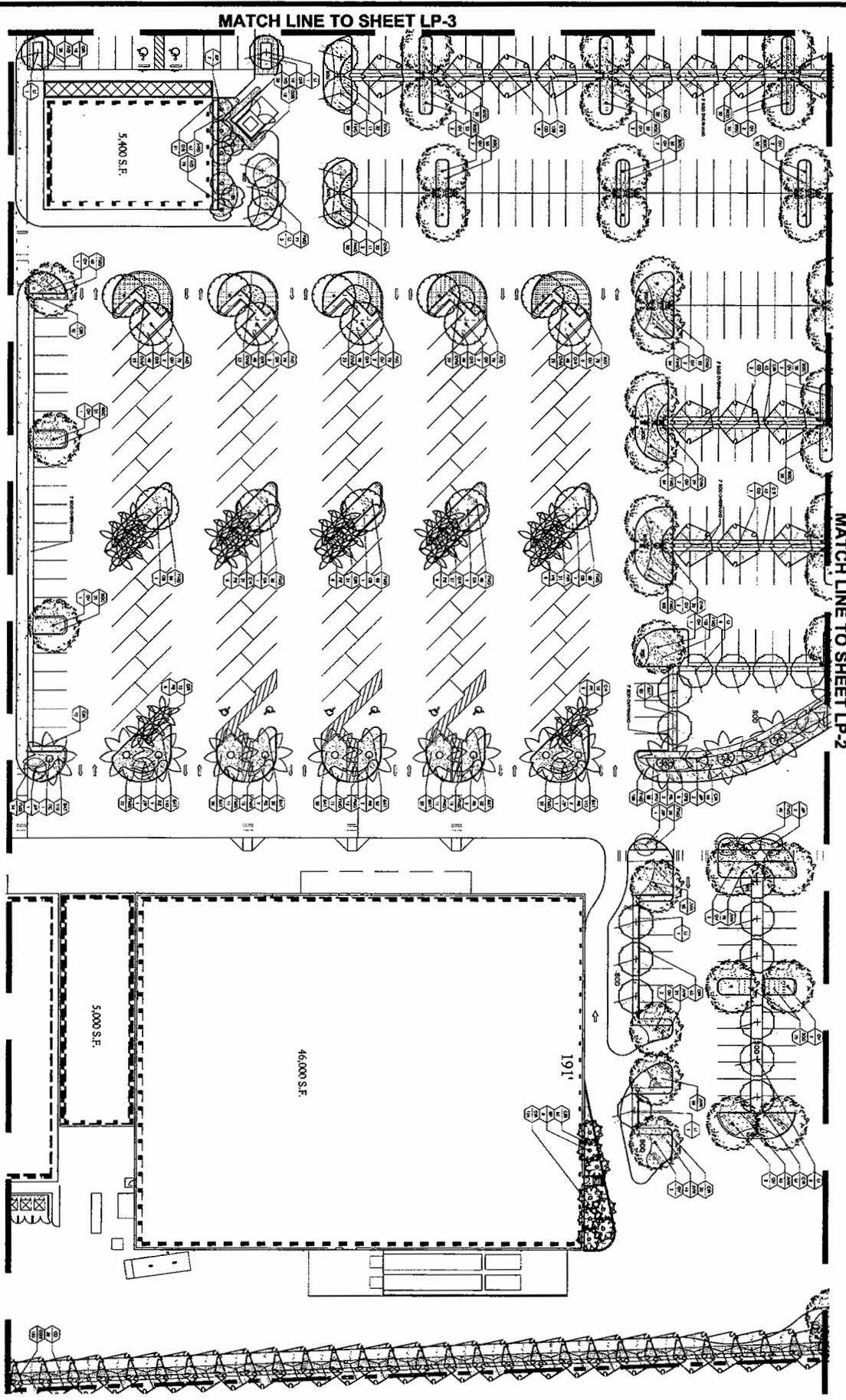
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SCALE: 1" = 20'-0"

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

<p>Order Number LP-3 Sheet 1 of 7</p>	<p>Revision Date 02/20/12</p>	<p>Project Number 1142</p>	<p>Landscaper Name [Blank]</p>	<p>Landscape Plan Fontainebleau Square West Flagler Street & NW 102nd Avenue Miami Dade County, Florida</p>	<p>4-20-12 4-23-12 Revision Dates</p>	<p>MARK JOHNSON PLA 00000217 East</p>	<p>ARCHITECTURE LANDSCAPE ARCHITECTURE LAND PLANNING INTERIOR DESIGN DEVELOPMENTAL PROCESSING ARCHITECTURAL ALLIANCE 1001 S.W. 15TH AVENUE, SUITE 1000, MIAMI, FL 33135 TEL: 305.372.1234 FAX: 305.372.1235 WWW.AAFLA.COM</p>
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MATCH LINE TO SHEET LP-3

MATCH LINE TO SHEET LP-2

MATCH LINE TO SHEET LP-6

5,400 S.F.

5,000 S.F.

46,000 S.F.

191'

SCALE: 1" = 20'-0"

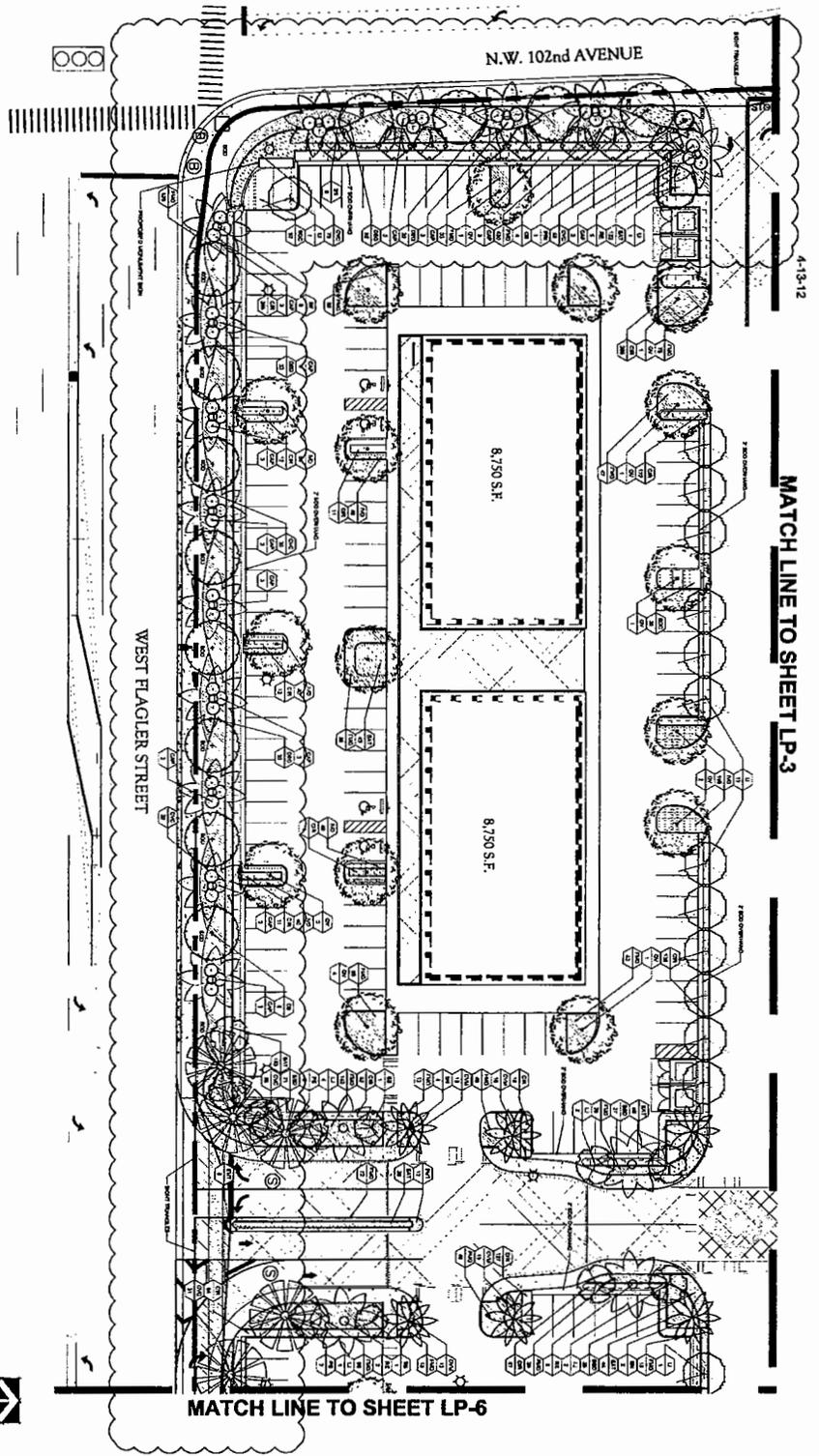
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MIAMI DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

BY _____

<p>Site: Fontainebleau Square Location: West Flagler Street & NW 102nd Avenue Date: 02/28/12 Drawing Number: LP-4 Sheet: 4 of 7</p>	<p>Landscape Plan Fontainebleau Square West Flagler Street & NW 102nd Avenue Miami Dade County, Florida</p>	<p>4-05-12 Revision Details</p>	<p>MIAMI JOHNSON PLA WOODSLEY Date</p>	<p>ARCHITECTURE LANDSCAPE ARCHITECTURE LAW FIRM INTERIOR DESIGN GOVERNMENTAL PROGRAMS ARCHITECTURAL ALLIANCE 1001 SOUTH FLORIDA AVENUE, SUITE 200, MIAMI, FLORIDA 33130</p>
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MIAMI-DADE COUNTY
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 DEVELOPMENTAL IMPACT COMMITTEE

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APR 18 2012

SCALE: 1" = 20'-0"

Title: Fontainebleau Square Landscape Plan West Flagler Street & NW 102nd Avenue Miami Dade County, Florida	4-13-12 4-13-12 Revision: Other	PEACH JENKINSON P.L.A. #03020237 Architect	ARCHITECTURE LANDSCAPE ARCHITECTURE LAND PLANNING INTERIOR DESIGN ENVIRONMENTAL PLANNING ARCHITECTURAL ALLIANCE <small>522 N.W. 107th Avenue, Suite 100, Doral, Florida 33126-2000 Tel: 305.350.0000 Fax: 305.350.0001</small>
	Drawing Number: LP-5 Sheet 1 of 7	Drawing Title: LP-5	Drawing Date: 02-20-12

RECEIVED

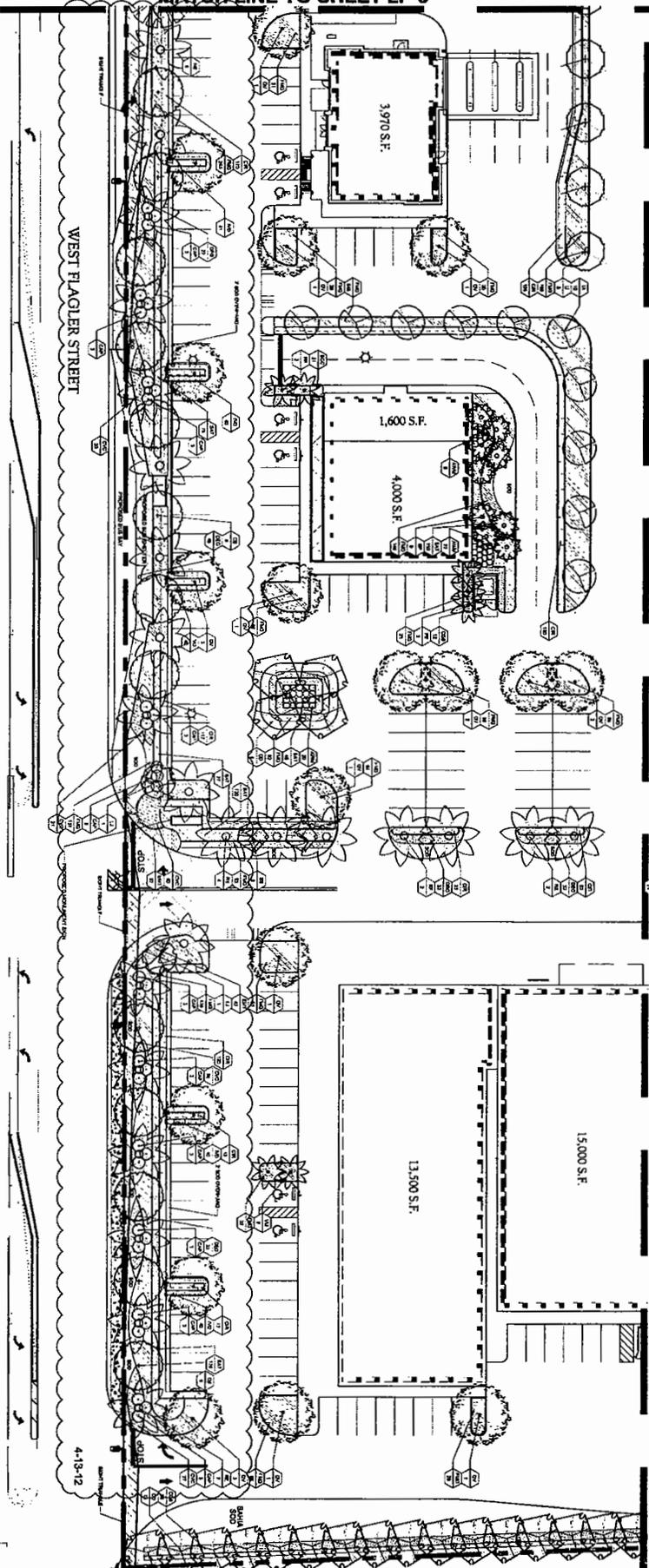
APR 18 2012

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

BY _____

MATCH LINE TO SHEET LP-4

MATCH LINE TO SHEET LP-5



SCALE: 1" = 20'-0"

Fontainebleau Square
West Flagler Street & NW 102nd Avenue
Miami Dade County, Florida

<p>Project Name LP-6</p>	<p>Project Number 1142</p>	<p>Project Title Landscape Plan</p>	<p>Project Location West Flagler Street & NW 102nd Avenue</p>	<p>Project Date 02/20/12</p>	<p>Project Designer HOK</p>	<p>Project Architect HOK</p>	<p>Project Engineer HOK</p>	<p>Project Surveyor HOK</p>	<p>Project Planner HOK</p>	<p>Project Landscape Architect HOK</p>	<p>Project Interior Designer HOK</p>	<p>Project Mechanical Engineer HOK</p>	<p>Project Electrical Engineer HOK</p>	<p>Project Structural Engineer HOK</p>	<p>Project Civil Engineer HOK</p>	<p>Project Environmental Engineer HOK</p>	<p>Project Traffic Engineer HOK</p>	<p>Project Urban Planner HOK</p>	<p>Project Public Works HOK</p>	<p>Project Other HOK</p>
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55

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: BLUE LAKE DEVELOPMENT CORP.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
SEE attached Exhibit "B"	
_____	_____
_____	_____
_____	_____
_____	_____

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

TRUST/ESTATE NAME _____

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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

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FEB 22 2012

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

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

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

NAME OF PURCHASER: Master Development, Inc.

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
<u>Robert L. Shapiro</u>	<u>100%</u>
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

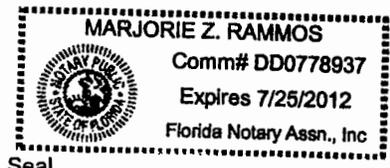
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: [Signature] Pres. Blue Lake Development Corp.
(Applicant)

Sworn to and subscribed before me this 24 day of January 2012. Affiant is personally know to me or has produced _____ as identification.

[Signature]
(Notary Public)



My commission expires: 7/25/12

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

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

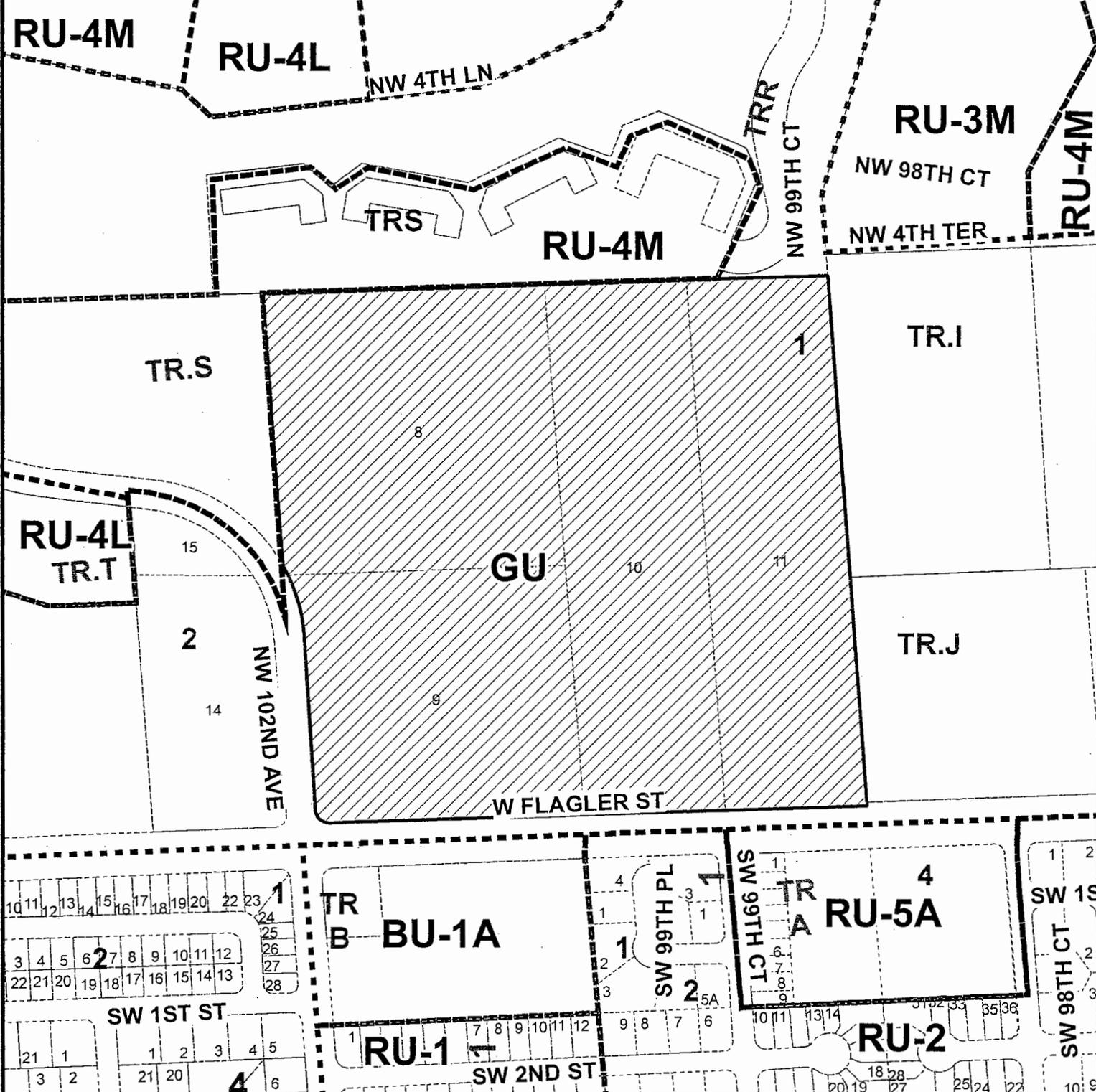
BLUE LAKE SHARE HOLDERS

Total Shares = 3,332

Individuals	Holdings		Corp. Title	Interest
	Shares	%		
Bruce Rapee:	100	3.0012005%	Pres. & Dir.	personal
Bruce Rapee:	611	18.3373349%	"	personal
LeAnne Rapee:	611	18.3373349%	Director	personal
Brienne Rapee Stock Trust:	344	10.3241297%	-	trust beneficiary, Brienne
Stuart Rapee, Estate of:	100	3.0012005%	-	probate
Stuart Rapee Irrevocable Trust:	548	16.4465786%	-	trust beneficiary, Sonya
Sonya Rapee Revocable Trust:	548	16.4465786%	VP & Dir.	beneficiaries, Sheryl & Jody
Sheryl Rapee-Adams:	235	7.0528211%	-	personal
Jody Rapee Saxe:	235	7.0528211%	-	personal
Totals	<u>3,332</u>	<u>100.00000000%</u>		

RECEIVED
2/20/12
FEB 22 2012

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



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2012000038



Section: 05 Township: 54 Range: 40
 Applicant: BLUE LAKE DEVELOPMENT, CORP
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Monday, March 5, 2012

REVISION	DATE	BY
		led



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

Z2012000038



Section: 05 Township: 54 Range: 40
 Applicant: BLUE LAKE DEVELOPMENT, CORP
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

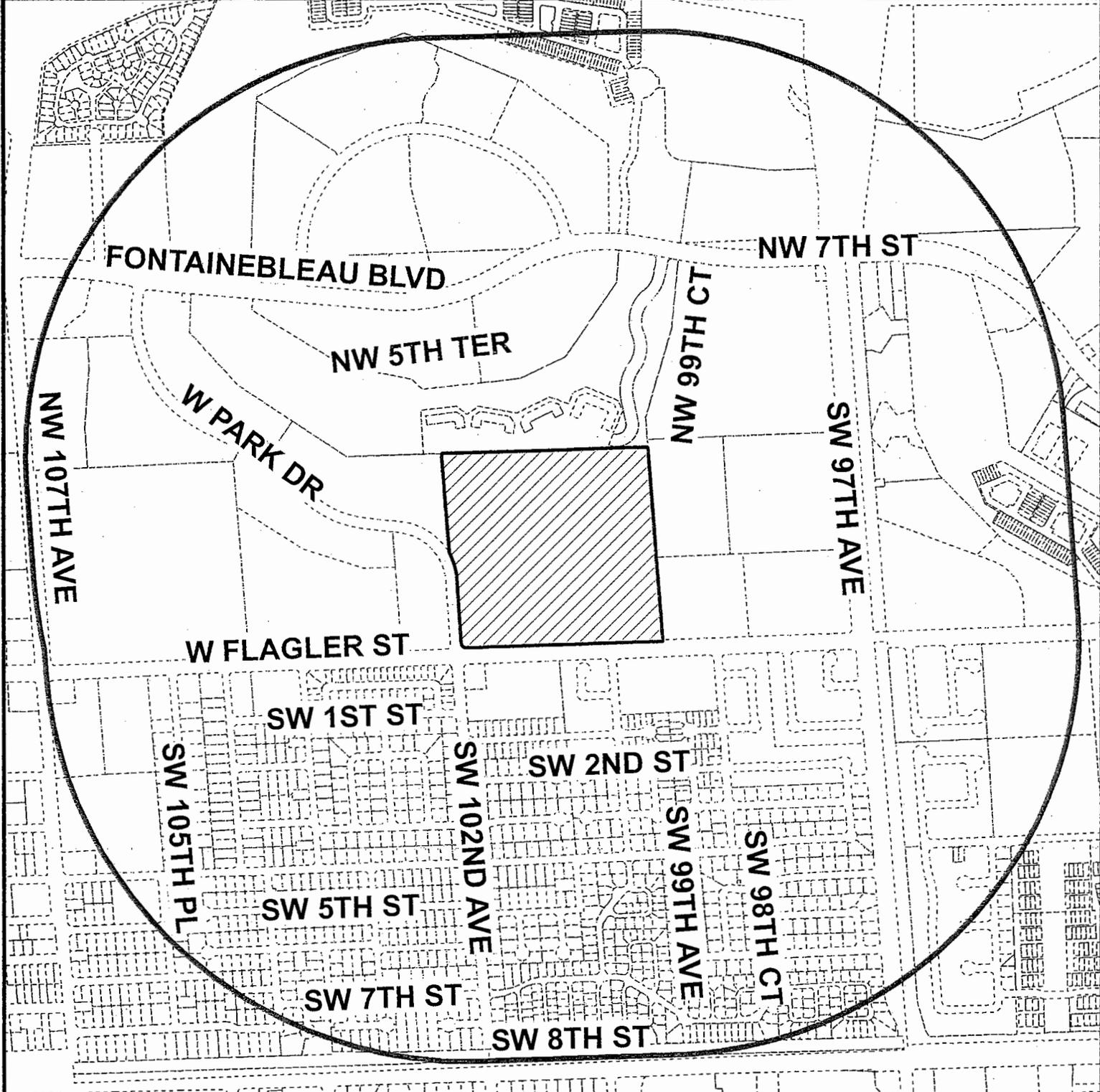
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 Subject Property



SKETCH CREATED ON: Monday, March 5, 2012

REVISION	DATE	BY
		61



MIAMI-DADE COUNTY
RADIUS MAP

Process Number

Z2012000038

RADIUS: 2640



Section: 05 Township: 54 Range: 40
 Applicant: BLUE LAKE DEVELOPMENT, CORP
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Monday, March 5, 2012

REVISION	DATE	BY
		62

This Instrument was Prepared by:

Name: Juan J. Mayol, Jr., Esq.
Address: Holland & Knight LLP
701 Brickell Avenue
Suite 3000
Miami, Florida 33131

Blue Lake Development, Corp. (12-03)
D.I.C. § CZAB 10

(Space Reserved for Clerk of the Court)

DECLARATION OF RESTRICTIONS

WHEREAS, Blue Lake Development Corporation, a Florida corporation (the Owner), holds fee simple title to that certain parcel of land in Miami-Dade County, Florida, described in Exhibit "A", attached hereto, and hereinafter referred to as the "Property";

WHEREAS, in 2009, the Property was re-designated to Business and Office on the Land Use Plan ("LUP") map of the County's Comprehensive Development Master Plan ("CDMP"), subject to the terms and conditions of that certain Declaration of Restrictions recorded in Official Records Book 26955, Pages 723-732 of the Public Records of Miami-Dade County (the "CDMP Declarations"); and

WHEREAS, the Owner has filed a zoning application with Miami-Dade County (the "County"), which application is currently pending under Public Hearing No. 12-038 (the "Application") and seeks the approval of certain zoning approvals to facilitate the development of the Property.

NOW, THEREFORE, IN ORDER TO ASSURE the County that the representations made by the Applicant during the consideration of the Application will be abided by, the Owner

2012 JUN - 5 AM 7:30
PLANNING AND ZONING
AGENDA OFFICE

freely, voluntarily, and without duress, makes the following Declaration of Restrictions covering and running with the Property:

1. **Site Plan.** That the Property shall be developed substantially in accordance with the plans previously submitted, entitled 'Fontainebleau Square,' as prepared by CPH, Level Tech Surveyors, LLC and Humphreys & Partners Architects, L.P., dated stamped received 04/18/12, consisting of 26 sheets.

2. **Permitted Uses.** As provided in the CDMP Declaration, notwithstanding the re-designation of the Property to "Business and Office" on the County's LUP map, the maximum development of the Property shall not exceed the following: (a) 375,000 square feet of retail, commercial, personal services and offices; and (b) no less than 150 dwelling units designated for elderly housing, as such term is defined under Section 202 of the Fair Housing Act of 1959 (12 USC 1701) and Chapter 11A of the Miami-Dade County Code (the "Code"), along with such ancillary and accessory uses as may be desirable, necessary or complementary to satisfy the service needs of the residents, such as, but not limited to, counseling, medical, nutritional, and physical therapy, provided that such ancillary and accessory uses shall not exceed fifteen percent (15%) of the floor area of the elderly housing facility. In an effort to enhance the compatibility of the proposed development of the Property with the existing residential development to the north and west, the north two (2) acres of the Property may only be occupied by any storm water retention areas that may be required or desirable to develop the Property, driveways, pedestrian access, access roads, and landscaped or open space areas or elderly housing.

In addition, the following building restrictions shall apply to the future development of the Property: (i) no building may be located any closer than one-hundred feet (100') from the adjacent residential property on the west; and (ii) no building or portion thereof may exceed a

height of 2 stories within two-hundred feet (200') of the adjacent residential property on the west.

3. **Landscaped Buffer.** Prior to the issuance of a certificate of use and occupancy for any retail or office building within the Property, the Owner shall set aside and maintain as a landscaped area, the west twenty-five (25) feet, where the Property abuts the existing residential area to the west, and the northern fifteen (15) feet of the Property (the "Landscaped Buffer"). The Owner shall install the following within the Landscaped Buffer: (a) a six foot high CBS wall, which wall shall be installed along the outside line (i.e., adjacent to the residential area) of the Buffer (except for pedestrian access points on the north); (b) a hedge, consisting of ficus or such similar species as may be approved by the Department of Planning and Zoning, to be installed on top of an earthen berm (which berm shall be three feet (3') in height, said hedge to be maintained at a height of no less than six (6) feet; and (c) two staggered rows of trees, of such species as may be approved by the Department of Planning and Zoning, which shall be planted at a minimum height of twelve (12) to fourteen (14) feet, and not farther than twenty-five (25) feet on center.

4. **Prohibited Uses.** Notwithstanding the approval of the Application, the establishment and maintenance of the following uses on the Property shall be prohibited:

- (a) private clubs, as defined in Section 33-247(35) of the Code;
- (b) nightclubs, as defined in Section 33-253(6) of the Code;
- (c) no portion of the premises within any building to be constructed on the Property (regardless of the percentage of the total floor area), even if screened to keep such area from the clear view of minors, may be used for the display, sale or rental of videotapes, printed

matter, pictures, films, graphic or any materials, which activities require the exclusion of minors pursuant to Chapter 847, Florida Statutes;

- (d) donated goods center;
- (e) automobile light truck sales;
- (f) billiard and pool rooms;
- (g) motorcycle sales and repairs;
- (h) open air theatre;
- (i) skating rinks;
- (j) rental trucks.

5. **Access Restrictions.** The Owner agrees that the Property shall be developed in such a way as to prohibit delivery trucks from entering or exiting the Property from West Park Drive (102nd Avenue).

6. **Water Conservation and Re-Use.** The Owner hereby agrees to implement the following water conservation and re-use standards for the development of the Property:

(i) The development of the Property shall include appropriate pipes to permit the future connection of the Property into any regional wastewater re-use system that may be constructed by the County for irrigation purposes.

(ii) Upon the construction of a regional wastewater re-use system by Miami-Dade County that includes a connection point abutting the Property, the Owner (or its successors or assigns) shall connect the water re-use pipes in the Property to such regional wastewater re-use system.

7. **Transit Improvements.** In an effort to accommodate public transportation in the area, the Owner shall coordinate with Miami-Dade Transit and allow encroachments onto the

Property, as necessary, to provide for a bus pull-out bay and bus shelter along the Property's frontage on West Park Drive (N.W. 102nd Avenue) and W. Flagler Street. The Owner's obligations under this Paragraph shall expire upon the approval of a final plat for the Property. Notwithstanding the approval of a final plat, the Owner shall cooperate with the County to allow the installation of a bus pull-out bay and/or shelter if said installation can be accomplished without altering the approved final plat for the Property.

8. Miscellaneous:

(a) **County Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

(b) **Covenant Running with the Land.** This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

(c) **Term.** This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

(d) **Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of all of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing.

(e) **Enforcement.** Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

(f) **Authorization for Miami-Dade County to Withhold Permits and Inspections.** In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

(g) **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

(h) **Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

(i) **Severability.** Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.

(j) **Recording.** This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Department of Permitting, Environment and Regulatory Affairs of Miami-Dade County or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

(k) **Acceptance of Declaration.** Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

(l) **Owner.** The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]

IN WITNESS WHEREOF, we have hereunto set our hands and seals this _____ day of _____, 2012.

WITNESSES:

Blue Lake Development Corporation,
a Florida corporation

Signature

By: _____

Printed Name

Name: _____

Title: _____

Signature

Printed Name

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE COUNTY __)

The foregoing instrument was acknowledged before me by _____, as _____ of Blue Lake Development Corporation, a Florida corporation, and for the purposes stated herein on behalf of the corporation. He is personally known to me or has produced _____ as identification.

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

My Commission Expires:

Notary Public

Printed Name

**JOINDER BY MORTGAGEE
CORPORATION**

The undersigned, Premier American Bank, a bank organized under the laws of the State of Florida, as Mortgagee under that certain Mortgage from Blue Lake Development Corporation, a Florida corporation, recorded in Official Records Book 25326, Page 2867, in the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing Declaration of Restrictions, does hereby consent to the execution of this Declaration of Restrictions by Blue Lake Development Corporation, Florida, a Florida corporation, and agrees that in the event Mortgagee or any other party shall obtain title to the property, in whole or in part, the property will be subject to this Declaration of Restrictions.

IN WITNESS WHEREOF, these presents have been executed this ____ day of _____, 2012.

WITNESSES:

Premier American Bank, a bank organized under the laws of the State of Florida

Print or Type Name

By: _____
Title: _____
Print name: _____
Address: _____

Print or Type Name

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2012 by _____, of Premier American Bank, a bank organized under the laws of the State of Florida, on behalf of the company. He/She is personally known to me or has produced _____, as identification and did/did not take an oath.

Notary Public -State of _____
Print Name _____
My Commission Expires: _____

EXHIBIT "A"

LEGAL DESCRIPTION

Tracts 8, 9, 10, and 11 of Block 1 of Richardson-Kellet Land Co. Subdivision according to the Plat thereof as recorded in Plat Book 1, at Page 19, of the Public Records of Miami-Dade County, Florida.

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 10**

PH: Z12-053 (12-07-CZ10-3)

July 24, 2012
Item No. 3

Recommendation Summary	
Commission District	10
Applicant	Aspuru Mortgage Corp
Summary of Requests	The applicant is seeking to delete a previously recorded Declaration of Restrictions.
Location	1535 SW 87 Avenue, Miami-Dade County, Florida.
Property Size	75' x 140'
Existing Zoning	RU-5A
Existing Land Use	Office
2015-2025 CDMP Land Use Designation	Low Density Residential (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(7) Generalized Modification Standards (see attached Zoning Recommendation Addendum)
Recommendation	Approval with conditions

REQUEST:

DELETION of a Declaration of Restrictions recorded in Official Record Book 24806, Pages 1374-1380.

The purpose of this request is to delete the restriction prohibiting dental and medical office use.

PROJECT DESCRIPTION: N/A

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-5A; office	Low Density Residential (2.5 – 6 dua)
North	RU-1; office	Low Density Residential (2.5 – 6 dua)
South	RU-1; office	Low Density Residential (2.5 – 6 dua)
East	RU-1; single-family residence	Low Density Residential (2.5 – 6 dua)
West	RU-1; religious facility	Low-Medium Density Residential (6 – 13 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is an existing office use located at 1535 SW 87 Avenue. The surrounding area is characterized by office, institutional and residential uses.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to delete a Declaration of Restrictions that prohibits dental and medical office uses on the subject property. However, the request could have a negative impact on traffic in the surrounding area with an increased number of visitors and employees to the site.

CDMP ANALYSIS:

The subject property is designated as **Low Density Residential** use on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. *This category allows a range in density from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre and is characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses.* Staff notes that the subject property was previously approved pursuant to Resolution No. CZAB 10-46-06 for a district boundary change from RU-1, Single Family Residential to RU-5A, Semi-Professional Offices and other non-use variances. However, at the time of the application, a Declaration of Restrictions was proffered by the applicant to prohibit dental and medical office uses on the subject property. Approval of the request sought in the application will remove said prohibition. Additionally approval will not add additional dwelling units to the site and will not change the office use. Staff notes that the CDMP Land Use Element interpretative text, Residential Communities, under Office Uses, indicates that *office uses smaller than five acres in size may be approved in areas designated as Residential Communities where other office uses which are not inconsistent already lawfully exist on the same block face.* Further, there are three additional properties located along the block face that have approvals for office uses. Therefore, approval of the request to remove the prohibition of medical and dental office uses on the property is **consistent** with the CDMP LUP map designation and the Land Use Element interpretative text for office uses in Residential Communities.

ZONING ANALYSIS:

When analyzing the request to delete a Declaration of Restrictions recorded in Official Record Book 24806, Pages 1374-1380, under Section 33-311(A)(7) Generalized Modification Standards, staff opines that said request would not generate excessive noise, traffic, provoke excessive overcrowding of people, tend to provoke a nuisance and would be **compatible** with the surrounding area as evidenced by the memoranda submitted by the Departments of Public Works and Waste Management; the Environmental Division of Regulatory and Economic Resources; and Miami-Dade Fire Rescue. Additionally, said departments indicate in their memoranda that they do not object to the request. Staff opines that the approval of the request would not have negative visual, noise, or traffic impacts or unduly burden County services in the surrounding area as evidenced in the memoranda submitted by reviewing departments.

Staff notes that two properties located along the same block face at 1401 SW 87 Avenue and 1435 SW 87 Avenue were approved for zone changes to RU-5A from RU-1, pursuant to Resolution Nos. CZAB 10-53-05 and CZAB 10-33-06, respectively. The approval granted pursuant to Resolution No. CZAB 10-53-05 did prohibit any of the permitted uses in the RU-5A zoning district; however, the applicant proffered a Declaration of Restrictions in conjunction with Resolution CZAB 10-33-06 which prohibited medical and dental office uses. Additionally, staff notes that the abutting property to the south was granted a use variance to permit all RU-5A uses in the RU-1 zoning district pursuant to Resolution No. CZAB 10-50-04.

Further, staff notes that properties located north of SW 14 Street at 1335 SW 87 Avenue and 1345 SW 87 Avenue were granted use variances to permit RU-5A uses in the RU-1 zoning district, pursuant to Resolution Nos. CZAB 10-65-98 and 5-ZAB-304-96, respectively. The approvals restricted the number of medical and dental professionals allowed on the premises to one (1). Staff opines that restricting the number of dental or medical professionals at the subject site at any given time as a condition of approval will be consistent with other approvals in the surrounding area. As such, staff opines that the request would be **compatible** with the area concerned, when considering the necessity and reasonableness of the modifications in relation to the present and future development of the area. **Therefore, staff recommends approval with conditions of the request under Section 33-311(A)(7) Generalized Modification Standards.**

ACCESS, CIRCULATION AND PARKING: N/A

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

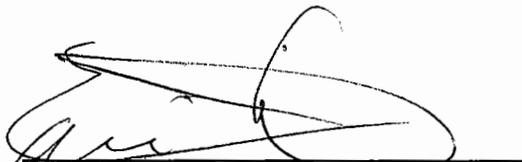
OTHER: N/A

RECOMMENDATION: Approval with conditions.

CONDITION FOR APPROVAL:

1. That all the conditions of Resolution CZAB 10-46-06 remain in full force and effect, except as herein modified.
2. That any medical or dental office be restricted to one practicing professional dentist or doctor on site at any given time.

ES:MW:GR:NN:CH:AN



NDN

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

ZONING RECOMMENDATION ADDENDUM

Aspuru Mortgage Corp
Z12-053

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Environment Division - Regulatory and Economic Resources	No objection
Public Works & Waste Management	No objection
Parks	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection
*Subject to conditions in their memorandum.	

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

<p>Low Density Residential (Pg. I-31)</p>	<p><i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. Residential densities of blocks abutting activity nodes as defined in the Guidelines for Urban Form, or of blocks abutting section line roads between nodes, shall be allowed a maximum residential density of 10.0 dwelling units per gross acre. To promote infill development, residential development exceeding the maximum density of 6.0 dwelling units per acre is permitted for substandard lots that were conveyed or platted prior to August 2nd, 1938. This density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i></p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>33-311(A)(7) Generalized Modification Standards</p>	<p><i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution, and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate board finds after public hearing (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.</i></p>
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3. ASPURU MORTFGAGE CORP
(Applicant)

12-7-CZ10-3 (12-053)
Area 10/District 10
Hearing Date: 07/24/12

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

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
2006	Max Orezzaoli	- Zone change RU-5A. - Non-Use Variance of setback less than required.	C10	Approved with Condition(s)

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

Memorandum

Date: April 16, 2012

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

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

Subject: C-10 #Z2012000053
Aspuru Mortgage Corp.
1535 SW 87th Avenue
Deletion of a Covenant
(RU-5A) (0.23 Acres)
10-54-40



The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code). As noted in the attached comments, your application has been reviewed and approved for compliance with the requirements of Chapter 24 of the Code subject to the conditions bellow and may be scheduled for hearing:

1. The subject property shall be developed substantially in accordance with the requirements of Chapter 24 of the Code.

Pertinent Environmental Comments:

Potable Water Service

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

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

Wastewater Disposal

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

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

waste, less and except the exclusions contained therein, which shall be generated, disposed of, discharged or stored on the property shall be domestic sewage discharged into a septic tank.

Notwithstanding the foregoing, the applicant is advised that certain land uses such as medical offices utilizing x-ray equipment and others that generate liquid waste other than domestic sewage, cannot be permitted by the Department since it would violate the aforesaid Code Section and would also violate the covenant. Approval of land uses that are not compatible with the usage of a septic tank and drainfield system as a means for the disposal of the domestic liquid waste would require a variance from the Environmental Quality Control Board (EQCB) from the aforesaid Code Section.

Stormwater Management

According to the information found on this project, the deletion of covenant will not affect the existing stormwater management system.

Wetlands

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

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

Tree Preservation

The proposal for the deletion of a declaration of restriction will not impact tree resources. Please be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of Chapter 24 of the Code.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

cc: Eric Silva, Sustainability, Planning and Economic Enhancement

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: ASPURU MORTGAGE CORP

This Department has no objections to this application.

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



Raul A Pino, P.L.S.

15-MAY-12

Memorandum



Date: May 4, 2012

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

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

Subject: Z2012000053: ASPURU MORTGAGE CORP

Application Name: ASPURU MORTGAGE CORP

Project Location: The site is located at 1535 SW 87 AVENUE, Miami-Dade County.

Proposed Development: The applicant is requesting a deletion of a covenant to permit an expanded set of semiprofessional office uses.

Impact and demand: Because this application does not generate any new residential population, the CDMP Open Space Spatial Standards do not apply and this Department has no objection to this application.

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

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

MN:jb

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

Memorandum



Date: 10-APR-12
To: , Director
Department of Sustainability, Planning and Economic Enhancement
From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department
Subject: Z2012000053

Fire Prevention Unit:

No objection.

Service Impact/Demand

Development for the above Z2012000053
located at 1535 SW 87 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1396 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 47 - Westchester - 9361 Coral Way
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.

DATE: 11-APR-12

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

ASPURU MORTGAGE CORP

1535 SW 87 AVENUE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2012000053

HEARING NUMBER

HISTORY:

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

Aspuru Mortgage Corp

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

REPORTER NAME:

Memorandum



Date: May 24, 2012

To: Franklin Gutierrez, Agenda Supervisor, Agenda Coordinator's Office
Miami-Dade Sustainability, Planning and Economic Enhancement

From: Ramiro Martinez , Zoning Services Inspector
Department of Permitting, Environment and Regulatory Affairs

Subject: Hearing Application Process No.Z2012000053 – 1535 SW 87 AVE

A site inspection conducted on May 17, 2012 at the above referenced property revealed a mortgage office operating with a valid Certificate of Use. However, there is a discrepancy between the site plan approved under Resolution CZAB-46-06 and the current site conditions in regards to the number of parking spaces available at the site. There are only 6 parking spaces being provided at the site when the approved hearing plan is showing 8 parking spaces. Applicant needs to revise the hearing plan in order to show the current number of parking spaces available at the site so that staff can make the proper evaluation, especially when the requested medical office use has a tendency to overflow their limited parking capacities.

Also, during the site inspection, a detached sign was observed on the property, which is not permitted in RU-5A. Applicant was advised to apply for a sign variance (see attached sign) or remove sign from the premises.

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: ASPURU MORTGAGE CORP

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>CARLOS ASPURU (PRES)</u>	<u>50%</u>
<u>MIRIAM ASPURU (V.PRES)</u>	<u>50%</u>
_____	_____
_____	_____

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

TRUST/ESTATE NAME _____

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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

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

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

NAME OF PURCHASER: _____

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

Date of contract: _____

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

_____	_____
_____	_____
_____	_____
_____	_____

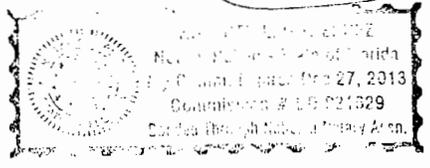
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: [Handwritten Signature]
(Applicant)

Sworn to and subscribed before me this 2 day of APRIL, 2012. Affiant is personally know to me or has produced _____ as identification.

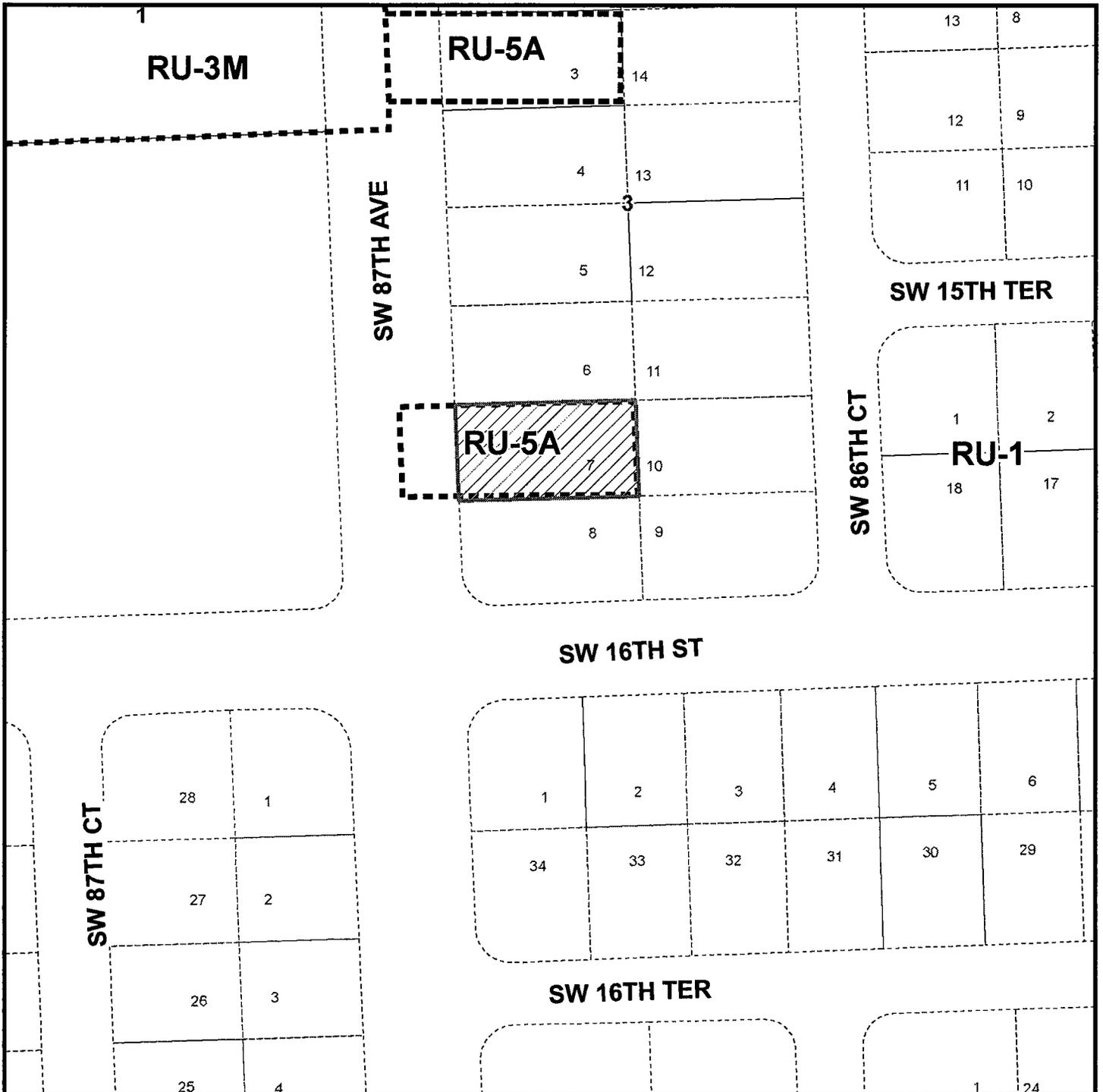
[Handwritten Signature]
(Notary Public)



My commission expires: 12/27/2013

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.



**MIAMI-DADE COUNTY
HEARING MAP**

Process Number
Z2012000053



Section: 10 Township: 54 Range: 40
 Applicant: ASPURU MORTGAGE CORP
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend
 Subject Property Case



SKETCH CREATED ON: Wednesday, April 11, 2012

REVISION	DATE	BY
		15



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number

Z2012000053



Section: 10 Township: 54 Range: 40
 Applicant: ASPURU MORTGAGE CORP
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

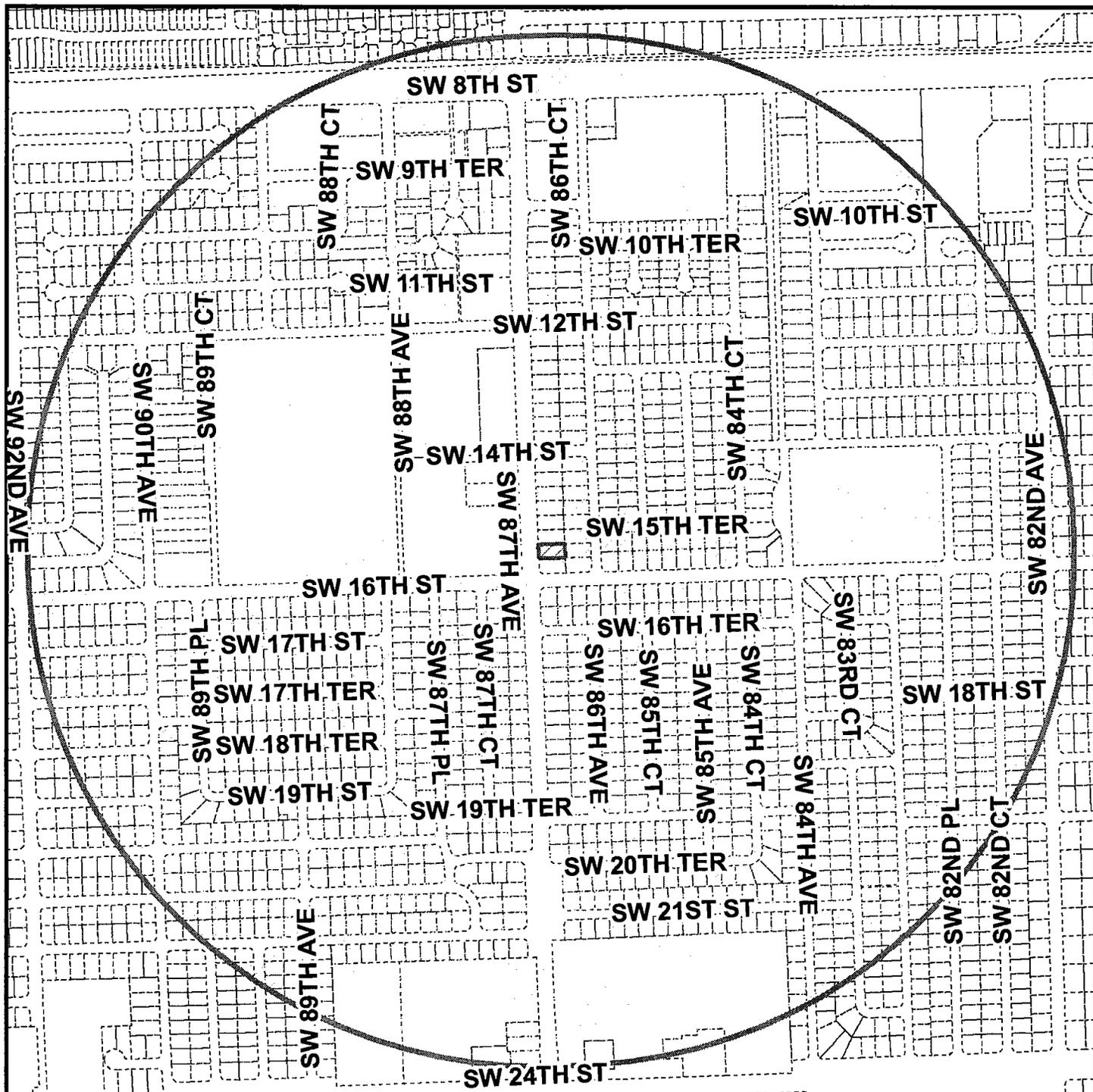
Legend

 Subject Property



SKETCH CREATED ON: Wednesday, April 11, 2012

REVISION	DATE	BY
		16



**MIAMI-DADE COUNTY
RADIUS MAP**

Process Number
Z2012000053
RADIUS: 2640



Section: 10 Township: 54 Range: 40
Applicant: ASPURU MORTGAGE CORP
Zoning Board: C10
Commission District: 10
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Wednesday, April 11, 2012

REVISION	DATE	BY