

FINAL AGENDA

7-11-2013 Version # 3



COMMUNITY ZONING APPEALS BOARD 10

WOMEN'S PARK

10251 West Flagler Street, Miami

Tuesday, July 30, 2013 at 6:30 p.m.

CURRENT

- | | | | | | |
|----|-------------|--|--------|----------|---|
| 1. | 13-7-CZ10-1 | <u>FRANCISCO & SOFIA BARRERO</u> | 12-103 | 18-54-40 | N |
| 2. | 13-7-CZ10-2 | <u>PAN AMERICAN CORAL TERRACE, LTD.</u> (DEVELOPMENTAL
IMPACT
COMMITTEE) | 12-147 | 14-54-40 | N |
| 3. | 13-7-CZ10-3 | <u>DELTA ONE ENTERPRISE, LLC</u> | 12-155 | 15-54-40 | N |
| 4. | 13-7-CZ10-4 | <u>MAURI INVESTMENTS PROPERTY, INC</u> | 13-2 | 20-54-40 | N |
| 5. | 13-7-CZ10-5 | <u>LAROC, LLC</u> | 13-12 | 03-54-39 | N |
| 6. | 13-7-CZ10-6 | <u>JORGE AND ELENA ARTILES</u> | 13-27 | 09-54-39 | N |
| 7. | 13-7-CZ10-7 | <u>MAURO AND ENA ALVAREZ</u> | 13-31 | 09-54-39 | N |



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 10

MEETING OF TUESDAY, JULY 30, 2013

WOMEN'S PARK

10251 WEST FLAGLER STREET, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 6:30 P.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

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

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

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

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

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

SWEARING IN OF WITNESSES

1. FRANCISCO & SOFIA BARRERO (13-7-CZ10-1/12-103)

**18-54-40
Area 10/District 10**

- (1) MODIFICATION of Condition #3 of Resolution 4-ZAB-301-77, passed and adopted by the Zoning Appeals Board, only as it applies to the subject property, reading as follows:

FROM: "3. That in the approval of the plan, the same be substantially in compliance with that submitted for the hearing entitled "Westchester Villas for Alejandro Robles," dated March 8, 1977, and prepared by Hector Valdavia, Architect."
TO: "3. That in the approval of the plan, the same be substantially in compliance with that submitted for the hearing entitled "Addition for Barrero Residence" as prepared by Vertex Architecture, Inc., dated stamped received 3/22/13 and consisting of 4 sheets."

The purpose of request #1 is to allow the applicant to submit a new site plan showing addition to an existing single family residence.

- (2) NON-USE VARIANCE to permit an addition to the single family residence setback varying from 2.35' to 12.82' (20' required) from the rear (south) property line.
(3) NON-USE VARIANCE to permit a shed setback 2.90' from the interior side (east) property line and setback 1.65' from the rear (south) property line (5' required for both).

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: 11416 SW 35 Lane, Miami-Dade County, Florida.

SIZE OF PROPERTY: 4,128 sq. ft.

Department of Regulatory and
Economic Resources
Recommendation:

Denial without prejudice.

Protests: _____ 0 _____

Waivers: _____ 17 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

2. PAN AMERICAN CORAL TERRACE, LTD. (13-7-CZ10-2/12-147)

**14-54-40
Area 10/District 06**

- (1) DISTRICT BOUNDARY CHANGE from IU-3 & BU-2 to BU-2.
(2) SPECIAL EXCEPTION to permit a proposed package liquor store to be spaced less than the required 1,500' from other legally established alcoholic beverage establishments and spaced less than the required 2,500' from churches and schools.

- (3) NON-USE VARIANCE of sign regulations limiting the size and number of signs in a shopping center to one (1) 300 sq. ft. sign or two (2) 200 sq. ft. signs; to waive same to permit eight (8) detached signs consisting of six (6) 36 sq. ft. and two (2) 200 sq. ft. detached signs.
- (4) NON-USE VARIANCE of sign regulations requiring that detached signs shall be used only to identify the shopping center and/or as a directory of tenants in the shopping center; to waive.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Coral Terrace" as prepared by Center for Collaborative Architecture, dated stamped received 4/2/13 and consisting of 10 sheets. Plans may be modified at public hearing.

LOCATION: Lying East of the SW 71 Avenue between SW 24 Street Coral Way and SW 29 Road, Miami-Dade County, Florida.

SIZE OF PROPERTY: 14.866 Acres

Development Impact Committee
Recommendation:

Approval of request #1 subject to the Board's acceptance of the proffered covenant, as amended to reflect the Public Works and Waste Management revised comments, modified approval with conditions of request #3 to permit two (2) 200 sq. ft. 30 ft. high detached signs along SW 24 Street and four (4) 36 sq. ft. monument signs, with a maximum copy area of 36 sq. ft. and a maximum height of 6 ft. along the side street property lines and approval with conditions of requests #2 and #4, as set forth in the Department of Regulatory and Economic Resources' Recommendation.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

3. DELTA ONE ENTERPRISES, LLC (13-7-CZ10-3/12-155)

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

- (1) UNUSUAL USE to permit outdoor display of rental equipment and tools.
- (2) MODIFICATION of Condition #2 of Resolution #4-ZAB-306-83 passed and adopted by Zoning Appeals Board, and reading as follows:

From: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Shopping Center" as prepared by Joaquin Lee, dated 7-21-83, consisting of two pages.

To: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Delta Rental" as prepared by OLR Architect, "Landscape Plan" as prepared by Benjamin Green, all plans dated stamped received May 14, 2013 for a total of 4 sheets. Plans may be modified at public hearing.

The purpose of the request is to allow the applicant to submit plans showing the addition of the proposed open display area for equipment and tools on the property.

- (3) NON-USE VARIANCE to permit the outdoor display area to setback 3'-2" (20' required) from the front (south) property line.
- (4) NON-USE VARIANCE to permit three (3) wall signs (2 wall signs permitted).
- (5) NON-USE VARIANCE to permit 19 parking spaces (21 parking spaces required).
- (6) NON-USE VARIANCE of zoning regulations requiring a 5' high decorative masonry wall along the common property line of the business lot when abuts a RU zoned property; to waive same, interior of the site.
- (7) NON-USE VARIANCE to permit a landscape open space of 13.9% (18% required).
- (8) NON-USE VARIANCE of landscape regulations requiring a 5' wide dissimilar land use buffer including a 6' high wall fence or hedge and buffer trees along portions of the (east) and (west) property lines; to waive same.
- (9) NON-USE VARIANCE of landscape regulations to permit 57% lawn area (20% maximum permitted).

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

LOCATION: 8427 Bird Road, Miami-Dade County, Florida.

SIZE OF PROPERTY: 0.42 Acre

Department of Regulatory and
Economic Resources

Recommendation:

Approval with conditions.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

4. MAURI INVESTMENTS PROPERTY, INC (13-7-CZ10-4/13-002)

**20-54-40
Area 10/District 10**

- (1) USE VARIANCE to permit semi-professional office uses in the RU-1 zoning district as would be permitted in the RU-5A zoning district.
- (2) NON-USE VARIANCE to permit a lot area of 9,677 square feet (10,000 sq. ft. required).
- (3) NON-USE VARIANCE of landscape requirements to permit 4 lot trees (7 required), 5 street trees (6 required), 90 shrubs (130 required) and to permit a lawn area of 4835 sq. ft. (725.75 sq. ft. maximum permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Office Building for Mauri Investments" as prepared by Orestes Lopez-Recio, Architect. Sheet SP-1 dated stamped received 3/11/13 and the remaining 4 sheets dated stamped received 1/7/13 and the site plan dated stamped received 3/11/13, for a total of 5 sheets. Plans may be modified at public hearing.

LOCATION: 10000 SW 40 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 77.42' X 125'

Department of Regulatory and
Economic Resources
Recommendation:

**Approval with conditions of requests #1
and #2 and denial without prejudice of
request #3.**

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

5. LAROC, LLC (13-7-CZ10-5/13-012)

**03-54-39
Area 10/District 10**

NON-USE VARIANCE of zoning regulations requiring all uses to be conducted within completely enclosed buildings; to waive same to permit a hand car wash to be conducted under an open canvas roofed area.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Sharkies Car Wash" as prepared by Lan Mar Design Group, dated stamped received 2/4/13 and consisting of 1 sheet. Plans may be modified at public hearing.

LOCATION: 14500 SW 8 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 5 Acres

Department of Regulatory and
Economic Resources
Recommendation:

Approval with conditions.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

6. JORGE AND ELENA ARTILES (13-7-CZ10-6/13-027)

**09-54-39
Area 10/District 11**

NON-USE VARIANCE to permit a covered terrace addition to a single family residence setback 15' (15' for 50% of the lineal width of the house, 25' for the balance required) from the rear (east) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "New Terrace for Residence of Jorge W. Artiles" as prepared by Fernando Gomez-Pina, P.E., dated stamped received 3/19/13 and consisting of 2 sheets. Plans may be modified at public hearing.

LOCATION: 2581 SW 148 Court, Miami-Dade County, Florida.

SIZE OF PROPERTY: 65' X 100.11'

Department of Regulatory and
Economic Resources
Recommendation:

Approval with conditions.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

7. MAURO AND ENA ALVAREZ (13-7-CZ10-7/13-031)

**09-54-39
Area 10/District 11**

(1) NON-USE VARIANCE to permit a shed spaced 2.55' (10' required) from the principal building.

(2) NON-USE VARIANCE to permit the existing single family residence setback 4.85' (5' required) from the interior side (west) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "She at Rear of Existing Residence" as prepared by Rafael E. Droz-Seda, P.E., dated stamped received 4/3/13 and consisting of 2 sheets. Plans are on file and may be modified at public hearing.

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

PH: Z12-103 (13-7-CZ10-1)

July 30, 2013

Item No. 1

Recommendation Summary	
Commission District	10
Applicants	Francisco and Sofia Barrero
Summary of Requests	The applicants are seeking to modify a condition of a Resolution for a previously approved cluster home development as it applies to the applicants' home only. Approval would allow the applicants to submit a revised plan for the residence with existing additions and accessory structures encroaching into the rear (south) and interior side setback areas.
Location	11416 SW 35 Lane, Miami-Dade County, Florida.
Property Size	4,128 sq. ft.
Existing Zoning	RU-4L
Existing Land Use	Single-Family residence
2015-2025 CDMP Land Use Designation	Low-Medium Density Residential (6 to 13 dua) <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with the LUP map of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b), Non-Use Variance standards, Section 33-311(A)(7) Generalized Modification Standards, <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Denial without prejudice.

REQUESTS:

- (1) MODIFICATION of Condition #3 of Resolution 4-ZAB-301-77, passed and adopted by the Zoning Appeals Board, only as it applies to the subject property, reading as follows:

From: "3. That in the approval of the plan, the same be substantially in compliance with that submitted for the hearing as prepared by "Westchester Villas for Alberto Robles," dated March 8, 1977, and prepared by Hector Valdavia, Architect."

To: "3. That in the approval of the plan, the same be substantially in compliance with that submitted for the hearing entitled "Addition for Barrero Residence" as prepared by Vertex Architecture, Inc., dated stamped received 3/22/13, consisting of 4 sheets.

The purpose of request #1 is to allow the applicants to submit a new site plan showing the existing addition to the cluster home.

- (2) NON USE VARIANCE to permit an existing addition to the single-family residence setback varying from 2.35' to 12.82' (20' required) from the rear (south) property line.
- (3) NON USE VARIANCE to permit an existing shed setback 2.90' from the interior side (east) property line and setback 1.65' from the rear (south) property line (5' required for both).

PROJECT DESCRIPTION:

The plans submitted depict the 4,128 sq. ft. lot with the existing one (1) story cluster home and additions and an accessory structure that encroach into the rear (south) and interior side (east) setback areas.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-4L; single-family residence	Low-Medium Density Residential (6 to 13 dua)
North	RU-4L; single-family residences	Low-Medium Density Residential (6 to 13 dua)
South	RU-4L; apartment buildings	Low-Medium Density Residential (6 to 13 dua)
East	RU-4L: single-family residence	Low-Medium Density Residential (6 to 13 dua)
West	RU-4L; single-family residence	Low-Medium Density Residential (6 to 13 dua)

NEIGHBORHOOD COMPATIBILITY:

The single-family residence is part of a previously approved cluster development and is surrounded by a mixture of one and two story single-family residences within the development.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to maintain the single-family residence with the existing addition and accessory structure which provide the applicants with additional living and storage area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is designated as **Low-Medium Density Residential** on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). *The type of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.* The approval of the request sought in the application will not add additional dwelling units to the site beyond what is allowed by the LUP map of the CDMP. Since the applicant is not requesting to add additional dwelling units to the site above that allowed nor change the single-family detached use, approval of the application with conditions is **consistent** with the density threshold of Low-Medium Density Residential Communities map of the CDMP LUP map designation.

ZONING ANALYSIS:

When request #1 is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), staff opines that approval would be **incompatible** with the surrounding area. Staff notes that the subject property is part of a 123 unit, cluster home development that was approved pursuant to Resolution #4-ZAB-301-77, in August 1977. The plan for the development that was approved pursuant to this resolution permitted the residences to setback 20' from the

rear property lines. Staff's research of other properties within the surrounding cluster home development did not locate any similar approvals of requests for variances to the setback requirements as is being requested herein. Pursuant to Resolution #5-ZAB-74-96, the abutting property to the west was approved to allow an addition to the residence setback 15' from the rear (south) property line, where 20' was previously approved. Staff notes that 14.2' of the entire 45.5' wide rear frontage of the residence encroaches 17.65' into the rear (south) setback area, which staff opines is excessive and out of character with the approved development of the area. The remaining 31.3' rear frontage only encroaches 7.18' into the rear setback area which in staff's opinion is not as visually intrusive. However, the submitted plans and the survey indicate that the entire rear yard area is enclosed by a 6' high wood fence. Additionally, the rear (south) property line of the subject property abuts a 15' wide landscape strip that contains a number of mature trees approximately 30' in height. Staff notes that although the setback of the addition is excessive and encroaches 17.65' into the required 20' setback, the existing 6' high wood fence and the existing abundant foliage within the landscape strip helps to mitigate some of the visual impact of the existing additions from street level or from aerial views of the subject site from the south.

Based on memoranda from the Division of Environmental Resource Management (DERM) and the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources, along with memoranda from the Miami-Dade Fire Rescue and the Miami-Dade Police Departments, the approval with conditions of the applicants' request to modify the previously approved plans as it applies to the subject residence only, will not generate excessive noise or traffic, create other hazards to the surrounding area or be incompatible with same, when considering the necessity for and reasonableness of the modifications in relation to the present and future development of the area concerned. However, staff notes that the memorandum from the Building and Code Compliance Division of the Department of Regulatory and Economic Resources indicated that the subject property was cited for the building without a permit. Further, staff opines that based on the submitted floor plans the subject property could be subdivided in the future to allow multiple family use **Therefore, staff recommends denial without prejudice of request #1, under Section 33-311(A)(7).**

When request #2 is analyzed under the Section 33-311(A)(4)(b), Non-Use Variance From Other Than Airport Regulations Standards, staff opines that approval of this request will not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and for the reasons that were previously explained, would be **incompatible** with same. Staff notes the approval of request #2 is germane to the approval of request #1, to modify a previously approved plan and permit the existing additions to the single-family residence. **As such, staff recommends denial without prejudice of request #2 under Section 33-311(A)(4)(b), Non-Use Variance Standards.**

Similarly, when request #3, to permit an existing shed setback 2.9' from the interior side (east) and 1.65' from the rear (south) property lines is analyzed under the Section 33-311(A)(4)(b), Non-Use Variance From Other Than Airport Regulations Standards, staff opines that approval of this request will not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **incompatible** with same. Staff notes that the existing shed is located in the southeast corner of the lot abutting an existing 6' high wood fence and the previously mentioned landscaped buffer to the south. Additionally, staff notes that pictures submitted by the applicants indicate that the west façade of the abutting residence to the east does not have any opening which, in staff's opinion, substantially mitigates any negative visual impact of the existing shed on said residence due to its close proximity to the adjacent property

line. However, staff opines that there is sufficient room in the south east corner of the subject property to accommodate the relocation of the existing shed to meet the setback requirements. **Therefore, staff recommends denial without prejudice of request #3 under the Section 33-311(A)(4)(b), Non-Use Variance From Other Than Airport Regulations Standards.**

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

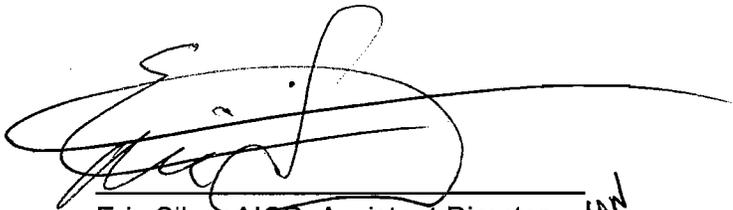
OTHER: Not applicable.

RECOMMENDATION:

Denial without prejudice.

CONDITIONS FOR APPROVAL: None.

ES:MW:NN:JC:CH



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

NDW

ZONING RECOMMENDATION ADDENDUM

Francisco and Sofia Barrero
Z12-103

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
Division of Environmental Resource Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Schools	No objection
*Subject to conditions in their memorandum.	

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

Low-Medium Density (Pg.I-31)	<i>This category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.</i>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311(A)(7) Generalized Modification Standards.	<i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.</i>
Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required</i>

1. FRANCISCO & SOFIA BARRERO
(Applicant)

13-7-CZ10-1(12-103)
Area 10/District 10
Hearing Date: 07/31/13

Property Owner (if different from applicant) **Francisco Barrero & Sofia Barrero.**

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>
1966	R. M. Haverfield	- Zone change from RU-1 & AU to RU-4L.	BCC	Approved
1966	R. M. Haverfield I	- Zone change from RU-1 & AU to RU-4L.	ZAB	Recommended for Approval
1977	Alejandro Robles & Alberto Gonzalez, Trustee.	- Special Exception & Use Variance to permit Cluster Development.	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.

Memorandum

Date: April 23, 2013

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

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

Subject: C-10 #Z2012000103-2nd Revision
Francisco Barrero
11416 SW 35th Lane
Non-Use Variance to Permit an Addition to a Single Family
Residence Setback Less than Required from Property Line
(RU-4L) (0.09 Acres)
18-54-40

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.

Flood Protection

The application site lies within a Special Flood Hazard Zone with a base flood elevation of 7.0 ft. NGVD as per determined the Federal Flood Insurance Rate Maps (FIRM) for Miami-Dade County. The County flood criterion for this site is 7.50 ft NGVD. The proposed addition as depicted in the zoning request for a variance of set backs appears to be a non-substantial improvement as defined in Chapter 11C of the Code. Non-substantial improvements are required at a minimum to match the elevation of the existing single family residence. Based on the survey provided with this submittal the proposed addition has an elevation of 9.07 NGVD and the single family residence has an elevation of 9.57 NGVD which are in compliance with the Code. Please contact the Floodplain Program at (786)-315-2800 for more information.

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

The existing setbacks 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 to permit an existing addition will not impact tree resources. Be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

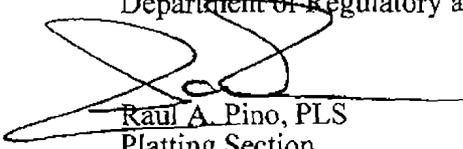
cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: December 11, 2012

To: Eric Silva, Assistant Director
Department of Regulatory and Economic Resources

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

Subject: Z2012000103
Name: Francisco Barrero & Sofia Barrero
Location: 11416 SW 35 Lane
Section 10 Township 54 South Range 40 East

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

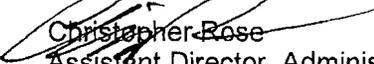
This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.

Memorandum



Date: September 12, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

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

Subject: DIC # Z12-103
Francisco Barrero and Sofia Barrero

Attached please find a copy of this Department's review of the above-referenced item. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal, Planning and Performance Management Division at 305-514-6661.

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW # Z12-103 Francisco Barrero and Sofia Barrero

Application: *Francisco Barrero and Sofia Barrero* are requesting a non-use variance for setbacks on the property.

Size: The subject property is approximately 0.09 acres.

Location: The subject property is located at 11416 SW 35th Lane in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

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

2. Garbage and Trash Collection Services

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

3. Recycling

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

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

4. Waste Storage/Setout Considerations

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

5. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria 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: April 22, 2013

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

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

Subject: Z2012000103: FRANCISCO BARRERO & SOFIA BARRERO
Review includes plans dated submitted 3/22/13

Application Name: FRANCISCO BARRERO & SOFIA BARRERO

Project Location: The site is located at 11416 SW 35 LN, Miami-Dade County.

Proposed Development: The applicant is requesting setback variances for an existing single family home. Review includes plans dated submitted 3/22/13.

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: 11-SEP-12
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department
Subject: Z2012000103

Fire Prevention Unit:

Not applicable to MDRR site requirements.

Service Impact/Demand

Development for the above Z2012000103
located at 11416 SW 35 LN, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1521 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: 7:08 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: 03-APR-13
REVISION 2

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

FRANCISCO & SOFIA BARRERO

11416 SW 35 Lane, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2012000103

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY; NC; No open cases. BNC: BSS case 20090128909-b opened on March 13, 2009. Notice of Violation issued for Failure to obtain required building permit(s) prior to commencing work on: 1. Rear attached additions and terrace with roof decking not installed to code and rafters missing strapping. 2. The installation of security bars (security grills or security devices) over exit doors or over escape and rescue openings without first obtaining a permit. Civil Violation Notice B083093 issued on September 24, 2009 for non compliance. Final Notice of Intent to Lien/demand for payment was issued on August 25, 2010. lien was recorded on October 19, 2011, case remains open.

Francisco & Sofia Barrero

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

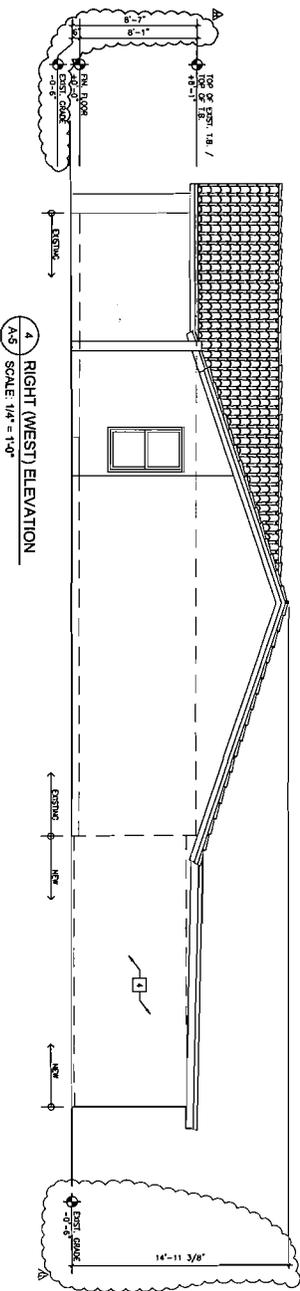
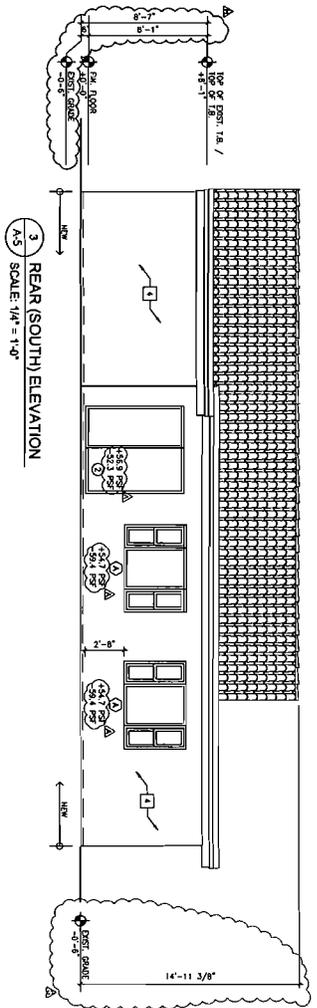
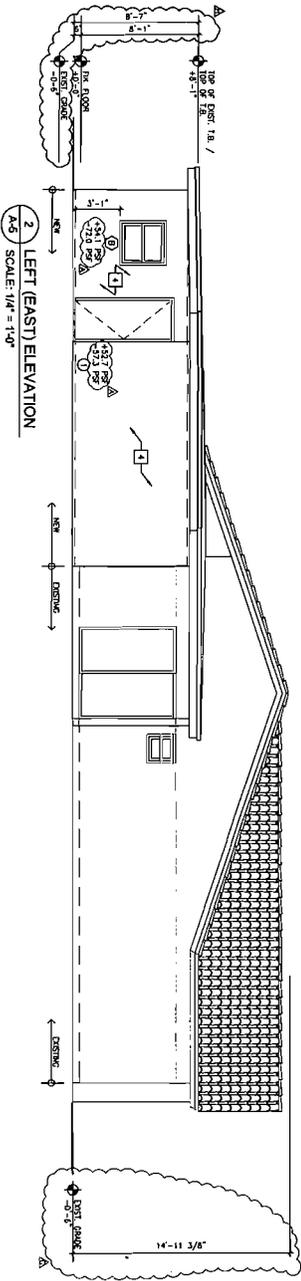
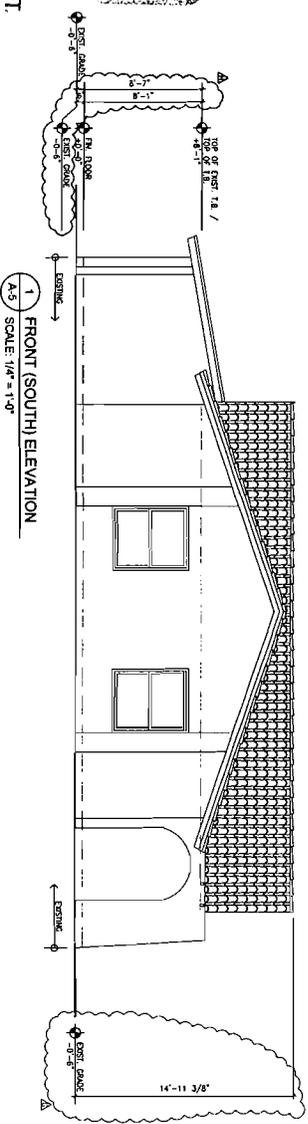
REPORTER NAME:

RECEIVED
 HONORABLE COURT
 PLANNING AND ZONING
 DEPT. 212

RECEIVED
 MAR 22 2013
 212-103

ZONING REVISIONS SECTION
 MAMI-DADE PLANNING AND ZONING DEPT.
 BY SAH

- KEY NOTES**
- REMOVE 5/8" VERTICAL REINFORCING BARS AT 48" O.C. & USE REBAR A REPLACEMENT OF 48" BARS MAXIMUM. THE CALLS FOR 2000 PSI FIBER CONCRETE SHALL BE PROVIDED AT ALL CORNERS AND TO EITHER SIDE OF ALL DOOR OR WINDOW OPENINGS (179) FOR OPENINGS UNDER THAN 4'-0". PLACE 2 #5 EACH SIDE OR AS SHOWN ON PLANS.
 - 2" DIAL BLOCK W/ 9 GA. GALVANIZED UNDER-PINE HORIZONTAL REINFORCEMENT EVERY OTHER 4" CONCRETE SHALL BE USED AT ALL CORNERS.
 - REMOVE 5/8" VERTICAL REINFORCING BARS AT 48" O.C. & USE REBAR A REPLACEMENT OF 48" BARS MAXIMUM. THE CALLS FOR 2000 PSI FIBER CONCRETE SHALL BE PROVIDED AT ALL CORNERS AND TO EITHER SIDE OF ALL DOOR OR WINDOW OPENINGS (179) FOR OPENINGS UNDER THAN 4'-0". PLACE 2 #5 EACH SIDE OR AS SHOWN ON PLANS.
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ARCHITECTURE
 Architecting with a Point
 Carol A. Brown, C.A., AIA/ASA
 Ashley S. Williams, R.A., AIA/ASA
 Verbox Architecture, Inc.
 10250 SW 50th Street
 Miami, FL 33155
 Tel: 305.412.2244
 Fax: 305.412.2245
 www.verboxarchitecture.com

ADDITION
 for
 Barrero Residence
 Miami, FL 33165

OWNER:
 Sofia & Enrique Barrero
 11416 SW 231st
 Miami, FL 33165
 (305) 218-8183

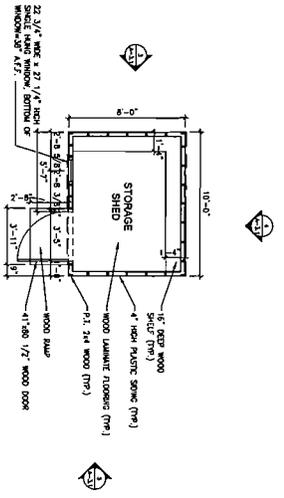
Permit Set
 Consultant:

NO.	DATE	DESCRIPTION
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A	10-12-12	ZONING, VARIATION COMMENTS

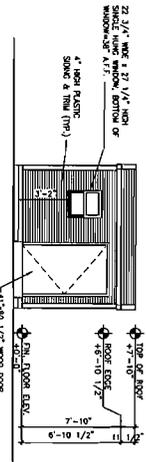
EXTERIOR ELEVATIONS
 SHEET TITLE
 DATE: 12-03-09
 DRAWN BY: A.S.W.
 CHECKED BY: A.S.W.
 PROJECT NO: 0853
 SHEET: A-5

RECEIVED
 212-103
 MAR 22 2013

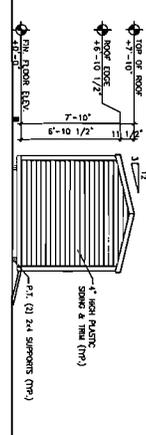
ZONING REVISION SECTION
 MAMI-DADE PLANNING AND ZONING DEPT.
 BY ASJ



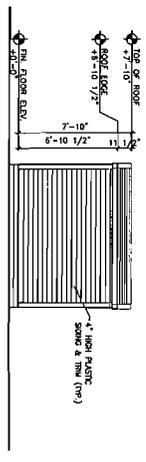
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 SCALE: 1/4" = 1'-0"



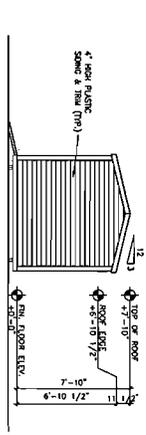
2 SHED FRONT (NORTH) ELEVATION
 SCALE: 1/4" = 1'-0"



3 SHED LEFT (EAST) ELEVATION
 SCALE: 1/4" = 1'-0"

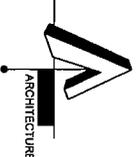


4 SHED REAR (SOUTH) ELEVATION
 SCALE: 1/4" = 1'-0"



5 SHED RIGHT (WEST) ELEVATION
 SCALE: 1/4" = 1'-0"

RECEIVED
 MUNICIPAL ENGINEERING
 DEPARTMENT
 1100
 2/22/2013



Architecture with a Point
 of View
 10250 SW 56th Street
 Suite C-101
 Miami, FL 33155
 Phone: 305.442.2222
 Fax: 305.442.2222
 www.vortexarchitecture.com

DATE: 2/14/13
 BY: [Signature]

Addition
 for
 Barrero Residence
 Miami, FL 33155
 MAMI-218-8-163

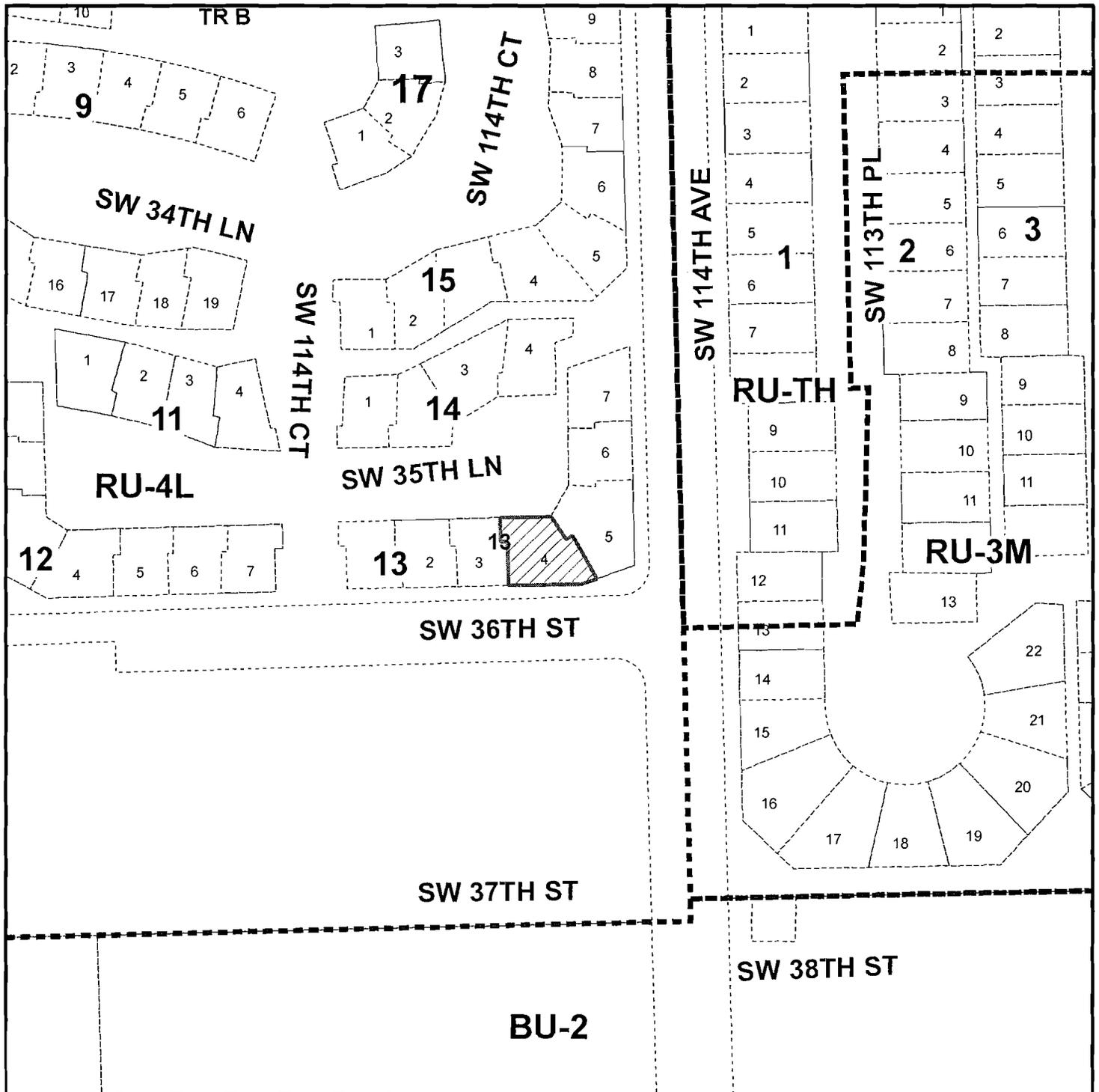
Owner:
 Sara & Francisco Barrero
 Miami, FL 33155
 (305) 218-8163

Permit Set
 Consultant:

NO.	DATE	DESCRIPTION
1	10-1-12	ZONING REVISION COMMENTS

DATE: 12/20/12
 DRAWN BY: ASJ
 CHECKED BY: ASJ
 PROJECT NO: 0853

Sheet Title: SHED FLOOR PLAN & ELEVATIONS
 A-3-1



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2012000103

Section: 18 Township: 54 Range: 40
 Applicant: FRANCISCO BARRERO & SOFIA BARRERO
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

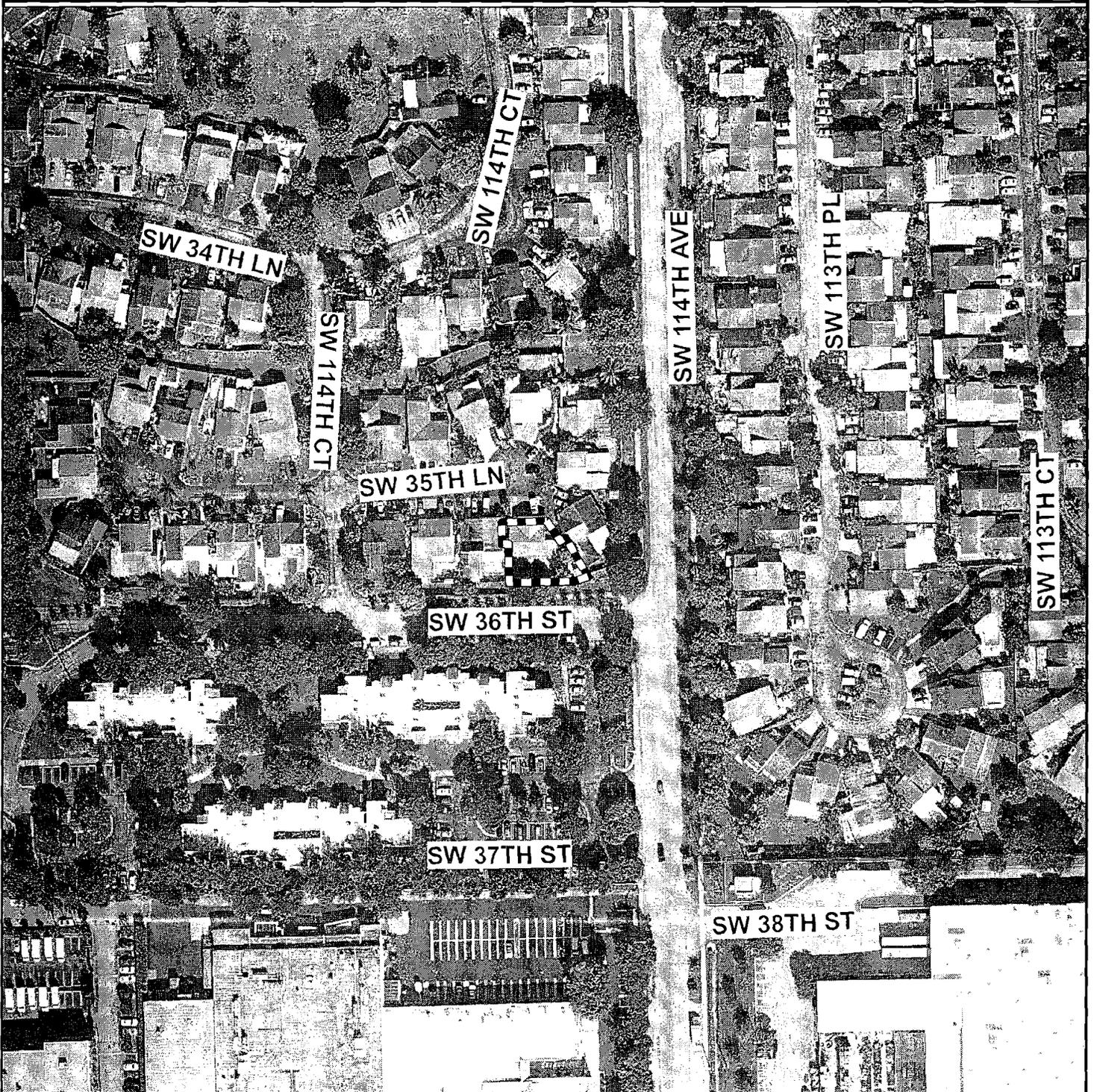
Legend

 Subject Property Case



SKETCH CREATED ON: Friday, September 7, 2012

REVISION	DATE	BY
		21



MIAMI-DADE COUNTY

AERIAL YEAR 2012

Process Number

Z2012000103



Section: 18 Township: 54 Range: 40
 Applicant: FRANCISCO BARRERO & SOFIA BARRERO
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

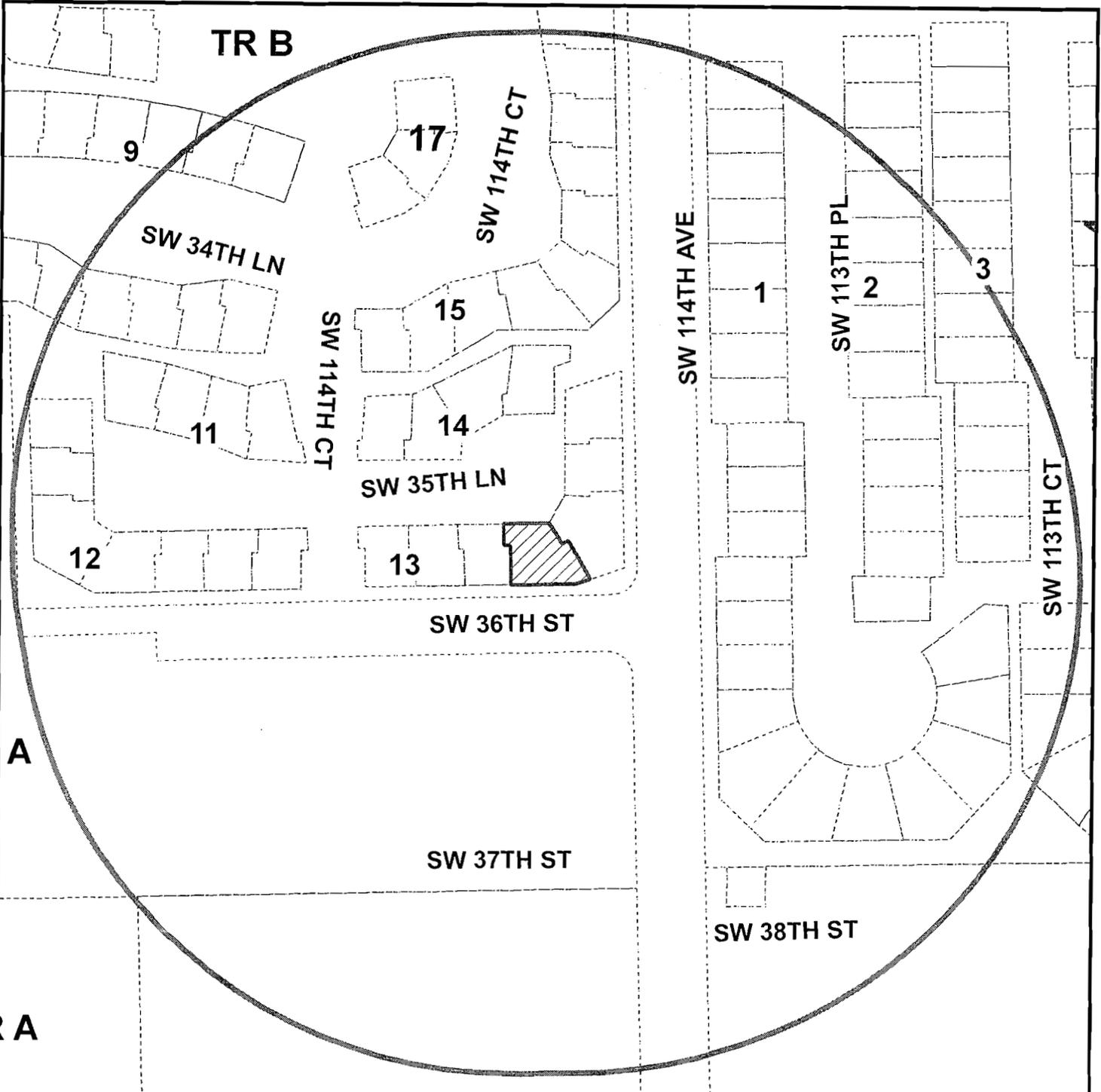
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 Subject Property



SKETCH CREATED ON: Friday, September 7, 2012

REVISION	DATE	BY
		22



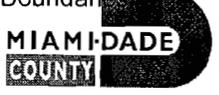
MIAMI-DADE COUNTY
RADIUS MAP

Process Number
Z2012000103
 RADIUS: 500

Section: 18 Township: 54 Range: 40
 Applicant: FRANCISCO BARRERO & SOFIA BARRERO
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

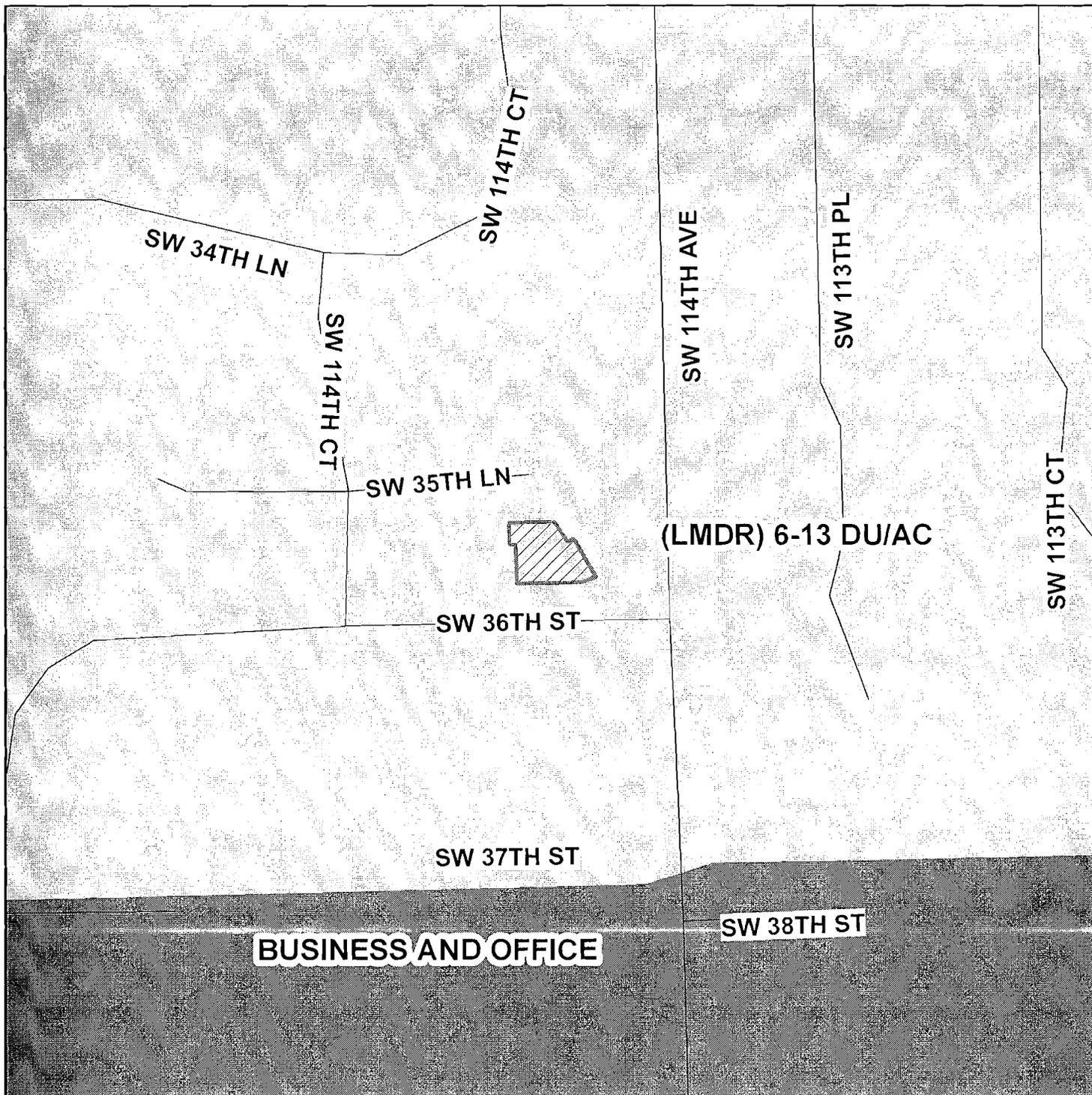
Legend

-  Subject Property
-  Contiguous Properties
-  Buffer
-  Property Boundary



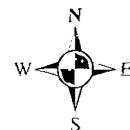
SKETCH CREATED ON: Friday, September 7, 2012

REVISION	DATE	BY
		23



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2012000103



Section: 18 Township: 54 Range: 40
 Applicant: FRANCISCO BARRERO & SOFIA BARRERO
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Friday, September 7, 2012

REVISION	DATE	BY

Memorandum



Date: July 30, 2013

To: The Community Zoning Appeals Board - 10

From: Developmental Impact Committee
Executive Council

Subject: Developmental Impact Committee Recommendation

APPLICANT: Pan American Coral Terrace, Ltd. (Z12-147)

SUMMARY OF REQUESTS:

The applicant is seeking a zone change to BU-2, special exception to permit a package liquor store spaced less than required from other legally established alcoholic beverage establishments and spaced less than required from churches and schools. In addition, the applicant seeks to waive sign regulations to allow six (6) additional signs than permitted, for a total of eight (8) signs.

LOCATION: Lying south of SW 24 Street between SW 70 Court and SW 71 Court, Miami-Dade County, Florida.

COMMENTS:

This application went before the Developmental Impact Committee due to the size of the rezoning which exceeds 10 acres and the size of the retail area which exceeds 100,000 square feet. 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 June 12, 2013 and the attached Department memoranda were reviewed and considered by said Committee.

DIC RECOMMENDATION:

Approval of request #1 subject to board's acceptance of the proffered covenant, as amended to reflect the Public Works and Waste Management revised comments, modified approval with conditions of request #3 to permit two (2) 200 sq. ft. 30 ft. high detached signs along SW 24 Street and four (4) 36 sq. ft. monument signs, with a maximum copy area of 36 sq. ft. and a maximum height of 6 ft. along the side street property lines and approval with conditions of requests #2 and #4, as set forth in the Department of Regulatory and Economic Resources' recommendation.

As part of the motion, the Developmental Impact Committee Executive Council requested to include in the proffered covenant that "all truck deliveries to the property shall be only through SW 71 Avenue from 10 pm to 7 am." This additional condition supersedes any additional

departmental condition addressed in condition #14 of the Department of Regulatory and Economic Resources' recommendation.

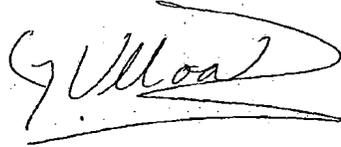
The Executive Council is of the opinion that this application will be in keeping with the Comprehensive Development Master Plan designation for the subject property. In addition, the Council found that the approval of this application with the acceptance of the proffered covenant, will not be contrary 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.

APPLICATION NO. Z12-147
PAN AMERICAN CORAL TERRACE, LTD.

Respectfully Submitted,

DIC Executive Council
June 12, 2013

Giovannie Ulloa, Fire Chief
Miami-Dade Fire Rescue Department



AYE

Eric Silva, AICP
Sustainability, Planning and Economic Enhancement
Department



AYE

Antonio Cotarelo, Assistant Director
Public Works Department



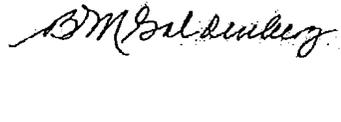
AYE

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



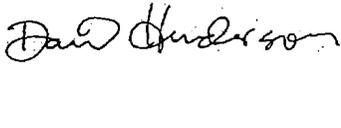
AYE

Bertha M. Goldenberg, Assistant Director
Miami-Dade Water and Sewer Department



AYE

David Henderson, Bicycle/Pedestrian Specialist
Metropolitan Planning Organization



AYE

Monica Cejas, Senior Professional Engineer
Miami-Dade Transit

AYE

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to the Development Impact Committee**

PH: Z12-147

DIC Date: June 12, 2013

Item No. 1

Recommendation Summary	
Commission District	6
Applicant	Pan American Coral Terrace, Ltd.
Summary of Requests	The applicant is seeking a zone change to BU-2, special exception to permit a package liquor store spaced less than required from other legally established alcoholic beverage establishments and spaced less than required from churches and schools. In addition, the applicant seeks to waive sign regulations to allow six (6) additional signs than permitted, for a total of eight (8) signs.
Location	Lying south of SW 24 Street between SW 70 Court and SW 71 Court, Miami-Dade County, Florida.
Property Size	14.866 acres
Existing Zoning	BU-2 & IU-3, Special Business District & Unlimited Industrial Manufacturing District
Existing Land Use	Vacant
2015-2025 CDMP Land Use Designation	Business and Office (see attached Zoning Recommendation Addendum)
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 (see attached Zoning Recommendation Addendum)
Recommendation	Approval of request #1, subject to board's acceptance of the proffered covenant, modified approval with conditions of request #3 and approval with conditions of requests #2 and #4.

REQUESTS:

1. DISTRICT BOUNDARY CHANGE from IU-3 & BU-2 to BU-2.
2. SPECIAL EXCEPTION to permit a proposed package liquor store to be spaced less than the required 1,500' from the other legally established alcoholic beverage establishments and spaced less than the required 2,500' from churches and schools.
3. NON-USE VARIANCE of sign regulations limiting the size and number of signs in shopping center to one (1) 300 sq. ft. sign or two (2) 200 sq. ft. signs; to waive same to permit eight (8) detached signs (six (6) 36 sq. ft. and two (2) 200 sq. ft. detached signs).
4. NON-USE VARIANCE of sign regulations requiring that signs shall be used only to identify the shopping center and/or as a directory of tenants in the shopping center; to waive same to permit a proposed 200 sq. ft. detached sign to identify the Wholesale Membership Club and fueling stations only.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Coral Terrace" as prepared by Center for Collaborative Architecture, and

dated stamped, received April 2, 2013, consisting of 10 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND PROJECT HISTORY:

The submitted plans depict a proposed shopping center development consisting of multiple buildings containing up to 155,767 sq. ft. of commercial building square footage and parking areas on the approximately 14.866-acre parcel. Included in the proposed plans are a restaurant, bank with drive-thru teller service, retail space, and a wholesale membership warehouse with an ancillary liquor store and fueling facility. Staff notes that the applicant owns a contiguous parcel of land located on the northwest corner of SW 69 Court and SW 29 Road, containing approximately 1.578 acres of land, which is to remain zoned IU-3.

Pursuant to Resolution #CZAB10-70-01, the northerly 6.03 net acres of the subject property was approved to allow an automobile dealership and auto repair facility in addition to ancillary non-use variances. Additionally, the subject parcel was approved to allow a modification of the previous resolution to submit a revised site plan showing less property and a different building configuration pursuant to Resolution #CZAB10-77-07. Based on available information, the subject property was never developed and remains vacant land.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	BU-2 & IU-3; vacant land	Business and Office
North	BU-2; office building, parking lot, and restaurant BU-1A; car dealership RU-4M; apartment building	Business and Office Business and Office Industrial and Office
South	IU-3; warehouse	Industrial and Office
East	BU-1A; car dealership RU-4M; apartment building IU-3; industrial uses	Business and Office Industrial and Office Industrial and Office
West	BU-2 & IU-3; hardware store and lumber yard	Business and Office Industrial and Office

NEIGHBORHOOD COMPATIBILITY:

The subject property is a vacant parcel is surrounded by commercial and industrial uses, with the exception of the five-story apartment building located on the RU-4M parcel. There is a large automobile dealership to the east and a hardware store and lumber yard to the west. There are various commercial and food establishments to the north and warehouse use to the south.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to develop the parcel with a shopping center development and provide the community with additional commercial establishments and a wholesale membership warehouse with an ancillary liquor store and fueling facility. However, since the site is vacant the proposed development could have traffic impacts on the surrounding residential and commercial developments in this area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

Staff notes that the approximately 14.866 acres subject parcel 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 March 2013, pursuant to Ordinance #13-26. The applicant at that time proffered a CDMP Declaration of Restrictions, which restricts the development of the parcel to 200,000 sq. ft. of such uses as may be permitted under the "Business and Office" land use designation; provided, however, that no residential development be allowed on the property.

The Business and Office 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.* The approval of the request sought in this application will permit the applicant to rezone the property from BU-2, Special Business District, and IU-3, Unlimited Industrial Manufacturing District, to BU-2, which includes regional shopping center uses. Staff opines that the requested BU-2, Special Business District, is **consistent** with the Business and Office designation of the subject property on the CDMP Land Use Plan map.

As previously stated, the applicant proposes a shopping center development consisting of multiple buildings containing up to 155,767 sq. ft. of commercial building square footage and parking areas on the subject property. Included in the proposed plans are a restaurant, bank with drive-thru teller service, retail space, and a wholesale membership warehouse with an ancillary liquor store and refueling facility. Staff notes that the proposed development does not exceed the maximum allowed 200,000 sq. ft. of building area restricted by the previously accepted CDMP Declaration of Restrictions provided at the time of CDMP amendment for the April 2012 amendment cycle and approved in March 2013.

Further, the CDMP Land Use Element interpretative text for the Business and Office designation states that *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.* Staff notes that memoranda submitted by the Departments of Public Works and Waste Management, the Environment Division of Regulatory and Economic Resources, Miami-Dade Fire Rescue and Parks, Recreation and Open Spaces do not indicate any negative impact from the requested district boundary change. As previously stated, the proposed zoning district and proposed uses are **consistent** with the commercial uses permitted under the Business and Office land use category and the Land Use Element interpretative text for Business and Office and **compatible** with the surrounding area based on the aforementioned department memoranda and described in the Zoning Analysis below.

ZONING ANALYSIS:

When request #1, to permit the District Boundary Change from IU-3 & BU-2 to BU-2, is analyzed under Section 33-311 of the Code, staff opines that the approval of the request would be consistent with the CDMP's LUP map Business and Office designation. Staff is of the opinion that said request would not have an unfavorable impact on the environmental and natural resources, or economy nor unduly burden water, sewer, solid waste disposal, recreation,

education or public transportation facilities as evidenced by memoranda submitted by the Departments of Public Works and Waste Management (PWWM); Parks, Recreation and Open Spaces; the Division of Environmental Resources Management (DERM) of the Department of Regulatory and Economic Resources (RER); the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources; and Miami-Dade Fire Rescue. The DERM memorandum indicates that approval of this application will not result in a reduction in the Level of Service (LOS) standards for potable water service, wastewater disposal, or stormwater management. Further, staff opines that the development permitted by the application, if granted, will not 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 the development is adequately accessible by public and private roads, streets or highways.

The Platting and Traffic Review Section of the RER indicates that the approval of the aforementioned request 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. Additionally, said departments indicate in their memoranda that they do not object to this application.

As previously stated, the plans submitted for this application include uses such as a restaurant, bank with drive-thru teller service, retail space, and a wholesale membership warehouse with an ancillary liquor store and refueling facility. Furthermore, the applicant has proffered a covenant tying the development of this property to the site plan submitted with this application. According to the applicant, the contiguous property on the northwest corner, containing approximately 1.578 acres of land will remain zoned IU-3 and it not going to be developed at this time.

The subject property is a vacant parcel of land that fronts onto SW 24 Street, which is a four lane road, with turn lanes and medians. Located to the east of the subject property is a car dealership and light industrial uses, as well as a residential condominium. To the west of the subject property is a hardware store and light industrial uses such as warehouses. This area is a section of Miami-Dade County which is zoned BU-2 to the north and IU-3 to the south and developed with a mix of commercial and light industrial uses. Although the portion of the site zoned IU-3 allows for a membership warehouse, it does not allow for retail uses.

Approval of this application will allow the applicant to utilize the subject property as permitted under the BU-2, Special Business Zoning District Regulations, and develop the site in accordance with the character of the surrounding community. Staff is of the opinion that, subject to the Board's acceptance of the proffered covenant, approval of the zone change request to BU-2 would not be out of character with this commercial and light industrial area, would be **compatible** with neighboring developments, would serve a public benefit and would, therefore, be consistent with the CDMP. **As such, staff recommends approval of the district boundary change from BU-2 and IU-3 to BU-2, subject to the Board's acceptance of the proffered covenant, under Section 33-311 Standards for District Boundary Change.**

When request #2, to permit the proposed package liquor store spaced less than the required 1,500' from other legally established alcoholic beverage establishments and spaced less than the required 2,500' from churches and schools is analyzed under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New Uses, staff opines that approval of this request would be **compatible** with the surrounding area. Approval of this request will not result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads or highways, nor provoke excessive

overcrowding and concentration of people, when considering the necessity for and reasonableness of the applied for exception in relation to the present and future development of the area and the compatibility of the applied for exception with the area and its development.

The proposed package liquor store will be located within the proposed shopping center. Staff notes that it is internal to the site, located to the back of the subject property, approximately 1,000 feet south of SW 24 Street and part of the proposed wholesale membership club. The liquor survey submitted by the applicant indicates that the requested liquor package store would be the only full liquor package store in the immediate vicinity. Additionally, the survey indicates five (5) lawfully established alcoholic beverage establishments located within the surrounding area. Of the five (5) establishments three (3) are restaurants, one (1) banquet hall and one (1) supermarket. The liquor survey submitted by the applicant indicates the distance from the subject property to the nearest religious facility is located 1,340 feet and to the nearest school to be 1,540 feet. However, staff notes that two lawfully established alcoholic beverage establishments currently exist within 1,000 feet of said religious facility and school. In staff's opinion, the proposed encroachment into the 1,500' and 2,500' spacing requirements would not negatively impact the existing community.

Based on all of the aforementioned, staff is of the opinion that approval of this request would be **compatible** with the surrounding area and SW 24 Street, a major transportation corridor and would not negatively affect the stability and appearance of the community, and would not be a detriment to the community. **Accordingly, staff recommends approval with conditions of request #2, under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New Uses.**

When request #3; to waive the sign regulations limiting the size and number of signs in shopping center to one (1) 300 sq. ft. sign or two (2) 200 sq. ft. signs, to permit eight (8) detached signs, six (6) 36 sq. ft. 8' in height, and two (2) 200 sq. ft. detached signs 30' in height; and request #4, to waive the sign regulations requiring that signs shall be used only to identify the shopping center and/or as a directory of tenants in the shopping center, to permit a proposed 200 sq. ft. detached sign only to identify the Wholesale Membership Club and refueling stations are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff opines that a modified approval with conditions of request #3 and approval with conditions of request #4 would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with the area.

In staff's opinion the requested eight signs would be excessive for the subject property, would create a visual clutter along SW 24 Street and would be incompatible with the surrounding area. Further, staff opines that the two (2) 36 sq. ft. 8' high detached signs, in addition to the two (2) 200 sq. ft. 30' high detached signs along SW 24 Street would overcrowd the 308' lot frontage along SW 24 Street and would create a negative visual impact on the surrounding area. In addition, staff opines that the above mentioned two (2) 36 sq. ft. 8' high detached signs along SW 24 Street for the proposed bank and restaurant are not needed and that passersby along SW 24 Street will have adequate visibility from the signage on the buildings themselves.

Staff opines that a modified approval to permit two (2) 200 sq. ft. 30' high detached signs along SW 24 Street and four (4) 36 sq. ft. monument signs in lieu of detached signs, with a maximum copy area of 36 sq. ft. and a maximum height of 6 ft. in lieu of 8 ft. in height along the interior side property lines, provides sufficient signage for the proposed shopping center and would not be out of character with the surrounding area. Staff further opines that monument signs, which are defined in the Code as *signs, which are freestanding, 2-faced signs, shall have a base at least seventy-five (75) percent of the horizontal width of the sign and located directly on the*

ground or a maximum of twelve (12) inches above grade would be better suited to the proposed development, serve as effective directional signs at a more suitable height for the visibility of the driver, more esthetically appealing and more compatible with the surrounding area. As a condition for approval, staff recommends that the two (2) 200 sq. ft. proposed detached signs be located 20 feet from the front (north) property line along SW 24 Street as indicated in the submitted plans.

Staff opines that approval of four (4) additional 36 sq. ft. monument signage with a reduced height of 6 feet, although exceeding the number allowed by the signage regulations within the Code (request #3) and including the request to waive the sign regulations requiring that signs shall be used only to identify the shopping center and/or as a directory of tenants in the shopping center, to permit a proposed 200 sq. ft. detached sign to identify the Wholesale Membership Club and fueling stations (request #4), will not have a negative visual impact on the surrounding area. Further, the proposed signage will, in staff's opinion, provide the applicant and the proposed tenants with visibility along the heavily travelled SW 24 Street.

As such, staff opines that by removing the two (2) 36 sq. ft. signs on SW 24 Street the visual impact on the surrounding area will be minimal and not likely to create visual clutter along SW 24 Street. As previously mentioned, the proposed membership club will be located approximately 1,000 ft. south of SW 24 Street. Therefore, the signage along SW 24 Street and interior side streets will facilitate the movement of traffic into the shopping center and to the tenants at the southern end of the site. Consequently, staff opines that a modified approval with conditions of request #3, to permit a total of six (6) signs in lieu of the requested eight (8) signs, four (4) 36 sq. ft. monument signs in lieu of the requested detached signs at a maximum height of 6 ft. in lieu of the requested 8 ft. in height, and two (2) 200 sq. ft. detached signs with a height of 30 ft.; and approval with conditions of request #4, to waive the sign regulations requiring that signs shall be used only to identify the shopping center and/or as a directory of tenants in the shopping center, to permit a proposed 200 sq. ft. detached sign to identify the Wholesale Membership Club and refueling stations, would not affect the appearance and stability of the surrounding community and would be **compatible** with same. **Staff therefore, recommends a modified approval with conditions of request #3 and approval with conditions #4 under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard.**

ACCESS, CIRCULATION AND PARKING:

The submitted plans indicate eight (8) ingress/egress points for the subject property, one of which is located along SW 24 Street. The applicant has provided 34 more parking spaces than the required 644 parking spaces for the proposed shopping center with adequate drives that connect to the aforementioned ingress/egress points.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

Aviation

The Miami-Dade County Aviation Department (MDAD) has no objections to this application provided there are no conflicts with applicable local, state, and federal aviation regulations including the Code of Miami-Dade County, Chapter 33, Airport Zoning.

Regulatory and Economic Resources (Environmental Resources Management Division)

The Department of Regulatory and Economic Resources (RER) 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.

The DERM memorandum states that 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. Its memorandum indicates that the property is located within the Miami-Dade Water and Sewer Department's water and sewer franchised service areas. The required water main extension permit is issued by the Florida Department of Health. Civil drawings for the water main and sewer main extensions will need to be approved by the Miami-Dade Water and Sewer Department and the Environmental Permitting Section of DERM. The previously approved Surface Water Management General Permit No. 13-03812-P issued in October 7, 2007 expired; therefore, a new Surface Water Management General Permit issued by the Water Control Section of DERM will be required for the construction and operation of the required surface water management system. A Class VI permit may be required if drainage work is proposed in a contaminated area. The subject property has records of current contamination issues. The site and site development are subject to the Consent Agreements with both the Florida Department of Environmental Protection and with Miami-Dade County RER, executed in June 2012 and on file in DERM File 9110/HWR-74. 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. Also, the site contains prohibited tress as defined in Section 24-49.9 of the Code and must be removed from the site prior to development. DERM 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 property does not contain any jurisdictional wetlands.

Public Works and Waste Management Department (Traffic Division)

The Public Works and Waste Management Department (PWWM), does not object to this application subject to the conditions stated in its memorandum.

Its memorandum indicates that the proposed project meets traffic concurrency for an initial development order. Also, the anticipated trip generation based on Institute of Transportation Engineers (ITE) is 603 PM peak trips for the proposed development and have been reserved under tentative plat T-23300. The traffic distribution of these trips will not cause the Levels of Service (LOS) on the surrounding roadways to change, except for SW 74 Avenue south of SW 8 Street. This segment currently operates at LOS "C" and the additional trips generated by this development will cause this segment to operate at LOS "D". Said memorandum also requires certification by a State of Florida registered engineer as part of the paving and drainage plans.

Although the roadways adjacent to the subject property are fully dedicated at this time, the applicant will add on Coral Way a 10-foot right turn bay to the eastbound through lanes. Additionally, the applicant will proffer a restrictive covenant that runs with the land (or other similar document) which requires the dedication of an additional ten (10) feet of right-of-way including dedication for new turning radius to SW 70 Court, upon the County's written request in the event that such property is needed for any public purpose, in the County's sole discretion.

Public Works and Waste Management Department (Waste Management)

The Miami-Dade County Department of Public Works and Waste Management - Waste Management Division does not object to this application. The memorandum submitted for this hearing application indicates that the latest concurrency status determination issued in September 2012, which is valid for one (1) year, shows sufficient disposal system capacity to

meet and exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Department of Regulatory and Economic Resources, is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits as needed from the Florida Department of Environmental Protection.

Miami-Dade Fire Rescue

The Miami-Dade Fire Rescue Department (MDFR) has no objections to this application. Fire Engineering & Water Supply Bureau has reviewed and approved the revised site plan 'Coral Terrace' as prepared by CCA Architecture, dated stamp received April 2, 2013. The average travel time to the vicinity of the proposed development is 5:52 minutes (based on 2012 data). Travel time to the vicinity of the proposed development complies with the national performance objective.

Parks, Recreation and Open Spaces

The Miami-Dade Park, Recreation and Open Spaces Department (MDPROS) has no objections to this application. Further, its memorandum indicates that the application does not generate any residential population; therefore, the CDMP Open Space Spatial Standards do not apply.

Miami-Dade Police Department

The Miami-Dade Police Department (MDPD) has no objections to this application. Its memorandum indicates that the current staffing allows for an average emergency response time of eight minutes or less and could accommodate a slight increase in volume of calls for service. The applicant and developers are encouraged to work with police during any future application, design, or construction changes to determine the best possible solutions or security options.

Water and Sewer Department

The Miami-Dade County Water and Sewer Department (MDWASD) has no objections to this application. The source of water for the subject property is the Alexander Orr Water Treatment Plant. The Central District Wastewater Treatment Plant is the facility that will serve the subject site for treatment and disposal of the wastewater. The subject property will be required to connect to the public water distribution system and the public sanitary sewer collection system.

Miami-Dade Transit Department

The Miami-Dade Transit Department (MDT) has no objections to this application. Its memorandum indicates that route 24 runs adjacent to the subject property and currently provides bus service with a 30 minute or better AM/PM peak-hour headway. Therefore, this application meets the adopted mass transit level of service standards as prescribed by the CDMP Mass Transit Sub-element Policy MT-1A.

Miami-Dade County Public Schools – Not applicable, (no residential development proposed)

OTHER: Not applicable.

RECOMMENDATION:

Approval of request #1 subject to board's acceptance of the proffered covenant, modified approval with conditions of request #3 to permit two (2) 200 sq. ft. 30 ft. high detached signs along SW 24 Street and four (4) 36 sq. ft. monument signs, with a maximum copy area of 36 sq. ft. and a maximum height of 6 ft. along the side street property lines and approval with conditions of requests #2 and #4.

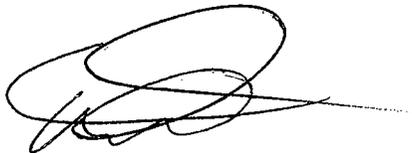
CONDITIONS FOR APPROVAL (For requests #2 through #4 only):

General Conditions

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 in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Coral Terrace" as prepared by Center for Collaborative Architecture, and dated stamped, received April 2, 2013, consisting of 10 sheets, except as herein modified to show the removal from the plan of the two (2) 36 sq. ft. detached signs along SW 24 Street and to reduce the height of the remaining four (4) 36 sq. ft. detached signs to a maximum height of 6 feet.
3. That the use be established and maintained in accordance with the approved plan.
4. That the two (2) 200 sq. ft. proposed detached signs be located 20 feet from the front (north) property line along SW 24 Street as indicated in the submitted plans.
5. That the four (4) monument signs not exceed 6' in height and 36 sq. ft. of copy area and comply with the Miami-Dade County Code (Section 33-284.87(C)(1)(d)) definition for monument signs.
6. That the applicant obtain platting approval, including any required right-of-way dedications and/or improvements, in accordance with Chapter 28 of the Miami-Dade County Code.
7. That the applicant resubmit a full set of plans acceptable to the PWWM Traffic Engineering Division with the necessary revisions during the Paving and Drainage phase.
8. That the applicant add on Coral Way a 10-foot right turn bay to the eastbound through lanes. Additionally, the applicant will proffer a restrictive covenant that runs with the land (or other similar document) which requires the dedication of an additional ten (10) feet of right-of-way including dedication for new turning radius to SW 70 Court, upon the County's written request in the event that such property is needed for any public purpose, in the County's sole discretion. Lane configuration on Coral Way will narrow the existing 13-foot through lanes to 11 feet wide inner lane and 11 feet 6 inches wide outer lane and provide 10-foot turn lanes. Marking modifications shown on SW 70 Court, SW 26 Street, SW 69 Court, and SW 29 Road, to be implemented at the Paving and Drainage plan approval phase.
9. That the applicant provide for entry and exit from the parking lot through way at the intersection of SW 70 Court and SW 26 Street, to be implemented at the Paving and Drainage plan approval phase.
10. That the required updated traffic signal design plans be provided as part of the Paving and Drainage plan submittal. Site plan for Coral Way must include compatible roadway layout, to be implemented at the Paving and Drainage and traffic signal plan approval phase.

11. That the proposed exclusive westbound left-turn lane at the SW 70 Court north leg intersection be further extended to the east to achieve approximately 320 feet of queue storage or as much as available, at the discretion of the County, to be implemented at the Paving and Drainage plan approval phase.
12. That the applicant provide delineation to restrict northbound left out and westbound left into the car dealership's driveway just east of SW 70 Court. Also, the applicant shall provide a narrow raised median or traffic delineators on Coral Way between the opposing eastbound and westbound left turn lanes to prevent this midblock crossing of the centerline.
13. That the applicant record a restrictive covenant that runs with the land (or other similar document) acceptable to the County in the County's sole discretion, which requires the dedication of an additional ten (10) feet of right-of-way along the northern boundary of the property upon the County's written request in the event that such property is needed for any public purpose, in the County's sole discretion. Such dedication shall be at no cost to the County. Such restrictive covenant shall be submitted to Miami-Dade County for review, approval and recording within thirty days of the approval, or this approval shall be null and void if this condition subsequent is not met.
14. 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 June 12, 2013, DIC recommendation and are incorporated herein by reference.

ES:MW:NN:JV:JC



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

ZONING RECOMMENDATION ADDENDUM

Applicants: *Pan American Coral Terrace, Ltd.*
PH: Z12-147

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Parks, Recreation and Open Spaces	No objection
Water and Sewer	No objection
Aviation	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment
*Subject to conditions in their memorandum.	

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

<p>Business and Office (Page I-41)</p>	<p><i>This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. 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></p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

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

Applicants: Pan American Coral Terrace, Ltd.

PH: Z12-147

	<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>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.</p>
<p>Non-Use Variances From Other Than Airport Regulations. Section 33-311(A)(4)(b)</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>

2. PAN AMERICAN CORAL TERRACE, LTD.
(Applicant)

13-7-CZ10-2(12-147)
Area 10/District 06
Hearing Date: 07/31/13

Property Owner (if different from applicant) **Pan Americancoral Terrace, LTD**

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>
1983	Futura Coral Way Property I Ltd.	- Zone change from IU-3 & BU-2 to BU-2 P.U.P. - Unusual Use to permit amusement enterprises restaurant, arcade.	BCC	Approved with Condition(s)
2001	Coral Way Properties Ltd.	- Special Exception to permit a proposed new car & light truck sales agency and auto repair facility.	C10	Approved with Condition(s)
2007	Chrysler Realty Co., LLC	- Modification of Condition #2 of Resolution CZAB10-70-01.	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 17, 2013

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

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

Subject: DIC #Z2012000147-2nd Revision
Pan American Coral Terrace, Ltd., a Florida limited partnership
7090 SW 24th Street, Miami, Florida
Zone Change From IU-3 and BU-2 to BU-2
(BU-2) (14.866 Acres)
14-54-40

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 Service

The subject property is located within the Miami-Dade Water and Sewer Department (MDWASD) water franchised service area. A 12-inch public water main is abutting the subject property along side SW 69th Court / SW 70th Court.

The source for this water supply is MDWASD's Alexander Orr 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.

Be advised that the required water main extension permit is issued by the Florida Department of Health. Civil drawings for the water main extension will need to be approved by the Miami-Dade Water and Sewer Department and the Environmental Permitting Section of DERM.

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

Wastewater Disposal

The subject property is located within MDWASD sanitary sewer franchised service area. Two 8-inch gravity mains are abutting the northern portion of the property along SW 24th Street and SW 71st Avenue. Additionally, a 12-inch force main abuts the property along SW 24th Street.

The wastewater flow is directed into pump station 30-0548, then into pump station 30-0001 and finally to 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 MDWASD. All the aforesaid 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.

Civil drawing for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department and the Environmental Permitting Section of DERM prior to approval of final development orders.

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

Stormwater Management

The previously approved Surface Water Management General Permit No. 13-03912-P issued in October 7, 2007 expired; therefore a new Surface Water Management General Permit issued by the Water Control Section of DERM, shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to any future development order approval. The applicant is advised to contact the Water Control Section at (305)-372-6681 for further information regarding permitting procedures and requirements.

A Class VI permit may be required if drainage work is proposed in a contaminated area.

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

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

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

Pollution Remediation

The subject site has records of current contamination issues. Be advised that the site and site development is subject to the Consent Agreements with both the Florida Department of Environmental Protection and with Miami-Dade County RER, executed on June 2012 and on file in DERM File-9110/HWR-74.

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.

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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 plans previously submitted with this application depicted the presence of specimen-sized trees (trunk diameter 18 inches or greater) on the referenced properties. The plans further showed that one specimen-sized tree (#30) would be impacted by the proposed construction activities. Section 24-49 of the Code requires the preservation of tree resources. Prior to the removal and/or relocation of any tree on site, a Miami-Dade County Tree Removal/Relocation Permit is required. Section 24.49.3 of the Code states, "If it is determined that the proposed development site involves removal of a specimen tree, the standards set forth in Section 24.49.2 of the Code shall apply...."

This Department reviewed the submitted revised landscape plans and pictures (Sheet TD-1) and has determined that no specimen-sized trees on the site will be impacted. Therefore DERM recommends approval of this application with the condition that a Miami Dade County 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 the Code. Said Tree Removal/Relocation Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

Also, the site contains prohibited trees as defined in Section 24-49.9 of the Code. Pursuant to Section 24-49.9 of the Code, all prohibited trees are exempt from permitting and must be removed from the site prior to development.

The applicant is required to comply with the above tree permitting requirements. DERM 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 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(s) were site(s) of a former wood treating facility owned and operated by Lonestar Industries and later Davidson Lumber Company. The wood treating operations resulted in industrial waste discharges which caused soil and groundwater contamination at the site. Both DERM and the State of Florida filed lawsuits in 1983 against the responsible parties for violations of local and state environmental laws, and required clean-up of the subject site. DERM and the State subsequently settled the litigation involving this property through an April 28, 1989 Stipulation and Settlement Agreement and the April 12, 1994 Stipulation and Order Regarding Claims of Florida Department of Environmental Protection (FDEP) and Miami-Dade County, approved by the bankruptcy court in the Southern District of New York. A settlement was provided for environmental assessment and remediation for the subject site. On April 24, 2001 DERM issued a "Final Notice" pursuant to section 2.14 of the referenced Stipulation and Settlement Agreement pursuant to the conditions of the Settlement Agreement and Bankruptcy Stipulation and Order.

On June 14, 2012 a Consent Agreement was executed between DERM and the new property owners, Pan American Coral Terrace Ltd. Said Agreement provides environmental requirements for, and associated with future development activities at the subject site.

Concurrency Review Summary

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

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

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

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

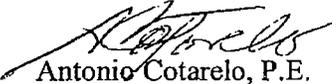
cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: June 12, 2013

To: Eric Silva
Assistant Director
Regulatory and Economic Resource Department

From: 
Antonio Cotarelo, P.E.
Interim County Engineer
Public Works and Waste Management Department

Subject: DIC 12-147
Name: Pan American Coral Terrace, Ltd.
Section 14 Township 54 South Range 40 East

I. PROJECT LOCATION:

Located on the south side of SW 24 Street (Coral Way) between SW 70 Court and SW 71 Avenue

II. APPLICATION REQUEST:

This application requests the rezoning of the property to a BU-2 (Special Business District) zoning classification and site plan approval for a proposed shopping center development, including certain non-use variances of the sign regulations pertaining to detached signs.

III. RECOMMENDATION

This project is located within the jurisdiction of Miami-Dade County. It meets Traffic Concurrency for an initial review. This project is subject to the payment of Road Impact Fees. Additional improvements may be required at time of permitting/platting. Public Works and Waste Management Department (PWWM) recommends approval subject to the below site plan critique comments.

IV. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION:

Access to the site is available from the west and the east from SW 24 Street (Coral Way)

V. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY:

A. Trip Generation (Based on Institute of Transportation Engineers)

603 PM peak trips are reserved under tentative plat T-23300 for this application.

B. Cardinal Distribution

North	27%	East	17%
South	27%	West	29%

VI. IMPACT ON EXISTING ROADWAYS:

A. CONCURRENCY:

Station 9122 located on SW 24 Street (Coral Way) west of SR 826, has a maximum LOS "EE" of 7416 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 4050 vehicles and an additional 12 vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9122** with its PHP and assigned vehicles is at LOS "C". The 175 vehicle trips generated by this development when combined with the 4050 and those previously approved through Development Orders, 12, equal 4237 and will cause this segment to remain at LOS "C".

Station 9690 located on SW 74 Avenue south of SW 8 Street, has a maximum LOS "E+50" of 1755 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 609 vehicles and 1 additional vehicle has been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9690** with its PHP and assigned vehicles is at LOS "C". The 44 vehicle trips generated by this development when combined with the 609 and those previously approved through Development Orders, 1, equal 654 and will cause this segment to operate at LOS "D".

Station 9236 located on SW 67 Avenue (Ludlam Road) south of West Flagler Street, has a maximum LOS "E" of 3260 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 960 vehicles and 62 additional vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9236** with its PHP and assigned vehicles is at LOS "D". The 70 vehicle trips generated by this development when combined with the 960 and those previously approved through Development Orders, 62, equal 1092 and will cause this segment to remain at LOS "D".

Station 9120 located on SW 24 Street (Coral Way) east of SW 67 Avenue, has a maximum LOS "E+50" of 5100 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2397 vehicles and 15 additional vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9120** with its PHP and assigned vehicles is at LOS "D". The 101 vehicle trips generated by this development when combined with the 2397 and those previously approved through Development Orders, 15, equal 2513 and will cause this segment to remain at LOS "D".

Station F567 located on Palmetto Expressway, north of SW 24 Street, has a maximum LOS "D" of 13480 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 11952 vehicles and no additional vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F567** with its PHP and assigned vehicles is at LOS "D". The 44 vehicle trips generated by this development when combined with the 11952 and those previously approved through Development Orders, 0, equal 11996 and will cause this segment to remain at LOS "D".

Station F527 located on SW 8 Street (Tamiami Trail) west of SW 67 Avenue has a maximum LOS "E+50" of 5100 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2984 vehicles and 10 additional vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station**

F527 with its PHP and assigned vehicles is at LOS **“D”**. The **8** vehicle trips generated by this development when combined with the **2984** and those previously approved through Development Orders, **10**, equal **3002** and will cause this segment to remain at LOS **“D”**.

Station F566 located on Palmetto Expressway, north of SW 40 Street (Bird Road), has a maximum LOS **“D”** of **13480** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **11803** vehicles and **14** additional vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F566** with its PHP and assigned vehicles is at LOS **“D”**. The **119** vehicle trips generated by this development when combined with the **11803** and those previously approved through Development Orders, **14**, equal **11936** and will cause this segment to remain at LOS **“D”**.

Station 9240 located on SW 67 Avenue (Ludlam Road) south of SW 24 Street (Coral Way), has a maximum LOS **“E”** of **2370** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **1768** vehicles and **17** additional vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9240** with its PHP and assigned vehicles is at LOS **“D”**. The **42** vehicle trips generated by this development when combined with the **1768** and those previously approved through Development Orders, **17**, equal **1827** and will cause this segment to remain at LOS **“D”**.

The above number of trips has been reserved under previously approved tentative plat T-23300.

VII. DEVELOPMENT IMPROVEMENTS REQUIRED FOR THIS PROJECT:

A signal shall be provided at the main entrance of the project, at SW 70 Court along SW 24 Street.

VIII. ACCESS IMPROVEMENTS REQUIRED FOR THIS PROJECT:

An exclusive eastbound right-turn lane shall be provided at the main entrance to the project at SW 70 Court along SW 24 Street.

IX. SITE PLAN CRITIQUE: APPROVAL SUBJECT TO THE BELOW COMMENTS

- This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any right-of-way dedications and/or improvements required will be accomplished thru the recording of a plat.
- A full set of plans acceptable to the PWWM Traffic Engineering Division needs to be resubmitted with the necessary revisions during the Paving and Drainage phase.
- On Coral Way, add a 10-foot right turn bay to the eastbound through lanes. Additionally, the applicant will proffer a restrictive covenant that runs with the land (or other similar document) which requires the dedication of an additional ten (10) feet of right-of-way including dedication for new turning radius to SW 70 Court, upon the County’s written request in the event that such property is needed for any public purpose, in the County’s sole discretion. Lane configuration on Coral Way will narrow the existing 13-foot through lanes to 11 feet wide inner lane and 11 feet 6 inches wide outer lane and provide 10-foot turn lanes. Marking modifications shown on SW 70 Court, SW 26 Street, SW 69 Court, and SW 29 Road, to be implemented at the Paving and Drainage plan approval phase.

- Provide for entry and exit from the parking lot through way at the intersection of SW 70 Court and SW 26 Street, to be implemented at the Paving and Drainage plan approval phase.
- Updated traffic signal design plans will be required as a part of Paving and Drainage plan submittal. Site plan for Coral Way must include compatible roadway layout, to be implemented at the Paving and Drainage and traffic signal plan approval phase.
- The proposed exclusive westbound left-turn lane at the SW 70 Court north leg intersection should be further extended to the east to achieve approximately 320 feet of queue storage or as much as available, at the discretion of the County, to be implemented at the Paving and Drainage plan approval phase.
- Provide delineation to restrict northbound left out and westbound left into the car dealership's driveway just east of SW 70 Court. We understand the applicant will provide a narrow raised median or traffic delineators on Coral Way between the opposing eastbound and westbound left turn lanes to prevent this midblock crossing of the centerline.
- Approval of this development is contingent upon the applicant recording a restrictive covenant that runs with the land (or other similar document) acceptable to the County in the County's sole discretion, which requires the dedication of an additional ten (10) feet of right-of-way along the northern boundary of the property upon the County's written request in the event that such property is needed for any public purpose, in the County's sole discretion. Such dedication shall be at no cost to the County. Such restrictive covenant shall be submitted to Miami-Dade County for review, approval and recording within thirty days of the approval, or this approval shall be null and void if this condition subsequent is not met.

X. STANDARD CONDITIONS:

A letter or a plan containing the following certification signed and sealed by a State of Florida registered engineer shall be submitted as part of the paving and drainage plans: "I hereby certify that 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 Greenbook) regarding: design speed, lane widths, horizontal alignment, vertical alignment, stopping sight distance, sight distance, horizontal clearance, vertical clearance, superelevation, shoulder widths, grades, bridge widths, etc."

- c: Raul A. Pino, PLS, Department of Regulatory and Economic Resources
Joan Shen, Ph. D., P.E., PTOE, Interim Chief, Traffic Engineering Division, PWWM
Jeff Cohen, P.E., Assistant Chief, PWWM
Orlando Grandal, Special Administrator for Concurrency, Department of Regulatory and Economic Resources

Memorandum



Date: April 29, 2013
To: Jack Osterholt, Director
Permitting, Environment and Regulatory Affairs
From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department
Subject: DIC 2012000147 – Pan American Coral Terrace, Ltd. (Revision No. 2)

According to the revised letter of intent dated April 2, 2013, the applicant is seeking a district boundary change from BU-2 (Special Business District) and IU-3 (Industrial, Unlimited Manufacturing District) to BU-2, along with non-use variance requests of sign regulations on an approximate 14 acre parcel of land lying south of SW 24 Street (Coral Way) between SW 70 Court and SW 71 Avenue in Miami-Dade County, Florida. Additionally, the applicant is seeking site plan approval for a proposed shopping center development.

SERVICE IMPACT/DEMAND

- (A) Based on development information, this project is expected to generate approximately **46** 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 2012, the average travel time to the vicinity of the proposed development was **5:52 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 four (4) suppression units; one of which must be an aerial, and the other three may be a combination of engines, tankers, ladders or aerials. Additionally, the assignment will require one (1) rescue and a battalion commander. This assignment requires twenty (20) firefighters and officers.

EXISTING SERVICES

STATION	ADDRESS	EQUIPMENT	STAFF
3	3911 SW 82 Avenue	Rescue, Engine	7
40	975 SW 62 Avenue	Rescue, Engine	7
47	9361 SW 24 Street	Rescue, Engine	7
13	6000 SW 87 Avenue	Aerial	4
29	351 SW 107 Avenue	Rescue, Engine, Battalion	8

SITE PLAN REVIEW:

- (A) Fire Engineering & Water Supply Bureau has reviewed and approved the revised site plan entitled 'Coral Terrace' as prepared by CCA Architecture, dated stamp received April 2, 2013.
- (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 Engineering & Water Supply 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: April 9, 2013

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

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

Subject: Z2012000147: PAN AMERICAN CORAL TERRACE, LTD
Review includes revisions as described in letter of intent dated 4-02-2013 and
Revision Narrative dated 3-12-2013.

Application Name: PAN AMERICAN CORAL TERRACE, LTD

Project Location: The site is located at SOUTH SIDE SW 24ST BETWEEN 70CT & 71 CT, Miami-Dade County.

Proposed Development: The request is approval zone change from BU-2 & IU-3 TO BU-2 for a proposed shopping center and for certain non-use variances. Review includes revisions as described in letter of intent dated 4-02-2013 and Revision Narrative dated 3-12-2013.

Impact and demand: This application does not generate any residential population applicable to CDMP Open Space Spatial Standards. We have no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum



DATE: April 22, 2013

TO: Jorge Vital
DIC Coordinator
Department of Regulatory and Economic Resources

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

SUBJECT: Review of DIC Project No. 12-147 Pan American Coral Terrace, LTD –
Revision No. 2
MDT Project No. OSP006
FSC No. 41.04

Project Description

12-147 – Pan American Coral Terrace, LTD is requesting a district boundary change from BU-2 (Special Business District) and IU-3 (Unlimited Manufacturing) to BU-2 and site plan approval for a proposed shopping center development, including certain non-use variances of the sign regulations pertaining to detached signs. The submitted site plans illustrate a proposed shopping center development with a membership warehouse and junior anchor retail. The subject property is approximately 14 acres and is located on the south side of SW 24 Street between SW 70 Court and SW 71 Avenue in Miami-Dade County, Florida.

Current Transit Service

The subject site is served by Route 24. The alignment for this route is illustrated on the attached map. The service headways for this route (in minutes) is as follows:

Metrobus Route Service Summary
Pan American Coral Terrace, LTD 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		
24	20	20	30	n/a	30	30	0	L

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

November 2012 Line Up

Future Transportation/Transit Improvements

The 2014 Transportation Improvement Program (TIP) does not propose any improvements on the roadways within the immediate vicinity of the site.

The 2035 Long Range Transportation Plan (LRTP) lists the following improvement within the vicinity of this project.

Facility/Project Limits	Type of Work	Priority/Funding Phase
SW 72 Avenue (from SW 20 Street to SW 40 Street)	Street and traffic operational improvements	Priority I
SW 24 Street/Coral Way (from SW 107 Avenue to SW 87 Avenue)	Widen from 4 to 6 lanes	Unfunded

The draft 2013 ten-year Transit Development Plan (TDP) identifies in its 2023 Recommended Service Plan the following improvement/adjustment on the existing route serving the vicinity of the project:

Route (s)	Improvement Description	Implementation Year	Operational Cost
24	Convert to the Coral Way Limited and provide local service between SW 153 rd Avenue and Ponce de Leon. Limited-stop service will be provided east of Ponce de Leon to Downtown Miami due to City of Miami Coral Way Trolley	2014	\$600,000
24	Discontinue segment on Coral Way from SW 147 th Avenue to SW 153 rd Avenue and extend Route to future terminal at SW 147 th Avenue and SW 8 th Street	2016	\$40,000

In addition, the draft 2013 ten-year TDP identifies in its 2023 Recommended Service Plan the following new route that will serve the vicinity of the project:

Route	Description
Coral Way Limited	This route would provide local service between SW 153 rd Avenue and Ponce de Leon Blvd. Limited-stop service will be provided east of Ponce de Leon to Downtown Miami due to City of Miami Coral Way Trolley.

MDT Comments/Recommendations

The subject site is currently vacant and is located on the south side of SW 24 Street between SW 70 Court and SW 71 Avenue. Route 24 runs adjacent to the subject site and currently provide bus service with a 30 minute or better AM/PM peak-hour headway. 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). 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.

As previously mentioned, the draft 2013 ten-year Transit Development Plan (TDP) identifies in its 2023 Recommended Service Plan a proposed new Metrobus Route, Coral Way Limited, that will operate adjacent to the subject site along SW 24 Street.

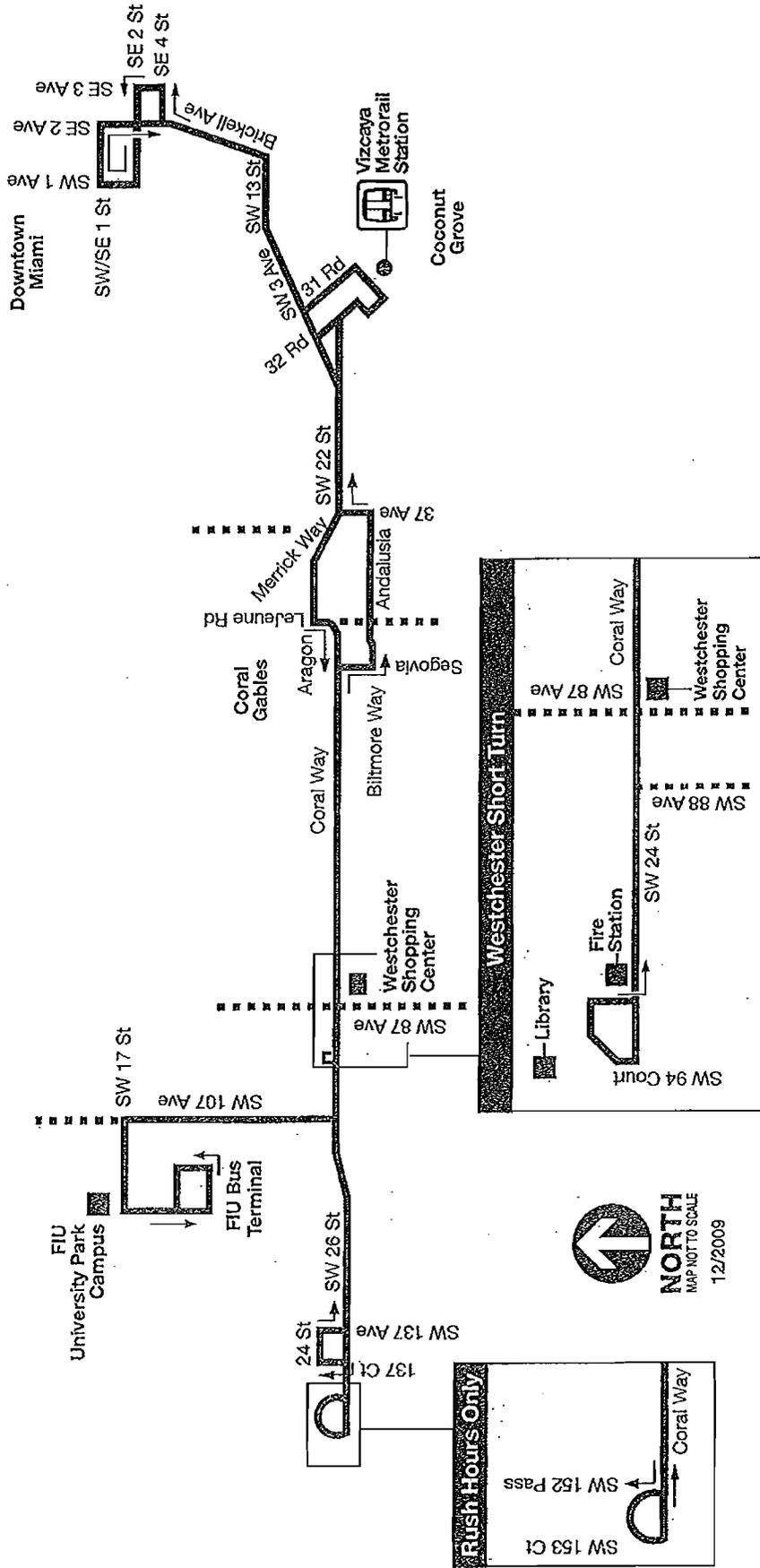
MDT plans to provide incremental improvements along SW 24th Street (Coral Way). The Coral Way Limited would provide local service between the proposed park-and-ride transit terminal at SW 147 Avenue and SW 8 Street and Ponce de Leon. Limited-stop service will be provided east of Ponce de Leon to Downtown Miami due to City of Miami Coral Way Trolley. Service headways will be 30 minutes during the AM/PM peak-hour, 30 minutes during the mid-day and 40 minutes on weekends. This route would be the main trunk line on Coral Way as part of a restructuring of service by MDT due to the introduction of the new City of Miami Trolley route. The City's new route is planned to operate on Coral Way between the Brickell Avenue Metrorail/Metromover Station and Ponce de Leon Blvd. MDT would restructure its Coral Way service to take advantage of the new City Trolley resulting in a more efficient and faster service while minimizing service duplication. Revenue service is anticipated to begin in 2014 using six new standard 40-foot buses.

The closest bus stop that would serve this site is located just east of SW 70 Court and is equipped with a shelter. In addition based on MDT's review of the site plan, the applicant is providing sidewalks along SW 24 Street which will facilitate transit patron access to the site and the existing bus shelter located just east of SW 70 Court.

MDT's review of the revised plans indicates that the applicant is proposing off-site improvements along SW 24 Street which may impact bus operations in the area. **MDT has no objections to this project**; however, it is recommended that adequate provisions be made to accommodate special treatments for temporary traffic deviations (including buses) along the SW 24 Street and at crossing streets, for the duration of this project. Any removal or replacement of transit amenities or route realignments must be closely coordinated with MDT's Service Planning and Scheduling Division. These accommodations are required during the planning and construction stages due to the expected impact to bus operations in the area.

c: Monica D. Cejas, P.E., Senior Professional Engineer
Gerald E. Bryan, Chief, Service Planning and Scheduling
Eric Zahn, Transit Planning Section Supervisor
Douglas K. Robinson, Principal Planner

Route 24



Memorandum



Date: January 14, 2013

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

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

Subject: DIC Application #12-147
Pan American Coral Terrace, LTD
MDAD DN-13-01-1107

A handwritten signature in black ink, appearing to read "J. Ramos", written over the "From:" field of the memorandum.

As requested by the Department of Regulatory and Economic Resources, the Miami-Dade Aviation Department (MDAD) has reviewed Developmental Impact Committee (DIC) Zoning Application #12-147, Pan American Coral Terrace, LTD. The applicant is requesting a zone change from IU-3 and BU-2 to BU-2 for a parcel located on the south side of SW 24 Street between 70 CT and 71 CT, Miami-Dade County, Florida. The size of the property is approximately 14.866 acres.

Based on our review of the information provided to us, MDAD does not object to the zone change provided there are no conflicts with applicable local, state and federal aviation regulations including the Code of Miami-Dade County, Chapter 33, Airport Zoning.

C: Jorge Vital, DIC Coordinator, Department of Regulatory and Economic Resources

DATE: 18-APR-13
REVISION 2

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

PAN AMERICAN CORAL TERRACE,
LTD.

LYING SOUTH OF SW 24 ST
BETWEEN SW 70 CT & SW 71 CT,
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2012000147

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORIES: NC: No open cases. Prior case 201203008332 was opened October 16, 2012 for sign on private property and warning issued. Reinspection November 20, 2012 and violation corrected and closed. BNC: No bss cases open/closed.

American Coral Terrace

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

REPORTER NAME:

Memorandum



Date: February 22, 2013

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

From: ~~J.D. Patterson~~
J.D. Patterson, Director
Miami-Dade Police Department

Subject: Review – Developmental Impact Committee - Zoning Application
Case: No. Z2012000147 – Pan American Coral Terrace, Ltd.

APPLICATION

The applicant, Pan American Coral Terrace, Ltd., is requesting a public hearing to allow the construction of a membership warehouse, liquor store, bank, restaurant, retail space and a gas station on approximately 14.866 acres located on the south side of SW 24 Street between SW 70 Court and SW 71 Avenue, Miami, Florida.

CURRENT POLICE SERVICES

The proposed development would be located in unincorporated Miami-Dade County and serviced by our Midwest District, located at 9101 NW 25 Street, Doral, Florida. Our current staffing allows for an average emergency response time of eight minutes or less.

REVIEW

A review of the application and related documents was conducted to predict the impact on the Miami-Dade Police Department's (MDPD) resources and the impact that the location could have on the proposed zoning modification changes. A ¼ mile radius check of crimes/calls for service of the location was completed and has been provided in the attached documents for your Department.

Current data of police staffing, population, and crimes/calls for service was examined to project any increase in calls for service. Based on this data and due to the nature of the request (membership warehouse, liquor store, bank, restaurant, retail space and a gas station), it cannot be accurately predicted as to any projected increase in calls for service. Experience lends itself to anticipate that calls for police service will rise upon the completion of the project due to an increase in citizens being present in the area.

Current staffing should accommodate any slight increase in the volume of calls for service. However, should demand for police services increase beyond current levels, additional sworn personnel, support staff, and equipment will be required to maintain current levels of service.

Additionally, it is recommended that Pan American Coral Terrace, Ltd. work closely with the local police district command staff in considering security and traffic options for the site, especially during high volume times, to include but not limited to holidays.

Eric Silva, AICP, Assistant Director
February 22, 2013
Page 2

While the MDPD does not object to any proposed zoning modifications to complete this project, we have concerns regarding the increase in traffic in and around the area. If the project is approved, the MDPD recommends the following to be implemented as part of the venture.

- No deliveries between the hours of 10:00 p.m. – 7:00 a.m.
- Pan American Coral Terrace, Ltd. work with the Public Works and Waste Management Department regarding pedestrian traffic, vehicle traffic, speed zones, school zones, and related signage along bordering streets
- Hire uniformed licensed/certified security personnel, which may include law enforcement and/or a private security company during times identified as appropriate
- Install internal and exterior (parking lot, etc.) security cameras with electronic archiving capabilities for future review

The applicant and developers are encouraged to work with police during any future application, design, or construction changes to determine the best possible solutions or security options.

Should you have any questions or require additional information, Lieutenant William Gonzalez, of the Public Information & Education Bureau, may be contacted at (305) 471-1775.

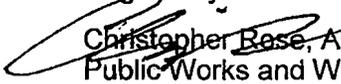
JDP/kh
Attachment

Memorandum



Date: May 22, 2013

To: Eric Silva, Assistant Director
Regulatory and Economic Resources Department

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

Subject: DIC # Z12-147
update Pan American Coral Terrace, Ltd.

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 April 2, 2013. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal, Planning and Performance Management Division at 305-514-6661.

Application: *Pan American Coral Terrace, Ltd.* is requesting a District Boundary Change from Special Business district (BU-2) and Industrial, unlimited manufacturing (IU-3) to Special Business District (BU-2) and non-use variances pertaining detached signs to develop a shopping center. The applicant recently submitted revised plans for the development.

Size: The subject property is approximately 14.87 acres.

Location: The subject property is generally located on the south side of SW 24th Street (Coral Way), between SW 70th Court and SW 71st 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 28, 2012, 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 April 2, 2013, as the supplemental information provided in the application does not affect the waste management service provided. The property as mentioned in the application falls within the

PWWM solid waste collection service area. The shopping center on the property, which proposes a restaurant, bank with drive-thru teller service, retail space, and wholesale membership warehouse with ancillary liquor store and fueling facility, will likely be considered development for "commercial units." Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial 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

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.

4. Waste Storage/Setout Considerations

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

5. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria 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.**

c: Stacey McDuffie of the Fiscal Management and Planning Division, PWWM

Memorandum



Date: April 16, 2013

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

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

Subject: Pan American Coral Terrace, LTD, DIC Application # Z2012000147 (REVISION # 3)

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

Application Name: Pan American Coral Terrace, LTD

Proposed Development: The applicant is seeking a district boundary change on the property from BU-2 (Special Business District) and IU-3 (Industrial, Unlimited Manufacturing District) to BU-2 (Special Business District). The applicant is proposing to develop the property with a shopping center containing approximately 155,867 square feet of commercial space consisting of 3,500 sq.ft. of fast food restaurant use, 3,500 sq.ft. of bank use, 46,000sq.ft. of retail use and 102,667 sq.ft. of warehouse use (wholesale membership club house warehouse which includes a fueling facility with eight pumps and a 200 sq.ft. Kiosk with a bathroom). The total water demand for this development will be 16,812 gpd.

Project Location: The subject property is located on the south side of SW 24th Street, between SW 69th Court and SW 71st Avenue, in unincorporated Miami-Dade County with folio numbers 30-4014-022-0010 and 30-4014-011-0010.

Water: The subject project is located within MDWASD's service area. The source of water for the project is the Alexander Orr Water Treatment Plant. As noted in Addendum Number One to Agreement No. 20931 executed on April 16, 2013, there is an existing 12 inch water main located in SW 69th Court at SW 29th Road, to which the developer shall connect and install a 12-inch water main northwesterly in SW 29th Road to SW 71st Avenue, thence southerly in SW 71st Avenue to SW 30th Road, thence southeasterly in SW 30th Road to a point southeast of SW 71st Avenue, interconnecting to an existing 12-inch water main at that location. The developer may also connect water services to any of the existing 12-inch water mains in SW 71st Avenue, SW 70th Court, and/or SW 69th Court. The developer may also connect to the existing 16-inch water main in SW 24th Street/Coral way, but such connection will require a minimum 12-inch water main extension southerly across SW 24th Street/Coral Way to the property line. Any public water main extension within the property shall be 12-inch minimum in 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. In addition, all comments addressing water service are provided in accordance with CDMP policies WS-1A, WS-1B and WS-2A.

A revised Water Supply Certification (WSC) was issued on April 5, 2013 with Addendum Number One to Agreement Number 20931 for the proposed development. The WSC letter shall remain active in accordance with the terms and conditions specified in said certification. Said Certification is issued 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.

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 is obtained.

Sewer: The subject project is located within MDWASD's service area. As noted in Addendum Number One to Agreement No. 20931, executed on April 16, 2013, there is an existing 8-inch sanitary gravity sewer main located in SW 70th Court, south of SW 24th Street/Coral Way, to which the developer shall connect and install an 8-inch gravity sewer main, at full depth, southerly in SW 70th Court to SW 26th Street, thence at full depth easterly in SW 26th Street to SW 69th Court, thence at full depth extend southerly in SW 69th Court to SW 29th Road. If needed, the developer may further extend the aforementioned proposed 8-inch gravity sewer main in SW 69th Court at SW 29th Road, at full depth, northwesterly in SW 29th Road as required to provide service to the subject property. If unity of title does not apply, then any gravity sewer within the property shall be public and 8-inch minimum in diameter. The developer may also connect sewer services to any of the existing 8-inch gravity sewer mains in SW 71st Avenue south of SW 24th Street/Coral Way and/or SW 70th Court south of SW 24th Street/Coral Way. Connection is also allowed to an existing 8-inch gravity sewer main in SW 24th Street/Coral Way, but such connection will require a minimum 8-inch gravity sewer main southerly extension across SW 24th Street/Coral Way to the right of way (property line).

Pump Station: 0548
Yearly NAPOT: 0.54 Hrs
Projected NAPOT: 1.11 Hrs
Projected NAPOT including this project flows: 1.9 Hrs

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.

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.

Pan American Coral Terrace, LTD.
DIC # 12-147
April 16, 2013

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.

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MAY 14 2014
MAY 14 2014



CENTER FOR COLLABORATIVE ARCHITECTURE
1400 S.W. 11th Street, Suite 100
Miami, Florida 33135
Tel: 305.375.1111
www.cca-arch.com

PAUL ANDERSON CONTRACTORS
1400 S.W. 11th Street, Suite 100
Miami, Florida 33135
Tel: 305.375.1111
www.pac-contractors.com

JIS Design, Inc.
1400 S.W. 11th Street, Suite 100
Miami, Florida 33135
Tel: 305.375.1111
www.jisdesign.com

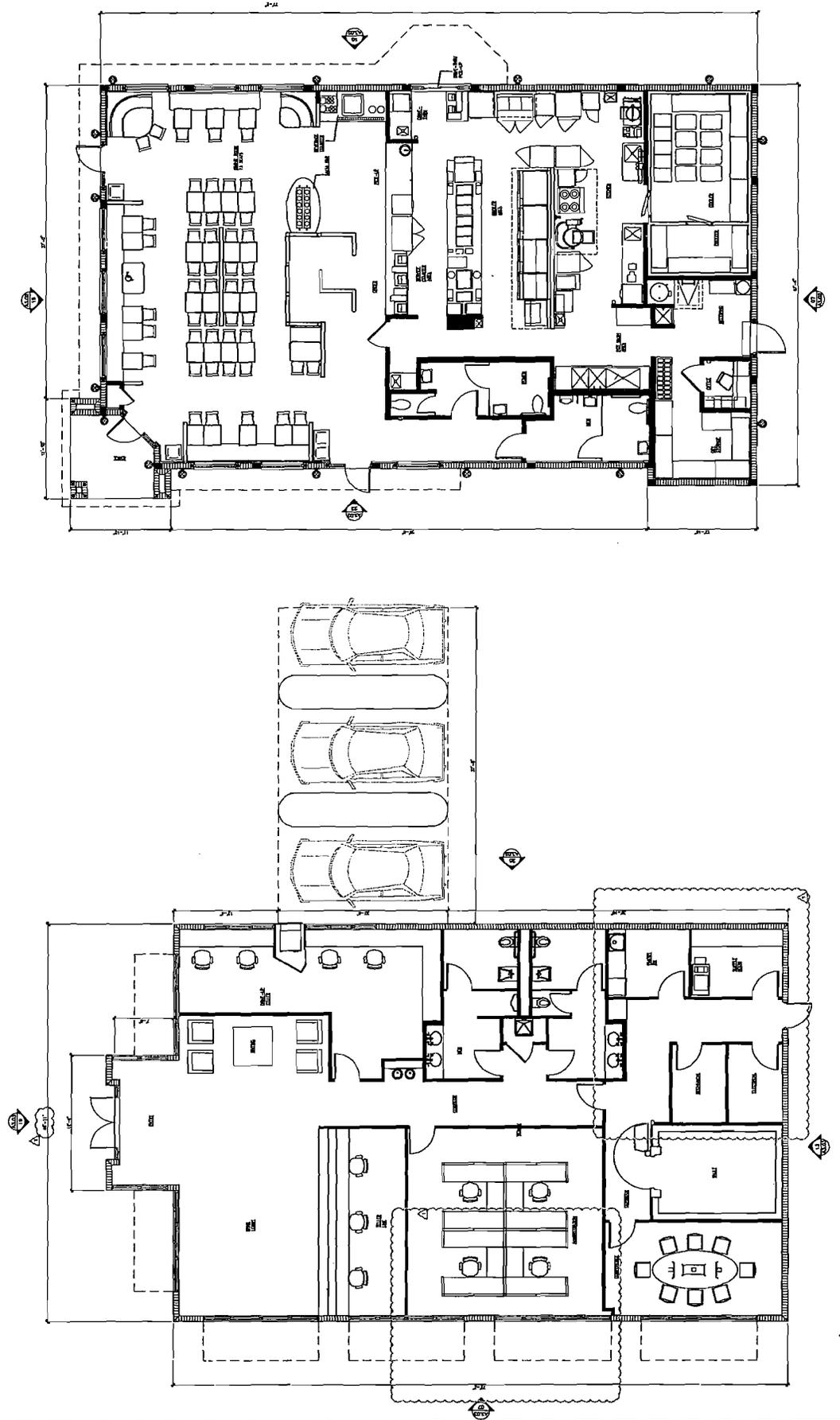
PROJECT NO.
DATE
REVISIONS

NO.
DESCRIPTION
DATE

A2.02

CORAL TERRACE
MIAMI-DADE, FLORIDA

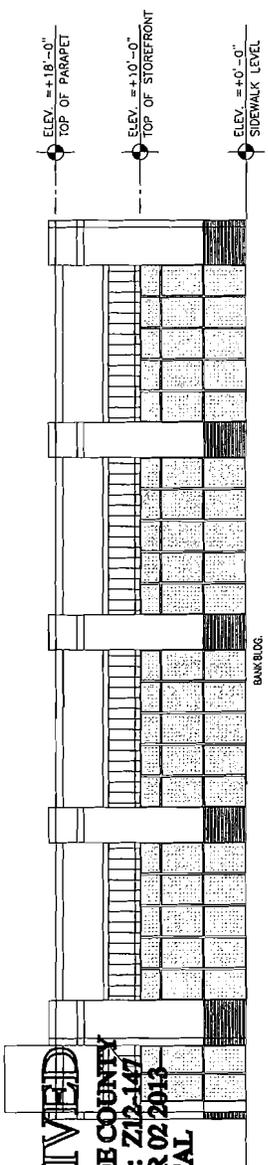
RETAIL BUILDINGS A & B
FLOOR PLAN



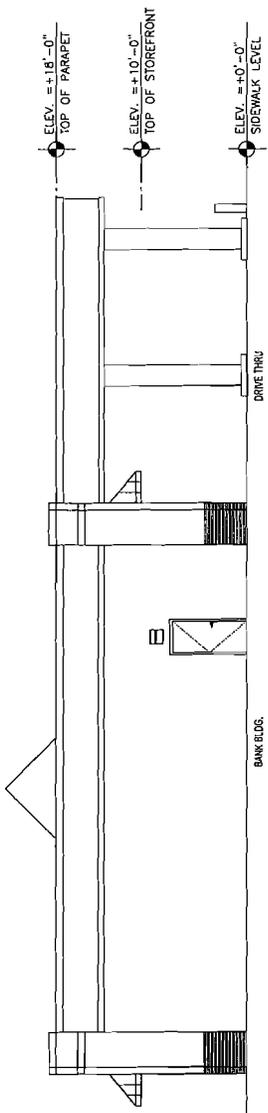
19 BUILDING A - GROUND FLOOR PLAN

22 BUILDING B - GROUND FLOOR PLAN

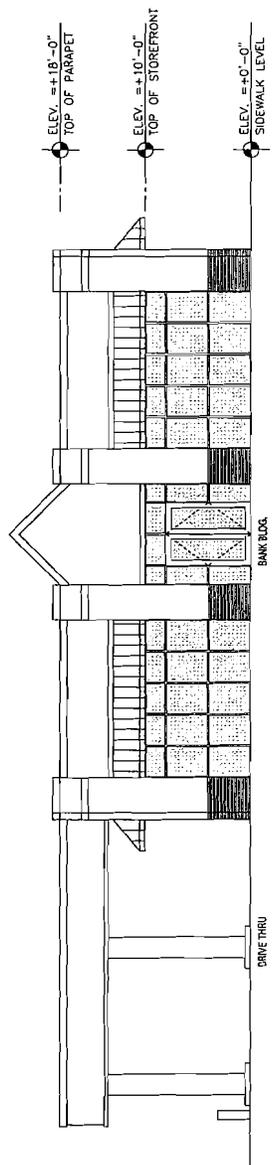
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PROCESS # 212-147
DATE: APR 02 2013
BY: JVTAL



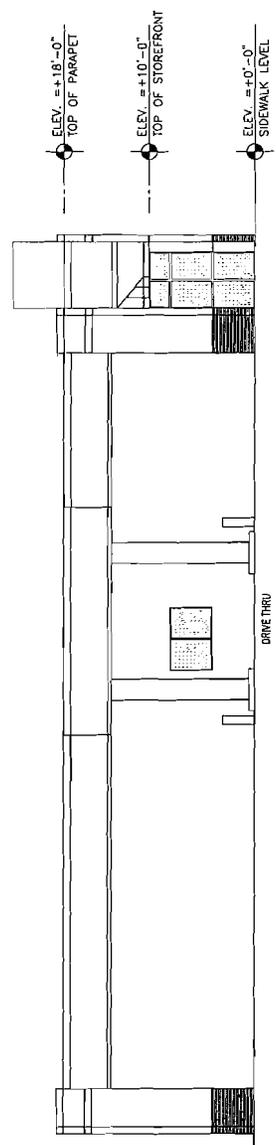
07 BLDG. "A" - BANK - WEST ELEVATION
SCALE 1/8"=1'-0"



13 BLDG. "A" - BANK - SOUTH ELEVATION
SCALE 1/8"=1'-0"



19 BLDG. "A" - BANK - NORTH ELEVATION
SCALE 1/8"=1'-0"



25 BLDG. "A" - BANK - EAST ELEVATION
SCALE 1/8"=1'-0"



CENTER FOR COLLABORATIVE ARCHITECTURE
 1000 BAYVIEW BLVD SUITE 1000
 MIAMI BEACH, FL 33139
 TEL: 305.673.1100
 WWW.CCA-ARCHITECTURE.COM

PAUL J. BERNER CONSULTING
 ARCHITECT
 1000 BAYVIEW BLVD SUITE 1000
 MIAMI BEACH, FL 33139
 TEL: 305.673.1100
 WWW.PJBCONSULTING.COM

JS Design, Inc.
 ARCHITECT
 1000 BAYVIEW BLVD SUITE 1000
 MIAMI BEACH, FL 33139
 TEL: 305.673.1100
 WWW.JSDSIGN.COM

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 DEPARTMENT OF PUBLIC WORKS
 1000 BAYVIEW BLVD SUITE 1000
 MIAMI BEACH, FL 33139
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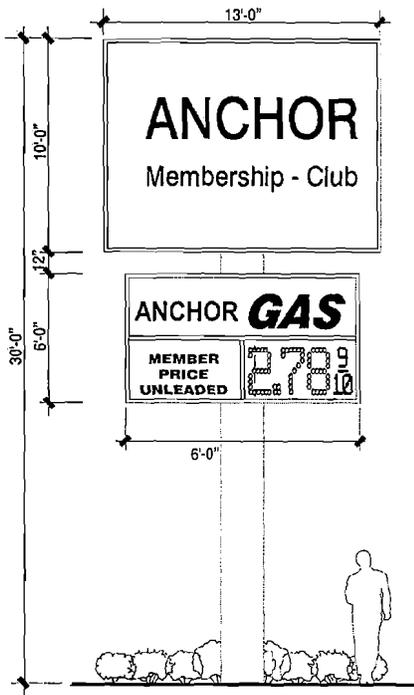
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 MIAMI BEACH, FL 33139
 TEL: 305.673.1100
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CORAL TERRACE
MIAMI-DADE, FLORIDA

BUILDING "A" RETAIL EXTERIOR ELEVATIONS

A3.03

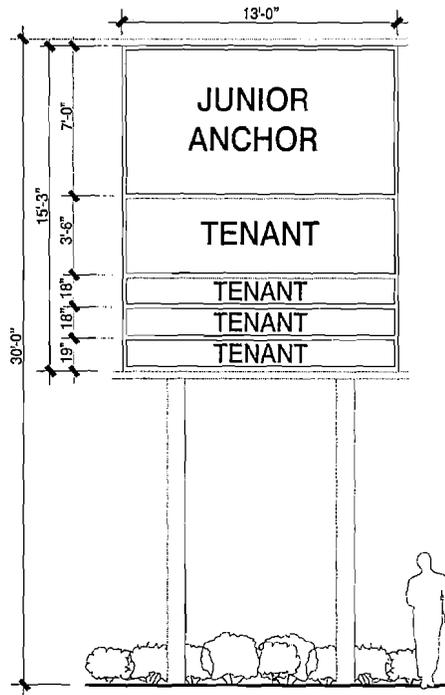
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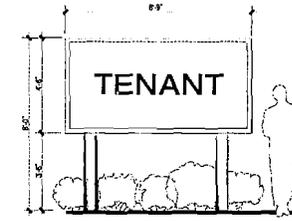
24" GAS PRICE LED DISPLAY

- LED Face Panel 24" Retro Fit (2-7 3/4" X 5-7 1/8")
- (2) Single Face Drop-In Type Cabinets
- 24 Inch Character Height
- Red Digit Color
- 120 VOLTS - (Site Specific verify with owner)

13 PYLON SIGN DETAIL - P1
SCALE: 1/2"=1'-0"



15 PYLON SIGN DETAIL - P2
SCALE: 1/2"=1'-0"



17 MONUMENT SIGN DETAIL - M1, M2, M3, M4, M5, & M6
SCALE: 1/2"=1'-0"

bh

CORAL TERRACE
MIAMI-DADE, FLORIDA

PROJECT NO:
SITE SIGNAGE
DETAILS

DATE:
DRAWN BY:
CHECKED BY:
DATE: 10/10/12

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

CORPORATION NAME: _____

NAME AND ADDRESS	Percentage of Stock
_____	_____
_____	_____
_____	_____
_____	_____

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

TRUST/ESTATE NAME: _____

NAME AND ADDRESS	Percentage of Interest
_____	_____
_____	_____
_____	_____
_____	_____

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 812-147
 DEC 04 2012

7000 N.W. 117th Ave., Suite 100
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY _____

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: Pan American Coral Terrace, Ltd.

NAME AND ADDRESS	Percentage of Ownership
See attached Exhibit "C"	See attached Exhibit "C"
150 Alhambra Circle, Suite 925, Coral Gables, Florida 33134	
_____	_____
_____	_____

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

NAME OF PURCHASER: _____

NAME AND ADDRESS (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:

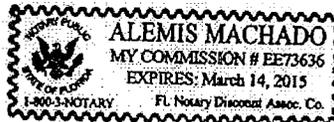
NOTICE:For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: _____
Carlos C. Lopez-Cantera, Manager

Sworn to and subscribed before me this 10th day of December, 2012. Affiant is personally known to me or has produced _____ as identification.

(Notary Public)



My commission expires 03-14-15

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

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EM-147
DEC 14 2012
ZONING DEPT.
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

Exhibit "C"
Disclosure of Interest Form
December 01, 2012

PAN AMERICAN CORAL TERRACE, LTD.

Pan American Ventures 3, LLC	1.00%
SDP Coral Way, LLC	50.00%
Coral Terrace Partners, LLC	49.00%

PAN AMERICAN VENTURES 3, LLC

Carlos C. Lopez-Cantera	48.00%
Stephen A. Blumenthal	32.00%
CRSS Holdings, LLC	20.00%

CRSS HOLDINGS, LLC

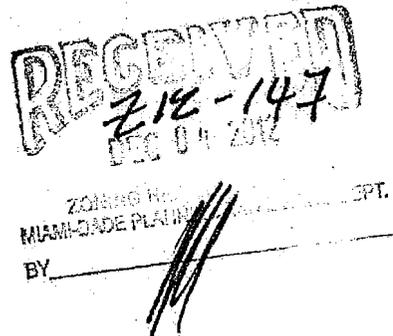
Carlos M. Lopez-Cantera	50.00%
Renee Lopez-Cantera	50.00%

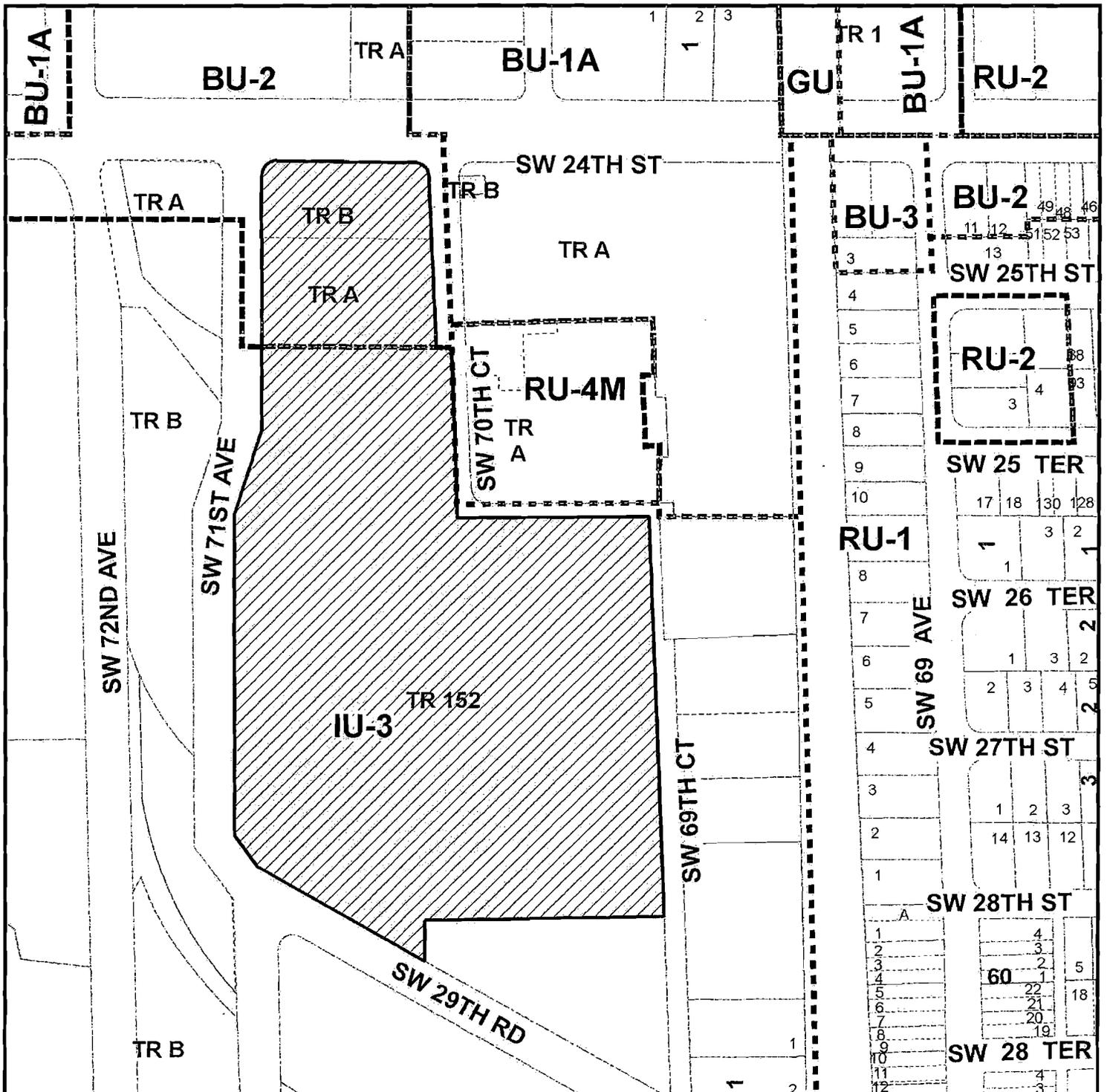
SDP CORAL WAY, LLC

David A. Perez	50.00%
Silvia C Caraballo	50.00%

Coral Terrace Partners, LLC

Carlos Lopez-Cantera	60.00%
Stephen A. Blumenthal	40.00%





MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2012000147



Section: 14 Township: 54 Range: 40
 Applicant: PAN AMERICAN CORAL TERRACE, LTD
 Zoning Board: C10
 Commission District: 6
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

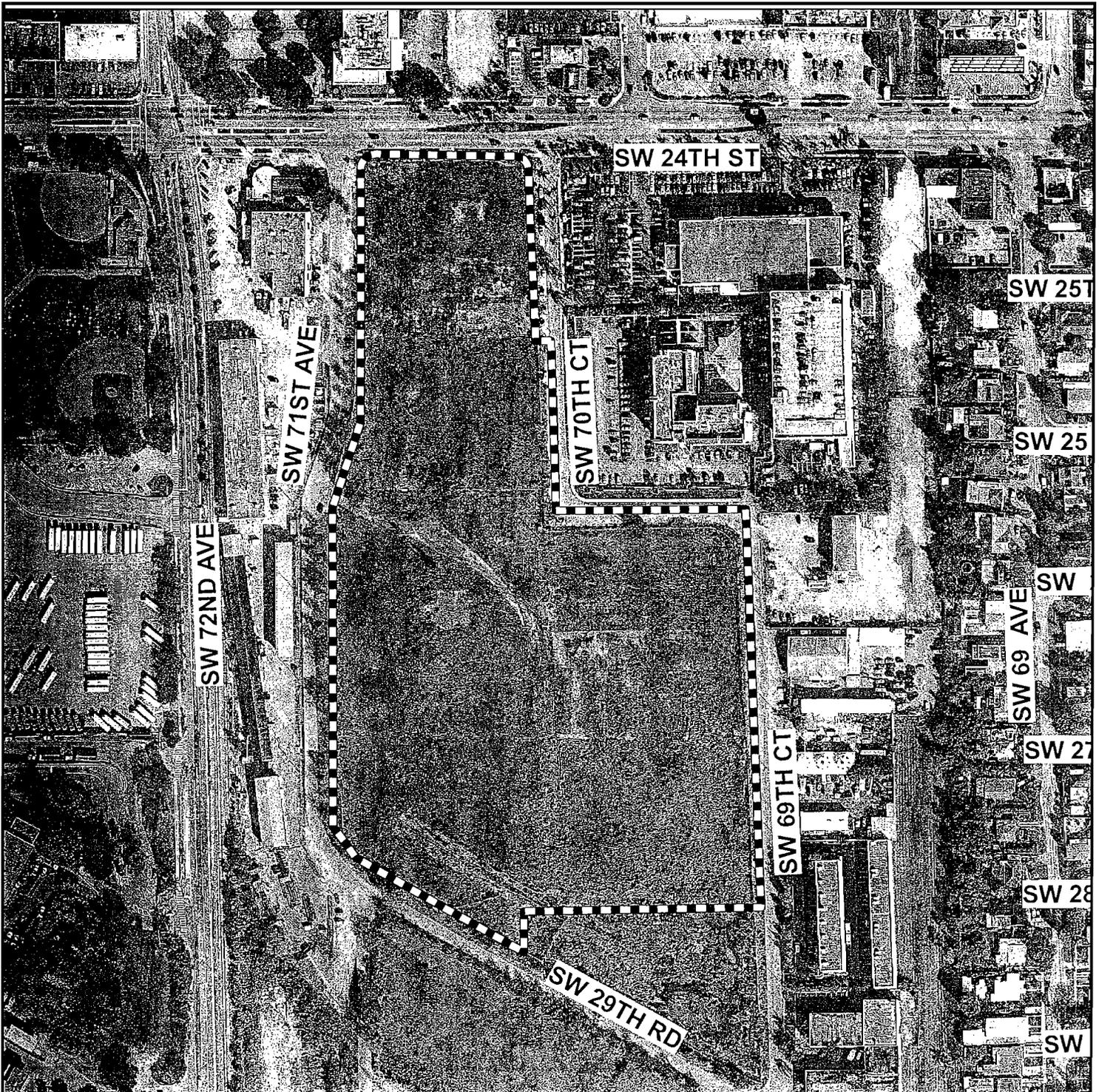
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 Subject Property Case



SKETCH CREATED ON: Thursday, December 20, 2012

REVISION	DATE	BY
		56

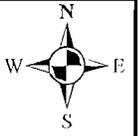


MIAMI-DADE COUNTY

AERIAL YEAR 2012

Process Number

Z2012000147



Section: 14 Township: 54 Range: 40
 Applicant: PAN AMERICAN CORAL TERRACE, LTD
 Zoning Board: C10
 Commission District: 6
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

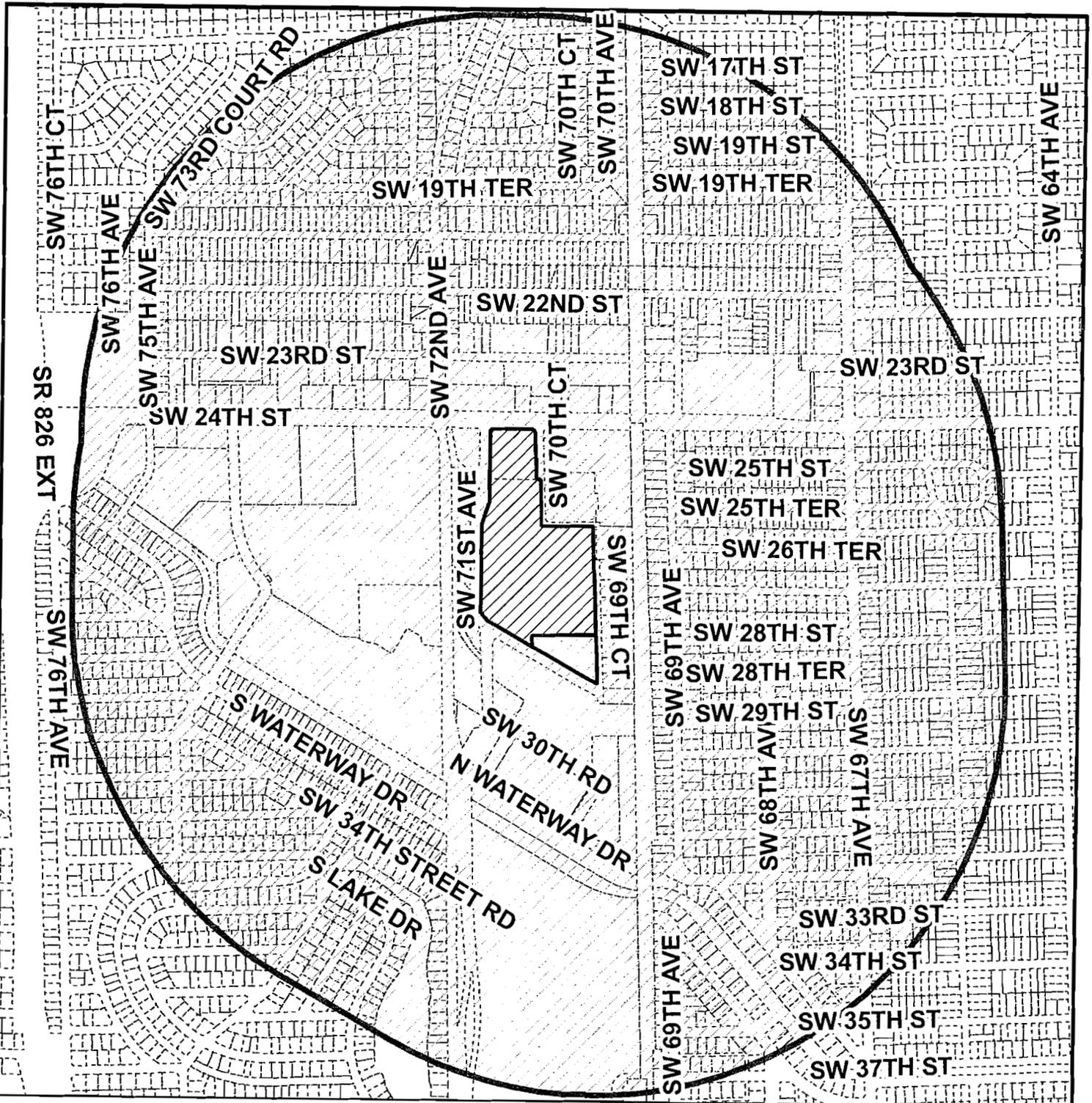
Legend

 Subject Property



SKETCH CREATED ON: Thursday, December 20, 2012

REVISION	DATE	BY
		57



MIAMI-DADE COUNTY
RADIUS MAP

Process Number
Z2012000147

Section: 14 Township: 54 Range: 40
 Applicant: PAN AMERICAN CORAL TERRACE, LTD
 Zoning Board: C10
 Commission District: 6
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

RADIUS: 2640



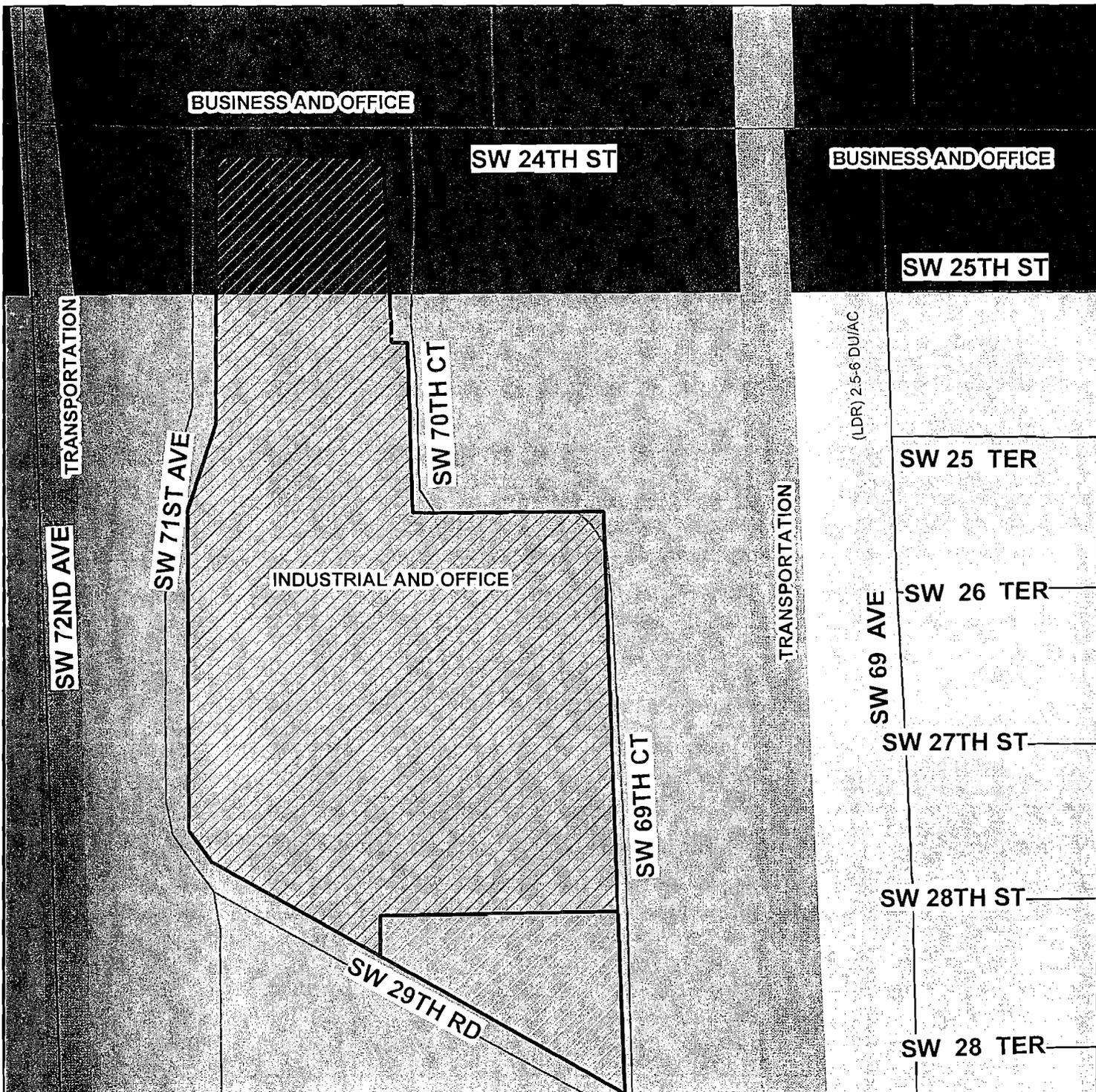
Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Thursday, December 20, 2012

REVISION	DATE	BY
		58



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2012000147



Section: 14 Township: 54 Range: 40
 Applicant: PAN AMERICAN CORAL TERRACE, LTD
 Zoning Board: C10
 Commission District: 6
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, December 20, 2012

REVISION	DATE	BY

Pan American Coral Terrace, LTD. (12-14)
CZAB 10 7/30/13

Draft

This instrument was prepared by:
Juan J. Mayol, Jr., Esq.
Holland & Knight LLP
701 Brickell Avenue, Suite 3000
Miami, Florida 33131

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, Pan American Coral Terrace, Ltd., a Florida limited partnership (the "Owner") holds the fee simple title to that certain parcel of land located in Miami-Dade County, Florida, which is more particularly described in Exhibit "A" attached hereto (the "Property");

WHEREAS, the Owner has filed a zoning application with the Department of Regulatory and Economic Resources (the "Department") of Miami-Dade County (the "County"), which application is currently pending under Public Hearing No. 12-147 (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 Owner during the County's consideration of the Application will be abided by, the Owner freely, voluntarily and without duress make the following Declaration of Restrictions covering and running with title to the Property:

- (1) **Site Plan**. The Property shall be developed substantially in accordance with the plans entitled "Coral Terrace", as prepared by Center for Collaborative Architecture, dated stamped received April 2, 2013, and consisting of 10 sheets, as said plans may be modified at public hearing on the Application (the "Plans").
- (2) **Compliance with Departmental Comments**. Unless waived or deemed not applicable by the County during subsequent review of detailed plans for the project, the Owner shall comply with the following conditions, requirements, recommendations, and requests, as applicable, contained in the Departmental memoranda, which are part of the June 12, 2013 record of the Application, except as amended by the DIC Executive Council at its meeting on June 12, 2013:

(Public Hearing)

Declaration of Restrictions

Page 2

A. The comments of the Environmental Resources Division of the Department of Regulatory and Economic Resources ("RER"), dated April 17, 2013, a copy of which are attached to this Declaration as Exhibit "B";

B. The following comments from the Public Works and Waste Management Department (PWWM) Memorandum, dated June 12, 2013:

(1) A signal shall be provided at the main entrance of the project, at SW 70 Court along SW 24 Street. Updated traffic signal design plans will be required as a part of the Paving and Drainage plan submittal. Site plan for Coral Way must include compatible roadway layout, to be implemented at the Paving and Drainage and traffic signal plan approval phase.

(2) As shown on the Plans, provide an exclusive 10-foot eastbound right-turn lane at the main entrance to the project at SW 70 Court along SW 24 Street. The Owner shall submit Paving and Drainage plans for review and approval by the Department which will show the reconfiguration of the existing Coral Way right-of-way to provide an 11 foot wide inner lane, an 11.5 foot wide outer lane and 10-foot wide turn lanes. The necessary pavement marking modifications for SW 70th Court, SW 26th Street (Coral Way), SW 69th Court and SW 29th Road, will be shown on the required Paving and Drainage Plans. In addition, within thirty (30) days of the approval of the Application, the Owner shall submit to Miami-Dade County for review, approval and recording, in proper recordable form, a Declaration of Restrictions, which declaration will run with title to the land, committing the Owner, its successor or assigns, to dedicate to Miami-Dade County, at no cost to the County, an additional ten (10) feet of right-of-way along the Property's frontage with Coral Way, including the dedication for the new turning radius to SW 70th Court, following receipt of the County's written request in the event such right-of-way is needed, in the County's sole discretion, for any public roadway purpose.

(Public Hearing)

(3) As shown on the Plans, provide for entry and exit from the parking lot through way at the intersection of SW 70 Court and SW 26 Street, to be implemented at the Paving and Drainage plan approval phase.

(4) The proposed exclusive westbound left-turn lane at the SW 70 Court north leg intersection should be further extended to the east to achieve approximately 320 feet of queue storage or as much as available, at the discretion of the County, to be implemented at the Paving and Drainage plan approval phase.

(5) Provide delineation to restrict northbound left out and westbound left into the adjacent car dealership's driveway, east of SW 70 Court. The Owner will provide a narrow raised median or traffic delineators as may be acceptable to the Department on Coral Way between the opposing eastbound and westbound left turn lanes to prevent midblock crossing of the centerline.

(6) That all truck deliveries between the hours of 10 pm and 7 am shall be directed to enter the property only through SW 71 Avenue or from the proposed driveway on SW 29 Rd.

(4) **Miscellaneous.**

(a) **County Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of the 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 shall 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 its 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

(Public Hearing)

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 its 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

(Public Hearing)

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 or the executive officer of the successor of the Department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her

(Public Hearing)

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 their heirs, successors, and assigns.

[Execution Pages Follow]

EXHIBIT A

Legal description of subject property:

#23145964_v8

Draft
Delta One Enterprise, LLC (12-155)
C10 7/30/13

This instrument was prepared by:

Name: Jorge L. Navarro, Esq.
Address: The Lasarte Law Firm
3250 NE First Avenue, Ste. 334
Miami, Florida 33137

(Space Reserved for Clerk of the Court)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned, Delta One Enterprises, LLC., a Florida limited liability company (the "Owner"), holds the fee simple title to that certain parcel of land (hereinafter the "Property"), which is legally described as follows:

See Exhibit "A"

WHEREAS, in December 2012, the Owner filed a zoning application for, inter alia, an unusual use to permit outdoor display in connection with an existing retail store on the Property (the "Outdoor Display Use"), which application is currently pending under Zoning Hearing Application No. Z2012000155 ("Application No. 12-155); and

WHEREAS, the Owner seeks to clarify the types of items which can be displayed on the Property in light of Application No. 12-155 and place certain restrictions on the Outdoor Display Use;

NOW, THEREFORE, IN ORDER TO ASSURE Miami-Dade County (the "County") that the representations made by the Owner as to the use of the Property will be abided by, the Owner freely, voluntarily and without duress, makes the following Declaration of Restrictions covering and running with the Property:

- (1) **Restrictions and Limitations for Outdoor Display Use.**

A. The Outdoor Display Use shall be limited to the area identified in the site plan submitted in connection with Application No. 12-155, prepared by Orestes Lopez-Recio entitled "Delta Rental," sheet SP-1 stamped date received ___/___/___, said plans being on file with the County Department of Regulatory and Economic Resources, and by reference made a part of this Agreement (the "Display Area").

B. The Outdoor Display use shall be limited to no more than five (5) items at any one time and shall further be limited to only the following hand operated or walk-behind (non-ride-on) tools/equipment: (i) generators; (2) plate compactors; (iii) stump grinders; (iv) trenchers; (v) air compressors; (vi) mini skid steers; (vii) pressure washers; (viii) area sprayers.

C. The hours of operation for the Outdoor Display use shall be limited to:

Monday thru Saturday: 7:00AM to 5:00PM

The Outdoor Display use shall be limited to the hours above. In no event shall the Outdoor Display Use extend beyond the hours permitted above. The overnight storage of tools and/or equipment in the Display Area shall be prohibited.

D. Any items displayed must be in a clean and operable condition, free of any dirt, dust or debris.

(2) **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 the 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 public welfare.

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 that 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.

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.

J. **Recording.** This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners 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 Planning and Zoning Department 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.

[Signature Page(s) Follow]

IN WITNESS WHEREOF, we have hereunto set our hands and seal this ____ day of _____, 2013.

Delta One Enterprise, LLC. a Florida limited liability company.

Witnesses:

Signature

Print Name

Signature

Print Name

By: _____

Title: _____

STATE OF FLORIDA)
) **ss:**
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2013, by _____ as _____ of Delta One Enterprise, LLC. He is personally known to me or produced _____ (type of identification) as identification.

NOTARY PUBLIC

(Print, Type or Stamp Commissioned Name of Notary Public)

My Commission Expires:

EXHIBIT "A"

The South $\frac{1}{2}$ of the following described property: BEGIN at a point 132 feet West of the Southeast corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15, Township 54 South, Range 40 East; thence North 660 feet more or less to the North line of the South $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence West 66 feet along said North line; thence South 660 feet, more or less to the South line of the South $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence East 66 feet to the POINT OF BEGINNING, less the South 50 feet for road.

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

PH: Z12-155 (13-07-CZ10-3)

July 30, 2013

Item No. 3

Recommendation Summary	
Commission District	10
Applicant	Delta One Enterprise, LLC
Summary of Requests	The applicant is seeking to permit the outdoor display of tools and equipment, setback less than required. Additionally, the applicant is seeking to permit more signs, less landscape open space and parking spaces than permitted.
Location	8427 Bird Road, Miami-Dade County, Florida
Property Size	.42-acre
Existing Zoning	BU-2, Special Business District and RU-3B, Bungalow Court District
Existing Land Use	Commercial
2015-2025 CDMP Land Use Designation	Business and Office (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations Section 33-311(A)(7) Generalized Modification Standards (see attached Zoning Recommendation Addendum)
Recommendation	Approval with conditions

REQUESTS:

1. UNUSUAL USE to permit the outdoor display of rental equipment and tools.
2. Modification of Condition #2 of Resolution No. 4-ZAB-306-83 passed and adopted by the Zoning Appeals Board, and reading as follows:

From: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Shopping Center" as prepared by Joaquin Lee dated 7-21-83 and consisting of 2 pages."

To: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Delta Rental" as prepared by OLR Architect, "Landscape Plan" as prepared by Benjamin Green, all plans dated stamped received May 14, 2013 for a total of 4 sheets."

The purpose of the request is to allow the applicant to submit plans showing the addition of the proposed open display area for tools.

3. NON-USE VARIANCE to permit the outdoor display to setback 3'-2" (20' required) from the front (south) property line.
4. NON-USE VARIANCE of zoning requirements to permit three (3) wall signs (2 wall signs permitted).

5. NON-USE VARIANCE of zoning regulations to permit 19 parking spaces (21 parking spaces required).
6. NON-USE VARIANCE of zoning regulations requiring a 5' high decorative masonry wall along the common property line of the business lot when it abuts a RU zoned property, to waive same.
7. NON-USE VARIANCE to permit a landscape open space of 13.9% (18% required).
8. NON-USE VARIANCE of zoning regulations requiring a 5' wide dissimilar land use buffer including a 6' high wall fence or hedge and buffer trees along portions of the (east) and (west) property lines; to waive same.
9. NON-USE VARIANCE of landscape regulations to permit 57% lawn area (20% maximum permitted).

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

PROJECT DESCRIPTION:

The submitted site plan depicts the existing approximately 5,002 sq. ft. building with a 240 sq. ft. outdoor display area located in front of the building.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	BU-2 & RU-3B; commercial	Business and Office Low Density Residential 2.5 – 6 dua
North	RU-3B; multi-family bungalow courts	Low Density Residential 2.5 – 6 dua
South	BU-1A; shopping center	Business and Office
East	BU-2 & RU-3B; car wash & multi-family bungalow courts	Business and Office Low Density Residential 2.5 – 6 dua
West	BU-2 & RU-3B; shopping center & multi-family bungalow courts	Business and Office Medium High Density Residential 25 - 60 dua

NEIGHBORHOOD COMPATIBILITY:

The subject property is an existing tool rental business located at 8427 Bird Road. The surrounding area is characterized by commercial and residential uses.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to submit revised plans depicting an outdoor display area; more wall signs and lawn area than permitted; less parking, and landscape open space than required. However, approval of the requests could have a visual and aural impact on the surrounding area.

CDMP ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the approximately 0.42-acre subject property as **Business and Office (0.24 acre)** on the south and **Low Density Residential (0.18 acre)** on the north. The Business and Office 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. The Low Density Residential 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 is zoned RU-3B, Bungalow Court and BU-2, Special Business. Pursuant to Resolution No. 4-ZAB-305-83 the RU-3B portion of the subject property was granted a use variance to permit parking for the BU-2 portion. The approval of the requests sought in this application will permit the outdoor display of rental equipment and tools, modification of a condition of a resolution in order to submit revised plans and other non-use variances as described above. Staff is of the opinion that because the use will not change, the existing use and parking location are **consistent** with the uses allowed in the **Business and Office** designation and the **Low Density Residential** designation on the CDMP LUP map and **compatible** with the surrounding area based on the Zoning Analysis below.

ZONING ANALYSIS:

When analyzing request #1 and #3, to permit an outdoor display of rental equipment and tools under Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses And New Uses and the Non-Use Variance Standard, Section 33-311(A)(4)(b), staff opines that approval of the requests would be **compatible** with the surrounding area based on the reasons stated below. Staff opines that the existing equipment and tool rental business with the requested outdoor display area will not result in excessive traffic as evidenced in the memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) which indicates that that the application does not generate any new additional peak hour trips and meets the traffic concurrency criteria for an Initial Development Order. The Division of Environmental Resources Management of the Department of Regulatory and Economic Resources memorandum, indicates that approval will not result in a reduction in the LOS standards for potable water service, wastewater disposal, or stormwater management. Additionally the memorandum from the Miami-Dade Fire Rescue Department does not indicate that the application will have a negative impact on fire rescue services in the area. Based on the aforementioned department memoranda, staff opines that the request will not result in, among other things, excessive noise or traffic, cause undue or excessive burden on public facilities, nor provoke excessive overcrowding and concentration of people, when considering the necessity for and reasonableness of the applied for exception in relation to the present and future development of the area and the compatibility of the applied for exception with the area and its development.

The submitted site plan depicts a 240 sq. ft. outdoor display area flanked by palm trees on each side and fronts along Bird Road (SW 40 Street), a major section line roadway. The outdoor display area is comprised of 2x2 concrete tiles. Staff notes the outdoor display is setback 3'-2", where 20' is required from the front (south) property line (request #3). In staff's opinion, the 16'-10" encroachment into the required front setback area will not negatively impact the traffic along Bird Road (SW 40 Street) because it is a well travelled 6-lane roadway. Further, staff opines

that there is enough distance between the outdoor display area and the sidewalk and will not impede pedestrian traffic in this area. Staff is of the opinion that the requested outdoor display area is **compatible** with the commercial uses along Bird Road (SW 40 Street). Staff notes that the applicant has proffered a covenant restricting the type of equipment to be displayed and the days and hours of the display. The type of equipment will be limited to hand operated or walk-behind and not taller than 6' generators, plate compactors, stump grinders, trenchers, air compressors, mini skid steers, pressure washers and area sprayers. Further, the equipment to be displayed must be clean and operable condition, free of any dirt, dust or debris. **As such, staff recommends approval with conditions of request #1 and #3 under Section 33-311(A)(3) Standards For Special Exceptions, Unusual Uses And New Uses and Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.**

When request #2 to permit the modification of a condition of a previously approved resolution is analyzed under Section 33-311(A)(7) Generalized Modification Standards, staff opines that approval would be **compatible** with the surrounding area and based on the reasons above. Approval of this request will allow the applicant to submit a revised site plan that depicts the existing building with an outdoor display located in the front (south) setback area. Further, staff notes that approval of request #2 is germane to requests #1 and #3. Based on the reviewing Department memoranda, staff opines that the request will not result in, among other things, excessive noise or traffic, cause undue or excessive burden on public facilities, nor provoke excessive overcrowding and concentration of people, when considering the necessity and reasonableness of the modification in relation to the present and future development of the area concerned the requested modification would be **compatible** with the surrounding area based on by the memoranda submitted by the reviewing Departments and revised site plan. **As such, staff recommends approval with conditions of request #2 subject under Section 33-311(A)(7) Generalized Modification Standards.**

When analyzing request #4 to permit three (3) wall signs, where two (2) are permitted under the Non-Use Variance Standard, Section 33-311(A)(4)(b), staff opines approval of the request will be **compatible** with the surrounding area would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff notes that the applicant is requesting to install three (3) 42 sq. ft. wall signs along the east, west and south sides of the building for a total of 126 sq. ft. Based on the Code calculation of 10% of the wall area, the applicant could install two (2) wall signs with a total area of 243 sq. ft. The area of the proposed three (3) wall signs is 117 sq. ft. less than what is allowed by right for two (2) wall signs. Further, staff notes that because the subject property has only 66' of frontage along Bird Road (SW 40 Street) it is prohibited from erecting a detached sign which could make it easier for patrons to locate the business. The properties to the east and west, a carwash and shopping center, both have detached signs which limits the visibility of the subject property. Staff recommends as a condition of approval that the size of the requested three (3) wall signs be limited to 42 sq. ft. each. **Therefore, staff recommends approval with conditions of request #2 under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.**

When request #5, to permit less parking than required, is analyzed under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations, staff opines that approval of the request will be **compatible** with the surrounding area would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. The applicant indicated in its letter of intent that customers arrive to rent tools/equipment and leave shortly thereafter, leaving adequate parking available for other customers. The applicant is providing 19 parking spaces, where 21 are required and staff opines that the 10% reduction in parking for the business would not create spillage of parking that would impact traffic on the abutting roadway.

Further, staff notes that the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources does not object to the application and specifically, does not object to the request to provide less parking spaces than required. **As such, staff recommends approval with conditions of request #5 Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.**

When analyzing requests #6 through #9 under the Non-Use Variance Standard, Section 33-311(A)(4)(b), staff opines that approval of these requests will be **compatible** with the surrounding area would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff notes that requirement of a 5' high decorative masonry wall along the common property line of the business lot when it abuts a RU zoned property (request #6) would negatively impact the subject property because it is zoned BU-2 and RU-3B. Staff opines that the required 5' high decorative masonry wall would make the parking area which is located in the RU-3B zone inaccessible to the applicant and its customers. And as previously mentioned, the subject site was approved pursuant to Resolution No. 4-ZAB-305-83 to provide parking on the RU-3B portion of the property.

Requests #7 and #9 pertain to the landscaped open space and maximum lawn area. The applicant is providing 13.9% landscaped open space, where 18% is required, resulting in a 4.1% reduction. Staff opines that said reduction in landscaped open space has a minimal visual impact on the surrounding area. Staff opines that providing the required landscaped open space could further reduce the number of parking spaces available beyond the requested 19 spaces (request #5). The submitted landscape plan depicts a lawn area of 57%, where a maximum of 20% is permitted. Staff notes that while the subject property has dual zoning designations, the Code requires variances to be based on the more restrictive of the two (2) and therefore the property is analyzed under the BU-2 standards. The BU-2 district permits a maximum of 20% lawn area whereas the RU-3B permits a maximum of 60%. Staff opines that the required landscaped open space and maximum lawn area have been designed in an aesthetically pleasing manner. Staff further opines that request #8 to waive the required 5' wide dissimilar land use buffer would be **compatible** with the residential properties to the east and west. Staff notes that the submitted plans depict a dissimilar land use buffer with a 6' high cbs wall, hedge and buffer trees on the west side of the property; however, it is only 4'-8" wide. Staff opines that the 4" reduction in the buffer area is minimal and the provided cbs wall, hedge and trees provides an adequate visual buffer for the parking area to the abutting residences to the west. In staff's opinion, the residential properties to the east are buffered from the parking area by the 6' high cbs wall. Therefore, staff recommends approval with conditions of requests #7 and #9.

Staff opines that the approval of requests #6 through #9 would not be out of character with the surrounding area and is **compatible** based on the above analysis. **As such, staff recommends approval with conditions of requests #6 through #9, under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING:

The submitted site plan depicts a single ingress/egress point along Bird Road SW 40 Street. There are nineteen (19) parking spaces, where twenty (21) are required.

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

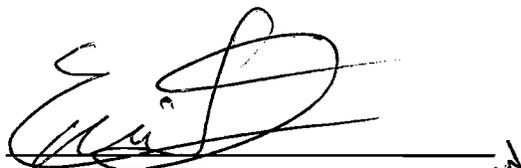
OTHER: N/A

RECOMMENDATION: Approval with conditions, subject to the board's acceptance of the proffered covenant.

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, signs, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Delta Rental" as prepared by OLR Architect, "Landscape Plan" as prepared by Benjamin Green, all plans dated stamped received May 14, 2013 for a total of 4 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtain a Certificate of Use from 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.
5. No stringer lights, pennants, mobile or stationary visual devices, except as permitted under point of sale regulations, shall be used or displayed.

ES:NN:CH:AN



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

ZONING RECOMMENDATION ADDENDUM

Delta One Enterprise, LLC
Z12-155

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Parks, Recreation & Open Spaces	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection
*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>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.</p>
<p>Business and Office (Pg. I-41)</p>	<p>The Adopted 2015 and 2025 Land Use Plan designates the subject property, being within the Urban Development Boundary for Business and Office. 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.</p> <p>Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are</p>

ZONING RECOMMENDATION ADDENDUM

Delta One Enterprise, LLC
Z12-155

	<p><i>met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP-designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. If there is no adjacent or adjoining residential use existing, zoned or designated on the same side of the roadway, the maximum allowable residential density will be that which exists or which this plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively commercial use of the site. Where SURs or TDRs are transferred to Business-designated parcels which are zoned or to be used for residential development, or when a residential project utilizes the inclusionary zoning program the allowances of the Residential communities section may be used within the limits provided in this paragraph.</i></p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>33-311(A)(3) Special exceptions, 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. For purposes of public hearing, a site plan shall be considered one (1) special exception, and upon approval of a site plan by the Community Zoning Appeals Board and/or the Board of County Commissioners, all non-use variances incorporated within and reflected upon the site plan shall be considered a part thereof, and official approval of the site plan shall constitute approval of all such non-use variances, unless otherwise so moved by the approving board.</i></p>
<p>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</p>	<p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i></p>

ZONING RECOMMENDATION ADDENDUM

Delta One Enterprise, LLC
Z12-155

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

13-7-CZ10-3(12-155)
Area 10/District 10
Hearing Date: 07/31/13

Property Owner (if different from applicant) **Delto One Enterprise, LLC**

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>
1983	David E. Burton	- Use Variance to permit a 66'x130.5' parcel of land in the RU-3B zone to be used as a parking lot as would be permitted in the BU-2.	ZAB	Approved with Condition(s)
1986	Elio Lee & Jo Lee	- Non-Use Variance of sign regulations to permit 1 roof sign in the front South P.U.P.	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: May 21, 2013

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

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

Subject: C-10 #Z2012000155-2nd Revision
Delta One Enterprise, LLC
8427 Bird Road, Miami, Florida
Non-Use Variance to Permit Outdoor Display
(BU-2) (0.42 Acres)
15-54-40



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.

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

Concurrency Review Summary

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

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

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

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

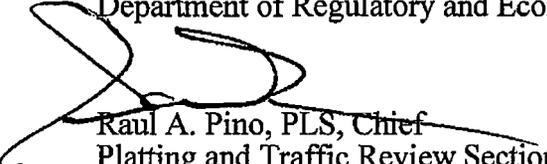
cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: May 23, 2013

To: Eric Silva, Assistant Director
Department of Regulatory and Economic Resources

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

Subject: Z2012000155
Name: Delta One Enterprise, LLC
Location: 8427 Bird Road
Section 15 Township 54 South Range 40 East

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

This Department has no objections to the request to permit 19 parking spaces where 20 are required. Although this application is providing less parking than required by code, more parking spaces are being provided than what presently exists.

This land complies with Chapter 28 of the Miami-Dade County Code and was approved under Waiver of Plat D-14419.

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.

Memorandum



Date: June 18, 2013

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

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

Subject: Z2012000155: DELTA ONE ENTERPRISE, LLC
Review includes revised plans dated submitted through 5-14-2013.

Application Name: DELTA ONE ENTERPRISE, LLC

Project Location: The site is located at 8427 BIRD RD, Miami-Dade County.

Proposed Development: The request is for approval of an unusual use to permit outdoor display on a retail site and a non-use variance for landscape open space requirements. Review includes revised plans dated submitted through 5-14-2013.

Impact and demand: This application does not generate any residential population applicable to CDMP Open Space Spatial Standards. We have no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review. The Department has no objection to this application.

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum



Date: January 18, 2013

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

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

Subject: # Z12-155
Delta One Enterprise, LLC

Attached please find a copy of this Department's review of the above-referenced item. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal, Planning and Performance Management Division at 305-514-6661.

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

#Z12-155

Delta One Enterprise, LLC

Application: *Delta One Enterprise, LLC* is requesting an unusual use for an outdoor display and a non-use variance of the landscape open space requirement associated with a retail store. The property is currently zoned in a Special Business district (BU-2).

Size: The subject property is 0.42 acres.

Location: The subject property is generally located at 8427 Bird Road 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 28, 2012, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The property as mentioned in the application falls within the PWWM solid waste collection service area. The retail store on the property will likely be considered a "commercial unit." Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial 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

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.

4. Waste Storage/Setout Considerations

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

5. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria 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: 01-APR-13
To: Jack Osterholt, Director
 Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2012000155

Fire Prevention Unit:

No objection via Case #Z2012000155.

Service Impact/Demand

Development for the above Z2012000155
 located at 8427 BIRD RD, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 1527 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
 The estimated average travel time is: 3:32 minutes

Existing services

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

Planned Service Expansions:

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

Fire Planning Additional Comments

Not applicable to service impact analysis.

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

DELTA ONE ENTERPRISE, LLC

8427 BIRD RD, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2012000155

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. Prior case 201203000265 was opened on January 11, 2012 for illegally maintaining blinking flashing lights and a warning was issued. On March 12, 2012 a citation was issued. Affidavit of compliance on May 1, 2012. Hearing requested on July 27, 2012. CVN electronically voided October 4, 2012 and case closed on October 5, 2012. Case 201203000290 was opened on January 12, 2012 for sign violation on property and a warning was issued. Violation was corrected and case closed on March 12, 2012. Case 201203000291 was opened on January 12, 2012 for sign on property and warning issued. Violation corrected and case closed on March 12, 2012. Case 201203001850 was opened on March 13, 2012 for outside business uses and a warning was issued. Violation corrected and case closed on April 22, 2012. BNC: No bss cases open/closed.

Delta One Enterprise, LLC

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

REPORTER NAME:

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: Delta One Enterprise, LLC.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Mr. Lazaro Bouza, 4370 SW 160 Avenue Miami, Florida 33155</u>	<u>100%</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

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

TRUST/ESTATE NAME: _____

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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

Z12-155


A

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

NAME OF PURCHASER: N/A

NAME AND ADDRESS (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:

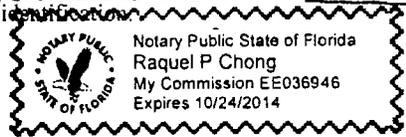
NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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 19 day of December. Affiant is personally known to me or has produced _____ as identification.

[Signature]
(Notary Public)



My commission expires 10/24/2014

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

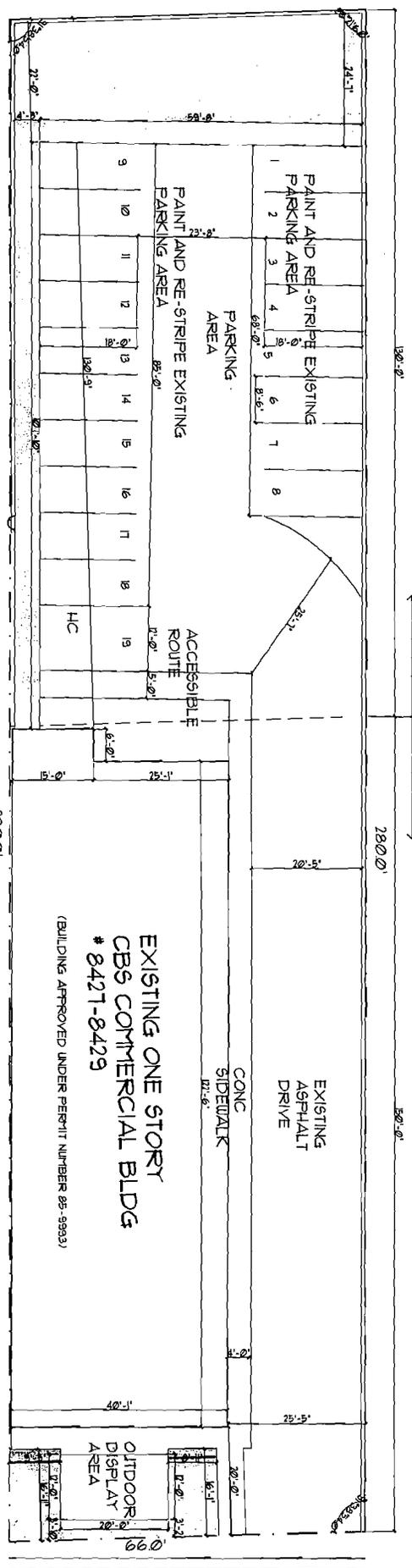
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BY: [Signature]

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212-155
MAY 14 2013

ZONING HEARINGS SECTION
MUNICIPAL PLANNING AND ZONING DEPT.
BY FW D-H.

SCALE 3/4" = 1'-0"



ENLARGED SITE PLAN

EXISTING ONE STORY
CBS COMMERCIAL BLDG
8421-8429
(BUILDING APPROVED UNDER PERMIT NUMBER 95-9933)

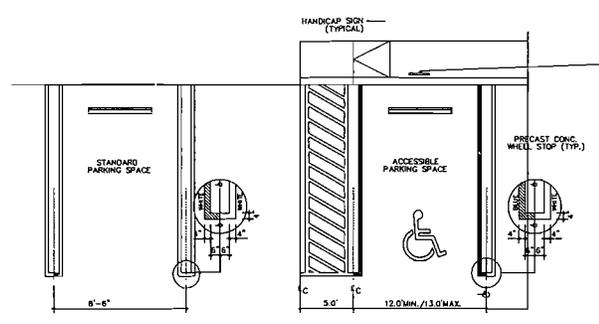
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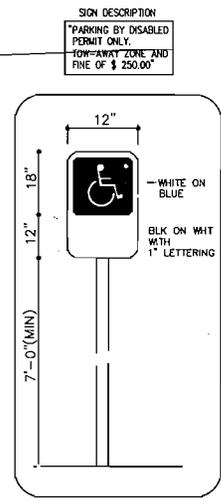
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 212-155
 MAY 14 2013

ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY for D.H.

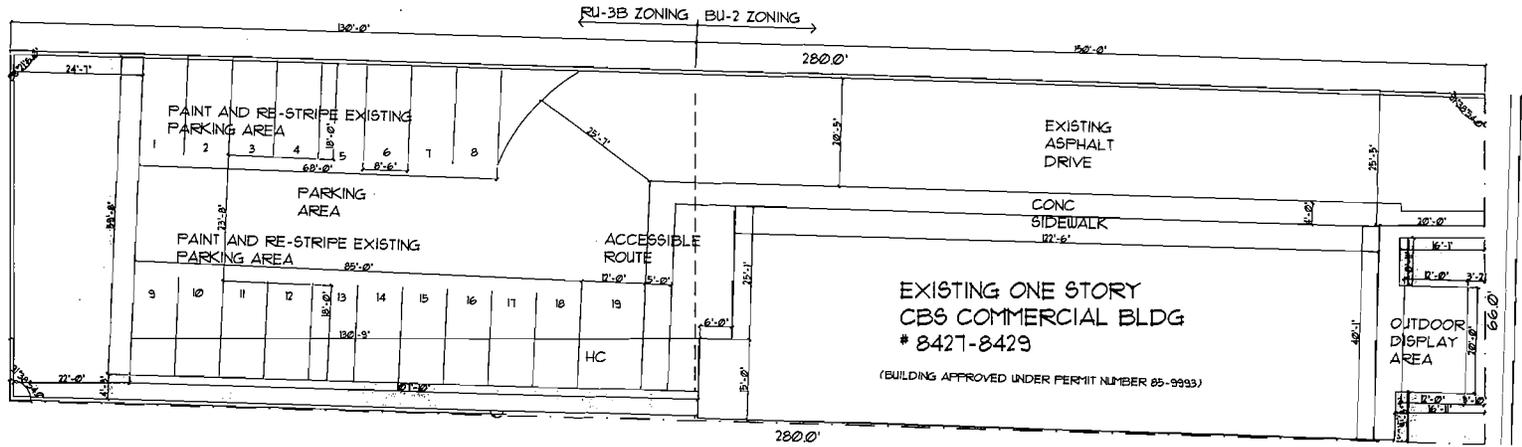
ZONING DATA	
ZONING:	BU-2 FRONT , RU3-B REAR
LOT AREA AREA:	18,480 SQ FT (0.42 ACRES)
EXISTING SALES AREA:	2,711 SQ FT
EXISTING OFFICE:	150 SQ FT
EXISTING WAREHOUSE:	2,681 SQ FT
TOTAL:	5,002 SQ FT
LOT COVERAGE:	5,002/18,480 = 27.1%
FAR:	5,002/18,480 = 27.1%
PARKING REQUIRED:	5,002 AT 250 SF/SPACE = 20
TOTAL PARKING PROVIDED:	19 SPACES
SETBACKS (EXISTING):	
FRONT (SOUTH):	20', 21'
REAR (NORTH):	130'-9"
LEFT SIDE (WEST):	0'
RIGHT SIDE (EAST):	25'-5"



PARKING SPACE STRIPING
 SCALE: 1/4" = 1'-0"



SIGN DESCRIPTION
 *PARKING BY DISABLED PERMIT ONLY.
 TOWAWAY ZONE AND FINE OF \$ 250.00



SITE PLAN
 SCALE 3/32" = 1'-0"

LEGAL DESCRIPTION:
 South 1/2 of the following described property:
 Begin at a point 132.00 feet West of the Southwest corner of the SW 1/4 of the SW 1/4 of Section 16, Township 54 South, Range 40 East; thence North 89.00 feet more or less to the North line of the South 1/2 of the SW 1/4 of the SW 1/4; thence West 66.00 feet along said North line; thence South 89.00 feet more or less to the South line of the South 1/2 of the SW 1/4 of the SW 1/4; thence East 86.00 feet to the Point of Beginning, less the South 50.00 feet for road.

RECEIVED
 212-155
 MAY 14 2013

22



ACCREDITED
 CHRISTOPHER LOPEZ ARCHITECT
 200 SF 5 FT
 MIAMI FLORIDA 33130
 305 362 288

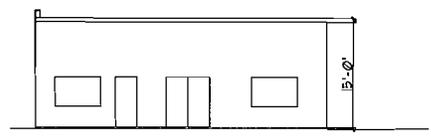
MIAMI-DADE COUNTY, FLORIDA

DELTA RENTAL
 8427-29 SW 40 ST
 MIAMI-DADE COUNTY, FL

DATE: 1/20/08
 SCALE: 3/32" = 1'-0"
 DRAWN: J.S.K.
 JOB NO.:

SP-1

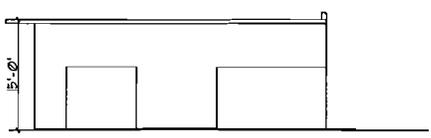
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SOUTH ELEVATION (EXISTING)
 SCALE 1/8" = 1'-0"



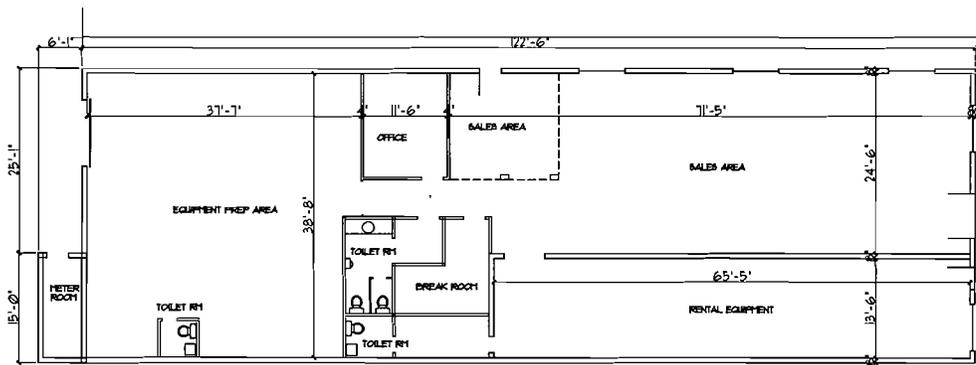
EAST ELEVATION (EXISTING)
 SCALE 1/8" = 1'-0"



NORTH ELEVATION (EXISTING)
 SCALE 1/8" = 1'-0"



WEST ELEVATION (EXISTING)
 SCALE 1/8" = 1'-0"

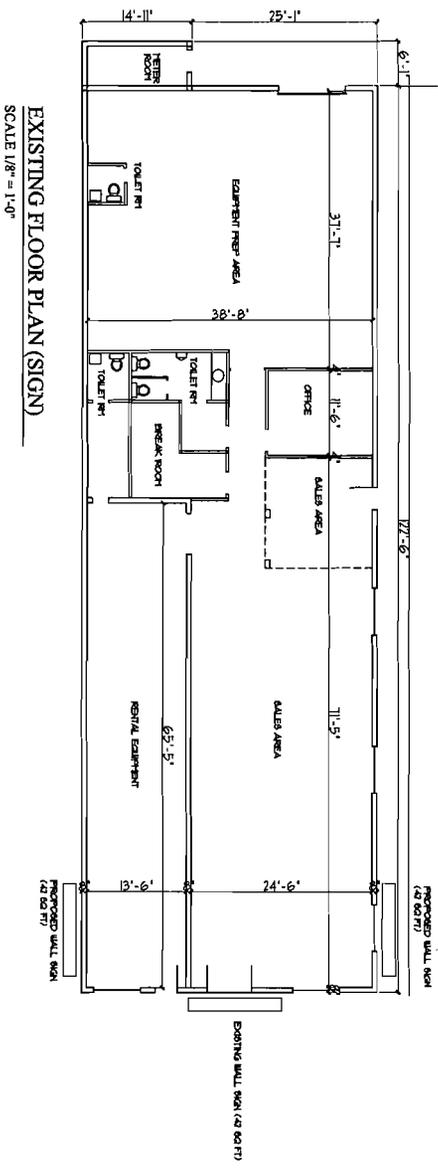
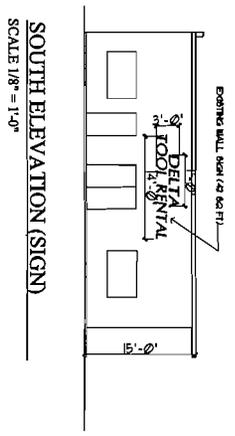
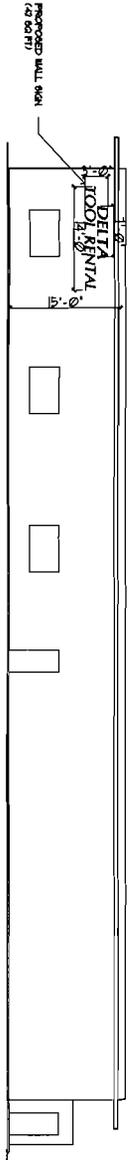
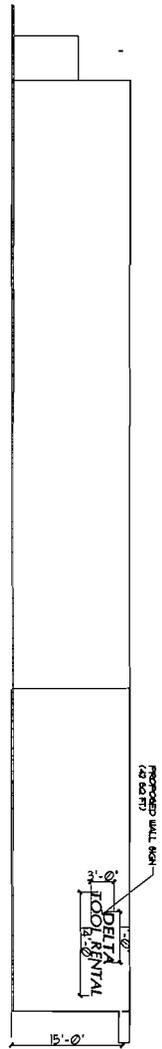


EXISTING FLOOR PLAN
 SCALE 1/8" = 1'-0"

RECEIVED
 212-155
 MAY 14 2013
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY: *for DJT.*

RECEIVED
 5/14/2013
 MIAMI-DADE COUNTY PLANNING AND ZONING DEPT.

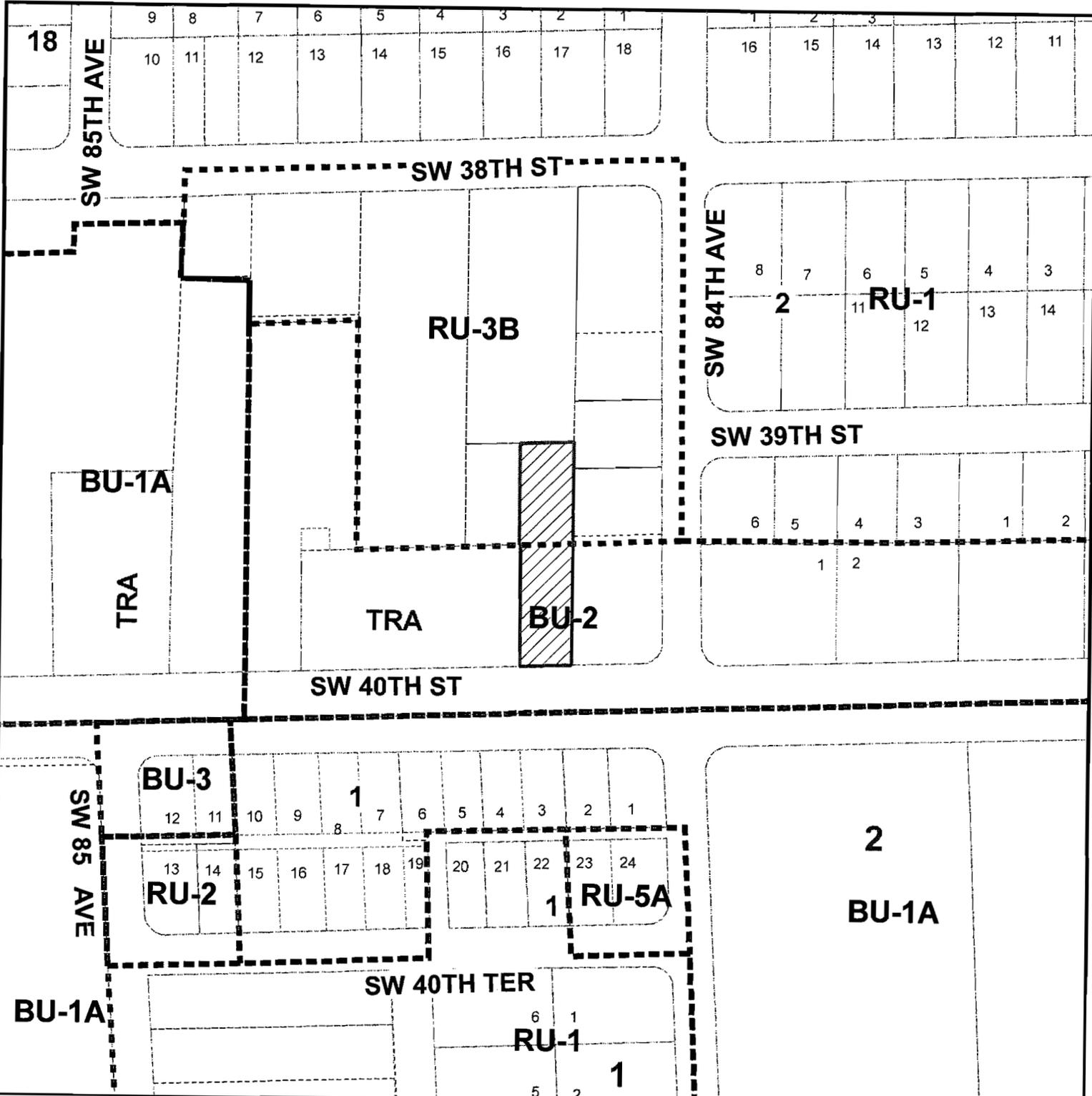
ESK
 5/13



WALL SIGN DETAILS

RECEIVED
MAY 14 2013
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY *[Signature]*

PROPOSED
MAY 14 2013
MAY 14 2013
[Signature]



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2012000155



Section: 15 Township: 54 Range: 40
 Applicant: DELTA ONE ENTERPRISE, LLC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend
 Subject Property Case



REVISION	DATE	BY
		26



MIAMI-DADE COUNTY
AERIAL YEAR 2012

Process Number

Z2012000155



Section: 15 Township: 54 Range: 40
 Applicant: DELTA ONE ENTERPRISE, LLC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

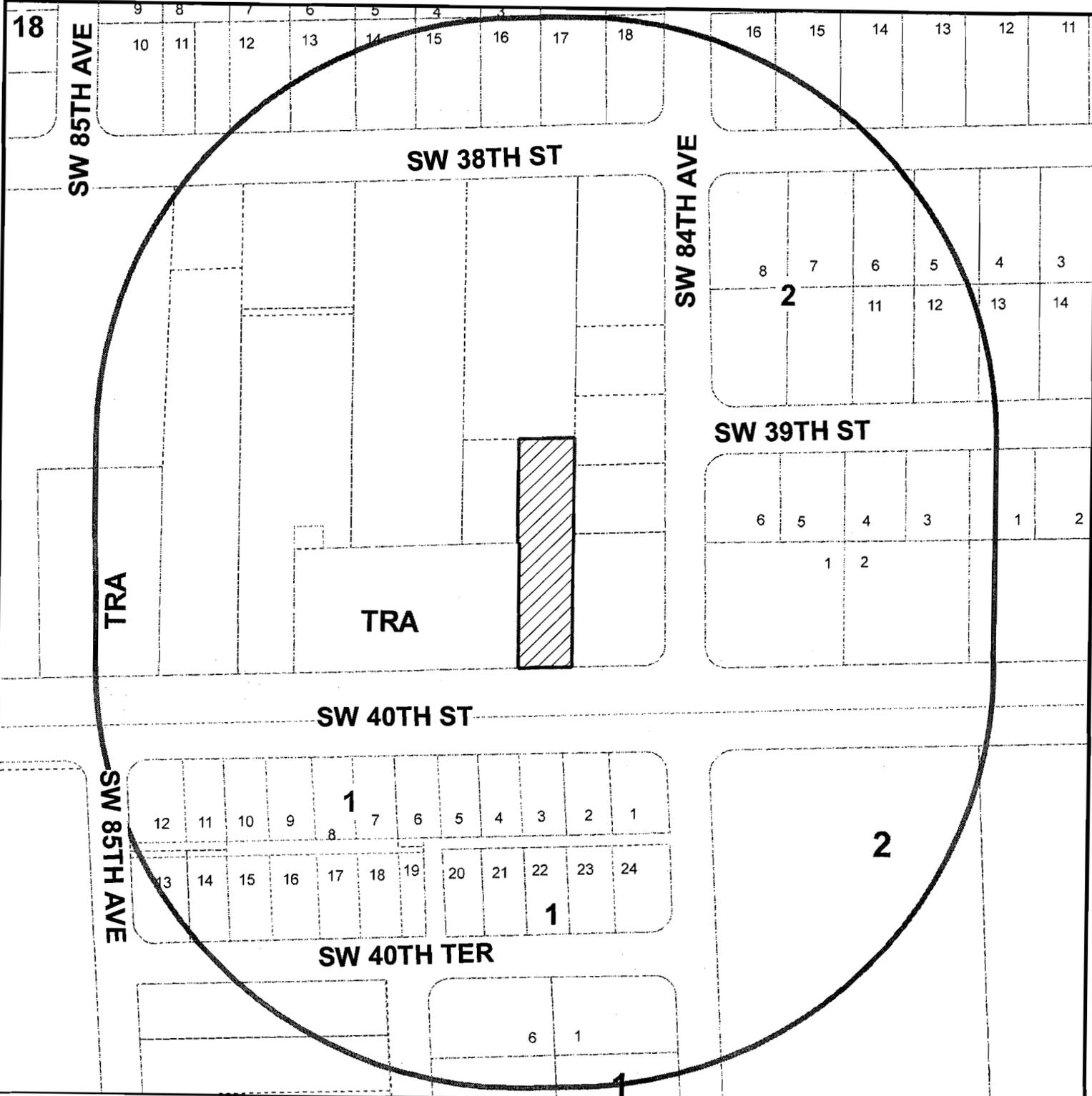
Legend

 Subject Property



SKETCH CREATED ON: Friday, January 18, 2013

REVISION	DATE	BY
		27



MIAMI-DADE COUNTY
RADIUS MAP

Process Number
Z2012000155
 RADIUS: 500

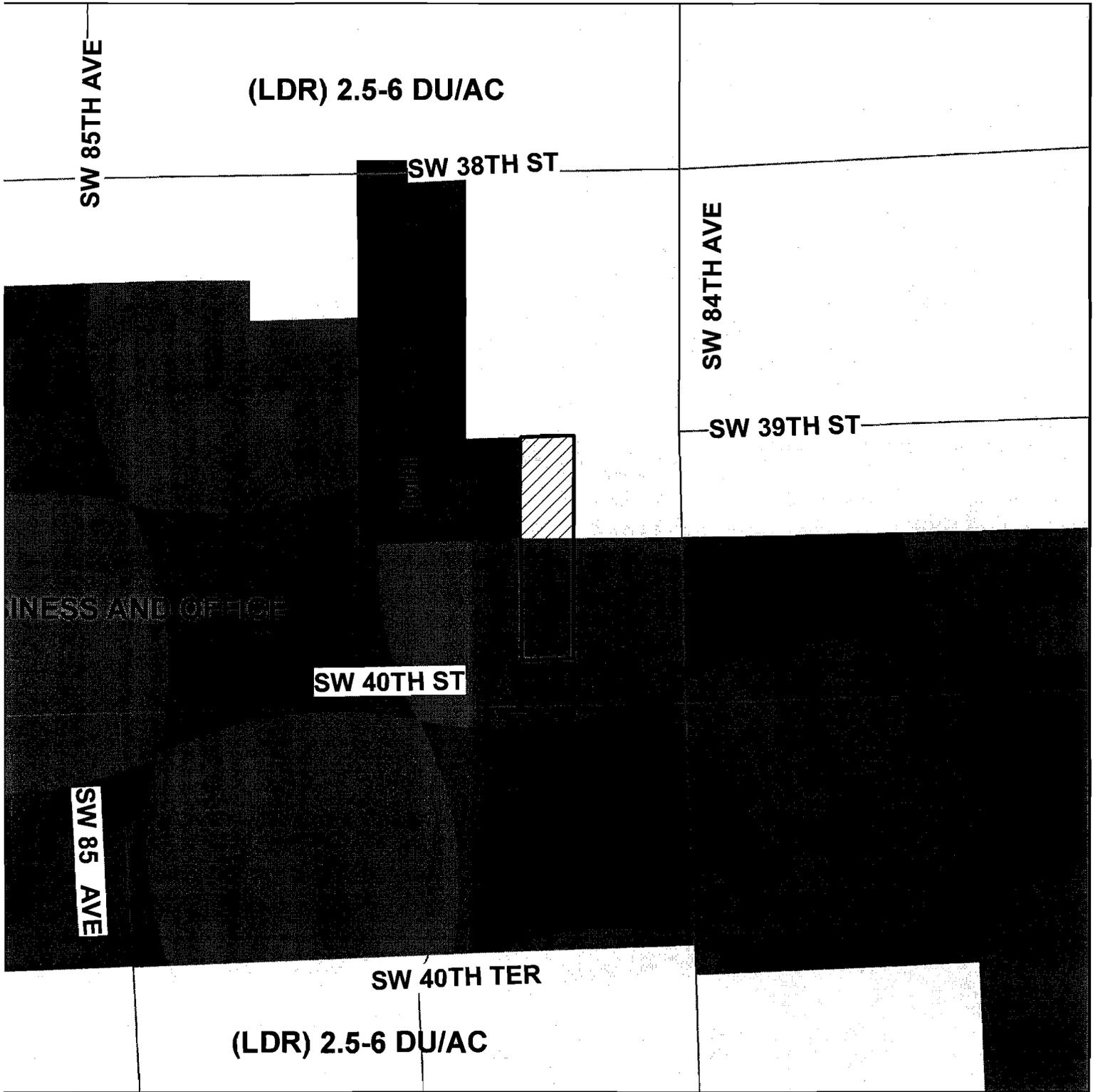
Section: 15 Township: 54 Range: 40
 Applicant: DELTA ONE ENTERPRISE, LLC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

- Legend**
-  Subject Property
 -  Buffer



SKETCH CREATED ON: Friday, January 18, 2013

REVISION	DATE	BY
		28



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2012000155

Section: 15 Township: 54 Range: 40
 Applicant: DELTA ONE ENTERPRISE, LLC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend
 Subject Property Case





SKETCH CREATED ON: Friday, January 18, 2013

REVISION	DATE	BY

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

PH: Z13-002(13-7-CZ10-4)

July 30, 2013

Item No. 4

Recommendation Summary	
Commission District	10
Applicant	Mauri Investments Property, Inc.
Summary of Requests	The applicant is seeking a Use Variance and ancillary non-use variances to allow a semi-professional office use in a more restrictive zoning district.
Location	10000 SW 40 Street, Miami-Dade County, Florida.
Property Size	75' x 130'
Existing Zoning	RU-1
Existing Land Use	Single-family residence
2015-2025 CDMP Land Use Designation	Office Residential (<i>see attached Zoning Recommendation Addendum</i>)
Comprehensive Plan Consistency	Consistent with objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(a), Use Variance standards, Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (<i>see attached Zoning Recommendation Addendum</i>)
Recommendation	Approval with conditions of requests #1 and #2 and denial without prejudice of request #3.

REQUESTS:

1. USE VARIANCE to permit semi-professional offices in the RU-1 zoning district as would be permitted in the RU-5A zoning district.
2. NON-USE VARIANCE to permit a lot area of 9,677 sq. ft. (10,000 sq. ft. required).
3. NON-USE VARIANCE of landscape requirements to permit 4 lot trees (7 required), 5 street trees (6 required), 90 shrubs (130 required), and to permit a lawn area of 4,835 sq. ft. (725.75 sq. ft. maximum permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Office Building for Mauri Investments," as prepared by Orested Lopez-Recio, Architect, sheet SP-1 dated stamped received 3/11/13 and the remaining 2 sheets dated stamped received 1/7/13, for a total of 3 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The site plan submitted by the applicant depicts the proposed 1,720 sq. ft. office building on the 9,677 sq. ft. corner lot, with seven (7) parking spaces and an ingress/egress drive along SW 100 Avenue.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-1; single-family residence	Office/Residential

North	RU-1; office	Office/Residential
South	RU-1; single-family residence	Low Density Residential (2.5 to 6 dua)
East	RU-1; office	Office/Residential
West	RU-1; office	Office/Residential

NEIGHBORHOOD COMPATIBILITY:

The subject property is a corner lot located at 10000 SW 40 Street. The area surrounding the subject property is primarily characterized by office uses to the north, east and west fronting onto SW 40 Street (Bird Road) and residential uses to the south.

SUMMARY OF THE IMPACTS:

The approval of this application will provide an additional office space along Bird Road which is a section line road and a main east/west roadway. However, approval of the request to allow the office use on this corner lot could increase the traffic impacts on the residences to the south.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Adopted 2015 and 2025 Land Use Plan (LUP) of the Comprehensive Development Master Plan (CDMP) designates the subject property as being within the Urban Development Boundary for **Office/Residential** use. The applicant seeks approval for a use variance to permit semi-professional office uses in the RU-1, Single-Family Residential District as would be permitted in the RU-5A, Semi-Professional Office District as well as ancillary requests for non-use variances. Uses allowed in the Office/Residential category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional offices to large-scale office parks. The RU-5A zoning district allows uses such as attorneys and real estate offices, doctor’s offices, accountants, adult daycare uses and other professional office uses. As such, the range of permitted uses in the proposed RU-5A zone is compatible with the uses allowed in this category.

The CDMP Land Use Element interpretative text for the Office Residential category *recognizes existing strip office development along roadways. Ribbons or strips of office use along roadway frontages are identified along one or both block faces fronting certain roadways.* Staff notes that the subject parcel is the only remaining single-family residence along this frontage between SW 100 Avenue and SW 102 Avenue on both sides of Bird Road. Further, staff’s research of properties in the surrounding area indicated that all the other residences along this block face were approved for use variances to permit office uses in the RU-1 zoning district as would be allowed in the RU-5A district between 1981 and 1995.

However, staff notes that the subject property abuts single-family residential uses to the south. The CDMP Land Use Element interpretative text for the Office Residential category states that *a specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses.* The criteria to determine compatibility is outlined in CDMP **Policy LU-4A**, among which are factors such as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable. The applicant’s design of the proposed office facility is

apparently restricted due to the existing conditions, among which are the size of the parcel, which is the subject of request #2 and the existing single-family building that is being converted. The submitted plans indicate that the parking and drives are located to the rear (south) of the property where it abuts the existing single family development. Said plans also indicate a proposed 6' high CBS wall along the rear (south) property line which will mitigate the visual and aural impacts of the parking and drives on the abutting residence to the south. However, staff opines that the site has adequate room to provide the additional landscaping that will buffer the more intensive office uses from the residences located to the south. Therefore, with the condition that the applicant provides the required landscaping that is the subject of request #3, staff opines that approval of the application would be **compatible** with the surrounding office and residential uses based on the criteria outlined in **Policy LU-4A**. As such, based on the foregoing analysis, staff opines that approval with conditions of the proposed professional office use is **compatible** with the area and **consistent** with the CDMP Land Use Element interpretative text for the Office/Residential category and the CDMP LUP map Office/Residential designation.

ZONING ANALYSIS:

When the applicant's request to permit a semi-professional office use in the RU-1 zoning district as would be permitted in the RU-5A zoning district (request #1) is analyzed under Section 33-311(A)(4)(a), staff opines that approval with conditions of this request would be **compatible** with the surrounding office and residential uses. Based on the foregoing analysis, staff notes that the request is consistent with the Land Use Element interpretative text under the Office/Residential category. Staff notes that the subject property is located along SW 40 Street (Bird Road), which is a well-travelled east/west roadway and is the only remaining residential use along this portion of the roadway on both sides of the street. The abutting property to the west at 10020 SW 40 Street was approved pursuant to Resolution #Z-207-81 to allow semi-professional office uses in the RU-1 zoning district in 1981. Similarly, in 2003, pursuant to Resolution #CZAB10-64-04, the property to the east, located at 9980 SW 40 Street was also approved for a similar request amongst others. As previously noted, all the other properties on the block-face on which the subject parcel is located were approved for similar requests between 1981 and 2003. Further, on the opposite block-face along Bird Road, all the residences were approved pursuant to Resolution #Z-271-77, to permit uses listed in the RU-5A zoning district in the RU-1 zone.

Staff notes that a **use variance** as provided in Section 33-311(A)(4)(a) permits a use of land other than that which is prescribed by the zoning regulations. The standard stipulates that *the Board shall hear and grant applications for use variances from the terms of the zoning regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions thereof will result in **unnecessary hardship**, and so the spirit of the regulations shall be observed and substantial justice done; and further provided that the use variance will be in harmony with the general purpose and intent of the regulations.* Staff opines that approval of the request to allow the use of the residence for semi-professional office uses would not be contrary to the public interest based on the foregoing analysis. Staff notes that the character of the neighborhood along the block-face on which the subject parcel is located is substantially changed from the residential character that is prescribed by the RU-1 zoning regulations. As such, staff opines that requiring the applicant to maintain the residential use within a block that is primarily made up of more intensive office uses and fronting onto a six-lane section line roadway, would cause the applicant to continue to endure the negative aural and visual impacts that potentially could arise from the more intensive uses, which in staff's opinion would constitute an unnecessary hardship. Staff notes that this block face where the

subject property lies consists of 8 lots. All of the other 7 lots on this block face have sought and were approved for semi-professional office uses except for the subject property. In addition, the lot directly east of the subject property on the other side of SW 100 Avenue was also approved for semi-professional office uses. Further, staff notes that the County's vision for the development is indicated in the CDMP LUP map Office/Residential designation of the subject property. As such, since the proposed use is consistent with the CDMP LUP map designation and the Land Use Element interpretative text for properties that are designated Office/Residential on the CDMP LUP map, staff opines that approval of this use variance request for an office use within the RU-1 district would not be contrary to the public interest. **As such, staff is of the opinion that the proposed semi-professional office use is a reasonable use for the subject site and that the use variance request should be approved with conditions under the Use Variance Section 33-311(A)(4)(a) and under the Special Exception Section 33-311(A)(3).**

When the ancillary request to permit the semi-professional office use on a 9,677 sq. ft. parcel, where 10,000 sq. ft. is required (request #2) is analyzed under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations, staff opines that approval of this request would not be out of character with the surrounding area and would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff notes that the other properties along the block-face that were approved to allow office uses in the RU-1 district were also approved for variances of lot area as is being requested herein. For example, pursuant to Resolution #Z207-81, the previously mentioned abutting property to the west was also approved to allow the office use on a 9,375 sq. ft. parcel, where 10,000 sq. ft. is required. **Therefore, staff recommends approval with conditions of request #2, under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

However, when request #3 is similarly analyzed under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations, staff opines that approval of this request would not maintain the basic intent and purpose of zoning regulations as it pertains to the stability and appearance of the community. Approval of request #3 would allow the applicant to develop the parcel with an office use with less lot and street trees, less shrubbery and approximately six (6) times the lawn area allowed by the zoning regulations, which in staff's opinion would be **incompatible** with the abutting residential uses to the south. The RU-5A zoning district regulations requires the applicant to among other things provide *buffering elements in the form of architectural design and landscape design that provide a logical transition to adjoining existing or permitted uses*. Staff opines that the excessive lawn area being provided in the submitted plans is evidence that the applicant has sufficient room to provide the additional trees and shrubbery that is required. Staff opines that apart from acting as a visual buffer for the less intensive residential uses to the south, the additional landscaping would provide the logical transition referred to in the zoning district regulations. **Therefore, staff recommends that the request #3 should be denied without prejudice under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING: Access to the site is provided on SW 100 Avenue.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

ENVIRONMENTAL REVIEW: Not applicable.

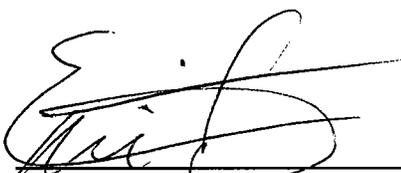
OTHER: Not applicable.

RECOMMENDATION: Approval with conditions of requests #1 and #2 and denial without prejudice of request #3.

CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Office Building for Mauri Investments," as prepared by Orested Lopez-Recio, Architect, sheet SP-1 dated stamped received 3/11/13 and the remaining 2 sheets dated stamped received 1/7/13 for a total of 3 sheets, except as herein amended to provide the required amount of street and lot trees, shrubbery and the lawn area.
3. That the applicants submit to the Department of Regulatory and Economic Resources for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
4. That the applicants obtain a Certificate of Use for the semi-professional office use from 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.
5. That the use be established and maintained in accordance with the approved plan.
6. That no off-site parking for the office use be allowed along SW 40 Street or along SW 100 Avenue.

ES:MW:NN:JC:CH



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

NON

ZONING RECOMMENDATION ADDENDUM

Applicant: *Mauri Investments*

PH: Z13-002

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

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

Office/Residential (Page I-43)	<p><i>Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. Satellite telecommunication facilities that are ancillary uses to the businesses in a development are also allowed. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses. The maximum scale and intensity, including height and floor area ratio of office, hotel and motel development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. Where the Office/Residential category is located between residential and business categories, the more intensive activities to occur on the office site, including service locations and the points of ingress and egress, should be oriented toward the business side of the site, and the residential side of the site should be designed with sensitivity to the residential area and, where necessary, well buffered both visually and acoustically.</i></p> <p><i>The plan recognizes existing strip office development along roadways. Ribbons or strips of office use along roadway frontages are identified along one or both block faces fronting certain roadways. Where only one block face is indicated, this specifically provides that only one block face is intended for office use and is not to suggest that the opposite face is also included. The lateral boundary of the ribbon indicates the extent to which office uses may be allowed to expand along the roadway frontage. The depth of the ribbon for office development and other uses permitted by the Office/Residential land use category is more generalized. In general, the depth should be limited to the norm for the strip, but may be approved at such other depth that will provide a logical transition to adjacent uses, or accommodate vehicular parking to serve an adjacent use, provided that site planning or design features are used, to furnish compatibility with any adjoining and adjacent residential uses that exist or are designated on the Land Use Plan map, in keeping with the Plan's policies. Extension of the strip depth beyond the mid-block to the frontage of an interior street, does not necessarily authorize vehicular access on that interior street, and such access may be prohibited if it would be incompatible with neighboring development. Intervening areas between ribbons along a highway face may be used only for the uses permitted in the designated land use category. Further lateral extension of the ribbon beyond that shown on the Plan map will require a Plan amendment.</i></p>
Objective LU-4 (Pg. I-11)	<p><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></p>
Policy LU-4A (Pg. I-11)	<p><i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i></p>

ZONING RECOMMENDATION ADDENDUM

Applicant: *Mauri Investments*

PH: Z13-002

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311(A)(4)(a) Use Variances From Other Than Airport Regulations	<i>The Board shall hear and grant applications for use variances from the terms of the zoning regulations as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum use variance that will permit the reasonable use of the premises. A "use variance" is a variance which permits a use of land other than which is prescribed by the zoning regulations and shall include a change in permitted density.</i>
Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>

4. MAURI INVESTMENTS PROPERTY, INC.
(Applicant)

13-7-CZ10-4(13-002)
Area 10/District 10
Hearing Date: 07/31/13

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>
None				

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

Memorandum



Date: March 20, 2013

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

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

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

Subject: C-10 #Z2013000002-1st Revision
Mauri Investments Property, Inc.
10000 SW 40th Street, Miami, Florida 33165
Non-Use Variance to Permit a Lot Area Less Than Required; Use
Variance to Permit Office Use in a Residential District.
(RU-1) (22 Acres)
20-54-40

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.

Wellfield Protection

The subject property is located within the Average Day Pumpage Wellfield Protection Area for the Alexander Orr Wellfield Complex. Development of the subject property shall be in accordance with the regulations established in Section 24.43 of the Code. Since the subject request is for a non-residential land use, the owner of the property has submitted a properly executed covenant in accordance with Section 24-43(5) of the Code which provides that hazardous materials or wastes shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

Potable Water Service

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

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

Wastewater Disposal

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

DERM 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 DERM 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

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 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.

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 of DERM for both the abatement (renovation) work and the demolition activity at least 10 working days prior to starting the field operations.

Tree Preservation

Tree Removal Permit TREE-004128-2012 was issued for this property on November 14, 2012. All approved tree removal/relocation, replanting and final inspection (a two weeks notice is required prior to the final inspection) must be completed prior to the scheduled expiration date of this permit on November 14, 2013, in order to avoid violation of permit conditions.

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

Enforcement History

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

Concurrency Review Summary

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

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

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

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

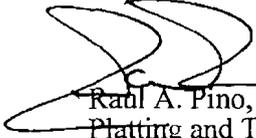
cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: March 22, 2013

To: Eric Silva, Assistant Director
Department of Regulatory and Economic Resources

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

Subject: Z2013000002
Name: Mauri Investments Property, Inc.
Location: 10000 SW 40 Street
Section 20 Township 54 South Range 40 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lots 1, Block 2 of Plat Book 50, Page 98.

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 **3 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveals 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
F-74	SW 40 St. e/o SW 107 Ave.	C	C
F-76	SW 40 St. w/o SW 87 Ave.	D	D
9699	SW 97 Ave. s/o SW 24 St.	D	D
9700	SW 97 Ave. s/o SW 40 St.	C	C

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.

Memorandum



Date: January 29, 2013

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

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

Subject: Z2013000002: MAURI INVESTMENTS PROPERTY, INC

Application Name: MAURI INVESTMENTS PROPERTY, INC

Project Location: The site is located at 10000 SW 40 ST, Miami-Dade County.

Proposed Development: The applicant is requesting a use variance to permit a professional office building.

Impact and demand: This application does not generate any residential population applicable to CDMP Open Space Spatial Standards. We have no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review. The Department has no objection to this application.

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum



Date: 22-JAN-13
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department
Subject: Z2013000002

Fire Prevention Unit:

APPROVAL:
No objection to site plan date stamped received December 7, 2012.

Service Impact/Demand

Development for the above Z2013000002
located at 10000 SW 40 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1589 is proposed as the following:

<u>N/A</u> residential	dwelling units	<u>N/A</u> industrial	square feet
<u>1,717</u> Office	square feet	<u>N/A</u> institutional	square feet
<u>N/A</u> Retail	square feet	<u>N/A</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 0.38 alarms-annually.
The estimated average travel time is: 6:21 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

Current service impact calculated based on site plan date stamped December 7, 2012.

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

DATE: 18-JAN-13

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

MAURI INVESTMENTS PROPERTY,
INC

10000 SW 40 ST, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2013000002

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. Prior case opened December 20, 2011 for abandoned vehicle. No violation observed and case closed on March 15, 2012. BNC: No open/close bss cases

Mauri Investments Property

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

REPORTER NAME:

DISCLOSURE OF INTEREST*



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

CORPORATION NAME: Miami Investment Properties

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Mela Martinez</u>	<u>100% -</u>
<u>20056 SW 129 Ave.</u>	
<u>Miami, FL 33177</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>
<u>213-002</u>	
RECEIVED	
DEC 07 2013	
ZONING HEARINGS SECTION MIAMI DADE PLANNING AND ZONING DEPT. BY <u>FB</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.

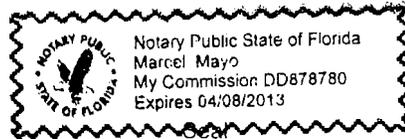
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: *M. Mayo*
(Applicant)

Sworn to and subscribed before me this 18 day of DEC., 20 12. Affiant is personally know to me or has produced DL H62535448 8250 as identification.

M. Mayo
(Notary Public)

My commission expires: 04/08/13



*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.

ENLARGE SITE PLAN

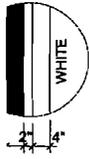
213-002
RECEIVED
MAR 11 2013



(STATE ROAD No. 976)
S.W. 40th STREET
(BIRD ROAD)

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

IP SIGN



FOLIAGE
LANDSCAPE
1" TERMINAL LEADER
RUBBER OR
1/4" DIA.
7" LATERAL BRANCH

3" ON ALL BRACES OR
9" COLOR

MULCH OR APPROVED
A APPROVAL

UTER

7D STAKES EQUALLY
E E
ER SPECIFICATIONS

AIL

2 APPROVED

LEVEL

2VAL

ATIONS
G. SOIL MIX.
SOIL

ANTING SOIL MIX.

INDCOVER
SOICILL

EREOF

IDA.

BE FL. No. 1 OR
TY.

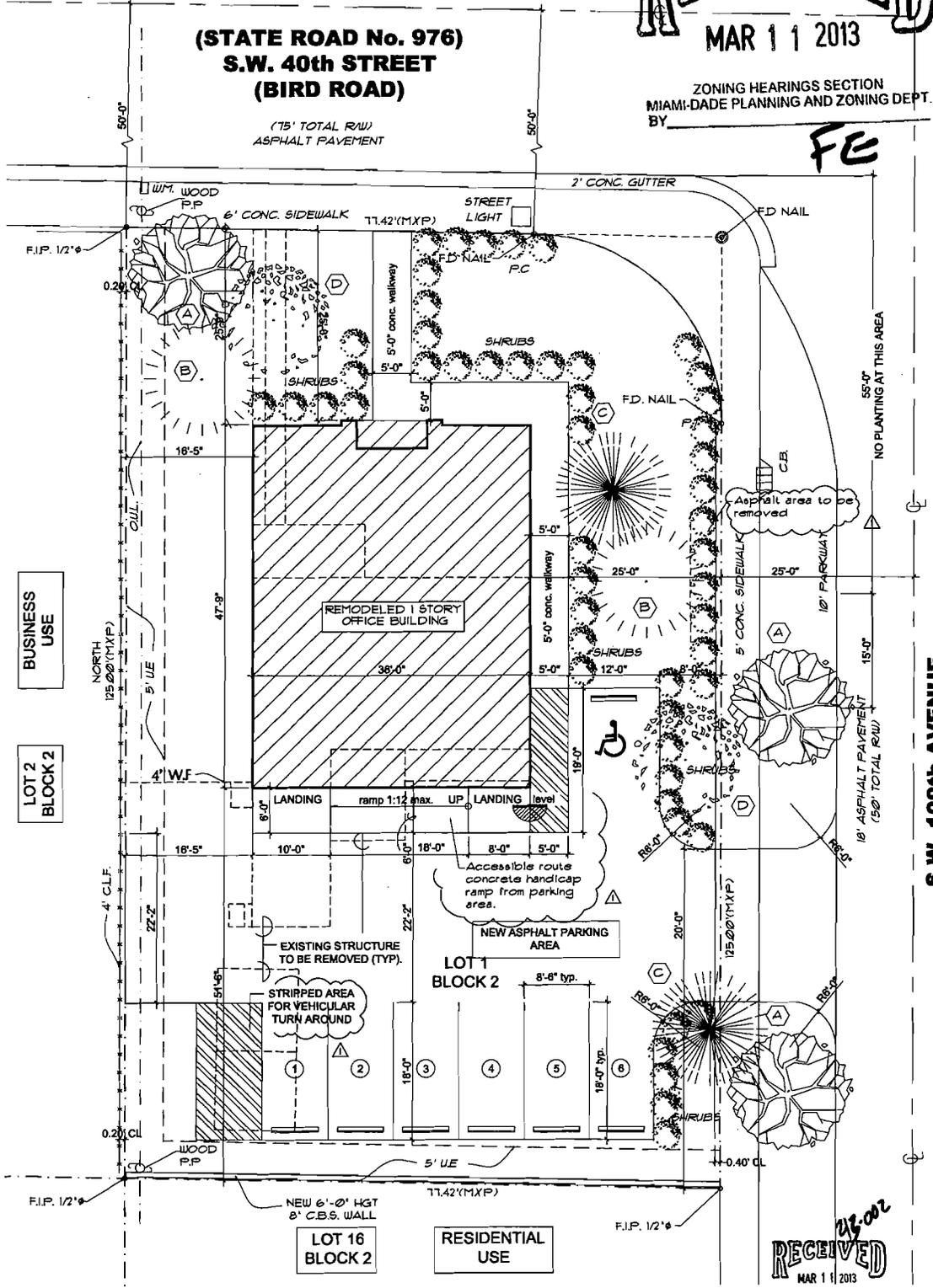
ANTED SHALL BE

QUIRED TREES AND
SPECIES

ATIVE TREES
(SABBALE PALM)

QUIRED SHRUBS

EM SHALL BE



SITE PLAN / LANDSCAPING PLAN

1/8"=1'-0"

213-002
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MAR 11 2013
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

ARCHITECT
ORUSTIS LOPEZ-RODRIGUEZ
AM000206

380 S.W. 32 STREET
MIAMI, FLORIDA 33135
TELEPHONE (305) 68-8877

OWNER:
MAURI INVESTMENTS
20056 S.W. 123TH AVENUE
MIAMI, FLORIDA 33177

NEW ONE STORY OFFICE BUILDING FOR
MAURI INVESTMENTS
10000 S.W. 40TH STREET
MIAMI, FLORIDA 33165

REVISIONS
BUILDING DEPT. COMMENTS
03-03-13 W.A.C.



DATE: DECEMBER 11, 2012

SCALE: AS SHOWN

DRAWN: W.A.C.

JOB NO.: 12-002

SP-1

PROJECT NO.: 02

213-002
RECEIVED
 MAR 11 2013



OLR
 OFFICE OF LANDSCAPE ARCHITECTURE
 20056 S.W. 128TH AVENUE
 MIAMI, FLORIDA 33177

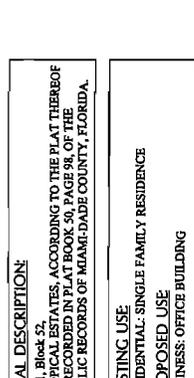
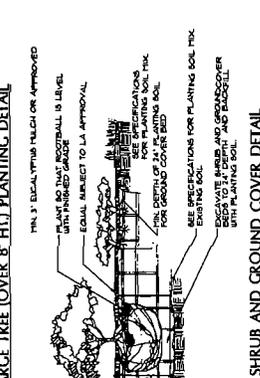
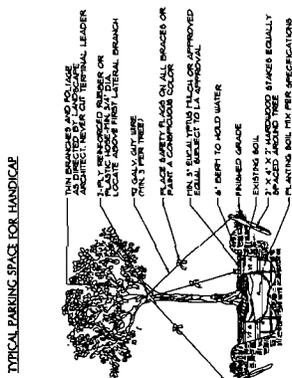
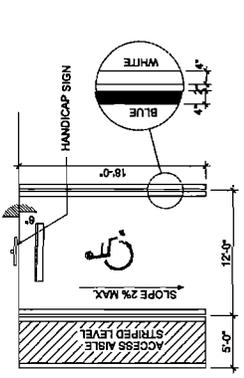
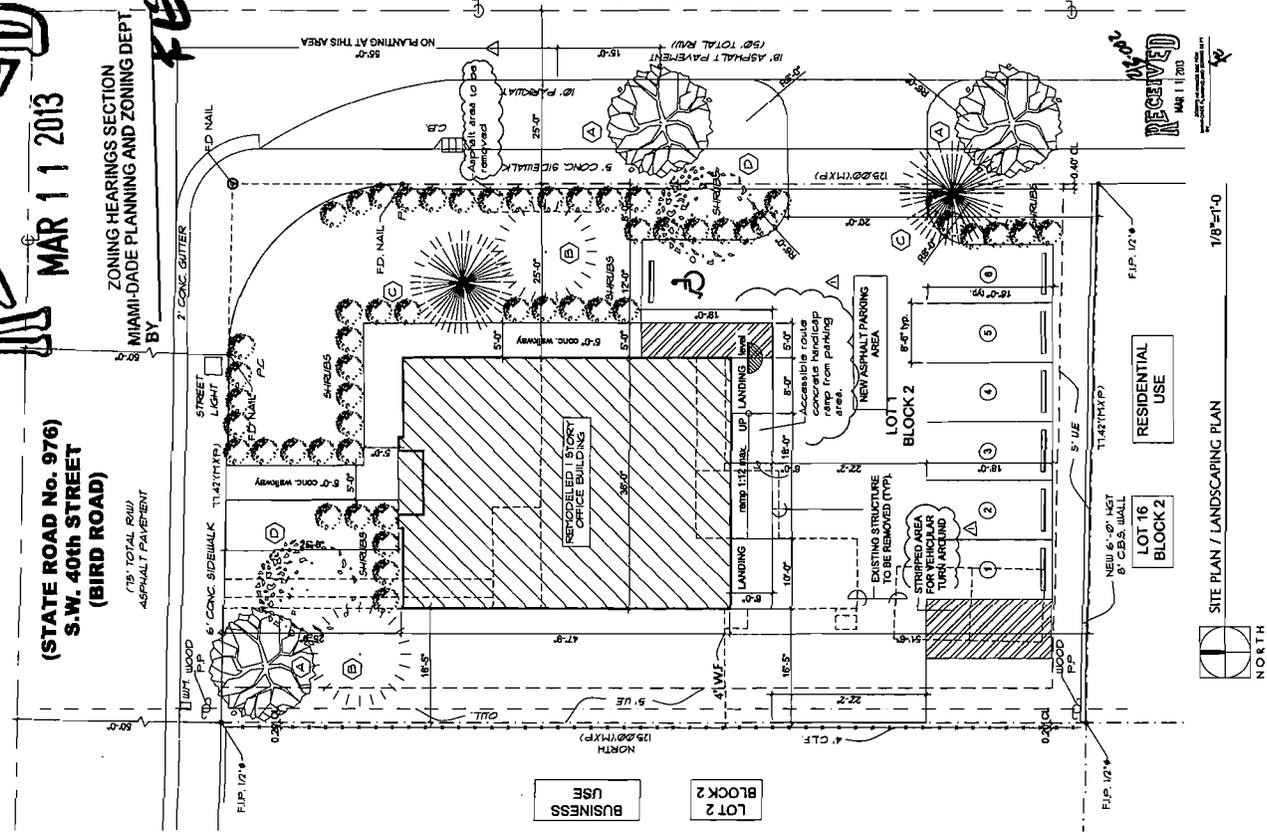
MAURI INVESTMENTS
 10000 S.W. 40TH STREET
 MIAMI, FLORIDA 33185

NEW ONE STORY OFFICE BUILDING FOR MAURI INVESTMENTS
 SCALE: 1/8" = 1'-0"
 DATE: 12/2012
 DRAWN: JAC
 CHECKED: JAC
 DATE: 01/11/13

SP-1
 SHEET NO. 1 OF 1

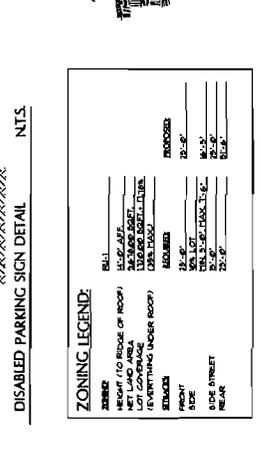
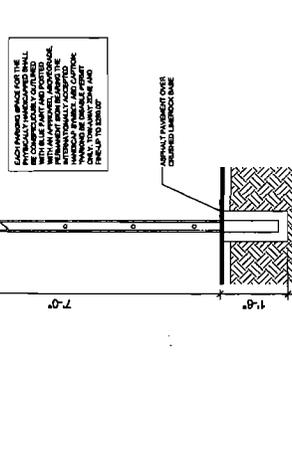
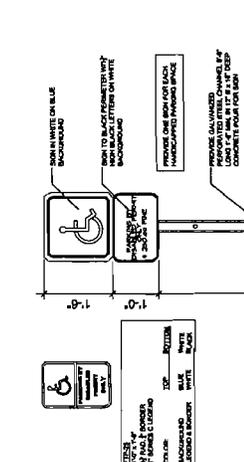
**(STATE ROAD No. 976)
 S.W. 40TH STREET
 (BIRD STREET)**
 75'-0" TOTAL RW
 ASPHALT PAVEMENT

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



LANDSCAPE NOTES:

- ALL PLANT MATERIAL SHALL BE FL. No. 1 OR BETTER.
- THE SOIL MATERIAL TO BE PLANTED SHALL BE ST. ADAPTED FLORIST.
- A PORTION OF THE REQUIRED TREES AND SHRUBS SHALL BE PLANTED IN THE STRIPPED AREA FOR TURF GRASS OR TURF ALTERNATE.
- A PORTION OF THE REQUIRED SHRUBS AND GROUND COVER SHALL BE PLANTED IN THE STRIPPED AREA FOR TURF GRASS OR TURF ALTERNATE.
- APPROVED: REGISTRATION SYSTEM SHALL BE PROVIDED BY OWNER.



LEGAL DESCRIPTION:
 Lot 1, Block 52, TROPICAL ESTATES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

EXISTING USE:
 RESIDENTIAL: SINGLE FAMILY RESIDENCE

PROPOSED USE:
 BUSINESS: OFFICE BUILDING

PLANT SCHEDULE

QTY.	SYMBOL	BOTANICAL NAME	CULTIVAR NAME	NATIVE	REMARKS	CAL.
3	YES	PARROTIA SPECIOSA	PARROTIA SPECIOSA	YES	8'-0" HGT. X 3' SPREAD	7'
2	YES	DAMPiera BREVIFLORA	DAMPiera BREVIFLORA	YES	8'-0" HGT. X 3' SPREAD	7'
2	YES	CONCARPUS BREVIFLORA	CONCARPUS BREVIFLORA	YES	8'-0" HGT. X 3' SPREAD	7'
2	YES	JACARANDA ACUTIFOLIA	JACARANDA ACUTIFOLIA	YES	8'-0" HGT. X 3' SPREAD	7'
30	YES	SOERENIA ANDROCARPA	SOERENIA ANDROCARPA	NO	8' HGT. X 24" DIAM. HGT.	8' HGT.
30	YES	CALLICARPUS AMERICANA	CALLICARPUS AMERICANA	YES	8' HGT. X 24" DIAM. HGT.	8' HGT.
30	YES	ELAEAGNUS AMERICANA	ELAEAGNUS AMERICANA	YES	8' HGT. X 24" DIAM. HGT.	8' HGT.

NEW ONE STORY OFFICE BUILDING FOR
MAURI INVESTMENTS
MIAMI, FLORIDA



ARCHITECT
ORESTES LOPEZ-RECO
AR000990

985 SW. 32 STREET
MIAMI, FLORIDA 3315
TELEPHONE: (305) 608-8887

INDEX OF DRAWINGS	
C-0	COVER SHEET
SP-1	SITE PLAN, LANDSCAPING PLAN AND DETAILS
A-1	EXISTING CONDITIONS FLOOR PLAN
A-2	GROUND FLOOR PLAN
	EXTERIOR ELEVATIONS
D-1	GENERAL DETAILS

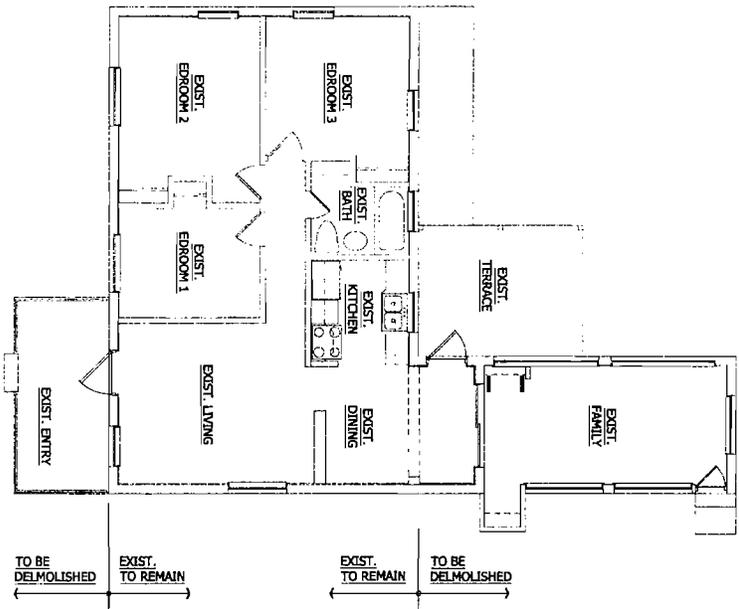
NEW ONE STORY OFFICE BUILDING FOR
MAURI INVESTMENTS
10000 S.W. 40TH STREET
MIAMI, FLORIDA 33165

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213,000
JAN 07 2013

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

20

18



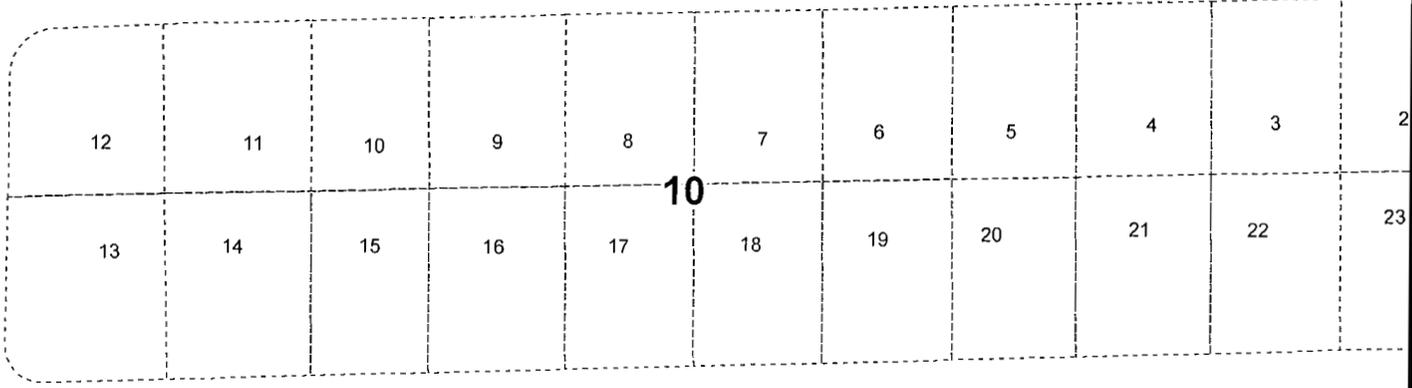
EXISTING CONDITIONS FLOOR PLAN
1/4" = 1'-0"

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

RECEIVED
213.0002
JAN 07 2013

	<p>MAURI INVESTMENTS 20056 S.W. 126TH AVENUE MIAMI, FLORIDA 33177</p>	<p>NEW ONE STORY OFFICE BUILDING FOR MAURI INVESTMENTS 10000 S.W. 40TH STREET MIAMI, FLORIDA 33165</p>	<p>A-1</p>
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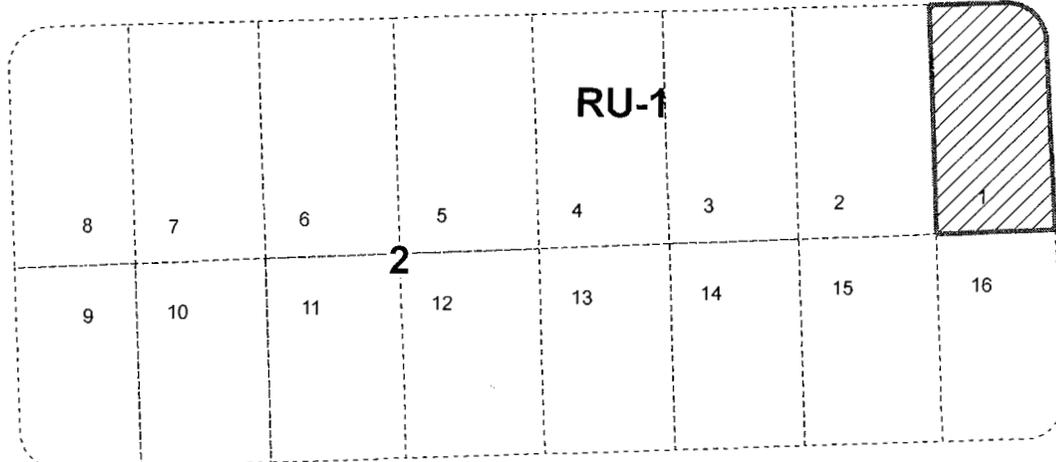
SW 39TH TER



SW 40TH ST

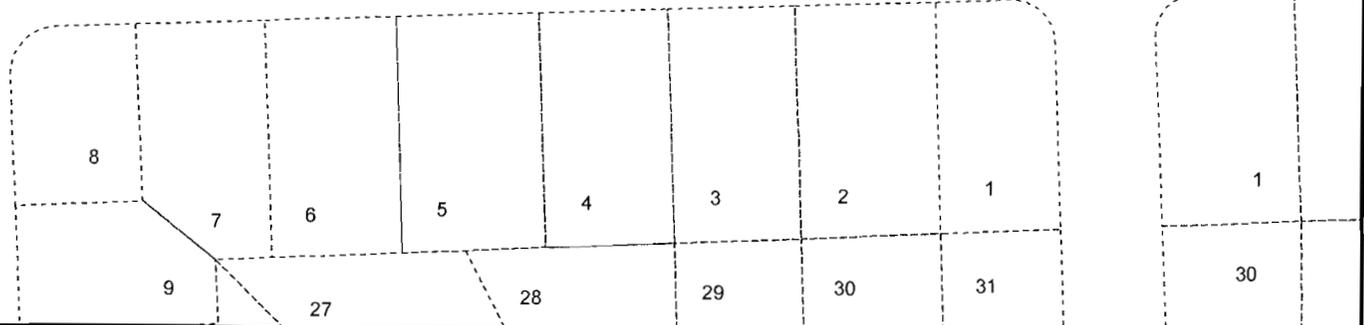
SW 102ND AVE

RU-1



SW 100TH AVE

SW 40TH TER



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2013000002



Section: 20 Township: 54 Range: 40
 Applicant: MAURI INVESTMENTS PROPERTY, INC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Wednesday, January 23, 2013

REVISION	DATE	BY
		24

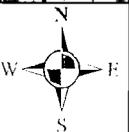


MIAMI-DADE COUNTY

Process Number

AERIAL YEAR 2009

Z2013000002



Section: 20 Township: 54 Range: 40
 Applicant: MAURI INVESTMENTS PROPERTY, INC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

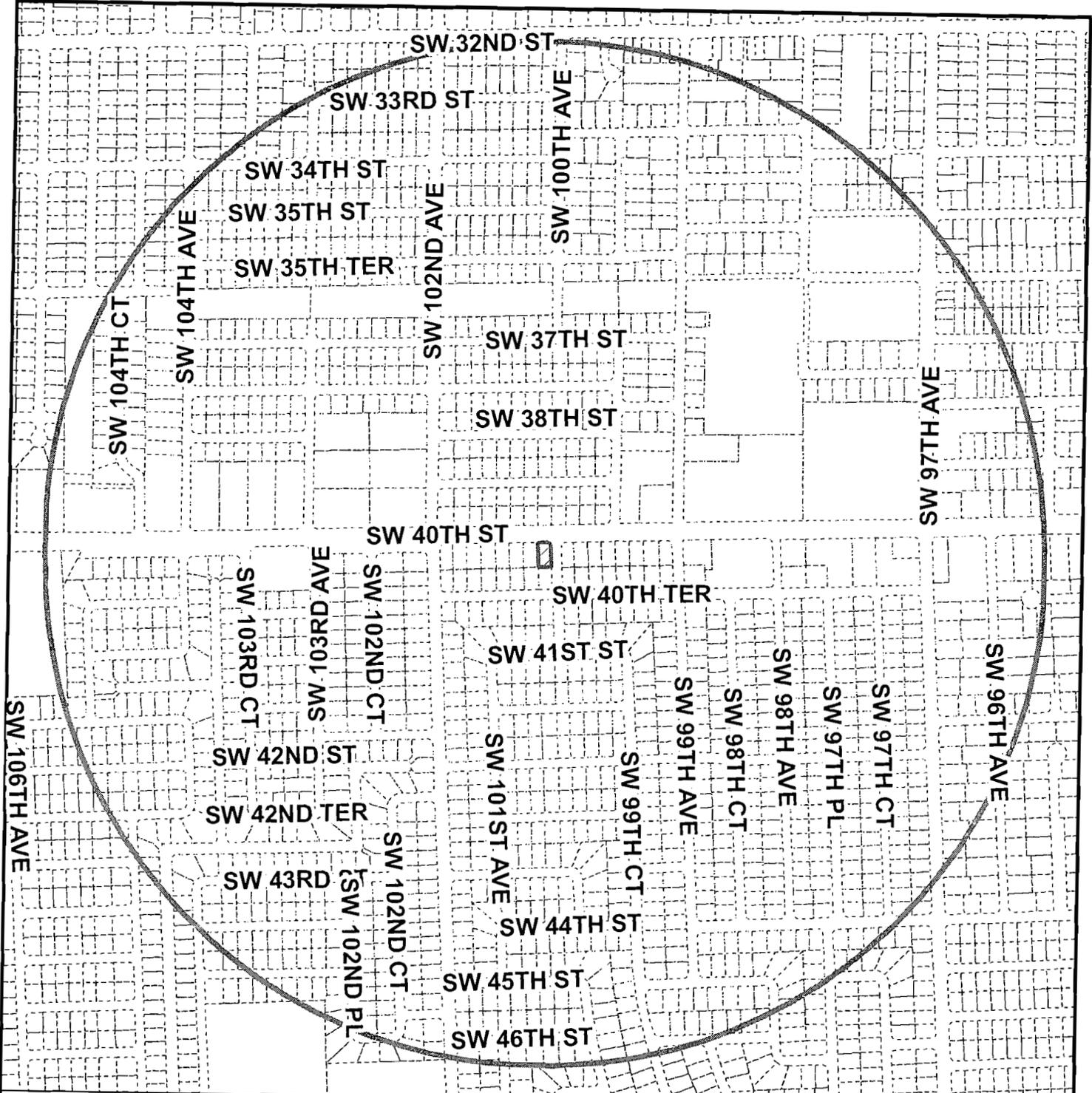
Legend

 Subject Property



SKETCH CREATED ON: Wednesday, January 23, 2013

REVISION	DATE	BY
		25



MIAMI-DADE COUNTY
RADIUS MAP

Process Number
Z2013000002
 RADIUS: 2640



Section: 20 Township: 54 Range: 40
 Applicant: MAURI INVESTMENTS PROPERTY, INC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

- Legend**
-  Subject Property
 -  Buffer



SKETCH CREATED ON: Wednesday, January 23, 2013

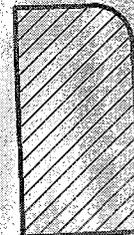
REVISION	DATE	BY
		26

SW 39TH TER

(LDR) 2.5-6 DU/AC

SW 40TH ST

OFFICE/RESIDENTIAL



SW 102ND AVE

(LDR) 2.5-6 DU/AC

SW 40TH TER

SW 100TH AVE

MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2013000002



Section: 20 Township: 54 Range: 40
Applicant: MAURI INVESTMENTS PROPERTY, INC
Zoning Board: C10
Commission District: 10
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Wednesday, January 23, 2013

REVISION	DATE	BY

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

PH: Z13-012 (13-07-CZ10-3)

July 30, 2013

Item No. 5

Recommendation Summary	
Commission District	11
Applicant	Laroc, LLC
Summary of Request	The applicant is seeking to allow an existing carwash to operate under a canvas roof and to setback less than required from the front property line. Additionally, the applicant seeks to permit a two-way drive with less back out space than permitted and to permit less street trees than required.
Location	14500 SW 8 Street, Miami-Dade County, Florida.
Property Size	5-acres
Existing Zoning	BU-1A
Existing Land Use	Shopping Center
2015-2025 CDMP Land Use Designation	Business and Office (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
Recommendation	Approval with conditions

REQUEST:

NON-USE VARIANCE of zoning regulations requiring all uses to be conducted within completely enclosed buildings; to waive same to permit a hand carwash to be conducted under a canvas roof area.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Sharkies Car Wash", prepared by Lan Mar Design Group, dated stamped received 2/4/13 consisting of 1 sheet. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The site plan depicts a proposed carwash in the northwest corner of the existing parking lot that abuts SW 8 Street. Six (6) of the existing 638 parking spaces for the approximately 109,470 sq. ft. shopping center are to be converted into the carwash space.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	BU-1A; shopping center	Business and Office
North	GU; vacant land	Open Land
South	RU-1Ma; lake	Low Density Residential (2.5 to 6 dua)
East	BU-1A; post office	Business and Office
West	EU-1; vacant land	Business and Office

NEIGHBORHOOD COMPATIBILITY:

The subject property is an existing shopping center located at 14500 SW 8 Street. The surrounding area is characterized by vacant land, residential and commercial uses.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to establish a carwash under a canopy roof in the northwest corner of the parking lot of a shopping center. Staff opines that the proposed carwash provides an amenity to the residents of the surrounding area. However, the request to allow the carwash to operate under a canopy adjacent to the front property line could have a visual impact on the surrounding area.

CDMP ANALYSIS:

The subject property is designated as **Business and Office** on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. *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.* Approval of this application will allow the applicant to establish a carwash under a roof canopy on the subject property. In staff's opinion the proposed carwash use is **consistent** with the Business and Office CDMP LUP map designation, the CDMP Land Use Element Interpretative text for Business and Office, and **compatible** with the surrounding area based on the Zoning Analysis below.

ZONING ANALYSIS:

When analyzing the request to permit a proposed hand carwash to be conducted under a canvas roof under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations, staff is of the opinion that the approval of this request would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community for the reasons stated below. Staff notes that proposed hand carwash will operate under a 52'-10" x 19'-4' canopy to be located in the northwest corner of the parking lot facing SW 8 Street (Tamiami Trail), a major roadway. The properties located across SW 8 Street that face the subject property are vacant, zoned GU, Interim District and located outside of the Urban Development Boundary. Also, the closest residences are located over 600' to the south of the proposed location of the carwash and buffered by the existing shopping center building. Further, the photographs submitted by the applicant and aerial images obtained from the Miami-Dade County Geographical Information System show an existing 3' high hedge and four (4) trees located along the front property line where the proposed hand carwash is to be located, which staff opines visually buffers the proposed use from passersby along SW 8 Street. As a condition of approval, staff recommends that all activities associated with the operation of the hand carwash be conducted under the canopy structure to further buffer the use from the adjacent right-of-way. **As such, staff recommends approval with conditions of request #1 under Section 33-311(A)(4)(b) (Non-Use Variances From Other Than Airport Regulations).**

ACCESS, CIRCULATION AND PARKING:

The submitted site plan depicts the existing shopping center with two (2) ingress/egress points, located along SW 8 Street and one (1) located along SW 147 Avenue. The site plan depicts 638 parking spaces, six (6) of which will be utilized for the proposed carwash.

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

OTHER: N/A

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 in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Sharkies Car Wash", prepared by Lan Mar Design Group, dated stamped received 2/4/13 consisting of 1 sheet.
3. That the use be established and maintained in accordance with the approved plan.
4. That all carwash activities be conducted under the canopy.
5. That no signage beyond that allowed by Chapter 33 of the Code of Miami-Dade County shall be permitted.
6. That no stringer lights, pennants, mobile or stationary visual devices, except as permitted under point of sale regulations, shall be used or displayed.
7. That the applicant comply with all applicable conditions and requirements of the Division of Environmental Resources Management of the Miami-Dade County Department of Regulatory and Economic Resources.

ES:MW:NN:CH:AN


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

NDW

ZONING RECOMMENDATION ADDENDUM

Laroc, LLC
13-012

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

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

<p>Business and Office (Pg. I-41)</p>	<p><i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Business and Office. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.</i></p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</p>	<p><i>Upon appeal or direct application in specific cases to hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations, the Board (following a public hearing) 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. For the purpose of this subsection, the term "non-use variances" involves matters such as setback lines, frontage requirements, subdivision regulations, height limitations, lot size restrictions, yard requirements and other variances which have no relation to change of use of the property in question.</i></p>
--	---

5. LAROC, LLC
(Applicant)

13-7-CZ10-5(13-012)
Area 10/District 11
Hearing Date: 07/31/13

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>
1987	Director of Planning and Zoning	- Zone change from RU-3B to AU.	BCC	Approved
1996	LAROC Inc	- Zone change from AU to BU-1A. - Special Exception site plan approval. - Unusual Use to permit a Lake Excavation. - Waive requirements of wall.	BCC	Approved with Condition(s)
1998	LAROC Inc	- Modify lake slope.	C10	Approved with Condition(s)
2005	LAROC Inc	- Zone change from AU to RU-1MA. - Modification of site plan approval.	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: March 11, 2013
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources



Subject: #Z2013000012
La Rock, LLC
14500 SW 8th Street, Miami, FL 33184
Non-Use Variance to waive the requirement of businesses to be
conducted from within enclosed buildings
(BU-1A) (.023 Acres)
03-54-39

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.

Wellfield Protection

The subject property is located within the West Wellfield interim protection area. The Board of County Commissioners approved a wellfield protection ordinance for this wellfield. This ordinance provides for stringent wellfield protection measures that restrict development, and regulate land uses within the wellfield protection area.

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

Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required, in accordance with Code requirements. All sewer lines serving the property shall comply with the exfiltration standards as applied to development within wellfield protection areas.

Existing public water and public sanitary 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 of the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

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

in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

The minimum elevation for the proposed berm must be 9.20 N.G.V.D., as per Cut & Fill approval letter No. 412, dated September 21, 2004.

The proposed catch basin cannot be connected to existing stormwater management system.

Wastewater from the car wash operations shall be connected to the sanitary sewer system. No wastewater from car wash operations shall be allowed to discharge into the stormwater disposal system.

DERM will require that any car wash proposed, complies with the attached Car Wash requirements policy.

A permit modification for the existing Environmental Resource Permit number 13-02521-P issued by the South Florida Water Management District may be required.

Wetlands

The subject property is located within the Bird Drive Wetland Basin, in an area that normally contains wetlands. However, this property has already been included as part of a larger project, under Class IV Wetlands Permit FW94-121. All Class IV Wetland Permit requirements for this property have been completed under the previously issued permit.

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

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

Tree Preservation

The proposal to permit a hand car wash will not impact tree resources. Be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

Hazardous Materials Management

Approval for management practices to control the potential discharge and spillage of pollutants will be required. You are advised to contact the Permitting Section of the Department's Pollution Regulation and Enforcement Division, at (305) 372-6600 concerning permitting requirements.

Operating Permits

Section 24-18 of the Code authorizes the Department to require operating permits from facilities that could be a source of pollution; due to the nature of the proposed land use, operating permits may be required.

Furthermore, approval for best management practices to control any potential discharge and spillage of pollutants associated with the proposed use may be required. The Permitting Section of Pollution Regulation and Enforcement Division may be contacted at (305) 372-6600 for further information concerning operating requirements.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

cc: Eric Silva, Department of Regulatory and Economic Resources

DEPARTMENT OF ENVIRONMENTAL RESOURCES
POLICY GUIDANCE

POLICY NUMBER:

EFFECTIVE DATE:

SHORT TITLE: CAR WASH REQUIREMENTS

CODE AUTHORIZATION: CHAPTER 24, SECTIONS 24-11(9), 24-12.1 and 24-13(4) OF THE CODE OF METROPOLITAN DADE COUNTY

BRIEF DESCRIPTION OF POLICY OBJECTIVE:

To establish minimum guidelines for the construction and operation of car wash establishments.

STATEMENT OF POLICY:

1. It is unlawful to throw, drain, run or otherwise discharge any industrial waste, liquid waste or other waste into a system designed to carry storm water. Similarly, it is unlawful to throw, drain, run or otherwise discharge any stormwater into a sanitary sewer.

In order to segregate stormwater from industrial wastewater or liquid waste generated at a car wash and facilitate their correct handling and disposal, the following minimum requirements shall be incorporated into all car wash facilities:

- a. Car washing operations shall be conducted over an impervious area no smaller than twelve (12) feet by eighteen (18) feet.
- b. A berm or curb (of a minimum of four (4) inches in height) must be constructed around the wash stall in order to prevent industrial or liquid waste from flowing out of the stall into the stormwater sewer system or stormwater from entering the wash stall and the sanitary sewer system.
- c. A roof with a minimum two (2) feet overhang beyond the berm or curb must be installed and properly maintained over the wash stall on all sides to prevent rainwater intrusion.
- d. The industrial or liquid waste generated by the car wash operation must be discharged to the sanitary sewer system (unless a self-contained water recycling system is used) through an oil interceptor meeting the requirements of Section 4612.3(c) of the South Florida Building Code and with minimum capacity of seven hundred fifty (750) gallons.

No waste other than domestic sewage may be discharged to septic tanks. For car wash operations located on properties not served by sanitary sewers, a self-contained water recycling system must be installed. (Car wash recycling systems must have a general permit from the Florida Department of Environmental Protection and be in compliance with the requirements of Rule 17-660.803 Florida Administrative Code.)

- e. An easily accessible sampling point must be provided at the industrial waste discharge pipe at a point beyond which no further pretreatment is provided and prior to discharge to the sanitary sewer system to ascertain compliance with the sanitary sewer discharge standards stipulated in Section 24-11(9) of the Code of Metropolitan Dade County.
2. If water hoses are used during the operation, the hose bib shall be protected by a vacuum breaker to prevent back-siphonage. In addition, a self canceling or self closing nozzle must be attached to the hose to minimize water usage.

Note: Additional restrictions may be imposed during water shortage emergencies, or in accordance with other municipal, county or water management district water conservation requirements.

3. The restrictions on use, generation, handling, disposal, discharge or storage of hazardous materials within any wellfield protection area apply.
4. Procedures for approval in unincorporated areas of Dade County.

Submit three (3) sets of formal engineering plans, signed and sealed by a professional engineer registered in the State of Florida, to the Building and Zoning Department office located at 111 N.W. First Street, 10th Floor, Miami. Plans shall include a site plan (including all property boundaries, location of buildings and structures any surface water bodies or wetlands within 100 feet of the facility and any drinking water well within 75 feet of the facility), floor plan of the wash area, plumbing diagram (including location of sewer lines and connections or septic tank if present), proposed roof, detail of the oil interceptor or other treatment equipment to be installed and a detail of the sampling point to be installed. (The Building and Zoning Department as well as other county agencies may require further information or plans).

5. Procedures for approval in municipalities.
 - a. Consult with the municipality's building department for instructions.
 - b. Obtain approval from the Department of Environmental Resources Management (DERM) of Dade County prior to the start of construction. A complete set of plans is needed for the Department's record.

This policy applies to car washing operations only not operations using or discharging degreasers, solvents or other chemicals associated with pressure or steam cleaning of engines or the undercarriage. Operations engaged in degreasing or pressure/steam cleaning require an Industrial Waste Permit and further pretreatment of their waste. These type of operations are not allowed inside the average day or basic wellfield protection area of any public water supply wellfield.

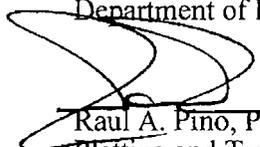
At this time this policy does not cover isolated one day fund-raising activities usually sponsored by some community civil service group, school or religious organization.

Memorandum



Date: March 12, 2013

To: Eric Silva, Assistant Director
Department of Regulatory and Economic Resources

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

Subject: Z2013000012
Name: La Roc, LLC
Location: 14500 SW 8 Street
Section 03 Township 54 South Range 39 East

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

Additional improvements may be required at time of permitting.

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Tract "A" of Plat Book 165, Page 9.

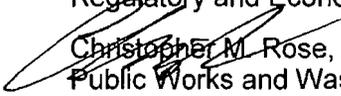
This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.

Memorandum



Date: May 22, 2013

To: Eric Silva, Assistant Director
Regulatory and Economic Resources Department

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

Subject: DIC #13-012 La Roc, LLC

The Public Works and Waste Management Department (PWWM) has no objections to the proposed application.

The application request involves development for a commercial unit on the property per Chapter 15 of the County Code. As the PWWM does not actively compete for commercial waste collection service at this time, waste collection services may be provided by a private waste hauler. The application will have no impact or any associated costs.

The 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. The PWWM is in compliance with this standard, meaning that there is adequate disposal capacity to meet projected growth in demand, inclusive of the application reviewed here, which is not anticipated to have a negative impact on disposal service.

If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal Management and Planning Division at 305-514-6661.

c: Stacey McDuffie of the Fiscal Management and Planning Division, PWWM

Memorandum



Date: 05-MAR-13
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2013000012

Fire Prevention Unit:

No objection to plan stamped received February 4, 2013 via Case # Z2013000012.

Service Impact/Demand

Development for the above Z2013000012
located at 14500 SW 8 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1385 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>1,000</u> Retail	square feet	<u>N/A</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 0.30 alarms-annually.
The estimated average travel time is: 5:16 minutes

Existing services

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

Planned Service Expansions:

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

Fire Planning Additional Comments

Current service impact calculated based on Letter of Intent date stamped received February 4, 2013. Substantial changes to the Letter of Intent will require additional service impact analysis.

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

DATE: 01-MAR-13

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

LA ROCK, LLC

14500 SW 8 ST, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2013000012

HEARING NUMBER

HISTORY:

NC: THERE ARE NO CURRENT OPENED OR CLOSED CASES ON FOLIO NUMBERS
3079030310012, 3079030310015, AND 3079030310010.

BLDG: THERE ARE NO CURRENT OPENED OR CLOSED CASES ON FOLIO NUMBERS
3079030310012 AND 3079030310015.

BLDG OPEN:

FOLIO: 3079030310010-Case #20130157779-B, WAS OPENED ON FEBRUARY 15, 2013, FOR
A CRACK IN THE CEILING IN THE LIVING ROOM AREA AND THE BEDROOMS. FURTHER
ENFORCEMENT IS PENDING REVIEW OF THE CASE AND THE RESULTS FROM THE INITIAL
INSPECTION.

CASE #A1013000774-X, WAS OPENED ON DECEMBER 11, 2012. A NOTICE OF VIOLATION
WAS ISSUED FOR EXPIRED PERMIT #2012027390. THE CASE REMAINS OPEN.

BLDG CLOSED: THERE ARE NO CURRENT CLOSED CASES.

VILLA CAPRI, INC., ET AL

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

UNKNOWN

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: LAROC, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>200 SOUTH DIXIE HIGHWAY</u>	<u>100%</u>
<u>ANTONIO GONZALEZ</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>
	
<small>ZONING HEARINGS SECTION MIAMI-DADE PLANNING AND ZONING DEPT BY <u>FE</u></small>	

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

LAROC LLC
200 SOUTH DIXIE HIGHWAY
ANTONIO GONZALEZ

100%

Date of contract: _____

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

RECEIVED
213-0125
FEB 04 2013

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

Fa

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: *Abdul Ali*
(Applicant)

Sworn to and subscribed before me this 17 day of January 20 13. Affiant is personally know to me or has produced _____ as identification.

Yuset Rodriguez
(Notary Public)



Yuset Rodriguez
COMMISSION #EE098936
EXPIRES: JUN. 01, 2015
WWW.AARONNOTARY.com

My commission expires: 06/01/2015

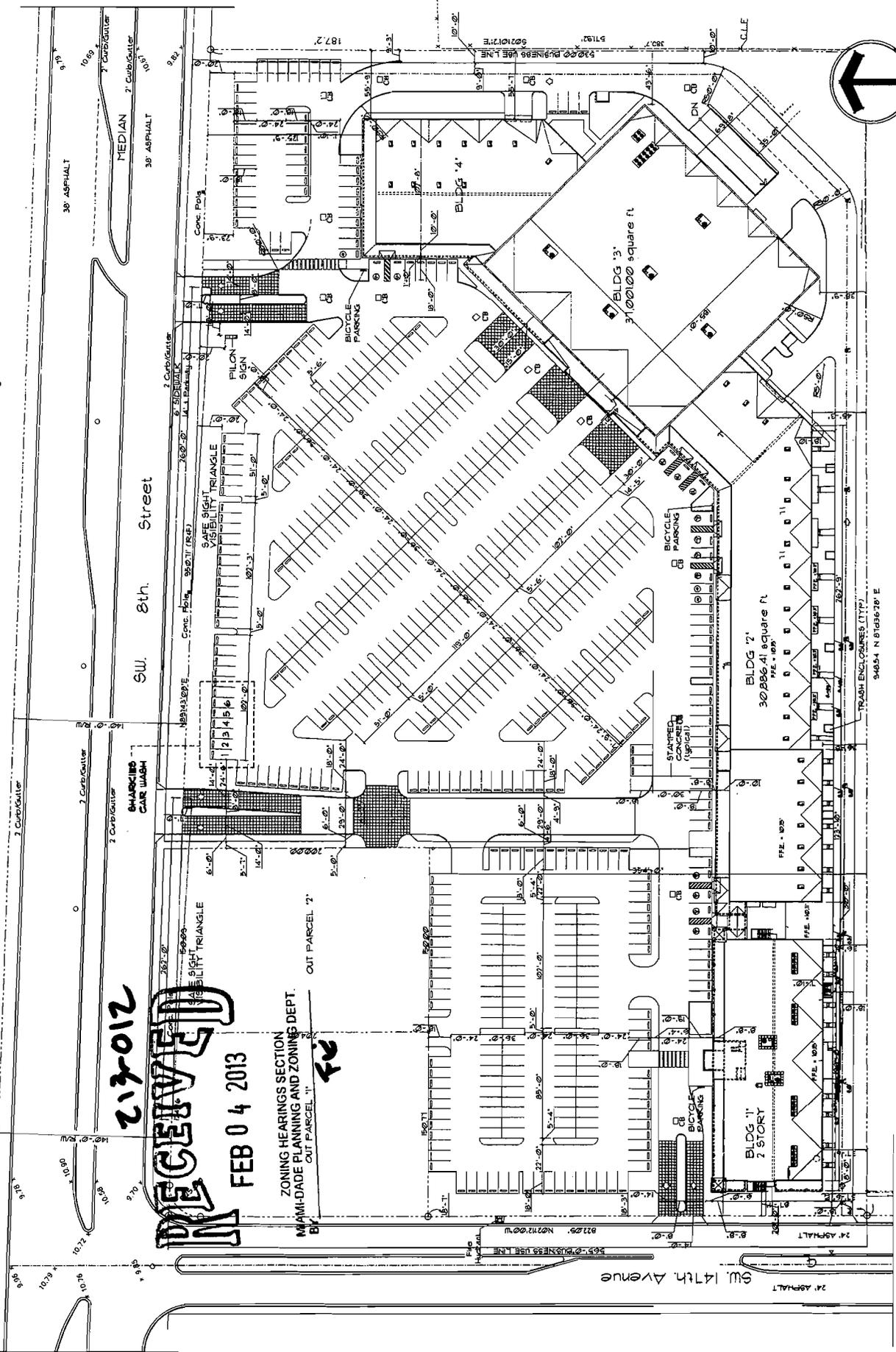
Seal

*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.

ENLARGED SITE PLAN

217012
RECEIVED
FEB 04 2013

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
OUT PARCEL '1'
BY **FR**

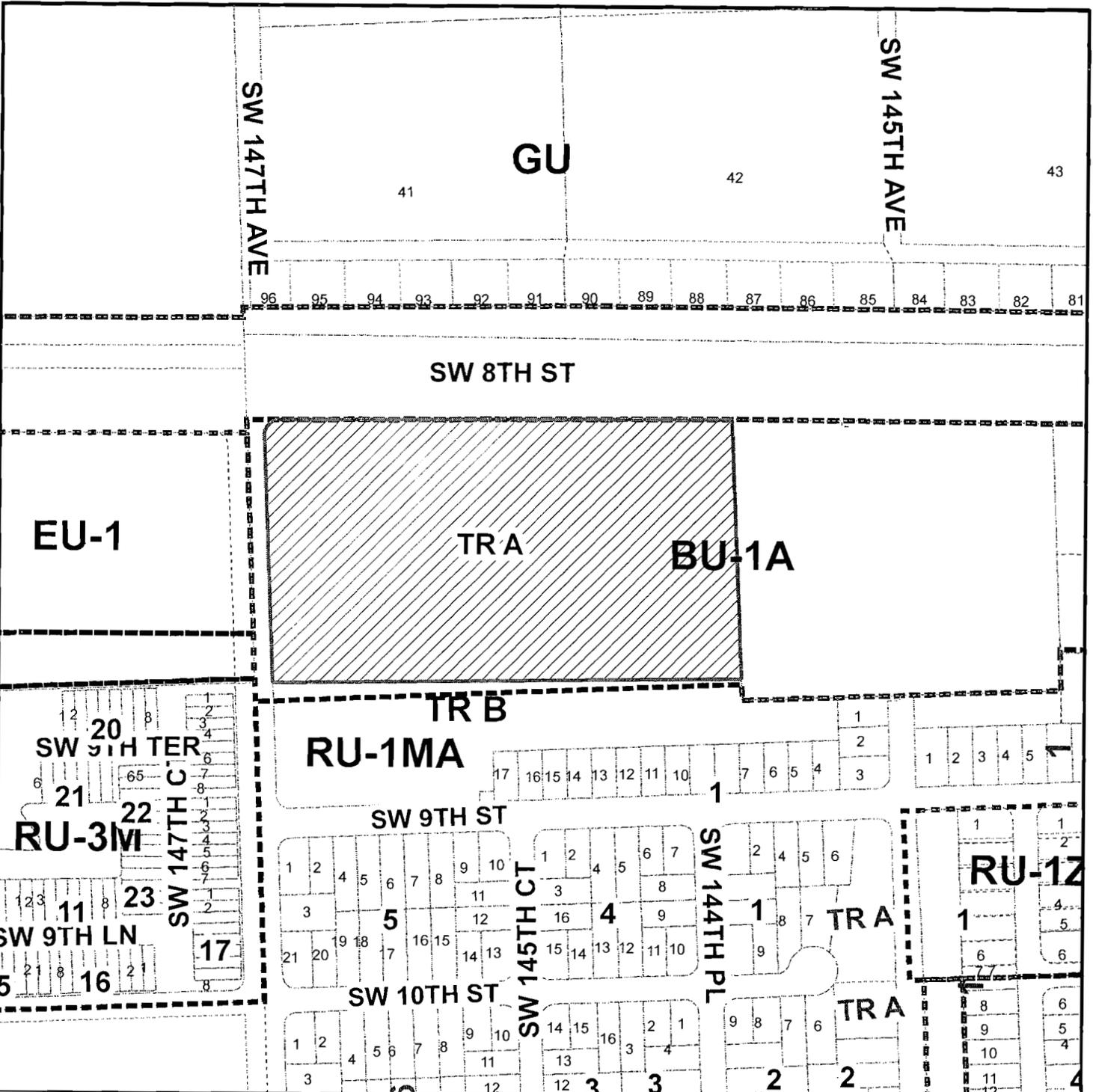


LOCATION SITE PLAN

SCALE: 1/64" = 1'-0" NORTH

ENLARGED SITE PLAN

PROPERTY LINE
LIMIT OF RIGHT OF WAY



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2013000012



Section: 03 Township: 54 Range: 39
 Applicant: LA ROCK, LLC
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

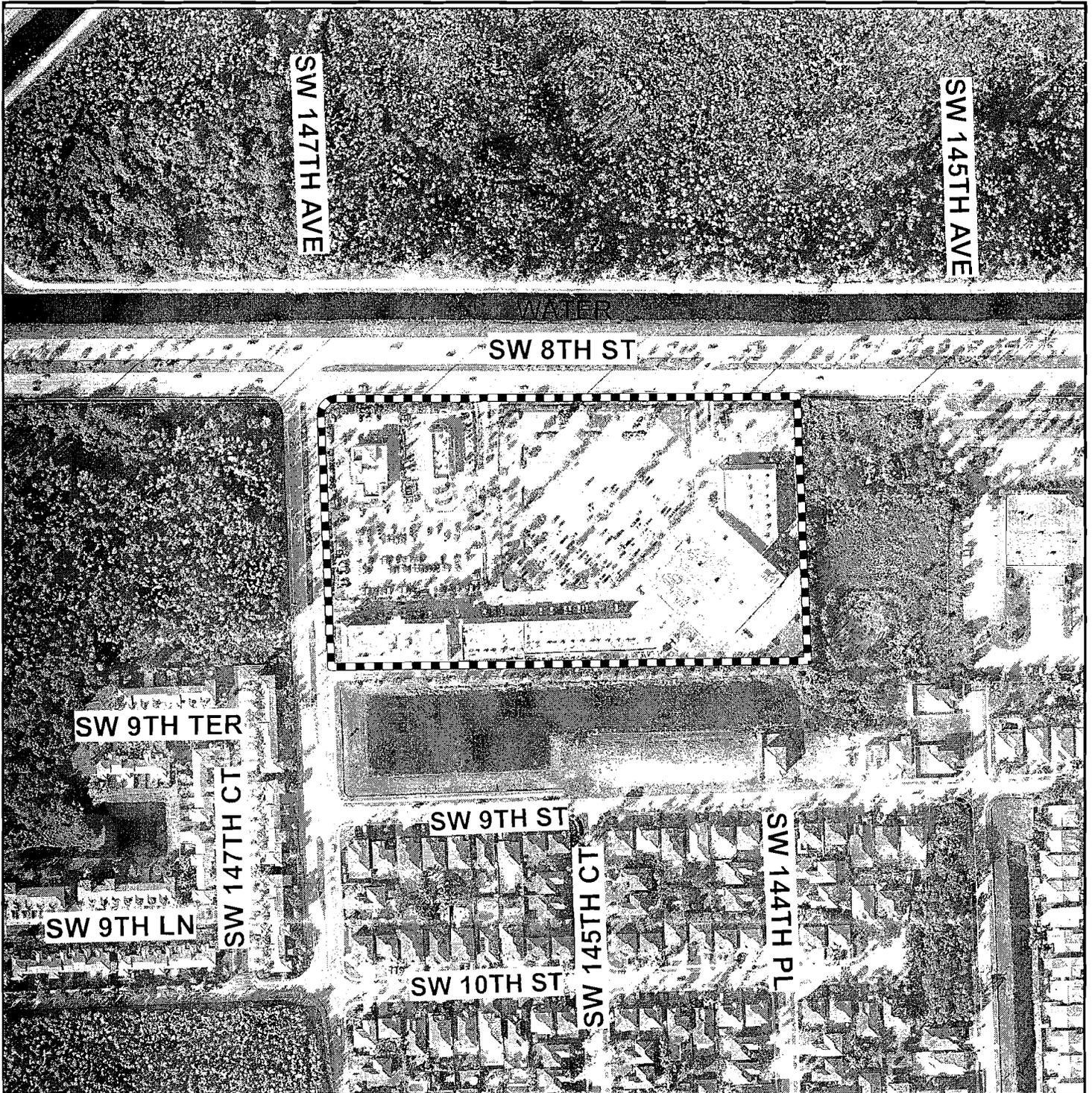
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 Subject Property Case



SKETCH CREATED ON: Thursday, February 21, 2013

REVISION	DATE	BY
		20



MIAMI-DADE COUNTY

Process Number

AERIAL YEAR 2012

Z2013000012



Section: 03 Township: 54 Range: 39

Applicant: LA ROCK, LLC

Zoning Board: C10

Commission District: 11

Drafter ID: JEFFER GURDIAN

Scale: NTS

Legend

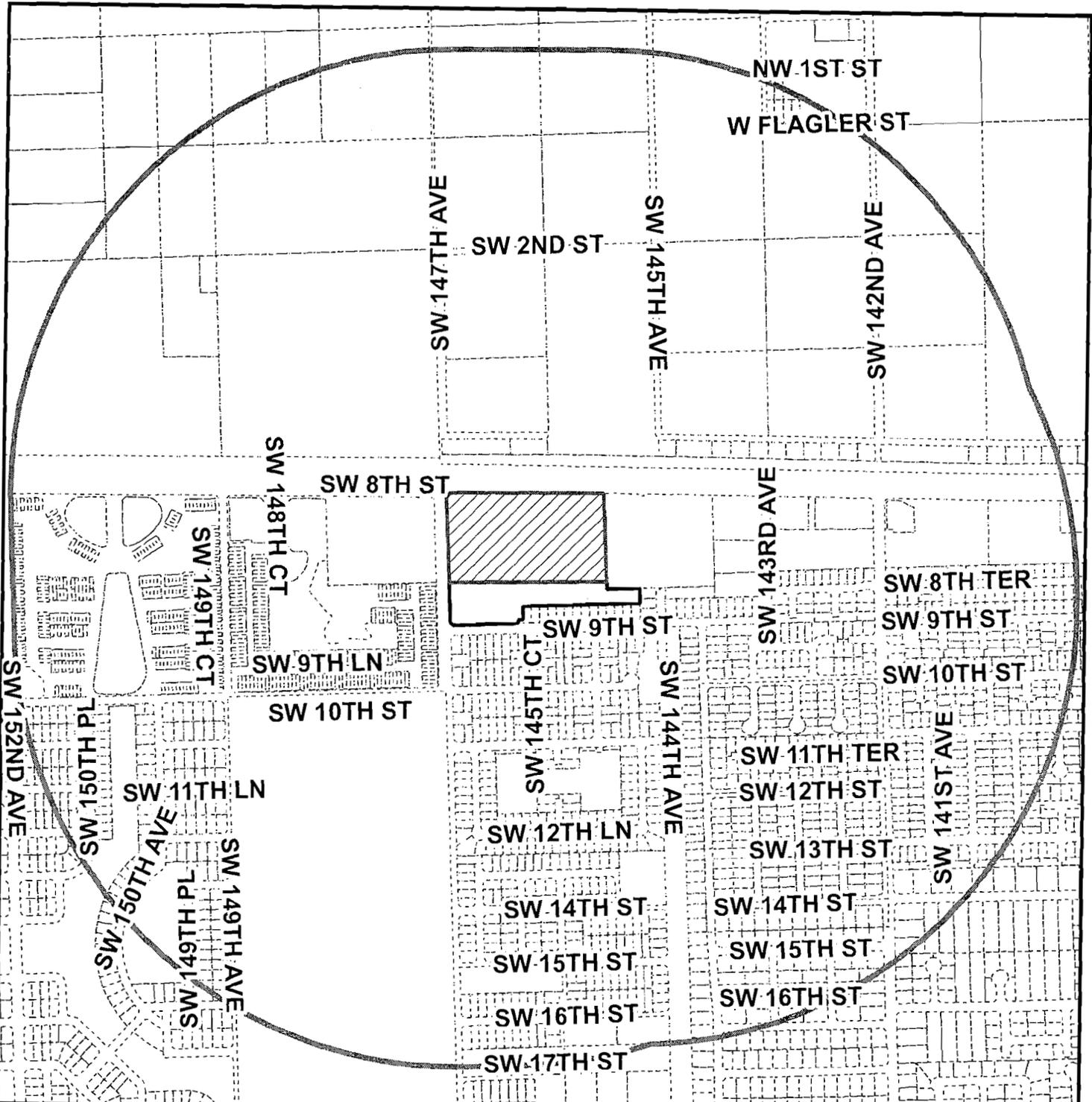


Subject Property



SKETCH CREATED ON: Thursday, February 21, 2013

REVISION	DATE	BY
		21



MIAMI-DADE COUNTY
RADIUS MAP

Section: 03 Township: 54 Range: 39
 Applicant: LA ROCK, LLC
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Process Number
Z2013000012
 RADIUS: 2640

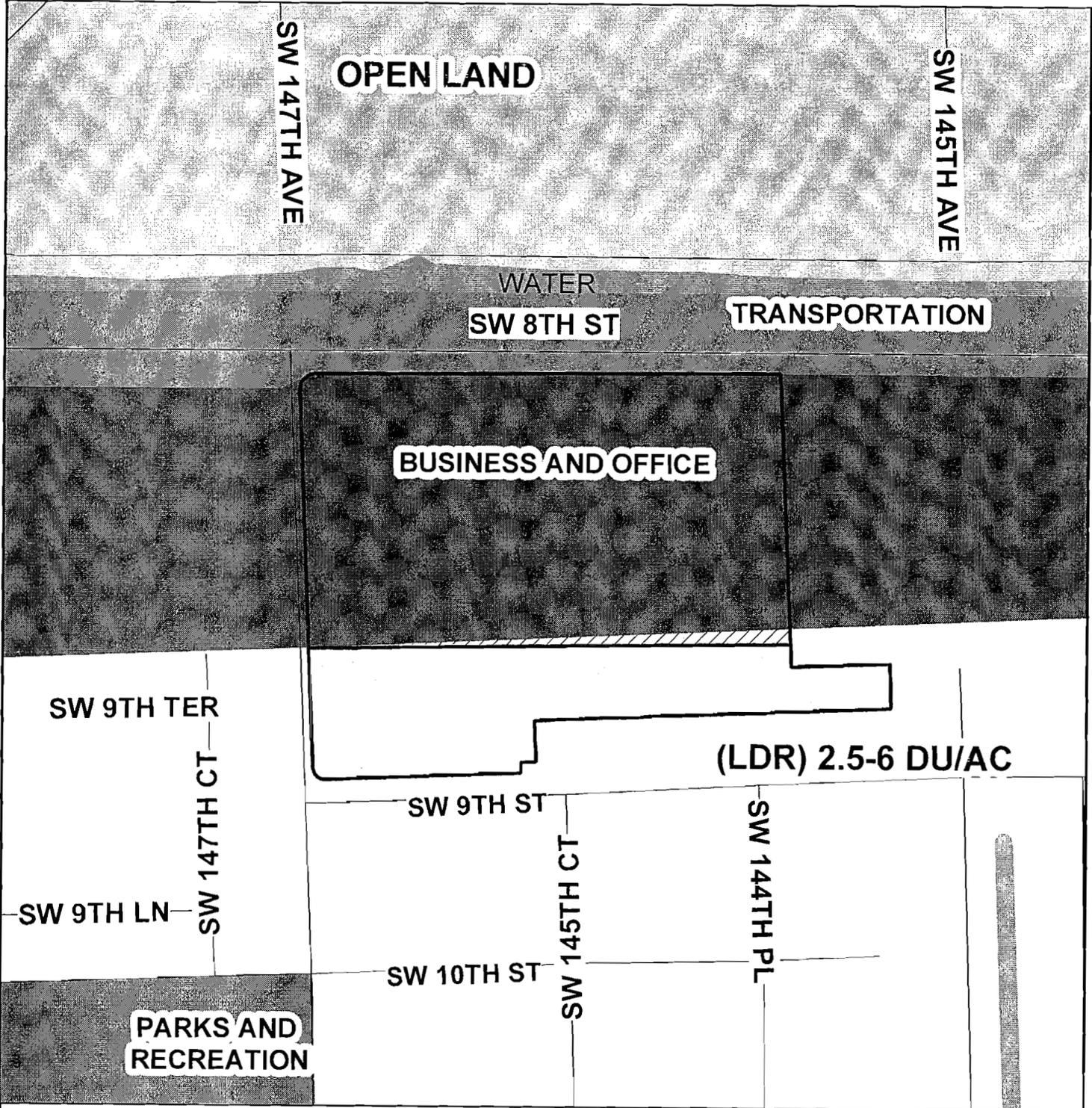
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-  Subject Property
-  Contiguous Properties
-  Buffer



SKETCH CREATED ON: Thursday, February 21, 2013

REVISION	DATE	BY
		22



MIAMI-DADE COUNTY
 CDMP MAP

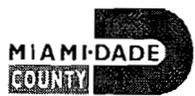
Process Number
Z2013000012

Section: 03 Township: 54 Range: 39
 Applicant: LA ROCK, LLC
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS



Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, February 21, 2013

REVISION	DATE	BY

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

PH: Z13-027 (13-7-CZ10-4)

July 30, 2013

Item No. 6

Recommendation Summary	
Commission District	11
Applicants	Jorge and Elena Artiles
Summary of Requests	The applicants are requesting to permit a covered terrace addition to a single-family residence with less setback than required.
Location	2581 SW 148 Court, Miami-Dade County, Florida.
Property Size	65' x 100.11'
Existing Zoning	RU-1M(b)
Existing Land Use	Single-Family Residence
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)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
Recommendation	Approval with conditions.

REQUEST:

NON-USE VARIANCE to permit a proposed covered terrace addition to a single-family residence setback 15' (15' for 50% of the lineal width of the house, 25' for the balance required) from the rear (east) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "New Terrace for Residence of Jorge W. Artiles" as prepared by Fernando Gomez-Pina, P.E., dated stamped received 3/19/13 and consisting of 2 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION: Proposed 402 sq. ft. covered terrace addition to an existing single-family residence on a 6,506 sq. ft. parcel of land.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-1M(b); single-family residence	Low Density Residential (2.5 to 6 dua)
North	RU-1M(b); single-family residence	Low Density Residential (2.5 to 6 dua)
South	RU-5A; office building	Low Density Residential (2.5 to 6 dua)
East	RU-3M; townhouse residence	Business and Office
West	RU-1M(b); single-family residence	Low Density Residential (2.5 to 6 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is located in a mixed use area characterized by single-family residences to the north and west, townhouses to the east and commercial uses to the south.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicants to add a covered terrace to their residence; however, the resulting setback encroachment may set a precedent for similar variances in the area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates this site as **Low Density Residential** on the Adopted 2015-2025 LUP map. *This designation permits a density range of a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. The Land Use Element Interpretive Text under Residential Communities provides that this density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses.* The approval of the request sought in this application will not add additional dwelling units to the site beyond what is allowed by the LUP map of the CDMP and will not change the single-family use. Therefore, staff opines that the request is **consistent** with the uses allowed in the Low Density Residential category and the density threshold for this land use category and is consistent with the designation of the site on the CDMP LUP map.

ZONING ANALYSIS:

When the subject request to permit a proposed covered terrace addition to a single-family residence setback 15' (15' for 50% of the lineal width of the house, 25' for the balance required) from the rear (east) property line, is analyzed under Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval with conditions of this request would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff opines that the 10' encroachment, for the remaining 50% of the house, into the rear (east) setback is adequately buffered by the existing 6' high wood fence along the rear (east) property line. Therefore, staff recommends that as a condition for approval of this application, that the applicant maintain the 6' high wood fence or provide a visual buffer along the rear (east) property line either in the form of a hedge, 3' tall at time of planting to grow and be maintained at a height of 6', or in the alternative to erect a 6' high solid fence or 6' high CBS wall along said property line to mitigate any negative visual impact from the aforementioned encroachment. Although no properties in the immediate vicinity were granted approval for setback variances staff opines that the visual impact would be minimal and that approval of this request would not create an adverse impact on the surrounding neighborhood.

Staff is of the opinion that the approval of this request would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community. **Staff therefore, recommends approval with conditions under the Section 33-311(A)(4)(b), Non-Use Variance standards.**

ACCESS, CIRCULATION AND PARKING: Not applicable.

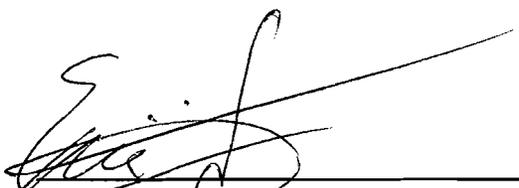
NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

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 in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "New Terrace for Residence of Jorge W. Artiles" as prepared by Fernando Gomez-Pina, P.E., dated stamped received 3/19/13 and consisting of 2 sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the proposed terrace addition remain open-sided and not be enclosed in any manner except for approved insect screen materials
5. That the gazebo in the rear (east) setback area be removed as indicated in the plans submitted.
6. That the applicant maintain the existing 6' high wood fence or provide a visual buffer along the rear (east) property line either in the form of a hedge, 3' tall at the time of planting to grow and be maintained at a height of 6', or in the alternative, erect a 6' high solid fence or 6' high CBS wall.

ES:MW:NN:CH:JC


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

MMW

ZONING RECOMMENDATION ADDENDUM

Applicant: Jorge and Elena Artiles
PH: Z13-027

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Parks, Recreation and Open Space	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 use. 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>
--	---

PERTINENT ZONING REQUIREMENTS/STANDARDS

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

6. JORGE AND ELENA ARTILES
(Applicant)

13-7-CZ10-6(13-027)
Area 10/District 11
Hearing Date: 07/31/13

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>
1997	Sella Inc.	- Zone change from GU to RU-1MB. - Site plan approval Lake.	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.

Date: April 15, 2013
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources 
Subject: C-10 #Z2013000027
Jorge and Elena Artiles
2581 SW 148th Court
Non-Use Variance to Permit Less Setbacks Than Required.
(RU-1(M)(b)) (.149 Acres)
09-54-39

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.

Wellfield Protection

The subject property is located within the West Wellfield interim protection area. The Board of County Commissioners approved a wellfield protection ordinance for this wellfield. This ordinance provides for stringent wellfield protection measures that restrict development, and regulate land uses within the wellfield protection area.

Since the subject request is for a residential zoning district a covenant prohibiting hazardous materials is not required. However, all development shall comply with the requirements of Section 24-43 of the Code.

Potable Water Supply 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. All sewer lines serving the property shall comply with the exfiltration standards as applied to development within wellfield protection areas.

Existing public water and public sanitary 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 of the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

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

with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

The proposed open new terrace will not affect the existing stormwater management system.

Wetlands

The subject property is located within the Bird Drive Wetland Basin, which is a wetland area as defined by Section 24-5 of the Code. However, this application is part of a Class IV Wetland Permit FW97-069 issued for wetlands at this location. This permit expired March 4, 2004. Therefore, this Section has no objection to the scheduling of this zoning application.

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

Tree Preservation

The proposal to permit a new terrace will not impact tree resources. Therefore, the Tree Permitting Program has no objection to this zoning application, however 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 the Code.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: May 6, 2013

To: Eric Silva, Assistant Director
Department of Regulatory and Economic Resources

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

Subject: Z2013000027
Name: Jorge and Elena Artilles
Location: 2581 SW 148 Court
Section 09 Township 54 South Range 39 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lot 1, Block 4 of Plat Book 159, Page 46.

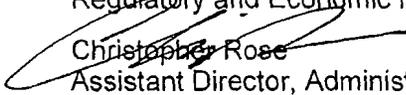
This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.

Memorandum



Date: April 30, 2013

To: Eric Silva, Assistant Director
Regulatory and Economic Resources Department

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

Subject: #13-027
Jorge and Elena Artiles

The Public Works and Waste Management Department (PWWM) has no objections to the proposed application.

According to Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, the property meets the definition of residential unit. The residential unit on the property currently receives, and shall continue to receive PWWM waste collection and recycling service. The current waste collection fee will cover all associated costs as the property is within the Department's waste collection service area. The application will have no impact or any associated costs for waste collection or recycling services.

If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal Management and Planning Division at 305-514-6661.

Memorandum



Date: 04-APR-13
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2013000027

Fire Prevention Unit:

Not applicable to MDFR site requirements.

Service Impact/Demand

Development for the above Z2013000027
located at 2581 SW 148 CT, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1472 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: 5:15 minutes

Existing services

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

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: 21-MAR-13

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

JORGE AND ELENA ARTILES

2581 SW 148 CT, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2013000027

HEARING NUMBER

HISTORY:

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

Jorge and Elena Artiles

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

REPORTER NAME:

SOUTH ELEVATION

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

LEGAL DESCRIPTION

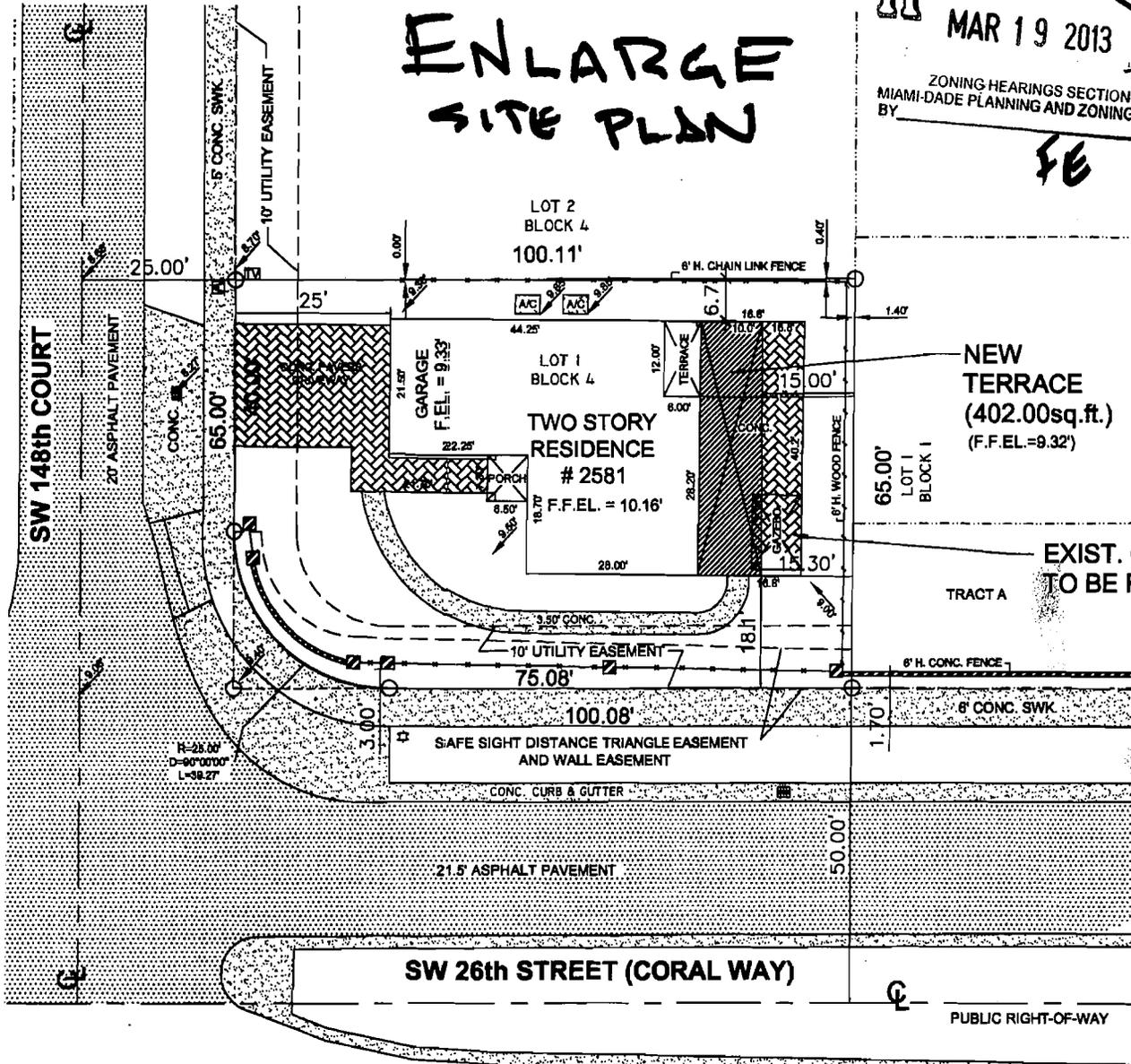
LOT 1, BLOCK 4 OF "SELLA SUBDIVISION" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 159 AT PAGE 46 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

2113-027
RECEIVED
 MAR 19 2013

**ENLARGE
 SITE PLAN**

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

FE



**NEW
 TERRACE
 (402.00sq.ft.)
 (F.F.EL.=9.32')**

**EXIST. GAZEBO
 TO BE REMOVE**

TRACT A

SITE PLAN

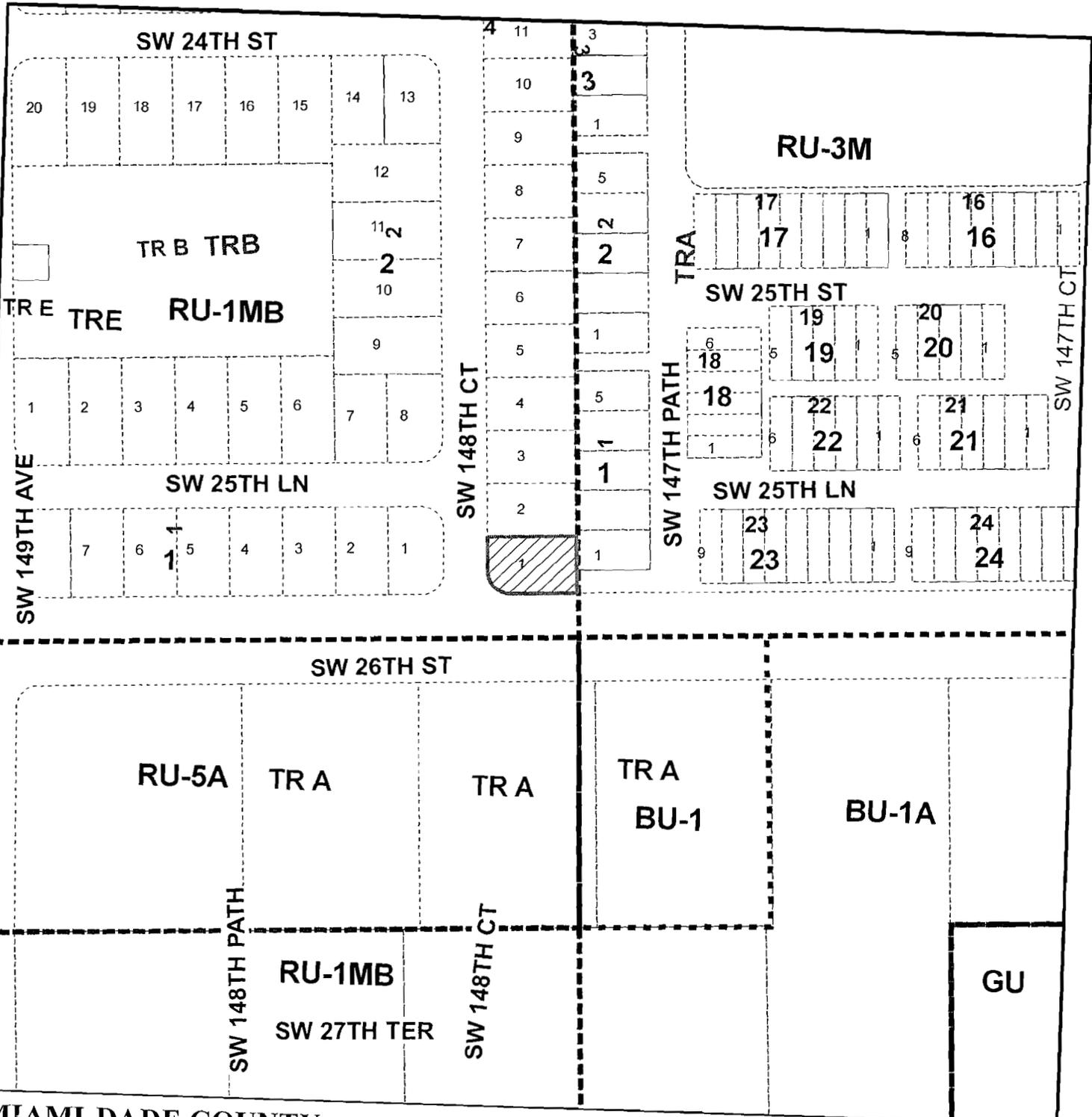
SCALE: 1" = 20'

ENLARGED SITE PLAN



2113-
RECEIVED
 MAR 19 2013

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



MIAMI-DADE COUNTY
HEARING MAP

Process Number

Z2013000027

Section: 09 Township: 54 Range: 39
 Applicant: JORGE AND ELENA ARTILES
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

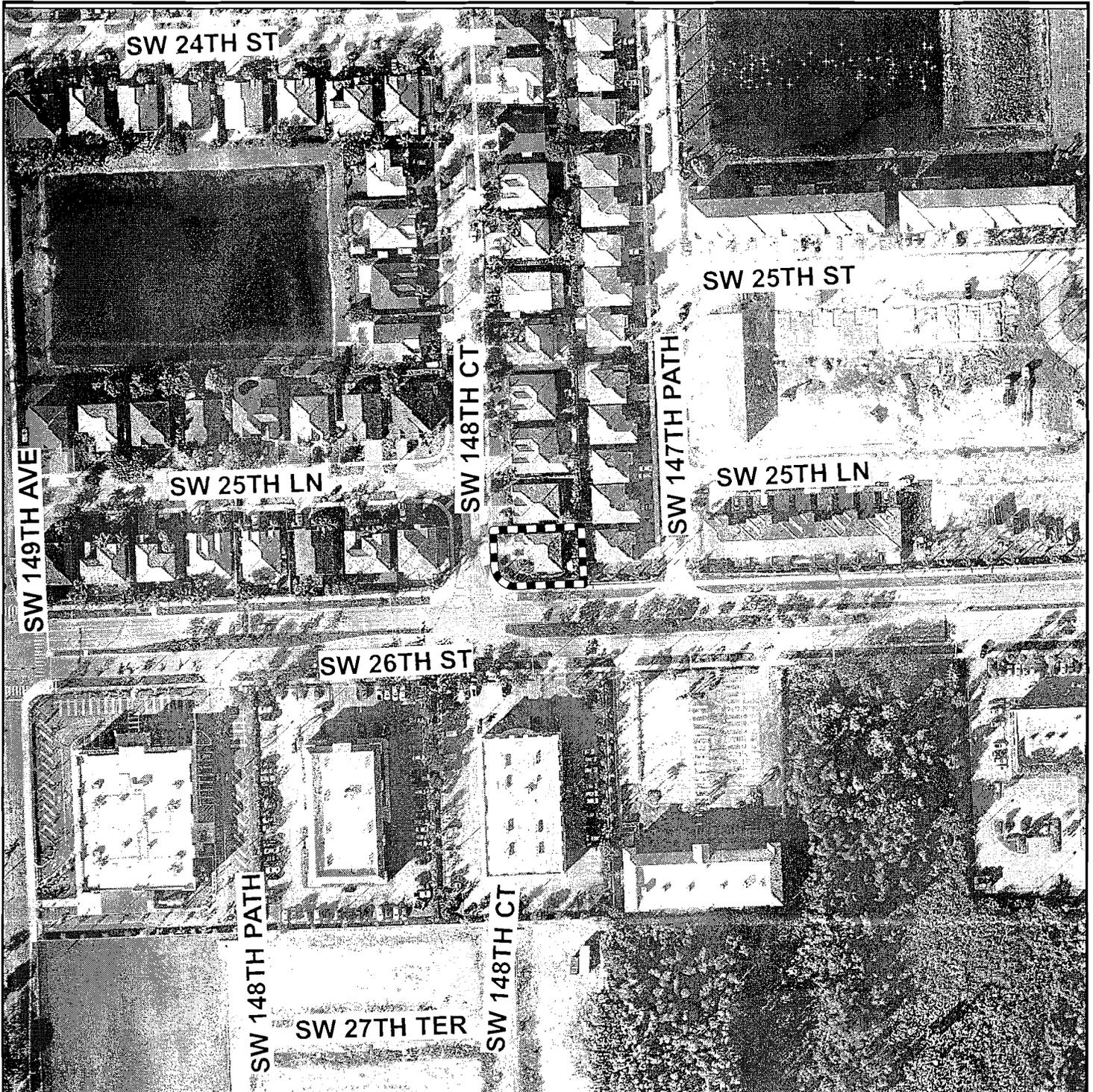
Legend

 Subject Property Case



SKETCH CREATED ON: Friday, March 22, 2013

REVISION	DATE	BY
		15



MIAMI-DADE COUNTY

AERIAL YEAR 2012

Process Number

Z2013000027



Section: 09 Township: 54 Range: 39
 Applicant: JORGE AND ELENA ARTILES
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

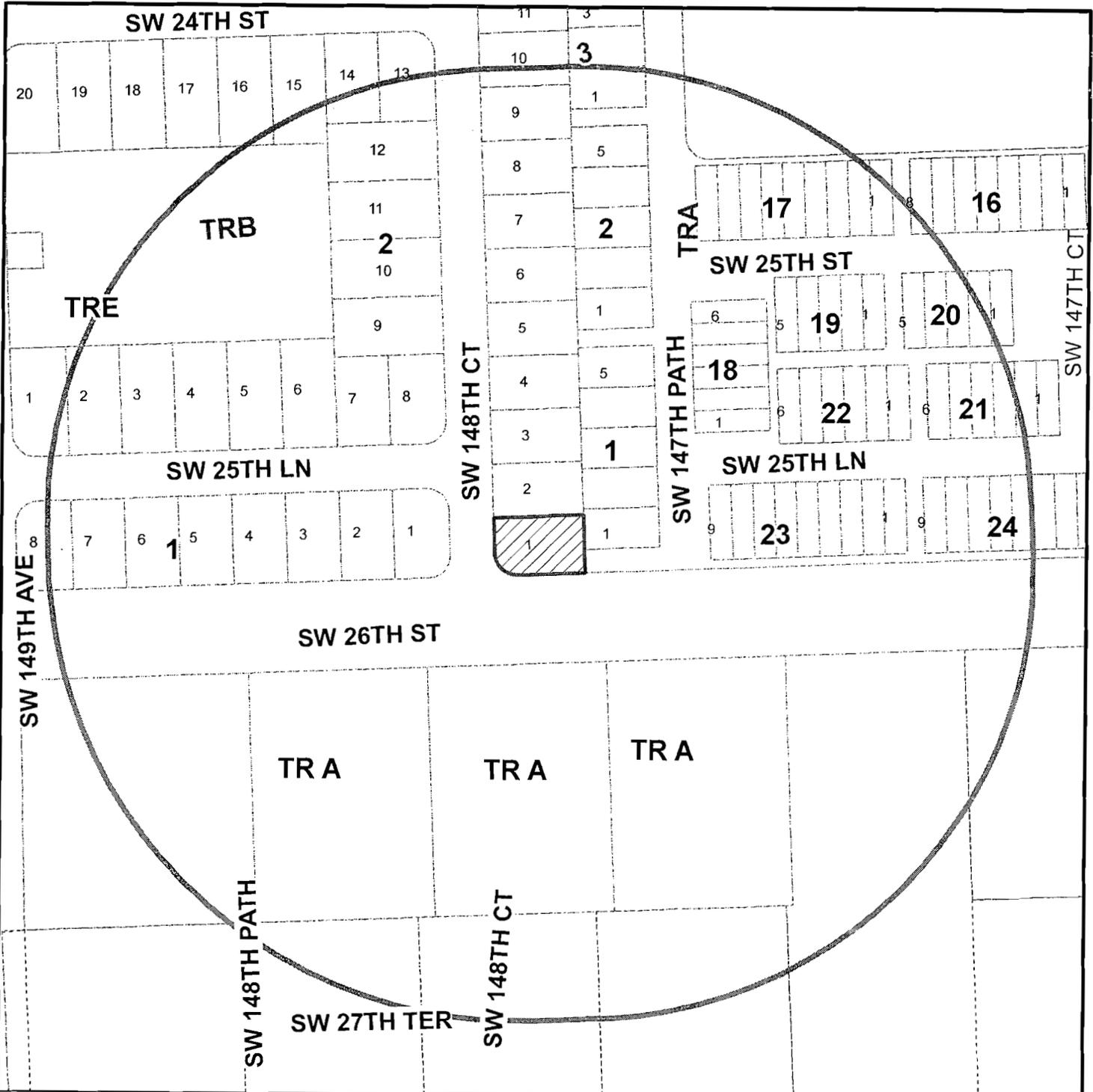
Legend

 Subject Property



SKETCH CREATED ON: Friday, March 22, 2013

REVISION	DATE	BY
		16



MIAMI-DADE COUNTY
RADIUS MAP

Process Number
Z2013000027
 RADIUS: 500



Section: 09 Township: 54 Range: 39
 Applicant: JORGE AND ELENA ARTILES
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

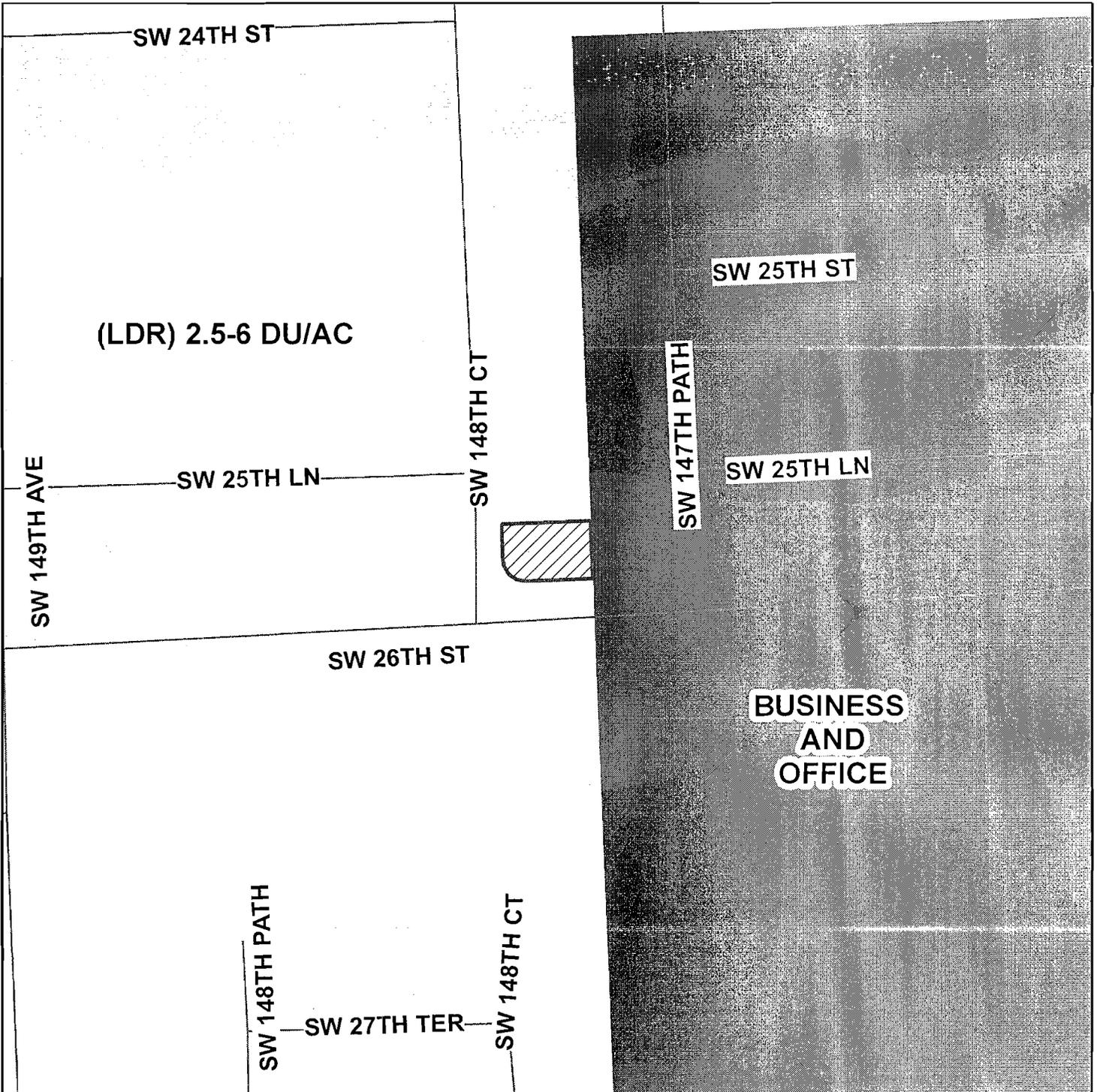
Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Friday, March 22, 2013

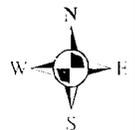
REVISION	DATE	BY
		17



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2013000027

Section: 09 Township: 54 Range: 39
 Applicant: JORGE AND ELENA ARTILES
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS



Legend

 Subject Property Case



SKETCH CREATED ON: Friday, March 22, 2013

REVISION	DATE	BY

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

PH: Z13-031 (13-7-CZ10-5)

July 30, 2013

Item No. 7

Recommendation Summary	
Commission District	11
Applicant	Mauro and Ena Alvarez
Summary of Requests	The applicant is requesting to permit a shed with less spacing from the principal building than required and existing single-family residence with less interior side setback than required.
Location	15015 SW 12 Terrace, Miami-Dade County, Florida.
Property Size	56' x 105'
Existing Zoning	RU-1M(a)
Existing Land Use	Single-Family Residence
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)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
Recommendation	Approval with conditions.

REQUESTS:

- (1) NON-USE VARIANCE to permit a shed spaced 2.55' (10' required) from the principal building.
- (2) NON-USE VARIANCE to permit a single family residence setback 4.85' (5' required) from the interior side (west) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Shed at Rear of Existing Residence" as prepared by Rafael E. Droz-Seda, P.E., dated stamped received 4/3/13 and consisting of 2 sheets. Plans are on file and may be modified at public hearing.

PROJECT DESCRIPTION: Legalization of a 100 sq. ft. CBS shed and single-family residence.

NEIGHBORHOOD CHARACTERISTICS			
	Zoning and Existing Use		Land Use Designation
Subject Property	RU-1M(a); residence	single-family	Low Density Residential (2.5 to 6 dua)
North	RU-1M(a); residence	single-family	Low Density Residential (2.5 to 6 dua)
South	RU-1M(a); residence	single-family	Low Density Residential (2.5 to 6 dua)
East	RU-1M(a); residence	single-family	Low Density Residential (2.5 to 6 dua)
West	RU-1M(a); residence	single-family	Low Density Residential (2.5 to 6 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is located in an area characterized by single-family residences developed under the RU-1M(a), Single-Family Modified Residential District, zoning district regulations.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicants to maintain their existing CBS shed and existing single-family residence.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates this site as **Low Density Residential** on the Adopted 2015-2025 LUP map. *This designation permits a density range of a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. The Land Use Element Interpretive Text under Residential Communities provides that this density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses.* The approval of the request sought in this application will not add additional dwelling units to the site beyond what is allowed by the LUP map of the CDMP and will not change the single-family use. Therefore, staff opines that the request is **consistent** with the uses allowed in the Low Density Residential category and the density threshold for this land use category and is consistent with the designation of the site on the CDMP LUP map.

ZONING ANALYSIS:

When request #1, to permit a shed spaced 2.55' (10' required) from the principal building and request #2, to permit a single family residence setback 4.85' (5' required) from the interior side (west) property line are analyzed under Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval with conditions of these requests would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff opines that the 0.15' encroachment into the interior side (west) setback is minimal and likely due to construction error. Staff also opines that the reduced spacing between the shed and the principle building is interior to the site and will not have a negative visual impact on the closest abutting properties.

Although staff found various approvals for more intense setback variances, no similar approvals for spacing variances for structures such as the existing shed were found in the surrounding area. Nonetheless, the subject property is adequately buffered from the abutting residences to the north and west by the approximately 6' high CBS wall along the rear (north) property line and approximately 6' high wood fence along the interior side (west) property line, as depicted in the survey and submitted plans. In order to ensure that said buffering remains, staff recommends as a condition of the approval that said 6' high CBS wall and 6' high wood fence be maintained.

Staff is of the opinion that the approval of these requests will not result in an obvious departure from the aesthetic character of the surrounding neighborhood and would be **compatible** with the surrounding residential developments. **Staff therefore, recommends approval with conditions under the Section 33-311(A)(4)(b), Non-Use Variance standards.**

ACCESS, CIRCULATION AND PARKING: Not applicable.

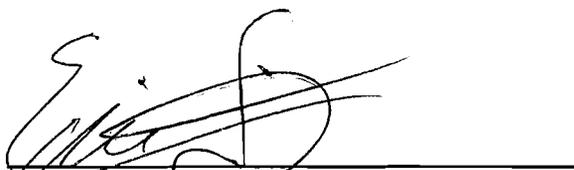
NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

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 in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Shed at Rear of Existing Residence" as prepared by Rafael E. Droz-Seda, P.E., dated stamped received 4/3/13 and consisting of 2 sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant maintain the existing 6' high CBS wall along the rear (north) property line and 6' high wood fence along the interior side (west) property line or provide a visual buffer along the rear and interior side property lines either in the form of a hedge, 3' tall at the time of planting to grow and be maintained at a height of 6'.
5. That the driveway connection along SW 12th terrace be offset a minimum of 5 feet from side lot property line as per Standard Detail R12.1 of the Public Works Manual.

ES:MW:NN:CH:JC


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

NON

ZONING RECOMMENDATION ADDENDUM

Applicant: Mauro and Ena Alvarez
PH: Z13-031

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Parks, Recreation and Open Space	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 use. 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>
--	---

PERTINENT ZONING REQUIREMENTS/STANDARDS

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

7. MAURO AND ENA ALVAREZ
(Applicant)

13-7-CZ10-7(13-031)
Area 10/District 11
Hearing Date: 07/31/13

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>
2001	Celomading, S. A.	- Zone change from GU and EU-1 to RU-3M. - Site plan approval. - Unusual Use for lake and Entrance Feature.	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 24, 2013

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

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

Subject: #Z2013000031
Mauro and Ena Alvarez
15015 SW 12th Terrace, Miami, FL
Non-Use Variance to permit accessory spaced less than required
from principal building.
(RU-1(M)(b)) (.0023 Acres)
09-54-39

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

Potable Water Service and Wastewater Disposal

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

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

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

Stormwater Management

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

Wetlands

The subject property is located within the Bird Drive Wetlands Basin, in an area that normally contains wetlands. However, this property has already been included as part of a larger project, under Class IV

Wetland Permit FW96-013. All Class IV Wetland Permit requirements for this property have been completed under the previously issued permit.

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

Tree Preservation

The proposal to permit an accessory building will not impact tree resources. Be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

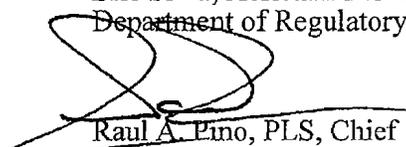
cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: May 23, 2013

To: Eric Silva, Assistant Director
Department of Regulatory and Economic Resources

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

Subject: Z2013000031
Name: Mauro and Ena Alvarez
Location: 15015 SW 12th Terrace
Section 09 Township 54 South Range 39 East

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

Driveway connection along SW 12th Terrace must offset a minimum of 5 feet from side lot property line as per Standard Detail R12.1 of the Public Works Manual.

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lot 9, Block 32 of Plat Book 159, Page 68.

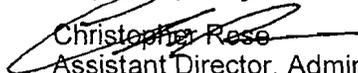
This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.

Memorandum



Date: April 30, 2013

To: Eric Silva, Assistant Director
Regulatory and Economic Resources Department

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

Subject: #13-031
Mauro Alvarez

The Public Works and Waste Management Department (PWWM) has no objections to the proposed application.

According to Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, the property meets the definition of residential unit. The residential unit on the property currently receives, and shall continue to receive PWWM waste collection and recycling service. The current waste collection fee will cover all associated costs as the property is within the Department's waste collection service area. The application will have no impact or any associated costs for waste collection or recycling services.

If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal Management and Planning Division at 305-514-6661.

Memorandum



Date: April 24, 2013

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

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

Subject: Z2013000031: MAURO AND ENA ALVAREZ

Application Name: MAURO AND ENA ALVAREZ

Project Location: The site is located at 15015 SW 12 TERR, Miami-Dade County.

Proposed Development: The applicant is seeking approval for a setback between a shed and an existing single family home on the site.

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

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

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum



Date: 12-APR-13
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2013000031

Fire Prevention Unit:

Not applicable to MDRF site requirements.

Service Impact/Demand

Development for the above Z2013000031
located at 15015 SW 12 TERR, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1384 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 4:12 minutes

Existing services

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

Planned Service Expansions:

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

Fire Planning Additional Comments

Not applicable to service impact analysis.

DATE: 09-APR-13

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

MAURO AND ENA ALVAREZ

15015 SW 12 TERR, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2013000031

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. BNC; BSS case 20130157213-B, Notice of Violation issued for Failure to obtain required building permits prior to commencing work on: Rear shed encroaching into required setbacks. Case remains open.

Mauro and Ena Alvarez

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

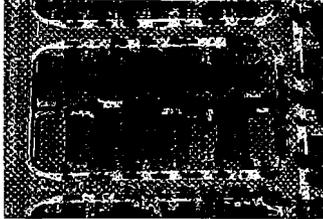
REPORTER NAME:

SCOPE OF WORK

TO LEGALIZE AN EXISTING CBS SHED
LOCATED AT REAR OF EXISTING ONE
STORY SINGLE FAMILY RESIDENCE

LEGAL ADDRESS

15015 SW 12 TERRACE
MIAMI, FL 33194



LOCATION MAP

LEGAL DESCRIPTION

LOT 9, BLOCK 32 SUBDIVISION OF "GRAND
LAKES PHASE II" ACCORDING TO THE PLAT
THEREOF AS RECORDED IN PLAT BOOK 159 AT
PAGE 68 OF THE PUBLIC RECORDS OF
MIAMI-DADE COUNTY, FLORIDA

FOLIO 30-4909-002-0770

ZONING LEGEND:

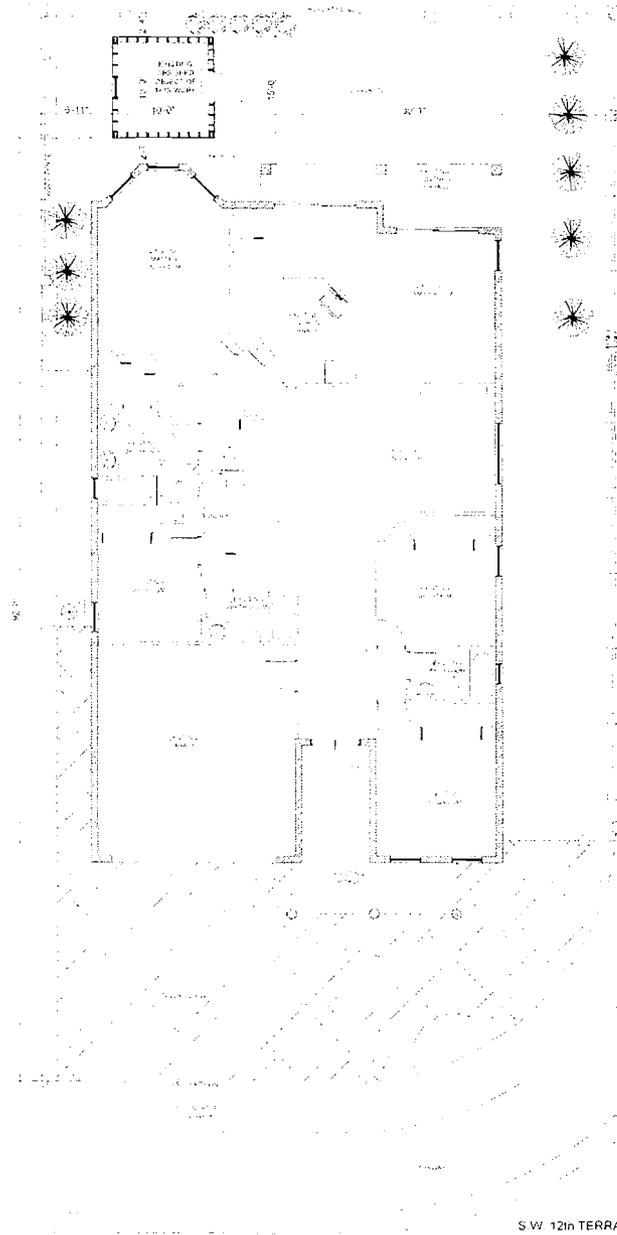
USE: RESIDENTIAL - SINGLE HOME
ZONING DISTRICT: RU-1M2
NET LOT AREA: 5,755.50 S.F.

EXISTING RESIDENCE

SETBACKS REQUIRED:	REQUIRED	PROVIDED
FRONT	15'-0"	15'-0"
SIDE STREET	10'-0"	10'-0"
INTERIOR SIDE	5'-0"	5'-0"
REAR	15'-0"	15'-0"

SHED (SUBJECT OF THIS WORK)

SETBACKS REQUIRED:	REQUIRED	PROVIDED
FRONT	2'-0"	52'-8"
SIDE STREET	15'-0"	34'-11"
INTERIOR SIDE	5'-0"	2'-11"
REAR	5'-0"	2'-4"
BETWEEN BLDGS	10'-0"	2'-7"



213-031
RECEIVED
APR 03 2013

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

FE

S W 150th PLACE

SITE PLAN
DATE: 03/26/13

PROJECT NAME:
TO LEGALIZE AN EXISTING
CBS SHED LOCATED AT
REAR OF EXISTING ONE
STORY SINGLE FAMILY
RESIDENCE

ADDRESS:
15015 SW 12 TERRACE
MIAMI, FL 33194

OWNER:
MAURO ALVAREZ
PH: 305-807-254

RAFAEL E. OROZ-SEDA P.E.
CIVIL ENGINEER
LICENSE # 15,928

3130 CRESCENT DRIVE
MIAMI, FL 33125
PH: (305) 962-7442
FAX: (305) 430-7385

PROCESS NUMBER:
DATE: 02/15/13
DRAWING NO:
DRAWN: S.S.
CHECKED: R.O.S.
REVISIONS:

SHEET TITLE:

A-1

14

PHOTO LOCATION PLAN
SCALE: 3/16"=1'-0"

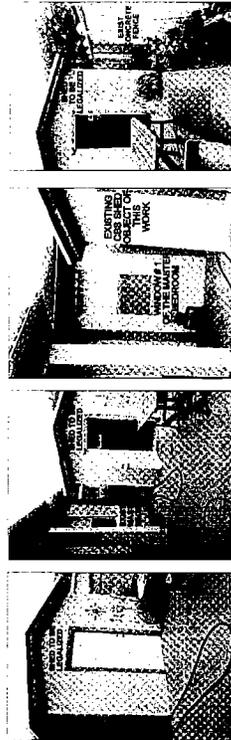
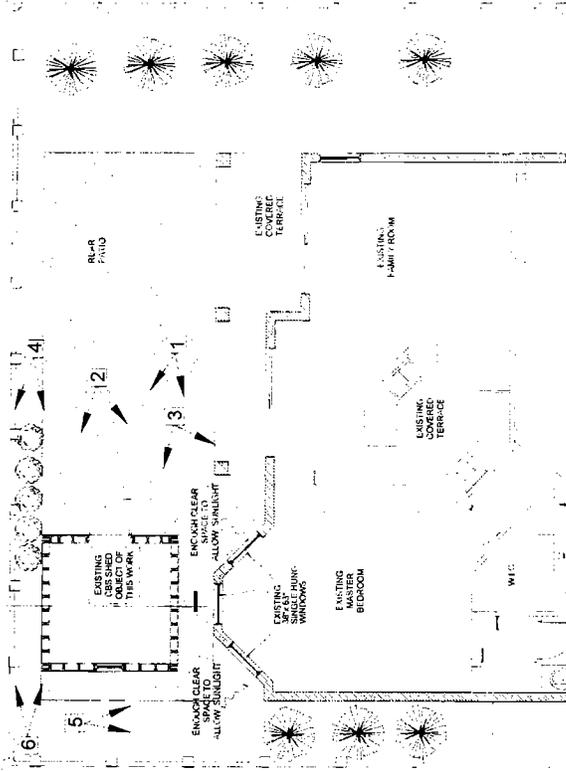


PHOTO 1

PHOTO 2

PHOTO 3

PHOTO 4

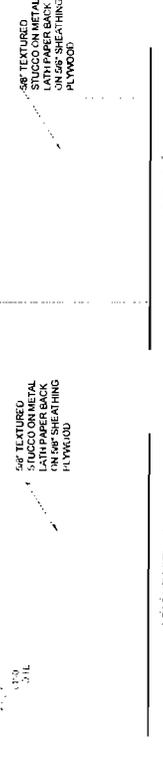
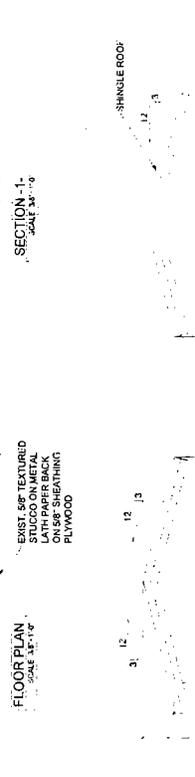
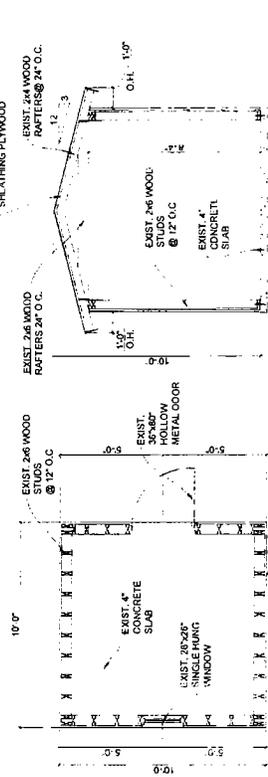
PHOTO 5

PHOTO 6

RECEIVED
APR 03 2013

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

SHED TO BE LEGALIZED



PROJECT NAME:
TO LEGALIZE AN EXISTING
CBS SHED LOCATED AT
REAR OF EXISTING ONE
STORY SINGLE FAMILY
RESIDENCE

ADDRESS:
1905 SW 12 TERRACE
MIAMI, FL 33184

OWNER:
MAURO ALVAREZ
PH: 305- 807 2314

RAFAELE DROZ-SEDA P.E.
CIVIL ENGINEER
LICENSE NO. 38228

SEAL:

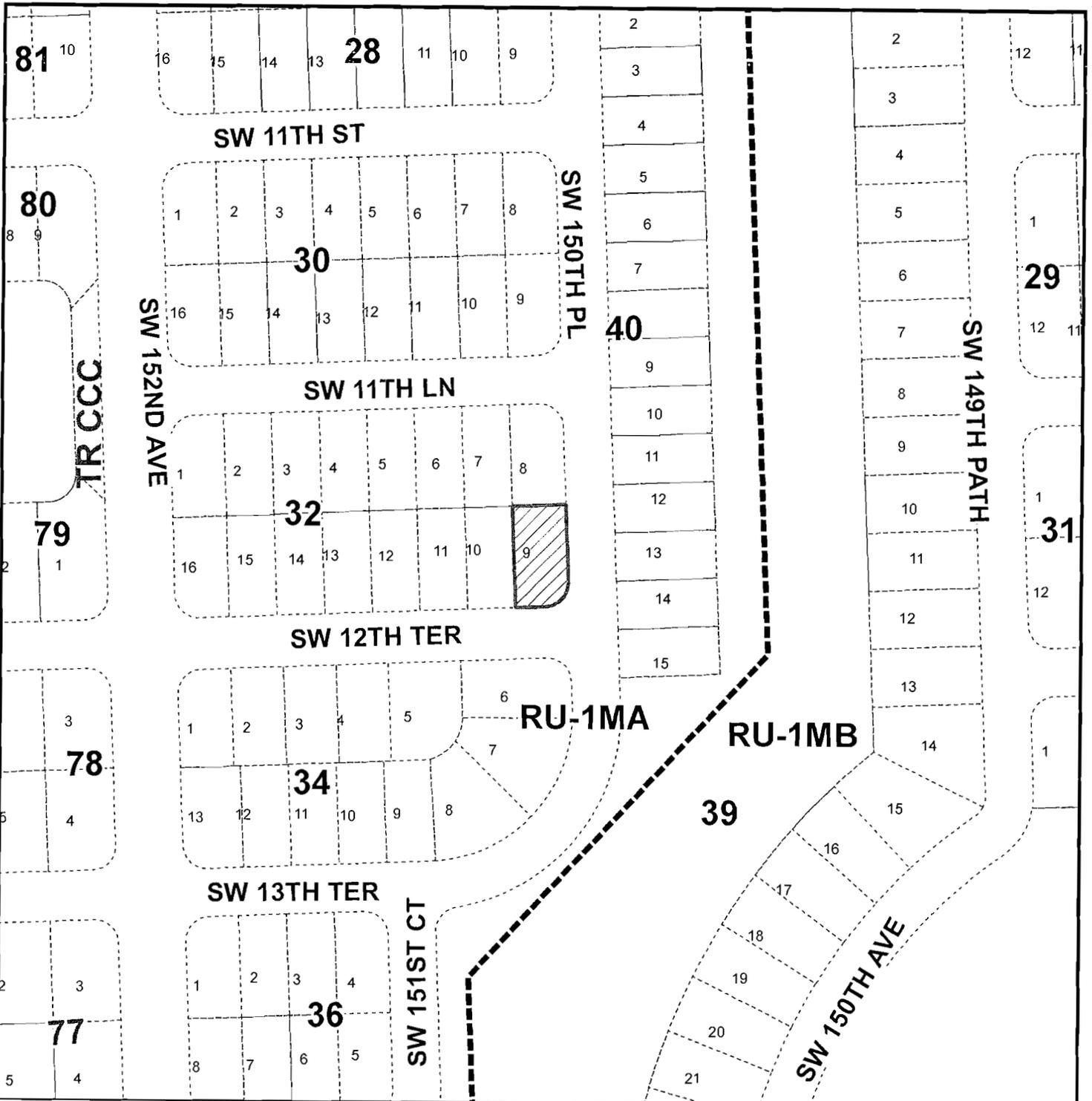
1905 CRESCENT DRIVE
MIAMI, FL 33134
PH: (305) 967-7422
FAX: (305) 967-7285

PROCESS NUMBER:

DATE: 03-22-13
DRAWING NO: V.C.
DRAWN: R.B.S.
CHECKED: R.B.S.
APPROVED:

SHEET TITLE:

213-031



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2013000031



Section: 09 Township: 54 Range: 39
 Applicant: MAURO AND ENA ALVAREZ
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Friday, April 19, 2013

REVISION	DATE	BY
		16



MIAMI-DADE COUNTY

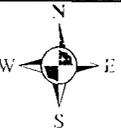
AERIAL YEAR 2012

Process Number

Z2013000031

Legend

-  MDC STL Index Poly
-  Subject Property
-  Zoning

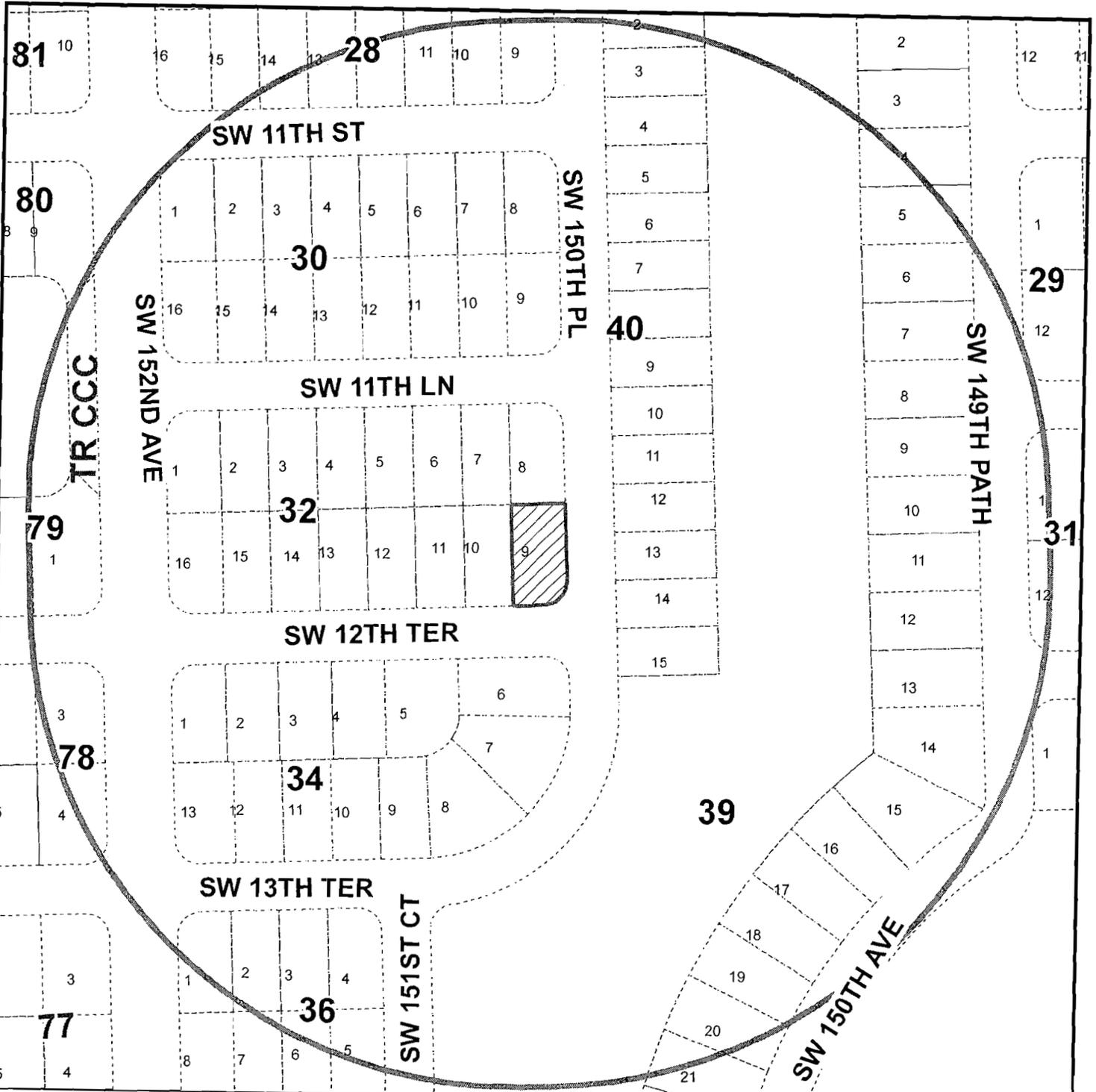


Section: 09 Township: 54 Range: 39
 Applicant: MAURO AND ENA ALVAREZ
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS



SKETCH CREATED ON: Friday, April 19, 2013

REVISION	DATE	BY
		17



MIAMI-DADE COUNTY
RADIUS MAP

Section: 09 Township: 54 Range: 39
 Applicant: MAURO AND ENA ALVAREZ
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Process Number

Z2013000031

RADIUS: 500

Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Friday, April 19, 2013

REVISION	DATE	BY
		18



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2013000031



Section: 09 Township: 54 Range: 39
 Applicant: MAURO AND ENA ALVAREZ
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Friday, April 19, 2013

REVISION	DATE	BY