

FINAL AGENDA

9-9-2013 Version # 1



COMMUNITY ZONING APPEALS BOARD 10
RUBEN DARIO MIDDLE SCHOOL
350 NW 97 Avenue, Miami
Tuesday, October 15, 2013 at 6:30 p.m.

CURRENT

- | | | | | | |
|----|--------------|---|--------|----------|---|
| 1. | 13-10-CZ10-1 | <u>ISABEL OTERO & EMIRLEIDYS NEGRIN</u> | 12-133 | 10-54-40 | N |
| 2. | 13-10-CZ10-2 | <u>SC MOTA ASSOCIATES, LTD.
PARTNERSHIP</u> | 12-142 | 03-54-40 | N |
| 3. | 13-10-CZ10-3 | <u>CIPRIANO DOMINGUEZ</u> | 13-17 | 15-54-39 | N |
| 4. | 13-10-CZ10-4 | <u>DANIEL & GRISEL ABREU</u> | 13-37 | 10-54-39 | N |
| 5. | 13-10-cz10-5 | <u>CARLOS J. & OLGA BENGOCHEA TRUST
ET AL</u> | 13-55 | 15-54-39 | N |



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 10

MEETING OF TUESDAY, OCTOBER 15, 2013

RUBEN DARIO MIDDLE SCHOOL

350 NW 97 AVENUE 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

To: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Costco- Mall of The Americas" as prepared by BOHLER ENGINEERING, consisting of 13 sheets, "Costco Wholesale" prepared by Mulvanny. G2 Architecture, consisting of 3 sheets, all plans dated stamped received July 1, 2013 and a liquor spacing survey as prepared by Atkins dated stamped received 11/21/12.

The purpose of the request is to allow the applicant to submit plans showing the addition of a new Costco membership warehouse building and new gas station for a previously approved shopping center.

- (2) UNUSUAL USE to permit the filling of existing lakes.
- (3) 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.

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: 7795 West Flagler Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 49.58 Acres

Department of Regulatory and Economic Resources

Recommendation:

Approval with conditions.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE _____

DEFERRED: _____

3. CIPRANO DOMINGUEZ 13-10-CZ10-3 (13-17)

**15-54-39
Area 10/District 11**

DISTRICT BOUNDARY CHANGE from AU to RU-1M(a).

LOCATION: NE Corner of SW 147 Avenue and SW 32 Terrace, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.34 Acres

Department of Regulatory and Economic Resources

Recommendation:

Approval, subject to the Board's acceptance of the proffered covenant.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE _____ DEFERRED: _____

4. DANIEL & GRISEL ABREU 13-10-CZ10-4 (13-37)

**10-54-39
Area 10/Dist. 8**

A SPECIAL EXCEPTION to permit a complex of buildings to be used only as a single family residence for one family and not as a separate rental unit.

- (1) NON-USE VARIANCE to permit the single family residence to setback varying from 15' to 20'-4" from the front (west) property line (15' for 50% of the lineal footage of the width of the house & 25' for the balance required except 20' for attached garages).
- (2) NON-USE VARIANCE to permit the single family residence to setback varying from 7"-6" to 24' from the rear (east) property line (15' for 50% of the lineal footage of the width of the house & 25' for the balance, required).
- (3) NON-USE VARIANCE to permit a swimming pool to setback 29"-8" from the front (west) property line (75' required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Abreu Residence" as prepared by Fanjul & Associates, LLC., dated stamped received 7/22/13 and consisting of 5 sheets. Plans may be modified at public hearing.

LOCATION: 1949 SW 140 Court, Miami-Dade County, Florida.

SIZE OF PROPERTY: 12, 614 sq. ft.

Department of Regulatory and
Economic Resources

Recommendation:

Approval with conditions.

Protests: 2

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE _____

DEFERRED: _____

5. CARLOS J & OLGA BENGOCHEA TRUST, ET AL 13-10-CZ10-5 (13-55)

**15-54-39
Area 10/District 11**

DISTRICT BOUNDARY CHANGE from AU to RU-1M(a).

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

PH: Z12-133 (13-10-CZ10-1)

October 15, 2013

Item No. 1

Recommendation Summary	
Commission District	10
Applicants	Isabel Otero & Emirleidys Negrin
Summary of Requests	The applicants are requesting to permit an existing addition and proposed carport encroaching into the interior side and front setback areas, respectively. The applicants also seek to permit a greater lot coverage than allowed.
Location	2042 SW 82 Court, Miami-Dade County, Florida.
Property Size	76.9' x 105'
Existing Zoning	RU-1
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 an existing addition to a single family residence setback a minimum of 7.09' (7.5' required) from the interior side (north) property line.
- (2) NON-USE VARIANCE to permit a proposed carport addition to a single family residence setback a minimum of 12.25' (25' required) from the front (east) property line.
- (3) NON-USE VARIANCE to permit a lot coverage of 36% (35% permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "New Attached Terrace and Carport" as prepared by MDS Engineering Corp., with 1 sheet dated stamped received 7/26/13 and 2 sheets dated stamped received 2/21/13 for a total of 3 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION: The subject application seeks to approve a proposed carport and existing addition resulting in a 2,594 sq. ft. single-family residence on the 8,074 sq. ft. parcel of land.

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

		to 6 dua)
East	RU-1; single-family residence	Low Density Residential (2.5 to 6 dua)
West	RU-1; single-family residence	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-1 zoning district regulations.

SUMMARY OF THE IMPACTS:

The approval of this application will provide a benefit to the owners by permitting a carport addition. The same approval may also visually impact the surrounding area due to its close proximity to the street.

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 requests 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 requests are **consistent** with the uses allowed in the Low Density Residential category and the density threshold for this land use category and are consistent with the designation of the site on the CDMP LUP map.

ZONING ANALYSIS:

When requests #1, #2 and #3 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 request #1, to permit an existing addition to a single family residence setback a minimum of 7.09' (7.5' required) from the interior side (north) property line is minimal and adequately mitigated by the existing 6' high wood fence surrounding the subject property. Staff opines that request #2, to permit a proposed carport addition to a single family residence setback a minimum of 12.25' (25' required) from the front (east) property line will provide the applicant's automobiles with shelter from the elements. Staff opines that the requested 12.75' encroachment into the front (east) setback area still provides a 12.25' setback from the front property line and therefore will not be visually intrusive to the surrounding area due to the fact that the carport is an open structure which allows the flow of light and air and does not obstruct the neighbor's view. Staff opines that the approval of request #3, an increase of 1% over the maximum lot coverage permitted is minimal and therefore will not be visually intrusive to the surrounding area. Staff also opines that the proposed encroachment into the front setback area and lot coverage will not detract from the aesthetic character of the area and will be compatible with same, as similar requests have been approved in the area. Specifically, non-use variances to permit a front setback of 12.5' (25' required) and a lot coverage of 36% (35% permitted) were

granted for a property located southwest of the subject property at, 2134 SW 82 Place, pursuant to Administrative Variance No. V1994000409.

Staff opines that the existing single-family residence layout could be converted into more than one dwelling unit; therefore, staff recommends as a condition for the approval of the request that the applicant submit a Declaration of Use agreement in recordable form acceptable to the Director, which restricts this property to single-family use only.

Staff is of the opinion that approval with conditions 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 of requests #1, #2 and #3 under 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:

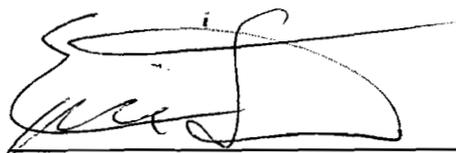
1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure 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 Attached Terrace and Carport" as prepared by MDS Engineering Corp., with 1 sheet dated stamped received 7/26/13 and 2 sheets dated stamped received 2/21/13 for a total of 3 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 applicants secure a building permit for all existing non-permitted structures from the Building Department within 90 days of the expiration of the appeal period for this application, unless a time extension is granted by the Director of the Department of Regulatory and Economic Resources.
5. That a Declaration of Use agreement, in recordable form, limiting the property to single-family use only be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources prior to permit issuance.
6. That the proposed terrace addition remain open-sided and not be enclosed in any manner except for approved insect screen materials.

Isabel Otero & Emirleidys Negrin

Z12-133

Page | 4

ES:MW:NN:JV:JC



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

NDW

ZONING RECOMMENDATION ADDENDUM

Isabel Otero and Emirleidys Negrin

PH: Z12-133

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Regulatory and Economic Resources (Environmental Resources Management Division)	No objection
Public Works and Waste Management	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>
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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, 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>
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1. ISABEL OTERO & EMIRLEIDYS NEGRIN
(Applicant)

13-10-CZ10-1(12-133)
Area 10/District 10
Hearing Date: 10/15/13

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: December 11, 2012
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources
Subject: C-10 #Z2012000133
Isabel Otero and Emirleidys Negrin
2042 SW 82nd Court, Miami, Florida 33155
Non-Use Variance to Permit Less Setbacks than Required
(RU-1) (0.18 Acres)
10-54-40



The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) 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 proposed addition will not affect the existing stormwater management system around the property site.

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 a carport 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: Z2012000133
Name: Isabel Otero & Emirleidys Negrin
Location: 2042 SW 82 Court
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: November 30, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

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

Subject: DIC # Z12-133
Isabel Otero and Emirleidys Negrin

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 # Z12-133
Isabel Otero and Emirleidys Negrin

Application: *Isabel Otero and Emirleidys Negrin* are requesting a variance for a set back to build a porch on a property which is currently zoned for Single Family Residential use.

Size: The subject property is approximately .18 acres.

Location: The subject property is located at 2042 SW 82nd Court 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 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: December 13, 2012

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: Z2012000133: ISABEL OTERO & EMIRLEIDYS NEGRIN

Application Name: ISABEL OTERO & EMIRLEIDYS NEGRIN

Project Location: The site is located at 2042 SW 82 CT, Miami-Dade County.

Proposed Development: The request is for a front setback less than required an addition to an existing single family home.

Impact and demand: This application does not generate any residential population applicable to CDMP Open Space Spatial Standards. The Department has no objections to this application.

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: 11-DEC-12
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department
Subject: Z2012000133

Fire Prevention Unit:

Not applicable to MDR site requirements.

Service Impact/Demand

Development for the above Z2012000133
located at 2042 SW 82 CT, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1440 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 5:33 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: 29-NOV-12

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

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

ISABEL OTERO & EMIRLEIDYS
NEGRIN

2042 SW 82 CT, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2012000133

HEARING NUMBER

HISTORY:

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

Isabel Otero & Emirleidys Negrin

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

REPORTER NAME:



1612-123
RECEIVED
NOV 06 2017
COMMUNITY DEVELOPMENT
PLANNING AND DESIGN
BY: [Signature]



212-133
RECEIVED
NOV 06 2012

ZONING HEARINGS SECTION
MIAMI DADE PLANNING AND ZONING DEPT

BY

FB



ENLARGE SITE PLAN

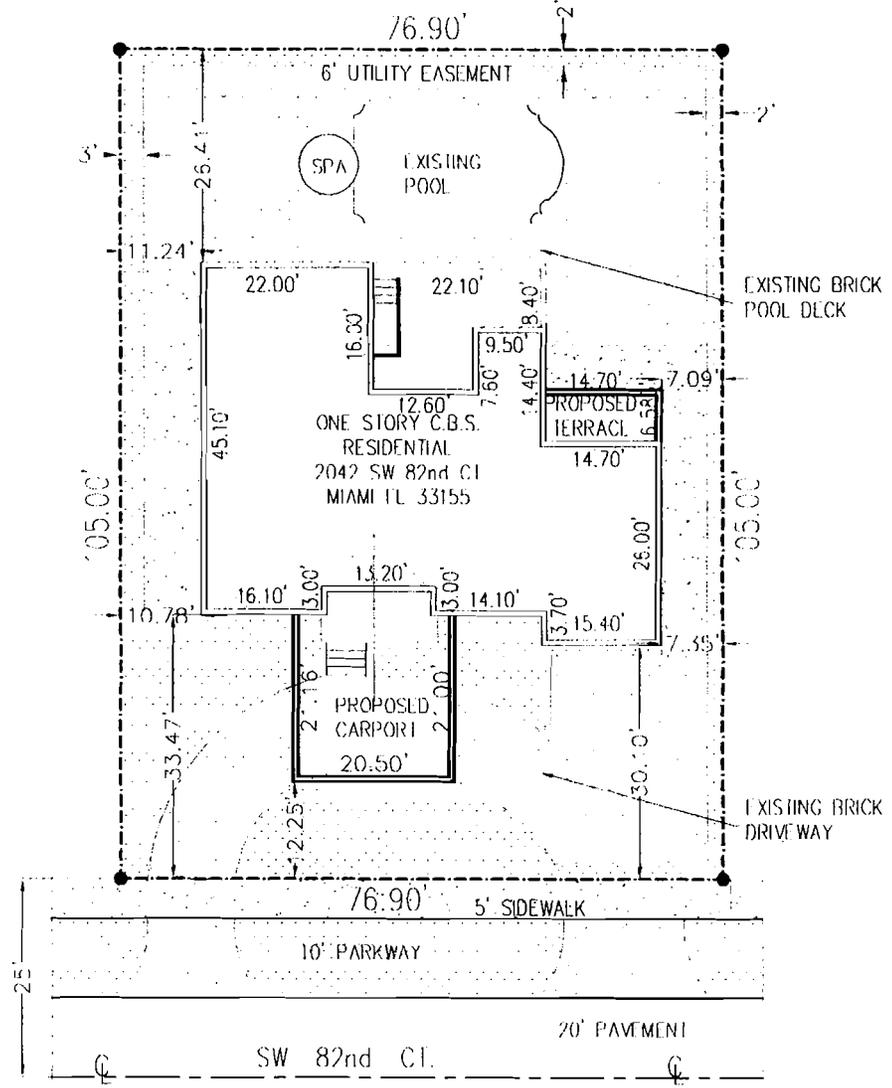
212-133
RECEIVED
 JUL 26 2013

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

FE

7 OF
 1/F
 2/F
 G/F
 Q/F

19.77 % GREEN AREA)



SITE PLAN
 SCALE: 1" = 20'



NEW ATTACHED TERRACE AND CARPORT AND REPLACE FLAT ROOF BY SLOPED ROOF AT RIGHT SIDE OF HOUSE FOR ISABEL OTERO AT 2042 SW 82 CT MIAMI, FL 33155



LOCATION MAP

BUILDING ADDRESS:
2042 SW 82 CT
MIAMI, FL 33155

LOT NUMBER:
2042 SW 82 CT

LEGAL DESCRIPTION:
LOT 10, SUBDIVISION 10, PHASE 1, MIAMI GARDENS, MIAMI, FL 33155

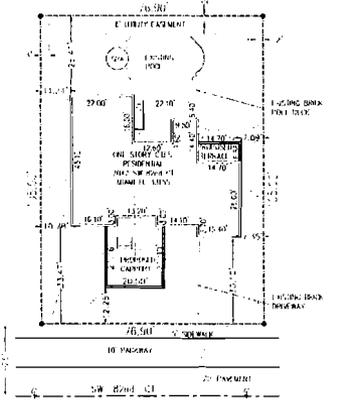
SCOPE OF WORK:
NEW ATTACHED TERRACE AND CARPORT AT REAR PORTION OF EXISTING HOUSE
REPLACE EXISTING FLAT ROOF BY SLOPED ROOF AT RIGHT SIDE OF HOUSE
REPLACE EXISTING FLAT ROOF BY SLOPED ROOF AT RIGHT SIDE OF HOUSE

PROJECT INFORMATION

LOT AREA	5,074 SQ FT
EXISTING HOUSE AREA	2,000 SQ FT
NEW ATTACHED HOUSE	1,000 SQ FT
NEW ATTACHED CARPORT	1,000 SQ FT
TOTAL PROJECT AREA	4,000 SQ FT
DATE	07/12/2012

GENERAL NOTES:

- ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CURRENT BUILDING CODES AND WITH THE REQUIREMENTS OF THE CITY OF MIAMI, FLORIDA. A NATIONAL PLAN AND CODES, ALL DISCREPANCIES BETWEEN THE SEVERAL AND MORE REQUIREMENTS, SHALL BE CALLED TO THE CITY ATTENTION BEFORE PROCEEDING WITH ANY WORK.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS OF THE EXISTING AND NEW CONSTRUCTION SHALL CORRELATE WITH THE ALL RECORDS AND PLANS. THE CONTRACTOR SHALL VERIFY THE WORK IS ALL RECORDS OF RECORDS THAT ARE AVAILABLE FOR CONSULTATION. RECORDS TO BE USED:
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS, LOCATIONS, INCLUDING ALL CONTRACTS, PERMITS, INSPECTIONS AND APPROVALS FROM GOVERNING AGENCIES.
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF MIAMI, FLORIDA. THE CONTRACTOR SHALL VERIFY THE CITY OF MIAMI PERMITS AND APPROVALS FROM GOVERNING AGENCIES.
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF MIAMI, FLORIDA. THE CONTRACTOR SHALL VERIFY THE CITY OF MIAMI PERMITS AND APPROVALS FROM GOVERNING AGENCIES.



SITE PLAN

COST OF JOB

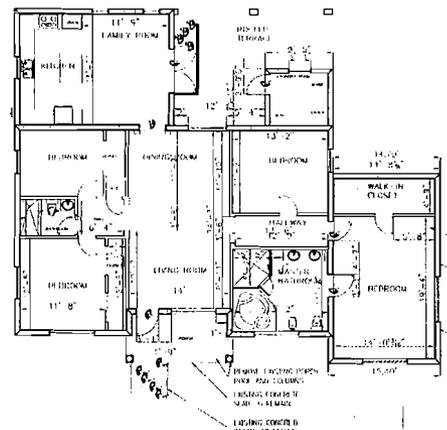
MARKET INDEX	1.00	1.00	1.00
LABOR	1.20	1.20	1.20
NEW WORK AREA INCLUDING MATERIALS	1.50	1.50	1.50
OLD WORK AREA INCLUDING MATERIALS	1.00	1.00	1.00
TOTAL COST	3.70	3.70	3.70

PLUMBING NOTE:
ALL PLUMBING WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF MIAMI, FLORIDA. THE CONTRACTOR SHALL VERIFY THE CITY OF MIAMI PERMITS AND APPROVALS FROM GOVERNING AGENCIES.

MECHANICAL NOTE:
ALL MECHANICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF MIAMI, FLORIDA. THE CONTRACTOR SHALL VERIFY THE CITY OF MIAMI PERMITS AND APPROVALS FROM GOVERNING AGENCIES.

212-133
RECEIVED
JUL 26 2013

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



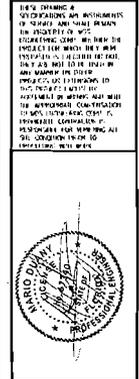
EXISTING & DEMOLITION PLAN

DEMOLITION PROCEDURE

ALL DEMOLITION WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF MIAMI, FLORIDA. THE CONTRACTOR SHALL VERIFY THE CITY OF MIAMI PERMITS AND APPROVALS FROM GOVERNING AGENCIES.

REVISIONS:

NO.	DATE	DESCRIPTION



M.D.S. ENGINEERING CORP.
FLORIDA C.A. # 28051
MARIO DUANY P.E. # 67340
9370 SW 72 ST SUITE A300
MIAMI, FLORIDA 33152
PHONE: (786) 436-2062

DATE	07/12/2012
SCALE	AS SHOWN
PROJECT	NEW ATTACHED TERRACE AND CARPORT
CLIENT	ISABEL OTERO
DATE	07/12/2012
SCALE	AS SHOWN
PROJECT	NEW ATTACHED TERRACE AND CARPORT
CLIENT	ISABEL OTERO

A-1

FINISH SCHEDULE				
AREA	FLOOR	BASEBOARD	WALL OR CEILING	CEILING
CORNER & TRIM	FINISHED CONCRETE	N/A	STUCCO	STUCCO
CONCRETE	FINISHED CONCRETE	N/A	STUCCO	STUCCO

MATERIALS COORDINATION NOTE:
 THE CONTRACTOR MUST COORDINATE WITH THE OWNER ALL MATERIAL TYPES, BRANDS, AND COLORS BEFORE THE START OF THE JOB.

SCOPE OF WORK

THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND MATERIALS BEFORE THE START OF THE JOB. THE CONTRACTOR SHALL VERIFY ALL CONDITIONS OF OTHER ROOMS TO DETERMINE THE SCOPE OF WORK.

NOTES

CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND MATERIALS BEFORE THE START OF THE JOB. THE CONTRACTOR SHALL VERIFY ALL CONDITIONS OF OTHER ROOMS TO DETERMINE THE SCOPE OF WORK.

TERMINES PROTECTION NOTE

A CONTRACTOR OR COMPANY SHALL BE RESPONSIBLE TO THE BUILDING DEPARTMENT FOR THE PROTECTION OF EXISTING CONDITIONS AND MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF EXISTING CONDITIONS AND MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF EXISTING CONDITIONS AND MATERIALS.

COST OF JOB

ESTIMATED COST OF JOB: \$1,188,820
 CONTRACTOR SHALL VERIFY ALL CONDITIONS OF OTHER ROOMS TO DETERMINE THE SCOPE OF WORK.

PLUMBING NOTE

NOT INCLUDING WORK WILL BE DONE BY THE OWNER.

MECHANICAL NOTE

NOT INCLUDING WORK WILL BE DONE BY THE OWNER.

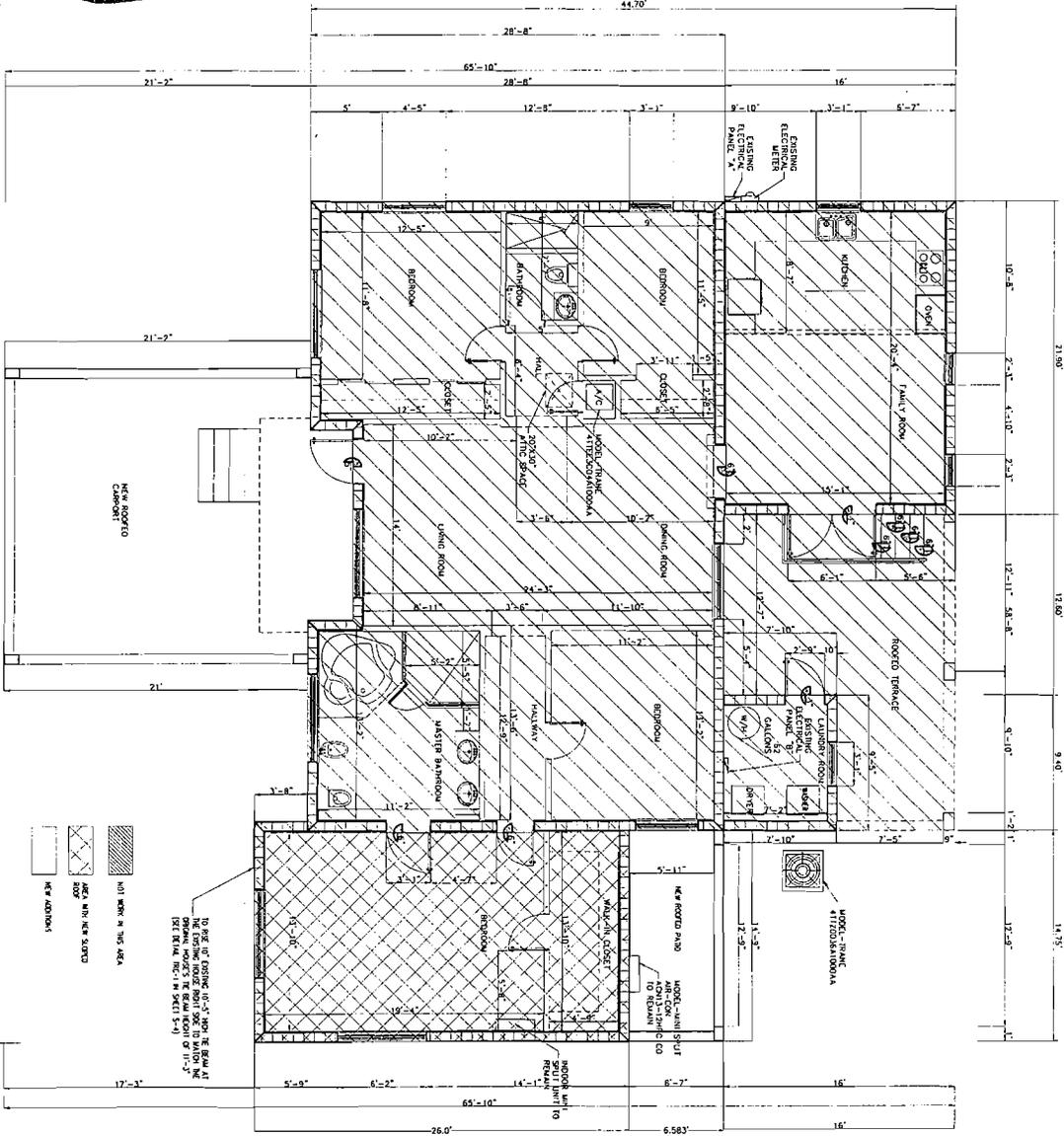
INSULATION NOTE

NOT INCLUDING WORK WILL BE DONE BY THE OWNER.

212-133 RECEIVED
 FEB 21 2013
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY *Fe*

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

212-133 RECEIVED
 FEB 21 2013



NEW ROOFTOP CORNER
 NEW ROOFTOP CORNER
 NEW ROOFTOP CORNER

TO THE RIGHT OF EXISTING 0'-0" TO 0'-0" SHALL BE REMAIN AT THE EXISTING FLOOR LEVEL TO MATCH THE EXISTING FLOOR LEVEL IN SHEET 5-A-1

REVISIONS:

21

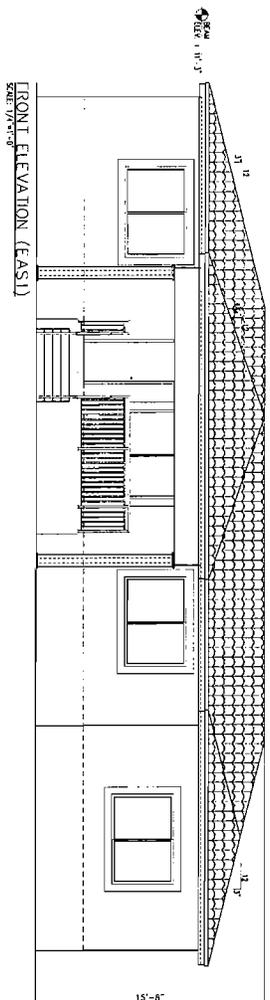
M D S ENGINEERING CORP.
 FLORIDA C.A. # 28051
 MARIO DUANY P.E. # 67340
 9310 SW 72 ST SUITE: A190
 MIAMI, FLORIDA 33052
 PHONE: (786) 436-7062



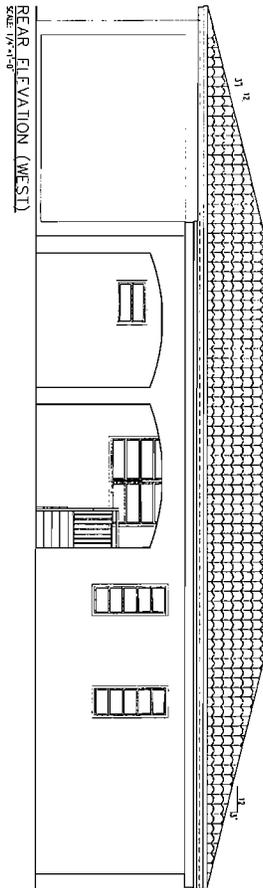
THIS DRAWING IS THE PROPERTY OF M D S ENGINEERING CORP. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, REPRODUCED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF M D S ENGINEERING CORP.

OWNER INFORMATION:
 ISABEL OTERO
 2042 SW 82 CT
 MIAMI, FL 33155
 PHONE: (786) 488-2091
 NEW ATTACHED ADDITIONS AND FLAT ROOF REPLACEMENT

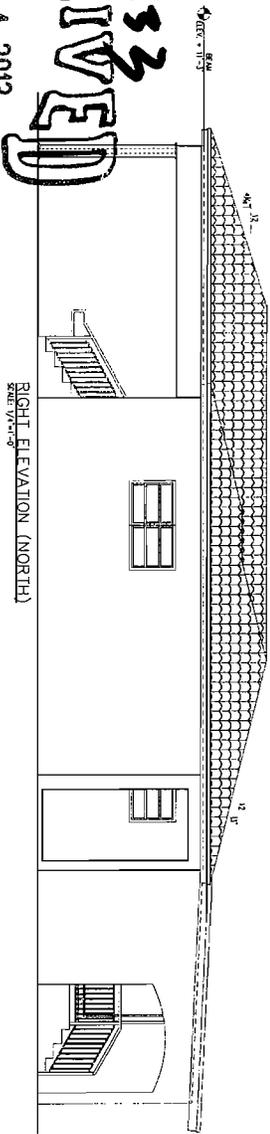
DATE: 07/17/2012
 SCALE: AS SHOWN
 SHEET: 2 OF 8
 A-2



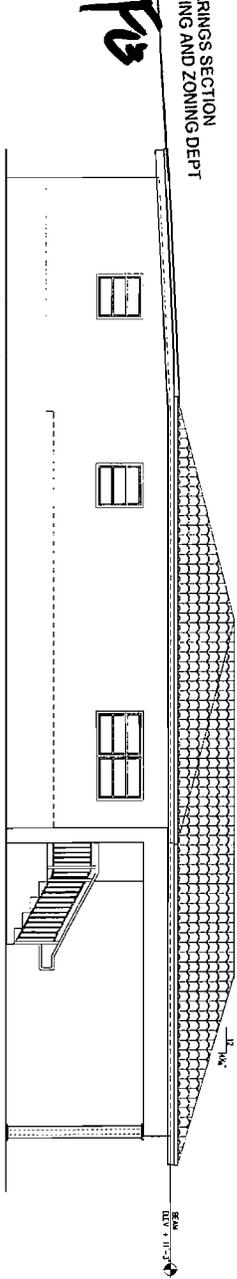
FRONT ELEVATION (EAST)
SCALE: 1/4"=1'-0"



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



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



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

2/2-133
RECEIVED
FEB 21 2013

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY **FB**

2/2-133
RECEIVED
FEB 21 2013

REVISIONS:

NO.	DATE	DESCRIPTION



M D S ENGINEERING CORP.
FLORIDA C.A. # 28051
MARIO DUANY P.E. # 67340
9370 SW 72 ST SUITE: A290
MIAMI, FLORIDA 33032
PHONE: (786) 436-7062

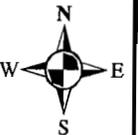
OWNER INFORMATION:
ISABEL OTERO
2042 SW 82 CT
MIAMI, FL 33155
PHONE: (786) 488-2091
NEW ATTACHED ADDITIONS AND FLAT
ROOF REPLACEMENT

JOB NO.: 12-000
DRAWN BY: T.B.S.
SCALE: AS SHOWN
DATE: 07/17/2012
DRAWN BY: T.B.S.
DATE: 07/17/2012
SHEET: 3 OF 8
M/S ENGINEERING CORPORATION
A-3



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2012000133



Section: 10 Township: 54 Range: 40
 Applicant: ISABEL OTERO & EMIRLEIDYS NEGRIN
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Monday, November 26, 2012

REVISION	DATE	BY
		23



MIAMI-DADE COUNTY

Process Number

AERIAL YEAR 2012

Z2012000133



Section: 10 Township: 54 Range: 40
 Applicant: ISABEL OTERO & EMIRLEIDYS NEGRIN
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

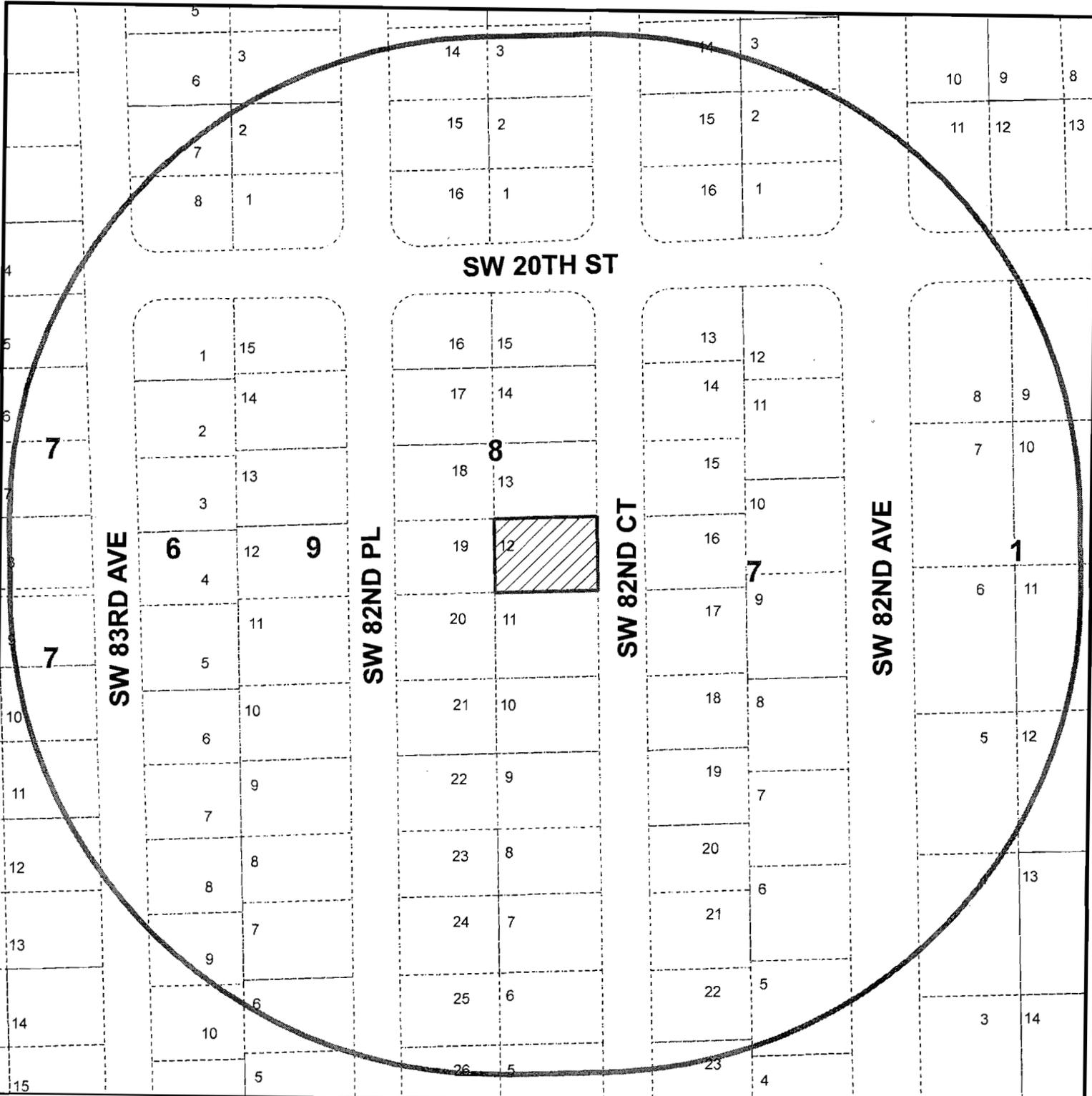
Legend

 Subject Property



SKETCH CREATED ON: Monday, November 26, 2012

REVISION	DATE	BY
		24



**MIAMI-DADE COUNTY
RADIUS MAP**

Process Number
Z2012000133
RADIUS: 500

Section: 10 Township: 54 Range: 40
 Applicant: ISABEL OTERO & EMIRLEIDYS NEGRIN
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Monday, November 26, 2012

REVISION	DATE	BY
		25

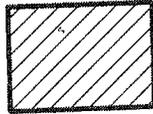
SW 83RD AVE

SW 82ND PL

SW 20TH ST

SW 82ND CT

SW 82ND AVE



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2012000133



Section: 10 Township: 54 Range: 40
Applicant: ISABEL OTERO & EMIRLEIDYS NEGRIN
Zoning Board: C10
Commission District: 10
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Monday, November 26, 2012

REVISION	DATE	BY

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

PH: Z12-142 (13-10-CZ10-2)

October 15, 2013

Item No. 2

Recommendation Summary	
Commission District	6
Applicant	SC Mota Associates, Ltd. Partnership
Summary of Requests	The applicant seeks to modify a condition of a prior resolution in order to submit revised plans for the redevelopment of a portion of an existing shopping mall. In addition to the revised site plan, the applicant seeks an unusual use to permit the filling of existing lakes and a special exception of spacing requirements to permit a package liquor store.
Location	7795 West Flagler Street, Miami-Dade County, Florida.
Property Size	49.58 acres
Existing Zoning	BU-2
Existing Land Use	Shopping Mall
2015-2025 CDMP Land Use Designation	Business and Office (<i>see attached Zoning Recommendation Addendum</i>)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses and Section 33-311(A)(7) Generalized Modification Standards (<i>see attached Zoning Recommendation Addendum</i>)
Recommendation	Approval with conditions

REQUESTS:

- (1) MODIFICATION of Condition #2 of Resolution # 4-ZAB-337-79, passed and adopted by the Zoning Appeals Board and further modified by Resolution # CZAB10-55-01, 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 "The Home Depot Mall of Americas" as prepared by Greenberg, Farrow Architecture, dated stamped received 3/8/01, and consisting of 5 sheets.

To: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Costco- Mall of The Americas" as prepared by BOHLER ENGINEERING, consisting of 12 sheets, "Costco Wholesale" prepared by Mulvanny. G2 Architecture, consisting of 3 sheets, all plans dated stamped received July 1, 2013 and a liquor spacing survey as prepared by Atkins dated stamped received 11/21/12.

The purpose of the request is to allow the applicant to submit plans showing the demolition of the existing movie theatres and the addition of a new Costco membership warehouse building and new gas station for a previously approved shopping center.

- (2) UNUSUAL USE to permit the filling of existing lakes.
- (3) 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.

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 AND PROJECT HISTORY:

The subject property is an existing 49.58-acre site developed with a multi-tenant shopping mall with several outparcels, parking areas and storm water retention lakes.

The site has been the subject of several zoning actions from 1964 to 2001. In 2001, pursuant to CZAB10-55-01, the CZAB approved a modification of a previous resolution to permit the applicant to submit revised plans to show a new building for the existing shopping center, in addition to variances of parking, setback and fence height requirements. The current application seeks to redevelop a portion of the Mall of the Americas. The plans submitted depict the demolition of the northern end of the mall, approximately ±153,384 sq. ft., and to redevelop that area with an approximately ±151,104 sq. ft. Costco membership club and ancillary Costco liquor package store and gas fueling station on the 49.58-acre parcel.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	BU-2; shopping mall	Business and Office
North	RU-4L; apartments OPD; apartment development	Office/Residential Medium Density Residential (13 to 25 du)
South	RU-2; elementary school BU-1; bank RU-5A; offices	Business and Office Office/Residential
East	Palmetto Expressway	Transportation
West	BU-2; offices, retail, auto sales, church, restaurants	Business and Office

NEIGHBORHOOD CHARACTER:

The subject property is located between West Flagler Street and NW 7 Street and between NW 79 Avenue and State Road 826. The area surrounding the subject property is primarily characterized by commercial uses located to the south and west, multi-family residential uses to the north, and the Palmetto Expressway, State Road 826, to the east.

SUMMARY OF THE IMPACTS:

The approval of these requests would allow the applicant to redevelop a portion of the existing shopping mall and provide additional commercial uses to the community. However, the proposed redevelopment is expected to have minimal impacts given that it will reduce the square footage to an existing structure by 2,280 sq. ft.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is an existing shopping center that is designated as **Business and Office** on the Comprehensive Development Master Plan (CDMP) Adopted 2015-2025 Land Use Plan (LUP) map. The CDMP Land Use Element interpretative text, under the Business and Office land use *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 applicant seeks approval to redevelop a portion of the existing shopping mall. Staff opines that approval of the requests sought in this application will not be out of character with the surrounding commercial uses.

The CDMP **Land Use Element Policy LU-4A** of said interpretive text provides that *when evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.* The subject property is located along a vibrant commercial corridor and therefore, staff opines that the proposed redevelopment as designed, would not negatively impact the traffic, lighting, access, parking, and other factors when evaluating compatibility among proximate land uses as addressed in CDMP land Use Element, **Policy LU-4A**. Further, **Policy LU-4A** states that when evaluating compatibility among proximate land uses, the County shall consider such factors as height, bulk, and scale of architectural elements. Staff opines that the proposed development would be harmonious with the scale and size of the proximate land uses as addressed further below. Therefore, staff opines that the proposed redevelopment of a portion of the existing shopping mall remains compatible with the surrounding uses.

Furthermore, the Business and Office designation permits retail uses such as the existing shopping center. As such, the existing use within the area designated as Business and Office is **compatible** with the commercial and retail uses allowed and therefore **consistent** with the CDMP LUP map Business and Office designation.

ZONING ANALYSIS:

As previously stated, the current application seeks to redevelop a portion of the Mall of the Americas. The plans submitted depict the demolition of the northern end of the mall, approximately $\pm 153,384$ sq. ft., and to redevelop that area with an approximately $\pm 151,104$ sq. ft. Costco membership club and ancillary Costco liquor package store and gas fueling station on the 49.58-acre parcel.

When request #1, to modify condition #2 of a previous resolution in order to submit revised plans showing the redevelopment of a portion of the exiting shopping mall, is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), staff opines that the approval of said request will not generate excessive noise or a significant increase in traffic, provoke excessive overcrowding of people, tend to provoke a nuisance, and would be **compatible** with the surrounding area. Staff notes that the proposed plans indicate a proposed Costco membership club and fueling station. The proposed Costco membership club results in a reduction of 2,280 sq. ft. of mall area within the northern portion of the shopping mall, which also results in less required parking spaces. As such, staff opines that the proposed redevelopment does not result in an over intensive development of the subject property. Furthermore, staff opines that the proposed development is similar in scale to the surrounding commercial developments and compatible with the same.

The memoranda submitted by the Departments concerned with reviewing this application do not object to the proposed application. The Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) memorandum states that the existing use currently generates **552** PM daily peak hour vehicular trips and the proposed use will generate **639** PM daily peak hour vehicular trips; therefore, the proposed application will generate an additional **87** PM daily peak hour vehicular trips, will not exceed the acceptable level of service of the surrounding roadways and meets the traffic concurrency criteria for an Initial Development Order. The Division of Environmental Resources Management (DERM) of the RER indicates that the approval with conditions of the aforementioned request will not have an unfavorable impact on the environmental resources of the County. Specifically, its memorandum indicates that a review of the application for compliance with the requirements of Chapter 24 of the Code indicated that the Level of Service standards as specified in the CDMP for potable water supply, wastewater disposal and flood protection are valid for this initial development order. However, the DERM memorandum also indicates that a new surface water management general permit shall be required for the construction and operation of the required surface water management system. Its memorandum further indicates that a tree removal/relocation permit shall also be required. Additionally the memorandum from the Miami-Dade Fire Rescue Department does not indicate that the proposed redevelopment will have a negative impact on fire rescue services in the area.

Based on the aforementioned, staff opines that the requests will not result in 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 modification in relation to the present and future development of the area concerned. **Therefore, staff recommends approval with conditions of request #1, under the Generalized Modification Standards, Section 33-311(A)(7).**

When request #2, unusual use to permit the filling of existing lakes, and request #3, special exception to permit a 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, are reviewed under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New uses, staff opines that the approval of these requests are contingent on the approval of request #1 and would be **compatible** with the surrounding area.

Staff notes that approval of the proposed lakefill area, request #2, will provide the applicant with additional area for the development of the fueling station and a portion will be converted to a landscaped area for the site. Staff opines that the proposed lakefill and development of a fueling station, on the same portion of the subject property, would not cause any adverse impacts to the surrounding area and would be compatible with the same. As previously stated, the memoranda submitted by the Departments concerned with reviewing this application do not object to the proposed application. Specifically, the DERM memorandum states that approval of these requests will not have an unfavorable impact on the environmental resources of the County. However, as a condition for approval, the DERM memorandum further requires the applicant to obtain a new surface water management general permit and tree removal/relocation permit.

Staff notes that pursuant to Resolution #4-ZAB-322-70, another liquor package store, which no longer exists, was approved within this shopping center spaced less than required from other lawfully established alcoholic beverage establishments. The currently proposed package liquor store will be located within the proposed Costco membership club. Staff notes that it is internal to the site, located to the back of the subject property, and part of the proposed wholesale membership club. The liquor survey submitted by the applicant indicates four (4) lawfully established alcoholic beverage establishments located within the surrounding area. Of the four

(4) establishments three (3) are restaurants and one (1) liquor package store. The liquor survey submitted by the applicant indicates the distance from the subject property to the nearest religious facility to be located 1,613 feet and to the nearest school to be 2,118 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 is **compatible** with the surrounding commercial uses within the existing shopping center and those along West Flagler Street, a major transportation corridor and will not negatively impact the surrounding area.

Based on all of the aforementioned, staff is of the opinion that approval of these requests would be **compatible** with the surrounding area and West Flagler 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.**

ACCESS, CIRCULATION AND PARKING:

The submitted site plans indicate that the Mall of the Americas site has 260 more parking spaces than required and the location and width of the drives on the subject property are sufficient to accommodate the potential traffic on this approximately 49.58-acre site. Furthermore, the site has ingress and egress drives along NW 79 Avenue and NW 7 Street.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION: Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That all the conditions of Resolution CZAB10-55-01 remain in full force and effect except as herein modified.
2. That the applicant obtain the required surface water management general permit for the construction and operation of the required surface water management system and a tree removal/relocation permit from DERM prior to any future development order approval.
3. That the applicant shall be permitted to operate construction activities for the proposed development between the hours of 7:00 A.M. and 7:00 P.M. on weekdays; Saturday and Sunday operation and/or other hours of operation than 8:00 A.M. to 5:00 P.M., may be permitted by the Director only if the same does not become objectionable, in his opinion, to the surrounding area.

Lake Fill Conditions

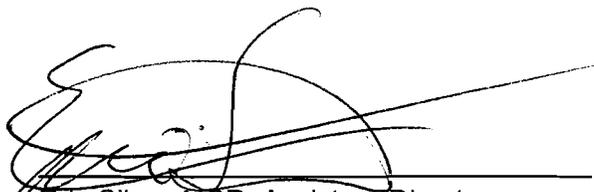
1. That no portion of the property subject to the approved excavation fill plan and permit shall be transferred without the approval of the Director, unless the filling of the subject excavation has been completed in accordance with the excavation fill plan and permit for the fill project and unless the bond has been released.
2. That no fill be permitted within the adjacent rights-of-way.

3. That if in the opinion of the Director the lakefill is hazardous to the surrounding area, the hazardous area shall be fenced in, or otherwise protected, by the applicants as directed by the Director.
4. That the applicant shall obtain all permits required by this Code and comply with all permit requirements and all applicable conditions of the Division of Environmental Resource Management of the Department of Regulatory and Economic Resources as well as the Public Works and Waste Management Department for the duration of the fill project
5. That only such clean fill material as allowed by Chapter 24 of this Code and approved in writing by the Division of Environmental Resource Management of the Department of Regulatory and Economic Resources, as set forth herein, shall be used in the fill project.
6. That in order to insure compliance with all terms and conditions imposed, a cash bond or substantially equivalent instrument meeting with the approval of the Director shall be posted with the Department of Regulatory and Economic Resources, payable to Miami-Dade County, in an amount as may be determined and established by the Director of the Department of Regulatory and Economic Resources; said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County and said instrument shall be executed by the property owner and any and all parties who may have an interest in the land, such as mortgagees, etc. The bond amount shall be based on the volume of cut required to create the approved slope configuration.
7. That any unacceptable fill material shall be stored in containers; shall not be permitted to remain on the project site for more than thirty (30) days; and shall not exceed a volume of forty (40) cubic yards.
8. That neither the clean fill material piles, nor the unacceptable fill material piles, nor the piles awaiting sorting shall be permitted to exceed a height of 10 feet above the applicable flood elevations for the property.
9. That the fill project shall meet all storm water management requirements of the Code of Miami-Dade County and the filled excavation or portion of excavation filled shall not exceed the applicable flood elevations for the property.
10. That if the fill project is discontinued, abandoned, falls behind schedule or time expires under the permit, the remaining excavation shall immediately be sloped to conform with the previously approved excavation plans and all equipment and concomitant uses shall be removed from the premises, unless an application to extend the time is filed with the Department prior to expiration of the approval and provided that good cause is demonstrated as to the delay in completing the filling of the excavation. In no event shall such extension allow the fill project to continue beyond three (3) years after issuance of the permit.
11. That the property shall be suitably posted to meet with the approval of the Director; said posting shall denote the fill project and shall warn the public concerning the possible hazards prior to commencement and for the duration of the fill project.
12. That the property shall be staked to meet with the approval of the Director of the Department of Regulatory and Economic Resources; said stakes shall be maintained in

proper position so that the limits of the lake fill, slopes and grade levels may be easily determined.

13. That all Federal, State and local permits be obtained prior to commencement of the lake fill. In the event that any Federal, State or local permit is revoked or otherwise held to be invalid, the lake fill operation shall immediately cease.
14. That the deadline date for the completion of the fill project, including final closure and completion of all tasks set forth in the approved plans and permit shall be determined by the Director and established in the permit. All authorized work shall be carried on continuously and expeditiously so that the filling will be completed within the allocated time, but in no event for any more than three (3) years from issuance of the fill permit;
15. That upon completion of the project, the property shall be restored and left in an acceptable condition meeting with the approval of the Director of the Department of Regulatory and Economic Resources.
16. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project develops and the lakefill operation progresses. In accordance with this requirement, the applicants shall submit "as built" surveys prepared and sealed by a Florida licensed surveyor and/or professional engineer at one-fourth, one-half, three-fourths and final completion of the lake fill operation or at six-month intervals, whichever is of a lesser duration, or upon request of either the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources when it appears that the lake fill is proceeding contrary to approved plans.
17. 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 incorporated herein by reference.
18. That any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the conditions herein agreed to are being complied with.

ES:MW:NN:JV:JC


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

NDN

ZONING RECOMMENDATION ADDENDUM

SC Mota Associates, LTD Partnership
Z12-142

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
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>
<p>Land Use Policy LU-4A (Page I-11)</p>	<p><i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i></p>

PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Section 33-311(A)(3) Special Exception, Unusual and New Uses.</p>	<p><i>Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of</i></p>
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ZONING RECOMMENDATION ADDENDUM

SC Mota Associates, LTD Partnership
Z12-142

	<p><i>people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.</i></p>
<p>33-311(A)(7) Generalized Modification Standards</p>	<p><i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution, and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate board finds after public hearing (a) that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.</i></p>

2. SC MOTA ASSOCIATES, LTD. PARTNERSHIP
(Applicant)

13-10-CZ10-2(12-142)
Area 10/District 06
Hearing Date: 10/15/13

Property Owner (if different from applicant) **SC MOTA ASSOC. LTD. PARTNERSHIP**

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1964	Bedford Investment Co.	- Unusual Use sewerage plant & utility facilities. P.U.P.	ZAB	Approved with Condition(s)
1968	City National Bank of Miami, Trustee	- Unusual Use to permit 3 lake excavation in property shopping center.	ZAB	Approved with Condition(s)
1970	Midway Shopping Mall, Inc.	- Variance spacing.	ZAB	Approved
1970	Mall Recreation Center, Inc.	- Unusual Use permit amusement area to use coin devices.	ZAB	Approved with Condition(s)
1971	Bertram's Restaurant, Inc.	- Special Exception of beer liquor & wine use for table space.	ZAB	Approved
1971	Almart Stores, Inc.	- Variance of sign regulation to permit 4 th wall sign on building.	BCC	Approved
1972	City National Bank of Miami	- Unusual Use permit shopping center promotional activities.	ZAB	Approved with Condition(s)
1973	Mall Recreation Center, Inc.	- Unusual Use to permit continued use of amusement Entp.	ZAB	Approved with Condition(s)
1973	City National Bank of Miami, Trustee	- Modification of condition #1 Resolution 4-ZAB-21-72.	ZAB	Approved with Condition(s)
1975	City National Bank of Miami	- Unusual Use permit shopping center promotional activities in mall.	ZAB	Approved with Condition(s)

1977	City Natl. Bank	- Unusual Use promotional activities inside and in parking P.U.P.	ZAB	Approved with Condition(s)
1979	Montgomery Ward & Co. Inc.	- Special Exception to permit expansion of existing shopping center by adding of 14,700 sf.	ZAB	Approved with Condition(s)
1988	Midway Mall Partners	- Non-Use Variance of sign regulation to permit 3 wall signs P.U.P.	ZAB	Approved with Condition(s)
1988	Midway Mall Partners	- Modification of condition #2 of Resolution 4-ZAB-337-9.	ZAB	Approved with Condition(s)
1990	Midway Mall Partners	- Modification of condition #2 of Resolution 4-ZAB-337-9.	ZAB	Approved with Condition(s)
1990	Restaurant Development Corp.	- Unusual Use to permit outdoor seating in conjunction with a restaurant.	ZAB	Approved with Condition(s)
1990	Midway Mall Partners	- Modification of condition #2 of Resolution 4-ZAB-337-9.	ZAB	Approved with Condition(s)
1994	Big Wave Inc.	- Special Exception of spacing requirement as applied to alcoholic beverages.	ZAB	Approved with Condition(s)
2001	Home Depot, USA	- Modification of condition #2 of Resolution 4-ZAB-337-9.	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: June 11, 2013

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

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

Subject: BCC #Z2012000142-3rd Revision
SC MOTA Assoc., LTD Partnership
7795 West Flagler Street
Variance to Permit a Membership Warehouse; Unusual Use to Fill a
Lake; and Modification of a Previous Resolution.
(BU-2) (49.58 Acres)
03-54-40

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

Potable Water Service

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

Wastewater Disposal

Public sanitary sewers are abutting the subject property; therefore, connection of the proposed development to the public sanitary sewer system shall be required in accordance with Code requirements. As per Miami-Dade Water and Sewer Department point of connection determination dated February 4, 2013, the future membership warehouse is proposing a private pump station to connect to the public sanitary sewer system.

Civil drawings 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

Be advised that the previously approved Surface Water Management General Permit No. 13-01804-P issued on January 9, 2002, has expired. A new Surface Water Management General Permit from 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 for further information regarding permitting procedures and requirements.

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

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.

A Class VI permit might be required for drainage systems to be installed in non-residential projects.

Pollution Remediation

There are no records of current or historical contamination assessment/remediation issues on the subject site or records of current contamination assessment issues for sites directly abutting the property.

Operating Permits

Section 24-18 of the Code authorizes the Department to require operating permits from facilities that could be a source of pollution. The applicant is advised that due to the nature of proposed use, operating permits may be required. The Permitting Section of the Pollution Regulation and Enforcement Division may be contacted at (305) 372-6600 for further information concerning operating requirements.

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.

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 plans submitted with this application depict the presence of specimen (trunk diameter 18 inches or greater) tree resources on the referenced property. The plans further show that these trees will 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..." The applicant has submitted an application to the Tree Permitting Program for a Tree Removal/Relocation Permit (Tree #4424). As such, this Program recommends approval of this application with the condition that the Tree Removal/Relocation Permit Tree (TREE #4424) 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.

Be advised that if this condition cannot be met prior to development orders, this zoning application would have to be resubmitted for review. The applicant is required to comply with the above tree permitting requirements. This Department's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application. The applicant is advised to contact 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 properties have two (2) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information.

Concurrency Review Summary

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

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

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

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

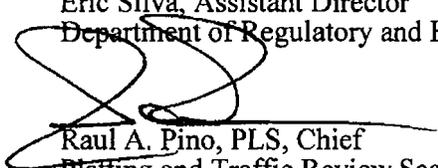
cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: October 1, 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: Z2012000142
Name: SC Mota Assoc. LTD, Partnership
Location: 7795 West Flagler Street
Section 03 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 subject to the following:

A traffic signal is required at the intersection of NW 79th Avenue and the driveway just north of the proposed gas station.

Provide a larger right-turn radius for the buses at the bus harbor driveway and NW 79th Avenue just south of the proposed signal intersection.

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.

This application **does** meet the traffic concurrency criteria for an Initial Development Order. The existing portion of the mall being demolished generated approximately **552 PM** daily peak hour trips and the proposed development will generate approximately **639 PM** daily peak hour trips, therefore this application will generate an additional **87 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:

Station Number		LOS present	LOS with project
F-1211	NW 87 Avenue n/o NW 8 Street	C	C
F1141	W. Flagler Street w/o Palmetto Exp.	C	C
F-44	SW 87 Avenue s/o Flagler Street	C	C
9154	W. Flagler Street w/o 87 Avenue	E	E

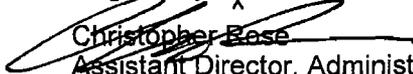
The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.

Memorandum



Date: January 14, 2013

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

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

Subject: # Z12-142
SC MOTA Associates, LTD Partnership

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

#Z12-142

SC MOTA Associates, LTD Partnership

Application: *SC MOTA Associates, LTD Partnership* is requesting the modification of a prior zoning approval(s), CZAB10-55-01 and 4ZAB-337-79, to allow the construction of a membership warehouse together with an accessory use of an un-manned gas station to provide gasoline to its members. Additionally, the applicant also requests an unusual-use variance to permit filling a portion of an existing lake, and non-use variances regarding open space, signage, and the spacing of the alcoholic retail use of the warehouse from nearby churches and/or schools. The property is currently zoned in a Special Business district (BU-2).

Size: The subject property is 49.58 acres.

Location: The subject property is generally located within the Mall of the Americas, 7795 West Flagler Street 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, Construction of a membership warehouse together with an accessory use of an un-manned gas station will likely be considered development for 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: Commercial Establishments

The following language from **Section 15-2.3a** requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental

agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

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

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

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: July 31, 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: Z2012000142: SC MOTA ASSOCIATES, LTD. PARTNERSHIP
Review includes plans submitted through 7/1/2013

Application Name: SC MOTA ASSOCIATES, LTD. PARTNERSHIP

Project Location: The site is located at 7795 W FLAGLER ST, Miami-Dade County.

Proposed Development: The request is approval for modification of a previous resolution to add a membership warehouse and gas station at an existing retail center, an unusual use to fill a lake and non-use variances. Review includes plans submitted through 7/1/2013.

Impact and demand: This application does not generate any residential population applicable to CDMP Open Space Spatial Standards.

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

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum



Date: 17-JUL-13
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2012000142

Fire Prevention Unit:

This memo supersedes MDFR meMorandum dated March 13, 2013.
APPROVAL
No objection to plan stamped received July 1, 2013.

Service Impact/Demand:

Development for the above Z2012000142
located at 7795 W FLAGLER ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 4296 is proposed as the following:

N/A residential	dwelling units	N/A industrial	square feet
N/A Office	square feet	N/A institutional	square feet
151,104 Retail	square feet	N/A nursing home/hospitals	square feet

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 7:29 minutes

Existing services:

The Fire station responding to an alarm in the proposed development will be:
Station 48 - Fontainebleau - 8825 NW 18 Terrace
Rescue, ALS Engine, TRT Heavy Rescue, Battalion 12

Planned Service Expansions:

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

Fire Planning Additional Comments:

Not applicable to service impact analysis.

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

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

SC MOTA ASSOCIATES, LTD. PARTNERSHIP

7795 W FLAGLER ST, MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2012000142

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. BNC: BSS case 20100135694-B opened on March 19, 2010-775 W Flagler St 76-77. Notice of Violation issued for Failure to obtain required permits prior to commencing work on: Work without permits violations that include but not limited to stairs, sprinkler obstructions and separation between floors. Civil Violation Notice P005739 issued for non compliance. Final Notice of Intent to Lien/Demand for payment issued on February 1, 2013. Case remains open. BSS case 2013010159183-B opened on May 1, 2013-7795 w Flagler St 22. Notice of Violation issued for Failure to obtain required building permit(s) prior to commencing work on: Interior remodeling without permit, space #22 for BB kids shoes. Case remains open. BSS case 20130159185-B opened on May 1, 2013-7795 W Flagler St 22. Notice of Violation issued for Failure to obtain required building permits prior to commencing work on: Interior remodeling without permit space 50. Case remains open. BSS case A2011001851-X opened on March 11, 2011-7827 W Flagler St. Notice of Violation issued for expired permit 2010035526. Civil Violation Notice Poo4853 issued on August 15, 2011 for non compliance. Final Notice of Intent to Lien/Demand for payment issued on April 10, 2012. Case remains open. BSS case A2012001996-X opened on March 11, 2012-7795 W Flagler St. Notice of Violation issued for expired permit 2011013735. Civil Violation Notice Poo9091 issued on September 6, 2012 for non compliance. Final Notice of Intent to lien/demand for payment issued on December 13, 2012. Case remains open.

SC Mota Associates

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

Memorandum



Date: February 8, 2013

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

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

Subject: Review – Zoning Application
Case: No. Z2012000142 – SC MOTA Associates LTD

APPLICATION

The applicant, SC MOTA Associates LTD, is requesting a public hearing to modify prior zoning approval to allow the construction of a membership warehouse and an un-manned gas station to provide gasoline to its members. Additionally, the applicant seeks an unusual use to permit a lake fill, variances of open space, signage, street tree requirements, and spacing requirements of alcoholic retail stores from nearby churches and/or schools. The proposed facility will be located at 7795 West Flagler Street, Miami, Florida.

CURRENT POLICE SERVICES

The membership warehouse and un-manned gas station 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 ½ mile radius check of crimes/calls for service of the location was done 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 and un-manned 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.

Eric Silva, AICP, Assistant Director
February 8, 2013
Page 2

Additionally, it is recommended that SC MOTA Associates LTD, work closely with the local police district command staff in considering security options for the site, especially during high volume times, to include but not limited to holidays.

While the MDPD does not object to any proposed zoning modifications to complete this project, we recommend the following to be implemented as part of the venture.

- No deliveries between the hours of 10:00 p.m. – 7:00 a.m.
- 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

RECEIVED

DISCLOSURE OF INTEREST*

MIAMI-DADE COUNTY
PROCESS # 212-142
DATE NOV 21 2012

IF A CORPORATION owns or leases the subject property, list principal stockholders and percent of stock held 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: N/A

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

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

TRUST/ESTATE NAME N/A

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: SC MOTA Associates Ltd. Partnership

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

RECEIVED
212-142
NOV 21 2012

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

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, a supplemental disclosure shall be made to identify natural persons having the ultimate ownership interest in such entities.]

BY: DAF PURCHASER: N/A

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 MIAMI-DADE COUNTY
 PROCESS # 212-142
 DATE NOV 29 2012

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____

Date of contract: _____

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

_____	_____
_____	_____
_____	_____
_____	_____

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

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

Signature: [Handwritten Signature]
 (Applicant)

Sworn to and subscribed before me this 16th day of November, 2012. Affiant is personally known to me or has produced _____ as identification.

Karen L. Lynch
 (Notary Public)
 My commission expires: 4-23-15



*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.

RECEIVED
 212-142
 NOV 21 2012
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY: [Signature]

RECEIVED

MIAMI-DADE COUNTY
PROCESS #: Z12-142
DATE: NOV 29 2012
BY: DAH

DISCLOSURE OF INTERESTS

SC MOTA Associates Limited Partnership

	Percentage of Interest
Kimco Realty Co. 3333 New Hyde Park, Suite 100 New Hyde Park, NY 11042	33.34%
SC MOTA GP, Inc. 340 Royal Poinciana Way, Suite 316 Palm Beach FL 33480	1%
SC – BMG Associates LLLP 340 Royal Poinciana Way, Suite 316 Palm Beach FL 33480	65.66%

Interests In Kimco Realty

Publicly Traded Corporation

Interests in SC MOTA GP, Inc.

	Percentage of Interest
Sterling Centrecorp U.S., Inc. 340 Royal Poinciana Way, Suite 316 Palm Beach FL 33480	100%

Interests in SC – BMG Associates LLLP.

	Percentage of Interest
Sterling Centrecorp U.S., Inc. 340 Royal Poinciana Way, Suite 316 Palm Beach FL 33480	74.9%
SC – BMG GP, Inc. 340 Royal Poinciana Way, Suite 316 Palm Beach FL 33480	0.1%

RECEIVED
Z12-142
NOV 29 2012

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

RECEIVED

MIAMI-DADE COUNTY
PROCESS #: Z12-142
DATE: NOV 29 2012
BY: DAH

Interests in SC – BMG Associates LLLP, Continued.

	Percentage of Interest
Gary Brown, Mark Milgram, Stuart Gross 12602 N. Kendall Drive, Miami FL 33186 5201 Blue Lagoon Drive, Suite 550 Miami FL 33126	25%

Interests in SC – BMG GP, Inc.

	Percentage of Interest
Sterling Centrecorp U.S., Inc. 340 Royal Poinciana Way, Suite 316 Palm Beach FL 33480	100%

Interests in Sterling Centrecorp U.S., Inc.

	Percentage of Interest
Brian Kosoy, John Preston Steven Preston, Robert Green 340 Royal Poinciana Way, Suite 316 Palm Beach FL 33480	100%

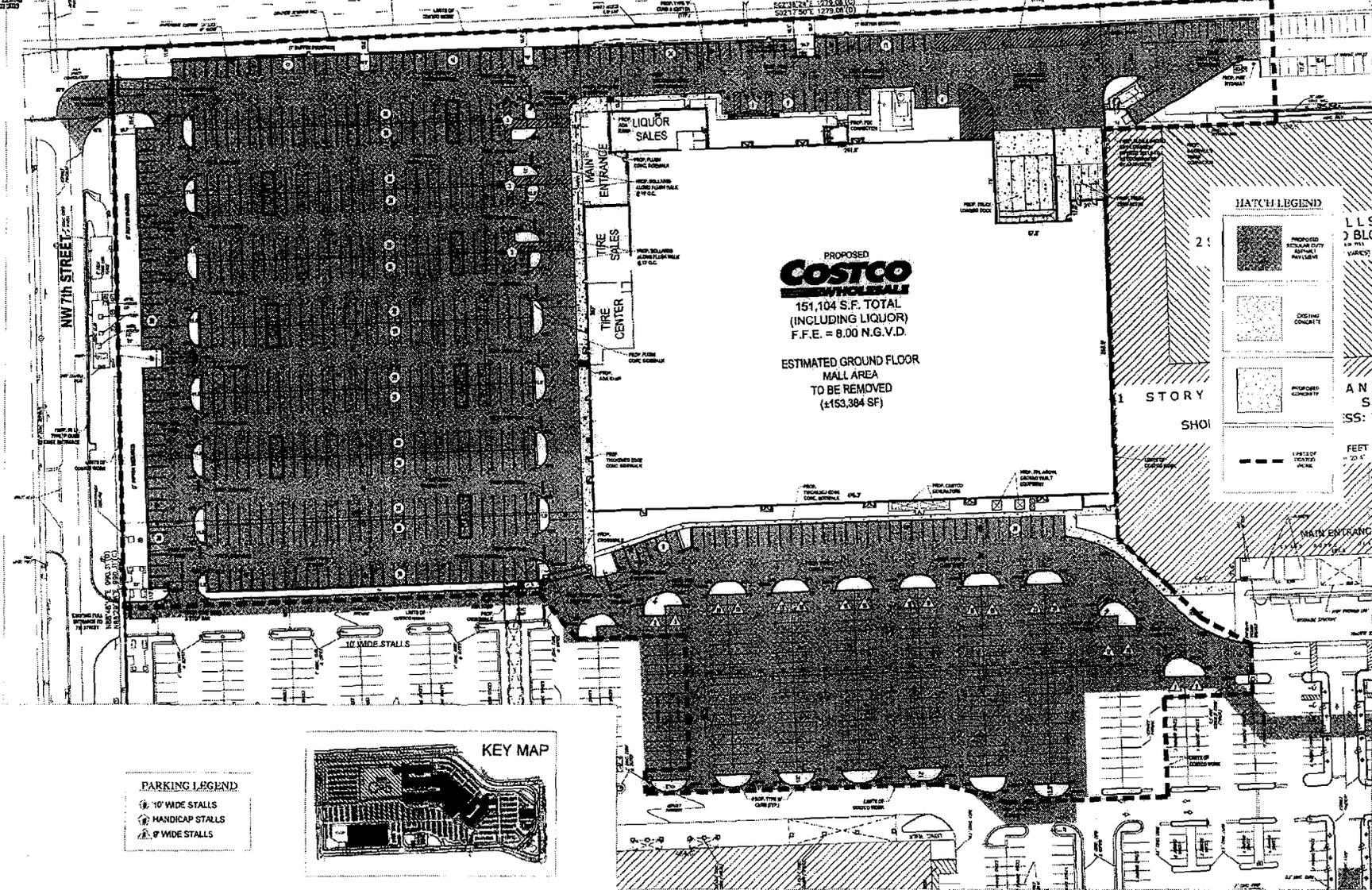
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Z12-142
NOV 21 2012

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

28

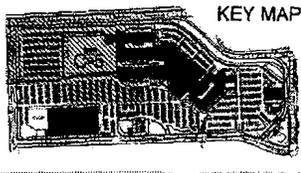
RECEIVED
MIAMI-DADE COUNTY
TRUCKS & EQUIPMENT
DIVISION
ST. ONE

STATE ROAD No. 826 (PALMETTO EXPRESSWAY)



PARKING LEGEND

- 10' WIDE STALLS
- HANDICAP STALLS
- 9' WIDE STALLS



31

COSTCO WHOLESALE
MALL OF THE AMERICAS
7757 W. FLAGLER ST.

MIAMI, FL 33144

COSTCO WHOLESALE CORPORATION
599 LAKE DRIVE
ISSAQUAH, WA 98027
T: 425.318.8100
www.costco.com

BOHLER ENGINEERING

RADIOTELEPHONE
1900 CORPORATE DRIVE, SUITE 200
FT. LAUDERDALE, FL 33304
PH: (954) 382-7000
FAX: (954) 382-1000
www.bohler-engineering.com

NOT FOR CONSTRUCTION



NO.	DATE	DESCRIPTION

F08C061
NOVEMBER 12, 2012
SITE PLAN
(BUILDING)

C-5

COSTCO - MALL OF THE AMERICAS

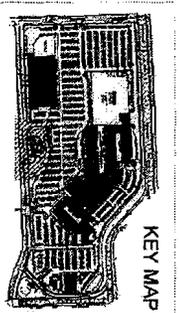
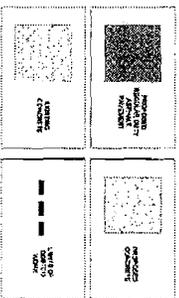
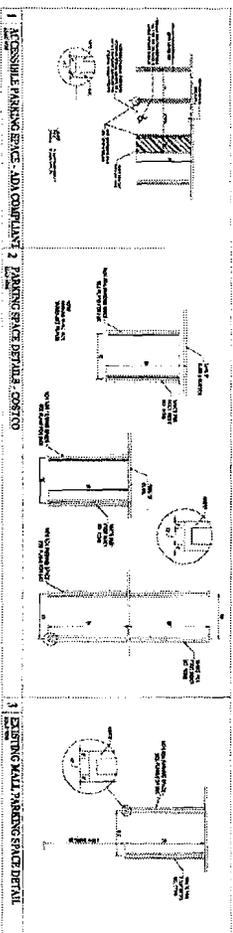
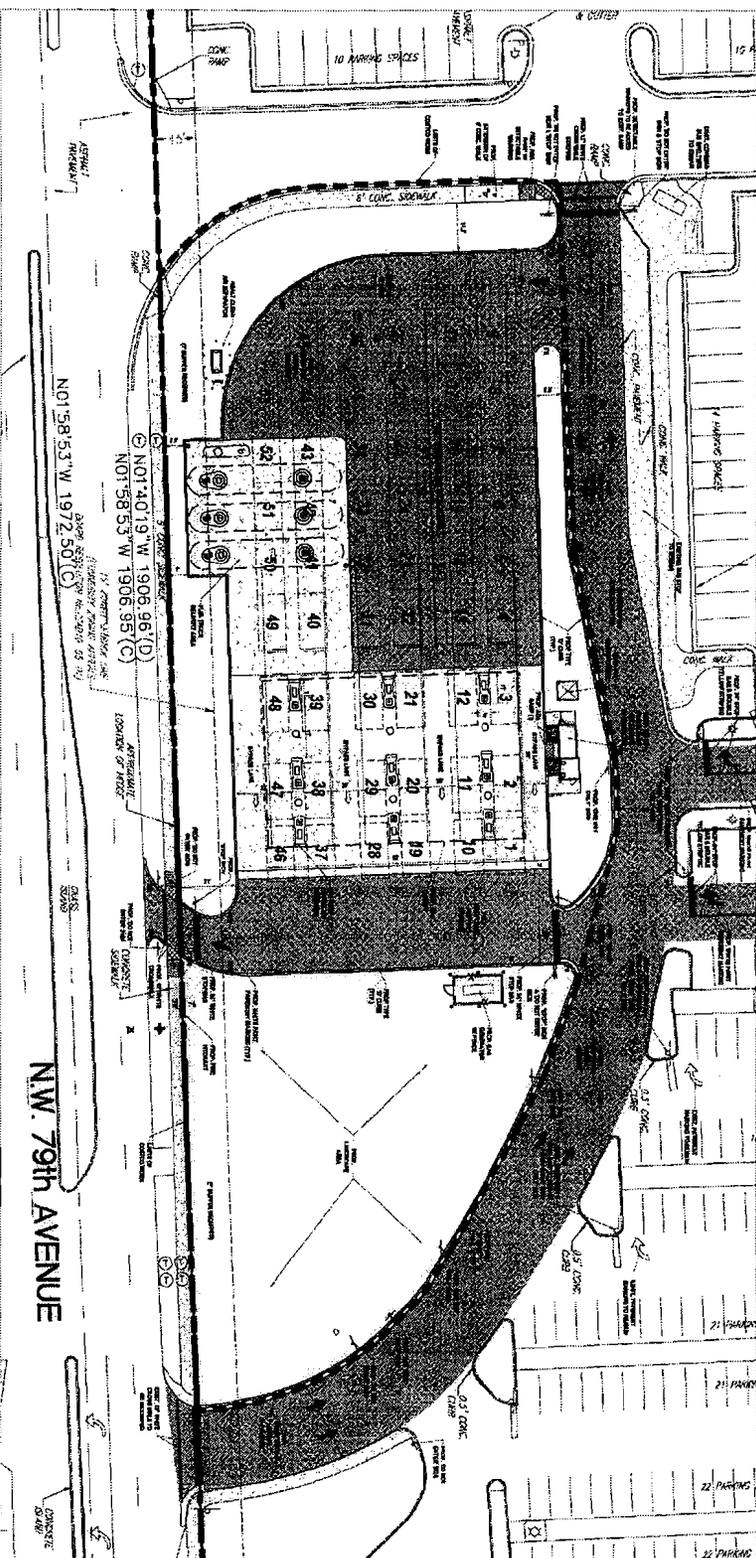
MIAMI, FL

RECEIVED SITE PLAN - BUILDING

NOVEMBER 12, 2012

RECEIVED
#12-1470
JUL 01 2013

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



COSTCO - MALL OF THE AMERICAS
 MIAMI, FL

SUBMITTALS STATION

Handwritten signature
 JUL 01 2013

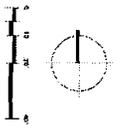
NOVEMBER 12, 2012

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

C-6

F080061
 NOVEMBER 12, 2012
 SITE PLAN
 (GAS STATION)

NO.	DATE	DESCRIPTION



NOT FOR CONSTRUCTION



BOHLER ENGINEERING
 1800 LAKE DRIVE
 SUITE 100
 MIAMI, FL 33130
 TEL: 305-313-0100
 WWW.BOHLENG.COM

COSTCO WHOLESALE CORPORATION

MIAMI, FL 33114

COSTCO WHOLESALE
 MALL OF THE AMERICAS
 7757 W. FLAGLER ST.

22

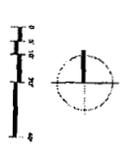


MIAMI, FL

COSTCO
WHOLESALE
CORPORATION
599 JAMES BRIDGE
SEASIDE, WA 98042
T. 425.318.0000
WWW.COSTCO.COM



ARCHITECT
1000 COMPANION DRIVE, SUITE 200
F.L. JAMESVILLE, FL 34788
P. 813.941.2200
WWW.BEENGINEERING.COM

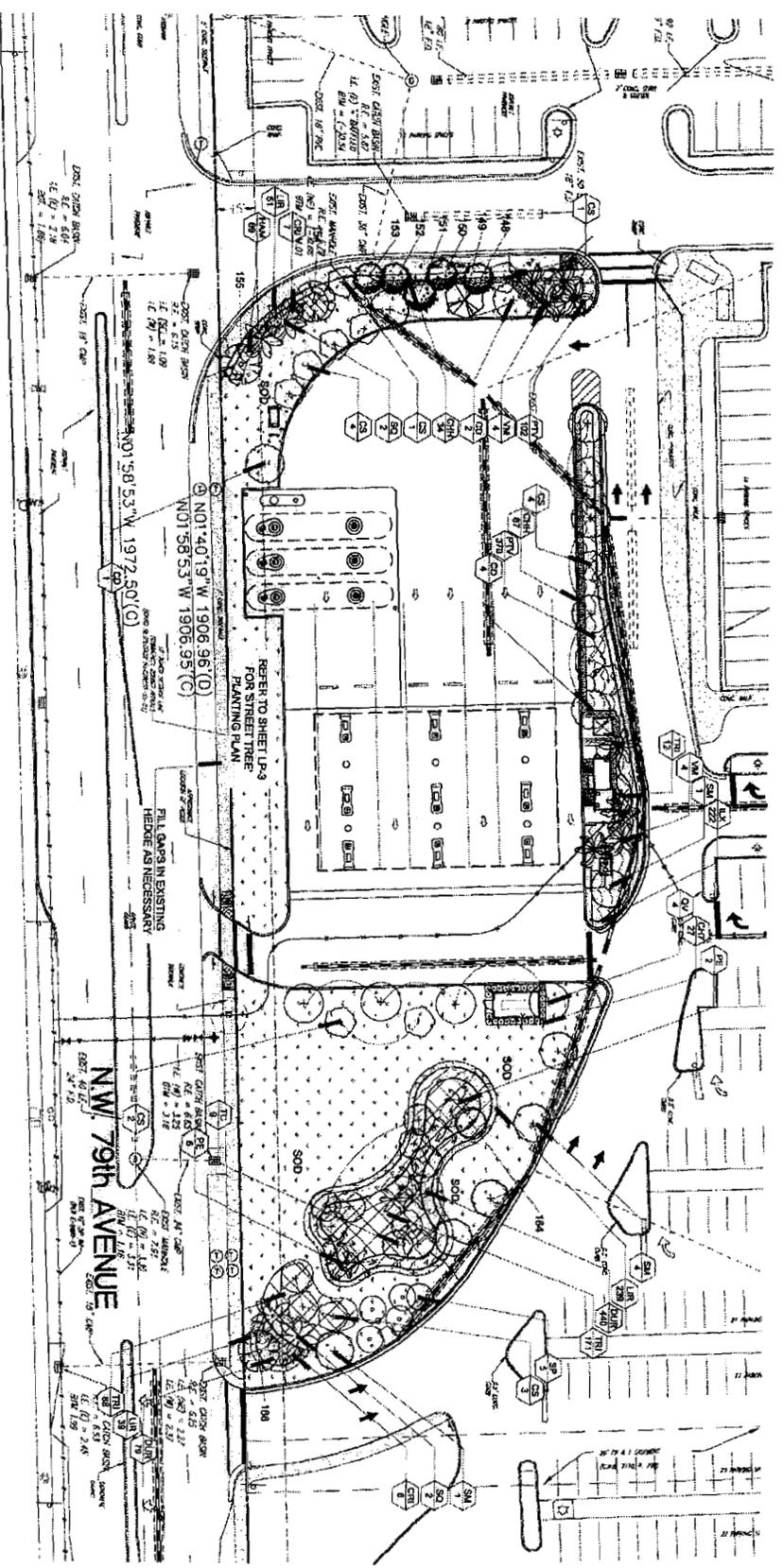


MICHAEL D. GROSSWIRTH
REGISTERED LANDSCAPE ARCHITECT
NO. 12000
FLORIDA BOARD OF LANDSCAPE ARCHITECTURE
1000 COMPANION DRIVE, SUITE 200
F.L. JAMESVILLE, FL 34788

NO.	REVISION
1	ISSUED FOR PERMIT
2	REVISED PER COMMENTS
3	REVISED PER COMMENTS
4	REVISED PER COMMENTS
5	REVISED PER COMMENTS
6	REVISED PER COMMENTS
7	REVISED PER COMMENTS
8	REVISED PER COMMENTS
9	REVISED PER COMMENTS
10	REVISED PER COMMENTS

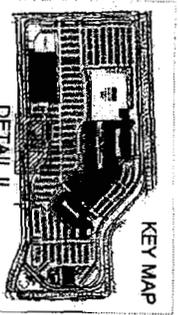
P080081
OCTOBER 15, 2012
GAS STATION
LANDSCAPE PLAN

LP-2



PLEASE REFER TO SHEET LP-1 FOR COSTCO PARCEL PLANTING PLAN; SHEET LP-3 FOR STREET TREE PLAN; SHEET LP-4 FOR PLANT MATERIALS LIST, CODE COMPLIANCE CHART, EXISTING TREE LIST AND PLANTING DETAILS; AND, SHEET LP-5 FOR GENERAL PLANTING NOTES.

RECEIVED
ZONING HEARING & SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY [Signature]
OCT 10 11 2013



LEGAL DESCRIPTION
THE LOT 7, MALL OF THE AMERICAS, ACCORDING TO THE PLAT RECORDED IN PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

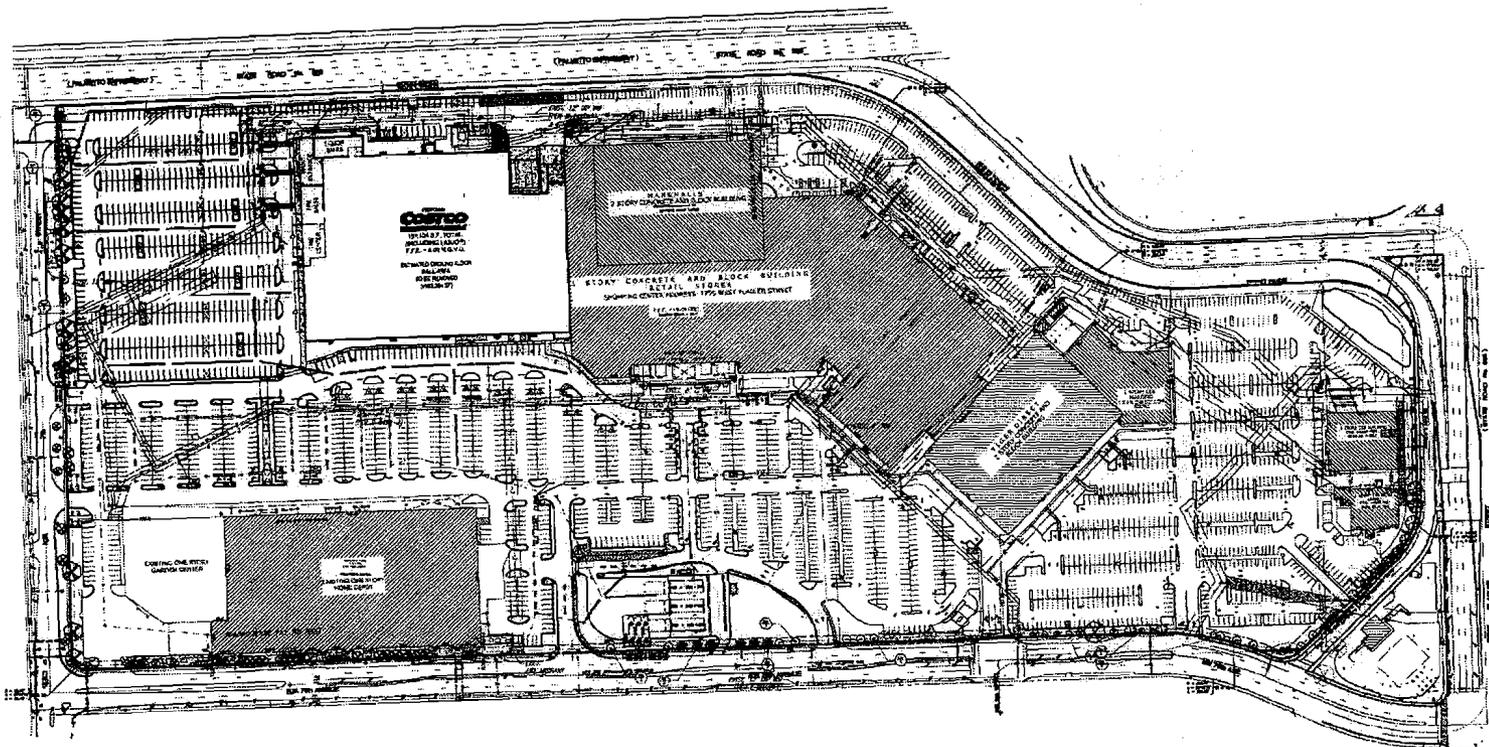
COSTCO - MALL OF THE AMERICAS

GAS STATION LANDSCAPE PLAN

MIAMI, FL

OCTOBER 15, 2012

85

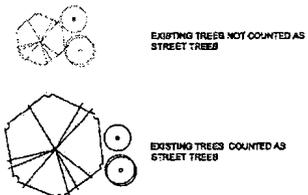


COSTCO WHOLESALE
MALL OF THE AMERICAS

MIAMI, FL
COSTCO WHOLESALE CORPORATION
899 LAKE DRIVE
ISSAQUAH, WA 98027
T: 425.313.8100
www.costco.com

BOHLER ENGINEERING

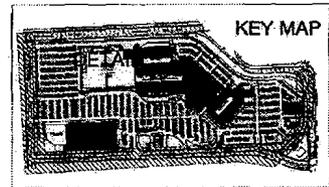
OFFICE
1008 CORPORATE DRIVE, SUITE 200
FT. LAUDERDALE, FL 33324
PH: (352) 222-1700
FAX: (352) 202-1870
www.bohler-engineering.com



PLANT SCHEDULE

TREES	QTY	COMMON NAME	BOTANICAL NAME	SPECIFICATIONS	GALPES	HEIGHT	SPREAD	NATIVE	SPENC	REMARKS
BB	18	Glades Lime	Buaya americana	B & B	2.5' Cal	10-12' H	5'	Yes	High	6 CT
CB-4	8	Silver Button Wood	Conocarpus erectus americana	8.5 gal	2' Cal	17' H	5'	Yes	High	4 CT
CV	10	Southern Live Oak	Quercus virginiana	B & B	2.5' Cal	12' H	5'	Yes	High	5 CT
SM	2	West Indian Mahogany	Swietenia mahagoni	B & B	2.5' Cal	14' H	5.5'	Yes	High	
PALM TREES	QTY	COMMON NAME	BOTANICAL NAME	SPECIFICATIONS	GALPES	HEIGHT	SPREAD	NATIVE	SPENC	REMARKS
RE	7	Florida Royal Palm	Roystonea elata	B & B	1.0 gal	20'	30'	Yes	High	marked
SP	2	Cabbage Palmetto	Sabal palmetto	B & B		10-14' CL	10'	Yes	High	function ok

PLEASE REFER TO SHEET LP-1 FOR OVERALL PLANTING PLAN; SHEET LP-2 FOR GAS STATION PARCEL; SHEET LP-4 PLANT MATERIALS LIST, CODE COMPLIANCE CHART, EXISTING TREE LIST AND PLANTING DETAILS, AND; SHEET LP-5 FOR GENERAL PLANTING NOTES.



LEGAL DESCRIPTION
TRACT "A", MALL OF THE AMERICAS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 98, PAGE(S) 79 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

COSTCO - MALL OF THE AMERICAS
MIAMI, FL

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2012-142
JUL 01 2013
STREET TREE PLAN
OCTOBER 15, 2012

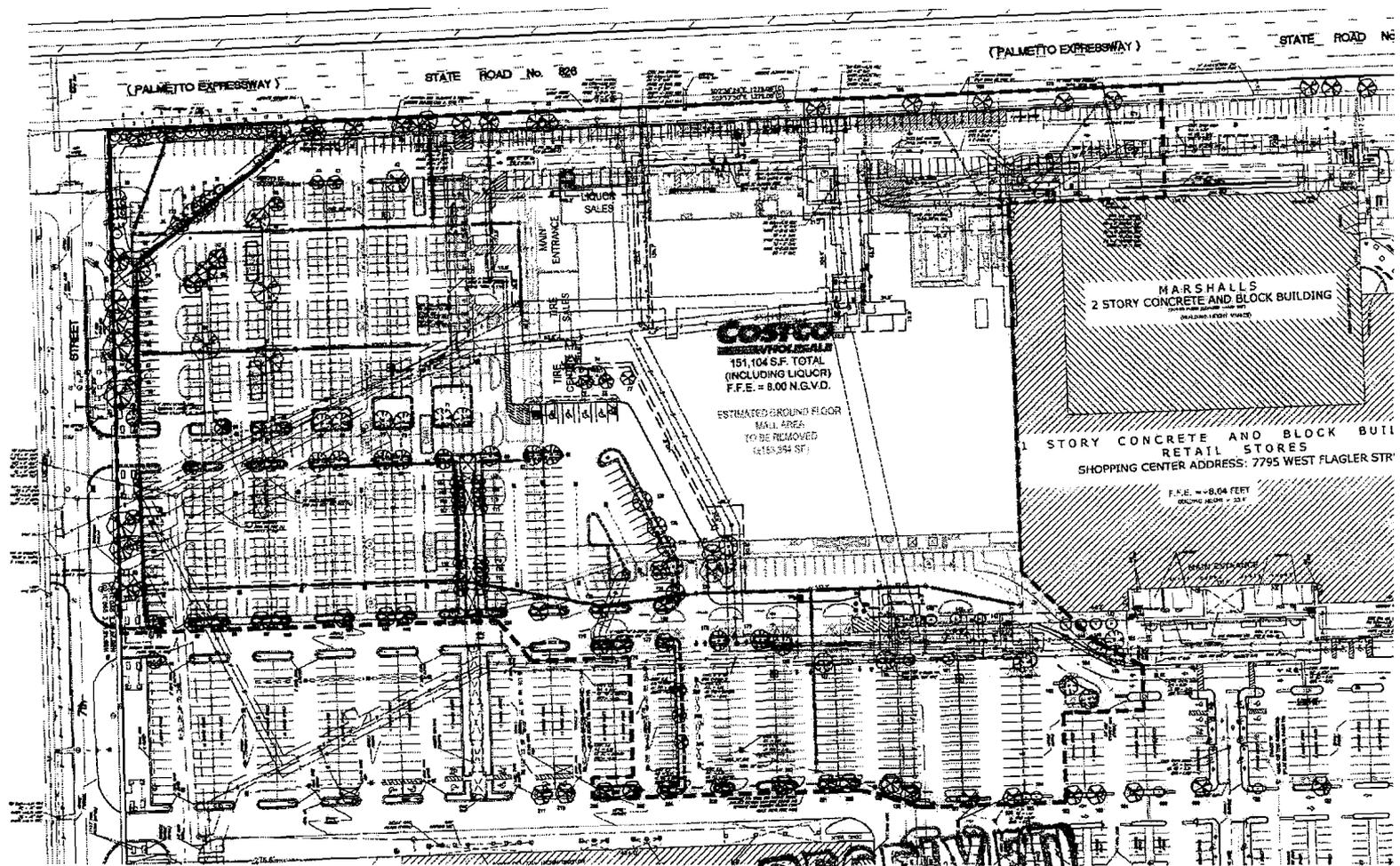
ZONING HEARING SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

MICHAEL D. GROSSWIRTH
Michael D. Grosswirth
PROFESSIONAL LANDSCAPE ARCHITECT
NO. 12177
FLORIDA LICENSE NO. 12177
ALSO A LICENSED ENGINEER OF AGRICULTURE

DATE	DESCRIPTION

F080061
OCTOBER 15, 2012
COSTCO
STREET TREE PLAN

LP-3



MALL OF THE AMERICAS

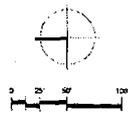
MIAMI, FL

COSTCO WHOLESALE CORPORATION

9695 LAKE DRIVE
 135340144, MIA 56027
 T: 405.313.8100
 www.costco.com



BOHLER ENGINEERING
 1009 CORPORATE DRIVE, SUITE 250
 FT LAUDERDALE, FL 33304
 PH: (954) 322-7000
 FX: (954) 322-1000
 www.bohler-engineering.com



MICHAEL D. GROSSWIRTH
 PROFESSIONAL LANDSCAPE ARCHITECT
 LICENSE NO. 12000
 MIAMI, FLORIDA

DATE	DESCRIPTION

F080061
 OCTOBER 15, 2012
 OVERALL TREE DISPOSITION PLAN

LD-1

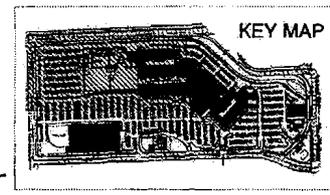
PLEASE REFER TO SHEET LD-2 FOR GAS STATION PARCEL, TREE INVENTORY LIST, TREE PROTECTION DETAIL AND GENERAL NOTES. PLEASE REFER TO SHEETS LP-1 THRU LP-5 FOR LANDSCAPE PLANS.

LEGAL DESCRIPTION

TRACT "A", MALL OF THE AMERICAS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 180, PAGE 291 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

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ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.



COSTCO - MALL OF THE AMERICAS

MIAMI, FL

OVERALL TREE DISPOSITION PLAN

OCTOBER 15, 2012

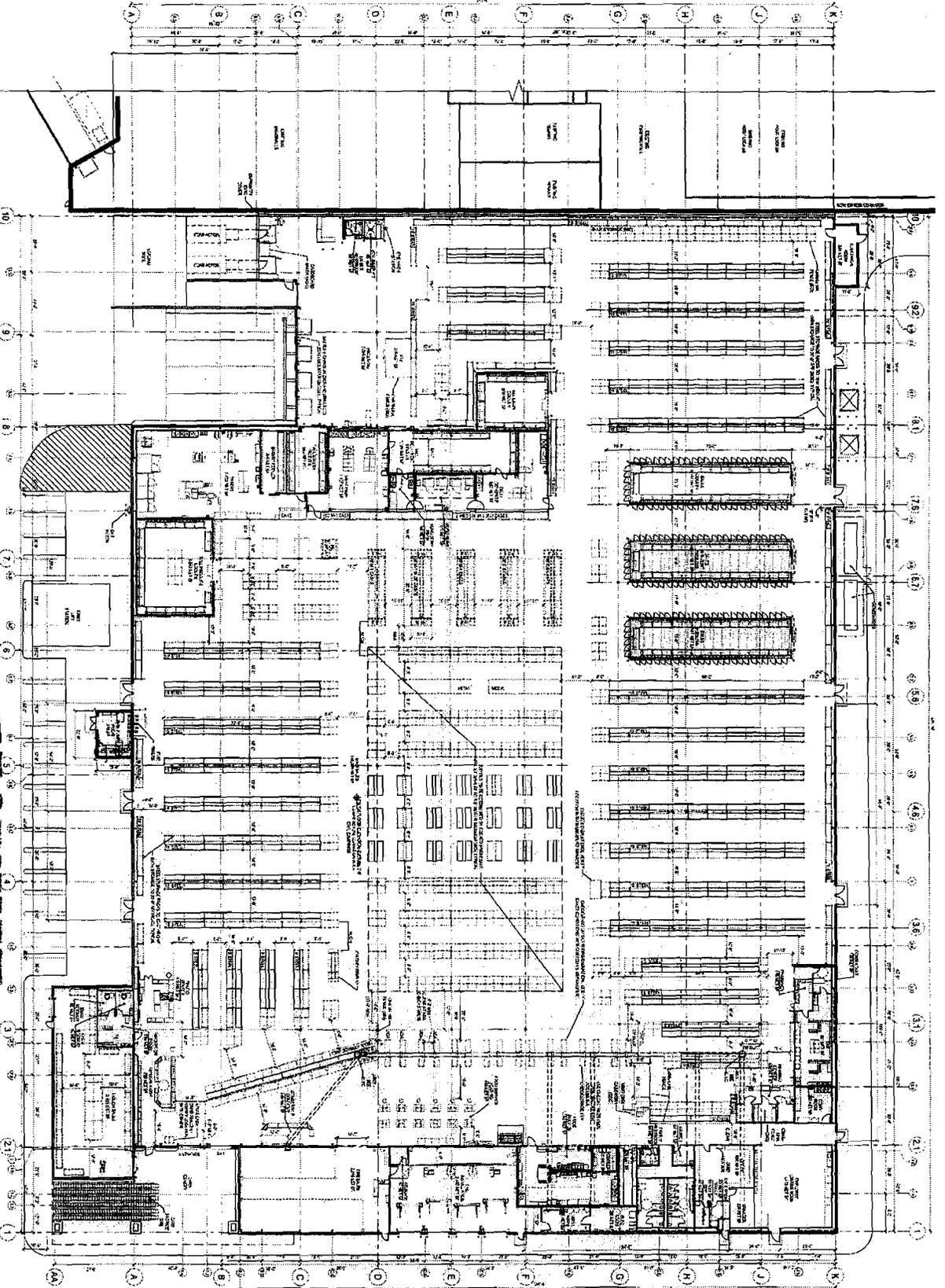
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 PLANNING DEPT.
 JUN 26 2013

COSTCO WHOLESALE
 MIAMI, FLORIDA

RECEIVED
 JUL 01 2013
FLOOR PLAN

JUNE 26, 2013

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

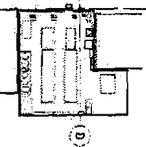


APPROVED BY:

41

PROJECT DATA

PROJECT NO.	DD2-1-21
DATE	JUNE 26, 2013
CLIENT	COSTCO WHOLESALE
DESIGNER	MULVANNY G2
SCALE	AS SHOWN
DATE	JUNE 26, 2013
PROJECT	COSTCO WHOLESALE
LOCATION	MIAMI, FL
OWNER	COSTCO WHOLESALE
ARCHITECT	MULVANNY G2
ENGINEER	MULVANNY G2
PLUMBER	MULVANNY G2
ELECTRICIAN	MULVANNY G2
Mechanical	MULVANNY G2
Structural	MULVANNY G2
Interior	MULVANNY G2
Exterior	MULVANNY G2
Site	MULVANNY G2
Other	MULVANNY G2



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

[Signature]
 PROJECT MANAGER



COSTCO
 WHOLESALE

MIAMI, FL
 148 X MOD W/BL LOC/OR

MULVANNY G2

148950-01
 JUNE 26, 2013
 FLOOR PLAN

DD2-1-21



1 CANOPY AND DISPENSER ISLANDS WEST ELEVATION (EAST ELEVATION, SIM)
SCALE: 1/4" = 1'-0"



7 CANOPY AND DISPENSER ISLANDS NORTH ELEVATION (SOUTH ELEVATION, SIM)
SCALE: 1/4" = 1'-0"

1010

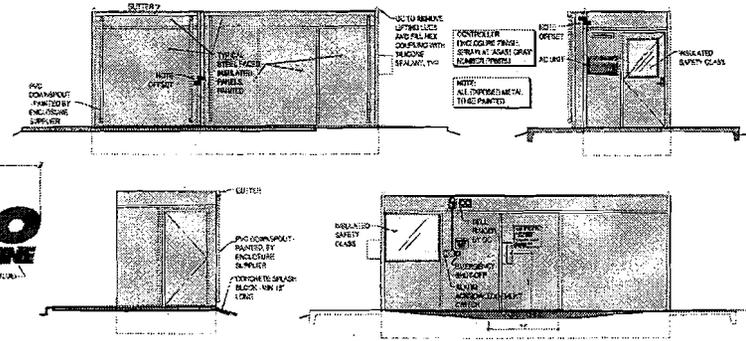
SIGNAGE AREA TABULATION (CANOPY SIGNS)

QTY.	SIGN	DETAIL	SIZE	AREA (S.F.) EA.	TOTAL S.F.
1	COSTCO GASOLINE (WEST FACADE)	11-DD4 2-01	2'-4" x 8'-5.3/8"	19.7 S.F.	19.7 S.F.
1	COSTCO GASOLINE (SOUTH FACADE)	11-DD4 2-01	2'-4" x 8'-5.3/8"	19.7 S.F.	19.7 S.F.
TOTAL SIGNAGE AREA					39.4 S.F.

EXTERIOR FINISH SCHEDULE

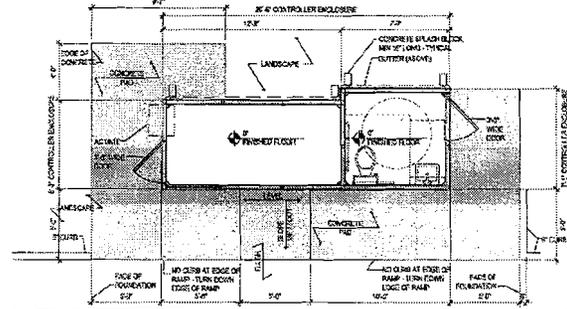
#	ITEM	MATERIAL	FINISH	COLOR	MANUFACTURER NOTES
1	FACIA	METAL	PRE-FINISHED	ALUMI GRAY	SPRAY-PAINT
2	DOOR/SW	STITCHED WOODGRAIN	PRE-FINISHED	PRE-FINISHED WOOD	3/4" WOOD
3	CEILING	METAL	PAINT	WHITE	BY GC, 1" GRID PANEL

- KEY NOTES**
1. PRE-FINISHED METAL FACIA PANELS: USE ALUMI-MONTELEONE, SAE PILED AND NOTICED BY CANOPY SIGNAGE (SEE SIGNAGE SCHEDULE).
 2. 1/4" WOOD GRAIN CEILING: 3/4" THICK, FINISHED, FULL PANEL COLLAR GROUP, 1/4" x 1/4" JOINTS: SEE STRUCTURAL DRAWINGS.
 3. METAL CEILING PANELS:
 4. CONCRETE PILED METAL FORMS: GMA 1109 (SEE FINISHING - TOP OF RAISED ISLANDS TO BE FINISHED TO MATCH ISLANDS ONLY WITH CEILING ALU, REFER TO SPECIFICATION).
 5. FUEL ISLAND POSITION: NUMBER, 2" HIGH WHITE METAL - REFER TO ELECTRICAL DRAWINGS FOR EXACT DIMENSIONS AND NUMBERING.
 6. FINISH CONCRETE ISLAND WITH METAL EDGE FORM - PAINT: ISLANDS ONLY WITH CEILING BLACK, TOP ISLAND TO BE OPERATIONAL.
 7. WASTE RECEPTOR, EDGE DOWN, CENTER OF ISLAND (SEE SPEC).
 8. CANOPY FACIAL LIGHT FIXTURES: TYPE FACIAL FIXTURE, (RFD).
 9. FIRST FLOOR ISLAND CABINETS: MOUNTED ON OUTSIDE EDGE OF ISLANDS - 1" HIGH EXTENSION CABINET TO BE BROWN WOOD, 1" HIGH, 1" RETENTION WITH 1/4" ALUMI CENTER OR FLUENT - SUPPLY BY THE BUILDER.
 10. NEED CAMERA - VERIFY LOCATION WITH OWNER - PHOTOGRAPHY PRODUCT CAMERA - SEE ELECTRICAL DRAWINGS.
 11. CAMERA POSITIONER OF DISPENSER BASE WITH TYPE ISLAND, TYPICAL.
 12. ELECTRICAL ACCESS PANELS: SUPPLIED BY THE BUILDER.
 13. METAL TRUCK RECEPTOR: 1/4" x 1/4" x 1/4"



11 CANOPY SIGN SCALE: 1/2" = 1'-0" 0110

12 CONTROLLER ENCLOSURE ELEVATIONS SCALE: 1/4" = 1'-0"



14 CONTROLLER ENCLOSURE LAYOUT SCALE: 1/4" = 1'-0"

RUSSELL H. HAZARD ANALYST



MIAMI, FL FUEL FACILITY 3 ISLAND (9-PACK)

MULVANNY, G2

Florida Firm License No. AA2000064
5848 WESTPARK DRIVE | SUITE 100
MIDDLEBURY, VA | 20117
703.844.8454 | 770.334.3400

MulvannyG2.com

11-0052-01
NOVEMBER 09, 2012
ELEVATIONS

DD4.2-01

COSTCO WHOLESALE FUEL FACILITY ELEVATIONS

MIAMI, FLORIDA

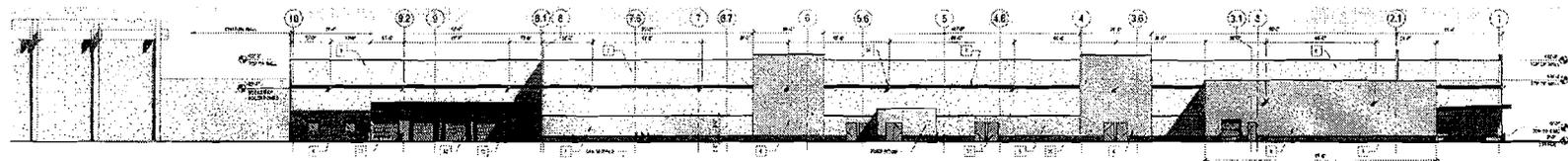
NOVEMBER 09, 2012

RECEIVED
JUL 01 2013

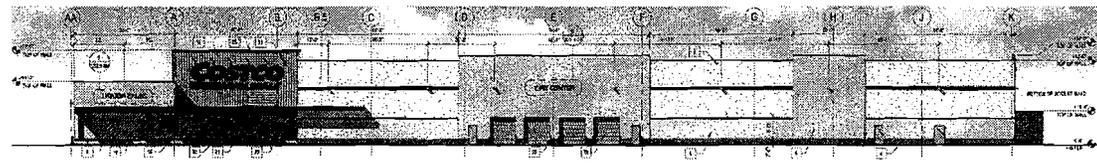
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____

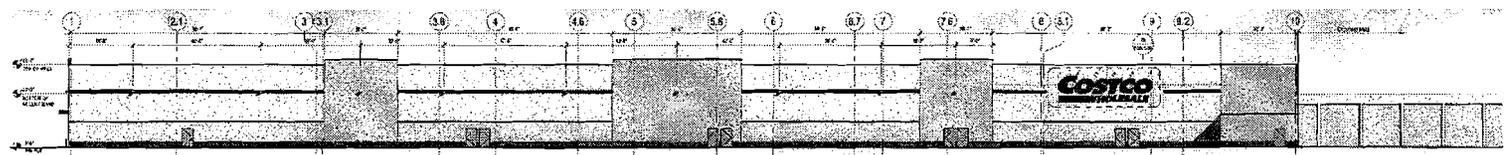
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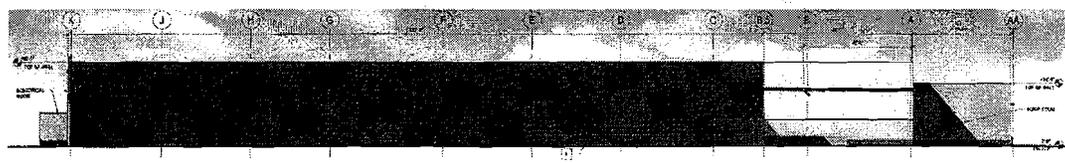
1 EAST ELEVATION
SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



3 WEST ELEVATION
SCALE: 1/8" = 1'-0"



4 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

5 ADDRESS
SCALE: 1/8" = 1'-0"
1234567890
[IMAGES AND DETAILS OMITTED]

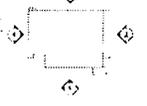
6 LOCATION SIGNAGE
SCALE: 1/8" = 1'-0"
LIQUOR SALES
TIRE CENTER
[IMAGES AND DETAILS OMITTED]

7 BUILDING SIGNAGE
SCALE: 1/8" = 1'-0"
COSTCO WHOLESALE
[IMAGES AND DETAILS OMITTED]

SIGNAGE AREA TABULATION (WALL SIGNS)

NO.	DESCRIPTION	AREA (SQ. FT.)	TYPE	DATE
1	WEST ELEVATION	1,200	WALL	2013
2	WEST ELEVATION	1,200	WALL	2013
3	WEST ELEVATION	1,200	WALL	2013
4	WEST ELEVATION	1,200	WALL	2013
5	WEST ELEVATION	1,200	WALL	2013
6	WEST ELEVATION	1,200	WALL	2013
7	WEST ELEVATION	1,200	WALL	2013
8	WEST ELEVATION	1,200	WALL	2013
9	WEST ELEVATION	1,200	WALL	2013
10	WEST ELEVATION	1,200	WALL	2013
11	WEST ELEVATION	1,200	WALL	2013
12	WEST ELEVATION	1,200	WALL	2013
13	WEST ELEVATION	1,200	WALL	2013
14	WEST ELEVATION	1,200	WALL	2013
15	WEST ELEVATION	1,200	WALL	2013
16	WEST ELEVATION	1,200	WALL	2013
17	WEST ELEVATION	1,200	WALL	2013
18	WEST ELEVATION	1,200	WALL	2013
19	WEST ELEVATION	1,200	WALL	2013
20	WEST ELEVATION	1,200	WALL	2013
21	WEST ELEVATION	1,200	WALL	2013
22	WEST ELEVATION	1,200	WALL	2013
23	WEST ELEVATION	1,200	WALL	2013
24	WEST ELEVATION	1,200	WALL	2013
25	WEST ELEVATION	1,200	WALL	2013
26	WEST ELEVATION	1,200	WALL	2013
27	WEST ELEVATION	1,200	WALL	2013
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32	WEST ELEVATION	1,200	WALL	2013
33	WEST ELEVATION	1,200	WALL	2013
34	WEST ELEVATION	1,200	WALL	2013
35	WEST ELEVATION	1,200	WALL	2013
36	WEST ELEVATION	1,200	WALL	2013
37	WEST ELEVATION	1,200	WALL	2013
38	WEST ELEVATION	1,200	WALL	2013
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44	WEST ELEVATION	1,200	WALL	2013
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46	WEST ELEVATION	1,200	WALL	2013
47	WEST ELEVATION	1,200	WALL	2013
48	WEST ELEVATION	1,200	WALL	2013
49	WEST ELEVATION	1,200	WALL	2013
50	WEST ELEVATION	1,200	WALL	2013

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SIGNING PROFILE				EXTERIOR FINISH SCHEDULE											
NO.	DESCRIPTION	AREA (SQ. FT.)	DATE	NO.	DESCRIPTION	AREA (SQ. FT.)	DATE	NO.	DESCRIPTION	AREA (SQ. FT.)	DATE	NO.	DESCRIPTION	AREA (SQ. FT.)	DATE
1	WEST ELEVATION	1,200	2013	1	CONCRETE	1,200	2013	1	CONCRETE	1,200	2013	1	CONCRETE	1,200	2013
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3	WEST ELEVATION	1,200	2013	3	GLASS	1,200	2013	3	GLASS	1,200	2013	3	GLASS	1,200	2013
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6	WEST ELEVATION	1,200	2013	6	WOOD	1,200	2013	6	WOOD	1,200	2013	6	WOOD	1,200	2013
7	WEST ELEVATION	1,200	2013	7	METAL	1,200	2013	7	METAL	1,200	2013	7	METAL	1,200	2013
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COSTCO WHOLESALE
MIAMI, FL - MALL OF THE AMERICAS

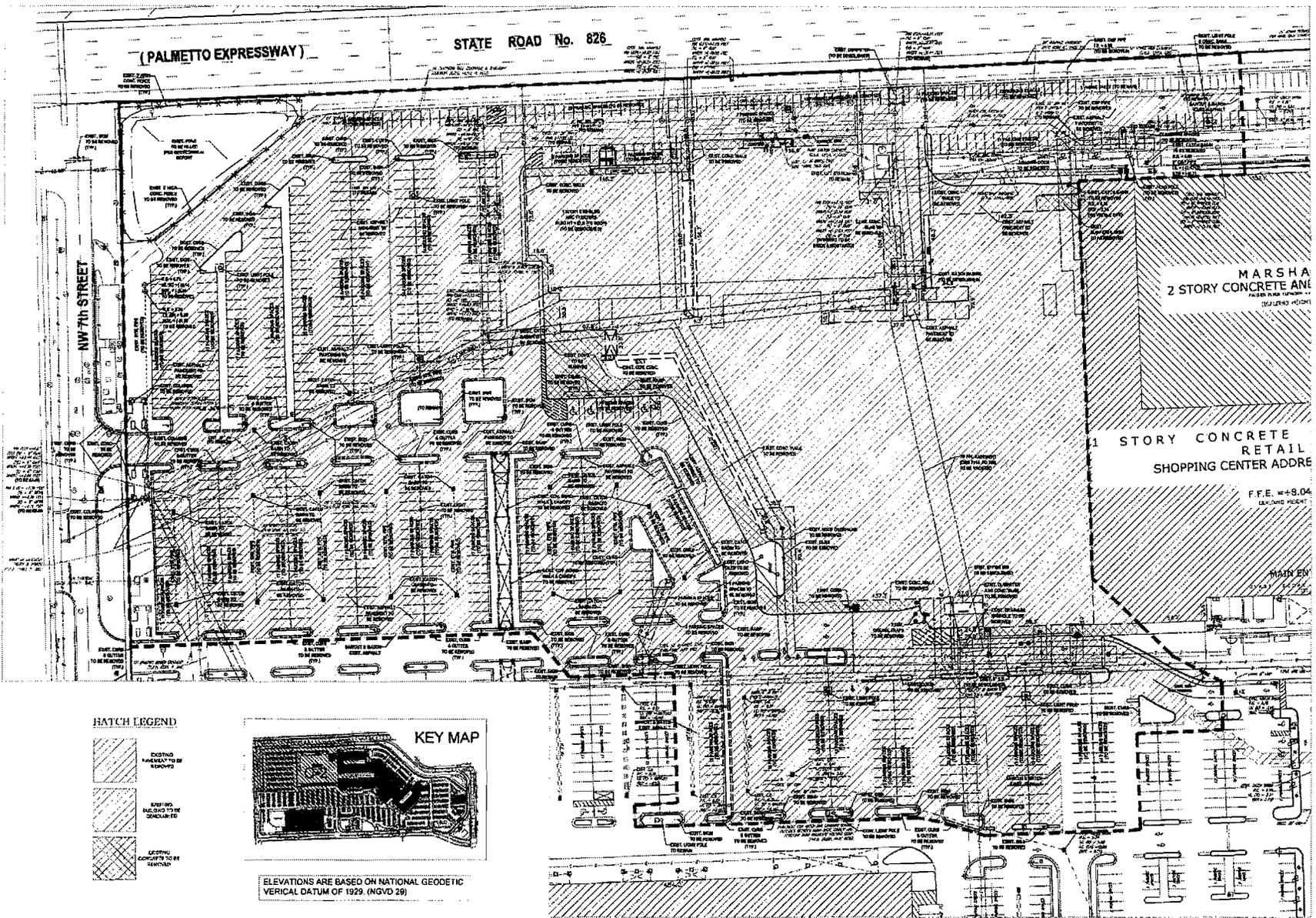
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212-192
JUL 04 2013

BUILDING ELEVATIONS
May 3, 2013

COSTCO WHOLESALE
MIAMI, FL
148K MOD W/ SK LIQUOR
MALL OF THE AMERICAS
MULVANNY_G2
11-052-01
May 3rd, 2013
BUILDING ELEVATIONS
DD3.1-09

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

44



COSTCO WHOLESALE
 MALL OF THE AMERICAS
 7757 W. FLAGLER ST.

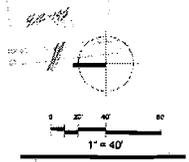
MIAMI, FL 33144

COSTCO WHOLESALE CORPORATION
 699 LAKE DRIVE
 ISSAQUAH, WA 98327
 T. 425.313.8100
 www.costco.com

BOHLER ENGINEERING

SALES &
 1000 CORPORATE DRIVE, SUITE 250
 FT. LAUDERDALE, FL 33304
 P. 954.922.1000
 F. 954.922.7070
 www.BohlerEngineering.com

NOT FOR CONSTRUCTION



DATE	DESCRIPTION

F080061
 NOVEMBER 12, 2012
 DEMOLITION
 PLAN
 (BUILDING)

C-2

COSTCO - MALL OF THE AMERICAS

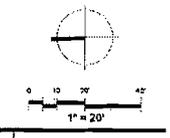
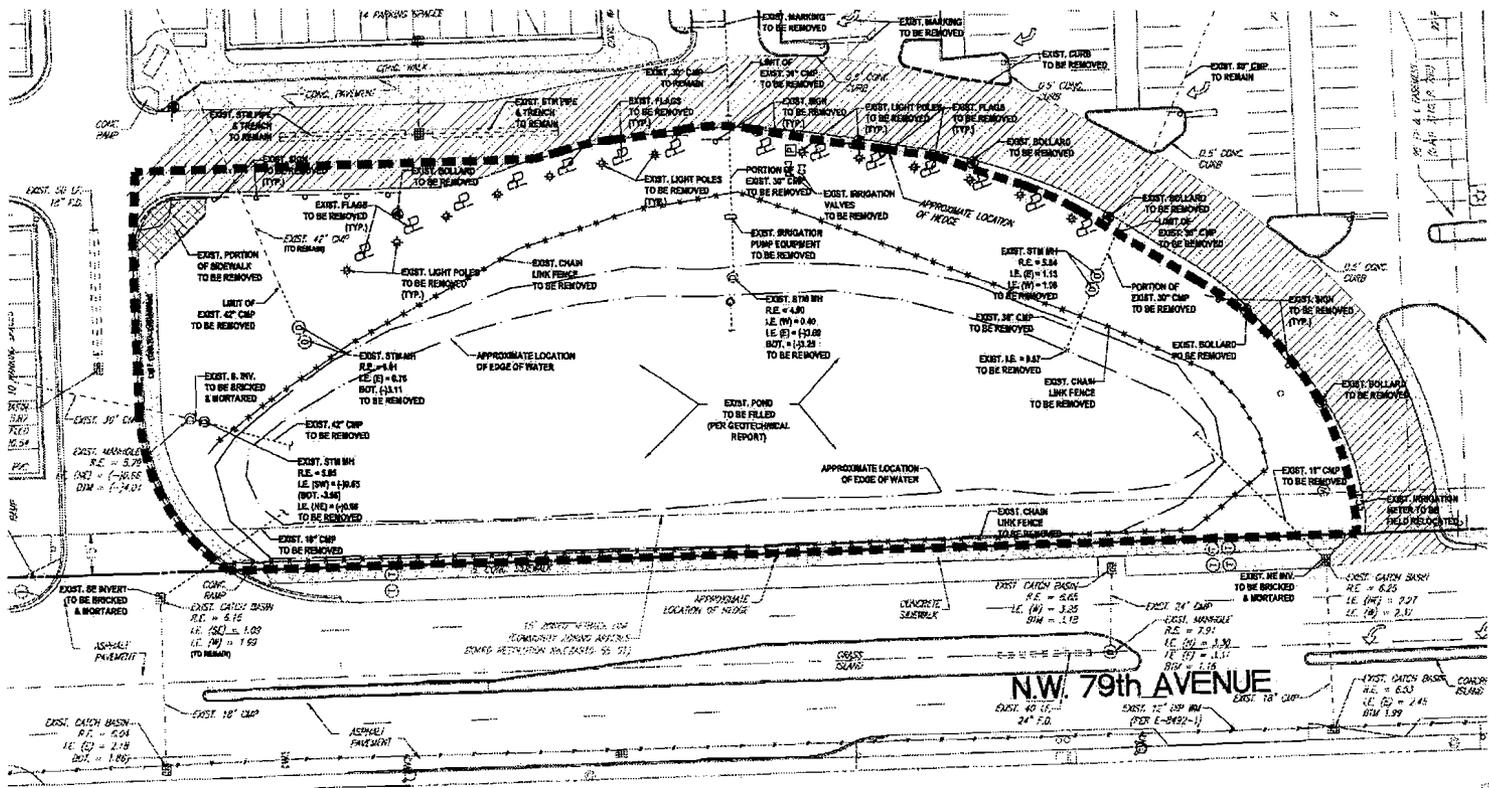
MIAMI, FL

DEMOLITION PLAN (BUILDING)

NOVEMBER 12, 2012

RECEIVED
 212-142-50
 JUL 01 2013

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

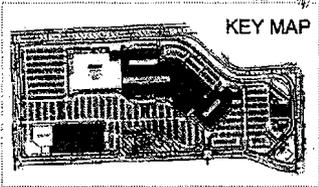
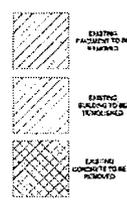


DEMOLITION NOTES:

1. DEMOLITION SHALL BE IN ACCORDANCE WITH THE CITY OF MIAMI DEMOLITION ORDINANCE AND THE CITY OF MIAMI DEMOLITION REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI.
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5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI.
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7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI.

11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI.
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17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI.
18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI.
19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI.
20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI.

HATCH LEGEND



ELEVATIONS ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929. (NGVD 29)

DATE	DESCRIPTION

COSTCO - MALL OF THE AMERICAS DEMOLITION PLAN (GAS STATION)

MIAMI, FL

212-142
RECEIVED
DEMOLITION PLAN (GAS STATION)

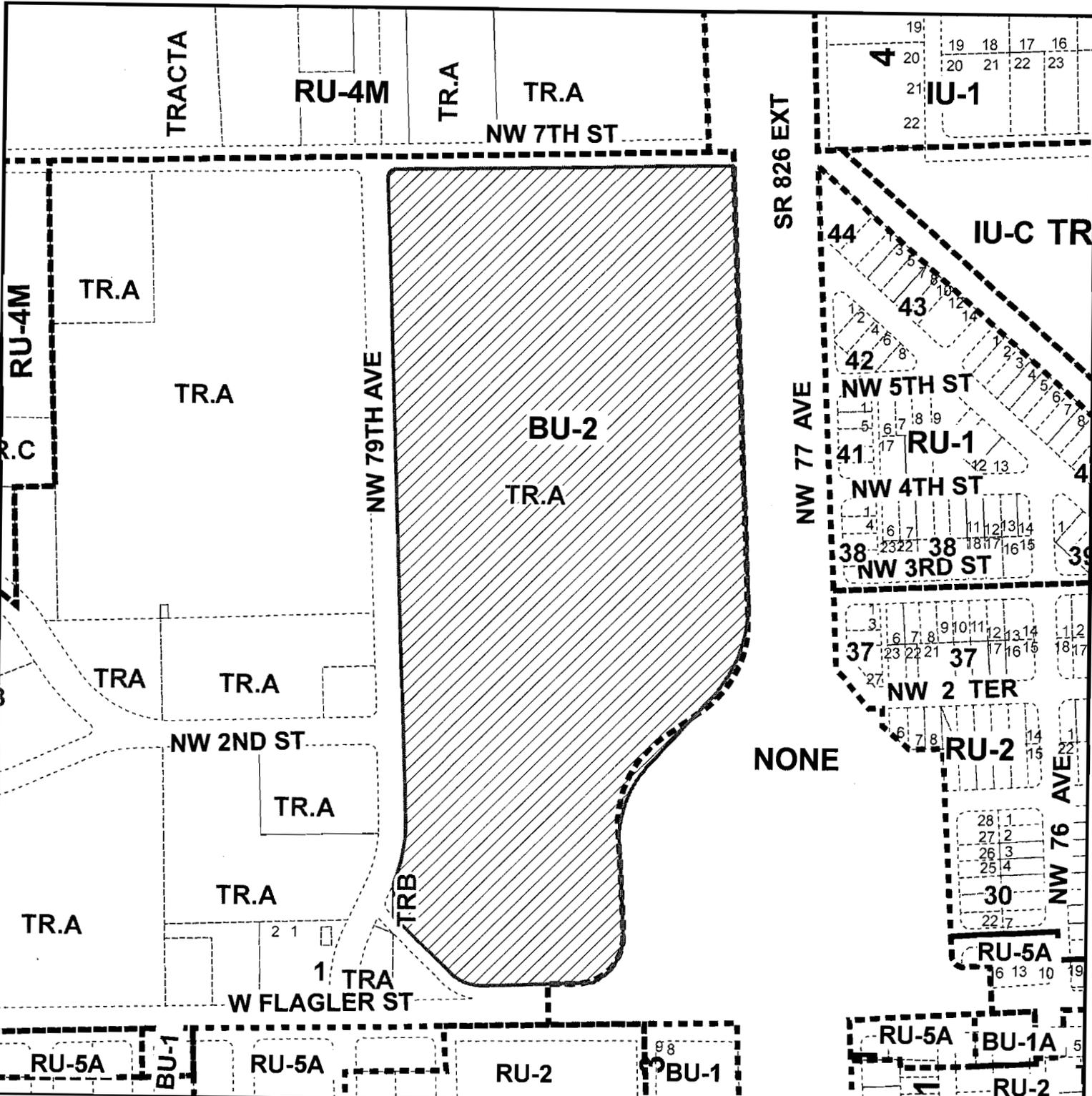
JUL 01 2013

NOVEMBER 12, 2012

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

F080061
NOVEMBER 12, 2012
DEMOLITION PLAN
(GAS STATION)

C-3



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2012000142

Section: 03 Township: 54 Range: 40
 Applicant: SC MOTA ASSOC. LTD PARTNERSHIP
 Zoning Board: C10
 Commission District: 6
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend
 Subject Property Case



SKETCH CREATED ON: Monday, December 17, 2012

REVISION	DATE	BY
		47



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number

Z2012000142



Section: 03 Township: 54 Range: 40
 Applicant: SC MOTA ASSOC. LTD PARTNERSHIP
 Zoning Board: C10
 Commission District: 6
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

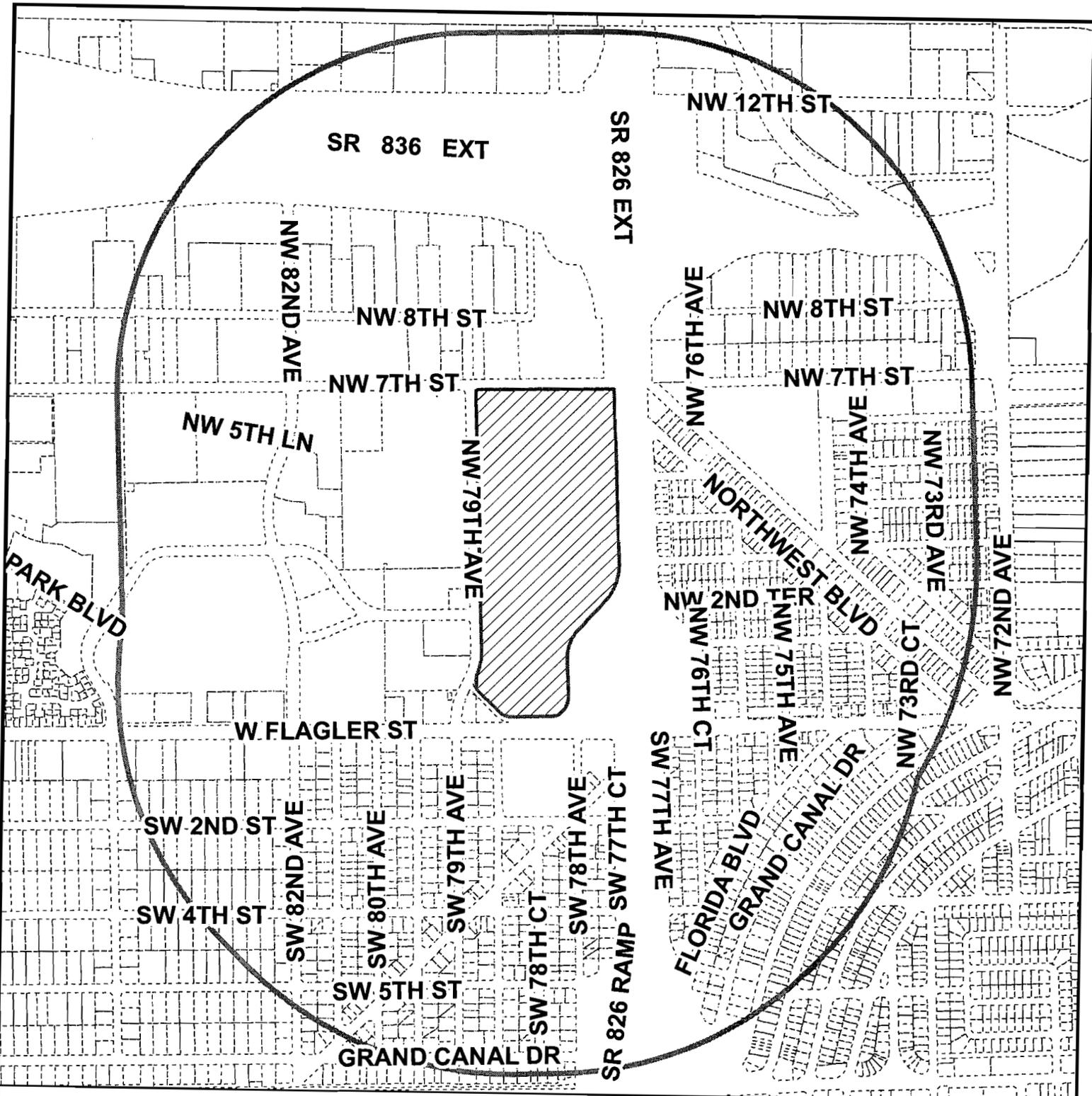
Legend

 Subject Property



SKETCH CREATED ON: Monday, December 17, 2012

REVISION	DATE	BY
		48



MIAMI-DADE COUNTY
RADIUS MAP

Process Number

Z2012000142

RADIUS: 2640



Section: 03 Township: 54 Range: 40
 Applicant: SC MOTA ASSOC. LTD PARTNERSHIP
 Zoning Board: C10
 Commission District: 6
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Monday, December 17, 2012

REVISION	DATE	BY
		49

OFFICE/RESIDENTIAL

(MDR) 13-25 DU/AC

NW 7TH ST

INDUSTRIAL AND OFFI

SR 826 EXT

NW 79TH AVE

NW 5TH ST

NW 4TH ST

NW 3RD ST

(LMDR) 6-13 DU/AC

NW 2 TER

BUSINESS AND OFFICE

NW 2ND ST

WATER

TRANSPORTATION

WATER

WATER

NW 76 AVE

WATER

W FLAGLER ST

OFFICE/RESIDENTIAL

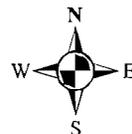
BUSINESS

(LMDR) 6-13 DU/AC

(LMDR) 6-13 DU/AC

MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2012000142



Section: 03 Township: 54 Range: 40
Applicant: SC MOTA ASSOC. LTD PARTNERSHIP
Zoning Board: C10
Commission District: 6
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Monday, December 17, 2012

REVISION	DATE	BY

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

PH: Z13-017 (13-10-CZ10-2)

October 15, 2013

Item No. 3

Recommendation Summary	
Commission District	11
Applicant	Cipriano Dominguez
Summary of Requests	The applicant is seeking to allow a district boundary change from AU to RU-1M(a).
Location	NE corner of SW 147 Avenue and SW 32 Terrace, Miami-Dade County, Florida.
Property Size	2.34 acres
Existing Zoning	AU, Agricultural District
Existing Land Use	vacant
2015-2025 CDMP Land Use Designation	Low-Density Residential, 2.5 to 6, dua, (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with the LUP map of the CDMP
Applicable Zoning Code Section(s)	Section 33-311, District Boundary Change (see attached Zoning Recommendation Addendum)
Recommendation	Approval, subject to the Board's acceptance of the proffered covenant

REQUEST:

DISTRICT BOUNDARY CHANGE from AU to RU-1M(a).

PROJECT DESCRIPTION:

The applicant seeks to rezone the 2.34-acre parcel from AU, Agricultural District to RU-1M(a), Single Family Modified Residential District, 5,000 sq. ft. net.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	AU; vacant	Low-Density Residential (2.5 to 6 dua)
North	RU-1M(a) & AU: vacant	Low-Density Residential (2.5 to 6 dua)
South	AU: school	Low-Density Residential (2.5 to 6 dua)
East	AU: group home	Low-Density Residential (2.5 to 6 dua)
West	RU-1M(b); single-family residences	Low-Density Residential (2.5 to 6 dua)

NEIGHBORHOOD COMPATIBILITY:

The properties to the north are zoned RU-1M(a), Single-Family Modified Residential District, 5,000 sq. ft. net and AU, Agricultural District and are currently vacant. The properties to the west

are zoned RU-1M(b), Single-Family Modified Residential District, 6,000 sq. ft. net, and contains single-family residences. The properties to the east and south are zoned AU, Agricultural District and are developed with a group home and a school respectively.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to provide additional housing in this section of the County. However, the proposed rezoning could have an impact on traffic on the abutting roadways and schools.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is located within the Urban Development Boundary (UDB) and is designated as **Low Density Residential**. *This category allows a range in density from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre and is characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses.* The approval of the request could allow the applicant to develop the 2.34-acre parcel with a maximum of 14 residential. Staff notes that the RU-1M(a) zoning district allows residences at 5,000 sq. ft. net. This would allow the applicant to develop the 2.34-gross acre parcel at 3.3 dwelling units per acre for a maximum of 19 residential units. The applicant has proffered a covenant restricting the development of the property to eleven (11) residential units which is within the maximum allowed under the density threshold of the CDMP Low-Density Density designation on the LUP map.

The CDMP Land Use Element **Objective LU-4**, states that *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.* The subject property abuts properties to the north and west that are zoned RU-1M(a) and RU-1M(b) respectively. As such, subject to the Board's acceptance of the proffered covenant, staff opines that the rezoning of the subject property to RU-1M(a) would be **compatible** with the surrounding area and **consistent** with the density threshold of the Low-Density Residential designation of the parcel on the CDMP Land Use Plan map and the CDMP's Land Use Element the interpretative text, **Objective LU-4**.

ZONING ANALYSIS:

When the applicant's request to rezone the 2.34-acre parcel to RU-1M(a), Single-Family Modified Residential District, is analyzed under Section 33-311, District Boundary Change, staff opines that the approval of the application would not have an unfavorable impact on the environment, the natural resources, or the economy of the County. Staff notes that subject to the Board's acceptance of the proffered covenant, the approval of the applicant's request to rezone the property will be **consistent** with the Low-Density Residential designation of the parcel on the CDMP Land Use Plan map. Based on the memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER), the approval of the application meets the traffic concurrency criteria for an Initial Development Order and will generate **14 PM** daily peak hour trips. Therefore, staff opines that approval of this request will not have a negative impact on the surrounding roadways or transportation facilities based on the recommendations and/or information contained in the memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources. Additionally, staff notes that the memorandum from the Division of Environmental and

Regulatory Management of said Department indicates that the proposed rezoning meets the Level of Service (LOS) standards for an initial development order and therefore will not have an unfavorable impact on the natural resources of Miami-Dade County.

The subject parcel is located approximately 0.43 miles south SW 24 Street an east/west section line road and approximately 617'/0.11 miles east of SW 147 Avenue a north/south section line road, both of which provide access to the Florida Turnpike that is approximately 2.7 miles east of the subject property. Additionally, staff notes that apart from the existing public school located to the south and the group home to the east, three (3) of the other properties surrounding the subject property, also located to the west of SW 147 Avenue, are zoned RU-1M(a). These parcels were rezoned to the current RU-1M(a) zoning between 2005 and 2012, the most recent of which, the property to the southeast, that was rezoned pursuant to Resolution #CZAB10-6-12. The parcel to the west contains residences that are developed under the RU-1M(b) zoning regulations. Therefore, staff opines that approval of the applicant's request for district boundary change to RU-1M(a) will be **compatible** with the surrounding area. **Staff therefore, recommends approval of the application under Section 33-311, District Boundary Change, subject to the Board's acceptance of the proffered covenant.**

ACCESS, CIRCULATION AND PARKING: N/A

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

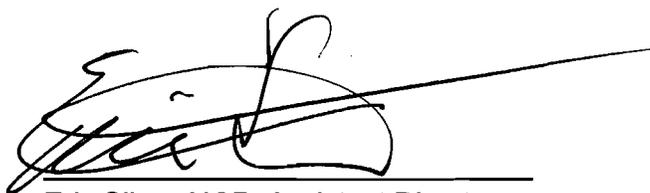
OTHER: Not applicable.

RECOMMENDATION:

Approval, subject to the Board's acceptance of the proffered covenant.

CONDITIONS FOR APPROVAL: None.

ES:MW:NN:JC:CH



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

ZONING RECOMMENDATION ADDENDUM

Cipriano Dominguez
Z13-017

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
Division of Environmental and Regulatory Management (RER)	No objection*
Platting and Traffic Review Section (RER)	No objection*
Parks, Recreation and 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

Low-Density Residential (Pg. I-31)	<i>The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i>
Objective LU-4 (Pg. I-11)	<i>Miami-Dade County shall, by the year 2015, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.</i>

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311 District Boundary Change	<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> <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) <i>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;</i> (2) <i>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;</i>
--	--

ZONING RECOMMENDATION ADDENDUM

Cipriano Dominguez
Z13-017

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

3. CIPRIANO DOMINGUEZ
(Applicant)

13-10-CZ10-3(13-017)
Area 10/District 11
Hearing Date: 10/15/13

Property Owner (if different from applicant) **CIPRANO DOMINGUEZ**

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.

Date: March 18, 2013

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

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

Subject: #Z2013000017
Cipriano Dominguez
East Corner of SW 147th Avenue and SW 32nd Terrace
District Boundary Changes from AU to RU-1(M)(a)
(AU) (2.342 Acres)
15-54-39



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 West Wellfield is located between SW 72nd Street and Coral Way along theoretical SW 172nd Avenue. The Board of County Commissioners approved a wellfield protection ordinance for this wellfield. This ordinance provides for stringent wellfield protection measures that restrict development within the above noted 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.

Civil drawings 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.

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

An Environmental Resources Permit from the South Florida Water Management District may be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site development, final plat or public works approval of paving and drainage plans.

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 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 is located within the East Bird Drive Wetlands Basin and contains wetlands as defined by Section 24-5 of the Code. Therefore, a Class IV Wetland Permit will be required before any work can be done on the subject property.

DERM has no objection to this application provided the applicant acquires all permits prior to the initiation of any work on the subject property. A full evaluation of the resources is performed during the permitting process. While every effort is made to notify the applicant of all requirements at this time, the full permit evaluation may require that site plans be changed to preserve unique biologic resources.

The Coastal and Wetland Resources Section (305-372-6585) may be contacted for further information concerning the wetland permitting requirements.

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 also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

The subject property contains tree resources and contains wetlands. Any non wetland tree resources on the site will require a Miami-Dade County Tree Removal/Relocation Permit prior to removal and/or relocation.

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.

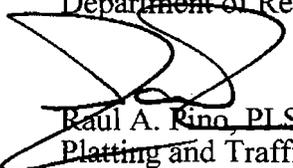
cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: October 8, 2013

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

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

Subject: Z2013000017
Name: Cipriano Dominguez
Location: SW 147th Avenue between SW 32nd Street and SW 32nd Court
Section 15 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.

Proposed lots are to have frontage onto SW 32nd Street.

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.

This application **does** meet the traffic concurrency criteria for an Initial Development Order. It will generate **14 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
9110	Bird Dr. Ext. w/o SW 137 Ave.	D	D
9112	Bird Dr. Ext. w/o SW 147 Ave.	B	B
9826	SW 147 Ave. s/o Bird Dr. Ext.	C	C
9134	Coral Way w/o SW 137 Ave.	E	E

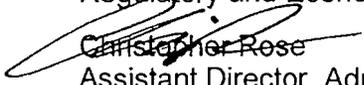
The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.

Memorandum



Date: May 21, 2013

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

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

Subject: #13-017
Cipriano Dominguez

The Department's review of the above-referenced item is provided below. Final comments will be offered as needed. 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.

Application: *Cipriano Dominguez* is requesting a District Boundary Change from Agricultural (AU) to Modified Single Family residential (RU-1MA) to develop eleven (11) single family homes.

Size: The subject property is approximately 2.34 acres.

Location: The subject property is located on the east side of SW 147th Avenue and the north side of SW 32nd Terrace 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 application proposes the development of a vacant lot to build single family homes, which will meet the County Code definition of "residential unit." As such, according to Chapter 15 of the Miami-Dade Code entitled Solid Waste Management, the residential units on the property will 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: 07-MAR-13
To: Jack Osterholt, Director
 Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2013000017

Fire Prevention Unit:

No objection to Zoning change request.

Service Impact/Demand

Development for the above Z2013000017
 located at NE CORNER OF SW 147 AVE AND SW 32 TER
 in Police Grid 1515 is proposed as the following:

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

Based on this development information, estimated service impact is: 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 37 - West Bird - 4200 SW 142 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 at this stage.

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

CIPRIANO DOMINGUEZ

NE CORNER OF SW 147 AVE AND
SW 32 TER

APPLICANT

ADDRESS

Z2013000017

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC:No open cases. Prior case opened November 7, 2012 for junk and trash a warning issued on November 26, 2012. Case closed December 7, 2012. BNC: No bss cases open/closed.

Cipriano Dominguez

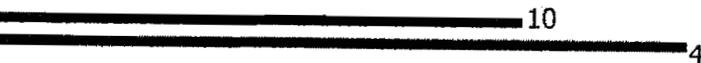
**OUTSTANDING FINES, PENALTIES, COST OR LIENS
INCURRED PURSUANT TO CHAPTER 8CC:**

REPORTER NAME:



Google earth

feet
meters



* Front Elevation From SW 32nd Terrace

2/3-017
RECEIVED
FEB 28 2013

CIVIL ENGINEERING SECTION
PLANNING AND ZONING DEPT
CITY

fb



Google earth



* Site Elevation From SW 147th Avenue

2/3-0/7
RECEIVED
FEB 2 11 2008

ZONING HEARINGS SECTION
MIAMI DADE PLANNING AND ZONING DEPT

BY _____
fcb



TENTATIVE PLAT OF PALMERA ESTATES FIRST ADDITION

A REPLAT OF A PORTION OF TRACT 7 OF "J.G. HEADS FARMS", LYING IN THE NW 1/4 OF SECTION 15, TOWNSHIP 54 SOUTH, RANGE 39 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 46, AT PAGE 44 OF THE PUBLIC RECORDS OF MIAMI - DADE COUNTY, FLORIDA

ABREVIATION (IF ANY APPLIED)

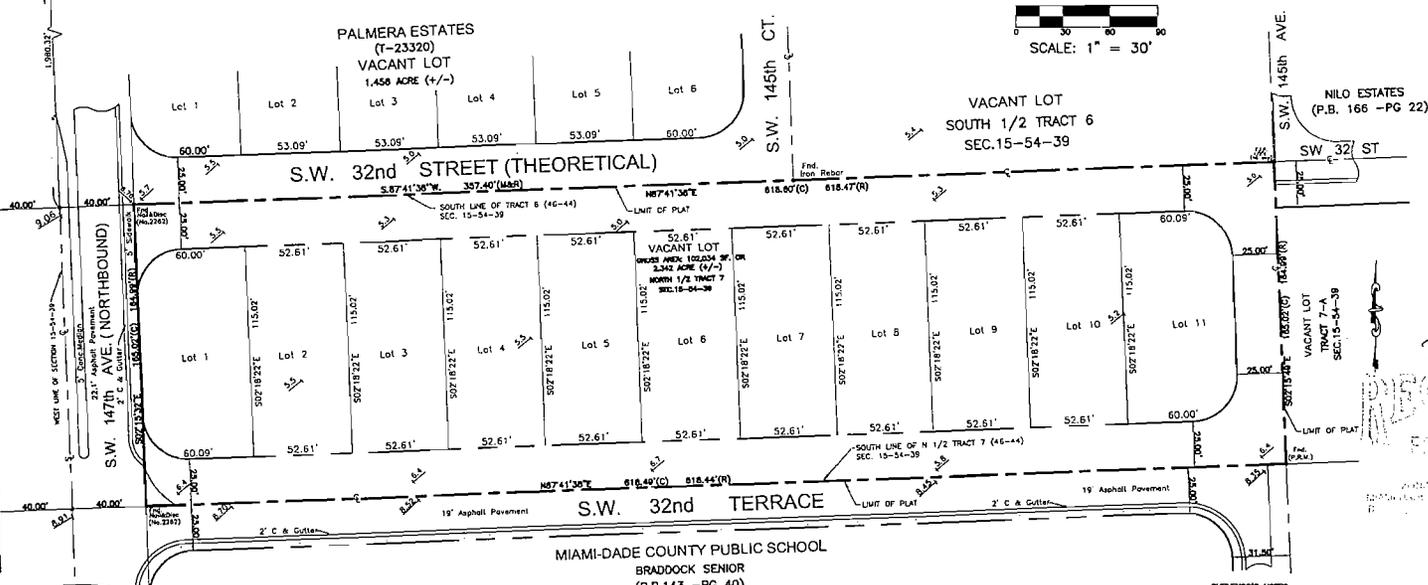
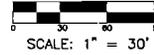
NW CORNER SECTION 15 345-39E

S.W. 26th ST.

PALMERA ESTATES (T-23320) VACANT LOT 1.456 ACRE (+/-)

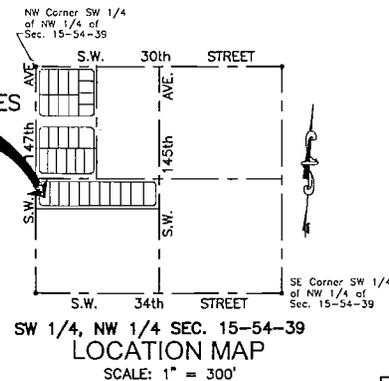
VACANT LOT SOUTH 1/2 TRACT 6 SEC. 15-54-39

NILO ESTATES (P.B. 166 - PG 22)



213-017
RECEIVED
FEB 15 2013
FB

PALMERA ESTATES FIRST ADD.



SURVEYOR'S NOTE:

The Property described on this Survey does lie within a Special Flood Hazard Area as defined by the Federal Emergency Management Agency; the Property lies within Zone "AH" of the Flood Insurance Rate Map identified as Community Panel No. 125635-0431, having an effective date of Sept. 11, 2009. Base Flood elev. 5.00
 Land Area of the Subject Property: 2.342 Acres (+/-)
 Dade County Flood Criteria - 6.3
 The precision of the Traverse in this Boundary Land Title Survey is one part in 44,000. The minimum required precision is one part in 10,000.
 Shown elevations are based on N.G.V.D. (National Geodetic Vertical Datum of 1929)
 There are no visible encroachments or rights of way of which the undersigned has been advised.
 There are no observable, above ground encroachments (a) by the improvements on the subject property upon adjoining properties, streets or alleys, or (b) by the improvements on adjoining properties, streets or alleys upon the subject property.
 Bearing shown hereon are referred to an assumed meridian of N 71° 52' 32" W for the centerline of S.W. 147th Ave, also being the west line of Sec 15-54-39
 Bench Mark used: BM SC-4-R, Elevation 7.14 at S.W. 147th Ave. & 42nd Street
 Number of Lots: 11
 Proposed Use: Eleven Single Family Residences

LEGAL DESCRIPTION:

THE NORTH HALF IN 33 OF TRACT 7, LYING IN SECTION 15, TOWNSHIP 54 SOUTH, RANGE 39 EAST, AS SHOWN ON THE AFORESAID PLAT OF J.G. HEADS FARMS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 46, AT PAGE 44 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

SURVEYOR'S CERTIFICATE:

WE HEREBY CERTIFY THAT THERE ARE NO EXISTING STRUCTURES, UTILITIES, IMPROVEMENTS, ENCROACHMENTS OR EASEMENTS OF RECORD ON THE LAND DESCRIBED HEREON, OTHER THAN SHOWN ON THIS PLAT AND THAT THIS TENTATIVE PLAT AND BOUNDARY SURVEY HAS BEEN PREPARED UNDER MY DIRECT SUPERVISION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALSO, THAT THIS TENTATIVE PLAT AND BOUNDARY SURVEY CONFORMS TO THE UNIFORM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS AND SURVEYS, PURSUANT TO SECTION 112.02(2), OF THE FLORIDA STATUTES AND TO CHAPTER 60-13 OF THE FLORIDA ADMINISTRATIVE CODE.

American Services of Miami, Corp.

CONTACT PERSON INFORMATION
 NAME: ED PANO
 PHONE: (305) 596-3101
 FAX: (305) 598-8027
 E-MAIL: ED@ASMIAMI.COM

Ed Pano
 PROFESSIONAL LAND SURVEYOR
 AND MAPPER No. 8771
 STATE OF FLORIDA
 DATE: FEB. 14, 2013

TENTATIVE FOR PALMERA ESTATES FIRST ADD.
 FOR: WECHSLER DEVELOPMENT GROUP, LLC
 DATED: FEBRUARY 14, 2013
 DRAWN BY: S.A. CHURCH
 CHECKED BY: T.E.P.
 FIELD BOOK No. 1

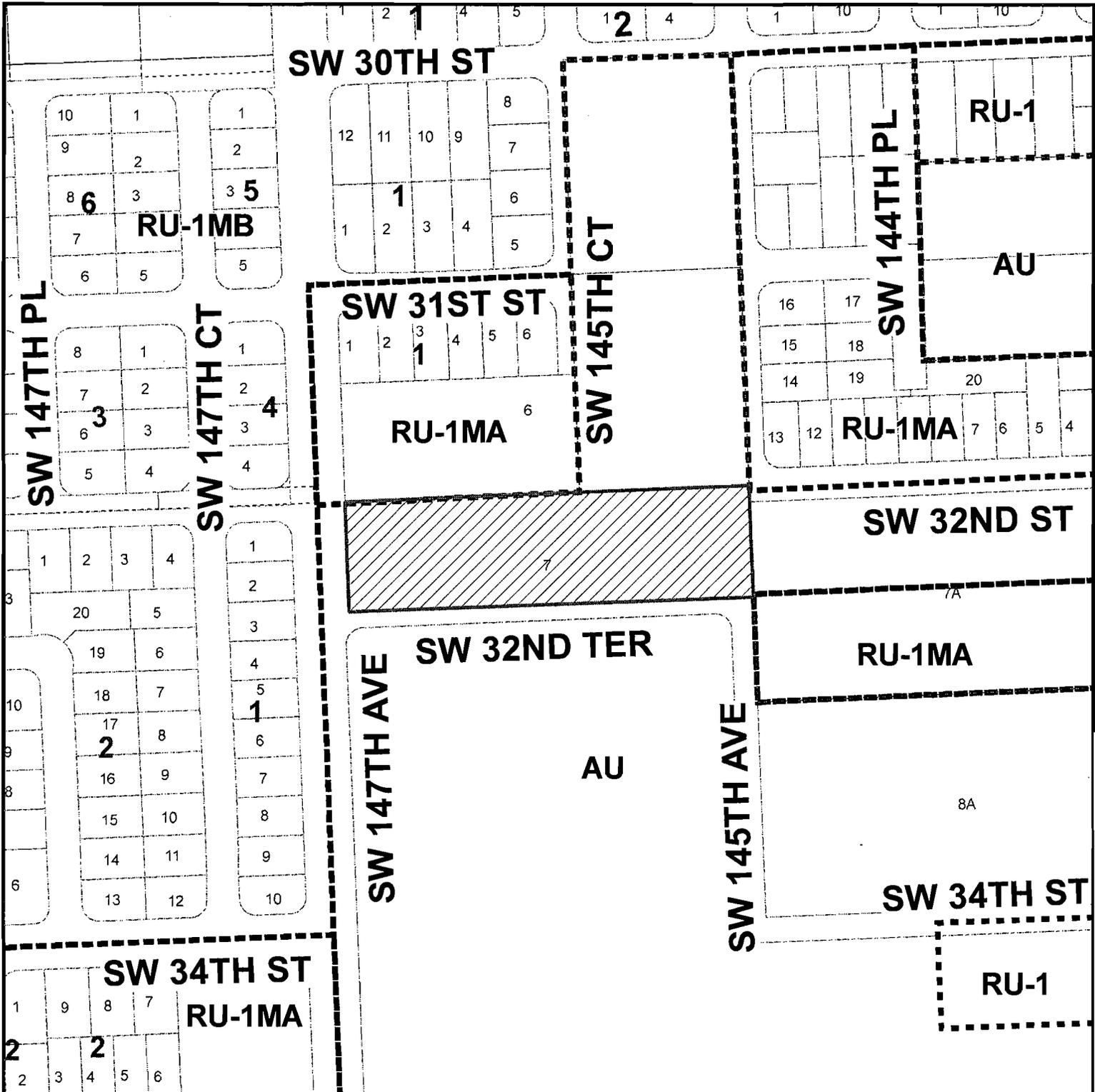
SHOULD BE 13-228
 SHEET No. 1
 OF 1

AMERICAN SERVICES OF MIAMI, CORP.
 Consulting Engineers - Planners - Surveyors

This drawing is the property of the Surveyor, Engineer, Architect, and shall not be used or reproduced in whole or in part without permission of American Services of Miami, Corp.

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MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2013000017



Section: 15 Township: 54 Range: 39
 Applicant: CIPRIANO DOMINGUEZ
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, February 28, 2013

REVISION	DATE	BY
		19



MIAMI-DADE COUNTY
AERIAL YEAR 2012

Process Number

Z2013000017



Section: 15 Township: 54 Range: 39
 Applicant: CIPRIANO DOMINGUEZ
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property



SKETCH CREATED ON: Thursday, February 28, 2013

REVISION	DATE	BY
		20



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2013000017



Section: 15 Township: 54 Range: 39
 Applicant: CIPRIANO DOMINGUEZ
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, February 28, 2013

REVISION	DATE	BY

Cipriano Dominguez (13-017)
C10 10/15/13

This instrument was prepared by
and return to:
Eugenio Duarte, Esq.
Eugenio Duarte, P.A.
999 Ponce de Leon Blvd., Suite 735
Coral Gables, FL 33134
Ph 305-444-1958
Em eduarte@eduardelaw.com

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner, **Cipriano Dominguez**, holds the fee simple title to the land in Miami-Dade County, Florida, described as follows, and hereinafter called the "Property," which is supported by the attorney's opinion:

The North 1/2 of Tract 7 of J.G. HEAD'S FARMS SUBDIVISION, in Section 15, Township 54 South, Range 39 East, lying and being in Miami-Dade County, Florida, according to the Plat thereof, as recorded in Plat Book 46, Page 44, of the Public Records of Miami-Dade County, Florida.

IN ORDER TO ASSURE the **County** that the representations made by the owner during consideration of Public Hearing No. _____ will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property.

- 1. Development of Property.** The Property shall be developed substantially in accordance with the plans previously submitted, prepared by American Services of Miami, Corp., entitled Boundary survey stamped dated received February 14, 2013, said plans being on file with the Department of Regulatory and Economic Resources, and by reference made a part of this agreement.
- 2. Density** The development of the subject property shall be limited to a maximum of 6 units per gross acre for a total of 12 lots.
- 3. 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.

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

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

11. 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,

Declaration of Restrictions

Page 3

if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion

12. 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 Regulatory and Economic Resources 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.

13. 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.

14. Owner. The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]

INDIVIDUAL

Signed, witnessed, executed and acknowledged on this 16th day of August, 2013.

WITNESSES:

[Signature]
Signature
Claudia Arriaza
Print Name
[Signature]
Signature
Carmen Vilchez
Print Name

[Signature]
Cipriano Dominguez
Address:
4105 SW 116th Ave
Miami, FL 33165

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by **Cipriano Dominguez** who is personally known to me or has produced _____, as identification.

Witness my signature and official seal this 16th day of August, 2013, in the County and State aforesaid.



[Signature]
Notary Public State of Florida
Carmen Vilchez
Print Name

My Commission Expires: May 15th, 2016



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

PH: Z13-037 (13-10-CZ10-4)

October 15, 2013

Item No. 4

Recommendation Summary	
Commission District	8
Applicants	Daniel & Grisel Abreu
Summary of Requests	The applicants seek to permit a proposed single-family residence comprised of multiple buildings setback less than required and swimming pool setback less than required.
Location	1949 SW 140 Court, Miami-Dade County, Florida
Property Size	12,614 sq. ft.
Existing Zoning	RU-1, Single-Family Residential District
Existing Land Use	Vacant
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)(3) Special Exceptions, Unusual Uses and New Uses Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
Recommendation	Approval with conditions

REQUESTS:

- (1) SPECIAL EXCEPTION to permit a complex of buildings to be used only as a single-family residence.
- (2) NON-USE VARIANCE to permit the single-family setback varying from 15' to 20'-4" from the front (west) property line (15' for 50% of the lineal footage of the width of the house and 25' for the balance required, except 20' for attached garages).
- (3) NON-USE VARIANCE to permit the single-family residence setback varying from 7'-6" to 24' from the rear (east) property line (15' for 50% of the lineal footage of the width of the house and 25' for the balance required).
- (4) NON-USE VARIANCE to permit a swimming pool to setback 29'-8" from the front (west) property line (75' required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Abreu Residence" as prepared by Fanjul & Associates, LLC, dated stamped received 7/22/13 and consisting of 5 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION: Proposed approximately 4,968 sq. ft. single-family residence

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

East	RU-1; single-family residence	Low Density Residential (2.5 to 6 dua)
West	RU-1; single-family residences	Low Density Residential (2.5 to 6 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is a vacant parcel located at 1949 SW 140 Court. Single-family residential uses characterize the surrounding area where the subject property lies.

SUMMARY OF THE IMPACTS:

Approval of this application will permit the construction of a single-family residence setback less than required from the front and rear property lines and a swimming pool setback less than required from the front property line. However, the encroachments may visually and aurally impact the surrounding single-family residences.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is designated as **Low Density Residential** use on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. *This category allows a range in density from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre and is characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses.* The approval of this application will allow the construction of a proposed single-family residence on an irregular shaped lot setback closer to the front (west) and rear (east) property lines than that permitted by the Zoning Code. Staff notes that approval will not add dwelling units to the site beyond what is allowed by the CDMP LUP map and will not change the single-family residence use. Further, since the applicant is not requesting to add additional dwelling units to the site above that allowed nor change the single-family residence use, approval of the application with conditions is **consistent** with the density range of the Low Density Residential CDMP LUP map category.

ZONING ANALYSIS:

When analyzing request #1 to permit a complex of buildings to be used as a single-family residence under Section 33-311(A)(3) **Special Exceptions, Unusual Uses and New Uses**, staff opines that approval of the requests would be **compatible** with the surrounding area based on the reasons stated below. Staff notes that due to the design of the single-family residence, it is subject to Section 33-13 of the Code, which states that: *a complex of buildings used or intended to be used as one (1) private home and residence containing the usual sleeping quarters, cooking, living, sanitary, ventilating, lighting and heating facilities where there is but one (1) kitchen and dining facility, both contained in the same building, although other residential rooms may be in separate buildings but so planned and situated as to be used only as a residence by one (1) family and not as separate rental units, may be permitted if approved after public hearing.* The submitted plans depict a principal residential building with bedrooms, bathrooms, an office, kitchen, dining room, family room and a separate building with a bedroom and a bathroom. Staff further notes that from the sidewalk the buildings look like a single structure due to the design of the front elevation and the roof structure that connects both buildings; however, after you enter the main entrance, each building has its own entryway. Staff opines that due to the configuration of the structures, future owners could easily reconfigure the site into two (2) separate residential units. Therefore, staff recommends as a condition for approval, that the applicant submit a Declaration of Use agreement which restricts the use of the subject property to single-family use only.

Further, staff notes that the memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) indicates that the application 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 proposed single-family residence 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. **As such, staff recommends approval with conditions of request #1 under Section 33-311(A)(3) Standards For Special Exceptions, Unusual Uses And New Uses.**

When requests #2 through #4 are analyzed under the Non-Use Variances From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff is of the opinion the approval of the requests with conditions would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community. Staff found similar and more intensive approvals for variance of front and rear setback requirements for single-family residences within the surrounding area. For example, single-family residences located at 1961 SW 139 Court and 1502 SW 141 Avenue Street were approved pursuant to Resolution No. 4-ZAB-492-87 and Administrative Variance No. 1993000806 to setback 18', and 14' from the front property line, where 25' is required. Additionally, pursuant to Administrative Variance No. 1994000447 and Resolution No. 5-ZAB-74-94 single-family residences located at 1991 SW 139 Avenue and 1980 SW 139 Avenue were granted approval to setback 12.54' and 6' from the rear property line, where 25' is required. In staff's opinion the 45'-4" encroachment (request #4) of the swimming pool into the front setback area will be adequately buffered from the front property line by the proposed single-family residence and will not have a negative visual or aural impact on the surrounding area.

Additionally, staff recommends as a condition of approval that the applicants install an opaque 6' high fence or wall along the rear (east) property line as a visual buffer from the abutting property. Staff opines that the approval of the requests with conditions would not be out of character with the surrounding area and will permit the development of a single-family residence on an irregular shaped lot. **As such, staff recommends approval with conditions of requests #2 through #4 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

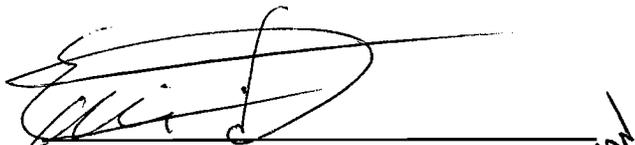
OTHER: Not applicable.

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, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Abreu Residence" as prepared by Fanjul & Associates, LLC, dated stamped received 7/22/13 and consisting of 5 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 installs an opaque 6' high fence or wall along the rear (east) property line as a visual buffer.
5. That the applicant submits a Declaration of Use Agreement to the Department of Regulatory and Economic Resources restricting the use of the subject property to a single-family residence prior to the issuance of a building permit.

ES:MW:NN:CH:AN



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

ZONING RECOMMENDATION ADDENDUM

Daniel & Grisel Abreu
Z13-037

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

<p>33-13 Unusual Uses</p>	<p><i>A complex of buildings used or intended to be used as one (1) private home and residence containing the usual sleeping quarters, cooking, living, sanitary, ventilating, lighting and heating facilities where there is but one (1) kitchen and dining facility, both contained in the same building, although other residential rooms may be in separate buildings but so planned and situated as to be used only as a residence by one (1) family and not as separate rental units, may be permitted if approved after public hearing; and if so approved, an exception may be granted to the requirements for the spacing between the buildings of the complex, and to the setbacks from the property lines where the same abuts a waterway, body of water, park, playground, golf course, railroad right-of-way and similar open spaces.</i></p>
<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</i></p>

ZONING RECOMMENDATION ADDENDUM

Daniel & Grisel Abreu
Z13-037

	<i>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>
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. DANIEL & GRISEL ABREU
(Applicant)

13-10-CZ10-4(13-037)
Area 10/District 08
Hearing Date: 10/15/13

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>
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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: June 4, 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 #Z2013000037
Daniel and Grisel Abreu
1949 SW 140 Court, Miami, FL 33175
Non-Use Variance to permit a proposed single family home setback
7'6" from the rear (east) property line.
(RU-1) (0 Acres)
10-54-39

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

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 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

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.

The stormwater runoff from the new pool deck must be retained on-site, without causing any runoff into the abutting properties. Applicant may be required at the time of construction permit application, to demonstrate by calculation or grading details that there is adequate green area within the property to provide drainage to the new deck, without causing any runoff into the adjacent properties.

Wetlands

Although the subject property is located within a designated wetland basin, 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 subject property contains tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. This Department's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application.

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

Enforcement History

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

Concurrency Review Summary

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

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

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

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

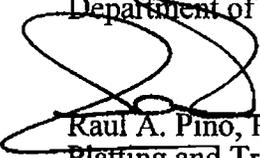
cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: July 24, 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: Z2013000037
Name: Daniel & Grisel Abreu
Location: 1949 SW 140 Court
Section 10 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 2, Block 1 of Plat Book 166, Page 25.

This application **does** meet the traffic concurrency criteria for an Initial Development Order. It will generate **2 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
9134 Coral Way w/o SW 137 Ave.	E	E

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: June 24, 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_037
Daniel and Grisel Abreu

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.

Application: *Daniel and Grisel Abreu* are requesting non-use variances for setbacks on a property which is currently zoned for Single Family Residential use (RU-1).

Size: The subject property is approximately .11 acres.

Location: The subject property is located at 1949 SW 140 Court 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 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 will receive PWWM waste collection service, once developed on the vacant lot. 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: May 13, 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: Z2013000037: DANIEL & GRISEL ABREU

Application Name: DANIEL & GRISEL ABREU

Project Location: The site is located at 1949 SW 140 CT, Miami-Dade County.

Proposed Development: The applicant is seeking approval for a non-use variance for setbacks for a new single family home on the site.

Impact Analysis: Recreation and Open Space Element policies ROS-2a (i); (ii); (iii); (iv); and (v) provide for the establishment of Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space. This application is in Park Benefit District 2 (PBD2) which has a surplus capacity of 494.95 acres when measured by the County concurrency level-of-services standard for the unincorporated area of 2.75 acres of local recreation open space for 1,000 persons in UMSA.

Impact and demand: This application will generate one single family unit resulting in a de minimis impact to Level of Service. The site is located in Park Benefit District 2 which has a surplus of 494.95 acres of local parkland and therefore meets concurrency when analyzed in terms of (2.75) acres per 1,000 unincorporated areas residents within this Park Benefits District. 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: 15-MAY-13
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2013000037

Fire Prevention Unit:

No objection.

Service Impact/Demand

Development for the above Z2013000037
located at 1949 SW 140 CT, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1430 is proposed as the following:

<u>1</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: 0.27 alarms-annually.
The estimated average travel time is: 6:36 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 site plan date stamped received May 6. 2013.

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

DATE: 05-JUN-13

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

DANIEL & GRISEL ABREU

1949 SW 140 CT, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2013000037

HEARING NUMBER

HISTORY:

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

Daniel & Grisel Abreu

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

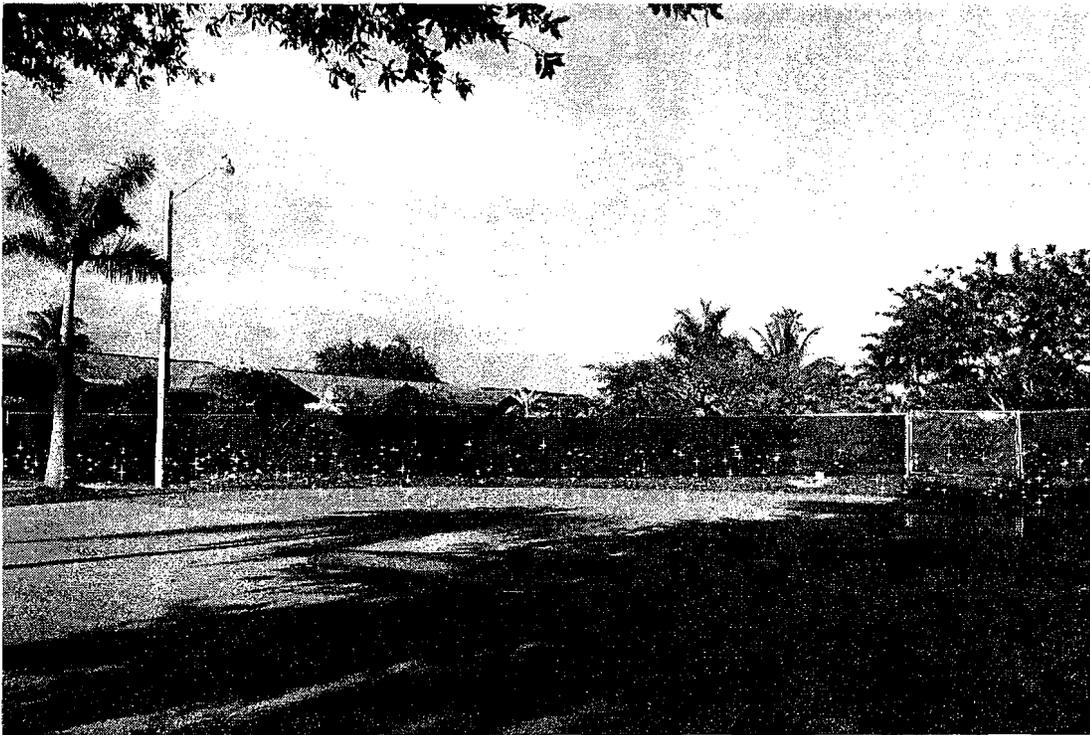
REPORTER NAME:

PHOTOGRAPHS --submit photos showing entire site and all structures

FRONT ELEVATION



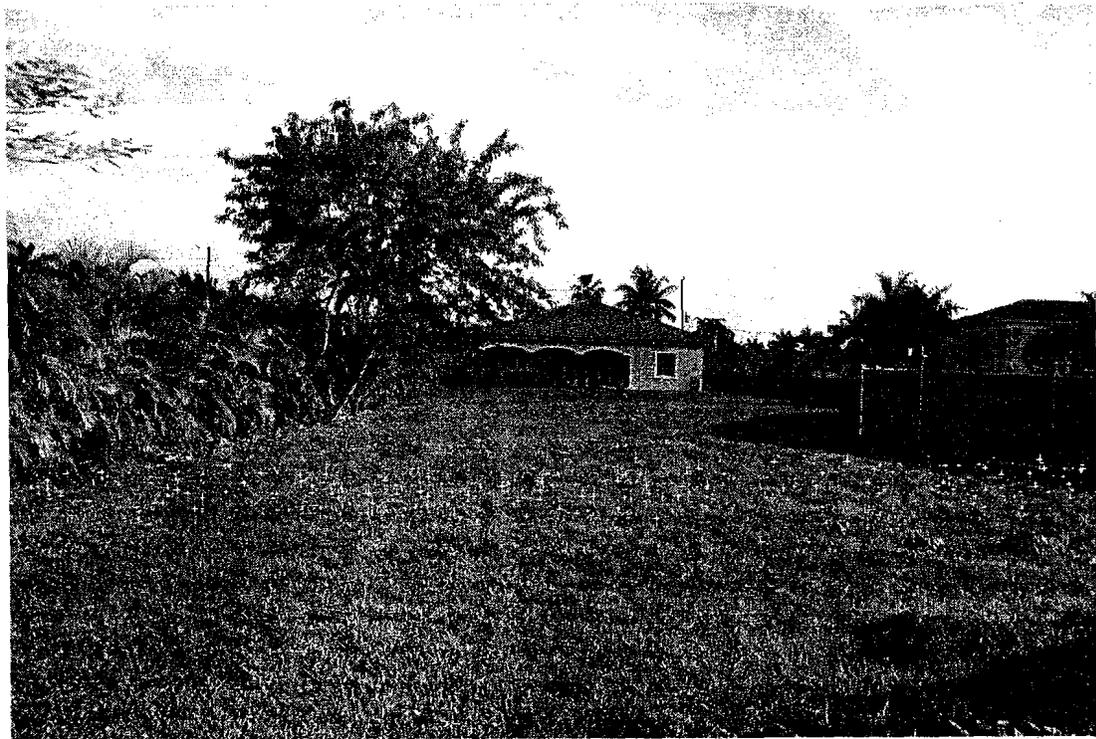
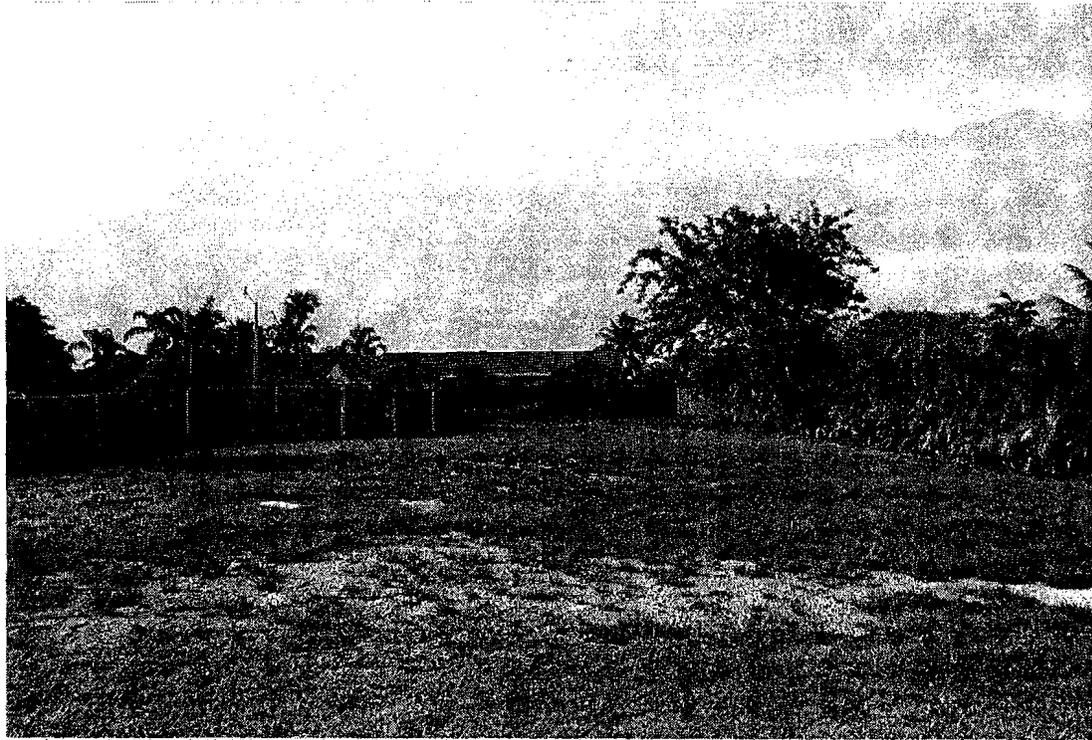
SIDE ELEV



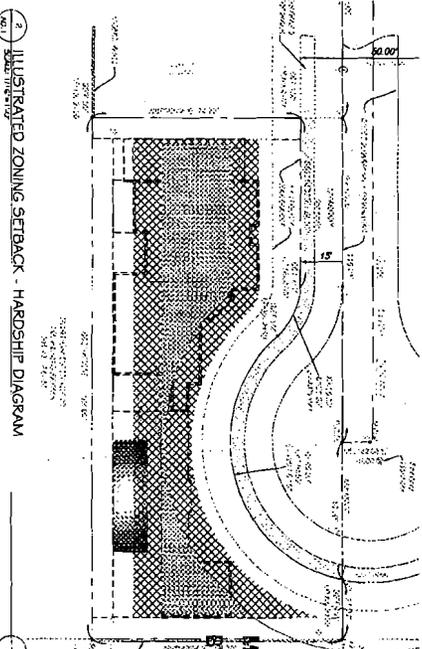
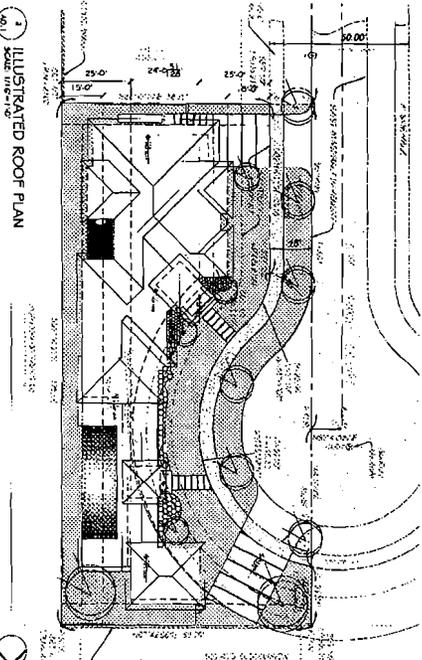
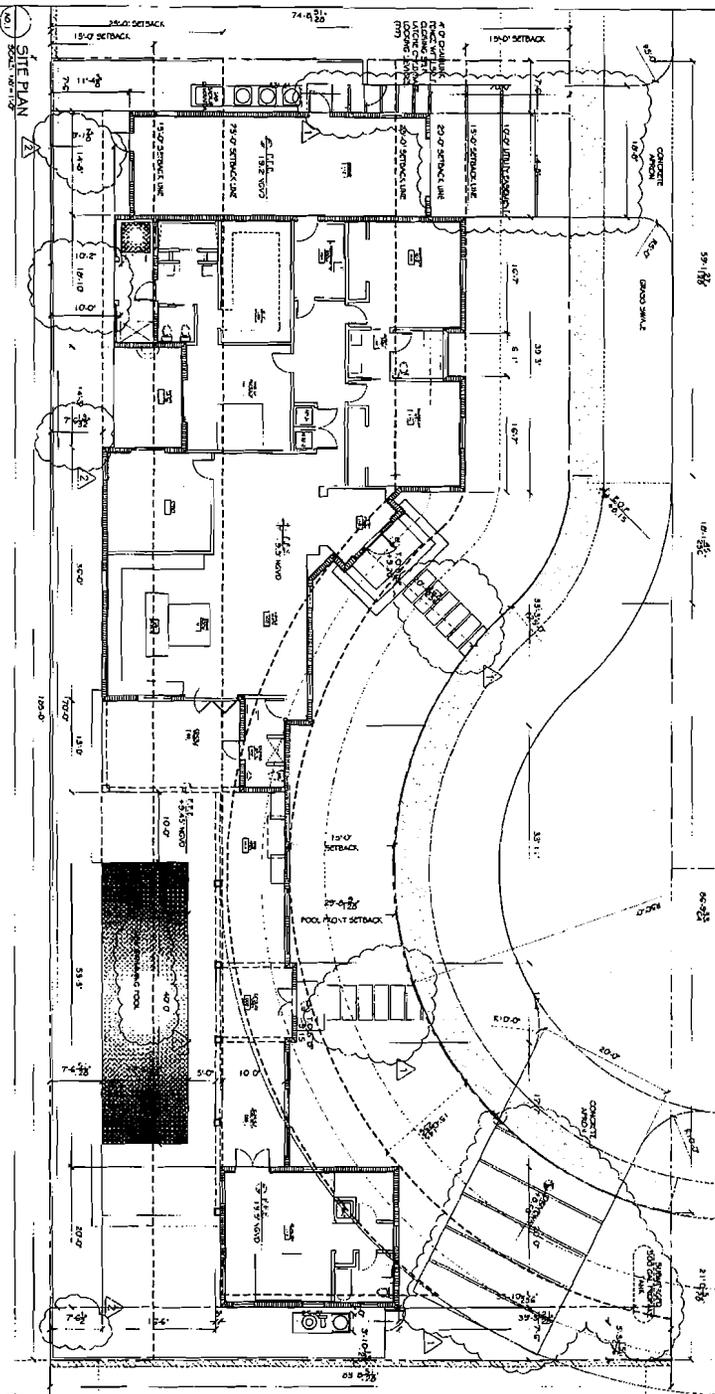
REAR ELE

Additional photos may be submitted

410-037



SW 140 COURT



ZONING INFORMATION

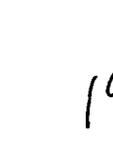
Item	Value
1. ZONING DISTRICT	RS-10
2. ZONING DISTRICT DESCRIPTION	RESIDENTIAL SINGLE-FAMILY
3. ZONING DISTRICT MAP REFERENCE	SECTION 17.01, CHAPTER 17.00, ORDINANCE 2011-01
4. ZONING DISTRICT MAP REFERENCE	SECTION 17.01, CHAPTER 17.00, ORDINANCE 2011-01
5. ZONING DISTRICT MAP REFERENCE	SECTION 17.01, CHAPTER 17.00, ORDINANCE 2011-01
6. ZONING DISTRICT MAP REFERENCE	SECTION 17.01, CHAPTER 17.00, ORDINANCE 2011-01
7. ZONING DISTRICT MAP REFERENCE	SECTION 17.01, CHAPTER 17.00, ORDINANCE 2011-01
8. ZONING DISTRICT MAP REFERENCE	SECTION 17.01, CHAPTER 17.00, ORDINANCE 2011-01
9. ZONING DISTRICT MAP REFERENCE	SECTION 17.01, CHAPTER 17.00, ORDINANCE 2011-01
10. ZONING DISTRICT MAP REFERENCE	SECTION 17.01, CHAPTER 17.00, ORDINANCE 2011-01
11. ZONING DISTRICT MAP REFERENCE	SECTION 17.01, CHAPTER 17.00, ORDINANCE 2011-01
12. ZONING DISTRICT MAP REFERENCE	SECTION 17.01, CHAPTER 17.00, ORDINANCE 2011-01
13. ZONING DISTRICT MAP REFERENCE	SECTION 17.01, CHAPTER 17.00, ORDINANCE 2011-01
14. ZONING DISTRICT MAP REFERENCE	SECTION 17.01, CHAPTER 17.00, ORDINANCE 2011-01
15. ZONING DISTRICT MAP REFERENCE	SECTION 17.01, CHAPTER 17.00, ORDINANCE 2011-01
16. ZONING DISTRICT MAP REFERENCE	SECTION 17.01, CHAPTER 17.00, ORDINANCE 2011-01
17. ZONING DISTRICT MAP REFERENCE	SECTION 17.01, CHAPTER 17.00, ORDINANCE 2011-01
18. ZONING DISTRICT MAP REFERENCE	SECTION 17.01, CHAPTER 17.00, ORDINANCE 2011-01
19. ZONING DISTRICT MAP REFERENCE	SECTION 17.01, CHAPTER 17.00, ORDINANCE 2011-01
20. ZONING DISTRICT MAP REFERENCE	SECTION 17.01, CHAPTER 17.00, ORDINANCE 2011-01

500 GALLON PROPANE TANK
 1. COMPLIANT WITH ALL APPLICABLE CODES FOR THE FOLLOWING SERVICES:
 2. FLOOD HAZARD
 3. FLOOD HAZARD
 4. FLOOD HAZARD
 5. FLOOD HAZARD
 6. FLOOD HAZARD
 7. FLOOD HAZARD
 8. FLOOD HAZARD
 9. FLOOD HAZARD
 10. FLOOD HAZARD
 11. FLOOD HAZARD
 12. FLOOD HAZARD
 13. FLOOD HAZARD
 14. FLOOD HAZARD
 15. FLOOD HAZARD
 16. FLOOD HAZARD
 17. FLOOD HAZARD
 18. FLOOD HAZARD
 19. FLOOD HAZARD
 20. FLOOD HAZARD

RECEIVED
 JUL 22 2013
 ZONING HEARING SECTION
 PLANNING AND ZONING DEPT.
 CITY OF MIAMI

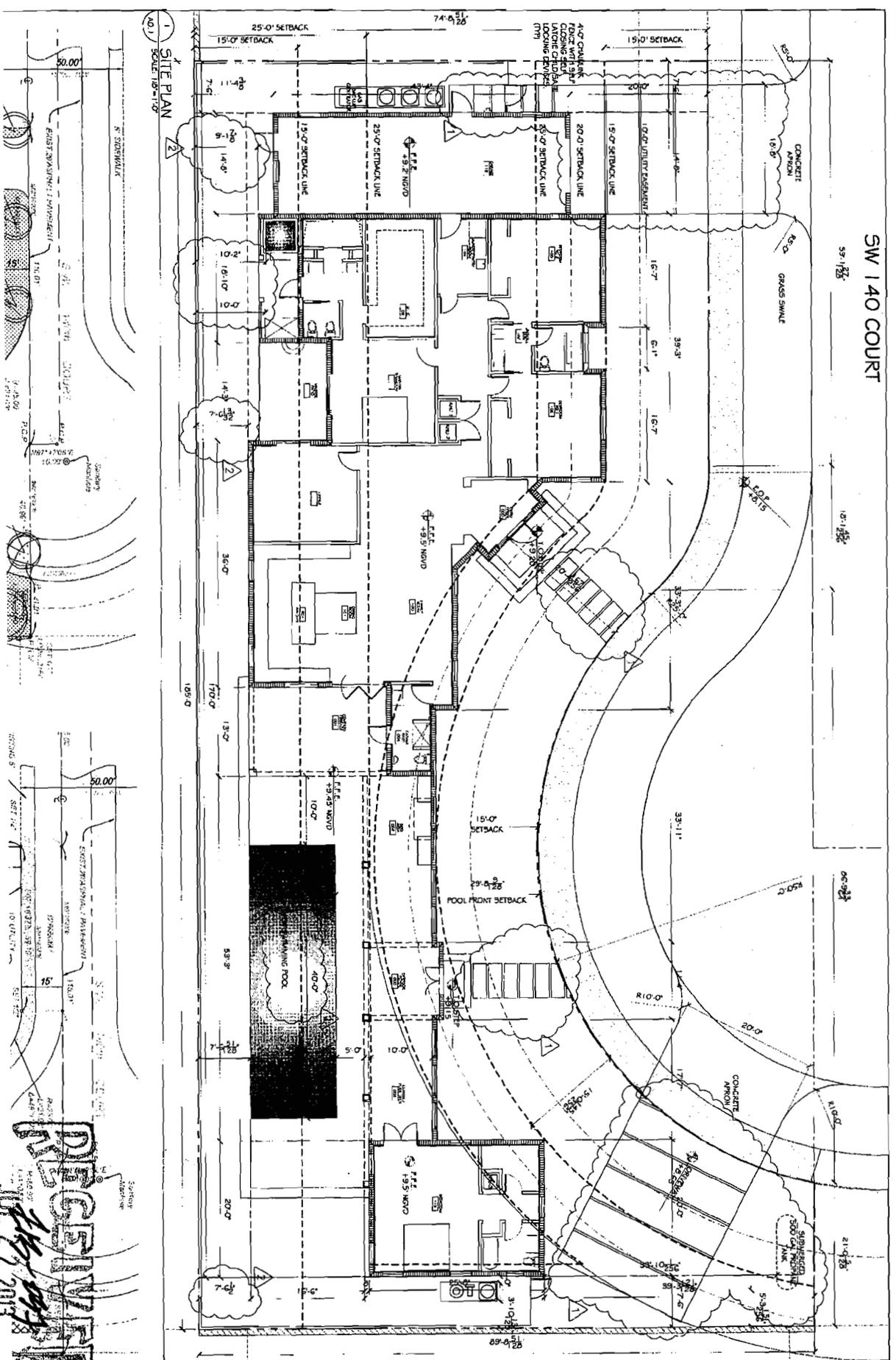
PREPARED BY: [Signature]
 DATE: 6/27/13
 SCALE: AS SHOWN
 DRAWN: A.M.
 CHECKED: A.M.
 DESIGNED: A.M.
 APPROVED: A.M.

AO.1



FANJULA & ASSOCIATES, LLC
 ARCHITECTS
 ARTURO G. FANJULA, RA
 PRESIDENT
 11728, Doral Highway Suite 309
 Coral Gables, Florida 33134
 PH: 305.728.8512
 FAX: 305.508.2888
 arturo@fanjula.com
 www.fanjula.com

SW 140 COURT



1 SITE PLAN
SCALE: 1/8\"/>

ENLARGED SITE PLAN

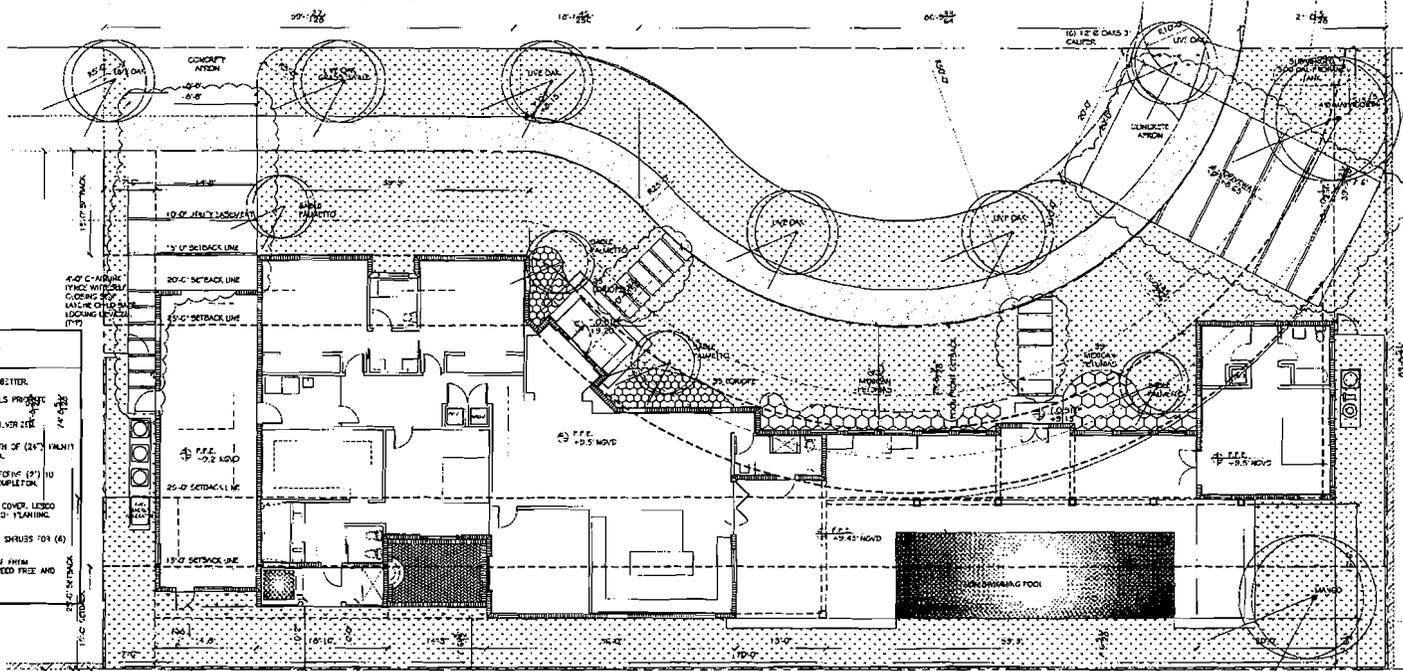
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY [Signature]

RECEIVED
JUL 22 2013

ZONING	
500 GAL	SHOWERED TANK
	1. HOT WATER
	2. CLOTHES DRYER
	3. CLOTHES DRYER
	4. BOO DRAIN
	5. DUAL TILT ROOF
	6. EXHAUST FAN

12

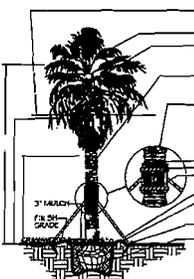
SW 140 COURT



PLANTING NOTES

1. ALL PLANT MATERIAL SHALL BE LISTED IN THE SUPPLEMENTAL SPECIFICATIONS TO THE STANDARD SPECIFICATIONS FOR CONSTRUCTION.
2. THE CONTRACTOR SHALL FIELD LOCATE ALL UTILITIES PRIOR TO ANY EXCAVATION.
3. PLANTING SOIL SHALL BE SUE SAND SOIL MIXTURE (SUE) WITH 10% COMPOST.
4. ALL PLANT BEDS SHALL BE EXCAVATED TO A DEPTH OF (24") MINIMUM (10" INCHES) AND BACKFILLED WITH PLANTING SOIL.
5. ALL SHRUBS, TREES AND CROSSLAND COVER SHALL BE PLANTED (2") TO (10") INCHES DEPTH OF SHADOWNED RED MUD. UPON COMPLETION.
6. GENERAL FERTILIZER MIXTURES, TREES AND CROSSLAND COVER, LEEDS 6"-10" OR FOLIAR SHALL BE APPLIED AT TIME OF PLANTING.
7. ALL TREES TO BE GUARANTEED FOR (1) ONE YEAR, SHRUBS FOR (6) SIX MONTHS.
8. ALL LANDSCAPE AREAS TO RECEIVE TREES SHALL BE PROVIDED WITH AUTOMATED IRRIGATION SYSTEM. SHALL BE KEPT FREE AND MAINTAINED TO A MINIMUM 1-8FT (3) INCH DEPTH.

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



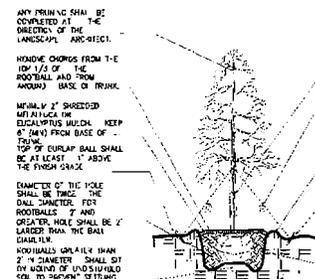
TYPICAL PALM TREE PLANTING

1. ALL PLANTING SHALL BE COMPLETED AT THE END OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.



SHRUB PLANTING

PRUNE SHRUBS ONLY AS NECESSARY TO AVOID ANY OBSTRUCTION TO THE PLANTING. PRUNE SHRUBS ONLY AS NECESSARY TO AVOID ANY OBSTRUCTION TO THE PLANTING. PRUNE SHRUBS ONLY AS NECESSARY TO AVOID ANY OBSTRUCTION TO THE PLANTING.



TREE PLANTING (2-4" CALIPER)

NO HOLE SHALL BE DRIVEN INTO TREE TRUNK SHALL BE FREE OF ANY NAIL OR SCREW. TREE CALIPER SHALL BE MEASURED AT 4 1/2 FEET ABOVE GRADE. USE 1/2" DIAMETER PORTLAND CEMENT. USE 1/2" DIAMETER PORTLAND CEMENT. USE 1/2" DIAMETER PORTLAND CEMENT.

LANDSCAPE LEGEND		REQUIRED	PROVIDED
LANDSCAPE			1440 sq ft
Drainage, Walkways & pool deck			0
Tree 2" min dbh	3	3	0
Shrub 2" min dbh	100	100	0
Shrub 10" dbh	0	0	142
TOTAL LANDSCAPE AREA			5227 sq ft

PLANT SPECIES	QUANTITY	HEIGHT	CANOPY	TRUNK DB
LANCANA	1	15'	12'	2"
LANCANA	1	15'	12'	2"
SHRUB PALMETTO	5	15'	0'	0"
LIVE OAK (SMALL)	6	12'	0'	4"
TOTAL TREES	13			

SHRUBS	QUANTITY	SOIL SIZE	COVER AREA @ PLANTING
Muscadine Grape	82	3 Gal/yr	3 sq ft each
Unrosette Spirea	50	1 Gal/yr	2 sq ft each
TOTAL SHRUBS	142		

FANJUL & ASSOCIATES, LLC
ARCHITECTURE, PLANNING & INTERIOR DESIGN
AA26000725
ARTURO G. FANJUL, RA
PRESIDENT
1172 S. Dixie Highway Suite 333
CORAL GABLES, FLORIDA 33146
PH: 305 728.8313
FAX: 305 356.0681
afanjul@fanjulandassociates.com
"AN ARCHITECT WITH A DESIGN CONSCIENCE"

ARTURO G. FANJUL, RA
17885
STATE OF FLORIDA REGISTERED ARCHITECT

PRELIMINARY DESIGN DOCUMENTS
ABREU RESIDENCE
1949 SW 140 COURT
MIAMI, FL 33176
FOULG: 30-49101-14-0020

CONCEPTUAL SITE PLAN AND PROPERTY DATA

REVISION	NO.
P.W. COMMENTS 6/27/13	1

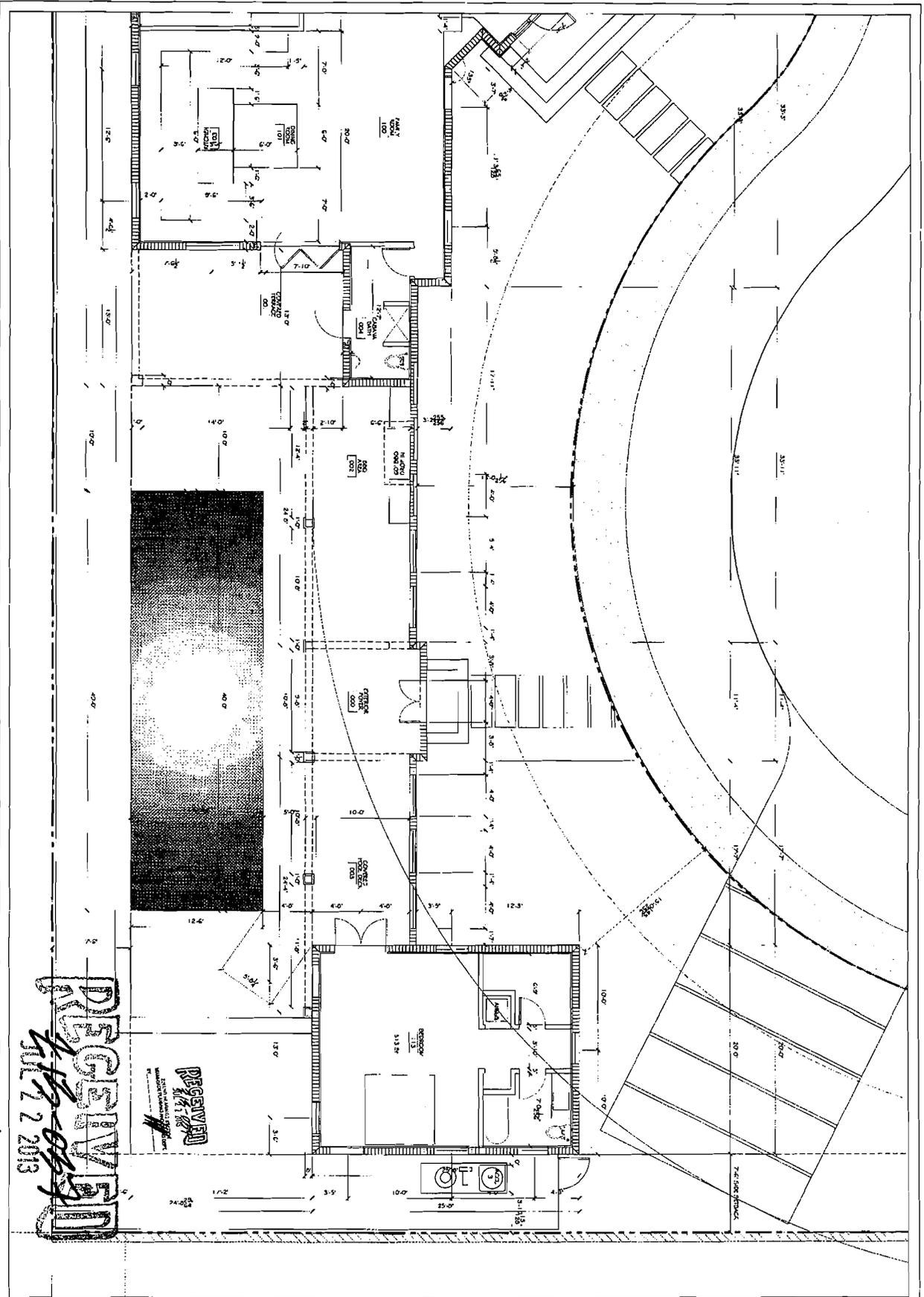
DATE: 5/2/2019
SCALE: AS NOTED
DRAWN: AGE
CHECKED: AGE
JOB NO.: 12-1201
FORM NO.: 12-1201

OWNER'S REPRESENTATIVE
DATE: 5/2/2019
SCALE: AS NOTED
DRAWN: AGE
CHECKED: AGE
JOB NO.: 12-1201
FORM NO.: 12-1201

LA-1

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JUL 22 2013

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



RECEIVED
 APR 22 2013

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



FANJUL & ASSOCIATES, LLC
 ARCHITECTS
 ARTURO G. FANJUL, FA
 PRESIDENT
 112 S. DIKE HIGHWAY, SUITE 13A
 CORAL GABLES, FLORIDA 33134
 PH: 305 724 8313
 FAX: 305 244 3900
 artg@fanjulandassociates.com
 A. BETTIN LIAISON THROUGH MEMBER

ARTURO G. FANJUL, FA
 ARCHITECT

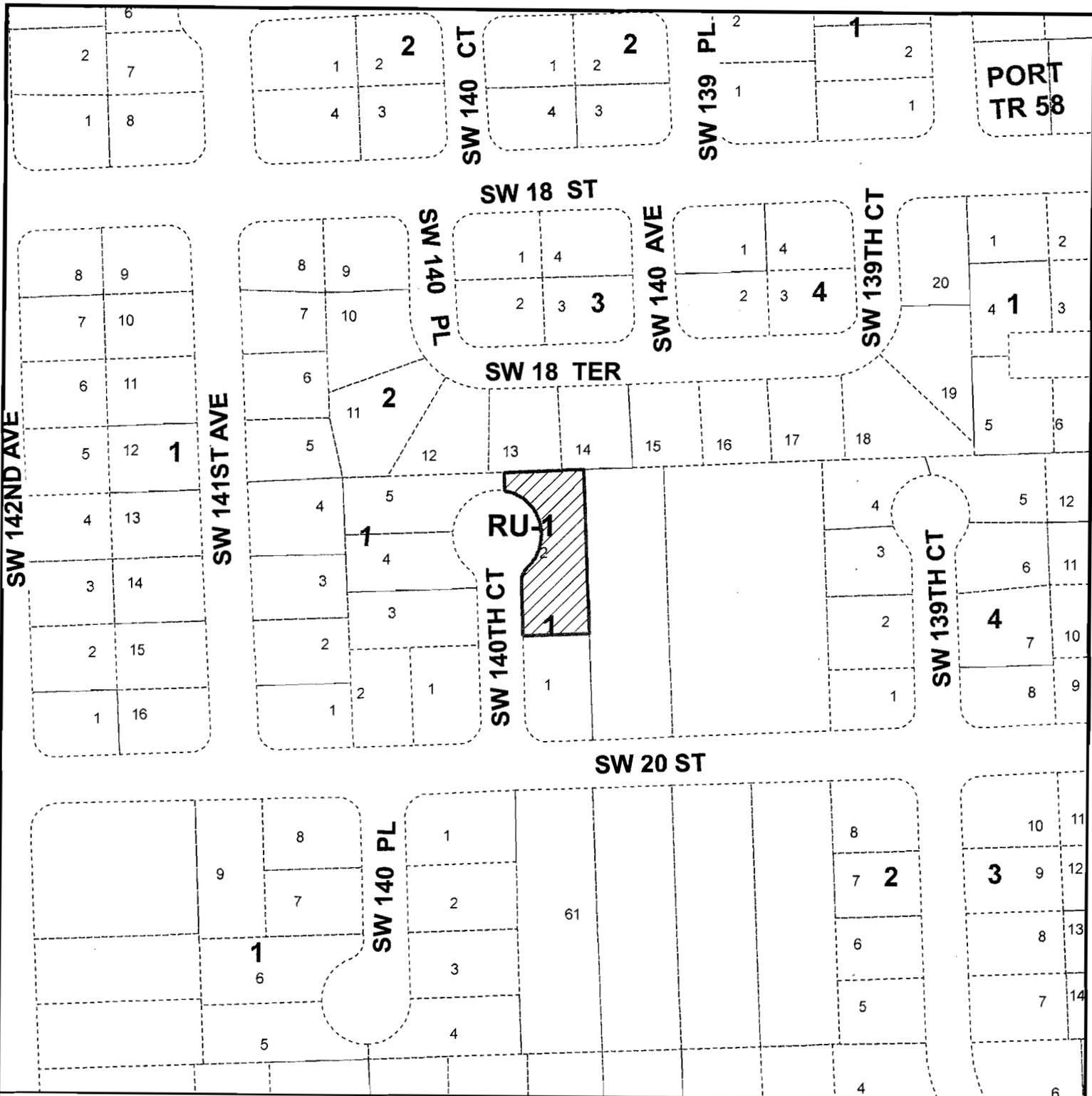
REGULATORY CONSULTANTS
 ARELU
 RESIDENCE

1949 SW 140 COURT
 MIAMI, FL 33175
 ROAD 30481 LOT 1400289
 CONCEPTUAL FLOOR PLAN

REVISION NO.

DATE	BY	REVISION
5/2/2013	ARTG	100% AEC
1/27/2013	ARTG	40% AEC
1/27/2013	ARTG	15% AEC
1/27/2013	ARTG	10% AEC

A1.1



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2013000037



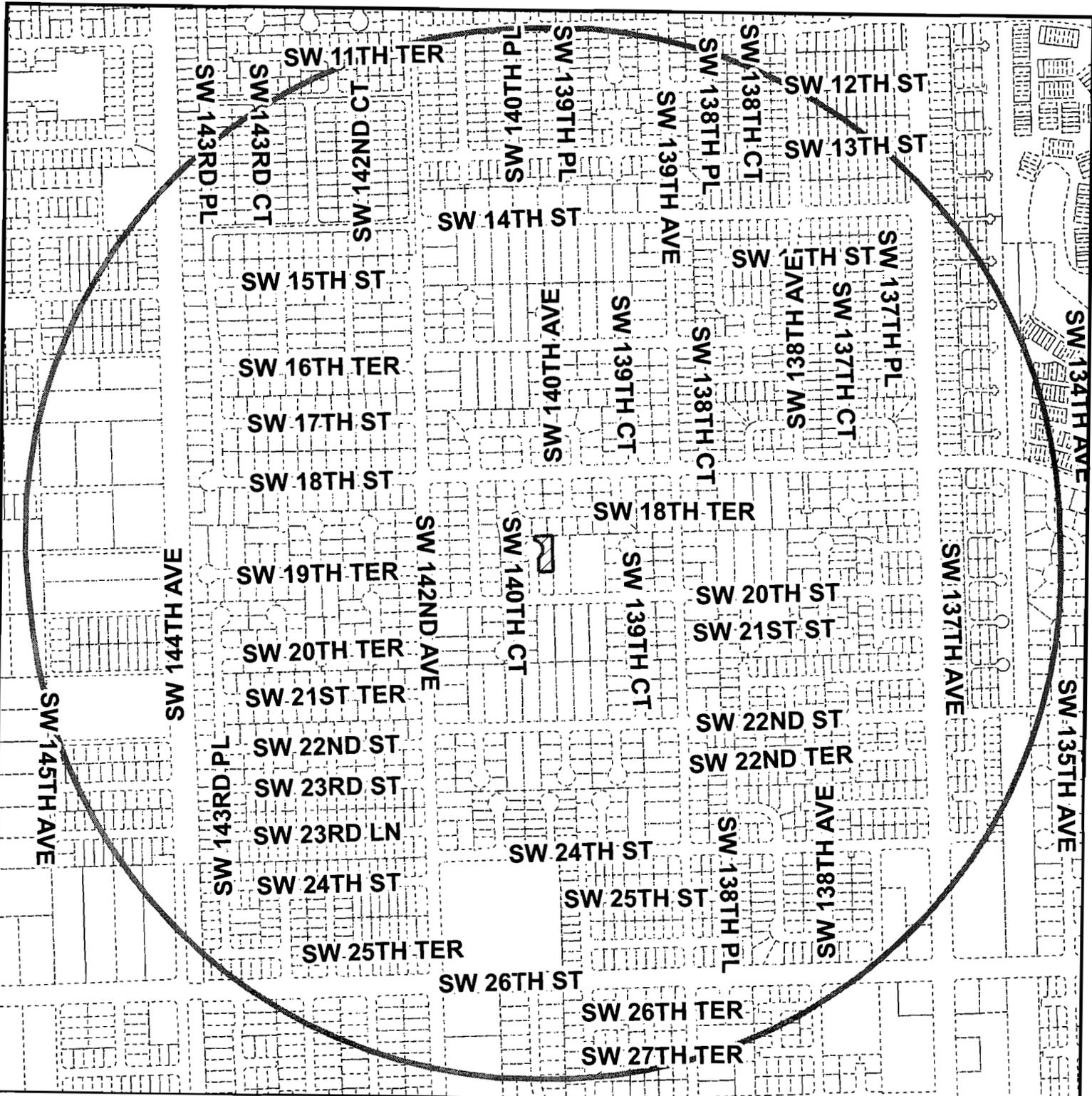
Section: 10 Township: 54 Range: 39
 Applicant: DANIEL & GRISEL ABREU
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



REVISION	DATE	BY
	25	



MIAMI-DADE COUNTY
RADIUS MAP

Section: 10 Township: 54 Range: 39
 Applicant: DANIEL & GRISEL ABREU
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Process Number
Z2013000037
 RADIUS: 2640



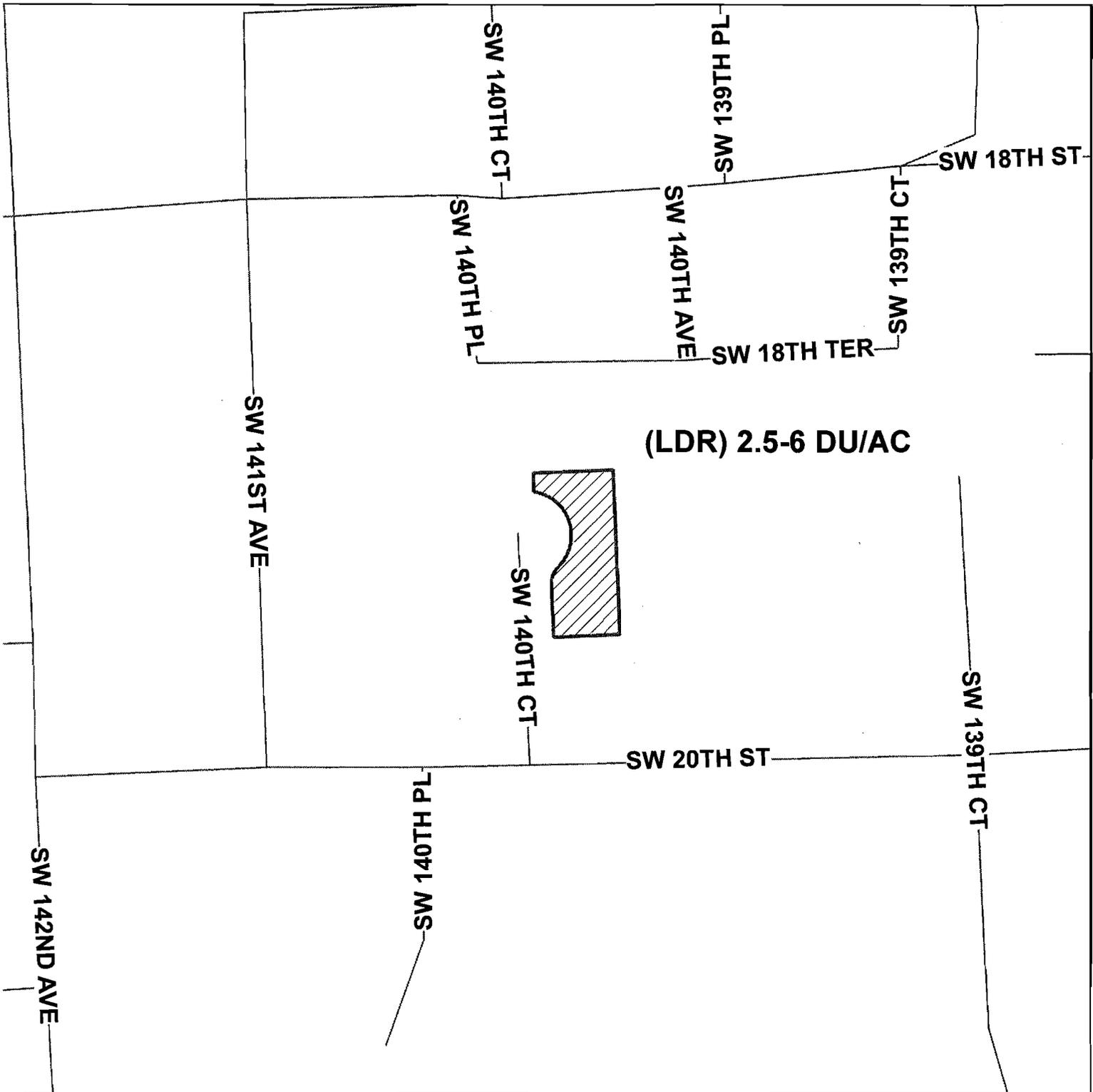
Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Tuesday, July 9, 2013

REVISION	DATE	BY

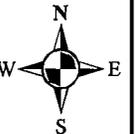


MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2013000037



Section: 10 Township: 54 Range: 39
 Applicant: DANIEL & GRISEL ABREU
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Tuesday, May 21, 2013

REVISION	DATE	BY

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

PH: Z13-055 (13-10-CZ10-5)

October 15, 2013

Item No. 5

Recommendation Summary	
Commission District	11
Applicants	Carlos J. and Olga Bengochea Trust, Et Al.
Summary of Requests	The applicant is seeking to allow a district boundary change from AU to RU-1M(a).
Location	Lying south of theoretical SW 31 Street, between theoretical SW 145 Avenue and theoretical SW 145 Court, Miami-Dade County, Florida.
Property Size	1.98 acres
Existing Zoning	AU, Agricultural District
Existing Land Use	vacant
2015-2025 CDMP Land Use Designation	Low-Density Residential, 2.5 to 6, dua, (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with the LUP map of the CDMP
Applicable Zoning Code Section(s)	Section 33-311, District Boundary Change (see attached Zoning Recommendation Addendum)
Recommendation	Approval, subject to the acceptance of the proffered covenant

REQUEST:

DISTRICT BOUNDARY CHANGE from AU to RU-1M(a).

PROJECT DESCRIPTION:

The applicant seeks to rezone the 1.98-acre parcel from AU, Agricultural District to RU-1M(a), Single Family Modified Residential District, 5,000 sq. ft. net.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	AU; vacant	Low-Density Residential (2.5 to 6 dua)
North	AU; vacant	Low-Density Residential (2.5 to 6 dua)
South	AU; vacant	Low-Density Residential (2.5 to 6 dua)
East	RU-1M(a); single-family residences	Low-Density Residential (2.5 to 6 dua)
West	RU-1M(a); single-family residences and vacant lands	Low-Density Residential (2.5 to 6 dua)

NEIGHBORHOOD COMPATIBILITY:

The properties to the north and south are zoned AU, Agricultural District and remain vacant. The properties to the east and west are zoned RU-1M(a), Single-Family Modified Residential

District, 5,000 sq. ft. net and are currently developed with single-family residences and some vacant lands.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicants to provide additional housing in this section of the County. However, the proposed rezoning could have an impact on traffic on the abutting roadways and schools.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is located within the Urban Development Boundary (UDB) and is designated as **Low Density Residential**. *This category allows a range in density from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre and is characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses.* The approval of the request sought in the application will allow the applicant to develop the 1.98-acre parcel with 11 residential units which is the maximum density allowed under the CDMP Low-Density designation on the LUP map. Staff notes that the RU-1M(a) zoning district allows residences at 5,000 sq. ft. net. This would allow the applicant to develop the 1.98-gross acre parcel with a maximum of 17 residential units. The applicant has proffered a covenant restricting the development to of the property to eleven (11) residential units which is within the maximum allowed under the density threshold of the CDMP Low-Density Density designation on the LUP map.

The CDMP Land Use Element **Objective LU-4**, states that *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.* The subject property abuts properties to the east and west that are zoned RU-1M(a). As such, subject to the Board's acceptance of the proffered covenant, staff opines that the rezoning of the subject property to RU-1M(a) would be **compatible** with the surrounding area and **consistent** with the density threshold of the Low-Density Residential designation of the parcel on the CDMP Land Use Plan map and the CDMP's Land Use Element the interpretative text, **Objective LU-4**.

ZONING ANALYSIS:

When the applicant's request to rezone the 1.98-acre parcel to RU-1M(a), Single-Family Modified Residential District, is analyzed under Section 33-311, District Boundary Change, staff opines that the approval of the application would not have an unfavorable impact on the environment, the natural resources, or the economy of the County. Staff notes that subject to the Board's acceptance of the proffered covenant, the approval of the applicant's request to rezone the property will be **consistent** with the Low-Density Residential designation of the parcel on the CDMP Land Use Plan map. The Miami-Dade Fire and Rescue Department does not object to this application. Its memorandum indicates that the estimated average travel time to the subject property is 5:15 minutes. Based on the memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER), the approval of the application does meet the traffic concurrency criteria for an Initial Development Order. Their memorandum indicates that the application will generate **16 PM** daily peak hour trips. Therefore, staff opines that approval of this request will not have a negative impact on the surrounding roadways or transportation facilities based on the recommendations and/or

information contained in the memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources. Additionally, staff notes that the memorandum from the Division of Environmental and Regulatory Management of said Department indicates that the proposed rezoning meets the Level of Service (LOS) standards for an initial development order and therefore will not have an unfavorable impact on the natural resources of Miami-Dade County. The subject parcel is located between two RU-1M(a) zoned residential developments situated to the east and west. Vacant AU zoned parcels are located to the north and south. Therefore, staff opines that approval of the applicant's request for district boundary change to RU-1M(a) will be **compatible** with the surrounding area. **Staff therefore, recommends approval of the application under Section 33-311, District Boundary Change, subject to the Board's acceptance of the proffered covenant.**

ACCESS, CIRCULATION AND PARKING: N/A

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

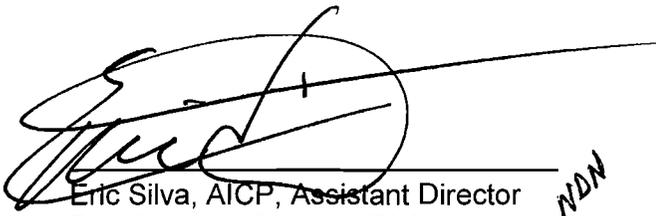
OTHER: Not applicable.

RECOMMENDATION:

Approval, subject to the Boards acceptance of the proffered covenant.

CONDITIONS FOR APPROVAL: None.

ES:MW:NN:JC:JV



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

NDN

ZONING RECOMMENDATION ADDENDUM

Carlos J. and Olga Bengochea Trust, Et Al.
Z13-055

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
Division of Environmental and Regulatory Management (RER)	No objection*
Platting and Traffic Review Section (RER)	No objection*
Parks, Recreation and 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

Low-Density Residential (Pg. I-31)	<i>The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i>
Objective LU-4 (Pg. I-11)	<i>Miami-Dade County shall, by the year 2015, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.</i>

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311 District Boundary Change	<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> <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) <i>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;</i> (2) <i>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;</i>
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ZONING RECOMMENDATION ADDENDUM

Carlos J. and Olga Bengochea Trust, Et Al.
Z13-055

	<p>(3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i></p> <p>(4) <i>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;</i></p> <p>(5) <i>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.</i></p>
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5. CARLOS J. & OLGA BENGOCHEA TRUST ET AL
(Applicant)

13-10-CZ10-5(13-055)
Area 10/District 11
Hearing Date: 10/15/13

Property Owner (if different from applicant) **CARLOS J. & OLGA BENGOCHEA TRUST**

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: July 18, 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 #Z2013000055
Carlos J & Olga Bengochea, Trustees & Pablo & Alba Leon
NW Corner of SW 32nd Street and 145th Avenue
District Boundary Changes to RU-1-MA
(AU) (1.98 Acres)
15-54-39

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

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 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.

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

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

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

An Environmental Resources Permit from the South Florida Water Management District may be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site development, final plat or public works approval of paving and drainage plans.

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.

Wetlands

The subject property is located within the East Bird Drive Wetlands Basin and is a wetland as defined by Section 24-5 of the Code. Therefore, a Class IV Wetland Permit will be required before any work can be done on the subject property.

DERM has no objection to this application provided the applicant acquires all permits prior to the initiation of any work on the subject property. A full evaluation of the resources is performed during the permitting process. While every effort is made to notify the applicant of all requirements at this time, the full permit evaluation may require that site plans be changed to preserve unique biologic resources.

The Coastal and Wetlands Resources Section (305) 372-6585 may be contacted for further information concerning the wetland permitting requirements.

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 also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

The subject property contains tree resources and contains wetlands. Wetland Resources will be regulated through a Class IV Wetland Permit. Section 24-48 of the Code requires the preservation of all

tree islands. Any non wetland tree resources on the site will require a Miami-Dade County Tree Removal/Relocation Permit prior to removal and/or relocation.

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: October 8, 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: Z2013000055
Name: Carlos J. & Olga Bengochea Trust
Location: Lying South of Theoretical SW 31 Street, between Theoretical SW 145 Avenue and Theoretical SW 145 Court
Section 15 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 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.

This application **does** meet the traffic concurrency criteria for an Initial Development Order. It will generate **16 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways 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
9110	Bird Dr. Ext. w/o SW 137 Ave.	D	D
9112	Bird Dr. Ext. w/o SW 147 Ave.	B	B
9826	SW 147 Ave. s/o Bird Dr. Ext.	C	C
9134	Coral Way w/o SW 137 Ave.	E	E

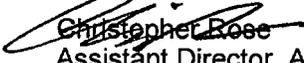
The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.

Memorandum



Date: June 27, 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_055
Carlos J and Olga Bengochea Trust

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.

Application: *Carlos J and Olga Bengochea Trust* is requesting a district boundary change from Agricultural (AU) to Modified Single Family Residential (RU-1Ma) use.

Size: The subject property is approximately 1.98 acres.

Location: The subject property is located at the NW corner of SW 32nd Street and 145th 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 property as mentioned in the application falls within the PWWM solid waste collection service area. The single family residences meet the County Code definition of "residential unit." As such, according to Chapter 15 of the Miami-Dade Code entitled Solid Waste Management, the residential units on the property will receive PWWM waste collection service, once developed on the vacant lot. 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: July 8, 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: Z2013000055: CARLOS J. & OLGA BENGOCHEA TRUST

Application Name: CARLOS J. & OLGA BENGOCHEA TRUST

Project Location: The site is located in that area LYING SOUTH OF THEORETICAL SW 31 ST, BETWEEN THEORETICAL SW 145 AVENUE & THEORETICAL SW 145 COURT., Miami-Dade County.

Proposed Development: The applicant is seeking approval for a district boundary change from AU to RU-1MA for a development of 11 new single family homes on the site.

Current Park Benefit District Area Conditions: County-owned local parks that are within three miles of the subject application are described in Table A which lists the name, type and acreage for each park. Bird Lakes Park is the nearest park to the application site located about 1± mile to the south.

**Table A - County Parks (local only)
Within a 3 Mile Radius of Application Area.**

Park Facility	Classification	Acreage
Bent Tree Park	NEIGHBORHOOD PARK	5.88
Bird Basin Park	NEIGHBORHOOD PARK	10.00
Bird Lakes Park	COMMUNITY PARK	9.07
Eden Lakes Park	NEIGHBORHOOD PARK	10.00
International Gardens Park	NEIGHBORHOOD PARK	5.38
Kendale Lakes Sp Tax Dist Lot 38	MINI-PARK	0.38
Kendall Green Park	NEIGHBORHOOD PARK	26.62
McMillan Park	SINGLE PURPOSE PARK	13.40
Millers Pond Park	COMMUNITY PARK	13.07
Royale Green Park	NEIGHBORHOOD PARK	3.33
Southern Estates Park	NEIGHBORHOOD PARK	13.21
Tamiami Canal Park	NEIGHBORHOOD PARK	1.80
Tamiami Lakes Park	NEIGHBORHOOD PARK	5.00
Tamiami Trail Park (North)	NEIGHBORHOOD PARK	1.73
Tree Island Park & Preserve	COMMUNITY PARK	120.00
West Kendale Lakes Park	NEIGHBORHOOD PARK	5.02
Westwind Lakes Park	COMMUNITY PARK	20.74

Impact Analysis: Recreation and Open Space Element policies ROS-2a (i); (ii); (iii); (iv); and (v) provide for the establishment of Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space. This application is in Park Benefit District 2 (PBD2) which has

a surplus capacity of 494.95 acres when measured by the County concurrency level-of-services standard for the unincorporated area of 2.75 acres of local recreation open space for 1,000 persons in UMSA.

Impact and demand: This application will generate 11 single family units resulting in an impact to Level of Service of .10 acres. The site is located in Park Benefit District 2 which has a surplus of 494.95 acres of local parkland and therefore meets concurrency when analyzed in terms of (2.75) acres per 1,000 unincorporated areas residents within this Park Benefits District. 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: 24-JUN-13
To: Jack Osterholt, Director
 Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2013000055

Fire Prevention Unit:

- No objection via Case #Z2013000055

Service Impact/Demand

Development for the above Z2013000055
 located at LYING SOUTH OF THEORETICAL SW 31 ST, BETWEEN THEORETICAL SW 145 AVENUE &
 THEORETICAL SW 145 COURT.

in Police Grid 1515 is proposed as the following:

<u>12</u>	dwelling units	<u>N/A</u>	square feet
<u>residential</u>		<u>industrial</u>	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
<u>Office</u>		<u>institutional</u>	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
<u>Retail</u>		<u>nursing home/hospitals</u>	

Based on this development information, estimated service impact is: 3.36 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 37 - West Bird - 4200 SW 142 Avenue
 Rescue, ALS Engine

Planned Service Expansions:

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

Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped received June 4, 2013. Substantial changes to the plan 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.

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

CARLOS J. & OLGA BENGOCHEA
TRUST ET AL

LYING SOUTH OF THEORETICAL
SW 31 ST, BETWEEN
THEORETICAL SW 145 AVENUE &
THEORETICAL SW 145 COURT.

APPLICANT

ADDRESS

Z2013000055

HEARING NUMBER

HISTORY:

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

Carlos J & Olga Bengochea

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

REPORTER NAME:

Property Photographs—Folio # 30-49-15-001-0170

Northwest View from Corner of SW 32 ST and 145 AVE



FE

Southwest View from Corner of SW 31 ST and 145 AVE

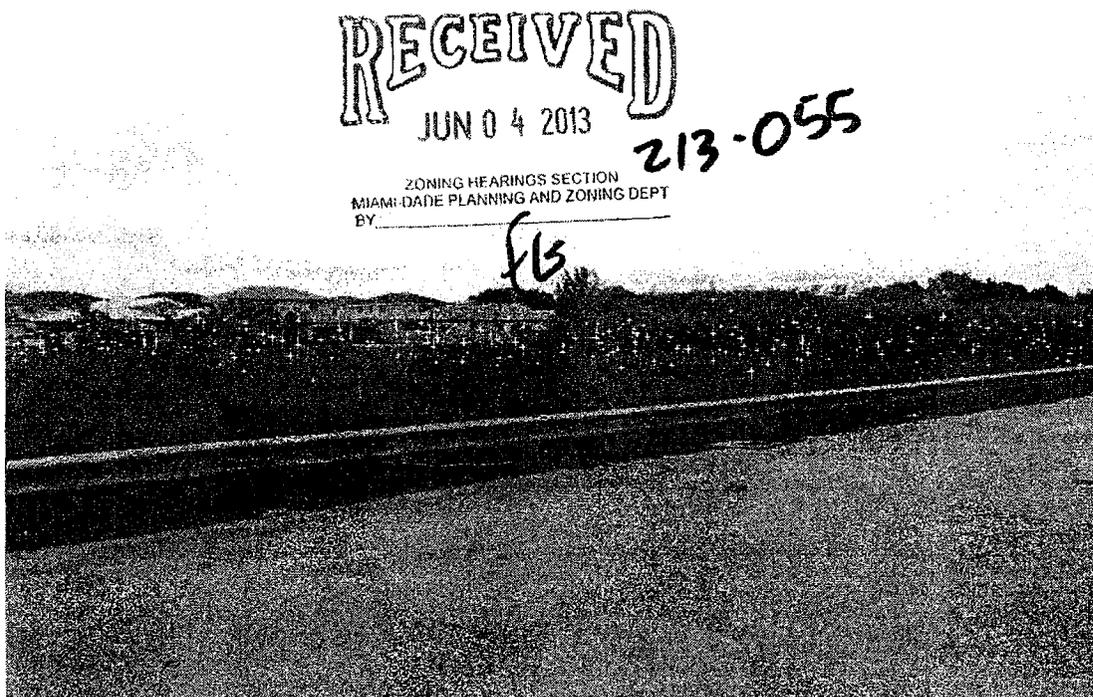


Property Photographs—Folio # 30-49-15-001-0170

Street Sign Corner of SW 31 ST and 145 AVE (NE Corner of Property)



Southeast View from Corner of SW 31 ST and 145 CT



Property Photographs—Folio # 30-49-15-001-0170

Street Sign Corner of SW 31 ST and 145 CT (NW Corner of Property)



RECEIVED

JUN 04 2013

213-055

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT

BY _____

FCS

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: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</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 OLGA AND CARLOS BENGOCHEA JOINT REVOCABLE TRUST
dated October 19, 2004

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
<u>Olga Bengochea</u>	<u>50%</u>
<u>Carlos Bengochea</u>	<u>50%</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: Josen Nafshi LLC

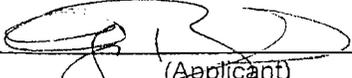
NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
<u>Ana Maria Contin Lopez, Manager</u> <u>12060 SW 129 CT # 208 Miami, FL 33186</u>	<u>50%</u>
<u>Elizabeth D Medina Cabrera, Manager</u> <u>12060 SW 129 CT # 208 Miami, FL 33186</u>	<u>50%</u>

Date of contract: 3/27/13

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

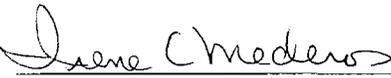
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

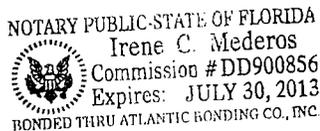
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: 

(Applicant)
Olga Bengochea as Trustee

Sworn to and subscribed before me this 15th day of May, 2013. Affiant is personally know to me or has produced _____ as identification.

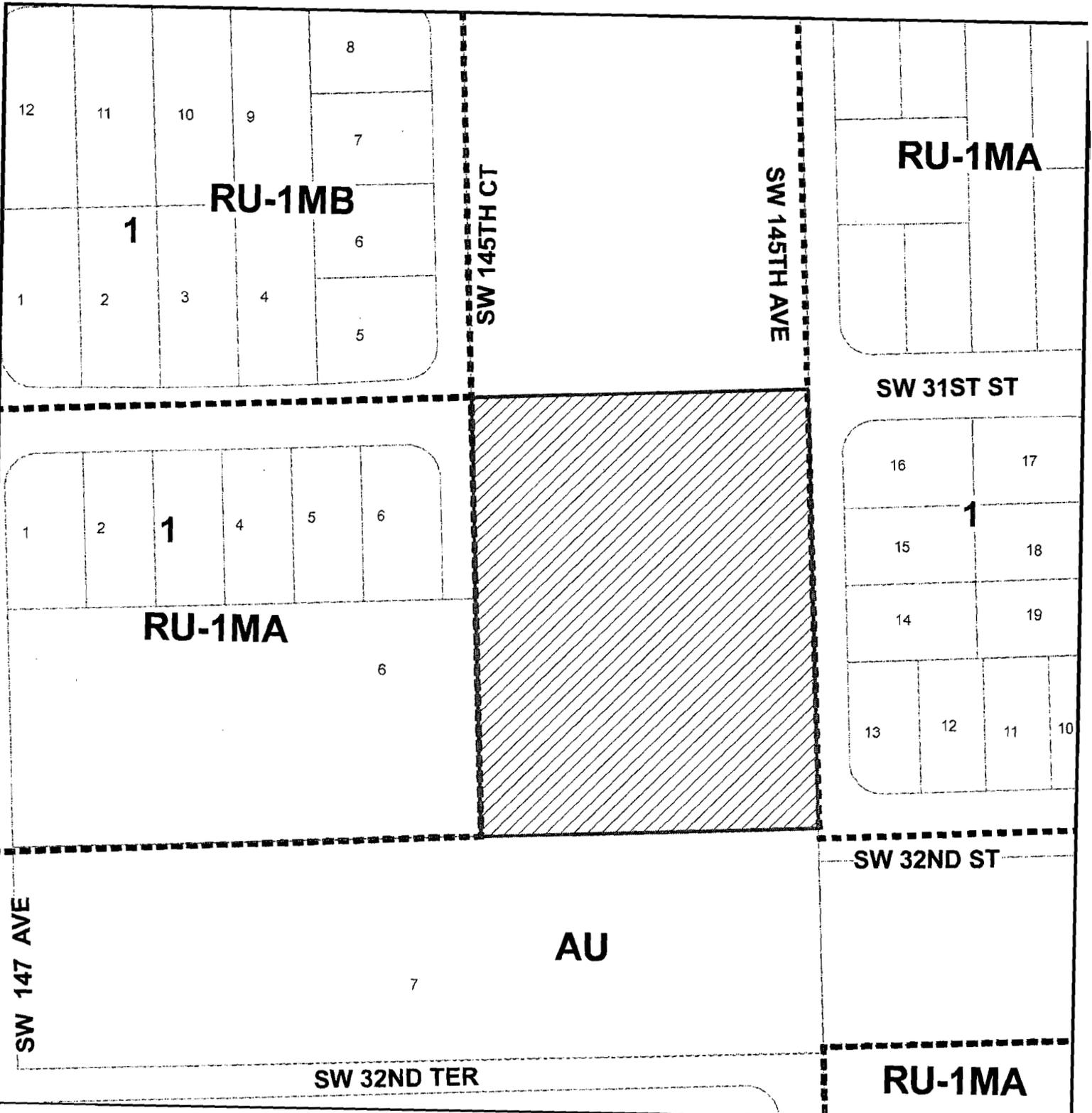

(Notary Public)



My commission expires: 7/30/13

Seal

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



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2013000055

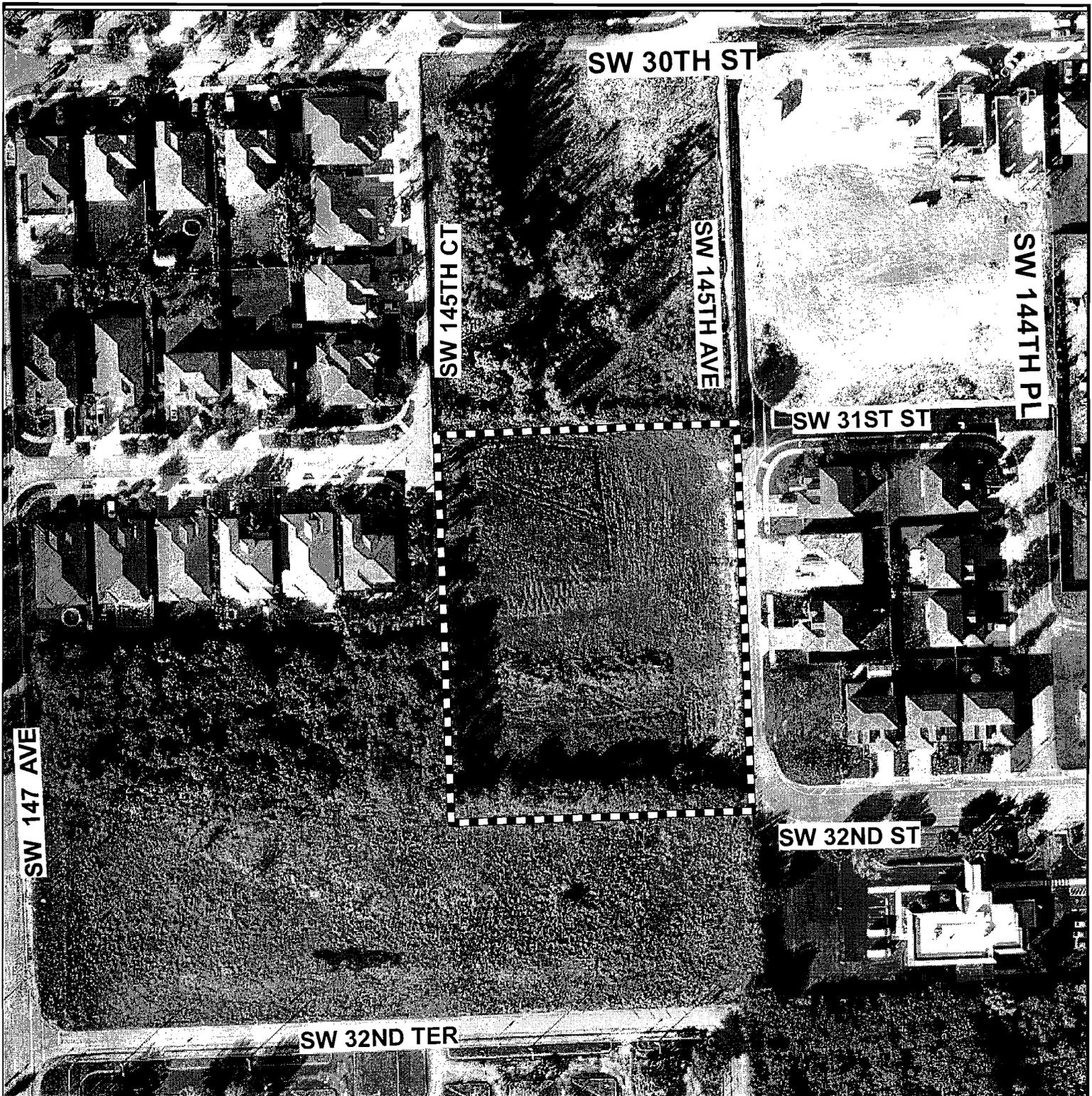
Section: 15 Township: 54 Range: 39
 Applicant: CARLOS J. & OLGA BENGOCHEA TRUST
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



REVISION	DATE	BY
		01



MIAMI-DADE COUNTY
AERIAL YEAR 2012

Process Number

Z201300055



Section: 15 Township: 54 Range: 39
 Applicant: CARLOS J. & OLGA BENGOCHEA TRUST
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property



SKETCH CREATED ON: Thursday, June 27, 2013

REVISION	DATE	BY
		23



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2013000055



Section: 15 Township: 54 Range: 39
 Applicant: CARLOS J. & OLGA BENGOCHEA TRUST
 Zoning Board: C10
 Commission District: 11
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Thursday, June 27, 2013

REVISION	DATE	BY

Carlos J. & Olga
Bengozna Trust ET AL
(13-055) C 10

10/15/13

This instrument prepared by:

Samuel B. Reiner, II, Esq.
Reiner & Reiner, P.A.
9100 So. Dadeland Blvd., #901
Miami, Florida 33156-7815

Property Appraisers Parcel
Folio Number: 30-4915-001-0170

DECLARATION OF RESTRICTIONS

Public Hearing No. Z2013000055

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the attorney's opinion, and

IN ORDER TO ASSURE the County that the representations made by the owner during consideration of Public Hearing No. Z2013000055 will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- (1) That said Property shall be developed substantially in accordance with the plans previously submitted, prepared by JOSÉ E. FUXA P.L.S. entitled Sketch Of Site dated 6/2/13 and stamped dated received June 27, 2013 in the Zoning Hearing Section, said plans being on file with the Department of Regulatory and Economic Resources, and by reference made a part of this agreement.
- (2) That the development of the subject property be limited to a maximum of 6 units per gross acre for a total of 11 lots.

Declaration of Restrictions

Page 2

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.

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

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.

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.

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.

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.

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.

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.

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

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 Regulatory and Economic Resources 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.

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.

Declaration of Restrictions
Page 4

Owner. The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]

This instrument prepared by:

Samuel B. Reiner, II, Esq.
Reiner & Reiner, P.A.
9100 So. Dadeland Blvd., #901
Miami, Florida 33156-7815

Property Appraisers Parcel
Folio Number: 30-4915-001-0170

**ACKNOWLEDGMENT
HUSBAND AND WIFE**

Signed, witnessed, executed and acknowledged on this 21ST day of August,
2013.

Witnesses as to Husband:

Irene C. Mederos
Signature

Irene C. Mederos
Print Name

Jennifer Hernandez
Signature

Jennifer Hernandez
Print Name

Pablo Leon
Signature (Husband)

PABLO LEON

Address:

1631 N.W. 36th Avenue
Miami, Florida 33125

Witnesses as to Wife:

Irene C. Mederos
Signature

Irene C. Mederos
Print Name

Jennifer Hernandez
Signature

Jennifer Hernandez
Print Name

Alba Leon
Signature (Wife)

ALBA LEON

Address:

1631 N.W. 36th Avenue
Miami, Florida 33125

This instrument prepared by:

Samuel B. Reiner, II, Esq.
Reiner & Reiner, P.A.
9100 So. Dadeland Blvd., #901
Miami, Florida 33156-7815

Property Appraisers Parcel
Folio Number: 30-4915-001-0170

ACKNOWLEDGMENT TRUSTEE

Signed, witnessed, executed and acknowledged on this 21ST day of August, 2013.

WITNESSES:

Irene C Mederos
Signature

Irene C Mederos
Print Name

Jennifer Hernandez
Signature

Jennifer Hernandez
Print Name

[Signature]
Trustee Signature

CARLOS BENGOCHEA, as Trustee

Address:

2220 S.W. 123rd Court
Miami, Florida 33175

STATE OF FLORIDA)
) ss.
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me by **CARLOS BENGOCHEA**, Trustee, to me personally known to me or produced _____ as identification and who acknowledged the foregoing instrument for the purposes therein contained, and acknowledged that he was authorized under the trust to execute said instrument on behalf of the beneficiaries of the trust.

Witness my signature and official seal this 21ST day of August, 2013, in the County and State aforesaid.

My Commission Expires:

Irene C Mederos
Notary Public - State of Florida

Irene C. Mederos
Printed Notary Name

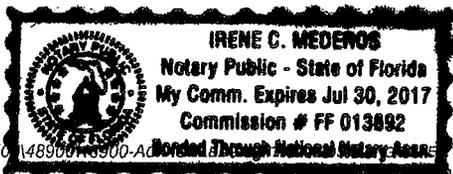


EXHIBIT "A"

TRACT 6 LESS THE WEST 357.4 FEET OF J.G.HEAD'S FARMS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 46 AT PAGE 44 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. LYING AND BEING IN SECTION 15, TOWNSHIP 54 SOUTH, RANGE 39 EAST MIAMI-DADE COUNTY, FLORIDA.