

FINAL AGENDA

12-17-2013 Version # 2



COMMUNITY ZONING APPEALS BOARD 10
RUBEN DARIO MIDDLE SCHOOL
350 NW 97 Avenue, Miami
Wednesday, January 15, 2014 at 6:30 p.m.

CURRENT

- | | | | | | |
|----|-------------|-----------------------------------|-------|----------|---|
| 1. | 14-1-CZ10-1 | <u>TAMIAMI CENTRAL PLAZA, LLC</u> | 11-80 | 10-54-40 | N |
| 2. | 14-1CZ10-2 | <u>IGBR PROPERTY, LLC</u> | 13-84 | 20-54-40 | N |



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 10

MEETING OF WEDNESDAY, JANUARY 15, 2014

RUBEN DARIO MIDDLE SCHOOL

350 NW 97 AVENUE, MIAMI, FLORIDA

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

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

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

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

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

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

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

SWEARING IN OF WITNESSES

- I. Election of Chair and Vice-Chair.
- II. Discussion for a future Sunshine Meeting.

1. TAMIAMI CENTRAL PLAZA, LLC. (14-1-GZ10-1 (11-080))

**10-54-40
Area 10/Dist. 10**

- (1) MODIFICATION of Paragraph #1 of Declaration of Restrictions recorded in Official Record Book 26099, Pages 3871 - 3876, reading as follows:

FROM:

"1.) Prohibited Uses

Notwithstanding the permitted uses in BU-1A zoning district, the following uses shall be prohibited on the subject property:

A) Medical centers as it relates to Building 3 (the theatre building) in the plans on file with this application entitled "Las Americas Central Plaza Inc." as prepared by Monteserin Architectural Service, consisting of one page, dated stamped received 12-5-06.

B) Attended, non-motorized donation collection vehicles;

C) Donated good centers;

D) Information booth, gate house and security station;

E) Automobile and light truck, new sales agency;

F) Automobile service stations;

G) Automobile self-service gas stations;

H) Automobile storage;

I) Boats;

J) Bowling alleys;

K) Convention halls;

L) Medical observation dormitory;

M) Mortuaries or funeral homes;

N) Motorcycles sales and repair;

O) Natatoriums;

P) Open-air theatres;

Q) Propagating and growing plants for sale;

R) Skating rinks;"

TO:

"1.) Prohibited Uses

Notwithstanding the permitted uses in BU-1A zoning district, the following uses shall be prohibited on the subject property:

- A) Attended, non-motorized donation collection vehicles;
 - B) Donated goods center;
 - C) Information booth, gate house and security station;
 - D) Automobile and light truck, new sales agency;
 - E) Automobile service stations;
 - F) Automobile self-service gas stations;
 - G) Automobile storage;
 - H) Boats;
 - I) Bowling alleys;
 - J) Convention halls;
 - K) Medical observation dormitory;
 - L) Mortuaries or funeral homes;
 - M) Motorcycles sales and repair;
 - N) Natatoriums;
 - O) Open-air theatres;
 - P) Propagating and growing plants for sale;
 - Q) Skating rinks;"
- (2) DELETION of Condition #2 of Resolution CZAB10-65-07, passed and adopted by Community Zoning Appeals Board #10, reading as follows:

"2. That Medical Center and Supermarket uses be prohibited in Building #3 and Building #4."

The purpose of the above requests is to allow the applicant to delete conditions prohibiting medical center and supermarket uses in building #3 and building #4.

A plan is on file and may be examined in the Department of Regulatory and Economic Resources entitled "Site Plan & Parking Calculation for: Festival Plaza" as prepared by Octavio A. Santurio A.I.A dated stamped received 10/31/13 and consisting of 1 sheet. Plans may be modified at public hearing.

LOCATION: 8500 SW 8 Street, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 9.68 Acres

Department of Regulatory and Economic Resources

Recommendation:

Approval with conditions, subject to the acceptance of the modified declaration of restrictions.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE _____ DEFERRED: _____

2. IGBR PROPERTY, LLC (14-1CZ10-3 (13-084))

**20-54-40
Area 10/District10**

- (1) DISTRICT BONDARY CHANGE FROM RU-1 to RU-5A.
- (2) NON-USE VARIANCE to permit an office building setback 10' (25' required) from the front (north) property line.
- (3) NON-USE VARIANCE to permit an office building setback 3' (15' required) from the interior side (east) property line.

Plans are on file and may be examined by the Department of Regulatory and Economic Resources entitled "Ivette Guillermo Dental Office" as prepared by Sol-Arch and Urban Works International, Inc., dated stamped received 9/18/13 and consisting of 8 sheets. Plans may be modified at public hearing.

LOCATION: 9970 SW 40 Street, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 75' X 125'

Department of Regulatory and
Economic Resources
Recommendation:

Approval of request #1 and approval with
conditions of requests #2 and #3.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

NOTICE

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

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

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



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

PH: Z11-080 (14-1-CZ10-1)

**January 15, 2014
Item No. 1**

Recommendation Summary	
Commission District	10
Applicant	Tamiami Central Plaza, LLC
Summary of Requests	The applicant is seeking to modify a condition of a previously approved resolution along with a paragraph of a declaration of restrictions in order to allow the location of medical office and supermarket uses in certain buildings on the property within which they are currently restricted.
Location	8500 SW 8 Street, Miami-Dade County, Florida.
Property Size	8.68 acres
Existing Zoning	BU-1A
Existing Land Use	Office/retail center
2015-2025 CDMP Land Use Designation	Business and Office Low-Medium Density Residential, 6 to 13 dua (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(7) Generalized Modification Standards (see attached Zoning Recommendation Addendum)
Recommendation	Approval with conditions, subject to the acceptance of the modified declaration of restrictions.

REQUESTS:

1. Modification of Paragraph #1 of a Declaration Of Restrictions recorded in ORB 26099, PG 3871-3876, and reading as follows:

From: "1. **Prohibited Uses**

Notwithstanding the permitted uses in BU-1A zoning district, the following uses shall be prohibited on the subject property:

- A) Medical centers as it relates to Building 3 (the theatre building) in the plans on file with this application entitled "Las Americas Central Plaza Inc." as prepared by Monteserin Architectural Service, consisting of one page, dated stamped received 12-5-06.
- B) Attended, non-motorized donation collection vehicles;
- C) Donated good centers;
- D) Information booth, gate house and security station;
- E) Automobile and light truck, new sales agency;
- F) Automobile service stations;
- G) Automobile self-service gas stations;

- H) Automobile storage;
- I) Boats;
- J) Bowling alleys;
- K) Convention halls;
- L) Medical observation dormitory;
- M) Mortuaries or funeral homes;
- N) Motorcycles sales and repair;
- O) Natatoriums;
- P) Open-air theatres;
- Q) Propagating and growing plants for sale;
- R) Skating rinks;"

To: "1 **Prohibited Uses**

Notwithstanding the permitted uses in BU-1A zoning district, the following uses shall be prohibited on the subject property:

- A) Attended, non-motorized donation collection vehicles;
- B) Donated good centers;
- C) Information booth, gate house and security station;
- D) Automobile and light truck, new sales agency;
- E) Automobile service stations;
- F) Automobile self-service gas stations;
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- J) Convention halls;
- K) Medical observation dormitory;
- L) Mortuaries or funeral homes;

- M) Motorcycles sales and repair;
- N) Natatoriums;
- O) Open-air theatres;
- P) Propagating and growing plants for sale;
- Q) Skating rinks;"

2. Deletion of Condition #2 of Resolution CZAB10-65-07, passed and adopted by Community Zoning Appeals Board #10, reading as follows:.

"2. That Medical Center and Supermarket uses be prohibited in Building #3 and Building #4."

The purpose of the above requests is to allow the applicant to delete conditions prohibiting medical center and supermarket uses in building #3 and building #4.

A Plan is on file and may be examined in the Department of Regulatory and Economic Resources entitled, "Site Plan & Parking Calculation for Festival Plaza" as prepared by Octavio A. Santurio A.I.A. dated stamped received 10/31/13 and consisting of 1 sheet. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND HISTORY:

The 9.68 +/- acre BU-1A, Limited District zoned subject property has been the subject of numerous zoning hearings from 1961 through to 2011, and now consists of a shopping center with retail shops, restaurants, offices and a banquet hall. Most recently, pursuant to Resolution #CZAB10-65-07, the subject property was approved to allow a reduced number of parking spaces for a theatre or banquet hall. At the time of the latter application, the applicant proffered a declaration of restrictions that prohibited the use of Building #3 for a medical center. Additionally, a condition of said resolution prohibited the use of Buildings #3 and #4 for medical centers or supermarket uses.

The applicant now seeks to modify the aforementioned condition of the prior resolution as well as a paragraph of the declaration of restriction proffered with said resolution prohibiting medical center and supermarket uses in building #3 and building #4.

<u>NEIGHBORHOOD CHARATERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	BU-1A; office/retail center	Business and Office/ Low-Medium Density Residential, 6 to 13 dua
North	SW 8 Street/Tamiami Canal BU-1A; service station/office building	Business and Office

South	RU-2; single-family residences	Low-Medium Density Residential 6 to 13 dua
East	RU-4M; condominium buildings RU-2; duplex residences	Business and Office Low-Medium Density Residential, 6 to 13 dua
West	BU-1; shopping center RU-1; single-family residence	Business and Office Low-Medium Density Residential, 6 to 13 dua

NEIGHBORHOOD COMPATIBILITY:

The subject property is comprised of an existing shopping center with retail stores, restaurants, offices and a banquet hall located at 8500 SW 8 Street. The surrounding area is characterized by commercial retail uses as well as multi-family and single-family residential uses.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to have medical center and supermarket uses within the existing shopping center. However, the expansion of the available areas for these uses on the subject parcel could result in an intensification of the uses throughout the subject parcel that may result in additional traffic impacts on the abutting roadways, SW 8 Street and SW 86 Court.

CDMP ANALYSIS:

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the previously mentioned northern portion of the property as being within the Urban Development Boundary (UDB) for **Business and Office** use. The Business and Office designation *accommodates a full range of sales and service activities which includes, among other things, retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities, amusements and commercial recreation establishments.* The southern 150' of the property is designated as **Low-Medium Density** on the LUP map of the CDMP. The Low-Medium Density designation allows single-family homes, townhouses and low-rise apartments. Approval of the requested modification will not change the existing BU-1A zoning or the commercial uses on the entire subject property. **Therefore, staff opines that approval of the application would be consistent with the CDMP Land Use Element interpretative text for properties designated Business and Office and Low-Medium Density on the CDMP LUP map.**

ZONING ANALYSIS:

When requests #1 and #2, to the permit the modification of a paragraph of a declaration of restrictions proffered and accepted with a prior resolution and the deletion of a condition of said resolution are analyzed under Section 33-311(A)(7) Generalized Modification Standards, staff opines that approval of these requests would be **compatible** with the surrounding area. Although, approval of this application could allow the applicant to intensify the office and retail

uses on the southern portion of the parcel, staff is supportive of this application with conditions for the reasons that will be outlined below.

Approval of the aforementioned requests would allow the applicant to remove the restrictions on the location of the medical office and supermarket uses within the subject property. The prior resolution and declaration of restrictions being modified through this application do not permit medical office and supermarket uses within buildings #3 and #4. These buildings are the southernmost buildings on the site and based on the survey submitted by the applicant are located 72' to 75' from the rear (south) property line which abuts single-family residences. Staff notes that the applicant is not seeking to modify the previously approved site plans to increase the height of the buildings or to approve additions to the buildings that would reduce the spacing to the rear (south) property lines. As such, staff opines that approval of the requests would not create any new visual impact on the single-family residences to the south and therefore, would remain **compatible** with the area.

Staff notes that based on the list of existing uses provided by the applicant in the letter of intent, that there are already medical office uses on the subject property other than buildings #3 and #4. Further, staff opines that the supermarket use is similar to the other retail uses that are allowed in the BU-1A zoning district. However, due to the proximity of buildings #3 and #4 to the residential uses to the south, as a condition for approval, staff recommends that in the future if a supermarket is located within any of the aforementioned buildings, that the delivery and pick-up times should be restricted to reduce any negative aural impact from the delivery vehicles on the residences to the south.

In addition, memoranda submitted with this application by the Platting and Traffic review Section and the Division of Environmental Resource Management (DERM) of the Department of Regulatory and Economic Resources (RER) do not indicate that the approval of requests #1 and #2 would result in excessive traffic or provoke a nuisance that would be incompatible with the area concerned. Said memoranda indicate that the application respectively meets the traffic concurrency and level of service (LOS) standards for an initial development order. **Therefore, subject to the acceptance of the modified declaration of restrictions, staff recommends approval with conditions of requests #1 and #2 under Section 33-311(A)(7) Generalized Modification Standards.**

ACCESS, CIRCULATION AND PARKING:

The submitted site plan depicts an existing retail and office center with adequate parking and drives. The plans depict the facility with two (2) ingress egress points along SW 8 Street and SW 86 Court.

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

OTHER: N/A

RECOMMENDATION: Approval with conditions, subject to the Board's acceptance of the proffered declaration of restrictions.

CONDITIONS FOR APPROVAL:

1. That all the conditions of Resolution CZAB10-65-07 remain in full force and effect, except as herein modified.

2. That all the Paragraphs of the Declaration of Restrictions recorded in ORB 26099, PG 3871-3876, remain in full force and effect, except as herein modified.
3. That the applicant comply with all applicable conditions and requirements of the Platting and Traffic Review Section and the Division of Environmental Resource Management of the Department of Regulatory and Economic Resources.
4. That the deliveries and trash pick-up for any supermarket use located in building #3 or building #4 be restricted to Monday through Friday 7 AM through 7 PM, and 9 AM to 5 PM only on Saturday and Sunday.

ES:MW:NN:EJ:CH

A handwritten signature in black ink, appearing to read 'Eric Silva', is written over a horizontal line. The signature is stylized and somewhat cursive.

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

ZONING RECOMMENDATION ADDENDUM

Applicant: *Tamiami Central Plaza*

PH: *Z11-080*

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

ZONING RECOMMENDATION ADDENDUM

Applicant: *Tamiami Central Plaza*

PH: Z11-080

PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Section 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 that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.</i></p>
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1. TAMIAMI CENTRAL PLAZA, LLC
(Applicant)

14-1-CZ10-1(11-080)
Area 10/District 10
Hearing Date: 01/15/14

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>
1957	E.B. Elliott Advertising Co.	- Special Exception to permit a Billboard sign.	BCC	Approved
1958	Westchester Inc.	- Zone change from RU-1 to BU-1.	BCC	Approved with Condition(s)
1961	Westbrooke Pool & Cabana, Inc	- Zone change from BU-1 to BU-2.	BCC	Approved
1973	Director	- Multiple Zone change.	BCC	Approved In Part
1975	Roda Ent. Inc.	- Use Variance to permit alcohol sales. - Non-Use Variances of spacing and zoning regulations.	BCC	Approved with Condition(s)
1977	Cari Garcia	- Use Variance and Special Exception to permit a beauty parlor.	ZAB	Approved with Condition(s)
1979	Roda Enterprises, Inc.	- Multiple Zone change.	BCC	Approved with Condition(s)
1980	Dade County Invest. Co.	- Special Exception to permit a proposed shopping center.	ZAB	Approved with Condition(s)
1982	Dade County Investments Co.	- Non-Use Variance of parking requirements.	ZAB	Approved with Condition(s)

1982	Aralin Inc.	- Special Exception of alcohol spacing.	ZAB	Approved
1983	Habana Madrid Inc.	- Special Exception of cocktail lounge and alcohol spacing.	BCC	Approved with Condition(s)
1983	Billiaros Yards Inc.	- Special Exception to permit a proposed bar in conjunction with a proposed billiard hall and alcohol spacing.	ZAB	Approved with Condition(s)
1996	Salon Azul	- Special Exception of spacing requirement as applied to alcoholic beverage. - Special Exception to permit the sale of alcoholic beverages in connection with an existing banquet hall in the BU-1A District.	ZAB	Approved with Condition(s)
2007	Tamiami Central Plaza, Inc.	- Modification of condition of resolution. - Non-Use Variance of parking.	C10	Approved with Condition(s)

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

Memorandum 

Date: December 26, 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 #Z2011000080-1st Revision
Tamiami Central Plaza, LLC
8500 S.W. 8 Street
To Permit the Allied Health Care Clinical College/University of a
Site with a Greater Lot Area than Permitted and Modification of a
Previous Resolution and Deletion of an Agreement to Permit
Medical Uses and an Allied Health Care Clinical College within a
Shopping Center
(BU-1A) (9.68 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

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood

protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

Wetlands

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

Please be advised that 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 require permits for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

Trees resources will not be impacted by this proposal. Be advised that a Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

Enforcement History

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.

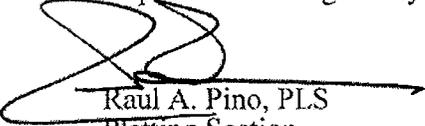
cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: December 17, 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: Z2011000080
Name: Tamiami Central Plaza, LLC
Location: 8500 SW 8 Street
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: January 14, 2013

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

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

Subject: # Z11-080
Tamiami Central Plaza, LLC

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

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

#Z11-080

Tamiami Central Plaza, LLC

Application: *Tamiami Central Plaza, LLC* is requesting the deletion of Declaration of Restrictions recorded in Official Record Book 26099, Pages 3871 - 3876 and Condition #2 of Resolution No. CZAB10-65-07 regarding a shopping center. The property currently zoned in a Limited Business district (BU-1A).

Size: The subject property is 9.68 acres.

Location: The subject property is generally located at 8500 SW 8th 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, Deletion of restrictions regarding a shopping center 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: December 20, 2012

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: Z2011000080: Tamiami Central Plaza, LLC
Revised Letter of Intent dated 11-29-12

Application Name: Tamiami Central Plaza, LLC

Project Location: The site is located at 8500 SW 8 St, Miami-Dade County.

Proposed Development: The applicant is requesting the modification of a previous resolution to meet market demands within an existing shopping center. Review includes revised Letter of Intent dated 11-29-12.

Impact and demand: The letter of intent specifies that the purpose of the changes is to permit non-residential uses. Because this application does not generate any residential population, the CDMP Open Space Spatial Standards do not apply and this Department has no objection to this application.

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

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor



Memorandum

Date: 24-DEC-12
To: Jack Osterholt, Director
 Department of Regulatory and Economic Resources
From: William W. Bryson, Fire Chief.
 Miami-Dade Fire Rescue Department
Subject: Z2011000080

Fire Prevention Unit:

This memo supersedes MDFR memorandum dated 07/26/11.
 These comments are related to application dated 11/29/12.
 APPROVAL
 No objection via case Z2011000080.

Service Impact/Demand

Development for the above Z2011000080
 located at 8500 SW 8 ST, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 1396 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
 The estimated average travel time is: 6:20 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.

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

TAMIAMI CENTRAL PLAZA, LLC

8500 SW 8 ST, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2011000080

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. Prior case opened on June 14, 2012 for sign on private property and a warning was issued. Recheck was done on June 20, 2012 and rescheduled to June 26, 2012. Case closed July 11, 2012, banners removed. BNC: BSS case 20120155149-B opened on September 10, 2012 for address 8500 SW 8 Street #266. Notice of Violation issued for Failure to obtain required building permit(s) prior to commencing work on:Installing AC systemm. Case remains open. BSS case 20120152214-B opened on April 17, 2012 for address 8504 SW 8 Street. Notice of Violation issued for Failure to obtain required building permit(s) prior to commencing work on: Interior remodeling walls, ceilings, a/c and plumbing work. All permits obtained on August 28, 2012 annd cace closed.

Tamiami Central Plaza, LLC

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

REPORTER NAME:

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: Tamiami Central Plaza, LLC

NAME AND ADDRESS	Percentage of Stock
Agustin Herran, 8500 S.W. 8 th Street, Suite #228 Miami, Florida 33144-4002	80%
Magaly Santana, 8500 S.W. 8 th Street, Suite #228 Miami, Florida 33144-4002	20%

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

TRUST/ESTATE NAME: _____

NAME AND ADDRESS	Percentage of Interest

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS

Percentage of Ownership
RECEIVED 211-080
JUL 05 2011
ZONING HEARINGS SECTION MIAMI-DADE PLANNING AND ZONING DEPT.
BY: <u> AJT </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 similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

NAME AND ADDRESS (if applicable) Percentage of Interest

Date of contract: _____

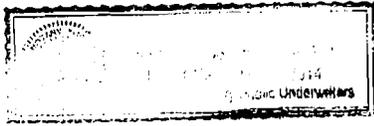
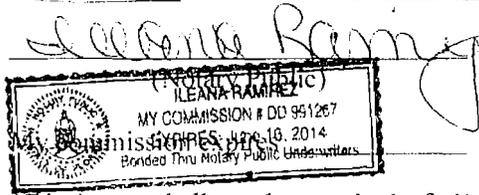
If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to

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

Signature: _____
Agustin Herran, Manager

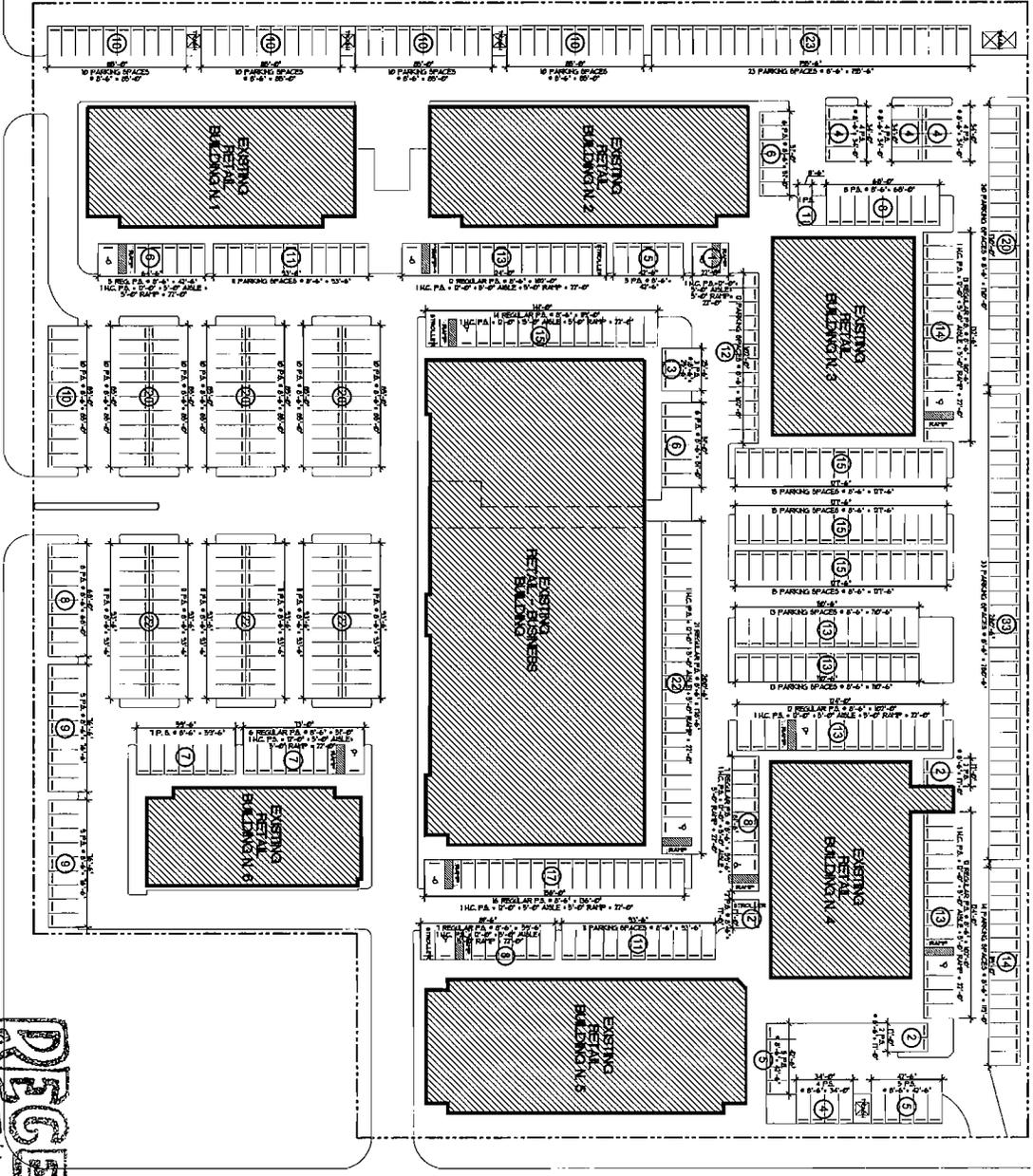
Sworn to and subscribed before me this 23rd day of JUNE, 2011. Affiant is personally known to me or has produced _____ as identification.



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

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211-080
JUL 06 2011

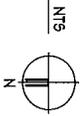
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY: AT



S.W. 86th. COURT

S.W. 8th. STREET

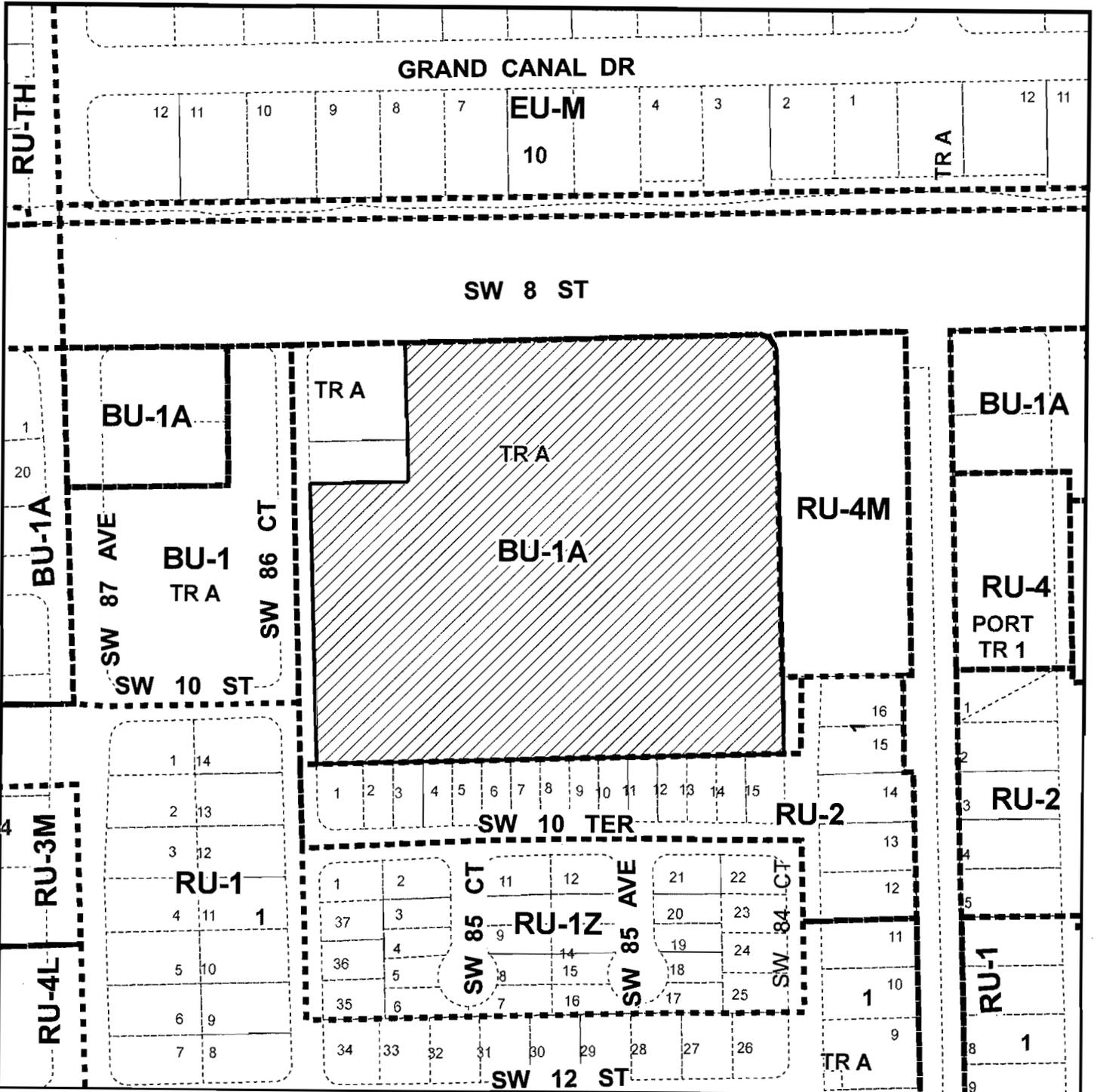
SITE PLAN



RECEIVED
 2-11-09
 OCT 31 2013

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

ENLARGED SITE PLAN-



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2011000080



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

Legend

 Subject Property Case



SKETCH CREATED ON: Wednesday, July 13, 2011

REVISION	DATE	BY
		24



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

Z2011000080



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

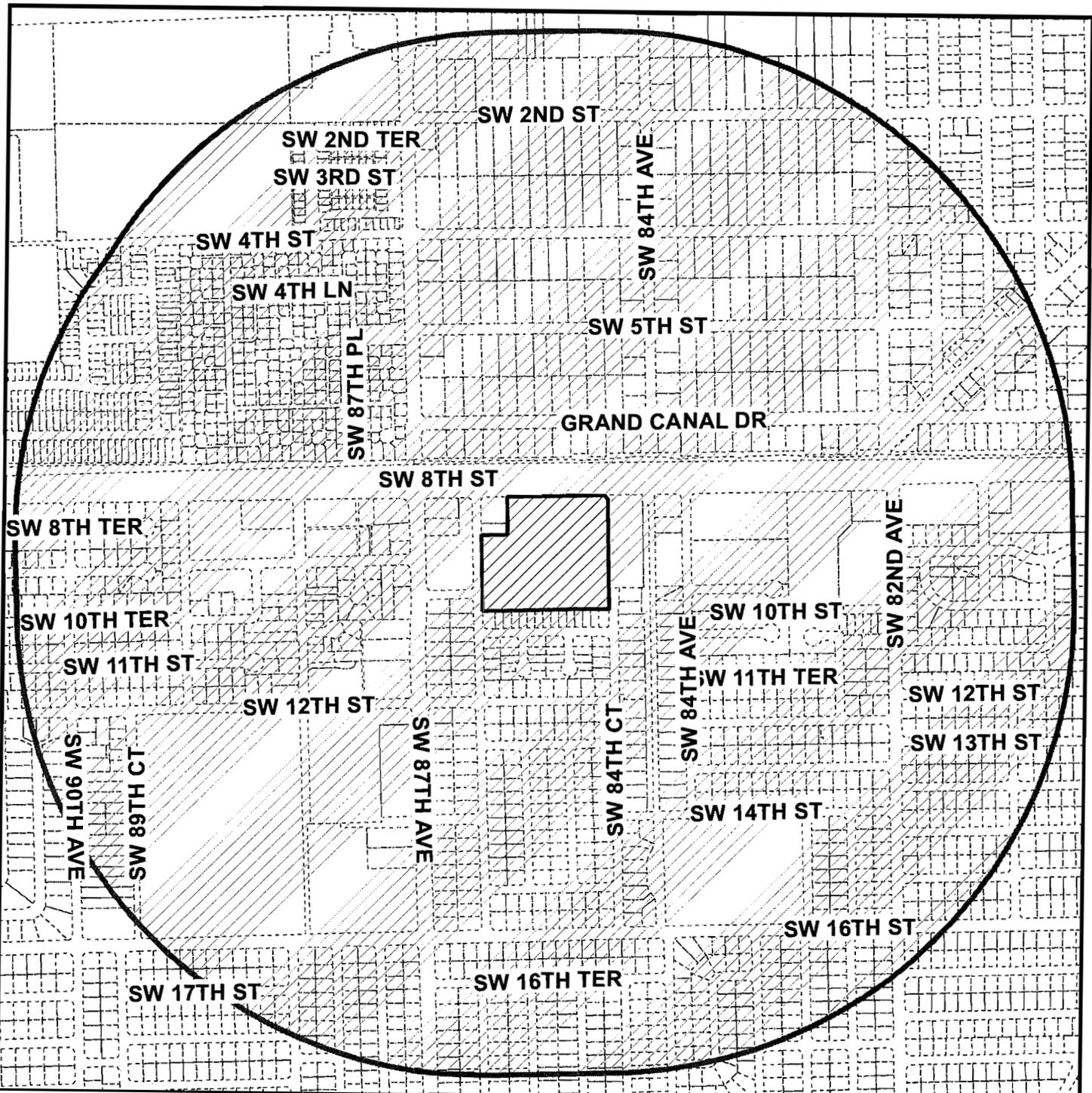
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 Subject Property



SKETCH CREATED ON: Wednesday, July 13, 2011

REVISION	DATE	BY
		25



MIAMI-DADE COUNTY
RADIUS MAP

Process Number

Z2011000080

RADIUS: 2640



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

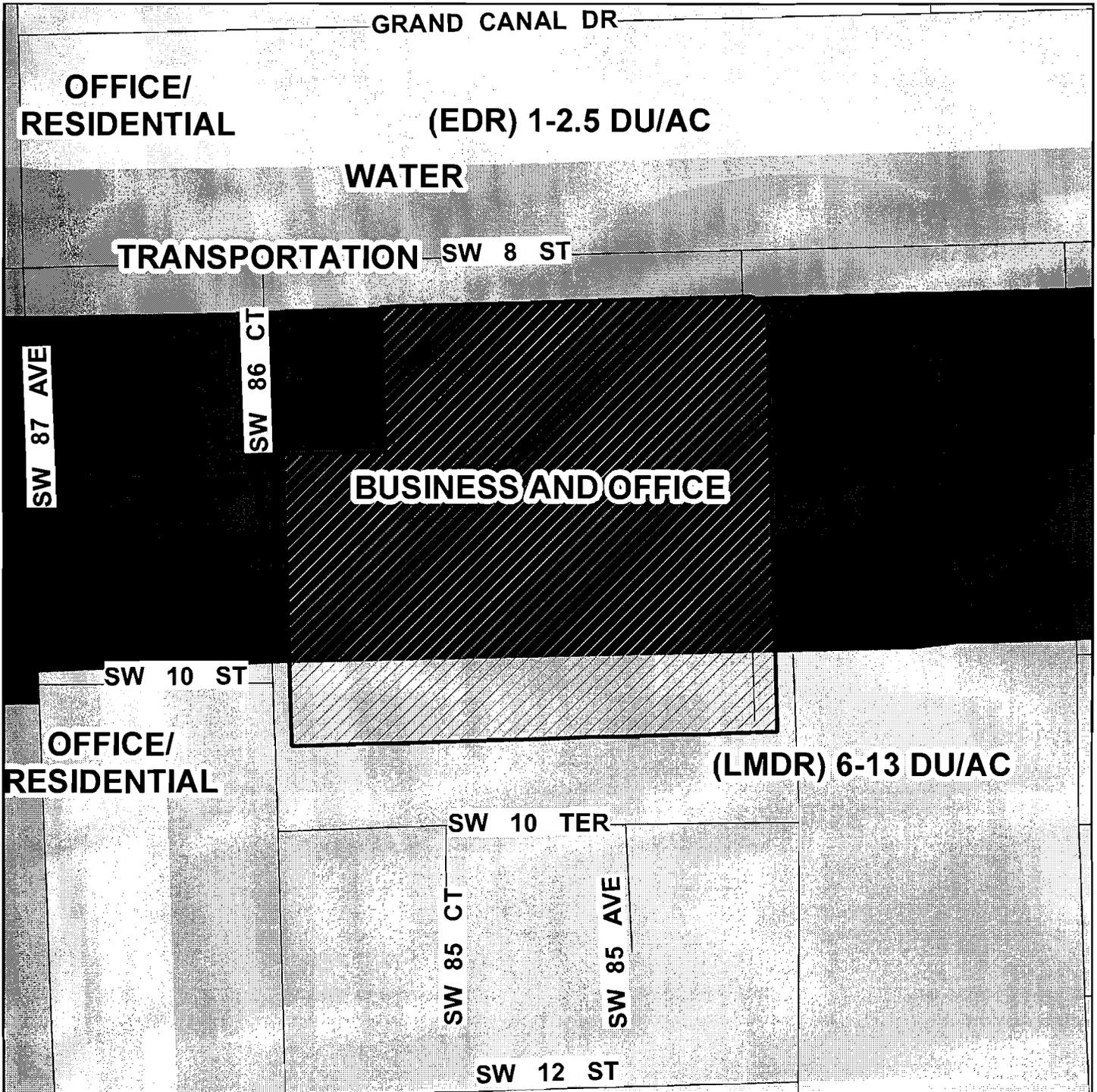
Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Wednesday, July 13, 2011

REVISION	DATE	BY
		26



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2011000080



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

Legend

 Subject Property Case



SKETCH CREATED ON: Wednesday, July 13, 2011

REVISION	DATE	BY

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

PH: Z13-084 (14-1-CZ10-3)

January 15, 2014

Item No. 2

Recommendation Summary	
Commission District	10
Applicant	IGBR Property, LLC
Summary of Requests	The applicant is seeking a district boundary change from RU-1 to RU-5A in order to establish a dental office with variances to the setback regulations.
Location	9970 SW 40 Street, Miami-Dade County, Florida.
Property Size	75' x 130'
Existing Zoning	RU-1, Single-Family Residential District
Existing Land Use	vacant
2015-2025 CDMP Land Use Designation	Office Residential <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311, District Boundary Change, Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval of request #1 and approval with conditions of requests #2 and #3.

REQUESTS:

1. DISTRICT BOUNDARY CHANGE from RU-1 to RU-5A.
2. NON-USE VARIANCE to permit an office building setback 17' (25' required) from the front (north) property line.
3. NON-USE VARIANCE to permit an office building setback 3' (15' required) from the interior side (east) property line.

Plans are on file and may be examined in the Miami-Dade County Department of Regulatory and Economic Resources entitled "Ivette Guillermo Dental Office" Prepared by Sol-Arch and Urban Works International Inc. dated stamped received 9-18-13 consisting of 8 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND HISTORY:

In 1981, pursuant to Resolution #Z-284-81, the subject property was approved to permit office uses in the RU-1, Single-Family residential District as would be permitted in the RU-5A, Semi-Professional Office District, to include a tax consultant, bookkeeping and accounting services. The subject property was also approved for ancillary non-use variances including to permit the office on less lot area than required and to waive the wall requirement along the interior side (east) property line.

However, staff notes that the subject property is located within the adopted Bird Road Corridor Urban Area District (BRCUAD) that was adopted pursuant to Ordinance #13-58. Said Ordinance

resulted from a study of the area conducted by a group comprised of citizens from the area, the purpose of which was to develop a community driven long term vision for the Bird Road Corridor, which extends from the Palmetto Expressway to the Florida Turnpike. Among the things addressed in the Bird Road study that resulted in the ordinance is the development patterns along Bird Road that have *evolved without the benefit of careful zoning, evidenced by the visible lack of appropriate land use transitions and inefficient building placement.*

Emphasis in design and development of these centers and all of their individual components have been created to promote active pedestrian environments through high-quality design of public spaces as well as private buildings; human scaled appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. Among other things, said Ordinance requires buildings to be oriented to the street, parking lots to be predominately relegated to the rear or sides of buildings, primary building entrances to be placed close to the street and/or open space, and shade trees and weather protection to be available in order to create a pedestrian-friendly environment at street level. The subject property is a part of this larger tract of land that may be rezoned to the Bird Road Corridor Urban Area District and would be subject to the aforementioned guidelines for development in said district.

The office building was recently demolished and the applicant now seeks to rezone the parcel to RU-5A which would permit the parcel with variances to the setback regulations for the proposed office building in order to construct a dental office building.

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

NEIGHBORHOOD COMPATIBILITY:

The subject property is an interior lot located at 9970 SW 40 Street. The area surrounding the subject property is primarily characterized by office uses to the north, east and west fronting onto SW 40 Street (Bird Road) and residential uses to the south.

SUMMARY OF THE IMPACTS:

The approval of this application will provide additional office space along Bird Road which is a section line road and a main east/west roadway. However, approval of the zone change to allow the office use on this lot with the approval of the requested variances could have a negative visual impact on the single-family residences to the south as well as to passersby along Bird Road. Additionally, staff opines that the approval of the new office will bring new traffic impacts to Bird Road which abuts the subject property to the north.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Adopted 2015 and 2025 Land Use Plan (LUP) of the Comprehensive Development Master Plan (CDMP) designates the subject property as being within the Urban Development Boundary for **Office/Residential** use. The applicant seeks a zone change from the existing RU-1 district to RU-5A as well as ancillary requests for non-use variances. Uses allowed in the Office/Residential category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional offices to large-scale office parks. The RU-5A zoning district allows uses such as attorneys and real estate offices, doctor's offices, accountants, adult daycare uses and other professional office uses. The submitted plans indicate the development of the site with a dentist office which is similar a doctor's office which is within the range of uses permitted in the RU-5A zoning district. As such, the range of permitted uses in the proposed RU-5A zone is compatible with the uses allowed in this land use category.

Based on the foregoing analysis, staff opines that the proposed zone change to RU-5A is **compatible** with the area and **consistent** with the CDMP Land Use Element interpretative text for the Office/Residential category and the CDMP LUP map Office/Residential designation.

ZONING ANALYSIS:

Staff notes that pursuant to Resolution #Z-284-81, the subject property was approved to permit office uses in the RU-1, Single-Family Residential District as would be permitted in the RU-5A, Semi-Professional Office District, to include a tax consultant, bookkeeping and accounting services. The applicant is now seeking a zone change from RU-1 to RU-5A to allow all the uses allowed in the RU-5A zoning district. In order to do this, the applicant is seeking a district boundary change (request #1), along with ancillary non-use variances of the setback and landscape requirements (requests #2 and #3).

Staff opines that when the applicant's request to rezone the 0.22-acre parcel to RU-5A (request #1) is analyzed under Section 33-311, District Boundary Change, the approval of the request would be **compatible** with the surrounding office, residential and commercial uses in the surrounding area.

Staff notes that the subject property was previously approved to allow office uses in the residential zoning district pursuant to Resolution #Z-284-84. In addition, staff notes that apart from one remaining single-family residence along this block face, all the other properties to the east and west of the subject property have also been approved to allow office uses in the residential district. Further, staff notes that pursuant to Resolution #Z-271-77, all the properties within the entire block face to the north of the subject property along Bird Road were approved to permit a Use Variance to allow office uses in a residential district. As such, staff opines that approval of the rezoning to RU-5A (request #1), would permit office uses that would not be out of character with, and would be more compatible with the office uses along both sides of Bird road in this area, between SW 99 Court and SW 102 Avenue.

Staff notes that the applicant has submitted plans for the proposed office building that indicate the parking areas for the office located to the rear (south) of the building and adequate shade trees along the front (North) sidewalk which staff opines will provide sufficient shade to encourage pedestrian use of the sidewalk. Additionally, the applicant has met with staff and

based on the discussions, has sited the building slightly closer to the front (north) property line abutting the Bird Road right-of-way. As such, staff opines that the design of the proposed office building has been completed with some sensitivity towards the vision of the community for the Bird Road Corridor expressed in the adopted Bird Road Corridor Urban Area District (BRCUAD) Charter that was adopted pursuant to Ordinance #13-58.

Staff notes that based on the memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER), the approval of the aforementioned request will generate 7 PM daily peak hour vehicle trips, the distribution of which on the adjacent roadways does not exceed the acceptable level of service and meets the criteria for traffic concurrency for an Initial Development Order. Therefore, staff opines that based on said memorandum, approval of this request will result in an efficient use of the roads, streets and highways which have been constructed, planned or budgeted for in this area and, further, would not result in excessive traffic. Similarly, the memorandum from the Division of Environmental Resources Management (DERM) of the RER indicates that the approval with conditions of the aforementioned requests will not have an unfavorable impact on the environmental resources of the County. Specifically, its memorandum indicates that a review of the application for compliance with the requirements of Chapter 24 of the Code indicated that the Level of Service standards as specified in the CDMP for potable water supply, wastewater disposal and flood protection are valid for this initial development order.

In addition, staff notes that the subject property fronts onto Bird Road which is a six-lane section line roadway and is located approximately 2.3 miles to the west of the Palmetto Expressway and approximately 1.3 miles east of the Florida Turnpike, both of which are north/south expressways. As such, based on the foregoing analysis and the memoranda from the Departments concerned, staff opines that the approval of the proposed development will be consistent with the CDMP, will not have an unfavorable impact on the economy of the County and would not have an unfavorable impact on the environmental and natural resources or create an unnecessary burden on the water, sewer, solid waste or recreational resources among others which have been constructed, planned or budgeted for. **Therefore, staff recommends approval of request #1 under Section 33-311, District Boundary Change.**

In addition, the applicant also seeks approval of requests to permit the proposed office building setback 17' (25' required) from the front (north) property line (request #2) and 3' (15' required) from the interior side (east) property line (request #3). When the aforementioned requests are analyzed under Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval would maintain the basic intent and purpose of zoning regulations as it pertains to the stability and appearance of the community and would be **compatible** with same. Staff opines that based on the requested RU-5A district regulations, the approval of the requested 8' encroachment into the front setback area abutting a six-lane roadway, will have a minimal visual impact on vehicular or pedestrian traffic along said roadway. In addition, staff is more supportive of the office building being located as far away as possible from the single-family residences located to the south in order to create minimal aural and visual impacts on same. Further, staff notes that the property abuts the driveway of an office building located to the east. Therefore, the 12' encroachment is not likely to have a negative impact on the office located on this adjacent property. Further, for the reasons that were previously explained, staff is supportive of the reduced building setbacks as they will be more in keeping with the future development of the area under the BRCUAD. **Therefore, staff recommends approval with conditions of requests #2 and #3 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING: Access to the site is provided on SW 40 Street.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

ENVIRONMENTAL REVIEW: Not applicable.

OTHER: Not applicable.

RECOMMENDATION: Approval of request #1 and approval with conditions of requests #2 and #3.

CONDITIONS FOR APPROVAL: (For requests #2 and #3 only).

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 "Ivette Guillermo Dental Office" Prepared by Sol-Arch and Urban Works International Inc. dated stamped received 9-18-13 consisting of 8 sheets.
3. That the applicants submit to the Department of Regulatory and Economic Resources for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
4. That the applicants obtain a Certificate of Use for the semi-professional office use from the Department of Regulatory and Economic Resources upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That the use be established and maintained in accordance with the approved plan.
6. That no off-site parking for the office use be allowed along SW 40 Street.

ES:MW:NN:EJ:CH



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

ZONING RECOMMENDATION ADDENDUM

Applicant: *IGBR Property, LLC.*
PH: Z13-084

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

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

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

Applicant: *IGBR Property, LLC.*

PH: Z13-084

PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Section 33-311 District Boundary Change</p>	<p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <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> (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> (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> (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>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</p>	<p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i></p>

2. IGBR PROPERTY, LLC
(Applicant)

14-1-CZ10-2 (13-084)
Area 10/District 10
Hearing Date: 01/15/14

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>
1981	Edith Fishkin	- Non-use variances for lot area, building square footage, and parking requirements	BCC	Approved w/conditions

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: November 12, 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 #Z2013000084-1st Revision
IGBR Property LLC
9970 SW 40th Street, Miami, FL 33165
Permit RU-5A Use in RU-1 zone and NUV of Setbacks and
Greenbelt Requirements.
(RU-1) (0.2152 Acres)
20-54-40

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

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

Potable Water Service

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

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

Wastewater Disposal

Public sanitary sewers are not located within feasible distance for connection to the subject property; consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste. DERM would not object to the interim use of a septic tank and drainfield, provided that the following items are satisfied:

1. The proposed development shall not exceed the maximum sewage loading allowed by Section 24-43.1(4)(b) of the Code. Based on available information, the maximum sewage loading for this site would allow the proposed development.
2. The owner of the property has submitted properly executed covenants running with the land in favor of Miami-Dade County as required by Sections 24-43.1(4)(a) and 24-43.1(6)(h) of the Code.

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.

Drainage restrictions may be applicable, since the site is located within the Alexander Orr Wellfield Protection Area.

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

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. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application.

The applicant is advised to contact the Tree Permitting Program at (305) 372-6574 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.

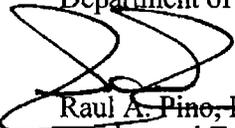
cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: November 7, 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: Z2013000084
Name: IGBR Property LLC
Location: 9970 SW 40 Street
Section 20 Township 54 South Range 40 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lots 7, Block 1 of Plat Book 50, Page 98.

Additional improvements may be required at time of permitting.

This application **does** meet the traffic concurrency criteria for an Initial Development Order. It will generate **7 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveals that the addition of these new trips **does not** exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
F-74	SW 40 St. e/o SW 107 Ave.	C	C
F-76	SW 40 St. w/o SW 87 Ave.	D	D
9699	SW 97 Ave. s/o SW 24 St.	D	D
9700	SW 97 Ave. s/o SW 40 St.	C	C

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

Memorandum



Date: November 20, 2013

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

From: 
Paul Mauriello, Assistant Director, Waste Operations
Public Works and Waste Management Department

Subject: IGBR Property LLC. (#13_084)

The Department's review of the above-referenced item is provided below. Additional comments will be provided as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie, Manager of the Fiscal Management and Planning Division, at 305-514-6661. **The PWWM has no objections to the proposed application.**

Application: *IGBR Property LLC.* is requesting a modification of a previously approved use variance to permit Semi-professional office (RU-5A) use in a Single Family Residential (RU-1) district, modification of Resolution No. Z-284-81, and non-use variances of setback requirements to permit a semi-professional office building on the property.

Size: The subject property is approximately 0.21 acres.

Location: The subject property is located at 9970 SW 40th 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 25, 2013, 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 Regulatory and Economic Resources 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

Pursuant to Chapter 15 of the Miami-Dade County Code (Code), entitled Solid Waste Management, the semi-professional office building on the property will likely be considered a

commercial establishment. Per the Code the following is required of commercial establishments 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, once the building is developed.

3. Recycling

The following language from **Section 15-2.3a** of the Code 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 of the Code 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.

Memorandum



Date: 28-OCT-13
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2013000084

Fire Prevention Unit:

APPROVAL

- No objection to the site plan date stamped received October 7, 2013.

Service Impact/Demand

Development for the above Z2013000084
located at 9970 SW 40 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1524 is proposed as the following:

<u>N/A</u> residential	dwelling units	<u>N/A</u> industrial	square feet
<u>1,720</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: 0.33 alarms-annually.
The estimated average travel time is: 6:06 minutes

Existing services

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

Planned Service Expansions:

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

Fire Planning Additional Comments

Current service impact calculated based on site plan stamped received October 7, 2013.

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

IGBR PROPERTY LLC

9970 SW 40 ST, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2013000084

HEARING NUMBER

HISTORY:

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

IGBR Property LLC

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

REPORTER NAME:

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: N/A

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

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

N/A

_____	_____
_____	_____
_____	_____
_____	_____

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.

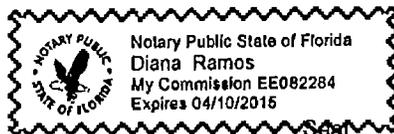
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: _____

Ivette Guillermo, Managing Member of IGBR Property, LLC (Applicant)

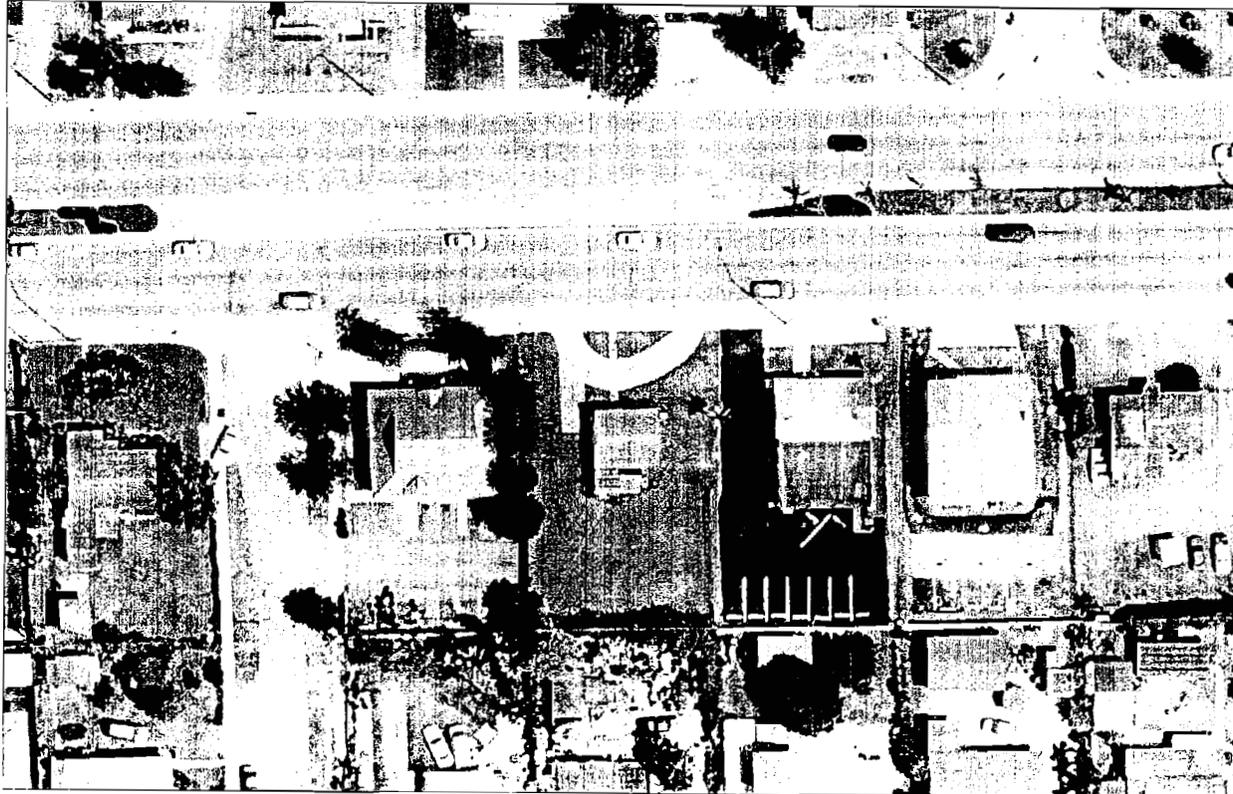
Sworn to and subscribed before me this 18 day of September, 2013. Affiant is personally know to me or has produced driver's license as identification.

Diana Ramos
(Notary Public)



My commission expires: _____

*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.



OCTOBER 1, 2013

PRELIMINARY SET:

Ivette Guillermo Dental Office
9970 SW 40th ST. MIAMI, FLORIDA 33165

RECEIVED
OCT / 7 2013

213-084

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

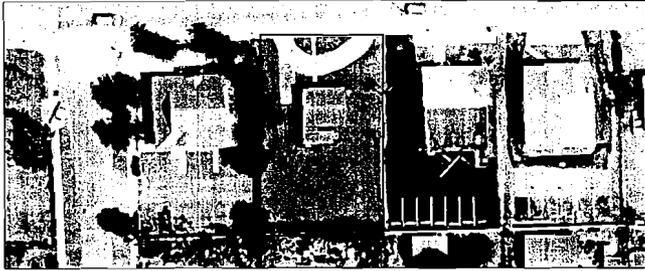
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Guillermo Dental Office

RECEIVED
OCT 20 2013

61

AERIAL MAP
 LEGAL DESCRIPTION
 20 54 40 TROPICAL ESTS PB 50-98 LOT 7 BLK 1



213-084
RECEIVED
 OCT / 7 2013

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

Site, Zoning and Building Information
 SCALE: 1/8" = 1'-0"

20

FLOOD LEGEND

ADDRESS: 9970 SW 40 ST MIAMI, FLORIDA 33165

HIGHEST CROWN OF ROAD ELEV. AS PER THE ATTACHED CERTIFIED SURVEY

	LOWEST FLOOR ELEV.	DRIVEWAY/STOR. ELEV.	ADJACENT GRADE ELEV.	SWALE AREA ELEV.
REQUIRED	N/A	N/A	N/A	N/A
PROPOSED	N/A	N/A	N/A	N/A

ALL ELECTRICAL, MECHANICAL AND PLUMBING WILL BE PLACED AT OR ABOVE THE BASE FLOOD ELEVATION. (B.F.E.)

ALL AREAS BELOW B.F.E. SHALL BE PROVIDED WITH A MINIMUM OF TWO (2) OPENINGS HAVING A TOTAL NET AREA OF NO LESS THAN ONE SQUARE INCH OF OPENING FOR EVERY SQUARE FOOT OF ENCLOSED AREA SUBJECT TO FLOODING. THE BOTTOM OF THE OPENING WILL BE NO HIGHER THAN ONE (1) FOOT ABOVE GRADE AND LOCATED ON DIFFERENT SIDES OF THE ENCLOSED AREA. OPENINGS WILL BE EQUIPPED WITH SCREENS OR LOUVERS. FLOOD RESISTANT MATERIALS WILL BE USED BELOW B.F.E.

ALTERNATIVELY SEE A CERTIFICATION BY THE P.E. ON THE PLAN NOTES INDICATING THAT THE DESIGN WILL BE ALLOWED FOR AUTOMATIC EQUALIZATION OF HYDROSTATIC FLOOD FORCES ON EXTERIOR WALLS.

THE SITE WILL BE GRADED IN A MANNER TO PREVENT THE FLOODING OF ADJACENT PROPERTIES. WHERE NECESSARY INTERCEPTOR SWALES WILL BE CONSTRUCTED ON-SITE WITH NO ENCROACHMENT OVER ADJACENT PROPERTIES

0'-0" = _____ FT NGVD

ZONING DATA RU-5A

GROSS LOT 9,375 SF

PERMITTED USE: SEMI-PROFESSIONAL OFFICE

BUILDING SETBACKS REQUIRED PROVIDED

FRONT: 25'-0" 23'-0"

REAR: 25'-0" 62'-0"

INTERIOR SIDES: 15'-0" 3'-0"

SIDE STREET 15'-0" N/A

HEIGHT REQUIRED PROVIDED

1 STORY <24'-0" 13'-3"

ACCESSORY SETBACKS - N/A REQUIRED PROVIDED

FRONT: 75'-0" -

INTERIOR SIDES: 7'-6" -

REAR: 5'-0" -

BUILDING DATA

LOT COVERAGE MAX. ALLOWED PROVIDED

40% X 9,375 SF 3,750'-0" SF 1,720'-0" SF

FAR 40 .20

1 STORY

FENCES, WALLS AND HEDGES

Max height 6' 6'

BUILDING AREA REQUIRED PROVIDED

OFFICE 1,720'-0" SF

PARKING 5.3 10

OPEN SPACE

OPEN AREA REQUIRED PROVIDED

25% x 9,375 sf 2,344 SF 2,358 SF

SOI-A-1011
 PROFESSIONAL SEAL
 REGISTERED PROFESSIONAL ARCHITECT
 STATE OF FLORIDA
 NO. 12345
 DATE 10/10/2013
 PROJECT NO. 12345
 SHEET NO. 12345
 REVISION NO. 12345
 DATE 10/10/2013

REMODELLING FOR
Ivette Guillermo Dental Office
 9970 SW 40TH Street
 Miami, Florida 33165

213-084
RECEIVED
 OCT 10 2013

12-001-00
 04-18-2013
 04-18-2013
 03-NOTED
 03
 DC
 PROJ. NO.
 ISSUE DATE
 PLOT DATE
 DRAWN BY
 CHECKED BY
 S.M. Zayas, Inc.
 Building Information
 SHEET
A000

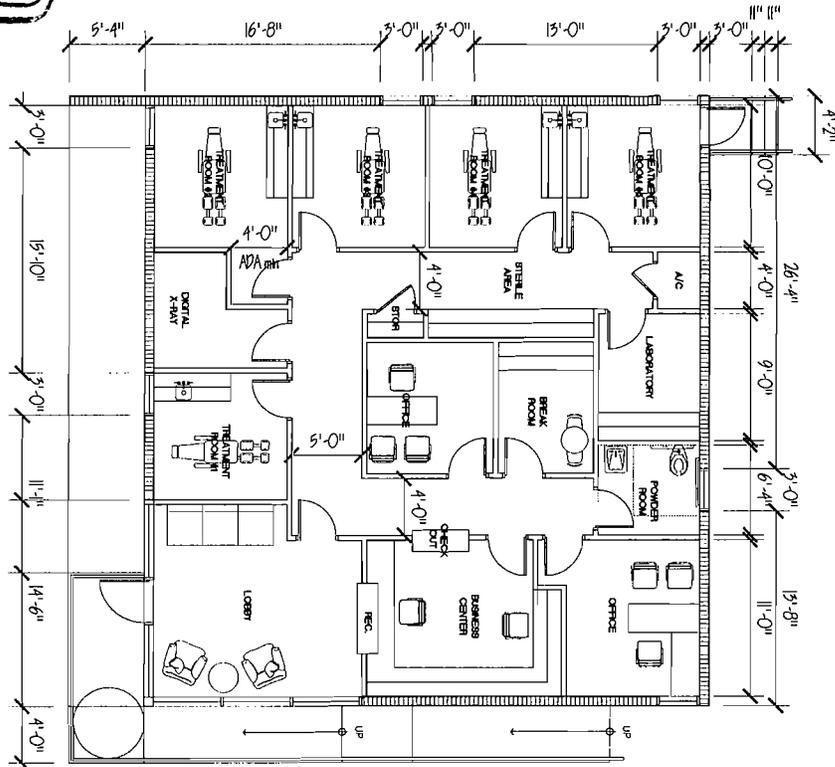
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1 New Floor Plan
SCALE: 1/4"=1'-0"

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY

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OCT / 7 2013



SHEET
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RECEIVED
OCT 8 2013

PROJ. NO.: 12-001-00
ISSUE DATE: 04-18-2013
PLOT DATE: F
SCALE: AS NOTED
DRAWN BY: OC
CHECKED BY: DC

Disclaimer and use for "as is" condition. A professional seal, stamp, or signature is required for all drawings. The architect is not responsible for the accuracy of the information provided in this drawing. The architect is not responsible for the accuracy of the information provided in this drawing. The architect is not responsible for the accuracy of the information provided in this drawing.

REMODELING FOR:
Ivette Guillermo Dental Office
9970 sw 40TH Street
Miami Florida 33165

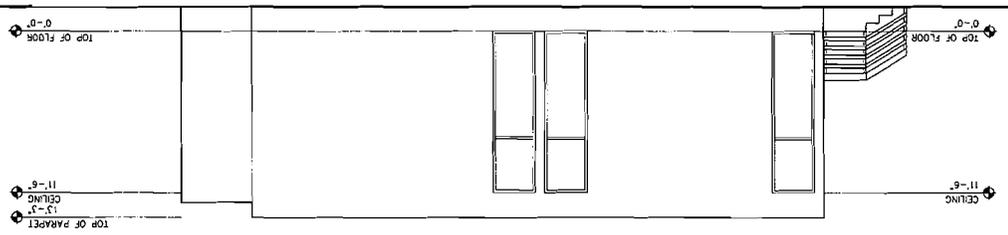
REVISION NO. DATE COMMENTS

SOI-ARCH
ARCHITECTURE - INTERIORS - PLANNING - SUSTAINABLE DESIGN - VISUALIZATION
Dudlow 10.3.13
BLACK & CHASE, P.A. ARCHITECT
401 SW 27TH COURT, MIAMI, FL 33135

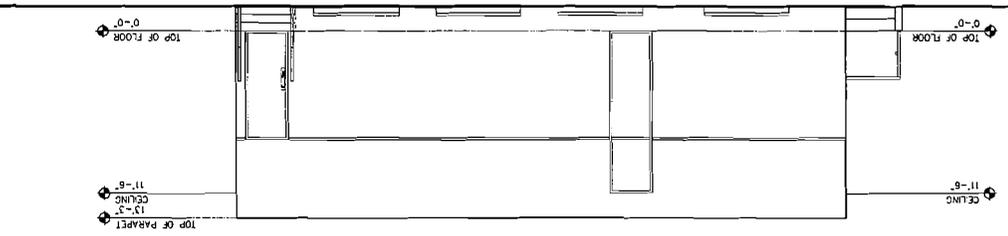
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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT

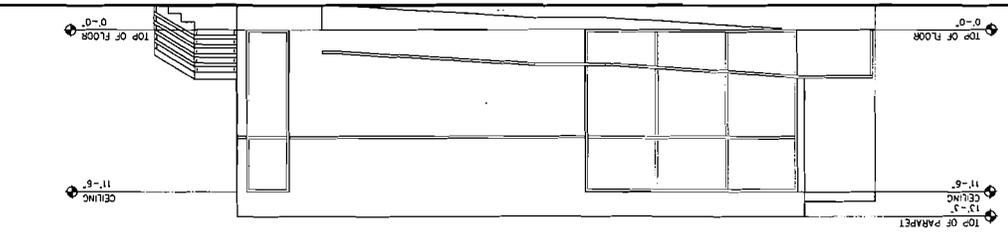
1 Side Elevation
SCALE 1/4"=1'-0"



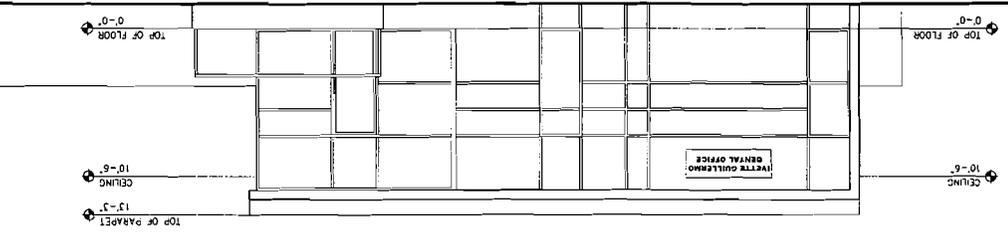
1 Rear Elevation
SCALE 1/4"=1'-0"



1 Side Elevation
SCALE 1/4"=1'-0"



1 Front Elevation
SCALE 1/4"=1'-0"



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A004
PROJ. NO.:
ISSUE DATE:
PILOT DATE:
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CHECKED BY:

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213.084
OCT 07 2013

12-07-10
04-18-2013
04-18-2013
GC
GC

REMODELING FOR:
Ivette Guillermo Dental Office
9970 SW 40TH Street
Miami Florida 33165

REVISION NO. DATE COMMENTS

SOI-ARCH
ARCHITECTURE - INTERIOR, PLANNING, SUSTAINABLE DESIGN, VISUALIZATION
10.13
Dullard
10.13



- Revisions:
 1. Landscape Plan Rev. 2.1.13
 2. Landscape Plan Rev. 7.1.13
 3. Landscape Plan Rev. 9.13.13
 4. Landscape Plan Rev. 9.25.13
 5. Landscape Plan Rev. 9.26.13
 6. Landscape Plan Rev. 9.27.13
 7. Landscape Plan Rev. 10.2.13
- Project Address:
 1720 SW 17th Street, Miami, FL 33135
- Project Name:
 DR. YVETTE GUILLERMONT DENTAL OFFICE
- Drawing Status:
 LANDSCAPE PLAN

Contract No.:	AL13002
Scale:	AS SHOWN
Drawn:	BRUCE GUSTAFSON
Checked:	DAVID PINE
CADD File:	
Drawing Title:	

LANDSCAPE LEGEND Information Required to be Permanently Affixed to Plan Following Miami Dade Landscape Code

Zoning District: RU-5A (Semi-Professional Office) Net Lot Area 0.22 acres 9,375 s.f.

OPEN SPACE

A. Square feet of open space required:
 Net Lot Area = 9,375 sq. ft. x 25% = 2,344 sq. ft.
 Minimum Open Space = 2,344 sq. ft.

B. Total square feet of landscaped open space:
 100 sq. ft. per parking space = 100 sq. ft. x 10 = 1,000 sq. ft.
 2,344 sq. ft. + 1,000 sq. ft. = 3,344 sq. ft.

TREES

A. The number of trees required per net lot acre = 28 trees per net acre
 = 28 TREES X .22 NET LOT ACREAGE = 6.16 TREES

B. 30% PALM TREES ALLOWED = THE NUMBER OF TREES REQUIRED

C. Percentage of Native Trees Required = the number of trees required: 7 x 30% = 3

D. Street trees (max. average spacing of 35' o.c.):
 75' linear feet along street / 35' = 3 street trees

E. Parking lot trees (1 per 80 sq. ft. of parking landscape area):
 100 sq. ft. / 80 = 1.25 trees

F. Total number of trees required & provided =

SHRUBS

A. The total number of shrubs required 10 x 10 = 100 required shrubs

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

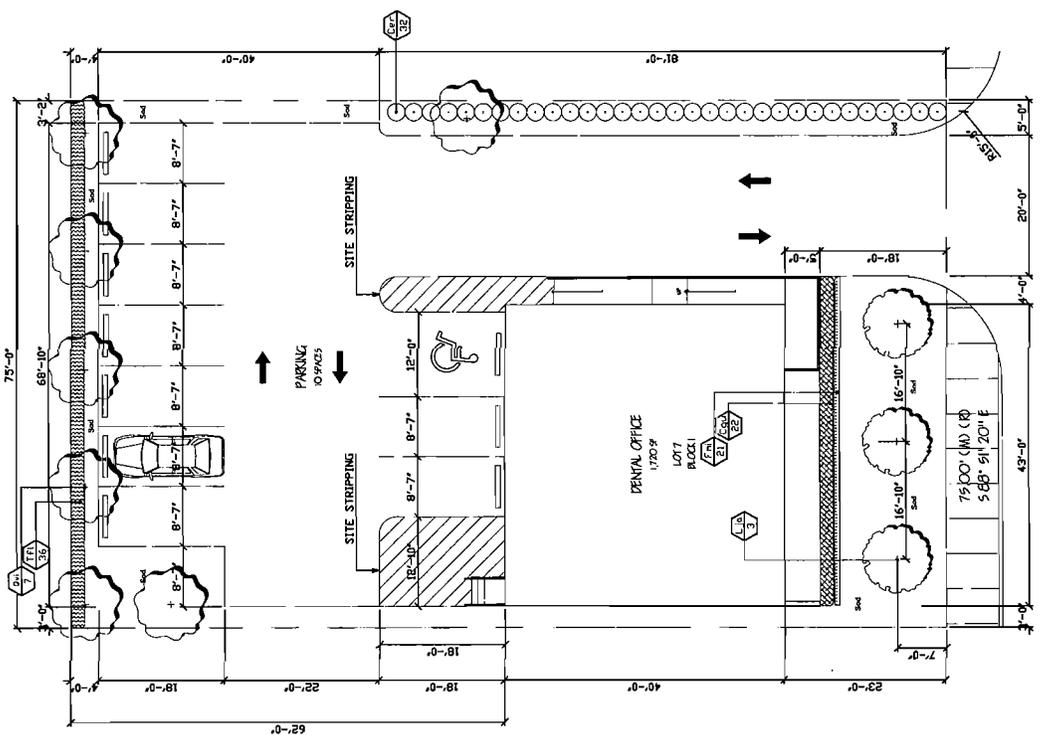
SEE LANDSCAPE LIST

LANDSCAPE LIST

SYMBOL	QUAN.	TREES/PALMS	PROPOSED MATERIAL	SPECIFICATIONS
Lja	3	Liquidambar planticum	JAPANESE PRIVET	8' HT. X 6" SPR. MULTI TRUNK F.G.
Qvi	7	Quercus virginiana	LIVE OAK	12' HT. X 5" SPR. 2" CAL. MIN. F.G.

SYMBOL	QUAN.	SHRUBS AND GROUNDCOVERS	PROPOSED MATERIAL	SPECIFICATIONS
Cer	32	Conocarpus erectus	GREEN BUTTWOOD	24" HT. X 24" SPR. / 24" D.C. 3 GAL.
Cgu	22	Clusia guianensis	SMALL LEAF CLUSIA	24" HT. X 24" SPR. / 24" D.C. 7 GAL.
Fmi	21	Ficus microcarpa 'Green Island'	GREEN ISLAND FIG	18" HT. X 18" SPR. / 18" D.C. 3 GAL.
Tti	36	Tillandsia usneoides	DWARF FAKAHATCHEE GRASS	24" HT. X 24" SPR. / 24" D.C. 3 GAL.
LAWN	As Required	Stenotaphrum secundatum 'Floriberry'	ST. AUGUSTINE GRASS	SOLID EVEN SOD

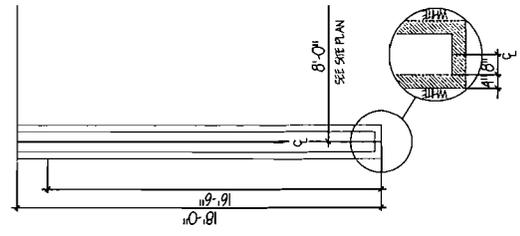
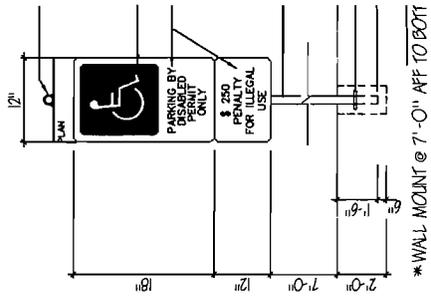
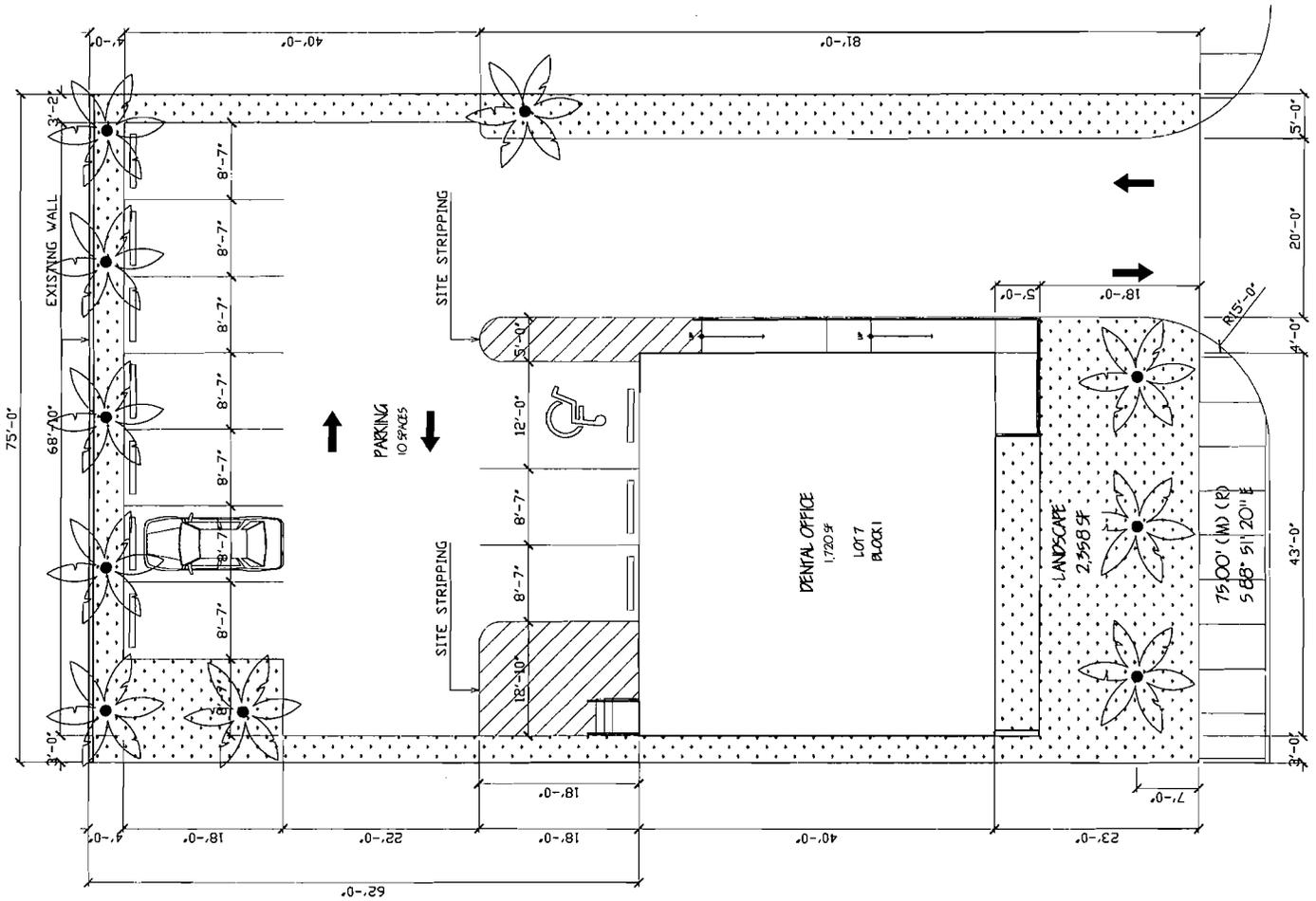
213-084
RECEIVED
 OCT 7 2013
 NORTH



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

ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT

BY *[Signature]*



213.004
RECEIVED
 OCT 7 2013

ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT
 BY

FC



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2013000084



Section: 20 Township: 54 Range: 40
 Applicant: IGBR PROPERTY LLC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

- Subject Property Case
- Zoning



SKETCH CREATED ON: Thursday, October 3, 2013

REVISION	DATE	BY
	27	



MIAMI-DADE COUNTY
AERIAL YEAR 2012

Process Number

Z2013000084



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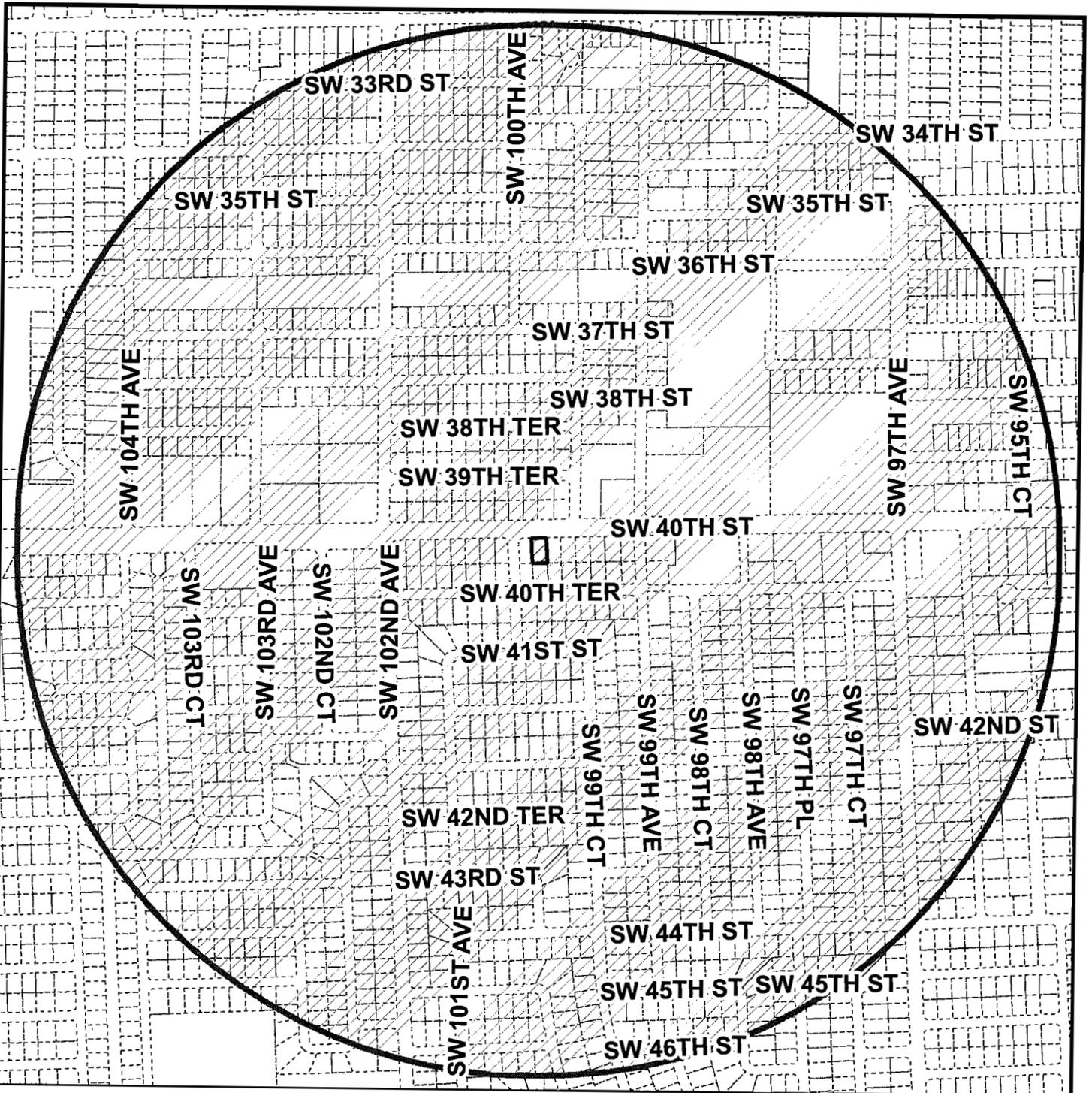
Legend

 Subject Property



SKETCH CREATED ON: Thursday, October 3, 2013

REVISION	DATE	BY
	28	



MIAMI-DADE COUNTY
RADIUS MAP

Process Number

Z2013000084

RADIUS: 2640



Section: 20 Township: 54 Range: 40
 Applicant: IGBR PROPERTY LLC
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 Commission District: 10
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 Scale: NTS

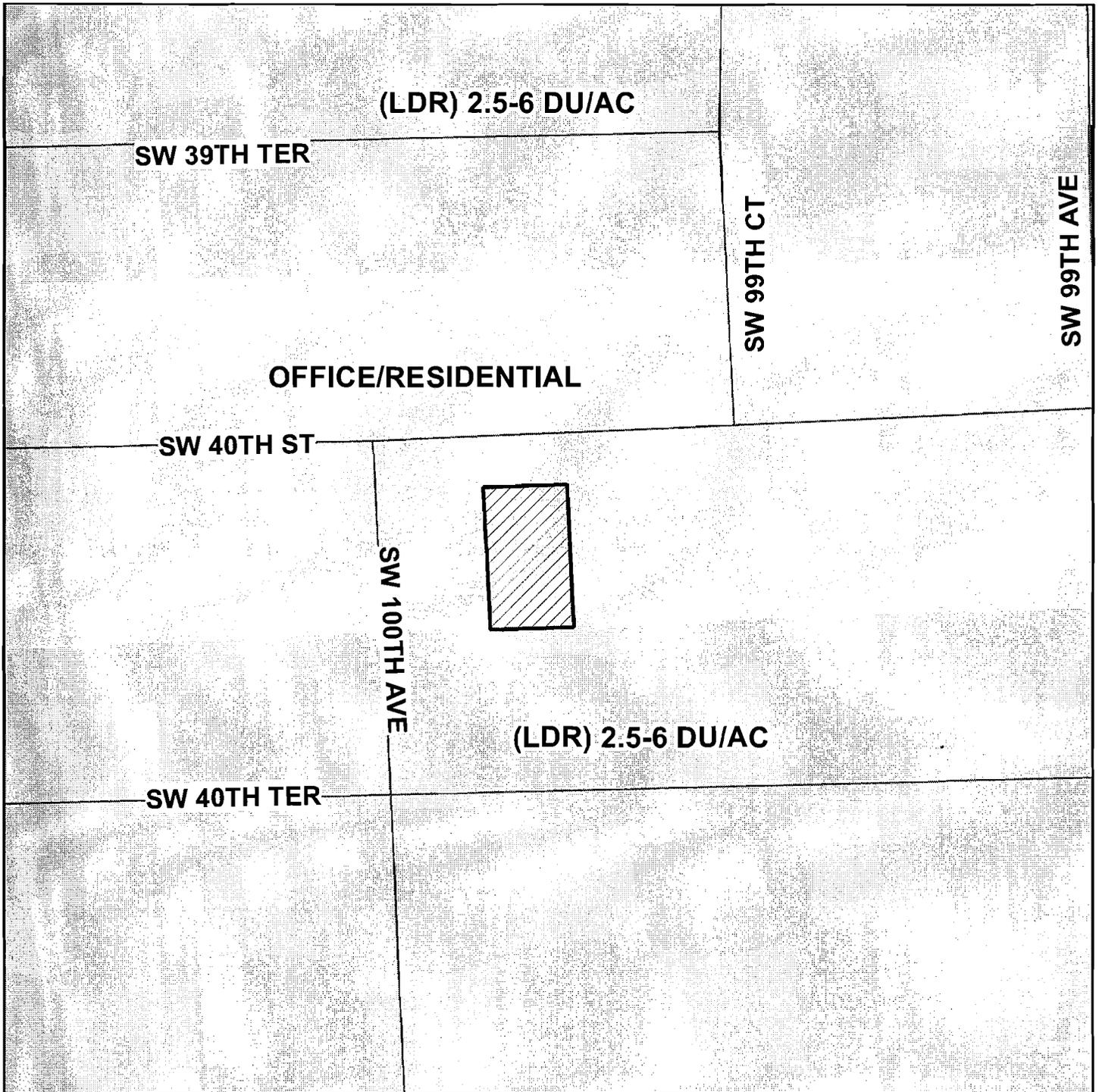
Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Thursday, October 3, 2013

REVISION	DATE	BY
	29	



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2013000084



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