



**PRE-KIT REVIEW COMMENTS
COMMUNITY ZONING APPEALS BOARD 10**

Wednesday, April 23, 2014 at 6:30 p.m.

- | | | |
|----|---|--------|
| 1. | OLYMPIA HEIGHTS UNITED METHODIST CHURCH | 12-113 |
| | Insert Revised Recommendation → dk | |
| | Insert PWKS Memo → dk | |
| 2. | KENNIT CORP. | 13-99 |
| | Insert Revised Recommendation → dk | |
| | *** | |
| | CAO - Approved CAO Review Comments | |

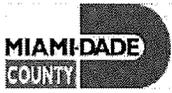
ACA: JAMES E. KIRTLEY

C:

Revised: 04/02/14
Reviewed: 04/02/14

FINAL AGENDA

3-17-2014 Version # 2



COMMUNITY ZONING APPEALS BOARD 10
RUBEN DARIO MIDDLE SCHOOL
350 NW 97 Avenue, Miami
Wednesday, April 23, 2014 at 6:30 p.m.

CURRENT

- | | | | | | |
|----|-------------|--|--------|----------|---|
| 1. | 14-4-CZ10-1 | <u>OLYMPIA HEIGHTS UNITED METHODIST CHURCH</u> | 12-113 | 16-54-40 | N |
| 2. | 14-4-CZ10-2 | <u>KENNIT CORP.</u> | 13-99 | 15-54-40 | N |



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 10

MEETING OF WEDESDAY, APRIL 23, 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

**1. OLYMPIA HEIGHTS UNITED METHODIST CHURCH (14-4-CZ10-1 (12-113)) 16-54-40
Area 10/District 10**

- (1) MODIFICATION of a plan approved pursuant to Resolution 4-ZAB-202-75, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "Plans are on file and may be examined in the Zoning Department entitled "A Classroom Complex for Olympia Heights Methodist Church" as prepared by Robert Jerome Filer dated 3/12/95."

TO: "That in the approval of the plan, the same be substantially in accordance with that submitted for hearing entitled "Olympia Heights Methodist Church" as prepared by Filer and Hammond, dated stamped received 2/28/14 and consisting of 8 sheets."

- (2) MODIFICATION of Conditions #4, #5, and #6 of Resolution 4-ZAB-202-75, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "4. That the use be approved, for both day nursery and kindergarten, not exceed 100 children."

"5. That the uses be restricted to children in the age group of 3 years to 5 years."

"6. That the hours of operation for the day nursery shall be from 7:00 a.m. to 6:00 p.m. and the hours of operation for the kindergarten shall be from 8:30 a.m. to 11:30 a.m."

TO: "4. That the use be approved, for both day nursery and kindergarten, not exceed 166 children."

"5. That the uses be restricted to children in the age group of infant to 6 years."

"6. That the hours of operation for the day nursery and kindergarten shall be Monday through Friday from 7:00 a.m. to 6:00 p.m."

- (3) DELETION of Condition #10 of Resolution 4-ZAB-202-75, passed and adopted by the Zoning Appeals Board, reading as follows:

"10. That only one sign, not to exceed 1 ½ sq. ft. will be maintained in connection with the uses."

The purpose for Requests #1 through #3 is to allow the applicant to submit revised site plans showing additional classrooms, an increase in the number of children, a change in hours of operation and to add more signage for the previously approved daycare, nursery, kindergarten and religious facility.

- (4) NON-USE VARIANCE to permit the existing religious facility and classroom buildings setback a minimum of 22' (25' required) from the side street (north) property line.

Department of Regulatory and
Economic Resources
Recommendation:

Approval with conditions.

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: Z12-113 (14-4-CZ10-1)

April 23, 2014

Item No. 1

Recommendation Summary	
Commission District	10
Applicant	Olympia Heights United Methodist Church
Summary of Requests	The approval of this application will allow the applicant to submit revised site plans showing all classroom areas, increase the number of children, change the hours of operations and to add more signage for the previously approved day nursery and kindergarten use within a religious facility. Additionally, approval of the application would allow the religious and educational facility with ancillary variances for setback, parking and landscaping, among others, based on the existing site conditions.
Location	3801 SW 97 Avenue, Miami-Dade County, Florida.
Property Size	1.918 Acres
Existing Zoning	RU-2, Two-Family Residential District
Existing Land Use	Religious facility
2015-2025 CDMP Land Use Designation	Low-Medium Density Residential, 6 – 13 dua <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with the LUP map, interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b), Non-Use Variance Standards Section 33-311(A)(7), Generalized Modification Standards <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Modified approval with conditions of requests #1, approval with conditions of requests #2 through #6 and requests #8, and #9; and denial without prejudice of request #7.

REQUESTS:

1. MODIFICATION of a plan approved pursuant to Resolution 4-ZAB-202-75, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "Plans are on file and may be examined in the Zoning Department entitled " A Classroom Complex for Olympia Heights Methodist Church" as prepared by Robert Jerome Filer dated March 12, 1975"

TO: "That in approval of the plan, the same be substantial in accordance with that submitted for the hearing entitled "Olympia Heights Methodist Church" as prepared by Filer and Hammond, dated stamped received 2/28/14, consisting of 8 sheets."

2. MODIFICATION of Conditions #4, #5, and #6 of Resolution 4-ZAB-202-75,, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "4. That the use be approved, for both day nursery and kindergarten, not exceed 100 children."

“5. That the uses be restricted to children in the age group of 3 years to 5 years.

“6. That the hours of operation for the day nursery shall be from 7:00 a.m. to 6:00 p.m. and the hours of operation for the kindergarten shall be from 8:30 a.m. to 11:30 a.m.”

TO: “4. That the use be approved, for both day nursery and kindergarten, not exceed 166 children.”

“5. That the uses be restricted to children in the age group of infant to 6 years.”

“6. That the hours of operation for the day nursery and kindergarten shall be Monday through Friday from 7:00 a.m. to 6:00 p.m.”

3. DELETION of Condition #10 of Resolution 4-ZAB-202-75, passed and adopted by the Zoning Appeals Board, reading as follows:

“10. That only one sign, not to exceed 1 1/2 sq. ft. will be maintained in connection with the uses.

The purpose of requests #1 through #3 is to allow the applicant submit revised site plans showing additional classrooms, an increase in the number of children, a change in hours of operations and to add more signage for the previously approved daycare, nursery, kindergarten and religious facility.

4. NON-USE VARIANCE to permit the existing religious facility and classroom buildings setback a minimum 22' (25' required) from the side street (north) property line..
5. NON-USE VARIANCE to permit a canvas covered shelter and an aluminum roofed shelter setback 0' (25' required) from the side street (north) property line.
6. NON-USE VARIANCE to permit a 60 sq. ft. detached sign (1 - 24 sq. ft. sign permitted).
7. NON-USE VARIANCE to permit 12 street trees (24 required).
8. NON-USE VARIANCE to permit parking within 25' of the right-of-way abutting SW 39 Street.
9. NON-USE VARIANCE of zoning regulations requiring section lines to be 80' in width, to permit 35' of dedication (40' required) for the east half of SW 97 Avenue.

PROJECT DESCRIPTION AND PROJECT HISTORY:

The subject property was approved to allow the existing religious facility at this location in 1954, pursuant to Resolution #7672. Subsequently, in 1962 pursuant to Resolution #2-ZAB-730-62, and in 1975 pursuant to Resolution #4-ZAB-202-75, the previously approved religious facility was approved for expansion onto additional property and to allow the day nursery and kindergarten use.

The applicant now seeks to modify the plans and conditions approved pursuant to the latter 1975 resolution in order to submit new site plans indicating additional classrooms for the

existing day nursery and kindergarten use within an existing religious facility. With this application, the applicant also seeks to increase the number of students for the daycare and kindergarten use, to change the hours of operation for the education facility as well as to increase the signage. Approval would also allow the applicant to permit the existing religious facility with variances to the setback, parking and landscape regulations for the RU-2, Two-family Residential District.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-2; religious facility, school and daycare	Low-Medium Density Residential, (6 to 13 dua)
North	RU-2; duplex and single-family residences,	Low-Medium Density Residential, (6 to 13 dua)
South	RU-2; duplex residences BU-1; restaurant	Low-Medium Density Residential (6 to 13 dua)
East	RU-2: duplex residences	Low-Medium Density Residential, (6 to 13 dua)
West	GU; public school	Low-Medium Density Residential, (6 to 13 dua)

NEIGHBORHOOD COMPATIBILITY:

The submitted plans depict the existing 22,400.89 sq. ft. religious facility consisting of sanctuary areas, classrooms and administrative offices on the 1.918-acre parcel. The facility abuts residential uses to the north, east and partially to the south, as well as commercial uses to the south and a public school facility located to the west. Additionally, the subject property abuts the north/south section line roadway, SW 97 Avenue, and approximately 315' north of section line roadway, SW 40 Street.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to expand the number of children served by the daycare and pre-school educational services along with the previously approved religious facility. Staff opines that approval of this application will not create any new visual or traffic impacts on the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is currently zoned RU-2, Two-Family Residential District and contains an existing religious facility and the daycare and pre-school uses that the application now seeks to expand. The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property for **Low-Medium Density Residential** use. *The type of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.* The CDMP Land Use Element Interpretative text under *Residential Communities* also permits *neighborhood and community services including schools, daycare centers and houses of worship, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood.* The criteria to evaluate compatibility among proximate land uses is outlined in

the CDMP Land Use Element, **Policy LU-4A**, among which *are access, traffic, parking, height, bulk scale of architectural elements, buffering, and landscaping as applicable.*

Staff opines that approval with conditions of the requested modification of the site plan to allow expanded classroom areas, increase the number of students, the age group and the operating hours for the existing daycare and pre-school uses within the existing two-story religious facility, which also contains the sanctuary and ancillary facilities on the 1.918-acre subject parcel will not result in any noticeable variation of the scale of the existing facilities from the surrounding one and two-story single-family residences as well as the restaurant use to the south. Further, staff notes that the existing buildings have been approved and have been in existence for at least the past thirty-five (35) years. As such, staff opines that the approval of the requested modification of the site plans and the conditions of a prior resolution in order to allow more students and expand the hours of operation for the existing day nursery and kindergarten use will not create any new visual or aural impacts on the surrounding properties or on passersby along the abutting roadways; therefore approval of the requests would satisfy the criteria for compatibility set forth in the CDMP Land Use Element, **Policy LU-4A**.

Based on the foregoing analysis, staff opines that the approval of the application to permit the expansion of the existing day nursery and kindergarten use in conjunction with the existing religious facility is **compatible** with the area and therefore **consistent** with the CDMP Land Use Element interpretative text for the **Residential Communities** and the CDMP Land Use Plan map Low-Medium Density Residential designation for the subject property.

ZONING ANALYSIS:

When the first three (3) requests (request #1, to modify the site plan approved pursuant to a prior resolution; request #2, to modify conditions approved pursuant to said resolution pertaining to the number of children for the daycare and kindergarten use, the age groups and the hours of operation for the latter facility, along with request #3, to delete a condition restricting the number and size of signs allowed) are analyzed under the Generalized Modification Standards, Section 33-311(A)(7), staff opines that approval with conditions of these requests would be **compatible** with the surrounding area. The submitted plans depict the existing religious facility, daycare and kindergarten use within the 1.918-acre parcel. Said plans indicate that the existing religious facility has adequate parking areas to accommodate the religious and educational uses on the subject parcel.

In plans submitted by the applicant, the proposed revisions show additional classroom space within the existing buildings for the daycare and kindergarten use to accommodate the additional number of students. The applicant indicated in its letter of intent that no physical changes were made to the structures that were approved pursuant to the 1975 resolution. Staff's review of the submitted plans indicates that they are similar to the previously approved plans. Notwithstanding, the plans submitted with this application indicate that the existing development encroaches into the side street (north) setback area 3' beyond the prior approval, which is the subject of request #4. Additionally, said plans also indicate a canvas covered accessory structure within said setback area that is the subject of request #5. For reasons that will be explained later, staff is supportive of the latter requests. Further, since the requested internal changes to expand the number of classrooms do not result in any physical expansion of the buildings accommodating the daycare and kindergarten use, staff is supportive of the request to modify the previously approved plans.

In addition, staff is supportive of the applicant's request to modify conditions of the prior resolution pertaining to the number of students, the age group of the students and the hours of operation for the daycare and kindergarten use. Based on the memoranda from the departments reviewing the application including the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources and the Division of Environmental Resource Management (DERM) of the Department of Regulatory and Economic Resources (RER) the approval with conditions of these requests would not generate or result in excessive traffic or burden public facilities. However, staff notes that the Platting and Traffic Review Section's memorandum indicates that approval of the application is subject to conditions outlined in its memorandum. As such, subject to this and the other conditions outlined in the aforementioned memorandum and the memorandum from the other departments reviewing the application, staff opines that approval with conditions of the submitted plans for the existing facility (request #1) along with the change in the number of children, the age groups, hours of operation (request #2) and the removal of the prior signage restrictions (request #3), would not create any new or negative visual impacts on the surrounding area and would not have a negative impact on traffic on the abutting rights-of-way, SW 97 avenue, SW 38 Street or SW 39 Street.

Further, staff opines that the site plan inclusive of the modifications to the existing daycare and kindergarten facilities are visually similar in scale and height to the facilities that were approved in the 1975 resolution and compatible with the surrounding residential and commercial uses. Additionally, as previously mentioned, staff opines that approval of this application would not generate excessive noise or traffic, create other hazards to the surrounding area or be incompatible with same, when considering the necessity for and reasonableness of the modifications in relation to the present and future development of the area concerned. However, for reasons that will be explained below, staff opines that the submitted plans should be modified to show the required 24 street trees. **Therefore, except as hereby modified to show the additional street trees, staff recommends modified approval with conditions of request #1 and approval with conditions of requests #2 and #3, under the Generalized Modification Standards, Section 33-311(A)(7).**

The applicant also seeks variances to permit the existing religious facility and classroom buildings along with a canvas covered shelter setback less than required from the side street (north) property lines (requests #4 and #5, respectively), to permit a larger detached sign than allowed by the zoning regulations (request #6); to permit the existing facility with less street trees than allowed (request #7), parking within 25' of an abutting right-of-way to the south (request #8) and less dedication than required for the east half of SW 97 Avenue (request #9).

When requests #4 through #6 and requests #8 and #9 are analyzed under Section 33-311(A)(4)(b), Non-Use Variance (NUV) From Other Than Airport Regulations Standards, staff opines that approval would be **compatible** with the area and would not be detrimental to the community. As previously noted, the existing religious facility has been in existence at this location since 1954 and has been approved on more than one occasion for the expansion of the facilities up until 1975. The modifications to the site plan being requested are primarily internal and do not reflect any significant change in the scale and height of the existing structures from what was previously approved. As such, staff opines that the 3' encroachment (request #4) of the existing buildings housing the church and educational uses has existed at the site for almost forty (40) years and will not create any new visual impacts on the surrounding residential uses located to the north. Further, staff's research of the Property Appraiser's records indicate that the existing religious and education facilities on the subject property have been in existence at this location before the majority of the abutting residences to the north were constructed. In

addition, staff opines that the existing canopy shelter that is the subject of request #5 is similar to canopy carports that could be approved in some residential districts setback varying from 1.5' to 5' from the front property line. As such, staff opines that the existing canopy that provides shelter from the elements for the playground for 3 to 4 year old children attending the kindergarten will not create a negative visual impact nor would it be out of character with the residential uses located to the north.

Staff opines that the approval of one sign that will be almost three times the size of what is allowed, for both the religious facility and the educational uses existing on the subject property (request #6), will not be excessive and will not result in a proliferation of signage on the property. Staff notes that the facility is located along a section line roadway approximately 300' from the intersection of a major east/west section line roadway. As such, staff opines approval of the requested variance would provide sufficient visibility for the existing uses while not contributing to visual clutter in close proximity to the residential properties located to the north.

The submitted plans also indicate that the existing parking areas in the southwest corner of the facility are located within 25' of the abutting right-of-way, SW 39 Street. Approval of request #8, would allow the applicant to permit this existing parking. The submitted plans do not indicate any visual buffering for the parking areas from the abutting roadway. However, staff opines that since the southwest corner of the parcel abuts the parking and drives for the restaurant located to the south, any negative visual impact on the more intensive commercial use will be very minimal. In addition, pursuant to Resolution #2-ZAB-730-62, staff notes that the subject property was previously approved in 1962 to allow parking within the 25' setback area along the side street (north) property line. As such, approval of the aforementioned request would not be out of character with the approvals of similar requests in this area. Further, staff opines that the approval of the applicant's request to permit 35' of roadway dedication for the east half of SW 97 Avenue instead of the 40' required (request #9), maintains the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with the area. Although the church and educational facility has received approvals on more than one occasion for expansion of the religious and educational facility since 1962, staff notes that the surveys and plans submitted only indicated the existing 35' dedication along SW 97 Avenue that is the subject of this request. Staff notes that the memorandum from the PWWM department does not object to this request. Therefore, staff opines that approval of the applicant's request for a 5' reduction in the dedication along SW 97 Avenue would not be detrimental to the current roadway width and configuration and would not have a negative impact on the traffic flows along said roadway. Therefore, staff recommends approval with conditions request #8 under the NUV standards.

The applicant also seeks approval under the aforementioned NUV standards, of a request to permit 12 street trees, where 24 trees are required (request #7) for the 1,918 acre subject property that fronts onto three (3) abutting roadways, SW 97 Avenue, SW 38 Street and SW 39 Street. Staff opines that although the facility has existed at the site for more than fifty (50) years, there is sufficient room to accommodate the additional trees on the site. Further, staff opines that there is a need to increase the number of street trees on the property to the current landscape Code requirements to mitigate the intensification of the educational uses on the subject property that is the subject of requests #1 and #2. As such, staff opines that approval of this request that would permit the facility with only 50% of the street tree requirement would be **incompatible** with the surrounding residential and commercial uses; therefore, staff recommends denial without prejudice of request #7.

Based on the aforementioned analysis, staff recommends approval with conditions of requests #4 through #6 and requests #8 and #9; and denial without prejudice of request #7 under Section 33-311(A)(4)(b) NUV Standards.

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate that the subject property has an ingress/egress drives along SW 38 Street as well as an egress only drive along SW 39 Street. Further, staff notes that the plans also show adequate parking and drives within the parcel for the religious facility and educational uses.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION: Modified approval with conditions of requests #1, approval with conditions of requests #2 through #6 and requests #8 and #9; and denial without prejudice of request #7.

CONDITIONS FOR APPROVAL: (For requests #1 through #6 and #8 only).

1. That all the conditions of Resolution 4-ZAB-202-75, remain in full force and effect except as herein modified.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Olympia Heights Methodist Church" as prepared by Filer and Hammond, dated stamped received 2/28/14, consisting of 8 sheets, except as herein amended to show the required amount of street trees.
3. That all signage except as herein approved shall be in compliance with the zoning regulations and that no caricatures be placed on the fences or walls of the structure.
4. That the applicant comply with all applicable conditions and requirements of the Division of Environmental Resource Management of the Department of Regulatory and Economic Resources.
5. That the applicant comply with all applicable conditions and requirements of the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources.

ES:MW:NN:EJ:CH



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

MDW

ZONING RECOMMENDATION ADDENDUM

*Olympia Heights Methodist Church
Z12-113*

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

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

Low –Medium Density Residential <i>(Pg. I-31)</i>	<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>
Residential Communities <i>(Pg. I-26)</i>	<i>The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are neighborhood and community services including schools, parks, houses of worship, daycare centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments, mix of land uses and their relationships.</i>
Policy LU-4A <i>(Page I-11)</i>	<i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i>

PERTINENT ZONING REQUIREMENTS/STANDARDS

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

Olympia Heights Methodist Church Z12-113

<p>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.</p>	<p>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</p>
<p>Buildings for public assemblage—In districts other than business or industrial. Sec. 33-17.</p>	<p>All building or other structures or any part thereof, intended for public assemblage, wherein provisions are made for fifty (50) or more persons to assemble in one (1) room or such structure as an auditorium, church, club, hospital, sanitarium, school, theater, night club, amusement park structure and similar structures, excluding hotels, motels and apartments shall be located or placed only in business or industrial districts, as herein provided, and shall comply with the following:</p> <ul style="list-style-type: none"> (1) No building for public assemblage shall be located closer than twenty-five (25) feet to any property line which abuts on a public highway or alley, or closer than fifty (50) feet of any property line abutting a lot under different ownership than that on which the structure is to be placed, or closer than seventy-five (75) feet to an existing residential building. (3) In EU-1 and EU-2 Districts, where the setback from the front building line is greater than the minimum specified by this section, buildings for public assemblage shall set back at least the minimum distance required, namely, fifty (50) feet from the front property line. (4) No building for public assemblage in EU-M, EU-1 and EU-2 Districts shall be closer than seventy-five (75) feet to any property line abutting a lot under ownership other than that on which the structure is to be placed. (7) Ample parking facilities for buildings for public assemblage shall be provided off the highway right-of-way. Parking facilities for a church, school, or other buildings used for noncommercial purposes in a residential district may be permitted in the same district with said church, school or other buildings used for noncommercial purposes, provided no parking lot or special parking area is closer than twenty-five (25) feet to any property under different ownership which is zoned RU or EU unless the parking area is separated from such lot by a wall or hedge approved by the Director.

1. OLYMPIA HEIGHTS UNITED METHODIST
(Applicant)

14-4-CZ10-1(12-113)
Area 10/District 10
Hearing Date: 04/23/14

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

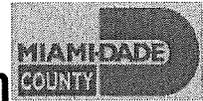
Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1962	Olympia Heights Methodist Church	- Variance & Special Exception to permit a church 48' in height (35' permitted). - Cross 58' in height and setback 0' (65' required). - Setback 50' (65' required). - Parking in side setback P.U.P.	ZAB	Approved with Condition(s)
1975	Olympia Heights Methodist Church	- Unusual Use day nursery and continued use kindergarten P.U.P.	ZAB	Approved with Condition(s)

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

Memorandum



Date: February 3, 2014

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

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

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

Subject: C-10 #Z2012000113-2nd Revision
Olympia Heights United Methodist Church
3801 SW 97th Avenue, Miami, FL 33165
Non-Use Variance to Permit Additional Children to the Existing
School and to Increase the Age Group of the Children AND
Modification of a Previous Resolution to Permit an Addition to the
Church
(RU-2) (1.918 Acres)
16-54-40

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

Wellfield Protection

The subject property is located within the Average Day Pumpage Wellfield Protection Area for the Alexander Orr/Snapper Creek/Southwest Wellfield Complex. Development of the subject property shall be in accordance with the regulations established in Section 24-43 of the Code. Since the subject request 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 cannot be made available to this site. Therefore, DERM would not object to the interim use of a septic tank and drainfield system as a means for the disposal of domestic liquid waste, provided that the proposed development meets the sewage loading requirements of Section 24-13(4) of the Code. Based upon the available information the proposal meets the said requirements;

furthermore, since the request is for a non-residential land use, the property owner has submitted a properly executed covenant running with the land in favor of Miami-Dade County as required by Section 24-13(4)(a) of the Code.

Stormwater Management

Be advised that any modification to the existing Site Plan will require a new review by the Water Control Section of DERM.

Wetlands

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

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

Tree Preservation

The proposal to permit additional signage and to increase the number and age group of children will not impact tree resources. Be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: April 16, 2014
To: Eric Silva, Development Coordinator
Department of Regulatory and Economic Resources
From:  Raul A. Pino, PLS, Chief
Platting and Traffic Review Section
Department of Regulatory and Economic Resources
Subject: Z2012000113
Name: Olympia Heights United Methodist Church
Location: 3801 SW 97 Avenue
Section 16 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.

Public Works and Waste Management Department Traffic Engineering Division Comments:

Miami Dade County Public Works and Waste Management Department Traffic Engineering Division (TED) has no objections to this application provided the comment indicated below is implemented in the field.

-Public swale areas must be restored adjacent to the south driveway connection.

Should you need additional information or clarification on this matter, please contact Mr. Jeff Cohen at (305) 375-2030.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any right-of-way dedications and/or improvements required will be accomplished thru the recording of a plat.

This application **does** meet the traffic concurrency criteria for an Initial Development Order. It will generate **62 AM and 0 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.	C	C
9699	SW 97 Ave. s/o SW 24 St.	D	D
9700	SW 97 Ave. s/o SW 40 St.	C	C

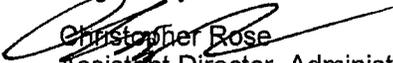
The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.

Memorandum



Date: September 25, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

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

Subject: DIC # 12-113
Olympia Heights United Methodist Church

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

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW #12-113
Olympia Heights United Methodist Church

Application: *Olympia Heights United Methodist Church* is requesting a modification to conditions of a previous hearing 4-ZAB-202-75 for a daycare on the property to permit an additional sixty five (65) children to be added in their preschool facility at the same church location. The property is currently located in an area zoned Two-family Residential (RU-2).

Size: The subject property is approximately 1.918 acres.

Location: The subject property is located at 3801 SW 97th Avenue in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

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

2. Garbage and Trash Collection Services

The property as mentioned in the application falls within the PWWM solid waste collection service area. The modification regarding the daycare facility on the property will likely be considered development for a "commercial establishment". 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 9, 2013

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

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

Subject: Z2012000113: OLYMPIA HEIGHTS UNITED METHODIST
Revised plans stamped received 12/3/2013

Application Name: OLYMPIA HEIGHTS UNITED METHODIST

Project Location: The site is located at 3801 SW 97 AVE, Miami-Dade County.

Proposed Development: The applicant is requesting a modification to permit additional students in the school at the church location.

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

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

MN:jb

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

Memorandum



Date: 16-DEC-13
To: Jack Osterholt, Director
 Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2012000113

Fire Prevention Unit:

No objection to the site plan with a December 3, 2013 Zoning Department received date. Existing conditions remain.

Service Impact/Demand

Development for the above Z2012000113
 located at 3801 SW 97 AVE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 1525 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
 The estimated average travel time is: 5:30 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

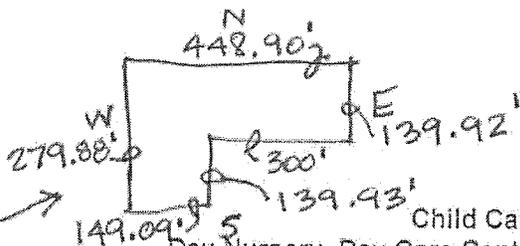
Planned Service Expansions:

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.



RECEIVED
 7-8-11
 3:05 PM
 ECONOMIC DEVELOPMENT SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.

Child Care Check List for
 Day Nursery, Day Care Center, Kindergarten and Private School

School Name: OLYMPIA HEIGHTS METHODIST PRESCHOOL
 School Address: 3801 SW 97 AVE, MIAMI, FL 33165 Tax Folio # 30-40160010010

1. Is this an expansion to an existing school? Yes No. If yes, indicated the number of students: 65 and age and grade ranges originally approved: 100 (INFANT TO KINDG.)
 2. Total size of site: _____ x _____ = _____ + 43,560 sq. ft. = 1.918 acres
 3. Number of children or students requested: 165 Ages: INFANT TO KINDERGARTEN
2 PER CLASSRM
 4. Number of teachers: 16 Number of administrative & clerical personnel: 7
 5. Number of classrooms: 8 Total square footage of classroom area: 7,149 SF
 6. Total square footage of non-classroom area (offices, bathrooms, kitchens, closets):
5,789.29 SF
 7. Amount of outdoor recreation/play area in square footage: TODDLERS 548 SF
2 YR OLD 2,040 SF
- NOTE: Location requirement for outdoor recreation/play areas must conform to §33-151.18(j)
8. Number & type of vehicle(s) that will be used in conjunction with the operation of the facility:
NA
 9. Number of parking spaces provided for staff, visitors and transportation vehicles; parking spaces provided 85 REG parking spaces required by §33-124(L) 85
 10. Indicate the number of auto stacking spaces: 3 HC 88 provided 9 required 9
 11. Proposed height for the structure(s): NA See §33-151.18(g).
 12. Size of identification sign: _____ x _____ = 42.6 sq. ft. See §33-151.18(c). Signage will require a separate permit. Contact the Permit Section at (786) 315-2100.
 13. Days and hours of operation: M-F 7:30 AM - 6:00 PM
 14. Does the subject facility share the site with other facilities? Yes No. (If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to §33-151.16).
 15. If the school will include residential uses, do such uses meet the standards provided in §33-151.17? Yes No (If yes, describe the residential uses and indicate same on the plans).

PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.

The following information will determine the maximum number of children permitted at the facility. WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.

CLASSROOM SPACE: Calculated by grade levels.

a. Day Nursery/Kindergarten, preschool and after-school care

35 sq. ft. x 165 (number of children) = 5775 sq. ft. of classroom area required.

Elementary Grades 1-6

30 sq. ft. x _____ (number of children) = _____ sq. ft. of classroom area required.

Junior High and Senior High Schools (Grades 7-12)

25 sq. ft. x _____ (number of children) = _____ sq. ft. of classroom area required.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: _____
 TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: _____

OUTDOOR RECREATION SPACE:

a. Day nursery/Kindergarten, preschool and after school care

45 sq. ft. x 82.5 (1/2 of children) = 3712.5

Grades 1-6 500 sq. ft. x _____ (first 30 children) = _____

300 sq. ft. x _____ (remaining children) = _____

Grades 7-12 800 sq. ft. x _____ (first 30 children) = _____

300 sq. ft. x _____ (next 300 children) = _____

150 sq. ft. x _____ (remaining children) = _____

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 7-12-19
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 ZONING PLANNING SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY _____

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 3712.5 SF
 TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 5989 SF

TREES: See §33-151.18(g), and the Planning Division (12th Floor) for additional requirements.

a. 28 trees are required per net acre. Trees required: 55 Trees provided: 60

b. Ten shrubs are required for each tree required. Shrubs required 550 Shrubs provided 600

c. Grass area for organized sports/play area in square feet: 237 SF

d. Lawn area in square feet (exclusive of organized sports/play area): 1377 SF

School Address: 3801 SW 97 AVE, MIAMI, FL Zip Code: 33165⁴

THE INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed, sealed, executed and acknowledged on this 14 day of JUNE at Miami-Dade County, Florida.

Suzan Calvo
Signature

WITNESSES:

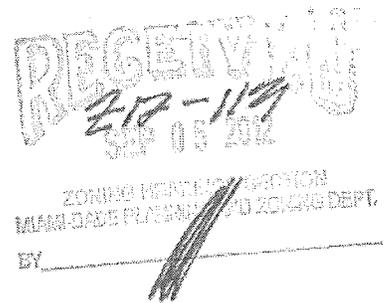
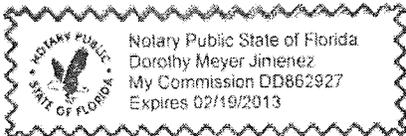
Alibi
Juanita Ray

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I hereby certify that on this 14 day of June, 2012, before me personally appeared Suzan Calvo, to me known to be the person described in and who executed the foregoing instrument and he/she acknowledged to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES:

Dorothy Meyer Jimenez



DATE: 03-APR-14
REVISION 2

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

OLYMPIA HEIGHTS UNITED
METHODIST CHURCH

3801 SW 97 AVE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2012000113

HEARING NUMBER

HISTORY:

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

Olympia Heights United Methodust Church

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

REPORTER NAME:



WEST ELEVATION ON SW 97 AVE.



SW 97 AVE

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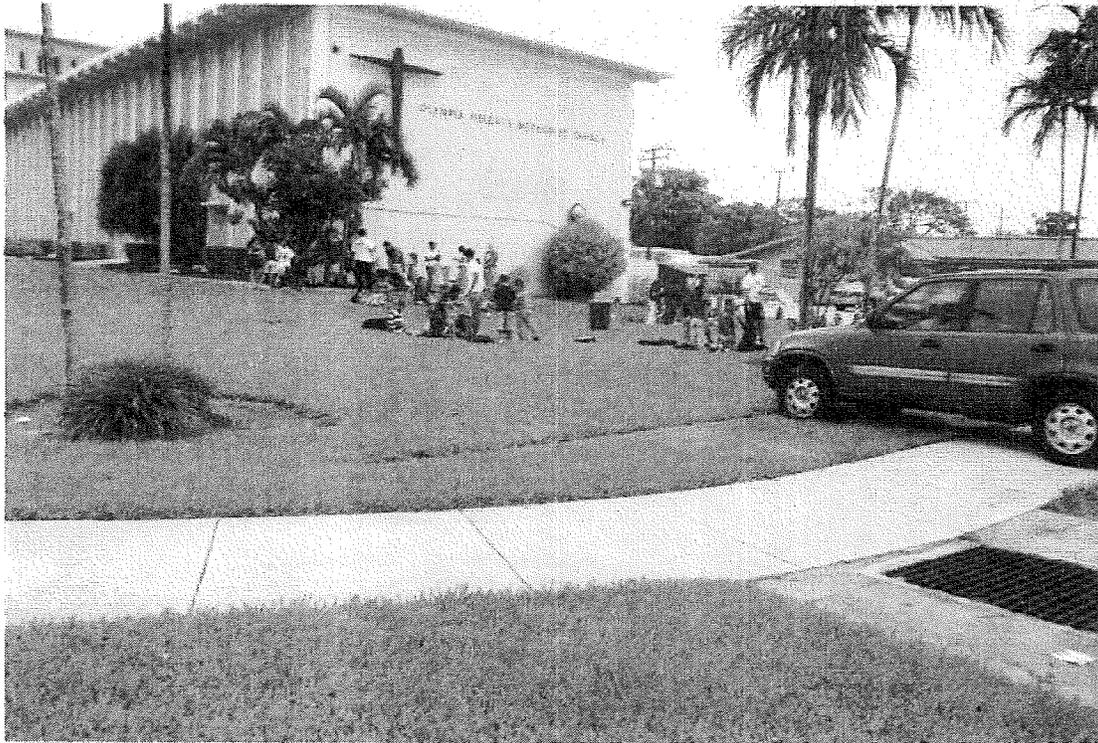
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SEP 05 2012

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



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ZB-113
SEP 07 2012

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

25



SOUTH VIEW ALONG SW 39 ST.

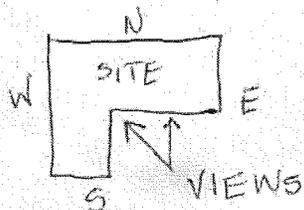
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ZONING HEARING BOARD
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

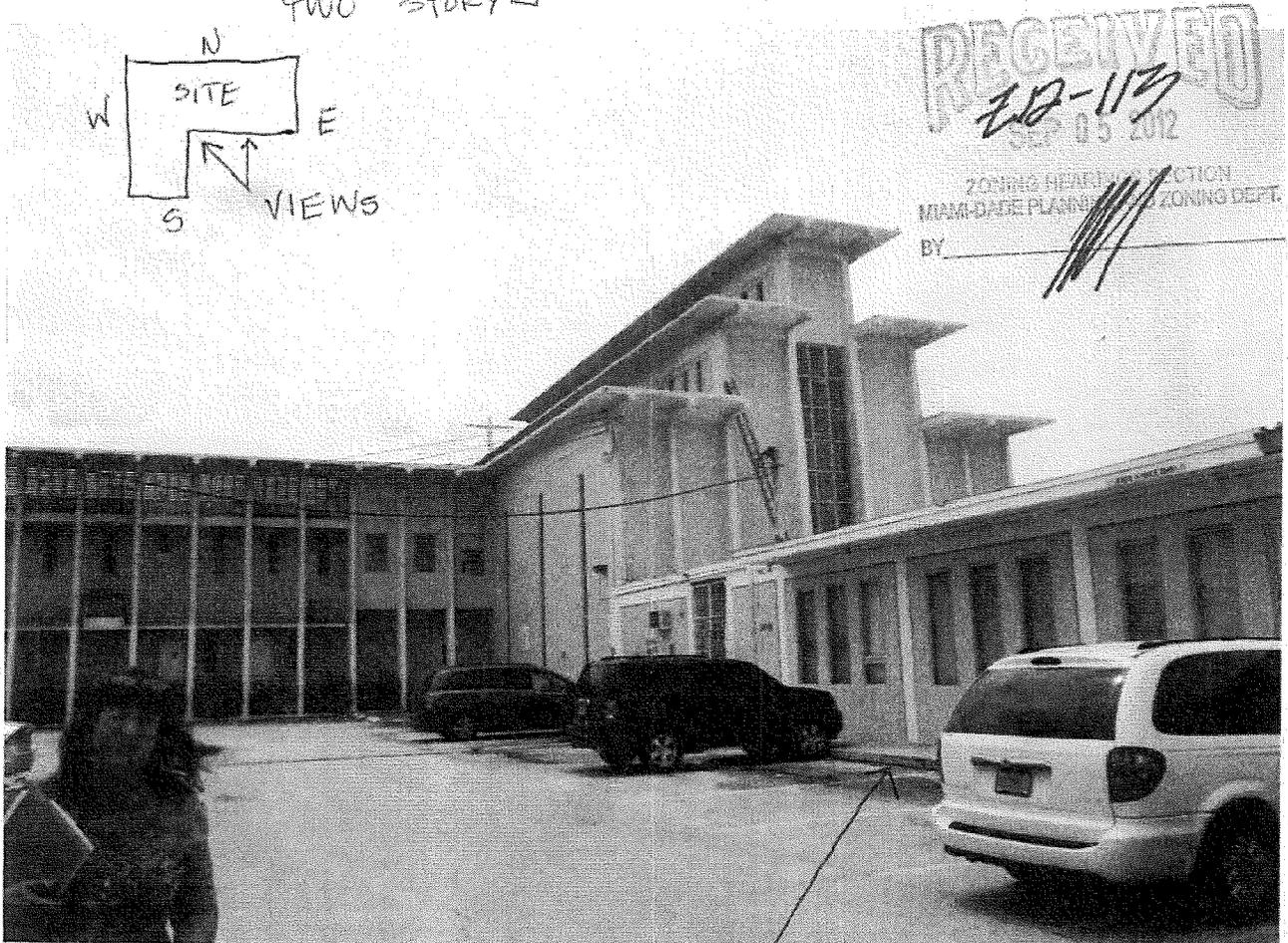


CHURCH

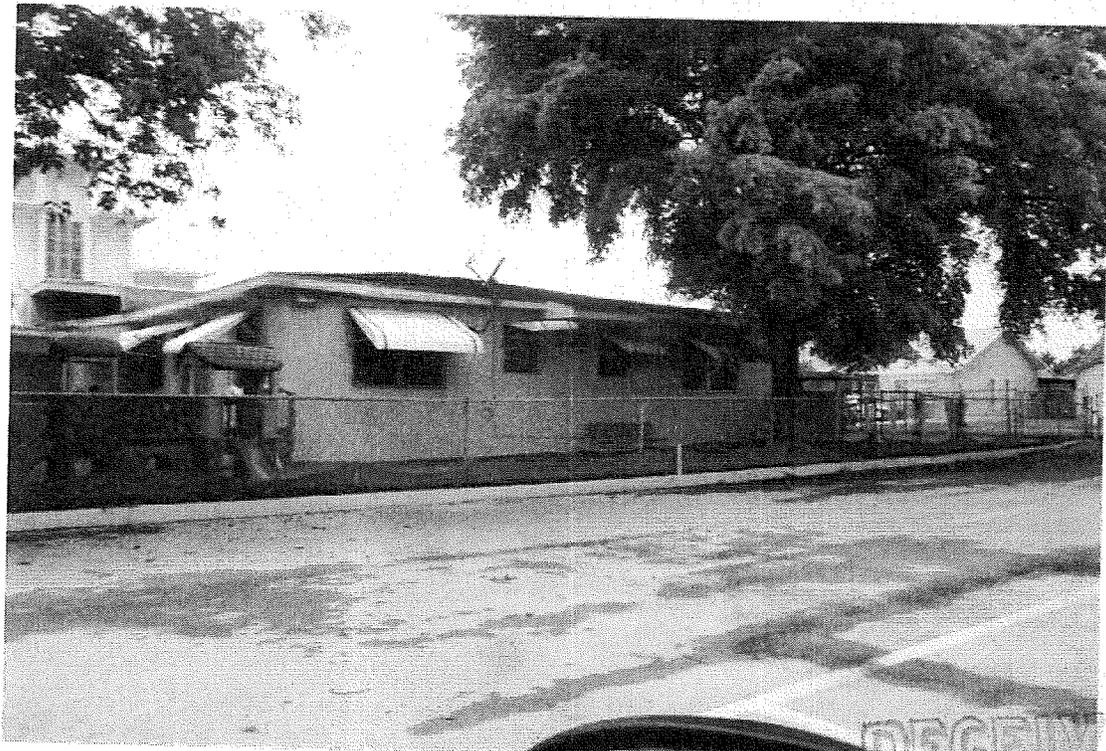
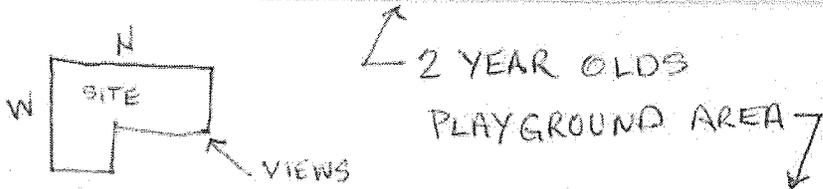
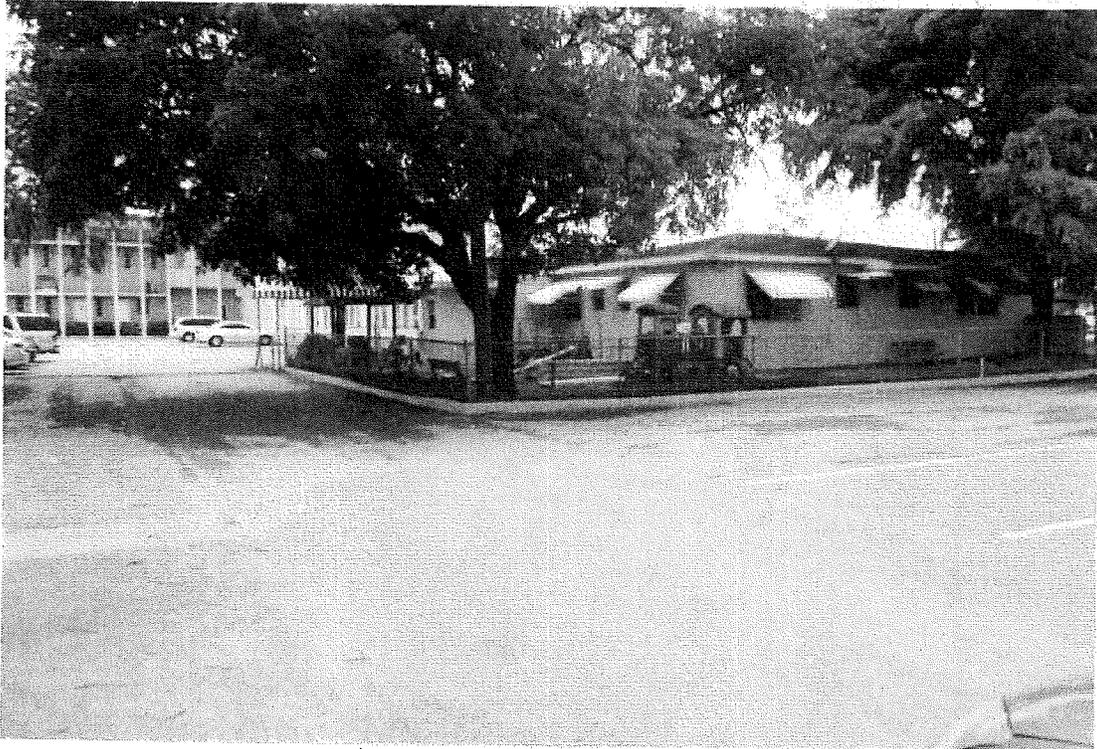
TWO STORY



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 ZONING HEARING SECTION
 MIAMI-DADE PLANNING & ZONING DEPT.
 BY: _____

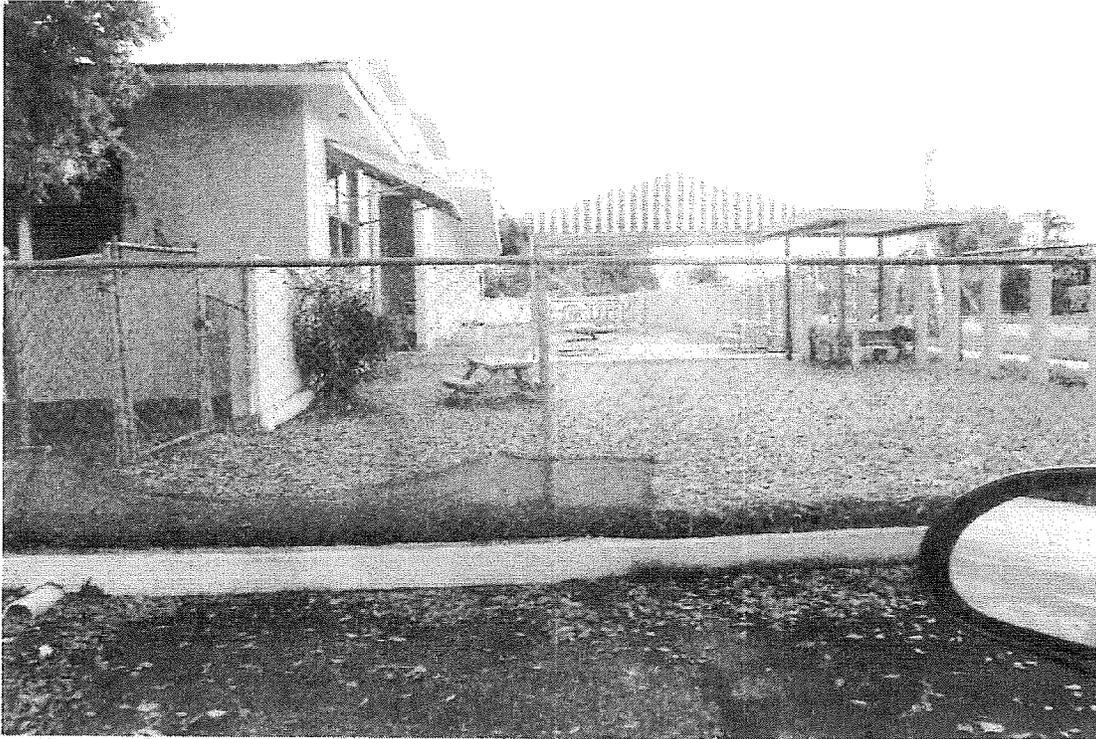


ONE STORY DAYCARE



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ZONING HEARING
MIAMI-DADE PLANNING & ZONING DEPT.



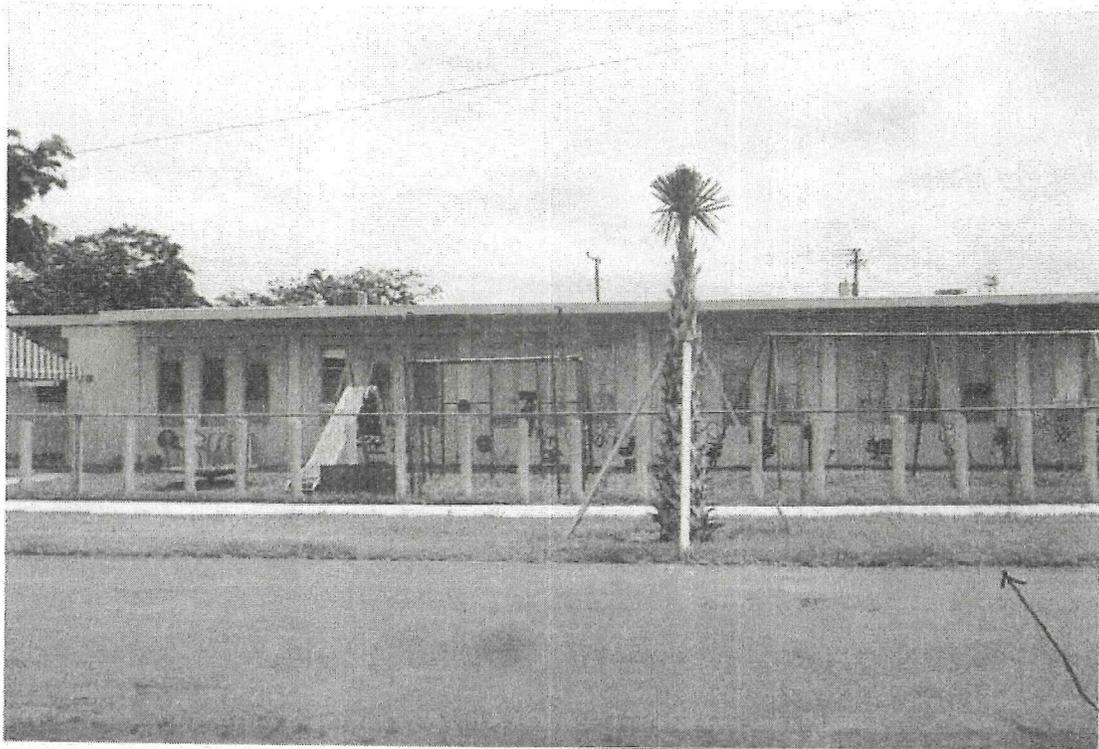
BEGINNING OF 3 YEAR OLD
PLAYGROUND AREA ↗



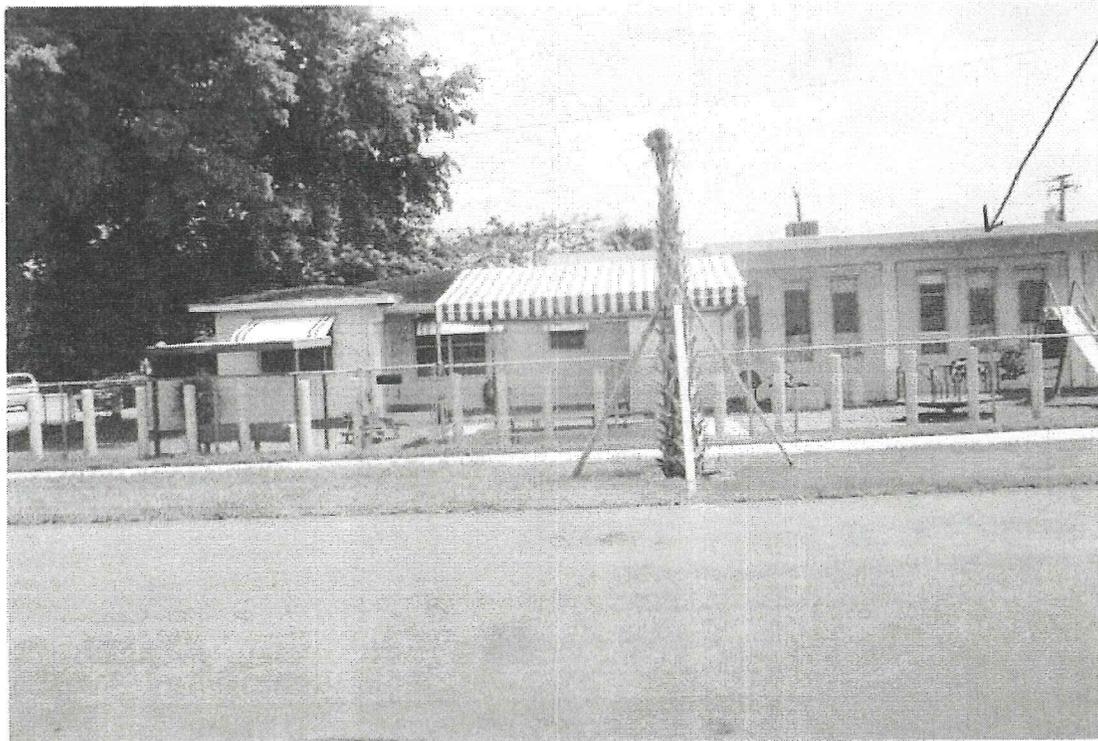
↖ END OF 2 YEAR OLD'S
PLAYGROUND AREA

DECEMBER 12-10 2012
SEP 05 2012

ZONING DEPARTMENT
MIAMI-DADE PLANNING AND ZONING DEPARTMENT
BY  29



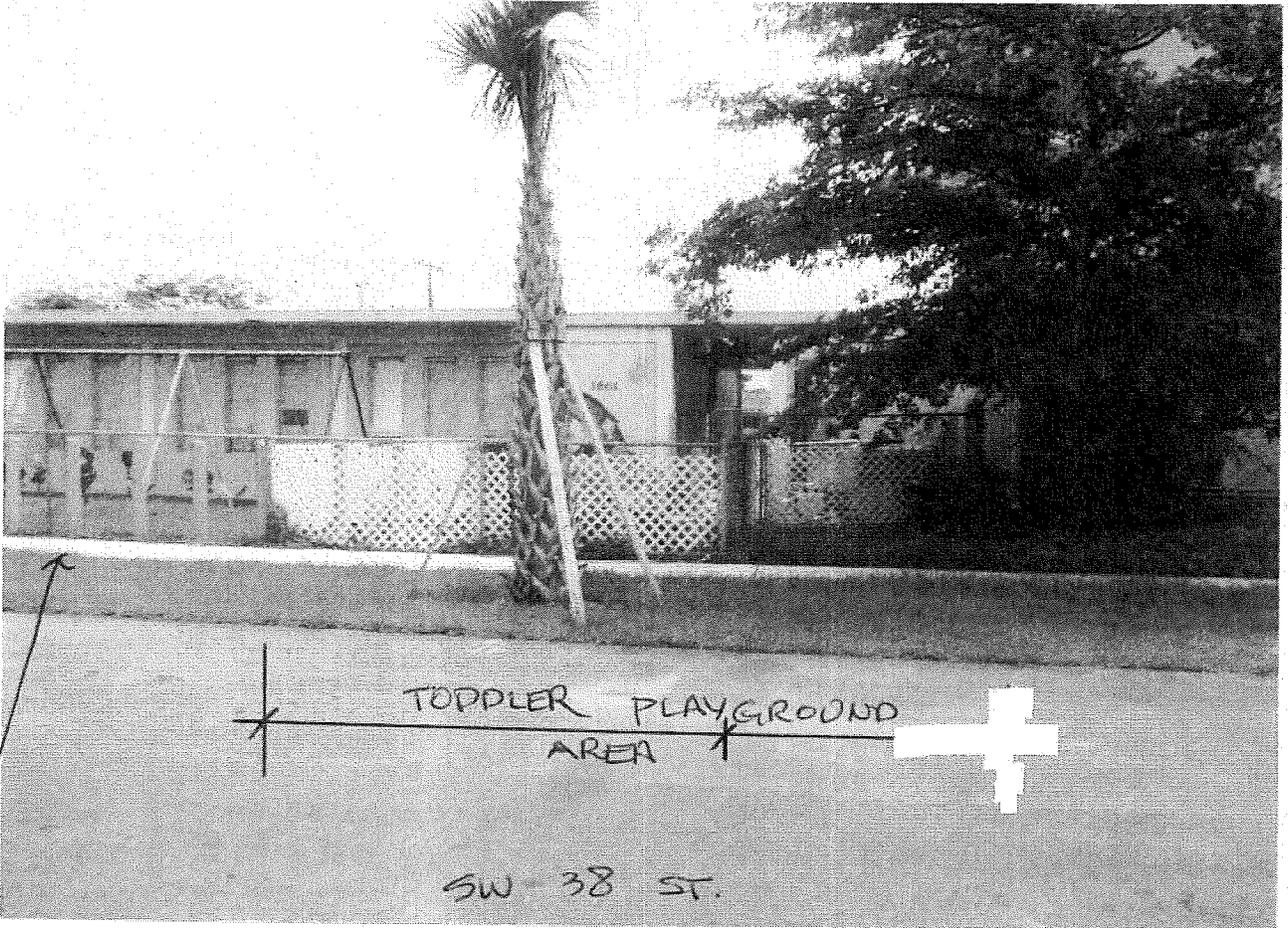
NORTH ELEV. 3-4 YR OLD'S PLAYGROUND AREA



212-119
SEP 10 2012

ZONING PERMITS
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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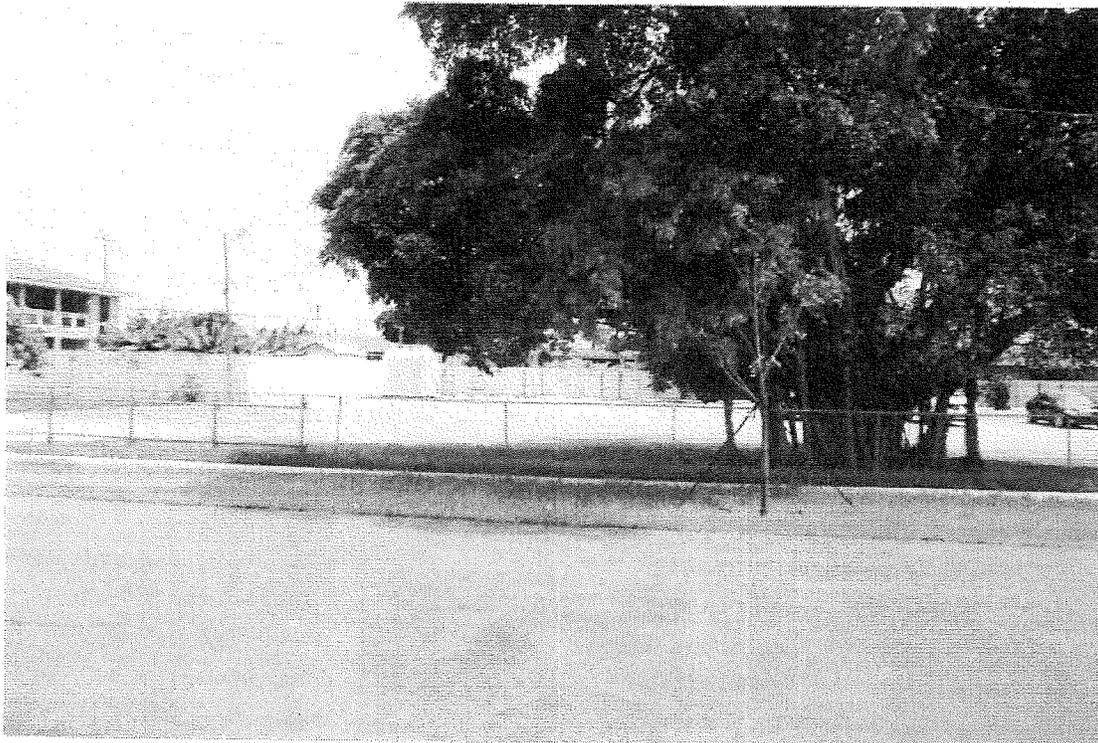
END OF 3-4 YR OLD PLAYGROUND AREA
NORTH ELEV.

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



NORTH
SIDE
ELEV.

SW 39 STREET



PARKING LOT SW 39 STREET

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4-11-13
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ZONING DEPARTMENT
MIAMI-DADE PLANNING AND COMMUNITY DEVELOPMENT
BY _____

32

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: OLYMPIA HEIGHTS UNITED METHOD CHURCH

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>3801 SW 97 AVE, MIAMI, FL 33165</u>	
<u>HENRY CALVO - TREASURER</u>	<u>0%</u>
<u>SUZAN CALVO PRESIDENT</u>	<u>0%</u>

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

TRUST/ESTATE NAME _____

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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


 BY: 

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

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

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

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

RECEIVED
 212-112
 2012 JUN 14 10 58 AM
 HAMBURG STATION
 MARIETTA, GA 30067
 BY _____

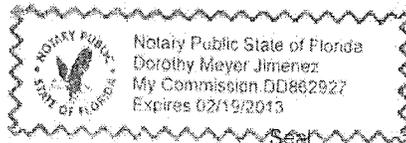
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

X Signature: Suzanne Calvo
(Applicant)

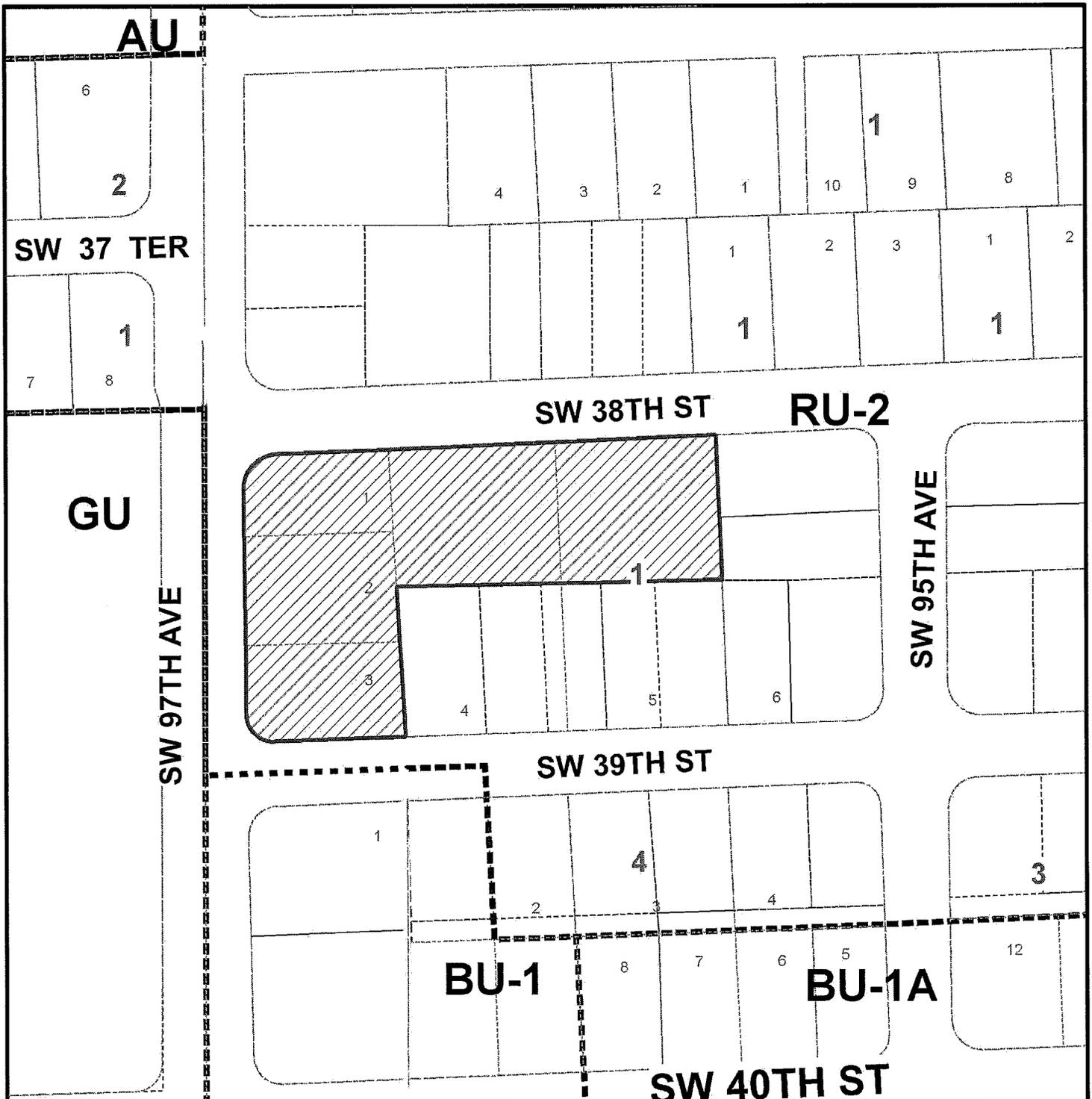
X Sworn to and subscribed before me this 14 day of June, 2012. Affiant is personally known to me or has produced _____ as identification.

X Dorothy Meyer Jimenez
(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.



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2012000113



Section: 16 Township: 54 Range: 40
 Applicant: OLYMPIA HEIGHTS UNITED METHODIST
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

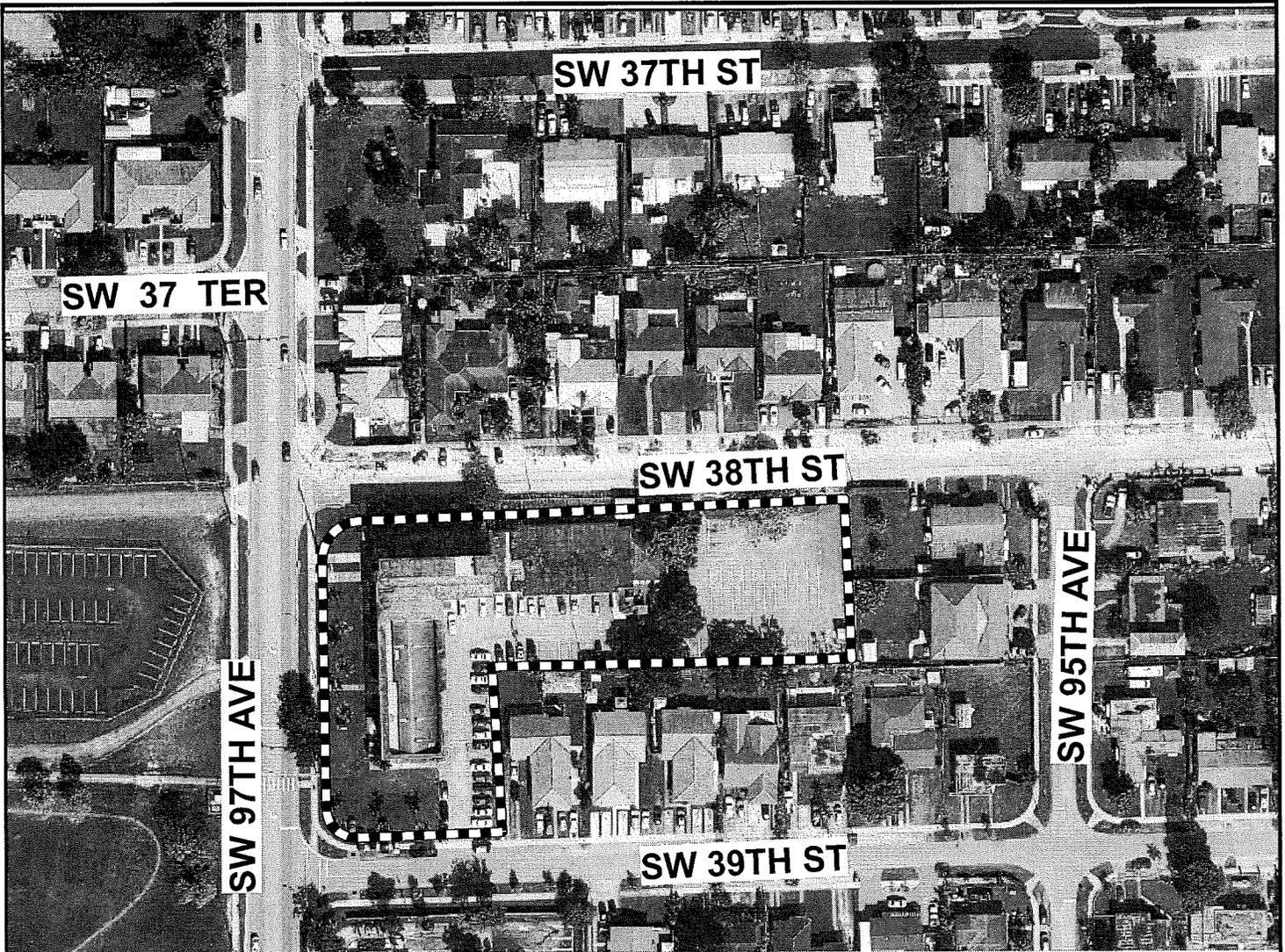
Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, September 27, 2012

REVISION	DATE	BY
		35



MIAMI-DADE COUNTY
AERIAL YEAR 2012

Process Number

Z2012000113



Section: 16 Township: 54 Range: 40
 Applicant: OLYMPIA HEIGHTS UNITED METHODIST
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

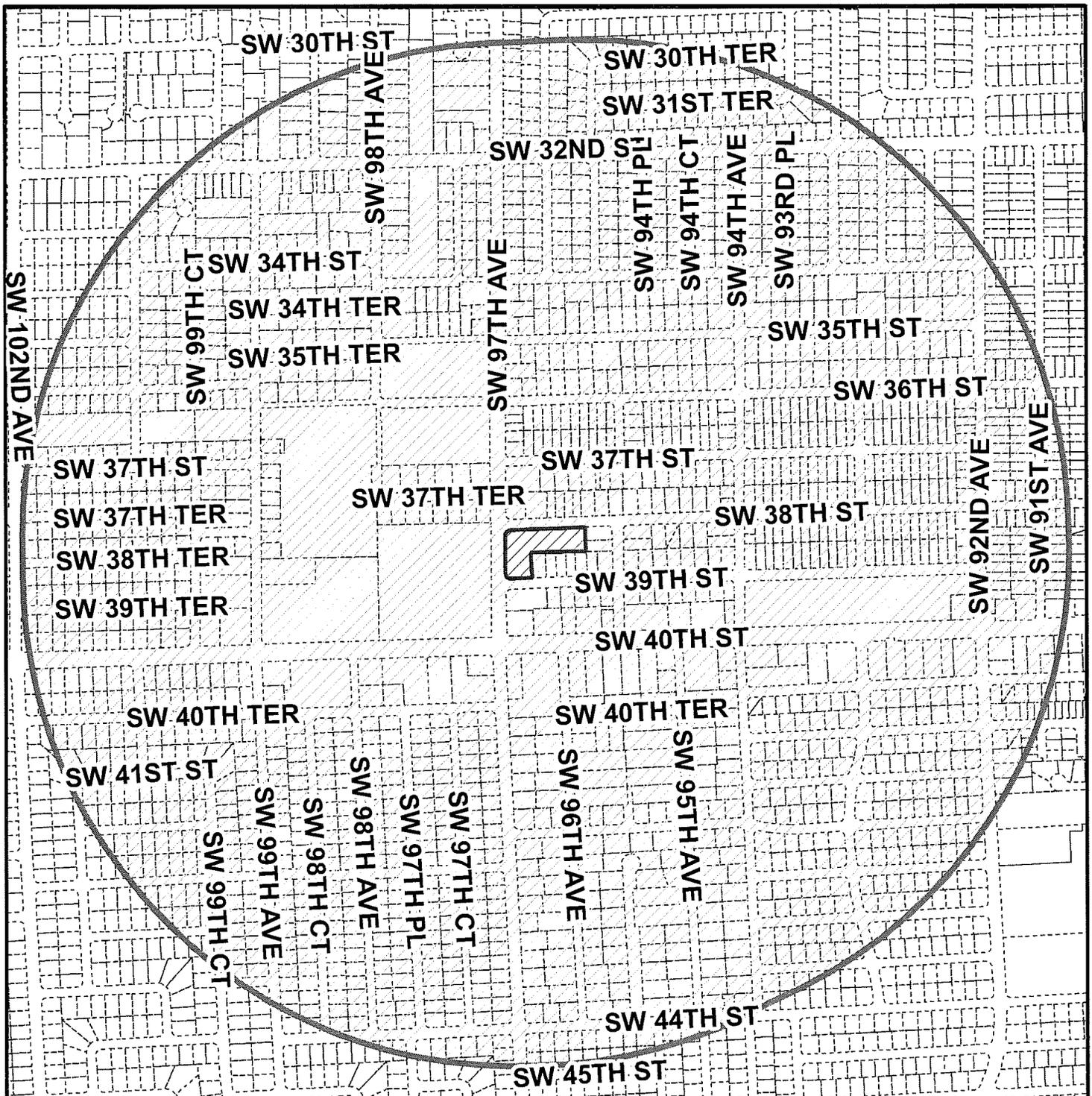
Legend

 Subject Property



SKETCH CREATED ON: Thursday, September 27, 2012

REVISION	DATE	BY
		36



MIAMI-DADE COUNTY
RADIUS MAP

Process Number
Z2012000113

Section: 16 Township: 54 Range: 40
 Applicant: OLYMPIA HEIGHTS UNITED METHODIST
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

RADIUS: 2640

Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Thursday, September 27, 2012

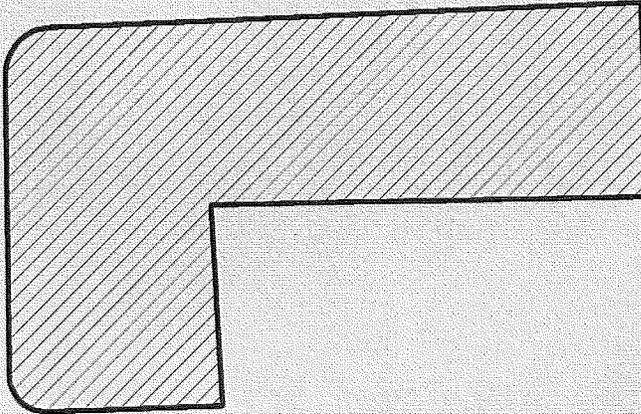
REVISION	DATE	BY
		37

SW 37TH ST

SW 37 TER

(LMDR) 6-13 DU/AC

SW 38TH ST



SW 95TH AVE

SW 97TH AVE

SW 39TH ST

BUSINESS AND OFFICE

SW 40TH ST

MIAMI-DADE COUNTY
CDMP MAP

Process Number

Z2012000113



Section: 16 Township: 54 Range: 40
Applicant: OLYMPIA HEIGHTS UNITED METHODIST
Zoning Board: C10
Commission District: 10
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, September 27, 2012

REVISION	DATE	BY

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

PH: Z13-099 (14-04-CZ10-2)

April 23, 2013

Item No. 2

Recommendation Summary	
Commission District	10
Applicant	Kennit Corp.
Summary of Request	The applicant seeks to delete a Declaration of Restriction which prohibited dental and medical offices uses and restricted the hours of operation for the office uses on the subject property.
Location	3611 SW 87 Avenue, Miami-Dade County, Florida
Property Size	75' X 139'
Existing Zoning	RU-5A, Semi-Professional Office District 10,000 sq ft. net
Existing Land Use	Office Building
2015-2025 CDMP Land Use Designation	Low Density Residential <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(7) Generalized Modification Standards <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions.

REQUEST:

DELETION of a Declaration of Restrictions recorded in Official Records Book 23638, pages 2647-2652.

The purpose of the request is to delete a Declaration of Restriction which prohibited dental and medical offices uses and restricted the hours of operation.

PROJECT DESCRIPTION AND HISTORY:

The applicant seeks to delete a prior Declaration of Restrictions prohibiting medical and dental office uses along with the limitation of the hours of operation.

In July 2005, pursuant to Resolution #CZAB10-43-05, the subject property was approved for a district boundary change from RU-2 (Two Family Residential District) to RU-5A (Semi-Professional Office District) along with ancillary variances. Said zone change was approved with the acceptance of a proffered Declaration of Restrictions, prohibiting medical and dental offices on the property and limiting the hours of operation from Monday through Friday from 9:00 AM to 6:00 PM and Saturdays from 9:00 AM to 5:00 PM.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-5A; Office Building	Low Density Residential (2.5-6 dua)
North	RU-2; Single-family residence	Low Density Residential (2.5-6 dua)

South	RU-2; Office Building	Low Density Residential (2.5-6 dua)
East	RU-1; Single-family residence	Low Density Residential (2.5-6 dua)
West	RU-2; Duplex residence	Low Density Residential (6-13 dua)

NEIGHBORHOOD CHARACTER:

The property is located in an area characterized by duplex and single family residences and semi- professional offices. However, the subject property fronts onto a well-traveled north/south section line roadway, SW 87 Avenue.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant medical and dental office uses with no restrictions on the hours of operation. However, the request could have a negative impact on the abutting residences due to a possible increase in traffic in the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is designated as **Low Density Residential** use on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. *This category allows a range in density from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre and is characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses.* Staff notes that the subject property was previously approved pursuant to Resolution No. CZAB10-43-05 for a district boundary change from RU-2, Two Family Residential District to RU-5A, Semi-Professional Offices District along with other ancillary variances. However, at the time of the application, a Declaration of Restrictions was proffered by the applicant prohibiting dental and medical office uses and limiting the hours of operations on the subject property. Approval of the request sought in the application will remove said prohibitions. Additionally, the approval of the request will not change the office use on the subject property.

Staff notes that the CDMP Land Use Element interpretative text, Residential Communities, under Office Uses, indicates that *office uses smaller than five acres in size may be approved in areas designated as Residential Communities where other office uses which are not inconsistent already lawfully exist on the same block face. In addition, office uses may be approved along the frontage of major roadways in residential community areas where residences have become less desirable due to inadequate setbacks from roadway traffic and noise, or due to a mixture of nonresidential uses or activities in the vicinity. Such limited office uses may be approved on such sites in residential community areas only where the residential lot fronts directly on a Major Roadway as designated on the Land Use Plan map* Staff notes that the subject property was previously approved for office uses per Resolution CZAB10-43-05.

Further, staff notes that there are three additional properties located along the block face that were approved for office uses, and that the properties front onto a well-traveled north/south section line roadway, SW 87 Avenue, a major roadway as indicated on the CDMP LUP map.

Therefore, staff opines that approval with conditions of the request to remove the prohibition of medical and dental office uses and the hours of operation for the previously approved office on the property is **consistent** with the CDMP LUP map designation and the Land Use Element interpretative text for office uses in Residential Communities.

ZONING ANALYSIS:

When analyzing the request to delete a Declaration of Restrictions recorded in Official Record Book 23638, Pages 2647-2652 pertaining to the prohibition of dental and medical offices uses, under Section 33-311(A)(7) Generalized Modification Standards, staff opines that the deletion to allow dental and medical office uses would not generate excessive noise, traffic, provoke excessive overcrowding of people, or tend to provoke a nuisance, as evidenced by the memoranda submitted by the Departments of Public Works and Waste Management, the Division of Environment Resource Management (DERM) of the Department of Regulatory and Economic Resources, and the Miami-Dade Fire Rescue Department. Additionally, said departments indicate in their memoranda that they do not object to the request. Staff opines that the approval of the request with a condition limiting the number of dental or medical practicing professionals at the subject site at any given time would not have negative visual, noise, or traffic impacts or unduly burden County services in the surrounding area.

Further, staff opines that approval would be compatible with the area. Staff found similar approvals in the area allowing dental and medical office uses. For example, properties located on 3631 SW 87 Avenue and 3701 SW 87 Avenue were approved pursuant to Resolutions #CZAB10-8-98 and #CZAB10-7-98 to permit semi-professional office uses in the RU-2 zoning district as would be permitted in the RU-5A zoning district, with a condition that dental and medical offices be limited to a single practitioner. Additionally, a property located on 3721 SW 87 Avenue was approved pursuant to Resolution # CZAB10-2-11 to delete a condition from a prior resolution that prohibited medical, dental, chiropractor, optometrist and optician office uses.

However, when analyzing the requested deletion of the Declaration of Restrictions in regards to the hours of operation, under Section 33-311(A)(7) Generalized Modification Standards, staff opines that the removal of this restriction could possibly establish a 24 hour, 7 day a week, dental or medical office. Staff opines that this could intensify the traffic and noise impacts on the duplex and single-family residences to the north, east and west of the subject property during the late night or early morning hours. As such, staff recommends as a condition for approval, that the hours of operation be from Monday to Friday from 7AM to 8PM. and Saturday from 9AM to 5PM.

Therefore, staff recommends that the application be approved with conditions under Section 33-311(A)(7) Generalized Modification Standards.

ACCESS, CIRCULATION AND PARKING: N/A

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That any medical or dental office be restricted to one practicing professional on site at any given time.
2. That the hours of operation for the office uses on the subject property shall be Mondays through Fridays from 7:00AM to 8:00PM and Saturdays from 9:00AM to 5:00PM.

ES:MW:NN:CH:EJ



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

NON

ZONING RECOMMENDATION ADDENDUM

Kennit Corp
Z13-099

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

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

Low-Density Residential (Pg. I-31)	<p><i>The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i></p>
Office Uses (Pg. I-35)	<p><i>Smaller than five acres in size may be approved in areas designated as Residential Communities where other office, business or industrial use(s) which are not inconsistent with this plan already lawfully exist on the same block face. However, where such an office, business, or industrial use exists only on a corner lot of a subject block face or block end, approval of office use elsewhere on the block is limited to the one block face or block end which is the more heavily trafficked side of the referenced corner lot.</i></p> <p><i>In addition, office uses may be approved along the frontage of major roadways in residential community areas where residences have become less desirable due to inadequate setbacks from roadway traffic and noise, or due to a mixture of nonresidential uses or activities in the vicinity in accordance with the limitations set forth in this paragraph. These office uses may occur in combination with or independent of residential use. Such limited office uses may be approved on such sites in residential community areas only where: a) the residential lot fronts directly on a Major Roadway as designated on the Land Use Plan map (Frontage roads are not eligible for consideration)</i></p>

PERTINENT ZONING REQUIREMENTS/STANDARDS

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

2. KENNIT CORP.
(Applicant)

14-4-CZ10-2(13-099)
Area 10/District 10
Hearing Date: 04/23/14

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>
2005	Jose Mairena	- Zone change from RU-2 to RU-5A. - Applicant is requesting to permit an office building setback a minimum of 13.75' (25' required) from the rear (East), and a minimum of 7.75' (15' required) from the interior side (South) property lines. Approved as Non-Use Variance with conditions TS.	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 11, 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 #Z2013000099
Kennit Corp
3611-3613 SW 87th Avenue
Delete covenant restrictions of use and hours of operation
(RU-5A) (0.00 Acres)
15-54-40

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

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 Wellfield Protection Area of 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 and Wastewater Disposal

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

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

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

sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

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

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

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

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

Wetlands

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

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

Tree Preservation

The proposal to delete covenant restrictions of use and hours of operation will not impact tree resources. Be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

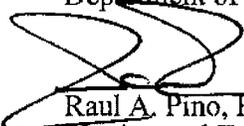
cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: January 28, 2014

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: Z2013000099
Name: Kennit Corp.
Location: 3611 SW 87 Avenue
Section 15 Township 54 South Range 40 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lot 2 Block 7 of Plat Book 47, Page 84.

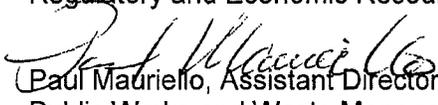
This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.

Memorandum



Date: November 27, 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: Kennit Corp (#13_099)

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: *Kennit Corp* is requesting a modification of Resolution No. CZAB10-43-05 and its Restrictive Covenant by removing all use and hours of operation restrictions to permit the continued use of a real estate office on the property.

Size: The subject property is approximately .24 acre.

Location: The subject property is located at 3611-3613 SW 87th Avenue, in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 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 real estate office on the property will 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." This property is on residential waste collection route 3115, therefore, the landlord or property owner may fulfill the requirement, either through the PWWM, which can provide commercial waste cart service or through a private hauler to provide waste and recycling collection service.

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.

5. Waste Storage/Setout Considerations

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

6. Site Circulation Considerations

It is required that development 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:

- Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
- "T" shaped turnaround 60 feet long by 10 feet wide
- 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: November 18, 2013

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

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

Subject: Z2013000099: KENNIT CORP

Application Name: KENNIT CORP

Project Location: The site is located at 3611 SW 87 AVE, Miami-Dade County.

Proposed Development: The request is for deletion of conditions of a previous resolution removing all use and hours of operation restrictions to permit additional office uses allowed under the RU-5A zoning district.

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

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

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor



Memorandum

Date: 16-DEC-13

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

From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2013000099

Fire Prevention Unit:

No objection to the site plan with a November 13, 2013 Zoning Department received date.

Service Impact/Demand

Development for the above Z2013000099
located at 3611 SW 87 AVE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1526 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 5:24 minutes

Existing services

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

Planned Service Expansions:

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

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

DATE: 03-APR-14
REVISION 1

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

KENNIT CORP.

3611 SW 87 AVE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2013000099

HEARING NUMBER

HISTORY:

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

Kennit Corp.

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

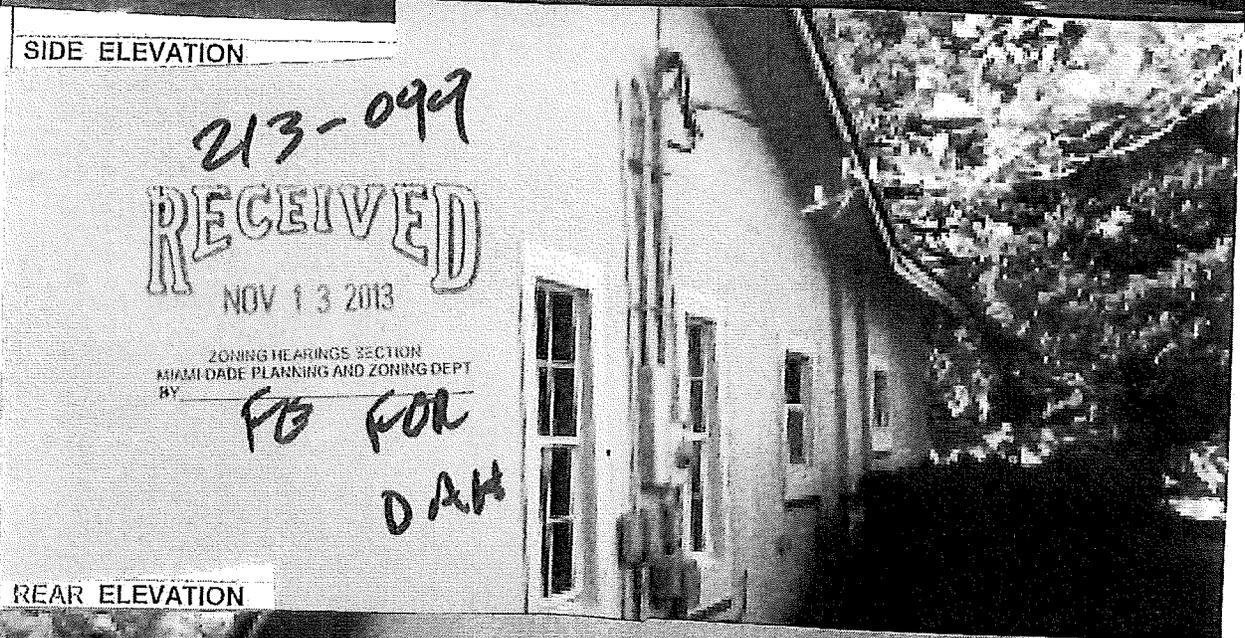
REPORTER NAME:

PHOTOGRAPHS -submit photos showing entire site and all structures

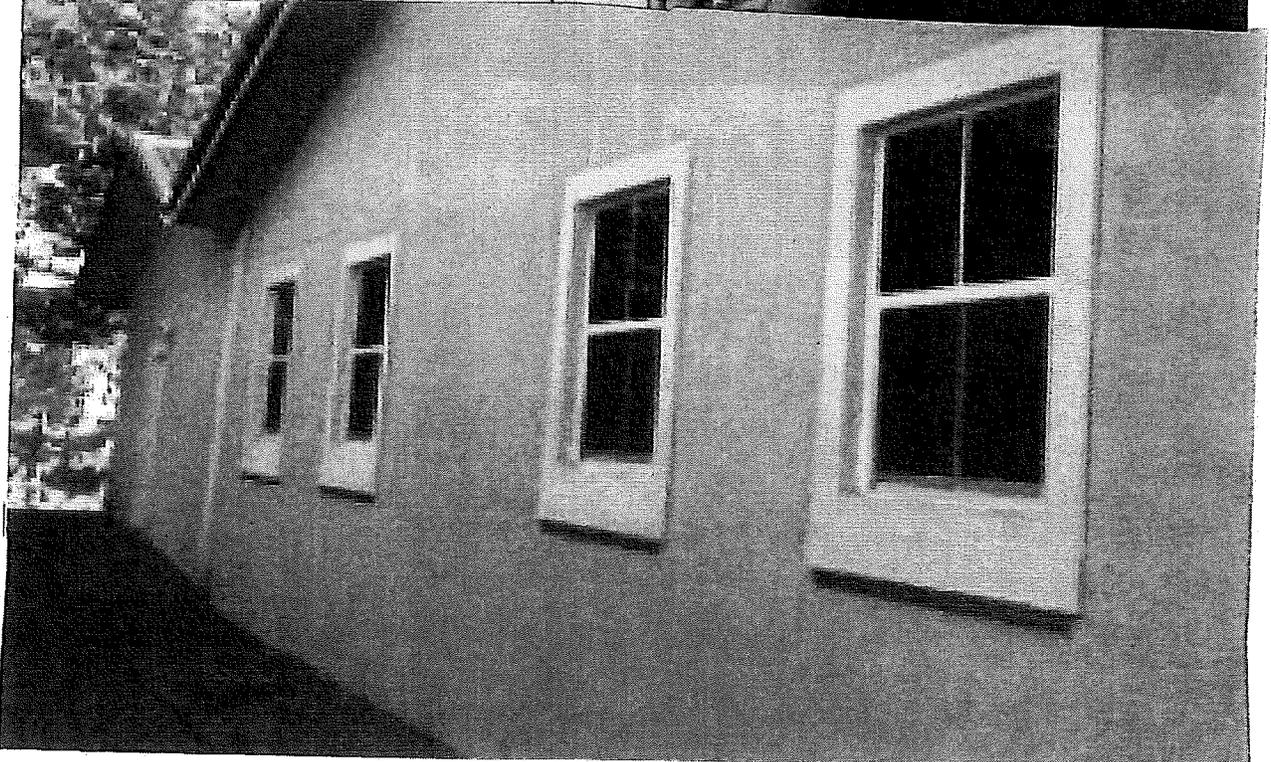
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



DISCLOSURE OF INTEREST*

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

CORPORATION NAME: Kennit Corp

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>JOSE MAIRENA</u>	<u>100 %</u>
_____	_____
_____	_____

213-099
RECEIVED
 NOV 13 2013
 ES FOR DAA

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

TRUST/ESTATE NAME _____

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

RECEIVED
 NOV 13 2013
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY _____

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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

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

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

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

Signature _____

[Handwritten Signature]
(Applicant)

JOSE MAIRENA FOR Kennit Corp
(Print Applicant name)

Sworn to and subscribed before me this 4 day of NOV, 20 13. Affiant is personally know to me or has produced DRIVER LICENSE as identification.

[Handwritten Signature]
(Notary Public)

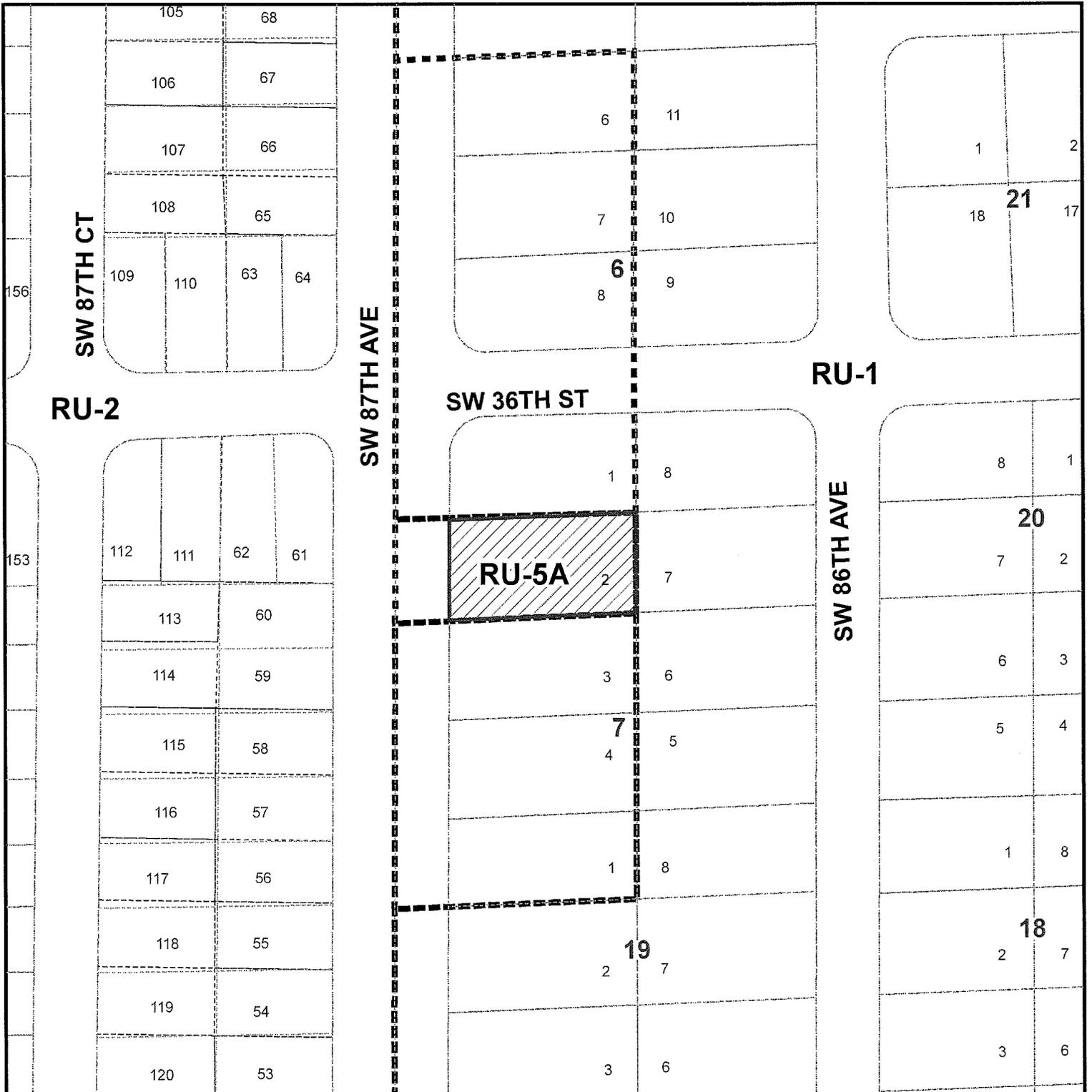


MARIA IVONNE LOYOLA
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF064459
Expires 12/5/2017

My commission expires: _____

Seal

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



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2013000099



Section: 15 Township: 54 Range: 40
 Applicant: KENNIT CORP
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Monday, November 25, 2013

REVISION	DATE	BY
		19



MIAMI-DADE COUNTY
AERIAL YEAR 2012

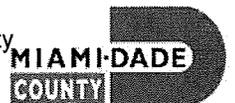
Process Number
Z2013000099



Section: 15 Township: 54 Range: 40
Applicant: KENNIT CORP
Zoning Board: C10
Commission District: 10
Drafter ID: JEFFER GURDIAN
Scale: NTS

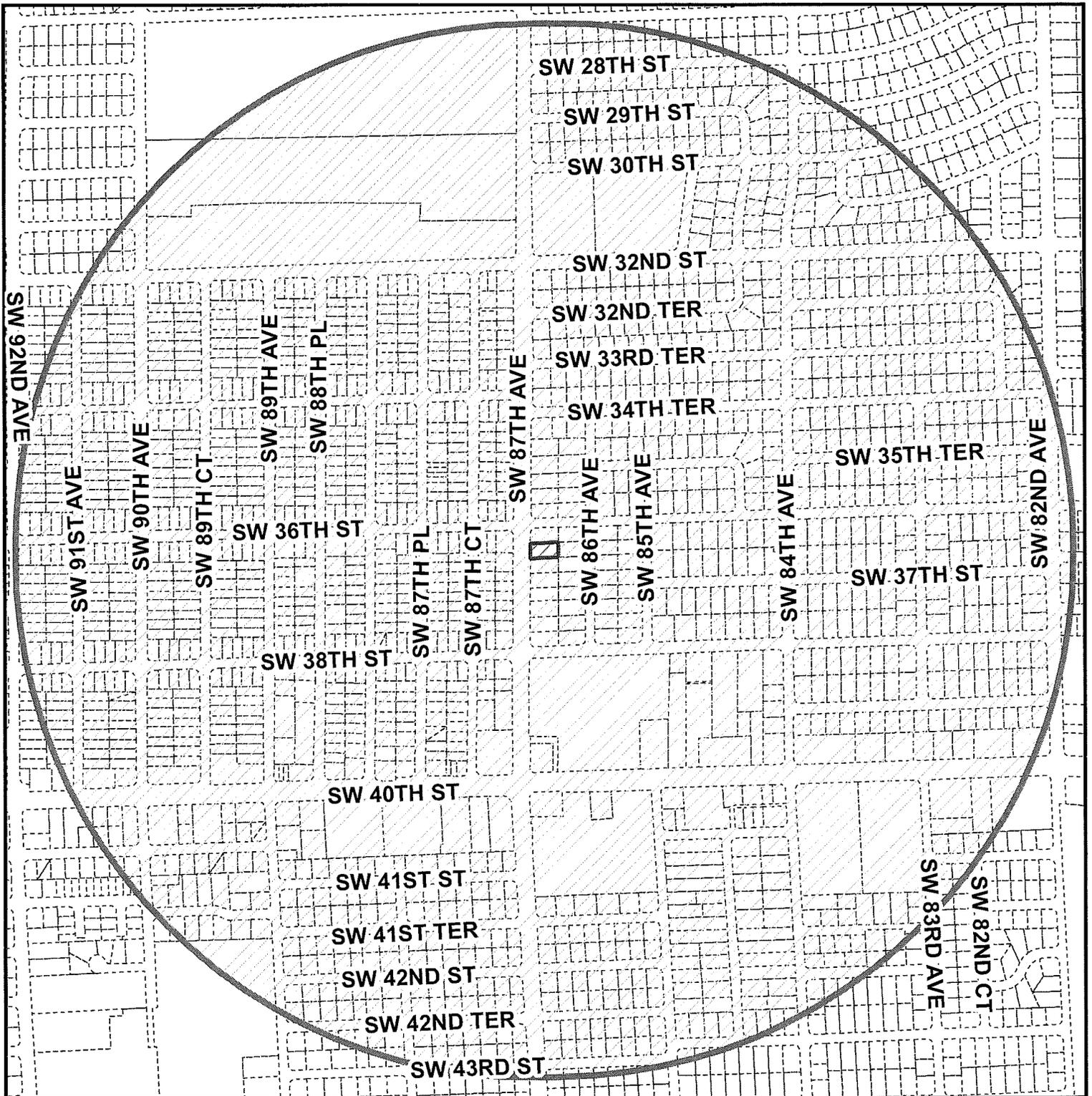
Legend

 Subject Property



SKETCH CREATED ON: Monday, November 25, 2013

REVISION	DATE	BY
		20



MIAMI-DADE COUNTY
RADIUS MAP

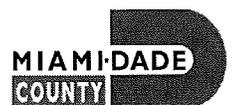
Process Number
Z2013000099
 RADIUS: 2640



Section: 15 Township: 54 Range: 40
 Applicant: KENNIT CORP
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

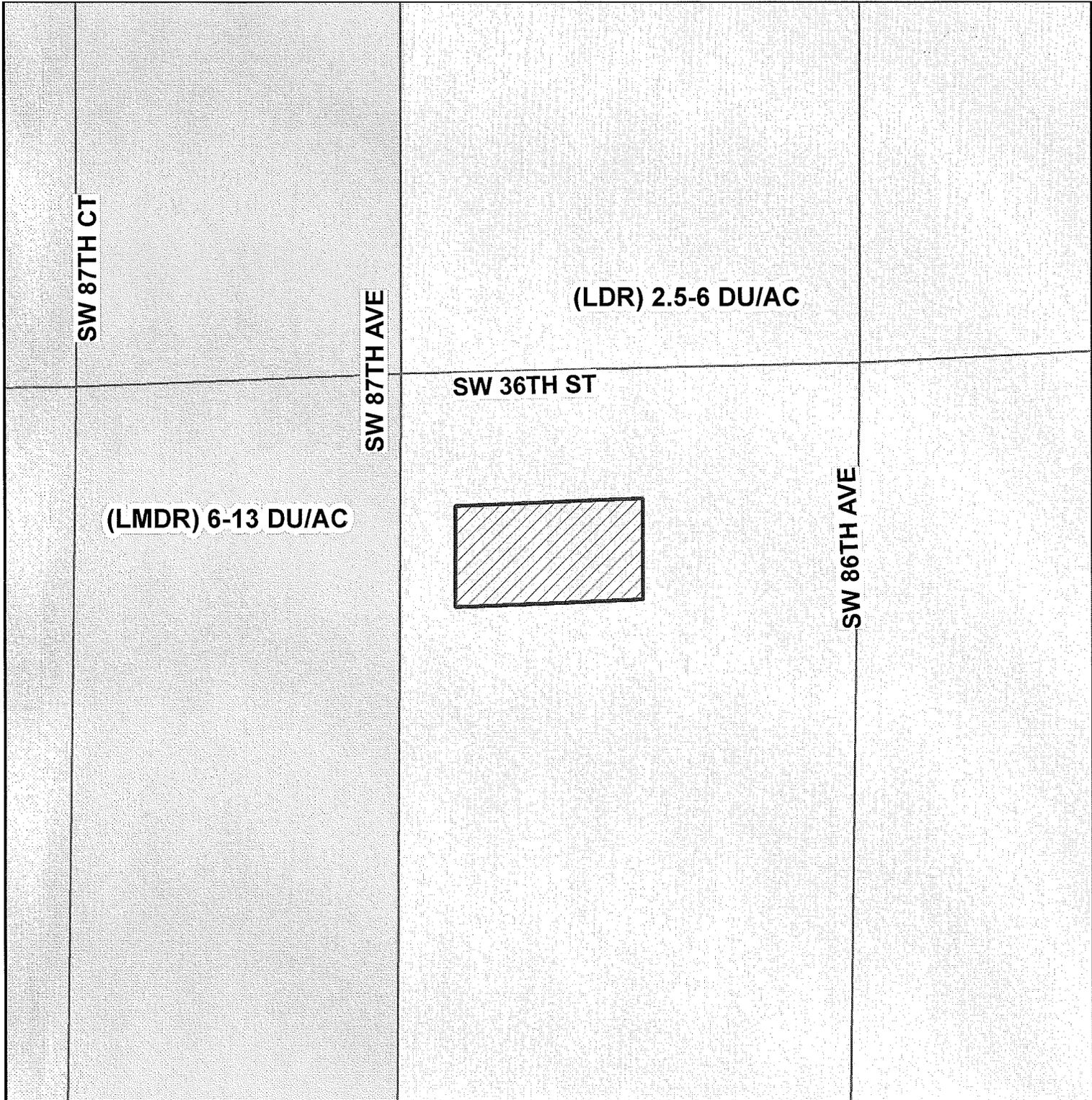
Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Monday, November 25, 2013

REVISION	DATE	BY
		21



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2013000099



Section: 15 Township: 54 Range: 40
 Applicant: KENNIT CORP
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Monday, November 25, 2013

REVISION	DATE	BY