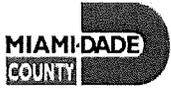


# FINAL AGENDA

8-11-2014 Version # 1



COMMUNITY ZONING APPEALS BOARD 10  
RUBEN DARIO MIDDLE SCHOOL  
350 NW 97 Avenue, Miami  
Thursday, September 18, 2014 at 6:30 p.m.

CURRENT

- |    |             |   |       |          |   |
|----|-------------|---|-------|----------|---|
| 1. | 14-9-CZ10-1 | <u>MIAMI CHRISTIAN SCHOOL/CENTURY<br/>HOMEBUILDERS GROUP, LLC</u> | 13-74 | 06-54-40 | N |
| 2. | 14-9-CZ10-2 | <u>HIGHRETURN INVESTMENTS, LLC</u>                                | 14-6  | 15-54-39 | N |
| 3. | 4-9-CZ10-3  | <u>JESSICA VIAROS</u>   | 14-23 | 19-54-40 | N |



# Official Zoning Agenda

## COMMUNITY ZONING APPEALS BOARD

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**COMMUNITY ZONING APPEALS BOARD - AREA 10**

**MEETING OF THURSDAY, SEPTEMBER 18, 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**

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**1. MIAMI CHRISTIAN SCHOOL AND (14-9-CZ10-1/13-074)  
CENTURY HOMEBUILDERS GROUP, LLC**

**06-54-40  
Area 10/District 12**

**REQUEST #1 ON EXHIBIT "A"**

- (1) DISTRICT BOUNDARY CHANGE from GU to RU-4L.

**REQUESTS #2 & #3 ON PARCELS "A" & "B"**

- (2) MODIFICATION of Condition No. 1 of Resolution No. 10290, last modified by Resolution No. 4-ZAB-23-72, reading as follows:

From: "1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things but not be limited thereto, location of structure or structures, landscaping, offstreet parking areas, type and location of bulletin board or signs, entrances and exits, fences, walls, etc.; that said plan be substantially in compliance with that submitted for the hearing as prepared by Severud-Knight-Boerema-Buff Architects entitled 'Master Plan Miami Christian School,' and dated 11-15-71; that the buffer strip indicated on the plan shall be heavily landscaped with shrubs and trees to create a sound barrier between this facility and existing and future developments."

To: "1. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Miami Christian School,' as prepared by Pascual Perez Kiliddjian & Associates, Architects and Planners, landscape plans prepared by Witkin Hults Design Group, and previously approved elevation drawings of the existing school buildings prepared by O.K. Houston Architects & Associates and Severud-Knight-Boerema-Buff Architects, all dated stamped received June 4, 2014, sheets SP-2.2 and A-4 dated stamped received 6/20/14 for a total of twenty one (21) sheets."

- (3) MODIFICATION of Condition No. 3 of Resolution 4-ZAB-341-87, last modified by Resolution 5-ZAB-10-96, reading as follows:

From: "3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Temporary Classrooms for Miami Christian School,' as prepared by Don Senatore Architect, dated 7-29-93 and consisting of 6 sheets."

To: "3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Miami Christian School,' as prepared by Pascual Perez Kiliddjian & Associates, Architects and Planners, landscape plans prepared by Witkin Hults Design Group, and previously approved elevation drawings of the existing school buildings prepared by O.K. Houston Architects & Associates and Severud-Knight-Boerema-Buff Architects, all dated stamped received June 4, 2014, sheets SP-2.2 and A-4 dated stamped received 6/20/14 for a total of twenty one (21) sheets."

The purpose of requests #2 and #3 is to submit a revised master site plan that reduces the size of the previously approved school campus.

**REQUESTS 4 THROUGH 11 ON EXHIBIT "B"**

- (4) NON-USE VARIANCE to permit a building lot coverage of 25.05% (15% permitted).
- (5) NON-USE VARIANCE to permit relocated Building "E" to setback 15.00' from the interior side (south) property line (250' required).
- (6) NON-USE VARIANCE to permit building the existing classroom buildings setback varying from 44.44' to 189.69' from the front (east) property line and setback varying from 61.15'

to 129.14' from the interior side (north) property line and setback a minimum 39.39' from the interior side (south) property line (250' required for all).

- (7) NON-USE VARIANCE to permit recreational facilities including basketball, tennis courts, football field and baseball field to setback a minimum of 10' from the interior side (north) property line, 6' from the rear (west) property line and 15' from the interior side (south) property line (250' required for all).
- (8) NON-USE VARIANCE to permit the existing maintenance building setback 9.64' from the rear (west) property line and setback 29.66' from the interior side (north) property line (250' required for all).
- (9) NON-USE VARIANCE to permit 103 parking spaces (174 spaces required).
- (10) NON-USE VARIANCE to permit a two-way driveway with a width of 10' (20' required).
- (11) NON-USE VARIANCE to permit off-street parking areas to be located within 25' of NW an official rights-of-way (not permitted).

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

LOCATION: 200 NW 109 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 19.52 Acres

Department of Regulatory and  
Economic Resources  
Recommendation:

**Approval of request #1, subject to the Board's acceptance of the proffered covenant, modified approval with conditions of requests #2 and #3, approval with conditions of requests #4 through #6 and #8, #10 and #11; a modified approval of request #7, and denial without prejudice of request #9.**

Protests: \_\_\_\_\_ 0 \_\_\_\_\_

Waivers: \_\_\_\_\_ 0 \_\_\_\_\_

APPROVED: \_\_\_\_\_

DENIED WITH PREJUDICE: \_\_\_\_\_

DENIED WITHOUT PREJUDICE: \_\_\_\_\_

DEFERRED: \_\_\_\_\_

**2. HIGHRETURN INVESTMENTS, LLC (14-9-CZ10-2/14-006)**

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

NON-USE VARIANCE to permit a cocktail lounge/bar in conjunction with an existing restaurant with the sale of alcoholic beverages until 3:00am (1:00am permitted).



**NOTICE**

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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.

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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](http://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: Z13-074(14-9-CZ10-1)**

**September 18, 2014**

Item No. 1

<b>Recommendation Summary</b>	
<b>Commission District</b>	12
<b>Applicants</b>	Miami Christian School and Century Homebuilders Group, LLC
<b>Summary of Requests</b>	The applicants are seeking to modify the previously approved plans for an existing private school in order to reduce the school parcel size and to rezone the remainder of the parcel for residential uses. With these requests, the applicants are also seeking ancillary non-use variances to the setback and parking regulations to allow the continuation of the school use on the smaller parcel.
<b>Location</b>	200 NW 109 Avenue, Miami-Dade County, Florida.
<b>Property Size</b>	19.52-acres
<b>Existing Zoning</b>	AU, Agricultural District GU, Interim District
<b>Existing Land Use</b>	Private school
<b>2020-2030 CDMP Land Use Designation</b>	Medium Density Residential, 13 - 25 dua <i>(see attached Zoning Recommendation Addendum)</i>
<b>Comprehensive Plan Consistency</b>	Consistent with the LUP map, and the interpretative text and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311 District Boundary Change 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>
<b>Recommendation</b>	<b>Approval of request #1, subject to the Board's acceptance of the proffered covenant, modified approval with conditions of requests #2 and #3, approval with conditions of requests #4 through #6 and #8, #10 and #11; a modified approval of request #7, and denial without prejudice of request #9.</b>

**REQUESTS:**

REQUEST #1 ON EXHIBIT "A"

- (1) DISTRICT BOUNDARY CHANGE from GU to RU-4L.

REQUESTS #2 & #3 ON EXHIBITS "A" & "B"

- (2) MODIFICATION of Condition No. 1 of Resolution No. 10290, as amended by Resolution No. 4-ZAB-23-72, reading as follows:

FROM: "1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things but not be limited thereto, location of structure or structures, landscaping, off-street parking areas, type and location of bulletin board or signs, entrances and exits, fences, walls, etc.; that said plan be substantially in compliance with that submitted for the hearing as prepared by Severud-Knight-Boerema-Buff Architects entitled 'Master Plan Miami

Christian School,' and dated 11-15-71; that the buffer strip indicated on the plan shall be heavily landscaped with shrubs and trees to create a sound barrier between this facility and existing and future developments."

TO: "1. That said plan be substantially in compliance with that submitted for the hearing entitled 'Miami Christian School,' as prepared by Pascual Perez Kiliddjian & Associates, Architects and Planners, landscape plans prepared by Witkin Hults Design Group, and previously approved elevation drawings of the existing school buildings prepared by O.K. Houstoun Architects & Associates and Severud-Knight-Boerema-Buff Architects, all dated stamped received June 4, 2014, sheets SP-2.2 and A-4 dated stamped received June 20, 2014, consisting of a total of twenty-one (21) sheets."

(3) MODIFICATION of Condition No. 3 of Resolution No. 4-ZAB-341-87, as amended by Resolution 5-ZAB-10-96, reading as follows:

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TO: "3. That in the approval of the plan, the same be substantially in accordance with the hearing entitled 'Miami Christian School,' as prepared by Pascual Perez Kiliddjian & Associates, Architects and Planners, landscape plans prepared by Witkin Hults Design Group, and previously approved elevation drawings of the existing school buildings prepared by O.K. Houstoun Architects & Associates and Severud-Knight-Boerema-Buff Architects, all dated stamped received June 4, 2014, sheets SP-2.2 and A-4 dated stamped received June 20, 2014, consisting of a total of twenty-one (21) sheets."

The purpose of requests #2 and #3 is to submit a revised master site plan that reduces the size of the school campus.

#### REQUESTS 4 THROUGH 11 ON EXHIBIT "B"

- (4) NON-USE VARIANCE to permit a building lot coverage of 25.05% (15% permitted).
- (5) NON-USE VARIANCE to permit relocated building "E" to setback 15.00' from the interior side (south) property line (250' required).
- (6) NON-USE VARIANCE to permit existing classroom buildings setback varying from 44.44' to 189.69' from the front (east) property line; and setback varying from 61.15' to 129.14' from the interior side (north) property line and setback a minimum 39.39' from the interior side (south) property line (250' required for all).

- (7) NON-USE VARIANCE to permit recreational facilities including basketball, tennis courts, football field and baseball field to setback a minimum of 10' from the interior side (north) property line, 6' from the rear (west) property line and 15' from the interior side (south) property line (250' required for all).
- (8) NON-USE VARIANCE to permit the existing maintenance building setback 9.64' from the rear (west) property line and setback 29.66' from the interior side (north) property line (250' required for all).
- (9) NON-USE VARIANCE to permit 103 parking spaces (174 spaces required).
- (10) NON-USE VARIANCE to permit a two-way driveway with a width of 10' (20' required).
- (11) NON-USE VARIANCE to permit off-street parking areas to be located within 25' of an official right-of-way (Not permitted).

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

**PROJECT DESCRIPTION AND PROJECT HISTORY:**

The subject property is a 19.52-acre, dual zoned parcel that pursuant to Resolution #10290, was approved in 1956 to permit a church and allied uses. Between 1956 and 1996, the entire subject property was the subject of a number of zoning applications to modify the plans approved the 1956 resolution, as well as variances to the zoning regulations to accommodate the expansion of the school buildings. The southern portion of the subject property is currently zoned GU, Interim District and the remaining northern portion is zoned GU and AU, Agricultural District.

The application seeks approval of a request to rezone the southern 7.23-acres portion of the subject property, which was recently sold to the co-applicant Century Homebuilders Group, LLC, from GU to RU-4L, Limited Apartment House District, in order to develop this portion of the property with multi-family residential uses. Consequently, the applicants seek to modify the previously approved plans for the existing private school that was originally approved on the entire subject property (Exhibits "A" and "B") in order to show the school only on the north parcel, Exhibit "B". To facilitate the approval of the aforementioned requests, the applicants also seek approval of a number of ancillary non-use variances to the setback, spacing and parking regulations, in order to accommodate the deletion of the portions of the school previously depicted on the south parcel and to now show the school only on the remaining northern 12.29-acre portion of the subject property that is zoned GU and AU.

<b><u>NEIGHBORHOOD CHARACTERISTICS</u></b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	AU/GU; private school	Medium Density Residential (13-25 dua)
<b>North</b>	RU-4L; apartments	Medium Density Residential (13-25 dua)
<b>South</b>	RU-4L; duplex residences	Medium Density Residential (13-25 dua)

<b>East</b>	RU-3M & RU-4L; apartments/condos	Medium Density Residential (13-25 dua)
<b>West</b>	City of Sweetwater; trailer park	Medium Density Residential (13-25 dua)

**NEIGHBORHOOD COMPATIBILITY:**

The 19.52-acre parcel currently contains the private school facility. The existing buildings for the existing school are primarily located on the northern approximately 800' of the subject property (Exhibit B) and the recreation fields and some parking are located on the southern approximately 500' of the subject property (Exhibit A). The property abuts multifamily apartments to the north and east, a townhome development to the south and a trailer park to the west, which is located in the City of Sweetwater.

**SUMMARY OF THE IMPACTS:**

The approval of this application could allow the applicants to develop the southern portion of the property with a multi-family residential development, which would provide the community with additional housing. However, the development of residential uses on this portion of the property could create additional impacts on traffic, schools and other community resources in the area. Additionally, the reduced setbacks of the school along the south property line could have visual and aural impacts on any future residential development on the southern parcel.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The subject property is designated **Medium Density Residential** on the CDMP LUP map, which allows a range in density of 13 to 25 dwelling units per gross acre. *The types of housing structures typically permitted in this category include townhouses and low-rise and medium-rise apartments.* The CDMP LUP map would allow the applicants to develop the southern, 7.23-net acre portion of the subject property (Exhibit A) with a maximum of 180 residential units. The applicants seek to rezone the said parcel, from GU, Interim District, to RU-4L, Limited Apartment House District (request #1). The RU-4L zoning district allows residential development at a maximum of 23 residential units per acre and would allow a maximum of 166 residential units on the 7.23-acre parcel. The applicants have proffered a covenant that among other things restricts the development of the southern portion of the property (Exhibit A) to a maximum of 135 residential units and will require any future residential development of the south parcel to go through the Administrative Site Plan Review (ASPR) process. Further, although the RU-4L zoning district permits a maximum building height of six (6) stories, not exceeding 75' in height, the applicant has proffered in said covenant that any future development will be restricted to a maximum of three (3) stories at a maximum height of 40'. Therefore, subject to the Board's acceptance of the proffered covenant, approval of the requested district boundary change on Exhibit A of the subject property would be **consistent** with the CDMP designation of Medium Density on the LUP map and the maximum density threshold allowed by the Land Use Element interpretative text.

The applicants also seek to modify the plans for the previously approved private school (requests #2 and #3) along with ancillary requests for non-use variances of the zoning regulations (requests #4 through #11), which will facilitate the consolidation of the school on the north portion of the property (Exhibit B). 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 notes that based on the zoning hearings records, the school has existed at this location since 1956. Staff opines that approval with conditions of the application will allow the applicants to maintain the previously approved school on a smaller parcel with additional variances to the zoning district regulations. The applicants have not indicated any intent to expand the school or to add more buildings to the site. However, the applicant seeks to reduce and relocate the parking areas and to relocate the recreational areas onto the school property (Exhibit B), closer to the residential uses to the north and west. Staff's review of the previously approved plans for the school indicated that the recreational areas, to include the playing fields, tennis courts and swimming pool were primarily located on the western portion of the property abutting the trailer home park. Further, staff notes that except for a small area along the rear (west) property line abutting the trailer park, which shows only a hedge, the submitted plans indicate a continuous row of hedges and trees along the interior side (south and north) property lines of the reduced school site. Staff opines that the landscaping indicated in the plans will provide an adequate visual buffer between the school and any future residential development on the south parcel, Exhibit A, and the existing residential uses to the north and west.

Further, staff opines that based on the restrictions to the scale and height of the proposed residential development on the south parcel that are being proffered by the applicant, the proposed residential development will be similar to the surrounding residential uses to the south, east and north. As such, subject to the acceptance of the proffered covenant, staff opines that the approval with conditions of the applicants' requests to modify the plans for the existing school use and to rezone the southern 7.23-net acres of the subject property to a residential zoning district, will be **compatible** with the existing school and the surrounding residential uses based on the criteria for compatibility set forth in the CDMP Land Use Element, **Policy LU-4A**.

Therefore, staff opines, that subject to the acceptance of the proffered covenant, approval of the application would be **consistent** with the CDMP Land Use Element Interpretative text under *Residential Communities*, the density threshold permitted in areas designated for **Medium Density Residential** uses on the CDMP Land Use Plan (LUP) map and would satisfy the criteria for compatibility outlined in the CDMP Land Use Element, **Policy LU-4A**.

#### **ZONING ANALYSIS:**

The subject property is a 19.52-acre parcel, which contains an existing private school. The subject property is currently dual zoned. The south half of the property is currently zoned GU, Interim District, and the remaining northern portion is zoned AU, Agricultural District. As previously noted, the existing school was approved on the site pursuant to Resolution #10290 in 1956. The applicants are now seeking to rezone the 7.23 acre south parcel, Exhibit B, from GU to RU-4L, Limited Apartment House District (request #1) and to modify the previously approved plans for the existing school to locate the school buildings and facilities only on the northern 12.92 acre portion of the parcel that is zoned GU and AU (request #2 and #3).

Staff's analysis of the applicants' request to rezone the southern 7.23-acre of the subject property from GU to RU-4L is based on Section 33-311(District Boundary Change), of the Code, along with the analysis of the ancillary requests to modify conditions of prior resolutions (requests #2 and #3) that pertain to the site plan for the existing school, under Section 33-311(A)(7), Generalized Modification Standards.

Staff opines that based on memoranda submitted by the various Departments reviewing the application, approval of requests #1 through #3 will not have an unfavorable economic impact on Miami-Dade County and will not unduly burden water, sewer, solid waste disposal, or other necessary public facilities. Staff notes that subject to conditions outlined in its memorandum dated June 12, 2014, the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) does not object to the application and indicated in its memorandum that the application meets the traffic concurrency criteria for an Initial Development Order. Among said conditions are requirements for both on-site and off-site infrastructure improvements. As such, staff opines that the approval of the application, including requests #1 through #3 to rezone a portion of the parcel and to modify the previously approved plans for the existing school, would efficiently use the roads, streets and highways which have been constructed, planned or budgeted for in this area and further, would not result in excessive traffic.

Similarly, based on the memorandum from the Division of Environmental Resources Management (DERM) of the Department of Regulatory and Economic Resources (RER), dated July 3, 2014, approval with conditions of the application meets all applicable Level of Service (LOS) standards for an initial development order, as specified in the adopted CDMP for potable water and sewer facilities. Additionally, staff notes that the Miami-Dade Fire Rescue Department (MDFRD) does not object to the application. Therefore, based on the aforementioned memoranda and memoranda from the other departments that reviewed the application among which were the Miami-Dade County's Parks Recreation and Open Spaces (PROS), staff opines that approval of this application will not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction. Further, staff opines that approval of the requests, which will allow the multi-family development, will not tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area.

The submitted plan depicts 19.52-acres subject property with the existing school and ancillary facilities located on the northern 12.29-acre portion Exhibit B, and the vacant 7.23-acre, south parcel (Exhibit A), which the applicants seek to rezone to permit a multi-family residential development. Apart from two (2) of the modular buildings that the applicants indicated will be relocated along the south property line of the school parcel (Exhibit B), all the other buildings currently exist on the site and have been there for some time. Additionally, the submitted plans indicate that the recreational uses, to include the tennis and basketball courts, baseball and softball fields and playground areas, are being relocated onto the north parcel with the school use. Apart from the encroachments into the interior side (south) setback areas of the existing gym and modular buildings, that are a result of the subdivision of the parcel, as well as the encroachment of the recreational facilities, almost all of the encroachments of the existing

buildings that are the subject of requests #6 and #8, have existed on the site prior to this application and therefore, will not create any new visual impacts on the surrounding area. However, staff opines that the relocation of the football field indicated on the plans, adjacent to the residential trailer park development located to the west of the subject property, could have a negative aural impact on said development. The applicant has indicated the intent to remove the football field. Additionally, staff opines that the request to permit the school site on Exhibit B of the subject property with only 59% of the required parking is excessive and could lead to the spillage of parking onto the abutting roadway, NW 109 Avenue. As such, contingent on the removal of the football field and the revision of the plans to show additional parking, staff recommends a modified approval of requests #2, and #3.

Similarly, staff opines that the excess lot coverage of the buildings on the school site that are the subject of request #4 is due to the subdivision of the site and the subsequent reduction of the school parcel. Therefore, based on the foregoing analysis and the memoranda from the Departments concerned, staff opines that the approval of the request to rezone a portion of the subject property (request #1) along with a modified approval of the requests to modify the plans for the existing school in order to accommodate the school on a smaller parcel (requests #2 and #3) will be **compatible** with the area and **consistent** with the CDMP. Further, staff opines that approval of said requests as indicated, will not have an unfavorable impact on the economy of the County and would not have an unfavorable impact on the environmental and natural resources or create an unnecessary burden on the water, sewer, solid waste or recreational resources among others which have been constructed, planned or budgeted for. **As such, subject to the Board's acceptance of the proffered covenant, staff recommends approval of request #1 under Section 33-311, District Boundary Change, and a modified approval with conditions of requests #2 and #3, under Section 33-311(A)(7), Generalized Modification Standards, to show the removal of the football field and additional parking spaces.**

The applicants also seek approval of ancillary Non-Use Variance requests to maintain the existing school on the larger parcel (Exhibit B). These variances are to permit the building lot coverage for the school of 25.05% (15% maximum allowed) on the AU and GU zoned parcel (request #4), to permit the existing buildings and recreational facilities setback less than required from property lines (requests #5 through #8); to permit less parking spaces than required by Code (request #9), as well as to permit parking spaces within 25' of a right-of-way (request #11), and finally to permit a two-way drive with a width of 10, where a minimum width of 20' is permitted (request #10).

When the aforementioned requests (requests #4 through #11) are analyzed under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations, staff opines that with the exception of requests #7 and #9, approval with conditions of said requests would maintain the basic intent and purpose of the zoning and subdivision regulations and would not affect the stability and appearance of the community. Further, based on the analysis below, staff opines that approval of the aforementioned requests would be **compatible** with the surrounding residential and commercial uses in the area.

Staff opines that approval with conditions of the applicants' requests to permit the buildings on the school parcel with a lot coverage of 25.05%, where a maximum of 15% is permitted (request #4) and requests to permit the buildings and recreational facilities encroaching a various intensities into the required 250' setback areas of the AU and GU zoned parcel (requests #5, #6

and #8), will not create any negative visual impact on the surrounding properties and would be **compatible** with same. Staff opines that since the majority of the buildings have been in existence at this site for at least ten (10) years, no new visual impact will be created on the surrounding residential properties to the north, east and west. However, staff notes that the encroachments of the buildings referred to in request #5 along the interior side (south) property line, which abuts a future residential development that is contingent on the approval of request #1, were mainly created by the applicants' subdivision of the larger tract. Therefore, staff opines that the applicants need to adequately buffer this area to mitigate the negative visual impact these buildings will have on any future residential development of the proposed RU-4L parcel to the south. Staff notes that the submitted plans indicate a dual row of trees along with a continuous hedge along said property line, which staff opines will mitigate any visual or aural impacts from the existing school on any future residential development of the parcel to the south.

Said landscape plans also indicate an adequate landscape buffer along the rear (west) and interior side (north) property lines, which staff opines will mitigate the visual and aural impacts of the existing buildings and relocated recreational areas on the existing, surrounding residential uses. Staff opines that the encroachments of the existing buildings into the front (east) setback area does not have any new visual impact on the residential uses to the east that also, are separated from the school by a 60' wide right-of-way. However, as indicated in the foregoing analysis of requests #2 and #3, staff is not supportive of the football field's location abutting the residential trailer park development to the west. Therefore, staff recommends that prior to final permit approval for the school site, the football field should be removed as agreed to by the applicant. Additionally, staff recommends as a condition for approval that the proposed landscaping along the property lines abutting the existing and proposed residential uses be installed prior to final permit approval of the redeveloped school parcel. **Based on the foregoing analysis, staff recommends approval with conditions of requests #4, #6 and #8, and a modified approval of request #7, to show the removal of the football field, under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

Similarly staff opines that when the requests to permit two-way drives a minimum of 10' wide within the subject property (request #10) and to permit parking within 25' of an official right-of-way (request #11) are analyzed under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations, approval would not affect the character of the development and would not have an impact on the movement of vehicular traffic within the subject property. Staff notes that the Platting and Traffic Review Section of RER does not object to these requests. The submitted plans indicate that where the parking areas abut SW 109 Avenue to the east, a continuous hedge and row of trees will mitigate any visual impact the parking areas will have on passersby along said roadway. Therefore, staff opines that approval would not have a negative visual impact on the abutting roadways or create any hazard within the subject property. Additionally, staff notes that the Platting and Traffic Review Section's memorandum requires both on and off-site improvements as a condition of approval. **As such, staff recommends approval with conditions of requests #10 and #11 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

However, when the applicants' request to permit the school parcel with less parking than required (request #9) is analyzed under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations, staff opines that approval could result in the spillage of parking onto the abutting roadway (SW 109 Avenue) and would therefore be **incompatible** with the

surrounding area. Staff notes that the applicants submitted revised plans on August 15, 2014, which have been reviewed by staff and are within the scope of the advertisement, showing an additional thirty-three (33) parking spaces on the school site and the removal of the football field. Staff was not supportive of the original request to permit the site with a 40% reduction in parking spaces. Further, although the additional thirty-three (33) spaces provided in the revised plans reduces the deficiency to 22%, staff maintains that this is still not adequate for the 12.29 acre school site and opines that either reduction would be excessive and could negatively impact the surrounding residential uses. **Staff therefore, recommends denial without prejudice of request #9, under Section 33-311(A)(4)(b), the Non-Use Variance Standards.**

**ACCESS, CIRCULATION AND PARKING:** The submitted plans indicate ingress/egress points along NW 109 Avenue to the east. Additionally, the plans indicate that there will be approximately 40% less parking spaces than the required 174 spaces for the reduced school parcel.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

**OTHER:** Not applicable.

**RECOMMENDATION:**

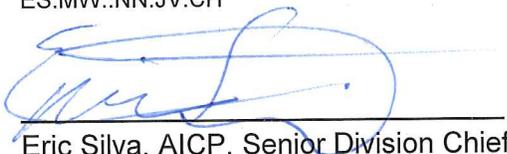
**Approval of request #1, subject to the Board's acceptance of the proffered covenant, modified approval with conditions of requests #2 and #3, to show the removal of the football field and show an additional 71 parking spaces, approval with conditions of requests #4 through #6 and #8, #10 and #11; a modified approval of request #7, and denial without prejudice of request #9.**

**CONDITIONS FOR APPROVAL (For requests #2 through #8 and #10 and #11 only):**

1. That all the conditions of Resolution No. 10290, as amended by Resolution No. 4-ZAB-23-72, 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 'Miami Christian School,' as prepared by Pascual Perez kiliddjian & Associates, Architects and Planners, landscape plans prepared by Witkin Hults Design Group, and previously approved elevation drawings of the existing school buildings prepared by O.K. Houston Architects & Associates and Severud-Knight-Boerema-Buff Architects, all dated stamped received June 4, 2014, sheets SP-2.2 and A-4 dated stamped received June 20, 2014, consisting of a total of twenty-one (21) sheets, except as herein modified to show the removal of the football field and to show the required amount of parking spaces, both on Exhibit B.
3. That the applicants shall install all the required landscaping along the property lines prior to obtaining a final permit approval.
4. That the applicants submit to the Department of Regulatory and Economic Resources for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.

5. That the applicants shall install all the on-site and Off-Site Infrastructure improvement outlined in the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources as contained in their memorandum dated June 12, 2014, that is incorporated herein by reference.
6. That no outside speakers other than in connection with emergency systems shall be permitted on the property.
7. That the play areas shall not be rented out for use by any outside organizations.
8. That night activities and/or special events shall be limited to twelve (12) events per year and shall end no later than 9:00 PM.
9. That the outside lighting shall be permitted with the proper shielding according to Miami-Dade County Code.
10. That no off-site parking shall be permitted for the school use and that the applicants shall seek the authorization from the Public Works and Waste Management Department to install "no parking" signs in front of the school along NW 109 Avenue, on Exhibit B.

ES:MW::NN:JV:CH



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

## ZONING RECOMMENDATION ADDENDUM

Applicants: *Miami Christian School and  
Century Homebuilders Group, LLC*  
PH: Z13-074

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS</b>	
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
Police	No objection
Schools	No objection
*Subject to conditions in their memorandum.	

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

<b>Medium Density Residential (Page I-30)</b>	<i>This category allows densities from 13 to 25 dwelling units per gross acre. The type of housing structures typically permitted in this category includes townhouses and low-rise and medium-rise apartments.</i>
<b>Residential Communities (Pg. I-24)</b>	<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>
<b>Policy LU-4A (Page I-9)</b>	<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

<b>Section 33-311 District Boundary Change</b>	<p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) <b>Section 33-311</b> provides that the Board shall take into consideration, among other factors the extent to which:</p> <p>(1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i></p>
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# ZONING RECOMMENDATION ADDENDUM

Applicants: *Miami Christian School and  
Century Homebuilders Group, LLC*  
PH: Z13-074

	<p>(2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i></p> <p>(3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i></p> <p>(4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i></p> <p>(5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways</i></p>
<p><b>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</b></p>	<p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i></p>
<p><b>Section 33-311(A)(7) Generalized Modification Standards.</b></p>	<p><i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.</i></p>

**1. MIAMI CHRISTIAN SCHOOL**  
**(Applicant)**

**14-9-CZ10-1(13-074)**  
**Area 10/District 12**  
**Hearing Date: 09/18/14**

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>
1972	Miami Christian School	- Modification of Condition #1 of Resolution 10290(9-13-56).	ZAB	Approved on a Modified Basis
1987	Miami Christian School	- Unusual Use to permit a trailer as a watchman's quarters P.U.P..	ZAB	Approved with Condition(s)
1996	Miami Christian School	- Modification of Condition #3 of Resolution 4-ZAB-341-87. - Non-Use Variance of classroom area requirement.	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:** July 3, 2014

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

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

**Subject:** C-15 #Z2013000074-3<sup>rd</sup> Revision  
Miami Christian School  
200 N.W. 109<sup>th</sup> Avenue  
Zone change from GU and AU to RU-4L  
(GU) (7.23 Acres)  
06-54-40

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.

#### Potable Water Service and Wastewater Disposal

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

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

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

#### Stormwater Management

A Surface Water Management General Permit from DERM shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to any future development order approval. The applicant is advised to contact the Water Control Section of DERM for further information regarding permitting procedures and requirements.

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

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

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

#### Wetlands

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

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

#### Tree Preservation

Per previous comments, the plans submitted with this application depict the presence of specimen tree resources (trunk diameter 18 inches or greater) on the referenced property. The plans further show that these trees will be impacted by the proposed construction activities. Section 24-49 of the Code requires the preservation of tree resources. Prior to the removal and or relocation of any tree on site, a Miami-Dade County Tree Removal/Relocation Permit is required. Section 24.49.3 of the Code states, "If it is determined that the proposed development site involves removal of a specimen tree, the standards set forth in Section 24.49.2 shall apply...." Note that the applicant has submitted an application to the Tree Permitting Program for a Tree Removal/Relocation Permit (Tree 5204). As such, DERM recommends approval of this application with the condition that the Tree Removal/Relocation Permit (Tree 5204) is duly obtained prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said Tree Removal/Relocation Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

Also, the site contains prohibited trees as defined in Section 24-49.9 of the Code. Pursuant to Section 24-49.9 of the Code, all prohibited plant species shall be removed from the property prior to development or redevelopment, and their sale, propagation, planting, importation or transportation is prohibited. Pursuant to this subsection and in accordance with Chapter 19 of the Code, developed sites shall be maintained to prevent the growth or accumulation of prohibited species including grass, weeds and non-native undergrowth.

Be advised that development orders will not be approved for these sites unless this condition is met. The applicant is required to comply with the above tree permitting requirements. DERM approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application.

The applicant is advised to contact the Tree Permitting Program at (305) 372-6574 for additional information regarding tree permitting procedures and requirements prior to site development.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

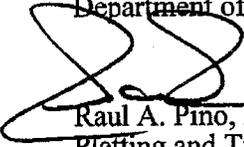
cc: Nathan Kogon, Department of Regulatory and Economic Resources

# Memorandum



**Date:** June 12, 2014

**To:** Eric Silva, Development Coordinator  
Department of Regulatory and Economic Resources

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

**Subject:** Z2013000074  
Name: Miami Christian School  
Location: 200 NW 109 Avenue  
Section 06 Township 54 South Range 40 East

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The Department of Regulatory and Economic Resources Planning 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 (PWWM) Traffic Engineering Division (TED) recommends approval of this application for 425 students provided the comments indicated below are incorporated into the related documentation and implemented in the field.

#### On Site Comments:

1. The handicapped space sign detail must use the Miami-Dade County sign standard.
2. The drive aisle adjacent to the tail end of the passenger loading zone must be operate as a one-way southbound drive aisle at all times due to the lack of turning radius for any northbound right turns.

#### Off-Site Infrastructure Requirements:

1. The existing school speed zone is required to be improved along the school's frontage road (SW 109 Avenue). The school speed zone must be composed of signs (fluorescent yellow-green material must be used where applicable), pavement markings, and flashing beacons as per the governing standard. The existing posted time intervals for the school speed zone are required to be modified for the new schedule, if applicable. Installation of required beacons may be waived at this time with the provision that in the future, if the PWWM determines the need for said devices, the school will provide such traffic control devices at the expense of the school administration in a timely manner.
2. The applicant must improve the SW 109 Avenue cross section as per the illustration shown on plans (sidewalk, utility strip, curb and gutter). The proposed lane usage should include a two way left turn lane that serves the school and residential driveways along the school's property line and possibly extends south to the new residential development.

3. All off-site improvements shall be constructed prior to the beginning of the 2015/2016 school year.

School Operational Requirements:

1. The school schedule must maintain a 214 student maximum limit per arrival and dismissal shift with a minimum 30 minute time schedule separation between any two shifts, and with a maximum of one shift per school type (e.g. Elementary PK-5<sup>th</sup>, Middle 6<sup>th</sup>-8<sup>th</sup>, High 9<sup>th</sup>-12<sup>th</sup>).
2. A "Declaration of Restrictions" in favor of PWWM must be recorded in the Official Records of Miami-Dade County, Florida prior to the date of the school opening. The "Declaration of Restrictions" shall include a TOP narrative and plan that has been found acceptable by PWWM.

Standard Comments

1. Public sidewalks are required to extend across all school driveways around the site. This will include pedestrian (ADA) ramps where applicable. All pedestrian crosswalks around the school must have zebra pavement markings.
2. Safe sight distance clearance is required at all driveways; therefore, all tree placements in sight triangles shall meet or exceed FDOT Index 546. No tree foliage or branches shall descend below 7 feet within the public right-of-way. No trees shall remain or be planted in any clear zones.
3. Plans submitted for Permit shall conform to MUTCD, PWWM and other appropriate standards for engineering design in the public right-of-way. Existing and proposed striping, signs, and lane widths must be shown on these plans for all adjacent roadways. Also, plans must indicate any existing or proposed private driveways across the streets adjacent to the school site.
4. All roadway improvements including, but not limited to, traffic signs, markings and signals shall be installed by the applicant adjacent to, or nearby, this facility to ameliorate any adverse vehicular impacts caused by the traffic attracted to this facility. Also, traffic control devices, e.g., crosswalks, may be required at locations remote from this site along safe routes to school to provide for pedestrian student safety. These requirements may be determined at the time of Dry Run submittal of Paving and Drainage Plans.

The PWWM reserves the right to add or modify requirements based upon any additional information that may be received during this review process.

Should you need additional information or clarification on this matter, please contact Mr. Jeff Cohen, P.E. 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 not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.

# Memorandum



**Date:** May 9, 2014

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

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

**Subject:** Miami Christian School, Inc. update (#13\_074)

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The PWWM has no objections to the proposed application. The Department's review of the above-referenced item is provided below. The review updates a previous response, dated December 12, 2013 regarding an existing school on the property. Additional comments will be provided as needed.

The application maintains the request for a district boundary change from Interim District (GU) to Limited Apartment House District (RU-4L), in addition to a non-use variance to allow for 103 parking spaces where 143 are permitted, and revisions to site plans. The application will have no PWWM impact or any associated costs.

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.

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

School Name: Miami Christian School

School Address: 200 NW 109 Avenue, Miami, FL 33172 Tax Folio # 30 - 4006 - 001 2320

1. Is this an expansion to an existing school  Yes  No If yes, indicated the number of students: \_\_\_\_\_ and age and grade ranges originally approved: \_\_\_\_\_.
2. Total size of site: \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_ + 43,560 sq. ft. = 12.29 acres
3. Number of children or students requested: 425 Ages: 3 to 19 years old.
4. Number of teachers: 14 Number of administrative & clerical personnel: 10.
5. Number of classrooms: 25 Total square footage of classroom area: 22,369.61.
6. Total square footage of non-classroom area (offices, bathrooms, kitchens, closets):  
20,031.63
7. Amount of outdoor recreation/play area in square footage: 193,096.98.

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: 0.
9. Number of parking spaces provided for staff, visitors and transportation vehicles: parking spaces provided 103 parking spaces required by §33-124(L) 174.
10. Indicate the number of auto stacking spaces: 24 provided 5 required.
11. Proposed height for the structure(s): 2 stories (29 feet) See §33-151.18(g).
12. Size of identification sign: 6 x 4 = 24 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: 7am-6pm Monday-Friday; 8am-12pm Saturday; and sporting events until 9:30pm.
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). No residential uses.

**RECEIVED**  
*2/13-019*  
JUN 20 2014  
ZONING PERMIT SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY \_\_\_\_\_

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 50 (number of children) = 1,750 sq. ft. of classroom area required.

b. Elementary Grades 1-6

30 sq. ft. x 130 (number of children) = 3,900 sq. ft. of classroom area required.

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

25 sq. ft. x 245 (number of children) = 6,125 sq. ft. of classroom area required.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 11,775

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 22,369.61

OUTDOOR RECREATION SPACE:

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

45 sq. ft. x 25 (1/2 of children) = 1,125 sq. ft. of outdoor recreation space required.

b. Grades 1-6

500 sq. ft. x 30 (first 30 children) = 15,000  
 300 sq. ft. x 100 (remaining children) = 30,000

c. Grades 7-12

800 sq. ft. x 30 (first 30 children) = 24,000  
 300 sq. ft. x 215 (next 300 children) = 64,500  
 150 sq. ft. x --- (remaining children) = ---

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 134,625

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 193,096.98

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: 369 Trees provided: 369

b. Ten shrubs are required for each tree required. Shrubs required 3,690 Shrubs provided 3,690

c. Grass area for organized sports/play area in square feet: 174,348.65

d. Lawn area in square feet (exclusive of organized sports/play area): 31,850.00



ZONING HEARINGS SECTION  
 PLANNING AND ZONING DEPT.  
 BY [Signature]

School Address: 200 NW 109 Avenue, Miami, FL Zip Code: 33172

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

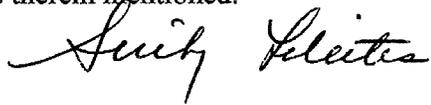
Signed, sealed, executed and acknowledged on this 20 day of June, 2014 at Miami-Dade County, Florida.

  
Signature

WITNESSES: 

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

I hereby certify that on this 20<sup>th</sup> day of June, 2014, before me personally appeared ALBERTO J. TORRES, 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: 



#26806836\_v3

**RECEIVED**  
213-819  
JUN 20 2014  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY 

# Memorandum



**Date:** June 13, 2014

**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:** Z2013000074: MIAMI CHRISTIAN SCHOOL  
Revised Plans Submitted – Dated Stamped Received 6/6/2014

**Application Name:** MIAMI CHRISTIAN SCHOOL

**Project Location:** The site is located at 200 NW 109 AVE, Miami-Dade County.

**Proposed Development:** The request is for approval of a district boundary change from GU to RU-4L on a 7.23 acre site for the purpose of future multi-family development. Based on the RU-4L zone request approximately 166 apartment units with an estimated population of 352 could be permitted.

**Impact and Demand:** This application proposes future development of multi-family use which has the potential to result in an impact of up to .97 acres to the level of service for this park benefit district.

Recreation and Open Space Element policies ROS-2a (i); (ii); (iii); (iv); and (v) provide for the establishment of Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space. The site is located in Park Benefit District 1 (PBD1) which has a surplus of 310.91 acres of local parkland and therefore meets concurrency when analyzed in terms of (2.75) acres per 1,000 unincorporated areas residents within this Park Benefits District.

County-owned local parks that are within three miles of the subject application are described in Table A which lists the name, type and acreage for each park. Ruben Dario Park is the nearest local park to the application site located to the southeast.

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

Park Facility	Classification	Acreage
Westbrook Park	NEIGHBORHOOD PARK	2.45
Coral Estates Park	COMMUNITY PARK	5.15
Rockway Park	COMMUNITY PARK	2.52
Concord Park	NEIGHBORHOOD PARK	10.00
Tamiami Lakes Park	NEIGHBORHOOD PARK	5.00
International Gardens Park	NEIGHBORHOOD PARK	5.38
Tamiami Canal Park	NEIGHBORHOOD PARK	1.80
Ruben Dario Park	COMMUNITY PARK	15.29
Francisco Human Rights Park	MINI-PARK	3.78
North Trail Park	COMMUNITY PARK	15.30
Southern Estates Park	NEIGHBORHOOD PARK	13.21
Tamiami Trail Park (North)	NEIGHBORHOOD PARK	1.73

Objective ROS-8 of the Recreation and Open Space Element of the CDMP states the following: *The 2007 Miami-Dade County Parks and Open Space System Master Plan (OSMP), through a 50-year planning horizon, shall guide the creation of an interconnected framework of parks, public spaces, natural and cultural areas, greenways, trails, and streets that promote sustainable communities, the health and wellness of County residents, and that serve the diverse local, national, and international communities.*

**Recommendation:** 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:** 05-NOV-13  
**To:** Jack Osterholt, Director  
 Department of Regulatory and Economic Resources  
**From:** Dave Downey, Fire Chief  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2013000074

**Fire Prevention Unit:**

This memo supersedes MDRR memorandum dated August 13, 2013.  
 - No objection to the site plan with an October 31, 2013 received date.

**Service Impact/Demand**

Development for the above Z2013000074  
 located at 200 NW 109 AVE, MIAMI-DADE COUNTY, FLORIDA.  
 in Police Grid 1290 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 29 - Sweetwater - 351 SW 107 Avenue  
 Rescue, ALS 60' Aerial.

**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: 12-JUN-14  
REVISION 1

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

MIAMI CHRISTIAN SCHOOL

200 NW 109 AVE, MIAMI-DADE  
COUNTY, FLORIDA.

---

APPLICANT

---

ADDRESS

Z2013000074

---

HEARING NUMBER

**HISTORY:**

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

Miami Christian School

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

**REPORTER NAME:**

**DISCLOSURE OF INTEREST\***

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

CORPORATION NAME: Miami Christian School, a Florida non-profit corporation

NAME AND ADDRESS:	Percentage of Stock
William Lukes, President / Director, 13450 SW 104 <sup>th</sup> Avenue, Miami, Florida 33176	N/A
Patrick Carrington, Vice President, 390 NE 88 Street, Miami, Florida 33138	"
Keyla Ai Smortryski, Treasurer, 3201 1 <sup>st</sup> Avenue W, Bradenton, Florida 34205	"
Carmen Perez, Secretary, 10918 NW 1 <sup>st</sup> Lane, Miami, Florida 33172	"
Evelyn Osemeikhian, Officer, 16010 SW 100 <sup>th</sup> Court, Miami, Florida 33157	"

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

TRUST/ESTATE NAME: \_\_\_\_\_

NAME AND ADDRESS	Percentage of Interest

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

NAME AND ADDRESS	Percentage of Ownership



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

NAME OF PURCHASER: Century Homebuilders Group, LLC

NAME AND ADDRESS (if applicable)	Percentage of Interest
<u>Sergio Pino - 782 NW 42 Avenue, Suite 650</u>	<u>50%</u>
<u>Miami, FL 33126</u>	
<u>Tatiana Pino - 782 NW 42 Avenue, Suite 650</u>	<u>50%</u>
<u>Miami, FL 33126</u>	

Date of contract: 06/24/13

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

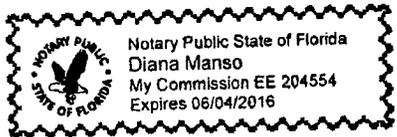
**NOTICE:** For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: \_\_\_\_\_  
Sergio Pino, Manager

Sworn to and subscribed before me this 7 day of August, 2013. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

Diana Manso  
(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.

**RECEIVED**  
213-019  
AUG 07 2013

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

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

NAME OF PURCHASER: \_\_\_\_\_

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

Date of contract: \_\_\_\_\_

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

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

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

Signature: William H. Lukes  
William Lukes, President

Sworn to and subscribed before me this 7 day of August, 2013. Affiant is personally known to me or has produced DRIVEN LLC as identification.

[Signature]  
(Notary Public)

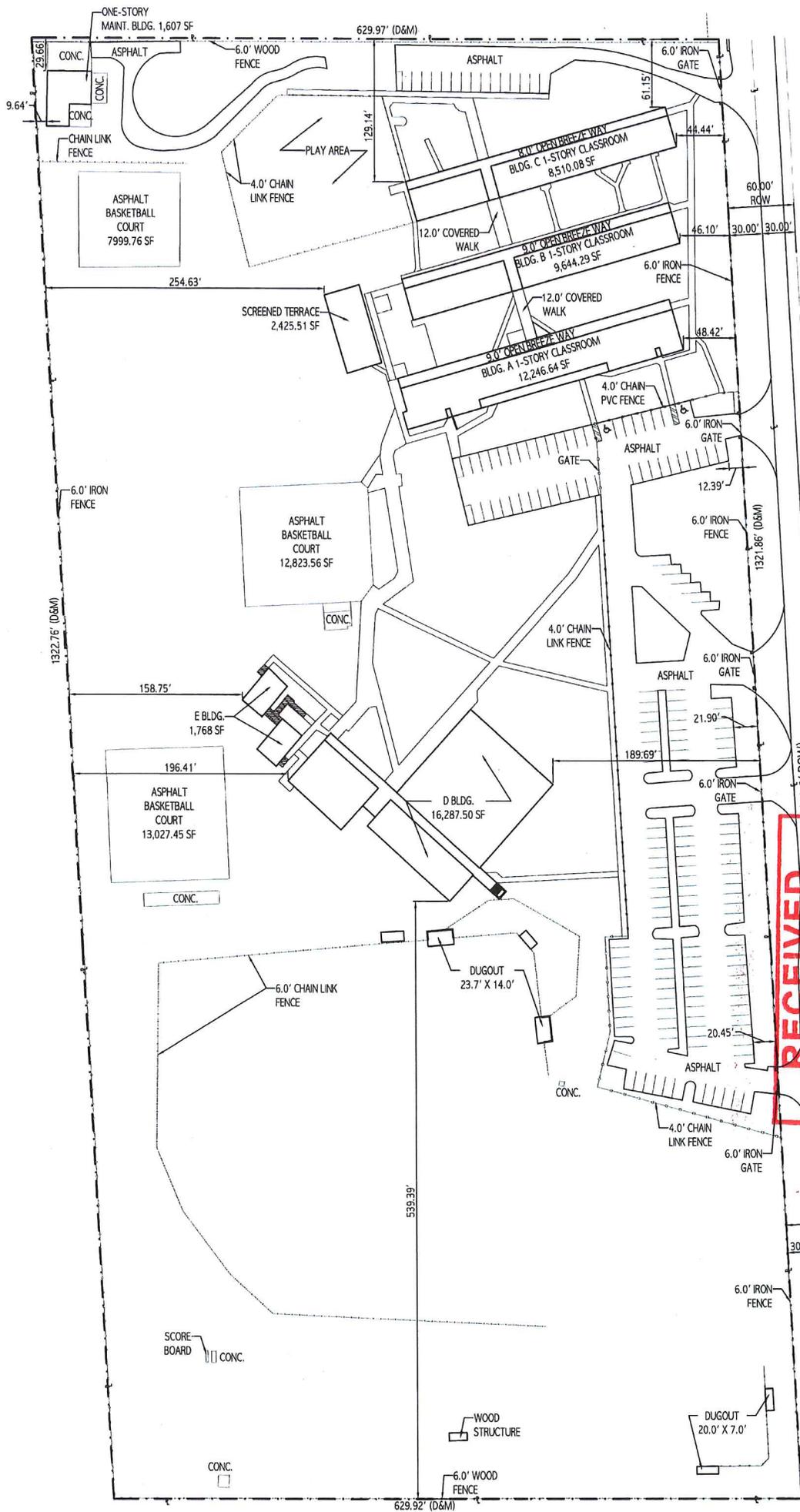


My commission expires June 16, 2017

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

**RECEIVED**  
213-014  
AUG 07 2013  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY [Signature]

NW 107TH AVENUE



ENLARGED SITE PLAN

**RECEIVED**  
 JUN 14 2014  
 MIAMI-DADE COUNTY  
 DEPARTMENT OF REGULATORY AND ECONOMIC  
 RESOURCES DEVELOPMENT SERVICES  
 By





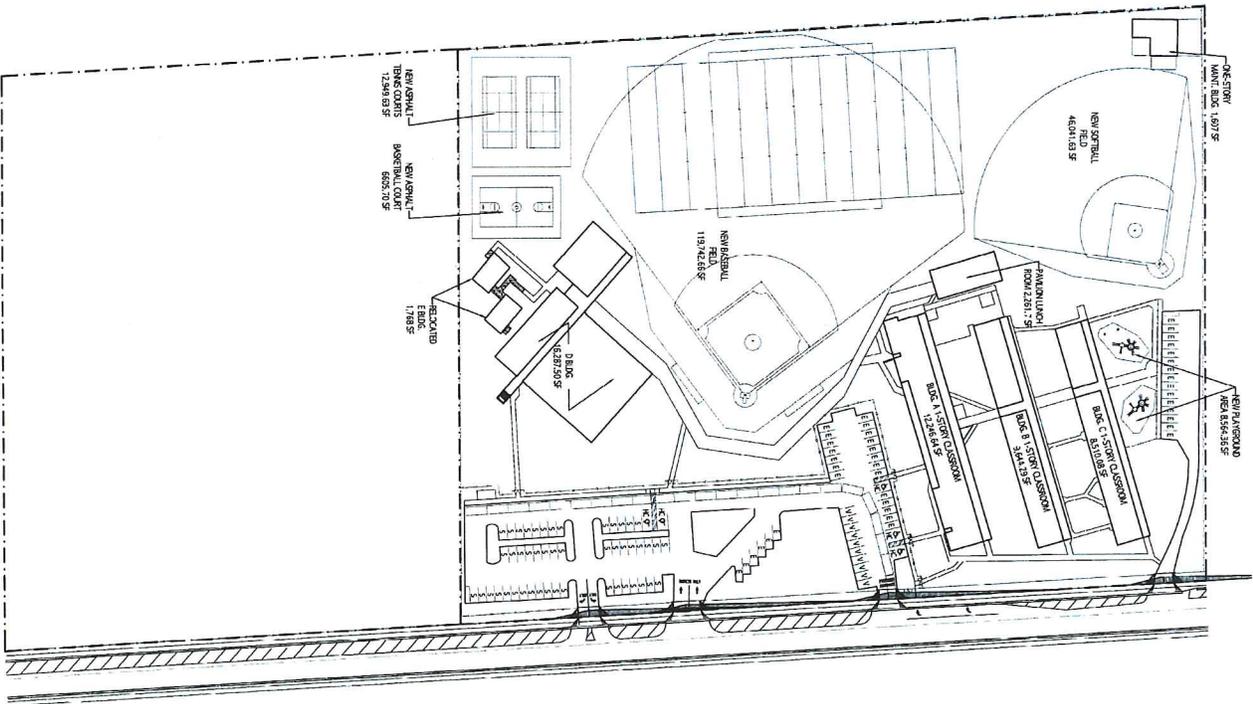
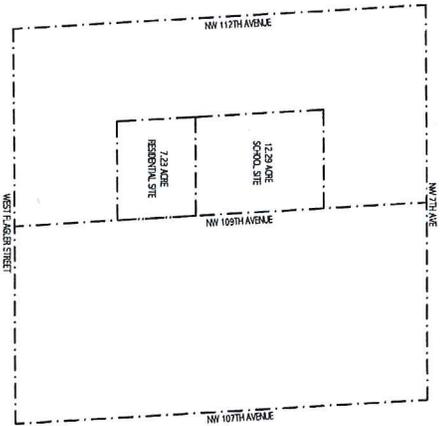
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*[Signature]*  
**JUN 14 2014**  
 MIAMI-DADE COUNTY  
 DEPARTMENT OF REGULATORY AND ECONOMIC  
 RESOURCES DEVELOPMENT SERVICES  
 By

# MIAMI CHRISTIAN SCHOOL

200 NW 109TH AVENUE  
 MIAMI-DADE COUNTY, FLORIDA







**LEGEND**

- E = MOS EMPLOYEE PARKINGS
- S = STUDENTS PARKINGS
- V = VISITORS PARKINGS
- HC = HANDICAPPED PARKINGS

PARKING DATA	ALLOWED/REQUIRED	PROVIDED
Elementary School	6	
10th Teachers & Admin	2	
Jordan School	2	
10th Teachers & Admin	2	
4400 St of Chestnut/200	73	
14 Teachers & Admin/2/200	4	
Admin Street US39 St/200	9	
Total Required	98	
Handicapped Required	1	
		103

**PARKING DATA**

From 300 State (1 per 4 seats)	ALLOWED/REQUIRED	PROVIDED
	78	78

**PASCUAL PREZ KILIDDJIAN & ASSOCIATES**  
 ARCHITECTS - PLANNERS  
 10000 NW 12th Ave, Suite 200  
 Miami, FL 33157  
 PHONE: (305) 555-1111  
 FAX: (305) 555-1112  
 WWW: www.pprez.com

**MIAMI CHRISTIAN SCHOOL**  
 MIAMI - DADE COUNTY, FLORIDA

PARKING PLAN

SHEET NO.: **SP-2.1**

PROPOSED  
 PARKING PLAN

RECEIVED  
 JUN 04 2014  
 ZONING HEARING SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.



2.3-074

34

School Address: 200 NW 1109 Avenue, Miami, FL 33122 Zip Code: 33122  
 THE INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE  
 Signed, sealed, executed and acknowledged on this 12th day of June, 2014, at Miami-Dade County, Florida.

WITNESSES:  
 [Signature] [Signature]

STATE OF FLORIDA  
 COUNTY OF MIAMI-DADE

I hereby certify that on this 12th day of June, 2014, before me personally appeared \_\_\_\_\_, of legal age and sound mind, known to me to be the person whose name and true name is subscribed to the foregoing instrument and I acknowledge to me the execution thereof to be his/her free act for the uses and purposes therein expressed.

NOT COMMISSION EXPENSES: \_\_\_\_\_

3

PHYSICAL STANDARDS: OUTDOOR RECREATION SPACES AND CLASSROOM SPACES 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 school. THESE STANDARDS APPLY TO ALL SCHOOLS IN THE MORE RESTRICTIVE SCALE BEING USED.

CLASSROOM SPACE: Calculated by grade level.

a. Day Nursery/Kindergarten, preschool and other school care  
 35 sq. ft. x .50 (number of children) = 1,750 sq. ft. of classroom area required.

b. Elementary Grades 1-6  
 30 sq. ft. x .100 (number of children) = 3,000 sq. ft. of classroom area required.

c. Junior High and Senior High Schools (Grades 7-12)  
 25 sq. ft. x .200 (number of children) = 5,000 sq. ft. of classroom area required.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 11,750

OUTDOOR RECREATION SPACES:  
 a. Day Nursery/Kindergarten, preschool and other school care  
 45 sq. ft. x .25 (1/4 of children) = 1,125

b. Grades 1-6  
 300 sq. ft. x .30 (one 30 children) = 9,000

c. Grades 7-12  
 800 sq. ft. x .30 (one 30 children) = 24,000

300 sq. ft. x .215 (one 300 children) = 64,500

150 sq. ft. x .2 (one 300 children) = 30,000

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACES REQUIRED: 13,625

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 10,025.58

THESIS: See §§151.18(6), and the Planning Division (2a) Book for additional requirements.

a. 28 feet are required per set area. 7 feet provided. 302

b. 7 feet are required for each tree required. 2625 trees provided 1,650

c. Grass area for organized playground area is required. 174,548.65

d. Lawn area is required (exclusive of organized playground area). 311,600.00

2

Child Care Check List for  
 Day Nursery, Day Care Center, Kindergarten and Pre-K School  
 School Name: Miami Christian School  
 School Address: 200 NW 1109 Avenue, Miami, FL 33122. The Title # 20-6096-5001-2228

1. Is this an application to an existing school? Yes  No  If yes, indicate the number of students and age and grade ranges originally approved: \_\_\_\_\_ + 41,560 sq. ft. = 1,229 seats

2. Total area of site: \_\_\_\_\_ sq. ft. = 1,229 seats

3. Number of children or students required: 452. Ages: 3 to 12 years old.

4. Number of teachers: 14. Number of administrators & school personnel: 10.

5. Number of classrooms: 25. Total square footage of classroom area: 22,892.61.

6. Total square footage of non-classroom area (offices, lockers, kitchen, library): 20,013.03

7. Amount of outdoor recreation area in square footage: 159,095.92

NOTE: Location requirement for outdoor recreation area must conform to §151.18(6)

8. Number & type of vehicles that will be used in conjunction with the operation of the facility: \_\_\_\_\_

9. Number of parking spaces provided for staff, visitors and transportation vehicles, parking spaces provided: 401. \_\_\_\_\_ parking spaces required by §151.18(4): 174

10. Indicate the number of ratio and student spaces: 24. provided: \$ \_\_\_\_\_ required.

11. Proposed height for the structure(s): 24 feet (22 feet). See §151.18(6).

12. Site of identification signs: 6 x 6 x 30. 24. See §151.18(6) Signage

13. Will you require separate plans: Construction, Electrical, Mechanical, Plumbing, Fire, and other? Yes  No  If yes, provide: \_\_\_\_\_

14. Have you and all operators, Architects, Engineers, Planners, Surveyors and architects indicated on the plans, prepared to the date of this application? Yes  No  If yes, the person who will be used solely for the school facility during the hours of operation must be licensed on the plans prepared to §151.18(6).

15. If the school will include residential use, do such uses meet the standards provided by §151.18(7) (a) Yes  No  If yes, describe the residential uses and indicate same on the plans. Residential use.

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 JUN 2 0 2014  
 413-074  
 RECEIVED  
 JUN 2 0 2014

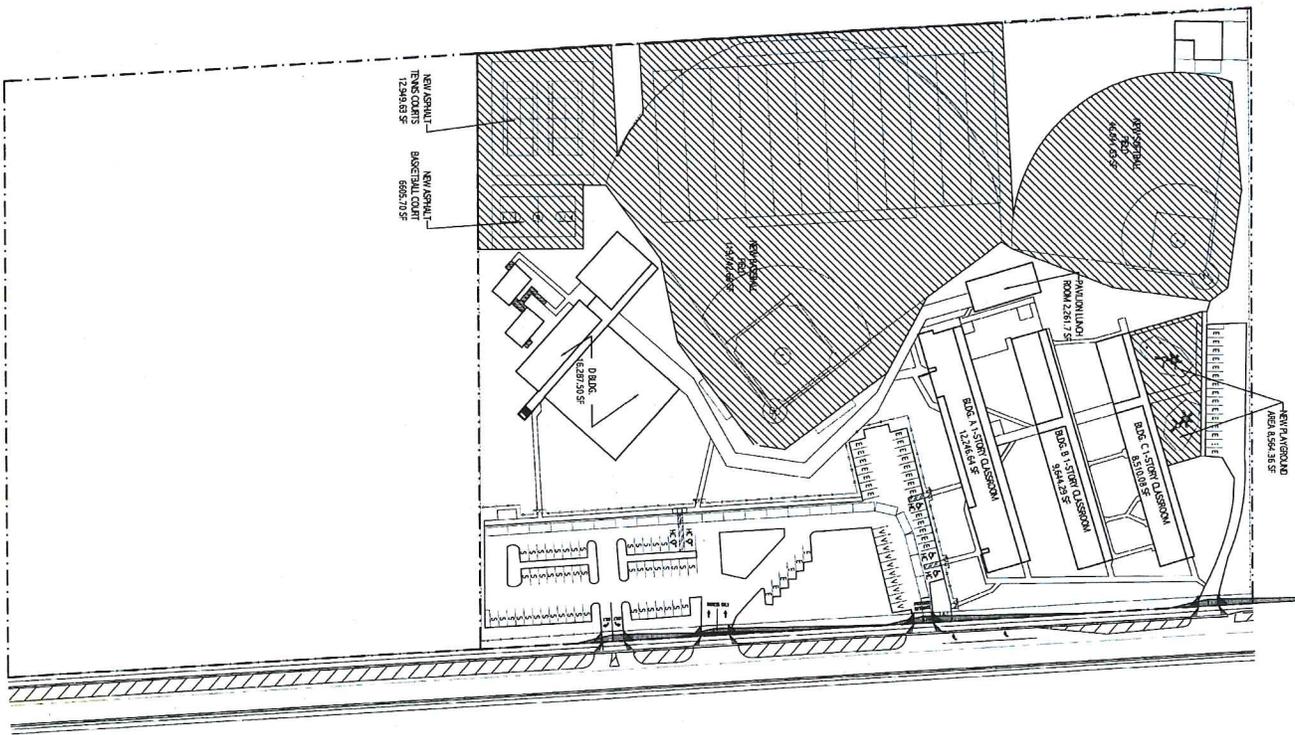
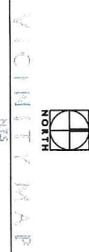
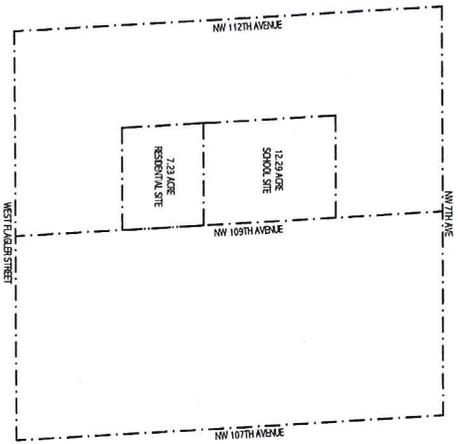
ZONING REGULATIONS ACTION  
 MIAMI-DADE PLANNING ZONING DEPT.  
 BY \_\_\_\_\_

RECEIVED  
 JUN 2 0 2014  
 MIAMI-DADE COUNTY PLANNING ZONING DEPARTMENT

DATE: 6/10/14  
 CHECKED BY: [Signature]  
 CHECK NO.: SP-2.2  
 SHEET NO.: 1

MIAMI CHRISTIAN SCHOOL  
 MIAMI - DADE COUNTY, FLORIDA

PASQUAL  
 PREZ  
 KILDDJIAN  
 & ASSOCIATES  
 ARCHITECTS & PLANNERS  
 10000 W. BIRDAWAY  
 SUITE 100  
 MIAMI, FL 33156  
 TEL: 305-555-1111  
 FAX: 305-555-1112  
 WWW.PASQUALPREZ.COM



**RECEIVED**  
 JUN 04 2014  
 213-074

ZONING HEARING STATION  
 MIAMI-DADE PLANNING & ZONING DEPT.  
 BY \_\_\_\_\_

PLAYGROUND AREA PROVIDED 193,096.98 SQ. FT.

PROPOSED PLAYGROUND AREA



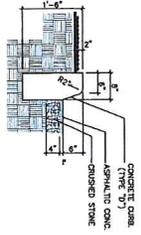
DATE: \_\_\_\_\_ AS SHOWN  
 DRAWN: \_\_\_\_\_ AS SHOWN  
 CHECK BY: \_\_\_\_\_ ANY  
 DESIGNED BY: \_\_\_\_\_ ANY

PLAYGROUND PLAN

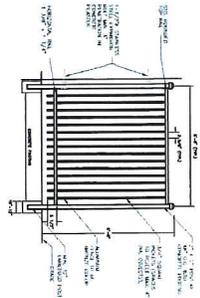
MIAMI CHRISTIAN SCHOOL  
 MIAMI - DADE COUNTY, FLORIDA

**PASCUAL PREZ KLIDDJIAN & ASSOCIATES ARCHITECTS - PLANNERS LICENSE # PA 36001157**  
 PASCUAL PREZ, P.A.M.  
 MANOLO Y PASCUAL, P.A.M.  
 PETER KLIDDJIAN, P.A.M.  
 PETER KLIDDJIAN, P.A.M.  
 LICENSE # PA 36001157  
 ALL THE PASCUAL CENTER DESIGN, FLORIDA 33186  
 PASCUAL PREZ ARCHITECTS - PLANNERS  
 12000 SW 12TH AVE. SUITE 100  
 MIAMI, FL 33186  
 TEL: 305.555.1111  
 FAX: 305.555.1112  
 WWW.PASCUALCENTER.COM

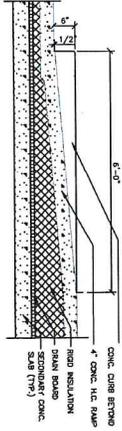
36



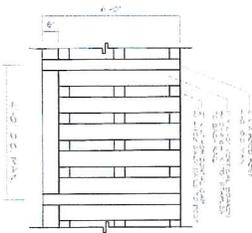
TYPE D CURB  
DETAIL  
SCALE NTS



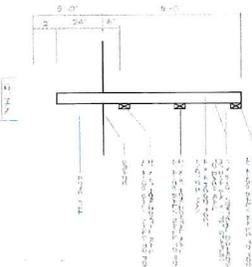
ALUMINUM  
FENCE ELEVATION DETAIL  
SCALE NTS



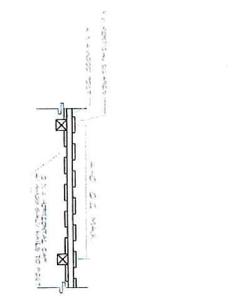
HANDICAPPED RAMP  
SECTION DETAIL  
SCALE NTS



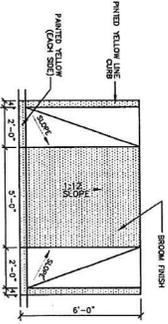
WOOD SHADOW BOX  
FENCE ELEVATION DETAIL  
SCALE 1/4" = 1'-0"



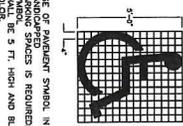
WOOD SHADOW BOX  
FENCE SECTION DETAIL  
SCALE 1/4" = 1'-0"



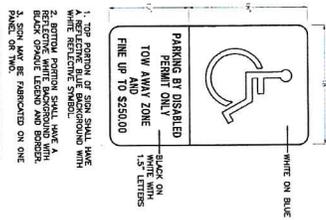
WOOD SHADOW BOX  
FENCE PLAN DETAIL  
SCALE 1/4" = 1'-0"



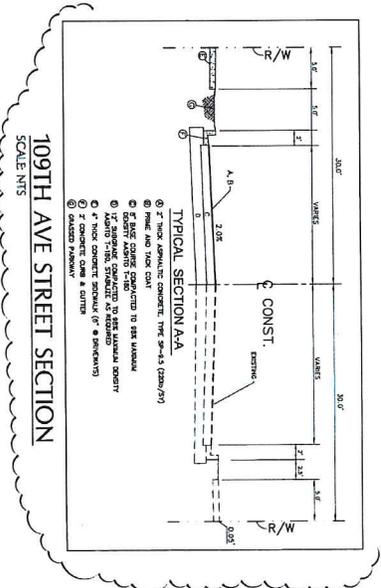
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PLAN DETAIL  
SCALE NTS



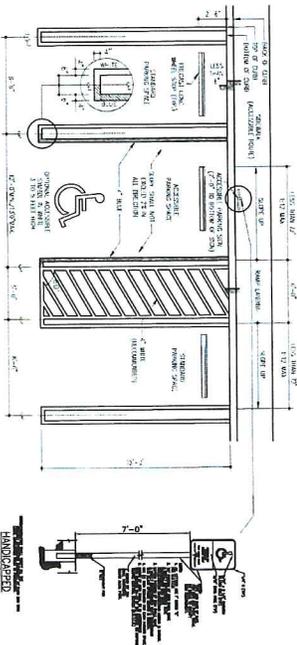
HANDICAPPED SPACE  
PAVEMENT DETAIL  
SCALE NTS



HANDICAPPED SPACE  
SIGN DETAIL  
SCALE NTS



109TH AVE STREET SECTION  
SCALE NTS



HANDICAPPED SPACE PLAN  
SCALE 1/4" = 1'-0"

SHEET NO. SP-3  
DATE: AS SHOWN  
DRAWN: AS  
CHECKED: MPP  
DATE: 11/11/14

SITE PLAN

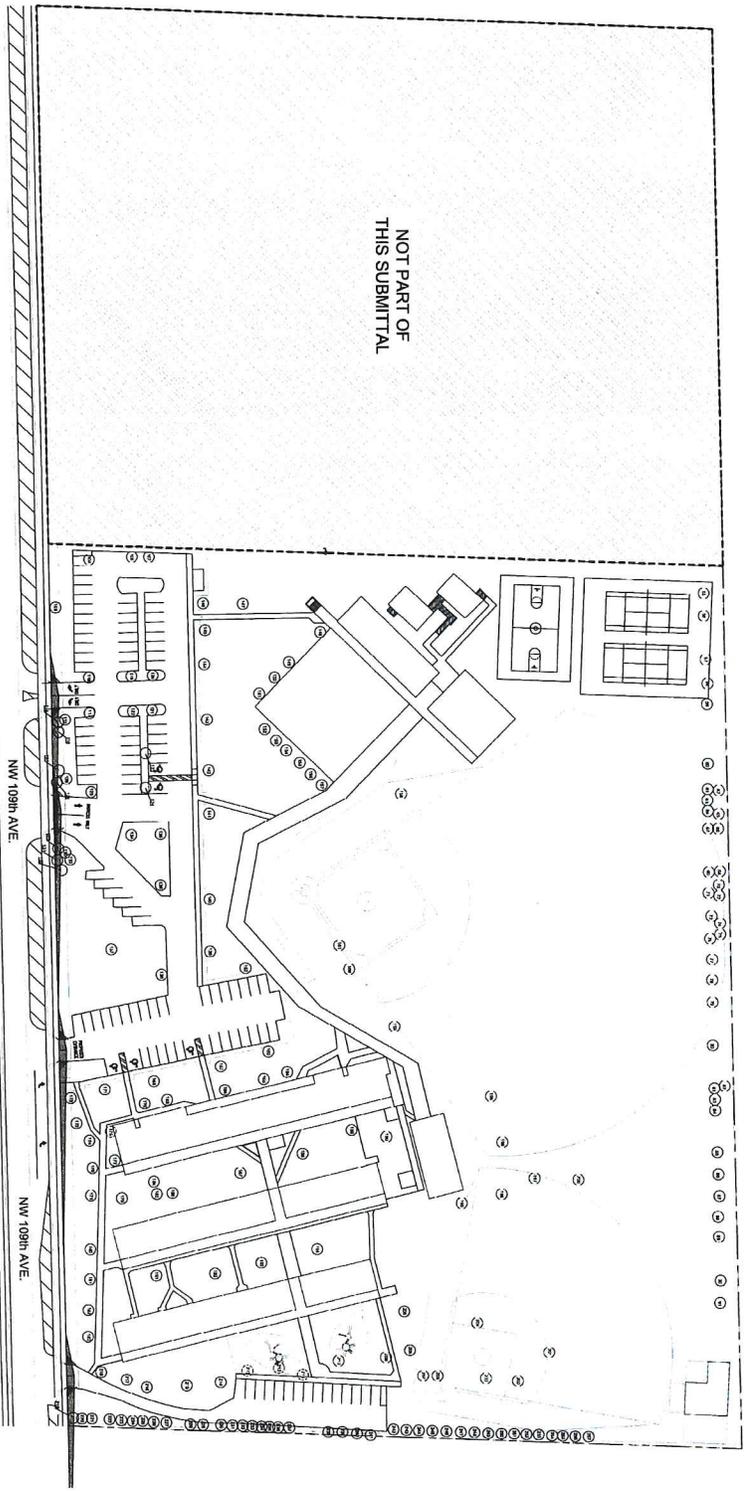
MIAMI CHRISTIAN SCHOOL  
MIAMI - DADE COUNTY, FLORIDA

OWNERS: MIAMI CHRISTIAN SCHOOL  
109TH AVE  
MIAMI, FL 33154  
407.551.1212

DESIGNED BY: PASCUAL PEREZ KLIDDJIAN & ASSOCIATES  
109TH AVE  
MIAMI, FL 33154  
407.551.1212

DATE: 11/11/14

NOT PART OF THIS SUBMITTAL



| NO. | SYMBOL   | DESCRIPTION      |
|-----|----------|------------------|-----|----------|------------------|-----|----------|------------------|-----|----------|------------------|
| 1   | (Symbol) | Tree to Relocate |
| 2   | (Symbol) | Tree to Remove   |
| 3   | (Symbol) | Tree to Remain   |

**SHEET INDEX:**  
 TD-1 DISPOSITION PLAN  
 L-1 LANDSCAPE PLAN  
 L-2 LANDSCAPE DETAILS

**SYMBOL LEGEND**  
 (Symbol) Tree to Relocate  
 (Symbol) Tree to Remove  
 (Symbol) Tree to Remain

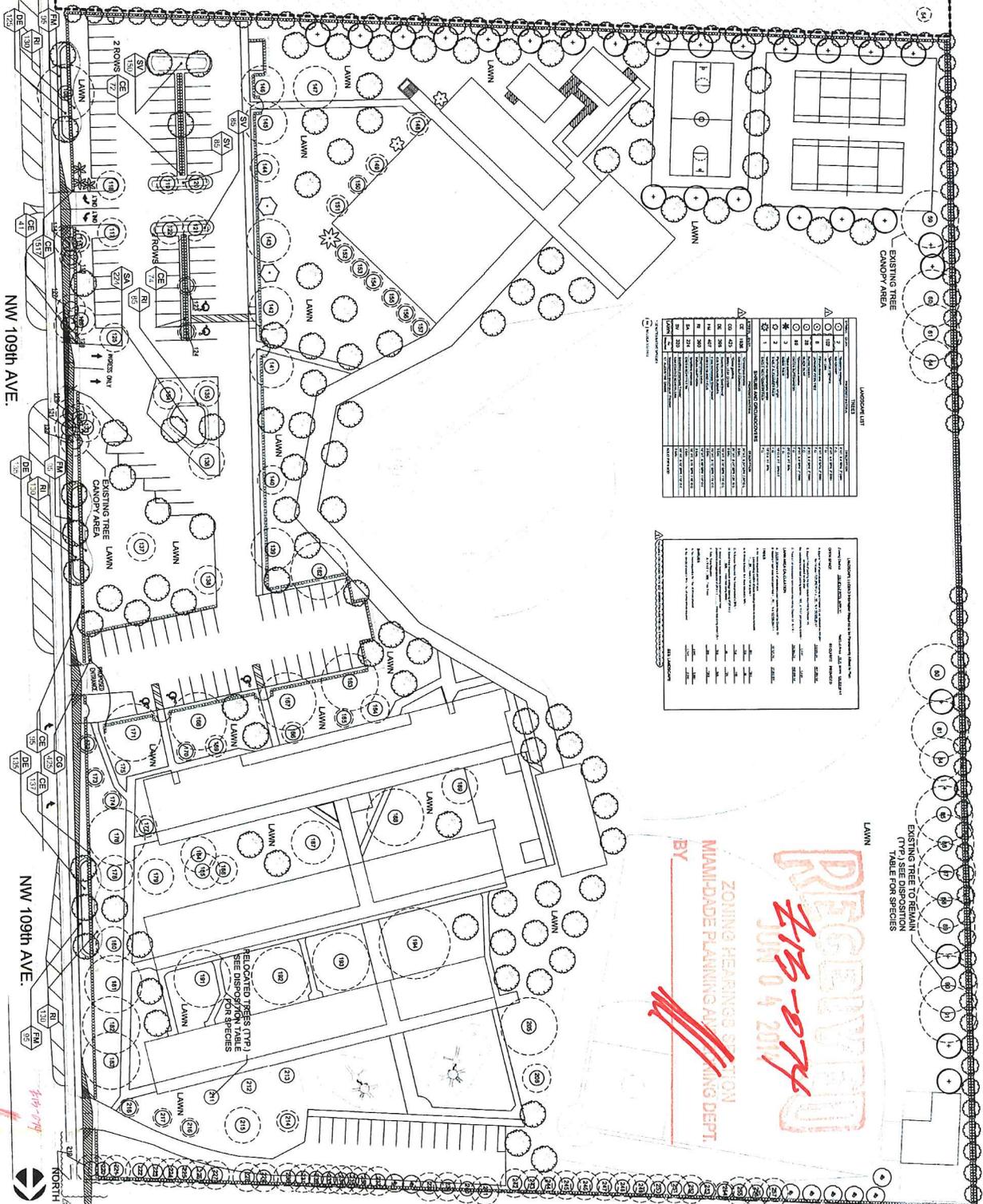
**ZONING HEARING DECISION**  
**RECEIVED**  
**EMORY**  
 MAMI-DADE PLANNING AND ZONING DEPT.  
 MAY 4 2014  
 33-014  
**DISPOSITION PLAN**  
 Scale: 1"=50'-0"

<p><b>WITKIN HULST DESIGN GROUP</b>        307 1405 2 1/2 Avenue, Hollywood, Florida        phone: 954 922 9681 fax: 954 923 9689        www.witkindesign.com</p>	<p><b>MIAMI CHRISTIAN ACADEMY</b>        Miami, FL        DISPOSITION PLAN</p>	<p>Project: _____        Drawing: _____        Title: _____</p>	<p>Scale: 1"=50'-0"  <b>TD-1</b></p>
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NOT PART OF THIS  
SUBMITTAL

LANDSCAPE PLAN

Scale: 1"=30'-0"



LANDSCAPE LIST

NO.	SYMBOL	DESCRIPTION	QUANTITY	REMARKS
1	(Symbol)	...	...	...
2	(Symbol)	...	...	...
3	(Symbol)	...	...	...
4	(Symbol)	...	...	...
5	(Symbol)	...	...	...
6	(Symbol)	...	...	...
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8	(Symbol)	...	...	...
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10	(Symbol)	...	...	...
11	(Symbol)	...	...	...
12	(Symbol)	...	...	...
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19	(Symbol)	...	...	...
20	(Symbol)	...	...	...
21	(Symbol)	...	...	...
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97	(Symbol)	...	...	...
98	(Symbol)	...	...	...
99	(Symbol)	...	...	...
100	(Symbol)	...	...	...

LANDSCAPE LIST (Continued)

1. ALL PLANTINGS TO BE INSTALLED BY THE CONTRACTOR.

2. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN.

3. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE SPECIFICATIONS.

4. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE SCHEDULE.

5. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE BIDDING DOCUMENTS.

6. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE CONTRACT.

7. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE AGREEMENT.

8. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE ORDER.

9. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE RECEIPT.

10. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE INVOICE.

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Z15-074  
MAY 04 2017

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

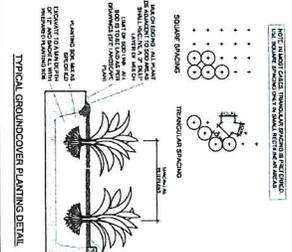
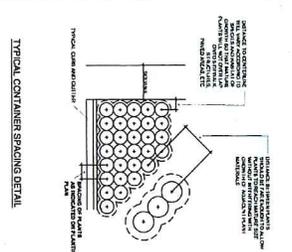
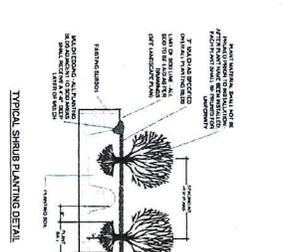
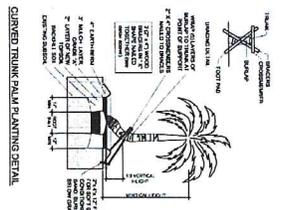
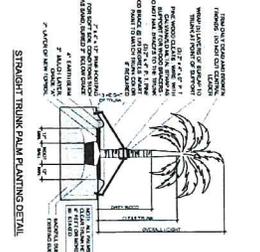
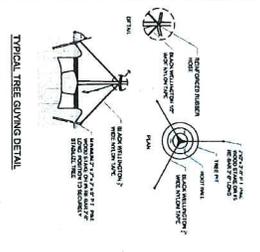
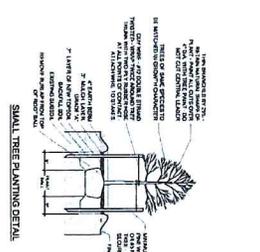
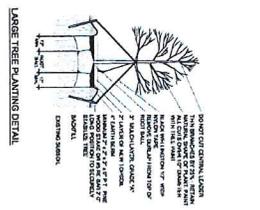
DATE: 05/14/2016  
L-1

Project: MIAMI CHRISTIAN ACADEMY  
Miami, FL  
LANDSCAPE PLAN

Author: J. S. LARSEN  
11/06/2014  
11/06/2014

Project: MIAMI CHRISTIAN ACADEMY  
Miami, FL  
LANDSCAPE PLAN

W H  
D  
WITKIN HULTS  
DESIGN GROUP  
307 SOUTH 71st AVENUE  
MIAMI, FL 33156  
PHONE: 305 523 8881 FAX: 305 523 8889  
WWW.WITKINDSG.COM



**PLANTING NOTES:**

- All plant material is to be Florida Number 1 or better pursuant to the Florida Department of Agriculture's Grades and Standards for Nursery Plants.
- All plants are to be top dressed with a minimum 3" layer of Malesicena mulch. Eucalyptus mulch or equal.
- Planting plans shall take precedence over plant list in case of discrepancies.
- No changes are to be made without the prior consent of the Landscape Architect and Owner. Additions and or deletions to the plant material must be approved by the project engineer.
- Landscape Contractor is responsible for providing their own square footage takeoffs and field verification for 100% sod coverage for all areas specified.
- All landscape areas are to be provided with automatic sprinkler system which provides 100% coverage, and 50% overtop.
- All trees in lawn areas are to receive a 24" diameter mulched saucer at the base of the trunk.
- Trees are to be planted within parking islands after soil is brought up to grade. Deeply set root balls are not acceptable.
- Planting soil for topsoil and backfill shall be 50/50 mix, remainder free. Planting soil for annual beds to be comprised of 50% Canadian peat moss, 25% salt free coarse sand and 25% perlite.
- Tree and shrub pits will be supplemented with "Agriform Pellet" 21 gram size with a 20-10-5 analysis, or substitute application accepted by Landscape Architect. Deliver in manufacturer's standard combines showing analysis and name of manufacturer.

**SOD NOTES:**

- Sod is to be grade 1" weed free.
- All areas marked "LAWN" shall be solid sodded with St. Augustine. "Floratam" solid sod. See limit on plan. All areas marked "Bahia Grass" shall be solid sodded with Paspalum.
- Provide a 2" deep band of planting soil as described in planting notes this sheet. Prior to planting, remove stones, sticks, etc. from the sod surface and top of curb as well as adjacent soil in the case of sod patching.
- Place sod on undisturbed soil, with edges tightly butted, in staggered rows at right angles to slopes.
- Keep edge of sod bed a minimum of 18" away from groundcover beds and 24" away from edge of shrub beds and 36" away from trees, measured from center of plant.
- Sod shall be watered immediately after installation to uniformly wet the soil to at least 2" below the bottom of the sod strips.
- Excavate and remove excess soil so top of sod is flush with top of curb or adjacent pavement or adjacent existing sod.

**GENERAL NOTES:**

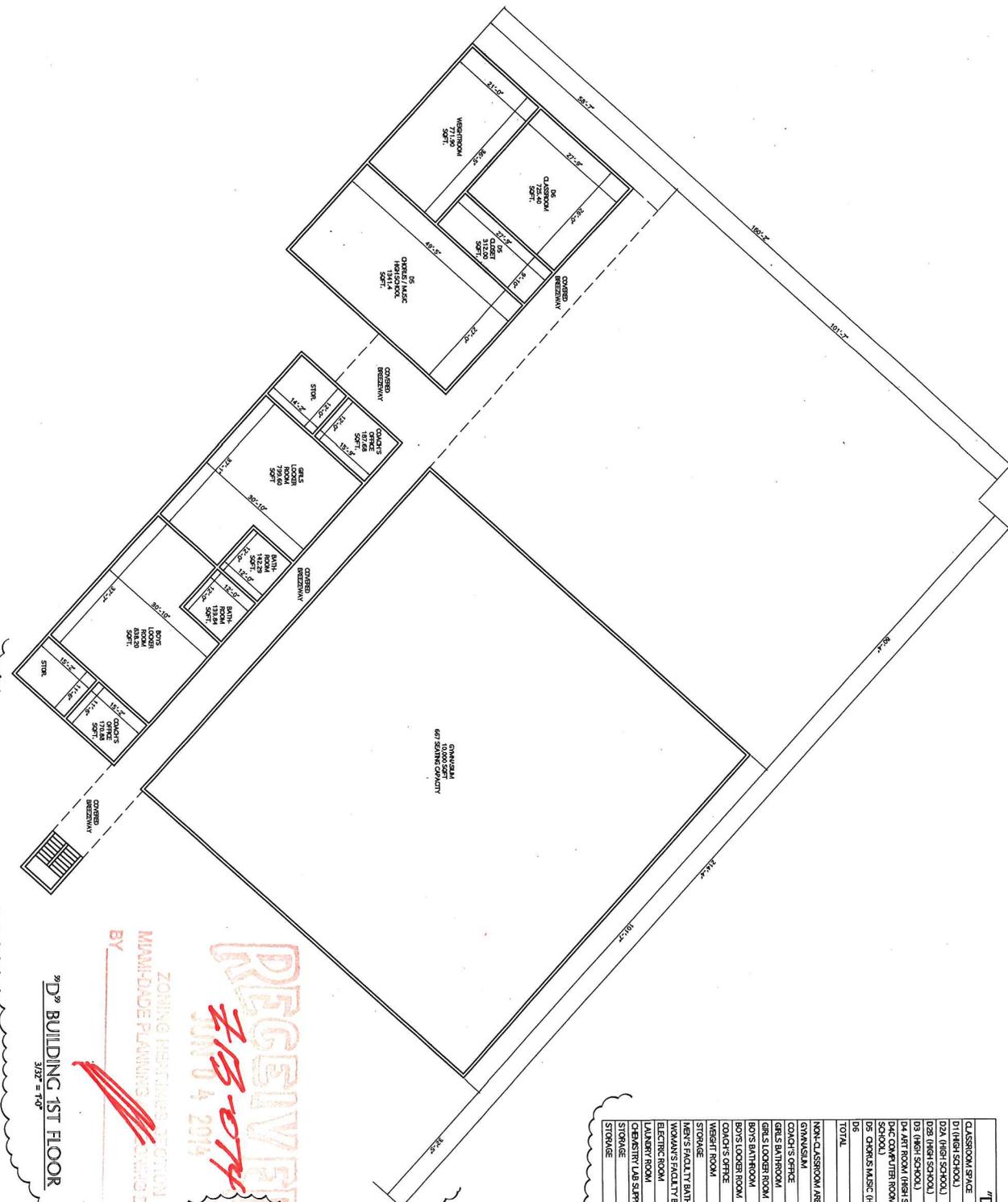
- The Landscape Contractor is to locate and verify all underground and overhead utilities prior to beginning work. Contact properly utility companies and / or General Contractor prior to digging for field verification. The Owner and the Landscape Architect shall not be responsible for any damages to utility or irrigation lines (see Roadway Plans for more utility notes).
- Landscape Contractor is to verify all current drawings and check for discrepancies and bring to the attention of the Landscape Architect prior to commencing with the work.
- All unattended and unattended tree pits are to be properly barricaded and flagged during installation.
- All planting plans are issued as directives for site layout. Any deviations, site changes, elevations are to be brought to the attention of the Landscape Architect for clarification prior to installation.

<p><b>WITKIN HULST DESIGN GROUP</b> 307 South Orange Avenue, Suite 200 Orlando, Florida 32801 Phone: 564 923 5681 Fax: 564 923 5689 www.witkinhulst.com</p>	<p><b>MIAMI CHRISTIAN ACADEMY</b> Miami, FL LANDSCAPE DETAILS</p>	<p>Project</p> <p>Proposed</p> <p>Scale: 1/8" = 1'-0"</p> <p>Date: 10/20/13</p> <p>Drawn by: LDC</p> <p>Sheet No.</p> <p>Scale: 1/8" = 1'-0"</p> <p>Date: 2013 09</p> <p><b>L-2</b></p>
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**ZONING HEARING SECTION**  
**MIAMI-DADE PLANNING & ZONING DEPT.**  
 BY \_\_\_\_\_  
 10/10/13  
 10/10/13  
 10/10/13







**"D" BUILDING CALC.**

CLASSROOM SPACE	SQFT.
D1 (HIGH SCHOOL)	1199.88
D2A (HIGH SCHOOL)	699.33
D2B (HIGH SCHOOL)	591.92
D3 (HIGH SCHOOL)	1261.33
D4 ART ROOM (HIGH SCHOOL)	1027.14
DMC COMPUTER ROOM (HIGH SCHOOL)	508.8
US CHORUS MUSIC (HIGH SCHOOL)	1341.6
DB	725.40
TOTAL	7255.40

NON-CLASSROOM AREA	SQFT.
GYMNASIUM	10000.00
COACH'S OFFICE	181.05
GIRLS BATHROOM	142.29
GIRLS LOCKER ROOM	759.16
BOYS BATHROOM	193.84
BOYS LOCKER ROOM	888.2
COACH'S OFFICE	170.88
WEIGHT ROOM	771.9
STORAGE	312.00
MEN'S FACULTY BATHROOM	78.45
WOMAN'S FACULTY BATHROOM	91.16
ELECTRIC ROOM	108.00
LAUNDRY ROOM	142.90
CHEMISTRY LAB SUPPLY ROOM	219.80
STORAGE	219.80
STORAGE	72.05

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Z-13-074

JUN 04 2014

ZONING HEIGHTS SECTION  
 MIAMI-DADE PLANNING & ZONING DEPT.  
 BY \_\_\_\_\_

**"D" BUILDING 1ST FLOOR**  
 3/22" = 1'0"





**PASCUAL PEREZ KILDDJIAN & ASSOCIATES ARCHITECTS, PLANNERS ENGINEERS & DESIGNERS**  
 1300 NW 66th Avenue, Suite 3000, Fort Lauderdale, FL 33309  
 Phone: (954) 566-4666  
 Fax: (954) 566-4667  
 Email: info@pascualperez.com  
 Website: http://www.pascualperez.com

OWNER:  
 MIAMI CHRISTIAN SCHOOL  
 200 NW 97th Avenue  
 Miami, FL 33167

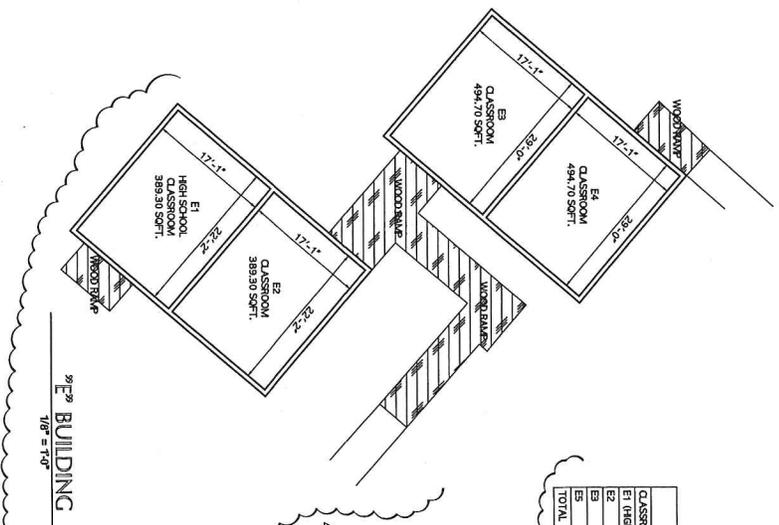
**MIAMI CHRISTIAN SCHOOL**  
 MIAMI - DADE COUNTY, FLORIDA

DATE: AS SHOWN  
 SCALE: AS SHOWN  
 DRAWN: AS  
 CHECK BY: MPP  
 JOB NO.:  
 SHEET NO.: A-5



**"E" BUILDING CALC.**

CLASSROOM SPACE	SQFT.
E1 (HIGH SCHOOL)	389.3
E2	389.3
E3	494.7
E4	494.7
TOTAL	1768.00



**RECEIVED**  
 JUN 14 2014  
 213-074  
 ZONING HEARING SECTION  
 MIAMI-DADE PLANNING & ZONING  
 BY

ADDITIONS TO

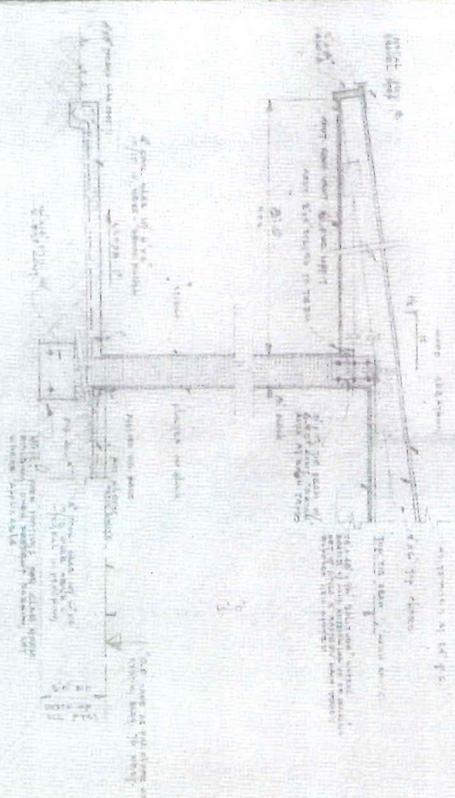
MIAMI CHRISTIAN SCHOOL

SECTION 4  
PLOT PLAN

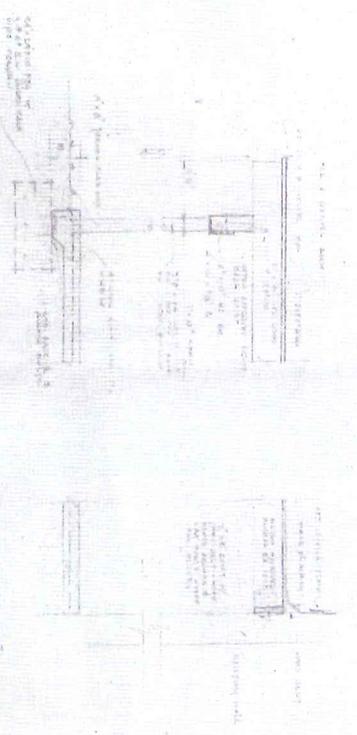
O.K. HOUSTON ARCHITECTS, INC.

6-1  
6-8

TYPICAL WALL SECTION



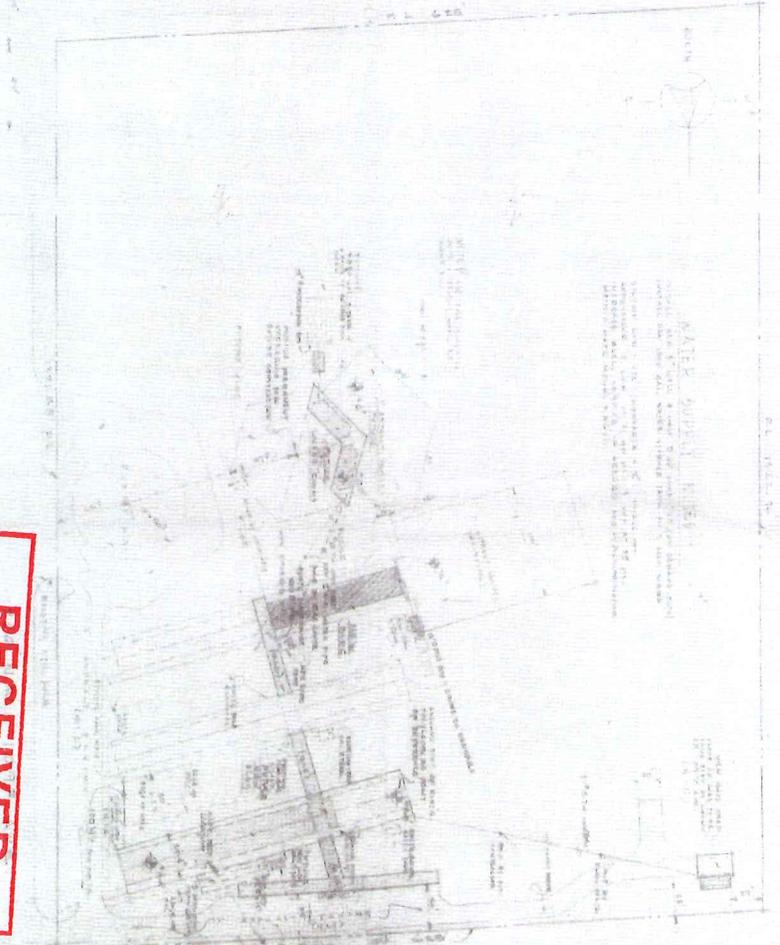
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SECTION OF DRAIN FIELD



PLOT PLAN



COVERED WALKWAY - EAST ELEVATION



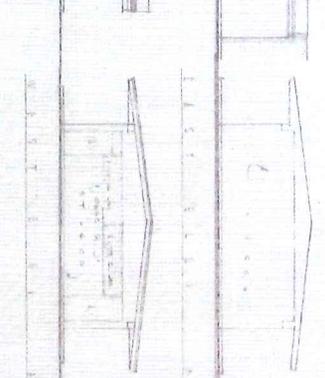
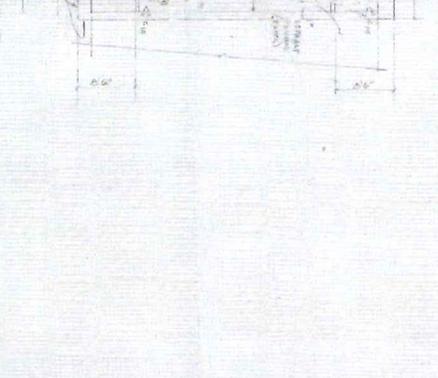
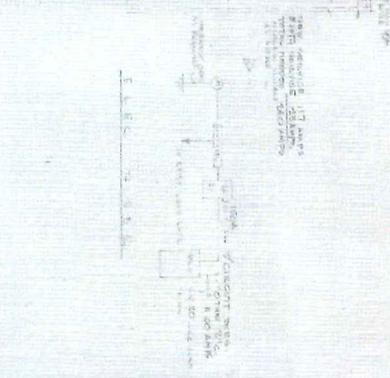
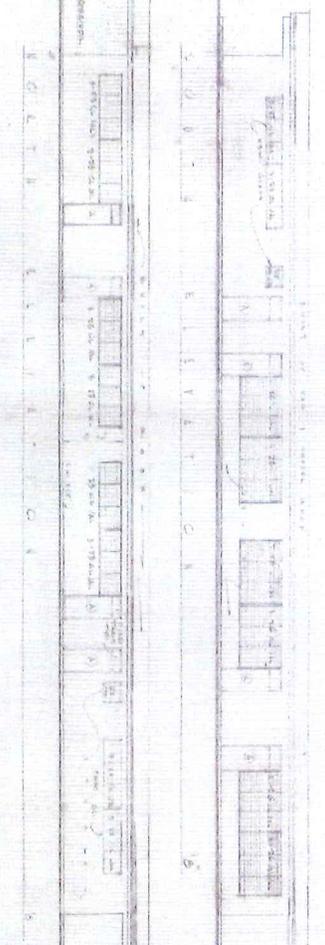
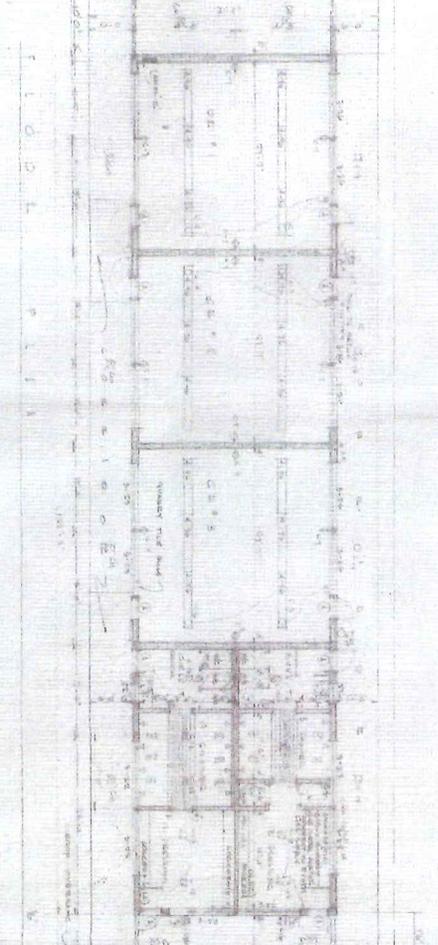
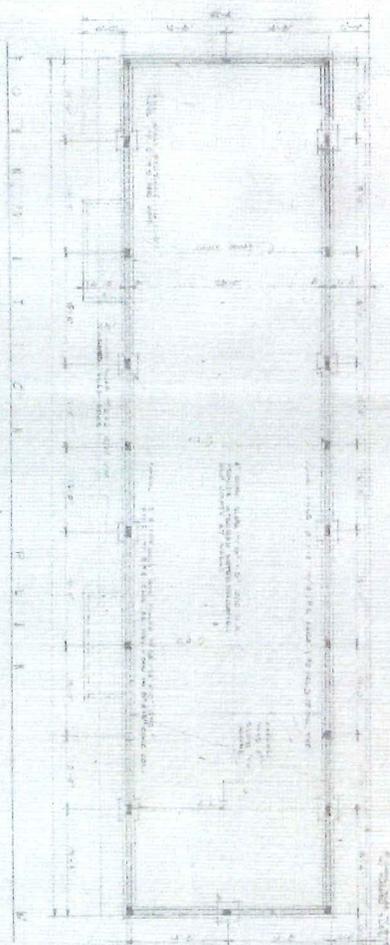
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MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND ECONOMIC  
RESOURCES DEVELOPMENT SERVICES

ADDITIONS TO

MIAMI COLLECTION CENTER

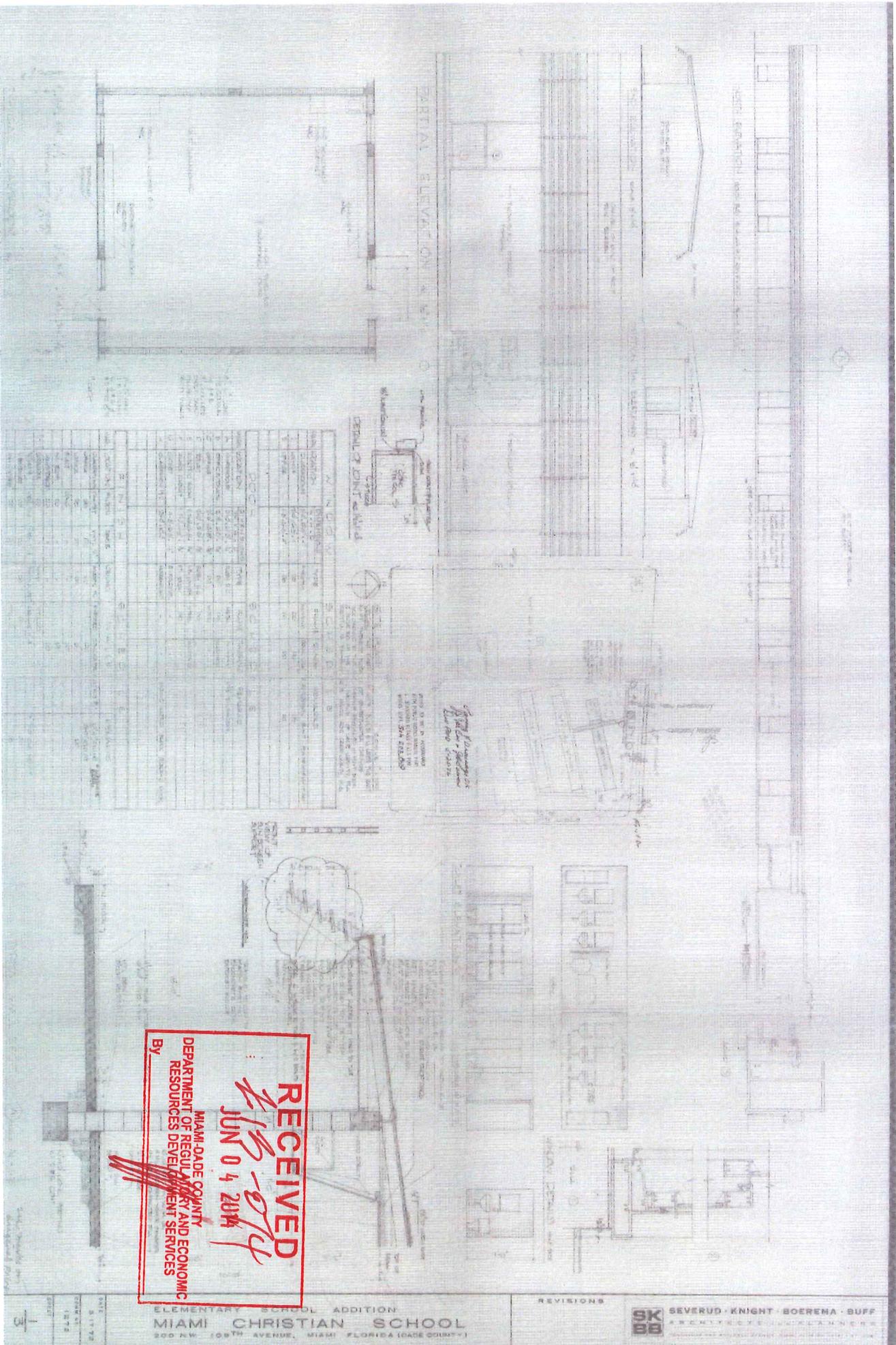
O.K. HOUSTON

3-20-82



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 JUN 13 2014  
 MIAMI-DADE COUNTY  
 DEPARTMENT OF REGULATORY AND ECONOMIC  
 RESOURCES DEVELOPMENT SERVICES  
 By

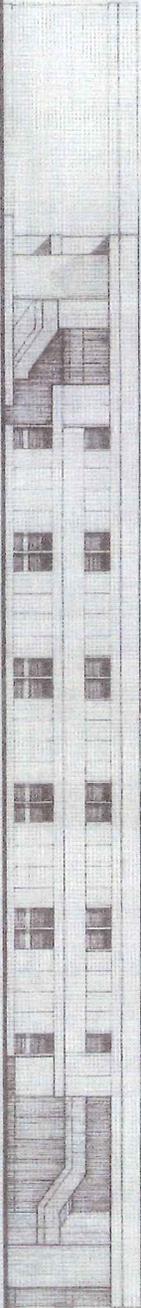


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 DEPARTMENT OF REGULATORY AND ECONOMIC  
 RESOURCES DEVELOPMENT SERVICES  
 BY *[Signature]*

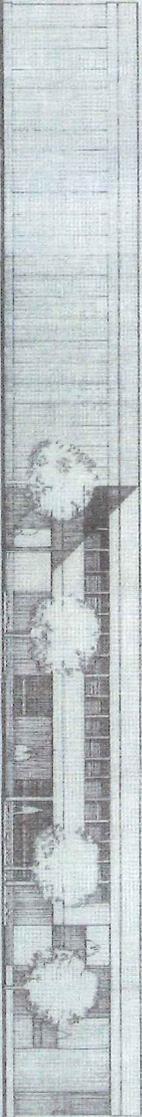
ELEMENTARY SCHOOL ADDITION  
 MIAMI CHRISTIAN SCHOOL  
 200 NW 109TH AVENUE, MIAMI, FLORIDA (DADE COUNTY)

REVISIONS

**SK BB** SEVERUD · KNIGHT · BOEREMA · BUFF  
 ARCHITECTS · PLANNERS

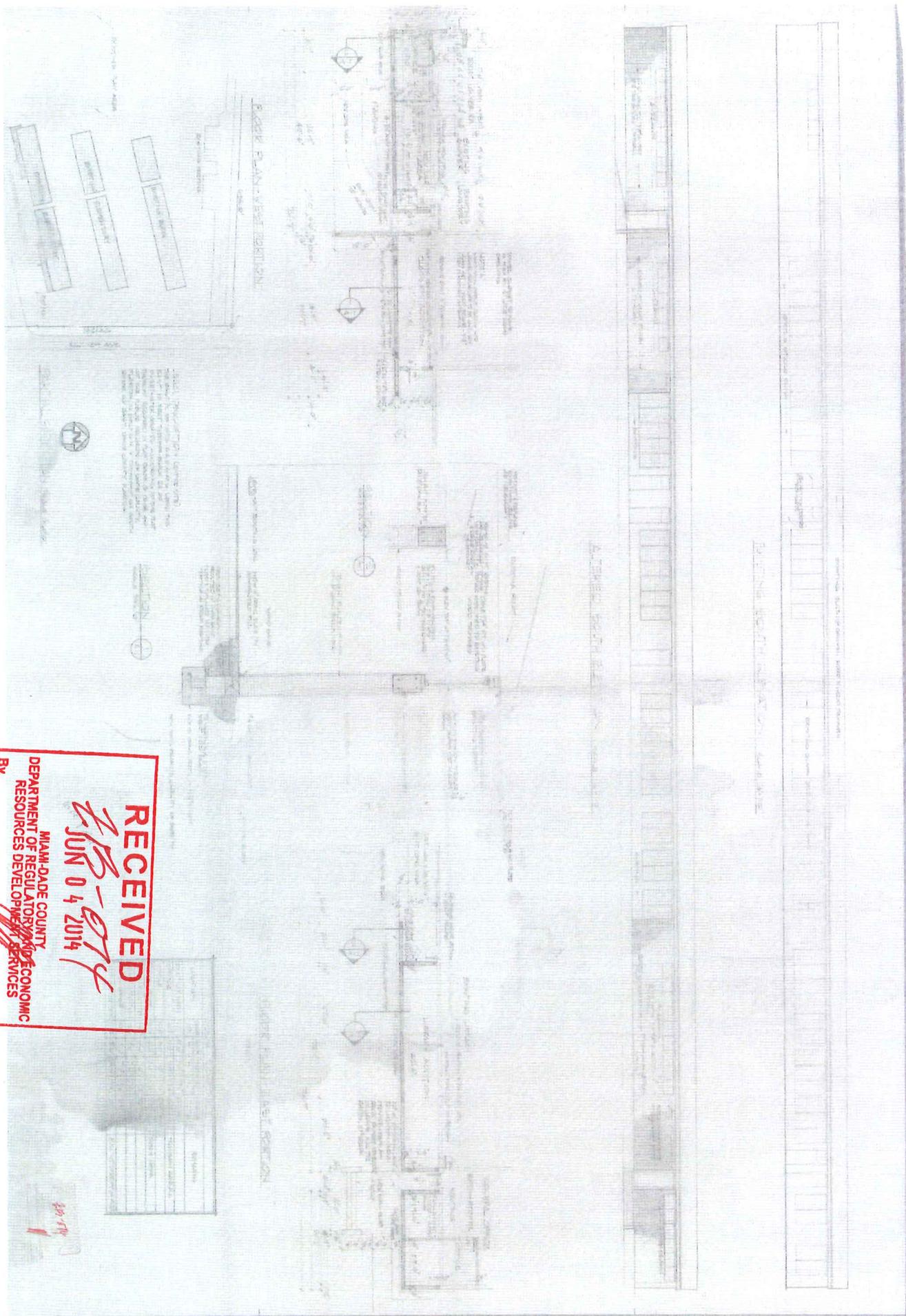


NORTH FACIT ELEVATION



SOUTH FACIT ELEVATION

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*113-014*  
 JUN 04 2014  
 MIAMI-DADE COUNTY  
 DEPARTMENT OF REGULATORY AND ECONOMIC  
 RESOURCES DEVELOPMENT SERVICES  
 By *[Signature]*

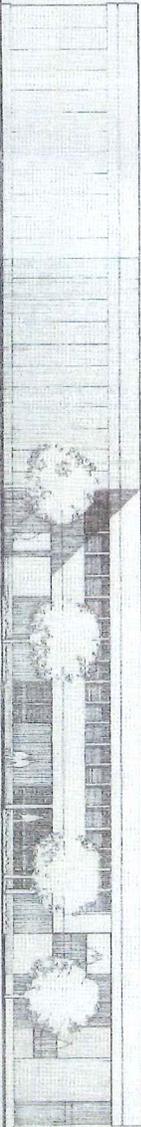
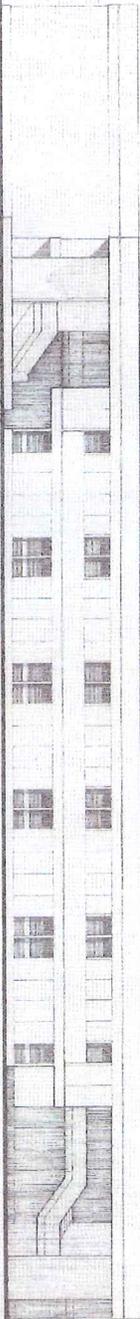


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 JUN 04 2014  
 215-074  
 MIAMI-DADE COUNTY  
 DEPARTMENT OF REGULATORY AND ECONOMIC  
 RESOURCES DEVELOPMENT SERVICES  
 By

DATE: 06/04/14  
 TIME: 10:00 AM  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 PROJECT NO: A-1

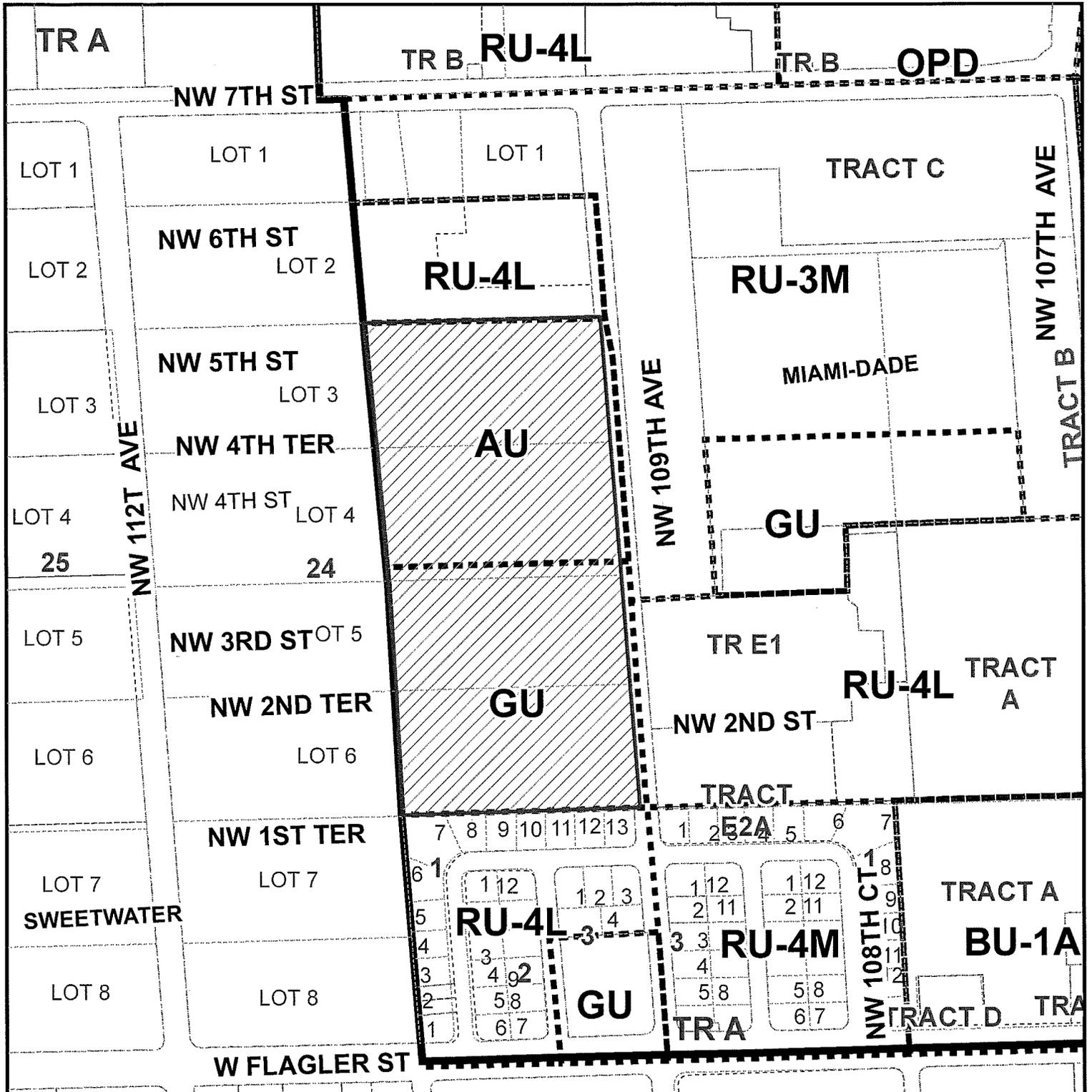
**MIAMI CHRISTIAN SCHOOL**  
 PROPOSED ADDITION TO EXISTING OFFICE/LIBRARY BUILDING  
 MIAMI, FLORIDA

**SKBB** SEVERUD-KNIGHT-BOEREMA-SUFF  
 ARCHITECTS-PLANNERS  
 10000 SW 15th Avenue, Suite 100, Miami, FL 33185  
 (305) 556-1000



**RECEIVED**  
*[Signature]*  
 JUN 04 2014  
 MIAMI-DADE COUNTY  
 DEPARTMENT OF REGULATION AND ECONOMIC  
 RESOURCES DEVELOPMENT SERVICES  
 BY *[Signature]*

*11-10-14*  
*[Handwritten notes and stamps]*



**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2013000074**



Section: 06 Township: 54 Range: 40  
 Applicant: MIAMI CHRISTIAN SCHOOL  
 Zoning Board: C10  
 Commission District: 12  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



REVISION	DATE	BY
		52



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2013**

Process Number

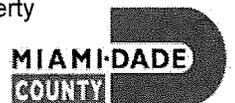
**Z2013000074**



Section: 06 Township: 54 Range: 40  
 Applicant: MIAMI CHRISTIAN SCHOOL  
 Zoning Board: C10  
 Commission District: 12  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

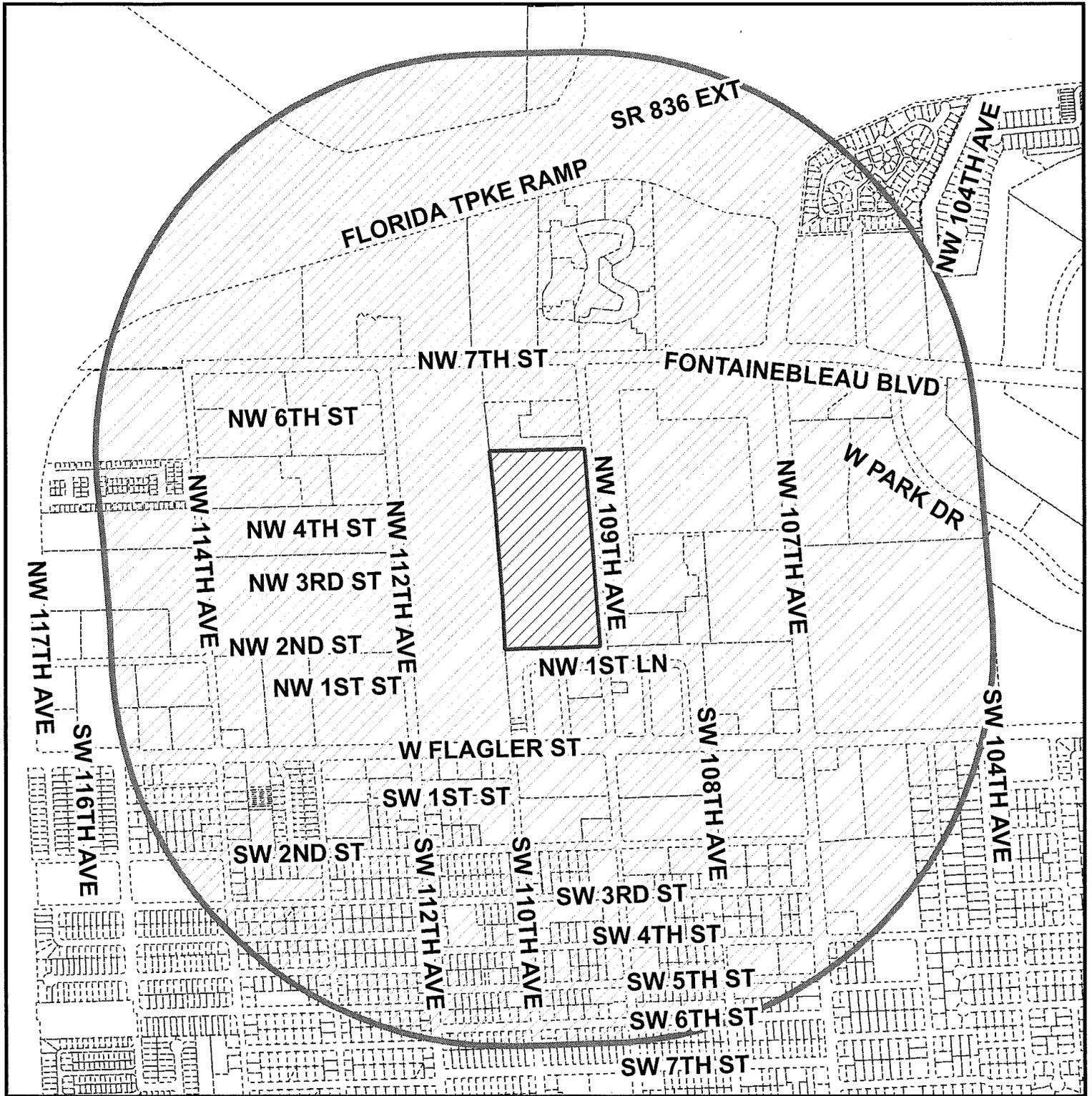
Legend

 Subject Property



SKETCH CREATED ON: Tuesday, February 11, 2014

REVISION	DATE	BY
		53



**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Process Number  
**Z2013000074**  
 RADIUS: 2640



Section: 06 Township: 54 Range: 40  
 Applicant: MIAMI CHRISTIAN SCHOOL  
 Zoning Board: C10  
 Commission District: 12  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

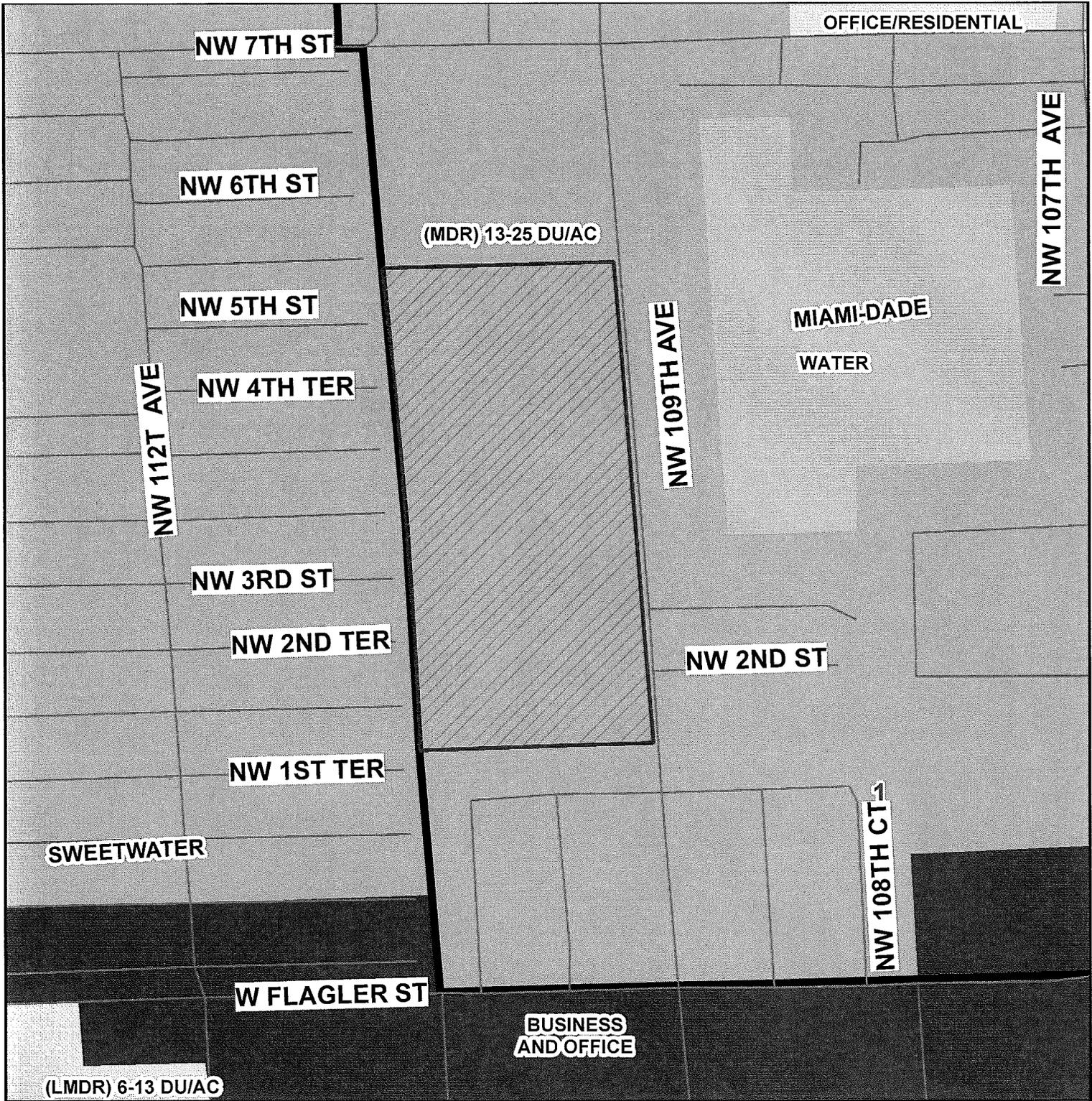
**Legend**

-  Subject Property
-  Buffer



SKETCH CREATED ON: Tuesday, February 11, 2014

REVISION	DATE	BY
		54



**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2013000074**



Section: 06 Township: 54 Range: 40  
 Applicant: MIAMI CHRISTIAN SCHOOL  
 Zoning Board: C10  
 Commission District: 12  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Tuesday, February 11, 2014

REVISION	DATE	BY

This instrument was prepared by:

Name: Juan J. Mayol, Jr., Esq.

Address: Holland & Knight, LLP  
701 Brickell Avenue, Suite 3300  
Miami, FL 33131

PLANNING AND ZONING  
MIAMI OFFICE  
AUG 20 A 8:32

**DRAFT**

Miami Christian School and  
Century Homebuilders Group, LLC  
CZAB10 9/18/14  
Z13-074

(Space reserved for Clerk)

---

**DECLARATION OF RESTRICTIONS**

*WHEREAS*, the undersigned owner, **CENTURY HOMEBUILDERS GROUP, LLC**, a Florida limited liability company (the "Owner"), holds the fee simple title to that certain 7.23± acre parcel of land in Miami-Dade County, Florida (the "County"), located on the west side of NW 109<sup>th</sup> Avenue at theoretical NW 2<sup>nd</sup> Street (the "Property"), which is legally described in Exhibit "A" to this Declaration;

*WHEREAS*, the Owner has submitted to the County Public Hearing No. Z2013000074 (the "Application") seeking a district boundary change from GU to RU-4L.

*IN ORDER TO ASSURE* the County that the representations made by the Owner during consideration of the Application will be abided by, the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions (the "Declaration") covering and running with the Property:

1. Administrative Site Plan Review. Prior to the issuance of a building permit for the construction of any improvements on the Property, the Owner shall submit for approval an application for administrative site plan review (ASPR) to the Zoning Hearings Section of the Department of Regulatory and Economic Resources or successor department.

2. Density Restriction. Notwithstanding the approval of the Application, and all the applicable Code requirements, ~~the Owner agrees to restrict~~ the residential density of the Property shall be restricted to a maximum of 135 dwelling units.
3. Building Height Restriction. Notwithstanding the approval of the Application, and all applicable Code requirements, ~~the Owner agrees to restrict~~ the height of residential buildings shall be restricted to a maximum of 3 stories and 40 feet.

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

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

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

Modification, Amendment, Release. This Declaration may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the, then, owner(s) of

all of the property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing, or the Director as provided by the Miami-Dade County Code of Ordinances. It is provided, however, in the event that the Property is annexed to an existing municipality or the Property is incorporated into a new municipality, any modification, amendment, or release shall not become effective until it is approved by such municipality and is thereafter approved by the Board of County Commissioners, in accordance with the applicable procedures.

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

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

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

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

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

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

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

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

[SIGNATURE PAGE(S) FOLLOW]

Signed, sealed and acknowledged on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

WITNESSES

CENTURY HOMEBUILDERS GROUP,  
LLC  
a Florida limited liability company

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Sergio Pino, Manager

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

ACKNOWLEDGED BEFORE ME, this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by Sergio Pino, Manager of Century Homebuilders Group, LLC, a Florida limited liability company who is personally known to me or who has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
Printed Name

My Commission Expires: \_\_\_\_\_

#31304416\_v3

H & K DRAFT FOR DISCUSSION PURPOSES / AIT / 07-22-14

EXHIBIT "A"

The South 500 feet of the East 1/2 of Lots 3, 4, 5 and 6 less the East 10 feet, Block 24 of Sweetwater Groves, according to the Plat thereof, as recorded in Plat Book 8, Page 50, of the Public Records of Miami-Dade County, Florida.

H & K DRAFT FOR DISCUSSION PURPOSES / AJT / 07-22-14

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

**PH: Z14-006 (14-9-CZ10-2)**

**September 18, 2014  
Item No. 2**

<b>Recommendation Summary</b>	
<b>Commission District</b>	11
<b>Applicant</b>	Highreturn Investments, LLC
<b>Summary of Requests</b>	The applicant is seeking to extend the hours for the sale of alcohol within a restaurant.
<b>Location</b>	14690 SW 26 Street, Miami-Dade County, Florida
<b>Property Size</b>	.66 Acre
<b>Existing Zoning</b>	BU-1A, Limited Business District
<b>Existing Land Use</b>	Commercial
<b>2020-2030 CDMP Land Use Designation</b>	Business and Office (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations
<b>Recommendation</b>	<b>Denial without prejudice.</b>

**REQUEST:**

NON-USE VARIANCE to permit a cocktail bar/lounge in conjunction with a restaurant with the sale of alcoholic beverages until 3:00AM (1:00AM permitted).

**PROJECT DESCRIPTION:**

The applicant is requesting to permit the sale of alcoholic beverages past the hour of 1:00 AM for a new restaurant, located on an out parcel within an existing shopping center.

<b><u>NEIGHBORHOOD CHARACTERISTICS</u></b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	BU-1A; restaurant	Business and Office
<b>North</b>	BU-1A; shopping center	Business and Office
<b>South</b>	BU-1A; shopping center	Business and Office
<b>East</b>	BU-1A; shopping center	Business and Office
<b>West</b>	BU-1A; bank	Business and Office

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is located at 14690 SW 26 Street in an area characterized by commercial retail, and office uses. However, single-family homes and townhouses are also located in the surrounding area.

**SUMMARY OF THE IMPACTS:**

The approval of the requested non-use variance would allow patrons to enjoy the consumption of alcoholic beverages with their food past the permitted time of 1:00AM. However, approval of

the request may have a negative impact due to a possible increase of noise on the surrounding residential community during the late night hours.

**CDMP ANALYSIS:**

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the approximately .66-acre subject property as **Business and Office**. The Business and Office category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Staff is of the opinion that approval will not change the restaurant use, which is **consistent** with the uses allowed in the CDMP Land Use Element interpretive text under the Business and Office Land use category, and with the CDMP LUP map Business and Office designation for the subject property.

**ZONING ANALYSIS:**

The applicant is proposing to permit the sale and consumption of alcoholic beverages on the subject property from Sunday through Saturday, until 3:00 AM (1:00 AM permitted). Staff notes that the subject property, an out parcel in a shopping center, is in an area characterized by commercial retail uses and office uses. Additionally, there are single and multi-family residences to the north, east, and west of the subject property.

When analyzing the request under the Non-Use Variance Standard, Section 33-311(A)(4)(b), staff opines that the approval of this request would not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **incompatible** with same. Staff notes that the subject property is located within the BU-1A zoning district, which allows uses such as package stores (sale of alcoholic beverages Monday through Saturday until 1:00 AM), pubs and bars (sale of alcoholic beverages Monday through Sunday until 1:00 AM); however, staff opines that the approval to permit the sale of alcoholic beverages until 3:00 AM at the restaurant would be similar to the operating hours of alcohol sale for a nightclub type use (sale of alcoholic beverages until 4:50 AM), which is not an allowable use on the subject property, and which staff opines would be incompatible with the surrounding area. Further, staff's research did not indicate any other nightclub use in the area, or the approval of any similar requests for the extension of the hours for alcohol consumption within 2,000 feet of the subject property. As such, the approval of the application may encourage or lead to similar requests in other surrounding shopping centers.

Therefore, staff opines that the resulting effect of the approval of the request to increase the hours for the sale and consumption of alcoholic beverages to 3:00 AM would be to increase late night activities at the shopping center and will be too intensive for the subject site. Additionally, staff opines that approval of this application may encourage or lead to similar requests in shopping plazas in areas that are surrounded by residential uses. Further staff opines that it could create a negative impact on the tranquility, character and overall welfare of the surrounding residential neighborhood. **Therefore, staff recommends denial without prejudice of the application under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.**

**ACCESS, CIRCULATION AND PARKING:**

Not applicable.

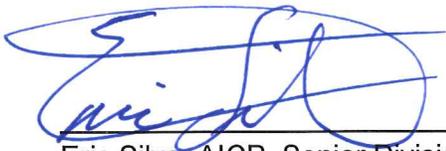
**NEIGHBORHOOD SERVICES PROVIDER COMMENTS:** See attached.

**OTHER:** N/A

**RECOMMENDATION:** Denial without prejudice.

**CONDITIONS FOR APPROVAL:** None

ES:MW:NN:CH:EJ



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

NDN

# ZONING RECOMMENDATION ADDENDUM

*Highreturn Investments, LLC*  
Z14-006

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

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

<b><i>Business and Office (Pg. I-41)</i></b>	<p><i>The Adopted 2015 and 2025 Land Use Plan designates the subject property, being within the Urban Development Boundary for <b>Business and Office</b>. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.</i></p>
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## PERTINENT ZONING REQUIREMENTS/STANDARDS

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

**14-9-CZ10-2(14-006)**  
**Area 10/District 11**  
**Hearing Date: 09/18/14**

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

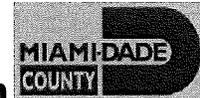
Disclosure of interest form attached? Yes  No

**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
1987	Coral Way 147 Partnership	- Zone change from AU and EU-1 to BU-1A.	BCC	Approved with Condition(s)

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

# Memorandum



**Date:** February 6, 2014

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

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

**Subject:** C-10 #Z2014000006  
HighReturn Investments, LLC  
14690 SW 26<sup>th</sup> Street, Miami, FL 33175  
Non-Use Variance to Extend the Hours of Operation for the Sales of  
Alcohol.  
(BU-1A) (0.66 Acres)  
15-54-39

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.

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

#### Concurrency Review Summary

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

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

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

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

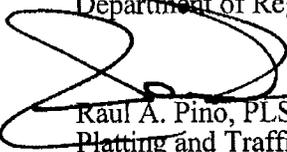
cc: Eric Silva, Department of Regulatory and Economic Resources

# Memorandum



**Date:** February 3, 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:** Z2014000006  
Name: Highreturn Investments, LLC  
Location: 14690 SW 26 Street  
Section 15 Township 54 South Range 39 East

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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 Tract 1 of Plat Book 46, Page 44.

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:** February 6, 2014

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

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

**Subject:** Highreturn Investments, LLC (#14\_006)

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

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

The application requests a non-use variance to extend the hours of operation for the sales of alcohol at a site developed as a retail outlet and located at 14690 S.W. 26 Street in Miami-Dade County. The application will have no PWWM impact or any associated costs.

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

# Memorandum



**Date:** February 24, 2014

**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:** Z2014000006: HIGHRETURN INVESTMENTS, LLC

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**Application Name:** HIGHRETURN INVESTMENTS, LLC

**Project Location:** The site is located at 14690 SW 26 ST, Miami-Dade County.

**Proposed Development:** The request is for approval for non-use variance for hours of operation for sales of alcohol.

**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:** 11-FEB-14  
**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources  
**From:** Dave Downey, Fire Chief  
Miami-Dade Fire Rescue Department  
**Subject:** Z2014000006

**Fire Prevention Unit:**

The site is existing and the application is unrelated to a site review.

**Service Impact/Demand**

Development for the above Z2014000006 located at 14690 SW 26 ST, MIAMI-DADE COUNTY, FLORIDA. in Police Grid 1473 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.  
The estimated average travel time is: 6:18 minutes

**Existing services**

The Fire station responding to an alarm in the proposed development will be:  
Station 37 - West Bird - 4200 SW 142 Avenue  
Rescue, ALS Engine

**Planned Service Expansions:**

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

**Fire Planning Additional Comments**

Not applicable to service impact analysis.

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

DATE: 04-AUG-14

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

HIGHRETURN INVESTMENTS, LLC

14690 SW 26 ST, MIAMI-DADE  
COUNTY, FLORIDA.

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APPLICANT

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ADDRESS

Z2014000006

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HEARING NUMBER

**HISTORY:**

NC: THERE ARE NO CURRENT OPENED OR CLOSED NEIGHBORHOOD REGULATIONS  
CASES.

BLDG: THERE ARE NO CURRENT OPENED OR CLOSED BUILDING SUPPORT  
REGULATIONS CASES

HIGHRETURN INVESTMENTS,INC

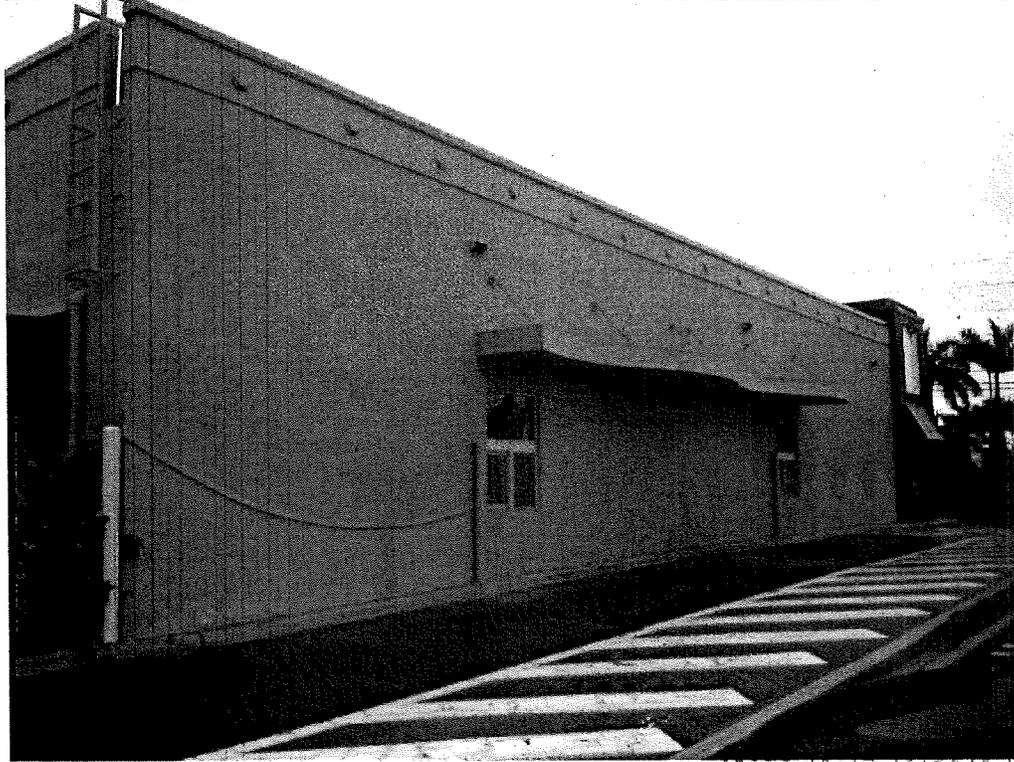
**OUTSTANDING FINES, PENALTIES, COST OR LIENS  
INCURRED PURSUANT TO CHAPTER 8CC:**

**REPORTER NAME:**







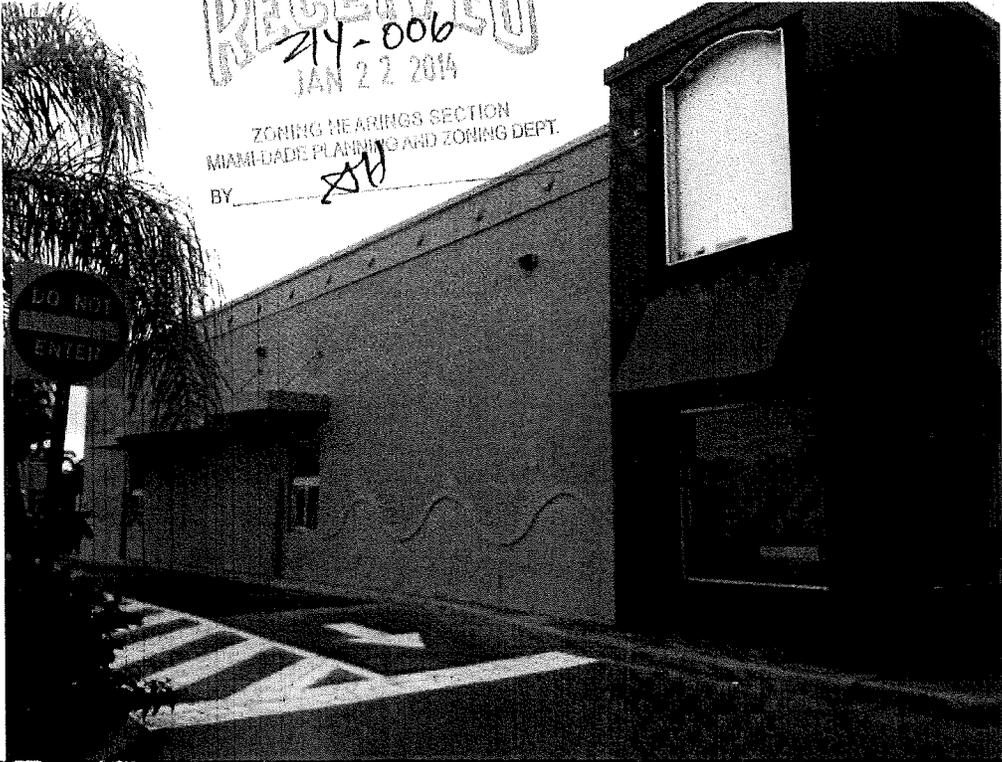


RECEIVED  
214-006  
JAN 22 2014

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

RECEIVED  
24-006  
JAN 22 2014

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





RECEIVED  
24-006  
JAN 22 2014

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



**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: HIGHRETUN INVESTMENTS, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>NANCY ANDRADE, MGR 14040 SW 22 STREET MIAMI, FL 33175</u>	<u>50%</u>
<u>LUIS ANDRADE, MGR 14040 SW 22 STREET MIAMI, FL 33175</u>	<u>50%</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

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

TRUST/ESTATE NAME  

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

RECEIVED  
214-006  
JAN 22 2014

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

Date of contract: \_\_\_\_\_ BY AB

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

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

Signature: [Signature]  
(Applicant)

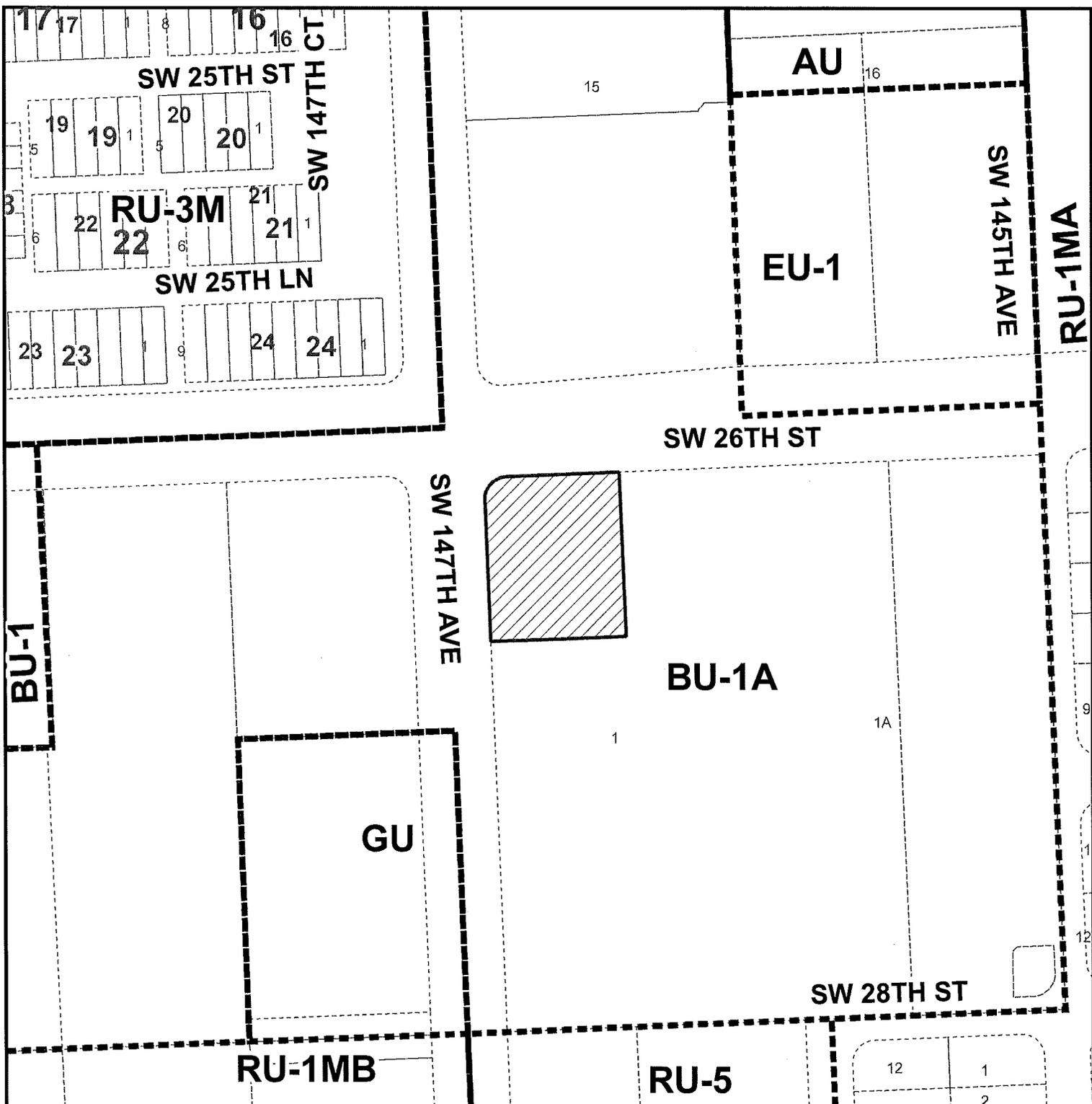
Sworn to and subscribed before me this 20th day of June, 2013. Affiant is personally know to me or has produced FL. D.L. as identification.

[Signature]  
(Notary Public)



My commission expires: 7-17-14 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  
**Z2014000006**



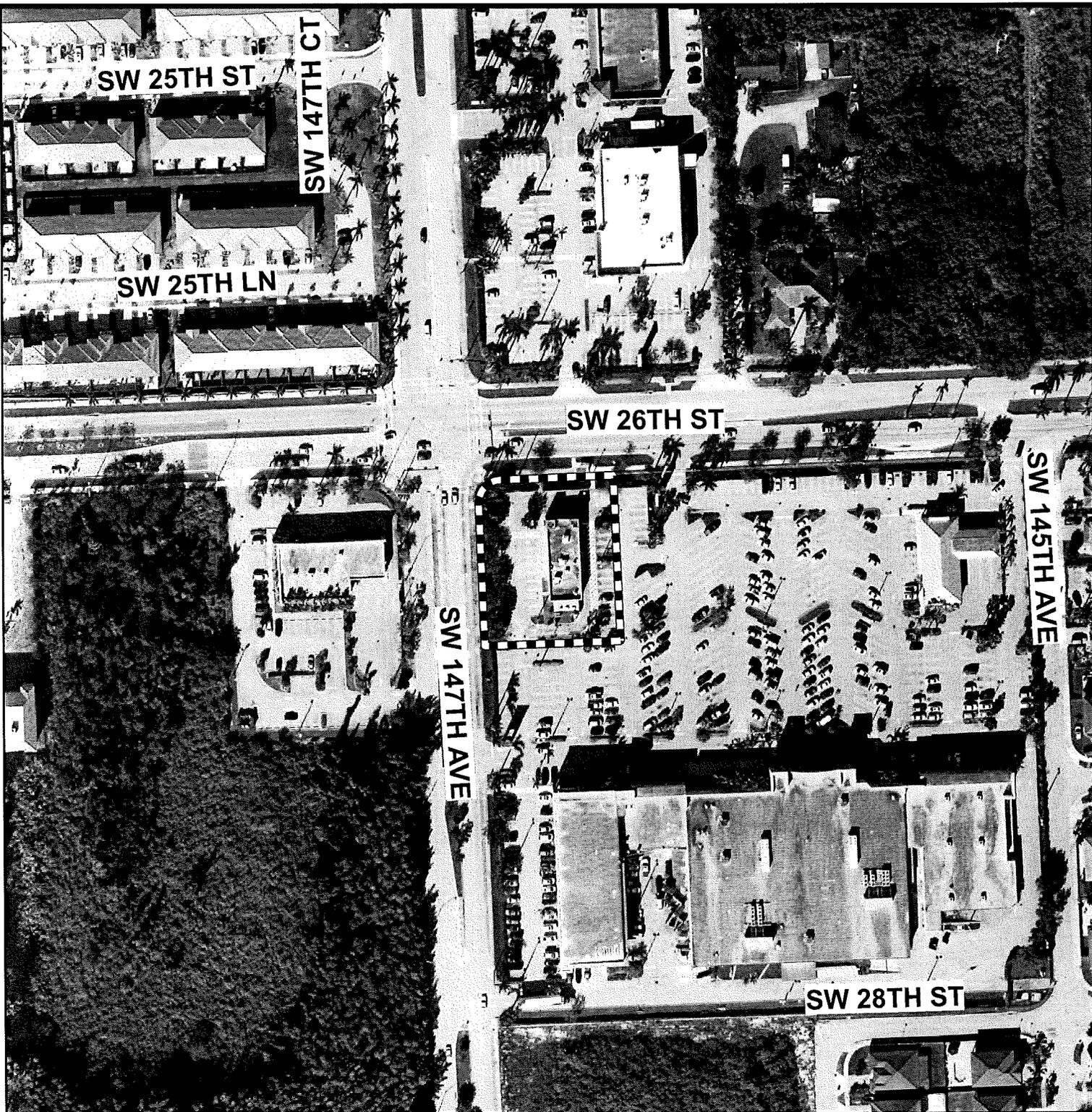
Section: 15 Township: 54 Range: 39  
 Applicant: HIGHRETURN INVESTMENTS, LLC  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Zoning



REVISION	DATE	BY
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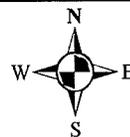


**MIAMI-DADE COUNTY**

**AERIAL YEAR 2013**

**Process Number**

**Z2014000006**



Section: 15 Township: 54 Range: 39  
 Applicant: HIGHRETURN INVESTMENTS, LLC  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property



SKETCH CREATED ON: Wednesday, February 5, 2014

REVISION	DATE	BY
		22



SW 25TH ST

SW 147TH CT

SW 25TH LN

SW 145TH AVE

SW 26TH ST

BUSINESS AND OFFICE

SW 147TH AVE



(LDR) 2.5-6 DU/AC

SW 28TH ST

OFFICE/RESIDENTIAL

MIAMI-DADE COUNTY  
CDMP MAP

Process Number

**Z2014000006**



Section: 15 Township: 54 Range: 39  
Applicant: HIGHRETURN INVESTMENTS, LLC  
Zoning Board: C10  
Commission District: 11  
Drafter ID: JEFFER GURDIAN  
Scale: NTS

Legend



Subject Property Case



SKETCH CREATED ON: Wednesday, February 5, 2014

REVISION	DATE	BY

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

**PH: Z14-023 (14-09-CZ10-3)**

**September 18, 2014**

Item No. 3

<b>Recommendation Summary</b>	
<b>Commission District</b>	10
<b>Applicant</b>	Jessica Viaros
<b>Summary of Requests</b>	The applicant is requesting to permit an existing addition to encroach into the interior side and rear setback areas, respectively.
<b>Location</b>	5220 SW 115 Avenue, Miami-Dade County, Florida.
<b>Property Size</b>	77' X 100'
<b>Existing Zoning</b>	RU-1
<b>Existing Land Use</b>	Single-Family Residence
<b>2020-2030 CDMP Land Use Designation</b>	Low Density Residential (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Denial without prejudice.</b>

**REQUEST:**

NON-USE VARIANCE to permit an existing addition to a single family residence setback a minimum of 6'-7" (7'-6" required) from the interior side (south) property line and setback a minimum of 7'-3" (25' required) from the rear (west) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Jessica Viaros Residence Addition" as prepared by Arper Associates, dated stamped received 3/5/14 and consisting of 3 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:** The subject application seeks to legalize an existing addition containing a storage room, two bathrooms, utility room and a terrace that encroaches into the rear and interior side setback areas.

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

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is located in an area characterized by single-family residences developed under the RU-1, Single-Family Residential District regulations.

**SUMMARY OF THE IMPACTS:**

The approval of this application will provide a benefit to the owner by permitting an existing addition that will provide additional living area and sheltered outdoor space. Although existing, due to its close proximity to the property lines, staff opines that it has a negative visual impact on the abutting properties.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the site for **Low Density Residential**. *This category allows a range in density from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre and is characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses.* The approval of the requests sought in the application will not add additional dwelling units to the site beyond what is allowed by the LUP map of the CDMP and will not change the single-family detached use. Since the applicant is not requesting to add additional dwelling units or change the single-family detached use, approval of the application would be **consistent** with the density threshold of the Low Density Residential Communities map of the CDMP LUP map designation.

**ZONING ANALYSIS:**

When this application is analyzed under Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval of same would not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and, therefore, would be **incompatible** with the surrounding area. Staff opines that the request, to permit an existing addition to a single family residence setback a minimum of 6'-7" (7'-6" required) from the interior side (south) property line and setback a minimum of 7'-3" (25' required) from the rear (west) property line is too intense and approval of same will be visually intrusive to the surrounding area.

This application seeks to legalize said existing addition containing a storage room, two bathrooms, utility room and a terrace that encroaches into the rear and interior side setback areas. Staff opines that it is overly intensive and visually intrusive to the abutting properties. Further, staff opines that based on the submitted floor plans the existing single-family residence layout could be converted into more than one dwelling unit. Said addition encroaching into the setback areas is accessed through a door leading from the master bedroom. Said master bedroom has its own master bathroom. However, when accessing the subject addition through the master bedroom, the applicant will be able to access a second bathroom, a tool storage room and an additional large storage room. As such, staff considers the approval of this application to be excessive, and further opines that approval of same will be out of character with the area as it represents an over utilization of the subject property. Therefore, **staff recommends denial without prejudice of this application under Section 33-311(A)(4)(b), Non-Use Variance standards.**

**ACCESS, CIRCULATION AND PARKING:** Not applicable.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

**RECOMMENDATION: Denial without prejudice.**

**CONDITIONS FOR APPROVAL: None.**

ES:MW:NN:CH:JV



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

NDW

## ZONING RECOMMENDATION ADDENDUM

Applicant: Jessica Viaros  
PH: Z14-023

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS*</b>	
Division of Environmental Resources Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Parks, Recreation and Open Space	No objection
Miami-Dade Transit	No comment
Fire Rescue	No objection
Police	No objection
Schools	No comment
*Subject to conditions in their memorandum.	

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

<p><b>Low Density Residential (Pg. I-29)</b></p>	<p><i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential use. This category allows a range in density from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. The types of housing typically found in areas designated low density include single-family housing e.g., single family detached, cluster and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i></p>
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### PERTINENT ZONING REQUIREMENTS/STANDARDS

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

**14-9-CZ10-3(14-023)**  
**Area 10/District 10**  
**Hearing Date: 09/18/14**

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

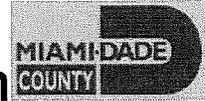
**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
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No History

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

# Memorandum



**Date:** March 26, 2014

**To:** Jack Osterholt, Deputy Mayor/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 #Z2014000023  
Jessica Viaros  
5220 SW 115<sup>th</sup> Avenue, Miami, Florida 33165  
Non-Use Variance to permit a residence addition setback less than  
required.  
(RU-1) (0.18 Acres)  
19-54-40

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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.

Flood Protection:

The application site does not lie within a Special Flood Hazard Zone as per determined the Federal Flood Insurance Rate Maps (FIRM) for Miami-Dade County. The County flood criterion for this site is 7.50 ft NGVD. The proposed addition as depicted in the zoning submittal may be a substantial improvement as defined in Chapter 11C of the Code. Existing residential structures with proposed substantial improvements within Special Flood Hazard Zone areas elevations must be above the base flood elevation and 8 inches above the crown of road and County Flood Criteria. The applicant will be required to demonstrate the addition comply with the Code prior to approval of building permit plans. For more information please contact the Floodplain Program at 786-315-2800.

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

According to the information found on this project, the proposed change will not affect the existing stormwater management system.

#### Wetlands

The subject property does not contain wetlands as defined by Section 24-5 of the Code; therefore, a Class IV 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 permit an existing addition will not impact tree resources. Be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

#### Enforcement History

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

#### Concurrency Review Summary

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

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

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

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

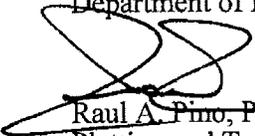
cc: Nathan Kogon, Department of Regulatory and Economic Resources

# Memorandum



**Date:** May 19, 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:** Z2014000023  
Name: Jessica Viaros  
Location: 5220 SW 115 Avenue  
Section 19 Township 54 South Range 40 East

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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 11 Block 65 of Plat Book 65, Page 16.

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:** March 12, 2014

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

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

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

**Subject:** Jessica Viaros (#14\_023)

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

The property is located within the Department's waste collection service area. According to Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, the single family residence on the property meets the definition of a residential unit. The residential unit on the property will continue to receive PWWM waste collection and recycling services. The current waste collection fee of \$439 will cover all associated costs.

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

# Memorandum



**Date:** March 24, 2014

**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:** Z2014000023: JESSICA VIAROS

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**Application Name:** JESSICA VIAROS

**Project Location:** The site is located at 5220 SW 115 AVE, Miami-Dade County.

**Proposed Development:** The request is for approval of non-use variance for a setback less than required for an existing single residence.

**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:** 09-APR-14  
**To:** Jack Osterholt, Director  
 Department of Regulatory and Economic Resources  
**From:** Dave Downey, Fire Chief  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2014000023

**Fire Prevention Unit:**

No objection to the site plan with a March 5, 2014 Zoning Department received date.

**Service Impact/Demand**

Development for the above Z2014000023  
 located at 5220 SW 115 AVE, MIAMI-DADE COUNTY, FLORIDA.  
 in Police Grid 1628 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.  
 The estimated average travel time is: 7:18 minutes

**Existing services**

The Fire station responding to an alarm in the proposed development will be:  
 Station 9 - Kendall - 7777 SW 117 Avenue  
 Rescue,ALS 60' Aerial

**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: 07-AUG-14

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

JESSICA VIAROS

5220 SW 115 AVE, MIAMI-DADE  
COUNTY, FLORIDA.

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APPLICANT

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ADDRESS

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Z2014000023

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HEARING NUMBER

**HISTORY:**

ENFORCEMENT HISTORY: NC: No open cases. Prior case 201303002379 was opened on March 22, 2013 for Unauthorized use in single family residential district. Citation was issued on April 5, 2013. hearing requested June 5, 2013. As of April 30, 2014 appeal still pending. On May 2, 2014 property owner entered into payment agreement. Violation corrected May 30, 2014. BNC: BSS case 20130159785-B opened on June 3, 2013. Notice of Violation issued for Failure to obtain required building permit(s) prior to commencing work on: Rear addition as a additional living unit with a bathroom and a kitchen sink. Storage shed, storm shutters, exterior light and metal fence all without permits. Case remains open.

Jessica Viaros

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

**REPORTER NAME:**

**PHOTOGRAPHS –submit photos showing entire site and all structures**

**FRONT ELEVATION**



214-023  
**RECEIVED**  
MAR / 5 2014

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT  
BY \_\_\_\_\_

*pc*

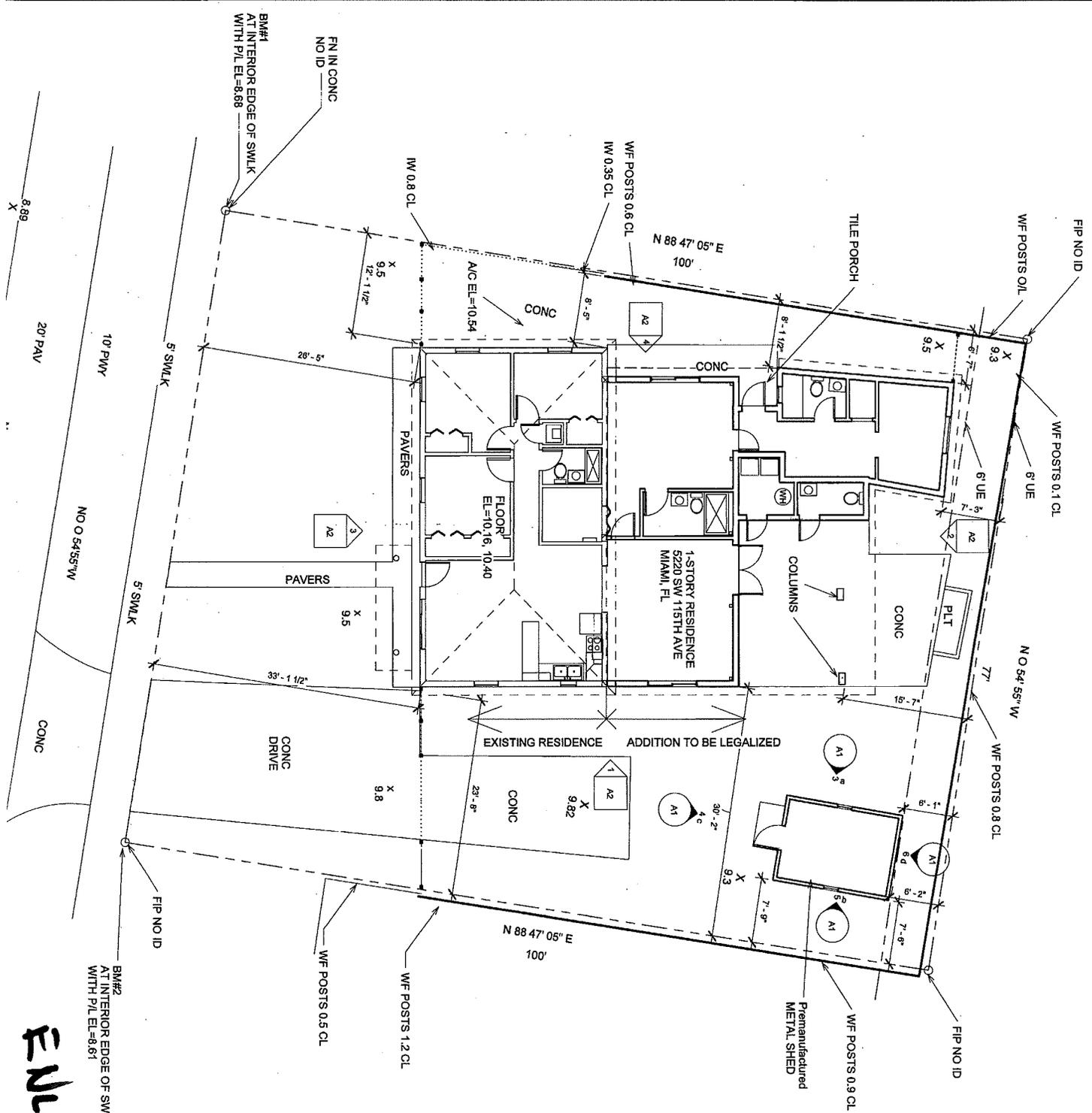
**SIDE ELEVATION**



**REAR ELEVATION**



Additional photos may be submitted



**ENLARGE SITE PLAN**

BM#2  
AT INTERIOR EDGE OF SWLK  
WITH P/L EL=8.61

BM#1  
AT INTERIOR EDGE OF SWLK  
WITH P/L EL=8.68

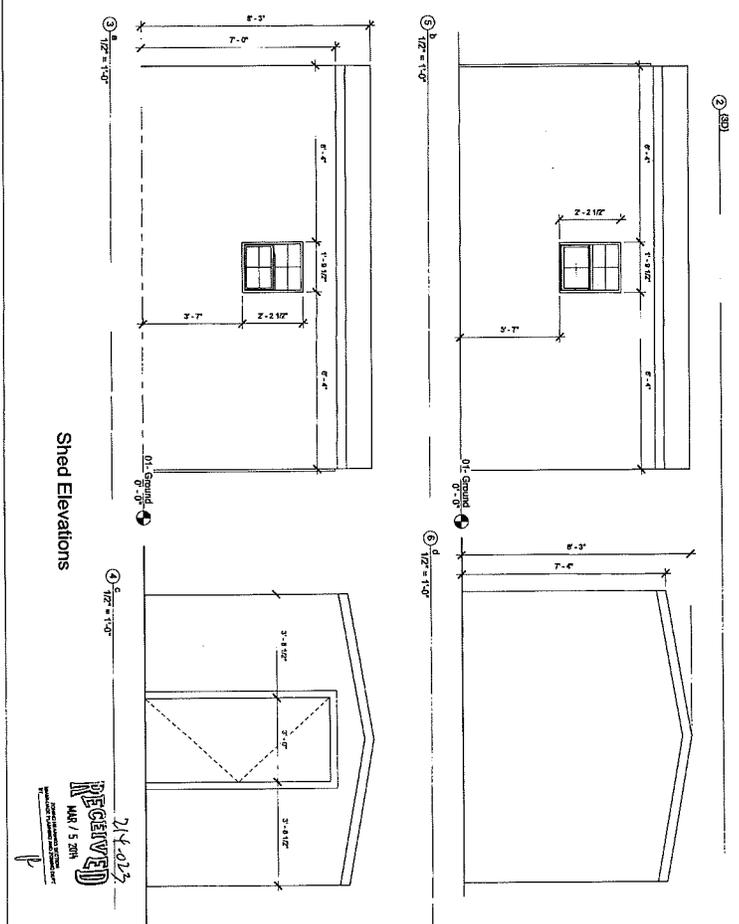
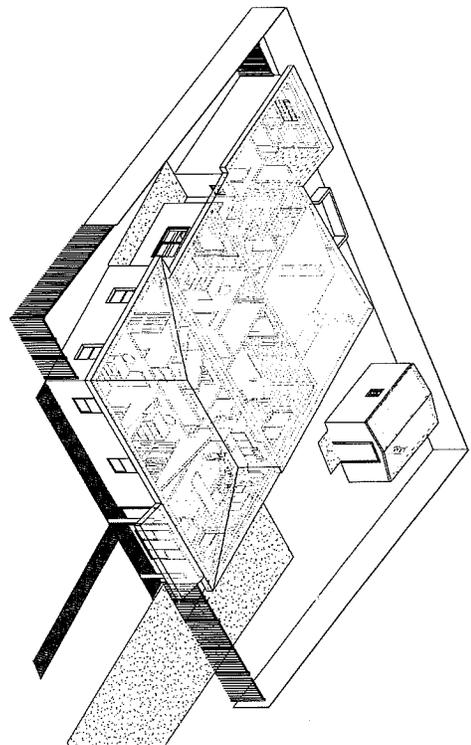
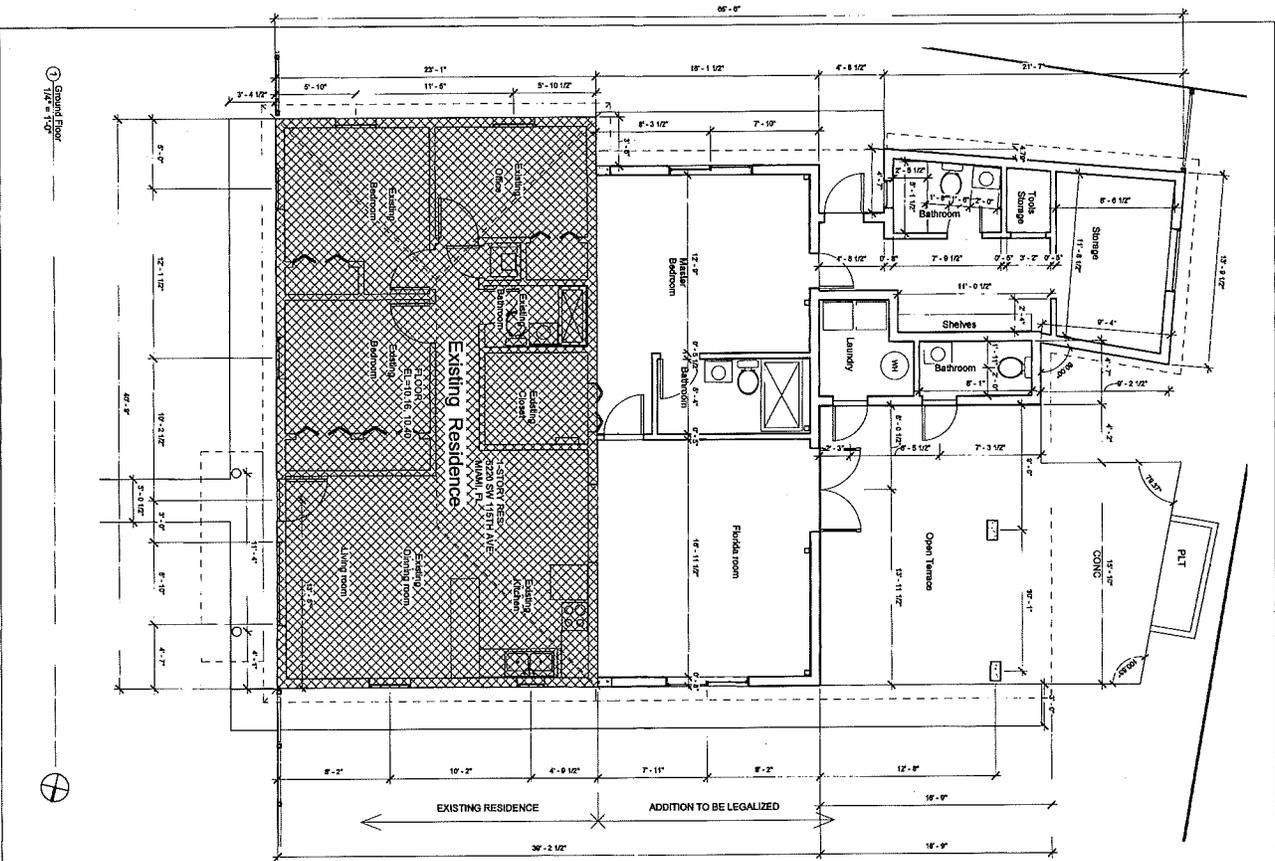
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT

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**RECEIVED**  
MAR / 5 2014  
214-023

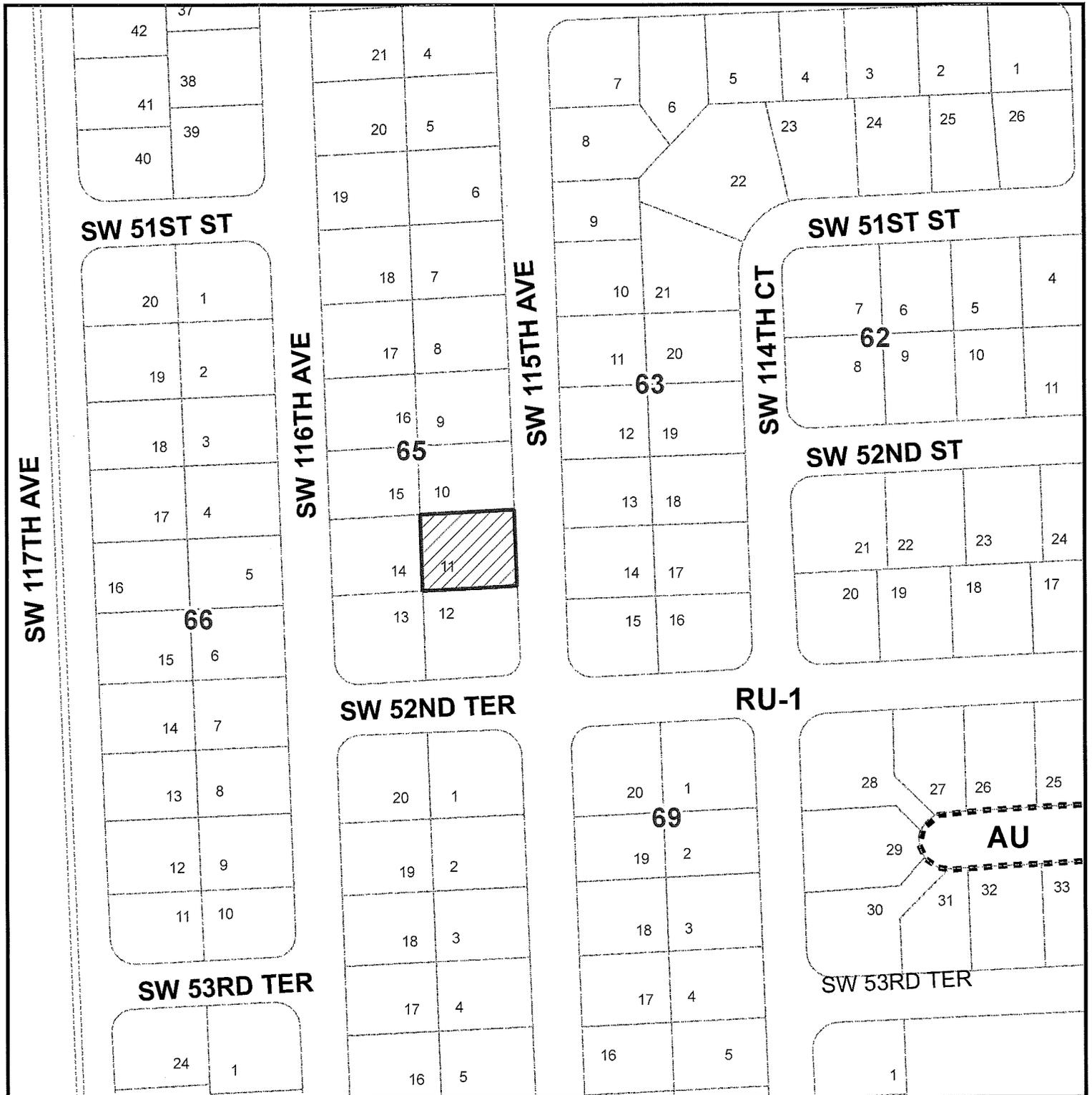
ZONING LEGEND	
ZONING DISTRICT	
LOT SIZE	
EXISTING CONSTRUCTION AREA	
BUILDING HEIGHT	
SETBACKS	REQUIRE
FRONT	25.0'
REAR	25.0'
SIDE/INTERIOR (LEFT)	7.5'
SIDE/INTERIOR (RIGHT)	7.5'
REAR	25.0'
CONSTRUCTION AREA	
EXISTING CONSTRUCTION AREA	
NEW CONSTRUCTION TO BE LEGALIZED	
TOTAL AREA	
LOT COVERAGE	MAX
LOT COVERAGE (%)	55%
PERMISSIBLE AREA (%)	50%
FLOOR ZONING IN DRIVE	
FLOOD ZONE DESIGNATION	
MINIMUM ELEVATION (FOOT REQUIRED)	





		44527, Associates, PA 1200 11th Ave Allentown, PA 18103	
Project Name: <b>Jessica Viaros Residence Addition</b>		Project Number: <b>12122013</b>	
Designer: <b>Jessica Viaros</b>		Checked by: <b>ARPER</b>	
Date: <b>MAR / 5 2013</b>		Scale: <b>A1</b>	
Project Address: <b>5203 NW 14th AVE          MIAMI, FL 33145</b>		AS INDICATED	





**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2014000023**



Section: 19 Township: 54 Range: 40  
 Applicant: JESSICA VIAROS  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



REVISION	DATE	BY
		18



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2013**

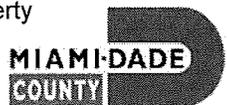
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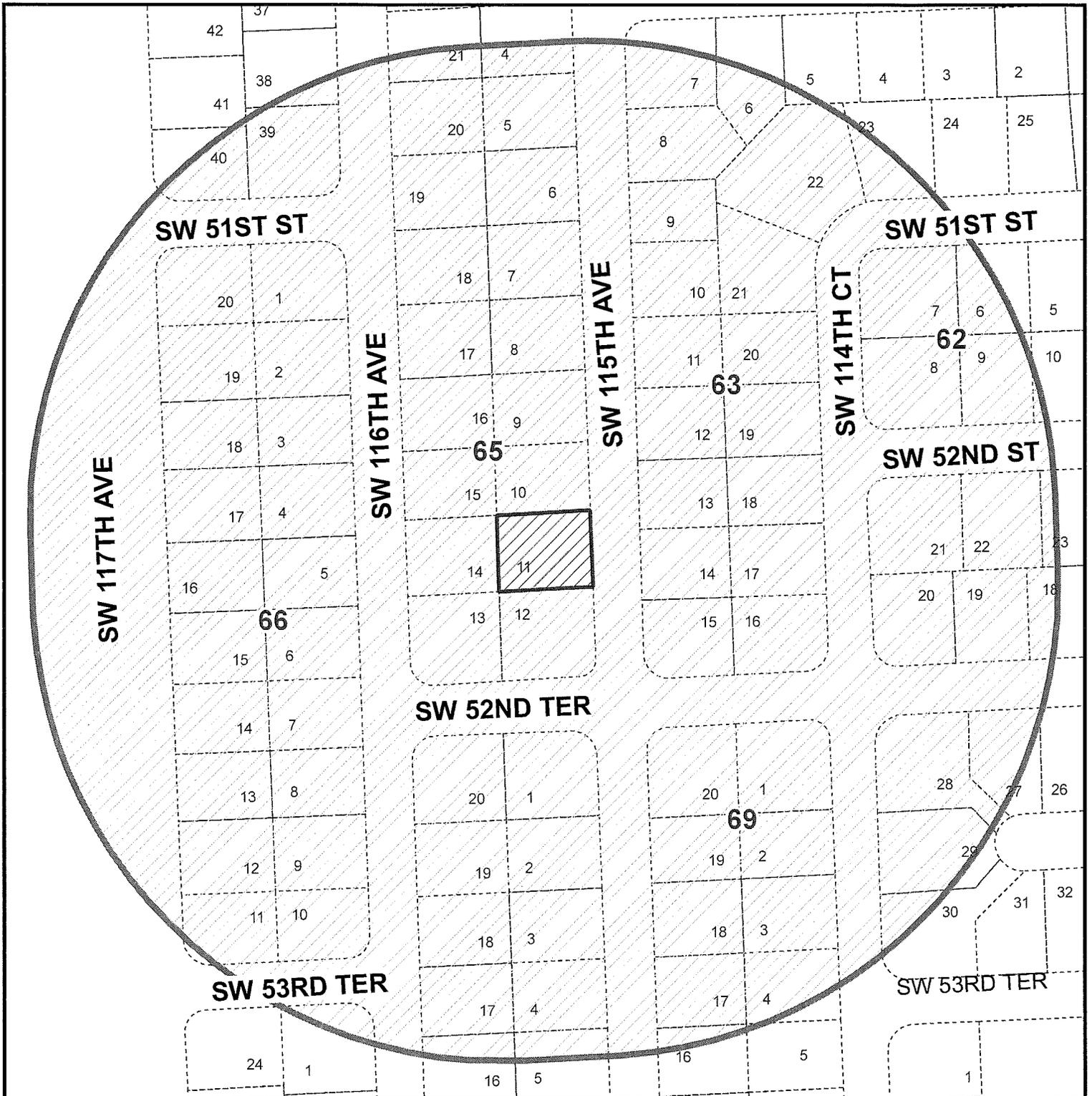
**Legend**

 Subject Property



SKETCH CREATED ON: Wednesday, March 12, 2014

REVISION	DATE	BY
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**MIAMI-DADE COUNTY**  
**RADIUS MAP**

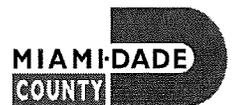
Process Number  
**Z2014000023**  
 RADIUS: 500



Section: 19 Township: 54 Range: 40  
 Applicant: JESSICA VIAROS  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

-  Subject Property
-  Buffer



SKETCH CREATED ON: Wednesday, March 12, 2014

REVISION	DATE	BY
		20



**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2014000023**



Section: 19 Township: 54 Range: 40  
 Applicant: JESSICA VIAROS  
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**Legend**

 Subject Property Case



SKETCH CREATED ON: Wednesday, March 12, 2014

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