

KITS

2-17-2010 Version # 2



COMMUNITY ZONING APPEALS BOARD 11
KENDALL VILLAGE CENTER - CIVIC PAVILION
8625 SW 124 Avenue, Miami
Tuesday, March 23, 2010 at 7:00 p.m.

PREVIOUSLY DEFERRED

A. 10-2-CZ11-2 ANTONIO A MARTINEZ & BELIA PADRON 09-133 23-54-39

CURRENT

1. 10-3-CZ11-1 JOSE YANES 09-28 34-54-39 N

2. 10-3-CZ11-2 COSTCO WHOLESALE CORP & WMD
LONDON SQUARE LLC 09-124 14-55-39 N

3. 10-3-CZ11-3 ELADIO PAEZ 09-145 35-54-39 N

4. 10-3-CZ11-4 MIDDEY B. DAMIAN 09-147 03-55-39 N



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 11

MEETING OF TUESDAY, MARCH 23, 2010

KENDALL VILLAGE CENTER – CIVIC PAVILION

8625 SW 124 Avenue, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 7:00 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

A. ANTONIO A. MARTINEZ & BELIA PADRON (10-2-CZ11-2/09-133)

23-54-39

Area 11/District 11

- (1) Applicants are requesting to permit a covered terrace addition to a single-family residence setback 8'10" (25' required) from the rear (west) property line.
- (2) Applicants are requesting to permit the single-family residence setback 24.94' (25' required) from the rear (west) property line.
- (3) Applicants are requesting to permit a lot coverage of 36.4% (35% permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Zoning Hearing Plans," as prepared by George Roumain, P. E., dated stamped received 10/29/09 and consisting of 2 pages. Plans may be modified at public hearing.

LOCATION: 4516 S.W. 132 Place, Miami-Dade County, Florida.

SIZE OF PROPERTY: 76.21' x 100'

Department of Planning and
Zoning Recommendation:

Approval of request #2 and denial without
prejudice of request #1 and #3.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

Deferred from 2-16-10

1. JOSE YANES (10-3-CZ11-1/09-28)

34-54-39

Area 11/District 11

- (1) MODIFICATION of Condition #2 of Resolution 4-ZAB-21-93, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Site Plan & Floor Plan,' as prepared by Rosenbaum & Rabinoff, P. C., dated stamped received 2-4-92 and plans entitled 'Sketch of Liquor Survey,' as prepared by South Atlantic Services of Florida, Inc., dated 4/6/92."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Proposed Manual Car-Wash,' as prepared by Juan C. David, R.A. Design Development, dated stamped received 07/27/09 and consisting of 4 sheets."

The purpose of request #1 is to allow the applicant to submit a new site plan showing a new car wash use on the property.

- (2) Applicant is requesting to waive the zoning regulations requiring all uses to be conducted within a completely enclosed building or within an area completely enclosed with walls; to permit a covered canopy for an outdoor car wash.

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

LOCATION: 8700 S.W. 137 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.01 Acres

Department of Planning and
Zoning Recommendation:

Approval with conditions.

Protests: 0

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

1. COSTCO WHOLESALE CORP. & WMD LONDON SQUARE L.L.C.

14-55-39

(10-3-CZ11-1/09-28)

09-124

Area 11/District 9

- (1) MODIFICATION of Condition #2 of Resolution #CZAB11-25-06 and last modified by Resolution #CZAB11-17-08, both passed and adopted by Community Zoning Appeals Board #11, and reading as follows:

2 FROM: "2. That said property shall be developed substantially in accordance with the site plans entitled 'Public Hearing Site Plan London Square,' as prepared by Architectural Alliance, consisting of SP-1 and SP-2 dated stamped received 7/21/08 and remaining 18 sheets dated 3/23/06 and elevation and floor plans entitled 'London Square,' as prepared by Lawrence S. Levinson, consisting of five (5) sheets, and dated March 24, 2006 for a total of 25 sheets."

TO: "2. That said property shall be developed substantially in accordance with the site plans entitled 'Costco Wholesale Kendall #357,' Sheet "C2" as prepared by Bohler Engineering, Sheet 'DD4.01.01' as prepared by Mulvanny Architecture and Sheet 'LP-1 as prepared by Intuitive Design Group, all dated stamped received 8/18/09, and Sheets 'SP-1' and 'SP-2' as prepared by Architectural Alliance, entitled 'London Square,' dated stamped received 10/7/09, for a total of 5 sheets, and that all other portions of the site plan shall remain substantially in accordance with the site plans entitled 'Public Hearing Site Plan London Square,' as prepared by Architectural Alliance, consisting of 18 sheets and dated stamped received 3/23/06 and elevation and floor plans entitled 'London Square,' as prepared by Lawrence S. Levinson, consisting of 5 sheets, and dated 3/24/06 for a total of 28 sheets."

- (2) MODIFICATION of Paragraph #1 of a Declaration of Restrictions as recorded in Official Record Book 24689, Pages 2921-2930, and last modified by Paragraph #2 of a Corrected Modification to the Declaration of Restrictions, as recorded in Official Record Book 27172, Pages 711-719, reading as follows:

FROM: "1. Paragraph One of the Existing Covenant is hereby amended to read as follows:

"1. That said property shall be developed substantially in accordance with the site plans entitled 'Public Hearing Site Plan London Square,' as prepared by Architectural Alliance, consisting of 'SP-1' and 'SP-2' dated July 18, 2008, and stamped received July 21, 2008, and remaining eighteen (18) sheets dated March 23, 2006 and elevation and floor plans entitled 'London Square,' prepared by Lawrence S. Levinson, consisting of five (5) sheets, and dated March 24, 2006, for a total of twenty-five (25) sheets."

TO: "2. Paragraph Two of the Existing Covenant is hereby amended to read as follows:

"2. That said property shall be developed substantially in accordance with the site plans entitled 'Costco Wholesale Kendall #357,' Sheet 'C-2' as prepared by Bohler Engineering, Sheet 'DD4.01.01' as prepared by Mulvanny Architecture and Sheet 'LP-1,' as prepared by Intuitive Design Group, all dated stamped received 8/18/09, and Sheets 'SP-1' and 'SP-2' as prepared by Architectural Alliance entitled 'London Square,' dated stamped received 10/7/09, for a total of 5 sheets, and that all other portions of the site plan shall remain substantially in accordance with the site plans entitled 'Public Hearing Site Plan London Square,' as prepared by Architectural Alliance, consisting of 18 sheets, dated stamped received 3/23/06 and elevation and floor plans entitled 'London Square,' as prepared by Lawrence S. Levinson, consisting of five (5) sheets, and dated March 24, 2006 for a total of 28 sheets."

(3) Modification of Paragraph #1 of "Covenant Running with the Land in Lieu of Title," recorded in Official Record Book 25612, Pages 4587-4594, reading as follows:

FROM: "1. That property will be developed in substantial conformity with the site plan entitled 'London Square,' prepared by Architectural Alliance, consisting of twenty (20) sheets, and dated March 23, 2006, and the elevation and floor plans previously submitted entitled 'London Square,' prepared by Lawrence S. Levinson, consisting of five (5) sheets and dated March 24, 2006."

TO: "1. That property will be developed substantially in accordance with the site plans entitled "Costco Wholesale Kendall #357,' Sheet 'C2', as prepared by Bohler Engineering, Sheet 'DD4.01.01,' as prepared by Mulvanny Architecture and Sheet 'LP-1 as prepared by Intuitive Design Group, all dated stamped received 8/18/09, and Sheets 'SP-1' and 'SP-2' as prepared by Architectural Alliance, entitled 'London Square,' dated stamped received 10/7/09, for a total of 5 sheets, and that all other portions of the site plan shall remain substantially in accordance with the site plans entitled 'Public Hearing Site Plan London Square,' as prepared by Architectural Alliance, consisting of 18 sheets and dated stamped received 3/23/06 and elevation and floor plans entitled 'London Square,' as prepared by Lawrence S. Levinson, consisting of 5 sheets, and dated 3/24/06 for a total of 28 sheets."

The purpose of the requests is to permit the applicants to submit a new site plan to show additional canopy area and pumps for the existing gas station for a membership warehouse.

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

LOCATION: 12305 S.W. 137 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 40 Acres

Department of Planning and
Zoning Recommendation:

Approval with conditions.

Protests: 0

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

3. ELADIO PAEZ (10-3-CZ11-3/09-145)

**35-54-39
Area 11/District 11**

- (1) Applicant is requesting to permit a covered terrace addition to a single-family residence setback 13.3' (25' required) from the rear (southeast) property line.
- (2) Applicant is requesting to permit a shed setback a minimum of 4.7' (5' required) from the interior side (southwest) property line and setback 61' (75' required) from the front (northwest) property line and spaced 0' (10' required) from the residence.
- (3) Applicant is requesting to permit a fence and columns with light fixtures with a height of 7.5' (6' maximum permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "As Built Garage Conversion for Mr. & Mrs. Paez," as prepared by E.C. & Associates, dated stamped received 1/5/10 and consisting of 1 sheet. Plans may be modified at public hearing.

LOCATION: 13300 SW 79 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 95.76' x 100'

Department of Planning and
Zoning Recommendation:

Approval with conditions.

Protests: 0

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

4. MIDDLEY B. DAMIAN (10-3-CZ11-4/09-147)

**3-55-39
Area 11/District 11**

Applicant is requesting to permit a zero lot line residence with a visible/passable area of 11.54% (15% required, 12.4% previously approved).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "As-Built Plans for Legalization for Middey B. Damian, as prepared by Lopez Professional

Engineering L. L. C., dated stamped received 10/20/09 and consisting of 3 pages. Plans may be modified at public hearing.

LOCATION: 14328 S.W. 101 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 9,230 sq. ft.

Department of Planning and Zoning Recommendation:

Approval with conditions.

Protests: 0

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

NOTICE

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

Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Planning and Zoning (DPZ) within 14 days after the DPZ 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. (The DPZ's posting will be made on a bulletin board located in the office of the DPZ.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

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

**A. ANTONIO A MARTINEZ &
BELLA PADRON**
(Applicant)

10-2-CZ11-2 (09-133)
Area 11/District 11
Hearing Date: 03/23/10

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	The Mackle Co., Inc. ET AL	- Zone change from GU to RU-1	BCC	Approved
1972	The Mackle Co., Inc. ET AL	- Zone change from GU to RU-1	C04	Approved

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.

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 11
MOTION SLIP

#2

APPLICANT'S NAME: ANTONIO A MARTINEZ & BELLA PADRON

REPRESENTATIVE: No applicant present at hearing

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
10-2-CZ11-2 (09-133)	February 16, 2010	CZAB11 10

REC: Approval of Request #2 and denial without prejudice of requests #1 and #3.

WITHDRAW: APPLICATION ITEM(S): _____

DEFER: INDEFINITELY TO: March 23, 2010 W/LEAVE TO AMEND

DENY: WITH PREJUDICE WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS

APPROVE: PER REQUEST PER DEPARTMENT PER D.I.C.

WITH CONDITIONS

OTHER: Deferred due to the applicant's absence from the hearing.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN	S	Joseph E. DELANEY	X		
COUNCILWOMAN	M	Beatrice SUAREZ	X		
COUNCILWOMAN		Ileana R. VAZQUEZ			X
VICE CHAIR		Jeffrey WANDER	X		
CHAIRWOMAN		Patricia G. DAVIS	X		
VOTE:			4	0	

EXHIBITS: YES NO

COUNTY ATTORNEY: THOMAS LOGUE

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 11**

APPLICANTS: Antonio A. Martinez and Bela Padron

PH: Z09-133 (10-2-CZ11-2)

SECTION: 23-54-39

DATE: March 23, 2010

COMMISSION DISTRICT: 11

ITEM NO.: A

=====

A. INTRODUCTION:

o **REQUEST:**

- (1) Applicants are requesting to permit a covered terrace addition to a single-family residence setback 8'10" (25' required) from the rear (west) property line.
- (2) Applicants are requesting to permit the single-family residence setback 24.94' (25' required) from the rear (west) property line.
- (3) Applicants are requesting to permit a lot coverage of 36.4% (35% permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Zoning Hearing Plans," as prepared by George Roumain, P. E., dated stamped received 10/29/09 and consisting of 2 pages. Plans may be modified at public hearing.

o **SUMMARY OF REQUESTS:**

The applicants are seeking approval for the continued use of a covered terrace addition to the rear of the existing residence encroaching into the required rear setback area, to permit the continued use of an existing single family residence which encroaches in the rear setback area and to permit a lot coverage which exceeds that permitted by the Zoning Code.

o **LOCATION:**

4516 SW 132 Place, Miami-Dade County, Florida

o **SIZE:** 76.21' x 100'

B. ZONING HEARINGS HISTORY: None

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential** use. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. Single family housing, e.g., single family detached, cluster, and townhouses generally characterize this density category. 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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

SUBJECT PROPERTY:

RU-1; Single-family residence

Low Density Residential, 2.5 to 6 du

SURROUNDING PROPERTY:

NORTH: RU-1; Single-family residence

Low Density Residential, 2.5 to 6 du

SOUTH: RU-1; Single-family residence

Low Density Residential, 2.5 to 6 du

EAST: RU-1; Single-family residence

Low Density Residential, 2.5 to 6 du

WEST: RU-1; Single-family residence

Low Density Residential, 2.5 to 6 du

The subject property is an interior lot located at 4516 SW 132 Place. The surrounding area is developed with single-family residences.

E. SITE AND BUILDINGS:

Site Plan Review:

(Site plan submitted.)

Scale/Utilization of Site:

Acceptable*

Location of Buildings:

Acceptable*

Compatibility:

Acceptable*

Landscape Treatment:

Acceptable

Open Space:

Acceptable

Buffering:

Acceptable

Access:

Acceptable

Parking Layout/Circulation:

Acceptable

Visibility/Visual Screening:

Acceptable

*For the existing single family residence only. Excluding the covered terrace addition.

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(4)(b) Non-Use Variance Standard.

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.

G. NEIGHBORHOOD SERVICES:

DERM	No objection
Public Works	No objection
Parks	No objection
MDT	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment

H. ANALYSIS:

This application was deferred by the CZAB 11 from the February 16, 2010 meeting to the March 23, 2010 meeting due to that the applicant was not present. The subject property is an interior lot located at 4516 SW 132 Place in an established area zoned RU-1, Single Family Residential District, and developed with single-family residences. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Low Density Residential** use, permitting from 2.5 to 6 dwelling units per gross acre. The existing single-family residence and aforementioned addition will not add any additional dwelling units to the site. Therefore, the existing single-family residence is **consistent** with the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP).

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that this application meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. The **Public Works Department** has **no objections** to this application. The Miami-Dade Fire Rescue Department (**MDFRD**) also has **no objections** to this application and has indicated that the estimated average travel response time for this site is **5:36** minutes.

When request #1 is analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff of the opinion that the approval of request #1 would be **incompatible** with the surrounding area, would be detrimental to the neighborhood and would affect the appearance of the community. Staff notes, that the covered terrace addition attached to the rear (west) wall of the existing single family residence encroaches 16'2" into the required 25' rear (west) setback area, which in staff's opinion creates a negative visual and aural impact to the neighboring property to the west since an open covered terrace is commonly used as a place for gathering. Additionally, staff is of the opinion that the 16'2"

encroachment into the rear (west) setback area is excessive and incompatible with the surrounding area. As such, staff recommends denial without prejudice of request #1. When analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of request #2 would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community. The applicants seek the approval for the continued use of an existing single family residence setback 24.94' from the rear (west) property line where 25' is required. Staff opines that the 0.06' encroachment of the existing single family residence into the 25' rear (west) setback area is minor and is probably due to an inadvertent construction error when the residence was built.

When request #3 is analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of this request would be **incompatible** with the surrounding area, would be detrimental to the neighborhood and would affect the appearance of the community. The applicants are seeking the approval of 36.4% lot coverage where 35% lot coverage is permitted. Staff notes that the increase of the permitted lot coverage by 1.4% is the result of the combined square footage of the existing single family residence with the aforementioned covered terrace addition, which is germane with request #1. Therefore, since staff is of the opinion that the encroachment of the covered terrace addition into the rear setback area is excessive and creates a negative visual and aural negative impact to the neighboring property to the west, and since request #3 is germane to request #1, staff recommends denial without prejudice of request #3.

I. RECOMMENDATION:

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

J. CONDITIONS: For Request #2 only.

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include, but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Zoning Hearing Plans," as prepared by George Roumain, P. E., dated stamped received 10/29/09 and consisting of 2 pages, except as herein amended to show the removal of the covered terrace addition.
3. That the use be established and maintained in accordance with the approved plan.

Antonio A. Martinez and Bela Padron
Z09-133
Page 5

DATE INSPECTED: 12/23/09
DATE TYPED: 12/23/09
DATE REVISED: 12/29/09; 02/17/10; 02/26/10
DATE FINALIZED: 02/26/10
MCF:GR:NN:TA



Marc C. LaFerrier, AICP, Director
Miami-Dade County Department of
Planning and Zoning

J.V.
GR

Memorandum



Date: October 2, 2009
To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management

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

Subject: C-11 #Z2009000133
Antonio A. Martinez and Belia Padrón
4516 S.W. 132nd Place
To Permit a Terrace Addition Setback Less than Required from Property
Lines
(RU-1) (0.17 Acres)
23-54-39

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

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

Enforcement History

DERM has found no open or closed enforcement record for the subject property.

Concurrency Review Summary

DERM has conducted a concurrency review 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 DERM's written approval, as required by the Code.

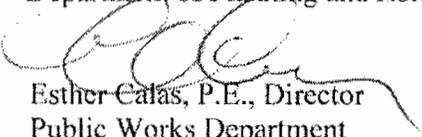
If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

Memorandum



Date: November 26, 2008

To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

From:  Esther Calas, P.E., Director
Public Works Department

Subject: Zoning Hearing Improvements

In order to enhance the efficiency of the zoning review process for public hearings, your Department requested that Public Works Department (PWD) provide standard "bypass" comments for some residential applications. These applications will be limited to single family residences, townhouses and duplexes, where the applicant seeks zoning hearing relief for a customary residential use, on previously platted lots. The following applications for public hearings could "bypass" the PWD review:

- Applications requesting setback variances
- Applications requesting variance on lot frontage
- Applications requesting variance on lot area
- Applications requesting greater lot coverage than permitted by Code
- Applications requesting additions to an existing structure

Pursuant to Sec. 33-24 of the Miami-Dade County Code, for those applications where a structure encroaches onto an easement, the applicant must secure from the easement owner a written statement that the proposed use will not interfere with owner's reasonable use of the easement.

Please contact Mr. Raul Pino, P.L.S., Chief, Land Development Division, at (305) 375-2112, if you have any questions.

cc: Antonio Cotarelo, P.E., Assistant Director
Public Works Department

Raul Pino, P.L.S., Chief
Land Development Division

Leandro Rodriguez

Memorandum



Date: 30-SEP-09
To: Marc LaFerrier, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2009000133

Fire Prevention Unit:

Not applicable to Fire Engineering & Water Supply Bureau site requirements.

Service Impact/Demand

Development for the above Z2009000133
located at 4516 S.W. 132 PLACE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1582 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: 5:36 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: 19-JAN-10
REVISION 1

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

ANTONIO A MARTINEZ & BELIA
PADRON

4516 SW 132 PLACE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2009000133

HEARING NUMBER

HISTORY:

201012000369; 1/15/10 [NO CURRENT ZONING VIOLATIONS OBSERVED]
200912005296; 9/28/09 [NO ZONING VIOLATIONS OBSERVED]
200912005251; 9/28/09 [NO ZONING VIOLATIONS OBSERVED]
200712012274; 11/3/07 [INSPECTED FOR MULT-FAMILY USE/CASE WAS CLOSED AND
REFERRED TO THE EIU UNIT.
200212002647; 7/24/02 [INSPECTED FOR ILLEGAL GARAGE ENCLOSURE/CASE WAS
CLOSED AND REFERRED TO THE BLDG DEPT].
200212002646; 6/28/02 [WARNING LETTER ISSUED FOR WORK WITHOUT A PERMIT/CASE
WAS CLOSED 4/2/03].

ANTONIO A MARTINEZ AND BELIA PADRON

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

N/A

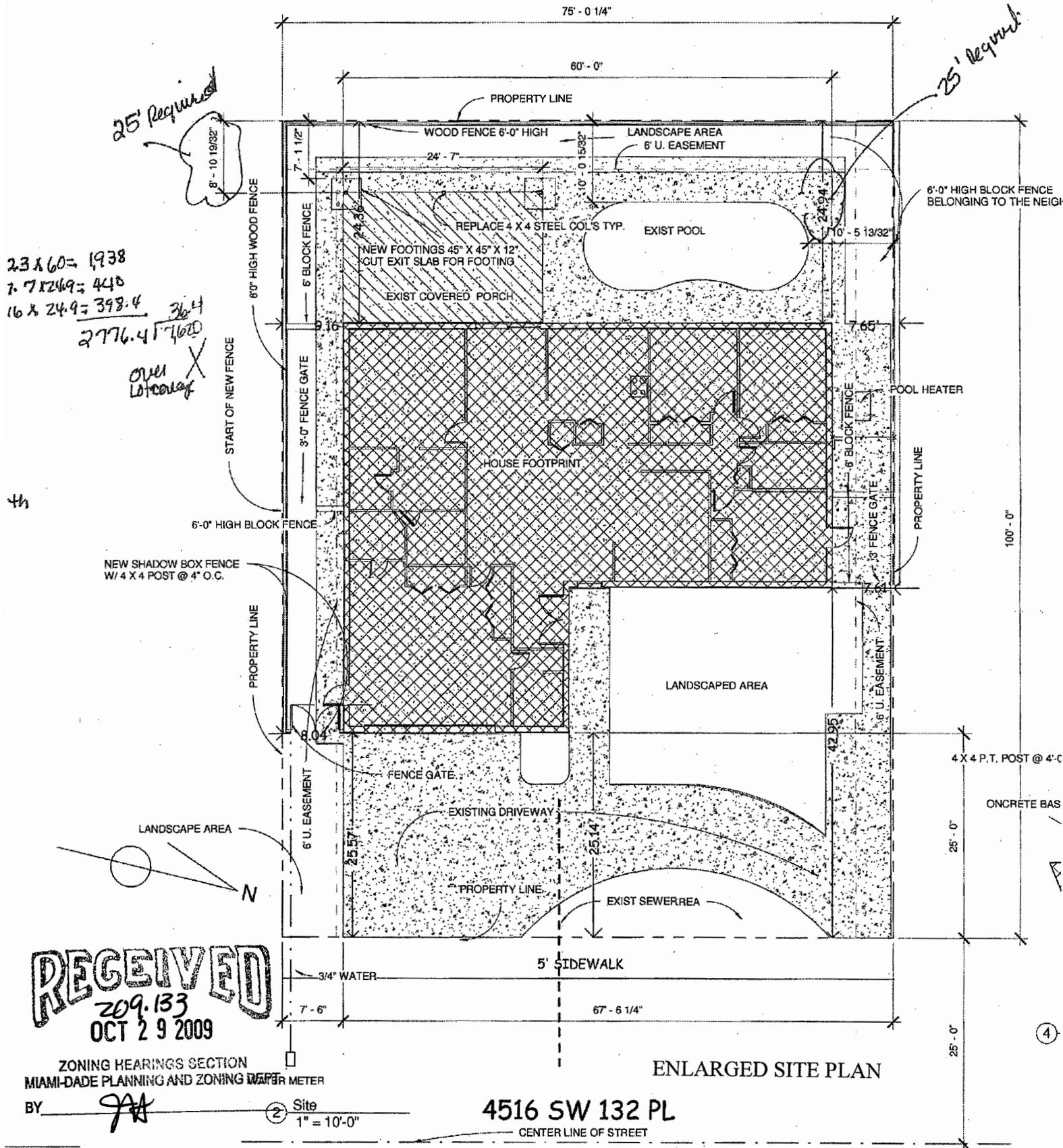
REPORTER NAME:

UNKNOWN

an architect or professional engineer. Also, provide written treatment under roofing sun and a statement from a certified treatment professional to the building official that the treatment has been made.

4'-0" X 4'-0" 12 FOUNDATION PADS & 5' X 5' CENTER

③ Section 2
1/2" = 1'-0"



23 x 60 = 1938
7.7 x 249 = 440
16 x 24.9 = 398.4
2776.4 / 7600
over lot coverage

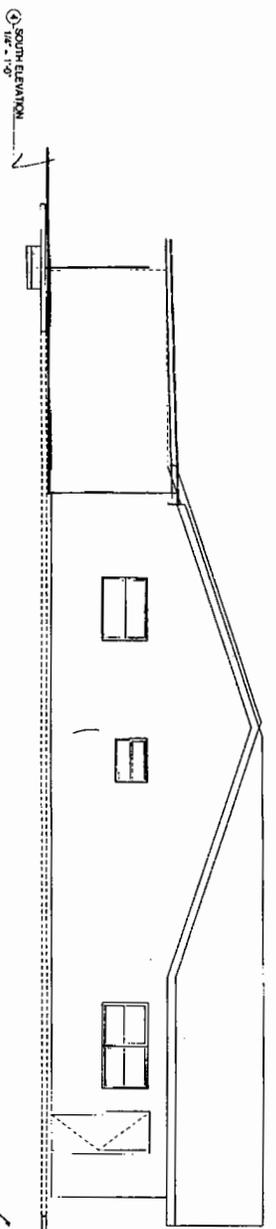
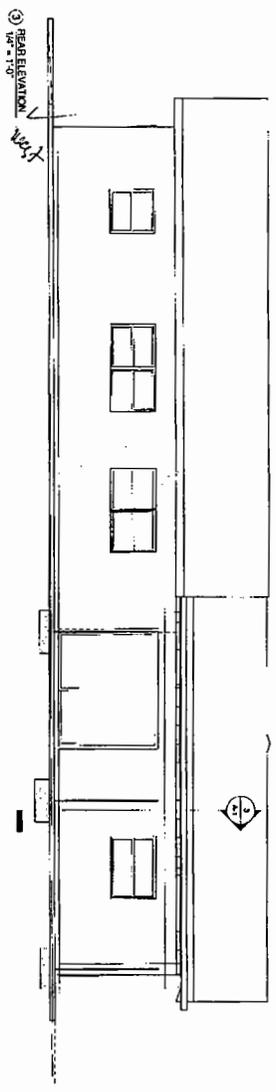
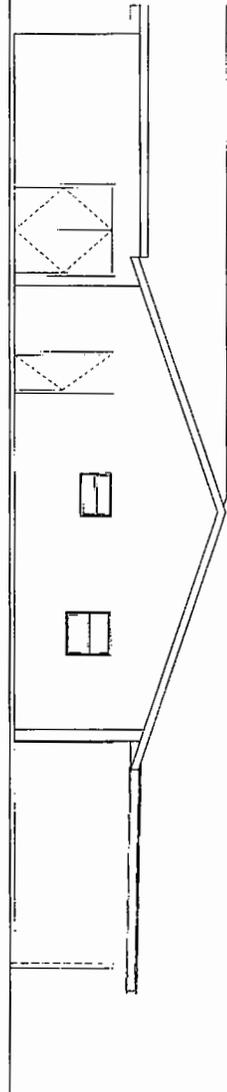
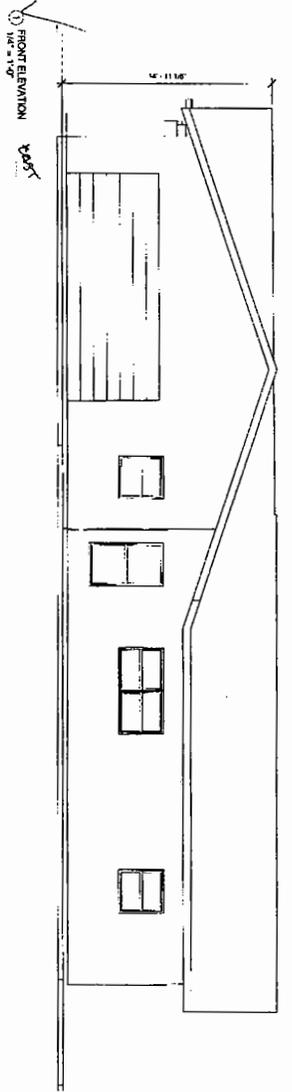
RECEIVED
209.133
OCT 29 2009

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPARTMENT
BY JA

② Site
1" = 10'-0"

4516 SW 132 PL
CENTER LINE OF STREET

ENLARGED SITE PLAN

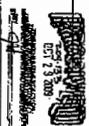


14

DESIGN PROFESSIONAL
 GEORGE ROUMAIN, P.E.
 LIC. 30909

1481 SW 137TH AVENUE
 DAVENPORT, FLORIDA 33825

CLIENT NAME Mrs. Belia Padron
 PROJECT DESCRIPTION ZONING HEARING PLANS
 4516 SW 132 PL
 Miami, Florida

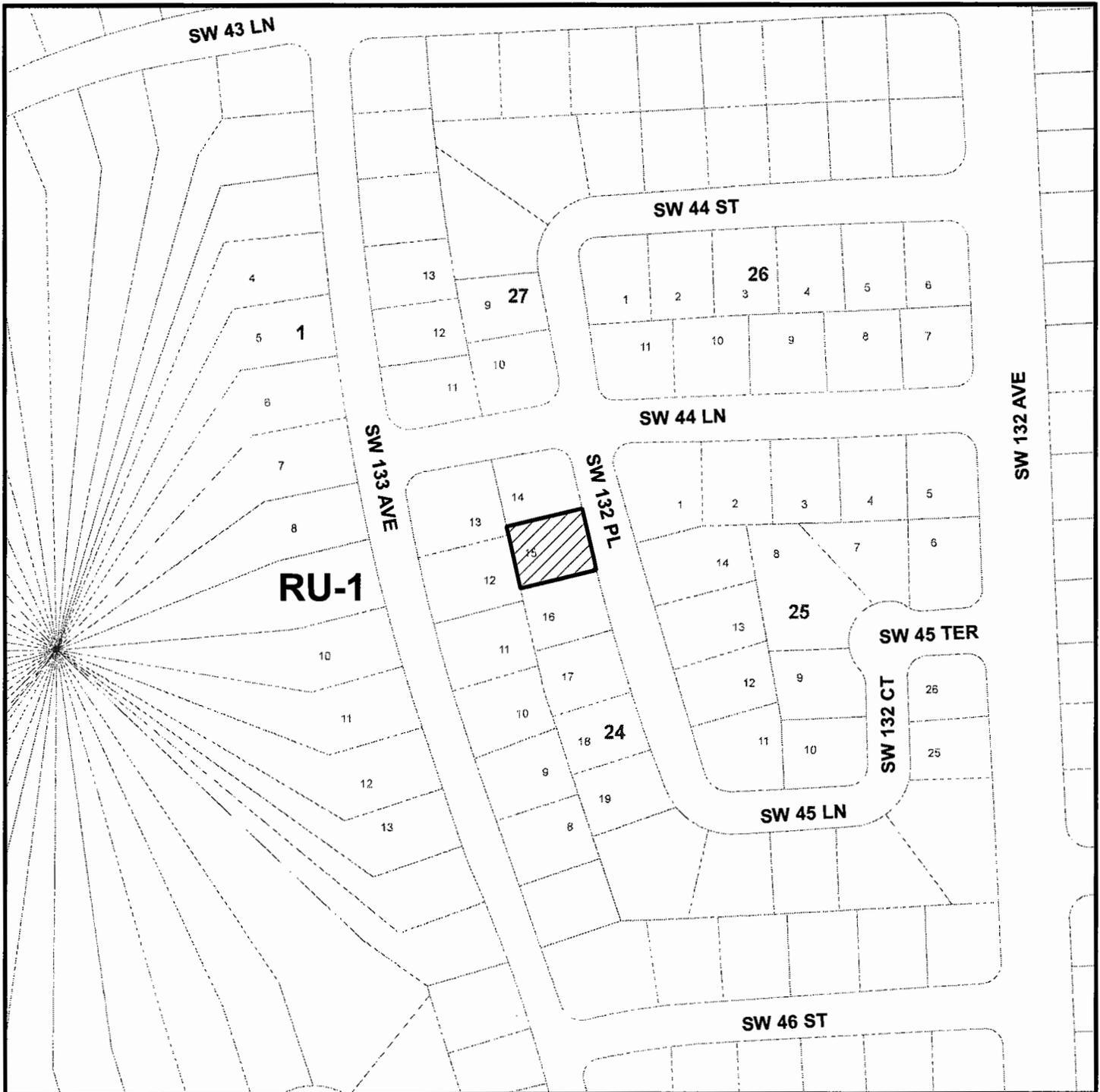


RECEIVED
 209.133
 OCT 29 2009

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

REV. NO.	DATE	DESCRIPTION

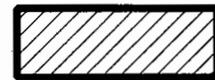
ISSUE DATE: 06/30/09
 DWG NAME: ELEVATIONS
 DWG NO.: A-2



**MIAMI-DADE COUNTY
HEARING MAP**

**Process Number
09-133**

**Section: 23 Township: 54 Range: 39
Applicant: ANTONIO A MARTINEZ & BELA PADRON
Zoning Board: C11
Commission District: 11
Drafter ID: KEELING
Scale: NTS
----- Zoning**



SUBJECT PROPERTY



SKETCH CREATED ON: 09/25/09

REVISION	DATE	BY
		15



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Section: 23 Township: 54 Range: 39

Applicant: ANTONIO A MARTINEZ & BELA PADRON

Zoning Board: C11

Commission District: 11

Drafter ID: KEELING

Scale: NTS

----- Zoning

Process Number

09-133



SUBJECT PROPERTY



SKETCH CREATED ON: 09/25/09

REVISION	DATE	BY

1. JOSE YANES
(Applicant)

10-3-CZ11-1 (09-028)
Area 11/District 11
Hearing Date: 03/23/10

Property Owner (if different from applicant) **KLC INVESTMENT, INC.**

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1964	Cylojet Investments, Inc.	- Zone change from GU to RU-1, EU-M, RU-4L, RU-4M and BU-2.	ZAB	Approved
1967	Cylojet Investments, Inc.	- Zone change from GU to RU-1, EU-M, RU-4L, RU-4M and BU-2.	BCC	Approved
1967	Cylojet Investments, Inc.	- Special exception of condition #15 from Resolution 2-ZAB-429-64.	ZAB	Approved
1968	Janis-Kendall Corp.	- Unusual Use to permit lakes and canals.	ZAB	Approved
1968	Janis-Kendall Corp.	- Modify Resolution 2-ZAB-429-64.	ZAB	Approved
1968	Janis-Kendall Corp.	- Unusual Use to permit a utility plant.	ZAB	Approved in part w/conds.
1969	Janis-Kendall Corp.	- Modify Resolution 3-ZAB-368-67.	ZAB	Approved
1971	Janis-Kendall Corp.	- Modify Resolution 2-ZAB-429-64.	ZAB	Approved
1993	Mark Twain's River Boat Play House, Inc.	- Non Use Variance of parking. - Bar with live entertainment. - Special exemption spacing for alcohol.	ZAB	Approved in part w/conds.
2004	KLC Investments, Inc.	- Special Exemption liquor package store spacing. - Days of operations.	C11	Approved in part w/conds.

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.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 11**

APPLICANT: Jose Yanes

PH: Z09-028 (10-3-CZ11-2)

SECTION: 34-54-39

DATE: March 23, 2010

COMMISSION DISTRICT: 11

ITEM NO.: 1

=====

A. INTRODUCTION

o **REQUESTS:**

- (1) MODIFICATION of Condition #2 of Resolution 4-ZAB-21-93, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "2. That approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Site Plan & Floor Plan,' as prepared by Rosenbaum & Rabinoff, P. C., dated stamped received 2-4-92 and plans entitled 'Sketch of Liquor Survey,' as prepared by South Atlantic Services of Florida, Inc., dated 4/6/92."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Proposed Manual Car-Wash,' as prepared by Juan C. David, R.A. Design Development, dated stamped received 07/27/09 and consisting of 4 sheets."

The purpose of request #1 is to allow the applicant to submit a new site plan showing a new car wash use on the property.

- (2) Applicant is requesting to waive the zoning regulations requiring all uses to be conducted within a completely enclosed building or within an area completely enclosed with walls; to permit a covered canopy for an outdoor car wash.

o **SUMMARY OF REQUESTS:**

The approval of this application will allow the applicant to modify a condition of a previously approved resolution, in order to submit a new plan showing a new car wash use on the property and to waive the requirements that the operation of the carwash occur within an enclosed building.

o **LOCATION:**

8700 S.W. 137 Avenue, Miami-Dade County, Florida.

o **SIZE:** 2.01 Acres

B. ZONING HEARINGS HISTORY:

In August 1964, the subject property was a part of a large tract of land that was approved by the Zoning Appeals Board for a zone change from GU, Interim District, to BU-2, Special Business District, pursuant to Resolution #2-ZAB429-64. Subsequently, in September 1964, the aforementioned resolution was confirmed by the Board of County Commissioners (BCC), pursuant to Resolution #Z-212-64. The parcel on which the proposed carwash is to be located was later approved in January 1993, pursuant to Resolution #4-ZAB-21-93, to allow live entertainment in the BU-2 zone as well as a special exception to the spacing requirements as applied to the sale of alcoholic beverages and to allow a reduced number of parking spaces. In 2004, the subject parcel was approved to allow a liquor package store spaced less than required from a religious facility and to allow said store to open on Sundays, pursuant to Resolution #CZAB11-39-04. The larger parcel of which the subject parcel is a part of was the subject of multiple other hearings from 1964 to date which were not relevant to the present request on the subject parcel.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The 2015 and 2025 Adopted Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the subject property for **Business and Office**. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities such as cell towers and satellite 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 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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

BU-2; commercial building

Business and Office

Surrounding Properties:

<u>NORTH:</u> BU-2; retail stores and offices	Business and Office
<u>SOUTH:</u> BU-2; office building	Business and Office
<u>EAST:</u> BU-2; office building RU-4M; townhomes	Medium Density Residential, 13-25 dua
<u>WEST:</u> BU-2; retail shopping center	Business and Office

E. SITE AND BUILDINGS:

Site Plan Review:	(Plans submitted.)
Scale/Utilization of Site:	Acceptable*
Location of Buildings:	Acceptable*
Compatibility:	Acceptable
Landscape Treatment:	Acceptable
Open Space:	Acceptable
Buffering:	Acceptable
Access:	Acceptable
Parking Layout/Circulation:	Acceptable
Urban Design:	N/A

*Subject to the conditions.

F. PERTINENT REQUIREMENTS/STANDARDS:

33-311(A)(7) Generalized Modification Standards. 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, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

Section 33-311(A)(4)(b) Non-use Variance Standard. 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.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection*
Parks	No comment
MDT	No comment
Fire Rescue	No objection
Police	No objection
Schools	No comment

*Subject to the conditions indicated in their memoranda.

H. ANALYSIS:

The subject property is located at 8700 SW 137 Avenue. The subject property and the majority of the surrounding properties except for a very small portion to the east are zoned BU-2, Special Business District. The approval of the application will allow the applicant to submit a new site plan showing a carwash covered with a canopy located on the northeast corner of the parcel to the rear of the existing commercial building and abutting SW 137 Avenue. The 2015 and 2025 Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the subject property for **Business and Office** use. This category accommodates the full range of sales and service activities, inclusive of a carwash. Additionally, the proposed carwash is a permitted use in the BU-2 district. As such, approval of the requests to modify the site plans to allow the canopy covered carwash is **compatible** with the surrounding uses and is **consistent** with the CDMP.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Miami-Dade County Code. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The **Public Works Department (PWD)** has **no objections** to this application. Their memorandum indicates that this project does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned and the application meets traffic concurrency criteria for an Initial Development Order. The **Miami-Dade Fire Rescue Department (MDFR)** Department has **no objections** to this application and their memorandum indicates that the estimated average travel response time is **6:33** minutes.

The standards under Section 33-311(A)(7) Generalized Modification Standards, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of a previously approved resolution, and to modify or eliminate any provisions of restrictive covenants, or parts thereof, would not generate excessive overcrowding of people, would not tend to provoke a nuisance, would not be incompatible with the area when considering the necessity for and reasonableness of the modification or elimination in relation to the present and future development of the area. When request #1

is analyzed, staff opines that the approval of the modification would not generate excessive traffic and would not be contrary to the public interest. Approval of request #1 will allow the applicant to submit a new site plan to show a new carwash use on the subject property. In staff's opinion, the revised plans, as proposed, will not affect the area or the existing commercial retail uses on the site. The revised plans indicate the proposed canopy covered carwash use is to be located on the northeast corner of the 2.01 acre tract in an area measuring 20' x 40'. The revised plans also indicate a total of 100 parking spaces, which is adequate for the existing retail uses and the proposed carwash. Further, the site plan indicates a row of trees on top of an existing berm along the side street (east) property line which staff opines will mitigate any negative visual impact on the residentially zoned RU-4M properties located northeast of the subject property. Additionally, staff opines that the modifications will not impact the overall site configuration and traffic circulation as evidenced by the Public Works Department's memorandum which states that the application does not generate any new additional daily peak hour trips. Based on all of the aforementioned, staff is of the opinion that approval of request #1 would be **compatible** with the surrounding area. Therefore, staff recommends approval with conditions of request #1 under Section 33-311(A)(7) (Generalized Modification Standards).

When request #2 is analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of this request would be **compatible** with the surrounding area, would not be detrimental to the neighborhood, and would not have a negative effect on the appearance of the community. As previously mentioned, staff opines that the location of the carwash on the northeast corner of the subject parcel to the rear of the existing 25,000+ sq. ft. retail building along with an adequate landscape buffer along the side street (east) property line consisting of Live Oak trees, will not have a negative visual impact on the surrounding properties. As such, staff recommends approval with conditions of request #2 under the NUV Standards.

Accordingly, staff recommends approval with conditions of request #1 under Section 33-311(A)(7) (Generalized Modification Standards) and approval of request #2 under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b).

I. RECOMMENDATION:

Approval with conditions.

J. CONDITIONS:

1. That all the conditions of Resolution #4-ZAB-21-93 remain in full force and effect except as herein modified.
2. That the applicants submit to the Department of Planning Zoning 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 for the expansion.
3. That the use be established and maintained in accordance with the approved plan.

4. That the applicant complies with all applicable conditions and requirements of the Department of Environmental Resources Management (DERM).

DATE TYPED: 02/03/10
DATE REVISED: 02/04/10, 02/09/10, 02/25/10
DATE FINALIZED: 02/25/10
MCL:GR:NN:JV:NC:CH



Marc C. LaFerrier, AICP, Director
Miami-Dade County Department of
Planning and Zoning

JV.
GR

Memorandum

Date: November 19, 2009

To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management 

Subject: #Z2009000028-Revised
Jose Yanes
8700 S.W. 137th Avenue
To Permit a Carwash in a Shopping Center
(BU-2) (2.01 Acres)
34-54-39

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Wellfield Protection

The subject property is located within the West Wellfield interim protection area. The West Wellfield is located between SW 72nd Street and Coral Way along theoretical SW 172nd Avenue. The Board of County Commissioners approved a wellfield protection ordinance for this wellfield. This ordinance provides for stringent wellfield protection measures that restrict development, and regulate land uses within the wellfield protection area.

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

Potable Water Service and Wastewater Disposal

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

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

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can

be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

The applicant is advised that DERM approval of subsequent development orders for the proposed request will be contingent upon compliance with the following:

1. It is unlawful to throw, drain, run, or otherwise discharge any industrial waste, liquid waste or other waste into a system designed to carry storm water. Similarly, it is unlawful to throw, drain, run or otherwise discharge any stormwater into a sanitary sewer. In order to segregate stormwater from industrial wastewater or liquid waste generated at a car wash and facilitate their correct handling and disposal, the following minimum requirements shall be incorporated into all car wash facilities:
 - a. Car washing operations shall be conducted over an impervious area no smaller than twelve (12) feet by eighteen (18) feet.
 - b. A berm or curb (of a minimum of four (4) inches in height) must be constructed around the wash stall in order to prevent industrial or liquid waste from flowing out of the stall into the stormwater sewer system or stormwater from entering the wash stall and the sanitary sewer system.
 - c. A roof with a minimum two (2) feet overhang beyond the berm or curb must be installed and properly maintained over the wash stall on all sides to prevent rainwater intrusion.
 - d. The liquid waste generated by the car wash operation must be discharged to the sanitary sewer system (unless a self-contained water recycling system is used) through an oil interceptor meeting the requirements of Section 4612.3(c) of the South Florida Building Code and with minimum capacity of seven hundred fifty (750) gallons.
 - e. An easily accessible sampling point must be provided at the industrial waste discharge pipe at a point beyond which no further pretreatment is provided and prior to discharge to the sanitary sewer system to ascertain compliance with the sanitary sewer discharge standards stipulated in Section 24-11(9) of the Code.
2. If water hoses are used during the operation, the hose bib shall be protected by a vacuum breaker to prevent back-siphonage. In addition, a self canceling or self closing nozzle must be attached to the hose to minimize water usage.

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

3. The restrictions on use, generation, handling, disposal, discharge or storage of hazardous materials within any wellfield protection area apply.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

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 by DERM for this proposed development order.

Wetlands

The subject properties do 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

According to the site plan submitted with this zoning application, the proposal to permit a car wash in a shopping center will not impact tree resources. Therefore, the Tree Program has no objection to this zoning application, however please be advised that a Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of Chapter 24.

Enforcement History

DERM has found no open or closed enforcement records for the subject property.

Additionally, the following comments are offered in light of the nature of some land uses that are permitted due to the underlying zoning district:

Operating Permits

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

Concurrency Review Summary

DERM has conducted a concurrency review 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 DERM's written approval, as required by the Code.

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

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:JOSE YANES

This Department has no objections to this application.

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



Raul A Pino, P.L.S.

07-APR-09

Memorandum



Date: 01-APR-09
To: Marc LaFerrier, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2009000028

Fire Prevention Unit:

No objection to site plan date stamped March 2, 2009.

Service Impact/Demand:

Development for the above Z2009000028
located at 8700 S.W. 137 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1782 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>861</u> Retail	square feet	<u>N/A</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 0.25 alarms-annually.
The estimated average travel time is: 6:33 minutes

Existing services:

The Fire station responding to an alarm in the proposed development will be:
Station 57 - West Kendall - 8501 SW 127 Avenue
Rescue, Battalion

Planned Service Expansions:

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

Fire Planning Additional Comments:

Current service impact calculation based on plans date stamped March 2, 2009. Substantial changes to the plan will require additional service impact analysis.

TEAM METRO

ENFORCEMENT HISTORY

JOSE YANES

8700 S.W. 137 AVENUE, MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2009000028

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

CURRENT CASE HISTORY:

Case 200912004006 was opened based on enforcement history request and inspected on 07/31/09. No violations were observed and case was closed.

PREVIOUS CASE HISTORY:

Cases 200412001359, 200412001360, 200412001362, 200512003556, 20050003557, 200612000600, 200612000603, 200612010689 & 200812003174, were opened between 02/24/04 - 03/14/08 and found in violation of signs & banners at premises and on the R/O/W. Warning Notices were issued and violations were corrected, the signs on R/O/W were removed by NCO, and all cases were closed.

NCO Maritza Rojas

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: KLC Investment, Inc.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>cesar J. alvarez</u>	<u>100%</u>
<u>1304 nw 78 ave</u>	
<u>Doral, FL 33126</u>	

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

TRUST/ESTATE NAME _____

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY JA

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, partnership(s) or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY JA

LANDSCAPE NOTES

2. Tree Size: All trees except street trees shall be a minimum of 10' high and have a minimum diameter of 2" of trunk at time of planting except that 30% of the tree requirement may be met by native species with a minimum height of 8' and a minimum of 1-1/2" of trunk at time of planting.

3. Street Trees: Street trees shall have a clear trunk of 4" and on overall height of 12' and a minimum of 2" of trunk at time of planting and shall be provided along sidewalks of a maximum average spacing of 35' o.c. where trees are planted on private property, they shall be spaced within 7' of the edge of the adjacent right of way or within 7' of the roadway and/or inside edge of a sidewalk on private roads.

4. Native Species: 30% of the required trees and/or palms shall be native species.

5. Palms: No more than 20% of native trees requirements shall be Sabal Palmetto palms.

6. Spacing: Shall be a minimum of 18" in height after planting and have a minimum spacing of 30' o.c. and maintained as to form a continuous unbroken screen within a maximum of one year after time of planting.

7. Plant Quality: Plants installed pursuant to this code shall conform to or exceed the minimum standards for Florida #1 as provided in the most current edition of "Grades and Standards for Nursery Plants" as prepared by the Fl. Dept. of Agriculture and Consumer Service.

8. Landscaping Contractor: Is to handle and verify all underground and overhead utilities prior to planting. The contractor is to verify all utility lines and provide a utility map showing the location of the underground utility lines to the satisfaction of the landscape architect prior to commencing with the work.

9. All installed and installed trees, this one to be properly banded and tagged during installation.

10. All planting signs, are issued as directives for site layout. Any deviation, site changes, etc. are to be brought to the attention of the landscape architect for clarification prior to installation.

PLANTING NOTES

1.-All plant specimens are to be Fl. grade #1 or better.

2.-Soil is to be grade A and weed free.

3.-All areas marked and/or shall be solid and with 5% Augustine turf (Fruition, Penetrol). All areas marked shall be solid sodded. All soil is to be top level. Light and ever during planting beds.

4.-All plants are to be topped dressed with a minimum of 3" layer of Melonite. Eumorfus. Replied mulched will not be accepted.

5.-Planting plans shall use pedestrian over plant list in case of discrepancies.

6.-No design may be made without the prior consent of the Landscape Architect, Engineer or owner.

7.-Landscape contractor is responsible for providing their own field verification for 100% full coverage of all areas specified.

8.-How to be provided.

9.-All trees to be grown one to receive a 35" diameter mulched border of the base of the trunk.

10.-Planting soil shall be of a landscape mix consisting of top soil, coarse sand, weed chips, and organic matter (compost or peat moss). 50/50 will not be accepted.

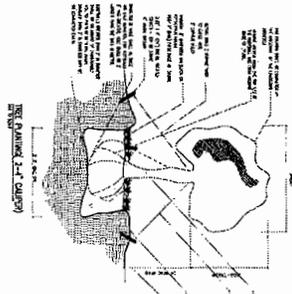
11.-Trees and shrubs will be supplemented with the proper complete (macro and micro elements) fertilizer prior to planting. Fertilizer 12-4-12 or 13-3-13 (Tree, 12-6-6, or 8-10-10). Flowering trees or plants, 5-10-10, or 14-14-14.

EXISTING TREE TABLE

SYM	TRUNK #	HEIGHT	CANOPY #	COMMON NAME	REQUIREMENTS
1	1.0"	20'	20'	Street Tree	Florida #1
2	1.0"	20'	12'	Street Tree	Florida #1
3	1.5"	20'	30'	Street Tree	Florida #1
4	1.5"	20'	30'	Street Tree	Florida #1
5	1.5"	10'	20'	Street Tree	Florida #1
6	1.0"	10'	20'	Street Tree	Florida #1
7	1.0"	8.5'	5'	Street Tree	Florida #1
8	0.5"	10'	6'	Street Tree	Florida #1
9	0.5"	6'	5'	Street Tree	Florida #1
10	1.0"	6'	5'	Street Tree	Florida #1
11	0.5"	6'	5'	Street Tree	Florida #1
12	0.5"	6'	5'	Street Tree	Florida #1
13				Street Tree	Florida #1

SYM	QNTY	Size	Caliper	Botanical Name	Common Name
10	12'	3"	Quercus virginiana	Live Oak	

NOTE:
ALL EXISTING TREES TO REMAIN.

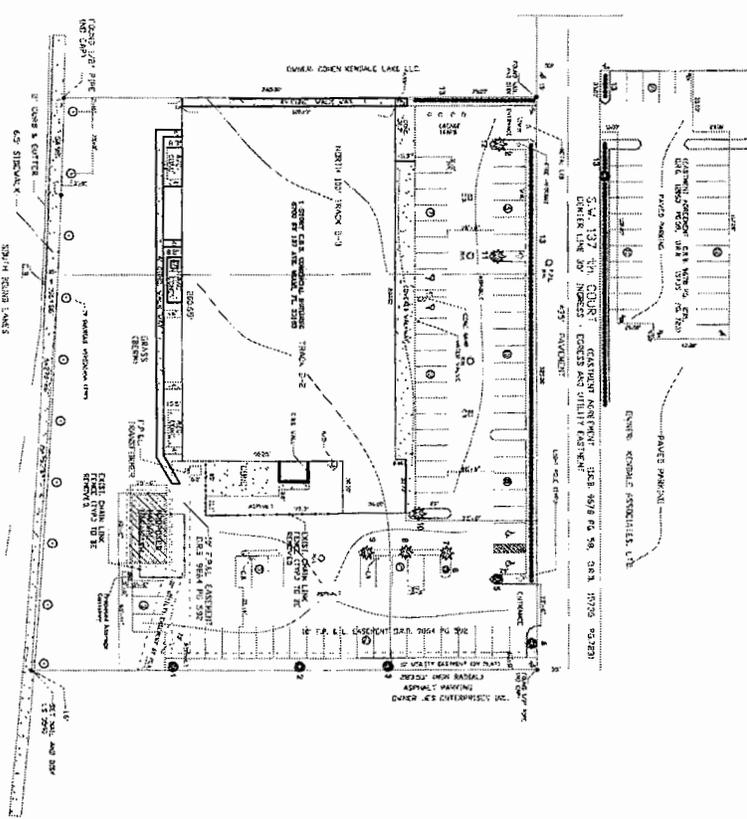


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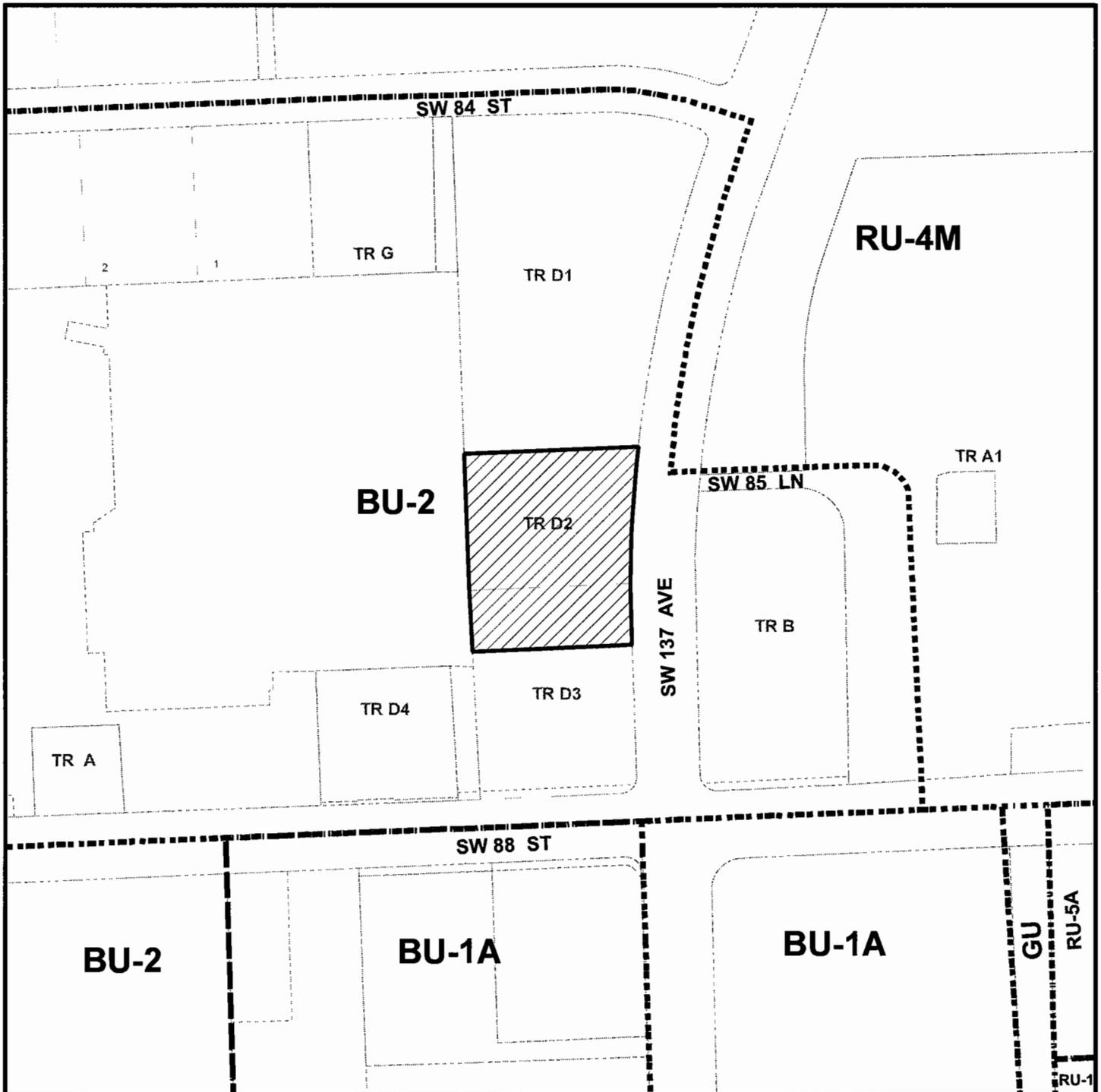
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY *[Signature]*

LANDSCAPING PLAN
SCALE: 1/32" = 1'-0"

LANDSCAPING NOTES:
1. LANDSCAPING SHALL BE INSTALLED AS SHOWN.
2. ALL PLANTING SHALL BE DONE BY THE CONTRACTOR.
3. ALL PLANTING SHALL BE DONE WITHIN THE SPECIFIED TIME FRAME.
4. ALL PLANTING SHALL BE DONE WITHIN THE SPECIFIED BUDGET.
5. ALL PLANTING SHALL BE DONE WITHIN THE SPECIFIED AREA.
6. ALL PLANTING SHALL BE DONE WITHIN THE SPECIFIED SPECIFICATIONS.
7. ALL PLANTING SHALL BE DONE WITHIN THE SPECIFIED REQUIREMENTS.
8. ALL PLANTING SHALL BE DONE WITHIN THE SPECIFIED CONDITIONS.
9. ALL PLANTING SHALL BE DONE WITHIN THE SPECIFIED STANDARDS.
10. ALL PLANTING SHALL BE DONE WITHIN THE SPECIFIED PRACTICES.
11. ALL PLANTING SHALL BE DONE WITHIN THE SPECIFIED PROCEDURES.
12. ALL PLANTING SHALL BE DONE WITHIN THE SPECIFIED METHODS.
13. ALL PLANTING SHALL BE DONE WITHIN THE SPECIFIED TECHNIQUES.
14. ALL PLANTING SHALL BE DONE WITHIN THE SPECIFIED TOOLS.
15. ALL PLANTING SHALL BE DONE WITHIN THE SPECIFIED EQUIPMENT.
16. ALL PLANTING SHALL BE DONE WITHIN THE SPECIFIED MATERIALS.
17. ALL PLANTING SHALL BE DONE WITHIN THE SPECIFIED SUPPLIES.
18. ALL PLANTING SHALL BE DONE WITHIN THE SPECIFIED SERVICES.
19. ALL PLANTING SHALL BE DONE WITHIN THE SPECIFIED CONTRACTORS.
20. ALL PLANTING SHALL BE DONE WITHIN THE SPECIFIED SUBCONTRACTORS.



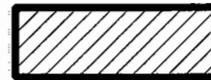
<p>JUAN C. DAVID R.A. Design & Development</p> <p>Architecture Interiors Planning Construction</p> <p>1365 Coral Way, Suite 221-208 Miami, FL 33145-2148 Phone (305) 365-0438 Fax (305) 365-0431</p>	<p>PROPOSED MANUAL CAR-WASH</p> <p>COMMERCIAL BUILDING</p> <p>8700 SW 137 AVE</p> <p>MIAMI, FL 33183</p>	<p>REVISIONS</p> <table border="1"> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </table>																																																			<p>Job No. _____</p> <p>Date _____</p> <p>Scale Shown _____</p> <p>Sheet No. L-1</p>
<p>APR-00015344</p> <p>DATE: 7/23/09</p> <p>BY: <i>[Signature]</i></p>	<p>8</p>																																																				



MIAMI-DADE COUNTY
HEARING MAP

Process Number
09-028

Section: 34 Township: 54 Range: 39
 Applicant: JOSE YANES
 Zoning Board: C11
 Commission District: 11
 Drafter ID: KEELING
 Scale: NTS
 ----- Zoning



SUBJECT PROPERTY



SKETCH CREATED ON: 03/05/09

REVISION	DATE	BY
		21



MIAMI-DADE COUNTY
AERIAL YEAR 2008

Process Number
09-028

Section: 34 Township: 54 Range: 39
 Applicant: JOSE YANES
 Zoning Board: C11
 Commission District: 11
 Drafter ID: KEELING
 Scale: NTS
 ----- Zoning



SUBJECT PROPERTY



SKETCH CREATED ON: 03/05/09

REVISION	DATE	BY

**2. COSTCO WHOLESALE CORP &
WMD LONDON SQUARE LLC**
(Applicant)

10-3-CZ11-2 (09-124)
Area 11/District 09
Hearing Date: 03/23/10

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>
2006	Forty Acre Farm LTD	- Zone change from GU to BU-1A GU to IU-1 parking. - Unusual Use outdoor dining, bars in conjunction with restaurant. - Special Exception 3 lounge bars in Conjunction with restaurant and spacing.	C11	Approved w/conds.
2007	WMD London Square, LLC	- Modification of parcel 1 & 2 Official Record Book 24689 pgs. 2921 thru 2930. Deletion of condition #5 of resolution CZAB11-7-07.	C11	Approved in part w/conds.
2007	Forty Acre Farm LTD	- Special exception of Spacing for a liquor package store.	C11	Approved w/conds.
2008	WMD London Square, LLC	- Modification of paragraph 1 of Declaration of Restrictions recorded in Official Record Book 24689 pgs. 2921 thru 2930.	C11	Approved w/conds.

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.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 11**

APPLICANT: Costco Wholesale Corp. &
WMD London Square L.L.C

PH: Z09-124 (10-3-CZ11-2)

SECTION: 14-55-39

DATE: March 23, 2010

COMMISSION DISTRICT: 9

ITEM NO.: 2

A. INTRODUCTION

o **REQUESTS:**

- (1) MODIFICATION of Condition #2 of Resolution #CZAB11-25-06 and last modified by CZAB11-17-08, both passed and adopted by Community Zoning Appeals Board #11, and reading as follows:

FROM: "2. That said property shall be developed substantially in accordance with the site plans entitled 'Public Hearing Plan London Square,' as prepared by Architectural Alliance, consisting of SP-1 and SP-2 dated stamped received 7/21/08 and remaining 18 sheets dated 3/23/06 and elevation and floor plans entitled 'London Square,' as prepared by Lawrence S. Levinson, consisting of five (5) sheets, and dated March 24, 2006 for a total of 25 sheets."

TO: "2. That said property shall be developed substantially in accordance with the site plans entitled 'Costco Wholesale Kendall #357,' Sheet "C-2" as prepared by Bohler Engineering, Sheet 'DD4.01.01' as prepared by Mulvanny Architecture and Sheet 'LP-1 as prepared by Intuitive Design Group, all dated stamped received 8/18/09, and Sheets 'SP-1' and 'SP-2' as prepared by Architectural Alliance, entitled 'London Square,' dated stamped received 10/7/09, for a total of 5 sheets, and that all other portions of the site plan shall remain substantially in accordance with the site plans entitled 'Public Hearing Site Plan London Square,' as prepared by Architectural Alliance, consisting of 18 sheets and dated stamped received 3/23/06 and elevation and floor plans entitled 'London Square,' as prepared by Lawrence S. Levinson, consisting of 5 sheets, and dated 3/24/06 for a total of 28 sheets."

- (2) MODIFICATION of Paragraph #1 of a Declaration of Restrictions as recorded in Official Record Book 24689, Pages 2921-2930, and last modified by Paragraph #2 of Modification to the Declaration of Restrictions, as recorded in Official Record Book 26740, Pages 432-448, recorded in Official Record Book, reading as follows:

FROM: "2. Paragraph One of the Existing Covenant is hereby amended to read as follows:

“2. That said property shall be developed substantially in accordance with the site plans entitled ‘Public London Square,’ as prepared by Architectural Alliance, consisting of ‘SP-1’ and ‘SP-2’ dated July 18, 2008, and stamped received July 21, 2008, and remaining eighteen (18) sheets dated March 23, 2006 and elevation and floor plans entitled ‘Public Hearing London Square,’ prepared by Lawrence S. Levinson, consisting of five (5) sheets, and dated March 24, 2006, for a total of twenty-five (25) sheets.”

TO: “2. Paragraph Two of the Existing Covenant is hereby amended to read as follows:

“2. That said property shall be developed substantially in accordance with the site plans entitled ‘Costco Wholesale Kendall #357,’ Sheet “C-2” as prepared by Bohler Engineering, Sheet ‘DD4.01.01’ as prepared by Mulvanny Architecture and Sheet ‘LP-1,’ as prepared by Intuitive Design Group, all dated stamped received 8/18/09, and Sheets ‘SP-1’ and ‘SP-2’ entitled ‘London Square,’ dated stamped received 10/7/09, for a total of 5 sheets, and that all other portions of the site plan shall remain substantially in accordance with the site plans entitled ‘Public Hearing Site Plan London Square,’ as prepared by Architectural Alliance, consisting of 18 sheets, dated stamped received 3/23/06 and elevation and floor plans entitled ‘London Square,’ as prepared by Lawrence S. Levinson, consisting of five (5) sheets, and dated March 24, 2006 for a total of 28 sheets.”

(3) MODIFICATION of Paragraph #1 of “Covenant Running with the Land in Lieu of Title,” recorded in Official Record Book 25612, Pages 4587 – 4594, reading as follows:

FROM: “1. That property will be developed in substantial conformity with the site plan entitled ‘London Square,’ prepared by Architectural Alliance, consisting of twenty (20) sheets, and dated March 23, 2006, and the elevation and floor plans previously submitted entitled ‘London Square,’ prepared by Lawrence S. Levinson, consisting of five (5) sheets and dated March 24, 2006.”

TO: “1. That property will be developed substantially in accordance with the site plan entitled “Costco Wholesale Kendall #357,’ Sheet “C-2”, as prepared by Bohler Engineering, Sheet ‘DD4,01.01,’ as prepared by Mulvanny Architecture and Sheet ‘LP-1 as prepared by Intuitive Design Group, all dated stamped received 8/18/09, and Sheets ‘SP-1’ and ‘SP-2 as prepared by Architectural Alliance, entitled ‘London Square,’ dated stamped received 10/7/09, for a total of 5 sheets, and that all other portions of the site plan remain substantially in accordance with the site plans entitled ‘Public Hearing Site Plan London Square,’ as prepared by Architectural Alliance, consisting of 18 sheets, dated stamped

received 3/23/06 and elevation and floor plan entitled 'London Square', as prepared by Lawrence S. Levinson, consisting of 5 sheets, and dated 3/24/06 for a total of 28 sheets."

The purpose of the requests is to permit the applicants to submit a new site plan to show additional canopy area and pumps for the existing gas station for a membership warehouse.

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

o **SUMMARY OF REQUESTS:**

The approval of this application will allow the applicants to modify a previously approved resolution, a Declaration of Restrictions and a Covenant Running with the Land in Lieu of Title in order to submit a new plan showing an additional canopy area and pumps for an existing gas station.

o **LOCATION:**

12305 SW 137 Avenue, Miami-Dade County, Florida.

o **SIZE:** 40 Acres

B. ZONING HEARINGS HISTORY:

In 2006, the subject property was granted zone changes from GU, Interim District, to BU-1A, Limited Business District, and to IU-1, Light Industrial Manufacturing District, pursuant to Resolution No. CZAB11-25-06. Additional requests for an unusual use to permit outdoor seating in conjunction with restaurants and lounge/bars in conjunction with restaurants, a special exception of the spacing requirements to permit 3 lounge/bars in conjunction with restaurants in the BU-1A zone, and a reduction in the required number of parking spaces were also approved with conditions. In 2007, a portion of the subject property was granted an approval for a special exception of spacing requirements to permit a liquor package store spaced less than the required 1,500' from other alcoholic beverage uses, pursuant to Resolution #CZAB11-7-07. In 2008, pursuant to Resolution #CZAB11-17-08, a modification to a Declaration of Restrictions, a modification and deletion of resolutions, and a parking variance was granted by Community Zoning Appeals Board 11 (CZAB-11). The approval allowed the applicant to submit new site plans showing a change in use of certain buildings, a building reconfiguration and the addition of a MRI unit. Additionally, the restriction requiring the applicant to adjust the mix of uses in the BU portion was removed, resulting in a parking deficit of 9 spaces. The subject property was also approved for other variances and modifications that are not pertinent.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The 2015 and 2025 Adopted Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the westerly 20± acres of the subject property for **Business and Office**. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services,

call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities such as cell towers and satellite 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 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.

2. The 2015 and 2025 Adopted Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the easterly 20± acres of the subject property for **Industrial and Office**. Manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, and similar uses are permitted in areas designated as "Industrial and Office" on the LUP map. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. The full range of telecommunication facilities, including switching and transmission facilities, satellite telecommunications facilities, microwave towers, radar stations and cell towers is also allowed. Very limited commercial uses to serve the firms and workers in the industrial and office area are allowed dispersed as small business districts and centers throughout the industrial areas. Hotels and motels are also authorized. Freestanding retail and personal service uses and shopping centers larger than 10 acres in size are prohibited in these areas because they would deplete the industrial land supply and they are better located in commercially designated areas and in closer proximity to residential areas. Freestanding retail and personal service uses and shops that are approved in Industrial and Office areas should front on major access roads, particularly near major intersections. In addition, uncommon commercial uses such as amusement uses, and others with unusual siting requirements may also be considered at appropriate locations. Quarrying activities and ancillary uses may also be approved in areas designated Industrial and Office where compatible with the surrounding area and environment. The specific range and intensity of uses appropriate in a particular Industrial and Office area vary by location as a function of the availability of public services and access and, among other factors, compatibility with neighboring development. Through the zoning review process, use of particular sites or areas may be limited to something less than the maximum allowed in this category. Moreover, special limitations may be imposed where necessary to protect environmental resources.

- 3. **Land Use Element Policy LU-4C.** Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic.
- 4. **Land Use Element Policy LU-9B.** Miami-Dade County shall continue to maintain, and enhance as necessary, regulations consistent with the CDMP which govern the use and development of land and which, as a minimum, regulate:
 - i) Land use consistent with the CDMP Land Use Element and CDMP Level of Service Standards;
 - ii) Subdivision of land;
 - iii) Protection of potable water wellfields;
 - iv) Areas subject to seasonal or periodic flooding;
 - v) Stormwater management;
 - vi) Protection of environmentally sensitive lands;
 - vii) Signage; and
 - viii) On-site traffic flow and parking to ensure safety and convenience and that no avoidable off-site traffic flow impediments are caused by development.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

BU1-A and IU-1; shopping center

Business and Office and Industrial and Office

Surrounding Properties:

NORTH: RU-1; Single-family residences

Low-Medium Density, 6 to 13 dua

SOUTH: IU-C; Warehouses

Industrial and Office

EAST: GU; School
IU-C; Warehouses

Industrial and Office

WEST: GU; Kendall-Tamiami Airport

Transportation Terminals

E. SITE AND BUILDINGS:

Site Plan Review:

(Plans submitted.)

Scale/Utilization of Site:

Acceptable

Location of Buildings:

Acceptable

Compatibility:

Acceptable

Landscape Treatment:

Acceptable

Open Space:

Acceptable

Buffering:

Acceptable

Access:	Acceptable
Parking Layout/Circulation:	Acceptable
Urban Design:	N/A

F. PERTINENT REQUIREMENTS/STANDARDS:

33-311(A)(7) Generalized Modification Standards. 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, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection*
Parks	No comment
MDT	No comment
Fire Rescue	No objection
Police	No objection
Schools	No comment
Aviation	No comment

*Subject to the conditions indicated in their memoranda.

H. ANALYSIS:

The subject property is located at 12305 SW 137 Avenue. The western portion of the site is zoned BU-1A, Limited Business District and the eastern portion of the site is zoned IU-1, Light Industrial Manufacturing District. The BU-1A zoned portion of site is a multi-use commercial retail development and the IU-1 portion is the location of the Costco Warehouse. The application has two covenants because a zoning covenant was proffered by the applicant during the 2005 hearing which was subsequently modified in 2007 and 2010. An additional covenant (Covenant Running with the Land in Lieu of Title) was proffered, for permit issuance, in 2007 which maintained the site as one under separate ownership. The approval of the application will allow the applicants to submit a new site plan showing an additional canopy and two additional gas pumps for the existing Costco gas station on the subject property. The site plan submitted depicts the existing gas station with approximately 2,898 square feet of canopy area, located at the northwestern corner of the subject property. The applicants propose to increase the canopy area by 983 square feet to accommodate the two additional pumps. In addition, the request to modify Resolution

CZAB11-17-08 will relocate eleven (11) parking spaces which were located at the northwestern portion of the IU-1 zoned portion of the site. The eleven parking spaces have been dispersed throughout the site, but will not impact the count for the current parking on the site. The 2015 and 2025 Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the western portion (20 acres±) of the subject property for **Business and Office** use, and the eastern portion (20 acres±) for **Industrial and Office** use. The interpretative text of the CDMP titled "Concepts and Limitations of the land Use Plan Map" states that all existing lawful residential and non-residential uses and zoning are consistent with the CDMP. As such, since the approval will not change the zoning uses, the current zoning IU-1 and BU-1A zoning and the commercial and industrial uses are **consistent** with the CDMP.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Miami-Dade County Code. The **Public Works Department (PWD)** has **no objections** to this application. Their memorandum indicates that this project does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned and the application meets traffic concurrency criteria for an Initial Development Order. The **Miami-Dade Fire Rescue Department (MDFR)** Department has **no objections** to this application and their memorandum indicates that the estimated average travel response time is **7:04 minutes**.

The standards under Section 33-311(A)(7) Generalized Modification Standards, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of a previously approved resolution, and to modify or eliminate any provisions of restrictive covenants, or parts thereof, would not generate excessive overcrowding of people, would not tend to provoke a nuisance, would not be incompatible with the area when considering the necessity for and reasonableness of the modification or elimination in relation to the present and future development of the area. When requests #1 through #3 are analyzed, staff opines that the approval of the modifications would not generate excessive traffic and would not be contrary to the public interest. Requests #1 through #3 will allow the applicants to submit a new site plan to show additional canopy area and pumps for the Costco gas station on the IU-1 zoned portion of the site. In staff's opinion, the revised plans, as proposed, will not affect the area or the existing commercial retail uses on the site. As previously mentioned, the parking count is not affected by the change and the site plan depicts 20 more parking spaces than required. The reconfiguration of the parking spaces was achieved by restriping existing parking spaces from 10' to 9'. As previously mentioned, the revised plans also indicate that the applicant proposes to relocate 11 parking spaces within the subject property which will increase the pervious area surrounding the gas station from 3,126 sq. ft. to 3,154 sq. ft. , but will not affect the parking counts for the development. Furthermore, while the new site plan depicts the relocation of trees and shrubs within the site, the applicant has provided adequate landscaping to mitigate any potential negative visual impacts. Based on all of the aforementioned, staff is of the opinion that approval of requests #1 through #3 would be **compatible** with the surrounding commercial, industrial and residential uses. Therefore, staff recommends approval with conditions of requests #1 through #3 under Section 33-311(A)(7) (Generalized Modification Standards).

Accordingly, staff recommends approval with conditions of requests #1 through #3 under Section 33-311(A)(7) (Generalized Modification Standards).

I. RECOMMENDATION:

Approval with conditions.

J. CONDITIONS:

1. That all the conditions of Resolution #CZAB11-25-06 and #CZAB11-17-08 remain in full force and effect except as herein modified.
2. That the applicant submit a revised Declaration of Restrictions to the Department of Planning and Zoning within 90 days of the approval of this application, unless a time extension is granted by the Director of Planning and Zoning for good cause shown.

DATE TYPED: 12/21/09

DATE REVISED: 12/25/09, 1/29/10, 2/1/10, 2/4/10, 2/10/10, 2/25/10

DATE FINALIZED:

MCL:GR:JV:CH:CI



Marc C. LaFerrier, AICP, Director
Miami-Dade County Department of
Planning and Zoning

NDN
GR

Memorandum



Date: September 8, 2009
To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management

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

Subject: C-11 #Z2009000124
Costco Wholesale Corp. and W.M.D. London Square LLC
12305 S.W. 137 Avenue
Modification of a Previous Resolution to Submit a New Site Plan for a
Gas Canopy Addition and Reconfiguration of Parking
(IU-1) (40 Acres)
14-55-39

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same 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.

Wetlands

The subject properties do 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.

Natural Forest Communities

The subject properties are located adjacent to a county designated Natural Forest Community (NFC). NFC's are upland natural areas (Pine Rockland and Hardwood Hammocks) that, meet one or more of the following criteria: the presence of endangered, threatened, rare or endemic species; low percentage of site covered by exotic plant species; high overall plant diversity; wildlife habitat values; and geological features. This NFC will be maintained by the use of periodic ecological prescribed burning. This management technique reduces the wildfire threat and is beneficial to wildlife and the rare plant species harbored by this plant community. Such burning is generally performed once every three years. The subject properties lie within the potential smoke dispersion corridor. Consequently, the subject properties may be affected by the periodic smoke events from the prescribed burns or unexpected wildfires. According to the landscape code for Miami-Dade County, controlled species may not be planted within 500 feet of the native plant community. Please refer to the Landscape Manual of the Department of Planning and Zoning for a list of these controlled landscaping plants.

Tree Preservation

The subject properties contain tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of Chapter 24. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

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

The applicant is advised to contact DERM staff for additional information regarding permitting procedures and requirements prior to site development.

Enforcement History

DERM has found no open or closed enforcement records for the subject property.

Hazardous Materials Management

Due to the nature of uses allowed in the existing zoning classification, the applicant may be required to obtain DERM approval for management practices to control the potential discharge and spillage of pollutants associated with some land uses permitted in the underlying zoning district. The applicant is advised to contact the Permitting Section of DERM's Pollution Regulation and Enforcement Division, at (305) 372-6600 concerning management practices as relate to the handling of hazardous materials.

Operating Permits

Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that due to the nature of some land uses permitted under the existing zoning classification, operating permits from DERM may be required. The Permitting Section of DERM's Pollution Regulation and Enforcement Division may be contacted at (305) 372-6600 for further information concerning operating requirements.

Fuel Storage Facilities

Section 24-45 of the Code outlines regulations for any proposed or existing underground storage facilities. The regulations provide design, permitting, installation, modification, repair, replacement and continuing operation requirements and criteria. In addition, monitoring devices, inventory control practices and pressure testing of fuel storage tanks is required. The applicant is advised to contact the Permitting Section of DERM's Pollution Regulation and Enforcement Division, at (305) 372-6600 concerning permitting requirements for fuel storage facilities.

Concurrency Review Summary

DERM has conducted a concurrency review 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 DERM's written approval, as required by the Code.

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

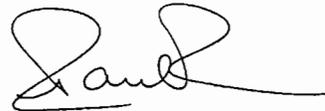
PH# Z2009000124
CZAB - C11

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: COSTCO WHOLESALE CORP & WMD LONDON SQUARE LLC

This Department has no objections to this application.

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



Raul A Pino, P.L.S.

09-OCT-09



Memorandum

Date: 29-JAN-10
To: Marc LaFerrier, Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2009000124

Fire Prevention Unit:

APPROVAL
 No objection to Letter of Intent date stamped 8/17/09

Service Impact/Demand

Development for the above Z2009000124
 located at 12305 SW 137 AVE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 1952 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
 The estimated average travel time is: 7:04 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
 Station 53 - Turnpike - 11600 SW Turnpike Hwy.

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: 06-JAN-10

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

COSTCO WHOLESALE CORP &
WMD LONDON SQUARE LLC

12305 SW 137 AVE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2009000124

HEARING NUMBER

HISTORY:

Current case history;

Case 201002000176 was opened based on enforcement history request for all folios involved and inspected on 1-6-10. No violations were observed and case was closed.

Previous case history;

Case 200902006199 was opened based on enforcement history request and inspected on 2-18-09. No violations were observed and the case was closed.

Case 200902001692 was opened based on enforcement history request and inspected on 5-14-09. No violations were observed and the case was closed.

There was various sign violation cases opened and issued warning notices under folio 30-5914-127-0010 for various tenants under the main folio for the property. All of these cases are closed in compliance. Cases 200902000601 (CVN T001337) and 1682 (T001315) were cited and these cases are also closed in compliance with the citations paid and closed in the Clerk of Court.

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

REPORTER NAME:

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: Costco Wholesale Corporation

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>The Shares of the Applicant are publicly traded on the NASDAQ</u>	<u></u>
<u>exchange under the symbol "COST"</u>	<u></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>N/A</u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></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>N/A</u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></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

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209124
8/18/09
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
REV.

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

N/A	

Date of contract: _____

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

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

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

Signature: _____
(Applicant)

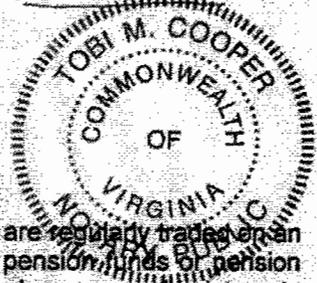
County of Loudoun State of Virginia

Sworn to and subscribed before me this 17 day of April, 20 09. Affiant is personally known to me or has produced _____ as identification.

Tobi M. Cooper
(Notary Public)

COMMISSION # 297834

My commission expires: April 30, 2012



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

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8/18/09

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

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: WMD London Square, L.L.C.

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

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: N/A

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

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

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

NAME OF PURCHASER: N/A

NAME ADDRESS AND OFFICE (if applicable)	Percentage of Interest

Date of contract: _____

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

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.

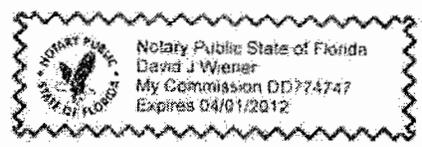
The above is a full disclosure of all parties of interest in his application to the best of my knowledge and belief.

Signature: [Signature] (Lawrence Bernick, Vice President)
(Applicant)

Sworn to and subscribed before me this ^{29th} day of DECEMBER, 2009. Affiant is personally known to me ~~or has produced~~ as identification.

[Signature]
(Notary Public)

My commission expires 4/1/12



*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 a other 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 percent (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.

Interests in Woolbright Holdings, LLC

	Percentage of Interest
Duane Stiller 3200 North Military Trail Fourth Floor Boca Raton Florida 33431	100%

Interests in London Square Retail, LLC

	Percentage of Interest
Principal Life Insurance Company for its Principal U.S. Property Separate Account. 711 High Street Des Moines, IA 50392	100%

Interests in Principal Life Insurance Company

	Percentage of Interest
Principal Financial Services, Inc., 711 High Street Des Moines, IA 50392	100%

Interests in Principal Financial Services, Inc.

	Percentage of Interest
Principal Financial Group, Inc., A publicly traded corporation 711 High Street Des Moines, IA 50392	100%

Interests in WMD London Square. LLC

	Percentage of Interest
WMD London Square Member, LLC 3200 North Military Trail Fourth Floor Boca Raton Florida 33431	90%
London Square Retail, LLC 3200 North Military Trail Fourth Floor Boca Raton Florida 33431	10%

Interests in WMD London Square Member. LLC

	Percentage of Interest
Woolbright London Square Member, LLC 3200 North Military Trail Fourth Floor Boca Raton Florida 33431	100%

Interests in Woolbright London Square Member. LLC

	Percentage of Interest
Woolbright London Delaware, LLC 3200 North Military Trail Fourth Floor Boca Raton Florida 33431	100%

Interests in Woolbright London Delaware. LLC

	Percentage of Interest
Woolbright Holdings, LLC 3200 North Military Trail Fourth Floor Boca Raton Florida 33431	100%

LIMITS OF COSTCO PARCEL

S03°34'08"E 935.41'

EXISTING BUILDING

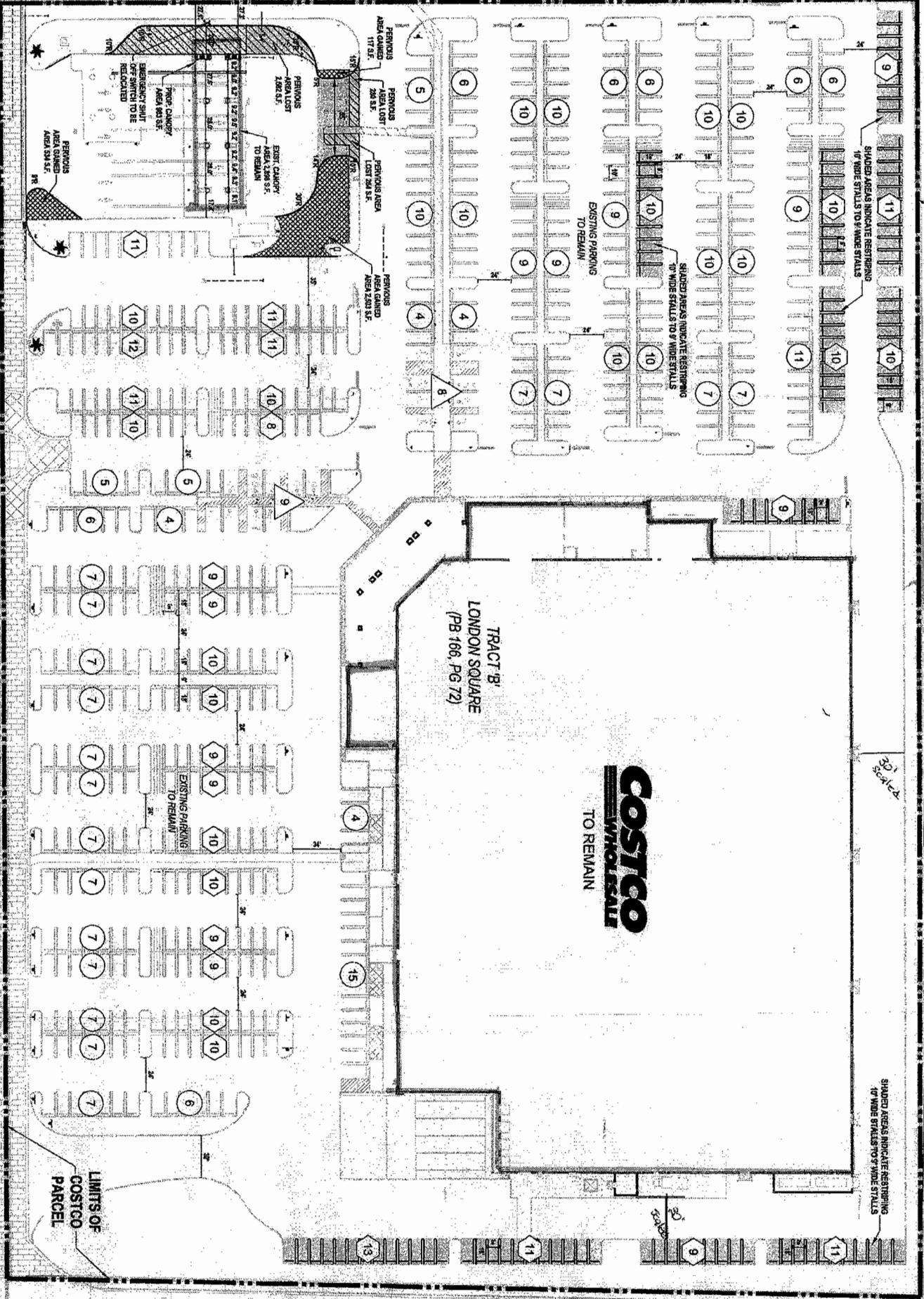
EXISTING BUILDING

(PB 120, PG 94)

S86°25'52"W 661.22'

LONDON SQUARE (PB 166, PG 72)

ING RAINT



ENLARGE SITE PLAN

TRACT A LONDON SQUARE (PB 166, PG 72)

TRACT B LONDON SQUARE (PB 166, PG 72)

COSTCO
WHOLESALE
TO REMAIN

LIMITS OF COSTCO PARCEL

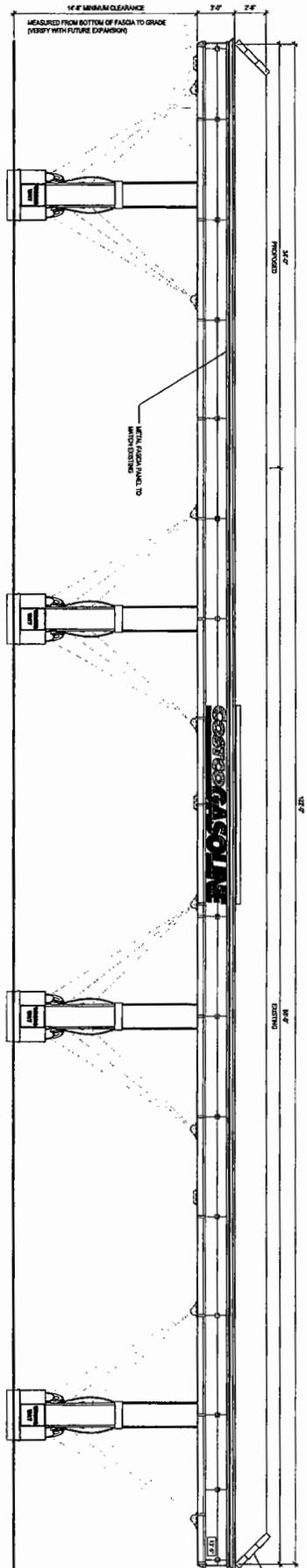
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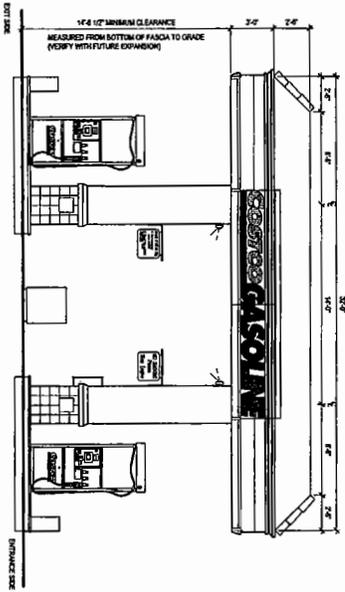
CONCRETE

EXISTING ANCHOR/REINFORC

ee



NORTH & SOUTH ELEVATIONS
SCALE: 1/4" = 1'-0"



EAST & WEST ELEVATIONS
SCALE: 1/4" = 1'-0"

COSTCO WHOLESALE
KENDALL, FLORIDA

CONCEPT ELEVATIONS

FEBRUARY 02, 2009

8/18/09

DD4.01-01

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CONCEPT ELEVATIONS
FEBRUARY 2, 2009

05-0239-04
FEBRUARY 2, 2009

MULTIVANNY.COM

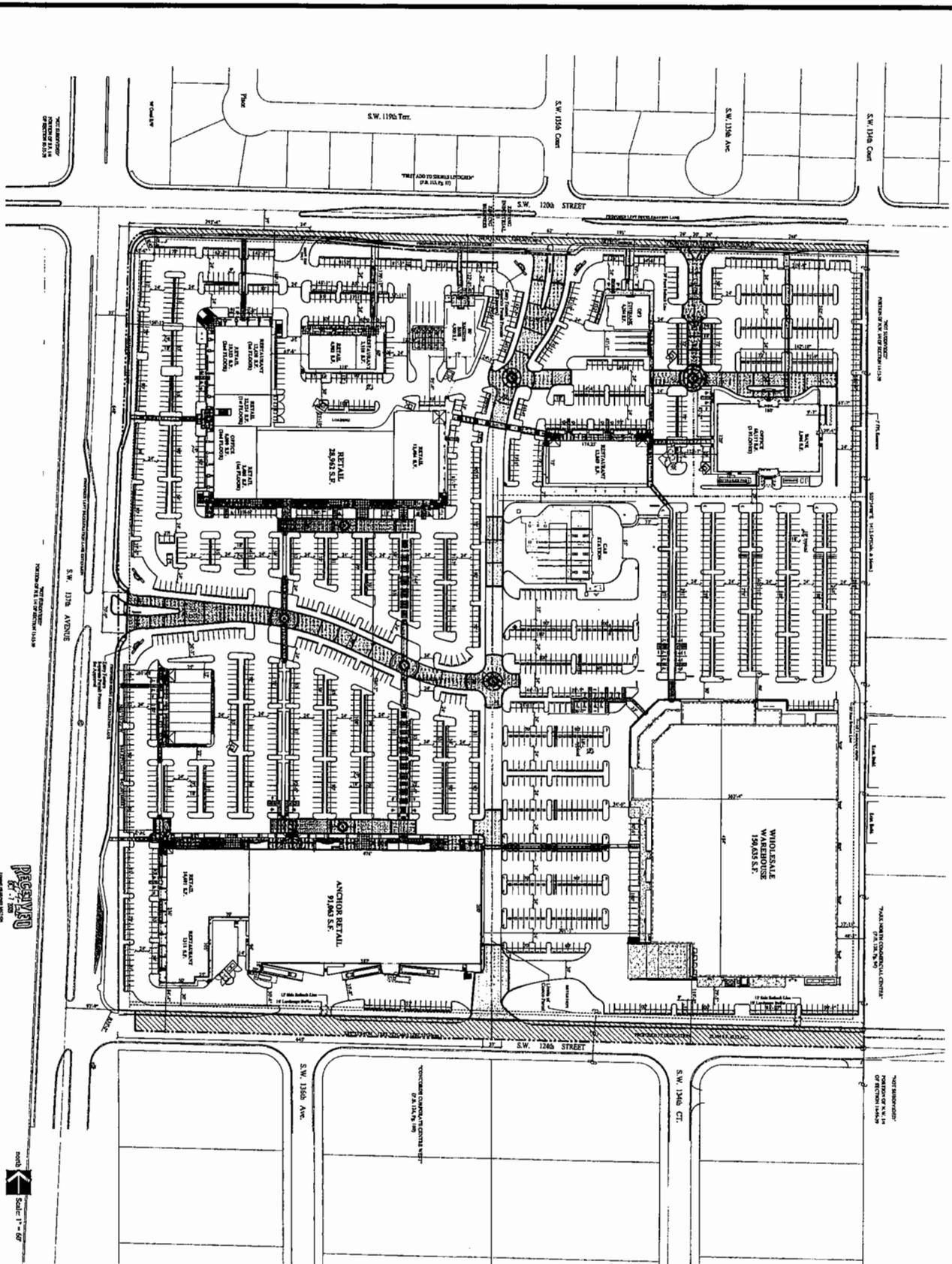
1110 STRANGE RD | SUITE 500
MELBOURNE, FL 32901
TEL: (407) 321-1100
WWW.MULTIVANNY.COM

MULTIVANNY
G2

13450 SW 130TH STREET
KENDALL, FL

COSTCO
GASOLINE
KENDALL, FL
#1023

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10/7/09

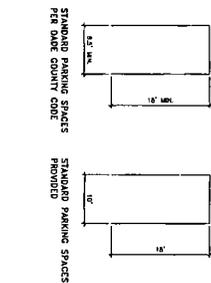
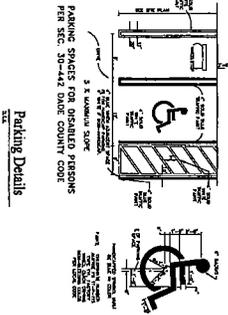
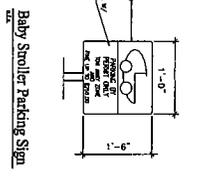
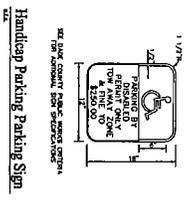
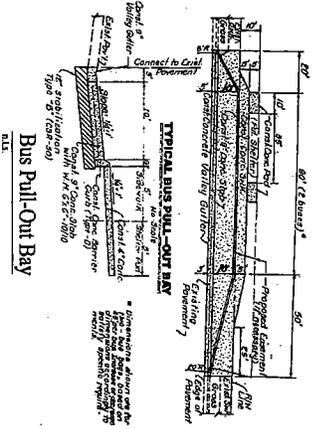
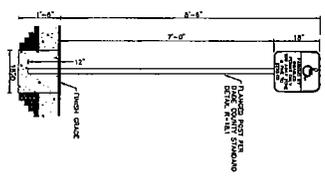
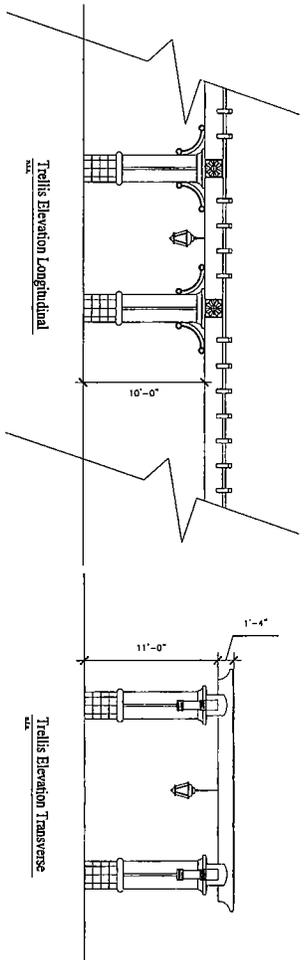
PREPARED BY

Scale: 1" = 60'

<p>SP-1 SHEET 1 OF 2</p>	<p>DATE: 10/7/09</p>	<p>PROJECT: LONDON SQUARE</p>	<p>SCALE: 1" = 60'</p>	<p>DATE: 10/7/09</p>	<p>PROJECT: LONDON SQUARE</p>	<p>SCALE: 1" = 60'</p>	<p>DATE: 10/7/09</p>	<p>PROJECT: LONDON SQUARE</p>	<p>SCALE: 1" = 60'</p>
	<p>DATE: 10/7/09</p>	<p>PROJECT: LONDON SQUARE</p>	<p>SCALE: 1" = 60'</p>	<p>DATE: 10/7/09</p>	<p>PROJECT: LONDON SQUARE</p>	<p>SCALE: 1" = 60'</p>	<p>DATE: 10/7/09</p>	<p>PROJECT: LONDON SQUARE</p>	<p>SCALE: 1" = 60'</p>

Public Hearing Site Plan
London Square
 SW 137th Avenue
 Miami-Dade County, Florida





MASTER SITE SYNOPSIS

USE	AREA (SQ. FT.)	AREA (SQ. YD.)	PERCENTAGE OF TOTAL AREA
RESIDENTIAL	1,200,000	137,778	12.5%
COMMERCIAL	8,000,000	925,926	83.5%
TOTAL	9,200,000	1,063,704	100%

BUSINESS #1 SYNOPSIS				INDUSTRIAL #1 SYNOPSIS			
USE	AREA (SQ. FT.)	AREA (SQ. YD.)	PERCENTAGE OF TOTAL AREA	USE	AREA (SQ. FT.)	AREA (SQ. YD.)	PERCENTAGE OF TOTAL AREA
OFFICE	1,200,000	137,778	12.5%	WAREHOUSE	1,200,000	137,778	12.5%
RETAIL	8,000,000	925,926	83.5%	MANUFACTURING	8,000,000	925,926	83.5%
TOTAL	9,200,000	1,063,704	100%	TOTAL	9,200,000	1,063,704	100%

PROPERTY LEGAL DESCRIPTION

THE NORTHWEST 1/4 OF THE NEQUIN 1M, LESS THE NORTH 53.00 FEET TRUCKWAY FOR NORTH-WEST PARTS OF SECTION 14, TOWNSHIP 33 SOUTH, RANGE 28 EAST, DADE COUNTY, FLORIDA, LESS THE REMAINING UNDEVELOPED PORTION OF SAID SECTION 14, OF THE NORTHWEST 1/4 OF THE NEQUIN 1M, LESS THE NORTH 53.00 FEET TRUCKWAY FOR NORTH-WEST PARTS OF SECTION 14, TOWNSHIP 33 SOUTH, RANGE 28 EAST, DADE COUNTY, FLORIDA, MORE OR LESS ACCORDING TO RECORDS OF SAID COUNTY.

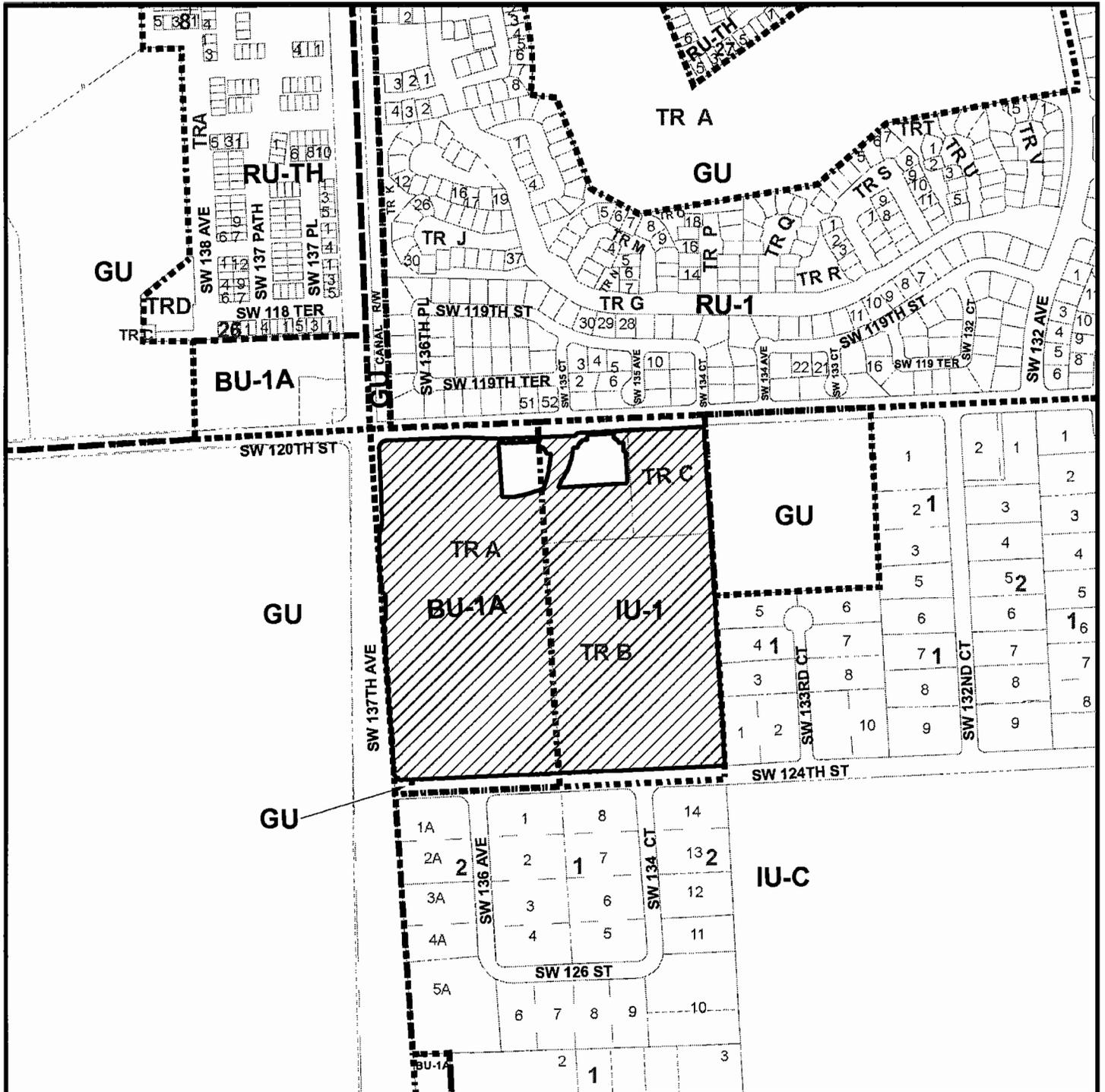
1077109

SP-2
Sheet 2 of 2

Public Hearing Site Details
London Square
 SW 137th Avenue
 Miami-Dade County, Florida

DATE: 10/10/10
 DRAWN BY: [Name]
 CHECKED BY: [Name]

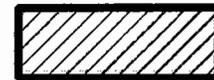
ARCHITECTURAL ALLIANCE
 10000 SW 137th Avenue, Suite 100
 Miami, FL 33186
 (305) 555-1111



**MIAMI-DADE COUNTY
HEARING MAP**

Process Number
09-124

Section: 14 Township: 55 Range: 39
 Applicant: COSTCO WHSLE. CORP. & WMD LONDON SQ. LLC
 Zoning Board: C11
 Commission District: 09
 Drafter ID: KEELING
 Scale: NTS
 ----- Zoning

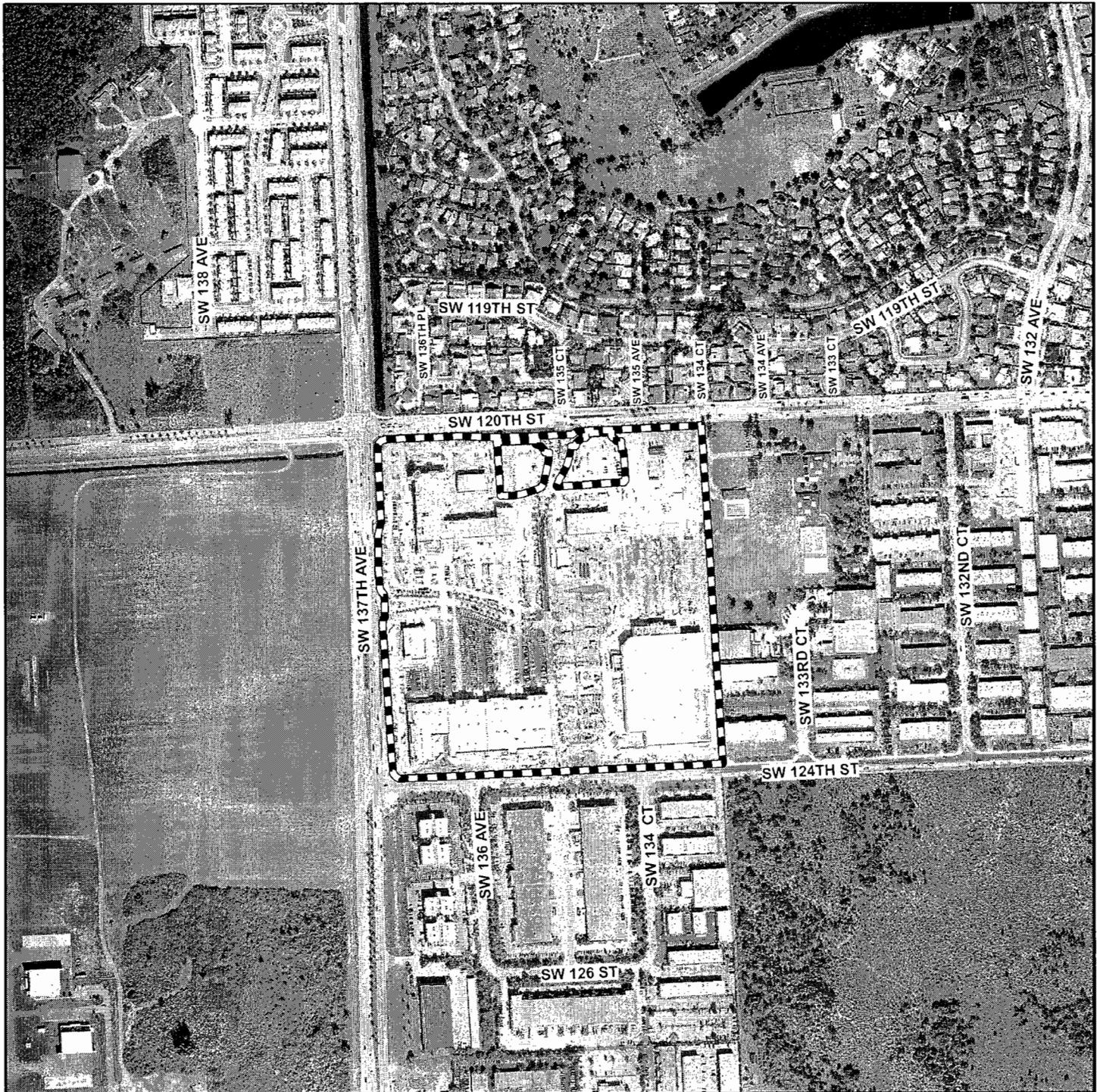


SUBJECT PROPERTY



SKETCH CREATED ON: 08/26/09

REVISION	DATE	BY
		28



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number
09-124

Section: 14 Township: 55 Range: 39
 Applicant: COSTCO WHSLE. CORP. & WMD LONDON SQ. LLC
 Zoning Board: C11
 Commission District: 09
 Drafter ID: KEELING
 Scale: NTS
 ----- Zoning



SUBJECT PROPERTY



SKETCH CREATED ON: 08/26/09

REVISION	DATE	BY

3. ELADIO PAEZ
(Applicant)

10-3-CZ11-3 (09-145)
Area 11/District 10
Hearing Date: 03/23/10

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	Centex Homes Corp. & City of Miami water and sewer.	- Zone change from GU to RU-1 - Zone change from GU to RU-TH - Zone change from GU to RU-4L - Zone change from GU to BU-1A	BCC	Approved w/conds.

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.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 11**

APPLICANT: Eladio Paez

PH: Z09-145 (10-3-CZ11-4)

SECTION: 35-54-39

DATE: March 23, 2010

COMMISSION DISTRICT: 10

ITEM NO.: 3

A. INTRODUCTION:

o **REQUESTS:**

- (1) Applicant is requesting to permit a covered terrace addition to a single-family residence setback 13.3' (25' required) from the rear (southeast) property line.
- (2) Applicant is requesting to permit a shed setback a minimum of 4.7' (5' required) from the interior side (southwest) property line and setback 61' (75' required) from the front (northwest) property line and spaced 0' (10' required) from the residence.
- (3) Applicant is requesting to permit a fence and columns with light fixtures with a height of 7.5' (6' maximum permitted).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "As Built Garage Conversion for Mr. & Mrs. Paez," as prepared by E.C. & Associates, dated stamped received 1/5/10 and consisting of 1 sheet. Plans may be modified at public hearing.

- o **SUMMARY OF REQUESTS:** The applicant is requesting to permit an existing covered terrace addition encroaching into the rear (southeast) setback area. Additionally, the applicant seeks to permit an accessory structure setback closer to the interior side (southwest) and front (northwest) property lines and spaced closer to the principal residence than permitted by the Zoning Code along with a fence with column and fixtures which exceeds the maximum height allowed in the RU-TH, Townhouse district.

- o **LOCATION:** 13300 SW 79 Street, Miami-Dade County, Florida.

- o **SIZE:** 95.76' x 100'

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential** use. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. This density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

RU-TH; Single-family residence

Low Density Residential, 2.5 to 6 du

Surrounding Properties:

NORTH: RU-1; Single-family residence

Low Density Residential, 2.5 to 6 du

SOUTH: RU-TH; Single-family residences

Low Density Residential, 2.5 to 6 du

EAST: RU-TH; public school

Low Density Residential, 2.5 to 6 du

WEST: RU-TH; Single-family residence

Low Density Residential, 2.5 to 6 du

E. SITE AND BUILDINGS:

Site Plan Review:

(Site plan submitted.)

Scale/Utilization of Site:

Acceptable

Location of Buildings:

Acceptable

Compatibility:

Acceptable*

Landscape Treatment:

N/A

Open Space:

Acceptable

Buffering:

Acceptable

Access:

Acceptable

Parking Layout/Circulation:

N/A

Visibility/Visual Screening:

Acceptable

Urban Design:

N/A

* Subject to conditions.

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(4)(b) Non-Use Variances from other than airport regulations.

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.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection
Parks	No objection
MDT	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment

*Subject to conditions indicated in their memorandum.

H. ANALYSIS:

Approval of the application would allow the applicant the maintenance and continued use of the existing covered terrace addition to the single-family residence, an accessory structure a fence and a column. The subject property is designated for **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). Because the proposal will not add additional dwelling units to the property, the RU-TH, Townhouse District, zoned subject property is **consistent** with the LUP Map designation of the CDMP.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. The **Public Works Department** and the **Miami-Dade Fire Rescue Department (MDFRD)** also have **no objections** to this application and MDFRD indicates in their memorandum that the estimated average response travel time is **6:27** minutes.

When analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard, staff is of the opinion that the approval of requests #1 through #3 would be **compatible** with the surrounding area, would not negatively affect the stability and appearance of the community, and would not be detrimental to the neighborhood. The approval of request #1, to permit the existing terrace addition setback 13.3' (25' required) from the rear (southeast) property line is not excessive and will not affect the stability and appearance of the community. Staff's research of properties in the surrounding area indicated that a property located westerly of the subject property at 13470 SW 78 Street was, among other things, approved to permit a porch and bathroom addition setback from 11' 3" to 18' 5" from the rear (south) property line, pursuant to Resolution #CZAB11-23-06, in June 2006. As such, staff opines that approval of the aforementioned request is not precedent setting and would not be out of character with the surrounding area. However, staff recommends as a condition for approval that the existing covered terrace remains open-sided and not be enclosed except by approved insect screening materials.

Similarly, when request #2, to permit the existing shed setback a minimum of 4.7' (5' required) from the interior side ((southwest) and 61' (75' required) from the front (northwest) property lines, and spaced 0' (10' required) from the principal residence, and request #3, to permit a fence and columns with light fixtures with a height of 7.5' (6' maximum permitted) are analyzed under the NUV Standards, staff opines that approval

of these requests would also not affect the stability and appearance of the surrounding properties. Staff's research of properties in the surrounding area indicated that a property at 7450 SW 134 Court, was approved, among other things, to allow a metal shed setback 1.2' from the from the interior side (west) property line, pursuant to Resolution #CZAB11-29-99, in July 1999. However, although staff's research of properties in the surrounding area did not indicate any properties that were similarly approved to allow accessory structures spaced 0' from the principal buildings, as is the case in request #2, staff opines that approval of this request will not have a negative impact on the surrounding properties, nor negatively affect the stability and appearance of the community. Staff opines that the continuous hedge along the interior side (southwest) and rear (southeast) property lines, along with an opaque gate and fence, approximately 6' tall, running from the interior side (southwest) property line to the front northwest corner of the principal building, as indicated in pictures submitted by the applicant, are sufficient to buffer any negative visual impact of the setback encroachment and the lack of spacing. Further, staff opines that the additional 1.6' in height of the decorative column and light fixtures connected to the aforementioned fence, which are the subject of request #3, is minimal and also, will not affect the appearance of the community. Staff opines that both the column and the fixture will instead increase the curb appeal of the single-family residence. Therefore, staff recommends approval with conditions of requests #1 through #3 under Section 33-311(A)(4)(b) (NUV).

Based on all of the foregoing, staff opines that the approval of the application would not be out of character with the area and is **compatible** with same. Accordingly, staff recommends approval with conditions under Section 33-311(A)(4)(b) (NUV).

I. RECOMMENDATION:

Approval with conditions.

J. CONDITIONS:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "As Built Garage Conversion for Mr. & Mrs. Paez," as prepared by E.C. & Associates, dated stamped received 1/5/10 and consisting of 1 sheet. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant applies for and secure a building permit for all of the existing non-permitted additions to the single-family residence from the Building

Department within 120 days of the expiration of the appeal period for this public hearing, unless a time extension is granted by the Director of the Department of Planning and Zoning, for good cause shown.

5. That the covered terrace remains open-sided and not be enclosed in any manner except for approved insect screening materials.
6. That the applicant maintains the hedge along the interior side (southwest) and rear (southeast) property lines and a maximum height of 7'.
7. That the applicant shall cure all enforcement reported violations of Miami-Dade County following the expiration of the appeal period within the deadlines given below unless a time extension is granted by the Director of the Department of Planning and Zoning for good cause:
 - A. Zoning certificate of use violation 30 days
 - B. Zoning Improvement Permit violation 45 days
 - C. Building permit violation 60 days to obtain a permit and 90 days to correct the violation.
8. That the applicant shall pay any outstanding enforcement penalties in full or enter into a settlement and payment plan, in accordance with the appropriate Departments' procedure within 30 days of the zoning hearing approval shown.

DATE INSPECTED: 10/20/09
DATE TYPED: 02/01/10
DATE REVISED: 02/01/10, 02/10/10
DATE FINALIZED: 02/24/10
MCL:GR:NN:JV:AA:CH



Marc C. LaFerrier, AICP, Director
Miami-Dade County Department of
Planning and Zoning

J.V.
GR

Memorandum



Date: November 3, 2009
To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management

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

Subject: C-11 #Z2009000145
Eladio Paez
13300 S.W. 79th Street
To Permit an Existing Addition that Exceeds Setback Requirements
(RU-TH) (0.22 Acres)
35-54-39

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

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

Enforcement History

DERM has found no open or closed enforcement records for the subject property.

Concurrency Review Summary

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable Level of Service (LOS) standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan 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 DERM's written approval, as required by the Code.

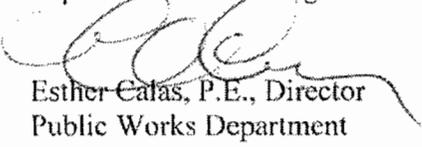
If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

Memorandum



Date: November 26, 2008

To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

From:  Esther Calas, P.E., Director
Public Works Department

Subject: Zoning Hearing Improvements

In order to enhance the efficiency of the zoning review process for public hearings, your Department requested that Public Works Department (PWD) provide standard "bypass" comments for some residential applications. These applications will be limited to single family residences, townhouses and duplexes, where the applicant seeks zoning hearing relief for a customary residential use, on previously platted lots. The following applications for public hearings could "bypass" the PWD review:

- Applications requesting setback variances
- Applications requesting variance on lot frontage
- Applications requesting variance on lot area
- Applications requesting greater lot coverage than permitted by Code
- Applications requesting additions to an existing structure

Pursuant to Sec. 33-24 of the Miami-Dade County Code, for those applications where a structure encroaches onto an easement, the applicant must secure from the easement owner a written statement that the proposed use will not interfere with owner's reasonable use of the easement.

Please contact Mr. Raul Pino, P.L.S., Chief, Land Development Division, at (305) 375-2112, if you have any questions.

cc: Antonio Cotarelo, P.E., Assistant Director
Public Works Department

Raul Pino, P.L.S., Chief
Land Development Division

Leandro Rodriguez

Memorandum



Date: 09-NOV-09
To: Marc LaFerrier, Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2009000145

Fire Prevention Unit:

Not applicable to Fire Engineering & Water Supply Bureau site requirements.

Service Impact/Demand

Development for the above Z2009000145
 located at 13300 SW 79 ST, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 1783 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: 6:27 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
 Station 57 - West Kendall - 8501 SW 127 Avenue
 Rescue, Battalion, Squad

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.

TEAM METRO

ENFORCEMENT HISTORY

ELADIO PAEZ

13300 SW 79 ST, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2009000145

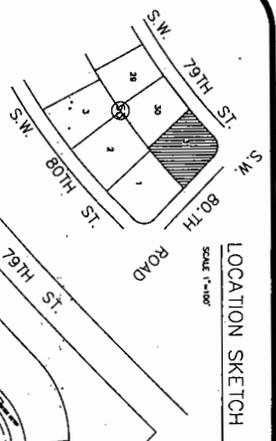
HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

NO CURRENT ENFORCEMENT VIOLATIONS OBSERVED

ELADIO PAEZ

ANA LANTIGUA

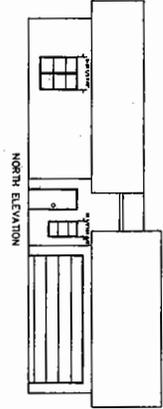
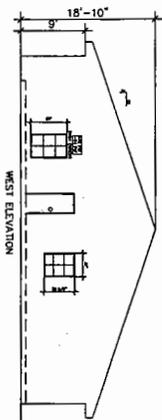
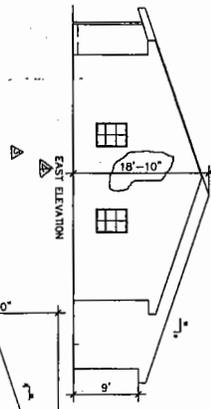
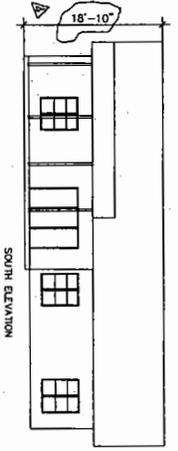
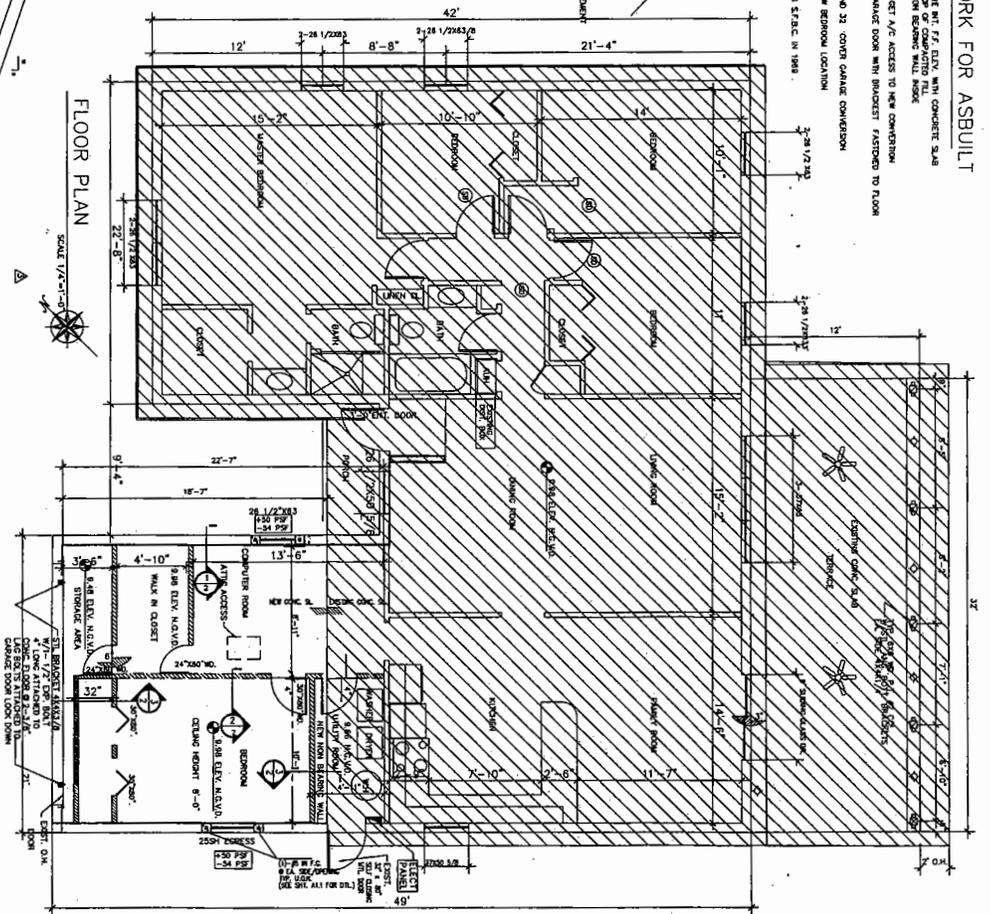


LEGAL DESCRIPTION
 LOT 21, BLOCK 23, SUBDIVISION WESTERN HAVEN UNIT EIGHTEN, ACCORDING TO THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AS SHOWN ON PLAT 111,857, 111,858, 111,859, 111,860, 111,861, 111,862, 111,863, 111,864, 111,865, 111,866, 111,867, 111,868, 111,869, 111,870, 111,871, 111,872, 111,873, 111,874, 111,875, 111,876, 111,877, 111,878, 111,879, 111,880, 111,881, 111,882, 111,883, 111,884, 111,885, 111,886, 111,887, 111,888, 111,889, 111,890, 111,891, 111,892, 111,893, 111,894, 111,895, 111,896, 111,897, 111,898, 111,899, 111,900, 111,901, 111,902, 111,903, 111,904, 111,905, 111,906, 111,907, 111,908, 111,909, 111,910, 111,911, 111,912, 111,913, 111,914, 111,915, 111,916, 111,917, 111,918, 111,919, 111,920, 111,921, 111,922, 111,923, 111,924, 111,925, 111,926, 111,927, 111,928, 111,929, 111,930, 111,931, 111,932, 111,933, 111,934, 111,935, 111,936, 111,937, 111,938, 111,939, 111,940, 111,941, 111,942, 111,943, 111,944, 111,945, 111,946, 111,947, 111,948, 111,949, 111,950, 111,951, 111,952, 111,953, 111,954, 111,955, 111,956, 111,957, 111,958, 111,959, 111,960, 111,961, 111,962, 111,963, 111,964, 111,965, 111,966, 111,967, 111,968, 111,969, 111,970, 111,971, 111,972, 111,973, 111,974, 111,975, 111,976, 111,977, 111,978, 111,979, 111,980, 111,981, 111,982, 111,983, 111,984, 111,985, 111,986, 111,987, 111,988, 111,989, 111,990, 111,991, 111,992, 111,993, 111,994, 111,995, 111,996, 111,997, 111,998, 111,999, 112,000.

SITE PLAN
 SCALE 1"=20'

LEGEND
 [Hatched Pattern] NEW PARTITION WALL
 [Dotted Pattern] EXISTING AREA

- SCOPE OF WORK FOR ASBUILT**
1. REMOVE GARAGE FLOOR TO THE FIN. F.F. ELEV. WITH CONCRETE SLAB
 2. REPAIR WITH REINFORCED CONCRETE ON TOP OF CONCRETE FILL
 3. NEW PARTITION WALLS AND NEW SCHEMATIC WALLS
 4. NEW DOORS 10' AND 8' TO GET A/C ACCESS TO NEW CONVERSION
 5. LOCK DOWN THE DINING GARAGE DOOR WITH BRACKET FASTENED TO FLOOR
 6. NEW ELECTRICAL, C/W 20 AND 22' COVER GARAGE CONVERSION
 7. NEW EXCESS WINDOW AT NEW BEDROOM LOCATION
 8. NEW HOUSE WAS BUILT AS PER S.F.A.C. IN 1988.



RECEIVED
 JAN 05 2010

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

RECEIVED
 1 OF 2

DESIGNED BY: [Signature]
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 DATE: 11/09/05

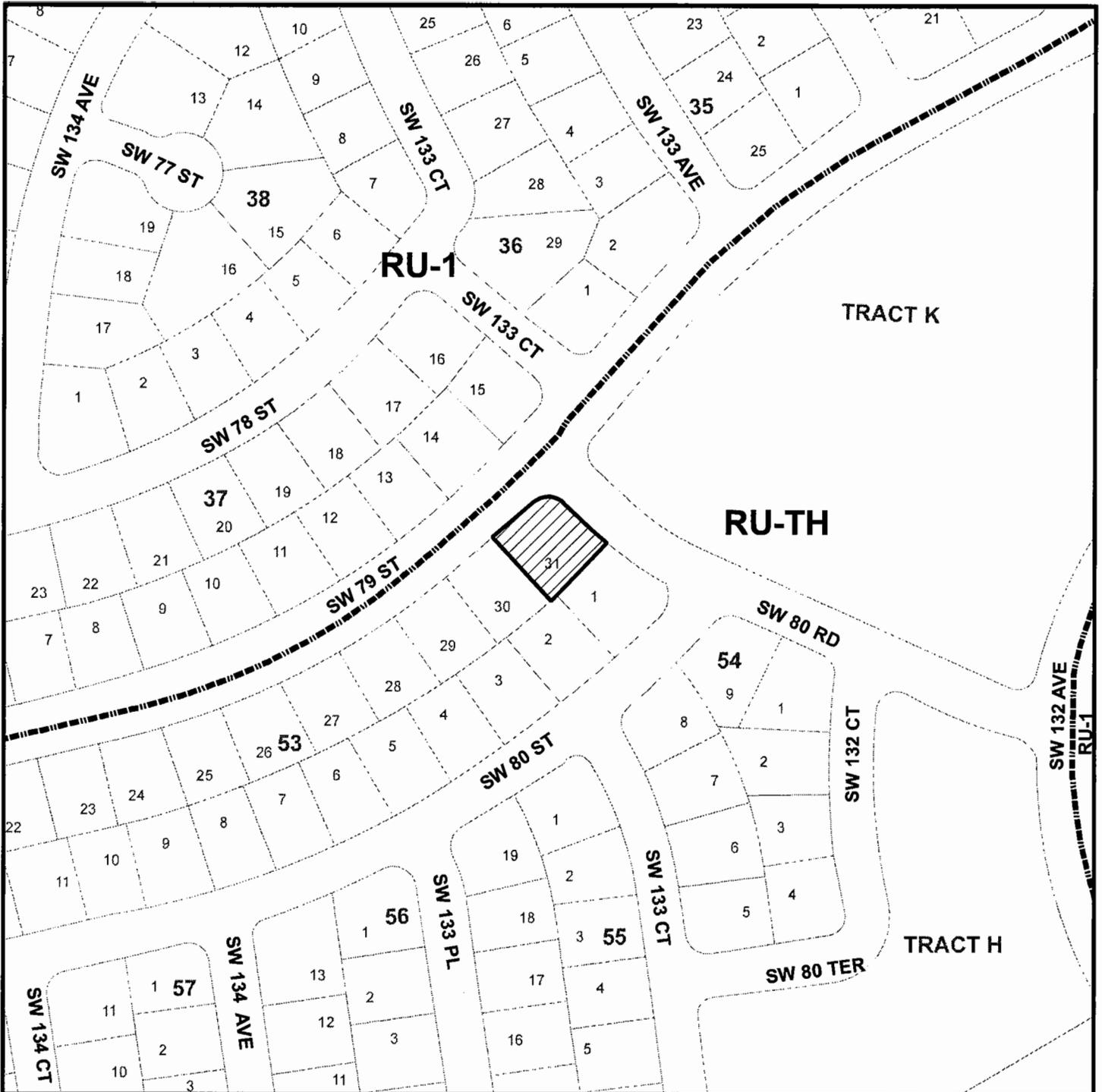
EC
 ENGINEERING CONSULTANTS

PROJECT NAME AND ADDRESS:
AS BUILT GARAGE CONVERSION FOR MR. & MRS. PAEZ RESIDENCE
 CLIENT NAME AND ADDRESS:
 13300 SW 79TH STREET
 MIAMI, FLORIDA, 33183

DESIGN BY: E.C.
 DRAWN BY: J.H.
 NO. 02/20/06
 DATE: 11/09/05

14811 SW 80th Lane
 Suite 100
 Miami, FL 33143-2788
 Phone: 305-448-1284
 Fax: 305-448-1284
 Email: info@ec-engineers.com

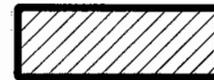
EC & Associates
 Consulting Civil
 Structural
 Engineers
 E.B. 06576



**MIAMI-DADE COUNTY
HEARING MAP**

Process Number
09-145

Section: 35 Township: 54 Range: 39
 Applicant: ELADIO PAEZ
 Zoning Board: C11
 Commission District: 10
 Drafter ID: KEELING
 Scale: NTS
 ----- Zoning

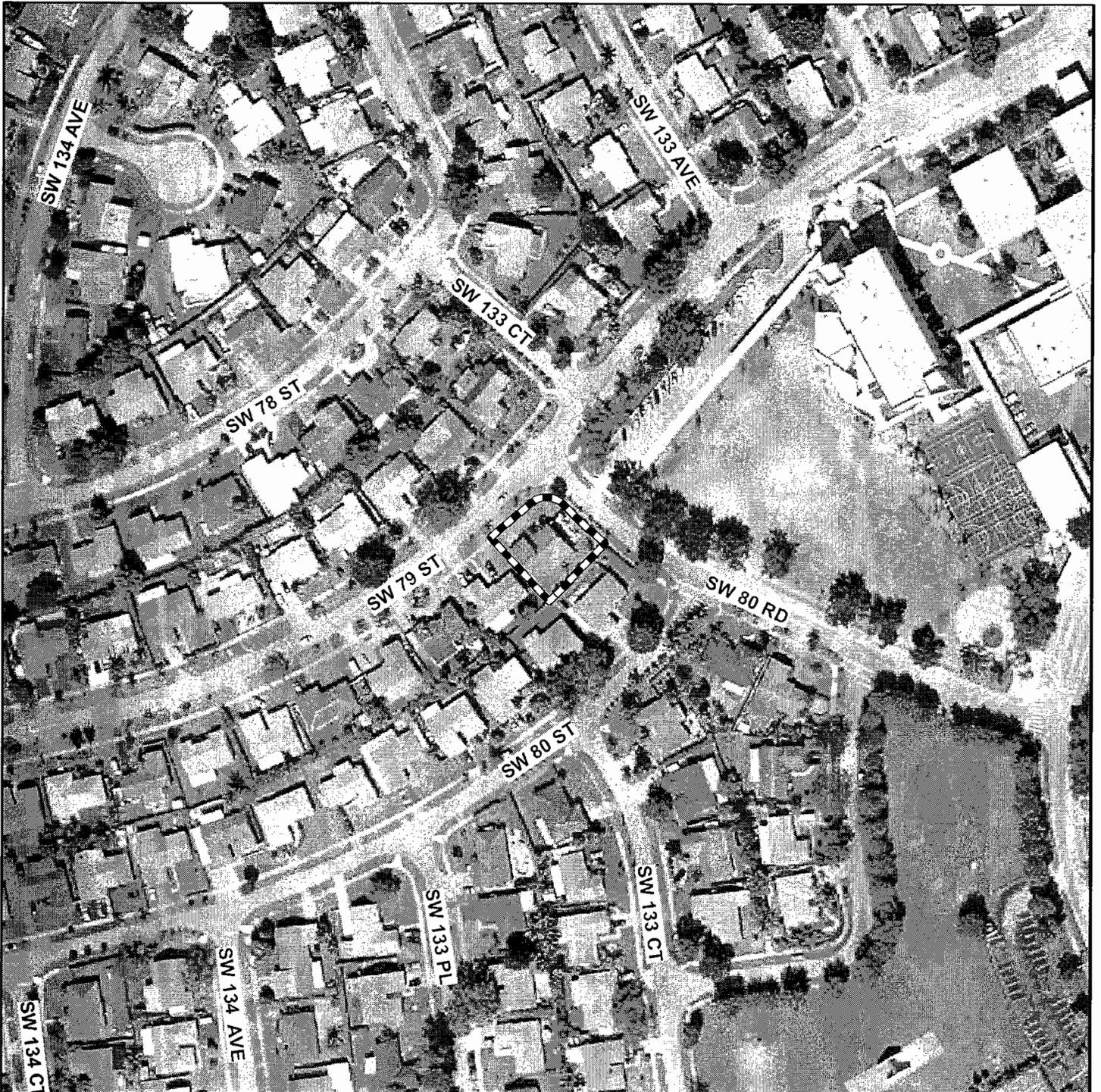


SUBJECT PROPERTY



SKETCH CREATED ON: 10/21/09

REVISION	DATE	BY
		13



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Section: 35 Township: 54 Range: 39

Applicant: ELADIO PAEZ

Zoning Board: C11

Commission District: 10

Drafter ID: KEELING

Scale: NTS

----- Zoning

Process Number

09-145



SUBJECT PROPERTY



SKETCH CREATED ON: 10/21/09

REVISION	DATE	BY

4. MIDDEY B. DAMIAN
(Applicant)

10-3-CZ11-4 (09-147)
Area 11/District 11
Hearing Date: 03/23/10

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>
1983	Suez International	- Special exception for a Zero Lot Line.	C04	Approved w/conds.
1984	Gerald S. Krigel	- Modification of condition.	C04	Approved w/conds.
1987	Munnie Enterprise	- Modification of condition. - Non Use Variance setbacks.	C04	Approved w/conds.

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.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 11**

APPLICANT: Middey B. Damian

PH: Z09-147 (10-3-CZ11-4)

SECTION: 3-55-39

DATE: March 23, 2010

COMMISSION DISTRICT: 11

ITEM NO.: 4

=====

A. INTRODUCTION:

o **REQUEST:**

Applicant is requesting to permit a zero lot line residence with a visible/passable area of 11.54% (15% required, 12.4% previously approved).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "As-Built Plans for Legalization for Middey B. Damian, as prepared by Lopez Professional Engineering L. L. C., dated stamped received 10/20/09 and consisting of 3 pages. Plans may be modified at public hearing.

o **SUMMARY OF REQUEST:**

The applicant is seeking to permit a reduction in the percentage of visible/passable area required for an existing zero lot line single-family residence.

o **LOCATION:**

14328 S.W. 101 Street, Miami-Dade County, Florida.

o **SIZE:** 9,230 sq. ft.

- B. ZONING HEARINGS HISTORY:** In June 1983, the subject site was part of a larger tract of land which was granted approval of a special exception to permit site plan approval of a zero lot line development on private drives, including the following non-use variances: to permit up to 16 dwelling units without the required 0' setback, to permit a perimeter wall with a height of 7' (6' maximum permitted), to permit trellises, arbors, and screen enclosures setback 3' (5' required) from the rear property lines, to permit some units 10' (15' required) from the side street property lines, and to permit a minimum of 12.4% (15% required) of penetrable access ways, pursuant to Resolution No. 4-ZAB-165-83.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low-Medium Density Residential**. This category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line

single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

SUBJECT PROPERTY:

RU-1; Single-family residence

Low-Medium Density Residential, 6 to 13 du

SURROUNDING PROPERTY:

NORTH: RU-1; Single-family residence

Low-Medium Density Residential, 6 to 13 du

SOUTH: RU-1; Single-family residence

Low-Medium Density Residential, 6 to 13 du

EAST: RU-1; Single-family residence

Low-Medium Density Residential, 6 to 13 du

WEST: RU-1; Single-family residence

Low-Medium Density Residential, 6 to 13 du

This property is a corner lot located at 14328 S.W. 101 Street. The surrounding area is developed with single-family residences.

E. SITE AND BUILDINGS:

Site Plan Review:

(Site plan submitted.)

Scale/Utilization of Site:

Acceptable

Location of Buildings:

Acceptable

Compatibility:

Acceptable

Landscape Treatment:

Acceptable

Open Space:

Acceptable

Buffering:

Acceptable

Access:

Acceptable

Parking Layout/Circulation:

N/A

Visibility/Visual Screening:

N/A

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(4)(b) Non-Use Variance Standard.

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.

G. NEIGHBORHOOD SERVICES:

DERM	No objection
Public Works	No objection
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment

H. ANALYSIS:

The subject property is an 9,230 sq. ft. corner platted lot located at 14328 S.W. 101 Street in an established Single-Family Zero Lot Line development. The subject property is designated for **Low-Medium Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP), which allows a minimum of 6 to a maximum of 13 dwelling units per gross acre. Since the request will not add additional dwelling units to the community, the RU-1 zoned, single-family residence is **consistent** with the Low-Medium Density Residential designation as shown in the LUP map of the CDMP.

The Department of Environmental Resources Management (**DERM**) **does not object** to this application and indicates that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. The **Public Works Department does not object** to this application. The Miami-Dade Fire Rescue Department (**MDFRD**) also has **no objections** to this application and has indicated that the average response travel time for this site is **6:20** minutes.

The plans submitted by the applicant depict an existing 511.28 sq. ft. addition to a single-family residence, which provides a total of 11.54% visible/passable area where 12.4% was previously approved and 15% is required.

When the application is analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard, staff is of the opinion that the approval of the application would be **compatible** with the surrounding area, would not negatively affect the stability and appearance of the community, and would not be detrimental to the neighborhood. Staff notes that the existing residence provides a total of 11.54% visible/passable area where 12.4% was previously approved and 15% is required by the Single-Family Zero Lot Line Development Regulations. It should be noted that staff's review of the submitted plans reveals that the applicant will provide 2 pair of sliding glass doors, one along the rear (southwest) façade of the residence, and another along the side street (northwest) façade of the residence. Staff opines that the requested 0.86% reduction of visible/passable area is not excessive and will not have a negative visual impact on the surrounding area. Accordingly, staff opines that approval of the application would be **compatible** with the surrounding properties and **consistent** with the LUP map of the CDMP and, therefore, recommends approval with conditions of the application under Section 33-311 (A)(4)(b) (Non-Use Variance).

I. RECOMMENDATION:

Approval with conditions.

J. CONDITIONS:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include, but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "As-Built Plans for Legalization for Middey B. Damian, as prepared by Lopez Professional Engineering L. L. C., dated stamped received 10/20/09 and consisting of 3 pages. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant shall cure all enforcement reported violations of Miami-Dade County within the deadlines given below unless a time extension is granted by the Director for good cause:

Zoning certificate of use violation	30 days
Zoning Improvement Permit violation	45 days
Building permit violation	60 days to obtain a permit and 90 days to correct the violation

5. In addition, the applicant shall pay any outstanding enforcement penalties in full or enter into a settlement and payment plan, in accordance with the appropriate Departments' procedure within 30 days of the zoning hearing approval shown.

DATE TYPED: 02/02/10
DATE REVISED: 02/03/10; 02/25/10
DATE FINALIZED: 02/25/10
MCL:GR:NN:TA:NC



Marc C. LaFerrier, AICP, Director
Miami-Dade County Department of
Planning and Zoning

J.V.
6/2

Memorandum



Date: November 3, 2009
To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management

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

Subject: C11 #Z2009000147
Middey B. Damian
14328 S.W. 101st Street
To Permit a Single-Family Residence Setback less than Required from
Property Lines and to Permit a Single-Family Residence with less Visible
Passable than Required
(RU-1) (4.02 Acres)
03-55-39

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

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

Enforcement History

DERM has found no open or closed enforcement records for the subject property.

Concurrency Review Summary

DERM has conducted a concurrency review 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 DERM's written approval, as required by the Code.

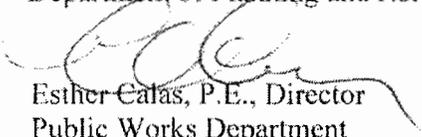
If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

Memorandum



Date: November 26, 2008

To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

From:  Esther Calas, P.E., Director
Public Works Department

Subject: Zoning Hearing Improvements

In order to enhance the efficiency of the zoning review process for public hearings, your Department requested that Public Works Department (PWD) provide standard "bypass" comments for some residential applications. These applications will be limited to single family residences, townhouses and duplexes, where the applicant seeks zoning hearing relief for a customary residential use, on previously platted lots. The following applications for public hearings could "bypass" the PWD review:

- Applications requesting setback variances
- Applications requesting variance on lot frontage
- Applications requesting variance on lot area
- Applications requesting greater lot coverage than permitted by Code
- Applications requesting additions to an existing structure

Pursuant to Sec. 33-24 of the Miami-Dade County Code, for those applications where a structure encroaches onto an easement, the applicant must secure from the easement owner a written statement that the proposed use will not interfere with owner's reasonable use of the easement.

Please contact Mr. Raul Pino, P.L.S., Chief, Land Development Division, at (305) 375-2112, if you have any questions.

cc: Antonio Cotarelo, P.E., Assistant Director
Public Works Department

Raul Pino, P.L.S., Chief
Land Development Division

Leandro Rodriguez

Memorandum



Date: 09-NOV-09
To: Marc LaFerrier, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2009000147

Fire Prevention Unit:

Not applicable to Fire Engineering and Water Supply Bureau Site Requirements.

Service Impact/Demand

Development for the above Z2009000147
located at 14328 S.W. 101 STREET, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1853 is proposed as the following:

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

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

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 36 - Hammocks - 10001 Hammock Blvd.
Rescue, ALS 50' Sqr

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.

TEAM METRO

ENFORCEMENT HISTORY

MIDDEY B. DAMIAN

14328 S.W. 101 STREET, MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

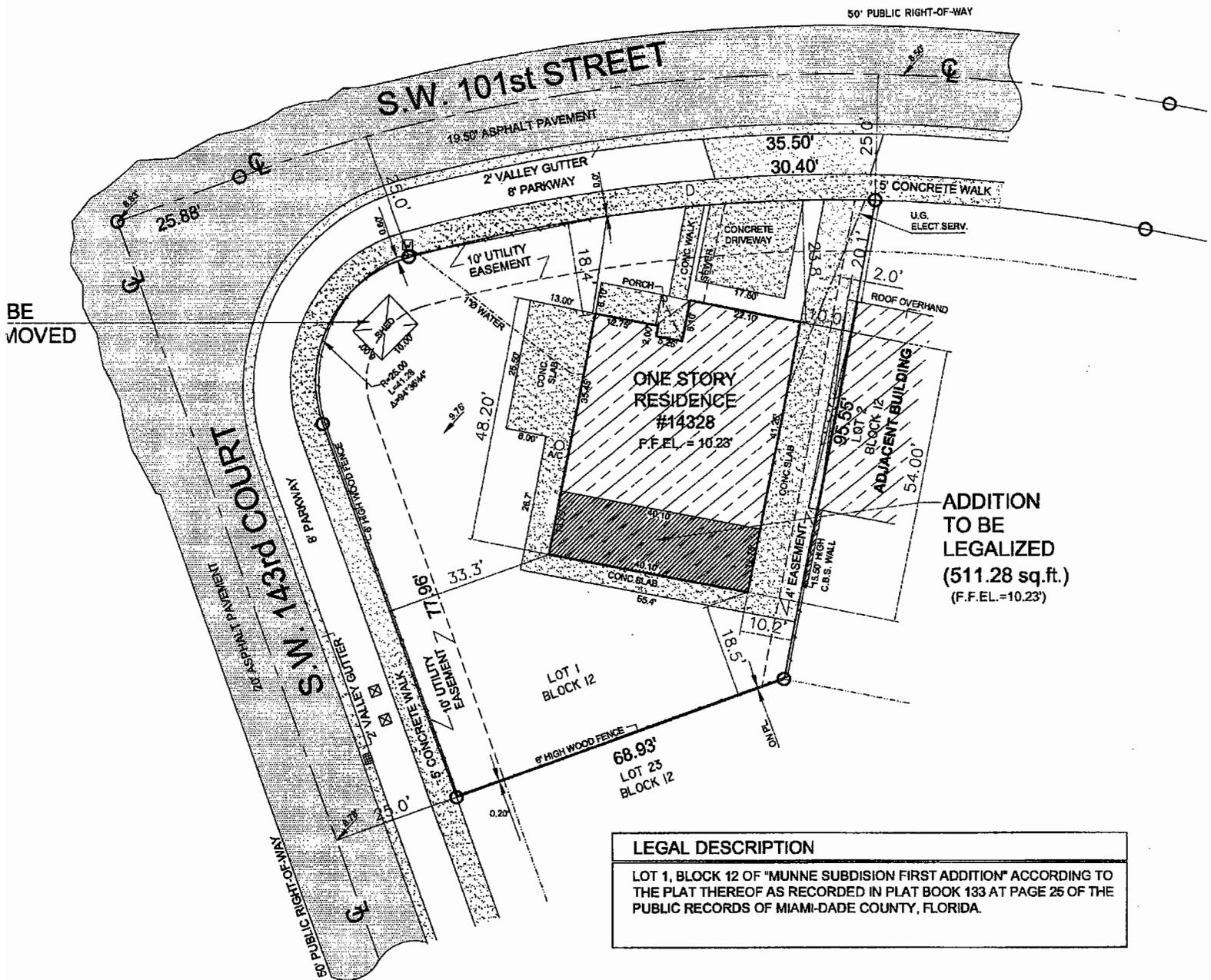
Z2009000147

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

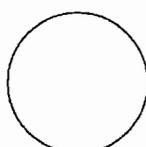
No violations.

Cuellar, Suzel



BE
MOVED

LEGAL DESCRIPTION
 LOT 1, BLOCK 12 OF "MUNNE SUBSIDION FIRST ADDITION" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 133 AT PAGE 25 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



SITE PLAN

SCALE: 1" = 20'



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 209.147
 OCT 20 2009

ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING
 BY *JJA*

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 OCT 20 2009

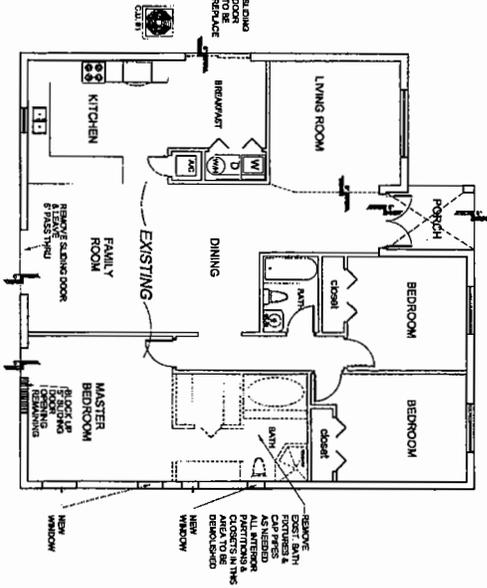
ENLARGED SITE PLAN

ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.

BY *JJA*

EXISTING CONDITIONS & DEMOLITION PLAN

SCALE: 3/16" = 1'-0"

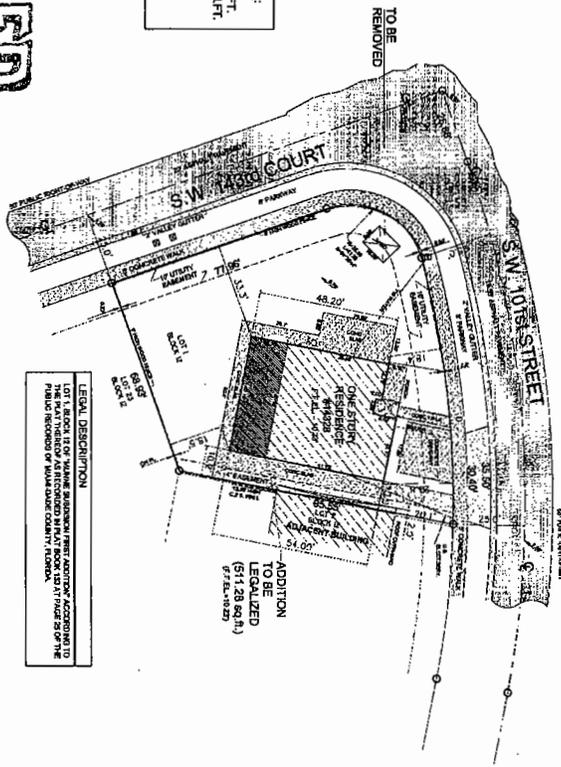


VISUAL PASSAGE CALCULATION:
 RESIDENCE 1,500 SQ.FT.
 FIRST 1,000 SQ.FT. X 0.018 = 18 LNF.T.
 500 SQ.FT. X 0.014 = 7 LNF.T.
 TOTAL 25 LNF.T.
 REQUIRED OF VISUAL PASSAGE PROVIDED 72 LNF.T.

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 OCT 2 0 2009

SITE PLAN

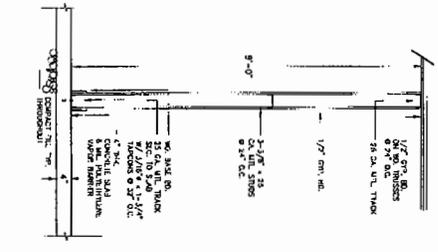
SCALE: 1" = 20'



LEGAL DESCRIPTION
 LOT 1, SOUTH OF SW 101ST STREET, WEST SIDE, SECTION 16, TOWNSHIP 25 SOUTH, RANGE 30 WEST, COUNTY OF DADE, FLORIDA.
 (S17.28 82.51)

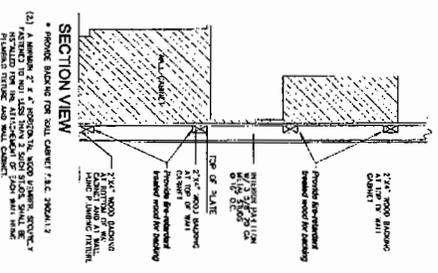
NON-BEARING PARTITION

SCALE: 3/4" = 1'-0"



WOOD BACKING DETAIL

SCALE: 3/4" = 1'-0"



- GENERAL NOTES:**
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS AND ANGLES AND ALL OTHER EXISTING CONDITIONS PRIOR TO COMMENCING ANY WORK. CONTRACTOR TO OBTAIN AND PROVIDE ALL INFORMATION IN CONNECTION WITH THE PROJECT TO THE ARCHITECT AND TO THE CITY OF MIAMI. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI.
 - CONTRACTOR SHALL FURNISH AND BE SOLELY RESPONSIBLE FOR THE SUPPLY AND INSTALLATION OF ALL MATERIALS AND LABOR REQUIRED FOR THE PROJECT. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI.
 - THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI.
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MIAMI-DADE PLANNING AND ZONING DEPT.

BY: *[Signature]*

Project No.	0707100
Project Name	Project # 20 73
Client	M. LOPEZ
Scale	1/8" = 1'-0"
Sheet	A-1

AS BUILT PLANS FOR LEGALIZATION FOR MIDDEY B. DAMIAN
 14328 SW 101st STREET
 MIAMI, FL

LOPEZ PROFESSIONAL ENGINEERING LLC.
 CERTIFICATE OF AUTHORIZATION # 28462
 MARIA LOPEZ, P.E. REG.#60157
 525 S.W. 63rd AVENUE
 MIAMI, FL 33144
 TEL.: (786) 380-0734

TERMINAL PROTECTION

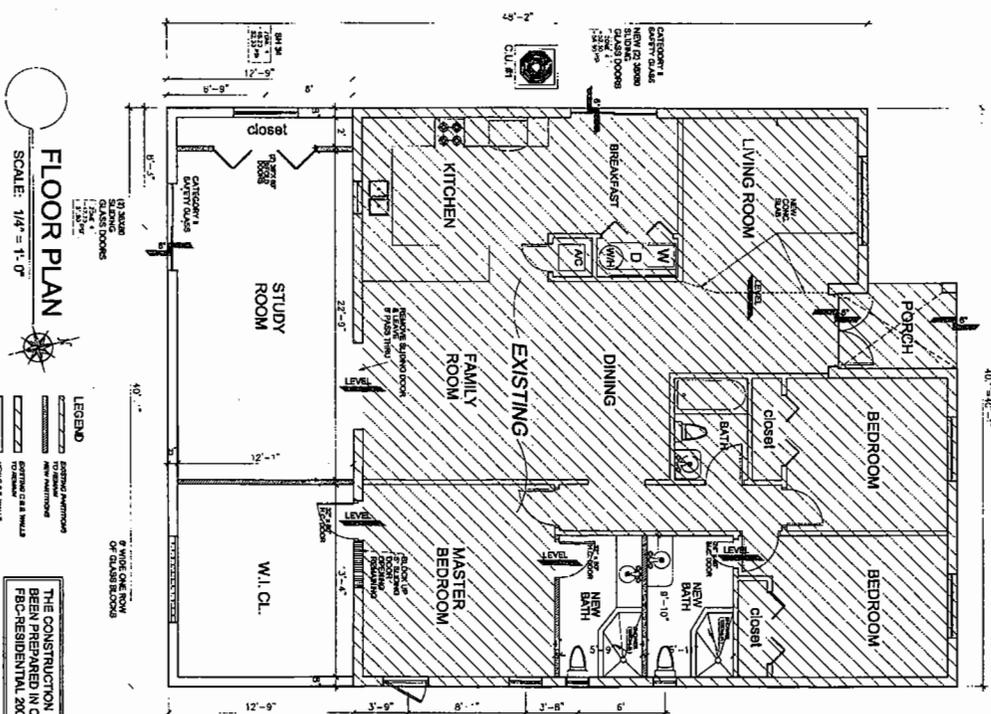
THE BUILDING SHALL HAVE A FIBERGLASS REINFORCED POLYESTER (FRP) TERMINAL PROTECTION SYSTEM FOR ALL ROOFS AND TERRACES. THE FRP SHALL BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE FIBERGLASS REINFORCED POLYESTER (FRP) TERMINAL PROTECTION SYSTEM (FRP-TPS) AS SPECIFIED IN THE FIBERGLASS REINFORCED POLYESTER (FRP) TERMINAL PROTECTION SYSTEM (FRP-TPS) MANUAL, EDITION 2007, PUBLISHED BY THE FIBERGLASS REINFORCED POLYESTER (FRP) TERMINAL PROTECTION SYSTEM (FRP-TPS) ASSOCIATION.

SOIL COMPACTATION

SOIL SHALL BE COMPACTED TO A MINIMUM OF 95 PERCENT OF MAXIMUM DRY WEIGHT UNIT WEIGHT (DWU) FOR ALL AREAS TO BE COMPACTED. THE COMPACTED SOIL SHALL BE TESTED BY A REGISTERED PROFESSIONAL ENGINEER (RPE) TO VERIFY THAT THE SOIL IS COMPACTED TO THE REQUIRED PERCENTAGE OF DWU.

SOIL PREPARATION:

THE EXISTING SOIL SHALL BE REMOVED AND REPLACED WITH A MINIMUM OF 6 INCHES OF 3/4 INCH GRANULAR FILL. THE GRANULAR FILL SHALL BE TESTED BY A REGISTERED PROFESSIONAL ENGINEER (RPE) TO VERIFY THAT THE SOIL IS COMPACTED TO THE REQUIRED PERCENTAGE OF DWU.

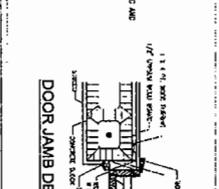
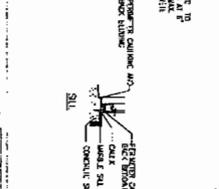
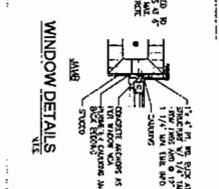
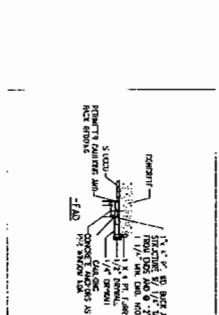


FLOOR PLAN

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



THE CONSTRUCTION DOCUMENTS HAVE BEEN PREPARED IN COMPLIANCE WITH FBC-RESIDENTIAL 2007 EDITION.



WINDOW DETAILS

DOOR JAMB DETAIL

INTRUSION & BURGLARY SECURITY NOTE:

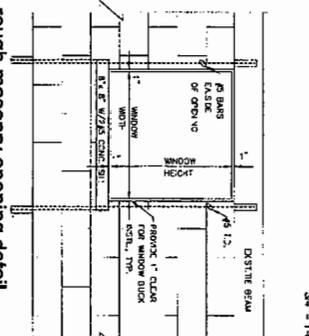
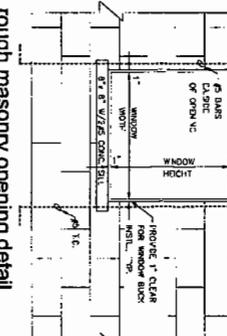
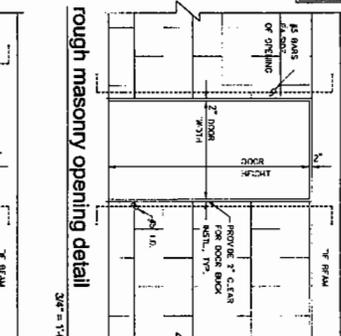
ALL EXTERIOR DOORS SHALL BE PROVIDED WITH AN ANTI-KICK DEVICE. THE ANTI-KICK DEVICE SHALL BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ANTI-KICK DEVICE (AKD) MANUAL, EDITION 2007, PUBLISHED BY THE ANTI-KICK DEVICE (AKD) ASSOCIATION.

RADON RESISTANCE

PROVIDE 3/4 IN. POLYMER BARRIER AT CONCRETE SLAB.

VISUAL PASSAGE CALCULATION:

RESIDENCE: 1,800 SQ. FT.
 FIRST FLOOR: 1,000 SQ. FT. x 0.018 = 18 SQ. FT.
 SECOND FLOOR: 800 SQ. FT. x 0.018 = 14.4 SQ. FT.
 TOTAL: 32.4 SQ. FT.
 REQUIRED OF VISUAL PASSAGE PROVIDED: 12 SQ. FT.



EGRESS TYPE WINDOW NOTES:

EGRESS WINDOWS SHALL BE PROVIDED WITH AN ANTI-KICK DEVICE. THE ANTI-KICK DEVICE SHALL BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ANTI-KICK DEVICE (AKD) MANUAL, EDITION 2007, PUBLISHED BY THE ANTI-KICK DEVICE (AKD) ASSOCIATION.

DOORS NOTE:

ALL EXTERIOR DOORS SHALL BE PROVIDED WITH AN ANTI-KICK DEVICE. THE ANTI-KICK DEVICE SHALL BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ANTI-KICK DEVICE (AKD) MANUAL, EDITION 2007, PUBLISHED BY THE ANTI-KICK DEVICE (AKD) ASSOCIATION.

SPECIAL NOTES:

ALL EXTERIOR DOORS SHALL BE PROVIDED WITH AN ANTI-KICK DEVICE. THE ANTI-KICK DEVICE SHALL BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ANTI-KICK DEVICE (AKD) MANUAL, EDITION 2007, PUBLISHED BY THE ANTI-KICK DEVICE (AKD) ASSOCIATION.

NOTE:

ALL EXTERIOR DOORS SHALL BE PROVIDED WITH AN ANTI-KICK DEVICE. THE ANTI-KICK DEVICE SHALL BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ANTI-KICK DEVICE (AKD) MANUAL, EDITION 2007, PUBLISHED BY THE ANTI-KICK DEVICE (AKD) ASSOCIATION.

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ROUGH MASONRY OPENING DETAIL

SCALE: 3/4" = 1'-0"

ROUGH MASONRY OPENING DETAIL

SCALE: 3/4" = 1'-0"

ROUGH MASONRY OPENING DETAIL

SCALE: 3/4" = 1'-0"

ZONING HEARINGS SECTION

MIAMI-DADE PLANNING AND ZONING DEPT.

BY: [Signature]

AS BUILT PLANS FOR LEGALIZATION FOR

MIDDEY B. DAMIAN

14328 SW 101st STREET

MIAMI, FL

LOPEZ PROFESSIONAL ENGINEERING LLC.

CERTIFICATE OF AUTHORIZATION # 28462

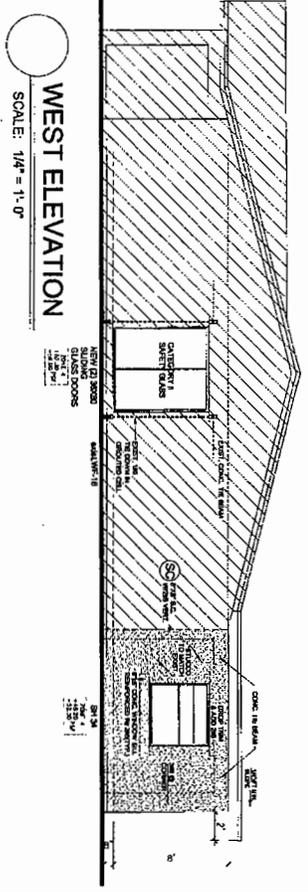
MARIA LOPEZ, P.E. REG. #60152

525 S.W. 53rd AVENUE

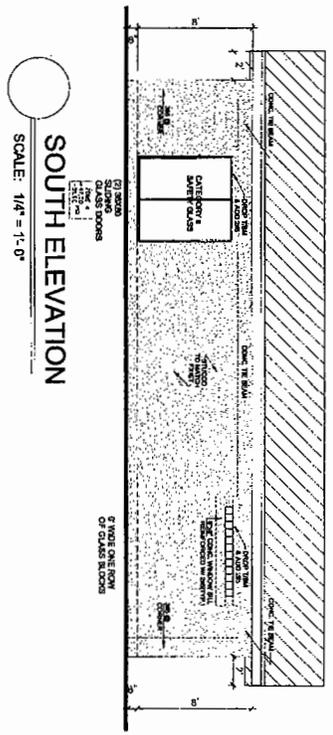
MIAMI, FL 33144

TEL.: (786) 380-0734

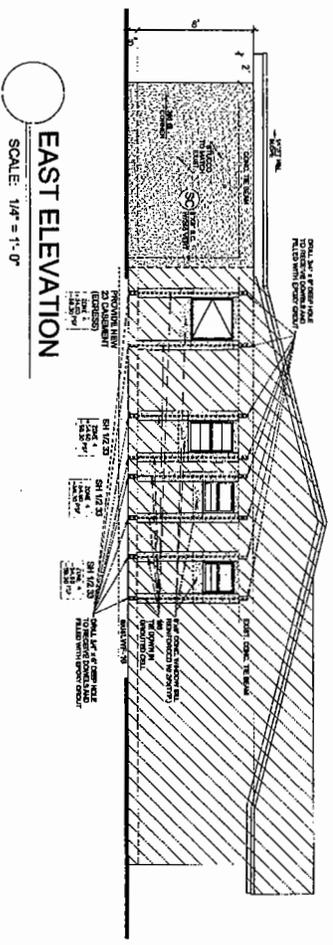
12



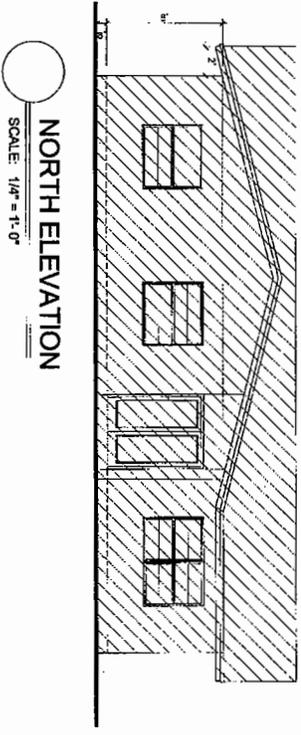
WEST ELEVATION
SCALE: 1/4" = 1'-0"



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

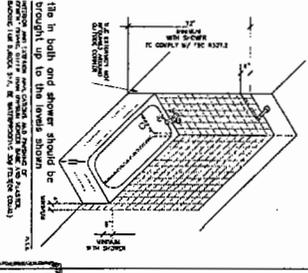


EAST ELEVATION
SCALE: 1/4" = 1'-0"

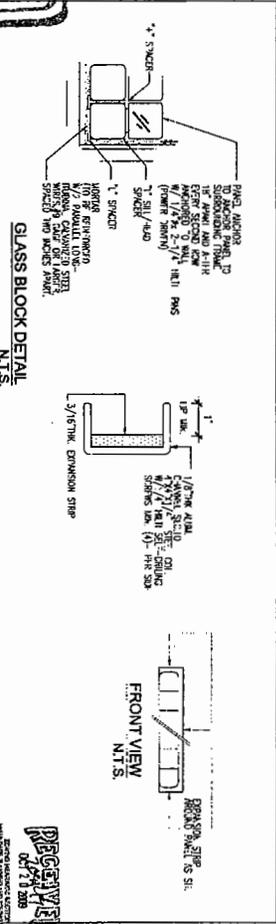


NORTH ELEVATION
SCALE: 1/4" = 1'-0"

DESCRIPTION OF WORK: ARCHITECTURAL DRAWINGS FOR THE CONSTRUCTION OF A THREE-STORY, 10,000-SQ-FT COMMERCIAL BUILDING. THE BUILDING WILL BE A MIXED-USE DEVELOPMENT, INCLUDING OFFICE SPACE, RETAIL SPACE, AND RESIDENTIAL SPACE. THE BUILDING WILL BE CONSTRUCTED OF CONCRETE BLOCK AND GLASS. THE ROOF WILL BE A GABLED ROOF WITH A 12:12 PITCH. THE BUILDING WILL BE SITUATED ON A 0.5-ACRE LOT. THE BUILDING WILL BE ADJACENT TO AN EXISTING BUILDING. THE BUILDING WILL BE A MIXED-USE DEVELOPMENT, INCLUDING OFFICE SPACE, RETAIL SPACE, AND RESIDENTIAL SPACE. THE BUILDING WILL BE CONSTRUCTED OF CONCRETE BLOCK AND GLASS. THE ROOF WILL BE A GABLED ROOF WITH A 12:12 PITCH. THE BUILDING WILL BE SITUATED ON A 0.5-ACRE LOT. THE BUILDING WILL BE ADJACENT TO AN EXISTING BUILDING.



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OCT 20 2009

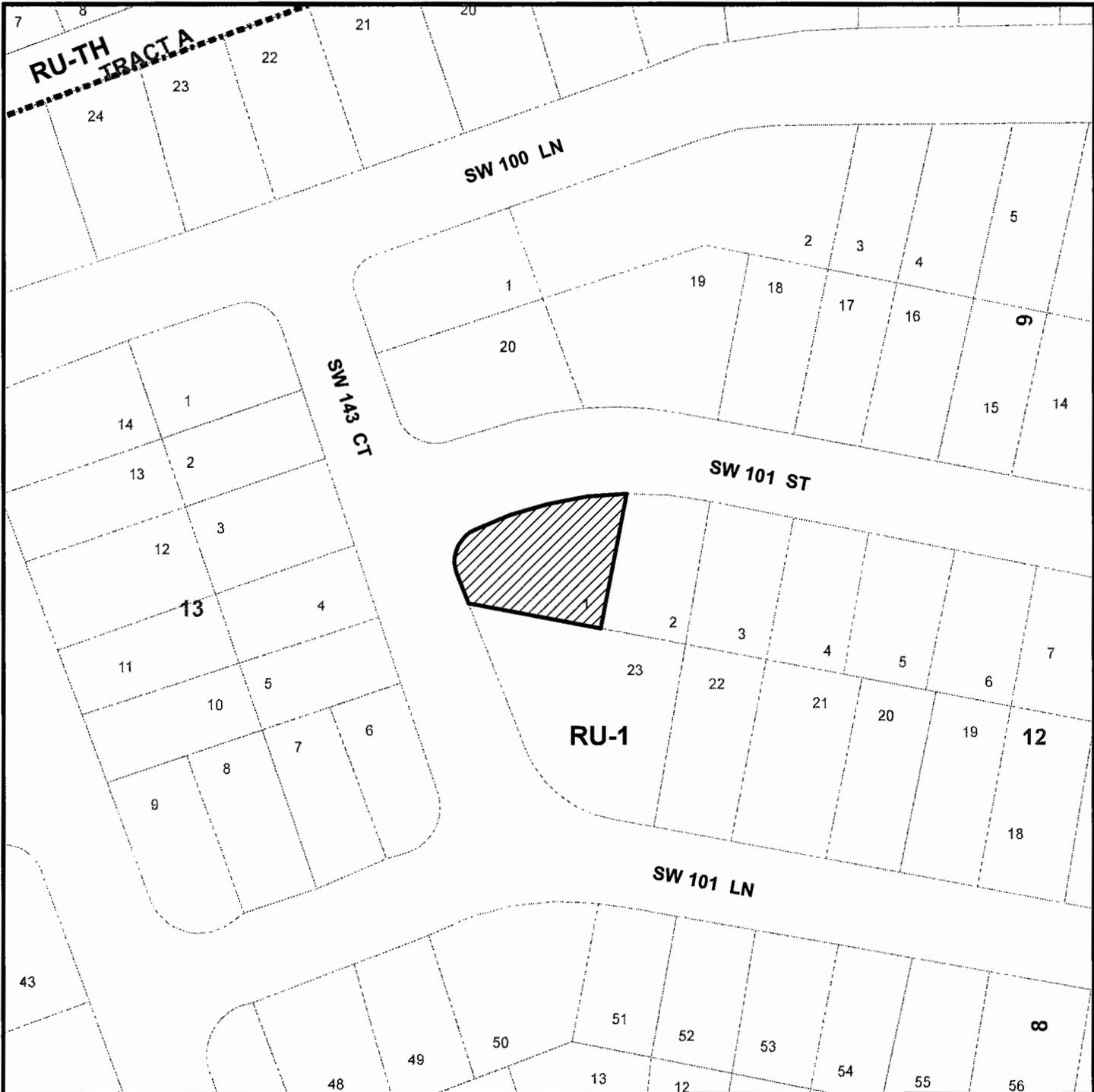


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OCT 20 2009

Project No.	2009-001
Client	MIDDEY B. DAMIAN
Address	14328 SW 101st STREET, MIAMI, FL
Scale	1/4" = 1'-0"
Date	10/20/09
Drawn by	LOPEZ
Checked by	LOPEZ
Project #	09-013
Sheet #	A-3

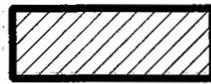
AS BUILT PLANS FOR LEGALIZATION FOR
MIDDEY B. DAMIAN
14328 SW 101st STREET
MIAMI, FL

LOPEZ PROFESSIONAL ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION # 28462
MARIA LOPEZ, P.E. REG.#60157
525 S.W. 63rd AVENUE
MIAMI, FL 33144
TEL.: (786) 380-0734



MIAMI-DADE COUNTY
HEARING MAP
 Section: 03 Township: 55 Range: 39
 Applicant: MIDDEY B. DAMIAN
 Zoning Board: C11
 Commission District: 11
 Drafter ID: ALFREDO
 Scale: NTS
 ----- Zoning

Process Number
09-147



SUBJECT PROPERTY



SKETCH CREATED ON: 10/21/09

REVISION	DATE	BY
		14



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Section: 03 Township: 55 Range: 39
 Applicant: MIDDEY B. DAMIAN
 Zoning Board: C11
 Commission District: 11
 Drafter ID: ALFREDO
 Scale: NTS
 ----- Zoning

Process Number
09-147



SUBJECT PROPERTY



SKETCH CREATED ON: 10/21/09

REVISION	DATE	BY