

# KITS

9-21-2010 Version # 1



COMMUNITY ZONING APPEALS BOARD 11  
KENDALL VILLAGE CENTER - CIVIC PAVILION  
8625 SW 124 Avenue, Miami  
Thursday, October 28, 2010 at 7:00 p.m.

## PREVIOUSLY DEFERRED

A. 09-4-CZ11-1 VANGUARDIAN VILLAGE, LLP 08-44 01-55-39 N

## CURRENT

1. 10-10-CZ11-1 MARIA MARTINEZ/JOSE GEVAN PRADO 10-6 26-54-39 N



# Official Zoning Agenda

## COMMUNITY ZONING APPEALS BOARD

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COMMUNITY ZONING APPEALS BOARD - AREA 11

MEETING OF THURSDAY, OCTOBER 28, 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

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**A. VANGUARDING VILLAGE, LLP (09-4-CZ11-1/08-044)**

**01-55-39  
Area 11/District 10**

Applicant is requesting to permit an 8' high wall (6' high permitted) along the interior side (east) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Vanguardian Elderly Living," as prepared by Juan A. Rodriguez Jomolca, R.A., Sheets "A-3" and "A-4" dated stamped received 8/11/09 and Sheets "A-1" and "A-6", dated stamped received 7/13/10 and plans entitled "Vanguardian," as prepared by Ivette Gatell Estefani, Landscape Architect, consisting of 2 sheets dated stamped received 7/13/10 for a total of 6 sheets. Plans may be modified at public hearing.

LOCATION: Lying on the northeast corner of S.W. 127 Avenue and S.W. 104 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 4 Acres

Department of Planning and Zoning Recommendation:

Approval with conditions.

Protests: 0

Waivers: 0

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

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

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

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

Deferred from: 04-02-09

**1. MARIA MARTINEZ/JOSE GEVAN PRADO (10-10-CZ11-1/10-006)**

**26-54-39  
Area 11/District 11**

1) Applicants are requesting to permit a covered terrace addition to a two-family residence setback 18.06' (25' required) from the rear (west) property line.

(2) Applicants are requesting to permit a bedroom addition to the two-family residence setback 5.5' (7.5' required) from the interior side (north) property line.

REQUESTS #1 AND #2 FOR UNIT #6890

(3) Applicant is requesting to permit a decorative and roofed fountain to setback 0' (7.5' required) from the rear (west) property line.

REQUEST #3 FOR UNIT #6892

(4) Applicants are requesting to permit the two-family residence with a lot coverage of 32.2% (30% permitted).

REQUEST #4 FOR BOTH UNITS #6890 AND #6892

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Existing Residence of Mrs. Maria Martinez," as prepared by Cristina Fandino, A.I.A., dated stamped received 6/10/10 and consisting of 4 sheets. Plans may be modified at public hearing.



**A. VANGUARDIAN VILLAGE, LLP**  
**(Applicant)**

**09-4-CZ11-1 (08-44)**  
**Area 11/District 10**  
**Hearing Date: 10/28/10**

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:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
1989	Bill Spiegel	- Appeal of Administrative Decision	BCC	Approved
1989	Bill Spiegel	- Appeal of Administrative Decision	ZAB	Denied
1991	Bill Spiegel	- Appeal of Administrative Decision	BCC	Approved
1994	Fermin & M. Amaro	- Use Variance Expansion of Plant Nursery	ZAB	Approved w/Conds.
2007	Fermin & Marisela Amaro	- Zone change from GU to RU-4, Use Variance, Non-Use Variance setbacks	CZAB 11	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  
COMMUNITY ZONING APPEALS BOARD - AREA 11  
MOTION SLIP**

#1

APPLICANT'S NAME: VANGUARDIAN VILLAGE, LLP

REPRESENTATIVE: George Navarro

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
09-4-CZ11-1 (08-44)	April 2, 2009	CZAB11	09

**REC: Indefinite deferral.**

WITHDRAW:  APPLICATION       ITEM(S): \_\_\_\_\_

DEFER:       INDEFINITELY       TO: \_\_\_\_\_       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: At applicant's request to solve CDMP issue.

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

VOTE: 

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EXHIBITS:  YES       NO

COUNTY ATTORNEY: ED SANCHEZ

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

**APPLICANT:** Vanguardian Village L.L.P.

**PH:** Z08-044 (09-4-CZ11-1)

**SECTION:** 1-55-39

**DATE:** October 28, 2010

**COMMISSION DISTRICT:** 10

**ITEM NO.:** A

**A. INTRODUCTION**

o **REQUEST:**

Applicant is requesting to permit an 8' high wall (6' high permitted) along the interior side (east) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Vanguardian Elderly Living," as prepared by Juan A. Rodriguez Jomolca, R.A., Sheets Sheets "A-3" and "A-4" dated stamped received 8/11/09 and Sheets "A-1" and "A-6", dated stamped received 7/13/10 and plans entitled "Vanguardian," as prepared by Ivette Gatell Estefani, Landscape Architect, consisting of 2 sheets dated stamped received 7/13/10 for a total of 6 sheets. Plans may be modified at public hearing.

o **SUMMARY OF REQUEST:** The applicant is seeking to approve a masonry wall 2' higher than permitted by the Zoning Code.

o **LOCATION:** Lying on the northeast corner of S.W. 127 Avenue and S.W. 104 Street, Miami-Dade County, Florida.

o **SIZE:** 4 Acres

**B. ZONING HEARINGS HISTORY:**

Between 1989 and 1994, the subject property underwent several zoning hearings. In December 2007, pursuant to Resolution #CZAB11-50-07, the subject property was approved for a district boundary change from GU, Interim District, to RU-4, High Density Apartment House District, a Use Variance to permit counseling, physical therapy and medical service offices for the residents of the facility in the RU-4 District and to permit three buildings setback 20' from the interior side (east) property line. The approval was subject to conditions, one of which required the applicant to file this application to provide an 8' high wall along the eastern property line, and that the refilling period be waived. Additionally, the Board accepted the applicant's voluntarily proffered covenant which, among other things, provides that the owner apply for a public hearing to request an 8' high wall along the east property line.

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

1. **Medium-High Density.** This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of



Location of Buildings:	<b>Acceptable*</b>
Compatibility:	<b>Acceptable</b>
Landscape Treatment:	<b>Acceptable</b>
Open Space:	<b>Acceptable</b>
Buffering:	<b>Acceptable*</b>
Access:	<b>Acceptable</b>
Parking Layout/Circulation:	<b>Acceptable</b>
Visibility/Visual Screening:	<b>Acceptable</b>
Urban Design:	<b>N/A</b>

\*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	<b>No objection*</b>
Public Works	<b>No objection*</b>
Parks	<b>No comment</b>
MDT	<b>No comment</b>
Fire Rescue	<b>No objection*</b>
Police	<b>No objection</b>
Schools	<b>No comment</b>
Aviation	<b>No objection*</b>

\*Subject to conditions indicated in their memoranda.

**H. ANALYSIS:**

This application was deferred indefinitely with leave to amend from the April 2, 2009 meeting of the Community Zoning Appeals Board-11. On May 6, 2010, the applicant submitted a Third Revised Letter of Intent withdrawing their previous request for an unusual use to permit a home for the aged. The subject property is comprised of two parcels of land located on the northeast corner of S.W. 127 Avenue and S.W. 104 Street in an area characterized by single-family residences. The subject property is currently developed with a plant nursery. As previously mentioned, in December of 2007, pursuant to Resolution #CZAB11-50-07, the subject property was approved for a district boundary change from GU, Interim District, to RU-4, High Density Apartment House District, a Use Variance to permit counseling, physical therapy and medical service offices for the

residents of the facility in the RU-4 District and non-use variances to permit three buildings setback 20' from the interior side (east) property line. The approval was subject to conditions, specifically, Condition #16 of Resolution #CZAB11-50-07 required the applicant to file this application to provide an 8' high wall along the eastern property line. Additionally, the Board accepted the applicant's voluntarily proffered covenant which, among other things, provides that the applicant apply for a public hearing to request said wall height variance.

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 and their memorandum indicates that this application meets the traffic concurrency criteria for an Initial Development Order since said application does not generate any new additional daily peak hour trips. Additionally, the Miami-Dade Fire Rescue Department (MDFR) **does not object** to this application and indicates in their memorandum that the estimated average response time is **6:27**.

The subject property underwent a Comprehensive Development Master Plan (CDMP) Amendment during the April 2006-2007 Amendment Cycle, for a change of LUP Map designation from Estate Density Residential use to Medium-High Density Residential use. A declaration of restrictions was proffered and executed in conjunction with said amendment which, among other things, restricts the use of the subject property to senior residential buildings, limits the number of units permitted to a maximum of 176, and limits the height of the buildings to no more than two (2) stories and twenty-eight (28) feet in height.

Approval of this application will allow the applicant to erect an 8' high wall along the interior side (east) property line. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the subject property for **Medium-High Density Residential** use. This designation authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre, yielding a minimum density of 100 to a maximum density of 240 dwelling units permitted on the 4-acre subject site. The existing RU-4 zoning on the site allows a maximum of 50 dwelling units per net acre for a maximum of 200 units on the subject property. As previously mentioned, the development of the site is restricted to the submitted site plans which show 2 apartment buildings for senior residents totaling 174 units. Since the approval of the request will not add additional dwelling units to the subject property, other than the 174 units previously approved, the request is **consistent** with the density threshold of the LUP map designation of the CDMP.

When the request, to permit an 8' high decorative masonry wall along the interior side (east) property line, is analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of the request would be **compatible** with the surrounding area, would not be detrimental to the neighborhood, and would not negatively affect the appearance of the community. As previously mentioned, Condition #16 of Resolution #CZAB11-50-07 requires that the applicant apply for a public hearing to request the 8' high wall along the eastern property line. As such, staff is supportive of the request and opines that the approval of such is in keeping with the spirit and intent of said Condition stipulated by Community Council 11. Additionally, the submitted elevation plans depict that a 3' high berm will be provided along the interior side

(east) property line on the west side of the wall. Staff notes that said berm will add height to the trees provided along the berm, which will buffer the previously approved buildings from the adjacent residences to the east. Moreover, the approval of the requested 8' high wall will provide an additional buffering element that will effectively mitigate any negative visual or aural impact the approved senior residential development may have on the abutting residences. Staff notes that the submitted elevation plans depict decorative architectural ornamentation along the top and mid section of the proposed wall, which will enhance the aesthetic appeal of said wall and avoid a blank wall effect. Based on the aforementioned, staff opines that the approval of the request, will enhance the aesthetic character of the area, would not negatively impact the surrounding area and therefore recommends that the request be approved subject to conditions under Section 33-311(A)(4)(b) (NUV).

**I. RECOMMENDATION:**

Approval with conditions.

**J. CONDITIONS:**

1. That all the conditions of Resolution No. CZAB11-50-07 remain in full force and effect.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Vanguardian Elderly Living," as prepared by Juan A. Rodriguez Jomolca, R.A., Sheets Sheets "A-3" and "A-4" dated stamped received 8/11/09 and Sheets "A-1" and "A-6", dated stamped received 7/13/10 and plans entitled "Vanguardian," as prepared by Ivette Gatell Estefani, Landscape Architect, consisting of 2 sheets dated stamped received 7/13/10 for a total of 6 sheets.
3. That the use be established and maintained in accordance with the approved plan.

**DATE TYPED:** 08/20/10  
**DATE REVISED:** 09/09/10; 09/24/10  
**DATE FINALIZED:** 09/28/10  
MCL:GR:NN:CH:NC

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

NDN  
GMR

**Date:** July 20, 2010  
**To:** Marc C. LaFerrier, AICP, Director  
Department of Planning and Zoning

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

**Subject:** C-11 #Z2008000044-4<sup>th</sup> Revision  
Vanguardian Village, LLP  
S.W. 127<sup>th</sup> Avenue and S.W. 104<sup>th</sup> Street  
Request to Permit a Wall that Would Exceed Height Requirements and  
Unusual Use to Permit a Nursing Home  
(RU-4) (4 Acres)  
01-55-39

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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 Average Pumpage Wellfield Protection Area for the Alexander Orr Wellfield Complex. Development of the subject property shall be in accordance with the regulations established in Section 24-43 of the Code.

Since the subject request 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.

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

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

in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

#### Stormwater Management

A Surface Water Management General Permit from DERM shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to platting and/or site development, or Public Works approval of paving and drainage plans. The applicant is advised to contact the DERM Water Control Section for further information regarding permitting procedures and requirements.

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

Site grading and development shall provide for the full retention of the 25-year/3-day storm event and shall also comply with the requirements of Chapter 11C of the Code, as well as with all State and Federal Criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service 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 jurisdictional 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

Tree Removal Permit 2007-TREE-PER-00448 was issued for the property to Fermin and Marisela Amaro, on September 10, 2007 and expired on September 10, 2008.

Please be advised that this permit has expired, therefore the required replanting and final inspection as per Tree Removal Permit 2007-TREE-PER-00448 must take place. The applicant should renew Tree Removal Permit 2007-TREE-PER-00448 or request a final inspection to avoid violation of permit conditions. A two weeks notice is required prior to the final inspection.

Please be advised that a Tree Removal Permit is required for the removal or relocation of any trees that have not been previously permitted. Please contact this Program at (305) 372-6574 for information regarding tree permits.

#### Operating Permits:

Section 24-35.1 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant should be advised that due to the nature of some activities inherent

to the proposed land use, operating permits from DERM will be required. It is therefore suggested that the applicant contact DERM concerning this requirement.

#### Enforcement History

DERM has found one closed enforcement record for the subject property.

Folio No. 30-5901-000-0070  
SW 127<sup>th</sup> Avenue & SW 104<sup>th</sup> Street, Miami-Dade County, FL

On June 24, 2008, a Uniform Civil Violation Notice (UCVN) was issued for a violation of the water restrictions established by the South Florida Water Management District. An affidavit of compliance was issued, and the case was subsequently closed.

#### 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 Christine Velazquez at (305) 372-6764.

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: VANGUARDIAN VILLAGE, LLP

This Department has no objections to this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

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



Raul A Pino, P.L.S.

13-MAY-08



Miami-Dade Aviation Department  
P.O. Box 025504  
Miami, Florida 33102-5504  
T 305-876-7000 F 305-876-0948  
www.miami-airport.com

Commercial Airport:  
Miami International Airport

miamidade.gov

General Aviation Airports:  
Dade-Collier Training & Transition  
Homestead General  
Kendall-Tamiami Executive  
Opa-locka  
Opa-locka West

December 1, 2008

Mr. Jorge L. Navarro  
The Lasarte Law Firm  
5835 Blue Lagoon Drive, Suite 100  
Miami, Florida 33126

**RE: Determination Number DN-08-11-088 Airspace Analysis for Vanguardian Village, LLP (Z08-044), located on NE corner of SW 127<sup>th</sup> Ave and SW 104<sup>th</sup> St, Miami-Dade, FL.**

Dear Mr. Navarro:

The Miami-Dade Aviation Department (MDAD) has reviewed the above referenced project for an airspace analysis.

**Airspace Review:**

Please note that based on our review of the project information provided to us, an assumed project height of 36 ft AMSL (Above Mean Sea Level), at this location conforms to the Miami-Dade County Height Zoning Ordinance.

This height determination is an estimate issued on a preliminary or advisory basis. **It not is necessary to file with the FAA for the structure height as stated above. Although, any construction cranes reaching or exceeding 104 ft AMSL for this project must be filed by the construction contractor using form 7460-1 'Notice of Proposed Construction Alteration for Determination of Known Hazards'.** The form is available through this office or through the FAA website: <https://oeaaa.faa.gov>. This form should be mailed to: Federal Aviation Administration, Air Traffic Airspace Branch - ASW-520, 2601 Meacham Blvd, Ft. Worth, TX 76137-0520. Alternatively, the developer may "e-file" online at <https://oeaaa.faa.gov>.

Please note that the airspace review process is governed by two different regulations: the Miami-Dade County Height Zoning Ordinances and Federal Regulation Title 14 Part 77. The FAA has its own airspace evaluation requirements, and issues airspace determinations for structures and cranes based on the particular facts then presented before the FAA. The County's Aviation Department or the applicable municipal building official determines whether the County's height limitations are met, and FAA determines whether FAA building, marking and height requirements are met.

*Delivering Excellence Every Day*

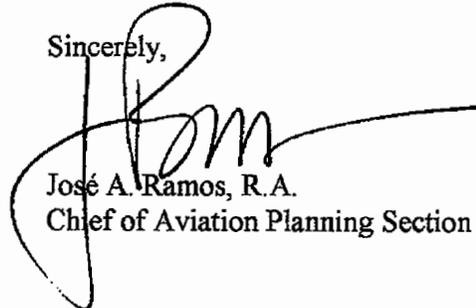
Mr. Jorge L. Navarro  
November 19, 2008  
Page 2

This determination is based, in part, on the description provided to us by you, which includes specific building locations and heights. Any changes in building locations/layouts or heights will void this determination. Any future construction or alteration, including an increase to heights requires separate notice to the FAA and the Miami-Dade Aviation Department.

Furthermore, please note that upon completion of this project, no Certificate of Use and Certificate of Occupancy shall be issued by a municipality or Miami-Dade County until approval is obtained by this office certifying that the structure was built no higher than the height approved by this letter. The approval shall be issued by this office after submittal by applicant of the required information as outlined in the Miami International Airport (Wilcox Field) Zoning Ordinance, **Section 33-349 Airspace Approvals, Paragraph A, Subsection 2.**

Should you have any questions in obtaining and/or filling out FAA form 7460-1 or if I can be of any further assistance, please feel free to contact me at 305-876-8080.

Sincerely,

A handwritten signature in black ink, appearing to read 'JRamos', with a long horizontal line extending to the right.

José A. Ramos, R.A.  
Chief of Aviation Planning Section

JR/AH/cf

C: M. Fajardo  
S. Harman  
A. Herrera  
N. Mata  
Marc C. La Ferrier, Department of Planning and Zoning  
Damon Holness, Department of Planning and Zoning  
File Zoning



# Memorandum

**Date:** 04-JUN-10  
**To:** Marc LaFerrier, Director  
 Department of Planning and Zoning  
**From:** Herminio Lorenzo, Fire Chief  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2008000044

**Fire Prevention Unit:**

This memo supersedes MDFR memorandum dated October 21, 2008.

**APPROVAL**

No objection to site plan date stamped August 11, 2009 via  
 Case # Z2008000044.

**Service Impact/Demand**

Development for the above Z2008000044  
 located at THE NORTHEAST CORNER OF S.W. 127 AVENUE & S.W. 104 STREET, MIAMI-DADE COUNTY,  
 FLORIDA.

in Police Grid 1857 is proposed as the following:

<u>170</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: 54.2 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

**Planned Service Expansions:**

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

**Fire Planning Additional Comments**

Current service impact calculated based on site plan date stamped August 11, 2009. Substantial changes to the plan will require additional service impact analysis.

# TEAM METRO

## ENFORCEMENT HISTORY

VANGUARDIAN VILLAGE, LLP

LYING ALONG THE NORTHEAST  
CORNER OF S.W. 127 AVENUE &  
S.W. 104 STREET, MIAMI-DADE  
COUNTY, FLORIDA.

---

APPLICANT

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ADDRESS

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Z2008000044

---

HEARING NUMBER

### CURRENT ENFORCEMENT HISTORY:

05-20-08 No current violations observed.

Prior Cases:

20002006160 Warning issued for graffiti on property and it was corrected. Case Closed.

200102004220 Warning issued for junk and trash and it was corrected. Case Closed.

200102004005 Warning issued for a banner in property and it was corrected. Case Closed.

200702010006 Warning issued for water restriction violation and it was corrected. Case Closed.

Jose Lopez

# ZONING INSPECTION REPORT

Inspector: BENCOMO, LUIS

Inspection Date

Evaluator: N/A

03/24/08

**Process #**      **Applicant's Name**  
Z2008000044      VANGUARDIAN VILLAGE, LLP

**Locations:**      LYING ALONG THE NORTHEAST CORNER OF S.W. 127 AVENUE & S.W. 104 STREET, MIAMI-DADE COUNTY, FLORIDA.

**Size:**      4 ACRES      **Folio #**      3059010000120  
**Request:**

1 THE APPLICANT IS REQUESTING TO PERMIT A WALL HIGHER THAN ALLOWED.

## EXISTING ZONING

**Subject Property**      RU-4,

## EXISTING USE

## SITE CHARACTERISTICS

### STRUCTURES ON SITE:

SHED OFFICE

### USE(S) OF PROPERTY:

PLANT NURSERY

### FENCES/WALLS:

6 FT. CHAIN LINK FENCE

### LANDSCAPING:

TYPICAL

### BUFFERING:

NONE

### VIOLATIONS OBSERVED:

NONE

### OTHER:

**Process #**    **Applicant's Name**  
Z2008000044    VANGUARDIAN VILLAGE, LLP

**SURROUNDING PROPERTY**

**NORTH:**

VACANT FPL EASEMENT

**SOUTH:**

VACANT FPL EASEMENT

**EAST:**

RESIDENTIAL DEVELOPMENT

**WEST:**

RESIDENTIAL DEVELOPMENT

**SURROUNDING AREA**

AREA IS SURROUNDED BY RESIDENTIAL NEIGHBORHOOD

**NEIGHBORHOOD CHARACTERISTICS**

TYPICAL RESIDENTIAL

**COMMENTS:**

**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: \_\_\_\_\_

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

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and 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 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: VANGUARDIAN VILLAGE, LLP, a Florida limited liability partnership

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
Luis Machado 305 Alcazar Avenue, Suite 3 Coral Gables, FL 33134	65%
Felix M. Lasarte Holland & Knight, LLP 701 Brickell Avenue, Suite 3000 Miami, FL 33131	35%

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MAR 13 2008

ZONING HEARING SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT

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

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

NAME AND ADDRESS (if applicable)	Percentage of Interest

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

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

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

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

Signature: [Signature]  
LUIS MACHADO, as Managing Partner for VANGUARDIAN VILLAGE, L.L.P., a Florida limited liability partnership (Applicant)

Sworn to and subscribed before me this 27 day of February, 2006. Affiants are personally known to me or have produced \_\_\_\_\_ as identification.

[Signature]  
(Notary Public)



My commission expires 5/9/2011

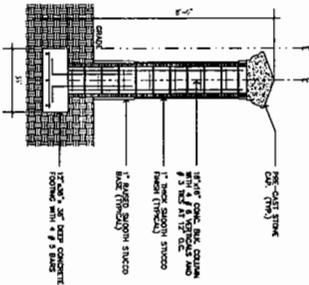
\*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership 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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MAR - 3 2006

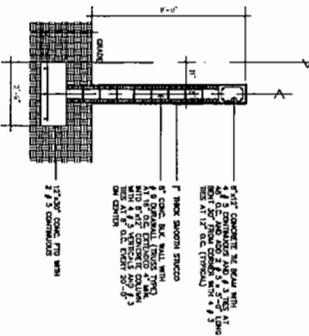
EDUARDO ALBERTO SECTION  
MIAMI STATE PLANNING AND ZONING DEPT



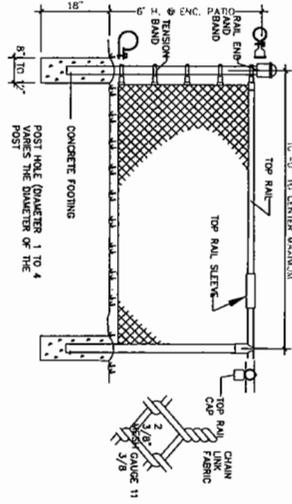




1.1 FENCE COLUMN DETAIL  
SCALE: 1/4" = 1'-0"

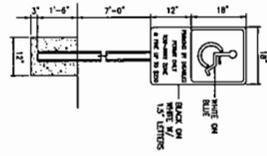


1.2 8' HIGH CBS WALL FENCE  
SCALE: 1/4" = 1'-0"

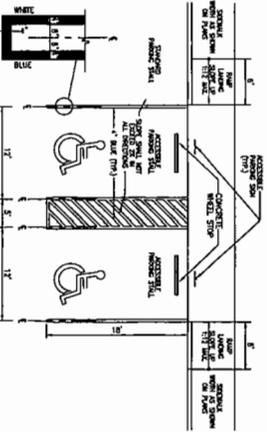


1.3 6' HIGH CHAIN LINK FENCE  
SCALE: 1/4" = 1'-0"

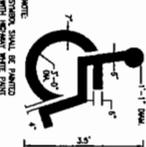
TERMINAL POST LINE POST	TOP RAIL
SIZE: 2-1/2"	SIZE: 1-5/8" OR 2"
SIZE: 1-5/8" OR 2"	SIZE: 1-5/8" OR 1-3/4"
SIZE IS OUTSIDE DIMENSION	WEIGHT IS POUNDS PER LINEAR FOOT



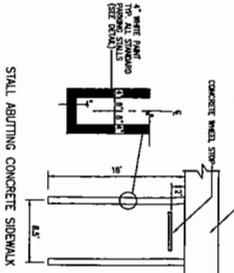
2.1 HANDICAP PARKING SIGN  
SCALE: 1/4" = 1'-0"



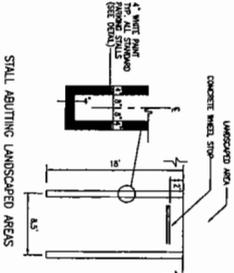
2.2 HANDICAP PARKING DETAIL  
SCALE: 1/4" = 1'-0"



2.3 HANDICAP DETAIL PAINT SYMBOL  
SCALE: 1/4" = 1'-0"



2.4 TYPICAL PARKING STALLS  
SCALE: 1/4" = 1'-0"

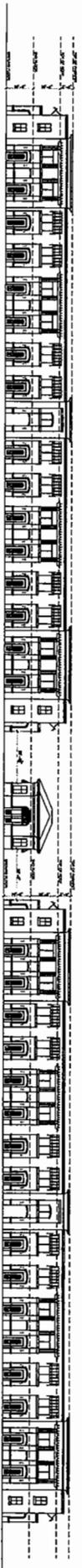


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208-044  
MAY 13 2009

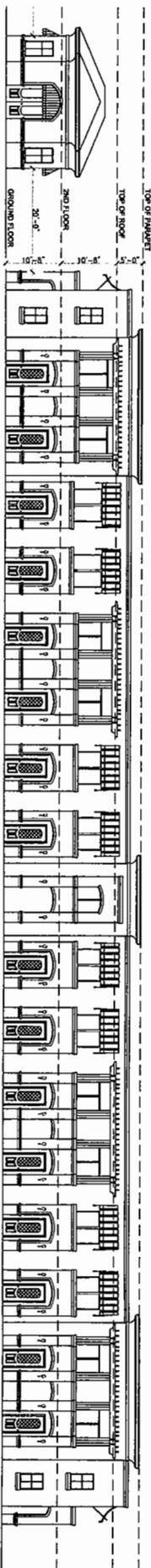
TOWN & PLANNING SECTION  
MANAGING ENGINEERING DEPT.  
BY: [Signature]

**RECEIVED**  
 208-044  
 AUG 11 2009

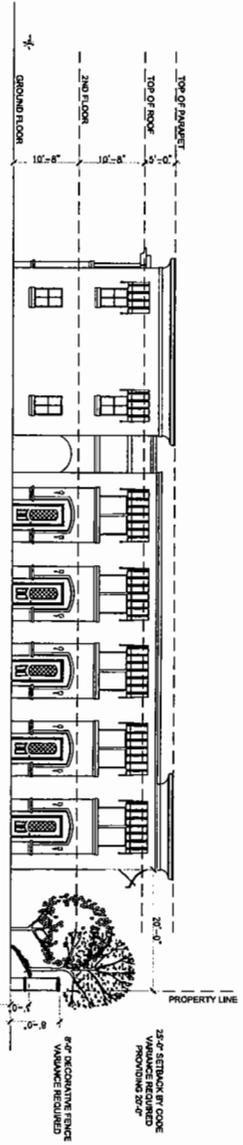
ZONING INFORMATION SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY *JAR*



WEST ELEVATION  
 SCALE: 1/16" = 1'-0"



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



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



Juan A. Rodriguez - RA  
 JOMOLCA  
 ARCHITECTS, P.A.  
 12691 SW 104th Street, Miami, FL 33186  
 (305) 671-1234  
 www.jar.com

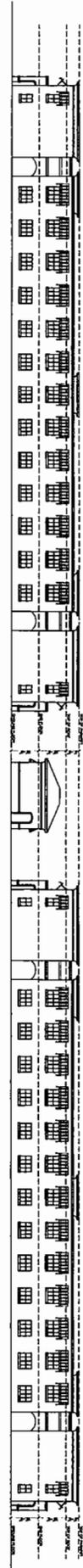
VANGUARD VILLAGE  
 ELDERLY LIVING  
 12691 SW 104th street,  
 Miami Dade County

A - 3

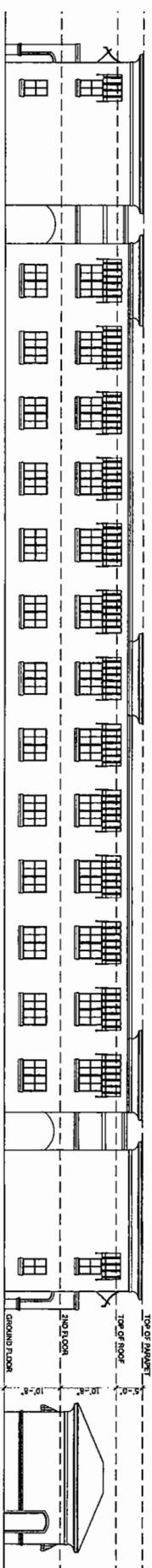


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 AUG 11 2009

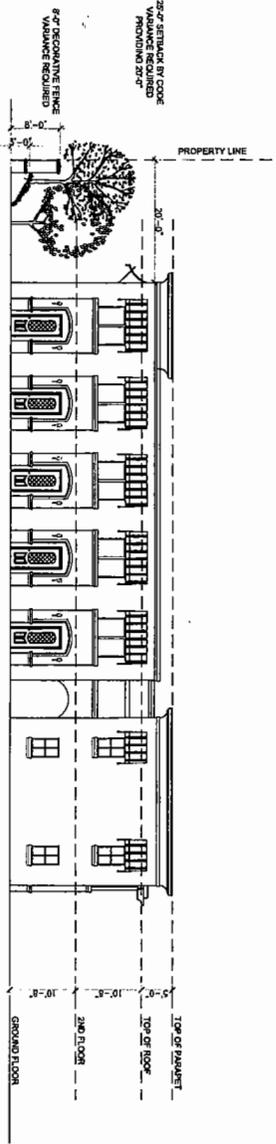
ZONING REGULATIONS SECTION  
 MIAMI-DADE PLANNING & ZONING DEPT.  
 BY *JRA*



**EAST ELEVATION**  
 SCALE: 1/16" = 1'-0"



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



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

24

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 208-044  
 AUG 11 2009

**A-4**

DATE	BY	REVISION

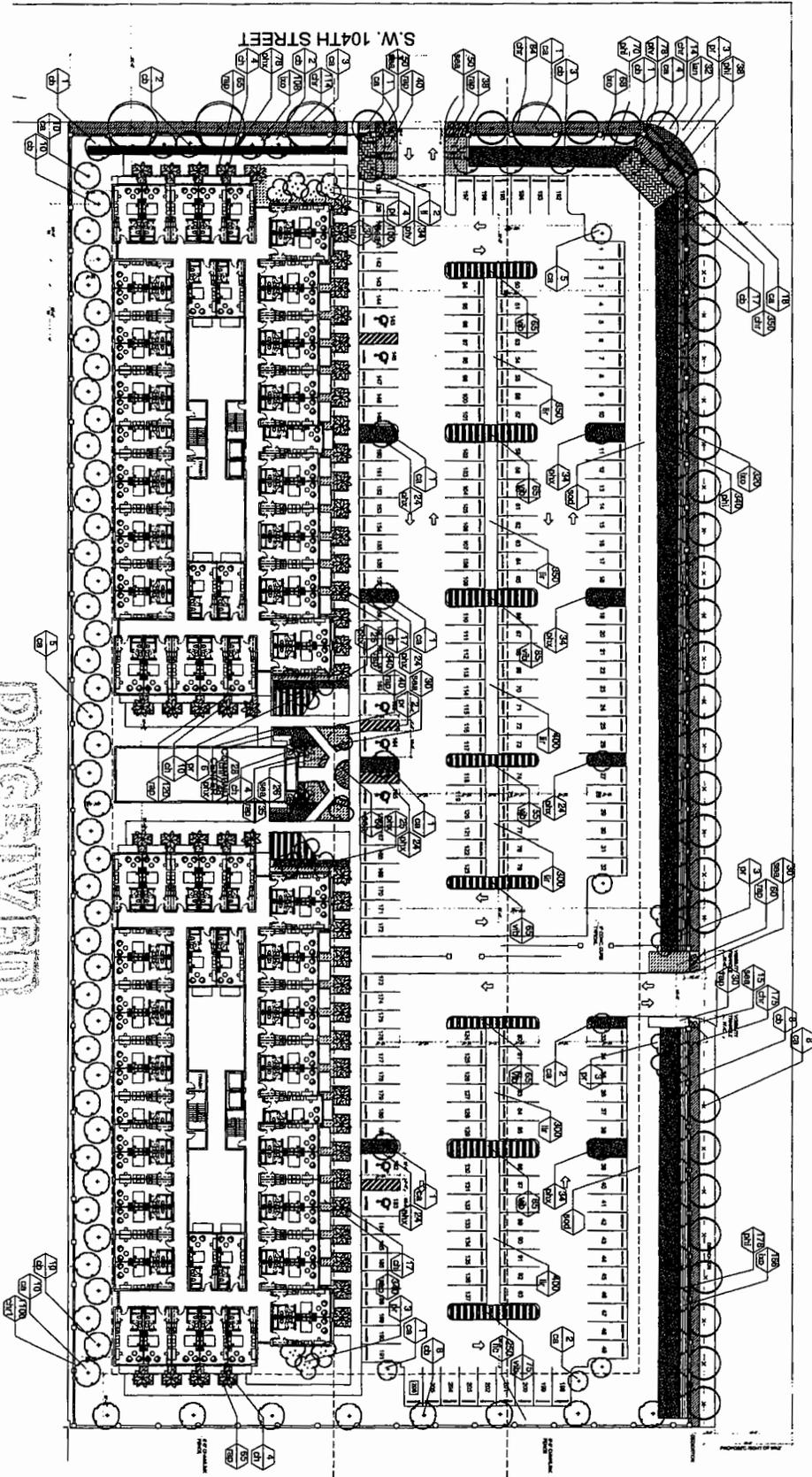
PROJECT NO. 1101

**VANGUARDIAN VILLAGE  
 ELDERLY LIVING**  
 12691 SW 104th street,  
 Miami Dade County



Juan A. Rodriguez -RA  
**JOMOLCA**  
 ARCHITECTS, P.A.  
 ARCHITECTS & INTERIORS  
 12691 SW 104th Street, Suite 101  
 Miami, FL 33186  
 (305) 551-1100  
 www.jomolca.com

S.W. 127TH AVENUE



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208-044  
JUL 13 2011

ZONING HEARINGS SECTION  
MANAGEMENT PLANNING & ZONING DEPT.  
BY *[Signature]*

SITE PLAN  
SCALE: 1" = 20'-0"

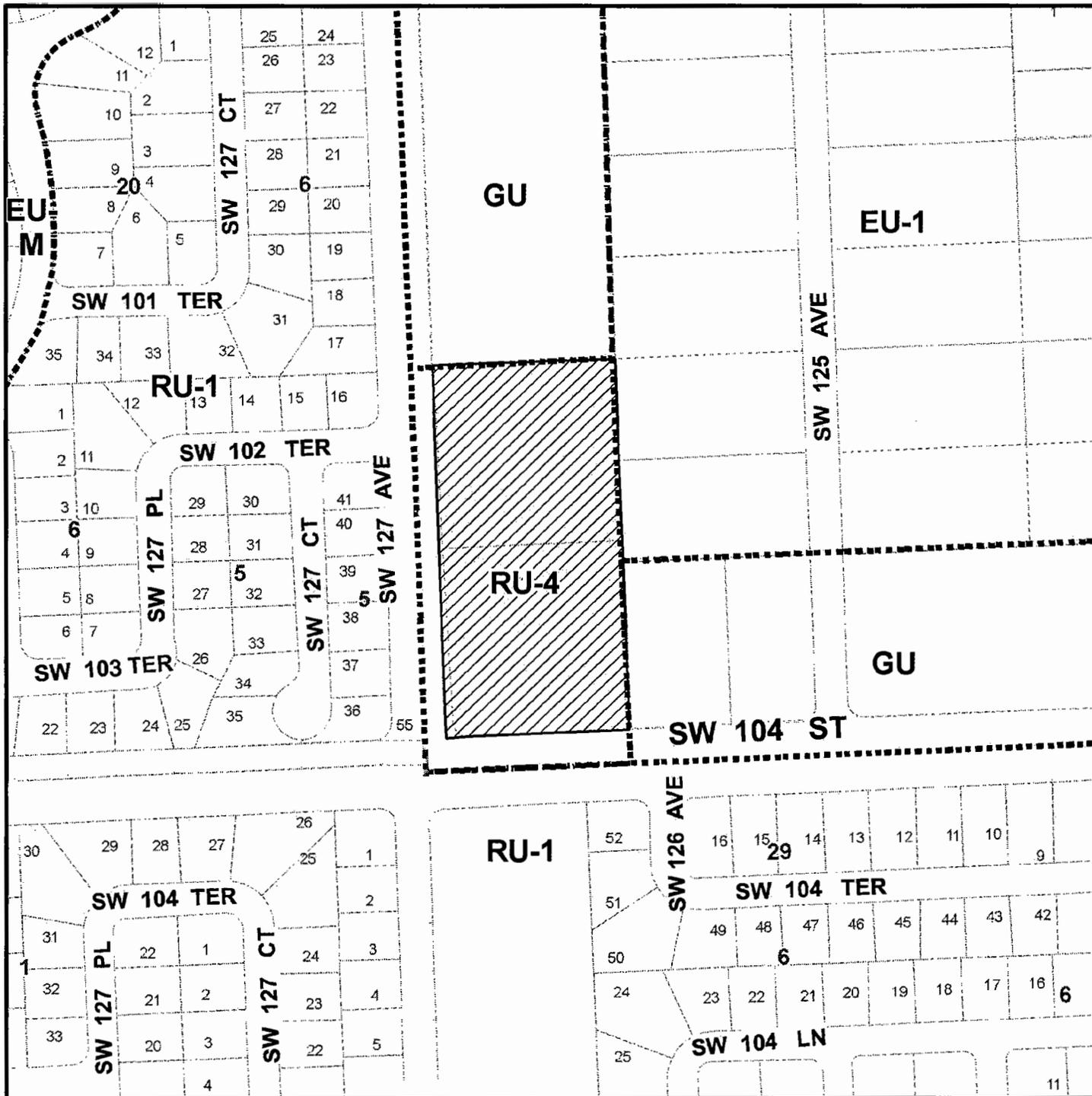
RECEIVED  
208-044  
JUL 13 2011

ZONING HEARINGS SECTION  
MANAGEMENT PLANNING & ZONING DEPT.

Revisions _____ _____ _____	<p>VANGUARDIAN SW 127th Avenue &amp; 104th Street MIAMI, FLORIDA</p>	 <p>Ivette Gotell Estefani Landscape Architect 9620 SW 103 Avenue Miami, FL 33176 (305) 278-1462</p>	<p>JOB NO. DATE: 7/12/07 SCALE</p> <p>Seal LAB666704 SHARDL NO.</p>
--------------------------------------	--	---	---

Designs are subject to modification or change as required by actual measurements, standard industry practices in light of existing structural and other conditions, applicable MFG codes, and the site. These plans are sold and shall remain the property of the Client and shall not be sold or reproduced without the prior written consent. All-Client shall be notified of any changes made by actual measurements, etc. as allowed prior to submission of any plans for bid or construction.





**MIAMI-DADE COUNTY**

**HEARING MAP**

Section: 01 Township: 55 Range: 39  
 Applicant: VANGUARDIAN VILLAGE, LLP  
 Zoning Board: C11  
 Commission District: 10  
 Drafter ID: JEFFER  
 Scale: NTS  
 ----- Zoning

Process Number

**08-044**



**SUBJECT PROPERTY**



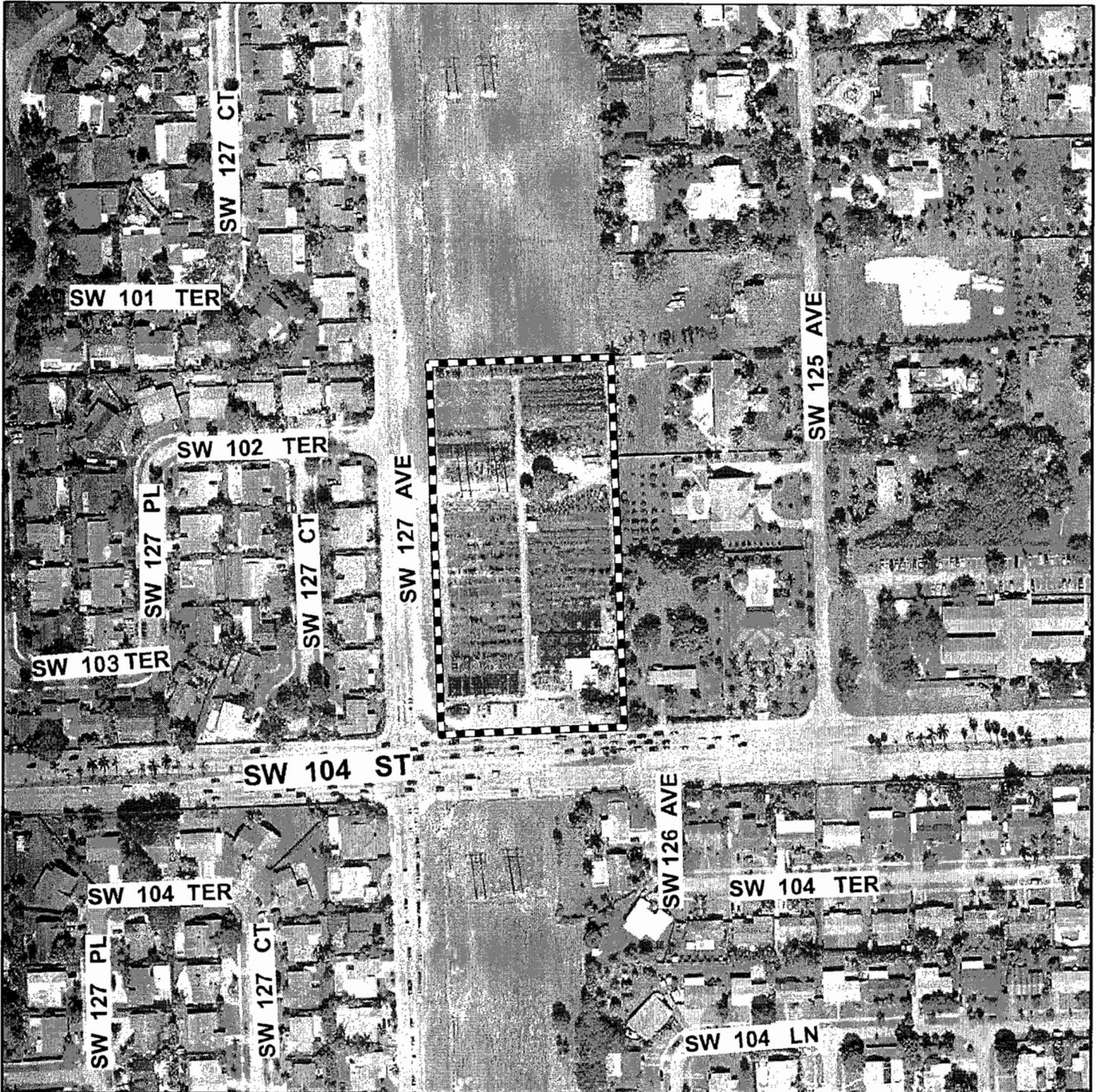
27



SKETCH CREATED ON: 01/23/09

REVISION	DATE	BY





**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2008**

Section: 01 Township: 55 Range: 39  
 Applicant: VANGUARDIAN VILLAGE, LLP  
 Zoning Board: C11  
 Commission District: 10  
 Drafter ID: JEFFER  
 Scale: NTS  
 ----- Zoning

Process Number

**08-044**



**SUBJECT PROPERTY**



SKETCH CREATED ON: 01/23/09

REVISION	DATE	BY

**1. MARIA MARTINEZ / JOSE GEVAN PRADO**  
**(Applicant)**

**10-10-CZ11-1 (10-006)**  
**Area 11/District 10**  
**Hearing Date: 10/28/10**

Property Owner (if different from applicant) **MARIA MARTINEZ.**

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

Disclosure of interest form attached? Yes  No

**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
1958	Pat Sand Corp.	- Zone change from GU to RU-1, BU-2. - Special Exception for Country Club. - Schools.	BCC	Approved on a modified basis.
1971	E.H. Puliam & Stanley J. Kline	- Zone change from RU-1 to RU-TH & RU-1 to RU-4L.	BCC	Approved
1971	E.H. Pullman & Stanley J. Kline	- Zone change from RU-1 to RU-TH & RU-1 to RU-4L.	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 DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO COMMUNITY COUNCIL No. 11**

**APPLICANTS:** Maria Martinez and Jose Gevan Prado

**PH:** Z10-006 (10-10-CZ11-1)

**SECTION:** 26-54-39

**DATE:** October 28, 2010

**COMMISSION DISTRICT:** 11

**ITEM NO.:** 1

**A. INTRODUCTION:**

o **REQUEST:**

- (1) Applicants are requesting to permit a covered terrace addition to a two-family residence setback 18.06' (25' required) from the rear (west) property line.
- (2) Applicants are requesting to permit a bedroom addition to the two-family residence setback 5.5' (7.5' required) from the interior side (north) property line.

REQUESTS #1 AND #2 FOR UNIT #6890

- (3) Applicant is requesting to permit a decorative and roofed area fountain to setback 0' (5' required) from the rear (west) property line and spaced 3' (10' required) from existing trellis.

REQUEST #3 FOR UNIT #6892

- (4) Applicants are requesting to permit the two-family residence with a lot coverage of 32.2% (30% permitted).

REQUEST #4 FOR BOTH 6890 AND 6892

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Existing Residence of Mrs. Maria Martinez," as prepared by Cristina Fandino, A.I.A., dated stamped received 6/10/10 and consisting of 4 sheets. Plans may be modified at public hearing.

o **SUMMARY OF REQUEST:**

The applicants are seeking approval for the continued use of an existing addition to a duplex residence with less rear and interior side setbacks than that required by the Zoning Code. Additionally, the applicants seek the continued use of a fountain setback less than required from the rear property line and spaced less than required from another structure. Moreover, the applicants are seeking a lot coverage which exceeds that permitted by the Zoning Code.

o **LOCATION:**

6890 and 6892 SW 130 Avenue, Miami-Dade County, Florida

- o **SIZE:** 9,353 sq. ft.

**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-Medium Density Residential** use. 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 DESIGNATION

LAND USE PLAN

**SUBJECT PROPERTY:**

RU-4L; Duplex

Low Medium Density Residential, 6 to 13 dua

**SURROUNDING PROPERTY:**

**NORTH:** RU-4L; Duplex residences

Low Medium Density Residential, 6 to 13 dua

**SOUTH:** RU-4L; school (baseball field)

Low Medium Density Residential, 6 to 13 dua

**EAST:** RU-4L; Duplex

Low Medium Density Residential, 6 to 13 dua

**WEST:** RU-4L; Duplex

Low Medium Density Residential, 6 to 13 dua

The subject property is an interior lot at the end of a cul-de-sac located at 6890-92 SW 130 Avenue. The surrounding area is developed with duplexes and a school.

**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**

\*Subject to conditions.

**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	<b>No objection</b>
Public Works	<b>No objection</b>
Parks	<b>No objection</b>
MDT	<b>No objection</b>
Fire Rescue	<b>No objection</b>
Police	<b>No objection</b>
Schools	<b>No comment</b>

**H. ANALYSIS:**

The subject property is an interior lot at the end of a cul-de-sac located at 6890-6892 SW 130 Avenue in an established area zoned RU-4L, Limited Apartment House District. 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 for a maximum of 2 units on this site. As such, the existing duplex on the subject site is consistent with the CDMP. In addition, since the request will not add additional units to the community, the existing duplex residence on this 9,353 square foot lot and the existing RU-4L zoning 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 Code of Miami-Dade County. The **Public Works Department** also has **no objections** to this application. The **Miami-Dade Fire Rescue Department** does not object to this application and has indicated in their memorandum that the estimated average travel time is **6:27** minutes.

When analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of requests #1, #2 and #4 would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community. Staff is of the opinion that the visual and aural impact of the existing 6.94' encroachment of the covered terrace into the rear (west) setback area, is buffered from the neighboring property to the west by an existing six (6) foot high wood fence running along the rear (west) property line. Similarly, staff notes that the two (2) foot encroachment into the interior side (north) property line, is buffered from

the neighboring property to the north, by an existing six (6) foot high wood fence running along the interior side (north) property line. Staff also opines that request #4 is germane to requests #1 and #2 and that the 2.2% lot coverage overage is a result of the aforementioned covered terrace and bedroom addition, which in staff's opinion do not cause a negative visual or aural impact the neighboring properties to the north and west. Therefore, staff recommends approval of request #4.

However, when analyzing request #2 to allow the maintenance and continued use of the existing fountain, staff notes that the plans submitted by the applicant depict said fountain attached to the existing six (6) foot high fence running along the rear (west) property line and that said fountain is also partially covered by an existing structure which is also attached to the existing six (6) high wood fence. Staff opines, that the roofed structure is visually intrusive and could possible result in water runoff into the adjacent property. In addition, staff opines that the fountain structure's seven (7) foot encroachment into the ten (10) foot spacing is excessive and as such recommends denial without prejudice of same. As such, staff recommends approval with conditions of requests #1, #2 and #4 and denial without prejudice of request #3 under the (NUV) Non-Use Variance Standards.

**I. RECOMMENDATION:**

Approval with conditions of requests #1, #2 and #4 and denial without prejudice of request #3.

**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 "Existing Residence of Mrs. Maria Martinez," as prepared by Cristina Fandino, A.I.A., dated stamped received 6/10/10 and consisting of 4 sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the existing fountain located on the southeast corner of the site be removed or that permits be obtained to relocate to conform with zoning setback requirements within 90 days of the expiration of the appeal period for this Zoning Hearing, unless a time extension is granted by the Director of the Department of Planning and Zoning.
5. That the applicant apply for a building permit for the covered terrace and bedroom addition from the Building Department within 90 days after final public hearing approval of this application.

6. That the proposed covered terrace addition not be enclosed in any manner except for approved insect screen materials.

**DATE INSPECTED:** 06/17/10  
**DATE TYPED:** 09/07/10  
**DATE REVISED:** 09/24/10  
**DATE FINALIZED:** 09/27/10  
MCL:GMR:NN:CH:AA

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

**Date:** February 3, 2010

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

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



**Subject:** C-11 #Z2010000006  
Maria Martinez  
6890 S.W. 130<sup>th</sup> Avenue  
Request to Permit a Bedroom and Terrace Addition Setback Less than  
Required from Property Lines  
(RU-TH) (4.07 Acres)  
26-54-39

---

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.

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.

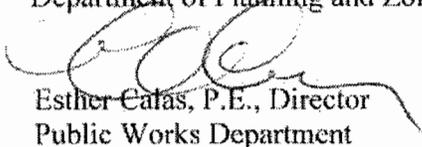
If you have any questions concerning the comments, or wish to discuss this matter further, please contact Christine Velazquez, at (305) 372-6764.

# 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:** 19-FEB-10  
**To:** Marc LaFerrier, Director  
 Department of Planning and Zoning  
**From:** Herminio Lorenzo, Fire Chief  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2010000006

**Fire Prevention Unit:**

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

**Service Impact/Demand**

Development for the above Z2010000006  
 located at 6890-6892 S.W. 130 AVENUE, MIAMI-DADE COUNTY, FLORIDA.  
 in Police Grid 1704 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.

DATE: 17-JUN-10  
REVISION 1

**BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT**

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

MARIA MARTINEZ/JOSE GEVAN  
PRADO

6890-6892 S.W. 130 AVENUE,  
MIAMI-DADE COUNTY, FLORIDA.

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**APPLICANT**

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**ADDRESS**

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Z201000006

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**HEARING NUMBER**

**HISTORY:**

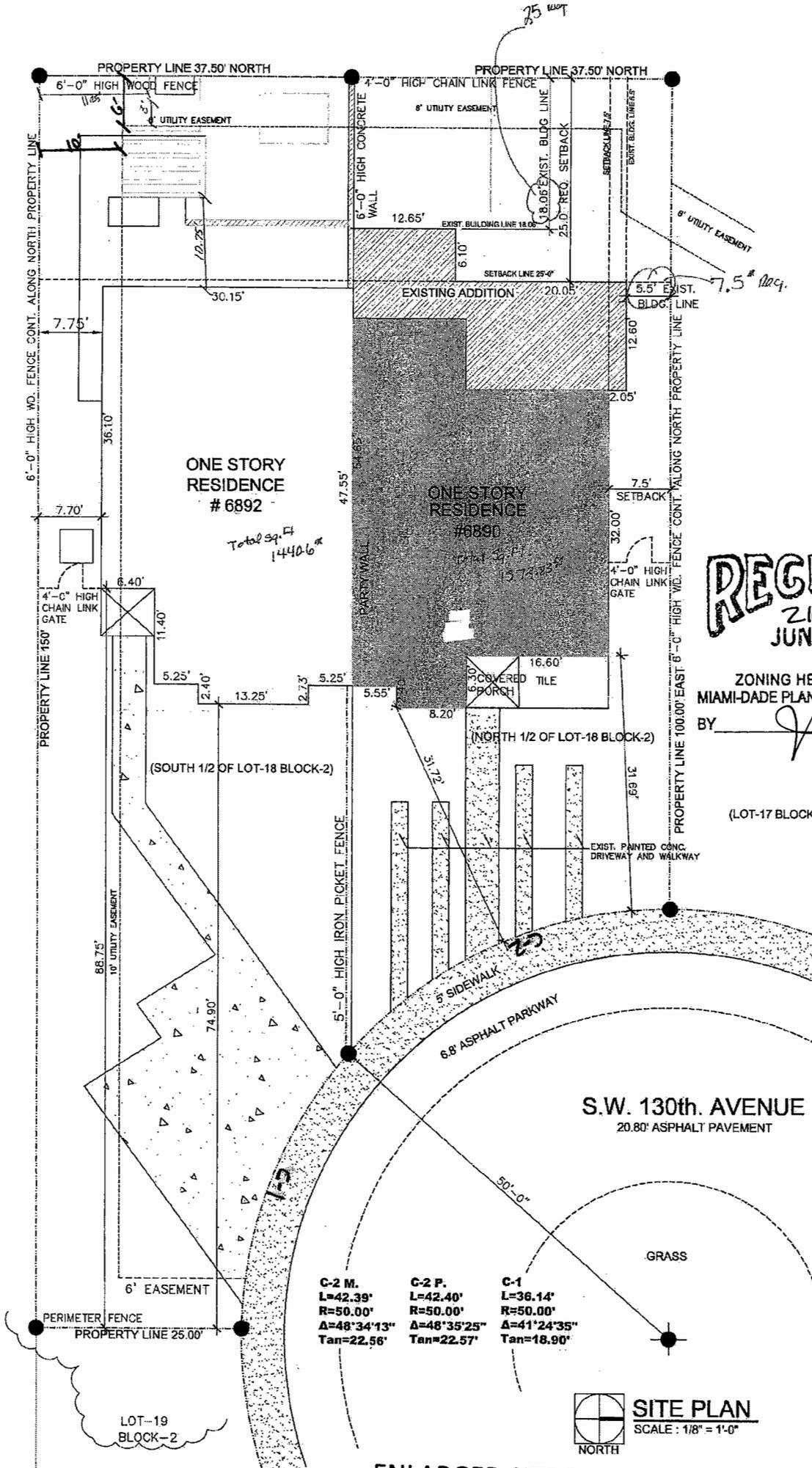
NC: NO CURRENT ZONING VIOLATIONS FOUND  
BLDG: (1)CASE FOUND FOR WORK WITHOUT A PERMIT [YEAR 2006]; PENDING CLOSURE  
FROM BUILDING ENFORCEMENT

MARIA MARTINEZ/JOSE GEVAN PRADO

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

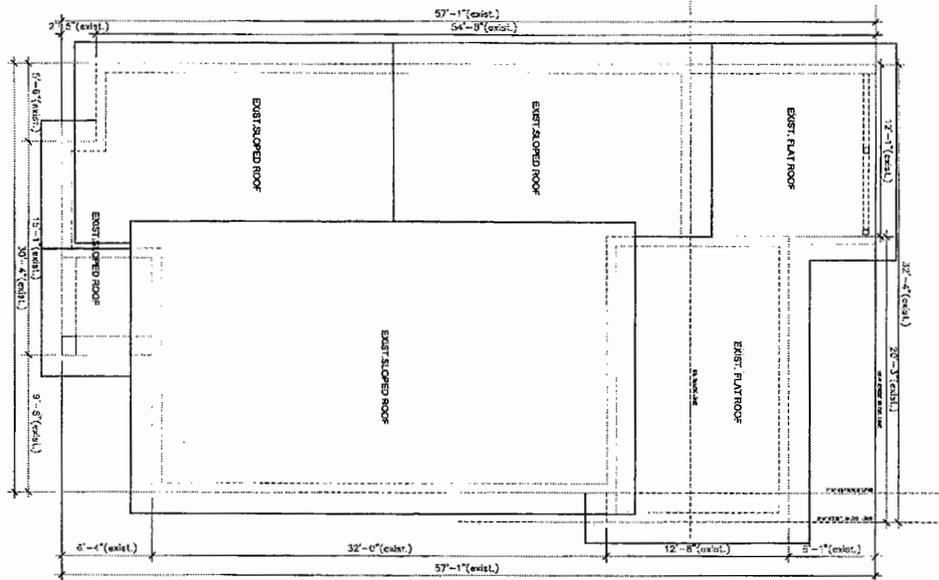
**REPORTER NAME:**

UNKNOWN

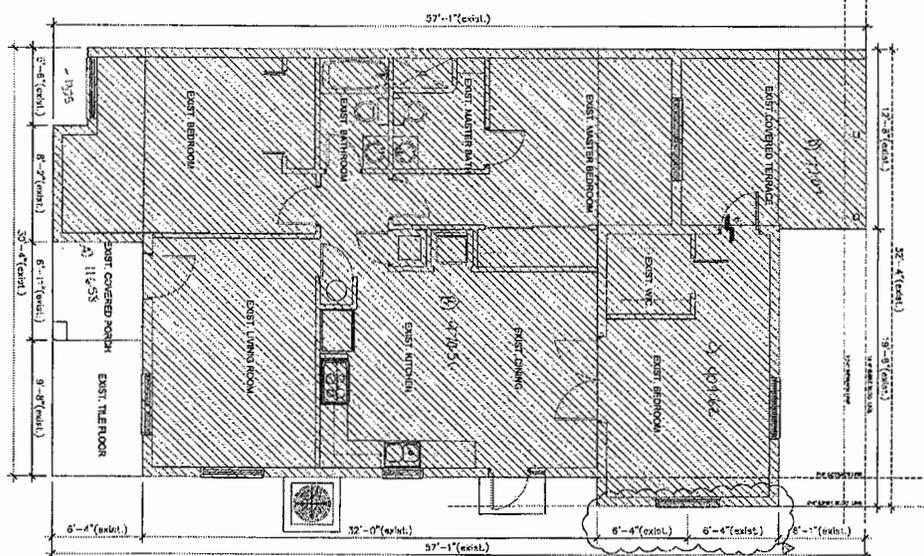








ROOF PLAN  
SCALE: 1/8" = 1'-0"



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

**RECEIVED**  
210-006  
JUN 10 2010

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

**PREPARED BY**  
Cristina Fandiño AIA  
ARCHITECT

11/4/09  
07/25/09  
04/04/09  
07/07/09  
07/23/09

**CRISTINA FANDIÑO AIA**  
ARCHITECT  
A.R. No. 0014682  
9281 S.W. 76 ST. MIAMI, FLORIDA 33173

OWNER:

Exist. Residence of  
Mrs. Maria Martinez  
6890 S.W. 130th. Avenue  
Miami, Florida

14

REVISIONS  
1. 11/20/09  
2. 09/07/2010  
3. 05/07/2010

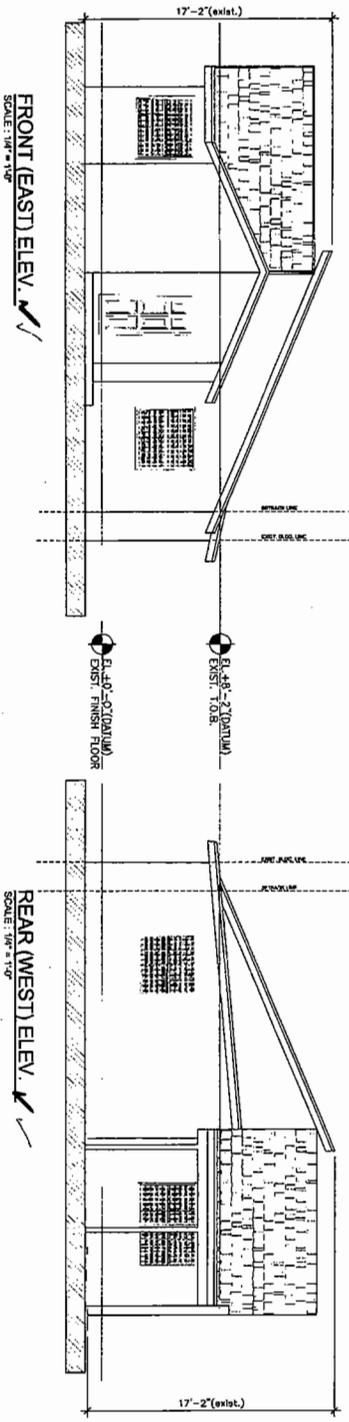
DATE: MARCH 2009  
DRAWN BY: O. D.  
PROJECT MANAGER: C.F.

FLOOR PLANS

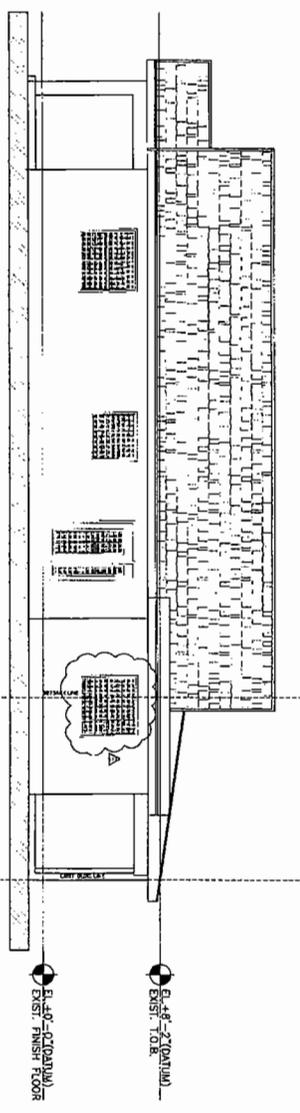
SHEET  
A-2

2 OF 3

*[Handwritten Signature]*  
06/18/10



RIGHT (NORTH) ELEV. *V*  
SCALE: 1/8" = 1'-0"



**RECEIVED**  
2-10-006  
JUN 10 2010

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

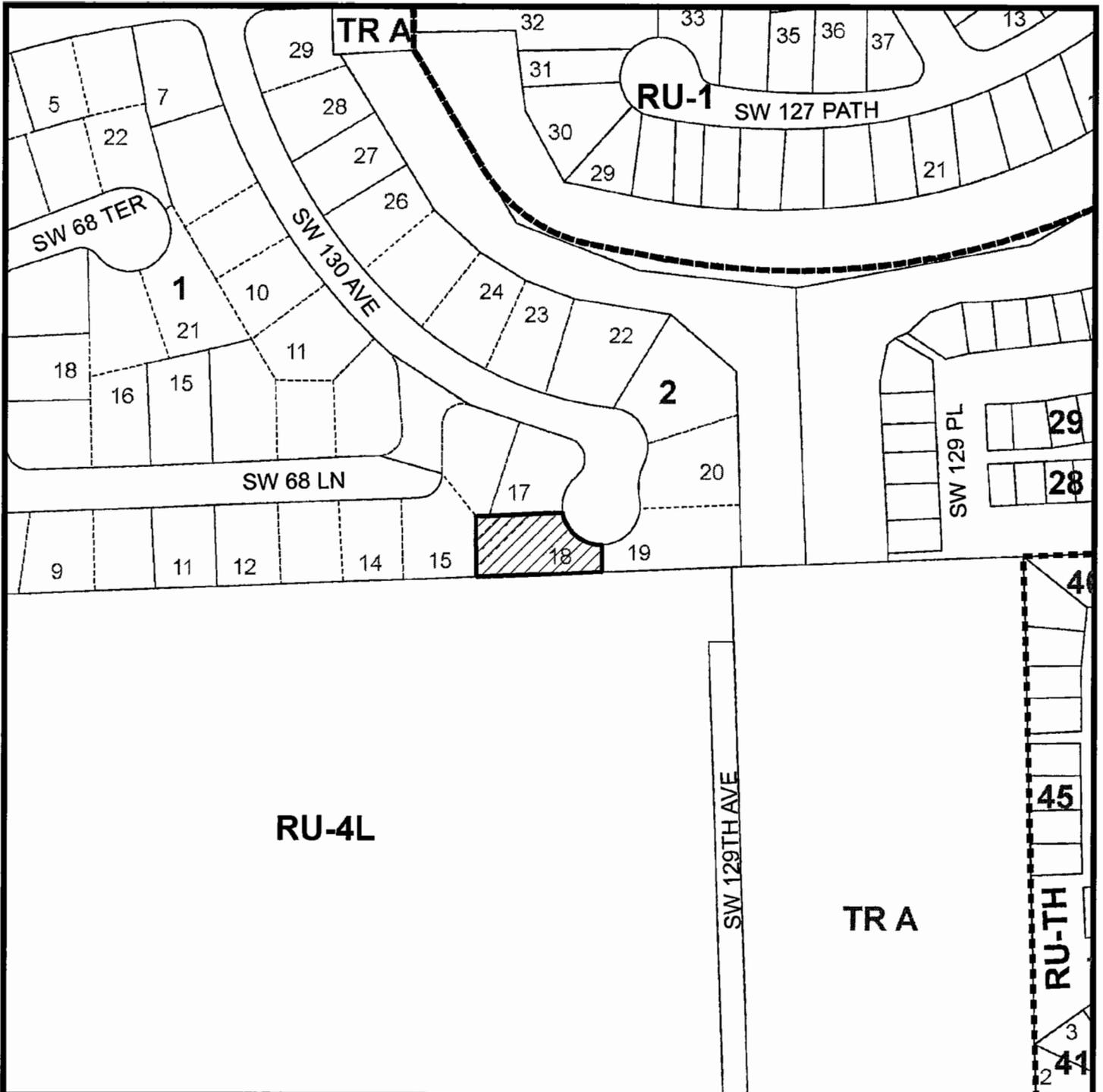
BY

*[Signature]*

15

**RECEIVED**  
2-10-006  
JUN 10 2010

<p>REVISIONS          1 1/28/2009          2 03/01/2010          3 05/07/2010</p>	<p>OWNER:          Exist. Residence of          Mrs. Maria Martinez          6890 S.W. 130th Avenue          Miami, Florida</p>	<p>CRISTINA FANDIÑO AIA          ARCHITECT          A.R. No. 0014482          9281 S.W. 74 St. MIAMI FLORIDA 33173          DATE: MARCH 2009 786.677.3179          DRAWN BY: C.D.          PROJECT MANAGER: C.F.</p>	<p>SHEET          A-3          3 OF 4          ELEVATIONS</p>
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**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**10-006**



Section: 26 Township: 54 Range: 39  
 Applicant: MARIA MARTINEZ / JOSE GEVAN PRADO  
 Zoning Board: C11  
 Commission District: 10  
 Drafter ID: KEELING STENNETT  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Monday, January 25, 2010

REVISION	DATE	BY
Add Applicant Name	07/22/10	KWS
		16



**MIAMI-DADE COUNTY**

**AERIAL YEAR 2009**

**Section: 26 Township: 54 Range: 39**

**Applicant: MARIA MARTINEZ/JOSE GEVAN PRADO**

**Zoning Board: C11**

**Commission District: 10**

**Drafter ID: KEELING**

**Scale: NTS**

**Process Number**

**10-006**

**Legend**

 Subject Property Case



SKETCH CREATED ON: Monday, January 25, 2010

REVISION	DATE	BY
Add applicant name	07/22/10	KWS