FINAL AGENDA

3-12-2014 Version # 2

MIAMI-DADE COUNTY

COMMUNITY ZONING APPEALS BOARD 11
KENDALL VILLAGE CENTER - CIVIC PAVILION
8625 SW 124 Avenue, Miami
Tuesday, April 8, 2014 at 7:00 p.m.

PREVIOUSLY DEFERRED

A.	14-3-CZ11-1	ARIES INVESTMENTS & FINANCIAL SERVICES, INC	13-104	22-55-39	

CURRENT

1.	14-4-CZ11-1	MILLER SQUARE LLC	11-121	27-54-39	N
2.	14-4CZ11-2	EFREN BELLO	13-114	22-54-39	N

Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 11

MEETING OF TUESDAY, APRIL 8, 2014

KENDALL VILLAGE CENTER – CIVIC PAVILLION

8265 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. ARIES INVESTMENTS & FINANCIAL SERVICES, INC. 14-3-CZ11-1 (13-104) **22-55-39**
Area 11/District 11

MODIFICATION of Condition #5 of Resolution CZAB11-19-09, passed and adopted by the Community Zoning Appeals Board #11, reading as follows:

FROM: "5. That lights be permitted up to and no later than 11:00 PM with the proper shielding."

TO: "5. That lights be permitted up to and no later than 2:00 AM with the proper shielding."

The purpose of the request is to extend the hours for the use of the lights for a previously approved mini soccer facility.

LOCATION: 14275 SW 139 Court, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 0.93 Acre

Department of Regulatory and Economic Resources Recommendation: Denial without prejudice.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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1. MILLER SQUARE, LLC. 14-4-CZ11-1 (11-121) **27-54-39**
Area 11/District 11

NON-USE VARIANCE to permit a shopping center with an 9th detached sign (2 permitted, 8 existing and previously approved) of 252 sq. ft. size.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Miller Square Shopping Center" as prepared by WHA Design, Inc., dated stamped received 2/14/14 and consisting of 2 sheets and plan entitled "L.A. Fitness" as prepared by Thomas Sign & Awning Company, Inc., consisting of 1 sheet dated stamped received 12/13/13 for a total of 3 sheets. Plans may be modified at public hearing.

LOCATION: 13714 SW 56 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 23 Acres

Department of Regulatory and Economic Resources Recommendation: Approval with conditions.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

2.EFREN BELLO 14-4-CZ11-2 (13-114) **22-54-39**
Area11/District 11

(1) NON-USE VARIANCE to permit an existing covered patio setback 1.75' (5' required) from the rear (west) property line.

(2) NON-USE VARIANCE to permit a patio living area of 362 sq. ft. (400 sq. ft. minimum required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Floor Plan" as prepared by MDS Engineering Corp. and dated stamped received 12/16/13 and consisting of 1 sheet. Plans may be modified at public hearing.

LOCATION: 5042 SW 145 Avenue, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: .062 Acre

Department of Regulatory and Economic Resources Recommendation: Approval with conditions.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

NOTICE

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

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Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court.

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

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website (www.municode.com). 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 for challenge or appeal.

Miami-Dade County Department of Regulatory And Economic Resources
Staff Report to Community Council No. 11

PH: Z13-104(14-3-CZ11-1) **April 8, 2014**
Item No. A

Recommendation Summary	
Commission District	11
Applicant	Aries Investments and Financial Services, Inc.
Summary of Requests	The applicant is seeking to modify a condition of a previously approved resolution to allow the extension of the operating hours for the previously approve recreational facility.
Location	14275 SW 139 Court, Miami-Dade County, Florida.
Property Size	0.93-acre
Existing Zoning	IU-C, Conditional Industrial District
Existing Land Use	Recreational facility
2015-2025 CDMP Land Use Designation	Industrial and Office (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(7) Generalized Modification Standards (see attached Zoning Recommendation Addendum)
Recommendation	**Denial without prejudice.**

This item was deferred from the March 11, 2014 Community Zoning Appeals Board (CZAB) #11 meeting to allow the applicant time to provide additional information to staff.

REQUEST:

Modification of Condition #5 of Resolution #CZAB11-19-09 passed and adopted by Community Zoning Appeals Board #11, and reading as follows:

From: "5. That lights be permitted up to and no later than 11:00 PM with the proper shielding."

To: "5. That lights be permitted up to and no later than 2:00 AM with the proper shielding"

The purpose of the request is to extend the hours for the use of the lights for a previously approved mini soccer facility.

PROJECT DESCRIPTION AND HISTORY:

The subject site is an existing .93-acre parcel that was approved with conditions, pursuant to Resolution #CZAB11-19-09, to permit recreational facility consisting of three (3) mini soccer fields and a concession stand.

The applicant now seeks to modify one of the approved conditions in order to extend the hours of operation of the previously approved recreational facility.

NEIGHBORHOOD CHARATERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	IU-C; recreational facility	Industrial and Office
North	IU-C; warehouses	Industrial and Office
South	IU-C; warehouses	Industrial and Office
East	RU-3M; vacant	Industrial and Office
West	IU-C: warehouses	Industrial and Office

NEIGHBORHOOD COMPATIBILITY:

The subject property is located at 14275 SW 139 Court. A vacant parcel lies to the east of the subject property that was recently approved to allow a multi-family residential development and warehouse buildings surround the subject property to the north, south and west.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to extend the hours of operation for an existing recreational facility consisting of two (2) mini soccer fields and a concession stand. However, same could have a negative visual impact on the surrounding area and could create additional aural impact on any future residential development on the abutting parcel to the east.

CDMP ANALYSIS:

The subject property is designated for **Industrial and Office** use on the Adopted 2020-2030 Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. This category accommodates uncommon commercial uses such as amusement uses, and others with unusual sitting requirements may also be considered at appropriate locations. Since the applicant is not requesting to add any additional uses to the existing IU-C zoning and the existing previously approved recreational facility use, approval of the application is **consistent** with the CDMP LUP Map designation.

ZONING ANALYSIS:

When the requested modification is analyzed under Section 33-311(A)(7) Generalized Modification Standards, staff opines that approval of this request would be **incompatible** with the surrounding area. Staff notes that pursuant to Resolution #CZAB11-19-09, the subject property was approved with a condition to allow the lights to be on up to and no later than 11:00 PM with the proper shielding. At the CZAB hearing in 2009, staff recommended that the use of the mini soccer fields to be limited to day light hours only in order to diminish the aural impact on the surrounding area, more specifically on the adjacent property lying to the east of the subject property which is presently vacant but could be developed with residential use in the future. However, the Board did not include that condition in its resolution and allowed for lights to be permitted up to and no later than 11:00 PM with the proper shielding.

Staff also notes that the property to the east was recently approved for a residential development, pursuant to Resolution #CZAB11-7-13. Staff opines that extending the time allowed for lighting for the existing facility will have negative visual and aural impacts on the proposed residential development on the adjacent property to the east, which will detrimentally impact the way of life for future residents. Additionally, approval of this application will intensify

the uses on the subject parcel by extending the hours of use for the recreational facility, which staff does not support due to the reasons outlined above.

Therefore, staff opines that the approval of the applicant's requests to modify the condition of the prior resolution would have a negative aural and visual impact on the surrounding area and would be **incompatible** with the area concerned, when considering the necessity and reasonableness of the modifications in relation to the present and future development of the area. **As such, staff recommends denial without prejudice of this application under Section 33-311(A)(7) Generalized Modification Standards.**

ACCESS, CIRCULATION AND PARKING: N/A

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

OTHER: N/A

RECOMMENDATION: **Denial without prejudice.**

CONDITIONS FOR APPROVAL: None.

ES:MW:NN:CH:JV

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

ZONING RECOMMENDATION ADDENDUM

Aries Investments and Financial Services, Inc.
Z13-104

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

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

Industrial and Office (Page I-39)	*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.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 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.*

A. ARIES INVESTMENTS & FINANCIAL SERVICES, INC. **14-3-CZ11-1 (13-104)**
(Applicant) **Area 11/District 11**
Hearing Date: 04/08/14

Property Owner (if different from applicant) **ARIESINVESTMENTS&FINANCIALSERVINC.**

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:

Year	Applicant	Request	Board	Decision
2009	Aries Investments & Financial Services, Inc.	- Unusual Use to permit a private recreational facility; to wit: 3 outdoor mini soccer fields with a concession stand and locker room facility.	C11	Approved with condition(s)

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

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

#1

APPLICANT'S NAME: **ARIES INVESTMENTS & FINANCIAL SERVICES, INC.**

REPRESENTATIVE: Guillermo Olmedillo

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
14-3-CZ11-1 (13-104)	March 11, 2014	CZAB11	1	14

REC: Denial without prejudice.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):_____

■ DEFER: ☐ INDEFINITELY ■ TO: April 8, 2014 ■ 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

■ The application was deferred to April 8, 2014 with leave to amend and no re-advertisement.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILWOMAN	**S**	Carolina **BLANCO**	**X**		
COUNCILMAN		Socrates **DE JESUS**			**X**
VICE CHAIR		Miguel **DIAZ**			**X**
COUNCILMAN		Jay **REICHBAUM**	**X**		
COUNCILWOMAN	**M**	Beatriz **SUAREZ**	**X**		
CHAIR WOMAN		Patricia **DAVIS**	**X**		
		VOTE:	**4**	**0**	

EXHIBITS: ■ YES ☐ NO COUNTY ATTORNEY: Abbie S. Raurell

Memorandum

MIAMI-DADE COUNTY

Date: November 27, 2013

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

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

Subject: Pinecrest #Z2013000104
Aries Investments & Financial Services Inc
14275 SW 139th Court
Modify condition of previous resolution to change the hours that lights can be on in a mini-soccer field
(IU-C) (.93 Acres)
22-55-39

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

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

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

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

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

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

cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum

MIAMI-DADE COUNTY

Date: January 10, 2014

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

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

Subject: Z2013000104
Name: Aries Investment & Financial Services, Inc.
Location: 14275 SW 139 Court
Section 22 Township 55 South Range 39 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lot 17, Block 1 of Plat Book 109, Page 18.

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

Memorandum

MIAMI-DADE COUNTY

Date: December 12, 2013

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

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

Subject: Aries Investments and Financial Services, Inc. (#13_104)

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

Application: ***Aries Investments and Financial Services, Inc.*** is requesting a modification of Resolution No. CZAB 11-19-09 to extend the hours of operation for mini-soccer facilities on the property, located in an Industrial district (IU-C).

Size: The subject property is approximately .93 acre.

Location: The subject property is located at 14275 SW 139th Court, in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 25, 2013, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Regulatory and Economic Resources Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

Pursuant to Chapter 15 of the Miami-Dade County Code (Code), entitled Solid Waste Management, the mini-soccer facilities on the property will be considered a commercial establishment. Per the Code the following is required of commercial establishments located in unincorporated Miami-Dade County:

"Every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service, once the building is developed.

3. Recycling

The following language from **Section 15-2.3a** of the Code requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

1) High grade office paper
2) Mixed paper
3) Corrugated cardboard
4) Glass (flint, emerald, amber)
5) Aluminum (cans, scrap)
6) Steel (cans, scrap)
7) other metals/scrap production materials
8) Plastics (PETE, HDPE-natural, HDPE-colored)
9) Textiles
10) Wood

Section 15-2.3 of the Code states the failure of a commercial establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner and the owner(s) and operator(s) of the commercial establishment shall be jointly and severally liable.

4. Waste Storage/Setout Considerations

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

5. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
b. "T" shaped turnaround 60 feet long by 10 feet wide
c. Paved throughway of adequate width (minimum 15 feet)

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection.

Memorandum

Date: 03-DEC-13

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

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

Subject: Z2013000104

Fire Prevention Unit:

No objection to the existing survey with a November 19, 2013 Zoning Department received date.

Service Impact/Demand

Development for the above Z2013000104
located at 14275 SW 139 CT, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 2018 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: 7:12 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 43 - Richmond - 13390 SW 152 Street
Rescue, ALS 65' Aerial, (TRT)

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.

11

DATE: 11-FEB-14

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

ARIES INVESTMENTS & FINANCIAL SERVICES, INC	14275 SW 139 CT, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2013000104

HEARING NUMBER

HISTORY:

THERE ARE NO CURRENT OPENED OR CLOSED NEIGHBORHOOD REGULATIONS OR BUILDING SUPPORT REGULATION CASES

ARIES INVESTMENTS & FINANCIAL SERVICES, INC

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: ARIES INVESTMENT & FINANCIAL SERVICES, INC.

NAME AND ADDRESS	Percentage of Stock
JORGE FERRER 8567 CORAL WAY S. 381	100%
MIAMI, FLORIDA 33155	

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 _____

NAME AND ADDRESS	Percentage of Interest

RECEIVED
NOV 19 2013
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

RECEIVED
OCT 21 2013
ZONING ADMINISTRATIVE REVIEW SECT.
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS	Percentage of Ownership

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

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable) | Percentage of Interest

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

RECEIVED
NOV 19 2013
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY _____

13-104

Date of contract: _____

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

_____

_____

_____

_____

_____

RECEIVED
OCT 21 2013
ZONING ADMINISTRATIVE REVIEW SECT.
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

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

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

Signature: _____
(Applicant)

Sworn to and subscribed before me this 26 day of Sep, 2013. Affiant is personally know to me or has produced _____ as identification.

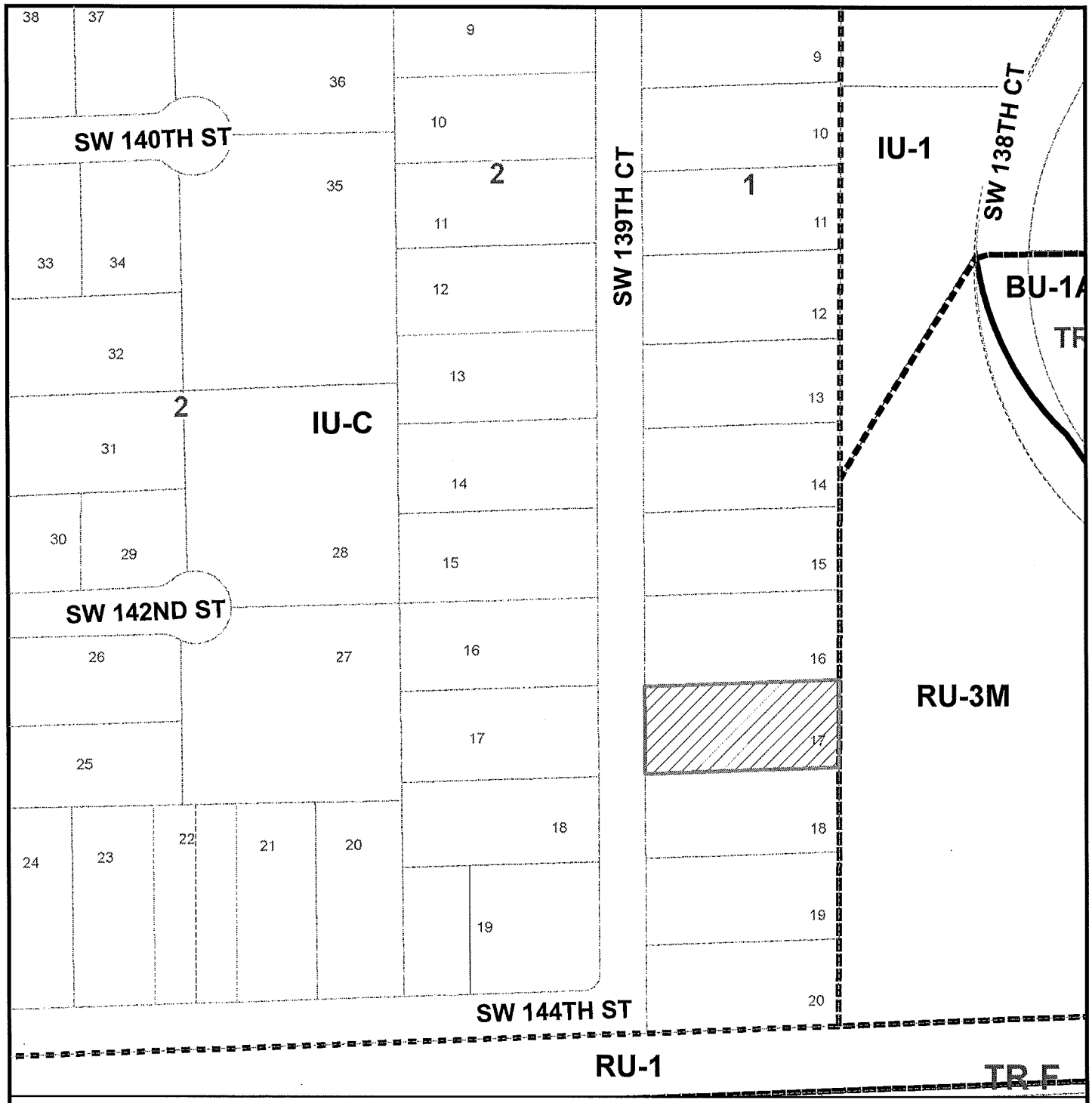
_____
(Notary Public)

My commission expires: 6/12/16

Seal

YVETTE OW
MY COMMISSION # EE206305
EXPIRES June 12, 2016
(407) 398-0153 FloridaNotaryService.com

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



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2013000104

Section: 22 Township: 55 Range: 39
Applicant: ARIES INVESTMENTS & FINANCIAL SERVICES, INC
Zoning Board: C11
Commission District: 11
Drafter ID: JEFFER GURDIAN
Scale: NTS

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Legend

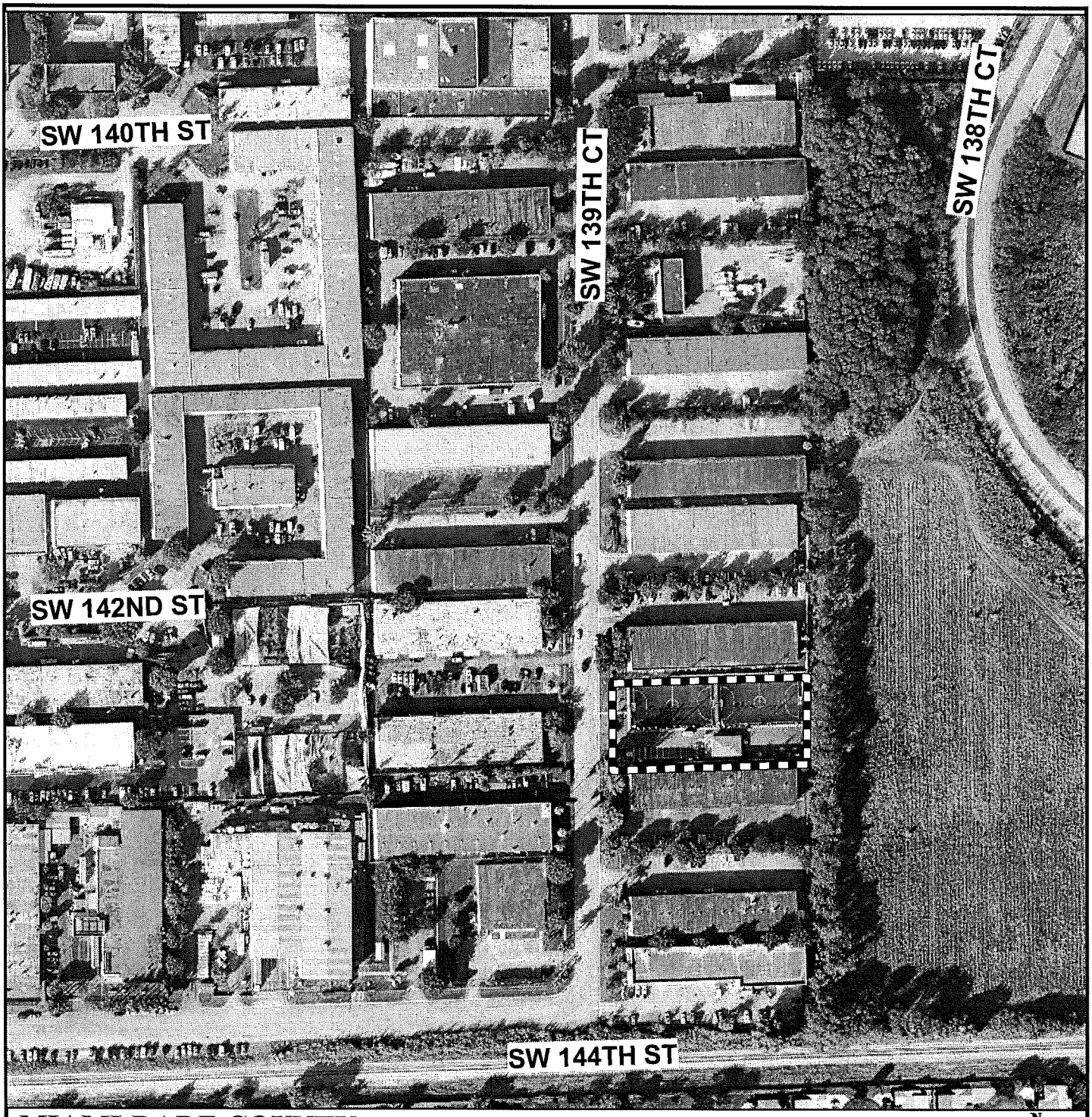
Subject Property Case

Zoning

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, December 3, 2013

REVISION	DATE	BY



MIAMI-DADE COUNTY

AERIAL YEAR 2012

Process Number

Z2013000104

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Section: 22 Township: 55 Range: 39
Applicant: ARIES INVESTMENTS & FINANCIAL SERVICES, INC
Zoning Board: C11
Commission District: 11
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, December 3, 2013

REVISION	DATE	BY
		16

MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2013000104

RADIUS: 2640

Section: 22 Township: 55 Range: 39
Applicant: ARIES INVESTMENTS & FINANCIAL SERVICES, INC
Zoning Board: C11
Commission District: 11
Drafter ID: JEFFER GURDIAN
Scale: NTS

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Subject Property

Buffer

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, December 3, 2013

REVISION	DATE	BY
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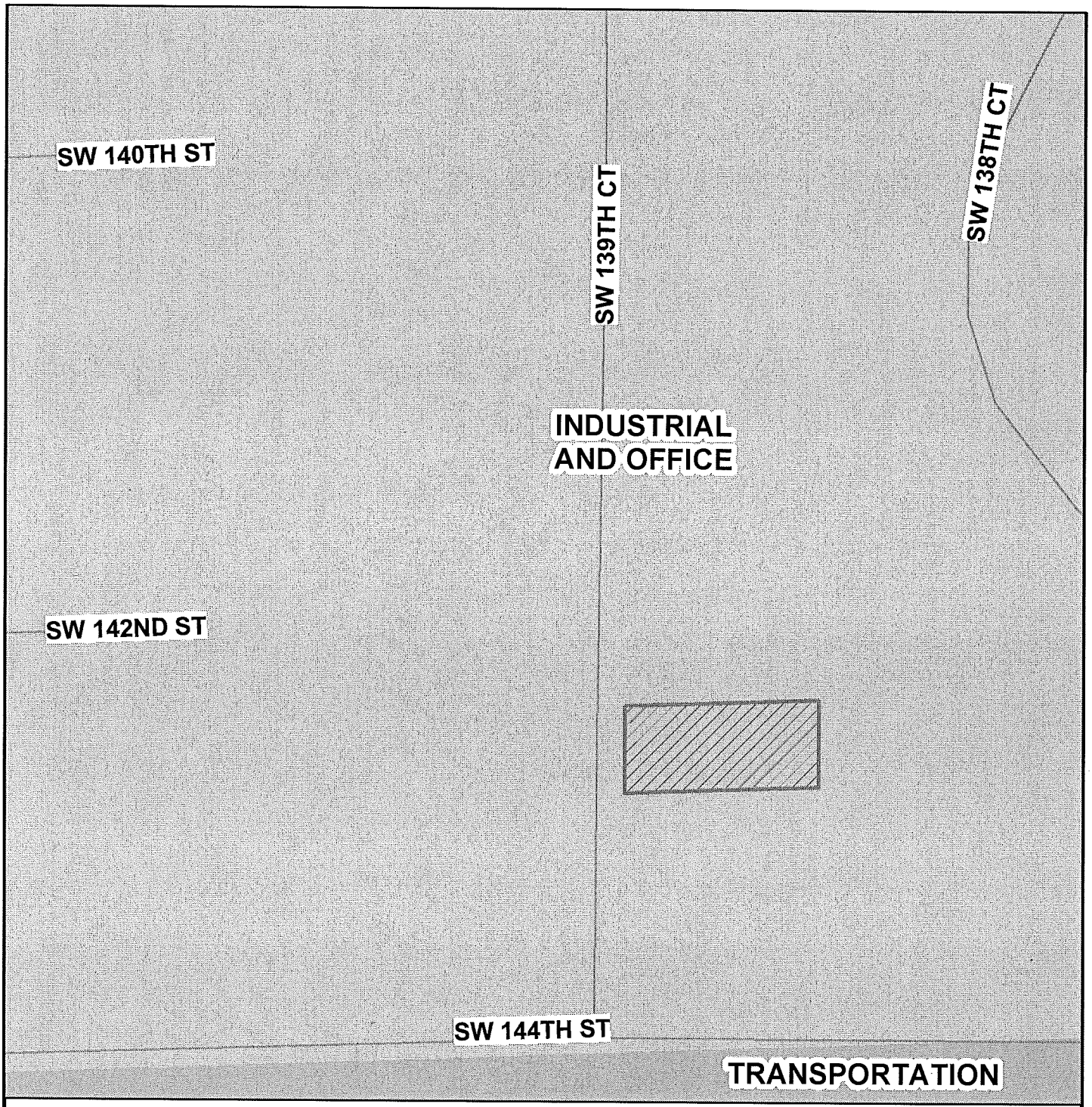

MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2013000104

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Section: 22 Township: 55 Range: 39
Applicant: ARIES INVESTMENTS & FINANCIAL SERVICES, INC
Zoning Board: C11
Commission District: 11
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, December 3, 2013

REVISION	DATE	BY

Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 11

PH: Z11-121 (14-4-CZ11-1) **April 8, 2014**
Item No. 1

Recommendation Summary	
Commission District	10
Applicant	Miller Square, LLC
Summary of Requests	The applicant is seeking to increase the number of detached signs on site.
Location	13714 SW 56 Street, Miami-Dade County, Florida.
Property Size	23-acres
Existing Zoning	BU-2, Special Business District
Existing Land Use	Shopping center
2020-2030 CDMP Land Use Designation	Business and Office *(see attached Zoning Recommendation Addendum)*
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations *(see attached Zoning Recommendation Addendum)*
Recommendation	**Approval with conditions**

REQUEST:

NON-USE VARIANCE to permit a shopping center with a 9th detached sign (2 permitted - 8 existing and previously approved) of 252 sq. ft. in size.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "Miller Square Shopping Center" as prepared by WHA Design, Inc., consisting of 2 sheets, dated stamped received 02/14/14, and a plan entitled "LA Fitness", as prepared by Thomas Sign & Awning Co Inc, consisting of 1 sheet dated stamped received 12/13/13, for a total of 3 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND PROJECT HISTORY:

The site plan depicts the existing approximately 23-acre shopping center along with the out parcels that were approved as a part of the shopping center and the eight (8) existing signs that were approved throughout the site. The existing signage was approved through various hearings for variances to the sign regulations for the BU-2, Special Business District, from 1979 through 1994. The existing detached signage varies in size from the 350 sq. ft. shopping center sign, approved pursuant to resolution #4-ZAB-228-86, to a 60 sq. ft. detached sign approved pursuant to Resolution #4-ZAB-455-87.

The applicant now seeks approval of a 9th detached sign within the approximately 23-acre shopping center site. Said sign will be located at the entryway to a fitness center located at the southwest corner of the site. The applicant's letter of intent states that the proposed sign which will be 252 sq. ft. in area and will allow patrons within the shopping center site to easily locate the fitness center.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	BU-2; shopping center	Business & Office
North	BU-2; service stations, restaurants RU-TH; townhomes	Business and Office Low-Medium Density Residential (6 – 13 dua)
South	GU; golf course RU-4L; townhomes	Parks and Recreation Low-Medium Density Residential (6 – 13 dua)
East	BU-1A; shopping center	Business and Office
West	BU-2; daycare center RU-4L; apartments RU-5A; office building	Low-Medium Density Residential (6 – 13 dua) Business and Office

NEIGHBORHOOD COMPATIBILITY:

The subject property is an existing shopping center located at 13714 SW 56 Street. The surrounding area is characterized by commercial and residential uses as well as a golf course located to the south.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to permit additional detached signage in addition to the eight (8) detached signs that were previously approved. The additional signage being requested could facilitate the flow of traffic within the 23-acre shopping center by making it easier to locate this fitness facility in the rear of the site. However, the approval could have a visual impact within the shopping center.

CDMP ANALYSIS:

The subject property is designated as **Business and Office** on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. *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.* The approval of the requests sought in this application will permit the applicant to submit revised plans showing the addition of a ninth detached sign within the approximately 23-acre shopping center site. Through the approval of this application, the applicant seeks to permit a total of nine (9) detached signs on the site, where only two (2) are permitted and eight (8) were previously approved. In staff's opinion the existing shopping center and approvals sought in this application are **consistent** with the Business and Office CDMP LUP map designation, the CDMP Land Use Element Interpretative text for Business and Office, and **compatible** with the surrounding area based on the zoning analysis below.

ZONING ANALYSIS:

When the application to permit a 9th detached sign, where eight (8) were previously approved and only two (2) are permitted, is analyzed under the Non-Use Variances From Other Than Airport Regulations, 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 maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff notes that the 23-acre shopping center has existed at this site since at least 1979, when pursuant to Resolution #4-ZAB-305-79, the site was approved to permit a 256.28 sq. ft. detached sign. The applicant's letter of intent indicates the additional signage being requested in this application will provide a locational tool for patrons within the 23-acre site to find the existing the fitness center.

The existing fitness center is located in the southwest corner of the site. Staff's review of the submitted site plans and aerial photographs of the site in the County's Geographical Information System (GIS), indicates that the fitness center that is located more than 600 feet from the abutting roadways, SW 56 Street and SW 137 Avenue, which are well travelled section line roadways. The plans and the photographs also depict existing buildings within the shopping center site and the out parcels that visually screen the fitness center from the aforementioned roadways. The applicant's letter of intent states that the proposed signage will not be easily visible from passersby along the roadways or from the residences located to the north. Staff concurs with this opinion and further opines that the proposed signage will be visually screened from the residential developments to the south by the building within which the fitness center is located. As such, staff opines that approval of the additional signage will not be visually intrusive to the surrounding commercial and residential uses and will help to facilitate the flow of traffic within the shopping center. In addition, based on the prior approvals for additional signage within the 23-acre site, staff opines that approval of this application will maintain the basic intent and purpose of the BU-2 zoning district regulations particularly as it affects the stability and appearance of the community.

Therefore, staff recommends approval with conditions under Section 33-311(A)(4)(b) (Non-Use Variances From Other Than Airport Regulations).

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

OTHER: N/A

RECOMMENDATION: Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan 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 "Miller Square Shopping Center" as prepared by WHA

Design, Inc., consisting of 2 sheets, dated stamped received 02/14/14, and a plan entitled "LA Fitness", as prepared by Thomas Sign & Awning Co Inc, consisting of 1 sheet dated stamped received 12/13/13, for a total of 3 sheets.

3. That the use be established and maintained in accordance with the approved plan.

ES:MW:NN:JV:CH

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

NDN

ZONING RECOMMENDATION ADDENDUM

Applicant: *Miller Square, LLC*
PH: *Z11-121*

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

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

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

PERTINENT ZONING 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.*

1. MILLER SQUARE LLC
(Applicant)

14-4-CZ11-1 (11-121)
Area 11/District 10
Hearing Date: 04/08/14

Property Owner (if different from applicant) **Same.**

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

Disclosure of interest form attached? Yes ☑ No ☐

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
1969	Merwitzer ET AL	- Zone Change from BU-2, RU-1 & GU to GU, RU-TH, RU-4, RU-4L, RU-5A, BU-1, BU-1A and BU-2.	BCC	Approved on a modified basis
1969	Merwitzer ET AL	- Zone Change from BU-2, RU-1 & GU to GU, RU-TH, RU-4, RU-4L, RU-5A, BU-1, BU-1A and BU-2.	ZAB	Recommended for Approval
1979	Miller Square LTD	- Non-Use Variance of Signage.	ZAB	Approved with condition(s)
1980	Miller Square	- Special Exception to permit a night club.	BCC	Approved with condition(s)
1983	Cinotto Kendall Corp	- Variance of signage.	BCC	Approved on a Modified basis
1983	Cinotto Kendall Corp	- Non-Use Variance of Signage.	ZAB	Denied Without Prejudice
1986	Wometco Theaters Inc.	- Non-Use Variance of Sign regulation.	ZAB	Approved with condition(s)

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

Memorandum

MIAMI-DADE COUNTY

Date: January 30, 2014

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

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

Subject: C-11 #Z2011000121-4th Revision
Miller Square, LLC
13714 S.W. 56th Street
To Permit Less Classroom Area and Outdoor Recreational Area for a Private School in a Shopping Center
(BU-2) (23 Acres)
27-54-39

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

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

Concurrency Review Summary

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

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

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

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

cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum

MIAMI-DADE COUNTY

Date: February 28, 2014

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

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

Subject: Z2011000121
Name: Miller Square LLC.
Location: 13714 SW 56 Street
Section 27 Township 54 South Range 39 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Tracts A and B of Plat Book 113, Page 12.

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

Memorandum

MIAMI-DADE COUNTY

Date: December 31, 2013

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

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

Subject: Miller Square LLC (#11_121)

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

The application requests a non-use variance to permit a fourth detached sign at a site developed as a shopping center and located at 13714 S.W. 56th Street in Miami-Dade County. The application will have no PWWM impact or any associated costs.

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

Memorandum

MIAMI-DADE COUNTY

Date: January 27, 2014

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

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

Subject: Z2011000121: MILLER SQUARE LLC
Includes revised plans dated stamped received through 1/21/14

Application Name: MILLER SQUARE LLC

Project Location: The site is located at the 13714 SW 56 ST, Miami-Dade County.

Proposed Development: The applicant is requesting approval for the addition of a sign at an existing shopping center. Review includes revised plans dated stamped received through 1/21/14.

Impact and demand: This application does not generate any residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

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

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

MN:jb
Cc: John M. Bowers, Parks Property Management Supervisor

REVISION 3

Memorandum

Date: 15-JAN-14

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

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

Subject: Z2011000121

Fire Prevention Unit:

This memo supersedes MDFR memorandum dated August 30, 2012.
COMMENTS:
No objection to the site plan with a December 13, 2013 Zoning Department received date.

Service Impact/Demand

Development for the above Z2011000121
located at 13780B & 13828 SW 56 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1662 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: 6:09 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 57 - 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.

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DATE: 23-NOV-11

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

MILLER SQUARE LLC	13714 SW 56 ST, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2011000121

HEARING NUMBER

HISTORY:

BLDG: Building Support Case #20110146465-B was opened on July 19, 2011. A Notice of Violation was issued on the same date for Exposed Wires at an AC unit. Further enforcement is pending the results of the compliance inspection.

NC: Case #201112000031 was opened on January 4, 2011, for unlawfully obstructing a walk-way, parking lot, or green area with unpermitted outside displays of heaters and wood logs. A warning letter was issued on the same date. Compliance has been met and the case has been closed.

Case#201112005623 was opened on June 23, 2011, for an unpermitted business use of maintaining Cargo containers in the rear alley of a shopping center, located in a Bu-2 zoned district. Citation #T016030 was issued. Compliance has been met and the case has been closed.

Case#201112008657 was opened on October 6, 2011, for failure to obtain a Zoning Improvement permit for the outside display of chairs, tables, and a canopy which is a violation of the conditions specified in the Certificate of Use. A warning letter issued on the same date. Further enforcement is pending the results from the compliance inspection.

Case#201112009283 was opened on November 2, 2011, for maintaining a Donation collection bin without obtaining a Public Hearing. A warning letter was issued on the same date. Compliance has been met and the case has been closed.

Case#201112000028 was opened on January 1, 2011, for Illegally placing an unpermitted banner on a business. Citation #T012702 was issued on the same date. Compliance has been met and the case has been closed.

Case#201012006078 was opened on November 23, 2010, for Illegally placing an unpermitted

banner on a business. Citation #T012066 was issued on the same date. Compliance has been met and the case has been closed.

Case #201112000032 was opened on January 4, 2011, for Illegally placing an unpermitted banner on a business. Citation #T012707 was issued on the same date. Compliance has been met and the case has been closed.

Case #201112008656 was opened on October 6, 2011, for Illegally placing an unpermitted banner on a business. Citation #T022500 was issued on the same. Compliance has been met and the case has been closed.

MILLER SQUARE LLC

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

REPORTER NAME:

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: Miller Square, LLC

NAME AND ADDRESS	Percentage of Stock
Principal Real Estate Holding Company*	100%
801 Grand Avenue	
Des Moines, IA 50392-1370	
*Entity has more than 5,000 interest holders	

RECEIVED
OCT 3 2011
ZONING HEARINGS SECTION
COMMUNITY DEVELOPMENT
AH

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

NAME AND ADDRESS	Percentage of Stock

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

NAME AND ADDRESS	Percent of Ownership

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

NAME OF PURCHASER: N/A

NAME ADDRESS AND OFFICE (if applicable)	Percentage of Interest

Date of contract: 2-11-12

RECEIVED
OCT 18 2011
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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

N/A

NOTICE: For 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: Kevin J. Stubbs
Director
Engineering Services (Applicant)

Sworn to and subscribed before me this 31st day of August, 2011. Affiant is personally known to me or has produced _____ as identification.

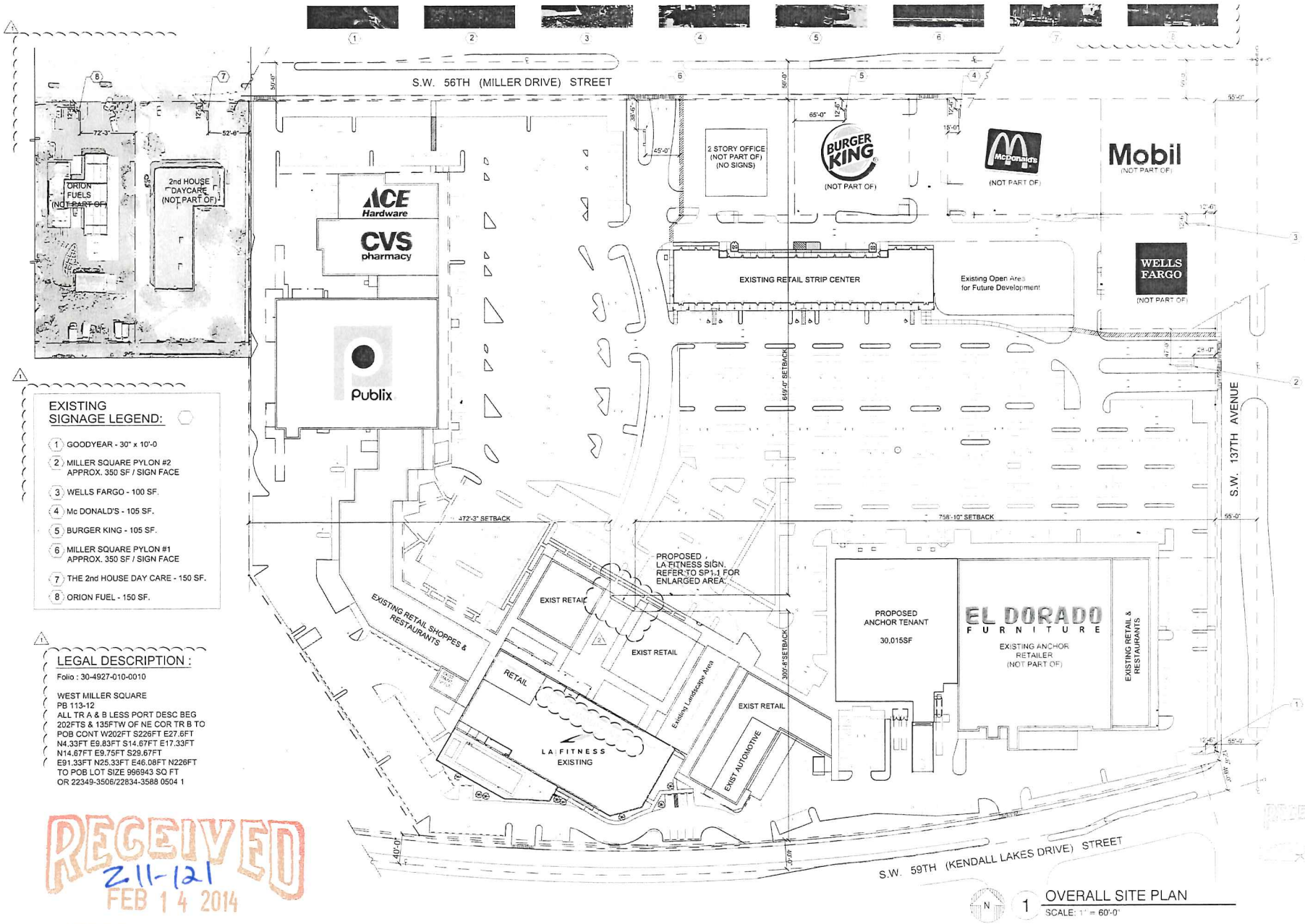
Rebecca S. Gilbert
(Notary Public)

REBECCA S. GILBERT
Commission Number 740993
My Commission Expires
May 30, 2012

My commission expires May 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 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.

19



1 OVERALL SITE PLAN
SCALE: 1" = 60'-0"

EXISTING SIGNAGE LEGEND:

1. GOODYEAR - 30" x 10'-0
2. MILLER SQUARE PYLON #2 APPROX. 350 SF / SIGN FACE
3. WELLS FARGO - 100 SF.
4. Mc DONALD'S - 105 SF.
5. BURGER KING - 105 SF.
6. MILLER SQUARE PYLON #1 APPROX. 350 SF / SIGN FACE
7. THE 2nd HOUSE DAY CARE - 150 SF.
8. ORION FUEL - 150 SF.

LEGAL DESCRIPTION :

Folio : 30-4927-010-0010

WEST MILLER SQUARE
PB 113-12
ALL TR A & B LESS PORT DESC BEG
202FTS & 135FTW OF NE COR TR B TO
POB CONT W202FT S226FT E27.6FT
N4.33FT E9.83FT S14.67FT E17.33FT
N14.67FT E9.75FT S29.67FT
E91.33FT N25.33FT E46.08FT N226FT
TO POB LOT SIZE 996943 SQ FT
OR 22349-3506/22834-3588 0504 1

RECEIVED
Z11-121
FEB 14 2014
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

ENLARGED SITE PLAN

17

EXISTING SIGNAGE LEGEND:

1. GOODYEAR - 30" x 10'-0
2. MILLER SQUARE PYLON #2 APPROX. 350 SF / SIGN FACE
3. WELLS FARGO - 100 SF.
4. Mc DONALD'S - 105 SF.
5. BURGER KING - 105 SF.
6. MILLER SQUARE PYLON #1 APPROX. 350 SF / SIGN FACE
7. THE 2nd HOUSE DAY CARE - 150 SF.
8. ORION FUEL - 150 SF.

LEGAL DESCRIPTION :

Folio : 30-4927-010-0010

WEST MILLER SQUARE
PB 113-12
ALL TR A & B LESS PORT DESC BEG 202FTS & 135FTW OF NE COR TR B TO POB CONT W202FT S226FT E27.6FT N4.33FT E9.83FT S14.67FT E17.33FT N14.67FT E9.75FT S29.67FT E91.33FT N25.33FT E46.08FT N226FT TO POB LOT SIZE 996943 SQ FT OR 22349-3506/22834-3588 0504 1

1 OVERALL SITE PLAN
SCALE: 1" = 60'-0"

wha design, inc.
p.o. box 14211
coral gables, florida
33114-2110
t 305.443.3100
f 305.252.3986
e info@whadesign.com

Prepared by / Signed
William Arthur
License Number 0012074

seal

design associate
kyung

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project information
Miller Square Shopping Center
13714 SW 56th Street
Miami, Florida 33175

Owner's Name/Address
MILLER SQUARE, LLC.
9955 North Kendall Drive
Miami, Florida 33176

project history
SIGN IMAGES 12-30-13
SIGN DETAIL 02-13-14

project information
date 11-20-2013
project number 12-50C

sheet title
overall site plan, parking calculation.

sheet number
SP1.0

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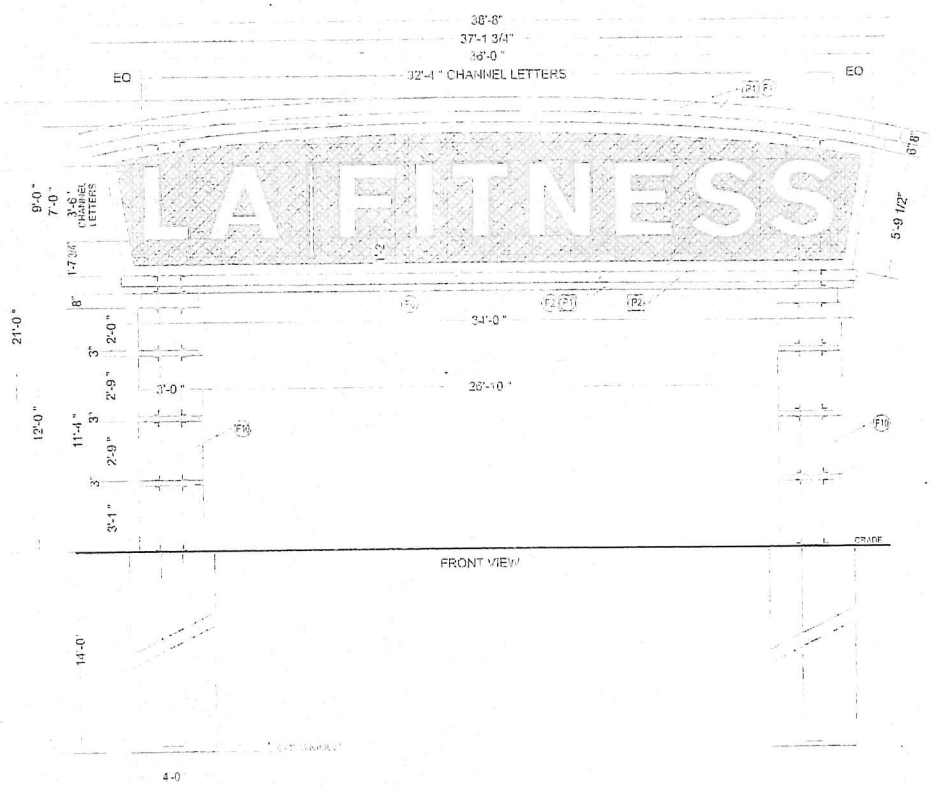
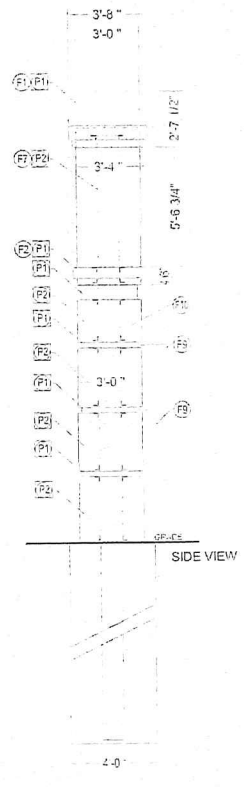
211-121
FEB 14 2014
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

LA FITNESS
Miami, Florida

Celebrating 43 Years of Quality Manufacturing and Service 43





Free Standing Archway with S/F Illuminated Channel Letters

Scale: 3/8" = 1'-0"

F) FABRICATION NOTES
V) VINYL COLORS
P) PAINT NOTES
E) ELECTRICAL NOTES

TOTAL SQFT =
PART # LAFARCHWAY21X36
ESTIMATE # 96837

Fabrication Notes for Free Standing Sign

1) .090" ALUMINUM FILLER W/ 2"X2"X3/16" ALUMINUM ANGLE FRAME - POLY RADIUS TOP CAP
2) .063" ALUMINUM FILLER W/ 2"X2"X3/16" ALUMINUM ANGLE FRAME - FOR TRIM
3) 10"X10"X3/8" ALUMINUM TUBE - INNER CABINET SUPPORT
4) 6"X4"X3/8" ALUMINUM TUBE - INNER CABINET SUPPORT
5) 2"X2"X3/16" ALUMINUM ANGLE OUTER FRAME - MAIN CABINET
6) 4'X8'X.125" MESH METAL PANELS - .090"X14 W/ 3/4" HOLES - MONCHOLS
7) .063" ALUMINUM FILLER SIDE PANELS - MAIN CABINET
8) .090" ALUMINUM FACE RETAINER -FRONT & BACK
9) .090" ALUMINUM FILLER W/ 2"X2"X3/16" ALUMINUM ANGLE FRAME - FOR BASE POLE COVERS W/ .063" ALUMINUM REVEALS
10) 20"X12"X1/2" WALL STEEL SUPPORT POSTS
11) .050" ALUMINUM MATCH MOUNT LETTERS

Paint Colors

1) AKZO-NOBEL PAINT - WHITE SATIN FINISH
2) S.W. GOLD ABUNDI-CUSTOM COLOR
3) AKZO-NOBEL PAINT - D-44437 GREY SATIN FINISH

Material for LED Chn. Letters

BACKS: .090" ALUMINUM
RETURNS: .063" ALUMINUM DEPTH: 5"
FACES: .177" #2447 MILK WHITE ACRYLIC
TRIM CAP: 3/4"X1" (.090" ALUMINUM RETAINERS
L.E.D.: WHITE SIGNAGE 5050 72 LED/M (3 LED/MODULE) SPACED 5" O.C. ROWS: 2

Colors for LED Chn. Letters

FACES: 177" #2447 MILK WHITE ACRYLIC
RETURNS INT: MATTHEWS #2435P SATIN MIDNIGHT WHITE
RETURNS EXT: ALICIA 2000 COOL GREY
TRIM CAP: ALICIA 2000 COOL GREY
L.E.D.: WHITE SIGNAGE 5050 72 LED/M (3 LED/MODULE) SPACED 5" O.C.

Electrical Notes

1) WEATHER TIGHT DISCONNECT SWITCH
2) X

Electrical Specifications

LED MODULES= 277 WHITE SIGNAGE | 110 VOLT INPUT

ADVANCE POWER SUPPLIES	SECONDARY VOLTS	SECONDARY WATTS	AMP INPUT
1) LED-12A-0012V-SF	12	68	.63
X	X	X	X
X	X	X	X
TOTAL			0.63

(1) 20 AMP-120 VOLT CIRCUIT REQUIRED

Underwriters Laboratories Inc.
LISTED
ELECTRIC SIGN
COMPLIES TO UL 48

THIS ARTICLE IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

DESIGN CRITERIA

WIND SPEED 175 MPH MAX.
2010 FLORIDA BLDG CODE
EXPOSURE CATEGORY =C
RISK CATEGORY = II

ENGINEER SEAL

DONALD L. FOWLER, P.E.
FLORIDA LICENSE NUMBER 50458
CERT. OF AUTHORIZATION # 23464

THOMAS
SIGN & AWNING CO INC
4590 118TH Avenue North
Clearwater, Florida 33762
800-526-3325
www.thomassign.com

CLIENT
LA FITNESS
Drawing Number
50882 A PROD
Installation Address
13638 SW 56th Street
Miami, FL
Project Identity Number
51048
Sales Associate | Project Team
Dominic Nelson | IT
Designer: | Date:
DRB | 9-13-13
Project Notes
X
X
Project completion %
X
X
X
Project Updates

Approval:
☐ Approved
☐ Approved as noted
DATE
☐ Revise & Re-Submit
DATE

Page | Sheet
1 | 1 of 3

Local: 727-573-7757
Fax: 727-573-0328

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21-121
DEC 13 2013
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

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21-121

ENGINEERING NOTE
THE ENGINEERING CALCULATIONS SIGNATURE AND SEAL ON THIS DRAWING DO NOT COVER ELECTRICAL DESIGN OR SIGN CABINET FABRICATION DESIGN AS THESE ITEMS ARE SHOWN FOR CLARITY ONLY. THE ENGINEERING CALCULATIONS SIGNATURE AND SEAL COVER THE SIGN PYLON, SIGN STUD IF APPLICABLE, BASE PLATE SIZE AND ANCHORS IF APPLICABLE, AND THE FOUNDATION DESIGN ONLY.

19

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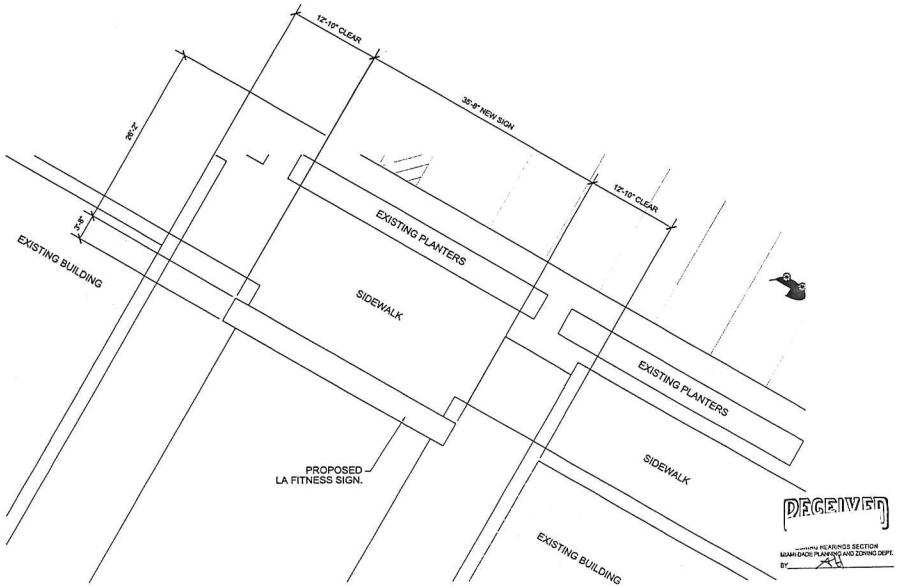
Z11-121
FEB 14 2014
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH



N 1 ENLARGED SITE PLAN
SCALE: 1/8" = 1'-0"

wha
design, inc.
p.o. box 14.2116
coral gables, florida
33114.2116
v. 305.443.3160
f. 305.259.3986
e. info@whadesign.com
architect of record:
William Arthur
License Number: 0012074

seal

design associate:
kyung

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project information:
Miller Square Shopping Center
13714 SW 56th Street
Miami, Florida 33175
owner information:
MILLER SQUARE, LLC.
9155 North Kendall Drive
Miami, Florida 33176

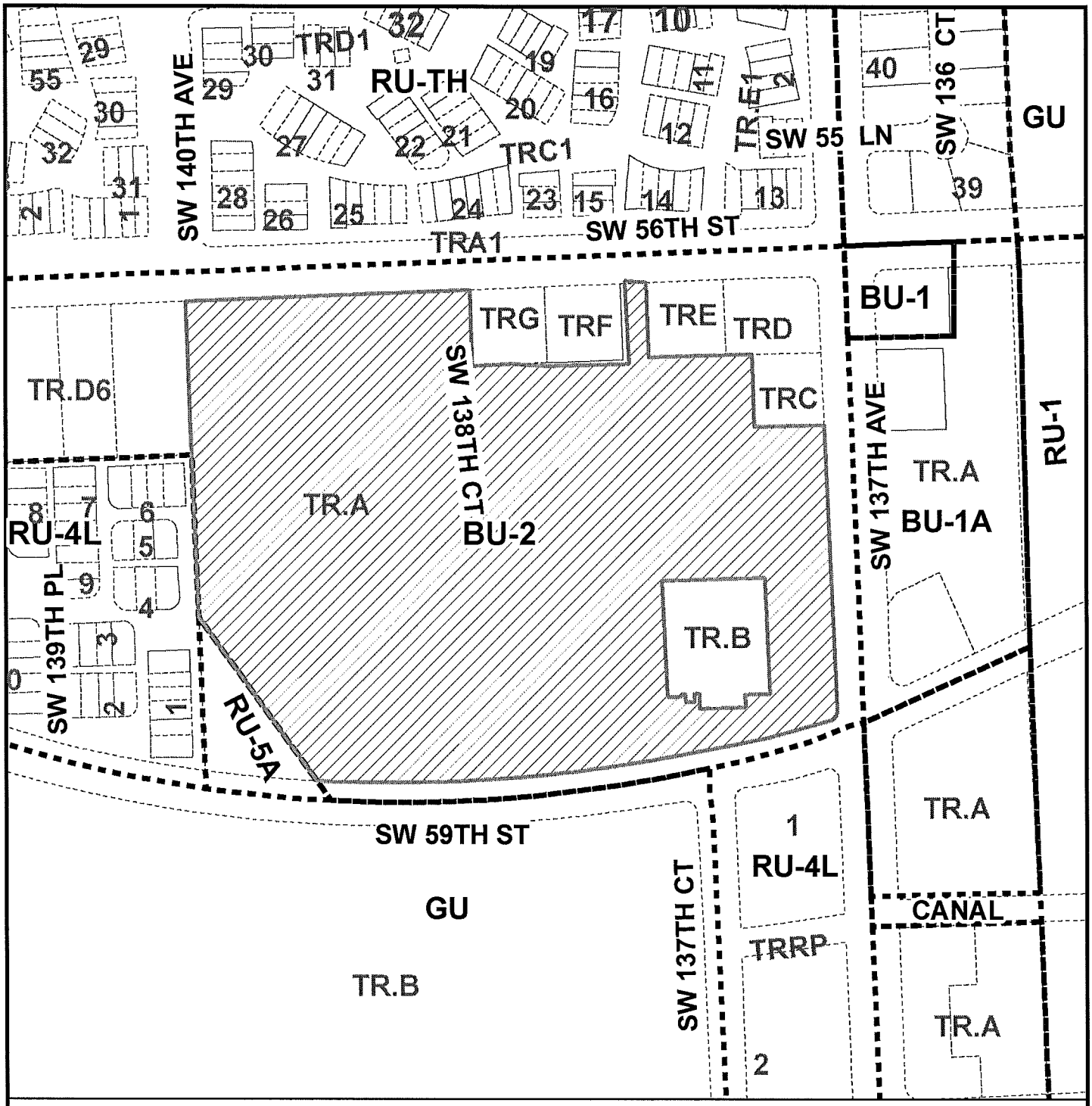
project history:

project information:
date: 02-13-2014
project number: 12-50C

sheet title:
enlarged site plan.

sheet number:
SP1.1

file:
12-50c-miller-square-signage_revision.dwg



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2011000121

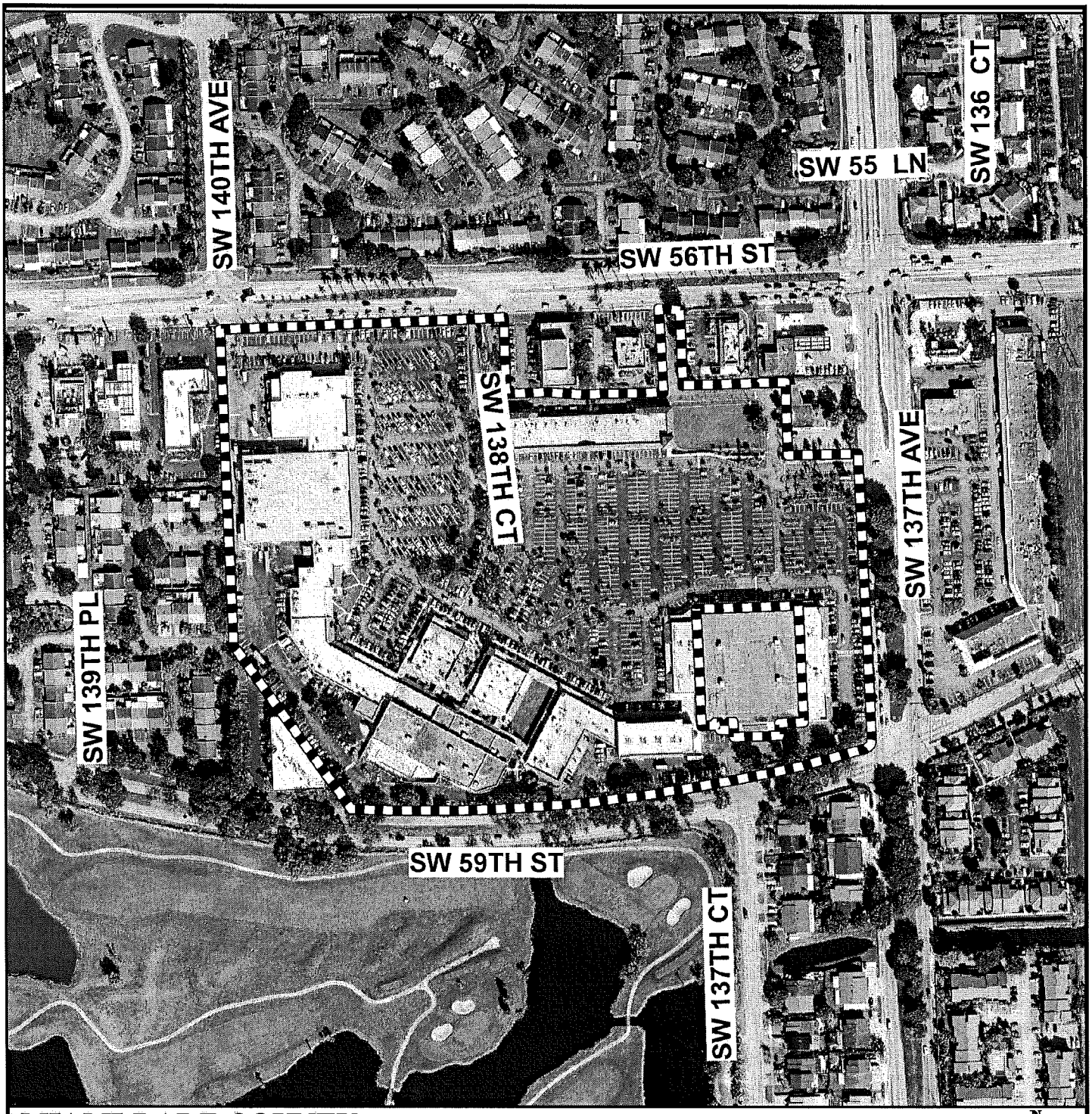
Section: 27 Township: 54 Range: 39
Applicant: MILLER SQUARE LLC
Zoning Board: C11
Commission District: 10
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend
Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, October 11, 2012

REVISION	DATE	BY
		20



MIAMI-DADE COUNTY

AERIAL YEAR 2012

Process Number

Z2011000121

Section: 27 Township: 54 Range: 39
Applicant: MILLER SQUARE LLC
Zoning Board: C11
Commission District: 10
Drafter ID: JEFFER GURDIAN
Scale: NTS

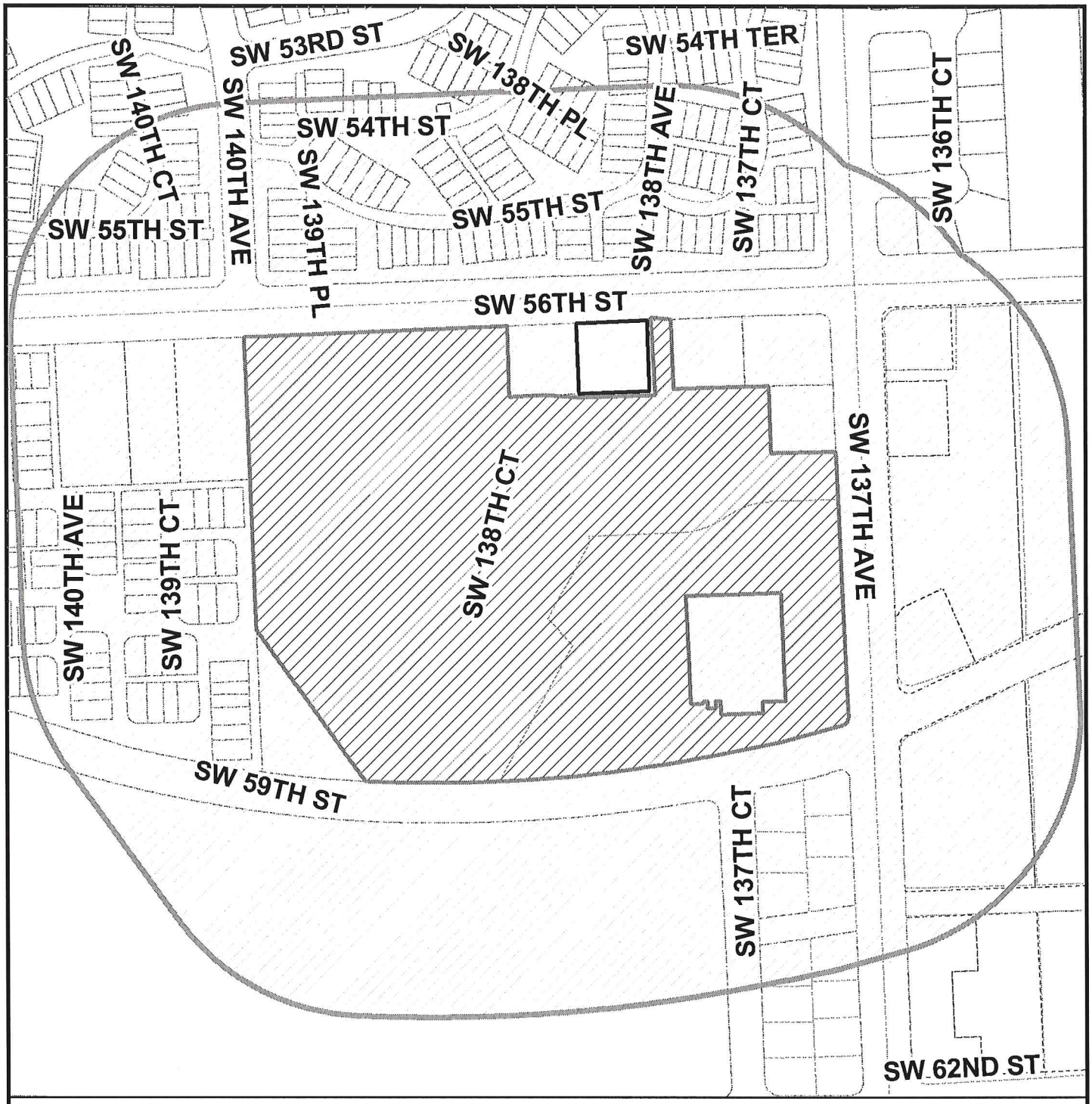
Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, October 11, 2012

REVISION	DATE	BY
		21



MIAMI-DADE COUNTY

RADIUS MAP

Section: 27 Township: 54 Range: 39
Applicant: MILLER SQUARE LLC
Zoning Board: C11
Commission District: 10
Drafter ID: JEFFER GURDIAN
Scale: NTS

Process Number

Z2011000121

RADIUS: 500

N
W E
S

Legend

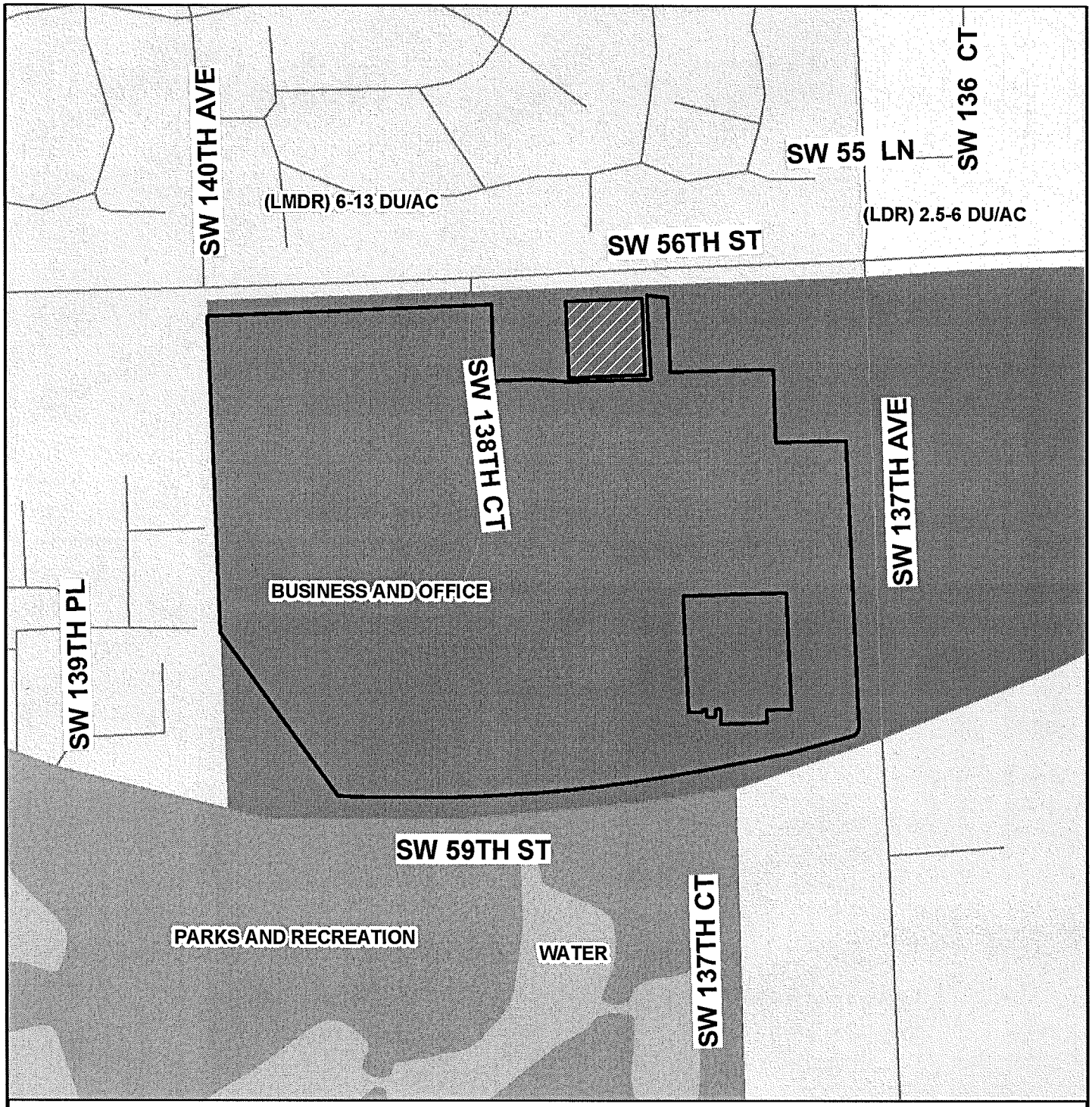
Subject Property

Buffer

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, October 11, 2012

REVISION	DATE	BY
		22



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2011000121

Section: 27 Township: 54 Range: 39
Applicant: MILLER SQUARE LLC
Zoning Board: C11
Commission District: 10
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, October 11, 2012

REVISION	DATE	BY

Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 11

PH: Z13-114 (14-04-CZ11-2) **April 8, 2014**
Item No. 2

Recommendation Summary	
Commission District	11
Applicant	Efren Bello
Summary of Requests	The applicant is seeking to permit a covered patio setback less than required from the rrear property line and with less patio area than is required.
Location	5042 SW 145 Avenue, Miami-Dade County, Florida.
Property Size	.062 Acre.
Existing Zoning	RU-TH, Townhouse District
Existing Land Use	Townhouse residence
2015-2025 CDMP Land Use Designation	Low-Density Residential, 2.5 to 6 dua *(see attached Zoning Recommendation Addendum)*
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b), Non-Use Variance Standards *(see attached Zoning Recommendation Addendum)*
Recommendation	**Approval with conditions.**

REQUESTS:

1. NON-USE VARIANCE to permit an existing covered patio setback 1.75' (5' required) from the rear (West) property line.

2. NON-USE VARIANCE to permit a patio living area of 362 sq. ft. (400 sq. ft. min. required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "Floor Plan" as prepared by MDS Engineering Corp. and dated stamped received December 16, 2013, consisting of 1 sheet. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

Existing 178 sq. ft. covered terrace patio addition to townhouse residence

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	RU-TH, townhouse residence	Low Density Residential (2.5 to 6 dua)
North	RU-TH, townhouse residence	Low Density Residential (2.5 to 6 dua)
South	RU-TH; townhouse residence	Low Density Residential (2.5 to 6 dua)
East	RU-TH; townhouse residence	Low Density Residential (2.5 to 6 dua)
West	RU-1; single-family residences	Low Density Residential (2.5 to 6 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is located at 5042 SW 145 Avenue within an existing residential development. The area surrounding the subject property is primarily characterized by townhouse residences to the north, south, and east and single-family residences to the west.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to maintain the existing covered patio addition to a townhouse residence as a recreational use, and will also provide shelter from the elements. However, although the covered terrace is existing, the 3.25' encroachment may visually impact the abutting residences to the west.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

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

ZONING ANALYSIS:

When Requests #1 and #2 are analyzed under Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval with conditions will maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with the area. Staff found similar or more intensive approvals for rear patio setbacks along with variances for patio living areas. For example, a property located at 4813 SW 145 Avenue was approved pursuant to Resolution #5-ZAB-93-96 to permit a covered patio to setback 2' (10' required) from the rear (east) property line with a minimum patio living area of 55 sq.ft. (400' sq.ft. minimum required); a property located at 14455 SW 50 Street was approved pursuant to resolution #5-ZAB-130-96 to permit a covered patio to setback 2' (10' required) from the rear (north) property line with a minimum patio living area of 280.3 sq. ft. (400 sq. ft. minimum required) and a property located at 14050 SW 52 Terrace was approved pursuant to Resolution # 5-ZAB-419-94 to permit a 2.25' (20' required) from the rear southeast property line with a minimum patio living area of 202 sq.ft. (500 sq. ft. minimum required).

In May 1987, the subject property was a part of a larger tract of land which was approved pursuant to Administrative Site Plan Review (ASPR) number #A198700185 for a townhouse Development. The ASPR site plan indicated a 6' high wood fence along the rear (west) property line of the subject property and the abutting properties along the block face. Staff opines that the existing 6' high wood fence, which is a part of the townhouse development, provides a visual buffer that mitigates any negative visual impact created by the encroachment.

Based on the aforementioned analysis, staff recommends approval with conditions of the application under Section 33-311(A)(4)(b), Non-Use Variance From Other Than Airport Regulations Standards.

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

Approval with conditions.

CONDITIONS FOR APPROVAL :

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, Floor Plan" as prepared by MDS Engineering Corp. and dated stamped received December 16, 2013, 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 a gutter be installed along the rear (west) roof line of the covered patio to insure on-site drainage.

5. That the existing 6' high wood fence along the rear (west) property line be maintained and that if the fence is removed or destroyed, the applicant shall replace same with a 6' high wood fence.

ES:MW:NN:CH:EJ

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

NDN

ZONING RECOMMENDATION ADDENDUM

Efren Bello
Z13-114

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

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

Low-Density Residential (Pg. I-31)	*The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.*

PERTINENT ZONING 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*

2. EFREN BELLO
(Applicant)

14-4-CZ11-2 (13-114)
Area 11/District 11
Hearing Date: 04/08/14

Property Owner (if different from applicant) **Same.**

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

Disclosure of interest form attached? Yes ☐ No ☑

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
None				

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

Memorandum

Date: February 4, 2014

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

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

Subject: C-11 #Z2013000114
Efren Bello
5042 SW 145th Avenue, Miami, FL 33175
Non-Use Variance to permit a covered terrace setback less than required from the property line.
(RU-TH) (0.062 Acres)
22-54-39

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

Wellfield Protection
The subject property is located within the West Wellfield interim protection area. The Board of County Commissioners approved a wellfield protection ordinance for this wellfield. This ordinance provides for stringent wellfield protection measures that restrict development within the wellfield protection area.

Since the subject request is for a residential zoning district a covenant prohibiting hazardous materials is not required. However, all development shall comply with the requirements of Section 24-43 of the Code.

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

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

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

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

Stormwater Management
The proposed change will not affect the existing stormwater management system.

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

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

Tree Preservation
The proposal to permit an existing covered terrace will not impact tree resources. Be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

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

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

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

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

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

cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum

MIAMI-DADE COUNTY

Date: January 28, 2014

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

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

Subject: Z2013000114
Name: Efren Bello
Location: 5042 SW 145 Avenue
Section 22 Township 54 South Range 39 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lot 4 Block 37 of Plat Book 135, Page 48.

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

Memorandum

MIAMI-DADE COUNTY

Date: January 16, 2014

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

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

Subject: Efren Bello (13_114)

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

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

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

Memorandum

MIAMI-DADE COUNTY

Date: January 24, 2014

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

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

Subject: Z2013000114: EFREN BELLO

Application Name: EFREN BELLO

Project Location: The site is located at 5042 SW 145 AVE, Miami-Dade County.

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

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

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

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

MN:jb
Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum

Date: 28-FEB-14

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

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

Subject: Z2013000114

Fire Prevention Unit:

Not applicable to MDFR site requirements.

Service Impact/Demand

Development for the above Z2013000114
located at 5042 SW 145 AVE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1622 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: 4:53 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: 21-FEB-14

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

EFREN BELLO

APPLICANT

5042 SW 145 AVE, MIAMI-DADE COUNTY, FLORIDA.

ADDRESS

Z2013000114

HEARING NUMBER

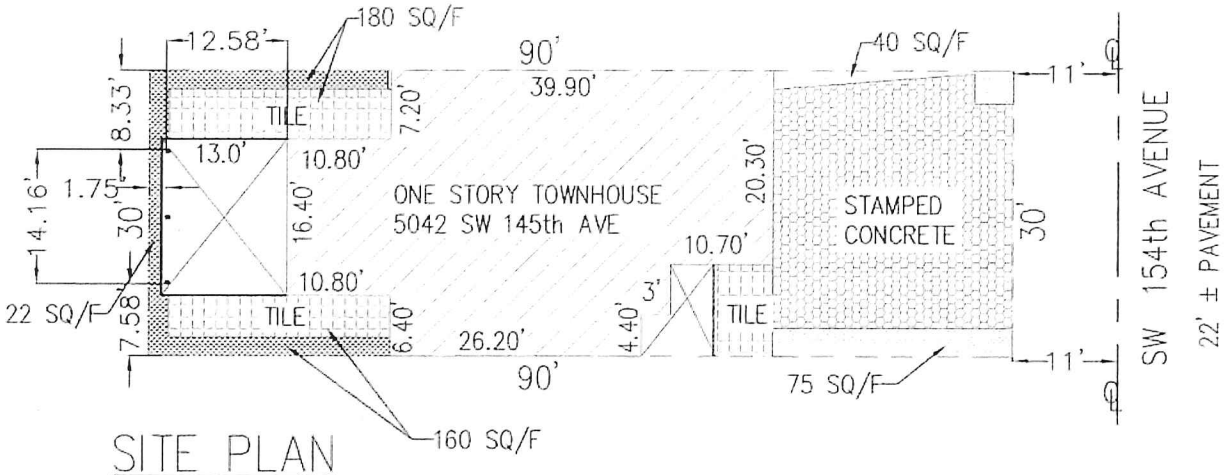
HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. BNC: BSS case 20130158082-B opened on March 6, 2013. Notice of Violation issued for Failure to obtain required building permit(s)prior to commencing work on: Detached structure inset back with non approved roofing system (shingles on low slope) and accordian shutters. Case remains open

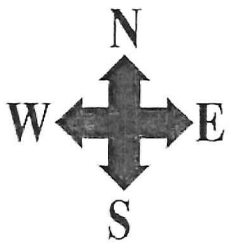
Efren Bello

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

REPORTER NAME:



SITE PLAN
SCALE: 1"=20'



RECEIVED
213-114
DEC 16 2013
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY for O.H.

ENLARGED SITE PLAN

13

LEGALIZATION OF EXISTING ATTACHED ROOFED TERRACE FOR EFREN BELLO AT 5042 SW 145 AVE MIAMI, FL 33175

RECEIVED
213-114
DEC 16 2013
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY for D.F.

PLUMBING NOTE:
NO PLUMBING WORK WILL BE DONE IN THIS JOB

ELECTRICAL NOTE:
NO ELECTRICAL WORK WILL BE DONE IN THIS JOB

MECHANICAL NOTE:
NO MECHANICAL WORK WILL BE DONE IN THIS JOB

GENERAL NOTES:

1.- ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE FLORIDA BUILDING CODE 2010 AND WITH THE ORDINANCES OF THE MIAMI-DADE COUNTY, STATE & NATIONAL LAWS AND CODES. ANY DISCREPANCIES BETWEEN THE PLANS AND ABOVE REQUIREMENTS MUST BE CALLED TO A.E.'S ATTENTION BEFORE PROCEEDING WITH ANY WORK. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN THE PLANS

2.- CONTRACTOR FAMILIARIZE HIMSELF WITH THE CONTRACT DOCUMENTS BEFORE COMMENCEMENT WITH THE CONSTRUCTION. CLARIFY ANY DISCREPANCIES WITH THE A/E ASKING. CONTRACTOR SHALL COORDINATE THE WORK OF ALL TRADES TO INSURE THAT IT IS COMPLETED AS REFERRED IN THE PLANS

3.- CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS, INCLUDING MIAMI-DADE THAT ALL SUBCONTRACTORS OBTAIN SHOP PLANTS, INSPECTIONS AND APPROVALS FROM CONFORMING AGENCIES WITH JURISDICTION OVER THE PROJECT BEFORE BEGINNING WORK.

4.- ALL WORK PERFORMED UNDER THIS CONTRACT SHALL COMPLY WITH THE REQUIREMENTS OF THE UTILITY COMPANIES INCLUDING THE CITY OF MIAMI PUBLIC WORKS DEPARTMENT. WHERE REFERENCE SHALL BE MADE. ALL MANUFACTURERS SHALL SUBMIT SHOP DRAWINGS TO THE A/E FOR APPROVAL PRIOR TO FABRICATION.

5.- THE A/E WILL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES, CONSTRUCTION SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK, AND NOR THE CONTRACTOR'S FAILURE TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS

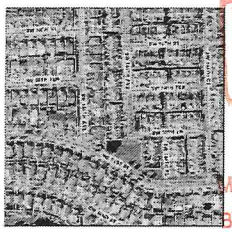
6.- ALL MATERIAL AND WORKMANSHIP SHALL MEET THE REQUIREMENTS OF THE APPLICABLE STANDARD SPECIFICATION OF THE AMERICAN SOCIETY FOR TESTING AND MATERIALS.

7.- THE GENERAL CONTRACTOR MAY SUBSTITUTE EQUIPMENT AND/OR MATERIALS AS LONG AS SUCH CHANGES MEET ALL F.B. CODE REQUIREMENTS AND ARE EQUAL TO THOSE SPECIFIED IN THE PLANS. THE CONSTRUCTORS MUST OBTAIN OWNERS' APPROVAL IN WRITING FOR ACCEPTANCE OF SUCH CHANGES.

8.- CONTRACTOR SHALL SUBMIT DADE COUNTY PRODUCT CONTROL APPROVAL FOR WINDOWS, INCLUDING A WATER ENSURED COMPONENTS AND ALL OTHER PRODUCTS REQUIRING SAID APPROVAL.

9.- WORKMANSHIP: ALL WORK SHALL BE PERFORMED IN A MANNER CONSISTENT WITH THE BEST PRACTICES FOR THE RESPECTIVE TRADES AND CAREFULLY SUPERVISED. WORK NOT CONSISTENT WITH THE TRADES HIGHEST LEVEL OF WORKMANSHIP WILL BE REJECTED. ANY WORK REJECTED SHALL BE REDONE AT CONTRACTOR'S EXPENSE. CORRECTION FOR DEFECTIVE WORK SHALL COMMENCE NO LATER THAN ONE DAYS AFTER NOTICE IS GIVEN TO THE CONTRACTOR, AND SHALL PROCEED WITHOUT DELAY UNTIL WORK IS COMPLETED.

10.- CLEANUP: THE CONSTRACTOR AND ALL TRADES SHALL AT ALL TIMES KEEP THE PREMISES CLEAN OF DEBRIS ARISING OUT OF THE WORK AND FREE FROM ACCUMULATIONS OF WASTE MATERIALS OR RUBBISH CAUSED BY HIS OPERATIONS OR OTHER TRADES. THE CONTRACTOR SHALL PROVIDE AT ALL TIMES A TRASH CONTAINER ADEQUATE FOR THIS JOB. THE CONTRACTOR SHALL DELIVER ALL WORK UPON COMPLETION OF THE JOB IN A CLEAN, READY-TO-USE CONDITION. ALL FINISHED SURFACES SHALL HAVE PROTECTIVE COVERINGS REMOVED, AND THOROUGHLY CLEANED OF ALL MARKS, STAINS, SOIL, PAINT, OR BLEMISHES OF OTHER MATERIALS AND LEFT IN PERFECT CONDITION.



LOCATION MAP
N.T.S.

BUILDING ADDRESS:
5042 SW 145 AVE
MIAMI, FLORIDA 33175

FOLIO NUMBER
30-4922-033-0040

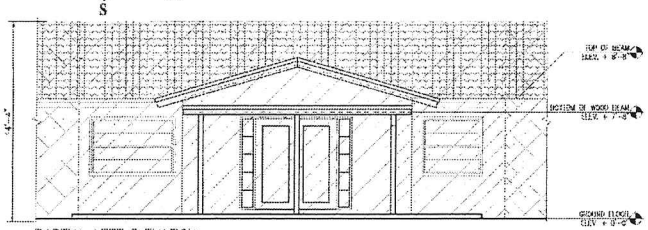
LEGAL DESCRIPTION:
TROPICAL LAKES SUBDIVISION PLAT BOOK 3 PG 126-48 LOT 4
BLK 37 LOT SIZE 22500 SQ FT M/L OR IRREGULAR
AKA/LOT 4 LESS S 10 FT M/L FOR RD

SCOPE OF WORK
LEGALIZATION OF EXISTING ATTACHED ROOFED TERRACE

COST OF JOB
ATTACHED TERRACE 132 SQ.FT. OF CONST. X $ 200.00 = $ 26,400.00

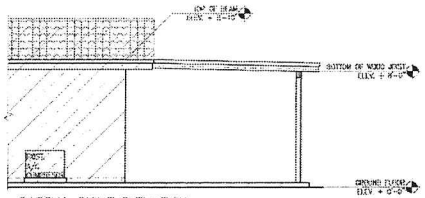
PROJECT INFORMATION
ZONING INFORMATION:
AREA AND ZONING: TOWNHOUSE
LOT AREA PER = 30'x95' ..... 2,700 SQ.FT
BUILDING AREA :
EXIST. BUILDING ..... 1,252 SQ.FT
TERRACE ADDITION ..... 176 SQ.FT
PROPOSED BUILDING AREA ..... 1,428 SQ.FT
MAX. BUILDING HEIGHT: 14'-4" < 25.00' MAX.
NUMBERS OF STORIES : ONE

PATIOS AREA
TOTAL PATIOS AREA: 473 SQ.FT > 400 SQ.FT MIN. REQUIRED

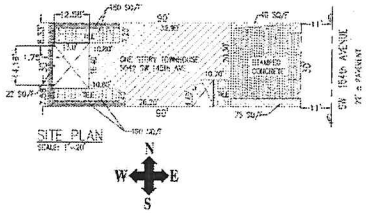


PARTIAL LEFT ELEVATION
SCALE: 1/4"=1'-0"

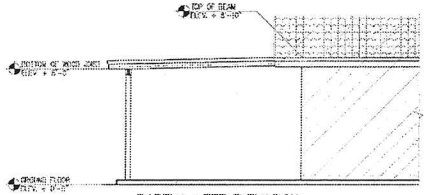
EXISTING ONE STORY HOUSE TO REMAIN
EXISTING NEIGHBOR'S HOUSE TO REMAIN
EXISTING ATTACHED COVERED TERRACE TO LEGALIZE



PARTIAL RIGHT ELEVATION
SCALE: 1/4"=1'-0"

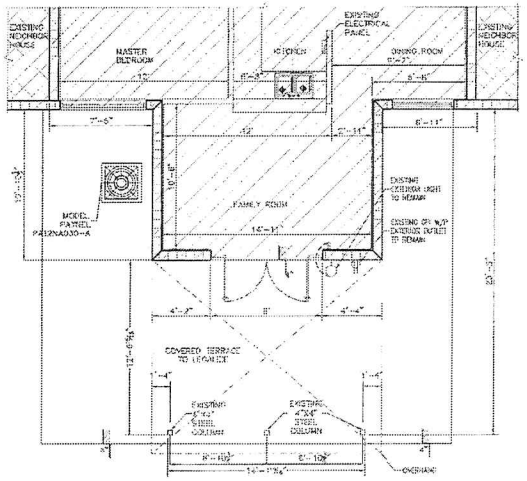


SITE PLAN
SCALE: 1"=20'



PARTIAL LEFT ELEVATION
SCALE: 1/4"=1'-0"

EXISTING ONE STORY HOUSE TO REMAIN
EXISTING ATTACHED COVERED TERRACE TO LEGALIZE



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

EXISTING ONE STORY HOUSE
EXISTING NEIGHBOR'S HOUSE
EXISTING ATTACHED COVERED TERRACE TO LEGALIZE

PRESENTED
DEC 16 2013
MIAMI-DADE COUNTY

REVISIONS:
NO. DATE:

THESE DRAWINGS & SPECIFICATIONS, AND INSTRUMENTS OF SERVICE, AND SHALL REMAIN THE PROPERTY OF MDS ENGINEERING CORP. WHETHER THE PROJECT FOR WHICH THEY WERE PREPARED IS EXECUTED OR NOT. THEY ARE NOT TO BE USED IN ANY MANNER ON OTHER PROJECTS OR EXTENSIONS TO THIS PROJECT EXCEPT BY AGREEMENT IN WRITING AND WITH THE APPROPRIATE COMPENSATION TO MDS ENGINEERING CORP. BY PERMISSIVE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL SITE CONDITION PRIOR TO PROCEEDING WITH WORK.

M D S ENGINEERING CORP.
FLORIDA C.A. # 28051
MARIO DUANY P.E. # 67340
9370 SW 72 ST
MIAMI, FLORIDA 33173
PHONE: (305) 412-2104

OWNER INFORMATION:
EFREN BELLO
5042 SW 145 AVE
MIAMI, FLORIDA 33175
PHONE: (305)229-8707

LEGALIZATION OF EXISTING ATTACHED TERRACE

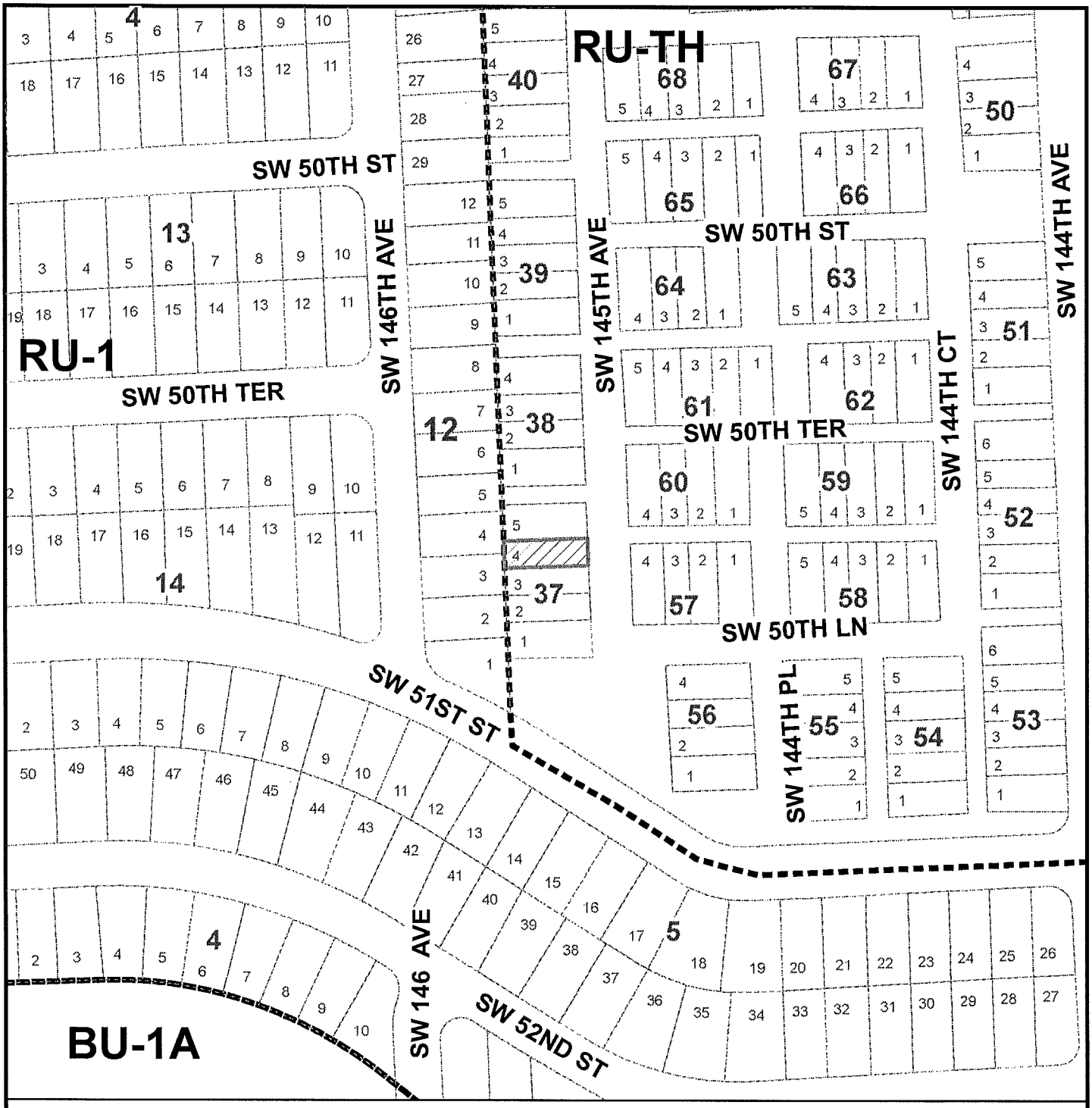
JOB NO. 13-33
DRAWN BY: M.D.S.
SCALE: AS SHOW
DATE: 07-03-2013
SHEET NAME
SITE PLAN & FLOOR PLAN

SHEET NO.
A-1

SHEET 1 OF 1

MDS ENGINEERING CORP.

4



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2013000114

Section: 22 Township: 54 Range: 39
Applicant: EFREN BELLO
Zoning Board: C11
Commission District: 10
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, January 16, 2014

REVISION	DATE	BY
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MIAMI-DADE COUNTY

AERIAL YEAR 2013

Process Number

Z2013000114

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Section: 22 Township: 54 Range: 39
Applicant: EFREN BELLO
Zoning Board: C11
Commission District: 10
Drafter ID: JEFFER GURDIAN
Scale: NTS

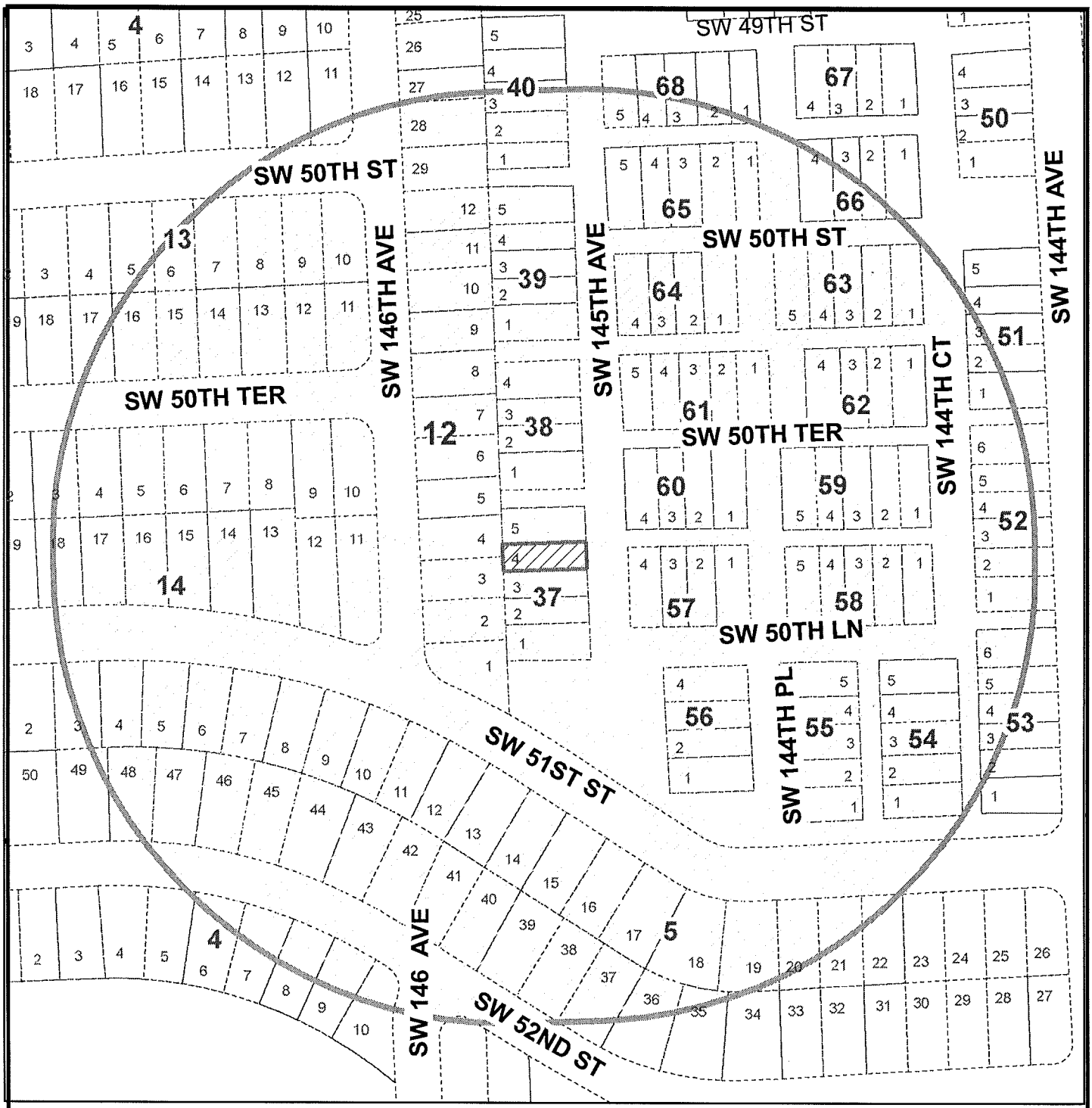
Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, January 16, 2014

REVISION	DATE	BY
		16



MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2013000114

RADIUS: 500

Section: 22 Township: 54 Range: 39
Applicant: EFREN BELLO
Zoning Board: C11
Commission District: 10
Drafter ID: JEFFER GURDIAN
Scale: NTS

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Legend

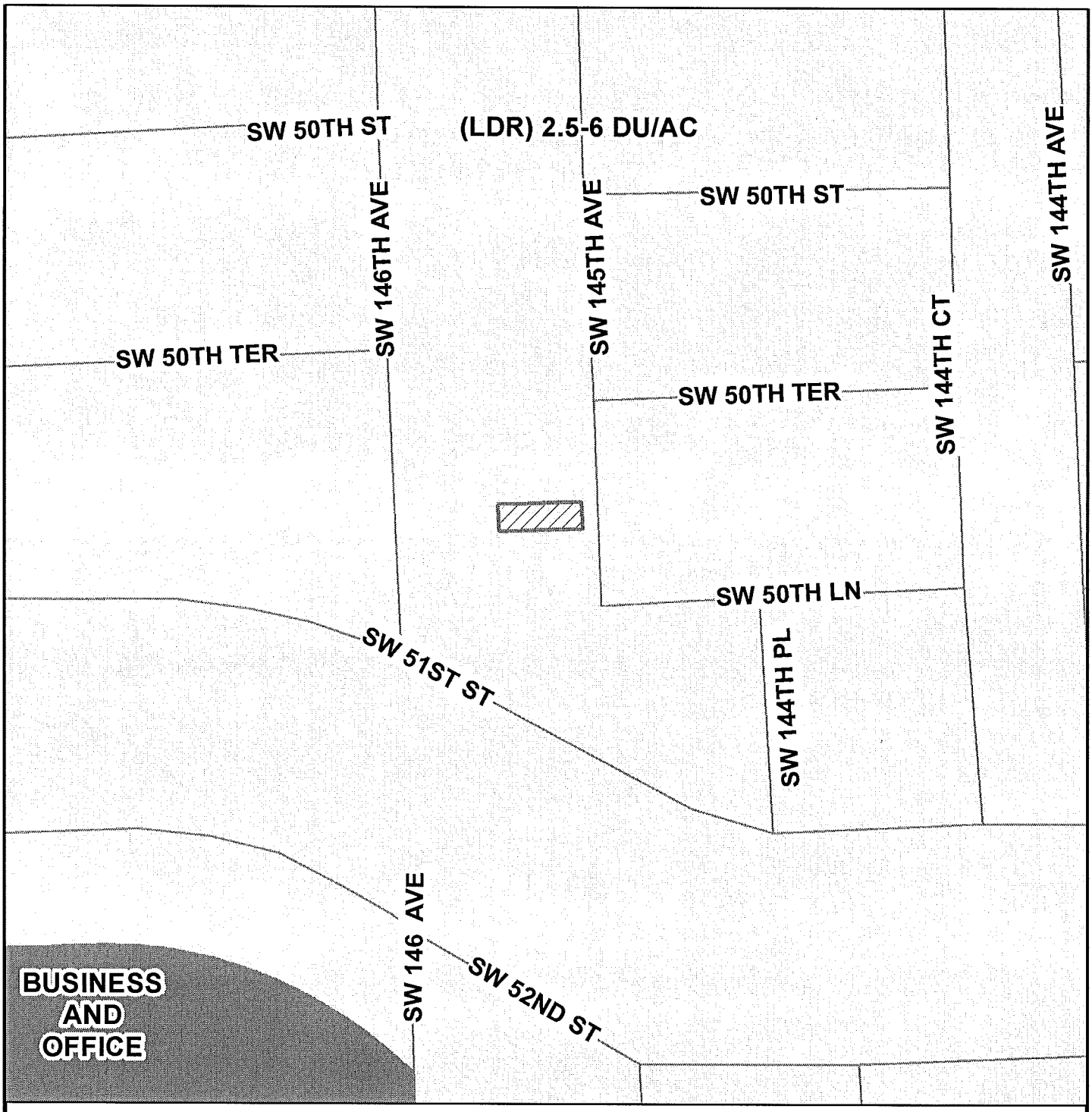
Subject Property

Buffer

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, January 16, 2014

REVISION	DATE	BY
		17



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2013000114

N
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Section: 22 Township: 54 Range: 39
Applicant: EFREN BELLO
Zoning Board: C11
Commission District: 10
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, January 16, 2014

REVISION	DATE	BY