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THE FOLLOWING HEARING WAS REMANDED TO COMMUNITY ZONING APPEALS BOARD #12 BY THE THIRD DISTRICT COURT OF APPEALS.

HEARING NO. 01-6-CZ12-3 (00-383)

35-54-40  
Council Area 12  
Comm. Dist. 10

APPLICANTS: OMNIPOINT HOLDINGS & CHURCH OF ST. MATTHEW THE APOSTLE

- (1) UNUSUAL USE to permit a wireless supported service facility.
- (2) MODIFICATION of Condition #2 of Resolution 4-ZAB-249-92, passed and adopted by the Zoning Appeals Board on the 15<sup>th</sup> day of July, 1992, as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Sketch of Survey,' as prepared by Schwebke-Shiskin, and Assoc., Inc., dated stamped received 3/5/92 and plans entitled 'Renovation for Charlee Program,' as prepared by John Sacco, A.A., Architect, dated revised 5-15-92."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'St. Matthew Episcopal Church MD1071 – F Lease Exhibit,' as prepared by Strata Design Services, dated received March 29, 2001."

The purpose of this request is to permit the applicant to construct a wireless supported service facility on an existing religious facility/school site.

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

SUBJECT PROPERTY: The east ½ of the NE ¼ of the NW ¼ of the NW ¼ of Section 35, Township 54 South, Range 40 East, less the north 50' heretofore dedicated for road purposes, and more particularly described as being a part of the REVISED PLAT OF COUNTRY GENTLEMEN ESTATES, Plat book 42, page 14, to-wit: For a Point of beginning, commence at the Southeast corner of said REVISED PLAT OF COUNTRY GENTLEMEN ESTATES; thence run north along the east boundary line of said subdivision a distance of 612.86' to the Northeast corner of said subdivision; thence run west along the south line of Sunset Drive as shown on said plat a distance of 339.18'; thence in a S/ly direction 612.94' to a point on the south line of said subdivision 339.2' west of the Point of beginning; thence 339.2' to the Point of beginning, together with the improvements thereon.

LOCATION: 7410 Sunset Drive (S.W. 72 Street), Miami-Dade County, Florida.

SIZE OF PROPERTY: 4.78 Acres

PRESENT ZONING: EU-1 (Estates 1 Family 1 Acre Gross)

HEARING NO. 03-1-CZ12-1 (02-311)

6-55-40  
Council Area 12  
Comm. Dist. 8

APPLICANTS: JORGE & DEBORAH MARTINEZ

- (1) Applicant is requesting approval to permit a lot with an area of 1.28 gross acres. (The underlying zoning district regulation requires 5 acres).
- (2) Applicant is requesting approval to permit a lot with a frontage of 169'. (The underlying zoning district regulation requires 200' of frontage).

Upon a demonstration that the applicable standards have been satisfied, approval of such requests may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §311(A)(4)(c) (Alternative Non-Use Variance) (Ordinance #02-138).

SUBJECT PROPERTY: The west ½ of the NE ¼ of the SW ¼ of the SW ¼ of the NW ¼, less the south 25' thereof in Section 6, Township 56 South, Range 40 East.

LOCATION: The north side of S.W. 95 Street and approximately 300' east of S.W. 117 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.28 Gross Acres

PRESENT ZONING: AU (Agricultural – Residential)

HEARING NO. 03-1-CZ12-2 (02-318)

8-55-40  
Council Area 12  
Comm. Dist. 8

APPLICANT: HECTOR & IVONNE S. ECHEVERRIA

- (1) Applicant is requesting approval to permit a tennis court setback 10' from the interior sides and 3.75' from the rear (north) property lines. (The underlying zoning district regulations require a 20' setback from the side property lines and 7.5' from the rear property line).
- (2) Applicant is requesting approval to permit a 10' high fence surrounding the tennis court within the rear and side setback areas. (The underlying zoning district regulations allow a maximum of 6' within the setback area).

Upon a demonstration that the applicable standards have been satisfied, approval of such request may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(c) (Alternative Non-Use Variance) (Ordinance #02-138).

Plans are on file and may be examined in the Zoning Department entitled "Echevarria Tennis Court," as prepared by the owner and dated 11/1/02. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 3, Block 6, PINES ACRES, SECTION TWO, Plat book 85, Page 2.

LOCATION: 10323 S.W. 115 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 112' x 124'

PRESENT ZONING: EU-M (Estates Modified 1 Family 15,000 sq. ft. net)

HEARING NO. 03-1-CZ12-3 (02-322)

31-54-41  
Council Area 12  
Comm. Dist. 11

APPLICANTS: DAVID W. & AMERICA R. LIPCON

- (1) Applicant is requesting approval to permit an addition to a single family residence setback 12'6" from the rear (north) property line. (The underlying zoning district regulations require 25').
- (2) Applicant is requesting approval to permit a proposed swimming pool setback 68.5' from the front (south) property line. (The underlying zoning district regulations require 75').

Upon a demonstration that the applicable standards have been satisfied, approval of such requests may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(c) (Alternative Non-Use Variance) (Ordinance #02-138).

Plans are on file and may be examined in the Zoning Department entitled "Lipcon Residence," as prepared by Kitzman Engineering, dated 5/15/02, received 10/12/02 and consisting of 15 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 2, less the west 13', and the west 34.5' of Lot 3 of COLLEGE GROVES, Plat book 48, Page 89 in Section 31, Township 54 South, Range 41 East.

LOCATION: 5125 S.W. 74 Terrace, Miami-Dade County, Florida.

SIZE OF PROPERTY: 97.23' x 100'

PRESENT ZONING: RU-1 (Single Family Residential)

HEARING NO. 03-1-CZ12-4 (02-356)

17-55-40  
Council Area 12  
Comm. Dist. 8

APPLICANTS: ALBERT & BARBARA SCALLA

Applicant is requesting approval to permit an addition to a single family residence setback a minimum of 7.67' from the interior side (west) property line. (The underlying zoning district regulations require 15').

Upon a demonstration that the applicable standards have been satisfied, approval of such request may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(c) (Alternative Non-Use Variance) (Ordinance #02-138).

A plan is on file and may be examined in the Zoning Department entitled "Interior Remodeling & Addition for: Mr. & Mrs. Scalla," as prepared by Arlotta, Bazo & Associates, Inc., consisting of 4 sheets and dated 2/28/02. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 6, Block 2, FLEEMAN ESTATES, Plat book 98, Page 91.

LOCATION: 9760 S.W. 121 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 15,000 Sq. ft.

PRESENT ZONING: EU-M (Estates Modified 1 Family 15,000 sq. ft. net)

HEARING NO. 03-1-CZ12-5 (02-359)

36-54-40  
Council Area 12  
Comm. Dist. 7

APPLICANT: JAMES ROBINSON

Applicant is requesting approval to permit an addition to a single family residence to be setback 14.75' from the rear (west) property line. (The underlying zoning district regulations require a 25' setback from the rear property line).

Upon a demonstration that the applicable standards have been satisfied, approval of such request may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(c) (Alternative Non-Use Variance) (Ordinance #02-138).

Plans are on file and may be examined in the Zoning Department entitled "Addition to Robinson Residence," as prepared by Mark Reardon, dated 5/1/02 and consisting of three pages. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 1, Block 8, BEVERLY GARDENS, Plat book 57, Page 3.

LOCATION: 6280 S.W. 82 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 84' x 122'

PRESENT ZONING: RU-1 (Single Family Residential)