



PRE-KIT REVIEW COMMENTS
COMMUNITY ZONING APPEALS BOARD 12
Tuesday, July 31, 2012 at 6:30 p.m.

- | | | |
|-----|------------------------------------|--------|
| 1.. | JUAN CARLOS & MARGARITA FERNANDEZ | 11-46 |
| | Insert Revised Recommendation | |
| 2.. | WRC PROPERTIES, INC | 11-120 |
| | Insert Revised Recommendation | |
| 3.. | GALLOWAY MEDICAL PARK ASSOC II | 11-133 |
| | Insert Revised Recommendation | |
| 4.. | MC DADE, LP | 12-21 |
| | Insert Revised Recommendation | |
| | *** | |
| | CAO - Approved CAO Review Comments | |

C: ACA ED SANCHEZ
ACA TOM ROBERTSON
ACA STEVE STIEGLITZ

Revised: 07/24/12
Reviewed:

FINAL AGENDA

6-11-2012 Version # 1



COMMUNITY ZONING APPEALS BOARD 12
KENDALL VILLAGE CENTER - CIVIC PAVILLION

8625 SW 124 Avenue, Miami

Tuesday, July 31, 2012 at 6:30 p.m.

RESCHEDULED MEETING

CURRENT

1..	12-7-CZ12-1	<u>JUAN CARLOS & MARGARITA FERNANDEZ</u>	<u>11-46</u>	27-54-40	N
2..	12-7-CZ12-2	<u>WRC PROPERTIES, INC</u>	<u>11-120</u>	36-54-39	N
3..	12-7-CZ12-3	<u>GALLOWAY MEDICAL PARK ASSOC II</u>	<u>11-133</u>	33-54-40	N
4..	12-7-CZ12-4	<u>MC DADE, LP</u>	<u>12-21</u>	36-54-40	N

Originally Scheduled for July 10, 2012



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 12

MEETING OF TUESDAY, JULY 31, 2012

KENDALL VILLAGE CENTER – CIVIC PAVILION

8625 SW 124 AVENUE, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 7:00 P.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMUNITY ZONING APPEALS BOARD SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMUNITY ZONING APPEALS BOARD BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE BOARD BE GRANTED BY THE MAJORITY VOTE OF THE BOARD MEMBERS PRESENT.

NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE MEETING ROOM. PERSONS EXITING THE MEETING ROOM SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE MEETING ROOM IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE MEETING ROOM TO ANSWER INCOMING CELL PHONE CALLS. COUNTY EMPLOYEES MAY NOT USE CELL PHONE CAMERAS OR TAKE DIGITAL PICTURES FROM THEIR POSITIONS ON THE DAIS.

THE NUMBER OF FILED PROTESTS AND WAIVERS ON EACH APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE ZONING HEARING MEETING DATE FOR THIS BOARD.

SWEARING IN OF WITNESSES

1. **JUAN CARLOS & MARGARITA FERNANDEZ (12-7-CZ12-1/11-046)**

27-54-40

Area 12/District 07

- (1) NON-USE VARIANCE to permit a single family residence setback a minimum of 17.3' (25' required) from the rear (north) property line.
- (2) NON-USE VARIANCE to permit a curvilinear lot frontage of 73.59' (85' required).
- (3) NON-USE VARIANCE to permit a fence to encroach onto a dedicated right-of-way of SW 79 Avenue (not permitted).
- (4) NON-USE VARIANCE to permit fence to be within the safe sight distance triangle at the driveway entrance (not permitted).

REQUEST #1 - #4 ON PROPOSED LOT 1

- (5) NON-USE VARIANCE to permit gates and columns with a maximum height of 8' (6' permitted).

REQUEST #5 ON PROPOSED LOTS 1 & 2

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Site Plan" as prepared by Manuel Felipe, Professional Land Surveyor, "Floor Plan" by J. Bonfill & Associates, Inc., and "Fence Gate Site Plan" by American Services of Miami, Corp., consisting of 3 sheets and dated stamped received 1/27/12. Plans may be modified at public hearing.

LOCATION: 6550 SW 79 Avenue & 7895 SW 66 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.1 Acres

Department of Regulatory and
Economic Resources
Recommendation:

Approved with conditions.

Protests: 19

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

2. **WRC PROPERTIES, INC. (12-7-CZ12-2/11-120)**

36-54-39

Area 12/District 10

- (1) SPECIAL EXCEPTION to permit a bar spaced less than the required 1500' from another alcohol use.
- (2) NON-USE VARIANCE to permit sales of alcoholic beverages until 2:00 a.m (1:00 a.m permitted).
- (3) NON-USE VARIANCE to permit live entertainment and live music within a bar (not permitted).

- (4) NON-USE VARIANCE of zoning regulations requiring all use to be conducted within a building: to waive same to permit outdoor seating in conjunction with a bar (not permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "The Palms at Town & Country Center" as prepared by Robin Bosco Architects & Planners, Inc., consisting of 3 sheets a plan entitled "World of Beer" prepared by Slator Associates LLC, consisting of 1 sheet, all sheets dated stamped received 5/16/12 and a specific purpose survey prepared by Schwebke Shiskin & Associates, Inc., consisting of 1 sheet, dated stamped received 11/17/11 for a total of 5 sheets. Plans may be modified at public hearing.

LOCATION: Lying north of S.W. 88 Street, between S. W. 117 Avenue and the Homestead Extension of Florida's Turnpike, Miami-Dade County, Florida.

SIZE OF PROPERTY: 87 Acres

Department of Regulatory and Economic Resources
 Recommendation:

Approved with conditions

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

**3. GALLOWAY MEDICAL PARK ASSOCIATION II (12-7-CZ12-3/11-133) 33-54-40
Area 12/District 07**

- (1) MODIFICATION of Condition #2 of Resolution Z-173-82, passed and adopted by the Board of County Commissioners, reading as follows:

From: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Galloway Oaks Professional Center", site plan as prepared by Henderson-Rosenberg-Scully, dated 7/22/82, and architectural plans as prepared by GRV Design Group, dated 5/12/82.

To: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled " Galloway II Medical Plaza", as prepared by Hamed Rodriguez, Architect, Inc., dated stamped received 11/21/11, sheet A2.0 dated stamped received 3/26/12, Landscape Plan as prepared by Witkin Hults Design Group, dated stamped received 3/26/12 for a total of 9 sheets.

The purpose of the request is to allow the applicant to submit revised plans showing the addition of a second story tenant space with parking below.

- (2) NON-USE VARIANCE to permit 8 street trees (30 street trees required).
- (3) NON-USE VARIANCE to permit a parking back-up aisle width of 21'-11" (22' required).

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

LOCATION: 7400 SW 87 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 3.06 Acres

Department of Regulatory and
Economic Resources
Recommendation:

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

Protests: _____ 1 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

4. MC DADE, LP (12-7-CZ12-4/12-021)

**36-54-40
Area 12/District 07**

- (1) Modification of condition #2 of Resolution CZAB12-22-08, passed and adopted by the Community Zoning Appeals Board #12, reading as follows:

From: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "colonial Bank-Dadeland Branch" as prepared by Glen Hanks consulting Engineers, Inc, Sheet Sp-1, dated stamped received 7/29/08 and sheets "A-1.1" and "A-3.1", as prepared by Reynolds, Smith and Hills, Inc., dated stamped received 8/28/08 and the remaining 3 sheets entitled "Colonial Bank" as prepared by Landscape Architects Collaborative, dated stamped received 7/29/08, for a total of 6 sheets.

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Bank" as prepared by Bohler Engineering, dated stamped received February 6, 2012, "TD BANK", as prepared by Core States Group, dated stamped received February 6, 2012, for a total of 5 sheets.

The purpose of the request is to allow the applicant to submit plans showing a modification of the building foot print and to show the new configuration of the drive-thru teller lanes.

- (2) NON-USE VARIANCE of setback requirements to permit the covered drive-thru area to setback 4.1' (20' required) from the interior side (east) property line.
- (3) NON-USE VARIANCE of setback requirements to permit a bank to setback 10' (75' required) from the front (north) property line abutting an "E" Street (US Hwy #1).
- (4) NON-USE VARIANCE of zoning regulations requiring a minimum of 75% of the building frontage to be along the "B" Street (S.W. 67 Ave); to waive same to permit a building frontage of 21' (114' required).
- (5) NON-USE VARIANCE of landscape requirements to permit 0 street tree (8 street trees required).

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 12**

PH: Z11-046 (12-7-CZ12-1)

July 31, 2012

Item No. 1

Recommendation Summary	
Commission District	7
Applicants	Juan Carlos and Margarita Fernandez
Summary of Requests	The applicants are seeking to permit an existing single-family residence with reduced rear setback and less lot frontage than permitted. Additionally, the applicants seek to permit the residences with a fence and gate that encroach into the right-of-way and within the safe-sight distance triangle.
Location	6550 SW 79 Avenue & 7895 SW 66 Street, Miami-Dade County, Florida.
Property Size	2.1-acres
Existing Zoning	EU-1
Existing Land Use	Single-family residences
2015-2025 CDMP Land Use Designation	Estate Density, 1 to 2.5 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 of zoning and subdivision regulations to permit a single family residence setback a minimum of 17.3' (25' required) from the rear (north) property line.
- (2) NON-USE VARIANCE to permit a curvilinear lot frontage of 73.59' (85' required).
- (3) NON-USE VARIANCE to permit a fence to encroach onto a dedicated right-of-way (SW 79 Ave).
- (4) NON-USE VARIANCE to permit a fence to be within the safe sight distance triangle at the driveway entrance to permit is requesting.

REQUESTS #1 - #4 ON PROPOSED LOT 1

- (5) NON-USE VARIANCE to permit gate and columns with a maximum height of 8' (6' permitted).

REQUEST # 5 ON PROPOSED LOTS 1 AND 2

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Site Plan " as prepared by Manuel Felipe, Professional Land Surveyor, "Floor Plan" by J. Bonfill & Assoc. Inc. and "Fence Gate Site Plan" by American Services of Miami, Corp. consisting of 3 sheets dated stamped received 1/27/12. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The plan submitted depicts the 2.1 acre subject site consisting of Lot 1 and Lot 2 that are separated by an existing roadway, SW 79 Avenue. The subject parcel contains the two (2) existing single-family residences with the existing decorative gate, fence and columns that also encroach into the right-of-way.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	EU-1; single-family residences	Estate Density Residential (1 to 2.5 dua)
North	EU-1; single-family residence GU: cemetery	Estate Density Residential (1 to 2.5 dua)
South	EU-1; single-family residences	Estate Density Residential (1 to 2.5 dua)
East	EU-1; single-family residence	Estate Density Residential (1 to 2.5 dua)
West	EU-1; single-family residence	Estate Density Residential (1 to 2.5 dua)

NEIGHBORHOOD COMPATIBILITY:

The 2.1 acre EU-1, Single-Family One Acre District subject site, consists of two (2) lots, approximately 1-acre in size located at the northwest corner of SW 79 Avenue and SW 66 Street containing two (2) single-family residences. The submitted plans depict the existing residences located on abutting parcels with the existing gate and fences. The area surrounding the subject property is primarily characterized by single-family residences on similar sized parcels as well as a cemetery located to the north.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicants to permit the existing residences with reduced setbacks and a reduced curvilinear frontage. Additionally, approval will allow the continued use of the existing fence and gate within the right-of-way. Although the existing additions provide the applicants with additional lot area, staff opines that it may currently have a negative visual impact on the surrounding area and may negatively impact traffic on the abutting right-of-way.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the site for **Estate Density Residential**. *This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. This density range is typically characterized by detached estates, which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 dwelling units per acre.* Staff notes that because this application will not generate any additional

residential units, approval with conditions of the requests is **consistent** with the density requirement of the CDMP.

ZONING ANALYSIS:

When requests #1 through #5 are analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that approval would be **compatible** with the surrounding area and would not be detrimental to the neighborhood. Additionally, staff opines that the approval of the application would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations.

Lot 1 of the subject parcel which is located at 6550 SW 79 Avenue currently fronts onto SW 79 Avenue and separates the parcel from Lot 2 that is located to the east. The applicants' letter of intent states that the purpose of the application is to comply with replat and road closure applications filed with the Public Works and Waste Management Department. The proposed road closure will result in the refacing of Lot 1 of the subject property from fronting onto SW 79 Avenue to now front onto SW 66 Street to the south. As a result, the original interior side (north) property line of the existing single-family residence will now become the rear (north) property line. Approval of the replat and refacing of Lot 1 will cause the existing residence to encroach 7.7' into the rear (north) setback area (request #1). Additionally, the refacing of the parcel that will result from the road closure will create a substandard curvilinear frontage for the existing residence onto SW 66 Street (request #2). Staff notes that the residence is existing and although the curvilinear frontage will be new, the approval of the aforementioned requests will not create any new visual impacts that will be detrimental to the surrounding residences.

In addition, staff opines that the existing fence encroaching into the right-of-way at the intersection of 79 Avenue and SW 66 Street (request #3), will not create a hazard to traffic in this area. Instead, staff opines that the fence which is a noticeable, visual impediment that will forewarn motorists of the closure of the approximately 300' long portion of SW 79 Avenue going north from SW 66 Street that ends in a cul-de-sac at the cemetery. Further, since the existing roadway only served the subject parcel and the contiguously owned parcel, Lot 2, located to the east and does not provide connectivity to any other roadway, staff opines that the closure of the roadway may improve the traffic flow on the abutting roadways, SW 66 Street and SW 79 Avenue, by reducing unnecessary vehicular traffic along this portion of SW 79 Avenue. As such, staff opines that the approval of requests #1 through #3 would not be detrimental to the character of the surrounding residential neighborhood.

When request #4, to permit the fence within the safe-sight triangle at the driveway entrance and requests #5 to permit both Lot 1 and Lot 2 with the 8' high gate and columns where a maximum of 6' is permitted are similarly analyzed under the Non-Use Variance (NUV) Standards, staff opines that approval of these requests would not be detrimental to the surrounding neighborhood and would not have a negative visual impact on same. Staff notes that the existing gate and columns are a part of the fence that is the subject of request #3. In staff's opinion, the existing fencing to include the 8' high columns provides the residences with added curb appeal while providing a visual deterrence to traffic trying to access this portion of SW 79 Avenue. In addition, staff opines that the wrought iron fence allows adequate visibility for cars entering or leaving the residence from the safe sight triangle area. Staff also notes that the Public Works and Waste Management Department does not object to request #4. However, staff notes that approval of this application is conditional on the applicants obtaining approval of a road closing petition. **As such, staff recommends approval with conditions of requests**

#1 through #5 under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b) (NUV).

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

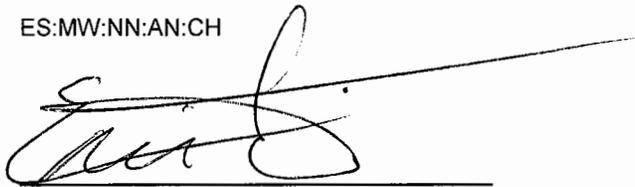
RECOMMENDATION:

Approval with conditions.

CONDITIONS FOR APPROVAL :

1. That a site plan be submitted to and meet with the approval of the 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, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Site Plan " as prepared by Manuel Felipe, Professional Land Surveyor, "Floor Plan" by J. Bonfill & Assoc. Inc. and "Fence Gate Site Plan" by American Services of Miami, Corp. consisting of 3 sheets dated stamped received 1/27/12. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants comply with all applicable conditions and requirements of the Department of Public Works and Waste Management, including obtaining approval of a road closing petition for SW 79 Avenue.

ES:MW:NN:AN:CH



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

ZONING RECOMMENDATION ADDENDUM

Juan Carlos and Margarita Fernandez
Z11-046

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
Environmental Division, Regulatory and Economic Resources	No objection*
Public Works and Waste Management	No objection*
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection
*Subject to conditions in their memorandum.	

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

Estate Density Residential (Pg. I-31)	<i>This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 units per gross acre.</i>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

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

12-7-CZ12-1 (11-046)
Area 12/District 07
Hearing Date: 07/31/12

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

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
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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: May 13, 2011

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

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



Subject: C-12 #Z2011000046
Juan Carlos and Margarita Fernandez
6550 S.W. 79th Avenue
To Permit an Existing Fence Setback Less than Required from Property
Lines and to Permit the Existing Residence Setback Less than Required
from Property Lines
(EU-1) (1 Acres)
27-54-40

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

Potable Water Service

Public water is not available to the subject property. However, DERM has no objection to this type of low intensity development served by an individual water supply system, provided that groundwater quality in the area is such that drinking water standards can be met by the proposed water supply system. A minimum separation distance of 100 feet is required between any well and all septic tank drainfields, all surface waters and any other source of contamination.

Wastewater Disposal

Public sanitary sewers are not located within feasible distance for connection to the subject property; consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste. DERM has no objection to the interim use of a septic tank and drainfield provided that the maximum sewage loading allowed by Section 24-43.1(3) of the Code is not exceeded. Based on available information, the proposed single family residence or duplex served by a septic tank would not exceed the maximum allowable sewage loading for the subject property.

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 DERM Class IV Wetland Permit will not be required.

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

Tree Preservation

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

Enforcement History

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

Concurrency Review Summary

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

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

This memorandum shall constitute DERM's written approval, as required by the Code.

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



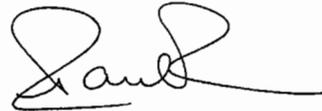
PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: JUAN CARLOS & MARGARITA FERNANDEZ

This Department has no objections to this application.

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

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



Raul A Pino, P.L.S.

07-JUN-11

Memorandum



Date: June 13, 2011

To: Marc LaFerrier, Director
Department of Planning and Zoning

From: *M.N.* Maria I. Nardi, Chief
Planning and Research Division

Subject: Z2011000046: Fernandez Residence

Application Name: Fernandez Residence

Project Location: The site is located at 6550 SW 79th Avenue, Miami-Dade County.

Proposed Development: The applicant is requesting non-use variances to permit 1) a reduction to the required rear yard setback; 2) a card reader post and encroachment into the r/w of SW 79th Avenue; 3) driveway gate; and 4) variance of the safe-site distance triangle for an existing residence.

Impact and demand: Because this application does not generate any residential population, the CDMP Open Space Spatial Standards do not apply and this Department has no objection to this application.

We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

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

MN:jb

Cc: John M. Bowers, RLA/AICP, Landscape Architect 2

Memorandum



Date: 16-MAY-11
To: Marc LaFerrier, Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2011000046

Fire Prevention Unit:

Not applicable to MDRF site requirements.

Service Impact/Demand

Development for the above Z2011000046
 located at 6550 SW 79 AVE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 1714 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
 The estimated average travel time is: 6:12 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
 Station 13 - East Kendall - 6000 SW 87 Avenue BLS 75' Ladder, Squad

Planned Service Expansions:

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

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

11

DATE: 18-MAY-12

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

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

JUAN CARLOS & MARGARITA
FERNANDEZ

6550 SW 79 AVE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2011000046

HEARING NUMBER

HISTORY:

Enforcement History :11-46

Applicant: Juan Carlos & Margarita Fernandez

Location: 6550 SW 79 Ave

Folio Number: 3040270040090 , 3040270052181

Enforcement History: NC: No open cases. BNC: Folio 3040270040090 BSS case 20080121078-B opened on April 23, 2008 against contractor on file. Civil Violation Notice B048358 issued on April 23, 2008 for expired permit 2007056009. A referral was made on July 17, 2009 to Building Code Compliance Office for performing work outside of the scope of work of the permit. Final Notice of Intent to Lien was issued on July 30, 2009. Due to non compliance Lien was recorded on October 21, 2009. CVN was paid on August 6, 2010. Case remains open in non compliance.

BSS case 2006097206-B opened on March 27, 2006. Notice of Violation issued on April 5, 2006 for Failure to obtain building permit(s) prior to commencing work on: concrete fence/gate with underground electrical work. Civil Violation Notice 964418 issued on June 21, 2006. CVN 964418 was voided on August 31, 2006 and new CVN 991589 issued with updated pictures. CVN paid May 4, 2007. Final Notice of Intent to Lien issued on July 30, 2009. Due to non compliance, lien was recorded on October 21, 2009, case remains open.

BSS case A2008002490-X opened on March 12, 2008. Notice of Violation issued on March 12, 2008 for expired permit 2007056009. Civil Violation Notice B0448357 issued on June 30, 2008. CVN was paid on March 2, 2010. Final Notice of Intent to Lien was issued on April 6, 2010. Due to non compliance lien recorded on December 7, 2011. Case remains open.

BSS case 20090130789-B opened on June 16, 2009. Notice of Violation issued on June 16, 2008 for Failure to obtain required building permit(s) prior to commencing work on: surveillance camera(s) without permits. Civil Violation Notice (CVN) B089295 issued February 1, 2010. CVN paid on February 18, 2010. Final Notice of Intent to Lien issued on September 10, 2010. Final letter to comply issued on March 16, 2012, case remains open.

BSS case A2011002875-X opened on June 11, 2011. Notice of Violation issued on June 11, 2011

for expired permit 2010050543. Civil Violation Notice P005378 issued on September 19, 2011. Due to non compliance Final Notice of Intent to Lien was issued on April 9, 2012. Case remains open. Folio 3040270052181 BSS case 20080121117-B opened on April 24, 2008. Notice of Violation issued on April 24, 2008 for failure to obtain required building permit(s) prior to commencing work on: installation of concrete columns and metal fence without permits and onto the public area. Civil Violation Notice B048360 issued on April 28, 2008. Final Notice of Intent to Lien issued on October 29, 2008. Lien was recorded on January 22, 2009. Case remains open.

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

REPORTER NAME:

Memorandum



Date: July 2, 2012

To: Franklin Gutierrez, Agenda Supervisor, Agenda Coordinator's Office
Miami-Dade Sustainability, Planning and Economic Enhancement

From: Ramiro Martinez, Zoning Services Inspector
Department of Permitting, Environment and Regulatory Affairs

Subject: Hearing Application Process No. Z2011000046 – 6550 SW 79 AVE

A site inspection conducted at 6550 SW 79 AVE for the above-referenced hearing application revealed a parcel of land consisting of two residential lots zoned EU-1. The gate located at the main entrance to the property was locked making the property inaccessible. However, an aerial view from Google Earth shows that all the improvements on the property are depicted correctly on the site plan submitted for hearing with the exception of one structure which appears to be located too close to the north, rear property line of lot 2. Applicant must remove this structure or revise the site plan to include it in the variance.

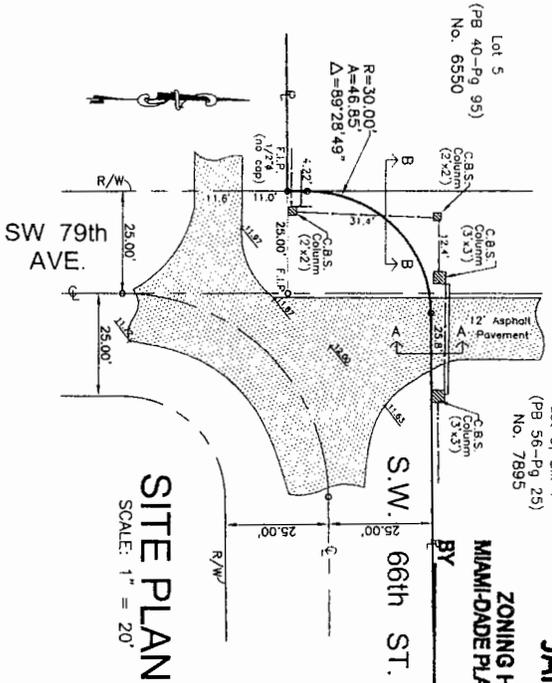
For the exception of the violations that were already noted in this report and in BNC's enforcement letter, there were no the other violations observed.

METAL FENCE AND GATE SITE PLAN FOR FERNANDEZ ESTATES

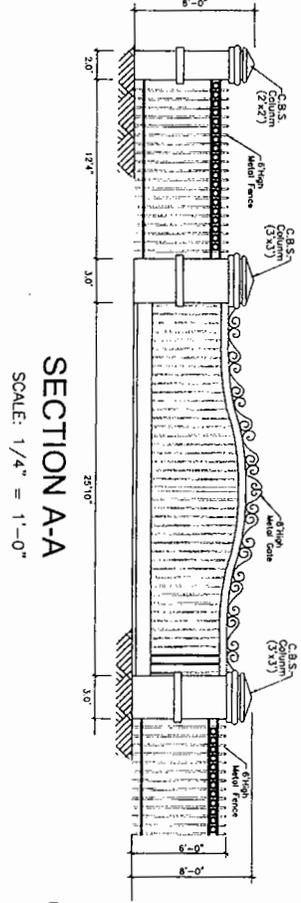
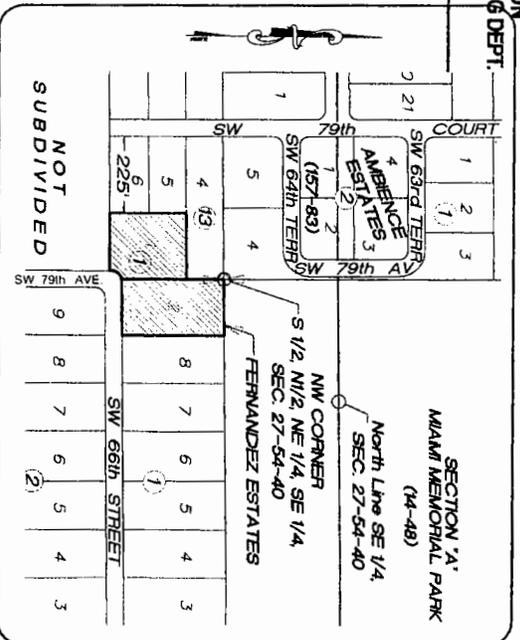
RECEIVED
 Z-11-040
 JAN 27 2012

ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.

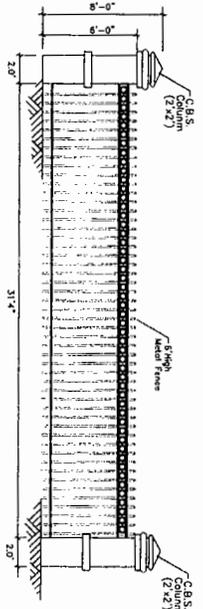
LOCATION MAP
 SCALE: NTS



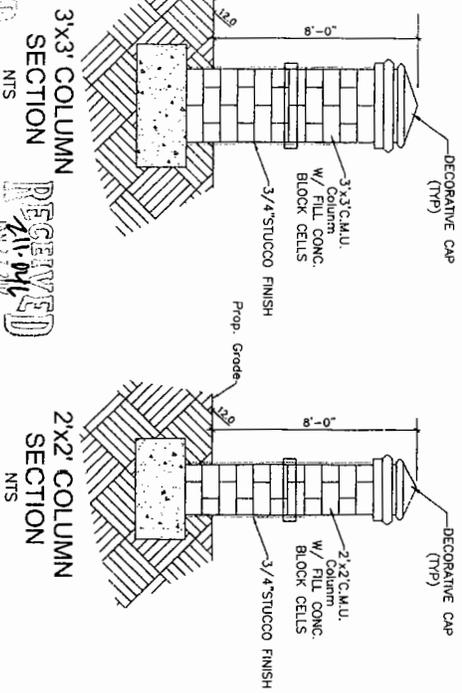
SITE PLAN
 SCALE: 1" = 20'



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



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



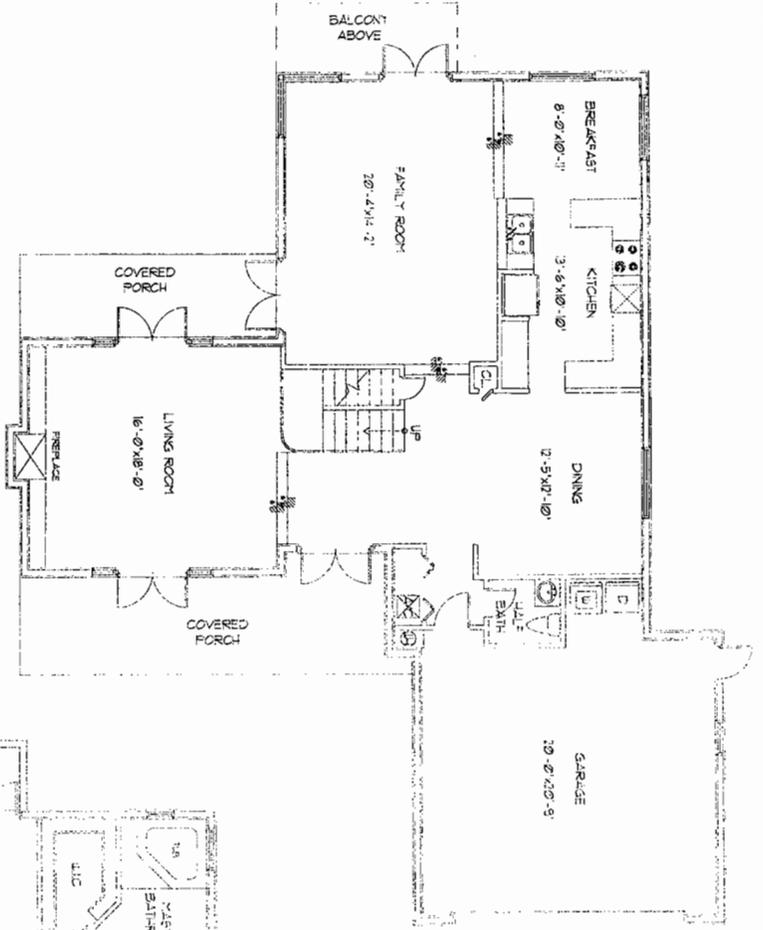
See drawings for the details of construction of concrete, masonry, metal and wood - as indicated.

SITE ADDRESS: 6550 SW 79th Ave / 7895 SW 66th St., Miami FL
 JOB NUMBER: 12-313
 DATE OF SURVEY: MARCH 3, 2012

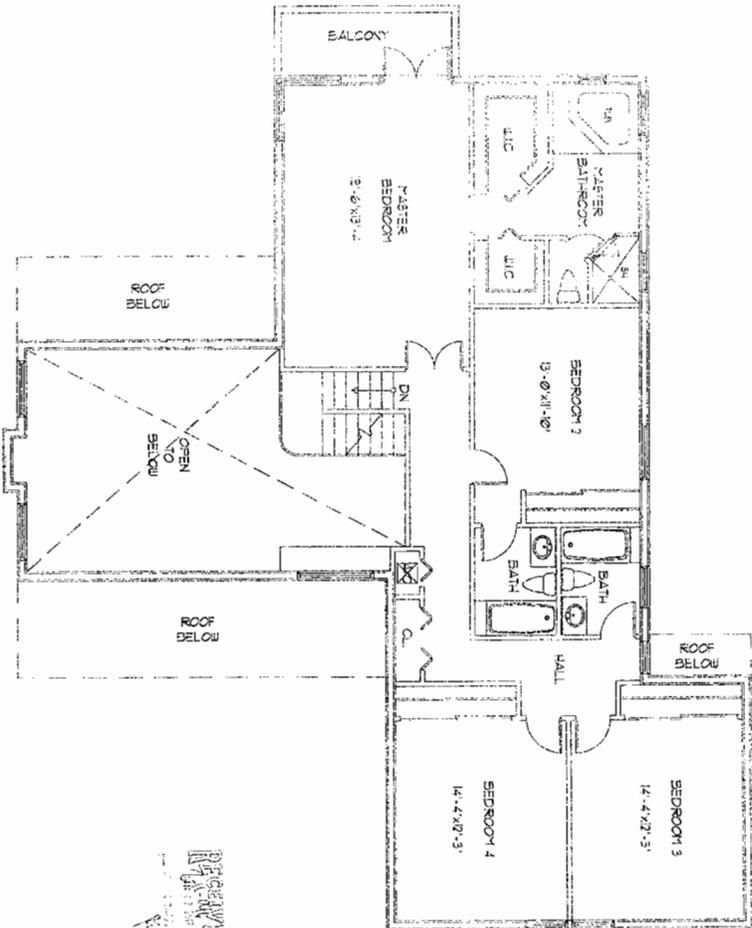


American Services of Miami, Corp.
 Consulting Engineers, Planners, Surveyors
 5380 SW 72nd Street, Suite 200
 Miami, FL 33149
 Tel: (305) 596-5013
 Fax: (305) 596-8227
 www.american.com

FIRST FLOOR PLAN



SECOND FLOOR PLAN



RECEIVED
 JAN 27 2012

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

RECEIVED
 JAN 27 2012

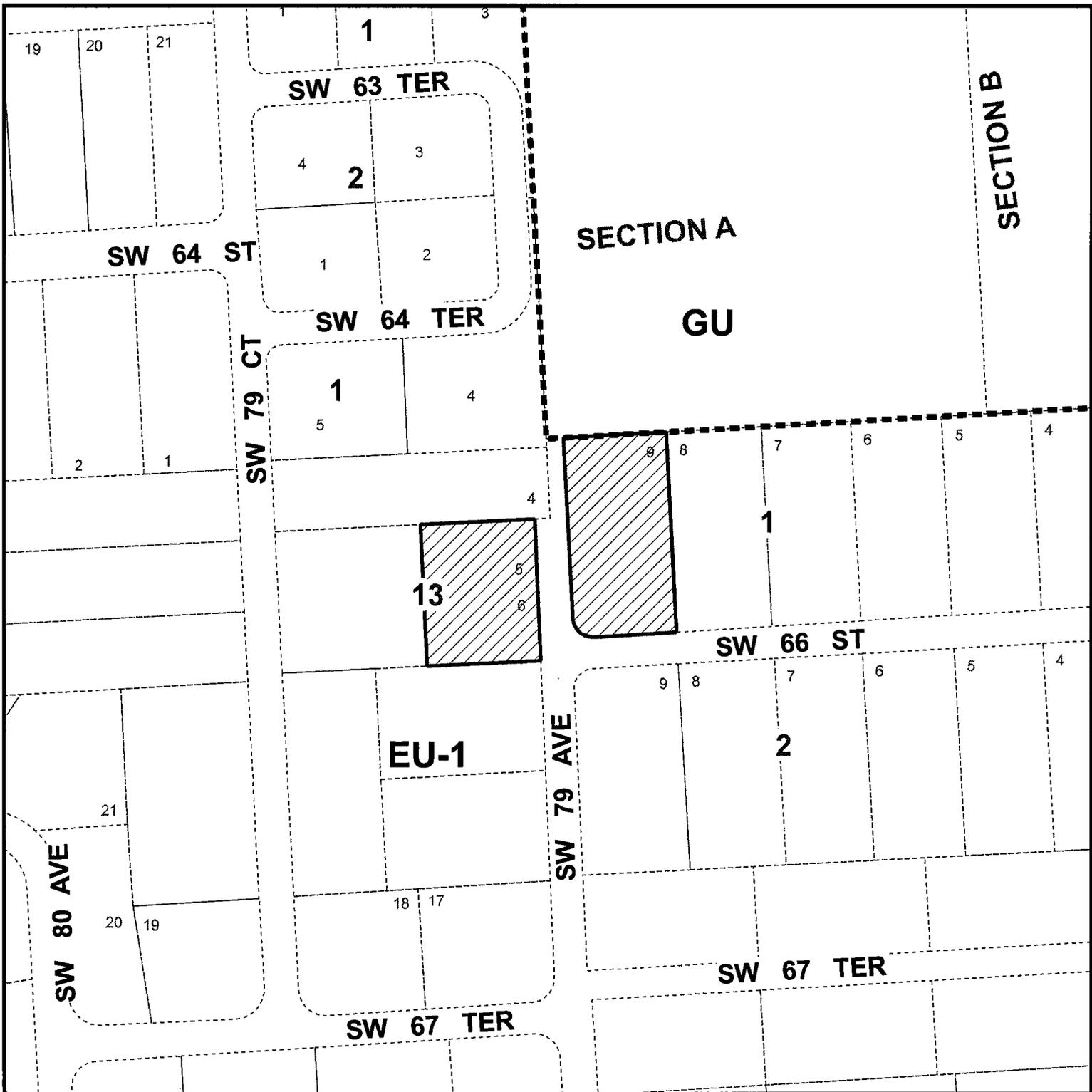
FLOOR PLAN FOR
FERNANDEZ RESIDENCE
 6550 SW 79 Avenue Miami, Florida

J. Bonfill & Associates, Inc.
 Registered Architects AA C002050
 7100 S.W. 99th Avenue Suite 104
 Miami, Florida 33173 (305) 598-8383
 Jacqueline Bonfill Gee AR0013685



ALL DRAWINGS AND	REVISIONS	BY
WORKS SHOWN		
CONSTITUTE THE		
ENTIRE CONTRACT		
AND NO OTHER		
AGREEMENTS OR		
CONDITIONS SHALL		
CONTROL.		
DATE: 06-23-11		
DESIGNER: J. BONFILL		
DRAWN BY: J. BONFILL		
CHECKED BY: J. BONFILL		
SCALE: AS SHOWN		
SHEET: A-2		
OF 2		

[Handwritten mark]



MIAMI-DADE COUNTY
HEARING MAP

Process Number

Z2011000046



Section: 27 Township: 54 Range: 40
 Applicant: JUAN CARLOS & MARGARITA FERNANDEZ
 Zoning Board: C12
 Commission District: 7
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Wednesday, March 7, 2012

REVISION	DATE	BY
	18	



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number

Z2011000046



Section: 27 Township: 54 Range: 40
 Applicant: JUAN CARLOS & MARGARITA FERNANDEZ
 Zoning Board: C12
 Commission District: 7
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

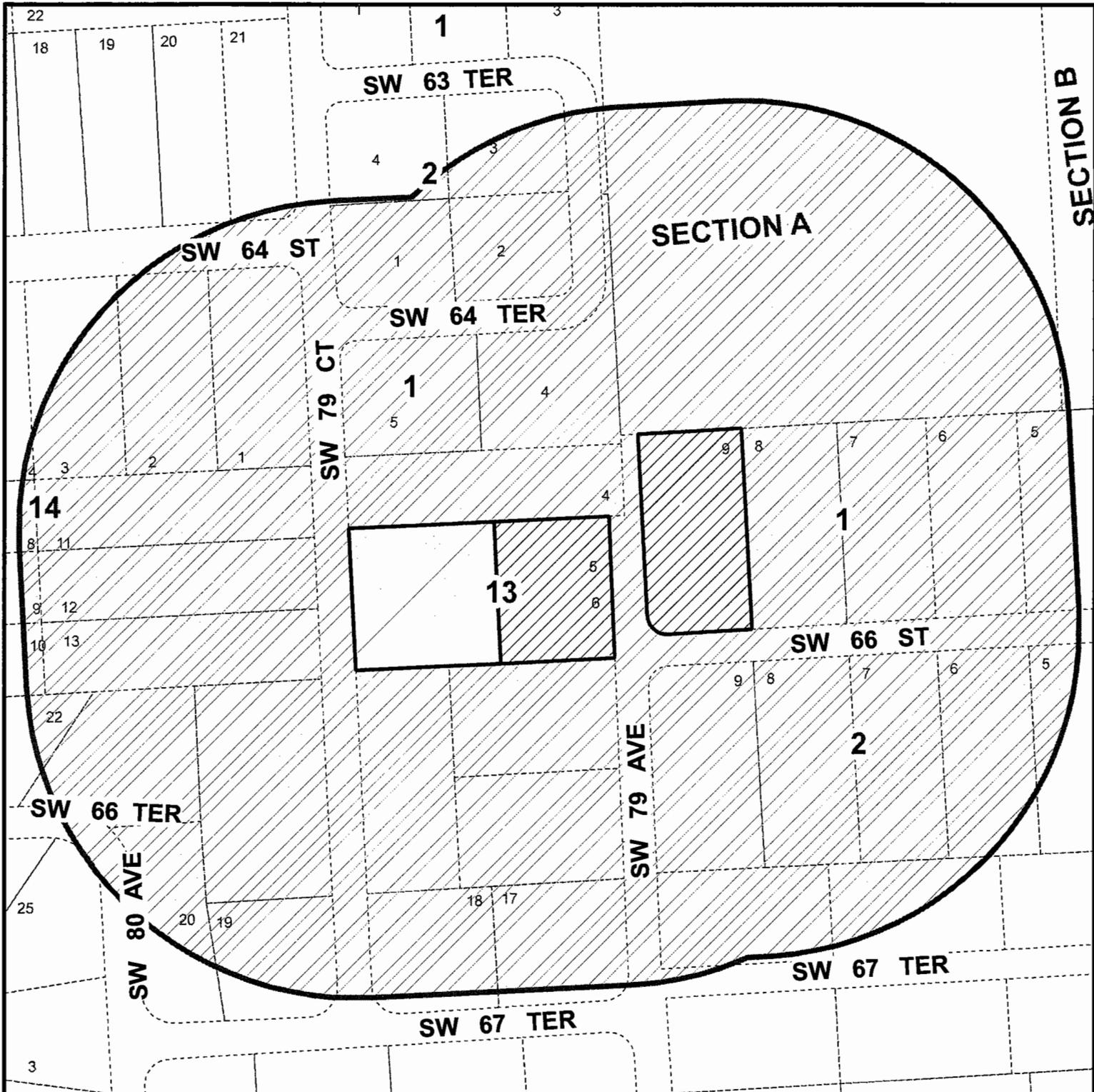
Legend

 Subject Property



SKETCH CREATED ON: Wednesday, March 7, 2012

REVISION	DATE	BY
	19	



MIAMI-DADE COUNTY
RADIUS MAP

Process Number

Z2011000046

RADIUS: 500

Section: 27 Township: 54 Range: 40
 Applicant: JUAN CARLOS & MARGARITA FERNANDEZ
 Zoning Board: C12
 Commission District: 7
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

-  Subject Property
-  Contiguous Properties
-  Buffer



SKETCH CREATED ON: Wednesday, March 7, 2012

REVISION	DATE	BY

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 12**

PH: Z11-120 (12-7-CZ12-2)

July 31, 2012

Item No. 2

Recommendation Summary	
Commission District	10
Applicant	WRC Properties, Inc.
Summary of Requests	The applicant is seeking to permit a bar spaced less than required from similar uses with operating hours until 2 a.m. on Thursday, Friday and Saturday. Additionally, the applicant is seeking to permit live entertainment and live music within a bar and to permit outdoor seating.
Location	Lying north of SW 88 Street, between SW 117 Avenue and the Homestead Extension of Florida's Turnpike, Miami-Dade County, Florida
Property Size	87 acres
Existing Zoning	BU-2, Special Business District
Existing Land Use	Shopping Center
2015-2025 CDMP Land Use Designation	Business and Office within a Metropolitan Urban Center (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)(3) Special Exceptions, Unusual Uses and New Uses Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
Recommendation	Approval with conditions

REQUESTS:

- (1) SPECIAL EXCEPTION to permit a bar spaced less than the required 1500' from another other lawfully established alcoholic beverage establishments.
- (2) NON-USE VARIANCE to permit the sale of alcoholic beverages until 2:00 a.m. (1:00 a.m. permitted).
- (3) NON-USE VARIANCE to permit live entertainment and live music within a bar (not permitted).
- (4) NON-USE VARIANCE of zoning regulations requiring all uses to be conducted within a building to permit outdoor seating in conjunction with a bar (not permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "The Palms at Town & Country Center" as prepared by Robin Bosco Architects & Planners, Inc., consisting of 3 sheets a plan entitled "World of Beer" prepared by Slator Associates LLC, consisting of 1 sheet, all sheets dated stamped received 5/16/12 and a specific purpose survey prepared by Schwebke-Shiskin & Associates, Inc., consisting of 1 sheet, dated stamped received 11/17/11 for a total of 5 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The subject site is an existing 87-acre, pedestrian friendly, multi-tenant shopping center with buildings flanking plazas, parking areas and a lake.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	BU-2; shopping center	Business and Office
North	RU-3M; townhouses and condos	Low-Medium Density Residential (6 to 13 dua)
South	BU-1A; commercial	Business and Office
East	BU-1A; gas station, townhouses and office buildings	Business and Office (2.5 to 6 dua)
West	Florida Turnpike Homestead Extension	Transportation

NEIGHBORHOOD COMPATIBILITY:

The subject property is an existing shopping center located at the northwest corner of SW 88 Street and SW 117 Avenue. The surrounding area is characterized by commercial and residential uses.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to establish a bar with outdoor table service, spaced less than required from other lawfully established alcoholic beverage establishments, and with extended operating hours on Thursday, Friday and Saturday. However, approval of the requests could have noise impacts on the surrounding area.

CDMP ANALYSIS:

The subject property is designated as **Business and Office** on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. Additionally, the shopping center is located within an area that is also designated **Metropolitan Urban Center** on the CDMP Land Use Plan map. The Business and Office category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Metropolitan Centers shall accommodate a concentration and variety of uses and activities which will attract large numbers of both residents and visitors while Community-scale Urban Centers will be planned and designed to serve a more localized community. Uses in Urban Centers may include retail trade, business, professional and financial services, restaurants, hotels, institutional, recreational, cultural and entertainment uses, moderate to high density residential uses and well planned public spaces.

The approval of the requests sought in this application will permit the applicant to establish a bar spaced less than required from other lawfully established alcoholic beverage establishments; alcoholic beverage sales until 2 a.m. the next day on Thursday, Friday, and Saturday; and permit outdoor seating in conjunction with the proposed bar. Staff opines that the proposed use, if approved is would be **compatible** with the retail, restaurant and bar uses that exist in the shopping center and therefore **consistent** with the CDMP LUP map Business and Office and Urban Center designation and the Land Use Element interpretative text for Business and Office and for Metropolitan Urban Centers.

ZONING ANALYSIS:

When analyzing request #1, to permit a proposed bar spaced less than required from other lawfully established alcoholic beverage establishments, under Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses And New Uses, staff opines that when considering the necessity for and reasonableness of the applied for exception in relation to the present and future development of the area and the compatibility of the applied for exception with the area and its development approval of this request, would be **compatible** with the surrounding area. Further, as evidenced by memoranda submitted by the Departments of Public Works and Waste Management; the Environmental Division of the Department of Regulatory and Economic Resources; and Miami-Dade Fire Rescue, approval with conditions of this application will not impact the Level of Service (LOS) standards for an initial development order as it pertains to water, environmental services or traffic in this area.

The liquor survey submitted by the applicant indicates that there are nine (9) other lawfully established alcoholic beverage establishments located on the subject site. Of the nine (9) establishments three (3) are full liquor restaurants and/or bars, two (2) restaurants only sell beer and the remaining establishments sell beer and wine, which include two (2) retail establishments and two (2) restaurants. Staff also notes that the proposed bar is centrally located within a 87 acre shopping center which in addition to the previously mentioned restaurants and bars is also comprised of retail stores a supermarket and a multiplex cinema. The proposed bar with live entertainment will be located approximately 1,100 feet from the nearest residences located to the north and therefore will not have a negative aural impact on same. Additionally, not indicated on the submitted liquor survey, staff notes that pursuant to Resolution No. CZAB 12-18-11, the subject property was approved to permit a package liquor store with Sunday sales and spaced less than required from other lawfully established alcoholic beverage establishments.

In staff's opinion, the proposed encroachment into the 1,500' spacing requirement is **compatible** with the commercial uses within the existing shopping center and those along SW 88 Street, a major transportation corridor and will not negatively impact the surrounding area. **Therefore, staff recommends approval of request #1 under Section 33-311(A)(3) Standards For Special Exceptions, Unusual Uses And New Uses.**

When the applicant's request to permit sales of alcoholic beverages until 2:00 a.m. (1 a.m. permitted) the next day on Thursday, Friday and Saturday, is analyzed under the Non-Use Variance Standard, Section 33-311(A)(4)(b), staff opines that approval with conditions is compatible with the surrounding uses. Staff notes that the location of the proposed bar within an existing shopping center, located along a well travelled section line roadway, SW 88 Street (Kendall Drive), will not have a negative impact on the surrounding area. Additionally, staff opines that allowing the sale of alcoholic beverages on Thursday, Friday, and Saturday until 2:00 a.m. the next day, is compatible with the other restaurant and night club uses in and

around the Palms at Town and Country Center, would not be detrimental to the community and will allow the establishment to provide its patrons with the convenience of extended hours. **As such, staff recommends approval of request #2 under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.**

Additionally, the applicant is seeking a non-use variance of the zoning regulations to permit live entertainment and live music in conjunction with the proposed bar (request #3). When this request is analyzed under the Non-Use Variance Standard, Section 33-311(A)(4)(b), staff opines that approval of this request would be **compatible** with the surrounding area. Staff notes that the submitted floor plan depicts the 234 sq. ft. stage area internal to the building. Staff opines that due to the location of the stage area approval of the request will not result in excessive noise impacts on the surrounding similar uses. Additionally, the applicant has indicated in its letter of intent that they will be using as special product for sound absorbing purposes to prevent noise from adversely impacting the surrounding uses. Also, as previously noted, the proposed bar with live entertainment will be located approximately 1,100 feet from the nearest residences and therefore will not have a negative aural impact. Further, staff opines that the live entertainment and live music within the proposed bar will provide entertainment for patrons of the bar.

When analyzing request #4, to permit outdoor seating in conjunction with a bar, under Section 33-311(A)(4)(b) Non-Use Variance Standards, staff opines that the request would be compatible with the surrounding uses in the existing shopping center. Staff notes that outdoor dining is a permitted use in the existing BU-2 zoning district; however, the proposed bar does not meet the primary use standards set forth in Section 33-238. Said Section requires that the primary use is the preparation of food for consumption on premises. Staff opines that the requested outdoor seating will provide an amenity for the patrons of the proposed bar. Additionally, staff notes that there are several restaurants in the existing shopping center that provide outdoor seating for guests. **As such staff recommends approval of request #4 under Section 33-311 (A)(4)(b) Non-Use Variance Standards.**

Staff notes that approval of the non-use variances listed as requests #2 through #4 is contingent upon approval of request #1; the special exception to permit a bar spaced less than required from other lawfully established alcoholic beverage establishments. Staff opines that the approval of the applicants' requests would not have a negative noise or traffic impact on the surrounding area and therefore, would be **compatible** with the area. **Therefore, staff recommends approval of requests #1 through #4 under Section 33-311(A)(3) Standards For Special Exceptions, Unusual Uses And New Uses and Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING:

The submitted site plan depicts an existing outdoor shopping center with one (1) ingress/egress point along SW 88 Street and two (2) ingress/egress points along SW 117 Avenue. The existing buildings are oriented facing the parking areas and plazas. The subject property is pedestrian oriented so that patrons can park and access desired locations within the subject property by a short walk.

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

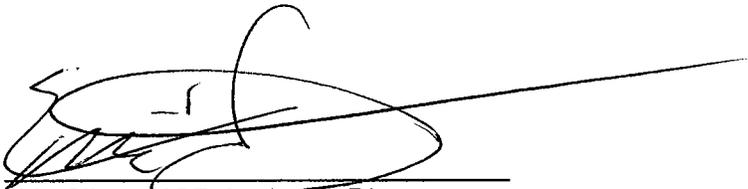
OTHER: N/A

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 must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, signs, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "The Palms at Town & Country Center" as prepared by Robin Bosco Architects & Planners, Inc., consisting of 3 sheets a plan entitled "World of Beer" prepared by Slator Associates LLC, consisting of 1 sheet, all sheets dated stamped received 5/16/12 and a specific purpose survey prepared by Schwebke-Shiskin & Associates, Inc., consisting of 1 sheet, dated stamped received 11/17/11 for a total of 5 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtain a Certificate of Use from and promptly renew same annually with the Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That the sale of alcoholic beverages until 2 a.m. the next day be restricted to Thursday, Friday and Saturday only.
6. That no outdoor live or recorded music be permitted.
7. That no outdoor speakers be permitted.

ES:MW:NN:CH:AN



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

ZONING RECOMMENDATION ADDENDUM

WRC Properties
Z11-120

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
RER(Environmental Division)	No objection
Public Works and Waste Management	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

<p>Business and Office (Page I-41)</p>	<p><i>This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.</i></p>
<p>Urban Centers (Pg. I-46-48)</p>	<p><i>Diversified urban centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate- to high-intensity design-unified areas which will contain a concentration of different urban functions integrated both horizontally and vertically. Three scales of centers are planned: Regional, the largest, notably the downtown Miami central business district; Metropolitan Centers such as the evolving Dadeland area; and Community Centers which will serve localized areas. Such centers shall be characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. Regional and Metropolitan Centers, as described below, should also have convenient, preferably direct, connections to a nearby expressway or major roadways to ensure a high level of countywide accessibility.</i></p> <p><i>The locations of urban centers and the mix and configuration of land uses within them are designed to encourage convenient alternatives to travel by automobile, to provide more efficient land use than recent suburban development forms, and to create identifiable "town centers" for Miami-Dade's diverse communities. These centers shall be designed to create an identity and a distinctive sense of place through unity of design and distinctively urban architectural character of new developments within them.</i></p> <p><i>The core of the centers should contain business, employment, civic, and/or high-or moderate-density residential uses, with a variety of moderate-density housing types within walking</i></p>

ZONING RECOMMENDATION ADDENDUM

WRC Properties Z11-120

	<p>distance from the centers. Both large and small businesses are encouraged in these centers, but the Community Centers shall contain primarily moderate and smaller sized businesses which serve, and draw from, the nearby community. Design of developments and roadways within the centers will emphasize pedestrian activity, safety and comfort, as well as vehicular movement. Transit and pedestrian mobility will be increased and area wide traffic will be reduced in several ways: proximity of housing and retail uses will allow residents to walk or bike for some daily trips; provision of jobs, personal services and retailing within walking distance of transit will encourage transit use for commuting; and conveniently located retail areas will accommodate necessary shopping during the morning or evening commute or lunch hour.</p> <p>Urban Centers are identified on the LUP map by circular symbols noting the three scales of planned centers. The Plan map indicates both emerging and proposed centers. The designation of an area as an urban center indicates that governmental agencies encourage and support such development. The County will give special emphasis to providing a high level of public mass transit service to all planned urban centers. Given the high degree of accessibility as well as other urban services, the provisions of this section encourage the intensification of development at these centers over time. In addition to the Urban Center locations depicted on the Land Use Plan Map, all future rapid transit station sites and their surroundings shall, at a minimum, be developed in accordance with the Community Center policies established below.</p> <p>Following are policies for development of Urban Centers designated on the Land Use Plan (LUP) map. Where the provisions of this section authorize land uses or development intensities or densities different or greater than the underlying land use designation on the LUP map, the more liberal provisions of this section shall govern. All development and redevelopment in Urban Centers shall conform to the guidelines provided below.</p> <p>Uses and Activities. Regional and Metropolitan Centers shall accommodate a concentration and variety of uses and activities which will attract large numbers of both residents and visitors while Community-scale Urban Centers will be planned and designed to serve a more localized community. Uses in Urban Centers may include retail trade, business, professional and financial services, restaurants, hotels, institutional, recreational, cultural and entertainment uses, moderate to high density residential uses, and well planned public spaces. Incorporation of residential uses is encouraged, and may be approved, in all centers, except where incompatible with airport or heavy industrial activities. Residential uses may be required in areas of the County and along rapid transit lines where there exists much more commercial development than residential development, and creation of employment opportunities will be emphasized in areas of the County and along rapid transit lines where there is much more residential development than employment opportunity. Emphasis in design and development of all centers and all of their individual components shall be to create active pedestrian environments through high-quality design of public spaces as well as private buildings; human scale appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. Existing public water bodies shall also be incorporated by design into the public spaces within the center.</p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Section 33-311(A)(3) Special Exception, Unusual and New Uses.</p>	<p>Hear applications for and grant or deny special exceptions; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual use which by the regulations are only permitted upon approval after public hearing; provide the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or planned and budgeted for construction, area accessible by private or public</p>
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ZONING RECOMMENDATION ADDENDUM

WRC Properties
Z11-120

	<p>roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area of and its development.</p>
<p>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.</p>	<p>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</p>
<p>Section 33-328 Uses Permitted (BU-1)</p>	<p>(25.1) Outdoor dining as an ancillary use in conjunction with restaurants, snack shops and other food service facilities where the primary use is the preparation of food for consumption on premises shall be permitted, subject to the following restrictions:</p> <p>(a) The outdoor dining area shall be managed, operated and maintained as an integral part of the immediately adjacent food service facility; and</p> <p>(b) The outdoor dining area shall not reduce required parking or landscaping for the site; and</p> <p>(c) The outdoor seating area shall be included in the calculations for required parking; and</p> <p>(d) There shall be no outdoor cooking or food preparation; and</p> <p>(e) No outdoor dining area shall obstruct or impede pedestrian traffic; and</p> <p>(f) The outdoor dining area shall comply with handicapped accessibility requirements; and</p> <p>(g) No outside public address system shall be permitted. Unamplified music shall be permitted in the outdoor dining area, subject to compliance with <u>Section 21-28</u> of this Code; and</p> <p>(h) Blinking and flashing type lighting shall be prohibited; and</p> <p>(i) Alcoholic beverages may be served where such service is strictly incidental to the service of food and is from a service bar only, subject to compliance with the regulations specified in Article X (Alcoholic Beverages) of this chapter; and</p> <p>(j) The use shall be subject to plan review and approval through the building permit review process. The plans for such use shall include all restrooms, furniture, umbrellas, lighting, and other related services and functions associated with the proposed use, together with all required and provided parking calculations. Plans shall be subject to all the applicable building and zoning code regulations; and</p> <p>(k) The use shall require a Certificate of Use which shall be renewed annually and shall be subject to revocation upon violation of any applicable building and zoning code regulations, or when a continuation of the permit would constitute a hazard or nuisance.</p>

2. WRC PROPERTIES, INC
(Applicant)

12-7-CZ12-2 (11-120)
Area 12/District 10
Hearing Date: 07/31/12

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

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1984	Hooligan's Inc.	- Special Exception for night club & spacing. - Unusual Use outdoor seating. - Non-Use Variance's. - Special Exception & Use Variance for BBQ.	ZAB	Approved with Condition(s)
1984	Kathryn Mills	- Zone change from EU-M to BU-2 & RU-5A. - Special Exception hotel office. - Unusual Use lake floating docks, entrance feature & outdoor dining. - Variance of setback landscape buffer.	BCC	Approved with Condition(s)
1984	Kathryn Mills & Dade County	- DRI.	BCC	Approved
1985	Kendall Town & Country Assoc. LTD.	- Special Exception of spacing. - Non-Use Variance of sales of alcohol.	ZAB	Approved with Condition(s)
1985	Kendall Town & Country Assoc. LTD.	- Special Exception of spacing. - Non-Use Variance. - Unusual Use outdoor dining.	ZAB	Approved with Condition(s)
1985	Michael Neiman	- Special Exception of spacing.	ZAB	Approved w/ Condition(s)
1985	Kendall Town & Country Assoc. LTD.	- Special Exception of spacing. - Non-Use Variance of zoning regulations.	ZAB	Approved with Condition(s)
1985	Kendall Town & Country Assoc. LTD.	- Non-Use Variance of signage.	ZAB	Approved w/ Condition(s)

1985	Kendall Town & Country Assoc.	- Special Exception night club spacing. - Non-Use Variance of zoning property regulations.	ZAB	Approved with Condition(s)
1985	St. Elmo Investments, LTD	- Zone change from GU to RU-5A.	BCC	Approved
1986	MIPA, Inc.	- Special Exception of spacing requirement as applied to alcoholic beverages uses to permit a proposed liquor, beer and wine package store space less than required 1500' from existing alcoholic beverages.		
1986	GASTAT, Inc.	- Special Exception to permit a discoteque. - Non-Use Variance of zoning regulations.	ZAB	Approved with Condition(s)
1986	Clifford L. Suchman & Leonard A. Wein	- Deletion of Covenant.	BCC	Approved w/ Condition(s)
1986	Kendall Town & Country Assocat.	- Modification of Resolution & Declaration of Restrictions.	BCC	Approved w/ Condition(s)
1987	Kendall Town & Country Assoc.	- Modification of Resolution & Declaration of Restrictions. - Non-Use Variance of accessory uses.	BCC	Approved
1989	WRC Properties, Inc.	- Special Exception for night club & spacing.	ZAB	Approved w/ Condition(s)
1990	WRC Properties	- Modification of Resolution. - Unusual Use outdoor dining. - Non-Use Variance of signage. - Special Exception for spacing.	ZAB	Approved with Condition(s)
1990	MIPA, Inc.	- Special Exception spacing.	ZAB	Approved w/ Condition(s)
1992	Car Care Express	- Use Variance hand carwash.	ZAB	Approved w/ Condition(s)
1993	Charcoals Restaurant	- Special Exception night club & spacing.	ZAB	Approved w/ Condition(s)
1994	WRC Properties Inc	- Special Exception night club & spacing.	ZAB	Approved w/ Condition(s)
1996	Shop, Wash & Detailing	- Modification of Resolution.	ZAB	Approved on a Modified Basis

2001	Gus Expostio	- Use Variance for hand carwash.	C12	Approved w/ Condition(s)
2006	WRC Properties, Inc.	- Sub deviation. - Modification of Resolution & Declaration of Restrictions. - Zone change from RU-5A to BU-2.	BCC	Approved with Condition(s)
2006	WRC Properties	- Sub deviation. - Modification of Resolution & Declaration of Restrictions. - Zone change from RU-5A to BU-2.	C12	Approved with Condition(s)
2008	WRC Properties, Inc.	- Non-Use Variance of signs.	C12	Recommend for Approval
2010	WRC Properties, Inc.	- Non-Use Variance of signage.	C12	Approved w/ Condition(s)
2011	TCPC Associates, LLC, ET AL	- Modification of Declaration of Restrictions.	C12	Approved w/ Condition(s)

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

Memorandum 

Date: December 22, 2011
To: Jack Osterholt, Interim Director
Sustainability, Planning and Economic Enhancement

From: Jose Gonzalez, P.E., Assistant Director
Permitting, Environment and Regulatory Affairs



Subject: C-12 #Z2011000120
WRC Properties, Inc.
8525 Mills Drive
Special Exception to Permit a Bar Spaced Less than Required from
Another Alcohol Use within a Shopping Center, Non-Use Variance to
Permit Live Entertainment and Live Music within a Bar and to Waive the
Zoning Application Regulation Requiring all Uses to be Conducted Inside
Building to Permit Outdoor Seating
(BU-2) (27.49 Acres)
36-54-39

The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and it meets the minimum of the Code. Accordingly, the application may be scheduled for public hearing.

Permitting, Environment and Regulatory Affairs 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 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, Permitting, Environment and Regulatory Affairs

REVISION 1
PH# Z2011000120
CZAB - C12

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: WRC PROPERTIES, INC

This Department has no objections to this application.

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



Raul A Pino, P.L.S.

04-JUN-12

Memorandum



Date: May 4, 2012

To: Jack Osterholt, Director
Sustainability, Planning and economic Enhancement

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

Subject: Z2011000120: WRC PROPERTIES, INC
Includes revised plans dated stamped received through 3/24/12

Application Name: WRC PROPERTIES, INC.

Project Location: The site is located at the 8525 MILLS DR, Miami-Dade County.

Proposed Development: The applicant is requesting a non-use variance of outdoor seating and a special exception for distance requirements between alcoholic beverage establishments. Review includes revised plans dated stamped received through 3/24/12.

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

We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

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

MN:jb

Cc: John M. Bowers, RLA/AICP, Landscape Architect 2

Memorandum



Date: 20-OCT-11
To: Marc LaFerrier, Director
Department of Planning and Zoning
From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department
Subject: Z2011000120

Fire Prevention Unit:

APPROVAL
No objection via Case z2011000120.

Service Impact/Demand

Development for the above Z2011000120
located at 8525 MILLS DR, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 3930 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 5:01 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 9 - Kendall - 7777 SW 117 Avenue
Rescue, ALS 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: 15-DEC-11

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

WRC PROPERTIES, INC

8525 MILLS DR, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2011000120

HEARING NUMBER

HISTORY:

OPEN CASES:

Neighborhood Compliance
None for any folio

Building

FOLIO 30-4936-007-0050:

BSS# A2011003750. NOV issued on 8/11/2011 to property owner for expired permit# 2007049301 and 90 days provided for compliance.

FOLIO 30-4936-007-0020:

BSS# A2010002218. NOV issued on 4/12/2010 to property owner for expired permit# 2009016259 and 90 days provided for compliance. CVN issued on 2/3/2011 for non compliance. CVN paid on 3/14/2011 but non compliance remains. File sent to Lien Unit for collections.

BSS# A2011000092. NOV issued on 10/11/2010 to property owner for expired permit# 2010012487 and 90 days provided for compliance.

BSS# A2011000125. NOV issued on 10/11/2010 to property owner for expired permit# 2010012488 and 90 days provided for compliance.

BSS# A2011001787. NOV issued on 3/11/2011 to property owner for expired permit# 2010037109

and 90 days provided for compliance.

BSS# 20100139685. NOV issued on 9/21/2010 to property owner for Work Without Permit - ELECTRIC ROOM SOUTH SIDE OF PROPERTY DOES NOT COMPLY WITH ONE HOUR RATING FOR ADDITIONAL EXTERIOR LIGHTS INSTALLED and 90 days provided for compliance.

PREVIOUS CASES:

Neighborhood Compliance
None for any folio

Building
None for any folio

WRC PROPERTIES, INC

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

N/A

REPORTER NAME:

L. Cuellar

Memorandum



Date: June 12, 2012

To: Franklin Gutierrez, Agenda Supervisor, Agenda Coordinator's Office
Miami-Dade Sustainability, Planning and Economic Enhancement

From: Ramiro Martinez, Zoning Services Inspector
Department of Permitting, Environment and Regulatory Affairs

Subject: Hearing Application Process No. Z2011000120 – 8525 Mills DR

A site inspection conducted at 8525 Mills Drive on June 6, 2012 for the above-referenced hearing application revealed a large shopping center (a/k/a The Palms at Kendall Town & Country) consisting of retail stores, restaurants with outdoor table service, a nightclub (Blue Martini) and office buildings. All of these improvements on the property have been accurately depicted on the survey. The property has been sufficiently landscaped throughout the property and along the perimeter of the shopping center.

There are currently two open cases on the property for 33-8 violation: Carmine's La Trattoria (case#TF240945) located at 11745 Sherri LN and Charming Charlie (case#TF240986) located at 8600 Mills Drive. These two tenants were issued a Notice of Violation for operating without a valid Certificate of Use. In addition to these violations, an ACS wall sign was observed on the west elevation of the shopping center facing the Turnpike. This sign is within the protected area and it also exceeds the number of signs permitted on the premises. A sign variance would be required to allow the sign to remain on the premises.

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: W R C Properties, Inc., a Delaware corporation

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Teachers Insurance and Annuity Association of America*</u>	<u>100%</u>
<u>*Teachers Insurance and Annuity Association of America is a Pension fund and/or pension trust comprised of over 5,000 Separate ownership interests.</u>	

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

TRUST/ESTATE NAME _____

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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

2015 OCT 15 2011
211-120
MIA-MIAMI PLANNING DEPT
BY: PH

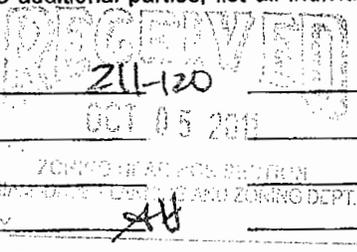
If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or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

NAME OF PURCHASER: _____

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____

Date of contract: _____

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



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

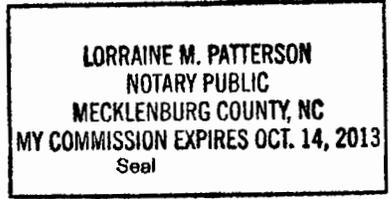
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

W R C Properties, Inc., a Delaware Corporation

Signature: [Handwritten Signature]

Sworn to and subscribed before me this 21 day of Sept, 20 11. Affiant is personally know to me or has produced _____ as identification.

[Handwritten Signature]
(Notary Public)



My commission expires: _____

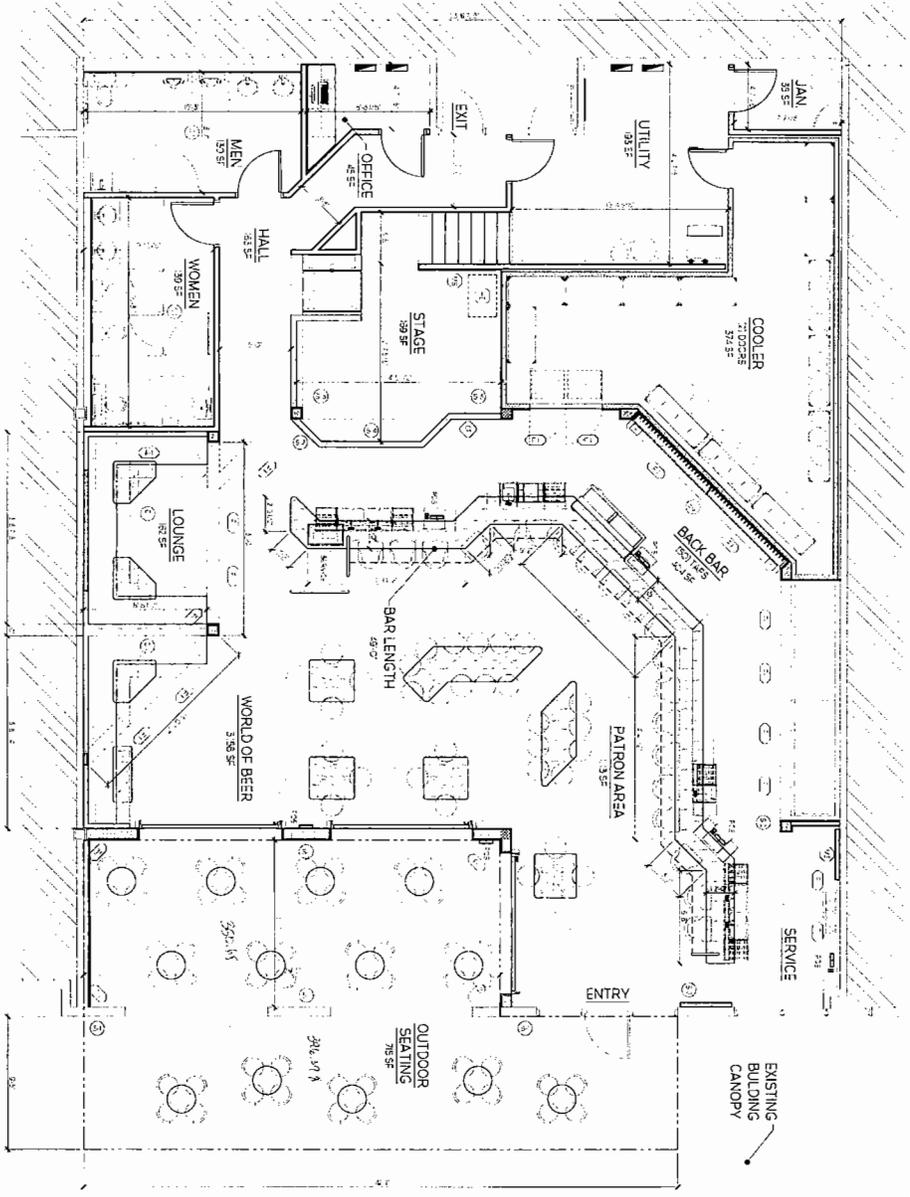
*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership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

RECEIVED
MAY 16 2012

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MAY 16 2012

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

PROPOSED FLOOR PLAN

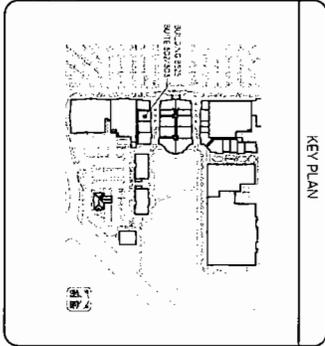


PROJECT INFORMATION

GENERAL NOTES:	REVISIONS:
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 101, LIFE SAFETY CODE.	1. REVISIONS TO THE ORIGINAL PLAN SHALL BE INDICATED BY A CIRCLED NUMBER AND A DESCRIPTION OF THE CHANGE.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.	2. REVISIONS TO THE ORIGINAL PLAN SHALL BE INDICATED BY A CIRCLED NUMBER AND A DESCRIPTION OF THE CHANGE.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.	3. REVISIONS TO THE ORIGINAL PLAN SHALL BE INDICATED BY A CIRCLED NUMBER AND A DESCRIPTION OF THE CHANGE.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.	4. REVISIONS TO THE ORIGINAL PLAN SHALL BE INDICATED BY A CIRCLED NUMBER AND A DESCRIPTION OF THE CHANGE.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.	5. REVISIONS TO THE ORIGINAL PLAN SHALL BE INDICATED BY A CIRCLED NUMBER AND A DESCRIPTION OF THE CHANGE.

AUDIO VISUAL LEGEND

1. OUTDOOR SEATING	2. SEATING
3. BAR LENGTH	4. PATRON AREA
5. LOUNGE	6. RESTROOMS
7. OFFICE	8. STAGE
9. UTILITY	10. COOLER
11. BACK BAR	12. SERVICE
13. ENTRY	14. EXISTING BUILDING CANOPY



<p>slator + associates LLC</p> <p>14004 ROOSEVELT BLVD, SUITE 605, CLEARWATER, FLORIDA 33762</p> <p>tel: 727 651 6681 web: www.slatorassociates.com</p> <p>AA 26001998</p>	<p>BRAN R. SLATOR</p> <p>2012 MAY 16 2012</p> <p>25</p>
<p>TEENAGE IMPROVEMENTS FOR:</p> <p>WORLD OF BEER</p> <p>11016</p> <p>08.10.2011</p>	<p>RECEIVED</p> <p>MAY 16 2012</p>

STANDARD ZONING DISTRICTS AND DISTRICTS FROM THE METROPOLITAN PLANNING COMMISSION

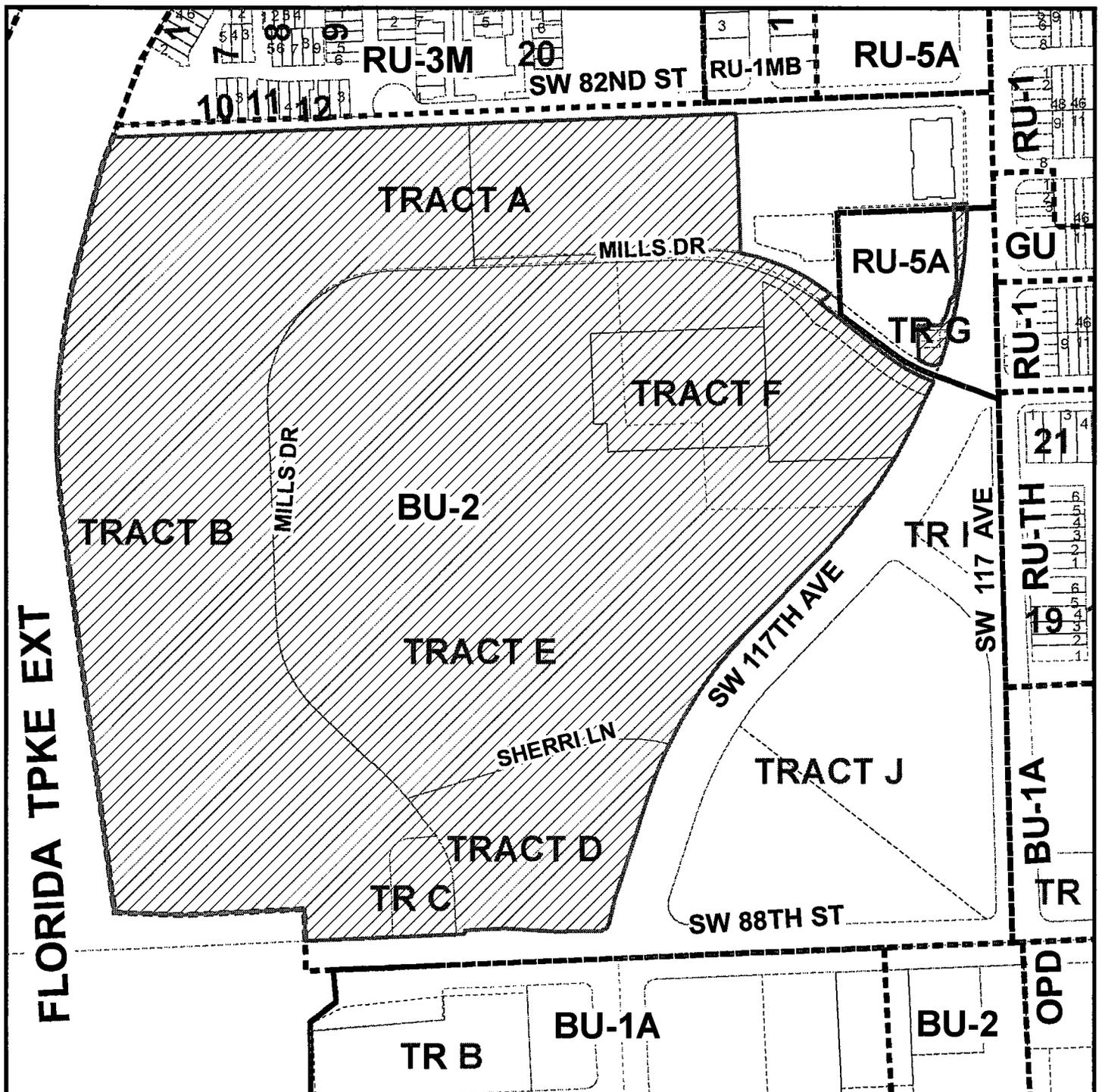
TYPE	MINIMUM LOT AREA	MINIMUM LOT WIDTH	MINIMUM LOT DEPTH	MINIMUM FRONT YARD SETBACK	MINIMUM SIDE YARD SETBACK	MINIMUM REAR YARD SETBACK	MINIMUM FRONT SETBACK	MINIMUM SIDE SETBACK	MINIMUM REAR SETBACK	MINIMUM FRONT SETBACK	MINIMUM SIDE SETBACK	MINIMUM REAR SETBACK
1. SINGLE-FAMILY RESIDENTIAL (SFR)	5,000	30	100	10	5	5	10	5	5	10	5	5
2. TWO-FAMILY RESIDENTIAL (2FR)	5,000	30	100	10	5	5	10	5	5	10	5	
3. MULTIFAMILY RESIDENTIAL (MFR)	5,000	30	100	10	5	5	10	5	5	10	5	
4. COMMERCIAL (C)	5,000	30	100	10	5	5	10	5	5	10	5	
5. INDUSTRIAL (I)	5,000	30	100	10	5	5	10	5	5	10	5	
6. OFFICE (O)	5,000	30	100	10	5	5	10	5	5	10	5	
7. PROFESSIONAL (P)	5,000	30	100	10	5	5	10	5	5	10	5	
8. PUBLIC USE (PU)	5,000	30	100	10	5	5	10	5	5	10	5	
9. RECREATION (R)	5,000	30	100	10	5	5	10	5	5	10	5	
10. UTILITIES (U)	5,000	30	100	10	5	5	10	5	5	10	5	
11. TRANSPORTATION (T)	5,000	30	100	10	5	5	10	5	5	10	5	
12. AIRPORT (A)	5,000	30	100	10	5	5	10	5	5	10	5	
13. PORT (PO)	5,000	30	100	10	5	5	10	5	5	10	5	
14. MARINA (M)	5,000	30	100	10	5	5	10	5	5	10	5	
15. MARINE (MA)	5,000	30	100	10	5	5	10	5	5	10	5	
16. MARINE (MB)	5,000	30	100	10	5	5	10	5	5	10	5	
17. MARINE (MC)	5,000	30	100	10	5	5	10	5	5	10	5	
18. MARINE (MD)	5,000	30	100	10	5	5	10	5	5	10	5	
19. MARINE (ME)	5,000	30	100	10	5	5	10	5	5	10	5	
20. MARINE (MF)	5,000	30	100	10	5	5	10	5	5	10	5	
21. MARINE (MG)	5,000	30	100	10	5	5	10	5	5	10	5	
22. MARINE (MH)	5,000	30	100	10	5	5	10	5	5	10	5	
23. MARINE (MI)	5,000	30	100	10	5	5	10	5	5	10	5	
24. MARINE (MJ)	5,000	30	100	10	5	5	10	5	5	10	5	
25. MARINE (MK)	5,000	30	100	10	5	5	10	5	5	10	5	
26. MARINE (ML)	5,000	30	100	10	5	5	10	5	5	10	5	
27. MARINE (MM)	5,000	30	100	10	5	5	10	5	5	10	5	
28. MARINE (MN)	5,000	30	100	10	5	5	10	5	5	10	5	
29. MARINE (MO)	5,000	30	100	10	5	5	10	5	5	10	5	
30. MARINE (MP)	5,000	30	100	10	5	5	10	5	5	10	5	
31. MARINE (MQ)	5,000	30	100	10	5	5	10	5	5	10	5	
32. MARINE (MR)	5,000	30	100	10	5	5	10	5	5	10	5	
33. MARINE (MS)	5,000	30	100	10	5	5	10	5	5	10	5	
34. MARINE (MT)	5,000	30	100	10	5	5	10	5	5	10	5	
35. MARINE (MU)	5,000	30	100	10	5	5	10	5	5	10	5	
36. MARINE (MV)	5,000	30	100	10	5	5	10	5	5	10	5	
37. MARINE (MW)	5,000	30	100	10	5	5	10	5	5	10	5	
38. MARINE (MX)	5,000	30	100	10	5	5	10	5	5	10	5	
39. MARINE (MY)	5,000	30	100	10	5	5	10	5	5	10	5	
40. MARINE (MZ)	5,000	30	100	10	5	5	10	5	5	10	5	

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



<p>REVISIONS:</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td></td> <td></td> </tr> </table>	NO.	DATE	DESCRIPTION	1			<p>SPECIFIC PURPOSE SURVEY</p> <p>A portion of Tract 707, "Kendall National Golf & Country Club," according to the plat thereof as recorded in Plat Book 125, at Page 45, of the Public Records of Miami-Dade County, Florida.</p> <p>AS PER 26, 26A and 26B, Chapter 174, Florida Statutes, this is a boundary survey.</p>	<p>Scale: 1" = 40'</p> <p>This is a "Boundary Survey."</p>
NO.	DATE	DESCRIPTION						
1								



**MIAMI-DADE COUNTY
HEARING MAP**

Process Number

Z2011000120

Section: 36 Township: 54 Range: 39
 Applicant: WRC PROPERTIES, INC
 Zoning Board: C12
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

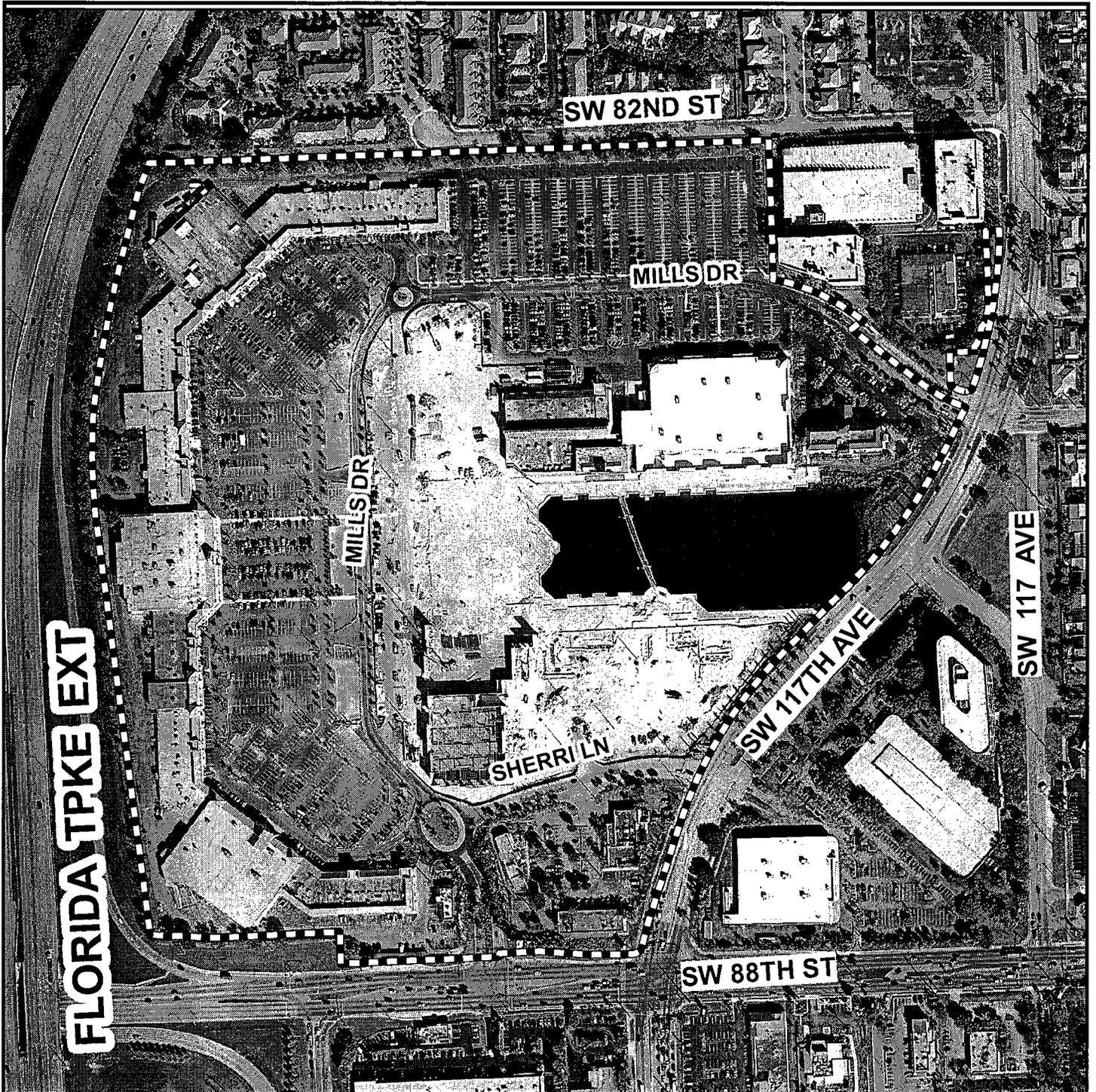
Legend

 Subject Property Case



SKETCH CREATED ON: Tuesday, May 8, 2012

REVISION	DATE	BY
	27	



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number

Z2011000120



Section: 36 Township: 54 Range: 39
 Applicant: WRC PROPERTIES, INC
 Zoning Board: C12
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

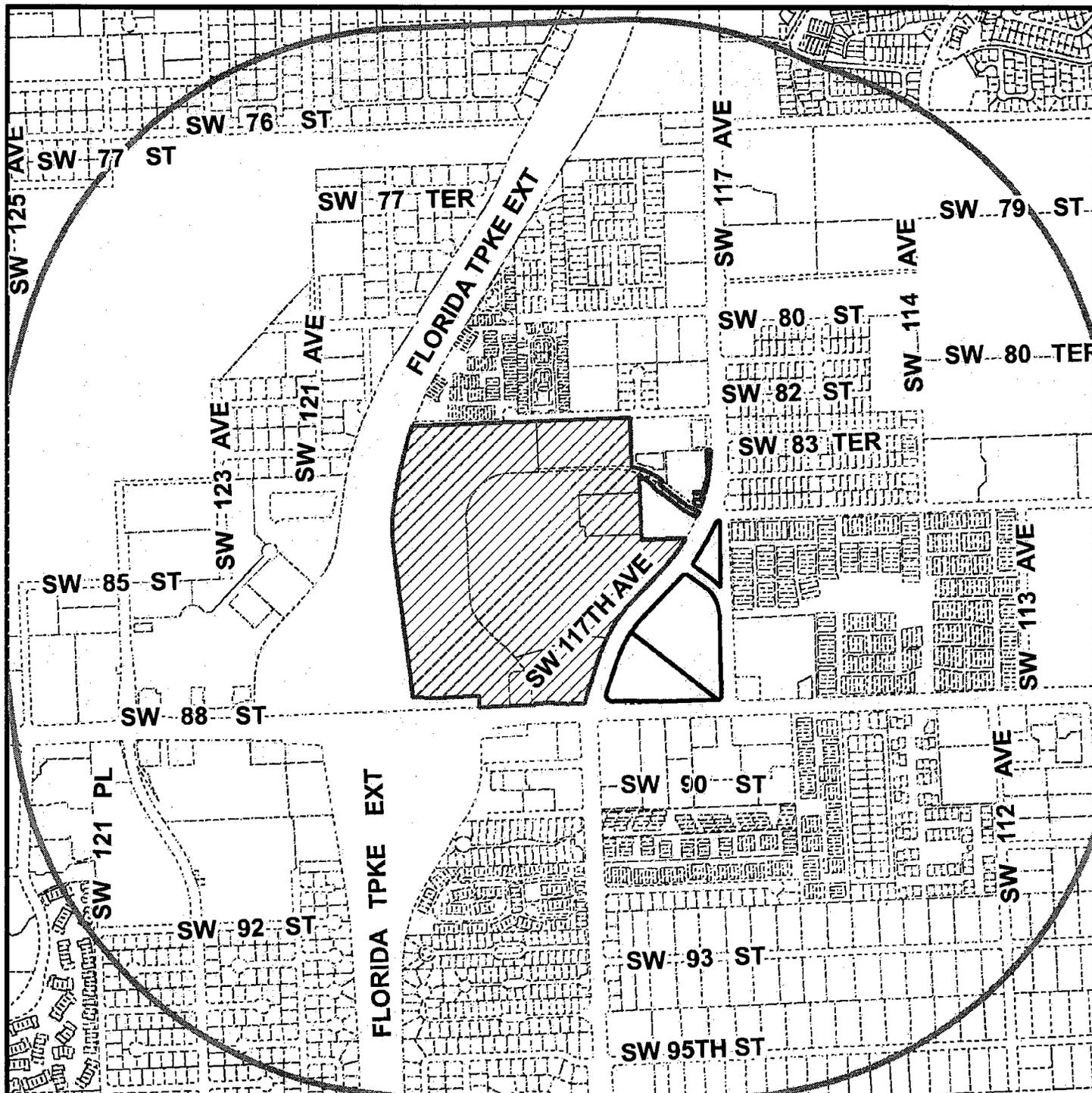
Legend

 Subject Property



SKETCH CREATED ON: Tuesday, May 8, 2012

REVISION	DATE	BY
	28	



**MIAMI-DADE COUNTY
RADIUS MAP**

Section: 36 Township: 54 Range: 39
 Applicant: WRC PROPERTIES, INC.
 Zoning Board: C12
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Process Number
Z2011000120
 RADIUS: 2640

Legend

-  Subject Property
-  Contiguous Properties
-  Buffer



SKETCH CREATED ON:

REVISION	DATE	BY

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 12**

PH: Z11-133 (12-07-CZ12-3)

July 31, 2012

Item No. 3

Recommendation Summary	
Commission District	7
Applicant	Galloway Medical Park Association II
Summary of Requests	The applicant is seeking to modify a condition of a previously approved resolution to submit a revised site plan showing the proposed expansion of an existing office building. Additionally, the applicant is seeking to permit less street trees and back-up aisle width than required.
Location	7400 SW 87 Avenue, Miami-Dade County, Florida.
Property Size	3.06-acres
Existing Zoning	RU-5A
Existing Land Use	Medical Office
2015-2025 CDMP Land Use Designation	Office/Residential – east approximately 295' Low Density Residential – west approximately 170' (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 Section 33-311(A)(7) Generalized Modification Standards (see attached Zoning Recommendation Addendum)
Recommendation	Approval with a conditions of requests #1 & #3, denial without prejudice of request #2

REQUESTS:

- (1) Modification of Condition #2 of Resolution No. Z-173-82, passed and adopted by the Board of County Commissioners, and reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Galloway Oaks Professional Center", site plan as prepared by Henderson-Rosenberg-Scully, dated 7/22/82, and architectural plans as prepared by GRV Design Group, dated 5/12/82.

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Galloway II Medical Plaza", as prepared by Hamed Rodriguez, Architect, Inc., dated stamped received 11/21/11, sheet A2.0 dated stamped received 3/26/12, Landscape Plan as prepared by Witkin Hults Design Group, dated stamped received 3/26/12.

The purpose of request #1 is to allow the applicant to submit revised plans showing the addition of a second story tenant space with parking below.

- (2) NON-USE VARIANCE to permit 8 street trees (30 street trees required).
- (3) NON-USE VARIANCE to permit a back-up aisle width of 21'-11" (22' required).

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

PROJECT DESCRIPTION:

The site plan depicts an existing 2-story medical office building with a proposed elevated expansion above a section of the northwest parking area for the subject parcel.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-5A; medical office building	Office/Residential Low Density Residential (2.5 to 6 dua)
North	BU-2; commercial	Business & Office
South	RU-5A; office building	Office/Residential Low Density Residential (2.5 to 6 dua)
East	EU-M; single-family residences	Low Density Residential (2.5 to 6 dua)
West	EU-M; single-family residences	Estate Density Residential (1 to 2.5 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is an existing medical office building located on the southwest corner of SW 74 Street and SW 87 Avenue (Galloway Road). The surrounding area is characterized by office, commercial and residential uses.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to expand the existing office building on the subject property. The proposed expansion will provide additional tenant space; however, this could have a negative impact on the traffic with the increased number of visitors and employees to the site and also a negative visual impact on the single-family residences located to the west of the subject site.

CDMP ANALYSIS:

The subject property is designated as **Office/Residential (east approximately 295')** and **Low Density Residential (west approximately 170')** on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. Uses allowed in the Office/Residential land use category *include both professional and clerical offices, hotels, motels, and residential uses. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses.* Residential densities allowed in the Low Density Residential category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. Additionally, the Land Use Element interpretative text for Residential Communities indicates that office uses under certain conditions are permitted in residential land use categories. Further, staff notes that the existing zoning RU-5A, Semi-Professional Offices and office use were approved

pursuant to Resolution No. Z-173-82. Approval of the requests sought in this application will allow the applicant to modify Resolution No. Z-173-82 by submitting revised site plans for the existing office building that depicts an addition to the second floor that is elevated over a portion of the parking area adjacent to SW 74 Street. Staff is of the opinion that because the use will not change, the proposed expansion is **consistent** with the uses allowed in the Office/Residential and Low Density Residential designations on the CDMP LUP map and the Land Use Element interpretative text for Residential Communities.

ZONING ANALYSIS:

When request #1, to permit the modification of a condition of a previously approved resolution, is analyzed under Section 33-311(A)(7) Generalized Modification Standards, staff opines that approval would be **compatible** with the surrounding area. Staff notes that the proposed expansion will not result in excessive traffic as evidenced by the memorandum from the Public Works and Waste Management Department which states that the application meets the traffic concurrency criteria for an Initial Development Order. The memorandum further indicates that the proposed uses will generate 42 PM daily peak hour vehicle trips that when distributed to the adjacent roadways does not exceed the acceptable level of service for said roadways. Additionally the memorandum from the Miami-Dade Fire Rescue Department does not indicate that the proposed expansion would tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people. Staff notes that the memoranda submitted by the Departments of Regulatory and Economic Resources – Environment Division and Parks, Recreation and Open Spaces indicate no objection to the application. Additionally, staff notes that the submitted site plan depicts an existing 2-story medical office building with an addition to the second floor that is elevated over a portion of the parking area adjacent to SW 74 Street and internal to the site. Further, staff opines that when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned the requested modification would be **compatible** with the surrounding area based on by the memoranda submitted by the reviewing Departments. **As such, staff recommends approval with conditions of request #1 under Section 33-311(A)(7) Generalized Modification Standards.**

When request #2, to permit less street trees than required 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 **incompatible** with the surrounding area. In staff's opinion, the street trees as required by the Code would help to mitigate any visual impacts the proposed addition to the existing building has on the single-family residential units located to the west of the subject site. Staff notes that the existing building was developed prior to the establishment of the Miami-Dade County Landscaping Ordinance (Chapter 18A); however the proposed addition requires the applicant to come into compliance with Chapter 18A, which requires street trees. **As such, staff recommends denial without prejudice of request #2 under Section 33-311(A)(4)(b) (Non-Use Variances From Other Than Airport Regulations).**

When request #3 is analyzed under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations, staff opines that approval of the request to permit a back-up aisle width of 21'11" where 22' is required is **compatible** with the surrounding area. Staff opines that the request is minimal and the 1" variance will not impact the parking lot operation of the site. Staff notes that of the 200 parking spaces only thirty-four (34) parking spaces are impacted by the minimal request. Additionally, the Public Works and Waste Management Department has not indicated an objection to the request as evidenced in the department's memorandum. **As**

such, staff recommends approval with conditions of request #3 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.

ACCESS, CIRCULATION AND PARKING:

The submitted site plan depicts the existing office building with a single ingress/egress point along SW 87 Avenue (Galloway Road). There are 200 parking spaces, which includes seven (7) handicapped spaces and two (2) stroller spaces.

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

OTHER: N/A

RECOMMENDATION: Approval with conditions of requests #1 and #3 and denial without prejudice of request #2.

CONDITIONS FOR APPROVAL:

1. That all the conditions of Resolution Z-173-82 remain in full force and effect, except as herein modified.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Galloway II Medical Plaza", as prepared by Hamed Rodriguez, Architect, Inc., dated stamped received 11/21/11, sheet A2.0 dated stamped received 3/26/12, Landscape Plan as prepared by Witkin Hults Design Group, dated stamped received 3/26/12, except as herein modified to show the required amount of street trees.

ES:MW:NN:CH:AN



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

ZONING RECOMMENDATION ADDENDUM

Galloway Medical Park Association II
Z11-133

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Regulatory and Economic Resources – Environment Division	No objection
Public Works & Waste Management	No objection
Parks	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection
*Subject to conditions in their memorandum.	

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

Office/Residential (Pg. I-43)	<p>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Office/Residential. Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. Satellite telecommunication facilities that are ancillary uses to the businesses in a development are also allowed. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses. The maximum scale and intensity, including height and floor area ratio of office, hotel and motel development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. Where the Office/Residential category is located between residential and business categories, the more intensive activities to occur on the office site, including service locations and the points of ingress and egress, should be oriented toward the business side of the site, and the residential side of the site should be designed with sensitivity to the residential area and, where necessary, well buffered both visually and acoustically.</p>
Low Density Residential (Pg. I-31)	<p>The Adopted 2015 and 2025 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 dwelling units per gross acre. Residential densities of blocks abutting activity nodes as defined in the Guidelines for Urban Form, or of blocks abutting section line roads between nodes, shall be allowed a maximum residential density of 10.0 dwelling units per gross acre. To promote infill development, residential development exceeding the maximum density of 6.0 dwelling units per acre is permitted for substandard lots that were conveyed or platted prior to August 2nd, 1938. This density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</p>

PERTINENT ZONING REQUIREMENTS/STANDARDS

33-311(A)(4)(b) Non-Use Variations from other than airport regulations	<p>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.</p>
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ZONING RECOMMENDATION ADDENDUM

Galloway Medical Park Association II Z11-133

<p>33-311(A)(7) Generalized Modification Standards</p>	<p><i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution, and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate board finds after public hearing (a) that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.</i></p>
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3. GALLOWAY MEDICAL PARK ASSOC II
(Applicant)

12-7-CZ12-3 (11-133)
Area 12/District 07
Hearing Date: 07/31/12

Property Owner (if different from applicant) **GALLOWAY MEDICAL PK ASSOC II.**

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1971	Kenneth D. Rosen	- Zone change from AU to RU-4L.	ZAB	Denied
1982	Kenneth D. Rosen	- Zone change from EU-M to RU-5A P.U.P. - Variance 7'(10' required) landscape strip inside wall on property line (10' setback required).	BCC	Approved with Condition(s)

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

Memorandum



Date: April 6, 2012

To: Jack Osterholt, Director
Sustainability, Planning and Economic Enhancement

From: Jose Gonzalez, P.E., Assistant Director
Permitting, Environment and Regulatory Affairs

Subject: C-12 #Z2011000133-2nd Revision
Galloway Medical Park Associates II, Ltd.
7400 S.W. 87th Avenue
Modification of a Previous Resolution to Permit the Expansion of
the Existing Office Building
(RU-5A) (3.06 Acres)
33-54-40

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

The subject application has been reviewed 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 basic wellfield protection area for the Alexander Orr Wellfield. The site is situated within the 30-day travel time contour of the said wellfield. Therefore, development on the subject property shall be in accordance with regulations established in Section 24-43 of the Code. Since the subject request involves a nonresidential land use, or a zoning category that permits a variety of nonresidential land uses, the owner of the property has submitted a properly executed covenant running with the land in favor of Miami-Dade County, as required by Section 24-43(5)(a) of the Code. The covenant provides that hazardous materials shall not be used, generated, handled, discharged, disposed of or stored on the subject property. Section 24-43 (4)(b) of the Code provides that the maximum allowable sewage loading, for property not having indigenous sandy soil substrata, and located within the 30-day travel time contour of the basic wellfield protection area of any public utility potable water supply well, shall not exceed 1,600 gallons per day per acre.

Based on the site plan submitted the subject property contains a gross area of approximately 166,894 square feet, and the proposed development would generate a wastewater flow of approximately 1,578 gallons per day per acre, which would be in compliance with the above-noted Code requirements.

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 the Department 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 second level addition 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 Wetland Permit will not be required.

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

Tree Preservation

The subject property contains specimen-sized trees (trunk diameter 18 inches or greater). Section 24-49.2(II) of the Code requires that specimen trees be preserved whenever reasonably possible. The applicant has submitted a site plan of record entitled "Galloway II Medical Plaza", sheet L-1, prepared by Witkin Hults Design Group, dated November 04, 2011, that provides for the preservation of the specimen sized trees, however non specimen trees will be removed. Tree #96 is labeled as "dead".

A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. The approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application. The applicant is advised to contact the Department for additional information regarding tree permitting procedures and requirements prior to site development.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

cc: Eric Silva, Sustainability, Planning and Economic Enhancement

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: GALLOWAY MEDICAL PARK ASSOC II

This Department has no objections to this application.

Additional improvements may be required at time of permitting.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 42 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
F-1075	SW 87 Ave. s/o SW 56 St.	C	C
F-1068	SW 72 St. w/o Palmetto Expwy.	B	B
F-1076	SW 87 Ave. n/o SW 85 St.	C	C
F-68	SW 72 St. e/o SW 107 Ave.	D	D

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.



Raul A Pino, P.L.S.

04-JAN-12

Memorandum



Date: May 4, 2012

To: Jack Osterholt, Director
Sustainability, Planning and Economic Enhancement Department

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

Subject: Z2011000133: GALLOWAY MEDICAL PARK ASSOC II
Revision: Revised Plans Dated Stamped Received Through 3-26-2012

Application Name: GALLOWAY MEDICAL PARK ASSOC II
Project Location: The site is located at 7400 SW 87 AVENUE, Miami-Dade County.

Proposed Development: The applicant is requesting a modification of a previous resolution for expansion of an existing medical office building. Review includes revised plans dated stamped received through 3-20-2012.

Impact and demand: Because this application does not generate any residential population, the CDMP Open Space Spatial Standards do not apply and this Department has no objection to this application.

We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

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

MN:jb

Cc: John M. Bowers, RLA/AICP, Parks Property Section Supervisor

Memorandum



Date: 13-DEC-11
To: , Director
Department of Permitting, Environment and Regulatory Affairs
From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department
Subject: Z2011000133

Fire Prevention Unit:

APPROVAL

Fire Engineering and Water Supply Bureau has no objection to Site plan date stamped received November 21, 2011. Any changes to the vehicular circulation must be resubmitted for review and approval.

This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for zoning hearing applications only. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDFR requirements.

Service Impact/Demand

Development for the above Z2011000133
located at 7400 SW 87 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1753 is proposed as the following:

<u>N/A</u> residential	dwelling units	<u>N/A</u> industrial	square feet
<u>11,625</u> Office	square feet	<u>N/A</u> institutional	square feet
<u>N/A</u> Retail	square feet	<u>N/A</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 2.55 alarms-annually.
The estimated average travel time is: 5:36 minutes

Existing services

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

Station 13 - East Kendall - 6000 SW 87 Avenue
BLS 75' Ladder

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

None.

Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped received November 21, 2011. Substantial changes to the plans will require additional service impact analysis.

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

DATE: 18-MAY-12

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

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

GALLOWAY MEDICAL PARK
ASSOC II

7400 SW 87 AVENUE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2011000133

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. BNC: No BSS cases opened/closed.

Galloway Medical Park Assoc II

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

REPORTER NAME:

Memorandum



Date: June 1, 2012

To: Franklin Gutierrez, Agenda Supervisor, Agenda Coordinator's Office
Miami-Dade Sustainability, Planning and Economic Enhancement

From: Ramiro Martinez , Zoning Services Inspector
Department of Permitting, Environment and Regulatory Affairs

Subject: Hearing Application Process No.Z2011000133 – 7400 SW 87 AVE

A site inspection conducted at the above referenced property reveals a 2- story office building operating with a valid Certificate of Use. The survey submitted with this hearing application accurately depicts the current improvements of the property. The property was also found to be sufficiently landscaped throughout the site as required by 18A landscape code.

There were no zoning violations observed at the time of inspection and a review of BNC records does not show any open enforcement cases under the referenced folio number.



NORTHEAST VIEW

RECEIVED
2-11-11
 NOV 2 2011

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



NORTH VIEW

NO. 001114-00

PHOTOS FOR:

HAMED RODRIGUEZ

ARCHITECT INC.

SHEET

SK1

10-27-11

Galloway II Medical Plaza

7400 SW 87TH AVE, Miami Beach Florida

HAMED RODRIGUEZ ARCHITECT
 ARCHITECT
 P.A. 77062564

3300 MARY STREET SUITE 2302, COCONUT GROVE, FL 33133
 P 305 486 3400 F 770 497 6900
 www.hamedrodriguez.com



WEST VIEW



EAST VIEW

RECEIVED
 2-11-11
 NOV 21 2011

ZONING (PLANNING) SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____

NO. 001114-00

PHOTOS FOR:

HAMED RODRIGUEZ

ARCHITECT INC.

SHEET

SK2

10-27-11

Galloway II Medical Plaza

7400 SW 87TH AVE, Miami Beach Florida

HAMED RODRIGUEZ ARCHITECT
 ARCHITECTS
 AA 10000000

3800 LEVY STREET SUITE 2000 COOPER SPRING, FL 32710
 P 351 464 2428 F 351 472 8870
 www.hamedrodriguez.com

✓

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: GALLOUGHY MEDICAL PARK II CORP.

2%

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>HANS-JOSEF VOGLER, 150 Alhambra Circle #800 Coral Gables, FL 33134</u>	<u>100%</u>

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

TRUST/ESTATE NAME _____

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: GALLOUGHY MEDICAL PARK ASSOCIATES II LTD.

98%

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
<u>HANS-JOSEF VOGLER, 150 Alhambra Circle #800 CORAL GABLES, FL 33134</u>	<u>100%</u>

If there is a CONTRACT FOR PURCHASE, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

_____	_____
_____	_____
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Date of contract: _____

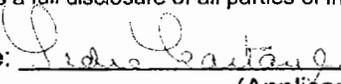
BY 

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

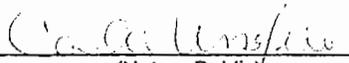
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_____	_____

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.

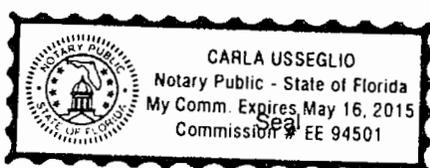
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: 
(Applicant)

Sworn to and subscribed before me this 9 day of August, 20 11. Affiant is personally know to me or has produced _____ as identification.


(Notary Public)

My commission expires: May 16, 2015



*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.

ENLARGE SITE PLAN

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

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 MAR 26 2012

SITE PLAN (GROUND LEVEL)
 SCALE: 1/8" = 1'-0"

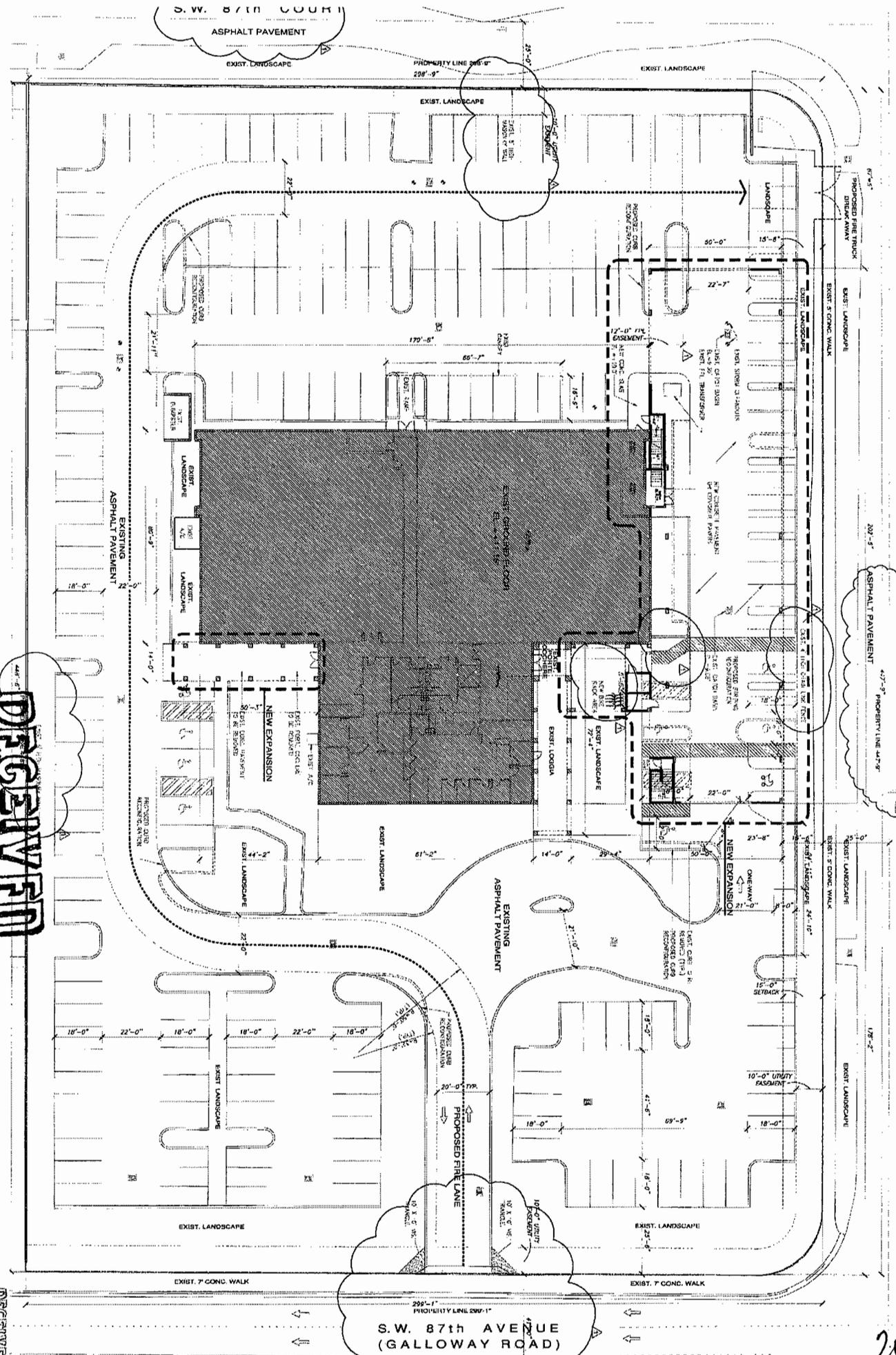
RECEIVED
 MAR 26 2012

SHEET
 COMM. NO. 0010-01
 ISSUE DATE: 07-25-11
 PLOT DATE: 02-23-12

NEW MEDICAL OFFICE EXPANSION FOR:

REVISION NO. DATE COMMENTS
 2-22-12 ZONING REV CHM

HAMED RODRIGUEZ



S.W. 87th AVENUE
 (GALLOWAY ROAD)

S.W. 87th COURT
ASPHALT PAVEMENT

S.W. 74th STREET
ASPHALT PAVEMENT

S.W. 87th AVENUE
(GALLOWAY ROAD)

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MAR 26 2012

PLAN (GROUND LEVEL)

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

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MAR 26 2012

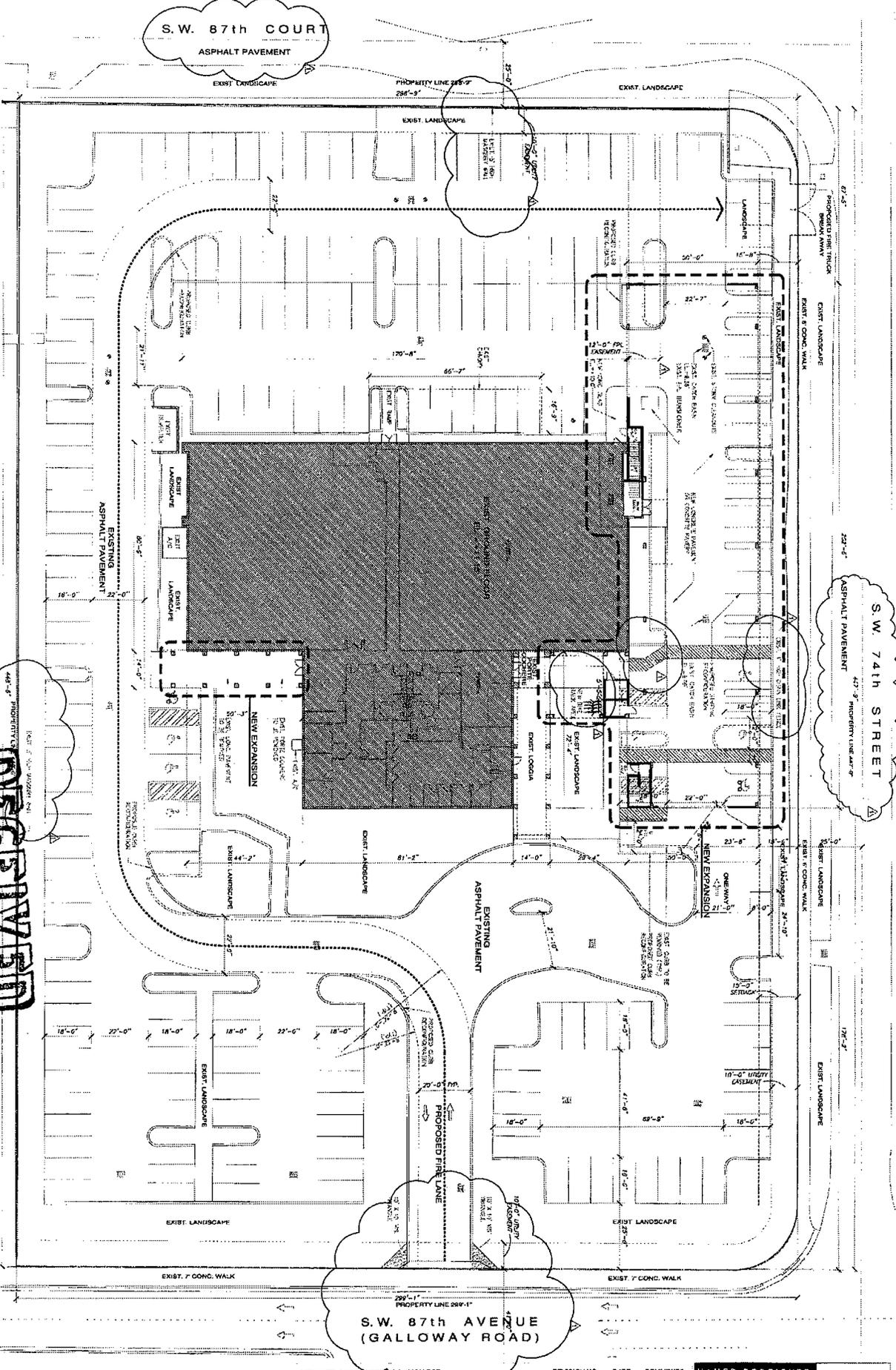
BY _____
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

SHEET
A2.0
COM# NO: 0010-01
ISSUE DATE: 07-25-11
PLOT DATE: 02-23-12
SCALE: AS NOTED
DRAWN BY: HR
CHECKED BY: HR

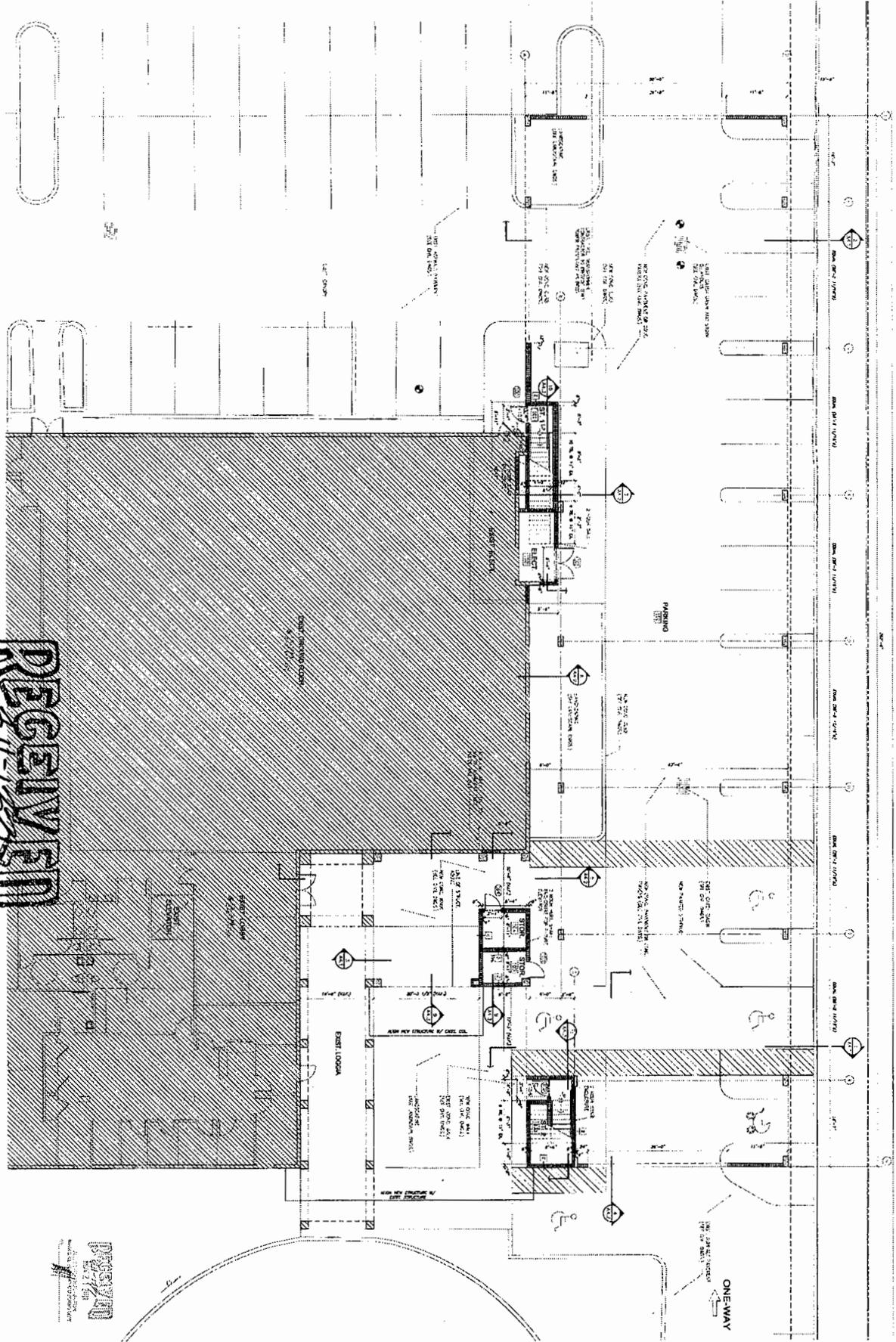
Galloway II Medical Plaza
7400 SW 87th Ave, Miami Florida

NEW MEDICAL OFFICE EXPANSION FOR:

REVISION NO.	DATE	COMMENTS
2-22-12	ZONING REV C/M	HANED RODRIGUEZ



21



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 NOV 21 2011

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

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

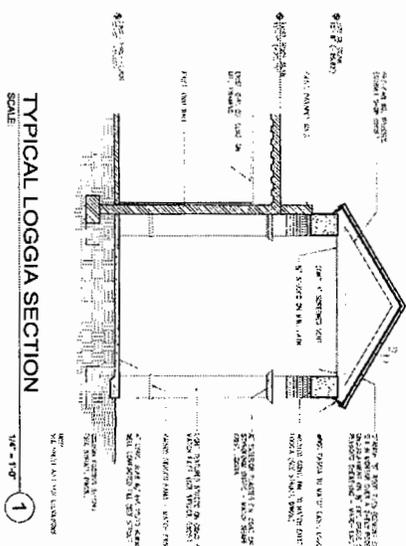
SHEET	0015-01
COMM NO.	07-25-11
ISSUE DATE:	07-25-11
PLAT DATE:	AS NOTED
SCALE:	HR
DRAWN BY:	HR
CHECKED BY:	HR

PROFESSIONAL SEAL
 HAMED RODRIGUEZ
 ARCHITECT

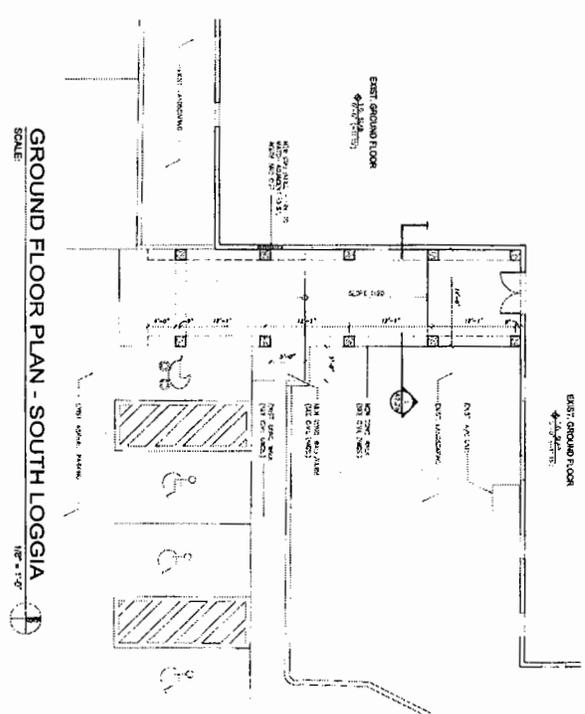
NEW MEDICAL OFFICE EXPANSION FOR:
Galloway II Medical Plaza
 7400 SW 87th Ave, Miami Florida

REVISION NO.	DATE	COMMENTS

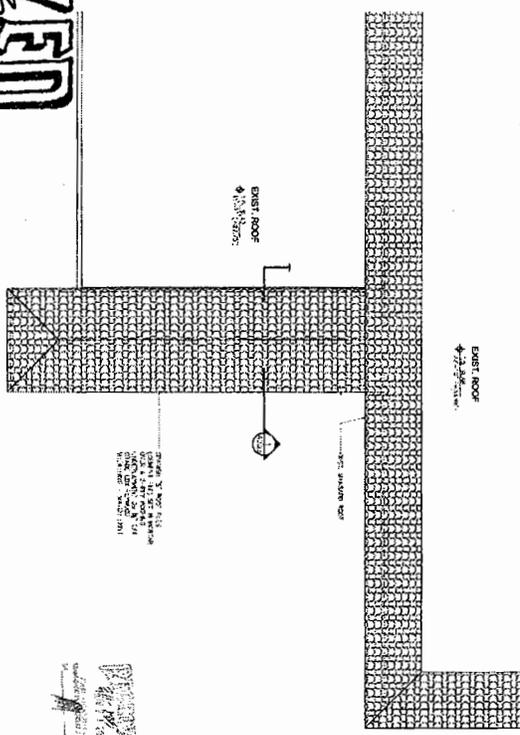
HAMED RODRIGUEZ ARCHITECT INC.
 22



TYPICAL LOGGIA SECTION
SCALE: 1/8" = 1'-0"
1



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



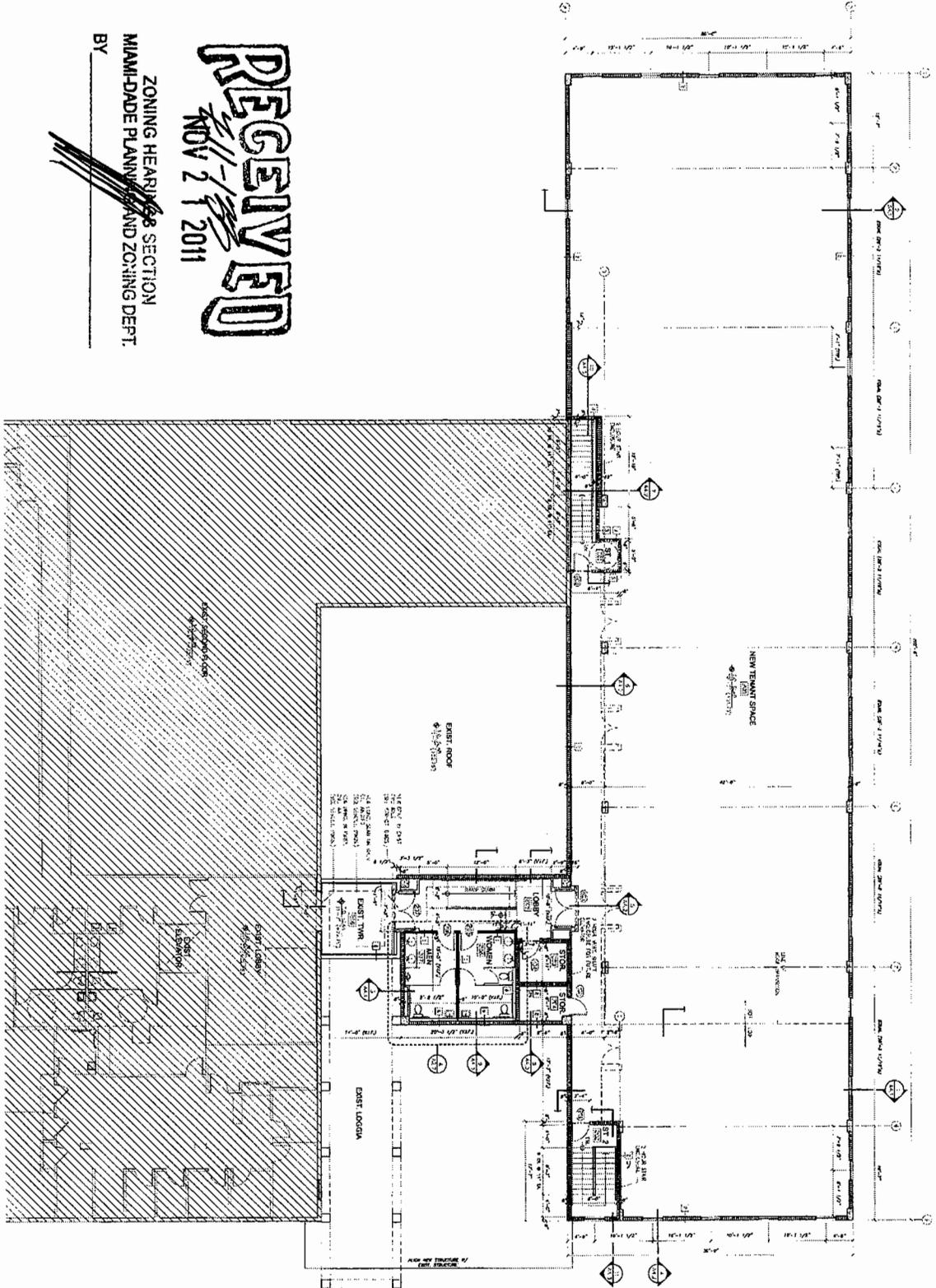
ROOF PLAN - SOUTH LOGGIA
SCALE: 1/8" = 1'-0"
1

RECEIVED
NOV 21 2011

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

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

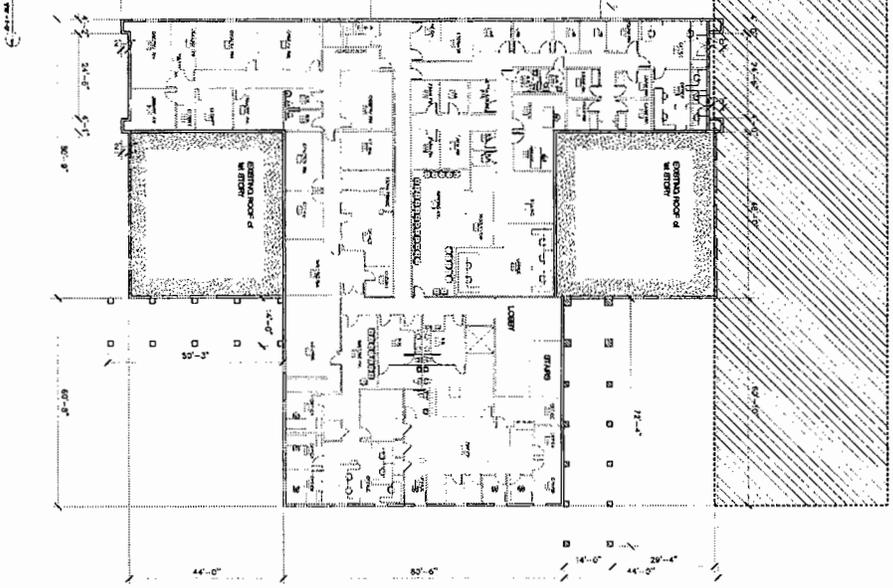
RECEIVED
 NOV 21 2011



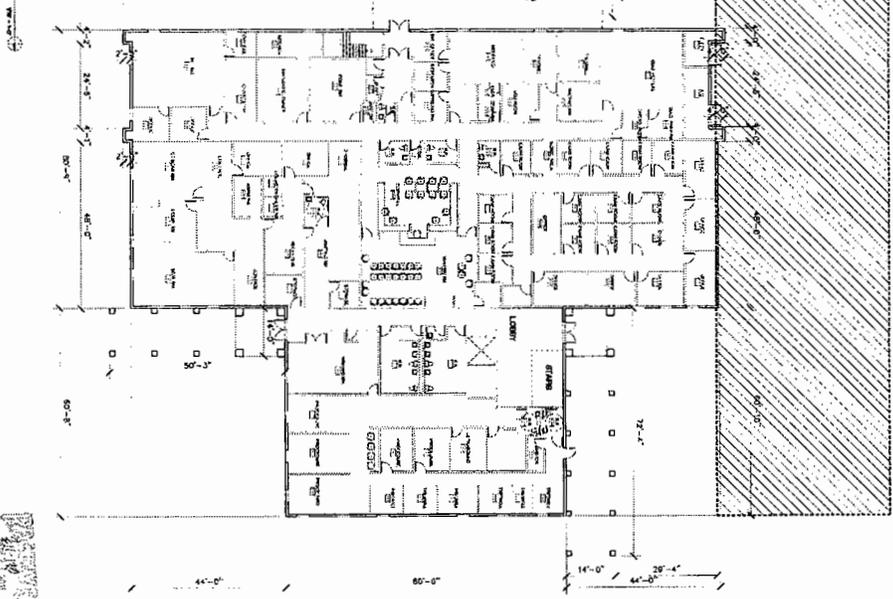
SECOND FLOOR PLAN
 SCALE: 1/8" = 1'-0"

SHEET	COMM. NO.	0010-01	NEW MEDICAL OFFICE EXPANSION FOR:	REVISION NO.	DATE	COMMENTS	HAMED RODRIGUEZ ARCHITECT INC.
A2.3	ISSUE DATE:	07-25-11	<p>Galloway II Medical Plaza 7400 SW 87th Ave, Miami Florida</p>				
	PLOT DATE:	07-25-11					
	SCALE:	AS NOTED					
	DRAWN BY:	HR					
	CHECKED BY:	HR					

EXISTING SECOND FLOOR PLAN



EXISTING FIRST FLOOR PLAN



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NOV 21 2011

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

SHEET
COMM. NO. 00107001
ISSUE DATE: 8-29-11
PLOT DATE: 10-20-11
SCALE: AS NOTED
DRAWN BY: LH
CHECKED BY: HR

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NEW MEDICAL OFFICE EXPANSION FOR:

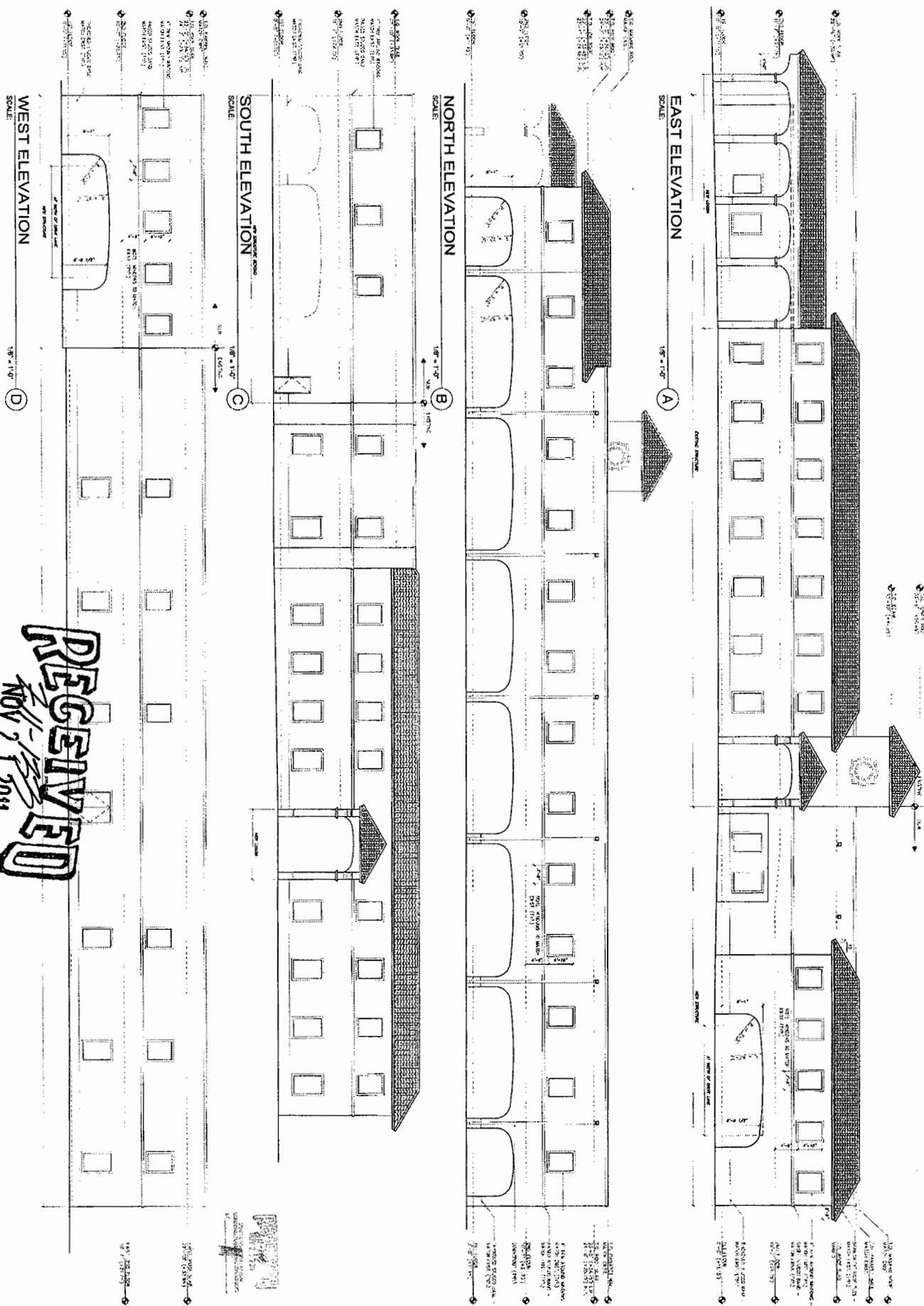
Galloway II Medical Plaza
7400 SW 87th Ave, MIAMI, FL

REVISION NO. DATE COMMENTS

HAMED RODRIGUEZ ARCHITECT INC

HAMED RODRIGUEZ ARCHITECT INC
1100 SW 15TH AVE, SUITE 200, MIAMI, FL 33135
TEL: 305.358.1100 FAX: 305.358.1101
WWW.HAMEDRODRIGUEZARCHITECT.COM

25

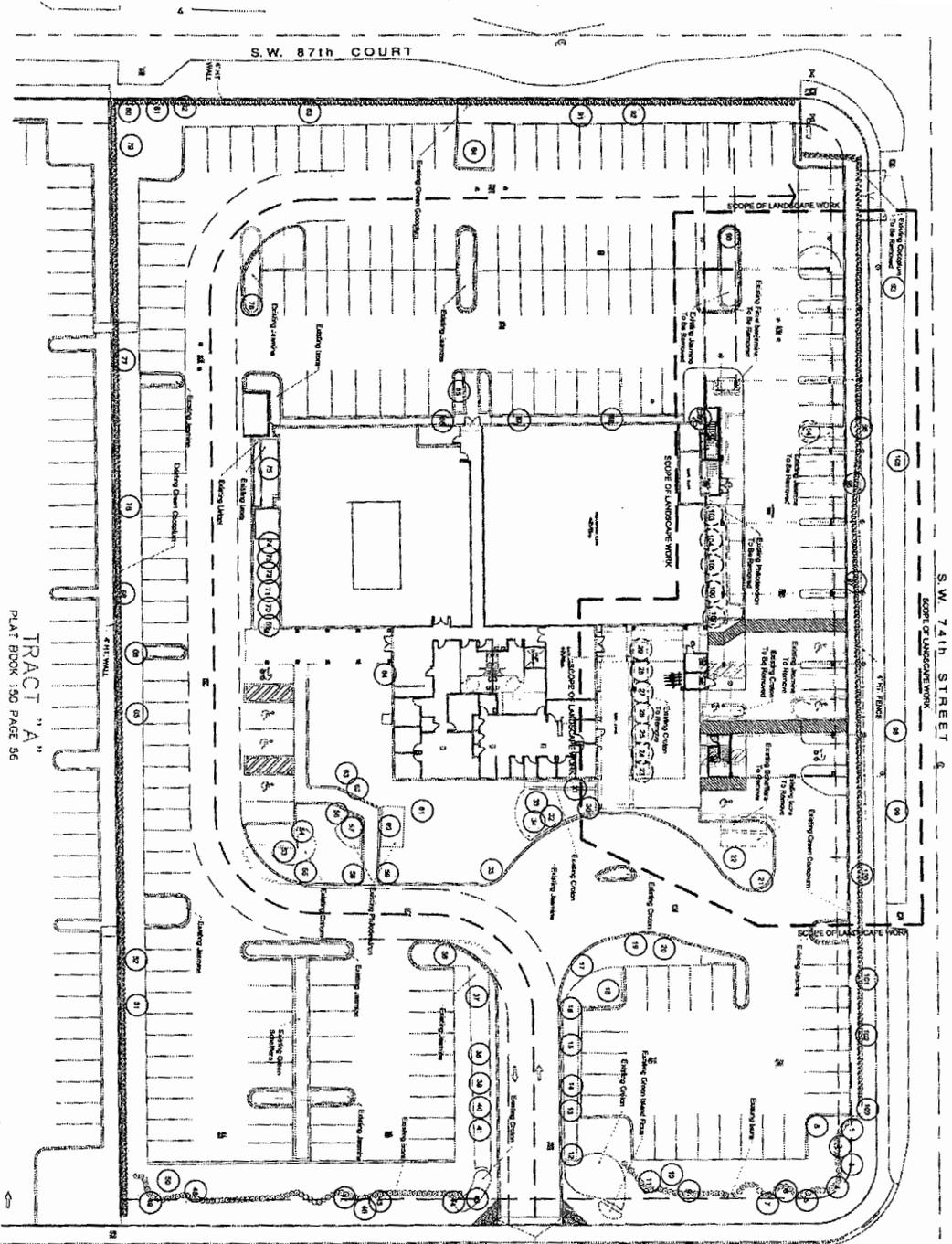


SHEET	COMM NO.	0010-01	NEW MEDICAL OFFICE EXPANSION FOR:	REVISION NO.	DATE	COMMENTS	HAMED RODRIGUEZ ARCHITECT INC.
A3.1	ISSUE DATE:	07-25-11	<p>Galloway II Medical Plaza 7400 SW 87th Ave, Miami Florida</p>				
	PLOT DATE:	07-25-11					
	SCALE:	AS NOTED					
	DRAWN BY:	HR					
	CHECKED BY:	HR					

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

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NOV 21 2011

DISPOSITION PLAN
Scale: 1"=20'-0"



TRACT "A"
PLAT BOOK 150 PAGE 56

S.W. 87th AVENUE
(GALLOWAY ROAD)

- = Trees To Remain
- ⊖ = Trees To Remove

Tree ID	Tree Species	Tree Size (DBH)	Tree Location	Disposition
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MAR 26 2012

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



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MAR 26 2012

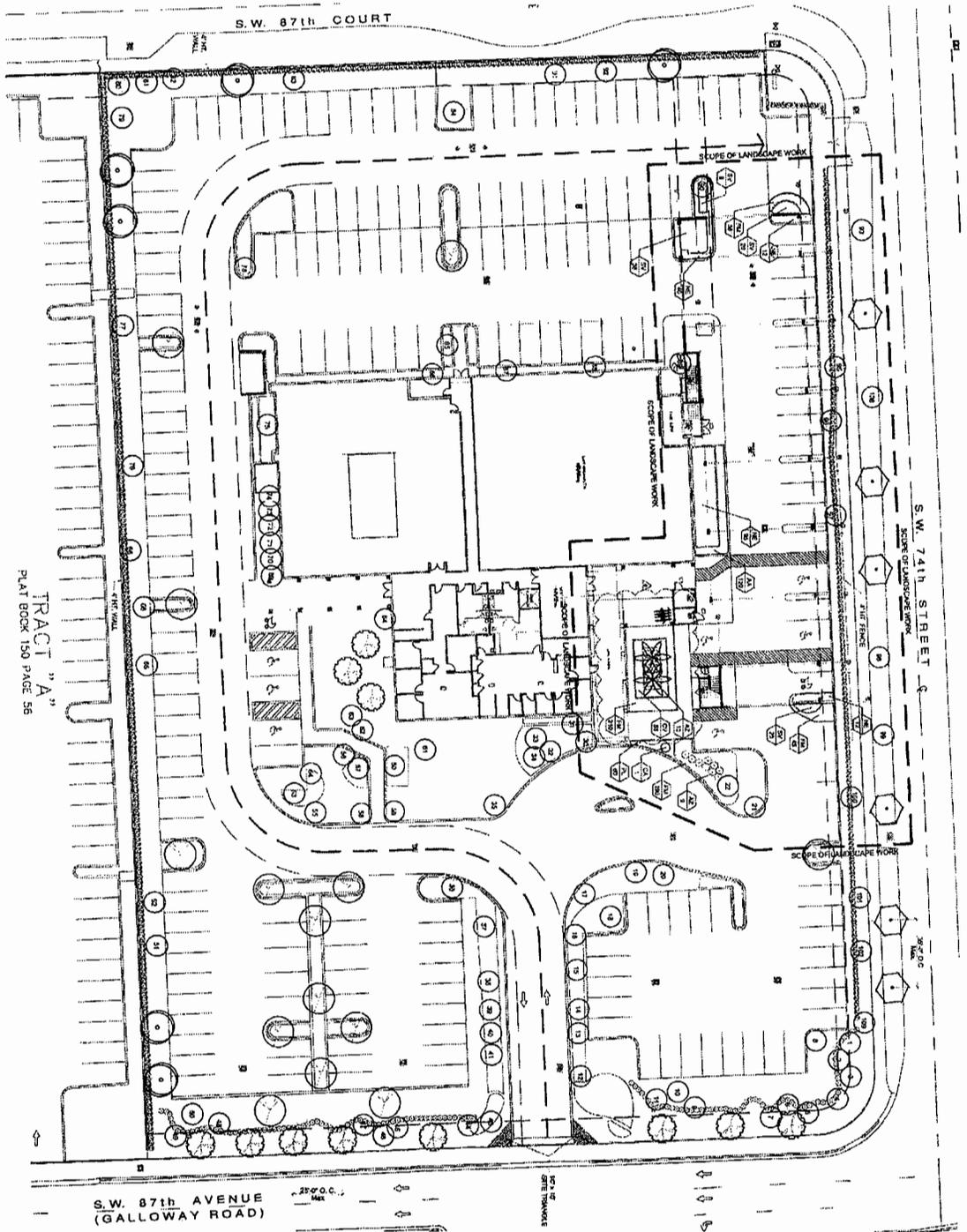
L-1
City of Miami
Date: 11/16/2011
Scale: 1"=20'-0"
Drawing No: 100-100-100-100
Sheet No: 100-100-100-100

Project:
Galloway II Medical Plaza
2100 S.W. 87th Avenue
Miami, FL 33155

Project:
Galloway II Medical Plaza
2100 S.W. 87th Avenue
Miami, FL 33155

Galloway II Medical Plaza
Miami-Dade County
DISPOSITION PLAN

WITKIN HULTS
DESIGN GROUP
301 North 21st Avenue, Fort Lauderdale, FL 33304
PHONE: 954.332.2001 FAX: 954.332.2002
www.witkinhults.com



LANDSCAPE PLAN

Scale: 1"=20'-0"

TRACT "A"
PLAT BOOK 150 PAGE 56

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MAR 26 2012

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

LANDSCAPE LIST

NO.	SYMBOL	DESCRIPTION	QUANTITY	REMARKS
1	(Symbol)	PLANTING	10	...
2	(Symbol)	PLANTING	15	...
3	(Symbol)	PLANTING	20	...
4	(Symbol)	PLANTING	25	...
5	(Symbol)	PLANTING	30	...
6	(Symbol)	PLANTING	35	...
7	(Symbol)	PLANTING	40	...
8	(Symbol)	PLANTING	45	...
9	(Symbol)	PLANTING	50	...
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13	(Symbol)	PLANTING	70	...
14	(Symbol)	PLANTING	75	...
15	(Symbol)	PLANTING	80	...
16	(Symbol)	PLANTING	85	...
17	(Symbol)	PLANTING	90	...
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20	(Symbol)	PLANTING	105	...
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24	(Symbol)	PLANTING	125	...
25	(Symbol)	PLANTING	130	...
26	(Symbol)	PLANTING	135	...
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84	(Symbol)	PLANTING	425	...
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87	(Symbol)	PLANTING	440	...
88	(Symbol)	PLANTING	445	...
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96	(Symbol)	PLANTING	485	...
97	(Symbol)	PLANTING	490	...
98	(Symbol)	PLANTING	495	...
99	(Symbol)	PLANTING	500	...
100	(Symbol)	PLANTING	505	...

RECORD DRAWING

NO.	DESCRIPTION	DATE	BY	CHECKED
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Project: **Galloway II Medical Plaza**
Miami-Dade County
LANDSCAPE PLAN

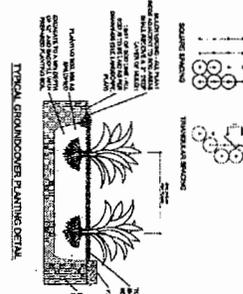
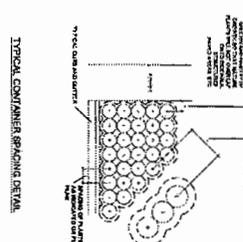
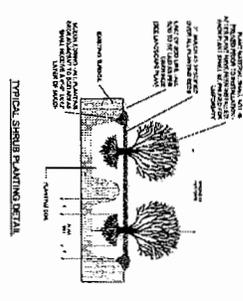
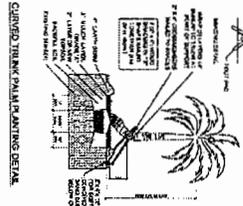
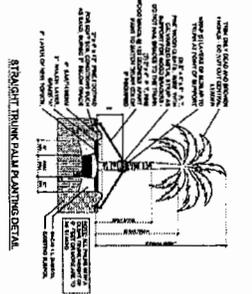
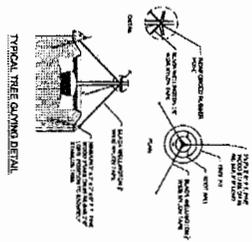
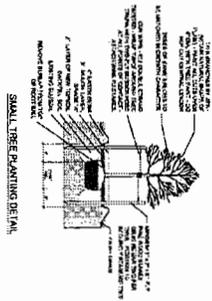
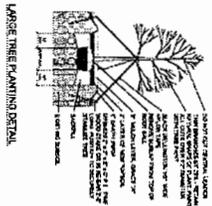
WITHIN HULTS DESIGN GROUP
307 Miami, Ft. Lauderdale, FL 33309, 954-561-0000
www.withinhults.com

11201 N. Pine Creek
Ft. Lauderdale, FL 33308
Tel: (954) 561-0000
Fax: (954) 561-0001

DATE: 11/20/11
DRAWN BY: JCS
CHECKED BY: JCS
SCALE: AS SHOWN

Scale: 1"=20'-0"

L-2



PLANTING NOTES:

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

SOD NOTES:

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

GENERAL NOTES:

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

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MAR 26 2012

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

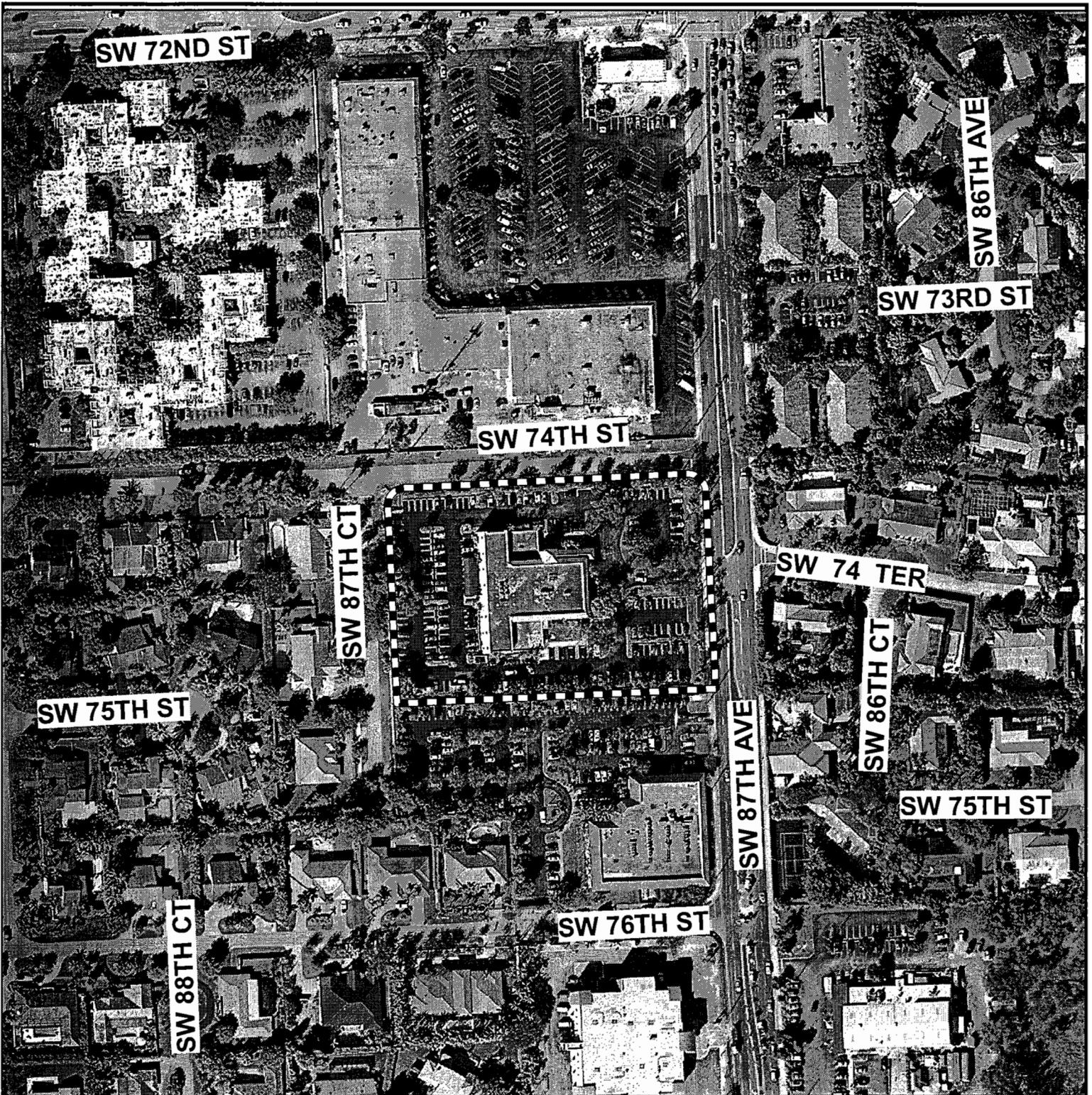
WITKIN HULTS DESIGN GROUP
207 South 7th Street, 3rd Floor, Suite 300
Miami, FL 33130 (305) 581-1000
www.witkinsdesign.com

Galloway II Medical Plaza
Miami-Dade County
LANDSCAPE PLAN

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MAR 17 2012

L-3

L-3



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

Z2011000133



Section: 33 Township: 54 Range: 40
 Applicant: GALLOWAY MEDICAL PK ASSOC II
 Zoning Board: C12
 Commission District: 7
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

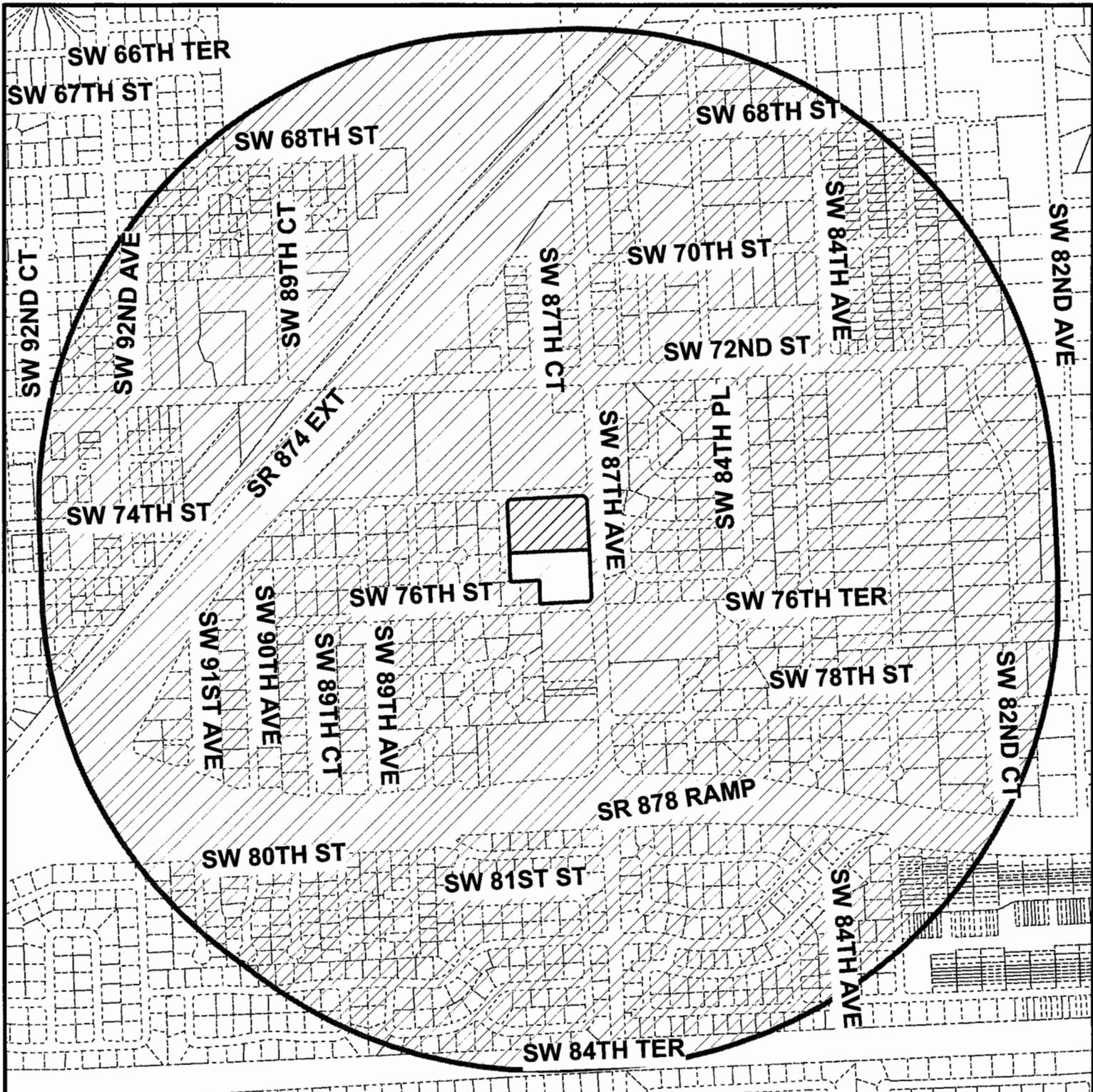
Legend

 Subject Property



SKETCH CREATED ON: Monday, December 12, 2011

REVISION	DATE	BY
	31	



MIAMI-DADE COUNTY
RADIUS MAP

Process Number

Z2011000133

RADIUS: 2640



Section: 33 Township: 54 Range: 40
 Applicant: GALLOWAY MEDICAL PK ASSOC II
 Zoning Board: C12
 Commission District: 7
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Monday, December 12, 2011

REVISION	DATE	BY
	32	

SW 72ND ST

SW 86TH AVE

SW 73RD ST

SW 74TH ST

SW 87TH CT

SW 74 TER

SW 75TH ST

SW 86TH CT

SW 75TH ST

SW 88TH CT

SW 87TH AVE

SW 76TH ST

MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2011000133



Section: 33 Township: 54 Range: 40
Applicant: GALLOWAY MEDICAL PK ASSOC II
Zoning Board: C12
Commission District: 7
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Monday, December 12, 2011

REVISION	DATE	BY

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 12**

PH: Z12-021(12-07-CZ12-3)

July 31, 2012

Item No. 4

Recommendation Summary	
Commission District	7
Applicant	MC DADE, LP
Summary of Requests	The applicant is seeking to modify an existing resolution and non-use variances of setback, frontage and landscaping requirements.
Location	6601 S. Dixie Highway, Miami-Dade County, Florida.
Property Size	2.5 Acres
Existing Zoning	DKUCD
Existing Land Use	Restaurant
2015-2025 CDMP Land Use Designation	Metropolitan Urban Center (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 and Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
Recommendation	Approval with a condition of requests #1 through #4 and denial without prejudice of request #5.

REQUESTS:

- (1) Modification of conditions #2 of Resolution CZAB12-22-08, passed and adopted by the Community Zoning Appeals Board, reading as follows:

From: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Colonial Bank – Dadeland Branch" as prepared by Glen Hanks Consulting Engineers, Inc., Sheet Sp-1, dated stamped received 7/29/08 and sheets "A-1.1" and "A-3.1", as prepared by Reynolds, Smith and Hills, Inc., dated stamped received 8/28/08 and the remaining three (3) sheets entitled "Colonial Bank" as prepared by Landscape Architects Collaborative, dated stamped received 7/29/08, for a total of 6 sheets.

To: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Bank" as prepared by Bohler Engineering, dated stamped received February 6, 2012, "TD Bank", as prepared by Core States Group, dated stamped received February 6, 2012, and "Parking Dadeland North", as prepared by R+O Studio, dated stamped received June 19, 2012 for a total of five (5) sheets.

- (2) NON USE VARIANCE of setback requirements to permit the covered drive-thru area to setback 4.1' (20' required) from the interior side (east) property line.
- (3) NON USE VARIANCE of setback requirements to permit a bank to setback 10' (75' required) from the front (north) property line abutting an "E" street (US Hwy #1).

- (4) NON USE VARIANCE of zoning regulations requiring a minimum of 75% of the building frontage to be along the “B” Street (S.W. 67 Avenue); to waive same to permit a building frontage of 21’ (56’-1” previously approved; 114’ required).
- (5) NON USE VARIANCE of landscaping requirements to permit 0 street trees (8 street trees required).

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

PROJECT DESCRIPTION: Proposed 3,500 sq. ft. bank with three (3) drive thru lanes.

NEIGHBORHOOD CHARATERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	DKUCD; restaurant	Downtown Kendall Urban Center
North	GU; S. Dixie Highway	Transportation
South	DKUCD; Shopping Center	Downtown Kendall Urban Center
East	DKUCD; Shopping Center	Downtown Kendall Urban Center
West	DKUCD; Bank	Downtown Kendall Urban Center

NEIGHBORHOOD COMPATIBILITY:

The subject property is located at 6601 South Dixie Highway and lies within the Downtown Kendall Urban Center District (DKUCD) and is surrounded by shopping centers, a bank to the west and abuts South Dixie Highway to the north of the site. A multitude of varying intensities of commercial activity and retail establishments characterizes this section of the corridor along the south side of South Dixie Highway.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to build a bank with three (3) drive-thru lanes which will provide additional financial services for the community. However, the companion requests for reduced setbacks, building frontage and landscaping could have a negative visual impact on the area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property as being within the Adopted Metropolitan Urban Center designation, also known as the **Downtown Kendall Urban Center (DKUCD)** on the Adopted 2015-2025 LUP map. In 1999, the subject property was part of an area wide district boundary change that rezoned multiple zones to the DKUCD, pursuant to Ordinance No. 99-166. The DKUCD was adopted to implement the designation of the subject area as a Metropolitan Urban Center. *Such centers are characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. Metropolitan Centers should also have convenient, preferably*

direct, connections to a nearby expressway or major roadways to ensure a high level of countywide accessibility.

For the same reasons discussed below, staff opines that the proposed bank building is **consistent** with the adopted DKUCD Metropolitan Urban Center regulations and with the uses permitted as described in the adopted DKUCD Metropolitan Urban Center and CDMP interpretive text under the Urban Center land use category and is **consistent** with the CDMP LUP map designation for the subject property.

ZONING ANALYSIS:

When request #1 is analyzed under Section 33-311(A)(7), **General Modification Standards**, staff opines that the proposed modification of the previously approved site plan pursuant to Resolution # CZAB-22-08, to allow less than the required setback requirements to permit a bank with three (3) drive thru lanes, less setback from the front property line and less frontage will not generate excessive noise or traffic, provoke excessive overcrowding of people, or tend to provoke a nuisance, and will not be contrary to the public interest. Staff also notes that the proposed bank requires less parking than the current restaurant use. Staff opines that the applicant is not proposing substantial changes to the previously approved plans, with the exception of the landscaping request, and the proposed bank use is **compatible** with the approved uses in the DKUC zoning designation and the surrounding DKUC zoned properties.

When requests #2 through #4, are 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 with a condition of the requests will maintain the basic intent and purpose of the DKUCD zoning, subdivision and other land use regulations and would be **compatible** with the same. Staff opines that the design of the proposed bank building incorporates many aspects of urban design by including an articulated façade that is brought closer to the street and by providing the parking area at the rear of the building. The proposed bank building has been designed with a central tower acting as a focal point of the intersection at SW 67 Avenue and South Dixie Highway. Furthermore, staff opines that the design of the proposed bank will bring the development of the site closer to the goals of the DKUCD zoning regulations. Staff also notes that the intent of the DKUC zoning regulations to require a minimum 75% of the building frontage along the "B" Street is that, in the future, other buildings with greater frontage will be constructed along this frontage until the 75% requirement is met. Therefore, in staff's opinion, approval to permit the building frontage of 21' where 114' is required will not affect the appearance of this "B" Street and will enhance the subject site by incorporating many aspects of urban design. **As such, staff recommends approval with a condition of requests #2 through #4 under Section 33-311(A)(4)(b) (NUV).**

However, when request #5 is similarly analyzed under the Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval of this request will not maintain the basic intent and purpose of the DKUCD. However, after further review with the applicant and Landscape Architect, it has been determined that the applicant does meet the number of trees required. Therefore, the request to permit zero (0) street trees is no longer needed. **As such, staff recommends denial without prejudice of request #5 under the Section 33-311(A)(4)(b), Non-Use Variance standards, unless withdrawn by the applicant.**

CIRCULATION AND PARKING: The subject property is located within a shopping center and shares common drives and parking spaces pursuant to a cross parking agreement. The site plan submitted depicts the proposed bank with 39 parking spaces.

ENVIRONMENTAL REVIEW: Not applicable.

OTHER: Not applicable.

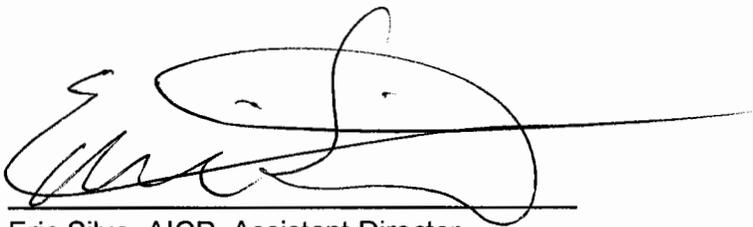
RECOMMENDATION:

Approval with a condition of requests #1 thru #4 and denial without prejudice of request #5 unless withdrawn by the applicant.

CONDITION FOR APPROVAL:

1. That all the conditions of Resolution #CZAB12-22-08, remain in full force and effect except as herein modified.

ES:MW:NN:JV:JC

A handwritten signature in black ink, appearing to read 'Eric Silva', written over a horizontal line. The signature is stylized and cursive.

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

ZONING RECOMMENDATION ADDENDUM

Applicant: MC Dade, LP
PH: Z12-021

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

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

<p>Urban Centers (Page I-46)</p>	<p><i>Diversified Urban Centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate- to high-intensity design-unified areas that will contain a concentration of different urban functions integrated both horizontally and vertically. Three scales of centers are planned: Regional, the largest, notably the Downtown Miami central business district; Metropolitan Centers such as the evolving Dadeland area; and Community Centers which will serve localized areas. Such centers shall be characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. Regional and Metropolitan Centers, as described below, should also have convenient, preferably direct, connections to a nearby expressway or major roadways to ensure a high level of countywide accessibility. The locations of Urban Centers and the mix and configuration of land uses within them are designed to encourage convenient alternatives to travel by automobile, to provide more efficient land use than recent suburban development forms, and to create identifiable "town centers" for Miami-Dade's diverse communities. These centers shall be designed to create an identity and a distinctive sense of place through unity of design and distinctively urban architectural character of new developments within them. The core of the centers should contain business, employment, civic, and/or high-or moderate-density residential uses, with a variety of moderate-density housing types within walking distance from the centers. Both large and small businesses are encouraged in these centers, but the Community Centers shall contain primarily moderate and smaller sized businesses which serve, and draw from, the nearby community. Design of developments and roadways within the centers will emphasize pedestrian activity, safety and comfort, as well as vehicular movement. Transit and pedestrian mobility will be increased and area-wide traffic will be reduced in several ways: proximity of housing and retail uses will allow residents to walk or bike for some daily trips; provision of both jobs, personal services and retailing within walking distance of transit will encourage transit use for commuting; and conveniently located retail areas will accommodate necessary shopping during the morning or evening commute or lunch hour. Urban Centers are identified on the LUP map by circular symbols noting the three scales of planned centers. The Plan map indicates both emerging and proposed centers. The designation of an area as an urban center indicates that governmental agencies encourage and support such development. The County will give special emphasis to providing a high level of public mass transit service to all planned Urban Centers. Given the high degree of accessibility as well as other urban services, the provisions of this section encourage the intensification of development at these centers over time. In addition to the Urban Center locations depicted on the Land Use Plan Map, all future rapid transit station sites and their surroundings shall be, at a minimum, developed in accordance with the Community Center policies established below. Following are policies for Development of Urban Centers designated on the Land Use Plan (LUP) map. Where the provisions of this section authorize land uses or development intensities or densities different or greater than the underlying land use designation on the LUP map, the more liberal provisions of this section shall govern. All development and redevelopment in Urban Centers shall conform with the guidelines provided below.</i></p>
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ZONING RECOMMENDATION ADDENDUM

Applicant: MC Dade, LP
PH: Z12-021

	<p>Uses and Activities.</p> <p><i>Regional and Metropolitan Centers shall accommodate a concentration and variety of uses and activities which will attract large numbers of both residents and visitors while Community-scale Urban Centers will be planned and designed to serve a more localized community. Uses in Urban Centers may include retail trade, business, professional and financial services, restaurants, hotels, institutional, recreational, cultural and entertainment uses, moderate to high density residential uses, and well planned public spaces. Incorporation of residential uses is encouraged, and may be approved, in all centers, except where incompatible with airport or heavy industrial activities. Residential uses may be required in areas of the County and along rapid transit lines where there exists much more commercial development than residential development, and creation of employment opportunities will be emphasized in areas of the County and along rapid transit lines where there is much more residential development than employment opportunity. Emphasis in design and development of all centers and all of their individual components shall be to create active pedestrian environments through high-quality design of public spaces as well as private buildings; human scale appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. Existing public water bodies shall also be incorporated by design into the public spaces within the center.</i></p> <p>Buildings</p> <p><i>Buildings and their landscapes shall be built to the sidewalk edge in a manner that frames the adjacent street to create a public space in the street corridor that is comfortable and interesting, as well as safe for pedestrians. Architectural elements at street level shall have a human scale, abundant windows and doors, and design variations at short intervals to create interest for the passing pedestrian. Continuous blank walls at street level are prohibited. In areas of significant pedestrian activity, weather protection should be provided by awnings, canopies, arcades and colonnades.</i></p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Section 33-311(A)(7) Generalized Modification Standards.</p>	<p><i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.</i></p>
<p>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.</p>	<p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required</i></p>

**4. MC DADE, LP
(Applicant)**

**12-7-CZ12-4 (12-021)
Area 12/District 07
Hearing Date: 07/31/12**

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

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1977	Clifford Suchman	- Special Exception permitting existing alcoholic beverage use to provide kitchen. - Use Variance & Special Exception permit night club in BU-1A as permitted in BU-2.	ZAB	Approved with Condition(s)
1978	Clifford L. Suchman	- Zone change from BU-1A, GU, RU-4A to BU-2. - Zone change from BU-1A, GU to RU-4A.	BCC	Approved with Condition(s)
1995	Tony Roma's	- Non-Use Variance of sign regulations.	ZAB	Approved w/ Condition(s)
1997	Starbucks Corp.	- Unusual Use to permit outdoor patio & table service.	ZAB	Approved w/ Condition(s)
2000	Canton Dadeland North	- Unusual Use to permit outdoor dining.	ZAB	Approved w/ Condition(s)
2008	Colonial Bank, N.A.	- Non-Use Variance's for Bank.	C12	Approved w/ Condition(s)
2009	Dadeland North, Inc	- Appealed.	BCC	Withdrawn

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 22, 2012

To: Jack Osterholt, Interim Director
Sustainability, Planning and Economic Enhancement

From: Jose Gonzalez, P.E., Assistant Director
Permitting, Environment and Regulatory Affairs 

Subject: C-12 #Z2012000021
MC Dade LP
6601 S. Dixie Highway
Modification of a Previous Resolution to Permit a Bank and to
Permit the Proposed Bank to Setback Less than Required by Code
(0.6 Acres)
36-54-40

The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

Potable Water Service and Wastewater Disposal

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

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

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 5-year / 1-day storm event.

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



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

Wetlands

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

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

Air Quality Preservation

In the event of any kind of renovation or demolition activity, an asbestos survey from a Florida-licensed asbestos consultant is required. If said survey shows friable asbestos materials in amounts larger than prescribed by federal law (260 linear feet of pipe insulation/thermal system insulation [TSI] or 160 square feet of surfacing material), then those materials must be removed/abated by a Florida-licensed asbestos abatement contractor. A notice of asbestos renovation or demolition form must be filed with the Air Quality Management Division for both the abatement (renovation) work and the demolition activity at least 10 working days prior to starting the field operations.

Tree Preservation

The subject property may contain specimen-sized trees (trunk diameter 18 inches or greater) along the western part of the site. Section 24-49.2(II) of the Code requires that specimen-sized trees be preserved whenever reasonably possible. The landscape plan submitted with this application entitled "Proposed Bank 6601 South Dixie Highway", sheet LP-1, prepared by Bohler Engineering, and received on February 6, 2012, does not depict these trees to be impacted. 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 Chapter 24 of the Code. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code. The applicant is required to comply with the above tree permitting requirements. Approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application. The applicant is advised to contact the Tree Program for additional information regarding tree permitting procedures and requirements prior to site development.

Enforcement History

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

Concurrency Review Summary

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

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review.

Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

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

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

cc: Eric Silva, Sustainability, Planning and Economic Enhancement

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: MC DADE, LP

This Department has no objections to this application.

Since this development abuts a State maintained road (US-1), the applicant must contact the district office at 305-470-5367, certain restrictions may apply.

Additional improvements may be required at time of permitting/platting.

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

This project meets the traffic concurrency criteria because it lies within the urban infill area where traffic concurrency does not apply.



Raul A Pino, P.L.S.

16-FEB-12

Memorandum



Date: February 29, 2012

To: Jack Osterholt, Interim Director
Sustainability, Planning and Economic Enhancement

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

Subject: Z2012000021: MC DADE, LP

Application Name: MC DADE, LP

Project Location: The site is located at 6601 S DIXIE HWY, Miami-Dade County.

Proposed Development: The applicant is requesting modification to plans to permit a bank including non-use variances.

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

We have 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.

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

MN:jb

Cc: John M. Bowers, RLA/AICP, Parks Property Management Supervisor

Memorandum



Date: 22-FEB-12
To: , Director
Department of Sustainability, Planning and Economic Enhancement
From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department
Subject: Z2012000021

Fire Prevention Unit:

No objection via Case # Z2012000021.

Service Impact/Demand

Development for the above Z2012000021
located at 6601 S DIXIE HWY, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1798 is proposed as the following:

<u>N/A</u> residential	dwelling units	<u>N/A</u> industrial	square feet
<u>N/A</u> Office	square feet	<u>N/A</u> institutional	square feet
<u>3,500</u> Retail	square feet	<u>N/A</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 0.77 alarms-annually.
The estimated average travel time is: 5:24 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 14 - South Miami - 5860 SW 70 Street
Rescue, ALS Engine, Battalion 8.

Planned Service Expansions:

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

Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped received February 6, 2012. Substantial changes to the plan will require additional service impact analysis.

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

DATE: 19-MAR-12

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

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

MC DADE, LP

6601 S DIXIE HWY, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2012000021

HEARING NUMBER

HISTORY:

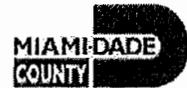
ENFORCEMENT HISTORY: NC; No open cases. BNC; BSS Case F2010110161-U for 40 year recertification opened on November 2, 2010 for a one story building missing its 40 year recertification. Notice of Violation (NOV) issued on February 2, 2011, due to noncompliance of NOV case was sent to a Board hearing. The Board panel's decision was as follow 45 days to submit permit application, 120 days to obtain permit, 180 days to finalize permits, a permit application must be submitted within 45 days by December 4, 2011. A permit must be obtained within 120 days by February 19, 2012 and repairs must be completed within 180 days by April 19, 2012 (the secure date will reflect the time frame for submittal of the permit application). Case remains open.

MC Dade LP

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

REPORTER NAME:

Memorandum



Date: June 1, 2012

To: Franklin Gutiérrez, Agenda Supervisor, Agenda Coordinator's Office
Miami-Dade Sustainability, Planning and Economic Enhancement

From: Ramiro Martinez , Zoning Services Inspector
Department of Permitting, Environment and Regulatory Affairs

Subject: Hearing Application Process No.Z2012000021 – 6601 S. Dixie HWY

A site inspection conducted at the above referenced property revealed an out-parcel that is currently improved with a restaurant (Tony Romas). This restaurant is operating with a valid Certificate of Use, but it has an outside dining area that needs to be legalized. Applicant needs to remove the outside dining area or legalize it through the building permit process.

Also, BNC record indicates that there is an open Unsafe Structure case on this property. Please refer to BNC's memo regarding this case.

C-12 7/31/12

RECEIVED

AMENDED DISCLOSURE OF INTEREST

MIAMI DADE COUNTY
PROCESS #: 712-021
DATE: DEC 21 2011
BY: DAB

owns or leases the subject property, list principal stockholders and percent of stock owned
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: _____

NAME AND ADDRESS	Percentage of Stock
_____	_____
_____	_____

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
_____	_____
_____	_____
_____	_____

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: MC DADE, LP. _____

NAME AND ADDRESS	Percentage of Ownership
SEE EXHIBIT "B" ATTACHED HERETO	_____

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

Date of contract: _____

RECEIVED

partnership or trust.

MIAMI-DADE COUNTY

PROCESS #: Z12-021

DATE: DEC 21 2011

BY: DAE

clause or contract terms involve additional parties, list all individuals or officers, if a corporation,

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

NOTE: This Amended Disclosure is being submitted to correct inadvertent errors contained in the prior Disclosure of Interest submitted in connection with this application.

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

Signature of Applicants:

MC DADE, LP., a Florida limited partnership

By: MC Dade GP, LLC., a Florida limited liability company, its General Partner.

(Applicant's Signature)

(Applicant's Signature)

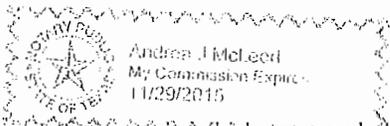
(Print Name)

Robert I. Parks III, Managing Member

(Print Name)

Sworn to and subscribed before me this 21 day of December, 2012. Affiants are personally known to me or have produced Florida Driver License as identification.

(Notary Public)



My commission expires _____

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

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Exhibit "B"

MIAMI-DADE COUNTY

PROCESS # ~~Z12-02~~ LP is the applicant and owner of 100% of the property

DATE: DEC 21 2011

BY: DAH

Partners of MC Dade, L.P.

Partnership
Percentages of MC Dade, L.P.

MC Dade GP, LLC
2828 Routh St, Ste 500
Dallas, TX 75201

.01%

Owners:

Robert I. Parks, III
Douglas M. MacMahon
Catherine G. MacMahon

Route One Fund I, L.P.
C/O Route One Investment Company, LLC
One Letterman Drive
Bldg D-Main, Suite 200
San Francisco, CA 94129

56.00%

Owners:

More than 5,000, none greater than 5% of Route One Fund I, L.P.

Teewinot Partners, LP
2828 Routh St, Ste 500
Dallas, TX 75201

4.28%

Owners:

Douglas M. MacMahon
Catherine G. MacMahon

Robert I. Parks, III
2828 Routh St, Ste 500
Dallas, TX 75201

1.42%

Route One Fund II, L.P.
C/O Route One Investment Company, LLC
One Letterman Drive
Bldg D-Main, Suite 200
San Francisco, CA 94129

1.14%

Owners:

Sean Barron
William Duhamel
Richard Voon
Ashish Pant
Jason Moment
William Stegall
David Salomon
Hans Schroeder
Gregory Brenner
Mason and Anna Morfit
Allan R. White III
Jonathan Wyatt Gruber

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MIAMI-DADE COUNTY
PROCESS # Z12-021
DATE: DEC 21 2011

- John D. & Linda W. Gruber
- Matthews
- Sp
- Laura Ubben
- Michael G. Fisch
- Wai-Yen Lau
- Adam Tobias Brenner
- Alexis Anne Dieter
- Josie D. Domenico
- Todd A. Domenico
- Bradford M. Loftus
- Henrik Jones
- Dale Kunkel and Esther Chang
- Edward P. Hutchinson
- Felicia Chiu
- Harish Chandra Pant & Geeta Pant
- Henry Patner
- Kevin Risen
- William Lenehan
- Marcus M. Snyder
- Megan Evans Dieter Eggers
- Michael and Alison Mauze
- James Milligan
- Nicholas D. Dieter
- Pooran and Pratima Tripathi
- Raja Bhagavatula
- Renu C. Mital
- Robert A. and Gwynneth A. E. Dieter
- Shantital and Chandrakanta Lunia
- Stephen C. Heiszek
- Matthew Taylor
- Munish Puri

EREF Special Situations, LLC
10 East 53rd Street
31st Floor
New York, NY 10022

24.86%

Owners:

- Stuart Miller
- Leslie Saiontz
- Jeffrey Miller
- Steven Saointz
- Susan Miller
- Adam Shapiro
- Graham Duncan
- Jonathan Bilzin
- Andrew Bilzin

East Rock Simco Endowment Fund, LP
10 East 53rd Street
31st Floor
New York, NY 10022

2.29%

Owners:

- Michael Simkins

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MIAMI-DADE COUNTY
PROCESS # Z12-021
DATE: DEC 21 2011
BY: DAE

Michelle Rubell
Adam Shapiro
Graham Duncan
Jonathan Bilzin
Andrew Bilzin

East Rock SCS Fund, LP 1.43%
10 East 53rd Street
31st Floor
New York, NY 10022

Owners:
Steven Shore
Cindy Shore
Adam Shapiro
Graham Duncan
Jonathan Bilzin
Andrew Bilzin

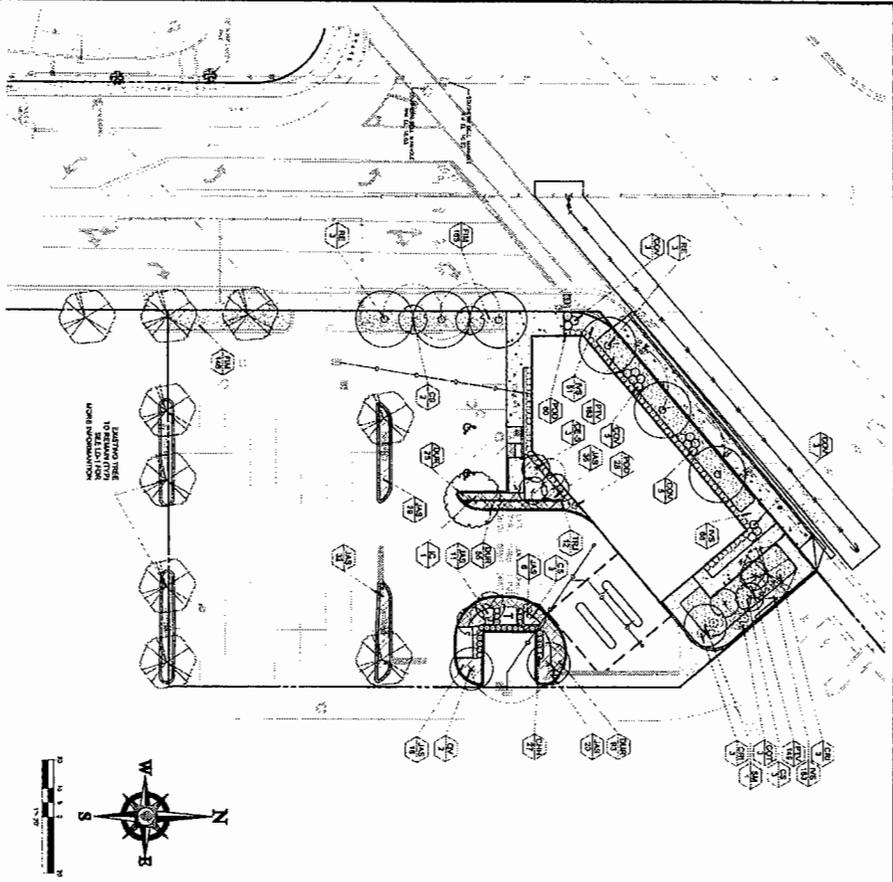
Stephanie R. LaNasa 3.57%
C/O Moran Capital, LLC
2828 Routh St, Ste 500
Dallas, TX 75201

Vivian Lau 2.14%
C/O Moran Capital, LLC
2828 Routh St, Ste 500
Dallas, TX 75201

Hunsaker Property Company Profit Sharing Plan 2.86%
2828 Routh St, Ste 500
Dallas, TX 75201

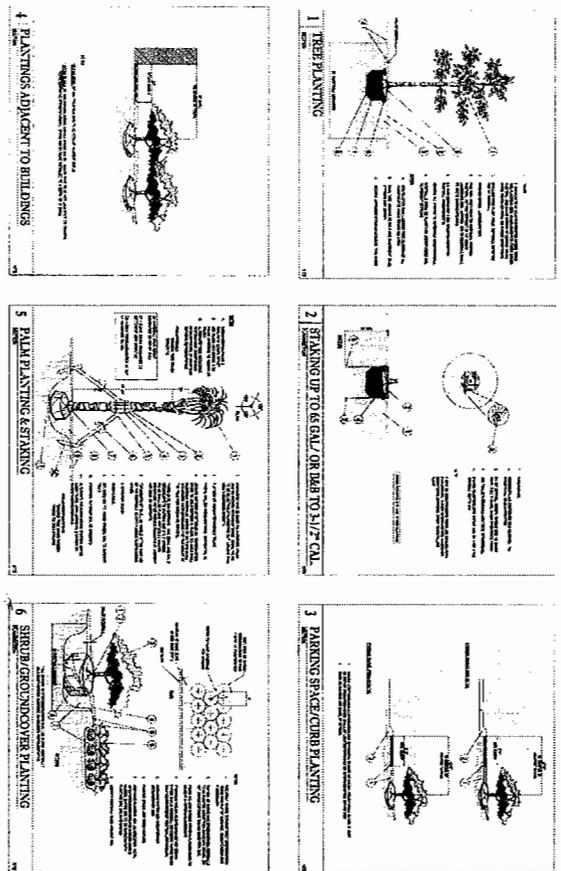
Owner:
Sam Hunsaker

TOTAL 100.00%



PLANT SCHEDULE

SYMBOL	COMMON NAME	SCIENTIFIC NAME	HEIGHT	SPREAD	PLANTING	REMARKS
1	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
2	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
3	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
4	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
5	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
6	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
7	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
8	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
9	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
10	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
11	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
12	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
13	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
14	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
15	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
16	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
17	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
18	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
19	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING
20	FLORIDA PALM	ROBIDIAUVA PALMATA	10 FT	10 FT	YES	PLANTING



LANDSCAPE CODE REQUIREMENTS - MIAMI-DADE COUNTY

Minimum Planting Requirements:

- Planting adjacent to buildings.
- Planting adjacent to parking spaces.
- Planting adjacent to curbs.
- Planting adjacent to sidewalks.
- Planting adjacent to streets.
- Planting adjacent to utility lines.
- Planting adjacent to other structures.

PLANTING TYPE	MINIMUM HEIGHT	MINIMUM SPREAD	MINIMUM PLANTING RATE
Tree	10 FT	10 FT	1 Tree per 100 sq ft
Palm	10 FT	10 FT	1 Palm per 100 sq ft
Shrub	6 FT	6 FT	1 Shrub per 100 sq ft
Cover	6 FT	6 FT	1 Cover per 100 sq ft

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 FEB 06 2012
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY _____
 NOTE: CONSULT PLANNING DEPARTMENT FOR ZONING REQUIREMENTS.
 PLEASE REFER TO SHEET LP-1 FOR DISPOSITION OF EXISTING TREE. SEE SHEET LP-2 FOR GENERAL LANDSCAPE GENERAL NOTES.

BOHLER ENGINEERING
 CIVIL & CONSULTING ENGINEERS
 6601 SOUTH DIXIE HIGHWAY
 MIAMI, FL 33149
 TEL: 305-446-8800
 FAX: 305-446-8801
 WWW.BOHLER-ENG.COM

PROPOSED BANK
 6601 SOUTH DIXIE HIGHWAY
 MIAMI, FL 33149

PROJECT NO. 1110000001
DATE 1/11/12
SCALE AS SHOWN
DESIGNED BY J. BOHLER
CHECKED BY J. BOHLER
DATE 1/11/12

LANDSCAPE PLAN
LP-1

NO DIMS
 1:8" = 1'-0"
 1:10" = 1'-0"
 1:20" = 1'-0"



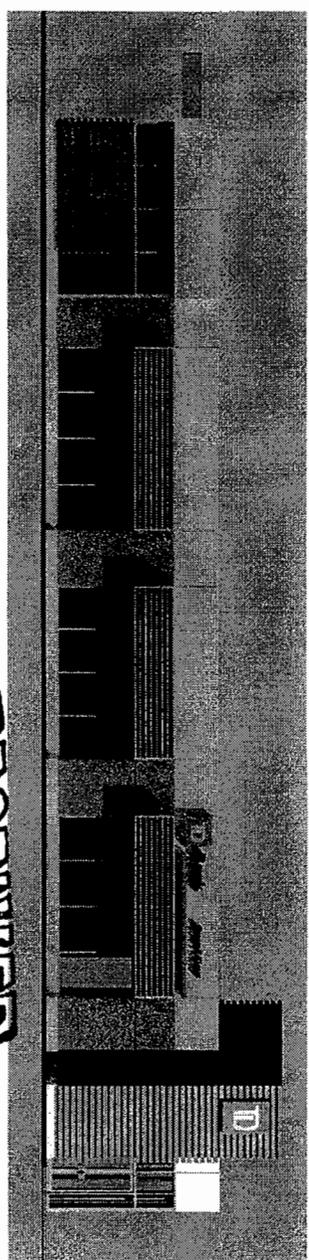
NO DIMS
 1:8" = 1'-0"
 1:10" = 1'-0"
 1:20" = 1'-0"

REAR ELEVATION - SOUTH

ARCHITECT/DESIGNER OF RECORD
CORE STATES
 3000 N. MIAMI AVENUE
 SUITE 100
 MIAMI, FL 33137
 PH: (305) 571-1111
 FAX: (305) 571-1112
 WWW.CORESTATES.COM

CLIENT
 CORE STATES GROUP
 SUITE B
 3000 N. MIAMI AVENUE
 MIAMI, FL 33137
 PH: (305) 571-1111
 FAX: (305) 571-1112

Paul Rye
 21-04-12



NO DIMS
 1:8" = 1'-0"
 1:10" = 1'-0"
 1:20" = 1'-0"

FRONT ELEVATION - NORTH (S. DIXIE HIGHWAY)

SCALE 1/8" = 1'-0"

EL-1

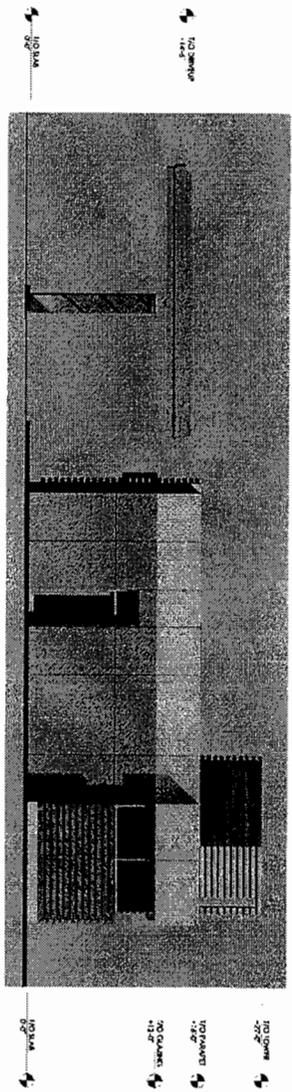
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 FEB 06 2012

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

RECEIVED
 FEB 06 2012

PROJECT INFORMATION BLOCK
 DATE: 01/26/12
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 SCALE: 1/8" = 1'-0"

SHEET TITLE
 BUILDING ELEVATIONS
 SHEET NUMBER

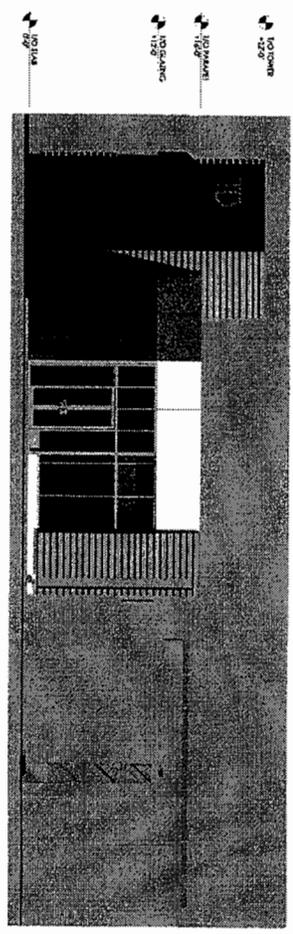


NO DIMS
 NO DIMS

NO DIMS
 NO DIMS
 NO DIMS

LEFT ELEVATION - EAST

2



NO DIMS
 NO DIMS
 NO DIMS

NO DIMS
 NO DIMS

RIGHT ELEVATION - WEST (67TH AVENUE)

1

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 2/2-02
 FEB 06 2012

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



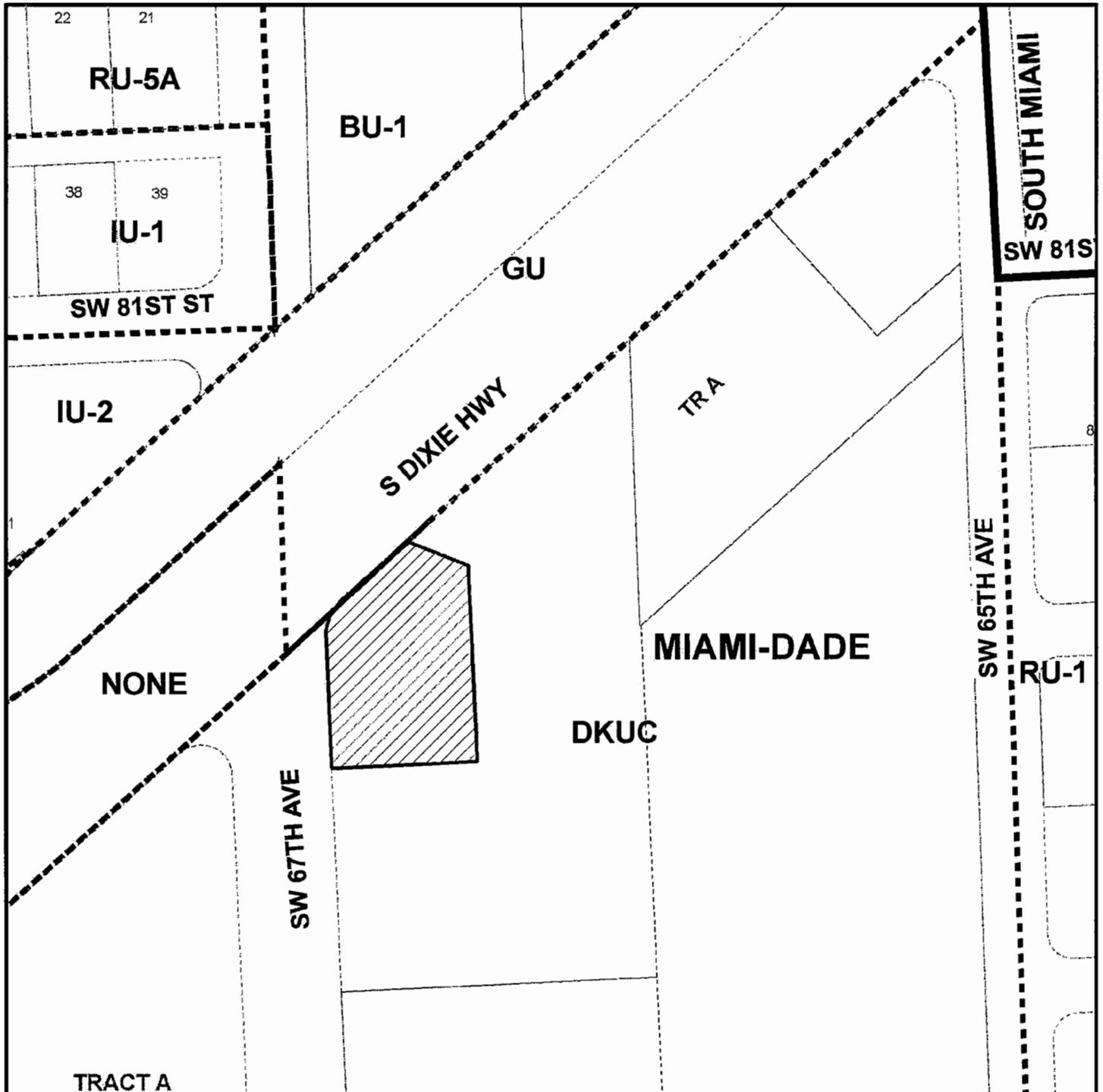
ARCHITECT/REGISTERED ARCHITECT
CORE STATES
 GROUP
 CORE STATES GROUP
 1700 INDUSTRIAL DRIVE
 SUITE 8
 ROSELAND, FL 33070
 T: (407) 986-4400

PH
 01-06-12

DATE DATE OCCUPANCY
 PROJECT INFORMATION BLOCK
 ARCHITECT FIRM
 ARCHITECT NAME
 ARCHITECT LICENSE NO.
 ARCHITECT REGISTERED STATE
 PROJECT NO.
 SHEET NO.
 SHEET TOTAL

EL-2

26



MIAMI-DADE COUNTY
HEARING MAP

Process Number

Z2012000021



Section: 36 Township: 54 Range: 40
 Applicant: MC DADE, LP
 Zoning Board: C12
 Commission District: 7
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

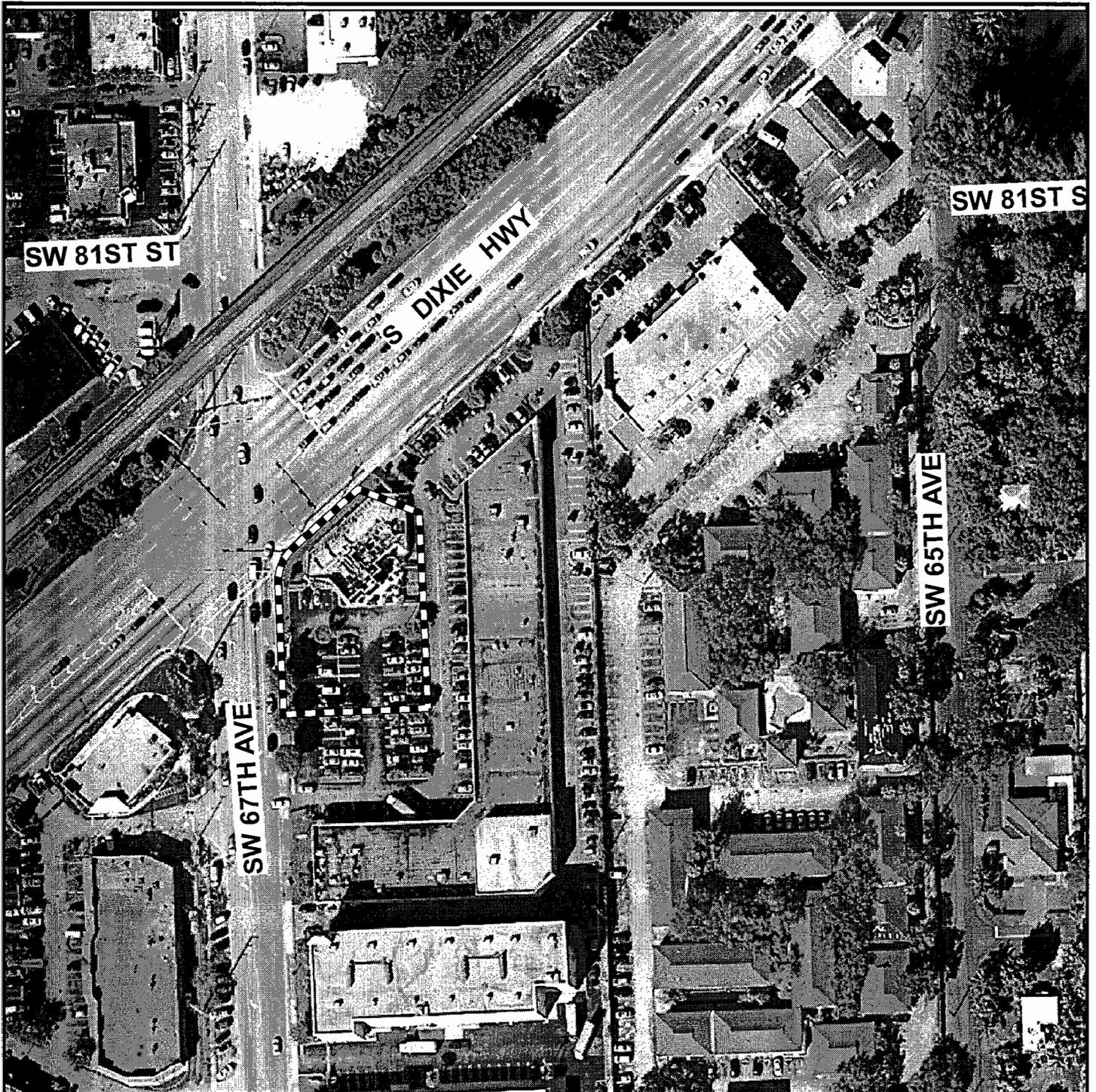
Legend

 Subject Property Case



SKETCH CREATED ON: Wednesday, February 15, 2012

REVISION	DATE	BY
		27



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number

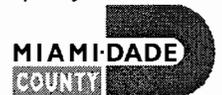
Z201200021



Section: 36 Township: 54 Range: 40
 Applicant: MC DADE, LP
 Zoning Board: C12
 Commission District: 7
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property



SKETCH CREATED ON: Wednesday, February 15, 2012

REVISION	DATE	BY
		28



**MIAMI-DADE COUNTY
RADIUS MAP**

Process Number

Z2012000021

RADIUS: 2640



Section: 36 Township: 54 Range: 40
 Applicant: MC DADE, LP
 Zoning Board: C12
 Commission District: 7
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Wednesday, February 15, 2012

REVISION	DATE	BY