

FINAL AGENDA

9-4-2013 Version # 1



COMMUNITY ZONING APPEALS BOARD 12
KENDALL VILLAGE CENTER - CIVIC PAVILLION
8625 SW 124 Avenue, Miami
Tuesday, October 8, 2013 at 6:30 p.m.

CURRENT

- | | | | | | |
|----|--------------|--------------------------------------|-------|----------|---|
| 1. | 13-10-CZ12-1 | <u>DOWNTOWN DADELAND RETAIL, LLC</u> | 13-19 | 02-55-40 | N |
| 2. | 13-10-CZ12-2 | <u>WRC PROPERTIES LLC</u> | 13-32 | 36-54-39 | N |
| 3. | 13-10-CZ12-3 | <u>SHIMON & ROSA COHEN</u> | 13-57 | 05-55-40 | N |



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 12

MEETING OF TUESDAY, OCTOBER 8, 2013

KENDALL VILLAGE CENTER – CIVIC PAVILLION

8625 SW 124 AVENUE, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 6:30 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

FROM: "2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled "Town & Country Village" as prepared by Tom Graboski Associates and "Specific Purpose Sketch" as prepared by Schwebke, Shiskin & Associates, dated stamped received 6/18/08 and consisting of 15 sheets as supplemented by plans entitled "The Palms at Town & Country" as prepared by Tom Graboski Associates, Inc., 7 sheets dated stamped received 7/6/11 and 5 sheets dated stamped received 3/9/11 for a total of 12 sheets. "Specific Purpose Survey" as prepared by Schwebke, Shiskin & Associates, dated stamped received 8/17/11."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Town & Country Village" as prepared by Tom Graboski Associates and "Specific Purpose Sketch" as prepared by Schwebke, Shiskin & Associates, dated stamped received 6/18/08 and consisting of 15 sheets as supplemented by plans entitled "The Palms at Town & Country" as prepared by Tom Graboski Associates, Inc., 7 sheets dated stamped received 7/6/11 and 5 sheets dated stamped received 3/9/11 for a total of 12 sheets, "Specific Purpose Survey" as prepared by Schwebke, Shiskin & Associates, dated stamped received 8/17/11, as supplemented by plans entitled "The Palms at Town & Country" as prepared by Tom Graboski Associates, dated stamped received 6/6/13 consisting of 5 sheets, entitled "Devon Seafood & Steak" as prepared by Luminous Neon, Inc., dated stamped received 6/6/13 and consisting of 2 sheets, entitled "The Palms Town & Country-Site Plan" as prepared by Jones Lang LaSalle dated stamped received 6/6/13 and consisting of 1 sheets, for a total of 8 sheets, a "Specific Purpose Survey" as prepared by Schwebke, Shiskin & Associates dated stamped received 6/6/13.

The purpose of request #2 is to permit the applicant to submit revised plans showing a new liquor package store in connection with a restaurant and to show an additional signage including projecting sign for an individual tenant, a third wall sign for an individual tenant and multiple tenant signs not erected on buildings where the tenants are located.

- (3) NON-USE VARIANCE to permit a tenant with 3 signs (2 signs permitted per tenant) and to permit the 3rd sign as a 28 sq. ft. projecting sign (projecting signs not permitted).
- (4) NON-USE VARIANCE to permit another tenant with 3 signs (2 signs permitted per tenant).
- (5) NON-USE VARIANCE to permit 4 tenants with point of sale signs located on different walls than where the premises of the tenants are located (wall signs to be located on the same premises where the tenant is located).

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: The Northwest corner of SW 117 Avenue & SW 88 Street, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 87 Acres

Department of Regulatory and Economic Resources
Recommendation:

Approval with conditions.

Protests: 1

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

3. SHIMON AND ROSA COHEN 13-10-CZ12-3 (13-057)

**05-55-40
Area 12/District 8**

NON-USE VARIANCE to permit an existing addition to a single family residence setback 5.44' (7.5' required) from the interior side (north) property line.

A plan is on file and may be examined in the Department of Regulatory and Economic Resources entitled "Cohen Residence-Zoning Study" as prepared by Elm Arch, dated stamped received 6/5/13 and consisting of 1 sheet. Plan may be modified at public hearing.

LOCATION: 10380 SW 97 Terrace, Miami-Dade County, Florida.

SIZE OF PROPERTY: 16,400 sq. ft.

Department of Regulatory and Economic Resources
Recommendation:

Approval with conditions.

Protests: 0

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

NOTICE

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

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

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

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



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

PH: Z13-019 (13-11-CZ12-1)

October 8, 2013

Item No. 1

Recommendation Summary	
Commission District	7
Applicant	Downtown Dadeland Retail, LLC.
Summary of Requests	The applicant is seeking various non-use variances, to permit a proposed canopy for an outpatient surgical center extended beyond the curb face, less storefront clear glazing, to permit less width in sidewalk on one side of the travel lane and to waive the required curb and gutter along a portion of the travel lane.
Location	7270 N. Kendall Drive, Miami-Dade County, Florida.
Property Size	7.43 acres
Existing Zoning	DKUC
Existing Land Use	Retail & Residential
2015-2025 CDMP Land Use Designation	Business and Office (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b), Non-Use Variance Standards (see attached <i>Zoning Recommendation Addendum</i>)
Recommendation	Approval with conditions

REQUESTS:

- (1) NON-USE VARIANCE to permit a canopy for an outpatient surgical center to extend a distance of 8.8' beyond the curb face (6" maximum distance permitted to the curb face).
- (2) NON-USE VARIANCE to permit the outpatient surgical center with a storefront clear glazing varying from 0% to 15.6% (60% minimum required).
- (3) NON-USE VARIANCE to waive the zoning regulations requiring a 10' wide sidewalk on both sides of the travel lanes; to permit a 5' wide sidewalk on one side of the travel lane.
- (4) NON-USE VARIANCE to waive the required curb and gutter along portions of the travel lane.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Surgical Park Center Replacement Facility" as prepared by Goodwyn, Mills & Cawood and Palenzuela & Hevia Design Group, with sheet C-1.01 dated stamped received 8/16/13, consisting of 1 sheet. Sheets A1.01, A1.03, A7.02, A5.01A & A5.02 dated stamped received 8/14/13, consisting of 5 sheets. Sheet A7.03 dated stamped received 2/20/13, consisting of 1 sheet and the remaining 12 sheets dated stamped received 7/03/13, for a total of 19 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND PROJECT HISTORY:

From 1961, portions of the subject property were approved through the zoning hearings process for district boundary changes, special exceptions and variances from the zoning regulations. In 1999, the subject property was part of an area wide district boundary change that rezoned

multiple properties to the Downtown Kendall Urban Center District (DKUCD), pursuant to Ordinance No. 99-166.

The site plan submitted for the current application depicts a proposed 18,519 sq. ft. surgery center on the first floor of an existing seven (7) story building with a canopy, which ranges from 20' to 35' in width, along the storefront of the surgery center. The applicant seeks various non-use variances to permit a proposed canopy for an outpatient surgical center with less distance than required from the curb face; less storefront clear glazing; less width in sidewalk on one side of the travel lane; and to waive the required curb and gutter along a portion of the travel lane.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	DKUCD; shopping center	Community Urban Center
North	DKUCD; shopping mall	Community Urban Center
South	DKUCD; Metro-Rail Station	Community Urban Center
East	DKUCD; retail stores	Community Urban Center
West	DKUCD; offices, hotels	Community Urban Center

NEIGHBORHOOD COMPATIBILITY:

The subject property is located south of S.W. 88 Street, between S.W. 72 Court and S.W. 72 Place, approximately 9 miles east of and within the Urban Development Boundary (UDB) Line, in an area that is currently developed as a compact, mixed-use community. The area surrounding the subject property is primarily characterized by commercial and condominium residential uses.

SUMMARY OF THE IMPACTS:

The approval of the proposed requests will allow the applicant to develop the proposed surgery center in a manner that provides comfort and convenience to their patients. However, approval of the same could have an adverse visual impact on the surrounding intensive commercial uses.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property as lying within the **Downtown Kendall Urban Center (DKUC)**. Urban Centers are identified as hubs for future development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve and 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.

Emphasis in design and development of these centers and all of their individual components have been created to promote active pedestrian environments through high-quality design of public spaces as well as private buildings; human scaled appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. All of the parcels within the boundaries of the approved DKUC are regulated by the plans and descriptive standards described in Ordinance #01-129, which are consistent with the CDMP Land Use Element's Urban Center interpretative text. Among other things, said Ordinance requires buildings to be oriented to the street, parking lots to be predominately relegated to the rear or sides of buildings, primary building entrances to be placed close to the street and/or

open space, and shade trees and weather protection to be available in order to create a pedestrian-friendly environment at street level.

The subject property is designated as a *Metropolitan Center*, the CDMP land Use Element interpretative text for Urban Centers states that *Metropolitan Centers* are characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. *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 proposed surgical center will be located within an existing commercial and residential development developed under the DKUC standards. Staff opines that the requested variances are minimal, will not detract from the requirements of the DKUC regulations and are compatible with the area and **consistent** with the CDMP LUP map Urban Center designation, the Land Use Element interpretative text for Urban Centers.

ZONING ANALYSIS:

The subject property lies within the **Downtown Kendall Urban Center** (DKUC) District as designated in the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). All of the parcels within the boundaries of the approved Downtown Kendall Urban Center District Ordinance, are regulated by plans and descriptive standards described in Ordinance #99-166. Staff opines that the requests under this application are **compatible** with the future development of the area and **consistent** with the DKUC designation on the LUP map of the CDMP.

When requests #1 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 approval of these requests will maintain the basic intent and purpose of the zoning and other land use regulations, will not affect the stability and appearance of the community and is **compatible** with the surrounding area.

Request #1, to permit a canopy for an outpatient surgical center to extend a distance of 8.8' beyond the curb face will provide patients with increased protection from the elements. However, the DKUC regulations only allow the canopy up to 6" from the edge of the curb, but not beyond it. Staff opines that the extended canopy will be a benefit to patients and all pedestrians, will create a public space that is comfortable and interesting, as well as safe for pedestrians and will not have an adverse visual impact on the surrounding area. Moreover, the

zoning code provides that *in areas of significant pedestrian activity, weather protection should be provided by awnings, canopies, arcades and colonnades*. Request #2, to permit the outpatient surgical center with a storefront clear glazing varying from 0% to 15.6% (60% minimum required), will provide an opaque glazing for the center. Staff opines that the opaque glazing will provide patients within the proposed surgical center with privacy, is minimal, and will not create an adverse visual impact on the surrounding area. Staff opines that the approval of Request #3, to waive the zoning regulations requiring a 10' wide sidewalk on both sides of the travel lanes; to permit a 5' wide sidewalk on one side of the travel lane will not adversely impact traffic or pedestrians. Staff notes that the reduced sidewalk width on the south side is due to the location of the proposed cooling tower. Additionally, the reduction in the side walk width along this section of the driveway facilitates the easy flow of traffic in the area of the driveway abutting the proposed canopy. However staff notes that the applicant will maintain the 10' wide sidewalk on the north side of the drive way abutting the building. In staff's opinion, this will facilitate the easy flow of pedestrian traffic to the proposed surgical center.

Request #4, to waive the required curb and gutter along portions of the travel lane, is requested only for that portion of the road that is elevated in order to have an accessible drop-off to accommodate patients in wheelchairs. The applicant proposes bollards in place of the curb to protect cars from running off the road. Staff opines that an accessible drop-off for wheelchair patients is necessary for a medical center and would benefit the general public. Further, staff notes that the proposed center is directly opposite to the elevated metro-rail station and train tracks. Said facility provides a visual obstruction of the site from the abutting roadway, S. Dixie Highway located to the southeast.

Based on the foregoing analysis, staff opines that the approval of the application would be **compatible** with the surrounding commercial and residential developments. Therefore, in staff's opinion, approval with conditions of the subject requests would maintain the basic intent and purpose of the zoning regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and would be **compatible** with same. **As such, staff recommends approval with conditions of requests #1 through #4 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

CIRCULATION AND PARKING:

The subject property has ingress and egress points along SW 90 Way, SW 90 Lane and Dadeland Boulevard. Parking is located on the basement level of the building and meets parking space requirements.

ENVIRONMENTAL REVIEW: Not applicable.

OTHER: Not applicable.

RECOMMENDATION: Approval with conditions.

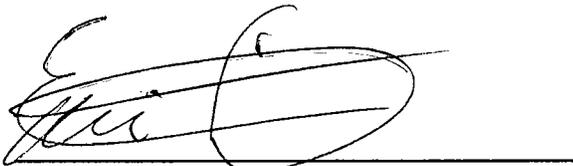
CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning & Zoning 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, "Surgical Park Center Replacement Facility" as prepared by Goodwyn, Mills & Cawood and Palenzuela & Hevia Design Group, with sheet C-1.01 dated stamped received 8/16/13, consisting of 1 sheet. Sheets A1.01, A1.03, A7.02, A5.01A & A5.02 dated stamped received 8/14/13, consisting of 5 sheets. Sheet A7.03 dated stamped received 2/20/13, consisting of 1 sheet and the remaining 12 sheets dated stamped received 7/03/13, for a total of 19 sheets.
3. That the use be established and maintained in accordance with the approved plan.

ES:MW:NN:CH:JC



NDW

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

ZONING RECOMMENDATION ADDENDUM

Downtown Dadeland Retail, LLC
Z13-019

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	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

<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 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.</i></p> <p><i>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</i></p>
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ZONING RECOMMENDATION ADDENDUM

Downtown Dadeland Retail, LLC Z13-019

surroundings shall, at a minimum, be 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 to the guidelines provided below.

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.

Streets and Public Spaces. Urban Centers shall be developed in an urban form with a street system having open, accessible and continuous qualities of the surrounding grid system, with variation, to create community focal points and termination of vistas. The street system should have frequent connections with surrounding streets and create blocks sized and shaped to facilitate incremental building over time, buildings fronting on streets and pedestrian pathways, and squares, parks and plazas defined by the buildings around them. The street system shall be planned and designed to create public space that knits the site into the surrounding urban fabric, connecting streets and creating rational, efficient pedestrian linkages. Streets shall be designed for pedestrian mobility, interest, safety and comfort as well as vehicular mobility. The size of blocks and network of streets and pedestrian access ways shall be designed so that walking routes through the center and between destinations in the center are direct, and distances are short. Emphasis shall be placed on sidewalks, with width and street-edge landscaping increased where necessary to accommodate pedestrian volumes or to enhance safety or comfort of pedestrians on sidewalks along any high-speed roadways. Crosswalks will be provided, and all multi-lane roadways shall be fitted with protected pedestrian refuges in the center median at all significant pedestrian crossings. In addition, streets shall be provided with desirable street furniture including benches, light fixtures and bus shelters. Open spaces such as public squares and greens shall be established in urban centers to provide visual orientation and a focus of social activity. They should be located next to public streets, residential areas, and commercial uses, and should be established in these places during development and redevelopment of streets and large parcels, particularly parcels 10 acres or larger. The percentage of site area for public open spaces, including squares, greens and pedestrian promenades, shall be a minimum of 15 percent of gross development area. This public area provided outdoor, at grade will be counted toward satisfaction of requirements for other common open space. Some or all of this required open space may be provided off-site but elsewhere within the subject urban center to the extent that it would better serve the quality and functionality of the center.

Buildings. 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

ZONING RECOMMENDATION ADDENDUM

*Downtown Dadeland Retail, LLC
Z13-019*

	<i>areas of significant pedestrian activity, weather protection should be provided by awnings, canopies, arcades and colonnades.</i>
Objective LU-4 (Pg. I-11)	<i>Miami-Dade County shall, by the year 2015, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.</i>

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. DOWNTOWN DADELAND RETAIL, LLC
(Applicant)

13-10-CZ12-1 (13-019)
Area 12/District 07
Hearing Date: 10/08/13

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>
1961	Federated & Kenara Center, Inc.	- Zone change from GU to BU-3.	BCC	Approved
1961	Federated & Kenara Center, Inc.	- Zone change from GU to BU-3.	ZAB	Recommended for Approval
1970	Larry Costley Chevrolet	- Variance of signage.	ZAB	Approved
1971	Larry Costley Chevrolet	- Variance of signage regulation.	BCC	Appeal Denied, Application Approved
1986	Southeast Banking Corp.	- Non-Use Variance of setback and Floor Area Ratio (FAR).	ZAB	Approved with Condition(s)
1999	George E. Williamson, II ET AL	- Special Exception for site plan approval and alcohol spacing. - Non-Use Variance of the fixed-guideway rapid transit system development, Zoning Regulation and Landscape Requirement.	BCC	Approved
2002	George E. Williamson II & Thomas W. Williamson	- Deletion of a Declaration of Restrictions.	BCC	Approved
2011	Downtown Dadeland Retail, Inc.	- Non-Use Variance of signage's.	BCC	Appeal Approved, Application Approved
2011	Downtown Dadeland Retail, Inc.	- Non-Use Variance of signage's.	C12	Denied without prejudice

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: August 12, 2013
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources



Subject: #Z2013000019-1st Revision
Downtown Dadeland Retail, LLC.
7270 North Kendall Drive, Miami, FL
Non-Use Variance: Storefront glazing requirement, encroachment
of canopy, sidewalk area fewer than 10 feet
(DKUC) (7.43 Acres)
02-55-40

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

Potable Water Service and Wastewater Disposal

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

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

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

Be advised that the proposed change cannot interfere with 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 tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. DERM 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 Permitting Program at (305) 372-6600, voice option #2, for additional information regarding permitting procedures and requirements prior to site development.

Operating Permits

Section 24-18 of the Code authorizes Miami Dade County to require operating permits from facilities that could be a source of pollution. The applicant is advised that due to the nature of some land uses permitted in the existing zoning classification, operating permits may be required. Furthermore, approval for best management practices to control any potential discharge and spillage of pollutants associated with some land uses permitted in the requested zoning district may be required. The Pollution Regulation Division of DERM may be contacted at (305) 372-6600 for further information concerning operating requirements.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: August 6, 2013

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

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

Subject: Z2013000019
Name: Downtown Dadeland Retail, LLC
Location: 7270 N Kendall Drive
Section 02 Township 55 South Range 40 East

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

Applicant must submit paving, grading and pavement marking plans to the Department of Regulatory and Economic Resources Platting Section for review.

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Tract "A" of Plat Book 161, Page 76.

This application meets the traffic concurrency criteria because it lies within the urban infill area where traffic concurrency does not apply. Although traffic concurrency does not apply, this application will generate **96 PM** daily peak hour vehicle trips.

Memorandum



Date: May 26, 2013

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

From: 
Assistant Director, Administration
Public Works and Waste Management Department

Subject: #13_019
Downtown Dadeland Retail, LLC

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

The application requests a series of non-use variances in regards to establishment of a Surgical Park Center within a mixed use development located in Downtown Dadeland. Construction of the Surgical Park Center will likely be considered development for a commercial unit per Chapter 15 of the County Code. As the PWWM does not actively compete for commercial waste collection service at this time, waste collection services may be provided by a private waste hauler. The application will have no impact or any associated costs.

The PWWM does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste. The PWWM is in compliance with this standard, meaning that there is adequate disposal capacity to meet projected growth in demand, inclusive of the application reviewed here, which is not anticipated to have a negative impact on disposal service.

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

Memorandum



Date: July 31, 2013

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

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

Subject: Z2013000019: DOWNTOWN DADELAND RETAIL, LLC
Revised plans dated stamped received through 7-03-2013

Application Name: DOWNTOWN DADELAND RETAIL, LLC

Project Location: The site is located at 7270 N KENDALL DR, Miami-Dade County.

Proposed Development: The applicant is seeking approval of several site related non-use variances for a modification for a proposed outpatient ambulatory surgical center.

Impact and demand: The request of this application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

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

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum



DATE: July 26, 2013

TO: Nicolas Nitti
Supervisor, Zoning Evaluation
Department of Regulatory and Economic Resources

FROM: Nilia Cartaya *Nilia Cartaya*
Principal Planner
Miami-Dade Transit - Engineering, Planning & Development Division

SUBJECT: Review of Zoning Hearing No. 13-19 (Downtown Dadeland Retail, LLC) –
Revision No. 1
MDT Project No. OSP006
FSC No. 41.04

Project Description

13-19 – Downtown Dadeland Retail, LLC is requesting the following variances in order to allow a Surgical Park Center in the Downtown Dadeland Building G: to permit 57% storefront clear glazing where 60% is required, to permit a proposed canopy for the drop-off area to encroach 14'6" beyond the curb, and to permit an 8' wide sidewalk where 10' is required along the south side of SW 90 Way due to roadway realignment and to allow adequate space for a proposed generator/chiller enclosure. The subject property is approximately 7 acres and is located at 7270 North Kendall Drive, Miami-Dade County, Florida.

Current Transit Service

There is excellent transit service surrounding the application site, provided by Routes 52, 73, 87, 88 and 104. The alignment for these routes is illustrated on the attached maps. The service headways for these routes (in minutes) are as follows:

Memorandum



Date: 19-JUL-13
To: Jack Osterholt, Director
 Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2013000019

Fire Prevention Unit:

This memo supersedes MDR memorandum dated March 29, 2013.
 APPROVAL
 No objection to site plan date stamped received July 3, 2013.

Service Impact/Demand:

Development for the above Z2013000019
 located at 7270 N KENDALL DR, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 1832 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>18,519</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 12.4 alarms-annually.
 The estimated average travel time is: 5:30 minutes

Existing services:

The Fire station responding to an alarm in the proposed development will be:
 Station 23 - Suniland - 7825 SW 104 Street
 Rescue, 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 July 3, 2013. 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: 22-AUG-13
REVISION 1

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

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

DOWNTOWN DADELAND RETAIL,
LLC

7270 N KENDALL DR, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2013000019

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. BNC: BSS case 20130157890-X opened on February 22, 2013. Notice of Violation issued for expired permit 2011042534. Case closed on May 15, 2013.

Downtown Dadeland Retail LLC

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

REPORTER NAME:

DISCLOSURE OF INTEREST*

If a CORPORATION/LLC 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].

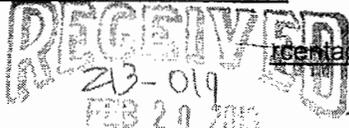
CORPORATION/LLC NAME: Downtown Dadeland Retail, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Dadeland Retail, LLC</u>	<u>100% membership interest</u>
<u>6011 Connection Drive</u>	<u>(a wholly owned subsidiary</u>
<u>Irving, TX 75039</u>	<u>of the Goldman Sachs</u>
_____	<u>Group, Inc. & publically</u>
_____	<u>Traded on NYSE as GS)</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 N/A

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


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

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: N/A

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
<u>N/A</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: N/A

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

N/A



Date of contract: _____

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY AK

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

N/A

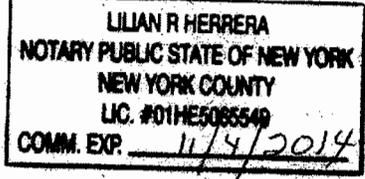
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: [Handwritten Signature]
(Applicant)

Sworn to and subscribed before me this 11th day of February, 2013. Affiant is personally know to me or has produced _____ as identification.

Lilian R. Herrera
(Notary Public)



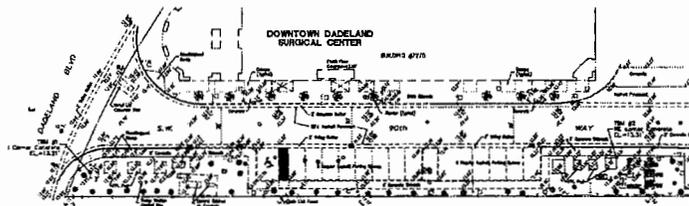
My commission expires: 11/4/2014

Seal

*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.



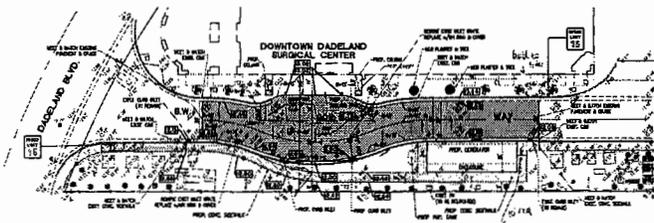
PLAN
SCALE: 1" = 20'



EXISTING CONDITION



PLAN
SCALE: 1" = 20'



PROPOSED RE-ALIGNMENT

LEGEND	
[Symbol]	EXISTING FOOTPRINT
[Symbol]	PROPOSED FOOTPRINT
[Symbol]	CONCRETE SIDEWALK
[Symbol]	PROPOSED CATCH BASIN
[Symbol]	PROPOSED DRAINAGE MANHOLE
[Symbol]	EXISTING ELEVATION
[Symbol]	PROPOSED ELEVATION
[Symbol]	FORMER BA FLY DIRECTOR

DEVELOTEC INC.
 Consulting Engineers - Land Planning
 1400 S.W. 11th St., Suite 100
 Dadeland, FL 33150
 Tel: 305.333.3300

ISSUE DATE
 7/23/13
 2/20/13
 1/23/13
 1/23/13
 1/23/13
 1/23/13

SURGICAL PARK CENTER
 RELOCATION FACILITY
 7250 S. KODOLAK PK.
 MIAMI, FLORIDA 33156
 ANASIZOO

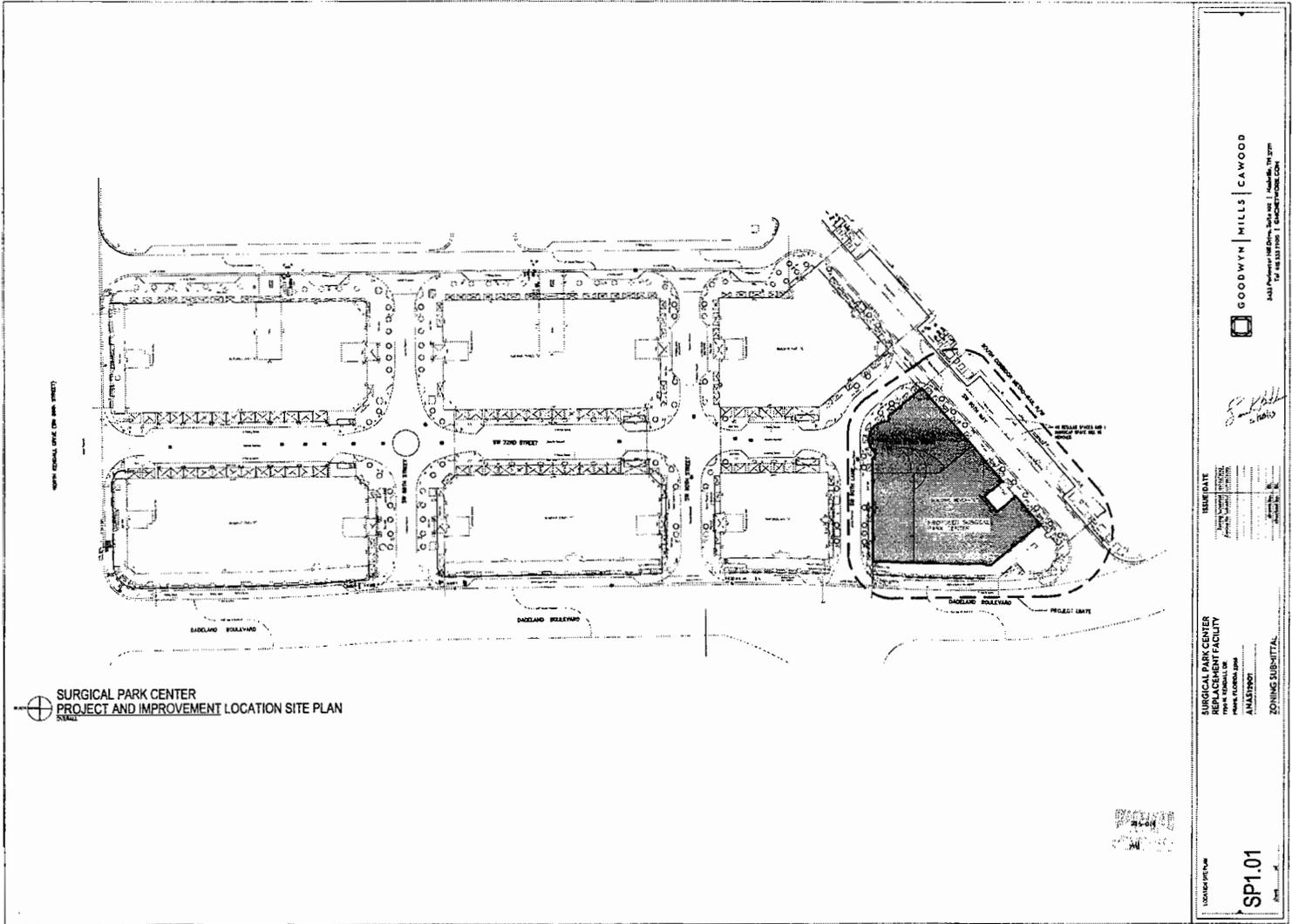


ZONING SUBMITTAL
 C.102

GOODWYN MILLS CAWOOD
 3433 Parkview 108 Drive, Suite 102 | Memphis, TN
 Tel: 901.333.7300 | GCMCT@GCMC.COM

RECEIVED
 2/3/13
 JUL 03 2013

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




SURGICAL PARK CENTER
PROJECT AND IMPROVEMENT LOCATION SITE PLAN
DATE

GOODWYN MILLS | CAWOOD
ARCHITECTURAL FIRM
11000 W. 11TH AVENUE, SUITE 1000, MIAMI, FL 33155

REVISION	DATE	DESCRIPTION

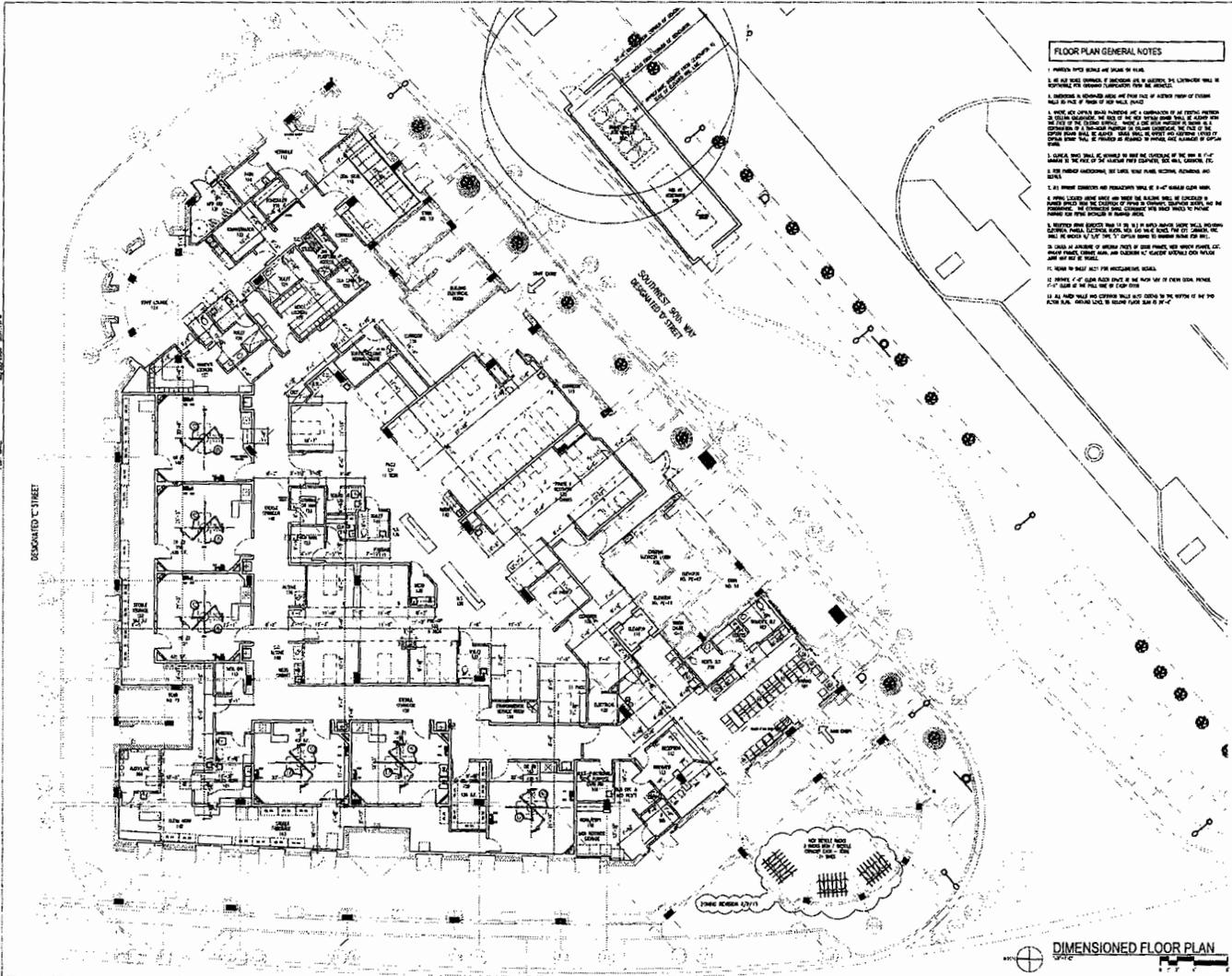
SURGICAL PARK CENTER
REPLACEMENT FACILITY
PROJECT NO. 13-00000000
DATE: 07/03/2013
ANALYST
ZONING SUBMITTAL

SPI.01
DATE

RECEIVED
 219-19
 JUL 03 2013

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

DATE: 08/19/2013
 TIME: 10:00 AM
 PROJECT: SURGICAL MARKETERS REPLACEMENT FACILITY
 SHEET: A1.01



- FLOOR PLAN GENERAL NOTES**
1. PARTS OF THIS FLOOR PLAN ARE SHOWN IN RED.
 2. ALL AREAS ARE TO BE DEMOLISHED EXCEPT WHERE SHOWN OTHERWISE.
 3. EXISTING AND PROPOSED WALLS AND PARTS OF EXISTING ROOMS OF EXISTING BUILDING TO REMAIN SHALL BE SHOWN IN BLACK.
 4. EXISTING AND PROPOSED WALLS AND PARTS OF EXISTING ROOMS OF EXISTING BUILDING TO BE DEMOLISHED SHALL BE SHOWN IN RED.
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 20. EXISTING AND PROPOSED WALLS AND PARTS OF EXISTING ROOMS OF EXISTING BUILDING TO BE DEMOLISHED SHALL BE SHOWN IN RED.

GOODWIN HILLS CAWOOD

3485 Pinecrest Hills Drive, Suite 1001 | Miami, FL 33133
 Tel: 305.444.1111 | Email: info@goodwinhills.com

DESIGN DATE:
 08/19/2013

DESIGNER:
 GOODWIN HILLS CAWOOD

PROJECT:
 SURGICAL MARKETERS REPLACEMENT FACILITY

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

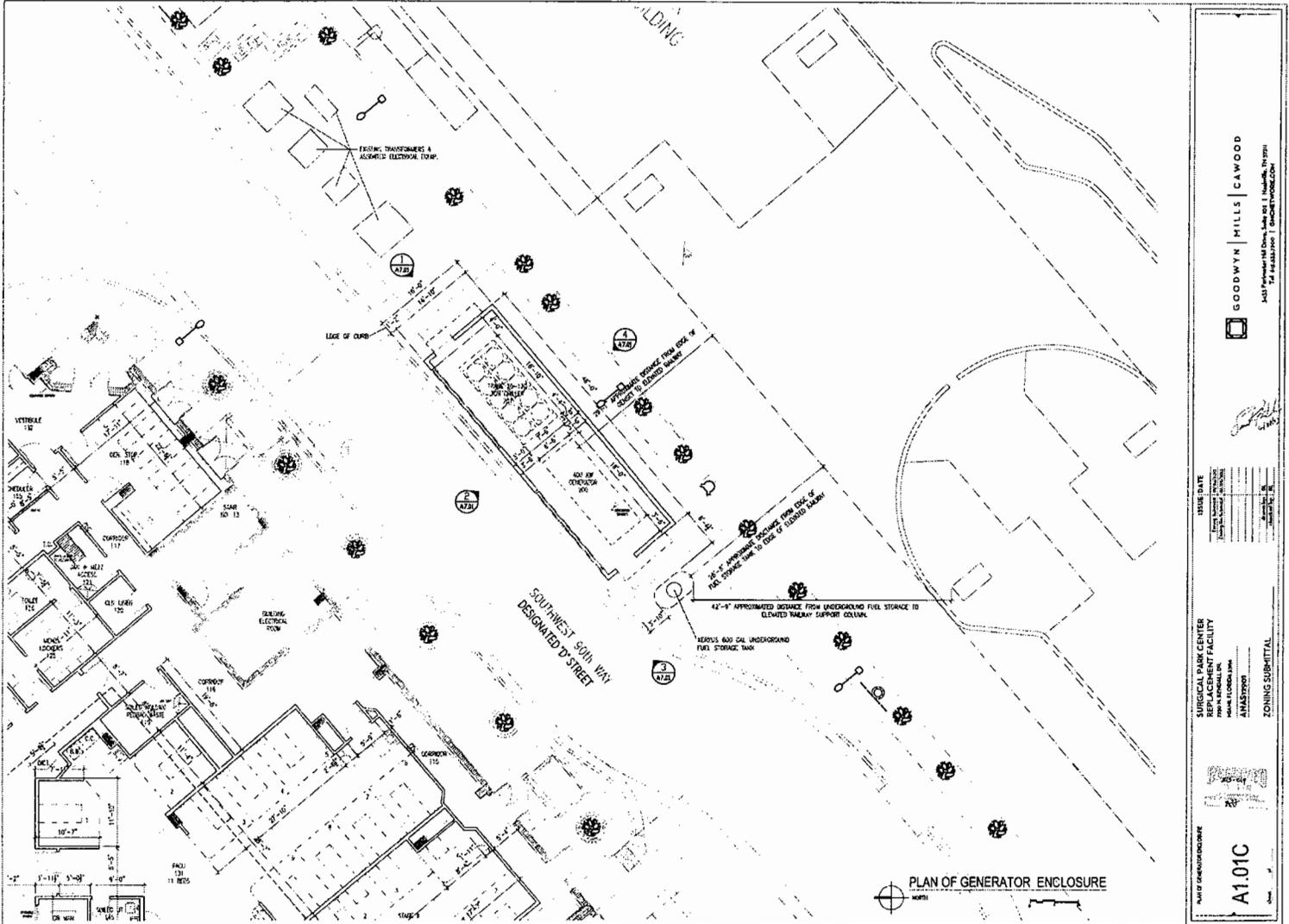
DATE:
 08/19/2013

BY:
 [Signature]

PROJECT NO.:
 13-001

SHEET NO.:
 A1.01

RECEIVED
 2319
 AUG 19 2013
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY _____



GOODWYN MILLS CAWOOD
 3435 Parkside Rd. Suite 101 | Northlake, TN 37151
 Tel: 615.441.1111 | Fax: 615.441.1112

ISSUE DATE: 07/03/2013

PROJECT: SURGICAL PARK CENTER REPLACEMENT FACILITY

DATE: 07/03/2013

BY: [Signature]

REVISIONS:

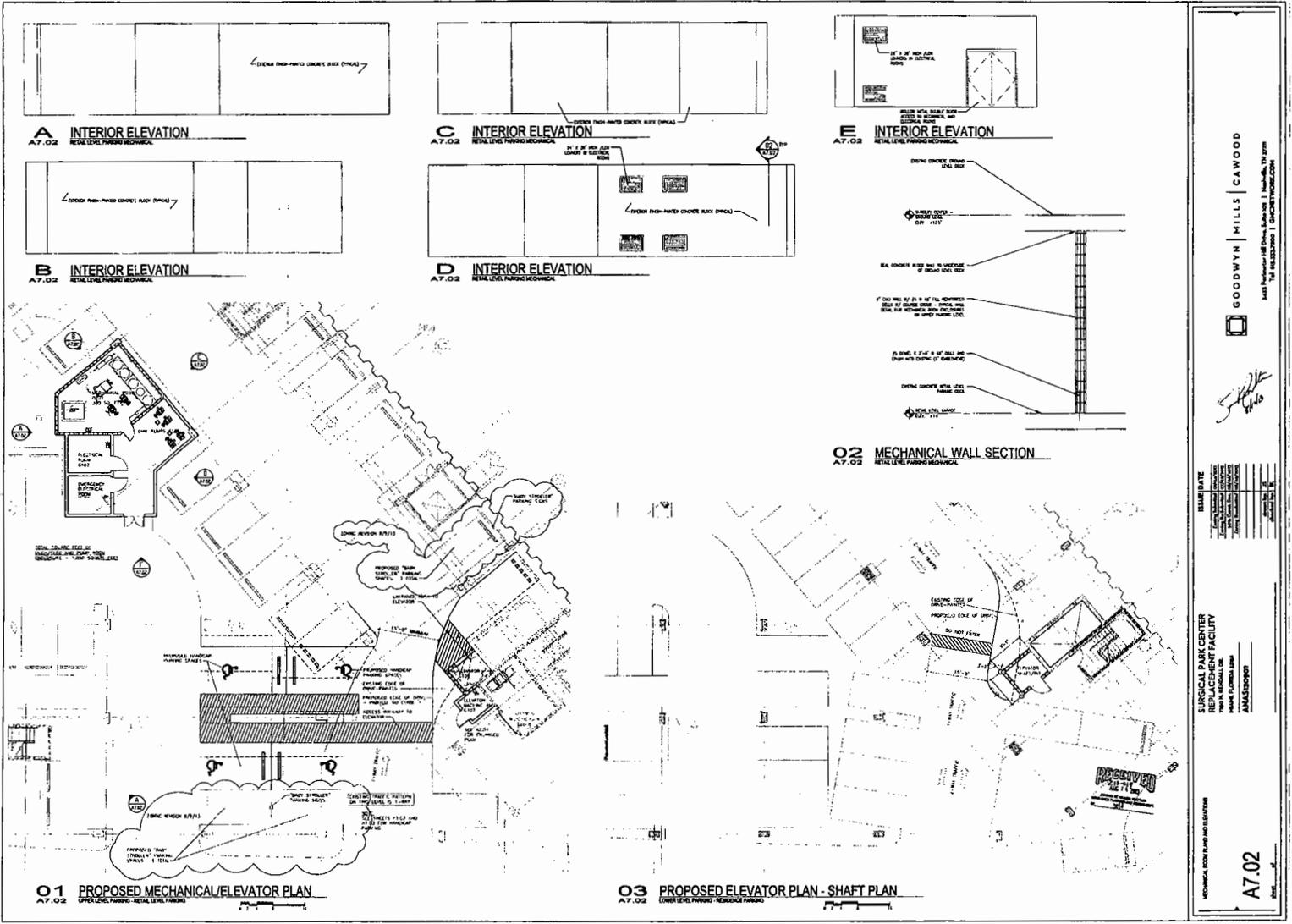
NO.	DATE	DESCRIPTION
1	07/03/2013	ISSUE FOR PERMIT

ZONING SUBMITTAL: A1.01C

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

RECEIVED
 21319
 JUL 03 2013

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



GOODWYN MILLS | CAWOOD
1400 Professional Drive, Suite 101 | Jacksonville, FL 32218
Tel: 904.333.2000 | GCMCNETWORK.COM

[Handwritten signature]

DATE	DESCRIPTION

SURGICAL PARK CENTER
SURGICAL CENTER
1700 S. FEDERAL AVE.
MIAMI, FLORIDA 33135
ANALYST/DESIGNER

MECHANICAL ROOM FLOOR AND ELEVATION
A7.02

RECEIVED
2/3/13

AUG 14 2013

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____



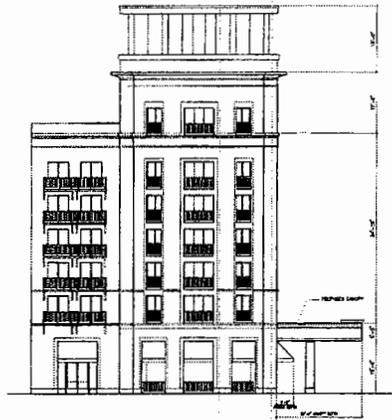
01 NORTH ELEVATION - EXISTING
AG-01B ELEVATION



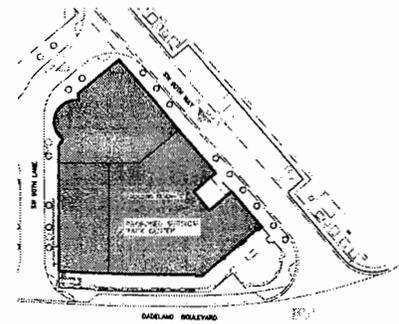
01 NORTH ELEVATION - PROPOSED
AG-01B ELEVATION



03 WEST ELEVATION - EXISTING
AG-01B ELEVATION



04 WEST ELEVATION - PROPOSED
AG-01B ELEVATION



KEY PLAN
AG-01B

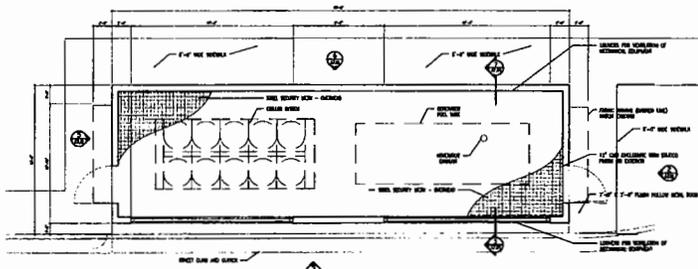
GOODWYN MILLS CAWOOD
1407 Ponce de Leon Blvd., Suite 200 | Miami, FL 33134
Tel: 305.358.1100 | GoodwynMills.com

Handwritten signature

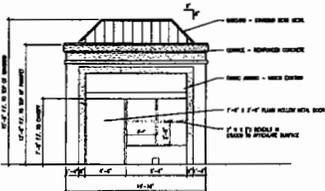
AG-01B
SURGICAL PARK CENTER
REPLACEMENT FACILITY
REVISIONS
DATE
BY
REVISIONS
DATE
BY
ZONING SUBMITTAL

RECEIVED
213-19
JUL 09 2013

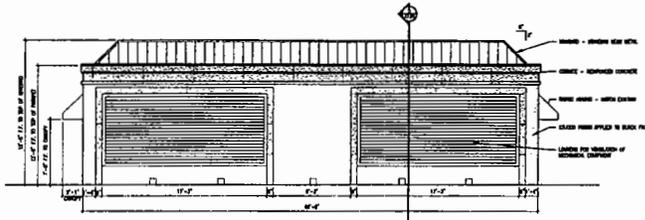
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____



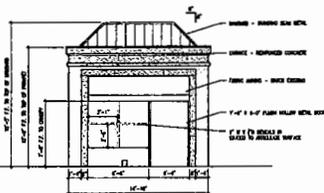
01 GENERATOR ENCLOSURE PLAN
A7-01



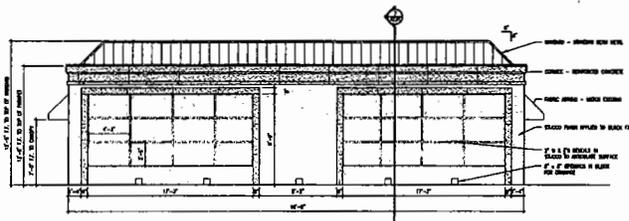
02 WEST ELEVATION
A7-01



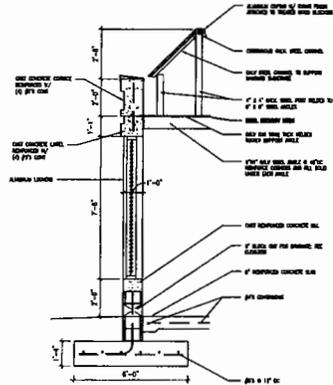
03 NORTH ELEVATION
A7-01



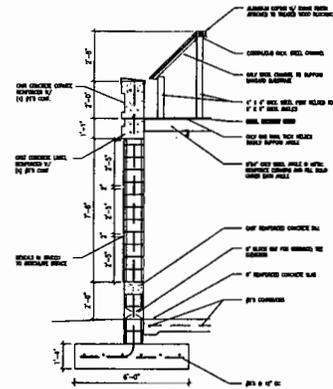
05 EAST ELEVATION
A7-01



06 SOUTH ELEVATION
A7-01



05 WALL SECTION
A7-01



07 WALL SECTION
A7-01

GOODWYN HILLS CAWOOD
3401 Parkway NE Drive, Suite 101 | Marietta, GA 30067
Tel: 404.875.9900 | www.gocah.com

John Cawood

DATE	
DESCRIPTION	
BY	
CHECKED	
APPROVED	

RECEIVED

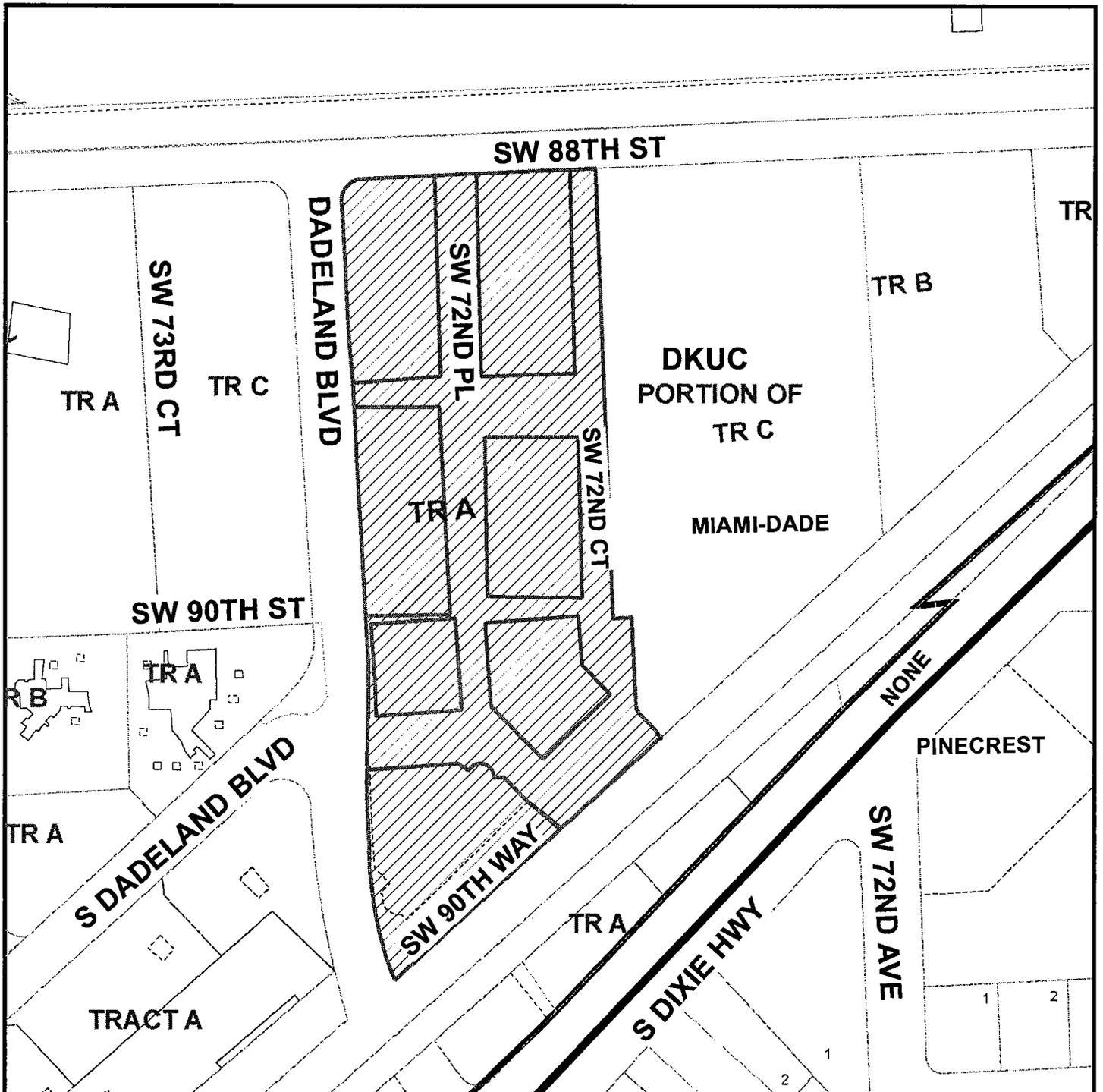
SURGICAL PARK CENTER
REPLACEMENT FACILITY
3401 PARKWAY NE
MARIETTA, GA 30067
A7-01

ZONING SUBMITTAL

A7.01

RECEIVED
213-10
JUL 03 2013

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



MIAMI-DADE COUNTY
HEARING MAP

Process Number

Z2013000019

Section: 02 Township: 55 Range: 40
 Applicant: DOWNTOWN DADELAND RETAIL, LLC
 Zoning Board: C12
 Commission District: 7
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

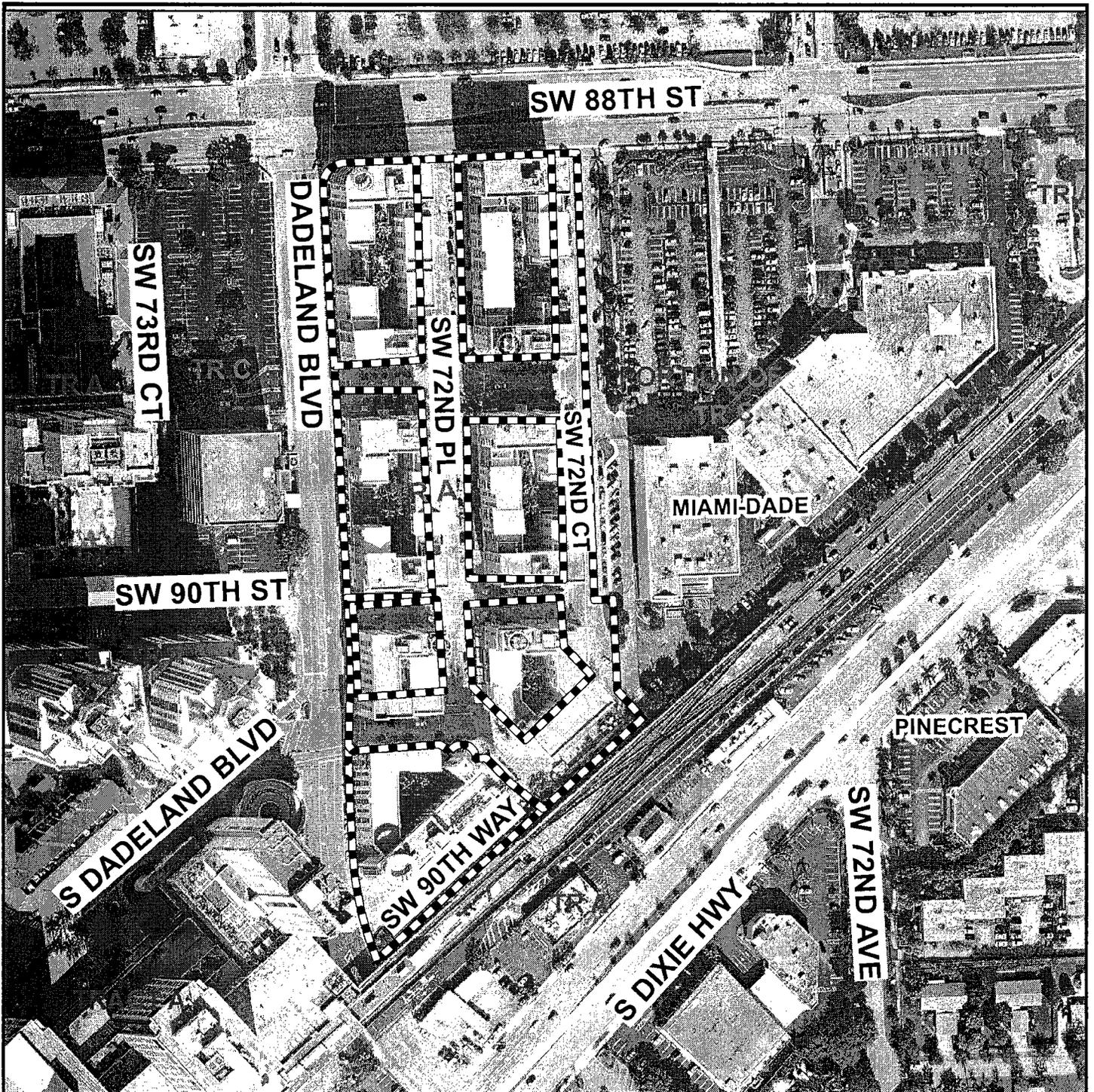
Legend

 Subject Property Case



SKETCH CREATED ON: Tuesday, July 30, 2013

REVISION	DATE	BY
		39



MIAMI-DADE COUNTY
 AERIAL YEAR 2012

Process Number

Z2013000019



Section: 02 Township: 55 Range: 40
 Applicant: DOWNTOWN DADELAND RETAIL, LLC
 Zoning Board: C12
 Commission District: 7
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

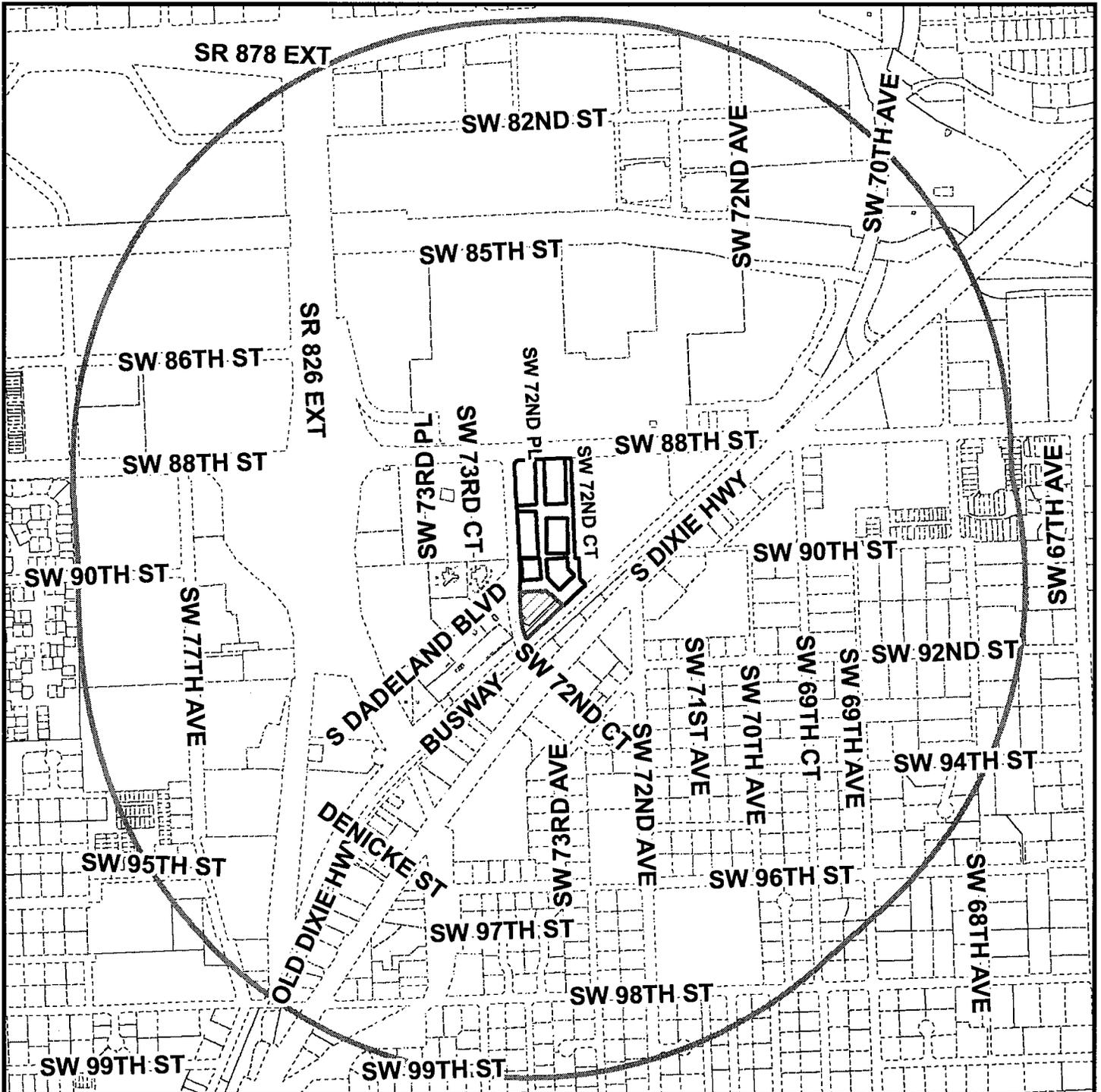
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 Subject Property



SKETCH CREATED ON: Tuesday, July 30, 2013

REVISION	DATE	BY
		40



MIAMI-DADE COUNTY
RADIUS MAP

Process Number

Z2013000019

RADIUS: 2640

Section: 02 Township: 55 Range: 40
 Applicant: DOWNTOWN DADELAND RETAIL, LLC
 Zoning Board: C12
 Commission District: 7
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Tuesday, March 12, 2013

REVISION	DATE	BY
		41

SW 88TH ST

BUSINESS AND OFFICE

SW 73RD CT

DADELAND BLVD

SW 72ND PL

SW 72ND CT

SW 89TH ST

MIAMI-DADE

SW 90TH ST

SW 73RD CT

SW 90TH LN

SW 90TH WAY

TRANSPORTATION

S DADELAND BLVD

S DIXIE HWY

PINECREST

MIAMI-DADE COUNTY

Process Number

CDMP MAP

Z2013000019



Section: 02 Township: 55 Range: 40
Applicant: DOWNTOWN DADELAND RETAIL, LLC
Zoning Board: C12
Commission District: 7
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Tuesday, March 12, 2013

REVISION	DATE	BY

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

PH: Z13-032(13-10-CZ12-2)

October 8, 2013

Item No. 2

Recommendation Summary	
Commission District	10
Applicant	WRC Properties, Inc.
Summary of Requests	The applicant is seeking to modify a condition of a previously approved resolution, in order to establish a liquor package store within a restaurant spaced less than required from other alcoholic beverage establishments. Further, the applicant is seeking to permit tenants with additional wall signs and projecting signs as well as wall signs located on other buildings within the shopping center.
Location	Northwest corner of SW 88 Street and SW 117 Avenue, Miami-Dade County, Florida.
Property Size	87 acres
Existing Zoning	BU-2
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 Section 33-311(A)(7) Generalized Modification Standards (see attached Zoning Recommendation Addendum)
Recommendation	Approval with conditions

REQUESTS:

- (1) SPECIAL EXCEPTION to permit a liquor package store in conjunction with a restaurant spaced less than the required 1500' from other legally established alcoholic beverage uses.
- (2) Modification of Condition #2 of Resolution CZAB12-23-08, last modified by Resolution CZAB 12-18-11, passed and adopted by Community Zoning Appeals Board # 12, reading as follows:

From: "2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled "Town & Country Village" as prepared by Tom Graboski Assoc., and Specific Purpose Sketch" as prepared by Schwebke, Shiskin & Assoc., dated stamped received 6/18/08 and consisting of 15 sheets as supplemented by plans entitled "The Palms at Town & Country" as prepared by Tom Graboski Assoc. Inc., 7 sheets dated stamped received 7/6/11 and 5 sheets dated stamped received 3/9/11 for a total of 12 sheets, and "Specific Purpose Survey" as prepared by Schwebke, Shiskin & Assoc., dated stamped received 8/17/11."

To: "2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled "Town & Country Village" as prepared by Tom Graboski Associates and "Specific Purpose Sketch" as prepared by

Schwebke, Shiskin & Associates, dated stamped received 6/18/08 and consisting of 15 sheets as supplemented by plans entitled "The Palms at Town & Country" as prepared by Tom Graboski Associates, Inc., 7 sheets dated stamped received 7/6/11 and 5 sheets dated stamped received 3/9/11 for a total of 12 sheets, "Specific Purpose Survey" as prepared by Schwebke, Shiskin & Associates, dated stamped received 8/17/11, as supplemented by plans entitled "The Palms at Town & Country" as prepared by Tom Graboski Associates, dated stamped received 6/6/13 consisting of 5 sheets, entitled "Devon Seafood & Steak" as prepared by Luminous Neon, Inc., dated stamped received 6/6/13 and consisting of 2 sheets, entitled "The Palms Town & Country-Site Plan" as prepared by Jones Lang LaSalle dated stamped received 6/6/13 and consisting of 1 sheets, for a total of 8 sheets, a "Specific Purpose Survey" as prepared by Schwebke, Shiskin & Associates dated stamped received 6/6/13."

The purpose of request #2 is to permit the applicant to submit revised plans showing new liquor package store in connection with a restaurant and to show additional signage including a projecting sign for an individual tenant, a third wall sign for an individual tenant and multiple tenant signs not erected on building where the tenants are located.

- (3) NON USE VARIANCE to permit a tenant with 3 signs (2 wall signs permitted per tenant) and to permit the 3rd sign as a 28 sq. ft. projecting sign (projecting signs not permitted).
- (4) NON USE VARIANCE to permit another tenant with 3 wall signs (2 wall signs permitted per tenant).
- (5) NON USE VARIANCE to permit 4 tenants with point of sale signs located on different walls than where the premises on which the tenants are located (wall signs to be located on the same premises where the tenant is located)

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 AND HISTORY:

The subject site is an existing 87-acre, pedestrian friendly, multi-tenant shopping center with buildings flanking plazas, parking areas and a lake. Staff notes that the subject property has received prior approvals for variances to the spacing requirements for liquor package store uses, as well as variances to the sign regulations for the BU-2, Special Business District regulations at various stages of development of the shopping center.

The applicant now seeks to modify the previously approved plans in order to permit tenants within the shopping center with additional wall signage and signs on other buildings from which they are located. In addition, the applicant seeks to permit additional alcoholic beverage uses within the shopping center.

NEIGHBORHOOD CHARACTERISTICS		
	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 make it easier for patrons to navigate through the shopping center to their desired destination and along with the other shopping choices within the shopping center, provide convenient alcohol sale. Additionally the tenants will benefit from the visibility of their signs within the subject property. However, the additional signs could result in visual clutter and have a negative visual impact on the surrounding area.

CDMP ANALYSIS:

The subject property is designated as **Business and Office** on the Adopted 2015-2025 Land Use Plan (LUP) map. This Business and Office category accommodates the full range of sales and service activities, including retail. Additionally, the shopping center is located within a designated **Metropolitan Urban Center**. The CDMP Land Use Element interpretative text states that *Metropolitan Centers shall accommodate a concentration and variety of uses and activities which will attract large numbers of both residents and visitors.* As previously noted the subject property has also obtained approvals for similar liquor package store uses and spacing variances within the shopping center. The approval of the requests sought in this application will permit the applicant to establish a liquor package store within a restaurant spaced less than required from another lawfully established alcoholic beverage establishment in an existing shopping center. The proposed liquor package store if approved is **consistent** with the retail uses permitted in areas designated Business and Office and Metropolitan Urban Center on the Comprehensive Development Master Plan (CDMP) LUP map.

Additionally, the applicant is requesting to permit an additional directional signage, detached tenant signs and wall signs. Metropolitan Urban Centers are designed to accommodate a concentration and variety of uses and activities, therefore staff opines that the additional signage will allow passersby to locate and arrive at their destination within this shopping center faster and will cut down on driver distractions. In staff's opinion, the proposed signage requests will improve safety and comfort, as well as vehicular movement on the subject site. 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 liquor package store within a restaurant spaced less than required from other lawfully established alcohol establishments, under Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses And New Uses, staff opines that approval of the request would be **compatible** with the surrounding area and the commercial, retail and entertainment uses already existing within the shopping center. Based on the memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER), the approval of the application will not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. Said memorandum also indicates that this application meets traffic concurrency criteria for an Initial Development Order. Further, based on memoranda from the departments reviewing the application, among which are, the Division of Environmental Resource Management (DERM) of the Department of Regulatory and Economic Resources (RER), the Miami-Dade Fire Rescue and Miami-Dade Police Departments along with the Public Works and Waste Management Department, staff opines that approval of this request would not result in excessive noise, or cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads or highways, nor provoke excessive overcrowding and concentration of people, 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.

Staff notes that pursuant to Resolution #CZAB12-18-11, another liquor package store was approved within this shopping center spaced less than required from other lawfully established alcoholic beverage establishments. The liquor survey submitted by the applicant indicates that apart from the aforementioned liquor package store, there are seven (7) lawfully established alcoholic beverage establishments located within the subject shopping center. Of the seven (7) establishments only two (2) are full liquor restaurants and/or bars, one (1) restaurant only sells beer and the remaining establishments sell beer and wine, which include two (2) retail establishments and two (2) restaurants. The nearest full liquor package store is located at 12180 SW 88 Street which is approximately 2,500' to the southwest, west of the Turnpike from the subject property.

In staff's opinion, the proposed encroachment into the 1,500' spacing requirement is **compatible** with the surrounding 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 request #2, 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 of this request would be **compatible** with the surrounding area. Staff notes that pursuant to Resolution CZAB12-23-08, last modified by Resolution #CZAB12-18-11, the applicant was approved for multiple variances to the sign regulations inclusive of which were, the use of projecting signs in lieu of wall signs for individual tenants, 27 additional Class B, Class C or directional signs for a total of 47 Class B, Class C or directional signs, six (6) light

tree directional signs with greater area than permitted, three (3) wall mounted directional signs and five (5) additional detached signs larger than permitted for a total of 10 detached signs. The plans submitted in conjunction with this application will supplement the previously approved signs. Staff notes that approval of this application will allow the applicant to submit plans that include the previously approved signs as well as those being requested with this application.

The plans submitted with this application will permit two (2) tenants with a third sign, one of which is a projecting sign, and will permit four (4) tenants with point of sale signs located on different walls than where the tenants are located within the shopping center. Staff opines that the variances will ease the navigation of patrons throughout the pedestrian oriented shopping center. Staff opines that the plans submitted with this application and those previously approved will allow the applicant to provide a comprehensive signage package for the shopping center. Additionally, staff notes that the requested signage is similar to what would be allowed by right if the shopping center were enclosed by a roof because the internal signage within an enclosed mall is not regulated by the Zoning Code.

Staff notes that approval of request #2 is contingent upon the approval of the non-use variances listed as requests #3 - #5. Staff opines that the approval of the applicant's request would not have a negative visual or impact on the surrounding area and therefore, would be **compatible** with the area concerned, when considering the necessity and reasonableness of the modifications or in relation to the present and future development of the area. **Therefore, staff recommends approval of request #3 under Section 33-311(A)(7) Generalized Modification Standards.**

When requests #3 through #5 are analyzed under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations, staff opines that approval of the requests to permit additional signage at the subject property would be **compatible** with the area. In staff's opinion the proposed signage package for the shopping center 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. Staff notes that the proposed signage will be located in a development that is bounded by major transportation corridors such as the Florida Turnpike to the west, SW 117 Avenue to the east and SW 88 Street to the south, which will serve to buffer any negative visual impact generated by the proposed signage from the immediate area. Additionally, as previously mentioned the proposed additional signage will facilitate the smooth movement of patrons within the 87-acre shopping center and identify products sold by various retailers on the subject property. The proposed Class C signs will be used to advertise any business, activity or products that are not carried on the premises.

The shopping center is pedestrian oriented and the additional proposed point of sale/projection signage will be oriented so that patrons are able locate and arrive at their desired destination within this shopping center faster. The proposed projecting tenant signs will also assist patrons in locating destinations as the signs will be visible from the pedestrian path. Staff notes that the proposed signage will not be visible from the adjoining roadways that surround the subject property because based on site plan submitted signs would be internally oriented. Staff opines that the proposed signage is not excessive given the size of the subject property and the placement of the signs internally on the site would be **compatible** with the surrounding area and in keeping with the large retail and office component of the subject property. **As such, staff recommends approval with conditions of requests #3 through #5 under the 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 all the conditions of Resolution #CZAB12-23-08 and Resolution #CZAB 12-18-11 remain in full force and effect, except as herein modified.
2. That the applicant obtain a Certificate of Use for the proposed liquor package store within the restaurant 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.

ES:MW:NN:AN:CH



NDN

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

ZONING RECOMMENDATION ADDENDUM

WRC Properties, Inc.
Z13-032

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

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

<p>Business and Office (Pg. I-41)</p>	<p><i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Business and Office. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.</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 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.</i></p>

ZONING RECOMMENDATION ADDENDUM

WRC Properties, Inc.
Z13-032

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. 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.

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.*

Streets and Public Spaces. *Urban Centers shall be developed in an urban form with a street system having open, accessible and continuous qualities of the surrounding grid system, with variation, to create community focal points and termination of vistas. The street system should have frequent connections with surrounding streets and create blocks sized and shaped to facilitate incremental building over time, buildings fronting on streets and pedestrian pathways, and squares, parks and plazas defined by the buildings around them. The street system shall be planned and designed to create public space that knits the site into the surrounding urban fabric, connecting streets and creating rational, efficient pedestrian linkages. Streets shall be designed for pedestrian mobility, interest, safety and comfort as well as vehicular mobility. The size of blocks and network of streets and pedestrian access ways shall be designed so that walking routes through the center and between destinations in the center are direct, and distances are short. Emphasis shall be placed on sidewalks, with width and street-edge landscaping increased where necessary to accommodate pedestrian volumes or to enhance safety or comfort of pedestrians on sidewalks along any high-speed roadways. Crosswalks will be provided, and all multi-lane roadways shall be fitted with protected pedestrian refuges in the center median at all significant pedestrian crossings. In addition, streets shall be provided with desirable street furniture including benches, light fixtures and bus shelters. Open spaces such as public squares and greens shall be established in urban centers to provide visual orientation and a focus of social activity. They should be located next to public streets, residential areas, and commercial uses, and should be established in these places during development and redevelopment of streets and large parcels, particularly parcels 10 acres or larger. The percentage of site area for public open spaces, including squares, greens and pedestrian promenades, shall be a minimum of 15 percent of gross development area. This public area provided outdoor, at grade will be counted toward satisfaction of requirements for other common open space. Some or all of this required open space may be provided off-site but elsewhere within the subject urban center to the extent that it would better serve the quality and functionality of the center.*

ZONING RECOMMENDATION ADDENDUM

WRC Properties, Inc.
Z13-032

	<p>Buildings. 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.</p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Section 33-311(A)(3) Special Exception, Unusual and New Uses</p>	<p><i>Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided 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 which are planned and budgeted for construction, are accessible by private or public 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 and its development.</i></p>
<p>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>
<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, 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>

2. WRC PROPERTIES LLC
(Applicant)

13-10-CZ12-2 (13-032)
Area 12/District 10
Hearing Date: 10/08/13

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>
2008	WRC Properties, Inc.	- Multiple Non-Use Variance's for signage.	C12	Approved with Condition(s)
2011	WRC Properties, Inc.	- Special Exception for spacing requirements for a liquor package store. - Modification of a condition of previous Resolution. - Multiple Non-Use Variance's for signage.	C12	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.

Date: April 25, 2013
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources



Subject: C-12 #Z2013000032
WRC Properties, LLC., a Delaware limited liability company
11800 Sherri Lane, Miami, Florida.
Modification of Condition of a previous Resolution passed and
adopted by Community Zoning Appeals Board #12; Special
Exception to permit the sales of alcoholic beverages spaced less
than required from the other liquor establishments; and Non-Use
Variance to permit additional signs to the property.
(BU-2) (87.0 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 meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

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

Concurrency Review Summary

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

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

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

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

cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: May 17, 2013

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

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

Subject: Z2013000032
Name: WRC Properties, LLC
Location: Northwest Corner of SW 117 Avenue and SW 88 Street
Section 36 Township 54 South Range 39 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Tracts A, B, C, D, E and F of Plat Book 125, Page 45.

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

Memorandum



Date: May 31, 2013

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

From:  Christopher Rose
Assistant Director, Administration
Public Works and Waste Management Department

Subject: #13_032 WRC Properties, LLC

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

The applicant requests a non-use variance of sign requirements and a special exception from liquor spacing requirements in connection with the operation of a shopping center on the property. Enhancements in connection to the shopping center on the property will likely be considered development for a commercial unit per Chapter 15 of the County Code. As the PWWM does not actively compete for commercial waste collection service at this time, waste collection services may be provided by a private waste hauler. The application will have no impact or any associated costs.

The PWWM does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste. The PWWM is in compliance with this standard, meaning that there is adequate disposal capacity to meet projected growth in demand, inclusive of the application reviewed here, which is not anticipated to have a negative impact on disposal service.

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

Memorandum



Date: April 24, 2013

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

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

Subject: Z2013000032: WRC PROPERTIES LLC

Application Name: WRC PROPERTIES LLC

Project Location: The site is located at NWC OF SW 117 AVE/88 ST, Miami-Dade County.

Proposed Development: The request is approval for a special exception for spacing requirements for sale of alcoholic beverages for consumption off-site. Non-use variance for signs is also part of the application.

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, Parks Property Management Supervisor

Memorandum



Date: 25-APR-13
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2013000032

Fire Prevention Unit:

Not applicable to MDRF site requirements.

Service Impact/Demand

Development for the above Z2013000032
located at *NWC OF SW 117 AVE/88 ST, 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: 5:21 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 60' Aerial

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: 05-JUN-13

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

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

WRC PROPERTIES LLC

*NWC OF SW 117 AVE/88 ST,
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2013000032

HEARING NUMBER

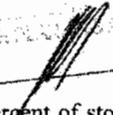
HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. BNC: BSS case A2012002686-X opened on May 11, 2012. Notice of Violation issued for expired permit 2011039355. Violation corrected and case closed on August 21, 2012. BSS case A20120002714-X opened on May 11, 2012. Notice of Violation issued for expired permit 2011039356. Violation corrected and case closed on August 21, 2012.

WRC Properties LLC

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

REPORTER NAME:

RECORDED
 213-058
 MIAMI-DADE COUNTY DEPARTMENT OF
 BY: 

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: W R C Properties, LLC., a Delaware limited liability company

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

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

TRUST/ESTATE NAME: N/A

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

NAME AND ADDRESS	Percentage of Ownership

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

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

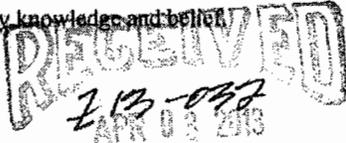
N/A

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

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

W R C Properties, LLC., a Delaware limited liability company

By: [Signature]
Ileana Mendez, Assistant Secretary



ZONING HEARING SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

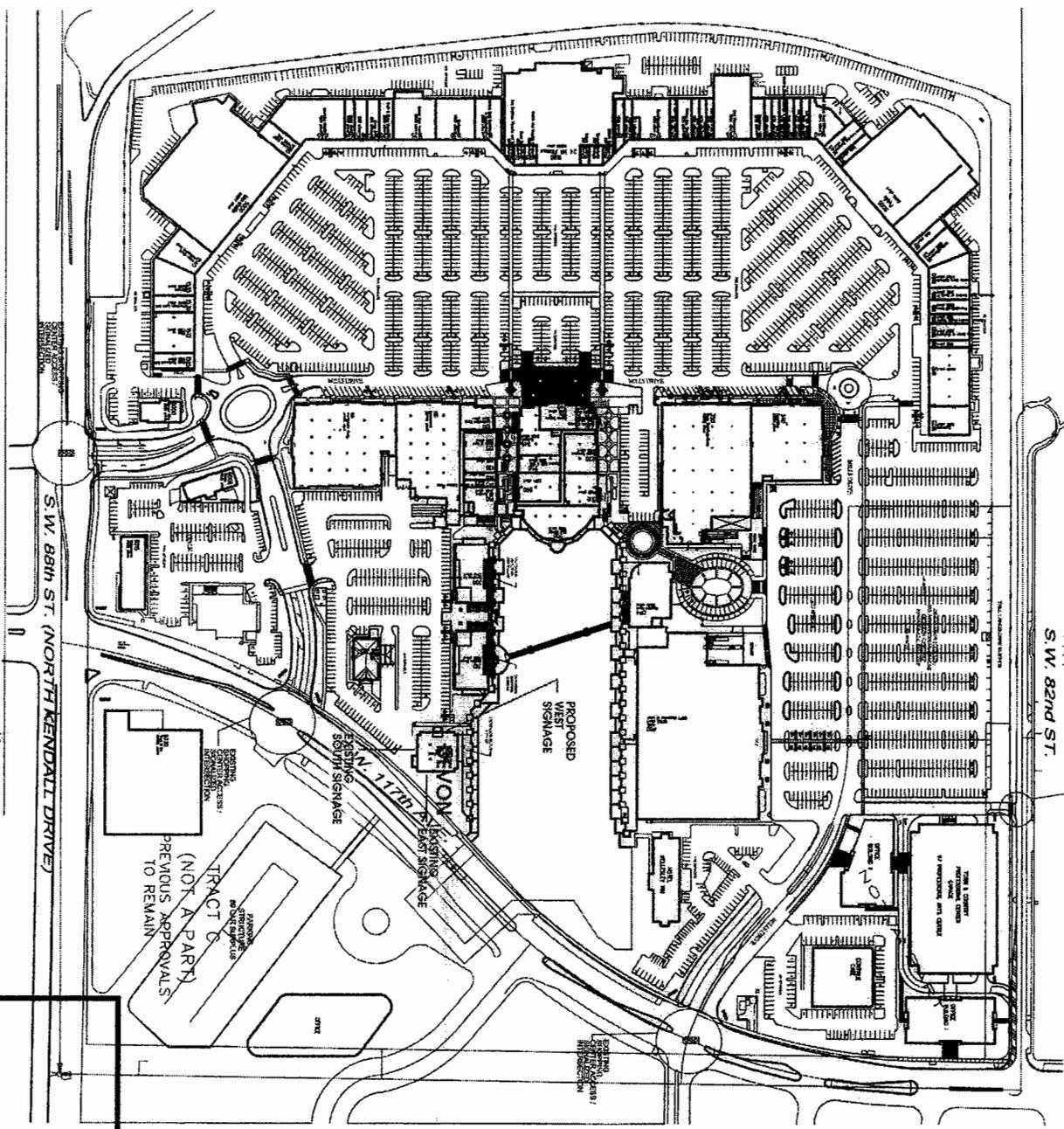
Sworn to and subscribed before me this 22nd day of MARCH, 2013. Affiant is personally known to me or has produced _____ as identification.

[Signature]
(Notary Public)

LORETTA M. MONAHAN
Notary Public, State of New York
Registration #01MO6001475
Qualified In Bronx County
Commission Expires Jan. 12, 2014

My commission expires 1/12/2014

*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.



<p>THE PALMS TOWN & COUNTRY 4615 SW 17th Court, Miami, FL</p>		<p>JONES LANG LASALLE 3344 Peachtree Road, N.E. Suite 1200 Atlanta, Georgia 30326</p>
<p>SITE PLAN</p>		
<p>REVISION ONE 04/03/2013</p>		<p>04/03/2013</p>

RECEIVED
2/3/03
JUN 06 2013
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

Key to Sign Types

**Existing/Proposed Signs Already Permitted/
Already Received Variances**

- PROPOSED TIGHT TREE-KNOCK (THREE-SIDED KNOCK WITH TREE)
- THREE SIDED KNOCK
- TWO SIDED KNOCK
- PROJECTING SIGNS (45 MAX POTENTIAL INCLUDING BLUE MARTINI)
- WALL-MOUNTED DIRECTIONAL SIGN
- FREE-STANDING DIRECTIONAL SIGN (PER SIGN/TENANT)

Locations Requiring Variances

- MAIN ID SIGN
- SECONDARY ID SIGN
- BLADE SIGN
- MAIN ID SIGNS ALLOWED PER CODE
- DEVELOPER'S CHOICE VARIANCE
- BLADE SIGN
- PROJECTING SIGN
- WALL-MOUNTED DIRECTIONAL SIGN
- FREE-STANDING DIRECTIONAL SIGN
- DEVELOPER'S CHOICE VARIANCE
- EXISTING BLUE MARTINI PROJECTING SIGN
- MULTIPLE TENANT SIGNS REQUIRE NEW VARIANCE
- ENTRY MONUMENT (WITH VARIANCE)
- MAJOR Pylon SIGN
- SECONDARY ID SIGN (REQUIRES NEW VARIANCE)
- MAIN ID SIGNS ALLOWED PER CODE
- SECOND ENTRY MONUMENT @ EACH ENTRANCE (WITH VARIANCE)
- MULTI-TENANT ENTRY MONUMENT (WITH VARIANCE)

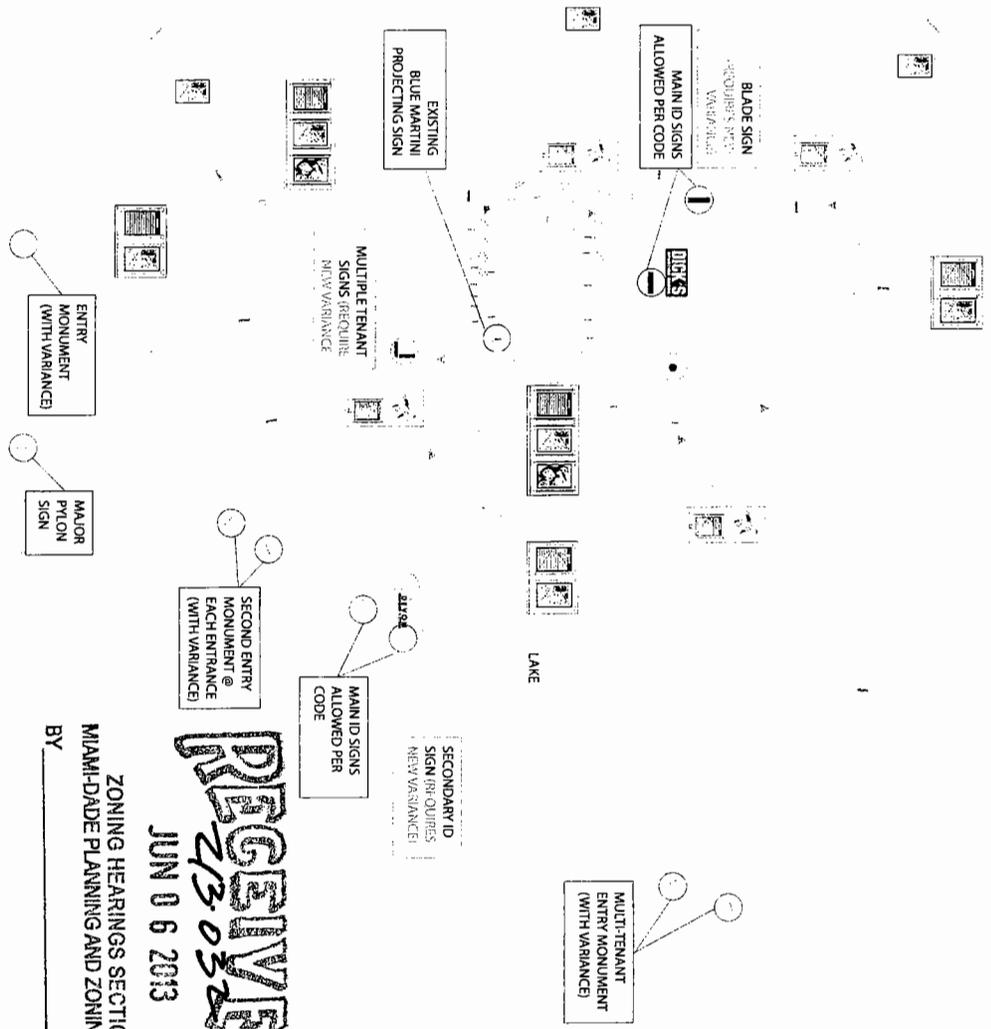


KEY:
See Drawing

NTS
Scale
1.05.21.13 vfm
Issues & Revisions:

Master Signage Site Plan
description:

sheet no: **00**



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2/3.03
JUN 06 2013

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



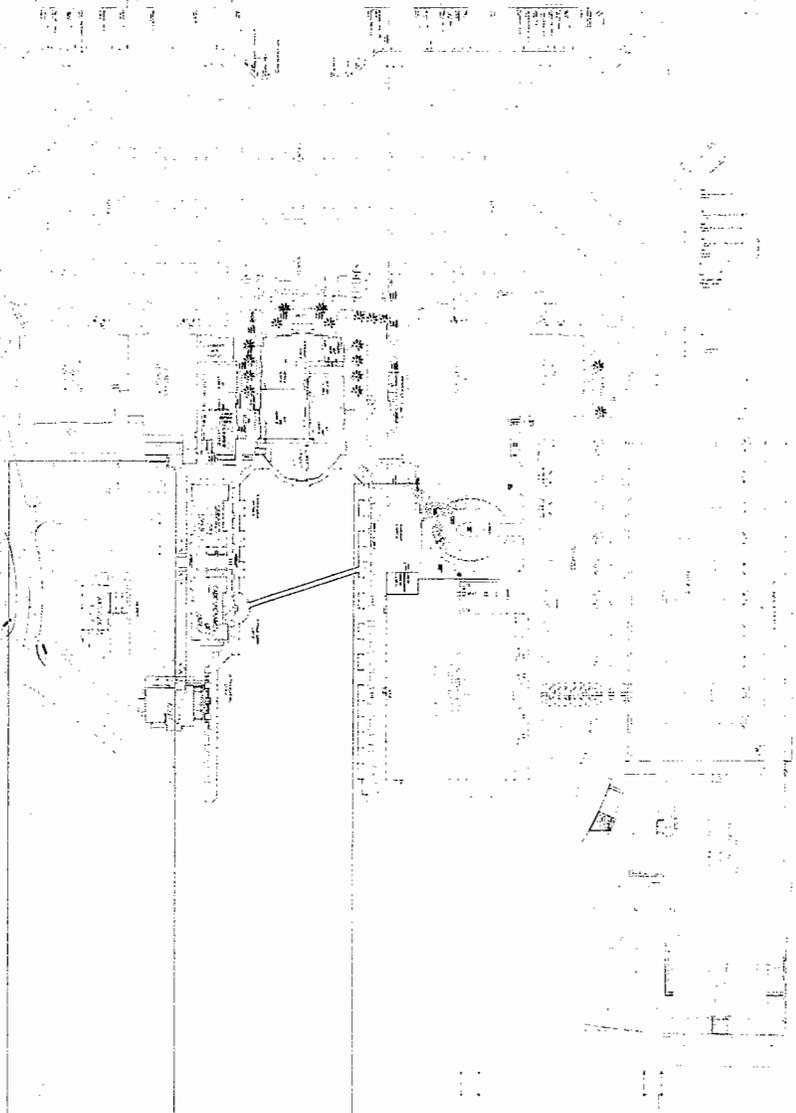
Drwg 4-A
MAX SIGN AREA = 293 SQ FT

Drwg 4-B
MAX SIGN AREA = 200 SQ FT

KEY:
Permitted Signs
Proposed Signs
MS
Scale
1:02.15.13 vhm
Issues & revisions:

ZONING HEARINGS SECTION
Site PHOENIX-DADE PLANNING AND ZONING DEPT.
description: BY
01
Sheet no:

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JUN 06 2013
2/5:05



Proposed
Blade Sign
Drwg 4-C
MAX SIGN AREA = 28 SQ FT

Proposed
Multiple Tenant Sign
East Elevation
(3 Tenant Names)
Drwg 3-B
MAX SIGN AREA = 145 SQ FT

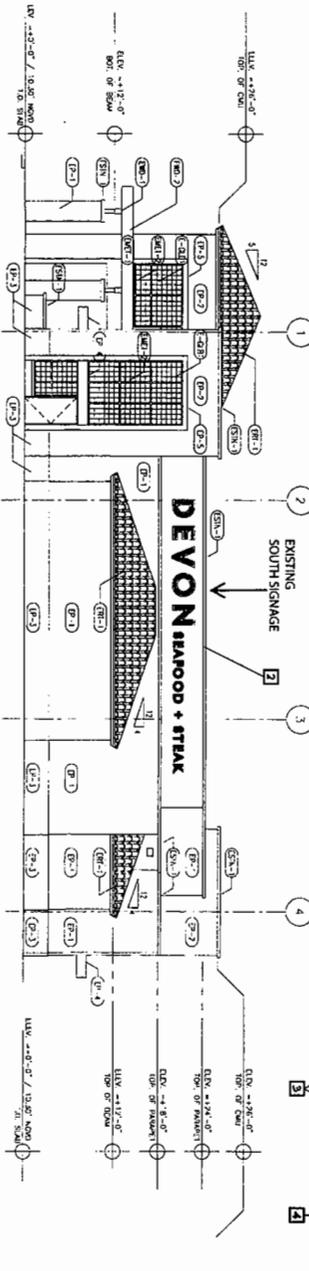
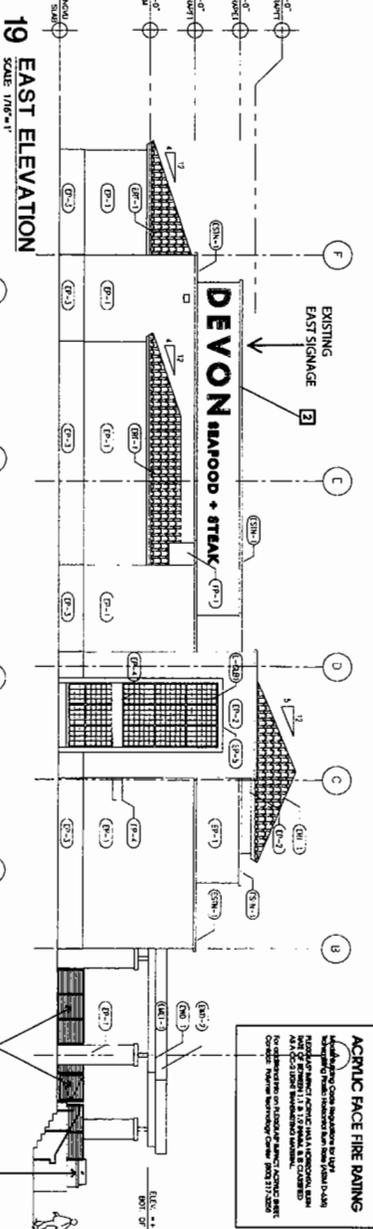
Proposed
Multiple Tenant Sign
11 Tenant Name
South Elevation
Drwg 3-A
MAX SIGN AREA: 36 SQ FT

ELECTRIC SIGN SECTION
 LISTED SECTION
 No. HM 411524
SECTION 1 OF 2D

ELECTRIC SIGN SECTION
 LISTED SECTION
 No. HM 411543
SECTION 2 OF 2D

ELECTRIC SIGN SECTION
 LISTED SECTION
 No. HM 411544
SECTION 1 OF 2D

ELECTRIC SIGN SECTION
 LISTED SECTION
 No. HM 411563
SECTION 2 OF 2D



DEVON SEAFOOD + STEAK

16'-9 3/4" 36'-11 1/2" 19'-1/2"

3'-0" 2'-7 5/8"

4" MOUNTING HOLES

3/4" POWER HOLES

DEVON SEAFOOD + STEAK

4" MOUNTING HOLES

3/4" POWER HOLES

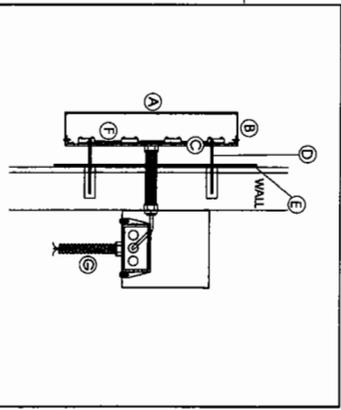
NOTE: POWER HOLE & MOUNTING HOLE PLACEMENT

ACRYLIC FACE FIRE RATING

ACRYLIC FACE FIRE RATING: 1/2" THICK CLEAR ACRYLIC FACE WITH 1/2" THICK POLYCARBONATE BACK. ALL OTHERS ARE TO BE 1/2" THICK CLEAR ACRYLIC FACE WITH 1/2" THICK POLYCARBONATE BACK. ALL OTHERS ARE TO BE 1/2" THICK CLEAR ACRYLIC FACE WITH 1/2" THICK POLYCARBONATE BACK. ALL OTHERS ARE TO BE 1/2" THICK CLEAR ACRYLIC FACE WITH 1/2" THICK POLYCARBONATE BACK.

ELECTRICAL INFO

ALL SIGNAGE AND ELECTRICAL TO COMPLY WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70B. ALL ELECTRICAL WORK SHALL BE IN ACCORDANCE WITH THE 2011 NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70B. ALL ELECTRICAL WORK SHALL BE IN ACCORDANCE WITH THE 2011 NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70B.



REGREIVED

2/30/12

JUN 06 2013

REGREIVED

ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY _____
 6/6-2012

EAST AND SOUTH SIGNAGE IDENTICAL
 75.81 SQ FT TOTAL PER ELEVATION
DEVON SEAFOOD + STEAK
 50.43 SQ FT
 25.38 SQ FT

SPECIFICATIONS:

- MANUFACTURE AND INSTALL (2) SETS OF HALO LIT REVERSE CHANNEL LETTERS READING "DEVON SEAFOOD + STEAK"
- ALUMINUM LETTERS PAINTED BLACK. PIN MOUNT OFF BACKGROUND 1 1/2" ILLUMINATES WITH WHITE LEADS.
- MOUNTED TO INDIVIDUAL FLAT CUT OUT LETTER BACKGROUNDS PAINTED WHITE
- 4.5 AMPS PER DISPLAY. 120V 120VDC REMOTE LED POWER SUPPLIES

LAND OWNER CONTACT INFORMATION:

JR HERNADEZ
 SENIOR CONSTRUCTION MANAGER
 THE PALMS AT TOWN AND COUNTRY
 8268 MILLS DRIVE, MIAMI, FL 33183
 JONES LANG LASALLE AMERICAS, INC.
 TEL: 305-274-7982 EXT 303
 CELL: 305-213-2874
 JR.hernandez@cmj.jll.com

ARCHITECT:

JON STALEY
 STEVEN LANGFORD ARCHITECTS, INC.
 1715 EAST GARRY AVENUE
 SANTA ANA, CA 92705
 949-833-9006
 FAX: 949-833-9159

PERMIT NUMBER DATED 6/22/2012
 201204489 PERMIT NUMBER FOR THE MASTER PERMIT FOR THE BUILDING FDC 2007

PERMIT MASTER BUILDING 201204489
 6/22/2012
 PROCESSING NUMBER C2012035206
 WPC PROPERTIES INC

CUSTOMER: DEVON SEAFOOD GRILL
NAME: KURT THIERMANN
LOCATION: 11715 SHERRI LANE
 MIAMI, FL 33183

PHONE:

DATE: 10/5/12
DESIGN NO.: SS-8779
ARTIST: JH

SCALE: 1/4" = 1'

APPROVED: _____
DATE: _____

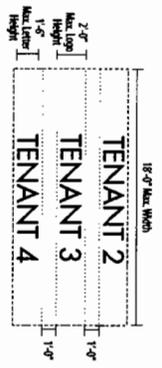
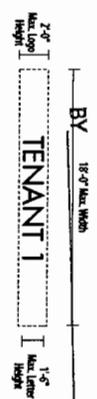


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24

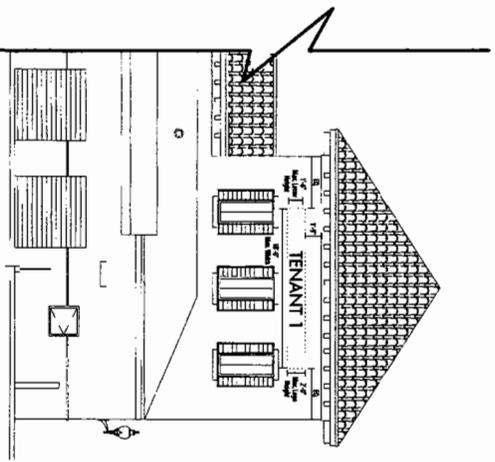
ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.



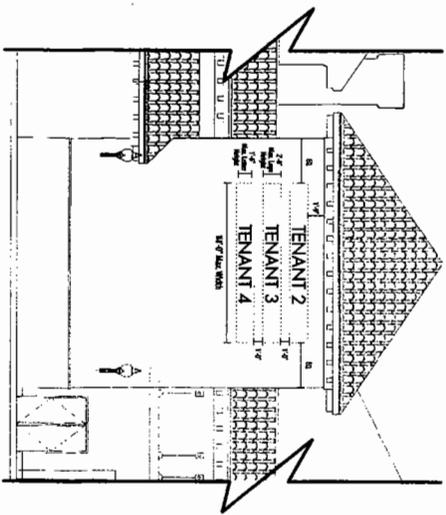
TYPICAL TENANT LOGO ELEVATION:
 Scale: 1/4" = 1'-0"

MAXIMUM LETTER HEIGHT = 1'-0"
 MAXIMUM LOGO HEIGHT = 2'-0"
 MAXIMUM SIGN AREA = 145 SQ. FT.
 Fabricated channel logo or letters with front facing LED lighting. Tenant logo in corporate colors.

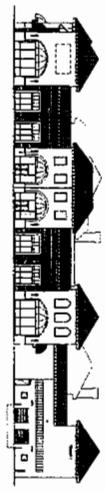
*FINAL TENANT NAMES & DESIGN TO FOLLOW



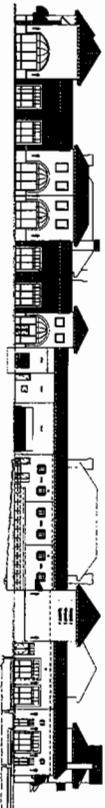
SOUTH ELEVATION:
 Scale: nts



EAST ELEVATION:
 Scale: nts



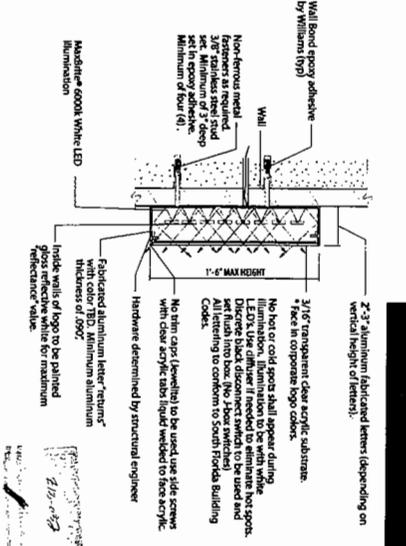
SOUTH ELEVATION:
 Scale: nts



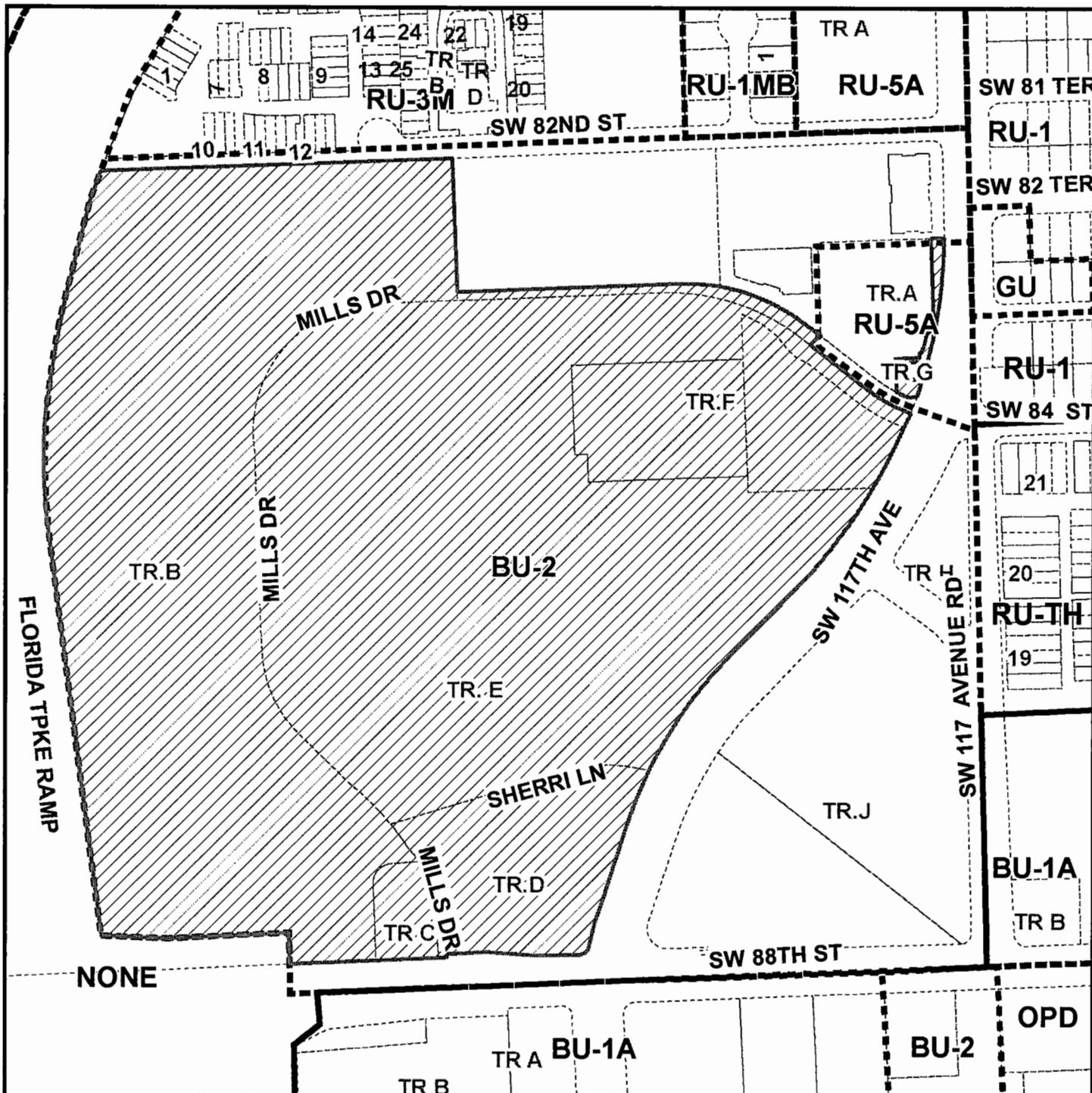
EAST ELEVATION:
 Scale: nts

TYP. LETTER SECTION:

Client to provide 20 Amp - 110V service to wall surface



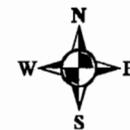
 1500 7120 SW 11th Ave, Suite 101, Ft. Lauderdale, FL 33309 305.569.2530 www.tgedesign.com		As Noted scale:	1.02.15.13 vfm Issues & revisions:	Multiple Tenant Sign description:	03 sheet no:
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MIAMI-DADE COUNTY
HEARING MAP

Process Number

Z2013000032



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

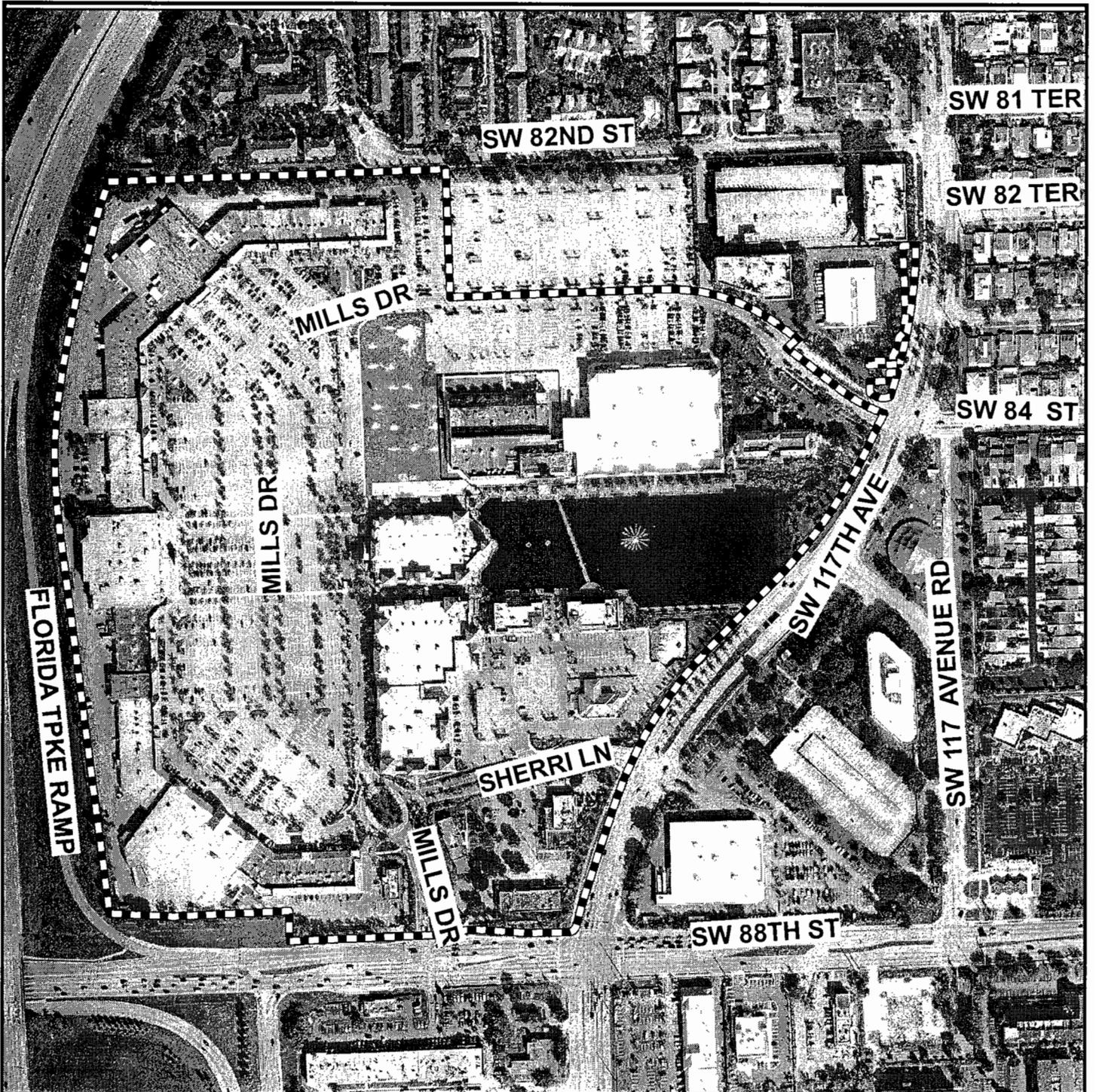
Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Thursday, April 25, 2013

REVISION	DATE	BY
		28



MIAMI-DADE COUNTY
 AERIAL YEAR 2012

Process Number

Z2013000032

Legend

-  MDC STL Index Poly
-  Subject Property
-  Zoning

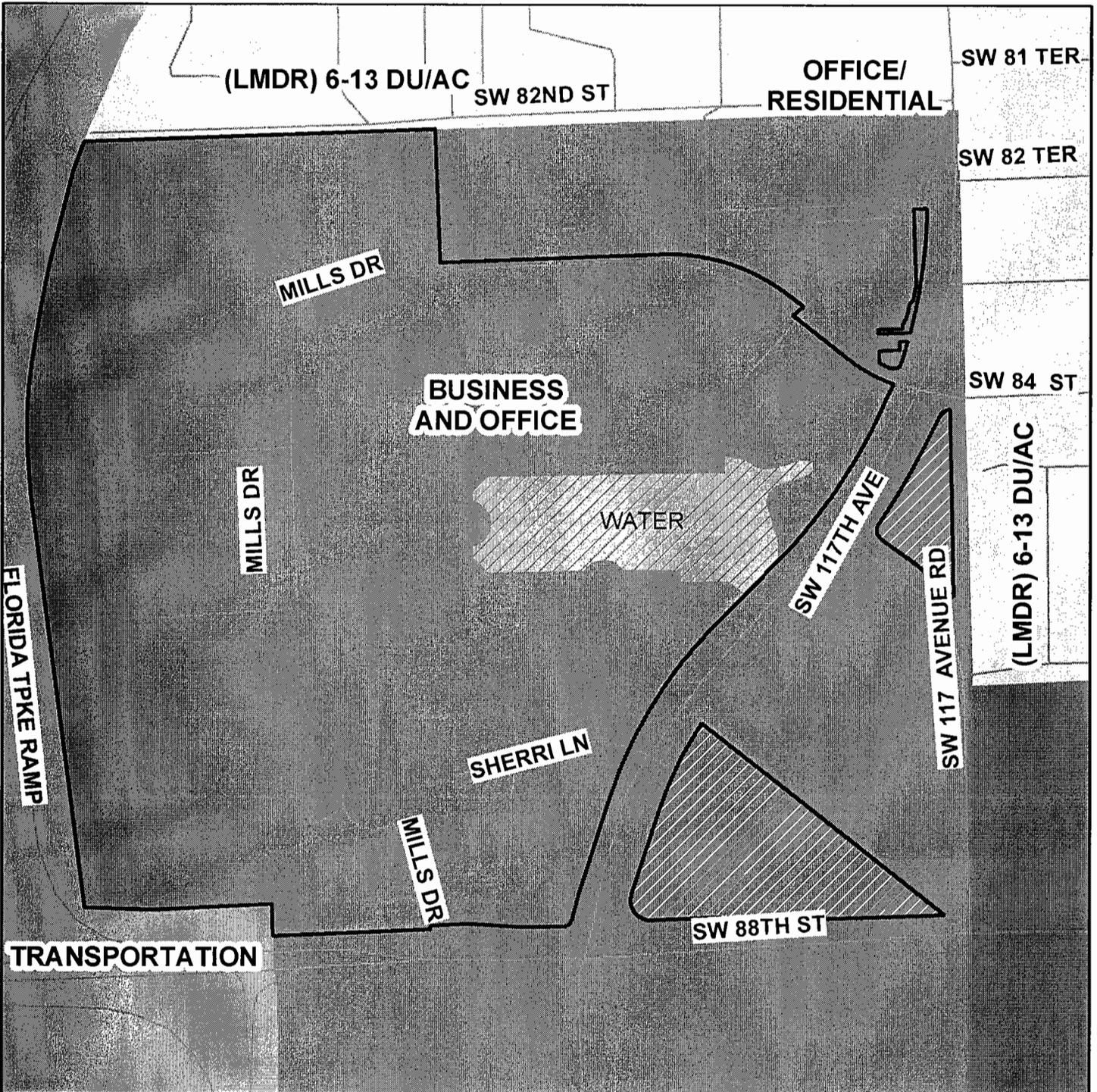


Section: 36 Township: 54 Range: 39
 Applicant: WRC PROPERTIES LLC
 Zoning Board: C12
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS



SKETCH CREATED ON: Thursday, April 25, 2013

REVISION	DATE	BY
		29



MIAMI-DADE COUNTY
 CDMP MAP

Process Number
Z2013000032



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

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Thursday, April 25, 2013

REVISION	DATE	BY

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

PH: Z13-057 (13-10-CZ12-3)

October 8, 2013

Item No. 3

Recommendation Summary	
Commission District	8
Applicants	Shimon and Rosa Cohen
Summary of Requests	The applicants are seeking to permit an existing addition to a single-family residence setback less than required from an interior side property line.
Location	10380 SW 97 Terrace, Miami-Dade County, Florida.
Property Size	16,400 sq. ft.
Existing Zoning	RU-1, Single-Family Residential District
Existing Land Use	Single-family residence
2015-2025 CDMP Land Use Designation	Low-Density Residential, 2.5 to 6 dua <i>(see attached Zoning Recommendation Addendum)</i>
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 <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions.

REQUEST:

NON-USE VARIANCE to permit an existing addition to a single-family residence setback 5.44' (7.5' required) from the interior side (north) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Cohen Residence-Zoning Study" as prepared by Elm Arch dated stamped received 6/5/13, consisting of 1 sheet. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The plan submitted depicts the 16,400 sq. ft. parcel with the existing single family residence and the encroachment into the interior side (north) setback area.

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

NEIGHBORHOOD COMPATIBILITY:

The subject property is located at 10380 SW 97 Terrace within a residential development. The area surrounding the subject property is primarily characterized by single-family residences.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to maintain the existing addition to the single-family residence which provides the applicants and their family with additional living area. The approval of this application is not likely to have any new visual impact on the abutting property located to the north.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

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

ZONING ANALYSIS:

The applicants seek to permit the residence with the existing addition that is setback 5.44' (7.5' required) from the interior side (north) property line. When the aforementioned application is analyzed under Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval will maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and for the reasons stated below would be **compatible** with same. The subject property is an irregular, pentagon shaped lot located at the end of a cul-de-sac within an established residential neighborhood. The existing 0.38-acre irregular shaped parcel is configured such that the middle portion of the lot is the widest portion and it narrows at the east ends where it abuts the roadway and the property line. Staff notes that the requested encroachment along the interior side (north) property line is only for a small portion of the addition and is located at a point where the lot begins to narrow. Therefore, staff opines that the encroachment into the interior side setback area of the existing 3,100 sq. ft. residence on the 16,400 sq. ft. parcel is primarily a result of the lot configuration. Further, staff opines that this existing 2.06' encroachment is minimal and will not create any new visual impacts on the abutting residence to the north. In addition, staff notes that pictures submitted by the applicant indicate that there is an existing 6' high wood fence along the interior side north and south property lines, which staff opines mitigates any negative visual impact of the encroachment.

Further, in staff's opinion, the requested encroachment is not out of character or incompatible with the surrounding area. Staff's research indicated that another property in the surrounding area was approved for a similar variance to the setback requirements to allow an addition that encroached into the interior side setback area. Pursuant to Administrative Variance

#V2005000074, a property located to the north of the subject parcel at 9640 SW 104 Ct, was approved to allow a bedroom addition setback 5'-8" from the interior side (northeast) property line, where 7'-6" is required. However, as a condition for approval staff recommends that in the event the existing 6' high wood fence along the interior side (north) property line is destroyed or removed, that the applicant shall replace same with an opaque 6' high fence, cbs wall or a hedge, that must be 3' high at the time of planting and that shall grow to and be maintained at a maximum height of 6'. **Based on the aforementioned analysis, staff recommends approval with conditions of the application under Section 33-311(A)(4)(b), Non-Use Variance From Other Than Airport Regulations Standards.**

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

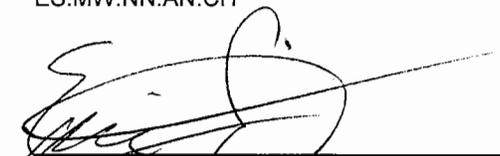
OTHER: Not applicable.

RECOMMENDATION: Approval with conditions.

CONDITIONS FOR APPROVAL :

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Cohen Residence-Zoning Study" as prepared by Elm Arch dated stamped received 6/5/13, consisting of 1 sheet. Except, any future additions on the property which conform to zoning code requirements will not require further public hearing action
3. That in the event the existing 6' high wood fence along the interior side (north) property line is destroyed or removed, the applicant shall replace same with an opaque 6' high fence, cbs wall or a hedge, that must be 3' high at the time of planting and that shall grow to and be maintained at a maximum height of 6'.
4. That the use be established and maintained in accordance with the approved plan.

ES:MW:NN:AN:CH


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

NDW

ZONING RECOMMENDATION ADDENDUM

Shimon and Rosa Cohen
Z13-057

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

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

Low-Density Residential (Pg. 1-31)	<i>The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</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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3. SHIMON & ROSA COHEN
(Applicant)

13-10-CZ12-3 (13-057)
Area 12/District 08
Hearing Date: 10/08/13

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>
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: June 26, 2013

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

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

Subject: C-12 #Z2013000057
Shimon & Rosa Cohen
10380 SW 97th Terrace, Miami, Fl
Non-Use Variance to permit the existing single family residence
setback 5.44' from the interior north property line. (7.5" required)
(RU-1) (.38 Acres)
05-55-40

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

Wellfield Protection

The subject property is located within the Average Day Pumpage Wellfield Protection Area of the Alexander Orr Wellfield Complex. Development of the subject property shall be in accordance with the regulations established in Section 24.43 of the Code. Since the proposed zoning request is for a residential land use, a hazardous wastes prohibition covenant is not required.

Potable Water Service and Wastewater Disposal

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

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

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

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

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

The applicant is advised to contact the Tree Permitting Program at (305) 372-6600, voice option #2, for additional information regarding 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.

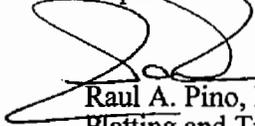
cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: June 26, 2013

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

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

Subject: Z2013000057
Name: Shimon & Rosa Cohen
Location: 10380 SW 97 Terrace
Section 05 Township 55 South Range 40 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lot 11, Block 12 of Plat Book 80, Page 34.

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

Memorandum



Date: June 27, 2013

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

From: Christopher Rose
Assistant Director, Administration
Public Works and Waste Management Department

Subject: 13_057
Shimon and Rosa Cohen

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

According to Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, the property meets the definition of residential unit. The residential unit on the property currently receives, and shall continue to receive PWWM waste collection and recycling service. The current waste collection fee will cover all associated costs as the property is within the Department's waste collection service area. The application will have no impact or any associated costs for waste collection or recycling services.

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

Memorandum



Date: June 18, 2013

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

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

Subject: Z2013000057: SHIMON & ROSA COHEN

Application Name: SHIMON & ROSA COHEN

Project Location: The site is located at 10380 SW 97 TERRACE, Miami-Dade County.

Proposed Development: The request is to seek approval for non-use variance of setbacks for an existing single family home.

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, Parks Property Management Supervisor

Memorandum



Date: 25-JUN-13
To: Jack Osterholt, Director
 Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2013000057

Fire Prevention Unit:

Not applicable to MDRF site requirements.

Service Impact/Demand

Development for the above Z2013000057
 located at 10380 SW 97 TERRACE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 1859 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: 8:15 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
 Station 53 - Turnpike - 11600 SW Turnpike Hwy
 Rescue, Battalion 9

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: 14-AUG-13

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

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

SHIMON & ROSA COHEN

10380 SW 97 TERRACE, MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2013000057

HEARING NUMBER

HISTORY:

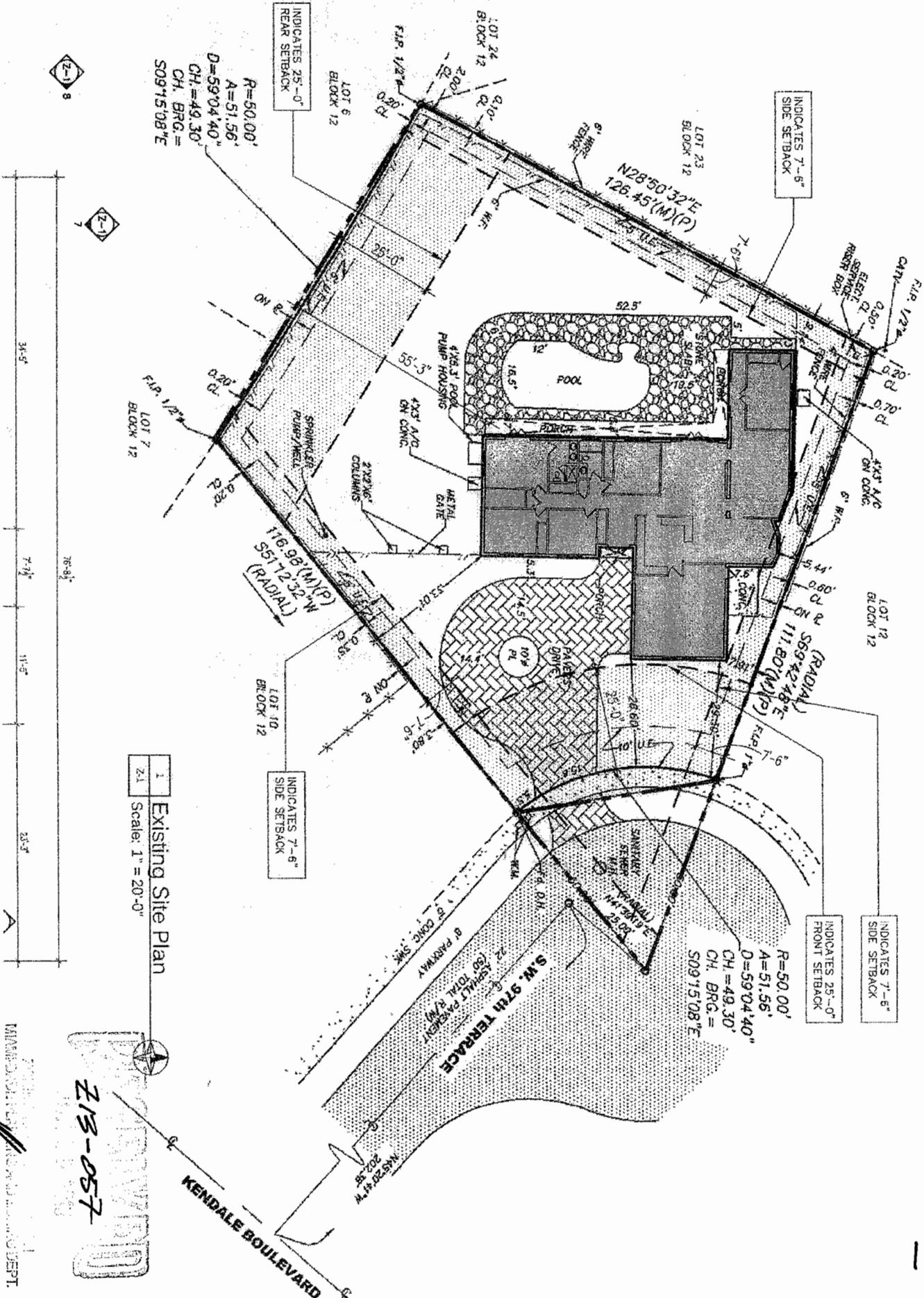
NC: THERE ARE NO CURRENT NEIGHBORHOOD COMPLIANCE CASES.
BLDG: THERE ARE NO CURRENT BUILDING SUPPORT CASES.

SHIMON & ROSA COHEN

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

REPORTER NAME:

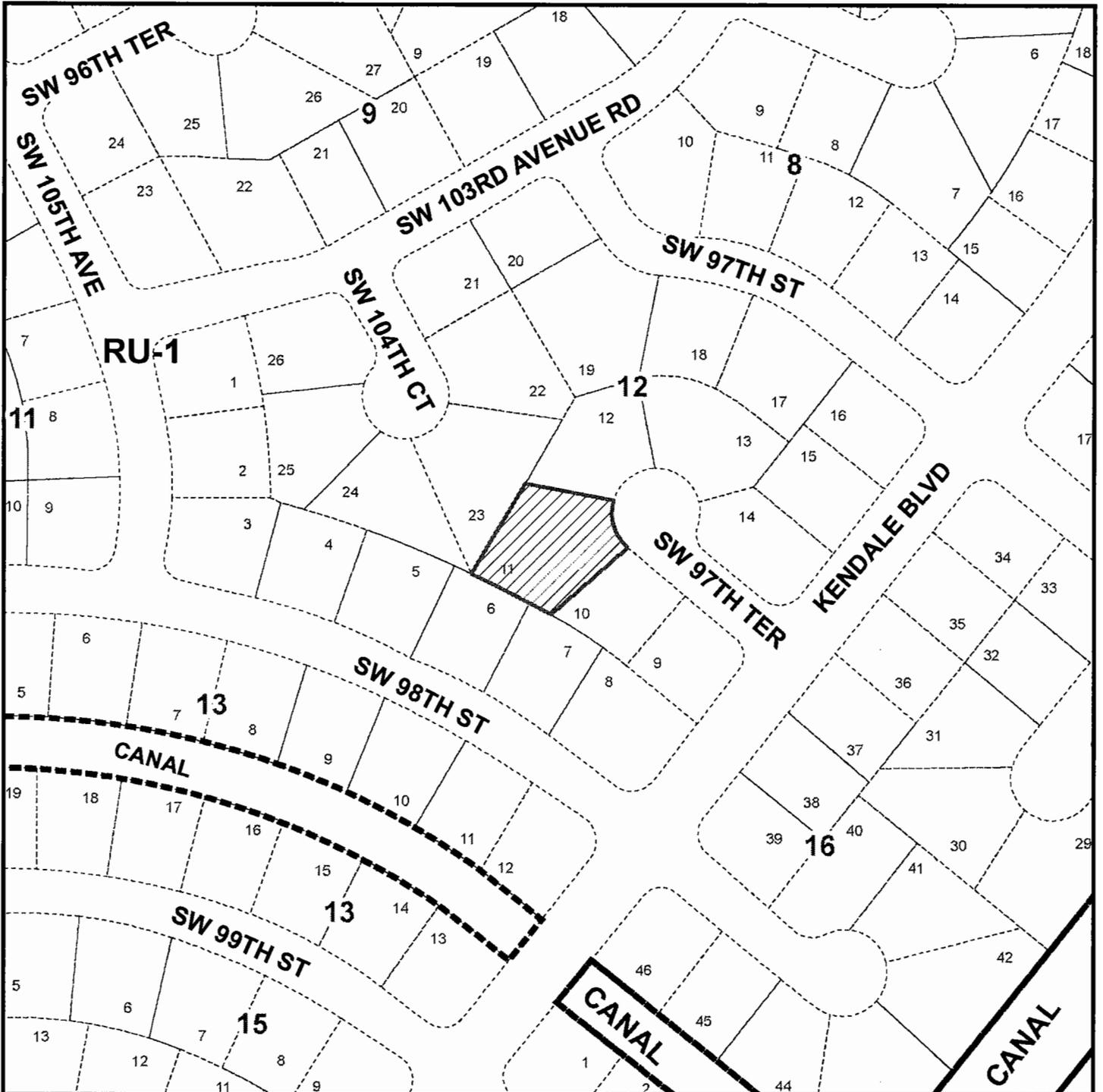
ENLARGED SITE PLAN



1 Existing Site Plan
 Z-1 Scale: 1" = 20'-0"



MANAGEMENT DEPT.
 BY



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2013000057



Section: 05 Township: 55 Range: 40
 Applicant: SHIMON & ROSA COHEN
 Zoning Board: C12
 Commission District: 7
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Wednesday, June 26, 2013

REVISION	DATE	BY
		15



MIAMI-DADE COUNTY
AERIAL YEAR 2012

Process Number

Z2013000057



Section: 05 Township: 55 Range: 40
 Applicant: SHIMON & ROSA COHEN
 Zoning Board: C12
 Commission District: 7
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

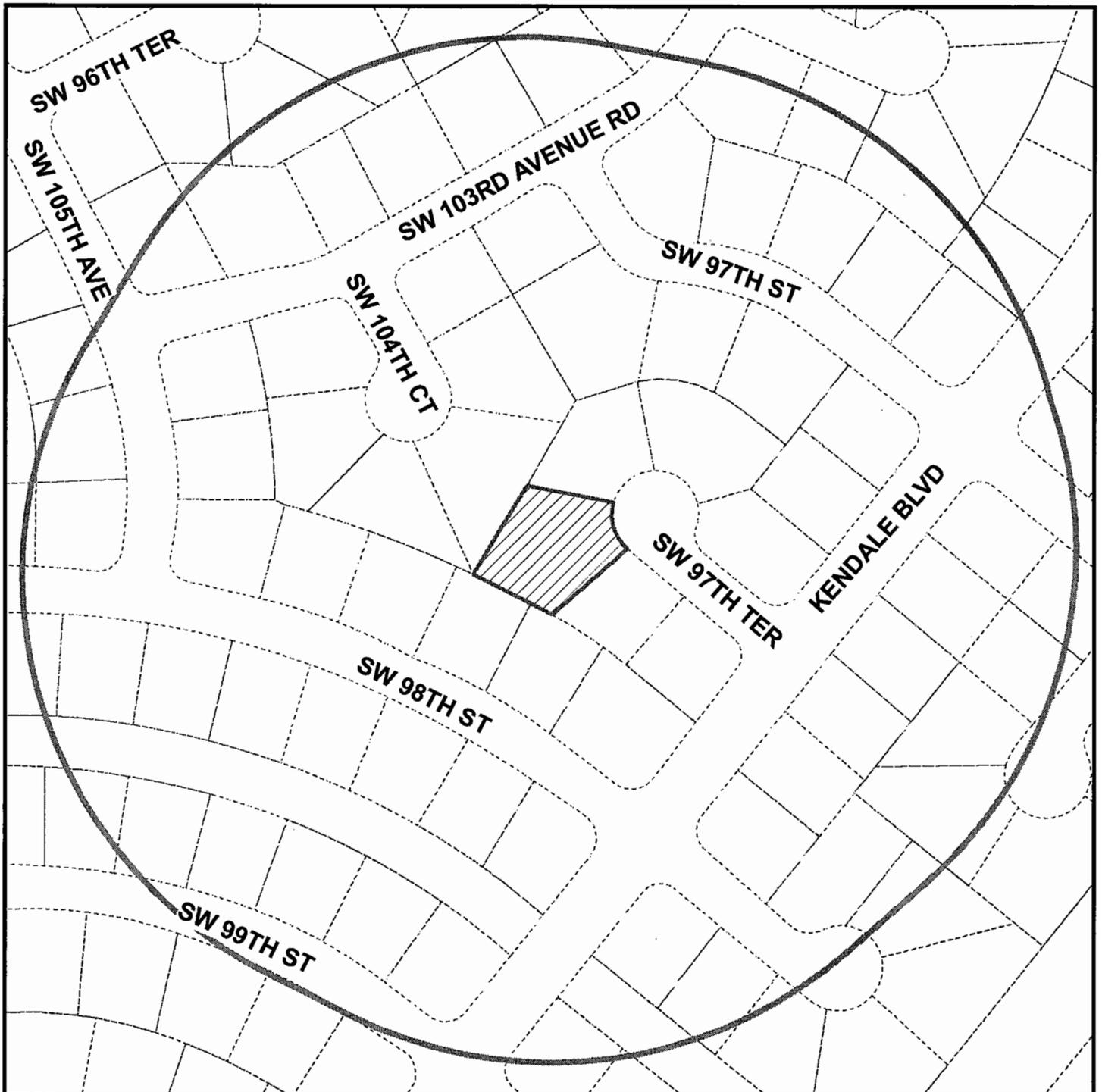
Legend

 Subject Property



SKETCH CREATED ON: Wednesday, June 26, 2013

REVISION	DATE	BY
		16



MIAMI-DADE COUNTY
RADIUS MAP

Process Number

Z2013000057

RADIUS: 500



Section: 05 Township: 55 Range: 40
 Applicant: SHIMON & ROSA COHEN
 Zoning Board: C12
 Commission District: 7
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

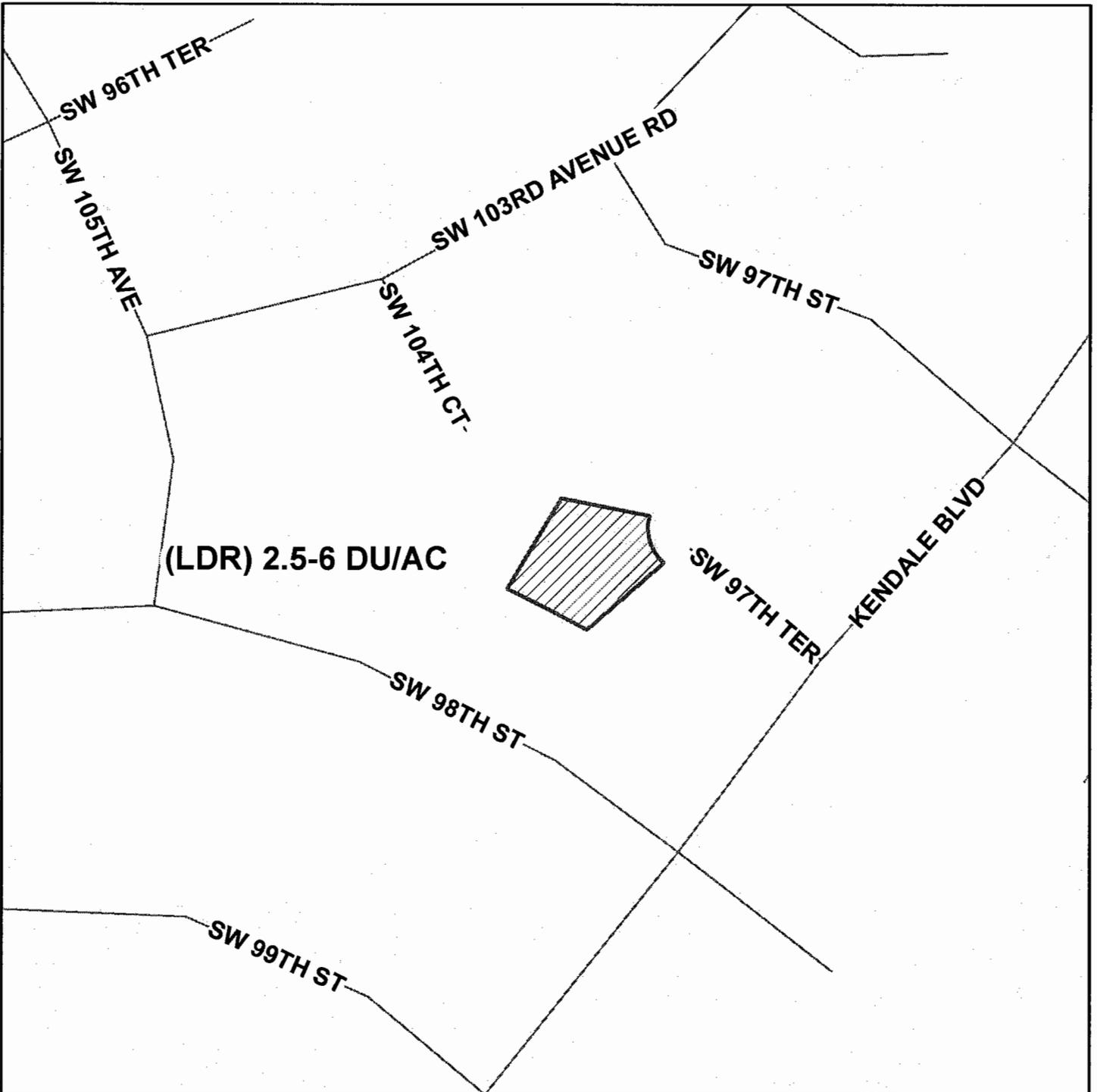
Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Wednesday, June 26, 2013

REVISION	DATE	BY
		17



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2013000057



Section: 05 Township: 55 Range: 40
 Applicant: SHIMON & ROSA COHEN
 Zoning Board: C12
 Commission District: 7
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Wednesday, June 26, 2013

REVISION	DATE	BY